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SENATE

TUESDAY, MAY 19, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all mercies, in whose love and wisdom lies our hope, still our anxious, fretful hearts as we bring our weakness to Thy might, our failure to Thy perfection, our littleness to Thy greatness.

May a renewed loyalty to the precious things we hold nearest our hearts summon all true patriots by their own example to strengthen the solidarity of our dear Nation, freedom's last, best hope, as it faces the principalities and powers of darkness which plot the destruction of this free land.

While we strengthen the Republic with freedom's might to withstand sinister forces without and within which betray and deny man's most cherished dreams of a fairer earth, save the inner life of our land, we pray, from violence, discord, and confusion and from all disrupting forces that sow suspicion, mistrust, and fear in the hearts of the people.

In the dear Redeemer's name we pray. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 18, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 920) to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by U.S. amateurs on a reciprocal basis.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 5481. An act to provide for more uniform application of section 4369 of title 39, United States Code, which pertains to filing of information relating to second-class mail publications;

H.R. 6601. An act to authorize the Secretary of Agriculture to sell certain land in Grand Junction, Colo., and for other purposes;

H.R. 7096. An act to authorize the exchange of certain property at Independence National Historical Park, and for other purposes;

H.R. 9425. An act to amend title 13, United States Code, to authorize reimbursement of census enumerators for certain telephone tolls and charges;

H.R. 9653. An act to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes;

H.R. 9747. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals;

H.R. 9938. An act to amend the Watershed Protection and Flood Prevention Act, as amended;

H.R. 10319. An act to amend title 10, United States Code, to authorize increased fees for the sale of U.S. Naval Oceanographic Office publications;

H.R. 10320. An act to amend section 1485 of title 10, United States Code, relating to the transportation of remains of deceased dependents of members of the Armed Forces, and for other purposes;

H.R. 10419. An act to amend further the Farm Credit Act of 1933, as amended, to provide that part of the patronage refunds paid by a bank for cooperatives shall be in money instead of class C stock after the bank becomes subject to Federal income tax, and for other purposes;

H.R. 10774. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of cadmium from the national stockpile and the supplemental stockpile; and

H.J. Res. 889. Joint resolution commemorating the golden anniversary of the Naval Air Station, Pensacola, Fla., and authorizing the design and manufacture of a galvano in commemoration of this significant event; to the Committee on Banking and Currency.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles, and referred as indicated:

H.R. 5481. An act to provide for more uniform application of section 4369 of title 39, United States Code, which pertains to filing of information relating to second-class mail publications;

H.R. 9425. An act to amend title 13, United States Code, to authorize reimbursement of census enumerators for certain telephone tolls and charges; and

H.R. 9653. An act to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes; to the Committee on Public Works.

H.R. 6601. An act to authorize the Secretary of Agriculture to sell certain land in Grand Junction, Colo., and for other purposes;

H.R. 9747. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals;

H.R. 9938. An act to amend the Watershed Protection and Flood Prevention Act, as amended; and

H.R. 10419. An act to amend further the Farm Credit Act of 1933, as amended, to provide that part of the patronage refunds paid by a bank for cooperatives shall be in money instead of class C stock after the bank becomes subject to Federal income tax, and for other purposes; to the Committee on Agriculture and Forestry.

H.R. 7096. An act to authorize the exchange of certain property at Independence National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 10319. An act to amend title 10, United States Code, to authorize increased fees for the sale of U.S. Naval Oceanographic Office publications;

H.R. 10320. An act to amend section 1485 of title 10, United States Code, relating to the transportation of remains to deceased dependents of members of the Armed Forces, and for other purposes; and

H.R. 10774. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of cadmium from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.J. Res. 889. Joint resolution commemorating the golden anniversary of the Naval Air Station, Pensacola, Fla., and authorizing the design and manufacture of a galvano in commemoration of this significant event; to the Committee on Banking and Currency.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that following the conclusion of the quorum call, there be a morning-hour period, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

ORDER FOR RECESS TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 10 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 239 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ellender
Fong
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Moss
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Stennis
Symington
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Virginia [Mr. Byrd], the Senator from Arkansas [Mr. Fulbright], the Senator from South Carolina [Mr. Johnston], the Senator from Washington [Mr. Magnuson], the Senator from Oregon [Mr. Morse], the Senator from Maine [Mr. Muskie], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Oklahoma [Mr. Edmondson] the Senator from North Carolina [Mr. Ervin], the Senator from Alabama [Mr. Hill], the Senator from North Carolina [Mr. Jordan], the Senator from Arkansas [Mr. McClellan], the Senator from West Virginia [Mr. Randolph], the Senator from Florida [Mr. Smathers], the Senator from Alabama [Mr. Sparkman], and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

I further announce that the Senator from California [Mr. Engle] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. Beall], the Senator from Arizona [Mr. Goldwater], the Senator from New Mexico [Mr. Mechem], and the Senator from Kentucky [Mr. Morton] are necessarily absent.

The Senator from New York [Mr. Keating] and the Senator from South Dakota [Mr. Mundt] are absent on official business.

The Senator from Texas [Mr. Tower] is detained on official business.

The ACTING PRESIDENT pro tempore. A quorum is present.

Morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Manner of Voting in Election of Directors of National Banking Associations

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to eliminate cumulative voting of shares of stock in the election of directors of national banking associations unless provided for in the articles of association (with accompanying papers); to the Committee on Banking and Currency.

District of Columbia Medical Payments Act

A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to require certain persons to make payment, according to their ability to pay, for examination, treatment or care furnished by or at the expense of the District of Columbia at public and private medical institutions, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Report on Administration of Foreign Agents Registration Act of 1938

A letter from the Attorney General, transmitting, pursuant to law, his report on administration of the Foreign Agents Registration Act of 1938, as amended, for the calendar year 1963 (with an accompanying report); to the Committee on Foreign Relations.

Report on Certain Improper Payments to Crew Members of the U.S.S. "Kitty Hawk"

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improper or unnecessary payments of pay, travel, and other allowances to crew members of the U.S.S. *Kitty Hawk*, Department of the Navy, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Excessive Payments for Rental of Punched Card Machines by Federal Aviation Agency

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excessive payments for rental of punched card machines incurred because of ineffective contract administration by Federal Aviation Agency, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Excessive Costs Incurred by Leasing Rather Than Purchasing Automatic Data Processing Machines at the Jet Propulsion Laboratory, Pasadena, Calif.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excessive costs incurred by leasing rather than purchasing automatic data processing machines at the jet propulsion laboratory, Pasadena, Calif., National Aeronautics and Space Administration, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 2857. A bill for the relief of Young Kyun Kim; to the Committee on the Judiciary.

By Mr. DODD:

S. 2858. A bill for the relief of Rear Adm. William D. Wright, U.S. Navy, retired; to the Committee on the Judiciary.

By Mr. HART:

S.J. Res. 178. Joint resolution to establish a Tercentenary Commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

INVESTIGATION OF MATTERS RELATING TO CAPABILITIES OF NAVAL AND PRIVATE SHIPYARDS

Mr. JAVITS (for himself, Mr. Keating, Mr. Scott, and Mr. Inouye) submitted a resolution (S. Res. 331) authorizing an investigation of matters relating to the respective capabilities of naval and private shipyards in fulfilling the requirements of national defense, which was referred to the Committee on Armed Services.

(See the above resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

TERCENTENARY COMMISSION TO COMMEMORATE THE ADVENT AND THE HISTORY OF FATHER JACQUES MARQUETTE IN NORTH AMERICA

Mr. HART. Mr. President, I introduce, for appropriate reference, a joint resolution to establish a Tercentenary Commission to commemorate the advent and history of Father Jacques Marquette in North America.

The function of the Commission will be to develop and execute suitable plans for the celebration of the three hundredth anniversary of the arrival of Father Marquette at Quebec on September 20, 1666. In conjunction with these plans, the Commission, in cooperation with the Secretary of the Interior, will investigate the desirability of establishing a permanent national monument or memorial.

Mr. President, Michigan is proud to claim Father Marquette as one of her own. Two years after his arrival in North America, he established a mission at Sault Ste. Marie. Later in 1671 he founded the Mission of St. Ignatius at the Straits of Mackinac, and this remained his home until his death.

Returning from a missionary trip to Illinois in 1675, he died on the eastern shore of Lake Michigan near the present city of Ludington. He is buried in our State. Michigan rivers, counties, townships, cities, and streets proudly bear his name.

But Father Marquette is known in American history for what he accomplished beyond our boundaries. Two hundred and ninety-one years ago Sunday, Father Marquette and the renowned explorer, Louis Joliet, set out to explore our continent's greatest river—the Mississippi. The histories say that on May 17, 1673, Father Marquette and Joliet left St. Ignace with two bark canoes, five French guides, and a little smoked meat and Indian corn.

In 4 months they descended the Mississippi to the mouth of the Arkansas, satisfied themselves that the river emptied into the Gulf of Mexico, and returned to St. Ignace—a journey of 3,000 miles. They brought back with them knowledge of America's greatest river and richest wilderness.

Today as we puzzle the complex problems of science, space, economic growth, and human relations, I believe it not inappropriate that we occasionally turn our attention backward to those early pioneers—among them Father Marquette—who met with determination and courage the basic and compelling challenges of their day—the exploration of a vast uncharted continent, and the planting in its rich soil of the tender shoots of civilization.

Mr. President, I hope the Congress will act to make possible an appropriate anniversary observance in commemoration of Father Marquette's contributions to our country.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 178) to establish a Tercentenary Commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on the Judiciary.

CIVIL RIGHTS—AMENDMENT (AMENDMENT NO. 605)

Mr. TOWER. Mr. President, I send to the desk an amendment to House bill 7152, the so-called civil rights bill, and ask that it be printed and lie on the table.

This amendment arises out of my concern about the ramifications of the Motorola-Illinois FEPC case. I have discussed that case in great detail for the Senate and will not repeat myself here.

Let me only say that it is indicated by the Motorola case that an Equal Employment Opportunities Commission operating under title VII of the civil rights bill might attempt to regulate the use of tests by employers.

You will recall that in the Motorola case an FEPC examiner found the test used to select employees to be discriminatory to culturally disadvantaged groups.

Since the case arose, it has been repeatedly stated by psychologists and testing experts that the test was not designed to "select-out" any cultural group. It is obvious that tests can and are being written which are both fair and extremely useful. There is no professional evidence to the contrary.

My amendment is quite simple. It provides that an employer may give any professionally developed ability test to any individual seeking employment or being considered for promotion or transfer, and then act upon the results of that test.

I have carefully provided that employers must give such tests to all concerned individuals without regard to the individual's race, color, religion, sex, or national origin. Thus, everybody will get the same fair test; everybody will get the same fair chance.

This entire bill is designed, Mr. President, to assure that a fair chance is gotten by every American. In that spirit I offer this amendment and suggest that the Senate give it careful consideration.

Mr. President, I ask unanimous consent that the amendment be printed in the RECORD.

The **PRESIDING OFFICER.** The amendment will be received, printed, and lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 605) submitted by Mr. TOWER is as follows:

On page 35, after line 20, insert the following new subsection:

(h) Notwithstanding any other provision of this title, it shall not be an unlawful employment practice for an employer to give any professionally developed ability test to any individual seeking employment or being considered for promotion or transfer, or to act in reliance upon the results of any such test given to such individual, if—

(1) in the case of any individual who is seeking employment with such employer, such test is designed to determine or predict whether such individual is suitable or trainable with respect to his employment in the particular business or enterprise involved, and such test is given to all individuals seeking similar employment with such employer without regard to the individual's race, color, religion, sex, or national origin, or

(2) in the case of any individual who is an employee of such employer, such test is designed to determine or predict whether such individual is suitable or trainable with respect to his promotion or transfer within such business or enterprise, and such test is given to all such employees being considered for similar promotion or transfer by such employer without regard to the employee's race, color, religion, sex, or national origin.

Mr. TOWER. Mr. President, I ask unanimous consent to have included with my remarks a letter discussing this situation which was written in response to my request by Mr. Robert C. Nichols, program director of the National Merit Scholarship Corp.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL MERIT SCHOLARSHIP CORP.,
Evanston, Ill., May 6, 1964.

Senator JOHN G. TOWER,
U.S. Senate Committee on Labor and Public Welfare, Washington, D.C.

DEAR SENATOR TOWER: In order to answer your letter of April 27, I have read H.R. 7152 and the "Decision and Order of the Hearing Examiner" of the Illinois FEPC-Motorola case.

Regarding Motorola's employee test the hearing examiner said, "In the light of current circumstances and the objectives of the spirit as well as the letter of the law, this test does not lend itself to equal opportunity to qualify for the hitherto culturally deprived and disadvantaged groups. Until test No. 10 is revised, or appropriately replaced, those persons such as the complainant in this case who apply for employment at respondent's company will be at a competitive disadvantage." He therefore ordered:

"B. That respondent cease and desist from the use of test No. 10 within 30 days from the date of this order.

"C. That if respondent chooses to replace test No. 10, that it adopt a test which shall reflect and equate inequalities and environmental factors among the disadvantaged and culturally deprived groups."

Ordinarily I would interpret this as an isolated judgment which would surely be reversed on appeal. However, since you have raised the possibility that the current civil rights bill could lead to such judgments, it deserves careful evaluation.

If tests on which various racial groups show different average performance were illegal and if the law were rigidly enforced, it would have very widespread and disastrous consequences.

Let me state three facts: (1) Negroes and other culturally deprived groups obtain lower average scores than whites on most tests of ability, although there is a great deal of overlap, with some Negroes scoring higher than most whites. (2) This lower average performance is due, at least in part, to cultural disadvantages. It may also be due in part to genetic differences, but currently available data do not allow a firm conclusion on this. (3) Attempts to develop "culture free" tests which do not show differences between diverse cultural groups have not been completely successful, and the "culture free" tests typically do not predict job or scholastic performance as well as tests which show cultural differences. (These statements are based on research reviewed by Dreger and Miller, "Comparative Psychological Studies of Negroes and Whites in the United States," Psychological Bulletin, 1960, 57, 361–402.)

Thus, if the civil rights bill were interpreted as outlawing tests which are affected by cultural deprivation, employers would be effectively prevented from selecting workers on the basis of ability. Surely this is not the intention of the Congress.

The version of H.R. 7152 which I read does not define what constitutes discrimination. This is apparently left up to the judgment of the Equal Employment Opportunity Commission in each individual case. If you feel that the EEOC might define discrimination to include tests of ability which are affected by cultural deprivation, it may be wise to clarify the intention of the Congress by an amendment such as the following:

"Notwithstanding any other provision of this title it shall not be an unlawful employment practice for an employer to select employees on the basis of tests or other measures of ability which are relevant to the work to be performed, even though different racial or cultural groups perform on the average differently on the test."

I am sending a copy of this letter to the executive secretary of the American Psychological Association, and I assume he will take any additional action which is necessary to prevent restriction of the free use of tests of ability.

Thank you for giving me the opportunity to comment on an important problem. Please understand that I am writing as a professional psychologist working in the area of tests and measurements, and that the views expressed are my own and not necessarily those of the National Merit Scholarship Corp.

Cordially,

ROBERT C. NICHOLS,
Program Director.

PERSONAL STATEMENT RELATING TO ROLLCALL NO. 225

Mr. JACKSON. Mr. President, in connection with rollcall No. 225, taken on May 14, I was absent on official business. Had I been present, I would have voted "yea," and I should like to have the RECORD show that.

AMENDMENT OF SECTION 8 OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of May 11, 1964, the names of Mr. BURDICK and Mr. McGEE were added as additional cosponsors of the bill (S. 2821) to amend section 8 of the Soil Conservation and Domestic Allotment Act, as amended, introduced by Mr. MANSFIELD (for himself and Mr. METCALF) on May 11, 1964.

TRADE: THE KEY TO ATLANTIC MATURITY—ADDRESS BY SENATOR RIBICOFF

Mr. SYMINGTON. Mr. President, last Sunday evening, May 17, at Rockhurst College in Kansas City, Mo., the distinguished Senator from Connecticut [Mr. RIBICOFF] was honored by that great institution bestowing upon him the degree of doctor of laws.

At that time the Senator from Connecticut delivered a profoundly thoughtful address on a subject that is becoming of increasing importance to all of us; namely, "Trade: The Key to Atlantic Maturity."

I believe my colleagues will be most interested in his thinking on a subject which is taking steadily more time of the Foreign Relations Committee, the two Houses of Congress, and the administration itself.

At this meeting Senator RIBICOFF was honored by his introduction by Missouri's No. 1 citizen, former President Harry S. Truman, and the remarks he made with respect to future trade, especially in its relationship to agriculture, and the work of our able and distinguished colleague, the senior Senator from Kansas [Mr. CARLSON], could not have been better received.

Mr. CARLSON. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I yield to the distinguished Senator from Kansas.

Mr. CARLSON. I am delighted not only that the Senator from Connecticut [Mr. RIBICOFF], who spoke at Rockhurst College, in the agricultural heart of our Nation, was honored by receiving the degree of doctor of laws, but that it was my privilege to be with the distinguished Senator from Connecticut at the opening of the trade negotiations at the Kennedy round at Geneva. He not only ably represented our Nation, particularly in industrial relations, but we were both in agreement that in trade relations not only must we give consideration to industry and agriculture, but no agreement on our part should be reached until agreements in both those fields had been arrived at.

I thank the Senator from Missouri for placing this statement in the RECORD.

Mr. SYMINGTON. I thank the Senator for his remarks. I ask unanimous consent that this brilliant address be inserted at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TRADE: THE KEY TO ATLANTIC MATURITY

(Address by Senator ABRAHAM RIBICOFF, before the 12th annual Rockhurst College convocation dinner, Kansas City, Mo., May 17, 1964)

Eighteen years ago one of the authentic heroes of this century came to speak to another distinguished college in this State. "An Iron Curtain," said Winston Churchill, "has descended across the continent" of Europe.

Ever the man of vision, Churchill foresaw with clarity the consequence of this Iron Curtain. He apprehended what the world would soon call the cold war. He knew the crucial battleground was Western Europe. He knew the issue was nothing less than the survival of Western civilization. And so he challenged us to assume in the cold war to come responsibilities as heavy as we had borne during the hostilities just ended.

Our Nation and our President were equal to the task. With his own vision and his rare brand of political courage, Harry Truman grasped the nettle of leadership and charted for his country an historic role. He, too, saw Western Europe as the crucial battleground of the cold war. He knew the burdens we would have to assume. And he knew how crucial was the outcome.

Under President Truman's leadership the United States met its responsibilities. Greek-Turkish aid, the Marshall plan, and the formation of NATO—these were the Truman policies to fight the cold war on the Continent of Europe, meet the Soviet challenge head on and build for the future of the free world.

I was proud to have been assigned a role in the congressional action required to implement the Truman policies. As a member of the House Foreign Affairs Committee from 1949 to 1953, I shared in the reponsibility for legislative efforts to aid the stricken economies of Western Europe. As a Congress, indeed, as a nation, we responded to the President's call for action.

For the next 15 years we pursued the policies initiated by Harry Truman. We saw to it that the nations of Western Europe rebuilt their factories, restored their cities and revitalized their economies. We provided money, know-how and leadership.

Today if you stop to survey the Western Europe that confronted Churchill and challenged Truman, you find this simple fact: in Western Europe the United States has won the greatest battle of the cold war.

Where there was hunger and despair, there is now prosperity and vitality. Where there was weakness inviting Soviet expansion, there is now strength thwarting and repelling Soviet intentions. Where there was economic chaos ripe for Communist subversion, there is now dynamic economic growth challenging the Soviets, competing with them, and in many instances surpassing them.

A Western Europe that was prostrate with the exhaustion of war is now kicking up its heels with the unprecedented vigor of a peacetime boom.

Ironically, some have viewed the signs of victory with dismay. They complain that Western Europe now has ideas of its own. They wring their hands when General de Gaulle declines to acknowledge the infallibility of our State Department. They bridle at the prospect that various nations of Western Europe have independent ideas of their own.

Shouldn't we welcome these developments? They evidence precisely the results we sought to achieve. We set out to build up nations that would be strong, independent and free. Should we now regret the very strength and independence that is the core of their freedom?

Of course, these countries do not bow their heads in humble gratitude. But gratitude has never been a valuable currency in the history of nations. A nation that demands gratitude generally earns contempt. Far better to acknowledge with candor the new status of our allies and go on from there.

Of course, these countries no longer accept the idea that U.S. leadership shall be accepted unfailingly in matters of diplomacy, strategy, politics or economics. We no longer call the tune. Younger brothers accept help and advice from the eldest only until they acquire strength and capacity of their own. Then, as now, it is a new day.

What we have achieved is one of the great triumphs of American foreign policy, perhaps the most notable of this century. This is no time to bemoan the new problems that victory has brought. It is better to have the problems of strong allies than the headaches of weak ones. This is a time to face up to new challenges, to recognize the new stage of development which the Atlantic Community has reached, and to act—not on the memory of bygone days—but on the reality of present facts and the trend of future events.

Two weeks ago, I was privileged to be on the scene where the new challenges of a strong Western Europe are very much in evidence. Along with the able and distinguished senior Senator from neighboring Kansas, my good friend FRANK CARLSON, I journeyed to Geneva as part of the congressional delegation to the GATT tariff negotiations. This was the formal opening of the Kennedy round, the most ambitious effort to liberalize world trade policies ever undertaken.

There at Geneva were assembled the industrial nations of the free world, many of the less developed countries and even some representation from the Communist world. Dominating the discussions are the United States, the Common Market countries led by France and Germany, and the European Free Trade Association, led by Great Britain.

What is readily apparent is the new concert of power that has developed within the Atlantic Community. For here in the realm of economics, tariffs and trade, the postwar era of unquestioned U.S. leadership is over. The European countries have found that their goals are not always our goals. They not only chart their own courses, they have the capacity to fight and fight hard to secure their own interests.

We approach this crucial Kennedy round of negotiations with certain definite objectives of our own. To begin with we are taking the initiative in pressing for across-the-board tariff cuts of 50 percent. This is an extraordinary and ambitious goal, and the very fact that we are on the offensive in seeking it makes us a prime target for those who do not readily share our objective.

Nevertheless, it is right that we press on toward this goal, for if successful entirely or even in a substantial way, we will have secured a major breakthrough in the expansion of world trade. Today we are exporting over $20 billion of goods a year, earning a trade surplus of $4 billion. Yet we still run an overall balance of payments deficits. In export expansion lies the surest answer to our overseas deficit. A 10- or 15-percent increase in exports would wipe out our balance of payments deficit. And lest we draw too much satisfaction from a $20 billion export figure, let us note that exports from West Germany to the world have reached $50 billion.

So it is vital to our interests that we enlarge our export trade and bargain down the tariff barriers that block our increased access to the markets of the world.

Yet at Geneva we find many thorny issues on the bargaining table along with our request for wholesale 50-percent cuts. We find, for example, that the European nations reject the principle of equal tariff cuts on those items where our tariff level happens to be much higher than theirs. They argue that a high 40-percent tariff, for example, even when cut in half, is still a substantial barrier, whereas a 20-percent tariff, when cut in half, represents a substantial tariff concession.

So the European nations demand that some of our high tariffs be cut by a greater percent than some of their own lower tariffs to equalize the benefits gained. This is the so-called disparities problem, a difficult, technical area. We have accepted in principle the idea that some of our high tariffs, and theirs as well, should be reduced proportionately more than corresponding lower tariffs, but we are still a long way apart on which items this principle should apply to and what mathematical and economic formula should determine when a disparity exists.

Then we face the perplexing question of agriculture, so vital to this part of the country. More than one-fourth of all our exports are agricultural products. Of the 1963 wheat crop, for example, an estimated 75 percent will be exported. So the continuation and enlargement of export markets for our food and fiber are crucial to the welfare of our farm economy.

As Senator CARLSON made clear at Geneva, it is of vital importance that agriculture be dealt with as part of any settlement reached in the Kennedy round. I was glad to support Senator CARLSON in this demand, for I recognize, as he does, that we cannot approach these problems from sectional points of view. I know the well-being of Missouri and Kansas farmers is vital to the health of this Nation, and FRANK CARLSON knows the same is true of the industrial workers in Connecticut. Our solutions to these problems must be broad enough to promote the best interests of all parts of the Nation.

But make no mistake about it. Agriculture will remain one of the most difficult problems of the Kennedy round. The Common Market countries are looking to the day when the farms of their countries will supply most of their agricultural needs. Of course, it is a big world and there are hungry people in many lands and ultimately our farms must seek entirely new export markets in the developing countries of the world. But those markets are not yet able to generate much purchasing power and until they can, there will be a continuing difficult period for agriculture.

Geneva presents us also with the trade problems of the developing countries. They see trade as a means to their economic growth. Yet until they have reached a far higher stage of economic development, they find it extremely difficult to compete in world markets with the industrial countries. They are seeking special consideration, and, in one way or another, the wealthy nations are going to have to help them achieve economic growth.

These are the problems that will dominate the Kennedy round. They will not be resolved this year and many of them will remain with us during 1965 and even beyond. But more important than any one issue at the negotiating table is the new power context in which these issues arise.

For at Geneva, the new Europe is flexing its muscles. The Common Market countries are looking after their internal problems as well as seeking new export markets for themselves. England faces problems of her own as well as those countries associated with her in the European Free Trade Association and the Commonwealth. All these countries are pursuing their own objectives, making common cause when it suits their needs, but never losing sight of their own interests. For the United States in the postwar world, this is an entirely new context, a new set of power relationships.

We cannot dominate; we must negotiate. Our power can lead only to agreements of mutual benefit. We must as a nation look to our own interests as well. Only when one nation deals with other nations out of mutuality of interest is there respect and continuing success. Since Europe is now strong and on its own steady feet, they neither deserve nor should expect special concessions or favors.

Let us then recognize that we are dealing with nations fully grown. Let us pursue our aims and bargain hard to achieve them. Let us no longer expect Western Europe to do our bidding. Let those nations in turn no longer expect to find us amenable to their every wish.

The field of trade is perhaps the most promising in which these new conditions can be applied. Trade is the lifeblood of free economies. It is an ideal arena in which the Atlantic powers should contest with each other. Let us give these countries a run for their money. Let us bargain hard to break down tariffs, including the external tariff of the Common Market. But let us make it clear that we have no intention of becoming a tail to their kite. We seek to trade in markets throughout the world. More than 80 percent of U.S. exports today go to countries outside the European Common Market. It is a worldwide market in which the great battles of trade expansion will be fought. The European powers are able protagonists to be sure, but we should not become so preoccupied with them that we lose sight of our worldwide opportunities. Not only are our interests in the European countries, but we have vital interests in the North and South American Continents, and in Asia as well.

Nevertheless it is true that the immediate problems in the field of trade will involve Western Europe and ourselves. Out of these negotiations can and must come the healthy respect upon which true friendship between nations must ultimately rest.

Our challenge then is to recognize the new day that has arrived and approach our task not with dismay but with enthusiasm and confidence. There has been no falling out among friends. The inexorable course of history will assure the Atlantic nations being bound in common cause where their vital interests are at stake. But the impending postwar threat to the existence of Western Europe has been repulsed. Now these nations look ahead to their individual destinies and ultimately to the destiny of Europe as a whole. What their future holds we cannot predict in detail. Nor can we be precise about the future trend of our own relationships with the new Europe. We hear much these days of European federation or confederation; we hear of Atlantic partnership and Atlantic community. These may well be the concepts of the future. But at the present the great need is for Atlanic maturity—the recognition on both shores that the Atlantic nations have grown up into a new set of power relationships.

The key to Atlantic maturity can well be trade. For trade is the instrument that can promote our mutual strengths and keep us mindful of our common interests, even as we pursue our individual goals in a spirit of vigorous competition. Let us welcome the challenges of today's Western Europe. Let us explore all opportunities for broad economic growth, especially the opportunities for expanded trade. Let us thereby achieve a sense of Atlantic maturity that can become a powerful force for world stability, progress, and peace.

Mr. RIBICOFF. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I yield to the distinguished Senator from Connecticut.

Mr. RIBICOFF. I thank the Senator from Missouri and the Senator from Kansas for their gracious remarks. It was very stimulating for me to be in Kansas City. Also, I was deeply impressed by the high regard in which the Senator from Missouri and the Senator from Kansas are held in the great heartland of America.

I feel that one of the great problems which will be occupying the time of Congress during the next decade is the problem of trade. It was my pleasure to attend the GATT conferences in Geneva with my colleague from Kansas. Both of us can assure the Senate that under the leadership of Ambassador Herter and the staff he has with him in Geneva we have a group of negotiators who are well aware of the problems.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent to continue for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. The problems of this country are in excellent hands. I am sure, too, that in the days ahead we shall have to do some hard thinking and take realistic action to insure America's lead in the world.

PRELIMINARY DRAFT OF REPORT ON INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. WILLIAMS of Delaware. Mr. President, yesterday the counsel to the majority of the Senate Rules Committee leaked the preliminary draft of the report on the results of the Bobby Baker investigation.

In this report they made two recommendations:

First. A new code of ethics for the Senate.

Second. The report charges that while Mr. Baker engaged in gross improprieties while serving in his $19,600-a-year post as Senate majority secretary, it considers that the former Senate aid violated no conflict-of-interest laws.

No doubt the Senate needs a higher standard of ethics, and I will be one of the strong supporters in the adoption of a more stringent code; however, I will not sit back and allow the results of the Baker episode to be brushed under a rug with the adoption of a high-sounding code of ethics and the pious statement that he was guilty only of gross improprieties and that there have been no laws violated.

There are laws on our statute books which deal with the question of a public official using the prestige and influence of his official capacity to further his own financial interests. As evidence of the effectiveness of these laws I cite the recent conviction of two Congressmen as well as other convictions in the past of public officials.

I am also disturbed by the continued effort to discredit the character of one of the major witnesess in the Baker probe.

It was Mr. Reynolds who presented the most damaging testimony showing how Mr. Baker had abused and cashed in on the prestige of his public office. As the result of his cooperation with the committee this witness has been subjected to continuous harassment.

First, the White House leaked alleged damaging material from his secret personnel files, and now we find the Rules Committee joining in this parade of those attempting to discredit one who proved to be one of the most valuable witnesses in the investigation.

I may be discussing the Baker case in more detail at some later date, but for the moment I point out that:

We have laws which would prohibit and make it a criminal penalty for any man to sign the name of an accountant on his tax returns, particularly so when that accountant had absolutely nothing to do with the preparation of the return.

We have laws which would require any American citizen, whether he be a public official or not, by all means a public official, to account for large sums of cash which are found to be in his possession.

We have laws which prohibit a public official from representing a client before a Government agency, and particularly when accepting a fee from such representation.

We have laws which make it a criminal charge to accept kickbacks on Government contracts.

And we have laws which require every taxpayer to itemize the expense account deductions on his tax returns.

How could any man pyramid his net worth from less than $100,000 to over $2 million in a 4- or 5-year period without creating a heavy tax liability?

I repeat, I will support a more stringent code of ethics for the U.S. Senate, but I will not support the conclusion that all of Mr. Baker's activities were mere improprieties.

I most respectfully suggest that no other American citizen try to pattern his operations after those of Mr. Baker's—he may not have as many friends in high places.

I compliment the minority members of the committee upon their insistence that a more thorough investigation be pursued.

PHILADELPHIA FASBIC, AN SBIC THAT TRULY HELPS SMALL BUSINESS

Mr. PROXMIRE. Mr. President, when the Small Business Investment Companies were established by Congress, the emphasis was on the first word of the agency—"small" business. Unfortunately, the "small" aspect of the small business investment companies has been lost sight of. These SBIC's are provided with substantial tax advantages. They borrow Government money on easy terms. The purpose of these advantages was to encourage investments in small companies. I stress small. The small companies could not get the long-term loan and equity capital they needed. These investments have recently become not small but bigger and bigger and bigger. Congress, unfortunately, this year dropped the so-called Proxmire amendment that limited investments in SBIC's to $500,000, and now there are no restrictions whatsoever on the size of the loan which can be made.

At the time of the recent hearings on the SBIC legislation, one witness appeared who represented the biggest SBIC company in America. He said that if the limitation were taken off, every investment his company made would exceed half a million dollars.

Mr. President, it does not have to be this way. I am proud and happy to invite the attention of the Senate, to the Fidelity America Small Business Investment Co., of Philadelphia. This company has concentrated on small investments. Its smallest account is only $6,000. There are six others that are less than $20,000. Their largest is only $78,000. This firm is showing what can be done under the law, and that it can be done on such a basis that it works, and is a practical success.

The Fidelity America Small Business Investment Co. deserves recognition and congratulations for fulfilling the real purpose of the SBIC law.

I ask unanimous consent that a letter written to me by Howard I. Green, president of Fidelity America Small Business Investment Co., may be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Fidelity America Small
Business Investment Co.,
Philadelphia, Pa., May 14, 1964.

Hon. William Proxmire,
U.S. Senate,
Washington, D.C.

Dear Senator Proxmire: We have just read with considerable interest the commentary on your new book, "Can Small Business Survive," in the Washington SBIC newsletter dated May 1, 1964.

While it is our feeling that the larger of the small business concerns should be helped under the SBIC program, our own policy is to concentrate on financial aid to the smallest of small businesses—perhaps we should call them tiny businesses.

We have been licensed only a little over a year, but our portfolio already consists of 14 accounts. The smallest account is $6,000, and we have 5 additional accounts of less than $20,000 and 3 additional accounts of less than $30,000. Our largest account is $78,000.

While it is too expensive to handle an account requiring less than $5,000, we will consistently make our funds available to small business concerns who can use amounts of $5,000, $10,000, or more, and we will not insist upon a portion of the equity as a price for our loans.

In this way we feel that we are implementing the intention of Congress to improve and stimulate the national economy in general, in the small business segment in particular, by supplementing the flow of funds which small businesses need for the sound financing of their business operations and for their growth, expansion, and modernization.

Cordially,

Howard I. Green, *President.*

STUDENT AID BILL PRESERVES DIVERSITY AMONG COLLEGES

Mr. HARTKE. Mr. President, under the American system, in higher education as elsewhere in our society, there is need for the kind of institutional variety which we have developed in response to social need. We have State-supported universities, private schools, and colleges, hundreds of church-related institutions of education, a wide variety providing choice in a great range for those seeking the benefits of college or university. While there is a tremendous mushrooming of State universities, there is also a continuing role for the small private or church-related college in the fulfillment of American educational goals.

Testimony before the Education Subcommittee on S. 2490, the Hartke college student assistance bill, included the estimate by its president that the University of Wisconsin will have 75,000 students within a very few years. A feature article in a current magazine states that the current enrollment in the various branches of the University of California is 62,000 and that the university employs 40,000 people. But at the same time there are many colleges, and some of them academically excellent, whose enrollments remain in the 500–1,000 range, or even less. The benefits in these schools, so small that every student knows almost everyone else on the campus, are not identical with those of the huge impersonal university.

The Hartke bill would not disrupt these patterns. This point was made in the testimony before the subcommittee with special force by the president of one of the smaller colleges, Dr. Keith Spalding, of Franklin and Marshall College, Lancaster, Pa. Dr. Spalding has also had experience as an officer of a large private university, Johns Hopkins, and a large public institution, Pennsylvania State University. Out of that background he put special stress on what he called some significant opportunities for improvement of the quality of higher education offered by this bill.

Dr. Spalding pointed out that we are faced with both qualitative and quantitative problems in higher education at the same time.

That is, he said:

> While we must provide more facilities for more students, and must make sure that we overcome the loss of talent among those who are intellectually equipped but don't go on to higher education, we must at the same time improve and strengthen our educational offerings.

The fact that the assistance offered under my bill would be completely unrestricted as to where it may be used is a point which Dr. Spalding stressed in relation to his own college and to others like it. The student who receives a scholarship under that portion may use the scholarship where he likes; the student who seeks a federally guaranteed loan is not restricted in his choice of institution. And, as Dr. Spalding noted, the availability of the proposed work-study funds to smaller as well as larger institutions will have a beneficial effect on the quality of the education they can offer. I conclude by quoting one paragraph of importance:

> The opportunities for qualitative improvement under this bill would become available to all sorts of institutions of higher learning, both public and private. Thus,

this legislation would not serve one segment of society at penalty to another. Senate bill 2490, by offering aid directly to the student, and giving the student freedom of choice in selection of his college or university, seems designed to maintain and fortify the diversity which is the real strength of American higher education.

UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

Mr. RIBICOFF. Mr. President, the Kennedy round of the GATT sessions in Geneva, which I had the honor to attend as a representative of the Finance Committee, is not the only forum in which problems of world trade are being discussed. Geneva is also the scene of the United Nations Conference on Trade and Development—UNCTAD—the largest assembly of nations ever to meet to discuss trade and development problems. At this meeting, the less developed countries are placing before the world powers their demands for help in developing their industries and exporting their products to the world's markets.

Our Government has forthrightly recognized the problems of coordination and duplication that can result when these problems of trade and development are simultaneously attacked in different forums, and when both bilateral and multilateral solutions are thrown together.

Recently, the vice chairman of our delegation to the UNCTAD meeting, Richard N. Gardner, Deputy Assistant Secretary of State for International Organization Affairs, set forth at Geneva the U.S. position, especially as it concerns the organizational structure for future efforts in this area. Mr. Gardner is an extremely able and dedicated spokesman for our country, and his forthright remarks bring clarity and direction to a difficult set of problems. This matter is of particular interest to me as a member of the Subcommittee on Reorganization and International Organizations. I ask unanimous consent that Mr. Gardner's speech may be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Fourth Committee Statement by U.S. Delegation to the United Nations Conference on Trade and Development

(By Richard N. Gardner, Deputy Assistant Secretary of State for International Organization Affairs)

Mr. Chairman, we have reached a critical point in this committee. Three specific proposals are already on the table. Other ideas have found expression in the many interesting statements. We have carefully studied all these proposals and ideas. We now have the honor to place before the committee on behalf of ourselves and other cosponsors a specific proposal which is embodied in the document you have before you, E/CONF. 46/C.4/L.9.

The last year has seen the emergence of a hopeful spirit in international relations. Nations have come to realize that despite political and ideological differences they share common interests in peace and welfare. They have begun to set aside the issues that divide them and take up the issues that unite them. They have achieved limited agreements embodying mutual restraints and reciprocal concessions which serve the interests of all. The agreement reached last summer prohibiting nuclear tests in the atmosphere, the resolutions adopted by the last general assembly in the field of outer space, and the recent announcements of cutbacks in the production of nuclear materials were facilitated by the new willingness to seek understandings where understandings are possible on the basis of the highest common denominator of national interest.

The resolution which we place before you now is offered in this same spirit. It is not an extreme resolution introduced as a counterweight for bargaining purposes. To put such a resolution before this committee at this stage of the conference would do a disservice to our common objectives. It will, I hope, be regarded for what it is—not a Western proposal or an Eastern proposal, not a developed country proposal or a developing country proposal, but a proposal which draws together the common threads of our discussion in a manner which serves the interest of all.

Our attempt, in short, is not to state a thesis but a synthesis. For in the field of trade, and in the other vital areas of international relations, we believe that there is a larger area of common ground than readily meets the eye. We believe this is particularly true on the question of organizational arrangements, with respect both to the ends such arrangements should serve and to the means such arrangements should employ.

I

The nations which are gathered here in this U.N. Conference on Trade and Development are motivated by a common concern to accelerate on an urgent basis the economic development of the developing countries. The United States ardently shares this concern and this sense of urgency. We want for people everywhere the same things we want for our own citizens—adequate levels of personal consumption, including food and housing, health and education, and satisfaction of those political, cultural, and spiritual needs that are fundamental to all men.

The nations participating in this Conference are also united by a common concern that improved machinery for international cooperation be developed on an urgent basis in the field of trade to implement these high aims. The United States also shares this concern and this sense of urgency. As President Johnson told the United Nations General Assembly last December: "We favor the steady improvement of collective machinery for helping the less-developed countries build modern societies." We take pride in the fact that our country has played a leading role in the creation of international institutions for economic cooperation over the last 20 years. We shall continue to play such a role in the future.

But the measure of common ground in this Conference is not limited to such general objectives. Beginning with the stimulating report by the Secretary General of this Conference, and running through the debate in this committee, one cannot fail to be struck by the growing consensus on three specific objectives which have been defined as a basis for new organizational arrangements in the field of trade.

The first objective is that new organizational arrangements must correct the limitations of existing institutions.

The Secretary General of this Conference has described these with his customary force and clarity. If I may paraphrase liberally—but I hope justly—the analysis on pages 99-100 of his report, he points to what he describes as five essential limitations: The lack of a universal forum for the systematic and professional discussion of trade problems; the lack of an integrated attack on trade problems in the context of economic development; the lack of adequate instruments for dealing with trade problems between industrial countries and developing countries and between developing countries themselves; the lack of an instrument for dealing with trade between state trading and market economies; and the lack of a forum for coordinated action in the field of primary commodities.

So far as the United States is concerned, we agree that the existing machinery could be improved in many of these respects in greater or lesser degree. The resolution now before you proposes new organizational arrangements designed to do this.

The second objective is that new organizational arrangements should make maximum use of existing institutions in order to avoid waste and duplication.

Nowhere has this point been made more effectively than in the Secretary General's report where he urges that "practical arrangements should be made to avoid, as far as possible, any unnecessary overlapping of functions, so that the discussions in [new] bodies would not be unnecessarily repeated in other United Nations bodies or in GATT. Apart from its intrinsic disadvantages, this overlapping would unnecessarily take up the time of governmental representatives and might thus lead to a situation in which participants * * * might not always be of the appropriate level."

If we are to avoid wasteful duplication of effort we must obviously make full use of existing institutions. In the words of the Secretary General once again, "the United Nations is capable of assuming much greater responsibilities in these fields." In the U.N. system and elsewhere, he declares, "there already exists a valuable group of facilities which could be utilized in a regular and systematic manner by making whatever additions or modifications are necessary and giving unity and coherence to what is now fragmentary and scattered."

The United States welcomes this emphasis of the Secretary General, echoed by many delegations, on the need to avoid the creation of superfluous international machinery. We seek the minimum of organizational changes necessary to get the job done. The people of the United States are prepared to make sacifices in the future as in the past to the place capital and know-how at the service of developing countries. But they are understandably skeptical of supporting international conferences and staff which are not absolutely necessary to assure practical international cooperation for economic development.

The United States now belongs to 70 international organizations and programs. In the last 2 years we participated in approximately 1,000 international conferences—more than all the conferences attended by our country between its establishment in 1789 and the beginning of the World War II. Similar statistics could be cited by other members of this conference.

I do not cite these figure to suggest a lack of the confidence in the great array of international institutions in which we now participate. Indeed, the United States took a leading role in establishing nearly all of them. With few exceptions, we believe that all these organizations and conferences—from the highly specialized ones concerned with fisheries, civil aviation, disease prevention, telecommunications and the like to the political ones like the United Nations General Assembly itself—reflect the growing interdependence of our modern world and serve the common interest of all nations.

I do cite these figures, however, to suggest that we may be reaching the point of diminishing returns in the development of new institutions. In the naive optimism of the early postwar period there was a tendency (from which my own government was not totally immune) to believe that the solution to any international problem was guaranteed by the creation of a new institution to deal with it. Alas, several dozen organizations and several thousand conferences later we know that it is not so simple. Organizational arrangements can help facilitate common solutions but they are not an automatic solvent for problems where the nations concerned do not share a fundamental consensus and a political will to deal with them.

Millions of people around the world are looking to this Conference to find practical means to improve their way of life. This job must be done and will be done. But we will ill serve this great constituency if by duplicating existing institutions we divert to the comfortable setting of New York and Geneva the money and the people so urgently needed in the developing countries.

We do not wish to emphasize the financial drain alone—although it must be realized that financial resources for international institutions are limited and that more for the headquarters does mean less for the field. We are also concerned with the manpower problem. Many of the delegates sitting here today are spending one-third or more of their time at international meetings away from their capitals. This represents a serious drain of governmental manpower even for a developed country like the United States. How much more serious a drain it must be for developing countries which are actually short of manpower for responsible government positions.

In the austerity of wartime a number of our countries sought to curb unnecessary travel with the slogan, "Is this trip necessary?" In a world in which more than two-thirds of humanity is ill fed, ill clothed and ill housed our reaction to proposals for new institutions should be, "Is this organization necessary?"

The third objective is that new organizational arrangements should assure an integrated attack on the problems of trade and development.

As the Secretary General has said in his report, we need an organizational arrangement where the problems of international trade can be dealt with "as an integral part of the general problem of development." This same point has been emphasized, in different ways, by many delegations in this Conference. So far as we are concerned, it is a matter of fundamental importance.

When we turn to promoting the trade of the developing countries, we cannot divorce the problem of exports from the problem of production. And this in turn leads us inevitably into development policy as a whole—the measures which developing countries can take to help themselves and the supplementary role which can be played by developed countries through aid, private investment, and technical assistance as well as trade.

It is the preoccupation with these considerations, no less than with considerations of economy, that should animate us as we consider new organizational arrangements. It is so much easier to create new institutions than to make better use of the ones we have. But if there is a fundamental defect with our existing system of international institutions it is not that there are too few but rather too many independent bodies with independent budgets pursuing independent objectives of a specialized character without adequate integration of effort.

We already have in the U.N. system alone 14 specialized and affiliated agencies. In recent months we have had proposals for three more in the fields of industrialization, housing, and science. And pressure has built up to create greater autonomy within the U.N. Department of Economic and Social Affairs for the specialists in the fields population, social development, and human rights.

Have we not reached the outer limits in the proliferation of specialized functions in our system of agencies? Specialists play an indispensable role in turning the wheels of our highly complex international society but they have this great defect: Each of them believes that his particular specialty is the key to everything else. We who are gathered here believe, and rightly so, that trade plays an important part in the development of developing countries, but we all know that a similar case can and has been made for such subjects as population growth, education, agriculture, industry, health, housing, science, transport, communications, and labor. There may even be a meteorologist somewhere who believes that weather control will eventually provide the ultimate answer. Given an independent base of operations and an independent budget, the specialists in any of these fields, unless their enthusiasm is appropriately restrained through coordination with other specialists, will tend to spend our limited resources in ways which cannot be justified on the basis of our overall priorities.

To put it bluntly, there is real danger of the economic and social work of the U.N. coming apart at the seams. Our urgent need is not to fragment it further but to bind it together more effectively. It is for this reason that we share the concern expressed by the Secretary General of this conference and others that new organizational arrangements should assure the necessary integration of effort in the fields of trade and development.

The proposal now before you seeks to accomplish this objective by making the new organizational arrangements in the field of trade at every stage an integral part of U.N. work on the problems of developing countries. The United Nations, through the Economic and Social Council and the General Assembly, is coordinating a vast number of activities in the field of development. If we agree that the trade problems of the developing countries should be considered as an integral part of the problems of development, then the establishment of a separate institution for this purpose with a separate secretariat and budget would result in an artificial division between trade and development frustrating that very integration of effort which we are all seeking. On the other hand, to place in such a new and separate institution the functions of development as well as trade would duplicate on a massive scale the ongoing work of the U.N. and gravely undermine the strength and prestige of the world peace organization.

II

This conference has achieved a large measure of agreement on means as well as ends, on specific institutional devices as well as the objectives they ought to serve. As the Secretary General pointed out in his report and as the proceedings of this committee have confirmed, there appears to be a broad consensus that organizational arrangements are required on three levels—a periodic conference of all members of the U.N. system, a smaller subsidiary organ of some kind which would meet more frequently, and an adequate secretariat. The proposal before you is based on this consensus.

A. The periodic conference

The draft resolution provides, in the first place, for a periodic conference with participation by all states members of the U.N. or of its specialized or affiliated agencies. The conference would meet regularly every 3 years, and additional sessions could be convened in exceptional circumstances.

To improve the existing machinery in the five respects referred to by the Secretary General the responsibilities of the conference would be very broad. According to section I.5 of the draft resolution it would cover "(a) the promotion, under the authority of the General Assembly and the ECOSOC, of international trade, particularly in its relation to the economic development of the developing countries, through the formulation of principles and policies to this end, including policies for the expansion of trade between countries at a similar level of development, at different stages of development or having different systems of social and economic organization; (b) the formulation and recommendation of measures designed to give effect to such principles and policies."

It will be seen from this and other provisions that the membership and subject matter of the conference, and of the subsidiary organs serving it, would be broad enough to accomplish the first objective referred to earlier and to improve existing machinery in the ways cited by the Secretary General and various delegations.

The second and third objectives—avoidance of duplication and integration of effort—would be assured by providing that the Conference be convened by ECOSOC in accordance with article 62(4) of the United Nations Charter, subject, of course, to the requirement that it be convened every 3 years. Decisions as to its venue and agenda would be made by the General Assembly in accordance with normal United Nations practice. It would report to the Assembly through ECOSOC and, in keeping with arrangements established at the present conference, would make its recommendations to other international institutions through ECOSOC and the General Assembly.

B. The Commission on International Trade

The draft resolution before you provides, in the second place, for a Commission on International Trade. Here, again, the objective of correcting limitations in existing machinery is recognized by giving the Commission a mandate to deal with subject matter fully as broad as the conference itself.

To help it deal effectively with such broad responsibilities, the Commission is empowered in section II.6 to establish subcommittees on specific subjects and in paragraph II.7 to "recommend to ECOSOC the establishment, in keeping with article 62 of the U.N. Charter, of special ad hoc machinery for the negotiation of legal instruments deemed necessary for the promotion of international trade in cases where machinery for such negotiations does not already exist."

Through the latter provision it would prove possible, in the event that deliberations in the Commission developed sufficient common ground to provide for the negotiation of contractual arrangements in any area of trade which cannot be dealt with by existing institutions.

In the section of the draft resolution dealing with the proposed Commission, you will recognize once again the concern to avoid duplication and to assure integration of effort. The primary role of ECOSOC as the coordinating body for the U.N. system of organizations is explicitly recognized. Under section II.5(e), for example, the Commission would receive from ECOSOC the periodic reports of institutions of the U.N. system insofar as they bear upon trade and transmit through ECOSOC its comments and recommendations on the work of these institutions.

With the same objectives in view, the commission under section II.5(f) would assume the responsibilities of and indeed would replace the existing Commission for International Commodity Trade and the ICCICA and would perform a wide range of functions in the commodity field.

Further concern with the importance of avoiding duplication and assuring integration is reflected in section II.5(g) which states that the activities of the Commission must respect the rights and obligations of existing institutions and their members and the independence of their negotiating machinery. Section II.8 further stresses the need to take full account of the work of other international bodies.

The provisions of the draft resolution concerning the composition of the Commission and its subgroups deserve particular attention. Section II.2 specifies that the Commission shall be composed of 34 members and that elections "shall take fully into account the principle of equitable geographic distribution on the understanding that there be equal representation of developing countries and of developed countries, including the principal trading countries."

We regard this provision as of fundamental importance. We are not here proposing, as others have done, the use of weighted voting. But it has been rightly stated in this Committee that the interests of the developing countries as well as the developed countries will best be served by assuring adequate representation in the formulation of policy of the countries who are expected to bear the principal responsibility for implementing such policy.

Section II.6 makes it clear that countries not represented on the Commission itself will have an opportunity to be members of subcommittees that may be established, particularly when such countries have a special interest in the subject matter. This provision, coupled with the Commission membership of 34, should preserve the efficiency of these organs while assuring representation of an adequate number of members of the U.N. system.

C. *The Secretariat*

The draft resolution provides, in the third place, for a Secretariat to service the Conference and the Commission. But this Secretariat is not to be separate from the Secretariat of the U.N. To assure maximum efficiency and integration of effort the U.N. Secretariat itself would provide the necessary services. Since the existing Secretariat will have to be adapted for this purpose, section III provides that the Secretary-General of the U.N. shall "make such additional arrangements as may be necessary."

The United States has already indicated that the appropriate place to base such additional arrangements to assure the adequate integration of efforts in trade and development is the Department of Economic and Social Affairs at the Headquarters of the United Nations. Indeed, we feel that the reference in section III to the utilization so far as possible of existing resources and the avoidance of duplication leads inevitably to this conclusion. But the resolution before you does not seek to specify the organization of the Secretariat in precise detail. This is a matter to be taken up in the Budgetary and Administrative Committee of the General Assembly at its next session in the light of the views made available by the Secretary-General of the United Nations on how he wishes to organize his staff for this purpose. So far as the United States is concerned, we can say now that we will support at the next assembly such measures to strengthen the Secretariat as may be necessary to enable it effectively to discharge its additional functions in the field of trade.

III

There is just one more provision in the draft resolution now before you which deserves special comment. This is section V, which calls upon the Secretary-General of the United Nations to make arrangements to insure that the Commission for International Trade will receive, through ECOSOC, reports on the activities of the contracting parties to the General Agreement on Tariffs and Trade and transmit to the contracting parties, through ECOSOC, appropriate comments and recommendations. This, together with section II.5(g), II.7, II.8, and other provisions, is designed to bring GATT into a relationship to the new trade machinery which will facilitate rather than impair GATT's effective operation.

We recognize that GATT as originally conceived proved to have limitations from the point of view of developing countries. It is in the process of overcoming those limitations. Moreover, as an instrument for the freeing of trade among the developed countries, it has proved to be one of the great achievements of our time.

After the First World War, in the absence of an institution like the GATT, the great trading nations engaged in an orgy of economic nationalism and beggar-my-neighbor practice which strangled world trade and helped to drag these countries and others into the abyss of the great depression. This did not happen after the Second World War. Indeed, through the GATT, the developed countries and others as well engaged in the greatest effort of trade expansion the world has ever known.

Whatever our respective views about GATT's imperfections—and what institution does not have imperfections—let us acknowledge that GATT played an important part in helping avoid in this last postwar period the mistakes of the one before and that as a result it has brought material benefits not just to the developed countries but to the developing countries as well.

It would be a tragedy of the first magnitude to impair the effectiveness of this proven instrument for trade expansion which is now adapting itself to the needs of the developing countries and indeed is now embarking on the most ambitious effort of all time in the reduction of obstacles to trade. The draft resolution before you takes account of this fact while encouraging the hope that, through its relationship with the proposed new machinery, it will pay increasing attention to the trade needs of developing as well as developed countries.

IV

You will have noticed by now that with all these provisions the resolution before you does not provide for an ITO. Nor does it provide by any other name for a new juridical entity in the field of trade with a separate secretariat and budget. What it does do is propose an alternative designed to promote the same objective more quickly and efficiently.

The need for action on the trade problems of developing countries is an urgent need. The way to deal with it most expeditiously is not to embark on a lengthy process of negotiation and ratification which can only lead to disappointment. For we see no prospect now or in the foreseeable future for the ratification of such a new organization by the principal trading countries who would be expected to assume the major obligations. The way to deal with the need for action on the trade problems of the developing countries most expeditiously is to establish within the next year, through the appropriate organs of the U.N., the improved system of U.N. bodies here proposed which can begin functioning immediately.

The resolution before you is not perfect. But it does represent the best effort by the cosponsors to achieve a synthesis of the views already put forward—to turn our attention to the fundamentals that unite us rather than the less essential matters that divide us. We hope the members of the committee will find here the basis for agreement. What matters in the last analysis is not form but substance—not appearance but results.

We offer this resolution in the same spirit which animated the impromptu remarks of President Johnson several weeks ago at the New York World's Fair:

"What we are trying to do is to explore every possibility that we can conceive of that will lead to better understanding. We are trying to be tolerant and recognize the problems of other leaders and other nations, just as we hope that they realize ours. We have no illusions that we can settle all the problems that exist and have all the world live in happiness tomorrow. But we are ambitious, we do have a goal, we are optimistic.

"If we keep a cool head and our feet on the ground, and use some imagination and ingenuity, respecting others, we can find the answer."

DAY CARE CENTERS FOR CHILDREN OF WORKING MOTHERS

Mr. RIBICOFF. Mr. President, one of the real problems we face in the United States today is that of providing constructive day care for the 5 million young children whose mothers must work. If there were more really good day care centers, we could give a break to the hundreds of thousands of children who are now often neglected. We could also provide new opportunity for many thousands of women now receiving public welfare—who would like to move into jobs and independence if only they had someone to care for their youngsters. This was one of the purposes of the public welfare reform enacted by the Congress in 1962.

In the forefront of the movement for better and more day care for children has been a great lady—Elinor Guggenheimer. Recently, the noted and able radio and television commentator, Betty Furness, devoted one of her "Dimension of a Woman's World" programs to Mrs. Guggenheimer and her cause. Because it does such credit to both outstanding women, and because it so succinctly describes the problem, I ask unanimous consent that this transcript may be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

DIMENSION OF A WOMAN'S WORLD

More than 400,000 young children are left to fend for themselves every day while their mothers go off to work. Everyone knows the situation is desperate: the children, their parents, the cities, the Government all do. But still not enough is being done.

It is the facts of our modern life and economy that about 5 million women with preschool children go off to work every day.

And hundreds of thousands of them are forced to leave these little children under vague supervision in the neighborhood: Or locked up at home—or in the care of only slightly older children. In many of these families the mother has no option about working, she works because she has to.

Day care facilities for children of working mothers in this country are completely inadequate.

They're needed in rural areas and cities, in slums, and middle income developments.

Elinor Guggenheimer, president of the National Committee for the Day Care of Children, has spent much of the past 3 or 4 years, fighting for the survival of hundreds of thousands of preschool children who are left drifting on their own, or are placed in inadequate shelters, while their mothers go to work.

Really good day care centers turn out to be quite rare in this country.

They exist, but on a limited basis. And they are only able to handle a fraction of the children who need them. There are 5 million children under 6, with working mothers. There is room for only 185,000 of them in registered centers and many children are left in neglect, day after day, year after year, so that by the time they finally get to kindergarten, they are damaged physically, mentally, emotionally.

Curiously enough, the children who probably need preschool attention the least are usually the ones who get it.

Children from good homes, who get all the love and attention and intellectual stimulation they need are usually the ones who get the additional advantage (and it is an advantage) of nursery school. But the children whose home life is so poor and harried and disorganized that no one can spend time playing or talking or reading to them, are the children who are expected to plunge into school without any preliminary preparation.

In a Senate hearing, Mrs. Guggenheimer also pointed out something I had never considered.

She said there are many families, particularly families without fathers where children wind up in foster homes, not because their mothers want to give them up, but because the mother has to work and this is the only way she has to guarantee the child will be taken care of.

With an adequate system of day care centers, these families could stay together, and the children could be properly cared for without being split up.

This whole subject, the problem of day care for young children, is so big, we've only just begun to explore the need for these centers. I think we'll come back soon and get into just what a good day care center is, and how you can see that there is one in your own community.

EAST-WEST TRADE—TASS MISQUOTES SENATOR JAVITS

Mr. JAVITS. Mr. President, first I should like to correct a misquotation made by Tass, the Soviet Union official news agency, regarding my position on East-West trade. It is to be expected that they would like to interpret my statement as an unequivocal recommendation for expansion of East-West trade.

Neither I nor the U.S. Chamber of Commerce—whose statement I placed in the RECORD—believe in any such thing. On the contrary, what is necessary is to harmonize our policy in the West.

Second, in my statement of October 3, 1963, I called for agreements between the United States and the U.S.S.R. regarding dumping, patents, copyrights, and so forth as a condition to expanded United States-Soviet trade. These were incorporated in my remarks of May 5. I wish to make the record clear on the floor of the Senate, because it is so important to see that the rest of the world—even if it is not the Communist bloc around which the Iron Curtain is still drawn—knows the facts.

Mr. President, I ask unanimous consent to have the Tass report of May 7 as well as my statement printed in the RECORD.

There being no objection, the statement and report were ordered to be printed in the RECORD, as follows:

TASS REPORT OF MAY 7, 1964

"The time has come for a thorough revision of the U.S. nonstrategic trade policy vis-a-vis the Soviet bloc. This reconsideration is overdue and should be done with the active participation of the Congress and competent private organizations. I favor a reasonable expansion of trade in nonstrategic goods between the United States and the Soviet Union," so stated Senator JACOB K. JAVITS in the U.S. Senate.

REMARKS BY SENATOR JACOB K. JAVITS, MAY 5, 1964, CONGRESSIONAL RECORD, PAGE 10057

Mr. JAVITS. Mr. President, the U.S. Chamber of Commerce, at its 52d annual meeting on April 29, issued several policy declarations on issues of national importance. Among the most important of these is the chamber's policy declaration on "Trade With the U.S.S.R. and Its European Satellites."

In the declaration the chamber takes the position that the United States should "undertake a prompt reexamination and reevaluation of the present system of [U.S.] export controls with the objective of strengthening some controls and of eliminating others which are not necessary to the security of the United States and which result in discrimination harmful to its competitive position." It also calls for the coordination of the policies of the United States and that of other free world nations with regard to Communist bloc trade.

I congratulate the U.S. Chamber of Commerce for its constructive contribution to public debate on this vital question to this Nation. Its declaration comes at a time when U.S. policy designed to curb free world trade with the Soviet bloc is undergoing great strains. It is evident that our allies no longer accept our point of view which requires that in addition to no trade in strategic goods, nonstrategic trade be kept to a minimum.

Just last Thursday, April 30, the New York Times carried a story that NATO's embargo on sales of strategic products to Soviet bloc countries is to be further liberalized, although only moderately. A few days before that President Johnson indicated that the administration is willing to consider proposals for expanded trade with Communist countries. Britain and the U.S.S.R. are reportedly nearing agreement on a new major trade deal including longer term credits. The French are about to conclude the sale of 15 to 20 locomotives to Cuba.

I believe that the time has come for a full scale review of U.S. policies dealing with Soviet bloc trade in nonstrategic goods. This review is long overdue and must take place with the active participation of the Congress and responsible private organizations. Without public understanding and support the changes initiated by the executive branch in the administration of laws dealing with United States-Soviet bloc trade, these changes will be untenable.

While on the basis of concessions outlined in my October 3, 1963, speech on the subject, I am in favor of a reasonable increase of United States-Soviet trade in nonstrategic goods. I firmly believe that before we enter into expanded trade with the European Soviet bloc we, in the Congress, must reexamine our entire trade policy toward the Communist bloc and make a judgment as to under what conditions and under what agreement should such increased trade take place.

THE ATLANTIC COMMUNITY DEVELOPMENT GROUP FOR LATIN AMERICA

Mr. JAVITS. Mr. President, I invite the attention of Senators to the fact that in association with the Senator from Minnesota [Mr. HUMPHREY], I have had the great privilege—which I believe reflects special credit upon the activities of Senators who participate in international affairs—as Chairman of the Economic Committee of the NATO Parliamentarians' Conference, a position I have held for 6 years, to initiate the idea of private enterprise help to Latin America through a private multinational investment company which would have relationship to the governments of the Atlantic community and Japan and to the public policies involved.

The NATO Parliamentarians' Conference approved this idea in November of 1962. I then sought out and received the partnership—and I use that word in its literal sense—of the Senator from Minnesota [Mr. HUMPHREY], who gave unstinting aid to this project, on which he had worked with many of the parliamentarians for a considerable period of time.

I have the honor to report to the Senate that a private multinational investment corporation will be organized this coming June, and that it will be organized with capital of many millions of dollars. The ultimate expectation is that the ADELA Investment Co., as it is called—an abbreviation of the words "Atlantic Community Development Group for Latin America"—will attract altogether $200 million of disposable capital.

It will represent a totally new multinational private enterprise initiative in respect of Latin America. It will assist in properly channeling the private enterprise efforts of Latin American entrepreneurs themselves, who have been variously charged with being oligarchs and reactionaries, but many of whom are trying to find means by which they can patriotically participate in the development of Latin America. This may be the ideal channel through which they can make their appropriate contribution.

The ADELA effort was first developed by international businessmen who contributed outstanding executives to the enterprise. It was financed in the first stages by the Ford Foundation and by contributions from 12 private firms and foundations. It has been brought into actuality by an interim organizing committee, headed by two outstanding businessmen, Dr. Emilio G. Collado, vice president and director of the Standard Oil Co. of New Jersey; Gianni Agnelli, vice chairman of the Fiat Corp.; and George S. Moore, president of the First National City Bank of New York.

It is such an outstanding initiative of businessmen in the public interest that I believe it deserves the full attention of the Senate and of the world.

Within the past few days the London Times described it exactly along these lines.

I should like to express publicly in the Senate my appreciation for the fellowship and comradeship of the Senator from Minnesota [Mr. HUMPHREY], without whom this program could not have been possible, and for the interest of our Government, both under President Kennedy and President Johnson, for their friendly feeling, without which this effort could not have been possible, as well as for the remarkable leadership of the businessmen involved, including Mark Wallenberg, of Sweden, who is the head of the Business and Industrial Advisory Committee of the OECD. It is an international effort on the highest level.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I ask for 2 additional minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. JAVITS. I ask unanimous consent to include in the RECORD at this point the final report of the executive directors of the Atlantic Community Development Group for Latin America, showing exactly how this program was brought to its present state. It is a remarkable achievement. I also ask unanimous consent to have printed in the Record at this point a chronological summary of the Atlantic Community Development Group for Latin America, prepared by its executive secretary, Herbert Blitz, formerly in my service and now in the service of ADELA.

There being no objection, the material was ordered to be printed in the Record, as follows:

Report of the Executive Directors, Atlantic Community Development Group for Latin America (ADELA)

GENERAL BACKGROUND

In the course of 1963, a number of leading businessmen, governmental officials, and international civil servants from North and Latin America and Europe came together to find more effective ways to assist Latin American development efforts. From the beginning, emphasis was given to the need to mobilize the resources and talents of Western Europe to work with those of the United States, particularly in terms of the role of the private sector. Later, Canadian and Japanese participation was sought. Meetings, studies, consultations, and travel were supported by Ford Foundation grants to the Governmental Affairs Institute, as part of the foundation's continuing effort to help marshal scholarly and technical resources in the United States, Canada, Europe, and the industrialized nations of the Pacific for the advancement of developing countries, including those in Latin America.

The early and subsequent discussions—in which Senator Jacob Javits played a major part—have resulted in the establishment of greater interest and dialog among business leaders and public officials concerning the problems and challenges involved in Latin American development. In addition, out of the general discussions a specific proposal emerged to create a multinational private investment corporation for Latin America as one means toward the broad objectives stated above.

The body of report which follows summarizes the insights and conclusions gained in the work leading to the establishment of a private multinational investment corporation (ADELA). The effort was made possible by the loan of personnel and staff time of private business and international organizations, private business firms, and other sources.

THE ADELA GROUP

In the fall of 1962, and following the earlier discussions, the NATO Parliamentarians approved a proposal of Senator Javits which called for greater participation of Europe, and renewed overall efforts, in regard to the economic development of Latin America.

The NATO Parliamentarians' resolution embodying these proposals recommended that the Secretary General of the Organization for Economic Cooperation and Development (OECD), the Secretary General of the Organization of American States (OAS), and the President of the Inter-American Development Bank (IADB) jointly lend support to the initiative. These three organizations agreed that the undertaking should be carried out by a private group.

After discussions of the broad objectives involved, the ADELA task force was formed in April of 1963, consisting of three executive directors lent by their own organizations: Dr. Aurelio Peccei (Fiat, Italconsult) for Europe, Dr. Julio Gonzalez del Solar (Inter-American Development Bank) for Latin America, and Mr. Warren Wilhelm (Texaco) for the United States. Mr. Herbert J. Blitz was executive secretary, working out of Washington, D.C., and Mr. Maurice Guernier headed the Paris office. Senator Hubert H. Humphrey of Minnesota joined in the effort with Senator Javits. ADELA had as advisers President Filipe Herrera of the IADB, Dr. Milton Katz of Harvard, and a number of outstanding private business leaders. Contact was maintained with the International Bank for Reconstruction and Development (IBRD) and the International Finance Corporation (IFC), as well as with the Business and Industry Advisory Committee of OECD (BIAC).

To assure liaison with the Economic Committee of NATO, a Working Party of Parliamentarians, chaired by Senator Javits, was established. The approach adopted by the ADELA group received the approval of the Parliamentarians in a meeting in Paris in July 1963.

After extensive consultations in Latin America, Europe, and the United States, the ADELA group concluded:

First, that its main objective would be to mobilize a multinational private effort to assist the Latin American private sector.

Second, that the most effective resource to be mobilized was equity capital, over and above that already moving to Latin America.

Third, that the channeling of this additional capital and managerial, technical know-how should be in a form best calculated not only to protect the investment, but also to have important beneficial side effects which, along with other efforts, would help to bring about improvement in conditions now hampering the vitality of the Latin American private sector.

The ADELA directors therefore undertook the groundwork for establishing a multinational equity capital investment company, financed by subscriptions of risk capital from the largest industrial and financial companies in Europe and North America, for investment in Latin America new or expanded productive activities, and normally in conjunction with the Latin American private capital.

Our efforts toward this objective were completed during the balance of 1963, and on January 10, 1964, at the OECD headquarters in Paris, a meeting was held of approximately 100 leaders from Latin America, the United States, Europe, and Japan, and representing about equally the private and public sectors. The participants—each from his own vantage—considered and discussed the proposed ADELA Investment Co. and a consensus was reached that although it was a pathbreaking venture, it would be feasible and would contribute importantly to the objectives sought.

THE INTERIM ORGANIZING COMMITTEE

The following day, the undertaking was passed to private hands. A smaller meeting was held of representatives of the initial group of Europeans, Japanese and U.S. corporations pledged to financial participation in the ADELA Investment Co. They formed an interim organizing committee of the private participants, with Mr. Gianni Agnelli, vice chairman of FIAT, and Dr. Emilio Collado, vice president and director of the Standard Oil Co. (New Jersey) as cochairman. This private committee is at the present time engaged in preparing the incorporation of the company, securing the management, and bringing in additional corporate participants.

THE ADELA INVESTMENT COMPANY

The ADELA Investment Co. will be a new vehicle through which leading companies of the free world—especially those which already have important direct operations in Latin America—will be able to mobilize an additional effort to diversify and strengthen the private sector of selected Latin American countries. The company will be multinational and will have as owners leading financial and industrial corporations of Europe, North America, and Japan. Its financial resources will consist of the capital subscriptions of the owning companies, each of whom will make an equity subscription of up to $500,000.

The ADELA Investment Co. will make direct equity investment in new or expansion ventures in Latin America. It is anticipated that projects will be mainly in medium-sized manufacturing, possibly also in agriculture and distribution. Many of the investments will be in conjunction with Latin American private capital. Three-cornered ventures involving ADELA, a Latin American partner, and a Northern Hemisphere company experienced in the industry in question, will be an important form of operations.

The ADELA Investment Co. will have its own management, and will be a soundly managed profitseeking business enterprise.

Working arrangements are being established between the ADELA Investment Co. and various other financial institutions, including the Inter-American Development Bank. Since the Bank is unable by its charter to take equity participations, an important area for cooperation exists, whereby ADELA will supply equity capital, and the Bank loan capital, for sound private ventures in Latin America.

With the eventual participation of perhaps 100 leading companies, total capital of around $40 million is contemplated. The capital structure will, at least initially, be 100 percent equity capital. Only part of each capital subscription—perhaps 20 percent—would be paid in immediately, the balance as required over a period of several years. When the intial funds are committed, there will be a number of available means for revolving and augmenting the capital.

Investments will be chosen which offer good prospects of an attractive return, taking into account the investment climate in the individual countries concerned. The ADELA Investment Co. will not invest in countries unwilling to maintain the conditions necessary for effective private activity. It will concentrate its investments in countries providing adequate conditions for private endeavor. It will help these countries to succeed and become growth centers in Latin America as a whole.

The ADELA Investment Co. will be incorporated in Luxembourg. The company will require operating offices in both Europe and the United States, and a substantial part of the time of its staff will be on the ground in Latin America.

Control of the undertaking will be by a governing board consisting of senior executive officers of perhaps 15 participant companies. A management committee of about seven will pass upon specific investments within the general lines approved by the governing board. The full-time general manager—probably a European—will be a member of both the governing board and the management committee, and will be the executive head of the company. As the management committee will consist of seasoned representatives of participant companies, who will also have behind them the resources and experience of their own companies, the general manager will have continuing guidance of the highest quality in running the business.

EXPECTED RESULTS

The problems of Latin America are vast. Nevertheless, the ADELA undertaking should be able to have substantial impact along the following lines:

1. A significance additional investment of capital in the areas selected: If local partnerships average 50–50, ADELA's projected $40 million of equity capital would activate another $40 million of local capital. (This total of $80 million equity would probably

support at least $120 million of loans and short-term credit in the project companies, or an overall capital mobilization of the order of $200 million. In addition, when ADELA operates mainly as a promoter, or enters a venture as one among several partners, it will help activate still other funds.)

Concentrated in selected areas of Latin America, and concentrated also in the private sector and in medium enterprise, these amounts of capital are relatively substantial. Moreover, after an initial period the company will be in a position not only to receive investment proposals but also to seek out and develop them. The combination of a new source of equity capital, and renewed entrepreneurial activity, will represent an important new forward push in the selected countries.

2. Strengthening of confidence: New activity by both local and foreign capital is, of course, very much a question of confidence. An active investment policy on the part of ADELA Investment Co. will encourage additional activity in the selected countries by both local and foreign capital, and should increasingly help to bring about reflow of flight capital.

3. The effects of a multinational undertaking: A central concept in the ADELA initiative has been the need to bring Europe and other capital exporting areas more strongly into partnership with the United States in regard to Latin America. There is a very broad concensus that the multinational character of the ADELA Investment Co. will be an important political asset in Latin America. Moreover, in a longer term and indirect way, the full participation of Europe in this venture will tend to redirect greater attention of the European private sector, and eventually European governments, back toward Latin America as one of the crucial areas of the free world.

4. Investment climate: This new investment mechanism backed by many leading companies of the world, and with European, Japanese, and North American participation, should be able to have a significant influence on the policies of Latin American governments toward private economic activity. With such broad backing of the company, it will be evident that its policies represent generalized principles of private activity rather than the particular interests of individual firms or countries. Its decisions to invest or not to invest in particular countries because of investment climate considerations are likely to receive rather serious consideration in Latin America. It will be particularly important that the ADELA Investment Co.—with its flexible form of capital able to invest in any industrial sector—will be in a position to help countries with responsible policies to achieve, more rapidly, an active tempo of economic development.

The conclusions we have reached or confirmed in the course of this work are as follows:

1. The primacy of Latin America. What happens in Latin America over the next decade will not only greatly influence the situation in Europe, the United States and Japan, but to a considerable extent will determine the direction of all the rest of the underdeveloped world. Perhaps in the United States one thinks of the primacy of Latin America mainly in terms of geographical location. Of really greater importance, however, is where Latin America stands in its stage of development relative to other developing areas.

The continent has been independent for 140 years, whereas in Africa, non-Communist Asia, and most of the Middle East countries, independence is new or quite new. Latin America has had decades of experience with various forms of self-government, or at least local government, and in most of the countries there is deeply held popular allegiance to the concept of government by the people.

There is a great deal of illiteracy, but there is also a great deal of literacy. The cadres of reasonably well trained and responsible people—businessmen, public servants, professionals, technicians—are small, but for an underdeveloped area are large. It will be a miracle if Africa, for example, manages to have comparable cadres two decades from now.

Of course, there are pronounced differences among the Latin American countries. The preceding observations relate to the continent as a total entity.

Latin America is also more fully prepared than the other developing areas in the growing validity and strength of its regional institutions: The Inter-American Development Bank, the Organization of American States, the beginnings of effective common market arrangements, and the new CIAP.

Finally, Latin America has had extensive experience—not all of it good, to be sure—with a system of economic activity based primarily upon private endeavor. Various numerical estimates exist of the proportion of Latin American gross national product which is private. But the main point is that the bulk of activities which Americans or Europeans would consider to be normally in the private sector are in the private sector in Latin America.

Latin America is, therefore, the great present testing ground as to whether a system substantially based upon political freedom and private economic endeavor can work in an underdeveloped region. And the word "work" has to be interpreted not only economically but also socially and politically. If the system does not work socially and politically, it will not have a chance to work economically.

The situation in which this test will go on will present the most difficult challenge to this type of system that it has ever had to meet anywhere it has been tried. It will have to be made to work in the face of the need rapidly to narrow income disparities within Latin America, and under the pressure of the presently increasing lag of Latin America behind the advanced countries, and with Communist pressures at all times attempting to force the system's failure.

The first conclusion of the executive directors is that finding ways to help Latin America move successfully through the enormously difficult decade ahead, which among other things will require a major improvement in the tempo of private economic activity, is one of the very most important and urgent challenges now facing the free world.

2. The Northern Hemisphere business community. With this general viewpoint, the executive directors in the course of the past 9 months have talked with literally hundreds of business leaders from Europe, North America and Japan, and the subject was always Latin America. We are encouraged by the progress that has been made in the formation of the ADELA Investment Co. But we are discouraged by the general frame of mind of the Northern Hemisphere business community regarding Latin America. Broadly, this frame of mind is passive and defeatist.

Within the Northern Hemisphere free world, the private sector contains hundreds of billions of dollars of corporate assets, most of the best brains and administrative talents, and most of the technology. Without a considerable additional infusion of strength from these great resources to the private sector within Latin America, it is almost impossible to see a good outcome. This judgment is even more valid today than it might have appeared to be 2 years ago, when many still believed that intergovernmental aid could largely meet the problem, and that such aid would be forthcoming in adequate amounts.

One of the great questions facing the free world, therefore, in this next decade, is how this infusion can take place in a situation which, probably in most of the Latin American countries most of the time, is going to be turbulent, uncertain, and frightening, and in which three of the ingredients classically required for successful operation of the business system—optimism about the reasonably near future, confidence in government, and a stable monetary system—are going to be more absent than present, much of the time.

In considering the role of the private sector under these conditions, there is one element in the thinking of the Northern Hemisphere business community which is especially worrying, and which for lack of a better term may be called "the theorem." This theorem, which is seldom explicit but which we believe is an important undercurrent of thought within the business community, may be defined as a belief that by following fully the commercial principles of conventional, sound, profitseeking business, the private sector will perform not only a proper but an adequate role toward Latin America.

In their normal and direct investment operations, corporate managements have to follow largely commercial principles. When the investment climate in a Latin American country is seriously impaired by arbitrary Government actions, the management of an individual company cannot responsibly, except under unusual conditions, recommend a continued tempo of placing additional funds at risk in that country. This is the case simply from the viewpoint of the fiduciary role of management in protecting the interests of stockholders.

However, the theorem, as we sense it, goes further. It emphasizes that if foreign and local private investment activity is withheld when governments take unfair or arbitrary actions, governments will learn the cost of such actions and will refrain from them in the future. And the converse is that some countries (hopefully) will follow responsible policies and will prosper, and their neighbors will thereby learn the wisdom of such policies.

Directionally, these principles are right, of course. In fact, they are fundamental elements in the logic of the proposed ADELA Investment Co. But in certain quarters the feeling arises that these principles are so right that they define the outer limits of possible private sector efforts toward Latin America.

The complex political, economic and social forces now operating in Latin America prevent one from having very much confidence that, if the Northern Hemisphere private sector follows only the principles of the theorem, the Latin American countries are assured of evolving in some Darwinian sense toward a sounder position. Certainly, the history of the last 10 years in Latin America—during which the private sector has been essentially in the posture suggested by the theorem—has provided no basis for confidence that this answer is an adequate one. The theorem frame of mind is a serious matter because it argues that the present approach of the private sector toward Latin America is all that the times require. In the months of discussions with business leaders as to whether they would participate in ADELA, the theorem was—in one form or another—the intellectual refuge taken by the majority.

As individual units, private corporations operating in Latin America have to follow the cannons of prudence and protection of their shareholders' interests. They have to pursue in a strong and flexible way the objectives of broader acceptance of the principles of international law, including respect for contracts freely entered, and to try to find additional ways to make these principles acceptable to and effective in Latin American countries. They must, as well, be efficient and technically modern, and use the greatest skill in handling local community, governmental, and labor relations.

But having done all these things, they should not take very much comfort. The second significant conclusion of the executive directors is that the Northern Hemisphere business community should cease to believe that the theorem (as defined) provides a comprehensive basis for policy, and that the great private companies of the Northern Hemisphere should urgently seek ways to mount new and additional efforts to strengthen the private sector of Latin America in this period.

3. Multicompany operations. Our third significant conclusion is that the needed major new efforts by the private sector toward Latin America (aside from continuing direct operations) will probably have to be multicompany, and should also be multinational. These are, of course, two of the principles of the ADELA undertaking itself.

As to multicompany operations, the postwar period has seen a considerable trend in that direction, in the formation of consortia for various undertakings, especially overseas. It is a valuable device in that it permits bringing into a venture various talents that are required, and also in the case of large ventures permits a company to participate without risking too great a portion of its resources in a single undertaking.

However, the case is even stronger for multicompany operations when one considers the question of new private sector efforts toward Latin America. The individual private corporation can normally justify the use of its resources only where the rate of return is maximized, and fully commensurate with risk. As to Latin America, therefore, there is constant danger of a stalemate, or worse, in which private activity is hesitant because of adverse conditions, and in which this hesitance leads in turn to economic slowdown and conditions which are still more adverse, and so on around and down.

With multicompany operations, however, there is a way through this impasse, in the form of external economies[1] which individual firms may gain for their existing direct operations in Latin America, if a number of firms through combined operations can bring about a major improvement in conditions there. These external economies will help to provide to the individual firm a valid corporate justification for additional efforts.

This principle is an essential part of the logic of the ADELA undertaking, but by no means applicable only to ADELA.

Another aspect of multicompany operations, which we did not fully comprehend until fairly well into the ADELA undertaking (this is uncharted territory) is that multicompany operations involving a large number of companies solve at a stroke many potential conflict-of-interest problems. In the case of the proposed ADELA Investment Co. itself, for example, in which it is hoped eventually to have as many as 75 to 100 participant companies, no one company would have more than a 1 percent or 2 percent ownership position. Furthermore, there would be among the participants a number of competing companies from each industry—several oils, several motors, and so on.

As a result, an individual participant company will not have a legitimate basis for concern as to conflict of interest between its own wholly or largely owned interests in a Latin American country and what ADELA does there. In addition, the operation will be protected from pressures such as that investments undertaken should use equipment supplied by a parent company, or pressures that the company should enter, with owner companies, deals of other kinds that would not be sound for the investment company on an arm's length basis.

The multicompany basis, with a large number of participants, objectifies an undertaking of this kind and insulates it from the direct corporate interests of its ownership. On the other hand, we believe that the multicompany basis not only does not impair, but increases, the ability of the vehicle to serve as a channel of transfusion from the Northern Hemisphere private sector into Latin America in such matters as managerial and technical know-how and local knowledge of particular situations. Further, from a viewpoint that is some mixture of moral posture and public relations, undertakings structured on this type of multicompany basis should achieve a unique standing in Latin America as an expression of the concern and sense of responsibility of the whole of the Northern Hemisphere private sector, and be more immune to interpretation as designed only to serve more immediate and particular corporate or national interests.

Finally (and in this connection see point 5, following: "Governmental attitudes toward private efforts"), multicompany operations with very broad support should help to ease some of the difficulties that arise in the area of relations with governments. The U.S. Government, for example, despite the somewhat hesitant view which it took of the ADELA undertaking for some months, in the end found it much easier to give unqualified support and cooperation to this undertaking representing a very broad cut of the private sector, and freely open to new participants—a generalized instrument of the private sector as a whole—than would have been the case for a private undertaking of one or a few companies.

4. Multicountry operations. As to seeking a multinational basis for new private sector efforts in Latin America, the case is rather self-evident.

In dealing with the surging problems of the third world, it is surely of priority that the political objectives and policies of the free world powers themselves come increasingly into line. By developing a multinational basis for new private efforts toward Latin America, a nucleus is formed for greater unity of policy.

The executive directors believe, concretely, that if the ADELA Investment Co. goes ahead strongly, as we expect, it will increasingly and importantly influence the governments of Europe toward a greater realization that Latin America is their problem and their responsibility, as well as a U.S. concern. In time, this greater awareness will help to end policies such as the European Common Market's trade discrimination against Latin America. The dominance of the United States in Latin America economic life (investments, trade, aid) is surely a liability rather than an asset under present conditions. Wholehearted engagement of Europe will be of major long-range advantage for all concerned. We believe it may not be too much to say that in the very process of developing ADELA up to its present stage, with the innumerable conversations held with opinion makers throughout Europe, and the additional impact of the Paris meeting, the ADELA undertaking has already catalyzed some rethinking in Europe.

In addition, multinational operations will help to lift matters above some of the increasingly nationalistic ways that are now being taken in trade and foreign investment policies. In the course of our discussions in Europe, we have had the experience of being told by a major German bank that they would be subject to criticism from the German industrial community if they used their financial resources overseas for purposes other than to stimulate strictly German exports. Likewise, we have heard, in London, private bankers and H. M. Treasury expound on the official currency control mechanisms, by which United Kingdom foreign investments are limited to those which provide either an extremely rapid return of investment income or concrete and immediate additional export outlets for British goods.

Even though at present there are fewer industrial countries in the world with genuine balance-of-payment problems than at any time since World War II, each capital-exporting country is now acutely aware of what its neighbors are doing along these export stimulation lines. The free world is carrying on, at a relatively active pace, what might be called "competitive deliberalization" of foreign investment policy. Development of multinational undertakings like ADELA is a start back toward a sounder basis, in which finance and supply of equipment are more separate transactions, and competition is restored to freer play.

The excesses which developed in Latin America under European export credit schemes are now well recognized. By multinationalizing new special efforts organized by the private sector toward Latin America, there is considerably greater assurance of sound economic decisions, as well as an improvement in the moral posture.

5. Governmental attitudes toward private efforts. The fifth conclusion that the executive directors would like to suggest has to do with relations between the private sectors of the capital exporting countries and their respective governments, most especially the U.S. Government.

In the course of developing the ADELA undertaking, it took some time to bring about full understanding and support on the part of the executive branch of the U.S. Government. The situation of the Alliance, and even domestic political considerations, would have seemed to cry for some new breakthrough which would contribute to a feeling that things were moving ahead in Latin America rather than being stalemated or even deteriorating. There was an excellent case that ADELA offered promise along these lines, and almost no basis for believing that it could be harmful. Yet a period of some months elapsed before the executive branch came forward strongly to give full cooperation.

We believe that it would be a mistake to say that this reluctant attitude reflected hostility of officials toward the private sector. Of course, much has been said and written about initially wrong thinking on the part of the Government concerning the private sector and its place in the Alliance for Progress. But on the other hand, we are well aware that in the executive branch, especially AID and the Department of Commerce, and in IFC and the Inter-American Development Bank, there are individuals and groups working—with varying degrees of effectiveness, to be sure—on attempts to develop greater private sector participation toward the Alliance for Progress objectives.

The real problem, as we see it, is that the Government has tended to deal with the private sector in these matters in an essentially traditional way, and in part because of a belief that the private sector is also approaching these problems only in a traditional way.

More creative and mutually trusting attitudes and relationships will have to be developed, as between Government and the private sector, if the latter's full capacities are to be brought to bear upon urgent national and free world problems such as Latin America.

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[1] For the noneconomist, "external economy" is a technical term from the theory of the firm, referring to an improvement in the position of a firm brought about by an outside event such as the construction by government of a nearby highway which reduces costs of operations. (See also point 6, following: "The Need For New Lines of Approach.")

Probably, too, as thinking along these lines develops, instances will arise in which the only sound way to proceed will involve certain mixed undertakings utilizing joint operations by the Government and the private sector, or even splitting of financial responsibility. Europeans are, of course, much more used to this sort of thing than are the business leaders and Government officials of the United States, at least in the international field.

6. New lines of approach. Our sixth conclusion is that the ADELA undertaking is the forerunner of important other developments in new and unconventional ways of more fully bringing to bear in the developing areas the enormous resources of the Northern Hemisphere private sector.

It is a truism, and basically a valid one, that the most crucial contributor to the economic progress of a developing country is what the country does for itself. This principle applies especially in regard to what the country does to create the framework within which the energies of private economic endeavor can be fully released.

Still, in regard to an area like Latin America, where the political, social, and economic pressures are intense, it is not realistic to think in terms of a policy of waiting until a serene environment develops for private activity. The actions which deter and frighten private capital are for the most part by governments. But to think of governments as wholly free agents is not in accord with the facts. The frequent case in Latin America is of a government which is not very strong or stable, and which to stay in power has to trim its sails carefully to the winds of popular opinion, whether misguided or not. Serious external obstacles also frequently exist in the form of adverse developments in primary commodity markets, or inherited foreign debt obligations too large to be handled.

Some Latin American governments have, to be sure, succeeded in grasping the initiative and following very sound policies, at least for a period of time, and usually with very favorable results in the form of a burgeoning of economic activity. It goes without saying that if all Latin American governments should on a sustained basis succeed in following that course, a great acceleration of economic development would result. But, as a realistic matter, no such millenium is likely as a guiding development in this crucial period.

Under the difficult conditions likely to be found in many of the Latin American countries, there will not be a full performance by the traditionally organized activities of local and foreign private capital. Some countries will offer the necessary situation, but others will not. Yet, this is the very period within which Latin America will be forming some rather permanent directions as to the organization of its political and economic life.

Two of the basic elements of policy toward Latin America are clear:

First, there is needed a fundamentally optimistic and forward policy of private activity, consistent with the only acceptable assumption about Latin America—that it will remain part of the free world—and with unremitting efforts to strengthen those conditions which enable private activity to be effective. (A corrolary principle is that adverse private economic decisions about Latin America as a whole should not be made because of developments in one or two countries; the individual countries follow separate rules, and it is of great importance that private activity show what it can do in countries which do offer an adequate environment.)

Second, there are needed in the public policy area, adequately funded and realistic policies of international public financial assistance, including rescheduling of foreign debts where appropriate, an urgent and more ingenious search for selective monetary policies within which productive activities can have more adequate access to working funds without straining the overall monetary balance, and more generous trade policies.

These policies need to be pursued, and with more force and resolution than presently. But in addition, new ways have to be developed to meet the needs of this period in Latin America, by mobilizing Northern Hemisphere private sector resources for unconventional operations.

One of the strongest impressions we have gained from hundreds of discussions with private sector leaders, in Europe, Latin America, and the United States, is that there is resistance to experimentation and taking new paths which are not orthodox. The private sector of the Northern Hemisphere does not fully realize its own strength and broad capacities.

Experience tells a poor story as to undertakings which attempt to follow policies which are a crossbreed of philanthropy and commercial objectives. The greatest benefits which can be won from private sector operations require adherence to key business principles: management of the highest quality, profitablity as a guide to resource use and measure of performance, energetic and continuing concern with controlling expenses. The most straightforward way to assure the functioning of these principles is, surely, through the traditional private corporation. This form of organization is the mainstay of the continuing economic boom now going on throughout the Northern Hemisphere, where conditions allow its potential to be realized.

But it should not be concluded, by the private sector, that only this form of organization will enable private activitity to be effective. The ADELA undertaking already gives considerable evidence that new forms, shaped to the particular conditions that exist, are available. Through this undertaking, some new paths have been broken, and there is proof of potential readiness on the part of the Northern Hemisphere private sector to deploy additional resources for urgent purposes in the developing areas on a multicompany, multinational profit-seeking basis, and over and above the normal lines of corporate activity.

The ADELA venture far from exhausts the possibilities that can be developed by applying these principles, or at least some of them. One thinks of the application of private resources even to the problems of northeast Brazil, or of a consortium which could address itself to rebuilding the economy of Panama if a new sea-level canal is built elsewhere in Central America. One thinks of private consortia to undertake regional development programs in some of the more stagnant areas through the center of South America, or to build major new integrated industries in the LAFTA or CACM areas, or to create new urban and industrial centers in some of the countries away from the existing main cities.

We should remind ourselves that the development of the U.S. West in the 19th century was mainly by private groups, within a suitable framework of public policy which provided the necessary incentives. It is too simple to say only that conditions then were profoundly different, as, of course, they were.

To the question of whether large-scale new engagements of unconventional private sector activities in Latin America would be politically acceptable, perhaps the best answer is the overwhelmingly favorable response we have found in Latin America for the ADELA undertaking itself.

In Latin America there is a scarcity of the combination of capital, entrepreneurial capacity, and technical-managerial know-how. Therefore, the value of groupings of these capabilities will be high. In some of these ventures—such as regional development undertakings—there may not be the rapid development of earnings which is possible in investment opportunities in the continuously booming Northern Hemisphere. But yields over a period of time, and including capital appreciation, will tend to be high, if there is good management and adherence to sound business principles, and political relations are realistic. Incentives to launch such major new undertakings, moreover, will go beyond purely commercial objectives, as whole countries and regions will be affected.

It is our belief that a confident and resolute policy on the part of traditional private activities, and realistic policies on the part of governments, are the keystone for enabling Latin America to come successfully through this crucial decade. Of very basic importance, also, will be fully adequate programs of international financial transfer on a public basis. But in all reality, an impetus for a strong new forward surge probably cannot come from either of these sources during the period immediately ahead. New and creative undertakings on the part of the private sector can probably represent the strongest source of incremental economic energies that is available. But it must be emphasized that these three policies are all essential; none can fully succeed without the others.

7. A tool for launching new efforts. Our seventh conclusion is that the history of the ADELA undertaking provides some rather interesting lessons and insights in the realm of how to get things done. Perhaps the most unique element, and a device which is seldom used, and which would appear applicable for many different kinds of problems, was the device of placing the undertaking at its crucial formative stage in the hands of a few individuals borrowed mainly from the private sector.

The undertaking started with two extremely important advantages, without which it never could have succeeded. First, it was based upon concepts that were important, timely, and fundamental rather than gimmicks. Second, these concepts arose in the mind of, and were sponsored by, an individual who is practical minded, energetic, and in command of very important influence, namely Senator JAVITS, who soon was joined by Senator HUBERT HUMPHREY.

The Senators, moreover, decided that the best tool for breaking new ground would be a task force of a few private sector individuals, challenged with the responsibility for thinking through and developing a feasible means of attaining an objective, and largely unemcumbered either by other responsibilities or by control on the part of larger and more unwieldy groups.

There is considerable precedent for appointing individuals from the private sector to study a question for the Government, to wit, the Randall Commission and the Clay Committee. Broadly, the purpose in these cases was to make available to the Government the experience and wisdom of the private sector through the minds of a selected group of its senior representatives. However, there is very little precedent for an undertaking of the ADELA type, where the mission is basically to do or make something, and not mainly through Government but directly. For the ADELA kind of purpose it is our feeling, based on this experience, that a very small task force composed of individuals from the private sector can be a very useful tool.

Another part of the concept of the Senators, and a wise one, was a belief that many things can be done about equally well quickly or slowly. By setting a definite and demanding timetable (in borrowing the individuals in question for a year or less, and by other means), there was added to this tool an urgency and momentum which it might otherwise have lacked.

From this period of relatively single-minded concentration upon these problems, we come away deeply convinced that major new private sector undertakings toward Latin America are necessary, and are feasible.

For the private sector to remain half-paralyzed, and not play its full role during this period would almost certainly prove a historical tragedy. The times require a new seizing of the initiative, a forward and active policy rather than disengagement. A more vigorous rate of economic advance in Latin America is surely one of the best assurances that the web of political, social, and intellectual forces there will be able to evolve in constructive directions.

The ADELA Investment Co. is a significant new opening to that end. Others, we are confident, can be developed. We expect that similar concepts will be found appropriate in most cases: especially organization on a multicompany and if possible multicountry basis, and the idea of unconventional undertakings which, over and above continued direct business operations, can tackle on a sound businesslike basis important problems toward which conventional private activity is not presently effective.

We believe also that in seeking to develop such undertakings, much value will be found in the device of small task forces of private sector individuals for the formative stages. We suggest that it would be productive to inventory those specific Latin American problems toward which this kind of approach appears most hopeful, and, as a matter of urgency to launch such task forces to prepare operable plans.

At a later stage, when these concepts have been tested and useful lessons undoubtedly learned, in Latin America, a similar approach could be explored for other developing areas.

The views expressed here are in our capacity as ADELA executive directors rather than necessarily as representatives of our own organizations which made us available for this work. In view of his official position in the Inter-American Development Bank our colleague Dr. Gonzalez del Solar has felt it inappropriate to join in this statement of personal views.

AURELIO PECCEI.
WARREN WILHELM.

APRIL 16, 1964.

LIST OF ATTACHMENTS

1. A Note: The Need for Better Understanding of Latin America.
2. A Note: Technical Resources of Latin America.
3. Letter of Dr. Felipe Herrera, President of the Inter-American Development Bank, dated November 4, 1963.
4. Letter of Mr. Jose A. Mora, Secretary General of the Organization of American States, dated November 11, 1963.
5. Letter of Mr. George D. Woods, President of the International Bank for Reconstruction and Development, dated December 2, 1963.
6. Letter of Mr. Thorkil Kristensen, Secretary-General of Organization for Economic Co-operation and Development, dated December 6, 1963.
7. BIAC Resolution of December 13, 1963, on ADELA.
8. Comments on the Availability of Equity Investment Opportunities in Latin America, dated December 27, 1963.
9. "Summary Report of the ADELA Conference, January 10–11," dated January 31, 1964.

A NOTE: THE NEED FOR BETTER UNDERSTANDING OF LATIN AMERICA

In the course of this work, there has been strongly confirmed to the executive directors what is well known, namely that the Northern Hemisphere is not very well informed about Latin America. If events are to be guided through this difficult period with any success, we of the Northern Hemisphere must profoundly understand the nature of the actual forces in Latin America, the experience of life as it has been for the average Latin American, and the other special factors which will color the actions and reactions in the continent. In these regards, it must be admitted that the Northern Hemisphere is poorly prepared. Latin Americans surely have a just complaint when they comment upon the lack of attention paid them, especially by North America, until the postwar era. There is an accumulated gap of knowledge and understanding to be made up.

At the present time, of course, in major Northern Hemisphere corporations there is a large amount of information, especially of an economic nature, about Latin America. The gap lies, more, in that kind of comprehension which would come from having our leaders study the history of Latin America in school and college, from a wide circulation of books and articles by Latin Americans, and from extensive mutual travel between Latin America and the Northern Hemisphere. Surely Europeans and North Americans have only a fraction of the grasp of Latin America that they have of each other.

There would seem to be much that could be done, especially through adjustments in school curriculums, special fellowships and chairs, and greater efforts to have published in English more of the significant books and articles from Latin America. There must also be ways to bring about some improvement in the unbalanced and emotionalized treatment which Latin America is often given in the Northern Hemisphere press.

Finally, there should be some way of reducing the distortion that arises from lumping together the whole continent of Latin America in the judging of events, especially those affecting the private sector. The comment was recently made to one of us that no businessman cancels his investment in Oregon because of a racial disturbance in Mississippi. But we have had ample opportunity to see business corporations—especially, to be sure, in Europe—making blanket decisions about Latin America.

Needless to say, the need for better information and comprehension is a two-way street, and there is room for great improvement in the picture of the Northern Hemisphere as received in Latin America. In a sense, though, this shortcoming is in the nature of things more inevitable at this stage.

We do not have concrete proposals on this whole matter, but want to draw renewed attention to its importance.

A NOTE: TECHNICAL RESOURCES OF LATIN AMERICA

Another subject to which we addressed ourselves, with some energy, but then had largely to set aside, was the possibility of developing some new mechanism or framework for the more effective transferral of technical know-how to Latin America from the great technical resources of the Northern Hemisphere. We visualized this subject as considerably broader than the limited question of providing technical backup for projects of the ADELA Investment Co.

The objective that we had in mind, in a comprehensive sense, was that Latin America as the most advanced and prepared of the developing areas should, within not a great many years, have one of the essentials of an advanced society: a competent and adequate structure of technical facilities in all fields (physical sciences, social sciences, finance, accounting, and so on) which, moreover, would be largely composed of nationals and self-replenishing.

One aspect of this problem is that some substantial number of Latin Americans who receive adequate technical training—either in Latin America or in the Northern Hemisphere—end up making their careers outside of Latin America because of lack of local opportunity. Another aspect is that, due to lack of a technical base, many decisions are being made incorrectly in Latin America, probably most evidently in the fields of economics and finance. A third aspect is that Latin America, for practical purposes, needs to acquire the elements which make up a scientific community, in the sense that it will in itself generate significant research, especially that related to the particular conditions and needs of Latin America. (A study of Economic Commission for Latin America, on which we received a report on Santiago, Chile, indicated that at present there is virtually no genuine scientific research going forward anywhere in Latin America of the caliber found in the graduate schools of any European or North American country, and that those few research undertakings which are afoot are badly conceived and conducted.)

Finally, there is a fundamental political or psychological aspect to this question. Part of the political restlessness and hostility toward the United States in Latin America surely arises from a sense of incapacity and inadequate self-confidence. The "Colossus of the North" is not larger in population or area, but in performance. The achievement of substantial scientific facilities in the stronger Latin American countries would, we feel, have vast importance not only in terms of economic progress, but also as a basis of self-confidence and as a testament that Latin America is breaking through into the position of a modern society.

To accelerate progress in this direction would involve many steps, ranging from, on the one hand, profound improvements in the whole educational system, to, on the other hand, acceptance of economists by the Latin American business community. As in the case of ADELA Investment Co. itself, we approached the matter from the viewpoint of whether a specific mechanism could make an important contribution toward broad results. The plan which we sketched out in a preliminary way involved forming a consortium of Northern Hemisphere consulting companies to organize, as a first step, new consulting facilities in Latin America. We felt that by inventorying the technical resources of Latin America, and then providing through this consortium the organization and guidance of the Northern Hemisphere consulting firms, a number of important results could be achieved.

In the first place, there would be a more definite opportunity for Latin American technical people to be used, which would bear on the twin problems of trained Latin Americans leaving the area and of providing incentives for additional students to acquire technical competence. Second, by expanding technical resources available on the ground in Latin America, and staffed to the greatest possible extent by Latin Americans, problems requiring systematic analysis would be more likely to receive it, as it would be available at lower cost, especially in terms of foreign exchange, while still bearing the record of competence and responsibility of the Northern Hemisphere firms.

The last point applies particularly to the field of economics—this system would help to convey into Latin America the rapport between the business community and the economists which has finally been achieved, to an important degree, in the Northern Hemisphere. This question is a very important one. Innumerable decisions are now being made in Latin America by economists or semieconomists who have little knowledge or understanding of the private business system, and often are politically hostile toward it, with the result that wrong economic decisions are made. By providing senior supervision from Northern Hemisphere consulting companies, which have long experience with the business system, a higher quality of economic decisions would be achieved in Latin America.

We discussed this concept with a substantial number of leaders in the international field, for example, Mr. Robert R. Nathan in Washington, senior people at Arthur D. Little, and M. de Cunchy in Brussels. There was considerable enthusiasm about the objective, as outlined, and about the importance of much more rapid progress in this field. However, we have not been able to find a solution to the conflict-of-interest problem.

If, say, a dozen of the leading consulting firms agreed to participate in a consortium along the above lines, how would decisions be made as to whether a particular problem in Latin America should be handled by the consortium or by an individual participant consulting company directly? Similarly, since the main resource of consulting firms is staff, how would decisions be reached as to making available for work in the framework of the consortium key individuals whom the participant companies might alternately use on a direct piece of work?

In these regards, the technical consortium is not symmetrical with the ADELA undertaking, since the technical consortium would be engaging in almost precisely the same main field of activity as the participant companies, which is not the case with the ADELA Investment Co.

Nevertheless, we are far from persuaded that this difficulty is fatal to the concept and cannot be solved by a sustained effort to find a way toward the objective as defined, and we do believe that the objective is of great importance.

Inter-American Development Bank,
Washington D.C., November 4, 1963.

Messrs. Julio Gonzalez del Solar, Aurelio Peccei, Warren Wilhelm,
Executive Directors, Atlantic Community Development Group for Latin America (ADELA), 12 Rue de Castiglione, Paris I, France.

Gentlemen: In conversations I have had these last few weeks with businessmen and financiers from Europe, the United States and Latin America, the activities of your group have been repeatedly mentioned. In the short time since its inception, ADELA has been brought quite effectively to the attention of leading personalities in various continents. Both personally and in the name of the Inter-American Development Bank I want to say that we are very pleased with your efforts aimed at fostering closer links between the private sectors of the Northern Hemisphere and Latin America.

The Inter-American Development Bank, as a regional financial institution, dedicates close attention to the different facets of the problem of how to mobilize more resources for the development of Latin America.

The Bank is fully cognizant of the important contribution private enterprise is called upon to make in the economic development of Latin America, as evidenced by the fact that close to half of our loan operations with the Bank's own resources have been made, directly or indirectly, to the private sector in our member countries. Notwithstanding, we have not failed to notice the need for appropriate sources of equity financing and the imperative of innovation, both technical and managerial, faced by Latin American entrepreneurs.

I think that your formula of creating a multilateral private investment company to operate in Latin America could constitute a valuable contribution toward attaining the goals which are being sought. This formula could very well complement other formulas falling within the wider concept of strengthening the overall economic and financial relationships of Europe and Latin America. Within this wider approach, the Inter-American Development Bank has been working in several concrete directions, including placing of bond issues in European markets, selling to European bankers participations in its loans, using its facilities to undertake the administration of trust funds, and arranging financial operations parallel to IDB loans in Latin American countries.

I understand that important progress has been made on the basic idea. I believe that after this first stage, that is, once expressions of interest by an important group of financiers and businessmen to create a financial institution of the type suggested have been clearly obtained, it would be appropriate to enter into a more detailed analysis of the formal structure of the financial institution to be established, as well as of its position vis-a-vis inter-American regional organizations like ours, and vis-a-vis other international financial organizations.

As to the formal definition of the relationships between the Bank and the institution to be created, I wish to reiterate that we are completely open to exploring the several alternatives that could be presented and, whatever agreement is ultimately reached, I believe that the Bank's current activities, which are confined to granting loans, directly or indirectly, to private enterprises operating in Latin America, can be expanded and facilitated through association with the type of operations that can be undertaken by means of a mechanism such as the one you are organizing.

In closing, let me reiterate my personal appreciation and the appreciation of our institution for your efforts to make a substantial contribution to the development financing of Latin America as well as our deep interest in continuing to cooperate with you to bring your undertaking to a successful implementation.

Yours very sincerely,
Felipe Herrera.

Pan American Union,
Washington, D.C.,
11 de noviembre de 1963.

A los Directores Ejecutivos de ADELA,
Washington, D.C.

Estimados señores: He recibido con gran beneplácito la iniciativa de los Parlamentarios de OTAN de unirme a los señores Secretario General de la OECD, don Thorkyl Kristensen, y Presidente del BID, don Felipe Herrera, para estudiar y proponer iniciativas que estimulen las inversiones privadas de Europa y de otros paises en América Latina.

Considero que la creación de una empresa multinacional de inversiones, constituida y dirigida por grupos privados, orientada a hacer inversiones conjuntas, mayoritarias o minoritarias, en empresas de mediano volumen en la América Latina satisfaría una necesidad hondamente sentida en el Hemisferio. Esta forma de asociación del capital y de la técnica extranjera con la empresa latinoamericana contribuiría de manera significativa al proceso de capitalización y desarrollo económico y social de nuestros países.

Me complace, además, coincidir plenamente con los términos de la carta del Presidente del BID al senador Javits, tanto más cuanto la Organización de los Estados Americanos considera, también, que la iniciativa de ADELA se conjuga perfectamente con otras medidas y programas en estudio por la OEA, tendientes a estimular las inversiones privadas en sectores prioritarios de nuestros paises. Por todo ello, creo que es deseable que la iniciativa del establecimiento de la compañía se concrete cuanto antes.

Aprovecho la oportunidad para reiterar a ustedes los sentimientos de mi más distinguida consideración.

José A. Mora,
Secretario General de la Organización de los Estados Americanos.

International Bank for
Reconstruction and Development,
Washington, D.C., December 2, 1963.

The Executive Directors of ADELA:
Dr. Julio Gonzalez del Solar,
Dr. Aurelio Peccei,
Mr. Warren Wilhelm,
Washington, D.C.

Gentlemen: I appreciate the opportunity of visiting with Dr. Peccei and Mr. Wilhelm last week and learning of the current status of the efforts to arrange commitments by European, American and Japanese companies for the financing of the proposed ADELA Investment Company. I confirm that I am sympathetic to the efforts to get $40 or $50 million in new private funds invested in Latin America on an equity basis. However, I must emphasize my feeling that it is of the utmost importance for ADELA to be established in such a way that it is likely to accomplish successfully the purposes sought by its sponsors. In my opinion, the success of ADELA will be largely dependent upon its having strong and experienced management structure. As I indicated to you, I feel that substantial reliance upon the personnel, services and organization of the Inter-American Development Bank would probably be an essential feature in making the management of ADELA effective.

You have my best wishes for success in establishing this undertaking on a sound and effective basis.

Sincerely,
George D. Woods.

Organization for Economic
Cooperation and Development,
December 6, 1963.

The Honorable Milton Katz,
Director, International Legal Studies, Law School of Harvard University, Cambridge, Mass.

Dear Mr. Katz: It was very good of you to write to me on November 27 and to draw my attention to the efforts undertaken during several months under the ADELA scheme.

As I have already informed Senator Javits, I will be happy to participate in the Conference organized in Paris between American and European leaders of public and private circles, which it is now proposed to hold on January 10.

I have followed personally and with real interest the development of this comprehensive plan and I fully share the view that its implementation would be a beneficial and constructive realization.

Mr. Willard L. Thorp will also be present when the Conference assembles, and he has been informed of the progress already made by the ADELA group.

With best regards.

Yours sincerely,
Thorkil Kristensen.

RESOLUTION OF THE GENERAL MEETING OF THE BUSINESS AND INDUSTRY ADVISORY COMMITTEE TO THE OECD—ADELA

(Adopted by the general meeting on December 13, 1963)

The general meeting: Having regard to article 4 of the Constitution of the Business and Industry Advisory Committee to the OECD adopted on March 9, 1962;

Considering the information submitted to BIAC by the Atlantic Community Development Group for Latin America concerning the plan to set up an investment company to further the economic development of Latin America;

Having regard to the responsibilities of the OECD—and as a consequence of the BIAC—to contribute by whatever means at their disposal to the economic development of countries in the process of development;

Recognizing that private investments play an important role in the development of the less industrialized countries and the complementary nature of such investment in regard to governmental assistance;

I. Regards the ADELA concept, with its emphasis upon the role of private enterprise, as a matter worthy of serious consideration by private firms;

II. Recommends that member organizations of BIAC, in the light of their own possibilities and circumstances, channel to those of their members likely to be interested in

Latin American development, information regarding the establishment of the ADELA Investment Co.;

III. Instructs the Secretary General of BIAC to keep member organizations informed of developments regarding the setting up of the ADELA Investment Co.

Comments on the Availability of Equity Investment Opportunities in Latin America

1. The proposed creation of the ADELA Investment Co. brings up the question, often raised, of whether there are enough sound projects in the Latin American private sector. International development agencies are known to have complained about the dearth of private projects adequate for external financing, and some concern has been voiced over the possibility that the ADELA Investment Co. may meet the same obstacle in its operations.

2. It should be remembered, however, that present sources of external financing, almost without exception, offer dollar loans. The reluctance of Latin American entrepreneurs to commit themselves to long-term indebtedness in foreign currency, in the face of uncertain prospects on the value of their own national currencies, appears quite reasonable, particularly if production is aimed at the internal market.

3. Although a high debt-equity ratio is appealing to stockholders for the leverage it provides, it can be safely stated Latin American companies, by and large, are undercapitalized, with an unduly high portion of their financial structure being represented by commercial bank credits.

4. The possibility of obtaining long-term financing in the form of equity investments from abroad, therefore, should represent a welcome solution to Latin American entrepreneurs, especially if control of the company is to remain in domestic hands.

5. Of course, the situation above described is characteristic more of medium- and small-size enterprises than of large concerns which are able to approach adequate sources of financing, either at home or abroad. It is precisely with this type of firms that the ADELA Investment Co. envisages dealing.

6. On the other hand, the process of industrialization follows a well-defined pattern, starting with the production of consumer goods, substitution of imported consumer durables and ending with export capabilities in consumer as well as capital goods. Most of the Latin American countries can be classified in the first two stages described.

7. Consequently, it is easy to determine theoretically the industrial subsectors in which an equity investment company such as ADELA could be active in Latin America. Production facilities of consumer goods and of components for consumer durables, especially those utilizing domestic or regional inputs, appear to be those meriting priority attention.

8. The importance of the agricultural sector in Latin America both from a viewpoint of employment and of the obvious need of increasing the availability of low-cost foodstuffs reveals a natural priority for the food processing industries. Milling, canning, packaging, production of edible oils, starch, chocolate and so forth, are industrial activities which would provide an assured market for farm production, contributing thus indirectly to improved conditions in rural areas. Ecuador, Peru, Bolivia, and Paraguay, for instance, do not have as yet well developed food industries.

9. A similar argument can be made for industries utilizing other agricultural raw materials (textiles and hard fibers) as well as for those producing agricultural inputs (fertilizers, insecticides, etc.).

10. Wood processing and production of building materials (cement, etc.) also provide interesting investment opportunities intimately tied in with the development plans of many countries, such as Chile, Colombia, and Venezuela.

11. Furthermore, the metallurgical subsector is the one where a great many integration-oriented industries can be developed with a view toward industrial complementarity on a regional basis. The manufacture of components for the automotive industry is perhaps the best example. Brazil, Argentina, Mexico, and Chile appear to be suitable sites for this type of industrial investments at present.

12. The chemical industry is just starting in many Latin American countries. Availability of raw materials at little or no opportunity cost (salt beds, petroleum, gas and so forth) as well as rapidly growing internal consumption for many chemical products (caustic soda, inputs for the manufacture of plastics, etc.) forecast the initiation of many new ventures in this field in the near future.

13. In conclusion, from the list of examples given (which does not attempt to be and should not be considered all inclusive), it appears that industrial investment opportunities in Latin America are quite ample. Moreover, equity investments, as planned by the ADELA Investment Co., should constitute an appropriate form of external financing for Latin American entrepreneurs; as a matter of fact, concrete expressions of interest have been received already from an automobile plant in Brazil, a papermill in Argentina, a textile factory in Peru, and so forth.

14. The operating difficulties that may be encountered by the ADELA Investment Co. (and others of similar characteristics) will, in all likelihood, be a matter of mechanics rather than principle. How to contact entrepreneurs? How to promote a project? How to exploit obvious industrial opportunities? These are questions to which the management of ADELA will have to provide answers.

15. Close cooperation with the IDB, as well as with development institutions to which the IDB has granted a line of credit should prove extremely fruitful in this respect for ADELA.

December 27, 1963.

Summary Report of ADELA Conference, January 10–11, Chateau de la Muette, Headquarters of the Organization for Economic Cooperation and Development, Paris, France

The meeting of January 10 was attended by 102 leading personalities from the private sectors and international organizations of Western Europe, Latin and North America, and Japan. Approximately one-half of the participants represented private firms or organizations while the other half was taken from international public organizations.

The principal speakers were Dr. Thorkil Kristensen, Secretary General of the Organization for Economic Cooperation and Development (OECD), Dr. Felipe Herrera, President of the Inter-American Development Bank (IADB), Dr. Jose Mora, Secretary General of the Organization of American States (OAS), Senator Jacob K. Javits, and Dr. Aurelio Peccei, executive director for Europe for ADELA. M. Henri Burnier, chairman of the Banque Française et Italienne, and Mr. Emilio G. Collado, vice president and director of the Standard Oil Co. (New Jersey), served as chairmen of the morning and afternoon sessions respectively.

Among the chief personalities taking an active part in the morning and afternoon discussions were: Mr. L. B. Wolters, president of Petrofina, Mr. George Moore, president of the First National City Bank of New York, Mr. Hugo Lindgren, assistant vice president of Enskilda Bank, M. Jacques Oudiette, director of the Banque Nationale pour le Commerce et l'Industrie, the Count de Vogüé, president of Saint Gobain and chairman of the Comité Européen pour la Cooperation avec l'Amerique Latine, Mr. Adelbert Krieger Vasena, former Finance Minister of Argentina and member of the National Academy of Economic Sciences, Mr. Andrès Aguliar, personal representative of President Betancourt of Venezuela, Mr. Kunio Miki, managing director of the Bank of Tokyo, Mr. Pinhero Neto, corporation lawyer from Brazil, Mr. Authur Dean, senior partner of Sullivan & Cromwell, Mr. Gianni Agnelli, vice chairman of Fiat, Mr. Evence Copée, Société Evence Copée of Belgium, Mr. Walter McKee, director of the Latin American Division of the Ford Motor Co., Mr. Claudio Segre, director for Economic and Financial Affairs of the European Economic Community, and Mr. Willard H. Thorp, chairman of the Development Assistance Committee.

Basic support for the ADELA concept of a coordinated private sector initiative for the economic and social development of Latin America was expressed by the speakers and by the participants in the discussions. Both the Latin American and Northern Hemisphere representatives felt that it would contribute importantly to the revitalization of the Latin American private sector. Other issues considered included the need for measures to protect private investments, and the advisability of considering the rescheduling of foreign debts of certain Latin American countries. Recommendations for broadening the initial support of the proposed ADELA Investment Co. were also discussed.

Senator Javits, at the conclusion of the meeting, summarized the consensus favoring positive steps for the formation of the company. These steps were initiated the following day.

A group of private banking and industrial representatives who participated at the January 10 ADELA Conference met on January 11. As a result of this meeting, an Interim Organizing Committee (IOC) was established from among those actively supporting the undertaking. The IOC is charged with organizing the proposed multinational private investment company which would undertake equity investments and serve as a catalytic agent for private enterprise in Latin America.

The eight-member IOC is cochaired by Mr. Gianni Agnelli, vice chairman of Fiat, and Mr. Emilio G. Collado, vice president and director of the Standard Oil Co. (New Jersey). Banking and industrial firms from Europe, Japan, and the United States are represented on the IOC. Expansion of the IOC is provided for when firms from additional major nations commit themselves to participation in the proposed investment company.

A Chronological Summary of the Atlantic Community Development Group for Latin America (ADELA) Effort

INTRODUCTION

The Atlantic Community Development Group for Latin America (ADELA) was officially formed on April 6, 1963, and completed the major portion of its work within 9 months—by January 10–11, 1964. The principal accomplishments at the ADELA effort were:

1. The holding of a conference on January 10–11, 1964, at the Chateau de la Muette (headquarters of the Organization for Economic Cooperation and Development) in Paris. This conference was attended by 100 leading officials from international public and private organizations and from private corporations and banks. These officials came from Latin America, Japan, Western Europe, and the United States, to consider measures designed to accelerate Latin American social and economic development.

2. The preparation by the executive directors of ADELA of a report containing the insights and conclusions developed through

the ADELA effort. This report was prepared after the conference on January 10–11.

3. The formation of an Interim Organizing Committee, representing corporations and banks from Japan, Western Europe, and the United States, charged with preparing for the incorporation of a multinational investment company. It was the consensus of the Janunary 10–11 conference that the formation of such a multinational investment company, which would participate with equity in medium-sized private enterprises in Latin America, could bring substantial benefits to Latin American development.

In the course of this program, conversations and other personal contacts with more than 600 private and public sector leaders and opinion makers of three continents and Japan resulted in the stimulation of new interest and thinking about Latin America's problems and potentials. The need for imaginative and new private initiatives in Latin America was brought to the point of active consideration.

The 9 months of the concentrated ADELA effort and certain necessary closing operations were financed with $135,198.67 in grants, contributed on a nonprofit basis by the Ford Foundation and 12 private U.S. enterprises and foundations. Meetings, studies, consultations, and travel were supported by a Ford Foundation grant of $100,000 to the Governmental Affairs Institute, as part of the foundation's continuing effort to help marshal scholarly and technical resources in the United States, Canada, Europe, and the industrialized nations of the Pacific for the advancement of the developing countries, including those in Latin America. Other grants totaled $35,198.67. A statement of expenditures and list of contributors is annexed to this summary.

PRELIMINARY PERIOD

The concept of greater participation in Latin American economic development by the member nations of the Organization for Economic Cooperation and Development (OECD) was first presented by Senator JACOB K. JAVITS in a speech before the Senate in April of 1961. A group of advisers to the Senator from private enterprise, the academic world, and the public service voiced approval of the concept and further studies were undertaken to determine means for its implementation.

One year later, in April of 1962, Senator JAVITS presented an updated version of this concept in remarks before the Pan American Society in New York City, and also presented it for the consideration of public and private officials, including Secretary of the Treasury C. Douglas Dillon, President of the Export-Import Bank Harold F. Linder, and then Assistant Secretary of State for Inter-American Affairs Edwin M. Martin.

In September of 1962, the concert was presented to U.S. business leaders who attended a dinner hosted by Senator JAVITS with Senator HUBERT H. HUMPHREY. This dinner brought together representatives of U.S. corporations and banks having large-scale interests in Latin America, and was also attended by high U.S. Government officials dealing with Latin American affairs.

Senator JAVITS, as chairman of the Economic Committee of the NATO Parliamentarians' Conference, placed the concept before a meeting of his committee in Washington, D.C., during September of 1962. The Economic Committee undertook to present a resolution and background paper favoring the concept to the eighth annual plenary session of the NATO Parliamentarians' Conference scheduled for November of 1962.

On November 16, 1962, the NATO Parliamentarians' Conference approved Economic Committee recommendation III. This recommendation called for a conference on private enterprise and public cooperation to consider additional measures for the acceleration of Latin American development, enlisting the private and public sectors of the member nations of the OECD. In order to implement the recommendation, the plenary session established a working party, under the chairmanship of Senator JAVITS and eventually consisting of Parliamentarians from 11 member nations of NATO.

Senator JAVITS obtained U.S. cosponsorship for the effort from Senator HUMPHREY. During the following months, Senator JAVITS consulted with national and international public leaders and received their broad support of the concept calling for greater participation by OECD members in the Latin American development process. Among those consulted were Secretary of State Dean Rusk; then Prime Minister of England, Harold Macmillan; then Chancellor of Germany, Konrad Adenauer; then Economics Minister of Germany, Ludwig Erhard; Foreign Minister of France, Maurice de Murville; Finance Minister of France, Valery Giscard d'Estaing; Secretary General of the OECD, Thorkil Kristensen; President of the Inter-American Development Bank (IADB), Felipe Herra; then President of Venezuela, Romulo Betancourt; President Adolfo Lopez Mateos of Mexico; former President of Colombia, Alberto Lleras Camargo; and former President of Ecuador, Galo Plaza. Leading government officials of Italy and other nations were also consulted.

At the same time, Fiat of Italy agreed to make available the services of one of its directors and general manager of ITALCONSULT, Dr. Aurelio Peccei, to serve as ADELA executive director for Europe. Similarly, the IADB made available the services of Dr. Julio Gonzalez del Solar, IADB representative in Europe, to serve as ADELA executive director for Latin America. Dr. Felipe Herrera, president of the IADB, agreed to serve as one of the official advisers to ADELA.

Leaders from the academic field were also enlisted as advisers. Prof. Milton Katz, director of International Legal Studies, Harvard University, served in an official advisory capacity throughout the ADELA effort. The views of others from the academic, research and labor fields were sought. These included personalities such as Clark Kerr, president of the University of California, Victor Urquidi, consulting economist of the Bank of Mexico, Serafino Romualdi, executive director of the American Institute for Free Labor Development, Edward S. Mason, Lamont University professor, Harvard University, Pierre Uri, director of research of the Atlantic Institute, Robert Strausz-Hupe, director of the Foreign Policy Research Institute, and Raul Prebisch, then director of the Economic Commission for Latin America.

In order to finance operations, an initial grant of $75,000 was obtained from the Ford Foundation and contributions totaling $25,000 were pledged by members of the U.S. business community.

APRIL 6, 1963, TO JANUARY 10, 1964

On April 6, 1963, the working party of the NATO Parliamentarians' Conference met in Paris and approved formation of ADELA to serve in the implementation of the NATO Parliamentarians' recommendation. Appointment of the two named executive directors was approved, as well as the appointment of Mr. Herbert J. Blitz to serve as executive secretary of ADELA. Authorization was given to establish an office in Washington, D.C., at the Governmental Affairs Institute, which administered the Ford Foundation and other nonprofit funds contributed to defray expenditures.

On the same day a luncheon meeting was held to inform the Business and Industry Advisory Committee (BIAC) to the OECD of ADELA's objectives. Attending were Senator JAVITS, other members of the working party, officials of the ADELA group, and Dr. Marcus Wallenberg, chairman, and other presidents of BIAC. The next day the first draft version of ADELA objectives was drawn up for distribution among interested parties.

On April 16, 1963, Senator JAVITS and ADELA officials met at the IADB in Washington, D.C., with Felipe Herrera, George Woods, President of the International Bank for Reconstruction and Development (IBRD), Burke Knapp executive vice president, and other officials of the IADB and IBRD, in order to lay the groundwork for cooperation in fulfilling ADELA's objectives.

On April 17, 1963, Senator JAVITS met with members of his public and private advisory group at the First National City Bank offices in New York City. At this meting Texaco, Inc., agreed to make available the services of the foreign manager of the Economics Department, Mr. Warren Wilhelm, as ADELA executive director for the United States, who subsequently made use of facilities in Senator JAVITS' New York senatorial office as a base of operations in New York. A consensus of approval for ADELA objectives emerged from this meeting of the advisory group.

During the following period, ending with the conference on January 10, 1964, the executive directors and the executive secretary of ADELA undertook consultations with a large number of public and private personalities from Latin America, Japan, Western Europe, Canada, and the United States. A full list of those contacted either personally or by correspondence is attached to this summary. Some of the leading figures contacted at various times during these months are indicated in the paragraphs below.

In May, Dr. Peccei and Mr. Blitz jointly and separately visited Brussels, Duesseldorf, Frankfurt, Cologne, London, and Paris, in order to discuss ADELA's objectives with public and private officials. Among those contacted were: Walter Hallstein, president of the European Economic Community (EEC), other EEC officials, Jean-Charles Snoy et d'Oppuers, Conseil de Surveillance, Banque Lambert, Fernand Collin, president du Conseil d'Administration de la Kredeitbank, S.A., Brussels, A. de Cunchy, president, Institute Belge de Cooperation Technique, John Tuthill, U.S. Ambassador to the EEC, P. Formentini, president of the European Development Bank, J. R. M. Whitehorn, overseas director of the Federation of British Industries, J. G. Phillimore, managing director of Baring Brothers & Co., Ltd., Paul Krebs, director of Deutsche Bank, Peter H. Werhahn, president of UNIAPAC, Fritz Berg, president of the Federation of German Industries, Claude Evain, Conseil National du Patronat Francais, and Claude Popelin, Latin American director of the Patronat Francais. Preliminary views were obtained on possible means through which the European private and public sectors could best participate in Latin American economic and social development.

In May and June, Dr. Peccei, Mr. Wilhelm and Mr. Mauricio Herman of the IADB (substituting for Dr. Gonzalez del Solar) traveled jointly and separately through Latin America, conferring with private and public officials in Brazil, Chile, Argentina, Uruguay, Peru, Colombia, Guatemala, and Mexico. Among the personalities contacted were: Humberto Diaz Contreras, Sr. Gerente General de Fomento de la Produccion, Chile, Ernesto Ayala, president of Cia Manufacturira de Papeles y Cartones, Chile, Lincoln Gordon, U.S. Ambassador to Brazil, Carlos Mariotti, president of the Instituto Peruano de Administracion de Empresas, Peru, Francisco de Sola, president of the Federation de Cajas de Credito, El Salvador, Jose Vicente Vargas Salcedo, vice president of the Corporacion Financiera Colombiana de Desarrollo Industrial, Colombia, Alberto Sola, executive secretary, Latin American Free Trade Association, and Adalberto Krieger Vasena, former finance minister and member of the National Academy of Economic Sciences, Argentina. The purpose of this trip was to determine the essential and the most immediately manageable new initiatives which could be implemented in Latin America through increased participation on the part of OECD members in development efforts.

In June, ADELA officials undertook further visits in Europe, establishing close contact with the Atlantic Institute and the European Committee for Cooperation with Latin America (CECAL). Among those consulted were Pierre Uri, director of research at the Atlantic Institute, and the Count de Vogüé, president of CECAL. ADELA established a Paris office under the direction of M. Maurice Guernier, a distinguished economic consultant formerly associated with M. Jean Monnet.

An interim report was prepared by ADELA for submission by Senator Javits to the Standing Committee of the NATO Parliamentarians' Conference. On July 12, a joint meeting of the NATO Parliamentarians' Economic Committee and Working Party was held in Paris, attended also by Senator Humphrey. This meeting approved of the steps taken by ADELA up to that point and concurred with the formulation of an action program which would entail the creation of a private, multinational investment mechanism, designed to bring equity capital into the Latin American development process. The next day Senator Javits and ADELA officials had a lengthy consultation with M. Monnet, who was fully briefed on ADELA's objectives and plans.

During the following 2 months, further visits in the United States, Europe, and Latin America were undertaken by the ADELA officials, for the purpose of bringing expert opinion to bear on the shape of the proposed investment mechanism. In Washington, for instance, officials consulted were Jose Mora, secretary general of the OAS, Martin Rosen, executive vice president of the International Finance Corp., T. Graydon Upton, executive vice president of the IADB, and Walter Sedwitz, assistant secretary general of the OAS. At the same time, explorations were begun to seek means for improving the flow of technical and managerial know-how to Latin America. During August, an interim report was furnished to all ADELA contacts. On September 16, 1963, a paper was drafted, containing the essential elements of the investment mechanism, in the shape of a private, multinational investment company, subscribed to by major banks and corporations.

During the first week of October, at the annual meeting of the IBRD and International Monetary Fund held in Washington, the idea of such a private, multinational investment company was discussed with the leading officials of public and private banking institutions participating at the Conference.

Further visits in Europe by the ADELA officials followed, in order to bring old contacts up to date and further to widen the spectrum of consultation. Among those seen were Prince Bernhard of the Netherlands, Georges Villiers, president of the Patronat Francais; Dietrich Wilhelm von Menges, chairman of the board of Ferrostaal; Sir G. Edward Beharrell, chairman, Dunlop Rubber Co., Ltd.; Lord Rootes, chairman, Rootes, Ltd.; E. Reinhardt, president der Generaldirektion der Schweizerischen Kreditanstalt; and Samuel Schweizer, chairman, Swiss Bank Corp.

A progress report was submitted to Senator Javits for presentation, in November, to the Ninth Plenary Session of the NATO Parliamentarians' Conference, which in a recommendation adopted on November 8, approved the proposals developed by the ADELA effort. It was further recommended by the conference that the working party invite the OECD, IADB, and OAS to assume its responsibilities with respect to the ADELA program as soon as possible.

After further consultations in Europe, Latin America, and the United States, the ADELA Conference was called in Paris for January 10–11, 1964.

The meeting of January 10 was attended by 102 leading personalities from the private sectors and international organizations of Western Europe, Latin and North America, and Japan. Approximately one-half of the participants represented private firms or organizations.

The principal speakers were Dr. Thorkil Kristensen, secretary general of the OECD, Dr. Felipe Herrera, president of the IADB, Dr. Jose Mora, secretary general of the OAS, Senator Javits, and Dr. Aurelio Peccei, executive director for Europe for ADELA. M. Henri Burnier, chairman of the Banque Francaise et Italienne, and Mr. Emilio G. Collado, vice president and director of the Standard Oil Co. (New Jersey), served as chairman of the morning and afternoon sessions respectively.

Among the chief personalities taking an active part in the morning and afternoon discussions were: L. B. Wolters, president of Petrofina, George Moore, president of the First National City Bank of New York, Hugo Lindgren, assistant vice president of Enskilda Bank, Jacques Oudiette, director of the Banque Nationale pour le Commerce et l'Industrie, the Count de Vogue, president of Saint Gobain and chairman of the Comite European pour la Cooperation avec l'Amerique Latine, Adalberto Krieger Vasena, former Finance Minister of Argentina and member of the National Academy of Economic Sciences, Andres Aguilar, personal representative of President Betancourt of Venezuela, Kunio Miki, managing director of the Bank of Tokyo, Pinhero Neto, corporation lawyer from Brazil, Arthur Dean, senior partner of Sullivan and Cromwell, Gianni Agnelli, vice chairman of Fiat, Evence Coppee, Societe Evence Coppee of Belgium, Walter McKee, director of the Latin American Division of the Ford Motor Co., Claudio Segre, Direction for Economic and Financial Affairs of the European Economic Community, and Willard H. Thorp, chairman of the Development Assistance Committee.

Basic support for the ADELA concept of a coordinated private sector initiative for the economic and social development of Latin America was expressed by the speakers and by the participants in the discussions. Both the Latin American and Northern Hemisphere representatives felt that it would contribute importantly to the revitalization of the Latin American private sector. Other issues considered included the need for measures to protect private investments, and the advisability of considering the rescheduling of foreign debts of certain Latin American countries. Recommendations for broadening the initial support of the proposed ADELA Investment Co., were also discussed.

Senator Javits, at the conclusion of the meeting, summarized the consensus favoring positive steps for the formation of the company. These steps were initiated the following day.

CONCLUDING PERIOD

A group of private banking and industrial representatives, who participated at the January 10 ADELA Conference, met on January 11. As a result of this meeting, an Interim Organizing Committee (IOC) was established from among those actively supporting the undertaking. The IOC is charged with organizing the proposed multinational private investment company which would undertake equity investments and serve as a catalytic agent for private enterprise in Latin America.

The eight-member IOC is cochaired by Gianni Agnelli, vice chairman of Fiat, and Emilio G. Collado, vice president and director of the Standard Oil Co. (New Jersey). Banking and industrial firms from Europe, Japan, and the United States are represented on the IOC. Expansion of the IOC is provided for when firms from additional major nations commit themselves to participation in the proposed investment company. The results of the IOC effort are documented in an attachment to this summary.

On January 15, 1964, Dr. Peccei appeared before the Subcommittee on Inter-American Economic Relations of the Joint Economic Committee of the U.S. Congress, at the request of the chairman, Senator John Sparkman. Mr. Wilhelm, who was present at the hearing, was requested by Senator Javits to participate in answering the committee's questions after Dr. Peccei's statement.

Drs. Gonzalez del Solar and Peccei returned fully to their respective former duties. Mr. Wilhelm prepared the report of the executive directors, containing the insights and conclusions developed through the ADELA effort. In April of 1964 this report was signed by Dr. Peccei and Mr. Wilhelm. Dr. Gonzalez del Solar, in view of his responsibilities as an official of the IADB felt it inappropriate to join in this statement of personal views. The attached letter from Dr. Felipe Herrera, President of the IADB, makes clear the Bank's broad support and encouragement of ADELA's objectives.

Finally, Senator Javits submitted the Working Party's "Report on Conclusion of Efforts With Respect to Latin America" to the president of the NATO Parliamentarians' Conference. This marks the official end of the conference's responsibilities respecting the ADELA effort. Officials of the OECD, IADB, and OAS have already agreed to assume advisory responsibilities and to serve as liaison with public agencies, when called upon to do so by the private sector leaders who are carrying forward the ADELA program. Senator Javits and other international personalities are also expected to participate fully in these advisory and liaison functions.

Herbert J. Blitz,
Executive Secretary.

April 28, 1964.

Annex A

Receipts and disbursements of ADELA

	To March 1964	April 1964	To April 1964
Receipts: Grants	$135, 198. 67		$135, 198. 67
Disbursements:			
Salaries	24, 494. 38	$2, 076. 91	26, 571. 29
Related personnel costs	2, 398. 96	231. 85	2, 630. 81
Per diem	14, 762. 70	30. 30	14, 793. 00
Travel	31, 323. 62	2, 613. 95	33, 937. 57
Contingencies	1, 118. 00		1, 118. 00
NATO parliamentarians meeting	783. 35		783. 35
Office supplies and expense	4, 775. 61	70. 87	4, 846. 48
Reference material	110. 39		110. 39
Telephone and telegraph	7, 734. 96	844. 09	8, 579. 05
Representation	1, 472. 57	18. 00	1, 490. 57
Rent	2, 714. 93	247. 04	2, 961. 97
Murden's fees	4, 500. 00		4, 500. 00
Murden's expenses	1, 354. 39		1, 354. 39
Paris office expense	14, 950. 00	1, 000. 00	15, 950. 00
Petty cash fund	90. 00		90. 00
Administrative support—bookkeeping, etc	12, 247. 19	1, 038. 45	13, 285. 64
Total disbursements	124, 831. 05	8, 171. 46	133, 002. 51
Cash balance	10, 367. 62		2, 196. 16
Cash balance Apr. 1, 1964	10, 367. 62		
Less estimated April 1964 disbursements	8, 171. 46		
Total	2, 196. 16		
Add amount due Warren Wilhelm	260. 91		
Cash in bank (estimated), Apr. 31, 1964	2, 457. 07		

ANNEX B

U.S. firms which have contributed to the ADELA nonprofit effort as of Apr. 15, 1964

Carl M. Loeb, Rhoades & Co	$2,000.00
Standard Oil Co. (New Jersey)	8,000.00
I.T. & T	2,500.00
Saul Singer Foundation	2,666.67
Charles Pfizer & Co., Inc	6,667.00
IBM World Trade Corp	1,000.00
Kaiser Services	2,000.00
First National City Bank	3,350.00
Kennecott Copper Corp	1,330.00
Koppers Co., Inc	1,335.00
Pan American Airways	1,000.00
W. R. Grace & Co	3,350.00
Total [1]	35,198.67

[1] This total does not include the $100,000 grant contributed by the Ford Foundation.

ANNEX C—ACTIVITIES OF THE WASHINGTON, PARIS AND NEW YORK OFFICES OF ADELA

1. Washington office: The Washington office at 1726 Massachusetts Avenue NW., began operations in April of 1963. Mr. Herbert J. Blitz, executive secretary of ADELA, and a secretary-administrative assistant were located in the Washington office. The principal work consisted of:

(a) Preparation and dissemination of ADELA material, such as statements on the objectives and structure of ADELA, reports on meetings, and periodic reports to personalities contacted by ADELA officials.

(b) Coordination of activities and travel plans of ADELA officials, including travel reservations and the setting up of appointments.

(c) Preparation and mailing of invitations to various meetings and the January 10–11, 1964, conference.

(d) Liaison with Senators JAVITS and HUMPHREY, various U.S. governmental departments and agencies, and international institutions, principally located in Washington, D.C.

(e) Coordination with the Paris and New York offices of ADELA.

(f) Supervision, in cooperation with the Governmental Affairs Institute, of the ADELA budget.

2. The Paris office: The Paris office at 12 rue de Castiglione, Paris I, France, began operations in July 1963, under the direction of M. Maurice Guernier. Depending upon need, one to three secretaries assisted M. Guernier. The principal work undertaken by the Paris office was:

(a) Preparation and distribution of ADELA material, specifically intended for use in Europe.

(b) Liaison with European governmental and private officials, especially industrial and public leaders in France.

(c) Coordination of preparations for the January 10–11 ADELA Conference, held at OECD headquarters in Paris.

(d) Coordination of travel plans of ADELA officials while in Europe, including travel reservations.

The Governmental Affairs Institute set up a special account at the Credit Lyonnais to defray the expenses of Paris office operations.

3. The New York office: The New York office began operations in May of 1963, using the facilities of Senator JAVITS' New York senatorial office at 110 East 45th Street. Mr. Warren Wilhelm, ADELA executive director for the United States, when in New York was located in this office, availing himself of secretarial staff from the Washington office, temporary secretarial help hired in New York, or secretarial help provided by Senator JAVITS' office, depending on need. The principal work of the New York office consisted of—

(a) Contact with the New York financial and business community for the purpose of consultation on the ADELA program.

(b) Liaison with the Ford Foundation and the academic communities, especially at Columbia and Harvard Universities.

(c) Liaison with Senator JAVITS' public and private advisory group.

Expenditures of the New York office were financed directly from the Washington office budget.

Mr. HUMPHREY. Mr. President, I am grateful to the Senator from New York for his flattering comments relating to my limited participation in an enterprise which has had his sterling leadership. For many months the Senator from New York [Mr. JAVITS] has given unceasingly of his time and effort and remarkable talent to the creation of a multinational investment corporation known as ADELA, the Atlantic Development Group for Latin America.

I had the privilege of participating in some of the meetings preparatory to the launching of this investment corporation. I marvel at the capacity of the Senator from New York, who presides at the meetings, to bring together the many great leaders of industry and finance not only throughout the United States, but also throughout the world.

This effort is over and above the call of duty. What the Senator from New York has done in his role as chairman of the NATO parliamentarians is to encourage responsible business leaders in NATO to take an active part in strengthening the Alliance for Progress, the relationship between the United States and Latin America.

The Senator from New York, along with others, has insisted that Congress, in our foreign aid program, provide a bigger role for private enterprise. I joined him in this effort. I believe it is fair to say that I acted as a sort of counsel in the Committee on Foreign Relations, to see to it that the results of the efforts of the Senator from New York, the Senator from Kentucky [Mr. COOPER] and others are included in the final bill after it comes from conference.

These efforts are paying off. Today the Federal Government knows the importance of the wider, more active, and more generous participation by private enterprise in our oversea efforts, if they are to succeed at all.

I say to the Senator from New York that of all the work he has accomplished in his public life, I doubt that any will be more significant than this, which he has announced to the Senate today.

I am not being humble when I say that my part of it has been modest indeed; the lion's share of the work was done by the Senator from New York and those associated with him.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. I ask that I may be permitted to speak for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. I pay tribute to the businessmen for giving of their time. They have given many hours and days of their time in the preparatory and preliminary steps which made possible this substantial advance in investment on a multinational basis through the private enterprise sector in Latin America.

I believe it is correct to say that not only are our friends in Western Europe involved, but that the Far East is involved also. We are beginning to bring to the attention of businessmen in other parts of the world the importance of their participation in Latin America if Latin America is to remain free and if private enterprise is to have any future in that area.

I salute the Senator from New York for his report to the Senate.

From time to time either the Senator from New York or the Senator from Minnesota has reported to the Senate on these efforts. Even though they have been private, they have been efforts over and above what can be called official responsibilities and duties of a Senator. They have been, of course, related to a Government program.

The Senator from New York alluded to President Kennedy and President Johnson. The President of the United States is fully aware of our efforts, and commends them. We have had conferences with the Director of the Inter-American Development Bank. We have had conferences also with the Director of the World Bank, and with the head of the Export-Import Bank. All these great international instrumentalities of finance are fully aware of what has been undertaken in the ADELA project. We have had wise counsel and advice from them. They are not only aware of what is being done, but they are delighted with the program.

I express my congratulations to the Senator from New York for what he has done and for the lucid and detailed report that he has given to the Senate today.

Mr. JAVITS. Mr. President, I ask for 1 additional minute.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. JAVITS. No one can appreciate more the remarks of my friend from Minnesota than I. I hope very much that we may not cease following the convention of the Senate, which is to praise each other and to express joy in each other's achievements, and keep our eye on the ball. What we have tried to do is to show what can be done in terms of the life of a Senator, using the prestige of his office and initiative, and to show what American business and world business—incidentally, the Japanese have been involved in this effort—can accomplish in forwarding the objectives of freedom. These are the lessons I hope we may learn, and I hope that my friend will forgive me for saying that that is what we should underline in this report today.

UNITARIAN-UNIVERSALIST MINISTERS PETITION SENATE TO PASS CIVIL RIGHTS ACT WITHOUT WEAKENING AMENDMENTS AND TO SUPPORT CLOTURE ON THE BILL—PETITION

Mr. DOUGLAS. Mr. President, 386 Unitarian-Universalist ministers from across the United States have signed a petition to the Congress urging the Senate in particular to pass the Civil Rights Act without weakening amendments and asking Senators to vote for cloture after reasonable debate so that the bill may come to a vote. This petition was presented to me yesterday by Mr. Kenneth K. Marshall of the Commission on Religion and Race of the Unitarian-Universalist Association.

It is heartening to note that in the replies to the commission's letter circulating the petition, only three ministers expressed opposition to the civil rights bill.

This appeal to the Congress for the enactment of "significant comprehensive legislation to protect the civil rights of all Americans," is representative of the strong support which religious leaders and laymen throughout the country are giving to the civil rights bill. The signers of the petition are from 39 States and the District of Columbia, including 7 States of the South.

I know many of my colleagues will be encouraged by this petition and I want to thank Dr. Dana McLean Greeley, president of the Unitarian Universalist Association, and his 385 cosigners for taking this stand.

I ask unanimous consent that the petition, dated May 18, 1964, signed by Dr. Greeley, along with the names of the other 385 signers, be printed in the Record. It is indicative of the swelling tide among the church people of the country for the civil rights bill.

There being no objection, the petition and names of signers were ordered to be printed in the Record, as follows:

May 18, 1964.

We, the undersigned, Unitarian and Universalist ministers across the United States, believe it is time now to enact into law, significant, comprehensive legislation to protect the civil rights of all Americans.

The bill currently under debate in the Senate of the United States, H.R. 7152, as passed in the House of Representatives, represents the best hope of bringing the American dream of equal rights for all to fruition and of insuring peaceful and harmonious relations between people of all races and creeds.

We feel that each title of this bill is important—protection of voting rights, relief against discrimination in places of public accommodation, desegregation of public facilities, desegregation of public school education, extension of the Commission on Civil Rights, nondiscrimination in federally assisted programs, equal employment opportunity, registration and voting statistics, removal proceedings in civil rights cases, and establishment of a community relations service.

We urge the Senate to enact H.R. 7152, without weakening amendments, and would especially warn against attempts to diminish the effectiveness of the titles of the bill dealing with the unequal treatment accorded Negroes and other minority persons in public accommodations and employment. We would also urge that Senators support cloture after reasonable debate so that the bill may come to a vote.

Passage of the civil rights bill will go a long way to insure domestic tranquillity and to secure the blessings of liberty to ourselves and our posterity.

Dana McLean Greeley,
D.D., LL. D., S.T.D.,
President, Unitarian Universalist Association.

Arizona: Raymond G. Manker, Phoenix; George C. Whitney, Tucson.

Arkansas: Richard W. Kelley, Little Rock.

California: Donald H. Meyer, Francis P. Randall, Clark B. Olsen, Victor V. Goff, Samuel A. Wright, John H. Lathrop, D.D., Ph. D., Robert C. Kimball, Ph. D., Berkeley; Charles B. Blackburn, Castro Valley; Arthur D. Wilmot, Chico; Richard Fresco, Daly City; Robert E. Senghas, Davis; Edward W. Ohrenstein, Guerneville; Sheldon Shepard, James M. Becker, La Jolla; Steven H. Fritchman, Horton Colbert, Los Angeles; Richard Weston, Los Gatos; John Nicholls Booth, Long Beach; Boyd W. Tucker, Modesto; Robert O'Brien, Monterey; Paul E. Killinger, Orange; Felix Danford Lion, Palo Alto; Lewis A. McGee, Arthur W. Olsen, James P. Hawley, Harmon M. Gehr, John Baker, Pasadena; Ford Lewis, Clifton B. Gordon, Sacramento; John W. Sears, San Carlos; John Ruskin Clark, San Diego; Harry B. Scholefield, D.D., Conard B. Rheiner, San Francisco; Louis W. Jones, San Mateo; Karel F. Botermans, San Rafael; John A. Crane, Santa Barbara; Paul W. Sawyer, Sepulveda; Richard W. Seebode, Torrance; Alfred J. N. Henriksen, Palos Verdes Peninsula; Michael E. Boardman, Whittier; Karel V. Vit, Pacific Grove.

Colorado: Philip W. Pennington, Boulder; John R. Graham, Denver; Robert M. Bowman, Fort Collins; C. Leon Hopper, Jr., Golden; Evans A. Worthley, Sterling.

Connecticut: William E. Gardner, Meriden; Wayne Shutte, A. Frazier Mitchell, New Haven; Eugene R. Widrick, Stafford; John A. Farmakis, Stamford, Wallace Grant Fiske, D.D., West Hartford.

Delaware: Robert M. Doss, Wilmington.

District of Columbia: Duncan Howlett, D.D., L.L.D., James J. Reeb, Washington.

Florida: Dilworth Lupton, D.D., Frank Edwin Smith, Clearwater; Kenneth R. Mochel, Daytona Beach; Helene R. Ulrich, Fort Myers; Jack C. Loadman, Lake Park; John O. Fisher, St. Petersburg; Richard M. Woodman, Tampa.

Georgia: Alfred W. Hobart, Atlanta; Robert S. Miller, Macon.

Hawaii: Gene Bridges, Honolulu.

Illinois: Stanley Manning, D.D., Avon; Kenneth C. Walker, Bloomington; Henry N. Wieman, Ph. D., Carbondale; Charles H. Lyttle, Th. D., Jack A. Kent, Paul E. Hanchett, Ph. D., Ralph Mero, Richard Nash, Christopher Moore, John F. Hayward, Ph. D., Chicago; Ellum E. Gault, Chillicothe; C. H. Meacham, Clinton; Ross Allen Weston, Evanston; Donald B. King, Hoopeston; Eugene Wm. Kreves, Naperville; Robert M. Rice, Oak Park; Fred A. LeShane, Peoria; George P. Crist, Jr., Quincy; H. W. Patterson, Stockton.

Indiana: Eugene A. Luening, J. Burdette Charles, Fort Wayne; Orson N. Moore, Hobart; John G. MacKinnon, Indianapolis; Edwin H. Wilson, West Lafayette.

Iowa: George G. Brooks, Burlington; Rexford J. Styzens, Davenport; John B. Isom, Des Moines; Khoren Arisian, Jr., Iowa City; Carl V. Bretz, Mount Pleasant.

Kansas: H. Paul Osborne, Wichita.

Kentucky: Carl E. Ulrich, Louisville; Robert E. Stebbins, Richmond.

Maine: John C. Agnew, Auburn; Douglas H. Robbins, Augusta; L. Gordon Adamson, D.D., Biddeford; Robert Cummins, D.D., Bowdoinham; Timothy Behrendt, Castine; Arthur Heeb, T. Barton Akeley, Houlton; Harold Scott, Th. D., Kennebunk; Arthur N. Moore, Earle T. McKinney, Portland; William M. Weir, Rockland; John W. Laws, Waterville; Vincent B. Silliman, D.D., Yarmouth.

Maryland: David Paine Osborn, Adelphi; Wilfred W. Ward, Irving R. Murray, D.D., Baltimore; Robert J. Lewis, Robert Zoerheide, Bethesda; Kenneth K. Marshall, Hillcrest Heights; David H. Cole, Rockville; Fred Cappuccino, Takoma Park; Philip Randall Giles, D.D., S.T.D., David MacPherson, Towson.

Massachusetts: John A. Taylor, Amherst; William W. Lewis, Arlington; Kenneth R. Warren, Barnstable; Robert Henry Holmes, Bedford; Gilbert A. Phillips, Belmont; Heber B. Robinson, Fred R. Lewis, Beverly; Orloff W. Miller, Robert S. Wolley, Ronald Mazur, Palfrey Perkins, D.D., George N. Marshall, Todd James Taylor, Virgil E. Murdock, George F. Spencer, Robert W. Haney, Raymond C. Hopkins, Harold D. Buck, Dayton T. Yoder, Max D. Gaebler, Boston; Francis C. Anderson, Jr., Braintree; Russell W. Lockwood, Brockton; Carl Bihldorff, Brookline; James R. Sikes, Ralph D. Helverson, Rowland Gray-Smith, Ph.D., A.M., Dan Huntington Fenn, S.T.D., Cambridge; Roland E. Morin, Chelmsford; Roscoe E. Trueblood, Cohasset; W. Bradford Greeley, Arthur B. Jellis, Concord; Fred A. Rutledge, Robert L. H. Miller, Th.D., R. R. Hadley, Danvers; Addison E. Steeves, Dedham; Richard S. Hasty, Duxbury; Daniel W. Weck, Eastham; Zoltan Nagy, Fairhaven; Richard H. Huff, Fitchburg; Manuel R. Holland, Framingham; L. M. Hamby, Grafton; Skillman E. Myers, Harding; Franklin P. Smith, Haverhill; Gilbert A. Potter, Holden; Joseph J. Alen, Hopedale; Kieth C. Munson, Lawrence; Willard L. McKinstry, Leicester; Floyd James Taylor, Miles R. McKey, Lexington; Charles M. Styron, Lincoln; Howard F. Smith, Jr., Lynn; William Wallace Rose, D.D., George K. Beach, Marblehead; Vernon W. Tagtmeyer, Wilber P. Horton, Marlboro; William R. Moors, Medfield; Karl H. Hultberg, Benjamin B. Hersey, D.D., Alan Seaburg, Gene Arthur Reeves, Medford; Peter Lee Scott, Melrose; Robert Gardiner, Natick; James W. MacDonald, Needham; Richard A. Kellaway, New Bedford; Bertrand H. Steeves, Newburyport; Herbert Weeks, North Adams; Ernest A. Brown, Jr., North Andover; Richard J. Norsworthy, North Weymouth; Alexander Meek, Orange; G. William Budd, Peabody; H. V. Kafka, Pittsfield; Violet A. Kochendoerfer, Provincetown; Bradford E. Gale, D.D., Quincy; Bruno J. Visco, Reading; John W. Coffee, Jr., Roxbury; Frank B. Crandall, Salem; Carl H. Whittier, Jr., Scituate; George J. W. Pennington, D.D., William A. DeWolfe, Springfield; Lawrence E. McGinty, Upton; William B. Killam, Uxbridge; Garth Van Nest, Waltham; Wm. B. Rice, S.T.D., Wellesley; Frank A. Wahlstrom, Westboro; Glenn O. Canfield, Westfield; Robert S. Slater, Westford; Leslie D. Pennington, D.D., L.H.D., West Newton; Theodore A. Webb, Robert A. Storer, D.D., Winchester; Lawrence Marvin Jaffa, Worcester; Hazel R. Gredler, Yarmouth Port.

Michigan: Erwin A. Gaede, Ph. D., Ann Arbor; James W. McKnight, Concord; Tracy Pullman, D.D., Nancy Wynkoop, Detroit; Robert M. Eddy, Farmington; Waitstill H. Sharp, D.D., Flint; Wm. D. Hammond, Grosse Pointe; Gerald K. Wyman, Holt.

Minnesota: Thomas L. Smith, Duluth; V. Emil Gudmundson, Hanska; Carl A. Storm, John Trowbridge, Richard E. Sykes, John Cummins, Minneapolis.

Mississippi: Donald A. Thompson, Jackson.

Missouri: R. Lester Mondale, Fredericktown; Raymond B. Bragg, D.D., Kansas City; Webster L. Kitchell, Kirkwood; H. A. Tyson, St. Joseph; Thaddeus B. Clark, Ph. D., Lawrence E. Beebe, St. Louis.

Nebraska: Charles S. Stephen Jr., Lincoln.

New Hampshire: Paul H. Beattie, Thomas A. Sinclair, Concord; Charles H. Whittier, Dover; Elbridge F. Stoneham, Exeter; Stewart E. Hild, Franklin; Thomas Aldrington, Keene; George L. Niles, Manchester; Charles A. Gaines, Milford; Donald W. Rowley, Nashua; Edward A. Smith, Peterborough; Orrin L. Kosmo, Walpole; John A. Hawkins, Warner.

New Jersey: Edwin A. Lane, Cherry Hill; Norman D. Fletcher, D.D., Montclair; Horace Colpitts, New Brunswick; George G. Howard, Paramus; John Evan Evans, Plainfield; Jacob Trapp, S.T.D., Summit; Carl Bierman, Kendrick R. Lee, Trenton; L. Hamilton Garner, West Orange.

New Mexico: Robert S. Lehman, Elmo A. Robinson, Los Alamos.

New York: Nicholas C. Cardell, Jr., Albany; Frank E. Robertson, Barneveld; Harry A. Thor, Binghamton; Howard Box, Norman V. Naylor, Brooklyn; Robert E. Wolf, Buffalo; Hugo J. Hollerorth, Albert C. Niles, David B. Parke, Max A. Coots, Canton; Robert H. MacPherson, Central Square; Raymond M. Scott, Fort Plain; Farley W. Wheelwright, Garden City; Ralph Stutzman, Huntington; Ralph C. Bailey, Jamaica; J. Robert Bath, Jamestown; Robert W. Sterling, Little Falls; Ralph N. Schmidt, Ph. D., New Hartford; Dubois LeFevre, New Rochelle; Melvin E. Van de Workeen, Richard D. Leonard, Dale Dewitt, D.D., Vilma S. Harrington, Sophia Lyon Fahs, D.H.L., Pierre van Paassen, D.H.L., LL.D., D.D., Dwight Brown, New York; J. Donald Johnston, Niagara Falls; S. Hunter Leggitt, Jr., John Edwin Price, Oneonta; David Rhys Williams, D.D., Robert West, Carl J. Westman, Rochester; William J. Gold, Schenectady; John C. Fuller, Ellsworth C. Reamon, D.D., James D. Hunt, Syracuse; H. E. Hudson IV, Utica; John E. Wood, D.D., Watertown; Clifford H. Vessey, White Plains; J. Robert Smudski, Yonkers.

North Carolina: Richard R. Gross, Asheville; Sidney L. Freeman, Ph. D., Charlotte; Donald W. Lawson, Kinston; Donald C. McMillan, Seven Springs; George S. Cooke, Winston-Salem.

Ohio: Gordon B. McKeeman, Akron; Robert T. Dick, Belpre; Clarke Wells, James W. Hutchinson, Eugene Sparrow, Cincinnati; Peter Henry Samson, S.T.D., Richard S. Gilbert, Dennis G. Kuby, Robert Killam, D.D., Cleveland; Lyman Achenbach, Columbus; George Lapoint, Eldorado; Russell L. Lincoln, Bjarne O. Kjelshus, Kent; Robert Edward Green, North Olmsted; Waldemar Argow, Toledo; Edwin H. Wilson, Yellow Springs; Raymond J. Baughan, Youngstown.

Oklahoma: Harold H. Wright, Durant; Frank Orville Holmes, D.D., Oklahoma City; John B. Wolf, Tulsa.

Oregon: Horace L. Bachelder, Oregon City; Roger T. Walhe, Portland.

Pennsylvania: Howard Waterhouse, Allentown; Mason F. McGinness, Devon; Robert G. Hosmer, Erie; Mason W. Olds, Amos B. Horlacher, D.D., Ed. D., Harrisburg; Isaiah J. Domas, Jenkintown; Neal W. Ferris, Henry F. Pommer, Ph.D., Meadville; Jesse Cavileer, Rudolph C. Gelsey, George W. Marshfield, Tharald W. Olofson, Kenneth J. Smith, W. Edwin Collier, Philadelphia; Philip A. Silk, Edward A. Cahill, Pittsburgh; Philip F. Mayer, Swarthmore; David J. Hayeman, David R. Kibby, Delaware County, Upper Darby; Weston A. Stevens, Wallingford; Frederick R. Griffin, D.D., Wynnewood.

Rhode Island: J. Arnold Meardon, Robert H. Schacht, D.D., Albert Q. Perry, Vester T. Vanstrom, William R. Jones, Providence; Roy B. Winstersteen, Warwick.

Tennessee: Ernest L. Howard, Chattanooga; Kenneth T. MacLean, Knoxville; Robert C. Palmer, Nashville; Arthur Graham, Ph. D., Oak Ridge.

Texas: Brandoch L. Lovely, Austin; Albert F. Harkins, Brownsville; Byrd Helligas, Dallas; Walter W. Baese, Jr., Fort Worth; Philip Schug, San Antonio.

Utah: Hugh W. Gillilan, Salt Lake City.

Vermont: John P. Christensen, Barre; Gaston Marcel Carrier, Burlington; Gale L. Bascombe, Derby Line; J. Henry Hanhisalo, Island Pond; Ralph E. Kyper, Rutland; Edgar C. Peara, Springfield; Berkley L. Moore, Windsor.

Virginia: John M. Wells, Alexandria; Edward H. Redman, Arlington; Walter Royal Jones, Jr., Charlottesville; Greta W. Crosby, Lynchburg; Mounir Sa'adah, Woodstock; Rudolph W. Nemser, Fairfax.

Washington: Robert L. Fulghum, Bellingham; Maxwell H. Morris, Th. D., Bremerton; Peter Weller, Des Moines; Peter Raible, Anthony R. Perrino, Seattle; Rudolph W. Gilbert, Spokane; Charles I. Doughty, Tacoma.

Wisconsin: Robert S. Hoagland, Madison; Christopher Raible, Milwaukee; Paul B. Henniges, Racine.

PLEA FOR MORATORIUM IN RACE CRISIS

Mr. TALMADGE. Mr. President, one of the outstanding ministers in our Nation is Dr. Walter Courtenay, of the First Presbyterian Church of Nashville, Tenn. Last year, Dr. Courtenay preached an outstanding sermon which received wide distribution throughout the country. The sermon was entitled, "The Problems of Equality." For that sermon, he received two Freedoms Foundation awards.

Last Sunday, May 17, Dr. Courtenay preached another outstanding sermon to his congregation, in which he stated further his views with reference to man's relation to his fellow man. He stated, with reference to the civil rights bill that is pending before the Senate:

> So unbalanced are we in much of our current thinking that we now propose to pass laws forcing employers to hire people they neither want nor need, to force others to serve people they do not want to serve; to force others to work with people they do not want to work with, and to threaten honest citizens with fines, jail sentences and the loss of their livelihoods for enjoying what they have been trained to believe are the privileges of our American democratic free enterprise system. We now propose to reshape the life of the entire Nation to suit the needs of one minority group and at the cost of depriving other groups of just rights under our Constitution.

It is refreshing, indeed, to hear words of wisdom, sanity, tolerance, and religion at a time when emotion, strife, and discord are running rampant in our country.

Mr. President, I ask unanimous consent that this inspiring sermon, as published in the Nashville Banner of Monday afternoon, May 18, 1964, be printed in full at this point in the Record.

Mr. SPARKMAN subsequently said: Mr. President, I join the distinguished Senator from Georgia in the request regarding this editorial in the Nashville Banner of yesterday afternoon, Monday, May 18. This editorial was published on its front page dealing with a sermon preached by one of the great preachers of our day, Dr. Walter Courtenay, of the First Presbyterian Church in Nashville, Tenn. All of us have read at one time or another some of his powerful sermons.

Dr. Courtenay preached a sermon last Sunday which the paper headlines as "Force Measures Will Not Restore Nation's Equilibrium." There is an introductory article with reference to the sermon and then the sermon is printed in full.

I believe this to be thought-provoking reading for the Congress and for the country, and therefore I join the Senator from Georgia in requesting unanimous consent to have the article and the sermon printed in the Record.

There being no objection, the sermon was ordered to be printed in the Record, as follows:

Minister Who Pleads for Moratorium in Race Crisis, Says Force Measures Will Not Restore Nation's Equilibrium

A plea for a moratorium on the efforts of Congress and paid race leaders to force a majority of U.S. citizens into a police state for the benefit of a minority was made by Dr. Walter Courtenay in a sermon yesterday.

The minister of the First Presbyterian Church, who has won two Freedoms Foundation Awards, the last this year for a sermon, "The Problems of Equality," Sunday decried sit-ins, sit-downs, lie-downs, kneel-downs and demonstrations that create fear and hate—"make a mockery of law and order."

As in the case of Dr. Courtenay's second award-winning sermon, the Banner herewith reproduces in full yesterday's message, titled "The Problem of Equilibrium." Here is a summary preceding the text.

The minister made these points among many others:

"Let no modern group try to bolster their cause by saying they are doing what their forefathers did—The American Revolution was a revolution of big men against littleness in government."

"Church leaders now say anyone who does not wholeheartedly support total integration is un-American and pagan. * * * They would compress all Christians into their mold or destroy them."

The FEPC section of the civil rights bill "would force employers to hire people they neither want nor need; force others to serve people they do not want to serve; force others to work with people they do not want to work with. The Nation would be turned into a police state for the benefit of a minority of citizens."

"I find little of the spirit of Jesus in most of what has been said and done. * * * The methods used are hate and fear builders * * * a shotgun held at the community's or businessman's stomach."

"Let no one doubt that our colored friends and fellow citizens have reasonable grievances that call for justice." * * * But "One injustice is no excuse for concocting others."

"The present imbalance cannot be solved by fired-up Negro leaders paid to stoke fires, nor by those whites whose minds are closed to just complaints of the black men. * * * Nor can it be solved by white men whose primary aim is votes."

The need? "A moratorium on racial pressures—a cooling off period. We need a cessation of the effort to compel white people by threat of force to meet both the fair and the unfair demands of the colored leaders. * * * Such a moratorium would do more to restore national equilibrium than all the laws Congress can pass in the next 4 years."

SERMON TEXT

Keeping life in balance, living in a state of near equilibrium becomes increasingly difficult. Equilibrium, "the state of balance between two opposing forces or actions" is America's greatest need today, and one that is almost impossible to achieve. Everything we believe in, everything that gave stability to our yesterday now seems to be in a state of indecision, alteration, or disintegration. Life for many of us lurches, lunges, falls off stride, and lacks a reassuring sense of sane direction. Our very streets heave and pulsate with waves of emotionalism. We are like landlubbers trying to stand upright on the dark deck of a storm-tossed sailing ship.

Standing still is impossible, but so are sensible steps of progress. We are like people taking their first ride on a roller-coaster. They climb, twist, plunge, swing and climb again. Their bodies stiffen. The air is forced from their lungs. Apprehension grips them. They wonder what stupidity motivated them to buy a ticket in the first place. They have no control over the car. They can neither decrease acceleration nor apply brakes. All they can do is to hold on and hope for the best.

One reason for this roller-coaster feeling is the fact that we are living in a hinge period of history, or an unhinged period of history. Since 1917 ushered us into World War I nothing has been quite the same. That war ushered in the start of the world's disintegration, and we Americans, unintentionally perhaps, have helped hasten it. We were the ones who ridiculed colonialism. We were the ones who pressed for the self-determination of peoples whether they were ready or not. We were the ones who urged Britain, France and others to relinquish their foreign possessions, and we were the ones who encouraged colonial people to clamor for "home rule." We assigned ourselves the task of reshaping the world to suit our ideals of independence. Not that our ideals were clear cut. Not that they were free of fuzziness and mirage outlines. Seeing what we had made out of our own revolution we had the strange belief that other peoples, given a chance, could do as well.

Special background

In our adolescent self-assurance and idealism we forgot that our situation in the 18th century was a special one. We were a special kind of people, with a special background, special reasons for revolt, and a special objective in mind. Our forefathers were not ignorant, uncultured, exploited, bitter people. They were educated and cultured, people endowed with abilities and talents, and steeped in history, love of freedom and the blessings of self-government. Those giants of our freedom-seeking years were men of social status, substance, and honor. They were not nobodies trying to become somebodies. They were not have-nots trying to grow rich off the haves. They were not failures hoping to become successful through revolution. They were not social pirates sailing forth to possess someone else's property. They were not beatniks expressing dissatisfaction with a way of life not to their liking. They were not anarchists resolved to destroy the old order. No, they were honest, honorable, hardworking men, asking only for the privilege of owning what they owned to have a large voice in governmental affairs, the right to conduct their businesses without government interference, to elect their own representatives to legislative bodies, and the right to worship without fear of parliamentary acts of conformity. They were Britishers asking only for the rights their history had taught them to expect, and their argument was against a king, and not against their own kin, the British people.

American revolution

Let no modern group try to bolster up their cause by saying that they are only doing what our forefathers did. Let them face the fact that the American revolution has never been duplicated either before or since. Our Founding Fathers were the very opposite of revolutionaries. They were farmers, merchants, bakers, bankers, publishers, silversmiths, teachers, preachers, shipbuilders, hunters, fishermen. They owned their own businesses, their own land, and under God had hopes of growing in affluence and influence. They were no ordinary people voicing ordinary complaints. The men who fought under Washington were not a nameless, impoverished people. Little men and big men they placed in jeopardy their lands, their businesses, their loved ones, and their lives. They were England's finest Englishmen, and were never so truly English as in their hour of revolution. This was no revolution of little men filled with big hates. This was a revolution of big men who hated littleness in government and were resolved to put an end to it. It was their ambition to bring to a new state of equilibrium their unbalanced land and their own lives.

I am interested in these matters because what once seemed stable to me is now unstable, and I find it difficult to live happily in a state of imbalance. Nature, in placing three semicircular canals within my inner ear, intended me to be a balanced person, and to know when things are out of balance. I am sensitive to imbalance within myself and within my environment. I did not have to live long to learn that a man can easily know whether he is standing on his head or his feet.

Because of this I am a little seasick or airsick or heartsick when equilibrium is lost in myself, my community, or my Nation. Peace, progress, and prosperity are evidences of things in balance. War, depression, and civil strife are always evidences of imbalance. In times of peace, prosperity, and progress we are happiest, feel well adjusted and in place. We are unhappiest when society loses its highflying flags denoting that all is well.

In my years I have known happy times of equilibrium in my life, my home, my community, and my Nation. Many of my growing and my mature years have been rich in equilibrium's blessings, and I have also known their opposites.

One lesson time has taught me: equilibrium is never a permanent state of existence, and in my years I have known both the heaven and the hell sides of equilibrium. The balanced times were wonderful. They healed and recreated. They straightened and strengthened. They cleansed and corrected. Their opposites, the times of imbalance, were opposites indeed.

Life and balance

Life seems to dislike a permanent state of balance. She seems determined to force us out of such a state and into one that endangers all that we hold precious. Our times of balance are therefore infrequent times. They are visitors; they are never residents. No one can live on earth in a permanent state of happy equilibrium. Health is a state of physical equilibrium, but illness and accidents destroy it. Peace of mind is a state of mental equilibrium but worry disturbs it. Self-assurance is a state of social and economic equilibrium, but a loss of funds or friends can alter that. Faith is a state of spiritual equilibrium, but doubts, poor health, disappointments and strength-draining sorrow can change us rapidly.

We seek to acquire education, culture, wealth, health, religion, and character, hoping that these will support us in our search for balanced lives. We instinctively feel that they should help keep life level and in good order, sustain us in our times of imbalance, and restore us to equilibrium without undue delay. We all count on them to help us live balanced, useful lives, even though they often let us down.

We need no special lessons in this field. Who has not used love, patience, tolerance, goodwill, forgiveness, and hope as aids to equilibrium? We all feel our need of such to sustain balance within ourselves and between ourselves and other people, and in their use, who has not been blessed?

Need for stability

Yet, I am a realist. Society can no more gain and retain a state of equilibrium than can an individual. Some periods are more tranquil than others, but only by comparison. Society has never known a time of pure justice and never will. Only he who habitually looks through rose-colored glasses can think otherwise. Times are again and again out of joint, in a state of unbalancedness, and such is the time in which we live today.

In this racially disturbed community and land I long for stability and peace. The strife that tortures Nashville and other American cities serves no good purpose in a world reeling and rocking with interracial antipathies. The world that once seemed sane and stable to me, as stable as a navy pier, now rolls and tosses like a small boat off Cape Horn. To one who likes balanced living and things in their place I find little happiness in the events of my day.

Again I stand to decry sitins, liedowns, kneeldowns, and the demonstrations that create fear, block traffic, rob merchants of essential business, and make a mockery of law and order. I decry those who incite such actions, even as I decry their opposites who meet unreasonableness with unreasonableness. I decry so-called nonviolent marches that create feelings of violence in others and fuse every day with danger.

I find little of the spirit of Jesus in most of what has been said and done, to date and with all too little justification. The methods used are hate and fear builders, and are in fact a shotgun held at a community's or businessman's stomach and such actions are as reprehensible as the actions of a gun-wielding robber.

Force measure

So unbalanced are we in much of our current thinking that we now propose to pass laws forcing employers to hire people they neither want nor need; to force others to serve people they do not want to serve; to force others to work with people they do not want to work with; and to threaten honest citizens with fines, jail sentences, and the loss of their livelihoods for enjoying what they have been trained to believe are the privileges of our American democratic, free enterprise system. We now propose to reshape the life of the entire Nation to suit the needs of one minority group and at the cost of depriving other groups of just rights under our Constitution.

So unbalanced are the times in which we live and so fuzzy our thinking, that church leaders now say that anyone who does not wholeheartedly support the total integration of the Nation is un-American and pagan. They go on to state that anyone who leaves a white church because of integration should be excluded from all churches and cast into outer darkness. These people assume that God Almighty is on their side and that there is no other side. They would compress all Christians into their mold or destroy them.

One can only conclude that many people are living in a tailspin of confusion. If all the integrationist schemes now extant were enacted into law we would create a Federal power freemen could no longer endure. We would turn this land into a police state for the benefit of a minority of favored citizens. Men and women who, by hard work and frugality, have built profitable businesses would lose all privileges if they declined to meet the social conditions passed for the benefit of this group. We would create chaos in our streets, fear in our hearts, and alter irretrievably everything that has been American in the past.

Call for justice

Let no one doubt but that our colored friends and fellow citizens have reasonable grievances that call for justice. No one argues that fact. More jobs ought to be open to qualified Negroes and steps need to be taken to make it easier for them to work their way into positions of responsibility and leadership. We must differentiate between who by personal initiative and hard work have won for themselves significant distinction and those who by education, culture, and social outlook are quite otherwise. In this whole area there is need for realistic study by down-to-earth interracial groups who seek paths of progress and do not demand overnight capitulation to minority opinion. But many do argue, and with justification, that the method of remedying the grievances merely creates new grievances

One injustice is no excuse for concocting others.

And let it be clearly held in mind that it was the white man's intelligence and money that built our schools, churches, public buildings, and created our governmental system. Only a very small portion of the colored man's money went into the creation of modern America. This was not his fault. If he had had more he would have contributed more, but the fact remains that most of what exists exists because of the white man's mind and money.

Somewhere along the racial line we need practicality and realism. It is unrealistic to expect that people long accustomed to one way of life, and one view of life, will suddenly alter their ways and views. It is foolish to assume that people can be forced to do by law what they will not do by honest conviction. It is absurd for leaders whose invectives burn the ears of their opponents to assume that they will be loved in return. Coercion creates resentment, and resentment under pressure rapidly becomes resistance. It cannot be otherwise.

Only a very small percentage of our Nashville colored people are supporters of what is being said and done in our community. The vast majority of them resent their children being prevented from attending school, made to carry placards and march, and resent, too, those Negroes who are apparently paid to parade and picket.

Small percentage

Only a small percentage of our white people are hysterical over the colored man's plea for justice in our democracy, but this group is resolved, regardless of expense, to fasten the black man in the stocks of outmoded, un-American Jim Crowism. The vast majority of white people are out of patience with the extremists on both sides of the issues and are interested only in finding a program of progress sans fiery agitation and bitterness.

Experience suggests that we need a long-range program of advance, a program that will give people time to adjust and gain understanding, a program that will slowly but surely bring about a rectification of injustices, a program that will be Christian in spirit and method, a program that will not increase racial tensions, but decrease them.

One thing seems clear to me as a white American: if the erosion of the private rights of responsible, honorable citizens continues for the next 10 years, if the federalization of communities and States is accelerated, our American dream will never be fulfilled, and all citizens and the entire world will suffer in consequence.

The imbalance existing now cannot be solved by fired-up Negro leaders who are hired to stoke fires and keep pots boiling. Nor can it be solved by those whites whose minds are closed to the just complaints of black men. Nor can it be solved by politicians whose primary aim is votes. Nor by the so-called civil rights bill in Washington with its undefined and undefinable phrases. What we need, and need desperately, is a moratorium on racial pressures. We need a cooling-off period. We need a cessation of the effort to compel white people by threat of force to meet both the fair and unfair demands of colored leaders. We need a prolonged period of interracial planning in depth, in an atmosphere free of coercion. Such a moratorium would do more to restore national equilibrium than all the laws Congress can pass in the next 4 years.

New approach

Will it happen? I doubt it. It seems wishful thinking to expect paid leaders to give up paychecks and the national spotlight in order to find paths of peace in this area of our national life. Yet, with all my heart I hope. Pure justice we cannot have, and in a sense it is the last thing we want, but we all want a new atmosphere and a new approach to an old problem.

Under present conditions non-Christian attitudes are redolent on all sides. As long as the battle continues in its current form we will reach no good solutions. The dust and smoke of our warfare blinds us to possibilities now unseen. We need an end to hostilities in order to locate ourselves and others, to listen to the wounded, and care for the dead.

We need time for the dust to settle, for the smoke to drift away, in order that we may bring to an end our wasteful ways and begin the task of building better racial roads into our future.

Paul, caught up in the backwash of Christianity's original surge against established shorelines, felt many times as we do. But he was neither helpless nor hopeless nor did he curse the sky, and beat the air with his fists. He surveyed the terrain, the problem confronting him, and quietly said, "We are afflicted—but not crushed; perplexed, but not driven to despair; persecuted, but not forsaken; struck down, but not destroyed. * * * So we do not lose heart. * * * For this momentary affliction is preparing for us an eternal weight of glory beyond comparison, because we look not to the things that are seen, but to the things that are unseen; for the things that are seen are transient, but the things that are unseen are eternal."

QUESTIONABLE CONFERRAL OF DEPARTMENT OF AGRICULTURE DISTINGUISHED SERVICE AWARD

Mr. WILLIAMS of Delaware. Mr. President, on Sunday, May 17, there appeared an announcement in the press to the effect that Mr. Horace Godfrey, Administrator of the Agricultural Stabilization and Conservation Service of the Department of Agriculture is to receive the Distinguished Service Award for the Department of Agriculture.

It is interesting to note that this award is being given to the man who headed the ASCS at the time of the administrative mess in connection with the Billie Sol Estes case and the illegal cotton allotments.

The Department officials took the position that there was no "wrongdoing" and no "favoritism" in the Billie Sol Estes case but that the cotton allotment problem was merely the result of an administrative mess—no one knew what anyone else was doing. The local committee did not get the word from the State committee, the State committee did not get the word from the National office, and one branch of the Washington office of the Agriculture Department did not know what the others were doing.

As evidence of the seriousness of this chaotic situation in the Washington office of the Department, I insert the comments as appearing on page 9 of the hearings before the Government Operations Committee on June 27, 1962. At this time that committee was investigating the activities of Mr. Billie Sol Estes:

> There is a similar lack of communication between agencies within the Department of Agriculture in Washington. Within the Department there are 11 internal audit groups, including one attached to the Office of the Secretary. Each of these groups has no authority and little interest in anything that transpires outside their own narrow assignments. In October 1961, the Agriculture Stabilization and Conservation Service investigation division completed a comprehensive 3½-month inquiry into the questionable cotton allotment transfers engineered by Billie Sol Estes. Two or three months earlier, in September 1961, the Internal Audit Division of the Agricultural Marketing Service, another of the Department's agencies, initiated a separate inquiry into Estes' financial position, based on rumors of unreported mortgages. Neither investigative group was aware of the inquiry being conducted by the other until February 1962, and the parallel investigations were not coordinated at any time. In fact, the Internal Audit Group terminated its inquiry early in April of 1962, and the two units were still not coordinated.

In my opinion Mr. Godfrey's failure to discharge his responsibility in this instance would not have qualified him for a Distinguished Service Award.

It is interesting to note that while the administration is giving the Distinguished Service Award to Mr. Godfrey, the man who was partly responsible for the coverup in the Estes case, they have placed a block to any automatic ingrade promotions for another employee Mr. N. Battle Hales.

Mr. Hales was the Department of Agriculture employee who played a major role in breaking and exposing the Billie Sol Estes case.

As a reward for his contribution toward uncovering this scandal Mr. Hales has been subjected to continuous harassment and blocked from any promotions.

REALTORS' STATEMENT ON CIVIL RIGHTS BILL BRANDED AS BLATANT DISTORTION

Mr. HUMPHREY. Mr. President, yesterday's press published an announcement by the National Association of Real Estate Boards in opposition to the civil rights bill. I was not particularly surprised, but I was concerned by the nature of the opposition in terms of its accuracy, reflecting the portions of the bill that were criticized by the real estate board.

The statement by the National Associaton of Real Estate Boards, opposing the pending civil rights bill because it allegedly threatens the right of property owners to "use, rent, and dispose of property," is another in a series of blatant distortions of the actual contents of the proposed legislation. The public record must be clarified and corrected so that Americans will not be further misled and misinformed on this vital question.

The civil rights bill would not regulate in any manner the sale or rental of private property. This is a flagrant misrepresentation and distortion which has been raised by opponents of H.R. 7152. The mere repetition of this distortion does not make it true. This is but one of many distortions that have been stated. There are distortions that relate to title VII, to the effect that it affects seniority; and distortions have been made relating to title IV, title II, and title VI.

The charge by the National Association of Real Estate Boards is just as false today as it was 3 months ago.

The public accommodations title of H.R. 7152 would not violate the constitutional protections of private property. It would not restrict the freedom of an owner of a restaurant, hotel, motel, gas station, or theater to refuse service because a patron is drunk, disorderly, unable to pay, improperly attired, or for any other reason unrelated to the patron's race, color, religion, or national origin.

Owners of such places of public accommodation are currently subject to a variety of Federal and State regulations which restrict their so-called property "rights"; for example, health and safety regulations. One may not operate a restaurant and poison his customers. He may not operate a filthy eating establishment. Private property and private rights do not permit license or abuse of other people's rights. Owners of such places of public accommodation also are subject to minimum wage levels, the right of employees to organize in unions and to bargain collectively, antitrust restrictions, and women and child labor prohibitions. These might well be termed restrictions upon the unrestrained use of private property.

The constitutionality of the provision that all Americans shall enjoy equal access to places of public accommodation without regard to race, color, religion, or national origin cannot be doubted in view of numerous Supreme Court decisions.

It must also be remembered that at least 31 States and the District of Columbia have enacted laws guaranteeing equal access to places of public accommodation. These laws have certainly not violated the property rights of owners in those States and the District of Columbia.

States that have such laws seem to have huge amounts of private property. California and New York, for example, are not exactly in the bankruptcy field; they are doing quite well.

These are the facts concerning the use, rental, and disposal of property in H.R. 7152, the National Association of Real Estate Boards notwithstanding. I suggest that the association hire some new lawyers, because its members are being misinformed.

TENTH ANNIVERSARY OF SUPREME COURT DECISION IN CASE OF BROWN AGAINST BOARD OF EDUCATION

Mr. HUMPHREY. Mr. President, May 17, 1954, is one of the most important dates in American history. On that day the Supreme Court decided, in the case of Brown against Board of Education, that racial segregation by any public agency was a violation of the 14th amendment's guarantee of equal protection under the laws.

Since that day 10 years ago it has been a violation of constitutional rights for any city, county, State, or Federal agency to practice racial segregation. We all know that it is one thing for a court to decide and another matter for an official to act. We know that while 10 years have passed since the decision, the law of the land is still being flouted in many parts of this country.

Nevertheless, that decision began a slow but revolutionary change in American life. It is the greatest single milestone in the long struggle of American Negroes to attain equal rights and equal opportunities. The decision assured Negroes that they were right to put their trust in American institutions of justice. The decision gave Negroes faith that they could win their rights in the courts of law, that they could attain equality through peaceful rather than violent means.

That momentous Supreme Court decision has been the legal foundation for much of the civil rights struggle. A very great part of what we are trying to do today in the civil rights bill had its origins in the famous Brown case. Titles III, IV, and VI of the bill are designed to bring the power of the Federal Government to bear on the problem of denial of equal protection of the laws. In effect, these titles will enforce the Brown decision and the statements of constitutional principles that have followed from it.

The 10th anniversary of the Brown case has been noted in many places. Two great newspapers, the New York Times and the Washington Post, have published very informative and interesting articles on this subject. These excellent stories make clear the importance of the Brown decision in raising Negroes to first-class citizenship, in maintaining their faith in American justice, and in pointing the direction which we must take if we are to justify that faith. Two things stand out from these articles: the historic significance of the Supreme Court's decision, and the length of the road that remains to be traveled before we can truthfully say that American Negroes have an equal chance to share in the pursuit of happiness.

Mr. President, we have made progress. Progress is a milestone in American history. It is to progress that we dedicate our efforts. This great decision surely is a testimonial to progress.

Mr. President, I ask unanimous consent that a series of articles published in the New York Times, the Washington Post, and the Saturday Review be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, May 18, 1964]

SINCE THE SCHOOL DECREE, 10 YEARS OF RACIAL FOMENT

(By Claude Sitton)

ATLANTA, May 17.—New and complex pressures for social change beset the Nation on the 10th anniversary of the Supreme Court decision against public school segregation. Widespread progress has been made. But there is no end in sight to the sweeping revolution in racial codes and customs generated by the nine Justices' unanimous ruling in *Oliver Brown et al.* v. *Board of Education of Topeka.*

Further, psychological effects of the ruling have been immense, Negroes frequently observe that, while the Emancipation Proclamation freed them mentally.

Ironically, perhaps the smallest quantitative change accomplished by the decision lies in the very practice at which it was aimed—public school segregation.

A NEW AMERICA

Still, observers generally agree that the forces unloosed by the Supreme Court are shaping an America that will differ sharply from the one that existed May 17, 1954.

Significant, if sometimes token, adjustments have been made in the South in public education, public accommodation, voter registration practices, employment and the administration of justice. Other adjustments are expected to follow enactment of the civil rights bill now before the Senate.

Less tangible gains are evident on the individual level, particularly in the relations of the younger white and Negro southerners of the middle class.

Other developments raise problems of unforeseen depth and intensity.

The conflict's spread beyond the 17 Southern and Border States directly affected by the Brown decision has brought increasing emphasis on demands that cannot be met easily or quickly—jobs for unemployed Negroes with low levels of skill, improved housing for those who cannot pay for it, racially balanced schools in neighborhoods where no whites live.

These demands have been pressed with an aggressiveness that at times has become nihilistic. One consequence has been a white backlash, with adverse political and social implications for the civil rights struggle.

Rising racism is apparent in the resurgence of the Ku Klux Klan in the South and the growth of extremism in the North, in the popularity enjoyed by the Black Muslims and in the rejection and distrust white liberals are beginning to encounter in more militant civil rights circles.

PROBLEMS INTENSIFYING

Leslie W. Dunbar, the executive director of the Southern Regional Council, an organization of white and Negro leaders that has worked in race relations for two decades, was asked to assess the broad impact of the Brown decision.

"We are living with the paradox that during the past decade the American system has worked spectacularly well, and yet the strain on it mounts," he said. "We have accomplished and absorbed tremendous change, but the result is that the problems have become more intense."

One explanation, in Mr. Dunbar's view, is the "rising expectations" of Negroes. Another is that the change has not been balanced.

"Specifically, Negroes have not progressed economically in relation to whites," he said. "And until economic imbalance is drastically reduced, we will have a severe racial problem.

"The pending civil rights bill is important chiefly for symbolic reasons, because it will affirm dignity and will finally put Congress squarely into the picture.

"But what is basically important is that our economy grow sturdily enough to bring in the deprived groups, and that we make rapid progress in democratizing our politics through greater voter participation and legislative reapportionment."

The minimal extent of public school desegregation is indicated by a Southern Education Reporting Service survey. The organization was established in Nashville in 1954 to provide factual data on reaction to the Brown decision.

It is supervised by Reed Sarratt, executive director, and a biracial board of southern newspaper editors and educators and is financed by the Ford Foundation.

The survey, made under Jim Leeson, director of information and research, measured desegregation 9 years after the Supreme Court implemented the Brown decision by ordering integration to begin "with all deliberate speed."

The study shows that 90 percent of the 3,408,688 Negro students in the 17 Southern and border States and the District of Columbia still attend segregated schools.

Most of the progress took place in the district and the six border States—Delaware, Kentucky, Maryland, Missouri, Oklahoma and West Virginia—immediately after the rulings. Most of it was voluntary; school officials, following accepted legal practice, did not wait for a suit but complied with the Brown precedent.

TOKENISM IN THE SOUTH

Now, 281,731 Negro students in those States—54.8 percent of the total—attend classes with whites.

But in the 11 States of the former Confederacy, where the pattern has been tokenism or defiance, only 34,110, or 1.18 percent, of the 2,814,563 Negroes are in desegregated classes. One State, Mississippi, has yet to take its first step toward school desegregation.

Texas, where 18,000, or 5.52 percent, of the State's 326,409 Negro students, are enrolled with whites, is the only Southern State with appreciable desegregation.

With the exception of the District of Columbia and the border area, faculty desegregation has hardly begun.

In the field of higher education, where integration began under a Supreme Court decision handed down before the Brown case, all public colleges and universities in the border States are desegregated.

A total of 102 of the 170 public white institutions of higher learning in the Southern States have Negroes enrolled, while 15 of the 42 Negro colleges and universities have white students.

Protests and violence connected with school desegregation have taken place in every school year of the decade, except 1961–62, according to Southern School News, the monthly publication of the reporting service.

The incidents, which touched all the affected States and the District of Columbia, began July 18, 1954.

That day, seven pistol slugs and two shotgun blasts struck the empty home of the Sulphur Springs, Tex., chairman of the National Association for the Advancement of Colored People. The association had petitioned the school board the week before, urging a start of desegregation.

The early and middle years of the first decade under the Brown decision brought turmoil and violence to Clinton and Nashville, Tenn.; Little Rock, Ark., and New Orleans. Riots flared at the University of Alabama, the University of Georgia and the University of Mississippi.

In September 1957, President Eisenhower dispatched Federal airborne troops to Little Rock to enforce a court order arising from the Brown decision.

President Kennedy took similar action to put down bloody riots at the University of Mississippi and in adjacent Oxford on September 30 and October 1, 1962, which left two whites dead.

VIOLENCE HAS GROWN

But from the standpoint of violence connected with classroom desegregation, the current school term has been the worst yet. Generally, in the South the trouble has come from white opposition to change. In the North, it has grown out of Negro protests over de facto segregation—segregation in fact, but not by law.

Medgar W. Evers, Mississippi State field secretary of the NAACP, was assassinated outside his Jackson home by a sniper, June 12, 1963. He was a plaintiff in the suit that since has resulted in a court order directing Jackson to submit a plan for beginning desegregation next fall. His funeral was followed by a riot.

Rioting and martial law enforced by the National Guard grew out of Negro protests in Cambridge, Md., last summer. The protests involved, among other issues, demands for full school desegregation.

Rioting, bombing, and arson accompanied the admission of Negroes to previously white public schools in Alabama. Four Negro girls were killed and 23 persons were injured in the dynamiting of a Birmingham church last September 15; 2 Negro boys died by gunfire in the disorder that followed.

The Birmingham home of a Negro lawyer who had been active in school desegregation cases was bombed twice within 15 days, touching off violence in which a Negro man was shot and killed.

A desegregated high school at Notasulga burned under suspicious circumstances last April.

Crises involving complaints of de facto segregation plagued New York, Chicago, Philadelphia, and other northern and middle western cities.

Riotous outbursts forced Chester, Pa., to close its public schools temporarily last month, and a white minister was killed in Cleveland when he threw himself under bulldozer during a school segregation protest.

Despite the violence, many communities have accepted the beginning of school desegregation peacefully, or with only minor trouble. This has been true throughout Virginia, North Carolina, South Carolina, and Georgia. However, all these States have had serious disturbances growing out of other racial disputes.

NORTH CAROLINA LED

This pattern of orderly, if reluctant, compliance in the South was set by North Carolina in 1957 under Gov. Luther H. Hodges, now the Secretary of Commerce. Although Tennessee's record was marred by the Clinton violence, Gov. Frank G. Clement refused segregationist demands that he defy the courts and used highway patrolmen and the National Guard to quell violence.

Until recently, however, southern political leaders have been noted chiefly for their defiance, some carrying it to the verge of inciting to riot. Their opposition has been responsible for the Federal-State conflict that dominated much of the decade and reached heights unparalleled since the Civil War in the University of Mississippi crisis.

Gov. Paul B. Johnson, of Mississippi, and former Gov. Ross R. Barnett still face trial before the U.S. Court of Appeals for the Fifth Circuit on criminal contempt charges. The charges arise from their flouting of orders directing the admission of James H. Meredith, a Negro, to the university.

But the Federal-State dispute has been largely resolved through court rulings that clearly establish Federal authority to enforce the Brown decision. In the process, most of the 450 acts and resolutions passed by the 11 southern legislatures to slow down, evade, or defy desegregation have been nullified.

With the exceptions of Mississippi, Alabama and rural areas of the Deep South, the chief concern in the region today is over the question of speed. The Supreme Court is expected to deal with this shortly in a case involving the Atlanta school system.

Many lawyers think its ruling will reflect the view expressed by Justice Arthur J. Goldberg in a Memphis park desegregation decision a year ago. He said:

"Brown never contemplated that the concept of deliberate speed would countenance indefinite delay in elimination of racial barriers in schools."

Observers believe compliance will now come with relative rapidity in southern cities, but much more slowly in rural areas, where Negroes generally lack the militancy or freedom from economic pressure to press the issue.

They predict that the problem of the future in southern cities will be the one now confronting the North—de facto segregation resulting from a white exodus to the suburbs.

Southern School News reports that many desegregated schools in southern and border cities already have reversed their original racial predominance, with the incoming minority race becoming the large majority.

The Supreme Court has declined to rule on the constitutionality of de facto segregation that results from population shifts rather than from the gerrymandering of school districts or other schemes to maintain segregation.

Legal experts point out that the Court has not gone beyond the limits described by Judge John J. Parker of the U.S. Court of Appeals for the Fourth Circuit. In an opinion written in 1955, now known as the "Parker dictum," he said of the Brown decision:

"It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation."

In retrospect, the picture presented by public education during the decade seems almost static in comparison with the swiftly moving events in other phases of the civil rights struggle. However, there has been an apparent interrelationship.

Participants in the Montgomery, Ala., bus boycott of 1955–56, the first mass demonstration of direct action to attract national attention, have said they were influenced by the promise of the Brown decision.

And among the heroes of the four Negro college students who initiated the sit-in movement against lunch counter desegregation in Greensboro, N.C., in 1960, were "The Little Rock Nine." These were the Negro students turned away from Central High School by Arkansas guardsmen called out by Gov. Orvall E. Faubus.

The sit-ins swept across the South on a rising tide of Negro militancy. The southern protests encouraged Negroes elsewhere to take action against racial inequities in their own communities.

New organizations, such as the Student Nonviolent Coordinating Committee, were formed. More importantly, the policies of those already on the scene were altered. The NAACP turned increasingly from court action to more direct forms of protest. The Congress of Racial Equality gained strength. The National Urban League found new support for its nonactivist program.

Any doubts that the problem was national in scope were erased by the March on Washington for Freedom and Jobs. Any complacency was drowned by the firehoses that turned back Negro demonstrators in the streets of Birmingham.

The decade began with a relatively narrowgage ruling by nine men that Southern public schools must make a start toward admitting Negroes to white classrooms. It ends with one-tenth of the Nation's citizens demanding equality, on all levels, in its fullest sense, and now.

TWO SYSTEMS IN 1954 CASE STILL REJECT INTEGRATION

The Supreme Court's school desegregation decision in 1954 was based on five separate cases. Two of the five school boards involved have yet to comply with the decision.

The cases came from Clarendon County, S.C., Prince Edward County, Va., Topeka, Kans., New Castle County, Del., and the District of Columbia. They were combined for argument under the Kansas case.

On May 31, 1955, the Supreme Court ordered "all deliberate speed" in obeying its earlier decision. The school boards involved in the Kansas, Delaware and District of Columbia cases complied immediately.

But in 1959, Prince Edward County closed its schools to avoid compliance. Its schools are still closed and the case is still in the courts.

Clarendon County still is running a segregated public school system. The original plaintiffs no longer attend the school. A new suit was filed in 1960 and it is still before the Federal court.

EXTENT OF DESEGREGATION

The following table shows the extent of desegregation in the public schools of Southern and border States:

SOUTH

	Enrollment		Number of Negroes in desegregated schools	Percentage of Negroes in desegregated schools
	White	Negro		
Alabama	[1] 539,996	[1] 287,414	21	0.007
Arkansas	[2] 328,023	[2] 112,012	366	.327
Florida	[1] 964,241	[1] 237,871	3,650	1.53
Georgia	689,323	337,534	177	.052
Louisiana	[2] 460,589	[2] 301,433	1,814	.602
Mississippi	304,226	291,971	0	0
North Carolina	820,900	[1] 347,065	1,865	.537
South Carolina	[1] 368,496	[1] 258,955	10	.004
Tennessee	[1] 687,902	[1] 164,940	4,486	2.72
Texas	2,045,499	[1] 326,409	[1] 18,000	5.52
Virginia	710,176	228,961	3,721	1.63
Total	7,919,371	2,894,563	34,110	1.18
BORDER				
Delaware	78,730	18,066	10,209	56.5
District of Columbia	19,803	117,915	98,813	83.8
Kentucky	[1] 611,126	[1] 54,874	29,855	54.4
Maryland	540,667	160,946	76,906	47.8
Missouri	[1] 793,000	[1] 95,000	40,000	42.1
Oklahoma	[1] 541,125	[1] 43,875	12,289	28.0
West Virginia	[1] 417,595	[1] 23,449	[1] 13,659	58.2
Total	3,002,046	514,125	281,731	54.8
Region total	10,921,417	3,408,688	315,841	9.3

[1] Estimated total.

[2] 1962–63.

[From the Washington (D.C.) Post]

PIONEERS OF BREAKTHROUGH: THE CHILDREN AND YOUNG PEOPLE WHO FACED MOBS AT LITTLE ROCK, CLINTON, AND OTHER HOTSPOTS HAVE GENERALLY DONE WELL

(By Dorothy Gilliam)

On a hot September morning in 1957, passion was spewed like lava around Little Rock's Central High School. Hundreds of men and women, many frantic with racial hatred and mob fever, spun a mean web around the school, ready to block the entrance of nine Negroes.

The first one approached a thin 15-year-old named Elizabeth Eckford. The mob jeered and jostled her, shouting, "Go home, nigger."

When the yells had quieted and the conflict had settled into an uneasy truce, nine Negro teenagers entered the school September 28, destined for a harassed education. Seven years later, the little girl who walked alone, now a sensitive and mature young woman of 22, wants only to forget and to be forgotten.

"Central High School in 1957 and 1958 seems a long time ago," Elizabeth Eckford said the other day. She is just one of many young people who were lonely pioneers in school desegregation in the turbulent years after 1954. And for all, in varying degrees, the scars and the triumphs remain etched in their memories.

A SCATTERED BAND

Name the school hotspots—Charlotte, N.C.; Oxford, Miss.; Athens, Ga.; the mountain towns of Sturgis, Ky., and Clinton, Tenn.—and you'll recall young people who faced mobs outside the schoolroom and hostility inside and prayed to be able to make it through the next day.

Where are they today? How did their desegregation roles change their lives and those of their families?

"All over" comes the answer to the first question. Scattered around the country, most of them live normal, unspectacular lives, though different than they ordinarily would have, more keenly in touch with the social fabric that white Americans take for granted, speaking with a militancy born partly of their educational trials and partly of the strong fighting spirit among Negroes everywhere.

Elizabeth Eckford has granted only two interviews since 1959. She longs for an obscurity that eludes her.

"It is disturbing to me that my participation is still significant," she said softly in the quiet of her "adopted family's" attractive home in St. Louis.

Now a bookkeeper in a St. Louis bank, she hopes to attend college part time beginning this summer to complete her final year. She spent a year at Knox College in Galesburg, Ill., and 2 years at Central State College in Xenia, Ohio.

Miss Eckford, who likes to be called Liz, is petite, and has a touching warmth, and youthful spontaneity. She lives with Mrs. Frankie Freeman, new appointee to the U.S. Civil Rights Commission, a longtime friend. Her family still lives in Little Rock.

She remained calm while recalling the frenetic days preceding and following her enrollment at Central High (she dared not venture downtown on a Saturday shopping excursion for fear of being mobbed).

She was moved to soft tears, however, when she discussed the relationship between Negroes and whites, a relationship perhaps sharpened for her by memories of the day when whites spat on her or the many times at Central when she was kicked and hissed.

"I don't see how you can be a southern American Negro and not be affected by the psychological results of being prejudiced," she said at one point.

ALL HAVE DONE WELL

Although Liz's startling composure in the face of the mob that September day turned her into something of a heroine, the remaining eight of the "Little Rock Nine" also have done well. One report a couple of years ago put their academic progress as twice as great as that of graduates of Little Rock's all-Negro Horace Mann High School.

Ernest Green, the first Negro graduate, received a master's degree from Michigan State University and is now married and employed with a foundation in New York City.

Minnijean Brown, who was expelled from Central when she fought back, will graduate this spring from Southern Illinois University at Carbondale, Ill. Thelma Mothershed will be in that same graduating class. Miss Brown plans to join the Peace Corps; Miss Mothershed wants to teach in Little Rock.

Gloria Ray is a senior at the Illinois Institute of Technology in Chicago while Carlotta Walls, whose parents had to leave Little Rock because they could no longer find work, is attending the University of Denver, the city where the family now makes its home.

Three of the nine now live on the west coast. Melba Patillo attended San Francisco State University and is now married and living in the bay area. Jefferson Thomas attended Wayne State University in Detroit and now is a student at UCLA. Terrance Roberts also enrolled at UCLA, and now is married.

AN ANSWERED PRAYER

The same autumn that those 9 made headlines in Arkansas, 12 Negro youngsters faced similar mobs in Clinton, Tenn. Eldest in that group was Bobby Cain, a senior, who, according to one account, "each night tremblingly prayed to be able to get through the next day." He became the first Negro to receive a high school diploma from a desegregated Tennessee school.

Today, Bobby is an Army private stationed in Spokane and married to a Nashville schoolteacher. His family still lives in Clinton. Their telephone is unlisted.

Yet before these youngsters appeared on the scene, there were other pioneers. At the turn of the 1950's, in the same Prince Edward County, Va., that until last September had been without public schools for 4 years, a group of seniors "struck" to protest their inferior segregated schools.

Two of its leaders were Carrie Stokes, 16, and Barbara Johns, 15. Miss Stokes is now a business education teacher at Fayetteville (N.C.) State College. Barbara Johns Powell, now married to a social worker in Philadelphia and the mother of four children, recalls her role only vaguely, but finds terrible the fact that hundreds of Prince Edward County children were without schools for 4 years.

"I'd rather have seen them with education in a segregated situation than none at all," she says. "I know a lot of people wouldn't agree, but I feel that the need in that type of environment is particularly great."

Her father, Robert Johns, now lives in Washington at 2222 Rand Place NE.; her mother died recently.

THE TITULAR CASE

Four separate cases led to the Supreme Court's striking down of school segregation in a case that has become known simply as *Brown* v. *Board of Education*.

Ironically, none of the plaintiffs ever went to the white schools they sought to enter. By the time the Court ruled, they were too old.

Mrs. Charles Smith, who was the Linda Brown in the case a decade ago, is immensely proud that the decision bears her name. Her father, a Methodist minister, attempted to enroll her in a white Topeka grade school in 1952. It was four blocks from her home. The Negro school was 20 blocks away. He touched off the legal machinery when Linda was rejected.

By the time the Court ruled, she was no longer attending elementary school. She was educated in a desegregated Topeka junior high and, later, a Spingfield, Mo., high school. The Reverend Oliver Brown died 3 years ago.

Mrs. Smith, 21, the mother of one son, is expecting a second baby in July. She is married to a business machine repairman, is a graduate of a business college, and is organist for her Topeka church. She formerly worked as an associate recreational therapist for the Menninger Foundation.

AN UNWELCOME SPOTLIGHT

The young plaintiff in the Washington, D.C., suit that was another of the four cases, Spottswood Bolling, Jr., is so shy about his role that he sometimes denies to the strictly curious that he was the lad in the *Bolling* v. *Sharpe* case that ended segregation here.

"I'm proud, but I don't like to talk about it," said Bolling, now a senior at St. Augustine College in Raleigh.

When he has finished his Army obligations, he hopes to work in Washington (he's in physical education) and raise a family. Bolling also hopes that "my kids won't have to be exposed to things I was when I was coming through. They didn't have offerings in elementary schools like foreign languages and modern math." Since 1954, he's "much more hopeful" of the future.

His mother lives here on Park Road NE., in the same house they occupied a decade ago. Now 25, Bolling missed a year of college in order to work and make tuition money.

The original decision kids will mark the 10th anniversary at a special NAACP convocation later this month in New York.

In retrospect, all these young people who have played a part in forcing a reluctant South to comply with the Court's ruling are disturbed that delaying tactics have thwarted the decision's effectiveness.

"With all deliberate speed," said Elizabeth Eckford, "seems a goal still to be achieved."

And Charlayne Hunter Stovall, who with Hamilton E. Holmes became one of the first Negro graduates of the University of Georgia in June 1963, added:

"There have been significant accomplishments in that there have been breakthroughs, but there haven't been enough followthroughs. Token plans are a farce."

Now married to a former white classmate, Walter Stovall, a reporter on the Hackensack Record, and mother of a daughter, Susan, 5½ months, Mrs. Stovall is on maternity leave from her post as an editorial assistant with the New Yorker magazine. They live in Brooklyn.

"I think the important thing about the whole business is that it makes a way for each individual to pursue his interest wherever he wants to and along whatever lines he chooses," says Mrs. Stovall. "Now I'm more keenly aware of myself as a human being."

Holmes is winding up his first year as the first Negro student at Emory University School of Medicine in Atlanta.

James H. Meredith, the first Negro graduate of the University of Mississippi, will enter Nigeria's University of Ibadan next September to earn a doctorate degree. An embassy spokesman said that Meredith's study is being financed by the Federal Government of Nigeria. His wife and son will accompany him.

ONE HAS VANISHED

Not all of the school segregation pioneers have had passable fortune. After a long battle to gain admittance to the University of Missouri Law School, Lloyd Gates simply disappeared. It is not known whether he met foul play.

Despite Alabama Gov. George Wallace's stand in the schoolhouse door, two Negro students entered the University of Alabama last fall, but only one of them stayed.

Perhaps the most famous desegregation failure was the case of Autherine Lucy, who was expelled in 1956 from the University of Alabama for her accusation that university authorities conspired in mob action against her. Now Mrs. Hugh Foster, wife of a Dallas minister, she admitted later that her speaking out was "a mistake."

For the most part, the NAACP, the guiding force in most of the successes, prefers to accept the positive and is lavish in its praise of all its youthful "pioneers in democracy."

Ten Years After the Desegregation Decision

(By Harry S. Ashmore, chairman of the executive committee, Fund for the Republic, and director editorial research and development, Encyclopedia Britannica)

(Note.—Mr. Ashmore was executive editor of the Arkansas Gazette when in 1958 he and the Gazette were awarded the first double Pulitzer Prizes in history for distinguished reporting of the Little Rock integration controversy. Mr. Ashmore is author of three books: "The Negro and the Schools," "An Epitaph for Dixie," and "The Other Side of Jordan.")

On the morning of May 17, 1954, the laws of 17 of the United States and the Federal statutes governing the District of Columbia, required racial segregation in public education. By noon this legal vestige of slavery was invalid, the Supreme Court having proclaimed that the public schools of the vast region must be opened to Negroes.

Predictions were freely made on the day outraged southern politicians promptly labeled Black Monday, and they ranged from roseate to dire. Perhaps the only prophecy that has stood the test of 10 troubled years is that of a judicial expert who forecast that the Brown decision would launch a generation of litigation.

Cases before local, State, and Federal courts turning on the Brown precedent now number in the thousands, and the tide is still rising. The reason, of course, is that the landmark decision was far more than a directive to desegregate five local school districts. It was, as the nine Justices in a rare display of unanimity clearly intended, the enunciation of a public policy intended to rid the Nation of every manifestation of overt racial discrimination.

The structure of law erected upon the Brown precedent is largely judge made. The Congress, hamstrung by southern intransigence and a sharp national division of public opinion, only this year has seriously addressed itself to fundamental civil rights legislation. Still the cumulative reach of the Court decisions is enormous, going far beyond the issue of segregation in education, which still remains central and unresolved.

In striking down the variety of legal devices by which Southern States have attempted to maintain their segregated schools, the Supreme Court has employed the 14th amendment as its constitutional instrument. In the process it has abrogated States rights to impose Federal standards not only upon the organization of the schools but upon the conduct of a wide variety of public functions. Time after time the Court has affirmed the Federal Government's obligation to uphold the Bill of Rights, no matter where its guarantees are being violated, or by whom. In practice this has meant that the reluctant executive branch has had to exercise police powers in a fashion virtually unheard of before 1954. In three States the Justice Department has been pushed to the extreme of taking over law enforcement from local officials with a massive show of arms.

At the end of the decade the implications of these developments loom far larger than the actual results. The citadels of segregation still stand across much of the South. But they are under constant attack now by an increasingly militant Negro leadership, solidly supported by the Negro rank and file. And the rights movement itself is the direct product of the Brown precedent. Negroes everywhere read the 1954 school decision as a declaration that the essential neutrality of the Federal Government in racial matters had come to an end. The law of the land now did not merely permit but affirmatively supported the minority's crusade for equality, and in Arkansas, Mississippi, and Alabama Negroes would see the Federal presence literally standing between them and the resistant white majority.

Even before the leading edge of the Negro crusade impatiently departed the courtroom in favor of the sidewalk, events were forcing the Supreme Court away from its initial narrow application of the antidiscrimination precedent to official institutions and actions. The end of legal segregation did not mean the end of de facto segregation, and here the pattern in the Nation at large differed little from that in the South. Below the thin crust of the Negro middle class, the Negro mass was walled off from the white community as effectively, and in some ways more inhumanely, in the ghettoes of New York, Chicago, and San Francisco as it was the "niggertowns" of Richmond, Atlanta, and Memphis.

It was in the private sector that the embattled Southern States proposed to erect their final defense against integrated education. The threatened last resort would be the total abandonment of the public system, with white children presumably attending white schools supported wholly by private funds. The obvious practical difficulties of the scheme have confined it largely to the oratorical level, but in Prince Edward County, Va., the attempt actually has been made. In its current session the Supreme Court will decide whether the Constitution can be read to require a once-sovereign State to provide a free education for all of its children, whether or not a majority of white voters wants to tax itself for the purpose.

The great sit-in campaign, aimed at forcing Negro admission to accommodations called public although privately owned, also has forced the Supreme Court to take a new look at one of the most revered of all American institutions, private property. The issue here is whether an entrepreneur who makes a general offer of goods or services, whether he is operating Mrs. Murphy's boardinghouse or Harry Truman's haberdashery, can arbitrarily choose his customers. If the Court holds that he cannot, it will write a significant new definition of private ownership, with implications that go well beyond the immediate issue of race.

It is quite clear that some of the Supreme Court Justices have not been easy in their own minds about the great expansion of Federal authority inherent in this progression. The unanimous vote in Brown has dwindled to 5 to 4 in some recent applications of the precedent, and it is by no means improbable that the antidiscrimination majority may actually become a minority in the key public accommodations cases presently looming large on the docket.

If the Court should decide that it has, for the time being at least, reached the outer limits of the law, the Brown precedent will stand as the great constitutional monument of our time. The rights movement, which it served as catalyst, is well past the point where it can be turned back by an adverse Supreme Court ruling. Indeed, it is being argued in a nervous Congress that the need for civil rights legislation is not to advance the Negro cause, but to control and contain it.

Underlying the surface tensions is a stern reality. The Brown precedent provides for, and the minority is avidly demanding, new relationships between whites and Negroes that are unacceptable under prevailing white attitudes. This is a national, not a uniquely southern, condition. Moreover, the collision has come at a time when, in vital employment areas affecting most Negroes, the economic growth that could ameliorate the most immediate grievances has virtually come to a standstill.

Ten years ago, when the Brown decision came down, the shortage of manpower was such that the automobile manufacturers were sending teams South from Detroit to recruit Negro workers. This meant that an ambitious colored man at one stroke could escape the overt oppression of his southern homeland, vastly improve his income and living standards and, perhaps most important of all, find a place in a skilled labor group where his status was equal to that of whites. This year the industry, harvesting the fruits of automation, will produce 25 percent more automobiles with 80 percent of the 1954 work force, and Detroit, with a restless mass of unemployed Negroes, is one of the tinderboxes of racial unrest.

Experience with the theoretically open school system of nonsouthern cities also has compounded Negro frustrations. With most childbearing white families safely ensconced in solidly white neighborhoods, the effort to redistribute children to obtain an effective pattern of integration has required such drastic, essentially artificial devices as busing children of both races long distances across crowded cities. Even where these experiments have been conscientiously supported by school and municipal officials, success has been limited and white dissatisfaction widespread. In enlightened New York, State court decisions handed down in Brooklyn and Malverne have sustained white parents protesting against having their children arbitrarily transferred across neighborhood boundaries to predominantly Negro schools. In these cases the antidiscrimination precedent has been held to mean that a white child cannot be denied the school of his choice on racial grounds, and this irony also is on its way to the Supreme Court.

Integrated neighborhoods would, of course, produce integrated schools, but the black and white patterns of housing have remained largely inviolate. The small Negro middle-class has gained significant new mobility even in suburbia, but the great majority of colored Americans remains ghettobound, and its efforts to break out are encountering retrograde action.

All of this is commonly cited as evidence of a widespread backlash of white public opinion brought on by the excesses of the Negro rights demonstrations. Rather, it seems to me, it is simply a belated revelation of prejudicial white attitudes that have always existed and can no longer be cloaked beneath Fourth-of-July pieties. Sensitive white Americans are discovering, with shock and dismay, what Negroes have long since learned by experience—that white tolerance dissipates rapidly when the abstractions of racial equality are translated into practices that threaten the established system of caste. At the extreme we see Northern communities reacting in the traditional pattern of the South, where fear is often translated into anger, and anger into brutal repression.

On the other side, we are nearing the end of the time when the Negro cause could advance from goal to clearly defined goal, making a record of steady, measurable progress that would sustain the tactical demands of the leadership for discipline and restraint. Principles of equality of treatment have been established, and written into law, but only in peripheral areas has practice been brought into conformity. Negroes have been guaranteed the right of admission to an integrated community, but nowhere in this fair land does an integrated community yet exist—and so the demands for freedom now echo a general frustration that often renders them as incoherent as they are passionate.

It is possible to read these manifestations as the harbingers of revolution, and it is fashionable to do so. In each of the past 10 springs the approach of warm weather has brought forth predictions of massive racial violence, first in the South and now in the great cities outside the region. Certainly no one could deny that in the present state of tension a major race riot with widespread bloodshed is possible and may even be inevitable. But there remains the remarkable fact that we haven't had one yet, and with it the salient question: If the situation does get out of hand in a given city, or cities, what happens next?

No Negro leader can doubt that any outbreak of violence, whether spontaneous or organized, would be summarily put down by overwhelming white force. Thus the Negro revolution, if there is to be one, is practically denied the revolutionary's usual weapons—sustained campaigns of terror, sabotage, and guerrilla warfare. Nor does subversion offer any hope for the Negro revolutionary. While there is significant sympathy for his cause in the white power structure, nowhere is there any effective body of radical opinion that could be counted on to support the drastic remedies proposed by Black Muslims on the right, or the Freedom Now Party on the left.

We have, in fact, already had a reverse demonstration of the radical dilemma. In the South white activists have attempted to head off the Negro movement by mob violence, as in Little Rock and Oxford; by terror, as in the assassination of Medgar Evers; and by sabotage, as in the recurrent dynamiting of property owned by Negroes and sympathetic whites. Organized efforts on any significant scale have brought down the full weight of the Federal Government, in the person of armed U.S. troops. And so far at least those who have transgressed the red line of violence and have been caught have found themselves largely abandoned by respectable segregationists.

Finally, it seems to me the Negro movement is inherently devoid of true revolutionary character simply because its members do not seek to remake the community, only to join it. Social scientists, probing happily in the rich new territory of the Negro subconscious, turn up abundant evidence of alienation. Still the drive seems to be to obtain only what has been denied—a secure place in the larger commonalty whose standards, shabby though a moralist might find them, are those set by the white majority.

If I am correct in my view that a revolutionary resolution of the American racial issue is as unlikely as a sudden healing outburst of brotherly love, the prospect is for a protracted, wearing war of nerves. Most whites feel that they must give up something of value if Negroes are to gain their ordained place in society. I do not believe that this is so, but so long as it remains the conviction of the white community the drive for Negro rights will have the character of an adversary proceeding in which progress is possible but agreement in principle is not. This condition, inescapable now even for the white refugee in the most thoroughly restricted suburb, is ultimately intolerable and has its own force.

The 10 abrasive years since Brown ought at least to have shucked us of the more debilitating of our national illusions. Chief among these was the happy notion that if we officially declared the Negro equal he automatically would become so—or at least would be able to stride briskly down the path that has led to effective accommodation of other racial minorities. It must be apparent by now that, morally and practically, the Negro's problem is special. If he is to get his just due he will need something more than the collected works of Horatio Alger and the support of a benevolent interracial committee.

Once we wear out the usual arguments over State and local responsibility, the primary burden is going to fall, inescapably, upon the Central Government. The immediate palliative must be more welfare services, already a Federal preserve, and more jobs, which only the most addicted consumers of NAM propaganda now believe can be provided by the private sector in the range and quantity required by Negroes dispossessed by automation—three out of every five, according to the Urban League.

These unhappy facts belatedly have been noted in Washington. War on poverty has become a slogan and inexorably will become a program. I do not know whether in the vagaries of a campaign year we can expect any more than warmed-over New Deal panaceas. But as Sargent Shriver's Poor Corps marches forth to battle, its intelligence reports clearly indicate that the mission is only incidentally to relieve resident and displaced white Appalachians. The primary attack must be upon the squalid Negro slums that stretch from sea to shining sea.

For the future, we still must look to the law to fulfill its historic role of preceptor.

In the 10 years since Brown, the courts have offered us much valuable instruction. The first lesson is that racial justice can no longer wait for a glacial change in the hearts and minds of men. The second is that the practice of racial equality can alter attitudes when argument and moral suasion cannot, a lesson to be read in the eyes of the rising generation of white and Negro children as they gaze with wonder upon their elders' seizures of racial prejudice.

So we will come back finally to the public schools, that battered, bureau-ridden, harassed, dispirited system of universal education that was once our national pride and remains our national hope. They did it once before, the red brick public school on the city street and the red schoolhouse on the village green. They made room for the frightened children with broken accents, peculiar religions, undernourished lunch boxes, and lice in their hair; contained the cruel curiosity of earlier settlers; taught the lessons of democracy and saw that they were put into practice.

It is a flaccid, morally disoriented society that now dumps a similar, even heavier burden upon our ill-prepared teachers. We ask them somehow to create a new melting pot in a dispersed educational system that operates without a national policy, leaving its professional practitioners exposed to meddling politicians and sustained only by the ministrations of local board members who often look upon education as a well-intentioned hobby.

Ten years after Brown the American race problem cannot be neatly defined as a moral, an economic, a social, or an educational issue. It is all of these at once, and it cannot be resolved by a society that no longer pays much attention to its preachers; is content with prosperity at the top even though the lower levels of its social and economic structure are in disarray; and cannot muster the will to put aside the petty religious, professional, and regional interests that stand in the way of an effective public school system.

By frightening a sometimes complacent citizenry, and always prodding an atrophied national conscience, marching Negroes may be offering a great gift to the society that has rejected them. The ugly manifestations of racial bitterness are an injunction to get back to the hard job to which we once professed dedication, the creation of one Nation, under God.

HOW THE COURT SAW IT

"Today, education is perhaps the most important function of State and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the Armed Forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the State has undertaken to provide it, is a right which must be made available to all on equal terms.

"We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other 'tangible' factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does."—Chief Justice Earl Warren, in the unanimous decision of the U.S. Supreme Court in the case of *Brown* v. *Board of Education*, May 17, 1954.

"A CLEAR ABUSE OF JUDICIAL POWER

"The unwarranted decision of the Supreme Court in the public school cases is now bearing the fruit always produced when men substitute naked power for established law.

"The Founding Fathers gave us a Constitution of checks and balances because they realized the inescapable lesson of history that no man or group of men can be safely entrusted with unlimited power. They framed this Constitution with its provision for change by amendment in order to secure the fundamentals of Government against the dangers of temporary popular passion or the personal predilections of public officeholders.

"We regard the decision of the Supreme Court in the school cases as a clear abuse of judicial power. It climaxes a trend in the

Federal judiciary undertaking to legislate, in derogation of the authority of Congress, and to encroach upon the reserved rights of the States and the people.

"The original Constitution does not mention education. Neither does the 14th amendment nor any other amendment. The debates preceding the submission of the 14th amendment clearly show that there was no intent that it should affect the system of education maintained by the States."—From "The Southern Manifesto," a document signed by 101 Senators and Representatives from 11 Southern States and presented to Congress on March 12, 1956.

[From the Washington (D.C.) Post, May 17, 1964]

THAT 1954 BELL NOW TOLLS FOR NATION

(By James McBride Dabbs)

(NOTE.—A former professor at Coker College, S.C., and former president of the Southern Regional Council, Dabbs now lives on the family plantation at Mayesville, S.C., where he writes and farms. He is the author of "The Southern Heritage" and of a coming book on the Southern character.)

Ten years ago today, May 17, 1954, the Supreme Court of the United States said, "In the field of public education, the doctrine of 'separate but equal' has no place." A decade of controversy and turmoil began with those words. Today's "Outlook" section is devoted to a study of what that decade has meant to the Nation and to the people involved.

The Supreme Court antisegregation decision of May 17, 1954, rang a bell. The Nation assumed that it was rung for the South. It was in fact rung for the Nation.

The South at first was disposed to respond, or at least not to resist. It has been remarked that the white South was dazed, like a man hit over the head, and that it took several months for the white citizens councils to come out fighting. This is not quite accurate. The South was also hit in the heart.

There was much newspaper opinion to the effect that "Well, this is it. We knew it would come sooner or later, and now there's nothing to do but accept it." And though there was little pleasure expressed publicly at the prospect, I am sure there was in the heart of many a white southerner a feeling of release comparable to that felt when slavery was outlawed: "Well, thank God, that's done with."

At that moment, the South would have accepted, though perhaps grudgingly, a positive, progressive leadership. It should be remarked here that in its attitude toward its leaders, the South still exhibits a touch of aristocracy and feudalism. We elect the leader; but elected, he is, in a sense, God's man. The South Carolina churchwoman who said that her basically liberal group could not take a certain public stand because "our Governor has spoken otherwise" expressed this view.

HAUNTED BY GETTYSBURG

In 1954, "God's man" in South Carolina, and to a considerable degree across the South, was Gov. James Byrnes, better known affectionately as "Jimmy." Byrnes had been a Supreme Court Justice, Secretary of State, and, indeed, "Assistant President" under Roosevelt, and was at that time dean of southern political leaders. Southern Governors made pilgrimages to his shrine.

Along with BYRD of Virginia and several others, he probably could have swung the South toward the future. He decided, however, to oppose the Supreme Court decision, adopted again the lost cause and the White Citizens Councils gathered to his support. Your white southerner is still haunted by the gallant image of Gettysburg, where glory rides with failure.

The last decade has brought the South much failure but little glory in action done or remembered. But it has illustrated Toynbee's theory that to challenge a group on the make is to increase its power.

With the omission of the border States, the South generally decided to oppose the Supreme Court decisions. The National Association for the Advancement of Colored People therefore had to take cases to court, and grew stronger in the process. The white South fought the NAACP mainly as a "foreign" organization; southern Negroes knew better and supported it with their pocket change and their checks: its growing income matched its growing expenses.

But the obstructions raised against the just and now legal demands of the Negro brought on in 1960 the demonstrations. These ran like wildfire across the South. The legal fight, of course, continued, and continues, but to this was added the popular demonstration.

Had the South still not been haunted by the lost cause, it could have accepted the demonstrations. All they said originally was: "Look. We're unhappy. We want what other people want—the usual public rights of Americans."

One of the main themes of southern life has always been that the Negroes are happy; if they are not, something must be done. The best spirit of the South has always assumed some responsibility in regard to the Negro, although this responsibility has shown much blindness and selfishness. The fact that the demonstrations have achieved as much as they have and with relatively little violence is because they spoke to the better heart of the South.

But again the South, haunted by the lost cause, offered strong opposition, with mass arrests, firehoses, police dogs and cattle prods. The tempo increased, the Negro movement—or just the movement, as Negroes call it—spread across the Nation, and now such a civil rights bill as has not been proposed since the 1870's has passed the House and lies on the desks of the Senate.

IT GOES BACK TO 1619

The bell that rang for the South is now ringing for the Nation. Why did this happen?

It didn't happen because the South resisted the 1954 decision, though doubtless southern resistance built up a stronger Negro leadership in the South, and this tended to extend the movement beyond the South. It began to happen in 1865, when the South was defeated. Indeed, it began to happen in 1619, when African slaves were first put to work on the soil of what was to become the free United States.

Basically because of this anomaly, the Civil War was fought; for the victors to have failed to free the slaves would have revealed deep ignorance as to what the war was really about. But having freed them, the Nation had assumed the responsibility of making American citizens of them, since no other course was possible in the free American air.

The Nation, however, did not realize the responsibility it had accepted. In the famous Hayes-Tilden compromise of 1877, Hayes became President and in return withdrew the last troops from the South and gave the Negroes back to the, by then, not so tender mercies of the South.

A PHALANX OF FORCES

This attempt to deny history has necessarily failed. The forces that overthrew it are worldwide: two World Wars and Korea with their democratic slogans; the accompanying burst of industrialism in the United States; the movement of millions of Negroes to northern cities; the appearance of white prejudice there, and the power of the franchise in the hands of the blocs thus created.

The Supreme Court decision of 1954 may have been aimed at the South; but the problems of the South are also the problems of the Nation, and the decision has now run against the Nation.

As of now, resistance to Negro advance is decreasing in the South while apparently increasing in the rest of the Nation. What's happening is, it's coming to the surface in the Nation at large.

White nonsoutherners thought they were unprejudiced; after all, weren't they the sons of the men who had freed the Negro? But a Negro next door or applying for one's job is something else again. Therefore, the white non-South is doubly disturbed now, both at the Negro who is coming too close and becoming too free, and at itself because it isn't as unprejudiced as it thought it was.

To put it briefly and on the most fundamental level: the northerner, the innocent American, begins to realize he is a sinner, and it annoys him. You may call southerners what you please, but they've never forgotten they are sinners of one kind or another.

Public opinion polls consistently show that though the white South is hardly any more in favor of desegregation than it was in 1954, it is increasingly convinced of the system's inevitability. Since men generally act only as they have hope, this means that the opposition to desegregation grows weaker and the South becomes increasingly capable of making large progressive moves. The extensive desegregation of business places that went on in Charlotte last year, generally by persuasion, not force, is an illustration.

On the other hand, there are and will be pockets of bitter resistance. This is inevitable; the closer the collapse, the sharper the fight. Alabama and Mississippi may see Federal troops again: the spirit of opposition has been so cultivated and is so politically entrenched.

There is some hope, however, in the silence that Mississippi's new Governor Johnson has maintained on the race issue and, also, perhaps in Governor Wallace's sidestepping ability. His attorney general, Richmond Flowers, says that Wallace's tactics have been to "stand up, stick up, and back up."

But extreme resistance is also caused by extreme demands, for instance, the January demand of CORE that Chapel Hill, N.C., pass a city ordinance outlawing all racial discrimination by February 1. Chapel Hill was one of the most desegregated communities in the South, but CORE demanded 100-percent compliance.

The demand was not met. Demonstrators chained themselves together and, in frank civil disobedience, lay down in the streets and halted traffic, pleaded no contest when tried and received severe sentences. Chapel Hill has made no further progressive moves.

In the 1880's and 1890's, when the Negro was being locked in by segregation, a perceptive observer could have predicted the struggle of the last 10 years. A few men, some of them southerners, did point out that the Negro could not be kept a second-class citizen. And, after all, Jefferson in effect predicted the Civil War in 1784 when he trembled for his country because "God was just and His justice would not sleep forever."

But I doubt that anyone could have predicted the essential thing that's happening to the Negro, especially in the South, today. In fact, few as yet have even noticed it. The Negro is beginning to appear as a southerner.

One imagines anguished cries going up from both whites and Negroes: "God forbid." After all, a southerner is white by implied definition. The white man thinks easily of southern Negroes, but finds it hard to think of Negro southerners.

As for the Negro southerners, they're out to get their American rights; white southerners have kept those rights from them and therefore they don't easily see themselves as being southerners also. Theoretically and actually, however, I think it can be shown that they are.

SIMILARITIES IGNORED

First, theoretically. If there is a South—and men tend to agree on this, though they generally fail to define it—all the people who live here have been made by it and have in turn made it. For various reasons, we have played up the differences between whites and Negroes. If we were honest, we would begin to see the similarities.

Actually, these similarities appear, especially in the demonstrations, both in the goals the Negroes have set and in their methods. The goals? Rarely abstract justice, freedom, equality, though the great word "freedom" rings through all their songs. Rather, acceptance into the community.

It may be strange that any sense of community remains, but it does, and the Negro is requesting, is demanding, that he become completely a part of that community. Of course, he doesn't want it as it is, because it has pushed him to the outskirts; he wants to change it.

He does not want, however, to destroy it. What we have here is the old southern sense of community, which has been remarkably strong in the white South.

ITS FINEST AIM

As to method, the demonstrations in their beginnings, where one looks for basic truth, were most southern in the union they showed between the surface of life and the depths, between manners and morals, between culture and religion. To say it in two words, the demonstrations began, and were long maintained, in a spirit of Christian courtesy.

In spite of all contrary opinion, I would maintain that this is the spirit the South at its best aimed at. Robert E. Lee is the South's greatest figure not because he led the lost cause but because he was this kind of man.

But, basically because of the weight of slavery, the South had no chance of attaining its ideal. The Negroes, not permitted to be publicly involved in southern life, observed and got the drift, and when the time was ripe, in 1960, they appeared, and they approach more nearly the southern ideal than we have come before.

They have brought to the surface, and fused, cultural themes many had thought lost forever, and are using these to guide them more surely into the future. This is the miracle taking place in the South.

[From the Washington (D.C.) Post, May 17, 1964]

Court's Views Still Reflecting the Negro Revolution

(By Philip B. Kurland)

(Note.—A professor of law at the University of Chicago, Kurland is the author of several books and editor of an annual review of the Supreme Court's work.)

Ten years ago today, in *Brown* v. *Board of Education*, the Supreme Court ignited a social revolution that had been smoldering almost since the Civil War. It is not the first peaceful American revolution in which the Court has participated. And, hopefully, it will not be the last.

History reveals that the Court has not infrequently taken its place at the barricades, sometimes on one side, sometimes on the other. And history also reveals that the Court has been on the losing side only when it has fought the forces of change, as in Dred Scott; as in the cases holding a Federal income tax unconstitutional; as in the cases in which it sought to veto the New Deal.

The Court was on the prevailing side when, under John Marshall, it helped effectuate a political revolution that made a nation of disparate States. It was with the victors, too, when, under Charles Evans Hughes—and then under Harlan F. Stone—it turned renegade and, with all the fervor of the convert, joined the New Deal revolutionaries whom it first had tried to destroy.

HISTORY A POOR GUIDE

History, however, offers no certain guide to the eventual success of the current revolution. For it tells us only that when the essential contest is between forces favoring centralization of power in our polity and those favoring dispersal of governmental power among the several States, the former have been successful every time. And it is not apparent, unless some southern politicians and some northern newspapers should succeed in making that the issue, that the current controvery is between nationalism and parochialism.

The message of history is also unclear in another vein, because never before has the Supreme Court been in the vanguard of an uprising. Heretofore, its role has been either to secure revolutionary gains already made, as under Marshall, or to execute rearguard actions on behalf of the forces of conservatism.

Certainly, the 10 years that have elapsed since Brown do not suggest that the outcome is yet certain. Indeed, even on the very front on which the Court undertook to do battle—desegregation of the public schools—its success, at best, must be considered doubtful. Today, fewer than 1 out every 100 Negro schoolchildren in the South are attending classes with white students.

THE TOCQUEVILLE INSIGHT

If in this fateful decade the ultimate outcome of the battle has remained unresolved, some aspects of the Court's business nonetheless have been clarified. Perhaps the first of these is that Tocqueville's insight of more than a century ago has once again proved to be valid.

Speaking of the Justices of the Supreme Court, he said: "Their power is enormous, but it is the power of public opinion. They are all-powerful as long as the people respect the law; but they would be impotent against popular neglect or contempt of the law. The force of public opinion is the most intractable of agents, because its exact limits cannot be defined; and it is not less dangerous to exceed than to remain below the boundary prescribed."

Two reasons support the Tocqueville insight. First, so long as the Supreme Court remains a court, however broad the doctrine announced in an opinion, its judgment is merely the resolution of a controversy between the parties before it. Its sanction is limited to that which may be applied to those parties. Thus, although the Court announced in 1950 that Negro graduate students could not, because of their race, be excluded from or segregated within State universities in Oklahoma or Texas, in the 1960's the States of Alabama and Mississippi were still not under compulsion to abide by the pronouncements made in the Texas and Oklahoma cases.

The State authorities could have no question about how the courts would rule on the issue when presented to them. But they were free of compulsion to comply in the absence of a decree against them. Had public opinion in those States supported the Court's conclusions, relitigation would not have been necessary. The violence of public opposition, however, reduced the earlier decisions to their limited role.

The second reason may be explained in terms of the same incidents. Even after the Court has rendered a decree, it lacks the physical power to enforce it, especially when the party under coercion is a State or the Nation. Thus, even after Alabama and Mississippi had lost their causes in the courts, it required the utilization of physical power under the command of the Executive to accomplish the results judicially decreed.

Again, it was public opinion that controlled the outcome. Local public opinion permitted, if it did not require, the States to engage in their lawlessness. National public opinion permitted, if it did not require, the Executive action that made the judicial decisions meaningful.

This decade has also made it clear that the Court has been emboldened by Brown's partial success rather than discouraged by its substantial failure. The Court has become more daring rather than less in seeking out new worlds to conquer. And if it guessed wrong about the ripeness for resolution of the school desegregation problem, it guessed right about the timeliness of its intervention to secure a reallocation of political power within the State legislatures.

Certainly, *Baker* v. *Carr's* pronouncement, that the judiciary is now an appropriate agency to redistrict State legislatures primarily if not exclusively on the basis of population, was as violent a change of constitutional principle as any that the Court has ever produced.

Unlike the response to its demand for school desegregation, the Court's entry into this political thicket has been met only by litigation unsuccessfully attempting to limit the effect of the judicial intervention. It is already clear, less than 2 years after the decision in *Baker* v. *Carr*, that State legislative redistricting on the basis of population will shortly be an accomplished fact.

THE NEGRO IMPACT

It is, however, the pervasive effect of the Negro revolution on the work of the Court that so clearly emerges from an examination of the business of the Court since May 17, 1954. Certainly the movement of the Negro population to the large urban cities of the country, and the Negro disenfranchisement in rural areas of the South, were not unimportant factors in the Court's determination to break the rural control of State legislatures.

And each place we look in the developing constitutional jurisprudence, whether it be the extension of Federal control over State libel laws, the expanded scope of Federal habeas corpus or the extension of the application of the provisions of the Bill of Rights to the States—the list can be a very long one—the importance to each decision of the Negro cause is immediately apparent.

Directly or indirectly, most of the Court's important constitutional decisions are now related to effectuating the revolution that Brown helped to launch. The Bible reading and prayer cases are among the few important constitutional pronouncements that seem somehow independent of that social revolution.

The pervasiveness of radiations from the Brown opinion is perhaps even broader than the implications that it has had for each individual case brought before the Court. It is reflected also in an essential shift of emphasis in constitutional jurisprudence.

Fifteen years ago, Professors Tussman and tenBroek wrote perceptively: "Nothing in the annals of our law better reflects the primacy of American concern with liberty over equality than the comparative careers of the due process and equal protection clauses of the 14th amendment." They accurately predicted the rise of the equal protection clause at the expense of the due process clause. And their prediction has been validated, not so much in the utilization of the one clause rather than the other as by an essential change of attitude, so that it now appears that, for the Court, equality is now granted precedence over liberty.

Even where the due process clause continues to be used, as in *Gideon* v. *Wainwright*, the essential rationale would seem to be equalization of the rights of defendants to have access to counsel regardless of economic incapacity. Certainly a movement toward equality preceded Brown, as shown by the cases invalidating racial restrictive covenants. But if those cases were the first recent major effort in the Court's shifting emphasis, it is only since Brown that the Court's actions have established equality as the first freedom.

FRIENDS ALIENATED

The extent of the judicial revolution instigated by Brown has made many enemies for the Court. And it has caused its friends to do battle with one another.

Those who see the power of judicial review as a power to be exercised only under emergency conditions are fearful that the Court's activism will cause its own destruction. Those of its friends who see in judicial review a function of expediency are proud of the part that the Court has played in the most important social movement of the time, especially in light of the dereliction of other branches of government, Federal and State, to assume responsible roles in meeting the most critical test faced by American Government since World War II.

There is certainly much to be said on each side of this issue. It may be asked: "What matter that the Court has maintained its pristine judicial qualities if the fundamental freedoms guaranteed by the Constitution are destroyed?" The rights of minorities would be empty phrases were it not for the intervention of the Court to protect them. The acts of the Court in the Negro cases would certainly afford support to this contention.

Those on the other side inquire: "Is our democratic system not already destroyed when political, social, and economic judgments of such magnitude must be decided by the nine men in the marble palace?" Certainly oligarchy is not democracy and the Court is the least democratic of all our national institutions.

DANGEROUS ANTIPATHY

And they would also ask: "What happens when such judgments are entrusted to an institution that is incapable of enforcing them 'against popular neglect or contempt of the laws?'" And these adherents of judicial restraint can certainly document the fact that antipathy toward the Court in this country is close to surfeit. Certainly, too, contempt for the law has been manifested no less by one side than the other in the current Negro revolution.

The past 10 years do not indicate whether the Court—or the Nation—will survive the conflict in which the Brown decision has played so important a part. The crisis is close upon us. The next decade will provide the answer. Let us hope that the answer is the right one.

[From the Washington (D.C.) Post, May 17, 1964]

INTEGRATION HELPS ALL DEPRIVED PUPILS HERE

(By Susanna McBee)

Ten years after the Supreme Court's momentous school decision, the question of when to desegregate is still plaguing the Old South, where only 1 percent of the Negro children actually attend classes with white children.

In areas that have gone beyond token integration, a second question has been raised: Has integration helped education?

In Washington, the answer is a loud and clear "yes."

The day after the decision, President Eisenhower voiced the hope that Washington would be a model for the country in putting the Court's mandate into effect. In a sense it was. Integration was started quickly—barely 4 months later in the fall of 1954—and in good faith.

The initial service that integration performed for Washington education was to show the community for the first time how inferior Negro schools had been.

THE SHORT END

During the preceding decade, Negro students were jammed into overcrowded classrooms while many white schools had unused space. In 1948, for example, 70 percent of the elementary classes with more than 36 pupils were in Negro schools. Of the 45,000 students on split sessions during the decade, nearly 80 percent were Negro.

Negro children frequently had to travel long distances to Negro schools—passing white schools on the way.

Racial tensions had been increasing. Sometimes white children going home from a half-empty school building were taunted by Negro children shouting, "We're going to get your school." And they did. From 1947 to 1954, 20 buildings were transferred to Negro pupils.

The inequities also could be seen in the school system's spending per pupil. In 1953, $240.27 was spent for the education of each white student and $186.71 for each Negro student.

There were great disparities in the special education programs for students with handicaps and learning difficulties. In 1953, only 1.4 percent of the Negro elementary enrollment was in special classes compared with 3 percent of the white children. In junior highs, special classes were available for 0.3 percent of the Negro students and 3.8 percent of the white students.

THE REVELATION

The effects of 90 years of separate and unequal education showed up dramatically in the first citywide achievement test scores, released in 1955. With 64,000 Negroes and 41,000 whites, the District schools fell below national standards.

For example, the typical fifth grader was working at the fourth grade level in arithmetic reasoning and at the third grade level in reading comprehension. Before integration, there were no comparable scores, but white students were generally at or above national norms. The white and Negro divisions used different sets of tests, and not all Negroes had been tested.

The next thing integration did for education here was to help raise standards.

Different tests are now used so, again, results are not quite comparable. But achievement scores last year were near national norms. Sixth graders, for example, surpassed the norms by 2 months in arithmetic computation, by 3 months in language usage, and by 5 months in spelling and language study skills. They were below the norms by 2 to 4 months in reading, world knowledge, and social study skills.

What role did integration play in raising standards? It was partly responsible for the four-track system of ability grouping under which capable youngsters have had better education than that offered before integration. Tracking ended the cafeteria-type education in which they could select many easy subjects.

Another new program was the Amidon plan stressing basic education and phonics in reading. Test results show that nearly all Amidon children, of whom more than 70 percent are Negro, exceeded national norms in all academic skills.

FRUITS OF INTEGRATION

Not every curriculum reform was stimulated by integration. But some were. Among them are a special program in personal and family living and a guide for studying the Negro's role in American history.

Integration also has led to greater stress on reading problems and more services for children who are handicapped emotionally, mentally, and physically.

Now, nearly 54 percent of District high school students go on to some form of higher education. In 1957, 41.4 percent did. There are no figures for the period before integration, but some educators guess that the percentage then was smaller.

The successes of integration have been obscured by congressional investigations conducted by southerners intent on convincing themselves and others that Washington's school integration was the worst disaster since the burning of Atlanta.

SOCIAL MIRACLE

In the fall of 1956, after a series of sensational hearings, the House District subcommittee headed by former Representative James C. Davis, Democrat, of Georgia, issued a report saying District schools were integrated too rapidly.

Integration led to "appalling" discipline problems, accelerated the white exodus to the suburbs, and showed up Negroes' scholastic inferiority, the report said.

However, Superintendent (then Assistant Superintendent) Carl F. Hansen blamed the previous system of segregation for the Negroes' academic problems. He added that school integration "in this city has been a miracle of social adjustment."

It is not true that Washington's desegregation came too rapidly or without adequate preparation. School officials had been discussing it since 1952. It was done in three phases and was completed in September 1955.

Also, it is not true that discipline problems were appalling. There were some boycotts, fights, and transfer requests. But what happened was expected, and the overall transition was good.

It is true that integration accelerated the white movement to the suburbs. But the exodus had started after World War II and had occurred in cities North and South regardless of whether their schools were segregated.

In Washington, the Negro population now is estimated at about 57 percent. Negro enrollment in the public schools is 85.7 percent. The disparity exists mainly because white families with school-age children send them to private schools in the city or have moved to the suburbs.

For the first few years after integration, the educators' response to the segregationists was, of necessity perhaps, negative. Integration, they argued, had not caused social chaos and it had not torn apart the community's educational fabric.

More recently, however, they have begun to talk positively. Many of them believe that Negro students have been freed from inferiority feelings and lack of motivation that were products of enforced segregation. One official said the pattern in Negro schools in segregated Washington had been: "If you could learn, you were taught; if you couldn't, you were neglected."

In Alexandria, a Negro student said he transferred from the all-Negro Parker-Gray High to the integrated George Washington High because he wanted a chance to go to college. Parker-Gray sends only 10 percent of its graduates to college.

For years at Arlington's Negro Hoffman-Boston High, the languages or sciences available in white schools were not offered.

SHATTERED STEREOTYPES

Another benefit of integration has been the fact that whites have begun to lose their stereotypes about Negroes.

Among the shattered stereotypes was the idea that Negroes—and slum people in general—do not care about education. The whole civil rights protest movement has proved that they care immensely.

As the recent boycott threat here showed, they do not hesitate to complain when they suspect, rightly or wrongly, that their children are getting second-rate education.

Furthermore, integration has made possible an overall improvement in Washington education because the community has become united in a way that was impossible under segregation. It has more effectively pressed Congress for additional school funds, teachers and services.

But even Washington, with its 85.7 percent Negro enrollment, no longer has much actual integration. About three schools in every four are more than 90 percent Negro or 90 percent white. Three schools are all white and 26 are all Negro.

In the suburbs, Negro students in integrated classes make up less than 2 percent of the total school population.

Montgomery and Prince Georges Counties voluntarily desegregated their schools starting in 1955 while Northern Virginia carried on the Old Dominion's "massive resistance" policy to the courts.

After "massive resistance" failed, desegregation under court order started in 1959 in Arlington and Alexandria and 1960 in Fairfax County.

As in Washington, the suburbs are finding that the real problem in education today is how to teach the deprived child, who in this area is more often Negro than white. It is unsolved here or elsewhere.

Before integration, the problem was unrecognized or, at best, swept under the academic carpet. White officials rarely set foot in Negro schools except on ceremonial occasions. Negro educators never set foot in white schools except for late afternoon conferences.

Here, then is the greatest service integration has performed. It has forced the community to look at the educational gap of poverty-stricken children.

In the Washington suburbs, Alexandria will start a program this fall to upgrade deprived children in four old town schools. Fairfax County school officials hope to start a "higher horizons" program to compensate for the culture lag of some students.

THE FOREFRONT

If no city has yet solved the problem, at least Washington is in the forefront of those trying. It has formidable handicaps—dilapidated buildings, overcrowded classes, too many temporary teachers, not enough special services.

But it also has strong programs and experiments—the Amidon plan, a "language arts" project in 14 schools, a pilot "higher horizons" program, expanded in-service training for teachers and several antidropout programs.

The trouble is that many of the experimental projects—valuable as they are—affect relatively few children. They are like a scattering of stoppers in a huge sieve.

Anxieties born of the 1962 Thanksgiving Day stadium riot and the recent boycott threat have led to strong criticism of certain programs, especially the basic track for slow learners, and to much reexamination by school officials.

Hansen's recommendations include extending the school year to 10 months, keeping school buildings open for community use in the evenings and on Saturdays, providing special camp schools for children who need around-the-clock care and training, setting up preschool programs for deprived children, providing public higher education, stepping up school construction and starting a new industrial education project.

No one knows what the whole package would cost. One project, a federally financed educational war on poverty to start this fall in 18 Cardozo-area schools, will cost about $1.5 million the first year.

The longstanding problem of the deprived child has been bared, and the solution at least considered. Neither the discovery of the problem nor the vision of its solution had been possible under segregation.

[From the Washington (D.C.) Post, May 17, 1964]

Cemetery for Negro Dogs—Refined Little City in 1947

Washington in 1947 was a nice little southern city, comfortable and refined.

Negroes thought of it as some kind of mecca. But once they got here, they found segregation and exclusion so widespread that there was even an animal cemetery for Negro dogs.

Negroes could eat at the Union Station restaurant, the Federal Government cafeterias, and the YWCA. But they were refused at downtown restaurants and lunch counters (and, naturally, those in the suburbs). They could not attend a downtown movie or play.

They had to go into the poorer neighborhoods to find a hotel room. If a Negro decided to settle here, he often had to take a home in a substandard area and a job below the level of his ability. He had to send his children to inferior, segregated schools.

Negroes did not have to go to the back of streetcars or buses, but they could not get jobs as motormen or busdrivers. If a Negro was a physician, he could not join the District of Columbia Medical Society. If he was a lawyer, he could not join the District of Columbia Bar Association. If a woman was a nurse, she could not get in the District Nurses Association.

Negroes could be policemen, but hiring and promotion left much to be desired. The Fire Department was strictly segregated and so were most of the public and private health and welfare services.

SLOW IMPROVEMENT

There were paradoxes. A Negro could perform on the legitimate stage but could not sit in the theater; he could sit in Constitution Hall but could not perform on its stage. Churches preached brotherhood, but the saying was that the greatest amount of segregation in Washington took place on Sunday mornings at 11 o'clock.

It wasn't all bad. A Negro could visit any Federal museum or gallery. He could use Washington's public golf courses, several picnic areas, and the Ellipse. But the segregationist District Recreation Board—though prodded by the Interior Department—dragged its feet on admitting Negroes to many public facilities.

Negroes found things better by 1954. The day after the Supreme Court decided the school case, the recreation board desegregated all its facilities.

Improvement had started in 1948. President Truman ordered Federal appointments to be made on merit only. The Supreme Court declared restrictive housing covenants unenforceable. The Washingon Archdiocese desegregate its schools. And some local theaters admitted Negroes.

In the next 5 years more public accommodations operated on a nondiscriminatory basis, especially after the Supreme Court ruled in 1953 that restaurants here could not bar Negroes.

A CHANCE AT A CHANCE

Then in November 1953, the District Commissioners banned discrimination in city jobs and in use of public services. By 1959, the Fire Department was beginning to integrate, Negro physicians were admitted to the medical society, Negro nurses to the nurses association, and Negro lawyers to the bar associaton.

All suburban school systems were being desegregated by 1960, but Negroes were rejected at many public accommodations in Maryland and virtually all of them in Virginia. After the 1960–61 protest movement, however, they were accepted in most of those places. Now Maryland has a statewide public accommodations law and Virginia's segregated seating law is finally dead.

All the health and welfare units receiving United Givers Fund aid have announced nondiscriminatory policies. About the only Washington group of any consequence to deny Negroes representation is the Federation of Citizens Associations.

Discrimination, though, is far from dead. The District has outlawed housing bias but areas in the Northwest sector are as lily white as much of suburbia. Most Negroes make less money than most white men and they are more likely to be out of work. Negroes can now get jobs in firms such as banks, where they were barred last year. They still cannot get in some apprenticeship programs. They cannot work in a savings and loan firm, most real estate offices or at a hotel front desk.

They are still pushing at the barriers. They know the good life may be a long way off, but they want what Max Lerner calls "a chance at a chance."

ST. LAWRENCE SEAWAY TONNAGE SCORES GAIN

Mr. HART. Mr. President, recently the Journal of Commerce carried a news story indicating that tonnage on the St. Lawrence Seaway in the first quarter of 1964 was up 74 percent over the same period last year.

The Senate Commerce Committee's Special Seaway Subcommittee has been conducting hearings on the utilization of this great transportation asset. There have been many interesting and revealing statements presented to the subcommittee, and as one of its members, I am encouraged to see that the record of the use of the seaway this year is one of substantial improvement.

Mr. President, I ask unanimous consent that the article from the Journal of Commerce of May 12, 1964, entitled "Seaway Tonnage Scores Gain" be printed in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Seaway Tonnage Scores Gain—Up 74 Percent in First Quarter

St. Lawrence Seaway tonnage through April rose 74 percent over same period last year, a development that could have considerable impact on the present tolls review for the 5-year-old international waterway.

Both United States and Canada are presently reviewing the charges levied on ship lines using the seaway and a final decision is expected by July 1. There is some difference of opinion reported to exist between both countries on whether the tolls should be raised, lowered, or left as they are.

UNITED STATES SEEKS STATUS QUO

U.S. Government officials, fearing that an increase would drive business out of the seaway, are said to be adopting a status quo on the tolls payments while Canada, in an effort to offset some of the debt resulting from the failure of the waterway cargoes to come up to expectations, is said to favor an increase.

Neither country, however, has said anything officially.

The unofficial U.S. view is that each year the seaway has been picking up some of the slack and shows signs of achieving the goal cargowise which was set before the seaway opened. U.S. seaway officials are said to believe that given a chance at the present tolls rate, the seaway could meet its debt to the Government within the 50-year amortization period.

But, unfortunately for the U.S. seaway entity, its voice must be considerably less vocal than that of Canada with a stake of 71 percent in the seaway against the 29 percent for the United States.

Meanwhile, St. Lawrence Seaway Development Corporation administrator, Joseph McCann, who is pulling out all the stops in an effort to keep the cargo moving through the waterway, announced over the weekend the impressive cargo rise during April.

APRIL FIGURES

He said 2.9 tons moved through during the month, aided by a heavy early season movement of wheat and iron ore. Traffic for the month, Mr. McCann added, was nearly balanced with 1,298,000 tons of cargo moving inbound, and 1,611,000 tons moving out of the Great Lakes via the seaway.

Wheat tonnage topped 1 million tons compared with 514,000 tons in April 1963, while iron ore cargoes rose during the month from 400,000 tons in April 1963 to 865,000 tons during the same month this year.

While it is still too early to forecast what will happen during the remaining 7 months or rest of the season, seaway officials believe that the increase will be sustained because of the improvement in shipping throughout the world.

Tonnage for the year has been estimated at anywhere from 35 to 36 million tons. The seaway opened this year on April 8, a full week ahead of any previous year.

On the Welland Canal, a vital seaway link, traffic was also greater than in 1963. The total for April of this year was 3.4 million compared with 1.960 million tons in April 1963, a 73-percent increase.

NASSER'S POLICY IN MIDDLE EAST

Mr. HART. Mr. President, last week we heard some thought-provoking and serious statements on the floor of the Senate about Nasser's policy of war in the Middle East.

Many of us are challenging the State Department's estimate of President Nasser and its seeming unwillingness to face the facts and to assess him for what he is—a dictator who has defined a far-flung hegemony, who creates havoc in the countries around him and who has marked Israel for destruction. Such an assessment, it seems to me, is unavoidable. Nasser is not keeping his goals a secret. If his arms stockpile were not so formidable, there might be some basis for the evaluation we sometimes hear that all these threats are nothing but bluster. But war materiel is not bluster.

In addition to the modern and sophisticated weapons he gets from Moscow, Nasser has the willing hands of highly skilled German scientists who have been working in Cairo to put deadly missiles—some, it is reported, designed to carry nuclear waste—into the hands of this self-acknowledged warmaker. It is inconceivable that these scientists are still in Cairo, despite the protests that have been made. If the Bonn Government has no law which can be invoked to halt the services these men are rendering to catastrophe, then let us hope it will pass such a law—and without delay.

The London Economist, on May 9, put it this way:

> The West German Government (should not) rest content with ineffectual protests to those of its citizens who are working for Egypt on weapons designed for use against the Jews. The Bundestag has been slowly and painfully evolving a law on this subject. It should have teeth in it.

At this point I would like to have printed in the RECORD excerpts from a statement made by Mrs. Golda Meir, Israel's Foreign Minister, before the Knesset, and the text of the resolution adopted by that body urging the Federal Republic of Germany to effect the return of its scientists from Egypt.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM MRS. GOLDA MEIR'S SPEECH BEFORE THE KNESSET, MAY 4

The German Government cannot remain indifferent to the fact that 19 years after the fall of the Hitlerite regime that caused the destruction of millions of Jews, members of the same people are again involved in actions aimed at helping Nasser attack the state of Israel, in which the survivors of the holocaust and the destruction have gathered.

We have not said that these scientists were sent by the Bonn Government. But it is clear that only that Government can and should do all in its power to effect their return—whether by special legislation or in any other way so as to prevent its citizens from supplying know-how to the enemies of Israel which can be used to carry out their evil purpose.

We cannot accept the view that the choice facing the Bonn Government is one between assuring the freedom of the individual and refraining from action to prevent its citizens in Egypt from aiding in the preparations for the liquidation of Israel. Even in a democratic regime, freedom of the individual does not mean freedom to commit crimes or to engage in their preparation.

RESOLUTION ADOPTED BY ISRAEL'S KNESSET ON MAY 4, 1964

1. The Knesset reiterates its resolution of March 20, 1963, in which it denounced the activity of German scientists and experts engaged in Egypt in the production of weapons of destruction against Israel, which constitutes a grave danger to the security of Israel and its population.
2. Since the adoption of that resolution, 14 months have passed, and the activity of the German scientists has not been discontinued.
3. The Knesset expresses its displeasure that the authorities of the German Federal Republic have not yet taken any effective action in order to prevent the said activities, which are pregnant with the most dangerous consequences and undermine the security of Israel and the peace of the region.
4. The Knesset again expresses its urgent and emphatic demand that urgent measures be adopted by the competent authorities in West Germany in order to put an immediate end to this criminal activity. The authorities of the German Federal Republic and the German people should feel the heavy responsibility for the deeds of their nationals in Egypt.
5. The Knesset calls on enlightened public opinion in the world to exert its influence in order to bring to an end this activity of the German experts.

SUBSTANTIAL PROGRESS IN DESEGREGATION IN TEXAS

Mr. TOWER. Mr. President, the State of Texas, desegregating in an orderly manner, has made substantial progress in such desegregation. I ask unanimous consent that an article of Sunday, May 10, 1964, published in the Dallas Morning News, entitled "Texas Racial Bars Tumbling Down," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEXAS RACIAL BARS TUMBLING DOWN

(By Richard M. Morehead)

AUSTIN, TEX.—Ten years later, the U.S. Supreme Court's decision that racial segregation in the schools is unconstitutional still rocks the Nation.

The historic decision came on May 17, 1954. It left many problems which still lack answers.

The High Court itself has given little guidance in the matter since upsetting the previous doctrine that "separate but equal" facilities for whites and Negroes complied with the Constitution. Its decree of 1955, implementing the 1954 opinion in *Brown* v. *School Board of Topeka*, said Federal district courts should determine what desegregation programs should be applied locally.

Last week, the Supreme Court disappointed the integrationists by refusing to review a Gary, Ind., case in which de facto school segregation was attacked by Negro patrons. This upheld the ruling of lower Federal courts that the Gary school board was not required to achieve any racial balance by artificial mixing.

School boards under this ruling, still can fix the boundaries of attendance for individual schools, even if the results in some being all-white and others all-Negro.

This does not guarantee that a board can draw attendance zones specifically to separate the races. But the Supreme Court's silence indicates that its members presently do not support the campaign under way in many nonsouthern communities, from California to New England, to transport students from one neighborhood to another to effect integration.

The Supreme Court's refusal to go along with those who would abolish de facto segregation by bus carrying of students is unlikely to halt the campaign to put more Negroes in schools with white pupils and for other benefits which some partisans contend are civil rights.

The decade since the Supreme Court's school ruling saw widespread lifting of the segregation bars in Texas, and to lesser extent throughout the 16 other States and District of Columbia where schools were segregated in 1954.

Estimates obtained through Dallas News surveys indicate that of 325,000 Negroes currently enrolled in Texas public schools, about 200,000 reside in districts which are desegregated, at least partly. The number of Negroes attending classes with white students is estimated at 20,000 or less.

Most districts with large numbers of Negroes, like Dallas, are desegregating one grade a year, which has been approved by U.S. district and circuit courts. Dallas is now in its third year of such a program; Houston in its fourth year. Schools in San Antonio, El Paso, and other areas with relatively few Negroes desegregated all grades quickly. Last fall Austin speeded up a 12-year desegregation program and applied it to all grades immediately.

Desegregation has started in a few east Texas districts and is scheduled to be extended next September to Marshall and several other communities, all on a gradual basis.

The transition in Texas has been notably free from friction, considering how the Supreme Court upset a social order that had existed for generations. One incident occurred in 1956 at Mansfield, where white patrons protested efforts to enroll Negroes in the high school through Federal court order.

Then Gov. Allen Shivers sent Texas Rangers to Mansfield, with orders to maintain order, and he issued a proclamation for local school authorities to transfer any student "white or colored, whose attendance or attempts to attend Mansfield High would be reasonably calculated to incite violence."

Mansfield Negroes still go to high school in Fort Worth. Their willingness to make this trip is attributed in part to the fact that Fort Worth offers good vocational training. Mansfield operates a 12-grade school system for white pupils, and a separated elementary school for Negroes.

While desegregation has been far from popular at many places, the Supreme Court's ruling generally has been accepted amicably by most Texans. Dallas voted 4 to 1 for retaining segregation in a referendum, but when the Federal court ordered desegregation to proceed on a grade-a-year basis, the city won wide acclaim by the harmonious manner in which this was achieved.

Segregation has been abolished in 373 Texas districts, of 809 in the State which have scholastics of both races. Beaumont is the largest community without Negroes attending formerly all-white classes, and its governing board last fall offered to admit Negroes to the first grade with whites. The only applicants were for higher grades, however.

Districts which retain full segregation are mostly in small towns of east Texas, and in rural areas, and some of these are moving toward abolishing compulsory separation.

Dozens of Negroes have graduated from desegregated high schools in Texas, although most integration has been in the lower grades. Educators report an educational gap exists between white and Negro pupils in most cases, but that the disparity can be reduced by starting students together in the first grade.

Students who went from segregated Negro schools into formerly all-white high schools frequently found themselves to be so far behind that they dropped out. But some educators report that the more able Negro students, who continued in school, sometimes overcame their deficiencies. A few became outstanding scholastically.

Negroes are beginning to participate in athletics where teams once were all-white. Most Texas colleges now accept Negroes for varsity teams, although none has yet performed in Southwest Conference football. Of 54 tax-supported junior and senior colleges in the State, 43 accept students of both races.

Statistics concerning desegregation in higher education are increasingly difficult to obtain. This results from the policy of most to abolish references to race from their records. Ten years ago, racial organizations wanted to remove white and Negro designations from official records because they considered this a mark of discrimination.

More recently, however, some regret the nonracial records policy. They find nothing in the records to support claims that integration is token even though it may be a fact. Likewise, it is difficult to prove the claims that proportionately more Negroes are unemployed than other races. This is because the Federal Government some years ago ordered employment offices to eliminate references to race from their files and statistics.

Texas school desegregation was slowed in 1957 by an act of the legislature which required referendum approval by a district's voters before it abolished segregation. The penalty was loss of State funds, and fines against the school officials. The penalty was never applied. The Federal courts noted in Dallas' lawsuit that this provision violated the U.S. Constitution, and in 1960 outgoing Attorney General Will Wilson advised the Texas Education Agency it could ignore the referendum law.

Dozens of school boards then announced desegregation plans. A smaller number had desegregated by election during the period when the 1957 legislative act was being observed.

Where given a choice of schools, there has been no rush of Negroes to enroll in formerly all-white schools. Educators, both white and Negro, do not expect widespread integration in Texas schools except where there is a single facility for such purposes as vocational training.

Negroes are maintaining pressure for better facilities to educate members of the race, as well as for removal of legal barriers.

A few Negroes teach in formerly non-Negro classrooms—El Paso, San Antonio, and Odessa, among other places. Most are in classes attended primarily by Latin Americans. While the number of Negro teachers increases slowly in Texas—totaling 12,130 this year—the demand for white teachers rises faster. There are about 93,000 white teachers and administrators, up 4,500 from last year.

Jobs formerly held by dozens of Negro teachers have been lost through desegregation. But the head of their State association said that all have found other positions, usually teaching in another city. Many have gone back to college to improve their qualifications for teaching, and superintendents employing teachers of both races say that Negro applicants for jobs now are much better prepared than was the case a few years ago.

JAPANESE-AMERICAN STUDENT, RESEARCH AND CULTURAL CENTER IN NEW YORK CITY

Mr. INOUYE. Mr. President, it gives me great pleasure to submit the following statement by the Reverend Peter N. Sasaki, president of the Institute of Japanese-American Cultural Research, Inc., regarding the efforts of the institute to establish the Japanese-American Student, Research and Cultural Center, in New York City, preliminary to the establishment of similar centers in other cities.

This is a most worthwhile program for reasons which are so well articulated by the Reverend Sasaki.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

It was a great pleasure meeting you recently in Washington, D.C., and advising you of the activities of the Institute of Japanese-American Cultural Research, Inc. As we explained, this organization was founded by Americans and Japanese people representing all religious faiths and a full spectrum of both cultures—men and women in finance, law, the publishing field, labor relations, manufacturing, and the arts. It was founded and incorporated in 1962 in New York State with the purpose of strengthening cultural ties between the Japanese and American people—particularly among students, scholars, and artists—those young intellectuals who, 10 years from now, will fill key positions in the businesses, arts, and governments of their respective countries.

The institute has, for some time, recognized serious gaps which exist in our relations with Japan. While a healthy atmosphere permeates our trade and political relations, cultural understanding is lagging. No permanent agency has been created which can follow through specifically with person-to-person programs of cultural exchange, a key area for true understanding with the Japanese people.

In the field of scholarship exchange, it is interesting to know that thousands of Japanese students come to the United States each year to study, many at government expense, most of them under partial grants and with only a cursory knowledge of the English language. Little is known about these students, their needs, their troubles, their outlook and attitudes, or their activities outside the academic halls.

Personal interviews conducted by members of the institute with Japanese students in New York City have revealed that these students come to the United States eager to learn and to meet Americans, with a strong sense of friendship toward the United States—this, in spite of the fact that they are exposed to leftist influences from a militant minority in their own country. But experience shows that they are often frustrated in their attempts to associate with Americans, simply because no specific programs are offered which will draw them into productive contacts with American families or with their fellow American students.

Interviews have revealed other serious problems: study of the English language in Japan, although required, does not give proficiency in ordinary conversational English; and the Japanese student, while seeming to be well adjusted, often will not discuss his personal problems, for he possesses a strong national characteristic to "hold his head high" and not disgrace himself, particularly in a foreign land. In extreme instances, this instinct to save face has resulted in the student's actually going hungry because he has no money.

It is obvious to those who have studied these problems that we are failing to keep pace with the Communists in the fight to win the loyalty and friendship of a majority of these young Japanese intellectuals. Work needs to be done now to assist these people—at least those who are in this country—to extend the hand of friendship, to demonstrate to them that we are interested in their welfare, and that Americans are willing to import and export understanding as well as merchandise. The Communists consider these young people important enough to their future security to spend millions of dollars in Japan to win their loyalty.

If we may quote from a recent article in the New York Times by Seymour Topping: "The primary aim of Communist China has been the elimination from Asia of the U.S. presence, the chief bar to the reassertion of Peiping's political influence and economic privilege over its former imperial empire * * *. The Japanese * * * Communist Party takes the Chinese Communist line." In the same article, Mr. Topping says, "Communist China, its economy faltering and lacking in heavy industry, has not been able to compete effectively, particularly in the extension of military aid." Japan is in a position to provide that heavy industry, yet it is remarkable that Japanese exports to North America are over 25 percent, most of which are to the United States, and to the Communist Chinese practically zero.

It is precisely for these reasons that the institute, with the encouragement of many Americans and Japanese, was urged to expand its efforts substantially in 1964 to initiate programs with the more than 3,000 Japanese students who reside within a short distance of the New York metropolitan area.

We simply cannot take current feelings of friendship for granted.

Volunteer work with these students by the institute's founders over the past 2 years has dramatized the need for this expansion. After incorporation, the late Gen. Douglas MacArthur and former Prime Minister Shigeru Yoshida agreed to serve as honorary chairmen of the board. Further underscoring of the need for substantial support of these programs came with the formation of the board of directors which now includes the following: The Honorable Robert D. Murphy; John G. Powers, president of Prentice-Hall, Inc.; The Honorable Robert W. Dowling; Theodore Kheel; Harold L. Bache of Bache & Co. in New York; Japanese Ambassador to the United Nations, Akira Matsui; Japanese Ambassador to Chile, Masahide Kanayama; Robert Lehman of Lehman Bros. in New York; U.S. Ambassador to Belgium, Douglas MacArthur II; and George W. Sarbacher, Jr., former Congressman and now president of National Scientific Laboratories.

Membership in Japan includes the Governor of Tokyo, Dr. Ryutaro Azuma; the Governor of Miyagi, Yoshio Miura; the executive director of the Japanese Council on Foreign Relations, Gunji Hosono; the president of Japan Times, Shintaro Fukushima; chairman of the board of Toshibu Co., Taizo Ishizaka; the president of the Bank of Tokyo, Kaoru Horie; and Mrs. Kazuko Asoh.

The institute has developed the full scope of its assistance programs for Japanese students in the United States. A placement service for Japanese students has been initiated in New York City in addition to activities which will bring American and Japanese students into more frequent contacts with one another. Concurrently with these programs, a research project in the form of a study survey of Japanese student problems in the United States has been developed by bilingual sociologists. This survey will throw light upon the situation of these students through interviews while, at the same time, forming a basis for assistance from counselors familiar with both American customs and society and the Japanese cultural identity.

To bring these activities into sharper focus, the institute envisions the early establishment of a Japanese-American student research and cultural center in New York City; and as the programs reach out to other areas of the country, the establishment of centers in many other American cities.

In artist exchange programs, the institute currently administers the extended visit of four young Japanese professionals who are in the United States under the institute's sponsorship. These artists are well known and recognized in cultural circles in Japan, and founded their own colony in Kyoto after a clear "modernist" movement in the midst of classic tradition. Their works recently were exhibited in New York City and in Washington, D.C. This program of exchange is directly related to the institute's purposes.

While in the United States, the artists are meeting and exchanging ideas with young American professionals. The Japannese artists have studios in New York City in the same building with six of these American artists and meet with them often, socially as well as in connection with their work. The institute is certain that, when these Japanese artists return to Japan, they will spread a sense of friendship toward the United States and its culture because of this exposure, and because of the considered treatment they have received in this country.

By the end of 1965, the institute plans to locate a center in Japan in order to complete the full measure of exchange. This center will act as clearinghouse in follow-up programs for Japanese returning to their native land, in helping them to find jobs and to continue their good relations with Americans in Japan. Also, this center will assist in screening students and artists who plan to come to the United States and to help prepare them for their experiences in our country. Personnel in Japan will assist young American artists and scholars to find housing facilities when they visit Japan to study or work.

The institute's objectives are far reaching, yet when one considers the struggle we are engaged in to capture the imagination and win the friendship of these young intellectuals, the investment of time and money is small indeed, especially when compared to losses we could suffer in the near future.

Most everyone will agree that the problems we now face in other Asian areas might be more easily solved had we known more about Asian thinking 50 years ago. The institute's professor exchange program is one solution to this problem of expanding our knowledge of Asian culture. Under this program the institute will cooperate with small American colleges and State universities to bring Japanese professors to the United States to teach Japanese studies.

How much better prepared we might have been to deal with the postwar situation in China had we Americans been more conversant with Chinese history, philosophy, and sociology. That is hindsight.

Our current relations with the Japanese nation is not, however, a matter of hindsight. The situation is finely etched for all to see. It is known that the Communists are facing these problems squarely on their own terms. They have already made serious inroads of influence into the student groups and the cultural centers of Japanese thinking. Yet, almost 7,000 young Japanese are, at this very moment, students in the United States. Can we afford to let this golden opportunity pass us by? Or will we find ourselves, years from now, after it is too late, forced into a defensive position such as now exists in southeast Asia?

The Institute of Japanese-American Cultural Research has dedicated itself and all its efforts to working now with these young people, expressly to assure future good relations between our two nations.

ORDER FOR RECESS TO NOON ON WEDNESDAY

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may modify the earlier order of the Senate, so that when the Senate concludes its business today, it stand in recess until 12 o'clock noon, Wednesday.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. LONG] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE], for himself and other Senators, relating to jury trials in criminal contempt cases.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 240 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Burdick
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ellender
Fong
Gore
Gruening
Hart
Hartke
Hickenlooper
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Kuchel
Lausche
Long, Mo.
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Moss
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Russell
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Thurmond
Tower
Walters
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. STENNIS. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. I continue the discussion at the place where I left off in my remarks heretofore, with reference to the pending amendment concerning the right of trial by jury.

May I ask the Chair what the immediate question pending before the Senate is?

The PRESIDING OFFICER. The pending question is on agreement to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. LONG] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE], for himself and other Senators, relating to jury trials in criminal contempt cases.

Mr. STENNIS. I thank the Chair.

Upon the perfecting amendment offered by the Senator from Louisiana, I had spoken once before. The Constitution of the United States provides that the trial of all crimes, except in cases of impeachment, there shall be a jury, and a jury trial.

The sixth amendment to the Constitution provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury.

I am fully mindful of the decisions of the Supreme Court holding that a defendant in a criminal contempt proceeding is not entitled to a jury trial as a matter of right. These Court precedents have grown up over the years in spite of the apparently clear mandate of the Constitution itself. But if the letter of the Constitution does not require jury trial in criminal contempt cases, the spirit of the Constitution demands it.

This cardinal principle of Anglo-Saxon jurisprudence is so firmly imbedded in our system of government that there is no real controversy about it.

I am amazed that there is a fairly equal division of opinion, as expressed by the votes of the Senate, on the basic individual right to a jury trial. I believe that the sharp and almost even division is due at least in part to a failure fully to understand the historical reason and development of trial for criminal contempt without a jury.

If there is any question whatsoever as to jury trial when a person may, as a result of the trial, be deprived of his freedom, that question must always be resolved in favor of jury trial. The fact that there is any controversy at all about such a basic question is symbolic of a trend in government which has developed in recent years. There should be no question of the right of a person to have a trial by jury when his conviction might lead to imprisonment as for a crime.

And yet, that such a question could be debated on the Senate floor for weeks without agreement that an individual American citizen is entitled to this basic right shows that we have come a long way indeed from the days when basic human liberties were protected at all costs and regardless of consequences.

This attitude is symbolic of the attempt to destroy basic human rights and those safeguards of human liberty always protected in the past by the Constitution of the United States.

Mr. President, even though the next point is repetitious to a degree, for the sake of clarity, in advocating the passage of the Talmadge amendment I do not in any way advocate that there be taken away from the trial judge the unlimited power absolutely to require any person brought before him to fully carry out the order of the court. The judge now has, and I want him to continue always to have, this absolute power, without the intervention of any other agency of Government, or even by a jury. I want him to have the power to send a person to jail who refuses to obey his command, and the power to keep him there until that person is willing to do everything possible to carry out the requirements of the court, if such proceedings are necessary. Under our system, such offenses are called civil contempts. The judge has, should have, and must continue to have, unlimited power in that field.

I am discussing the amendment as it applies to the trial of someone before the court for having committed an act which amounts to a crime, and the proceedings against him, in addition to any proceedings which may be brought against him for civil contempt. I am talking about cases in which a person is charged—whether guilty or not—with criminal contempt and is being brought before the court for the purpose of punishment for the act which he is supposed to have committed.

In those cases, and those cases alone, I am arguing that he should have a trial by jury, that it should not be granted to him as a favor by the court, or as an act of discretion by the judge. It should be nailed down in the law that such a person, before he can be convicted of the alleged criminal act, must be tried by a jury if he so requests.

In other words, he should have the right to demand a trial by jury, which is not asking anything as a favor to a man who might be caught in the clutches of a proceeding under the civil rights bill if it should become law—and God forbid that it should ever become law—but if it should become law, I am not asking for any favor for this man who may be in the clutches of the judge. It is the same treatment which would be accorded a confessed thief if he wanted a trial, or a confessed murderer, or one who had committed rape, or even one who was guilty of treason. Before any of them could be punished in any way by the court, they would first be granted a trial by jury. So this is no favor. The amendment would not call for special consideration. It would be no impediment on the legitimate power of the court. It is only the general law of the land in all cases in which a person is tried for any criminal offense.

Magistrates' courts and the other lower courts try petty offenses. They do not grant the right to a trial by jury; but in all the States in such courts every person—even though a preliminary trial may not be by jury—has the right to appeal. There is the right to go before a so-called higher court, and a court of record. There is the right to demand a jury trial. Defendants have the right to summon witnesses in their behalf. They have the right to representation by counsel. They are entitled to a jury selected by due process of law tests, which have evolved through the centuries, so as to insure obtaining 12 men who have no connection whatsoever with the case, and have no fixed conclusions about it. Those men must take an oath that they will be fair and impartial. Furthermore, they are instructed by the judge that they will consider the evidence not upon someone else's idea of it, but based upon the testimony as they interpret it from the witness stand, and the sworn proof; also, that they will not convict the defendant until all 12 agree that the evidence shows beyond a reasonable doubt that the defendant is guilty.

This sounds like a big order. It is. But, it is an elemental principle of government. We have never operated under any other principle of government. It has come down to this decade through 180-odd years of independence. It is practical. It has worked. Those provisions were written into the Constitution of the United States by men from what had been the various colonies but then were newly created and recognized States. I dare say that every one of them came from a colony or a State which had this provision written into its basic law. As soon as they gained their independence this provision was written into the law. Furthermore, the Declaration of Independence, written by Thomas Jefferson himself, listed as one of the grievances against the crown of England the denial of the right to a trial by jury, the right to a trial by one's peers.

So that is the basic, fundamental law of the land, founded on experience. It has worked. I emphasize that this is no favor which is being given to someone who might be charged with an offense. We are talking about basic civil rights which belong to all the people, under established and settled law and practice.

What has happened with reference to the drafting of the civil rights bill is that in a very cunning and devious way, the titles have been drafted to confer power upon the Attorney General and upon the courts in a manner contrary to our basic historic principles. The law of injunction has been drafted so that when a man is tried or charged with all the new responsibilities which it is proposed to put on him, he will not even have a trial by jury. He will be excepted, taken out, and put into another category. This has been tried before, in certain proposed labor laws which were presented to the Senate many years ago. When the question was raised about the right of trial by jury, Congress granted to persons who might be charged, under similar circumstances, the right of trial by jury in criminal contempt proceedings. One of the statutes even went so far as to say that there could not even be punishment for civil contempt until there had also been a trial by jury.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I am glad to yield to the Senator from Texas.

Mr. TOWER. Is it not correct to say that the bill in many of its aspects would leave a great deal to the arbitrary will and discretion of the Attorney General; that is to say, he would have great discretionary authority in taking the initiative as to many of these actions? Does it not occur to the Senator from Mississippi that the whole thrust of the bill is to vest excessive discretionary authority in the hands of one man, or in the hands of a few men, as in the case of the Equal Employment Opportunities Commission?

Mr. STENNIS. The Senator is correct. Almost a year ago I spoke about the bill on the floor of the Senate, for the first time. I called it a grab for power. Further study of the bill discloses instance after instance, on page after page of almost unlimited power which would be granted to the Attorney General of the United States.

The proposed compromise amendments which have been offered, partly directed toward the point the Senator has brought up, show, in the limited time that I have had to study them, very little change of substance. If they were adopted, there would be a very limited change in substance from what the bill now provides. There would be substantially no change.

Mr. TOWER. Mr. President, will the Senator yield further?

Mr. STENNIS. I gladly yield.

Mr. TOWER. Is it not true that in the evolution of our common law system, as our Anglo-Saxon theories of law and right began to be translated into forms of actual legal usage and actual application, and as our whole body of law developed in the Middle Ages, even before Columbus discovered America, our sense of justice matured and improved as this evolutionary process developed? And did it not become more and more impressed on our forebears in that period that we should not leave too much to the arbitrary will and discretion of one man, especially when it involved the denial of a right or privilege or immunity, or the denial of a man's freedom or liberty, or perhaps involved a decision which might ultimately result in his being executed? In such matters, did it not become apparent to our forefathers, who developed our wonderful common law legal system, that there were some decisions which should not be left to one man, even though he be a learned judge, trained in the law, when the life or liberty of a citizen is at stake?

Mr. STENNIS. The Senator is eminently correct. That was the idea that developed. Experience has proved it to be correct. Experience has shown that such a decision would require the judgment and concurrence of more than one man, removed as far as possible from contact with the case. In a criminal contempt proceeding, there is no limit with respect to the sentence that can be imposed. Therefore, it not only violates the point the Senator has mentioned, but this all goes to the very heart of the case. A man cannot detach himself from a case if he is a party to the proceeding, if he is the judge of the court and if his own orders are involved in the case.

As Justice Black has said, the judge is a part of the case. He is the prosecutor, judge, and jury. He said that with all deference to judges. After all, Justice Black is a judge himself. He is a Justice of the highest Court in the land. The entire question gives rise to so many caution signs that we should backtrack on it, and allow trial by jury as a matter of right.

Mr. TOWER. As a result of what we might call maturity in our attitude toward justice, is that not what has resulted in the development of the jury system, in which a judge alone does not weigh evidence to determine whether the evidence is adequate to deny a man his life or liberty? Rather, the power is vested ultimately in a jury of the peers of the accused, so that they in their collective judgment may determine whether the man shall be determined to be guilty of the offense of which he is accused, and whether he shall be justly and fairly dealt with by the authorities?

Mr. STENNIS. The Senator is entirely correct. This doctrine has worked over the centuries in hundreds of thousands of cases. It has always been recognized by the authorities. Legislative enactments also recognize it. There has grown up, outside that general principle, a limited, small field of law with reference to criminal contempt, in which it is not absolutely mandatory that a jury trial be provided.

Mr. TOWER. Was not that the result of the fact that contempt, at the time of the evolution of the jury trial system, and the application of it to criminal cases, was not a very serious offense; that is, there were not too many instances of contempt, and such instances of contempt as were committed largely resulted in the punishment of perhaps locking the accused up for a couple of hours in the stocks in the public square, so that he would meet with the disapproval of the general public? It was not considered a very serious offense.

Mr. STENNIS. The Senator is correct.

Mr. TOWER. With the growing complexity of our legal system, the increasing number of laws, and the growing number of instances in which contempt would occur, was not the field of contempt developed in relatively recent years as an important and a relatively independent field of law, to the extent that we have not yet had the time to apply some of the fine, old common law traditions to this particular area of law.

Mr. STENNIS. That is correct.

Mr. TOWER. Does not the Senator agree that if the theory of jury trial was a good theory in the 15th and 16th centuries, when men did not have the finely developed sense of justice that exists today, it is a good principle to apply today, when we are talking about the denial of a man's liberty or property.

Mr. STENNIS. Yes. The more enlightened the age—and we are living in an enlightened age—and the more complex the society, the more important is the principle.

The Senator from Texas has reminded me about another point. It is true that criminal contempt had a very limited application. However, we are now being asked to grind out the pending bill, as the most far-reaching bill of its kind that has ever been presented to Congress. It carries more power than I have ever known a bill to carry, except possibly a wartime measure. It takes us into the field of discrimination with reference to schools, public accommodations, and elections at every level; it also deals with public facilities. It also includes the field of private employment, down to the *n*th degree in a little factory which has 25 employees. It purports to regulate where people shall sleep and eat, with whom they may play, and everything of that kind. It makes it a serious crime to violate any of the provisions in that broad field. Not to permit a man to have a jury trial in such circumstances is ridiculous on its face and a repudiation of the wisdom of the ages.

Mr. TOWER. Is it not true that the amendment under discussion does not address itself to contempt offenses actually committed in or about a courtroom or with a design to obstruct the conduct of a trial or to influence the power of a judge to maintain orderly process in his own courtroom? Would not the amendment apply only to offenses conducted in connection with obedience to a court order, in which perhaps the rules of evidence would have to apply, and which might require the presentation of proof to the effect that an act of contempt had been committed?

Mr. STENNIS. Yes; the amendment, if adopted, would leave intact and in full force all the powers of a judge to enforce his direct orders; his powers to try a person without a jury for what is called civil contempt, to put him in jail without a jury trial, and to keep him there until he obeyed the mandate of the court.

The Senator from Texas is correct. The amendment would apply only to actions committed away from and beyond the court and which amount to criminal offenses.

For example, there is a case in the books in which a man was charged with criminal contempt for failure to report to the court under his bail bond. In other words, he jumped bail, as it is called. He was tried in a criminal contempt proceeding before a judge without a jury and was convicted. In that case, as I recall, he was given a 4-year penitentiary sentence on a charge of criminal contempt for which he was tried by the court without a jury.

Mr. TOWER. I thank the distinguished Senator from Mississippi for his lucid enlightenment on the bill.

Mr. STENNIS. I thank the Senator from Texas for his fine questions and comment thereon.

Mr. President, the judgment of a man by a jury of his peers when he is charged with a crime is one of the very best examples of real grassroots local self-government. It is there at the beat and county level that we have true local government. The same principle holds firm when the jury is one selected at the Federal district level.

But those who drafted the civil rights bill want to eliminate any semblance of regular courtroom procedures. They propose to govern by injunction, with the Justice Department or some other agency calling the shots from Washington and obtaining injunctions. If a defendant violates an injunction, criminal contempt proceedings will follow without a jury.

This is the trend. Take government away from the people and move it all the way to Washington, where it will permanently remain to grow and fester, never to be returned to the people themselves.

That is one of the main, overall objections to the entire bill. In many fields of activity, in our day-to-day customs and habits, in the field of education, recreation, hotels, motels, restaurants, theaters, business activities, and others, the bill would take away the power and the control which the people have at their home level and will transfer it to Washington. History and the precedents of such cases show that once power is assumed by the Federal Government that power is never returned to the people at the local level.

It comes to Washington and is kicked around in the Federal Government like a football. The pressure on Congress is always to extend the power, not to decrease it. The pressure affects election campaigns. It is exerted under the dominance of organized groups, some of which are well financed and centralized in Washington. There is always agitation and a struggle for power. It forces its way into the election of most Members of the House of Representatives every 2 years. The struggle for more and more power finds its way into the election of one-third of the membership of the Senate every 2 years; and the effort is made to make it a part of the election campaigns of most of them.

The same struggle for power forces its way into the national conventions and platform committee rooms, and there asserts itself. There is always the struggle for more power, not less; always for more employees, not fewer; always for more money, not less.

The struggle for more power forces its way into the election of the President every 4 years. There is always the struggle or the drive for more power to be given to the executive branch of the Government.

Power once removed from the people never returns to them, except in an indirect way, as they may elect a Representative or a Senator or a President. Always the pressure is for more and more power at every level.

The power groups, with all deference to them—they are not confined merely to the field of civil rights—get into all avenues of the economy, and into the departments of Government. They are well versed in the operations of the Government and are composed of able people. They make themselves felt in our form of government far beyond their numerical strength. That is particularly true with reference to the so-called civil rights bill.

We who oppose the bill are trying to preserve the civil rights of all the people, not merely of one group. Nothing could be more out of line with the basic principles of our Government than the unlimited power that would be placed in the hands of the Attorney General. He would have to exercise some of it through the courts, but most of the power would be in the hands of the Attorney General.

The mere fact that the little man himself knows that he cannot get a jury trial, and the Attorney General and the judge know that he cannot get a jury trial, cuts down the little fellow. He never gets to court. He surrenders long before he ever has a chance to get there. He does not assert his right to a jury trial because he feels that he is cut off at the top and does not have a chance to present his cause, even if he were able to do so. Most persons are not able to do so.

When the right of trial by jury is cut off, the channels of justice are cut off, to start with, for 999 out of 1,000 of those whom the bill might affect.

I emphasize again that we who are espousing the amendment are not asking for any favors. We are not trying to avoid compliance with any law that is the law of the land. We are not trying to cover up or avoid anything. We are merely asking that the gates be kept open, that the channels of justice be kept open, so that all people will have the basic right of trial by jury, whether they be guilty or innocent. We are not asking for anything special; we are only asking for the fundamental rights that persons charged with thievery, murder, rape, or even treason—an attempt to overthrow the Government—would receive. None of those persons could be punished until 12 of his peers had found him guilty from the evidence beyond a reasonable doubt.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question.

Mr. LONG of Louisiana. Is it not true that had it occurred to the founders of the Government, in drafting the Constitution and the Bill of Rights, that any device of this sort could be used to circumvent a citizen's right to a trial by jury, we would not have to be standing here and fighting for the right to defend it at this moment?

Mr. STENNIS. The Senator is eminently correct. In view of the positive provisions of the Constitution, the intent of the Founding Fathers is unmistakable. We have reaffirmed that law all the way down. It is a low blow to come in now and try to knock it out or get around it. I do not believe it can be done. I believe we shall prevail finally, after fighting this thing through, and get the right to a jury trial—not something that a judge can grant or withhold, according to the punishment.

Mr. LONG of Louisiana. Did the Senator note that based on the last record vote on this issue, the Senate is within one vote—just as the Supreme Court was within one vote—of guaranteeing to citizens the right of a trial by jury when accused of crime?

Mr. STENNIS. Yes.

Mr. LONG of Louisiana. Did the Senator note that, like the Senate, the Court across the street found itself within one vote of guaranteeing our citizens the one protection that the Founding Fathers thought was guaranteed for all citizens?

Mr. STENNIS. I thank the Senator for bringing that up. It certainly is true. It is a powerful argument. This is the same principle that the Supreme Court of the United States passed on less than a month ago by a vote of 5 to 4. The ninth judge cast the deciding vote. The opinion held that the accused was not entitled to a jury trial as a matter of right. Four of the judges said he was.

Eight judges of the Fourth Circuit Court of Appeals heard that case. Four judges were in favor of a jury trial and four were against it.

As the Senator pointed out, the question arose in the Senate, and by a vote of 45 to 45, the Senate failed to adopt that amendment. That is the closest possible margin. The amendment failed by a failure to get 46 votes. A later vote was 46 to 45, as the Senator will recall.

Mr. LONG of Louisiana. Has the Senator noted that in the Supreme Court decision in the Barnett case, some of the background of the judges was revealed by the position they took? Did the Senator notice that Judge Goldberg, having been a labor lawyer, prior to coming to the President's Cabinet, was one of those who stood out for a jury trial? And did the Senator notice that Justice Clark, the one who wrote the majority opinion, was a former Attorney General, in a Department whose work in obtaining convictions would be very much eased and expedited if the jury could be bypassed?

Mr. STENNIS. I noticed that. I know we are guided, sometimes subconsciously, by our background and experience. I noticed that Justice Black, in a very strong dissenting opinion, was one of the four who really brought the criminal contempt proceeding without a jury trial out into the open and exposed it in a very clear and convincing way.

Mr. LONG of Louisiana. I ask the Senator if it is not somewhat of a mark of frustration on the part of district attorneys and prosecuting attorneys in general, that sometimes when they feel a man is guilty, they have difficulty in persuading a jury to convict him?

Mr. STENNIS. The Senator is correct.

Mr. LONG of Louisiana. Has the Senator observed cases in which an attorney general has sought to bring prosecutions against various groups and found that the jury was the chief impediment against the objective he was seeking to achieve?

Mr. STENNIS. Yes. The Senator from Mississippi had the experience of being a district attorney for a while. Then he went immediately to the trial court as a judge. For months, I had to be consciously thinking all the time about veering away from the State side of any case that came up.

We are products of our experience. The matter which the Senator has touched upon is a very illuminating point—the tie vote in the Senate, the tie vote in the circuit court of appeals, and the one-vote margin in the Supreme Court.

Mr. LONG of Louisiana. Is this not a matter of a person sometimes being tied to his background? Perhaps he is the last person to realize he might have a prejudice or might be leaning over backward against his own prejudice. Is that not one of the reasons for having juries in controversial trials?

Mr. STENNIS. That is correct. The jury is the insulator. There is an added reason in the case of the criminal contempt, when the judge himself, who ordinarily has an even chance to be at least fair and partial, is a party to the trial. He cannot take himself out of the case, because it is his order that is involved. It is a case in which he had rendered a decision. He is a party to it irrefutably. There is no way out of it. That is why the power of the judge ought to be limited to the power to make the defendant carry out the direct mandate of the court. I thank the Senator very much for his timely comments and his questions thereon.

Those who drafted the civil rights bill, which is a real legislative horror, want to eliminate any semblance to regular court room procedures. They propose to govern by injunction, with the Justice Department, or some other agency, calling the shots. This is the trend. Take government away from the people and move it all the way to Washington where it would permanently remain to grow and fester, never to be returned to the people themselves. They want to deny the right of a trial by jury to any person charged with criminal contempt of court.

I feel that if Congress should make the mistake at this time of not allowing the right of a trial by jury, within a brief time Congress will be forced to retrace its steps and repeal any provision that denies the right of a trial by jury. When this issue really gets to the people, and they stop and take time to think it through, they will realize that this is perhaps their greatest civil right of all. When the ordinary people in the everyday affairs of life—those who do not have connections and power in their own right—find out that Congress is gradually whittling away on this bedrock of the civil rights that apply to everyone, they will be heard from. I do not say that as a threat to anyone. I say it because it is a principle in which I believe.

That reaction is bound to occur. I do not want to see anyone hurt in the process. But under our system of government, a person can encounter such sentiments. They will accumulate, and there can be a background for them.

If we can lose the basic right to a jury trial, what basic and fundamental right shall we lose next on the altar of expediency for the so-called civil rights bill? The bill now before the Senate is full of deviations from the basic constitutional provisions which our people have enjoyed for a long time and which they hold dear. Now we are told that 70 or more additional amendments are to be written into the bill.

I want to review the history of this bill, particularly as it relates to jury trials. As I recall, the original bill was published in the later part of June 1963, or the middle of June. There were various limited hearings on parts of the bill in the Senate. There were hearings on a limited part of it only. But there were hearings in the House of Representatives. As the Senator from Mississippi understood it, the House committee held hearings. The subcommittee was in the process of writing up a bill, and suddenly a bill was presented to the full committee that was written by some other group, among whom was the Attorney General or his associates.

When the bill was written in the House of Representatives there was added to it title VII, the so-called FEPC provision, which was not one of President Kennedy's recommendations. As I recall, the provision was not recommended by the Attorney General himself. We have previously reviewed the fact that there was only 2 minutes of debate in the Judiciary Committee of the House of Representatives on the bill. The committee reported the bill, and limited hearings were held by the Committee on Rules. The measure was then considered and passed by the House. It then came to the Senate, where the demands for passage of the bill have been great, even to the extent of preventing committee consideration.

At the start of the debate the idea was strong that there should be no amendments to the bill which would cause entanglements, as the Senator from Illinois pointed out, for it was stated that an amended bill might not get by the House. Many Senators joined in the plea that the line be held. I do not know that the President of the United States made a flat statement that he wanted the bill without amendments, but certainly that impression was clearly implied; it was almost a direction and a mandate.

The Senate started debate on the bill. That was the first time there had been deliberate, full, and free consideration of the subject. Within a very short time the debate was termed a filibuster, but in the course of exposures made on the jury trial question there appeared in the Senate the proposed Dirksen-Mansfield amendment, which offered a split-level version of the right of jury trial. I believe the amendment is unsound, but in a way it was a concession from the demand position of the opponents. There was, to a degree, a yielding on the point in their asking for adoption of that amendment.

During the discussion of those amendments we stuck to our guns. The opposition to the bill offered the first amendment. Then there was offered the Dirksen-Mansfield amendment. As the Senator from Louisiana has already said, the vote on the amendment offered by the Senator from Kentucky [Mr. MORTON] resulted in a tie.

The debate, which has been continuing for many weeks, has been called a filibuster, but we must have made some points that impressed someone because we have now received a package of amendments from the so-called bipartisan committee. The proponents have come forward with a number of amendments. They have been holding conferences again with the Attorney General. The Attorney General has said that he approves the proposed amendments. The Senator from Minnesota [Mr. HUMPHREY] has said that he approves them. It is rumored that the amendments would be approved by the leadership in the House. But my point is, there must be something that came out of the debate. If the changes in the bill proposed by the amendments are one-tenth as far-reaching as the proponents of the bill now claim they are, great headway has been made.

Unfortunately, the Senator from Mississippi does not believe that the proposed amendments go nearly as far as the interpretation given by those who have proposed them. I frankly say that the amendments are designed to make the bill less burdensome to the States in which the proponents can probably pick up a few votes. I do not believe, however, that the amendments will make any substantial difference in areas of the country which do not have State FEPC laws, public accommodation laws, and laws of that character. If there is any softening up of the bill, it is directed toward States in which the proponents will probably get some votes to impose cloture on the Senate. I make that statement with all respect to those who are leading the effort to adopt the proposed amendments. I make that statement under my responsibility as one Member of this body.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Do not the amendments go an additional long step in shaping the bill in such a way that it would have no impact outside the South?

Mr. STENNIS. That is correct. It leans in that direction more and more. With all deference to the proponents of the bill, they have yielded on every major point in respect to which opposition has arisen in the North and in the East. We shall illustrate that point later in the debate.

Mr. LONG of Louisiana. Would it not be well for the sponsors of the substitute to send word to James Farmer that his northern chapters can pass the word among their members that the bill would do very little insofar as they are concerned?

Mr. STENNIS. I think they can safely so assure James Farmer. I know that some of our fellow Senators—and I speak in deference to them—have been writing to their constituents to the effect that they should not worry. They have said, "Do not worry; the bill will not affect our State." I have put some of those letters into the RECORD.

There has been a whittling away at the bill during the debate. We have hit the proponents pretty hard. The debate has aroused opposition in their States. As a result of our efforts, a few of the provisions have been taken out of the bill, so that the bill would not hit so hard at home. The study has not been based upon the principles involved in relation to the bill, but rather upon the endeavor to pick up votes.

Mr. LONG of Louisiana. Has not the Senator noticed that one of the proposed amendments in regard to discrimination in voting rights would permit the Attorney General to notify the attorneys general of the various States that have FEPC laws that the bill would not apply to them but would apply to some other States?

Mr. STENNIS. Yes, and such a law would be unsound. It is ridiculous to be asked to write into the law of our land—in a congressional act—that someone in an executive agency could certify to a State that it would not come under the operation of a part of the bill. If the proponents of the measure do not wish the bill to apply in a certain State—for example, Illinois—let us write into the bill a provision that "This Act shall not apply in Illinois." Let us do that and not leave it to the discretion of someone downtown to grant the exemption.

I thank the Senator for his comment.

I come to a point which has not so far been discussed in detail. I refer to the paramount power of the Attorney General to have established three-judge courts. I believe that such a proposal is a reflection on the judicial branch of the Government. As the bill is now written, as passed by the House, a three-judge court could be obtained only under title I. The decision of such a court could be appealed direct to the Supreme Court of the United States.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. STENNIS. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Can the Senator tell me why it has been proposed that a three-judge court should be authorized on the request of the Attorney General?

Mr. STENNIS. The answer is clearly to allow the Attorney General to bypass the district judge. That is another illustration of the great and unrestrained power that the bill would give to the Attorney General. The present Attorney General is the one who drew the bill or directed its drafting. He is the man who would be vested with the power to convene a three-judge court. If the Attorney General could obtain the jurisdiction of such courts that easily, he could have some voice in the manner in which the court is constituted.

Mr. LONG of Louisiana. Did it ever occur to the Senator from Mississippi that in respect to the State of Louisiana—and the situation might be similar in Mississippi—the Attorney General has already recommended the appointment of at least half the judges in the State of Louisiana? The others were appointed under either former President Eisenhower or former President Truman. Would it not seem fair that the Attorney General should at least not be able to bypass one of the judges whom he himself had recommended? In other words, if the Attorney General could not recommend a man whom he himself put on the bench and who would be qualified to hear the case, whom could the Attorney General recommend to hear the case? Is it fair to start by denying a man who is accused the right of trial by jury, and then give the Attorney General the power to decide whether he would have a better chance to have a man found guilty by one judge or by a three-judge court?

In effect, would not the Attorney General get a three-way shot at the accused—first, a denial to the man of a trial before a jury; second, a denial to him of a trial before a one-judge court; and third, a trial before a three-judge court?

Mr. STENNIS. That is correct. It is absurdity build upon absurdity. These proposals strike at the very fundamentals of our Constitution. It is an encroachment upon the judicial power to let the Attorney General request it, when he has helped appoint some of the judges.

It is said that this type of criticism will be eliminated by the amendments proposed by the leadership. Let me compare the sections in the House-passed bill with the proposed amendments that are to be brought before the Senate.

Under the House-passed bill a three-judge court could be convened only under title I at the request of the Attorney General or any defendant. The amendments to be offered would still leave the Attorney General with roaming authority. He would not only be able to roam around at will and create three-judge courts under title I, but he could also have three-judge courts appointed under titles II and VII.

I refer first to title I. Under the proposed compromise title I, it is provided that at the request of the Attorney General or any defendant in suits in which the Attorney General requests a finding of a pattern or practice of discrimination, a three-judge court shall be convened.

All the amendment does is to require the Attorney General to request a finding as to a pattern. He does not have to find or prove a pattern or offer any evidence on it. It merely provides for a request of a finding of a pattern of discrimination, and that automatically entitles him to a three-judge court.

This is no different in substance from title I in the House-passed bill.

Furthermore, under the proposed law as now written, the Attorney General would not have any authority to convene a three-judge court under any other title, but under the amendments he could create a three-judge court by merely requesting a finding of the court that there is a pattern or practice of resistance to rights secured by title II.

In title VII, the FEPC title, under the amendments to be proposed, a three-judge court must be convened upon request of the Attorney General in suits in which the Attorney General requests a finding of a pattern or practice of resistance to the full enjoyment of any rights secured by this title. There is no requirement of proof. All he has to do is request a finding of a pattern or practice of resistance and he gets a three-judge court instead of a one-judge court. So the power of the Attorney General would be broadened under the proposed amendments.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question.

Mr. LONG of Louisiana. Are we to understand that under the proposal the Attorney General, in asking for a three-judge court, would not have to prove or show that there is a pattern of discrimination, but merely ask the court to find that there is?

Mr. STENNIS. He merely requests such a finding and he would be entitled to a three-judge court.

Mr. LONG of Louisiana. Are we to understand that the court must grant a three-judge court although the court has not found a pattern of discrimination as such?

Mr. STENNIS. That is my understanding, based upon a quick study of the proposed amendments, which we did not see, as the Senator knows, until late yesterday afternoon. So, overnight, this is the result I find. I am sure it is correct.

Mr. LONG of Louisiana. Does it not stand to reason that if the Attorney General requests a three-judge court, he probably does it because he has a better chance of having the defendant found guilty before a three-judge court than before a one-judge court?

Mr. STENNIS. Generally, I think that is correct.

Mr. LONG of Louisiana. If that is the case, does it not stand to reason that the defendant, having first been denied a jury trial, has in the second place been denied a right to be tried before a judge who might give him a better chance than the three-judge court that the Attorney General wants to take him before?

Mr. STENNIS. That is correct.

Mr. LONG of Louisiana. If that is the case, should there not be a requirement that there be proved a pattern of discrimination, rather than merely have the Attorney General allege it?

Mr. STENNIS. As the Senator from Mississippi understands the amendment, the Attorney General would not have to allege, or swear, or charge, that a pattern exists. He would merely request that the court make a finding, and that would give him a three-man court. Under the proposed amendment, the Attorney General would not have to show that a pattern existed. He would merely request the court to find it; and that would give the Attorney General a three-judge court. So this amendment is worse than the original provision in the bill.

I call attention to another comparison with respect to the power of the Attorney General, that being his authority to institute legal proceedings. That is the heart of the bill. We should never forget it. The Attorney General has roaming power to go and come, to file complaints here, there, and everywhere.

Under title II of the House-passed bill, section 204(a), the Attorney General may institute legal proceedings if he satisfies himself that the purposes of this title would be materially furthered by the filing of an action. If he is so satisfied and certifies that the complainant is unable to do so, he can institute the legal proceedings.

Under the proposed amendments to be offered under title II, it will be provided that this can be done whenever the Attorney General has reasonable cause to believe that any person or persons are engaged in a pattern or practice of resistance to the full enjoyment of any rights secured by title II.

That is a change, although not a great deal of change. The Attorney General would still be able to roam up and down the highway filing lawsuits.

So long as he can say there is reason to believe there is a pattern or practice of discrimination by a person or persons, he can bring suit against 1 or 50 or 100. Once he brings the suit, it means the power of the Attorney General is behind the suit. It means that the name of the United States is behind it. The Government pays the costs and the FBI can be put in motion to support the Attorney General. If anybody dares take a chance of violating a provision, he can be charged with contempt of court and haled into court. The Attorney General can develop the evidence against him, and he can be tried.

I am not defending anyone who violates the law. If anyone violates the law, he should be tried. I am talking about the protections an innocent man should have, and about the fact that the guilty are also entitled to certain protections under due process of law.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question.

Mr. TOWER. Much has been said about a pattern of discrimination and the discretionary authority the Attorney General would have to determine whether or not there had been a pattern of discrimination, and then appeal for a judicial finding on this question. To what extent is the term "pattern of discrimination" defined in the bill? What constitutes "pattern of discrimination"? To what extent have we laid down legislative policy and legislative guidelines for the Attorney General in finding and determining what should be considered a pattern of discrimination?

Mr. STENNIS. It is a new term and it is wide open. It is not defined anywhere that I can find, topside or bottom. The Attorney General can allege these violations and get a three-judge court or institute suit. He is then "in business." Then a pattern or practice is proved, whatever that means. I suppose there must be some kind of systematic conduct. I do not know how far it would cover, whether it would be 2 miles or 5 miles, or two persons or a hundred persons.

Mr. TOWER. But the bill does not define in any depth what is meant by "pattern of discrimination"?

Mr. STENNIS. That is correct.

Mr. TOWER. Does it not occur to the Senator from Mississippi that this fact shows up a weakness that can be found throughout the bill—that there are so many terms that are not adequately defined? For example, there are so many terms in title VII, the equal employment opportunity section, that are not adequately defined to any extent that an employer is not going to know what is required of him. Is it not possible that under the public accommodations section, the person who operated a restaurant or hotel would not know what was meant by "pattern of discrimination" or "discriminatory practice," if we fail to go into some depth concerning the definitions in the proposed legislation, other than to let the bill pass with all these ambiguities in it?

Mr. STENNIS. The Senator is correct. If the bill should be enacted as now written, or with the new proposed amendments included 999 out of 1,000 people involved in the future in its provisions certainly would not know where they stood. Their lawyers would not know where they stood—assuming that those people would be able to secure the services of a lawyer. The Government would have all the advantage. It knows that they would not have the right to a trial by jury, and they would either be run out of business or forced to submit to whatever pattern might be thrown in their faces. Congress would be responsible for that situation, if that situation should occur. I blame Congress for failure to protect the people's rights. The word "discrimination" is not even defined in the bill.

Mr. TOWER. The Senator is correct. Further, not only is the word "discrimination" not defined, but although I believe one can probably derive a reasonable meaning from the term "color," and conceivably from the term "race," there is also religion, national origin, and sex. The Attorney General might decide that there was some sort of pattern of discrimination against people of various national origins, or men or women, or Catholics or Protestants, or Methodists and Baptists. A nebulous and ambiguous set of terms has been written into the bill. First, there is the "pattern of discrimination" and, then, who is going to be "discriminated" against, being subject to any conceivable construction and interpretation. We are vesting very great discretionary authority in the hands of Federal administrators, prosecutors, or bureaucrats, we are authorizing a power which Congress has not heretofore delegated to members of the executive branch.

Mr. STENNIS. There is no precedent of any kind for that, in all our statutory enactments, for the delegation of power such as is found in this bill. It is without parallel.

Mr. TOWER. I thank the Senator.

Mr. STENNIS. The safeguards which ordinarily are placed in bills carrying any kind of power are not incorporated in this bill.

Mr. TOWER. I thank the Senator.

Mr. STENNIS. I thank the Senator for his questions and for his intervening.

Mr. President, I wish to discuss the proposed amendments.

Title III would not be changed by the amendments insofar as the power of the Attorney General to institute legal proceedings under title III is concerned. The amendments would not affect it.

In title IV, which has to do with desegregation of public schools, under the House bill the Attorney General could institute legal proceedings upon receipt of a complaint alleging a deprivation of equal protection of the law by the failure of a school board to desegregate or deny admission to a college, and so forth. Under title IV of the proposed amendments, there is an additional requirement that the Attorney General must believe the complaint to be meritorious.

That is a wholesome addition. There has been no requirement heretofore that the Attorney General must believe in his allegations, or must believe that the case is meritorious. But someone has now proposed that in title IV cases, before he can institute legal proceedings, the Attorney General or whoever acts for him must certify that he believes the complaint is meritorious. But the essential power to file suits is not changed.

As to title VII, the Attorney General would have no authority, under the present House-passed bill, to institute legal proceedings; but under the amendments he would be granted a new and additional power.

Title VII would permit the Attorney General to institute suits when he requests a finding of a pattern, or practice of resistance to the full enjoyment of any rights secured by this title. So, again, the amendments significantly enlarge the Attorney General's power.

The amendments also propose several changes with reference to the power of the Attorney General to intervene in civil rights actions.

In title III, on public facilities, the Attorney General may intervene under the House bill in any action seeking relief from denial of equal protection of the law on account of race, color, religion or national origin. That is the public facilities section of the House-passed bill. But that is essentially old part III, which was debated, defeated, and taken out of the civil rights bill on the floor of the Senate in 1957; and was rejected by the House and failed to become law. The same thing happened in 1960.

The same provision comes back now in the proposed bill as passed by the House under title III, that the Attorney General may roam anywhere, not merely into public facilities, but anywhere, at any time, and intervene as a matter of right in a suit which has been filed by someone else, and when he does so, he brings in the United States as the party plaintiff, the party to the suit, and thereby gets all the injunctive relief obtainable to him to try people without a jury.

Section 302 of the House bill has been under severe fire, of course, on the floor of the Senate for many days. The debate has achieved some results, because the proponents strike out that section altogether, in that title at least under the proposed amendments; but instead, over in title IX, in section 902, they provide that the Attorney General may intervene in any action seeking relief from the denial of equal protection of the law under the 14th amendment to the Constitution—that is under the 14th amendment to the Constitution—on account of race, color, religion, or national origin.

The effort there is to limit the power of the Attorney General to intervene, unless it directly involves alleged rights under the 14th amendment.

My first thought on that point is that the 14th amendment has been construed to be very broad and liberal, and we are standing here on the floor of the Senate now debating the question, under title II, on public accommodations, when the Supreme Court of the United States has expressly and positively held that public accommodations questions are not covered by the 14th amendment; that they were not authorized by the civil rights bill passed in 1873, and are not justified by the 14th amendment.

Our adversaries, in spite of the Supreme Court decision, are arguing that they are justified under the 14th amendment. So if we write into the bill a provision that the Attorney General should have roaming authority to intervene in all suits involving the 14th amendment, of course we would expect them to argue for their interpretation of the 14th amendment—not that of the Supreme Court.

Title II of the House bill did not specifically give authority to the Attorney General to intervene, but it is now proposed that the Attorney General may intervene upon timely application, and the court may, in its discretion, permit the Attorney General to intervene in any action brought under title II. He would be given authority to intervene, in the court's discretion.

Under title VII, which is the FEPC section, and which heretofore gave the Attorney General no authority to intervene at all, the Attorney General now has authority to intervene upon timely application and in the court's discretion, in any action brought under title VII.

This is another instance with respect to which we thought the Attorney General's authority would be limited by the proposed amendments, according to what we read in newspaper articles; actually, his authority is broadened.

The Senator from Louisiana has mentioned the amendment which would further restrict the application of the bill in States in the East and in the North, and further direct it toward the States in the South and Southeast.

I refer to one of the amendments which is submitted to be considered in connection with title I. It has to do with voting rights. In the House-passed bill there is a general provision requiring the preservation of the record of a written examination. Now a proviso is added, as follows:

> *Provided, however,* That this subparagraph shall not apply in any State or subdivision thereof, as the case may be, if the Attorney General certifies to the attorney general of such State that he is satisfied that the preparation, conduct, and maintenance of literacy tests in writing in such State or subdivision is not essential to the necessary and proper enforcement of this section.

This is another case in which there seems to have been some objection in certain States. The House bill required the preservation of the written literacy tests for a certain length of time. Now it is proposed that if a State can obtain a certificate from the Attorney General that this is not essential, the State shall be excused.

This is a case of submitting another plan, under which the Attorney General may take States out from under the application of the general law.

As I say, we are dodging responsibility. Instead of giving authority to the people downtown, why do we not undertake to write the formula ourselves? Why do we not put in the bill the conditions that Congress believes should be applied, and not delegate the authority to the Attorney General?

The proposals would also add two other new sections, as follows:

> *Provided,* That nothing herein shall empower any court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards.

The next proviso reads:

> Nothing in this title shall prohibit classification and assignment for reasons other than race, color, religion or national origin.

Originally the bill contained some rather far reaching provisions with reference to so-called imbalanced schools. It was the object of the person who wrote that language to stamp out so-called imbalanced schools. In other words, if a school had 400 or 500 colored children in it and only 200 white children, to balance that school the authorities would take some of the colored pupils out of the school and haul them across to the other side of the city to a predominantly white school. They would then take some of the white pupils out of another school and transport them to that school. That was called "busing." That practice met strong opposition in New Jersey, New York, and Massachusetts, as well as in other areas of the country. It became an issue in some elections.

Therefore, when the bill came to the House, that provision was taken out of the bill and another provision was added prohibiting such busing.

Apparently someone was not satisfied even with that provision. The provision that is suggested now is:

> Nothing herein shall empower any court of the United States to issue any order seeking to achieve a racial balance in any school.

In other words, the legislative enactment by itself is not trusted. The proponents say to the court "Thou shalt not issue an order requiring this balance."

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. Does the Senator recall the occasion when a preacher was killed in Cleveland while demonstrating against de facto segregation in Cleveland?

Mr. STENNIS. Yes.

Mr. LONG of Louisiana. Does not the new proposal, in effect, go further than existing law with respect to northern type of segregation?

Mr. STENNIS. Yes. It freezes it. It keeps the court out. The language is:

> *Provided,* That nothing herein shall empower any court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards.

The Senator has made a good point. The poor man in Cleveland who lay down behind the bulldozer, and was not seen by the operator, had his life crushed out. He did it in protest to the building of a new school building. It was an integrated school. It had white children and colored children in it. Those people were protesting against the building of a new school in that area, where there was not this balance. It was stated that the young minister was killed in a racial protest in connection with a school crisis. There was no crisis. It was a constructive thing that the local people were doing in erecting a new school building.

This poor man's misjudgment illustrates the fact that a great many people have not thought this thing through. They say, "Yes; we are in favor of the civil rights bill." They miss the issue. They do not have a clear understanding of the issue.

Reports which play up the protests and the friction all help to sell the American people the wrong idea on many of these questions.

Mr. LONG of Louisiana. Would it not seem fair to say, if certain persons wish to force upon the South all sorts of integration in various situations, with white and colored demonstrators going down south to accomplish these results, that those people would accept the kind of busing and integration to achieve racial balance which was advocated in the bill originally?

Mr. STENNIS. Yes; the Senator is correct. This is one of the most serious of all situations. With all due deference to the proponents of the bill, it seems to me that, to be consistent, they should be striking out the provision of the House in the bill. If they really wish to work for integration, they ought to be working to strike out the limitation which the House put in the bill. Instead of that, they are compounding that position by freezing everything, by prohibiting the courts from looking into anything of that kind.

Mr. LONG of Louisiana. Is it fair to say that this is one more example of how the bill would solve nothing so far as the States outside the South are concerned? In other words, the people who conduct protest marches in New York, Chicago, Detroit, Cleveland, and other northern cities would find very little in the bill to solve the problems concerning which the marches are in protest.

Mr. STENNIS. It means that many Senators are doing all they can to make certain that the bill will contain nothing that would affect their States. This is another tragedy. A man lost his life while protesting in good faith. His life is beyond recall. Under the proposed amendments, Congress would be asked to repudiate him and establish in perpetuity the very practice and custom which the poor fellow was trying to have changed. This is a repudiation of those who are seeking to have a balance in the schools.

Mr. LONG of Louisiana. In the northern cities, where segregation exists on a residential basis, is it not true that this provision would guarantee that their schools would remain segregated, while they tried to force southern schools to integrate?

Mr. STENNIS. That is certainly what they would be doing. They have already announced that they are coming to Mississippi this summer to give instructions on how to march, how to protest, how to carry signs, and everything else. They are prohibited now from doing anything about that problem in the courts. It is true that the issue is in a little different form; but the authorities of greatly imbalanced schools are prohibited by the courts from doing anything about the situation.

Mr. LONG of Louisiana. Would not the adoption of this amendment provide that segregation is all right so long as it is done the way the Yankees do it?

Mr. STENNIS. It could be interpreted in that way. The other day I cited some cases of schools in the District of Columbia. I cannot recall their names, but there were 10 or 12 schools. They were located in areas where there has been a large amount of development. In the first year after integration, school X, for example, had 610 white students and 620 colored students. Last year, 9 years later, it had 1,250 colored students and 10 white students. What had happened was that the white people had moved away or had sent their children to private schools.

The Senator from Louisiana is correct. Under this provision, such a school would be frozen. The judges could not reach it. They could not do anything about it. School principals would be prohibited from doing anything to correct the imbalanced nature of the school.

A different pattern of homes and location of children exists in the South. The people there are more intermingled. There are no ghettoes; there is no separation of the races to the extent that it exists in the North. In the little town from which I come, both the white and the colored people live all over town, so to speak. The problem of "busing" children from one area to another would not exist.

The bill proposes to "take care of" us under another title. But under this title, which would be of help in the large cities to eliminate de facto segregation, the bill contains a mandate prohibiting that. One cannot move in two directions at once. I remember that General LeMay once said, speaking of our preparedness program, that it is not possible to dress and undress at the same time. But it appears that the proponents of the bill are doing just that. They are dressing us up, but are undressing themselves, so far as the bill applies to them.

I thank the Senator for his excellent questions.

Mr. President, I am not fully prepared to make an exhaustive discussion of the proposed amendment because of the lack of time. But it is clear to those of us with whom I have discussed this question, and who have been making a special study of the bill for many weeks, that these provisos limit very little the power of the Attorney General.

The amendment would have very little substantial effect on the bill to change the procedure with reference to the busing of children. It would freeze de facto segregation in great areas of the East and North. That must be what is wanted; otherwise the proponents of the bill would not have written these provisions into it. It must be what the people of those areas want, or it would not be reflected in the bill; because, in the way the amendment is written, it is exactly contrary to the general trend of the bill in other ways.

Returning to the question of principles involved in a jury trial, it matters not what it is called, or how it is approached, or how skillfully the language is used to hide it; a violation of the acts prohibited in the various titles of H.R. 7152 is a criminal offense. Any attempt to make it appear otherwise is merely a subterfuge used by those who advocate its passage in order to circumvent ordinary judicial procedures.

The bill attempts to place in the hands of the Attorney General the power to try citizens of the United States by the injunctive process for crimes for which they are now punishable only when convicted by jury. Any doubt of this can be immedately dispelled by reference to title 18, United States Criminal Code, section 241, which provides:

> If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or if two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—They shall be fined not more than $5,000 or imprisoned not more than 10 years, or both.

It is true that this section deals with a conspiracy and to constitute a crime a conspiracy must be proved. However, the fact remains that this type of discrimination for which a jury trial is now required could be punished under the terms of H.R. 7152 without a jury trial. No restriction or requirement for providing a conspiracy is contained in section 242. That section provides simply:

> Whoever, under color of any law, statue, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

Under this criminal statute it is a crime punishable by fine and imprisonment to, under color of custom, willfully deprive any person of any rights, privileges, or immunities accorded and protected by the Constitution or laws of the United States. This broad language covers almost the entire spectrum of what is now called discrimination. Since it is the stated purpose of H.R. 7152 to "guarantee constitutional rights to all citizens of the Nation," it is inescapable that acts of discrimination prohibited in H.R. 7152, so far as color or race is involved, are violations of section 242 and the person accused of violating that criminal statute is entitled to a trial by jury.

The question, therefore, is not only whether jury trial should be granted under H.R. 7152, but the much more serious question is whether a jury trial for acts now criminal under section 242 is to be denied.

Under the civil rights bill now pending, the right of trial by jury will be taken away from all persons charged with the crimes covered by section 242 unless H.R. 7152 is amended to preserve that right. In many instances, the section authorizing the Attorney General to bring a civil action includes as defendant not only persons whom the Attorney General believes are about to commit the offenses but also persons who are alleged to have already engaged in the prohibited acts or practices.

Mr. President, I have pointed out two statutes that are presently in the Criminal Code which set out the punishment prescribed. They place a ceiling on how much punishment can be prescribed. Those statutes cover various acts, many of which are found in the provisions of the bill.

Unless we amend the bill to provide the right of a trial by jury, we shall, in effect, lift those statutes out of the Criminal Code and put them over in the civil rights bill. We shall write another provision in the bill to provide that the section does not mean what it says. We shall, in effect, be saying: "You are not entitled to any jury trial. The jury trial does not have to be granted because this is a civil rights case."

In the public accommodations title—title II—for instance, section 204(a) provides:

> Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 203, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted (1) by the person aggrieved, or (2) by the Attorney General for or in the name of the United States if he satisfies himself that the purposes of this title will be materially furthered by the filing of an action.

The language has been slightly changed by the proposed amendment, but this speech was written before yesterday afternoon. I merely point out that the proposed amendments do not substantially change the bill. They only represent a slight difference in the power of the Attorney General to bring a suit. I emphasize the point that always, when giving power to the Attorney General, it is said that he may do this for and in the name of the United States.

That language is used in exactly that way. In the general law when the United States is a party to a suit, there does not have to be a trial by jury in contempt cases. That brings up the general proposition that Congress has already recognized the right, the force, the logic, and the spirit of the law that demands that in criminal contempt trials the defendants should have a trial by jury. But I refer to 18 U.S.C. 3691, an exception is made in that trial by jury will not apply when the United States is a party to the suit.

I believe there is more reason for the jury trial to apply when the United States is a party to the suit. A man would be more likely to need the right of a trial by jury when the Government is a party to the suit.

In a case of citizen against citizen, he certainly has a better chance. But when he is a mere citizen and the Government is a party to the suit, he is up against a hard row. The present law gives the right of a trial by jury in contempt cases, unless the United States is a party. All the way through the proposed bill, the Attorney General is given authority to intervene and bring suits. It is always said that the injunctive relief and the suit will be for or in the name of the United States.

That is why I say this is a devious way—almost a wicked way—of avoiding the present law, avoiding the impact of the present law which provides that people are entitled to a jury trial. It is done deliberately. The proponents do not want to give it up.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. When the authors of the bill proposed that a jury trial should be available except when the United States is a party to the case, are they not in effect denying a man his right to a jury trial at the very time when he needs it the most?

Mr. STENNIS. That is correct. That is the very way in which it applies. It is an acknowledgment that the principle should apply. When it is written into the law, it can be said that he shall be entitled to it. In a contest of citizen against citizen, he is entitled to a jury trial. In other words, if the Senator sues me and gets an order of court, which I do not comply with I can be possibly hauled into court for criminal contempt. In that event, I can get a jury trial. But if I am charged by the Government with violating an order of the court in a criminal contempt case, then I cannot get a jury trial.

With all due deference to the Senator from Louisiana, I believe I could fare better with the two of us contesting something in court than with the U.S. Government. I use that as an illustration only.

I thank the Senator. He expressed it very well.

In title III which deals with the desegregation of public facilities, the Attorney General must receive a complaint signed by an individual and that complaint can be acted on if the complainant merely states that he is threatened with the loss of constitutional rights. That section provides as follows:

> Whenever the Attorney General receives a complaint signed by an individual to the effect that he is being deprived of or threatened with the loss of his right to the equal protection of the laws, on account of his race, color, religion, or national origin, by being denied access to or full and complete utilization of any public facility which is owned, operated, or managed by or on behalf of any State or subdivision thereof, other than a public school or public college as defined in section 401 of title IV hereof, and the Attorney General certifies that the signer or signers of such complaint are unable, in his judgment, to initiate and maintain appropriate legal proceedings for relief and that the institution of an action will materially further the public policy of the United States favoring the orderly progress of desegregation in public facilities, the Attorney General is authorized to institute for or in the name of the United States a civil action in any appropriate district court of the United States against such parties and for such relief as may be appropriate, and such court shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section. The Attorney General may implead as defendants such additional parties as are or become necessary to the grant of effective relief hereunder.

Mr. TALMADGE. Mr. President, will the able Senator yield?

Mr. STENNIS. I yield to the Senator from Georgia with the explanation that that section could be changed some by the proposed amendments.

Mr. TALMADGE. I ask the able Senator to turn to page 13 of the bill, title III, section 302, beginning with line 4. I read:

> SEC. 302. Whenever an action has been commenced in any court of the United States seeking relief from the denial of equal protection of the laws on account of race, color, religion, or national origin, the Attorney General for or in the name of the United States may intervene in such action. In such an action the United States shall be entitled to the same relief as if it had instituted the action.

Is not that in effect the so-called part III of the bill that the Senate considered in 1957, and perhaps of the bill which the Senate considered in 1960, which was deleted on a yea-and-nay vote by an overwhelming majority?

Mr. STENNIS. The Senator is correct. That is in effect the old part III of the bill of 1957, which never did become law because it was defeated in the Senate. The only difference is that a nominal plaintiff must actually file the suit and then the Attorney General, as a matter of right, can come in as the plaintiff. The court cannot keep him out, the Senator believes.

Mr. TALMADGE. The able Senator from Mississippi was an outstanding judge in his own right before he came to the Senate. Is it not true that many thousands of ordinary litigants in the ordinary nature of their businesses file suits annually under the provisions of the equal protection clause of the 14th amendment, for example?

Mr. STENNIS. The Senator is correct.

Mr. TALMADGE. Is it not true that a taxpayer in the State of Mississippi, Georgia, Michigan, or any other State in the United States could file a suit against his county assessor or his State authorities alleging that he had been denied equal protection of the laws?

Mr. STENNIS. Yes, on account of race——

Mr. TALMADGE. No, it would not necessarily have to be on account of race.

Mr. STENNIS. I believe that line 6, page 13, of the bill states: "On account of race, color, religion, or national origin."

Mr. TALMADGE. Cases of all types could arise under that provision even if the section were restricted to cases involving race, color, religion, or national origin. Is that not true?

Mr. STENNIS. Absolutely. As the Senator from Georgia has said, a case might involve the street in front of a man's house.

Mr. TALMADGE. Of course.

Mr. STENNIS. The owner of the house could allege that he was discriminated against by the alderman or the street commissioner and he could file suit. The Attorney General could come in and take it over.

Mr. TALMADGE. The Attorney General of the United States, in his role of super guardian of 190 million American citizens, would be authorized to intervene and take over the lawsuit.

Mr. STENNIS. Absolutely. The court would have no discretion. The provision states that the Attorney General may intervene in the name of the United States.

Mr. TALMADGE. I believe that in the colloquy between the able Senator from Mississippi and the junior Senator from Louisiana [Mr. LONG] it was pointed out that when the Attorney General did intervene, the defendant, whoever it may be—the State, county, a private individual, partnership, corporation, association, cooperative, or whatever it might be—would be denied the right of trial by jury. Is that not correct?

Mr. STENNIS. Absolutely. All the Attorney General would have to do would be to intervene. As the Senator will recall, the bill provides that he would intervene in the name of the United States, and, by reason of such action, a jury would be dispensed with.

Mr. TALMADGE. Does it not strike the able Senator from Mississippi as strange that the Attorney General of the United States could sit in Washington as a superguardian over all American citizens and choose lawsuits at will and intervene with all the power, might, finances, and legal talent of the United States of America, and deny a defendant the right of trial by jury which is guaranteed in the Constitution of the United States at least three or four times?

Mr. STENNIS. We marvel that such a thing could be seriously proposed and seriously entertained on the floor of the Senate. How could such a right be denied to the people?

Mr. TALMADGE. Does it not strike the Senator as being a completely totalitarian idea and completely un-American and repugnant to our heritage, our history, our traditions, and our Constitution?

Mr. STENNIS. It certainly is. When challenged heretofore, Congress has refused to go along with a provision which would deny to people the right of trial by jury. As the Senator has said, the idea was challenged by the Senate in 1957. A proviso was written into the bill, even though in a hybrid form. The idea of denying the right of trial by jury was challenged when the Norris-La Guardia Act was considered. Finally, a sound provision guaranteeing the right of trial by jury was included in that act. A provision is in the law today that unless the United States is a party to a suit, an accused person is entitled to a jury trial in criminal contempt cases.

Mr. TALMADGE. If A sues B, B is entitled to a jury trial, and so is A. But if the United States of America files a suit, the defendant is denied the right of trial by jury. Is that not so?

Mr. STENNIS. The Senator is correct. We are now trying to remedy that situation. As I have said, until now Congress has always turned down such a provision. The other day there was a tie vote on the question. I believe that if we remain here a while longer, we can pick up some additional votes.

Mr. TALMADGE. Does it not strike the Senator from Mississippi as being most unusual that in the first instance the Attorney General of the United States should be authorized to sue any individual, corporation, State, county, city, municipality, partnership, trade association or cooperative at will? Is that not the "George Orwell-1984-Big Brother" philosophy, instead of the idea of freedom and liberty for all under the law?

Mr. STENNIS. Absolutely. A civil rights bill is the only subject under which such a proposal would be seriously entertained on the floor of the Senate, in the opinion of the Senator from Mississippi.

Mr. TALMADGE. If denial of the right to trial by jury were proposed in any other measure which was not labeled "civil rights," the provision would be hooted with derision and scorn, would it not?

Mr. STENNIS. Yes. As someone said the other day, if a Senator introduced a bill which provided that a confessed murderer should not have the right to trial by jury, the proponent of such a bill "would not get to first base" on the floor of the Senate.

Mr. TALMADGE. Or a similar bill relating to a traitor or a burglar.

Mr. STENNIS. Yes.

Mr. TALMADGE. Or with respect to the most vile criminal that anyone could possibly think of, no one has ever proposed removing the guarantee of the right of trial by jury, has he?

Mr. STENNIS. That is correct. And that will not be done. But the civil rights bill can carry freight that no other measure can hold.

The Senator from Georgia has been up in front among those who have been delivering the shafts of criticism and argument against section 302 of the bill, which the Senator has read.

Mr. TALMADGE. I thank the Senator.

Mr. STENNIS. Late yesterday afternoon there were delivered to Senators copies of the proposed amendments. Knowing that I would be on the floor of the Senate today, I made a hasty examination of them last night, but not a full examination. I found that it was proposed to strike out the original section 302 of title III, but a substitute for that section would be offered under title IX. If my hasty reading of the proposed amendments were accurate, that is the mechanics of the proposal. Under the amendment the Attorney General would be authorized to intervene in any action seeking relief from the denial of the equal protection of the laws provision of the 14th amendment to the Constitution on account of race, color, religion, or national origin.

Mr. TALMADGE. Such a provision would be practically the same as the provision in section 302, would it not?

Mr. STENNIS. Absolutely. The Senator is absolutely correct. The language would be broader than the Supreme Court of the United States has ever held the 14th amendment to encompass. The proponents would argue that the provision would apply to the public accommodations title of the bill, which it is proposed to bottom on the 14th amendment. The Supreme Court of the United States has said that it cannot be done.

Mr. TALMADGE. Heretofore the 14th amendment has never been extended to private actions, but has related only to State actions.

Mr. STENNIS. The Senator is correct.

I point out that in title II, for the first time there is written specifically the power of the Attorney General to intervene in legal proceedings, section 204(a) providing that "upon timely application, the court may in its discretion permit the Attorney General to intervene in any action brought under title II'—that is, brought by an individual. The court is given discretion, but at the same time the Attorney General, upon timely application, could intervene. It is a new power for the Attorney General that was not proposed previously, unless it came under the broad provision of section 302.

If I may illustrate again, under title VII, the proposed new provision, section 706(e) reads:

> Upon timely application, the court may, in its discretion, permit the Attorney General to intervene in such civil action—

brought under title VII. That is the FEPC section.

Mr. TALMADGE. That would still give the Attorney General of the United States, acting for and in the name of the Government of the United States, time to intervent, at the taxpayers' expense, which intervention would deny the right of trial by jury to the defendant—someone prosecuted for failure to cut my hair against his will, or for failure to hire someone on a job that he did not need and did not want; is that not correct?

Mr. STENNIS. The Senator is entirely correct. That is the way the provision would apply, although there is a shift in terms.

Mr. TALMADGE. So police state action would still be authorized against citizens of America in their normal, private conduct; is that correct?

Mr. STENNIS. That is correct. As I have said, the substance of the bill, after the amendments are adopted, will be largely the same. The procedures will be different.

There is one thing that is really nailed down. The proponents went so far as to say that, with respect to the busing of students, no judge shall enter any order or sign any decree directing that there be busing of students in order to get balanced schools.

Mr. TALMADGE. The effect would be to integrate schools in the South and to maintain segregated schools outside the South; would it not?

Mr. STENNIS. That is exactly so. It would freeze de facto segregation.

Mr. TALMADGE. Is it not designed to take the heat off Senators who espouse this police state authority?

Mr. STENNIS. Not so much that as I think it is to allow some persons to say, "This will not apply in my State." I think there was great pressure. I think there was reaction that was very strong against busing of children in New York, New Jersey, Massachusetts, and other areas.

Mr. TALMADGE. Chicago, Cleveland——

Mr. STENNIS. Boston. I remember a lady member of the school board opposed it and stood up for reelection and was overwhelmingly reelected.

Mr. TALMADGE. She led the ticket, did she not?

Mr. STENNIS. I believe so. The other day a gentleman who represented the press was in my office. He was a very fine man from New York. He said, "You are all wrong about the school problem, but I will tell you one thing I like about the bill and that is that it would prohibit busing. They are not going to haul my little girl all the way to the other side of the city for any reason." So when the problem came home to him, he felt differently.

Mr. TALMADGE. He was in favor of de facto segregation where he lived, but was against segregation in other areas.

Mr. STENNIS. That was his frank appraisal of the situation.

Mr. TALMADGE. I thank the Senator for a very illuminating statement.

Mr. STENNIS. I thank the Senator for his frank contribution and his helpful questions.

In title IV, dealing with desegregation of public education, the Attorney General may bring an action upon a complaint that certain persons are being deprived of the equal protection of the law and he may press that complaint to seek relief "as may be appropriate." This is indeed a very broad and encompassing provision which grants the widest latitude to the actions which may be brought by the Attorney General.

In the equal employment opportunity title—title VII—it is not provided that the Attorney General may initiate a civil action, but under section 302, if the complaint is based upon race, color, religion, or national origin, the Attorney General may intervene. If and when he intervenes he will control and dominate the action.

Mr. President, I believe it is clear beyond any doubt that this bill purports to effect a complete change in the procedure of criminal prosecution. It does this by the legal subterfuge of punishing alleged criminal offenses through the injunction and contempt process and by affording the defendant in the contempt proceedings no—or, at the most, a limited—right of trial by jury.

The bill, if enacted, would, by elimination of jury trials, institute in the United States of America something that has never existed in the land, at least not since the appointed governors of the King of England sought by the Stamp Act to deny freedom to the American colonists.

Mr. TALMADGE. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield.

Mr. TALMADGE. Does not the Senator believe that it would be a monstrous situation to have government by injunction in every area of the Nation, where the Attorney General, at will, could file lawsuits against officials of State, local, and community governments, and against private individuals, owners of restaurants, barbershops, motels, hotels, and everything else that is covered under this bill? He could have a myriad of lawyers constantly filing lawsuits, enjoining people, and putting them in jail for violations? Can the Senator from Mississippi think of anything more monstrous than to have judges taking over businesses at the Attorney General's direction, enjoining people, and constantly having them living in fear of government by injunction?

Mr. STENNIS. The Senator has very graphically described the situation the bill would create if those in charge of it really tried to enforce it. I believe they would. More and more States are getting out from under its terms, but the States that are not taken out of it will really "catch it." The Attorney General will be able to move and roam almost at will in all fields of activity, regulating where people shall sleep and eat, whom people may employ, fire, or promote, and in all fields, wherever he may wish. He would be able to file suits left and right, all in the name of the United States. People would be terrorized. The average citizen would not have a chance. He knows he would not have a chance to have his case considered. He would surrender.

Mr. TALMADGE. He would not have the resources to fight the Government of the United States. When he knows the law has deprived him of the right of trial by jury, any efforts on his part to resist would be almost futile; would they not?

Mr. STENNIS. Absolutely. The only ones who would really have the resources to resist would be the chain groups.

Mr. TALMADGE. General Motors, General Electric, or a large company of that type.

Mr. STENNIS. Yes.

Mr. TALMADGE. The average, ordinary citizen who is in business would know it would be utterly futile for him to resist, because his financial resources would not permit him to do so, even if his cause were just and meritorious. Is that not true?

Mr. STENNIS. Yes. It is an extreme power which is sought to be granted. The Senator's designation of the situation is not only correct, but it is a very modest and moderate description of what could happen under the bill.

Mr. TALMADGE. Is it not true that prior to the passage of the Norris-La Guardia Act labor unions were being subjected to rule by injunction and decree to such an extent that the Congress of the United States—correctly, in my judgment—enacted a law correcting the situation, and providing that not only would defendants in criminal contempt have a right to a trial by jury, but in civil contempt cases also? Is that not true?

Mr. STENNIS. The Senator is correct. May I ask the Senator this question, because I do not recall: Was that provision written into the Norris-La Guardia Act when it was passed, or was it legislation which came later?

Mr. TALMADGE. My understanding is that the legislation was enacted in 1932. The Norris-La Guardia Act, I believe, amended the prior act, where the flagrant abuse of the injunctive process was being used to break all strikes and break the rights of labor unions generally and men were being jailed without the right to a trial by jury. Congress, in its wisdom, corrected that abuse and went far beyond the correction relating to criminal contempt to also provide that in any civil contempt case as well there would be jury trial.

Mr. STENNIS. As the Senator from Ohio put it the other day, "How can we reconcile, how can we explain the principle of law which gives to labor leaders the right to a trial by jury in criminal contempt proceedings but denies to the little barber down on the village square the same right, should he get into trouble?"

Mr. TALMADGE. Or the owner of a hamburger stand.

Mr. STENNIS. Yes, or the owner of a hamburger stand.

Mr. TALMADGE. Or the peanut vendor .

Mr. STENNIS. Anyone. I was using the illustration of the Senator from Ohio to give him credit for it. Yes, it applies across the board. It also applies to the little school trustee, the noncompensated job, where one serves purely out of community pride and a sense of duty.

Mr. TALMADGE. This bill, then, which purports to alleviate discrimination, actually compounds discrimination upon discrimination, and would deny all citizens of the most basic constitutional right which we have—namely, the right to a trial by jury; does it not?

Mr. STENNIS. It does. The Senator is correct. The right to trial by jury applies to all people, in all circumstances, regardless of race, color, national origin, or any other classification. It applies to young and old, to rich and poor, to the ignorant and to the learned—all across the board. And it has worked. It is our greatest guarantee of true civil rights.

Mr. TALMADGE. So that this bill to ostensibly correct discrimination really should be entitled, "A bill to create more discrimination"; is that not correct?

Mr. STENNIS. The Senator is correct. It certainly would be a proper title in many major aspects. The idea of building up a great body of law and then by one scratch of the pen, so to speak, saying, "When the United States is a party," or "The United States shall be a party," thereby eliminating trial by jury, is the worst assault and the most devastating attack upon a fundamental right which belongs to all the people that I have ever known. I do not believe there is anything which parallels that in all our history.

Mr. TALMADGE. That was really one of Thomas Jefferson's principal charges in the Declaration of Independence against King George III, and a cause of the War of the Revolution; is that not correct?

Mr. STENNIS. The Senator is correct. It reflected bitter experience when Thomas Jefferson wrote that provision into the Declaration of Independence.

Mr. TALMADGE. Would not a right which was worthy of preserving in 1776 be a right still worthy of preserving in 1964?

Mr. STENNIS. Under the government that we now have, with life so much more complex, involved, and impersonal now than ever before, the little fellow, as the Senator from Georgia mentioned a while ago, cannot keep his head above water unless he has some fundamental rights guaranteed to him, on which he can rely.

Mr. TALMADGE. The pending bill, if enacted, would confer a thousandfold the jurisdiction ever exercised by the King's Admiralty Courts in 1776; would it not?

Mr. STENNIS. The Senator is absolutely correct. It would touch the affairs of all the people in their daily living, in every way, and would get into the field of religion, education, entertainment, industrial development, industrial employment, into every phase of activity that the people know anything about.

Mr. TALMADGE. Would not the bill authorize the Attorney General of the United States to file a suit against a lady who had a six-room boardinghouse and tell her who would sleep in those rooms, or put her in jail for contempt of court without a jury trial if she refused to comply?

Mr. STENNIS. That is a power which would be granted him in this bill.

Mr. TALMADGE. And yet the same Government expressly provides in the third amendment that no troops shall be quartered in anyone's home, nor in time of war; is that not correct?

Mr. STENNIS. The Senator is correct. That is a constitutional guarantee. In fact, the entire spirit of the Constitution provides three times for the absolute guarantee to a trial by jury.

Mr. TALMADGE. That would be the same as quartering citizens in one's home in addition to the derogation of the right of trial by jury; would it not?

Mr. STENNIS. The Senator is absolutely correct. Title VII of the bill would tell a person whom he must employ. The reverse order of that power would be a bill which could be used to tell a person whom he must work with. One is a precedent for the other. That would be a violation of the 13th amendment, providing for involuntary servitude, which has been outlawed.

Mr. TALMADGE. I agree with the Senator from Mississippi. Title VII would require the Government to supervise and regulate not only hiring and firing in businesses employing 25 or more employees, but promotions, discharges, and assignments to duties; is that not correct?

Mr. STENNIS. The Senator is correct. Nothing more far-reaching could be conceived of. One of the greatest rights which we all possess is the right to own property—to earn, to save, to invest one's savings in an enterprise of one's own choosing, an enterprise which he will operate and which he will direct. If one has the ability to make the business grow and to become profitable, to earn more money for his employees as well as for the employer and thereby create a larger business, more competition, and employ faithful and loyal workers, certainly a part of that is the right to choose those who one believes will promote the business and be faithful and loyal to him.

But the pending bill would strip that right from him, when he had 25 or more employees in his business, because then the Federal Government could come in and look over his shoulder and tell him whom he can employ.

Mr. TALMADGE. Would that not subvert the freedom of an employer to employ whom he saw fit?

Mr. STENNIS. It would destroy it. It would destroy his power to exercise his own judgment in improving his own business.

Mr. TALMADGE. Would it not also destroy the right of a prospective employee to work with such employees as he saw fit to associate and work with?

Mr. STENNIS. The Senator is correct. He would have lost that right. Perhaps his employer would have lost a good man, who would go elsewhere and try to find employment in another business.

Mr. TALMADGE. Would it not also destroy the right of unions to make contracts with employers, and to furnish employees from their hiring halls whenever a vacancy occurred?

Mr. STENNIS. The Senator is correct. That would be an invasion of a far-reaching practice which has grown up in this country.

Mr. TALMADGE. Thus, the freedom of employer, employee, and labor unions alike would be restricted by the power of a Federal agent; is that not correct?

Mr. STENNIS. The Senator is correct. I should like to pose a question to the Senator from Georgia. He is a man of experience, a former Governor of his State, and well versed in business affairs as well. If this regulation with all of its severity should apply to the small operator who owns a factory or a store, with the Federal Government regulating so many parts of his business, how many of our aspiring, ambitious, and more talented young men and women, as the decades come and go, are going to be attracted to working hard, showing initiative, and making the sacrifices necessary in order to reach the point where they can own a business or a factory?

Mr. TALMADGE. They ask why they should run the risk and why they should be harassed by Government employees. Instead, they ask, why should they not work for General Motors, and have the company fight their battles while they live at peace on their hourly or weekly or monthly paycheck, as the case may be?

That is true of the young person, but it is even more true of someone who has earned a little honest nest egg, who has a small business with 25 or 30 employees, giving work to those people and providing a legitimate payroll to the community. When such a person sees the Government step in and subject him to harassment and supervision, he may say that the wiser course for him is to close down his business and put his people out of work. He may have some savings, that he may have saved over a lifetime. He can put that money into tax-exempt bonds or common stocks, and comfortably live out the rest of his life in peace and contentment. However, what will happen to his unfortunate employees? They will be out of work.

Mr. STENNIS. Yes.

Mr. TALMADGE. That is the problem that we are confronted with when an impediment is thrown in front of the free enterprise system in our country, and when personal initiative, and the rewards that come from it, is fettered by governmental control.

Mr. STENNIS. Many of them are at an age when it is impossible for them to get another job in keeping with their position in life.

Mr. TALMADGE. Yes. As the Senator knows, when a person 40 years of age or over is unfortunate enough to become unemployed, even if he is trained and has special skills and special talents, he finds that personnel officers are not inclined to employ him, that they want a younger man, who will be able to work for them over a longer period of time.

Mr. STENNIS. Yes.

Mr. TALMADGE. One who will not present certain risks from the standpoint of compensation claims, and things of that sort, which come into consideration when a person grows older.

Mr. STENNIS. Yes. I am glad to have the Senator's analysis and his judgment. This proposal would result not only in running people out of business, but it would also hold back those who would start businesses, and kill ambition in young people.

Mr. TALMADGE. What incentive would there be for a young man to start a business with 25 or more employees, when he knows that he could be subjected to suits by the Government of the United States, in which he would be denied a jury trial? He would know that his employment policies would be policed by Federal agents; that his promotional policies would be policed by Federal agents; that his discharge practices would be policed by the Federal Government. Under the terms of the bill, if it became law, depending upon the nature of his business, the Government could determine what customers he would have to sell to, what customers he would have to accept, and with whom he would have to do business. In short, he would find himself policed in every area of his business.

The Senator knows that under a capitalistic free enterprise system, the individual is free to make his own decisions in his own best interests, and to earn the rewards thereof.

If we turn to the control of a police state, the next step will be socialism and, ultimately, communism, with the Government in control of everything.

What is proposed here is a partial step. Although the Governmnt would not take title to the property involved, it would assume control and regulation of it. When it assumes control and regulation of it, the next step is to take title thereto, as the Senator knows. In addition to having a police state, we would have a Socialist or Communist state.

Mr. STENNIS. There is no doubt that the Senator is correct. In the course of time, instead of the operators and owners of little businesses, the inspectors will find empty factories and halls, with the business gone.

Mr. TALMADGE. The strange thing about all this is that the United States has the highest standard of living of any nation in the world.

The bill, theoretically, is designed to help minority groups. However, the slightest inspection will cause one to understand that the Negroes in America—and there are about 20 million of them—own more automobiles than do the 200 million Russians.

Why should we emulate the Russian system of control and police regulation, to help citizens who are already faring infinitely better than people under any of the systems that we are asked to copy? That is what strikes the Senator from Georgia as being completely incongruous in this situation.

Mr. STENNIS. I thank the Senator for his comment. It is strikingly strange to me that people in the States which have FEPC laws now want to have a Federal FEPC law. Mississippi has the largest proportion of nonwhite citizens of any State in the Nation. It has no FEPC law. However, unemployment in the State of Mississippi among nonwhites is among the lowest in the Nation. It is lower than the average.

Mr. TALMADGE. Is that not also true of all the States which have no FEPC law?

Mr. STENNIS. I believe that is correct. And 24 of the 25 States which have FEPC laws have a nonwhite unemployment rate higher than does the State of Mississippi. In most of the States the rate is higher than in any of the Southeastern States.

That shows that the vaunted FEPC laws have not brought the results in those States that were claimed for them, and that the colored people have gotten along better, with respect to employment, without such laws; and that the solution is not by legislation, even in that field.

I thank the Senator.

As I pointed out, the proposed amendments announced yesterday have had only a cursory examination by the Senator from Mississippi. While trying to deal with them and while trying to compare them, the thought occurred to me that what has happened in recent weeks is completely foreign to our legislative procedure, especially with respect to our own rules, regarding the appointment of committees and having committees consider bills and having their trained staff consider them and write up reports on the bills.

Last night, after studying the proposed amendments, I decided that we now have a new committee, the names of whose members are not listed anywhere. We have not learned who they are. The proposed amendments are the result of a conference, of which the Attorney General was a member. This new committee has written up some recommended amendments. They even give the appearance of an original committee print, or something like that.

Mr. President, there should be a report from a committee, the benefit of which we should have.

I do not know what witnesses were heard by the so-called committee. We were not told about it. On whose testimony were the amendments based? Who testified as to what was wrong with the bill? Who testified as to the merits of the changes that are being proposed? When shall we have an opportunity to look over the validity of that testimony, to try to weigh the value of the witnesses? Who made the report?

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. TALMADGE. The Senator from Georgia was not advised that any hearings were held. If any were held, they were held in a so-called star-chamber session; is that not correct?

Mr. STENNIS. That is correct. I am not talking about the action of the House, when its committee allowed 2 minutes of debate in committee. I am talking about the situation in the Senate.

Mr. TALMADGE. The Senator from Mississippi was not invited to be heard, was he?

Mr. STENNIS. None of us were, so far as the Senator from Mississippi knows. I appreciate being sent a bound copy of the proposed amendments; but within a few hours after the copies were distributed, correction sheets were sent which suggested nine additional changes in the amendments. That shows incompleteness.

This morning, within 5 minutes after the conclusion of the caucus on the amendments, a good-natured—and I am sure he was sincere—fellow Member of the Senate could not understand, in his conversation with the Senator from Mississippi, why the Senate could not vote on the amendments immediately.

Mr. TALMADGE. The Senator from Mississippi has been a Member of this body for a long time. Has he ever heard of any other bill before Congress being routed in such a manner, having an ad hoc group of citizens meet in secrecy, and then having some 70 amendments proposed?

Mr. STENNIS. It is extraordinary and unusual. It illustrates the need and the demand for debate on these questions, exactly as Senators are doing now; because even though not many Senators are in the Chamber, the points that are being made, and that will be made by other Senators will appear in the RECORD, where they can be studied by staff members and by Senators. In that way, Senators will try to determine as best they can what they are being asked to vote upon.

This is an extraordinary procedure. Any other subject would not be treated in this way.

Mr. TALMADGE. A simple resolution would not be proposed in any such way. It would be referred to a committee for appropriate hearings, study, report, and recommendations; would it not?

Mr. STENNIS. Yes. I thank the Senator from Georgia for his comments. He is always helpful. I hope that when he has had an opportunity to study the amendments and digest them and to conclude what they mean and how they would apply, he will make a full-dress speech in the Senate as soon as possible. There is much to be studied in the new proposal. There is a rewriting of the old section 302; but, as the Senator from Georgia has already said, the revision provides as much power as the original section 302.

We face here directly the issue of human rights. The Constitution of the United States was drafted for the protection of human rights. The drafters were thinking of individuals, of living persons, when they provided for trial by jury. The exception was made in cases of impeachment because that involves not crime but failure of an officer properly to discharge the duties of his office. Even so, the officer impeached must be tried by the Senate which acts as a jury.

Those who framed our Constitution were extremely careful to protect the individual—the human person—against imprisonment or fine imposed for commission of a crime except upon conviction by a jury.

We should not now, in the guise of, or under the color of a civil act in equity, crush the protective shield of the jury trial which is the only barrier standing between living persons and the devastating authority of government. When we pass laws that evade or weaken the Constitution, we imperil free government by setting a precedent which, if followed by future Congresses and future administrations, would increasingly deteriorate the long-established principles by which our Government has become strong and by which we must live if it is to remain strong.

Arguments have been made that a jury trial should not be included in a civil rights measure because it will be impossible to obtain a conviction. It is said that the acts which would be prohibited in this bill could not be effectively eliminated if a jury must pass upon the guilt of those who are accused. I do not agree with that conclusion or any part of it.

This bill, if enacted, will apply to every State in the Nation—the North as well as the South, the East as well as the West.

It is true that large areas have been partly eliminated through these provisions which I have briefly discussed today.

To claim categorically that justice cannot be obtained in a trial by jury is an indictment of the jury system throughout America. I do not believe that such an indictment could be sustained by the facts when full consideration is given to the system of American jurisprudence which has existed through the years.

I believe that by far most Americans are honest, law-abiding citizens who recognize and honor their duties as citizens. I do not believe that American citizens in the South, East, North, or West would deliberately contribute to the miscarriage of justice in discharging their duty as a juror. The Senator from Mississippi is not alone in that contention now nor has he been in the past.

I have before me a statement made by the late Senator from Tennessee, Mr. Kefauver, in a previous debate, in 1957. Senator Kefauver was an ardent supporter of the 1957 civil rights bill. He supported civil rights legislation, but he favored with equal enthusiasm the right to trial by jury. I disagreed with his views in many areas of government. I did not agree with the Senator in the necessity for civil rights legislation, of which he was a strong and ardent supporter.

In a statement favoring an amendment providing trial by jury which was similar to the amendment we have before us now, the late Senator Kefauver said of jury trials:

> Let me say that no system is perfect, but over a long period of time, in the settlement of controverted issues affecting the liberty of people, we have won a great, precious right, the right to trial by jury. As one who has practiced law and participated a great deal in the trial of cases, civil and criminal, both on behalf of the plaintiff and on behalf of the defendant, I say that the jury system may not be perfect. I have felt very often, as have other lawyers, I am sure, that a jury went wild, or that a jury did not do right. I have felt that a jury may have been prejudiced in favor of a woman or a charming girl, or that some passion or prejudice may have played a part in its verdict. Undoubtedly, there are many cases which can be cited in which the jury in the trial of the case affecting the right of a Negro has gone wrong and justice has miscarried. But, on the other hand, in most instances in my State where Negroes and minority groups have been involved, they have been treated fairly and rights have been upheld by juries. If there is any imperfection in the jury system, it will not be corrected by doing away with and surrendering the right to trial by jury. The cure for any imperfection is a better appreciation of the responsibilities of government, of citizenship, and of education, and by greater use of the right to vote, the ballot box approach. These are the only workable means of correcting the imperfections of the jury system or any other system. Any miscarriage of justice will not be eliminated by eliminating the important and hard-won right of trial by jury.

Senator Kefauver was not alone in his support of a trial by jury. Another distinguished Senator who participated in the debate of the Civil Rights Act of 1947, and who as majority leader guided it to passage and later became Vice President and is now President of the United States, said this about trial by jury:

> We are now approaching another basic issue—the question of the jury trial. This issue is far from simple. It will require the careful analysis of thoughtful, reasoning men, because highly trained lawyers who put the bill together took a criminal offense and, by sprinkling a little legal holy water on it, sought to convert it, by means of the bill, into a civil offense, in order to make enforcement easier and to make the bill more effective to give the voter greater protection.

That language is as clear as crystal, as is always the language of the present President of the United States. Even though not a lawyer, he showed a clear knowledge and understanding of the difference between civil contempt and criminal contempt when he said that the "highly trained lawyers who put the bill together took a criminal offense and, by sprinkling a little legal holy water on it, sought to convert it, by means of the bill, into a civil offense."

That is exactly what has been done. The holy water that is used to cut out the right of a trial by jury is the simple language which provides that when the Attorney General enters the suit, it will be in the name of the United States. Then, unfortunately, the Government can turn to the code and make section 3691 of title 18 apply and thus avoid a jury trial.

Mr. TALMADGE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WALTERS in the chair). Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. STENNIS. I yield.

Mr. TALMADGE. Does the Senator from Mississippi think that the words of wisdom spoken by the President at that time ought to be heeded by the Senate today?

Mr. STENNIS. Absolutely. There is more reason for the words to be heeded now than there was in 1957. President Johnson not only was convinced of that himself, but he was very effective in persuading other Senators. I have not heard any reason given—and I do not expect to hear any—as to why this advice should be good advice in 1957 and not good advice and counsel in 1964.

Mr. TALMADGE. Mr. President, will the Senator yield further?

Mr. STENNIS. I yield.

Mr. TALMADGE. Was not the late lamented President John F. Kennedy also a cosponsor of the amendment in 1957, and did he not also make an eloquent speech on the right of a trial by jury in criminal contempt cases?

Mr. STENNIS. The Senator is entirely correct.

Mr. President, I shall continue to quote the President of the United States on that same occasion:

> There is no doubt that under our system, our democratic processes are frequently time-consuming, and we become impatient with them. Perhaps there is merit in converting what are now criminal offenses, concerning the right to vote, into civil offenses. But before we take that step, we must seriously consider whether in criminal contempt cases the jury should not go along with the conversion.
>
> I believe we all recognize that courts must have the power to enforce their orders. But, on the other hand, people—people, Mr. President, people, individuals—who are accused of crimes should have an opportunity, before they are deprived of their liberties for years and put in shackles behind iron bars, to present their case before a jury of their peers, instead of before some case-hardened and perhaps even politically appointed judge.

Those are not my words. Those are words of the present President of the United States. He stated further:

> I consider both points basic. I do not consider them incompatible.
>
> The plea that some juries in some sections will not convict does not seem to me to be reasoned or a wise or a proper approach. In the first place, the truth of the plea has not been demonstrated to this body. In the second place, if the truth could be demonstrated, the appropriate course would be to reexamine our whole jury system.
>
> Under no circumstances should we resort to an expediency to maneuver around a basic protection of our liberties, even though recommended by astute, adroit members of the legal profession.

I emphasize and underscore the advice and counsel of the President of the United States when he said in effect that we ought to use our own judgment, and that we should not resort to expediency in order to maneuver around the basic protection of our liberties.

We expressly charge that the bill maneuvers around and seeks to avoid the basic protection of our liberties. In the name of civil rights, the proponents would deny civil rights. In the name of civil rights, they avoid established civil rights, and the securing of tried and true civil rights that the President of the United States says are a basic protection of our liberties. The President says we ought not to permit that, that it does not make any difference who recommends it.

He stated further:

> Under no circumstances should we resort to an expediency to maneuver around a basic protection of our liberties, even though recommended by astute, adroit members of the legal profession.

Mr. President, the Senator from Georgia [Mr. TALMADGE] has stated that "that was sound advice in 1957. No reasons have transpired since then, Mr. President, to change that advice or that counsel, and the wisdom of those words. They were basic and fundamental then. They are today. They will be 10, 20, 50, or 100 years from now, and I hope forever. We cannot be swept aside by a charge of conducting a filibuster. We are told that we must vote and get on to other matters. We must not be swept aside from a sense of duty under any circumstances."

Let those who say, "Vote now," present an amendment that provides a right for a jury trial, in accordance with the recommendations the present President of the United States made a few years ago.

Apparently, the sponsors of this bill feel that it will be impossible to enforce its terms unless the people upon whom it will be imposed are deprived of the opportunity to determine for themselves, as has been the custom in America since the Constitution was adopted, whether an individual accused of a crime is, by the evidence presented in court, guilty. Instead of the ordinary procedure, they want to substitute the edict of one man—a Federal judge appointed for life and whose decision is refutable only by other Federal judges likewise appointed for life. If they are convinced that this bill is necessary and if they have assured themselves that the corrective action which they propose to institute by its passage will be well received and appreciated, why are they afraid to allow a jury of American citizens to pass upon whether or not a person accused of violating its terms should or should not be punished?

We are not talking about violating the edicts, the commands, the directions, or the decrees of the court as such. The judge would still have the power under the amendment to send an offender to jail to compel compliance with an order. It is expressly written into the law that until the accused obeys the order of the court, he can also be punished indefinitely for disorder, or contempt shown in the courtroom, or in proximity to the court. There is no jury trial connected with powers of that kind.

We are talking now about hauling into court a person who is under an order of the court, and who has done some act which constitutes a crime under the law. If he is to be tried for committing a crime, he must be tried before a jury. He does not have the benefit of indictment, as he would ordinarily have under the statute. But certainly, he should be tried before a jury.

If it is so universally desirable, if there is such a clamor for its passage, if there is such a need for its enactment, why do they refuse to let the people who they claim are clamoring for its enactment and urging its passage sit on a jury and pass judgment upon those accused of violating its terms?

The answer is simple. There is great apprehension that its provisions are so unnecessary and so many people are so opposed to its passage that unless those accused of violating its terms are prosecuted with the entire force of the Attorney General's office and in a forum of the Attorney General's own choosing, it will be impossible to enforce the bill's unwarranted and ridiculous provisions.

I cannot say with certainty just how far the proposed amendments went in changing some provision of the bill. But it is expressly written on the face of the package that there is nothing in the package that would change the House bill, with reference to jury trial. The proponents of the bill have not offered any amendment or made any suggestion, so far as the Senator from Mississippi knows, to comply fully with the basic provisions of the Constitution, which grant the right of a trial by jury in criminal contempt cases. They are almost on all fours in every instance, and always very similar to an ordinary criminal charge against a person, which person is entitled to a jury trial under our Constitution.

Mr. President, the distinguished Senator from Virginia [Mr. ROBERTSON] discussed the question of the right to trial by jury very eloquently when he said:

> It is sometimes said that, while it is true that the Constitution guarantees trial by jury in criminal prosecutions, contempt proceedings are not criminal, so that the constitutional guarantees contained in article III, section 2, clause 3, do not apply. The argument, of course, assumes that contempt proceedings were not considered to be in the nature of criminal proceedings, in the understanding of the men who drafted the Constitution. Actually, there does not seem to be an iota of evidence in the contemporary documents to support the premise.
>
> On the contrary, the evidence is clear that the framers intended to insure trial by jury in proceedings brought by the sovereign against the individual.
>
> That is what is involved in title VII. The "sovereign" in this case will be the Attorney General and his minions, who will proceed against someone on a vague and nebulous charge of discrimination.
>
> There is the strong evidence in the actual records of the history of article III, section 2, clause 3, that the purpose of that clause was to insure "that no person shall be deprived of the privilege of trial by a jury, by virtue of any law of the United States."

The distinguished Senator from Virginia continued:

> It is also clear that in 1787, contempts were considered to be crimes. On this point Blackstone's "Commentaries" are authoritative. On more than one occasion Blackstone was cited to the Federal Convention of 1787 and his statements were accepted as conclusive on the status of English law at the time—1 Farrand 472, 2 Farrand 448–449. All doubts as to whether charges of contempt were considered criminal charges in the 18th century is set at rest by the following passage from Blackstone:
>
> "It cannot have escaped the attention of the reader, that this method of making the defendant answer upon oath to a criminal charge, is not agreeable to the genius of the common law in any other instance; and seems indeed to have been derived to the courts of King's bench and common pleas

through the medium of the courts of equity." (4 Blackstone, "Commentaries," 287.)

Perhaps, in the absence of constitutional provision, the English system of summary proceedings would have become a part of the Federal practice. Since contempts, at the time the Constitution was framed, were understood to be crimes, article III, section 2, clause 3, applies: The trial of all crimes shall be by jury.

Mr. President, I have cited the historical references of the Senator from Virginia [Mr. ROBERTSON] on the subject because I believe that in spite of the many explanations that have been made, the provisions are only partly understood. It has been said that the right of trial by jury in criminal contempt cases is not to be associated with the right of trial by jury in other criminal matters. The only difference is the bare technicality upon which the courts have been divided. As I have already stated, the Supreme Court of the United States is divided now on the question by the closest possible margin. In a very recent case the Court rendered a 5-to-4 decision. The case was on appeal from the decision of eight judges, those judges being divided 4 to 4. Such disagreement demands resolving every possible doubt in favor of the continued freedom and liberty of all citizens.

Mr. President, for the time being I have concluded my speech for today, and I should like to suggest the absence of a quorum——

Mr. TALMADGE. Mr. President, before the Senator suggests the absence of a quorum, will he yield to me for a moment?

Mr. STENNIS. I am glad to yield to the Senator from Georgia.

Mr. TALMADGE. I wish to express my congratulations on and my deep appreciation of the able and scholarly address of the distinguished Senator from Mississippi. He has rendered a valuable service to the Congress and to the country in defense of the legal, constitutional, and civil rights of all American citizens.

I heartily congratulate him.

Mr. STENNIS. I appreciate the fine expressions of sentiment of the Senator from Georgia. It is always a privilege to work with him, not only on this pending bill, but on other legislation which comes before the Senate.

His contribution to this debate has been exceptional. His amendment—the Talmadge amendment, which has been pending in the Senate, and his helpful discussion in the past several days constitute one of the most important matters ever to come before the Senate in the years that I have been a Senator. The Senator from Georgia has greatly advanced our cause.

Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

[No. 241 Leg.]

Aiken
Allott
Anderson
Bartlett
Bennett
Bible
Boggs
Burdick
Cannon
Carlson
Case
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Fong
Goldwater
Gore
Hart
Hartke
Hickenlooper
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Keating
Kennedy
Kuchel
Long, Mo.
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Moss
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

PROPOSED LEGISLATION ON MOAPA VALLEY WATER CO.

Mr. CANNON. Mr. President, yesterday, my colleague from Nevada [Mr. BIBLE] introduced S. 2852 to authorize the Farmers Home Administration to forgive the interest on the indebtedness of the Moapa Valley Water Co. I joined in cosponsoring that bill, and I rise now to express my interest in its passage.

Many of the landlocked communities in Nevada's arid regions experience most unusual and extreme difficulties in obtaining suitable supplies of potable water for culinary purposes. The small farming communities of Logandale and Overton have been shipping drinking water by rail in tank cars from Las Vegas, Nev., almost since the settlement of their valley.

Four years ago, they finally were able to begin construction on a 17-mile waterline which would deliver suitable water and obviate the burdensome expense of "freighting" this essential commodity.

Immediate difficulties were encountered, in that a flash flood washed out over 1 mile of the newly laid pipe before any water had been delivered. More drastic, however, was the fact that the pipe furnished was of an inferior quality which upon use burst and was almost totally unrepairable.

The local water company officials had relied on the expertise of the FHA engineers, whose regulations had ostensibly been met by the pipe suppliers.

The 300 water users, even at this early date, had already begun paying monthly assessments, even though delivery of water was not forthcoming for some time. They have borne the financial burden to the best of their ability, but the recurring difficulties have magnified the burden to such proportions that relief of the type offered in S. 2852 is imperative.

I hope that the Congress will be able to act rapidly on this proposed legislation to avert a community disaster.

CONGRESSIONAL STUDY OF NAVAL AND PRIVATE SHIPYARDS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, on behalf of myself, my distinguished colleague from New York [Mr. KEATING], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Hawaii [Mr. INOUYE], a resolution to authorize a comprehensive study and investigation by the Senate Armed Services Committee of the capabilities of the Naval and private shipyards in fulfilling the requirements of national defense.

I ask unanimous consent that the text of the resolution be printed at this point in the RECORD, and that the resolution lie on the desk until the close of business on May 25, so that Senators who may wish to join in support of it may do so by that time.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD and held at the desk, as requested by the Senator from New York.

The resolution (S. Res. 331) was referred to the Committee on Armed Services, as follows:

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under section 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a comprehensive study and investigation of any and all matters relating to the respective capabilities of naval and private shipyards in fulfilling the requirements of the national defense. In carrying out such study and investigation the committee or such subcommittee shall give special consideration to the following:

(1) The individual and aggregate capabilities of naval and private shipyards to perform work in connection with construction, overhaul, repair, conversion, and alteration of all types of vessels, and, in considering the capabilities of any shipyard, a determination should be made with respect to—

(A) the general capabilities of such shipyard;

(B) the special capabilities of such shipyard;

(C) the strategic location of such shipyard and its ability to serve the naval fleet;

(D) any loss in special skills that might result in transferring operations from such shipyard to another shipyard or from the closing of such shipyard.

(2) The present and anticipated workloads of naval and private shipyards during the period 1964 through 1970.

(3) The cost of performing work in naval shipyards as compared with the cost of having such work performed in private shipyards, and a comparison of work costs between individual shipyards.

(4) A review of the past production performance of naval and private shipyards; and cost estimates for acquiring the capability to perform work reallocated as the result of possible curtailment of operations at any shipyard.

(5) The capacity of naval and private shipyards in meeting national defense requirements.

(6) The impact which an emergency requiring mobilization would have upon existing and planned workloads of both naval and private shipyards.

(7) A comparison of types of work which can best be performed in naval shipyards and in private shipyards.

(8) An analysis of tenant activities and facilities which are supported by existing shipyards and the effect which the closing of a shipyard might have upon such activities and facilities.

(9) The economic impact on the surrounding communities in the event of the curtailment of operations at any naval or private shipyard.

(10) The total cost to the Federal Government including direct and indirect costs, which would likely result from (A) a reduction in work allocation to naval shipyards

and (B) a reduction in work allocation to private shipyards.

(11) Any action, decision, finding, or recommendation of any department or agency of the United States with respect to the curtailment of operations or closing of any shipyard.

SEC. 2. On or before January 31, 1965, the committee shall report to the Senate the results of its study and investigation, together with such recommendations for legislation or other measures as it may deem appropriate.

SEC. 3. (a) For the purposes of this resolution, the committee or its duly authorized subcommittee is authorized through January 31, 1965, to (1) make such expenditures as it deems advisable, and (2) employ upon a temporary basis, technical, clerical, and other assistants and consultants.

(b) Upon request made by the members of the committee or such subcommittee who are members of the minority party, the committee or such subcommittee shall appoint one assistant or consultant designated by such members. No assistant or consultant appointed under this resolution may receive compensation at an annual gross rate which exceeds by more than $1,600 the annual gross rate of compensation of any individual so designated by the minority members of the committee.

(c) For the purposes of this resolution, with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, the Committee on Armed Services or any subcommittee thereof may (1) utilize the services, information, and facilities of any such department or agency, and (2) employ on a reimbursable basis the services of such personnel of any such department or agency as it deems advisable.

SEC. 4. The expenses of the committee or such subcommittee under this resolution, which shall not exceed $---------, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. JAVITS. Mr. President, this resolution provides formal authorization to the Senate Armed Services Committee to examine in detail the comparative operations and roles of the two types of shipyards which have played such an essential part in our National Defense Establishment.

The budget program of the President, along with recent pronouncements by the Defense Department, indicate a scheduled "leveling off" of total defense expenditures. Reduced defense spending on ship construction, repair, and conversion in particular areas will have a significant impact on the shipyards and their surrounding communities. In the case of shipyards employing many thousands of workers, reduced Federal spending in a particular yard would have a substantial impact on the local employment situation.

It is important that the economic impact of reduced defense spending upon shipyards and surrounding communities be considered in computing the savings obtained from reduced defense outlays. Secretary of Defense McNamara has acknowledged the Defense Department's responsibility to ease the impact upon installations and communities caused by reduced defense spending. The cost of assuming this responsibility should be taken into consideration when the Defense Department curtails expenditures at a particular installation.

As is well known, the Defense Department announced on December 15, 1963, that the Secretary of the Navy was establishing a panel to undertake a study of the Nation's shipyard capacity and requirements. The Defense Department study now being conducted is intended to include consideration of the present capacity of the public and private shipyards for construction, overhaul, and repair of all types of vessels. The study will include review of projected workloads, yard operating costs, and the impact of strategic and mobilization considerations on locations of shipyards and major bases.

On December 20, 1963, upon the request of several Senators, the chairman of the Preparedness Investigating Subcommittee of the Armed Services Committee instructed the subcommittee to conduct a preliminary study and inquiry into the problems associated with this Nation's naval shipyard operations. The subcommittee's preliminary inquiry now being conducted is restricted to the naval shipyards and does not include consideration of operations of the private yards.

The subcommittee has available to it the "Report and Analysis of Differences between U.S. Navy Shipbuilding Costs at Naval and Private Shipyards," completed on November 30, 1962, by Arthur Andersen & Co., a well-known accounting firm. However, the scope and date of completion of its present study is of necessity influenced by the other heavy responsibilities of the subcommittee. The resolution introduced today would authorize the Armed Services Committee to devote full attention to hearings and a thorough investigation of both naval and private shipyards. The monetary authorization in section 4 of the resolution is not specified in order that the committee may accurately compute the cost of added staff and other expenses which it would consider necessary to conduct a full study.

This resolution would permit congressional scrutiny of a number of important questions concerning capabilities and costs of naval and private shipyard operations. This investigation would be in addition to any undertaken by the executive branch. It authorizes a review of the capabilities of public and private yards to perform new construction, overhaul, repair, conversion, and alteration work. Past performance records of the shipyards, anticipated workloads for the period 1964–70, capacity of the yards to meet national defense requirements and the impact which mobilization would have upon existing and planned workloads would be examined. The investigation would also look into the comparative costs of performing work in naval and private shipyards and in individual shipyards of each category.

Although the Employment and Manpower Subcommittee of the Senate Labor and Public Welfare Committee recently published a compilation of studies on the "Convertibility of Space and Defense Resources to Civilian Needs"—including a study of the possibilities of long-range planning of a single Navy yard—the question of the economic impact of curtailed Federal defense spending in shipyards and their surrounding communities has not been the subject of congressional inquiry.

Section 10 of this resolution would require the Armed Services Committee to look at the total cost to the Federal Government of any reduction in work allocation to a naval or private shipyard. This total cost to the Federal Government would include expenditures such as compensation payments to those unemployed as a result of such work reduction, payments for depressed area assistance if the reduced workload resulted in an unemployment situation which would qualify the area for area redevelopment, accelerated public works, or other depressed area Federal financial assistance.

The total cost of curtailing work at a Navy yard should include, among other indirect costs, relocation costs for moving employees from one installation to another and new equipment costs at facilities to which work might be reallocated from an installation whose operations were to be curtailed. In effect, both the direct costs assumed by the Defense Department and indirect costs assumed by this Department and other Federal agencies as a result of the reduced work allocation, ought to be taken into consideration in computing overall defense savings.

Section 11 of this resolution would permit the Armed Services Committee to examine any action, decision, finding, or recommendation of any Federal department or agency with respect to the curtailment of operations or closing of any shipyard. This section would authorize the Armed Services Committee to consider the findings and conclusions of the shipyard study being conducted by the Defense Department and any action to be taken by the Department as a result of this study.

The curtailment of operations of our Nation's shipyards is an extremely important matter which would have a tremendous impact upon the employment of a large segment of the civilian population in many areas. It is a matter of grave significance affecting the national economy which should appropriately be considered by a committee of Congress. Thousands of civilians throughout this country should not find themselves in the position of awakening one morning to read in the newspapers about a final pronouncement on the future of their jobs without a thorough advance review by Congress of proposed actions.

The Armed Services Committee would be required to report the results of its study and investigation with recommendations for legislation or other action it deems appropriate by January 31, 1965. Should the Department of Defense study of the shipyards not be completed by this time, the reporting date could be extended.

I am hopeful that the preliminary study on the naval shipyards which the Armed Services Committee has seen fit to conduct can be expanded to include the areas of inquiry incorporated in this resolution.

Finally, I and my colleagues who are sponsoring the resolution are as interested in defense savings and the maintenance of necessary and efficient installations as is anyone else, but we want the Government frankly to face the relevant factors that enter into a consideration of curtailing of work at private or public shipyards. We want the Government to understand every aspect of the cost, social and otherwise, and the full economic impact upon the communities involved, and not to be content with the narrow view we are constantly given, namely, that it will "result in a saving to the Defense Department."

We hope very much that the Senate will think it is proper to adopt this resolution and at long last get to the heart of the problem.

I now yield to my colleague [Mr. KEATING].

Mr. KEATING. Mr. President, I am happy to join with my colleagues the distinguished senior Senator from New York and Senator INOUYE, of Hawaii, and Senator SCOTT, of Pennsylvania, in proposing a comprehensive study of our Navy yards, their mission, their efficiency, their comparability with private yards, and their economic impact on the communities in which they are located.

There are 11 naval shipyards in the United States—on the east coast, Portsmouth, Boston, New York, Philadelphia, Norfolk, and Charleston; and on the west coast, Puget Sound, Mare Island, San Francisco, Long Beach, and Pearl Harbor. Two years ago their total employment was 98,000. Now it is about 85,000 A year from now it will be close to 75,000.

New Yorkers are, of course, especially concerned over the fate of the Brooklyn Navy Yard. New York Naval Shipyard has, over the same 2 years period, seen its personnel reduced from 12,449 to 10,593. It was and is the largest of all naval shipyards. It is the second oldest, founded in 1801, 163 years ago. It has a capability for every type of naval work except nuclear and it has performed just about every kind of job that can be done. Rightly and honorably it has won the name of "the Can-Do" yard.

There may be some who will say that a study of Navy yards is unnecessary or that the Navy or the Defense Department could do the same review better.

Maybe 4 years ago that might have been true, when the members of the New York congressional delegation first asked for a cost evaluation of work done in public and private yards. But the fact is that since August 1960, when that request was made, and the present time, the Navy has utterly ignored the recommendations of the Comptroller General and the General Accounting Office.

At that time, after studying the Navy's cost estimates and those of an efficient private shipyard, the Comptroller General concluded that the Navy's estimate of a $30 million cost differential between an aircraft carrier built in Brooklyn and at a private yard was not sound.

Let me quote the conclusion of the GAO report:

> In summary, we do not believe that the Navy has made a sound estimate of the difference in out-of-pocket cost between construction of the CVA-66 at a private yard and at New York Naval Shipyard. To make such an estimate, we believe that the Navy should prepare a cost estimate in detail for construction of the CVA-66 at New York Naval Shipyard as it has for construction of this carrier at a private shipyard. In making such an estimate, we believe consideration should be given to:
>
> 1. Elimination of fixed overhead and the appropriate portion of fixed overhead costs which would be unaffected by whether or not the carrier is built at New York Naval Shipyard.
>
> 2. Elimination of costs incident to New York Naval Shipyard employees performing in the same capacity as the supervisor of shipbuilding employees in connection with construction of a carrier at a private shipyard.
>
> 3. Elimination of all costs which are principally of a fleet readiness, military support, or governmental nature.
>
> 4. Elimination of costs attributable to training of uniformed personnel and elimination of any other costs which are not also borne by a private shipyard that result in benefits to the Government.
>
> 5. Differences in man-days due to components being constructed by New York Naval Shipyard which are bought by private shipyards.

Mr. President, this study was never undertaken. The recommendations of the GAO were bypassed. The Government's own investigators at the GAO who have a single-minded responsibility to save the taxpayers' money and insure that the statutes of the United States with respect to expenditure of appropriated funds are properly fulfilled—these expert auditors were ignored.

Instead, the Navy put its reliance on figures developed by two private firms, one in the employ of the private shipyards exclusively, the other employed by the Navy for this job, although customarily in the employ of private yards. Despite the high reputation of both firms, any finding on their part that favored the Navy yards over the private yards would necessarily hurt their own best clients. To the surprise of no one, both firms found Navy yards about 30 percent more expensive in new construction, and possibly 5 to 7 percent more expensive in conversion and repair work; although this differential was not considered conclusive. Yet despite these studies, the simple requirements laid down by the GAO were still ignored by the Navy. Navy officials, claimed that to make a cost estimate in detail of any single ship would be lengthy and costly. Yet it would not have taken any longer than the study completed by the accounting firm and it could not have cost any less than the Navy paid.

One important reason for a congressional study, then, is to make all the figures available, not just a select few, and to pinpoint what is fact and what is not in the cost data of the naval shipyards. No one wants to spend a cent more than necessary on Navy shipwork, but the fact is that to date the advice of only completely nonpartial experts has been utterly ignored for reasons which do not stand up to the facts.

Another reason, and a very pressing one, for a study of this nature by the Armed Services Committee or its Preparedness Subcommittee, is to bring out the national security factors involved in all of our Navy yards. The Navy yards, for instance, must be prepared at a moment's notice to undertake all kinds of emergency jobs, big and small. This kind of readiness can wreck a schedule and appear to lower overall efficiency ratings. Yet it is a vital part of the mission of all Navy yards.

Second, Navy yards provide berthing facilities for ships' crews and other necessities of naval life which private yards do not provide. In fact, as the Comptroller General suggested, all the activities of Navy yards which pertain to fleet readiness and military support should be considered a separate and additional mission of the Navy yards and audited in such a manner.

Finally, this study must also consider the economic impact upon the communities affected of closing large facilities of this nature. The larger the facility the greater the impact of a shutdown becomes. The older the facility, the more difficult it is for an already grown community to shift its employment pattern. The more indirect, transfer, adjustment, and other costs involved, the less real saving there is for anyone.

The purpose of this study, then, is to do in a fair and equitable manner, what the Navy and Pentagon have refused to do in the past and are now doing only in a reluctant and hasty manner.

It is an open secret that the Pentagon ax is going to fall, like the oak leaves, in late November, on one or two or several Navy yards. This has been said over and over again. It is the duty of the Congress in this case and under these circumstances to explore the situation carefully and insure that both national security and a fair economic evaluation are also fully considered before any final decisions are made.

I appreciate the courtesy of my colleague in yielding to me to cosponsor this legislation with him. I very much hope that it will receive favorable attention.

Mr. JAVITS. I thank my colleague.

ED SYERS IN HOUSTON POST CALLS FOR ALIBATES NATIONAL MONUMENT

Mr. YARBOROUGH. Mr. President, the Alibates Flint Quarry in the Texas Panhandle is a unique archeological site which the original Americans worked for over 12,000 years. It should be preserved as a national monument, as called for in my bill, S. 1348, which has the support of a great number of scientists and conservationists who recognize the value of this quarry.

The importance of this site and its archeological importance are vividly described in an article by Ed Syers which appeared in the Houston Post of Monday, May 18. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OFF THE BEATEN TRAIL: A LARGE LINK TO THE PAST

(By Ed Syers)

America's true industrial colossus, 35 miles north of Amarillo, is largely unknown to you and me—and with good reason. We have been here only moments of its awesome working lifetime: more than 12,000 years.

It has excited American archeology three fleeting decades. So, from us well-meaning vandals, they've had to lock it secret. It rims the rugged and broad Canadian River Canyon in country, until today so remote, even the wind seems lonely.

This is Alibates—to science, a complex of 550 cliff-edge flint quarries and adjoining miner town pueblos: this continent's foremost link to man's dim past.

To you and me Alibates of the immediate future should become one of America's most dramatic and intriguing national monuments. It will center one of five large recreation areas shorelining big Lake Meredith, to begin filling next year.

There it will be: one step literally from the 20th century into man's deepest known American shadows—the 100th century before Christ. More important, here only in all America, you can turn and backtrail man up the millenia to his todays.

Most important is the way you will do it—as Amarilloan Henry Hertner showed it to me. Like many a High Plainsman, this business leader is an intent and articulate historian in country where they are still writing it. He drove me to the lofting Canadian rims where all Americans came for weapons and tools, 7,000 years before the Pyramids.

For one moment, contemplate that trail. Afoot, from Montana, Minnesota, or California in the deadly age of the fierce-tusked mammoth and giant bison.

Now, you're ready for Alibates' long trail into time.

You leave today outside—the handsome stone and glass pavilion, bluff-perched over the lake, reaching hazy to the rims of Big Blue Canyon, far across.

Just within, a band of frenzied, aboriginal Americans are flung—spear and stone cudgel, kill and die—on a bog trapped but fearsome ice age mammoth. These shaggy-haired, half-naked hunters are Clovis Man, at Blackwater Draw, N. Mex., 10,000 B.C. Over West Central United States his identifying broad spearpoint focuses him in time.

Yonder is Folsom Man, 2,000 years later, on the kill of giant bison. His splendid flintwork ranges him far across midcontinent. All about, in life-sized diorama, they march toward you; Nebraska's Scotts Bluff Man, Wyoming's Eden, and Dakota's Angostura Man. There is this State's Plainview Man, pegging his pronghorn—only 5,000 B.C.; 10 centuries before the wheel.

Finally, the historic Plains pueblo builder who ventilated and insulated his fine rock adobe kivas between the Crusades and Columbus. Yonder he builds.

And all—with one incredible thing in common. They are at kill or work with the best "steel" of their day—Alibates flint. All of them had to come here. Nowhere else was quarried the razor sharp, beautifully splashed flint rainbow that is Alibates—a 3-square-mile, jewellike slab outcropping the cliffs here.

Today, an archeologist can examine a flint fragment and tell you with certainty if it is Alibates. So could any of the fierce-faced hunters about you, across all the centuries of time while these quarries yielded their thousands of tons and flecked the hills about to a glitter with their fragments.

The pavilion level below takes you into the cliff face quarry itself. There, the aboriginal gouges and batters his treasure from the outcrop. Elsewhere on the lower level, he heats, cools, flakes, and chips—fashioning weapon points from the deadly fluted Folsom to the bullet-shaped Angostura.

He crafts his tools: four-bladed knife, two-edged scraper, notched hammerstone and his awl—so fine pointed it can drill a necklace of tiny California shell.

Outside, round the bluff of the trail, you realize the enormous amount of chipped away flint tailings he left down the ages. In every color, shape, and thinness, they cover the ground—in places, several feet deep.

The trail bends a half mile to a high, wide mesquite flat. Here is a 100-room pueblo, yet unexcavated—its rock wall outlines clearly defined from Coronado's time. Below and toward the lake beyond, a lesser pueblo has been excavated and found to have been a kind of marketplace.

Here appeared thousands of artifacts from red Minnesota pipestone, California shell, Yellowstone obsidian, Arizona pottery. From afar, they were brought to barter for this one ageless necessity to Indian—Alibates flint. Here, apart from the quarries, Alibates' miner-manufacturer-merchant worked and lived.

"You could call this a kind of prehistoric Pittsburgh," I said finally to Henry Hertner. The slim and graying Panhandle vice chairman for this monument, an ex-Aggie from back in John Kimbrough's day, nodded:

"Or Damascus * * * or Babylon." Then he grinned. "Or their Cibola."

Nothing else in America approaches it archeologically, he said flatly. Nor more dramatically shows the continuity of man's dim past on this continent.

Leaving, we stopped on the highest ground, where one lone wood windmill marks today's only intrusion on this otherwise virgin land. We were a mile from the quarry. The flakes were all about, tinting every color. I picked up a blank for a hammerstone, a point that had sheared, one bead from a California shell necklace.

I looked back. Behind us was only the jazzed haze of the cañon and the strange-glinting empty cliffs. Like the lake, the monument we saw is yet to come.

Come, it must. A wise National Park Service will not allow this one total story of man to escape * * * and Alibates will be the only national monument covering the field.

Before Congress, the Texas Panhandle has laid unquestionably the most exhaustive study and plan in many a year—for any park project of whatever scope. In support, with all stops pulled, is a literal "Who's Who" of science in prehistory from the Smithsonian to National Geographic.

Without doubt, national parks will add wisely and rapidly.

Because, within a year, boat and car traffic will descend on Alibates. Not now; there are 11 locks between highway and site.

But then without adequate exhibit and protection for this longest American story ever told? Well, we can take it from there.

And almost certainly would.

GI BILL NEEDED NOW—COLLEGE LEADER CALLS FOR PASSAGE

Mr. YARBOROUGH. Mr. President, I ask that we direct our attention to a bill which progressively grows in significance as our Nation proceeds toward its full development. At a time when the strength of our country depends more heavily on the skills, knowledge, and resourcefulness of our citizens, it seems clear that the Congress must take special cognizance of a proposal which recognizes the importance of developing our educational resources to the fullest capacity. I am speaking in reference to S. 5, the cold war GI bill, which would promote the utilization of the educational resources of our cold war veterans.

At a time when we talk of war on poverty, unemployment, and shortages of doctors, engineers, and educators in our society, we as legislators are constantly concerned with alleviating these deficiencies by planning for the future. Yet, in this single bill we have the opportunity of initiating progress in the present, not in the future. This very day we have a few thousand veterans who are developing themselves in our educational institutions by virtue of the last GI bill, of the Korean conflict. However, when these benefits expire next January, we will leave these veterans stranded in the middle of their educational progress—those very people who have already demonstrated their willingness, drive, and initiative to learn. We here today are undertaking a tremendous responsibility if we allow ourselves to be so preoccupied with future that we become instrumental in halting the progress of these veterans by failing to provide the needed action now. Gentlemen, we need not be reminded that veterans in need of education are returning to civilian life daily, and the need is now as well as in the future.

Recently I received a letter from Mr. T. K. Martin, executive assistant to the president of Mississippi State University, in which he states that were it not for the previous GI bills, he would probably not have gone to school. In addition, Mr. Martin concluded that there were many others who would not have continued their educations were it not for this assistance. From the letters which I have received, I find it undeniable that many veterans are this day being deprived of an education because of the lack of assistance.

Mr. President, when we concern ourselves so much with the course of the future and let the advantages of the present escape us, we assume an unavoidably inconsistent position. In striding toward the goals of the future, I suggest we lower our eyes from the horizon in time to contemplate the steps which we are taking now, so that we may not allow our preoccupied concern of where we are going to overlook the obvious steps to progress. To build for the future, I suggest we begin with a solid educational foundation in the form of S. 5, the cold war GI bill.

Mr. President, when we receive letters from the colleges of the country stating that the GI bill has enabled large numbers of students to attend college, it demonstrates the urgency and necessity for the cold war GI bill. The Nation is losing the capabilities of 5 million veterans of the cold war who are now waiting for the opportunity to go to school.

Senate bill 5 has been pending on the calendar of the Senate since the 2d day of July 1963. These 5 million veterans are losing their chance in life. The bill is cosponsored by 39 Senators. Considering the amount of proposed legislation that is shunted or pushed aside, S. 5 is the most slowed down, the most stalled bill in the Senate. I hope the leadership will call it up and have it passed in the not too distant future. It should not be difficult to pass the bill, because 39 Senators have cosponsored it.

Mr. President, I ask unanimous consent that Mr. Martin's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MISSISSIPPI STATE UNIVERSITY,
State College, Miss., February 14, 1964.
Senator RALPH W. YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: As one who after World War II was able to continue his education under the provisions of Public Law 346, I am happy to write to you concerning the veterans training program and to acknowledge the fact that if it had not been for the provisions of Public Law 346, I probably would not have gone back to school. This personal view leads me to suspect that others also would not have continued their educations had it not been for the advantages which they enjoyed.

As a sometime teacher and registrar, I am keenly aware of what, for lack of a better term, we call motivation among our college and university students. I can testify that the records of our institution show that the students who entered training programs under Public Law 346 and under Public Law 550 tended to make better grades than they had made previous to going into the service.

The conduct and demeanor of our veteran students has been of a uniformly high order, reflecting, I suspect, not only the maturity of the veterans but also the discipline and training which they received in the military service.

From point of view of my own experience and from point of view of an official within the institution, I feel that these veteran training programs have paid rich dividends to individuals and into our society.

Sincerely yours,
T. K. MARTIN.

INVESTIGATION OF ROBERT G. BAKER BY THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. CASE. Mr. President, there are reports in the press today that the counsel of the Senate Rules Committee has made some strong recommendations for corrective action as a result of the investigation of the Bobby Baker case, and that these recommendations encompass Senators. According to these reports, the recommendations embody two principles which I have repeatedly urged be adopted in concrete form by this body: First, that all Members, officers, and employees of the Senate be required to disclose publicly their financial interests, and second, that provisions be made for Members to answer questions from committees of the Senate on matters of which they have knowledge.

Leaving aside for the moment the other aspects of the Bobby Baker investigation, I rise in support of these principles. My interest in these principles is not a partisan one, arising from this investigation. I have long been convinced that more than a code of ethics is needed. It is not enough merely to adopt principles. For that matter, a code of ethics for government service was enacted by Congress in 1958, but, as the Bobby Baker case shows, it amounted to no more than a pious expression of sentiment. What we need is assurance that the code will be observed. I am convinced that the only real assurance of this is through public disclosure.

I first introduced my own disclosure bill, S. 1261, as far back as 1958. My cosponsors of the bill sit on the other side of the aisle. Moreover, the 31 Members of Congress who have already voluntarily disclosed their interests belong to both parties.

S. 1261 is now before the Senate Rules Committee. When the committee meets tomorrow to consider its report on the Baker case, I hope it will include a requirement for public disclosure in its recommendations.

As the counsel of the Senate Rules Committee, Lennox McLendon, has reportedly said, public disclosure of private wealth represents each Senator's best defense against suspicion of wrongdoing. I would add that it represents, too, the best assurance that the public interest will be served.

The foregoing should not be taken in any way to indicate a lessening of my dissatisfaction with the committee's conduct of the investigatory phase of the Baker case. It has not done its job in the affirmative, direct way that I believe the circumstances and the responsibility of the Senate to itself require.

The people of the United States, as evidenced by newspaper editorials from many States, have been and continue to be aroused about the handling of the Bobby Baker case. Those who believe that the Bobby Baker matter will blow over do not recognize the strong public interest in a thorough investigation, including Bobby Baker's relationship with Members of the Senate.

There is no looking away from published reports that Bobby Baker dealt in campaign funds for Senators, dealt in committee assignments for Senators, and bragged that he had 10 Members of this body in the palm of his hand.

I shall have more to say about this in the future.

Mr. President, I ask unanimous consent that the text of several editorials and news articles be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) World-Telegram and Sun, Apr. 7, 1964]

SENATOR CASE'S POINT

It appears the Senate Rules Commitee, which was investigating Bobby Baker's big deals, has quit its job and now will restrict itself to some kind of report deploring "activity which cannot be tolerated in the future," to quote Senator JORDAN, the chairman.

The report, the committee has indicated, will suggest ways of protecting the Senate from conflicts of interest on the part of Senate employees. Nothing in the committee's behavior suggests it will do or say anything about possible conflicts of interest on the part of Senators.

But Senator CLIFFORD CASE, of New Jersey, is insisting on the same code of ethics for Senators as may be imposed on employees.

"Most glaring of all," he said in protest to the abrupt ending of the Baker inquiry, "has been the committee's reluctance to view its responsibility as embracing the conduct of Members of the Senate themselves, and its obvious perpetuation of the double standard which Congress has long practiced—one standard for others, another for its Members."

When he was summoned before the Rules Committee, Bobby Baker took the fifth amendment; wouldn't talk at all.

Some evidence suggested some Senators may have been involved in his affairs, but there were no followups.

So CASE urges the committee to ask each Senator: "Did you ever have any business or financial dealings, directly or indirectly, with Bobby Baker? If so, what were they?"

Even CASE sees no prospects that the Rules Committee will follow his idea. Would any Senator care to volunteer?

[From the New Brunswick (N.J.) Daily Home News, May 8, 1964]

CASE SEEKS BAKER FACTS

Senator CLIFFORD P. CASE has succeeded in his effort to get the opportunity to present his suggestions about the Bobby Baker case before the Senate Rules Committee. It has granted him an opportunity to speak at a hearing on May 12, but so far it has turned a deaf ear to his request that the session be an open one.

CASE has clearly been dissatisfied with the results obtained so far in the Bobby Baker investigation. Along with many other Americans, CASE believes that the facts of the Baker case should be obtained and aired. Since Baker himself refuses to divulge the facts, CASE believes the Senate Members themselves should place the facts before the public.

CASE has formulated two questions he wants the Senate Rules Committee to ask of each Senator.

The questions are:

1. Did you ever have any business or financial dealings with Bobby Baker, directly or indirectly? If so, what were they?
2. Did Bobby Baker ever give you, get for you, offer you or offer to get for you: Any campaign contributions; any help in making up campaign deficits by gifts, purchase of tickets or otherwise; any retainer or employment; any preferment in committee assignment or otherwise; anything of value?

It seems to us that these are eminently proper questions for the committee to ask in its search for truth, and it seems to us that every Senator should be compelled to answer them.

There has been so much suspicion about the ramifications of the Bobby Baker case, and Baker and those close to him have been so unwilling to talk freely, that more forcible means of prying loose the facts are in order.

CASE should have the support of every Senator who has clean hands—and this would be the great majority of Senators—for his suggestion to the Senate Rules Committee.

[From the Paterson (N.J.) Morning Call, May 11, 1964]

MR. CASE KEEPS KNOCKING

Tomorrow the Senate will hear CLIFFORD P. CASE, New Jersey's senior Republican Senator, petition that the Bobby Baker case not be dropped. Mr. CASE says he will ask the Senate to do more than it has done in an effort to find out what Bobby Baker actually did.

Mr. CASE, among others, wants answers to these questions: How did Bobby Baker raise a fortune of some $2 million on a $20,000 annual salary? What did Bobby Baker mean when he said he had 10 Senators in the palm of his hand? What did he ask in return from several Senators to whom he offered campaign contributions or funds to make up their campaign deficit—offers which they turned down? What were his relations with a Senator on a land deal, and why?

Senator CASE has suggested that the committee—if it can't get Mr. Baker to answer questions about his relations with Members of the Senate and his contacts generally—get its answers from Members of the Senate.

He treads a thin line, for the Senate has not been eager to ask its own Members about their dealings with the prosperous Mr. Baker.

It would just as soon drop the whole matter. Mr. Case won't let it be dropped, and New Jersey voters should be proud that their Senator keeps knocking on closed doors, looking in closets, and asking questions, whose answers are very slow in coming. There must be a feeling around the Senate that Mr. Case is something of a nuisance, perhaps a little too square, even naive. That kind of feeling is obviously one of the troubles.

Mr. Case, of course, will not go away. He represents a lot of people who want answers. And if he doesn't get them now, then he'll be back asking again. He's got a lot of ordinary people on his side.

[From the Richmond (Va.) Times-Dispatch, May 13, 1964]

The Bobby Baker Coverup

Senator Case, of New Jersey, rightly declares that the Senate's handling of the Bobby Baker case has put that entire body under suspicion. He is strongly against the manner in which the Senate Rules Committee has refused to summon witnesses and has made every effort to hush the matter up. This stifling of evidence has reflected on the entire Senate.

One of the recent developments in connection with l'affaire Baker may not have got through to most Virginians. It is that Don Reynolds, the Silver Spring, Md., insurance man who said he paid for a stereo set for Lyndon Johnson and bought advertising he didn't need on the Johnson TV station in Austin, Tex., has been dropped from membership in the District of Columbia Life Underwriters Association.

Mr. Reynolds was dropped for "conduct unbecoming a member." He flatly denies making "kickbacks" to Bobby Baker. We do not feel competent to pass on the accuracy of his denials. But it is clear to all that Reynolds is taking the rap in an affair involving President Johnson and other highly placed persons. Nobody is bothering to get to the bottom of the Johnson family's involvement, or to expose the facts concerning the relations between various Senators and Bobby Baker.

A more flagrant coverup than the one being attempted by the Senate Rules Committee, whose chairman blatantly declared "we aren't investigating Senators," would be hard to imagine.

Will the committee get away with it?

[From the Newark (N.J.) Evening News, May 13, 1964]

Mr. Case Is Right

New Jersey's Senator Case yesterday stated the moral issue that confronts the U.S. Senate in the Bobby Baker case.

He told the Rules Committee that its investigation, wholly inadequate, had given the public the impression that the committee meant "to put an end to an unpleasant episode—to close the door—to push the whole matter aside in the hope that it will soon be forgotten." That is precisely the impression the public got.

The Baker case is "a sordid affront to the dignity" of the Senate, Mr. Case continued, and because of it every Member "has had his reputation, his good name diminished."

An unsparing appraisal, but an accurate one, as Mr. Case showed by recounting such published allegations as Baker's boast that he had 10 Members of the Senate "in the palm of his hand," that Baker controlled committee assignments and sought to influence votes on pending legislation by offering campaign contributions to Senators.

Until these and other aspects of Baker's relations with Senators are fully explored, the integrity of the Senate remains compromised. For the record shows that Baker accumulated a fortune during his service as secretary of the Democratic Senate majority. That he could have done so without using his position is something many find hard to believe.

Since Baker has invoked constitutional privilege and refused to answer questions about his private enterprise system, Mr. Case suggests the committee call every Senator and put to him questions about his relations, if any, with Baker.

The Rules Committee chairman said at the outset that the committee was not investigating Senators. Mr. Case can't see how an investigation could have any meaning without questioning Senators. Neither can the public. And until they are questioned the public will suspect the Senate has something to hide.

[From the Elizabeth (N.J.) Daily Journal, May 13, 1964]

Case Warns Senate in Baker Case

Senator Case's resolute stand on the Bobby Baker episode forced the Senate Rules Committee to open the doors for his appearance, which was a victory for him and an intimation the situation may yet be saved from a whitewashing.

For weeks the Senator, sometimes almost singlehandedly, had been insisting the Senate should clean its escutcheon and also look to means to prevent another smearing under similar circumstances.

Under the pressure of his barrage in the press, over the air, in magazines, and on the floor, the Rules Committee agreed to hear him, but behind closed doors. At the last minute it yielded and he spoke at an open meeting.

Much that Senator Case gave the hearing has been said at other times by him and by others distressed at the scandal hovering over the Senate as a result of the freewheeling dealings of the former secretary to the Senate Democratic majority. He called the present status of the episode "intolerable," and could have applied a stronger adjective.

Countless citizens share that opinion and many of them are not as polite in expressing it.

In scolding the Senate and the committee for the obvious willingness to bury the matter under the rug, he commented:

"I must say, frankly, that the impression that I have gotten, and I think the public has gotten, has been an effort to put an end to an unpleasant episode—to close the door—to push the whole matter aside in the hope that it will soon be forgotten."

This opinion, widespread at the moment, reflects upon the integrity of the Senate, which every citizen wants to respect. The Senators are not "a privileged class"; the stature of the office and the trust of the voters forbid any such entanglements as the Baker dealings, exchange of favors, and preferential treatment.

This hearing may be the awakening of conscience among sufficient Senators to force further inquiry into the suspicions rampant along the golden trial in Baker's wake. Senator John Williams, Delaware Republican who instigated the Baker probe last October, promises to introduce a resolution specifically authorizing the Rules Committee to summon Senators to testify.

A willingness to open itself to a quiz, in connection with Baker's manipulations would go a long way toward restoring the public confidence the Senate has lost.

[From the Philadelphia (Pa.) Inquirer, May 14, 1964]

Who Really Insults the Senate?

If there was any question about the authority of the Senate Rules Committee to investigate the involvement of Senators, as well as other citizens, in the tangled skein of Bobby Baker, there appears to be no question now.

Senator John J. Williams, Republican, of Delaware, who authored the original resolution for the inquiry, has spelled out in meticulous detail the intent of that resolution and suggested another, specifically including Senators. Its disposition, of course, may well be moot, for Chairman B. Everett Jordan, Democrat, of North Carolina, is distinctly hostile.

Senator Clifford P. Case, Republican, of New Jersey, in impassioned testimony Tuesday, demanded that Senators stand up and state the nature of their dealings with Baker who, at one time, was quoted as saying he had at least 10 Members of the upper House "in the palm of his hand."

Case said this blackened his own name and the Senate's good name. Jordan thanked him for his interest by calling Case a "demagog" who himself "insulted" the Senate.

From here it looks as if Senator Jordan is doing the best job of insulting the Senate right now. He evidently believes that some Senators might not be able to get through such a quiz unblemished.

What could be more insulting than that?

[From the Asbury Park (N.J.) Press, May 13, 1964]

A Privileged Class

The U.S. Senate will not regain a full measure of public confidence until it accepts Senator Case's advice and probes deeper into the Bobby Baker affair. As Mr. Case has observed, the impression prevails that the Senate Rules Committee has been eager "to push the whole matter aside in the hope that it will soon be forgotten." Thus it has cast a shadow over the entire Senate, for among the committee's delinquencies was its failure to inquire into Baker's business relationship with Members of the upper House.

Baker took refuge behind the fifth amendment and refused to testify to whatever deals he had with Senators. Mr. Case would obtain this information by asking each Senator whether he had financial dealings with the former Secretary to the Senate majority. Until this situation is explored there is abundant room for the suspicion that Bobby Baker's relationship with several Members of the Senate has not been fully reported.

Senate investigating committees are customarily diligent in exposing scandal where others than Members of the Senate are involved. The casual manner in which the Rules Committee brushed aside the Baker affair support Mr. Case's suggestion that Senators are being treated as "a privileged class." Under such circumstances the Senate will long remain a subject of suspicion rather than of confidence.

[From the Asbury Park (N.J.) Press, May 14, 1964]

Senator Case Is Right

Senator Jordan contends that Senator Case's proposal for extending the Bobby Baker inquiry is a "blanket indictment, at least by intimation," of all Members of the Senate. It should be suggested to Mr. Jordan that its Rules Committee's failure to probe more deeply into the Baker case is in itself an indictment of the Senate. Mr. Case would relieve the Senate of this uncomfortable position by determining whether any Members of the upper House were involved in financial deals with Baker. This would remove the "blanket indictment" of which Mr. Jordan complains and direct criticism only at those Senators who had engaged in questionable deals with Baker.

There is no other way to dissipate the suspicion that in amassing a fortune he estimated at more than $2 million while he served as secretary to the Senate majority, Baker enjoyed a close relationship with Members of the Senate and profited from this association. It has already been established that he was associated in an exchange of gifts with a former Senator from Texas. The public has a legitimate curiosity in any other relationships of a financial nature he may have had with Senators. And because Baker shielded himself behind the fifth amendment this curiosity will be satisfied only if, as Mr. Case suggests, Members of the Senate supply the information. Such a procedure would restore confidence in the Senate and direct any indictment that might arise in the public mind only against those with whom Baker may have had questionable financial relationships.

[From the Baltimore (Md.) Sun, May 14, 1964]

DEMAGOGUERY

New Jersey's soft-spoken Senator Case is not one of the angry men of Capitol Hill, but before the Senate Rules Committee, that one which managed so deftly to sweep the whole Bobby Baker affair under the plush congressional carpet, he was getting a little hot under the collar. The committee, Case said, had a "sacred duty" to smoke out all of young Mr. Baker's dealings, even if it meant flushing a Senator or two. "If other persons can be called to give information on the Bobby Baker episode, why not Members of the Senate? Why should Senators be treated as a privileged class? Should the preservation of the privacy of Senators outrank the preservation of the integrity of the Senate as an institution?"

Then up spake Chairman Jordan, old and wise and desperately fearful of rocking the boat. "Demagoguery," he snorted. It would be, he said, an "insult" to ask Senators whether they had ever benefited from the good offices of the Baker boy. Baker, once the $19,600-a-year secretary to the Senate majority, resigned when the wheeling and dealing by which he ran his fortune into the millions came to light.

There is demagoguery in the Baker investigation, all right, but it has not come from those who sought to learn the whole truth. It has been on the side of those who wished to pretend that if he were ignored, Mr. Baker might just go away. Mr. Baker is not the real issue, and Chairman Jordan knows it well. It is high time the Senate told him how to run his investigation.

[From the New York (N.Y.) News, May 14, 1964]

KEEP AFTER BOBBY, MEN

Senator Clifford P. Case, Republican, of New Jersey, demands that the Senate Rules Committee reopen the case of Bobby Baker, old wheeler-dealer pal of President Johnson—who nowadays acts as if he has just barely heard of Bobby.

Committee Chairman B. Everett Jordan, Democrat, of North Carolina, tries to dismiss the Case demand as "the height of demagoguery."

Nonsense. The Baker case was swept under the rug for political reasons. The Republicans owe it to the Nation to drag it out from under the rug at every opportunity.

[From the Asheville (N.C.) Citizen, May 14, 1964]

BAKER CASE IS CLOSED BUT REPORT STILL DUE

Efforts of Senator Clifford Case and other Republican spokesmen to keep the Bobby Baker case "alive" have a certain justification, though they are politically motivated. The Senate Rules Committee, headed by North Carolina's B. Everett Jordan, made no real attempt to investigate the dealings of Baker and his pals with individual Senators or with White House Aid Walter Jenkins.

Even so, in an election year, reopening of the inquiry by a Democratic-controlled committee is too much to expect. The best reform advocates can hope for is some form of legislation that will restrict future deals of the type Baker masterminded in his role as secretary to the Senate majority.

There is some doubt whether such a bill will emerge from the committee, though reports from Washington indicate that Maj. L. P. McLendon, North Carolina lawyer who is special counsel in the probe, is urging a resolution based on three principles; Senators should disclose all their sources of income, be prohibited from dealing with contracting officials in the Government, and be subject to subpena by Senate committees.

The Rules group isn't likely to go that far. But several members of the unit are believed to favor a measure embodying McLendon's first and third principles, together with "some means" of regulating intervention by Senators, in behalf of constituents, with agencies in the Government's executive branch.

Certainly, the disclosures in the Baker case warrant the adoption of ethical standards to prevent future misuse of their "influence" by Senators or congressional aids.

But, according to reporters Rowland Evans and Robert Novak, there is a possibility that the committee might be split 4 to 4 on a meaningful reform program, leaving Chairman Jordan with the deciding vote.

Jordan has never had the earmarks of a crusading reformist, but perhaps his friend, Major McLendon—or his back-home constituents—can persuade him that such action is needed in this particular instance. The gates are still wide open for Bobby Bakers-to-come.

[From the New York (N.Y.) Times, May 14, 1964]

THE BAKER AFFAIR—STILL

Senator John J. Williams, Delaware Republican, has stirred up a new fuss with his resolution proposing that the Rules Committee investigate Senators who were alleged to have had financial dealings with Robert G. Baker.

The Democratic majority takes the view that Senator Williams' demand is a political gambit designed to embarrass them in an election year. They have the votes to defeat the resolution and to prevent a broadening of the Baker investigation. But they cannot remove the cloud of suspicion that now hovers over the Nation's most exclusive club.

From the beginning of the Baker affair, the Rules Committee has acted in a manner bearing little or no resemblance to the zeal normally displayed in senatorial investigations, except only in one phase in which it bore down excessively on witnesses' use of the fifth amendment. For the rest, the committee severely limited the scope of the inquiry, it displayed an unusual timidity in failing to follow up obvious leads; indeed, it roused itself from somnolence mainly in trying to bury the case. It obviously has no stomach for extending the investigation to Members of the Senate itself.

The majority of the Rules Committee have only themselves to blame for the long and continuing life of the Baker affair. They are responsible for weakening the prestige and dignity of the Senate; by rendering immunity to its Members, they have left the implication that there may be something to hide.

Public suspicion will not be dispelled until the Senate is prepared to investigate itself. There may be nothing unethical about the conduct of any Senator in the Baker affair; but the public cannot help being skeptical as long as the Senate refuses publicly to face the facts, whatever the facts may be.

[From the Chicago (Ill.) Tribune, May 14, 1964]

THE GOOD NAME OF THE SENATE

We have sometimes been critical of Senator Clifford Case, of New Jersey, but the Senator has a right to be proud of his impassioned appeal to his colleagues to bring out the full truth of the Bobby Baker scandal. The Senate Rules Committee, charged with the conduct of an investigation of the Baker affair, made a few feeble stabs and then, for obvious political reasons, tried to sweep the mess under the rug.

Senator Jordan of North Carolina, Democratic chairman of the committee, announced at the outset of the hearings that the group would not investigate Senators. This was a ruling taken on his own motion, for the resolution by Senator Williams of Delaware authorizing the inquiry did not set any such limit on the committee's powers.

Mr. Case argued strongly that the integrity of the entire Senate and the reputation of every one of its Members were in question as long as the committee refused to touch on Baker's boasts that he virtually "owned" certain Members and had claims upon many others. Baker, in his days as secretary of the Senate Democratic majority, had vast influence and clout in dispensing committee assignments and parceling out campaign funds. Case said he demanded a quid pro quo in return for his favors which, in effect, enabled him to control Senators' votes.

"When I hear of an employee of the Senate boasting that he has 10 Members of this body in the palm of his hand," Senator Case said, "I do a slow burn. Every Member of the Senate has had his reputation, his good name, diminished by the Bobby Baker case. As an individual, I resent Bobby Baker's ability to blacken me."

Mr. Case demanded that the committee call every Senate Member and ask each if he had any business or financial dealing with Baker and if he got anything of value from Baker. Although Senator Jordan protested that this would be an insult to Senators, Senator Williams, author of the original resolution, immediately acted to put Case's proposals in effect.

He submitted a supplementary resolution yesterday to bring Senators specifically within the scope of the investigation and to extend the inquiry, which would otherwise expire at the end of this month, until September 1. This, he said, would lay to rest any question about the authority of the committee.

We will hazard a guess that the Democratic majority will want no part of the Case and Williams proposals, but will prefer to accept the political onus for a transparent coverup that leaves the reputation of the whole Senate besmirched. Why? Because to prolong the investigation, cross-examine individual Senators, and get the truth would be to bring into the open campaign issues which would be highly damaging to the Democrats and to President Johnson himself.

Yet, if the Senate shies away from the challenge, the Senate, and the Democratic Party will remain under a very dark cloud, and the future of congressional investigations of any sort will be fatally compromised. No citizen will trust their conduct or findings if the Baker case demonstrated that political motives govern.

There are many men of integrity and intelligence in the Senate. They are aware that no administration likes to wash its dirty linen in public. Mr. Roosevelt simply ducked the evidence that members of his family were cleaning up by using White House influence. Mr. Truman tried to dismiss the mink coats and freezers as just a "few flyspecks." Mr. Eisenhower was reluctant to act when his assistant, Sherman Adams, was accepting vicuna coats and oriental rugs from Bernard Goldfine.

But the hour has come to separate the sheep from the goats. It is a test of the sincerity and good faith of the Senate whether it will make the courageous decision to seek the truth or whether it will scuttle away, leaving its name tarnished for all time.

[From the Camden (N.J.) Courier-Post, May 14, 1964]

BAKER PROBE MUST BE PUSHED

Senator CASE has done his best to persuade the Senate to cleanse itself of the stain left by the Bobby Baker affair.

Before a heated session of the Rules Committee he has renewed his Senate floor proposal that all 100 Senators be queried about any dealings with the former secretary of the Democratic majority.

New Jersey's senior Senator wants all his colleagues asked: "Did you ever have any business or financial dealings with Bobby Baker, directly or indirectly? If so, what were they?

"Did Bobby Baker ever give you, get for you, offer you or offer to get for you any campaign contributions; any help in making up campaign deficits by gifts, purchase of tickets or otherwise; any retainer or employment; any preferment in committee assignments or otherwise; anything of value?"

CASE recalls reports that Baker boasted he had 10 Senators "in the palm of his hand"; that he influenced committee assignments and offered Senators campaign gifts conditioned on their voting for or against bills such as those to reduce the oil depletion allowance or amend the filibuster rule.

CASE does not say that any of these reports are true. He does not charge the Rules Committee's Democratic majority with trying to push the episode under the rug, although that is widely believed. He merely wants the committee to get to the bottom of the reports, which it has not done. He is right in saying the affair challenges the integrity of the Senate, and that the committee's apparent "determination to do nothing in the hope that the public's interest in integrity and reform will wane" will backfire.

As CASE says, the affair has "blackened" the Senate. Each individual member, like CASE, should resent that fact and do all he can to change it.

Unfortunately, there is no sign that the Rules Committee will heed CASE's warning. Not every member of the committee, or of the Senate itself, has the same high standards of personal integrity as the Jerseyite and the same interest in keeping its reputation spotless.

But CASE does not exaggerate when he says, "If anything short of the direct sale of Senators' votes could constitute desecration of the institution of the U.S. Senate or foul the pure stream of democracy in our country, surely it is such conduct as has been reported in the Baker case."

Although CASE is a Republican, and the Rules Committee's Democratic majority accuses him of playing partisan politics, that charge hardly holds water. The Baker situation is one that transcends politics and parties.

It is unthinkable that the Baker investigation should be dropped at its present stage. If the Senate refuses to pursue it, the parallel investigation being conducted by the Department of Justice must be pushed all the harder.

[From the New Brunswick (N.J.) Daily Home News, May 14, 1964]

WILL SENATE TAKE FIFTH?

New Jersey has every reason to express vigorous resentment at the conduct of Senate Rules Committee Chairman B. EVERETT JORDAN of North Carolina for his unwarranted and slanderous attack on Senator CLIFFORD P. CASE. JORDAN had the effrontery to describe as the "height of demogoguery" the effort of Senator CASE to throw light on the relationships of Members of the Senate to Bobby Baker, the boy wonder who made $2 million while serving as secretary to the Democratic majority in the Senate.

CASE wants questions addressed by the Rules Committee to each individual Senator asking about relationships with Baker. Baker took the fifth amendment to avoid answering questions on his relationships with Senators.

It's proper that these questions should be asked. We think the American people want these questions asked and answered. No honest man should feel embarrassed by the questions.

JORDAN says CASE has issued a "blanket indictment" of all Senators. He has not. He has actually pointed a way—perhaps the only way—that the Senate can clear itself in the eyes of the American people of the suspicions which rise higher and higher about relationships between Baker and some Members of the Senate.

We hate to use the same type of inflammatory language that JORDAN does, but it seems to us JORDAN is in effect asking the whole membership of the U.S. Senate to take the fifth amendment on the Baker case.

[From the Washington (D.C.) Evening Star, May 15, 1964]

THE UNTOUCHABLES

The Senate Democrats, with nine notable exceptions, stood together yesterday and killed a resolution which would have specifically enlarged the scope of the Bobby Baker investigation to include Senators. The inescapable result is to lend powerful support to the already strong suspicion that this is not truly an investigation but is, indeed a coverup.

It has been a long time since the Senate has witnessed a spectacle such as yesterday's—especially the shouting match between Majority Leader MANSFIELD and Senator CASE of New Jersey. Our sympathies are with Senator CASE. He was trying to open up the so-called investigation and to extend the present cutoff date of May 13 to September. Senator MANSFIELD claimed that the resolution already is broad enough to include Senators—a point of view that is not shared by Chairman JORDAN and Counsel McLendon of the investigating committee. The net effect of the majority leader's effort, however, was to rally support for tabling the resolution.

The Senate did approve a modified resolution which, for the first time, gives Republican Senators on the committee the right to call witnesses. This doesn't mean a great deal, since the investigation will end in 16 days. But the Republicans should do what they can with this opportunity.

It may be helpful to point out why some Senators themselves are widely assumed to be involved in Bobby Baker's get-rich-quick record as a Senate employe. Mr. Baker has been a child of the Senate in a very unusual way, rising from teenage pageboy to secretary to the majority and in the course of his rise amassing, at least on paper, a considerable fortune. Part of it came from enterprises shared with prominent Democrats.

Under these circumstances, it is reasonable to conclude that at least some Senators have been involved in Baker's projects. One way to get the facts would have been to conduct an investigation devoted to finding out, not to covering up. Another would be for Senator WILLIAMS, who has led the drive for this investigation, to take the floor and discuss the Baker case "in all its dirty details," as he has said he may do.

[From the Greensboro (N.C.) Daily News, May 15, 1964]

THE BAKER CASE REVIVED

As the Evans-Novak column across the page indicates, at least one figure in the Bobby Baker investigation saw the point of the matter and saw it clearly: Maj. L. P. McLendon.

Certainly the major's insistence that the U.S. Senate must adopt new rules governing the private financial dealings of its Members is not only revolutionary but—unlike most of the yield of the Baker inquiry—relevant.

In the Baker investigation the Rules Committee winnowed bushels of evidence, but left the misleading impression that the chaff of Mr. Baker's petty dealings as majority secretary was the issue, rather than the grain of Senate ethics. To a degree, the committee was put off by a host of gossipmongers who flocked to its staff with unsubstantiated and petty evidence which it had no reason to credit, considering the source.

But a gap was left, and that is why there is as much point as politics in the demands by Senators CLIFFORD CASE and JOHN J. WILLIAMS (both Republicans) that the Rules Committee reopen its probe under extended rules and with an expanded cast of characters.

North Carolina's junior Senator, B. EVERETT JORDAN, a temperate and cautious man, has not really disposed of the Senate's problem or the Democratic political problem by pleading that it would be an insult to Senators to drag them into the Baker hearings. This is as unfortunate in its way as his earlier declaration—which he later modified—that the Rules Committee under his chairmanship is not investigating Senators. For the point is, as Major McLendon and a steadfast minority of the Rules Committee insist, that the Rules Committee cannot satisfy the country about the Baker case—or consequently about the Senate itself—until it has indeed investigated Senators—and maybe even "insulted" a few of them.

Senators are important people, to be sure. But they are not above being insulted if they deem it an insult to be asked whether they have used their high office for purposes of self-enrichment. The truth is that the Senate is a body with 18th-century notions of its dignity, surviving into an age of 20th-century communications when there is not a hamlet in the land which is unaware of the cloud Mr. Baker has put it under.

Perhaps the root of the matter lies in the Senate's having taken too seriously the pleasant and flattering remarks of its students and publicists that it is a "club." The Senate is indeed a club, in that as Members of a great deliberative body Senators observe with each other a code of broad and deferent tolerance and refuse to be churlish even in the face of maddening eccentricity. This is a salutary form of clubbiness. But the Senate must not confuse a code of manners with a mode of ethics. It must not confuse internal courtesies with defensible norms of accountability to the public, for it is, after all, composed of public officials accountable for their acts to the public. The Senate is a club for parliamentarians, not for spoilsmen.

Senator CASE's demand for a renewal of the Baker inquiry, if it is not exactly the height of demagoguery, is, from the Republican point of view, a convenient mixture of politics with principle. It is politically profitable for the Senate Republicans to bring this foundling to the doorstep again. But it may be more profitable in the long run for the country and for the Senate, once it clears itself of the suspicion that it is demanding a privilege for itself that it would not for a moment tolerate in other branches of government.

[From the Washington (D.C.) Post, May 16, 1964]

UNFAIR TO SENATE: BAKER CASE IMPAIRS REPUTATION

(By Roscoe Drummond)

At a public session of the Senate Rules Committee, a recent column of mine on the committee's handling of the Bobby Baker case was sharply criticized as unfair.

I had written that the Rules Committee had been showing positive genius in finding ways not to investigate the ramified operations of Bobby Baker when he used his powerful position as secretary to the Senate majority for his personal gain.

I should like to set out the facts just as faithfully as I can—and leave the verdict to the reader:

Senator B. EVERETT JORDAN, Democrat, of North Carolina, has frequently stated that his committee "is not investigating Senators."

The chief counsel, Lennox McLendon, has stated that the reason Senators are not being questioned is that the committee is powerless to do so under the Senate's authorizing resolution.

Senator JORDAN thus far has turned aside the proposal made by Senator CLIFFORD CASE, Republican, of New Jersey, that all Senators be asked about any dealings with Baker, on the ground that such a procedure "would be an insult to a Senator."

Chairman JORDAN's contention that his committee question Senators must stand or fall on the argument that the committee is stopped from doing so because the Senate passed too narrow a resolution.

Here is the core of the resolution: "That the Committee on Rules is directed to make a study and investigation with respect to any financial or business interests or activities of any officer or employee or former officer or employee of the Senate."

Senator JORDAN and counsel McLendon say that since Senators are not mentioned in the resolution they can't be questioned.

I would like to point out that, in tracing part of the trails which Bobby Baker left behind him, the committee has questioned insurance executives, bankers, corporation officials, and real estate operators. But the Senate resolution doesn't mention insurance executives, bankers, corporation officials, or real estate operators.

The resolution simply says that the committee shall investigate the activities of present or past employees of the Senate.

When Baker's trail leads to closed doors, is there anything in the committee's mandate which says it shall not open those doors—even Senators' doors?

Furthermore, a strong case can be made that Senators are themselves employees of the Senate. The committee counsel says no, but there is a better qualified witness who says yes. He says:

"I wish to inform the Senate that if we did not know it before, we are all employees of the U.S. Senate. Therefore, the original resolution adopted by the Senate encompasses all that the Senator from Delaware"—JOHN J. WILLIAMS, who was proposing to spell out the resolution more precisely—"has said."

This witness is the Democratic majority leader of the U.S. Senate, Senator MIKE MANSFIELD, of Montana, who made the foregoing statement on February 4, 1964.

The proposal of Senators WILLIAMS and CASE to include Senators expressly in the Baker investigation might be useful to make it explicit, but I contend it is unnecessary unless this is the only way to get the Rules Committee to do its work.

[From the New York (N.Y.) Herald Tribune, May 16, 1964]

MONEYCHANGERS IN THE TEMPLE

That intemperate shouting match the other day between two normally mild-mannered Senators, Majority Leader MANSFIELD and New Jersey Republican CLIFFORD CASE, showed how raw senatorial nerve ends have been rubbed by the Bobby Baker case. And the 42 to 33 vote against broadening the inquiry to include improper activity by Senators was a pretty good indication of why the nerve ends are so raw.

The Baker noninvestigation has been marked from the start by a tremulous reluctance to let it go further than it absolutely has to. Senator JORDAN's well-remembered remark, "We're not investigating Senators," has set its tone and marked its limits—despite the transcendent fact that it was Baker's relationship to the Senate—and to Senators—that attracted the public spotlight in the first place. It's not the peccadillos of one former Senate employee, however influential, that is of paramount public concern. Rather, it's the ethical standards of the Senate itself. For Baker was the Senator's creature, and the Senate Baker's teacher.

One of Baker's levers of power was his handling of Democratic campaign funds. In adamantly refusing to investigate the way these were handled, the majority is tacitly acknowledging that it doesn't want the facts brought out.

Sadly, one of the prices we pay for elective democracy is the corruptive influence of the contributions without which campaigns can't be waged. The average voter, by not contributing, leaves the official dependent on money from those who give in the expectation of getting. Pass this money through the hands of a Baker-type operator, and it's easy to see why Senators who get it might want any inquiry tightly lidded.

But it's the public's business that the Senate conducts. It was the Senate Members' own choice to take the public stage and assume a public trust. And it's the public's right to know what role moneychangers have played in the temple of democracy.

[From the Washington (D.C.) Post, May 16, 1964]

SENATE TAKES THE FIFTH

The Senate had a right to refuse to investigate itself, but by doing so it has exposed its own Members to unnecessary suspicion and controversy. It has said in effect that the misconduct of a Senate employee, former Majority Secretary Bobby Baker, must be scrutinized and exposed. But Senators will not be asked to testify in regard to his operations because this might lead to embarrassing disclosures in regard to their own activities.

Aside from the inflammatory exchange between Majority Leader MANSFIELD and Senator CASE, the ambivalence of the Senate on the issue was demonstrated by Thursday's voting. The Senate first decided by a vote of 36 to 33 that the Republicans should have the right to subpena witnesses in the Rules Committee investigation of the Baker affair. But this amendment was part of a larger resolution by Senators WILLIAMS and CASE designed to extend the investigation until September. Upon the insistence of Senator MANSFIELD, the Case-Williams resolution was defeated, carrying down with it the GOP subpena rights previously approved.

So the investigation will end on May 31 without any examination of the witnesses the minority wanted to call. It will end without clearing up the report that Mr. Baker suggested to Senator MCINTYRE, of New Hampshire, that "some people" would be willing to pick up a $10,000 campaign debt. Nor has any testimony been taken about an allegation that Mr. Baker deceived the Democratic steering committee in the allocation of committee assignments, even though Senator HUMPHREY, the Democratic whip, had requested such an inquiry.

The coverup aspects of the investigation cry out so loudly that it may be difficult to get a hearing for the reforms that the Rules Committee is expected to recommend. The public has relatively little interest in Mr. Baker's finances as such. What it especially wanted to know was whether Mr. Baker did indeed, as he is said to have boasted, hold 10 Senators in the hollow of his hand. It wanted to know whether he juggled campaign funds to influence votes on the floor.

By cutting off inquiry into these matters from the people who are in the best position to testify—Senators themselves—the Senate has in effect taken the fifth amendment against self-incrimination. The investigation will peter out on May 31. The issue will remain, and if innuendo flourishes where facts have been hidden the Senate will carry a heavy portion of the blame.

[From the Newark (N.J.) Sunday News, May 17, 1964]

SENATORIAL IMMUNITY

With 42 Democrats acting as honorary pall bearers, the Bobby Baker mess has been given an indecently premature burial by the U.S. Senate.

From this it is obvious that in the narrow calculations of Democratic leaders the resultant harm to the party will be far less grievous than would a thorough-going inquiry running concurrently with a presidential campaign.

So Senator CASE's attempt to exhume all the facts of this scandal has been turned back on the Senate floor with all the finesse of a streamroller. By a 42-to-33 vote senatorial immunity is conferred on all club members, and none will be required to tell of his dealings, if any, with Baker who had boasted of his power and influence over his supposed superiors.

Yet this is the very same Senate that does not hesitate to call in people in business, government, or labor whenever it suits its purpose to do so. This is the Senate's right, often its duty.

But why in the immediate case, shouldn't Senators be willing to give the kind of testimony so often demanded of others by their investigating committees? In short, why make the Senate a privileged sanctuary for Members?

Democratic determination to keep the lid on the Baker mess regardless was demonstrated by the insulting treatment of Senator CASE during the debate. In violation of Senate rules and tradition, he was denied the right to invoke personal privilege when he felt Majority Leader MANSFIELD had accused him of improper conduct in thus speaking for the public's right to know.

Senator MANSFIELD, defending the Rules Committee, said the resolution which Mr. CASE cosponsored was politically inspired and impugned the "integrity of the whole Senate with sly innuendo."

Of course, it was no such thing. It was an attempt to force the Rules Committee to do the job the public interest requires.

A lot of crocodile tears have been spilled in the last few days about "impugning" the dignity, integrity, and honor of the Senate. But who has done more impugning than the Senate majority and its leadership by the act of choking off this essential investigation?

Defeat of the probe resolution, the partisan denunciation of Senator CASE, the steamroller tactics, all conspire to confirm the suspicion that somebody has something to hide, and that the coverup now voted was even more imperative than first suspected.

[From the New York Times, May 17, 1964]

THE BAKER INQUIRY: DISPUTE IN THE SENATE OVER BROADENING THE INVESTIGATION IS ANALYZED

(By Arthur Krock)

WASHINGTON, May 16.—From the outset of the investigation by a Senate subcommittee of the financial operations of Robert G. Baker, former secretary to the Senate majority, the conduct of the inquiry has served to exclude testimony on Baker's role in the allocations of senatorial campaign funds and his relation to the sources from which they were derived. The turmoil in the Senate Thursday, the most disorderly and objurgative in recent times, arose directly from this exclusion.

It also provides the key to the rollcall by which was rejected the proposal by Senator John Williams, Republican, of Delaware, that the subcommittee be specifically instructed to explore this highly sensitive political area. On the motion of Majority Leader Mike Mansfield to table—kill—Williams' proposal, the majority of 42 that voted "aye" consisted entirely of Democrats, only 9 joining the solid Republican phalanx of 24 who voted "no." When the party line is drawn as clearly as on this rollcall, the reason is to be found in acutely partisan considerations.

On the Republican side, the hope has been that public opinion would force the Democratic-controlled subcommittee to open the record of Baker's handling of the senatorial campaign funds, and that the disclosures would alienate many voters from the Democratic national ticket of 1964. Whether or not the Democratic establishment in the executive and legislative branches of the Government feared this would be the consequence, its repressive measures have created that impression. And it was surely strengthened among those citizens where the impression may have been spread by the violent parliamentary suppressions Thursday of Senator Williams and Senator Clifford P. Case of New Jersey, and the partisan majority by which these suppressions were enforced.

So that, if the Republicans are unable to lay their hands on the poilitical dynamite they suspect the campaign fund records would furnish them, the Democratic establishment has helped them to convey this suspicion to the voters. This asset will be increased in potential vote-getting value if the subcommittee terminates its inquiry by May 31 as scheduled, and without broadening it to cover the campaign-fund, Baker-connected study proposed by Senator Williams.

A REPUBLICAN GAIN

For a brief period in the floor brawl Thursday the Republicans were in a position to force the subcommittee to include this issue in open evidence. The Senate, 36 to 33, had agreed to grant the minority Members the privilege so far denied, of calling witnesses who were certain to be quizzed about Baker's handling of the campaign funds. And the Republicans would score politically whether these witnesses refused to answer substantive questions or gave testimony embarrassing to the Democrats.

But the grant of privilege died with the defeat of the Williams amendment as a whole. Therefore, the Democratic establishment was left to carry the double burden of excluding the campaign funds issue and of denying to Senator Case his rights under the rules, as generally interpreted and enforced by the Chair. One is the right to invoke a debate on a "point of personal privilege." The second, which is related to the first, is the right to appeal to the Senate to reverse a decision of the Presiding Officer that the "point of personal privilege" has not properly been raised.

The improbable initiator of the rulings from the Chair by which both these rights were denied was the most considerate of Senate leaders and the Member most protective of orderly procedure, Mike Mansfield, of Montana. The violently reacting victim of his parliamentary and oral bludgeoning was the Member with whom moderation in speech, act, and partisanship are closely associated—Case, of New Jersey. The assisting principals in the gaveling-down of Case were the ordinarily polite freshman Senator from Massachusetts, Edward M. Kennedy, and his partner in confusion the Senate Parliamentarian, Charles Watkins.

INCREDIBLE SCENE

The shouting floor encounter was as incredible to read about in the Congressional Record as it was to those present. It began quietly enough, with Senator Williams offering his amendment and Senator Curtis offering his, and each arguing his point in orderly fashion. But then Senator Mundt, Republican, of South Dakota, set off the explosion by a "rhetorical" question to Senator Williams. It was in essence whether a motion to table his resolution would not be taken "in every precinct in America" to reflect the intent of the democratic establishment to make the subcommittee investigation "a bomb shelter for the protection of Senators themselves?" When Senator Williams solemnly replied, "That is correct," Senator Mansfield, visibly angered, took the floor.

"The resolution under which the committee has operated," he said, "is broad enough to permit any necessary inquiry into the affairs of anyone in the Senate * * * or associated with the Senate * * * now or in the past. But it is not broad enough to permit any Senator to * * * challenge the integrity of the 99 others on the basis of rumors and innuendoes. So I say to [Senators Case, Williams, and Hugh Scott, of Pennsylvania], name the * * * Senators you wish to have interrogated * * * now, tomorrow, within 48 hours * * * on the floor. Be specific about the mishandling of campaign funds. [The subcommittee chairman will * * * hear them] and do it under the existing resolution, and at once * * * let us have done with the sly inuendo * * *."

SENATOR CASE OVERRULED

The next 15 minutes resounded with shouts by Senator Case of "point of order," and "point of personal privilege"; with Senator Mansfield drowning out those shouts with his own; with Senator Kennedy overruling Senator Case time after time and telling him as often to "take your seat"; with the Parliamentarian reversing himself—the first instance of the kind anyone recalls.

When the bedlam ceased, Senator Case, as he commented, had been "overridden by the roughest exhibition" of power ever employed by "the Presiding Officer, the Parliamentarian, and the majority leader." The Republicans hope that matters will stand in that posture. And the Democratic high command is having anxious second thoughts on ways to repair the damage the gagging of Senator Case may have on Senate support for the other gagging it has in view—of the southern filibuster against the equal rights bill.

[From the Ridgewood (N.J.) Sunday News, May 17, 1964]

The Questions Persist

It had been many years since the Senate witnessed anything like this. The account in the New York Times called it a tempestuous shouting match, an outburst of passion and acrimony, an angry dispute that lasted 15 minutes. The participants were Senator Clifford P. Case, Republican, of New Jersey, and Senator Mike Mansfield, Democrat, of Montana, the majority leader, and the issue was whether to broaden the inquiry into the affairs of Bobby Baker.

The extraordinary display of emotions and anger by two of the Senate's most restrained Members added little of a constructive nature to the debate over Baker, but it was sharply indicative of the deep feelings this issue has raised. Senator Case speaks for a wide segment of the public when he says the investigation should be continued until all questions are answered and every bit of suspicion removed. The Senator has been pressing for a broadening of the inquiry, even to the point of asking questions of his fellow Senators and this is where he was met strong opposition because such questions would violate one of the Senate's traditions.

We feel that the public's best interests have not been served by the Senate's rejection of Case's proposal. The Baker inquiry is of sufficient importance to require the turning over of every stone. The denting of another Senator's dignity is of little consequence. There is a cloud of suspicion that ought to be cleared away.

[From the Hackensack (N.J.) Record]

The Tactlessness of Mr. Case

The Senate Rules Committee, charged with investigating the rancid Bobby Baker, has duly investigated Senator Case, Republican, of New Jersey, and adjudged him to be a demagog. That's what Mr. Case gets for pointing out that the committee's behavior suggests it yearns to push the whole Baker mess aside in hope it will be forgotten soon, i.e., before November 3. "I suggest it is intolerable that we leave the matter in this sorry state," he said when, by judicious planting of a squawk in Roscoe Drummond's syndicated column, he embarrassed the committee into letting him speak to it. The committee chairman said it is intolerable of Mr. Case to say the chairman's management of the garbage disposal service is intolerable; the committee Democrats rebuked Mr. Case all over the premises for saying they've left nasty questions dangling, and the committee majority made it clear enough that under the rug is where Bobby goes, but now.

A question of fact is posed. Senator Jordan, Democrat, of North Carolina, the chairman, says no Senators are involved in the Baker scandal. Mr. Case says otherwise:

"When I hear of an employee of the Senate boasting that he has 10 Members of this body in the palm of his hand, I do a slow burn. It is difficult for me to contain my anger when I hear talk, which every one has heard, of Bobby Baker's dealings in committee assignments * * * of Bobby Baker's offering $5,000 to Senators or senatorial candidates for campaign purposes and attaching strings to these offers in the form of commitments to vote for or against oil depletion allowances or amendment of rule 22.

"The whole point of the committee's inquiry is that Bobby Baker has involved Members of the Senate and the Senate itself," he insisted doggedly, and the Democrats did protest too much. They aren't going to ask any Senator any of Mr. Case's embarrassing questions. They know the answers. That, one suspects, is just the trouble; they know the answers. The worst of the baleful humbug is that it's all so self-righteous.

[From the Newark (N.J.) Star Ledger, May 16, 1964]

The Baker Case, Continued

After an angry, name-calling hassle, the U.S. Senate has decided against broadening the scope of the Bobby Baker investigation.

The issue was lost in a welter of shouting between New Jersey's Clifford P. Case, who has been leading the fight for a broader inquiry, and Mike Mansfield, Senate Democratic leader.

At the bottom of the Senate fight is the ogre of political motivation. The Republicans have been accused of using the Baker affair as a lever to sway public opinion in the upcoming presidential campaign. On the other side, the Republicans have accused the Democrats of sitting on the investigation for a purely political reason—the possible embarrassment.

Actually, this is not, nor should it be, the fundamental issue, other than the Baker affair itself. There is another point that is more highly significant in the view of political scientists. And it is simply this: A Senate investigation of possible irregular activities involving this legislative body should not be conducted by officials who are intimately involved with the situation.

Where else would an inquiry of this kind be tolerated, if anyone is sincerely interested in reaching an independent, unbiased conclusion of possible wrongdoing?

The Senate has been traditionally regarded as a clubby organization, whose Members jealously guard not only their own interests but those of their colleagues with a consuming zeal. Why should this attitude, this atmosphere be extended into an investigation that strikes at the Senate itself?

The Baker case should be removed from the Senate sphere of influence and placed in an independent arena, where the atmosphere is antiseptically independent and disinterested. This should be the major point of contention, not the issue of the scope of the investigation. This would, of course, take care of itself if an independent inquiry were undertaken. We are not likely to see this, however.

[From the Louisville (Ky.) Times, May 18, 1964]

DEMOCRATS HURT THE SENATE BY SEEMING TO PROTECT BAKER

Whether the Senate likes it or not, whether individual Senators are involved or not, the inquiry into the affairs of Robert G. Baker cannot be left where the Rules Committee has attempted to leave it. A vote which lined Republicans solidly against Democrats, with the latter winning, seemingly ended the committee's 5 months of hearings into the affairs of Baker some weeks ago. The Republican minority, with the support of a small group of Democrats, has sought ever since to reopen the inquiry and to question individual Senators about their dealings with the former clerk to the Senate majority leader.

The attempts erupted last week in a bitter quarrel which now seems likely to affect the major problem before the Senate, passage of the civil rights bill. Questions have been raised and accusations made which the Senate for its own sake must attempt to answer.

AN APPEARANCE OF WHITEWASH

The conduct of the Rules Committee set the stage for this latest outburst. In deciding to ask no questions relating to campaign contributions and to adhere strictly to its rule of not investigating Senators, the committee incurred justifiable criticism of its hearing as a whitewash.

Implicit in all the Democratic nervousness over the Baker affair is the thought that further investigation might involve President Johnson or members of his staff. But the President and his associates are involved, whether they like it or not, and the extent of their involvement, which may be, and probably is, minimal, had far better be publicized than made the subject of endless rumor and gossip.

Senators CASE and WILLIAMS may be acting from partisan motives in thus pushing the Baker case in the faces of their reluctant colleagues. But principle is on their side as well as partisanship. The Senate is under a cloud that cannot be dissipated merely by ignoring it.

The matter of Baker and the whole area of his operations, the circumstances which made it possible for this young man without money of his own other than a modest salary, to buy and sell stock, to influence contracts, to become the owner of expensive real estate, cannot be hidden from sight without still further injuring the reputation of the Senate and even of the President himself.

Some Democratic Senators see this as well as a majority of Republicans. They would be well advised to act as peacemakers in the ugly division which has now developed, by urging the wisdom of the fullest and most impartial inquiry into the Baker matter. Nothing less than this can silence rumor and restore confidence.

[From the Portland (Oreg.) Oregonian, May 15, 1964]

QUESTION OF INSULTS

Senate Rules Committee Chairman EVERETT JORDAN, Democrat, of North Carolina, missed the point in his angry response to Senator CLIFFORD P. CASE's demand that each Member of the Senate be asked about his relations with Bobby Baker. The proposal, Senator JORDAN said, "would be an insult to a Senator."

Senator CASE's implication is that the U.S. Senate has been painted with Bobby Baker's tarry brush. And he is dead right. No one, not even Senator JORDAN or President Johnson, Mr. Baker's erstwhile mentor, can believe that Bobby Baker's spectacular business career was launched on the power solely of his own considerable talents. He drew on the prestige and influence inherent in his position as secretary of the Senate Democratic majority and on his intimate relationship with Senators.

Bobby Baker had no goods of his own to peddle, no authority or influence on legislation or events except as these commodities for his associates' speculation were reflected in the constitutional powers of the U.S. Senate. He used the Senate and he used the Senators, and both the institution and its Members will suffer severely thereby if its Democratic leaders persist in the fantasy that Bobby Baker was on his own. The official view of the case, from President Johnson on down, is an insult to the understanding of the American people, which must be, Senator JORDAN notwithstanding, at about the same level of contempt as insulting a Senator.

[From the Kansas City (Mo.) Times, May 16, 1964]

DEEPER INTO THE SWAMPS WITH B. BAKER

If Thursday's performance of the senatorial circus-in-the-round ends the Bobby Baker probe, we must say that the ending leaves a bad taste in the mouth.

We can understand that tempers have become edgy beneath the pressures of the prolonged civil rights debate. So we won't fault anyone for the exchange of sharp words. But we will fault the majority of the Senators who voted against the resolution that would have included the activities of Senators in the scope of the investigation. It was a disgusting performance.

Inevitably, we suppose, the whole thing degenerated into politics at its worst. In a sense this has been Bobby Baker political week on Capitol Hill and it began, as we recall, when Senator B. EVERETT JORDAN's Rules Committee heard a Republican—Senator CASE, of New Jersey, suggest that the probe should be broadened to permit questioning of Senators. "Politics," the Democrats said. Then Senator WILLIAMS of Delaware, also a Republican, brought the matter up on the floor. That was when the egg hit the fan. It seems to have been forgotten that some time ago the same question was raised by a Democratic Senator (GORE, of Tennessee). He was given, in the floor debate that followed, some of the finest doubletalk we have ever heard. And that was that.

The point that has been missed—for whatever reasons, we would not attempt to say—is that the shadow of Bobby Baker is cast across the entire Senate of the United States. We are not concerned here with the relationship of this man with Democrats or with Republicans, but with Senators. Baker was the secretary of the majority in his day, so we would assume that he did have more contact with Democrats. The assumption is beside the point, however.

It is not beside the point to say that public confidence in the Senate has been shaken by the Baker case. This is not to suggest that any Senator has been in on influence peddling or has improperly used his office. For that matter, until the Rules Committee report is presented, the public cannot say for sure precisely what Baker himself has done. The committee will have to tell us (if it has found out) and we assume—not too optimistically—that it will.

The problem, however, is that no one can say that Senators were not somehow involved in certain dealings that were, let us say, hardly proper for lawmakers. Rightly or wrongly there is the element of doubt, and in the interest of the public and the Senate, it ought to be cleared up. The fact that it apparently will not be, as we see it, only adds further to the doubt.

We have a great respect for the Senate of the United States. It is half of the world's greatest legislative institution and we would not, for the world, downgrade its dignity or its stature. It seems clear to us, however, that the Senate itself has succeeded in doing just that.

In his testimony before Senator JORDAN's Rules Committee, Baker, with proper attention to the legal phraseology required, hid behind the fifth amendment. It was his right. But we cannot see that the Senators, elected by the people, can so cavalierly dismiss their own responsibilities either to the Nation or to themselves. By so doing they most certainly perpetuate suspicions that should never have been allowed to arise in connection with the U.S. Senate.

We must say that as of this day, considering the sorry sequence of a week's events, our respect for the Senate of the United States has been shaken. It is a situation that calls for a little old-fashioned public indignation.

[From the Charleston (S.C.) News & Courier, May 16, 1964]

FREE SPEECH THROTTLED

With Senator EDWARD M. KENNEDY, Democrat, of Massachusetts, serving as Presiding Officer and handing down parliamentary rulings favorable to the Democrats, Senator CLIFFORD R. CASE, Republican, of New Jersey, lost a battle Thursday to persuade the Senate to expand investigation of the Bobby Baker scandal.

Senator MIKE MANSFIELD, Democrat, of Montana, Democratic majority leader, held the floor. He refused to allow Senator CASE to speak on a point of personal privilege until the time allotted for the resolution on expansion of the probe had been exhausted. Senator CASE declared: "This is the most shocking overriding of a Senator's rights."

The Democratic refusal to pursue the investigation sustains the whitewash applied to Bobby Baker's relations with President Lyndon B. Johnson. The probe became meaningless when Democrats on the Rules Committee absolutely refused to summon Walter Jenkins, longtime aid to President Johnson, despite glaring contradictions in a statement Mr. Jenkins submitted to the committee. The Democrats didn't want to submit Mr. Jenkins to close questioning by the Republicans while under oath.

The country is left with an impression that the Democrats don't want the full truth about Bobby Baker and Lyndon Johnson to be known.

By trying to suppress the truth, the Democrats take the risk that an informed Senator will lay bare hidden details in a privileged Senate speech after Mr. Johnson is nominated.

Free speech in the Senate can't be blocked every day of the year.

CALUMET HARBOR AND RIVER, ILL. AND IND.

Mr. DIRKSEN. Mr. President, on Wednesday, May 6, I testified before the Public Works Subcommittee of the Senate Committee on Appropriations on all of the civil function activities of the Corps of Engineers in Illinois. The President's budget recommendations for fiscal year 1965 contain a total of $56,241,000 to continue the work on these various projects in the State of Illinois which covers approximately 50 projects, both large and small.

One of the projects which I stressed was the Calumet Harbor and River, located in the northeastern section of Illinois in Cook County, and near the southern end of Lake Michigan, 12½ miles south of the Chicago Harbor. This area has a population of about 6.8 million people.

The project, authorized by the River and Harbor Act of 1962 with a benefit-cost ratio of 2.2 to 1, is within the corporate limits of the city of Chicago, except for part of the breakwaters and anchorage area which are in Indiana.

The budget contains an item of $1.5 million to continue the construction of this project; $500,000 was appropriated last year. The Corps of Engineers indicated that it can utilize an additional $3½ million, over and above the $1.5 figure in the budget, to complete the dredging of the Calumet River during the next fiscal year. This project was originally scheduled to be completed in two years. However, due to the present modern dredging methods being used in the work of the Corps of Engineers, this additional $3½ million, if appropriated this year, will cut the cost about one half, and the dredging can be completed before July of next year. The original cost, I believe was estimated in the neighborhood of $10 million.

As authorized the work consists of widening, straightening, and deepening the existing project in the Calumet River channel to 27 feet, in earth, and to 28 feet, in rock, and extending the existing project at a 27-foot depth in Lake Calumet 3,000 feet wide.

In this connection, Mr. President, I ask unanimous consent to have printed in the RECORD an article from the Chicago Tribune of May 7, 1964, by Edward Rohrbach entitled "Ships Shun Calumet; Fear 'Ghost Harbor'" which pretty well sums the present situation existing at Calumet Harbor. Port authorities warn that Lake Calumet may turn into a "ghost harbor" unless it is deepened.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SHIPS SHUN CALUMET; FEAR "GHOST HARBOR"

(By Edward Rohrbach)

Lake Calumet, Chicago's largest ocean shipping facility, may become a "ghost harbor" unless the Calumet River which leads to dock facilities there, is deepened soon, a spokesman for the Greater Chicago Port Development Association warned yesterday.

Revenues from steamship lines that use Lake Calumet are expected to decline at least 50 percent this shipping season, asserted Rahe O. Hornung, a member of the association's executive board who is acting in the role of executive secretary.

NUMBER OF LINES DROPS

This mass exodus from Lake Calumet by steamship companies, Hornung said, is dramatized by the fact that this year only 6 lines serve the Chicago Regional Port District's facilities there compared with more than 20 lines in previous years.

The maximum negotiable draft in the river for ships heading into Lake Calumet to load or discharge cargo is 19 feet. The St. Lawrence seaway's minimum draft is 25½ feet and will soon be increased to 27 feet. The shallow Calumet River depth makes it necessary for ships to take on additional cargoes at other Great Lakes ports so they will be carrying a full load on the way to the Atlantic.

Hornung said the development of Lake Calumet has been severely handicapped by the lack of deep water. He said it places the harbor at a tremendous disadvantage and Chicago is unable to compete on an even basis with such ports as Duluth, Detroit, and Toledo, which now have the full seaway draft.

CAN'T AFFORD TO USE PORT

"Representatives of several lines have told me frankly that they simply cannot afford to go into Lake Calumet for the limited cargoes that shallow draft permits," Hornung added.

Other problems restricting access to the harbor are dangerous navigational hazards, such as out-moded bridges, and the high cost of towing vessels into berths, he said.

Congress has authorized dredging the Calumet River to 27 feet and President Johnson has included $1½ million for the project in his current budget request.

"What is really needed is an additional $3,300,000 to be included in this year's appropriation, bringing the total to $4,800,000 which could be used by the Army Corps of Engineers to remedy this serious situation," Hornung said. "The 1½ million would only be enough to start the job."

NAVY PIER TOO SMALL

Hornung said Chicago's harbor officials are unanimous in believing that Lake Calumet harbor must be developed to its full potential as soon as possible. Facilities at Navy pier, he said, are not large enough to handle Lake Calumet's business.

Lake Calumet was the first port to be developed by private funds. Revenue bonds and private capital totaling more than $30 million financed construction of facilities.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 920. An act to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by U.S. amateurs on a reciprocal basis;

S. 980. An act to provide for holding terms of the U.S. District Court for the District of Vermont at Montpelier and Saint Johnsbury;

S. 1584. An act to approve a contract negotiated with the Newton Water Users' Association, Utah, to authorize its execution, and for other purposes;

S. 1687. An act to approve the January 1963 reclassification of land of the Big Flat unit of the Missoula Valley project, Montana, and to authorize the modification of the repayment contract with the Big Flat Irrigation District; and

S. 2772. An act to amend the Alaska Omnibus Act.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. SPARKMAN. Mr. President, again I am privileged to discuss the advisability of Congress providing for the right of trial by jury in criminal contempt cases. In doing so, I wish to reiterate the well-known fact that the civil rights bill, H.R. 7152, is devoid of these jury trial rights except where the so-called 1957 compromise, which in itself is a hybrid and confusing provision, is applicable.

When I spoke last on the subject of jury rights, which was on May 8, 1964, I went back even further than the Constitutional Convention of 1787—which I covered in my first speech on the Talmadge amendment on May 1—and pointed out that the Declaration of Independence contained the grievance, "for depriving us in many cases of the benefits of trial by jury." I also pointed out that a resolution of the First Continental Congress in 1774 vigorously protested the flagrant usurpation by the British of the right to trial by jury as well as the right to be tried in the locality where the offense was committed.

I did this to give historical meaning to the guarantee in the Constitution in article III, section 2, paragraph 3, that:

> The trial of all crimes, except in cases of impeachment, shall be by jury.

I did this also to show that the sixth amendment was written with the intention of covering all crimes with the famous language:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed.

I pointed out that the seventh amendment preserved the right to trial by jury in civil cases, "In suits, at common law, where the value in controversy shall exceed $20," which right, I might add, is carried over and expressly referred to in rule 38 of the Federal Rules of Civil Procedure—28 U.S.C. 2072 and the following. I referred also to the fifth amendment which assures "due process of law" as well as grand jury proceedings and other assurances of individual protection against a tyrannical government.

I gave a simple definition of crime taken from Funk and Wagnall's New Practical Standard Dictionary that a crime is "an act that subjects the doer to legal punishment," which definition is borne out in Black's Law Dictionary in more legally profound terms. My conclusion was that it is amazing to me that the courts have drawn us far afield from the intent of our Founding Fathers and completely astray from the clear meaning of the words used in the Constitution and the Bill of Rights in holding that one does not have the constitutional right to trial by jury in cases of criminal contempt.

Mr. TALMADGE. Mr. President, will the able Senator yield for a question?

Mr. SPARKMAN. I yield.

Mr. TALMADGE. I congratulate the Senator on his remarks. He is bringing up some points that every Senator and every citizen of the country should ponder and consider. I ask the Senator if criminal contempt is not a judge-made crime?

Mr. SPARKMAN. It is a judge-made crime. That has been stressed particularly strongly by Mr. Justice Black in the chief dissenting opinion in the Green case, and again in a separate dissenting opinion in the Barnett case.

Mr. TALMADGE. Is it not just as much a crime as if Congress or a State legislature had designated it as a crime?

Mr. SPARKMAN. It certainly is. It is clearly within the definition of the term used in the Constitution—"all crimes."

Mr. TALMADGE. Does not the offender, at the discretion of the judge, forfeit his goods and his freedom, and receive punishment therefor?

Mr. SPARKMAN. He does. The Senator will recall that I quoted very briefly from Funk & Wagnalls Dictionary, which states that a crime is "an act that subjects the doer to a legal punishment" penalty. That definition is borne out in more legalistic language in Black's Law Dictionary.

Mr. TALMADGE. Have there not been situations in which someone has been committed to jail for as long as 4 years for criminal contempt?

Mr. SPARKMAN. I do not know for how long. I am not familiar with the terms of the sentences. But there can be a long sentence.

Mr. TALMADGE. There is no limitation except the eighth amendment, which prohibits cruel and inhuman punishment. Is that correct?

Mr. SPARKMAN. That is correct. Since the Senator has asked the question, I am not certain, but I believe that Eugene P. Debs was sentenced to a long term in prison as a result of criminal contempt.

Mr. TALMADGE. I read from a Supreme Court decision the other day that we had several instances of that. One individual had been sentenced to jail for as long as 4 years for criminal contempt. As I recall, another one was sentenced to jail for 3 years; another one for 18 months. The sentences were for long periods of time, all for criminal contempt.

I ask the Senator if they would not come out branded as criminals by virtue of such judge-imposed fines and sentences?

Mr. SPARKMAN. They are bound to. There is absolutely no escape from it whatsoever. There was one little glimmer of hope in the recent Barnett case. The majority opinion, was written, by the way, by the conservatives on the bench, rather than by the liberals. The four, who are usually considered as outstanding liberals, were all of the opinion that he should be granted a jury trial. But even the majority seemed—I dislike to say that they were a little timid, but it seemed that they might be, because the opinion stated they wanted it clearly understood that if the lower court imposed a penalty more than that imposed in a trivial case, the Supreme Court would not sustain it.

So apparently the Court has come to the conclusion that long sentences are no longer proper.

Mr. TALMADGE. The writers of the majority opinion were certainly fainthearted, to say the least.

Mr. SPARKMAN. I have said that they approached timidity.

Justice Black commented on that point. He said that he hoped that at last a gleam of light might be piercing through.

With reference to the Dirksen-Mansfield amendment, I have made a statement which I do not believe I have ever made to the Senator from Georgia, and I would be glad to know his thinking on the point. In discussing the question of the right of trial by jury, I have said that I would personally rather have the bill as it is than to have it with the Dirksen-Mansfield amendment, because that amendment would give congressional approval to the denial of the right of trial by jury. The bill as it stands is silent in a great many parts of it on that question as far as the question of jury trial is concerned. Litigants would have to be guided by the Supreme Court decision, which was a 5-to-4 decision. That case came to the Supreme Court by certification from a circuit court in which the decision was 4 to 4. So out of 17 high-ranking judges who reached a decision in the case, the final decision might be said to be by a 9-to-8 margin.

Mr. Justice Black expressed the hope that perhaps something was beginning to move. I have a strong feeling that some day, if Congress does not act on the question, the Court will break through, and what was the minority opinion will become the majority opinion of the Court.

Mr. TALMADGE. Does the able Senator from Alabama believe that a money value can be placed on the constitutional right of trial by a jury?

Mr. SPARKMAN. I do not. A person either has the right or he does not have the right, and there is no in between.

Mr. TALMADGE. Does it strike the Senator from Alabama, as it does the Senator from Georgia, as extremely strange that, under the substitute amendment proposed by the distinguished majority leader and the distinguished minority leader, a judge could impose a sentence of 30 days in jail without a trial by jury but could not impose a sentence of 30 days and 1 second in jail?

Mr. SPARKMAN. That is correct.

Mr. TALMADGE. Can the Senator from Alabama understand any logic in that situation?

Mr. SPARKMAN. Nothing more than what we frequently see, namely, setting a maximum limitation. So long as Congress does not act upon the question, it remains a question of the interpretation of rights under the Constitution, which would be a judicial question. But should Congress act upon it, the stamp of approval by Congress would be placed on the principle, and the Court could say, "The Congress has done this"—unless the Court should go further and say that Congress did not have the right to do it. But a line has been drawn. I am not sure, but I believe Mr. Justice Goldberg took the line that it was up to Congress to act. When Mr. Justice Frankfurter was a professor of law, he, with Mr. James M. Landis, who was dean of the Harvard Law School, wrote a very strong article for the Harvard Law Review on the question of trials in criminal contempt cases. They laid down the express rule or statement that any person subject to a criminal penalty was entitled to a trial by jury. Even though Mr. Justice Frankfurter wrote that statement, later, when he sat as a member of the Supreme Court, he said that Congress could determine what the rights of trial by jury were. So the Court could hold that Congress had the right to legislate on the question, although my offhand opinion is that Congress does not have the right to do so under the Constitution.

Mr. TALMADGE. I agree with the Senator.

Mr. SPARKMAN. I believe the Constitution guarantees the right, and Congress can neither take it away nor diminish it.

Mr. TALMADGE. I agree with the Senator. I think that is true. Does not the Senator from Alabama feel that it would be strange indeed if perchance the substitute proposed by the distinguished majority leader and minority leader were adopted, for Congress to say that someone who is fined $300 for criminal contempt is not entitled to a jury trial, but someone who is fined $300.01 is entitled to a jury trial?

Mr. SPARKMAN. Yes. There are many peculiar things about this proposal. I suppose the first time that kind of proposal was ever brought before the Senate was in relation to the 1957 Civil Rights Act. At that time I was opposed to the provision, as was the Senator from Georgia. The Dirksen-Mansfield amendment follows that provision rather closely.

Mr. TALMADGE. The provision was written into the bill by the House of Representatives, and not by the Senate.

Mr. SPARKMAN. The Senator is correct. The provision was written in the House and not in the Senate.

Mr. TALMADGE. The Senate in its wisdom at that time voted by a vote of 51 to 42 that defendants were entitled to a jury trial in criminal contempt cases.

Mr. SPARKMAN. That is correct—across the board.

Mr. TALMADGE. I thank my friend.

Mr. SPARKMAN. Then the House added the provision about which we have spoken and, so far as I know, that is the first time that Congress had expressed itself on what might be called a limitation of the right of trial by jury. Congress did speak out in the passage of the Clayton Act.

Mr. TALMADGE. And in the Norris-La Guardia Act.

Mr. SPARKMAN. And in the Norris-La Guardia Act.

Mr. TALMADGE. And in the Landrum-Griffin Act.

Mr. SPARKMAN. And in the Landrum-Griffin Act, which came, I believe, even after the 1957 Civil Rights Act.

Mr. TALMADGE. The Norris-La Guardia Act provided, as I recall, that defendants would have the right of trial by jury even in civil contempt cases.

Mr. SPARKMAN. Yes; in all cases.

Mr. TALMADGE. The Supreme Court has had some mixed views on the provision. I would hope that it would sustain the Constitution this time instead of hybridizing it. I know that the able Senator from Alabama shares that view.

Mr. SPARKMAN. I certainly do. Furthermore, I should like to see the time come when the entire question will be cleared up from a constitutional standpoint so that we can have a decision upon which we can stand and rely.

Mr. TALMADGE. I agree with the Senator. I thank him for yielding to me.

Mr. SPARKMAN. I believe the Senator from Georgia believes as strongly as I do in maintaining that the Constitution is clear and explicit on that question. I see no room for wobbling.

The Senator from Georgia has mentioned the Norris-La Guardia Act. I am sure what he said would be true with reference to that particular provision in the Clayton Act and certainly the Norris-La Guardia Act, which made it possible for unions to organize without——

Mr. TALMADGE. Without being harassed by injunction.

Mr. SPARKMAN. Yes, without the tyranny of Federal judges. One thing that I cannot understand is that by and large the very Senators who are proposing and supporting the Dirksen-Mansfield amendment, which would curtail the right of trial by jury, would vote to a man against repeal of the guarantee provided in the Norris La Guardia Act. It is difficult for me to understand. I pointed out that the four so-called liberal Justices on the Supreme Court dissented on the question, and practically every Senator who is generally called a liberal is supporting a measure which would curtail the guarantee of the right of trial by jury, which is a constitutional guarantee to every man who might be involved in a criminal case.

Mr. TALMADGE. I ask my friend if that is not carrying discrimination from the ridiculous to the sublime.

Mr. SPARKMAN. The Senator knows that I have pointed out at different times, as I know he has, that the bill is full of discriminations. That is one of the ironic facts regarding it. It is held out to the public and held up here on the floor of the Senate as a bill to level things off, to make them even, to deal with discrimination. Yet there is discrimination from one end of the bill to the other. All the way through it, there is discrimination. So I do not know that I should be so greatly surprised, because it is more or less characteristic of the bill.

We should restore the right of action by Congress. The Talmadge amendment—the amendment by the distinguished Senator from Georgia—would do just that. It is a basic amendment. It does in a sense what the provision in the Norris-La Guardia Act does—it guarantees the right of trial by jury.

The Smathers amendment, now pending, would give the defendant a choice of trial by the judge with a maximum penalty of $300 fine and 30 days imprisonment or of demanding a jury trial with a maximum penalty of a fine of $1,000 and 6 months imprisonment.

That certainly gives to an individual the option of asking for a trial by jury. That procedure is consistent with that in most States—giving the defendant the right to ask for a jury or to waive a jury trial. But there is one feature of the Smathers amendment that does not particularly appeal to me. The optional part does. Of course, under the Talmadge amendment there is really an option, because the defendant could waive a jury trial. I do not know, but I presume that under the Talmadge amendment a jury would be ordered unless the defendant waived it.

Mr. TALMADGE. That is correct. He would have the right to specifically waive a jury trial, as is done in all courts. Otherwise the defendant would be given his constitutional right to a jury trial. He would have it automatically.

Mr. SPARKMAN. Under the Smathers amendment, the defendant would have to ask for the jury, or the jury would be waived. The trouble is that under the Smathers amendment two different penalties are set. A lesser maximum penalty is provided if there is a waiver of the jury trial than if there is a demand for a jury trial—which is objectionable. But even at that, to my way of thinking, it is better than the Mansfield-Dirksen amendment.

The impression has gone out over the country that the Dirksen-Mansfield amendment is a right of trial by jury amendment. It falls far short of that. It is a drastic curtailment of the right of trial by jury.

The important thing is that, under the Smathers amendment, the defendant would have the right to demand and receive a jury trial. The actual functioning of the jury system as compared to other systems of court procedure are not fundamentally at issue in this debate. What is at issue is a basic right—a fundamental and clear right that is the greatest of all civil rights—the right to trial by jury. It is fundamental to the true preservation of our form of government.

In the civil rights bill this issue is brought to the forefront because the authors and sponsors of the bill are attempting to force a drastic measure upon the people of this great Nation, knowing that it is designed to legislate in areas where legislation does not and will not solve the problems involved. They cannot but realize that, like the Stamp Act, like unjustly harsh laws of the Reconstruction era, and like prohibition and the Volstead Act, the present and totally unreasonable civil rights bill will not meet with enthusiastic or popular reception by the people at large. Therefore, our constitutional safeguards go out the window in a burning desire to force something on the public in a manner which will accomplish quick results without the fair and sometimes delaying or steadying influence of trial by jury.

As a result we have a bill that is filled with strong authority vested in the Attorney General and in others in the executive branch of the Government to take action in a summary sort of way. Throughout the bill in several titles the Attorney General is authorized to institute for and in the name of the United States a "civil action," which means that the full power and rights of the Federal Government are thrown into judicial operation. If we examine the references in the bill wherein these actions are authorized we will find in most instances that the words "civil action" are followed by the words "and for such relief as may be appropriate." These words are extremely dangerous.

They authorize the Government to go into equity proceedings and to ask for injunctions, be they mandatory injunctions, restraining orders, or otherwise. The history of equity, just as the history of maritime law, prior to the Revolutionary War and at the present time, is one in which jury proceedings are not customary. All lawyers understand that equity proceedings are proceedings in which there is no right to trial by jury.

That is the exact reason why the authors of the bill have chosen to use the injunctive method. That is why they do not wish to stand by and enforce the numerous criminal statutes that have been on our statute books for years, making it a criminal offense to deprive a person of his civil rights. That is why they do not think too highly of the civil remedies at law that are provided citizens already by several laws duly enacted by Congress for deprivation of civil rights.

Will history repeat itself? The greatest lessons that we can learn are from the past—from what has taken place already. Do not the sponsors of the bill realize that jury trials were abolished or circumvented in colonial days and were among the reasons why we fought the Revolutionary War? Do they not realize that the right to trial by jury was circumvented in many instances in reconstruction days with sad results in one of the blackest eras in our history? Do they not realize that prohibition and the Volstead Act were not accepted by the American public and that in desperation certain enforcement proceedings bypassing jury trial rights were used in a miserable attempt at enforcement? After the repeal of Prohibition and the Volstead Act the net result was a bad impression on the public at large, and particularly on the young people of the Nation as to the meaning of respect for the law.

In the face of this clear and unmistakable history, which should tell us one thing clearly, and that is that the right to trial by jury should not be circumvented to enforce something that must be acceptable to the people themselves before it can be placed into satisfactory operation, we are now asked to do the same thing again as if to ignore the lessons of the past. It appears to me that this is not only very foolish, it is a request to allow political passions to overcome our sense of reasoning and to cast aside the lessons of the past in the attitude of anything else to the contrary notwithstanding. That is the essence of the jury trial issue before us in a nutshell.

I referred briefly in my speech on May 8 to the fact that we should not enlarge the 1957 jury trial compromise and thereby close the door to the Supreme Court changing its mind on jury trials in criminal contempt cases. I stated that we would be better off without the Mansfield-Dirksen compromise. I reiterate that statement. In the first place, it is no compromise. It is like mixing oil and water. We should give the right to trial by jury in criminal contempt cases completely as a right with no discretion given to the judge to waive it. To give the judge discretion is no compromise; it is a waiver of the right to trial by jury. It is compromising the Constitution. Once we have done this, the Supreme Court is not likely to hold that the right exists, because Congress then will have spoken. The question would be resolved by act of Congress. The Court would not consider the point unless it felt that the act of Congress was unconstitutional, which is most unlikely. We would have closed the door on the subject that is now in a 5-to-4 status before the Court. If we are to take jurisdiction over this subject, we should assure defendants of full jury trial rights in all criminal contempt cases, or at least in all cases arising under this bill.

In this regard, the observations of Mr. David Lawrence in his column published in the Washington Star on May 4, 1964, are appropriate. I quote part of this column:

> What's the jury trial amendment to the civil rights bill all about? On its face it seems to be a question of whether a person who could be put in jail on a charge of contempt of court should have the right to trial by jury. Would a person prefer to have judgment passed on him by a jury of 12 citizens or by just 1 individual—a judge?
>
> This is not an easy question to answer. For sometimes a jury is not able to understand the fine points of the law and may make a mistake, whereas a judge who is familiar with all the intricacies of the statutes presumably would do a better job—though often some judges seem to be politically minded.
>
> Basically, the whole controversy arises now in connection with civil rights because of a fear that juries in the South may not administer justice as it should be. But the legislation pending in the Senate is designed to cover citizens in all parts of the country and to secure justice for everybody—not just people in one section.
>
> What constitutes "contempt"? It involves disobedience of an order issued by a court or misbehavior inside a courtroom. There seems to be universal acceptance of the idea that any disorder inside a courtroom should be punished by the judge without any jury trial. There is a distinct difference of opinion, however, as to what should be done with respect to disobedience of a court order outside the courtroom.
>
> The issue as it is being debated in Congress is a very serious one. It is something that ought to be given many months of deliberation. It strikes at the root of the American system of justice. The Constitution says plainly in three separate provisions:
>
> 1. "The trial of all crimes, except in cases of impeachment, shall be by jury."
>
> 2. "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed."
>
> 3. "In suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved."
>
> But the courts arbitrarily have tried to define a "crime" in different ways. As recently as last month, in the proceedings for criminal contempt against Gov. Ross Barnett of Mississippi, the Supreme Court by a 5 to 4 vote, decided against the request for a jury trial. Chief Justice Warren and Justices Black, Goldberg, and Douglas dissented. In his opinion, Justice Black wrote:
>
> "I think that this doctrine that a judge has inherent power to make himself prosecutor, judge and jury seriously encroaches upon the constitutional right to trial by jury and should be repudiated."
>
> But, in spite of these views expressed by the "liberal" justices, most of the "liberals" in the Senate will vote instead to repudiate the words of the Constitution.

I have been reading from the column written by Mr. David Lawrence to which I made reference earlier. That is the end of the quotation.

I trust that more of our newspaper and magazine writers will take it upon themselves to point out the seriousness of the jury trial issue before us. I express the same hope with reference to commentators on radio and television and, in fact, to all news media upon which the public leans so heavily for its information.

It is but a part of the many serious issues which are involved in this omnibus bill.

When I speak of an omnibus bill, I often think immediately, about housing, because I have sponsored many omnibus housing bills and they were called "the omnibus bill."

The instant civil rights bill is truly an omnibus bill, omnibus in its ill-advised, drastic and undesirable provisions. It contains 11 titles, and practically all of them could be separate bills. Each title could occupy one or two committees of the Senate with long days of analysis and hearings. Every word of every title should be gone over carefully, because there are hidden dangers in the bill. Each title can affect various programs to which much time and thought have been devoted heretofore with definite welfare, economic, or other goals in mind for the good of the Nation at large.

Mr. TALMADGE. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I am glad to yield to the Senator from Georgia for a question.

Mr. TALMADGE. Is it not true that the bill before the Senate has not been the subject of any legislative hearings before any committee at any time?

Mr. SPARKMAN. It has not. That is true. That is true both in the Senate and in the House. In the House, as the Senator knows, the bill which was originally sent up was considered by a subcommittee, and rewritten by that subcommittee. In spite of the opposition of the administration to some of the more obnoxious parts of it, the subcommittee reported it to the full committee. I believe the RECORD will show that the full committee had only a scant discussion of it before it was reported to the House.

Mr. TALMADGE. Some parts of it were not even recommended by the late President Kennedy. Is that correct?

Mr. SPARKMAN. Yes. Not only that, but Attorney General Robert Kennedy appeared before the committee and asked that some parts of it be deleted.

Mr. TALMADGE. Notwithstanding that fact, the provisions are still in the bill?

Mr. SPARKMAN. Yes. The provisions are still in the bill. When it came to the Senate, as everyone knows, it was not referred to a committee. The debate has been going on for 59 days. Most of that time has been spent in doing what a legislative committee would have done, tearing it to pieces.

Mr. TALMADGE. Is it not true that an ad hoc committee, whose membership is unknown to the Senate, has been allegedly rewriting the bill?

Mr. SPARKMAN. That is what we hear from radio and TV reports.

Mr. TALMADGE. That is what we read in the newspapers, too.

Mr. SPARKMAN. In the newspapers also. If we believe what we read, probably two or three ad hoc committees are considering the bill.

Mr. TALMADGE. But they are not legally constituted committees of the Senate.

Mr. SPARKMAN. Not at all. We know that the proposed revision, the new change, the new bill, was thought up by someone. It was probably thought up by some Senators, and probably by some advisers from outside the Senate. I do not know. The Senator refers to an ad hoc committee. It might be a mixed ad hoc committee. Probably there were two or three different committees. According to reports that have come to us through the news media from time to time, the distinguished minority leader was working on one version. Sometimes reference was made to the leadership as working on a version. Finally we were told that the proposals had been pulled together into a package which represented 70 different amendments.

Mr. TALMADGE. The Senator knows of no testimony that was taken, does he?

Mr. SPARKMAN. No testimony was taken. I do not know whether the Senator attended the conference.

Mr. TALMADGE. I was not invited. Was the Senator from Alabama invited?

Mr. SPARKMAN. Yes. I understood all Senators were invited.

Mr. TALMADGE. Does the Senator refer to the conference this morning?

Mr. SPARKMAN. Yes.

Mr. TALMADGE. I mean the conference that was held by this big, mysterious committee.

Mr. SPARKMAN. No; I know nothing about that. I have relied on radio newscast reports, which I would get on the radio while driving to work in the morning.

Mr. TALMADGE. And whatever the Senator could pick up in the daily press. Is that correct?

Mr. SPARKMAN. Yes. It was always very vague, though.

Mr. TALMADGE. And mysterious, too.

Mr. SPARKMAN. Yes.

Mr. TALMADGE. It was purposely kept mysterious. No one knew who was there or what was done, or where the committee met.

Mr. SPARKMAN. That is correct. It was unveiled this morning. Copies of it were delievered to the offices of Senators late yesterday afternoon.

Mr. TALMADGE. Yes. The Senator from Alabama was not invited to attend, was he?

Mr. SPARKMAN. Not the ad hoc committee meeting; no.

Mr. TALMADGE. He was not given an opportunity to present any testimony.

Mr. SPARKMAN. No.

Mr. TALMADGE. Or afforded an opportunity to cross-examine any witnesses.

Mr. SPARKMAN. No.

Mr. TALMADGE. Or an opportunity to make a suggestion as to what witnesses should be asked to present facts.

Mr. SPARKMAN. No.

Mr. TALMADGE. So far as the Senator from Alabama knows, no constitutional authority was invited to attend to present his views.

Mr. SPARKMAN. I cannot say as to that. I know nothing about it.

Mr. TALMADGE. Does it not strike the Senator from Alabama as being a very mysterious and vague way of proceeding on a legislative matter?

Mr. SPARKMAN. It certainly does. When I saw the unveiled bill, I was not under the impression that any constitutional authorities had been present.

Mr. TALMADGE. Would the Senator from Alabama be surprised if he learned that the substance of the amendments might have been found in some dark and mysterious place?

Mr. SPARKMAN. I do not know where the amendments were found. Probably the ad hoc committee drafted the bill. Let us come straight to the point. We know that the work was being done in order to arrive at some kind of bill which would get enough votes for cloture in order to choke the bill down our throats.

Mr. TALMADGE. It did not come from the Judiciary Committee of the Senate, did it?

Mr. SPARKMAN. It did not.

Mr. TALMADGE. No recommendation or committee report accompanied it, did it?

Mr. SPARKMAN. None whatever.

Mr. TALMADGE. I share the Senator's view that this is the most strange method of legislating that the Senator from Georgia has seen during his entire service in the Senate. I hope we will not follow that practice in the future, especially if it is going to tear our Constitution asunder and divide our people.

Mr. SPARKMAN. It destroys the legislative process.

Mr. TALMADGE. Yes.

Mr. SPARKMAN. The Senator knows that it was unveiled this morning. A Democratic conference was held and a Republican conference was held. I attended the Democratic conference.

Mr. TALMADGE. Did anyone express pride of authorship?

Mr. SPARKMAN. I did not hear anyone express any pride of authorship. When the Senator was discussing the manner in which it was drawn up, it seemed to me that no one was satisfied with it. I see in the Chamber the distinguished Senator from Kansas [Mr. CARLSON]. I suppose he attended the Republican conference this morning. The reports that I have received from the Republican conference indicate that no one at the Republican conference was satisfied with it. I was told that it would require two or three conferences of Republicans merely to go through it, to find out what is in it. I believe the Senator from Georgia said that he was not at the conference this morning.

Mr. TALMADGE. No; I was not. I had other important business to attend to.

Mr. SPARKMAN. At the moment it raises more questions than it settles. Certainly we were given the impression that it represented an effort by the ad hoc committee, to which the Senator has made reference, to draft a bill which would satisfy everyone. As it comes to the Senate it seems to satisfy no one.

Mr. TALMADGE. Does not the Senator from Alabama believe that the bill ought to be referred to the Committee on the Judiciary, that hearings ought to be held, that witnesses should be given an opportunity to testify, and that Senators ought to have an opportunity to cross examine the witnesses?

Mr. SPARKMAN. It is divulging no secret to say that in the Democratic conference this morning that suggestion was made; namely, that the bill should be referred to the Judiciary Committee for a specific length of time and that the committee should be asked to study it and make a report within a certain period of time. It was suggested that the Senate could use the interval to dispose of some badly needed legislation. The Senator from Georgia knows that very soon some of the housing programs will expire. I am the chairman of the Housing Subcommittee, and the Senator knows how important housing is.

Mr. TALMADGE. Indeed I do.

Mr. SPARKMAN. We are operating at the rate of about 1,700,000 units of housing a year. We need that rate to keep up with our increasing population. By 1970 we must have an average of 2 million units a year to keep up with our needs. Some of that legislation needs reviewing and some of it needs extending. The administration has asked for a tremendous housing program. I told them frankly that they were asking for entirely too much under the circumstances. However, we do need to pass a streamlined bill. Even though it is streamlined, it will have to be a substantial bill. What chance have we of its being enacted?

Mr. TALMADGE. I point out that excise taxes are expiring, too.

Mr. SPARKMAN. On June 30. The Senator will recall that when the tax reduction bill was before the Senate many Senators who were interested in doing away with a great number of excise taxes, or reducing them, voted against the amendment to eliminate excise taxes because we were assured that before June 30 the subject would be studied and acted on.

I am sure the Senator knows that the Select Committee on Small Business, of which I have the honor to be chairman, has, year in and year out, recommended, as fast as the fiscal situation would permit, the repeal of the excise taxes that were levied during the Korean war. It was hard for me to vote against the repeal of the excise taxes. I do not know how the Senator from Indiana [Mr. HARTKE] finally voted; but I believe he wants to have the excise taxes repealed. I am sure the Senator from Kansas does, too. All three of us are members of the Committee on Finance.

When will that committee have an opportunity to act on excise taxes, if the Senate continues to operate on its present schedule, while the Senate is required to sit as a committee? That is what it amounts to.

Mr. TALMADGE. Has the Senator from Alabama read that some 70 suggested amendments were unveiled by the mysterious, unknown ad hoc committee?

Mr. SPARKMAN. I hasten to say that when I said I had not counted the amendments, it was because I place much reliance on the members of the press, radio, and television news media. I have heard them say, time after time, "More than 70; more than 70." So I have repeated their statement because I believe it is accurate.

Mr. TALMADGE. Does the Senator believe that a committee should analyze this myriad of amendments and report to the Senate?

Mr. SPARKMAN. Perhaps a committee should count them.

Mr. TALMADGE. Either count them or weigh them, so that we may be enabled to vote intelligently.

I thank the Senator for yielding.

Mr. SPARKMAN. At least, a committee could report not only on what the amendments propose, but what the committee's recommendations are.

Mr. TALMADGE. The committee could report on the content of the amendments. It could take the testimony of knowledgeable witnesses.

Mr. SPARKMAN. Experts could be called to testify. I do not know whether a single constitutional expert has testified on the many provisions of the bill, which I believe run contrary to the provisions of the Constitution.

Mr. TALMADGE. I observe the able Senator from Kansas on his feet. I withhold any further comment at this time.

Mr. CARLSON. Will the Senator from Alabama yield?

Mr. SPARKMAN. I am glad to yield for a question.

Mr. CARLSON. The question would have to be asked in this fashion: The

Senator from Alabama was wondering, was he not, whether the Senator from Kansas could enlighten him as to what took place in the policy committee today?

Mr. SPARKMAN. I am not asking that any secrets be divulged. I spoke with a member of the conference, or rather he spoke with me and said something to the effect that the work lacked much of being finished; that it would probably take a couple of additional sessions merely to consider the amendments.

Mr. CARLSON. The Senator from Alabama thought I might be able to enlighten him with regard to what took place. I attended the opening of the session, but following that I made myself available at a very fine awards session at the Department of Agriculture, where many distinguished members of that Department received honorary and superior awards for special services. Therefore, I was unable to attend the entire Policy Committee meeting. I hope to attend such a meeting tomorrow morning.

I am hopeful that there may be some agreement on amendments. I would be less than frank if I did not say that I hope an agreement may be reached on certain amendments. I have said several times that I expect to vote for some amendments to the bill before it is finally enacted. I hope there may be some resolution of this problem without too much delay.

With respect to the discussion entered into by the distinguished Senator from Georgia and the distinguished Senator from Alabama on excise taxes, it is true, I assume, that Congress will have to extend some of the excise taxes by June 30. I am sure the distinguished Senators on the majority side voted for repeal of certain excise taxes the last time there was such an opportunity. They will again have an opportunity to vote for or against such repeal, because I believe some items might well be removed from the excise tax list.

There has been a substantial reduction in both personal and corporate taxes, but I have seen at least an inkling in the press that there are to be future tax reductions. Some taxes affect every citizen. If there are to be future tax reductions, there will be an opportunity to make them when the bill to extend excise taxes is under consideration.

I am a member of the Committee on Finance, as are the distinguished Senator from Georgia [Mr. TALMADGE] and the distinguished Senator from Indiana [Mr. HARTKE]. When the committee meets we shall bring back a report from the committee. If it does not recommend some reductions in excise taxes, I am sure that some Senator will offer an amendment for reduction on the floor of the Senate, and we shall then have an opportunity again to vote on such a reduction.

Mr. SPARKMAN. I am delighted to hear the comments of the Senator from Kansas, so far as excise taxes are concerned. As he says, we must first have a consideration of them, otherwise they will die, they will expire. My recollection is that the total amount of excise taxes amounts to several billion dollars.

Mr. HARTKE. The Senator is correct, probably a minimum of $6 billion and a maximum of $11 billion.

Mr. SPARKMAN. I have heard an amount as high as $10 billion.

Mr. HARTKE. To set the record straight on one matter, I have introduced a bill to repeal some of the excise taxes. I hope I may count on the support of the Senator from Kansas and the Senator from Georgia, who are members of the committee, and the support of the Senator from Alabama, as well.

Mr. SPARKMAN. I remember a proposal to repeal certain excises when the tax reduction bill was before the Senate. I wanted very much to vote for the repeal of certain excise taxes when one or two small amendments were offered. They provided a minimal reduction. I believe some of the excise taxes should be repealed.

As I said earlier, the Select Committee on Small Business has, year in and year out, issued reports recommending that as fast as the fiscal situation would permit, the Korean war excise taxes ought to be repealed.

I assure the Senator from Kansas that I shall support a reasonable excise tax reduction. I realize that all the excise taxes cannot be repealed, because to do so would not be fiscally sound. But so far as they can be repealed with fiscal soundness, I favor doing so.

Mr. TALMADGE. Has the Senator from Alabama considered examining the 70 amendments to the civil rights bill? It may be that some of them will deal with excise taxes.

Mr. SPARKMAN. No. That was the next thing I intended to take up with the Senator from Kansas. He said he was unable to be present at the meeting this morning. If he does not have any indication of what they contain, and if he is willing to stay up quite late, I hope he will take the 70 amendments home with him and examine them. If he does, I hope he will keep in mind that we were told at the beginning of the debate that the bill should be passed without a single amendment—without any change whatsoever.

The opponents of the bill have been speaking about some of its bad features. If we had not done so, I do not believe a single amendment would have been proposed. It would continue to be said that the bill would have to be accepted without change.

Mr. TALMADGE. In keeping with the new-found legislative process, perhaps the distinguished Senator from Kansas, the distinguished Senator from Indiana, and I could go out into the corridors and locate a few tourists and perhaps a janitor and bring back an amendment dealing with excise taxes.

Mr. SPARKMAN. It could be an ad hoc committee.

Mr. TALMADGE. An ad hoc committee.

Mr. CARLSON. Returning to the discussion of amendments, the Senator from Alabama has correctly stated that many prominent persons in the Nation, including some in the executive branch and some in the Senate, said that the bill had to be passed without amendment. I was not one of them. I have never said so. I say now that there must be some amendments. I hope an agreement may be reached on some amendments that will be satisfactory or that will, at least, become a part of a bill that will be not only constitutional but effective. I shall support such amendments. Whether the 70 amendments that have been discussed in the press and other media of communication are the amendments that should be adopted, I do not know. But I know there should be some amendments, and I shall support some of them.

Mr. SPARKMAN. That is the conclusion I reached when I read the bill originally. And that is the thing we have been arguing for here all along. The amendment on the right of a trial by jury is one that we selected in the very beginning as being one of the amendments.

The Senator from Tennessee [Mr. GORE] made a very fine speech on title VI. I think it was devastating. A great many Senators came to the conclusion that title VI needed rather severe amendment. I do not know of anyone who has done a more complete job of picking out the flaws in the bill than did the distinguished minority leader [Mr. DIRKSEN] in the memorandum which he sent out a few weeks ago. In the memorandum, he pointed out—and I think that was the forerunner of the 72 amendments—that if there is to be a bill, it needs drastic amendments. And it needs to be amended in such a way that it will come in line with the Constitution. It is not in line with it now.

Mr. CARLSON. The Senator suggested that I might be willing to take the evening off and go home and study the 70 amendments.

Mr. SPARKMAN. I said if we had the evening off.

Mr. CARLSON. I advise the Senator that if he will conclude his speech and the Senate adjourns, I shall be glad to accept that invitation and go home and study the amendments.

Mr. SPARKMAN. The hour is 6. I am perfectly willing to suspend now. But one of our colleagues is in the leadership chair. And he holds the bell. He is the one to sound the curfew. I invite his attention to that.

I can speak for a long time to come; and I intend to do so. Let me say that the Senator from Montana [Mr. METCALF] indicates 1 more minute.

Mr. METCALF. One more hour.

Mr. SPARKMAN. I agreed that when I started speaking, I would speak to the end of the day. There is a dinner in the city tonight that appeals to many Senators. They will have constituents in Washington from their States. A great many Senators desire to go. I said, "I am willing to sacrifice the privilege of going to the dinner. In order that other Senators may go, I will speak on through the dinner, and I agree that there will not be any quorum call."

I strongly feel that there ought to be reciprocation. When there is cooperation on one side, there ought to be cooperation on the other side. We ought to be able to get to a reasonably early dinner and give the Senator plenty of time to sit back in his easy chair and analyze some of the amendments. I doubt if he can analyze all 70 of them. Let me say in all frankness that I doubt if he can do it. But he can analyze a few of them.

Mr. CARLSON. I appeal to our distinguished colleague from Montana [Mr. Metcalf] on the theory that it might be helpful to the final passage of the bill if I were to have an opportunity to go home and study the amendments. Therefore, I hoped he would be very generous and let us go home early. That was my point.

Mr. SPARKMAN. I am willing to cooperate.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. METCALF. I would be delighted to be able to go home to an early dinner, too. And I have accepted this duty as acting leader rather reluctantly. I, too, had other engagements. As I understand, a compromise agreement has been reached that the Senate will recess in about an hour, at 7 o'clock. I know the distinguished Senator from Alabama has many things to say about the bill. He can continue for about another hour.

Mr. SPARKMAN. I can do that, definitely. That will not hurt me a bit. In fact, it will be good practice. I have plenty to say about the bill. It is one of the worst bills I have ever seen.

I say that in all seriousness. It is one of the poorest drawn bills that I have ever seen. If anyone doubts that, let two or three or four Senators who are not a part of the ad hoc committee, or who are not captains—I do not know whether their titles are captains, majors, or colonels——

Mr. METCALF. Generals.

Mr. SPARKMAN. Generals?

Mr. METCALF. Generals and admirals.

Mr. SPARKMAN. Take the average Senator. Get two or three of them together. I dare say that there can be no agreement on any one title. One Senator will say, "It means this." Another Senator will say, "It means that." Another Senator will say, "It does not mean either one. It means this." That is the trouble. There is no committee report to say what it means.

Mr. TALMADGE. And now we have that situation compounded with 70 new issues.

Mr. SPARKMAN. That is correct. Seventy amendments, a brandnew bill is coming in. I have made the statement several times that we are accused of filibustering. If we disposed of the jury trial provision, they would be left without anything to do. They are not ready to present their new bill yet.

We continue to talk in order to give them time to work up their new omnibus bill.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. METCALF. We would be delighted to have the Senate vote on the pending business at the present time and go forward and discuss the proposed amendments.

Mr. SPARKMAN. That cannot be done. Neither the Democratic conference nor the Republican conference could agree on anything regarding it.

Mr. METCALF. There was no attempt to do so. I cannot speak for the Republican conference.

Mr. SPARKMAN. I was told by one of the hierarchy, if that is the proper title, in the Republican Party——

Mr. METCALF. I will leave that to the Senator from Kansas.

Mr. SPARKMAN. I am not referring to the Senator from Kansas. I am referring to the hierarchy.

Mr. TALMADGE. That is considered a complimentary term.

Mr. SPARKMAN. Certainly it is.

Mr. METCALF. It is not a complimentary term.

Mr. SPARKMAN. The Senator from Montana is the hierarchy, even if it is a substitute position. He is it. He is the hierarchy.

I was told by one of the distinguished Republican Members, for whom I have a great deal of respect and admiration, that they worked hard all during the conference this morning. He said, "We never touched title VII." He added, "That is the meanest title in the bill." He indicated to me that it would require two or three more conferences in order for them to get ready.

As I understand, it is not even proposed to offer the amendments until some time next week. So we must continue talking in order to keep something going.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. METCALF. I am sure that all Senators who are in favor of the bill would be delighted to vote on the various proposals on the jury-trial amendment, including the proposal by the distinguished Senator from Georgia [Mr. Talmadge]. Then the Senate could move forward to the various other amendments that are being suggested.

Mr. SPARKMAN. If the Dirksen-Mansfield amendment is agreed to, there will be no vote on the Talmadge amendment.

Mr. METCALF. The pending business is the Smathers amendment.

Mr. SPARKMAN. Certainly it is.

Mr. METCALF. We would be delighted to vote on that if we had an opportunity.

Mr. SPARKMAN. We will not leave Senators hanging on a limb, with nothing left to do.

The new bill is not ready, and I do not know when it will be ready. According to plans it will be brought before the Senate, as was the present bill, so that the Senate will, of necessity, be required to sit more or less as a committee and consider the bill, section by section, to see what is in it.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. METCALF. I assure the Senator that, as a rather low-ranking member of the hierarchy to which he referred, all of us are ready, willing, and able to vote on all of the amendments as soon as the Senator and his colleagues permit us to vote.

Mr. SPARKMAN. We do not want the Senator to be denied the privilege of submitting all the proposed amendments to the Senate; so we do not propose to vote on the amendments until all the amendments are before us. We might end with action on a great many amendments, and it may be action that might not have been taken on the 70 amendments. In the beginning it was said that the bill did not require a single amendment. The proponents said that they would not let us amend the bill and that we could not change the crossing of a "t" or the dotting of an "i." Today we are told that a brandnew bill will be presented, involving more than 70 changes.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. JORDAN of North Carolina. Is the Senator from Alabama sure that the proponents are now satisfied with what they intend to propose?

Mr. SPARKMAN. While the Senator was temporarily out of the Chamber I said that neither the Democratic caucus nor the Republican conference—I believe the Democrats call their meeting a caucus and the Republicans call theirs a conference—neither caucus nor conference showed any satisfaction with the new omnibus bill and, in fact, did not even reach the point of understanding what the new amendments were.

Mr. JORDAN of North Carolina. The reason I asked that question is that I understand the Republicans will caucus again tomorrow to see if they can agree upon what they have or have not already agreed upon.

Mr. SPARKMAN. I understood that they would have two or three more conferences.

Mr. METCALF. It is a conference that the Republicans have.

Mr. SPARKMAN. I said conference.

Mr. METCALF. The Senator from North Carolina referred to a caucus.

Mr. SPARKMAN. He used the word "caucus" as a verb, and that is all right. He said that they would caucus. The word was used as a verb. But, using the noun, with the Republicans it is a conference; with us it is a caucus.

Mr. JORDAN of North Carolina. We do not know yet what we shall have to consider.

Mr. SPARKMAN. Not at all. The proposals have been kept enshrouded in mystery. I received a copy late yesterday afternoon. I believe the Senator also received one in his office.

Mr. JORDAN of North Carolina. I received one in my office at about the same time.

Mr. SPARKMAN. I already had my work to do last night, and I did not have an opportunity to read the proposals last night. The first time I could read them was this morning. As soon as I got to the office I began to read them, and I wondered what was meant by certain provisions, and where other provisions had come from. I find myself still wondering. According to some of the questions and answers at the meeting this morning, many Senators were puzzled as to why certain provisions had crept into the new bill.

Mr. JORDAN of North Carolina. The proposals evidently are not any more perfect than the bill was thought to be when it came from the House.

Mr. SPARKMAN. Not at all. More than 70 changes in the bill are proposed.

Mr. JORDAN of North Carolina. At the time the bill came from the House it was said that it was the ultimate answer and would cure all existing problems.

Mr. SPARKMAN. That is correct.

Mr. JORDAN of North Carolina. We were told that we should not wait until tomorrow, but should act at once, and that the bill would cure all our ills.

Mr. SPARKMAN. That is correct.

Mr. JORDAN of North Carolina. Does the Senator agree with me that the brief explanation that has been made of the bill over the past 60 days has at least enlightened a few Senators so that they are willing to amend the bill?

Mr. SPARKMAN. The debate certainly has done something, because the proponents are bringing in more than 70 amendments. The Senator has referred to the past 60 days of debate. It would be interesting to see how the time was used during those 60 days. The Senator knows that while we have made some explanatory talks on the bill, many talks have been made on other subjects and on the other side.

Mr. JORDAN of North Carolina. That is correct.

Mr. SPARKMAN. The discussion has been good. Even the proponents of the bill discussed it for a week. I think that discussion was good. Bills ought to be presented in that way. I believe that arguments on both sides of a bill ought to be presented. There ought to be full and frank discussion. When there is need for amendment, that need ought to be discussed fully and frankly. That has been done, and I believe it has produced results. We have seen more than 70 amendments brought in at one time.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield further for another question?

Mr. SPARKMAN. I yield.

Mr. JORDAN of North Carolina. Does the Senator agree with me that the very fine colloquy and speeches which have occurred on the floor of the Senate have been absolutely germane to the issue, and that there has been no rambling around? Were not the facts, figures, and reasons why the bill should be amended and remedied revealing to a great many people, and was not our effort intended not to hurt people but to help them?

Mr. SPARKMAN. The Senator is absolutely correct. I do not know how many times I have spoken on the bill. First, the motion to consider was debated. I spoke twice on that subject. Then the bill was debated. I spoke twice on that subject. Then the Talmadge amendment came before the Senate, and, if I recall correctly, that was followed by the Dirksen-Mansfield amendment. I believe I spoke twice on that question. This is my second speech on the Smathers amendment, I believe. No one will find, in any of the papers I have presented or am presenting, a single thing that deals with anything that is not germane to the debate.

I should like to go further. Many people get the idea that the debates are merely talkathons. Reporters often refer to them as talkathons.

But during the time that I have been in the Senate—and I have been here now nearly 18 years—I have seen and heard a good many extended debates on a great variety of subjects. Of course, they are not usually referred to as filibusters unless the debates are on so-called civil rights measures. And even then the debate is not referred to as a filibuster until a southerner speaks. During the first week the bill was under discussion the proponents of the bill spoke, and not once during the week was the word "filibuster" used. But when the first southerner spoke, the newspapers reported that a filibuster was underway. Yet during all the prolonged debates on civil rights there has been discussion of many different subjects which are not all related to civil rights by any means; in fact, there have been more prolonged discussions on subjects other than civil rights than on civil rights, I believe—I have never heard any debate that was not germane. I am talking about the speakers who put themselves forward as speaking on the bill. Of course, there is the practice of yielding to Senators to permit them to speak on nongermane subjects. But, so far as the debate on the bill is concerned, I have not during all those years heard any Senator use any material that was not germane.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CARLSON. I do not wish to let this opportunity go by without commending both the opponents and the proponents of the bill. I have said several times, after reading the debate and hearing many speeches, that if the time comes—and I assume it will—that the bill or portions of it are brought into the Supreme Court and other courts, the debate will be very helpful. It has been an outstanding debate. A great deal of work has been put into the material which deals with various phases of the proposed legislation. I commend those who have participated. It has been helpful not only for the enactment of the bill but for future reference to it as it gets into the courts, and I am sure that it will.

Mr. SPARKMAN. I appreciate the comments of the Senator from Kansas on behalf of both proponents and opponents. The debate has been helpful on the part of both.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Montana.

Mr. METCALF. I concur in the statement that has been made by the Senator from Kansas.

I have had the opportunity and the privilege of presiding for many hours during this debate, and of sitting in the chair of the acting majority leader, and also sitting in my own chair and listening to the comments and statements made by both the proponents and opponents. I feel that a tremendous effort has been made to explain what the provisions of the bill are which will be very helpful to the courts in interpreting them. An extensive legislative record has been made.

I compliment the opponents of this legislation for clarifying and sharpening many of the issues. Many of the provisions that have been suggested in the amendments that the Senator from Alabama has deplored are the result of the sharp debate that he and his colleagues have brought out. It has resulted in sharpening the legislative draftsmanship of the bill so that in many senses it is a much better bill than it was as it came out of the House.

Mr. SPARKMAN. Yes. The Senator from Montana said something about the amendments which the Senator from Alabama deplores. I certainly did not intend to convey that impression. I do not deplore the amendments. I point to them as an example of the need for amendment, resulting from the need having been pointed out in the course of the debate. I follow the same line the Senator from Montana does. I do not deplore the amendments at all. I say that hardly any Senator knows yet just what is in the amendments. It will require a good deal of study to understand them. The Senator was in the Democratic caucus this morning. He knows there was no full understanding there, by any means, and there was a considerable difference of opinion as to some of them, and there were questions as to the wisdom of some of them.

I gather from some of my friends on the Republican side that there was a good deal more of that in the Republican conference. Not only that, but they did not even have time to discuss all the amendments. Amendments were not even discussed to one of the most heavily infested—if I may use that term, sections of the bill—title VII. There are many amendments to that title. That title is one that is most sought to be amended in the whole bill. That is why I was under the impression that some further discussion would probably be required. Something was said to the effect that it would require two or three more conferences to complete consideration of them.

Mr. METCALF. And how many more caucuses?

Mr. SPARKMAN. I do not know that there will be any more caucuses.

Mr. METCALF. I gathered this morning that there would not be any more caucuses. There are going to be more conferences.

Mr. SPARKMAN. My friend the Senator from Georgia [Mr. TALMADGE] made reference to an ad hoc committee. It is true that there were some ad hoc operations engaged in, but I think most of the amendments came from the Senator from Illinois, the distinguished minority leader [Mr. DIRKSEN]. As I said a while ago, it was indicated several weeks ago that there would be amendments—perhaps 6 weeks ago—when the Senator from Illinois issued a rather lengthy memorandum pointing out the weaknesses in the various titles of the bill. So it may very well be that our side is only waiting to see what the other side will do. I have the impression that the effort is directed toward getting enough votes, regardless of how the bill has to be amended and whether it continually needs to be patched up, until there are enough Senators who are willing to go along with it and to invoke cloture.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CARLSON. I hope the Senator will not be too critical of the Republicans if they have spent two or three sessions in conference on 70 amendments.

Mr. SPARKMAN. I am not being critical at all.

Mr. CARLSON. As I recall, the Senate has spent about 4 weeks on one jury-trial amendment. So I hope he is not critical of the Republicans.

Mr. SPARKMAN. I am not critical. I do not care if they take a week on each of the amendments.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. JORDAN of North Carolina. I commend the distinguished Senator and his group for taking the time to sift through these provisions in a manner that will be acceptable not only to the Senator's group but to ours, because the hasty judgment that was made is one of the reasons why we have gotten into this prolonged debate. If agreement can be arrived at in conferences and caucuses, it will save time, so long as the bill is not being sent to committee.

Mr. METCALF. If the Senator will yield, I would be hopeful that it would be acceptable to the Senator from Alabama and the Senator from North Carolina.

Mr. SPARKMAN. I do not want to disabuse the Senator's thinking or to mislead him in his thinking. I cannot make any commitment until I know what is proposed. No one seems to know what is coming up.

I am not being critical of the Republicans. I am not being critical of the distinguished minority leader. I think he rendered a fine service in pointing out many of the weaknesses, as he did in his memorandum. I am sure he has worked conscientiously to draft these amendments. I do not criticize either side for the amendments. I think it is an act of wisdom on the part of both sides to recognize, even at a late date, that amendments are needed. That is what we have been saying from the first. They are amendments that would doubtlessly have been made to the bill if the Judiciary Committee had had consideration of it. It is too late to talk about that, but it illustrates the folly of trying to decide on a bill of this nature with the Senate acting as the Committee of the Whole.

And yet we are asked to approve this monstrosity without proper study. We are asked to sacrifice the purposes perhaps of many fine and wholesome programs that we have enacted previously for the explosive and damaging effect of forced racial integration. I do not feel that it is commensurate with the responsibilities that I assumed as a legislator—a representation of the people—to be a part of such a hasty and ill-advised process.

The only recourse that we in the South have is to take the fight to the Senate floor; to do on the floor of the Senate what should have been done in committee study. This has been a serious undertaking on the part of those of us who have participated. It has required hard study and research.

The more I study this bill the more I resent it because it goes entirely too far and is indeed what may be classed as hasty, ill-advised legislation. I believe that the more the American public understands this bill the more amazed they become that it would do the many things that we are pointing out that it does I believe that if everyone in the Nation understood this bill and what it does to our legal system and to our Government structure and its truly vicious nature a secret ballot vote throughout the Nation would be against it.

Therefore, I trust that more and more of the press of this Nation will expose what we are bringing out here on the floor to the American public.

I mentioned previously that the 1957 compromise on jury rights does not apply to the whole bill, H.R. 7152, unless an amendment such as the Mansfield-Dirksen so-called compromise is adopted. Let us examine the bill by titles to see just what court actions are authorized and how that would affect jury trial rights in criminal contempt cases.

Jury rights in contempt cases in the various titles of the bill appear to be as follows:

TITLE I

The 1957 compromise—71 Stat. 638—is currently applicable to title I of the bill which deals with voting rights. Title I would amend the 1957 act as amended by the Civil Rights Act of 1960—74 Stat. 90. The 1957 law provides that if the sentence for criminal contempt exceeds 45 days imprisonment and/or the fine exceeds $300 the defendant shall be tried by jury. The Mansfield-Dirksen compromise, amendment No. 516 in the nature of a substitute for the Talmadge amendment, would merely cut the maximum sentence by a judge from 45 to 30 days.

It must be noted, however, and this is an important observation, that the Mansfield-Dirksen substitute would not be confined to titles I and II, but would apply to the whole bill.

It is interesting to note that on page 4, line 18 of the bill a three-judge court is provided for voting right cases. Therefore, contempt proceedings would be contempt of a three-judge court. These judges may be selected by the presiding circuit judge and must be composed of one circuit judge, the district judge where the case was filed, and another judge in the circuit. Appeals may go directly to the Supreme Court. No mention is made of a jury trial of the merits of a case. Contempt will be governed by the 1957 law unless amended.

TITLE II

In this title, which deals with public accommodations, specific reference is made on page 11, lines 15 to 17, to the 1957 law regarding criminal contempts and jury trials. Thus, if enacted, title II as now written would be subject to the 1957 law.

It should be pointed out that title II authorizes the Attorney General or an aggrieved person to file "a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order"—lines 17 to 20, page 9. This is a very strongly proposed statutory authorization for equity proceedings expressly designed to avoid jury trials on the merits of cases. Moreover, an injunction may be sought not only on reasonable grounds or on probable cause, but on mere suspicion because the bill at lines 16 and 17 of page 9 authorizes proceedings when there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 203. This would mean injunctions based on suspicion and without a jury trial. Such procedure could lead to confusion, to hastily brought legal proceedings, and could lead easily to arbitrary use of governmental power. Thus, the saying that government by injunction can mean tyranny could well come true. We argued this point at length in 1957 when we defeated title III of the bill that year which had a similar provision.

Mr. METCALF. Mr. President, wil the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. METCALF. I am glad the Senator from Alabama has raised the question of the three-judge court, because I have made a cursory study of the proposed amendment. I have suggested that trials be held in the district where the jurisdiction arises. It has long been my opinion, which I have expressed in the course of these debates, that this is a meritorious amendment and should be adopted.

In the first place, if we do not adopt an amendment of this kind we shall load up the courts. That would apply not only to circuit courts, but also to the district courts. They would be loaded up over and above their ability to take care of the lawsuits if we maintained the three-judge procedure. It seems to me that whatever we may think about the merits of the bill, we should try these cases before judges who have experience in local law, who have been appointed from the local bar, and who know the local situation. Those are the judges in the district courts.

I am glad the Senator from Alabama has raised this question.

I am glad the amendment has in part taken care of this matter. I agree with him.

Mr. SPARKMAN. When the Senator says that the amendment has in part taken care of the situation, I am sure he refers to the amendment which is proposed in the new bill.

Mr. METCALF. The new amendments; not the new bill; the so-called amendments.

Mr. SPARKMAN. The package, so-called.

Mr. METCALF. The ones that were presented to us in our caucus and in the Republican conference.

Mr. SPARKMAN. Yes. The Senator is correct on both counts. The Senator is correct, of course, that Senators ought to have a high regard for the idea which is set out in the Constitution. There should be local trials.

In the sixth amendment the Constitution guarantees the right of confrontation and the right to subpena witnesses. It refers to a speedy and public trial in the district, which shall have been previously ascertained.

When complaint was made in 1774 by the Continental Congress to the British Parliament—and the Declaration of Independence carried it forward—one of the things that were stated was that the King had caused the colonists to be tried without a jury, and had taken them out of their districts into other areas to be tried. That was one of the great justifications for the Declaration of Independence.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. METCALF. The civil rights bill aside, the basic legal proposition is what Senators should consider. Many of us in the West, South, and in other remote areas have complained about taking us to the District of Columbia, or taking us from Montana to San Francisco, to have our rights adjudicated, or getting us into the circuit court of appeals on an original appeal from a decision of a bureaucrat in one of the Federal agencies.

This is a vitally important matter. It is vital in a civil rights case and it is vital in any other case to have a trial in the local court.

Mr. SPARKMAN. The Senator is correct. It is one of the points that should be considered. There has been too much tendency to take the easy way for the Government, which becomes the hard way for the citizen.

Mr. METCALF. It is easy for the Government to come to the District of Columbia, but it is very difficult for a citizen of Alabama or California or Montana to travel all the way to the court in the District of Columbia.

Mr. SPARKMAN. The Senator is correct. I remember that a few years ago I made an appeal to the Federal Trade Commission.

I spoke about the difficulty that is often incurred by parties, particularly small businessmen, who attend hearings, relating, for example, to unfair practices. They come from many parts of the country. They do not have to come, but if they want to protect their interests, they had better be present. It is hard for them to come from distant parts of the country. It is easy for the Government; perhaps it is easy for some of the parties. But it is terribly hard on the average citizen. I am glad to know that some changes have been made. I do not know the extent to which the system operates now, but I believe it has been changed considerably since that time.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. METCALF. The same is true of appeals from decisions of the Bureau of Land Management in grazing cases.

Mr. SPARKMAN. Yes; in all matters arising under the Administrative Procedure Act.

Mr. METCALF. In all matters arising under the Administrative Procedure Act. It is necessary for people in the States to come to the District of Columbia. It is easy for the Government, because here is where the Government lawyers live. They need only leave their homes and go to the courthouse to try their cases; but it is extremely difficult for our constitutents who are litigants to come here to protect their rights.

Mr. SPARKMAN. Yes. In most States—perhaps it is true in all States—the district courts are established in such a way that they can travel over the State. The court will have its center at a particular place in the State, but court will be held in different areas of the State for the convenience of citizens. That is what the aim should be at all times. It could be done if a little more effort were spent by some of those who work full time on salaries.

Mr. METCALF. I am in complete agreement with the Senator.

Mr. SPARKMAN. I am glad the Senator from Montana raised that point.

Mr. President, I now return to my analysis of the various titles of the bill as to litigation aspects. This title, which deals with desegregation of public facilities, has no express provision relating to criminal contempt. Therefore, normal law applies and the 5-to-4 position of the Supreme Court that there is no constitutional right to trial by jury in criminal contempt cases applies.

TITLE III

It should be noted that this title authorizes the Attorney General to institute Federal court proceedings for and in the name of the United States—page 12, line 10—when he is satisfied that individual signers of a complaint are unable to institute the proceedings or that the filing of the suit by them would harm them or their families.

Here again the proposed language has in mind injunctions, if necessary. At page 12, line 12, we find the authorizing language "and for such relief as may be appropriate." This could permit almost anything that the judge wished to do.

On page 13 at line 8—section 302—the Attorney General is authorized to intervene in any action pending in any court of the United States for relief from the denial of equal protection of the laws on account of race, color, religion, or national origin. Thus the full power of the Department of Justice could be thrown into any and all lawsuits where these broad issues were raised. There is doubt that the Attorney General desired this provision because it was in the title when he testified against it before the House Judiciary Committee, although a provision authorizing him to institute proceedings on mere suspicion was also in the title at that time and was subsequently deleted. Nevertheless, this is an added and extremely broad provision that would open the door to the Department of Justice being petitioned to intervene in a potentially great category of litigation. It is conceivable that the instant bill, if enacted, might broaden this category of litigation and enlarge the number of participants therein.

If there should be violations of the orders of the courts in the aforementioned intervention cases, existing law as interpreted by the Supreme Court would apply.

TITLE IV

This title deals with desegregation of public education. It would authorize the Attorney General to file a host of civil actions for school desegregation and "for such relief as may be appropriate"—page 17, line 21 of the bill. All that would be necessary would be for a parent of minor children or for an adult individual to certify to the Attorney General the denial of equal protection of the laws by segregation of schools or by denial of admission due to race, color, religion, or national origin.

This could mean widespread turmoil by wholesale enforcement and could set the cause of education back in many ways for years to come.

I might point out that no lawsuit could be brought to compel the busing of students, because the bill at page 14, lines 1 and 2, prohibits enforcement to accomplish "the assignment of students to public schools in order to overcome racial imbalance."

There are no references to criminal contempt in the title. Therefore, the Supreme Court rule of no trial by jury would apply to contempt cases.

TITLE V

This title deals with the Civil Rights Commission to which I have been opposed from its inception. It would extend its time for filing a final report to January 31, 1968.

There is a court proceeding authorized by the title which would be a proceeding by the Attorney General to ask for an order requiring compliance by persons who by contumacy or refusal to obey, violate a subpena issued by the Commission. In other words, if the Commission cannot enforce a subpena, the Attorney General can go into court and make the adamant party comply. This provision found on page 25, lines 1 through 9, is directly applicable to our jury trial debate in a rather interesting manner. On lines 7 through 9 of page 25, we find the following language:

> And any failure to obey such order of the court may be punished by said court as a contempt thereof.

The court would have this power without this language. If an act of Congress authorizes a U.S. court to issue an order, the court has authority to punish defendants for contempt for violation of that order. Is the purpose of this language to make certain that the court has the power that it already has, or is it to attempt to delineate between civil and criminal contempts in advance of the action taken by the defendant?

I raise also another interesting point. Could not this extra or added language here in title V be construed later in the courts as a recognition by Congress of the existing interpretation of the Supreme Court handed down again only most recently in the Barnett case that there is no constitutional guaranty of jury trial in criminal contempt cases?

If Congress is going to say anything at all about contempts in a situation such as this, it should add language assuring the defendant of a jury trial—not on a 30-day imprisonment or $300 fine basis—but as a basic right, or else Congress should keep silent.

TITLE VI

We have heard much about this title as the title dealing with the withholding of funds in federally assisted programs. I agree that that is a very dangerous and undesirable part of the title, which is tantamount to holding a club over the heads of people while saying that you shall not discriminate or subject any person to discrimination or else you shall receive no more Federal funds. The whole idea of this sort of thing on the broad scale outlined in this title is against our traditions and, at the same time, works at counterpurposes to the aims and ideals of many of our fine financial assistance programs.

I am speaking now as a lawyer, however, and I see something in this title that I do not believe has been emphasized before and that is that one of the chief dangers of the title is that it would authorize a multiplicity of varied types of lawsuits to enforce the broad and all-encompassing language of section 601.

In analyzing the title from the point of view of criminal contempts of court orders I find the following:

In all fields of Federal financial assistance except in contracts of insurance or guaranty all departments and agencies are directed in lines 4–6 of page 26 to take action to effectuate the provisions of section 601. The bill then, by use of the word "may" in line 6 page 26, gives an option or election to the enforcing department or agency to take two types of action only one of which is the withholding of funds. The other is the important one here, namely, to enforce compliance with section 601 "by any other means authorized by law"—line 18 page 26 of the bill.

Let us stop for a moment and think of the possible consequences of this language. There are many laws in our statute books giving departments and agencies the power to enforce their rules and regulations and to protect the interest of the United States in contracts to which they are a party. Moreover they may request the Attorney General to assist them in court enforcement of departmental matters and needless to say the Attorney General has several broad authorizations to bring law suits at the request of departments and a large part of the agencies.

Therefore title VI could be a most dangerous weapon for rigid and wholesale enforcement of racial integration whenever there is Federal financial assistance. Moreover if defendants refused to obey court orders they could not get a jury trial for criminal contempt.

What I have just stated is over and above law suits to require specific performance of contracts. It is natural to assume that regulations in many instances issued pursuant to title VI and approved by the President would require a certification by contract of the terms of section 601 before the future financial assistance is given or is even agreed to. This is currently being done in the Housing and Home Finance Agency to attempt to enforce an invalid and unconstitutional Executive order on housing, the absurdity of which is accentuated by the fact that irrespective of the legal weaknesses of the order the housing agency has a contract and if need be it can terminate the contract or go into court with the aid of the Attorney General in some cases and demand specific performance. I am prone to term this procedure as avoiding or circumventing a constitutional law question by government coercion on the basis of no contract—no housing.

If title VI is passed, there could be contracts all over the United States in all sorts of Federal programs using the words of section 601 or employing words to carry out its meaning. This could lead later to a multiplicity of lawsuits for specific performance. If there is defiance of a court order, perhaps under circumstances that are understandable, but under circumstances that would constitute criminal contempt, there would be no trial by jury.

Moreover, as I have stated above, the language of title VI would pemit enforcement whether or not there is a contract as an extra governmental safeguard. It is possible that the executive branch of the Government or at least several departments or agencies, might at some future time feel that more attention could be brought on the necessity in their view of forced racial integration by electing to follow the enforcement avenue of title VI rather than the avenue leading to the withholding of funds. All that is needed in either case is a "hearing" and that is in itself too loosely and informally mentioned to have real legal meaning in the bill. I daresay that if the enforcement avenue is chosen and litigation is contemplated the attorneys for the Government would prefer that the hearing be as formal as possible and that a good record be made on which enforcement litigation could be based.

Another matter that might tend to promote enforcement procedures over the withholding of funds is that the requirement to report the action taken to Congress for 30 days does not apply to the enforcement alternative listed as "(2) by any other means authorized by law" on lines 17 and 18, page 26 of the bill. The reporting requirement refers only to "(1) by the termination of or refusal to grant or to continue assistance" on lines 14 and 15, page 26 of the bill. This may well foster more widespread use of the enforcement alternative preceded as required in the title by persuasion and efforts to negotiate voluntary compliance.

We must observe, however, that voluntary compliance to vague and arbitrary requirements of nondiscrimination is no doubt much more easily accomplished if the threat of withholding funds and the added legal power of enforcement under existing law is hanging over the heads of the negotiators.

I cannot foresee the future, but if title VI passes, I can envision several departments or agencies of the Government preferring to negotiate as far as possible and then to ask their general counsels and the Department of Justice to enforce their regulations and protect the interest of the United States as far as possible before funds are withheld and entire projects are stopped.

Any case of contempt that could arise out of violation of a court order under title VI would be governed by the Supreme Court view on jury trial rights.

TITLE VII

In this title dealing with FEPC, or as entitled in the bill, "Equal Employment Opportunity," a new civil action is authorized on page 40, line 22, of the bill, which may be brought by the Equal Employment Opportunity Commission in a U.S. district court to prevent respondents from engaging in unlawful employment practices. The limitations on injunctions and other court proceedings affecting labor cases contained in the act of 1932 (29 U.S.C. 104–115) are expressly suspended on page 43, line 7 of the bill. Courts are expressly authorized to issue restraining orders or injunctions and are also authorized to issue mandatory injunctions—page 41, lines 24 and 25, and page 42, lines 1–5.

This, of course, dispels the question of the right to trial by jury as the proceedings sound in equity. Moreover, and as if this language were not enough on this subject, the bill provides that issues of fact may be heard by a master—page 42, line 18. Thus, this procedure is a far cry from jury trials on the merits of cases. Proceedings before a master may be informal and may be extended to great lengths if the master is so inclined and appreciates his rather large daily allowance. When a master's report is filed in court, under the Federal Rules of Civil Procedure, courts may set it aside only if it is clearly wrong. Here again, the rights of defendants, especially on appealing cases, are impaired in favor of enforcing the will of the Government on civil rights.

As to criminal contempts, inasmuch as there is no reference to this subject in the title, the general rule, as unconstitutional as I believe that it is, would apply, which would mean no trial by jury.

Title VIII which provides for a survey by the Secretary of Commerce in areas recommended by the Civil Rights Commission of voting statistics, appears to contain no relationship to litigation.

Title IX would disturb the traditional rule that once a Federal court has remanded a case to a State court for lack of Federal jurisdiction there can be no appeal and the case must proceed in State court. Title IX would allow such a remanding order to "be reviewable by appeal or otherwise"—page 51, line 25 of the bill. This means that cases which may be true cases of trespass under State law or cases of rioting or breaches of the peace, and so forth, may be taken out of the hands of State courts and tied up for long periods of time on appeals and other Federal proceedings on the Federal interest allegation that they pertain to equal protection of the laws or civil rights. This to me is an unwarranted and unneeded title.

Criminal contempt could hardly arise in actual practice under the title because an order to remand would normally favor the party who desired State court action. Moreover should the title be enacted it is to be presumed that State courts would not entertain requests for proceedings in violation of an appeal in the Federal courts of a remand order.

TITLE X

I see no litigation references in this title, which would establish a Community Relation's Service to help resolve racial disturbances and differences in communities and among persons therein.

TITLE XI

This miscellaneous title contains an appropriations authorization, an antipreemption provision as to State laws on the same subject matter, and in section 1101, page 54, lines 9 to 13, it contains a provision that is of considerable interest to us here. Litigation can usually result in a court order from which it is possible for a contempt case to arise. A moment ago I pointed out that situations may arise wherein departments and agencies prefer to continue various Federal assistance projects and perhaps other kinds of projects involving civil rights rather than to cut them off or suspend them. Section 1101 bears this out by providing:

> Nothing in this Act shall be construed to deny, impair, or otherwise affect any right or authority of the Attorney General or of the United States or any agency or officer thereof under existing law to institute or intervene in any proceeding.

In other words the vast amount of added provisions regarding race, color, national origin, religion, and discrimination in general, could by law become a part and parcel of the rules and regulations of departments and agencies. All existing machinery of legal enforcement would remain intact, and that is more than is generally recognized. The many new legal authorizations for civil actions and injunctions outlined above would merely add to the vast array of Federal power currently in the hands of the Government.

From the preceding title-by-title analysis, we see just wherein there is a need for an amendment to provide the right to trial by jury as a complete and not a part right in the discretion of the judge in criminal contempt cases.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. METCALF. Has the Senator reached a convenient halting point?

Mr SPARKMAN. I have concluded my discussion of this subject.

Mr. METCALF. Does the Senator from Alabama yield the floor?

Mr. SPARKMAN. I yield the floor.

CATTLE CRISIS WORSENS

During the delivery of Mr. Sparkman's speech,

Mr. HRUSKA. Mr. President, will the Senator yield, with the usual stipulation that he will not lose his rights to the floor and with further unanimous consent that my remarks, with an insert or two, will appear at an appropriate place following the remarks of the Senator from Alabama?

Mr. SPARKMAN. Yes, I am glad to do that. I would like the Senator from Nebraska to know that I am planning to speak until 7 o'clock and not beyond that hour.

Mr. HRUSKA. I thank the Senator for his confidence in my loquacity, if that is the proper word. I assure him I shall not take more than 2 or 3 minutes.

Mr. President, it was gratifying to note in the remarks of President Johnson last week to the National Farm Editors Association concern for the seriously depressed cattle market in America.

The President told the editors, "One of the big problems today is beef." Many Members of the Senate—on both sides of the aisle—can take credit for helping to focus the President's attention on the problem.

Unhappily, however, the administration's plans for solving the difficulty will not do the job. And meanwhile, the problem itself worsens.

The Department of Agriculture has reported that during the first week in May the average price of Choice slaughter steers in Omaha plunged below $20 per hundred pounds for the first time in many years. The price average for the week was $19.42, lower than the average for May in any year since OPA ceilings were taken off in 1946. Cattle prices at other markets have shown comparable declines.

Mr. President, I ask unanimous consent to have printed in the Record at this point in my remarks a table I have prepared showing the steady decline in prices on the Omaha market since the beginning of the year, and compared with last year.

There being no objection, the table was ordered to be printed in the Record, as follows:

Weekly average prices, Choice slaughter steers, Omaha, dollars per 100 pounds, with comparisons with same week of year before

	1964	Same week 1963
Week ending:		
Jan. 2	$21.40	$26.68
Jan. 9	22.32	26.96
Jan. 16	22.49	26.79
Jan. 23	21.89	25.54
Jan. 30	21.54	24.85
Feb. 6	21.25	24.85
Feb. 13	20.73	23.93
Feb. 20	20.34	23.94
Feb. 27	20.37	23.55
Mar. 5	20.69	22.66
Mar. 12	21.00	21.71
Mar. 19	20.85	22.54
Mar. 26	21.14	22.98
Apr. 2	20.79	23.24
Apr. 9	20.66	23.09
Apr. 16	20.65	22.79
Apr. 23	20.24	22.11
Apr. 30	20.18	22.21
May 7	19.42	22.00
Monthly averages:		
January	22.04	26.09
February	20.65	24.03
March	20.91	22.53
April	20.44	22.71

Source: Various issues, Livestock-Meat-Wool Market News, U.S. Department of Agriculture.

Mr. HRUSKA. Also, Mr. President, I ask unanimous consent to have printed in the Record a table showing average May prices at Chicago since 1946.

There being no objection, the table was ordered to be printed in the Record, as follows:

Slaughter steer prices: Average cost per hundred pounds of sales out of 1st hands, Choice, Chicago, month of May 1946 to date

	May average		May average
1946	$16.55	1956	$20.70
1947	24.22	1957	23.31
1948	30.91	1958	28.83
1949	24.92	1959	29.34
1950	29.19	1960	27.43
1951	36.52	1961	23.43
1952	34.17	1962	26.02
1953	22.36	1963	22.61
1954	24.25	1964	[1] 20.46
1955	23.09		

[1] Average of week ended May 7, 1964.

Source: Livestock and Meat Statistics 1962, U.S. Department of Agriculture, and various issues, Livestock-Meat-Wool Market News, U.S. Department of Agriculture.

Mr. HRUSKA. It was against this bleak market situation that the President told the farm editors that Government beef buying programs, coupled with anticipated reductions in imports "will be the same as reducing imports to the 1958–62 level."

Despite the President's claim that he knows this problem and that very little of his information is secondhand, somebody obviously has misled him. The figures he cited to the editors at the White House just will not stand scrutiny.

First, the President said that beef imports in 1964 will be down 20 percent from last year.

The inescapable fact is that one-third of the year is already gone and far from being down, imports this year are well above 1963, not below.

Figures published by the Department of Agriculture in its weekly Livestock-Meat-Wool Market News show for the first 3 months of this year, imports from all sources of fresh and frozen beef and veal, for 1963 to be 190 million pounds; for 1964, 230 million pounds, an increase so far this year of 40 million pounds.

The President speaks of a reduction in imports of 225 million pounds. If Australia and New Zealand have really agreed to a further reduction in their shipments, they will have to make drastic cuts during the remainder of 1964 to achieve an overall reduction of 20 percent. If 1964 imports continue to exceed 1963 imports at the current rate, the 1964 volume would be 160 million pounds greater than 1963, not 225 million pounds less.

The other promise the President made concerns the Government's beef buying program. Any purchases of beef will help the market to some extent, of course. The trouble is that it is simply impossible for this effort to absorb sufficient beef to make any great difference in the market price.

Let us analyze the Government's latest announcement on military purchases. The President speaks of increased purchases amounting to 100 million pounds. Of that, about 27 million pounds represent boneless beef going into the pipeline. That is, instead of keeping a 30- to 45-day supply on hand at all times, the Defense Department will keep a 100- to 120-day supply. In effect, they are stockpiling beef—buying up a tiny bit of the surplus and holding it off the market. This only means less of a purchase later.

In addition, a large part of these military purchases of beef, about 25 million pounds, will simply replace other items in the diet, principally pork. This is not going to be of any real benefit to the livestock markets at all. Whatever little benefit is received by the cattleman will be lost by the swine producer.

The Government is also to start placing U.S. beef in our oversea commissaries, and we are told this will absorb an additional 58 million pounds. But that figure represents a full year's requirement for this purpose, with 4 months of this year already gone. Furthermore, it is expressed in terms of carcass weight, whereas all the figures on imports from Australia and New Zealand represent boneless beef. When allowance is made for this factor, only about 25 million pounds of beef will be accounted for through this device.

Incidentally, Mr. President, observe how minuscule these figures are, compared with the total size of our national production of beef. Last year, our people consumed a grand total of 18.6 billion pounds of beef. How can the Government think to affect seriously a market of such tremendous magnitude, by purchases of 27 million pounds here, and 25 million pounds there? Is it not obvious that this problem cannot be solved by such methods?

President Johnson also referred to meat purchases by the Department of Agriculture which were announced during Senate debate on the Hruska amendment to reduce imports.

Again the performance cannot hope to match the promise. The President said the Department would buy 480 million pounds, but the fact is that in 10 weeks, the Department has bought only 62½ million pounds through May 8, or between 6 and 7 million pounds a week. To reach a target of 480 million pounds, the Department would have to buy at double that rate each week for the rest of the year, and then find a means of disposing of it.

What would be done with this much beef? We have not been told, but some press reports have carried a hint of the answer. A news leak suggests that American beef will be worked into the food-for-peace program, and shipped abroad. Is that not a little absurd, on the face of it? First, we permit the importation of vast quantities of foreign beef, to take over over a tenth of our own market. Then, we find ourselves with surpluses of American-produced beef, because the imports have taken away our market. So, the Government proceeds, with the taxpayers' money, to buy up the American-beef surplus which has been thus artificially created, and ship it out of the country, to give it away to foreign countries, as food for peace.

It is good to know that the President is concerned, and any of these actions may be helpful in some degree. But it is ridiculous to allow the market to be ruined by a flood of foreign beef, and then expect the administration to be bailed out with the taxes of the very Nebraska cattlemen who have been damaged. The benefit of any tax dollars so expended should go to the taxpaying American stockman and not to the beef producers of foreign nations.

Meanwhile, Mr. President, the administration has come through with another proposal which can only be described as incredible. The war on poverty contingent, all innocent of the facts of the life about the beef surplus, have laid plans to step up the production of beef in Appalachia and elsewhere. This, too, would be accomplished by liberal grants of the taxpayer's money, used in competition with private capital of present producers and feeders.

Under Secretary of Commerce, Franklin D. Roosevelt, Jr., in testimony before the House Public Works Committee, gave the dimensions of the administration's plan for the region it likes to call Appalachia. He said:

> The agriculture and timber provisions of this bill amply demonstrate this principle of comprehensive management of natural resources. By stimulating the production of beef cattle in Appalachia through a regional pasture improvement program, we have estimated an additional gross income to farmers of $690 million over a 5-year period, and a continuing gross income of approximately $230 million annually.

Mr. President, a continuing gross income of approximately $230 million annually implies the marketing of about 1 billion pounds of beef cattle on the hoof each year—probably a million head or more, over and above the number of cattle now produced and sold by that area.

Throughout the long controversy over beef imports, the administration has insisted that domestic overproduction was the real reason for the bottom dropping out of the market. Those of wanting to roll back imports have never denied that our own production has increased, and that this increase has affected the market.

The Appalachia plan would simply drive livestock prices down further. This would be a disservice not only to those now in the cattle business, but to the very farmers in Appalachia who are supposed to be the beneficiaries.

Mr. President, this administration is fond of quoting figures about the condition of the economy, but for some strange reason it never advertises the statistics dealing with the economic condition of the farmer. The farmer is entitled to parity, and he was promised by this administration that he would be given price supports at the level of 90 percent of parity.

During the Eisenhower years the parity ratio averaged 84.5 percent. What is it now? Last month it dropped to 75 percent, the lowest monthly figure in 24 years, according to official Agriculture Department figures.

Under the price support pledge of the Democratic platform, the wheat farmer was promised a support price of $2.28 a bushel for his wheat; but his average price is only $1.94. He was promised a support price of $1.40 a bushel for corn, but receives only $1.14.

Add it all together, and it is clear that the farmer is not sharing in the national prosperity. The total net income of farm operators fell from $13.3 billion in 1962 to $12.8 billion in 1963, a decline of about 4 percent, and the Department of Agriculture concedes that farm income will fall yet further this year. How much, they do not predict. Last fall, the prediction was for a decline of about 5 percent, but if cattle prices continue as low as they have been, that forecast of a 5-percent decline may turn out to be overoptimistic.

It would be difficult, Mr. President, to overstate the impact of a sagging cattle market on the agricultural economy. Cash receipts from farm marketings of cattle and calves each year are about $8 billion, as much as the combined total of the six basic crops of wheat, corn, cotton, tobacco, peanuts, and rice.

Mr. President, despite the fact that legislation which would relieve the cattle crisis languishes before the Finance Committee while we debate the civil rights bill, the issue remains a critical one across America.

It is the subject of meetings, discussions, newspaper stories and editorials throughout the cattle country. In a single day, I noted three editorials in Nebraska papers relating to the worsening situation.

I ask unanimous consent, Mr. President, to have printed in the RECORD editorials from the Omaha Stockman's Journal, the Lincoln Evening Journal and the Norfolk, Nebr., Daily News.

I ask unanimous consent that a series of articles and editorials be printed in the RECORD.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Stockman's Journal, May 13, 1964]

NEEDED: A MEAT IMPORT LAW

One of the most worrisome aspects of high meat import levels concerns the great volume of "hamburger meat on the hoof" that will have to be sent to market one of these days by our domestic cattle interests. We refer specifically to older cows that cattlemen have held back for one more calf. When they come, of course, meat from these cows will run broadside into the flood of imported meat with which it is competitive, and the resulting price outlook is anything but promising.

A good case can be made for the contention that many of these older cows would not have been held back so long had not meat imports held cow-beef prices to such unattractive levels these past several months, and that the cattle inventory thereby may have topped out some months ago instead of continuing to increase as it has done.

Without imports, in other words, the domestic beef industry might be well on the road to supply adjustment instead of continuing the buildup in numbers. Expressed in other terms, it might be said that meat imports contributed no little to the prolonged expansion of domestic herds and thereby compounded the problems which the overburdened industry now faces. Remember, high-level imports were a new economic factor that was misjudged by almost everyone, including cattlemen. In fact, the U.S. Department of Agriculture itself is only finally admitting that imports do have a price-depressing effect on the market.

Cattlemen's fears are well founded, it seems to us, and the industry's changes of working its way out of an explosive supply situation—without disastrous price levels and without inviting Government in as overseer—are somewhat dimmed by continued high import levels. Widespread drought, of course, could only make the situation worse.

A substantial cutback in imports would not solve all cattlemen's problems, by any means, but there can be no denying that it would help. A cutback might give the industry a fighting chance, which is not asking too much and which is about all it is asking for—reasonable protection.

The stakes are high in the import fight, make no mistake about that. The cattle industry as we have known it is one of the things that probably is at stake. And, sadly, there are those who would like to see the proud, independent cowman brought to his knees and shuttled into the Government corral along with grain farmers. Those who think this view extreme may be underestimating the "supply managers" holding forth in Washington these days. They mean business, and they show signs of not caring whether they use the front door or the back in gaining their objectives.

The meat import problem will not really be solved, either, until a firm law is on the books, spelling out in detail what can be imported and how much. By law, we mean law passed by Congress and signed by the President, not some administrative ruling by a bureaucrat somewhere. Administrative rulings, even by the President himself, are of necessity arbitrary and subject to change at any time with the tide and flow of events or whim.

Law, on the other hand, is firm and permanent until changed or altered through legislative process in Congress. Law is basic to our system of government; everyone, including the highest officeholder in the land, is subject to it. This is the American way, and it is the way that will afford cattlemen the kind of assurance they need to plan ahead and solve their problems.

Thus cattle interests will not rest easy until there is a reasonable meat import law on the books. Otherwise, they are subject to being sold out at any time. The present dilemma came about largely because the executive branch was delegated vague powers to negotiate away our domestic markets for meat. We need a law and we need it now, so that the cattle industry will know where it stands, know what to expect, and can move ahead under its own steam and under its own guidelines.

[From the Lincoln (Nebr.) Evening Journal and Nebraska State Journal, May 12, 1964]

CATTLE IN APPALACHIA

The entire United States must share the responsibility for helping bolster the poverty-level economy of the 10-State area known as Appalachia—not just as a humanitarian gesture but to guard against the weakening of the Nation through the spread of this economic infection.

It is essential that Federal action be taken to upgrade the economy of this important section of the country—just as special help has been extended in the past to the Great Plains, the Tennessee Valley and other areas.

The Appalachian program demonstrates, however, the hazards involved in providing direct Federal assistance to one particular part of the Nation. For it benefits no one if improvement in one region comes at the expense of other regions.

Included in the Appalachia bill now before the House Public Works Committee is a program to pay up to 80 percent of the cost of improving pasture lands for cattle in that region.

Coming at a time when cattle numbers in the Nation are at an alltime peak, when a surplus of beef is driving cattle prices to disastrously low levels, it would be a tragic blunder to subsidize expanded beef production in Appalachia. It would be as damaging to the people of that area as to other sections of the country which are reeling under the depressed cattle market.

There are provisions in the Appalachia bill which are constructive and which deserve the most serious consideration.

Expanded highway development and establishment of health centers, largely at Federal expense, would appear to be helpful without damaging anyone. The proposal for technical assistance and loans to improve timber production has merit in view of serious timber shortages developing in this country.

If land values and labor costs in Appalachia are favorable, and if natural factors are suitable, it is likely that an expanded beef industry will develop there without special subsidies. Certainly that area is entitled to the benefits of existing conservation and land use programs that encourage a switch from row crops to grasslands.

But to deliberately build up the cattle business there, in the face of presently existing surpluses all over the country, would be a classic example of the wrong kind of Government intervention.

It can be hoped that Secretary of Agriculture Orville Freeman will recognize the folly of this proposal and use all his influence to scotch the idea before it goes further.

[From the Norfolk (Nebr.) Daily News, May 12, 1964]

IMPORTS AND POLITICS

In a talk in Des Moines Saturday, Agriculture Secretary Orville Freeman shoved the matter of depressed beef prices further into the political arena than has been done either by farm State Governors or the beef industry men themselves.

He said that Republicans have tried to tell farmers that the only reason for skidding prices was the importation of beef from foreign countries. The record does not bear out such a statement—either from GOP leaders or those in the cattle industry. Their case has been based on the view that imports, plus record domestic output, has had a significant price effect. They have also correctly charged that the key to action in the imports field is in the hands of the administration.

The Freeman attitude, very late admittance that imports were any factor in the market, and then this attempt in Des Moines to inject partisanship into the matter, further obscures an issue which he and his Department, along with the President, have treated as a minor irritant—something to be shooed off the stage while poverty programs occupy the spotlight.

Mr. JORDAN of North Carolina. Mr. President, before the Senator from Nebraska finishes, I should like to ask him a question.

Mr. HRUSKA. Certainly, with the permission of the Senator from Alabama.

Mr. SPARKMAN. I understand that the Senator has that right.

The PRESIDING OFFICER (Mr. NELSON in the chair). The Senator from Nebraska may yield to the Senator from North Carolina.

Mr. HRUSKA. I am glad to yield.

Mr. JORDAN of North Carolina. I thoroughly agree that the problem with regard to beef is a most serious one. I saw a news item stating that Mexico had agreed to cut down its shipments of live calves and cattle into this country. Did the Senator from Nebraska see that item?

Mr. HRUSKA. I did not know that the agreement with Mexico embraced live cattle. Their problem is a little different from that of Ireland, New Zealand, and Australia. The agreements in those three instances had to do with frozen, chilled, and fresh beef.

Mr. JORDAN of North Carolina. The Senator is correct.

Mr. HRUSKA. However, in Mexico, we find not only that type of imports of beef but imports of live cattle over the border. It was not my understanding that the agreement with Mexico included live animals.

Mr. JORDAN of North Carolina. I was hoping the Senator had seen that news item, because I believe it makes a great deal of difference on our feeder calves, as regards the cattle population of the United States. We have been bringing in many feeder calves from Mexico as well as live cattle.

Mr. HRUSKA. That is true. There is one redeeming feature about the imports from Mexico. The feeder calves which come over on our side of the border eat the feed grains which are raised in this country, and of which we have a plenitude; so to that extent, and to the extent that those cattle so imported as feeders are fed here, are processed by American labor, under American standards of sanitization, there is some redeeming feature to it. However, on the other point of the chilled, frozen and fresh beef coming over here, those factors are absent.

Mr. JORDAN of North Carolina. I realize that. I was wondering whether the Senator had seen the article. All of the points the Senator is commenting on are absolutely correct. I am hopeful that the imports of frozen meats and chilled meats will be reduced.

Mr. HRUSKA. The population of cattle in America is 106 million. That represents an increase of approximately 2½ percent, roughly, over the preceding year. It is the contention of the Secretary of Agriculture that this domestic overproduction is responsible by far for the greatest part of the market collapse.

Yet the agreements that he has recommended and approved with all these foreign exporters of beef into this country provide for a growth factor of 3.7 percent. Just how the Secretary reconciles that difference between the two, I do not know. Nor does he quite explain how, if domestic overproduction is such a great factor in market depressants, he can square his conscience with the idea of allowing these imports to come in, in ever-increasing numbers, and at the same time apparently advocate the war on poverty in Appalachia which will be financed with taxpayers' funds for the purpose of stocking farms in the Appalachian region with beef cattle to a point where in a short number of years they will be marketing some $230 million worth of beef cattle a year. That will represent, roughly, a billion pounds of beef every year. Apparently, that increase of production is not harmful, even though it will be financed by grants and by loans and by pure subsidies in the hands of the Government, and will be in competition with those who are in the business, investing private capital. Those things, of course, many of us cannot understand.

I understand that the Secretary had a meeting with the beef industry advisory council yesterday, that he had one today, and that he will have another one tomorrow. Perhaps they will come forward with something elucidating. I am hopeful that they will.

Mr. JORDAN of North Carolina. I thank the Senator for yielding to me.

Mr. CARLSON. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I yield.

Mr. CARLSON. The Senator from Nebraska and the Senator from North Carolina mentioned the agreement that has just been reached on beef imports from Mexico.

I studied that situation this afternoon, and frankly I am a little disappointed in it.

In 1963, we imported 73 million pounds of beef from Mexico. In 1958, we imported 58 million pounds. Now the average for the years 1962 and 1963 is said to be a 9-percent reduction of imports of beef, but the fact is we have not had over 50 million pounds since 1952.

Frankly, I do not believe it was a very good deal. I studied this problem with the growth factor considered, which is part of the agreement; and I do not believe that this is a very good arrangement made by our own people. I am disappointed in it.

Mr. HRUSKA. The Senator from Kansas might be interested to know that the years 1962 and 1963 were the highest years for the imports of beef and of cattle into this country.

With regard to the agreement with Mexico to which the Senator from North Carolina referred, an average was struck between those 2 years, and much to do is being made of the idea that this is 9 percent less than 1963, but by the simple process of arithmetic we also find a 9-percent increase over 1962, with a 3.7-percent growth factor in it, which makes this an interesting subject for further thought.

OMAHA AND THE STRATEGIC AIR COMMAND MUTUAL RESPECT

Mr. HRUSKA. Mr. President, one of the most cordial relationships that I have ever seen between a military installation and a neighboring community is that existing between the Omaha-Bellevue, Nebr., area and Offutt Air Base, headquarters of the Strategic Air Command.

The men and women of SAC have not only been good neighbors, they have been outstanding citizens, participating fully and constructively in the civic life of the Omaha metropolitan area. The respect between civilian and airman is mutually high.

This fine relationship is due in no small part to the efforts of the first commander in chief of SAC, Gen. Curtis E. LeMay, and his successor, Gen. Thomas S. Power. Omaha and Nebraska owe them both a great debt.

An expression of this debt was voiced recently in an editorial broadcast over radio station WOW and over WOW television. I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PASSING OF LEMAY AND POWER

(Editorial broadcast May 12, 1964, by WOW-TV and WOW radio)

Next fall Gen. Thomas S. Power, head of the Strategic Air Command, will reluctantly retire because he will have reached the age of 58.

A few months thereafter, Gen. Curtis E. LeMay, Air Force Chief of Staff, will retire after 35 years of service.

The whole country, and Omaha in particular, will witness the passing of these two great military leaders with sadness and regret. It was about 15 years ago that SAC headquarters were moved to a former frontier Army post near Omaha, known as Fort Crook. General LeMay was SAC's first commander here. A relatively feeble command in those days, Generals LeMay and Power built SAC into the mightiest military force on the face of the world. The SAC bombers and missiles are the free world's first line of defense.

In spite of their worldwide responsibilities, Generals LeMay and Power have been good citizens of Omaha. They set an example which has been followed by their associates. More than 2,500 SAC civilian and military personnel joined Ak-Sar-Ben this year. Annually SAC sets the pace for Omaha's Red Feather-Red Cross campaign.

For its part, Omaha has been hospitable to SAC, and cooperative with its leaders. For instance, when SAC found the need of a new parochial school, Omahans raised much of the money to build it. Several SAC buildings were furnished with funds supplied by Omaha. When it became evident that SAC needed more land for recreational purposes, and tax moneys were not available, a group of Omahans passed the hat.

In all the annals of American military history, there has probably never been a love affair like that between SAC and Omaha.

We are sure, therefore, that Omaha will pay careful heed to what General Power recently said to the effect that SAC is "bursting at the seams."

There will undoubtedly be many testimonials for, and tributes to Generals LeMay and Power on the occasion of their retirement. The best tribute we can pay them, however, is by stepping up our service to SAC.

Mr. HRUSKA. Mr. President, I thank the Senator from Alabama for his usual courtesy in yielding to me.

A NATIONAL FIGURE AND SPOKESMAN FOR KANSAS

During the delivery of Mr. SPARKMAN's speech,

Mr. PEARSON. Mr. President, Kansas has a rich and colorful past. We Kansans also believe it has a challenging and equally colorful future.

Much of what my State has been and much of what it will become rests with the men who edit our Kansas newspapers.

The Kansas press found a national figure and spokesman in the well-known and respected journalist, William Allen White, of Emporia. Many of my colleagues here in the Senate remember Clyde Reed, of Parsons, and Arthur Capper, of Topeka, both of whom served in this body. While these men reached heights of national prominence many others have also provided objective and fearless reporting, constructive leadership and endless public service to their own State and their own communities.

This tradition has not been lost with the past. Kansas today has many editors of daily and weekly newspapers who carry on in the tradition which has been handed down to them. Typical of these is Larry Funk, editor of the Oakley Graphic, a native Kansan, a graduate of Kansas University, an editor of a prize-winning weekly newspaper. Larry represents the drive and the integrity which has given Kansas a great newspaper heritage.

Mr. President, I ask unanimous consent that an article in the Sunday, May 17, 1964, Topeka Capital-Journal, written by Dick King, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OAKLEY EDITOR PROUD KANSAN, CRITIC OF STATE'S DETRACTORS

(By Dick King)

OAKLEY.—Larry Funk is a native Kansan. When he talks, it doesn't take a person long to realize it.

He is a stanch Kansan and likes to talk about the State, its industry, its people and its points of interest and beauty. He also likes to discuss fishing and camping.

Those are two of the main sources of outside enjoyment for the editor and publisher of the Oakley Graphic, a much-honored weekly newspaper.

"I like Kansas," he speaks proudly. "And I'm really lucky to be in a position where I can try to point these things out. All people should take pride in being a Kansan and being a part of their community. I'm a sentimental slob when it comes to that."

"Too many Kansans are negative," Funk continued, sounding more and more like a governor candidate or a chamber of commerce manager. "We need to change our outlook. Kansans are dependable and can get the job done. Why should we always be kidded just because the wind blows?"

Funk also considers himself lucky because "it isn't very often these days that a newspaperman gets involved in a fight over a county courthouse."

He referred to the recent controversy over the Logan County courthouse, a controversy which may have been silenced 4 days ago when a Legislative Council committee voted to stay out of the fight to have the county disband.

"You hear about these kinds of fights back in the old days," Funk recalls, "but then they just got a railroad car and a couple of gunmen and went out and stole the courthouse and its records. Now it's more involved."

The battle over the courthouse has been brewing for 30 years but reached its apex since 1957.

"I hope it's over," he said. "The court edicts have been settled, the bond issue has passed, the committee voted not to get involved and we have the land for a courthouse. Now maybe we can forget it and start over."

"It was no selfish thing with me," Funk said, referring to his editorial stand in favor of moving the courthouse here from Russell Springs. "I just never thought it belonged down there. Heck, maybe it doesn't belong in Oakley either."

Discussion over possible annexation of portions of Logan County to the surrounding counties brings out insight into Funk's philosophy of government.

"Making government bigger doesn't solve any problems," he continued. "You lose track of it. These government units are made up for a reason and you should stick with it."

"Or if you want to start combining," rationalized Funk, "we could combine Kansas and Missouri and save duplication of services or how about combining the fairs at Topeka and Hutchinson?"

These two items—love of Kansas and its people and the courthouse fight—have provided much of Funk's editorial material for the Graphic.

"You have to be responsible for everything you write," he said. "I sometimes feel I'm too responsible but I just don't want to junk out the paper. I feel I owe something to the reader and the advertiser."

He has thought that way often and long enough that the Graphic has twice been judged the best Kansas weekly in its circulation group. That was in 1957 and 1960.

"I seem to do well when Missouri and Michigan editors judge the papers," Funk laughted, "but I can't do a thing with Oklahoma editors."

Oklahoma editors were the judges in 1963 when Funk and the Graphic were rated fourth in the State.

Funk was born in Oberlin and was graduated from the University of Kansas in 1949 after serving 3 years with the Army during World War II. He started as a reporter on the Salina Journal but decided to enter the weekly newspaper field "because there's more opportunity for a country boy there."

He went to the La Crosse paper as a reporter and in 1951, was named editor at Medicine Lodge. He came here in 1957 as editor "and I've never had any interference on that title."

Funk does all the work in the front office, writes the stories, sells the ads and dummies the nine-column paper.

The paper is owned by out-State interests, "but they never interfere and let me run the paper my way."

The Graphic has a circulation of slightly more than 2,000 in Logan County and the portions of Sheridan, Gove, and Thomas counties which lie within the general Oakley trade territory.

"It's been fun," Funk reminisced. "The city council works hard and keeps the town out of debt; I've been asked to keep things out of the paper but I don't and I guess the main thing is that they haven't run me out of town."

THE MILITARY DRAFT

Mr. PEARSON. Mr. President, numerous voices have been raised in recent months regarding the effectiveness of the military draft as a device for securing the personnel essential to man our military service.

I recall that several weeks ago the junior Senator from New York [Mr. Keating] commented on this matter here on the Senate floor. More recently, I prepared a short statement for my weekly Kansas newspaper column setting forth some of my views on the need to restudy the universal military service plan.

In recent days, President Johnson has suggested the possibility of ending this method of recruiting military personnel within this decade.

On Sunday, May 17, 1964, an excellent editorial appeared in the Kansas City Star titled "Draft Cries for Reform but an End Is Not Yet."

I ask unanimous consent that my newspaper column for the week of May 4, 1964, and the editorial from the Kansas City Star be printed in the Record.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

Time To Study the Draft

For years we have treated the military draft like a secondhand car—patching it up with chewing gum and baling wire. The reasoning goes, "the system may not be perfect, but it's served its purpose in the past, so we'll stick with what we've got."

There are several indications that the existing system should be subject to thorough investigation. In the first place, our "universal" military training and service system is far from universal. The emphasis on universal grew out of requirements which mobilized manpower to serve in wartime. Conditions in the sixties are different, however, from those of the forties and fifties. Nuclear weapons have decreased the necessity of large standing armies. No more than 55 percent of all service age youths presently serve as draftees, volunteers, or reservists.

Furthermore, the turnover rate for those who do enter the service is extremely high. Eighty percent of our draftees leave the service after their first tour of duty. Seventy-three percent of our first-term voluntary enlistees separate after completing their initial enlistment obligation. This enormous turnover lays a heavy burden on the American taxpayer. A huge training program must, consequently, be maintained to equip the steady inflow of recruits and inductees with the highly specialized knowledge required to replace those leaving the service.

A number of obvious factors contribute to alteration of the "universal" character of the draft and to the high turnover of personnel. Increased emphasis on higher education has encouraged exemption of students. Persons are excused for critical skills, family obligations, and other bases not generally applicable in periods of emergency. The demand for technical skills obtained in military service at higher levels of pay in civilian employment make nonmilitary employment more attractive.

Since 1951 Congress has extended the draft system virtually without reform or debate. That system has marked time in an era characterized by rapid change. No one has determined whether the United States could forge an effective army with a different system. Perhaps a truly universal system is necessary. If so, it should be so conducted. Perhaps it is essential only during major emergencies of long duration. Or, is there a reasonably effective alternative? In any case we can ill afford to continue burdening our military—and our taxpayers—with costly turnover. A full study of the military draft appears to be justified.

[From the Kansas City Star]

Draft Cries for Reform but an End Is Not Yet

Is it time to end the military draft? Are only the dumb and poor being forced to serve? Has the United States actually made progress since the Civil War, when it was possible for a well-heeled, unpatriotic fellow to wriggle out of the service obligations by paying $300 or hiring a substitute?

These questions are basic in President Johnson's recent order for a comprehensive study which he said could result in the elimination of the draft in the next 10 years. Cynics quickly said that it was one more example of L.B.J. touching all political bases in an election year. Mothers and fathers—most of whom did not raise their son to be a soldier—were bound to give Mr. Johnson credit for good intentions. One member of the Pentagon press corps said that it would cost Mr. Johnson nothing, would win him a lot of votes and wouldn't mean anything.

On this last point, the Pentagon critic may be proved wrong eventually. President Johnson handed the manpower study assignment to Secretary McNamara of the Defense Department, a doer who has knocked down more walls of military thinking than any official in modern times. If anyone can come up with constructive reforms in the manpower system, it will probably be McNamara.

Like the President, the Secretary of Defense is making no specific promises. He has not even hinted that it is possible to maintain an active force of 2.7 million men without some form of compulsory service. Selective service directly funnels only 110,000 to 160,000 into the Army during a typical peacetime year. But Army and Air Force studies show that about 40 percent of those who enlist look upon the draft law as a goad.

Thus, on the central question of whether it is time to end the draft, the best available answer seems to be: Not now. Reforms, perhaps, but no early elimination. The point at which this country can rely entirely on missiles, pushbuttons and machines for its security is infinitely remote.

What about the charge that only the dumb and the poor are being drafted? There seems to be some truth in the accusation but not nearly enough to warrant so sweeping a generalization. Well-to-do students willing to take on graduate work can stay in college longer with educational deferments.

Some professional students figure that they are safe after age 26. Actually the law provides that deferred draft registrants are still subject to induction up to 35. But young men over 26 are not being called. By this time most of them seem to have won further deferment for one reason or another. Many thousands by then are trained scientists, engineers, technicians or educators. Thus they make an important contribution to the Nation's strength without ever having been in the Armed Forces.

As for the charge that only the less intelligent wait to be drafted, the armed services point out that their admission standards were never higher. Rejection rates for physical and mental conditions combined have been running as high as 49 percent—compared to an overall rejection rate of about 24 percent during the Korean war. It is not at all uncommon for high school graduates to be turned down for low rating on aptitude tests. Cassius Clay, the heavyweight champion, is a celebrated example of such a rejection.

Last fall President Kennedy ordered an end to the induction of married men. That action practically limited the draft to single men between the ages of 19 and 26. When the husband-deferment order went into effect, the average age of those drafted was a little over 23 years. Now it is 21½ and almost certainly will drop further.

Administrators of the selective service program deny that large numbers of young Americans are marrying to evade military duty. Nevertheless, the fact stands that the available classes of 23- and 22-year-olds in the draft pool started drying up after marriage became a basis for deferment. Draft quotas went up in late 1963 and early 1964, but not enough to account for the necessity of starting to call registrants as young as 21½. The average age of draftees had remained at around 23 for several years.

Many single men resent what they regard as preferential treatment of husbands. It is true that the present policy is based partly on the fact that it is more economical to draft a single youth than one who is married. A wife is entitled to a government allotment. A more important factor is the growth to almost unmanageable size of America's manpower pool. That pool includes about 9 million men of draft age, only half of whom are ever likely to be called short of a war or other national emergency. Thus distinctions must be made between those who are needed for the Armed Forces and those who can be spared.

The manpower supply now exceeds the demand in part because the World War II "baby crop" is fast coming of age. Compared with 1,476,000 males who reached 18 in 1962, the number is expected to rise to 1,880,000 by 1966. The draft pool is growing in proportion.

This is a new problem in American life. Prior to 1940, the only experience this country had with conscription was during the Civil War and World War I. Otherwise the Nation had managed with State militiamen and other volunteers, plus small permanent military forces that were first organized after the War of 1812.

In the summer of 1940, the United States adopted its first conscription law when not at war. A recently published book, "Power at the Pentagon" by Jack Ramond, relates that the draft act was passed at the urging of civilian leaders "in spite of the Army." Yet the Army directly—and the other services indirectly—have depended on this legislation for a major part of their manpower throughout most of the past 23 years. The draft was allowed to expire briefly in 1947, only to be reinstated a year later. Thus the present selective service law extends a system that was never intended to be permanent.

But what is the alternative, if any? Lt. Gen. Lewis B. Hershey, who has directed Selective Service since 1941, is dubious about finding any other way. His research indicates that no more than 1.5 million Americans can be attracted to military service without the prodding influence of a draft obligation. And he is not sure that the figure for pure volunteers would not be closer to 1 million. Whatever the number, a Military Establishment made up wholly of volunteers will not be feasible in the foreseeable future.

General Hershey believes that there must be a considerable change in the international climate before this country can end the draft. To terminate the draft now, peremptorily, would be discouraging to U.S. allies. Hershey notes that 12 of 14 NATO countries use the draft. Great Britain is now managing without it, but only by dint of a 40-percent cutback in military strength since 1957. Canada, too, gets along without conscription but her personnel needs are comparatively small.

The United States not only uses the draft to maintain Active Forces but to attract enlisted volunteers to the Reserves and the National Guard. The combined strength of these organizations is more than 650,000. In lieu of 2-year draft duty, young men may enlist for 6 months' active duty training. Then they are required to train part time with a civilian unit for another 5½ years in most cases.

Considering all forms of military service, about 4 men in 10 reach the age of 26 without ever donning a uniform. To share the obligation more fairly, a true universal military service plan has been proposed. The argument runs that it would be fairer and better for every qualified youth to serve the country according to his capacity at age 19. Congress has been unwilling to establish such a program.

One definite improvement in the present system is already planned. Beginning July 1, most young men becoming 18 will be given their mental and physical military examinations when they reach this draft-registration age. Currently most potential draftees must wait until they are 21 or 22 to find out if they qualify for military service. Under the change, men who fail their examinations may enter a voluntary program of training or medical treatment that will help correct their deficiencies.

Another proposal, by Dr. Eli Ginzberg, a Columbia University manpower specialist, has drawn the attention of draft critics. According to U.S. News & World Report, Dr. Ginzberg has suggested setting up a form of lottery. Every youth would draw a number upon reaching 18. Depending on his number, he would be placed in group 1, 2, or 3. The Armed Forces would agree to make their calls from the three groups in order and in line with needs. Thus no one would be permanently exempt. It would make no difference whether a registrant married or went to college. He would stay in the group assigned to him by lottery. Early in his adulthood, he would clearly understand his chances of being called. Personal plans could be made accordingly.

The Armed Forces have one large interest in the draft as it now operates. They depend upon it to obtain qualified men. The services would not be likely to oppose any change that Congress and the country might deem more satisfactory as long as manpower needs were met effectively.

Frankly, we don't know whether Dr. Ginzberg's suggestion is worthy of adoption. But it has the merit of being a fresh idea. It rates consideration for that reason alone. The draft has too long been accepted as a kind of necessary evil that could neither be changed nor improved. The standard attitude of Congress has been one of indifference.

But after long ignoring the built-in injustices of the draft, Congress this year has begun to develop some interest. Studies of possible substitutes or reforms have been proposed. President Johnson has ordered his own survey.

This highly important problem has been pushed aside so long that its neglect approaches a national scandal. The planned survey could start the modernization of a badly out-of-date system of defense manpower.

REDUCTION OF POSTAL RATES FOR VOLUNTEER FIRE COMPANIES—ADDITIONAL COSPONSOR OF BILL

Mr. BOGGS. Mr. President, I ask unanimous consent that, at the next printing of my bill (S. 564) to extend to volunteer fire companies the rates of postage on second class and third class bulk mailings applicable to certain nonprofit organizations, the name of the senior Senator from Pennsylvania [Mr. SCOTT] may be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL NOON ON WEDNESDAY

Mr. METCALF. Mr. President, if there is no further business to be transacted, I move, under the previous order, that the Senate stand in recess until noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 53 minutes p.m.) the Senate took a recess, under the previous order, until tomorrow, Wednesday, May 20, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 19 (legislative day of March 30) 1964:

DIPLOMATIC AND FOREIGN SERVICE

William Witman II, of Pennsylvania, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Togo.

Mercer Cook, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Senegal.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 19, 1964

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., May 19, 1964.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Zechariah 8: 16: *These are things that ye shall do; speak ye every man the truth to his neighbor.*

Almighty God, our Father, who art the strength of all that is good and the glory of all that is beautiful, may we daily be inspired to cultivate those lofty ideals and aspirations which are the progenitors of noble achievements.

Grant that our President, our Speaker, and the Members of this legislative body, whom we honor and respect as great and good men and women, may be led by Thy spirit to think clearly and act courageously and strive to kindle anew the high idealism of our Republic.

May Thy divine voice of truth, wisdom, and counsel be heard and heeded as they face heavy responsibilities and may they be worthy partners of all who are struggling to preserve and perpetuate our heritage of freedom and seeking to establish the kingdom of righteousness, justice, and peace.

Hear us through the merits of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 71. Joint resolution to establish a National Commission on Food Marketing to study the food industry from the producer to the consumer.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Private Calendar.

The Clerk will call the first bill on the Private Calendar.

DR. AND MRS. ABEL GORFAIN

The Clerk called the bill (H.R. 2706) for the relief of Dr. and Mrs. Abel Gorfain.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 2728) for the relief of Charles Waverly Watson, Jr.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

JOHN F. MACPHAIL

The Clerk called the bill (H.R. 5145) for the relief of John F. MacPhail, lieutenant, U.S. Navy.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ESTATE OF J. W. GWIN, SR.

The Clerk called the bill (H.R. 2747) for the relief of the estate of J. W. Gwin, Sr.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CWO ELDEN R. COMER

The Clerk called the bill (H.R. 6136) for the relief of CWO Elden R. Comer.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

HELEN J. GOOGINS

The Clerk called the bill (H.R. 6839) for the relief of Helen J. Googins.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

JONG WAN LEE

The Clerk called the bill (H.R. 6479) for the relief of Jong Wan Lee.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

WOLFGANG SEIDL

The Clerk called the bill (H.R. 6385) for the relief of Wolfgang Seidl.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a) (3) of the Immigration and Nationality Act, Wolfgang Seidl may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JASPER E. TATE

The Clerk called the bill (H.R. 6442) for the relief of Jasper E. Tate.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jasper E. Tate, of Akron, Ohio, the sum of $306.65. Such sum represents reimbursement to the said Jasper E. Tate for paying out of his own funds judgments rendered against him, and costs in the United States District Court, Eastern Division, Northern District of Ohio, on March 28, 1960, as the result of an accident occurring when said Jasper E. Tate was operating a Government motor vehicle in the course of his duties as an employee of the United States Post Office Department: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EUGENE R. WOOSTER, JR.

The Clerk called the bill (H.R. 8709) for the relief of Eugene R. Wooster, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eugene R. Wooster, Junior, of Union, New Jersey, the sum of $296.35 in full settlement of his claims against the United States for reimbursement of that amount paid by him in satisfaction of a judgment entered against him on April 30, 1963, in the Ocean County District Court, Ocean County, New Jersey, as the result of a motor vehicle collision on May 11, 1957, between a privately owned vehicle and a post office truck operated by him within the scope of his employment with the Post Office Department. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

BASILIO KING, HIS WIFE, AND THEIR CHILDREN

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 1179) for the relief of Basilio King, his wife, and their children, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, strike out "101(a)(7)(B)" and insert "101(a)(27)(B)".

Page 1, lines 5 and 6, strike out "Henry Alexander Victor King,".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

Mr. ASHBROOK. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

GENERAL LEAVE TO EXTEND

Mr. WHITTEN. Mr. Speaker, prior to making the usual motion, I ask unanimous consent that all Members may extend their remarks on the Department of Agriculture and related agencies appropriation bill, 1965, and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1965

Mr. WHITTEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 3 hours, one-half to be controlled by the gentleman from Washington [Mr. Horan], and one-half to be controlled by me.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 128]

Andrews, Ala.
Ashley
Ashmore
Avery
Baring
Bass
Bolling
Brademas
Bruce
Buckley
Burkhalter
Burton, Utah
Cameron
Celler
Cohelan
Colmer
Cooley
Cramer
Dawson
Derwinski
Dorn
Duncan
Edmondson
Elliott
Fallon
Farbstein
Fogarty
Forrester
Friedel
Garmatz
Grant
Hanna
Harsha
Hébert
Henderson
Hoffman
Holifield
Huddleston
Ichord
Jones, Ala.
Karth
Kee
Kirwan
Lankford
Lloyd
Long, Md.
Madden
Martin, Calif.
Martin, Mass.
Mathias
Matsunaga
Meader
Miller, N.Y.
Morrison
Morton
Norblad
Osmers
Pepper
Powell
Rains
Rhodes, Ariz.
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rodino
St Germain
Scott
Selden
Sheppard
Short
Snyder
Taylor
Thompson, La.
Thompson, N.J.
Utt
Wickersham
Williams
Winstead

The SPEAKER pro tempore. On this rollcall, 353 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING MERCHANT MARINE ACT OF 1936

Mr. BONNER submitted a conference report and statement on the bill (H.R. 82) to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses.

SUSPENDING EQUAL OPPORTUNITY REQUIREMENTS FOR THE 1964 CAMPAIGN FOR PRESIDENT AND VICE PRESIDENT

Mr. HARRIS submitted a conference report and statement on the joint resolution (H.J. Res. 247) to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for legally qualified candidates for the offices of President and Vice President.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1415)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 247) to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for legally qualified candidates for the offices of President and Vice President, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

Strike out the matter proposed to be stricken by the Senate amendment and insert in lieu thereof the following: "overall schedule of rates,". And the Senate agree to the same.

Oren Harris,
Walter Rogers,
John E. Moss,
W. R. Hull, Jr.,
Horace R. Kornegay,
John B. Bennett,
J. Arthur Younger,
Glenn Cunningham,
James T. Broyhill,
Managers on the Part of the House.

John O. Pastore,
Mike Monroney,
Strom Thurmond,
Hugh Scott,
Winston L. Prouty,
Managers in the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 247) to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for legally qualified candidates for the offices of President and Vice President, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment would limit the suspension of the equal opportunities provisions of section 315(a) of the Communications Act of 1934 to the 60-day period preceding November 3, 1964, rather than the 75-day period preceding such date as provided in the House passed resolution. When the House considered this legislation, the date of the Democratic National Convention had not been determined. Since then, the period of such convention has been announced as August 24–28, 1964. The Republican National Convention is scheduled to meet on July 13, 1964. Thus, by the end of August 1964, the nominating conventions of the two major parties will have been held. The 60-day period of suspension will run from September 4, 1964, through November 2, 1964. The conferees believe that this 60-day period will be adequate to achieve the purposes of this legislation. The House recedes.

Amendment No. 2: The Senate amendment would have stricken language from the House passed resolution requiring information concerning rates charged by broadcast stations and networks in the 1964 presidential and vice presidential campaigns be included in the report made to the Congress under this legislation by the Federal Communications Commission. The House recedes with an amendment requiring that such report include information as to the overall schedule of rates used to determine charges during such campaigns by such stations and networks. Such information will determine the differences, if any, between the rate schedules for political broadcasts and for other broadcasts made over any station.

The conferees agreed that similar information should be included in the report for other political campaigns carried on during 1964. Such information will be useful in evaluating the efficacy of section 315(b) of the Communications Act of 1934 which provides that the charges made for the use of any broadcasting station by any legally qualified candidate for public office shall not exceed the charges made for comparable use of such station for other purposes.

Oren Harris,
Walter Rogers,
John E. Moss,
W. R. Hull, Jr.,
Horace R. Kornegay,
John B. Bennett,
J. Arthur Younger,
Glenn Cunningham,
James T. Broyhill,
Managers on the Part of the House.

CONFLICT OF INTEREST

Mr. POOL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, information has come to me about the conduct of activities in the office of the register of wills and clerk of probate court of the U.S. District Court in the District of Columbia. I think this matter is worthy of investigation by the Committee on the Judiciary.

Theodore Cogswell, now serving as register of wills and clerk of the probate court of the U.S. District Court, District of Columbia, was appointed to office in 1927 by President Coolidge. He did not retire at retirement age but continued in office by reappointment of district court in 1963. Although every judge of the district court, for whom Mr. Cogswell works, is prohibited by the mandate of the Judicial Conference from serving as an officer of any business corporation Cogswell serves on the board of directors of the Bank of Commerce, a local bank, which is in direct conflict with his duties for, as register of wills, he makes recommendations to the court in probate matters which involve other banks in the District of Columbia which are competitors of the one in which he is a director. Banks by their very nature are directly or indirectly involved in all sorts of business in the District of Columbia, including real estate transactions and other banking endeavors, including the administration of trusts and estates, which are subject to the jurisdiction of the U.S. district court which look to Cogswell for impartial recommendation. The Bank of Commerce does not have a trust department which serves as administrator or executor of estates, and Cogswell may assert that his bank does not do business with his office; but the Bank of Commerce does a general banking business in the District of Columbia and by the very nature of its business has all sorts of transactions involving real and personal property which is subject to the jurisdiction of the U.S. District Court for the District of Columbia. Is Cogswell not in an ideal position to secure and pass on information to his bank and to his fellow directors? Is it fair to the competing banks and the public that this bank should have its director housed in a U.S. courthouse and charged with the duty of making impartial recommendations to the court? How shattering it is to public confidence in our judicial system when any business corporation can boast with impunity "we have our boy in the courthouse."

Furthermore, Cogswell as register of wills prepares the legal list of securities in which fiduciaries in the District of Columbia are authorized to invest. From time to time new securities are added to the list and securities on the list are removed therefrom. When a security is removed from the legal list, every fiduciary, subject to the jurisdiction of the District court, must dispose of such stock. Thus it is financially advantageous to those who know in advance which securities will be removed from the legal list and which will be added to it. Is it right that the director of just one bank should have this information? The fact that Cogswell might never pass this information on is immaterial—although it would seem that faithful discharge of his duties to his bank would require it—in direct conflict with his duty to court not to disclose it—the fact that he could pass it on casts a cloud of suspicion on the entire court.

Several years ago Cogswell acquired the premises at 1403 L Street NW. for $19,500 from the estate of Raleigh Sherman, administration No. 41786. The property at the time was assessed, for tax purposes, by the District of Columbia assessor for $44,000. It now has an estimated value in excess of $100,000. The property is under lease to Alfonso's Restaurant at a monthly rental of $600. The property was purchased by Margaret Cogswell, the mother of Mr. Cogswell, from the executors of the estate while it was in the process of administration in the probate court in the District of Columbia. The sale was not at auction, but was a private negotiated sale subject to the approval of the court. When the sales agreement was presented to the court for approval, Cogswell's office recommended to the court that the sale be approved. Acting upon the recommendation of the office of the register of wills, the court approved the sale by order dated April 28, 1937. A deed was executed by the executors of the estate on May 7, 1937, conveying title to Margaret Cogswell. This deed was recorded on May 17, 1937. The records of the recorder of deeds office show that this deed, after recordation, was returned to Theodore Cogswell. On May 12 Margaret Cogswell executed a deed of trust to secure her note for $13,000 given in part payment for the property. On May 14, 1937, Margaret Cogswell, through her agent Robert F. Cogswell, entered into a 3-year lease of the premises for restaurant purposes. This lease was recorded on June 2, 1937, and was returned after recordation to Theodore Cogswell. On May 29, 1937, Margaret Cogswell executed a deed conveying the property to Theodore Cogswell. Only 21 days elapsed between deeds—obviously a "straw" transaction. Thus it would appear, that Cogswell, in his position as register of wills and clerk of the probate court saw the possibility of a very advantageous purchase, but because he knew that it was not proper for him to be buying property from estates controlled by his court, or to be recommending approval by the court of sales to himself, he used his mother as a "straw" to buy the property for him.

Cogswell purchased lot 9, square 52, in the District of Columbia from a legatee in the estate of Josephine M. Jones. Josephine Jones died domiciled in the District of Columbia, and her will was probated in the District Court for the District of Columbia. At the completion of the probate proceeding Cogswell purchased one of the parcels that was devised to the decedent's granddaughter. That parcel adjoined a parcel already owned by him. He paid $10,500 and received a deed executed by Josephine Jones Nelson of Cabell County, W. Va., on February 17, 1951. On February 20, 1951, Cogswell executed a deed of trust which recites that Theodore Cogswell has received an advance of $6,000 and "has executed and delivered his bond, bearing even date herewith, whereby he acknowledged himself indebted to Edgar F. Britt, treasurer of said association—Home Building Association—in the sum of $15,000, and if the board of directors thereof consents, may, under said bond and this deed of trust receive further advances on other shares of said association not exceeding in all said sum of $15,000." The building association must have thought the property sufficient security for an indebtedness of $15,000. In any event, Cogswell sold the property in 1961 for approximately $30,000.

Cogswell purchased an automobile from the estate of Chloe MacReynolds, file No. 95655 in the probate court, District of Columbia, while the estate was in the process of administration in his court. Chloe MacReynolds had been a court reporter in the district court. Approximately 1 month before she died she purchased a new 1958 Chevrolet. During most of the time after the purchase she had been ill and the car was practically new when she died on May 15, 1958. In the petition for letters testamentary the value of the car was estimated at $3,000; it was appraised in July at $2,050; in November the executor petitioned for authority to sell the auto at a reduced appraised value of $1,600. Cogswell personally recommended to the court the approval of this sale at the reduced valuation. Thereafter the executor allegedly solicited offers from persons around the courthouse. Cogswell's offer of $2,005 was accepted. The probate file does not disclose in any way that Cogswell purchased this automobile. However, an examination of the title to this automobile reveals such transaction. The automobile is titled in the State of Virginia. Before the automobile was delivered, it was filled with gas and oil and washed. The executor did not have court approval to make such expenditures, but these expenditures were passed by auditors in Cogswell's office and paid from the estate. Would these charges have passed if Cogswell were not the purchaser?

The amount involved was of minor importance, but the principle violated was major. If public confidence in the integrity of the probate court is to be maintained, neither judges nor court personnel should participate in transactions involving estate property.

In the estate of James L. Collins, administration No. 67203, Cogswell was appointed special master to determine the heirs at law and next of kin of the decedent, for which he received $6,000 from the estate. In the estate of Eleanor Patterson, administration No. 71574, he was special master and received a fee of $3,000. In the estate of Isabelle H. Lenman, administration No. 41501, he was special master and received a fee of $2,500. Cogswell used his official time and in all probability his official stenographic help to conduct hearings and to prepare his findings and recommendations. These fees appear to have been earned on Government time and at Government expense and while Cogswell was a full-time employee of the Government. His appointments as special master were in contravention of the practice of the court to make such appointments impartially to practicing attorneys in the District of Columbia; and further, they involve a serious conflict of interest in that exceptions to his findings had to be passed upon by the court which looks to Cogswell for impartial recommendations in estate matters.

In the Patterson estate Cogswell filed his report as special master and filed a request for compensation which indicated he spent 300 hours on the matter; that he held hearings at the courthouse and various other places, and he asked a fee of $3,000. A deputy in Cogswell's office recommended to the court approval by the court of the fee and Cogswell was paid $3,000 from the estate. He was similarly paid $6,000 from the estate of James L. Collins for serving as special master in that proceeding, and $2,500 from the Lenman estate. Each of these assignments required the preparation of lengthy reports which were probably typed on Government stationery by Government employees in Government offices. While Cogswell was engaged as special master he was not available for his official duties. Whether or not he used Government time and facilities to earn these personal fees, his actions appear to violate title 19, sections 410 and 411 of the District of Columbia Code, as follows:

§ 19-410. Not to practice law.

No person, being register of wills shall plead as an attorney at law in any court in the District of Columbia, for any person or persons, on any pretence whatsoever; and

> no register of wills as aforesaid shall exact, extort, demand, take, accept, or receive, from any person whatsoever, any fee or fees, gratuity, gift, or reward, for giving his advice in any matter or thing that will be transacted in the courts of the District of Columbia, under the penalty of $80, current money for every such offense. (Md. Act 1871, ch. 16; Md. Act 1786, ch. 10; April 2, 1792. 1 Stat. 248, ch. 16. § 9.)
>
> § 19-411. Penalty for charging for advice.
>
> The register of wills shall not demand, take or receive, from any person whatsoever any fee, gratuity, gift, or reward, for giving his advice in any matter or thing relative to his office, under the penalty of $133.33, for every offense. (Md. Act. 1779, ch. 25, § 7; Md. Act, 1781, ch. 16; Apr. 2, 1792, 1 Stat. 248, ch. 16, § 9.)

Cogswell has become a power to be reckoned with by any member of the bar having business with the probate court in the District of Columbia. His recommendations to the court have become prerequisites to court action.

No person vested with such power should indulge in such conflicts of interest and violate the trust placed in his office—if public confidence in our courts is to be maintained.

U.S. PAVILION AT THE NEW YORK WORLD'S FAIR

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I enjoyed last weekend one of the most pleasant weekends I have ever had as a guest of the New York delegation. The annual trip to New York was highlighted this year by a trip to the World's Fair and I would like to take a brief minute of the House's time to express my thanks to the companies and the individuals who made the trip so pleasant.

The fair itself has something for everyone, young and old. It is imaginative, colorful, and exciting. The fair is, in short, all the things the U.S. pavilion is not.

Our exhibit is neither colorful, exciting or imaginative. It is, architecturally, a handsome building, a structure that does us credit. But what is inside is drab, dull, and totally lacking in appeal to any age group. With the thrilling story of this Nation's progress, our heritage and our eventful past to draw on, it is embarrassing to see what we have come up with in the way of an exhibit.

Most of the story of the United States is told by a bunch of old newspaper clippings. The only other attraction worth mentioning is a mole-hole tunnel the visitors are taken through. It features some haphazard slides that reminded me of a lantern-slide lecture on the Chautauqua circuit.

The fair has just begun and it would be a shame for millions of people from all over the world to find that this exhibit is the best we can do.

If ever there was a good argument for private enterprise over the Federal bureaucracy system, our exhibit is it. The commercial pavilions are brilliant in concept and execution. Ours looks like the State Department pasted it together some Friday afternoon after work.

We have botched the job and I suggest we get to work and clean up the mess.

The SPEAKER pro tempore. The time of the gentleman from Louisiana has expired.

NEW YORK WORLD'S FAIR

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, I listened with great attention to the remarks of the gentleman from Louisiana. We from New York were delighted that he and so many of our colleagues and their families spent what I have been told was a most pleasant weekend there.

The gentleman is entitled, of course, to his appraisal of modern-day architecture. He is entitled to his evaluation of the contents of any of the pavilions at the fair. I shall not quarrel with him, nor deny him that right.

I merely wish to call to the attention of Members of the House the fact that we believe we have a great fair. We certainly hope that the gentleman from Louisiana will neither discourage nor deter the millions of Americans whom we hope to entertain as hospitably as possible this year and next from seeing the fair themselves. Please "Come to the Fair."

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. KEOGH. I yield to the gentleman from Michigan.

Mr. DINGELL. I wish to associate myself with the remarks of the gentleman.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1965

The SPEAKER pro tempore. The question is on the motion of the gentleman from Mississippi that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11202, with Mr. KEOGH in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Mississippi [Mr. WHITTEN] will be recognized for 1½ hours, and the gentleman from Washington [Mr. HORAN] will be recognized for 1½ hours.

Mr. WHITTEN. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, I believe it was in 1949 that it was first my privilege to present this annual bill making appropriations to the Department of Agriculture to the House of Representatives. Since that time there has been continuing study and continuing work by this committee in connection with the Department of Agriculture.

Over that period of years, and prior thereto, I became convinced that there is nothing which constitutes a greater challenge to a Member of Congress than the need, in this day and time, to give proper attention to the basic things of life, which are food, clothing, and shelter.

Mr. Chairman, during the years it has been my privilege to serve on the Appropriations Committee we have been quite fortunate indeed to have a chairman of this great committee who was greatly interested in American agriculture. We have lost our late chairman, the Honorable Clarence Cannon. I shall not go into great detail at this time, because I understand Thursday of this week will be set aside to pay tribute to his fine service in the Congress.

It was my privilege to succeed him as the chairman of this subcommittee for agricultural appropriations, though there were acting chairmen between the times of our services. All throughout his extended service, and despite his work in many other fields of endeavor, never did he lose sight of the fact that the Department of Agriculture and those engaged in agriculture were working in a field basic to all other segments of our Government.

Mr. Chairman, as his successor we have my friend and yours, also from an agricultural district, the Honorable GEORGE MAHON.

His district is as agricultural as mine is, and I happen to know that throughout his long service here and his great responsibility for defense appropriations and other appropriations he, too, has realized that agriculture and those engaged in it are still basic to the welfare of all the other segments of our population.

It is appropriate to note here that the last bill handled by former Chairman Cannon in our full committee session was the appropriation bill for agriculture. Also the first bill to be handled on the House floor under the new chairman, the gentleman from Texas, Mr. GEORGE MAHON, is the same bill for agriculture.

I pause here briefly before I discuss this question to quote some things to you that we need to keep ourselves reminded of. In a recent publication by the Sierra Club which was formed by John Muir in 1872, it was pointed out as follows:

> In Rome, three centuries after Christ, the Christian Tertullian observed: "All places are now accessible; all open to commerce; cultivated fields have subdued forest; flocks and herds have expelled wild beasts. Sandy deserts are sown, marshes are drained, rocks

> are planted. Everywhere are houses, and inhabitants, and settled governments, and civilized life. What most frequently meet the view is our teeming population; our numbers are burdensome to the world; our wants grow more and more keen, and our complaints bitter in all mouths, whilst nature fails in affording us her usual sustenance. In very deed, pestilence, and famine, and wars, and earthquakes have to be regarded as remedy for nations, as means of pruning the luxuriance of the human race."
>
> In Mongolia, thousands of years ago, sheep herded by men ate dry the lush pastures and reedbeds; lakes vanished, and the soil was lifted by the wind. From this desolation, in years of drought, savage hordes rode forth, age after age, to burn, loot, slaughter.
>
> In China, centuries ago, hungry multitudes stripped bare the hills of the north. Down gullies yearly more cavernous the floods poured until the Yellow River burst its dykes and drowned millions on the plains below.
>
> In India, rich, wasted land; in cycles almost predictable, the specter of famine walked as it still walks, vast and terrible abroad.

I mention this to show you that even as long as 1,000 years ago, other nations in other areas had people who demanded their cost of living and their food cost be below the cost of production. Yes, it is a matter of history throughout the world that wherever people have congregated in cities they have given less and less attention to their very welfare, that is, the good earth from which their living comes.

That is the reason for the fall of the great city states, if you will study history. Yes, that is the reason why India is like it is today and China and other countries around the world are short of food and wealth. They, too, gave attention to those things which are not really wealth but are in the form of services.

THE 1965 BUDGET FOR AGRICULTURE

A review of the President's budget for 1965 indicates that the Department of Agriculture has received a greater reduction in appropriated funds for the coming fiscal year than the sum total for all other departments of the Federal Government. The amount requested for all activities of the Department is about the same as requested for the National Space Agency. It is nearly $1 billion less than requested for the Department of Health, Education, and Welfare and is approximately one-tenth of the request for the Department of Defense. It is only twice what we propose to spend for the Atomic Energy Commission next year. In making these comparisons, we in no way mean to pass judgment on the needs of these departments or agencies.

On the basis of appropriation requests before the committee for fiscal year 1965, the budget carries a net reduction under fiscal year 1964 of $653,374,615.

The reduction proposed by the Bureau of the Budget for the Department of Agriculture would have eliminated important research stations at Petersburg, Alaska; Glendale, Ariz.; Clarkedale, Ark.; Quincy, Fla.; Tallulah, La.; Durham, N. H.; University Park, N. Mex.; Geneva, N.Y.; Scottsbluff (Mitchell), Nebr.; Brownsville, Tex.; and Logan, Utah. It would also have eliminated the following market news services: Fort Smith, Ark.; Baltimore, Md.; Tulsa, Okla.; Memphis, Tenn.; and Nashville, Tenn. The budget also proposed to eliminate certain marketing research which has done so much for Chicago, Boston, Philadelphia, New York, Pittsburgh, Detroit, and many other cities in helping to improve marketing facilities. Further, the budget would have drastically reduced the agricultural conservation program for next year, as well as the extension service, watershed protection, flood prevention, and assistance to districts by the Soil Conservation Service.

CERTAIN RESTORATIONS ESSENTIAL

The committee is convinced that these activities are extremely valuable, particularly to the consumers of the country, and should be continued. It believes that they are far more essential than work done by the Department of Agriculture for other agencies and departments. Such extra work should be reduced sufficiently to offset the manpower requirements and cost of these activities which are to be restored in the following amounts:

	Funds	Man-years
Agricultural Research Service:		
Closing of field research stations	$264,000	29
Transportation and facilities research	662,000	60
Extension Service:		
Payments to States and Puerto Rico	2,590,000	(1)
Soil Conservation Service:		
Curtailing of State offices, area offices, work units, and plant materials offices	1,344,000	162
Small watershed planning	1,025,000	111
Flood prevention	2,767,000	58
Statistical Reporting Service:		
Consumer surveys	94,000	1
Agricultural Marketing Service:		
Payments to States and possessions	75,000	(1)
Closing of market news offices	50,000	7
Total	8,871,000	428

[1] Personnel not counted against Federal employment ceilings.

The Department is directed to provide a budget balancing offset to these restored items by eliminating an equivalent amount of work for the Agency for International Development, for which a transfer of nearly $12 million is proposed for fiscal year 1965.

In the opinion of the committee, it is far better to use taxpayers money to improve American agriculture and protect the American consumer than to provide training and technical assistance to our competitors in world agricultural markets through the Agency for International Development.

None of the funds of the Department should be used to promote or assist in promoting oversea production of any agricultural commodity for export which, first, is affected by any price-support program in the United States, second, is given financial support through purchase or other assistance under section 32 of Public Law 320, 74th Congress, or, third, is included in the inventories of the Commodity Credit Corporation.

COMPETITIVE-BID SALES FOR DOLLARS, A MUST

The committee renews again its insistence that the Department see that U.S. commodities are kept in world markets at a competitive price, using competitive-bid sales of commodities to insure that we remain competitive and to regain our share of world markets.

Experience in 1962 and 1963 demonstrates conclusively that the Department must keep the competitive-bid sales program to insure that U.S. commodities will be constantly competitive in world markets. In 1962, using the payment-in-kind program, cotton exports totaled only 3.8 million bales. In 1963, 4.3 million bales were sold abroad, of which 2.1 million bales were sold in the last half of the year, after the Department returned to competitive-bid sales. This represented an increase of 1.3 million bales over the last half of 1962. This increase was due almost entirely to the resumption of sales on competitive bid during the later part of 1963 at the insistence of this committee.

The export of an additional 3 million bales of cotton in the coming year, for example, could make available an additional $380 to $400 million for CCC by requiring a smaller investment if sold from private sources or by providing cash for operating expenses if sold from CCC stocks. Increased exports of 100 million bushels of wheat would put some $140 million back into CCC operating accounts. Exports of 100 million bushels of corn would return $125 million.

By all means we must not return to the situation which existed prior to 1954 when the Department refused to sell U.S. agricultural commodities competitively in world markets, notwithstanding unlimited authority to sell competitively for dollars.

PRESIDENTIAL MANPOWER CEILINGS

Severe manpower limitations have been placed upon the Department's programs for fiscal years 1964 and 1965.

The effect of these end-of-year employment targets for 1964, in some instances, is to negate congressional action taken last year to provide funds to meet special problems. While such funds have been appropriated for fiscal year 1964 they are not being used for the purposes intended by Congress, since personnel cannot be employed under the established ceilings to carry out the work. For a number of items, reserves have been established by the Bureau of the Budget to impound such funds, even though they were specifically provided by Congress to meet urgent needs.

These employment targets include positions for work done for other Federal agencies and organizations outside the Department with transferred funds. In some cases, the personnel limitations require reductions in the regular activities of the bureaus and agencies in the Department to cover personnel financed from transferred funds. In the opinion of the Committee, savings in funds and personnel made necessary by our present tight financial situation should come at the expense of extra activities for other agencies, rather than at the expense of the regular programs of the Department of Agriculture.

Also included in the manpower ceilings are positions financed from funds contributed by States, local governmental units and private organizations to meet special problems. The Committee feels that this practice should be discontinued, since it could result in discouraging local contributions which are urgently needed to supplement Federal funds provided for these special purposes, and recommends to the President that manpower ceilings be removed from personnel paid from such non-Federal funds.

In view of these presidential reserves and manpower ceilings, the Committee must insist that all agencies of the Department use funds and manpower allowed to carry out all regular basic responsibilities for which funds are provided by Congress, prior to undertaking extra curricular functions. Joint and cooperative domestic programs with private industry, the Corps of Engineers, and Departments of Commerce, Interior and Health, Education, and Welfare, shall be deemed to be regular programs. The order of priority should be as follows:

First. Regular basic responsibilities.

Second. Work for other agencies of the Department of Agriculture related to their regular basic responsibilities.

Third. Work for other agencies of the Department related to recently established "pilot" programs.

Fourth. Work for other agencies and organizations outside the Department.

IMMEDIATE PROBLEMS FACING FARMER AND CONSUMER

There are two pressing problems currently facing American agriculture and the American consumer which must be given immediate attention. One of the more pressing is that facing the tobacco producers and processors and millions of consumers as a result of the recent report of the Surgeon General on "Smoking and Health." The other is due to the terrific impact present publicity is having on the producer and the consumer with regard to the use of insecticides and pesticides, the use of which is absolutely essential to our high standard of living.

The committee has included funds in the bill to enable the Department to undertake research immediately to meet these urgent problems. Under authority given by Congress last year, the use of $3 million of section 32 funds for research on these problems in the next year has been provided for in the bill, along with other items discussed under that section of the report.

THE TOBACCO PROBLEM

Tobacco has been a major agricultural commodity through the years. It is produced in 21 States and is the fifth largest income-producing crop to farmers. It is an $8 billion industry with growers receiving about $1.2 billion per year. It pays some $3.3 billion each year in taxes to our Federal, State, and local governments.

Due to the implications of the Surgeon General's report, it is essential that we find the answers through research. In this effort we must have the cooperation of the Department of Agriculture, the Department of Health, Education, and Welfare, and private industry, to determine the properties of tobacco which may affect the health of smokers and to develop means to eliminate any harmful substances found.

It is extremely important that this research begin immediately. The answers to this problem must be found just as rapidly as possible to prevent economic ruin for growers, substantial losses of revenue to the Federal and local governments, and possible injury to the public health.

The committee hearings disclose that the University of Kentucky has a Tobacco Research Laboratory built with $4.5 million of State funds which is now available and has been offered to the Department of Agriculture by university and State officials for such research. It is located adjacent to the New Medical Research Center at this university and is ideally situated for a coordinated agricultural-medical research problem of this nature. Accordingly, the committee has included $1,500,000 of section 32 funds in the bill for 1965 to enable the Department to immediately initiate tobacco research at this location in collaboration with the State university, State agencies, the Department of Health, Education, and Welfare and other public and private organizations which can contribute to a concerted approach to this urgent research need.

THE PESTICIDE RESIDUE PROBLEM

The need for additional research on development, testing, and use of pesticides and insecticides, together with the effects of sprays or other residues from products used in agricultural production is very acute. Recent well-publicized books and articles, not always based on complete and objective information, have increased public concern about this matter. Current statements in the press which make certain claims concerning the effect of agricultural pesticides on fish in the lower Mississippi River present a completely one-sided point of view, and in this instance it is not claimed that health is affected.

To enable the Department to protect agriculture and the consumer by developing and presenting full and complete facts on this matter and to develop improved methods of insect and pest control, some expansion of research activities in this area is necessary. Congress provided for the establishment of a weed control laboratory last year. Since the work at this location will be directly concerned with the use of pesticides, insecticides, other agricultural chemicals, materials, and methods, plans for this facility should be modified to permit testing and development of pesticides, insecticides, and other materials necessary to agriculture, including effects of residues.

For expanded research on use of pesticides and control of insects and pests, the committee has included the budget estimate of $1,500,000 under section 32 for next year, including such amount as may be needed for the modification of plans at the weed control laboratory provided last year to include this type of research.

Both the Department of Health, Education, and Welfare and the Department of Agriculture are deeply interested in protecting the public health. Both Departments have responsibility for approving materials for use as pesticides and insecticides for agricultural purposes.

Neither Department, we are sure, would want to needlessly deprive the American consumer of any part of the finest and cheapest food any Nation has ever enjoyed. In recent weeks, however, after materials have been approved and put into use, new means of detection of minute amounts of residue have resulted in news releases, press accounts, and headlines which needlessly frighten the consumer, do financial damage to the manufacturer and the farmer, and lessen the supply of food for the consuming public, though there is no claim that the public health is endangered. Neither the Department of Health, Education, and Welfare, nor the Department of Agriculture would want to needlessly destroy any American business or agricultural enterprise. Yet that is what present policies are doing in cases where there is no evidence of danger to the public health.

The members of the committee recall the cranberry incident in 1960, when a whole industry was practically destroyed by reckless statements and charges. It took $10 million recommended by President Eisenhower to compensate for the damage and bring back public acceptance of this commodity. The public health must be protected. However, the supply of food and the processes which make food and fiber plentiful and cheap must also be protected where there is no evidence that public health is endangered.

In an effort to prevent further financial damage to American producers and loss of food for consumers as a result of reckless handling of this problem, the committee has set up $250,000 for the use of the Secretary of Agriculture to collaborate with the Department of Health, Education, and Welfare in working out rules and regulations including the recommendation of such changes in the law as may be necessary to protect our high standard of living with the most plentiful, cheapest, and finest food and fiber any nation ever had—while at the same time protecting the public health.

The food supply shortage is said to be Russia's "Achilles heel." Russia's monumental failure to provide food for her people and their allies is her chief weakness in the world of today. We must prevent our Nation, where only 18 percent of total incomes goes for food, from sinking to Russia's level, where some 50 percent or more of national income is spent for food.

It is the firm belief of this committee that news releases or other public statements regarding any pesticide or other material which such departments have authorized for use should not be made unless at least one of such departments states that there is evidence that the continued use of such material would injure the public health.

Further, some provision should be made for payment of financial losses to any producer, processor, or manufacturer resulting from statements or actions concerning the use of approved pesticides, insecticides, chemicals, or other materials, where there is no evidence that their use endangers the public health. The payment for such damages should be made by the department issuing or negligently permitting the issuance of such statement or action.

PROTECTION FROM DISEASE AND PESTILENCE

It is estimated by officials of the Department that, if it were not for the use of fertilizers, insecticides, and pesticides, in 5 years the cost of a very inferior quality of food to the American consumer would double, and in 10 to 15 years the people of this Nation would be short of essential foods.

The threat from insects and diseases becomes increasingly serious as the speed and volume of travel increases between all areas of the world. Nearly 57 million more persons entered the United States during fiscal year 1963 than in 1954. The number of planes, ships, and other carriers in 1963 was over 26 million as compared to 14 million in 1954. The number of pieces of baggage inspected increased threefold in 6 years—from 9 million in 1957 to over 27 million in 1963.

The opening of additional ports along the St. Lawrence Seaway and increased nonstop oversea air flights to airports in the interior of the country are also increasing the threat of introduction of new pests from abroad.

It has been estimated by Agriculture experts that the damage to crops by the more than 600 different kinds of major destructive plant insects in the United States amounts to nearly $4 billion each year. Cotton insects account for nearly $600 million annually, cereal and forage insects account for some $400 million annually, and stored grain and household insects cause annual damage of over $1 billion. It is further estimated that annual losses caused by plant diseases total $2,500 million, and that livestock losses due to diseases and parasites exceed $2 billion per year.

If foot-and-mouth disease should become established in this country, it is estimated that annual losses would be in the billions of dollars. It is further predicted that the introduction of fowl pest in this country could virtually eliminate the poultry industry. The introduction of rinderpest would cost the Nation $1 billion annually.

To fully appreciate the effects of these destructive diseases and pests, it is necessary only to look to other parts of the world where food production is subject to their ravages. In the Middle East, desert locusts have been sweeping the semiarid lands for centuries, leaving ruined crops and starvation in their wake. In Pakistan, severe locust, caterpillar, and cricket outbreaks have caused losses as high as 80 percent in some areas. It is almost impossible to maintain supplies of grain in storage in India because of the ravages of weevils, bran beetles, and the world's worst pest of stored grain—the khapra beetle, which is now a threat in the United States.

Stored-grain pests are so bad in tropical areas of the world that the race to eat the grain before insects devour it results in frequent periods of starvation. The people compete with the pests for survival. Their low standard of living thus becomes understandable.

The distribution of cattle in Africa is determined primarily by the presence or absence of the tsetse fly. This is a major reason why an African child, once weaned, may never again taste milk. The cattle tick and the human warble or torsalo fly cause tremendous losses to hides, beef, and milk production in Central and South America. Mortality among calves may be as high as 70 percent in some of the most heavily infested areas.

A recent report from Argentina indicates that 50,000 calves succumbed in 1 year's time to screw-worm—the same one found in this country. The Argentines have had no effective means of dealing with this pest.

AMERICAN AGRICULTURE—A LONG-RANGE CONSUMER CONCERN

The agricultural problem facing the Nation in the long view is not the matter of present commodity surpluses. The real long-range problem is the consequences of serious changes now taking place in agriculture which could jeopardize the consumer's supply for food and fiber for the future. Such factors as declining farm population, decreasing income from farming, and increasing average age of farmers are significant indicators of problems ahead for the Nation's consumers.

In the last 10 years, the number of farmers has decreased from 19.9 to 13.4 million. During this same period, the investment required per farmer has increased from $23,877 to $51,472. The farmer's share of the consumer's food dollar has decreased from 44 percent in 1953 to 37 percent in 1963. The net income as related to investment has decreased from 13.3 percent to 7.8 percent in the past 10 years. Also the average age of farmers has increased from 48.3 years to 50.5 years between 1950 and 1960.

The President has recently announced a program designed to give more attention to the consumer's role in the highly competitive economy of the United States. In this connection, he has appointed a new Assistant Secretary of Labor to create more widespread interest in this matter.

While this special emphasis on consumer interest is probably justified, it seems appropriate to point out that perhaps the first consumer interest should be American agriculture and the Department of Agriculture, both of which do a primary and basic job of protecting and serving the consumer. All urban consumers must look to the rural producer—who is also an important consumer—for first the protection of his food supply from disease and pestilence, second the protection and conservation of the Nations' soil, water, and timber supplies, and third the providing of a major market for the products of labor and industry, which market is essential to the consumer's income.

PROTECTION OF OUR BASIC NATURAL RESOURCES

The American farmer and our agricultural programs provide the principal means of protecting and conserving our soil, water, and timber for the benefit of the present generation of consumers as well as future generations yet unborn.

This country had 8,000 billion board feet of timber about 150 years ago. Today we have around 1,600 billion board feet left—only 20 percent of the original stand.

Only 175 years ago we had 500 million acres of fertile soil in this Nation. We have already wasted 200 million acres—40 percent—and another 100 million acres—20 percent—is washing away today.

Just a few years in the future we will need three times the amount of water we use today—which points up the need to properly protect and manage our water supply. In some areas of this country we are already finding that expansion of population and industry is limited by the lack of adequate sources of water.

In recent years the United States has been spending large sums of money to maintain its position in the world and support its defense and defense related activities at home and abroad. For fiscal year 1965, it is estimated that 52 percent of the budget will be used for this purpose.

The public debt has been increasing year by year as a result of these and other Federal expenditures. The public debt of $257 billion in 1950 increased to $286 billion in 1960. It is expected to reach $312 billion by June 30, 1964, and $317 billion by June 30, 1965.

What we have been and are now doing is depleting our timber, our soil fertility, our sources of water, and other natural resources to support these large public expenditures and carry this tremendous public debt.

We must have adequate defense. We must keep up with space exploration and similar activities. At the same time we must preserve the basic economic foundation of our Nation to support all of these billions of dollars of expenditures which are a drain upon our economy.

We must give more attention and financial support to reforesting our lands, protecting our watersheds, harnessing our streams for electricity, reclaiming our lands through soil conservation, developing our sources of water, and stressing those things which build up the potential economic strength of this Nation.

If we leave to future generations a fertile land, with timber restored, with soil erosion stopped, and with water resources developed, this country will be able to meet its future domestic problems, international threats, and financial needs. If we neglect these basic responsibilities, we will leave future generations nothing to look forward to or to build on. Money alone is of no value. It must be supported by a sound economy based on natural resources to generate new wealth for future generations.

More than half of the estimated $1.2 billion average annual floodwater and sediment damage in the United States occurs on the headwater streams and small tributaries. And sediment causes costly damage to the Nation's 10,000 major water storage reservoirs. The amount of erosion-produced sediment dredged annually from our rivers and harbors exceeds the volume of earth dug for the Panama Canal.

Through the years, the agricultural conservation program has been the Federal Government's principal economic stimulus to farmers and ranchers to voluntarily apply needed conservation measures. It is used in all agricultural counties in the 50 States, Puerto Rico, and the Virgin Islands. Conservation practices were carried out under this program in 1963 on over a million farms and ranches, covering nearly 400 million acres. The program has over 1 million participants each year, which represents nearly 25 percent of all farming units in the United States.

This program has stimulated twice as much economic activity as the amount of Federal funds spent, since the farmer puts up about half the cost of the practices, plus his labor. The per capita annual cost is about $1.50 and the investment per acre of farmland is 54 cents.

To make certain that the contribution of this program to the Nation's conservation effort is maintained at least at present levels, the committee has provided the full $220 million, plus $30 million for administration, for the 1965 program. This is the same amount that has been carried for this purpose for a number of years.

The various programs of the Soil Conservation Service, the research agencies, and the Extension Service are also contributing much to our conservation efforts throughout the United States. The flood prevention and watershed protection programs are now beginning to bring real benefits to the Nation by "catching the water where it falls" in the upper reaches of the watersheds of the country and by reducing the volume of sediment flowing down our streams and rivers to the ocean. Improved conservation on the farms of the country is beginning to restore the productive capacity of the remaining land and to preserve it for the consumers of the future, the number of which are increasing at an alarming rate.

The committee also has restored proposed budget reductions for these important agencies for fiscal year 1965 to prevent a slowing down of their conservation activities and a corresponding reduction in national interest in this essential need.

PROTECTION OF MARKETS FOR LABOR AND INDUSTRY

The economic welfare of each segment of the Nation's economy is dependent on the economic strength of each of the others. History demonstrates that our Nation is prosperous only to the extent that our agricultural economy is strong and healthy.

Agriculture is the principal source of new wealth. It is the main provider of basic raw materials which support all segments of business and industry. Around 65 percent of the basic raw materials used in industry come from the farm. Reliable estimates indicate that each dollar of wealth taken from the soil generates $7 of income throughout the rest of our economy.

Agriculture is our largest industry. It employs 12 times the number of people in the steel industry, 9 times the number in the automobile industry, and twice the number in the transportation and public utility industries. In addition, it supports directly another 10 percent of our nonfarm population which supplies the farmer with his needs and processes and markets his products.

Agriculture is a major dollar earner in world markets and is playing an important role in solving our balance-of-payments problems. It is expected that agricultural exports will represent 25 percent of our total exports in fiscal year 1964 as compared to 22 percent in fiscal year 1956.

Agriculture is one of the major markets for the products of labor and industry. Agriculture uses more steel in a year than is used for a year's output of passenger cars. It uses more petroleum products than any other industry in the country. It uses more rubber each year than is required to produce tires for 6 million automobiles. Its inventory of machinery and equipment exceeds the assets of the steel industry, and is five times that of the automobile industry.

Urban workers benefit directly from this rural demand for machinery, equipment supplies, and other items used on the Nation's farms. Significant changes in this demand, therefore, have a direct effect on business and employment in urban areas. Every major business recession in this country has been preceded by the loss of income and purchasing power at the farm level.

This important rural market must be protected by the assurance of adequate income to the producers of farm commodities and maintenance of farm purchasing power. Business prosperity and full employment in the cities are dependent on a strong and dependable agricultural market, including both large and small farms.

The programs of the Department which help the producer to market his commodities at home and abroad efficiently and profitably, as well as the activities of the Commodity Credit Corporation and other agencies which have an effect on production and commodity prices, have done much to maintain agricultural income and thereby protect this important market for labor and industry. The committee has attempted to provide sufficient funds in the bill for fiscal year 1965 to make certain that these essential services will be available to the producer and their benefits will be available to the consumer during the coming year.

THE CONSUMER'S STAKE IN AGRICULTURE IS INCREASING

Because products from the farm have become so abundant in recent years, and because the percentage of the Nation's income spent for food decreases each year, the average consumer in this country is inclined to take his supply of food for granted. He frequently overlooks the fact that he is completely dependent for the food on his table on the efficiency and productivity of the American farmer and the assistance he receives from the various programs of the Department of Agriculture, the land-grant colleges, the Extension Service and other agencies which are devoted to the support of our agricultural economy.

Urban consumers frequently overlook the fact that research, insect and pest control, meat and poultry inspection, school lunch and special milk programs, market inspection, fruit and vegetable inspection, soil conservation, flood prevention, watershed protection, and many other programs financed in this bill have direct benefits to every person living in the United States and to future generations. They tend to disregard the fact that many segments of our economy other than the farmer are important beneficiaries of our farm programs. In fact the general public receives the major benefit from many of these activities.

In cooperation with officials of the Department, special analyses have been made of the benefits received by the general public from Federal funds spent for agriculture. One such analysis showed that, of the funds expended by the Department of Agriculture for fiscal year 1960, all had benefits to the general public and over 54 percent had direct benefits to the consumer of equal importance to those for the farmer. Subsequent studies show the same to be true for the funds appropriated to the Department each year since that time.

American consumers are enjoying the highest standard of living ever known to man. The reason is that fewer and fewer people are producing more and more food, which releases more of our population to provide the many things which contribute to this high standard of living. Less than 8 percent of our people now can produce enough to feed our entire population.

Also, American consumers enjoy the greatest variety and the finest quality of food available anywhere in the world. Such food is the most wholesome and healthful in the world.

Further, per capita food expenditures in the United States are the lowest in the world in relation to consumer income. It is usual for people in most areas of the world to spend one-third to one-half or more of their income for food. United Nations figures for 1958 show the percentage of income spent for food in certain areas as follows: Italy, 46 percent; Japan, 51 percent; Ceylon, 57 percent; Nigeria, 71 percent. In the United States, food costs now take only 18 percent of the disposable income, as compared to over 50 percent in Russia, as pointed out earlier.

The consumer's stake in agriculture will become increasingly vital in the future as the world's population explosion creates even larger demands for food and fiber. This alarming population expansion can be fully appreciated when it is realized that the population of the world, which reached the first billion by the year 1830, took only 100 years, 1830 to 1930, to reach 2 billion and only 30 years, 1930 to 1960, to reach 3 billion. It is expected to exceed 6 billion people by the turn of the century. The population growth in the United States is more than keeping pace with world expansion. U.S. population increased from 13 million in 1830 to 123 million in 1930 and 179 million in 1960. It is expected to reach 340 million by the year 2000.

Within the next decade or two, unless we continue to increase the efficiency of our farm production and provide the economic incentive to induce young and efficient producers to remain on the farm, food surpluses in the United States will likely disappear and the consumer will be faced with possible food shortages and much higher food costs. The 1959 census shows that some 17 percent of all farmers in the United States were 65 or older. An additional 22 percent were 55 to 64 years of age. By 1970, nearly half of the farmers will be 55 years of age or over.

Unless our present system of agriculture can survive, it is conceivable that the time could come when a significant portion of the 92 percent of nonfarm population will again have to return to the soil to obtain their food supply. This is the situation in certain Soviet-controlled countries and other areas of the world.

WORK IN RURAL AREAS

In his state of the Union message of January 8, 1964, the President stated:

> This administration today here and now declares unconditional war on poverty in America. I urge this Congress and all Americans to join with me in that effort.

Subsequent developments, as reported in the press and elsewhere, outline his efforts to follow through on this announcement.

While we believe the primary purpose of our agricultural programs should be to maintain a strong agricultural economy to prevent poverty, we do know such poverty exists. We feel that efforts to deal with poverty in rural areas should be under the direction of the Department of Agriculture.

Various agencies of the Department of Agriculture have had long and valuable experience in dealing with people in rural areas, including those who have had to live on the edge of poverty due to subsistence farming on small acreages. These agencies, including the Farmers Home Administration, the Extension Service, the Rural Electrification Administration, and the State and county ASC committees are to be commended for their work in this area through the years. They are to be commended for making it possible for life on the farm to be a little more comfortable and thereby slowing down migration to cities, with all the economic and social problems involved. They are also to be commended for their efforts to develop an economically healthy agriculture to help prevent poverty and make it possible for farm families to stay on the farm.

The Farmers Home Administration has made a major contribution toward enabling farm and rural people, through its various credit programs and valuable technical assistance, to become economically sound and financially responsible. Loans are made to those in rural areas who are unable to secure credit from any other source for, first, acquiring, enlarging, or improving farms; second, developing facilities for soil and water conservation; third, financing annual farm operating expenses; fourth, constructing farm housing; and, fifth, restoring damages from natural disasters.

HOME MANAGEMENT SUPERVISORS

This Committee has strongly supported the Farmers Home Administration through the years. It believes that this agency, along with others in the Department, can assume a major role in improving the economic situation of people in rural areas. It remembers that very effective work with farm families was done by this agency in former years when it had "women home management supervisors." For many years these home management supervisors worked with the womenfolk of the borrowing families, most of which were in the lower economic levels, on such matters as home budgeting, economical spending, home canning, sewing, etc. They taught the wives to use thrift and resourcefulness to help the family meet its financial problems.

This system proved very successful. It is a major reason why the repayment record of borrowers from the Farmers Home Administration has been so remarkable, with principal and interest repayments consistently exceeding scheduled installments due. This home supervisor service was ended a few years ago, however, against the wishes and best judgment of members of this committee.

We would call attention to the fact that in recent years, several new programs have been assigned to this agency, including "rural housing for the elderly" and "rural renewal" to meet the problems of low-income rural areas. Several years ago, at the instance of this committee the housing program of this agency was broadened from "farm" housing to "rural" housing. This has enabled this program to meet the housing needs in many small towns and villages not formerly eligible for loans from either the Federal Housing Agency, which served strictly urban areas, and the Farmers Home Administration, which was limited to farming areas.

If the home management supervisors were reinstated and their responsibilities enlarged to cover all needy families in rural areas, this would be the best possible approach to dealing with the economic problems of depressed rural areas. As has been proved by the Farmers Home Administration many times, a successful climb from poverty to economic well-being is primarily due to the influence of the wife in the rural family and her ability to handle the family finances wisely.

URGENT NEED FOR CONTROL OF EXCESSIVE AGRICULTURAL IMPORTS

Following the great economic depressions of 1921–23 and 1929–32, both of which were started by a decline in farm purchasing power, the Congress enacted laws designed to stabilize the agricultural economy. The primary purpose of such measures was and consistently since then has been to enable agricultural producers to maintain their purchasing power for the good of the economy of the entire Nation.

This legislation had two important features. The first was to establish a price-support system—with a parity index tied to cost based on the income of industry and labor—which would keep farm income in balance with the farmer's production costs. The second feature provided for acreage controls and marketing quotas to keep supplies on hand, plus expected domestic consumption and exports, in balance with production.

In view of the nature of this legislation, it has been applied largely to nonperishable basic agricultural commodities—those which can be stored and carried over into the following year or years.

Subsequently, Congress enacted section 32 of Public Law 320, 74th Congress, to provide an additional means of protecting the purchasing power of farm producers. The primary purpose of section 32—which is financed from 30 percent of annual import duties—was to support agricultural markets by purchasing surpluses on the domestic market and diverting them to new uses, including increased exports. An amendment adopted in 1939 placed the primary emphasis of this program on perishable nonbasic commodities—those which must be marketed soon after production and harvest.

It is to be noted that the provisions of all of these farm laws have been directed toward controls, prices, and markets in an effort to maintain purchasing power of American agriculture at somewhat near a par with purchasing power of labor which is protected by minimum wage guarantees and bargaining rights—and with industry which can make automatic markups to assure adequate return on investment. It is also important to note that control of supplies on hand and in sight is an essential element of these laws. Unfortunately, this feature of the law has not worked too well in view of constantly increasing yields resulting from improved seeds, fertilizers, insecticides, production techniques, and so forth.

At the time it enacted these measures, Congress recognized that they could not be effective unless some protection was provided against agricultural imports from areas with cheap labor and low production costs. Accordingly, it enacted section 22 of the act of August 24, 1935.

One of the problems facing American agriculture in maintaining its purchasing power has been the failure of the Federal Government to use the provisions of section 22 quoted above to limit imports of competitive products where necessary to prevent undue competition from abroad. This makes it virtually impossible for any farm program to work. It is impossible to maintain a balance between supply and demand through buying up of surpluses—using section 32 funds or otherwise—when unlimited amounts can enter the country from abroad in direct competition with American production.

OVERSEA PRODUCTION ENCOURAGED BY UNITED STATES

To further complicate this situation, our own Federal Government has been providing funds and technical assistance to enable competitors (Americans and foreigners) to increase their production overseas—both in quantity and quality—and to take over much of our traditional world markets with commodities produced with cheap labor, land, and materials. It is extremely difficult for the American farmer to compete with foreign producers—although efficiency of production and superior quality has enabled him to retain some of his foreign markets despite this disadvantage.

The most serious situation facing the American farmer in this regard, however, is the current program of the U.S. Government which provides loans and investment guarantees to encourage American producers with American know-how to move their activities abroad to take advantage of cheap labor, land, and materials and to realize the benefits of certain tax advantges on oversea earnings.

Under the Foreign Assistance Act of 1961, American agricultural producers and other businessmen are being encouraged to go into business in foreign countries. In a brochure distributed to business interests throughout the country by the Agency for International Developmet (AID) entitled "Aids to Business—Oversea Investment," Americans who wish to move their interests abroad are given the following attractive inducements:

First. Investment surveys: AID will pay up to 50 percent of the cost of a trip to explore the feasibility of private investment abroad.

Second. Dollar loans: AID will make dollar loans to encourage American investors to go into business abroad. The Export-Import Bank, International Finance Corporation, the World Bank, and the Inter-American Development Bank are also available for this purpose.

Third. Local currency loans: AID will make local currency loans to Americans from foreign currencies generated under Public Law 480, the Agricultural Trade Development and Assistance Act, to undertake oversea production.

Fourth. Investment guarantees: AID will guarantee the American investor against inconvertibility of currency, expropriation, confiscation, and other political risks and will guarantee against certain normal business risks inherent in all business ventures.

To add to these inducements to expand overseas competition, the failure of the Federal Government to curtail imports through the use of section 22 makes it possible for commodities produced abroad with American capital and know-how and with cheap foreign labor to flow back into the United States in unlimited amounts to put our own American producers still located in this country out of business.

A study of this situation makes it apparent that the use of section 22 to control agricultural imports is an absolute necessity if any farm program is to work and if American farmers are to remain in business in this country.

Recent developments in the cattle industry are a case in point. Cattle prices in the United States have dropped drastically in recent months and many cattle producers are facing financial ruin. At the same time imports of livestock, meat, and meat products have been increasing. Such imports have increased by more than 400 percent in the last few years. While recent negotiations have resulted in some "voluntary" reductions in meat imports from Australia and New Zealand, the volume still coming in is creating a surplus on the domestic market which is continuing to depress cattle prices.

The Secretary recently announced that section 32 will be used to buy up some of this meat surplus for use in the school lunch program and similar worthy causes in an effort to bolster the market. However, unless meat imports from abroad are curtailed through the use of section 22, the demands on section 32 funds will be very heavy and it is doubted that this approach can be effective.

SPECIAL INVESTIGATION OF CATTLE IMPORTS

In view of the serious threat to American agriculture from imports including those produced under the investment guarantee program of AID, the committee has initiated a special investigation of, first, imports of livestock, meat, and other agricultural products during the past 10 years; second, the extent to which U.S. funds and technical assistance have been used in production of such imports; and, third, the effect of American production abroad on our own farmers here at home.

A preliminary report indicates that U.S. imports of beef and veal have increased from 271 million pounds in 1953 to 1,440 million pounds in 1962, an increase of over 430 percent, and an estimated 1,679 million pounds in 1963. Increased imports from the three largest importers as follows:

[Million pounds]

	1953	1962	1963 (estimate)
Australia	2.6	638.8	747.0
New Zealand	1.8	298.9	332.0
Ireland	4.6	102.5	105.7

This report also indicates that U.S. imports of other meats, including pork, mutton and lamb have increased substantially during this same period. Also, increased numbers of live cattle and calves, largely from Canada and Mexico, were brought into the United States during these years.

While prices received by farmers for beef cattle increased somewhat over this 10-year period, they have dropped from $22.60 per 100 pounds in 1959 to $19.85 per 100 in 1963, a reduction of $2.75 or 10.4 percent. Hog prices at the farm level have gone down from $21.40 per 100 pounds in 1953 to $14.98 in 1963, a reduction of $6.42 or 30 percent.

Despite the availability of section 22 to control imports to protect domestic production, the report states further that "livestock, meat, and meat products have never been regulated under section 22."

It is also pointed out in the report that over $400 million of section 32 funds have been spent between 1936 and 1962 to remove surplus meats from the market as follows: beef, $111.5 million; lamb, $4.8 million; pork, $202.1 million; pork and beans, $2 million; and miscellaneous meats, $83.8 million.

An additional interim report just received contains the following supplemental data which is worthy of note:

Total U.S. imports in 1963 were $17.032 billion. Of this total, $4.012 billion of agricultural commodities included $2.293 billion which competed with U.S. farm crops. Most recent tariff reductions for U.S. imports of meat, meat products, cattle, cotton, wheat, corn, barley, and oats were all made prior to 1955. There are 11 different AID programs available to many countries of the world for loans, grants, and technical assistance to furnish agricultural assistance to foreign countries. A few examples are as follows:

AID agricultural programs in Argentina have totaled over $24 million for grain storage facilities and livestock improvements. Beef and veal production has increased with sales to United States 12 percent higher in 1958–62 than 1954–57. Cotton and corn exports also have increased substantially.

In Brazil, AID agricultural programs have totaled over $34 million, including at least 3 projects to increase livestock production. Beef and veal production has increased with exports to the United States up 470 percent in 1958–62 compared to 1954–57. Cotton exports have also increased sharply since 1960.

AID agricultural assistance in Mexico has been about $37 million. Mexico is an important cotton producer with three-fourths of its crop entering world trade. Also imports large number of live cattle and beef and beef products into the United States.

AID agricultural assistance of nearly $279 million has been extended to Pakistan for irrigation, salinity control, and land reclamation. Cotton exports in 1962 were 47 percent higher than 1955–59.

Since 1961 AID has spent $848,000 for 17 Americans to go to Argentina, Brazil, Central America, Colombia, Ecuador, India, Pakistan, Turkey, North Borneo, Nigeria, and Thailand to make investment surveys. Fourteen additional applications are under consideration which will cost $196,300.

A total of 778 political risk investment guarantees have been issued since 1948.

In 1963 there were 766 technicians employed overseas in food and agricultural fields. In 1963 about 400 foreigners received agricultural training in the United States under AID programs. In all, about 3,800 foreign nationals were trained in agriculture and home economics in 1963.

U.S. interests in foreign agriculture production as reflected in the report of this committee study are as follows:

ARGENTINA

International Packers, Ltd.—IPL—Chicago, including subsidiaries: Swift, Armour, La Blanca, and Provita.

King Ranch, Kingsville, Tex.

AUSTRALIA

Chase International Investment Corp., New York City.

American Factors Associates, Honolulu.

J. H. Whitney & Co., New York City.

Elders-G. M. Co., Ltd.

Intercontinental Meat Traders, Inc., Chicago.

International Packers, Ltd., Chicago.

King Ranch Australia, Ltd.

Art Linkletter and Allen T. Chase.

COLOMBIA

Ralston Purina Co., St. Louis.

HONDURAS

Alberti Foods, Inc., Chicago.

Adam Smith, Miami.

William Montiel.

United Fruit Co., Boston.

MEXICO

Ralston Purina, St. Louis.

Archer-Daniels-Midland Co., Minneapolis.

Burlington Industries, Inc. Greensboro, N.C.

NEW ZEALAND

International Packers, Ltd., Chicago.

PARAGUAY

Pan Western Enterprises, New Orleans.

SECTIONS 22 AND 32 MUST WORK TOGETHER

The relationship between section 32 and section 22 is extremely close. While it has been stated by Department officials that section 22 is applicable only to price supported commodities, a careful reading of the law will show that a special provision was added to make it applicable to commodities covered by section 32, including meat and meat products.

In the opinion of the committee, consideration should be given to permanent legislation which would require the invoking of the provisions of section 22, where imports are a contributing factor to the surplus.

AGRICULTURAL RESEARCH SERVICE

The bill includes $97,656,000 for fiscal year 1965 for research, including $4,921,300 for marketing research. The amount recommended is an increase of $1,222,925 over 1964 and a reduction of $5,418,875 in the budget estimate. The increase is provided to cover mandatory pay increase costs for the coming year for the regular ARS research program and for marketing research.

Consistent with last year's action, the committee has again combined the funds for marketing research with the other research programs financed by this appropriation. As the demand for research continues to grow, it becomes increasingly difficult to clearly differentiate between these two areas of research and to conduct the work under two separate agencies. This consolidation should prevent duplication and increase the effectiveness of the Department's research efforts and should make it possible to do more research with the same amount of money. The sum of $662,000 of the proposed budget reduction for marketing research has been restored, as discussed earlier in the report.

As noted earlier, $264,000 has been restored to this appropriation to continue the operation of 12 field research stations proposed to be eliminated by the Budget. Offsetting savings can be made by elimination of work done by transfer of funds from the Agency for International Development.

For plant and animal disease and pest control, the committee recommends an appropriation of $65,255,000 for the next fiscal year, an increase of $937,000 over 1964 and a decrease of $400,000 in the budget. The entire increase is required to meet mandatory pay increase costs in fiscal year 1965.

The amount allowed includes increases of $200,000 for plant and animal quarantine inspection at ports of entry, and $600,000 for enforcement of the Virus-Serum-Toxin Act and the Insecticide-Fungicide-Rodenticide Act. It also provides $200,000 to be used on a 50–50 matching basis to help meet the serious infestation of boll weevil in Texas and New Mexico through a Federal-State cooperative approach. These increases will be offset by proposed budget decreases of $1 million for other eradication activities which can be curtailed at this time.

Since 1962, the Federal Government has spent some $6,300,000 for screw-worm eradication in the Southwest. During this same period, the State of Texas spent aproximately $2,700,000, plus some services in kind, and the livestock producers and sportsmen in the area spent in excess of $3,200,000—a total of $5,900,000 from local sources, plus extra services. According to latest reports, the program has been fully effective and the screw-worm had been eradicated from the entire area. It has been proposed to establish a buffer zone of several hundred miles south of the Mexican border to prevent reinfestation by migrant flies from Mexico at an annual cost of around $5,500,000. It has been further proposed that the Federal Government finance the entire cost, in lieu of the 50–50 matching arrangement in effect since 1962.

The committee recognizes the value of a buffer zone as proposed. It recognizes the threat of reinfestation from Mexico, whether it be screw-worms, fruit-flies, citrus blackflies or any similar insect pests. However, it does not feel that the Federal Government should provide the full cost of supporting such a buffer zone. It recommends, therefore, that the executive branch explore the possibility of establishing a joint program with Mexico to provide the necessary protection.

The full budget estimate of $2,750,000 for screwworm eradication in the Southwest has been retained in the bill for 1965, should it be needed. The language in the bill, however, requires full matching for $2,500,000 of this amount by obtaining funds from the States affected as well as other local sources. In the event a major program should be reinstituted, a sum of $250,000 may be used without matching to make spot checks and meet isolated outbreaks as may be necessary.

For meat inspection an appropriation of $30,454,000 is proposed for next year. This is an increase of $2,558,000 over 1964 and a decrease of $383,000 in the budget request. The increase includes $697,000 for mandatory pay increases plus $861,000 for reclassifications of nonveterinary meat inspectors under Civil Service Commission standards. The 1964 supplemental estimate of $90,000 for reclassification will not be needed since the funds cannot likely be made available prior to the close of the 1964 fiscal year. In the future, reclassifications and other actions requiring additional funds should not be initiated by the Department by change in job classification or otherwise without prior approval by the Congress.

An increase of $1 million has also been included to provide for 100 additional meat inspectors required to handle the ever-increasing demands for this mandatory inspection service. Due to the constant dispersal of meatpacking establishments to areas closer to the source of supply, the number of plants and cities and towns in which located continues to increase.

SOIL CONSERVATION SERVICE

Soil conservation assistance is being provided for an increasing number of soil conservation districts each year. With only a few exceptions, most of the Nation is now organized into such districts. As of June 30, 1962, 2,929 districts had been established and the number increased to 2,942 as of June 30, 1963. It is estimated that they will increase to 2,972 by the end of fiscal year 1964 and 3,000 by June 30, 1965.

An appropriation of $100,511,000 is recommended for fiscal year 1965, an increase of $2,585,000 over 1964 and $1,761,000 over the budget request. The increase over 1964 includes $1,815,000 to cover the mandatory pay act costs in 1965 plus $770,000 to provide technical assistance to the 28 new districts expected to be organized in the coming fiscal year.

The amount recommended by the committee for next year restores proposed budget reductions with a directive to the Department to eliminate work for the Agency for International Development in sufficient amount to offset the funds and manpower needed for this far more essential work.

The additional funds of $770,000 to provide technical assistance to the new soil conservation districts to be formed next year are essential if we are to continue to encourage new areas not yet organized to come into the soil and water conservation program of the Nation. In certain States such as Missouri and several Far Western States, local conditions resulted in a delay in organizing districts and entering the program. To fail to provide funds for these areas as they are ready to take their place in the national program would be unfair to those areas which have not been able to organize sooner.

For watershed protection, the full budget estimate of $65,848,000 is provided in the bill for the coming year, an increase of $2,401,000 over 1964. Of the increase, $428,000 is required to meet mandatory pay act costs in 1965. The balance is recommended for river basin surveys and installation of works of improvement in Public Law 566 watersheds.

The 1965 budget proposed a reduction of $1,025,000 for small watershed planning. This reduction would have reduced the staff of technical experts and aids currently engaged in watershed planning by about 110 positions and would have resulted in the completion of 22 less project work plans in 1965 than in 1964.

The committee has restored this proposed cut in planning, as outlined earlier in this report, and has included specific language in the bill to provide $5,524,000 for watershed planning next year, the same amount as authorized for 1964, plus day increases. Offsetting reductions in work financed from AID have also been directed in this instance.

For flood prevention, the fiscal year 1964 level of operations is recommended again for fiscal year 1965. Accordingly, an appropriation of $25,423,000 is included in the bill for 1965. As has been discussed earlier in this report, the committee cannot agree to the proposed budget reductions for the various soil conservation programs of the Department which contribute so much to the future strength of this Nation. Reductions in soil conservation work for other countries of the world through the Agency for International Development should be made by the Department to offset the amount of the restoration for this program.

Interest in participating in the Great Plains conservation program has continued to increase. Applications for program assistance received in the fiscal year 1963 totaled 3,885. As of July 1, 1963, the Service has 4,110 unserviced applications on hand as compared with 3,855 at the end of 1962. There were 2,852 new cost-share contracts covering 5,051,330 acres signed in the fiscal year 1963 as compared with 2,450 covering 4,950,101 acres during 1962.

The bill includes $14,176,000 for fiscal year 1965, an increase of $564,000 over 1964 and a decrease of $568,000 in the budget request. The increase includes $64,000 for mandatory pay costs in 1965, plus $500,000 for cost-sharing assistance to participating farmers and ranchers.

The 1964 appropriation of $1,496,000 is again recommended for resource conservation and development, a reduction of $548,000 in the budget request. In addition, an unobligated balance of $1,075,000 of the 1964 appropriation will carry forward into next year, which will make a total of $2,571,000 available in 1965. The proposed reduction for resource investigation and planning will provide an additional $281,000 for resource development and technical services.

STATISTICAL REPORTING SERVICE

The committee recommends the full budget estimate of $11,431,000 for the next fiscal year, an increase of $840,100 over 1964. The increase includes $187,000 for mandatory pay act costs in 1965, $62,500 to meet the full annual cost of cattle-on-feed reports initiated last year, and $590,600 to continue the long-range program for the improvement of the crop and livestock estimates begun in fiscal year 1961. In 1965 it is expected that enumerative surveys will be expanded to all continental States except California and Oregon which will remain on a pilot basis.

The amount recommended for 1965 includes sufficient funds to restore the proposed budget elimination of $94,000 for consumer surveys. In the opinion of the committee, this work, which relates to research on market quality, standardization of processed products, and utilization, is extremely valuable to the Nation's consumers and should be continued. Offsetting reductions should be made in work done for the Agency for International Development, as outlined earlier in this report.

AGRICULTURAL MARKETING SERVICE

The bill for the coming fiscal year includes $39,389,000 for marketing services, an increase of $2,196,400 over 1964 and a net decrease of $126,125 in the budget estimate. The increase includes $896,400 to meet mandatory pay act costs in 1965, $135,000 to complete the modernization of the market news leased wire service and to meet the cost of increased teletype rates, $665,000 to cover the reclassification of nonveterinarian poultry inspectors based on revised civil service standards, and $500,000 to provide 56 additional poultry inspectors to handle increased mandatory poultry inspection workload in the coming year. The 1964 supplemental request of $173,000 for reclassifications has not been included. As pointed out for meat inspection, the committee feels that future reclassifications and other actions requiring additional funds should have advance congressional review.

The Poultry Products Inspection Act of 1957 requires the Department to inspect for wholesomeness all poultry moving in interstate or foreign commerce. The law was enacted primarily to protect consumers against diseased and otherwise unwholesome meat. Since enactment of this law, the number and capacity of plants and evisceration lines in plants requiring inspection service have reflected substantial growth, as have the pounds of product inspected. Although production may fluctuate from season to season because of low prices, the general trend is continuing upward—at a rate of about 6 to 7 percent estimated for 1965.

The increase of $135,000 recommended for the market news leased wire service includes $60,000 to cover increased rates which will go into effect in 1964 based on authorization of the Federal Communications Commission on May 29, 1963, and $75,000 to complete modernization of equipment to increase transmission speed and realine circuits serving the southeastern and gulf coast areas. This is expected to complete the modernization program begun in 1962.

For payments to States and possessions, the 1965 appropriation of $1,500,000 is recommended again for 1965. This is an increase of $75,000 over the budget request as outlined earlier in this report.

With these additional funds, the Department should study the needs for additional market news services on a matching-fund basis resulting from the decentralization of reporting from large central markets to the smaller markets closer to the production areas. In this connection, consideration should be given to installing some type of livestock market news reporting in Idaho, where no service exists at present. Also grain market news reporting begun in Missouri in 1961 should be continued on an experimental basis looking forward to regular financing in future years.

The special milk program is aimed primarily at increasing the consumption of fluid milk by children. Nonprofit schools of high school grade and under, all nonprofit summer camps and child-care institutions devoted to the care and training of children, are eligible to participate in the program.

A total of 438 needy schools serving more than 13,600 children participated and consumed approximately 6.2 million half pints of milk under the limited experimental program of special assistance.

The committee recommends the full budget estimate of $99,831,000 for 1965 and concurs in the budget proposal to finance the program next year by a transfer of funds from section 32. This action is not to be considered a precedent for future years, however, since section 32 funds must be kept available to prevent market surpluses and price declines of agricultural commodities as the need arises.

The committee proposes a direct appropriation of $146,400,000 for the school lunch program, plus the transfer of $45 million from section 32 funds for the purchase of meats and other foods needed to provide balanced school lunches. This is an increase of $9,784,000 over 1964 and a decrease of $1,210,000 in the budget request.

For a number of years, the committee has felt that funds for this program should increase as the number of children participating in the program increases. Last year the appropriation was computed on a fixed amount per meal for the first time. The committee has followed the same procedure again this year in determining the amount of the appropriation recommended for fiscal year 1965.

In fiscal year 1962 a total of 2.4 billion school lunches were served. This increased to nearly 2.6 billion in 1963 and is expected to exceed 2.7 billion in 1964. It is estimated that 2.886 billion meals will be served in 1965. At an average of 5 cents per meal, $144,300,000 will be required for cash reimbursements and section 6 purchases during the 1965 school year, plus $2,100,000 for administrative expenses, a total of $146,400,000. This amount has been included in the bill. No funds have been earmarked to initiate special cash assistance to needy schools.

Last year the Congress approved language to permit the use of section 32 funds for activities which would help to increase consumption of farm commodities and thereby reduce the demands for purchases through this fund and reduce the investment of Commodity Credit Corporation funds in commodity inventories. The 1964 Appropriation Act also provided authority to include a similar provision in future appropriation bills in an amount not to exceed $25 million.

Pursuant to this authority, the committee has provided for the use of $25 million of section 32 funds in fiscal year 1965 for the following research programs which should help to increase consumption by reducing the cost of production and increasing the utilization of agriculture commodities.

The sum of $3 million has been allowed for research on tobacco and pesticides as discussed earlier.

The sum of $1,200,000 is provided for staffing 15 new research laboratories in various parts of the country, which were previously funded and are now ready for operation, based on a budget estimate included for this purpose under the Agricultural Research Service. The estimate has been excluded from the Agricultural Research Service research appropriation.

A total of $18,800,000 has been included under this heading for expanded research on cost of production and utilization of agricultural products. This is in keeping with increases allowed in recent years to expand research designed to deal with the problems of agricultural surpluses. A number of additional pressing research needs were brought to the attention of the committee during its hearing this year, including research on floricultural and horticultural crops, pecans, avian leukosis and other poultry diseases, special problems of swine, strawberries, blueberries and grapes, forage crops, York spot disease of apples, soybean production, sugar, sugarbeets and sugarcane, cotton, corn, wool and mohair, biological control of pests and insects, soil and water conservation, cereal leaf beetle, coffee harvesting, and many others. The Department is expected to give attention to these essential research needs in the allocation of these funds next year.

The committee has included $250,000 for alterations and improvements at the Foot-and-Mouth Laboratory at Plum Island; $850,000 for construction and remodeling of facilities at the Beltsville Research Center; and $450,000 for replacement of sugarbeet, pasture and range research facilities at Fort Collins, Colo. These amounts are provided in lieu of budget requests for these purposes presented under the Agricultural Research Service.

Pursuant to an agreement entered into by the House and Senate conferees at the time the 1964 agriculture appropriation bill was adopted last December, not to exceed $450,000 of section 32 funds is authorized for the establishment of a research facility in Georgia to be used to house the peanut shelling research work now underway at Dawson and to bring together the peanut research on production and marketing now being conducted at various locations in Georgia, if desirable. It has been agreed that this laboratory will not do any peanut "quality" research.

Based on a last-minute agreement of the conferees last December, the 1964 bill included $9,500,000 for the construction of a new Southeastern Research Laboratory which has been located at Athens, Ga. It was fully agreed by the conferees at that time that this laboratory would not do any peanut quality research, for which additional funds were provided at the New Orleans Laboratory, and that it would not undertake research which would displace work being done at the other four major utilization laboratories.

For expenses, Agricultural Stabilization and Conservation Service, an appropriation of $105,602,000 is included for fiscal year 1965, a decrease of $8,960,000 in the budget estimate. The amount recommended is a net increase of $1,231,500 over the 1964 appropriation. However, it is a decrease of $12,368,500 when the 1964 deficiency of $13,600,000 for administering the 1964 feed grain program is taken into consideration.

Two items of increase have been allowed for 1965. An amount of $1,761,415 has been included for mandatory pay act costs in 1965. Also, $1,835,631 has been allowed to correct an imbalance between appropriated funds and funds transferred for Commodity Credit functions, with an offsetting reduction in the CCC transfer. The two increases are partially offset by a decrease of $2,365,546 due to economies in administering the conservation reserve and agricultural conservation programs.

No additional funds have been allowed for administering the feed grain and wheat stabilization programs for 1965. The amounts needed for these purposes cannot be accurately estimated until the effect of recent legislation on future fund requirements can be fully determined.

The committee recommends an appropriation of $86,400,000 for the sugar act program, an increase of $8,400,000 over 1964 and a decrease of $1,100,000 in the budget estimate. The 1964 supplemental estimate of $6,400,000 contained in House Document No. 203, dated January 21, 1964, has not been included in the bill.

Total sugar production in the 1964 crop year covered by this appropriation is estimated at 6,490,000 tons, the same quantity as produced in the 1963 crop year. The increase for 1965 will be used to make payments for increased production in 1963 in the continental sugar beet and cane areas.

For the agricultural conservation program, an appropriation of $225 million, the full budget estimate, is recommended for 1965 to make payments earned under the program authorized in the 1964 bill and to honor a small balance of unpaid 1963 commitments not fully covered by the 1964 appropriation. Amounts due under this program are legal commitments and funds must be provided to pay all contracts entered into.

The committee has also restored the 1965 program authorization to the regular level of $220 million—plus $30 million for administration under the heading "Expenses, ASCS." Almost every year in recent years, Congress has been required to restore budget cuts in this item.

In the opinion of the majority of the members of the committee, the funds expended through this program return to the Nation the greatest possible conservation benefits. Further, this program provides the best possible means of meeting local conservation needs in all areas of the country. It is far more effective than many other approaches adopted in recent years.

Apparently the Bureau of the Budget and others who do not support this program are not aware of the important part it plays in building terraces, waterways and erosion control structures and in financing other conservation practices as an integral part of the extremely effective and successful Public Law 566 small watershed program. Without the ACP cost-sharing program, the small watershed program could not operate satisfactorily. Further, the ACP finances some 1,200 soil conservation technicians who provide assistance to soil conservation districts and the small watershed program, in addition to furnishing technical assistance for this program. The proposed reduction of $100 million would have eliminated an estimated 555 of these soil conservation technicians.

An appropriation of $194 million is proposed to meet conservation reserve contract commitments in 1965. This is a reduction of $100 million below 1964 and is $4 million below the budget request.

The decrease in this program is due to a reduction in annual rental payments in 1965 as a result of the expiration of 83,543 contracts covering 6,719,915 acres previously withheld from production.

The Food and Agriculture Act of 1962 authorized the Secretary to carry out a pilot program to determine how land not needed for crop production can best be used for conserving and developing soil, water, forests, wildlife, and recreational resources.

Because this program appears to be a miniature soil bank under a new name, the committee made a special investigation of its operations during the past year. A number of operational weaknesses were found, including: first, lack of documentation of land ownership and eligibility; second, failure to require that practices be carried out on acres covered by contract; third, lack of consideration of economic feasibility; fourth, cost-sharing payments on earth moving on horseshoe, badminton, basketball, baseball, and tennis courts; fifth, lack of limits on cost-sharing payments with possible cost per acre in excess of value of land; and sixth, failure to require that recreational facilities be made available to public.

Though the Department has undertaken to correct these deficiencies, the committee feels that the program should be continued on an experimental basis and should not be expanded beyond the level of the 1963 program. Accordingly, it recommends an appropriation of $7,200,000 for 1965, the same amount as expended for the 1963 program. This is a reduction of $2,800,000 in the budget estimate.

RURAL ELECTRIFICATION ADMINISTRATION

The committee recommends the full budget estimate of $365 million for electrification loans, including a contingency reserve of $90 million. This is a reduction of $60 million below the electrification loan funds authorized for 1964. While the budget proposed a single contingency fund for both electrification and telephone loans, a separate contingency reserve has been established for each program.

For the telephone loan program, the bill for 1965 includes the same amount as provided for 1964, $70 million. The increase of $7 million in the budget request has been placed in a separate contingency reserve for telephone loan purposes.

The number of telephone subscribers being served by REA borrowers has regularly been increasing by more than 100,000 per year, and this is expected to continue. In addition, there is a rapidly developing demand for a grade of service better than the old eight-party line. This has led REA to recommend four-party flat rate rural service as the preferred standard, and in response to the demand, many borrowers are forecasting and developing systems to provide one- or two-party service in rural areas. The requirement for upgrading of service is expected to lead to an increase in loan applications in 1964 and 1965.

The Administrator of REA is to be commended for his cooperation in formulating and issuing regulations in accord with the directives in last year's reports of the House and Senate committees. In connection with last year's report of this committee, it should be clearly understood that the directives contained therein were intended to apply to generation and transmission loans to G. & T. cooperatives and not to relatively small transmission loans to distribution cooperatives. The regulations issued pursuant to these directives should be interpreted and administered on this basis.

The committee feels that loan funds provide to REA should not be used for power generation loans where the feasibility is based solely on the cheaper power rate resulting from the lower interest rate paid by REA cooperatives than is available to private investor companies unless essential to get area coverage at reasonable rates.

In connection with section 5 loans, the majority of the committee feels that the REA should investigate each request prior to approval to see that the application is for purposes directly related to the distribution, generation, or transmission of electrical energy.

In evaluating the place of REA in the rural electrification industry, it is important that a few significant facts be kept in mind:

First. The Nation as a whole used 761,380 million kilowatt-hours of electricity in 1960. This is expected to increase to 2,692,650 million kilowatt-hours by 1980—an increase of over three times.

Second. The REA-financed systems serve only 8 percent of the consumers and receive only 5 percent of the revenues. They operate only 1 percent of the generating capacity and sell only 4 percent of the kilowatt-hours.

Third. The REA-financed systems serve an average of 3.3 consumers per mile as compared to 33.2 consumers per mile on commercial utility lines. REA borrowers have a gross annual revenue of $460 per mile of line compared to $7,164 gross annual revenue per mile of commercial companies.

Fourth. During fiscal year 1963 REA cooperatives used a total of 37,518 million kilowatt-hours of electric energy. Of this total only 6,597 million kilowatt-hours—approximately 17 percent—were generated by REA–G. & T. cooperatives. Nearly one-half of the balance—14,393 million kilowatt-hours—was purchased from commercial power suppliers. The rest—16,259 million kilowatt-hours—came from municipal and other publicly owned suppliers.

Fifth. Of the approximately 1,000 REA borrowers, only 1 is delinquent in an amount of $55,000, and this amount is being steadily reduced.

An appropriation of $11,641,000 is proposed for the administrative expenses of the REA program in fiscal year 1965. This is an increase of $492,000 over 1964 and $213,000 over the budget request. The increase over 1964 includes $242,000 for mandatory pay act costs next year, plus $250,000 to make the necessary additional surveys required by last year's directives and to process the loan applications without undue delay. With this increase, there should be no reason for any delay in processing applications due to additional surveys and reviews required.

FARMERS HOME ADMINISTRATION

Pursuant to the Consolidated Farmers Home Administration Act of 1961, a direct loan account was established in fiscal year 1962. Collections of principal and interest on loans outstanding are deposited in the direct loan account and are available for principal and interest payments on borrowings from the Secretary of the Treasury and for making additional loans for (a) farmownership, (b) soil and water conservation, and (c) operating purposes. Such loans may be made only in such amounts as may be authorized in annual appropriation acts.

As of the end of fiscal year 1964, it is estimated that this account will have a balance on hand of $113,300,000. Estimated collections in fiscal year 1965 of $339,619,000 will make a total available of $452,919,000 for 1965 loan purposes.

The bill includes authority to use up to $360 million of this total for loans during the coming fiscal year, $60 million for real estate loans and $300 million for operating loans. These are the same amounts as were provided for fiscal year 1964. Of the funds provided for operating loans, $50 million has been placed in a contingency reserve, to be released by the Bureau of the Budget as may become necessary to meet the needs of the program during the year.

For salaries and expenses, the committee recommends an appropriation of $39,544,000 for the coming year, an increase of $1,500,100 over 1964 and a decrease of $640,000 in the budget request. The increase includes $1 million for mandatory pay act costs in 1965 and $500,100 to meet the increasing workload resulting from the new programs assigned to this agency by law.

In addition, the committee has restored language in the bill which authorizes the use of not to exceed $500,000 of the funds available for the various new programs administered by this agency for the employment of temporary personnel to meet unusual or heavy workload increases.

New responsibilities in the field of financing shifts in land use, recreational enterprises, rental housing for senior citizens in rural areas, farm labor housing, assistance to disadvantaged rural youth and under other authorities of the Farmers Home Administration require new skills and additional manpower, particularly at the field level. With low income farm borrowers, it is particularly important to provide good technical supervision and assistance coupled with needed credit, if the borrower is to become successfully established. The complicated financial management problems of many applicants require more skill and more effort today that formerly was the case.

FEDERAL CROP INSURANCE CORPORATION

The committee recommends a total of $10,580,000 for administrative and operating expenses during fiscal year 1965, $6,942,000 by direct appropriation and $3,638,000 from premium income. This is a net increase of $131,000 over 1964 and a reduction of $11,000 in the budget request. The increase proposed includes $103,000 for mandatory pay act costs for 1965 and $28,000 to cover increased rental costs in Washington.

The General Services Administration has determined that the rental rate for space occupied by the Federal Crop Insurance Corporation in Washington shall be increased, effective July 1, 1964, from $2.10 per square foot to $4.14 per square foot. GSA advises that this rate is equal to the cost that a commercial landlord would bear, excluding profit.

COMMODITY CREDIT CORPORATION

An appropriation of $1,724,000,000, the full budget estimate, is proposed in the bill to restore a portion of the capital impairment of the Corporation for fiscal year 1963. This is $975,400,000 less than the funds carried in the 1964 Appropriation Act.

As discussed earlier, the reduction in this item is due to a change in policy by the Bureau of the Budget. Instead of requesting sufficient funds to fully reimburse the Corporation for 1963 capital impairment, only a partial restoration was included in the budget estimate for this purpose. The amount requested and recommended in the bill is the total deemed by the Department to be sufficient, when supplemented with cash receipts from the sale of commodities in CCC inventory, to meet the Corporation's obligation during the coming fiscal year to finance price supports, exports, supply and related programs.

The committee has approved budget language which will avoid increasing future appropriation requests by accumulated interest charges on realized losses not restored currently. This change will have the effect of terminating at the close of each fiscal year, beginning with the fiscal year 1964, interest on borrowings from the Treasury in an amount equivalent to the realized losses sustained by the Corporation (1) during the fiscal year 1964 and succeeding fiscal years, and (2) in prior fiscal years, for which the Corporation has not been reimbursed by appropriation. Interest would continue to be charged on borrowings for losses sustained during a particular fiscal year but not after the end of that fiscal year. This would limit interest expenses to borrowings for current operations and would avoid increasing future appropriation requests by interest charges resulting solely from deferral of reimbursement to the Corporation for realized costs and losses applicable to past operations.

The committee wishes to point out again this year that a major portion of the funds expended by the Commodity Credit Corporation for price support and related activities go to nonfarm groups, including warehousemen, transportation companies, exporters, consumers, and others. A review of the major elements of cost for the past 5 years shows that the percentage of CCC payments to nonfarm groups has run 58 to 59 percent in 4 of the last 5 years.

The committee recommends the budget estimate of $37,351,000 for administrative expenses of the Corporation in the coming year. This is a decrease of $4,299,000 below fiscal year 1964.

The officials of the Corporation and the Agricultural Stabilization and Conservation Service are to be commended for their outstanding administrative record and for the many operating savings and economies they have made in recent years. Despite salary raises and other increased costs, the amount authorized for administration of CCC has decreased from $45,726,000 in fiscal year 1961 to the recommendation of $37,351,000 for next year.

FOREIGN ASSISTANCE PROGRAMS

A number of statutes provide for the facilities of the Commodity Credit Corporation to be used in carrying out programs for the exportation of surplus agricultural commodities and authorize appropriations to reimburse the Corporation for costs incurred in connection with such programs.

Prior to fiscal year 1962, the Corporation was reimbursed for the costs of these activities by appropriations subsequent to incurrence of the costs. Beginning in the fiscal year 1962, the Congress added funds to place these activities on a pay-as-you-go basis, appropriating for estimated costs in fiscal year 1962. Subsequent bills have included funds for each ensuing fiscal year on the same basis as for other programs of the Department.

The bill for fiscal year 1965 includes a total of $1,887,453,000 to finance the activities under Public Law 480, $1,612 million for title I sales for foreign currencies, $220,453,000 for emergency famine relief under title II, and $55 million for long-term supply contracts authorized by title IV. The total recommended is an increase of $167,487,000 over 1964 and a reduction of $327,547,000 in the budget request.

The amount provided for sales for foreign currencies includes $612 million to cover unreimbursed prior year costs and $1 billion estimated 1965 costs. The appropriation proposed for emergency famine relief provides $20,453,000 for unreimbursed prior year costs plus $200 million for the 1965 program.

Under the long-term supply contract program—title IV—the foreign governments contract to repay the United States in agreed installments. Such future repayments, including interest specified in the agreements, are deducted from the appropriation request. In effect, the appropriation covers only the difference between the cost of shipments and the export market value which is established at time of the agreement, plus the differential on the U.S.-flag vessels over the foreign-flag vessels and interest expense not charged to foreign governments. This latter item is the difference between CCC interest cost and the interest rate specified in the agreement. The Government then must look to the future for recovery of costs due from foreign governments which are financed by the Commodity Credit Corporation.

The matter of extra cost of shipping agricultural commodities in U.S. ships has become a major issue in view of the large shipments of goods under Public Law 480. This also became a primary consideration in negotiating agreements for sales of wheat to Soviet countries. While the committee recognizes the need to protect the American Merchant Marine, it does not feel that this should be allowed to interfere unduly with agricultural sales abroad. Further, it does not feel that the Department of Agriculture should be expected to carry the extra costs involved in the difference between world shipping rates and American-flag carrier rates.

The Department is requested to look into the possibility of paying the extra cost of such shipments in U.S. vessels from foreign currencies available in those countries in which Public Law 480 shipments are made.

Information has also come to the committee's attention which may possibly indicate that foreign currency sales under Public Law 480 are being made to certain foreign countries which displace regular dollar sales. Attention is directed to those provisions of Public Law 480 which require that title I sales be "in excess of the usual marketings of such commodities." In the opinion of the committee, agreements under Public Law 480 which would in any way displace U.S. dollar sales should not be entered into. Normal commercial oversea markets for U.S. agricultural production should never intentionally be sacrificed for international political reasons.

For the International Wheat Agreement, the full budget estimate of $31,838,000 is approved for fiscal year 1965, a reduction of $54,380,000 below the 1964 appropriation. The amount approved includes $31,659,000 for prior year unreimbursed costs and $179,000 for estimated 1965 costs.

It is estimated that, due to the disapproval of wheat producers of marketing quotas for the 1964 crop year, and substitution of a production certificate plan, the open market price will be closer to the competitive world price in fiscal year 1965 than in prior years. However, the final effect of the new wheat legislation on wheat prices cannot be determined at this time. The total shipments in 1965 are expected to be about 120 million bushels and the quantities shipped by country will be in about the same proportion as in 1964.

For bartered materials for supplemental stockpile, the committee recommends an appropriation of $82,860,000 for fiscal year 1965, the same as provided for fiscal year 1964. The amount recommended includes $39 million for unrecovered 1964 costs and $43,860,000 for the 1965 program.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to my colleague from North Carolina.

Mr. JONAS. Mr. Chairman, I should like to take this occasion to compliment the gentleman and all of his associates who helped prepare the report. I have rarely read a report by a committee of Congress that is more detailed or that contains more factual information, and in which the entire story of the agricultural programs and the problems of our country will be found. I am not commenting on the bill at this time. I may not even agree with some of the things that are in the bill, but I do think a word of commendation is in order for those who painstakingly prepared such a detailed report which tells the whole story in one volume.

Mr. WHITTEN. Mr. Chairman, I thank my friend and colleague from North Carolina.

May I say at this point that basically we attempted to live within the budget. But there were several things that we know were unsound. There were about 12 or 14 research stations scattered throughout the United States that the budget eliminated. We have put those stations back into the bill. Heretofore our subcommittee has largely done that, but we did it by a general statement.

But frequently our colleagues on the House side have had to do lots of explaining as to how their local operations were being taken care of. For that reason this year we listed those stations that we restored so that our colleagues will know they are in here. After all it is only by research on agriculture that we have been able to turn 92 or 93 percent of us loose to do something else and have our high standard of living.

Also may I say that the budget cut eliminated several marketing news service offices. I think there is nothing that helps orderly marketing more, and helps the consumer more than the knowledge to the farmer of where the market is short or where there is a given supply of a commodity, so that the farmer will know where to go. This is far better than going where the market is flooded and having to take practically nothing, in which case the consumer does not get the benefits.

We have directed that these marketing news services that were set for elimination be carried forward.

Mr. Chairman, there are two major problems in addition to those which need immediate attention. There is that problem which faced this committee and the tobacco industry. This was one of the major problems, and may I say it is my opinion that far too few people realize that this problem does not involve only a handful of farmers. This affects an $8 billion industry and is certainly worthy of consideration by the Congress.

Mr. Chairman, any industry which pays such a vast amount of taxes as is paid by the tobacco industry is worthy of consideration and it, of course, affects millions and millions of consumers.

Mr. Chairman, the gentleman from North Carolina [Mr. COOLEY], chairman of the House Committee on Agriculture appeared and testified before our committee last year. We had many others to come before our committee, since we handle the appropriations for the Department of Agriculture. It was our purpose to see what could be done not only to protect the tobacco industry but to do what we could in behalf of he consumer. There are millions and millions of people, of course, involved in tobacco production and its use.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. I notice in the report on page 3 thereof, next to the last paragraph, there appears the following:

> The net budget decrease of $135,675,715 under "General activities" is largely due to (1) the proposal to finance the special milk program in fiscal year 1965 by transfer from section 32 funds in lieu of a direct appropriation, and (2) a reduction in the appropriation for the conservation reserve program which is due to expiration of 83,543 contracts during the coming year.

My question is this: When you go to the section 32 funds will there be a sufficient amount of money for the milk program to continue the school lunch program which has been in existence for quite some period of time?

Mr. WHITTEN. May I say to the gentleman from Colorado that the Bureau of the Budget recommended that the special milk fund, instead of requiring an appropriation, be taken out of section 32 funds.

As the gentleman from Colorado will recall, section 32 provides that 30 percent of the import duties be set aside with reference to surpluses, primarily perishable goods.

The only question involved here is the matter of the payment from those funds rather than from appropriated funds.

Again, whether this is sufficient or not, we went along with the full budgeted amount. In many of these areas it is impossible to provide all of the money that everyone would like to have. I would say that insofar as the milk program is concerned, the average school lunch carries as much contribution per lunch for milk as there is for the balance of the items which make up the lunch program.

Mr. Chairman, coming from a dairy area, I think that is fair. But the amount in the bill is the full amount sent to us by the Budget.

Mr. ROGERS of Colorado. Mr. Chairman, if the gentleman will yield further, the budgeted amount to which the gentleman refers——

Mr. WHITTEN. Those are the budgeted recommendations as to what it took to carry out the milk program.

Mr. ROGERS of Colorado. The budgeted amount to which the gentleman refers will permit a sufficient sum to be used from section 32 funds?

Mr. WHITTEN. Well, may I go further and say that this action will not jeopardize section 32. As the gentleman will recall, there is authority to carry forward $300 million in any year plus any new amount which becomes available.

I have felt from time to time since I have been on the committee that the real value of section 32 is its provision to have a sufficient amount of funds so that announcement can be made that we will support this market. If you have enough money to do that and then announce that you are going to do it, frequently they will not have to buy any because they realize that they will have to pay the proper price. But this will not jeopardize the section 32 program. We will have an ample carryover of funds.

Mr. ROGERS of Colorado. If the gentleman will yield further, I want to make sure that there will be a sufficient carryover in the milk program, because there has been a great deal of propaganda throughout the country to the effect that if we do not step in here and provide sufficient funds, the milk program as it relates to school lunches is going to be hampered and there will not be sufficient funds to carry it out.

I judge from the statement that the gentleman has made that depending upon the amount of money that may come out of section 32 that the administrators are in a position, I would take it, to supply sufficient moneys for purchase of milk?

Mr. WHITTEN. It is the opinion of the committee—and certainly it is my opinion—that we have ample funds here with which to take care of the program.

There is no way to provide enough money for everybody to try to satisfy everybody. We think that the amount in the bill is sufficient.

Mr. ROGERS of Colorado. I thank the gentleman.

Mr. WHITTEN. Mr. Chairman, carrying the matter further. In respect to our colleague from Kentucky [Mr. NATCHER] I say candidly that largely through his intercession the State of Kentucky has a new $4.5 million laboratory which they have made available to the Department of Agriculture to go into this research on the tobacco question. For that reason the committee has gone along with the $1.5 million for research, calling on the Department to collaborate with the Department of Health, Education, and Welfare. This laboratory is next door to a medical research facility, which will be available also.

I would like to say also this does not preclude whatever may be done in the future. I have had one or two telegrams from North Carolina in reference to this matter. The funds in this bill are sufficient for the utilization of all present facilities in order to meet this program.

One of the other things that is disturbing to me is this: I remember telling you some years ago that I spoke to a National Chemical Association meeting in California. I went out there, and it was in the papers that I was on the Defense Appropriations Subcommittee. I received a wire from the mayor giving me the key to the city. I was there to speak to an agricultural chemical group. I was interviewed for 45 minutes on agriculture. As they left, one of these fellows said, "We have had another fellow from Cape Canaveral." The next day, instead of having a 45-minute interview on agriculture, they had my picture and my statement and down at the bottom it was stated I was there to speak to some farm group. That was mentioned in the morning.

Then the afternoon paper came to me, and they wanted me to correct a situation through their paper. They helped me write the story in the second instance, and in the afternoon instead of coming out with the story on the farm problem they came out with an editorial that San Diego, Calif., is a great agricultural country, and is not getting its fair share.

The tragedy is those newspapers knew their readers were not interested. In recent weeks we have been reading every kind of scare story in the book about this, that, and various commodities. The headlines go much farther than the story underneath.

If there is anyone who wants to protect American health it is the Department of Agriculture, but we also must protect the sources of food, clothing, and shelter for the American consumer. Our committee in this bill has provided $250,000 for the Secretary of Agriculture to cooperate with Health, Education, and Welfare, first, to see that nothing is used that is harmful to the American people, and second, that they work together to see that we do not eliminate those things so essential to having a big supply of the finest and cheapest food that any nation ever had.

We tried to meet that problem by asking the Secretary to cooperate. We are calling on the other departments to cooperate fully. It is not within our control to make them do that, but we have extended them a welcome hand, a cooperative hand, a hand with financing to carry on the Department's share of the expenses, and we almost plead that they cooperate, realizing that here is not only the public health that we must protect but, on the other hand, we have as much obligation to protect our food, and if this is carried out I think it will mean much to our Nation.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Minnesota.

Mr. NELSEN. I would like to compliment the gentleman now in the well, and the committee, for the very fine report they have made. I am aware of the reference to soil conservation which appears in the report, and the gentleman's realization of the problems that have been existing.

The other point I would like to refer to is on page 15 of the report. You refer to section 32 of Public Law 320 which permits the Government of the United States to purchase commodities in the event the farm income drops and funds are provided by a part of the tariff fee collection; is that not true?

Mr. WHITTEN. That is true.

Mr. NELSEN. It then goes on on page 16 and refers to the fact that:

> (a) Whenever the Secretary of Agriculture has reason to believe that any article or articles are being or are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, any program or operation undertaken under this title * * *.

Then under section 22, he shall advise the President and the President shall advise the Tariff Commission to make proper investigation and, if, the findings are in favor of our American agriculture and if it is found and determined there is damage being done, then the President may then impose such fees as are necessary to eliminate the problem that does exist.

The question I wish to ask is this. Would not the President have the authority under section 22, in view of this report, to take a hand in this beef import situation now?

Mr. WHITTEN. May I say to the gentleman, over the past 10 or 12 years I have tried to point out regularly that section 22 and its use in proper cases is absolutely essential if any farm program is to ever work. We have had difficulty in getting anybody to move in and use it.

I would say that our committee with all its experience can only recommend and say what we think. I do think that section would call for a finding by the Department of Agriculture preceding the President's action. But I do think our committee has gone as far as we can in pointing out in our opinion it has reached that point. But as a lawyer who has not practiced as a lawyer, who has not practiced for a good while, may I say, that it would require a certain determination. But I think the facts are clearly evident that the determinations can be made.

Mr. NELSEN. I would like to compliment the gentleman on his statement and I would also add that I personally appeared before the Tariff Commission and many other Members have because one of the problems, it seems to me, that is confronting our country today is the livestock industry and I believe the committee rendered a service in bringing in a report with the information contained here and again I thank the gentleman in the well and the committee also.

Mr. WHITTEN. I thank the gentleman.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. BOLAND. An inquiry has been directed to me by John B. Randall Jr., manager of the egg marketing department of the Eastern States Farmers' Exchange, in my congressional district. It concerns an item in this budget relative to research in the field of leukosis in poultry. Specifically, it refers to the Avian leukosis complex. I understand there is some $352,000 carried in this bill for this work. Mr. Leslie S. Hubbard appeared before your subcommittee and presented a very fine statement on this matter. It was his concern that this amount would not be sufficient to carry on this important work as effectively if additional funds were unavailable. I am aware of the great interest of the gentleman from Mississippi and his committee in this problem and am conscious of the splendid cooperation given to the poultry industry by this committee. I would appreciate your commenting on this matter.

Mr. WHITTEN. May I say to my colleague, the gentleman from Massachusetts, that the problem he mentions is a really serious one. Our committee has attempted through the years to try to keep from appropriating dollarwise to each problem, and pressure is constantly being put on us to do that. If the gentleman will look, he will see that we have provided some $18.8 million in cost of production research and utilization research which will be available for all problems in research. In addition we provide the usual $1 million to meet extraordinary problems. In addition the Department has transferability authority of 7 percent. Certainly, we feel there are ample funds and we feel the Department would and could use them to meet this problem that is so important to the poultry industry.

Mr. BOLAND. If the gentleman will yield further, I am indeed happy that the Subcommittee on Agriculture, under the chairmanship of the able and distinguished gentleman from Mississippi, Congressman WHITTEN, has restored $394,000 to the Department of Agriculture budget for the Transportation and Facilities Research Division. I sincerely hope that the House today will vote for this $394,000 item which means a great deal to me and to my city of Springfield and I compliment the gentleman and his committee for that action. The Transportation and Facilities Research Division made a very satisfactory and comprehensive study of the existing wholesale market facilities in Springfield, and the need for new and relocated facilities in my city in the future. The valuable recommendations by this division to the city for a modern food distribution center are now being weighed and evaluated by local interests. I would like to include with my remarks at this point a very clear meaning of this study to Springfield, contained in the statement to Chairman WHITTEN's subcommittee by the Honorable Charles V. Ryan, Jr., mayor of Springfield:

THE CITY OF SPRINGFIELD, MASS.,
April 3, 1964.

To Agriculture Subcommittee of the Committee on Appropriations of the House of Representatives:

Mr. Chairman, members of the committee, I wish to thank you very much for the opportunity to present to you certain remarks concerning the proposed elimination of the Transportation and Facilities Research Division of the U.S. Department of Agriculture. This is a matter with which we in Springfield have come to have some familiarity over the course of the last year.

Our present wholesale marketing facilities are outmoded, decrepit, contribute to the congestion of the downtown area, and are so unsatisfactory that an increasing amount of our wholesale marketing is being lost to neighboring metropolitan communities. Some of these facilities will be demolished within the next year or so to make way for a new highway which is part of the Federal interstate program. With that in mind and with the realization that the whole picture of our marketing facilities was unsatisfactory, we asked the Transportation and Facilities Research Division of the Department of Agriculture for assistance on our problem some 8 or 9 months ago. We have had many occasions in the past to work with many Federal agencies and generally the experience has been most satisfactory. However, in all candor, I can say that we have never had a more rewarding relationship with any Federal agency than with the Transportation and Facilities Research Division. They have been generous beyond anyone's expectation with their time and efforts on our behalf. They have made our problem their problem. They have made a comprehensive study of our entire wholesale market situation. This included interviews with virtually all of our local wholesalers. They have studied at least 15 sites in the Greater Springfield area to consider the potential of these various sites for a modern food distribution center. They have prepared detailed plans for a proposed new center giving the many advantages of a new facility and comparing in most instances the cost of doing business in a new, modern facility as compared with the present cost of doing business in the outmoded facilities we now have.

Very recently they conducted a public hearing at which approximately 100 wholesalers from the Springfield area were present. Right now there is an extremely good chance that we will be successful in putting together a new, modern facility in Springfield with a total investment of approximately $10 million in new buildings and, of course, the creation of many new jobs. I would be the first to admit that none of this would be possible if we had not had the direction and the advice of the Transportation and Facilities Research Division.

We are presently engaged in prolonged discussions with many of the wholesalers who have shown an interest in the new center. We are engaged in the difficult task right now of trying to put together a center which will have enough strength to attract as many tenants as possible, and which will represent a sure enough investment for our private investors to undertake the responsibility of financing the same.

While a great deal of progress has been made on our Springfield situation, we feel that we are only part way along the road to a successful food center and that we are in desperate need of the continuing help and assistance of the Transportation and Facilities Research Division. If this help is not available I am afraid that we will surely fail in our endeavors for the presence of the Department of Agriculture in this picture gives confidence to the whole enterprise which otherwise could not be achieved.

This community has a great deal at stake in being able to successfully work out our marketing problem. We need the assistance which has been available up to the present time. We respectfully urge the Committee on Appropriations to take favorable action in restoring funds to the Department of Agriculture's budget for the continuing operation at its current level of activities of the Transportation and Facilities Research Division.

CHARLES V. RYAN, Jr.,
Mayor of Springfield.

Mr. WHITTEN. Our committee believes in this program and I thank the gentleman very much.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Florida.

Mr. MATTHEWS. Mr. Chairman, I wish to congratulate the chairman of this Subcommittee on Appropriations, the gentleman from Mississippi [Mr. WHITTEN], and all of his colleagues for presenting to us this very comprehensive appropriation bill for the Department of Agriculture and related agencies. I have appeared before this committee several times this year, and they have always given me a fair hearing and many times I am gratified to note that they have honored me by accepting some of the recommendations that I have made.

Particularly this year do I want to congratulate the committee on this comprehensive bill which concerns many, many agricultural agencies, and which is so essential for the welfare, not only of rural America, but for all of this Republic which has the blessings of an abundance of food due to the efficiency of the American farmer, and the interest of the Federal Government in his welfare as evidenced here today by this particular appropriations bill.

It is gratifying to note that the committee has appropriated $225 million for the agricultural conservation program, which restores budget cuts in this item. This great program of agricultural conservation, as the committee so graphically pointed out, provides the best possible means of meeting local conservation needs in all areas of the country. We must conserve our soil. It has been estimated that at least a million acres of fertile farmland are being lost each year to urbanization, the building of the great Interstate Highway System, and still because of inadequate conservation practices that lead to soil erosion. The ACP program is cost sharing and is absolutely necessary for the success of the small watershed program.

I want to congratulate the committee for its recommended appropriation of $100,511,000 for fiscal year 1965 for the Soil Conservation Service. This represents an increase of $2,585,000 over 1964 and it is hoped that this increase will provide technical assistance to the 28 new conservation districts expected to be organized in the coming fiscal year. In Florida we are desperately in need of more funds for organizing these new soil conservation districts.

The Agricultural Stabilization and Conservation Service is responsible for all of the various programs which call for acreage allotments and marketing quotas, the sugar program, and various other special activities. An appropriation in this bill of $105,602,000 is included for fiscal year 1965. I am sure that supplementary appropriations will be provided if necessary to meet extra obligations that might be imposed on this great Service by acts of Congress passed during this legislative year.

The committee has given us valuable information concerning the grave problem facing our cattlemen because of the imports of beef and veal. These imports have increased over 430 percent from 1953 to 1962, and this tremendous increase is even greater for the year 1963. Florida cattlemen have been pleading for many months with us here in Congress to take some action to help them now. It should be pointed out that our problem in Florida is with imports from the Latin American nations more than the imports from Australia and New Zealand. Along with many of my colleagues I have introduced legislation to restrict these imports. I have appeared before the Tariff Commission seeking relief, and I have had several conferences with our able Secretary of Agriculture, trying to get action favorable to our cattlemen so they can stay in business. This committee has pointed out, I think, a very valuable fact, and that is the relationship between laws popularly known as section 22 and section 32. Section 22 provides the legal mechanism for us to control agricultural imports from areas with cheap labor and low production costs, and section 32 enables us to take 30 percent of the import taxes each year and use the funds to protect the producers of perishable agricultural commodities by buying their commodities for the school-lunch programs, for disaster relief, and for other purposes beneficial not only to the American farmer but to the American people in general. Despite the fact that over $400 million of section 32 funds have been spent between 1936 and 1962 to remove surplus meats from the market, let me emphasize again that American cattlemen are facing disaster unless we can give them some protection from the flood of beef imports which come into this country.

Tobacco research to identify the particular aspect of cigarette smoking which is linked to cancer is a must and funds in this bill are provided to carry on this research. When the Surgeon General of the United States appeared before our Committee on Agriculture to recommend that we do more research in tobacco, he frankly stated that although there was definitely a link between cigarette smoking and cancer they could not tell exactly what there was about the cigarette smoking that causes this link. Is it the type of tobacco produced, is it the curing process of the tobacco, is it the paper of the cigarette, is it the combustion process? Answers to these questions must be found to protect the people of America and to evaluate the future of the tobacco industry which means so much to the economy of a great segment of our people. In our own Eighth District of Florida there are several thousand producers of Flue-cured tobacco and the market value of their product is some $11 or $12 million a year.

The various research programs of agriculture are properly supported in this appropriations bill. We in Florida are particularly grateful for the screw-worm eradication program which has been so successful in our area. We must still be on the alert for this pest and it is gratifying to note that there is proposed in this legislation the establishment of a buffer zone of several hundred miles south of the Mexican border to prevent the reinfestation by migrant flies from Mexico at an annual cost of around five and a half million dollars.

The committee has restored the proposed budget reduction of $2,590,000 for cooperative agricultural extension work. I applaud this action because if this amount had not been restored it would have meant that our Agricultural Extension Service would have had a budget smaller than the previous fiscal year. As we know this great Service is responsible for the magnificent work done by our county agents, and our home demonstration agents in every State of this Union. For some years in Florida I had the privilege of serving as the assistant State 4-H Club director in charge of summer camps. I feel that as we venture into new fields of agriculture we must not neglect the old agencies and services whose pioneer work has laid the foundations for our abundance of food and fiber.

A budget estimate of $65,848,000 has been provided for watershed protection and this great program is proving its value throughout our area of the country.

I would like to pay tribute here to our REA co-ops in my part of the country and throughout all America. As we know these co-ops make possible electricity and telephone service in rural areas. Loans made to the Rural Electrification Administration for use of the co-ops is repaid within a period not to exceed 35 years at 2 percent interest.

I should also like to point out the great services of the Farmers Home Administration. With the liberalization of their lending authority in recent years this Government agency has made possible the building of many homes in our small-town areas.

As we discuss President Johnson's antipoverty program I think we should keep in mind that the Farmers Home Administration could do a much greater job than they are able to perform now if they were given more money to serve as a revolving fund. We should increase their borrowing authority and I hope that again we keep in mind these great established agencies of Government and see how we can help them expand their programs as we look into entirely new ideas in programs to combat the problems of poverty and low income especially in the rural areas of America.

I should like to pay tribute to the many employees of the U.S. Department of Agriculture and all of these related agencies. It is so easy to criticize big Government, and I deplore the tendency we have to increase Federal Government as much as anyone. However, I hope in all fairness I would be the first to say that it is the responsibility of Congress to legislate and when we enact certain programs that require more governmental employees that is our responsibility. I have found in my Eighth District of Florida and here in Washington a dedicated service on the part of these employees in the fields of agriculture and I know that we are all indebted to them for their diligence and doing the best job they can for American agriculture, for rural areas; in fact, for all the people of America.

Finally, Mr. Chairman, it should be pointed out that there is recommended in this bill an amount of $5,182,665,000 but many hundreds of millions of dollars of this amount should not be charged to the American farmer. Surely we should keep in mind that the school lunch program, the food for peace program, the money that is lent to agencies of Government and which will be repaid are not costs that should be borne by the American farmer. As one example of costs we charge to the American farmer, and which should not be, is a statement prepared by the Department of Agriculture and which may be seen on page 55 of the report which accompanies this bill, pointing out that the use of U.S. vessels for Public Law 480 shipments since 1955 has cost $675,700,000, and this huge sum has been charged to the Department of Agriculture.

I believe this appropriations bill, therefore, is not an unreasonable one. I think it is practical and I think the American taxpayer will get many dollars in return for every dollar that is appropriated in this agricultural appropriations bill.

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. COOLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COOLEY. Mr. Chairman, the Department of Agriculture and related agencies appropriations bill, 1965, represents another signal victory for the American people.

I salute the members of our Committee on Appropriations, who bring this bill to us. I assure you with a heavy heart that each Member of the House shares the sadness you feel in the loss of your great chairman, the Honorable Clarence Cannon, of Missouri. He was one of the great statesmen of our day and age. We share also your pride in his able successor, the Honorable GEORGE H. MAHON, of Texas.

In the consideration of the bill before us, I commend Hon. JAMIE L. WHITTEN, chairman of the Appropriations Subcommittee on Agriculture, and his associates on this subcommittee, for their wisdom and their work, in behalf of the agriculture of this Nation.

Mr. Chairman, except for expenditures to defend our Nation against our enemies, the dollars we have spent to support sciences and policies in agriculture represent the best investments the American people ever made.

These sciences and these policies and programs, supported by our Treasury, and combined with the enterprise of our farm people, have made us the best fed Nation on the face of the earth, and our people enjoy this abundance of food with an expenditure of a smaller part of their earnings than any people anywhere.

Mr. Chairman, in my remarks today, I especially want to applaud our Committee on Appropriations on four specific items in this bill before us:

First. A special $1,500,000 allocation of funds to take the first big step to provide fundamental research into the health factors of tobacco.

Second. Allocation of the full $250 million, as in years past, for the agricultural conservation program—ACP. The committee did not follow the Budget Bureau recommendation that ACP funds be reduced to $150 million.

Third. Restoration of the $2,590,000 the Budget Bureau cut from the Federal Extension Service.

Fourth. Restoration, in large part, of the funds the Budget Bureau cut from the Transportation and Facilities Research Division of the Department of Agriculture.

Mr. Chairman, research is the only positive and effective means to respond to the report "Smoking and Health" issued early in the year by the Surgeon General of the Public Health Service.

Immediately upon the publication of the "Smoking and Health" report I introduced a resolution in the House calling for research into the quality and health factors of tobacco and other ingredients and materials used in the manufacture of tobacco products. I then urged the chairman of our Appropriations Subcommittee on Agriculture, Mr. WHITTEN, of Mississippi, to include funds in the new appropriations bill to get this research underway at the earliest possible moment.

The bill before us provides $1,500,000 for research to be conducted at the University of Kentucky "to determine the properties of tobacco which may affect the health of smokers and to develop means to eliminate any harmful substances found." On the allocation of these funds, I quote from the Appropriations Committee report, as follows:

> The committee hearings disclose that the University of Kentucky has a tobacco research laboratory built with $4.5 million of State funds which is now available and has been offered to the Department of Agriculture by the university and State officials for such research. It is located adjacent to the new medical research center at this university and is ideally situated for a coordinated agricultural-medical research problem of this nature. Accordingly, the committee has included $1,500,000 of section 32 funds in the bill for 1965 (fiscal year beginning July 1, 1964) to enable the Department to immediately initiate tobacco research at this location in collaboration with the State university, State agencies, the Department of Health, Education, and Welfare and other public and private organizations which can contribute to a concerted approach to this urgent research need.

The committee report further states:

> It is extremely important that this research begin immediately. The answers to this problem must be found just as rapidly as possible to prevent economic ruin for growers, substantial losses of revenue to the Federal and local governments, and possible injury to the public health.

Mr. Chairman, while Kentucky has made a signal contribution to this research by offering immediate use of a completed tobacco research facility, it is my conviction and judgment that an extensive research program must commence at the earliest possible date in North Carolina, which is the world center of the tobacco and cigarette manufacturing industry as well as the principal tobacco producing area of the world.

Such work will attain its ultimate effectiveness when undertaken in close proximity to, and coordination with, the farmers who produce the bulk of cigarette-type tobacco and with the industries which manufacture cigarettes.

I am advised by Chairman WHITTEN of the Appropriations Subcommittee that the initial research allocation in no way precludes Government money assistance to extensive research work in North Carolina.

On this occasion, I again urge that the tobacco industry and all others interested in tobacco take every necessary step immediately to bring the major research on "smoking and health" into the center of the tobacco industry.

Mr. Chairman, every Member of this body should commend our Appropriations Committee for again providing $250 million for the agricultural conservation program. Under this program, conservation practices are carried out on over a million farms and ranches, covering approximately 400 million acres. This program is an investment by the American people in sound soil practices which assure abundance in our time and conserves our soil and water resources to promise abundance in the years to come.

It is a mystery to all of us who are familiar with agriculture and with operations of the ACP that the Budget Bureau year in and year out hacks away at the funds for this program.

For many years we have provided $250 million annually for this conservation undertaking. The Budget Bureau this year recommended that the sum be cut back to $150 million.

Our Appropriations Committee has rejected the Budget Bureau cutting recommendation, as it has done in the past, and has provided the full $250 million for ACP. I am proud of the committee.

Mr. Chairman, I am especially pleased that our Committee on Appropriations has not followed the recommendations of the Budget Bureau, which proposed a rather severe cut of $2,590,000 in funds for the Cooperative Extension Service. It is rather ironical that this cut was suggested as the Extension Service was celebrating its 50th anniversary of service to rural America. I am placing in the RECORD with these remarks a letter I wrote to the President on February 25, expressing in some detail my devotion to the Extension Service and my position on the Budget Bureau proposal that its funds be reduced.

I am also including with these remarks a letter I wrote to the President on February 18 protesting the Budget recommendation that further funds be denied the Transportation and Facilities Research Division, Agricultural Marketing Service, in the Department of Agriculture.

The Budget recommendation would destroy effective research on facilities and efficiency in the marketing of food, at the very time the administration is proposing the creation of a National Commission on Food Marketing to study the food industry from the farm to the consumer.

As I understand the bill before us today, it restores $662,000 of the cut of $862,000 made in the budget for the work of the Transportation and Facilities Research Division. I congratulate the Appropriations Committee for its wisdom in this matter.

It is my further understanding that this restoration, as proposed by the Appropriations Committee, would provide funds for continuing the following activities which would have been eliminated by the budget proposal:

First. Developing plans for, and bringing about the construction of, new wholesale food marketing facilities in large cities.

Second. Developing new, and improving old, marketing facilities in producing areas for such operations as assembling and packing eggs, processing poultry, assembling and slaughtering livestock, and fruit and vegetable assembly and packing.

Third. Research to reduce the cost of handling cotton in warehouses.

Fourth. The research programs being conducted at East Grand Forks, Minn., and Presque Isle, Maine, to improve the work methods, equipment, and facilities for handling and storing potatoes.

Fifth. The work being done at Albany, Bainbridge, and Dawson, Ga., to solve the problems of drying, conditioning, handling, storage, and shelling of peanuts.

Sixth. The work being done at Orlando, Fla.; Fresno, Calif.; and Yakima, Wash., to develop and evaluate shipping containers and consumer packaging for many kinds of fresh fruits and vegetables.

Seventh. A part of the work being done to improve refrigerated transportation equipment for the satisfactory handling of frozen foods and to find low cost methods of transporting products from farms to consumers. The original cut on this item was only a partial reduction of the funds, not a complete elimination, as was the case in the six items listed above. The restoration places these funds at the same level as for the current year.

The $200,000 not restored to the budget, I am advised, would eliminate entirely the research done to find ways of improving the efficiency and reducing the costs of food retailing and grocery wholesaling. This work has been very helpful in making it possible for medium and small size firms to reduce their costs and be able to continue to compete with the large corporate chains.

When this work began, the gross margin of wholesale grocers was from 10 to 12 percent of sales, but this research, conducted on the premises of wholesale grocery warehouses, has been instrumental in reducing these margins to around 6 percent.

Improvements in the equipment, methods, and layout for the packaging and handling of meat have been a major factor in increasing the sales per manhour of labor involved from $20 to more than $60. The research to improve the handling of fresh fruits and vegetables in retail stores has helped increase labor efficiency by 25 percent. All of this type work on grocery wholesaling and food retailing will have to be discontinued if the additional $200,000 is not restored, which means that the Department will be doing nothing to reduce the costs of marketing in that part of the marketing system nearest to the consumer, which amounts to fully one-third of the total marketing bill.

Mr. Chairman, I appreciate the attention and indulgence of the House while I have discussed the important legislation now pending. In conclusion I insert here as part of my remarks the two letters I have written to the President, heretofore mentioned:

U.S. House of Representatives,
Committee on Agriculture,
Washington, D.C., February 18, 1964.

The President,
The White House,
Washington, D.C.

Dear Mr. President: I respectfully call your attention to a serious error in your budget recommendations to the Congress for fiscal 1965. The budget would destroy effective research on facilities and efficiency in the marketing of food. Such research is important and indispensable to the interests of all Americans, as consumers of food.

Under your recommendations, money would be denied for research done through the Transportation and Facilities Research Division, Agricultural Marketing Service, in the Department of Agriculture.

This recommendation is so obscured in the overall budget presentation that I am sure it did not come to your personal attention prior to your submission of the budget message. I just now have been made aware of its significance, through protests I am receiving from over the country.

I am entirely persuaded that you were uninformed of this budget item by the very fact that it is contrary to your own expressions, in this and other messages, of interest in consumers and in research.

Marketing research is, indeed, important to agriculture, but it is of far greater urgency to consumers. In this connection I call your attention to the fact that the farm value of food purchased by civilian consumers in the United States increased only from $18.7 billion in 1947 to $21.3 billion in 1957 to $45.7 billion in 1963. And it is reasonable to assume that these marketing costs would have been several billions of dollars greater except for efficiencies encouraged and promoted through the research done by the Transportation and Facilities Research Division of the Agricultural Marketing Service.

The Congress, in the Agricultural Marketing Act of 1946, unanimously approved by both the House and the Senate, declared "that a sound, efficient, and privately operated system for distributing and marketing agricultural products is essential to a prosperous agriculture and is indispensable to the maintenance of full employment and to the welfare, prosperity and health of the Nation." It further declared it to be the policy of Congress to promote through research, study, experimentation, and through cooperation among Federal and State agencies, farm organizations, and private industry a scientific approach to the problems of marketing, transportation, and distribution of agricultural products similar to the scientific methods which have been utilized so successfully in the production of agricultural products.

Under this legislation the Secretary of Agriculture was directed "to conduct, assist, and foster research, investigation, and experimentation to determine the best methods of processing, preparation for market, packaging, handling, transporting, storing, distributing and marketing agricultural products * * * to foster and assist in the development and establishment of more efficient marketing methods, practices, and facilities for the purpose of bringing about more efficient and orderly marketing, and reducing the price spread between the producer and the consumer * * * and to determine the needs and develop or assist in the development of plans for efficient facilities and methods of operating such facilities for the proper assembly, processing, transportation, storage, distribution, and handling of agricultural products."

These functions are being performed by the Transportation and Facilities Research Division in cooperation with marketing firms and associations and State agencies.

Denial of funds for these functions would in effect repeal a significant part of the Agricultural Marketing Act of 1946.

When I became aware of the Budget recommendation on marketing research, I requested the staff of the Committee on Agriculture to look into the effect, and I am advised the proposed reduction in funds would eliminate the following work which has been highly effective in reducing the cost of getting farm and food products from farms to consumers:

1. Developing plans for and bringing about the construction of new wholesale food marketing facilities in many large cities, including Boston, Springfield, New Bedford, Providence, New Haven, New York, Newark, Philadelphia, Pittsburgh, Detroit, Chicago, San Juan and Milwaukee. In most of these cities urban renewal programs are dependent upon the completion of plans for relocating the wholesale food industry out of blighted areas. Annual savings in food handling costs resulting from this work are great. For example, if the facilities being planned in New York City, one $36,500,000 section of which is now under construction, can be satisfactorily completed and properly used, the savings in food handling costs in 2 months will equal all the Federal funds that have been appropriated for this type of research since the program began. The current appropriation for this type of work is about $250,000.

2. The assistance given through State Extension Services and State Departments of Agriculture in developing new and improving old marketing facilities in producing areas for such operations as assembling and packing eggs, processing poultry, assembling and slaughtering livestock, fruit and vegetable assembly and packing, and the storage of grain. With an appropriation of $100,000 per year, plans for 200 new facilities in 30 States have been developed during the past 5 years with annual benefits in lowered marketing costs amounting to many times the expenditure for the research.

3. Research to reduce the cost of handling cotton in warehouses which is saving about $5 million per year with a research expenditure of less than $25,000.

4. The research programs being conducted at East Grand Forks, Minn., and Presque Isle, Maine, to improve the work methods, equipment and facilities for handling and storing potatoes.

5. The work being done in Georgia to solve problems of drying, conditioning, handling, storage, and shelling of peanuts.

6. This work being done at Orlando, Fla., Fresno, Calif., and Yakima, Wash., to develop and evaluate shipping containers and consumer packages for many kinds of fresh fruits and vegetables.

7. A portion of the work being done to improve refrigerated transportation equipment for the handling of frozen foods and to find lower cost methods of transporting products from farms to consumers.

8. The program of improving the handling methods, equipment and facilities for grocery wholesaling, which has been instrumental in reducing gross margins 50 percent for these distributors and in making it possible for them to compete successfully with corporate chains.

9. The work to improve the efficiency of handling meat in retail stores which has

been an important factor in doubling the quantity of meat sales per man-hour of labor and offers promise of increasing labor efficiency by an additional 25 to 30 percent and bringing significant savings in the amount of equipment and space needed for performing the cutting, packaging and price-marking function.

10. The research to improve the handling of fresh fruits and vegetables in retail stores that has helped increase labor efficiency by 25 percent and which promises significant additional savings in the future.

11. The recently inaugurated program to reduce the cost of handling food through institutional wholesalers and public feeding establishments.

I mentioned earlier that this budget recommendation is contrary to your expressions upon research and consumer interests. I respectfully suggest also that it does not harmonize with your concern, expressed in the message on agriculture, about the concentration of control over the marketing of food in the hands of a few large firms. This reduction in funds for marketing research would eliminate the work being done by the Department of Agriculture to improve the efficiency of medium and small-size operators so that they may compete and remain in business.

Mr. President, I am aware of, and I admire and vigorously support, your broad objectives in behalf of consumers, and of small business, and in the field of research. A mistake has been made by someone advising you who does not understand the importance of the work done by the Transportation and Facilities Research Division of the Agricultural Marketing Service. I am sure you will want to correct this. I urge you to do this immediately, else the highly trained personnel of this research division will have scattered and it may be months or years before the efficiency and full value of this operation can be restored.

With high esteem and warm personal regards, I am,

Sincerely yours,

Harold C. Cooley,
Chairman.

Mr. HORAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Chairman, it is my sincere hope that I may both supplement and compliment the remarks of our chairman, the gentleman from Mississippi [Mr. Whitten], and others who may speak on this agricultural appropriations bill. As has been pointed out, we found ourselves confronted with a committee print containing certain provisions most difficult to understand in light of the circumstances.

One item was the administration's proposed reduction of funds for marketing research. In the justifications, the Department testified that their research in marketing has tended to reduce the margins between the producer and consumer, yet felt this work could be carried on by the industry—hence, proposed a cut in administration operations. Pursuant to making this statement, the administration pointed to the evils of vertical integration in the food industry and proposed an investigation of food chainstores. This cut, therefore, was difficult for me to digest. There is little doubt that much time and labor is expended in processing, packaging, and distributing foodstuffs after they leave the farm, but I do not think that investigation will do as much good as continued research on reducing the high costs involved after foodstuffs leave the farm. I am pleased that our subcommittee restored these funds.

All of us, of course, are interested in the proposed war on poverty, although it is somewhat reminiscent of other campaign slogans such as "the full dinner pail," and "a chicken in every pot"—slogans designed to attract votes in the name of prosperity. In this regard, we again found it difficult to understand the administration's proposed cut in funds for the Extension Service of some $2½ million over last year's operation. For, if there is poverty in rural areas, one of the best instruments at hand, as far as agriculture is concerned, is the Extension Service. Needless to say, our subcommittee here, too, restored these funds.

I think you will find our report factual and interesting. Beginning on page 9, through page 15, there is a spendid discussion of the long-range view of agriculture as it affects the consumer, and I commend it to your reading. On pages 15 through 19 there is a good discussion of agricultural imports, the plague of the American producer today.

It is the conviction of the majority of the members of the subcommittee that section 22 of the Agricultural Act of August 1935, has not been properly and aggressively used by the Secretary and the Department. You will find the salient wording of section 22 on page 16 of this report. I am convinced that our Nation should hold a high place in world trade, and we have hopes for all types of trade expansion where markets exist to justify such expansion. We are also well aware of the high cost of production here at home, and aware that these costs are due to the high standard of living enjoyed by American labor and management. We would not change this since it does make America the greatest market on earth. But by the same token, having made the American market the best in the world, the American producer is entitled to know exactly how much of it it has to share with other nations. To me this does not mean tariffs although the power is there. It does not mean "dump duties," employed so readily by other nations. But it does mean quotas, and section 22 was expressly written for the situation we have today on many commodities—beef, veal, and other meats offer flagrant examples.

And so, as we consider this bill today, it is hoped that you will take the occasion to review the report which accompanies it and that you will assist us in our efforts in behalf of the American farmer.

In the middle of page 13 there is a discussion of population which serves to bring up some noteworthy statistics, a few of which I would like to discuss briefly with you at this time. It is interesting to me to trace the movement of the center of population of this Nation since its founding. In 1790, the center of population was approximately 23 miles east of Baltimore. Through the years, that center has roughly followed the Cumberland Trail, the same trail that Daniel Boone and others used in their treks to the West. When the Agricultural Act of 1935, which this bill before you largely implements, was written, the center of population was just east of the Indiana-Illinois border. Today, it is on the outskirts of St. Louis, Mo.

There are several serving in this House today who were born when our total population was less than 70 million persons. It was 75 million when I was born. In 1930 the population was just over 123 million persons. When the Agricultural Act of 1935 was written, it was 127 million. In 1938, when the act was first amended, there were close to 130 million persons living in the United States. There were almost 149 million in 1949, when surpluses started to overflow our bins, and today, according to the Bureau of the Census, our population totals 192 million persons.

Here is an interesting paradox. In 1949 we were producing wheat, for instance, on almost 76 million acres and worrying about the prosperity and welfare of the wheat farmer. Today, despite the fact that our population has increased by over 43 million persons since 1949, we are producing wheat on only 53¼ million acres of overall effective allotments. We are still worrying about the prosperity and welfare of the wheat farmer. In 1949 we were producing cotton on almost 27½ million acres. Today, having reduced our cotton acreage by 10 million, despite the 43 million population increase since 1949 we are worrying about the prosperity and welfare of the cotton producer. On the face of it—something is wrong.

To me, this is not necessarily an indictment of what we have been doing for our farmers by way of price supports and security assurance, but it should raise some eyebrows among our economists. It should call for some agonizing introspection and reevaluation.

Basically, the program under which price supports function envisages the "ever-normal granary," a phrase attributed to and made famous by Henry Wallace when he was Secretary of Agriculture. It grew out of the old McNary-Haugen proposal to establish a corporation whereby the Government purchased enough wheat and/or other commodities on the open market to raise prices in the United States above those of the world market, and incorporated a lot of the thinking of other persons in the United States very much interested in this perplexing problem. The program as enacted planned to make price supports, based on the "parity formula," available for certain commodities—cotton, wheat, and others—to domestic producers in the United States with the provisions that when surpluses appeared, acreage allotments would be applied until production was brought into balance with demand.

During World War II this program worked to the great advantage of the American farmer, inasmuch as world production was disrupted and the demands were enormous. But beginning in 1949, 1950, and 1951, the serpent's head of surpluses began to appear, and the old problem of how to balance supply and demand through the operations of Government programs was with us again. Since then, the major stumblingblock has been how to reduce surpluses and still maintain some semblance of the support price principle.

The key to Ezra Taft Benson's program was the level at which the Government should be obliged to support prices. While Ezra Taft Benson is generally regarded to have been not too successful a Secretary of Agriculture, we must remember that he did have his troubles up here on the Hill, and whatever his failures, those of us in the Congress must assume some of the blame. His "flexible price support" even now is unpopular, apparently, only when considered in conjunction with Ezra Benson.

It is obvious that the key to Secretary Freeman's approach is that of reducing acreage. Freeman likes to call it "managed abundance," and I do mean "managed." Actually, the cotton-wheat bill recently enacted is somewhat of a combination of the Benson plan and a sizable reduction in acreage allotments—it could be called the Benson-Freeman formula.

State	Number of wheat farms	Farms signed up	Effective allotment		Total acreage diversion	Diversion payments
			U.S. total	On signed farms		
	Number	*Number*	*Acres*	*Acres*	*Acres*	*Dollars*
Alabama	6,826	181	62,591	3,446	1,120	7,860
Arizona	1,138	76	39,130	4,619	933	10,634
Arkansas	14,518	115	140,659	6,664	921	7,278
California	5,893	609	382.710	98,983	18,363	111,073
Colorado	22,365	5,482	2,403,878	942,005	137,477	782,368
Connecticut	78	2	310	7	1	7
Delaware	1,513	149	27,218	4,923	574	5,159
Florida	1,230	64	16,812	1,571	418	2.749
Georgia	19,939	3,258	128,999	32,642	15,185	106,132
Idaho	28,737	5,345	1,117,216	467,203	56,993	444,263
Illinois	132,956	9,429	1,699.700	226,548	26,687	252,128
Indiana	119,152	5,939	1,309,764	125,793	17,283	151,449
Iowa	13,534	1,152	137,032	36,614	4,280	32,259
Kansas	147,792	42,351	9,920,395	4,101,176	510,907	3,534,544
Kentucky	22,928	2,217	217,036	43,646	9,120	65,712
Louisiana	1,360	32	37,726	2,475	318	3,243
Maine	30	10	233	106	32	244
Maryland	13,356	247	165,689	7,470	1,135	9,798
Massachusetts	24	0	190	0	0	0
Michigan	113,452	8,318	1,129,418	135,891	35,282	300,358
Minnesota	64,535	13.230	951,207	368,654	44,330	335,841
Mississippi	3,180	66	55,019	4,251	565	3,946
Missouri	127,497	10,649	1,578,505	245,817	39,067	299.502
Montana	23,392	8,852	3,649 992	2,031,866	235,807	1,105,972
Nebraska	78,341	22,058	2,967.203	1,100,214	130,175	897,695
Nevada	469	30	15,900	2,272	327	2,852
New Jersey	4,335	355	50,632	9,663	1,788	17,694
New Mexico	4.696	909	429,454	193,642	29,586	163.027
New York	34,179	2,561	318,972	42,832	13,797	128,900
North Carolina	81,624	3,991	400,410	31,696	16,311	110,482
North Dakota	71,436	39,130	6,803,898	4,224,733	481,263	2,556,163
Ohio	136,171	11,193	1,555,110	221,242	35,931	282,900
Oklahoma	78,410	27,156	4,593,814	2,335,288	290,924	1,621,712
Oregon	16,395	2,569	792,253	451,515	54,346	521,938
Pennsylvania	73,026	3,520	569,362	42,710	13,579	107,662
Rhode Island	12	0	187	0	0	0
South Carolina	35,282	2,762	180,681	24,926	11,194	75,099
South Dakota	43,940	13,645	2,592,413	1,251,200	152,971	836,823
Tennessee	28,903	2,194	201,349	29,901	8,678	55,177
Texas	68,334	15,438	3,811,367	1,995,414	255,272	1,353,902
Utah	10,916	1,398	281,052	92,355	13,589	70,839
Vermont	61	0	429	0	0	0
Virginia	43,398	3,702	278,872	40,882	12,242	89.254
Washington	16,667	3,827	1,861,174	879,200	100,945	928,434
West Virginia	4,550	244	30,330	3.367	696	6,110
Wisconsin	10,412	531	56,800	5,496	1,454	13,122
Wyoming	3,529	933	285,216	102,342	13,206	67,571
Total	1,730,511	275,929	53,248,307	21,973,260	2,795,072	17,479,875

All of this management from Washington adds to the complexities of the problem before us. Some of our assumptions need deep analysis that we may seek, find, and inaugurate wiser policies for the good of all of us. The programs we have implemented are expensive to administer. Programs such as the commodity loan, marketing quota, and acreage allotment require policing, and the cost of administering these three programs alone is well over $200 million. I do not doubt that wise adjustments could trim costs measurably. But, we certainly should give consideration to far-reaching revisions to improve the welfare of our American farmer and our important food and fiber industry.

Two weeks ago Secretary of Agriculture Orville Freeman appeared before the House Agriculture Committee and asked the Congress to help diffuse the time bomb in the marketing revolution. This bomb if exploded, he said, "could carry away the family farm and with it our access to abundance at bargain prices." Please note: "our access to abundance at bargain prices." Mr. Freeman went on to recite facts on the flories of abundance from our farms. He was testifying in behalf of the establishment of a National Commission on Food Marketing, and much of his testimony was beyond the possibility of criticism. Mr. Freeman holds no greater brief for the family farm than I do, but he makes it sound awfully simple, and he touched on a field of investigation that I personally have been interested in for many, many years.

Good as a new commission on food marketing might be, I feel that a Commission To Preserve Opportunities in Tomorrow's Agriculture for Today's Young Men and Women could come up with facts and suggestions which might clear some polluted air and thus be of far more help.

Agriculture, agricultural engineering, and farm management are no longer solid choices of our students, even in our land grant and agricultural colleges. And, it should not be surprising that our young people do not see much future in these fields. However, we must remember that the average age of our active farmers is increasing, and it is at least pertinent to inquire where adequate replacements are coming from. Under "managed abundance" there is real interference with proper crop planning and overall farm management. A Commission To preserve Opportunities in Tomorrow's Agriculture for Today's Young Men and Women might find out how "danged" hard it is for a young man with a small equity to attain ownership of the land he farms as a tenant. It is an odd sort of involuntary servitude.

It so happens that I recently read Dr. Edward Higbee's stimulating book, "Farms and Farming in an Urban Age"—stimulating, that is, to anyone seeking basic answers to solutions of the farm problem. Dr. Higbee, of the University of Rhode Island, points out some interesting statistics—22 percent of our farms in America produce 72 percent of our food and fiber. They, really are the originators of most of our abundance; the remaining 78 percent produce but 28 percent of these commodities. This 78 percent, consisting of small farms, find it ever increasingly difficult to exist.

The problem is simple. In order to stay in production in the United States, the American farmer must mechanize, and if he mechanizes, he must have an investment in acreage and equipment that will justify mechanization. This means larger farms and it means heavy investment in tractors and other farm equipment and facilities.

This has been apparent for many years; it has been apparent to the Subcommittee on Agricultural Appropriations for more than two decades. We believe that an all-important function of the Farmers Home Administration is to help the promising and deserving young man of good character, who desires to remain in farming, to acquire what is called an economic unit. In this behalf, 2 years ago the chairman of our subcommittee and I joined hands in getting increases in the loan levels of the Farmers Home Administration for those properties which qualified for economic assistance. As far as I am concerned, this is the only practical way in which we can help the small farmer, or the so-called family farm. It makes very little sense to loan money to a man in a losing venture only to have him go broke faster.

Early in the 1950's I began persuading the economists in the Department of Agriculture to do research on what constitutes an "economic unit" in various types of agricultural production. I had in mind the creation of a manual of standards which could serve as "benchmarks" for the Farmers Home Administration in making loans. It was not easy, as Mr. WHITTEN and others on the subcommittee will remember, but finally, Dr. Sherman Johnson was persuaded to take up the task. I believe the results of this research have been well worth its cost. The findings were first published in 1957; due to the immense interest in them, they were revised 2 years ago; and the research still continues.

I would like to put in the RECORD at this point a series of four tables showing the investment capital and other factors necessary for the so-called family farm to net the various annual incomes of $2,500, $3,500, $4,500, and $5,500. I think you will find these tables well worth perusing in tomorrow's RECORD.

TABLE 1.—*Resources needed for specified levels of operator earnings, 8 types of farms in 15 areas*

Type of farm and area	Gross sales	Investment capital	Acreage		Labor required			Units of major enterprise
			Total	Cropland	Operator	Hired	Custom	
	Dollars	*Dollars*	*Acres*	*Acres*	*Hours*	*Hours*	*Dollars*	
FARMS BUDGETED FOR ANNUAL OPERATOR EARNINGS OF $2,500 [1]								
Dairy:								
Northern New Jersey	11,397	40,414	60	42	1,732	130	183	19 cows.
Southeastern Pennsylvania	11,055	37,325	54	30	2,358	123	106	Do.
Eastern Wisconsin	10,420	44,650	120	90	2,500	350	210	25 cows.
Southeastern Minnesota	9,275	42,231	139	102	2,146	----	442	15 cows, 21 feeders.
Central Utah	16,154	56,010	70	66	2,000	1,212	1,922	27 cows, 14 acres beets.
Willamette Valley, Oreg.	15,525	50,321	65	54	2,223	72	63	27 cows.
South Carolina Piedmont	9,587	26,183	55	29	1,370	60	269	15 cows.
Beef:								
South-central Oklahoma	18,874	162,307	1,908	95	2,500	100	533	212 cows.
Northern Nevada	15,038	86,479	2,583	349	2,083	500	----	175 cows.
Hog-beef, southern Iowa	10,809	43,137	206	194	1,806	----	----	11 sows, 21 cows.[2]
Wheat, Palouse area, Washington	11,406	38,200	200	191	----	----	3,786	191 acres wheat.
Cotton-wheat, Rolling Plains area, Oklahoma	26,454	115,864	1,267	989	2,338	730	6,092	314 acres cotton, 422 acres wheat, 90 stockers.
Cotton, Mississippi Delta	9,924	28,751	128	117	711	655	1,121	26 acres cotton, 91 acres soybeans.
Potato-general, southern Idaho	11,000	29,811	80	62	852	90	2,035	22 acres potatoes, 20 acres wheat, 20 acres alfalfa.
Apple, central Washington	14,580	52,000	25	18	1,628	1,436	1,764	18 acres apples.
FARMS BUDGETED FOR ANNUAL OPERATOR EARNINGS OF $3,500 [1]								
Dairy:								
Northern New Jersey	13,814	46,852	74	51	1,776	250	210	23 cows.
Southeastern Pennsylvania	13,388	42,655	65	36	2,500	253	132	Do.
Eastern Wisconsin	14,492	54,250	172	132	2,500	1,310	297	36 cows.
Southeastern Minnesota	11,895	56,783	210	154	1,981	----	577	19 cows, 71 acres corn.
Central Utah	17,839	60,607	78	74	2,500	1,003	2,101	30 cows, 14 acres beets.
Willamette Valley, Oreg.	17,825	55,702	70	62	2,500	134	72	31 cows.
South Carolina Piedmont	11,816	29,455	68	35	1,645	75	335	18 cows.
Beef:								
South-central Oklahoma	25,730	220,659	2,598	130	2,500	800	----	289 cows.
Northern Nevada	17,293	97,432	2,971	401	2,233	500	----	201 cows.
Hog-beef, southern Iowa	12,877	56,460	284	268	2,358	----	----	15 sows, 29 cows.[2]
Wheat, Palouse area, Washington	15,660	63,245	275	261	520	----	2.675	261 acres wheat.
Cotton-wheat, Rolling Plains area, Oklahoma	36,959	161,788	1,773	1,386	2,500	1,398	8,657	441 acres cotton, 591 acres wheet, 126 stockers.
Cotton, Mississippi Delta	13,285	35,797	172	156	952	877	1,502	35 acres cotton, 121 acres soybeans.
Potato-general, southern Idaho	15,626	43,026	100	89	1,080	1,160	232	31 acres potatoes, 29 acres wheat, 29 acres alfalfa.
Apple, central Washington	21,060	71,334	30	26	1,688	2,657	2,548	26 acres apples.
FARMS BUDGETED FOR ANNUAL OPERATOR EARNINGS OF $4,500 [1]								
Dairy:								
Northern New Jersey	16,287	53,734	89	59	1,935	325	240	27 cows.
Southeastern Pennsylvania	16,298	49,591	80	45	2,500	586	159	28 cows.
Eastern Wisconsin	20,209	72,600	240	180	2,500	2,850	396	50 cows.
Southeastern Minnesota	14,046	65,082	248	182	2,207	----	681	23 cows, 84 acres corn.
Central Utah	21,748	70,598	93	88	2,500	1,500	2,520	37 cows, 18 acres beets.
Willamette Valley, Oreg.	21,850	65,119	80	76	2,500	731	89	38 cows.
South Carolina Piedmont	14,045	32,726	81	42	1,919	99	401	22 cows.
Beef:								
South-central Oklahoma	32,852	280,422	3,314	166	2,500	1,510	----	369 cows.
Northern Nevada	19,367	106,977	3,327	450	2,370	500	----	225 cows.
Hog-beef, southern Iowa	19,646	70,712	367	346	2,500	632	----	23 sows, 42 cows.[3]
Wheat, Palouse area, Washington	18.540	72,845	320	309	615	----	3,168	309 acres wheat.
Cotton-wheat, Rolling Plains area, Oklahoma	49,228	225,147	2,500	1,954	2,500	2,869	11,116	469 acres cotton, 1,033 acres wheat, 164 stockers.
Cotton, Mississippi Delta	18,628	60,974	264	240	800	2,322	----	54 acres cotton, 186 acres soybeans.
Potato-general, southern Idaho	20,252	56,797	120	116	1,080	1,525	294	40 acres potatoes, 38 acres wheat, 38 acres alfalfa.
Apple, central Washington	28,350	93,875	40	35	1,700	4,058	3,430	35 acres apples.
FARMS BUDGETED FOR ANNUAL OPERATOR EARNINGS OF $5,500 [1]								
Dairy:								
Northern New Jersey	18,681	59,799	102	68	1,955	449	310	31 cows.
Southeastern Pennsylvania	19,797	59,163	97	54	2,500	996	192	34 cows.
Eastern Wisconsin	24,312	86,620	228	216	2,500	3,550	481	60 cows.
Southeastern Minnesota	16,196	73,379	286	210	2,431	----	786	26 cows, 95 acres of corn.
Central Utah	25,388	80,236	109	104	2,500	2,063	2,950	43 cows, 21 acres beets.
Willamette Valley, Oreg.	25,300	73,191	93	88	2,500	1,241	103	44 cows.
South Carolina Piedmont	16,274	35,998	94	49	2,193	104	427	26 cows.
Beef:								
South-central Oklahoma	41,399	353,147	4,182	209	2,500	2,500	----	465 cows.
Northern Nevada	21,439	116,523	3,684	498	2,500	500	----	249 cows.
Hog-beef, southern Iowa	24,912	88,683	465	439	2,500	1,470	----	30 sows, 53 cows.[4]
Wheat, Palouse area, Washington	21,480	92,435	365	358	856	190	807	358 acres wheat.
Cotton-wheat, Rolling Plains area, Oklahoma	62,103	282,408	3,155	2,464	2,500	4,264	14,022	592 acres cotton, 1,303 acres wheat, 207 stockers.
Cotton, Mississippi Delta	21,433	67,627	301	274	900	2,659	----	62 acres cotton, 212 acres soybeans.
Potato-general, southern Idaho	27,500	73,110	160	150	1,080	2,135	350	55 acres potatoes, 50 acres wheat, 50 acres alfalfa.
Apple, central Washington	36,450	119,015	50	45	1,700	5,702	4,410	45 acres apples.

[1] For budgeting assumptions, see appendix.

[2] Calves fed out on farm.

[3] 15 cows—calves fed out on farm; 27 cows—calves sold as feeders.

[4] 19 cows—calves fed out on farm; 34 cows—calves sold as feeders.

You will see that a beef producer in south-central Oklahoma requires an investment in excess of $353,000 to assure him a net income of $5,500 a year. You will see that a cotton-wheat farm in the rolling plains area of Oklahoma requires an investment of $282,408 to net $5,500 a year; an apple orchard in my home State requires an investment of $119,000 to net $5,500 a year. The very cheapest investment to produce the net annual income of $5,500 is roughly $36,000—this figure is for a dairy farm in the Piedmont area of South Carolina. Cotton, in the Mississippi Delta, requires nearly $68,000 investment to return $5,500.

The farmer today faces hard economic facts, and he is entitled to every break in the book.

You might be interested in making $2,500 a year on a farm. Well, on a dairy ranch in central Utah you would need an investment of $56,000; a hog-beef farm in southern Iowa would stand you just over $43,000. Your investment in Mississippi for cotton would be nearly $29,000. And so it goes.

The sad fact remains that farming is expensive, hard work, and for the small farmer under discussion here, far from rewarding—unless he derives his satisfaction from sustaining the ability of the consumer to "enjoy abundance at relatively low cost."

The sad fact remains that your farming neighbor, if he is to be successful, is no longer a clodbusting yokel. He is a businessman of the first water. I think we must treat him as such, deal with him as such, and write our laws and issue our regulations with the thought that the agricultural producer is a mature, capable American.

Dr. Higbee reviews his book "Farms and Farming in an Urban Age," in this year's March issue of the Reader's Digest in an article entitled "Farewell to the Small Farm." Since his conclusions in that article are succinct and representative of many economists writing on the farm program today, I shall conclude my own remarks by a comment on each of the points he makes.

He asks, "What then is the solution?" And he states:

> There is none that will not hurt some farmers and benefit others. We can sympathize with people who do not have capital to develop their land yet who cling to the soil "because we like farm life and we don't know what else to do." But they are trapped—no "farm program" can remedy their situation, and most of them know it.

Dr. Higbee continues:

> The real solution is twofold. First, we must end all programs of agricultural supports, price fixings, parity incomes, production subsidies, and the soil bank. This would restore the free market to farm operations.

Dr. Higbee, and there are others with him, would go all the way. He would wipe the slate clear of most of the things we have done in attempting to make price supports feasible through flexible loan levels and production controls. One cannot escape the conclusion that his first step is pretty drastic—he would return to the open market of the law of supply and demand.

There are many who think we must subvert the law of supply and demand and drench its heat with a flood of Government programs. Yet, despite all the Government we have, the influx of beef, pork, and veal on the present American market, depressing our own livestock prices, informs us that the law of supply and demand is still very much with us. And the return of production elsewhere in the world speaks loudly that the law is far from dead. As an agency in commerce, this law functions best in the open market. Our subcommittee has a history of spurring on the dead hand of Government. In the Commodity Credit Corporation, for example, it was this subcommittee, and especially our chairman, the gentleman from Mississippi [Mr. WHITTEN], that set up the sales office to help remove the stagnation from the bins, warehouses, and elevators controlled by the CCC.

Higbee continues, and I quote:

> Second, we must help marginal farmers prepare for jobs in industry; this means we must encourage industrial growth so that there will be jobs for them. Truly, the most critical problem of our time is a deficiency of city jobs, not a surplus of farm production.

Here he refers to that 35 percent of American farms—he says there are 1,300,000 of them—which gross $2,500 to $10,000 a year.

As a matter of fact, we are doing some of the retraining Dr. Higbee suggests, but in my opinion, a better solution for this group is to make the operations of as many of these farms as possible economically feasible. And, through the Farmers Home Administration, we are doing that in many instances. Actually, it is just in this group that I find those to justify a Commission To Preserve Opportunities in Tomorrow's Agriculture for Today's Young Men and Women.

Wherever possible, their farms must be made into economic units by ownership loans and adequate production funds.

Quoting again from the author of "Farms and Farming in an Urban Age":

> Meanwhile, third-class "farmers," the 1,600,000 who average 13 times more income from off-farm sources than from "agriculture," should be dropped from consideration as genuine farmers. Eliminating them from the official farm family is not a heartless suggestion. These people serve only as a padding in a census of agriculture. For the majority of them farming is a sideline. The few who really need jobs would be better off in industry, where someone else can supply the capital to create satisfactory opportunities.

There can be no question but that the whole so-called farm problem has been complicated by the inclusion of many who cannot, by any stretch of the imagination, be classed as "full-time," "potential full-time," or "commercial" farmers.

Dr. Higbee concludes, and I quote:

> Ending the futile subsidy and controls program would save the American taxpayers more than $5 billion a year. And it would accomplish two desired aims with one stroke: it would do away once and for all with the myth that price supports can be of real help to the small farmer, and it would signalize that at long last American agriculture had come of age, that it is a vigorous and self-sustaining factor in American life.

Well, I do not worry too much about what we may be spending on the American farmer. However, if our programs be futile, as Dr. Higbee states—or if our controls stifle the American farmer—that is another matter. If the aims of planning, as advanced in the original act, are not being met, if despite controls and vast increases in our population, the "ever-normal granary" remains elusive—then, I say we had better take a new and agonizing look.

If "managed abundance" means only the consumer's "access to abundance at bargain prices," I, as a representative of many hardworking farmers, must call for a fresh start—with more activity in the open market and less reliance on bins and regulations.

I believe our farm economists are analyzing these factors today, and I further believe our farmers are being properly quizzical, too.

It is manifest to me that the farmer of tomorrow is entitled to more than he is getting from political largess. Every mouth he feeds, every body he clothes, every soul he shelters, should be mighty glad he lives. Let him continue to serve you as faithfully as he has done, but please, let him have access to this great American abundance, too.

Mr. HARVEY of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HORAN. Yes. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. I do want to compliment the gentleman from Washington on his very excellent treatise that he has presented. Certainly it is a fine commentary on a most difficult problem. I know because of our mutual interest that the gentleman has given a great deal of thought, not just in this past year, by the way, but through the years to this problem. Again I want to compliment him for having made the statement that he has made here to the committee, and I hope it will be possible not only for all our Members to read and study it but that it will get wide coverage in our papers and publications.

Also I want to thank the subcommittee for the usual fine work that they have done. It is a long, tedious, and in many instances I know a thankless job that they assume, but they have come up with a good report that is in keeping with their usual pattern.

Particularly I would like to comment on two or three items that are probably not of great significance, yet which in certain areas I think are important. One is, I note that you have continued and indeed increased the funds for engineering for Public Law 566, the Small Watershed Act. If there is any one item I think that offers more to preserve and conserve our natural resources than the Soil Conservation Service, and particularly Public Law 566, it is this item. Therefore, I am very grateful that the committee has given attention to this need and taken care of it.

I was also particularly impressed with that part of the report which dealt with beef imports and the use of sections 22 and 32 funds. The recommendations of the committee there are sound, I believe. They indicate indeed that very urgent action should be taken by the Department to help to alleviate the condition that is affecting not only the beef industry but the entire meat industry.

In closing I would like to ask the gentleman, if I might, a question.

On page 3 of the report there is some language that I am not just exactly sure as to the meaning. Apparently it is saying in essence that the committee is objecting to some of the present uses of Department funds with relation to agricultural activities abroad. Could any of the gentlemen on the committee illuminate this subject?

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the chairman of the subcommittee.

Mr. WHITTEN. We have had assurance that these funds created abroad—I believe about 90 percent of them—are not subject to the appropriation process of the U.S. Government. Since we cannot bring that 90 percent back here and control it, it has been thought that any use of it for research purposes, for instance the hoof-and-mouth disease, which we do not want to let loose in this country, or in many other areas, or even in promoting foreign markets was a good use. Since the money cannot be spent in this country and we cannot bring it back and appropriate it here, it has been our feeling that any use which is legitimate and offers a real hope to promote markets or give the answers to research problems such as where we we do want a disease brought back here, was a good use. At the same time I believe it was last year that we directed they keep our committee advised of these uses so that we would have some chance to pass judgment on that use and value.

That is a general answer, but by and large that is the way we deal with it.

Mr. HARVEY of Indiana. I find no fault with that, let me say. I think it is a fair evaluation of the problem. We do have in some countries vast quantities of money derived there from sale of surplus foods and which are tied up in the currency of those particular countries and, as the gentleman so adequately stated, which we cannot unfreeze. Any use that can be made of it which will not only properly benefit our markets in that general area but which may alsc be of educational benefit to the country where these funds are frozen.

I might say I happen to have a personal interest in this type of thing, because we had the privilege of having in our home for a year one of the first young men who came to this country as an exchange student for special training and guidance. He being a native of Brazil, went back to Brazil, in South America, where he is today one of the leading poultry men in that area.

I mention this not because of our part in it but because of the fact that he was almost like a son to us in our home. I have followed his efforts closely in the succeeding years and in the uprising that we observed in Brazil not too long ago, the efforts of not only this young man but others of that type who had the advantage of training here and who have gone back and helped to establish similar examples of our free enterprise system in Brazil; our hemisphere avoided a very close call so far as Brazil falling into the Communist camp was concerned.

Mr. Chairman, I should like to say in conclusion that I do favor a proper use of these counterpart funds in the countries where they are presently more or less frozen. I know that in a discussion with the gentleman from New York [Mr. ROONEY] recently, when the appropriation bill for the Department of State was before the House, he indicated that he thought I was advocating a permanent freezing of these funds. That is not the case, but I do know that the first and foremost use of these counterpart funds has been for paying the running costs of our Embassy in the particular country. That is fine. But in many cases the amount of the fund is so great that it would take 100 years to use those funds if that were the only purpose to which they were put.

Mr. Chairman, I compliment the subcommittee on this occasion for the interest they have taken in and the consideration they have given this matter. Although this is really not within their province, in a way, yet unless they do follow up and ask for some kind of an accounting of the use of these funds I am fearful that that will not be adequately done.

Again, I want to thank the subcommittee for their effort in this matter, and I appreciate having a clarification of the statement in the report.

Mr. HORAN. Mr. Chairman, if I may comment on that statement, I should like to say that it is physically and financially impossible for us to use the soft currencies that we have accumulated in India. It is just physically impossible for us to do that. A study has been made showing how much of their currency we have, and it is like a $35 billion mortgage on the United States. So you can see the enormity of the problem in the amount of the currency that we hold in India.

Mr. HARVEY of Indiana. That is correct.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from New York.

Mr. HORTON. Mr. Chairman, I should like to commend the gentleman from Washington [Mr. HORAN] for the fine and comprehensive statement he has made on this very difficult problem that faces all of us in America in dealing with the problem of agriculture. Also I would like to commend him and the other members of the subcommittee for the excellent work they have done in bringing this bill to the floor.

Mr. Chairman, I would like to comment briefly on the section of the bill before us dealing with appropriations for the Soil Conservation Service. Because the Committee on Appropriations has recommended a restoration of funds for this program, I feel this action should be noted and commended.

In its budget estimates, the administration attempted to cut back this important work by reducing the technical personnel complement. Should such a reduction be put into effect, certain regional offices would have to be closed and there would be fewer soil conservation technicians available to aid local cooperators in carrying out conservation practices.

When I became aware of this planned reduction, I received permission to appear before the Agriculture Subcommittee of the Committee on Appropriations in order to urge that these funds be restored. In my testimony, I asked that the program of the Soil Conservation Service be protected by approving sufficient funds to assure the unhampered continuation of this important program.

The manner in which the Federal Government encourages sound soil conservation through the Department of Agriculture's Soil Conservation Service has my enthusiastic endorsement. The ultimate benefits to our Nation in conserving our most precious natural resources—the land—exceed by many times the taxpayer investment. Limited largely to technical counsel, the program of the Soil Conservation Service promotes wise land and water utilization on the basis of voluntary cooperation by those who recognize the value of conservation.

Mr. Chairman, I think the interests of conservation have been served by the action of the Appropriations Committee in recommending the restoration of funds for the Soil Conservation Service. By recommending enough money to cover the mandatory pay increases for personnel so that an absorption of this amount which would result in force reduction is not required and by recommending funds to provide proper technical help to the 28 new soil conservation districts that are expected to come into being in fiscal year 1965, the committee has performed a significant service.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I, too, want to compliment the gentleman from Washington [Mr. HORAN], on a very fine statement, and also the gentleman from Mississippi [Mr. WHITTEN], for a job well done. I am especially impressed always, every year, by the report which accompanies the Agriculture Department appropriation bill.

That report has always been and is this year a most enlightening one. It explains why the committee did this and why they did that on almost every large item which is contained in the bill.

Mr. Chairman, I do wish to also compliment the committee and every member of the committee for the reductions which they have made. While I can readily understand, it is rather difficult to make big cuts in this bill because of the nature of the problems involved. Also I wish to compliment the committee for the nominal increases for which the bill provides in soil conservation, watershed operations and other needed operations of this Department. These represent modest increases but are very necessary and proper.

Again, Mr. Chairman, let me say that I do appreciate the many, many long weeks and months that the committee must sit each year and listen to hundreds upon hundreds of people from every section of the country who come before this committee to testify.

Mr. Chairman, I believe that the members of this subcommittee and the full committee have done a yeoman's service to this country and to agriculture, the basic free enterprise industry of America. Let us never forget that agriculture is the basis of all our new wealth. All wealth must spring from the soil annually, and unless we look after our precious soil and the resources of the farmer then our country will not survive for long.

Mr. Chairman, I thank the gentleman from Washington for yielding.

Mr. HORAN. Mr. Chairman, I would like at this point to compliment the distinguished chairman of the Subcommittee on Agricultural Appropriations, the gentleman from Mississippi [Mr. WHITTEN], on this report. This is the longest report we have had. I would like to join with him in paying a compliment to Mr. Ross Pope who has worked so hard on this bill and on this report.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield to me?

Mr. HORAN. I yield to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. May I say that this report reflects many years of experience on the part of the gentleman from Washington and myself, the gentleman from Kentucky [Mr. NATCHER], and every other member of the committee, as well as our very fine staff member, Mr. Ross Pope. We have gone to great lengths in an attempt to bring together the pertinent matters pertaining to this bill and to agriculture generally about which people should know.

Mr. Chairman, as I said, in my extension of remarks I expect to include a part of or practically all that is contained in the report as a part of the RECORD.

May I say that the entire country is indebted to my colleague the gentleman from Washington [Mr. HORAN] for stressing the points which I sometimes tend to overlook. WALT HORAN's standing in agriculture and in Congress is well recognized and I take pleasure in saying for the record at this point that he has rendered extremely valuable service to the farmers of America as well as to the consumers of this country during his service on this committee.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Chairman, I think it would be most unfortunate if the Congress approved the change in appropriation language which the administration has requested so as to terminate interest after the close of each fiscal year, effective June 30, 1964, on Treasury borrowing, in an amount equivalent to the realized 1964 losses of the Commodity Credit Corporation and of succeeding fiscal years, and also to the unreimbursed losses of prior fiscal years.

This precedent of waiving interest violates the charter of the Commodity Credit Corporation, but is especially ill advised because it constitutes more backdoor spending and would bypass the normal appropriations procedure. It would effectively cover up the true cost of agricultural programs and open the way for other agencies of Government to seek the same privilege of borrowing funds from the Treasury on an interest-free basis.

Furthermore, forgiveness of interest is a wide-open invitation and puts a premium on postponing the appropriation of funds to reimburse the Commodity Credit Corporation for its net realized losses.

Mr. Chairman, I oppose to the utmost this proposal and I want to point out that this proposed fiscal irresponsibility is tied in with a budget request of the President which leaves $930.9 million—nearly $1 billion—of the Commodity Credit losses to be restored in future years.

Mr. Chairman, the policy of putting off reimbursement of Commodity Credit Corporation losses until future years may give an appearance of austerity, economy, and thrift, but it is wrong and in my view, downright dishonest.

In this bill, the House Committee on Appropriations has gone along with the President and has only allowed for a partial reimbursement of the $2.654 million net realized losses of the CCC. The bill only appropriates $1.724 million, leaving the balance of $930.9 million for some future time.

To me, as I say, this kind of accounting is not proper. I think the American people should realize the way this administration is creating a false mantle of fiscal austerity. Here is a $1 billion coverup. I think this and the proposed waiving of interest on Treasury borrowings is reprehensible.

Mr. Chairman, this is worse, if possible, than the old system of restoring impairments and making up losses of the CCC by cancelling its notes to the Treasury. It is worse because when $3.290 million of those cancellations took place, only one committee of the House was party to that policy, but now we find as a party to it the Committee on Appropriations, the committee which, under the Constitution, is called on to safeguard the Treasury of the United States.

Mr. Chairman, I hope the Congress will act responsibly and appropriate the full amount of the losses. This is a dangerous policy. It is a policy of planned imprudence. It is wrong and has all the earmarks of election-year budget juggling.

Mr. Chairman, this year's agricultural appropriation bill contains a misinforming, misguided, and mistaken new policy of postponement to future years of restoration of Commodity Credit losses—$1 billion, almost, this year—and the policy of forgiveness of interest on its deferred unpaid Treasury borrowings. This is a bonanza provision for President Johnson's bureaucratic budgetbusters in the Department of Agriculture.

Mr. HORAN. I want to reiterate what my chairman has said when he made his remarks. We are aware that all of the restoration has not been made here, but we felt under the circumstances it is better to bring the bill here to see what happens. If circumstances arise, we will have to restore those funds in order to enable this corporation to function.

Mr. MARTIN of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. Mr. Chairman, I received an article this morning taken from the Hastings, Nebr., Daily Tribune of Saturday, May 16, 1964, the headline of which reads: "Blue Hill Residents Begin Working on Recreation Area To Include Golf Course, Picnic Area, Swimming Pool." The article goes on to say that they have received approval of the Farmers Home Administration to obtain a $104,000 loan to help finance these facilities.

Is it customary for this agency to make loans in this area for recreational purposes?

Mr. HORAN. Not to my knowledge. I do not know whether the gentleman from Mississippi [Mr. WHITTEN] has any comment to make on that or not.

Mr. WHITTEN. We have had a new program in the last 2 years providing for this sort of thing in a limited way. Our committee, as we went along, held these two programs to last year. We did not go along with the budget increases. We insisted that it be financially sound. We have rather condemned that type of thing throughout our hearings.

I do not have in front of me the new legislation, but may I say that type of loan is eligible from the Small Business Administration. Sometimes there is a question of whether rural people should not have the same privileges as others. But with that kind of argument this committee left it at the last year's level, and did not go along with the budget estimate. The type or thing the gentleman mentioned is the first I have heard that the Home Administration has made such a loan.

Mr. HORAN. We have had these items come up to our attention before, and we have attempted to excoriate them and to point out if we have a healthy community it can build its own golf course, they do not have to come to the ARA or Farmers Home Administration, or REA. If they want to play golf at night presumably they can get a loan from REA, since it will increase the income of whoever supplies the electricity. I think this is a misuse of Federal funds.

The first thing the Department of Agriculture has to do is to make our rural communities healthy and prosperous; then they can build their own golf courses. It is not our job to use the taxpayers' money of the 192 million people in the United States to build a golf course even in so lovely a place as Blue Hill, Nebr., and I mean that.

Mr. Chairman, I include as part of my remarks the following news item from the Hastings Daily Tribune previously referred to:

[From the Hastings (Nebr.) Daily Tribune, May 16, 1964]

BLUE HILL RESIDENTS BEGIN WORKING ON RECREATION AREA TO INCLUDE GOLF COURSE, PICNIC AREA, SWIMMING POOL

BLUE HILL.—Work has begun on the 70-acre tract planned for a recreation area along

Highway 281 adjoining this town on the east.

Plans for this improvement were formulated a year ago and the Blue Hill Improvement Corp. was formed to promote the project.

HAS 200 MEMBERS

The organizaton has some 200 members and has complied with all stipulations set forth to get the approval of the Farmers Home Administration to obtain a $104,000 loan to help finance the facilities.

The various contracts have been let; excavation of the clubhouse basement has been started; and Bill Kort, president of the corporation, says "go" is the word from now until completion. Kort reports that the general contract was awarded to Axel Olin of Hastings, the heating; and Darrel Stromer the mechanical contract; Krieger Electric of Hastings, the wiring; Henrichs Sheet Metal of Hastings, the heating; and Darrel Stromer Land Leveling of Juniata, the golf course earth work.

The completed project will have a nine-hole golf course; picnic area; swimming pool, and clubhouse in which will be a bathhouse.

In addition to these there is ample room for an archery range, or other sports projects that may be needed. Plans for the golf layout were by Harry Obitz, Red Cloud professional, and will be a 3,197-yard, 36-par-course.

CORPORATION OFFICERS

Corporation officers are William Kort, president; Ed McBride, vice president; Floyd Sawyer, treasurer; and Sherrell Grose, secretary; all of Blue Hill. On the board of directors are Don Classen and Merle Anderson of Ayr, Vernon McKinney of Rosemont, Ira Slater, Charles Courtright and Woodson Bentz of Blue Hill, and Bob Johnson of Bladen. Don Richeson of Blue Hill is club manager.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Illinois.

Mr. FINDLEY. The gentleman was discussing restoration of funds to the Commodity Credit Corporation, as provided in this bill, and I take note of the fact the restoration is not for the full amount, it is $950 million less.

Mr. HORAN. Yes. The chairman so stated when he opened his remarks on this bill.

Mr. FINDLEY. In that connection I wonder how the gentleman can explain the fact that the uncommitted inventory of Government corn as reported on May 8 is over 200 million bushels higher than it was a year ago. This indicates a rising level of inventories. I am wondering if the USDA is fully informing this body about the need for capital funds in the Commodity Credit Corporation. Is it not very likely that due to this trend and rising level of uncommitted inventories, if it continues, they will have to come back for more money? Maybe right after election day?

Mr. HORAN. Maybe before the end of the fiscal year. We know that this is not a final report. We do not run the Commodity Credit Corporation. All we do is to pick up the checks in your name. But I do want you to know that we try to be diligent as well as vigilent in the use of these funds.

Mr. FINDLEY. I understand about 2 weeks ago the Commodity Credit Corporation sold some of its mortgage paper to New York banks in order to raise about $100 million. I am wondering if that is the experience and general policy of the Commodity Credit Corporation or not.

Mr. HORAN. Oh, yes, they do. If they can finance outside of borrowing from the Treasury. Of course, that does not figure against the national debt and we are very happy about that.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman.

Mr. WHITTEN. May I say I was unaware of the facts the gentleman mentioned. But the only time in the years I have been on this committee that I have ever seen that happen, and any reason for it, is when you reach the debt ceiling. In years past under both administrations, when the Federal Government had reached the debt ceiling, this outside borrowing of the Commodity Credit Corporation, and I do not know why, is not counted against the debt ceiling. But if its capital stock is fully depleted it cannot borrow from outside any more than they can from the Treasury.

Mr. FINDLEY. This is a means of circumventing the public debt ceiling, in other words?

Mr. WHITTEN. That is right and it has been used in times past and may I say never with the approval of this subcommittee—but neither were we asked.

Mr. FINDLEY. May I ask if this type of fiscal procedure does meet with your approval as chairman of this subcommittee?

Mr. WHITTEN. As I say, we have never been asked nor have we ever approved of it. But I would say for the record, you have a conflicting directive in the laws. One says that you must support commodities and another says you may be in trouble if you do not have funds to meet the problem.

Mr. HORAN. I think this can be said, if you will let me add to this, and I think it should be, that when you fail to add to the national debt up to a point you are doing a good thing because it tends to be, as I see it, less inflationary than adding to the national debt. However, the banks who advance funds when they claim them, then it figures against the national debt.

Mr. FINDLEY. Would you not agree with me that the Secretary of Agriculture has a wide range of discretionary authority in establishing the level of price supports and he could anticipate these fiscal problems of the Commodity Credit Corporation and lower the level of price supports and thus partially meet the problem, is that not true?

Mr. HORAN. I think he has tremendous power over the American farmer.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman.

Mr. NELSEN. Earlier in the discussion, we referred to section 32 for the purchase of agricultural commodities in the event of a slump in price occurring, and also section 22 where the President on the advice or recommendation of the Tariff Commission and the Secretary of Agriculture could impose tariff restrictions. Under the language of this report, it would appear to me that the authority already is there without the enacting of legislation that we have discussed; is that not true?

Mr. HORAN. It is already in the law and that is the reason we put it in the report. There are both fees and quantitative restrictions, which means quotas.

Mr. NELSEN. I thank the gentleman.

Mr. WHITTEN. Mr. Chairman, I yield 10 minutes to my colleague on the committee, the gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. Mr. Chairman, the Subcommittee on Agriculture of the Appropriations Committee once again brings to the floor of the House for your approval the annual appropriations bill for the Department of Agriculture.

We recommend the sum of $5,182,665,000 for fiscal year 1965. This is $1,059,632,215 less than the amount appropriated for fiscal year 1964 and $399,594,600 less than the budget estimates for fiscal year 1965. This bill provides the necessary funds for the operation of the Agriculture Department's activities.

Agriculture takes the largest new obligational authority reduction of any department in our Government for fiscal year 1965. Commerce has an increase of $122,809,000; Defense has a reduction of $56,454,000; Health, Education, and Welfare has an increase of $1,546,707,000; Interior has an increase of $28,925,000; Justice has an increase of $23,576,000; Labor has an increase of $360,052,000; Post Office has a reduction of $103,699,000; State has a reduction of $58,459,000; Treasury has an increase of $519,685,000, and Agriculture has a reduction of $1,305,850,000.

Agriculture and the American consumer are today faced with two pressing problems which must be given immediate attention. One pertains to the problem confronting the tobacco producers, processors, and millions of consumers as a result of the recent report of the Surgeon General on "Smoking and Health." The other problem concerns the effect present publicity is having on the producer and consumer with regard to the use of insecticides and pesticides.

Tobacco is produced in 21 States and has been a major agricultural commodity throughout the years. It is the fifth largest income producing crop to farmers. This commodity provides some $3.3 billion in taxes to our Federal, State and local governments and is an $8 billion industry. Our producers receive about $1.4 billion per year for their tobacco.

When tobacco is in trouble my home State is in trouble. Approximately 46 percent of the total farm income from agricultural commodities in Kentucky is received from tobacco. Production of tobacco throughout the United States involves over 700,000 farm families and over 100,000 factory workers. Kentucky is the second largest producer of tobacco in our country.

We are very much concerned about tobacco today not only in Kentucky but in all of the 21 States which produce this commodity. We must immediately expand the program of research into plant breeding, culture, production, and handling of tobacco. We must include studies of the factors which may be detrimental to health and ascertain as soon as possible those quality factors and other characteristics which will preserve the desirable characteristics of tobacco and eliminate any factors which may be detrimental to health.

Because of the implications to the health of the consumer from use of tobacco with insecticidal residues, there is a continuing and urgent need for safer and yet more effective methods of control of insect pests of tobacco. Additional studies must be made on the effect of methods of application of insecticides.

In testifying before the Tobacco Subcommittee of the House Committee on Agriculture on January 29, 1964, Dr. Luther L. Terry, Surgeon General of the Public Health Service of the Department of Health, Education, and Welfare, stated in part as follows:

> The third research category is how to make smoking safer. There are a number of approaches which are feasible and definitely need increased support. We need to know much more about the substance in tobacco smoke which produced the health hazards. Until we know more in this area, we will be handicapped in our efforts to remove the hazard. It is difficult to design a method of removing something if you don't know what it is. For example, you know substances in tobacco smoke can account for only a small portion of its cancer-producing power. We have no real clues as to what it is in tobacco smoke that influences coronary artery disease; if indeed it does. This would seem to be a fertile field for research, such as that proposed in the resolution now before this committee. In this specific context, I am sure the committee will realize that I must speak with some caution and reservations, since I am not an agricultural or horticultural expert. I still feel, nevertheless, that I can wholeheartedly support additional research of the types which the resolution would authorize and direct.

Dr. Terry also stated:

> It is well known that strains of tobacco differ quite widely in various constituents. It is well known the levels of some of these constituents influence the amount of hazard dose or potentiality hazard dose substance in tobacco smoke. I would give a great deal to know whether the types of tobacco used for pipes and cigars have anything to do with the lesser hazards associated with these modes of tobacco use. If tobacco behaves as other vegetables, I am sure that the amount of some of its constituents will vary with the conditions of the culture, soil, climate, fertilizer, and other agricultural practices. This suggests, however, another area of research. Any vegetable material, when burned under the conditions prevailing when tobacco is smoked will produce hazardous substances. Coal, oil, paper, even spinach, all produce benzopyrene, a potent cancer-producing substance when burned.
>
> The efficiency of the combustion process makes a marked difference in the amount of this chemical in the smoke. As a matter of fact, most of the cancer-producing compounds identified in cigarette smoke are not present in the native tobacco leaf, but are formed during the burning process. These facts suggest that it will not be enough simply to develop better strains of tobacco and better methods of cultivation; we must also develop better methods of preventing the formation of these substances during the burning of tobacco, as well as of removing by filtration or other means the hazard dose substances that are formed. Both of these areas are promising after news for further development and have the potential of making smoking safer. It is well known that cigarettes can now be produced which yield quite low amounts of tars and nicotine, either by selection of the types of tobacco, by filters, or other means. It is relatively easy to measure this quantitatively. What isn't so well known or so easy to measure is the biological significance to man of the substances which do come through. Tobacco smoke is an exceedingly complex mixture of many different substances. It is not the amount of tars and nicotine produced that counts, it is the type and amount of hazard dose substances that get into a man that is important.
>
> In summary, gentlemen, the action which I have outlined has the common purpose of avoiding or minimizing the intake of hazard dose substances by the American people. Action on many fronts is urgently needed. The Public Health Service intends to do what it can. This important and complex problem also calls for appropriate action by other Federal agencies, by State and local agencies, by nongovernmental organizations, and by the tobacco industry.

Some good tobacco research has been done but much remains to be done. Our tobacco industry has reached the point where more basic fundamental research needs to be done in production, quality, utilization, and distribution.

Perhaps the most urgent need in all types of tobacco is improvement in quality. Quality is maintained with accurate environmental control in the curing and aging processes. Thus, quality depends on the total of all factors of production, processing, and aging. Essential knowledge for producing high-quality tobacco of all types, with minimum human effort and cost, should be sought through expanded programs in all areas of tobacco research. Fundamental studies of the uptake and utilization of nutrient elements need to be expanded.

We now have available in Kentucky adequate facilities for an expanded program for tobacco research.

In 1960 the Legislature of the Commonwealth of Kentucky appropriated $1 million for an agricultural research building and this amount was increased during construction until the total cost of the building amounted to $4.5 million. This is a large four-story building with thousands of feet of floor space made available for this purpose. With the research facility we have the hothouses and headhouse used in connection with such facilities. In the immediate vicinity is located an $11 million medical research facility. These facilities are under the control and operation of the University of Kentucky in Lexington and are now available to accommodate an expanded agricultural-medical research program.

Mr. Chairman, time is of the essence and we must move now. To meet this emergency we must immediately use existing facilities which are available.

Our people at the University of Kentucky have the facilities and are ready under the direction of the Department of Agriculture, to join forces with the Department of Health, Education, and Welfare, private industry, or any other organization or group, anywhere in the United States, to bring about an adequate research program for tobacco which will protect the consumer of this country and preserve the large tobacco industry of this Nation.

In order to be successful, we must have the cooperation of the Department of Agriculture, the Department of Health, Education, and Welfare, and private industry, to determine the properties of tobacco which may affect the health of smokers and to develop means to eliminate any harmful substances which might be found. We must find the answer to this problem as quickly as possible to prevent economic ruin for our producers, substantial losses of revenue to our Government, and possible injury to the health of our people.

Mr. Chairman, we include $1,500,000 of section 32 funds in the appropriations bill for fiscal year 1965 to enable the Department to immediately initiate tobacco research at the University of Kentucky, in Lexington, Ky., and urge the Department of Health, Education, and Welfare, and other public and private organizations, to join with us and to contribute to a concerted approach to this urgent research need.

Insecticides are the material used to kill or repel insects. They are derived mostly from minerals and in some instances obtained also from plants.

It is estimated that about 7,000 species of insects in the United States attack growing crops, stored grains, woolen clothing, wooden buildings, domestic animals, and even man himself. The damage caused is well over $2 billion annually.

Chemicals that we use as insecticides are mainly poisonous so that we must be careful. There are many regulations established by law and administered by the Government that give great protection to the people, and if chemicals are used in the way in which they are approved for use by the Government, they will be safe.

Today we are treating 100 million acres of cropland with chemicals for weed control. Weeds must be controlled if crops are to be grown. Before we had the chemicals to use, control was solely by a machine or manual cultivation. Chemicals are a means of saving labor, making our production much more efficient.

It is possible to control weeds by cultivation and keep them under control. The labor cost, however, is prohibitive. If we can do the same thing with chemicals at an economical cost, we must do it. However, when a chemical is approved for use, it has to be shown that it is safe to the user, it is safe to the crop or livestock involved, and it will not leave residues that will be harmful to either people or animals.

We have many insects that must be controlled, such as the Japanese beetle, Mediterranean fruitfly, pink bollworm of cotton, Gypsy moth, imported fire ant, and others.

Insects build up a resistance to insecticides. There may be some physiological functions in the insects that enable them to develop resistance because, as we know, certain mosquitoes thrive on DDT now, and formerly DDT would kill them very quickly. This is one of our main problems in agriculture. We do not use chemicals to control plant diseases to any great extent. Our usual practice is to breed a plant that is resistant to the disease.

If a chemical is used according to regulations, it is safe.

If not used according to regulations, then in a great many cases the product is seized by the Food and Drug Administration and this takes place quite often.

Insecticide deposits and insecticide residues are not always synonymous terms. The word "deposit" logically should be retained to refer to the insecticide chemical as initially laid down on a plant or animal surface by the treatment, whereas the word "residue" should refer to the chemical regardless of the locale on or within a substance and with the implication of aging by time lapse or alteration. It follows that a deposit becomes a residue as soon as it has been affected by weathering, by metabolic conversions or by other processes that may cause migration or degradation. Penetrating residues of insecticides tend to disappear or decompose at a constant rate which is a function of concentration.

As emphasized by many competent scientists in this country, there is no significant evidence that suggests that the general population, who benefit considerably from the judicious use of these chemicals, is at all adversely affected by the toxic properties possessed in varying degrees by insecticide and acaricide chemicals.

New developments of resistance among insect and mite species are increasing out of proportion with the rate of development of new chemicals. Control by chemicals can remain effective if new types of chemicals are evolved and to which the insects cannot readily adapt, and with improved understanding of the mechanics of resistance so that specific chemicals may be tailored to circumvent the normal pathways of resistance.

Insects inhabiting the soil do some damage in every cultivated field throughout the world and in many fields they may completely destroy the crop.

In recent years enormous progress has been made in protecting the public from the hazards of pesticides. Existing laws, both Federal and State, surpass the hopes of reformers and public health experts of a decade ago. In many instances additional pesticide control laws are not necessary. What is necessary is increased public awareness of the controls that already exist. The risk of harm from improper use of pesticides, the risk that animals, birds, and fish may suffer by carelessness in the use and spraying of pesticides.

Pesticides are good friends and if properly used are a tremendous boon to the farmer. Without them our bountiful agriculture would be 25 years behind the times.

Misuse of chemicals, as a general rule, is use of a larger quantity than recommended—for instance, if 2 pounds per acre is recommended and a farmer uses 7 pounds. We must have chemical sprays for use on the farm. If we attempted now without sprays to produce as we did a number of years ago it would require 26 million farmworkers to produce the same amount that 5½ million produce today.

The price of food would be higher, without any question.

The allowed tolerance in use today is low enough so that we can feel safe. In addition to our pesticide control we are, with research today in the Department of Agriculture, breeding insects so that they will pass on to their progency a lethal factor. Another is the producing of parasites that will attack the insects, and still another is breeding plants that are resistant to insects.

In the years ahead we must be able to produce twice as much as we produce today per acre in order to keep up with our population growth. This means that through chemicals or some other means we must learn how to obtain that doubled production.

Since I have been a member of this committee I have seen releases destroy the cranberry and capon market. The press releases caused excitement and concern among our people, and were not justified.

We have provided funds in this bill for the Department which should go a long way in bringing about a better understanding and working agreement with the Department of Health, Education, and Welfare and the Department of Interior. We should have no more premature releases and our people should not only be fully protected but have a better understanding of pesticides and the part they play in food and fiber production in this country.

With a good working agreement in the departments of our Government and with the assistance of the President's Science Advisory Committee and the National Academy of Sciences we can continue to safely use pesticides and face the demands of the future with the knowledge that our farmers will be able to produce the food required by our people.

Last year we appropriated the sum of $1.5 million for use in constructing a regional weed research laboratory. If we are unable to use insecticides and pesticides then this research facility will be useless. Weeds and insects must today be controlled if we are to produce the food and fiber to take care of our people.

We recommend the budget estimate of $1.5 million under section 32 funds for fiscal year 1965 for an expanded research on use of pesticides and control of insects and pests, and also recommend such amount as may be needed for the modification of plans to be used in constructing this laboratory in order to carry on this type of research at this facility.

Mr. Chairman, the bill as submitted to our committee contained several reductions which are not justified at this time and certainly not to the best interest of agriculture.

Under payments to States and Puerto Rico in our Extension Service we believe that the proposed reduction of $2,590,000 should be refused and the same amount approved for 1964, of $67,295,000, be approved.

A reduction of $1,025,000 was proposed for small watershed planning in our Soil Conservation Service. We recommend that this reduction be disapproved.

We further recommend the regular authorization of $250 million for the agricultural conservation program instead of the $150 million proposed.

We recommend the use of $25 million of section 32 funds in fiscal year 1965 for the following research programs:

EXPANDED RESEARCH ACTIVITIES	
Research on health-related problems of tobacco (discussed earlier in report)	$1,500,000
Research on control of insects, including development and testing of insecticides and materials used in agricultural production (discussed earlier in report)	1,500,000
Staffing of research laboratories previously authorized and now ready for operation	1,200,000
Research on reductions in cost of production	9,400,000
Research on expanded use of agricultural commodities	9,400,000
Total research	23,000,000
CONSTRUCTION AND ALTERATION OF FACILITIES	
Alteration and improvement of utilities, Plum Island, N.Y., not to exceed	250,000
Construction and remodeling of facilities, Beltsville, Md., not to exceed	850,000
Replacement of facilities, Fort Collins, Colo., not to exceed	450,000
Construction of peanut research laboratory in Georgia, not to exceed	450,000
Total construction and alteration	2,000,000
Total authorization	25,000,000

Mr. Chairman, in considering the amount carried in this bill we must keep in mind the benefits to be received not only by the farmer but by all of the people in this country.

Our committee recommends this bill to the Members of the House.

Mr. WHITTEN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ADDABBO].

Mr. ADDABBO. Mr. Chairman, I want to take this opportunity to commend the chairman of the Subcommittee on Agriculture for his comprehensive presentation of this bill. It has been a privilege and a pleasure to serve with him and my colleagues on both sides of the aisle in the hearings on this bill. The gentleman from Mississippi has the unique ability to make the appropriations for the Department of Agriculture interesting and meaningful for all, including those from strictly urban areas such as myself.

Every Member of Congress, I know, after reading the comprehensive report on this appropriations bill, will better understand the importance and the far-reaching necessity and work of the Department of Agriculture and how this appropriation not only directly affects the farmer but also, just as directly and perhaps more so, the consumer.

BENEFITS TO CONSUMER

The agricultural problem facing the Nation in the long view is not the matter of present commodity surpluses. The real long-range problem is the consequences of serious changes now taking place in agriculture which could jeopardize the consumer's supply for food and fiber for the future. Such factors as declining farm population, decreasing income from farming, and increasing average age of farmers are significant indicators of problems ahead for the Nation's consumers.

In the last 10 years, the number of farmers has decreased from 19.9 to 13.4 million. During this same period, the investment required per farmer has increased from $23,877 to $51,472. The farmer's share of the consumer's food dollar has decreased from 44 percent in 1953 to 37 percent in 1963. The net income as related to investment has decreased from 13.3 to 7.8 percent in the past 10 years. Also the average age of farmers has increased from 48.3 to 50.5 years between 1950 and 1960.

The President has recently announced a program designed to give more attention to the consumer's role in the highly competitive economy of the United States. In this connection, he has appointed a new Assistant Secretary of Labor to create more widespread interest in this matter.

While this special emphasis on consumer interests is probably justified, it seems appropriate to point out that perhaps the first consumer interest should be American agriculture and the Department of Agriculture, both of which do a primary and basic job of protecting and serving the consumer. All urban consumers must look to the rural producer—who is also an important consumer—for first, the protection of his food supply from disease and pestilence; second, the protection and conservation of the Nation's soil, water and timber supplies; and third, the providing of a major market for the products of labor and industry, which market is essential to the consumer's income.

American consumers are enjoying the highest standard of living ever known to man.

Also, American consumers enjoy the greatest variety and the finest quality of food available anywhere in the world. Such food is the most wholesome and healthful in the world.

Further, per capita food expenditures in the United States are the lowest in the world in relation to consumer income. It is usual for people in most areas of the world to spend one-third to one-half or more of their income for food. United Nations figures for 1958 show the percentage of income spent for food in certain areas as follows: Italy, 46 percent; Japan, 51 percent; Ceylon, 57 percent; Nigeria, 71 percent. In the United States, food costs now take only 18 percent of the disposable income, as compared to over 50 percent in Russia.

The consumer's stake in agriculture will become increasingly vital in the future as the world's population explosion creates even larger demands for food and fiber. This alarming population expansion can be fully appreciated when it is realized that the population of the world, which reached the first billion by the year 1830, took only 100 years, 1830 to 1930, to reach 2 billion and only 30 years, 1930 to 1960, to reach 3 billion. It is expected to exceed 6 billion people by the turn of the century. The population growth in the United States is more than keeping pace with world expansion. U.S. population increased from 13 million in 1830 to 123 million in 1930 and 179 million in 1960. It is expected to reach 340 million by the year 2000.

In cooperation with officials of the Department, special analyses have been made of the benefits received by the general public from Federal funds spent for agriculture. One such analysis showed that, of the funds expended by the Department of Agriculture for fiscal year 1960, all had benefits to the general public and over 54 percent had direct benefits to the consumer of equal importance to those for the farmer. Subsequent studies show the same to be true for the funds appropriated to the Department each year since that time.

The committee has included funds in the bill to enable the Department to undertake research immediately to meet the urgent problem with regard to the use of insecticides and pesticides. Under authority given by Congress last year, the use of section 32 funds for research on this problem in the next year has been provided for in the bill, along with other items discussed under that section of the report.

Also the bill carries a total of $30,454,000, an increase of $2,558,000, for meat inspection and $16,500,000, an increase of $1,116,000 for poultry inspection, both of which are of direct benefit to consumers. In addition a total of $99,831,000 has been approved for the Special Milk Program and $146,400,000—plus $45,000,000 transfer from section 32—has been approved for the school lunch program. Both of these directly benefit the school-aged consumers of the country.

It should also be pointed out that a major portion of the funds expended by the Commodity Credit Corporation for price support and related activities go to nonfarm groups, including warehousemen, transportation companies, exporters, consumers, and others. A review of the major elements of cost for the past 5 years shows that the percentage of CCC payments to nonfarm groups has run 58 to 59 percent in 4 of the last 5 years. Figures from the Department of Agriculture are as follows:

[In thousands]

Item	Fiscal year				
	1959	1960	1961	1962	1963
Storage and handling	$371,230	$476,138	$426,779	$393,257	$377,281
Transportation	167,553	83,035	164,183	134,051	170,114
Interest expenses (net of income)	150,182	413,355	354,007	290,651	377,612
Administrative and nonadministrative expense	48,219	64,975	89,095	82,804	89,283
Special milk program	74,027	80,563	374	23	879
Payments to nonfarm groups	811,211	1,118,066	1,033,690	900,740	1,013,411
Other price support and related programs	598,813	766,475	714,907	1,030,599	695,556
Subtotal	1,410,024	1,884,541	1,748,597	1,931,339	1,708,967
Acreage diversion payments	--------	--------	333,223	868,061	945,886
Total realized loss	1,410,024	1,884,541	2,081,820	2,799,400	2,654,853
Percentage of payments to nonfarm groups to realized losses for price support and related programs (excluding diversion payments)	58	59	59	47	59

BENEFITS TO LABOR AND INDUSTRY

The economic welfare of each segment of the Nation's economy is dependent on the economic strength of each of the others. History demonstrates that our Nation is prosperous only to the extent that our agricultural economy is strong and healthy.

Agriculture is the principal source of new wealth. It is the main provider of basic raw materials which support all segments of business and industry. Around 65 percent of the basic raw materials used in industry come from the farm. Reliable estimates indicate that each dollar of wealth taken from the soil generates $7 of income throughout the rest of our economy.

Agriculture is our largest industry. It employs 12 times the number of people in the steel industry, 9 times the number in the automobile industry, and twice the number in the transportation and public utility industries. In addition, it supports directly another 10 percent of our nonfarm population which supplies the farmer with his needs and processes and markets his products.

Agriculture is a major dollar earner in world markets and is playing an important role in solving our balance-of-payments problems. It is expected that agricultural exports will represent 25 percent of our total exports in fiscal year 1964 as compared to 22 percent in fiscal year 1956.

Agriculture is one of the major markets for the products of labor and industry. Agriculture uses more steel in a year than is used for a year's output of passenger cars. It uses more petroleum products than any other industry in the country. It uses more rubber each year than is required to produce tires for 6 million automobiles. Its inventory of machinery and equipment exceeds the assets of the steel industry, and is five times that of the automobile industry.

Urban workers benefit directly from this rural demand for machinery, equipment, supplies, and the other items used on the Nation's farms. Significant changes in this demand, therefore, have a direct effect on business and employment in urban areas. Every major business recession in this country has been preceded by the loss of income and purchasing power at the farm level.

This important rural market must be protected by the assurance of adequate income to the producers of farm commodities and maintenance of farm purchasing power. Business prosperity and full employment in the cities is dependent on a strong and dependable agricultural market, including both large and small farms.

In addition to the other benefits it has given to the consumers, it has also been a great revenue-producing benefit—tobacco is an $8 billion industry with the growers receiving about $1.2 billion per year and it pays some $3.3 billion each year in taxes to our Federal, State, and local governments. Our sugar program is a revenue-producing one—through fiscal year 1965, we will receive in excess overpayments in that program from the sugar tax more than $565 million.

In addition to all the foregoing, it must also be remembered that industry has also received many protections from the Government, among which one of the most important is the minimum wage. So, today we must also look to the protection of the basic foundation of our economy—the protection of the farmer. It is for these reasons, Mr. Chairman, that I am supporting this appropriation and again state that this bill carries only the funds for those programs which have been previously approved by this Congress and to which we have been obligated.

Mr. HORAN. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, I want to first pay my respects to the chairman of our subcommittee, the gentleman from Mississippi [Mr. WHITTEN] and to my fellow members who have worked so diligently and so tirelessly on this bill.

Mr. Chairman, our chairman is to be congratulated for his successful efforts in adhering to a schedule which has permitted consideration of this bill by this House as originally scheduled early in this session. He conducted our hearings in the usual judicious manner, permitting all witnesses an opportunity to present their various points of view, and affording his colleagues on the subcommittee full time and opportunity to pursue their examination of witnesses.

Mr. Chairman, our report is indeed a lengthy one. We talk about cutting the budget and also presenting to you a bill today which is considerably under the bill of last year. I must say to you quite frankly that we are engaging in some budget buffoonery here. I would call the attention of the members of the committee to page 193 of the hearings where in my interrogation of Secretary of Agriculture Freeman I quoted former President Kennedy's remarks when he was a candidate back in 1960 in which he said:

> I have stated it is my best judgment that our agriculture program will cost a billion and a half dollars, possibly $2 billion less than the present program.

Mr. Chairman, that was former President Kennedy back in 1960. At that time it cost the taxpayer $5.4 billion to run the Department of Agriculture. By 1961 it was $5.9 billion. By 1962 it was $6.6 billion. By 1963 it was $7.7 billion, which incidentally is more than half the net income of all U.S. farmers in the fiscal year 1963. In the fiscal year 1964 the figure will be $6.7 billion, based upon our best estimates, and there are indications that it may go to $6.9 billion when we close the books on June 30.

So, Mr. Chairman, in this bill for the fiscal year 1965 we show a figure of $5,182,665,000, plus the permanent appropriations of $459,393,000, or a total of $5,642,058,000.

Now we show in our report that this is a reduction of $1,059,632,215 under last year's expenditure level. But this reduction is not a savings. It is simply the result of a change in the method of financing certain activities such as the following: A reduction due to the change in policy regarding restoration of capital impairment of the CCC. This amounts to $975,400,000 alone. In other words, if we were to be honest with ourselves, if we were to balance the books of the Commodity Credit Corporation today through this bill, we would have to include an additional $975 million.

Mr. Chairman, I would remind the members of the committee that just about a year ago when we followed this very same procedure, we had to come back before the end of the fiscal year and ante up another additional half billion dollars in order to make up the difference.

So, Mr. Chairman, let us not kid ourselves today that we are really in great shape and that we are reducing the cost of the agriculture program considerably over that of last year.

Then too, Mr. Chairman, there is a shift of school milk financing to section 32 funds to the tune of $99,834,000. In other years we appropriated directly to this program. This year we are handling it as a transfer from section 32 funds.

Then, Mr. Chairman, there are also research programs financed from section 32 to the tune of $25 million contained in this bill.

Now, if I might move to some remarks on the feed grain bill: As a matter of fact, we do not even know what the cost of this new wheat-cotton bill will be, we passed just a short time ago.

Three years ago the Congress passed what was labeled as an "emergency feed grain program." This has turned out to be a very expensive program. It has a very direct relationship to the budget that we are now discussing. This program is paying farmers not to produce feed grains, but I think my colleagues are well aware of the fact that we are getting very meager results from the vast expenditures.

Let me review this situation. Payments under the feed grain program were $782 million in 1961, $844 million in 1962, $875 million in 1963. In 1963—after 3 years and an expenditure of more than $2.5 billion for payments, plus additional millions for administrative expenses—feed grain production was the largest on record. The USDA now estimates that the expenditure for payments under the feed grain program will rise to almost $1.2 billion in 1964.

According to the April 24, 1964, report from the USDA:

> Total feed grain stocks of 129 million tons on April 1, 1964, were nearly 6 percent more than a year earlier according to the Crop Reporting Board. An increase of 7 percent in stocks of corn along with an increase of 6 percent in oats and 1 percent in sorghum grain pushed total feed grain tonnage to the third highest level of record.

Those are the Department's own words. Based on the latest indication of farmers' intentions to plant feed grains, we could have another record corn crop, thus adding again to the surplus carryover of feed grain even though we will spend upward of $1,200 million.

Less than 40 percent of eligible farmers are participating in this program.

I come from the heart of the corn country. I recognize that agriculture is in a depressed condition, but it is my feeling that the operation of the feed gain program has been a contributing factor to the current disastrously low prices farmers are receiving for hogs and beef cattle. This program expires at the end of 1965. By that time we could easily have spent $5 billion attempting to control feed grain production, when, as a matter of fact, feed grain production has increased. I know that this is a legislative matter, but I think it is appropriate while we are discussing this huge agriculture budget to remind our colleagues on the House Agriculture Committee that they should let this emergency feed grain program expire, and let us get back to a market system for feed grain and one that will avoid the continued vast expenditure of Federal funds.

Now, there is no question but what in this bill there is a good share of it that goes for city dwellers. As a matter of fact, Secretary Freeman has an ambitious program for his Department to move into the cities of the country. They put out a 49-page booklet entitled "A Consumer's Guide to the USDA." It states that the Department of Agriculture is in reality a city man's department. It will "help you shop, plan your meals, improve your diet, plant your garden, tend your lawn, enjoy your vacation," and there are chapters including food shopping, cooking, health, clothing and fabrics, house and home, pest control, gardening, recreation, family financing and emergencies. The publication advises that the Department offers 100 other bulletins especially for consumers.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Iowa.

Mr. GROSS. Enjoy all those things on credit cards?

Mr. MICHEL. That seems to be the mode of the day; yes. I would remind the Members of the House that in this bill, of course, are considerable sums for the school lunch program, the school milk program, the food stamp plan for urban centers, meat inspection, principally for the urban dwellers, poultry inspection, Rural Areas Development.

For example, in answer to my question of Secretary Freeman we find funds previously allocated for 46 golf courses, 3 ski resorts, 57 fishing ponds.

So the Department of Agriculture, make no mistake about it, is in the recreation business up to its ears.

Flood control—there is a sizable amount here for that.

Watershed protection which protects many villages and cities.

Conservation which, of course, is a bank for the entire country.

And then research, there is some $190 million in this bill for research alone.

Mr. Chairman, I would like to say a little something about soybean research. We raise a lot of soybeans in Illinois. But, Mr. Chairman, production research for soybeans should be increased to enable us to continue to compete in world markets with soybeans and soybean products. The slowing pace of domestic and foreign utilization of this crop is the warning note for us to heed.

Mr. Chairman, according to the February 3, 1964, issue of Foreign Agriculture, a weekly magazine of the Department of Agriculture, Japan is expected to purchase about 300,000 metric tons of soybeans from China—mainland—during 1964. These expected imports for 1964 are 80,000 tons above last year's imports from China. The Chinese prices are somewhat lower than U.S. prices. Some trade authorities suggest that if the present trend continues Japan could be buying as much as 500,000 tons a year of Chinese soybeans within the next few years.

Mr. Chairman, soybean yields have reached a plateau. There was less than 3 bushels increase between the 1949 average U.S. soybean yield per acre and the record set in 1961. Soybeans and soybean products have met buyer price resistance in foreign markets. Foreign production of other oilseed crops is therefore encouraged. The danger signals are discernible.

It is imperative that we be alert to these signs for the top dollar earner in U.S. agricultural exports in 1962–63, soybeans. They are grown in 30 States and have become the fourth ranking U.S. cash crop. However, testimony before the subcommittee made it apparent that our Nation's fourth most valuable crop has had the lowest research investment in relation to its value to our farmers. Increased production research will bring higher yields and more world markets.

[From IFAP News, March 1964]

CHINESE SOYBEANS TO JAPAN

Japan is expected to purchase about 300,000 metric tons of soybeans from China (mainland) during 1964.

Most of the buying will be done under a trade agreement between the two countries. This agreement calls for the Japanese to buy 250,000 tons during the year. Another 50,000 tons is expected to be purchased from China outside the agreement.

These expected imports for 1964 are 80,000 tons above last year's imports from China. Japanese processors indicate they upped their purchases for 1964 because of greater availability of Chinese soybeans this year and because of the higher oil content this year of the Chinese soybeans in comparison with U.S. soybeans. In addition, the Chinese prices are somewhat lower than U.S. prices.

Some trade authorities suggest that if the present trend continues, Japan could be buying as much as 500,000 tons a year of Chinese soybeans within the next few years.

The prices to be paid under the trade agreement are the equivalent of $106.68 f.o.b. per ton for January and February shipments and for March shipments $107.38 a ton. The c. & f. price for January and February shipments is estimated at $113.68. In comparison, the price for U.S. No. 2 soybeans is estimated to be about $10.17 a ton above the Chinese beans.

[From USDA Foreign Agriculture, Feb. 3, 1964]

JAPANESE AGREE ON PURCHASES OF CHINESE SOYBEANS

Japanese traders recently concluded a contract for the purchase of 250,000 metric tons (9.2 million bushels) of Communist China soybeans during 1964. This is in accordance with the trade plan drawn up in Peiping last September under the 5-year trade agreement of November 1962 (Foreign Agriculture, Nov. 4, 1963).

Planned imports by month are as follows, in metric tons:

January	15,000
February	20,000
March	25,000
April–May	60,000
June–July	45,000
August–September	30,000
November–December (new crop)	55,000
Total	250,000

The price for January and February shipments of 35,000 tons has been set at £38 10s. ($106.68) f.o.b. and for the March shipment of 25,000 tons at £38 7s. ($107.38) f.o.b. The c. & f. price for January and February shipments is calculated at $113.68. U.S. No. 2 soybeans as of mid-January were being offered at $123.85 per ton c. & f. or $10.17 per ton above Chinese beans.

The planned imports for 1964 are 100,000 above last year's total of 150,000. This increase is reportedly due to greater availabilities from mainland China and to the desire of Japanese processors to use Chinese beans for oil extraction because of their higher oil content this year and their lower prices, compared with U.S. beans.

Each year a certain quantity of Chinese beans has been purchased outside the long-term agreement—70,000 tons in 1963 and 165,000 in 1962 (before the agreement). It is estimated that in 1964 an additional 50,000 tons will be purchased, thus bringing total purchases for this year to 300,000 tons (11 million bushels). Some trade sources predict that imports could reach 500,000 tons (18.4 million bushels) annually within the next few years.

[From Soybean Digest, May 1964]

STRAYER CALLS WEED CONTROL NO. 1 PROBLEM

"The No. 1 problem in soybean production in the United States today is weed control," George M. Strayer, American Soybean Association executive vice president, told the oilseed, peanut, and sugar crops research advisory committee of the U.S. Department of Agriculture in Washington, D.C.

"Whether it be north or south, east or west, control of grasses and weeds in the production of the soybean crop presents more problems, reduces more yields and increases production costs more than any other one item," said Strayer. "It has been reliably estimated that weeds cost soybean farmers a minimum of $150 million annually. There are few completely acceptable and no totally reliable chemicals for controlling weeds in soybeans. Farmers spend millions of dollars and millions of hours of labor trying to control grasses and weeds in the soybean crop by cultural, chemical, or mechanical methods. Yet the weed control problem becomes more acute and costly each year.

"Yet in the solution of this No. 1 problem in soybean production in the United States today the Agricultural Research Service has the equivalent of one scientist devoting full time to the solution of weed control problems in the production of the soybean crop. This is like adding one drop of water to the ocean—it contributes to the total, but it certainly does not raise the level very much. Weed control problems are not solved overnight, and certainly some place in the budget of the U.S. Department of Agriculture there must now be available sufficient funds to institute adequate work to assist in the weed control problems which we know are going to become more persistent and more troublesome through the next decade.

"Fundamental basic research in the physiology and nutrition of the soybean crop is the No. 2 research need of the U.S. soybean producer. The soybean crop produces comparatively better than most other crops on soils of low fertility levels, but it fails to respond satisfactorily to improved fertility and environment.

"There is some factor or combination of factors now placing a limit on soybean yields. We must know more about the physiology of this relative newcomer from the Orient, we must learn to understand it, determine what these factors are which are limiting yields. This means fundamental research in the physiology and nutrition of the soybean plant. The American Soybean Association has repeatedly urged, as have other soybean industry organizations, that research in this very basic area be expanded and speeded up. Your committee has repeatedly pointed out the need for such research, giving it one of the top priorities in your recommendations.

"VARIETAL RESEARCH

"Ranked third in our list of research areas on soybeans which need attention is expansion of the soybean varietal breeding work. In most areas of the United States we now have fairly satisfactory soybean varieties, based on our present-day knowledge of the physiology of the soybean plant, but the most logical approach to control of Phytophthora root rot, the soybean cyst nematode, and a host of other disease and insect pests seems to be through the production, in an accelerated breeding program, of new varieties or strains of present varieties which are either resistant to or tolerant of these diseases and insects. This need will become much more intensified in coming years, as we continue to increase soybean production.

"This work has not kept pace with the growth of the production of the soybean crop, and the funds available for it are totally inadequate when viewed in terms of the size of the 700-million-bushel crop—estimated to bring $1.8 billion to U.S. farmers this year. Development of disease resistant or insect resistant or tolerant varieties cannot be done overnight—this is the type of work that takes years to produce results.

"With the highest of compliments to the work which has been done in soybean varietal development, one of the greatest needs of the soybean industry today is for intensified breeding work carried on at stations located in the different production areas posing different problems, aimed at keeping the United States ahead of the world in soybean production during coming decades. This we propose as the third most important field of research work which needs encouragement, stimulation and expansion.

"The soybean is a legume crop. Symbiotic nitrogen fixing bacteria find soybean roots a favorable host when applied with the seed or found in the soil. Because of the high protein content the production of a crop of soybeans requires large amounts of nitrogen. For example, 40 bushels of soybeans require 140 pounds of a viable nitrogen in the seed alone, plus the amount required to produce the vegetative portions of the plant. For some reason direct applications of nitrogen fertilizer do not bring the same plant response as that produced by proper inoculation. In addition, the cost when produced by symbiotic bacteria is almost nil, while the cost of chemical nitrogen sources is so great that the response does not make it economic under most circumstances. There is no cheaper source of nitrogen in the world than that fixed by selected bacterial strains. When properly utilized the nitrogen fixing bacteria not only supply sufficient nitrogen for the soybean crop but also leave residual supplies for use of following crops.

"Just how do symbolic bacteria produce nitrogen? How can more effective strains be produced? Exactly what is the role of the host plant? How can it be made even more responsive? Research to determine how the production of symbiotic nitrogen can be improved is greatly needed. Knowledge in this area has not been expanded in the past 20 years. Strangely this is one of the forgotten lands so far as research work at the Federal level is concerned. We are using the same strains of bacteria in the same way as we were 20 years ago, and we know little or nothing more about them than we did then. Practically no research is being carried on in this field, yet it is essential to efficient soybean production in the United States.

"Nodulation depends completely on the interaction of two distinctly different species—the soybean plant and the nodulating bacteria. Wider knowledge of the genetics of both species might well result in great improvement in the nitrogen fixation process.

"Tied in with this is the necessity of far greater knowledge of the effects of seed disinfectants, applied to soybeans as a means of controlling seedborne diseases, on nodulating bacteria, whether applied to that seed or already present in the soil. There also is no knowledge on the effects of weed control chemicals on nodulating bacteria, and there may be some serious implications in this relationship.

"Because there is no significant work being done in this area—because no USDA manpower is devoted to studies in any phase of this entire relationship between plant and bacteria, and because nitrogen produced by symbiotic bacteria is the cheapest source available to American agriculture today, and at the same time the most effective in increasing soybean growth and yields—we consider basic research work in this field to be highly essential."

JUDD'S STATEMENT

Said R. W. Judd, managing director of the National Soybean Crop Improvement Council, who also appeared before the committee: "Production research investigations by the Agricultural Research Service, USDA and by State experiment stations are conducted to improve crop quality and production efficiency. Crops which have been grown in this country for a century or more and crops having dedicated sponsors in Congress and at our universities have received more adequate research support than the young giant, soybeans. A comparison of the scientist manpower invested in production research reveals the extremity of variation among crops. The 1961 crop values and scientist man-years employed by ARS, USDA, and universities provide the following pertinent information:

Scientist man-years employed per $100 million of crop value 1961

Soybeans	2.46
Corn and grain sorghum	3.17
Wheat and rye	5.19
Cotton	5.22
Tobacco	5.57
Oats and buckwheat	6.82
Rice	6.93
Barley	11.66
Potatoes	15.43
Sugar beets and sugarcane	28.49

It is not my intent to imply that any crop is receiving excessive support in funds allocated for the employment of production research scientists. However, it is apparent that our Nation's fourth most valuable crop, soybeans, has had the lowest research investment in relation to its value to our farmers.

"There are 20.2 professional scientist man-years engaged today in soybean production investigations by the Agricultural Research Service while our universities have an estimated 25.0. Soybean acreage and production has increased at a rapid pace without a comparable increase in research investment by ARS and State experiment stations. Your committee has recognized this and strongly recommended production research be expanded.

"A comparison of yield increases for various U.S. crops during the last decade shows the effect of a retarded soybean production research program. Yields were computed for a 5-year average to minimize any extreme fluctuation which might occur in any single year.

	Average yield, 1949-53 (per acre)	Average yield, 1959-63 (per acre)	Yield increase in decade (percent)
Grain sorghum	19.9 bushels	40.9 bushels	106
Cotton	285 pounds	460 pounds	62
Corn	39.2 bushels	59.9 bushels	53
Rice	2,349 pounds	3,536 pounds	51
Wheat	16.5 bushels	24.5 bushels	48
Tobacco	1,265 pounds	1,753 pounds	39
Peanuts	905 pounds	1,245 pounds	38
Potatoes	147.4 hundredweight.	191.4 hundredweight.	30
Oats	33.4 bushels	46.6 bushels	27
Hay	1.41 tons	1.74 tons	23
Sugarcane	21.3 tons	25.5 tons	20
Barley	26.9 bushels	31.6 bushels	17
Soybeans	20.7 bushels	24.3 bushels	17
Sugar beets	15.2 tons	17.4 tons	14
Flaxseed	8.9 bushels	9.3 bushels	4

"You will note that in the 15 crops listed, soybeans, sugar beets, and flax rate the lowest in yield increases. This committee is responsible for recommendations for these three crops. Your reports have repeatedly contained requests for increased production research. Someone has made a decision in ARS that soybeans have not sufficient merit to justify more research funds. Direct appeals to the congressional subcommittees on agricultural appropriations have been the only means of securing additional funds to expand soybean production research over the past several years.

During its weeklong meeting in Washington in January, the oilseed, peanut, and sugar crops committee reviewed and evaluated USDA research on oilseeds, peanuts, and sugar.

SOYBEAN PRICE SUPPORT LEVEL SAME AS IN 1963

Average support price for 1964-crop soybeans will be $2.25 per bushel, the U.S. Department of Agriculture announced April 10. Compared to 1963, the price support level for 1964 is unchanged. It represents 74.3 percent of the April parity price of $3.03 for all soybeans.

The 1964 program is substantially the same as that authorized in 1963.

The support price announced is expected to encourage production of soybeans at levels high enough to supply domestic and foreign demand and to help maintain prices and income to growers.

Farm value of the 1963 crop presently is estimated at about $1.9 billion, compared to $1.6 billion in 1962, and around $1 billion in the late 1950's. Expanded use of soybeans has provided producers, particularly in the major feed grain producing areas, a desirable alternative to feed crops for which the production potential exceeds current needs. If production had remained at levels of 1960 and earlier years, increased utilization would have been retarded.

In determining the support price for soybeans, several factors were considered, USDA said. Among these were the supply of the commodity in relation to the demand, the ability of Commodity Credit Corp. to dispose of stocks acquired under price support, and the support levels for other commodities.

Eligible producers can receive price support on their 1964-crop soybeans through warehouse- and farm-stored loans and purchases. The term "producer" includes cooperative associations of producers meeting eligibility requirements.

Price support will be available through the offices of county ASC committees. Farm-stored loans will not be available in those areas where the State ASC committee determines soybeans cannot be stored safely on the farm.

Applications for price support will be available through Jan. 31, 1965.

Schedule of county support rates, with premiums and discounts for classes and grades and differences in quality, will be available later.

Price support for cottonseed in 1964 will be at a national average price-support level of $44 per ton, basis grade 100, the U.S. Department of Agriculture announced. This is the same level as for 1963.

[From Soybean Digest, May 1964]

RATE OF INCREASE SLOWS ON U.S. SOYBEAN EXPORTS

Exports of food fats and oils (including the oil equivalent of soybeans) may reach 4.8 billion pounds in 1963–64 compared with 4.3 billion last year, according to USDA's Economic Research Service, April 3. Exports during the first 4 months of the marketing year (October–January) totaled 1.7 billion pounds compared with 1.3 billion pounds in the same period of 1962–63.

Soybean exports (based on inspection data) from October 1, 1963, through March 20, 1964, totaled 104 million bushels—about 2 million above the same period of the 1962–63 season. Exports for the entire 1963–64 marketing year are expected to total around 190 million bushels, up about 10 million from last year's record.

Most of the increase in 1963–64 soybean exports is expected to go to Europe. Western Europe's fats and oils stocks are low and oilseed production has been reduced. Olive oil supplies in Mediterranean Basin countries are at record levels.

The rate of increase in foreign demand for U.S. soybeans has slowed some this year (during 1962–63 soybean exports increased 27 million bushels over 1961–62) primarily for the following reasons:

1. Relatively high U.S. soybean prices and low soybean oil prices in Europe appear to be holding down European crusher demand because of the narrowing processing margin.

2. Increased supplies of competitive feedstuffs in Western Europe along with relatively high soybean meal prices are tending to limit the demand for U.S. soybeans even though the European livestock economy is expanding.

Cottonseed and soybean oils—Dollar and food-for-peace exports, 1963–64 forecast compared with 1961–62 and 1962–63 (million pounds)

Export financing	1961–62 [1]			1962–63 [2]			Forecast 1963–64		
	Soybean oil	Cotton-seed oil	Total	Soybean oil	Cotton-seed oil	Total	Soybean oil	Cotton-seed oil	Total
Dollars [3]	622	182	804	520	207	727	450	300	750
Food for peace (Public Law 480):									
Title I	467	204	671	531	132	663	750	200	950
Title IV	21		21	15		15			
Title II	14	5	19	43	19	62			
Title III	184	81	265	68	29	[4] 97			
Total, Public Law 480	686	290	976	657	180	837	750	200	950
Grand total	1,308	472	1,780	1,177	387	1,564	1,200	500	1,700

[1] Partly estimated.

[2] Partly estimated. Includes 8,300,000 pounds of soybean salad oil under title I shipped to Guinea and 1,500,000 pounds of soybean salad oil to Bolivia under title IV not reported by Census.

[3] Includes some AID.

[4] Excludes an estimated 44,000,000 pounds of title III oil products for domestic donation.

3. A fairly mild winter in Europe apparently has reduced the requirements for prepared mixed feeds.

Exports of edible vegetable oils in the 1963–64 marketing year are now forecast at 1.7 billion pounds, roughly 10 percent more than in 1962–63 but 100 million pounds below the January estimate. The reduction in the present estimate is due to increased butter and butter oil exports under foreign donations and some slowdown in initiating title I and IV programs of Public Law 480. Exports of edible oils under the food-for-peace program may total around 950 million pounds, approximately 56 percent of total shipments, compared with 837 million pounds or 53 percent of the total in 1962–63.

EDIBLE OIL OUTLOOK

Exports of edible oils during October–January 1963–64 (the period for which latest census data available) totaled 420 million pounds, including little, if any, foreign donations. During these 4 months a year earlier, exports totaled 374 million pounds which included 34 million pounds for foreign donations. Soybean oil exports during October–January 1963–64 were 269 million pounds compared with 263 million the year before. Cottonseed oil exports at 150 million pounds compared with 111 million in October–January 1962–63.

Edible oil exports during February–September 1964 are expected to exceed last year's 1,177 million pounds by nearly 10 percent, mainly due to a heavy movement under title I of Public Law 480.

Through March 20, 1964, purchase authorizations had been issued for about 370 million pounds of cottonseed and soybean oils under titles I and IV for export during the current marketing year. The remaining 580 million pounds of the forecast would consist of substantial programs with Pakistan, Yugoslavia, Morocco, and Turkey in addition to smaller programs with United Arab Republic, Israel, Bolivia, Peru, Ecuador, and other countries.

Exports of cottonseed and soybean oils under titles II and III are expected to be down for the second consecutive year, since butter oil has largely replaced the edible vegetable oils in the donations program. Butter oil shipments under titles II and III are currently estimated at about 220 million pounds (butter equivalent), somewhat above earlier forecasts compared with 65 million in 1962–63.

Cottonseed and soybean oil exports for dollars in 1963–64 are expected to increase slightly. Northern Europe, Spain, and Iran are the leading dollar markets for these commodities. Exports to Spain, the major taker, in 1963–64 are expected to total around 125 million pounds, nearly 60 percent less than in 1962–63. This is mainly due to increased olive oil production in the Mediterranean countries.

FAVORABLE FACTORS

The main favorable foreign factors in the 1963–64 outlook for U.S. exports of fats and oils are:

1. World rape and sunflower seed and other crops are smaller.
2. Argentine exportable supplies of edible oils are down.
3. Copra output is likely to continue small through mid-1964.
4. World whale oil production probably will be reduced again this year.
5. Stocks of fats and oils in Rotterdam and in some important European-consuming countries are smaller than last year.
6. The drop in world output of butter is resulting in higher butter prices which may tend to increase use of margarine.
7. There have been recent reports of drought conditions in Brazil and Ecuador. In the United States, large stocks and relatively low prices for edible vegetable oils also favor increased exports.

[From Soybean Digest, May 1964]

EXPANDING OVERSEA MARKETS FOR U.S. SOY PROTEIN PRODUCTS

(By G. M. Diser and J. W. Hayward)

During the period February 1 to March 31, 1962, the Soybean Council of America, Inc., in cooperation with the Foreign Agricultural Service of the U.S. Department of Agriculture, conducted a survey in 11 developing countries to determine the potential utilization of soy products as an aid in alleviating protein deficiencies in the diets of the people in these areas of the world. One of the fundamental purposes of this survey was to learn the dietary habits, levels, and status of the people in these countries. Representatives of the soybean processing industry made the survey which covered the following countries: Burma, Egypt, Greece, Hong Kong, India, Iran, West Pakistan, Philippine Islands, Portugal, Spain, and Turkey.

The results of this survey showed that protein malnutrition, suffered by a major portion of the people in these countries as a result of inadequate food supplies, particularly a serious lack of protein foods, could be relieved by utilization of inexpensive oilseed protein products.

Bread, a principal food in these countries, if properly fortified with soy flour or grits, offers the greatest opportunity for increasing protein in the diet. Soy-supplemented chapattis, pakoris, samosas, buns, and various other local breads were readily acceptable because of improved palatability, appearance, and storage quality. These breads frequently contained two to seven times the amount of soy flour or grits customarily used in the United States. Macaroni products, including noodles, and various native dishes, supplemented with these soy products, offer another means of improving dietary protein intake. These foods, as well as beverages and soups based on soy protein, were evaluated by local food specialists and found to be acceptable in all countries. In most instances, lack of availability was the only factor preventing current use of soy products as a source of supplemental protein in the diet.

Beverages and infant formulas, based on full-fat or defatted soy flour and nutritionally equivalent to cow's milk, were found to be desirable for improving the general health of infants and children as well as expectant and nursing mothers in most of the countries. Products which have been developed and tested for this purpose under the auspices of the Soybean Council of America are presently available so that an 8-ounce serving costs about 1 cent.

DISTRIBUTION CHANNELS

Relief agencies, military rationing, local government mass feeding programs, and school lunch programs are immediately available as channels of distribution.

Based on information collected by the members of the survey team, market development for edible soybean products would logically proceed as follows: (1) samples would be provided for large-scale evaluation, (2) methods of using protein products to improve the nutritional value of foods would be demonstrated to consumers, (3) technical assistance would be furnished to local authorities, (4) relief agencies would be encouraged to purchase and use U.S. soy products to meet protein nutrition problems, (5) locally acceptable products would be developed and sold to meet the demand created by relief agency distribution and other market development efforts, and (6) as a result, developing countries would gradually increase their purchases of U.S. soy protein products or would increase their purchases of soybeans on the open market to process locally into products which would be used in the manufacture of and/or included in native foods for domestic consumption.

Present acceptance and available means of distribution indicate that a total of 25,000 tons of edible soy protein products could be adequately utilized per month in the 11 countries surveyed. It is within the present capacity of the soy processing industry to produce all the current market demands plus an additional 6,000 tons of soy flour and 10,500 tons of soy grits per month. Within 6 months presently existing plants could manufacture an additional 25,000 tons per month without sacrificing any of the present market requirements. The increased production would consume an additional 20 to 22 million bushels of soybeans annually.

More recently, greater official recognition has been given to the need for a market development program on the dietary utilization of soy protein products. The Agency for Industrial Development is becoming more cognizant of the need for protein in nutrition. For example, Alliance for Progress sponsored a workshop in Lima, Peru, from April 29 through May 10, 1963, with participating agencies including the Government of Peru, the U.S. AID mission and personnel from the Latin American countries. The purpose of this workshop was to train administrators and managers of child feeding centers in connection with "Operation Ninos." A conference on the use of American foodstuffs to further the Alliance for Progress program was held in Quito, Ecuador, on May 12, 1963.

It is readily apparent that a new concept is being formulated as to the type of foreign aid to be rendered in the future. This concept will undoubtedly include the furnishing of protein from all sources to feed the protein-hungry world.

A joint intergovernmental committee has been formed to follow up on the utilization of soy protein in foreign aid programs. Pilot projects are being developed on the use of soy protein in various areas. Shipments of soy products have been made to Egypt, Greece, West Pakistan and other countries for large-scale evaluation in response to requests developed through the efforts of the members of the survey team. Institutes have been established in West Pakistan and experiments are being conducted on soy protein products, particularly in demonstrating their value as nutritional supplements for children. The objective in this country is to get these products introduced on a commercial basis.

USAGE IN COLOMBIA

Soy products are being promoted for bakery uses in Colombia through the Nutritional Institute and similar institutions. Isolated soy protein and soy flour are being studied as a means of improving the nutritional value of "panela," a sugar-based food product widely used in the diet of infants and children in Colombia. In fact, a satisfactory product combining soy flour and panela has been developed by the Colombian Institute of Technological Research and submitted for biological evaluation. The Soybean Council of America is cooperating with the Colombian armed forces in the evaluation of soy protein products.

A large-scale study is presently underway in Peru in which the council is cooperating with the Armed Forces to compare the nutritive value of soy flour, fish flour, and other protein sources as represented by the native supplements.

The soybean industry, through the council, has donated sufficient soy grits for a research project to be conducted by the Agricultural Research Service, USDA, in cooperation with the University of Hong Kong. In this instance the soy grits will serve to provide a known amount of supplemental protein in cereal-containing foods in the diet of children in that area. The objective of this research is "to study the effect on growth and nutritional status of children of increasing their dietary intake of selected nutrients and of replacing a significant part of the rice in the diet with wheat."

A very recent and most important development in this area of expanding markets is evidenced by the request from USDA for offers from the industry to sell 160,000 pounds of defatted soy grits to the Commodity Credit Corporation. These grits will be donated for distribution overseas by voluntary relief agencies through a market development program to be administered jointly by AID and the Foreign Agricultural Service, USDA. Evaluation of acceptance of this product in pilot child feeding projects, including school lunch programs, hospitals and orphanage centers, will be carried out in Bolivia, Nigeria, Turkey, and the Philippine Islands. Each of these four countries will receive 40,000 pounds of grits for this study.

The offices of the Soybean Council plan to continue their efforts to bring about revision of the official restrictions presently existing in many countries against the use of soy protein in meat and bread products and other foods.

The council will continue to provide information and technical data on the properties of soy flour and soy protein to governmental and various official agencies. Demonstrations and seminars are scheduled in cooperation with schools, hospitals, women's clubs, home economists' groups and other organizations at the consumer level in Belgium, Luxembourg, Denmark and the other Scandinavian countries, France, England, and other areas. These projects will include discussions on soy protein products and their nutritional and functional advantages in foods and bakery products. Food fairs will also be held in certain of the countries served by the council to disseminate such information at both the consumer and industry level. The use of soy flour in bread, baby foods, typical indigneous dishes and various specialty products will be demonstrated by representatives of the council.

Efforts will be vigorously continued in attempting to bring about reduction of duties and other taxes on the importation of soy protein products in the United Kingdom, Spain and other countries where tariff barriers have been imposed.

KEEP CLOSE CONTACTS

Close contacts are being maintained with governmental and educational institutions in Italy attempting to get soy approved as a food ingredient. The council office in Rome is working very closely with the largest manufacturers of pasta. Attempts are also being made to improve the level of protein in Italian bread through the addition of soy flour.

Licensing of industries for the manufacture and utilization of soy protein products is being promoted in Israel.

U.S. defense agencies are authorized to purchase protein products for use by armed forces of friendly nations. UNICEF is very active in promoting the utilization of soy in the protein-deficient areas of the world. Church groups and other volunteer relief agencies are taking an active interest in soy as a potential source of supplemental protein for use in their feeding programs.

These are only a few examples of the type of work being carried on cooperatively by Foreign Agriculture Service and the Soybean Council of America in attempting to develop the utilization of soy protein in the various countries.

GREATEST PROBLEM HUNGER

As long as population growth continues to exceed levels of food production, hunger can be expected to be the world's greatest problem. The most serious need in the human diet throughout the world is for balanced nutrition with adequate levels of good quality protein. Unfortunately, many of the distribution programs implemented to date have resulted in the shipment of surplus grains overseas with little or no regard for deficiencies in quantity and quality of protein in the food supplies of the various areas.

Protein products from the soybean, providing an abundance of excellent quality protein at a greatly reduced cost per unit, could properly supplement the cereals which make up a large share of the diet and thus aid in alleviating protein malnutrition in the protein-deficient areas of the world. These products can be used directly in the human diet as a source of readily available protein in those areas where ability, facilities, and land area are not available for the utilization of animals to convert feedstuffs into food.

A tremendous potential exists for the utilization of U.S. soy protein products in protein-deficient countries. However, this market cannot be effectively expanded without a concurrent improvement in the stability of the administrative and economic status of the respective governments, together with a widespread educational program covering nutrition, sanitation, and hygiene among those consumers whose need for a higher level of protein in their diet is greatest.

While samples of soy protein products have already been supplied through the Council to several of the developing countries for evaluation, it will be some time in the future before a report of the results of these studies can be expected. Consequently, any program for employing these products in improving the nutritional balance of the diets in various areas of the world would be significantly expedited and greatly implemented if data resulting from the research and development studies recently recommended to USDA officials could be made available to those administering the program and providing the technical assistance so necessary for the optimum utilization of these protein products from the soybean.

WHY SOYBEAN PRODUCTION RESEARCH NEEDS GREATER EMPHASIS

SOYBEANS ARE IMPORTANT

Top dollar earner in U.S. agricultural exports 1962-63 * * * helped narrow dollar gap.

Fourth ranking U.S. cash crop * * * value of $1.8 billion in 1963.

Grown in 30 States.

31.8 million acres estimated for harvest in 1964. This compares with 17 million 10 years ago. Much of acreage increase has come from crops in surplus.

Primary source of vegetable protein for livestock and poultry rations.

Are not a surplus commodity.

SOYBEANS FACE PROBLEMS

Yields remain low, having reached a plateau.

This will make it difficult for soybeans to compete with corn.

Because of low yields, relatively high price levels are required to give acceptable net return to growers, compared to other grains.

As a result, soybeans and soybean products face serious price competition in foreign and domestic markets.

Foreign production of competitive oilseeds is being encouraged. In the United States, soybean meal is relatively expensive and many feeders are turning to substitutes such as urea.

The basic problem: How to continue past progress; stay competitive; and expand markets, acreage, production and net income to farmers * * * and at the same time draw acreage away from surplus crops.

The solution would seem to be higher soybean yields per acre. Higher yields depend on production research. According to the House Committee on Appropriations, soybeans rank fifth * * * behind cotton, wheat, corn and tobacco * * * in Federal funds devoted to production research:

[In thousands]

Crop	U.S. Department of Agriculture	Experiment station	Total Federal
Cotton	4,600.0	837	5,437.0
Corn	1,578.0	479	2,057.0
Wheat	1,776.0	249	2,025.0
Tobacco	1,073.0	295	1,368.0
Soybeans	685.5	125	810.5

Of the five crops, only soybeans are not in surplus. Also, the proportion of total funds used for soybean production research is sharply below its relative contribution to farm income.

In view of the facts presented in this brief, we respectfully urge that greater emphasis be given to soybean production research.

With respect to the Rural Electrification Administration, the committee allowed the full budget request for the electrification program—$365 million—and it increased funds for the telephone program from $63 million to $70 million. This latter increase was made for the purpose of expediting telephone service to rural persons. The loan authorization for the electric program is $60 million less than was authorized last year. It was the committee's opinion, based on the Administrator's estimate of a $300 million program for fiscal year 1965, that the budget request would be more than adequate. Thus, $90 million of the $365 million total has been placed in contingency and will be returned to the Treasury, if unused, at the close of the fiscal year. It has been estimated that the entire $150 million placed in the contingency authorization last year will be returned. If such holds true then the electric program for fiscal year 1964 will have amounted to $275 million—or $90 million less than our committee authorized for fiscal 1965.

Both the House and Senate Appropriations Committees, as well as the conference committee, last year included language in their reports setting up new procedures to be followed by the Administrator in processing G. & T. loans. The Administrator has revised his G. & T. policy in line with these reports and published his new procedures in the Federal Register late in February and early in March of this year.

The Appropriations Committees, as the result of last year's directives, have been charged by some with legislating by committee report. These charges are a direct criticism upon the authority of our committee to prescribe conditions as to the use of money which it recommends for the REA program. In my opinion, it is a basic function of our committee to direct how funds it authorizes are to be used, and to do otherwise would place us on many occasions in the position of "rubberstamping" the Executive. This is particularly true with respect to the REA which receives its funds in the form of a loan authorization. The committee does not have an opportunity to consider REA's budget on a line-item basis—as it does with other power agencies—and is unable to study or consider agency recommendations and approve or disapprove of specific projects prior to the advance of funds.

REA, in administering a very broad basic act, without proper congressional control, has time and again interpreted its authority contrary to what many believe to be congressional intent.

It has virtually substituted "agency interpretation" as a means of bypassing Congress. The Appropriations Committee report language provides the only means on a regular annual basis by which congressional guidance can be given to this agency.

Some members of our committee objected to establishing the item procedure when I suggested it 2 years ago as a means of exerting better congressional control over REA. My proposal at that time required the REA budget to be presented to us on a project basis insofar as generation and transmission loans of more than $2 million were concerned. My purpose was to provide some way of piercing REA's secrecy policy in connection with its processing of the larger G. & T. loans and to provide a forum where all interested citizens could present their views before such a loan was finally approved.

Objections to this proposal were mainly twofold: First, a fear that the Appropriations Committee would be making decisions that Congress had delegated to the Administrator; and second, that the committee would be required to build up a large staff of experts to help it make informed decisions on these applications.

To meet these objections, the gentleman from West Virginia [Mr. SLACK] joined with me in the introduction of identical bills which would, among other things, set up hearing procedure in the office of the Secretary of Agriculture for G. & T. loans. This would keep decisionmaking in the Department but at the same time provide a means by which interested persons could be heard. These bills, H.R. 6852 and H.R. 7213, would require the Secretary of Agriculture to hold public hearings on all generation and transmission loan applications. Such hearings, held by examiners appointed pursuant to section 11 of the Administrative Procedure Act, would conform to the procedural requirements of section 7 of that act, and any determination made by the Secretary of Agriculture would be subject to court review. This legislation has been before the House Agriculture Committee since June 6, 1963, and I sincerely hope the committee will find an opportunity to consider it during the present session of Congress.

Language contained in this year's report is relatively minor in relation to that of last year. This year's language makes clear that last year's directives apply only to the G. & T. program and not to the REA distribution program. It further points out that the REA G. & T. program should not be used where feasibility "is based solely on the cheaper power rate resulting from the lower interest rate paid by REA cooperatives than is available to private investor companies unless essential to get area coverage at reasonable rates." Administrator Clapp, in the hearings before our subcommittee, underlined the significance of this requirement when he said:

> I think that any survey of G. & T. loans * * * would probably show that, in the great majority of cases, the interest rate differential is what produces the savings that are computed.

I believe if the Administrator makes a real effort to comply with this language, some of the pressure to increase interest rates will be relieved. This could prove a big step toward helping the cooperative that serves marginal territory to maintain the 2-percent money it needs for its existence.

Significantly, this language in the committee report ties back to the intent of Congress when in 1944 it amended the 1936 act to provide 2-percent money. One of the major purposes of this 2-percent interest was to obtain area coverage.

Area coverage is the concept of extending electrification to all rural people rather than to only those in more densely settled sections. It was outlined in detail in the REA Administrator's report as far back as 1949, and has remained virtually unchanged over the years. Our subcommittee chairman has been a prime mover of this concept which has not only been of major importance to this committee over the years, but has been the subject of much discussion with the various Administrators.

It is a directive from the Federal Government to borrowers as to how Federal loan funds will be used. Its objective is to encourage borrowers to extend service to all persons in rural areas who were not receiving electric service in any form. In recognition of the low interest rate, it embodied the principle of not requiring contributions from such persons in aid of construction.

Area coverage should not be confused with problems of territorial integrity which involves disputes between power suppliers and cooperatives. The committee language does not refer to the question of territorial integrity which is a matter of State, not Federal, jurisdiction. I point this out so there can be no misunderstanding on the Administrator's part as to what the committee refers. By advising him in advance then there can be no misinterpretation on his part as to the scope of the committee's language.

One of my major criticisms of REA has been the use of its lending power to perform functions which are matters within the jurisdiction of our States. For example:

REA, from the very beginning, has used its G. & T. loan authority to control wholesale power rates within many States. This is a State matter and does not fall within the power or purview of the REA Administrator. He is a banker, not a regulator.

REA is now extending this same G. & T. authority to force the allocation of territory within the States. How a State fixes territories is matter for decision by its own legislature or its properly constituted regulatory body, and the Federal Government should keep hands off, even by implication.

As a result of REA using the G. & T. loan as a threat in the States, this agency has now run head on into a Federal regulator—the Federal Power Commission. The collision has created a critical problem for many REA borrowers—a problem that might never have occurred had REA not overextended itself through misuse of the G. & T. loan authority.

ALASKA

A matter of greatest importance which I wish to discuss today is the damage suffered by REA borrowers in Alaska and what we can do about it in this bill. The terrible earthquake that devastated Alaska on Good Friday, March 27, left a path of destruction in its wake that is impossible for the people of that sparsely populated State to recover from without real substantial outside assistance. And by assistance, I mean grants, not mere loans.

When one grasps the magnitude of this disaster in terms of the sparseness of Alaska's ready resources, the need will be obvious. The economic heart of Anchorage, Alaska's largest city of 49,000 was practically destroyed. Seward, Valdez, Cordova and the Kenai Peninsula suffered devastation. Total damage is now estimated at $300 million by the Office of Emergency Planning. Little of the property involved was covered by earthquake insurance. Further, nearly a hundred lives were lost. Remember, all of this took place in a State with a population of only 246,000.

Since the quake and the attendant tidal waves hit the coastal areas, great damage was done to the fishing industry. This is one of that State's primary sources of ready income. Both salmon and king crab fishing and processing were very badly hit. Remember, over 35 percent of Alaska's pink salmon industry centers on Seward, Kodiak, Cordova, and Valdez. Fishing is the State's biggest source of income—over $90 million a year—and if the brave, hard-working, courageous people of Alaska are to be given a chance to recover, this industry, along with these major ports, must be put on their feet with speed.

Electricity is vital to the economic recovery of these ports and the revival of fish processing. In many of these communities, electric facilities were badly damaged. REA-financed cooperatives furnish power to much of this stricken area. One such cooperative has suffered damage of at least $5 million, while total damage was possibly as high as $7 million. The restoration of normal electric service in the area of havoc is vital to the recovery of the State. Although this Congress has been very helpful in aiding Alaskans in other aspects of recovery, nothing has been done to keep the REA borrowers who must provide a substantial part of the muscle needed for rebuilding the economy.

The significance of this damage can be appreciated better when it is remembered that these five cooperatives were financed by REA loans totaling about $46 million. These borrowers still owe to REA about $38 million on these loans. To put these power systems back in order will take another $5 to $7 million.

Obviously, these cooperatives need "grants" not "loans" for rehabilitation purposes. They cannot assume the additional burdens of further loans to restore normal service.

When we consider the rural electrification section later in the day, I propose to amend the bill to provide that $5,300,000 of this year's authorization shall be available to rural electrification borrowers in Alaska for the repair, rehabilitation, or reconstruction of all their facilities and property damaged, destroyed, or dislocated as the result of the March 1964 earthquakes, and that any amounts so made available and used shall not be repayable by the borrowers. This amendment will not increase the total funds in this bill. It will merely earmark a portion of the REA authorization for aid to Alaska.

This is a matter of great urgency, and I hope Congress will take positive action on it today.

Mr. CHAMBERLAIN. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I will be glad to yield to my friend from Michigan.

Mr. CHAMBERLAIN. I know that from my conversations with my colleague and other members of the committee, the committee is well aware of the threat posed by the cereal leaf beetle which has recently been introduced into areas in lower Michigan, Ohio, and Indiana. Upon examining the bill and the report, I find no mention of any provisions made here for a crash research program for the eradication of this threat. Could the gentleman tell us what disposition was made of this request for $200,000 to the committee to have this research program instituted to get rid of this beetle?

Mr. MICHEL. The gentleman will recognize that there have been a number of requests for crash programs in a variety of areas. The committee thought—and I believe the chairman will bear me out—in some of these areas we could not conceivably have earmarked specifically all of these items, but I will say to the gentleman we have, as he well knows, some Federal money in that cereal leaf beetle eradication problem up there in Michigan. It is our intention, with the flexibility that we have given the folks in the research section, Dr. Shaw and his associates, that they will press forward with everything they have to eradicate this. I well know, as a Member from the State of Illinois, that if that cereal leaf beetle should move down through Indiana and into Illinois, and the far West, we would have a terrible situation which could conceivably cost the American taxpayers and the American people hundreds of millions of dollars in the future.

Mr. CHAMBERLAIN. But the gentleman has not answered my question. What is the source of the funds to be expended on this research program?

Mr. MICHEL. The Chairman is on his feet, if he would like to address himself to that question.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield to me?

Mr. MICHEL. I yield to the Chairman.

Mr. WHITTEN. May I say, as I tried to point out earlier, that our committee provided quite a large amount of additional funds for research; in fact, $18,800,000 additional funds, which the gentleman will find in section 32.

Mr. CHAMBERLAIN. Mr. Chairman, I should like to say that the gentleman is to be commended.

Mr. WHITTEN. We tried to keep from tieing down dollar amounts for each one of these problems. What we tried to do is not to give them a fixed sum of $200,000 for the specific problem. We tried to tell them to handle the problem, and if it takes twice that amount, they have the funds with which to do it. The money is in here.

But money and results are two different things. We have not tried, in other words, to give them $200,000 as such for this project, but we have provided them more money than that if they can find ways properly to use it.

And in the report they have instructions to move forward just as fast as they can. But they have plenty of money with which to do it, if it does take more than that amount.

Mr. CHAMBERLAIN. Mr. Chairman, I would like to ask the Chairman this: Does he feel that the request of $200,000 for this purpose is a reasonable request?

Mr. WHITTEN. May I say that that is something that is so hard for a person to judge. It depends upon qualified personnel, on who is able to move, or how fast he can move. It is far too much if you cannot get the right kind of people. But it is too little if you can get the people and you can move fast. I do not know how to estimate it in dollars and cents. That is the reason we have not tried to do that.

Mr. CHAMBERLAIN. I appreciate the gentleman's problem. But if the personnel are there and they are ready to move forward, and they can make a showing of progress in this area, then the gentleman can assure us that the $200,000 that they feel is necessary will be available.

Mr. WHITTEN. Certainly. I do not think there is any question but that it is available.

Mr. CHAMBERLAIN. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman.

Mr. GROSS. This bill is supposed to be $1,059 million less than was appropriated for the fiscal year 1964. Is the gentleman saying that most of the funds allegedly saved have simply been deferred, and will be appropriated later this year? Is that what the gentleman is saying?

Mr. MICHEL. Mr. Chairman, I think that is a pretty good assessment of the situation. It would assure us that the CCC, for whatever the assurance is worth, will have enough money available and enough latitude to buy and sell for the next fiscal year. But my feeling is that this is maybe so much hocus-pocus and that before the end of the fiscal year we will be back here correcting the situation.

Mr. GROSS. So that when the President sent his budget message to Congress, calling for a $1 billion cut in agricultural appropriations, that might be called about as phony as a $3 bill, something of that kind?

Mr. MICHEL. Well, a $3 bill is certainly phony.

I pointed out that as to the budget of $150 million as an authorization for ACP the Congress traditionally has gone along with a level of $250 million. But, knowing that it was a popular program and that the subcommittee would support it, and the committee would sustain the subcommittee in putting it back, of course it makes L.B.J. look better by asking for $100 million less and puts the onus on the Congress for upping the figure. That has happened in a number of appropriation bills throughout the year. One example after another can be cited.

Mr. GROSS. I thank the gentleman.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. FINNEGAN].

Mr. FINNEGAN. Mr. Chairman, I rise in support of the Agriculture appropriations bill and particularly the section which allows the completion of the marketing research study of the wholesale food markets in the city of Chicago under the Transportation and Facilities Division of the Department. As a Representative of a completely urban area, I usually find little of direct benefit to my constituency when we are considering agriculture or farm legislation; and so I am especially pleased to see this item included.

I want to congratulate and thank the gentleman from Mississippi [Mr. WHITTEN], chairman of the subcommittee, and all of its members for recognizing the very necessary need for this appropriation.

For some time the city of Chicago has been greatly concerned about the inefficiency of wholesale food marketing in the greater metropolitan area and in 1959, under the leadership of our great mayor, Richard J. Daley, a preliminary survey was launched. The finding showed that existing facilities were poorly located, inefficient, and out of date, and that a detailed study by experts was urgently needed.

The Department of Agriculture through its Transportation and Facilities Division had undertaken similar research studies for other metropolitan areas such as New York and Philadelphia with great success, and in January of 1963 a wholesale food marketing study was initiated for our area.

As I understand it, about 750 wholesalers are involved in distributing the $3.2 billion worth of food handled in our city each year. The complexity of the problems of distributing food in Chicago rank next to those of New York's. Our operations affect the whole Middle West and even other parts of the country because of Chicago's predominance in railroad transportation.

The New York survey estimated that if the facilities were constructed and used as planned, "the saving would amount to about 2.5 percent of the wholesale value or about $2 per person annually in the metropolitan area of New York City." The market study also indicated that "Savings and benefits are comparable in other cities where studies have been made and improved facilities constructed."

We in Chicago, of course, visualize the same results for our city and with the research study now past the halfway mark we were deeply interested and were relying on in its completion and the findings put into effect.

These markets are not concentrated in my district but directly affect my constituency as well as the other members from Chicago and the State of Illinois. As the only Chicagoan on the Appropriations Committee, I am pleased to present our position. Under other and earlier times and circumstances we would have had the assistance, guidance, and great help of our lately departed dean, Tom O'Brien, a good friend of so many of this body, whose memory will remain fresh with us for a long time.

Mr. KLUCZYNSKI. Mr. Chairman, will the gentleman yield?

Mr. FINNEGAN. I yield to the gentleman from Illinois.

Mr. KLUCZYNSKI. Mr. Chairman, I commend my colleague from Illinois for the splendid statement which he has made. I also wish to commend the chairman of this fine committee for the splendid job which has been done, the gentleman from Mississippi [Mr. WHITTEN] and the other members of that committee.

Mr. Chairman, I am happy to find that we of an entire urban area of the great city of Chicago will participate in this bill. Seldom can the large cities show a direct benefit from legislation mainly devoted to improving the lot of the farmer and agriculture in general.

With all other members of the Illinois delegation from this side of the aisle I want to congratulate the subcommittee chairman, the gentleman from Mississippi [Mr. WHITTEN], and the other committee members for their thorough and complete hearings which led ultimately to their acknowledgment of our need for the irreplaceable aid of the Transportation and Facilities Research Division whose survey of our wholesale food markets mean so much to us.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. FINNEGAN. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Illinois [Mr. FINNEGAN]. I believe he has done a great service for the city of Chicago in being able to retain this very important installation. I do hope that it will be accepted by the full Committee on the State of the Union.

Mr. PURCELL. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. ROSTENKOWSKI] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Chairman, I rise in support of this appropriation bill which provides funds for the Department of Agriculture for fiscal year 1965. I wish to commend the members of the committee for the excellent job they did in reporting a bill which enables the Department to carry on their work for the benefit of our citizens. However, I am most pleased at the committee's decision to provide the necessary funds to enable the Transportation and Facilities Research Division of the Department of Agriculture to continue their excellent program to improve marketing facilities for food. It is a sound decision which will benefit all of our citizens.

We in the Chicago metropolitan area are especially pleased with the restoration of necessary funds to continue a study of wholesale food handling facilities in Chicago, which was initiated in January of 1963. When you consider that $3.2 billion worth of food is handled by approximately 750 wholesalers in our city, the need for improving food handling, processing, packaging, storage, and transportation of products to the consumer should never be ignored.

The city of Chicago, under the great leadership of our fine mayor, Richard J. Daley, has been on an accelerated move toward modernization. The vast improvements made in the structural appearance of our city, our living conditions, and the growth of our economy has enabled Chicago to take its rightful place as one of the world's greatest cities. This progress, however, is in its infancy for there are many other areas which require updating, so that we can continue our progress to benefit not only the Midwest but the Nation as a whole.

Food handling is a most important area and Chicago's city officials and wholesale operators recognized the need for improvement in the complex functions of this industry. It was 1959 that a prestudy of our problem began. The urgent need for a detailed study of the existing conditions and recommendations for improvement was established. In January of 1963, the Department of Agriculture approved this study for a 3-year period. The funds allocated today will enable this study to be completed, which directly benefits 7 million people in the Chicago area and two counties in Indiana. But more important it also benefits the people from Maine to California and from Minnesota to Florida, where similar projects are underway. This research can result in saving nearly $1 billion per year in food marketing costs, and the Nation's farmers and consumers will be the benefactors. This is the kind of objective legislating that we need. It shows that we, in this House, are alert to our Nation's needs and we are providing for the progress to make our Nation move forward. I urge that we approve this bill as reported by the House Appropriations Committee.

Mr. PURCELL. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. MURPHY] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MURPHY of Illinois. Mr. Chairman, I rise in support of H.R. 11202, the Agricultural Appropriation Act of 1965, and especially concerning the Transportation and Facilities Research Division, which relates to the marketing research study of the wholesale markets in the city of Chicago.

The inclusion of this study would allow continued research on market facility planning and wholesale and retail operations for the South Water Produce Market in the city of Chicago.

As a former member of the city council of Chicago for 24 years, and a member of the executive committee of the Chicago Planning Commission for 12 years, I am thoroughly cognizant of the major problems confronting the South Water Produce Market. A study of this character would be very beneficial to the planning of the future operation of this great market.

The elimination of the Transportation and Facilities Research Division would have left no other agency, either governmental or private, that is capable of providing a service of this character.

The future of the South Water Street Market is very important not only to producers but also to the consumers of the city of Chicago. It is important that this study be completed for the survival of the market services to the city of Chicago.

Mr. PURCELL. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. O'Hara] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'HARA of Illinois. Mr. Chairman, I join with my colleagues from Chicago in expression of appreciation to the great subcommittee of the Committee on Appropriations and its able and distinguished chairman, Mr. Whitten. The termination of the marketing research study of the wholesale and retail markets of Chicago for lack of money would have been nothing short of a national tragedy with frightful repercussions. I have always supported farm legislation because although mine is entirely an urban district, its economy is bound to be adversely affected when the going on the farm is bad, and beneficially affected when the agricultural economy is good. I am happy that in the bill now before us is proof positive that the mutuality of interest of the urban districts and the agricultural districts is receiving a larger measure of acceptance than has been the case in the past. It is good for the cities, good for the farms, and good for our country. It is in line with the thinking and the planning of President Johnson and Mayor Daley, working together for a greater, a finer, a richer, and happy America, a land from which poverty will have been driven and in which dissention and misunderstanding between Americans who live in towns and Americans who live on farms forever will have been banned.

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. FINNEGAN. I yield to the gentleman from Illinois.

Mr. MICHEL. I too want to thank the gentleman for bringing this to the attention of the members of the Committee and making it a part of the legislative history. Certainly the budget did reflect a cut of $862,000 here and the committee went along and restored $662,000 of that, specifically for the three areas of market facilities studies, work methods and equipment, and transportation and packaging.

Mr. Chairman, I believe it is a well-known fact that this is a popular program. The members support it. I am glad to see that the gentleman brought it out here on the floor of the House this afternoon. I certainly support it and point back again to my original remarks and say again that some of the programs contained in this agricultural bill in large measure are going to urban centers and city dwellers.

Mr. WHITTEN. Mr. Chairman, I too wish to thank the gentleman for his statement and to agree that this work has proved very efficient in many areas.

Our subcommittee last year was glad to initiate this program, as the gentleman will recall, at the request of the delegation from Chicago. I want to say again the support that American agriculture has had by his delegation has helped because, after all, we are all in this thing together and prosperity cannot be for one section without the other.

Mr. HORAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. Clancy].

Mr. CLANCY. Mr. Chairman, I rise in opposition to H.R. 11202 which would appropriate more than $5 billion for operations of the Department of Agriculture in the coming fiscal year.

Now, I am not by any means an agricultural expert, but it does not take any specialized training in the field to recognize that 30 years of excessive production control and other Government intervention in agriculture, plus the expenditure of billions of dollars of taxpayers' money, have not solved the farmers' problems.

I am particularly disturbed by the increased appropriation for the Rural Electrification Administration contained in this bill. After branching out in directions only remotely related to its original statutory authorization, the REA has substantially fulfilled the purpose for which it was created during the depths of the depression.

When the agency was created, 25 percent of our Nation's population lived on farms. Today, only 8 percent of the population lives on farms, and the total number of farms has declined by 50 percent. Yet, instead of diminishing correspondingly, REA's activities have expanded. We have reached the point where REA-financed systems now constitute a tax-supported and tax-exempt power complex, in direct competition with private utilities.

In reality, the rural electrification program is not today an agricultural program at all. Instead, the REA's program is oriented primarily toward the rural nonfarm sector and toward suburban areas, both residential and industrial, within metropolitan complexes.

Despite long-term loans in excess of $4.6 billion at the artificial interest rate of 2 percent and numerous other special subsidies and advantages, REA borrowers are not yet earning a return adequate to repay the Treasury the full cost of its own borrowings or to assume a proportionate share of local, State, and Federal taxes. It is important not to overlook the fact that the cost of the REA program includes tax and interest revenues lost, in addition to the total dollars directly appropriated.

You will recall that last year when we were considering appropriations for the Agriculture Department an amendment was offered by my good friend, the gentleman from New York [Mr. Becker] to cut the funds requested for REA. In opposition to his amendment a spokesman for the committee urged us to stand by the committee by supporting the full amount requested and give the committee and administration an opportunity to work out the objections that had been raised to the operations of the REA.

The amendment was rejected; more than 11 months have elapsed, and the abuses resulting from REA's competitive practices are still rife.

Because the purpose for which the agency was created has largely been fulfilled—inasmuch as 98 percent of all U.S. farms receive central station electric service—and because its current activities are in direct conflict to our basic free enterprise system, I think this program, which is so often shrouded in secrecy, should be phased out. Then the taxpayers will no longer have to subsidize REA's invasion of private industry, private power, private financing, and free enterprise.

I have received a petition signed by many of my constitutents, expressing their opposition to this continued direct competition with free enterprise and, as they so correctly point out in their petition, every Government agency that is in direct competition with any free enterprise, and that does not have to pay taxes, is a burden on every taxpayer in our country.

I would also like to express my concern over the competition resulting from the numerous inducements provided by the Federal Government to encourage American producers to expand their oversea activities, which together with the failure of our Government to adequately curtail imports, is threatening the livelihood of American farmers. These imports are a contributing factor to the tremendous surpluses we have amassed and must be curtailed before any further damage is done to our domestic industry.

The illegal handling of commodities shipped abroad under Government-financed programs, as illustrated by the diversion last year of American grain to East Germany, is another development that has deeply concerned me. I am hopeful that the steps being taken to prevent such diversions and similar manipulations in the future will be successful.

The sum requested in this bill could be drastically cut if we would gradually return control of the Nation's farms to the farmers who own them.

A farm policy that treats farmers big and small, rich and poor, as if they had the same problems and the same requirements for Government assistance is not based on a realistic appraisal of the situation. A support price that is high enough to cover the production costs of a small-scale, inefficient farmer provides a rich opportunity for risk-free profit for the large scale, efficient farmer who spends much less on production costs and can, as a result make money by growing a crop that nobody needs.

The basic issue in the field of agriculture is the issue faced in many other fields. What is going to be the role and responsibility of the Federal Government? Is it going to take over control and management of our farms and regulate farm prices with more and more Federal bureaucracy? Or will we move in the direction of reducing the role of Government in agriculture and allow the market system to determine the value of commodities and returns to our farmers?

The longer an adjustment is postponed, the more difficult it will be to extricate agriculture from its present difficulties. We must begin the transition to greater reliance on the market and less reliance on restraint, regulation, and manipulation. We can begin now by voting against appropriations proposed at the level in this bill.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. McFall].

Mr. McFALL. Mr. Chairman, I wish to compliment the subcommittee for adding funds for expanded research in diseases affecting agricultural crops, which continue to take a heavy toll on the sugarbeet crops in the various areas of my State of California today. This is particularly true in the case of the yellow viruses and nematodes. Depending upon local conditions, those acres affected suffer severe losses in production.

We are aware of and thankful for the research on these matters which is now in progress at our research station at Salinas, Calif., as well as several projects now being carried on at the University of California. Local interests are contributing what limited funds they have available to these activities.

We believe that speedier solutions will come only as a result of expanded research on these and related problems, both in the USDA and the University of California, with due regard to keeping duplication of work at a minimum and to the ultimate objective of developing resistant seed varieties.

I know the chairman has discussed this matter previously in answer to a question from another Member, but I should like to ask the chairman if he believes there will be sufficient funds to provide for this research?

Mr. WHITTEN. I think there is a sufficient amount of funds for that research. May I say, as I tried to point out in my earlier opening statement, that a manpower ceiling has been imposed. They will not be permitted to have the manpower, but it may be in order for the Department to contract some of this work.

I would suggest to the gentleman, as I know he has, to take this matter up with the Department because they are the ones to pass on the qualifications and the number of people who do this kind of work.

Mr. HORAN. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. Hall].

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding to me. I am concerned about the alleged budget-saving cut in this appropriation bill that mostly applies to the conservation practices, to the extension services, to the soil and water conservation districts, and the watershed planning areas of the Department of Agriculture. I think these are good practices. They are, and do encourage conservation of our God-given resources for posterity.

It is well known it requires $25,000 per district to staff a new district. It would require $200,000 additional funds in the 1965 Appropriation Act to provide a technical staff for the new districts being organized in Missouri alone. If such funds are not provided, these new districts will either be without technical assistance or technical assistance will have to be withdrawn from the existing 60 districts in Missouri to assign to the 8 new districts.

I would assume generally, Mr. Chairman, the same thing applies to the agricultural conservation practices and particularly to the extension agents on whom we have come to rely through the University of Missouri, the Department of Agriculture, and its counterpart at the Federal level in the various counties.

Then I am also concerned about the funds to continue the full complement of watershed planning technicians assigned in this State.

From watershed funds appropriated for the fiscal year 1964, $82,000 is allotted to Missouri to provide for a watershed planning staff. This staff consists of a six-man team including a party leader, a hydraulic engineer, a planning engineer, a geologist, an economist, and an aid.

In the 1965 budget estimates there is a provision for a 20-percent reduction in funds for watershed planning. This would result in a $16,000 reduction in funds for watershed planning in Missouri. These matching funds are hard to come by. It would require reducing one, or maybe two, of these highly trained and experienced watershed planning technicians.

This is one of our most important efforts. There is great need for stability and planning. We must not vacillate and unduly "put upon" the States.

Applications for watershed planning assistance have been received from 44 local sponsoring organizations in Missouri of which many are from the Seventh District in southwest Missouri generally known as the Ozarks with its many rocks and rills that has real problems of soil and water retention.

Watershed planning has been approved for 13 of these organizations and 8 of their work plans have been approved for operations. The remaining 31 watershed sponsors are waiting for planning assistance. Goodness knows, we are doing everything possible to help ourselves. There is an urgent need to continue the present watershed planning staff in Missouri as a bare minimum, and I am sure in many other States.

Mr. Chairman, because soil and water conservation is a vital issue in southwest Missouri we are particularly interested in the Soil Conservation Service and anything that affects it.

Missouri is the only State in which soil and water conservation districts do not cover at least half of the counties. But this is changing rapidly, and my district, the Seventh Congressional District—in the vanguard of this forward step—is a good example of what is happening. As of now we have seven soil and water conservation districts. On July 1 of this year two more will be organized and a third is scheduled before the end of the year. Meanwhile, organizational activities are underway in three more counties. When these are completed about two-thirds of the Seventh District will be covered.

We are interested in the Soil Conservation Service because in water for irrigation, in the improvement of pastures, ranges and grasses, and in improvement of timber, all of which constitute basics in our economic condition, it is the specialists of the Soil Conservation Service on whom we depend for technical guidance.

In one county last year the farmers, through their soil conservation district, completed construction of water impoundment structures on four lakes of 8 acres each. They needed this water storage to irrigate their farms. Without the technical assistance of the Soil Conservation Service this would have been a costly project, and quite probably unaccomplished.

Woodlands development in our section of the country is a tremendous asset in commercial use and esthetic enhancement of our great Ozark highlands. Here again, Soil Convervation Service conservationists and woodland specialists provided technical information that aided residents of the area to make decisions vital to their welfare.

I should like to underscore the fact that the workload in existing districts is increasing. In fact, a backlog is steadily building up. Now we are creating new workloads in districts that are organizing this year in my congressional district. All this adds up to a great need for more technical assistance from the Soil Conservation Service.

The National Association of Soil and Water Conservation District recommends an increase in the Soil Conservation Service appropriation for conservation operations in the sum of $10 million to meet present needs. I wholeheartedly support this recommendation, Mr. Chairman, and I likewise support the Association's recommendation for $7 million additional for watershed planning and operations.

These increases will help us keep pace with the technical assistance required in our growing number of districts and watershed projects, and the demands in my area for help in pond construction, pasture improvement and other activities in which we definitely need more Soil Conservation Service technical help. There was such a demand recently for pasture development that the Soil Conservation Service had to assign a range specialist to assist district cooperators in my area.

I hope the bill is favorably recommended and that the committee will urge the Department of Agriculture to follow along and emphasize these four principal lines of: First, extension services; second, agricultural conservation practices; third, soil and water conservation; fourth, watershed development and practices.

Mr. ICHORD. Mr. Chairman, contained in the Department of Agriculture 1965 appropriation bill are funds for various programs so vitally necessary to both the agriculture industry and the American consumer, including such programs as research, disease and pest control, extension, marketing services, sundry inspection services, and other assistance programs. One is certainly deserving of utmost attention of Congress; namely, the Soil Conservation Service. This agency performs an invaluable and essential service to many, including those engaged in agriculture. Help from the Soil Conservation Service has enabled a great many farmers to apply conservation practices that they otherwise would have found difficult to do. Sound soil and water conservation practices are fundamental to keeping our streams flowing clear throughout the year. Unless technical assistance and cost-sharing programs to soil conservation and watershed protection districts are continued, our future water supplies and land-use planning are in jeopardy.

The Soil Conservation Service is a major participant in our steadily moving ahead with the work to protect and improve farmland and watersheds. There are a great many very important values involved in the nationwide effort as thousands and thousands of farmers voluntarily work together toward the constructive purpose of improved use of land and water resources in America and for a better system of land and water management.

Of special interest to me is title I provisions of $207,454,000 for the Soil Conservation Service, of which $770,000 is set aside for the formulation of new soil and water conservation districts. Local conditions resulted in a delay in organizing districts in Missouri. The committee's consideration in recommending funds in this respect is indeed farsightedness and will enhance agricultural activity and the economy. The State of Missouri is now moving ahead very rapidly in organizing soil and water conservation districts toward the goal of having the entire State organized. Plans are being made on a wide scale to use the resources of participation in the program to combat the economic depression in some area development counties. By means of the soil and water conservation programs farmers and landowners are determined to keep their soil and water resources productive. Only through conservation accomplishments can this objective be attained. Conservation and development of natural resources is beneficial to the overall economy—the community, county, State, and the Nation as a whole.

The Soil Conservation Service has made many advances in its 29 years of existence, but much remains tc be done. I extoll the value and need for watershed, soil and flood prevention programs in the Nation and especially in my district in Missouri, and, therefore, urge the passage of H.R. 11202, the 1965 agricultural appropriations bill.

Mr. **LANGEN**. Mr. Chairman, I wish to recommend to every Member of the House the committee report which accompanies H.R. 11202, presently before us for consideration. The chairman of the subcommittee, the gentleman from Mississippi [Mr. WHITTEN], the ranking minority member, the gentleman from Washington [Mr. HORAN], and each of the other members of the subcommittee, are most deserving of every compliment and recognition in having produced one of the best committee reports that I have had occasion to review and study since coming to Congress. The report and bill are noteworthy, not only because of the extent to which agricultural needs are provided for by appropriation, but just as significantly, for the explicit informative analogy that the report sets forth concerning the many varied phases of agricultural problems today.

There have been many times during the course of this Nation's history when agriculture has been deserving, and in a position where it was in need of the most diligent and constructive attention of the Congress. A like and equally urgent situation now faces our national economy, together with consumers and producers of food and fiber.

Most of the pertinent and salient parts of the bill and the report have already been called to the attention of the House. It becomes my purpose to briefly endeavor to place some additional emphasis on a few of the points that are, in my judgment, particularly significant.

In order to discuss them with realistic understanding, it is well for us to make note of and further expand on the paragraph on page 9 of the report, entitled "American Agriculture—A Long-Range Consumer Concern."

The statistics indicate that farm population is decreasing, while the investment required per farm is increasing, and at the same time the farmer's share of the consumer's dollar is rapidly decreasing, together with his net income. This has created greatly reduced income potential for farm operators that in 1963 reverted back to 1939 levels with indications of further declines in 1964. Such economic decline for the people who produce our society's most essential commodities of food and fiber at a time when every other segment of this Nation's economy is enjoying a substantial economic increase and period of prosperity stands before us today as a major threat to the future economic well-being of the entire Nation.

This is well stated on page 12 of the report in the second paragraph, which concludes with the reminder that every major business recession in this country has been preceded by the loss of income and purchasing power at the farm level.

The item in the report entitled "The Consumer's Stake in Agriculture Is Increasing," sets forth the most desirable and envied position of the consumer in America today when compared with the rest of the world, in that the food per capita expenditures in the United States are the lowest in the world when related to consumer income. The predicted population increases, to reach 340 million by the year 2000, are indicative of the great need for this country to conserve its food production resources, maintain its efficiency, and encourage the even further development of individual productive know-how that is so prevalent throughout our agricultural community.

Let me reemphasize the paragraph on page 13 of the report which states that "unless our present system of agriculture can survive, it is conceivable that the time could come when a significant portion of the 92 percent of nonfarm population will again have to return to the soil to obtain their food supply. This is the situation in certain Soviet-controlled countries and other areas of the world."

I am sure that no one would entertain any desire that such experience be a part of our future.

These are but a few of the very pertinent circumstances that the report sets out so explicitly which emphasize the need for diligent study of this report by all Government officials as we attempt to cope with and ponder the solution to existing problems.

I want to specifically direct attention to the item on page 15 of the report, entitled "Urgent Need for Control of Excessive Agricultural Imports," for it has become increasingly evident that a major portion of the problem that confronts us today has been aggravated and encouraged by the imports of unneeded agricultural products that are already in surplus. I can enthusiastically support and consider it essential that the suggested special investigation of cattle imports be instigated at once. I have already recommended to the Departments of Agriculture and State, the Tariff Commission, and the Geneva negotiators that a comprehensive investigation be made of our entire policy as it relates to the distribution and exchange of agricultural products in international trade. The recent experience with beef imports and its effect on the American market which has caused farmers throughout the Nation to suffer great income declines and losses in the last 2 or 3 years is surely a very convincing case in point.

Not only have farmers suffered dire consequences, but it is now proving to be a very expensive situation for Government in requiring the purchase of large quantities of beef and meat products in very feeble and unsuccessful attempts to bolster the market. It seems almost inconceivable that such a situation could be permitted to develop, in view of existing law which reflects the wisdom of the Congress in establishing the necessary safeguards against these hazards when it enacted section 22 of the Agricultural Act in August of 1935.

Again I quote from the report:

> It is impossible to maintain a balance between supply and demand through buying up of surpluses, using section 32 funds or otherwise, when unlimited amounts can enter this country from abroad in direct competition with American production.

It is even more surprising and difficult to understand some of the present activities of our Government under these circumstances which even further amplify the problem, and which, in my judgment, amount to a complete disregard for the future well-being of the American farmer and the American consumer.

I call to your special attention the fact that oversea production is encouraged by the United States under the AID program, which is set forth very clearly and distinctly on page 17 of the report. The fact that through the AID program we provide as much as 50 percent of the traveling expenses in order to explore the feasibility of private investments abroad, some of which have been the production of beef cattle, and then provide loans with which to set them up in business, with further investment guarantees, certainly indicates unfair competitive advantages that are not available to the American producers. In addition, tax advantages have been suggested.

But even this is not the greatest folly presently being promoted which can have no other result than further hardship, more Government restrictions, and expense to the taxpayer, that has very recently been recommended to the Congress. I refer to the legislation sent to the Congress, supposedly designed to alleviate economic problems in Appalachia. One of the recommendations relates directly to agriculture and proposes that an accelerated pasture improvement and development program be instigated, involving 9½ million acres of land, at a cost of $22 million for fiscal 1965, with comparable or even expanded expenditures for the next 5 years.

Having reviewed the problems that now confront the beef industry, it defies imagination to visualize how anyone closely associated with existing conditions could possibly make the following statement, which appears in the report of the President's Commission:

> Its development and use for beef production over the next few years would help to meet the Nation's rising demand for beef. Sufficient potential pastureland and a growing local market (the region presently imports beef) are available to sustain a substantial and profitable expansion of the cow-calf industry throughout the Nation * * *. We believe that the potential in beef is so outstanding that the major original effort in agriculture should be concentrated there.

Such a statement, following the Department of Agriculture's recent announcement that a purchase program was necessary in order to attempt to bolster beef prices, and with thousands of complaints from all over the Nation relating to the present dire circumstances of the beef production industry, represents the very height of irresponsible recommendations. It is no wonder that farmers are becoming concerned about "What is Government going to do to us?"

The complete lack of regard for the American farmer and these conditions is further emphasized by a letter addressed to the Honorable Franklin D. Roosevelt, Jr., Chairman of the Appalachian Regional Commission, which reads as follows:

> Hon. FRANKLIN D. ROOSEVELT, Jr.
> *Chairman, President's Appalachian Regional Commission.*
>
> DEAR MR. ROOSEVELT: We, the undersigned members of the Cabinet and heads of Federal agencies, have reviewed the report of the President's Appalachian Regional Commission of which you are Chairman. As you know, our respective departments and agencies have participated in the preparation of the report. Each of us has been represented on the Commission itself, and our staffs have provided technical support in the drafting effort.
>
> We want to express our support for the action program outlined in the report. We shared the concern of the late President John F. Kennedy when he called for an action program to restore the economic vitality of Appalachia. We join with President Lyndon B. Johnson in his decision to employ, to the maximum extent possible, the resources of the Federal Government in a concerted effort to assist the people of Appalachia.
>
> If the joint Federal-State program called for in the report can be fully implemented, the basis will have been provided for a sound economic development program in the Appalachian region. We know we speak for all the Federal Government when we pledge our full participation in that program and its implementation.
>
> Sincerely yours,
>
> ——— ———.

This letter is signed by six members of the President's Cabinet; namely, Celebrezze, Health, Education, and Welfare; Dillon, Treasury; McNamara, Defense; Udall, Interior; Hodges, Commerce; and Freeman, Agriculture. In addition, it is signed by Wagner, Chairman of the Tennessee Valley Authority; and Seaborg, Chairman of the Atomic Energy Commission, as well as Foley, Administrator of Small Business; Webb, Administrator of Aeronautics and Space Administration; and Batt, Administrator of the Area Redevelopment Administration.

I would recommend that each of these very prominent Government officials direct their attention to this committee report and a number of statistical reports recently published by the Department of Agriculture, which identify the seriousness of the entire agricultural problem, more specifically, beef imports.

The failures of ARA and APW programs are also prominent on the scene of agriculture, in that they, first of all, have failed to improve conditions in Appalachia, so that recommendations are now necessary that can only provide further hardships for farm families and communities who have made such a great contribution to the best fed nation in the world. They have built sugarbeet processing plants in new, unproven areas at Government expense, necessitating a refusal to permit other proven farm areas to even make use of the beet-producing possibilities that we know exist, at no cost to the taxpayer.

These actions are comparable to the production of crops on irrigated lands which have aggravated surpluses and depressed farm prices. These projects have been financed by Government dollars, without interest, to the detriment of agricultural areas and farmers who have had sufficient productive capacities at no Government expense. This has created the need for more restrictions and production limitations to be placed on innocent farmers in other sections of the country.

While these are but a few of the many undesirable circumstances that confront the future of agriculture, I have pointed them out because they identify the extent to which these problems are actually Government-oriented, with seemingly little hope of improvement.

These problems are the right and just concern of every American citizen, whether he considers himself as a producer, consumer, or taxpayer. They represent problems that this House ought to be seriously concerned with today, as we are called upon to approve a commendable appropriation bill; for while this bill shows a reduction in present expenditures, which, by the way, cannot fully be ascertained until such time as experience with newly enacted programs has been documented, they alert us to the fact that greatly increased expenditures are almost certain to be the needs of tomorrow.

Government programs which now demand huge expenditures impose on farm people undesirable restrictions and regulations, and have all been enacted at times when farm income persisted at levels that were lower than and out of proportion with the rest of the Nation's economy. Therefore, if these conditions are permitted to prevail, it becomes easily predictable that further Government control and expenditures are obviously realities of the future. The final result could be a Government straitjacket for farmers that would completely ruin his freedom and productive ingenuity.

So often, we hear and are reminded that the American farmer is the cause of these needed Government programs. We have just seen typical examples of how these problems have become acute by factors over which the American farmer had absolutely no control, and are rather the results of a complete failure on the part of Government to follow the directives of Congress or to recognize their responsibility to the American farmer and this Nation's economic well-being. Unless Congress takes the proper steps to correct these conditions, it will quite obviously become necessary to substantially increase undesirable appropriations in future years. As we have seen by this analysis, many of today's problems can be corrected by Government actions that would require no added expenditures, and, in reality, provide an opportunity to reduce the costs, and so be a great contribution toward a balanced budget.

It is, therefore, imperative that every Member of Congress and respective committees direct the same diligent attention and analysis that has been so explicity registered by the Appropriations Subcommittee on Agriculture. They have truly rendered a great service to the entire Nation, if we now take heed of the analysis and warnings that they have set before us. The American farmer has earned and is justly deserving of at least this minimum consideration for an enviable record over the years.

Mr. LIBONATI. Mr. Chairman, the appropriation for the Department of Agriculture and related agencies for 1965 as reported in H.R. 11202 total $5,182,665,000, an amount less than the 1964 appropriation in the sum of $1,059,632,215.

One of the important items is an appropriation of $1,500,000 for a study research of tobacco at the University of Kentucky Tobacco Research Laboratory—adjacent to the Medical Research Center. The purpose of the study is to remove such ingredients that are detrimental to public health of the user.

Another item for additional research is the pesticide residue problem including insecticides together with the effects of sprays, and so forth, used in agricultural production. The effect upon fish of certain agricultural pesticides as well as the chemical insolubility of certain substances comprising the pesticide formula resulting in stream pollution will be studied. An appropriation of $1½ million has been recommended in the bill. The use of fertilizers, insecticides, and pesticides insures higher quality foods and an abundance of crop return. Otherwise the production of food crops would decline—an the ravages of insects and pests if unabated would result in a shortage of essential foods. A strong agricultural economy insures a strong national economy. Industry and agriculture are dependent on one another to maintain the financial stability of the Nation.

The committee is to be congratulated in its refusal to follow the recommendation of the Bureau of the Budget to eliminate marketing research which has been of controlling importance to the interest of the consumers. These stations located at Chicago, Boston, Philadelphia, New York, Pittsburgh, Detroit, and many other cities conduct marketing studies to improve marketing facilities—an activity extremely valuable to the consumers of the Nation. The appropriation of $662,000 to protect the consumer by slicing an equivalent amount from the appropriation for the Agency for International Development, whose purpose is to train our competitors in technical assistance, and so forth, in world agricultural markets.

The general activities in its various divisions and classifications receive $1,393,687,000, the credit agencies $55,885,000; corporations, including Public Law 480 and other assistance programs, $3,733,093,000 and Farm Credit Administration $2,876,000.

It is with a deep sense of appreciation that we commend Chairman JAMIE L. WHITTEN and the work of his committee in giving special emphasis to consumer interest and the problems that confront industry and agriculture necessitating wide and broad programs of research in order to arrive at a basic solution. H.R. 11202 represents a fine contribution to strengthening the agricultural economy and the national economy and secures for the consumer a real protection of their interests both in food quality and cost levels. It constitutes much to the stability of farm interests at every level and continues our interest in international world markets and competitive problems. As an important legislative act it stands alone as a masterful treatment of a most sensitive area of our national activity which controls the very life of our total economy.

Mr. BOW. Mr. Chairman, this seems an appropriate day to remind ourselves that agriculture is still the basic industry of the United States, and that it is basically a healthy industry, despite all of the problems that usually occupy our time when we discuss it.

For this reason, I was delighted to find an optimistic and forward-looking article about Ohio's agriculture in the current issue of the Central Economic Letter, a publication of the Central National Bank of Cleveland.

The article is the work of Dr. Roy M. Kottman, dean of the College of Agriculture at Ohio State University, director of the Ohio State Agricultural Experiment Station and of the Ohio State Extension Service, and an outstanding leader in his field.

I include Dr. Kottman's article with my remarks, as follows:

OHIO'S SURPRISING AGRICULTURE—A GROWTH INDUSTRY

(By Roy M. Kottman, dean, College of Agriculture and Home Economics, the Ohio State University)

Ohio is one of the richest agricultural areas in the entire world, and its future never looked brighter. In fact, agriculture in Ohio is one of the State's most significant growth industries. This comes as a startling new fact to even many citizens of Ohio.

Just as startling to many is the renewed realization that agriculture today is one of the basic industries. For this industry includes not only the farm products themselves but also the wide variety of processing, manufacturing, and distribution activities that grow out of this farm production.

What is often lost sight of is the fact that farming, like any other creator of new wealth, produces $3 to $5 of related economic activity "along Main Street" for every $1 of new wealth produced on the farms themselves.

Ohio's agriculture is now operating at an alltime peak. Compared with the level of even 20 years ago, the State's farmers are now producing: Three-fourths of a billion more pounds of milk each year; 140 million more pounds of beef; more than twice as much corn; $100 million worth more of soybeans; a million more bushels of wheat (on a half-million fewer acres).

In total, Ohio now has 140,000 farms and more than a billion dollars of cash receipts each year. Just as importantly, there are 125,000 business concerns in Ohio that are in some way related to agriculture. So taken altogether, the State of Ohio now has an agricultural industry of $5 billion annually.

Much of this $5 billion industry is contained in off-the-farm activity—the feed mill and the laboratory connected with it, the industrial plants that manufacture farm machinery and equipment, the laboratories of our universities, and the agricultural experiment stations, and so on.

But Ohio is one of the top States in actual farm production. For example, it ranks sixth in corn, sheep, and hog production; seventh in soybeans, oats, and milk; and ninth in wheat production. We're also second in the production of tomatoes, third in maple products, fourth in red clover seed and honey, and fifth in popcorn, and eighth in turkey output.

This farm production in Ohio today directly involves 140,000 farmers. The number of off-farm agricultural business establishments in Ohio comes to 125,000. Together, they account for about 20 percent of the total employment in Ohio * * * 750,000 of the 3,900,000 persons employed in the State.

One should bear in mind one further fact: New wealth on our farm leads to more economic growth in the farm communities. For instance, $3,000 to $5,000 in additional business accrues from the introduction of any of the following:

Four cows (10,000-pound producers); 10 brood sows; 21 calf-producing beef cows; 50 fed steers; 72 sheep, or 600 laying hens.

Of course, the reverse is also true. Whenever a community loses these increments of producttion it loses $3,000 to $5,000 in business.

As for the future of agriculture in Ohio, it's extremely important that we move strongly ahead with agricultural research and education. The most pressing reason for this is the population explosion now occurring in Ohio, the entire United States, and the world. Ohio probably will have a population of about 12 million by 1970 and perhaps as much as 15 million by 1980. Forecasts indicate that by 1980 this country will have a population of about 240 million people, as contrasted with the 190 million we have now. Worldwide, the current population of 3.1 billion will swell to 6.3 billion by the year 2000 * * * an addition every 3 years of the current total population of the United States.

Now, what do these population figures mean for Ohio in terms of food requirements alone? Let's consider only the additional food that will be consumed in Ohio in 1980 by the additional people who will be living in the State by that year * * * those people who are not living there now. Using present rates of per capita consumption, let's consider first the potential in the poultry industry only.

Ohio now has about 12 million laying hens and they produce about 210 million dozen eggs annually. Ohioans now consume about 280 million dozen eggs each year. The additional eggs that will be needed in Ohio to take care of additions to the population by 1980 total out to 135 million dozen eggs.

If we in Ohio produce this additional 135 million dozen eggs, we will use about 15 million bushels of corn to feed the additional 8 million laying hens that will be required. This will mean $43 million in new wealth for Ohio's economy each year.

What about turkeys? We produce about 3.8 million last year. The additional requirement needed to feed Ohio's population in 1980 is about 2.5 million more birds. This will mean another 2.5 million bushels of corn. And, in all, Ohio will receive at least $12 million in new wealth.

Ohio had about 13.5 million broilers on feed (on an annual basis) in 1963. We are currently shipping into Ohio about 225 million pounds of broiler meat annually. If we were to produce the broiler meat needed by the addition to our 1980 population, we would have supplied a market for 170 million pounds of broiler meat and made possible the production in Ohio of 47 million broilers each year * * * generating $25 million of new wealth and using nearly 4.5 million bushels of corn.

All of the above developments, will of course create many new jobs * * * for feed manufacturers, the processing industry, utilities, building material firms, equipment manufacturers, insurance companies, and so on. The point is that somebody, somewhere, somehow is going to provide all those additional broilers, turkeys, eggs, and the like. We can have this new business for Ohio—for Ohio's people.

Corn, milk, and beef production, important aspects of Ohio's agriculture, will see unparalleled growth potential.

Thus, Ohio agriculture has an unparalleled opportunity ahead of it. But, are we going to have the know-how to compete for this market? Are we going to make the investment now that will insure our being competitive in the future? If we all work together * * * business and industry, Government and education * * * we can generate new wealth to the tune of hundreds of millions of dollars in Ohio during these next 20 years.

Mr. FOUNTAIN. Mr. Chairman, I want to associate myself with the remarks of the distinguished chairman of the subcommittee, the gentleman from Mississippi [Mr. WHITTEN], in opposition to the Pilcher amendment calling for an additional appropriation of more than $1 million for a peanut research laboratory.

Mr. WHITTEN and his Agricultural Appropriations Subcommittee have gone into this problem carefully. They know the facts. They say the request has not been justified. With this conclusion, I must agree. I have a great affection for every member of the Georgia delegation including our distinguished and able colleague, the gentleman from Georgia [Mr. Forrester]. I am terribly sorry he is sick. I do hope he will soon be back with us. He is a great Congressman.

However, I cannot support the Pilcher amendment, as much as I would like to help our good friend, the gentleman from Georgia [Mr. Forrester], who has fought so hard for so long for a research laboratory at Dawson, Ga. District loyalty is a great thing. If I believed, as he does, that this additional research facility was needed, and if his district were mine, I would probably be doing the same thing—even while sick in bed.

I represent a congressional district which grows more than half of the peanuts—Virginia type—grown in my home State of North Carolina. My peanut people are as opposed to this amendment as are those from the district of my able colleague from Virginia [Mr. Abbitt]. Two of the largest peanut-producing areas in the Nation are opposed to this appropriation. They say it is unnecessary, that it would be an unwise, even a wasteful, expenditure—that the funds, if needed to any extent, should go to improve research already being carried on, on neutral grounds in New Orleans.

The North Carolina Peanut Growers Association, composed of all peanut growers in my State, have on several occasions expressed opposition to this proposal. I know of no change in their position.

More persuasive, however, at this time than any other arguments, is the fact that the President, through the Department of Agriculture and the Budget Bureau, has not requested the funds sought by the Pilcher amendment. In fact, he has not requested the more than $400,000 included in this bill for shelling research.

After our President has enunciated a "Thrift and Frugality" policy which encourage the elimination of all but essentials, and since he has not requested these funds, and when the Appropriations Committee has likewise concluded that they are not needed—how can I, a noncommittee member conclude otherwise?

I, therefore, urge the committee to defeat the amendment of the gentleman from Georgia [Mr. Pilcher] in the interest of the taxpayers of America.

Mr. CHAMBERLAIN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Illinois [Mr. Findley], which would delete funds for the Department of Agriculture Market News Service. I am satisfied that this is one area in which the Federal Government would do well to stay clear of. Certainly the existence of a leased wire service financed by taxpayers carrying news written, edited, and distributed by the Department of Agriculture is enough on its face to raise grave misgivings about its desirability since it clearly presents a very real possibility for news managed in accordance with the views of particular officials of the Federal Government. It is not without reason that programs of the U.S. Information Agency are not permitted to be heard and shown within this country. The reason is simple. It is feared, and properly so, that without this prohibition the possibility would exist for the American public to be propagandized by its Government. The issue at stake here is basically the same for there is no reason to assume that the same possibility does not exist in the case of the USDA News Service. The extent to which the Government has intervened in the agricultural life of the Nation itself suggests the need to keep the news sources available in this area completely free from interference. Consequently I wish to associate myself with the views of those who stand here today in opposition to this Government news service and in support of the amendment to delete it from the budget of the Department of Agriculture.

Mr. REUSS. Mr. Chairman, conservationists will welcome the inclusion in the agriculture appropriation bill of the proviso that no portion of the funds for the agricultural conservation program may be utilized to provide financial or technical assistance for drainage on wet lands now designated as "wetland types 3, 4, and 5" in U.S. Department of the Interior, Fish and Wildlife Service Circular 39, "Wet Lands of the United States, 1956."

Until 2 years ago, the Department of Agriculture was busy subsidizing farmers to drain millions of acres of wetlands, much of which had a high value as a waterfowl habitat. Meanwhile, our continental population of ducks and geese was constantly dwindling, as their resting and nesting grounds disappeared. The ability of the Department of Agriculture to blot up wetlands considerably exceeded that of the Department of the Interior to purchase a supply of the remaining wetlands for waterfowl refuges.

Since the addition of the quoted proviso to the Agriculture Appropriations Act 2 years ago, subsidized raids on our wetlands have sharply decreased. I include the report to me of February 17, 1964, of Acting Director A. V. Tunison of the Department of the Interior, Fish and Wildlife Service, Bureau of Sport Fisheries and Wildlife, setting forth the accomplishments:

February 17, 1964.

Hon. Henry S. Reuss,
House of Representatives,
Washington, D.C.

Dear Mr. Reuss: This letter provides a statement of our current views concerning the proviso included in the Agricultural Appropriation Acts for fiscal years 1963 and 1964, which prevented Federal cost-sharing and technical assistance under the 1962 and 1963 agricultural conservation programs for drainage of wetlands classified as types 3, 4, and 5 in our Circular 39, "Wetlands of the United States."

The Bureau of Sport Fisheries and Wildlife favored inclusion of this proviso in the 1963 and 1964 Agricultural Appropriation Acts, and would favor a similar proviso in future annual appropriation acts as a practical means of helping to preserve wetlands valuable as wildlife habitat.

Wetlands of types 3, 4, and 5 are important habitat types for upland game and fur animals as well as being of primary importance to waterfowl. Collectively they amount to nearly 9 million acres or roughly 10 percent of the remaining natural wetlands in the 48 contiguous States.

Responsibility within the Department of Agriculture for determination of wetlands to be affected by the proviso under the 1963 program was assigned to the Soil Conservation Service. In preparation for this aspect of the 1963 program that Service provided its field personnel with guidelines to aid them in identifying wetland types. In some instances, when requested to do so, the Bureau of Sport Fisheries and Wildlife assisted the Soil Conservation Service fieldmen in the development of these guidelines. Administration of the proviso at field level, insofar as we know, was carried out by the county ASC committees in most States without undue objection from local farmers. The 1964 agricultural conservation program is currently getting underway in similar fashion. Restrictive provisions for drainage eligibility in State and county program dockets have reduced the number of cases to be considered under the proviso.

In the prairie pothole States of Minnesota and the Dakotas we believe that the proviso has had special usefulness in supplementing the program of drainage referral inspections being carried out under provisions of Public Law 87–732. The provisions of that law, as you know, authorize inspection of drainage referrals in all counties in the three pothole States. In practice, the Bureau has been forced by limitations of time, funds and manpower to concentrate its inspections and acquisition activities in the 89 counties of primary interest from the standpoint of preserving valuable waterfowl habitat. Thus, although only llimted inspection in other counties has been feasible, the valuable types 3, 4, and 5 wetlands they contain have been protected at least temporarily from drainage with Federal assistance. A similar beneficial effect is anticipated under the 1964 agricultural conservation program.

Finally, it is our belief that the proviso has been and will continue to be of substantial benefit in encouraging preservation of privately owned wetlands in the three pothole States and throughout the country. As pointed out on page 12 of our Circular No. 140, "Your Stake in Wetlands" "efforts of conservation agencies to purchase and manage wetlands cannot alone do the job of preserving them: most wetlands must remain in private ownership as a trust. The Bureau of Sport Fisheries and Wildlife, in programs coordinated with other wildlife agencies, seeks to preserve by public ownership or control a nucleus of some of the best remaining wetlands. It also seeks to encourage preservation of those wetlands still in private ownership."

At this time, therefore, there is good reason to believe that the results of the proviso in preserving wetlands have been in keeping with the objectives of the Bureau of Sport Fisheries and Wildlife.

Sincerely yours,

A. V. Tunison,
Acting Director.

Mr. Chairman, the proviso, by definition, does not cover wetlands types 1 and 2, which are the smaller wet spots rather than the larger wetlands. While Public Law 87–732, also passed in 1962, attempts to deny subsidies for these types of wetlands in the so-called prairie pothole regions of Minnesota, North Dakota, and South Dakota, its effectiveness in North and South Dakota has so far been blocked by the refusal of the Governors of those States to allow the wetlands purchase program of the Fish and Wildlife Service to operate. I hope that efforts now being made to implement Public Law 87–732 will be successful. Meanwhile, we can be grateful that the agriculture appropriation bill once again outlaws subsidies for types 3, 4, and 5.

Mr. KASTENMEIER. Mr. Chairman, the language in the committee report on H.R. 11202 relating to Department of Agriculture's work for AID has caused some confusion and much concern.

Last week I had a member of my staff prepare a memorandum to clarify some of the ambiguities in the report as well as to state concisely the report's effect, the nature of the work which USDA performs for AID, and the position of both the Department and the agency on the committee's suggestion that this work be terminated.

I would like to include this memorandum at this point in my remarks for the benefit of those members who have not had the opportunity to explore this aspect of the report in detail.

USDA and Related Agencies Appropriations Bill; Provisions in the Committee's Report Directing USDA To Terminate Important Work Done for AID and Recommending a Corresponding Reduction in the AID Appropriation

A. THE COMMITTEE'S RECOMMENDATIONS

USDA does certain work for AID on a reimbursed basis; funds are appropriated to AID for technical assistance items, and AID transfers some portion of these to USDA to cover the work done. Manpower allotments are assigned to USDA from the AID manpower ceiling to meet USDA's added requirements.

The committee recommends that $8,871,000 be added to the USDA budget for domestic programs not asked for by the administration. It further suggests that this restoration be "financed" by a corresponding reduction in the work done for AID. The following summarizes the committee's action in this respect.

Page 3, paragraphs 2 and 3: "The Department is directed to provide a budget balancing offset to these restored items by eliminating an equivalent amount of work for the Agency for International Development, for which a transfer of nearly $12 million is proposed for fiscal year 1965.

"In the opinion of the committee, it is far better to use taxpayers money to improve American agriculture and protect the American consumer than to provide training and technical assistance to our competiors in world agricultural markets through the Agency for International Development."

Page 5, paragraph 5: "Discontinuance of the work done by transfer of funds from the Agency for International Development as previously directed will make 448 man-years of employment ceiling available to cover the 428 man-years required to cover the activities restored for fiscal year 1965 as discussed above. Most of this is for research, soil conservation operations, marketing research, and statistical reporting service as outlined above."

B. COMMITTEE FINDING

1. That work done for AID by USDA reduces USDA resources for domestic programs.

2. That work done for AID by USDA puts recipient countries in competition with U.S. producers in United States and world markets.

3. That even if the recipient countries do not compete seriously with U.S. producers in United States and world markets, anything which tends to make them more self-sufficient also reduces U.S. export markets in those countries.

4. That assuming economic development and self-sufficiency are good long-run aims, AID-USDA assistance still provides an incentive for U.S. capital to enter recipient countries, finance export crop production, and export commodities back to the U.S. market to the detriment of U.S. producers.

C. THE EFFECT OF THE COMMITTEE'S RECOMMENDATIONS

1. $8,871,000 is added directly to the bill. The nature of the items restored is set out on page 3 of the report.

2. The committee suggests a corresponding reduction in the 1965 AID appropriation. The Foreign Operations subcommittee has not given final consideration to the AID items which the present report suggests be deleted.

3. The report states the committee's understanding that termination of work for AID will leave the Department with 448 man-years of employment ceiling to cover the restored domestic items. This understanding is not universally shared; it is the administration's opinion that these man-years would revert to AID.

4. The Agriculture Subcommittee staff has interpreted the report to mean that USDA is directed to eliminate work for AID, even if AID has funds for the work and engages USDA to do it. This directive would be inconsistent with part III, chapter 2, section 621 of the Foreign Assistance Act of 1961, as amended, which requires the administrator to utilize USDA services under the circumstances present here.

D. THE NATURE OF THE WORK FOR AID WHICH THE REPORT RECOMMENDS BE ELIMINATED

1. About two-thirds of the funds in question go to support training in this country of foreign agricultural personnel. The remaining one-third supports technical assistance by USDA in AID-recipient countries.

Roughly one-half of the total amount appropriated is for foreign trainee subsistence payments. Thus, only the remaining one-half of the total amount in any way represents the cost of USDA employee services.

2. Manual orders and other directives governing both work abroad and training in this country are explicit in disfavoring assistance which would generate competition with American agriculture in United States and oversea markets.

3. The thrust of the work done for AID is to develop diversified and stable agricultural economies in recipient countries. Stability and rising annual income in these countries has been demonstrably accompanied by a corresponding rise in both capital formation and imports of agricultural commodities from the United States.

E. OPINION OF THE AFFECTED AGENCIES

1. AID feels the work is essential and it would have to seek comparable services outside the Department unless absolutely restricted from doing so. But it doubts that many of USDA's services can be procured elsewhere and estimates that those which can be will cost far more if procured in this way.

2. USDA indicates that this work does not unduly interfere with its domestic programs. All work done for AID is attributable to funds and man-years units allocated from the AID accounts.

Mr. Chairman, in its report on H.R. 11202 the Appropriations Committee makes a wide-ranging probe into many of the key issues in agriculture today. I think the committee is to be commended for its continuing deep concern over the mounting disadvantages faced by the American farmer. And I was glad to see the committee stress a point which cannot be made too often—that the well being of the American farmer is the keystone of a healthy American industrial economy.

However, I cannot agree with the suggestion in the committee's report that the Department of Agriculture terminate the vital and fruitful work it does on a reimbursed basis for the Agency for International Development. This suggestion was made on the strength of an analysis of the world food resources which is quite plainly at variance with the realities of worldwide trends in population and agriculture; it would almost certainly be detrimental to the interests of U.S. agriculture if put into effect.

The committee's reports says:

> In the opinion of the committee, it is far better to use taxpayers money to improve American agriculture and protect the American consumer than to provide training and technical assistance to our competitors in world agricultural markets through the Agency for International Development.

In saying this the committee assumes that technical assistance to developing agricultural countries is bound to result in a threat to the American farmer—either through loss of traditional markets to the developing country or loss of markets in the developing countries themselves as they become more self-sufficient.

What the committee fails to account for, or even mention, is the cruel and ominous fact that for the foreseeable future there will be a growing world deficit of the basic U.S. export commodities. This deficit—these unmet nutritional needs—will provide an ever-growing market for the agricultural output of the Northern Hemisphere. But these exports alone, even when coupled by extensive concessional grants under Public Law 480 and similar programs, will not solve the problem. Exports must be combined with and preceeded by growing crop yields in the developing countries themselves, because commercial exports can increase only where there is foreign exchange to pay for them. Foreign exchange will not be accumulated unless there is a sufficient degree of economic development to stimulate its accumulation.

In virtually all of the countries receiving assistance under the program the committee seeks to end, economic development depends largely on intensification of agricultural output. Without this, nutritional needs will not be met and the capacity to engage in trade for American foodstuffs will not exist.

The USDA–AID technical assistance program is a modest effort in the direction of economic development, but it is a critical one. Without it we can only expect to see an even wider gap between the food supply and food needs of the Southern Hemisphere.

If we foster that gap, we will reap a bitter harvest of human misery with severe and dangerous consequences for the free world. We will not see, as the committee hopes, a meaningful growth of U.S. commercial exports to those countries. Without the degree of economic self-sufficiency which is necessary to sustain an adequate level of commercial trade, these countries will be more than ever dependent on concessional shipments from the Northern Hemisphere. American agriculture will, in turn, have to rely on massive Government purchases of these commodities, and the great potential of Public Law 480 as a stimulant to the development of oversea cash markets will have been wasted.

The prospect of a growing world food deficit is not pleasant. Still, it must be restated at this point because the committee's report takes no notice of what is one of the disturbing trends in the world today—a reality which makes the proposed termination of the USDA-AID technical assistance a dangerous and inexplicable course to follow.

The facts are these: In 1850 the world population was doubling at the rate of once every 80 years. By 1930 it was doubling once every 45 years. By 1975 it is estimated that this rate will close to once every 35 years, so that between 1975 and 2010 the world population will rise from 4 to 8 billion.

We can speculate that unseen factors will arrest this rate of growth somewhat. We can safely assume that new sources of nutrition will be fully developed to accommodate some portion of the mounting needs. Still, it is clear from what we now know that the need for conventional foods is going to be enormous for as long as we predict.

North American agriculture will meet much of that growing demand, but it will not meet it all. Even today our capacity to meet the present world food needs is strikingly inadequate.

Taken together, the United States and Canada have a projected wheat surplus over domestic needs of about 20 million metric tons in 1966. If this entire surplus is distributed and consumed where it is most needed, there will still be a world wheat deficit of 34.1 million metric tons in 1966, measured by FAO regional nutrition standards.

A comparable situation exists in the world requirements of nutrients provided by nonfat dry milk. The diet-deficient regions are expected to be short by almost 2 million metric tons in 1966. The rest of the world will have a corresponding surplus of only 473,000 metric tons, leaving a net deficit of about 1.5 million metric tons.

These statistics, taken from Department of Agriculture publications, are only illustrative of the world food shortage problem. It cannot be met by American agriculture alone. It cannot be even approached by American agriculture in a world of underdeveloped, unstable, and dependent agricultural economies. Yet, the committee's suggestion would court this situation, and thereby defeat its own design of protecting and fostering markets for the American farmer. I trust the committee will not incorporate this suggestion into its report on the AID appropriation bill, and that the Department of Agriculture will not feel constrained to deny its unique services to the Agency when they are sought again for fiscal year 1965.

One final comment is in order on the effect of the committee's suggestion that the Department's work for AID be terminated. A reading of the Foreign Assistance Act of 1961, the 1963 amendments to it, and the accompanying debate make it quite clear that this language in the committee report is in direct conflict with a prior act of Congress. The relevant provision is section 621 of the 1961 act, as amended most recently in 1963. That section reads in part:

> In providing technical assistance under this Act, the head of any such agency or such officer shall utilize, to the fullest extent practicable, goods and professional and other services from private enterprise on a contract basis. In such fields as education, health, housing, or agriculture, the facilities and resources of other Federal agencies shall be utilized when such facilities are particularly or uniquely suitable for technical assistance, are not competitive with private enterprise, and can be made available without interfering unduly with domestic programs.

The Senate debate on the 1963 amendment to this section is unusually precise in spelling out just what the section means. I think any Member reading this debate would have to reach the conclusion that the AID Administrator is bound to seek the services of the Department for the work in question here. The only thing which would relieve him of this obligation would be a finding that the AID-related program would unduly interfere with the Department's domestic programs.

I have explored the possibility of a conflict between the Department's domestic manpower needs and the work done for AID, and I think it is fair to say that no appreciable conflict exists. The accompanying chart shows that the number of man-years attributable to professional employees is just under one-half that allocated for AID-related work. Although the professional manpower involved is not negligible, much of this involvement is on a short-term or part-time basis, both in the United States and abroad. It is the position of the Department that this commitment does not unduly interfere with domestic programs, and I would suggest that this judgment of the situation is the governing determination. If that judgment is made, the requirement of section 621 stands, and the Administrator is obliged to rely on the Department's resources. A directive to the Department to deny these resources would be no less inconsistent with the Foreign Assistance Act than a comparable instruction to the Administrator not to seek them.

Fiscal year 1965 estimated man-years of AID funded personnel under USDA responsibility (administrative, technical consultation and support, training, and special projects)

Service	Total	U.S. based		Based overseas	
		Professional	Clerical and secretarial	U.S. professionals	Local employees—subprofessional laborers, and clerical
Agricultural research	215	32	12	60	111
Extension	17	6	8	3	-----
Farmer cooperative	2	1	1	-----	-----
Soil conservation	25	8	2	13	2
Economic research	43	10	3	12	16
Statistical reporting	10	6	4	-----	-----
Agricultural marketing	2	1	1	-----	-----
Foreign agricultural	17	-----	17	-----	-----
International agricultural development	77	33	41	2	1
Rural Electrification Administration	2	1	1	-----	-----
Farmers Home Administration	12	9	3	-----	-----
Forest	16	10	6	-----	-----
Other (information, library, management)	10	3	7	-----	-----
Total	448	120	106	92	130

Mr. Chairman, I would like to insert into the RECORD at this point a letter I received today from Mr. James Patton, president of the National Farmer's Union, and an editorial appearing in the Des Moines Daily Register on May 13. I think they indicate that there is strong and intelligent support for the vital work the Department does in connection with the Agency for International Development's technical assistance programs.

NATIONAL FARMER'S UNION,
May 19, 1964.

Hon. ROBERT W. KASTENMEIER,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KASTENMEIER: Farmers Union has taken the position that the Agency for International Development should be encouraged to draw upon the U.S. Department of Agriculture and its affiliated institutions to help these countries develop their agricultural capabilities to better meet the food requirements of their peoples.

Report No. 1387 on agricultural appropriations causes us concern in this respect.

As you and every citizen knows, vast populations in the less developed countries suffer daily from malnutrition and starvation. In many countries, more than half of the people experience this suffering, which increases susceptibility to disease, shortens life, thwarts human desire, and blunts the will of the people to do things for themselves.

The problem stems from ancient farming methods, poor seed, insufficient power, limited equipment and little farm know-how. These conditions result from a lack of education in rural areas plus agricultural production for export only with little or no attention to developing local marketing facilities, supplying rural credit, or agricultural research support. Without these basic needs, agriculture in these countries holds little promise for improvement. The problem is so broad and so basic that it can no longer be ignored by the world's developed nations. The United States cannot and, so far, has not turned a deaf ear to these urgent needs of less developed countries because we recognize that these situations, combined with exploding populations, breed disorder and discontent.

The Agency for International Development has been tackling the problem with the limited technical resources it could muster for the past several years. It has met with limited success. Until very recently it has not been authorized to draw upon the broad technical resources of the United States. In agriculture, scientific and technical knowledge is concentrated in a limited group consisting of the U.S. Department of Agriculture, the land-grant colleges, farm organizations, certain private foundations and business organizations.

Farmers Union is pleased with the committee's interest in expanding domestic agricultural programs. But to carry out such expansion at the expense of our foreign assistance is both shortsighted and illogical.

I respectfully solicit your assistance in defeating the obvious intent of those sections of the recent report No. 1387 on agricultural appropriations which would discourage the U.S. Department of Agriculture from assisting other nations of the free world improve and develop their agriculture.

Sincerely,

JAMES G. PATTON.

AN ABSURD FARM POLICY

The U.S. House Appropriations Committee cut $406 million from President Johnson's budget for the Department of Agriculture, which already was reduced $1 billion below a year ago because of lower price support expenditures. This looks good on the surface. But the committee's cuts are largely in foreign aid and are directly in conflict with the national interest as well as the special interest of farmers.

The committee slashed $365 million from the budget request for Public Law 480, which is the food for peace program of selling surplus farm products on concessional terms to poor countries and providing food donations to relieve famine.

It also directed the Agriculture Department to reduce its work for the Agency for International Development (AID) by $9 million. This cut was ordered to "provide a budget balancing offset" to $9 million the committee added to appropriations for agricultural research and extension work in this country.

The committee said, "It is far better to use taxpayers' money to improve American agriculture and protect the American consumer than to provide training and technical assistance to our competitors in world agricultural markets through the Agency for International Development."

The committee went on to say that no USDA funds should be used to "promote or assist in promoting oversea production of any agricultural commodity for export" which is affected by U.S. price supports or other activity by the Federal Government.

It would be difficult to write a statement more heedless of the basic foreign policy of the United States, or one that was blinder to the true interest of American farmers. It sounds like something that might have been written in the early 1900's—before the world wars, before the Communist revolutions, before the anticolonial revolution and at a time when U.S. farm research and educational activity was just getting started.

Can these members of the House Appropritions Committee believe it is in the national interest and the farmer's interest to reduce the use of American food surpluses as assistance to developing countries, while at the same time pouring fuel on the fire of American agricultural increases?

This is what their action adds up to. They are pumping more new technology into surplus-producing U.S. agriculture and cutting down on the supply of this to the countries with primitive agriculture.

If the United States is to help the underdeveloped countries improve their levels of living and establish self-sustaining, progressive economic systems, it must help them improve agriculture. And this usually means helping poor countries produce more wheat, corn, rice, or other products which are under U.S. price support.

The need for more food in the world is so great that these countries can greatly increase their production without hurting the commercial export markets of the United States. The reason countries like India and Pakistan do not import more food is not that they are producing too much or that they get handout food from the United States. It is that they don't have the purchasing power to buy more.

The United States wants such countries to become more productive so they can maintain stable governments—and so they can become better markets for U.S. goods, including farm products.

The House Appropriations Committee might well argue that the Food for Peace program and the foreign technical assistance program should be entirely outside the Department of Agriculture. It might well say that these should not come under the agriculture budget. But it did not say this, it cut into these programs in the USDA budget without suggesting a replacement.

One of the worst misallocations of resources in this country is the overemphasis on agricultural research and development. Scientific brainpower, one of our scarcest resources, is being used wastefully in the Department of Agriculture and the land grant agricultural colleges. Much of it could be more useful to the Nation in helping countries such as India develop faster.

This is not a question of eliminating agricultural education in the United States. It is a question of how much is advisable, considering the other possible uses of the brains. It is a question of how much public money should go for this purpose when private business has been stepping up its investments in agricultural research and development.

Yet each Congress continues to increase Federal outlays for domestic agricultural expansion while at the same time passing laws to reduce production and support prices.

This utter folly has been compounded to the point of absurdity by the House Appropriations Committee action.

The Democrats cannot blame the Republicans this time for a bonehead play, for the administration party has absolute control of the House of Representatives and the committees.

Mr. OLSON of Minnesota. Mr. Chairman, the program proposed by the administration for foreign agricultural assistance does not interfere with our domestic agricultural programs but rather aids domestic agriculture.

Recent studies indicate that improving the economies of a nation through economic assistance makes it a better customer for our exports. It has been shown that for every increase in dollar income, about half of it goes for the purchase of food and fiber.

Since 1954, agricultural exports to low-income countries has increased 4.9 percent a year. This does not include transactions under Public Law 480 programs.

The rising populations and levels of consumption in the new countries are creating a food gap. This gap between food production and food needs must be closed. It can be closed by increasing the new nations' capacity to produce food and by increasing their ability to import from us.

Our wealth of information and agricultural know-how can contribute significantly to both these developments. We have tremendous resources which can be utilized in this respect.

Actually a very small part of the Department of Agriculture's activities are devoted to foreign assistance work financed by the Agency for International Development.

Almost half of the payments to the Department by AID represents payments to foreign trainees who study here in the United States. This represents a very small portion of the manpower of the Department of Agriculture. Thus, the elimination of this work would not significantly increase the work the Department could do on domestic programs.

The International Agricultural Development Service—IADS—of USDA provides a comprehensive approach to our efforts in foreign agricultural development. This Service accounts for only 76 man-years of the Department's total and is entirely financed by AID.

IADS is now developing procedures to provide a more comprehensive approach to agricultural development in foreign countries.

General activities in which the Department takes part include:

First. Reorganization of functions within the ministry of agriculture.

Second. Establishment of supervised credit programs for small farmers.

Third. Development and modernization of internal marketing systems.

Fourth. Development of purchasing and marketing cooperatives.

Fifth. Diversification to help meet domestic food requirements.

Sixth. Planning agricultural programs to facilitate economic development.

By coordinating the use of the Department's manpower and resources, IADS insures that only those projects are undertaken which are needed to complement and supplement the work of AID, the land-grant colleges, and other public and private organizations.

I believe the Department should continue to share our knowledge of agriculture with the friendly nations of the world. Such work as fighting insects and disease, fighting forest fires, establishing research facilities, setting up agricultural credit, and training agricultural extension workers contributes greatly to the development of these countries and does nothing to adversely affect American agriculture.

It might be useful to illustrate some of the work being done by USDA and AID in the developing countries. In Latin America, for example, several programs are underway or being planned.

PARAGUAY

An agreement is being negotiated with USAID/Paraguay under which the Department would provide six specialists—two on internal agricultural marketing, one on farm credit, one on farmer cooperatives, one on land tenure problems, and one on forest utilization. These new efforts will contribute significantly to Paraguay's 5-year agricultural program.

EL SALVADOR

Three USDA technicians are currently providing advice and assistance in El Salvador under an AID agreement. They are concentrating their efforts on internal agricultural marketing, land tenure improvement, diversification, and internal food production research and agricultural extension. These new endeavors will help give El Salvador a better balanced agricultural program.

NICARAGUA

Much forest land in Nicaragua is available for settlement. A USDA/land-grant college team, just returned from assessing Nicaragua's agriculture, has recommended that the Department send an agricultural economist, an agronomist and a land use economist to assist with the transformation of this land to family size holdings. The technicians would assist with development of land use patterns, agricultural planning and the reorientation of agricultural production from export to domestic food crops.

BRAZIL

The Department is now negotiating an agreement with USAID/Brazil to provide technical assistance in the fields of internal agricultural marketing, cooperatives, agricultural economics and supervised agricultural credit—fields that have received relatively little attention in the past. AID has asked for 13 technicians to carry out this work.

GUATEMALA

An agricultural marketing team of four USDA and one AID specialists has been in Guatemala for the past 3 months assisting the Guatemalan Government in the development of an internal marketing system, local marketing facilities and a statistical reporting service.

COLOMBIA

As a result of an earlier survey, the Department is now recruiting three of its supervised credit specialists to assist Colombian officials develop a new credit program for small farmers. A more general agreement is being negotiated with AID for the Department to provide 8 or 10 specialists in fields of marketing cooperatives and land use and land settlement planning.

Requests for technical assistance, in certain cases, may be provided by only one USDA agency. The Agricultural Research Service, for example, frequently is asked to conduct specific kinds of research in less developed areas of the world. Such ARS projects now underway include the control of the tsetse fly in Africa, locust control in the Near East and Africa, improvement of grain legumes in Near East/south Asia countries, and the elimination of foot and mouth disease in South America. The Economic Research Service is investigating factors that change agricultural production in developing countries. And the Soil Conservation Service is establishing a combination research-demonstration station in Algeria to promote soil and water conservation. Of the 13 AID projects now being conducted by USDA agencies, 10 are in ARS, 2 are conducted by SCS, and the other by ERS.

In addition to departmental and agency projects, individual USDA specialists are frequently requested by AID for specific work. At the present time, 18 USDA technicians are provided such emergency services abroad for AID as advising on pine beetle eradication in Honduras, coffee leaf hopper control in Costa Rica, and selection of rural electrification equipment for Tunisia. Specialists for these details were provided by the Economic Research Service, Federal Extension Service, Farmer Cooperative Service, Farmers Home Administration, Forest Service, Agricultural Research Service, and Soil Conservation Service.

The Department of Agriculture believes it is advantageous to be a part of the agricultural development programs in the new nations. In this way they can help develop operations that are of mutual benefit to U.S. agriculture and the recipient country. This is why the International Agricultural Development Service of USDA was created. This organization is in a position to protect the interests of American agriculture.

Mr. FRASER. Mr. Chairman, the committee report links our foreign aid program with the problem of agricultural imports into this country, such as beef, which are competing with American agricultural products. I believe this is an unwarranted assumption. The foreign aid program does not finance agricultural production abroad which is competitive with American agriculture. On the contrary, the foreign aid program is specifically prohibited by the Foreign Aid Act from lending money to productive enterprises which will compete with U.S. enterprises on the U.S. market.

Section 620(d) of the Foreign Assistance Act of 1961 prohibits loans to productive enterprises which will compete with U.S. enterprises in the U.S. market unless the country agrees to limit the enterprise exports to the United States to 20 percent of the annual production of the facility for the life of the loan. Manual Order No. 1016.1 of the Agency for International Development, which implements this provision in the statute, states as follows:

> In the event a positive finding is made that an aided enterprise will compete with U.S. enterprise, an agreement to establish procedures to prevent exportation for use or consumption in the U.S. market of more than 20 percent of the annual production of the aided enterprise during the life of the loan must be reached. This agreement may be incorporated in the loan agreement or take the form of a separate agreement.

Under the terms of this manual order, AID does not loan money for agricultural production enterprises in other countries unless the terms of the statute are adhered to. This is positive assurance that the foreign aid program in its loan activities does not encourage agricultural production in other countries which will compete in the U.S. market with U.S. agricultural production.

The same is true with respect to training and technical assistance provided by the Agency for International Development in the field of agriculture. Here, too, emphasis is placed on agricultural production which is noncompetitive with American agriculture in world markets. In the case of key American exports, such as wheat, cotton, and tobacco, AID missions are specifically prohibited under the terms of Manual Order No. 1016.2 from giving assistance to other countries for the production of such commodities. It is the responsibility of each AID mission proposing a project for assistance to increase food production to insure that this assistance will be used for domestic consumption, in these cases, and to deny aid where such assistance would lead to increasing exports.

The committee report is also critical of the private enterprise activities of AID in the field of agriculture. This is somewhat surprising, in view of the great support for the private enterprise activities of the foreign aid program manifested by Congress over the years. The facts are that there is no connection between AID private enterprise activities and the concern shown over increasing exports of meat from other countries. In fact, the committee hearings themselves clearly reveal the facts of the issue: On page 700 of part III of the Appropriations Committee hearings on the Department of Agriculture appropriations for 1965 there appears a statement about foreign beef exports. This statement reveals that in 1963, 66 percent of all beef and veal imports into the United States by product weight were from Australia and New Zealand with which we have no foreign aid programs whatsoever and no investment guarantees whatsoever. Of the others, Mexico, which actually dropped 34 percent in its 1963 exports from the 1957–59 average, does not have an agreement with the United States for investment guarantees. This means that there are no guarantees available for U.S. businessmen in Mexico of any kind, including agricultural production.

In Argentina, which had 7.7 percent of the 63 total of beef and veal exports to the United States, there is an investment guarantee program, but no investment guarantees have been issued for livestock production.

In the case of our private enterprise program, in fact, just as with our loan program, AID is very careful not to guarantee investments for enterprise which would compete with U.S. agriculture, either in the United States or in world markets.

The hearings of the committee also contain a particularly significant statement on foreign economic growth and U.S. agricultural trade which I commend to the attention of everyone interested in this critical subject. What this statement shows very clearly is that American foreign aid in the field of agriculture is playing a vital role in not only developing other countries, but in making them better customers for American farm products. Traditionally the best export markets for agricultural production have been the highly developed countries. Japan is a good example of the way in which less-developed countries, as they develop, can become better customers for American farm products. Japan is now one of our biggest dollar markets for agricultural goods.

As the statement in the hearings says:

> Looking to the future, the commercial share of U.S. total agricultural exports to the low income countries can be expected to increase further with economic growth.

I think it is clear from these and other facts that it would be shortsighted to cut the foreign aid program, or to cripple its work in the field of agriculture. Our agricultural exports are dependent upon economic growth in other countries, and this can be stimulated only by assisting them to agriculture production sufficient to feed their increasing populations, as well as to gain export earnings through products noncompetitive with U.S. agriculture in the world market. The farmers of America have just as much at stake in the foreign aid program, and in the agricultural training and technical assistance and loans made available through the foreign aid program as does the American factory worker. Because just as economic growth stimulates American manufactured goods, so does it stimulate American farm exports. Congress has shown great wisdom in enacting trade legislation which has resulted in the gradual liberalization of restrictions on trade throughout the world.

This liberalization of trade in the field of agriculture, together with increased emphasis on the exports of U.S. agricultural production, is the key to a more abundant future for the American farmer.

Of course, the committee has not written its views on these points into the law before us. I have no disagreement with the bill as it is now written. As it is not incorporated into law, it should not be considered as a bar to further cooperation between the Department and AID.

Mr. ROSENTHAL. Mr. Chairman, I join in the committee's concern over the farmers' declining share in America's prosperity. Many of the committee's comments on this problem are interesting, provocative, and instructive.

But also I share the concern expressed by other Members over the suggestion in the committee report that the Department terminate its work for AID. This is not a major program in terms of its cost, but it is a vital cog in our efforts to extend and maintain the perimeter of the free world. It is also an essential element in any farsighted plan designed to foster and expand our markets abroad.

The committee's conclusion that our export markets can be assured only by clamping down on economic development overseas runs counter to everything we have learned during the postwar "revolution of rising expectations." This is amply and clearly demonstrated in a speech made by John Schnittker, a Department of Agriculture economist, before the American Feed Manufacturers Association in Chicago on May 12. Because it bears so directly on the assumptions made in the committee's report, I am inserting it in the RECORD at this point:

WORLD TRADE: A CHALLENGE TO THE FEED INDUSTRY

(Address by John A. Schnittker, staff economist, before American Feed Manufacturers Association, Inc., Chicago, Ill., May 12, 1964)

You have asked me to discuss world trade and the challenge it presents to feed industry management.

Let me begin by pointing out that the challenge is very real, and that it stems in large part from the fact that we live in an era of collapsed time. I mean by this that changes which in other eras occurred over the span of a generation or more now take place in a year or two, and that changes of a magnitude that formerly perhaps took a century to effect, now occur in a decade or less. When Capt. Charles Yeager broke the sound barrier in his X–1 rocket-powered research plane in 1947, it was a momentous achievement. Never before had any human flown at a speed of 750 miles per hour. But 2 weeks ago Maj. Bob Rushworth piloted an X–15 rocket ship to a speed of 3,903 miles per hour—about 5 times the speed of sound. And even this is slow compared with the astronauts who travel through space at 18,000 miles an hour—nearly 25 times the speed of sound.

The harnessing of nuclear energy, medical breakthroughs of the highest importance, the development of the computer, these and a dozen other spectacular advances have all been compressed into less than one generation, and the pace of change, the pace of achievement, constantly increases.

Great changes are also taking place in agriculture—changes which in their ultimate effect on human achievement, happiness, health, and well-being may be of even larger significance than those I have just mentioned.

The productivity of the American farmworker has more than doubled since 1950. Think what this means. The advance in agricultural productivity per man-hour since 1950 has been greater than all the advances achieved in all the previous history of this country since it was first settled—more progress in productivity in a little over a decade than in the preceding 2½ centuries. No wonder we call it an agricultural technological explosion.

The same technological agricultural explosion that we have had in this country is now breaking loose in Europe and may soon break out in other parts of the world. What this is going to mean in terms of future farm prices, in terms of future level of living, and in terms of future trade policies constitutes part of the challenge to your industry, and it is part of the problem the negotiators face at Geneva.

In assessing the challenge before us we need to begin by looking briefly at some of the broad changes that have come about in grain production and trade during this generation.

World output of grain—I'm talking now about all grains—increased 47 percent from 1934–38 to 1960–61. In North America and Oceania, total grain production more than doubled.

The increase has been greater in the developed regions of the world and slower in the less-developed regions—greater in the free world (59 percent) than in the Communist bloc (29 percent).

On a per capita basis the situation has been even more divergent. Per capita output of grain increased by 44 percent in North America, by 19 percent in Western Europe, and by 8 percent in Africa. But it actually declined by 2 percent in Asia, and by 16 percent in Latin America.

This is extremely important because it reveals North America—and especially the United States—as more and more the grain basket of the world.

Since the dawn of history people have depended primarily on grain for their life's sustenance—and they do today—and they will tomorrow.

Worldwide, the direct consumption of grains provides more than 50 percent of man's supply of calories—and, of course, indirect consumption of grain in the form of meat, milk, and eggs accounts for a large part of the remaining calories. In countries like Communist China, the share of food energy derived from the consumption of grain products, roots, and tubers reaches as high as 80 percent. Even in the United States where we eat so much meat, milk, eggs, fruits, and vegetables, about one-fourth of the food energy is still derived directly from grains, roots, and tubers.

The food economy, in short, is truly a grain economy, and it will continue to be a grain economy as far into the future as we are now able to see. The decline of direct consumption of grain in favor of indirect consumption through meat, milk, and eggs actually increases the demand for grain. Thus, the expansion of the world's grain economy is guaranteed by the very process of economic growth.

This is evidenced by our own recent feed grain history.

A short 7 years ago—back in the 1956–57 fiscal year—the United States exported 6.4 million metric tons of feed grains, or about one-third of the world total. This current year we are exporting two and one-half times as much—15.5 million metric tons—well over 50 percent of the world total.

Back in 1956–57, the total value of our feed grain exports was $367 million. The total value of this year's exports is estimated at $808 million—over twice as much.

But what is even more significant is what has happened to commercial exports, or exports for dollars. In 1956–57, only $140 million worth—or 38 percent of our feed grain exports were for dollars. This year we are exporting $389 million worth, 85 percent of our total feed grain exports, for dollars.

Obviously something drastic has happened. Why have feed grains now become our second farm export, exceeded only by wheat and flour. And why is it that, whereas 7 years ago we were exporting commercially less than $400,000 worth of feed grains every day, we are now exporting nearly $2 million worth plus another $300,000 worth under Government assistance programs—everyday, 7 days a week, 365 days a year?

These are good questions. They are good questions because in the answers you will find your response to the basic challenge to your industry which we are considering here this morning.

What is it, in short, that is different between the situation that existed 7 years ago and the existing situation now? Two things stand out.

1. The economic development of the already developed countries—or to put it another way, the booming prosperity of the countries of Western Europe and of Japan.
2. Vigorous and effective market development efforts to promote feed grains—efforts carried out with industry-government cooperation.

Economic growth has stimulated demand for livestock products—and this, in turn, has increased demand for feed. Since the increased demand could not be met entirely by domestic production, world trade in feed spurted. This is the sequence of events in broad outline.

That economic development is accompanied by an improvement in per capita diet—more of the proteins contained in meat and other livestock products—is plainly evident. Look at the countries of the world according to their stage of economic development. You will find the demand for feed grains greatest by far in the most developed country, the United States, followed by other strongly developed countries, such as Western Europe and Japan, and followed at a distance by countries on the verge of takeoff into large-scale development. On the other hand, countries which still have only primitive economics have very limited demand for feed grains and almost none at all for feed grain imports.

Here is clearly demonstrated the operation of economic cause and effect. First, economic growth gives foreign consumers the income to buy a better diet. This is translated into a direct demand for meat, milk, poultry, and eggs. This stimulates an expansion of herds and flocks. Bigger herds and flocks require more grain, and the market expands for both homegrown and imported feeds.

The trend toward protein foods in foreign developed countries has by no means run its course. We see this when we compare United States and Common Market consumption rates. In 1961, per capita consumption of red meats and poultry in the United States totaled 199 pounds. In the Common Market, however, the per capita figure was only 113 pounds. Just to catch up with current U.S. consumption rates, Common Market consumers would need to eat about 86 more pounds of meat and poultry. But here's the "hooker"—U.S. consumption rates also continue to move upward. So "catching up," on a longtime basis could mean an increase of substantially more than 86 pounds for Common Market consumers.

But what about the less-developed countries? Would they be bigger consumers of animal proteins and better customers for feed grains, if they could only "graduate" upward? Of course they would. With economic growth, they would be better customers for many things. They would be more effective members of the world community.

Let us mark this down as an axiom: Economic growth is the way to a nation's ability to trade. Over the past two decades, imports of agricultural and other goods have shot up fastest in countries with the most rapid rate of industrial and general economic growth. A recent study by the Department indicates that for every 10-percent increase in a country's income per person, imports are likely to increase 10.6 percent.

In other words, world trade expands at a slightly faster rate than world income.

But world trade in farm commodities tends to rise more rapidly with increases in income than total trade, which includes industrial goods. A 10-percent increase in income is likely to result in a 14-percent increase in imports of farm commodities.

Farm products commercially imported, those bought for dollars, go up fastest of all. For every 10-percent increase in a country's income per person, U.S. commercial shipments of farm products, under certain conditions, are likely to rise about 16.5 percent.

Mind you, I'm talking about rate of increase not actual dollar expansion. Obviously a person who has $10 more total income will not spend an additional $10.60 or $14 or $16.50 in trade. We're talking about a percentage increase.

This makes good economic sense. When income rises people who are not totally satisfied with their diets are likely to spend a large part of the increase on food—more food and better food. Recent studies of food purchases in India have shown that if the average family income is raised $1, more than 50 cents of it is spent for food and fiber.

The United States as a nation and you as members and representatives of an exporting industry have a stake in the economic success of other nations. Our economic growth as a nation and the foreign trade of your industry will be accelerated by economic development abroad.

Poverty, hunger, and disease are as old as man himself. But we all know that a new idea is sweeping the world today—a bright new hope and a vision of a better life.

We know that people everywhere want for themselves the same things that you and I want and that most of us already have—food for strength and vigor, medicine and medical care to restore the sick to health, preventive measures to wipe out disease, jobs that will give them not only survival but dignity, education for their children to prepare them for a useful future—in short, a decent life measured by 20th-century standards.

We have a very real stake in helping the world's people achieve this decent life. We have a moral responsibility—but in addition we have an economic self-interest.

Let me illustrate. In the less-developed countries of Africa, per capita income in 1959–60 was estimated to be only $107. How much farm products can we sell commercially to a person in Africa with an annual income of $107? We know the answer. In 1959–60 it was 16 cents' worth.

In the less-developed countries of Asia, where per capita income was $110, our commercial sales of farm products that year were 20 cents per person.

Now look at the developed nations. In Japan, per capita income was estimated at $315. We sold commercially $4.19 worth of farm products per person.

In the Common Market countries of Europe (France, Italy, West Germany, the Netherlands, Belgium, and Luxembourg), per capita income was $783 and our commercial sales of farm products were $5.41.

In the European free trade area (the United Kingdom, the Scandinavian countries, Austria, Portugal, and Switzerland), income was $973—commercial sales $6.94.

In Canada, per capita income was $1,589—dollar sales of farm products per person, $23.13.

Not only do we sell much more to nations with higher incomes, the proportion of sales is also far greater.

In Japan, where income was about 3 times as large as in Africa, commercial sales of farm products were about 25 times as great.

In the Common Market countries, where income was about 7 times as large, sales were almost 35 times as great.

In the European free trade area, where income was about 9 times as great, sales of farm products were almost 45 times as large.

And in Canada, where per capita income was 15 times that of the less-developed countries of Africa, commercial sales of farm products per person were almost 150 times as great.

What could indicate more clearly our stake in world economic growth? There are large potential markets for our farm products in the emerging countries of Latin America, Asia, and Africa. But first we must help these countries grow.

This is why the United States has been, and is, providing loans and grants of dollars, technical assistance, food-for-peace shipments, Peace Corps operations, and support for the FAO, the United Nations, the Alliance for Progress, the Colombo plan, and other international approaches. Other economically developed countries are also providing assistance, though none on the scale of the United States.

And this is why President Johnson has been appealing to all groups of the American people to back up our national effort to guide the revolution of rising expectations that is going on in the world into peaceful and effective channels.

While economic development appears to have been the most important factor in the doubling of world feed grain exports in less than a decade, it does not in itself explain the rise in the U.S. share of these exports. We all know from experience that demand for a product can exist—and the product can be available—but that sales can still be disappointing.

Another factor was present and played an important role in raising the U.S. share of world feed grain exports from one-third a few years ago to well over one-half today. That factor was market development.

Extra sales effort has been supplied by the cooperative work of the U.S. Feed Grains Council and the Department of Agriculture. It is an effective partnership.

The council is working with enthusiasm and intelligence through its offices in Rome, Rotterdam, London, Madrid, Hamburg, Athens, Bogotá, and Tokyo. All the known techniques of market development are being employed: Feeding trials and demonstrations, technical assistance on feed and feeding including translation and dissemination of printed material, market surveys and other marketing assistance, portable feeding exhibits, promotions at trade fairs and trade centers, exchanges of industry and government officials, sponsoring of seminars, and in selected countries direct consumer promotion of livestock products.

As you know, we have given considerable attention to the Italian dollar market in feed grain promotion. It is interesting to note that feed grain sales to Italy in fiscal 1963—over a million tons—were five times as large as they had been just 2 years earlier.

There is a similar story in Japan where U.S. exports have risen from 738,000 metric tons in 1958–59 to 1.4 million metric tons in 1962–63.

The Japanese are going in for more poultry and hog production. Consequently the demand for formula feeds is expanding rapidly. This is favorable to U.S. feed grain exports. Almost all the feed grains used in mixed feeds in Japan are imported. The total production of formula feeds in Japan last year is estimated at 5.8 million metric tons—up more than a million tons from 1962. This year mixed feed production is estimated at 6½ million metric tons and it could easily reach 7 million.

The U.S. agricultural market development program is making important contributions to exports, not only of feed grains but also of a wide variety of other products. More than 40 trade and agricultural organizations are cooperating with the Department of Agriculture in this important work, putting in many millions of dollars annually to augment public funds and supplying the techniques, skills, and experience represented in supervisory personnel.

As you have no doubt sensed, we take an optimistic view of the future feed grains picture. Nations are emerging. Standards of living are rising. Nations already developed are climbing to new heights.

Economic development abroad and vigorous market development projects look like a winning combination. Our present projections indicate that U.S. exports of feed grains may rise from 15.5 million tons this year to 18.5 million tons in 1967–68.

Looking farther ahead, however, we see some new factors in the picture. One is the time element I mentioned earlier. Western Europe is our biggest and best market for feed grains. But Western Europe is on the brink of a technological agricultural explosion similar to ours of the past 25 years.

As the Common Market countries continue to surge ahead economically, their need and demand for feed grains is bound to rise. But who will meet the demand? This is one of the questions being debated at Geneva where the Kennedy round of negotiations under the General Agreement on Tariffs and Trade opened just 8 days ago. Over 70 nations—nations that account for most of the products that move in world trade—are taking part. The objective, as you know, is to increase opportunities for trade on a mutually beneficial basis. **To do this will not** be easy.

The farmers of the Common Market grain producing countries see in the increasing demand for feed grains and other crops an opportunity for prosperity if they reduce the inflow of competitive feed grain imports. Such farmers are pressing for high domestic grain prices with variable import levies which would keep the cost of imported grains always above their domestic prices.

We, on the other hand, believe it not only in our interest but in the best interests of the Common Market as a whole that a reasonable access to the EEC feed grain market should be provided to exporting nations and that this access should grow as the market expands. We contend that trade barriers need to come down and that foreign governments need to let our products come in on an equitable basis.

I use the word "need" with deliberate intent. The truth is, we have such a highly efficient agriculture that Europe, as an industrial area, will have to think carefully about the effects of passing up our more efficiently produced and lower priced supplies. Food costs help determine the level of wages, the level of wages helps to determine the cost of a manufactured product, the cost of a manufactured product determines one's ability to sell it competitively in the world market. And inflation is already a serious problem in the European competitive situation. This is the economic sequence that confronts Europe. It represents an important part of our bargaining strength in the world marketplace.

These are the highlights of the challenge to feed industry management and government in foreign trade, as I see them. I have no doubt about our ability to meet the challenge.

I believe that where markets are active and we have access to such markets, real sales opportunities exist.

I believe that an expanded and aggressive oversea development program for feed grains, conducted in cooperation with producer and trade groups and stressing sales promotion, quality, marketing services, and production at competitive prices cannot fail to be effective.

I believe the economic development of the world in the next decade or two will be utterly astounding, and that it will produce progress hitherto undreamed of.

I believe, in short, that we in the United States along with the free world in general are going to take full advantage of the era of collapsed time to bring about an age of plenty—worldwide.

Mr. EDWARDS. Mr. Chairman, while I join those Members who question the committee's recommendation concerning the Department's technical assistance responsibilities, I would like to comment briefly on a related part of the report.

On page 3, but principally on page 17, the committee states its opinion that AID programs to stimulate American investment in recipient countries are working to the detriment of U.S. agriculture.

It is my understanding that the Agency for International Development is kept aware of the problems faced by the American farmer and has accordingly tailored its assistance programs to prevent any unfavorable impact on our producers of agricultural commodities. Evidence of this concern is apparent in the policies and procedures followed in administering the incentives programs to promote private investment in the less developed nations.

First. Cooley loans: First, let us examine the Cooley loan program. Under this program, up to 25 percent of the foreign currencies received by the U.S. Government for sales of surplus agricultural commodities may be lent to private businessmen for investments in less developed countries.

Cooley loans may not be made for production of any commodities which would be marketed in competition with U.S. agricultural commodities. AID thus would turn down a loan to a firm which wished to grow rice in Thailand and sell it on the world market in competition with American-grown rice.

At the same time, Cooley loans may be made to foreign businessmen, if and only if, their investment will be used to expand the market for U.S. agricultural products. Recently, a $150,000 local currency loan was made to establish the Shinhan Flour Mill in Korea. This investment will actually benefit the American farmer since the company plans to purchase U.S. wheat for its flour.

Second. Dollar loans: AID may also make dollar loans to U.S. investors in the less developed nations, but the project involved must not compete with U.S. enterprises. No dollar loans have been made for private investments in agricultural projects.

Third. Investment surveys: This program authorizes the Agency to underwrite 50 percent of a businessman's cost of surveying an investment opportunity. If he decides not to go forward with the investment because the survey indicated it was unpromising, AID will reimburse him up to one-half the expenses incurred for the survey.

No investment survey grants have been issued for projects involving agricultural commodities in surplus in the United States, unless the product involved was intended purely for local consumption in the host country. Hence investment survey grants could be authorized for bananas and tapioca, which are not in surplus in the United States. Likewise, a survey for livestock development in a less developed country to produce beef for local consumption would be acceptable, because the meat would not compete with American beef on the world market. On the other hand, an application for a survey grant involving the production of raw cotton and its sale on the world market would be denied.

Fourth. Extended risk guarantees: AID may guarantee up to 75 percent of a loan investment or 50 percent of an equity investment for high priority projects. No extended risk guarantees have been issued for any agricultural projects.

Fifth. Specific risk guarantees: Under this program, an investor may secure guarantees against the risks of inconvertibility of currency, expropriation, and war, revolution, or insurrection. In general, it has been the policy of the Investment Guaranty Division to deny applications where the investment would lead to a substantial increase in exports of a surplus agricultural commodity, such as rice and wheat. Investments which will increase the production of certain commodities, such as raw cotton, may be denied guarantees even though the investor does not plan to export the product.

In cases where it is not clear whether a particular investment in agriculture should be encouraged, the Office of Development Finance and Private Enterprise, which administers these programs, carefully investigates the effect of the proposed investment on the American agricultural community. The advice of both agricultural experts within AID and officials within the Agricultural Department is sought prior to offering assistance for any such investments.

The private enterprise phase of the foreign aid program is hence designed not only to avoid any adverse impact on the American farmer, but in fact, to assist him. First, the programs do not encourage any increase in production of surplus agricultural products to be used in competition on the world market. Secondly, the farmer benefits by the increased demand for his goods through the sale of surplus commodities under the food-for-peace program. Moreover, local currencies derived from these sales are lent to foreign businessmen only if their investment will increase the sales of U.S. agricultural products.

And, finally, the entire foreign aid program will ultimately benefit the American farmer. As the less developed world is industrialized through public loans and private investments, the earning power of millions of people will be increased to the point where they can afford the foods necessary for proper nutrition—the milk, the wheat and the vegetables. At that time, an immense new market will have been created for sales of American agricultural products.

Mr. WHITTEN. Mr. Chairman, I yield back the balance of the time remaining on this side.

Mr. HORAN. Mr. Chairman, I yield back the balance of the time remaining on this side.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes; namely——

Mr. FINDLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time because the time allotted to the minority was consumed before I could be recognized.

Last August 1 the U.S. Department of Agriculture inaugurated what the Department called the New Market News Service, a substantial departure from the procedure of many years in the AMS for the dissemination of crop information.

I have in my hand a roll of paper which is a typical day's budget as carried on the leased wire network which for several years has served the AMS service of the U.S. Department of Agriculture. Last August 1, under an action initiated by the Department of Agriculture, private firms and associations were permitted, through a contract with the A.T. & T., to make a wire direct interconnection with the Government-leased wire network which carries this vast flow of statistical and crop information. This was a significant step, in my judgment, and I speak as a country newspaper publisher who tries to keep alert to threats to press freedom implicit in developments of this kind.

To me it was an ominous development because it enabled Government employees to control the flow of news all the way from the news sources right to the person or private organization receiving this material over a wire news network. At no point does a private news reporter make an entry. It is Government controlled all the way.

Last April 1, which was several months prior to the inauguration of the new Market News Service, the Department of Agriculture established a new wire news relationship with another department of Government. Under it USDA supplies over the Weather Bureau leased-wire long-distance network—which is Government paid for in its entirety and which originates at Memphis, Tenn.—digests of farm news, crop information, and statistical reports. This news service is fed by Government employees directly into the Government-leased Weather Bureau networks.

This to me is an even more ominous development than the step taken August 1 to permit direct interconnection by privately leased wires with the AMS service, because under the Weather Bureau setup in the delta area, which has its center in Memphis, Government-controlled material goes directly to the news desks of 72 radio stations, television stations, and newspapers. This material comes off the teletypewriter machines, right in front of the microphones of the station or the linotypes of the newspapers, news material which has not been subject to the scrutiny of a private reporter at any point. The private reporting system is entirely circumvented by the development of this new wire news apparatus. If is limited in scope, of course, but it is a significant ominous step—perhaps the first in a series.

So far as I can determine, there is no legislative authority for either of these developments.

So far as I can determine, there was never a public hearing conducted by any committee on either side of the Capitol in this regard, or in regard to the new Market News Service.

The service begun last August 1 was established on the basis of a survey of parties the Department believed might be interested in this expanded service; and Secretary Freeman reported that the response was overwhelmingly in favor of the establishment of this news service. I have a complete file of every letter which came back to the Department of Agriculture in response to this survey. I have examined them all. Of the 114 replies which came in, only 8, as of April 2 of this year, had actually signed up to buy the service. That is hardly an overwhelming endorsement of the proposal. In their direct replies to the survey only 21 clearly endorsed the new Market News Service. This was less than 20 percent of those responding—hardly "overwhelming approval."

Mr. WHITTEN. Mr. Chairman, I move to strike the requisite number of words.

I can appreciate the attitude of the gentleman from Illinois with regard to the feelings which some people seem to have about the news services. But I wish to say, from experience on our committee, I do not know anything as to which I have had more people appeal to me, in the many years I have been on the committee, than the Marketing News Service.

It is a marketing news service. That Marketing New Service is made available to and is used by 1,200 daily newspapers, 1,600 radio stations, and 170 television stations.

In regard to the particular instance which the gentleman points out, I wish to say there are about nine other sections of the country where, at the instance of the committee some years ago, we had provided the weather service in cooperation with a marketing news service, and the Congress urged that consideration be given, in order to keep down duplication of information which the Government obtained for the use of all people, to making it available, so that it could be used by the other service without duplication.

Certainly, if there were ever any indication of news management or misuse of the authority, I believe the committee would be the first to put a stop to it.

Fear has been expressed about what somebody might do in the future. This is a very small operation, indeed, compared to what is operated by the Defense Department. I happen to serve on that subcommittee. The Defense Department communications system spends annually $2.7 billion.

The General Services Administration spends something like $9.5 million for a Government civilian network. The newspapers in my area, I am thankful to say, every one of them in my district, have always supported me and I hope it will continue. However, I can see where if the Government spends all of this money for this information, it is much more sound for it to go direct than for it to be editorialized or to be changed or even straightened out by somebody who might be in between. I may be in error about it, but I certainly think the gentleman will agree with me that if we are going to spend as much money in getting this information as we do, because it is so vital to the consumer and producer alike, that we should make it available to everybody who wishes to pay the price.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. Yes. I am glad to yield.

Mr. FINDLEY. You made reference to the wire apparatus network operated by the Defense Department. Does the gentleman know of any opportunity that private organizations have to make a direct interconnection with the wire apparatus operated by the Department of Defense?

Mr. WHITTEN. May I say again I do not know that it could happen in any other case. I have read where the gentleman feared at sometime in the future the Government might use the Marketing News Service to propagandize the American people. What I was going to say is, and we would certainly be opposed to any such misuse, but if there is any danger of the U.S. Government doing anything like that, they would not use a little two-bit network like this when they have a $2.7 billion Defense network. That is the point I make.

Mr. FINDLEY. If the gentleman will yield further, in the past year, we have seen these two very significant steps occur. My point is that step by step we may develop a massive apparatus which is a welcome and tempting tool for news management. If the gentleman will recall the period just before the wheat referendum of last year a Department of Agriculture official named Ray Fitzgerald sent a memorandum to all of the State ASC organization personnel in which he urged that they act aggressively—he used that very word—in order to get radio and television stations to use the material being issued by the Department of Agriculture with regard to the wheat referendum. This shows the abuse that can occur. If a man like that were to sit on top of the Department and have access to this tempting tool for news management, then I fear for the worst. It could indeed be a threat to our freedom of the press which we prize so highly.

Mr. WHITTEN. I would agree with the gentleman that we would be opposed to any misuse in the Department. I certainly go along with that. But I would hate to see something done in trying to reach a particular aim of that kind, although I join with the gentleman in trying to reach that type of an end, when it is a very badly needed service by the American farmers and producers, at a time when we are investing billions of dollars in crops. This service is used by daily newspapers numbering in the hundreds, 600 radio stations and 170 television stations. I think they would be the ones affected if you cut out the service to all these people. However, I would be glad to join in trying to stop any misuse now or in the future.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MICHEL. Mr. Chairman, I move to strike the last word.

I hate to find myself in opposition to my good friend from Illinois, and I am sure that the two of us are seeking the same end, because the gentleman is very fair. If I could refer him to several pages in the hearings, pages 182 and 183, I asked Mr. Smith a question. I said:

> Would the members of this committee ever have to fear that the Department would use this Market News Service for any other purpose other than this strict reporting of prices, volume, possibly weather?
>
> Mr. SMITH. I think I can give you that full assurance, sir.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I will be glad to yield.

Mr. FINDLEY. I would call the gentleman's attention to the bulletin indexed as AMS 510, headed "A New Market News Service," issued by the Agricultural Marketing Service, in July 1963. On the last inside page, describing the type of information which might be carried on this new Market News Service with direct interconnection with private wires, it says:

> In addition, all circuits carry a variety of additional marketing information—as it is available—on crop and livestock production, storage holdings, meat production, and various USDA news releases of importance to marketers.

That is a big enough hole to drive any kind of news release through, in my judgment.

Mr. MICHEL. Mr. Chairman, I will say to the gentleman that I had not read that bulletin. I would certainly have some concern if that were the policy to be implemented. In the hearings I said to Mr. Smith:

> Mr. Michel. I would expect, and I am sure the members of this committee would likewise, that if there is to be a change from that policy, we would receive advance notice that you were contemplating something other than the items mentioned, because it is only with this kind of assurance that we can in turn assure our colleagues—

In this case, you and the rest of the Members of the House—

> that the Market News Service will be confined to its original intent and purpose, and will not be misused.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield.

Mr. FINDLEY. First of all, to correct the record, I am not proposing nor have I proposed that the AMS marketing services be curtailed except to back up to the situation that obtained, and services provided, prior to April of last year. This would end the direct interconnection with the Weather Bureau Network and the direct interconnections of privately leased wires with the Government-leased AMS wire system. There is comparatively little interest in this new Market News Service, compared with the concern which has been expressed by newspaper publishers around the country. We should at least have public hearings. Public hearings have never been held. This proposal has never been before a legislative committee to my knowledge. In the interest of fairplay and to jealously guard this precious thing called press freedom, we ought to call a halt to this expansion of the Government wire news apparatus at least until we have an opportunity for full public hearings.

The gentleman from Mississippi spoke of the support which he has received for this, but the support is not clear in any correspondence that the AMS received, and it is not clear in any correspondence that I have received. I have diligently tried to get the facts. In view of the almost infinitesimal interest in an enlargement of the wire service activities of the Department why do not we call a halt to it and give the public and the Congress the benefit of public hearings?

Mr. MICHEL. I know that the gentleman has done a considerable amount of work in this area, probably much more than members of the subcommittee have had the opportunity to do. I commend him for his diligence in trying to see that the right thing is done.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the Chairman.

Mr. WHITTEN. The complaints that I have had come from two sources. There are two private organizations which have subscribed to this service and they hate to see other persons provided the service because for years they have taken it, editorialized it and sold it for a profit.

Those two publications have complained to me. I have found that they have pending a lawsuit, and in view of the fact that they have a pending lawsuit, the committee bypassed this matter.

They would like to get it themselves and then sell it. I do not know why we should spend $6 million to get this information and not make it available to all users. That is the reason I would oppose any restriction at this point. That issue is pending in the court and the courts will do whatever they think is right.

Mr. HALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to continue this colloquy with another incident, leaving the question of policy, use for politics, and/or need for censorship; with only the remark that the new system, using the weather network, or leased Federal wires direct from stockyards has put quite a few private employees formerly of the Market News Reporting Service and newspapers out of business.

But, I would like to ask the distinguished chairman of the subcommittee, the gentleman from Mississippi [Mr. Whitten], if in addition to the complaints he has had from people who profited by assembling this and editorializing it; if indeed it has not worked a hardship on some of the stockyards from which the very material is gathered? For example, I have had a complaint wherein there used to be assembled this material in one of the principal cities of my district and our stockyards and commission companies where they furnished it at their own expense simply to the statewide—it happened to be the capital of our State, Jefferson City—where it was assembled; and then I believe went on to Chicago and finally to Washington, D.C., to the central marketing service.

Under this new network they were cut out of that. Another principal city having perhaps a slightly larger stockyard and group of commission houses—in fact, in many areas it is among the top 10 of the Nation and represents obviously an important source of sales and market area—was given this right without the intervening reporter service and the direct wires back and forth to the capital city, which resulted in a competitive savings of over $350 to $500 a month to the one group of stockyards and commission houses in the same district, as compared with the other.

Has the chairman of the subcommittee had any complaints like that and, if so, is that a fact?

Mr. WHITTEN. If the gentleman will yield, I have had no such complaints. All the complaints which I have received have come from my colleagues here who want us to do something to get more marketing news disseminated. I can say honestly to the gentleman from Missouri that except the two complaints to which I have made reference, I have had no other.

Mr. HALL. Let me make it clear to the chairman at this point that neither one of these stockyards or group of commission houses wants to do away with the marketing service. Indeed, as the gentleman from Illinois [Mr. Findley] said, they would be perfectly happy to have it go back to the originally paid leased wire daily reporting service, but they do not want one of them to have an advantage over the other.

Mr. WHITTEN. If the gentleman will yield further, that could be true. But may I say to the gentleman that the Department of Agriculture is not paying for any of this service to subscribers. The subscriber has to pay himself.

But formerly a few people enjoyed a bonanza on this because they controlled it. Under the new approach anyone who wants to can use it. May I say further to the gentleman that I have a list of the new subscribers from all over the United States. These people are located in such areas as Kansas City, Chicago, St. Louis, and many other areas.

Mr. HALL. Mr. Chairman, as I tried in the beginning, let me make it crystal clear now that this is not the subscriber to the service, but the ones that reported to the statehouse or the State department of agriculture, that are being given the advantage by use of the free wire service, over the other one who also has to report it in order to get his sales on the market or to be considered across the length and breadth of the land.

Mr. WHITTEN. Mr. Chairman, if the gentleman will yield further, may I say that I have had no such complaints. The only complaints that I have received are the two which I have previously mentioned, those few organizations who have been editorializing and selling the information. All of the other complaints that I have had are complaints to the effect that they want us to get more information and to locate such facilities in their district and requesting us to not let the Department of Agriculture and the Bureau of the Budget cut these services out. I have had no other complaints.

Mr. HALL. Under the basis that they do not want to eliminate anything and that they are not the subscribers, I would like to document this and supply it to the distinguished chairman of the committee.

Mr. WHITTEN. I certainly would like to have it.

Mr. CHAMBERLAIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I, too, am interested in the colloquy we have had here, and I would like to associate myself with the remarks heretofore made by the gentleman from Illinois.

It is my understanding he proposes to offer an amendment at the appropriate time, and I yield to him in order that he may explain the amendment which he proposes to offer.

Mr. FINDLEY. Mr. Chairman, the amendment which I shall offer at the appropriate time would withhold any funds for the assembly and transmission of any information by AMS over wires which are subject to direct interconnection by privately leased wires or supplied to Government-leased wires which directly serve newspapers, radio, and television stations. That will be the content of the amendment I shall offer.

The gentleman from Mississippi, in making reference to who was leasing the wires, may have overlooked the facts about weather service wires. They go right to radio and television stations, and the long-distance tolls are paid for by the taxpayers. They are leased on a 24-hour basis, and there is considerable idle time. The existence of idle time is used as the excuse for preparing farm news to feed into this news network.

That is where the danger lies. If we can justify the use of idle wire time for the Department of Agriculture news, why not use some of the idle time for news from the White House, or from the Defense Department, and every other news source in Washington? We may see the day come when the private news-gathering services, which are vital here on Capitol Hill, will wither away—unable to compete with a Government-controlled news network.

Concern has been expressed by the Ridder publishers. They have a deep self-interest because the new Market News Service is apt to force one of their news services called PAM out of business. Their concern is shared by hundreds of newspaper publishers throughout the country. The American Newspaper Publishers Association has gone on record in opposition to this new Market News Service.

So you have a wide degree of criticism of this wire news apparatus. It is only in the interest of fair play to the public, to the free press and to the Congress that we halt this wire news apparatus until we have the opportunity for public hearings.

Mr. CHAMBERLAIN. Mr. Chairman, I want to commend the gentleman from Illinois for his leadership diligence in bringing this important matter to the attention of the House. I shall support his amendment, and urge my colleagues to give it most careful consideration.

The Clerk read as follows:

> Research: For research and demonstrations on the production and utilization of agricultural products; agricultural marketing and distribution, not otherwise provided for; home economics or nutrition and consumer use of agricultural associated products; and related research and services; and for acquisition of land by donation, exchange, or purchase at a nominal cost not to exceed $100, $97,656,000: *Provided*, That the limitations contained herein shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113(a));

AMENDMENT OFFERED BY MR. PILCHER

Mr. PILCHER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. PILCHER: Page 3, line 12, strike out "$97,656,000" and insert "$99,256,000, of which $1,600,000, to remain available until expended, for the construction of a National Peanut Research Facility at Dawson, Ga., and the acquisition of land therefor by donation".

Mr. WHITTEN. Mr. Chairman, I reserve a point of order against the amendment.

Mr. PILCHER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PILCHER. Mr. Chairman, this amendment is for the purpose of providing the sum of $1,600,000 for a quality peanut research laboratory to be located at Dawson, Ga., in the district now served by Congressman TIC FORRESTER.

I am sorry to say, as many of you already know, that Congressman FORRESTER is now in St. Joseph's Hospital, Atlanta, Ga., where he recently was operated on and is in a very serious condition. This is the only appropriation that Congressman FORRESTER has ever asked for during the 14 years he has served in the Congress.

In order to throw a smokescreen and confuse the membership, the committee, as you will see by the report, has put in $450,000 for a research laboratory at Dawson, Ga., but says that it cannot be used for quality research. We do not want this. It is not worth anything.

The laboratory we are asking for is for the purpose of improving quality, and was recommended by every segment of the peanut industry as the most important need of the peanut industry. It was recommended by all of the peanut areas, the shellers, the peanut butter processors, the farmers, and particularly by every one of its present opponents. I pause here to give any of the opponents full opportunity to dispute my statement that they unreservedly recommended this laboratory.

In 1961, with every portion of the peanut industry and after many meetings of that industry working with the U.S. Department of Agriculture, these people, with the approval of the Department of Agriculture, appeared before the Senate Subcommittee on Appropriations for Agriculture, as shown on pages 286–299 thereof, and submitted in detail complete plans for the quality peanut research laboratory, giving a description of the buildings, machinery, and so forth, estimating the cost at $1,600,000 and asking for an appropriation for planning and architects' fees, and saying that the lands must be without cost to the Government and that water, electricity, sewage, and so forth, must be furnished from other than Federal sources. The sum of $130,000 was appropriated in 1961 for 1962, for the sole purpose of making plans for this quality peanut research laboratory. Some of the opponents say they did not know it was to be a quality research laboratory. Certainly, they must have forgotten. Certainly they would not have thrown away $130,000 in 1962 and another $130,000 in 1963 for something they knew not what. The hearings just referred to so fully describe this laboratory until any member of the committee or any petitioner could not have failed to know it was to be a quality laboratory, and represented as the most important need in the industry. At least, $260,000 has already been spent, and the Subcommittee on Appropriations for Agriculture provided that money.

Of course, the Secretary of Agriculture completely endorsed this proposal, having worked with the petitioners, including the opponents, and made all the plans for it. The administration is for it and has always been for it, and this sum has been in the budget on two occasions.

The first opposition that ever appeared to this quality research laboratory occurred when the Secretary of Agriculture said he was going to put the laboratory where the peanuts were, and that Dawson was in the heart of the Peanut Belt. Of course, that statement is completely true.

The southeastern peanut area composed of Alabama, Florida, Georgia, and South Carolina, produces at least half of the peanuts in the United States, and that area has more peanut farmers than all the rest of the peanut areas combined. The southeastern area also raises all types of peanuts. Virginia and North Carolina compose another peanut area, but both of those States do not grow as many peanuts as do the Second and Third Districts of the State of Georgia.

Texas, Oklahoma, and New Mexico comprise the southwestern peanut area. After the Secretary picked Dawson as the site, Virginia, North Carolina, and Texas, although all the industry in those States were begging for a quality laboratory theretofore, objected to the laboratory at Dawson. Oklahoma and New Mexico do not object.

Texas has its oil depletion allowances; North Carolina has its factories, while our area has peanuts.

Virginia has had a peanut laboratory at Holland for a long time, and the Department of Agriculture says it would remain in Virginia. We have never said that Virginia mistreated our peanut growers, and Virginia knows that the Federal Government would not mistreat Virginia peanut growers, although the laboratory be located in Georgia. I cannot understand people asking for Federal money for laboratories suggesting that the Federal Government might not treat them right. In this same bill there is $1,500,000 for a tobacco research laboratory in the tobacco growing area of Kentucky.

North Carolina, Virginia, and Texas are the only ones opposing the administration, the Secretary of Agriculture, and Dawson, and they have gone to the ridiculous position of arguing that a peanut laboratory should be in a neutral territory, and this peanut research should be conducted at New Orleans. I charge that these States contending this now knew that New Orleans had its laboratory when they were begging for a quality peanut laboratory. All of the people requesting this laboratory are professionals. They knew the score then and they know it now. There is far more reason for taking a tobacco laboratory to the neutral city of Niagara Falls than it is to take a peanut laboratory to New Orleans. What the Louisiana Congressmen vote for the laboratory to be located at Dawson you will see that they have not fallen for this foolish neutral territory argument.

It is a little amazing to hear the gentleman from Mississippi [Mr. WHITTEN], say this research should be done in neutral territory. Ask him what kind of laboratory it was that he got for Mississippi before Christmas last year. The boll weevil laboratory just happens to be located in Mississippi instead of Maine, and the gentleman from Mississippi [Mr. WHITTEN], is to be congratulated on taking it to his State.

The gentleman from Mississippi [Mr. WHITTEN], has expressed some surprise about the selection of sites for laboratories, and suggests that maybe Senator RUSSELL was instrumental in selecting Dawson. On page 723 of the hearings of the Subcommittee on Appropriations for Agriculture, House of Representatives during the year 1963, the gentleman from Mississippi [Mr. WHITTEN], said: "I had the privilege on the floor of designating Mississippi State College as the location" for the boll weevil laboratory.

Georgia is quite a cotton State also, but we have no kick on Mississippi having so many cotton laboratories, and we do not think that those Mississippi laboratories have mistreated Georgia, and we do not think the Federal Government will let them do it, either.

It is worthy of note to consider that the Senate has approved this appropriation twice, with every Texas, Virginia, and North Carolina Senator voting for it. The opposition in those States has not been able to convince the Senators that they were mistreated, misled, or that Dawson was not the proper location for this peanut laboratory. Georgia is glad that those Senators stand with them for this peanut laboratory, because Georgia Senators and Congressmen have stood for Texas, Virginia, and North Carolina many, many times, and the Senators realize that they simply cannot afford to support the one-way street theory.

Senator YOUNG told these opponents—see page 1278, Hearings before Subcommittee of Committee on Appropriations, U.S. Senate, 88th Congress, first session—that the need for this laboratory at Dawson was established with the support of the Department of Agriculture some 3 years ago; that a lot of money has been spent to place it at Dawson and it seemed to him that there is only one question before Congress now, either put it at Dawson or lose it entirely. He said that years ago, quality research laboratories for wheat had been established in wheat-producing areas.

See the same Senate hearings on page 311 where Mr. Herrmann, representing the Department of Agriculture, said that Dawson had furnished the lands for the building at the cost of $12,000; had constructed a sewage disposal plant at the cost of $225,000; and had also provided intermission lines.

On pages 312 and 313, see where Mr. Smith with the Department of Agriculture said that the Department never had any intention of conducting research predominantly on one particular kind of peanut, and would not give preferential treatment to any one type; that the Department selected the site—Dawson—that is centrally located from a production and geographical point of view; that the laboratory should be located in a peanut producing area and there are many reasons for that opinion.

The southeastern peanut area is asking for simple justice. Everyone knows that this neutral theory advocated for Georgia has never been accepted by the opposition for themselves, and that they never will; and the tobacco research that they want in the tobacco belt eloquently demonstrates what I have said.

My colleagues, there is no surgeon nor any medicine that would do the Congressman at St. Joseph's Hospital in Atlanta, Ga., as much good as the passage of this amendment.

Mr. WHITTEN. Mr. Chairman, the committee would have no objection if the gentleman from Georgia wishes to correct his amendment. In our opinion the words "to remain available until expended" make the amendment subject to a point of order. If the gentleman should wish to ask unanimous consent to modify his amendment, the committee would have no objection to the unanimous-consent request.

Mr. PILCHER. I do not understand. I am not a lawyer. I hope I will not get in a trap. I will let my able colleague from Georgia who is a lawyer handle that part of it.

Mr. FLYNT. Mr. Chairman, I ask unanimous consent that the amendment offered by my colleague from Georgia [Mr. PILCHER] may be modified by striking the words "to remain available until expended."

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. WHITTEN. Mr. Chairman, I do not object, except to the amendment. I do not object to the modification.

Mr. BURLESON. Mr. Chairman, reserving the right to object, the point is, of course, that nothing is being agreed to here with respect to the substance of the amendment.

The CHAIRMAN. The Chair understands the pending unanimous-consent request is to modify the pending amendment by striking out these words.

Is there objection to the request of the gentleman from Georgia [Mr. FLYNT]?

There was no objection.

The CHAIRMAN. The Clerk will report the modified amendment.

The Clerk read as follows:

Amendment offered by Mr. PILCHER: On page 3, line 12, strike out $97,656,000 and insert $99,256,000, of which $1,600,000 for the construction of a national peanut research facility at Dawson, Georgia, and the acquisition of land therefor by donation.

Mr. BURLESON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if there is any merit in this amendment it is in the fact it is being offered in the name of our beloved colleague from Georgia [Mr. FORRESTER]. If this is the way to legislate on a matter involving approximately $10 million in taxpayers money, then this proposal has merit. Of course this is not the proper way to justify an expenditure of this nature. Mr. Chairman, this proposed project is absolutely unconscionable. This laboratory will duplicate what is already being done in New Orleans, La. It is true that not enough research in this field is being done but I think it can be shown this is not the answer. There is $450,000 in this appropriation for shelling research which actually amounts, as I understand it, to erecting a building in Dawson, Ga., to house facilities already there. It is rather an amazing thing to look at the figures. In fiscal year 1963 the sum of $342,000 was appropriated, and I assume spent, for peanut laboratories and peanut research. The Southwest, composing the States of Oklahoma, New Mexico, Louisiana, and Texas, received—how much out of this $342,000? Seven hundred dollars. The Southeast, particularly Georgia, received $241,000 for peanut research. Now they come in and want another $1.6 million. For what? For duplication of what is being done, but more importantly for quality research which furthers the competitive advantage of the Southeast peanut growing area over the Southwest.

In this bill there is $9.5 million for research at Athens, Ga. I assume part of that is for peanut research along with other activities. We are not objecting to that. I do not object to research in anything if it is justified, but this is not justified. It is just $1.6 million because our good colleague from Georgia has been asking for it for years. Unfortunately, he is not here, but I repeat that it is an unconscionable expenditure of a needless $1.6 million. Even if the economics of the initial cost were not involved, and there is much more involved than just this $1.6 million, if this amendment should be adopted one part of this Nation, a peanut-producing area, would be placed at a distinct disadvantage over the Southwest. The Southeast area has enjoyed such advantages for at least 20 years. What they expect to do now is have additional research in this area benefiting the runner-type peanuts in competition with the Spanish-type peanuts raised in the Southwest. They already have numerous advantages. Time will not permit full explanation. However, many of you may remember debates on this issue for a great many years. It is real and it is serious for the growers and shellers of peanuts in the Southwest. This move is to further aggravate and compound injury already existing.

My good friend from Georgia talks about what is right. Why, you talk about what is right and what is equitable. This is outrageous, and it has been for all of these years. They are taking the markets away from the Southwest by all the advantages under legislation and regulations and now they want more by establishing a laboratory for quality research, located in a favored place for the runner-type peanut.

Now Mr. Chairman, they want to spend another $1,600,000 as an initial cost to make the disparity even greater.

We talk about economy. Leaving everything else aside, leaving the background aside, this item is not in this bill. We give lipservice to economy. This is not a great amount compared to expenditures with which we deal around here. No, it is not very great, but we can surely understand it—$1,600,000 of needless expenditures. And then, what are you going to do with the other $450,000 already in the bill? I think that is ridiculous. Even this sum is not justified but I understand the position of the committee and respect that position. I believe it should not be in this bill, and do not believe it justified. On the other hand

I understand that the committee, in efforts to agree with the other body on the fiscal 1963 bill, more or less had to accept something and this was the least objectionable.

The CHAIRMAN. The time of the gentleman from Texas [Mr. Burleson] has expired.

Mr. FLYNT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentleman from Georgia [Mr. Pilcher]. The purpose of this amendment is very close to the heart of those of us who represent the State of Georgia, and particularly close to our hearts today because the man who would have offered it is for providential reasons confined to his bed in St. Joseph Infirmary in Atlanta, Ga. Of course, I refer to our beloved colleague, the gentleman from Georgia, the Honorable E. L. Forrester, who for 14 years with distinction and ability has represented the great Third District of Georgia.

Mr. Chairman, I support this amendment because it is meritorious. When the proposal for the National Peanut Quality Research Laboratory was first made there came before the Secretary of Agriculture and the Committee on Appropriations representatives from all sections of peanut production. The people from Virginia and North Carolina joined with us in support of the facility. At that time the people who grow and process peanuts in the Southwest region—Texas, Oklahoma, and New Mexico joined in in expressing the need for it. There came friends from the area represented by the gentleman from Texas [Mr. Burleson], who just preceded me in the well of the House and they joined with us from the southeastern production area.

So far as I know no one objected to the Dawson Laboratory or to one just like it until the administration, the Secretary of Agriculture determined that the logical place for it was in the heart of the peanut-producing area of the United States at Dawson, Ga. This is the place where it ought to be located. The amount which this amendment proposes to appropriate in all probability will be paid for in the first 5 years of the operation of this National Peanut Quality Research Laboratory which we seek to complete by the adoption of this amendment to appropriate an additional $1,600,000 for this purpose.

So far as I know there has never been any objection raised to either the need or the justification for this type of laboratory for the purpose for which it is intended, as the legislative history that is being made on this bill will establish here today.

Mr. BURLESON. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Texas.

Mr. BURLESON. I know the gentleman is perfectly honest in his belief there was agreement and that there should be a peanut research laboratory located somewhere, but the facts as the gentleman states them and as he describes them are not the facts as they really exist. The people from the Southwest upon coming to this conference to which he referred never agreed, No. 1, that there should be or would be a research laboratory. They never had the opportunity to have a word as to where that laboratory would be located.

Mr. FLYNT. Mr. Chairman, I will say to the gentleman from Texas [Mr. Burleson] that I do not think there is any real disagreement between him and myself on the need for this laboratory. I believe we are in full accord that it is needed and that it is justified and that the benefits to be derived from it and from its operations will help the State represented by the gentleman from Texas and will help the people of the United States, particularly those who are engaged in the production of commercial peanuts in 12 States.

We are talking about agreements. Let me read to the gentleman an agreement which I thought was binding. It appeared in the statement of the managers on the part of the House on page 7 of Report No. 1088, which was the conference report on the appropriations for the Department of Agriculture and Related Agencies, signed by the distinguished chairman, the gentleman from Mississippi, and it reads as follows:

> Amendment No. 6—Research: Eliminates House language providing funds for a Peanut Research Laboratory in Georgia. This item has been removed from this bill without prejudice. The managers on the part of the House agree to include an appropriation for this purpose in the amount of $600,000 in the first supplemental appropriation bill for the coming year or the next regular appropriation bill for the Department of Agriculture, whichever provides the first opportunity for action by Congress.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. FLYNT. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Chairman, in this connection I will say to the gentleman from Texas and to the gentleman from Mississippi the agreement which many of us felt to be a valid and a binding agreement was that this particular item which this amendment this afternoon calls for would be included in either this very appropriation bill for the Department of Agriculture or in the first supplemental appropriation bill for the coming year. In the language of the statement of the managers on the part of the House "whichever provides the first opportunity for action by the Congress."

Mr. Chairman, this amendment which has been offered by my colleague the gentleman from Georgia [Mr. Pilcher], and which I enthusiastically support, provides the very opportunity referred to in this written statement and written agreement—"whichever provides the first opportunity for action by Congress."

Mr. Chairman, the first opportunity is this amendment and the time is now. I respectfully urge the adoption of this amendment.

Mr. SIKES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support the "Tic" Forrester amendment which has been offered here today by the distinguished gentleman from Georgia [Mr. Pilcher].

The statement has just been made by a respected Member of the House that the work which is proposed for this Laboratory is being done in New Orleans.

I think the facts are that only a small part of the resources of the Laboratory at New Orleans are devoted to peanut research. I quote from Secretary Freeman, the highest authority I think we can quote in the field of agriculture.

On September 24, 1962, Secretary Freeman said that the New Orleans Laboratory used about three-fourths of its resources in research in new uses on cotton and cottonseed, with the remaining one-fourth concerned with rice, naval stores, sugar, and other crops, including peanuts.

Peanuts represent a very important crop to a very large segment of the South. There are many unresolved questions connected with the production, processing, and marketing of peanuts, many unresolved questions connected with insect control, disease control, and storage quality. This should be a full-time operation because of the importance of the crop.

There seems to be no question anywhere in the industry but that an additional laboratory is required. The problem has been where and when. Every segment of the industry says they need it and they need it now. The question has become embroiled in a matter of location. It has to be resolved sometime. Let us get on with it, let us resolve it here and now.

It has been resolved in favor of Dawson because the Secretary of Agriculture has said this is the logical site. It is the center of the peanut industry. Over half of the crop is produced in the Southeastern States, and all types of peanuts are produced in these States. You will not be limited to one or two types of peanuts if you put this laboratory here. All types of peanuts are produced in the immediate area, and all of them can be researched and tested at this site in Dawson.

The Senate has put the money in the agricultural appropriation bill for this purpose. The question of amount was not raised, the question of need was not raised, and the question of site was not raised in the Senate. There you have representatives in the Senate from other Southern States. They did not question the action proposed here today in the House; namely, to appropriate $1.6 million and to put this laboratory in Dawson, Ga.

In keeping with anticipation of prior action, Dawson has expended money to acquire a site, they have expended money to provide sewerage, water, and gas service to the site. It is time to move along with this.

It is fully justified if for no other reason—and there are plenty of reasons—let us do this for Dick Forrester. There is one of the finest little guys any of us has ever known. He is sick. He has fought his heart out here for years. He has been one of the most valuable Members of this body. He has always been the champion of the American Constitution as he read it. No one has ever fought harder to preserve this Nation.

This is our last chance to do something to show the appreciation of the House of Representatives for the great work of a great American. I sincerely and earnestly urge that we approve the pending amendment at this time.

Mr. RAINS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is rare that I ever appear—in support of an amendment to an appropriation bill. I never like to speak unless I am sure I know all about the subject that I try to talk to the House about.

I am concerned about this for two or three reasons. I know that the Secretary of Agriculture under an act passed by this Congress located this laboratory at Dawson, Ga. I know also that this is an administration proposal and that this is where the administration wants it located. I know the facts and that they are true as the gentleman from Florida [Mr. Sikes] said that this is the center of the peanut industry. There are a lot of other places where peanuts are grown in this country. Heretofore when this matter has been before the Congress, I have tried to be of assistance not only to "Tic" Forrester, but to my State of Alabama, because Alabama is great peanut country—one of the greatest.

But I hope we will see to it, as the gentleman from Florida said, that we end this controversy, end it in favor of the place that was selected under the law and by the direction of the Congress, by the Secretary of Agriculture, and as the administration suggests. It would be in my judgment a real tribute to a fellow who has fought for this project. Let us adopt this amendment because it is right to do so, also as a tribute to "Tic" Forrester.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. RAINS. I yield to the gentleman.

Mr. CASEY. I appreciate what the gentleman has said. I hope the gentleman, and I am sure he does not want to create the impression that we who may feel that the selection of this site and the building of this installation is a needless cost to the taxpayers, as I say, I hope and I am sure the gentleman does not want to create the impression and does not want anyone to think that we do not love our dear colleague, Tic Forrester. I am sure the gentleman did not mean that.

Mr. RAINS. No, I do not mean that and I think it is clear that I do not.

Mr. CASEY. I certainly would like to see "Tic" honored in some way, and frankly I would rather see him get a gold medal rather than someone that it was proposed for yesterday so far as that is concerned.

Mr. RAINS. I want to say in conclusion that the gentleman from Texas is absolutely right. I do not mean to cast reflection on anybody who may disagree with this—not at all. But I told "Tic" in days gone by that I would be for him and that I would stand up for him when the time came. I really believe there is merit in this proposal and I would feel derelict in my duty if I did not stand up for him today.

Mr. POAGE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and my colleagues, I hope we can consider this appropriation bill on the merits of the appropriations rather than upon the fine character of one of our colleagues. I agree with every kind word which has been uttered in regard to our genial colleague from Georgia. He is indeed a true gentleman. I think, however, there are about 434 other Members of the House who are fine folks, fine ladies and gentlemen, everyone of whom would like to have some kind of Government institution established in their district and for whom it would be very fine to erect such a monument. I find no criticism whatsoever in paying our respects to our colleague, the gentleman from Georgia. He is indeed a respected Member of this House. Every one of us love him, but there are a great many others whom we love too, and if we are going to establish a Government institution regardless of the need for it in every district simply to pay tribute to a worthy Representative, what does it do to your Government? What does it do to your fiscal policy?

I think the Committee on Appropriations has followed a sound policy. A good many years ago they adopted a policy of trying to centralize agricultural research and they created four great regional laboratories and one of them was dedicated to the purpose of carrying on research on southern crops.

I have not noticed that peanuts was a crop of the Arctic regions. I have always supposed it was exactly what was defined as the type of crop as to which research would be carried on in New Orleans. There is peanut research being carried on in New Orleans now. That there is a need for more I would not dispute. Nor would I dispute for one moment that there were Representatives from the Southwest, from Virginia, from the Carolinas and from all over the country who in the past agreed that we ought to increase our research on peanuts.

But I would take issue with the implication that there was ever any agreement that we establish a research laboratory anywhere other than at New Orleans to carry on this work.

I would take issue with the suggestion that the Representatives from Texas and from Virginia or from the Carolinas all agreed that we should construct a new laboratory. There was no such agreement. There was an agreement that we ought to have more research work, but there never was any agreement as to where that work would be carried on. After there was a general agreement that more research work should be carried on, the Secretary of Agriculture said he would appoint a committee to decide where that work should be conducted and that he would appoint representatives from all of the peanut growing sections of the country—which he did. That was 4 or 5 years ago.

That committee has not met yet, to decide where the laboratory ought to be established.

I want the gentleman from Georgia to listen to me, and I want him to correct me, if I am misstating this fact. That committee has not met yet. We were simply advised by the chairman of that committee, who just happens to come from the State of Georgia, that the laboratory had been located in Dawson, Ga., and there was no need for a meeting of the committee. Maybe this is where some of the misunderstanding started.

Now, let me call attention to one other thing.

We all would like to do something to perpetuate the memory of our colleague from Georgia. But before we do it this way let us review the facts as they exist today. Dawson, Ga., is no longer in the gentleman's district. At the time he came around to talk to all you folks and at the time you all told him how you were going to help him, he was talking about what he wanted in his district. Since that time the Legislature of Georgia has redrawn the congressional districts of that State and Dawson was placed in the district so ably represented by the gentleman from Georgia, who offered this amendment. Let us get that straight. There has been a redistricting in the State of Georgia since most of you agreed to help our colleague make a good showing in his district. Let us not vote to waste $1.6 million this year, and a like amount for ages to come. Actually it is not only that $1.6 million, but more than $10 million. If you will read the bill, you will find that the committee agreed to put $9.4 million in an agricultural research laboratory at Athens, Ga. That is $9.4 million for research on southern crops.

What are southern crops? I believe the gentleman from Florida said that peanuts were a southern crop. I agree.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. Poage (at the request of Mr. Abbitt) was given permission to proceed for 3 additional minutes.)

Mr. POAGE. Mr. Chairman, I do not wish to prolong this discussion. I merely want the membership to understand what they are asked to do. You are not now voting to put a laboratory in "Tic" Forrester's district. You are asked to vote to spend more than $10 million in new laboratories in the State of Georgia. That is what this involves, and all of this would duplicate the work now being done or which should be done at the Southern Regional Laboratory. Surely we do not need two new laboratories to study the same southern crops. If we do, we are surely going to build lots of laboratories over the country.

I know, of course, there is not a single Member who is supporting this amendment who would stand up for a rollcall, because they do not want to be on record as voting for this kind of duplication.

Neither do my friends on the other side. They do not want to be on record in favor of this. It is only a little more than $10 million of duplicating facilities in one State.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. The $10 million would light the White House for quite a while, would it not?

Mr. POAGE. I believe it would light it for a long time.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. PICKLE. Do you think the work of the Southern Utilization Laboratory in New Orleans is being done well? Is it a good laboratory and doing effective work?

Mr. POAGE. Do I think the laboratory at New Orleans is a good one?

Mr. PICKLE. And doing a satisfactory job in research on peanuts?

Mr. POAGE. It is not doing an adequate job, because it has never been provided enough money, but if you would provide it the money, the operating money, you would not have to provide any more money for the construction of new facilities, money that you are going to have to appropriate if you adopt this amendment. You could save approximately $10 million and let the New Orleans laboratory do exactly the same work which it is proposed to have done in the two new Georgia laboratories.

Mr. PICKLE. Then, the gentleman from Georgia might accept an amendment to cut this money in half or even less and let the research be done at New Orleans where it is now being carried on? Would that be a feasible amendment?

Mr. POAGE. I am afraid the gentleman from Georgia would not accept it. I get the feeling that the gentleman from Georgia wants to see Government dollars spent in his State. I fear that it would be unrealistic to expect the gentleman from Georgia to see the national implications as clearly as we see them. I am sure that the gentleman from Georgia cannot see the evil and the waste which you and I see in connection with this needless duplication of effort. I am sure that the gentleman from Georgia cannot understand as we do, the injustice of developing a peanut in competition with the peanuts of Virginia and the Carolinas and in the Southwest at Government expense. I am sure that the gentleman from Georgia cannot see the vice, which is so clear to us, in making unneeded expenditures of Federal money to do honor to a colleague.

Mr. LANDRUM. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I support this amendment, and at the outset of my statement let me say that I shall stand to request a record vote on this bill, and if a record vote is taken, I shall vote for it and I shall not be ashamed to defend that position to any of my own constituency or to any segment of America.

Now, statements have been made here that this appropriation has not been justified. As I have studied the record and listened to the arguments both pro and con, it appears to me that some justification was made somewhere on at least two different occasions for on two separate occasions this amount of money has appeared in the budget for this purpose. Moreover, it appears further that it has been justified because all segments of the peanut industry have at one time or another and in some fashion appeared in favor of a quality research laboratory. Not until the Secretary of Agriculture, with whatever authority he had to do it, announced that it would be placed in the heart of the peanut industry at Dawson, Ga., was there any division or any dissention or any disagreement about the establishment of the laboratory. Now, I think that is sufficient justification to remove the alleged ridiculous position stated here that this would place the House of Representatives in if it were approved. Budget recommendations have come twice. The managers on the part of the House for the Subcommittee on Agriculture of the Appropriations Committee have at one time or another stated in writing that they would consider it at an appropriate time, and this, as my colleague from Georgia has said, is the appropriate time.

So much for the record justification. Let me advance another premise which I think to be very satisfactory justification.

No. 1, the charge has been made that Dawson, Ga., is no longer in the district represented by the gentleman from Georgia [Mr. FORRESTER]. That charge is simply untrue. Dawson, Ga., and Terrell County, remain in the Third District of Georgia now represented by the gentleman from Georgia, the Honorable E. L. FORRESTER, and will so remain until January 3, 1965. That district will continue to be represented by one of the most courageous, one of the most effective, and one of the most courteous Members this House has ever had.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I yield to the gentleman from Florida.

Mr. SIKES. Would it not be well to relate the fact that this item has been twice justified, twice budgeted, and twice has been voted by the Senate in its entirety?

Mr. LANDRUM. That is exactly correct, and I thank the gentleman for that additional statement of justification.

Now, finally, I would say this: My dear friend, the gentleman from Georgia [Mr. FORRESTER], is deprived of the privilege of representing his interests here today because he suffers from a physical condition which caused a very serious operation to have to be performed on him. He is now recuperating in St. Joseph's Infirmary in Atlanta. This laboratory appropriation would be the greatest therapy he could have. He has disagreed with many Members of this House of Representatives on what he thought to be constitutional principles relating to our U.S. Constitution. In doing so, he has actually been as courteous and as respectful of the rights of others as any man could possibly be. I dare say there has never been a more courageous fighter, one held in higher affection and esteem, than the gentleman from Georgia, "TIC" FORRESTER. I say to you that in addition to all of the budget justifications for this appropriation one final consideration ought to be given by this House, that is, in this year—the final year of "TIC" FORRESTER's service in this Congress—terminated for reasons of ill health, he should have the vote of this House in putting into this bill money for the district which he represents and which he has represented so ably over the last 14 years and which he will represent, despite the charges made here earlier, until January 3 of next year.

Mr. Chairman, I hope the committee will approve this amendment.

Mr. ABBITT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I appreciate very much the opportunity to say just a few words on this important matter. I just hope that the membership will pass on this amendment on its merits, not because of sentiment or to try to erect a monument to one of our colleagues. I am sure that is not necessary. Our colleague is beloved by all of us. I respect him. Very seldom have I disagreed with his philosophy. But I do think this is not the proper time nor the place to honor him. This laboratory item originated in the other body several years ago. It was not even requested on this side, but through the efforts of some people over there—and we all realize who is the chairman of the appropriate subcommittee over there that handles agricultural matters—it was inserted on that side. It came back over here and many of us vigorously opposed the appropriation and it was defeated. The same was true last year. The Department did not request this item this year, as I understand it.

Mr. Chairman, I say that the amendment that has been offered by my friend, the gentleman from Georgia [Mr. PILCHER], which asks you to add $1,600,000, is just a starter. Those of you who are interested in economy in Government and in trying to cut out unnecessary spending I hope will listen for just a few minutes. This is just a starter. The $1,600,000 will be required for a building. It will take over $400,000 in equipment that they already have in New Orleans and it will require an appropriation of $700,000 annually—and this is in the hearings—to carry on the work that is contemplated. So when we provide or authorize this laboratory we are just starting a huge avalanche of needless expenditures of the taxpayers' money which will eventually, instead of helping the peanut industry, tend to wreck it. Two of the three segments of the peanut industry are not for this amendment.

The Southwest and the Virginia-Carolina areas bitterly oppose this appropriation. The first I heard of it or heard of a separate laboratory was when it was placed in the bill in the other body. All that our people have asked for is that proper research be carried on. I am in favor of that. I say it can be done where we have the laboratory located in New Orleans. There are funds in this bill to implement and carry on that research. It can be done there far more economically and at considerably less cost and more effectively and at the same time not wreck certain segments of the peanut industry. That is what I say this appropriation will do.

Mr. PILCHER. Mr. Chairman, will the gentleman yield?

Mr. ABBITT. Yes.

Mr. PILCHER. Have not both of the distinguished Senators from Virginia endorsed this?

Mr. ABBITT. I can barely speak for myself, much less for the great and distinguished Senators from Virginia. But if they have every endorsed it, it is beyond my knowledge. I am sure they have done what they could to defeat it, but they were unable to overcome that masterful man from Georgia, who is chairman of the Senate subcommittee, who is pretty well able to handle such matters of this kind over in the other body.

Mr. BURLESON. Mr. Chairman, will the gentleman yield?

Mr. ABBITT. I yield to the gentleman from Texas.

Mr. BURLESON. Mr. Chairman, I believe statements to the effect that agreements on the location of a peanut laboratory were reached among peanut interests in the various areas should be clarified. The impression is being left before this House that the Committee on Appropriations of the House of Representatives has heretofore included this item in measures they have presented on this floor. As a matter of fact they have opposed it year after year, because of the lack of justification of location and purpose. It was put in the bill in the other body.

At this point I would like to compliment the Subcommittee on Agriculture for their dedication and diligence. I have never seen any group, and this to both sides of the aisle a more dedicated and a more scrutinizing group of men who would like to do those things which they feel are best for the country and best for agriculture. They have opposed this item year after year. We have had this fight up here numerous times. We all know that last fall when this very matter which is now pending was holding up the annual appropriation bill, this committee had the lash and pressure put on its back to finally agree to include the sum of $450,000 to house a peanut shelling facility at Dawson, Ga. I think they had to yield to these pressures in order to get the 1964 fiscal year appropriations out of the committee.

Mr. ABBITT. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. ABBITT. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. I appreciate and associate myself with the statement just made by my colleague the gentleman from Texas [Mr. BURLESON].

Now, Mr. Chairman, it was stated here that the Secretary of Agriculture selected the site in accordance with some act that passed the Congress heretofore. That is not true. As I understand it, Congress has never passed any specific bill authorizing this Laboratory or authorizing the Secretary of Agriculture to select the site. The Secretary merely proceeded under the general authorization bill. No authority has ever been specifically granted nor has this Laboratory been specifically approved by this Congress or any other Congress.

Mr. Chairman, I hope in the cause of good government and economy and for the protection of a great industry that this amendment will be voted down.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Chairman, I hope I may have the attention of the members of the committee. One of the most difficult tasks I believe that any of us has to perform is to serve on the Committee on Appropriations where the requests are always about three times the amount of available funds.

Mr. Chairman, it is unpleasant to have to tell one's colleagues, "I am sorry; we do not have the money; we just cannot grant it; we have to operate under a budget."

Mr. Chairman, as I told the members of the committee at the outset, the appropriation request for the Department of Agriculture has been cut more this year by the Bureau of the Budget than all the rest of Government put together.

Mr. Chairman, I have studied this matter. I have listened, I have worked, I have tried to come out with a solution that seemed to be fair.

The peanut industry apparently has three great major sections—the Virginia-Carolina area, the Southwestern area, and the Georgia area. They are highly competitive. They are competitive in price support levels, they are competitive in every other way. Some several years ago, and I am speaking from having studied the RECORD, in Georgia they came up with a peanut which up to that time had been a hog type of peanut, and started developing it into a good product. It is a good product. From that time on competition has been rather fierce between these three areas. As a result, they agreed that while it needed more research, there never was any agreement as to where the quality research was to be done.

I do not take a back seat to any of my colleagues in my respect for our colleague from the State of Georgia. I think I have gone as far as anyone has in trying to resolve these things because of my interest in the project, in the program, and in him.

With this competition, our committee, without hearings, without any official meeting of the committee, designated that quality research be done in one of the three, when New Orleans was already set up for that purpose. Last year under similar circumstances, counseling with the best friends I knew to approach, our committee went along with money to put a laboratory at Dawson, Ga. We also provided funds to carry on the peanut quality research at New Orleans, and quality research is now being done at New Orleans.

Last year at the request of the Speaker and all the leadership of the House of Representatives, at the request of the leaders of the Senate of the United States and the White House, your subcommittee yielded to $9.5 million for a laboratory in Georgia in order to wind up the business of this Congress. In order under the circumstances to do that, we agreed we would maintain the status quo and bring it back here this session with this $450,000.

Do not think in this instance if you vote against the pending amendment you will vote against doing anything about this matter. May I say the Bureau of the Budget does not recommend the item this year. It has not recommended a single dime and after they got a $9.5 million laboratory in last year's bill the President has not recommended a dime. But our subcommittee had committed itself. We thought it would be unfair to put quality research in either one of these three areas when it is being done at New Orleans now.

In spite of that, you have before you $450,000 for a laboratory at Dawson, Ga., which our committee has brought in here over the budget because of the people involved, and because we think they can use it. I say to you if you vote this $1.6 million there is not a basis in the world for doing it except your feelings, because they have a new $9.5 million laboratory which was put in Georgia last year. That satisfies the White House, the President, and everybody else, and they did not recommend a dollar this year.

This committee works hard trying to meet the needs of this Nation as presented to us by our colleagues in the Congress. But I say, if you needlessly spend $1,600,000, when this has been adequately provided for, you lessen our chances to meet the other needs that you have throughout the entire country.

I hope you will stand by your committee on this amendment. If you do, there is $450,000 which your committee put in the bill over the budget and without budget recommendation in an effort to try to do the right thing. I say again when there are three competing areas in this Nation, let us treat them all fairly, but let us continue the quality research that is going on in New Orleans now. Let us defeat this amendment.

I assure you, I will stand by the $450,000 provision which is all in the world that can properly be spent at this location. I hope you will stand by the committee. I do not take a back seat to anybody so far as my love for the individual here is concerned or any Member of the Congress. We try to be fair. We believe we deserve your support in our effort to be fair.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. PILCHER].

The question was taken; and on a division (demanded by Mr. FLYNT), there were—ayes 73, noes 67.

Mr. WHITTEN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. WHITTEN and Mr. PILCHER as tellers.

The Committee again divided, and the tellers reported that there were—ayes 83, noes 73.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> Meat inspection: For carrying out the provisions of laws relating to Federal inspection of meat, and meat-food products, and the applicable provisions of the laws relating to process or renovated butter, $30,454,000;

Mr. HUTCHINSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to discuss a matter briefly referred to in a colloquy between the gentleman from Michigan [Mr. CHAMBERLAIN] and the gentleman from Illinois [Mr. MICHEL], during general debate relative to the cereal leaf beetle threat, now existing in the Middle West, particularly in southern Michigan, in Indiana, and in Ohio.

Judging from that colloquy, I feel certain the Committee recognizes there is money in the bill for necessary research on this problem.

I desire to have the RECORD show what is the present status of this pest, and what has been done about it.

It was identified 2 years ago in the southern part of Michigan; it is an insect about an eighth of an inch long; an insect which is a very prolific feeder and a very prolific breeder. It feeds upon the tender young shoots of cereal grains—of wheat and of oats—and even feeds upon corn.

It came from Europe. We do not know just exactly how it got here, but, anyway, it is here. It is under quarantine in the areas where it has been identified, and the three States which have identified it are doing their best to control it. We spray with malathion in Michigan. The Legislature of Michigan has met its responsibilities so far as providing money for control is concerned, but the House of Representatives should be aware of the fact that the control is right up to research. What I mean by that is that we cannot control it any better than we do because we do not know how to. Consequently, this matter of research is extremely important. We do not even know how to trap this bug. All we can do is go through the fields with a net and hope that we capture some. If we do, we know they are there. So the periphery of the infestation is not certain but is problematical and it may be more widespread than we recognize. Consequently this is a national problem and one with which the Federal Government should genuinely be concerned, because when this insect spreads into the grain areas of the country, it will certainly have an adverse effect on our grain production. There are many of us who suspect that part of the problem of grain production in Europe at the present time is due to the ravages of this pest.

With that in mind, I would like to ask the chairman of the subcommittee, the gentleman from Mississippi [Mr. WHITTEN] definitely to point out in this bill where the money is out of which research money might be made available. Is it within the $97,656,000 found on line 12 of page 3, Mr. WHITTEN?

Mr. WHITTEN. This includes the major part of the research funds available to the Department. However, in addition to that, as you will notice, we have provided for the transfer of $18.8 million from section 33 funds, which is for the cost of production research and utilization research. In addition to that, under the big item the gentleman mentioned, the Department has the right to transfer funds up to 7 percent from one project to another. Throughout our hearings and our report we recognize that this pest and this problem is one of the major ones the Department faces, and we call on them to go into it.

May I say the reason why the committee has hesitated through the years to appropriate a set amount of dollars for each particular research project, which is what the Department would like to have, is that we want them to have the funds to the full extent that they can properly use them. However, let me say that there are ample funds in here, in my opinion.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am pleased to note that the committee has recommended funds for the employment of 100 additional meat inspectors. However, I am told that nearly 200 additional inspectors would be required to fill the present demand for inspection services and, at the rate that new plants have been coming into this program in the past, another 80 will be required before the year is out.

Meat inspection is an obligation that the Federal Government places upon packers who wish to sell in interstate commerce, and it is a service to the consumer.

I am greatly concerned about whether our Government is treating the packers fairly when it requires that the operation be inspected but on the other hand fails to provide sufficient men in the inspection force to do the job.

This means that many packers, including some in my district, must ask the Federal meat inspector to work overtime and this overtime must be paid by the packers.

Moreover, in many cases the cost of overtime for the inspectors is minor in comparison with the cost of slowing down or shutting down any part of the packing operation because no inspector is on hand. The highly paid packinghouse workers must stand idly by while overhead costs mount, and this means a loss to the packer and to the ultimate consumer who must therefore pay more for her meat.

I think we should examine this problem carefully today and endeavor to provide whatever funds are necessary to discharge the Government's self-imposed responsibility for the inspection of meatpackers.

Mr. CEDERBERG. Mr. Chairman, I move to strike the requisite number of words.

I want to associate myself with the remarks of my colleague from Michigan [Mr. HUTCHINSON]. I think he has done a real service in calling again the attention of the House to the seriousness of this problem. It is not only a problem that can be considered a major problem for Michigan, Indiana, and Ohio, but if this pest spreads to the other grain-producing areas, it is going to cause some real, real problems. As he has pointed out, the question of control is one that is being worked on now. What we need is more research money for eradication. This can be done in cooperation with the States who are doing the best they can. We have fine research centers at Michigan State University and Purdue University, who are capable of undertaking this research. I am pleased to have the assurance of the chairman of the committee, the gentleman from Mississippi [Mr. WHITTEN], that there are funds available if the Department of Agriculture recognizes the seriousness of this problem, and I trust they will.

Mr. Chairman, I yield back the balance of my time.

Mr. HAGEN of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to ask the chairman of the subcommittee, the gentleman from Mississippi [Mr. WHITTEN], a question or two. I understand there is a sort of floating research fund in this bill of about $10 million; I assume it is the item on page 12, $9,476,000.

Mr. WHITTEN. Mr. Chairman, may I say that we have not tried to treat these research matters item by item. As the gentleman can see, we have mentioned the various problems that have been called to our attention, but I would again point out that the supply of skilled entomologists and scientists who are qualified to do these jobs is rather limited. In fact, last year they could not find a sufficient number. Not only that, but the Bureau of the Budget imposed upon the Department a very strict manpower ceiling which made it almost necessary that we group these matters together. We gave some indication of the relative merits of them in our report, in our opinion, and then we called on them to do contracting with those who could complete the job. The fund the gentleman mentions is for that purpose. But it is tied down to the point where we tell them the things that are called to our attention and that we think deserve increased attention.

Mr. HAGEN of California. In other words, this money, approximately $10 million, will be used to contract out to some university or some other group?

Mr. WHITTEN. That is, to the point where they can find a university or a private group that is qualified and to the point where their own manpower does not permit them to meet the need themselves or their manpower will not enable them to meet the need.

Mr. HAGEN of California. I understand that in Arizona and California, for example, they have a problem with the pink bollworm. I do not see any reference to that, or to another west coast cotton pest, in this report—and reference to either of these two pests in these areas.

Mr. WHITTEN. I am sorry I do not have that information at my fingertips, the amount of money that is carried for investigation on the pink bollworm. Substantial amounts are spent on that. We think the pink bollworm is one of the major pests and should have the attention of the Department. If it is not mentioned in the report I shall let my statement here in the RECORD speak as though it were mentioned in the report.

Mr. HAGEN of California. I thank the gentleman. As I understand it, then, this approximately $10 million is used under a general direction to the Department as to how they are to spend it; is that correct?

Mr. WHITTEN. Yes; except that we try to give them latitude, we try to tell them to put first things first and to try to control their activities in line with the availability of first-class personnel to do the job.

Mr. HAGEN of California. If a problem arose and the industry affected made a good case to the Department, they could proceed to give those needs favorable consideration and would come to the committee for that purpose?

Mr. WHITTEN. They would not have to come to the committee, but we have $1 million in the fund here just for that purpose. In addition, the Department has a 7-percent transferability and the committee over the years has had this understanding with the Department that if they use funds which the Congress has appropriated for a particular purpose for another purpose, they notify the committee if there is any objection we might have. That is very infrequent.

Mr. HAGEN of California. But there are adequate funds in here so that they would not even require submission to the committee; is that correct? For example, we have a problem with respect to the virus yellows affecting sugarbeet production in California and would like to see more funds devoted to its eradication and would seek these funds for that purpose.

Mr. WHITTEN. None of these items would require submission to the committee. We are not trying to hold strings to this money. But if they had to use some unusual amount, even if they thought they had the authority, they would notify us so that we would not be caught unawares.

Mr. HAGEN of California. I am glad to hear the gentleman say that because I understand that the problem of the pink boll worm is one example and virus yellows another.

Mr. WHITTEN. I am familiar with the problem and I know that it is a serious one.

Mr. HAGEN of California. I notice there is a provision here for research on the boll weevil, specifically for New Mexico.

Mr. WHITTEN. The boll weevil in that area is a new pest. We have learned that the Japanese beetle, and a half dozen others, if you can get them in an area before they get started, you will save a lot of money in the long run. I do not know how much luck they will have. This boll weevil seems to have jumped over into this area, but their efforts seem to give some indication that they might get rid of them.

Mr. HAGEN of California. I understand the same thing is true of this pink bollworm. It comes in from Mexico.

Mr. WHITTEN. Periodically, the committee has gone along with the effort of trying to meet it where it has shown to be in certain areas. We have done that repeatedly in Louisiana and also perhaps across the line in Mississippi.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I am glad to yield to the gentleman from Texas.

Mr. MAHON. With respect to the money for the boll weevil program, there is an area which I have the privilege to represent located in the high plains area of Texas—and I am sure the gentleman is familiar with this area—which is at a considerably higher altitude than the surrounding area. In this high plains area we have not had the boll weevil at all until very recently. We now have a small encroachment of boll weevils on the fringe of the area. This constitutes a grave threat to the whole high plains area, which is a tremendous cotton producing section.

Let me point out that the people there propose to spend $1 million on the project if matching funds by the Government are provided. Farmers have asked the Government to match funds which they will provide in order to create a barrier and stop the encroachment of the weevil.

The menace has just begun to show up. This in my opinion is a very important project. I want to highlight the fact that the local communities propose to put up one-half the amount of money and have pledged to raise $1 million for this purpose if the Government will provide a similar fund—this would, in my judgment, be good from the standpoint of both the farmer and the Government. The Department of Agriculture has been most cooperative.

Mr. TAFT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the question which I would like to propose at this time is directed to the chairman of the subcommittee, the gentleman from Mississippi [Mr. WHITTEN] and relates to the question of the urgency of something being done about the cereal leaf beetle and whether or not the Department of Agriculture is actually aware that this pest does constitute a major threat.

The committee report as I read it indicates only that this is one area that may be looked into.

I would like to direct the attention of the members of the committee to the report which has been filed by the States of Ohio, Michigan, and Indiana, on behalf of those States, by G. S. McIntyre, director of the Michigan Department of Agriculture, in which he states as follows:

> The need for an immediate crash research program cannot be overly stressed. This Nation's grain crop—and in reality its food supply—is realistically threatened. There is no hope for containment or eradication of this serious pest unless answers are quickly provided by a strong research program. It cannot be kept within its present boundaries by methods now being used. Quarantines have never stopped the spread of any insect. They have only delayed its movement. An expenditure of a minimum of $200,000 for research at this time will save millions of dollars later in terms of either control measures, or financial losses to the grain industry, or both.

The question I have is whether or not in the hearings of the committee the Department of Agriculture indicated its concern with the same degree of urgency that this State report has indicated such concern?

Mr. WHITTEN. If the gentleman will yield, I do not want to put words in the mouth of the Department of Agriculture. But I would say that I believe the Department recognizes fully the seriousness of this problem. I know that in our interrogation of the representatives of the Department in dealing with this problem they indicated their concern. I know that the debate here today has clearly shown that the committee is in accord with the views which have been expressed by the gentleman from Ohio. I believe our hearings will also reflect the same thing.

I do not think the gentleman has any worry with regard to it, other than the worry we always have of money and research. Money and research constitute two different things. You cannot obtain research contracts without money. But, having the money, you still have the problem of handling it. They do need to handle this research in a manner where they can come up with something to do, instead of just broadcasting the funds.

I believe I can assure the gentleman from Ohio that both the committee and the Department recognize the seriousness of it and that something must be done about it.

Mr. TAFT. I thank the gentleman.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Texas.

Mr. MAHON. Would the gentleman advise what portion of the research program he is discussing?

Mr. TAFT. The beetle program.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Ohio.

Mr. LATTA. I, too, share the concern of the gentleman from Ohio [Mr. TAFT] concerning the infestation in Ohio of these beetles. It is something new. It has showed up in several counties in my district. Several counties have been quarantined and others are about to be quarantined. I think this is an area where the Department of Agriculture could move forward quickly, but I do not think they are asking for adequate funds to carry out the kind of program this beetle infestation necessitates at this time.

Mr. TAFT. I thank the gentleman for his remarks.

Mr. POAGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we must recognize that agriculture has gone way beyond the point of merely planting, cultivating, and harvesting of crops. In the term "agriculture" today we must include not simply production of the crops, but the processing and the distribution of the crops. The whole purpose of agriculture is to feed and clothe the people of the United States. It provides the food and fiber for our citizens.

We have done a very fine job of studying the factors which are necessary to increase production. We have increased production to such an extent in some circumstances we feel we have produced even more than we can hope to use in the near future.

We have not done so good a job in the distribution of agricultural products. Food distribution has much which still needs to be determined.

We have many unanswered questions. We all have a vital stake in the success of our food distribution system, the wholesaler and retailer as well.

I want to question the chairman of the committee as to just what the disposition of the committee was with regard to funds which have heretofore been made available for research on food distribution, a study of the distribution system of the country? It seems to me that we ought to continue the work. There may be good reasons for not doing it. If there are the House should understand them.

Mr. WHITTEN. May I say to the gentleman the Bureau of the Budget cut out the full $862,000 in the area of market research, which has to do with transportation and so forth. The committee put back $652,000 of the amount.

There was a division of opinion within the committee as to whether wholesaling and retailing research were really in the interest of the consumer and producer. It was my personal view it was and is. But we have a committee that works together, and in the interest of trying to get along we put back $652,000. None of that was in the budget, it was left out. We put that amount back so that we might look into the matter further and make a study to see who gets the majority of the benefits. I would say personally this is a matter that is in the interest of the consumer and producer going back through the years. I hope that answers the gentleman's question.

Mr. POAGE. I agree with the gentleman. I would hope this look into the facts might take place before the other body acts on this bill and we might hope to have a little more favorable consideration.

Mr. WHITTEN. Certainly we should get all the details.

Mr. POAGE. I thank the gentleman.

Mr. WILLIS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like personally to thank the subcommittee, particularly my good friend, the chairman, the gentleman from Mississippi [Mr. WHITTEN], for the work done in connection with this bill. I am gratified with its results.

I rise, however, to propound a question of my good friend, suggested by the passage on page 37 of the report entitled "Sugar Act Program." I read the three paragraphs involved:

> Payment are made to domestic producers of sugarbeet and sugarcane who comply with certain special requirements. To finance these payments, a tax of 50 cents per hundred pounds is imposed on all beet and cane sugar processed in or imported into the United States for direct consumption.

Parenthetically, this is another way of saying that the sugar program is self-supporting.

Then going on and proving the parenthetical measure, the report states:

> During the period 1938 to 1963 collections from this self-supporting tax of $2.1 billion from excise taxes and import taxes have exceeded payments by $527.4 million.
>
> The committee recommends an appropriation of $86,400,000.

The next sentence states:

> The 1964 supplemental estimate of $6,400,000 contained in House Document 203, dated January 21, 1964, has not been included in the bill.

I understand, however, and assume that all amounts due for a crop that has already been harvested will, of course, in due order be paid. I suggest that because I represent the largest cane producing congressional district in the United States and I have had some communications to the effect that although the crop has been harvested as of January 1, many months ago, some of these payments have not been made by the Federal Government.

Mr. WHITTEN. May I say to the gentleman that these are outright obligations and must be paid. May I say with these items being in this bill, the supplemental is carried along with the bill and we felt that to consolidate the two, they would get payment just about as soon as if we put two separate paragraphs in. May I say it may be that our figures are a little bit tight. But when you know here when everybody is looking at you and complaining about what is being spent in agriculture, which is about the cheapest run that we have I think personally, with all of these problems maybe we should hold a little tighter. If so, it is temporary because the matter has to be paid and, as I say, this bill will be passed and money under the first and second items for the same purpose will be available at the same time.

Mr. WILLIS. May I say to the gentleman, I opened my statement with an expression of appreciation for your efforts and I close in that same vein. I just wanted the record to show that in the total legislative process on this side and on the Senate side, I am satisfied with the gentleman's statement that, of course, these payments will be made.

Mr. WHITTEN. I appreciate the remarks of my colleague, the gentleman from Louisiana, and I will also say for the record that the hearing that I attend which the gentleman arranged in connection with the insecticide problem contributed substantially in us trying to see just how far our committee could go in inviting others to join with us in meeting this problem.

Mr. WILLIS. I thank the gentleman.

The Clerk read as follows:

ECONOMIC RESEARCH SERVICE

Salaries and expenses

For necessary expenses of the Economic Research Service in conducting economic research and service relating to agricultural production, marketing, and distribution, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), and other laws, including economics of marketing; analyses relating to farm prices, income and population, and demand for farm products, use of resources in agriculture, adjustments, costs and returns in farming, and farm finance; and for analyses of supply and demand for farm products in foreign countries and their effect on prospects for United States exports, progress in economic development and its relation to sales of farm products, assembly and analysis of agricultural trade statistics and analysis of international financial and monetary programs and policies as they affect the competitive position of United States farm products; $9,476,000: *Provided*, That not less than $350,000 of the funds contained in this appropriation shall be available to continue to gather statistics and conduct a special study on the price spread between the farmer and consumer: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed $75,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a): *Provided further*, That not less than $145,000 of the funds contained in this appropriation shall be available for analysis of statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. FINDLEY: On page 12, line 24, after the word "consumer" change the colon to a comma and insert the following: "except that no part of the funds appropriated herein may be obligated for this special study subsequent to the enactment of legislation establishing a National Commission on Food Marketing:".

Mr. WHITTEN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Mississippi reserves a point of order.

Mr. FINDLEY. Mr. Chairman, the language immediately preceding the point at which my amendment would appear is:

> Not less than $350,000 of the funds contained in this appropriation shall be available to continue to gather statistics and conduct a special study on the price spread between the farmer and consumer:

The study of the cost-price problems of farmers is a worthwhile project for the Federal Government to undertake, but the interesting development is that the Senate, only yesterday, passed legislation which would establish a National Commission on Food Marketing to conduct an almost identical study. If my information is correct, that Commission will have available, for the very same type of project provided under this section, $2.5 million. To me it seems to serve no useful purpose to continue a study of the price-cost squeeze on the American farmer both under the Economic Research Service, USDA, and also through the National Commission on Food Marketing.

The proposal for establishing a National Commission on Food Marketing has been reported by the Committee on Agriculture and is now before the Committee on Rules. It would authorize spending of $1.5 million. I suspect it will be before this body soon.

The effect of my amendment simply would be to halt the spending of money by the Economic Research Service for this study of the price spread between the farmer and the consumer subsequent to the enactment of legislation for the National Commission on Food Marketing. Thus it would save us the cost of a duplication of services.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Mississippi.

Mr. WHITTEN. I have asked the gentleman to yield so that we might have a discussion of the amendment, rather than relying on the point of order.

If I correctly understand the proposal from the gentleman's committee, it would come before the Appropriations Committee in the regular order, for an appropriation. We should not presume at this time that the committee would go along with providing additional funds—subject to the approval of the Congress, of course—to duplicate work.

I respectfully suggest that the gentleman might withdraw his amendment and rely upon the committee, if and when that legislation passes, to see to it that there is no duplication.

This involves some existing work which I believe has some merit as to continuity. I believe the approach the gentleman makes is one our committee should consider when the new group comes before us. We should not upset a going activity which has supplied lots of valuable information, which we have used in trying to analyze these programs throughout the years.

Mr. FINDLEY. All that the amendment would do is to eliminate the possibility of a duplication of effort. I feel certain that the gentleman's committee would make adequate provision of funds for the Commission, if and when it comes before his subcommittee.

Mr. WHITTEN. The Commission would not necessarily do what the Department is doing. The amendment, if I read it correctly, would stop work now going on, which has gone on for years, and which has some value in continuity, yet it would leave untouched that which might be done through the Commission.

It is possible the Commission might not be under the Department. I do not recall the exact details involved.

I hope that the gentleman will let this work go on, and will withdraw his amendment, trusting us to hold down the Commission, which is a new thing, and to keep them from duplicating work.

Mr. FINDLEY. The gentleman's comments renew my feeling that such duplication might occur. Therefore, I believe it would be greatly in the interest of the taxpayers if we make it clear that should the National Commission To Study Food Marketing be established, the other activities of the Federal Government pointing in the same direction should be suspended.

Mr. WHITTEN. In other words, it is the gentleman's view that we should substitute the Commission's work for the work by the Department?

Mr. FINDLEY. If it is in fact established, yes. If it is not established, this would have no effect, of course.

Mr. WHITTEN. I shall have to oppose the amendment, because I believe it actually would be working in the wrong direction. I have reserved a point of order.

Mr. FINDLEY. The gentleman's comments make me feel that his subcommittee might see merit in the continuation of the study by the Economic Research Service, in addition to the very costly study which in all probability will be undertaken by the National Commission.

Mr. WHITTEN. Mr. Chairman, I have seen many commissions in the years I have been here and I have always found that they needed some tried and true people who have been engaged in the work. I am of the opinion any commission appointed will depend largely on information that was compiled by the other group and with their help your Commission would be twice as effective.

Mr. FINDLEY. As a matter of fact, legislation reported by the Committee on Agriculture would authorize the Department of Agriculture personnel to cooperate with the Commission in this study.

The CHAIRMAN. The time of the gentleman has expired.

Does the gentleman from Mississippi insist on his point of order?

Mr. WHITTEN. I insist on my point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Mississippi will state his point of order.

Mr. WHITTEN. The language provides:

> Except that no part of the funds appropriated herein may be obligated for this special study subsequent to the enactment of legislation establishing a national commission.

The point of order I make is that this is not a limitation on an appropriation bill as such but is entirely dependent on a contingency that may never occur. For that reason the point of order should be sustained.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. FINDLEY. Yes. My amendment shows retrenchment on the face of it, and in my opinion is within the rules.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from Illinois offers an amendment, which has been fully reported, and provides that no part of the funds appropriated in the pending section may be obligated for the special study provided therein subsequent to the enactment of legislation establishing a National Commission on Food Marketing, to which amendment the gentleman from Mississippi made his point of order that it was, in effect, legislation on an appropriation bill. The Chair, however, is of the opinion that this amendment constitutes a limitation on the funds herein appropriated even though that limitation may be conditioned upon a condition subsequent which may never come into existence and, therefore, overrules the point of order.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

May I say, Mr. Chairman and members of the committee, that the Committee on Agriculture recognized this wide spread between what a producer receives and what the consumer pays to the point that the committees of the House and the Senate, as I understand it, provided for a commission to study this spread. That very fact, in my opinion, shows the necessity for maintaining the present work in the Department which goes on regularly, pointing up and showing where this spread goes.

I would say first that there is no assurance that the commission would be qualified to do the work that is now being done by the Department. The committee here has had no chance to study it in that the bill has not yet been before it. I would hope the Members of the House would stand by our committee and the Department by carrying on what we have until we have something else in effect. When we have something else, then we can have a chance to compare the two and see which would be the better. If we have hearings, I give you this assurance, that if the commission is created and should come before our committee, we will question most closely the witnesses before us to see that we do not duplicate work and, since it is appropriated to the Department, we would have that opportunity. I hope you will stand by the committee and defeat the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The question was taken; and on a division (demanded by Mr. FINDLEY) there were—ayes 32, noes 74.

So the amendment was rejected.

The Clerk read as follows:

Page 13, line 10:

STATISTICAL REPORTING SERVICE

Salaries and expenses

For necessary expenses of the Statistical Reporting Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, and marketing surveys, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, $11,431,000: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to publishing estimates of apple production for other than the commercial crop.

AMENDMENT OFFERED BY MR. NELSEN

Mr. NELSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. NELSEN: Page 13, line 20, add the following: "*Provided further*, That no part of the funds herein appropriated shall be available for any expense incident to preparing or publishing either an 'adjusted parity ratio' or any other parity ratios except the parity ratio defined in section 301(a)(B) of the Agricultural Adjustment Act of 1938, as amended."

Mr. WHITTEN. Mr. Chairman, I reserve a point of order against the amendment.

Mr. NELSEN. Mr. Chairman, I offer this amendment for the purpose of protecting the integrity of farm parity reporting. Going away back to the law of 1933 a formula for the establishment of farm parity ratios has been in effect and the Department of Agriculture in their justification of the use of this adjusted parity ratio refers to a section of the Agricultural Adjustment Act of 1938, as amended, which section in fact has been repealed. I see no justification for a change as far as the determination of parity income of farmers is concerned. The only reason I can see for it is so clearly pointed out in an article that appeared in the Wall Street Journal in which it is stated that it may find it handy in helping them paint a rosier picture of their accomplishments in agriculture, although officials deny that this was their motivation.

I would like to point out that if we go ahead with this adjusted parity ratio we are going to find first that there will be a deterioration of faith and acceptance of statistical material of the U.S. Department of Agriculture.

I would like to point out further that it would stimulate further erosion of the longstanding concept of parity and this action is not in keeping with existing law.

I would also emphasize that farm income now, according to the recent parity ratio is the lowest it has been in many years. It now stands at 75 percent of parity. This goes back prior to 1939.

It seems to me that the only reason for this new parity concept is to make us believe that our income is better than it really is. I believe this misrepresentation should be stopped. If the Department of Agriculture wants to put in their report the money we receive from various programs, fine. But to try to confuse it as they are doing with this new parity concept, in my judgment, is not in keeping with the law and is not in the best interests of agriculture. It should not be done without some kind of clearance as far as the Congress is concerned.

I hope the committee will consider this amendment. I believe it is in the best interests of agriculture.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, I wish to commend the gentleman from Minnesota for offering this amendment. The farmers of America have come to depend upon the parity ratio established by the time-honored formula as a fair index of their relative economic standing. This amendment would certainly help to support this very fine concept and give the farmers assurance that they would have a reliable index in years to come.

Mr. NELSEN. I thank the gentleman.

The CHAIRMAN. Does the gentleman from Mississippi insist upon the point of order?

Mr. WHITTEN. I do, Mr. Chairman.

The CHAIRMAN. The gentleman will state the point of order.

Mr. WHITTEN. I would point out that here again it is legislating on an appropriation bill. I would point particularly to the fact that the law requires the Secretary to make this determination. Also there are a number of statutes which have to do with that. I further point out that the precedents support my contention that this is a limitation on the discretion of an executive exercised under existing law. This has been held on past occasions as legislating on an appropriation bill.

I say here where the law definitely says that the Secretary of Agriculture, a cabinet officer, is authorized to make this determination or issues in his name, which is the same, such orders or regulations, you prevent him from carrying out duties that are imposed upon him by law. While it is under the guise of the use of funds, the effect is to neutralize and deprive the executive department of the power and authority granted under the law.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard?

Mr. NELSEN. I would like to point out that under the Holman rule you can legislate on an appropriation bill if you show retrenchment.

I would like to refer to the language which appears on page 13 to which my amendment has been offered. There the committee itself states:

> That no part of the funds herein appropriated shall be available for any expense incident to possible estimates of apple production for other than the commercial crop.

In effect the committee is legislating in this field through that very language. If my amendment is out of order, so is the language in this section.

I would like to point out further that I see no restriction on the Secretary of Agriculture by virtue of my amendment. He can publish all that he wants, as far as money that is being appropriated in the various programs is concerned, but the parity concept is established by law and it should be followed until the Congress of the United States makes a change.

The CHAIRMAN (Mr. KEOGH). The Chair is ready to rule.

The gentleman from Minnesota offered an amendment addressed to page 13, line 20, adding a second proviso that no part of the funds herein appropriated shall be available for any expense incident to preparing or publishing a parity ratio other than that you find in the enumerated sections, 301(a)(B) of the Agricultural Adjustment Act of 1938, to which the gentleman from Mississippi raised a point of order that it is legislating on an appropriation act.

The Chair will call the attention of the gentleman from Mississippi to the language cited by the gentleman from Minnesota appearing on page 13, lines 17 through 20.

The Chair is of the opinion that while the question is always present as to whether the form of an amendment is in fact a limitation or whether it is legislation in the guise of a limitation, the Chair is of the opinion that this amendment specifically limits the expenditure of the appropriated funds for any purpose other than that provided by existing law and, therefore, overrules the point of order.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there has been quite a bit of discussion of this matter and several charges have been made that things other than the provisions of the law have been used in determining parity and parity ratio. These charges have been denied completely by the Department in our hearings.

Mr. Chairman, as long as I have worked with this bill, I could not tell you right now what section 301(a)(B) provides.

I am not sure what this amendment means, and I do not think there is anyone within the sound of my voice who can be sure what we would do if the amendment were adopted.

If there is any violation, if there is any misuse of funds or if anything of that kind exists we will be glad to look into it; but to legislate on a matter of this kind, not knowing whether there are six or seven more studies having to do with parity, is not good. Insofar as I am concerned. You might be cutting out price supports which are in force at this time.

I am sure the gentleman from Minnesota means to be right, but for us to adopt an amendment where we, as Members, do not have any knowledge of it, I think would be bad.

Mr. NELSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. NELSEN. Mr. Chairman, have I used up all of my time under the rule?

The CHAIRMAN. The gentleman was recognized for 5 minutes under the reservation of a point of order, and consumed those 5 minutes.

Mr. HORAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I would like to point out to my very esteemed colleague from Mississippi that the laws of 1938 referred to by the Department of Agriculture in their justification for the use of the adjusted parity were repealed.

I would like to point out further that the only other time, as far as my knowledge of this is concerned, that an adjusted parity was used was during the war period when emergency payments were in existence. If we are going to throw in soil conservation payments, money that the farmer receives for tiling, money that he receives for weed eradication, and all of these incidental items, and put them in the parity formula, actually you are going to destroy the meaning of parity. I would have no objection to the Department, if it wished to show a liberal complexion or telling us how much we would get under this formula, doing so. I would not object. But the basic parity formula was adopted by the Congress of the United States in 1933, which refers back to the period 1910–14. This has stayed on the books all of these years, and I can see no reason why we should change it except for the fact that the farm income is down. The farmer is in trouble. I know. I am one of them. So we will have to doctor the record to make it look a little bit better. When you talk about adjusted parity, some of these payments do not go to the little farmer. The big farmer has been the beneficiary. The little farmer has not received it. It is an inaccurate description.

I hope the House adopts this amendment because, in my judgment, it is in the best interest of agricultural legislation, it is in the best interest of the farmer, and I hope the amendment is adopted.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Indiana.

Mr. HALLECK. We have heard a lot of talk in some places about how well the economy is doing, and how well the country is doing. I, too, represent a great many farmers in my district in Indiana. I just want to corroborate what the gentleman from Minnesota has said, that the farmer is the low man on the totem pole. His parity ratio is down to 75, the lowest point since 1939.

As a matter of fact, it seems to me, as far as the farmer is concerned, his ratio might be called the "poverty ratio." If the gentleman from Minnesota is right, if what is sought here is some sort of new arrangement by which it will be undertaken to make it appear that the farmer is doing very well, then I agree that the gentleman's amendment should be adopted.

Mr. NATCHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment offered by the gentleman from Minnesota should be defeated. In substance, it writes new law which should go before the Committee on Agriculture and be studied carefully before it is offered to this House for passage.

This amendment should be defeated, Mr. Chairman, for that reason.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. NELSEN].

The question was taken; and on a division (demanded by Mr. NELSEN), there were—ayes 50, noes 81.

Mr. NELSEN. Mr. Chairman, I demand the tellers.

Tellers were ordered, and the Chairman appointed Mr. WHITTEN and Mr. NELSEN as tellers.

The Committee again divided, and the tellers reported that there were—ayes 66, noes 88.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

AGRICULTURAL MARKETING SERVICE

Marketing services

For expenses necessary to carry on services related to agricultural marketing and distribution as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, including the administration of marketing regulatory acts connected therewith and for administration and coordination of payments to States; and this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed $25,000 shall be available for employment at rates not to exceed $75 per diem under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), in carrying out section 201(a) to 201(d), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1291) and section 203(j) of the Agricultural Marketing Act of 1946; $39,389,000.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 14, line 12, after the figure "$39,389,000" strike the period, insert a colon and the following: "*Provided*, That no part of the funds appropriated by this Act shall be used for any expenses incident to the assembly or preparation of information for transmission over Government-leased wires directly serving privately-owned radio or television stations or newspapers of general circulation, or for transmission over Government-leased wires which are subject to direct interconnection with wires leased by nongovernmental persons, firms or associations."

Mr. WHITTEN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Mississippi reserves a point of order.

Mr. FINDLEY. Mr. Chairman, we had a discussion of this amendment a bit earlier. It would accomplish two things. As a result of those two changes it would reestablish the very valuable and able crop reporting services rendered by the Agricultural Marketing Service as they existed prior to April 1 of 1963.

The amendment would eliminate two innovations which the USDA made since a year ago—innovations which were made without the benefit of legislation and without the benefit of any type of public hearing.

The first part of the amendment would prohibit the use of funds for any expenses incident to the assembly or preparation of information for transmission over Government-leased wires directly serving privately owned radio or television stations or newspapers of general circulation.

In my hand I hold a 24-hour sample of the wire news budget sent out by the Weather Bureau at Memphis, Tenn., carried over the long-distance lines, paid for by the taxpayers, going to 70 radio and television stations and 2 newspapers in the Delta area. Part of this material was prepared by the U.S. Department of Agriculture personnel. It was placed on the Weather Bureau wire news circuit by Government personnel. It was carried right to the microphones and the linotypes of these mass media at Government expense and under Government control. At no point between the news source and the microphones and linotypes did the private reporter have the chance to check facts and rewrite for balance and objectivity.

The first part of my amendment would prohibit this direct interconnection of the AMS service with Government-leased wires which are already serving these mass media.

The second part of the amendment would prohibit the spending of money for the preparation of information to be transmitted over Government-leased wires which are subject to direct interconnection with wires leased by nongovernmental persons, firms, or associations.

In my hand I now hold a sample 24-hour budget of data which is carried over the vast Government-leased wire network of the AMS, a wire network which has been operating for some years and to the great benefit of the people of the United States, and which would not be impaired by my amendment. As of last August 1 private firms and organizations were permitted to make a contract with A.T. & T. under which they could lease a long-distance line and tap directly into this vast AMS wire network and thus get the full flow of Government information by paying the long-distance toll to the nearest reporting station of AMS. This tap-in privilege would be prevented under my amendment.

To me this adds up to an ominous long-range threat to press freedom. It is unwise to place this tempting tool for news management in the hands of Government. I have no complaint with the integrity of the AMS service as it is now being conducted, but I think we are unwise to permit the creation of this vast wire news apparatus which is available for Government officials of tomorrow who might misuse it to drive the privately financed and independent news services out of business and create a Government monopoly in the news dissemination field.

Unless something is done, we will soon have a monopoly in the crop market reporting field, because one of the consequences of the news service which was established last August 1 was to put the PAM market news service in jeopardy. A privately owned service, of course, cannot compete effectively with the vast resources of the U.S. Department of Agriculture. The great concern that I express here is that little by little we may see developed a vast nationwide wire dissemination apparatus which could be brought into play by unscrupulous public officials of the future and used to manage news and to mold public opinion.

Mr. WHITTEN. Mr. Chairman, I reserved a point of order.

The CHAIRMAN. Does the gentleman from Mississippi insist on his point of order?

Mr. WHITTEN. I certainly do insist very strongly, Mr. Chairman.

The CHAIRMAN. The gentleman from Mississippi will state his point of order.

Mr. WHITTEN. The law requires, in subsection k of section 1622 of the Agricultural Marketing Act of 1946, 7 U.S.C. 1621–27, as follows:

> To collect, tabulate, and disseminate statistics of marketing agricultural products, including, but not restricted to statistics on market supplies, storage stocks, quantity, quality, and condition of such products in various positions in the marketing channel, utilization of such products, and shipments and unloads thereof.

That statute is absolutely mandatory and requires the Department to bring together that information. The gentleman's amendment does not limit funds for the discharge of the duties under that section. It attempts to deprive the Secretary of authority conferred by law which was determined in an earlier ruling (IV, 3846) to be legislation. Further, I respectfully submit it will require additional duties of folks in the Department of Agriculture, which is also legislation.

May I point out again, Mr. Chairman, in the last part of it, it says the information cannot be collected for the purpose of being disseminated. I respectfully submit it is legislation on an appropriation bill calling for new duties and responsibilities on the one hand, and limiting executive authority on the other.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard briefly on the point of order?

Mr. FINDLEY. Mr. Chairman, here again I believe it is very clear on the face of this amendment that it amounts to retrenchment. Contrary to placing new burdens on department employees it would actually relieve them of the responsibilities which they assumed last April 1 in connection with the Weather Bureau services and which they assumed August 1 in connection with the establishment of the new Market News Service.

The CHAIRMAN (Mr. KEOGH). The gentleman from Illinois offers an amendment addressed to page 14, line 12, which adds a proviso to the section preceding that line as follows:

> *Provided*, That no part of the funds appropriated by this Act shall be used for any expenses incident to the assembly or preparation of information for transmission over Government-leased wires directly serving privately owned radio or television stations or newspapers of general circulation, or for transmission over Government-leased wires which are subject to direct interconnection with wires leased by nongovernmental persons, firms, or associations.

To this amendment the gentleman from Mississippi [Mr. WHITTEN] makes the point of order that it is legislation on an appropriation bill and points out that the functions sought in this amendment as a limitation of the appropriations are functions that are required by other substantive law.

The Chairman would call the attention of the Committee to the fact that the existence of substantive law and the provisions thereof are quite obviously not necessarily binding on the Appropriations Committee. The Chair feels, therefore, that where that committee seeks to appropriate funds and an amendment is offered that seeks to deny the use of those funds even for functions otherwise required by law, that that amendment is in the nature of a limitation of appropriations and therefore overrules the point of order.

Mr. QUIE. Mr. Chairman, I rise in support of the Findley amendment.

Mr. Chairman, I commend the gentleman from Illinois [Mr. FINDLEY] for bringing this matter to our attention and for seeking to correct it by offering this amendment. I agree with the amendment and believe it should receive favorable consideration.

I have long shared the concern of my colleague regarding the Department of Agriculture's so-called new Market News Service. I expressed my concern in an earlier speech, which appeared in the CONGRESSIONAL RECORD, volume 109, part 14, pages 18422 and 18423. At that time I expressed support of H.R. 8214, introduced by the gentleman from California [Mr. HOSMER], which would have prohibited departments and agencies of the Federal Government from participating in activities which are in competition with private news services engaged in dissemination of news or other information. I still support such a bill, but I believe that the amendment offered by the gentleman from Illinois [Mr. FINDLEY] will serve the same worthwhile purpose.

It is important to note that the Department of Agriculture is the only Federal Department or agency operating such a news service. The news service became available on August 1, 1963, to producers and their organizations, cooperatives, commercial firms, and news media over a 19,000-mile leased wire network, which, as the USDA press release which announced the service puts it: "Links the USDA and Federal-State market reporters who gather market news at more than 200 markets and producing areas."

An agreement was reached between the USDA and American Telephone & Telegraph Co., which owns the leased wires, teletypes, and other equipment.

The subscriber is required to pay only the costs of the wire and rental on the receiving equipment. This service would be, as a result, much cheaper than any private wire service, which must also pay the cost of a corps of reporters who gather and assess information. In the case of the USDA wire service, this job is done by employees on the taxpayer's payroll.

However, the USDA attaches some strings. In its pamphlet AMS 510, the USDA explained its service to potential private users. It says:

> USDA reserves the right to cancel at any time the connection of any and all subscribers who abuse the service by misrepresentation of reports, or for any other reason when, in its sole judgment, such cancellation is desirable.

What is a "misrepresented report"? That decision is left up to the arbitrary judgment of the USDA and its "sole judgment" besides.

AMS 510 also says:

> The service is subject to such adjustments as are deemed desirable by USDA in the content, length, scheduling, and timing of reports.

This gives USDA complete and arbitrary control over all information transmitted, from beginning to end.

What this "news" service does is to give the USDA: First, complete control over all information gathered by people on its own payroll and thus agents of USDA; second, gives USDA control over how the information is used, for it can "cancel at any time the connection of any and all subscribers who abuse the service by misrepresentation of reports or for any other reason when, in its sole judgment, such cancellation is desirable"; third, it gives the USDA further controls amounting to censorship, for it may make "such adjustments as are deemed desirable," in the "content" and the "length" and the "scheduling" and the "timing" of reports.

Because of its preferential cost factor, provided by a subsidy from the taxpayers, it could possibly destroy private news services, which must sustain the additional cost of a corps of impartial news gatherers.

Perhaps, however, the greatest concern should be felt for the uses to which such a service, which is without precedence in our history, could be put. How quickly such a service could be used to propagandize is easy to see. Once more, according to the USDA's own rules as outlined in AMS 510, it would take only an "adjustment" of "content" to turn the wire service into a lobbying device propagandizing the people.

And if the Agriculture Department can operate its own "news" service, why not the Department of State, Commerce Department, Health, Education, and Welfare, and all the others?

The fundamental question relates to one of our fundamental constitutional rights—freedom of the press. Is the Government or a department of it, in any way, to be allowed to control the flow of information? If it is—in even a small way today—we may well prepare for the same control in a much larger way tomorrow.

The power of communications to influence large numbers of people is well known and documented beyond dispute. The Department of Agriculture has been issuing market information for a long time through the mails, although never before over a teletype system. An editorial from the Chicago Tribune, reprinted on September 19, 1963, in the Western Livestock Journal, shows the type of chaos that irresponsible reporting, whether intentional or otherwise, can create. The editorial says:

> One of the more important functions of the USDA is the issuance of regular crop and market reports. The information in these reports collected, appraised, and compiled by presumably experienced reporters and statisticians, is relied on by farmers and those in the business of buying and selling farm commodities as a guide to volume, and hence, price. Such reports have a significant influence on what the housewife pays for food at the neighborhood store.
>
> Cattlemen, therefore, were startled and disturbed to discover buried in a recent report a notice that the Department had revised its estimates of the number of cattle slaughtered at major packing centers in 1962. According to Gerald Leighton, president of the Chicago Live Stock Exchange, the revised figures showed the Department had seriously underestimated the number of cattle slaughtered last year.
>
> The effect of the error, which had been carried in the weekly reports for more than a year, was to give a false impression of the extent of increase in slaughtering this year, compared with that of 1962. The revised figure, according to Leighton, showed the increase in beef slaughtering thus far this year was actually 56 percent less than the Government had been saying it was all along.
>
> This is an egregious blunder in light of the fact that cattle prices plummeted nearly 33 percent between last December and last May. No one knows how much the price drop was influenced by the phony estimate, but Leighton asserted:
>
> "So many shady things have occurred in the Department in the last 2 years that some

cattlemen wonder if it was a simple error that elicited the phony comparisons showing such a huge fictitious increase from 1962. They contend that the Department continually poured out price-depressing information on overproduction of beef while the cattle markets were crashing."

The task of compiling this particular report consists of simply taking reports of cattle slaughter from the various packers and adding them up. As Leighton observed, it does seem fantastic that this kind of error could be carried for more than a year before it was discovered.

On the other hand, it isn't so fantastic in a department that lost $32 million worth of surplus grain that was supposed to have been consigned to Austria.

Mr. Chairman, one thing is sure. If such a blunder had been committed by a private news service, that service would be out of business the day after the error was discovered. The Department of Agriculture, when its error was discovered, was simply expanding its operations to include a leased-wire teletype network.

Such an error seems to conflict with the contention of Assistant Secretary of Agriculture George L. Mehren, who on November 7, 1963, issued a statement attempting to justify the new wire services and spoke of "accurate and unbiased information." The Journal of Commerce printed the statement in full:

ON FARM NEWS WIRE: AGRICULTURAL AID COMMENTS ON SUIT

Following is a statement by Assistant Secretary of Agriculture George L. Mehren regarding action instituted by the PAM News Corp., relative to the U.S. Department of Agriculture's Market News Service:

"The action by PAM News Corp., a subsidiary of the Ridder Publications, to enjoin the Department from making information on prices and supplies of agricultural products more widely available to the public will enable the public finally to gain an accurate picture of a situation which has been grossly distorted.

"It will, for example, make apparent to the public that the element of the Market News Service which PAM News Corp. seeks to stop is one which PAM News Corp. has enjoyed exclusively in its field until the Department, through the program under attack, made it available to any person, business, news media, or private wire service. We see no justification for restricting access to public information solely to sustain an exclusive position.

"It will, for example, make apparent that the attacks upon Market News Service have mischievously misrepresented a service which today is an absolutely essential part of the Nation's marketing system. The food industry of this Nation literally could not function today without this market information. Currently, the Congress appropriates $6 million each year to enable market news specialists in over 135 marketing and producing areas to gather and disseminate accurate and unbiased information only on prices, on supply and demand and other market conditions for agricultural products. These reports are relayed to farmers, processors, distributors and other interested persons through condensed versions carried by the press, radio, and television. Fuller versions of these reports are mailed each day to thousands of people.

"On August 1 the Department, after giving due public notice of its intentions and receiving a favorable response from trade and farm users, authorized any private firm or individual to connect directly with the leased wire system over which the Department transmits its market news information. No charge is made by USDA for this service, although the cost of extending the lines are paid to the owners of the leased wires by the individual user.

"The information carried on the leased wires is the same as that contained in the daily market reports sent through the mail or reported by the press, radio, and television. Access to the leased wire is safeguarded by the same rigorous standards and procedures which apply to other services of the Department.

"Until now, the Department has not given a general public answer to the irresponsible charges made against the Market News Service, even though we have been concerned that the gross misrepresentations alleging censorship, propaganda, and other wholly false charges could undermine support for a respected public service which has been available since 1915. We now will be able to provide a full and accurate reply and know that it will be judged and reported on the basis of truth and accuracy.

"We also believe that this action will provide a basis for the thousands of farmers, processors, and handlers who use the Market News Service daily to fully understand the nature of these allegations, and their divergence from fact."

The Journal of Commerce felt compelled to answer Secretary Mehren's statement in the same issue. It did so in the following editorial:

WELL OFF THE TARGET

Elsewhere on this page today we publish in full a statement made by the Assistant Secretary of Agriculture George L. Mehren in response to the complaint filed against USDA and others in the Federal courts this week by PAM News Corp., an affiliate of this newspaper.

We assume our readers are by now familiar with the main details of this issue, which involves an action by a private wire service to halt by court injunction a competing service set up by USDA on August 1 at Government expense.

Even if there were no laws discouraging newspapers from editorializing on the merits of a case before the courts, we would be reluctant to go further into the merits of the case now purely on the grounds of editorial decorum. We agree with Mr. Mehren on at least this much: That as a result of the complaint PAM has filed in the district court of the District of Columbia, all the pertinent facts of the case should now be brought to light. But while we will not go further into the court phase of the dispute at this time, we do feel impelled to answer some of the phrases used by Mr. Mehren not in the courtroom, but in his own office. We are particularly intrigued with his feeling that the facts of the case have been "mischievously misrepresented" in a manner construed by USDA as being "irresponsible."

We presume that what Mr. Mehren has in mind is a projection we made editorially some weeks ago showing that if one Government department can use public funds to compete with a private news service, then there is no reason why others can't do the same thing and put a good many other commercial enterprises out of business, possibly including such general wire services as the Associated Press and United Press International.

Nothing in Mr. Mehren's angry retort disputes this. His statement does, however, misrepresent several of the issues, perhaps in consequence of its concentration less on justifying what USDA is doing than on attacking its critics.

For example, few seriously question the value of the service USDA performs in collecting and disseminating the information on farm prices, supply, demand, crop conditions, and the like. This is widely used by PAM, by this newspaper, by many other newspapers and by many other news media. If it costs the Government something like $6 million a year to gather this information from its 135 marketing and producing areas, we would think the price is justified by the value of the service itself.

The real issue is one of distribution. This was raised when USDA decided not only to go on collecting this information, but to enter into an agreement with American Telephone & Telegraph Co. under which it would supply the information gratis to any responsible citizen who would pay A.T. & T.'s wire charges. This immediately threatened to swamp PAM, which privately performs the same kind of service via the Western Union system.

Mr. Mehren makes much of the fact that PAM is alone in its field. In fact, if we read his words aright, we get the implication that USDA felt prompted to make its move in order to end the exclusive nature of PAM's service.

There are two things wrong with this. First off, there is nothing to prevent and PAM does not seek to prevent any other commercial enterprise from getting into the same act. Second—and more important—since when has the Government felt that the fact that a commercial service is exclusive in its field justifies establishment of a rival tax-free, taxpayer-supported Federal enterprise in the same field?

Is this now to be construed as a considered policy on the part of the administration? If so, with how much confidence can anyone say it will stop with USDA, or (even within USDA) with the new Federal farm wire service?

But even Mr. Mehren's own statement makes it plain that "exclusiveness" is not the issue, and never has been the issue.

There was nothing exclusive whatever about the manner in which USDA's farm crop information was previously disseminated. As he says in his own words, these reports are "relayed to farmers, processors and distributors and other interested persons through condensed versions carried by the press, radio and television. Fuller versions of these reports are mailed each day to thousands of people."

A lot of other information is also collected by other Federal agencies, among them the Bureau of the Census and the Bureau of Labor Statistics. This information, too, is widely disseminated, both directly and via all kinds of information media. But neither the Labor nor Commerce Departments have sought to go into competition with the news media by making the type of exclusive arrangement USDA has made with A.T. & T. to transmit their data direct to subscribers.

There are other factors in this case which are now properly in the realm of the courts. We will pass over those now and drop the matter with the observation that if "exclusiveness is found to be an issue at all, it will find not PAM, but the Department of Agriculture on the defensive.

Mr. Chairman, in conclusion I would like to share with my colleagues a few remarks from people directly involved in operation of news media in my district and other areas concerning this Agriculture Department news wire.

The Rochester (Minn.) News-Bulletin, in an editorial which appeared September 16, 1963, said:

OFFICIAL NEWS AGENCY SHOULD BE KILLED, NOW

A sure sign of a totalitarian country, or one that is under tight control of a dictatorship, is the official news agency. It is an organ of the Government, putting out such news as will maintain the regime's existence, carefully eschewing all that may do it harm. It controls and disseminates news for its own political purposes.

Even in wartime, this country has had no official news agency. It has had a news code under which the various communications media work voluntarily, not under government pressure.

All that can change now that Secretary of Agriculture Orville Freeman has begun a service circulating farm market news at no charge to subscribers other than the cost of leased wire transmission. For it creates a media which can grow over the years until it carries all news in competition with the private news services. With its Government subsidy, it can quickly extinguish them. Then goodby to America's vaunted freedom of the press. Simply by withholding service, the Government could kill any inimical newspaper.

The time to kill a rattlesnake is when it raises its head, not after it strikes. Congress should make short work of killing off this threat to one of the basic freedoms.

Mr. Chairman, the Rochester Post-Bulletin again commented, more recently on that subject. Here is an editorial in support of the amendment offered by the gentleman from Illinois [Mr. FINDLEY] from that newspaper, which appeared May 15, 1964:

A PLACE FOR ECONOMY

In answer to President Johnson's repeated invitations for ways of economizing in government, the press of the country has pointed to the wire news service of the Department of Agriculture as one he could eliminate and at the same time save private enterprise from unfair public competition.

Representative PAUL FINDLEY, Republican of Illinois, put the matter in a nutshell the other day. A weekly newspaper publisher, FINDLEY told the House that 70 radio and television stations and two daily newspapers are receiving farm news written by Government employees over a wire network financed by the taxpayers, when there are private news services making such news available and paying taxes on their operations.

As FINDLEY pointed out, this apparatus is a tempting tool for Government news management. It illustrates the quiet, unobtrusive and innocent manner in which a giant Government-dominated wire news network can develop almost overnight and begin to feed the American people propaganda devised by those in power.

There is no place on the American scene for a managed news wire service. The President is correctly eliminating many Government publications. Here is something that should get the axe even sooner, because it is published as news, not labeled as the publications are, for what they are, Government journals.

Then, in addition, Mr. Chairman, I found the case well presented in the following letter written to me by the managing editor of the Lincoln (Nebr.) Journal, in which he included an editorial from that newspaper. I offer them both here:

LINCOLN EVENING JOURNAL,
Lincoln, Nebr., May 12, 1964.

The Honorable ALBERT H. QUIE,
House Agriculture Committee,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN QUIE: For 2 years the news media and this newspaper have been protesting the U.S. Department of Agriculture's venture into the news dissemination business by private leased wire.

The Associated Press and United Press International wires service this free of charge for the public, making this a needless governmental expenditure.

This USDA news wire smacks of the potential of a propaganda agency which has its own dissemination service. Having watched the USDA operate on controverted policy questions such as wheat referendums and beef cattle control questions, the Department shows clearly a willingness to use its facilities and staff to propagandize its point of view at Government expense when the policy question of its position is under debate.

Congress should stipulate that no funds of USDA may be used for market service or propaganda wires.

Sincerely yours,
JOE R. SEACREST,
Managing Editor.

FREEMAN'S NEWS SERVICE

The U.S. press and public expect a free flow of information from their Federal Government. But Secretary Orville Freeman, in the Department of Agriculture, appears to be a little too generous with news from his bailiwick.

He has told the press, in effect, "You won't even have to bother coming around any more, boys. We'll just gather up all our news and put it out for you." Freeman even proposes setting up an agricultural news service to get this information to the press media, as the Associated Press and United Press International do.

It's not surprising that much of the press has replied, "Thanks a lot, Orville, but no thanks."

Not that they're a bunch of ingrates. But the idea raises a host of questions—professional, political, and practical.

Foremost among them might be: How would the Department of Agriculture have "covered" the story of Billie Sol Estes, or the disappearance of several million tons of Government-owned grain? Would it have reported them at all? How would the Department have presented the news on the recent wheat referendum which it plugged so actively?

The present method, in which privately owned and competing news services and news media seek and distribute the news, might not be perfect. But it beats the daylights out of Secretary Freeman's proposal.

For whenever the independent press is not allowed to gather and disseminate news, including news about Government, this Nation will be in a real bad way.

Mr. Chairman, Mr. Kenneth Allen, editor of the Albert Lea, Minn., Tribune, wrote to me on October 12, 1963, and said:

Why the U.S. Department of Agriculture wants to embark on such a venture is beyond me, unless they are truly seeking to control the news of the Government. I strongly suspect that some of our bureaucrats would like to do just that.

Mr. James Goetz, owner of KAGE radio in Winona, Minn., wrote on October 9, 1963:

As you are well aware, this is a serious power grab which will indeed jeopardize and perhaps could totally dispense with our free press system. It is, in my opinion, the most serious encroachment on the constitutional rights of the American people for it follows that once the news from which individuals form their reasons is managed, so is their opinion.

Mr. Chairman, these views are representative of others which I could introduce. However, I would like to include just one more letter, which was written to me September 18, 1963, when the Hosmer bill was introduced. This is the letter:

LIVESTOCK MARKET INSTITUTE,
SOUTH ST. PAUL, MINN.,
September 18, 1963.

Hon. ALBERT QUIE,
New House Building,
Washington, D.C.

DEAR CONGRESSMAN: I have just finished reading an article in the August 31 issue of the National Provisioner pertaining to the expansion of the wire service facilities now operated by the U.S. Department of Agriculture.

Frankly, I was appalled to think that a branch of our Government had taken such a giant step in the headlong race to convert our democratic form of government to socialism. I'm afraid I get a little panicky when "Big Brother" from George Orwells' "1984" gets so close at hand.

I sincerely hope that you will support H.R. 8214, the bill introduced by CRAIG HOSMER, of California, which will halt the expansion of the USDA teletype service. You may be aware that within our livestock industry, there is growing feeling that the present teletype system of the Market News Branch of USDA has actually been a disservice to the industry, and helped to break down the pricemaking structure of the markets it claims to serve.

I'm sorry that Representative HOSMER's bill is not broader, so as to stop all Federal agencies from interfering with private industry. However, this is a good start, and I hope that H.R. 8214 will set the pace for further legislation which will lessen Government control and remove the competition between Federal bureaus and individuals who still believe in the basic principles of free enterprise on which our Nation was founded.

Congressman, I urge you to use your influence in the House Agriculture Committee and on the floor to obtain passage of H.R. 8214.

Sincerely,
WILLIAM C. WHITTENBERG,
Director.

Mr. Chairman, it becomes apparent that the Department of Agriculture's wire service is a possible infringement of constitutional guarantees, that it tends to unfairly interject a Government department into a free enterprise field, that it contains a potential danger in that it could be converted within seconds to a use for which it is not intended, that it is opposed by many representatives of the media and even by persons within the agriculture industry.

For those reasons, Mr. Chairman, I urge adoption of this amendment.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. TEAGUE of California. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Chairman, I believe that we in Congress and the American people as well as the news media owe the gentleman from Illinois [Mr. FINDLEY], and others who have worked with him but particularly the gentleman from Illinois [Mr. FINDLEY], for taking the lead, a debt of gratitude for pointing out to us and fighting so hard against what could be a very dangerous and unfortunate situation.

Mr. Chairman, I certainly support the amendment which has been offered by the gentleman from Illinois [Mr. FINDLEY].

Mr. CHAMBERLAIN. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. I, too, would like to associate myself with the remarks of the gentleman from Minnesota [Mr. QUIE] in support of the Findley amendment.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, may I point out again that our committee had many of our colleagues coming before it, in behalf of the U.S. Market News Service. This Service is invaluable to the people throughout the United States.

In addition to that, we have the Weather Service. As has been pointed out here, the Weather Service has leased lines on a 24-hour basis. At the insistence of the committee some years ago the Department of Commerce set out to see if the Market News information could not be made available on the Weather Service line for which we were paying anyway, and vice versa, in an effort to make more information available to American agriculture at cheaper prices. We have had cooperation between these two services, the Weather Bureau which has had the 24-hour leased wire and the Market News Service which did not have that but which had information.

For some time now the Department of Agriculture has made that available to anyone who wants to pay the cost themselves. As I pointed out earlier, until that time there was one publication that had a business where they used the Market News information. They, in turn, editorialized it and charged their subscribers for it.

Mr. Chairman, I have had comments from them. They do not like for this information to be made available to all users. I think it is in the public interest to let all who wish to pay for it themselves to have this information and distribute it that much more widely.

Further, if the Federal Weather Bureau is going to pay for the leased wires on a 24-hour basis it is absolutely foolish not to use them to make market information available.

There are those who talk about something for the future, and that somebody might misuse the authority. No one claims anybody has.

I pointed out earlier, we were glad to go along to be sure this continues to be used for the purpose for which it was set up, but for us to come in and say "no, we are going to continue to help make this a monopoly" is not good. You are going to stop the Department from making it available to all customers who pay for it if this amendment is adopted.

Let me point out again, there are 1,200 daily newspapers, 1,600 radio stations, 170 television stations, that use this news at the present time. There are 43 States that are in on this matter. I have a list of the Associated Press, PAM News Service, and others that use this Service.

If your Government is going to spend over $6 million for a Market News Service, if you are going to spend almost as much on the Weather Bureau Service, it is unsound not to merge the two and let them supply each other information where it does not cost anything.

Let us not be a party, by adopting this amendment, to giving a monopoly to one or two private organizations. Let us keep what the Government has available for those who pay for the organization which supplies the data.

I hope the amendment will be defeated.

Mr. BEERMANN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Illinois and congratulate him for bringing this situation to the attention of the House. As a farmer, I would like to say, for years I have been doing my best to get the Government out of the production and marketing of agricultural crops. I'd also like to get Government out of the wire news business.

In that light I would like to read an editorial taken from the Lincoln Evening Journal and Nebraska State Journal of Friday, September 27, 1963. I must say before I read the editorial that this particular paper is considered to have a liberal viewpoint. I would like to have you listen to this editoral, if you please. The editorial states:

FREEMAN'S NEWS SERVICE

The U.S. press and public expect a free flow of information from their Federal Government. But Secretary Orville Freeman, in the Department of Agriculture, appears to be a little too generous with news from his bailiwick.

He has told the press, in effect, "You won't even have to bother coming around any more, boys. We'll just gather up all our news and put it out for you." Freeman even proposes setting up an agricultural news service to get this information to the press media, as the Associated Press and United Press International do.

It's not surprising that much of the press has replied, "Thanks a lot, Orville, but no thanks."

Not that they're a bunch of ingrates. But the idea raises a host of questions—professional, political, and practical.

Foremost among them might be: how would the Department of Agriculture have "covered" the story of Billie Sol Estes, or the disappearance of several millions tons of Government-owned grain? Would it have reported them at all? How would the Department have presented the news on the recent wheat referendum which it plugged so actively?

The present method, in which privately owned and competing news services and news media seek and distribute the news, might not be perfect. But it beats the daylights out of Secretary Freeman's proposal.

For whenever the independent press is not allowed to gather and disseminate news, including news about Government, this Nation will be in a real bad way.

ANPA CALLS FOR END TO USDA'S INVASION

Congressional termination of the Agriculture Department's market news wire service is being urged by the American Newspaper Publishers Association.

The Agriculture Department's entry into that field is considered an unwarranted invasion of the province of free enterprise.

The Department's censorship provisions and its self-declared right to cancel the service to anyone without notice are taken to be means to control news in the manner of a dictatorship.

This matter was fully discussed and agreed upon at the recent ANPA meeting in New York City.

An ANPA statement was inserted in the April 24 CONGRESSIONAL RECORD by Senator HOLLAND, Democrat, of Florida, chairman of the Senate Agriculture Appropriations Subcommittee.

Secretary of Agriculture Freeman previously had commented on the ANPA's opposition to the news wire service.

ANPA in its statement urges Congress to require termination of the market news wire services, "as it is a venture which is contrary to public policy, it is competitive with private business, and it adds unnecessary costs to the government."

The following six arguments are presented in detail in the ANPA statement:

1. Under our concept of freedom it is improper for the Government to engage in the business of news gathering and dissemination. It can too easily become a propaganda agency.

2. Government should not engage in any enterprise in competition with existing private ownership which is able to provide satisfactory service.

3. The market news wire service sets up a system of censorship by giving the Department of Agriculture authority to cancel the service of anyone who allegedly abuses the service by "misrepresentation" of reports, or for any other reason when, in its sole judgment, such cancellation is desirable.

4. Future expansion of this service—as indicated in a Department of Agriculture background memorandum—could easily lead to a complete national news wire in direct competition with Associated Press and United Press International.

5. The market news wire service has monopolistic implications in that only A.T. & T. wires can be used although the present privately owned news service in this field uses wires leased from Western Union. FCC policies and actions have been aimed at preserving competition in the leased wire field between A.T. & T. and Western Union.

6. The American taxpayer should not be expected to pay for news wire services for anyone.

The ANPA statement also calls attention to the statement by Assistant Secretary of Agriculture George L. Mehren, who acknowledged that he "cannot honestly say that its (market news wire service) absence prior to August 1 was a grave or crippling deficiency."

In fact, speaking under oath on January 3 of this year, Mehren declared that "I would say that prior to August 1, 1963, by far the best food system in the world and, by far, the best food distribution system that this country has ever developed did emerge in the absence of the drop system."

The ANPA is correct in its appraisal of some of the dangers involved in the USDA entry into the market news wire service.

> It is another in the too many steps which agencies of the Federal Government seem bent on taking to extend control over the various sectors of American life.
>
> It is essential that our people awake to the dangers, and demand of our Representatives and Senators that an immediate end be put to these encroachments on our liberties.

I heartily agree with this editorial.

I agree with my friend of Lincoln, Nebr. as well as other folks in own State who do not want the Government to interfere in their business. I think today we can strike a blow for freedom for news media if we follow the advice of the gentleman from Illinois and pass the amendment. I hope the amendment is adopted. Let us get the Government out of the wire news business.

The other editorial is from a Jackson, Tenn., newspaper.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will say at the outset that so far as I am concerned, I am going to support this amendment.

But I have risen, Mr. Chairman, to point out that it is now 6 o'clock. Many Members, I know, on both sides of the aisle have an engagement at the White House in half an hour, and commitments, of course, have been made by many other Members.

Mr. Chairman, I have checked at the desk. There are seven more amendments. So far as I am concerned, I am ready to work here all night—yes, and maybe we will be working here again on Christmas Eve—I do not know. But I am one of those who would like to finish the business of the Congress of the United States and adjourn sine die within a reasonable time. But I must say so far as I can discover, we do not have too much left today or the rest of this week. We have the independent offices appropriation bill and some other matters that will come along in due time. I cannot see for the life of me why pressing on here in a late night session, and that is what it will be, to dispose of seven amendments that are at the desk—and they should be disposed of, of course, in an orderly fashion because they have been offered in good faith by Members who believe that their amendments ought to be debated and adopted—but I understand that we will have a vote on the amendment that was adopted earlier in Committee of the Whole. There will be a motion to recommit on which there may be a rollcall vote and then, undoubtedly, there will be a vote on the passage of the bill. In other words, Mr. Chairman, for whatever this may be worth, and I have checked with many of the people on my side of the aisle and may I say I have checked with some of the people on the other side of the aisle, if we could really be sure that in going on here tonight until 8 or 9 o'clock and interfering with the arrangements for this evening that many Members have made, if that would accomplish any real purpose, then I say—let us stay right here and get the job done, but I cannot see any such necessity as that or anything really to be gained.

Mr. WHITTEN. Mr. Chairman, I always like to agree with my friend, the gentleman from Indiana, when I can and this is one time that I can.

Mr. Chairman, I move that the Committee now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes, had come to no resolution thereon.

AGRICULTURAL APPROPRIATIONS AND AID

Mr. PURCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PURCELL. Mr. Speaker, I would like to call the attention of my colleagues to a very important matter concerning the appropriations for the Department of Agriculture which the House is considering today.

The recommendation on page 3 of the report of House Appropriations Committee, aimed at eliminating $12 million of services performed by the Department of Agriculture for AID, would not accomplish the results intended, is misleading, and would lead to greater eventual expenses to the taxpayer.

First, it should be noted that the Department of Agriculture, is fully reimbursed for all services performed for the AID.

The types and estimated costs of these services for the fiscal year 1965 are as follows:

Administrative expenses	$185, 185
Training services	1, 632, 593
Technical consultation and support	378, 941
Special projects	3, 827, 724
Subsistence for foreign trainees	5, 904, 000
Reimbursements	23, 655
Total, U.S. Department of Agriculture	11, 952, 098

Second, it should be noted that "the subsistence payments to foreign trainees," which represents approximately 50 percent of the total payments to the Department by AID, is the value of the payments made to foreign trainees, and is in no sense a cost of the services of Department of Agriculture employees; the cost of making these payments is a small part of the charges for "Training services" and "Administrative expenses." Thus, elimination of this program would not release a large number of Agriculture Department employees for work on domestic programs, as suggested in the committee report.

Third, the funds for foreign trainees are used to pay the expenses of persons from other countries studying at a number of land-grant colleges and universities throughout the United States. These foreign nationals are brought to this country in order to receive high quality training in agricultural skills and techniques, so that they may return to their countries and help to improve local production methods. Incidentally, the trainees also are exposed to U.S. ideas and the American people—a benefit that cannot be measured in terms of dollars.

Training of foreign agricultural specialists is of great benefit to the United States. Such training hastens the day when the developing nation can achieve economic self-sufficiency and will no longer need U.S. assistance. Such training concentrates on a basic need of developing a nation—agricultural skills.

Realistic technical assistance and training programs in agriculture oriented toward the countries' domestic food needs benefit both American agriculture and the agricultural development of these countries. Rising production on American farms requires larger markets for our farm products. The great potential markets for our expanding agricultural production are the less-developed countries of Latin America, Asia, and Africa. For these countries to increase their participation in international trade they must significantly improve and broaden their economies so as to increase the purchasing power of their whole population.

Fourth, the AID uses the services of the Department of Agriculture and other Government agencies in compliance with the directive of the Congress expressed in section 621 of the Foreign Assistance Act of 1961, as amended, which states in part that:

> In providing technical assistance under this act, the head of any such agency or such officer shall utilize, to the fullest extent practicable goods and professional and other services from private enterprise on a contract basis. In such fields as education, health, housing, or agriculture, the facilities and resources of other Federal agencies shall be utilized when such facilities are particularly or uniquely suitable for technical assistance, are not competitive with private enterprise, and can be made available without interfering unduly with domestic programs.

Before the services of any Government agency are used the AID examines the alternative sources of such services and makes a positive determination that the uses of a Government agency constitutes the most effective and efficient way of rendering the services and is in full compliance with the terms of this statute.

Fifth, agricultural technical knowledge, contrary to that of most other industries, is concentrated within the Department of Agriculture and its affiliated institutions, such as land-grant colleges, State experiment stations and producer and processor associations.

Some of the considerations that make the AID arrangement with the Department of Agriculture advantageous are:

First. The USDA has a ready reservoir of trained and expert manpower, often having experience in foreign lands. University personnel—an alternative recruiting source—do not have operational experience, as a rule, as they are teachers with research and theoretical interests.

Second. The Department has an unmatchable capacity to "back stop" technicians in the field. This means that, although the technicians work administratively for AID, the Department provides them continuing professional guidance and makes available to them all of its technical resources.

Third. The USDA is also the connecting link for AID with the vast resources and talents of the land-grant universities. The collaboration between AID, USDA, and the land-grant colleges is very close. When a USDA employee is loaned to AID for an AID project in an underdeveloped country we can be confident that the resources open to him in knowledge and research capability extend all the way back to the great universities. And the USDA liaison makes this possible.

Fourth. The Department can provide in an emergency virtually any specialist. For example, in a pine beetle attack in Honduras threatening to destroy millions of acres of forest, the USDA can supply a forest entomologist to go down and give technical guidance to the AID resistance efforts.

In some cases, obviously, it is more advantageous to draw on the land-grant universities directly through contracts with them. In other instances, the best arrangement is a joint triangular one between the USDA, the land-grant universities, and AID.

Sixth, if the Department of Agriculture were to be forced to discontinue any of the reimbursable services now supplied to the foreign assistance program, the Agency for International Development would be required to secure such services through contracts with private enterprise including colleges and universities or to expand its own staff or use a combination of these two methods. In view of the unique competence and facilities of the Department it is unquestionable that such a shift would cause an immediate severe dislocation in the training program and oversea technical assistance and would have a substantial impact on the nature and quality of these services in the future. The transfer of the financial-clerical function—subsistence to foreign trainees—of examining invoices and writing checks for trainees from the Department to AID would, on the other hand, have no substantive impact on the program but might cause some increase in the costs since administration of the training program would be more complicated.

DEMOCRATS GIVEN TIPS ON WINNING ELECTIONS

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, following a Democratic candidate school held in the Syracuse Hotel, May 17, 1964, the following news story appeared in the Syracuse Post-Standard on May 18, 1964:

DEMOCRATS GIVEN TIPS ON WINNING ELECTIONS

(A photo caption accompanying the article, listed the following persons as part of the group in attendance: State Chairman William H. McKeon, James Barry, candidate for the Onondaga First Assembly District; Onondaga County Democratic Party Leader George Van Lengen; State Senator John Bronston, of Queens; Clifford Galbraith, State senate candidate from Cayuga County; and Donald L. Slater, candidate for the State assembly from Cortland.)

(By Robert R. Haggart)

John English, Democratic Party chairman from Nassau County and a power in State Democratic politics, had some suggestions for Democratic candidates yesterday.

He suggested they—

1. Steer clear of controversial issues.
2. Use shills.

English spoke at Hotel Syracuse during a campaign candidates school for Democratic legislative candidates conducted by the Democratic State committee. It was attended by candidates and party leaders from around the State.

English said some candidates are "a problem, they have their Ph. D.'s, they are geniuses and know Plato and Aristotle inside and out * * * they also want to get their pictures in the paper."

He said the best way to get your picture in the paper is to commit a crime, "and the next best way is to get into a controversial issue such as the school prayer argument, that does you no good."

Some say being controversial is good, English said. "I don't."

English said when walking through a ward during a campaign, the candidate must know about the "bread and butter" issues that pertain to that ward.

"A few people will ask you about the test ban treaty," English said, "but most will not be interested." He suggested candidates talk on one side of the street about how the man across the street is paying lower water taxes, and then go on the other side of the street and talk about how that man's fire taxes are too high.

This was echoed later on during the school by Onondaga County Democratic Party Chairman George VanLengen.

"They are only interested in the superficial," VanLengen said of the voters.

VanLengen said "no one was interested in issues such as school bonding" when he ran for the State senate in 1958. "A divorce on the part of the Governor was what they wanted," VanLengen said, in an apparent reference to the divorce and remarriage of Republican Gov. Nelson A. Rockefeller.

English said candidates should use "shills."

"The use of shills is very important," he said, "if you go out in the hustings alone you are a fool."

English defined "shills" as "hatchet men who get you out of a situation such as the old lady who wants you to get her son out of South Vietnam," or watches the reaction of an audience when a candidate is speaking.

Shills also, he said, "take the drunk out when you are trying to speak and get him drunker."

He said shills are also good when speaking to groups such as the League of Women Voters.

A good candidate, he said, will have four or five people planted in the audience to ask "your opponent all the wrong questions, the ones he doesn't want to answer, and give you the good ones."

English warned the candidates, "Don't get trapped" by not having shills in the audience. "If you don't, he [the opponent] will."

Other speakers at the school include Democratic State Senators John Bronston, of Queens; Senate Minority Leader Joseph Zaretsky; and State Democratic Committee Chairman William H. McKeon.

SITUATION IN VIETNAM

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SHRIVER. Mr. Speaker, yesterday the President sent up a request to the Congress for an additional $125 million in economic and military assistance for Vietnam to help thwart Communist aggression. I am prepared to support this and any other action by the administration which would help send the Vietcong into retreat and lead to a crystallization of U.S. policy in southeast Asia.

There is growing concern among the people of this country regarding this Nation's role in the conduct of the war in Vietnam. The people are confused by an apparent "no win" policy currently followed by the administration. Not so long ago we were witness to an administration policy which brought about the the neutralization and then the loss of Laos to the Communists.

On February 17, 1964, the Secretary of Defense, in testimony before the House Defense Subcommittee on Appropriations, spoke of the United States taking all necessary measures within its capability "to prevent a Communist victory" in Vietnam. Why do we continue to limit our forces to prevention of a Communist victory instead of outright defeat of Communists in Vietnam? Communist fires are burning in Vietnam. It is too late for fire prevention. We must either commit ourselves to putting out the fire or leave the scene.

The United States has more than money and arms committed to the conflict in Vietnam. There are 16,000 Americans who are in Vietnam to help the Vietnamese defend their freedom. It is immaterial whether we call these U.S. military men "instructors," "advisers," and so forth. We are totally obligated to safeguard and insure their lives and their mission as long as they remain in Vietnam.

Many Members of Congress, including myself, have been greatly disturbed by newspaper and magazine reports, and letters from parents, wives, and families concerning the military equipment which is available there. There has been particular criticism of the obsolete aircraft in which our pilots must fly.

The war in Vietnam has been described by the Secretary of Defense as a counterinsurgency campaign. We recognize that such warfare requires special military equipment designed to meet particular situations.

The Air Force has been conducting tests on certain aircraft to determine their capabilities for counterinsurgency missions. Prompt consideration should be given to accelerating these tests and the possibility of dispatching such aircraft to Vietnam should be carefully weighed.

Tomorrow the House Armed Services Committee will have an opportunity in executive session to question the Secretary of Defense regarding the situation in Vietnam. I am confident the committee will secure assurances that U.S. military forces are equipped with modern and adequate weapons to successfully achieve their mission in Vietnam.

INDEPENDENCE DAY IN RUMANIA

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, on the 10th of May free Rumanians around the world celebrated independence day in their homeland. This date marks three important events in the history of Rumania.

In 1866, it was the day of the proclamation that Charles would be Prince of Rumania. Fifteen years later, Charles I was crowned King of Rumania. On this date in 1877, Rumania proclaimed her independence and freedom from the Ottoman Empire.

Today, Mr. Speaker, in Rumania itself, these anniversaries of independence cannot be openly celebrated. The long arm of the Soviet Union has reached out and brought Rumania under its control. The Communists have changed the traditional independence day celebration from May 10 to May 9—which is the anniversary of the Soviet victory.

But it is the May 10 observance that freedom-loving Rumanians, in their hearts, celebrated yesterday. Americans and the free world joined with them on the occasion to look ahead to the time when the Rumanian people will be free again.

HIGH PRESSURE SELLING OF CAMPAIGN-DINNER TICKETS TO CIVIL SERVICE EMPLOYEES

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. NELSEN. Mr. Speaker, I reported to the House yesterday that I was writing to the President regarding the high pressure selling of campaign-dinner tickets to civil service employees, and I announced my intention to place my letter in the Record. Accordingly, under unanimous consent, I insert my letter to the President at this point in my remarks.

The President,
The White House.

My Dear Mr. President: In recent months, I have had a number of disturbing letters and calls from Government employees, particularly in the Rural Electrification Administration which I formerly headed, concerning the brazen efforts to solicit campaign funds from civil service workers. News stories of the last 2 days indicate these fundraising efforts are again widespread in Government agencies.

You perhaps recall that I served more than 3 years as Administrator of REA, during which time we followed a firm rule that the spirit and letter of the law and regulations governing political activities and contributions were to be rigidly observed. This was standard practice for years before I assumed the office, and for a number of years after I resigned. However, from the reports reaching me, it appears that these practices have now been abandoned.

My great concern is that the program of the REA, in which you have long shown a deep interest and which has developed through bipartisan support and a determination that it be kept free of political taint, is threatened by the attitudes and actions which apparently have become prevalent.

You are aware, naturally, of the civil service rules which prohibit solicitation of political funds, or selling of political party dinner tickets in Federal buildings, and that employees are barred from soliciting political contributions or party dinner tickets. Also, you will recall, section 9 of the original REA Act, passed in 1936, was explicit in requiring that "This act shall be administered entirely on a nonpartisan basis, and in the appointment of officials, the selection of employes, and in the promotion of any such officials or employees, no political test or qualification shall be permitted or given consideration, but all such appointments and promotions shall be given and made on the basis of merit and efficiency." Violators are subject to removal from office by the President.

Section 9, which is still a part of the REA Act, was adopted on the insistence of Senator George Norris, the great liberal from Nebraska, who told the Senate that a similar provision was written into the Tennessee Valley Authority Act of which he was the father. He told the Senate that "members of TVA tell me that it has been one of the most beneficial parts of the act—it has enabled them to keep their organization above and free from politics." When Senator Norris included section 9 in the Rural Electrification Administration Act, it was clearly his intent that REA should be administered and developed on a nonpolitical basis and that this should be the intent of the Congress in creating REA for the benefit of the farmers of America.

It has seemed to me, Mr. President, that the Norris tradition and insistence have been major factors in giving the REA program its stature and strength. When the Administrator takes a hand in partisan politics and actively campaigns in defiance of years of tradition and policy in the agency, and when he sanctions such activities as those which have come to my attention, he is doing great harm to an outstanding program.

I am going to take the liberty of citing some cases, although you will appreciate that it is necessary to protect employees who have brought their complaints to me:

No. 1: An REA employee received a letter at home inviting him to contribute $100 to the Democratic Party shortly before the 1961 inaugural. When he failed to respond to the letter and to telephone calls, he was summoned to the office of the Deputy Administrator. **Here is his story:**

"The Deputy Administrator made the appointment at 3 p.m. during a regular working day. He reviewed the salary situation and my then recent appointment to the power supply division, implying that my salary, the then new congressional wage scale, and civil service grade classification were solely due to the efforts of the Administrator, the Secretary of Agriculture, and the Administration, and further, that out of gratitude I should financially support the party with a cash contribution of $100. A ticket was then taken from a drawer in his desk and offered. I was advised that if necessary I could buy it on the installment plan. I replied that I had worked for REA for 24 years and never publicly affiliated myself with either political party, and wasn't about to break that precedent. I thought I had earned my salary and would continue to work faithfully and conscientiously up to the limit of my ability.

No. 2: Another REA employee reports this to me:

"Received in my mail a one hundred dollar 'request to attend the second inaugural salute dinner.' Frankly, I am experiencing more than a slow deep burn deep down inside. Let's examine this latest attempt by the Democratic National Committee to extract extortion from civil service employees. It is a fact and can be proved that the deputy administrator and one of the assistant administrators called practically all employees GS–13 and above to their offices and personally handed them the invitations with a not subtle request to attend. Take note, this was a direct violation of the Hatch Act since this solicitation occurred in their offices. There were many grumblings among those good Democrats because of the way in which this was handled, and, surprisingly, some of them had the courage to turn this invitation down. One employee who has been here since the agency started stated that in all the years here he had never been called to kick in. This is a top employee."

No. 3: And, to demonstrate that the practice goes on, here is one that came to me just a few days ago:

"For your information, the same two people are doing the same things they have done here since 1961. Again they are calling employees GS–13 and up to their offices, handing them the invitations and accepting their checks for $100—right here in a Federal building."

It is more than a year since these practices were brought to the attention of the Secretary of Agriculture. I told the House then that "If the Administrator's office is to be used for a partisan political instrument, it certainly follows that bipartisan support for the program would be damaged." It seems to me that this is even more true today when REA is subject to attack from some quarters.

I suggest, Mr. President, that you give this matter your attention in the interest of the REA program and the integrity of our civil service system.

Sincerely yours,

Ancher Nelsen,
Member of Congress.

CONSTRUCTIVE CRITICISM OF ARA FROM ONE OF ITS ORIGINAL SUPPORTERS

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WIDNALL. Mr. Speaker, it is my understanding that before too long the House will again be asked to provide additional authorization for the Area Redevelopment Administration, a request which was denied last June by this body. Considering the amount of attention that has been focused upon the poverty problem, and the fanfare for other administration programs in this field, it is remarkable that the ARA has received almost no mention or support from the administration in recent months. The sorry record of that agency over the first 3 years of its existence, doubtless, has played a part in the reluctance to burden other programs with its image.

The CONGRESSIONAL RECORD, the Banking and Currency Committee's minority reports, and the press, have detailed a number of indictments against the area redevelopment program, particularly as it is now administered. I have contributed my share to making this a matter of public record. On my part, and on the part of many other critics of the ARA, this has not been the end of our efforts. Constructive suggestions can and have been made, both as to improvements within the ARA program and the basic act itself, and as supplements to any kind of government action of a direct nature.

To this end, I wish to call attention to the constructive criticisms offered by Dr. Sar A. Levitan, research professor of economics at George Washington University, and a consultant to the Upjohn Institute for Employment Research. Dr. Levitan was an early supporter of ARA, and still believes that some program of this kind on the Federal level has merit, a position that many would find debatable. He does, however, find a number of things wrong with the present program, and he offers several interesting suggestions as supplements to any such program.

Dr. Levitan's observations are contained in an article appearing in the April 1964 issue of Challenge, the magazine of economic affairs, published by the Institute of Economic Affairs of New York University. The article is based on material from the author's most recent book, "Federal Aid to Depressed Areas," a study financed by the Ford Foundation.

According to Dr. Levitan:

> The dilution of the program of aid to depressed areas has possibly been ARA's most serious defect.

After noting that one-third of the counties in the United States, or roughly 1,000 in all, have been declared eligible under the loosely drawn definitions of a "depressed area" in the act, Dr. Levitan continues:

> Given the limited resources allocated to the program, a choice of priorities must be made. If too many areas become eligible to receive special assistance, it is not likely that truly depressed areas will be the real beneficiaries; areas which are economically more viable but still classified as depressed are likely to reap the benefits of the program, and the economic gains that might be derived from Federal aid would thus be reduced and minimized.

It is fair to note, at this point, that in 1961, when the Area Redevelopment Act was passed, I offered as a substitute a bill which would have limited, by definition, the potential recipients of this aid to those truly in need of assistance. Although narrowing the definition, my bill would have provided the needy areas with 50 percent more assistance in the industrial loan program than the bill which was passed. Instead, 3 years later, the funds have been diluted in their effect, and so little has been accomplished that the administration must now offer an even larger poverty package to help cure the problems left unattended in 1961.

Unfortunately, the poverty bill contains such a poverty of ideas that it not only does not meet the problems encountered under the ARA program, it compounds them. Loans are authorized to businessmen without any regard to definitions or guidelines, and without any attempt to pinpoint their effect geographically. The depressed areas are again being sold a bill of goods in an election year.

Dr. Levitan points out that the retraining provisions of the Area Redevelopment Act have been made rather obsolete in terms of attracting industry into depressed areas since the Manpower Retraining Act. The latter covers the entire country, and, I might add, was a product of bipartisan cooperation, unlike the present approach to the poverty program undertaken by the Democratic majority.

He also notes that the 4-percent interest rate on industrial loans provides little incentive for established businesses to move into depressed areas, and suggests some form of tax incentive. Tax amortization has been proposed by the Committee for Economic Development, a business group, and has been used successfully in other countries including West Germany. Or a higher investment tax credit for these areas could be provided.

Again, I believe it appropriate to stress the fact that Republican Members of the House have already proposed accelerated amortization deductions for new or expanded industrial and commercial plants in depressed areas. As I noted when I introduced my own bill for this purpose, H.R. 8525, last September, it is ironic that we have provided tax incentives to businesses willing to locate in foreign countries designated as underdeveloped, while ignoring the use of the same incentives here at home. Similar bills have been introduced by my colleagues, Representative ARCH A. MOORE, JR., of West Virginia, and Representative ROBERT TAFT, JR., of Ohio.

I have heard enough of the political drumbeating in this so-called war on poverty. It is time to begin a meaningful debate, with constructive alternative suggestions and criticisms being given their due by the administration and the press.

Dr. Levitan's article in Challenge follows:

A VALIANT ATTEMPT TO DO TOO MUCH

(By Sar A. Levitan)

The Area Redevelopment Act was the first major piece of legislation John F. Kennedy signed after assuming the Presidency in 1961. Prolonged congressional debate over Federal aid to depressed areas prior to the bill's enactment touched upon several crucial economic and philosophical issues regarding the proper role of Government in stimulating economic activity. The controversy continues, and the scope and the future of the program remain in doubt though almost 3 years have passed since the legislation was signed on May 1, 1961.

Briefly, the Area Redevelopment Act authorizes the expenditure of $375 million to stimulate economic activity and to construct needed public facilities in areas of high chronic unemployment. The bulk of the funds ($300 million) is earmarked for long-term loans, and the balance can be distributed in the form of grants to communities. In addition, the Area Redevelopment Act provides for a modest training program to teach unemployed workers in depressed areas new skills and authorizes annual expenditures of $4.5 million for technical assistance. The purpose of the latter program is to help communities plan for the optimal utilization of their economic potential.

The Area Redevelopment Administration, the agency entrusted with the execution of the depressed areas program, had committed by the end of 1963 more than $200 million to help areas of chronic unemployment. The agency claims that the funds have already helped create 20,000 new jobs and will eventually expand employment in the depressed areas by 60,000.

The Area Redevelopment Act, established on a trial basis, is due to expire on June 30, 1965, unless Congress acts to extend its life. Last summer, however, Congress refused to authorize additional funds for the program, and its entire future is now in doubt. As a result, authority to expend funds for public facility grants was terminated as of July 1, 1963, and the agency is due to run out of all loan funds before the end of the current fiscal year. The infant area redevelopment program is, therefore, confronting a serious crisis. If the Area Redevelopment Act is to be saved, Congress will have to take another hard look at the program before this fiscal year ends.

The ARA program, as formulated by Congress, provides only limited means to combat unemployment in depressed areas. Based on the assumption that there is inadequate venture capital in these areas, ARA has authorized $200 million in loans to help the construction of new plants or expand existing ones. The loans are offered at the relatively low rate of interest of 4 percent a year. The availability of long-term capital at low rates of interest may be crucial to the survival of struggling businesses or to the establishment of new ones. There is nothing, however, in the act which offers any real incentive for established corporations to move into depressed areas. The act specifically restricts loans to enterprises which cannot secure credit in the open market. Few, if any, successful companies fall into this category and in most cases corporate reserves are adequate to finance expansion. In effect, therefore, the law limits ARA assistance to new or marginal firms which cannot obtain credit from private lending institutions. But the bulk of U.S. economic expansion and growth during recent years has been generated by large, well-established corporations.

As for ARA's training program, it might have become a significant factor in attracting industry to chronic labor surplus areas. A Government-supported training program might have provided sufficient inducement for prospective employers to locate large new plants in ARA areas. However, the passage of the Manpower Development and Training Act, within a year after the area redevelopment program, made training programs available throughout the United States and thus eliminated the special attractiveness of ARA.

The dilution of the program of aid to depressed areas has possibly been ARA's most serious defect. When Senator PAUL H. DOUGLAS, Democrat of Illinois, chief architect of the program, first proposed a bill to aid depressed areas in 1955, he envisaged that only a few score communities would be eligible to receive assistance. As the program went through the legislative mill, more and more communities claimed eligibility and their wishes were honored. When the law was passed, Area Redevelopment Administration officials succumbed further to pressure from Congressmen, State and community officials and others to enlarge the program's geographic scope. As a result, more than a third of all counties in the United States, comprising a fifth of the Nation's population, are eligible for ARA assistance.

The basic justification for ARA is that depressed economic conditions in an area force people to migrate from their communities in search of livelihood, and this creates pressures on prosperous communities to provide adequate housing, schools, recreational, and religious facilities for the migrants. At the same time the social facilities in depressed areas, poor as they are, go to waste and contribute further to the deterioration of the Nation's economic fabric.

There are no precise data on the total social capital invested in communities, but it may conceivably equal corporate outlays for plant and equipment. According to Census Bureau estimates, capital outlays for schools, roads, hospitals, water supply, and related public facilities by State and local governments alone amounted to $16.7 billion for the year 1962, or nearly half as much as total corporate investments in plant and equipment. The amounts invested in community social capital by the Federal Government, private organizations, churches, fraternal organizations, utilities, and others is not known, but may well exceed investments of State and local governments.

A decline in the population of a community involves significant waste, and sound conservation of resources requires that social capital should not be abandoned when it can be saved. A Federal program to aid depressed areas should therefore focus on the needs of declining communities. But more than one of every four urban areas eligible for ARA assistance had actually experienced a larger than average population growth between 1950 and 1960.

The argument in favor of sharply restricting the communities eligible to receive assistance under the Federal depressed areas program does not suggest indifference for the lot of the unemployed; it only recognizes the limitations of the program, particularly when the economy is operating at less than full employment. Forced idleness is deplorable wherever it exists, and national policy, as enunciated in the 1946 Employment Act, recognizes the responsibility of government to promote maximum production and employment.

But it can hardly be claimed that the unemployed in a depressed area have greater claim on Federal resources than the unemployed in a growing community. The Government properly provides direct assistance to both groups. Training, unemployment benefits, relief and other forms of assistance are provided the unemployed wherever they reside. The disturbingly high general level of unemployment which has prevailed in the United States during the past few years requires the strengthening of these programs as well as monetary and fiscal policies which would stimulate demand.

In contrast to direct programs aimed at reducing unemployment and alleviating its devastating impact upon individuals, the depressed areas program focuses on community needs, and its aid to the unemployed is based on a "trickle down" process—by inducing businessmen to expand existing facilities or locate new enterprises in designated areas, and by bolstering capital investments to make these communities more attractive to business. By bringing new jobs to depressed areas, the program attempts to deter the waste of social capital and reduces pressures for new investments in growing and more prosperous areas, where the unemployed from depressed area would otherwise be forced to migrate.

Clearly, the present modest program of Federal assistance to depressed areas has been excessively diluted. Congress may therefore determine that more far-reaching legislation than ARA is needed to cure the ills of depressed areas. A variety of approaches that Western European countries have used to help their own depressed regions offers noteworthy precedents.

While the United States provides only carrots to attract new economic activity to depressed areas. Britain, for example, has also used a club to determine the location of new business and the expansion of existing ones. Under British law, a business must receive a permit from the Board of Trade to build a new plant. The Board may deny a permit to a business desiring to locate in a congested area where there is already a shortage of manpower.

While coercion may have been used successfully in other countries to determine location of new plants, such an approach would not be acceptable to Congress, nor is it desirable. More practical measures might include extending preferential treatment to businesses in depressed area in securing Government procurement contracts, special tax incentives, special provisions in various current matching programs financed by the Federal Government, and the subsidization of worker relocation from depressed areas.

At present, the Defense Department is prohibited by law from awarding defense contracts to businesses in depressed areas if the contract can be filled at lower cost by producers from more prosperous communities. Some have argued that the present calculation of "cost" is unrealistic, since it does not take into account the social costs of unemployment. They have therefore suggested that efficient utilization of resources would dictate giving special preference to plants in depressed areas. West Germany and other countries give such special treatment in awarding government contracts. It is highly doubtful, however, that such an approach would be accepted by Congress under existing circumstances. But under conditions of full employment, effective aid might be extended to depressed areas by an energetic attempt on the part of procurement officials to seek out suitable productive capacity and award contracts to firms in depressed areas without price differentials.

Another effective tool would be to offer firms locating in depressed areas accelerated tax amortization. The Committee for Economic Development, consisting of leading businessmen, favored the granting of rapid tax amortization on investments in plant and equipment to firms locating in depressed areas and suggested that such a program would constitute a major potential aid to these areas. A number of other industrial countries, including West Germany, have used rapid tax amortization to aid their depressed areas.

The use of the investment tax credit has also been suggested as a supplementary or alternative device to rapid tax amortization in aiding depressed areas. According to this proposal, new or expanding businesses in depressed areas would be permitted a higher investment tax credit than the 7 percent provided under existing Federal legislation. Under this proposal, firms investing in depressed areas would receive either a flat or flexible tax credit differential. A flat differential would be simpler to administer; but a flexible differential would permit the Treasury Department to consider the national need for expanded capacity in a given product or service as a criterion in administering the program.

Some economists would object to any adjustment of tax rates to aid depressed areas on the ground that tampering with the Federal tax structure is undesirable and would damage the equity and efficiency of the Federal tax system. According to this argument, if assistance is to be given to new or expanding firms in depressed areas, it would be preferable to extend direct subsidies rather than attempt to accomplish the same purpose through tax gimmicks.

The adaptation of current Federal grants to aid depressed areas has also been suggested. The Federal Government is currently spending about $10 billion annually on various grant programs. Subsidy programs include diverse activities: highways, public assistance, education, hospital and airport construction, the post office, and others. Without arguing the merits of each of the subsidy programs, it is generally recognized that some have helped poorer States by giving them proportionately higher subsidies than those received by States with higher than average per capita income. Normally, however, subsidy programs do not take into account the needs of individual communities.

An effective and comprehensive area redevelopment program might take into consideration the special needs of depressed areas. This would require recognition of the fact that chronically depressed areas cannot benefit from Federal grant programs because they cannot contribute their share of total costs, and that special provisions must be made for these areas if they are to partake of the benefits offered by the Government. It has therefore been proposed that depressed areas should receive preference as locations for Federal projects.

Finally, Congress may also consider the payment of relocation allowances to unemployed workers living in depressed areas. It must be recognized that in some cases a retrained worker may not be able to find employment in the depressed area. Relocation assistance to workers should be used only sparingly and with considerable flexibility, lest it speed up the deterioration of human resources in depressed areas and thus further impede their rehabilitation. However, the redevelopment tools, even if they should be broadened, will be of little help to some depressed areas whose economic base has vanished. In some cases, the interest of individuals cannot be ignored and their only hope may lie in moving elsewhere.

It would make little economic sense to strengthen ARA's tools if the program is to remain as thinly spread as it is now. Given the limited resources allocated to the program, a choice of priorities must be made. If too many areas become eligible to receive special assistance, it is not likely that truly depressed areas will be the real beneficiaries; areas which are economically more viable but still classified as "depressed" are likely to reap the benefits of the program, and the economic gains that might be derived from Federal aid would thus be reduced and minimized. Moreover, serious inequities would occur if a thousand counties in the United States were eligible to receive the benefits of of an expanded program.

A rehabilitation program can be effective only when the number of depressed areas is reduced to manageable proportions, and only when communities with a potential for development at a reasonable economic cost are made eligible to participate. In short, the program must recognize that some areas are "more equal" than others.

Finally, a rehabilitation program can have only very limited success so long as high levels of unemployment prevail throughout the Nation. Only under conditions of relatively high general employment will the special measures to aid depressed areas be effective.

SABBATICAL LEAVE FOR FOREIGN SERVICE PERSONNEL

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MORSE. Mr. Speaker, on Monday, May 4, the gentleman from Iowa, Congressman FRED SCHWENGEL, testified before the House Foreign Affairs Committee of which I am a member. Our distinguished colleague from Iowa put forward a fresh approach for making our foreign policy more effective, and our Government closer to the people.

The gentleman from Iowa, Congressman SCHWENGEL, proposed a sabbatical leave plan for our Foreign Service officers. It is his suggestion that when officers return from foreign posts, they spend a year in our own country, rubbing elbows with people from all walks of life—communicating with them, giving them a greater awareness of the realities of conducting foreign policy and learning of their attitudes toward international matters.

He suggests that they might spend a year in a college community, teaching, lecturing, and exchanging ideas with business, professional, farm and labor groups.

I think that the Congressman's idea has a great deal of merit, and I want to make it available to all of the Members of the House. The gentleman from Iowa, Congressman SCHWENGEL, graciously gave me permission to include his full statement in the body of the RECORD following my remarks. I hope that all Members will read the statement and give his idea their thoughtful consideration.

TESTIMONY OF THE HONORABLE FRED SCHWENGEL BEFORE THE FOREIGN AFFAIRS COMMITTEE OF THE HOUSE, MAY 4, 1964

Mr. Chairman, members of the committee, I am delighted to have the opportunity to appear before you today, when you are also hearing public witnesses, because what I have to say concerns the relationship between our foreign policy as it seems to me it is actually administered, and the great and important cross section we call the American public—the people who support the Government.

First, let me say to you that I come not as an authority in this field for foreign affairs has not been a major interest of mine until the last few years, but as a Member of this body who is called upon each year to pass judgment on important legislation dealing with foreign affairs who feels the need to share with you the concern and apprehension that I believe prevails about the future of foreign affairs as it relates to my Government.

If we are to judge alone from the trend of foreign aid in the Congress there is no denial but what there is something seriously wrong with our foreign affairs program.

As I view our foreign policy over the years it seems to me that it has suffered from a lack of communication between the Government and the public. The people want to support our policy, and the Government wants and needs their support.

But, somewhere along the way things go haywire. Foreign policy may need to be formulated by the expert, and at times it must be formulated in secret. But all too often the reasons for it are not sufficiently explained to the public. The result can be, and often has been, a fog of public misunderstanding concerning the objectives of our country in a particular area, or with respect to a particular foreign problem.

Even worse, disillusionment with our foreign policy based on such a lack of understanding can lead to popular pressures for American withdrawal, or for the contraction of American commitments, that can only be dangerous to our own security and that of the entire free world.

For the United States cannot abdicate the world leadership, a leadership based as much on respect for our ideals, for what we have meant in the world, as an awe of our military power. It cannot turn its back on the aspirations of millions abroad for a better day. The American commitment to the leadership of the free, including the commitment to foreign aid, cannot simply be abandoned. It is not only self-interest that is involved; it is a moral imperative. President Kennedy pointed that out in his inaugural address when he pledged support to the people in the huts and villages of half the globe "not because the Communists may be doing it, not because we seek their votes, but because it is right."

Those who would have America reduce the scale of U.S. power to that sufficient to defend "fortress America," or who could drastically cut or eliminate foreign aid altogether, overlook the very essence of our history. For America was involved in foreign affairs from the very moment in November 1775, more than 7 months before the Declaration of Independence, when the Continental Congress set up a secret committee of correspondence to maintain foreign contacts. A grateful nation built monuments in memory of and in tribute to some marvelous foreign aid we received in the Revolutionary period. I call your attention to statues of Rochambeau, a French Jew, in the southwest corner of Jackson Park; to Baron von Steuben, the German disciplinarian; in the northeast corner you see the statue of Kosciusko the Polish engineer and in the southeast corner of the park is a man who was 19 years of age when he came here against the wishes of his family and government and became George Washington's foreign aid and aide. You know, of course, I am speaking of Lafayette. The foreign aid in dollars, in ships, in powder given by France in that critical period is well known and should not be forgotten. Indeed our involvement can be said to go back almost another century, to the conflict known as King William's war, in 1689, when the English settlers found themselves participating in one of the mother country's numerous quarrels with France. The lesson is clear; America is part of the world, and has always been part of it. If we dealt with Europe at arm's length, through much of our history, it was because our power was limited, as well as because of our convictions.

But beyond this, Mr. Chairman, I think it is essential to point out that the United States has been perhaps the greatest beneficiary of foreign aid in all history. Anyone who has studied the history of this country knows that European capital played a crucial part in our economic development. Every level of government, Federal, State, and local, borrowed abroad. New railroads crisscrossed the country, financed by foreign investors, principally British, German, and Dutch. British merchants advanced credit to American importers, thus helping to spin the wheels of international trade, and British capital supported many of the mining explorations of the West. European investors profited handsomely for their risks, despite occasional fraudulent promotions, but their capital provided much of the motive power for the great internal development of this country.

But the United States profited from foreign aid in a sense far deeper than money. For a country is first of all its people, and over 43 million people poured into this country, 41 million coming voluntarily, from all quarters of the globe, principally of course, from Europe. This was the greatest peaceful mass movement of people in history. These people brought to America the skills, the ambition, the knowledge, and the resourcefulness of those who had sufficient drive to uproot themselves from an intolerable situation in the Old World and start all over again in the new. They came with their custom, their cultures, their ideas and ideals which were based on the morality that came from a free practice of religion. These facts because although they are known, their implications do not seem to have been sufficiently grasped by so many of our people. It was the very aid which we received from abroad which laid the foundations for that vast economic power which today undergirds the security and development of much of the world. A broader understanding of the crucial role foreign aid played in our own development should conceivably lead to a more soundly based appreciation of the importance of our foreign aid programs today.

It is this understanding, this critical yet sympathetic appreciation, that our foreign policy badly needs today. Gentlemen, the American people, as we who must account to them every 2 years are well aware, are pretty shrewd. There is a lot of sound judgment at the grassroots. But people resent being taken for granted, and they resent being patronized. Our foreign policy has not enjoyed the support it should command simply because of a tendency on the part of our foreign-policy makers to take the people for granted, or to patronize them, or what is worse, to ignore them altogether.

In short, our foreign-policy makers and our diplomats abroad need to understand our people, need to get close to them, need to see what is embraced in their hopes and anxieties for America. They need to know the American people at firsthand, not in Washington, which is a tight little world of its own, where they circulate among their own kind when brought home on leave, but where the people live, in the cities, on the farms, in the suburbs and small towns of America.

By the same token Americans in all walks of life could benefit immensely by firsthand contact with America's representatives overseas. Such contact would give most people their first direct insight into the problems of the foreign service, and into the types of decisions that go to make a foreign policy.

It would certainly go a long way toward eradicating the tired clichés about "cookie pushers," and "striped pants boys," that clutter up rational discourse on our Nation's foreign problems. It would bring greater understanding and appreciation of the difficulties of formulating and administering our country's foreign policy.

The problem then, is to bring the public and the foreign service people together. I have been giving considerable thought to this problem, and I believe I may have hit upon a solution. At any rate, I should like to put forward my thoughts on this matter for your consideration and comment.

What I have in mind is simply the adaptation of the sabbatical system, so widely practiced in American education, to the American Foreign Service. But there would be this crucial difference; namely that the Foreign Service officer on sabbatical would not, unless perhaps his personal health so dictated, be a completely free agent.

Instead of simply improving his knowledge of his subject, he would be required to improve his knowledge of the American people, by getting out and living among them. After a year at the grassroots the Foreign Service officer could resume his career abroad with his lines of reference to American opinion and American values strong and clear, and his own American roots nourished and renewed.

As I envision the program it could be extremely flexible. Many of the Foreign Service people in it would be assigned to a college or university. If they have previous teaching experience they might be given a light teaching load. Under such conditions the college or university involved would pay part of their salaries. Or, of course, they might not teach in the classroom in a formal sense, but give lectures to the students. There would be no reason, of course, why such lectures might not be open to the public. Or perhaps there could be separate lecture series for students and public. This would be up to the particular school involved. In many cases the officer in question would be located at one specific institution, but would be available for the students and lecturegoers of surrounding institutions. Again cooperative programs to employ the services of such returned Foreign Service personnel could be worked out among institutions located relatively close to each other. This arrangement might be especially valuable on small, rural campuses.

Nor is there any reason to confine the program solely to institutions of higher learning, nor to make it exclusively campus-oriented. Returned officers might be based in cities, where they would be available for consultation with small groups of business leaders, labor union officials, and professional associations. Such consultations, or lectures, might be arranged through local world affairs councils. Somewhat similar arrangements could be worked out for our rural areas, I feel sure, so that the Foreign Service officer could carry his message to the local Farm Bureau or to the Grange, the Farmers Union and NFO.

In short, the program would permit a variety of arrangements, and I don't foresee any trouble on that score.

As to the size of the program it is difficult to estimate its optimum until it would actually be underway. According to the hearings conducted by the Subcommittee on State, Justice, and Commerce, the judiciary and related agencies appropriations, as of December 31, 1963, there was a grand total of 9,065 Americans employed in the various classes making up the Foreign Service—3,640 of these were in the regular Foreign Service, 1,348 were Foreign Service reserve officers, and 4,009 were Foreign Service staff.

Not all of these people were actually abroad, some 1,164 Foreign Service officers being stationed here in Washington as of the date mentioned. (See pp. 83–87 of hearings cited.)

Surely some of these officers stationed in Washington who have had foreign experience could be spared for the type of program I am suggesting, and possibly some presently stationed abroad as well.

Given this many people in the Foreign Service, a target of 150 sabbaticals a year for a 7-year program does not seem unreasonable.

In that way we would have 1,050 participants in the program, Foreign Service officers, reserve officers, and staff personnel (although perhaps only a few of the latter) who having met the people, would be forced to articulate and validate their jobs before audiences perhaps somewhat less sophisticated and sympathetic than those around Washington, but by that very fact more instrumental in compelling the returned officer to think about his role and the job his department is doing.

I have talked with Secretary Rusk concerning this idea of a sabbatical program, and his response has been quite favorable. However, he did feel that if the program were launched it would have to be on a rather small scale initially. For my part, the question of the scale is not too important. Once the program is underway I believe it would sell itself on its merits, and would eventually expand to appropriate size.

I should like to reiterate, gentlemen, that I am basing this entire program on a proven idea, the sabbatical leave system as it operates in American education. Sabbatical leave is defined in Good's "Dictionary of Education" as follows: "A plan for providing teachers with an opportunity for self-improvement through a leave of absence with full or partial compensation following a designated number of years of consecutive service."

There are three essential elements in this leave; namely purpose, compensation, and a fixed period of prior consecutive service. The purpose is implied in the term self-improvement of the Foreign Service and popular understanding of foreign policy would result. There would be compensation to the officers of course, but compensation that need not come entirely from the Federal Government. Prior consecutive service of a fixed term of years would be required, probably at least six if we are going to follow the prevailing practice of sabbaticals once every 7 years. After the sabbatical period is up, the Foreign Service officer would be compelled to return to the Service. Otherwise the Government would lose the benefit of the program.

The practice of sabbatical leave in the universities of this country was established not in the interests of the professors themselves, but for the good of university education. It brought about a periodic enrichment of that education, through contact by professors with other institutions, with specialists in other countries, with methods of imparting and acquiring knowledge elsewhere, etc. Starting in a few pioneer institutions, it is now a fairly general although by no means universal practice. But where it is practiced, its benefits are widely acknowledged. Indeed so widely are these benefits now recognized that some form of sabbatical leave exists in at least 30 countries.

If I may summarize: there exists a need for closer contact between the American public and those who represent it abroad. Each side would benefit from such contact, but even more important, the country as a whole would profit mightily. Some method needs to be devised to bring the people to the diplomats and policymakers, and vice versa.

It is my hope, indeed I urge, that this committee give serious consideration to the adoption of an amendment to the bill before it that will authorize and direct the Secretary of State to institute a sabbatical leave plan for at least 150 Foreign Service people each year.

I am offering such a method, based on a tested and successful technique. May I urge its full and favorable consideration on the committee. I thank you.

EXPLANATION OF VOTE

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, on May 18, 1964, it was necessary for me to be in New York City to attend a reception in honor of the 60th birthday of my good friend, Senator JACK JAVITS. This is an event that comes but once in a lifetime. I would have voted "yea" on roll No. 127, CONGRESSIONAL RECORD, page 11136, on final passage of House Joint Resolution 1020, to issue a gold medal for Henry J. Kaiser.

PROGRAM FOR VICTORY, NOT MORE MONEY, IS NEEDED TO DEFEAT COMMUNISM

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ALGER. Mr. Speaker, money alone cannot win a war. We have been spending a million dollars a day in Vietnam and we are losing because we have no plan there or anywhere in the world to defeat Communists. We do not call it a war. We fail to supply our men with proper equipment. There has been no real evidence that we intend to win the war, not in South Vietnam, in Laos, in Korea, in Cuba, in Berlin—or anywhere Communists are taking over.

Certainly, now that we have committed American lives in Vietnam, there will be no question of spending whatever is necessary to win, but we must have some guarantee from the administration that there is a will to win. If Congress approves the new request there must be some concrete evidence that our troops will be given the best fighting equipment we have, that a program for victory will be presented, and some evidence that the people of South Vietnam are willing to help fight their war for their freedom.

The failure of the "no win" policies sponsored by Democrat administrations is shown again this morning in the news from South Korea reporting that country where the United States suffered 133,000 casualties and spent billions is now considering rejoining Communist North Korea under a plan of neutralism acceptable to Red China. Laos is probably already lost to the Communists, and the only word we get from the Democrat administration is that we must prepare for years of war in Vietnam. War for what? Unless the President is prepared now to take a firm stand against Communist aggression wherever it occurs and give evidence to the American people that he intends to pursue a course leading to victory, we should not approve another dime for continuing political wars with no chance of winning and no stated reason for sending men to fight and die.

The futility of spending money without a blueprint for victory is clearly stated in the following editorial from the Chicago Tribune of May 19, 1964:

MORE MONEY FOR WHAT?

President Johnson's reaction to the deteriorating situation in South Vietnam is as unpromising as it is hackneyed: He wants Congress to give him $125 million more for economic and military aid to the season's third government in Saigon.

We're already pouring a half billion dollars a year into the war against the Communists in Vietnam and haven't even produced a government which we can prop up successfully against rival anti-Communist factions. The old line that American troops would be out of Vietnam by the end of 1965 has been officially abandoned; Secretary of Defense McNamara recently returned from Vietnam with the gloomy revised estimate that fighting will go on there for many more years.

There's an old story about the Navy doctor who ran through his daily sick call in record time because he never bothered to inquire into the sailors' symptoms. He just prescribed aspirin and told them to come back in a week if things weren't better. In much the same manner, asking for more money is the easy way for a President who is concerned with his image to pretend that he is doing something to improve matters.

Our troubles in Vietnam did not stem from a lack of money. They stem from a lack of any clear idea of what we're trying to do and a lack of determination to follow up a policy once we've adopted it. We're told that Americans are in Vietnam not as combatants, but only as observers and "technicians." Yet 200 or so of our men have already lost their lives there, often in the course of what were obviously combat missions.

Mr. Johnson cites recent victories of the Communists to support his contention that "increased terrorism requires increased response." And he cites "new energy and leadership" on the part of the present Saigon government as justification for giving it more assistance. We wish he had told us why, if the Khanh government is more energetic and capable than its predecessors, the Communists have been doing so well against it. Only last week, 54 Government troops were killed in an ambush not far from Saigon itself, and since then Vietcong guerrillas have successfully attacked 5 Government posts and sunk a Government vessel. They had already sunk one American ship.

Providing more money to be spent inefficiently is not going to do any good. Mr. Johnson had better admit to himself and the people that what we need is a clear program and the willingness to see it through. If he doesn't, he will have wasted the billions of dollars we've already poured into southeast Asia and will have nothing to show for it but another Bay of Pigs fiasco.

IT IS NOT A VOTE AGAINST GOD

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following editorial from the May 10, 1964, edition of the New York Herald Tribune.

Regardless of the theological and other questions which have been injected into the prayers-in-schools controversy, the issue is a constitutional one and has nothing whatsoever to do with whether or not Americans or the Members of this body believe in God.

The editorial follows:

IT'S NOT A VOTE AGAINST GOD

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

This—the first article of the Bill of Rights—is one of the noblest guarantees of individual liberty in all the centuries of man's struggle to be free. Later made applicable to the States by the 14th amendment, it still stands as one of our firmest protections. But since the Supreme Court's school prayer decisions of 1962 and 1963 pressures have been building for another constitutional amendment which would, in effect, amend the first amendment, specifically permitting prayers in the public schools.

The House Judiciary Committee is now wrestling with the proposals, which pose a ticklish political problem for Congress. However much they might privately question the wisdom of such an amendment, most Congressmen would be reluctant to be caught "voting against God." Thus, it's widely assumed that if the committee does report out an amendment it would breeze through the House.

And yet it's one of the more curious anomalies of the whole curious situation that in voting "against God" a Congressman would have most church leaders on his side, increasing numbers of whom have declared themselves against a school prayer amendment. The reason is simply that such a vote would not be against God at all, but simply in favor of the cherished doctrine of separation of church and state—which is what both the establishment and the free exercise clauses of the first amendment are about, and which is what the Supreme Court sought to enforce in its prayer decisions.

In many ways it's a shame that school prayers had to become a public issue; most communities were pretty well content with whatever their past practices were. But it was inevitable that they eventually would, and, once having accepted the cases, it's hard to see how the Court could have ruled otherwise than it did.

At public schools attendance is compulsory, and the public school teacher is, to the young student, the most immediate example of public authority. Prayer is inherently a religious exercise, and teacher-led prayers as part of the public school routine clearly violate the religious neutrality embodied in the concept of church-state separation.

The issue isn't whether most Americans believe in God, or whether religious traditions are inherently a part of our tradition as a people, or whether a consciousness of God solidifies ethical standards. Rather, it's one of maintaining that wall of separation which is the ultimate guarantee of religious liberty, and of maintaining intact that priceless bulwark of freedom for all Americans, the first amendment.

AIRCRAFT ACCIDENT, LITTLE ROCK, ARK.

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I would like to take a minute or two of the House's time to bring to the attention of my colleagues, a poignant, tragic event which took place near my congressional district.

I would not dwell on this subject except that the tragic deaths of two young schoolboys has served so dramatically to illustrate the close relationship which exists between the Air Force and the civilian population.

I would like, too, to commend Lt. Gen. David Wade, commander of the 2d Air Force, stationed at Barksdale Air Force Base in Bossier City, La., for his humanitarian interest in this tragedy. He and other officers of the Air Force have reflected the highest credit on their service and our Nation.

A B-47 aircraft, assigned to the 384th Bombardment Wing, Little Rock AFB, crashed immediately after takeoff from home station at approximately 1300 hours, March 27, 1964. The four officers aboard the aircraft sustained fatal injuries. The aircraft crashed near a barn where Richard L. Butler, age 9, and Gary D. Davenport, age 10, were playing. The barn and surrounding area were sprayed with burning fuel from the crashed aircraft. The Butler boy was dead upon arrival at the hospital and the Davenport boy died in the hospital approximately 12 hours after the crash.

Lt. Gen. David Wade, commander of 2d Air Force, was inspecting one of his units at Sheppard AFB when he received notice—approximately 1310 central standard time—of the crash. General Wade immediately departed for Little Rock AFB arriving there approximately 1445. He went directly to the scene of the crash. Upon being advised that the two young boys were injured he went to the Butler residence and expressed condolence to the family. The Davenport family had accompanied their son to the hospital and was unavailable. General Wade assured himself that no monetary or physical assistance was needed by the Butler family and returned to the crash scene to make further inquiry into the details of the crash. Instructions were given to extend fullest cooperation to news media representatives.

Brig. Gen. Murray Bywater, commander of the 825th Strategic Aerospace Division at Little Rock AFB, was inspecting a missile complex at the time of the accident. He immediately left for the crash scene arriving approximately 30 minutes ahead of General Wade. General Bywater was with the parents of the Butler boy when General Wade arrived. Later that afternoon General Bywater went to the hospital where the Davenport boy had been taken and, on behalf of General Wade, extended condolence to the family. He also called on the survivors of the Air Force personnel involved in the crash, who live in the Little Rock AFB area.

Col. Bascom Bogle, commander of the 825th Medical Group at Little Rock Air

Force Base, accompanied the Davenport boy to the local hospital. On behalf of the Air Force he offered to air evacuate the boy to the burn center at Brooks General Hospital, San Antonio, Tex. The attending civilian physician considered his condition too critical to allow him to be moved.

On Saturday, March 28, General Bywater sent flowers to the Butler and Davenport funeral services and personal letters to both families and the mayors of North Little Rock and Jacksonville offering condolence. Letters of condolence were also sent to the families from General LeMay, General Power, and General Wade.

Funeral services and burial for the boys were attended by General Bywater and a large number of officers and airmen from Little Rock Air Force Base.

The mutual sympathy of the military and civilians for each other is eloquently expressed also in editorials which appeared in the Arkansas Democrat and the Arkansas Gazette. I would like to insert these two editorials and a news item for all to read:

[From the Arkansas Democrat]

The Community Was Saddened

The fatal crash of the Little Rock Air Force Base jet bomber caused profound regret throughout the community. The deaths of the four fliers were a shocking reminder that the ultimate sacrifice for country may be made by men in uniform right in our own midst as well as on some distant mission.

Two small boys at play were killed. The toll would have run still higher if the flaming plane had hit several houses that were in the neighborhood of the accident.

Relations between the airbase and civilians of Pulaski County have been exceptionally good since the installation opened. By now citizens think of the base as an integral part of the metropolitan area and they regard its personnel as neighbors and friends sharing mutual interests.

When tragedy befalls the base the community likewise feels a loss and shares its grief.

[From the Arkansas Gazette]

Shared Tragedy

A B–57 bomber crashed on takeoff from Little Rock Air Force Base Friday. The casualty toll makes anew the point that our times allow no one the luxury of total uninvolvement in the national defense, not even schoolboys. Dead are four airmen and two boys, aged 9 and 10, who were playing in the yard where the bomber fell.

Inevitably, the tragedy invokes memories of the day almost 4 years ago when a bomber fell on Little Rock.

In both cases, civilians and airmen have given their lives in a malfunction of the routine by which our country protects its existence.

Mayor Gets Regret Letter From General

Mayor Byron R. Morse has received a letter conveying the regrets of the Air Force Chief of Staff, the Secretary of the Air Force, and other military officials over the B–47 crash Friday near the Little Rock Air Force Base, in which four fliers and two boys were killed.

Brig. Gen. Murray A. Bywater, commander of the base, wrote to Morse that Gen. Curtis E. LeMay, Air Force Chief of Staff, had sent this message:

"Please convey to the appropriate civil officials my regret and that of Secretary [Eugene M.] Zuckert over the B–47 accident near Little Rock Air Force Base on the Butler Farm, also extend my deepest sympathy to the Butler family on the loss of their son and my heartfelt hope to the Davenport family for the recovery of their boy."

General Bywater added, "General LeMay and Secretary Zuckert now extend their deepest sympathy in the passing of the Davenport boy." (The first message was sent before Gary Davenport, 10, died Saturday. Richard Butler, 9, who with Gary was burned when the plane crashed, died Friday.)

General Bywater's letter continued, "To the expressions of both General LeMay and Secretary Zuckert, please know that Gen. Thomas S. Power, commander in chief, Strategic Air Command, and Lt. Gen. David Wade, commander, 2d Air Force, feel just as deeply as do I and the members of this command. We are grateful for the support we have been given by the civil authorities in this tragic hour."

HEMISFAIR

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the people of San Antonio have embarked on a project known as Hemisfair. This $75 million fair will open in 1968. It will be a fair of the Americas and has for its purpose the reaffirmation of those basic ideals of individual liberty and personal dignity which constitute the foundation of friendship and peace that has endured in the Western Hemisphere through the years. The fair is dedicated to the achievements of the Americas in commerce and industry, in science, art, education and the professions; to the creation of a mart as a continuing showcase for the skills and trades and culture of the Western Hemisphere; to the celebration of the 250th anniversary of the founding of the city of San Antonio; to fine entertainment; to the establishment of a permanent training center and a permanent Inter-American Institute to serve this hemisphere for meetings between our country and the countries to the south of us; and to the development of a legacy of permanent structures and facilities that will live on as a tribute to this community of nations and the fair.

The Sunday edition of the Washington Post, May 17, 1964, has an excellent article by Preston McGraw, entitled, "A Texas Hemisfair," in which some of these facts are explained, particularly the community aspect of the fair. To me the community aspect of this project, the fact almost all segments of San Antonio have rallied to its support, is most gratifying. Last fall the city's private businesses pledged $7.5 million to the fair, and since that time the people voted 3 to 1 in favor of a $30 million bond issue pegged to the fair.

I am very happy to bring this well-written article to the attention of my colleagues in the House and to acquaint them further with Hemisfair. I therefore request unanimous approval to include the article by Mr. McGraw in the RECORD.

A Texas Hemisfair

(By Preston McGraw)

SAN ANTONIO.—Let New York take care of the world with its fair; San Antonio will handle only the hemisphere.

San Antonio is building a $75 million fair for 1968 and Mayor W. W. McAllister, Sr., says nothing has united the city so solidly since Santa Anna came galloping across the plains.

Santa Anna, of course, directed the assault on the Alamo and is not exactly a hero in San Antonio or the rest of Texas. The Alamo, incidentally, is 3 blocks from the site of the fair.

The fair will be called Hemisfair 1968. It will open April 15, 1968, and close 6 months later in October. The promoters of the fair estimate that 8.5 million persons, many of them from Central and South America, will attend.

It's a community proposition. In 3 months last fall, the city's businesses and banks pledged $7.5 million to get the fair going. More recently, residents of San Antonio voted 3 to 1 for a $30 million bond issue pegged to Hemisfair. Even residents who will be uprooted to provide the fair a 92-acre site voted for the bonds.

The purpose of the fair is to exhibit the cultures, arts, and products of the Northern and Southern Hemispheres. It will coincide with the 250th anniversary of San Antonio, now the 17th largest city in the country.

Representative HENRY GONZALEZ, William R. Sinkin, a department store operator, and Mayor McAllister got the fair going in 1963. Sinkin now is president. GONZALEZ and McAllister are honorary cochairmen.

Ewen Dingwell, chief administrative officer of the highly successful Seattle Fair, was brought in at $40,000 a year as executive vice president of Hemisfair.

The site of the fair is the southeast quadrant of the San Antonio business district, now covered by what must be some of the most attractive slums in the country, truly slums but almost concealed by flowers, shrubs, and vines.

Sprinkled throughout the 92 acres are many buildings a century or more old. The architects for the fair will try to preserve them.

The fair site will be acquired under the Federal urban renewal plan. The city, with proceeds of the bond issue, will construct major buildings, and Hemisfair will rent grounds and buildings and profits, if any, will go back to the city.

Fair officials think that a permanent Inter-American Affairs Center might be established in some of the buildings after the fair is over. They also have plans for an international trade mart, a free trade zone and an institute where Central and South Americans can be developed as technicians to build industries back home.

San Antonio is worried about military cutbacks. Air Force and Army installations around the city pour $350 million a year into its economy. Sinkin thinks the fair may generate industries and businesses that will take up the slack if military spending is cut.

He and other officials are confident that they will get an 8.5 million attendance. They expect attendance will be helped by the city's anniversary celebration, by the 1968 Olympic games in Mexico and by the Rotary and Lions International conventions, also to be held in Mexico.

The city will start buying land for the fair in January. As land is acquired, buildings on it will be cleared out. **First major buildings will be started in 1966.**

APPOINTMENT AS A MEMBER OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The **SPEAKER**. Pursuant to the provisions of title 20, United States Code, sections 42 and 43, the Chair appoints as a member of the Board of Regents of the Smithsonian Institution the gentleman from Texas [Mr. MAHON] to fill the existing vacancy thereon.

APPOINTMENT AS A MEMBER OF THE JOINT CONGRESSIONAL COMMITTEE ON CONSTRUCTION OF A BUILDING FOR A MUSEUM OF HISTORY AND TECHNOLOGY FOR THE SMITHSONIAN INSTITUTION

The **SPEAKER**. Pursuant to the provisions of section 4, Public Law 106, 84th Congress, the Chair appoints as a member of the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution the gentleman from Texas [Mr. MAHON] to fill the existing vacancy thereon.

APPOINTMENT AS A MEMBER OF THE COMMITTEE TO INVESTIGATE NONESSENTIAL FEDERAL EXPENDITURES

The **SPEAKER**. Pursuant to the provisions of section 601, title 6, Public Law 250, 77th Congress, the Chair appoints as a member of the Committee To Investigate Nonessential Federal Expenditures the following member of the Committee on Appropriations to fill the existing vacancy thereon: the gentleman from California [Mr. SHEPPARD].

UNFAIR ATTACK UPON ARA—A RECENT READER'S DIGEST ARTICLE ABOUT THE AREA REDEVELOPMENT ADMINISTRATION

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, the Reader's Digest has always seemed to me to be an eminently respectable magazine not addicted to sensationalism or yellow journalism and I was therefore shocked to discover that it had permitted its pages to be utilized as the vehicle for a corrupt and malicious attack on the Area Redevelopment Administration. I hope the Reader's Digest will now publish the truth. A letter from Mr. William L. Batt, Jr., Administrator of the ARA, and his detailed and factual reply to the allegations in the Reader's Digest article are set forth and read into the RECORD, as follows:

U.S. DEPARTMENT
OF COMMERCE,
AREA REDEVELOPMENT
ADMINISTRATION,
Washington, D.C., May 18, 1964.

Mr. DEWITT WALLACE,
Editor, Reader's Digest,
Pleasantville, N.Y.

DEAR MR. WALLACE: I have read the article, "Is This the Way To Fight the War Against Poverty?" in your May issue, and would like to reply to the many misleading and incorrect statements in it.

We have prepared a list of the principal allegations in the article, together with a factual reply to each. We would appreciate your publishing our reply to give your readers an opportunity to get the other side of the story.

Sincerely,
WILLIAM L. BATT, Jr.,
Administrator.

THE AREA REDEVELOPMENT ADMINISTRATION REPLIES TO READER'S DIGEST ARTICLE

The Reader's Digest in its May 1964 issue made a series of allegations regarding the Area Redevelopment Administration in an article entiled "Is This the Way To Fight the War Against Poverty?"

ARA has received many inquiries from Congressmen, newsmen, and interested citizens, and this paper has been prepared to provide a point-by-point factual reply to the allegations in the article. The reply follows:

Allegation. That ARA loaned money for the Schweitzer Basin ski resort at Sandpoint, Idaho, when two local men were about to open a ski run on nearby Baldy Mountain.

Facts: The Schweitzer Basin project had been under consideration by the local community leaders long before the Baldy Mountain project. The two local men mentioned in the article had sought support from the Sandpoint Chamber of Commerce and other community leaders, but were unable to obtain it.

The community, itself, financed a professional survey which showed the Schweitzer Basin site superior to the Baldy Mountain site. The community leaders applied for an ARA loan which was granted after careful consideration. The ARA loaned $320,000 on the $530,000 project. Some 700 Sandpoint residents—more than half of the wage earners in the town—bought stock in the venture and in all about $200,000 in private funds were invested by local sources, including the city of Sandpoint, itself.

The Schweitzer Basin Ski Resort opened for business last December and enjoyed a successful first season. More than 2,500 skiers visited the slope one day at Christmastime last year. Besides the scores of jobs the ski lift provided, it also had an impact on the local economy. The January 1964 issue of the Idaho Labor Market Report said:

> The opening of the new Schweitzer Basin ski area in December boosted employment in the trade and service areas to near summertime levels.

A local certified public accountant, Ronald L. Hall, in a front page reply to the Reader's Digest article in the Sandpoint News-Bulletin, predicted that the success of Schweitzer Basin ultimately, "could be the making" of another ski resort on nearby Baldy Mountain.

Allegation: That an access road to the Schweitzer Basin ski area at Sandpoint, Idaho, was built "despite Idaho Health Department warnings that this could contaminate the municipal watershed." And that Sandpoint's water supply ultimately was condemned.

Fact: Dr. T. O. Carver of the State health department states that not only has the water supply of Sandpoint not been condemned, but that at no time within the last 2 or 3 years has the State health department ever warned Sandpoint about its water supply, or contemplated any sort of condemnation.

Allegation: That an ARA loan to Technical Tape Corp. had resulted in the firm's moving a division of its operation from Beacon, N.Y., to Carbondale, Ill., where the ARA had helped the community transform a city-owned warehouse into a factory building which Technical Tape took over. The allegation involved a gift-wrapping division of the firm and it quoted the Beacon Chamber of Commerce president as saying that the giftwrap division was moved out because of the Carbondale development.

Fact: Mr. Paul Cohen, president of Technical Tape, in a sworn statement to ARA, says Technical Tape never considered a gift-wrapping division for Beacon because there was not enough space available in the Beacon plant.

As to allegations that the "Government induced an industry to expand in one depressed area at the expense of another"—namely, Beacon—Mr. Cohen says employment at his Beacon plant has increased steadily from 85 employees in 1961 to 358 employees presently. He says production in other facilities the firm has in New York and New Jersey are up 20 percent over 1961 figures and employment has remained constant despite technological improvements. He says the 428 persons working at the Carbondale, Ill., facility, which was assisted by ARA, "represent new additional jobs and payroll for the company and the community."

Mr. Cohen says he learned before publication that Reader's Digest intended to quote the Beacon Chamber of Commerce president as they did, and that the Reader's Digest was told that the statement was inaccurate before publication.

Allegation: That ARA staged a stepped-up campaign to pull other areas into the program in this election year, pointing specifically to the fact that seven major U.S. cities—Philadelphia, Cleveland, Toledo, Buffalo, Newark, Miami, and Oakland—were made eligible for assistance under ARA.

Fact: These seven cities became eligible to qualify for ARA assistance under a new formula for measuring unemployment within the city limits, and this had nothing to do with politics. The move was prompted primarily by the interest which the cities themselves had expressed in the program. These cities, suffering from high unemployment within city limits, had been unable to qualify because they were included in a larger labor market area whose unemployment was not serious enough to bring them under the ARA act. Thus, ARA was faced with the irony of denying its aid to large blocks of jobless persons in the big cities while making it available to smaller blocks of unemployed in the smaller cities and rural areas.

Allegation: That "ARA has built a 72-room luxury motel" in Woodville, Tex., which is threatening the existence of a nearby 24-room motel owned and operated by a widow. Also, that "there is not much reason for Woodville except the old courthouse and some lumber mills."

Fact: ARA did not build the motel. It loaned $420,000 of a $700,000 project to build it, but it was the community, itself, which came forward with the desire and the plan to build the motel. The motel, known as the Woodville Community Inn, was not built with an eye to competing with the widow's motel. Local leaders planned it as a means of helping to build up the town itself. Some 100 Woodville residents bought stock in the motel, providing $130,000 of the total investment. Two local banks also participated in the financing.

The East Texas Tourism Association endorsed the facility because of its proximity to the McGee Bend Dam which is expected to generate tourism business in the area. The inn is located at the juncture of three main highways in the commercial center of Tyler County—population 10,700. It is equipped to handle sizable meetings and small conventions, and community leaders are of the opinion that as the economy of the area grows the inn will actually prove beneficial to the 24-room motel which the article said was threatened.

The article also referred to a sign erected at the project during construction identifying a Texas Congressman with the venture. The ARA, of course, had nothing to do with the sign.

Allegation: That jobs constitute the reason for ARA's existence but that ARA provides brazenly inaccurate figures and refuses to make reports on current employment figures available to the public.

Fact: The ARA does, of course, receive regular reports on employment from the projects it is interested in. But it does not make this available to the public on a regular basis because this is, in a sense, private information. Any reporter wishing to know how many people are employed by a certain business is free, however, to check with that business.

The ARA does publish regularly a record of approved projects and lists an estimated projection of employment expected after 1 year of activity. These are based on estimates provided by the applicants, who, as might be expected, sometimes miss the mark. There is no effort to mislead, however.

The ARA recently made a survey of 57 plants which had been in operation for at least a year to determine employment results and to see how the estimates of employment were holding up. This survey showed the 57 plants were expected to have employment of 8,543 after 1 year. Actual head count showed 9,376 employees. In 20 of the plants, employment was higher than anticipated; in 23, it was lower, and in 5 plants it was approximately as estimated and published in the ARA Directory of Approved Projects as of March 31, 1964.

Through March 1964, ARA has approved 459 loans and grants which will, when the projects are fully operational help create an estimated 105,000 direct and indirect jobs.

The article cited as one example the North Vernon Processing Co.'s burned-out forging plant in North Vernon, Ind., in an effort to prove faulty reporting on employment. It said the ARA claimed to have saved 60 jobs and created 40 new ones as a result of its postfire help. The article claimed only 50 persons were working there—15 more than before the fire. An ARA field check showed 92 persons working at the North Vernon plant, right in line with the original estimate on employment.

Another claim of faulty employment reporting was made concerning a co-op grain feedmill which an ARA loan helped get underway at Wetumka, Okla. It said the ARA, in lending $68,000, said the project was expected to create 20 jobs. The Reader's Digest reporter found only six men working and little prospect of any more jobs because the operation was highly automated. This is the most accurate report in the entire article. There will be six full-time and two part-time persons employed at the mill when it reaches peak operation in June 1964. The original job estimates were in error.

Allegation: That 75 county agricultural agents in Texas quit in disgust over the past 2 years because they were being used to organize communities to prepare to apply for ARA assistance.

Fact: A check with the U.S. Department of Agriculture and officials in charge of county agents at College Station, Tex., shows there was a turnover of 75 agents in the 2-year period. But only one had resigned because of dissatisfaction with his assignment. The others either retired, went to other jobs in the USDA or to better paying jobs in private industry.

Allegation: That "less than $2 out of every $5 from ARA" goes into areas of highest unemployment.

Fact: $165.5 million or 81.9 percent of all ARA funds for approved financial assistance projects went into areas which are officially classified as areas of substantial and persistent labor surplus. That is $4 of every $5. These projects, incidentally, are creating an estimated 80,253 jobs.

Allegation: That Gregg County, Tex., dissatisfied with being classified as a redevelopment area, had to struggle 2 years to get the classification removed.

Fact: Gregg County originally was classified under detailed standards set forth in Public Law 87-27. After the chambers of commerce of the cities of Longview, Kilgore, and Gladewater passed resolutions requesting dedesignation, county officials wrote a letter on December 11, 1962, asking termination of the designation. ARA files show action to terminate the designation was taken on March 29, 1963, to be effective 10 days later. That is a spread of a little over 3 months—not 2 years.

The article also cited Gilpin County, Colo., as a horrible example of a county designated for ARA assistance as a low-income farm area. It noted that the county was high up in the mountains with few farms.

Fact: Gilpin County became classified because of a statistical error. When it was discovered, the classification was removed.

Allegation: That Rice County, Kans., is an example of a prosperous area which has been declared a depressed area by ARA.

Fact: Rice County came under the Department of Agriculture's rural areas development program back in the administration of President Eisenhower. The Congress directed that these counties be brought in under ARA as a means of taking advantage of this kind of experience. The county obviously wanted to participate in the ARA program, for it filed an overall economic development program, as required by the act, and at least one ARA project has been approved there.

Allegation: That ARA is "dressing up" 5,000 acres of eastern Oklahoma land with a "palatial" State-owned resort, without its "costing the State a penny."

Fact: ARA loaned $9 million to a State agency, the Oklahoma Lake Redevelopment Agency, on this project. The $9 million is repayable with interest. This could hardly be described as not "costing the State a penny."

This is a $10.3 million project to create a State-owned recreation center at Lake Eufaula, a 143,000-acre lake being created by the U.S. Army Corps of Engineers; $1.3 million of it was financed by a public facility grant from the ARA.

It is designed to attract tourists to the area and help rebuild and diversify the economy which has been suffering from high unemployment and low incomes. Unemployment has been running from 8.4 percent to as high as 18.7 percent of the work force.

The site is close to two important highways—Interstate 40 and the Tulsa-to-Texas turnpike—and the tourist facility being created is expected to provide jobs for 1,500 workers—500 at the resort center and an additional 1,000 at private cabins, boat sales and service centers, sporting goods firms, and other tourist services.

Allegation: That ARA went far beyond the original plan for the "40 single-industry regions" which were intended to receive assistance, and "dragooned or enticed" a third of the Nation's counties into "accepting the label of poverty to be showered with largess."

Fact: A total of 581 areas or 55 percent of all ARA areas meet the specific criteria specified by Congress in the act to identify areas of substantial and persistent unemployment. The remaining areas which were designated for eligibility meet standards for underemployment which were established by ARA and which are based largely on low average incomes for those living in the area.

As for "dragooning and enticing" areas into the program, the ARA early this year notified 152 areas that they would be dropped unless they expressed a firm desire to participate within a 1-month deadline. Only 15 of the 152 areas failed to respond.

ARA receives many requests every day from counties and areas wanting to know how they can qualify for assistance under the act. ARA applies strict statistical standards to all these requests, and only those areas which truly qualify on the basis of unemployment or underemployment are designated.

One reason more areas qualify for the act than were known about when the act was first passed is that unemployment statistics were not made available for many very small labor markets prior to 1961. It was only after the Area Redevelopment Act was passed that the Labor Department began providing this information.

Allegation:

> The agency flouts the law under which it was created.

The article cites four examples of ARA loans made to organizations able to make reasonable financial arrangements elsewhere.

Fact: Three of the four examples cited involve loans made not to large corporations, but to local development companies created under State law and promoting industrial development with local resources. The three large companies in question—Melpar Corp., a subsidiary of Westinghouse Air Brake; Rawlings Manufacturing Co., a subsidiary of A. G. Spalding & Bros.; and American Optical Co.—were all tenants of these local development companies and had no direct financial dealings with ARA.

The loan allegedly made to "the Howard Johnson chain together with a local concern" was in fact a loan made exclusively to the new business concern, which had a franchise from the Howard Johnson chain and was thereby entitled to use the Howard Johnson name. ARA's investigation of the availability of other financing to the concern disclosed that two large insurance companies had already declined to make a loan to the project. To confirm the fact that other financing was not available, ARA sought participation unsuccessfully from three other insurance companies. However, a local bank and the Government Development Bank of Puerto Rico both participated significantly in the project.

The article further charges that ARA by its policies has failed to keep faith with the statutory requirements pertaining to community participation in projects. The reference is apparently to ARA's policy of not restricting an industrial applicant from participating in community fundraising efforts provided that the community group does not simply use such a source of funds as a substitute for other reasonable potentials for raising funds on a broader base.

Other State and Federal programs have by tradition recognized the right of local development corporations to finance participating requirements by acquiring needed funds from industrial concerns benefiting from a project. The Area Redevelopment Act does not by its terms limit the source of the community funds. However, in keeping with the objective of developing a sense of local responsibility and a capacity for local initiative, ARA has required that communities make first resort to obtaining funds from diversified and independent sources.

The third allegation in this connection is that ARA assisted the Technical Tape Corp. to close down its plants in New Rochelle and Beacon, N.Y., and to relocate its operations at Carbondale, Ill.

The plant referred to in the article was leased from the city of New Rochelle. The city subsequently objected to the normal noise resulting from Technical Tape's machine operations. As a result of frequent police summonses for creating a nuisance, the plant ceased manufacturing in May 1961 and was converted to a warehouse and research facility. Manufacturing operations were transferred to the Beacon plant. When Technical Tape's lease expired in 1963, the city refused to renew. However, it is presently considering an offer from the company to reopen the plant as a research laboratory. Thus, the Technical Tape factory was closed down at the instance of the city 2 years prior to the date alleged in the article, and negotiations are now going on for a renewal of the lease from the city.

The implication that Technical Tape ever had a gift-wrap division in Beacon, N.Y., or intended to move one there, is incorrect. It is answered elsewhere in this paper.

Allegation: That ARA "bludgeoned" votes by letting a political friend make a project announcement involving an $844,000 ARA loan to help modernize an abandoned pulp and paper mill in New York Republican Representative CLARENCE E. KILBURN's district; the political friend being KILBURN's Democratic opponent.

Fact: Notification of approval of the project in Congressman KILBURN's district was advanced from the scheduled release date because the mayor of Norfolk informed ARA that unless ARA gave its decision immediately, the project would fall. When this became known, a wire was dispatched to the president of the local development corporation, informing him of ARA's decision to approve the project. No authorization was given for public release. Unfortunately, word was leaked to the press prematurely through no fault of ARA.

Allegation: ARA advanced money to reopen one, and expand a second coal mine in Carbon County, Utah, "where demand for increased coal output is just not present."

Fact: Both applicants for ARA assistance submitted to ARA letters from dealers, distributors, and private users requesting additional sources of coal to meet their expanding demand.

Many of the mines in the area are captive and their entire output is consumed by their owners and is not for public sale. ARA verified the claims of the applicants with experts, including the U.S. Bureau of Mines. The financial soundness of these two loans also was ascertained. The coal mined in Carbon County is among the highest in quality in the United States.

Allegation: That ARA helped the Salem, Ind., Redevelopment Corp. provide a plant and other facilities for the foreign-controlled Bata Shoe Co., and that firm was pouring 40,000 pairs of shoes a week on the abundantly supplied shoe industry.

Fact: Bata Shoe Co., Inc., is an American corporation chartered by the State of Maryland. It does have plants in many sections of the world, but it employs some 3,000 workers in factories located in the United States.

The Salem plant manufactures canvas and vulcanized footwear only, and this segment of the shoe industry has been growing at the rate of some 10 percent a year with 60 percent of the total U.S. market now being supplied by imports.

Bata Shoe is expected to export a significant part of its production, thus affecting the Nation's balance-of-payments problem.

Bata Shoe currently is employing about 250 workers and expects the payroll to grow to around 500 when the plant reaches full production.

The article also charged that Bata Shoe could pull out of Salem any time it wanted. The firm has signed a 20-year lease on the facility.

Allegation: That the president of the Bata Shoe Co., Augustin Dolezal, told reporters that his firm had decided to locate a plant in Salem, Ind., long before it heard of ARA. It quoted Mr. Dolezal:

> We would have built in Salem anyway.

Fact: In a letter to ARA dated May 4, 1964, Mr. Dolezal says:

> I want to assure you that I have never spoken to any correspondent and told him we would establish a plant in Salem without ARA help. Contrary, it was the first condition that we stipulated * * * that they must procure the assistance of ARA.
>
> I am sure that this is a great contribution to the community and they are thankful to the ARA who made this project in their community possible.

Allegation: That ARA is financing new enterprises in industries already beset by overcapacity, thus jeopardizing existing jobs.

Fact: Since its inception, ARA has continuously considered the potential impact of its loans. Procedures have been developed to make sure that ARA funds will be used to create job opportunities in our expanding economy.

Industrial experts in the Department of Commerce supply ARA with information on the national capacity of a particular industry, the extent to which the industry is utilizing such capacity, the relative efficiency of existing capacity and, in appropriate cases, the impact of imports on the market.

Industrial market trends are analyzed for ARA by the Small Business Administration and by private marketing experts. The Department of Agriculture provides information on all agricultural and forest products proposals. The Department of the Interior reports on mineral-based industries. Other agencies and experts are used in special cases.

ARA has made public its concern for existing businesses and for the workers who depend upon these enterprises for jobs. A series of policy guidelines published and circulated nationally contain clear-cut criteria for use by ARA in the various circumstances involved in project consideration.

Policy guideline No. 13, for example, states that projects may be declined if "there is an oversupply of the particular product, either locally, regionally, or nationally."

Policy guideline No. 26 provides that ARA will not finance new capacities in industries experiencing a longrun gap between production and capacity except under these circumstances: The excess capacity must be obsolete or outmoded, or the new capacity must compete with imports, or there must be an identifiable regional insufficiency of productive capacity, or such excess capacity must be only temporary because of a strong, growing demand for the product, or the new capacity must be capable of developing new markets for the industry.

These guidelines are constantly utilized by ARA, interested State and local agencies, and prospective borrowers.

Allegation: That ARA helped finance a 432-room luxury hotel in Detroit, Mich., even though existing hotels suffered from the lowest occupancy rates of any city in the United States.

Fact: The Downtown Investment Corp., in cooperation with civic and business leaders, developed the proposal to construct a $9.1 million hotel—the Pontchartrain Hotel—directly across from Cobo Hall which is the focal point of a $70 million convention center recently constructed by the city in an effort to diversify its economy through convention and exposition business.

Civic leaders reported that Detroit was losing conventions and failing to utilize Cobo Hall and its facilities to the fullest because of the lack of a modern, high quality hotel convenient to the convention center. No new hotels had been built in the city for more than 35 years. Marketing experts analyzed the quality and quantity of hotel accommodations and reported to ARA that the Pontchartrain project was economically viable and merited approval.

A combination of private lenders and investors, including the Detroit Metropolitan Industrial Development Corp., raised $7.2 million—approximately 80 percent—for the project. The ARA loaned the remaining 20 percent at 4 percent interest.

HADASSAH: A WOMAN'S WAR ON HUMAN MISERY

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, as we all know, in January of this year, President Lyndon B. Johnson declared a war on poverty in America. In so doing, he stressed the importance of an all-out cooperative effort on the part of our citizens—a joint venture of both local and Federal Government, of both private home and White House.

In light of this new emphasis on plans for social and economic improvement, I would like to bring to your attention an outstanding example of work in this field—one of voluntary initiative which has helped to strengthen the young State of Israel. I refer specifically to the remarkable efforts and accomplishments of Hadassah, the Women's Zionist Organization of America.

For 52 years, this group of over 300,000 imaginative and devoted American Jewish women has worked with amazing success to remove the causes for much of the misery and heartache in the land of their religious heritage. For 52 years they have been deeply and actively concerned with the ideals of democracy and with the many who live "on the outskirts of hope."

Their enthusiasm and competence in accepting the challenge to improve the human welfare of their people—and they volunteered to accept it—could well serve as a model for private groups working within our own country and for other new nations faced with the dilemma of poverty.

Last October, Mrs. Siegfried Kramarsky, the very able president of the organization, wrote:

> Hadassah means practical, hard work, illumined by a sense of mission * * *. It means service with no reward beyond that of benefiting others. It means undertaking specific tasks in the war against poverty, disease, and ignorance, and in the struggle to insure and extend the frontiers of freedom.

Hadassah has sought these ends in Israel. They have been industrious, flexible, and progressive in seeking solutions to the manifold problems that faced the country.

A short time ago, the World Health Organization—WHO—demonstrated its confidence in the organization by instituting a unique pilot health program at its famed Hebrew University-Hadassah Medical School near Jeruselem.

And this January, a worldwide interest in Youth Aliyah—their program for the rearing and rehabilitation of orphans and socially deprived youth—became increasingly apparent at the symposiums on international child welfare held in Washington, D.C., and New York.

Child care experts of many countries attended the programs sponsored by the U.S. Department of Health, Education and Welfare and the International Union for Child Welfare.

Also, coming under closer scrutiny, as we in this country seek answers to unemployment and job training, are their outstanding vocational education programs, conducted from the two major Brandeis centers and Neurim. Here young people are turned into master technicians with ready employment opportunities awaiting them.

From a modest attempt, inaugurated in 1912, to raise the health standards of what was then Palestine, the program of Hadassah has grown into an internationally renowned plan of healing, teaching, and medical research, child rescue work, vocational education, social welfare, and land redemption.

This vast and elaborate network includes diagnostic, curative, and preventive medical service and health stations now extending into new nations of Africa and Asia. And, significantly, Hadassah, a pioneer in establishing health standards and developing its institutions, has transferred them to local or government medical authorities as they have been able to assume the responsibility.

Hadassah has also grown from an organization of limited interests into one active both in protecting our democratic heritage and institutions at home, and in strengthening the role of democracy as a force for freedom and peace abroad.

It participates in the activities of the United Nations as a nongovernmental organization working with the U.N. Department of Public Information, and as an accredited observer to our U.S. mission to the U.N. and our State Department.

Its members are kept informed by factual information on major issues and it urges member participation in welfare and civic efforts, organized discussion groups, and political activities.

This February at Hadassah's midwinter conference in New York City, significant resolutions were passed relating to a strong U.S. leadership in areas of civil and human rights.

The conference urged the ratification by our Government of the Genocide Convention which seeks to outlaw the deliberate destruction of any ethnic group; it expressed wholehearted support for the United Nations and the objectives set forth in the preamble to its Charter; it urged the continued use of the Agency for International Development as an effective instrument for the channeling of American foreign aid; and it also expressed endorsement and support for the civil rights program now facing Congress.

In two other resolutions, the conference urged that defects and inequities be removed from our Immigration and Nationality Act of 1952, known as the McCarran-Walter Act, and that ratification be swiftly accomplished on the three conventions for abolition of enforced labor, abolition of slavery, and political rights of women which are now before the Foreign Relations Committee.

Hadassah originated in the spirit and idealism of one woman, Henrietta Szold. A noted scholar, social worker, and teacher, she become convinced, after a visit to Palestine in 1909, that a crying need for health, sanitation, and welfare work existed in the disease-ridden country. She had seen men, women, and children, only half alive, fighting for scraps of garbage in the streets. Plague after plague disturbed the Middle East.

By 1913 she had been able to organize a nucleus of 12 women in New York City into the Daughters of Zion and raise sufficient funds to send two American-trained nurses into Jerusalem. There a small welfare station was set up for maternity care and the treatment of the blinding eye disease, trachoma.

Since this humble beginning of 12 strong women determined to raise the health standards of a country, much has been accomplished. The State of Israel now boasts the highest ratio of doctors to population in the world, and the life expectancy is on a maximum level. The organization, itself, now includes more than 1,300 chapters and groups in the United States and Puerto Rico with fundraising as a primary obligation.

This obligation has been met with phenomenal success. For instance, in the years from 1922 through 1931, Hadassah's volunteer medical services spent more money in Israel than the British-mandate government's own health department. And last year for the fiscal period ending June 30, 1963, they had gone over the year's quota of $8,288,500 by more than $1 million.

The organization's chief arm is the Hadassah Medical Organization, which now operates from the magnificent new Hadassah-Hebrew Medical Center in the ancient town of Ein Karem on the outskirts of Jerusalem. The center takes the place of one built in 1939—one which sets empty in no-man's land because of Arab agitation.

Hadassah and Israel are justifiably proud of this modern new complex of science. It is not only a benefit to Israel, but a blessing to the world, as the frontiers of healing, research and teaching are advanced by its progressive endeavors. Students from Afro-Asia, as well as other countries, have shared with the Israelis in the excellent training it offers in medicine and nursing.

In March of last year, the beautiful new Mother-and-Child Pavilion for the care of maternity patients was dedicated in the presence of Mr. Walworth Barbour, U.S. Ambassador to Israel. Other buildings, nearing completion, will provide new housing for the medical school and school of dentistry.

In the year from June 1962 to June 1963, it is estimated that 15,380 inpatients turned to the hospital for services; 49,600 new cases were at the outpatient clinics; 5,281 patients underwent surgery in the modern operating rooms; and 25,580 major and minor emergency cases were admitted and treated. This is a far cry from the tragically inadequate situation found by Miss Szold back in 1909.

Another main project of Hadassah is Youth Alijah which is now in its 31st year. Conceived to care for a generation of children escaping the terrors of Nazi Germany, it has consistently risen to meet the challenge of Israel's changing needs. More than 110,000 students have participated in its program, children that have been settled and rehabilitated from 72 lands.

One of the great women of our time, Eleanor Roosevelt, was its beloved world patron and a special memorial fund has been set up in her honor.

Typical of Youth Alijah's all-encompassing concern for its wards, is the treatment of emotionally disturbed youngsters it provides in special centers. The most modern pedagogical methods, psychiatric observation plus individual care are provided for each child.

Another of the outstanding contributions is the research work of Mosad Szold. The foundation has experimented with methods of promoting the intellectual development of underprivileged children, of early detection and fostering of bright children, and of the problems of juvenile delinquency. Grants from the Ford Foundation, the Rothschild Fund, the U.S. Government, and UNESCO have aided its progress.

An especially unique feature of Hadassah has been its vocational guidance work. Long dedicated to a comprehensive vocation education system which trains young men and women to take their places in Israel's expanding economy, it has added a new and progressive facility to the growing Brandeis Center in Jerusalem.

This is the Vocational Guidance Bureau which services individual schools, entire local educational systems, universities, government training departments, social health agencies, and individuals.

It offers individual counseling, group guidance, and selection testing to 6,000 clients annually. It also develops and standardizes psychological tests, conducts follow-up studies and collects and disseminates occupational information, and offers internship facilities for students of the Hebrew University.

I have touched only briefly on the magnificent work of Hadassah. I have not mentioned the ramifications their intense effort and study may have as the world seeks solutions to the ever-prevalent problems of human welfare. The organization deserves our compliments and our tribute. I offer them mine.

The fact that one woman was able to set into motion so much is ample testimony that faith and works can move mountains. It should serve as an incentive for others of us in America to look about for solutions to our pressing national problems and for opportunities to work for our national welfare.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Matsunaga (at the request of Mr. Boggs), for today through May 21, on account of official business.

Mrs. Sullivan, for Thursday and Friday, May 21 and 22, to attend a funeral on account of the death of a close friend and associate.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Patman, for 15 minutes, today; and to revise and extend his remarks and to include extraneous matter.

Mr. Halpern (at the request of Mr. Harvey of Michigan), for 15 minutes, today.

Mr. Halpern (at the request of Mr. Harvey of Michigan), for 15 minutes, on Wednesday, May 20.

Mr. Moore (at the request of Mr. Harvey of Michigan), for 30 minutes, on Wednesday, May 20.

Mr. Gray, for 15 minutes, tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. McMillan and to include extraneous matter.

Mr. Boland (at the request of Mr. Purcell) to revise and extend his remarks made in the Committee of the Whole and to include extraneous matter.

(The following Members (at the request of Mr. Harvey of Michigan) and to include extraneous matter:)

Mr. Barry.

Mr. Nelsen.

Mr. Taft.

(The following Members (at the request of Mr. Purcell) and to include extraneous matter:)

Mr. Rains.

Mr. Diggs.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 920. An act to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by U.S. amateurs on a reciprocal basis;

S. 980. An act to provide for holding terms of the U.S. District Court for the District of Vermont at Montpelier and St. Johnsbury;

S. 1584. An act to approve a contract negotiated with the Newton Water Users' Association, Utah, to authorize its execution, and for other purposes;

S. 1687. An act to approve the January 1963 reclassification of land of the Big Flat unit of the Missoula Valley project, Montana, and to authorize the modification of the repayment contract with the Big Flat Irrigation District; and

S. 2772. An act to amend the Alaska Omnibus Act.

ADJOURNMENT

Mr. PURCELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 12 minutes p.m.) the House adjourned until tomorrow, Wednesday, May 20, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2084. A letter from the Associate Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I, Public Law 480 agreements signed during April 1964, pursuant to Public Law 85–128; to the Committee on Agriculture.

2085. A letter from the Administrator, Veterans' Administration, transmitting a report on a violation of an overobligation relating to the VA Center, Dayton, Ohio, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665(i)(2); to the Committee on Appropriations.

2086. A letter from the Assistant Secretary of the Navy (Installations and Logistics) relative to the Department of the Navy proposing to transfer Massachusetts (BB 59) to the U.S.S. Massachusetts Associates, Inc., Boston, Mass., pursuant to title 10, United States Code, section 7308; to the Committee on Armed Services.

2087. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to eliminate cumulative voting of shares of stock in the election of directors of national banking associations unless provided for in the articles of association"; to the Committee on Banking and Currency.

2088. A letter from the Comptroller General of the United States, transmitting a report on improper or unnecessary payments of pay, travel, and other allowances made to crew members of the U.S.S. *Kitty Hawk* by the Department of the Navy during the period May 1, 1961, through June 30, 1962; to the Committee on Government Operations.

2089. A letter from the Comptroller General of the United States, transmitting a report on a review of excessive payments for rental of punched card machines incurred because of ineffective contract administration by the Federal Aviation Agency; to the Committee on Government Operations.

2090. A letter from the Chairman of the Board, Virgin Islands Corporation, transmitting the annual report of the Virgin Islands Corporation on the operation of its saline water plant in St. Thomas, V.I., for the year ending June 30, 1963, pursuant to Public Law 85-913; to the Committee on Interior and Insular Affairs.

2091. A letter from the Attorney General, transmitting the report of the Attorney General on the administration of the Foreign Agents Registration Act, covering the calendar year 1963, pursuant to the Foreign Agents Registration Act, as amended; to the Committee on the Judiciary.

2092. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 7, 1964, submitting a report, together with accompanying papers and illustrations, on a review of reports on Big Sioux River and tributaries, Iowa and South Dakota, requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 29, 1955 (H. Doc. No. 199); to the Committee on Public Works and ordered to be printed with three illustrations.

2093. A letter from the Comptroller General of the United States, transmitting a report on a review of the excessive costs incurred by leasing rather than purchasing automatic data processing machines at the Jet Propulsion Laboratory, Pasadena, Calif., National Aeronautics and Space Administration; to the Committee on Government Operations.

2094. A letter from the Acting President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "A bill to require certain persons to make payment, according to their ability to pay, for examination, treatment or care furnished by or at the expense of the District of Columbia at public and private medical institutions, and for other purposes"; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee of conference. H.R. 82. A bill to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses (Rept. No. 1414). Ordered to be printed.

Mr. HARRIS: Committee of conference. House Joint Resolution 247. Joint resolution to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President (Rept. No. 1415). Ordered to be printed.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1416. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 4994. A bill to amend the Textile Fiber Products Identification Act and the Wool Products Labeling Act of 1939 in order to require that imported woven labels must have woven into them the name of the country where woven; without amendment (Rept. No. 1417). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 6793. A bill to amend the Securities Act of 1933, as amended, and the Securities Exchange Act of 1934, as amended, to extend disclosure requirements to the issuers of additional publicly traded securities, to provide for improved qualification and disciplinary procedures for registered brokers and dealers, and for other purposes; with amendment (Rept. No. 1418). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Florida:

H.R. 11297. A bill to authorize the modification of the existing project for the St. Johns River, Fla.; to the Committee on Public Works.

By Mr. FINO:

H.R. 11298. A bill to amend section 5155 of the Revised Statutes relating to branches of national banks; to the Committee on Banking and Currency.

By Mr. JOELSON:

H.R. 11299. A bill to amend title II of the Social Security Act to provide for the payment of child's insurance benefits to a disabled child over 18, if otherwise qualified, without regard to whether the disability began before or after the child attained such age; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 11300. A bill to incorporate California Cooperative Rice Research Foundation, Inc.; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 11301. A bill to incorporate California Cooperative Rice Research Foundation, Inc.; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.R. 11302. A bill to require premarital examinations in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROYBAL:

H.R. 11303. A bill to provide for the issuance of a special commemorative postage stamp in memory of Dr. Jose Rizal, Philippine champion of liberty, and ex-President Emilio Aquinaldo, freedom fighters; to the Committee on Post Office and Civil Service.

By Mr. WATSON:

H.R. 11304. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 11305. A bill relating to the status of volunteer fire companies for purposes of liability for Federal income taxes and for certain Federal excise taxes; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 11306. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS:

H.R. 11307. A bill to incorporate California Cooperative Rice Research Foundation, Inc.; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 11308. A bill to specify the number of hospital beds that the Administrator of Veterans' Affairs must maintain and operate at the Veterans' Hospital, East Orange, N.J.; to the Committee on Veterans' Affairs.

By Mr. STRATTON:

H.R. 11309. A bill to amend chapter 15 of title 38, United States Code, to liberalize certain provisions of law relating to veterans' pensions; to the Committee on Veterans' Affairs.

By Mr. KARTH:

H.R. 11310. A bill to provide a uniform period for daylight saving time; to the Committee on Interstate and Foreign Commerce.

By Mrs. ST. GEORGE:

H.R. 11311. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct tuition expenses paid by him for the education of himself or his spouse or any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H.R. 11312. A bill to equalize certain penalties in the Intercoastal Shipping Act, 1933, and the Shipping Act, 1916; to the Committee on Merchant Marine and Fisheries.

By Mr. GOODELL:

H.R. 11313. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits, to provide minimum benefits for all individuals not otherwise entitled at age 70, and to provide an across-the-board increase in all benefits thereunder; to the Committee on Ways and Means.

By Mr. GUBSER (by request):

H.J. Res. 1023. Joint resolution to provide that the Bureau of the Census shall annually conduct a nationwide advisory opinion poll; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS:

H.J. Res. 1024. Joint resolution providing for the designation of the 5-day period commencing June 29, 1964, as "National Environmental Health Week"; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 11314. A bill for the relief of the Moapa Valley Water Co. of Logandale, Nev.; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 11315. A bill for the relief of John Sinclair; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11316. A bill for the relief of Michele Nicosia; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 11317. A bill for the relief of Soo Bong Kim; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 11318. A bill for the relief of George J. Wilds III; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 11319. A bill for the relief of Dr. Felipe Lavaples; to the Committee on the Judiciary.

By Mr. POOL:

H.R. 11320. A bill for the relief of Irene Mitchakes (also known as Irene Mitsakis); to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 11321. A bill for the relief of Mrs. Soon Man Rhim (nee Hai Won Chang); to the Committee on the Judiciary.

H.R. 11322. A bill for the relief of Virginia Clemente Coelho; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 11323. A bill for the relief of Lt. (jg.) Harold Edward Henning, U.S. Navy; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 11324. A bill to provide for the conveyance of certain mineral interests of the United States in 79.184 acres located near Orangeburg, S.C., to Allen E. Dominick, the owner of such property; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Discriminatory Acts Against Russian Jews

EXTENSION OF REMARKS

OF

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1964

Mr. TAFT. Mr. Speaker, as Americans we are greatly disturbed by recent evidences of discrimination against Jewish citizens in the Soviet Union. The suppression of Judaism is the suppression of all religions. For this reason, I have joined in sponsoring a resolution, House Resolution 728 by which the House would condemn discriminatory acts against Russian Jews.

As we all know, the Soviet Constitution is superficially a fine and democratic document. It purports to invest full and equal citizenship in the Jews. But present Russian rulers ignore this provision as they have ignored so many others. The Constitution's safeguards of religious freedom have become a mockery in the light of actual experience.

When the Soviet era began, there were more than 3 million Jews in Russia. They attended their own theaters, they ran their own printing shops, they published their own newspapers. These institutions kept alive their ties to a historic heritage. Systematically, Stalin crushed these institutions. His vicious campaign was culminated by an infamous purge of Jewish intelligentsia following the abortive doctors' plot of 1948.

And although Khrushchev has emphasized his de-Stalinization policy of recent years, he has failed to mention Stalin's anti-Semitism. More importantly, he has done nothing to curb it or to revitalize Jewish cultural institutions.

Today, in the Soviet Union, there is not a single Jewish daily newspaper nor a Jewish theater. And Jews must identify themselves as Jews on their internal passports.

All America is appalled by this discriminatory pattern. It not only oppresses Jews in the free exercise of their religious faith but causes their deaths in retribution for so-called economic offenses.

I ask all concerned Members of Congress to join with me in condemning these acts. Through this resolution, we express the conscience of troubled Americans who abhor anti-Semitism. Our appeal to Russian authorities to cease their inhumane conduct—an appeal that must be fortified and augmented by the organized outcry of private organizations—will make it clear to the world that we cherish religious freedom and will seek ever to preserve it.

What Constitutes Distinguished Service in the Department of Agriculture?

EXTENSION OF REMARKS

OF

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1964

Mr. NELSEN. Mr. Speaker, it has come to my attention that Mr. Horace D. Godfrey, Administrator of the Agricultural Stabilization and Conservation Service, Department of Agriculture, is today being given an award for distinguished service in the Department of Agriculture. This comes as a surprise to me in view of the fact that this branch of our Department of Agriculture came under considerable criticism during the Billie Sol Estes investigation.

Lengthy hearings before a Senate subcommittee clearly revealed the confusion, the mismanagement, the lack of records, the duplication of such investigations as were conducted—and they revealed a woeful lack of management and knowledge of what was going on in the Estes case, particularly in the Agricultural Stabilization and Conservation Service headed by Mr. Godfrey. I would like to refer to the testimony of Paul Kamerick, assistant counsel of the Permanent Subcommittee on Investigations of the Committee on Government Operations of the U.S. Senate. This subcommittee in its attempt to get information as to the whys and wherefores of the Billie Sol Estes scandal assigned expert investigators to try to unravel the mess, and Mr. Kamerick testified:

> Almost all of the meetings and conferences involved in the Estes allotment case were recorded only in the memory of those who attended. Thus, it is now impossible to produce records that should have been made but were not. It is inevitable that the Department itself must be handicapped by these and other deficiencies. At the outset some difficulty was experienced in locating documents believed to be germane to this investigation. We were informed that there was no central repository for records where most or all of the information concerning Billie Sol Estes might be located. No such repository exists. This deficiency has greatly complicated and impeded the progress of the investigation. In the interests of securing adequate coverage and of saving time, we met separately with the Secretary, the Under Secretary, the General Counsel, and Assistant Secretary John Duncan, and asked to have assembled for our review, all information under the jurisdiction of their offices relating to Billie Sol Estes and any of his business enterprises. We also met jointly with the ranking officials of the Agricultural Stabilization and Conservation Service including representatives of the Administrator and the five Deputy Administrators who supervise the activity of this agency, and made a similar request from them. As a result, material concerning Estes was located and furnished to us by 16 different offices in the Department's Washington headquarters. This demonstrates a cumbersome and ineffective recordkeeping system which causes unnecessary operations difficulties and directly affects the efficiency and economy of the Department.
>
> I must say at this point that we are not sure yet that we have all the documents in the Department of Agriculture pertinent to Billie Sol Estes. We have tried for weeks to assemble them and we believe the officials of the Department have tried to assemble them. We feel we have most of them, but, under the existing system, we cannot be certain.

On page 9 of the hearings appears further information that I think should be referred to at this time, in testimony by Mr. Kamerick:

> The structural weakness of the Department of Agriculture is further demonstrated by a breakdown of communications between the Department and the subordinate organizations at the State and county levels. Some instructions issued by the Department apparently either do not reach the subordinate organizations or are disregarded if they do reach them. There is no method of receipt or followup to make certain that such instructions actually reached their destination. In some areas of activity, the subordinate organizations of the Department are almost autonomous.
>
> There is a similar lack of communication between agencies within the Department of Agriculture in Washington. Within the Department there are 11 internal audit groups, including one attached to the Office of the Secretary. Each of these groups has no authority and little interest in anything that transpires outside their own narrow assignments. In October 1961, the Agricultural Stabilization and Conservation Service investigation division completed a comprehensive 3½-month inquiry into the questionable cotton allotment transfers engineered by Billie Sol Estes. Two or three months earlier, in September 1961, the Internal Audit Division of the Agricultural Marketing Service, another of the Department's agencies, initiated a separate inquiry into Estes' financial position, based on rumors of unreported mortgages. Neither investigative group was aware of the inquiry being conducted by the other until February 1962 and the parallel investigations were not coordinated at any time. In fact, the Internal Audit Group terminated its inquiry early in April of 1962, and the two units were still not coordinated.
>
> Such malfunctions could not come about if there existed within the Department a

single unified audit-investigation group with authority and responsibility to report to the Secretary. It is paramount that such a group report at the highest level. It seems clear that any program head who controls his own audit-investigation staff is, in the final analysis, evaluating himself. Few officials can be completely objective about their own operations and an audit-investigation group can be only as effective as the operating head permits. A group equipped and manned to audit, investigate, and monitor all of the varied activities of this important Department could save the Government many millions of dollars each year and at the same time improve the services of the Department.

Recalling accounts of the Billie Sol Estes case, it is my recollection that great difficulty was experienced by those who wished to dig into the facts and the gentleman in charge of the records suddenly found himself out in the cold and a new man in charge of records.

Without question, information had come to the attention of people in high position within the Department as to the unsavory operations of Billie Sol Estes. In spite of this information, Billie Sol Estes was appointed to the Cotton Council.

Many other points could be added, but it seems strange that an award could be made to a man who is in charge of this agency and program where investigation has revealed poor organization and where obviously information was not made available to investigators and where obviously a coverup was attempted in the entire Billie Sol Estes case.

Norwegian Independence Day

EXTENSION OF REMARKS

OF

HON. ROBERT R. BARRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1964

Mr. BARRY. Mr. Speaker, this is an opportune time to take note of the fact that May 17 is Norwegian Independence Day. In 1814 Norway joined the many other revolutionary nations of that time and declared its independence from a union with Denmark. The Norwegian people had made their feelings known, and they prepared the way for the democratic Norway which is today America's close friend and ally in the North Atlantic Treaty Organization.

May 17, 1814, was one of the highest moments in Norwegian history. It brought together many of Norway's greatest historical figures. They encouraged a new national consciousness. And in the Constitution they wrote, the democratic practices and aspirations of Norwegians were put into words.

Since 1814 the history of United States-Norwegian relations has been one of closest, most cordial cooperation. Not long ago large numbers of Norwegians came to America to live. Here they have proved themselves welcome and capable citizens. It was easy for them to feel at home, for they were after all from a free country.

When Norway fell before the dreadful Nazi onslaught in 1940 many Americans were extremely saddened until Norway again joined the family of free nations.

Through many years of uncertainty and tribulation the memory of May 17, 1814, has steadily inspired Norway. Norwegians know that the peace and rapid progress of recent years can be traced directly to their declaration of independence and the Constitution of 1814. We as Americans join our friends in Norway in paying homage to the courageous national leaders of 1814. We hope for many more years of Norwegian progress under independence.

Speech of Congressman Albert Rains at the Dedication of the National Horseshoe Bend Military Park, March 27, 1964

EXTENSION OF REMARKS

OF

HON. ALBERT RAINS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1964

Mr. RAINS. Mr. Speaker, recently several thousand Alabamians and guests commemorated the 150th anniversary of the Battle of Horseshoe Bend at the Horseshoe Bend National Military Park in Tallapoosa County, Ala.

It was my privilege to have led the fight in Congress to get this historic site recognized as a national military park, a recognition which came in 1956. The historic significance of the great battle that was waged there should be familiar to all Americans and I would like to submit, for the RECORD, a copy of my address at this commemorative occasion.

Following is my address at the Horseshoe Bend National Military Park on March 27, 1964:

SPEECH OF CONGRESSMAN ALBERT RAINS AT THE DEDICATION OF THE NATIONAL HORSESHOE BEND MILITARY PARK, MARCH 27, 1964

Mr. Chairman, distinguished guests, ladies and gentlemen, this date, the 27th of March 1964, marking the 150th anniversary of the Battle of Horseshoe Bend, and this occasion, the dedication of the National Horseshoe Bend Military Park, is of truly great significance to Alabama and the Nation.

For many years now I have looked forward with keen anticipation to this time and date and place. Almost a dozen years ago I first introduced into the Congress a bill to declare and to designate this historic spot here in the bend of the Tallapoosa River as the Horseshoe Bend National Military Park. It was in the 2d session of the 84th Congress that the bill was approved unanimously in the Senate of the United States. Then in conformance with the action taken in the Congress, President Dwight Eisenhower on the 25th of July 1956, by proclamation, designated this site as Horseshoe Bend National Military Park.

It is not possible for me, ladies and gentlemen, in a brief address, to mention all of the outstanding citizens and all of the great and wonderful organizations who gave active and helpful support to this endeavor. I would be derelict in my duty, however, and most unkind, if I were not to mention a few of those who took a very leading part.

I make this plain statement that this national military park would have never become a reality, not in our generation certainly, except for the untiring efforts and the generosity of Mr. Thomas W. Martin. On another occasion I said to Mr. Martin that the establishment of this military park was brought about by the philanthropy, the patriotism, the scholarly study, and the research of Mr. Martin. In my rather long legislative career in the Congress, I have had the opportunity to work in league with Mr. Martin in some very great undertakings for Alabama. Always I have been impressed with his wisdom and his meticulous concern for the public good.

It would be an interesting story for me to recount for you the long months of work and toil and effort which went into the legislative enactment to provide for the development of the great Coosa River system by Mr. Martin's great company. I have often remarked, however, that the pride and joy of Mr. Martin is another development, the establishment of this national military park in this very historic place. Because of his painstaking research and diligent effort, we were able to prove in both the House of Representatives and the Senate of the United Sates with certainty that this Battle of Horseshoe Bend was something more than an Indian battle, and that it was in reality a battle of great historical significance in the building of our great country.

The combined efforts of all interested public officials and private citizens finally resulted in obtaining deeds or patents to the park area of 2,040 acres and these deeds were formally presented by Mr. Martin to the Secretary of Interior, Mr. Seaton, on April 24, 1959. At the time in accepting the deed on behalf of the United States, Secretary Seaton said:

"At this time I want to thank Mr. Martin, chairman of the Horseshoe Bend Battle Park Association, for his important statement concerning the meaning of this historic occasion and for his generosity in presenting the deed of this valuable property which will now comprise the newest addition to the national park system. In particular, I want to emphasize the patriotic vision of a business leader like Mr. Martin whose firm, the Alabama Power Co., long ago purchased the key historic land at the site of Gen. Andrew Jackson's great victory and the loop of the Tallapoosa River for the purpose of building a hydroelectric dam, but under Mr. Martin's wise guidance recognized the historic value of the site, and gave up the proposed dam in order to preserve the battlefield in its natural state for future generations."

That was a great compliment and well deserved.

Another distinguished citizen, ladies and gentlemen, to whom great credit is due for the establishment of this national military park, is your chairman today, Judge Jack Coley. Judge Coley has been one of my longtime, dear friends, and over the years—20 years from now—when I would come visiting in Tallapoosa County, Jack never missed a single opportunity to talk to me about the need and necessity for the passage of an act in Congress to bring about the occasion which we celebrate today. His drive, his organizational ability, his historical knowledge, and his dedication, in a large measure, are responsible for this achievement.

I also want to commend Tom Russell, as the chairman of the Horseshoe Bend Battle Park Association for his untiring efforts, and Robert Russell for his long, zealous work on this project. I would like to mention all the historians. I must mention some of the people in the Alabama Legislature, Judge Charley Adams, Tom Johnson, the late Senator Broughton Lamberth, Governor Folsom, because the legislature provided $150,000 which helped buy part of the land which is now in this park. There are many more that are deserving of mention, but time will not permit.

Then, ladies and gentlemen, I would be untrue to myself if I did not pay tribute to the U.S. National Park Service. It is one of the really outstanding agencies of the Federal Government. It actually and truly serves the people by preserving historical sites, by providing for recreation, by taking care of our timber resources, and many other great benefits to the people. I want to thank Mr. Elbert Cox, the regional director, I want to thank all of those who have been connected with the development of the park as we now see it.

Now a brief statement about the actual occurrence. In early 1814, 150 years ago, while our country was engaged in a war with Great Britain, the Creek Indians gained control of most of the territory in the triangle of the Alabama River and Florida and Georgia. The British had been active in stirring up trouble among the Indians in the South, generally, because the British were trying to win the War of 1812. But their efforts were strongest along the frontier of Spanish Florida—Spain controlled Florida—and that part of the Mississippi Territory which was later to become Alabama.

The news that the war between the United States and Britain had begun caused great excitement in all the towns of the Creek Indians. A party of warriors from the Creek Indian villages here set out to the north where they attacked on the river on January 22, 1813, murdered two families in Ohio on their way back. Soon 2,000 warriors from 29 of the 34 towns of the Upper Creek had taken up arms. They were in league with the British. Incident followed incident. The massacre at Fort Mims occurred and the inhabitants of West Tennessee were daily expecting an attack. It was only by the failure of the British, frankly, to furnish the Creeks with the supplies, that such an attack never occurred.

On September 18, 1813, there was a meeting of the leading citizens in the area of Nashville who decided that a strong force ought to be sent at once into the very heart of the territory of the Creeks with the mission of destroying the villages and forcing them to make peace. The Nashville citizens asked the legislature to authorize such a move and they requested the Governor, Governor Blount, to call out the Natchez Volunteers, which he did. The assembly called for 3,500 attached militia for a 3-month tour of duty and the committee called on Andrew Jackson and asked him to serve as the leader of the volunteers. He at once assumed direction for defense and called for the volunteers to assemble at Fayetteville, Tenn., on October 4, and arranged for supplies and food and ammunition.

Jackson and his troops crossed the Tennessee a few miles south of Huntsville, in fact, right close to Guntersville, and moved in a southeasterly direction to the mouth of Thompson's Creek where they built a fortification called Fort Deposit. It was Jackson's base of supplies on the Tennessee. He planned a campaign which provided for this supply base on the Tennessee at the southernmost part and a military road to be built for 50 miles to 10 islands on the Coosa, not far off Highway 77 between Talladega and Gadsden, where another fortified post would be established. Actually the second fortified fort which Jackson built was called Fort Strother. There for the first time he came within striking distance of the enemy. The hostile village of Tallaschhatchee, 13 miles to the east, was destroyed, and another successful engagement was fought at Talladega.

During the Creek War the Indians showed an unusual knowledge of warfare. They had some able leaders of mixed blood who understood the advantages of military discipline. They selected the strongest available point on the Tallapoosa River and they believed it to be impregnable. This was Towopeka, or the Horseshoe. While they waited for an attack, Jackson had time to complete the organization of his army. On February 6, the 39th Regiment of Regulars, 600 strong, arrived. The Regulars have a nucleus of permanent authority independent of militia.

Then news that 1,500 men with ample provisions were about to move from Fort Strother. And now Jackson thought was time to take advantage of his long sought opportunity. He hesitated no longer in leaving his river base. He marched through the forest to that point on the Tallapoosa 60 miles away, in which the enemy during 2 months had been preparing for their last stand. He reached it early in the morning of March 27, 1814. In a horseshoe like bend of the river there were a thousand warriors, the major force of the hostile Creeks.

Within the bend across the narrow part of the peninsula, there was a zigzag wall of logs from 5 to 8 feet high, 450 yards long, pierced for a double row of holes for rifle fire. The angles of the zigzag enabled the defenders to cover the ground in front of it with a crossfire. An area of about 100 acres was thus enclosed. In the part nearest the wall the trees had been felled in order to provide cover by their interlaced branches.

Jackson formed his plan of attack quickly. He would surround the Indians and make the destruction complete. He placed the infantry opposite the forbidding looking walls so that they could take it at the right moment. Commanding the whole zigzag defense he placed his two small canoes on the hill a distance of 80 yards. He ordered the cavalry and the friendly Indians, the Cherokees to cross the river and to hold the opposite bank in order to prevent escape in that direction. So at 10:30 in the morning, 150 years ago today, on this hallowed historic ground, the military forces of the United States of America and the warriors of the great Creek Confederacy, locked in mortal combat.

Fighting under the gallant Andrew Jackson, were some of the most fearless men who ever wore the uniform of our country. There was Lt. Lemuel Montgomery for whom Montgomery County was named. He died with an Indian rifle ball in his head as he led his men in the frontal attack. It is said that "Old Hickory" shed tears when he saw Montgomery's body. And he said, "I have lost the flower of my army." And then there was Ens. Sam Houston who leaped to the top of the breastwork as Montgomery fell. Although wounded in the thigh by an Indian bullet, and in the body by a barbed arrow, he fought bravely on to the end of the furious battle. His gallantry in action won him Jackson's undying gratitude and friendship. Houston, as you know, went on to attain greatness as the Governor of Tennessee, President of the Republic of Texas, U.S. Senator from the State of Texas, and a beloved American.

Sequoyah, the great Cherokee chieftain, and many of his braves fought with matchless valor alongside Jackson and his men. No reference to those who fought in this battle would fail to mention the resolute, dependable and vigilant, Gen. John Coffee, who was General Jackson's strong right arm. General Coffee remained Jackson's faithful and devoted friend through all the years of his life.

When the smoke and fury of battle had cleared away, 800 braves had been killed and 300 women had been taken prisoners. Jackson thought that not more than 20 warriors had escaped. The Americans lost 45 killed and 145 wounded. The battle gloriously won, Jackson then was ready to move on to Pensacola, Mobile, and to eternal fame at New Orleans. This victory broke the power of the Creek Confederacy and freed a vast section of our country for our American settlers. It also eliminated the power and influence of the Spanish in Alabama and Florida. It was the prelude to the removal from the Continental United States of the domination and influence of all foreign powers. It was the springboard which catapulted Jackson from the role of a border chieftain to national and international eminence. It was the beginning of the Jackson era.

In August 1907, the Alabama Legislature, by resolution, petitioned the Congress of the United States to take favorable action on a bill introduced in the House of Representatives by the Honorable J. Thomas Heflin, an illustrious predecessor of mine, as the Representative of the Fifth Congressional District of Alabama. The petition to the Congress was signed by the Governor, Braxton Bragg Comer, and by members of the Horseshoe Battle Park Commission. The concluding paragraph of the commission is quite interesting and apropos. It said:

"The establishment of the Horseshoe Bend Battle Park would not only be a long deferred recognition and commemoration on one of the great historic events in the life of our people, but it would be another expression of the patriot and educatory value of the lessons of the past. Its establishment would be a lasting memorial to the brave men who fought and to those who fell in those trying days when Indian aggression threatened our frontier civilization. But it would be more. It would mean that a grateful government could always be relied upon to do its duty not only to its patriotic dead but to its patriotic living as well."

In later years, the Congress of the United States, and this is important to us, declared that before any historic event can be commemorated, it is necessary to establish the national significance of the event. In presenting to the Congress our plea for the passage of the legislation under which this military park was designated, I said that if the winning of the Battle of New Orleans is of national significance, then Horseshoe Bend is of national significance, because it was the same troops, many of them, under the same great leader, Andrew Jackson, that later won the Battle of New Orleans. After the British had burned our Capitol in Washington, burned our White House, and had overrun practically all of the northern and eastern section of our country, if the Treaty of Ghent was a matter of national significance to end the War of 1812, it was brought about, as historians can prove, by the victory at Horseshoe Bend.

Honor is thus paid to Andrew Jackson and his troops who fought here on that day so long ago and to the military virtues and sacrifices, the tragedies, the triumphs, of early years as a nation.

As we look upon this peaceful vista today, and it is beautiful, it's difficult indeed for us to bring our mind's eye to focus upon the scene of war and destruction that I have just described, in very shallow detail to you, as having transpired at this very spot where you sit. Perhaps it is just as well that it is so. But at least we should remember our old heroes with veneration and thanks. Their courage was employed and their lives were given for our country and for us, the Americans who came after them.

And so, ladies and gentlemen, I have the high honor, and the very great privilege, and pleasure of dedicating this U.S. national military park to all of the heroes of our country from Bunker Hill in the Revolution to Pork Chop Hill in Korea. To those who fought and to those who died. To those who lived and to those who toiled. And to Americans all over the Nation, this now is their ground. This is hallowed ground, made so by the blood of the men who here fought and fell.

One other word I would like to say. I have served in the Congress of the United States now 20 years. I went there during the war when Franklin D. Roosevelt was President. Many of your sons and many of you were on foreign battlefields. I served through all of those years, and the longer I served the more I came to appreciate just what the flag means. The longer I served, the more I came to truly appreciate just how great and glorious it is to be an American citizen. As we dedicate this park, ladies and gentlemen, let us remember that the grandest, most glorious privilege a human being can have is to be an American citizen.

Science and the Race Problem

EXTENSION OF REMARKS

OF

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1964

Mr. DIGGS. Mr. Speaker, under unanimous consent, I include in the RECORD the following report of the AAAS Committee on Science in the Promotion of Human Welfare:

SCIENCE AND THE RACE PROBLEM—A REPORT OF THE AAAS COMMITTEE ON SCIENCE IN THE PROMOTION OF HUMAN WELFARE

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(The members of the committee are Barry Commoner, Washington University, chairman; Robert B. Brode, University of California; T. C. Byerly; Ansley J. Coale, Princeton University; John T. Edsall, Harvard University; Lawrence K. Frank; Margaret Mead, American Museum of Natural History; Walter Orr Roberts, National Center for Atmospheric Research (ex officio AAAS Board representative); Dael Wolfle (ex officio). Responsibility for statements of fact and expressions of opinion contained in this report rests with the committee that prepared it. The AAAS board of directors, in accordance with association policy and without passing judgment on the views expressed, has approved its publication as a contribution to the discussion of an important issue.)

Certain statements published during the last few years by persons of academic attainment have asserted that scientific evidence proves that the members of Negro races are inherently less competent than individuals of other races of mankind. The authors of these statements also claim that the alleged scientific data justify inequities in Negro civil rights and ought to invalidate the U.S. Supreme Court decision of 1954 on school segregation. On the other hand, numerous scientists competent in the study of race have strongly rejected both the validity of these assertions regarding the characteristics of Negro races and the political conclusions apparently based on them.

The issues raised by this conflict go far beyond the usual limits of a disagreement among scientists, which members of the profession can resolve among themselves in the normal course of scientific procedure. The issues concern not only the validity of allegedly scientific conclusions but also fundamental principles that affect the integrity of science. Moreover, the alleged evidence is being used to challenge a principle fundamental to our political system, and to influence the outcome of the present crisis in the relations between racial groups in the United States.

Claims regarding scientific evidence of the "inferiority" of Negro races have been put forward in their most coherent form by W. C. George and Carleton Putnam,[1] who make the following main assertions.

1. They claim that recent judicial and political decisions to end segregated treatment of Negroes fail to reflect the weight of modern scientific evidence. This evidence, they assert, shows that human capability is racially determined and that Negroes are inherently less well endowed than white persons with respect to intelligence, and with respect to other factors which lead to competent behavior in a modern society.[2] They assert specifically that the decision of the U.S. Supreme Court in 1954, declaring segregation in the schools illegal, fails to recognize scientific evidence which supposedly establishes that Negroes are inherently less capable of benefiting from education than white persons.[3]

2. They allege that certain groups of scientists have misled the public and Government officials and that, for political reasons, these groups of scientists have conspired to suppress and minimize evidence which is purported to demonstrate important Negro-white inequalities.[4] This allegation has now affected the educational community itself, for a resolution adopted by the Louisiana State Board of Education on July 25, 1961, states:

"Whereas there is increasing evidence that the sciences of biology and anthropology are being distorted and perverted to serve the purposes of certain pressure groups whose aims are inimical to the customs, mores, and traditions of this Nation."

These allegations confront the scientific community with an unavoidable challenge, for in our view all scientists bear a responsibility toward the proper social application of scientific knowledge and have the duty to resist the corrosive effects of social and political pressures on the integrity of science. It is essential, therefore, that we determine whether these claims are valid, and, whether valid or not what their significance is to the scientific community and to the public.

Of greatest concern to those who assert that there is a scientific basis for maintaining social inequalities between Negro and white persons is the U.S. Supreme Court decision on segregation in the public schools (*Brown* v. *Board of Education*, 347 U.S. 483, May 17, 1954). According to Professor George this decision fails to consider scientific evidence on racial differences, which his paper is intended to present.

The background of this decision is relevant to our considerations. The principle of equal access to the benefits of citizenship by all citizens, regardless of racial origin or religious belief, has continually been affirmed as a fundamental principle of American Government and is embodied in its basic instruments, especially the Constitution and its amendments. Since the end of the Civil War, when the specific applicability of this principle to Negroes was established, there have been a series of judicial examinations of the material circumstances which are to be considered "equal." However, there has been no successful judicial challenge to the basic principle of equal civil rights for all citizens. In 1896, in *Plessy* v. *Ferguson* (163 U.S. 537), the U.S. Supreme Court ruled that the principle of equality could be implemented by "separate but equal" facilities for Negro and white persons. The question at issue in the 1954 Supreme Court decision was whether separate school facilities inherently lead to inequality of treatment; again the basic principle of equality was not at issue.

The only reference to science in the 1954 Supreme Court decision appears in connection with footnote 11 to that decision. This footnote refers to a section of the decision that considers the question, "Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other 'tangible' factors may be equal, deprive the children of the minority group of equal educational opportunities?" The Court answers this question in the affirmative and states, with respect to Negro children, "To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. * * * Whatever may have been the extent of psychological knowledge at the time of *Plessy* v. *Ferguson* this finding is amply supported by modern authority."

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[1] Wesley Critz George: A.B., Univ. of North Carolina, 1911; A.M., Univ. of North Carolina, 1912; Ph. D., Univ. of North Carolina (zoology) 1918; Prof. Biol., Guilford College 1916–17; Maule Fellow, Princeton, 1918; Adj. Prof. Zool., Univ. of Georgia, 1919; Assoc. Prof. Histology and Embryology, Univ. of Tennessee, 1919–20; Assoc. Prof. Anatomy, School of Med., Univ. of North Carolina, 1920–24; Prof. and Head of Anatomy Dept., 1940–49, Prof. emeritus, 1949—. Carleton Putnam: B.S., Princeton, 1924; L.L.B., Columbia, 1932; author of "High Journey, a Decade in the Pilgrimage of an Air Line Pioneer" (1944); "Theodore Roosevelt" (a biography) (1958); "Race and Reason" (1961).

[2] Professor George states: "Experience has shown that Negroid peoples have the desire to utilize the products of a high culture but they seem not to possess the combination of human qualities necessary to originate them. Nowhere in the world have they demonstrated that they have the creative capacities (the intelligence, the industry, the drive and the persistence) to make a civilization; nor is there an advanced civilization in any area where there has been a high degree of absorption of Negro genes into a white population." [In "The Biology of the Race Problem," prepared by Commission of the Governor of Alabama, 1962 (pp. 73–74).]

[3] Professor George states: "When the Justices of the Supreme Court abandoned former legal precedents and the historic meaning of the Constitution, and based their decision in *Brown* v. *Board of Education* upon 'science' and the opinions of 'authorities' they inevitably made the validity of their ruling dependent upon the truth and validity of their scientific material. This should have been subjected to critical examination and was not * * * As a contribution to presenting such evidence and for the purpose of weighing the merit of dogmas built up and imposed upon the public as the basis for revolutionary social and political programs, it is the object of this study to ask certain questions of a fundamental biological nature and to see what answers are given by the facts as discovered and reported by the most credible scientists. Some of these questions are:

"(1) Are babies born equal in the biological sense, or are there significant differences between them before environment plays a part in molding them?

"(2) What is the mechanism of biological inheritance?

"(3) Is the difference between the white and Negro races primarily a 'paint job' or are there differences of such fundamental nature and significance that they should be taken into consideration in deciding upon social and educational policies involving the relations of the races?

"(4) Are significant differences in individuals and in races hereditary or are they produced anew in each generation by environmental influences?

"(5) What should we expect to be the long-range results of a program that would lead to racial amalgamation?" [Ibid., pp. 1–2.]

[4] Mr. Putnam states: "I do not believe that ever before has science been warped by a self-serving few to the deception and injury of so many." [C. Putnam, "Race and Reason" (Public Affairs Press, Washington, D.C., 1961) p. 22]

Footnote 11, which then follows, is a list of references dealing solely with the social and psychological effects of school segregation on Negro children. Thus, the only purpose of the Court's reference to "science," or to "authorities," is to further support the Court's finding that segregation has untoward effects on the hearts and minds of Negro children. There is nowhere in the Supreme Court decision an appeal to science that relates to the nature and the origins of racial differences.

The evidence cited in Professor George's paper, which in his view supports the conclusion that Negroes are inherently less capable than white persons, is quite irrelevant to the issue under consideration. If he wishes to counter the scientific support in the Supreme Court's decision he should come forward with contrary evidence regarding the effects of segregation on Negroes. His paper does not offer such evidence.

In our opinion, the defect exhibited by Professor George's paper seriously compromises the usefulness of science to the judicial process, in which science is a necessary means for establishing the material circumstances germane to the issue. Like society generally, the courts must depend on the integrity of science for assurance that factual matter put before them has the validity which we associate with scientific evidence. Such validity depends on the accuracy and completeness of the data, but also on their actual relevance to the issue. To criticize a judicial decision by means of scientific evidence which is on its face wholly irrelevant to the issue is to conceal a fallacy in the cloak of scientific precision.

There is, in our opinion, no evidence to support the claim, advanced by Professor George and Mr. Putnam, that a group of scientists has conspired to mislead the public about the scientific evidence regarding racial differences. This assertion can only reflect a lack of understanding of the nature of the scientific process.

A scientist can obscure the truth about a scientific question only by keeping silent about what he knows, or believes he knows, or by otherwise obstructing the publication of scientific results. Erroneous statements, so long as they are openly published, do not indefinitely impede the progress of science, for they are ultimately corrected by new observations and interpretations. If scientists adhere to the rule of open publication of results, interpretations, and theoretical derivations, nothing that they do can prevent the operation of the self-corrective processes of science. It is this very process of claim and counterclaim which accomplishes the gradual progress toward truth in science.

The scientists who have opposed the notion that Negroes are inherently inferior have been far from silent. If these scientists have assiduously expressed what they know and what they believe about racial difference, then their duty toward the truth has been performed. If their ideas have spread and attracted the attention and support of other scientists, then it should be clear that they have in fact successfully withstood scrutiny and criticism.

SIGNIFICANCE OF AVAILABLE SCIENTIFIC EVIDENCE

Setting aside, as unfounded, the claim that scientific evidence which demonstrates important inequalities between Negro and other races has been suppressed, what can be said regarding the state of modern scientific data on the characteristics of racial groups? What is the relevance of the present information to social judgments regarding Negro civil rights?

The scientific study of the characteristics of racial groups[5] involves, at the least, a determination of the relative degree to which such characteristics are influenced by inheritance, by the physical and cultural environment, and by the effects of interactions among racial groups. The total problem is enormously complex, and contains within itself a series of successively broader subproblems: the biological mechanism of inheritance of individual characteristics, such as blood type, which can be measured precisely and objectively: the variability of such characteristics within specific population groups of various sizes in different environments; the problem of measuring more complex characteristics, such as "intelligence," by procedures which distinguish between innate ability and the effect of cultural factors; the influence of particular social factors on the expression of potential innate characters in the individual; the effects of interactions among groups whose members come in contact with each other through education, immigration, social mobility, and intermarriage. These problems differ greatly in their accessibility to precise scientific investigation and in their relevance to the issue of Negro civil rights.

Scientific study of the simpler characteristics observed in individuals of different racial origins—for example, the genetic basis of blood protein characteristics—is readily accomplished by a number of analytical techniques and has made notable progress in recent years. However, while such results can make important contributions to our knowledge of general biological processes they tell us little or nothing about the capability of any particular group to participate successfully in a given culture. On the other hand, characteristics which might be relevant to competence in a particular culture, such as "industry," "drive," and "persistence" (terms sometimes employed to describe alleged differences between races) are themselves so strongly dependent on social factors that they cannot be evaluated in a social framework which sets arbitrary limits, based on an individual's racial origin, on his opportunity for development.

Negroes in American society are still subject to discrimination with respect to economic, educational, and social opportunities. This basic fact has such a profound effect on the expression of Negroes' innate capabilities, and may so distort the meaning of the criteria used to evaluate them, as to effectively obscure the meaning of attempted measurements of such capabilities. In general, the more closely we approach the estimation of those human characteristics which are of greatest significance in social interactions, the less exact are the observations and the more they are encumbered by the distorting effects of the culture on the observer himself. In these circumstances, an objective scientific evaluation of interracial differences in our society, which imposes significant limitations on social behavior on the basis of race, is almost impossible to achieve.

These difficulties preclude the effective use of measurements of competence as a valid basis for questioning the ethical judgment, so firmly incorporated into our principles of government, that all citizens are to be regarded as equally entitled to the benefits of citizenship. We know of no scientific evidence which can challenge this axiomatic political principle. The assertion that such evidence exists ignores the rule of relevance and the limitations inherent in our knowledge of the complex interactions among social groups. In addition, by fostering the illusion that the social decisions about interracial relations can be determined by "objective scientific fact," it shields the individual's conscience from a confrontation of the grave moral issues which at present confound the relations among racial groups.

SCIENTIST'S RESPONSIBILITIES

The issues raised by alleged scientific evidence to justify social segregation of racial groups confronts the individual scientist and his professional associations with serious responsibilities.

All science is concerned with the extension of what we know about nature. Man, as a part of nature and as a unique form of life, is, of course, an important area of study. There are, we believe, no valid barriers—beyond those dictated by humaneness—to preclude scientific study of the biology of man, including the nature of racial characteristics and their inheritance. Such research will surely add—to a degree dependent on the significance of the observations—to what we know about nature.

Such investigations are difficult of analysis, the results often attenuated by inadequate definition and by relatively large errors of measurement, and the interpretations open to disagreement. Despite these difficulties, science contains well-proven methods for approaching the truth, for winnowing the data, reducing the errors, and reexamining interpretive ideas. But these will succeed only if scientists follow the cardinal rule of scientific discourse: to offer their results and interpretations for open publication in places which are subject to the scrutiny of their scientific peers.

When scientific questions become closely related to public policy there may be a tendency to forego publication in the open scientific literature. Instead, basic scientific considerations may then appear only in special reports prepared at the request of an agency of government. This practice is regrettable, in our opinion, for by precluding the self-corrective effects of open publication it deprives not only the public but also those who have commissioned the report of the full benefits of scientific knowledge.

An example of the effective operation of this self-correcting process within the scientific community may be found in a series of events associated with a UNESCO report on the race problem. This report was prepared by a group of anthropologists, psychologists, and sociologists convened by UNESCO, in December 1949, and published by UNESCO on July 18, 1950. After the report appeared, the British Anthropological Journal, Man, published a critique which held that the document tended to confuse race as a biological fact and the concept of race as a social phenomenon. In our view, the report is also open to criticism because it attempted to provide a scientific justification for the ethical judgment that all human beings are equally entitled to the benefits of society. In response to criticism, UNESCO convened a second conference that included many physical anthropologists and biologists, which prepared the revised statement of 1951, "Statement on the Nature of Race and Race Differences." This is an excellent example of orderly scientific procedure, which is essential in all aspects of science, and particularly important when the scientific evidence deals with a matter of immediate public concern.

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[5] The definition of "race" provided by S. M. Garn in "Human Races" (Thomas, Springfield, Ill., 1961) is appropriate here: "A race in man, as in any living form, is a population, a population of men, women, and children; of fathers, mothers, and grandparents. * * * Members of such a breeding population share a common history, and a common locale. They have been exposed to common dangers, and they are the product of a common environment. For these reasons, and especially with advancing time, members of a race have a common heritage."

In contrast, Professor George has chosen to report his highly contentious views on racial differences in a form which is not readily amenable to the corrective effects of scientific criticism—a report commissioned by the Governor of Alabama.[6] Surely in an area which is subject to such serious disagreement, no scientist can properly put forward his own personal conclusions as representative of the state of knowledge without first subjecting them to the open scrutiny of his scientific peers.

For reasons already stated we believe that available scientific data about human heredity and racial differences are not applicable to the ethical judgments that determine the civil rights of racial groups. Those who present their own views on this judgment as though they were scientific evaluations are simply creating a controversy unlikely to be resolved by scientific means. Such a disagreement will remain as a perplexing exception to scientists' devotion to objective truth, and thereby erode the usefulness of science for the orderly solution of social problems.

The resolution of this controversy does not require an authoritative restatement of the scientific evidence regarding racial differences. More important is improved education which might help the public understand when scientific evidence is relevant to problems of racial adjustment and when such evidence only serves to cloak a moral issue. We believe that the public should be informed that any effort to use purported "scientific evidence" regarding biological distinctions between racial groups to screen an attack on the principle of equal civil rights for all citizens finds no support in either the available evidence or in the principles of science.

There is, however, another type of scientific evidence which stands in quite a different relation to this problem. There is a considerable body of evidence on the way in which racial groups affect each other; how race differences become embodied in the cultural framework of human relationships, and how these interactions affect individual members of majority and minority groups: Myrdal's "The American Dilemma," which is referred to in footnote 11 of the 1954 Supreme Court decision, is an outstanding example of such research. At this time, when the contradictions between the Negroes' legal right to equality and the actual state of American society have become so acute, it is important that all citizens understand how inequalities in the civil rights of different groups may affect the lives of individuals in all groups. Scientists can do a great deal to help the public understand this problem and thereby contribute to a more harmonious resolution of our present difficulties.

CONCLUSIONS

We conclude that the available evidence on the measurable differences among racial groups cannot properly support a challenge to the principle of human equality, which is assured by the Constitution of the United States. The use of purported "scientific evidence" to justify noncompliance with the Constitution debases both science and the human conscience. A continuing effort must be made to improve public understanding of what is known about the results of disharmony among racial groups and to illuminate the causes and the effects of this conflict, which continues to threaten the welfare of all mankind.

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[6] "Race and Science" (Columbia University Press, New York, 1961).

Address of Basil L. Whitener, of North Carolina, Before the Institute for Rapid Transit

EXTENSION OF REMARKS

OF

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1964

Mr. McMILLAN. Mr. Speaker, I take great pleasure in inserting a speech recently delivered by my colleague, BASIL WHITENER, of North Carolina, on the proposed rapid transit in the Nation's Capital.

Mr. WHITENER is well versed on this subject, and I hope each Member of the House interested in transportation in the Nation's Capital will take time to read Mr. WHITENER's address.

The address follows:

ADDRESS OF BASIL L. WHITENER, OF NORTH CAROLINA, MEMBER OF CONGRESS, BEFORE THE INSTITUTE FOR RAPID TRANSIT, THIRD ANNUAL MEETING, MAYFLOWER HOTEL, WASHINGTON, D.C., THURSDAY, MAY 14, 1964, 9:30 A.M.

Mr. McCarter, members of the Institute for Rapid Transit, and distinguished guests, I want to thank the members of the institute for inviting me here today to talk with you about rapid transit in the Nation's Capital. It is a subject in which I am much interested, and I know that you are, too. And I think it is a matter of importance to our Nation for our people care about the future of their National Capital and rapid transit is an essential element of that future.

At the outset, I want to make it clear that I do not pretend to be an expert on transportation. In my experience, Congressmen who try to be as expert as the experts invariably get into hot water. The only worse thing a Congressman can do is to assume that the experts are always right.

So that I see the problem not from the mountaintop—that high position is reserved for the experts—but from the down-to-earth vantage point of a person who is a citizen and who, as a Member of Congress, has helped lead the effort to build a rapid transit system for the Nation's Capital.

First and foremost I am a citizen—like the rest of you—who takes pride in his country's Capital. Over 15 million of our citizens visit the Capital every year. They see the city as an important part of their national heritage. They want it to be a city of beauty and dignity representative of our great national aspirations. Few who come leave disappointed, but many leave with the feeling that there is much to be done that is not being done. Some of my own constituents have remarked to me about the things that detract from the appearance of the city, including traffic congestion, and several of them have remarked that they find it hard to understand why the city doesn't have a subway.

I must say that I, too, find it strange that the capital city of every major European country has a subway system while ours does not. And I wonder how we can talk about being far ahead of the Russians in all fields of endeavor when Moscow has one of the finest subway systems in the world while we are still talking about building one for Washington.

The second vantage point from which I view rapid transit in the Nation's Capital is that of a Member of Congress who is chairman of Subcommittee No. 6 of the House Committee on the District of Columbia, the subcommittee to which the proposed National Capital rapid transit legislation has been referred.

I should point out that I did not begin as an advocate of rapid transit or of any particular form of transportation in Washington. Before I had seen the proposals of the National Capital Transportation Agency, I was aware of the work the agency was doing, but I had no preconceived notions as to what the right answers were. Like most of my colleagues, I am a part-time resident of the District of Columbia, and I knew first hand that the city's streets and highways were very congested and that this congestion was mounting. It was apparent to me that new highways would be needed. But past experience indicated that highways alone would not do the job and that, in addition to the highway program, some new form of transportation would have to be provided. And commonsense suggested that inasmuch as the streets and highways were going to be overcrowded some way would have to be found to move people in large numbers on an exclusive right-of-way free from traffic and underground in the central area.

That, in a very general way, was how I saw the problem before I really got into it. And so, when the late President Kennedy transmitted to the Congress the report of the National Capital Transportation Agency, together with a bill that would authorize the construction of an $800 million rapid transit system for the Nation's Capital, my mind was still not made up as to what should be done.

Our committee then held extensive hearings on the proposed legislation. We heard from every interested Federal agency, from the local jurisdictions of the region, and from many, many citizens' groups. Those hearings served to clarify the issues in my own mind, and it was then that I became convinced of the need for a rapid transit system in Washington.

First, I had never seen as much public support for a program affecting the Nation's Capital as the support that was demonstrated for the proposed rapid transit system.

Second, the only groups to testify in opposition to the program were the local bus companies. I never have entirely understood the reasons for that opposition. I have an interest in three local bus companies back home in North Carolina, and I know a little bit about bus operations. I am aware of the fact that bus operations in a congested downtown area are very slow and are, therefore, very costly. It seems to me that rapid transit would have the virtue of relieving the bus companies of their obligations to provide some of these high-cost services and would not be injurious to the bus companies.

The third impression I had of the hearings was that the evidence and the facts that were submitted to the committee showed that the proposed $800 million rapid transit system recommended by the President was a very good system and that the time had come—if it wasn't already overdue—to begin building a rapid transit system in Washington.

I do not want to burden you with a long recitation of these facts, but a few are of interest. While the city's streets and highways are already jammed, there will be an estimated 48-percent increase in morning rush hour trips to and through downtown Washington between now and 1980. If all of these trips are made by auto—and it looks as if that will be the case if we do not improve public transportation—there will be three additional autos on our downtown streets and highways for every four autos congesting these facilities today.

These figures alone are enough to demonstrate to my satisfaction the need for a rail rapid transit system. The figures show that without such a system the city may be paralyzed and the Washington portion of the interstate highway system will not be able to do the job it was designed to do.

In short, the hearings convinced me that rapid transit in Washington was one of those rare public programs that is beneficial to all—to the people throughout the Nation who want the Capital to be a fine city, to the people who live here, and to the truckers and motorists who suffer from wasteful traffic congestion.

While the hearings served to convince me of the need for rapid transit, and of its importance to the appearance and to the orderly growth of the National Capital, I also felt that the financing formula that had been proposed by the administration for the system was an attractive one. Those of you who are acquainted with my record know that I am opposed to excessive Federal spending and to giveaway programs. I, therefore, was convinced that it was desirable that the riders of the rapid transit system should pay as heavy a portion as possible of the cost of the system. Correspondingly, I felt it was important that the financial burden on the Federal Government and on the government of the District of Columbia be made as small as it could be made.

I know that there may be some in the audience who come from cities favoring low fares. And I certainly have no desire to get into a philosophical discussion about the desirability of such policies. But I do feel that, in view of the existing burdens on the Federal Government and the government of the District of Columbia, in Washington at least we should try as hard as we can to see to it that the rider, and not the taxpayer, pays for the ride.

Under the proposed financing plan, $120 million of the $800 million required to construct and equip the rapid transit system would have been provided by the Federal Government in grants. This was all the Federal Government would have had to pay. And an $800 million rapid transit system for $120 million struck me as being a good bargain from the standpoint of the Federal Government.

At the same time, some of the members of my subcommittee and I were concerned over the question of how extensive a program Congress should authorize. We discussed this matter with administration officials. Ultimately, we concluded that it would be desirable to cut the system down, to the extent possible, to the physical borders of the District of Columbia, the area over which Congress has complete jurisdiction. The result was a $400 million version of the $800 million system.

That system seemed then, and still seems to me, to be an excellent one. I should point out, however, that at least one of the subcommittee members—FRANK HORTON of Rochester, N.Y.—felt that the $800 million system was so good that we should stick to it. He later said so with considerable force during the floor debate while at the same time stating that he was supporting the smaller system in the hope that some day the larger one would be built.

The full committee agreed, however, to endorse the $400 million rapid transit system and favorably reported the bill which I had introduced to authorize the construction of such a system. Thereafter, as all of you know, the House, by a disappointing vote, sent the bill back to our committee.

I see no point in speculating at length as to the causes of that vote. The important question is what does it mean for the future.

I do not believe it was a vote against rapid transit. Neither then nor since have I encountered more than a very few Members who doubt the need for rapid transit in Washington. To the contrary, I believe there is general agreement on the need for such a system. Many of those who voted to send the bill back to committee have since assured me that they believe such a system is needed and that Congress must assist in its creation. By and large their problem with the bill as reported appears to have been with the financing formula which, many felt, placed too heavy a burden on the Federal Government and too little on the District of Columbia. That is certainly a problem that can be solved, and I am hopeful that a revised formula, one that my colleagues will consider more equitable, can be developed at a very early date.

Far from being deterred, I am convinced that rapid transit in the National Capital must become a reality and that Congress should do its share in making this possible. I have not changed my belief that the $400 million system would provide a solid and economically feasible rail rapid transit system in the Nation's Capital. Authorization of such a system would not commit the Congress to do anything more in the future. On the other hand, the system could be expanded at a later date, if this proves desirable.

The estimates are that the system will carry upward of 50,000 people in the morning peak hour into and through the downtown area. And if we do no more than carry into the city on rapid transit 50,000 people who are today clogging the streets, we will have accomplished a good deal to ease congestion in the Nation's Capital. We will have done much to preserve and enhance the appearance of the city. We will have done much to make life more pleasant for those who live in the city and for the many millions who come to the city every year.

I am confident that these things will ultimately be done. It is true that the democratic process is often slow, and we all know how irritating at times that slowness can be. But the great thing about our democracy is that by providing a means whereby the people govern themselves it ensures that public needs are met.

A great National Capital is one of this country's needs. We cannot meet that need unless we solve the city's transportation problems, and a rapid transit system seems to me to be an essential part of that solution. And since I believe that we will do what must be done—as this country always has in the past—I have no doubt that in the near future there will be a rapid transit system in Washington.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 20, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 71: 16: *I will go in the strength of the Lord God.*

Almighty God, who art our refuge in the stillness of the night and our strength in the struggles of each new day, we humbly acknowledge how much we need Thee for we cannot find the right solution to our many problems on the basis of our own finite wisdom.

We are beginning to realize that we are citizens of this great Nation, not merely to receive the benefits and enjoy the blessings of freedom, without hindrance, but that we must defend and preserve them, at any cost, and share them with all mankind.

Inspire us to cultivate a more kindly feeling toward our fellow men everywhere and may the dawning of that blessed day soon come when everything which mars the community spirit shall be forever supplanted by the spirit of good will.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MILITARY CONSTRUCTION APPROPRIATION BILL

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Friday to file a report on the bill making appropriations for military construction for the Department of Defense, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CEDERBERG reserved all points of order on the bill.

DEMOCRATIC STATE CHAIRMAN OF OHIO FEES ON MORTGAGE FORECLOSURES

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, it has come to my attention that the Democratic State chairman of Ohio, William Coleman, who was reelected to a new term on Monday of this week, has within the past 3 months handled 90 foreclosures of mortgages of veterans and others guaranteed by the Federal National Mortgage Association, commonly known as Fannie Mae. Mr. Coleman has handled this work in central Ohio exclusively for the past 3 years.

These transactions have netted Mr. Coleman varying amounts with a minimum of $200 and a maximum of $250 each, or approximately $20,000 for the 3 months. The total amount of fees for the 3-year period would be far in excess of this figure.

It is difficult for me to see how the Democratic Party in Ohio can appeal to the people of Ohio for support when the head of the party in the State is a vulture who is fattening himself on the misfortunes of others and using his party position to obtain this business.

SPECIAL SUBCOMMITTEE OF THE HOUSE PUBLIC WORKS COMMITTEE

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that the Special Subcommittee of the House Public Works Committee be permitted to sit for 1 hour this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

NUCLEAR-POWERED SHIP "SAVANNAH" IN PORT AT BALTIMORE

Mr. CASEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Speaker, I have asked for this time in order to advise the Members of the House that the Commerce Department has the nuclear ship *Savannah* in the port of Baltimore today. Nicholas Johnson, Maritime Administrator, will have appropriate ceremonies at 2 o'clock. However, I doubt if any of the Members of the House will be able to attend those ceremonies in view of the legislative schedule for today. However, this great ship, which is the first and only nuclear merchant ship in the world and one which this body had a great deal to do with reference to its construction, will be there until Sunday.

Mr. Speaker, I feel that all Members of Congress should avail themselves of an opportunity, if it is possible to do so, to look at this great ship, a pioneer in new ways of transportation. This ship is berthed at the Maryland Port Authority, berth No. 2, the Dundalk Terminal, and will be there until Sunday, May 24.

AID TO VIETNAM

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, President Johnson has requested an additional authorization of $125 million to beef up the resistance of the South Vietnamese to Communist aggression.

As members of the House Committee on Foreign Affairs, we heard yesterday the somber reports of Secretary Rusk, Secretary McNamara, General Taylor, and Mr. Bell. It is clear that a critical situation exists and halfway measures will no longer suffice. The full weight of U.S. assistance must be placed behind their effort and the resistance of the South Vietnamese people must be backed by our wholehearted cooperation.

The fatal results that will follow from a Communist takeover must be apparent to all. If South Vietnam were lost, all of southeast Asia might easily fall with far-reaching aftereffects. Accordingly, I want to announce my support of President Johnson's request. I have voted for this increase in committee and I will do so on the floor.

It is my hope that this major action may contribute substantially to turning back aggressive communism in southeast Asia.

GOVERNOR WALLACE AND MARYLAND

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, a great cloud in the form of a liberal smokescreen blankets Maryland and, indeed, the entire Nation today, as the moral victory of Governor Wallace is minimized, denied, explained away, and distorted in an effort to prove that, after all, it really had no significance.

I watched the pundits who had belittled Governor Wallace squirm in discomfort on television last night as they tried to discredit the smashing vote he rolled up for States rights and separation of the races. I do not believe many will be fooled into thinking Governor Wallace's showing has no meaning.

Anyone who reads the voting tally and comes to any other conclusion is whistling as he goes by the graveyard. I know it is not politically expedient for some to admit it publicly, but, as he predicted, Governor Wallace shook their eyeteeth.

The single most significant factor in his so-called unexpected showing is the fact that he was able to get so many votes against overwhelming odds. With a small budget, no organization, a very limited campaign and with very few appearances in the State, the cause he fought for won out against the heavily financed, meticulously organized opposition. He stood off vicious personal attacks, the combined might of a dozen U.S. Senators appearing all over the State in opposition, the Governor and the entire city hall crowd.

Were it not for the fact that Governor Wallace was truly reflecting the opinions of the people; were it not for the fact that he was on the right side, he would have been slaughtered at the polls.

The people have spoken in no uncertain voice. They are opposed to the vicious civil rights bill and Congress should heed the warning.

I congratulate the Governor of Alabama, and remind the Congress that November is not far away.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 129]

Andrews, Ala.
Ashley
Ashmore
Avery
Baring
Bass
Blatnik
Buckley
Burton, Utah
Celler
Colmer
Cramer
Dorn
Dowdy
Edmondson
Ellsworth
Farbstein
Feighan
Forrester
Garmatz
Grant
Gray
Hanna
Hébert
Hoffman
Huddleston
Jones, Ala.
Kee
Martin, Mass.
Matsunaga
May
Meader
Norblad
Pepper
Pool
Powell
Roberts, Ala.
Rodino
St Germain
Selden
Senner
Siler
Staebler
Toll
Utt
Winstead
Younger

The SPEAKER. On this rollcall 380 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1965

Mr. WHITTEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 11202, with Mr. KEOGH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending the amendment offered by the gentleman from Illinois [Mr. FINDLEY]. Without objection, the Clerk will again report the amendment offered by the gentleman from Illinois.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 14, line 12, after the figure "$39,389,000" strike the period, insert a colon and the following: "*Provided,* That no part of the funds appropriated by this Act shall be used for any expenses incident to the assembly or preparation of information for transmission over Government-leased wires directly serving privately owned radio or television stations or newspapers of general circulation, or for transmission over Government-leased wires which are subject to direct interconnection with wires leased by nongovernmental persons, firms or associations."

Mr. WHITTEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do this to say to the membership I appreciate very much the action of our colleagues from North Carolina in returning here for consideration of this bill today. Some had remained in Washington when we went through the bill yesterday. All were supposed to have been before their convention in North Carolina today.

The consideration of this bill was delayed by the untimely and unfortunate death of the chairman of the Committee on Appropriations, Mr. Cannon, last week. As a result we had to schedule this bill for yesterday. But the chairman of the Committee on Agriculture and each member of the North Carolina delegation either remained here or has returned because involved in this bill are provisions having to do with tobacco research, peanut research, and many other things.

I want to thank the gentleman for doing that and also to explain why it is necessary for them to return. At this point I wish to express my appreciation, too, to the gentleman from New York City [Mr. Addabbo] who has contributed so much to our hearings, keeping a balance between producer and consumer.

Mr. Chairman, on yesterday I would refresh the memory of those who were here, and those who may not have been present, that the chief argument made in favor of the amendment yesterday was that the Government might misuse these facilities in some way. I certainly do not mean to belabor the record, but I have before me here a book of general circulation in which it shows that officials of the publication that has been complaining of this have been forced to admit in court in past years that they have misused one of their newspapers to spread propaganda. Perhaps there is new management. However, for any publication to be fearful of the Government misusing these facilities, when the dangers seem to be greater that those who editorialize Government facts seem to be most likely to so use information, is at best, questionable.

I will not go into the detail, but the book I have reference to is a book of general circulation and is readily available.

May I say further, and I repeat this, in these situations the Marketing News Service of the Department of Agriculture has almost nationwide support. Not only that but the weather service has 24-hour service leased lines. I do not know that anybody is against the Government paying for the weather service circuits and we feel that this is an effort to better utilize these lines.

Since yesterday our committee has asked the Department of Agriculture to analyze this amendment and the effect that this amendment will have. My colleague on the committee, the gentleman from Kentucky [Mr. Natcher], is thoroughly aware of that and I am sure he will present that information to the Committee. But I repeat again, the whole Nation is in favor of this marketing news service information. We have utilized leased wires that we are paying for anyway to carry both weather news and the marketing news. I say again, it is sound to let the Government make this available to everybody and not restrict it, as this amendment would, to one outlet, so that it can take it and sell it to somebody—especially with the background and the record in these matters which this book so clearly shows.

Mr. NATCHER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, yesterday in discussing the amendment offered by the distinguished gentleman from Illinois, some mention was made of the Delta program.

At this time I would like to point out there are nine additional special agricultural weather circuits in operation, as follows:

First. Lower Rio Grande area of Texas.

Second. Southwest Georgia, southeast Alabama, and central northwest Florida.

Third. Western lower Michigan.

Fourth. Central and West Virginia, western and central Maryland, south-central Pennsylvania, and northern Virginia.

Fifth. New Jersey.

Sixth. Oregon.

Seventh. Southern Idaho.

Eighth. South Carolina.

Ninth. High plains of Texas.

Mr. Chairman, since we adjourned yesterday, we have had an opportunity to review a little more in detail the amendment offered by the gentleman from Illinois.

Under clause 1 of the gentleman's amendment it would prohibit the U.S. Department of Agriculture from furnishing marketing news reports for transmission over any weather bureau leased wire circuit. Presently, this includes the midsouth area of parts of Arkansas, Tennessee, Mississippi, Missouri, and Louisiana, and the southeastern circuit which last year carried cotton market news from Atlanta, Moultrie, Vienna, and Augusta, Ga.; Montgomery, Ala.; and Columbia, S.C.

Further reviewing this amendment, Mr. Chairman, under clause 2, we find it would prohibit direct connections with private firms and associations which presently include Associated Press, United Market News, Inc., PAM News Corp., and about 50 marketing firms and associations.

It would raise serious questions on the authority for continuing the longstanding arrangement under which AP, UPI, Western Union, newspapers, and agricultural groups have installed sending or relaying machines in USDA leased wire offices. Market news reports are transmitted by wire directly to these outlets from the USDA offices. The difference between this and the "direct drop" arrangement is that a Government employee has to physically transfer a tape from the USDA teletypewriter to the private sending or relaying machine.

The principle involved in this prohibition would raise a question on the indirect connections in many market news offices used by private firms to obtain market news reports. For example, a Government employee reads a report received by leased wire to a group of shippers who make a conference telephone call to him daily, a Government employee reads market reports to a radio or TV station over a wire leased by it, and a Government employee sends a collect telegram to a person transmitting a report received on the leased wire.

Mr. Chairman, in reviewing the amendment offered by the gentleman from Illinois, we find that if the above limitation were imposed, the dissemination of market news would revert to the methods of the early 1920's, when the mailed mimeograph report was the speediest method of getting the bulk of the information to the persons who are buying and selling these commodities.

Mr. Chairman, the amendment should be defeated. I earnestly request the Members of the House to study the contents of the amendment offered by the distinguished gentleman from Illinois. If they will, they willl vote against it.

Mr. KILBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KILBURN. Mr. Chairman, in more than 24 years this is the first time I have ever done this, and I hope the House will give me its attention.

In the Record for May 19, 1964, published this morning, the gentleman from Texas [Mr. Patman] put in replies made by Mr. Batt of the ARA to criticisms published in the Reader's Digest. One of those replies affects me.

According to Mr. Batt, the allegation was:

> That ARA "bludgeoned" votes by letting a political friend make a project announcement involving an $844,000 ARA loan to help modernize an abandoned pulp and paper mill in New York Republican Representative Clarence E. Kilburn's district; the political friend being Kilburn's Democratic opponent.

Mr. Batt says that the fact is this:

> Notification of approval of the project in Congressman Kilburn's district was advanced from the scheduled release date—

He had promised to wait until after the election—

> because the mayor of Norfolk informed ARA that unless ARA gave its decision immediately, the project would fall. When this became known, a wire was dispatched to the president of the local development corporation, informing him of ARA's decision to approve the project. No authorization was given for public release. Unfortunately, word was leaked to the press prematurely through no fault of ARA.

That is what Mr. Batt says. Now let us get to the real fact. The real fact was put forth in the Potsdam paper. It is a different town.

> On November 5, 1962, the day before election, Francis Healey, then Democrat candidate for Congress, received word from Washington that the mill loan had been approved and that he had been authorized to make the announcement.

Washington added that Smith, who is the head of the project, a local man, would receive word later that afternoon from the ARA on the matter. Sure enough later that afternoon Mr. Batt wired to Al Smith, the president of the Norfolk Redevelopment Corp., Norfolk, N.Y., as follows:

> Area Redevelopment Administration will announce on Thursday, November 8, 1962, approval of $844,000. industrial loan to assist the Development Corp., of Norfolk, and

> the St. Lawrence Pulp & Paper Corp., to reopen, and modernize, abandoned pulp and paper mill at Norfolk. Area loan will run for 25 years, bear an annual interest rate of 4 percent. Delighted at this opportunity to join with you in helping to provide 150 direct new jobs in the area where new employment is so urgently needed.

That was sent the day before election with nothing said about not publishing it. So, of course, it was published, because my Democratic opponent had it already from the ARA.

The blowoff was the following telegram sent to me from Al Smith, the president of the Development Corp. of Norfolk. He sent this telegram to me on February 14, over 3 months after Mr. Batt first announced approval.

> DEAR HON. MR. KILBURN: On November 8, 1962, ARA cabled us approval of $844,000 industrial loan of Norfolk paper mill acceptance. We feel we have answered all necessary letters, attended conferences, and completed all phone calls necessary for the closing of above project. We also feel the SBA New York office had kept our jobless people from working long enough. Would you please use your personal influence to hasten our project closing. Please reply.

Well, I did go to work and the project was finally approved nearly 4 months after election. So obivously Mr. Batt was using the day before election to make the announcement to try to defeat a Republican. If Mr. Batt is refuting that allegation by the Reader's Digest and if all his refutations are in the same class as this, his facts are not very well sustained. I think myself, as I always have, and from my experience with Mr. Batt, that he takes all of the taxpayers' money and uses it just to play politics with, just as he did in this case. I myself never would believe a word he said about anything.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HORAN. Mr. Chairman, I rise in opposition to the Findley amendment, and I do so reluctantly, Mr. Chairman, because I believe that this deals with a subject that needs to be aired. I believe it deals with a subject that has been brought to the attention of the Congress and the people of the United States, especially in our agricultural areas, because of the rumors that have been brought to light during the wheat referendum of a year ago and the reluctance of the Department to tell us how much they actually did spend in trying to sell that to the people of the United States. Our Departments enjoy a peculiar status. Any deviation from the fullest and clearest disclosures do tend to reflect.

I think we should all be jealous of a free press in this country and that the truth as we are earnestly enabled to know the truth should always be published. I am reminded, of course, that the matter of reliability of Government reports goes back a long ways in our history. There is an incident that is often called to memory concerning the assembling of the crop reports in the early part of this century when a window shade was raised and lowered late at night down in the Department and a wire was sent from Washington to Chicago and a killing occurred in the wheat pit out in Chicago the next day. Since that time there has been brought up in the Department of Agriculture something of sacredness around the information which the Government collects in the shape of crop reports.

I think it is good to have a discussion of this matter because we should be able to rely on the strictest and the most honest information in Government crop reports. But now we come to the other side of the coin and that is, how are we going to get all of this assembled information out to the people who can use it to best advantage? That is where I have to rise in opposition to the amendment, as I understand it, and I have read it several times, this amendment would hinder, not enhance, the dissemination of information on crops.

I believe we should use every outlet of information and we should use it in as timely a way as we are capable of doing. I believe that the amendment as written would interfere with getting this information out in a timely manner.

The interest in this amendment proves to me that there may be some things that our Committee on Government Operations should look into by way of information that may be coming out of the Department of Agriculture. I mention that here and now for the benefit of those who are present. I see present the chairman of our House Committee on Government Operations, the gentleman from Illinois [Mr. DAWSON]; the press is here and I assume someone is here from the Department of Agriculture. We are dealing, in my opinion, with one of the most important functions of the Department of Agriculture. That is the assembling of information and its dissemination to those in the agricultural industry who can use it to best advantage. Therefore, I feel that this amendment should be defeated at this time.

Mr. JONES of Missouri. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I was glad to hear the comments of the gentleman from Washington [Mr. HORAN], because he expressed the same feeling that I have about this matter. I have witnessed the benefits that have come from the use of the Weather Wire Service that has been supplemented by the market reports. I remember a specific instance during the watermelon season in my area. I know that the rapid dissemination of that information resulted in a great amount of revenue to the farmers there, who, if they had had to wait another day for this information, which would have been transmitted by mail, would have been of no benefit to them. It is true of some of the other crops in our area.

My feeling is this. The Government compiles a great deal of information which is not of great value. I see my friend from Washington [Mr. PELLY] present. He has said that we spend a lot of money publishing a great deal of useless, or unnecessary information. I am not in favor of that, either. But as to this Market News Service, since we do spend the money to get the information which would be of great value to the farmers, we should utilize every facility to get that information to them as quickly as possible. I think that this weather line which we are already paying for does offer that service. For that reason I hope the amendment will be defeated.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman.

Mr. PELLY. The gentleman from Missouri referred to the cost of disseminating information to the public. I think our President has raised this issue. All of us should take cognizance of the fact that he is urging the various departments not to spend so much money on printing. The gentleman from Missouri and I have opposed that practice in past years.

Mr. JONES of Missouri. Mr. Chairman, I think the gentleman and I see together on this. We are both trying to save money. But we want to give service to the farmer, particularly information that will make it possible for him to get the greatest amount of money for his crops.

Mr. PELLY. I thank the gentleman.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Illinois.

Mr. FINDLEY. The gentleman suggests that there might be a day's delay in getting important marketing data to the farmers if the interconnection between the new market news service and the Weather Bureau network were not made possible as it has in this past year. Surely, the gentleman has United Press International and the Associated Press offices in his general area. I have knowledge that these news services do maintain staffs in the various parts of the country and make regular calls at the AMS offices. So, there would not necessarily be any more delay in getting information to farmers through the private news agencies than would obtain if we continued with this Government network.

Mr. JONES of Missouri. No; I would not agree with the gentleman on that. As the gentleman knows—he is in the newspaper business and I have been in the newspaper business and I have been connected with a radio station and am familiar with the problem—I know that the news services do a good job. I am not against private enterprise. However, this would not interfere with the AP or the UPI. They could not obtain as complete coverage and they will not obtain it as rapidly, because other news will take preference over this market news. Most of these reports are pretty dry reading when they come over the wire. The "hot news" and scandal and things like that go first and have priority. We may get the market reports at the end of the day, but on this weather reporting service that information is put on the wire as soon as it is assembled and it gets to the place and it is on the radio and in the press as soon as it goes out. That is the advantage of it.

The gentleman talked yesterday—and he seemed to base his fears upon something that was going to happen. I might entertain the same fear. I do not want to see this line used for propaganda purposes and I will fight with the gentleman to the end to keep that from being done. But so long as this line is confined to the transmission of vital farm statistics and prices and things like that of great importance to the farmers, I think we should utilize it.

Mr. Chairman, for that reason I believe the gentleman's amendment should be defeated.

Mr. FINDLEY. Mr. Chairman, if the gentleman will yield further, is the gentleman suggesting that staff members of the Associated Press and UPI are not capable of making a proper evaluation of the flow of material which comes across their desks and to select and transmit promptly the items that are urgent to the farmers?

Mr. JONES of Missouri. The best example I can give to the gentleman is this watermelon situation of last year. The fellow sitting up there in St. Louis, in Kansas City, the AP or UP, could use their services in another place or with reference to another country, while down in southeast Missouri they are very interested in the marketing of watermelons. There was only a small area interested in the price of watermelons on that day. So they sent out a story about some scandal in Washington or some crisis in the Far East, but nothing with reference to the price of watermelons on the news lines at all. That is going to come out at the end of the day. The report has not been published and the farmer sold his melons and took about a half a cent a pound less than otherwise. However, by putting this information on the line then the radio stations located in the particular area can carry it and they will select the thing that is most important to the people in that particular area. Also, the newspapers will take the item that is of importance in that particular area. They will not use the whole thing, but they will use the information that is helpful to the farmers. That is why this needs to be done.

Mr. BALDWIN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Illinois.

Mr. FINDLEY. I thank the gentleman very much. In the geographical area referred to by the gentleman from Missouri [Mr. JONES], that area which has had the advantages of the Government Weather Bureau's leased wire network, an advantage which all areas of the country do not have, and no doubt in that area the private news services have come to depend upon the Government-leased wire network to provide this essential farm crop news. But in other vast areas of the country where this Weather Bureau leased wire network does not exist and does not serve this group of radio stations, television stations, and newspapers, there is no such dependency.

I have yet to hear any complaints from farmers in those other areas that they have not been getting adequate service from the private news agencies.

The gentleman from Mississippi mentioned the word "monopoly," suggesting that the adoption of my amendment might somehow create a monopoly for some private news agency. Quite the contrary, it would prevent the development of a monopoly in the crop news reporting field, a monopoly held by the Government. It would not grant any preferential standing whatsoever to any private news agency. Whether a monopoly has ever existed, whether preferential treatment has been granted to a private news agency, I do not know.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Is it not a fact that the present service provided by the Department of Agriculture is available to anybody who wants to pay for it? It is unrestricted as far as this information we are discussing is concerned. Will the gentleman agree that under present conditions it is available to anybody who wants to pay for and subscribe to it, therefore it is available to all?

Mr. FINDLEY. I agree that is the fact.

Mr. WHITTEN. Is it not true the gentleman's amendment would, to a degree, restrict the present situation to fewer users?

Mr. FINDLEY. No, indeed. The same information and service which was available to all persons and media prior to April 1963, would still be available to all.

Those persons, associations, and agencies who had their own staff members in the AMS offices and take the material off the machines and evaluate it could still do that. That is the way our private enterprise news dissemination service should operate.

Mr. WHITTEN. I think the gentleman's statement indicates it would be more restrictive.

Mr. FINDLEY. Mr. Chairman, I also want to respond to a comment by the gentleman from Mississippi calling attention to a book. I have no knowledge of the contents of that book. I assure you I hold no brief for anyone who might be harmed individually as a result of this new market news service. My great concern is the danger that Government may get a tempting tool for news management. There is always the danger of propagandizing, whether by Government or private news agencies or private newspapers. This will always exist as long as human nature exists. We are not going to outlaw that. But I think we have seen in this country the great virtues of a privately owned and privately controlled press—one that is not dependent upon the Government for wire news services.

My amendment would prevent any direct interconnection between the Government wire news services and private wires. A point was made that perhaps this amendment would make it impossible for a telephone conversation to relay information to a private party. I want to assure the membership that is not the intent of the amendment. I believe it to be an erroneous interpretation. We can make a little legislative history right here, and if there is no objection, I will make it plain that such is not the intent of the amendment.

All of this points up the need for public hearings. There has been so little interest indicated in support of these broadened market news wire services. Why not halt this dangerous new trend until we can get the facts before the public and let all of the affected parties have a full hearing?

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from California.

Mr. HOSMER. I would like to know what apologies the U.S. Government has to engage in the practice of disseminating such information as the price of watermelons and other things of that nature where they feel there is an obligation to take the taxpayers' money and devote it to this kind of operation, not only for specific purposes but to expedite direct dissemination electronically?

Mr. FINDLEY. If I may respond, the Department of Agriculture through the Agricultural Market News Service has for many years collected and disseminated information of this type.

I am not proposing that we go back and wipe out a very fine service that has been rendered through the years or even to eliminate the wire network which connects all of these some 200 reporting offices around the country. The Government offices should be connected by the most modern facilities available.

My amendment would simply prohibit direct interconnection of private leased wires with this Government network. To me it sets up an apparatus which is a tempting tool for news management.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOSMER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would like to ask further the author of the amendment, and I am satisfied with what he has told me so far, and I am satisfied that we do not want to disestablish these activities—but I wonder what compels us to constantly accommodate to any increased electronic effectiveness or speed in the dissemination of information, making it almost a race by the Department of Agriculture to keep up with communications technology at the taxpayers' expense in order to disseminate information. Also, not only in competition with technology but in competition with legitimate private enterprise in the United States that desires in the traditional American manner to earn a dollar or so by engaging in the same activity.

Mr. FINDLEY. I will tell the gentleman that the excuse given for the tie-in with the weather bureau network is to make use of the idle wire time. That is the excuse for the preparation by the AMS of reports to go directly into Government leased wires and directly into the radio stations and television stations and to all the newspapers of that area. The gentleman from Mississippi confirmed my worst fears yesterday when he said, and I am quoting from the RECORD:

> Further, if the Federal Weather Bureau is going to pay for the leased wires on a 24-hour basis it is absolutely foolish not to use them to make market information available.

Well, if that argument holds firm for reports prepared by the U.S. Department of Agriculture, why would not the same argument obtain for the Department of Commerce which has news of interest to the general public? Why not use some of this idle time of the Weather Bureau network for a regular report from the White House or from the Post Office Department or from the Department of Defense? The Government could keep the wires humming with handouts 24 hours a day.

Mr. HOSMER. I want to say this in addition, that traditionally the history of capacity in a communications network has been the basic user's constant traffic increase. So if you take on a supplementary user while you have some surplus capacity inevitably you either have to eliminate the so-called supplementary user—or you have to expand the capacity of your network. In this case I am certain that if the Department of Agriculture persists in continuing this activity, certainly it would not be thrown off the lines and the Government will go to the expense of acquiring additional capacity. So we will not get a saving of any money on that.

Mr. WHITTEN. May I say in differing with the gentleman's statement, that we must remember that we have a national policy providing for marketing news services and that is not primarily for the producer but also for the purchaser, processor, and consumer so that the flow of available commodities will go in the direction where there is a fair price and, of course, that fair price for the commodities will follow the need for them. So, as I say, that is a fixed national policy and we are spending money and getting that information out.

Now the same Government is spending money and getting out weather information so why not have the same Government that has this fixed policy in both cases use the Weather Bureau's line where we are paying for them 24 hours a day to make available that information which is a Government operation.

Mr. HOSMER. I will say that this governmental policy has not been, or should not be to expedite this flow through any channel that could develop on its own. The policy has been to collect this information and make it available and then in the traditional manner, by private enterprise have this information communicated. I am not talking about the weather now. I am talking about the other items under discussion. We are taking this additional step in competition with certain private agencies that are now furnishing this service. They will—if the Government; that is, the Department of Agriculture, continues to engage in this activity—themselves have to go out of business.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Mississippi.

Mr. WHITTEN. What is involved here is a situation in which a few people want to put their own employees in the service area and to resell the information. They do not want the Government to make it available to everybody. That is exactly what is at issue. The only purpose in developing this information by the Department is to disseminate it.

The gentleman should agree that if the Government is going to get this data it should not hold it in one place and let some private organization come in with its employees and then resell it. It should make the information available to the people.

Mr. HOSMER. Unfortunately, the Government controls the entire communication—from organization to ultimate user. No bureaucrat should be given this unlimited power which surely would eventually be subject to abuse by use for propaganda purposes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The question was taken; and on a division (demanded by Mr. FINDLEY) there were—ayes 31, noes 58.

Mr. FINDLEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. FINDLEY and Mr. WHITTEN.

The Committee again divided, and the tellers reported that there were—ayes 56, noes 101.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

REMOVAL OF SURPLUS AGRICULTURAL COMMODITIES (SECTION 32)

No funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used for any purpose other than commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956, (2) transfers otherwise provided in this Act, (3) not more than $2,924,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961, (4) not more than $45,000,000 for expenses for the Pilot Food Stamp Program and (5) not in excess of $25,000,000 to be used to increase domestic consumption of farm commodities pursuant to authority contained in Public Law 88–250, the Department of Agriculture and Related Agencies Appropriation Act, 1964, of which amount $2,000,000 shall remain available until expended for construction, alteration and modification of research facilities.

Mr. FINDLEY. Mr. Chairman, I make a point of order against the language in this section headed "Removal of Surplus Agricultural Commodities (sec. 32)." The language in question is that appearing at the top of page 16, lines 3 through 9.

The CHAIRMAN. Specifically, will the gentleman from Illinois state his point of order?

Mr. FINDLEY. My point of order is that the proposition is not in compliance with clause 2, rule XXI of the House of Representatives. Clause 2 reads:

> No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

The CHAIRMAN. May the Chair inquire of the gentleman from Illinois as to whether his point of order is to the entire section or the entire paragraph or that portion which he indicated?

Mr. FINDLEY. My point of order is to lines 3 through 9, the portion of the section beginning with the figure in parentheses 5. I will read it. It reads as follows:

> (5) not in excess of $25,000,000 to be used to increase domestic consumption of farm commodities pursuant to authority contained in Public Law 88–250, the Department of Agriculture and Related Agencies Appropriation Act, 1964, of which amount $2,000,000 shall remain available until expended for construction, alteration and modification of research facilities.

There is legislation in an appropriation bill.

The CHAIRMAN. The gentleman will include the word "and" on line 2, I assume.

Mr. FINDLEY. Yes.

The CHAIRMAN. Does the gentleman from Mississippi desire to be heard on the point of order?

Mr. WHITTEN. Mr. Chairman, I call attention to the section in the bill, last year where Congress passed permanent legislation authorizing this in the appropriation act in which we said hereafter this could be done. It is in last year's appropriation act which was written for this specific purpose and provides hereafter not to exceed $25 million may be appropriated for these purposes. We cite chapter and verse there, so to speak, and it is quite clear.

Mr. FINDLEY. Mr. Chairman, may I be heard on that?

The CHAIRMAN. The Chair will be pleased to hear the gentleman from Illinois.

Mr. FINDLEY. First of all, Mr. Chairman, in the committee report on page 57 there is a list of the limitations and legislative provisions not heretofore carried in any appropriation act which are included in this bill. The second item printed there specifically refers to the language which I have cited, on page 16, paragraph (5).

Second, there is reference to research on health and related problems of tobacco; and on page 6 of the committee report, referring to the tobacco problem, they say the following:

> Accordingly, the Committee has included $1,500,000 of Section 32 funds in the bill for 1965 to enable the Department to immediately initiate tobacco research at this location.

I would like further to call attention to two citations in the precedents. One citation is No. 1445 on page 449. In that it says:

> An amendment descriptive of the object for which an appropriation is made is not legislation.

> The fact that an item has been carried in appropriation bills for many years does not exempt it from a point of order.

Then I would call the attention of the Chair also to citation 1656 on page 654 of the precedents, which reads as follows:

> The fact that a provision has been carried in appropriation bills for many years does not exempt it from a point of order if otherwise unauthorized.

My point is that the activity which would be appropriated for in this paragraph (5) has not been authorized in legislation heretofore.

The CHAIRMAN (Mr. KEOGH). The Chair is ready to rule. The gentleman from Illinois [Mr. FINDLEY] makes a point of order addressed to the language appearing on page 16, line 2, beginning with "and" and continuing through and including line 9, on the ground that it is legislation on an appropriation bill.

The Chair has had called to its attention the section which was contained in Public Law 88–250, in which it appears that the appropriation here, which incidentally is also in the nature of a limitation, was authorized by the Congress by the inclusion of the words pointed out by the gentleman from Mississippi that "hereafter such sums (not in excess of $25,000,000 in any one year) as may be approved by the Congress shall be available for such purpose," and so forth.

The Chair therefore holds that the language in that public law cited is authority for the inclusion in the pending bill of the language to which the point of order was addressed, and therefore overrules the point of order.

Mr. FINDLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FINDLEY. The language authority cited in the public law was a reference to a public law which was an appropriation act; am I correct?

The CHAIRMAN. The Chair pointed that out. The Chair might say, incidentally, that while legislation on an appropriation bill may be subject to a point of order, if none is made it is perfectly valid legislation and becomes permanent law if it is permanent in its language and nature.

The Clerk will read.

The Clerk read as follows:

Page 16, line 10:

"FOREIGN AGRICULTURAL SERVICE

"*Salaries and expenses*

"For necessary expenses for the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $35,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $18,790,000: *Provided,* That not less than $255,000 of the funds contained in this appropriation shall be available to obtain statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis: *Provided further,* That, in addition, not to exceed $3,117,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service."

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, if I may have the attention of the chairman of the subcommittee, the gentleman from Mississippi [Mr. WHITTEN], I would like to inquire as to what is being accomplished with respect to the thousands upon thousands of tons of various types of grain, shipped to foreign countries, and valued at perhaps $150 million, that has been lost, strayed or stolen? This is grain that was allegedly shipped to Austria, to Ceylon, to Vietnam, to Colombia, to Turkey, and I do not know where else.

Mr. WHITTEN. May I say to the gentleman that when this matter was first called to my attention—and may I say it was first called to my attention by a news story—immediately our subcommittee met and asked for an investigation in order to determine the facts.

May I say to the gentleman further that this program comes under Public Law 480 and it involves barter agreements, and all that. But, nevertheless, that kind of program needs to be handled in the proper order.

In our report we attempted to cover what we had been able to find out in connection with it. We in our hearings do not disclose the names involved because apparently, based upon the information which we had, some of these people may be indicted and tried. At the insistence of the Department of Justice we have held up releases in certain other aspects.

However, we have been right behind it and we, like the gentleman from Iowa, want this business handled properly and we want this Congress to know that this subcommittee is going to have this investigation and obtain this information.

Mr. GROSS. Apparently you are giving to the Foreign Agricultural Service the same amount of money which they had last year and, perhaps, even more.

Can the gentleman state whether any representatives of the Foreign Agricultural Service have been responsible for this grain being lost, strayed, or stolen?

Mr. WHITTEN. If the gentleman will yield further, I am speaking from recollection. It is my recollection that one or two individuals or employees with the Foreign Agricultural Service were involved. May I say further that looking backward, they did not quite keep up with what they should have kept tabs on. Many of these things were transshipped 2 or 3 times, leaving the Foreign Agricultural Service representatives the problem of trying to trace the people who were guilty of fraud and who doubtless were making every effort to hide what they were doing. In some instances this grain was not only transshipped but repackaged.

May I say to the gentleman from Iowa that the increase reflected here is for salary increases only.

Mr. GROSS. I will say to the gentleman from Mississippi I am afraid that a lot of the Billie Sol Estes scandal has been swept under the rug—and one of our colleagues suggests the Bobby Baker scandal is also going under the rug. I do not want to see the loss of this grain, worth perhaps $150 million, given the same coverup. If there are people in the Department of Agriculture who have been negligent, and/or irresponsible, and have not been disciplined or fired for failing to perform their duties, then this appropriation ought to be cut and somebody ought to be taught a lesson through the process of the purse strings, if Congress cannot get at it any other way.

Mr. WHITTEN. May I say to the gentleman from Iowa that I think I have a long record along the line about which the gentleman is talking.

In 1953, if the gentleman will read our report, it was our committee that investigated many of the charges that resulted in action, and in this instance the gentleman will see that we have investigated it again here. My recollection has been confirmed that one man was probably most guilty of negligence, but there was no evidence that anyone had received any remuneration out of it. But there was one responsible party who is no longer with the Service.

I will say further to the gentleman that we are doing everything we know to do to ride herd on it.

Mr. GROSS. Did the gentleman say that there are existing indictments or that there will be indictments?

Mr. WHITTEN. We have been appraised that these matters are now pending before the Department of Justice. I would not want to take the chance here that the Department of Justice may not act on the ground we had given out information, therefore making it impossible for them to convict. The best we can do is to trust the Department of Justice and, so far as we possibly can, make the information available that can be made available. If there is no followup our committee will make every effort to do so.

Mr. GROSS. I thank the gentleman.

The Clerk read as follows:

OFFICE OF RURAL AREAS DEVELOPMENT

Salaries and expenses

For necessary expenses, not otherwise provided for, of the Office of Rural Areas Development in providing leadership, coordination, liaison, and related services in the rural areas development activities of the Department, $124,000: *Provided,* That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed $3,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask a question or two as to what this Office is accomplishing—the Office of Rural Area Development, for which $124,000 is requested. Is this the Office I read about in the hearings that has had some hand in remodeling a motel and restaurant?

Mr. WHITTEN. No. This is supposed to coordinate the work of the Department of Agriculture in rural area development with that of the Department of Commerce and the agencies in the

Department, such as the Farmers Home Administration which has been assigned some of the job. This is the coordinating agency to try to bring this together to see that they are working together.

The basic law, which we passed 2 years ago, provided for this area redevelopment program. Rural redevelopment is mixed up with this. This is the agency that is supposed to coordinate all of the activities.

May I say that, while these new programs might have some value, I agree with the gentleman that they do not always reach the major farm problem. But they are in existence and your committee, may I say, instead of going along with the budget increases for these programs, held it down to this year's level. We did not expand it even though the budget expanded it. We held the work down to this year. This is a group coordinating all of the activities.

Mr. GROSS. I would rather spend $124,000 on trying to find ways and means to get farm income up. Farm income has gone down, while for other segments of industry income has climbed. If we are going to spend money let it be spent on efforts to raise the income of farmers, to get agriculture, the basic industry, on an equality with other industry in this country.

Mr. WHITTEN. May I say to the gentleman if I had my own way fully and completely I might be able to improve it considerably. Unfortunately, I do not have my way. I do not believe there is anyone who is working harder trying to get equality than I. But I do not know just how to do it.

Mr. GROSS. This bill provides $1 billion less than was spent on American agriculture last year. I do not know what the result of this will be but I suggest that on the basis of this reduction the foreign giveaway program should be cut that much and more.

Mr. WHITTEN. May I point out if you will read the bill, we try to point out the necessity for cutting out those things which help to create the problems of the people today, including agriculture.

Mr. GROSS. I want to see farm programs cut wherever it is reasonably possible to do so, but this is a pretty good wallop that is being taken at agriculture. If it can be justified, well and good.

Mr. WHITTEN. May I say to the gentleman, I would not at all be surprised to see us back here sometime before the end of the next fiscal year on this Commodity Credit Corporation item. We were quite candid in our report. Much of this cut reflects the failure to restore all of the capital impairment and change in policy where we are providing enough to run for this year instead of restoring the Corporation to its full borrowing capacity. Whether it works or not, I do not know. I do know, with all the heat that agriculture takes and that we take and that the farm program takes, it sure would have been bad if we came out here with a bill $300 million or $400 million over the budget. If we had not gone along with this change in policy, it would look like agriculture was up for another $300 million or $400 million above the budget. That is what we are faced with.

Mr. GROSS. I am not quarreling with what the committee did. I am only saying, if agriculture can be cut by a billion dollars, let us get busy and cut some of the rest of the spending.

Mr. WHITTEN. I cannot argue with the gentleman.

Mr. HARVEY of Indiana. Mr. Chairman, I am reluctant to take the time of the committee at this point, but there is an item in connection with this rural area development that has been of some interest to me. I hate to chide my friends on the other side of the aisle, but I read a great many accounts of the great effort that the new Johnson administration is making in the area of curing pockets of poverty with emphasis on rural areas. That is fine, except that as I read their statements, you would conclude that they thought of the whole thing and started it all. In truth, a bill was enacted in 1955—and I am sure some of the gentlemen of the Committee on Agriculture whom I see on the other side of the aisle will recall this—a bill was enacted in 1955 for rural area development which set forth a plan or a blueprint for the coordinating of all the agencies of the Federal Government and the States and local governments to attack the problems in these submarginal income areas and to assist them in every possible way. Its purpose was to give them every assistance in putting a long-range program into effect with the object of improving their standard of living.

A few counties, usually one county in every State, were selected as a pilot county and that effort was initiated in 1956. A great deal of progress was made and much know-how in this field was developed in the intervening years. In fact and in truth, we are now witnessing the culmination of these many years of effort in this field. Of course, I am all for it and I think it is a good idea. I hope we proceed with this program.

But, it does seem to me that this program having gone along as far as it has and with the experience that we have acquired in this field, the credit for it ought to be given to the people who actually started it.

Furthermore, I would think that since this work has been done for a good many years without having to make an appropriation to expedite this coordination, that it could continue to be done in the future in the same way.

The Clerk will read.

The Clerk read as follows:

LOAN AUTHORIZATIONS

For loans in accordance with said Act, and for carrying out the provisions of section 7 thereof, to be borrowed from the Secretary of the Treasury in accordance with the provisions of section 3(a) of said Act, as follows: Rural electrification program, $365,000,000, of which $90,000,000 shall be placed in reserve to be borrowed under the same terms and conditions to the extent that such amount is required during the current fiscal year under the then existing conditions for the expeditious and orderly development of the rural electrification program; and rural telephone program, $70,000,000, of which $7,000,000 shall be placed in reserve to be borrowed under the same terms and conditions to the extent that such amount is required during the current fiscal year under the then existing conditions for the expeditious and orderly development of the rural telephone program.

AMENDMENT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MICHEL: Page 26, line 22, after the word "program", insert the following: "*Provided,* That not more than $5,300,000 of the foregoing amounts shall be made available to the borrowers of the Rural Electrification Administration in Alaska for the repair, rehabilitation or reconstruction of all their facilities and properties damaged, destroyed, or dislocated as a result of the earthquakes of March 1964, and provided further that any amounts so made available and used shall not be repayable by the borrowers."

Mr. WHITTEN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Mississippi reserves a point of order.

Mr. MICHEL. Mr. Chairman, the purpose of my amendment is to provide the necessary financing, in the form of grants from REA, for rural electric and telephone borrowers in Alaska to reconstruct and rehabilitate their facilities destroyed and damaged by the March earthquake and subsequent tidal waves.

At 5:36 p.m. on March 27, 1964, one of the greatest natural disasters ever experienced by the United States rocked the State of Alaska. The economic heart of Anchorage, Alaska's largest city of 49,000 was practically destroyed. Property damage has been estimated at about $300 million. Nearly a hundred lives were lost. Today—nearly 2 months later—the courageous people of this State are still in the process of digging out.

Major damage was done to the REA borrowers in that State, particularly to the Chugach Electric Association which serves the important area around Anchorage, including part of the suburban areas. It is estimated that this one borrower has suffered more than $5 million damage in facilities and, in addition, will suffer a half million dollars in revenue loss during the next year.

According to testimony presented to our committee, the Knik Arm powerplant of the Chugach cooperative, located not far from Anchorage's devastated Fourth Street's damage center, was knocked out of commission and although the plant is now back on the line, complete repairs will take from 3 to 4 months. Chugach's 115-kilowatt transmission line from Anchorage to Cooper Lake suffered substantial damage. Sixteen complete structures were destroyed and 30 others must be relocated at an estimated cost of $1.7 million.

Other borrowers in the area suffered heavily even though the dollar loss was not as great. Shock damage at the city of Kodiak, served by the Kodiak Electric Association, was not severe but the tidal waves that followed destroyed much of the town's business district, as well as its canning industry. The co-op's generating plant, located on high ground, was saved from destruction but at the peak of the tide the water was only a few inches from the powerhouse floor.

Below the powerhouse, however, the plant's cooling system was damaged, and the building in which it was housed was smashed by one of the cannery structures washed against it by the waves. As Kodiak manager, Leon Johnson, put it; "I think we have the distinction of having the only powerplant in the country that has been hit by a passing cannery."

In addition, Kodiak lost a warehouse building which was on lower ground, and a total of about a mile of distribution system was wiped out. Biggest loss, however, is the canning industry and business establishments, which provided more than 40 percent of the co-op's revenue.

Up on the Kenai Peninsula, damage to the Homer Electric Association is centered around its facilities on the Homer spit—a long neck of lowland extending into the water—where an oil bulk storage plant is located, with loading facilities. A small boat harbor was destroyed due to settling of the land some 6½ feet and a long stone jetty disappearing into the ocean.

The Copper Valley Electric Association at Glennallen, Alaska, reported a cracked plant foundation. How extensive this damage is will not be known until more detailed inspection can be made, but the plant is in operation.

The Matanuska Electric Association at Palmer reported less damage. Three spans of distribution line were lost, resulting from a snow slide, and one structure on a 65-kilovolt transmission line was moved sideways, but remained intact.

If time permitted I could spend a greater part of the afternoon with other examples of destruction and I have here photographs of the devastation resulting from the quake and subsequent tidal waves.

Although the rural electric systems in Alaska were hit hard by the disaster, co-op officials and employees responded courageously, and electric service was restored to areas that could use it in remarkably short time.

The systems most heavily damaged, however, face an uncertain future. Unless outright grants are provided to cover their losses, as set forth by my amendment, continued operation will be difficult. The heavy expenditures which will be required to restore the damaged systems, coupled with sharply diminished revenues caused by loss of load, will be more than the co-ops can cope with unless some relief is supplied.

Present estimates of damage to all the rural electric systems in Alaska run from $6 to $7 million.

To restore their facilities to effective usefulness, the rural electric systems will need grants of cash. The Rural Electrification Act authorizes loans, not grants. Loans will not solve the problem because the co-ops have lost much of their revenue from homes and industries wiped out in the disaster. Further indebtedness would only compound the problem, not solve it.

The amendment I have just offered would make $5.3 million of this year's authorization available to REA in the form of grants to aid Alaskan REA borrowers. Such grants would be limited to the repair, rehabilitation or reconstruction of REA facilities and properties damaged, destroyed or dislocated as a result of the March 1964 earthquake.

Alaskans need electric power to get their economy moving again and REA borrowers make up a substantial and important part of the power industry in Alaska.

My amendment will not increase the total funds in this bill. It merely earmarks a portion of the REA authorization for grants to aid Alaska power systems.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I am glad to yield to the gentleman from Washington.

Mr. HORAN. The earthquake had the effect of destroying the facilities with which the people of Alaska hoped to repay their loans. With those facilities gone, it is utterly silly for us to expect them to be able to repay a double loan.

Mr. MICHEL. As a matter of fact, with regard to the situation at Kodiak, the entire load of the cooperative there was wiped out. This cooperative has no customers. How could they possibly repay a loan, in keeping with their agreement with the Government?

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I am glad to yield to the gentleman from Illinois.

Mr. FINDLEY. I commend the gentleman for his concern, and I shall support his amendment.

I should like to ask if the private utilities involved—the telephone and power firms—have access to any similar form of relief or grant to aid them in repairing and rehabilitating their destroyed and damaged property.

Mr. MICHEL. I say to the gentleman that there was some question as to whether, in the bill which passed the House and Senate for $50 million, there would be a reservoir from which these cooperatives could draw. When I checked with the REA Administrator prior to developing this amendment, he said, "We do not know at this time whether or not they will qualify." In other words this is a gray area.

As I understand it, rural electric co-ops are not eligible to receive help under Public Law 875—the General Federal Disaster Act—which consolidated all Federal authority to assist State and local governments in alleviating suffering and damage resulting from major disasters. Furthermore, this act provides for loans and not the necessary grants needed if these systems are to remain financially healthy.

An adequate and dependable supply of power must be made available by these cooperatives before industry can rebuild. My amendment will accomplish this expeditiously. It is a good example of how we can help people to help themselves, a basic tenet of the REA Act of 1936.

By supplying the needed capital now, REA suppliers can continue to serve the people of Alaska and repay their outstanding loans to REA. Without it, the financial future of these cooperatives is in jeopardy. In the long run the cooperatives, the people of Alaska, the REA, and the Nation's taxpayers would be far ahead if my amendment is accepted. I ask your wholehearted support.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Does the gentleman from Mississippi [Mr. WHITTEN] insist on his point of order?

Mr. WHITTEN. I do, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WHITTEN. Mr. Chairman, I make the point of order that this is legislation on an appropriation bill. There is no authorty in law for making this direct grant from the REA program. May I point out under the basic law the committee is limited to fixing a ceiling upon what the REA may do under the basic act setting up their authorities, obligations, and duties. This would in effect be a direct grant from the REA which borrows from the Treasury, and quite clearly, in my mind, it would be legislation.

May I presume on the Chair for just one moment to say that certainly we on this committee sympathize with the problems of Alaska. If there be any difference in the treatment of rural electrification people and those who have municipal systems, this committee would certainly be in accord with the feelings of the gentleman who addressed us, but I must make the point of order that there is no authority in law for it and this would be straight-out legislation.

Mr. RIVERS of Alaska. Mr. Chairman, will the gentleman yield to me to address myself to the point of order?

Mr. WHITTEN. If possible, I will yield to the gentleman from Alaska.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from Alaska on the point of order.

Mr. RIVERS of Alaska. Mr. Chairman, I appreciate all offers of assistance to my State of Alaska and to my fellow Alaskans who were damaged both individually and by virtue of damage to their public facilities. Therefore, I do not rise in opposition to this amendment, but simply to set the record straight before a vote is taken. Certainly damage was done by the quake and resultant tidal wave and seismic tides. The Chugach Electric Association in the area adjacent to the city of Anchorage suffered damage to its installations in the sum of approximately $5 million. Damage was also done to the Kodiak Electric Association and the Homer Electric Association. I have not heard whether Matanuska Valley Electric Association with headquarters at Palmer suffered material damage, and the same is true of several others. They too might need help. For this reason steps have already been taken to help all of the Rural Electric Associations who suffered damage within the disaster area of Alaska. Under Alaska State law these associations are regarded as public facilities, instead of as privately owned utilities. When this fact was pointed out by Alaska's Attorney General, George Hayes, the Office of Emergency Planning, after an evaluation, held that the Chugach electric plant, the most heavily hit, could be repaired with assistance under Public Law 875 and the State advised to proceed with an application. It is understood that damage to the other REA's in the stricken area may also be repaired with the use of disaster fund money under Public Law 875. Under this solution the disaster fund would be reduced by a few million dollars, which is another way of saying that the worthy purpose expressed by the gentleman from Illinois and his desire to help the Rural Electric Associations with Federal grants for repair of their earthquake caused damage has been provided for. Still another procedure to accomplish the purpose will appear in an omnibus bill aimed at speeding the reconstruction of Alaska. I have participated in consultations leading up to the drafting of such a bill and I will be one of those who will introduce it in the next few days. In short there is no need for the gentleman's amendment.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. MICHEL. Mr. Chairman, I realize as a member of the committee that we cannot legislate on an appropriation bill and that it is subject to a point of order. If the chairman persists in it, naturally, I would have to give way.

The CHAIRMAN. In view of the statement of the gentleman from Illinois, the point of order is sustained.

The Clerk will read.

The Clerk read as follows:

Page 30, line 1:

"COMMODITY CREDIT CORPORATION

"*Reimbursement for net realized losses*

"To partially reimburse the Commodity Credit Corporation for net realized losses sustained during the fiscal year ending June 30, 1963, pursuant to the Act of August 17, 1961 (15 U.S.C. 713a–11, 713a–12), $1,724,000,000: *Provided*, That after June 30, 1963, the portion of borrowings from Treasury equal to the unreimbursed realized losses recorded on the books of the Corporation after June 30 of the fiscal year in which such losses are realized, shall not bear interest and interest shall not be accrued or paid thereon."

Mr. PELLY. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. PELLY. Mr. Chairman, I make a point of order against the language on page 30, lines 7 through 11, on the ground that it is legislation on an appropriation bill.

Mr. WHITTEN. Mr. Chairman, will the gentleman from Washington be good enough to reserve his point of order for just a few minutes?

Mr. PELLY. Mr. Chairman, I reserve the point of order.

Mr. WHITTEN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I appreciate the gentleman's courtesy in giving me the opportunity to speak on this matter. I would like to point out what the committee is doing here or attempting to do. We anticipated that a point of order would be made; but I would like for the record to show what is involved. As I said earlier, there has been a change in policy, so that instead of fully restoring the capital impairment of the Commodity Credit Corporation we just provide enough funds for them to operate for the next year. That means that about $900 million, which the Corporation has lost in the past on a variety of programs, is not being restored. It means that hereafter, year after year, interest will be charged on that amount. It will be a bookkeeping transaction, but over the years it will look as though Agriculture costs more and more because this figure will grow and grow.

The gentleman's point of order is well taken and we acknowledge it, but I should like to say for the record that what this amounts to is that this cost will continue to pyramid bookkeepingwise and interest will be added to it, so that Agriculture will be charged with more and more interest every year. We think that should be corrected and we tried to do it in this way. But we confess the validity of the point of order.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. PELLY. Mr. Chairman, I wonder if the gentleman would agree with me that waiving interest in this case would open the door to other agencies of the Government to do the identical thing?

Mr. WHITTEN. Mr. Chairman, I doubt that. I do know that if we do not keep this section in here the losses charged to the American farmer will be added to by $172 million in 1965. That amount is just going to get larger and larger and yet there is no real money involved here.

Mr. PELLY. Mr. Chairman, I insist on my point of order.

Mr. WIDNALL. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from New Jersey briefly. The gentleman from Mississippi has conceded the validity of the point of order.

Mr. WIDNALL. I understand, Mr. Chairman, but I would like to state my view on this for the RECORD, if I may.

The CHAIRMAN. The gentleman may proceed.

Mr. WIDNALL. Mr. Chairman, I join in the point of order against the proviso which appears on lines 7 to 11 inclusive on page 30 of the pending bill. My point of order is, that the proviso constitutes legislation on an appropriation bill and violates the rules of the House.

This proviso states:

Provided, That after June 30, 1963, the portion of borrowings from Treasury equal to the unreimbursed realized losses recorded on the books of the Corporation after June 30 of the fiscal year in which such losses are realized, shall not bear interest and interest shall not be accrued or paid thereon.

Mr. Chairman, the Commodity Credit Corporation Charter Act, and modifications thereto, fall within the jurisdiction of the House Banking and Currency Committee. This proviso, in part, would nullify the requirement of section 7 of the Charter Act that the Commodity Credit Corporation shall pay interest to the U.S. Treasury on funds borrowed from the Secretary of Treasury. The proviso would also nullify in part a provision of Public Law 87–155 of the 87th Congress, which legislation was also reported by the House Banking and Currency Committee. Public Law 87–155 authorizing annual appropriations to reimburse Commodity Credit Corporation for net realized losses requires that the reimbursement of net realized losses be with appropriated funds, rather than through the cancellation of notes.

Mr. Chairman, this proviso would be unsound legislation in that over a period of time it would result in understatement of hundreds of millions of dollars of the cost of the CCC program. The amount would vary, of course, dependent upon the amount of unreimbursed realized losses and on the going rate of interest. For fiscal 1965 alone the agency testified that on the basis of 3½ percent simple average interest the amount would be $172.3 million. It also should be noted, the language of the proviso would apply without future time limit and thus extend way beyond this 1965 appropriation act.

Mr. Chairman, I respectfully insist on the point of order.

The CHAIRMAN (Mr. KEOGH). The Chair sustains the point of order.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: On page 30 strike out the period at the end of line 11 and all that follows down through and including line 17 and insert in lieu thereof the following: "*And provided further*, That no part of the funds herein contained may be used in connection with any price support program for tobacco."

Mr. DINGELL. Mr. Chairman, the reason for this amendment being offered is a very simple one. We have found of recent date that smoking is perhaps one of the greatest of modern-day health hazards.

Mr. Chairman, I have here in my hand the report of the special advisory body to the U.S. Public Health Service, printed by the Surgeon General, entitled "Smoking and Health." It was found and reported on the basis of the best statistical scientific evidence available today that smoking is perhaps the greatest health danger to our people.

Mr. Chairman, heavy smokers have 30 times the death rate of nonsmokers. Moderate smokers have a tenfold greater chance of developing cancer as compared with those who do not smoke. Heavy smokers face a 20 times greater danger to their health from smoking and in developing cancer which is directly related to smoking. The death rate from cigarettes for smokers is about 70 percent higher for smokers than nonsmokers.

Indeed, Mr. Chairman, a table which is contained in this report reveals that those who smoke less than 10 cigarettes per day have death rates 40 percent higher than nonsmokers; 10-to-19-cigarette-a-day smokers have a 70 percent higher incidence of death; 20-to-39-cigarettes-per-day smokers have an incidence of a death rate of 90 percent higher than nonsmokers. Those who smoke 40 cigarettes or more per day have better than a 120-percent higher death rate than nonsmokers.

Mr. Chairman, I find that in the last 3 fiscal years we have put into tobacco supports $6,042,000, $9,263,000, and $16,070,000.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I would be happy to yield to the gentleman from Iowa.

Mr. GROSS. You already have me feeling nearly dead.

Mr. DINGELL. I beg the gentleman's pardon?

Mr. GROSS. You have me feeling dead already.

Mr. DINGELL. I have no intention of having my good friend from Iowa feel dead, I can assure the gentleman. But I would point out that if he does smoke he is in substantial danger.

Mr. Chairman, we are all interested in seeing that the Government of the United States does not subsidize and does not finance the growth of a substance whose use is so dangerous to the health of the American people. Over 41,000 died of lung cancer—as many as were killed in automobile accidents that year—and it is estimated that 49,000 will die of lung cancer this year. Fifteen thousand died of bronchitis and emphysema, while there were 70 million people who are regular consumers of tobacco and cigarettes.

Mr. Chairman, it is very clear from every bit of scientific evidence which is contained in this report prepared for the Public Health Service and also from the studies made by the Royal College of Surgeons in England that tobacco is perhaps the greatest danger which exists today to people.

The report was quoted in the most recent issue of the American Cancer Society's publication, where it pointed out that not only is lung cancer caused in many more cases in smokers than in nonsmokers, but the death rate was particularly high for a number of other diseases including bronchitis and emphysema, cancer of the larnyx, oral cancer, cancer of the esophagus. Smoking was also cited as a factor in heart and circulatory diseases.

Mr. Chairman, it can be argued that we have an important industry and, indeed, it is an important industry.

It can even be argued that the expenditures we make here provide for the orderly marketing of tobacco, but I think what we ought to recognize is the fact that this substance's use is a health hazard. The taxpayers' money should not be utilized to subsidize and finance or enhance the sale of dangerous substances like tobacco.

The American Medical Association released a pamphlet which warns of all the hazards of smoking and the dangers, the diseases, and conditions which can be laid to the use of tobacco in any degree.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from North Carolina.

Mr. JONAS. Would the gentleman be willing to include a restriction on corn? It is well known that alcohol causes perhaps more danger to health than cigarette smoking.

Mr. DINGELL. I may say to the gentleman I shall be happy to consider that amendment fairly if my friend would offer it, but my amendment has been offered in good faith and is before the House.

Mr. HARVEY of Michigan. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WEAVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WEAVER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan [Mr. DINGELL]. This amendment has two major connotations.

First, it would remove the price supports for tobacco. It would indeed be refreshing to those who advocate removal of agricultural subsidies to free tobacco from its supports. This crop could then seek its proper level on a free enterprise market. I do not share the fears of those who say even more tobacco would be raised with removal of supports. What farmers would raise more of a crop than they could sell at a fair price? This would be agricultural bankruptcy.

Secondly it would remove from the Federal taxpayers the burden of supporting a crop which has been labeled a health hazard. No amount of confusing doubletalk can erase the essential medical facts that cigarette smokers have a higher percentage of cancer, heart disease, and pulmonary difficulties. As a former family doctor, I have many times seen the sad terminal results of these diseases. It would be to the Nation's interest, the taxpayers' benefit, and the individual's health to remove artificial price supports for the tobacco crop.

I support the amendment offered by the gentleman from Michigan [Mr. DINGELL].

Mr. NATCHER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is generally known throughout this country that tobacco is produced in 21 States, and is one of the major agricultural commodities. This commodity pays into the Federal, State, and local treasuries about $3.3 billion in taxes each year.

We know that the report of the Surgeon General makes certain observations as to tobacco. In January of this year the distinguished gentleman from North Carolina, the chairman of the House Committee on Agriculture, the next day after this report was released, called a hearing before the Committee on Agriculture and assigned it to the Subcommittee on Tobacco. Hearings were held in an orderly manner.

Dr. Terry, the Surgeon General of the United States, appeared before the distinguished gentleman's committee. A part of his statement is contained on page 51 of the hearings on agricultural appropriations, and I would like to read at this time, Mr. Chairman, just a small part of his statement:

> I still feel, nonetheless, that I can wholeheartedly support additional research of the types which the resolution would authorize and direct. It is well known that strains of tobacco differ quite widely in various constituents. It is well known that the levels of some of these constituents influence the amount of hazardous or potentially hazardous substances in tobacco smoke.
>
> I would give a great deal to know whether the types of tobacco used for pipes and cigars have anything to do with the lesser hazards associated with these modes of tobacco use. If tobacco behaves as other vegetables, I am sure that the amount of some of its constituents will vary with the conditions of culture, soil, climate, fertilizer, and other agricultural practices.

The Surgeon General further stated before the Committee on Agriculture, and the Subcommittee on Tobacco, as follows:

> I am not a farmer; I am not an agriculturist, but knowing this subject as I do, I join with you, Mr. Chairman, in your resolution and in the resolutions that have been presented concerning additional research for tobacco.

As has been pointed out, Mr. Chairman, here we have an $8 billion industry where tobacco is produced in 21 States with over 700,000 families involved and with over 100,000 employees in this industry. This is a major agricultural commodity, and certainly should be fully protected. We feel, and the people generally feel, if tobacco is harmful to the health of our people something should be done about it. That is the way we feel in Kentucky. Kentucky is the second largest producer of tobacco in the United States.

I say to the Members of the House that we are trying to do something about this problem. The distinguished gentleman from North Carolina and his entire Committee on Agriculture are working on this matter right now. I say to my distinguished friend from the State of Michigan—and he is my friend—that if the price support program on tobacco were destroyed and price supports on tobacco removed, the Government would lose hundreds of millions of dollars. This is the one agricultural commodity that all down through the years has paid its way. I say to you, Mr. Chairman, we are trying to do something about the question that the gentleman from Michigan has in mind and we are doing something about it now. This amendment should be defeated.

Mr. Chairman, at this time I would like to yield to my distinguished friend, the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I want to commend my friend, the gentleman from Kentucky, for his splendid efforts not only in behalf of the tobacco farmers but in behalf of the tobacco industry generally. This is our oldest industry. Perhaps the first export market for American tobacco was at Jamestown. As the gentleman has pointed out so well, this program has not cost the Government anything. During the life of the program, tobacco has paid $48 billion in taxes and our meager losses amount to only $27 million. We are now in trouble because of this report that has been referred to. Following that report, at the first opportunity, I introduced the resolution to which the gentleman referred. Not a single member of our 35-member committee opposed it. The resolution was reported on the motion of the gentleman from Ohio [Mr. Latta], a Republican and a very distinguished member of our committee. We went before the Committee on Rules. Not a single Member of the Congress appeared there in opposition to it. In the hearings on that resolution, we called the Surgeon General himself as our first witness. We called scientists, one after the other. Our last witness was the Director of the Cancer Research Institute in Bethesda. Every one of them endorsed the resolution. This resolution in due time will come before this body and we will adopt it. I am certain of that because I do not know anybody who is opposed to it. Even the gentleman from Michigan who has offered this amendment will vote for the resolution.

But, Mr. Chairman, here is an industry that should not be destroyed. This amendment will destroy the best farm program ever enacted into law.

Mr. NATCHER. Mr. Chairman, I urge the Members of the House to consider carefully this amendment. This amendment should be defeated.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to the gentleman.

Mr. DINGELL. I wonder if my good friend would be willing to make a categorical statement or our good friend, the chairman of the Committee on Agriculture, would be willing to make the categorical statement that tobacco is beneficial to health and that we should support at the Federal level prices on tobacco because it is beneficial and helpful to the health of the American people.

Mr. COOLEY. Mr. Chairman, will the gentleman yield so that I may answer our colleague.

Mr. NATCHER. I yield to my friend the gentleman from North Carolina.

Mr. COOLEY. No one has ever contended that tobacco contributes to good health. My mother called cigarettes coffin nails and every time I smoked one, she said that I was driving a nail in my own coffin.

Mr. DINGELL. I think your mother was very right.

Mr. COOLEY. Maybe she was right but I have been driving a lot of nails in that coffin and I am still going.

Mr. DINGELL. That is precisely the point that I am making. Lung cancer is at the highest incidence in history and it is going to increase further. Tobacco is one of the major causes of lung cancer. So here we have the Federal Government supporting the price of tobacco. I raise simply this moral question whether we can support the price of tobacco when tobacco is the dangerous kind of health hazard that it happens to be.

Mr. NATCHER. Mr. Chairman, I would just like to make this one additional observation. I say to my distinguished friend from Michigan that if the price support program was removed tobacco would still be produced in 21 States in larger amounts than tobacco is being produced today. It would not control this problem. The distinguished gentleman from North Carolina, as he should, is acting on this matter and his committee is acting on it at this time.

Mr. Chairman, this amendment should be defeated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BONNER. Mr. Chairman, I move to strike the necessary number of words. I oppose the amendment.

Mr. Chairman, and ladies and gentlemen of the House, I realize the serious attitude and feelings of the splendid gentleman from Michigan with respect to his amendment. He serves on the Committee on Merchant Marine and Fisheries and on the subcommittee which deals with the Fish and Wildlife Service. He has spent a great deal of time dealing with pesticides and things of that kind, which are dangerous to wildlife as well as dangerous to human life.

In offering the amendment, I feel certain the gentleman is thinking about the general welfare of men and women.

We realize that the tobacco program to some extent has gotten into some problems. We realize it has necessarily taken certain chemicals and other things to grow tobacco as it should be grown.

But I believe the proposal which the chairman of the Committee on Agriculture, the gentleman from North Carolina [Mr. Cooley], has offered—to set up a laboratory to study this question and to correct the necessary evil which comes from using chemicals and pesticides—will satisfy the gentleman from Michigan. I hope the gentleman from Michigan, after listening to the debate, considering the fine manner in which this program has been handled, will understand why I and others oppose his amendment.

I am as interested in health as the gentleman is interested in health.

I had an experience only a little while ago. I was attending a social event. When I take two or three drinks of an evening for a week or so, it upsets my stomach. That particular evening I would not take a drink. A gentleman walked up to me and asked, "Can I get you a drink?" And I told him my trouble. He asked me, "How many cigarettes do you smoke?" I replied, "About a pack a day." He said, "That is not the problem. How much coffee are you drinking?" I replied, "Oh, eight or nine cups a day." He said, "Uh huh. You ought to change to tea." I asked, "What is your business?" He said, "I happen to be one of the outstanding stomach specialists of America. If you had come to my office, that would have cost you $150."

So I have changed to tea.

I hope the House will vote down the amendment.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield to my fine friend, for whom I have great admiration.

Mr. DINGELL. The gentleman from North Carolina is one of the grandest and most valuable men who serve in the House of Representatives. It has been my privilege to serve under the gentleman on the great Committee on Merchant Marine and Fisheries. I know him to be one of the finest and most capable chairmen, and most gracious, courteous, and dedicated men who has ever served in this body.

Although I am not familiar with the tobacco research to which the gentleman refers, I am sure his interest in the problem will weigh heavily on my mind and will be most persuasive upon all the Members of this body because of the great regard in which he is held.

Mr. MATTHEWS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Kentucky [Mr. Watts].

Mr. WATTS. Mr. Chairman, I am opposed to the amendment.

Mr. Chairman, I rise in opposition to the amendment offered by the distinguished gentleman from Michigan [Mr. Dingell]. I have the greatest respect for the gentleman and know that his motives are not for the purpose of doing harm to a great segment of our economy but are based on the health scare as portrayed by the Surgeon General's report on the effect, or claimed effect, of prolonged and excessive smoking of cigarettes. I cannot help but feel, however, that the gentleman does not fully recognize the great harm and great injury that would result should his amendment be adopted.

As representative of the largest Burley tobacco-producing area in the world, I feel that I have firsthand knowledge of the tobacco situation, its programs, and the damaging effect of the gentleman's amendment.

In the first place, the tobacco program has been the best run, finest operated, and the least costly of all the farm programs that we have had in the history of our country. As a matter of fact, its cost has been negligible and its results have meant the prosperity and the basic survival of many of our farm families and farm communities in the 20-odd States in which tobacco is grown.

The gentleman's amendment would not have the effect of reducing the production of tobacco but would bring about the very reverse of what the gentleman is seeking to do. Should there be no supports on tobacco, there could be no acreage control. Production would expand by leaps and bounds and we would have on hand greatly increased stocks of tobacco which, if as dangerous as the gentleman from Michigan assumes, would add up to more danger than if the support program continued and acreage control remained, thereby having some governing affects upon the production of tobacco. Thus, the gentleman's amendment would defeat the very purpose—a purpose which I would call unworthy—should his amendment prevail.

Furthermore, should the gentleman's amendment prevail, it would mean tremendous loss to the Federal Government in that the Government has large sums of money loaned to the various tobacco associations on the supported price level of tobacco. Should the gentleman's amendment prevail, there would be such an increase in production the market would probably be cut half in two, and the Government would thereby lose about 50 percent of its investment.

It would be necessary for the administration and the Congress to initiate a much wider program of antipoverty than has ever been dreamed of because it would result in economic chaos and bankruptcy to the many thousands of people who are engaged in the production of tobacco. It would greatly affect and diminish land values and mean the total destruction of the economies of many of our States.

All of us in tobacco recognize the health problem as it affects all segments of the tobacco industry. In particular, those of us who are interested in tobacco are devoting our every effort to a solution of this problem—a problem that no one at this time knows the answer to or the cause of. We are expanding research both through the efforts of the Government and private industry to determine the cause, if one exists, what factors with reference to tobacco cause it and what can be done to cure or help the situation.

It is my earnest plea, Mr. Chairman, that this amendment should be overwhelmingly defeated and that we should wait before attempting to do anything in the tobacco field until the U.S. Government has evaluated the situation and made its recommendations and not go off on a tangent because of a health report that has about as many loopholes in it as it has facts. I hope the amendment will be defeated.

Mr. MATTHEWS. Mr. Chairman, I yield to the distinguished gentleman from North Carolina [Mr. FOUNTAIN].

Mr. FOUNTAIN. Mr. Chairman, as the representative of perhaps the largest Flue-cured tobacco-growing area in the world, I rise in opposition to the amendment.

Mr. MATTHEWS. Mr. Chairman, I yield to the distinguished gentleman from North Carolina [Mr. KORNEGAY].

Mr. KORNEGAY. Mr. Chairman, I arise in strenuous opposition to this amendment, which would eliminate support prices for tobacco. I strongly suspect that the gentleman from Michigan desires by his amendment to restrict the growth and consumption of tobacco; however, in my opinion if this amendment is adopted, the very opposite result will occur. Without support prices there would be no control, and without control tobacco would be grown in every fence corner and in an abundance never before experienced.

I would like to point out to the Committee that tobacco is one of the leading agricultural products, the sale of which, both from the leaf and from finished tobacco products, pours into and fattens the local, State, and National coffers of our land to the extent of $3¼ million per year.

The tobacco industry is also the source of the employment of thousands and thousands of our people throughout the country, from leaf production to finished tobacco products, with the myriad of service establishments connected with the industry.

Mr. Chairman, all of us are concerned with the health of the Nation, but many of us feel that the best and proper way to eliminate any health hazards which are thought to be involved in the consumption of tobacco, but have never been pinpointed as to their exact nature, is through the well-known and universally accepted avenues of research, investigation, and discovery.

We have at this very moment pending before the House Rules Committee a resolution which will provide for this type of research in all phases of tobacco culture and finishing and for, I sincerely hope, the discovery and complete elimination of any detrimental elements found to be contained in tobacco.

This, Mr. Chairman, is the proper approach and not, as the amendment would propose, to slaughter the goose which has for so many years laid golden eggs for the people and for the economy of this country. Let me point out, also, that in all the history of the tobacco support program, the costs have amounted to only $27 million. In this same time period, Federal and State Governments have collected over $40 billion in taxes on tobacco.

I oppose this resolution as being both unrealistic and unnecessary in face of more effective and realistic remedies which lie right at hand. I urge the Members of the Committee to vote against this amendment.

Mr. MATTHEWS. Mr. Chairman, there are two points I wish to make. First I wish to say to my dear friend from Michigan [Mr. DINGELL], I believe everybody in this House is interested, as he is, in the terrible problem of cancer. I emphasize the fact that I do not believe his amendment, if it were passed, would have a thing in the world to do with the solution of that problem. In the first place, I believe it would cause more tobacco to be grown in the United States.

Mr. Chairman, I am a member of the Committee on Agriculture. I believe that without a tobacco control program there would be much more tobacco grown in the United States than there is at the present time. I think it would definitely mean not only more tobacco but it would mean the ruin of hundreds of thousands of good American citizens. So let me emphasize that. I do not think if you vote against the gentleman's amendment you are voting for cancer at all. I think you are saying, "We think it is better to have a Government control program that has not cost the Government any money rather than to have uncontrolled production of tobacco."

The second thing I want to point out is when the Surgeon General appeared before our committee, as I recall it, he said that no one knew exactly what there was about cigarette smoking that caused cancer. There was no doubt, perhaps, about the link between smoking and cancer, but what was it? Is it the combustion process? Is it the type of tobacco used? Is it the cigarette paper grown in some of my colleagues' districts? I do not know. We might have to check on what kind of cigarette paper it is that is used. It may be some kind of pesticide that is used on the tobacco.

As has been pointed out, the House Committee on Agriculture is trying to push forward with a research bill. We owe that to the American people, and we are all in favor of it. I sincerely hope that we defeat the amendment offered by the gentleman from Michigan [Mr. DINGELL] and are able to go ahead with this control program and continue with the research and keep this industry as it is today on the basis that it is.

Mr. Chairman, I yield to the gentleman from North Carolina [Mr. TAYLOR].

Mr. MARSH. Mr. Chairman, I ask unanimous consent that the gentleman from Maryland [Mr. SICKLES] may extend his remarks at this point in the RECORD.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SICKLES. Mr. Chairman, I am pleased that the committee has agreed to a $1½ million appropriation to finance tobacco research.

In the State of Maryland alone tobacco provides nearly three-fourths of the cash farm income each year in our five southern Maryland counties of Anne Arundel, Calvert, Charles, Prince Georges, and St. Marys. It is a principal source of income on nearly 7,000 farms and provides a livelihood for 15,000 tobacco farmers and farm workers.

Because of a number of problems, some purely agricultural and some resulting from the health shadow which now hangs over the tobacco industry, this appropriation represents an urgently needed step toward protecting the health of millions of Americans as well as helping a key industry.

The broad university-government-private enterprise research approach anticipated in this program has the best possible chance of reaching a practical solution to the problems of the tobacco industry, a solution in which an economically important industry can be preserved at the same time that the American people are gaining protection from hazards to their health and well-being.

Mr. TAYLOR. Mr. Chairman, I am opposed to this amendment. The result of the amendment would be, first, the bankruptcy of every tobacco producer in America—and there are 18,000 in my congressional district—and they have approved the tobacco control program by a 98-percent vote. Second, the production of more tobacco than is grown today but without control and without profit to the tobacco farmers. Third, no shortage in tobacco, no reduction in smoking, and no improvement in the health of our people. Tobacco is in trouble today, and the answer to the problem is research. We need to learn how to make smoking safer. We need to know what substances in tobacco smoking are causing lung cancer and other disabilities. We need to know whether the cancer-producing compounds come from nicotine in the tobacco or from out of chemicals and fertilizer or from a combination of these or other factors.

I am glad to support legislation authorizing this needed research. To destroy the tobacco control program by the adoption of this amendment before the research program is carried out would be most unwise.

Mr. GROSS. Mr. Chairman, I move to strike out the necessary number of words.

Mr. Chairman, at the start of this discussion my good friend from North Carolina [Mr. Jonas], made some mention of corn as it is translated into liquor. I do not want to see corn maligned here this afternoon as injurious to health. We produce a lot of corn out in the State of Iowa. We are proud of it and we do not, as individuals, make whisky out of it, although a few might have made a little dab of it here and there during the prohibition days.

Seriously, my purpose in seeking this time is to ask someone whether there is any money in this appropriation bill for research in the matter of tobacco. Is there any money in this measure to carry out the purposes of another bill that came out of the Committee on Agriculture recently, but which has not yet been enacted?

Mr. NATCHER. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. Yes, of course, I yield to the gentleman from Kentucky.

Mr. NATCHER. I would like to direct the gentleman's attention to page 6 of the report. On this page you will find that under section 32 funds, an additional $1.5 million is set aside and appropriated to begin a program along the lines that the gentleman just indicated, namely, to ascertain as to whether or not tobacco is affecting the health of our people and, if so, why, and to expand generally the tobacco research program.

Mr. GROSS. Is that in this figure of $1,724 million?

Mr. NATCHER. No, it is not. It appears under the funds that we set aside in section 32. The chart is on page 33 of the report.

Mr. GROSS. In the pending item to which the amendment is directed the gentleman is saying there is no money for this tobacco research center?

Mr. NATCHER. I say to my friend from Iowa that no part of the figure as indicated by the gentleman is for research. The gentleman's amendment provides that no part of the figure under "Commodity Credit" shall be used in a price support program for tobacco. That is the sum and substance of his amendment. It has nothing to do with research. The amendment of the gentleman from Michigan has nothing to do with research.

Mr. GROSS. Mr. Chairman, I thank the gentleman for his explanation. I am not opposed to the support program for tobacco, but I am opposed to the Federal taxpayers spending money for research in behalf of the tobacco processors on the subject of the lack of injuriousness of tobacco. I suggest the tobacco industry is well able to afford its own research in this regard.

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. MICHEL. The gentleman is concerned about a reflection that might be cast against corn in the production of alcohol. Of course, the gentleman is aware of the fact that any starchy commodity will produce alcohol. What distinguishes corn spirits is the fact that the American drink, bourbon, is made by at least 51 percent corn mash. That distinguishes that commodity from any other. The gentleman from Iowa [Mr. Gross], and I grow so much of corn in our districts that we ought to be proud that the drink designated by Congress as an American drink, bourbon, comes basically from our section of the country.

Mr. GROSS. I thank my friend from Illinois and congratulate him on his expertise on this subject. I shall go to him hereafter to get the answer to questions of this nature.

Mr. COOLEY. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I shall be very brief. I do not question the motive which prompts this amendment. I want to say to the Members of the House that of all the programs which have been enacted in the field of agriculture the tobacco program is the very, very best. If this amendment were adopted, actually it would result in bankruptcy—and I repeat bankruptcy—for every tobacco grower in this Nation. It would result in the loss of hundreds of millions of dollars to the Government. We are in trouble right now for the first time, because we have an abundant supply, a surplus in storage. Also, because of the Surgeon General's report. And we expect to do something about it.

Mr. Chairman, I urge my friends to defeat this amendment and let us go on to another subject.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. Certainly.

Mr. JONAS. Mr. Chairman, I should like to associate myself with the remarks of my colleague from North Carolina. I am also opposed to this amendment. I would like to ask him if the net result of the amendment would not be probably the growing of more tobacco than is grown today?

Mr. COOLEY. We had that experience in 1939 when we took off controls. We planted the whole face of the earth in tobacco. It took us about 3 years to recover. The farmers have approved this program by a vote of 98 percent. The Government has not lost money on this program and we would throw away the best program we have ever had if we adopted this amendment. This program is not a Democratic program. It has been supported by Republicans from all parts of the country. It has never been in politics. Not once has this program become involved in partisan politics.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. BELCHER. As I understand the amendment of the gentleman would strike out also $37,351,000. What is included in that?

Mr. COOLEY. I do not know. I shall be glad to yield to the author of the amendment if he would like to answer the question.

Mr. DINGELL. I did not hear the gentleman's question.

Mr. BELCHER. Does the gentleman's amendment strike out the figure $37,351,000 on line 16?

Mr. DINGELL. No; my amendment reads essentially as follows: At the end of line 11, add the following:

And provided further, That no part of the funds herein contained may be used in connection with any price support program for tobacco.

Mr. COOLEY. Mr. Chairman, I have one other observation to make. I want to congratulate and commend our distinguished colleague from Kentucky [Mr. Natcher] upon his efforts in behalf of the tobacco farmer and the tobacco industry. Most of all, Mr. Chairman, I want to emphasize the fact that the gentleman from Kentucky has been diligent in providing the research into the problems of smoking and health. In this very bill the gentleman from Kentucky has sponsored a provision which will start the ball rolling and this great investigation and research program will get under way when this bill becomes law.

Mr. Chairman, I feel that all of us owe to Bill Natcher a great debt of gratitude.

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I appreciate very much the chance to speak on this amendment following the remarks of the distinguished chairman of the Agriculture Committee, the gentleman from North Carolina [Mr. Cooley]. If the sponsors of this amendment are sincerely interested in protecting the health of the people in this Nation, and if they are persuaded by the evidence that cigarettes are a menace to health, then why would they advocate a course which would flood the Nation with tobacco? At the present time, the production of tobacco is rigorously controlled. Some of my small farmers in West Virginia have allotments of three-tenths or four-tenths of an acre, and my congressional district is the largest tobacco-growing district in the State of West Virginia. But if you pull the plug out from Federal supports, as suggested in the amendment of my friend from Michigan [Mr. Dingell], the production of tobacco would run hog wild, it would be running out of our ears, and then you would have not only a great threat to the health of the people, but you would have economic disaster.

Mr. Chairman, I urge the defeat of this amendment.

Mr. COOLEY. Mr. Chairman, I hope the amendment will be rejected.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

May I say to my colleagues I hope we will not drag this out, and I certainly do not mean to do so by taking this time. However, at this point I do want to take advantage of the subject that is now under discussion to point out what we on the subcommittee hope to obtain through the enactment of this bill and through the report.

Mr. Chairman, I realize that our colleague, the gentleman from Michigan [Mr. Dingell], who offered the amendment is disturbed about this problem and about conditions generally. I am sure I realize what motivates him in raising this question at this time. However, we certainly do not want to go at this thing in a left-handed manner.

May I say that price support programs are tied to acreage controls. In the absence of price support programs there will be a lot more tobacco produced, more cheaper priced tobacco, and a lot more smoked. Therefore, it is my opinion that the amendment would defeat the purpose at which it is aimed.

Mr. Chairman, I raise this question and I want to make it clear for the record that the actions of our committee, in effect, amount to extending not only to the tobacco industry, but to the Department of Health, Education, and Welfare an invitation to come on and join with us and let us move now and get this problem settled and solved in the best interests of everyone.

Mr. Chairman, I take this very limited time to say that I hope those in Government and those in Congress will help us to see that there is a partnership formed between the Departments of Agriculture and Health, Education, and Welfare, the industry, and everybody else so that this research may move on. Not only is the producer and processor involved, and the U.S. Government, but there are millions of consumers of tobacco who all have an interest in the matter. We have done all that we know to do.

I want to pause here again to say that I appreciate the fact that the gentleman from North Carolina [Mr. Cooley] and other Members from North Carolina have either stayed here, those who have not been able to leave, or have returned from their convention in their State because this thing is of vital importance to their State and to the Union. I say again I hope the Department of Health, Education, and Welfare will come in with us and help us get this problem solved at the earliest possible moment.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Michigan.

Mr. DINGELL. I mean no reflection on my good friend the gentleman from Mississippi [Mr. Whitten] for whom I have the highest regard, but I have here in my hand a picture which is contained on a poster published by the American Cancer Society and it depicts a big new flip-top box for the cigarette smoker. This flip-top box is a coffin.

Mr. WHITTEN. I wish we could handle this research problem as well as some people in advertising seem to be able to do. It would indeed be good.

Mr. CORMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan [Mr. Dingell]. For many years the Government has subsidized tobacco producers through the Commodity Credit Corporation price support program. This program should now be stopped.

The recent Surgeon General's report on "Smoking and Health" makes it clear that smoking is a genuine, and often deadly, menace to health. The report proved that cigarette smoking is the principal cause of lung cancer and a major cause of other respiratory diseases and disorders.

With this report before the Congress and the Nation, it is utterly inexcusable for this Government to continue to subsidize the tobacco industry. It is impossible to justify the expenditure of the taxpayers' dollars to encourage production and consumption of a product that is injurious to our health. Instead, it is incumbent upon us to exert every effort to curb the use of tobacco.

I therefore urge passage of Mr. Dingell's amendment.

Mr. ABBITT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Dingell amendment which has for its purpose the elimination of the tobacco support program. Our tobacco program is the best agricultural program that has been devised to date. It is a model program that has been developed by the grower, the tobacco industry as a whole, and the Congress working together in an endeavor to bring a fair return to the producer of one of the most important farm commodities produced in our country.

Tobacco is produced in 21 States. It is an $8 billion industry with Government receiving approximately $3.3 billion in tax per annum. It is the fifth largest income producing crop to its growers. It is vital to the economy of our Nation.

If this amendment is adopted and enacted into law the Federal Government will lose millions of dollars on stocks of tobacco now in storage.

Actually the tobacco price support program is practically self-supporting and at the same time brings into the Federal Treasury billions of dollars in tax revenues. The adoption of this amendment would be killing the goose that lays the golden eggs. It would wreck the economy of our country and would mean bankruptcy for thousands of the Nation's farmers. I urge that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 30, line 12:

"LIMITATION ON ADMINISTRATIVE EXPENSES

"Nothing in this Act shall be so construed as to prevent the Commodity Credit Corporation from carrying out any activity or any program authorized by law: *Provided*, That not to exceed $37,351,000 shall be available for administrative expenses of the Corporation: *Provided further*, That $945,000 of this authorization shall be available only to expand and strengthen the sales program of the Corporation pursuant to authority contained in the Corporation's charter: *Provided further*, That not less than 7 per centum of this authorization shall be placed in reserve to be apportioned pursuant to section 3679 of the Revised Statutes, as amended, for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided further*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof."

AMENDMENT OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'Hara of Michigan: On page 31, line 8, after "hereof" strike out the period, insert a colon and the following: "*Provided further*, That no part of the funds appropriated shall be available for any expense incident to requiring persons engaged in the processing of wheat into flour to acquire domestic marketing certificates equivalent to the number of bushels of wheat contained in the wheat clears produced by them having an ash content of one per cent or more."

Mr. O'HARA of Michigan. Mr. Chairman, some weeks ago, as all of us will remember, the Congress adopted a so-called wheat certificate plan which required the processors of wheat into food products to "acquire domestic marketing certificates equivalent to the number of bushels of wheat contained in such product."

In this respect, Mr. Chairman, the wheat certificate plan adopted by us was similar to that adopted by us in 1962 and subsequently turned down by a wheat growers referendum. At that time, in 1962, those of us in the Congress who were concerned with the promotion of industrial uses of wheat in colloquy on the floor of the House and Senate were assured by the chairmen of the Committees on Agriculture of both Houses that the needs of industrial processors would be recognized. The gentleman from North Carolina [Mr. Cooley], chairman of the House Committee on Agriculture, assured me on June 21, 1962, on the floor of the House that "a price adjustment will be arranged with either the millers or the industrial processors of flour in recognition of the fact that not all of the end product is to be used for human food purposes."

Mr. Chairman, in spite of this clear legislative history plainly expressing the intention of Congress, the U.S. Department of Agriculture last week invoked an emergency provision of the Administrative Procedures Act. Then, under the cover of darkness, without notice, without hearings, without consultation with anyone, it issued regulations under the new wheat certificate program which negated the legislative history written in 1962 and required that industrial processors pay the full food product certificate price for the raw material used by them.

The effect of these regulations in their practical application would require that manufacturers of dog food, manufacturers of wheat starch and wheat gluten, manufacturers of grain neutral spirits, even the manufacturers of plywood using wheat clears, a byproduct of the flourmaking process, as a binder in the plywood manufactured by them, would be required to pay the full certificate price for the wheat used as raw material for their processes.

To do this the Department had to ignore the customs laws and the regulations of the Food and Drug Administration, both of which forbid labeling or classifying the high ash wheat products utilized by industrial processors as food or as flour.

I would not offer this amendment were it not for the urgency of the situation. Unless the Congress expresses itself very clearly, I am afraid the battle will be lost to the bureaucrats by default.

The adoption of this amendment will hurt no one, but will be of immeasurable help in promoting new industrial uses of farm products, which is one of the objectives of our farm policy.

Let me say in closing I find it ironic that we should, in the same bill, adopt a cotton program designed to permit American producers to buy American cotton at the same price as their foreign competition, then, under the wheat provisions of the very same bill, let the Department, by regulation, impose upon industrial users of wheat products in this country a higher price than their foreign competition must pay for the American wheat clears used by them both.

Mr. ABBITT. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Virginia.

Mr. ABBITT. Mr. Chairman, while I did not support the bill the gentleman has referred to and am not an expert on that subject, I share his concern regarding the action of the Department of Agriculture, in its action issuing certain regulations in the dead of night, so to speak.

I was very much surprised at the new regulations which will go into effect almost immediately. As I understood the situation, under the law, the purpose of Congress in passing the act was to require a processor to buy certificates only for wheat going into food products. That was pointed out by the gentleman from North Carolina, the chairman of the Committee on Agriculture, on the floor when that matter was up—and not on wheat going into products used by industrial processors.

There are a number of little-known uses of wheat that I have in mind. My particular concern is with the so-called wheat clears that are widely used in my area, which is taken off along with the feed when a mill makes bakery flour. The higher ash material, as I understand it, goes into a number of industrial uses including plywood, adhesives, laundry starch, textiles, and paper size.

It is foolish, it seems to me, to treat these clears the same as flour going into bread. For one thing, under the food and drug regulations, it is against the law to sell the higher ash clears as flour.

Even more important, we talk a lot about industrial uses of wheat and other agricultural products and have appropriated large sums for this purpose. The use of these clears by industrial processors is right in line with what Congress intends for agricultural products and it has not cost the Government 1 cent to develop these uses.

I am very much and highly in favor of your amendment and I had hoped that the committee would accept it.

Mr. O'HARA of Michigan. I want to thank the gentleman for his support.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. COOLEY. Mr. Chairman, I would like to agree with the gentleman. I think you have placed the proper interpretation on the bill you have referred to. I hope the amendment will be adopted.

Mr. O'HARA of Michigan. I thank the gentleman from North Carolina, the chairman of the Committee on Agriculture.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. FINDLEY. A number of us opposed the wheat certificate plan because of the hardship it would place on processors of wheat for all my purposes. I am certainly in accord with any move to help relieve these hardships. I am sure the gentleman will agree with me that there are also some remaining hardships which are not adequately met by this amendment. For example, wheat that is processed for baby food will have to be covered by certificates whereas under your amendment wheat for industrial purposes would not. My understanding of the wheat certificate program when it was debated here on the floor of the House was that wheat for feed purposes for livestock and hogs would not be subject to certificates. Now I find that a miller who mills wheat into hog feed has to buy certificates.

Mr. O'HARA of Michigan. It is a very similar problem. The gentleman is correct in that respect.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARVEY of Michigan. Mr. Chairman, I want to commend the gentleman from Michigan [Mr. O'HARA] in making this amendment and in bringing this matter before the House for consideration. The Department of Agriculture's regulations relating to "Processor Marketing Certificates" under the 1964 wheat program, as they were published in the Federal Register on May 13, 1964, came as a shock and surprise to many of us who serve in Congress, and watched that bill become law. I was not one of those who supported the 1964 wheat legislation, but I am absolutely certain that it was the intent of Congress that processors of wheat into man-food products should not be required to purchase domestic marketing certificates. The legislative history both in the other body and here in the House, thanks to the gentleman from Michigan, is clear—going back to the 1962 act—that a price adjustment would be arranged either with the millers or the industrial processors of flour in recognition of the fact that not all of the end product is to be used for human food purposes.

Mr. Chairman, these regulations go so far as to define "flour" as including wheat clears. This means that producers of clears, for example, who sell to the dog food industry, or any industrial application, for that matter, must purchase an expensive marketing certificate to cover their clears. I thought we were trying to develop new industrial uses for agricultural products—including wheat—certainly, that was our intent.

Mr. Chairman, I want to join in the support of this amendment and urge my colleagues to do likewise.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I hope we may have the support of the Committee in defeating this amendment. I would like to explain why. I do not know how this new wheat-cotton bill will operate. But prior to coming here, I was a district attorney and I would like to take time for a moment to tell you what happened in one case.

Back in prohibition days, I had a good friend who represented a client. The man got caught with intoxicating liquor. My attorney friend plead the man guilty.

The judge said, "Mr. Smallwood, I guess you just had a little for drinking purposes?" The man said, "Yes, your Honor; yes, your Honor."

Then the judge said, "How much did you have, Mr. Smallwood?"—and the judge knew what he had. And the man answered, "25 gallons, your Honor."

Now what I am saying here is that if you start leaving out a particular part in the first instance, then every time you find somebody who is violating the law, they are going to say that have it for this particular instance.

I am in accord with the gentleman's purpose. But I say that for us to take certain things out, then every time you find uncertificated commodities, they are going to say that they were for this particular purpose.

I assure the gentleman that if the committee will back us in defeating this amendment I shall cooperate fully in seeing to it that relief is given to those entitled, in line with what the committee intended. If it is fixed so that it is accepted by law, every time someone is found violating the law it will be said that it was for a particular purpose.

I hope that the amendment will be defeated. I feel certain that the committee will cooperate fully in trying to solve the problem.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from North Dakota.

Mr. SHORT. I am a little confused as to exactly what is happening under the regulations to which the gentleman refers. Wheat clears are one of the first products derived from the process of milling wheat. The processor who first mills the wheat buys the certificate. That is required under the provisions of the law which Congress recently passed—which, incidentally, I did not support.

The processor has to pay for the certificate for all of the wheat he processes. The clears are one of the several products.

There is a question I should like to ask. Is the user of the wheat clears now being required, by virtue of a regulation of the Department, to pay for the value of the 70-cent certificate on these clears? How is the formula applied? How does anyone arrive at how much he has to pay? How many pounds of clears are there from a bushel of wheat?

Mr. WHITTEN. I am sorry; I cannot answer the question. I believe the question clearly shows why we should defeat the amendment at this time and determine the facts. If I understand the amendment, it would further confuse the situation.

Mr. SHORT. I am not certain it points up that we should defeat the amendment.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. O'HARA of Michigan. If I can explain, I know the gentleman understands the milling process. All my amendment provides is that the miller not be required to acquire certificates to the extent that his production ends up in clears having an ash content of 1 percent or more. Certainly the miller who is programing his production and his operations knows what he is going to end up with—or else he needs a new mill manager. He would simply reduce it by that amount.

Mr. SHORT. The gentleman is not seeking to exempt the user of clears from the purchase of a certificate, but is seeking to exempt the miller from having to pay for that portion which might be applicable to the clears?

Mr. O'HARA of Michigan. That is correct.

The CHAIRMAN (Mr. Mills). The question is on the amendment offered by the gentleman from Michigan [Mr. O'Hara].

The question was taken; and on a division (demanded by Mr. Whitten) there were—ayes 31, noes 44.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Findley: Page 31, line 8, after the word "hereof" strike the period, insert a colon and the following: "*Provided further*, That no part of the funds herein appropriated shall be available for any expense incident to making export payments or export subsidies on any agricultural commodities being sold or sold to the government of any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961) or to any agency or national thereof."

Mr. WHITTEN. Mr. Chairman, I reserve a point of order.

Mr. FINDLEY. Mr. Chairman, in the Agricultural Act of 1961 the Congress very clearly stated its opposition to the sale of subsidized farm commodities to Communist countries. Twice last December, in the period just preceding Christmas, this body expressed by rollcall vote its firm opposition to giving taxpayers-backed credit cards to these same Communist countries. The amendment I have offered at this point is much in line with the amendment which was finally made a part of the foreign aid appropriation bill on Christmas eve.

On January 28, in compliance with a provision of the amendment adopted as a part of the Foreign Aid Assistance Act, the President of the United States issued a determination, and I would like to read it.

> The White House,
> *Washington, January 28, 1964.*
> The Honorable John W. McCormack,
> *Speaker of the House of Representatives, Washington, D.C.*
>
> Dear Mr. Speaker: In compliance with title III of the Foreign Aid and Related Agencies Appropriations Act of 1964, this is to inform you that I have determined that it is in the national interest for the Export-Import Bank to issue guarantees in connection with the sale of U.S. agriculture products to the Union of Soviet Socialist Republics, Bulgaria, Czechoslovakia, Hungary, Poland, and Rumania. The Bank will report the individual guarantees to the Congress as they are issued.
>
> Sincerely,
> Lyndon B. Johnson.

Subsequent to that statement, wheat sales were consummated to the Soviet Union. The taxpayers-backed credit cards which had been authorized in the Foreign Aid Assistance Act and by the determination of the President were not utilized, but the taxpayers of the United States contributed in export subsidy payments to make possible these wheat sales to the Soviet Union a grand total of $42,951,314.13.

Due to the generosity of the taxpayers of the United States, the Soviet Union was able to buy this wheat $18 million cheaper than United States mills would have had to pay for the same wheat. These figures can be verified by reference to page 641, part 3, of the hearings of the appropriations subcommittee. The taxpayer-financed subsidy paid on the Durum wheat, which was a part of these sales to the Soviet Union, was higher per bushel by about 14 cents than sales to friendly countries. In other words, the U.S. Department of Agriculture gave better export subsidies—better by about $3 million—on sales to the Soviet Union than it did to friendly countries. During this same period, sales of wheat were consummated to the Communist government of East Germany involving some 4 million bushels of wheat, and the export subsidies paid on those transactions amounted to $2,722,386. The House of Representatives has stated very clearly on three different occasions now, its opposition to the use of taxpayer funds to make possible the sale of subsidized farm commodities to Communist countries.

The effect of my amendment would be to prohibit the use of any of the funds provided in this appropriation to make export payments or subsidies on any agricultural commodities being sold to the government of any Communist country.

Since the action of the House on Christmas Eve we have seen economic sanctions against Cuba fall apart and for one reason—because we destroyed our position of moral leadership in the free world with our feverish effort to sell wheat to the Soviet Union. The British and French reacted by selling buses and trucks to Castro. Our economic blockade of Cuba fell apart.

This amendment would prevent further folly of this kind.

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I will be glad to yield to the gentleman from Illinois.

Mr. MICHEL. The gentleman made reference to material which is found in the hearings on page 641, of part 3, which I finally pried out of the Department after numerous inquiries. I think we ought to point out that the sale through Continental Grain and Cargill, Inc., was subsidized to the extent of $42,951,314 to the Soviet Union.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WHITTEN. Mr. Chairman, I shall not press the point of order, but I move to strike out the last word.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. Whitten].

Mr. WHITTEN. Mr. Chairman, when we get into this area it is not always easy to deal with it, but I hope the Committee will join with our subcommittee in keeping the bill as we have written it. No one I am sure in the Congress of the United States wishes to help Russia or its satellites, but I think we ought to apply some judgment and commonsense in determining what helps and what does not help and what may needlessly restrict us as against our allies who are our competitors.

I suspect that I have had about as many years dealing with this subject as most of the Members here. I helped to work out the Wherry amendment in conference, later the Kem amendment, which later became the Battle Act.

When we were unable to get information from the Department of Defense on the situation in Russia, as chairman of this subcommittee, but also as a member of the other committee, several of us went to visit Russia. We traveled through several thousand miles there, by automobile, by train, and by air. We learned many things that we had not been told about the relative weakness of Russia, and things of that kind.

But here is the point that I wish to make in dealing with this. We learned that we had given Russia 5,000 tons of planting seed. I said then I did not know that we should sell food to Russia but it was at least more sound to sell than to make her self-sufficient by selling planting seed so she can grow her own food. Are we going to stand here and let Canada and Australia have all that market, accept American dollars for it, and have Australia and Canada call on our gold supply to redeem our dollars, they get from Russia?

Now I want to say another thing. Everybody recognizes that the Achilles heel in Russia and in communism is their inability to feed their own people. And you may say that if we sell them the wheat, instead of letting Australia and Canada sell them the wheat, we are feeding their people. They would be fed by our allies anyway. However, if they pay us in dollars they, in turn, have that much less with which to carry on their general economy, including their military requirements.

Nobody on this floor has made more effort to try to deal with the Communist situation and keep them back than I have. But we do have to stop, look, and listen to determine what helps and what does not. And write this down. Russia is buying wheat from Canada, Australia, and other countries, and in many instances the money that we might get, that would help our situation, goes to our allies. So we are not depriving them of the wheat in the one case, but we are depriving ourselves of the opportunity to benefit our balance-of-payments situation—again I am not saying we should. I am saying we should not tie our own hands. When the Secretary came back, and several others who went over there, they said that Russia was very anxious to buy things from our country, such as fertilizer plants and other items that would help her to become self-sufficient. To the degree that she relies on our supply of wheat, that is one thing. But when we go to the point where we permit her to become self-sufficient, then she becomes that much more independent and therefore more dangerous.

In the final analysis, Mr. Chairman, our allies are doing the very thing that we would prohibit ourselves from doing here under this amendment.

I repeat that I would be and I am opposed to taking one single, solitary step that would help the Communists. But I do think we need to keep our heads up and our arms free in deciding what helps and what does not help as the situation develops.

Mr. Chairman, this amendment should be defeated in my opinion.

Mr. STINSON. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. STINSON. According to Pravda, the December 10 issue, 1963, page 1, column 3——

Mr. WHITTEN. Is that the Russian propaganda sheet?

Mr. STINSON. That is right.

Mr. WHITTEN. Is the gentleman asking me to believe what it says, in view of what it is?

Mr. STINSON. This is the official Russian state newspaper. In that particular issue they indicate that their total grain production was 44.8 million tons and according to the statistics in their own publication they do not require over 32.9 million tons for making bread and feeding their people.

I believe that the United States has become the victim of a tremendous propaganda program on the part of the Soviet Union in order to get us to sell them this wheat at a subsidized price.

Mr. WHITTEN. May I say to the gentleman that Russia has not bought anything like the wheat, if I understand the situation correctly, that was made available. Again I voted against that bill. However, I want to make clear that I am not advocating the sale of wheat to Russia, as such. I am advocating the defeat of the amendment, which would say that under no circumstances could we do so, even if thereby we stopped the cold war.

Mr. MICHEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to go back to my earlier colloquy with the gentleman from Illinois [Mr. FINDLEY] in which I cited the total figure here of the subsidized sale. I want to also say that earlier in that testimony in a direct answer to a question of mine in which I inquired as to what the average subsidy was per bushel, I got the answer that it was around 60 cents a bushel. But one can see each one of the figures cited on pages 641 and they are as follows: 72, 73, 65 (51, with no quantity at all); 65, 64, 84, and 73.

I do not see how we can get an average figure of 60 cents a bushel with all the individual parts that go to make up that average of anywhere from 10 to 20 cents above the cited average figure.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Kansas.

Mr DOLE. Can the gentleman tell me whether or not we have been paid for the wheat that has been delivered to Russia?

Mr. MICHEL. No, I cannot say that, and I do not know if our chairman would have that information or not. But there are indications that it has been bought on credit.

Mr. WHITTEN. Mr. Chairman, if the gentleman will yield, may I say to the gentleman that when the bill was up for consideration, I voted against the sale primarily because at that time it authorized sales on credit. I thought such sales if made should have been made for dollars and then the fact that our allies were selling right and left to Russia and everyone else entered into it, I do not know whether you should sell or not. I, on the other hand, doubt whether we should tie our hands by law when under some circumstances we might want to make such sales.

Mr. DOLE. Mr. Chairman, if the gentleman will yield further, the figures the gentleman mentioned as to the extra cost are very interesting. The export subsidy on Durum wheat was raised a sufficient amount to take care of the shipping differential on American and foreign bottoms. This, of course, was in direct violation of what I understood the original proposal to be. Secretary of Commerce Hodges admitted this was probably true but Secretary of Agriculture Freeman denied it. In this instance Secretary Hodges was undoubtedly correct.

Mr. MICHEL. I believe that if the gentleman will read those several pages of the hearings during the interrogation of the witness, that what he says is pretty well borne out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The question was taken; and on a division (demanded by Mr. FINDLEY) there were—ayes 37, noes 60.

Mr. FINDLEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. FINDLEY and Mr. WHITTEN.

The Committee again divided, and the tellers reported there were ayes 66, noes 91.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FINLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. FINDLEY: Page 31, line 8, after the word "hereof" strike the period, insert a colon and the following: "*Provided further*, That no part of the funds herein appropriated shall be available for any expense incident to making export payments or export subsidies on any agricultural commodities being sold or sold to the government of any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961) or to any agency or national thereof, except when the President determines that such guarantees would be in the national interest and reports each such determination to the House of Representatives and the Senate within 30 days after such determination."

Mr. WHITTEN. Mr. Chairman, I wonder if the gentleman will advise us how many amendments he has?

Mr. FINDLEY. I have one more.

Mr. WHITTEN. I wonder if we can agree on the time being limited to 10 minutes, 5 minutes to the gentleman and 5 minutes to the committee? I make that as a unanimous-consent request.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Chairman, I make a point of order against the amendment, but will reserve the point of order.

The CHAIRMAN. The gentleman from Mississippi reserves the point of order against the amendment.

The gentleman from Illinois [Mr. FINDLEY] is recognized in support of his amendment.

Mr. FINDLEY. Mr. Chairman, this amendment is identical with the one just considered by this body with the exception that a proviso is added, the same exact provision which was finally made a part of the amendment adopted by this House as a part of the foreign aid appropriation bill last December.

The proviso would permit the President to make these export subsidy payments if he makes a determination that such guarantees would be in the national interest. He may or may not make such a determination. But this proviso would make possible the flexibility which the gentleman from Mississippi seems to find desirable. If I recall his remarks correctly, he stated objection to selling wheat to Russia but he felt it was unwise to be inflexible in the wording of the amendment, and therefore I offer this new amendment which does permit the President to make the same sort of determination that he made in the case of the Export-Import Bank credit guarantees. Since the action of the House in adopting this similar amendment of Export-Import Bank guarantees, the taxpayers of the United States have kicked in $42 million in export subsidy payments for sales to Communists and I think it is time to call a halt to this nonsense. But I am willing to leave the discretion up to the President.

Mr. WHITTEN. Mr. Chairman, may I be recognized on the point of order against the amendment.

The CHAIRMAN. The gentleman will state the point of order.

Mr. WHITTEN. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from Illinois on the ground that it is legislation on an appropriation bill.

I will say that I have not had a chance to review the authorities, but it is my recollection during the years that I have served in this capacity handling this bill on the floor of the House, when any provision requires extra duties and imposes those extra duties on the executive department, the President in this instance, such a proposal goes beyond being a restriction on the expenditure of money and amounts to legislation. For that reason, Mr. Chairman, I believe the point of order should be sustained.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. FINDLEY. Yes, Mr. Chairman, simply to say that in my opinion, the amendment amounts to a limitation on the use of funds and, therefore, comes within the rules.

The CHAIRMAN (Mr. Keogh). The Chair is ready to rule.

The gentleman from Illinois [Mr. Findley] has offered an amendment to the language appearing at page 31, line 8, to insert the following language:

> *Provided further,* That no part of the funds herein appropriated shall be available for any expense incident to making export payments or export subsidies on any agricultural commodities being sold or sold to the government of any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961) or to any agency or national thereof, except when the President determines that such guarantees would be in the national interest and reports each such determination to the House of Representatives and the Senate within 30 days after such determination.

In the opinion of the Chair, the language last read, beginning with the words "except when the President determines" does impose additional duties upon the President, and is, therefore, legislation on an appropriation bill.

The Chair sustains the point of order.

The Clerk will read.

The Clerk read as follows:

> Sec. 505. Except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated by this act shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I take this time—and I have no desire to use a full 5 minutes—to ask the gentleman from Mississippi [Mr. Whitten] if it will be his purpose to seek a vote on the amendment which was adopted yesterday with respect to the establishment of a peanut laboratory or research center in Georgia.

Mr. WHITTEN. I say to my colleague from Iowa that it will be my purpose to ask for a rollcall vote. If he will yield, I will explain why.

Mr. GROSS. I am glad to yield to my friend, the gentleman from Mississippi.

Mr. WHITTEN. Our committee made three different efforts to solve this problem. We first provided $450,000 for a laboratory in this area, the purpose of which was not to get into the quality research field where there is great competition. That did not work.

At the instance of the leadership of both the House and the Senate, with all of our colleagues trying to get through at about 3:30 in the morning just before Christmas, our committee yielded and gave Georgia a $9.5 million laboratory in this same general area. It is eminently qualified to do whatever needs to be done.

By that time, unfortunately, our colleague, the gentleman from Georgia [Mr. Forrester] had gone home. In order to get some agreement, we agreed to bring the original provision back intact—not to pass it, but to bring it back. Then we suddenly discovered that after the $9.5 million authorization and the $450,000 for the laboratory we were faced with this $1.6 million laboratory, and no one on this floor can tell us one thing for which there is any need to use it.

I hope my colleagues will stand by the committee and will vote against the amendment. If they do, there will be in this bill $450,000 for a laboratory at Dawson, Ga., which was not in the budget estimates and which the committee put in in the endeavor to do the best it could to help our friends to deal with their essential problems.

I hope our friends will stand by the committee and vote against the amendment, when that is called up.

Mr. GROSS. I am pleased to be assured that the gentleman will seek a rollcall vote on that amendment.

I say to the Members of the House that I hold the gentleman from Georgia [Mr. Forrester] in high esteem, but I believe that a $1.6 million laboratory or research center which apparently will wind up costing $10 million, is a pretty plush going away present for my friend from Georgia.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. I am glad to yield to the gentleman from Mississippi.

Mr. WHITTEN. I do not know—considering the $450,000 now in the bill and the $9.5 million laboratory provided last year—what under the sun they would do if they had the additional money for the laboratory.

Mr. GROSS. I thank the gentleman and say that I agree with him completely.

Mr. HARVEY of Michigan. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. Alger] may extend his remarks at this point in the Record and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ALGER. Mr. Chairman, I cannot agree to the agriculture appropriation bill for several very fundamental reasons. Most fundamental and never to be forgotten, before other specific criticisms, is my disbelief in the present control of the farmer and farm products. My fundamental objection goes, therefore, to the unconstitutional nature of the present farm law, wherein the farmer cannot do what he wants with his own land, and must suffer in the marketplace by the distorting influence of the Federal subsidies, crop controls, and surplus commodities in a variety of Federal programs.

Now, in addition, there are several specific objections which, to me, must result in disapproval of this bill.

First. There is a conflict between sections 32 and 22 of the Agriculture Act. Even as Government is buying $400 million of meats, between 1936 and 1962, as surplus, under section 32, we find the United States being flooded with foreign meats under section 22. The fact is, there is too much Federal Government imposed on our people by both sections. Both are working to the detriment of our Nation. There is a question in my mind whether bad law can be made to work effectively at best. These points are effectively developed on pages 16, 17, and 19 of the report.

Second. There is overlapping jurisdiction and expenditures in Public Law 480, funded in this bill, and the AID, Agency for International Development, in the foreign-aid bill. Under AID loans, guarantees, and subsidies business endeavors are encouraged overseas, presumably some agricultural, and yet our Government does not protect American lives and property overseas, either from death or expropriation.

Third. There is an increase of $167 million in Public Law 480 funds to give away or sell short agricultural products overseas. This is related to foreign aid and should be so considered. In the $1,887 million involved is the usual double play of economizing and spending more, by spending more than last year but cutting the budget request.

Fourth. The REA is granted $450 million more when the great bulk of rural electrification is behind us and private enterprise can take over the job. Instead, we perpetuate and build this Federal Government giant business operation, an empire resting on Government subsidy.

In addition, there is room for reasonable doubts on other sections of this bill, including Federal aids for land conservation when we are retiring land from use, Federal food stamp plan, Federal school milk and lunch, illegal grain shipment diversion, Farm Home Administration, Government loans to farmers, Federal rural renewal, Federal rural public housing for the elderly, to name a few.

Finally, I can see no reason for Federal subsidy of Communist countries by using the taxpayers' money to give or ship grain and other products to Communist countries.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. WHITTEN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. Without objection, the previous question is ordered.

Is a separate vote demanded on the amendment?

Mr. WHITTEN. Mr. Speaker, I demand a separate vote on the amendment.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment on page 3, line 12: Strike out $97,656,000 and insert $99,256,000, of which $1,600,000 for the construction of a national peanut research facility at Dawson, Ga., and the acquisition of land therefor by donation.

The SPEAKER. The question is on the amendment.

Mr. WHITTEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 181, nays 198, answered "present" 1, not voting 51, as follows:

[Roll No. 130]

YEAS—181

Abernethy
Adair
Albert
Ashley
Aspinall
Auchincloss
Barrett
Becker
Bennett, Fla.
Bennett, Mich.
Blatnik
Boggs
Bolling
Bow
Brademas
Broomfield
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Carey
Celler
Chelf
Chenoweth
Clark
Cohelan
Corbett
Corman
Cunningham
Curtin
Daddario
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Donohue
Dulski
Duncan
Edwards
Everett
Evins
Fascell
Feighan
Flood
Flynt
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Gibbons
Gilbert
Gill
Glenn
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halpern
Hansen
Harding
Harris
Harsha
Hawkins
Hays
Healey
Hechler
Herlong
Holifield
Holland
Horton
Hull
Ichord
Johnson, Calif.
Johnson, Wis.
Karsten
Karth
Kelly
Keogh
King, Calif.
King, N.Y.
Kluczynski
Landrum
Lankford
Latta
Libonati
Long, La.
McCulloch
McDowell
McFall
McIntire
McMillan
Madden
Mathias
Matthews
Miller, Calif.
Mills
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Ostertag
Passman
Pepper
Philbin
Pilcher
Pirnie
Price
Rains
Reuss
Rhodes, Pa.
Riehlman
Rivers, Alaska
Rivers, S.C.
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
St. Onge
Saylor
Schenck
Schweiker
Secrest
Senner
Sikes
Sisk
Springer
Staebler
Staggers
Stephens
Stubblefield
Sullivan
Thomas
Thompson, La.
Thompson, N.J.
Tollefson
Trimble
Tupper
Tuten
Ullman
Van Deerlin
Vanik
Vinson
Waggonner
Watson
Weaver
Weltner
White
Williams
Willis
Wyman
Zablocki

NAYS—198

Abbitt
Abele
Addabbo
Alger
Anderson
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Baker
Baldwin
Barry
Bates
Battin
Beckworth
Beermann
Belcher
Bell
Berry
Betts
Boland
Bolton, Oliver P.
Bonner
Brock
Bromwell
Brooks
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burkhalter
Burleson
Byrnes, Wis.
Cahill
Cameron
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conte
Cooley
Curtis
Dague
Daniels
Derounian
Derwinski
Devine
Dingell
Dole
Downing
Dwyer
Findley
Finnegan
Fino
Fisher
Ford
Foreman
Fountain
Frelinghuysen
Fulton, Pa.
Gary
Gathings
Giaimo
Gonzalez
Goodell
Goodling
Grabowski
Griffin
Gross
Grover
Gubser
Halleck
Hardy
Harrison
Harvey, Ind.
Harvey, Mich.
Henderson
Hoeven
Horan
Hosmer
Hutchinson
Jarman
Jennings
Jensen
Joelson
Johansen
Johnson, Pa.
Jonas
Jones, Mo.
Kastenmeier
Keith
Kilburn
Kilgore
Knox
Kornegay
Kunkel
Kyl
Laird
Langen
Lennon
Lesinski
Lindsay
Lipscomb
Lloyd
Long, Md.
McClory
McDade
McLoskey
Macdonald
MacGregor
Mahon
Mailliard
Marsh
Martin, Calif.
Michel
Miller, N.Y.
Milliken
Minish
Minshall
Morse
Morton
Mosher
Natcher
Nedzi
Nelsen
Osmers
Patman
Patten
Pelly
Perkins
Pickle
Pike
Pillion
Poage
Poff
Pucinski
Purcell
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Roberts, Tex.
Robison
Rogers, Tex.
Roudebush
Rumsfeld
Ryan, Mich.
St. George
Schadeberg
Schneebeli
Schwengel
Scott
Shipley
Short
Shriver
Sibal
Sickles
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Snyder
Stafford
Stinson
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Tex.
Thomson, Wis.
Tuck
Udall
Van Pelt
Wallhauser
Watts
Westland
Whalley
Wharton
Whitener
Whitten
Widnall
Wilson, Bob
Wilson, Charles H.
Wilson, Ind.
Wright
Wydler
Young

ANSWERED "PRESENT"—1

Steed

NOT VOTING—51

Andrews, Ala.
Ashmore
Avery
Baring
Bass
Bolton, Frances P.
Bray
Buckley
Burton, Utah
Colmer
Cramer
Dorn
Dowdy
Edmondson
Elliott
Ellsworth
Fallon
Farbstein
Fogarty
Forrester
Garmatz
Grant
Hanna
Hébert
Hoffman
Huddleston
Jones, Ala.
Kee
Kirwan
Leggett
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Meader
Norblad
Pool
Powell
Roberts, Ala.
Rodino
Ryan, N.Y.
St Germain
Selden
Sheppard
Siler
Stratton
Toll
Utt
Wickersham
Winstead
Younger

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Buckley for, with Mr. Rhodes of Arizona against.

Mr. Dorn for, with Mrs. Frances P. Bolton against.

Mr. Hanna for, with Mr. Rodino against.

Mr. Garmatz for, with Mr. Ellsworth against.

Mr. Forrester for, with Mr. Steed against.

Mr. Hébert for, with Mr. Martin of Nebraska against.

Mr. Ryan of New York for, with Mrs. May against.

Mr. Leggett for, with Mr. Younger against.

Mr. Toll for, with Mr. Baring against.

Mr. Kirwan for, with Mr. Dowdy against.

Mr. Farbstein for, with Mr. Colmer against.

Until further notice:

Mr. Matsunaga with Mr. Avery.

Mr. Ashmore with Mr. Utt.

Mr. Elliott with Mr. Hoffman.

Mr. Grant with Mr. Burton of Utah.

Mr. Andrews of Alabama with Mr. Cramer.

Mr. Jones of Alabama with Mr. Siler.

Mr. Wickersham with Mr. Meader.

Mr. Sheppard with Mr. Norblad.

Mr. Huddleston with Mr. Martin of Massachusetts.

Mr. Selden with Mr. Bray.

Mr. Edmondson with Mrs. Kee.

Mr. Roberts of Alabama with Mr. Winstead.

Mr. Stratton with Mr. Bass.

Mr. Fallon with Mr. St Germain.

Mr. DAWSON and Mr. ROONEY of New York changed their votes from "nay" to "yea."

Mr. SCHADEBERG changed his vote from "yea" to "nay."

Mr. STEED. Mr. Speaker, I have a live pair with the gentleman from Georgia, Mr. FORRESTER. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT

Mr. BOW. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BOW. I am opposed to the bill, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bow moves to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 31, line 8, after the word "hereof" strike the period, insert a colon and the following:

"*Provided further*, That no part of the funds herein appropriated shall be available for any expense incident to making export payments or export subsidies on any agricultural commodities being sold or sold to the government of any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961) or to any agency or national thereof."

Mr. WHITTEN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

Mr. BOW. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 186, nays 187, answered "present" 2, not voting 56, as follows:

[Roll No. 131]

YEAS—186

Abbitt
Abele
Abernethy
Alger
Anderson
Arends
Ashbrook
Auchincloss
Ayres
Baker
Baldwin
Barry
Bates
Battin
Becker
Beermann
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Bolton, Oliver P.
Bow
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Byrnes, Wis.
Cahill
Carey
Casey
Cederberg
Chamberlain
Chenoweth
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conte
Corbett
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Dwyer
Fascell
Feighan
Findley
Fino
Fisher
Ford
Foreman
Fulton, Pa.
Gibbons
Glenn
Goodell
Goodling
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Halpern
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Herlong
Hoeven
Horan
Horton
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jensen
Johansen
Johnson, Pa.
Jonas
Keith
Kilburn
King, N.Y.
Knox
Kunkel
Kyl
Laird
Langen
Latta
Lennon
Lesinski
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
MacGregor
Marsh
Martin, Calif.
Michel
Miller, N.Y.
Milliken
Minshall
Moore
Morse
Morton
Mosher
Nelsen
O'Konski
Osmers
Ostertag
Pickle
Pike
Pillion
Pirnie
Poff
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
St. George
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Secrest
Short
Shriver
Sibal
Skubitz
Smith, Calif.
Smith, Va.
Snyder
Springer
Stafford
Staggers
Stinson
Taft
Talcott
Teague, Calif.
Thomson, Wis.
Tollefson
Tuck
Tupper
Van Pelt
Waggonner
Wallhauser
Weaver
Westland
Whalley
Wharton
Widnall
Williams
Wilson, Bob
Wilson, Ind.
Wydler
Wyman

NAYS—187

Addabbo
Albert
Andrews, N. Dak.
Ashley
Aspinall
Barrett
Beckworth
Blatnik
Boggs
Boland
Bolling
Bonner
Brademas
Brooks
Brown, Calif.
Burke
Burkhalter
Burleson
Burton, Calif.
Byrne, Pa.
Cameron
Celler
Chelf
Clark
Cohelan
Cooley
Corman
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Downing
Dulski
Duncan
Edwards
Everett
Evins
Finnegan
Flood
Flynt
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Gary
Gathings
Giaimo
Gilbert
Gill
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan, Ga.
Hagen, Calif.
Hansen
Harding
Hardy
Harris
Hawkins
Healey
Hechler
Henderson
Holifield
Holland
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Kornegay
Landrum
Lankford
Libonati
Lindsay
Long, La.
Long, Md.
McDowell
McFall
McMillan
Macdonald
Madden
Mahon
Mailliard
Mathias
Miller, Calif.
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pilcher
Poage
Price
Pucinski
Purcell
Rains
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
St. Onge
Senner
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Staebler
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Trimble
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Watts
Weltner
White
Whitener
Whitten
Willis
Wright
Young
Zablocki

ANSWERED "PRESENT"—2

Fuqua
Matthews

NOT VOTING—56

Adair
Andrews, Ala.
Ashmore
Avery
Baring
Bass
Bolton, Frances P.
Bray
Buckley
Burton, Utah
Colmer
Cramer
Dorn
Dowdy
Edmondson
Elliott
Ellsworth
Fallon
Farbstein
Fogarty
Forrester
Gallagher
Garmatz
Grant
Hanna
Hays
Hébert
Hoffman
Huddleston
Jones, Ala.
Kee
Kilgore
Leggett
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Meader
Norblad
Pelly
Pool
Powell
Roberts, Ala.
Rodino
Ryan, N.Y.
St Germain
Selden
Sheppard
Siler
Toll
Utt
Watson
Wickersham
Wilson, Charles H.
Winstead
Younger

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Matthews for, with Mr. Hébert against.

Mr. Younger for, with Mr. Garmatz against.

Mr. Kilgore for, with Mr. Fallon against.

Mr. Fuqua for, with Mr. Forrester against.

Mr. Burton of Utah for, with Mr. Rodino against.

Mr. Pelly for, with Mr. Leggett against.

Mrs. May for, with Mr. Buckley against.

Mr. Hoffman for, with Mr. Powell against.

Mr. Utt for, with Mr. Toll against.

Mr. Martin of Nebraska for, with Mr. Matsunaga against.

Mr. Cramer for, with Mr. Hanna against.

Mr. Ellsworth for, with Mr. Farbstein against.

Mr. Colmer for, with Mr. Hays against.

Mr. Dowdy for, with Mr. Wickersham against.

Until further notice:

Mr. Ashmore with Mrs. Kee.

Mr. Jones of Alabama with Mr. Baring.

Mr. Roberts of Alabama with Mr. Edmondson.

Mr. Selden with Mr. Winstead.

Mr. Huddleston with Mr. Bray.

Mr. Andrews with Mr. Avery.

Mr. Grant with Mr. Siler.

Mr. Gallagher with Mr. Norblad.

Mr. Charles H. Wilson with Mr. Meader.

Mr. Dorn with Mrs. Frances P. Bolton.

Mr. Sheppard with Mr. Martin of Massachusetts.

Mr. St Germain with Mr. Ryan of New York.

Mr. Elliott with Mr. Watson.

Mr. Pool with Mr. Adair.

Mr. MILLER of California changed his vote from "yea" to "nay."

Mr. MARTIN of California changed his vote from "nay" to "yea."

Mr. MATTHEWS. Mr. Speaker, I have a live pair with the gentleman from Louisiana, Mr. HÉBERT. If he were present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. FUQUA. Mr. Speaker, I have a live pair with the gentleman from Georgia, Mr. FORRESTER. If he were present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. HORAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 311, nays 64, not voting 56, as follows:

[Roll No. 132]

YEAS—311

Abbitt
Abele
Abernethy
Addabbo
Albert
Anderson
Andrews, N. Dak.
Arends
Ashley
Aspinall
Auchincloss
Ayres
Baldwin
Barrett
Barry
Battin
Beckworth
Belcher
Bennett, Mich.
Berry
Betts
Blatnik
Boggs
Bolland
Bolling
Bolton, Oliver P.
Bonner
Brademas
Bromwell
Brooks
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke
Burkhalter
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cameron
Casey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Clark
Clausen, Don H.
Cleveland
Cohelan
Cooley
Corman
Cunningham
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Dole
Donohue
Downing
Dulski
Duncan
Dwyer
Edwards
Everett
Evins
Feighan
Finnegan
Fino
Fisher
Flood
Flynt
Fogarty
Foreman
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Gary
Gathings
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Gubser
Hagan, Ga.
Hagen, Calif.
Hall
Halleck
Halpern
Hansen
Harding
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Hawkins
Healey
Hechler
Henderson
Hoeven
Holifield
Holland
Horan
Horton
Hull
Hutchinson
Ichord

Jarman
Jennings
Jensen
Joelson
Johnson, Calif.
Johnson, Pa.
Johnson, Wis.
Jonas
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Knox
Kornegay
Kunkel
Kyl
Laird
Landrum
Langen
Lankford
Latta
Lennon
Lesinski
Libonati
Lindsay
Long, La.
Long, Md.
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
McMillan
Macdonald
MacGregor
Madden
Mahon
Marsh
Martin, Calif.
Mathias
Matthews
Michel
Miller, Calif.
Milliken
Mills
Minish
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen Mont.
Olson, Minn.
O'Neill
Ostertag
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pilcher
Pillion
Pirnie
Poage
Poff
Price
Pucinski
Purcell
Quie
Quillen
Rains
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Robison
Rogers, Colo.
Rogers, Tex.
Rooney, N..Y
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Ryan, Mich.
St. Onge
Schadeberg
Schwengel
Scott
Secrest
Senner
Shipley
Short
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Va.
Springer
Staebler
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Van Pelt
Vinson
Waggonner
Wallhauser
Watson
Watts
Weaver
Weltner
Westland
Wharton
White
Whitener
Whitten
Williams
Willis
Wilson, Bob
Wilson, Ind.
Wright
Wyman
Young
Zablocki

NAYS—64

Alger
Ashbrook
Baker
Bates
Becker
Beermann
Bell
Bennett, Fla.
Bow
Brock
Broomfield
Cahill
Carey
Clancy
Clawson, Del
Collier
Conte
Corbett
Curtin
Curtis
Derounian
Derwinski
Devine
Fascell
Findley
Ford
Frelinghuysen
Fulton, Pa.
Goodell
Goodling
Grover
Gurney
Haley
Harvey, Mich.
Herlong
Hosmer
Johansen
Kilburn
King, N.Y.
Lipscomb
McClory
Mailliard
Miller, N.Y.
Minshall
Mosher
Osmers
Pike
Rich
Rogers, Fla.
Rumsfeld
St. George
Saylor
Schenck
Schneebeli
Schweiker
Sibal
Smith, Calif.
Snyder
Stinson
Taft
Tollefson
Whalley
Widnall
Wydler

NOT VOTING—56

Adair
Andrews, Ala.
Ashmore
Avery
Baring
Bass
Bolton, Frances P.
Bray
Bruce
Buckley
Burton, Utah
Colmer
Cramer
Dorn
Dowdy
Edmondson
Elliott
Ellsworth
Fallon
Farbstein
Forrester
Garmatz
Grant
Hanna
Hays
Hébert
Hoffman
Huddleston
Jones, Ala.
Kee
Kilgore
Leggett
Lloyd
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Meader
Norblad
Passman
Pelly
Pool
Powell
Roberts, Ala.
Rodino
Ryan, N.Y.
St Germain
Selden
Sheppard
Siler
Toll
Utt
Wickersham
Wilson, Charles H.
Winstead
Younger

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mrs. May for, with Mr. Younger against.

Mr. Martin of Nebraska for, with Mr. Utt against.

Mr. Cramer for, with Mr. Pelly against.

Mr. Hébert for, with Mr. Hoffman against.

Until further notice:

Mr. Matsunaga with Mr. Bass.

Mr. Garmatz with Mrs. Kee.

Mr. Fallon with Mr. Baring.

Mr. Powell with Charles H. Wilson.

Mr. Farbstein with Mr. Dorn.

Mr. Ryan of New York with Mr. Winstead.

Mr. Rodino with Mr. Meader.

Mr. St Germain with Mr. Norblad.

Mr. Hanna with Mr. Burton of Utah.

Mr. Hays with Mr. Ellsworth.

Mr. Leggett with Mr. Huddleston.

Mr. Kilgore with Mr. Selden.

Mr. Buckley with Mr. Avery.

Mr. Forrester with Mr. Adair.

Mr. Colmer with Mr. Martin of Massachusetts.

Mr. Ashmore with Mr. Bruce.

Mr. Elliott with Mrs. Frances P. Bolton.

Mr. Andrews of Alabama with Mr. Sheppard.

Mr. Wickersham with Mr. Toll.

Mr. Edmondson with Mr. Grant.

Mr. Roberts of Alabama with Mr. Pool.

Mr. Jones of Alabama with Mr. Bray.

Mr. Passman with Mr. Siler.

Mr. WHALLEY changed his vote from "yea" to "nay."

Mr. FOREMAN changed his vote from "nay" to "yea."

Mr. SCHWENGEL changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESIGNATION FROM A COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 19, 1964.

Hon. JOHN MCCORMACK,
Speaker of the House,
House of Representatives,

DEAR MR. SPEAKER: I hereby respectfully submit my resignation from the Committee on Veterans' Affairs of the House of Representatives.

Sincerely yours,

FRED B. ROONEY.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION FROM A COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 19, 1964.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: I hereby respectfully submit my resignation from the Committee on Post Office and Civil Service of the House of Representatives.

Sincerely yours,

ALBERT WATSON,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. MILLS. Mr. Speaker, I offer a privileged resolution, House Resolution 729, and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the standing committee of the House of Representatives on Interstate and Foreign Commerce: ALBERT W. WATSON, South Carolina, and FRED B. ROONEY, of Pennsylvania.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Ohio makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 133]

Abernethy
Adair
Andrews, Ala.
Ashmore
Auchincloss
Avery
Baring
Barrett
Bass
Becker
Belcher
Blatnik
Bolton, Frances P.
Brademas
Bray
Brock
Broomfield
Buckley
Burton, Utah
Byrnes, Wis.
Celler
Clark
Clawson, Del
Colmer
Corman
Cramer
Davis, Tenn.
Diggs
Dorn
Dowdy
Edmondson
Elliott
Ellsworth
Fallon
Farbstein
Feighan
Fisher
Forrester
Garmatz
Grant
Griffin
Hanna
Harding
Hawkins
Hays
Hébert
Henderson
Hoffman
Holifield
Holland
Huddleston
Johnson, Calif.
Jones, Ala.
Kee
Kilburn
Kilgore
Kluczynski
Landrum
Lankford
Leggett
Lloyd
Long, Md.
McFall
McMillan
Martin, Calif.
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Meader
Miller, N.Y.
Moss
Norblad
Pelly
Pilcher
Pool
Powell
Rains
Roberts, Ala.
Rodino
Ryan, N.Y.
St Germain
Scott
Secrest
Selden
Senner
Sheppard
Short
Siler
Sisk
Skubitz
Smith, Calif.
Smith, Va.
Steed
Talcott
Thompson, La.
Toll
Tuck
Utt
Wickersham
Willis
Wilson, Charles H.
Winstead
Younger

The SPEAKER. On this rollcall 327 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INDEPENDENT OFFICES APPROPRIATION BILL, 1965

Mr. THOMAS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2 hours, one-half to be controlled by the gentleman from New York [Mr. Ostertag], and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

IN THE COMMITTEE OF THE WHOLE

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11296, with Mr. Bolling in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas [Mr. Thomas] will be recognized for 1 hour and the gentleman from New York [Mr. Ostertag] will be recognized for 1 hour.

The gentleman from Texas [Mr. Thomas] is recognized.

Mr. THOMAS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, may I state to my colleagues we understand we have our annual baseball game tonight and we would like to get out of here certainly no later than 15 or 20 minutes to 6. We want everybody to go to the game. Please cooperate.

We will try to finish this bill tomorrow. We are not going to ask for any record vote. We realize you have had a long, hard day and done a tremendous job. We are grateful for that. Bear with us just a few minutes longer and then we will move that the Committee rise and we hope to come in tomorrow a 11 o'clock and work for about an hour. Then we will pay our final respects to our late beloved colleague, Chairman Cannon.

Following that, we will go back into Committee of the Whole and we should finish this bill in 2 or 3 hours.

My colleagues, may I say to you, we believe we bring you a good bill and we respectfully and prayerfully ask your consideration, your support and your help. We have about 25 agencies here and we are just about as unanimous as seven men can be on these several thousands of details—and there are just about that many wrapped up here.

We are all here. On the majority side, Mr. Evins, Mr. Boland, and Mr. Shipley. On the minority side, we have our friends, Mr. Ostertag, Mr. Wyman, and our beloved friend from North Carolina, Mr. Jonas. These gentlemen know as much about this bill and more than I do. We are all here and you are entitled to all of the information, certainly, that we have and if we cannot give it to you individually, we will give it to you together. You are entitled to it and if you ask for it, we will do our best to give it to you.

We have budget estimates here of about $14¼ billion. I will repeat those figures—round figures—about $14¼ billion.

Your committee has reduced this about $925 million. That is a lot of money too.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. In just 1 minute I will be delighted to yield to my able friend from Iowa.

The budget calls for about 294,700 jobs. We have reduced that about 6,800 jobs. That is a pretty good reduction.

Mr. Chairman, one of the finest men who has been in this House in my 25 or 27 years serves on this committee and he is going to retire. I do not know of a finer man in this body on either side of the aisle nor a more valuable man than our ranking minority Member, our beloved friend, Harold Ostertag of New York.

Frankly, everybody on the subcommittee was unanimous. We tried to persuade him not to retire. We could not do that. Then we unanimously voted to overrule him. We said we would not let him retire. But somehow or other we lost. We depend upon his good judgment, upon that balance he brings to the committee. We depend upon him every day, and he delivers.

He is young. He is far too young to retire. That great district of New York is going to lose one of the most able men in the great New York delegation. It is going to lose one of the finest and most able men in this House. It will take a long time to replace him.

To the people of the great 37th District of New York, whom he has represented so ably in this body for these many years, I say I know they will miss him. The State of New York will miss him. The people of the United States will miss him. We in this House, on both sides of the aisle, will miss him.

We wish you the best of everything, whatever you may choose to do. Anyway, you have deserved this retirement. But we want you to come back. We want you to sit with us when you come back. We want you to hold our hands, as you have been doing for the past 10 or 15 years.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to my able friend from Iowa [Mr. Gross].

Mr. GROSS. I feel sure the gentleman will join with me in expressing the hope that an equally able Republican will come to Congress from his district.

Mr. THOMAS. How well the gentleman expresses it. I will join my friend in at least three-fourths of that statement.

Mr. OSTERTAG. Mr. Chairman, I yield myself such time as I may consume.

As has been so generously and affectionately stated by my good friend, my colleague and associate, the gentleman from Texas [Mr. Thomas], this will probably be the last time I shall be privileged to join with him and the other members of the Subcommittee on Independent Offices of the Appropriations Committee in presenting this most important appropriation bill.

I have been privileged to serve for 12 years on the Appropriations Committee, and for at least 10 years of that time I have been a member of this subcommittee as well as the subcommittee which deals with the Department of Defense.

As I leave the Halls of Congress after 33 years of public service to return to what might be termed private life, the privilege I have had in working on these many problems associated with appropriations, and more particularly the Independent Offices Subcommittee, which embraces some 25 important independent agencies of our Federal Government, has been a most rewarding experience. It has been rewarding in that there has been a great sense of satisfaction in the privilege and opportunity to learn by means of working with and across the table from the executives throughout our governmental structure, which gives you a greater feel of the magnitude of our Republic and of its many functions and operations. This has given me an intimate contact with the Government, as well as understanding. I want you to know that I shall miss it.

I shall reflect these services, in the realization as I leave, that there are others who will take my place; there are others who will carry on and, as you carry on, we must recognize that no one of us can be recognized as indispensable.

You might be interested to know that in the short span of 12 of my 14 years in Congress, while having been a member of this committee, more than $980 billion or almost $1 trillion has passed through our hands. The Independent Offices Subcommittee during the past 10 years has appropriated $85-plus billion, and I am proud to say to you that among other things our subcommittee—this is our own subcommittee and not the entire Committee on Appropriations—has achieved reductions during these 10 years totaling $3,767 million. So you can readily understand that we just did not sit and chew our fingernails, but we have tried to do a job.

May I say, too, that among other things, in dealing with these appropriation matters for the Government within our committee, whether it be the whole Committee on Appropriations or our Subcommittee on Independent Offices, there is no partisanship, there is no dividing line; we work as a unit. I do not believe there is an ounce of politics involved in the opportunities and privileges of our work.

I might say that this year we have been involved in the taking of some 3,200 or more pages of testimony. Now, Mr. Chairman, as our subcommittee report indicates, we bring to you today the independent offices appropriation bill for fiscal year 1965 with recommended funds in the amount of approximately $13,319 million. This total covers some 25 independent agencies, including such large operations as the National Aeronautics and Space Agency, the General Services Administration, the Veterans' Administration, the Housing and Home Finance Agency, and the Federal Aviation Agency. The limitation of time will not permit a detailed accounting of each and every agency covered in this important appropriation bill. However, I do want to take this opportunity to point out that consistent reductions have been made throughout the entire bill. This appropriation, as compared with the total budget estimates for fiscal 1965 of some $14,245 million, constitutes a reduction, as our chairman has indicated, of $926 million or an overall saving of 6.5 percent.

Generally speaking, it will provide for substantially less employment and we believe it will require greater efficiency and economy on the part of these several agencies. Although I shall not attempt to give you a breakdown of employment or positions by agencies, I can report to you that the budget estimate for fiscal 1965 calls for a total of 294,726 positions.

The committee has approved a total of 287,942, which is a reduction of 6,834 positions.

Mr. Chairman, among the agencies included in this bill where substantial reductions have been made is that of civil defense which, as you know, is under the jurisdiction of the Defense Department. Your committee has included $70 million to continue the present level of funding for the already established program of civil defense, and we have earmarked $15 million for matching grants to the States and to the local civil defense organizations in support of personnel and administrative expenses. However, the limitation of $13.5 million is included for management expenses.

In the field of civil defense, I call your attention to the fact that the committee approved an appropriation of $19,200,000 for research, for shelters, surveys and marking of which $10 million will be applied for studies and research while $9,200,000 will be utilized for the location and marking of additional shelter spaces. On the other hand, the entire fallout shelter program totaling $265 million has been eliminated primarily because the program is under study and review by the Department of Defense at the present time, and the fact that this particular shelter program has not been authorized by the Congress.

This bill includes other agencies closely associated with Defense and I am referring to the Office of Emergency Planning. Your committee has allowed funds for this agency at approximately the same level as that of last year. I might point out here that we have approved $20 million for disaster relief assistance to the States and local governments in the event of major disasters. As you know, this program is administered by the OEP under a delegation of authority from the President of the United States. We provided in the supplemental appropriation bill which was passed in April of this year, the sum of $50 million which was required for the disaster in Alaska.

Mr. Chairman, another important agency included in this bill is that of the Federal Aviation Agency. I call your attention to the fact that this important Agency has grown tremendously in recent years. This budget estimate amounted to some $832 million for this Agency. However, your committee has approved the sum of $775 million which constitutes a reduction of $56 million under the budget estimate.

As we indicate in our report the Agency's personnel has grown from 24,378 in the year 1958 to that of 47,000 this last year.

The general application of our reductions apply in the field of operations where $10 million has been reduced despite the increase of $9,600,000 over that of last year, primarily due to the Pay Act increases.

Considerable concern in and out of Congress has been engendered in the field of FAA operations, due to the announced plans to consolidate some 42 flight service stations throughout the United States. No funds—and I repeat, no funds—have been specifically reduced from this service and I call your attention once again to the fact that we are providing nearly $10 million more for operations than was provided last year. I believe that the Federal Aviation Agency will take another look at this picture before they actually take steps to bring about this consolidation and I am of the firm belief that no actual dollar savings would be made by such consolidation, particularly in the first year or two of such changes. These consolidations are costly in the first instances and it is my hope that appropriate adjustments can and will be made by the Federal Aviation Administrator, for whom I have a high regard.

We have found it possible to reduce facilities and equipment by $25 million in the FAA because of a large unobligated balance on hand at the end of this fiscal year. We believe the total of $176 million available for expenditures in this field during the year 1965 to be sufficient.

I might add that your committee deemed it wise to reduce the budget estimate for research and development for the Federal Aviation Agency by $21 million and I point out that our decision in that regard was based on the fact that supplemental funds have already been appropriated for that in recent years. We believe the $25 million included in the bill to be ample for this purpose.

I call your further attention to the fact that in this field of aeronautics, we have another agency known as the Civil Aeronautics Board, which is responsible for the regulation of the economic aspect of the domestic and international U.S. air carrier operations and common carrier operations of the foreign air carriers to and from the United States. The Board is also responsible for participation in the establishment and development of international air transportation. Included in the general responsibility of the Civil Aeronautics Board, we find that they are authorized to provide subsidies to local carriers and in that connection, your attention is called to the committee's recommendation of $79 million for this purpose—which is a reduction of merely $4 million over their budget estimates. We hope and believe that this sum will be adequate to meet the requirements of air carrier operating subsidies—over which the Civil Aeronautics Board has complete jurisdiction and control.

Mr. Chairman, perhaps one of the largest agencies in our Federal Government, one which has responsibility for many operations, including our public buildings, utilization and disposal service, National Archives, transportation and communications services, strategic and critical materials, and many other broadbrush operations—is that of the General Services Administration. Your committee felt it possible to effect a $66 million reduction for these many services out of a total budget estimate in the neighborhood of about $600 million.

Outstanding among the items in this bill under the General Services Administration relates to that of public buildings and public buildings construction and call your attention to the report—where on pages 9 and 10—you will find a complete list of the 149 new buildings for which funds amounting to nearly $152 million are provided. Based on previous practice and experience, your committee has effected a reduction of 10 percent across the board from the original budget estimates for these buildings—and the committee has urged the Administrator to continue the space efficiency ratios and special cost reductions which will still bring "good, functional, and efficient structures."

A part of the $65 million reduction is achieved by means of the elimination for these several public buildings which were originally included in the budget estimates. Speaking of public buildings projects, a separate item entitled "Sites and expenses" which as you know covers the preliminary step to the construction for such services as acquisition of sites, planning and architectural requirements, your committee deemed it wise to eliminate the budget request for this purpose in the amount of $29,500,000.

I might point out to you that we based our recommendations on the principle that the construction program is considerably behind the funding for sites and planning and, with the already existing backlog of construction projects, there appears to be no point in adding to that list at this time.

Now let me turn for a moment to the field of housing and home finance only to mention in passing that the principal reductions in the varied programs relating to housing are based on limitations of legislative authorization. For example, we have approved $25 million to increase the capital in the revolving fund for direct loans for housing for the elderly to the $275 million ceiling as authorized despite the fact that the budget estimate amounted to $75 million.

In other words, we could not legally and properly include more than the $25 million because of the authorized ceiling as provided by law. Similar reductions have been made in urban planning grants, open space land grants and several other of the so-called housing programs because of exhausted authority.

Mr. Chairman, may I call attention to one of the largest and most important agencies of our Federal Government which is included in this bill, namely, the Veterans' Administration. Out of a total appropriation of $5.5 billion for our veterans, nearly $4 billion is required to meet our obligation to them in the form of disability compensation payments and pensions. More than 4½ million out of a total veteran population of about 22 million are receiving such benefits. According to the VA Administrator, we can expect the cost and obligation to our veterans to continue during the foreseeable future at this level. We have made no change in the budget request and the estimated obligation for this coming year is about $42 million above that of 1964.

I believe it important to mention the veterans' medical care and hospital program. The 170 veterans' hospitals constitute the largest system of this kind in the world.

It is expected that more than 730,000 veterans will be hospitalized during this next year. This means that we will operate 120,000 hospital beds and nearly 17,000 domiciliary beds. Included in this bill, you will find about $91 million for the funding of 9 hospital replacement projects and 14 modernizations, your committee has reduced the budget estimate for these purposes by $10 million in the belief that better contracts and plans will produce the same facilities at less cost.

Mr. Chairman, I might add that there are many other agencies in this bill and many other problems that warrant some attention. We have the Office of Science Technology, the Civil Service Commission the Federal Trade Commission. We have the Federal Power Commission, the Federal Communications Commission, the Interstate Commerce Commission, the Science Foundation and the Selective Service and many other agencies.

But, of course, one of the big money parts of this bill includes, as you well know, that of the space agency, or NASA. We have included a total of $5,200 million in this bill for the space agency program which embraces $141 million as a supplemental to the 1964 budget.

The budget request for NASA for fiscal 1965 amounted to $5,454 million. We have effected a reduction over the total budget request of $245 million.

All in all, Mr. Chairman, I believe this is a good bill. I think your committee has successfully attempted to effect reasonable economies and reductions. We have tried to take into account the essentials and the programs, many of them are required and obligated by law. But the point remains that this $925 million reduction is no small amount and it will help toward the overall general reduction in our Federal budget and expenditures.

Mr. Chairman, once again I want to express my gratitude to our distinguished chairman for his warm and generous tribute to me. I want to say too that it has been a real pleasure and a privilege that I cherish very highly to have had the opportunity to work with my distinguished associates on this committee, the gentleman from Tennessee [Mr. Evins], the gentleman from Massachusetts [Mr. Boland] and the gentleman from Illinois [Mr. Shipley] and my good and valued associates on my side of the aisle, the gentleman from North Carolina [Mr. Jonas], and the gentleman from New Hampshire [Mr. Wyman]. We have been, I believe, a good team—a working team, a harmonious team and I am proud to have been associated with my colleagues on the team.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I am very happy to yield to my colleague, the gentleman from New York.

Mr. O'BRIEN of New York. Mr. Chairman, I would like to compliment the gentleman from New York on the clearness of the explanation he has just given to us on this bill and upon the high ability he has displayed during the 12 years I have served with him in the Congress. But beyond that, I think it would be less than proper if I did not point out that Congressman Ostertag and I had an association which began 19 years before those 12 years began here in the Congress. I had the opportunity as a political writer to cover his activities during those previous 19 years when he was a member of the New York State Legislature and when he served as chairman of the Committee on Interstate Cooperation in that legislative body. He was a great State legislator. He has been a great Congressman. I will say to those who are wondering about the political identity of the man who may succeed him that whether he be a Republican or a Democrat, he will have to be a pretty big man to be anywhere near the stature of Harold Ostertag.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I yield to my colleague, the gentleman from New York.

Mr. WYDLER. Mr. Chairman, I rise now to inform the House that at the appropriate time during the reading of this bill I will interpose points of order against those provisions relating to the National Aeronautics and Space Administration which contain funds to be expended for the construction of an Electronics Research Center in Boston, Mass.

I do this, Mr. Chairman, in an attempt to obtain the files of the National Aeronautics and Space Administration relating to the Electronics Research Center and to reassert the rights of Congress.

On April 17, 1963, I wrote to NASA requesting them to make their files available to me. On August 27, 1963, they replied, refusing to do so. They have continued in this refusal ever since.

I wish to make it clear to this House and the Nation that NASA has refused to let me examine their files relating to the proposed Electronics Research Center, in spite of the fact that I am a member of the Science and Astronautics Committee of this House, which is directly charged with the responsibility for this project.

Even more, Mr. Chairman, I am a member of the Subcommittee on Advanced Research and Technology, which must approve the funds requested for such a Center. As a member of this committee, and in committee session, I was refused the right to examine specific site reports made at the Boston area, for which the agency had spent $25,000.

There is no matter of national security involved here. What is involved here is the prerogative of Congressmen and of Congress itself. If I can be refused such files, any Member can, and I do not believe we should let this happen.

I can only conclude that there is something in the files that must be covered up.

Now NASA is before us asking us to appropriate money for this Center when the authorization bill has not yet been enacted into law. Ordinarily, I might look on their request for special favors with indulgence but, under the circumstances, I am constrained to believe that this body should not pass this bill out of order to accommodate an agency that has seen fit to figuratively slap it in the face. So long as the agency remains in "contempt of Congress," I will press my objection.

I do not have to remind the House that no hearings on the need for this Center have ever been held—even though it will cost $70 million to construct such a Center and an equal amount to operate each year thereafter.

I am sure you remember that last year this proposal was rejected by the subcommittee, the full committee and both Houses of Congress, with instructions to the committee to reexamine the question of need for such a Center.

In spite of this, no hearings were allowed in our committee on this most important matter.

I am surprised to find that the Appropriations Committee is willing to countenance a situation where there are to be no files supplied, no witnesses called, and the facts regarding an important matter are not to be made public.

I have warned the House repeatedly that this proposal's main thrust is to creating an electronics complex in the city of Boston, with Federal dollars—your dollars—to take away from you and your area existing electronic manufacturing and research firms. There have been many pious denials of this but the mask is now off and what I said is confirmed by no one less than the Governor of the Commonwealth of Massachusetts.

I hold in my hand the New York Times of Sunday, May 3, which contains an advertisement of about two-thirds of a page, which costs many thousands of dollars and which reads as follows:

> NOW WITH NASA—ALL CONCERNED IN THE SPACE EFFORT MUST LOOK TO MASSACHUSETTS, SPACE CENTER OF THE WORLD
>
> Congress made it official in mid-March—the NASA Electronics Research Center will be located in Massachusetts, and henceforth this area is the space center of the world. A permanent installation, the Center will direct and coordinate all the research and manufacturing programs bearing on the fundamental and critical aspect of our Nation's space effort—electronic systems and components.

> The NASA decision to come to Massachusetts was painstakingly researched. And it was assisted by a remarkable team effort of the Commonwealth's labor, management, and government. The compelling advantages that NASA discovered, and the assistance encountered, are waiting for others. Our department of commerce has a wealth of material covering every aspect of every community in the Commonwealth—from industrial parks to public schools, from railroad sidings to ski tows, from water tables to marinas. All of this is yours for the asking—in complete confidence—as is every other assistance you may require.
>
> Remember—Massachusetts means progress.
>
> ENDICOTT PEABODY,
> *Governor.*

And on the bottom is a coupon to be cut out by the interested firm and sent, in strictest confidence, to the Department of Commerce of Massachusetts.

I do not know in what other parts of the country this advertisement appeared, but I do know that the New York Times is delivered from one end of this Nation to another.

The threat on electronic competence in the United States of America has begun as predicted, even before this Congress has finally approved the project.

The plain fact is, as this advertisement shows, that the State of Massachusetts cannot wait and is impatient to reap the benefits from this politically inspired, federally financed project, at your expense.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, I cannot let this opportunity pass without joining the distinguished chairman of this subcommittee who does a better job of paying tributes than almost anybody I know, and my articulate colleague, the gentleman from New York [Mr. O'BRIEN] in paying a word of tribute to the gentleman from New York, HAROLD OSTERTAG.

I had the opportunity of serving with HAROLD for a number of years on the Committee on Agriculture. I knew him as a very conscientious, able member of that committee and as a very fine and warm friend. I have appreciated his friendship, as all Members have appreciated the quality of his service in the House.

Mr. OSTERTAG. I thank the majority leader. It means much to hear his kind words.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I yield to the gentleman from Texas.

Mr. THOMAS. Mr. Chairman, we are not going to end these fine, well-meaning and certainly highly deserved words about the gentleman from New York, HAROLD OSTERTAG, but it is time to adjourn. I hope that my friend will understand when I move that the Committee rise. We want to continue this tomorrow for at least another hour, and I am going to be here leading the procession. I serve notice now.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore, Mr. ALBERT, having assumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING TOMORROW

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

BACKLOG OF FEDERAL POWER COMMISSION

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JARMAN. Mr. Speaker, on April 15, 1964, I introduced in the CONGRESSIONAL RECORD a statistical study of the Federal Power Commission's tremendous case and dollar backlog. Practically all the data included in the study was taken from the annual reports issued by the Federal Power Commission.

On April 29, 1964, Chairman Swidler, of the Federal Power Commission, sent me a letter commenting on said study and requested that I introduced said letter in the RECORD. This I shall do.

What is most surprising about this letter is that the arguments do not controvert most of the facts contained in the original study which was compiled from the Federal Power Commission's own annual reports. Chairman Swidler's primary argument is that the statistic set forth in the original study for the dollar backlog of hydroelectric projects was erroneous. Yet, the 1963 Federal Power Commission annual report states that:

> The 275 outstanding major licenses involved a total claimed or estimated cost of $5,776,996,678.

The most applicable definition of the word "outstanding," as set forth in the Oxford Universal Dictionary, is, "that remains undetermined, unsettled." If the original statistic was erroneous, I suggest to the Chairman that in the future the Federal Power Commission's annual report be drafted more carefully, with an eye toward avoiding misleading statements.

Chairman Swidler's letter may present a more grievous error. It sets forth the total cases pending for the year ended June 30, 1963. It is assumed he has utilized all the information available to the Commission to give us a complete picture of all cases pending and that "total cases pending" means what it says. Yet, Swidler's "total cases pending" figure does not include any electric rate cases or the number of applications filed under sections 204(a) and 203 of the Federal Power Act. If there are no such cases pending, one wonders whether the Federal Power Commission has abrogated its responsibilities under the Federal Power Act. If there are such cases pending, one wonders why Chairman Swidler has not included such cases in his total.

The remainder of the Chairman's letter substantially reaffirms the overall validity of the original study. For example, Swidler's letter shows a backlog of 5,719 cases as of June 30, 1963, a reduction of only 5 percent in the past 2 years. At this rate it will take the Commission 40 years to eliminate the backlog.

Chairman Swidler apparently accepts a number of facts set forth in the original study. Nowhere does he attempt to refute the fact that there were 427 more producer rate cases pending as of June 30, 1963, than were pending 2 years earlier, when he took office. The Chairman's own statistics set forth these same figures. Nor does he deny that the dollar backlog of pending pipeline certificate proceedings increased by $100 million for the same 2-year period. Again, his letter verifies this figure.

Nor does the Chairman attempt to deny that the pipeline rate settlements, which have proven very satisfactory, were vigorously initiated under the direction of the former Chairman, Mr. Kuykendall. This cannot be denied for it is a truism known to the Federal Power Commission staff and industry alike. Yet, last September when speaking of this reduction of outstanding pipeline rate cases, Chairman Swidler took a large share of the credit when he said, "I am sure all of you are familiar with the decisive action the Commission has taken in the past 2 years to eliminate this backlog."

One of the most anomalous facts set forth in the original study was that despite the fantastic case backlog of the Federal Power Commission, the number of hearing days held for the year ended June 30, 1961, decreased from 818 for that year to 587 days for the year ended June 30, 1963. One searches in vain in the Chairman's letter for a reasonable explanation of this fact.

Mr. Speaker, Chairman Swidler's letter follows:

FEDERAL POWER COMMISSION,
Washington, D.C., April 29, 1964.

Hon. JOHN JARMAN,
House of Representatives,
Washington, D.C.

DEAR MR. JARMAN: My attention has been called to a statistical study of this Commission's case and dollar backlog included at your request in the CONGRESSIONAL RECORD of April 15, 1964, pages 8013, 8014. The study contains some substantial factual errors which are identified in an attachment to this letter. Apparently no distinction was made between hydroelectric projects already licensed by this Commission and the pending applications which the study aims to reflect. Because of this error, the statistical study concludes that the dollar backlog of pending applications for permission to construct hydroelectric and gas pipeline facilities rose from $2.3 billion at the end of fiscal year 1961 to $6.7 billion at the end of fiscal year 1963. The correct data show that that backlog declined from $3.4 billion in 1961 to $2.9 billion in 1963.

These figures include all of the natural gas pipeline applications and requests for preliminary permits and license applications pending before the Commission. Not all of these projects will ultimately be approved—some conflict with each other, a few may prove to lack merit, and some may be authorized on a revised, more economical basis. Moreover, backlog statistics standing alone do not give a complete picture of how well we are handling our responsibilities. What the public interest requires is that we keep each category of cases moving but a large backlog is not itself a serious problem if it turns over rapidly. Our goal has been to reduce the backlog to a normal inventory level and to handle new cases expeditiously. We have tried to identify the categories of cases in which bottlenecks exist and to eliminate them.

We have made progress in eliminating bottlenecks and reducing backlogs. An example is the independent producer certificate work which consists of approving new sales of gas in interstate commerce by producers and passing on applications for abandonment. The backlog stood at 2,927 cases at the end of fiscal year 1961; it was down to 1,616 on March 31 of this year. (Of the 1,616 applications, 1,039 had received temporary authority.) The great bulk of the new applications now comply with our published guideline ceiling prices, are not opposed by intervening parties, and can be decided on the written application alone. Under procedures instituted a few months ago we now process such applications without going before a hearing examiner and issue final certificates in about 6 to 7 weeks after filing. A minority of the new applications must still go to formal hearing before an examiner but in most such cases we are now able to issue a final order within about a year of the filing of the application. All in all, I believe the producer certificate field is a solid instance of direct and substantial progress which immediately benefits the applicants and ultimately serves the consuming public.

Another area of progress is in our pipeline certificate work. There were 273 major pipeline certificate applications pending on June 30, 1961. This backlog has been reduced to 149 applications pending as of March 31, 1964. It is true that the dollar amount of construction which these applications represent is substantially the same as was pending in 1961, but this dollar comparison is misleading because one-half of the $1.1 billion of pipeline construction applications now pending is represented by four overlapping applications from three companies involving projects to serve southern California, all of which are consolidated in a single proceeding now underway.

I hope that in appraising FPC's record you will give consideration to the statistics on some activities not included in the material published in the CONGRESSIONAL RECORD. Between July 1, 1961, and April 17, 1964, the Commission ordered producers to refund over $57 million; we ordered pipeline companies to refund an additional amount in excess of $550 million; and we reduced the city-gate price of natural gas throughout the country by a net annual amount exceeding $124 million. We have also reduced many initial contract prices proposed to be charged by producers, thereby forestalling increases in the city-gate prices. We believe that the upward spiral of producer and city-gate prices has been halted. Recent evidence of the success of our program was the announcement of the Bureau of Labor Statistics on March 31 that the major factor in the reduction in the cost-of-living index in February of 1964 was the gas service refunds ordered by this Commission.

In my opinion, this record shows that the Natural Gas Act as it is being administered protects the consumer, encourages price stability, and enhances industry growth. We welcome suggestions on how we can further improve our performance.

We should be most appreciative if you would insert this letter in the CONGRESSIONAL RECORD to correct and supplement the study inserted on April 15, 1964.

Sincerely,

JOSEPH C. SWIDLER,
Chairman.

Comparison of statistical study in April 15, 1964, Congressional Record at pp. 8013–8014 with corrected data

Pending workload	Number of cases	Statistical study	Number of cases	Corrected data
AS OF JUNE 30, 1961				
Gas pipeline certificates	273	$797,000,000	273	$797,000,000
Gas pipeline rate cases	116		116	
Gas producer certificates	[1] 2,744		2,927	
Gas producer rate cases	2,552		2,552	
Hydroelectric permit and license applications	[2] 199	[2] 1,535,000,000	[3] 154	[3] 2,631,000,000
Total cases pending	5,794		6,022	
Total dollars pending (pipeline certificates and hydroelectric applications)	382	2,332,000,000	427	3,428,000,000
AS OF JUNE 30, 1963				
Gas pipeline certificates	233	896,000,000	233	896,000,000
Gas pipeline rate cases	[4] 32		[4] 42	
Gas producer certificates	[5] 2,120		[5] 2,246	
Gas producer rate cases	2,979		2,979	
Hydroelectric permit and license applications	[6] 275	5,776,000,000	[7] 219	2,038,000,000
Total cases pending	5,639		5,719	
Total dollars pending (pipeline certificates and hydroelectric applications)	508	6,672,000,000	452	2,934,000,000

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[1] Did not include 183 applications for abandonment of service, which are included in FPC data count.

[2] These cases are not applications for new construction but are projects for which licenses had previously been issued, as explained on pp. 52–53 of the 1961 annual report. The $1,500,000,000 is the original cost of the projects claimed by the companies.

[3] There were 154 pending applications for preliminary permits and licenses to construct hydroelectric projects as of June 30, 1961, 58 of which involved new capacity totaling $2,600,000,000. This data was reported to the Congress on p. B-3, "FPC Estimates of Appropriations for the Fiscal Year Ending June 30, 1963, Submitted to the Congress January 1962."

[4] The difference of 10 cases represents cases arising from other actions such as complaints or Commission-initiated cases not included in the statistical study printed in the CONGRESSIONAL RECORD.

[5] The difference of 126 certificate applications pending represents abandonment applications not included in the statistical study in the CONGRESSIONAL RECORD, but shown on p. 140 of the 1963 annual report.

[6] The 275 applications listed as backlog are not hydroelectric projects awaiting Commission approval but are projects already licensed. The $5,700,000,000 is the estimated cost of these projects already licensed, as explained on p. 79 of the annual report.

[7] The 219 applications pending include applications for preliminary permits and licenses and amendments thereto, as explained on p. 79 of the 1963 annual report. Of these, 41 are for new capacity totaling $2,000,000,000. The remaining 178 are applications for minor projects and for projects constructed prior to application for a license.

LOW INTEREST RATES ON INVESTMENT OF SOCIAL SECURITY FUNDS SHORTCHANGES CONTRIBUTORS TO SYSTEM: A STATUTORY REMEDY

Mr. REUSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, at a time of great concern about the low incomes and large needs of many of the nearly 13 million families depending on social security pensions, an unsound investment policy for the social security funds restricts our ability to pay out more in benefits.

The Federal social security system depends on two main sources of income for its benefit payments—the contributions of those paying into the system and interest income on accumulated reserves. Current contributions now totaling some $16 billion per year finance the great bulk of current benefit payments of roughly the same magnitude. But increased interest income could add significantly to some types of benefits because the social security reserves are huge. These reserves—divided into two separate funds for old age and survivors' pensions and for disability insurance—now total about $20 billion. An increase of as little as one-tenth of 1 percent in average annual interest earnings on this immense capital reserve means an extra annual income of $20 million which could be made available to beneficiaries of the social security system.

At the present time, the annual interest earnings of the two funds total roughly $600 million per year—an average return of only 3 percent on the $20 billion invested. This interest income is derived entirely from investments in U.S. Government securities.

Limiting investment to U.S. Government securities is entirely proper and necessary, both to eliminate all risk of capital loss, and to avoid any disturbance of the private and municipal securities markets. It is also proper that the bulk of these investments be in special, nonmarketable issues. Large-scale inflows or withdrawals of the funds from the market might be highly upsetting to Federal monetary and debt management.

But it is both unsound and unfair to invest the funds in U.S. Government securities paying an average of only 3 percent when average yields today on marketable U.S. Government securities of over 3 years in maturity is now pushing close to the legal limit of 4.25 percent. Neither medium-term 3- to 5-year governments nor long-term governments have had yields as low as 3 percent since the recession year of 1958. Moreover, in the period since 1958, yields on both maturity classes have been at the high end of a 3.5- to 4.2-percent range, rather than down around 3 percent.

A table showing the statistics for the two funds follows:

Social security trust funds invested in U.S. Treasury special issues outstanding as of Feb. 29, 1964

Type	Amount	Annual yield at present invested rate	Annual yield if invested at present issue rate of 4⅛ percent	Difference between present yield rate and issue rate of 4⅛ percent
FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND				
4⅛ percent 1964 certificates	$507,145,000	$20,919,731.25	$20,919,731.25	0
3⅞ percent 1977 and 1978 bonds	1,738,455,000	67,365,131.25	71,711,268.75	$4,346,137.50
3¾ percent 1975 and 1976 bonds	1,240,088,000	46,503,300.00	51,153,630.00	4,650,330.00
2⅝ percent 1966 to 1975 bonds	8,397,284,000	220,428,705.00	346,387,965.00	125,959,260.00
2½ percent 1967 and 1968 bonds	1,324,022,000	33,100,550.00	54,615,907.50	21,515,357.50
Total	13,206,994,000	388,317,417.50	544,788,502.50	156,471,085.00
Effective present yield rate (percent)		[1]2.94		
FEDERAL DISABILITY INSURANCE TRUST FUND				
3¾ percent 1967 notes	$1,349,000	$50,587.50	$55,646.25	$5,058.75
3⅞ percent 1978 bonds	153,632,000	5,953,324.00	6,337,320.00	383,996.00
3¾ percent 1967 to 1977 bonds	492,557,000	18,470,887.50	20,317,976.25	1,847,088.75
2⅝ percent 1967 to 1975 bonds	1,128,546,000	29,624,332.50	46,552,522.50	16,928,190.00
2½ percent 1967 and 1968 bonds	56,761,000	1,419,025.00	2,341,391.25	922,366.25
Total	1,832,845,000	55,518,156.50	75,604,856.25	20,086,699.75
Effective present yield (percent)		[2]3.03		
Total, both funds	15,039,839,000	443,835,574.00	620,393,358.75	176,557,784.75
Effective present yield rate for both funds (percent)		[3]2.951		

[1] 388,317,417 ÷ 13,206,994,000 = 2.94.

[2] 55,517,157 ÷ 1,832,845,000 = 3.03.

[3] 443,835,574 ÷ 15,039,839,000 = 2.951.

Source: Daily statement of the U.S. Treasury, Feb. 28, 1964.

The practice of selecting investments with a low interest return rather than a higher return, when risk, and other factors do not differ, would certainly not commend itself to any investment manager of a private insurance company or pension fund. It is equally wrong for the Federal Government.

In following this practice, the Federal Government, as managing trustee of the social security funds, is not discharging its trusteeship obligations to the 75 million contributors to the system. Apart from interest earnings, the funds are entirely dependent on employer and employee contributions. If imprudent investment by the managing trustee lowers the reserve level below a desirable minimum, the contributors to the social security system are in no position to fire the trustee. They must make up shortfalls by increasing their contributions to the system. A strong obligation is, therefore, imposed on the Federal Government to do its part in maintaining the funds in a strong earnings position.

The Federal Government has no right, as the only entity privileged to borrow funds from social security contributors, to pay less to them than it would have to pay to any other class of lenders in the capital market. On the contrary, since the Federal Government has monopoly rights to this source of borrowing, it should pay for the privilege in two ways. In addition to paying the going market rate for marketable U.S. securities of comparable maturities, the Government should guarantee an interest rate floor to the social security funds. The disadvantages of the statutory limitation of the social security funds to investment in Federal securities would thereby be offset to some extent.

These obligations of the Federal Government to the social security system have been recognized in part. Changes in investment policy recommended by the Advisory Council on Social Security Financing in 1959 and enacted into law by the Social Security Amendments of 1960—Public Law 86-778—were in the right direction. Before these amendments, special obligations issued to the social security funds bore rates of interest equal to the average coupon rates on outstanding long-term marketable obligations, a practice which had unduly depressed interest earnings for the funds. As a result of the 1960 amendments, new special issues are now required to be at the average market yield of obligations not due or callable for 4 or more years from the date of the special issue.

The problem, however, is that the 1960 amendments relate only to new issues of special securities—those which take care of current net contributions to the social security system and refundings of older special issues which mature from time to time. They do not affect funds which were invested in earlier periods in long-dated, low-interest securities.

The consequence is that only a small part of the social security funds are today invested in special issues with yields approaching the current average. A very large part of the reserves are in fact frozen in very low yield special issues. For example, at the end of February 1964, nearly $9.5 billion of the reserves were invested in a 2⅝-percent bond with maturity dates ranging from 1966 to 1975. About $1.5 billion were invested in a 2½-percent bond having maturity dates from 1967 to 1968.

In order to correct this situation and to provide for a more equitable investment policy for the social security funds, I have today introduced H.R. 11328. The bill has three main provisions:

First. Special obligations issued to the social security funds will continue to have interest rates equal to the average market yield of comparable marketable securities. The bill provides, however, that such rates cannot be lower than 3 percent per annum.

Second. As at present, marketable obligations may be purchased for the social security funds. The bill stipulates that the return for such an investment cannot be less than the rate required for a special issue.

Third. On enactment of the bill, all special issues now held by the trust funds would be retired and new ones issued at the current average market yield of marketable long-term U.S. securities. This action is not required of funds invested in marketable securities, because the sale or shift of these investments may have undesirable effects on the market for Federal securities.

All of these provisions have precedents in recent legislative action. The first two provisions of the proposed bill were made part of the Railroad Retirement Act in the amendments approved on October 5, 1963—Public Law 88-133. The third is similar to a provision in these amendments to the Railroad Retirement Act, which states that the Secretary of the Treasury as managing trustee is authorized to reissue special obligations at currently calculated average market rates of interest. Under my proposal, the Secretary would be required to do so.

The principal immediate effect of the proposed bill would be to increase the present average yield of the $15 billion of trust fund money in special issues from an average of about 2.95 percent per annum to about 4⅛ percent per annum. As the accompanying table shows, if the special issues in the trust funds portfolios as of February 29, 1964, were switched to issues bearing an interest rate of 4⅛ percent per year, the annual interest income earned by the two funds would be raised from about $444 million to over $620 million—an increase of about $176 million.

This increase in interest income is not, of course, a permanent one. As the special issues now held by the funds mature at dates ranging from 1966 to 1978, the present law, which requires new issues at current market rates, would raise yields as these issues matured. The difference in interest income between that possible under my bill and the income possible under the present statute will, therefore, diminish from 1966 onward and be canceled in 1978. But in the interim period a substantial net addition to trust fund capital will have been made.

These added millions of additional income to the social security fund can be used either to postpone increases in contributions required to finance present benefits or, better, to pay the initial cost of benefit extensions. Among the latter, programs such as the following could be considered:

First. Payment of older worker allowances to workers over 55 years of age, who have exhausted unemployment benefits and now have to wait until they are 62 to receive social security benefits. The Clark subcommittee on employment and manpower of the Senate has recommended that workers in this group who continue to be available for work, retraining, special work projects, or relocation, and estimated to total from 20,000 to 25,000, receive payments of about $2,000 per year, at an annual cost of $50 million to $75 million. If the annual payments to any one person were limited to the average $1,000 per year now paid in social security benefits, the cost would be half that estimated by the Clark subcommittee.

Second. Payment of disability benefits to disabled widows, who now receive no benefits until age 62, irrespective of their age. At a cost of about $100 million per year, a disability pension of about $1,000 per year could be paid to the 100,000 women who fall into this disadvantaged category.

Third. Payment of old age benefits to childless widows at half-benefit rate at age 60. Childless widows of workers who have accumulated social security rights now receive an average of about $70 per month at age 62. An average $35 per month could be paid to the 300,000 childless widows who now compose the group from 60 to 62 at an approximate annual cost of $150 million per year.

Fourth. Payment of extended benefits to children of disabled or retired workers or their survivors. Under the terms of H.R. 6688 proposed by the gentleman from Arkansas [Mr. MILLS], children's benefits would continue to be paid until age 22 when the children continued in school. These payments now stop when children reach the age of 18. Extension of benefits to the higher age limit would permit an estimated 200,000 young people to go on to college at an annual cost of some $125 million.

The text of H.R. 11328 follows:

H.R. 11328

A bill to amend title II of the Social Security Act with respect to the investment of amounts in the social security trust funds

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the fifth sentence of section 201(d) of the Social Security Act is amended by inserting "(1)" after "except that", and by inserting before the period at the end thereof the following: ", and (2) the rate of interest on such obligations shall in no case be less than 3 per centum per annum".

(b) The sixth sentence of section 201(d) of such Act is amended by inserting before the period at the end thereof the following: ", and the investment yield of such obligations shall not be less than the interest rate determined in accordance with the preceding sentence".

SEC. 2. The Managing Trustee of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall, immediately upon the enactment of this Act, retire the special obligations held by such trust funds on the date of the enactment of this Act and issue in lieu thereof special obligations with an interest rate determined as provided for in section 201(d) of the Social Security Act as amended by the first section of this Act.

PROVISIONS OF THE REVISED FEDERAL PAY BILL

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, since the Post Office and Civil Service Committee recently voted out H.R. 11049, the revised Federal pay bill, I have had many inquiries concerning provisions of the bill relating to legislative employees—the staffs of congressional committees and the staffs of Senators and Congressmen.

I should like to say that the provisions of this portion of the bill are substantially the same as they were when the House considered the earlier pay bill, H.R. 8986. H.R. 11049 is now before the Rules Committee and I am hoping for approval of a rule and an early debate in the House.

Without objection, I insert a table showing legislative salary increases contained in H.R. 11049:

LEGISLATIVE SALARY INCREASES PROVIDED IN SECTION 202 OF H.R. 11049

This amendment is designed to provide percentage salary adjustments for legislative employees comparable to those provided for employees under the Classification Act. The increases are provided in an amount equal to 3½ percent of the employee's gross rate plus 1 percent of his gross rate for each whole multiple, or part of a multiple of $500 basic compensation; or an amount equal to 5 percent of such gross rate, whichever is greater:

Multiple	Base	Present gross	Proposed by H.R. 11049	
			Percent increase	New gross
0	$5	$891	0.5	$935
0.1	60	1,020	.5	1,071
	500	2,057	.5	2,160
1	505	2,069	5.5	2,183
2	1,000	3,157	5.5	3,330
2	1,005	3,166	6.5	3,372
2.4	1,200	3,534	6.5	3,764
3	1,500	4,052	6.5	4,316
3	1,505	4,061	7.5	4,366
3.6	1,800	4,655	7.5	5,004
4	2,000	5,088	7.5	5,470
4	2,005	5,099	8.5	5,533
4.8	2,400	5,955	8.5	6,461
5	2,500	6,172	8.5	6,697
5	2,505	6,183	9.5	6,770
6	3,000	7,255	9.5	7,945
6	3,005	7,266	10.5	8,029
7	3,500	8,339	10.5	9,215
7	3,505	8,350	11.5	9,310
7.2	3,600	8,556	11.5	9,540
8	4,000	9,422	11.5	10,506
8	4,005	9,433	12.5	10,613
9	4,500	10,506	12.5	11,819
9	4,505	10,517	13.5	11,937
9.6	4,800	11,136	13.5	12,640
10	5,000	11,550	13.5	13,109
10	5,005	11,560	14.5	13,237
11	5,500	12,528	14.5	14,345
11	5,505	12,538	15.5	14,481
12	6,000	13,469	15.5	15,556
12	6,005	13,478	16.5	15,702
13	6,500	14,409	16.5	16,786
13	6,505	14,418	17.5	16,942
14	7,000	15,349	17.5	18,035
14	7,005	15,359	18.5	18,200
14.4	7,200	15,725	18.5	18,635
15	7,500	16,289	18.5	19,303
15	$7,505	$16,299	19.5	$19,477
16	8,000	17,230	19.5	20,590
16	8,005	17,239	20.5	20,773
17	8,500	18,170	20.5	21,895
17	8,505	18,179	21.5	22,088
17.7	8,880	18,884	21.5	22,945
18	9,000	19,110	21.5	23,219
18	9,005	19,120	22.5	23,422
18.9	9,475	20,000	22.5	24,500

TIME FOR DRASTIC ACTION

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, it appears most unfortunate that a very small minority of college students—college hoodlums would be more appropriate—might well bring discredit to the countless numbers of conscientious students who appreciate the privilege of being able to attend college. The great majority show their appreciation. They not only attempt to learn how to make a living but also the art of making a life.

"Fraternity Confab Turns Into Near Orgy," was a recent headline in a Midwest paper. Thirty-seven students, including 15 coeds, were arrested when the confab turned into a drunken brawl, resulting in considerable damage to a hotel in the town. Pedestrians were endangered when beer cans and bottles were thrown from upper story windows.

More recently the press reported a similar occurrence not very far from the Nation's Capital. Here a cabin was practically wrecked under comparable circumstances.

News media this past Monday morning gave an account of completely irresponsible students from the same institution who chose one of the Wilson Lines pleasure boats to show complete contempt for law and order by throwing deck chairs and life preservers overboard. This was followed by riots with the police force.

An even more shocking incident was reported editorially in the May 18 issue of the York, Pa., Dispatch, which should be required reading for every Member of Congress.

Modern conveniences have brought drastic changes. Improved methods of heating have largely eliminated the woodshed. This might well be the penalty of progress for it was here where many lessons were taught in such manner they were not easily forgotten.

Do we need more woodshed treatments?

An article on this subject follows:

WHILE THE GI'S DIE

Americans are dying in an effort to halt Communist aggression in South Vietnam.

Blood is flowing in defense of freedom against a relentless enemy.

Yet right here in Pennsylvania, some collegians are allegedly raising funds that would help the Communists of South Vietnam.

The students said they hoped to dramatize what they called American persecution of people fighting for their national independence, the Associated Press reported.

Attorney General Robert F. Kennedy has been asked to investigate the situation which has reportedly developed on nine campuses.

Somewhere, somehow this handful of collegians has slipped off the track.

When supposedly intelligent young men can equate "national independence" with Communist aggression, it is time for us to find out how their thought processes could become so warped.

The picture of GI's spilling their blood for freedom while fellow Americans raise funds for the opposition is difficult to acknowledge in a world half free and half slave.

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MARYLAND DEMOCRAT PRIMARY CONFIRMS LOU HARRIS BIAS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, the results of yesterday's Maryland Democrat primary prove conclusively that Lou Harris, and all who use his biased poll results including CBS News, have slandered the Republican Party by their previous allegations that the Governor Wallace vote in Indiana was the result of an 11- to 15-percent Republican crossover.

On May 14, I placed in the Congressional Record on page 10983 an exchange of correspondence between myself and Fred Friendly, president of CBS News. At that time, I challenged the CBS-Lou Harris conclusion that the increase in Democrat primary voters in 1964 over 1960 in Indiana came from Republicans who crossed over to vote. Though I make no claim as a political prophet, I said on May 14, that based on the reasoning expressed in Mr. Friendly's letter, a heavier turnout in the Maryland Democrat primary on May 19 would have to be attributed to "Republican crossovers" according to Mr. Harris' logic.

The facts are, Mr. Speaker, that 497,722 Democrats voted in yesterday's Maryland primary compared to 286,956 Democrats who voted in the 1960 Maryland Democrat primary. Thus, were it not for the known fact that Republicans are prohibited by law from voting in a Democrat primary in Maryland, Lou Harris, CBS, the Washington Post, and I assume NBC and ABC, would today be saying that the Wallace vote in yesterday's Democrat primary represented almost a 70 percent Republican crossover, using the same formula as was then followed to allege an 11 percent GOP crossover in Indiana.

This obvious inconsistency of the Lou Harris logic, plus the notable absence of any published Lou Harris prediction at all regarding the Wallace-Brewster race yesterday, clearly support my contention that CBS has allowed bias to be injected into its reporting of the 1964 political campaign by its use of a former employee of the Democrat National Committee and a Democrat assistant to the President. At the very least I believe the CBS ought to identify Mr. Harris' affiliation and affection for a particular political party so the public will not be under any false impressions when he speaks over the public airwaves.

I also insert into the Record at this point, an article in the May 11 issue of the Christian Science Monitor raising still another question about Mr. Harris' ethics, and also an article from the May 17 issue of the New York Times, raising a question about his ability.

I also want to stress, Mr. Speaker, that I have told Mr. Friendly of CBS News that I will insert any response that he wishes to make in reply to my letter of May 14. Thus far I have received none.

[From the New York (N.Y.) Times, May 17, 1964]

POLL TAKERS OFF TO SPOTTY START—ACCURACY HAS BEEN MIXED IN FIRST PRIMARY RACES

Professional news polling has got off to a shaky start in this election year when polls will be more extensively published, broadcast and alluded to than ever before.

Pollster forecasts can be checked with certainty only against election results. And in the major ballot-box tests to date—the Republican Presidential primaries in Oregon on Friday and in New Hampshire on March 10—one nationally syndicated pollster accurately predicted the winners, and another proved to be wrong both times.

Governor Rockefeller inadvertently pointed up the significance of professional news polls when he revealed yesterday that he first thought he would win in Oregon "when I read Sam Lubell's column."

He was referring to Samuel Lubell, who polls for the Scripps-Howard newspapers.

In his final Oregon primary report last Tuesday Mr. Lubell forecast a "surprise" and "perhaps even an upset" by Governor Rockefeller.

Mr. Lubell, who flatly predicts or "indicates" probable winners, but does not forecast vote percentages, also foretold the upset in New Hampshire where Ambassador Henry Cabot Lodge confounded political experts by sweeping the primary as a write-in candidate.

On the other hand, Louis Harris, another nationally published election forecaster, missed the actual result by wide margins in both States.

Mr. Harris, formerly confidential political pollster for President Kennedy, Mayor Wagner and others, now is conducting a news poll for the Los Angeles Times syndicate.

The pre-Oregon Harris poll, published Thursday, reported: "Ambassador Henry Cabot Lodge appears assured of victory over five opponents."

Mr. Harris predicted Mr. Lodge would win with 35 percent of the vote; Governor Rockefeller would be second, with 24 percent; former Vice President Richard M. Nixon would be third, with 21 percent; Senator Barry Goldwater, of Arizona, would be fourth, with 16 percent; and Senator Margaret Chase Smith, of Maine, and Gov. William W. Scranton, of Pennsylvania, would trail in fifth and sixth place.

In the actual Oregon vote, however, Governor Rockefeller won with 33 percent of the votes; Mr. Lodge was second, with 27 percent; Senator Goldwater third, with 18 percent, and Mr. Nixon fourth, with 17 percent. Mrs. Smith and Mr. Scranton did trail badly.

Thus the Harris poll failed to predict the winner and missed Mr. Rockefeller's percentage of the vote by nine points.

That sizable error was an improvement, however, over Mr. Harris' forecasts in New Hampshire.

The election eve Harris poll, as reported in the New York Post and some 100 other newspapers, indicated a trend to Mr. Lodge, but predicted that Senator Goldwater would win, with 26 percent of the vote, and Mr. Lodge would tie Governor Rockefeller for second place, each getting 24 percent.

When the ballots were counted, Mr. Lodge turned out to be the victor. His total vote more than 35 percent of those cast—was 11 percent higher than the Harris forecast.

Mr. Harris and others have explained the reasons for the errors in a variety of ways, and there are likely to be more explanations in the weeks ahead.

In the modern public opinion polling profession an error of approximately 3 percentage points is considered reasonable because of flaws in the science of statistical sampling by which a cross section of the voting population is selected to be questioned by the pollsters.

The Harris poll's miscalculations as to the vote in Oregon and New Hampshire are somewhat larger than that of the Gallup poll in 1948, but slightly under the celebrated mistake of the Literary Digest poll in 1936.

In the Truman-Dewey election of 1948, all national pollsters missed the mark by forecasting victory for Governor Dewey. The Gallup poll's margin of error was a bit under 5 percent.

The Literary Digest poll in 1936 forecast Gov. Alf M. Landon's election over President Roosevelt by a landslide. Mr. Roosevelt thereupon won by the biggest majority in modern times.

Dr. Gallup, Mr. Lubell, Elmo Roper and other national news pollsters in the 1960 Presidential contest predicted the unusually slim vote margin between President Kennedy and Mr. Nixon with remarkable accuracy.

All forecasts were within 1 percentage point of the result.

The Gallup poll reports only on a national and regional basis, and does not sample opinion in State contests. Therefore it offered no predictions in the Oregon and New Hampshire primaries.

Mr. Roper, like Dr. Gallup, a dean of modern professional polling, is not yet conducting a news poll of the 1964 campaign.

It was noted yesterday that the most accurate poll in Oregon was a nonprofessional survey by Zan Stark of United Press International's Oregon bureau. After a poll of members of the State Legislature, he predicted on March 24 that Governor Rockefeller would win the primary with 34 percent of the vote.

To the Christian Science Monitor:

I feel it important that I comment on this paragraph which appeared in Godfrey Sperling's column dated March 18, 1964:

"Here, parenthetically, Mr. Harris disclosed something he had not told before. 'In 1956 I polled Wisconsin and found that [Senator Estes] Kefauver would beat [Adlai E.] Stevenson there. It was on the basis of this finding that Stevenson decided not to go into the Wisconsin primary'."

In the first place, this paragraph represents a breach of confidence on the part of Mr. Harris—both as concerns our firm and Mr. Stevenson. The 1956 study he referred to was a confidential study undertaken by this organization for the Stevenson for President Committee. While Mr. Harris worked on this study, he was at that time working for this firm and thus bound to honor our policies. One of the cardinal policies of this firm (of which Mr. Harris is well aware) is to treat confidential information obtained on behalf of a client as confidential—with no statute of limitations running on it.

In the second place, the results of the study did not find that Senator Kefauver would beat Mr. Stevenson in the primary. In view of Mr. Harris' breach of confidence, Mr. Stevenson has given me permission to release the figures.

These were the preferences stated according to party affiliation:

[In percent]

	Democrat	Independent	Combined Democrat and independent	Republican
Kefauver	30	44	36	44
Stevenson	57	29	45	26
None	3	7	4	11
Other	(1)	1	1	1
Don't know	10	19	14	18

[1] Less than 0.5 percent.

Thus, instead of a Kefauver victory, the study indicated a Stevenson victory—with the chance of a close vote only if enough Republicans crossed over to the Democratic primary in an effort to get rid of Stevenson. Mr. Stevenson elected not to enter the Wisconsin primary because of the burden on his time, strength, and resources of the Florida and California primaries where he was working vigorously and both of which he won. The Wisconsin study we did, in fact, reassured Mr. Stevenson in his belief he could win Wisconsin.

I might further comment that Mr. Harris' background look at the prediction in the Wisconsin primary bears some resemblance to his backward look at his predictions in the New Hampshire primary this year. Two sets of figures were published in Newsweek before election (one showing voter preferences if all candidates were listed on the ballot; the other showing how they said they would mark the ballots). Mr. Harris used neither of these sets of figures when he predicted on Walter Cronkite's program election eve: Goldwater and Lodge tied at 26 percent; Rockefeller 23 percent; Nixon 21 percent. Since the primary, his preelection estimate has become the 31-percent figure for Lodge in his set of figures showing preferences if all candidates were listed on the ballot, as published in Newsweek.—ELMO ROPER.

NEW YORK.

GATT ATTACK IGNORED BY PRESS

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MOORE. Mr. Speaker, not many days ago during the course of special orders under which the gentleman from South Dakota [Mr. BERRY], the gentleman from Florida [Mr. SIKES], the gentleman from Texas [Mr. FISHER] and I spoke on the GATT session that opened in Geneva on May 4, we were joined by some 75 other members of both political parties. Those who took part came from 38 of the 50 States of the United States. The time consumed was 2 hours on April 28 and an hour and a half on April 29.

Mr. Speaker, I know of no other occasion when such a massive expression of opinion, outside of speeches made in the course of legislation, has been poured out on any other subject on the floor of this House.

Let us get the setting. Two years ago the trade expansion bill of 1962 came before Congress with a fanfare also seldom equaled in peacetime. This bill was booked as the supreme piece of legislation during that session of Congress. The whole executive branch of the Government, including all the departments of the Government that have an interest in the subject of tariffs and trade, were mobilized to a high pitch. They engaged in the most unabashed executive lobbying in promotion of a bill before Congress that many of us can remember, both in the months preceding the submission of the bill and during the many months that the bill was before us.

The metropolitan press featured numerous speeches by the President, Secretaries, Under Secretaries, and other high officials of the Cabinet in support of the legislation. These speeches had no difficulty in finding their way to the front pages under prominent headlines. The same was true of speeches made by interested prominent citizens whose support was enlisted for the legislation.

Expressions of opposition fared remarkably less favorably in point of frequency of coverage and display in the news columns. They seldom gained a first-page position and the news lineage was, by comparison with that of the proponets, very condensed. The reasoning and philosophy of their opposition was never spelled out in detail but confined to a few selected brief quotations. By contrast the reasoning and philosophy of the proponents often ran columns at a time.

Altogether the amount of newsprint devoted to the promotion of the legislation reached the point of supersaturated reporting and publication.

In pursuit of the legislation, far-reaching deals were made by the executive branch in order to build up support and to weaken the opposition. This part was treated with remarkable indulgence by the press which in other instances is not so passive a bystander or winker at improprieties. A handful of mild editorial remonstrances appeared in the metropolitan press. No outburst. No thunder or lightning. A remarkable restraint of the editorial conscience.

As everyone knows, thanks to a few under-the-table deals, the bill was passed with votes to spare. Its success was hailed as something approaching the millennium. It marked the crowning achievement, it was said, of the 87th Congress.

Now, after a year and a half and much time for observation of the legislation as its course was marked by failure after failure to do what it was supposed to do; after taking note of the course of our trade, including our creeping export trade—that is, exports minus the part attributable to subsidies, grants, and give-aways—the sharp increase in the imports of many manufactured and semimanufactured products, bringing distress to a number of industries that had previously been virtually immune to import competition—such as steel, beef, shoes, chemicals, woolens, electronics, and so forth—after seeing the continuing outward flow of American investments and the continuing accumulation of deficits in our foreign account; Mr. Speaker, after noting all this and more, many Members began to have the greatest misgivings not only about the further slashing of tariff rates but about our existing position.

They had seen the sharp gains in productivity abroad hand in hand with the still lagging wage costs, not only threatening but actually pushing many of our industries into premature and unseasonal automation that only fed our unemployment rolls. They had seen the abject failure of the bright new and much-touted adjustment assistance provisions of the Trade Act to come to the rescue of distressed industries. They had seen the long trail of industries that filed before the Tariff Commission with plea after plea against further tariff cuts from early December through March of this year. They had reflected on the futility of these pleas because the Tariff Commission had been stripped by the Trade Expansion Act of 1962 of its earlier function of finding peril points. Also they had taken note of the determination of the trade policymakers to go forward with broad category tariff reductions and saw that this policy belied the industry-by-industry and item-by-item approach of the Tariff Commission hearings.

Mr. Speaker, many of the Members had had a bellyful of the professions of concern expressed on occasion after occasion by the high members of the executive branch toward the distress of the industries that called on them. These members were aware of the many avowals of sympathy and promises of help, very few of which ever materialized.

On April 28 and 29 the outbursts represented a reaction against the occurrences since October 1962 when the Trade Expansion Act was passed. The hypocritical sympathies and words of comfort expressed on numerous occasions by executive spokesmen had palled. It became obvious to many as a result of climbing imports that one after another of our industries are already overexposed.

The general rise in business activity, Mr. Speaker, is no answer to anyone who reads the underlying trend of our international economic position. The announced narrowing of the payments deficit has done nothing to reduce the accumulated claims against us. These are high enough to wipe out our entire gold supply, and the mountainous claims are still there, though apparently growing less rapidly, at least for the time being, than formerly. The foreign claims still tower over the dollar and have not been whittled back 1 cent.

Mr. Speaker, the time for juggling is past. It is time that we assess our true international competitive position as it actually stacks up. More than half a dozen important industries that long were net exporters have shifted to the net import position. Among these are steel, textiles, automobiles, petroleum, shoes, typewriters, sewing machines, and so forth. In other industries the net export position is narrowing, such as machine tools, synthetic chemicals, man-made fibers, and so forth. In yet other instances imports in the past 10 or 15 years have reached a level of supplying more than half of our market, such as in the New England fisheries, tuna on the west coast; also in ceramic mosaic tile, nails, barbed wire, hardwood plywood, lead and zinc, iron screws, radio sets, and so forth.

Mr. Speaker, the speed with which the tide of imports has risen in numerous instances in the past dozen years has been such that no domestic industry can be regarded as immune even if it has not yet been seared; nor can the industries that are now under pressure look to a surcease of their affliction in the normal course of events. The only industry that has successfully withstood the import onslaught without help has been the automobile industry. Few other industries have the vast resources of this industry. Even so, our automobile industry has invested heavily in Europe, thus hedging in part its capital position against future retreat.

Several industries have virtually been driven from their manufacturing activities in the country that gave them birth and conferred success upon them. I refer to the watch industry, the sewing machine industry, and now the typewriter industry. Their avenue of self-preservation lay in emigration. Recently one of the lesser automobile companies threw up the sponge and moved to Canada. This was the Studebaker Corp.

The trend, indeed, has been running in that direction ominously in the past 4 or 5 years. Unless something is done to protect their economic flanks, the steel industry, the textile industry, and the chemical industry will follow a similar trail. The cotton textile industry, it is true, has gained a respite that will last another 3 years. Then, unless something is done, it will be back where it was, or worse, should the tariff meantime be reduced.

The great executive branch seems to have the capacity to view with complete equanimity this emigration of our industries. At the same time it undertakes to attack poverty as if the untenable competitive position of many of our great industries, face to face with their foreign rivals, had nothing to do with the impoverishment that we see in Appalachia and elsewhere.

Mr. Speaker, much of this is ascribed to technological developments and automation, as in the case of the coal industry; but I ask whence comes the great pressure for unseasonal automation if not from imports? Why, for example, must the steel industry, which in 1962 provided 5½ percent more steel with 22½ percent fewer workers than 10 years earlier, rush headlong into more automation and higher production per man-hour except for pressure from imports? The industry will, if it can, save its position by disgorging additional tens of thousands of workers whom it will not be able to rehire.

What, Mr. Speaker, is the great and lofty virtue that resides in import trade that it should make such unrelenting exactions on our labor force? What do we worship when we make endless sacrifices to please some outworn doctrine such as free trade, outmoded as it has become as a result of modern technology and the cost disparities of the world?

If the purpose is to ward off evil spirits, let us say so; but let us identify the evil spirits and determine whether they can be satisfied or whether their hunger will grow as we feed them. I think we have accumulated ample evidence to demonstrate that they are insatiable.

I think it is time that we stopped driving our industries abroad and leaving our workers to take the brunt of the industrial exodus. It is also time that we were relieving our workers of the backlash of automation that is the frantic resort of industries seeking to save themselves through greater mechanical efficiency.

I say that we have already gone too far. Thanks to our eager tariff reductions, many of our industries are now competitively outflanked; and it seems that it is we who are forced to make the adjustments to the rest of the world.

Why? It was this country that led the world to mass production, mass consumption, and industrial efficiency. Now other countries confront us with the results of their adoption of our system. Why should we now suffer the consequences of our leadership as if we had inflicted something evil on the world? It is a ridiculous demand but it is embodied in our intemporate trade policy as represented by the senseless Trade Expansion Act of 1962. Why should we be penalized, held back and busted, for leading the other countries into hot pursuit of our industrial example?

We gave them something they did not have. They found it good and "bought" it. If what this country accomplished industrially is worthy of feverish imitation by others, why, I ask again, should the burden of adjustment fall on us? Yet that is exactly what is demanded by the trade policy. What style of reward is this?

I do not say that other countries should be penalized. Nothing of the kind is implied in making safe our economic flank so that we can continue to gain the benefits of industrial advancement, without being eked out of the benefits by low-cost imports. To demand fairness of competition from imports is no more and no less than what we demand of competition at home, and for the same salutary reason.

With respect to imports there is no other way of drawing the sting of unfairness than through tariffs or quotas and we should be free to use these according to the requirements of fairness. We now lack this recourse almost completely.

Now, Mr. Speaker, I wish to call attention to a phenomenon of this trade battle that has weighed heavily against the interests of domestic industry.

In the beginning I made reference to the vast amount of newspaper publicity by which the trade bill was supported, and the niggardly treatment of those who were opposed to the intemperance of the legislation.

I must confess that I was not surprised a coupe of weeks ago, because of past experience, over the deep silence of the metropolitan press after the phenomenal attack that was launched on this floor against the Trade Expansion Act and its offspring, the Geneva GATT Conference. Such an outburst against what has been described as a great stroke of legislation, in fact the highlight of the 87th Congress, went virtually unnoticed in the national press.

One wonders what is the anatomy of news. Is news merely something that the newspapers wish to print, something that furthers their own philosophy? When is that which would be news if uttered under some circumstances not news when uttered under different circumstances?

Is there no semblance of obligation to report what happens on this floor when the news media do not subscribe to what is said? By what license do the news media make far-reaching rejection of news on their own account?

Is there no recourse against such self-appointed censorship of the news?

Mr. Speaker, the press occupies a strategic position in the dissemination of news and it owes it to the public to let it know what their Representatives say in Congress when 80 Members from 38 States express themselves on a subject of great importance to the country—a subject that itself has been much in the news. This was especially true in this instance which was on the eve of the most far-reaching and most highly publicized tariff-cutting conference in the history of the trade agreements program.

I do not know what answer the press may have other than to ignore this protest. This would be in keeping with its almost undeviating practice with respect to expressions made in opposition to the Government's policy. We see here the totalitarian effect produced in treatment of news when big press agrees with big government.

It is a blot of ignominy on our journalism that should be erased.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS BILL, 1965

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Foreman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FOREMAN. Mr. Speaker, I commend the Appropriations Subcommittee for their diligence in making many of the reductions they did in this bill H.R. 11202; however, there are many more cuts that could and should have been made in this costly bill. By my votes on the amendments to this bill, I have worked to reduce its cost and control—such as voting for eliminating the proposed peanut laboratory and against money for guarantees for sales of agricultural products to Communist nations.

I am glad to see this bill has been reduced $1,059,632,215 below the 1964 appropriation. There are many good programs in this bill such as, Agriculture Research Service, Soil Conservation Service, and the Great Plains soil conservation program. We must exercise all reasonable efforts to conserve our water and soil resources in this country. Because of my feeling and support for such conservation practices, I reluctantly support this overall bill today.

COMMITTEE ON INCREASED MINORITY STAFFING

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, at the time our distinguished colleague, the gentleman from Michigan [Mr. FORD] was elected chairman of the Republican conference in the House of Representatives in January 1963, he established a special committee of the conference to study the problem of committee staffing imbalance and to make periodic reports based on what they found out.

The Committee on Increased Minority Staffing has been hard at work since the beginning of the 1st session of the 88th Congress. With a limited staff, much help from many interested people, and a lot of time spent by volunteer help, the committee has developed a strong case for more committee staff help for the minority. Through study and documentation, they have shown how the spirit of the Legislative Reorganization Act of 1946 in regard to committee staffs has been almost completely ignored by the committee chairmen and the majority.

The Legislative Reorganization Act of 1946 provided for nonpartisan staffing. Everyone agrees on that point. The distinguished majority leader of the House, the gentleman from Oklahoma [Mr. ALBERT], on the floor of this very Chamber, on February 27, 1963, said:

> The staffs of the committees of the Congress should not be partisan or under partisan control * * * but should be nonpartisan.

But, Mr. Speaker, that is not the situation today. For the most part, the staffs of the committees of Congress are under the direct control of the chairman. Are committee staffs nonpartisan, do they offer equal service to members of the majority and the minority, when, as we have found on one committee, nine staff members are in the chairman's congressional district engaged in political work and not available to the other members of the committee? Are committee staffs nonpartisan, when no member of the minority on one committee of the House may assign them work without prior clearance with the committee chairman? This certainly cannot be called nonpartisan. The point is, Mr. Speaker, that if the committee chairmen of the Congress did abide by the Legislative Reorganization Act, we would have no problem of minority staffing.

The rules indicate that professional staff members are to be nonpartisan. I do not want partisan staffing. I only want more and enough staff members who are solely responsible to the minority membership of congressional committees, regardless of who constitutes the minority. We do not advocate a violation of the intent of the Reorganization Act, but rather to go back to that original intent of nonpartisan staffing. We endorse the principle of truly professional staff who are completely nonpartisan. But we have found that this is not the case. We have labored for 18 years under the Reorganization Act, and it is clear that the minority must have an adequate number of committee staff responsible to it.

A minority party that is handcuffed because of a lack of staff assistance on which it must depend for researching and writing tends to make a less effective Congress. The party in opposition in our form of government must be constructive, articulate, and above all, it must offer sound criticism of majority proposals. This it cannot do without adequate staff assistance.

Let me read you a section from "Toward a More Responsible Two-Party System," the American Political Science Review, 1950:

> Committee staff: Staff assistance should be available to minority as well as majority members of a committee whenever they want it. It should not be within the power of the majority, as it is now, to deny this assistance. The excellent work of the Legislative Reference Service of the Library of Congress should not be expected to take the place of the more intensive type of analysis best done by committee staffs. Committee staff for members of both parties is essential to provide a basis for sound party operations. It also contributes to the needed minimum of occupational security for professional staff members.

I have attempted to point this out many times during speeches, articles I have written and letters I have written. We have received much editorial comment throughout the country. Mr. Roscoe Drummond, nationally syndicated columnist has many times pointed out that the committee staffing imbalance is thwarting good government. The Republican Governors have all indicated their interest in and their support of minority staffing. But, this should not be an issue that divides Republicans and Democrats, liberals and conservatives, isolationists or internationalists. It should have the support of all Americans interested in sound, effective government, as I am sure we all are.

Mr. Speaker, at this time, I would like to pay tribute to my colleague, the gentleman from New Hampshire [Mr. CLEVELAND], who has devoted much time and a lot of work to an article he wrote concerning this very problem. This article is due to be published in the George Washington University Law Review in June, and I am sure many of you will want to read it.

In his article, the gentleman from New Hampshire [Mr. CLEVELAND] points to a staff abuse about which all of you have no doubt heard by now. As the result of careful examination of available payroll records, our colleague, the gentleman from New Hampshire [Mr. CLEVELAND] pointed out that during 1963, $62,419.44 was spent by the taxpayer-financed Public Works Committee to pay the salaries of nine so-called committee staff employees, who, as stated under the Legislative Reorganization Act, "shall not engage in any work other than committee business and no other duties may be assigned to them," and who during 1963 and previous years were rarely seen in Washington and made no contribution to the work of the Public Works Committee. These nonpartisan staff members of the Public Works Committee were in New York engaged in political work for the chairman.

I have done some checking since this abuse was first brought out in the newspapers and find that from January through March of the 2d session of the 88th Congress $14,938.59 has been paid to Public Works staff members who maintain similar status. This intolerable padding of the payroll must stop. It is time for the Congress itself to set the example of economy and assure the taxpayers that they will get the full value of their dollar. It is a fact that these nine staff members who are engaged in political work in the chairman's congressional district equal the total number of staff members allotted to the miority membership of the Public Works Committee. This is grossly unfair, and it is totally inexcusable.

I am asking that the House Public Works Committee, the members of the House Administration Committee and the responsible leaders of this House to give immediate consideration to this matter and to investigate the facts relative to this matter and find ways and means to correct this most glaring abuse of the taxpayer's money.

Mr. Speaker, before I conclude, I should like to say that the Committee on Increased Minority Staffing met yesterday and unanimously adopted a resolution calling on the Committee on House Administration to investigate all the facts concerning this matter since all the authorization of budgets of the committees of the House must be approved by that committee. The resolution also asks that the House Administration Committee proceed to make a study of this general subject and to determine whether or not and to what extent this and other improper practices are carried on in other committees and to make rules to properly supervise and direct the staff members in matters of this kind.

The complete text of our resolution follows:

RESOLUTION UNANIMOUSLY ADOPTED BY THE COMMITTEE ON INCREASED MINORITY STAFFING OF THE REPUBLICAN CONFERENCE IN THE HOUSE OF REPRESENTATIVES, TUESDAY, MAY 19, 1964

(FRED SCHWENGEL, chairman; JOHN ANDERSON; JAMES CLEVELAND; THOMAS CURTIS; CHARLES GOODELL; ROBERT GRIFFIN; JOHN LINDSAY; CATHERINE MAY; ROBERT MCCLORY; ALBERT QUIE; JOHN RHODES; PAUL SCHENCK.)

To the House Administration Committee:

Whereas the authorization for all moneys of the committees of the House must be approved by this committee; and

Whereas this committee has set a precedent and has properly investigated and made rules for the proper expenditure of moneys to be used by standing committees and special committees of the House; and

Whereas under the provisions of the Legislative Reorganization Act of 1946 it was intended that professional members of committee staffs would "not be partisan or under partisan control" as stated by the majority leader of the House, the gentleman from Oklahoma [Mr. ALBERT], on February 27, 1963 (CONGRESSIONAL RECORD, vol. 109, pt. 3, p. 3054) but, in fact, committee staff members in practice do not always abide by that practice which has forced the minority to ask for adequate staff representation on a formula basis or other basis; and

Whereas it is now known that certain members on the Public Works Committee payroll have never been in the Washington office and are not working directly or indirectly on any projects under consideration by the Public Works Committee; and

Whereas in the 1st session of the 88th Congress, over $60,000 has been spent by the Public Works Committee for work about which the minority of the committee have not been informed; and

Whereas it is the obligation of the minority to be articulate and constructive in its contribution to the work of the committee, and that the minority is willing to give full accounting of their staff work; and

Whereas it is impossible for the minority to function without adequate staff and space: Now, therefore, be it

Resolved, That the Committee on Increased Minority Staffing petition the Committee on House Administration to investigate the facts relative to this matter which have been revealed and set out in detail in an article on minority staffing written by Congressman JAMES C. CLEVELAND for the George Washington Law Review and cited in the principal papers of New York City; namely, the New York Times, New York Herald-Tribune, New York Daily News, New York World-Telegram & Sun, New York Post, New York Journal-American, and others; and be it further

Resolved, That when these facts are considered and if found to be true the Committee on House Administration take proper action to correct abuse of public funds; and, be it further

Resolved, That the House Administration Committee proceed forthwith to make a study of this general subject to determine whether or not and to what extent this and other improper practices are carried on in other committees and to make rules to properly supervise and direct the staff members in matters of this kind.

ANNIVERSARY OF CUBAN INDEPENDENCE FROM SPAIN

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, today the Cuban people will remember that 62 years ago they won independence from Spain. They will remember that the United States helped them in their fight for freedom. And they will remind themselves that the major struggle in the world today, as in Cuba, is between liberty and tyranny. Five years ago the Cuban people who believed that a new dawn of freedom had come to their land soon recognized that Castroism was the cloak for communism and tyranny. But we have news today that the spark of freedom and the hopes of the Cuban people for regaining their liberty still burn fiercely within their hearts. And, Mr. Speaker, those who still live in freedom must sustain that flame and must pledge anew their support for the right of all captive people to the unabridged enjoyment of human rights and liberty.

It must be disheartening to the Cubans and other captive peoples throughout the world to see the Western nations, including our own United States, placing their hopes in a change of heart of the Communist despots, rather than in an allegiance to the ideals of liberty and justice that still lives in their hearts. These people know and understand the menace and the objectives of communism. They are fighting the war against communism—they are fighting to keep freedom alive in the world. And unless we strengthen the bond of unity between those who today are resisting Communist tyranny and those who still have their freedom, and give them promise and hope, the forces of Communist despotism may engulf all mankind.

Free nations do not support the enemies of tyranny when we appease the Communist dictators and compete with one another to come to the rescue of the Communist regimes whose economies are in a state of disarray. It is incomprehensible to me why the free nations rush to supply these Communist countries with food when their supplies are inadequate—why we send entire industrial plants to Communist countries to help strengthen their economies and thus provide the muscle to extend their rule. And, more surprising, we make sure that easy credit terms are extended—and so provide the means for an expansion of communism. Where once communism could not enter, the way is being made easy through the policies of the Western nations.

Mr. Speaker, on this anniversary of Cuban independence from Spain, we cannot and must not stand silent. We must reassure those who continue bravely to hope and aspire for freedom and self-determination that we are with them. We cannot dim their hopes—we cannot abandon them to fight alone, if indeed we do cherish freedom and liberty as we profess.

THE JOHNSON POVERTY TOUR

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SNYDER. Mr. Speaker, in yesterday morning's Louisville Courier-Journal there appears an editorial which is another example that the editorial writers of this newspaper are either woefully ignorant, stupidly irresponsible, or congenital liars.

In this editorial concerning the "poverty tour" taken by the gentleman from Nebraska and me, they would lead their readers to believe that all the tenants on the Johnson property in Atagua County, Ala., are elderly. The fact is that of the five houses on Johnson property which we visited, one was occupied by an elderly couple and four by young families with infant children.

These same editorial writers would have their readers believe that all these tenants pay only rent of $5 per month. Their own newspaper correctly reported that some tenants sharecrop. One that we visited gave the landlord 1,000 pounds of cotton out of 4,000 raised for his rent. Cotton is 32½ cents per pound. The First Lady received from this one tenant alone $325 for his 10-acre crop, more than three-fourths of the taxes on the entire 2,860 acres in this one county. U.S. News & World Report says there are around a dozen tenants—we know nothing about the living conditions of the others.

The statement that "worse instances of poverty exist in the Third Congressional District of Kentucky" is nothing short of a blatant misrepresentation. I have covered this district from one end to the other—up the alleys in the city—down the creeks in the country—and while living conditions in some places leave much to be desired—nothing approaches the deplorable condition of the dwellings we visited on the Johnson property.

Now, Mr. Speaker, these editorial writers say that the "poverty bill" is not to give people anything—but to help them become productive. How nice it would be if they would read the bill.

Mr. Speaker, if "ignorance is bliss," these editorial writers are "living it up."

NEW ENGLAND AGRICULTURE SERIOUSLY THREATENED BY UNEQUAL GRAIN FREIGHT RATES

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, New England suffers from a discriminatory differential in rail freight rates for feed grains that threatens to destroy our poultry and dairy industry. The extra transportation fees that New England users have to pay for their feed grains shipped from the Midwest give livestock producers in the States of Pennsylvania, Maryland, Delaware, and Virginia an unfair advantage in the competition for the big eastern markets. The railroads have seen fit not to act on this critical situation despite its injurious effects and despite the vigorous and continued protests made from all over New England. This unequal freight rate differential has severely hit New England's poultry industry where freight rates are from $4 to $7 a ton higher than on other points on the eastern seaboard and in the Southeast.

Last winter through the efforts of many New England leaders, modest reductions of grain freight rates were announced. Ignoring the economic urgency of freight rate relief, the General Freight Traffic Committee, Eastern Railroads, later rescinded even this modest reduction. Harsh mileage rates have been retained instead of across-the-board rates originally used.

To illustrate the plight of poultry raisers in my State of New Hampshire and other areas of New England, I include here in the RECORD a letter I received from Wentworth Hubbard, president of the New Hampshire Poultry Growers' Association:

HUBBARD FARMS,
Walpole, N.H., May 12, 1964.

Hon. JAMES C. CLEVELAND,
The House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CLEVELAND: Thank you for forwarding the clipping concerning the recent insertion in the CONGRESSIONAL RECORD of your testimony in reference to the freight rate reduction dilemma we are faced with. Actually, the issue of survival of the New England poultry industry has reached such critical proportions that the attitude of the railroads seems inconceivable in light of the tonnage they will lose by pursuing this policy.

No doubt you are well aware of the fact that other points on the eastern seaboard and in the Southeast are receiving shipments of corn at rates which are $4 to $7 per ton below the cost charged to this area. Given this advantage in shipping rate differentials the poultry industry in the Middle Atlantic States and the Southeast is in a most favorable position to compete for our own local markets with their products.

I know that you have been most receptive to our concern over this problem and I hope and trust that you may be able to continue to use your good office to aid us in the struggle for relief from the discriminatory rate structure that now exists. Survival of the New Hampshire and New England poultry and livestock industries is now at stake.

Sincerely yours,
WENTWORTH HUBBARD,
President, New Hampshire Poultry Growers' Association.

The author of this letter, Mr. Wentworth Hubbard, and the Hubbard family, are well known to me personally, and indeed they are outstanding New England citizens. The Hubbard Farms at Walpole, N.H., have established many world records in producing fast-growing chickens, the most recent record having just been announced. Mr. Hubbard is not the type of person to become unduly alarmed and for this reason when he states that survival of the New Hampshire and New England poultry and livestock industries is at stake, the situation is indeed grave.

THE ADMINISTRATION'S SPENDING CUTS ARE PHONY

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ALGER. Mr. Speaker, next week the Committee on Ways and Means will begin hearings for an increase in the debt ceiling. Sooner even than expected the administration is going to ask us to approve upping the debt ceiling to $325 billion. The President is also going to oppose any reduction or elimination of Korean wartime excise taxes, yet used the tax cut bill to show his interest in cutting taxes.

At the same time the American people are being bombarded with presidential statements and through the newspapers, television, and radio daily that Federal spending is being cut. Yet here is the demand for a new debt increase. I wonder how long it will be before the people will admit they are being kidded?

Oh, the President may have turned off a few lights in the White House, but there has been no real cut in spending. Our cash budget this year may run as high as $340 billion. The money sought for the poverty campaign alone will run into billions and this merely as a vote-getting gimmick in an election year. Only yesterday the President asked for an additional $125 million for carrying on his war in Vietnam with the promise that much more will be needed. The administration is demanding Federal pay increases across the board, especially for the top bracket political appointees. While much is made of the number of Federal employees cut off the payroll, nothing is said about how many have been hired so that Federal employment levels are not being reduced.

No, Mr. Speaker, the President is not cutting Federal spending. There is no balanced budget in the making. So let us be honest with those we represent by either forcing the administration to live within its income by refusing to increase the debt ceiling or by taking it off altogether and do away with the subterfuge that we are attempting to hold down spending. Furthermore, throwing more money at the problems does not solve them.

WHO AUTHORIZED THE WAR IN VIETNAM?

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ALGER. Mr. Speaker, the Constitution plainly states that only Congress can declare war. Yet, American men are dying in a war in South Vietnam to which they were committed by the President without congressional approval. We are now being asked to okay an additional $125 million to continue the conduct of that war in spite of the fact that no action has ever been taken by Congress to authorize the war.

In addition, the Secretary of State is promising to send American troops to Laos to save a country which was sold out when a Democrat administration forced a coalition government on that country assuring an eventual Communist takeover. Even the Korean war, although initiated by the U.N. and President Truman, was immediately approved by the Congress when asked by the President. Not to be forgotten, as time passes there is more reason to believe that this war was fought in vain. Are we going to repeat our mistakes?

The off-again, on-again policy of the Democrat leadership which sends Americans to fight Communists in some areas while we play footsie with the top Reds in the Kremlin is making an utter shambles of any real effort to save the world from Communist aggression.

Fighting a halfhearted war with worn-out equipment is not a policy designed to win victory over the Communists. When the American people are convinced that the President supports a policy of strength and determination against communism, he can come before Congress in the proper way and ask for a declaration of war when it is necessary to take such action against Red imperialism. Until he abides by the Constitution the President has no right to ask for money and the Congress has no authority to appropriate money for an undeclared war.

The extent of the confusion of our policy in Asia is related in the following column written by David Lawrence and published in the Washington Evening Star of May 19, 1964.

UNITED STATES AND THE HOT WAR: SOUTHEAST ASIAN TINDERBOX SIZZLES WHILE ADMINISTRATION HOLDS FIRE

(By David Lawrence)

Members of Congress are rubbing their eyes as they awaken to the fact that the United States is engaged in a hot war in southeast Asia. Yet not a single resolution or law has been passed authorizing the use of America's Armed Forces in the conflict 7,000 miles away from our shores.

The Constitution of the United States provides that only Congress can declare war. The Executive has occasionally used military forces to safeguard American lives and property in foreign lands. But usually when such an affair takes on large proportions, the Chief Executive asks Congress for specific authority.

Today the administration is requesting more money under the "foreign aid" program to assist in achieving its objectives in Vietnam, but the purpose, in reality, is to help fight a war.

Perhaps even more striking is the lack of explanation from the administration as to why American forces are in Vietnam. More than 200 American lives have been lost there. The Secretary of Defense and the chief of the U.S. Joint Chiefs of Staff periodically visit the South Vietnam battle zones, but still there is a hesitancy not only to declare a state of war officially but also to tell the American people just who is doing the fighting against the United States. The assumption is that it is a "local war." But certainly the arms and ammunition and supervisory military officers for the North Vietnamese are being provided from outside Vietnam.

On top of the Vietnam situation, now comes an attack upon the Government of Laos by the Communist forces. In fact, the whole of southeast Asia appears to be crumbling under the pressure of the Communists. One American military man says that originally the Russians were supplying most of the military and financial aid to southeast Asia, but that later on they turned the task over to the Red Chinese. If the Peiping Government is responsible for the war, surely the American people ought to be told. There are, moreover, areas in which the Red Chinese interests could be made the target for some kind of counteroffensive which would assist the cause of South Vietnam. There is, for example, an army of Nationalist Chinese on Formosa, many of whom would gladly enter the war in southeast Asia if the United States furnished arms and supplies.

Certainly the United States is not using all its facilities—including a trade embargo by Western Powers—in the battle against the Red Chinese in Vietnam and Laos.

The United States faces a serious situation also in Thailand, which is supposed to be protected against Communist invasion as a consequence of the 14-nation agreement reached in 1962 in Geneva.

One wonders what the United Nations is doing while all the fighting is going on in southeast Asia. For a long time the United Nations has been represented as the instrumentality which can maintain peace in local areas. The experiment in the Congo was acclaimed in many quarters as an example of a successful effort with an internationalized army. The war to repel Communist aggression in Korea was under the auspices of the United Nations. But all through that conflict, Russia supplied arms and ammunition to the North Korean forces.

If the United Nations is to be the means through which international peace is to be maintained, then southeast Asia would seem to be a region in which its influence should be brought to bear. Certainly there should be an investigation as to who is behind the military movements in southeast Asia so the facts can be disclosed at least for discussion in the General Assembly. Many people in this country do not feel that American boys should be sent to southeast Asia. But if there were an international expedition, the American Government would unquestionably play its part and continue to contribute its share of the cost of the war.

Oddly enough, the whole subject of southeast Asia has not been brought formally before the United Nations. Possibly this is due to the feeling that action in the Security Council would be blocked by the Soviet Government. Even a discussion there, however, would be constructive because it could mobilize world opinion and would fix the responsibility for warmaking clearly on Red China and the Soviet Government.

Although the war in southeast Asia appears at the moment to be local, it could spread. The Charter of the United Nations declares, in effect, that it is the function of that organization to intervene in any situation that might develop into a larger war. But the problem in southeast Asia has not been tackled effectively by the United Nations, and hence this country is bearing the burden of a hot war against Red China.

The hour of decision now is approaching, and certainly the continued loss of American lives in a war in which the best equipment has not been furnished and military support has not been adequately extended is bound to be an issue in the coming presidential campaign.

WASHINGTON POST FIGHTS FEP CLAUSE IN CONTRACT

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, the both-sides-of-the-mouth positions of the Washington Post are well known to those of us who have no other morning newspaper to read, but the rest of the Nation seldom has an opportunity to catch them at their duplicity.

The latest example to come to my attention is the fact that they have no FEP clause in their contract with the Washington Newspaper Guild and have bitterly opposed it when the union has fought for it. This is the same newspaper, mind you, which sheds mountainous waves of crocodile tears because there are others who oppose the FEP clause in the current civil rights bill.

The fact that the Post has fought the union to a standstill on this issue was reported to me by Mr. Harris Monroe, administrative officer of Local 35, American Newspaper Guild, Washington, D.C.

Mr. Monroe also informs me that the equally pious Scripps-Howard paper in Washington, the News, has also consistently rejected the Guild's demand for an FEP clause.

There can be little wonder why the Post is held in such low regard by those who see examples of this kind of two-faced philosophy.

Consistency, as Emerson put it, is the hobgoblin of little minds.

No one will ever be able to accuse the little minds at the Washington Post of consistency, of that we can be sure.

PERSONAL EXPLANATION

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DULSKI. Mr. Speaker, I was unavoidably absent during rollcall No. 127. If present I would have voted "yea."

H.R. 11236, THE SOLID WASTE DISPOSAL ACT OF 1964

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, last week I introduced H.R. 11236, the Solid Waste Disposal Act of 1964, which will lead, hopefully, to the solution of a problem which is rapidly becoming a national disgrace.

The storage, collection, treatment, and disposal of solid wastes from our municipalities, industries, and agricultural activities are posing problems of increasing complexity and mounting urgency as the urbanization and industrialization of our country soars.

The urban sprawl—a postwar phenomenon which has revolutionized our concepts of urban life—is making the unpleasant sights, the noxious smoke, the insect and rodent infestations, and the menace to health created by open dumps less and less tolerable to people living in neighboring residential areas.

Rats flourish on the exposed garbage and harbor in the trash, rubbish, and debris. Swarms of flies and other insects from dumps have been known to deface the walls of nearby homes. Pleasant suburban residential neighborhoods are often afflicted with the problems associated with the transportation and disposal of solid wastes from central urban districts.

Traditionally, solid waste handling has been regarded as a problem of a purely local nature, but when densely populated residential suburbs surround the central city and merge with residential areas of adjacent communities, all governmental units in the greater metropolitan complex find that their freedom to choose methods of waste handling is severely restricted by the disappearance of suitable land areas.

The annual financial outlay by our communities for public collection and disposal services—over $1.5 billion—is exceeded only by community expenditures for schools and roads. It has been estimated that annual expenditures for private sanitation services are over $1.3 billion. In other words, we, as a nation, are spending about $3 billion a year—and some say more—to have the domestic, industrial, and agricultural residue of our society picked up, hauled away, and disposed of either by burning, burying, or dumping in the open.

It is evident today that solid waste management has taken on a community-wide dimension involving all sectors of the modern community—urban, suburban, and rural—and that the community has generated problems of solid waste management faster than research and development have been able to provide answers. Although expenditures for solid waste handling are high, the corresponding expenditures for research in this field are pitifully small, constituting only a fraction of 1 percent. By comparison, the funds spent annually for research on liquid wastes are at least 50 times greater. This level of research has not provided a strong technology on which to base improved practices.

H.R. 11236 contains provisions for action to begin overcoming this disparity.

It is not necessary to look into the future to find reasons for worry about solid waste disposal problems. They are with us today. Fortunately, we have a test area—California—particularly along the Pacific coast where the westward migration comes to a halt. There each traveler to the golden West must find himself a place in the teeming cities or in what is left of the fast-diminishing open space.

Each day 1,500 new people are added to California's population—enough to occupy a small town; one-half million people a year, almost enough to occupy another San Francisco. By 1980, California's population of 16 million will have almost doubled—enough to occupy the 13 major cities of the State, with enough people left over to create a new San Francisco bay area—if an uninhabited area could be found by then.

What does this fulminating, land-consuming urbanization mean to farm lands and other open spaces? With every daily increase of 1,500 people, 375 acres of farm land must be changed to subdivisions, roads, public and private facilities, and all the nonagricultural uses of land which accompany urbanization of once rural areas.

The result? More sources of solid wastes and less land on which to dispose of them.

Ten years ago, it was estimated that refuse collection in California amounted to only 2.2 pounds per capita per day. Today it is about 4 to 4½ pounds per capita per day—or more than double. According to the U.S. Public Health Service, the national per capita figure today is 4½ pounds. By 1980 it is expected to be 5½ pounds per day per person, or a national total of 260 million tons.

In California we have become so concerned about the environment of the future that last January we held a "Conference on Man in California: 1980's." Over 500 leaders, drawn proportionately from Government, science, and private enterprise met for the first joint discussion of current environmental trends and their implications for life in the 1980's. The proliferation of solid wastes—domestic, industrial, agricultural—were discussed with the same degree of seriousness as attended the discussions on air and water pollution, food supply, transportation, and jobs.

As it is in California, so it is across the Nation. Increases in solid wastes are due not only to population growth but also to greater use of prepackaged foods—paper, cellophane, and so forth—wrapping bags—grocery and other—and ever increasing quantities of disposable items. Hospitals, for example, are making more use of inexpensive equipment which can be discarded instead of being sterilized for reuse. Over 170 such disposable items are available today, ranging from paper blankets and latex surgeon's gloves to plastic cutlery and cardboard bedpans.

Throughout the Nation we are growing more individual gardens and doing more landscaping around the home—especially in ever green California—therefore we have more yard trimming and garden wastes to dispose of. We are building more freeways, more high-rise apartments and tearing down more slums, consequently we haul away and dump mountains of building and demolition wastes. We are enjoying more cars per family and more general appliances per capita than at any stage in history, thus contributing to the heaps of abandoned vehicles, refrigerators, stoves, furniture, and so forth, dotting the landscape.

Pity the poor farmer, indeed. As agricultural lands are consumed by city growth and he finds himself surrounded by suburbs, he has the choice of going out of business—to the disadvantage of the entire community—or finding some way to deal with wastes himself in order to resolve the environmental problems his activities create. There is no place "beyond" to which he can deliver his wastes economically or to which he can move his enterprise. Piling manures on the ground leads to odor and fly nuisances; burning tree trimmings and other agricultural wastes aggravates the air pollution problems already begging solution in more than 10,000 communities; burying wastes in the soil increases crop diseases and insects, thus requiring more intensive use of stronger pesticides which, in turn, increase man's exposure to toxic materials in his food and water supply.

H.R. 11236 provides for Federal expenditures of $35 million over a 3-year period, beginning July 1, 1964, for research, investigations, training, grants-in-aid, and construction of demonstration plants. This is indeed a small beginning, Mr. Speaker, but at least it is a beginning.

The attitudes of our citizens, our public officials and private entrepreneurs, and all the other elements of our society known as "the public," contribute in an important manner to the creation of solid waste problems and in inhibiting the development of logical systems for their solution. It might be said that any material becomes "a waste" whenever its owner or producer no longer considers it of sufficient value to retain. Any suggestion that he should thereupon invest more money in it, for the sake of disposal or any other financially unrewarding—to him—goal, is likely to be considered absurd, however inclined he might be to object to polluted water, polluted air, rodents and insects, odors, unsightly debris, and other conditions which result from his loss of interest in ownership.

If this is so, then let us look at solid wastes in another context—actually in its proper perspective. The solid waste problem is fundamentally a health problem. Over 40 years ago one of the pioneers in the field of municipal refuse collection and disposal asserted that the first basic requirement for waste disposal is "the absence of danger to public health." This still holds true today. In other words, the barriers and difficulties we face here are economic and engineering and jurisdictional in nature, but the reason we are concerned, above all, is the protection of public health.

We can no longer afford the luxury of ill-conceived, poorly planned, and inefficient solid waste disposal practices. We have systems and engineering analyses today that can be applied to the development of models utilizing computer techniques to provide the data needed in making judgments on refuse disposal propositions. Yet we do not use them. It is indeed ironic that in this technological society of ours we are not employing tools currently available in attempting to find solutions to the solid waste problem.

Millions of Federal dollars are now being spent annually to control water pollution, eliminate air pollution, and minimize the health hazards of radiation. I feel that the solid waste disposal problem is of equal—albeit less dramatic—importance to our Nation's health and the appearance of our countryside. Ten years from now—if this problem is not faced up to and challenged today—the costs of control and abatement will be astronomical.

May I point out that my bill, H.R. 11236, is identical to the measure sponsored by my distinguished friend and colleague, the Honorable JOHN LESINSKI, his bill being H.R. 10807. I am looking forward to working with him on this problem which concerns us both deeply, for the situation is fast passing the "serious" stage and may soon more properly be labeled "critical."

THE BILL OF RIGHTS IN JEOPARDY

Mr. MARSH. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MULTER. Mr. Speaker, the New York Herald Tribune published a wise editorial on May 10, 1964, which I brought to the attention of our colleagues. Its title was "This Is Not a Vote Against God."

I would now like to commend to the attention of the House a comment on that editorial by Mr. Charles H. Tuttle, the distinguished general counsel to the National Council of Churches of Christ in the United States, which appeared in the May 16, 1964, edition of the New York Herald Tribune.

The article follows:

THE BILL OF RIGHTS IN JEOPARDY

(By Charles H. Tuttle)

(NOTE.—Mr. Tuttle is general counsel to the National Council of Churches of Christ in the United States of America. Along with others, he testified recently before the House Judiciary Committee in opposition to the Becker amendment to the Constitution.)

Your editorial, "It's Not a Vote Against God," moves me to commend your opposition to this anti-Bill of Rights amendment.

It ties religion, personal liberty and individual freedom of conscience to National, State, and local ballot boxes. The potentials lurking in its political words throw into reverse the whole theory of our Constitution that the minority and the individual have certain inalienable rights which cannot be abridged by Government or by the majority of the moment.

The first amendment gave the preferred place in our Constitution to five cognate freedoms basic to personal liberty for all—the freedoms to believe, to speak, to print, to assemble, and to petition for redress.

But now comes the Becker amendment containing in its words and in its potentials the means for abridging each and all of these five basic and integrated personal freedoms. Its coverage is far more than prayers and Bible reading.

By its very terms it makes of itself and its subject matter a separate, independent and exclusive constitution. Each of its principal sections opens with the words of absolute separation and exclusion, to wit, "Nothing in the Constitution shall be deemed to prohibit * * *" What were prohibitions are replaced by permissions.

For example, section 2 abrogates the existing prohibition against incorporating in an oath of office or an attestation to an official paper or as a witness a required profession of a religious belief according to the Government's choice of wording. No voluntary basis is provided as a condition of exemption.

Likewise, since a textbook furnished by a National, State, or local government to public schools or institutions is a governmental or public document, and the furnishing is a governmental proceeding (or) activity, section 2 removes all bars to the inclusion of reference therein to belief in, reliance upon, or invoking the aid of God, to wit, all bars to indoctrination thereby in a governmental formulation of religious belief. Again, no voluntary basis is reserved.

Likewise, section 2 removes, as to all public "schools," all bars to "invoking the aid of God" as part of the educational program according to governmental formulation and conduct of the religious exercise. Again, no "voluntary basis" is reserved.

There is no escaping the facts that a public school represents an audience assembled by government by compulsion of law; that the program and procedure therein are governmental activities by law; that such activities are paid for by public funds raised by public, general taxation from persons of all beliefs and no beliefs; and that in our pluralistic society any governmental formulation of a religious exercise in the public schools must entail in the last analysis the overriding by way of the ballot box of the religious beliefs or disbeliefs of dissenting minorities and individuals.

Furthermore, and equally fundamental to personal liberty, is the right and high duty of parents to nurture and direct the destiny of their children. Our children are not the property of the state; and nothing could be more fatal to the substance of liberty than acceptance of any general power of the State to standardize them in matters of religion.

Recently before the House Judiciary Committee, the Reverend William J. Kennedy, the Jesuit priest who is professor of law at Boston College Law School, superbly said of personal liberty in the free exercise of religion:

> (It is) "independent of political controversies, subject to no primaries or elections, above popular passions and majority votes, and beyond the power of State officials and local school boards, guaranteed by our Constitution and entrusted by it to the protection of our courts. I would not abridge it."

True religion has been authoritatively said to be "the perfect law of liberty." What has true religion to fear from being true to itself?

AREA REDEVELOPMENT ADMINISTRATION

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Illinois [Mr. GRAY], is recognized for 15 minutes.

Mr. GRAY. Mr. Speaker, nothing succeeds like success. I rise today to inform my colleagues in the House that southern Illinois has experienced another success story in its efforts to raise itself up by it's bootstraps economically. I hope the critics of the Area Redevelopment Administration will give me their attention or read my remarks in the RECORD—because on yesterday Technical Tape Corp. of New Rochelle, N.Y., announced a further plant expansion in southern Illinois as a direct result of an initial Area Redevelopment loan to Technical Tape at Carbondale, Ill. Mr. Speaker, the first industrial loan in the United States under the Area Redevelopment Administration in the amount of $500,000 in Federal and local funds were made to the Technical Tape Corp. to remodel and expand an existing building that had been vacant for several years. Technical Tape Corp. of New Rochelle, N.Y., expanded its operations and opened this new facility and is now working 500 persons who were previously on the unemployment rolls. Their projected employment plan in the next 2 or 3 years will be 1,500 or more. Mr. Speaker, the income tax paid by this company over the next few years will more than recoup the Government's investment—plus the loan is repayable with interest.

Thousands of dollars will be saved by the local, State, and Federal Governments for subsistence payments for these families who were previously unemployed. The activity through the purchase of goods and services has stimulated the entire Carbondale area of southern Illinois. Mr. Speaker, yesterday's announcement of a further expansion of the Technical Tape Corp. is good news in more ways than one. Tech. Tape has leased 140,900 square feet of floorspace in buildings at the Crab Orchard national wildlife refuge of the U.S. Department of the Interior at Marion, Ill., for the purpose of operating a gift wrap division of Tech. Tape Corp. This new venture of private capital investment will involve no Federal funds and will work 100 persons at the outset with many more to be hired later. In addition to the important jobs which will be provided in this area of high unemployment, the Federal Government will receive between $30,000 and $50,000 annually in rent and utility charges for the Government-owned buildings. Incidentally, Mr. Speaker, these buildings have been vacant for more than 2 years, deteriorating with a large upkeep cost to the Federal Government. Mr. Speaker, let me make one point very clear: If it were not for the initial area redevelopment loan to the Technical Tape Corp. for the first plant expansion at Carbondale, Ill., the new company being formed at Marion would not have been possible. I repeat, would not have been possible. All this at no cost to the Federal Government. How anyone can conscientiously criticize the Area Redevelopment Administration when they are helping provide paychecks instead of relief checks is beyond my comprehension.

To be sure the area redevelopment is not satisfying everyone, but the same critics who are criticizing the program must accept part of the blame because the program passed by Congress was a compromise over the same critical, severe opposition. They did not support the program in the first instance—yet they are still being critical of this progressive program. Mr. Speaker: this is blind opposition indeed. Anyone who doubts my word on the floor of Congress today is invited to accompany me to southern Illinois and see this rapidly expanding Technical Tape industry and see the smiling faces of those employed in this industry.

I salute Mr. Paul Cohen, president of the Technical Tape Corp., the officers and employees of his company and the Area Redevelopment Administration for helping southern Illinois. We have lost more than 100,000 residents in my congressional district by the official census since World War II. We still have over 20,000 unemployed who remain in the area. It is only through constructive programs that we can one day achieve full prosperity. For this reason we are all so elated with yesterday's announcement concerning a new factory in our area. I want to have printed in the RECORD the following telegram I have received from Mr. Cohen concerning the subject I have discussed:

NEW YORK, N.Y., *May 17, 1964*.

Congressman KENNETH H. GRAY,
Congressional Office Building, Washington, D.C.:

You will be delighted to know we have at your suggestion rented 140,930 square feet of space at Marion from the Department of the Interior at a large annual rental fee. This is for expansion of our gift wrap operation at Carbondale and may be considered a satellite operation which would not have been possible without the Carbondale plant. No Government funds have been used for this rental or expansion. The space has been vacant for about 1 year. We will be employing approximately 100 additional people to staff the building right at the beginning with more later. Since this is an extension of Carbondale which was made possible by your personal devotion to the area you represent and since frankly we have expanded further into Marion as a direct result of your suggestion that we do so because of unemployment in the Marion-Herrin area, we feel it would be appropriate if the announcement would be made by your office that the lease has been concluded and activity will start at once. I want at this time to thank you for all you have done for our company and especially for the southern Illinois community which is now such an important part of our lives.

Very sincerely yours,

PAUL COHEN,
President, Technical Tape Corp.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FOREMAN, for Thursday through Monday, May 21 through 25, on account of Armed Services Committee official business.

Mr. ADAIR (at the request of Mr. HALLECK), for 7 days, on account of official business.

Mr. TOLL (at the request of Mr. BYRNE of Pennsylvania), for Wednesday, May 20, 1964, on account of official business.

Mr. PELLY, from May 20 to 28, 1964, on account of official business.

Mr. HALL for May 21 through 25, 1964, on account of Armed Services Committee duty away from the District of Columbia.

Mr. RANDALL, for Thursday, May 21, and Friday, May 22, 1964, on account of official hearings, Government Operations Committee, Kansas City, Mo.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. DWYER (at the request of Mr. HARVEY of Michigan), for 10 minutes, on tomorrow, May 21.

Mr. BECKER (at the request of Mr. HARVEY of Michigan), for 40 minutes, on Tuesday, May 26.

Mr. FLOOD (at the request of Mr. MARSH), for 1 hour, on tomorrow, May 21.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. RHODES of Arizona.

(The following Members (at the request of Mr. HARVEY of Michigan) and to include extraneous matter:)

Mr. GLENN.

Mr. ANDERSON.

Mr. DOLE.

(The following Members (at the request of Mr. MARSH) and to include extraneous matter:)

Mr. MORRIS.

Mr. ROGERS of Texas.

Mr. HOLIFIELD.

ADJOURNMENT

Mr. MARSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 21, 1964, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2095. A letter from the Acting Secretary of the Treasury, transmitting the sixth semiannual consolidated report of balances of foreign currencies acquired without payment of dollars, as of December 31, 1963, pursuant to Public Law 87–195; to the Committee on Foreign Affairs.

2096. A letter from the Assistant Secretary, Export-Import Bank of Washington, relative to a report relating to shipments to Yugoslavia insured by the Foreign Credit Insurance Association and the Export-Import Bank under our short-term export credit insurance program for the month of April 1964, pursuant to title III of the Foreign Aid and Related Agencies Appropriation Act of 1964 and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

2097. A letter from the Comptroller General of the United States, transmitting a report relating to unnecessary costs being incurred by leasing teletype equipment rather than using available Government-owned equipment, Department of Defense; to the Committee on Government Operations.

2098. A letter from the Comptroller General of the United States, transmitting a report relating to selected operations of the memorial certificate program established without legal authority, Veterans' Administration; to the Committee on Government Operations.

2099. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of March 31, 1963, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

2100. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a copy of the annual report of the Commissioners of the District of Columbia for the year ended June 30, 1963; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. H.R. 10705. A bill to amend the Government Corporation Control Act to change the General Accounting Office audit to a calendar year basis in the case of the Federal home loan banks and the Federal Savings and Loan Insurance Corporation; without amendment (Rept. No. 1419). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 9964. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; without amendment (Rept. No. 1420). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 11325. A bill to amend the Bankruptcy Act to permit a husband and wife to file a joint petition in ordinary bankruptcy and Chapter XIII (wage earner) proceedings; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 11326. A bill to protect consumers by requiring that imported meat and meat food products made in whole or in part with imported meat bear a label showing the country of origin of such imported meat; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE:

H.R. 11327. A bill to provide that the flag of the United States of America may be flown for 24 hours of each day in Lexington, Mass.; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 11328. A bill to amend title II of the Social Security Act with respect to the investment of amounts in the social security trust funds; to the Committee on Ways and Means.

By Mr. RHODES of Arizona:

H.R. 11329. A bill to provide for the relocation and reestablishment of the village of Sil Murk and of the members of the Papago Indian Tribe inhabiting the village of Sil Murk, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 11330. A bill to authorize the leasing for 99 years of land in the Salt River Pima-Maricopa Indian Reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of California:

H.R. 11331. A bill to amend the Capper-Volstead Act, with respect to the control of unfair practices affected associations of producers of agricultural products and members thereof; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.R. 11332. A bill to authorize certain veterans' benefits for disability or death resulting from injuries sustained prior to January 1, 1957, by reservists while proceeding directly to or returning directly from active duty for training or inactive duty training; to the Committee on Veterans' Affairs.

By Mr. WHITE:

H.R. 11333. A bill to restore certain public lands in Idaho to location, entry, and purchase under the mining laws and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHARTON:

H.R. 11334. A bill to amend title 39, United States Code, so as to include certain scientific kits prepared solely for use with certain books, with respect to postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CELLER:

H.R. 11335. A bill to amend paragraphs b and c of section 14 of the Bankruptcy Act; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 11336. A bill to amend the Capper-Volstead Act, with respect to the control of unfair practices affecting associations of producers of agricultural products and members thereof; to the Committee on the Judiciary.

By Mr. KNOX:

H.R. 11337. A bill to amend section 613 (c) (4) (E) of the Internal Revenue Code of 1954 with respect to certain treatment processes considered as mining in the determination of percentage depletion; to the Committee on Ways and Means.

By Mr. McCORMACK:

H.R. 11338. A bill to remove certain conditions subject to which certain real property in South Boston, Mass., was conveyed to the Massachusetts Port Authority; to the Committee on Armed Services.

By Mr. BURKHALTER:

H.J. Res. 1025. Joint resolution proposing an amendment to the Constitution of the United States relating to the terms and eligibility for office of Senators and Representatives; to the Committee on the Judiciary.

By Mr. COOLEY:

H.J. Res. 1026. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed; to the Committee on Agriculture.

By Mr. GONZALEZ:

H.J. Res. 1027. Joint resolution granting the consent of Congress to the States of Texas, New Mexico, Arizona, and California to negotiate and enter into a compact to establish a multistate authority to modernize, coordinate and foster passenger rail transportation within the area of such States and authorizing the multistate authority to request the President of the United States to enter into negotiations with the Government of Mexico to secure its participation with such authority; to the Committee on the Judiciary.

By Mr. TUTEN:

H.J. Res. 1028. Joint resolution authorizing the President to proclaim the first full week of June 1964 as PBX Operators Week; to the Committee on the Judiciary.

By Mr. CELLER:

H.J. Res. 1029. Joint resolution to provide for recognition of 50 years of Cooperative Extension Service work with the people of the United States; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.J. Res. 1030. Joint resolution authorizing the continued shipment of the drug Krebiozen in interstate commerce in order to insure the continued availability of such drug for the treatment of patients now being treated with such drug and for terminal cancer patients; to the Committee on Interstate and Foreign Commerce.

By Mr. STAEBLER:

H.J. Res. 1031. Joint resolution to establish a Tercentenary Commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes; to the Committee on the Judiciary.

By Mr. BRUCE:

H. Con. Res. 306. Concurrent resolution requesting the President to instruct the U.S. Ambassador to the United Nations to bring before the General Assembly the issue of self-determination for all nations enslaved by Communist imperialism; to the Committee on Foreign Affairs.

By Mr. DEL CLAWSON:

H. Con. Res. 307. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, Latvia, and other Communist-controlled countries; to the Committee on Foreign Affairs.

By Mr. TAFT:

H. Res. 728. Resolution condemning persecution by the Soviet Union of persons because of their religion; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McFALL:

H.R. 11339. A bill for the relief of Charles M. Weber; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 11340. A bill for the relief of Herman Feldman; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 11341. A bill for the relief of the survivors of Justin E. Burton; to the Committee on the Judiciary.

By Mr. MORRISON (by request):

H.R. 11342. A bill for the relief of Dr. Abraham Ruchwarger; to the Committee on the Judiciary.

By Mr. OLSEN of Montana:

H.R. 11343. A bill for the relief of John Muller; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 11344. A bill for the relief of Joseph Benrubi; to the Committee on the Judiciary.

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SENATE

WEDNESDAY, MAY 20, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God over all, whose breath is our life, whose fire lightest the lamp of our being, and feedest the flame of it: As we come out of all the confusion and perplexity of these days, with a subduing consciousness of our personal inadequacy to meet the tests and tasks that face us, hear the prayer of our hearts:

Breathe on me, breath of God
Till I am wholly Thine,
Till all this earthly part of me
Glows with Thy fire divine.

We are grateful for this white altar of prayer, reared at the threshold of this forum of a people's will, which speaks of our final reliance on the supreme spiritual factors which alone abide, and on which our salvation and the salvation of all men in the end depend.

As workers together with Thee, may we have a part in building the new world for which brave men have paid the costly price, a fairer earth wherein all nations may dwell together in trust and fellowship.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 19, 1964, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As an executive session,

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting several nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of 20 United States Code 42 and 43, the Speaker had appointed Mr. MAHON, of Texas, as a member of the Board of Regents of the Smithsonian Institution, to fill the existing vacancy thereon.

The message also informed the Senate that, pursuant to the provisions of section 601, title 6, Public Law 250, 77th Congress, the Speaker had appointed as a member of the Committee To Investigate Nonessential Federal Expenditures Mr. SHEPPARD, of California, a member of the House Committee on Appropriations, to fill the existing vacancy thereon.

The message further informed the Senate that, pursuant to the provisions of section 4, Public Law 106, 84th Congress, the Speaker had appointed as a member of the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution, Mr. MAHON, of Texas, to fill the existing vacancy thereon.

The message announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 6385. An act for the relief of Wolfgang Seidl;

H.R. 6442. An act for the relief of Jasper E. Tate; and

H.R. 8709. An act for the relief of Eugene R. Wooster, Jr.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred to the Committee on the Judiciary:

H.R. 6385. An act for the relief of Wolfgang Seidl;

H.R. 6442. An act for the relief of Jasper E. Tate; and

H.R. 8709. An act for the relief of Eugene R. Wooster, Jr.

ORDER FOR RECESS TO 10 A.M., TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock, tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of a quorum call, there be a morning hour, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 242 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ellender
Fong
Goldwater
Gore
Gruening
Hart
Hartke
Hickenlooper
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Monroney
Moss
Mundt
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Stennis
Symington
Talmadge
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr.

FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], and the Senator from Oregon [Mr. MORSE] are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from North Carolina [Mr. ERVIN], the Senator from Alabama [Mr. HILL], the Senator from Michigan [Mr. MCNAMARA], the Senator from Maine [Mr. MUSKIE], the Senator from Alabama [Mr. SPARKMAN], and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

I further announce that the Senator from California [Mr. ENGLE] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from New Mexico [Mr. MECHEM] is necessarily absent.

The Senator from Kentucky [Mr. MORTON] and the Senator from Texas [Mr. TOWER] are detained on official business.

The ACTING PRESIDENT pro tempore. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION FOR PAYMENT OF CLAIMS AGAINST THE UNITED STATES (S. Doc. No. 74)

A communication from the President of the United States, transmitting a proposed supplemental appropriation in the amount of $2,296,890 to pay claims against the United States (with accompanying papers); to the Committee on Appropriations, and ordered to be printed.

REPORT ON AGREEMENTS UNDER TITLE I OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Associate Administrator, Foreign Agricultural Service, Department of Agriculture, Washington, D.C., transmitting, pursuant to law, a report on agreements signed under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, during the month of April 1964 (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT OF BALANCES OF FOREIGN CURRENCIES ACQUIRED WITHOUT PAYMENT OF DOLLARS

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report of balances of foreign currencies acquired without payment of dollars, as of December 31, 1963 (with an accompanying report); to the Committee on Foreign Relations.

REPORT OF VIRGIN ISLANDS CORPORATION

A letter from the Chairman of the Board of the Virgin Islands Corporation, Christiansted, St. Croix, V.I., transmitting, pursuant to law, a report of that board for the year ended June 30, 1963 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT ON MEMORIAL CERTIFICATE PROGRAM

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the Memorial Certificate Program, established without legal authority, the Veterans Administration, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

REPORT ON UNNECESSARY COSTS BEING INCURRED BY LEASING TELETYPE EQUIPMENT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs being incurred by leasing teletype equipment rather than using available Government-owned equipment, Department of Defense, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the Women of the Church of the Atonement, Washington, D.C., favoring the enactment of H.R. 7152, the so-called civil rights bill, in its present form, which was ordered to lie on the table.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on Disposition of Executive Papers, to which was referred, for examination and recommendation, a list of records transmitted to the Senate by the Archivist of the United States, on May 13, 1964, which appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER (by request):

S. 2859. A bill to amend the Commodity Exchange Act, as amended; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. ELLENDER when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 2860. A bill for the relief of Mrs. Caterina Cona; to the Committee on the Judiciary.

By Mr. MOSS:

S. 2861. A bill to waive the statute of limitations in a certain case; to the Committee on the Judiciary.

By Mr. NELSON (for himself and Mr. WILLIAMS of New Jersey):

S. 2862. A bill to facilitate the management, use, and public benefits from the Appalachian Trail, a scenic trail designed primarily for foot travel through natural or primitive areas, and extending generally from Maine to Georgia; to facilitate and promote Federal, State, local, and private cooperation and assistance for the promotion of the trail, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of Virginia:

S. 2863. A bill for the relief of Cato Brothers, Inc.; to the Committee on the Judiciary.

AMENDMENT OF THE COMMODITY EXCHANGE ACT

Mr. ELLENDER. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Commodity Exchange Act. I ask unanimous consent that a short statement explaining the principal changes in the bill be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2859) to amend the Commodity Exchange Act, as amended, introduced by Mr. ELLENDER, by request, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The statement presented by Mr. ELLENDER is as follows:

BILL TO AMEND THE COMMODITY EXCHANGE ACT

The principal changes proposed in this bill are as follows:

1. The Secretary of Agriculture would be given authority:

(a) To set margin requirements whenever there is reason to believe there is danger of manipulation, sudden or unreasonable fluctuations or unwarranted changes in prices, excessive speculation, etc.

(b) To designate additional commodities to be subject to the act whenever he determines it is necessary to do so to prevent acts or practices of the kind prohibited by the act.

(c) To prescribe contract market rules which shall prevail with respect to the conditions of sale on such markets when this is found necessary to effectuate the provisions of the act.

(d) To exercise the authority presently vested in the Commodity Exchange Commission (Secretary of Agriculture, Attorney General, and Secretary of Commerce) to (1) establish speculative trading limits, (2) suspend or revoke the designation of a contract market and issue cease and desist orders against such market or its officials, after hearing, for violations of the act, (3) hold hearing to determine whether a board of trade should be denied designations as a contract market, and (4) pass on denial by a contract market of membership privileges to a cooperative. These are all the functions of the Commission and it would be eliminated.

(e) To issue cease and desist orders against individuals for violations of the act.

(f) To establish minimum financial requirements which must be met by futures commission merchant registrants.

(g) To deny registration, after opportunity for hearing, to any applicant who does not demonstrate his meeting of the financial requirements or any applicant who it is found is unfit for registration, by reason of having engaged in practices of the kind prohibited by the act, conviction of felony, suspension by a board of trade, debarment from Government contracting, or having made false statements in the application, or for other good cause shown.

2. The bill would provide authority for injunctions to restrain or prevent violations.

3. It would make applicable to all persons the provisions of the act prohibiting fraud, cheating, deceit, bucketing, and false records in connection with the orders for or transactions in interstate commerce or for future delivery on or subject to rules of a contract market. The present provision is applicable only to members of contract markets or their correspondents, agents, or employees. Administrative action would be authorized with respect to any action intended to have or having the effect of restraining trade, as well as any unfair or deceptive act or practice.

4. Presently futures commission merchants are required to segregate customers' funds in separate accounts. The depository of

such funds would be prohibited from treating them as belonging to the futures commission merchant or any person other than the customers. This is to prevent their being used to offset liabilities of the commission merchant, and so forth.

5. Recordkeeping requirements would be expanded to include a requirement with respect to records pertaining to spot or cash transactions and inventories.

6. The bill would make it a violation of the act for anyone against whom an order denying trading privileges has been issued to in any manner exercise such privileges during the effective period of such order. Heretofore the restraint was on persons extending the privileges without any affirmative restraint on the person against whom the order was issued.

7. The bill would affirmatively require contract markets to make effective trading rules prescribed by the Secretary of Agriculture and make failure to do so grounds for disciplinary action against the contract market.

8. It would make any person who aids, abets, or acts in combination or concert with any other person in any violation of the act responsible as a principal.

9. A number of provisions of the bill are for the purpose of clarification and to affirmatively incorporate longstanding administrative interpretations. In addition, the term "manipulate," which has not heretofore been defined in the act, is defined and the provision requiring action to be based on the "weight of evidence" has been changed to substitute "substantial evidence on the record considered as a whole." Most of these changes are contained in proposed legislation presently before committees of the Congress. The other changes are principally to conform provisions to substantive changes being made in other provisions of the act.

MANAGEMENT, USE, AND PUBLIC BENEFITS FROM THE APPALACHIAN TRAIL

Mr. NELSON. Mr. President, on behalf of myself and the Senator from New Jersey [Mr. WILLIAMS], I introduce, for appropriate reference, a bill for the purpose of facilitating the management, use, and public benefits from the Appalachian Trail, a beautiful scenic trail designed primarily for foot travel through natural or primitive areas, and extending generally from the State of Maine to the State of Georgia; it also has the purpose of facilitating and promoting Federal, State, local, and private cooperation and assistance for the promotion of the trail.

The Appalachian Trail is a 2,000-mile-long continuous trail, for foot use, extending from Mount Katahdin, Maine, to Springer Mountain, Ga., passing through some 13 States—Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, Tennessee, North Carolina, and Georgia.

Mr. President, the Appalachian Trail has been developed, maintained, and protected by a good many thousands of very conscientious citizens, some of whom live near the trail; others live many miles away from it. Certainly they are to be commended for the great contributions they have made to the development and preservation of this magnificent outdoor asset.

But today this beautiful trail is being treatened by encroachments, due to population pressures; and unless protection, such as that provided by this bill, is given, the day will soon come when large parts of the Appalachian Trail except those passing through national parks, will be destroyed.

The two most distinguishing features of this trail are: First, the primitive, wild, natural or "primeval" nature of its immediate surroundings; and second, its remoteness from the signs and influences of civilization. In the national parks and forests, where some measure of control can be exercised, these characteristic features of the trail are given definition by preserving the area within 200 feet of the trail in an essentially natural condition and prohibiting incompatible developments within 1 mile of the trail. This protection has now been afforded the trail on Federal lands for the past 25 years.

However, to protect the lands traversed by the trail I believe new legislation will be required in order to maintain this continuous 2,000-mile foot trail through a primitive environment over the years to come.

The Appalachian Trail is unique. It is the longest, continuous marked foot trail in the world. Its reputation is international.

This bill is in effect an extension of the Appalachian Trailway Agreement, which has governed the policy of the National Park Service and the national forests with regard to the Appalachian Trail lands since 1938, and similar agreements signed by 13 of the States through which the trail passes. The bill would provide congressional recognition of the Appalachian Trail as an outdoor recreational facility and provide means to protect the remaining trail lands not covered by the existing agreements.

The need for the trail is obvious. Its value to the Nation can be measured in terms of: First, its historical development; second, its present use; and third, the future well-being of our population.

The trail itself was conceived in 1921 as a continuous footpath connecting the remaining wilderness areas of the eastern seaboard—a footpath which for all practical purposes would be endless. It was to be the backbone of a primeval environment, a retreat from a civilization considered even then to be too mechanized. From this beginning followed a remarkable story of the establishment—the actual laying out, clearing, and marking—of a 2,000-mile trail entirely through volunteer efforts. It was an amateur recreation experiment of unprecedented magnitude.

Following completion of its basic route in 1938, the trail has been maintained and improved to provide the best possible route, scenery, and environment. About one-third of the trail is now on Federal lands. Here the Federal agencies provide substantial assistance to maintain the trail and its shelters, funds permitting. The remainder of the trail is maintained by the volunteer efforts of trail and hiking clubs and individuals. This work and the publication and distribution of information and guidebooks are coordinated by the Appalachian Trail Conference, Inc., a nonprofit organization with headquarters in the District of Columbia. This conference has no salaried employees. The fact that the entire project was originated and developed and has matured without Government sponsorship or profit motive attests to the strong public support of the trail.

The trail is used as a recreational facility by many persons in many walks of life. It is used for recreation and training by Boy Scouts, Girl Scouts, and other youth groups from most of the States east of the Mississippi River. It is enjoyed by lovers of wildlife, flowers, the outdoors, and nature in general. It is used by hunters and fishermen. It provides opportunity for hiking and physical exercise ranging from leisurely half-hour walks to rigorous trips of up to the full 2,000 miles of the trail—and incidentally there are some hardy souls who have walked the entire length of the trail in one hike. It provides the means whereby man can experience an intimate relationship with his natural environment.

There are 50,000 to 100,000 annual visitations to the trail at the present time. Of more significance is the fact that use of the Appalachian Trail is an exceedingly high quality experience, in fact one rarely forgotten. Its very nature, that of providing a natural and remote recreational area, precludes its simultaneous use by very large numbers of persons.

In my opinion, the future well-being of the American people rests, among other things, on physical fitness, and understanding of their enviroment, mental health, and spiritual awareness. Opportunities for outdoor physical exercise in an environment resembling that enjoyed by our forefathers are on the decline in the Eastern United States. Increasingly, suitable lands are taken up by private dwellings and a variety of enterprises. The mental and spiritual well-being of the people may depend upon sufficient places to retreat for contemplation, to commune with nature. The Appalachian Trail is an already established facility which satisfies these various needs, and it is for that reason that we seek to preclude the existing and possible future threats to the permanence of the trail.

First, there is the gradual biting away of the lands along the trail for other uses. This is a problem mainly, but not exclusively, on private lands, where the Appalachian Trail Conference or its member clubs have merely received permission, usually verbal, from the owner for the trail to cross these lands. Such competitive uses include real estate developments for summer or year-round homes, commercial recreational developments, lumbering and bulldozer operations, roads, ski lifts, radar and TV installations, and powerline crossings.

The other major type of threat consists of the construction of scenic parkways on the same ridgecrest as occupied by the Appalachian Trail, either forcing relocation of large segments of the trail or resulting in inferior portions in the sense that its most important characteristic of naturalness and remoteness can no longer be maintained.

Limited protection for the trail and its surroundings was effected in 1938 by the so-called Appalachian Trailway

Agreement entered into by the National Park Service, the U.S. Forest Service, 13 States and 2 interstate park commissions, and the Appalachian Trail Conference. These agreements have served to protect certain portions of the trail and its adjoining lands fairly satisfactorily. However, only lands in Federal and State ownership are covered and any such agreements may be superseded at any time by Federal projects.

Any projection of recent trends through the next 40 years leads to the conclusion that there is no hope of maintaining the present 2,000-mile continuous foot trail through a primitive environment close to our eastern cities without public protection of the route and adjoining lands. Since 14 States, 2 national parks and 5 national forests are involved, the only practical type of public protection would appear to result from congressional action.

If the trail is a valuable asset to the American people, present and future—and I certainly do believe that it is a valuable asset—action is needed to recognize the unique qualities of the trail as a primitive-type recreation facility and afford it Federal recognition and protection.

This bill would provide for coordination and cooperation between the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Defense, and any other Federal officials who now or hereafter administer Federal properties traversed by the Appalachian Trail. They, in turn, will give encouragement to and cooperate with the States, local communities, and private organizations, such as the Appalachian Trail Conference, and other persons in promoting the purposes of my bill.

The trail needs protection.

This bill will help provide protection for it. Just one example will emphasize what I mean: According to a recent report of the Citizens Committee for the Outdoor Recreation Resources Review Commission, by the year 2000 our population will nearly double; the overall demand for outdoor recreation will triple. Not only will there be more people, but they will have more free time, more money, and more mobility. Already, the increase in demand for outdoor recreation is surging ahead of population growth. Whatever measuring rod is used, it is clear that Americans are seeking the outdoors as never before. And this is only a hint of what is to come.

Two out of three Americans now live in metropolitan areas and by the turn of the century three out of four will. It is here that demand for most types of outdoor recreation is concentrated. It is here that people have the greatest need for outdoor recreation. And it is here that needs will be most difficult to satisfy; the great bulk of demand must be met during after work and weekend hours and the larger cities and their suburbs have the fewer recreation facilities per capita and highest land costs.

As mobility continues to increase, more people will travel farther to enjoy outstanding scenic, wildlife and wilderness areas. These places are where you find them and they provide outdoor experiences of memorable quality which cannot be duplicated elsewhere. Continuing transportation improvements, higher incomes and longer vacations will result in increased pressures on high-quality recreation resources that now seem remote from population centers. Already, more than 40 percent of vacationers traveling by car travel more than 500 miles and more than 25 percent travel more than 1,000 miles. The number of passenger cars is expected to increase 80 percent by 1976 and another 80 percent by 2000.

The CORC report has already recommended that Congress should establish and preserve outstanding primitive areas as "wilderness areas," to be managed for the sole and unequivocal purpose of maintaining their primitive characteristics. There is a wilderness bill now before the Congress for substantially that purpose.

Parks and other recreation areas are only part of the answer. The most important recreation of all is the kind people find in their everyday life. What this means is an environment—an outdoor environment—an Appalachian Trail.

It is something of a tribute to Americans that they do as much cycling and walking as they do, for very little has been done to encourage these activities, and a good bit to discourage them.

The Appalachian Trail Conference is doing its bit to encourage them. The conference consists of some 55 maintaining clubs, 15 contributing clubs or a total of 70 different clubs along the route of the trail. The New York-New Jersey Trail Conference, as a body, is a member of the conference, and this consists of 21 more clubs, or a grand total of 91 clubs in the conference. The membership in any one of these clubs may range from 50 individuals to 9,000. The total membership is around 30,000. However, users of the trail are not just members of the clubs or the conference—there is no real count of them, and it is almost impossible to calculate just how many nonmembers do use the trail. However, each of these clubs and the conference itself consists of purely voluntary labor. They receive upward of 300 letters a day in regard to the trail. Guidebooks are written and published through voluntary help. The trail is kept cleared by voluntary labor. If this great asset is to be preserved for posterity, legislative action is needed now.

Mr. President, on behalf of the Senator from New Jersey [Mr. Williams], who could not be present at this time, I ask unanimous consent to have printed at this point in the Record a very fine history of the Appalachian Trail, as prepared and printed by the Appalachian Trail Conference.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The Appalachian Trail is a continuous marked path—for travel on foot—extending through the mountain wilderness of the Eastern Atlantic States. It is, in its ideal, a skyline route along the crest of the ranges generally referred to as Appalachian—hence the name of this Trail. It extends from Katahdin, a massive granite monolith in the central Maine wilderness, over 2,000 miles south to Springer Mountain in northern Georgia. This master trail has been opened thoughout its length, marked and measured.

The trail traverses 14 States. Its greatest elevation is 6,641 feet at Clingmans Dome in the Great Smokies. It is only slightly above sea level where it crosses the Hudson River at Bear Mountain.

A project of real magnitude, the Appalachian Trail might seem to have been the result of many suggestions. It can, however, be traced directly to one man—Benton MacKaye, of Shirley Center, Massachusetts. Forester, philosopher and dreamer, Mr. MacKaye conceived the plan of a trail which, for all practical purposes, should be endless. To MacKaye's mind this trail should be the backbone of a primeval environment, a sort of retreat or refuge from a civilization which was becoming too mechanized. MacKaye first presented his plan through an article, "The Appalachian Trail—An Experiment in Regional Planning," in the October 1921, issue of the Journal of American Institute of Architects. Others had previously advanced suggestions of extensive trails in the New England States but the conception of this supertrail was solely MacKaye's. His proposal aroused interest among leaders of the outdoor clubs in the Northeast. Clubs in New York City were the first to undertake actual work on this new trail. Under the leadership of the late Raymond H. Torrey, the first section of the trail was opened and marked during 1922 in the Palisades Interstate Park. For it, Maj. William A. Welch, then general manger of the park, designed the distinctive Appalachian Trail marker and monogram. The New York-New Jersey Trail Conference was organized and the trail was carried west toward the Delaware River. Pennsylvania was also the scene of early activity.

To gage better the extent of this undertaking, it is of interest to turn back four decades to survey the then existing trail system and the organized groups which could be enlisted to further the project. First, and most striking, is the fact that all outdoor organizations in the East were confined to New England and New York. The Hudson River was then the frontier to the south and west.

The existing trail systems, which in 1921 could be incorporated into this supertrail, numbered four. First, there were the splendidly maintained Appalachian Mountain Club trails in New Hampshire. In Vermont the lower 100 miles of the rapidly developing "Long Trail," begun in 1910, could be utilized. Between the White and Green Mountains was the Dartmouth College Outing Club's trail system. In New York there were the comparatively narrow Bear Mountain and Harriman sections of the Palisades Interstate Park. This was all—perhaps 350 miles out of a then necessary 2,050. Originally, however, the trail was estimated to be only 1,200 miles in length; its actual development has demonstrated the distance to be almost twice as long. In addition to these four sections were the national forests in the South, where connected skyline trails were subsequently developed to a degree unanticipated by those who early formulated the Appalachian Trail route.

The first enthusiasm aroused by Mr. MacKaye's proposal in 1921 flared, waned, and by 1926, had practically died out. The project was moribund; it had degenerated into a fireside philosophy. It was then that Arthur Perkins, a retired lawyer of Hartford, Conn., resurrected the project and made it once again a vital, living thing.

He interested in it Myron H. Avery of Lubec, Maine, and later Washington, D.C., who as chairman of the Appalachian Trail Conference from 1931 to 1952 enlisted the aid of hundreds of persons up and down the coast. To the enthusiasm and efforts thus aroused is due the practical completion of the trail project.

The trail was initially completed in 1937 when the last 2 miles were opened on Mt. Sugarloaf in Maine. The southern terminus was then Mount Oglethorpe, Ga. Major changes since then in Maine, Virginia, Tennessee, North Carolina, and Georgia have resulted in a stabilized trail route through scenic and more isolated regions.

It is very interesting to note that the trail has been the pioneer. Interested individuals have carried the route forward; then, after them, have come the clubs to utilize and maintain the trail. One might have expected the reverse; that is, that the formation of clubs would precede the trail. But, with the exception of the 3-year-old isolated Smoky Mountains Hiking Club at Knoxville, Tenn., there were no organizations below Harrisburg, Pa. The penetration of the southern Appalachians began with the formation at Washington, D.C., in late 1927, of the Potomac Appalachian Trail Club. Numerous other Appalachian Trail Clubs followed, so that, with insignificant exceptions, the entire trail route is now apportioned among these energetic organizations. These clubs, aiding the trail project, and individual comprise the Appalachian Trail Conference.

The Appalachian Trail Conference functions through a board of 18 managers, 3 being elected from each of the 6 districts into which the trail route is divided. The chairman is the conference's executive officer.

The conference is a volunteer, amateur recreational group. It is an experiment in amateurism on a very extensive scale. All the activities of the conference and the labor of maintaining trails are contributed by those interested in the project. The conference has no salaried employees. The expenses incurred in its activities are contributions to the cause. Its budget is decidedly limited. By reason of this situation, it will be appreciated that the conference's financial resources restrict a desire to furnish, gratis, maps, guidebooks, and further information as to the trail. However, with a view of indicating the availability of the extensive literature which is obtainable, there is printed on the reverse side a list of publications, in which various topics of interest to trail users are set forth under appropriate headings.[1]

The Appalachian Trail Conference now meets each third year. Its membership consists of four classes: Class A, clubs which maintain specific portions of the Appalachian Trail; class B, clubs which support, by other means, the Appalachian Trail project; class C, public officials (Federal and State) who have charge of areas through which the trail passes and who maintain the trail therein, and persons maintaining in an individual capacity certain designated portions of the trail; and class D, individual members. A class D member receives the publications (other than guidebooks) of the Appalachian Trail Conference which are issued during the membership period, including Appalachian Trailway News; this membership (dues $5 annually) offers a distinct opportunity to individuals actively to support the Appalachian Trail. The conference urges the enlistment, in this form, of persons interested in the trail. Applications for this membership, with a brief biographical statement, should be addressed to the Appalachian Trail Conference, Washington, D.C.

A word as to the manner of marking this trail. There have been many experiments in the development of a standard marker for the trail. The museum collection is extensive. The earliest marker was an embossed, copper square with the trail insignia. Its softness rendered it an easy prey to souvenir hunters, so the then A.T.C. Chairman Perkins designed a diamond-shaped galvanized iron marker, with the trail monogram printed on it. However, the main reliance in marking the Appalachian Trail is a rectangular paint blaze, 6 by 2 inches. These blazes are placed fore and aft—like highway markers—in the direction of travel. White is the prevailing color, and blue for side trails. There is only one approved variation from this uniform blaze. This is the so-called double blaze—two superimposed blazes or markers—which constitute a warning of an obscure turn or change in direction, which might be otherwise overlooked.

With the view of standardizing trail practices and thereby contributing to improved maintenance, the Appalachian Trail Conference has issued a manual on trail construction. This manual details the procedure to be followed in constructing, maintaining and marking the Appalachian Trail.

Originally, the Appalachian Trail was a foot trail, the distinguishing feature of which was its practically endless character. Subsequently, by virtue of the so-called Appalachian trailway agreement, this area has attained a distinctive status. In the eight national forests and two national parks which the route traverses—federally owned land—a narrow zone, 1 mile in width, has been set apart on each side of the trail. In this area there are to be no new paralleling roads or other incompatible developments. In fact it is the creation of a new recreational area, reserved for the benefit of those who walk and camp. In 13 of the 14 States through which the route passes, similar agreements, for a lesser width, have been effected. Thus, the Appalachian Trail passes into its second stage, the Appalachian Trailway, a narrow, isolated zone set apart for those who find their recreation by virtue of their own unaided efforts.

In addition to the development of an actual trail, the Appalachian Trail Conference has issued very extensive literature on trail technique and attendant phases of trail construction. For a person who has had no prior experience in travel along the Appalachian Trail or on other trails, the conference particularly commends its publication No. 15, "Suggestions for Appalachian Trail Users." This publication has been prepared to answer many types of inquiry addressed to the conference. A perusal of the booklet will be of value even to the experienced trail traveler.

Of primary importance is the issuing of guidebooks to the trail. The measuring of the trail and the obtaining of trail data kept progress with the actual construction of the trail. A number of local guides have crystallized into a series of guidebooks for the entire Appalachian Trail. The conference has also issued a comprehensive pamphlet, detailing the history, route, guidebook data, and literature on the trail project.

The guidebooks for the Appalachian Trail furnish necessary information preliminary to the trip. Accommodations are specifically set forth. The accommodations along the trail route are of two types: public, such as farmhouses, inns or camps on or adjacent to the trail; the second class is the shelter of the open type, known as a lean-to.

Shelters, closed and open, are absolutely essential to a finished through trail. The ideal is a continuous chain of such structures at intervals of a moderate day's journey, say 7¼ miles, so that an active hiker may utilize every other one, yet a family party or one exploring side trails, photographing or observing the flora or geology, may have time for such activities and still find shelter each night.

Since 1937 the plan of providing a continuous chain of open shelters along the Appalachian Trail has been vigorously pressed by the conference. As of 1963, there are 221 of these structures along the trail. (Some do not have bunks.) In addition, there are two authorized campsites. In some sections there are long continuous units. From the northern terminus at Katahdin to the Vermont-Massachusetts line there is an unbroken chain of structures, with the exception of one still to be built at Rattle River in the White Mountain National Forest. In the central Appalachians in southern Pennsylvania, Maryland, and northern Virginia, there is a chain of 39 lean-tos, extending over 285 miles. After a gap of 27 miles there is through the Pedlar District of the George Washington and Glenwood District of the Jefferson National Forests a chain of lean-tos for 110 miles. Beyond this, in the Jefferson and Cherokee National Forests there is a chain of 15 lean-tos in 142 miles, with 3 to the south, and 6 to the north at varying intervals and the gaps are being rapidly filled. In the far southern Appalachians, in the contiguous Pisgah National Forest and Great Smoky Mountains National Park, there is a chain of 19 structures, extending over a distance of 130 miles. The chain is continuous for the southernmost 130 miles in the Nantahala and Georgia National Forests. The trail through publicly owned lands will eventually be "complete," as far as this chain of lean-tos is concerned.

And now a brief word as to the route or geography of the trail. From Katahdin the trail leads in Maine, for 279 miles through an utter wilderness, past lake and stream over a disconnected series of peaks. It meets its first pronounced mountain group in the White Mountains of central New Hampshire, which it crosses from east to west. Near Rutland, Vt., the trail turns south for 100 miles along the Green Mountains. In western Massachusetts and northwest Connecticut, the route traverses the Berkshire and Taconic groups, the worndown remnant of a once much loftier range. The Hudson River is crossed at Bear Mountain Bridge. Then the trail leads close to the New York-New Jersey line, over a seemingly endless series of ridges, on its course to the Kittatinny Mountains at High Point Park. Here, for the first time, a narrow ridge crest indicates the route. Beyond the Delaware River, this front range of the Alleghenies becomes Blue Mountain. It and the ridges to the north are followed until, 8 miles beyond the Suquehanna River, the first major change of route is made. The Alleghenies are left and the trail crosses the Cumberland Valley, by secondary roads, to the northern base of the Blue Ridge. Here commences the range which is followed to the southern terminus of the trail. Through southern Pennsylvania and Maryland, where it bears the name of South Mountain, the Blue Ridge continues as a narrow crest line where trail location offers few problems. Three hundred miles south in Virginia, where the Roanoke River breaks through the range, the Blue Ridge forks. These forks, sometimes 100 miles apart, form an immense oval, coming together again at Springer Mountain in northern Georgia, the southern terminus of the trail. Lofty, transverse ranges, enclosing beautiful elevated valleys, connect the two forks. The eastern rim keeps the name Blue Ridge; the western rim is divided by rivers.

The major route problems of the trail came here. There was one fixed point—the trail must pass through the Great Smokies on the western rim. The route originally utilized the eastern rim to New River in southern Virginia, then crossed the plateau between the rims to the western fork at Iron Mountain and continued south. In 1954 the trail was relocated to follow the western rim. At the southern end of the Great Smokies, a cross-range, the Nantahala Mountains, leads back to the eastern rim, which is followed to Springer Mountain, the southern terminus of the trail.

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[1] Full information as to current developments on the Appalachian Trail is available through its publication, Appalachian Trailway News. This journal, issued three times a year (subscription $1.50 per year) not only affords an opportunity to be fully informed as to happenings on the Appalachian Trail route but offers an opportunity to lend support, in some measure, to the trail project. Subscriptions are urged.

The brief résumé merely serves to indicate the character of the Appalachian Trail. Its successive changing zones of bird, animal and plant life fascinate the traveler. It is indeed a guide to the study of nature. Of it has been written by one who served it well during an all too short life: "Remote for detachment, narrow for chosen company, winding for leisure, lonely for contemplation, the trail leads not merely north and south but upward to the body, mind, and soul of man."

The length of the trail is now approximately 2,000 miles.

The length in the several States is now:

	Miles
Maine	279.23
New Hampshire	153.42
Vermont	133.76
Massachusetts	82.69
Connecticut	55.75
New York-New Jersey	158.67
Pennsylvania	215.87
Maryland	37.14
Virginia	462.28
Tennessee	112.60
North Carolina-Tennessee	147.79
North Carolina	79.67
Georgia	76.44

Mr. NELSON. Mr. President, I ask that the bill be printed in the RECORD.

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2862) to facilitate the management, use, and public benefits from the Appalachian Trail, a scenic trail designed primarily for foot travel through natural or primitive areas, and extending generally from Maine to Georgia; to facilitate and promote Federal, State, local, and private cooperation and assistance for the promotion of the trail, and for other purposes, introduced by Mr. NELSON (for himself and Mr. WILLIAMS of New Jersey) was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in recognition of the public benefits already received from the establishment of the Appalachian Trail, extending generally along the Appalachian Mountains from Maine to Georgia for a distance of more than two thousand miles, and in order to promote and perfect the delineation, protection, and management of such Trail, the cooperation of Federal, State, local, and private organizations and persons, for these purposes, is hereby declared to be in the public interest.

(b) In furtherance of these purposes, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Defense, and any other Federal officials who now or hereafter administer Federal properties traversed by the Appalachian Trail shall coordinate their efforts in providing uniform administration and protection of the Trail; and they shall give encouragement to and cooperate with the States, local communities, and private organizations and persons in promoting the purposes of this Act.

SEC. 2. (a) The Appalachian Trail, together with sufficient land on both sides thereof to protect adequately and preserve its character shall comprise the Appalachian Trailway, which shall be administered, protected, and maintained so as to retain its natural or scenic character in keeping with the purposes of this Act, excluding therefrom all inconsistent and nonconforming uses wherever this can be accomplished in the public interest: *Provided,* That such administration shall not render inapplicable to the lands within the Trailway of the pertinent laws and regulations governing particular Federal areas or lands traversed by the Trailway.

(b) The Secretary of the Interior, with the concurrence of other Federal agencies administering lands through which the Appalachian Trail passes, is authorized to issue, and to amend from time to time, as required by circumstances, regulations to carry out the purposes of this Act and to serve as guidelines in its administration, protection, and general management.

SEC. 3. In furtherance of this Act and the objectives prescribed by the basic Act relating to outdoor recreation activities approved May 28, 1963 (77 Stat. 49), the Secretary of the Interior, with the advice, consent, and assistance of the aforesaid Federal agencies, States, and others, is authorized to define, redefine, and delineate, where advisable, the route of the Appalachian Trailway in order to retain wherever possible the natural or scenic character of the Trail and adjoining lands. The Secretary shall cause public notice to be given concerning the Trailway route, as soon as possible after the enactment of this Act and thereafter whenever additions or changes are made, either through publication in the Federal Register, or in such other manner as he shall consider practicable. The route of the Trailway may be revised from time to time, as required by circumstances, with the consent of the Federal agencies directly involved. In determining the width and location of the Trailway, the following principles shall govern—

(a) The Trailway shall be of sufficient width and shall be so located as to provide the maximum retention of natural conditions, scenic or historic features, and the primitive nature of the Trailway.

(b) The route of the Trailway shall be selected to avoid, so far as possible and practicable, established highways, motor roads, mining areas, power transmission lines, private recreational developments, public recreational developments not related to the Trail, and other activities that would be inconsistent with the purposes of this Act and the protection in its natural condition and use of the Trail for outdoor recreation.

SEC. 4. (a) In order to promote continuity of the Appalachian Trailway and its uniform administration as a continuous area throughout its full length, and to promote its use and management in keeping with the purposes of this Act, Federal agencies administering land through which the Trailway passes are authorized to acquire, within the authorized boundaries of areas they administer, through donation or such other manner as they shall consider to be in the public interest, any land, interests in land, rights, or easements; or they may enter into agreements with private landowners for the purpose of promoting the said Appalachian Trailway.

(b) Where the Trailway extends across other non-Federal lands, the Secretary of the Interior and the heads of other Federal agencies involved in administering adjacent lands are authorized to cooperate with States, political subdivisions, and local and private organizations and persons for the purpose of encouraging their acquisition of land, interests in land, rights, easements, or the consummation of agreements with landowners that will further the purposes of this Act; and if private properties within such portions of the Trailway are offered for sale for purposes of this Act, the Secretary of the Interior, to the extent of any funds that are made available therefor, may purchase such properties or interests therein for purposes of the Trailway only from willing sellers, and he shall thereafter make such arrangements as he deems appropriate for the management of such properties.

Mr. MANSFIELD subsequently said: Mr. President, on behalf of the Senator from Wisconsin [Mr. NELSON], I ask unanimous consent that the Appalachian Trail bill, Senate bill 2862, introduced earlier today, be held at the desk through May 28, for additional cosponsors.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

CIVIL RIGHTS ACT OF 1963—AMENDMENT NO. 606

Mr. COTTON. Mr. President, I send to the desk an amendment to H.R. 7152, the so-called civil rights bill, and I ask unanimous consent that it lie on the table and be printed. I further ask unanimous consent that it be considered as having been read in case of any cloture motion.

The **PRESIDING OFFICER** (Mr. NELSON in the chair). Without objection, the amendment will be received, printed, and lie on the table; and without objection, the amendment will be printed in the RECORD.

The amendment (No. 606) is as follows:

On page 28, line 22, strike out "twenty-five" and insert "one hundred".

On page 29, line 4, change the colon to a period and strike out all down to and including the period in line 12.

On page 30, strike out lines 15 through 19, inclusive, and insert in lieu thereof the following: "nization is one hundred or more, and such labor".

ADDITIONAL COSPONSOR TO SENATE BILL 880

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Connecticut [Mr. DODD] be added as a cosponsor of S. 880, to amend the Social Security Act to provide hospital insurance benefits for the aged, at the next printing of the bill.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADDITIONAL COSPONSOR TO SENATE BILL 2642

Mr. FULBRIGHT. Mr. President, I also ask unanimous consent that the name of the senior Senator from Connecticut [Mr. DODD] be added as a cosponsor of S. 2642, the Economic Opportunities Act of 1964, at the next printing of the bill.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF SENATE BILL 2792

Mr. RIBICOFF. Mr. President, at its next printing, I ask unanimous consent that the name of the Senator from New

Jersey [Mr. Williams] be added as a cosponsor of the bill (S. 2792) to amend the Federal Insecticide, Fungicide, and Rodenticide Act in order to provide for more effective regulation under such act, and to provide for certain control of waste disposal in connection with the manufacture, formulation, or other processing of economic poisons, which I introduced on April 30, 1964.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING OF TREASURY-POST OFFICE APPROPRIATIONS SUBCOMMITTEE ON FRIDAY, MAY 22, AT 8:30 A.M.

Mr. ROBERTSON. Mr. President, in order to expedite action on the Treasury-Post Office appropriation bill for fiscal year 1965, the Treasury-Post Office Appropriations Subcommittee, which I chair, will hear Postmaster General Gronouski on the Post Office items at 8:30 a.m. on Friday, May 22, in room 1224 of the New Senate Office Building. It has been customary to hear the Treasury items first but Treasury Secretary Dillon is presently out of the country and unable to be present at this time.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 20, 1964, he presented to the President of the United States the following enrolled bills:

S. 920. An act to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico, provided there is in effect a bilateral agreement between the United States and the alien governments for such operation by U.S. amateurs on a reciprocal basis;

S. 980. An act to provide for holding terms of the U.S. District Court for the District of Vermont at Montpelier and St. Johnsbury;

S. 1584. An act to approve a contract negotiated with the Newton Water Users' Association, Utah, to authorize its execution, and for other purposes;

S. 1687. An act to approve the January 1963 reclassification of land of the Big Flat unit of the Missoula Valley project, Montana, and to authorize the modification of the repayment contract with the Big Flat Irrigation District; and

S. 2772. An act to amend the Alaska Omnibus Act.

TWO CENTURIES OF THE HARTFORD COURANT

Mr. DODD. Mr. President, on October 29 of this year the Hartford Courant will celebrate its 200th birthday. This great newspaper is the oldest in the United States. In terms of continuous publication, it is the second oldest in the world. In a way, the Courant is a living record of American history.

I shall like to add my voice to the many that I know will be extending congratulations to the Courant. No newspaper anywhere is more deserving of the commendations of press and public alike. And none has done more to buttress the traditions of a free people and of a free press.

The story of the Courant, and in particular of its role during the trying days of the American Revolution, appears in the May 9 edition of the Saturday Review. It is told in an article written by the paper's highly respected editor, Mr. Herbert Brucker.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Unfading Newspaper—Two Centuries of the Hartford Courant

(By Herbert Brucker)

In recent years we have heard much about the disappearing daily, otherwise the fading American newspaper. Yet some newspapers refuse to fade and disappear. This fall the Hartford Courant will celebrate completion of its second century. Few American institutions, even the U.S. Government, are that old. The Courant had already been published a dozen years by the time it printed the full text of the Declaration of Independence as news. And when the Constitution was adopted in Philadelphia in 1787 that, too, was published as news.

It is true that in this century American newspapers have tended to become monopolies, squeezing out the competition in the process. Therefore their total number has shrunk despite our booming population. In 1910 we were a Nation of only 92 million but had 2,600 daily newspapers. Today we number more than 191 million and are down to 1,761 dailies. But the trend to fewer papers seems to be leveling off. For one thing, even though an occasional metropolitan daily does still fade and disappear, others of weekly or semi-weekly publication turn into dailies. This is especially true in our automobile-age suburbia and exurbia, where community papers are growing lustily.

Then, too, in 1958 Editor & Publisher, the newspaper trade journal, listed all the newspapers it could find that were a century old or more. There were more than 200. By now there must be quite a few more whose hale and hearty old age disputes the theory that the newspaper is on the way out. It seems safe to assume that the printed newspaper, the only medium that can give the citizen an ordered, detailed, nonvanishing account of the news every day, will still be here 200 years hence. No doubt it will be as different from the 1964 newspaper as today's Courant is different from the Courant of colonial times. But each in its own way and age gives the citizen the ordered, written information about the world he lives in, without which our democratic republic cannot live.

As far as we have been able to find out, there is today only one newspaper anywhere in the world that is older than the Courant, and that is Copenhagen's Berlingske Tidende. This was founded in 1749, or 15 years before the Courant's birth on October 29, 1764. There are some British claimants to even greater antiquity, and an occasional one on the Continent. But apparently none has been published from the beginning to this day without interruption, under the same name, by a continuing management. Indeed, even the Courant missed an occasional number in its early days, as for example a few issues skipped in protest against the Stamp Act. But the publishing firm remained intact and continuous throughout the two centuries, and publication of the paper was never really interrupted in all that time.

It was Thomas Green, a 29-year-old printer from New Haven, who issued No. 00 of the Connecticut Courant in Hartford "At the Heart and Crown, Near the North-Meeting-House." This was a sample issue, which "will on due encouragement be continued every Monday, beginning on Monday, the 19th of November, next." And so it was, except that the second issue came out a week late.

By then Hartford was already a century and a quarter old. It is hard to recapture now, in one's imagination, the appearance of this town of 4,000 on the west bank of an unspoiled Connecticut River. George III was sovereign, in Connecticut as in the other Colonies. But by the time Green got his hand press to producing perhaps a few hundred weekly copies of a four-page paper about 8½ by 13½ inches, there was already widespread irritation among native-born Americans at Britain's rule from across the sea. Before the paper was a year old, in June 1765, Courant subscribers read about an obstreperous Hartford group, a contingent of the Sons of Liberty, that deposed one Jared Ingersoll, Esq., as he came up from New Haven to take over his duties of receiving the hated stamp tax. He was met outside of town and not only forced to resign his office but "he was then desired to pronounce the words 'liberty' and 'property' three times." After Mr. Ingersoll arrived in Hartford he "again read his resignation in publick, when three huzzahs more were given, and the entire company dispersed without making the least disturbance." The Stamp Act, symbol of taxation without representation, was repealed the next year.

How is it that the Courant—since 1837 the daily Hartford Courant instead of the weekly Connecticut Courant—survived from colonial times to our own?

The answer seems to be that it stuck to being a newspaper instead of giving all to some cause, as did many another paper now defunct. For example, in 1841 Hartford, by then a town of 13,000, supported no less than 13 newspapers of various intervals of publication. Some were devoted to abolition or other special purposes. But the Courant, whether in the 1760's or the 1960's or in between, put its major effort into getting and printing the news as it found it.

Last year the New York Mirror gave up the ghost, though still selling more than 800,000 copies a day and so boasting the second largest circulation in our biggest city. The chief trouble was that the Mirror had been founded on a formula of 10 percent news, 90 percent entertainment.

Thanks to the Courant's continuing loyalty to the news, you can read, in its files, American history as it happened. Of course, in a day in which the horse and the sailing vessel were man's swiftest means of communication, it sometimes took a while to get any event into print. The storming and burning of the Bastille in Paris on July 14, 1789, was news to the Courant's readers when they first read it in the issue of September 21. And the Declaration of Independence, adopted July 4, 1776, was not printed in the Courant until the issue of July 15. Not bad at that, in the day of the horse and the weekly paper.

Sometimes the paper gave just the bare bones of the news, but often it printed colorful detail as well. To be sure, in its pages the pageant of our past is not set into perspective as neatly as in the history books. But you can follow the dramatic events as they happened, from the Boston Tea Party to Yorktown, from Waterloo to Appomattox, and on to World Wars I and II, from the assassination of President Lincoln to the assassination of President Kennedy, and so on down to what happened yesterday.

By sampling the almost complete files that survive, one can sense, even today, something of what our forebears felt and thought as they passed the milestones in our history. Take for example this account of Paul Revere's ride (note that his name was not mentioned) and of that shot heard round the world. It appeared on page 2 of the 4-

page issue No. 541 of May 8, 1775, under a headline that said simply "Worcester, May 3." This source makes one wonder whether it did not originate with the patriot-printer Isaiah Thomas, lately fled to Worcester with his newspaper, the Massachusetts Spy, from a Boston controlled by British redcoats:

"Americans, forever bear in mind the Battle of Lexington, where British troops, unmolested and unprovoked, wantonly, and in a most inhuman manner fired upon and killed a number of our countrymen, then robbed them of their provisions, ransacked, plundered and burnt their houses, nor could the tears of defenseless women, some of whom were in the pains of childbirth, the cries of helpless babes, nor the prayers of old age, confined to beds of sickness, appease their thirst for blood, or divert them from the design of murder and robbery.

"A few days before the battle, the grenadier and light-infantry companies were all drafted from the several regiments in Boston, and put under the command of an officer, and it was observed that most of the transports and other boats were put together, and fitted for immediate service. This maneuver gave rise to a suspicion that some formidable expedition was intended by the soldiery, but what or where the inhabitants could not determine—however, the town watches in Boston, Charlestown, Cambridge, etc., were ordered to look well to the landing places.

"About 10 o'clock on the night of the 18th of April, the troops in Boston were discovered to be on the move in a very secret manner, and it was found they were embarking in boats (which they privately brought to the place in the evening) at the bottom of the common; expresses set off immediately to alarm the country, that they might be on their guard.

"The body of the troops in the meantime, under the command of Lieutenant Colonel Smith, had crossed the river, and landed at Phipp's Farm. They immediately, to the number of 1,000, proceeded to Lexington, 6 miles below Concord, with great silence; a company of militia, of about 80 men, mustered near the meetinghouse; the troops came in sight of them just before sunrise; the militia upon seeing the troops began to disperse; the troops then set out upon the run, hallooing and huzzaing, and coming within a few rods of them, the commanding officer accosted the militia in the words to this effect, 'Disperse you damn'd rebels!—damn you disperse.' Upon which the troops again huzzaed, and immediately one or two officers discharged their pistols, which were instantly followed by the firing of four or five of the soldiers, and then there seemed to be a general discharge from the whole body; it is to be noticed, they fired upon our people as they were dispersing, agreeable to their command, and that we did not even return the fire. Eight of our men were killed and nine wounded.

"Another party of the troops took possession of the Northbridge. About 150 provincials who mustered upon the alarm, coming toward the bridge, the troops fired upon them without ceremony, and killed two upon the spot. Thus did the troops of Britain's king fire first at two several times upon his loyal American subjects, and put a period to 10 lives before one gun was fired upon them. Our people then returned the fire, and obliged the troops to retreat, who were soon joined by their other parties, but finding they were still pursued, the whole body retreated back to Lexington, both provincials and troops firing as they went.

"The enemy having halted above an hour at Lexington, found it necessary to make a second retreat, carrying with them many of their dead and wounded. They continued their retreat from Lexington to Charlestown with great precipitation; our people continued the pursuit, firing till they got to Charlestown Neck (which they reached a little after sunset), over which the enemy passed, proceeded up Bunker's Hill, and the next day went into Boston under the protection of the Somerset man-of-war of 64 guns."

When later the British took New York, the Courant became important to the Revolutionary cause throughout the Colonies. According to Isaiah Thomas, who in 1810 wrote a history of printing in America, the Courant of that time had a circulation "equal to, if not greater, than that of any other paper printed on the continent." After the revolution the Courant acquired Noah Webster, a local boy who later wrote the famous speller and dictionary, as a contributor. Another staffer was Oliver Ellsworth, whose Connecticut Compromise had made possible the Constitution, who put the words "United States" into the Constitution, and who was later a Senator and Chief Justice of the Supreme Court. In his retirement Ellsworth wrote for the Courant what would now be called a farm column.

How do we know that the Courant is the country's oldest paper? When you get into it, this seemingly simple question becomes complex. That is why the Courant calls itself the oldest newspaper of continuous publication in America. Other claimants either haven't published continuously, or else not as long. And there are other qualifications. For example, some of the encyclopedias credit the Alexandria Gazette in Virginia, across the river from Washington, with being the "oldest daily in America." Perhaps it is, because the Alexandria Daily Gazette was launched in 1808 while, as noted, the Courant did not start its daily until 1837. But the Courant is a daily, and older than the Gazette.

Then there was the Newport Mercury, founded in 1758. It survives today as the Newport Mercury and Weekly News, a supplement of Rhode Island's daily Newport News, which was not founded until 1846.

Until 1942 there used to be, in Portsmouth, N.H., a New Hampshire Gazette that dated from 1756. But it survives today only as the title of the weekly picture supplement of the Portsmouth Herald, a youngster dating from 1884. There is also the Annapolis Gazette, which sometimes claims antiquity. But it was founded in 1809 as the Maryland Republican and did not take the name Maryland Gazette until 1922. You could start a new paper in Boston today, call it Publick Occurrences, and then boast that you had the oldest paper in the United States, founded September 25, 1690. But Publick Occurrences, our first newspaper, died with that first issue of almost three centuries ago. It was suppressed by Governor and Council for daring to appear without "license first attained."

Finally there is the Philadelphia Inquirer, which last year began calling itself the oldest daily newspaper in the United States. If you pick up the Sunday Courant today, you will find on its editorial page quotations from its own issues of 50, 100, 150, and 175 years ago. Soon there will be items from two centuries ago. You won't find anything like that in the Inquirer—because there was no Inquirer until 1829. Its recent claims to antiquity rest on a series of mergers with earlier papers. The Courant rests its case with the historian of American journalism, Frank Luther Mott, who wrote me in 1950: "Everything considered, it looks to me as though the Hartford Courant has the best claim to priority."

Though the United States still qualifies as a young country, one gets a sense of ancient times from poring over the Courant's old issues. It isn't only the news and comment that conveys this—and in earlier days it was hard to tell where news left off and comment began. Advertising, which goes back to the beginning, is also interesting. Take this one from the Courant of March 14, 1796. It was one of two inserted by a gentleman farmer from Philadelphia. His name was George Washington, and he was at the time President of the United States. He offered the following:

"To be let, and possession given in autumn. The farms appertaining to the Mount Vernon estate, in Virginia; four in number; adjoining the Mansion house farm. Leases will be given for the term of 14 years to real farmers of good reputation."

The farms were described in detail over one and a half columns.

Sometimes, too, the early Courant did not forget that while it must publish news first of all, people like to be entertained. So there appeared in every issue a variety of items. Take, for example, the following, printed under the heading "Legislative Anecdote" in the issue published November 20, 1876:

"A member of a certain honorable house, who from accustoming himself to take a nap after dinner when at home, could not dispense with the custom even when attending to give laws to a mighty people. * * * A day was assigned for the second reading of a lumber act, which, as it interested him, our sleeper requested his friend who sat next to him, that * * * if the bill was discussed when he was asleep he would wake him—this friend promised—but, happening to go out for a few minutes, the bill was called for, and after a little debate was committed. Immediately the bill for preventing fornication was brought on—this occasioned some debate, the sleeper's friend returned, and finding the lumber bill was dismissed, thought he would indulge his friend in his nap; however, as luck would have it, he accidentally trod on the toe of this votary of Morpheus, who supposed it a signal for his waking, immediately awoke, rubbed his eyes, and finding that there was a pause in the debate, rose, and addressed the speaker as follows: Sir, I wish to speak a few words on the bill now in question—it affects, Mr. Speaker, my constituents very much—for above half our town get their living by it."

And some people take exception to the kind of thing the Courant prints today.

CUBAN INDEPENDENCE DAY

Mr. DODD. Mr. President, today, May 20, we celebrate Cuban Independence Day.

It is a day dear to the hearts of all Cubans, and dear to the hearts of all the freedom-loving citizens of the Americas.

There is no people in the world that knows the meaning and value of freedom better than the Cuban people. For freedom was not handed to them on a platter, it was not yielded to them in a final gesture of generosity by a reformed imperialist ruler. The Cuban people achieved their freedom from Spanish imperial rule only after a half-century of sacrifice and struggle, a half-century which witnessed two major wars for independence, the so-called Ten Years War and the final War of Liberation.

Having sacrificed so much for freedom, it is not surprising that the Cuban people have never compromised with tyranny.

It is not surprising that under the modern tyranny of Fidel Castro, the Cuban people continue to fight and to resist with the same incredible heroism that won them freedom from Spanish rule and paved the way for the final establishment of an independent Cuba on May 20, 1902.

Nor is it surprising that the leaders of the Cuban resistance movement in exile have chosen May 20 for the launching of a new war of liberation against the alien imperialism which again oppresses the Cuban people.

Let me say to the Cuban freedom fighters, both in this country and in Cuba, that the hearts of the American people are with them today, in the same full measure that American hearts were with them in 1895.

At that time, in the name of freedom, the United States entered into a commitment extending from Cuba to the Philippines. That commitment for freedom cost thousands of American lives; and Americans have always cherished the memory of those who gave their lives in this historic struggle.

I think it appropriate to recall that the United States entered into its war with Spain not for the purpose of attempting to appropriate a colony that had until that time been governed by Spain, but for the declared purpose of assisting the Cuban people to achieve the emancipation from Spanish imperial rule.

I think it appropriate to recall, too, that the United States remained in Cuba only long enough to help the Cuban people establish a democratic government of their own and that on May 20, 1902, the last American forces were withdrawn and the independence of the Cuban nation was formally proclaimed to the world.

Because these facts are known to the humblest Cuban, Castro has had pathetically little success in persuading the Cuban people that they are threatened by "Yanqui" imperialism and that it is the duty of Cuban patriots to hate the United States. Day and night for more than 5 years now, the Castro radio has kept up its frenetic attacks on America and American imperialism. But the Cuban people, despite the Castro radio, still look upon the American people as their brothers, still recall with gratitude the role that Americans played in helping them to achieve their liberty, still believe that they can count on the United States for the same support in the new struggle for freedom and independence in which they are now engaged.

In commemorating Cuban Independence Day, I wish to pay a special tribute to Jose Marti, the poet and apostle of Cuban liberation, a man whom the Cuban people have justly come to regard as their own George Washington.

Jose Marti was a man of almost saintly simplicity. But he was a man whose entire life was dedicated to the goal of liberty for Cuba; and it was this dedication that gave him the strength to inspire others. He inspired them with his poetry, with his fervent oratory, and with his immortal phrases. He inspired them by committing himself and asking every other Cuban to commit himself "Para Cuba—que Sufre"—"For Cuba—which suffers."

When Jose Marti called for "liberty" for the subjugated people of Cuba, he did not simply mean freedom from Spanish control. He meant freedom from all despotism, domestic as well as alien. He believed in "liberty" for the people of Cuba in the same broad sense that the founding fathers believed that "life, liberty, and the pursuit of happiness" are the birthright of every people and every citizen.

At this hour, I think it appropriate to recall that Marti waged his fight for the people of Cuba from the shores of the United States, where he and his followers received refuge, sympathy, and active assistance. Indeed, it has been said that Marti's burning fight for the liberty of Cuba had its origin in the city of Tampa in the home of a Cuban follower, a Negress by the name of Pauline Pedrozo, who risked her life to hide Marti in her home.

Jose Marti gave his life in the struggle for Cuban freedom; and in the city of Tampa, there is a monument to his memory in a park that is named after him. One of Marti's most famous poems "White Roses," made the white rose a symbol of "liberty for Cuba." I understand that there will be a ceremony today in Tampa in front of Marti's monument, and I have, therefore, asked Mr. Marcello Maseda, the honorary mayor of Ybor City, the section of Tampa where the Cuban refugees are concentrated, to place a wreath of white roses in my name at the foot of Marti's monument this afternoon.

By their heroic resistance to the Castro tyranny, the Cuban people have demonstrated that the spirit of Jose Marti still lives in them; the Cuban people, who have never compromised with tyranny, have given us a thousand proofs of this. Despite the Communist terror, despite the executions, despite the repeated military actions against the freedom fighters in the mountains, every day witnesses new acts of resistance by the Cuban people, while new guerrilla bands and new resistance leaders continue to spring up to take the place of those who have fallen in the struggle.

I am as certain as I am of anything that the spirit of Jose Marti and the will to freedom displayed by the Cuban people will again prevail, and that in the not too distant future a newly liberated Cuban people will rejoin the family of free nations.

In commemorating Cuban Independence Day, I am certain that every Cuban in his heart commits himself anew, in the immortal words of Marti "Para Cuba—que sufre." I hope that we in America, in observing this occasion, will commit ourselves to support this struggle, in the same spirit and with the same faith that the American people supported the Cuban war of liberation.

MARYLAND CONGRESSIONAL PRIMARY SHOWS SMASHING VICTORIES FOR EVERY SUPPORTER OF THE CIVIL RIGHTS BILL

Mr. PROXMIRE. Mr. President, the Maryland congressional primaries of yesterday showed smashing victories for every single candidate who voted for or supported the civil rights bill, and a defeat for every one who opposed it.

In the First District, the Republican incumbent, ROGERS C. B. MORTON, who supported the civil rights bill, was unopposed.

In the Second District, CLARENCE D. LONG, the incumbent, who voted for the civil rights bill, won a smashing victory over the field, one of whom was Joshua A. Cockey, who opposed the bill.

In the Third District, EDWARD A. GARMATZ, the incumbent, who voted for the bill, won decisively. His opponent, John A. Pica, was in the State legislature and voted against Maryland's public accommodations bill. GARMATZ will now be reelected, since he has no Republican opponent.

In the Fourth District, GEORGE H. FALLON, the incumbent, who voted for the bill, won by a margin of about 2 to 1 over the entire field of five opponents, which included a segregationist.

In the Fifth District there is no incumbent, but an avowed segregationist, E. Steuart Vaughan, ran eighth in a field of 14.

In the Sixth District Republican race, CHARLES MCC. MATHIAS, the incumbent, strongly supported the civil rights bill. As a member of the House Judiciary Committee, he was an architect of the civil rights bill. His principal opponent, Brent Bozell, opposed the bill. MATHIAS won a resounding victory. He won by 3 to 1.

In the Seventh District, SAMUEL N. FRIEDEL, the incumbent, who supported the bill, won overwhelmingly, 8 to 1, over Louis Jefferson, who is against the civil rights bill.

In the at-large race, which is the closest to being like a race for the Senate, CARLTON R. SICKLES, the incumbent, who voted for the bill, won by a smashing 5 to 1 over his opponent, Wilsie H. Adams.

All the winners in the Maryland congressional primaries had supported the bill. All those who opposed the bill were defeated.

In the Senate races, Joe Tydings and GLENN BEALL were the big winners. Both are enthusiastic outspoken civil rights supporters.

Because of the attention that has been called to the race between Governor Wallace and Senator BREWSTER, very little attention has been paid to the other races in which this issue was before the voters; and in every single race those who supported the civil rights bill won, and those who opposed it lost.

Mr. President, the Senator from Maryland [Mr. BREWSTER] is a wonderful human being, a fine Senator, competent, intelligent, charming. He took on a very tough task in running as a stand-in candidate for President Johnson. This is always a hard role. BREWSTER won and deserves the thanks and acclaim of all civil rights adherents.

COMMENCEMENT ADDRESS BY HON. ROBERT T. STEVENS, AT HARLOWTON HIGH SCHOOL, HARLOWTON, MONT.

Mr. MANSFIELD. Mr. President, yesterday Hon. Robert T. Stevens, an eastern industrialist, but primarily a Montana rancher, delivered the commencement address to the graduating class of Harlowton High School, at Harlowton, Mont.

Mr. Stevens is remembered by many Senators as Secretary of the Army under the Eisenhower administration. For the past 20 years he has been working a ranch in the Two Dot area. He has become as much a Montanan as the rest of us, because he looks upon that State as his second home, and I am quite sure, before too long, as his first. He runs a cattle ranch, with a great number of cattle grazing on it. He is a citizen in whom we take a great deal of pride.

Mr. Stevens is a relative of the first Governor of the Territory of Washington, which was created in 1853, and which comprised the State of Washington and parts of Oregon, Idaho, and western Montana. Governor Stevens, of the Territory of Washington, was responsible for the establishment of the town of Stevensville, Mont., in the Bitter Root Valley.

Stevensville, by the way, is the town in which my distinguished colleague, the Junior Senator from Montana [Mr. METCALF], was born and raised.

Mr. President, I ask unanimous consent that the text of the address by the Hon. Robert T. Stevens, a Montanan, be printed at an appropriate point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS TO THE GRADUATES BY ROBERT T. STEVENS, COMMENCEMENT EXERCISES, HARLOWTON HIGH SCHOOL, HARLOWTON, MONT., MAY 19, 1964

Dear Graduates, when your class president, Loren Haarr, wrote me in December and said the senior class of Harlowton High School wanted me to speak to them on this all-important occasion, I was both surprised and pleased.

Surprised that you young people would like an oldtimer like me to speak. Pleased, because I am so devoted to this community, to this area, and to the fine people in it, that I welcomed the opportunity to do something that you wanted. Then, too, our son, Tom, holds a diploma from Harlowton High, so I have a family connection with the school from which you are about to graduate.

In addition, I am especially pleased to be with you in this particular year of 1964, which marks Montana's 100th year as a territory and its 75th year as a State. These are most important milestones in the history of the Treasury State, just as the unbelievable Lewis & Clark Expedition through Montana 160 years ago is so historic. I am sure everyone here takes great pride in these notable events in the history of our State.

Besides having a family connection with this school, I have a family connection with Montana, that goes back even more than 100 years. One-hundred and eleven years ago, in 1853, Congress created the Territory of Washington in the Northwest. That big territory included not only what is now the State of Washington, but also parts of Oregon, Idaho, and the western part of Montana, with the boundary at the Continental Divide in Montana.

Upon the official creation of this Territory of Washington by Congress, President Pierce selected my relative, then Maj. Isaac Ingalls Stevens, to become the first Governor of this huge territory. Montana alone is more than twice the size of Major Stevens' native New England.

His trips overland, across Montana on horseback, to the Puget Sound area, and his efforts there, constitute an important page in the history and early knowledge of our Western frontier. He served two terms as Governor and then was elected as the first Territorial Representative in Congress. The name Stevens, therefore, is, indeed, a part of the history of the Northwest and, even closer, the town of Stevensville, Mont., south of Missoula, was named for Governor Stevens. Perhaps, unconsciously, this family connection with the area may have been responsible for our acquiring a Montana ranch near here, 19 years ago.

Governor Stevens' very full and interesting career came to an untimely close at the age of 45, when, as a general officer, he was killed leading his troops at the Battle of Chantilly, Va., on September 1, 1862, during the Civil War. Perhaps this foregoing bit of family history, tied in with our Montana Centennial, will indicate to you, in some degree, my very special pleasure in coming before you on this particular graduation day. My remarks will be brief, but I will try to make three points, which, I sincerely hope, will be of some use to you boys and girls of the graduating class.

First, let me urge you to set your sights high. You have the inherent ability, all of you, to move up. Be confident of that ability in the competition of life. You have proved your ability as engineers on the athletic field. Similarly, you can prove it in the competitive field of molding your future careers. I know you have confidence up to a certain point. I urge you to push that point ever upward.

Second, and this point stems, to a degree, from the first point. It embraces not only the desirability, but almost the necessity today of higher education, if you are fully to realize in life on all the fine potential that I know you have. There was a time, not too many years ago, when a college education was not necessarily a must for high school graduates. Today it is different. Well trained, college trained, graduates are coming on the scene, on every scene, in constantly increasing numbers. This is today's competition.

These boys and girls, who have graduated from college, have greatly improved their potential for success in their chosen careers—whatever that may be. They didn't have anything you haven't got. What is needed is desire—like the engineer basketball team had to such a magnificent degree this year—and confidence in yourselves. With those two qualities, if you can go to college, you can do a job that will give you a much fuller life as you move along through the years ahead. I would deeply urge a larger percentage of Harlowton High School graduates to go on to higher education, if at all possible. I know in later life you will never regret the time, the effort and the possible sacrifice this will entail. You will be thankful for it.

Perhaps you young ladies of the class will think that this is meant largely for the boys—not for you. I can assure you this is not the case. The future of our country lies in the hands of all you young people, both boys and girls. More and more fields are opening up to well-educated women. The choice of occupation has never been wider and opportunities for meaningful, satisfying, and dedicated careers have never been greater.

Additionally, and more important, as the future mothers of our children, you are the ones who will be most directly concerned with molding their minds, developing their characters, and instilling them with those qualities of heart and mind which will enable them to lead fruitful, patriotic, and useful lives. You cannot possibly have too much training for this vital role. The America of the future is in your hands and in the hands of millions of other fine young high school graduates like you.

Personally, I was extremely fortunate about education. After completing school, I was most anxious to go to work. My father, by the same token, was most anxious for me to go to college. He had not been to college himself but he wanted his sons to have that advantage. I was certain my plan was right in my particular case. However, he prevailed, and I went. I am most grateful and thankful for his insistence.

I improved my mind in some degree. I learned a lot about a lot of things. I made many lifelong friends. And, I got a good running start on the military side. In short, I got an awful lot out of it and sincerely believe that any modest success or honor that may have come my way in life has been due, in the main, to two things. First, the devotion of two wonderful parents, especially in earlier life, and later the inspiration and love of a wonderful wife, who has now put up with me for 40 years. Second, the fine education I was fortunate enough to receive. These things combined to give me the chance to set and to achieve higher goals than would otherwise have been possible.

In order to encourage your highest goals and, in order, further, to encourage more graduates of Harlowton High School to go on to college in the future, I take advantage of this most propitious moment to make an announcement that Mrs. Stevens and I have been thinking about for some time. We are today establishing a fund to be known as the Ray and Nell Johnson Scholarship Fund of Harlowton High School. It will produce a minimum of $500 per year at the start, which would be used to help one or more fine youngsters, like all of you, to go to college. The selection of the recipients would be made by the school superintendent who is in office at the time, assisted by Dr. and Mrs. Johnson, or those whom the Johnsons, or either of them, may ask to carry on as their successors in the future.

Dr. and Mrs. Johnson do not know about this announcement. No one does, except Mrs. Stevens and me. You and I, however, know full well of the Johnson's dedication to this school, from which their two fine sons graduated, and to this community over the years. This is Mrs. Stevens' and my effort to put our heartfelt thanks to these outstanding members of this community in permanent form. I hope the fund will increase in the future so that the income will grow larger and, thus, be helpful to more than one of Harlowton's finest boys and girls.

As I speak to you, it brings back memories of just 10 years ago when, as Secretary of the Army, I was the commencement speaker at the U.S. Military Academy at West Point. My relative, previously referred to, General Stevens, had graduated from the Academy in 1839—just 115 years before I spoke. Incidentally, he stood No. 1 in his class.

Appearing at West Point was one of the outstanding experiences of my life. No one could look those cadets in the eye and, realizing the superb mental and physical training they had received for 4 years, not be thrilled both for them and for our country. They lived, while at the Academy, and will, thereafter, throughout their lives, under the finest personal code of which I am aware.

I close these remarks to you graduates with a full heart and with three words of West Point that I hope you will remember and think a lot about as you go your respective ways in life. I said at the start that I had three points. These three words constitute my third point. Here are the words. Please remember them always: Duty, honor, country.

May I restate my three points very simply for you:

1. Set your sights high.
2. Go to college, if you possibly can.
3. Remember—duty, honor, country.

Thank you, and may God's blessing be on every one of you and your families.

PESTICIDES, PETS, AND POLITICS: THE THREE DO NOT MIX

Mr. RIBICOFF. Mr. President, we all know it is not news when a dog bites a man—only when a man returns the favor do we have a real story. In a sense it appears that man—many of them—is in fact doing just that, but few of us are aware of it. Even the weekend gardener who is guilty of mistreating his furry best friend is probably unaware of the bite he is putting on his pet. How does he do it, then? Through the careless and thoughtless use of pesticides.

According to Yvonne Boisseau Goldsmith, an acknowledged expert on household pets, "Thousands of cats and dogs die each year because of manmade chemicals." If the weekend gardener would only read the pesticide labels and follow directions he could save his lawn and his dog. This way he is getting rid of both.

I ask unanimous consent to include in the Record Mrs. Goldsmith's column "Pets and People" from the April 20 Bridgeport Post.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pets and People

(By Yvonne Boisseau Goldsmith)

Now that the ravages of winter have passed and spring is here, humans, animals, and fowl are filled with a joy to live.

Readers who are interested in dogs, cats, and birds are writing urgent letters to me asking about sprays, dusts, and fertilizers that are being used on lawns, trees and bushes. They want to know which ones can be used with safety as far as their pets are concerned.

First, let me warn you that fertilizers, insecticides, and pesticides, which are harmful to pets, also are harmful to humans.

One reader tells me her husband used lime on their lawn. She asks if it is safe to let her cat and dog walk on it.

No, it is not safe. Keep your pets indoors for at least 3 days after lime has been placed on lawns. If you must take them out, put them on a leash, and keep as far away from the limed area as you can. Don't let them walk on it or sniff it. If the lime hasn't been well worked into the soil by water or rain, it can be carried to the coats of pets by the wind.

We all know what fastidious groomers dogs, and especially cats, are. They lick and clean their feet and paws each time they come in from outdoors. When they know they have treaded on an unfamiliar substance, the bath ritual does not stop until every tiny particle is licked away. Thus they consume large amounts of inorganic chemicals, which result in sickness, and even death.

In the spring and summer, veterinarians have their hands full, treating cats and dogs who have become ill suddenly with diarrhea, chills, wobbly legs, and convulsions, as a direct result of the synthetic insecticides and pesticides that are used in sprays and dusts.

Thousands of cats and dogs die each year because of these man-made chemicals. Many owners are left grief stricken and bewildered. They do not know the source, or even suspect the culprit.

So, my advice to all owners of our furred friends is to keep them indoors while lawns are being fed with chemical fertilizers, and while trees and shrubbery are being sprayed. If they should come in contact with these villains, wash their feet and bodies off immediately before they have a chance to lick. Use only a mild soap containing no detergents. Give them as much milk to drink as you can. Keep a bottle of charcoal pellets on your pantry shelf for just such an emergency. Pry their mouths open and pop a few down their throats as quickly as possible. They are a good antidote for all types of toxic poisons. Bundle them up and keep them warm.

If your pet has gotten any spray or dust containing chlordane, which is widely used by unsuspecting home owners in treating lawns, get him to a veterinarian as soon as possible. It is highly toxic to both animals and humans.

All of the synthetic chemicals I have warned you about are just as deadly to all our little feathered friends.

Mr. RIBICOFF. Mrs. Goldsmith—an ardent Republican—has also come to the defense of our President and his method of handling his beagles. We should follow Mrs. Goldsmith's advice: Keep chemicals away from pets and pets out of politics. Sage advice from one of Connecticut's, and the Nation's, outstanding pet authorities.

I ask unanimous consent to include in the Record at this point an article from the Bridgeport Post for April 29.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Bridgeport Post, Apr. 29, 1964]

See President as Underdog—Dog Expert Rescues L.B.J. in Yowls Over His Beagles

(By Alma R. Lockwood)

Through the din of agonized yowls raised by dog lovers throughout the land since President Johnson picked up his beagles by the ears, an authoritative voice of a recognized and respected champion of all animals made itself heard today.

Mrs. Harold S. Goldsmith, of Westport, honorary president of the National Dog Welfare Guild, founder and president of the Weimaraner club, and a leader in pressing for protective and humane legislation for animals, has come to the rescue of the President—in this case, the underdog.

Mrs. Goldsmith reported today that she has received calls from humane societies in Florida, California, Illinois, and New York, and from breeders in all parts of Connecticut and Massachusetts—in fact, from as far away as Texas. All have expressed indignation at the President's manners with his beagles—"Him" and "Her"—and called upon Mrs. Goldsmith to make a statement condemning the President for his eerie behavior.

"I told them all that President Johnson loves dogs and would never do anything to hurt them," the Westport woman said. "I've known him since he was a U.S. Senator—he had a 'Him' and 'Her' beagle with him then, too; he kept them with him constantly—they flew with him back and forth on his trips to Texas. Even when he had the heart attack several years ago, he wanted the dogs around him."

BEAGLE OWNER MANY YEARS

Few persons realize, Mrs. Goldsmith declared, that the President has had beagles for at least 15 years—and breeds them on his ranch.

"He has read and studied a lot about dogs," she said. "He has had little coats made for his own to prevent their taking cold in climate changes when they travel with him, and he supervises their food—making sure it has the proper vitamins for good nutrition. And more important, he gives them love."

Why then did President Johnson seek to elevate the dogs by their ears, as appeared in a news photo?

"He was trying to get the beagles to stand up and speak," Mrs. Goldsmith explained. "Trainers do that all the time. At the first little squeak he would let go."

It is Mrs. Goldsmith's personal opinion that much of the hue and cry raised by the pack of Presidential pursuers is not exclusively humane in motivation.

SEES PARTISAN CHASE

Although she herself has been a candidate for office on the Republican ticket and was one of the leaders of the Nixon-for-President movement in Connecticut, she has earmarked the case as "largely partisan."

"Some people are trying to blow this incident way up and make a big thing of it," she commented. "The dogs were not disturbed by it—they looked quite happy—but of course, dogs are nonpartisan and have no built-in prejudices; that's another wonderful thing about them."

Mrs. Goldsmith, whose extraordinary service in behalf of animal welfare has brought her numerous honors and tributes from humane societies and pet food industries throughout the country, has served many years as chairman of National Dog Week. Her column, entitled "Pets and People" appears twice a week in the Bridgeport Post.

MILITARY DRAFT LAWS

Mr. KEATING. Mr. President, members of the press are performing an important service to the country by examining all sides of the current controversy over the military draft laws.

Many editors have pointed out that only a mixed civilian-military commission can turn out a definitive, long-range study of military manpower procurement with a view to effective reforms. This is the approach taken in S. 2432, which I am offering with 19 cosponsors, to create a 14-man commission.

Numerous papers have presented information and ideas on this wide-sweeping problem, a problem too deeply involved with our economic posture to be left to military experts alone.

I ask unanimous consent to have printed in the Record today's cogent and searching New York Times editorial on the draft studies, together with portions of an excellent series published by the Christian Science Monitor on this subject.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times, May 20, 1964]

The Draft Studies

Fluctuating draft calls, the high proportion of young men rejected for physical and mental reasons, and the impending increase in the size of the Nation's military age group all emphasize the importance of the draft studies recently announced by the Pentagon. Such studies are important—in fact essential—to any future revision of our draft laws. But, unfortunately, the current studies are not broad enough.

As Senator Keating and many others have pointed out, what is required is a long-term, comprehensive examination of procurement and personnel policies needed in the nuclear age to provide and to retain professional military forces of a requisite size over a long period of years. Present systems are inadequate; they are discriminatory and wasteful; and perhaps the draft, in the years ahead when our 18 year olds will increase so greatly in number, will be unnecessary.

No really comprehensive study of the draft has ever been made. What are its military effects; is it vital to maintenance of our security forces? What are its political and economic results? What has been its psychological result; have we become more militarized or more democratic? Many of our forefathers fled Europe to escape conscription; do we now tacitly accept it as part of the garrison state of the nuclear age? How does it affect the educational level of the Nation and our social structure? What are the possible alternatives to this system of compulsion?

What kinds of incentive are needed to encourage voluntary military professionalism, and, in turn, what kind of an impact would these incentives have upon our democratic structure? If 40 to 50 percent of our young men fail to qualify for military service, are the service standards unreasonably high, or is our national fitness dangerously low? What kind of remedial action should be taken to increase the fitness of the rejected?

These are obviously questions as broad as government; indeed, as broad as our society. The Pentagon's military studies are an essential base upon which to build. But if Congress and the Nation are to have a really thoroughgoing study of a problem which has affected every American family, a Presidential commission, or a committee made up of representatives from many branches of Government, from Congress, from education and from experts in civilian life should be established to commence now the compilation and analysis essential to informed action some years from now.

[From the Christian Science Monitor]

U.S. DILEMMA—WHAT ABOUT THE DRAFT?

(A five-part series on "The Future of the Draft" by Neal Stanford, Pentagon correspondent of the Christian Science Monitor, will start on May 13.)

(By Godfrey Sperling, Jr.)

NEW YORK.—Certainly one of those most responsible for the new Presidential interest in the draft law is Columbia's Dr. Eli Ginzberg, whose three-volume work on "The Ineffective Soldier" is a basic text on the whole subject.

Dr. Ginzberg—whose credentials include being a professor of economics in Columbia's Graduate School of Business, chairman of the National Manpower Advisory Committee, and a member of the President's group on domestic issues—highlights these opinions:

In looking at what could be done about the draft, it would be a big mistake, he says, to think of the Air Force, Navy, and Marine Corps as already being purely "voluntary," in terms of the way they get their personnel. He stresses the threat of the draft as being an important factor in the so-called "voluntary" process.

He feels that the machinery set up for the draft is ideal for providing the information needed for taking remedial action that would help the disadvantaged youth in the Nation. However, he emphasizes that he would not be in favor of continuing the draft for this purpose alone.

FAIR SYSTEM WANTED

Dr. Ginzberg feels deeply that, if the draft is to be continued, a more equitable system of choosing personnel should be arrived at—perhaps a national lottery. He sees no need for exemptions for those who go to college, or who marry.

Looking at the overall problem, Dr. Ginzberg said there are "several important things about the draft." First, he said, "is whether it will be needed, in light of the present and prospective size of the Armed Forces." Continuing:

"It is very hard to assess this question. There is no valid experience to go by * * * the number of people willing to volunteer for the draft depends on:

"1. The number of men reaching military age.

"2. The volume of employment opportunities.

"3. The size of the Armed Force's requirements for military personnel; they have some opportunity to turn some of the jobs over to civilians.

"4. The salary structure—premium pay and such matters.

"We have had the draft continuously since 1940—except for a short period in 1947 and 1948. So we have no experience about what would happen to a completely voluntary system."

DRAFT PRODS VOLUNTEERS

"It is ludicrous," said Dr. Ginzberg, "to talk about the Air Force, Navy, and Marine Corps as being purely 'voluntary' services—relying solely on volunteers. No knowledgeable person has any doubts that some proportion (in my own opinion not less than one-sixth and it might be as high as one-fourth or even higher) go into these services because of the threat of the draft.

"Now * * * unless these 'volunteer' services would reduce their demand for manpower by at least the foregoing one-sixth to one-fourth, they could encounter shortages if the draft were eliminated.

"As far as the Army is concerned, there would be a gaping hole in its requirements since it has been drafting about 10,000 persons a month.

"In addition, many Reserve units are getting the manpower they require as the result of the draft.

"What also is often overlooked is the fact that the armed services would probably encounter difficulty in getting adequate numbers of officers were it not for the draft.

"It is foolish therefore to say that one can easily get rid of the draft."

"What is true," said Dr. Ginzberg, "is that with the number of young men reaching draft age increasing very rapidly—about 30 percent this year and remaining at the higher level in the years to come—it provides a much larger pool of eligibles.

"The nub of the draft problem to begin with is that in the absence of a deterioration in international affairs, there will be many more eligibles than the Armed Forces will need to meet their needs.

"This then raises the question of equity in selection for the services—if we find that the armed services cannot get on without the draft." Continuing:

"In the past about 7 out of every 10 young men have some military service. Currently, because of lower needs and greater availability, possibly as few as 5 or 6 out of 10 will serve. And with the larger number of youngsters coming of age, under the present setup as few as 4 out of 10 will ever serve."

INEQUITIES NOTED

"I consider it intolerable—and I gather the President and Senators do, too—to look forward to a system of compulsory service, the impact of which is only felt by a minority.

"The situation gets worse when we realize that youngsters who are able to go to college and universities are able to be deferred, and if they marry, they continue to be deferred.

"The only reason I can discover why President Kennedy issued instructions to defer married men was to reduce the size of the pool of eligibles.

"I consider this to be a socially undesirable policy, since it contributes to early and irresponsible marriages. And further, it makes no sense to me why marriage should be the basis for deferment for military service under compulsory law.

"If the studies now underway [the Defense Department has asked Dr. Ginzberg to be a consultant on this study, which the President has requested] find the draft must be continued, it will be of paramount importance, in my opinion, to introduce a more equitable system of selection."

LOTTERY SUGGESTED

Here Dr. Ginzberg said he had no firm opinion on what course should be taken to get a more equitable system. He said he was listening for good suggestions.

"The only one I've been able to think up, to date," he said, "is a lottery which will determine the probability of service for all youngsters when they reach the age of 18, thereby making it a matter of course whether one will serve or not, rather than on such irrelevant grounds as ability of one's parents to provide for college, or one's desire to get married."

Continuing:

"I would have no occupational deferments, for two reasons.

"First, I think, under a lottery system, the armed services should be in a position to require that those people who are vulnerable to serve come in young—at age 18 or 19—which from the military point of view is the preferable age.

"Second, most of the skills that the armed services require are skills for which they must train men. There are a few special situations, such as physicians and certain other highly specialized skills for which a long education and preparation is required.

"I suggest that special financial arrangements in the form of education subsidies are needed to meet this requirement." Continuing:

"The widespread notion that the armed services represents a negative influence in the development of talent and competence is not self-evident. It is true that enlisted men have little scope for meaningful assignments, especially if they are in for short terms—2 years.

"On the other hand, young men who are willing to serve as officers for 3 years are frequently getting more valuable experience than they would get as junior executives in a large corporation.

"I see no reason to be distressed when young people take their chances [as in his lottery system] of serving in the military."

Of the possibility of draft changes, Dr. Ginzberg said: "I am encouraged by the fact that the President has begun to stir * * * that the President has acted * * * and that a group of Senators are increasingly vocal about the need for action. Once the elections are out of the way, I hope we will be on the way to a sensible national dialog."

HUMAN RESOURCES

Here Dr. Ginzberg said: "There is another aspect of the draft that has been recently recognized for the first time by a President—that it offers the possibility of contributing substantially to improvement of the Nation's human resources.

"The draft mechanism provides us with the best personal inventory that any country could ask for. We can learn about the education, health, and general adjustment of all 18-year-old men.

"When we find large numbers suffering from serious defects—mentally, physically, and morally—it would behoove a big, rich country like ours to do something about it through remedial actions.

"If the draft continued, I would contemplate, favorably, the induction of these people and undertaking remedial programs within the military situation, or at least a paramilitary situation."

[From the Christian Science Monitor]

HOW U.S. FINDS MILITARY MANPOWER

(By Neal Stanford)

WASHINGTON.—Practically every American male, 18 through 26 (who is not deferred and is physically and mentally fit) can expect to do military service.

It will come some time during those 8 years—sooner or later, depending on whether he waits for the draft.

What so drastically cuts down the size of the 9 million-man draft pool in this country is the size and number of those exempt and deferred—plus those who enlist.

MINIMUM STANDARDS

Roughly a third of the country's male population, ages 18–26, is judged unfit for peacetime service.

These men cannot meet the physical and mental tests given all entering the military services.

This suggests that, as Norman Paul, Assistant Secretary of Defense for Manpower, said not long ago:

"If the needs of the armed services were simply for aggregate numbers of men under arms, irrespective of trainability or skill, it is possible that we could procure the number of individuals needed in all services today without recourse to the draft. As a practical matter, certain minimum mental, physical, and moral standards of acceptability for military service have been essential at all times * * *."

Since 1951 all enlistees and all draftees are examined under the same physical standards and under a common mental test. Each service also uses its own specialized supplemental aptitude screening tests.

The physical standards are essentially the same as in World War II.

ABILITY TO ABSORB

The mental test (Armed Forces Qualification Test) is aimed at measuring a person's general ability to absorb military training within a reasonable period of time.

The minimum passing score for inductees, set by Congress in 1951, corresponded to about a fifth-grade level of education.

The Korean war, however, showed this level too low for the "higher qualitative requirements" of the services in modern warfare.

In 1958 Congress allowed a supplemental aptitude test. This disqualified the lowest 15 percent of the draft-liable population.

ONE-THIRD ELIMINATED

Still, about a third of inductees are drawn from group 4, or the lowest acceptable mental category.

Physical and mental standards, then, eliminate about one-third of all young men examined for service—volunteers as well as draftees.

Next came the deferables—married men, students, those engaged in an exempt occupation—generally something to do with defense, security.

Draft boards are sympathetic to the educational efforts of those eligible for selective service.

They invariably permit high school students to finish their schooling. They generally permit those that want to go to college to do so. They even allow most of those wanting to work for a master's degree to work for it.

HESITANT ON PH. D.'S

But they are hesitant to allow work for a Ph. D. It is argued that a young man, by stretching out his education that far and getting regular deferments could reach 26 before finishing his schooling—and avoid (or evade) the draft.

High school students, however, are deferred not just because selective service is sympathetic to education in general, but because in practice 18- and 19-year-olds, even 20-year-olds are not called up, as older men are taken.

Fathers have been deferred all along.

Last September, the late President Kennedy deferred married men without children.

This was done primarily to cut back the size of the draft pool that was growing much faster at the bottom than it was being siphoned off at the top.

NO RUSH INTO MARRIAGE

His ruling did not, though, as some thought it would, create a rush to the marriage bureaus.

Before Mr. Kennedy's ruling, 3 out of 10 in the draft pool were married.

Now it is only about 33 out of 100.

However, the elimination of married men has lowered the average age of draftees by 1 full year—from about 23 to 22.

The explanation is the way the draft boards pick men to be inducted.

The first group called are the so-called draft delinquents.

They are not juvenile delinquents—but those who in some way or other have tried to skip the draft, avoid the call—gone AWOL, and so on.

They catch these boys first. It is a small group.

NEXT THE 26-YEAR-OLDS

Then they take those not exempt or deferred by age order, starting with the 26-year-olds who have not yet done their military service.

They want to be sure that, except for those exempt or deferred, everyone does his time in the service.

When all 26-year-olds are taken, then the 25-year-olds, and so on down the age list.

[From the Christian Science Monitor]

LEGISLATORS RESTUDY DRAFT

(By Neal Stanford)

WASHINGTON.—What's wrong with the draft—or UMT as the Universal Military Training Act is known?

Senator RICHARD B. RUSSELL, Democrat, of Georgia, has called it unfair.

Representative THOMAS B. CURTIS, Republican, of Missouri, says it is "neither universal, military, nor training."

More and more Congressmen are asking for changes in the law, or for doing away with it altogether.

Senator KENNETH B. KEATING, Republican, of New York, has asked for a Presidential commission to study defects in the law and recommend changes.

Mr. CURTIS has a bill before Congress to set up a joint congressional committee to study possible substitutes.

CONSIDERATION ORDERED

President Johnson has ordered Secretary of Defense Robert S. McNamara to consider alternatives to the present selective service system.

There seems to be a widespread feeling that there's something wrong with the draft.

What is it?

Here are the major criticisms floating around the Capital:

1. The draft should be, as it was before Pearl Harbor, only used in wartime—there is something un-American about it in peacetime;
2. The only thing universal about it is that everybody has to register; exemptions and deferments make a mockery of universality;
3. It is really a program to spur men to enlist for 4 years, rather than wait to be drafted for 2;
4. It makes a "hardship" case out of marriage, by linking it in deferment with parenthood, which can really be a "hardship";
5. It doesn't provide the increased demands under modern warfare for qualified technicians;
6. It keeps the 18- or 19-year-old in suspense as to his military prospects, making it difficult for him to get a job or go on with his schooling;
7. It discriminates in favor of the rich boy, encouraging him to continue his education and possibly evade military service;
8. Its system of screening and placements is haphazard and inadequate, wasting a lot of manpower;
9. Its physical and mental standards are obviously inadequate when a man like Cassius Clay is turned down;
10. It is providing such an ever-increasing draft pool that escaping the draft will become easier and easier.

While the peacetime draft is something new in American life, most Americans seem to have accepted it as a necessity. The contention of the military, that they needed it to get the men required, has so far persuaded, if not pleased, the Congress.

It is true that universal military training is far from universal. A third of the men in the draft pool are ruled out for physical or mental defects. Possibly 40 percent avoid it by enlisting. Another 10 percent or so are deferred because married or having dependents.

VOLUNTEERS SOUGHT

Another 10 percent stay out to continue their education or because of specialized talents. It is universal, then, for less than 10 percent—after exemptions, deferments, and enlistment.

It does spur enlistments, which is what the services want. They want volunteers as opposed to forced-duty inductees. They prefer young men, around 18 and 19—who make up most of the volunteers—to older 25- and 26-year-olds more set in their ways—who make up most of the draftees. And they want men for 4 years (3 for the Army) rather than just 2.

TECHNICIANS REQUIRED

The decision to defer married men, as well as fathers, has caused some young men to rush into marriage to avoid the draft, but not as many as expected. Still the possibility of using marriage to avoid the draft disturbs a lot of Congressmen.

The draft does not consider the dramatic shift in military manpower needs since Korea—particularly for electronics specialists. Actually, today the enlisted force requires more electronics technicians than infantrymen, more aircraft mechanics than cooks and drivers. This change in the required force structure of the services, plus the revolutionary changes in military technology have occurred, but with no change in the basic draft system.

While the deferment for education is approved by Congress, Congressmen are disturbed lest college, and particularly master of arts and doctor of philosophy work, be used to avoid the draft. Deferment has been left to the judgment of local draft boards, but there is considerable variation in the way the rule is applied. Obviously, deferment for schooling favors those who can afford it.

COMMENTS DRAWN

The case of Cassius Clay (the heavyweight boxer who lifted the boxing crown from Sonny Liston but who could not pass the Army's mental tests) has caused a lot of talk and some resentment. But, surprisingly enough, less than a dozen people have written to either President Johnson or Mr. McNamara criticizing his exemption from the draft.

He is said to have an intelligence quotient of about 78, below a fifth-grade educational level.

It is practically certain that Mr. Clay did not fake his low mental rating. The best psychologists the Army had saw to that. Actually Mr. Clay, "the greatest," would have made a marginal soldier at best. Most of the cries against his deferment came from the press, not the public.

A real danger to the draft system comes from the startling expansion of the draft pool. The military need stays constant, but the size of the pool increases each year.

Deferment of married men was a quick way of reducing the pool.

When it gets too big the possibility of escaping it obviously increases.

[From the Christian Science Monitor]

MANPOWER APPRAISAL—PENTAGON STUDIES DRAFT ALTERNATIVES

(By Neal Stanford)

WASHINGTON.—Is there an alternative to the draft?

Secretary of Defense Robert S. McNamara (under orders from President Johnson) is to consider alternatives, including the possibility of meeting requirements on an entirely voluntary basis in the next decade.

He has a year in which to come up with a report.

Put another way, the President has asked: Can the draft be done away with; and, if not, how can it be improved?

It could obviously be done away with under some circumstances.

Assistant Secretary of Defense (manpower) Norman Paul has said that if a third of the available manpower were not exempt for physical and mental reasons, the services could possibly recruit the numbers needed—but skill and trainability would be sacrificed.

Also, a draft probably would not be needed if the manpower needs of the services were cut enough. That would mean cutting forces from their present 2.7 million to well under 2 million.

LAPSE RECALLED

It is recalled that when the Draft Act was allowed to expire in 1947 for some 15 months, the number of men in uniform fell to 1.4 million, and a new draft law had to be passed to get the needed manpower. All the service chiefs have made it clear they think the draft is essential to keep the force levels at the present 2.7 million figure.

It is also possible that manpower needs of the services could be met were there a severe depression. With men out of work, and no prospect of a job for these 18- to 26-year-olds, it is obvious many would volunteer. But a depression is a heavy price to pay for eliminating the draft.

Another possibility would be to extend the service age limits both ways—take younger and older men than the 18–26 bracket. But that would not assure the caliber of enlistees desired. In fact, it might endanger it, and it would increase the number of "escapees."

ANOTHER WAY

Another possible way to get volunteers, rather than draftees, would be to extend the draft service to 4 years, making it equal to the time for enlistments in the Air Force and Navy.

If young men know that they would have to serve 4 years one way or the other, many probably would enlist rather than wait for the draft and pick their own service.

But if it is a case of a 4-year stretch as an enlistee against a 2-year stretch as a draftee, the time difference has its attraction.

Still another way to do away with the draft would be to make enlistments so attractive that volunteers would fill all the services, not just the Air Force, Navy, and Marines.

This could be done several ways, disregarding expense, of course.

The most obvious would be by a big pay boost.

RATE UNKNOWN

Mr. Paul of the Pentagon, however, has this to say about that approach: "It is sometimes contended that the draft could be eliminated if military pay rates were raised sufficiently. There may be some theoretical rate of pay sufficient to attract the required manpower—in total numbers—into the Army and the other services."

But, he continues, "we do not know—and have no accurate way of estimating—just how high that rate would have to be."

He points out that Congress has just approved the largest single military pay raise in history, about $1.2 billion. But it has not eliminated the need for the draft.

It is obvious that the additional compensation required (with manpower needs being where they are, and the economic picture being as promising as it is) would have to be high indeed. And it would have to be extra high to get the higher-quality personnel that is increasingly needed.

PROPORTION LOWER

Incidentally, foreign military-manpower systems do not seem to have found an effective alternative to some form of draft. The only two NATO countries currently not using some compulsory service system are the United Kingdom and Canada.

In both the proportion of men required for military service is far smaller than in the United States; and in Britain even with reduced strengths, there is trouble recruiting, especially for specialized personnel.

But there are other ways than direct pay increases to make enlistments more attractive, but not necessarily attractive enough to make the draft unnecessary.

The so-called fringe benefits of military service could be increased and enhanced.

Commissaries and PX's are a definite attraction, though the present trend is to close down some of these rather than increase their number and business.

Hobby shops and recreational facilities could be used more as enlistment inducements.

The retirement system and life-insurance payments could be made more attractive.

The military could do more in the way of education of its personnel.

Already the Pentagon has taken steps to encourage reenlistments—if not enlistments—in the most technical specialties. It has increased the rates of differential "proficiency" pay to specialists in the most technical-shortage skills to as much as $100 per month above the basic rates in other specialties.

Also there are more than 50 different programs under which young men can volunteer either in the Regular forces of the Reserve components for enlisted or officer service.

Figures show that about two-thirds of new enlisted personnel, after completing basic training, are assigned to specialist schools for courses ranging in length from 2 months to a year or more.

BIGGEST U.S. SCHOOL

Each year more than 2,000 different courses are offered in service schools and training centers. More than 370,000 personnel completed courses in these schools last year. The total cost of operating these schools and training centers is over $1 billion a year.

(This figure does not include pilot training, professional education, and the service academies.) This makes the Military Establishments, actually, the country's largest single training institution.

Education is certainly one way to make military service, and enlistment, more attractive. But despite the fact that it is being done already on a sizable scale, this has not been enough to make a draft unnecessary.

One substitute for the draft that has been seriously suggested and has some support is a national lottery. Selective Service Director Lt. Gen. Lewis B. Hershey is against it. It would substitute in some form or other the luck of the draw for present deferments, enlistments, and draft by age.

One proposal would have it be by birth dates, all those born on a certain date being drafted.

To sum it up:

Secretary McNamara has a year in which to come up with some alternatives, or substitutes, for the draft, and the military services are definitely skeptical.

General Hershey put it succinctly just the other day: "Not until there is a considerable change in the international climate can the United States end the draft."

SUPREME COURT NATIONALITY RULING

Mr. KEATING. Mr. President, Monday's Supreme Court decision declaring it unconstitutional to strip citizenship from naturalized Americans is a milestone of progress for the cause of human rights.

It is yet another proclamation in keeping with the fundamental command of the Constitution that there must not be any "second-class citizens" in our land.

Thousands upon thousands of naturalized Americans, who have chosen or are forced to live overseas for family, business, or other perfectly legitimate reasons, have cause to hail the Court's ruling as their Magna Carta.

But perhaps even more important, most of us are descendants of men and women who were not Americans at birth. The statute which the Court struck down stood as a symbolic badge of inferior status for all naturalized Americans, past and present, based on the fact of their ancestry alone. The time for removing this unconscionable blot from the nationality laws was long overdue, and if the Supreme Court had not decided the way it did, I would have continued to press for repeal of the statute as in previous bills that I have sponsored. I am happy that this will no longer be necessary.

There are still areas in our national life, however, in which discrimination based on national origin remains. Congress will, I hope, soon complement the Court's ruling of Monday with passage of the civil rights bill, which would go a long way toward annulling the stubborn vestiges of national origins discrimination. I am confident that we are finally approaching realization of the long dreamed-of goal of equal rights of citizenship for all Americans.

CIVIL RIGHTS RESOLUTION OF THE COUNCIL OF THE CITY OF BINGHAMTON

Mr. KEATING. Mr. President, the City Council of the City of Binghamton, N.Y., at a regular meeting held May 4, 1964, approved a resolution calling on the Congress to enact the pending civil rights bill without further delay.

Mr. President, I ask unanimous consent to have the resolution printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

PERMANENT RESOLUTION 13

Resolution urging the passage of the civil rights bill by the Congress of the United States

Whereas there is before the Congress of the United States a civil rights bill which guarantees the rights of all citizens regardless of race, color, creed, or place of birth; and

Whereas the Council of the City of Binghamton urges the Congress of the United States to enact the civil rights bill without further delay: Now, therefore, be it

Resolved, That the Council of the City of Binghamton hereby requests that the Congress of the United States enact the civil rights bill now pending before the Congress; and be it further

Resolved, That the clerk of the city of Binghamton forward a copy of this resolution to Senator KENNETH B. KEATING, Senator JACOB K. JAVITS, and Representative HOWARD W. ROBISON.

Attest:

WALTER O. IRVING,
City Clerk.

SOLVING THE PROBLEM OF THE SHORTAGE OF PROTEIN

Mr. LAUSCHE. Mr. President, in 1959, Dr. Williams D. Gray, professor of botany and plant pathology at Ohio State University, made a trip to Africa. Traveling through that continent, he observed in the inhabitants a devastating lack of protein as an essential food element. He found them subsisting on diets of corn, cassava, rice, and other foods rich in sugar and starches but low in urgently needed proteins.

After that 1959 trip to Africa, he returned to Ohio State University and began his research contemplating the conversion of carbohydrates and other materials into protein.

Dr. Gray has discovered a process whereby he will be able to convert wood pulp into protein.

The Toledo Blade, in its May 13 issue, published an article dealing with Dr. Gray's research on this subject. If the research work proves successful and Dr. Gray will be able to convert wood pulp, sugarbeets, and molasses into protein, a great step forward will be taken toward solving the food problems of many areas of the world.

Mr. President, I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DREAM COMING TRUE—OSU PILOT PLANT TURNING CARBOHYDRATE TO PROTEIN—RESEARCHER USES FUNGI IN PROCESS AIMED AT WIPING OUT MALNUTRITION

(By Ray Bruner)

Dr. William D. Gray's ambition, to help solve one of the world's major problems—a shortage of protein with the consequent and widespread protein malnutrition—was well on its way toward fulfillment today.

On the ground floor of the botany building at Ohio State University, in Columbus, where he had worked out his process for making proteins from carbohydrates ranging from beet sugar molasses to wood, his new 60-gallon pilot plant has turned out its first batch.

Dr. Gray also has just completed negotiations with the firm of William Stewart & Arnold of High Wycombe, England, to manufacture protein from starch waste on a large industrial scale.

He is planning to leave June 1 for a series of lectures on his process in India, where interest appears to be the greatest because of food shortages.

In the interest of the potentialities of using the process on a large scale for making protein from sugarbeets and sugarbeet pulp, Dr. Gray this week received a shipment of beet pulp from the Northern Ohio Sugar Co. in Fremont.

At the forest products division of the Owens-Illinois Glass Co. in Toledo a batch of wood pulp is being prepared for shipment so he can try out this material, also a source of protein.

He is negotiating with the potato processing industry in Idaho for a shipment of potato waste, for the same purpose.

SAMPLES TO BE SENT

After his return from India in August he plans to send out samples of his finished product to be tried as a source of rich protein food for human consumption and as a protein feed supplement for poultry and livestock.

Not only has Dr. Gray's process attracted interest in northwestern Ohio as a possible basis for a new industry for the use of sugarbeets and beet byproducts as a raw material, but officials of the Maumee Chemical Co. here have been interested in taking advantage of it as a source of amino acids, which are components of proteins important in nutrition.

Dr. Gray, as a professor of botany and plant pathology at Ohio State, originally became interested in finding a way to produce protein on a large scale from carbohydrate sources during a trip to Africa in 1959.

Traveling through Africa he observed the devastating lack of protein as an essential food element.

DIRE NEED FOUND

He found the inhabitants subsisting on diets of corn, cassava, rice, and other foods rich in sugars and starches but low in urgently needed proteins. Men, women, and children had to consume large quantities of the starchy food to get enough protein to build up their bodies and to maintain their vitality. Many were lean and emaciated. Children, suffering from protein malnutrition after weaning, died of kwashiorkor—a devastating deficiency disease which is highly prevalent in many of the world's underdeveloped and heavily populated countries.

Being a plant pathologist, he was well acquainted with the fungi in a great many different forms. Fungi in molds, mushrooms, and other forms subsist in large quantities on plant materials rich in carbohydrates.

Could not some of these fungi be cultured on carbohydrates and be sources of food proteins? One classification of fungi seemed to have the most promise. They are called fungi imperfecti.

So when he returned to Ohio State he started to work. He used his own sources of supply of fungi imperfecti, which number in the thousands, and obtained others from mycologists from various parts of the country.

He cultured his fungi in laboratory jars, in a great variety of culture media—containing carbohydrates. Some of his media even included wood. From Sanford G. Price, chairman of the board of the Gibsonburg Lime Product Co., Gibsonburg, Ohio, he was sent a quantity of sugarbeets. He found these one of the best sources of raw material. One reason was that they contain nitrogen which is essential for maintaining the cultures.

Dr. Gray found he was able to exchange 6 pounds of carbohydrate, such as blackstrap molasses, beet molasses, whole sugarbeets, or cassava flour for 1 pound of protein. In aerated cultures the process of producing protein was complete in about 30 hours.

PETROLEUM TRIED

He has even tried out petroleum as a source of protein—a process which is now under development in France. This, also was found to be successful.

Early this year, he was able to enlarge his activity. The Brunswick Scientific Co., New Brunswick, N.J., sent him equipment necessary to try his process on a pilot plant scale—a 60-gallon stainless steel vat and other equipment—which Dr. Gray and his associates put to work in the botany building.

Dr. Gray had his various protein products analyzed. They were found to contain all the known amino acids, and all essential amino acids for human and animal nutrition. He fed his proteins to rats, mice, and the Asiatic quail. All three types of animals thrived on it.

His pilot plant now will provide him with large enough quantities of protein for the trial feeding of cattle, hogs, chickens, and other domesticated animals.

LARGELY TASTELESS

His proteins are largely tasteless. This, however, is not a major concern in their use for human consumption, in view of the many different food flavoring compounds that are currently available.

Some of the products are richer in protein than dried chipped beef.

Dr. Gray sees no reason why the products could not be manufactured in vats with a capacity as large as 25,000 gallons, on a full-industrial scale. The equipment needed is already in use in a variety of industries. Furthermore the problem of culturing fungi on a massive scale already has been solved in the antibiotic and fermentation industries.

If the pilot plant production proves successful, the principal requirement will be funds to finance industrial production. So far, Dr. Gray's work has been made possible by grants from the university's Mershon Committee for Education in National Security and the Rockefeller Foundation.

FORTHCOMING NEGOTIATIONS WITH RUMANIA

Mr. LAUSCHE. Mr. President, a telegram has been sent to the Honorable W. Averell Harriman, by representatives of the Conference of Americans of Central-Eastern European Descent, pleading with Mr. Harriman that in the negotiations which are now taking place with the Government of Rumania the commitments and pledges which our Government made with Stalin, Churchill, and Roosevelt, when they met on the *Augusta* in the Atlantic in 1941, promising to the peoples of the world that in the establishment of governments the right of open and free public elections would be maintained, be not forgotten.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senator from Ohio be recognized for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. In this telegram, Mr. Harriman is requested, while making concessions to Rumania, to attach conditions that would achieve the following aims:

First, to free all political prisoners, disband all forced labor camps, and suppress forced residence.

Second, to authorize the International Red Cross to check on compliance with such obligations.

Third, to restore the political, civil, professional, and residential rights of all actual and released political prisoners.

Fourth, to reestablish the full exercise of religious freedom, permit forcibly suppressed churches and religious bodies to resume their activity, and release all churchmen, nuns, or laymen detained in violation of article 3 of the peace treaty.

Fifth, to reorganize the administration of justice, to bring it into accord with Rumania's international obligations, and repeal all legislation and administrative measures conflicting with articles 3 to 11 of the Universal Declaration of Human Rights.

Sixth, to permit Rumanian relatives of American citizens and residents to bring their families to the United States.

Mr. President, I ask unanimous consent to have the complete text of the telegram printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

MAY 13, 1964.

Hon. W. AVERELL HARRIMAN,
Under Secretary of State,
Department of State,
Washington, D.C.:

The Conference of Americans of Central and Eastern European Descent, speaking in the name of 15 million loyal American citizens tied to the captive nations by links of family and sentiment, respectfully appeals to you, Mr. Secretary, to uphold in the forthcoming negotiations with representatives of the Romanian People's Republic the right of the Romanian people to self-determination, that is full independence and free choice of government. The conference trusts in particular that our government will avail itself of the leverage the economic difficulties of the Bucharest regime afford to it, in order to ask, in return for whatever economic or other advantages the United States may attend, for compliance with article 3 of the peace treaty with Romania which said regime continues to disregard and flout. Specifically we urge you to ask that as a token of faith and as evidence of the sincerity of the claim that it is now following an independent course, the Communist regime in Romania should:

1. Free all political prisoners, disband all forced labor camps and suppress forced residence;
2. Authorize the International Red Cross to check on compliance with the above obligations;
3. Restore the political, civil, professional and residential rights of all actual and released political prisoners;
4. Reestablish the full exercise of religious freedom, permit to forcibly suppressed churches and religious bodies to resume their activity and release all churchmen, nuns or laymen detained in violation of article 3 of the peace treaty;
5. Reorganize the administration of justice to bring it in accord with Romania's international obligations, and repeal all legislation and administrative measures conflicting with Articles 3 to 11 of the Universal Declaration of Human Rights;
6. Permit Romanian relatives of American citizens and residents to bring their families to the United States.

These are in our view minimal demands the United States has the right and legal obligation to put forward. We trust that the delegation you will be heading will do so.

Respectfully,
MSGR. JOHN BALKUNAS,
Chairman.
PAMFIL RIPOSANU,
Chairman, Political Committee.

THE MARYLAND PRIMARY ELECTION AND ITS EFFECT ON CIVIL RIGHTS

Mr. JAVITS. Mr. President, I wish to make a few observations regarding the Maryland vote yesterday, which is so important because of its effect on the debate on civil rights on the floor of the Senate.

First, on the Republican side, it is gratifying to note the easy victory of the Senator from Maryland [Mr. BEALL], as well as Representative MATHIAS' impressive victory, in both cases against candidates opposed to the civil rights bill. I believe it is generally encouraging to us. On the other hand, there is no gainsaying the fact that Governor Wallace's showing was somewhat larger than had been expected. It is gratifying that a decisive majority—because this was really a vote on civil rights—was for civil rights, even in a border State. We owe a debt of gratitude to the Senator from Maryland [Mr. BREWSTER] and others who led the fight. This was a bipartisan fight, with Republicans such as Mayor McKeldin of Baltimore urging Democratic voters to oppose Governor Wallace.

Mr. President, the Maryland election results teach us one lesson, and that is that we cannot rely upon the fact that the facts will be known to the voting public. There were some outstanding misrepresentations made in the Wallace campaign.

For example, Mr. Wallace is quoted as having said:

> An employer can lose his right to hire whomever he might choose—the power being vested in a Federal inspector who, under an allegation of racial imbalance or religious imbalance, can establish a quota system whereby a certain percentage of a certain ethnic group must be employed as supervisors, skilled, and common labor.

The fact is that the bill is enforceable only in the courts and in no respect imposes a quota system or racial imbalance standard.

Another thing that people were put in fear about was seniority in trade unions. Governor Wallace said that union seniority systems would be abrogated and that white men's jobs would be taken and turned over to Negroes. That is untrue. The only thing that the bill will do—and the administration of existing State laws has confirmed it—is deal with outright cases of discrimination.

The same kind of misrepresentations were made in the case of housing, Federal aid to education, jury trials, et cetera. I think these errors should be put at rest by the highest source. Let us remember that this is a presidential primary, and I think it is up to the President to use the resources of his office to talk to the American people, not in generalized terms, but in the clearest specifics. I think it is time that the President make it clear to the American people as to what is in the bill and what is not in the bill.

The Presidency is a powerful podium from which convincing information may be conveyed to the American people. No one knows whether 43 percent of the Democrats in Maryland would have voted for Governor Wallace, no matter what anyone said. But I think that the facts should have been and ought to be spelled out from the highest source—the Presidency itself. I think that all the misinformation and myths ought to be corrected.

I believe that the President owes it to himself, to the country, and to those who are against segregation and discrimination to do this. I do not think that the segregationist forces ought to have the benefit of misrepresentations, which could be, and, which should be, disputed by the President himself when the issue involves a primary campaign for the Presidency.

I ask unanimous consent that I may submit as part of my remarks a fine analysis on this point, made by the Washington Post under date of May 17, 1964, citing the actual representations of Governor Wallace.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RIGHTS BILL FACTS VERSUS WALLACE VIEWS—MANY OF ALABAMA'S CRITICISMS ARE IDENTICAL TO THOSE OF OTHER FOES OF MEASURE

(By James E. Clayton and Robert E. L. Baker)

Throughout his current campaign in Maryland, Alabama Governor George C. Wallace has spoken again and again about the civil rights bill now before the U.S. Senate.

Many of his comments are identical to those of other opponents of the legislation. Following is a comparison of some Wallace statements with the provisions of the bill:

PUBLIC ACCOMMODATION

Wallace: "There is virtually no aspect of business life which will not be affected by the public accommodations section of this bill. If you are engaged in any profession where you offer your personal services, you cannot refuse to serve anyone without fear of violating this act. If an establishment offers goods and services for sale, hire or use and is open to the public, then it is subject to Federal regulation."

Fact: Many businesses will not be affected by this section of the bill. The bill does bar discrimination by hotels, motels, boarding houses, restaurants and other eating places, gasoline stations, movie houses and other places of amusement. It applies to other businesses only if they are located physically on the premises of one of these or closely connected to it.

Wallace: "Under the provisions of this section of the act, the lawyer, doctor, beautician, or barber, plumber, public secretary-stenographer would no longer be free to choose their clientele."

Fact: The bill does not apply to lawyers, doctors, barbers, plumbers, beauticians, public secretaries, and so on unless their offices are located in, and they primarily serve, customers of a hotel, motel, restaurant, amusement place or gasoline station.

Wallace: "Fraternal and social organizations, churches, religious organizations, the Masonic lodge, the Knights of Columbus and all similar organizations could be subjected to Federal control."

Fact: The bill says that the public accommodations section does not apply to a bona fide private club or other establishment not open to the public except when its facilities are made available to guests in hotels and motels, customers of gasoline stations, restaurants or lunch counters, or spectators and participants at amusement places. It is this exception that Wallace calls a "sleeper designed to destroy the privacy of private clubs." The legislative history of the act makes clear that this exemption is intended to mean, for example, that a private golf course is free to discriminate except that if it lets white guests of a hotel use the course it must also let Negro guests of that hotel play.

Wallace: "There is a common belief that the public accommodations section is only applicable to interstate commerce. This is absolutely untrue. Any person, firm or corporation who pays a business license to a State or other governmental body can be included."

Fact: Wallace is apparently talking about a proposal made and rejected almost a year ago. This section of the bill applies to the businesses listed above if they are in interstate commerce. It also applies if these businesses discriminate because they are required to do so by State or local laws or by the activities of State or local officials.

Wallace: "The classic example is the neighborhood boarding house. * * * The business is usually in the owner's home. Under the provisions of the bill we discuss, any and all transients would have the unqualified right to invade the owners' home and obtain lodging."

Fact: A neighborhood boarding house is exempt from the act if it has less than six rooms and is in the proprietor's home. Even in boarding houses that are covered by act, there is no unqualified right to lodging. The proprietor is barred from rejecting a guest because of his race or religion but he is not barred, for example, from rejecting a guest because he is drunk or because he has children.

FAIR EMPLOYMENT

Wallace: "An employer can lose his right to hire whomever he might choose—this power being vested in a Federal inspector who, under an allegation of racial imbalance or religious imbalance, can establish a quota system whereby a certain percentage of a certain ethnic group must be employed as supervisors, skilled and common labor."

Fact: The employer does lose his right to hire only whites or only Negroes because the bill bars discrimination in hiring because of race, sex, or religion. The power of hiring, however, is not vested in a Federal official. If an employer discriminates, a Federal court can order him to stop it and punish him if he continues. The bill neither establishes nor permits a quota system. It bars an employer from hiring a man because he is a Negro in exactly the same way it bars him from refusing to hire a man because he is a Negro.

In its first year, the bill would apply only to firms with 100 or more employees. After 3 years, it would apply to all firms with more than 25 employees. It would never apply to smaller firms.

Wallace: "An old and qualified employee must be fired * * * although his personal abilities are valued and his services constitute a major portion of the goodwill of his employer * * * Union seniority systems will be abrogated under the unlimited power granted to Federal inspectors to regulate hiring, firing, promoting, and demoting."

Fact: The bill makes it illegal to hire, fire, promote, or demote on grounds of race, religion, or sex. The bill does not require an employer to fire anyone. Union seniority would not be affected but unions would be barred from denying membership on racial or religious grounds.

Wallace: "It will take white men's jobs and turn them over to Negroes."

Fact: The Justice Department says the bill would make it just as illegal to fire whites in order to hire Negroes as it would to fire Negroes in order to hire whites. The bill would not require an employer to create jobs for Negroes but it would bar him from refusing to hire qualified Negroes solely because of their race.

Wallace: The Federal Government would preempt the field and this act would wipe out State fair employment acts.

Fact: The bill specifically says it does not preempt the field. It would wipe out State laws only if they conflicted with it or were ineffective.

EDUCATION

Wallace: "The U.S. Commissioner of Education would be empowered to enter a school and transfer children from one school to another to accomplish either racial or religious balance. In other words, your child could be transferred across town in order to meet the Government's requirement that a Protestant child be admitted for the sake of assuring that there are exactly the same number of Protestants, Catholics, and Jewish children enrolled."

Fact: The Commissioner of Education would have no such power. The bill specifically bars Federal agencies from activities encouraging the assignment of students to public schools in order to overcome racial imbalance." Wallace gets around this clause by arguing that other sections of the bill bar schools from discriminating. But a leading court decision says that assigning students by race to end imbalance is just as unconstitutional as assigning students by race to maintain segregation.

HOUSING

Wallace: "Through a blackmail process of threatening the homeowner with cancellation of his loan, Federal agencies can destroy the homogeneous neighborhood and dictate who you shall sell your real estate to, who you shall rent a room to, who will be your lease tenant."

"It is a back-door, open-occupancy bill."

Fact: Housing loans are specifically not covered by the bill. Apparently, Wallace is referring to the President's housing order of last fall.

That order bars banks and developers that receive Federal guarantees on housing loans from discriminating against customers on racial grounds.

Nothing in the order stops an individual from selling his house to any other individual.

VOTING

Wallace: "Under this act, the Attorney General of the United States could control an entire important voting area by making general allegations of discrimination without accompanying proof of truth."

Fact: The bill gives the Attorney General no new power over voting except to allow him to ask that three Federal judges rather than one judge hear voting cases. What Wallace is apparently talking about is a proposal made and rejected last fall.

Wallace: "All State laws defining voter qualifications will be immediately modified."

Fact: The bill would modify requirements for voting in Federal elections, not State elections, in some States. It bars a State from applying different standards to Negro and white registrants. It bars States from using minor errors as grounds for rejecting would-be voters. It says that if a State uses a literacy test, anyone with a sixth grade education is presumed to be literate. In States where voting qualifications are applied evenly to all persons, the bill would have little, if any, effect.

FEDERAL AID

Wallace: "Through the heavy hand of Federal financing, the farmer, the realtor, the industrialist, the developer, and all other facets of the free enterprise system will be regulated to a degree that it will almost necessitate an OK from Washington before any action at all is taken."

Fact: The bill affects the farmer, realtor, industrialist, and developer in two ways. If he employs more than 25 persons, he would be barred from discriminating in hiring, firing, promoting, etc. If he receives financial aid from the Federal Government, he would be barred from discriminating in any way.

JURY TRIALS

Wallace: "This legislation, in conjunction with statutes previously enacted, provides punishment for violations which may include not only fines, but imprisonment of citizens and local officials, without trial by jury. I state unequivocally that the jury system is on the verge of destruction."

Fact: As it now stands, the bill permits Federal judges summarily to try, convict, and sentence those who refuse to obey court orders. Except as Congress has specifically provided, there has never been a right to a trial by jury in such contempt of court cases. Most States, including Alabama, do not authorize jury trials in contempt cases.

Mr. RUSSELL. Mr. President, at the outset, I wish to make it perfectly clear that nothing that I shall say is intended to reflect in the slightest degree upon the Senator from Maryland [Mr. BREWSTER], whom I hold in high esteem.

The Senator from New York [Mr. JAVITS] has just indicated an opinion that the so-called civil rights legislation was the issue involved in the presidential primary in Maryland yesterday. With that statement I am in hearty accord.

Before discussing the primary, let me reiterate what I said a few days ago. I have not participated in any way with Governor Wallace's campaign and have had no contact with him in any way during the time the pending bill has been under discussion. He has not asked my advice or assistance in regard to any of the primaries he has entered.

There is no doubt in my mind that the voting in the Democratic primary yesterday in Maryland discloses a steadily increasing ground swell of apprehension among the people of this country over this deceitfully titled legislation. They are becoming increasingly concerned as they learn more about the bill and have a better understanding as to its impact upon our great system of government and the threat that it poses to the individual liberties and property rights they expect their children to inherit.

No man ever entered any political campaign under greater handicaps than Governor Wallace carried into the Maryland contest. He was subjected to violent personal attacks, branding him as a bigot totally lacking in character. The State of Alabama whence he comes was depicted as the most backward of States with sadistic officials employing brutal means of mistreating its Negro citizens. Even the U.S. Information Agency, supported by tax moneys, on one occasion sent around the world pictures of police dogs being used to quell demonstrations in Birmingham. Indeed, that seems to be an honor reserved for "Bull" Connor's dogs. Since Birmingham, I have seen numerous pictures in the papers where dogs were being similarly employed by other police departments in New York, Boston, and other centers of culture. They depict occurrences very similar to those happening in Birmingham. For some reason, they are not so attractive to the officials of USIA.

In the course of his campaign, Governor Wallace was picketed and lampooned at almost every appearance that he made. Men of the cloth picketed his meetings carrying highly critical signs.

On my way to the Senate Chamber this morning, a young man handed me the cartoon I hold in my hand, depicting Governor Wallace and his supporters and associates as the vilest sort of animals. He told me that this cartoon and a number of others portraying the Governor as a monster in human form were distributed among the crowd present at the meeting by a group of ministers.

Governor Wallace's opponent in the primary is probably the most popular political personality in Maryland today. The distinguished Senator from Maryland [Mr. BREWSTER] enjoys a splendid reputation, and his popularity is completely justified.

Senator BREWSTER was supported by both the National and State political organizations and every well-known public figure in his State whether Republican or Democrat. The Baltimore Sun, the largest daily in the State, and the Washington papers having a wide circulation in Maryland were active in the fight against Governor Wallace.

I have always understood that in party registration in Maryland that the Democratic registration greatly outnumbers the Republican, even though the Republicans often win with Democratic votes. Nearly every prominent Republican in the State, including former Governor McKeldin, endorsed and supported our distinguished colleague, Senator BREWSTER. I heard a great deal about "crossovers" in primaries. The Republicans who registered as Democrats in Maryland had every inducement to vote against Wallace.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RUSSELL. Mr. President, I ask unanimous consent that I may have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUSSELL. He was attacked by the editorials of radio and television stations. In addition to the combination of these odds, 10 popular Members of the U.S. Senate went into the State of Maryland to oppose Governor Wallace's candidacy and to campaign in favor of the pending civil rights bill. Included among them were such popular and distinguished Members of this body as the Senator from Connecticut [Mr. RIBICOFF], probably the best known and most popular figure of his faith in the Nation, and the junior Senator from Massachusetts [Mr. KENNEDY], brother of our martyred President and a captivating political figure in his own right. They and eight other Senators of ability and stature went into the State of Maryland to support this issue and attempt to win a great victory for what are called the civil rights forces.

The amazing response to Governor Wallace's candidacy in spite of all of these odds clearly demonstrates that the American people are getting a better understanding of the real truth about the pending bill. Thousands of them want no part of a measure that will change our system and demonstrated their objections by the practical way of voting to support Governor Wallace's outspoken fight against what has been labeled "civil rights legislation."

It is heartening to know that the American people are not being deceived by the constantly repeated statement that this is a "modest bill, a moderate bill, a bill that does not take away anyone's rights but is merely an effort to establish equality before the law." They are increasingly aware of the fact that this is really a force bill to bring the Federal power into play to compel social intermingling of the races and social equality even if it means depriving one of the groups involved of the right to choose their associates.

Mr. President, if this bill is passed by the Congress, it may not have any great impact on this year's elections, but you may be sure that without regard to political parties, it will be an issue in every section of the country when our freedom-loving people realize what has been done to them by the politicians.

If it is enacted, we will see more new faces in the Congress over the next 4 to 6 years as a result of this issue than have ever been brought to Washington by any other single vote. It will not be a party question, but I unhesitatingly predict that if it does pass, the elections 2 years from now and 4 years from now will manifest the resentment of our people at this distorted use of Federal power.

Mr. President, I ask that an AP article from the Atlanta Journal of Monday, May 18, touching upon the campaign activities of Members of the Senate in Maryland may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. RUSSELL. Mr. President, I also ask unanimous consent to have printed in the RECORD an article from today's Washington Post by Mr. Laurence Stern containing an analysis of this election. It is headlined, "Negro Tally Tips Scales to BREWSTER."

The PRESIDING OFFICER. Without objection, it is so ordered.

NEGRO TALLY TIPS SCALES TO BREWSTER

(By Laurence Stern)

NEW YORK, May 19.—Negro voters supplied the thin margin of victory to Senator DANIEL B. BREWSTER in Maryland's presidential primary yesterday.

A study of the vote by CBS News–IBM Vote Profile Analysis (VPA), based on model precinct returns, showed that Alabama Gov. George C. Wallace carried white Maryland by a percentage point.

The VPA study also showed evidence of a white "backlash" reaction on civil rights among low-income Baltimore laboring groups and in the middle class suburbs of Baltimore.

Suburbia was almost evenly split in the presidential race, with BREWSTER carrying Washington's suburbs handily and Wallace carrying the outlying regions of Baltimore, VPA showed.

This was explained on the basis of the heavy Federal employment pattern in Montgomery and Prince Georges Counties. The areas that ring Baltimore have stronger southern traditions.

Wallace did well on the Eastern Shore as expected, carrying about four-fifths of the vote there.

In western Maryland, the chain of mountainous counties to the west of Washington, BREWSTER carried about three-fifths of the vote.

Negroes in Maryland gave about 90 percent of their votes to BREWSTER and turned out in larger numbers than in previous elections. Only about 2 percent of the State's Negro votes went to Wallace. Andrew J. Easter, an obscure perennial candidate, drew three times as many votes among Negroes as Wallace did.

RIGHTS SENTIMENT

The statewide breakdown of votes between BREWSTER and Wallace—52.5 to 43 percent—roughly paralleled sentiment on the civil rights bill, according to Political Analyst Louis Harris.

The big surprise in the Maryland race was the razor-thin edge for Wallace among the State's white voters.

Wallace polled most heavily among Catholics, who comprise a large percentage of both the Baltimore City and Baltimore suburban vote. Substantially more than half of the State's Catholic voters cast their ballots for Wallace.

BREWSTER got more than half of the Protestant vote and was an overwhelming favorite among Jewish voters.

Wallace edged BREWSTER among white Anglo-Saxon Protestants and ran substantially stronger than BREWSTER among Polish, Italian, and German nationality groups who are concentrated predominantly in Baltimore.

A substantial number of lower income whites who voted for Wallace are comprised of steel and shipyard workers in Baltimore who are worried about jobs and encroachments by Negroes into their neighborhoods. This sharply paralleled the reaction of steelworkers in Gary, Ind., who delivered a majority vote for Wallace in the Hoosier State preferential primary.

In a breakdown of economic groups, the VPA study showed that the top income brackets gave BREWSTER a large lead while lower economic groups favored Wallace by a shade. The lowest layer of wage earners, containing a large number of Negroes, voted overwhelmingly for BREWSTER.

Wallace made his strongest showing in rural towns and farm areas where he grabbed from more than half to nearly two-thirds of the vote.

BREWSTER's overall strength lay in the urban and metropolitan regions. Overall, the two candidates faced a standoff in suburbia.

TYDINGS SUPPORTED BY WHOLE ELECTORATE

Joseph D. Tydings won broad support from virtually all segments of the Maryland electorate in his Democratic Senate race with Comptroller Louis L. Goldstein.

According to the CBS News-IBM Vote Profile Analysis (VPA) the 36-year-old former prosecutor accumulated his greatest margin of victory in the suburbs of Baltimore. He also won heavily in Baltimore City, suburban Washington and the Eastern Shore. Only in sparsely populated Western Maryland did Goldstein outdraw Tydings.

Goldstein, who is Jewish, eked out a narrow margin over Tydings among Jewish voters. In other religious groupings, Tydings made his strongest showing among Catholics, who balloted for him by a margin of nearly 2 to 1.

Substantially more than half of the State's Protestant voters chose Tydings.

The VPA analysis suggested a possible spin-off influence on the Senatorial race from the heated Presidential primary battle between Senator DANIEL B. BREWSTER and Gov. George C. Wallace.

Tydings, running as an antimachine candidate, showed surprising strength in Baltimore City districts that normally are delivered for the State organization. These were areas in which Wallace, too, polled strongly.

Goldstein was running as teammate of favorite son presidential candidate BREWSTER.

Tydings, however, drew more than half of the State's Negro votes while Goldstein drew less than a third, according to VPA. An obscure Baltimore candidate, Morgan Amaimo, carried about 15 percent Negro support.

SENATOR KENNEDY ASKS BREWSTER WIN

BALTIMORE, MD.—Senator DANIEL B. BREWSTER has rested his campaign to block Gov. George C. Wallace in Maryland's Democratic presidential primary Tuesday after touring a section of Baltimore with Senator EDWARD M. KENNEDY, brother of the late President.

Wallace, Governor of Alabama, makes his last personal appearance tonight at a rally in a Baltimore suburb.

A crowd of about 3,000 turned out for the street parades to greet KENNEDY and BREWSTER in south Baltimore, an area of varied ethnic groups, largely Italian and Polish.

KENNEDY compared the neighborhood to south Boston, and said: "The Irish and the Poles came to this country looking for a better life; the Democratic Party gave it to them."

He recalled his brother's visits to Baltimore in the 1960 presidential campaign.

"You in south Baltimore gave him your help and your support," he said. "The man who is running against DANNY BREWSTER is against everything the President lived for and worked for."

KENNEDY was received with warmth and friendliness, but sentiment for Wallace was evident.

There were signs: "Stand up for America—vote for Wallace" and "Senator KENNEDY—why are you in favor of putting a white man in jail for choosing his customers at the bar-restaurant on the corner?"

KENNEDY was the 10th Democratic Senator to appear in behalf of BREWSTER, who is running to hold Maryland's delegation to the Democratic National Convention in line for President Johnson.

The primary winner is entitled to Maryland's 48 convention votes at least on the first ballot. Voters who don't like either candidate can vote for an uninstructed delegation.

Wallace, a segregationist making his third and final election challenge to Johnson's civil rights program, is expected to do better than the 29.8 percent of the Democratic vote he received in Indiana and 33.7 percent in Wisconsin.

FRANCES K. HUTCHINSON MEDAL AWARDED TO SENATOR CLINTON P. ANDERSON FOR OUTSTANDING NATIONAL CONSERVATION SERVICE

Mr. McGOVERN. Mr. President, I wish to advise the Senate that one of our Members has been honored with an outstanding national conservation award and, in winning it, has brought honor to himself and the Congress.

The Frances K. Hutchinson Medal, established as an award in 1940 and given annually in recognition of service of national importance in the field of conservation upon the joint recommendation of the conservation and medal award committees of the Garden Club of America, was on May 13 presented to the senior Senator from New Mexico, Senator CLINTON P. ANDERSON.

Senator ANDERSON, a native of South Dakota, is the 23d recipient of the award, and the first Member of the Congress of the United States to receive this honor.

The outstanding national significance of the award is indicated by the distinguished citizens who have received it.

Dr. Hugh H. (Big Hugh) Bennett, the father of our national soil conservation program, was awarded the medal in 1944 for his scientific contributions to conservation.

Walter E. Disney received the award in 1954 for his contribution to conservation in such film productions as "Beaver Valley" and "Nature's Half Acre."

Jay Norwood (Ding) Darling, the famed cartoonist and naturalist, was honored in 1955 for pioneer work in the field of practical application of conservation.

The late Rachel Louise Carson received the award in 1952 for her contribution to conservation, including her book, "The Sea Around Us."

Fairfield Osborne, Kent Leavitt, Paul Sears, Sigurd Olson, Horace Albright, Dr. Clarence Cottam, Louis Bromfield, Pearl Chase and every other recipient has been a truly outstanding national figure.

Senator ANDERSON's name adds luster to this illustrious list of conservationists.

The citation of Senator ANDERSON, read at the award ceremony in Portland, states:

THE FRANCES K. HUTCHINSON MEDAL

With a philosophy of responsibility toward our natural resources, believing them to be under man's trusteeship rather than in his possession, CLINTON ANDERSON has continued his long drive to educate the United States in the need to preserve the irreplaceable against encroachment.

The policies he urged as Secretary of Agriculture were strongly oriented toward conservation; and one of his first actions as Senator from New Mexico was the Anderson-Mansfield bill of the 81st Congress which provides for the reforestation of burned over and barren forest lands. He is not only practical in his work on forestry reclamation, but he works also for the appreciation and preservation of other esthetic values. Under his sponsorship, mining was prohibited within significant distance of a scenic roadway in the Santa Fe National Forest; and it was he who introduced legislation to protect the magnificent view across the Potomac from George Washington's home in Mt. Vernon when it was in jeopardy.

The Senator's concern was manifested in his introduction of the measure that authorized the establishment of the Outdoor Recreation Resources Review Commission and again when he introduced legislation to implement the Bureau of Outdoor Recreation recommended by the Commission and created by President Kennedy. It was due in part to Senator ANDERSON's efforts that legislation was passed to preserve three recreational seashore areas: Cape Cod on the east coast, Padre Island on the gulf coast, and Point Reyes on the west coast. Through his effective leadership as chairman of the Senate Interior and Insular Affairs Committee the Wilderness Preservation Act was passed by the Senate.

CLINTON ANDERSON has discharged his tasks of great public trust and responsibility with integrity, high accomplishment, and imagination. Just a year ago the Senator was honored by Members of the House of Representatives, the Senate, and hundreds of others at a large testimonial dinner in Washington—this evening it is the Garden Club of America that is honored by awarding the Frances K. Hutchinson Medal for Service in Conservation to CLINTON P. ANDERSON.

MAY 13, 1964.

Those of us who have served with the distinguished Senator from New Mexico in the Senate could add to that citation. The Senator has been an outstanding leader of conservation legislation in many fields. In the water resources field, he has been identified with speeding the development of salt- and brackish-water conversion techniques, with the water resources research bill, river basin planning, and aid to States for work in the water planning field. He has been a leader in the development of a new resource for all mankind—nuclear energy. He is a space resource pioneer. His support of social security, the Employment Act, medicare, and many other measures testify to his concern for the conservation of human resources.

I think I speak for all Members of the U.S. Senate on both sides of the aisle when I congratulate the Garden Club of America on its selection of Senator ANDERSON to receive the Frances K. Hutchinson Medal and advise them that the Senate of the United States agrees enthusiastically with the judgment of their conservation and awards committees.

I ask unanimous consent to include at this point the response of Senator ANDERSON upon receiving the medal.

There being no objection, the acceptance remarks of Senator ANDERSON were ordered to be printed in the RECORD, as follows:

I have many reasons to appreciate this award.

First, on the scroll of those who have been given the Frances K. Hutchinson award, it is a great honor to be included with men like Hugh Bennett, Jay Darling, Walt Disney, Dr. Clarence Cottam, and a great lady like the late Rachel Carson.

Next, I value the recognition you have given for the first time to the Congress of the United States. It is a source of satisfaction to know that some people feel I have performed services of merit in my years in public life, but I would be helpless there without the constant support of dozens of dedicated men and women who serve with me, and I feel sure you would want me to accept your award as much for them as I do for myself.

Finally, the best of all is to receive this honor from an organization of private citizens devoted to creating and conserving natural beauty all the way from our backyards to outstanding areas of such great grandeur that they have national significance—people who create an appreciation of the beauty, or the potential beauty, of things immediately about us.

I can recall during the great depression in the thirties when a man died of starvation along a roadside a few miles out of Birmingham, Ala. Dr. George Washington Carver, of Tuskegee, subsequently demonstrated that there was nourishment enough to sustain a dozen people in the vegetation and the roots of plants the man had passed over in his last few hours. He had not been trained to appreciate their nutritive value. He died with abundance about him.

The Garden Club of America and the garden clubs and their members who, like Frances Hutchinson, seek no reward but personal enjoyment and the privilege of sharing their pleasure with others, are doing a wonderful work by creating understanding of the fact that beauty and the therapeutic values in nature can be everywhere about us if we recognize, conserve and cultivate them a little.

Your award of the Frances K. Hutchinson Medal this year is in a considerable measure an award to your own great movement.

We have been able to initiate some sound conservation measures in Government in recent years, and to enact a few useful conservation laws. But the seeds were planted, the crop fertilized, the weeds pulled, and the harvest made possible by your husbandry.

I accept the Frances K. Hutchinson Medal with humility, knowing full well who the gardeners behind the award really are. I have seen them in their gardens—and that includes mine—in our public parks, on our school grounds and at community exhibitions. You write Congress about wilderness, the Oregon Dunes, Padre Island, the Indiana Dunes, Fire Island, Point Reyes—on every other important conservation measure. We listen to you. I will be custodian of a medal, but the credit belongs to you.

RETIREMENT OF SENATOR WALTERS, OF TENNESSEE, FROM THE SENATE

Mr. GORE. Mr. President, my distinguished junior colleague, Senator Herbert S. Walters, recently announced that he would not be a candidate for election to the Senate. Upon this announcement, a number of highly complimentary editorials were published in newspapers throughtout the State of Tennessee. This commendation is well deserved. All Senators know that Senator Walters is a gentleman of the first order and an able, dedicated public servant.

Senator Walters has brought to the Senate a rich experience, a deep understanding, and a devotion to public trust. It has been a pleasure to serve with him. We were friends before he came to the Senate; he and I are closer friends now. Our association has been most pleasant. He has always been courteous, not only to his colleagues from Tennessee but to all his colleagues. His service in the Senate has been marked with conscientious decision, dedication to principle, industry and fidelity to trust.

I ask unanimous consent to have printed at this point in the Record editorials commending the record and the life of Hon. Herbert S. Walters.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Johnson City (Tenn.) Press-Chronicle, Apr. 28, 1964]

Well Done, Senator!

In announcing that he would not be a candidate in this summer's election, Senator Herbert S. Walters spoke with the candor and humility for which Tennesseans so greatly admire him.

He said that when he accepted the interim appointment from Gov. Frank Clement he did so "with the firm self-conviction that I would honor my obligations to the State and to the Nation and that I would discharge the duties of the office to the very best of my ability. I have done just that. I intend to continue doing just that."

Personal and political friends who have known Senator Walters through the years recognize in those simple, forthright words the sturdy character and uncomplicated philosophy of the man who uttered them. By honoring his obligations and discharging his duties to the very best of his ability, he has long stood in the forefront of Tennessee politics. That he will continue to do so we do not doubt.

During the comparatively brief time he has served in the Senate, he has earned bi-partisan respect and praise for his workmanlike handling of the job. Many of his colleagues have marveled at his poise and perception—his ability to take hold with a minimum of fuss.

The Press-Chronicle would have supported Senator Walters if he had chosen to run. We know we are joined by thousands of his fellow Tennesseans in extending him a hearty well done and wishing him all the best during the remainder of his Washington service.

[From the Nashville Banner, Apr. 28, 1964]

The Herbert Walters Story—From Log Cabin to U.S. Senate

Senator Herbert S. Walters is one of the leading business and political leaders in Tennessee.

He has been a top leader in the Democratic Party for more than 40 years and he is often referred to as "Mr. Democrat of Tennessee." He is currently serving as Tennessee's national Democratic committeeman.

Walters was born in a log cabin near Leadvale on Nov. 17, 1891. He is the son of the late Dr. John Mile and Lula Rhonda Franklin Walters. His father was a Baptist minister for more than 60 years.

When he was about 16 years old, his parents sent him first to Baker-Himmel School in Knoxville and then to Castle Heights Military Academy in Lebanon.

However, the meager salary his father was receiving as a preacher forced young Walters to leave school and go to work in order to help his parents.

WORKS AS AXMAN

He joined his older brother, John, in northern Michigan as an axman on a survey crew for the Chicago, Milwaukee and St. Paul Railroad. On his salary of $50 a month, he was able to send his parents $20 to $30 to help pay for his younger sister's education.

Walters later worked with other railroad crews in Chicago, Memphis, Fulton, Ky., and Greenville, Miss.

In 1915, Walters entered the University of Tennessee to study agriculture and engineering. However, 6 months later, he again was forced to drop out of school and return to the farm to help his ailing parents.

FORM COMPANY

After several years of working on the farm and trading livestock, he joined with his brother-in-law and another east Tennessean in the formation of Harrison, Walters, and Prater Road Construction Co. The firm is now known as Walters and Prater.

In ensuing years, this construction firm became one of the most successful in Tennessee.

With this humble beginning, Walters has become one of the most successful businessmen in the State.

He currently serves as chairman of the board of Walters and Prater, Inc., chairman of the board of the Hamilton National Bank of Morristown, and is a member of the board of directors of the Hamilton National Bank of Knoxville, First National Bank of Rogersville, Hamilton National Association of Chattanooga, National Bank of Newport, and the American Educational Life Insurance Co.

In 1933, he was elected to the Tennessee House of Representatives. A short time later, the late Gov. Hill McAllister appointed him State highway commissioner, a post he held only a few months.

Walters has served as a member of the State Democratic Executive Committee for more than 20 years and during that time has been State chairman and national committeeman.

UNIVERSITY OF TENNESSEE TRUSTEE

He has served as a member of the University of Tennessee board of trustees, chairman of the Great Smoky Mountains Park Commission, chairman of the State Licensing Board for General Contractors, chairman of the Morristown Water and Light Commission, and the board of trustees of King College in Bristol.

He was married on July 28, 1928, to Sarah Ruckman Lockbridge of Staunton, Va.

Walters is a member of the First Presbyterian Church of Morristown, Kiwanis International, Elks Lodge, Independent Order of Odd Fellows, Modern Woodmen of the World, Morristown Country Club and the Morristown Chamber of Commerce.

He is also active in the Royal Arch Masons and once held the office of senior warden.

Twice during his long political career, Walters was offered the Democratic nomination for governor, once in 1936 and again in 1943. He declined both times. In 1944, he served as State campaign manager for Gov. Jim McCord.

[From the Morristown Gazette-Mail, Apr. 28, 1964]

Senator Walters' Decision

In expressing regret that Herbert S. Walters has decided to vacate his seat in the U.S. Senate without seeking reelection we speak for a majority of Morristownians and, we believe, of Tennesseans.

The final decision, of course, had to be made by the man concerned after weighing all the factors involved.

We accept, with reluctance but with understanding, his conviction that he could not adequately discharge his duties in this current crucial Senate session and simultaneously wage an active campaign in the Democratic primary.

Had he been less concerned with the obligation to represent his constituents, Senator Walters was virtually assured another 2 years in Washington. We could not envision him running behind either of the two announced candidates.

It is widely expected that Gov. Frank Clement will now announce for the remaining 2 years of the late Estes Kefauver's term. If he does, we do not believe that this was prearranged with Senator Walters.

At his press conference in Knoxville yesterday Senator Walters explicitly disclaimed any deal, and we believe him.

We are sorry that "Hub" came to the decision he did, but we feel it was his alone.

In the 8 months he has held the Senate seat, Senator Walters has conducted himself quietly, with dignity, and with conviction. He has voted as his conscience dictated. He has earned the respect of his colleagues.

In the 8 months remaining to him on the floor of the Senate he will continue to be valuable to the people of Tennessee and to all Americans.

We are only sorry that Tennesseans cannot look forward to 2 more years of "Hub" Walters in our Nation's Capital.

[From the Greeneville Sun, Apr. 28, 1964]

Senator Walters Has Done a Good Job

Senator Herbert S. Walters' announcement yesterday that he would not seek the Democratic nomination for U.S. Senator to fill out the unexpired term of the late Senator Estes Kefauver has drawn expressions of regret from across the State.

Senator Walters, in the brief period that he has served as U.S. Senator, has demonstrated his keen ability and dedication as a public servant.

The U.S. Senate is presently debating one of the most important bills ever to come before that body. Senator Walters has dedicated himself to modification of this bill to keep it in conformity with basic principles of freedom in this country.

In order to run for the U.S. Senate seat, it would have been necessary for him to practically abandon his duties in Washington in order to campaign in Tennessee. This he chose not to do.

We doubt if any Senator in that august body has a better attendance record or has given any more of his time in the period that he has served to hard work in representing his constituents than Senator Walters.

Greene Countians have reason to express their thanks to him for his hard work in getting a local bill passed to purchase the old Andrew Johnson homesite and make it into a shrine in connection with the tailor shop of our famed President Andrew Johnson.

Senator Walters' close association with President Lyndon B. Johnson and his knowledge of legislative affairs and legislative leaders has enabled him to render exceptional service to the people of this State. It is regrettable that he has chosen not to run again, but his reasons for making this decision are another indication of the true merit of the man.

These are perilous times. Legislation of far-reaching importance is coming back before the U.S. Senate in the weeks and months ahead and we are confident that Senator Walters will do his full duty in representing Tennessee and the feelings of Tennesseans in attempting to guide legislation through Congress that will be good for all the country.

East Tennesseans who have known Senator Walters throughout the years and have seen him rise through adversity to a position of leadership and importance, not only in this State, but in this Nation, can best understand the feelings of this dedicated man and best appreciate his personal sacrifices in order to do his best for his State and country.

[From the Nashville Banner, Apr. 28, 1964]

Walters States It—Senate Duties Forbid Time Out for Race

For reasons clearly stated, Senator Herbert S. Walters has decided against seeking reelection; and constituents applaud the sense of duty—both to his State and his Nation—on which that decision turns:

He does not choose to absent himself from Washington for a time-consuming campaign while the Senate is debating, and ultimately disposing of, a civil rights measure whose obnoxious features demand the full weight of corrective attention.

The showdown on that bludgeoning force bill is ahead, and Tennessee knows where Senator Walters stands on it. He candidly defined that position weeks ago, with the declaration that he would vote against it in its present form; and nothing has happened, certainly, to alter that determination.

Indeed, the proposals of phony compromise—rectifying none of its glaring evils as written into the House-passed bill—make it even more imperative for Senators of constitutional conviction to stand their ground; and that is exactly what he proposes to do.

Senator Walters is not a man to treat lightly the trust assigned, or to regard as a triviality the duty of representation, any more than the decree of conscience, where injurious legislation is concerned.

He was the logical choice to bear that responsibility when Governor Clement appointed him to the office vacated by the death of Senator Estes Kefauver; and with that concept of the public interest first, he has with distinction measured to it. Hardly could the Governor have picked any other man—aware of his lifelong devotion to Tennessee, his experience rooted in its political, civic, economic life; and acquainted with him by long friendship and political association.

It is characteristic of the Senator that he does not choose to default on official duty as he clearly discerns it.

The business of a Tennessee representative is now in Washington, and will continue to be until reason prevails on the legislation in question. There will be votes to cast on this measure, point by point and issue by issue—and Senator Walters intends to be there to cast them, as he could not be if in the long months ahead he were back home campaigning.

The decision is to his credit, and grateful constituents applaud it. He accepted the office as a public trust and has fulfilled it by exactly that definition.

[From the Memphis Press-Scimitar, Apr. 28, 1964]

Goodby, Hub—Hello, Frank

Herbert S. Walters, junior U.S. Senator from Tennessee by appointment of Gov. Frank Clement, announced Monday what many Tennesseans had long expected: He will not be a candidate for nomination in the August 6 Democratic Primary for the remaining 2 years of the late Senator Estes Kefauver's term.

We wish "Hub" Walters well. The Morristown banker and contractor and longtime State Democratic leader served creditably. And, according to all reports, he truly loved the life of a U.S. Senator.

It is hardly a secret that Governor Clement aspires to the U.S. Senate also. His announcement as a candidate, when it comes, will be no surprise.

HOUSING FOR INDIANS

Mr. METCALF. Mr. President, we have been much occupied in recent weeks with other business and many of us have been unable to give proper attention to many, perhaps more routine, matters of appropriate concern. My colleague, the distinguished majority leader, has, with the senior Senator from Minnesota, borne the largest share of responsibility for steering on its troublous course through the Senate the civil rights bill which, we all acknowledge, may be the most important and far-reaching piece of legislation we will have considered this session of the 88th Congress.

Despite his heavy responsibilities in that area, the majority leader has maintained active leadership in a matter of intimate concern both to him and to me in our efforts to attend the affairs of the great State we represent. This involves the problem of securing adequate, decent, safe and healthful housing for our Indian population, numbering currently in the State of Montana some 21,181 persons.

President Johnson has included the Nation's 400,000 Indians among the 35 million Americans who live on the outskirts of our country's unprecedented affluence, persons without opportunity to compete for their share of our national productivity. These are persons becalmed or foundering in the mainstream of the American economy. Most live in substandard, deteriorating or dilapidated housing. Many need education, to be taught the skills in demand by American industry, commerce and business. Many are elderly. Others are physically handicapped. Many have lost hope. Most despair of taking part in the historic and traditional American dream of happiness and a tangible share of the fruits of freedom.

No single group displays the symptoms of the classic poverty-stricken American more than the American Indian.

In 1960, following his election to the Presidency, Mr. Kennedy determined to make a long overdue start toward improving their situation, called living conditions among the Indians a "national shame."

Accepting the challenge, the distinguished majority leader arranged a series of meetings here in Washington. Attending those meetings were representatives of the Bureau of Indian Affairs of the Department of the Interior, the Public Housing Administration, the Public Health Service and spokesmen for a number of organizations representing Indian tribes. I was privileged to take part.

Taking part almost from the very start in these exploratory discussions, Mr. President, were Indian Commissioner Philleo Nash and his staff, and Public Housing Commissioner Marie C. McGuire and her aids.

Instrumental in searching out the legal groundwork in this novel pathway toward better housing for American Indians was Joseph Burstein, Mrs. McGuire's general counsel, who has continually throughout the program been a source of skillful guidance for those of us with deep interest in the program to house Indians more adequately.

From those meetings came a program of low-rent public housing for Indians and a program of mutual-help housing which, ultimately, we hope, will permit Indians participating in the program to own their own homes—homes with modern plumbing, electricity, running water and, above all—in the words of the Federal Housing Act, "decent, safe, and sanitary shelter."

Some 285 Montana Indian families on 6 reservations have taken advantage of the mutual-help program of the Public Housing Administration and most right now are encouraged with the unique—for Indians—expectation of one day—for the first time in their lives—owning a decent home of their own.

But this mutual-help program—unique as it may be—is but a small part of the Public Housing Administration's program for American Indians. In cooperation with the Bureau of Indian Affairs, PHA currently is processing applications for nearly 4,000 new dwelling units on 61 Indian reservations in 19 States, 300 of which will be designed specifically for elderly Indian families.

For the first time, Mr. President, American Indians are seeing tangible evidence of their elevation to the status of full-fledged Americans because, for almost 27 years, the public housing program has served the needs of low-income Americans across the Nation but, until just recently, not a single Indian on a single Indian reservation had been able to take advantage of this program. And no American has been more representative of the Nation's low-income segment than the Indian.

But storm warnings already are on the horizon, Mr. President. Under PHA's limited authorization it will not be able to proceed with all of the 4,000 units applied for by Indian housing authorities seeking to improve the living conditions of their people. The authorization contained in the 1961 Federal Housing Act, under which these modern homes are being built for Indians for the first time, will be exhausted by June 30, the end of the current fiscal year, and PHA Commissioner McGuire informs me it may even be exhausted by the end of this month.

Hearings already have been held on a new authorization in both Houses of Congress, Mr. President, and it is my earnest hope that the legislation will be summoned for an early vote in the Senate.

New legislation will permit—without costly lags—continuation of this program which already has started to bring new dignity, new hope, new respect to an important segment of America's poverty-stricken. Of approximately 3,000 dwellings on which the Public Housing Administration plans to continue assistance, more than 600 dwellings are in various stages of construction on 11 reservations in 7 States. These include 50 dwellings under the mutual-help program under construction at the San Carlos Indian Reservation in Arizona. Of the remaining 2,700 dwellings, 1,200 units are planned for 18 reservations in 9 States under the PHA conventional rental program and 1,500 dwellings are planned for 34 reservations in 12 States under mutual help.

The act under which this program will be permitted to continue calls for 240,000 new low-rent public housing units over the next 4 years. Thirty-five thousand annually would be in new construction; 15,000 annually would be purchased by local housing authorities and rehabilitated with Federal loans, and 10,000 annually would be leased outright by local housing authorities and rerented to low-income families.

In addition to about 90 percent of American Indian families, millions of other families in this country live in substandard, deteriorating, and dilapidated housing, and the low-rent public housing program is the only effort so far which appears to offer any hope at all of eliminating the slums and blight of America and the disease and poverty they breed.

Applications for about 38,000 new units of low-rent housing will have to be shelved pending approval by Congress of new housing legislation. New applications continue to arrive almost daily at the Public Housing Administration from communities—including Indian tribes—seeking loans and other assistance to help meet the urgent housing needs of their low-income families.

It is because of that need that I consider President Johnson's request for 240,000 low-rent housing units over the next 4 years as a reasonable one. I also see these proposed dwellings as important tools in the President's war on poverty.

I earnestly commend the upcoming housing bill to the attention of my colleagues, interested, as I know they are in the housing welfare of our great Nation.

JOHN BIRCH SOCIETY ON CIVIL RIGHTS

Mr. METCALF. Mr. President, the February 8, 1964, Interim Bulletin from the John Birch Society to all chapter leaders includes the text of the advertisement which it seeks to place in local newspapers.

The Bulletin suggests that "the name of the real sponsoring group can be pasted over the sample name at the bottom of the advertisement."

The ad suggests two sources of information on the civil rights bill—

The Coordinating Committee for Fundamental American Freedoms, and American Opinion—which, although the advertisement does not say so, is the John Birch Society's magazine.

Nowhere does the advertisement, which the John Birch Society seeks to plant, indicate that it came from the John Birch Society.

Readers are entitled to know the source of this advertisement, as well as the harmonious working relationship between the Coordinating Committee for Fundamental American Freedoms and the John Birch Society, both of which are performing a national disservice by their campaigns of misinformation concerning the civil rights bill.

Mr. President, I ask unanimous consent to have printed in the body of the Record the February 8, 1964, John Birch Society Interim Bulletin.

There being no objection, the February 8, 1964, John Birch Society Interim Bulletin was ordered to be printed in the Record, as follows:

The John Birch Society, Belmont, Mass.,
Interim Bulletin, February 8, 1964

To all chapter leaders: Please consider this interim bulletin as simply an extension of the one mailed to all members earlier this week. It should be identified for reporting as temporary project C of that regular February bulletin. But there were sound reasons why we are mailing it as a separate item. And we shall count on our chapter leaders to get the following message to all of our members in their respective chapters as promptly as they can.

C. THE CIVIL RIGHTS ACT OF 1963

(a) On the back cover of this bulletin is proposed copy for a 3-column advertisement (6 by 9 inches) in your local newspapers. There are so many and such continuous drains on the pocketbooks of our members that we are not urging this further expenditure on anybody. But we are convinced by the number and nature of the long distance telephone calls we have received on the subject during the past 2 weeks that a great many of our members actually wish to sponsor such advertisements. So we have worked out one which, in our best judgment, and as to both size and message, would have the greatest effectiveness for the money to be spent and for the purpose to be served.

These advertisements very definitely should be placed, as well as paid for, by local citizens or groups or committees, with a local street address or post office box number given. Which means that we cannot furnish you mats even if it were otherwise practicable to do so. But the name of the real sponsoring group can be pasted over the sample name at the bottom of the advertisement, and the whole thing reproduced or plated from our copy, if desired. Or, if it does have to be set in type by the newspaper running the ad, please try to see that our suggested layout is followed, and that scrupulous proofreading eliminates all typesetting changes or errors.

(b) The Senators who are still fighting desperately to prevent passage of this legislation need all of the support they can get, and they need it now. So, regardless of whether you are a party to placing the advertisement, do your own direct part by sending telegrams or letters immediately to as many Members of the Senate as you can. We are printing the full list of Senators on page 3 of this bulletin, with some indication as to where—according to the best guess of our research department—each one stands at this date, in order to help all we can toward making your influence effective.

(c) We do not know—and neither does anybody else—whether this fight in the Senate will go on for a week or a month. This will certainly depend to some extent on how much help you can give the opponents of this legislation, how soon. If the battle does continue long enough, and you wish to try to enlist allies for the opposition through the distribution of this bulletin, additional copies are available by airmail at 50 for $1. Also, for the time being we are putting an excellent 8-page analysis of "The Civil Rights Act of 1963" in each one of our "Civil Rights" packets—which sell for $1, postage paid.

In a pamphlet prepared on this legislation by Loyd Wright and John C. Satterfield (both past presidents of the American Bar Association), it is called a "Blueprint for Total Federal Regimentation." The authors state: "The Civil Rights Act of 1963 is skillfully drawn with the patent, deliberate intent to destroy all effective constitutional limitations upon the extension of Federal governmental power over individuals and the States."

And at another point they say: "Never in the history of nations governed by elected officials has the head of any State demanded the naked untrammeled power embodied in this act, except when such State was upon the verge of becoming a dictatorship. If it is enacted, the States will be little more than local governmental agencies, existing as appendages of the Central Government and largely subject to its control. The legislation assumes a totally powerful National Government with unending authority to intervene in all private affairs among men, and to control and adjust property relationships in accordance with the judgment of Government personnel."

What even these distinguished authors are not yet realistic enough to add is this plain fact: "The Civil Rights Act of 1963," if enacted, will be the first major legal step in establishing a brutal totalitarian police state over the American people.

As to the transparently phony excuse for this Hitler-Stalin type of regimentation—namely, that it is in order to give the proper treatment and opportunities to our Negro fellow citizens—the worst sufferers of all in the long run will be the American Negroes, for whom the sinister schemers behind these measures really care no more than they would for so many ants. Let's hope that in America enough of us all, both white and black, can learn enough, soon enough, about what these same nefarious forces have accomplished in other countries to prevent its repetition here.

Sincerely,

Robert Welch.

Members of the U.S. Senate, Official Address, Senate Office Building, Washington, D.C.

Code: (1) Probably against the act; (2) uncertain or unknown; (3) probably for the act.

Alabama: Lister Hill, (2); John J. Sparkman, (2).

Alaska: Edward L. Bartlett, (3); Ernest Gruening, (3).

Arizona: Carl Hayden, (3); Barry M. Goldwater, (1).

Arkansas: John L. McClellan (1); J. William Fulbright, (3).

California: Thomas H. Kuchel, (3); Clair Engle, (3).

Colorado: Gordon Allott, (2); Peter H. Dominick, (2).

Connecticut: Abraham A. Ribicoff, (3); Thomas J. Dodd, (3).

Delaware: John J. Williams, (1); J. Caleb Boggs, (3).

Florida: Spessard L. Holland, (2); George A. Smathers, (2).

Georgia: Richard B. Russell, (1); Herman E. Talmadge, (1).

Hawaii: Hiram L. Fong, (3); Daniel K. Inouye, (3).

Idaho: Leonard B. Jordan, (1); Frank F. Church, (3).

Illinois: Paul H. Douglas, (3); Everett M. Dirksen, (3).

Indiana: Birch E. Bayh, Jr., (3); Vance Hartke, (3).

Iowa: B. B. Hickenlooper, (1); Jack R. Miller, (1).

Kansas: Frank Carlson, (2); James B. Pearson, (2).

Kentucky: John S. Cooper, (3); Thruston B. Morton, (2).

Louisiana: Allen J. Ellender, (1); Russell B. Long, (2).

Maine: Margaret Chase Smith, (3); Edmund S. Muskie, (3).

Maryland: J. Glenn Beall, (2); Daniel B. Brewster, (3) .

Massachusetts: Leverett Saltonstall, (3); Edward M. Kennedy, (3).

Michigan: Patrick McNamara, (3); Philip A. Hart, (3).

Minnesota: Hubert H. Humphrey, (3); Eugene J. McCarthy, (3).

Mississippi: James O. Eastland, (1); John C. Stennis, (1).

Missouri: W. Stuart Symington, (3); Edward V. Long, (3).

Montana: Michael J. Mansfield, (3); Lee Metcalf, (3).

Nebraska: Roman L. Hruska, (1); Carl T. Curtis, (1).

Nevada: Alan Bible, (3); Howard W. Cannon, (3).

New Hampshire: Norris Cotton, (2); Thos. J. McIntyre, (3).

New Jersey: Clifford P. Case, (3); Harrison A. Williams, Jr., (3).

New Mexico: Clinton P. Anderson, (3); Edwin L. Mechem, (1).

New York: Jacob K. Javits, (3); Kenneth B. Keating, (3).

North Carolina: Samuel J. Ervin, Jr., (1); B. Everett Jordan, (1).

North Dakota: Milton R. Young, (1); Quentin N. Burdick, (3).

Ohio: Frank J. Lausche, (1); Stephen M. Young, (3).

Oklahoma: A. S. Mike Monroney, (3); J. Howard Edmondson, (3).

Oregon: Wayne L. Morse, (3); Maurine B. Neuberger, (3).

Pennsylvania: Joseph S. Clark, (3); Hugh D. Scott, (3).

Rhode Island: John O. Pastore, (3); Claiborne Pell, (3).

South Carolina: Olin D. Johnston, (1); J. Strom Thurmond, (1).

South Dakota: Karl E. Mundt, (1); George S. McGovern, (3).

Tennessee: Albert Gore, (3); Herbert S. Walters, (2).

Texas: Ralph W. Yarborough, (3); John G. Tower, (1).

Utah: Wallace F. Bennett, (1); Frank E. Moss, (3).

Vermont: George D. Aiken, (3); Winston L. Prouty, (3).

Virginia: Harry Flood Byrd, (1); A. Willis Robertson, (1).

Washington: Warren G. Magnuson, (3); Henry M. Jackson, (3).

West Virginia: Jennings Randolph, (3); Robert C. Byrd, (2).

Wisconsin: Gaylord A. Nelson, (3); William Proxmire, (3).

Wyoming: Gale W. McGee, (3); Milward L. Simpson, (1).

Every Vote for the Civil Rights Act of 1963 Is a Nail for the Coffin of the American Republic

A recent president of the American Bar Association has solemnly declared: "The proposed extension of Federal executive and administrative control over business, industry, individual citizens, and the States by the package of legislation called the Civil Rights Act of 1963 exceeds the sum total of all such extensions by all decisions of the Supreme Court and all acts of Congress from 1787 to June 19, 1963. When future generations look back through the eyes of history at this legislation they will recognize 10 percent of civil rights and 90 percent extension of raw Federal power."

The results of this legislation would be enormous suffering by, and oppression of, both our white citizens and our Negro citizens alike; and such turmoil, rioting, bitterness, and chaos as benefits only the Communists—or a Federal Government drunk with its drive for power. For a free copy of a brief analysis of this legislation by highest legal authority, write to Coordinating Committee for Fundamental American Freedoms, Suite 520, 301 First Street NE., Washington, D.C. For a full understanding of the background, forces, and purposes behind this legislation, send $1 for the Civil Rights Packet to American Opinion, Belmont, Mass.

In the meantime, the last bulwark against this act is the hard-pressed opposition within the U.S. Senate. If you oppose this Civil Rights Act of 1963, make your protest known, emphatically and immediately, by telegrams and letters, not only to your own Senators but to as many other Senators as you can. The address is every case is simply Senate Office Building, Washington, D.C.

This advertisement has been paid for as a public service by the Blanktown Committee To Preserve the American Republic, 1122 Main Street, Blanktown, Any State.

COLLEGE STUDENT ASSISTANCE—COLLEGE PRESIDENTS SUPPORT S. 2490

Mr. HARTKE. Mr. President, I have previously called attention to the remarkable unanimity of support for S. 2490, the Hartke college student assistance bill which has received hearings by the Education Subcommittee. All sorts of groups with a professional interest in higher education, some by formal action and some informally, have given solid support either by testimony or by letter.

Among them are a large number of college presidents, many of whose letters will be included at their own request in the volume of committee hearing reports now being prepared. Other letters have reached me from college presidents too late for inclusion in that record.

One of these is from Joe Morgan, president of Austin Peay State College in Clarksville, Tenn. In addressing me he writes:

> The purpose of this letter is to make known to you my strong endorsement of the Hartke college student assistance bill, S. 2490. It is my opinion that this bill provides the most comprehensive and significant attack on the problem of college financial aid that has thus far been presented.

President Morgan, after two sentences of comment in which he opposes any direct payments by the Federal Government to colleges, continues:

> A large part of the service area of Austin Peay State College is comprised of low family income groups. We simply have not been able to reach many deserving qualified students with any of the financial aid programs that we now have because of inadequate funds in such programs. I particularly approve that part of the bill which provides for a significant extension in total funds to be made available under the national defense student loan program. Also, the work study program would assist in meeting a great need in our area.

Another such letter, which arrived too late for inclusion in the printed record of the hearings, comes from the President of San Jose State College in San Jose, Calif., Dr. John T. Wahlquist. He notes that his school, with 17,000 students enrolled, has only $25,000 in scholarship funds available, and that lack of funds necessitated the refusal of NDEA loans to 500 student applicants. It is this kind of great need to which letter after letter from all across the country testifies. I hope that my own awareness of this need, a need which my bill attempts to meet through scholarships, loan guarantees, expanded NDEA loans, and a work-study program—that awareness of this need may grow in the realization of other Senators, and that they will join in my own efforts to secure passage of this much-needed aid to college education.

Mr. President, I ask unanimous consent that the full text of the letter from President Wahlquist may be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

> San Jose State College,
> Office of the President,
> *San Jose, Calif., April 13, 1964.*
>
> The Honorable Vance Hartke,
> *U.S. Senate,*
> *Washington, D.C.*
>
> My Dear Senator Hartke: I have just finished reading the Hartke college student assistance bill, S. 2490. With the increasing need of financial assistance for our college students today, this bill would help satisfy many of the unmet needs. This past year our college had to deny assistance through the national defense student loan program, to over 500, due to depletion of funds. In addition, due to the rising cost of college education, even the present $1,000 maximum was not sufficient to enable some students to meet their total cost. We presently have over 17,000 students enrolled at San Jose State College and, this past year, had only $25,000 in scholarship funds to award to the total group. It is obvious that additional scholarship funds are desperately needed.
>
> I am most pleased to endorse the Hartke college student assistance bill and ask that our endorsement be made a part of the hearing record.
>
> Sincerely,
>
> John T. Wahlquist.

THIRTIETH WEDDING ANNIVERSARY OF SENATOR DODD

Mr. HARTKE. Mr. President, last night it was my privilege to attend the 30th wedding anniversary party of the distinguished senior Senator from Connecticut [Mr. Dodd]. It is appropriate for us to note that Tom and Grace Dodd were married 30 years ago, on May 19, 1934, in St. Paul, Minn. At that time Senator Dodd was an FBI agent and was at work on a kidnaping case in St. Paul. Grace is the former Grace Murphy, of Westerly, R.I.

It is a tribute to both of them that Tom is a Member of the Senate. I suppose that the highest tribute that could be paid to them is that they are the proud parents of six children. To me, this is by far the greatest compliment that could be paid to them, for I know that their parenthood brings them great joy.

Mr. President, I ask unanimous consent to have printed at this point in the Record a biography of Senator Dodd.

There being no objection, the biography was ordered to be printed in the Record, as follows:

U.S. Senator Thomas J. Dodd

EARLY CAREER

In 1933, upon graduating from law school, Mr. Dodd became a special agent of the Federal Bureau of Investigation. He participated in FBI work on many criminal cases of national interest including the Dillinger case and the Bremer kidnaping case.

In 1935, he became the director of the national youth administration program in Connecticut. In this capacity he established programs to help youths from depression-hit families by providing educational and employment opportunities. The aim of these programs was to substitute education and employment for the idleness and hopelessness which breeds juvenile delinquency and broken lives. The Dodd program in Connecticut became a model for programs in other States.

ASSISTANT TO U.S. ATTORNEY GENERAL

During the years from 1938 to 1945, Mr. Dodd served in the Department of Justice as an assistant to five successive Attorneys General. He helped to establish and was Assistant Chief of the Department's first Civil Rights Section. This was a pioneer movement by the Justice Department. It was the purpose of this Civil Rights Section to explore and broaden possible avenues of legal action by the Federal Government in the protection of constitutional rights. Among other cases, Mr. Dodd took part in the precedent-setting prosecutions involving the Ku Klux Klan in South Carolina, violation of labor's right to organize in Waycross, Ga., and violations of due process of law by local authorities in Jonesboro, Ark.

During World War II, Mr. Dodd was assigned to espionage and sabotage problems. His work on the Molzahn spy case made an important contribution to the breaking up of the Nazi fifth column movement and his successful prosecution of the famous Anaconda case set a milestone in the Government's efforts to move against wartime industrial sabotage.

NUREMBERG WAR CRIMES TRIALS

At the request of Supreme Court Justice Robert H. Jackson, Dodd served as executive trial counsel for the United States at the Nuremberg trials of Nazi war criminals in 1945–1946. He worked with representatives of other allied governments in planning and directing courtroom strategy of history's greatest international trial. He viewed the Nuremberg trial not only as an opportunity to bring to justice the Nazi war criminals but as a chance to perform, for the lasting enlightenment of future generations, an authentic autopsy of one of the most evil and incredible eras of history, and to make a contribution toward laying the groundwork for the growth of international law. For his work at Nuremberg, Dodd was honored by a Presidential Citation, the U.S. Medal of Freedom, and the Czechoslovak Order of the White Lion. He was offered a decoration by the Communist Government of Poland, but he rejected this award on the ground that he could see no distinction between the tyranny of the Polish Communist Government and that of the Nazi regime.

ELECTION TO CONGRESS

Mr. Dodd was elected to represent the First Congressional District of Connecticut in the Congress of the United States in November 1952, and reelected in 1954. He served on the Foreign Affairs Committee and on a Select Committee To Investigate Communist Aggression.

On November 4, 1958, Dodd was elected to the U.S. Senate. He presently serves on the Foreign Relations Committee, the Judiciary Committee, and the Committee on Aeronautical and Space Sciences. He is chairman of the Judiciary Subcommittee on Juvenile Delinquency and Acting Chairman of the Internal Security Subcommittee.

CAREER IN CONGRESS

Assessing the contribution to government of a legislator is one of the most difficult forms of analysis. It is complex because it involves an evaluation of many things; votes he has cast on important issues; legislation he has successfully offered; investigative work he has done on committees; behind-the-scenes influences he has exerted on executive decisions and on the shaping of opinion in the Congress; and the impact of his work upon the education and molding of public opinion.

Senator Dodd has been very active on domestic issues. He has sponsored important legislation on such thorny and diverse topics as labor reform, wiretapping, election reforms, juvenile delinquency, immigration liberalization and the sale and use of habit-forming drugs. But he has stated many times that the overriding issue of our generation is the conflict between Christian civilization and world communism. This is his major field of action and it is in this context that his contribution must be judged.

Although the world struggle has many facets, Senator Dodd regards it essentially as a moral conflict between right and wrong. The foundation of his approach toward this issue is the philosophic training he first received at Providence College, augmented by the studies and experiences of a lifetime.

As a Member of the House of Representatives and the Senate, Dodd has consistently supported a more vigorous defense effort, a broader and more discriminating program of foreign aid, and a firmer resistance, based on moral grounds, to the various stratagems the Communist movement has successfully used against us over the years.

LEGISLATION

Legislation is essentially a joint corporate product of the Congress and though a Senator may contribute substantially to many pieces of legislation, there are very few bills that can be clearly attributed to a particular Senator. Representative pieces of legislation in which Senator Dodd has played a principal part are:

In 1956, Congressman Dodd proposed legislation, which was adopted, which doubled U.S. assistance to the people of Guatemala. This nation had just overthrown a Communist regime which had left the country destitute and bankrupt. Dodd's amendment was designed to demonstrate what we were prepared to do for any country that was able to rid itself of a Communist regime. It was part of a comprehensive effort by Dodd to give proper attention to the problems of Latin America, an area which we have so dangerously neglected.

In 1959, Senator Dodd successfully sponsored legislation which separated military aid from economic aid in our mutual security program. This was a long-term objective of foreign policy planners aimed at making both forms of aid more effective by divorcing the humanitarian aspects of our foreign assistance from the military aspects.

In 1960, Senator Dodd cosponsored and successfully piloted the freedom academy bill through the Judiciary Committee and on to final passage by the Senate. This legislation establishes an academy for the training of Government and nongovernment personnel in the science of counteracting the various means of Communist aggression and developing more effective tactics and policies for the free world. It would provide a body of informed and dedicated protagonists of freedom who are ready to offer successful alternatives to communism in every phase of the cold war. Though this bill passed the Senate, action was not taken in the House of Representatives. It is hoped that both Houses will act favorably upon it during this Congress.

In 1961, Senator Dodd introduced and in his capacity as chairman of the Senate Juvenile Delinquency Subcommittee conducted hearings on a proposed Federal program to combat juvenile delinquency. This legislation provided for research into juvenile programs, the carrying on of pilot programs throughout the Nation to discover better methods of dealing with juvenile delinquents and the training of an army of skilled probation officers and experts in the treatment of youthful offenders. This bill, in the form in which it passed the Congress was signed by the President, was the work of many men, but Senator Dodd played a principal role.

In May 1963, Senator Dodd, joined by 34 other Senators, introduced a resolution advocating a treaty banning nuclear testing in the atmosphere and under the sea. Senator Dodd's objective was to stop the tests that were the principal source of nuclear fallout, and since atmospheric and underwater tests can be detected he felt that the risks to our national security would be minimal.

The test ban treaty subsequently negotiated and ratified contained prohibitions against atmospheric and underwater tests, and added outer space. But this important first step toward a comprehensive disarmament agreement was contained essentially in Senator Dodd's original resolution.

Early in 1963, Senator Dodd joined with a distinguished Republican colleague, Senator John Sherman Cooper, in introducing three important civil rights bills.

These proposals have figured prominently in the discussions on the civil rights program recommended later in the year by the Kennedy administration.

The first bill would protect the right of all qualified Americans to vote, by requiring the nondiscriminatory use of literacy tests. The second would speed up the process of school desegregation, wherever segregation exists, by giving the Attorney General authority to intervene upon request and initiate suits. The third was directed toward eliminating discrimination in restaurants, stores, places of entertainment and other places of business that are open to the public for general use.

Each of these three areas of discrimination is dealt with, though not in exactly the same manner, the civil rights bill approved by the House and now being discussed in the Senate.

In August 1963, after over 2 years of study and hearings, Senator Dodd introduced a bill to make it more difficult for juveniles, criminals and narcotic addicts to purchase firearms by mail order.

The mail order gun business has increased tremendously during recent years, and public opinion has been focused on this problem by the tragic assassination of President Kennedy with a rifle purchased by mail order. Since the assassination in November, a number of hearings have been held in the Senate on Senator Dodd's bill and the prospects for approval of this legislation seem better now than at any previous time.

INVESTIGATIVE WORK

Senator Dodd has been equally active in the field of committee investigative work. As acting chairman of the Internal Security Subcommittee of the Senate, Dodd has attempted to demonstrate that subversive activity can be investigated and exposed in a manner that is both effective and responsible, and which gives due regard to both the security of the United States and the civil liberties of individuals.

Senator Dodd's investigation into the Fair Play for Cuba Committee, which was probably the principal Communist front in the United States until recently, resulted in disclosures that top officials of the committee were Communists and that its acivities were being financed by the Castro Government in Cuba. The Fair Play for Cuba Committee has had great success in deluding thousands of college students on campuses across the Nation and the results of Dodd's continuing investigation into this organization will help block further growth of this front group and spare many thousands of American students from an affiliation which they would deeply regret in later years.

Dodd's behind-the-scenes investigation into a proposed shipment of 45 precision ball bearing machine tools to the Soviet Union caused the cancellation of that shipment when Dodd was able to demonstrate to the President and the Commerce Department that this unique machinery would be of inestimable value to the Soviet Union in the furtherance of its missile and space programs.

Senator Dodd has directed an intensive investigation of crime and violence on television programs and its relation to juvenile deliquency. His investigation revealed that crime-and-violence shows on television increased threefold during the last 5 years and that the intensity of the violence had increased dramatically. He brought to light scientific evidence and testimony that violence on television is extremely harmful to the developing young mind. In a recent television trade magazine article, it was stated that the most telling evidence used by the Federal Communications Commission in 2½ years of hearings held by that group were documents supplied them by the Juvenile Delinquency Subcommittee. One of the most immediate effects of the subcommittee hearings was a reevaluation of shows being added or actually dropped from the schedule because of excessive violence. In order to insure a continued cleanup of the television industry, Dodd is presently preparing legislation that would help the FCC insure that the networks adhere to their own standards of good programming.

VOCATIONAL TRAINING, ONE OF ALASKA'S NEEDS

Mr. GRUENING. Mr. President, the May issue of the American Vocational Journal carries an interesting article entitled "Alaska's Vocational Training Challenge," written by Lowell A. Burkett, assistant executive secretary of the American Vocational Association. The article points to the need for increased vocational education and training in the 49th State. Being still a frontier—"the last frontier," as Alaskans affectionately call it, the need to be able to do it yourself is more pressing there than in any of the older, longer established States. In Alaska, inevitably, more people are on their own than in the further developed, more urbanized areas of the Nation. For example, our homesteaders have to be able to build their own cabins in the wilderness, and they need the skills required in the building trades. As a result of the disaster caused by the earthquake, more than ever these skills are needed to rebuild Alaska.

I have long believed in and have long urged the importance of more vocational education for Alaska. Mr. Burkett quotes pertinently from the able U.S. Commissioner of Education, Francis Keppel, on this subject, as well as from Alaska's Governor William Egan and the State's two U.S. Senators.

I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Alaska's Vocational Training Challenge

As Alaska begins her mammoth recovery program following the recent earthquakes and seeks to stabilize an economy crippled by damage estimated at half a billion dollars, she presents a challenge to her vocational educators which they must accept in order for the State to recover rapidly and utilize her tremendous potential.

With major industries destroyed or severely damaged and thousands jobless, the need for sound vocational-technical programs acquires an urgency never felt before in any of the other 49 States.

Senator Ernest Gruening said of his State's disaster, "(it) has suffered a catastrophe which, in my reasoned judgment, surpasses in magnitude that suffered by any State of the Union in our Nation's entire history. * * * There will be a considerable period of unemployment.

The vocational educator must assume the responsibility of preventing prolonged unemployment and plan now for the implementation of long-term programs which will be ready to be put into operation as rapidly as the immediate recovery program will allow.

The resources upon which both the State and the vocational educator can draw are unlimited, although they must work with the attendant problems of a natural disaster along with situations peculiar to a developing State. In the tradition of a national frontier, Alaska has been plagued by high transportation costs, insufficient venture capital, inadequate public facilities, and long distances to established markets.

Industry is based on the natural resources but prosperity will depend on sufficient production to permit some export in addition to satisfying domestic needs. Effecting this proposal requires a supply of trained personnel. If these workers could be drawn from within the area and employers were not dependent upon out-of-State labor, the resultant lower manpower cost could lead to an overall price reduction and a population less transient in nature.

It is the Alaskan vocational educator's obligation to provide the training within the State which will satisfy the demands of the Alaskan employer.

One of the world's largest fisheries lies off the Alaskan coast and fishing has been that State's economic mainstay for many years. In 1962, the industry's value was placed at more than $100 million—with the salmon pack alone estimated to be worth about $98 million. In addition, experts predict that research, new markets, and more processing facilities would some day make Alaskan bottom fishing the largest dollar producer, exceeding the value of the salmon.

Vocational education could and should play an important role in the redevelopment of an industry termed by Alaskan Senator E. L. Bartlett as "very hard hit."

He stated, "only one cannery was left standing at Kodiak. * * * Practically all the fishing boats there were destroyed, as they were elsewhere. * * * Fishing is the No. 1 private industry in Alaska. We depend upon it heavily."

Training is required also for the related occupations of this No. 1 industry.

One of these—transportation—plays an important role in the State's employment pattern and survival. In 1957, Anchorage recorded the third greatest volume of air traffic of all cities in the United States. Aviation, along with the Alaska railroad and growing trucking activities, provided jobs for more than 4,000.

These workers are instrumental in marketing farm products and their number will be increased when Alaskan farms yield the envisioned 50 percent of the State's required food instead of the 10 percent now grown. Some experts believe Alaska could become a surplus producing State and the breadbasket of the Orient. The area is said to have 38 million acres of agricultural land but numerous problems are involved in attaining maximum production. Clearing the land is costly and time consuming.

Ocean currents along the Aleutian Chain temper the climate and make Kodiak and other isles suitable for livestock production but the problems of transportation and meatpacking hamper extensive development.

Much of Alaska's land is given over to the sizable forests and the amount of marketable timber is "enormous." The hardwood forests developed to full sustained yield can produce as much as Michigan, Minnesota, and Wisconsin combined. Ultimately, the new State hopes to gain an estimated 50 million acres of commercial forest lands producing about 200 billion board feet per year. This amount would equal the timber available in the national forests today.

Other natural resources are the region's minerals. Alaska has 32 of the 33 minerals rated strategic and critical by the Federal Government.

She is classified by many geologists as one of the world's major oil bearing regions. As exploration continues to uncover new gas and oil fields it is expected this industry will prove to be one of the greatest producers for the Alaskan economy.

Petroleum marketing is one of the four specialized areas of distribution which, USOE reports indicate, are growing in employment outlook and significance to the State's economy. The other three are transportation, wholesaling and hospitality (tourism).

Anchorage noted the sizable growth reflected in wholesale and retail trade as well as service industries over the past decade. Modern stores and up-to-date merchandising methods are expected to upgrade retailing considerably and probably lead to less mail order buying, more purchases in local stores and increased intra-Alaska business. In addition, trade with Japan and other friendly Far Eastern countries probably will increase.

This, of course, is only a fraction of the Alaskan story as related to the vast potential for vocational education. Other areas, such as communications and electronics, play a vital role in the developing economy and the State's advancement.

New job opportunities apparently will continue to appear or old ones will be reassessed, but both will need to be filled by trained personnel and this training should and can be conducted in the State.

Many of the established programs were housed in facilities demolished by the earthquake. The Anchorage programs were held in the high schools and community college. Damage to schools in that city alone was estimated at from $5 to $7 million. Reports are not available yet concerning all of the State's programs—programs which were considered by some as neither tapping the potential nor filling the area's employment needs.

In a September 1963 article for the Alaska Teacher, Commissioner of Education Francis Keppel stated:

"Much if not all of Alaska is designated for economic redevelopment because of heavy, chronic unemployment. Yet despite handicaps of climate and remoteness of location, your State encompasses human and natural resources which remain virtually untapped. * * * Proper and full development of the great Alaskan potential will require vision and dedication. Teachers and school administrators will, I hope, be among the leaders in devising and implementing future programs affecting all sectors of your economy.

"For instance, fishing has for years been Alaska's mainstay, yet no training courses are currently offered for this occupation. Your State is a strategic area in world communications, yet how much training is being offered to prepare people for work in related electrical and electronics occupations? How many programs are geared to manpower needs in oil production, logging, and pulpwood production?

"There is wide need for civil technologists, engineering aids, cement workers and the like for roadbuilding projects, but training opportunities are not provided in your public schools. Are you filling serious shortages in health occupations? Are you training workers for service, sales work, office work, and merchandising for the burgeoning tourist industry?"

In the same issue, Alaskan Gov. William Egan wrote:

"The State administration has taken advantage of the recent Federal emphasis on adult vocational education. During the 1962 fiscal year, courses to train unemployed Alaskans for office jobs for which qualified persons were in short supply were started in Ketchikan, Juneau, Fairbanks, and Anchorage, following determination by the Alaska Department of Labor that the needed trained people were not available. A total of 120 workers will have been graduated from the courses by September. In addition, courses have been completed or are in progress in Anchorage to train 45 workers as electricians and in electronics, and 30 workers as millwrights.

"A major vocational education project under the Manpower Development and Training Act has been undertaken at the University of Alaska. Forty persons are being trained in a 48-week course as electronics technicians to perform maintenance work on DEW line equipment and in other areas of electronics work in Alaska. When they complete the course, these Alaskans, chosen from all over the State, will replace technicians now recruited from outside.

"The recent adult vocational education achievements are an addition to the vocational education courses carried on in Alaska's high schools and in the community colleges. This fiscal year, about 1,100 students are expected to attend the community colleges and high school vocational training courses. Of the total $569,000 for this vocational program, school districts are expected to contribute $105,000, the State $176,000 and the Federal Government $288,000.

"Our high school education courses train teenagers in home economics, agriculture, trade and industry, and distributive occupations—those useful in trade and service industries. Adult vocational education courses are being offered at the community colleges in subjects ranging from aircraft and engine maintenance to welding, and a course to train practical nurses is also being offered in Anchorage."

Whatever the view of the past programs, it is clear that Alaska needs vocational educators and the vocational-technical training they can provide not only in the wake of this emergency but to develop the long-term economy of the State. It is the State's obligation to furnish the leadership which will provide a sound vocational education organizational structure in order that good programs will be available in all fields of vocational-technical education.

ALASKA'S SENATORS COMMENT ON VOCATIONAL EDUCATION

In Alaska we are fortunate to see the results of what can be accomplished when men with ability are trained. For example, Alaskan natives are now receiving instruction in electronics. This provides useful employment to Alaskans—employment we have been seeking for so long.

The first group of 10 Indians and Eskimo young men spent 18 months with the RCA Electronics Training School in New York City. Every one of our boys made the grade. They returned to Alaska to take jobs on the distant early warning line and the white Alice system, and their salaries begin at a minimum of $8,000 per year.

The late President Kennedy had occasion to congratulate this first group and to comment on their wonderful performance. More than 100 young Alaskans have been trained, and I see no reason why the training cannot be extended to young women as well.

Vocational training is desirable in all fields where skills are needed. I shall certainly continue to support proposed legislation which will develop our national vocational training program.—Senator ERNEST GRUENING.

The Alaska economy has received a staggering blow. Before the earthquake, unemployment was a major and continuing problem across the State; it is now even more severe, even more important. Jobs must be found and men must be trained to fill these jobs.

Alaska's natives and Indians present a particular problem and a particular challenge. Many of these citizens have made the jump from stone age culture to modern man in one generation. Natives and Indians are people of great talent and ability. They, too, need vocational training so that they may play a useful role in Alaska's reborn economy.

We all know the impressive work which has been done in rehabilitating the handicapped and in returning them as productive members of society. The job now facing us in Alaska is not dissimilar: Vocational rehabilitation on a large scale will be needed to return Alaska as a productive, participating member of the American economy.—Senator E. L. BARTLETT.

INTENSIVE AND SPECIALIZED EDUCATIONAL TRAINING FOR ARMY REJECTS

Mr. PELL. Mr. President, last week the Washington Post carried a story of a limited but significant achievement in dealing with the problem of inadequate education. It tells of 11 young men who had volunteered for the armed services, but were unable to pass the basic enlistment screening test.

Quite apart from the personal frustration and disappointment of these young men, who were anxious to serve their country in the armed services, was the larger question of what might be done to remedy educational defects and inadequacies as revealed by the screening tests. What was involved was not only the future of 11 young men, but also to deal with the problem of uncounted thousands of capable young people, poorly or insufficiently schooled, of whom they were typical, at a most critical chronological point in their lives. These 11 were potentially of the enormous social dynamite of our times which is accumulating, particularly in urban areas.

In a project administered by the National Committee for Children and Youth with the cooperation of the District of Columbia School System, the Labor Department, and the Defense Department, these 11 Army volunteer rejects were enlisted in an experimental course of 6 weeks intensive and specialized educational training. The results were most spectacular. On reexamination by the Army recruiting service, the rejectees scored much higher grades than they had on the initial test, and they were able to qualify for Army service.

The numbers are small; but the indication of what can be done by a dedicated and concerted remedial effort is significant. Other experiments which are being conducted in vocational and other training under this project of the National Committee will be watched with great interest.

Mrs. Rita Valeo, the project director, is to be especially congratulated on her part in this effort. Her hard work and her strong concern for the problems of young people have resulted in her exercising a leading role in this field. In spite of her family responsibilities—her husband is singularly busy, and has irregular hours; and they have a growing child, I hope she will be able to continue to give of herself as she has in this work.

I ask unanimous consent that the article from the Washington Post of May 11 be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ELEVEN WHO FAILED ARMY TESTS WIN REVERSAL BY CRAMMING

(By B. D. Ayres, Jr.)

Eleven men rejected early this year by the Army as educationally unfit have since passed military service examinations with the aid of a cram course.

Two achieved grades high enough to permit them to enter the Army as volunteers and thus receive preferred training and assignments. The remaining men scored high enough to permit them to volunteer for the draft and thus be placed at the top of the call-up list.

Military and labor specialists view the project with enthusiasm. They see it as an aid to both enlistment and job qualification.

Originally, the 11 men had volunteered for the Army but had failed the enlistment screening test, which determines if volunteers should take final service entrance tests. After learning of the failures, the National Committee for Children and Youth invited the men to take the special 6-week course, which was set up by the committee with Manpower Act funds designated for the renewed fight against poverty.

The course enabled each man to raise his screening test grade an average of about 20 points, for a class test average of about 35 out of a possible 48. The passing mark is 28.

As set up, the program offered job-placement aid to men who completed the course but chose not to take the Army reexaminations or men who failed the reexaminations. Army rules permit men to take the screening test twice.

The men who took the course told counselors they had volunteered for the Army in hope of acquiring training that eventually would give them a boost in the labor market.

Almost all were school dropouts who came from impoverished backgrounds.

Committee officials currently are considering a second Washington program and work is underway on a Baltimore program.

Similar projects for rejected draftees are being planned by the Labor Department. Job placement will be emphasized even more heavily than in the committee's programs, which concern only service volunteers.

Initially, 27 men signed up for the National Committee course.

Eleven dropped out early in the program, most because job hours conflicted with class hours.

Of the remaining men, only two failed reexaminations in the screening test. The others chose not to take more tests, were unable to find the time, or were physically disqualified.

MRS. ANGELIKA SCHNEIDER'S SUCCESSFUL SUIT TO MAINTAIN NATURALIZED CITIZENSHIP

Mr. PELL. Mr. President, on Monday, May 18, the Supreme Court handed down a landmark decision in overruling the district court decision which upheld the revocation of Angelika Schneider's naturalized citizenship.

Mrs. Schneider, who had her citizenship revoked because she returned to the land of her native birth and resided there with her husband for more than 3 years, had the courage of her convictions to fight an obviously inequitable law—one which declared that naturalized citizens, who are citizens by choice, do not enjoy the same privileges and rights, under our Constitution, as do our native-born citizens, who are citizens by the accident of place of birth.

In the majority opinion of the Court, Mr. Justice Douglas stated:

> We start from the premise that the rights of citizenship of the native born and of the naturalized person are of the same dignity and are coextensive * * *. This statute proceeds on the impermissable assumption that naturalized citizens as a class are less reliable and bear less allegiance to this country than do the native born. This is an assumption that is impossible for us to make.

I am pleased that the part of my bill, S. 1641, which would have repealed the same statute so wisely struck down by the Court, need not now be acted on.

I only regret that Congress has not yet acted to revise and up-date all our immigration and nationality laws.

I ask that the opinion written by Justice Douglas be printed in the RECORD.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

ANGELIKA L. SCHNEIDER, APPELLANT, *v.* DEAN RUSK, INDIVIDUALLY AND AS SECRETARY OF STATE, ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, MAY 18, 1964

Mr. Justice Douglas delivered the opinion of the Court.

The Immigration and Nationality Act of 1952, 66 Stat. 163, 269, 8 U.S.C. sections 1101, 1484, provides by section 352:

"(a) A person who has become a national by naturalization shall lose his nationality by—

"(1) having a continuous residence for three years in the territory of a foreign state of which he was formerly a national or in which the place of his birth is situated, except as provided in section 353 of this title,[1] whether such residence commenced before or after the effective date of this Act."

Appellant, a German national by birth, came to this country with her parents when a small child, acquired derivative American citizenship at the age of 16 through her mother, and, after graduating from Smith College, went abroad for postgraduate work. In 1956 while in France she became engaged to a German national, returned here briefly, and departed for Germany, where she married and where she has resided ever since. Since her marriage she has returned to this country on two occasions for visits. Her husband is a lawyer in Cologne where appellant has been living. Two of her four sons, born in Germany, are dual nationals, having acquired American citizenship under section 301(a)(7) of the 1952 Act. The American citizenship of the other two turns on this case. In 1959 the United States denied her a passport, the State Department certifying that she had lost her American citizenship under section 352(a)(1), quoted above. Appellant sued for a declaratory judgment that she still is an American citizen. The District Court held against her, 218 F. Supp. 302, and the case is here on appeal.[2] 375 U.S. 893.

The Solicitor General makes his case along the following lines.

Over a period of many years this Government has been seriously concerned by special problems engendered when naturalized citizens return for a long period to the country of their former nationalities. It is upon this premise that the argument derives that Congress, through its power over foreign relations, has the power to deprive such citizen of his or her citizenship.

Other nations, it is said, frequently attempt to treat such persons as their own citizens, thus embroiling the United States in conflicts when it attempts to afford them protection. It is argued that expatriation is an alternative to withdrawal of diplomatic protection. It is also argued that Congress reasonably can protect against the tendency of three years' residency in a naturalized citizen's former homeland to weaken his or her allegiance to this country. The argument continues that it is not invidious discrimination for Congress to treat such naturalized citizens differently from the manner in which it treats native-born citizens and that Congress has the right to legislate with respect to the general class without regard to each factual violation. It is finally argued that Congress here, unlike the situation in *Kennedy* v. *Mendoza-Martinez*, 372 U.S. 164, was aiming only to regulate and not to punish, and that what Congress did had been deemed appropriate not only by this country but by many others and is in keeping with traditional American concepts of citizenship.

We start from the premise that the rights of citizenship of the native born and of the naturalized person are of the same dignity and are coextensive. The only difference drawn by the Constitution is that only the "natural born" citizen is eligible to be President. Article II, section 1.

While the rights of citizenship of the native born derive from section 1 of the Fourteenth Amendment and the rights of the naturalized citizen derive from satisfying, free of fraud, the requirements set by Congress, the latter, apart from the exception noted, "becomes a member of the society, possessing all the rights of a native citizen, and standing, in view of the Constitution, on the footing of a native. The Constitution does not authorize Congress to enlarge or abridge those rights. The simple power of the national legislature is to prescribe a uniform rule of naturalization, and the exercise of this power exhausts it, so far as respects the individual." *Osborn* v. *Bank of United States*, 9 Wheat. 738, 827. And see *Luria* v. *United States*, 231 U.S. 9, 22; *United States* v. *MacIntosh*, 283 U.S. 605, 624; *Knauer* v. *United States*, 328 U.S. 654, 658.

Views of the Justices have varied when it comes to the problem of expatriation.

There is one view that the power of Congress to take away citizenship for activities done by the citizen is nonexistent absent expatriation by the voluntary renunciation of nationality and allegiance. See *Perez* v. *Brownell*, 356 U.S. 44, 79 (dissenting opinion of Justices Black and Douglas); *Trop* v. *Dulles*, 356 U.S. 86 (opinion by Chief Justice Warren). That view has not yet commanded a majority of the entire Court. Hence we are faced with the issue presented and decided in *Perez* v. *Brownell*, *supra*, *i.e.*, whether the present Act violates due process. That in turn come to the question put in the following words in Perez:

"Is the means, withdrawal of citizenship, reasonably calculated to effect the end that is within the power of Congress to achieve, the avoidance of embarrassment in the conduct of our foreign relations?" 356 U.S., at 60.

In that case, where an American citizen voted in a foreign election, the answer was in the affirmative. In the present case the question is whether the same answer should be given merely because the naturalized citizen lived in her former homeland for three years. We think not.

Speaking of the provision in the Nationality Act of 1940 which was the predecessor of section 352(a)(1), Chairman Dickstein of the House said that the bill would "relieve this country of the responsibility of those who reside in foreign lands and only claim citizenship when it serves their purpose." 86 CONGRESSIONAL RECORD 11944. And the Senate Report on the 1940 bill stated:

"These provisions for loss of nationality by residence abroad greatly lessen the task of the United States in protecting through the Department of State nominal citizens of this country who are abroad but whose real interests, as shown by the conditions of their foreign stay, are not in this country." S. Rep. No. 2150, 76th Cong., 3d sess., p. 4.

As stated by Judge Fahy, dissenting below, such legislation, touching as it does on the "most precious right" of citizenship (*Kennedy* v. *Mendoza-Martinez*, 372 U.S., at 159), would have to be justified under the foreign relations power "by some more urgent public necessity than substituting administrative convenience for the individual right of which the citizen is deprived." 218 F. Supp. 302, 320.

In *Kennedy* v. *Mendoza-Martinez*, supra, a divided Court held that it was beyond the power of Congress to deprive an American of his citizenship automatically and without any prior judicial or administrative proceedings because he left the United States in time of war to evade or avoid training or service in the Armed Forces. The Court held that it was an unconstitutional use of congressional power because it took away citizenship as punishment for the offense of remaining outside the country to avoid military service, without, at the same time, affording him the procedural safeguards granted by the Fifth and Sixth Amendments. Yet even the dissenters, who felt that flight or absence to evade the duty of helping to defend the country in time of war amounted to manifest nonallegiance, made a reservation. Justice Stewart stated:

"Previous decisions have suggested that congressional exercise of the power to expatriate may be subject to a further constitutional restriction—a limitation upon the kind of activity which may be made the basis of denationalization. Withdrawal of citizenship is a drastic measure. Moreover, the power to expatriate endows government with authority to define and to limit the society which it represents and to which it is responsible.

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[1] The exceptions relate, inter alia, to residence abroad in the employment of the United States and are not relevant here.

[2] For other aspects of the case see 372 U.S. 224.

"This Court has never held that Congress' power to expatriate may be used unsparingly in every area in which it has general power to act. Our previous decisions upholding involuntary denationalization all involved conduct inconsistent with undiluted allegiance to this country." 372 U.S., at 214.

This statute proceeds on the impermissible assumption that naturalized citizens as a class are less reliable and bear less allegiance to this country than do the native born. This is an assumption that is impossible for us to make. Moreover, while the Fifth Amendment contains no equal protection clause, it does forbid discrimination that is "so unjustifiable as to be violative of due process." *Bolling* v. *Sharpe,* 347 U.S. 497, 499. A native-born citizen is free to reside abroad indefinitely without suffering loss of citizenship. The discrimination aimed at naturalized citizens drastically limits their rights to live and work abroad in a way that other citizens may. It creates indeed a second-class citizenship. Living abroad, whether the citizen be naturalized or native born, is no badge of lack of allegiance and in no way evidences a voluntary renunciation of nationality and allegiance. It may indeed be compelled by family, business, or other legitimate reasons.

Reversed.

Mr. Justice Brennan took no part in the decision of this case.

THE PUBLIC STILL PAYS

Mr. BARTLETT. Mr. President, 30 years ago my colleague, the junior Senator from Alaska [Mr. GRUENING] wrote a book entitled, "The Public Pays"—a study of power propaganda. This book described the massive campaign against public power waged by private industry.

Now the book has been updated and reissued as "The Public Pays—and Still Pays." The campaign is still underway. Many millions of dollars have been spent upon it. The book serves a worthy purpose in placing this campaign in clear perspective.

I ask unanimous consent that a review written by Ron Ross, managing editor of the magazine, Public Power, may be made a part of the RECORD at this point.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

THE PUBLIC STILL PAYS

(By Ron Ross, managing editor, Public Power)

More than 30 years ago, a well-known editor and writer distilled the massive hearings of the Federal Trade Commission's investigation of power company propaganda into a concise, readable volume entitled "The Public Pays—A Study of Power Propaganda."

The author, ERNEST GRUENING, later entered into a distinguished career of public service, and now is a U.S. Senator from Alaska. The book, long out of print, is being reissued this month—not because of Senator GRUENING's position or the undoubted historic merit of the book, but because, as the cover of the new paperback edition notes: "The Public Pays—And Still Pays."

Although originally published in 1931, 3 years before the Federal Trade Commission issued the summary report to its investigation of the companies' propaganda campaigns of the twenties, "The Public Pays" concerns a menace perhaps more threatening in 1964.

Today's power company propagandists have the benefits of some 30 more years of research into how to mold public opinion. And they have new methods of influencing the public. The book recalls how the shocked Judge Robert E. Healey, counsel for FTC at the hearings, asked the National Electric Light Association's director of public information whether the companies had neglected any form of publicity in their efforts to win favor for the companies. The answer was, "Only one and that is skywriting."

But back in the twenties, the full potential of radio broadcasting had not been realized, and TV was a laboratory dream. Recently it was reported that the electric companies advertising program (ECAP) was studying a plan for power company sponsorship of a multi-million-dollar TV series based on the life of the late Gen. Douglas MacArthur. Such ventures make it clear that the public not only is "still paying," but is paying sums undreamed of by even the most ambitious of the comparatively primitive power company public relations experts of the twenties.

In an introduction of the new edition of "The Public Pays," Senator GRUENING writes that the book is being reissued "to remind the American people about the proverb of the leopard and his unchangeable spots; to recall to them the immortal dictum of our forefathers that 'eternal vigilance is the price of liberty'; and to point out that 'The Public Still Pays.' "

To illustrate his point, Senator GRUENING has added reproductions of nine ECAP advertisements, including the infamous Berlin wall ad. This ad, published just a year ago, was assailed as "a particularly ugly advertising campaign" by the late President Kennedy.

Other ECAP ads include one featuring baby pictures from several years ago, and the one showing a youngster with a Bible, key, pencil, and ballot—seeking to equate private power with "symbols of freedom."

Also added to the new edition is the text of the February 1941 opinion (No. 59) of the Federal Power Commission, under the chairmanship of the late Leland Olds, describing the political activities of Northwest power companies in fighting local public power. Of more that $1 million expended by the companies between 1935 and 1940 for "political and legislative interests and to influence public opinion," half was charged to the companies' consumers.

But the main substance of the book is the original text of the study of the electric power companies' efforts to control public opinion. The story begins with the proposal in 1927 of the late Senator Thomas J. Walsh, of Montana, for an investigation of the electric utility industry, and how opponents of the investigation, led by the late Senator Walter F. George, of Georgia, succeeded in diverting the investigation to the Federal Trade Commission, where it was assumed it would largely wither.

Credit for starting the companies' massive efforts to curry favor is given to Samuel Insull, who in 1919 ordered the creation of an "Illinois Committee on Public Utility Information." This was "the progenitor of a nationwide movement."

"Although it deals with propaganda," wrote author GRUENING in the introduction to the first edition, "this volume is not propaganda on either side of the controversial issue involved—as that issue was envisaged by the strategists in the power propaganda campaign. The material is as far as possible extracted verbatim from the Federal Trade Commission's reports and exhibits, so that the propaganda's purpose, as nearly as may be, is revealed 'out of the mouths' of its proponents."

In the following chapters, the words of the "proponents" are frequently used to spell out how the power companies sought to corrupt education, win the support of women and children, control the press and even bar Chautauqua platforms to public ownership advocates.

Chapters on the power company campaign in the universities and colleges may seem remote, but are they? It was less than 2 years ago—not in the twenties—that a Columbia University press release referred to "the continuous inroads of the tax free public ownership" in promoting a utility management workshop.

Just last month, the American Power Conference, held in Chicago under the sponsorship of the Illinois Institute of Technology in association with leading universities, provided, as it frequently has in the past, a forum for power company spokesmen to attack public power.

Many of the techniques employed by the power companies in the twenties will be familiar to those who have opposed the contemporary company propagandists. Nor have the names even changed in all cases.

The first edition of this book reported on the Federal Trade Commission's disclosure of the "canned" editorial propaganda mill operated by E. Hofer & Sons. Free editorials were provided to newspapers by the service which was financed by the privately owned electric utilities and other industries. And they still are, as Senator GRUENING notes in his new introduction.

"Although exposed 30 years ago by the Federal Trade Commission, the practice of thus subverting public opinion continues," he comments, quoting the text of a recent Hofer editorial to demonstrate "the similarity in the the line taken by the Hofer editorial and the contemporary advertising of the utility companies."

"The Public Pays" shows that in the twenties, as today, the company propagandists were seeking to discredit municipal electric utilities. And, then as now, they were frustrated by successful operations.

"The sad part of the story is that it is true," wrote a spokesman for the companies' "Oklahoma Utilities Information Committee" in 1927 to a colleague in New England when asked about a story praising the Ponca City municipal system which had appeared in the Christian Science Monitor.

Similarly, a Michigan leader reported, "The less said about Holland the better," when asked about the Holland, Mich., system. "It is a successful municipally owned plant, and there is no use denying the fact."

A Missouri propagandist complained of the low rates of the Hannibal, Mo., system and advised a coworker, "It is extremely desirable that the Hannibal plant should be removed from the field of comparison in Missouri." And an Illinois committee official confidentially reported the failure of efforts to find discrepancies in the accounts of the Springfield system.

The title, "The Public Pays," no doubt came from the advice given a public relations section of the National Electric Light Association by the Association's managing director, the late M. H. Aylesworth, in 1924: "Don't be afraid of the expense. The public pays the expenses."

That was 40 years ago, but as Senator GRUENING points out, the public is still paying. And it's likely that the public will continue to pay for its own brainwashing until it awakens to the facts about this long, continuing propaganda war of the companies.

Widespread distribution of this timely new edition of Senator GRUENING's book can make an important contribution to this awakening.

THE BOOK

"The Public Pays," a Study of Power Propaganda, by ERNEST GRUENING, new, enlarged edition, 273 pages, New York, the Vanguard Press, May 1964, $2.25.

This is a new, enlarged edition of Senator GRUENING's study, first published in 1931, of power company propaganda as revealed by the Federal Trade Commission.

Copies may be ordered at $2.25 each, with quantity discounts, from: American Public Power Association, 919 18th Street, NW., Washington, D.C.

THE AUTHOR

Senator ERNEST GRUENING, Democrat, of Alaska, author of "The Public Pays," has had two distinguished careers: in journalism as a writer and editor, and in public service as an administrator and legislator.

Born in New York City, the son of an eminent physician, he attended Harvard and went on to receive his M.D. degree from the Harvard Medical School. But instead of entering the medical field, Dr. GRUENING became a newspaper reporter in Boston, where he rapidly rose to the position of managing editor of a Boston newspaper. He moved to New York as managing editor of the New York Tribune, and after Army service in World War I became managing editor of The Nation magazine.

In 1927, he founded a liberal daily newspaper in Portland, Me., the Evening News. While editing the Portland paper, his interest was attracted to the Federal Trade Commission investigations of the power trust, and he wrote "The Public Pays" to help focus public attention on the investigation's revelations.

After serving a year as editor of The Nation, he was appointed by President Franklin D. Roosevelt as a member of the U.S. delegation to the Seventh Inter-American Conference at Montevideo, Uruguay, and the following year was named director of the Division of Territories and Island Possessions in the Department of the Interior. He also served as administrator of the Puerto Rico Reconstruction Administration and helped create the Puerto Rico Water Resources Authority.

Appointed Governor of Alaska in 1939, he served in that post until 1953, during which time he was a leading advocate of statehood. When Alaska became a State, he was elected one of its first two Senators in 1958. He was reelected to a full 6-year term in 1962.

NEITHER SNOW NOR RAIN NOR DARK OF NIGHT NOR EARTHQUAKE CAN STAY THE STORK FROM THE SWIFT COMPLETION OF HIS APPOINTED ROUNDS

Mr. BARTLETT. Mr. President, the Alaska earthquake struck at 5:36 p.m. on Good Friday.

At Elmendorf Air Force Hospital the day was proceeding normally. The day shift had left for the Easter weekend, the evening shift was making its rounds. In obstetrics a mother expecting twins was in labor. And then the earthquake struck.

Patients were knocked out of beds, windows were broken, walls crumbled, ceilings fell.

The wise decision was made to evacuate the building. This is most difficult procedure in any hospital. At Elmendorf the problems were immense. The elevators were out of order, the telephones were inoperative, the electricity and heat were off.

The hospital was evacuated in 18 minutes, a remarkable feat. Within minutes after the earthquake, over 95 percent of the hospital's full staff was on duty. Wards were set up, an operating room established, and cooking facilities arranged in the out buildings surrounding the hospital.

And at 6:45 p.m., 1 hour and 9 minutes after the quake, the twins were born.

I ask unanimous consent that an article, describing the heroic and courageous and immensely efficient work of the staff of Elmendorf Air Force Hospital, may be made a part of the RECORD at this point. The article is from the Sourdough Sentinel of April 24.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOSPITAL REBOUNDS AFTER EARTHQUAKE

(By Capt. Robert L. Powell, Chief, Administrative Division USAF Hospital, Elmendorf)

Good Friday, March 27, had been a good day. It had been busy as usual, with many patients, plus the extra preparation for a visit by the Inspector General of the Alaskan Air Command to USAF Hospital Elmendorf on April 6.

When 5 p.m. came, the day staff of the hospital was more than eager to turn the patients over to the evening crew and to head for their homes in anticipation of a pleasant Easter weekend.

The evening staff, 45 strong, went about their usual duties. The Army Medical Officer of the Day (MOD) Capt. Joseph E. Roe, was in the emergency room examining a patient. The Air Force MOD, Capt. Alan Herrington was in the main lobby on his way to the dining hall.

The labor and delivery nurse, Capt. Patsy L. Gibbens, was checking on the progress of a patient carrying twins who was in labor. The food trays had been delivered to all patients on the medical ward and the nurse, Lt. Phyllis J. Nagle, was seated at the nurse's station working on the cardex nursing notes. On the 6th floor, Mrs. Alice Phillips, the charge nurse, and her staff were delivering food trays to the patients.

At precisely 5:36 p.m. each stopped what he or she was doing, for the hospital had begun to sway just slightly. A thunderous noise began. Thousands of thoughts ran through their minds. Was it an earthquake (Alaska has tremblers frequently)? Was it a sonic boom? Was it a nuclear attack? An instant later, all these questions were answered. Earthquake.

The entire building became a cacophony of sounds and movements. Glass crashed from window sills, walls groaned and cracked, ceilings fell, beds crazily banged from one wall to another in the patients' rooms and on the wards, floors rippled up and down as roller coasters do, insulation spewed from the seams in the walls, water pipes spurted, marble panels collapsed to the floors, fumes of acids and gasses and medicines pervaded the hospital, the pharmacy floor ran deep in red, green, and purple sirups, thiolate and food splattered the walls.

Patients held desperately to their beds as they were crashed from wall to wall or they huddled together on the floor in the sure knowledge that they had but moments to live. In the dining hall, on the ground floor, both patients and staff dashed quickly to safety through the exits and turned to watch the hospital sway several feet in either direction.

Then all was still, a deathly, eerie silence. Capt. Paul L. Rohlf, a medical officer on obstetrics, looked out the window, where an instant before he had seen only concrete blocks disintegrating, he now saw people standing in the snow looking at the hospital, held there, in awe, by the fact that the hospital still stood.

The administrative officer of the day (AOD) Capt. Nedd D. Mockler, had been on his rounds on the first floor by the dental clinic when the earthquake had begun. As the intensity increased, he and the others on the first floor ran through the emergency entrance. As they flew through the doors, they saw large pieces of the A wing falling to the ground. Captain Mockler saw four panic-stricken children in a car and carried two and pushed two to a safe spot away from the building.

Within moments after the swirling motion and horrendous noise stopped, hurried conferences began. The AOD suggested to the MOD that the patients be evacuated. He agreed. They discovered that the elevators were out of order, that the telephones were inoperable, and that the electricity was off, except for the emergency power.

Unnamed runners were dispatched to every floor to pass the word. The floor nurses rushed to their more seriously ill patients to determine their condition. The obstetrics officer of the day (OBOD) dashed to the labor room of the lady with twins. A2c. Frank Benson sprinted to the airmen's barracks to summon aid. He encountered streams of medical airmen, and Air Force NCO's quartered in one building, already pouring from the barracks on their way to help. By twos and threes, the off-duty nurses hastened back to the hospital from their nearby quarters.

In the nursery, the babies had been wrapped to go to their mothers to be fed. Capt. Elizabeth J. Kearns, the post partum nurse, had followed the advice of the aid, Mrs. Riddich, who had been through many quakes.

When it was over, she called down the hall for each mother to come take a baby and get out of the building. They clawed their way through the dust and smoke where the nursery ceiling had fallen, each took a baby and hurriedly, but without panic, headed down the stairs and outside. Only one mother, in a small voice said "This isn't my baby."

On the surgical floor, ward 3, Capt. Elsie Phielix, the nurse, had called to all patients to get on the floor when it began. While the hospital shook, she quickly checked a postoperative hemicolectomy, sat him in a chair, and went into the ward. The quake subsided. She headed for 3B to check her patients, found all OK.

A nurse, Capt. Louise Stroup, popped in, said "evacuate," and disappeared. The ambulatory patients were directed down the middle stairway. Corpsmen A1c. Willie L. Goss and A2c. Robert A. Bax plus the other personnel who now had arrived on the floor got the litters, loaded them, and headed down the end exit stairwells.

T. Sgt. John D. Newell, the noncommissioned officer of the day (NCOD) had been in the dining hall eating when the earthquake began. He, as did all others, soon realized that this wasn't the usual shaker. When it was over, he headed for the second floor. The nurse there told him, with great relief, that the babies had been evacuated safely. They searched the nursery to make sure.

Amid the rubble of jumbled carts and fallen ceiling, they could find no more babies, so Sergeant Newell clambered up the stairs to check 3, 4, 5, 6, and 7. He found the stairs crowded with patients and staff, but all seemed to have complete presence of mind and were evacuating or assisting in the evacuation in a very orderly fashion. No panic existed.

On 7, the neuropsychiatric floor, A2c. George Briihl, was alone with the patients. The patients were all watching TV except one who was outside the ward entrance visiting with his wife. Then the quake hit. The patient's wife and some of the patients dashed toward the elevators. Airman Briihl shouted for them, and all the other patients, to hit the deck.

They watched one of the ward doors break from its bottom hinge, they saw the floor by the kitchen crack, buckle violently, then settle into place, and they witnessed the corner of the kitchen move a few inches to the right, the walls cracking and splitting, and then return to its place.

When it was over, they got to their feet and headed for the stairs. One patient refused to go. He stated that he had been ordered to stay on the ward and that that's what he was going to do. With assistance from two of the other patients, Airman Brilhl persuaded the reluctant one to leave.

Capt. John J. Smith, a surgeon, was in the physician's office on the sixth floor, where his daughter was a postoperative patient awaiting air evacuation to Madigan General Hospital in Tacoma, Wash. As the quake subsided, he hurried to his daughter's side, found her OK, called to Lt. Marilyn A. Gadjusek, the nurse on 6A, was assured that her patients had survived.

He sent a corpsman to the elevators, found them inoperative, put his daughter on a litter and with the aid of A2c. Jay D. Bohnenblust, evacuated her to the ground floor. Finding no one there, he took her out of the building and placed her in an ambulance.

Capt. Maynard Nelson, another surgeon, had worked late, having just finished seeing a patient when the quake began. His wife awaited him just outside his office; his children were in his auto parked just outside the hospital.

During the quake, he escorted his wife out of the building, found his children with Captain Mockler, the AOD, and after the decision to evacuate, he and Captain Stroup, the surgical clinic nurse, dashed from floor to floor to check conditions and spread the word to evacuate.

As the earthquake had begun, the hospital commander, Air Force Col. Oliver R. Seaman, was relaxing in his living room. When it was over, he prepared to head for the hospital. Within minutes, his staff car rolled up to his home and he was hurried to the area.

Lt. Col. Thomas A. Farrell, the executive officer, had just arrived at his home as the tremors began. He checked on his family, found them shaken but well, and immediately drove back to the hospital.

A few moments after 6 p.m., the first staff arrivals back at the hospital, found a triage and treatment section operating at the ambulance entrance under the direction of Lt. Col. Billye G. Gant, chief of medicine, who had been in his office on the fourth floor, and the two MODs.

Lieutenant Colonel Farrell, one of the first to return, discovered that all of the 181 patients and 18 newborns had been evacuated to the nurse's quarters, NCO barracks, and the airmen's barracks in 18 minutes. Minutes later, the commander arrived. He and Lieutenant Colonel Farrell began a survey of the damage.

A command post was established in the hospital's litter bus in the staff parking lot. The hospital's two "handy-talkies" were put in use for communications. A bull horn, procured to alert the barracks personnel in an emergency, was placed in use by T. Sgt. Desmond L. Ashley to direct traffic and operations. Ninety-five percent of the staff was on duty.

Air policemen arrived on the scene and were posted as perimeter guards and traffic controllers.

An urgent request was dispatched to the 64th Field Hospital for field generators to restore the lighting in the quarters building now being rapidly turned into wards, treatment rooms, and casualty rest areas. A major surgery suite appeared as if by magic in the barrack's training room. Ward services cared for and sorted out patients and soon a pediatrics area developed, as did a surgical ward, an NP ward, a medical ward and a female ward.

In the nurses' quarters, OB appeared. Dr. Rohlf, by flashlight, delivered the first of twins at 6:45 p.m. hours. Capt. Clarence Boone, an obstetrician, arrived to assist in the delivery of the second minutes thereafter.

The commander designated the ice skating rink warmup hut as the dining hall, and field ranges from the 64th Field Hospital arrived, were set up, and food was soon available for all.

Then the generators were in place. A telephone was installed and the command post was moved to the airmen's barracks.

Throughout the move, patients were seen and cared for. No accurate count was kept but estimates indicate that perhaps 50 patients were treated. Most of the injuries were minor and superficial, lacerations, abrasions, and bruises. Of significance were one Army patient with a fractured skull and a patient with two fractured radiuses.

At approximately 2 a.m., with the inpatients asleep, electricity restored, few incoming patients, and relative calm prevailing, Lt. Col. J. Lewis Smith, chief of hospital services, Capt. Ross C. Brown, his administrative assistant, and Captain Powell manned the command post and the majority of the staff departed for their homes or bedded down for the night anywhere they could find space to lie.

THE MARYLAND PRESIDENTIAL DEMOCRATIC PRIMARY

Mr. HUMPHREY. Mr. President, I rise to commend the distinguished and able junior Senator from Maryland [Mr. Brewster] for the fine record he achieved in the presidential Democratic primary election in his State of Maryland.

As has already been stated on this floor, he is a diligent, hard-working, and able Senator. He carried a very heavy burden in the Maryland presidential Democratic primary, in which he ran as a favorite-son candidate, against a candidate with substantial financial support and wide press coverage because of the stand he takes on one of the great issues of our times, civil rights. Of course, I refer to the Governor of Alabama, Mr. Wallace.

I respect the accomplishments of any candidate who obtains a sizeable vote. In my opinion, Senator Brewster's statement that he won, and that he was pleased, was a succinct and proper statement on the part of the victor, because he did win. He won by a margin of more than 50,000 votes, in an election that did not in a very real sense bring out a large vote. The Governor of Alabama polled a large vote—between 42 and 43 percent, as is noted in the morning newspapers, of the total vote in that primary—not the total vote in the State, but the total vote in the presidential Democratic primary. Surely he has every right to feel that he made a very strong race and carried his viewpoint to a large number of persons, and convinced them.

Mr. Wallace is not only a segregationist; he is also a conservative. He argued the case on the States rights issue, which has a sort of nostalgic appeal, until people find out what it really means—including right-to-work laws, which are generally defeated in State referendums, and which indicate that the States like a great deal of Federal help, but do not want anyone to know it.

I have noticed that most of the avowed States righters have their hands in the Federal Treasury clear up to their elbows. But still they talk about States rights.

Be that as it may, Mr. Wallace, the Governor of Alabama, carried on a strong campaign. The issue is whether the election decides the outcome of the civil rights bill. I believe most Senators feel that it does not. I have noticed that the leaders of the opposition to the civil rights bill in the Senate feel that it had little or no effect. Everyone I have talked to felt it would have little or no effect.

Primary elections, whether in Wisconsin or in Maryland, are drawn out of all proportion. I have noticed that the Republicans were involved in a primary election in Oregon not long ago in which a small number of people cast a vote, but the result almost became an international event. The same thing happened in Maryland. While only a small percentage of the total possible vote participated, the result in Maryland also seemed to some to be a great international event.

If we wish to discuss elections, I believe that the Senator from Wisconsin [Mr. Proxmire], gave us food for thought. Every incumbent Representative in the House of Representatives who voted for the civil rights bill—the bill that was under attack by the Governor of Alabama—won a smashing victory. Every avowed segregationist who had filed and campaigned in opposition to civil rights was beaten, humiliated, and overwhelmed by the size of the vote.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may have an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, if it makes anyone happy, let me say that the civil rights forces won a great victory in the election that was closest to the people; namely, the congressional elections. The Republican Senator from Maryland [Mr. Beall], known as a strong proponent of civil rights, swamped his opposition. He rode over all of his opposition with a tremendous vote.

It appears to me that the civil rights issue has its strong points in terms of the votes for Members of Congress.

What I believe is much more important is what was said in the campaign. I am delighted that the Democratic Senator from Maryland [Mr. Brewster] won. I am pleased that Governor Wallace lost. I am delighted that the incumbent Representatives who voted for the civil rights bill—they did not merely express an opinion but had their vote registered—won in every instance.

I am pleased that the avowed enemies of the civil rights bill, the avowed segregationists, suffered a devastating and humiliating defeat.

But having made that statement, I believe that what is most important is the distortion that took place in the campaign. There is such a thing as fighting edition, 273 pages, New York, the Vanguard Press, May 1964, $2.25.

This is a new, enlarged edition of Senator Gruening's study, first published in 1931, of power company propaganda as revealed by the Federal Trade Commission.

Copies may be ordered at $2.25 each, with quantity discounts, from: American Public Power Association, 919 18th Street, NW., Washington, D.C.

THE AUTHOR

Senator Ernest Gruening, Democrat, of Alaska, author of "The Public Pays," has had two distinguished careers: in journalism as a writer and editor, and in public service as an administrator and legislator.

Born in New York City, the son of an eminent physician, he attended Harvard and went on to receive his M.D. degree from the Harvard Medical School. But instead of entering the medical field, Dr. Gruening became a newspaper reporter in Boston, where he rapidly rose to the position of managing editor of a Boston newspaper. He moved to New York as managing editor of the New York Tribune, and after Army service in World War I became managing editor of The Nation magazine.

In 1927, he founded a liberal daily newspaper in Portland, Me., the Evening News. While editing the Portland paper, his interest was attracted to the Federal Trade Commission investigations of the power trust, and he wrote "The Public Pays" to help focus public attention on the investigation's revelations.

After serving a year as editor of The Nation, he was appointed by President Franklin D. Roosevelt as a member of the U.S. delegation to the Seventh Inter-American Conference at Montevideo, Uruguay, and the following year was named director of the Division of Territories and Island Possessions in the Department of the Interior. He also served as administrator of the Puerto Rico Reconstruction Administration and helped create the Puerto Rico Water Resources Authority.

Appointed Governor of Alaska in 1939, he served in that post until 1953, during which time he was a leading advocate of statehood. When Alaska became a State, he was elected one of its first two Senators in 1958. He was reelected to a full 6-year term in 1962.

NEITHER SNOW NOR RAIN NOR DARK OF NIGHT NOR EARTHQUAKE CAN STAY THE STORK FROM THE SWIFT COMPLETION OF HIS APPOINTED ROUNDS

Mr. BARTLETT. Mr. President, the Alaska earthquake struck at 5:36 p.m. on Good Friday.

At Elmendorf Air Force Hospital the day was proceeding normally. The day shift had left for the Easter weekend, the evening shift was making its rounds. In obstetrics a mother expecting twins was in labor. And then the earthquake struck.

Patients were knocked out of beds, windows were broken, walls crumbled, ceilings fell.

The wise decision was made to evacuate the building. This is most difficult procedure in any hospital. At Elmendorf the problems were immense. The elevators were out of order, the telephones were inoperative, the electricity and heat were off.

The hospital was evacuated in 18 minutes, a remarkable feat. Within minutes after the earthquake, over 95 percent of the hospital's full staff was on duty. Wards were set up, an operating room established, and cooking facilities arranged in the out buildings surrounding the hospital.

And at 6:45 p.m., 1 hour and 9 minutes after the quake, the twins were born.

I ask unanimous consent that an article, describing the heroic and courageous and immensely efficient work of the staff of Elmendorf Air Force Hospital, may be made a part of the Record at this point. The article is from the Sourdough Sentinel of April 24.

There being no objection, the article was ordered to be printed in the Record, as follows:

Hospital Rebounds After Earthquake

(By Capt. Robert L. Powell, Chief, Administrative Division USAF Hospital, Elmendorf)

Good Friday, March 27, had been a good day. It had been busy as usual, with many patients, plus the extra preparation for a visit by the Inspector General of the Alaskan Air Command to USAF Hospital Elmendorf on April 6.

When 5 p.m. came, the day staff of the hospital was more than eager to turn the patients over to the evening crew and to head for their homes in anticipation of a pleasant Easter weekend.

The evening staff, 45 strong, went about their usual duties. The Army Medical Officer of the Day (MOD) Capt. Joseph E. Roe, was in the emergency room examining a patient. The Air Force MOD, Capt. Alan Herrington was in the main lobby on his way to the dining hall.

The labor and delivery nurse, Capt. Patsy L. Gibbens, was checking on the progress of a patient carrying twins who was in labor. The food trays had been delivered to all patients on the medical ward and the nurse, Lt. Phyllis J. Nagle, was seated at the nurse's station working on the cardex nursing notes. On the 6th floor, Mrs. Alice Phillips, the charge nurse, and her staff were delivering food trays to the patients.

At precisely 5:36 p.m. each stopped what he or she was doing, for the hospital had begun to sway just slightly. A thunderous noise began. Thousands of thoughts ran through their minds. Was it an earthquake (Alaska has tremblers frequently)? Was it a sonic boom? Was it a nuclear attack? An instant later, all these questions were answered. Earthquake.

The entire building became a cacophony of sounds and movements. Glass crashed from window sills, walls groaned and cracked, ceilings fell, beds crazily banged from one wall to another in the patients' rooms and on the wards, floors rippled up and down as roller coasters do, insulation spewed from the seams in the walls, water pipes spurted, marble panels collapsed to the floors, fumes of acids and gasses and medicines pervaded the hospital, the pharmacy floor ran deep in red, green, and purple sirups, thiolate and food splattered the walls.

Patients held desperately to their beds as they were crashed from wall to wall or they huddled together on the floor in the sure knowledge that they had but moments to live. In the dining hall, on the ground floor, both patients and staff dashed quickly to safety through the exits and turned to watch the hospital sway several feet in either direction.

Then all was still, a deathly, eerie silence. Capt. Paul L. Rohlf, a medical officer on obstetrics, looked out the window, where an instant before he had seen only concrete blocks disintegrating, he now saw people standing in the snow looking at the hospital, held there, in awe, by the fact that the hospital still stood.

The administrative officer of the day (AOD) Capt. Nedd D. Mockler, had been on his rounds on the first floor by the dental clinic when the earthquake had begun. As the intensity increased, he and the others on the first floor ran through the emergency entrance. As they flew through the doors, they saw large pieces of the A wing falling to the ground. Captain Mockler saw four panic-stricken children in a car and carried two and pushed two to a safe spot away from the building.

Within moments after the swirling motion and horrendous noise stopped, hurried conferences began. The AOD suggested to the MOD that the patients be evacuated. He agreed. They discovered that the elevators were out of order, that the telephones were inoperable, and that the electricity was off, except for the emergency power.

Unnamed runners were dispatched to every floor to pass the word. The floor nurses rushed to their more seriously ill patients to determine their condition. The obstetrics officer of the day (OBOD) dashed to the labor room of the lady with twins. A2c. Frank Benson sprinted to the airmen's barracks to summon aid. He encountered streams of medical airmen, and Air Force NCO's quartered in one building, already pouring from the barracks on their way to help. By twos and threes, the off-duty nurses hastened back to the hospital from their nearby quarters.

In the nursery, the babies had been wrapped to go to their mothers to be fed. Capt. Elizabeth J. Kearns, the post partum nurse, had followed the advice of the aid, Mrs. Riddich, who had been through many quakes.

When it was over, she called down the hall for each mother to come take a baby and get out of the building. They clawed their way through the dust and smoke where the nursery ceiling had fallen, each took a baby and hurriedly, but without panic, headed down the stairs and outside. Only one mother, in a small voice said "This isn't my baby."

On the surgical floor, ward 3, Capt. Elsie Phielix, the nurse, had called to all patients to get on the floor when it began. While the hospital shook, she quickly checked a postoperative hemicolectomy, sat him in a chair, and went into the ward. The quake subsided. She headed for 3B to check her patients, found all OK.

A nurse, Capt. Louise Stroup, popped in, said "evacuate," and disappeared. The ambulatory patients were directed down the middle stairway. Corpsmen A1c. Willie L. Goss and A2c. Robert A. Bax plus the other personnel who now had arrived on the floor got the litters, loaded them, and headed down the end exit stairwells.

T. Sgt. John D. Newell, the noncommissioned officer of the day (NCOD) had been in the dining hall eating when the earthquake began. He, as did all others, soon realized that this wasn't the usual shaker. When it was over, he headed for the second floor. The nurse there told him, with great relief, that the babies had been evacuated safely. They searched the nursery to make sure.

Amid the rubble of jumbled carts and fallen ceiling, they could find no more babies, so Sergeant Newell clambered up the stairs to check 3, 4, 5, 6, and 7. He found the stairs crowded with patients and staff, but all seemed to have complete presence of mind and were evacuating or assisting in the evacuation in a very orderly fashion. No panic existed.

On 7, the neuropsychiatric floor, A2c. George Briihl, was alone with the patients. The patients were all watching TV except one who was outside the ward entrance visiting with his wife. Then the quake hit. The patient's wife and some of the patients dashed toward the elevators. Airman Briihl shouted for them, and all the other patients, to hit the deck.

They watched one of the ward doors break from its bottom hinge, they saw the floor by the kitchen crack, buckle violently, then settle into place, and they witnessed the corner of the kitchen move a few inches to the right, the walls cracking and splitting, and then return to its place.

When it was over, they got to their feet and headed for the stairs. One patient refused to go. He stated that he had been ordered to stay on the ward and that that's what he was going to do. With assistance from two of the other patients, Airman Brilhl persuaded the reluctant one to leave.

Capt. John J. Smith, a surgeon, was in the physician's office on the sixth floor, where his daughter was a postoperative patient awaiting air evacuation to Madigan General Hospital in Tacoma, Wash. As the quake subsided, he hurried to his daughter's side, found her OK, called to Lt. Marilyn A. Gadjusek, the nurse on 6A, was assured that her patients had survived.

He sent a corpsman to the elevators, found them inoperative, put his daughter on a litter and with the aid of A2c. Jay D. Bohnenblust, evacuated her to the ground floor. Finding no one there, he took her out of the building and placed her in an ambulance.

Capt. Maynard Nelson, another surgeon, had worked late, having just finished seeing a patient when the quake began. His wife awaited him just outside his office; his children were in his auto parked just outside the hospital.

During the quake, he escorted his wife out of the building, found his children with Captain Mockler, the AOD, and after the decision to evacuate, he and Captain Stroup, the surgical clinic nurse, dashed from floor to floor to check conditions and spread the word to evacuate.

As the earthquake had begun, the hospital commander, Air Force Col. Oliver R. Seaman, was relaxing in his living room. When it was over, he prepared to head for the hospital. Within minutes, his staff car rolled up to his home and he was hurried to the area.

Lt. Col. Thomas A. Farrell, the executive officer, had just arrived at his home as the tremors began. He checked on his family, found them shaken but well, and immediately drove back to the hospital.

A few moments after 6 p.m., the first staff arrivals back at the hospital, found a triage and treatment section operating at the ambulance entrance under the direction of Lt. Col. Billye G. Gant, chief of medicine, who had been in his office on the fourth floor, and the two MODs.

Lieutenant Colonel Farrell, one of the first to return, discovered that all of the 181 patients and 18 newborns had been evacuated to the nurse's quarters, NCO barracks, and the airmen's barracks in 18 minutes. Minutes later, the commander arrived. He and Lieutenant Colonel Farrell began a survey of the damage.

A command post was established in the hospital's litter bus in the staff parking lot. The hospital's two "handy-talkies" were put in use for communications. A bull horn, procured to alert the barracks personnel in an emergency, was placed in use by T. Sgt. Desmond L. Ashley to direct traffic and operations. Ninety-five percent of the staff was on duty.

Air policemen arrived on the scene and were posted as perimeter guards and traffic controllers.

An urgent request was dispatched to the 64th Field Hospital for field generators to restore the lighting in the quarters building now being rapidly turned into wards, treatment rooms, and casualty rest areas. A major surgery suite appeared as if by magic in the barrack's training room. Ward services cared for and sorted out patients and soon a pediatrics area developed, as did a surgical ward, an NP ward, a medical ward and a female ward.

In the nurses' quarters, OB appeared. Dr. Rohlf, by flashlight, delivered the first of twins at 6:45 p.m. hours. Capt. Clarence Boone, an obstetrician, arrived to assist in the delivery of the second minutes thereafter.

The commander designated the ice skating rink warmup hut as the dining hall, and field ranges from the 64th Field Hospital arrived, were set up, and food was soon available for all.

Then the generators were in place. A telephone was installed and the command post was moved to the airmen's barracks.

Throughout the move, patients were seen and cared for. No accurate count was kept but estimates indicate that perhaps 50 patients were treated. Most of the injuries were minor and superficial, lacerations, abrasions, and bruises. Of significance were one Army patient with a fractured skull and a patient with two fractured radiuses.

At approximately 2 a.m., with the inpatients asleep, electricity restored, few incoming patients, and relative calm prevailing, Lt. Col. J. Lewis Smith, chief of hospital services, Capt. Ross C. Brown, his administrative assistant, and Captain Powell manned the command post and the majority of the staff departed for their homes or bedded down for the night anywhere they could find space to lie.

THE MARYLAND PRESIDENTIAL DEMOCRATIC PRIMARY

Mr. HUMPHREY. Mr. President, I rise to commend the distinguished and able junior Senator from Maryland [Mr. BREWSTER] for the fine record he achieved in the presidential Democratic primary election in his State of Maryland.

As has already been stated on this floor, he is a diligent, hard-working, and able Senator. He carried a very heavy burden in the Maryland presidential Democratic primary, in which he ran as a favorite-son candidate, against a candidate with substantial financial support and wide press coverage because of the stand he takes on one of the great issues of our times, civil rights. Of course, I refer to the Governor of Alabama, Mr. Wallace.

I respect the accomplishments of any candidate who obtains a sizeable vote. In my opinion, Senator BREWSTER's statement that he won, and that he was pleased, was a succinct and proper statement on the part of the victor, because he did win. He won by a margin of more than 50,000 votes, in an election that did not in a very real sense bring out a large vote. The Governor of Alabama polled a large vote—between 42 and 43 percent, as is noted in the morning newspapers, of the total vote in that primary—not the total vote in the State, but the total vote in the presidential Democratic primary. Surely he has every right to feel that he made a very strong race and carried his viewpoint to a large number of persons, and convinced them.

Mr. Wallace is not only a segregationist; he is also a conservative. He argued the case on the States rights issue, which has a sort of nostalgic appeal, until people find out what it really means—including right-to-work laws, which are generally defeated in State referendums, and which indicate that the States like a great deal of Federal help, but do not want anyone to know it.

I have noticed that most of the avowed States righters have their hands in the Federal Treasury clear up to their elbows. But still they talk about States rights.

Be that as it may, Mr. Wallace, the Governor of Alabama, carried on a strong campaign. The issue is whether the election decides the outcome of the civil rights bill. I believe most Senators feel that it does not. I have noticed that the leaders of the opposition to the civil rights bill in the Senate feel that it had little or no effect. Everyone I have talked to felt it would have little or no effect.

Primary elections, whether in Wisconsin or in Maryland, are drawn out of all proportion. I have noticed that the Republicans were involved in a primary election in Oregon not long ago in which a small number of people cast a vote, but the result almost became an international event. The same thing happened in Maryland. While only a small percentage of the total possible vote participated, the result in Maryland also seemed to some to be a great international event.

If we wish to discuss elections, I believe that the Senator from Wisconsin [Mr. PROXMIRE], gave us food for thought. Every incumbent Representative in the House of Representatives who voted for the civil rights bill—the bill that was under attack by the Governor of Alabama—won a smashing victory. Every avowed segregationist who had filed and campaigned in opposition to civil rights was beaten, humiliated, and overwhelmed by the size of the vote.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may have an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, if it makes anyone happy, let me say that the civil rights forces won a great victory in the election that was closest to the people; namely, the congressional elections. The Republican Senator from Maryland [Mr. BEALL], known as a strong proponent of civil rights, swamped his opposition. He rode over all of his opposition with a tremendous vote.

It appears to me that the civil rights issue has its strong points in terms of the votes for Members of Congress.

What I believe is much more important is what was said in the campaign. I am delighted that the Democratic Senator from Maryland [Mr. BREWSTER] won. I am pleased that Governor Wallace lost. I am delighted that the incumbent Representatives who voted for the civil rights bill—they did not merely express an opinion but had their vote registered—won in every instance.

I am pleased that the avowed enemies of the civil rights bill, the avowed segregationists, suffered a devastating and humiliating defeat.

But having made that statement, I believe that what is most important is the distortion that took place in the campaign. There is such a thing as fighting it out on the issues. But to fight it out on the issues when the issues are completely misrepresented is most unfortunate.

For example, I read in this morning's issue of the Washington Post some quotations. I shall read a few:

> Wallace, avowing that he was a segregationist but not a racist, told his frequently boisterous audiences that the bill was a "back door open occupancy bill."

That is not true. There is a proviso in the bill that would exclude contracts of insurance or guarantee. That proviso concerns Federal programs related to housing.

The article continues to quote Governor Wallace as saying that the bill—

> Would "bus your kids all over town and destroy your neighborhood school system."

There is a provision in the bill that would explicitly and absolutely prohibit this. There is a court ruling by the U.S. Court of Appeals for the Seventh Circuit in the case of Bell against City of Gary, Ind., which defends neighborhood schools, and, indeed, prohibits busing.

Then the Governor said that the bill would—"tell employers whom they can 'hire and fire' and 'destroy the seniority system of labor unions.'"

The authors of the bill in the House—those who were the architects of the bill and those in the labor movement itself—have said that that statement is totally untrue. It just is not so.

So what is most tragic is how the bill which has been before the Senate has been distorted.

Mr. President, the bill may very well be amended before it leaves the Senate. I believe it will be. But be that as it may, Mr. Wallace carried on a campaign of misrepresentation time after time in relation to the provisions of the bill. That is the sad part of it.

I should like to say that we in the Senate have an obligation, and a duty. And when the time comes for a vote I believe Senators will vote their convictions.

Thus far the segregationists have not won an election. I do not care how many headlines they get. A contest has taken place in three carefully selected States. First, there was the contest in Wisconsin, where there is crossover voting; the second in Indiana, where the southern part of the State is as southern as the Confederacy; third in Maryland, where in the days of the War Between the States, the State and her population fought half for the North and half for the South. In Maryland there has been a strong feeling of conservatism. People in that State hold views that are similar to those held in many parts of the South. It is a State which is still evenly divided.

All people know—and it was said quite openly—that the primary could be and would be a very close election. If it makes anyone happy, let me say that Mr. Wallace did well. He did well enough so that thoughtful people in our country ought to be concerned, because if elections can be won on the basis of racial prejudice, on the basis of distortion of proposed legislation, on the basis of arousing bitterness and emotionalism, such as was the case all too often in the Maryland primary election, then America is going to have to examine her conscience.

I believe the demonstrations that frequently took place in Maryland, such as those at Cambridge, had a very serious and sad and negative effect on the election. Therefore, I appeal to those who wish the Senate to legislate, and to get its business done, to restrain themselves and their emotions, and to petition their cause in an orderly way. With equal candor I ask those who have the authority of the law and the power of the police to restrain themselves. Some of the conditions that have prevailed, as I have seen them in the press and on the television, are enough to shock any American. How can America lead the whole free world when time after time what the people of America and the whole world see is a battle between the people and the police? That is no way to show the land of the free and the home of the brave. That is why we need a civil rights bill. We need it so that we can bring those problems into the courts and into the councils of legislation, so that we can build a framework of law within which men of reason, tolerance, understanding, and good will can work. I hope and pray that this may be the ultimate outcome of our efforts.

Mr. President, I ask unanimous consent to have printed at this point in the Record the text of my newsletter stating some of my observations on the civil rights bill, as to what it provides and what it does not provide.

There being no objection, the newsletter was ordered to be printed in the Record, as follows:

[Special Civil Rights Newsletter, May 1964]

The Truth About the Civil Rights Bill—Newsletter From Senator Hubert H. Humphrey

Representative William M. McCulloch, of Ohio has denounced the "false and misleading charges being directed at the civil rights bill now in the Senate."

The Congressman is the ranking Republican on the House Judiciary Committee and the chief architect of the bill. He also is one of the most respected conservatives in the House.

I have taken the liberty of reprinting his statement in this special newsletter because I believe it clarifies what is in the civil rights bill and exposes the distortions peddled by its opponents.

To those people who believe in equality under the law, who support the Constitution, and who love liberty for themselves and for others, the civil rights bill is moderate in scope, and in accordance with the best traditions of America.

Here is what the civil rights bill does and does not do.

EDUCATION

The bill does not permit the Federal Government to transfer students among schools to create "racial balancing."

The bill does not permit the Federal Government to dictate to schools or teachers as to what they must teach.

The bill does not permit the Federal Government to force religious schools to hire teachers they do not want.

The bill does not permit the Federal Government to interfere with the course content or day-to-day operations of public or private schools.

The bill does not permit the Federal Government to interfere with the job or seniority rights of schoolteachers.

The bill does authorize the Attorney General to bring civil suits to desegregate public schools where individual citizens are too poor or are afraid to bring their own suits.

Only at and after the request of a school board, the bill would authorize the commissioner of education to furnish limited technical and financial assistance to those public schools which need assistance in desegregating.

HOUSING

The bill does not permit the Federal Government to tell any home or apartment owner or real estate operator to whom he must sell, rent, lease, or otherwise use his real estate.

BANK LOANS

The bill does not permit the Federal Government to tell a bank, savings and loan company or other such financial institution to whom it may or may not make a loan.

EMPLOYMENT AND UNIONS

The bill does not permit the Federal Government to interfere with the day-to-day operations of a business or labor organization.

The bill does not permit the Federal Government to require an employer or union to hire or accept for membership a quota of employees from any particular minority group.

The bill does not permit the Federal Government to destroy the job seniority rights of either union or nonunion employees.

The bill does authorize a bipartisan commission to investigate charges that an employer has refused to hire or that a union has refused to accept for membership an individual solely because of his race, sex, color, religion, or national origin. If the Commission cannot dispose of the charge through the voluntary cooperation of the employer or union, the Commission must either drop the charge or bring a civil suit in a U.S. district court. In court the Commission must prove its charge by a preponderance of the evidence.

This authority is weaker than that granted to 25 State commissions under State law. And, where a State Commission is doing its job the Federal Commission may not interfere.

FARMERS

The bill does not permit the Federal Government to interfere with a farmer's operation of his farm.

The bill does not permit the Federal Government to impose minority quotas upon a farmer's farmhands or tenants.

The bill does not permit the Federal Government to interfere with membership in farm organizations.

The bill only requires that a farmer, having 25 or more employees, may not refuse to hire an employee solely because of the color of his skin or his religion.

SOCIAL SECURITY AND VETERANS BENEFITS

The bill does not permit the Federal Government to deny or interfere with an individual's right to receive social security or veterans benefits.

VOTING

The bill neither authorizes nor permits the Federal Government to interfere in a State's right to fix voter qualifications.

The bill does not permit the Federal Government to practice "judge shopping," or otherwise interfere with the local Federal judiciary.

The bill does provide limited procedural safeguards to assure that citizens are not denied the right to vote because of their race, color, religion, or national origin.

HOTELS AND RESTAURANTS

The bill does not permit the Federal Government to tell general retail establishments, bars, private clubs, country clubs, or service establishments whom they must serve.

The bill does not permit the Federal Government to tell a lawyer, doctor, banker or other professional men whom he must serve.

The bill does not permit the Federal Government to tell a barbershop or beauty shop owner whom he must serve, except that such establishment, if located in a hotel, must serve all patrons of that hotel.

All the bill does is to require that the owners of places of lodging (having 5 or more rooms for rent), eating establishments, gasoline stations, and places of entertainment are to serve all customers who are well behaved and who are able to pay.

This requirement is weaker than the public accommodation laws of 32 States. And, where these States properly enforce their laws, there is no reason for the Federal Government to interfere.

RIGHT TO JURY TRIAL

The civil rights bill contains no primary criminal penalties. Only civil actions are authorized, to prevent an individual from continuing to violate provisions of the bill. Historically and according to the Constitution, jury trials are not authorized in these types of cases. The laws of the 50 States are the same in this regard.

FREEDOM OF THE PRESS AND FREEDOM OF SPEECH

The bill does not permit the Federal Government in any way to interfere with freedom of the press and freedom of speech.

GRANT OF DICTATORIAL POWERS TO FEDERAL GOVERNMENT

A majority of the States have enacted legislation which is as strong or stronger than the major provisions of the civil rights bill. Nothing in the bill interferes with the effective enforcement of these State laws. And, where these laws are being effectively enforced, there is no reason for the Federal Government to interfere in State's rights.

In each title of the bill, effective administrative and judicial safeguards are provided. Federal officials are granted no final authority to withhold Federal financial assistance or impose penalties upon citizens. Every citizen is guaranteed his day in court with all the judicial safeguards that the Bill of Rights guarantees.

STATE CIVIL RIGHTS LAWS

A majority of States have strong civil rights legislation which is effectively enforced. The Federal civil rights bill specifically provides that the Federal law will in no way interfere with the right of those States to continue enforcing their laws. And, where the States do so, the Federal Government will have no cause to enforce the Federal civil rights law in those States. Thus, for the Americans who do not discriminate against their fellow citizens because of race, color, or religion, the Federal civil rights bill will have no effect on their daily lives.

CONSTITUTIONALITY

Twenty-two of the Nation's most distinguished lawyers have stated that titles II and VII—those dealing with public accommodations and fair employment practices—are "within the framework of the powers granted to Congress under the Constitution."

Among the lawyers submitting this legal opinion were three former Attorneys General of the United States, Francis Biddle, Herbert Brownell, and William P. Rogers, four former presidents of the American Bar Association, David E. Maxwell, John D. Randall, Charles S. Rhyne, and Whitney North Seymour; and four law school deans, Erwin N. Griswold of Harvard, Eugene V. Rostow of Yale, John W. Wade of Vanderbilt, and William B. Lockhart of Minnesota.

HUBERT H. HUMPHREY.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 2 minutes, since I have already spoken during the morning hour.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, I have heard with deepest interest, as usual, the eloquent words of the distinguished Senator from Minnesota [Mr. HUMPHREY]. I rise only to add what I believe is a necessary corollary, for I had pointed out earlier that the Wallace vote may very well have been based upon a good deal of misrepresentation of the facts with respect to the bill.

The time is coming—if it is not already here—when the leadership of this great bipartisan and historic struggle must be taken over by the President. I do not believe that there is any substitute for leadership at the highest level of government. The President has said that he wants the bill. He has spoken out on behalf of the bill in some very difficult places, such as the South. I give him all credit for his eloquent statements.

I believe, with all respect due the great office which the President occupies and his position as a former distinguished Member of this body, that he must go deeper than he already has gone. There are too many misconceptions, too many false ideas about this bill which are being spread across the land. Many of us have challenged them, but there is no challenge like the challenge that can come from the most august office in the land when it comes to laying out the true facts. It seems to me that that is the very essence of the office of the President.

I deeply feel that before we are through, the President will have to marshal the forces of our country to make this historic decision which is pending in the Senate, the facts will have to be laid out for the American people in all their truth as only they can be by a President.

I am not appealing to the Senator from Minnesota [Mr. HUMPHREY] to join me in this statement. I merely state for myself as an ardent proponent of the measure before the Senate that this is the point which, in my judgment, must be certified to the American people if we are to dispel so many of the misrepresentations which seem to be abroad.

Mr. ELLENDER. Mr. President, I have listened with interest to the statements made by my good friends, the Senator from Minnesota [Mr. HUMPHREY] and the Senator from New York [Mr. JAVITS].

It is true that Governor Wallace did not win any of the delegates for the Presidency in the Maryland primary, but I consider his 43-percent vote margin a smashing victory against the civil rights bill.

I did not hear Mr. Wallace speak at any time. His views, as quoted in the newspapers, were in accord with the minority views contained in the report of the House Judiciary Committee. During the last four weekends I motored through many parts of Maryland. I spoke with and met many people. If my good friend from Minnesota does not believe the people from Maryland who voted, did not know what is in the pending bill, he is mistaken. They obtained much information from the press, the radio, and television as well as from many advocates of the pending measure. This bill envisions the biggest power grab that has ever been presented to the Congress, and, believe me, the people of Maryland with whom I spoke know about it. They realized that social reforms cannot be forced upon any people.

Very few had ever seen Mr. Wallace. They had never talked with him. They may have seen him perform on television. But, Mr. President, the Tawes machine in Maryland did all it could to assist our good friend, Mr. BREWSTER. All the preachers, all the rabbis, all the priests in Maryland—and there are many of them—were preaching "Vote for BREWSTER and against Wallace, the racist, the segregationist." In addition the labor unions were urging their members to vote against Wallace. Quite a few Members of the Senate made talks in Senator BREWSTER's behalf. But when the votes were counted, over 43 percent of the votes cast were in favor of Governor Wallace.

As indicated by the analysis, written by Laurence Stern, and placed in the RECORD by the senior Senator from Georgia [Mr. RUSSELL], the large Negro vote made possible the victory of Senator BREWSTER.

Yesterday, while having lunch, and before the votes were counted, I stated to some of my colleagues that in my opinion Wallace would get more than 40 percent of the votes. I believe my friend from Minnesota predicted that he would get 35 percent.

Mr. HUMPHREY. If the Senator will yield, I said that I expected that he would receive 35 percent, and I said he might receive up to 45 percent. I did not know I was such a good predicter.

Mr. ELLENDER. I ask unanimous consent to have printed in the RECORD, an editorial entitled "A Close Thing." The editorial was published today in the Washington Evening Star.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A CLOSE THING

Maryland's Democratic primary turned out to be a real shocker.

Governor Wallace, offering nothing but an opportunity to cast a so-called protest vote, wound up with 42.66 percent of the ballots. Senator Brewster had 53.20 percent. The others were divided between Andrew J. Easter, who runs for almost everything, and an uninstructed delegation.

Actually, Mr. Wallace carried 16 of the 23 counties in Maryland. The tide was turned against him by the vote in Montgomery, which is especially gratifying to us, and in Baltimore city.

It is both astonishing and dismaying that an Alabama Governor with Mr. Wallace's background on the racial question could come into Maryland and make such a strong run. But this should not be allowed to obscure the meaning of his show of strength.

Assuming, as it seems reasonable to do, that the vast majority of the Negro vote was cast for Senator Brewster, it is a fair inference that Governor Wallace may have won a majority of the white vote, since the actual difference between the totals for the two men was about 52,000 out of some 475,000 votes.

> Doubtless there were a number of reasons for the extent of the protest. Some of it may have been a rather generalized dissatisfaction, a chance to register disapproval of "the way things are going," without responsibility for electing anyone to office. Surely, however, the most important factor was the "white backlash"—resentment against the tactics used by civil rights groups in Maryland. The city of Cambridge in Dorchester County has had a great deal of demonstration trouble. And Governor Wallace carried that county by a 4-to-1 margin, although, according to one report, every Negro vote in Cambridge was cast for Senator Brewster.
>
> What all of this foreshadows is anyone's guess. But if the country is in for the "long, hot summer" which some Negro leaders anticipate, meaning renewed and more violent street demonstrations, there is precious little reason to look for improved race relations any time soon.

The PRESIDING OFFICER. The 1 hour for morning business has expired.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that I may have 3 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I disagree violently with my colleague from New York who seeks to place the blame for the stalemate on the civil rights bill on the President of the United States. The President of the United States has used his leadership throughout the Nation in behalf of the bill. The President of the United States, with courage, has spoken on this bill not only in the North, but in the South, on various journeys in various parts of our Nation.

The courts of this country have acted in the field of civil rights. The President has acted in the field of civil rights. The Senate of the United States has not acted in the field of civil rights.

This is a difficult problem. I personally believe that under the able leadership of the Senator from Minnesota the civil rights debate has been conducted with brilliance. I am confident that this debate will result in a victory for the civil rights bill in the Senate.

I think it is unfair of the Senator from New York to place the burden for the Senate's failure to act upon the shoulders of the President of the United States.

When it comes to the Maryland primary, we should be candid with one another. I disagree with the Senator from Minnesota.

I campaigned in the State of Maryland. I made two major addresses at the request of the Senator from Maryland [Mr. BREWSTER], and made three television appearances.

Senator BREWSTER is an outstanding man. Senator BREWSTER is a brilliant man. He is a man of great reputation and personality. But the fact is Governor Wallace scored a big victory, and we should not try to gloss it over.

Governor Wallace has proved something. I think he has proved that there are many Americans in the North as well as the South who do not believe in civil rights. But that still is not the answer in the Senate. In the Senate each Senator is here to vote his conscience and to do what is best for the Nation today and in the days ahead.

Even though a great many persons may disagree with Senators, as indicated in the votes in Wisconsin, Indiana, and Maryland, that does not take away our duty to vote our convictions and our consciences. I am confident the Senate will act that way, and that the American people, even those who supported Wallace, will in time recognize the rightness of the vote of the Senate.

As I have said time and time again on the floor and time and time again in private, it will not be easy to solve the problem of civil rights. It will require cooperation from people in the southern as well as the northern part of the Nation.

Mr. President, I ask unanimous consent to have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. I predict that the future turmoil in the field of civil rights will not be just in the South, but primarily in the North. There has been a great shift of population in the United States. During the past decade a million and a half Negroes have moved to Northern States. There is a constant shift from the South to the North. Today 1,100,000 Negroes are tenant farmers or laborers in the agricultural areas of the South. They are being displaced in great part by mechanization. Those Negroes are moving to the northern part of the United States.

After the civil rights bill is passed, the problem of civil rights will be basically an urban, northern problem, which must be dealt with in part by the President's antipoverty measure, by efforts in the field of education, and by efforts to raise living standards and supply jobs.

That is why I am proud that the debate that has taken place under the brilliant leadership of the Senator from Minnesota has been kept on an equitable basis. In the days ahead every U.S. Senator and every responsible statesman will have to try to bind up the Nation's wounds.

The fault does not lie in the fact that Governor Wallace chose to go to Wisconsin, Indiana, and Maryland, because he has the same right to campaign for the Presidency of the United States in any State of the Union as has any other citizen. The complaint I have against him is that he is a man who seeks to divide rather than unite the Nation. Unlike President Johnson, who goes up and down the Nation trying to unite it, Governor Wallace has sought to divide the Nation by appealing to the basest instincts of the people. Any man who holds high office should not do that. Any man who holds high office should attempt to unite the people rather than divide them. Therefore, I think we can take a lesson from the President of the United States. It ill behooves the Senator from New York to attack the President when the leadership should come from the Senate itself.

Mr. JAVITS. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. JAVITS. I could understand my distinguished friend the Senator from Connecticut violently disagreeing with me if he were right about the facts—but he is not.

I did not attack the President of the United States. Indeed, I lauded him for speaking about this matter in the South. I did not suggest that the Senate divest itself of its responsibilities and place them upon him. I thoroughly agree with the Senator from Connecticut regarding the Senate's responsibility. What I suggested is that the President, as the leader of our country, help us to obtain passage of the civil rights bill by exposing the misrepresentations about the bill. There have been many misrepresentations which the public, in my judgment, have apparently accepted. If the Senator from Connecticut quarrels with me on that, that is his privilege, and I could be wrong, although I believe that I am right. And before we are through with the debate, if we expect to exert a massive effort to enact the civil rights bill, I believe that from the highest source in the land there must come an implementation of leadership—that is, the President must lay out for the American people what is really in the bill, what it really means to the American people, and how its provisions will be administered.

After all, Governor Wallace told the people of Maryland, for example, that "a Federal inspector will tell you whom to hire." The law will be administered by the executive branch, and not by Congress.

I make the plea that the highest source should tell the American people what we are really trying to do, what is and what is not in the civil rights bill, and how it will be administered—and to lay all the facts before the people.

Mr. RIBICOFF. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. RIBICOFF. Let me point out that while Governor Wallace states his position, the Senator from Maryland [Mr. BREWSTER] stated his position. In my memory in the field of politics, which goes back to 1933—and it has been an active political life—I do not recall a single issue facing the Nation which has been as fully reported by the press of the United States as the civil rights bill. The press of the United States has devoted page after page, day in and day out, to what is in the bill. The television networks have opened up their nationwide facilities to let men of the North as well as men of the South discuss it. Many analyses have been made, and many magazine articles have been written.

The fact that people are against the civil rights bill, in many instances, does not mean that the press has failed, or that the President has failed. It is a fact that there are people in this country who are against civil rights. I believe that we would be better off if we acknowledged that fact. Not everyone supports this bill, but the Senator from New York supports it strongly, the Senator from Minnesota [Mr. HUMPHREY] supports it strongly, and I support it strongly, and we do so because we believe it is necessary for the United States of America. The President of the United

States has gone up and down this land to explain the bill and its purposes. His predecessor did likewise; so there is no question of lack of communication.

The point I wish to make is this: I believe that one of the great tragedies in the civil rights debate is the impression which has been created that once the bill is passed, we shall have solved the problems of the civil rights issues.

I say to the Senate that once the bill is passed, the next 20 years will be years of strife and turmoil in the field of civil rights.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. One of the great duties of men in public life is to face reality, to avoid illusions. The illusion is that we will solve the problems of civil rights with the passage of this bill. The reality is that the bill, much as it is needed, will not solve all the problems.

There should be a law to implement the Constitution of the United States. This is our duty to achieve and our duty to accomplish. But we have to recognize that after the bill is passed, every Senator, during his term of office, and even after his term of office is finished, will have a great burden and a great responsibility to continue working to resolve these problems.

I have said time and time again that what bothers me most is that people can always see problems 1,500 miles away. In the cities of the North, including the one I come from, mass meetings are held concerning the problems in Mississippi and Alabama, and yet those very same people who complain of what is happening in Mississippi and Alabama refuse to walk six blocks from where they live to straighten out their own problems around the corner.

The problems are northern problems as well as southern problems. It will require a great deal of effort on the part of northern Senators and northern Governors, as well as southern Senators and southern Governors, to help solve the problems.

What I am pleading for is a realistic appraisal of one of the great social and economic issues which face this Nation.

This is only the beginning. In the days ahead, after the bill has been enacted into law, every responsible man in public office will have a job to do.

It is the approach of President Lyndon B. Johnson that will solve the problem and not the approach of Governor Wallace.

Mr. JAVITS. Mr. President, will the Senator from Connecticut yield for one further observation?

Mr. RIBICOFF. I yield.

Mr. JAVITS. I agree with what the Senator from Connecticut has just said. I should like to add one point; namely, that what we, the proponents of the bill, are trying to get now is our due. We believe that the South—our opposition—is getting more than its due. The facts should not be suppressed, as they would be, apparently, if we failed to act.

Mr. RIBICOFF. I should say that in my judgment, the northern position receives 80 percent of the coverage in the press. I believe that we get the best of it. Let us acknowledge it. Yet, this continues to be a tough problem. Those of us who have worked in government for many years know that the educational job of the government is one of the toughest. It is not easy. It requires effort on a day-to-day basis. I know that the distinguished Senator from New York does his job and does his duty. There is not a man in this country who knows more about civil rights and what is in the pending bill than the Senator from New York. This is a long and tough job; and all of us had better get ready for the next two decades to try to solve the great problems which will face us.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may proceed for 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, I rise only to salute the Senator from Connecticut for what I consider to be not only a brilliant statement, but a most thoughtful, provocative, helpful, and considerate statement.

The Senator may recall that yesterday in our caucus I indicated to fellow Democrats, North and South, that one of the reasons why we had tried to manage the affairs of the Senate through a process of accommodation was that I did not wish to see the Senate set an example of anger and bitterness that would precipitate or encourage similar examples outside the Chamber. In other words, we needed to treat one another with respect, even though we had differences of opinion. I believe that we have been able to do that.

The Senator from Connecticut has given a very fine response with reference to the role of the President of the United States as a man who believes in a united people in a United States of America. I must say also that his leadership has been courageous. It has been the kind of leadership that has evoked a hearty and warm response from the American people.

More than 500,000 people on the streets of Atlanta, Ga., came out to greet the President of the United States, just as he would have been greeted in any other part of America. He delivered a great and persuasive message to the people of Atlanta.

I would add to the words of the Senator from Connecticut—and I add them only to commend the Senator from Connecticut, because nothing new can be said—that everyone knows that enactment of the bill will be but one of many steps to be taken. Every one knows that poverty and discrimination are tied together. Everyone knows that poverty is underscored by illiteracy, sickness, frustration, and hopelessness, and that this is a part of an ugly pattern which exists in all too many places in the United States.

I have stated repeatedly that there would be grave and serious trouble in the Northern areas, as there has been in the Southern areas; but, be that as it may, we do not need to point the finger of shame or blame. What the Senate needs to do, and what I thought I tried to say, was that regardless of primary elections—which make great headlines, but which I do not believe indicate much more than a sampling of public opinion—Senators have a duty to perform. A Senator must vote his convictions and his conscience. That is what the Senator from Connecticut has said. I thoroughly agree that what we need to do in great national contests is to plead with people to exercise forbearance, understanding, and tolerance, and to be a united people. America cannot shoulder its responsibilities, now or in the future, without this unity. I thank the Senator from Connecticut for his reassuring words and for his constructive statement.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ERVIN subsequently said: Mr. President, I wish to pay as high a tribute as possible to the junior Senator from Connecticut [Mr. RIBICOFF] who has placed some things in their proper perspective. I wish to pay tribute also to my good friend the senior Senator from Minnesota, for comparable remarks.

It is unfortunate for anyone to charge that one who places a different interpretation upon the pending bill than he does is guilty of misrepresentation. I have heard many constructions placed on the provisions of the bill by Senators who are not in agreement with each other. I disagree with some of their interpretations. But I concede the right of each to make his interpretation. And I likewise concede his intellectual honesty in making it.

There are millions of people in the United States who are opposed to the bill. All of the truth on this subject is not on one side. A serious situation exists in the country. But there are many people like myself who, in their heart of hearts and mind of minds, are opposed to the bill because they doubt its constitutionality in many respects.

I honestly think that the bill makes a great assault upon the finest system of government ever conceived by the mind of man by attempting to concentrate in a centralized Federal Government powers which the Constitution wisely left to the States or to the people themselves.

The greatest authority on Government who ever occupied the White House was Woodrow Wilson. And Woodrow Wilson stated these things in essence:

> Liberty has never come from the government. Liberty has always come from the subject of it. The history of liberty is a history of the limitation of governmental power, not the increase of it. When we resist therefore the concentration of power, we are resisting the processes of death, because concentration of power is what always precedes the destruction of human liberties.

Furthermore, the bill professes to have the objective of conferring equality on all men by legal coercion. The objective of the bill in that regard is inconsistent with the preservation of the liberty of the individual.

In the very nature of things, we cannot have equality coerced by law, and freedom of the individual. We must take our choice between the two things. They are incompatible. It is freedom of the individual, and not governmental regimentation which has made America great.

When I must take a choice between the freedom of the individual and supposed equality coerced by law, I take my stand beside freedom of the individual. I consider it the most precious possession of civilization.

To me, the bill is incompatible with the system of Government ordained by the Constitution. It would destroy the basic liberties of American citizens in many respects.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may be permitted to continue for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, furthermore, the bill is an attempt to legislate in a field in which law cannot operate successfully. Attempts have been made in times past to regulate by law the contents of men's minds. They have always failed. Fundamentally, the bill is an attempt to regulate the contents of men's minds. I say this because under the bill the legality of the act of an individual is not to be judged by the quality of his external act. It is to be judged solely by the contents of his mind at the time he commits the act.

One thing history teaches us is that law cannot regulate the contents of men's minds. We ought to thank God that the law cannot regulate the contents of men's minds, because if it could, the tyrants of the past would have had all the previous generations of mankind in mental straitjackets. Tyranny has always sought to deny men the right to think. I repeat, law cannot regulate the thoughts of men. It has attempted to do so in times past. Churches and governments have attemped to control the thoughts of men but have been unable to do so.

For this reason, I do not believe the bill can operate successfully. I agree, moreover, with the distinguished Senator from Connecticut [Mr. RIBICOFF] that even if the bill is enacted, it will be years before the problems with which it deals are solved.

The bill can only act as law acts, that is, through coercion. Coercion breeds hate, not love; resistance, not cooperation. That is how the bill would operate if it were enacted.

Several years ago the Government undertook, by the Volstead Act, to regulate the contents of men's stomachs. It sent prohibition agents into every township and precinct in the United States to regulate the contents of men's stomachs. That act resulted in dismal failure. It showed that prohibition is a field in which law cannot operate successfully.

Since the Federal Government was unsuccessful in its attempt to regulate by law the contents of men's stomachs, I do not believe it has the capacity to regulate the contents of men's minds, as the civil rights bill would purport to do.

I thank both the Senator from Connecticut [Mr. RIBICOFF] and the Senator from Minnesota [Mr. HUMPHREY] for placing some matters in proper perspective and for making it clear that there is a difference of opinion among honest men in respect to the pending bill.

Mr. LONG of Louisiana. Mr. President, the vote for George Wallace in Maryland yesterday amounts to a fantastic protest against forced racial integration in general and against this forced-integration bill in general.

We have heard much talk in the past several weeks about the so-called white blacklash, and the voters of the Free State of Maryland proved that from now to election day the white blacklash will probably be the largest single factor to be reckoned with on the American political scene. The headlines of this morning's Washington Post indicate that, while Governor Wallace was losing the race by a very narrow margin, he was actually winning a majority of the white votes in the State of Maryland. Thus, we note that more than half of Maryland's white voters are full-fledged members of and participants in the white blacklash.

This is so despite a long list of factors which, by all odds, should have given Senator DAN BREWSTER a 10-to-1 victory over Governor Wallace. But, instead, there was a fantastic Wallace protest vote.

This was accomplished in spite of the fact that Senator BREWSTER is the best Democratic vote-getter in the State of Maryland. He proved that only 2 short years ago when he led the Democratic ticket.

This was accomplished in spite of the fact that Senator BREWSTER was standing in for one of the greatest of the great Presidents of the United States—Lyndon Baines Johnson.

This was accomplished in spite of the fact that the President's 30 years of national experience qualifies him as several times the better presidential candidate than Governor Wallace—save on the one question of forced racial integration.

This was accomplished in spite of the fact that Wallace was up against the State Democratic machine and most county machines.

This was accomplished in spite of the fact that Wallace was being opposed by organized labor.

This was accomplished in spite of the fact that he was opposed by virtually all of the various churches and religious groups.

This was accomplished in spite of the fact that Senator BREWSTER was actively supported by no less than 10 of our most distinguished Democratic Members of the U.S. Senate who went out into Maryland and campaigned actively for their fellow Senator.

This was accomplished in spite of the fact that the press and news media were viciously opposed to the Wallace candidacy and repeatedly failed to tell the Wallace side of the story.

This was accomplished in spite of the fact that organized agitators—many of them probably paid by the militant minority groups—were out attempting to shout Wallace down whenever and wherever he tried to speak.

In short, Mr. President, Governor Wallace overcame overwhelming odds to make a fantastic showing in the State of Maryland. Except for the many above-mentioned adverse conditions facing him, he would have carried the State of Maryland by a substantial majority. He might have carried the white vote 2-to-1.

It seems very evident that most people simply do not want the commodity that our Democratic leadership is trying to force down their throats. For example, on the Eastern Shore of Maryland, when the voters were confronted with repeated racial demonstrations, they gave 80 percent of their votes to Governor Wallace. Discounting the Negro vote there, Governor Wallace must have received 90 to 95 percent of the white vote in some of those areas.

It is my judgment that President Johnson is both an effective leader and a good politician. I believe that he has the good judgment to see what is happening in this country—notwithstanding the political pressures of the small minority which is attempting to force racial integration in this country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may be permitted to proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, there is a tremendous reaction moving against forced integration in all sections of the country today. The President and his counselors would be well advised to alter their course on this subject in favor of the freedom of every person to associate with and to do business with those of his own choosing. Otherwise, he is taking the chance of losing at least a dozen States—and, more, possibly, twice that number—by the votes of citizens who are more concerned about their personal liberties than they are about their economic welfare, national defense, or a great number of other important national issues.

Unless a completely different approach is quickly adopted in the matter of forced racial integration, the Democratic Party is certain to feel the full impact of the gigantic white protest in favor of many of our fundamental personal freedoms.

THE 1964 BEEF CATTLE OUTLOOK

Mr. McGEE. Mr. President, in January the First National Bank of Omaha published a very thoughtful and well-researched special service bulletin concerning the prices farmers will be receiving this year for their fat cattle.

This bulletin is very interesting for several reasons. The first is that the author, Frank L. Love, vice president of the bank, has not attempted to hang all the blame for declining beef prices for the producer on imports, although I would not write this factor off as completely as he does.

The main import of his bulletin is that the cattlemen themselves, by increasing the numbers of cattle on feed and by feeding their cattle out to extra heavy weights, have contributed to the oversupply of beef in America.

I believe that it is very important that those of us who are concerned over the financial squeeze that threatens the continued existence of the cattleman consider all facets of the problem and not content ourselves with one explanation for this serious situation.

This bulletin presents a very constructive analysis of one aspect of this situation and, therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the bulletin was ordered to be printed in the RECORD, as follows:

THE 1964 BEEF CATTLE OUTLOOK

SLAUGHTER CATTLE

We are inclined to agree with the majority of crystal ball gazers in that the fat cattle market in 1964 will probably average out pretty close pricewise to that of 1963. In other words, throughout most of 1964, we look for average Choice slaughter steers weighing 1,000 to 1,200 pounds to sell in the area of $22.50 cwt. f.o.b. Omaha. For the week ending December 28, 1963, they averaged $21.46 cwt. Please note that we are speaking of average Choice slaughter steers, which means that high Choice to Prime will probably establish market tops of at least $1 to $3 cwt. more than the prices stated. Other grades and classes of slaughter cattle will sell in normal relation to Choice slaughter steers.

There are a number of factors that can and will influence the short-term outlook from time to time. For example, we have seen an advance in the fat cattle market here in Omaha for the past 2 days, January 6 and 7, of 50 cents to $1 cwt. This is the result of lighter receipts for a 2-week period. Since there are still a good many finished steers and heifers and some with weight, ready to move, this strong market of the past 2 days will undoubtedly cause increased receipts the balance of this week and next which will tend to slow down any further price advances in the fat cattle market at this time.

On the other hand, the cattle on feed—January 1 report will be issued January 17, and because there are still so many feeder cattle, particularly calves, unsold in the range country, we believe that this report will show a very small increase, if any, in the number of cattle on feed January 1, 1964, versus January 1, 1963. If this proves to be true, it will have a psychological effect on the eastern buyers of carcass beef, and others, and will give a little stimulus to the trade and result in a little further strength in the fat cattle market.

The absence of any significant increase (3 percent or more) in the number of cattle on feed, January 1, however, could be very misleading to cattle feeders and others. We know that back on January 1, 1963, we had a substantial increase in the total numbers of beef cattle on farms and ranches in this country. These increased numbers plus this year's increased calf crop must still be accounted for in some manner. If they do not show up in the form of increased numbers on feed this January 1, then they must still be on ranches and will subsequently, in the course of the next few months, move from ranches to feedlots. This would simply mean that even though the number of cattle on feed January 1 might not show a significant increase, a comparable comparison between June 1 and the corresponding month a year ago, could show a substantial increase in numbers of cattle on feed.

Because of this late movement of calves, in particular, to the feedlot, it could result in a substantially better fat cattle market the latter part of this year and the first part of 1965, than the first half of 1964.

Another factor, and perhaps the most important one, that will substantially influence the price of fat cattle throughout the current year is the weight at which farmer-feeders are willing to market their cattle. It is our considered opinion that the decline in fat cattle prices in 1963 was not so much the result of foreign imports of meat and live cattle, or increased numbers here in our own country as it was the excess weight to which farmer-feeders fed cattle throughout the year. Slaughter steers and heifers continually averaged 40 to 90 pounds per head in live weight over the year previous. This was equivalent to a 4 to 8 percent increase in the production of dressed beef. This factor alone was enough to break the market. It was illustrated on two or three occasions during the year that a 3 to 4 percent cutback in tonnage of beef immediately created a substantial improvement in the price level.

The sad part of this situation is that this excess finished weight not only created substantially lower prices but the extra weight would not have been profitable for the farmer-feeder even if fat cattle had gone to $28 cwt. It costs the average feeder substantially more than 28 cents a pound to produce the last 50 or so pounds after steers reach 1,150 pounds and heifers 950 pounds on the average. This is why we have said repeatedly that the farmer-feeder has no one to blame but himself for the price dilemma on slaughter cattle. This is also why we say that if farmer-feeders as a whole can be made to understand that it does not pay them to put on the last 50 pounds in any event, and, if during 1964 they will market their fat cattle at average weights 50 pounds under 1963, it will create at least a $2 cwt. better average price than we had last year. This could well mean the difference between profit and loss for most feeders.

This is something easier said than accomplished, but the best means available for accomplishing it is to have the man who controls the farmer-feeder's purse strings (his banker) explain the situation to him and vigorously encourage his customer to market at lighter weights.

Contrary to popular concept, foreign imports of meat have had comparatively little effect on "fed" cattle prices. This is a rather ambitious statement in the light of all the publicity that is being given to the subject by certain Government and livestock association officials and others who are not fully informed or need a "cause" to promote. It is also one that is difficult to explain in a brief manner.

First, it must be understood that very little, if any, imported beef is sold or consumed in the form of roasts, steaks, etc., as domestic "fed" beef is. Rather, it is used as boneless lean meat in the production of sausage meats (cold cuts, hot dogs, and other prepared meat items) and to commingle with beef trimmings from "fed" cattle in the production of hamburger.

Next, it should be noted that the per capita domestic production of lean meat is down 7 pounds from the early 1950's (lean meat production is principally from canner and cutter cows and bulls—dairy cow numbers have declined 50 percent in the past 10 years and are now about as low as they can go). In the meantime, imports of lean meat have increased 9 pounds per capita. The net gain in lean meat supply, therefore, has been only 2 pounds per capita. During this period, the consumer demand for sausage meats has increased manyfold. Ten years ago, sausage meats represented approximately 4 percent of total meat consumption compared to approximately 30 percent today. Admittedly, sausage meats do compete for a portion of the consumer's food dollar but it is not a significant direct competition with "fed" beef because it has been demonstrated repeatedly that if sausage meats are in short supply or get too high in price, the consumer turns to chicken and other proteins rather than to steaks and roasts.

With this increased consumer demand for sausage meats and a decreased domestic production of lean meat, lean meat prices (and in turn, canner and cutter cows and bulls) would have soared to prohibitive prices. This, in itself, would have been wonderful for persons marketing canner and cutter cows and bulls, but it would have created further substantial declines in "fed" cattle prices. Here is why:

The largest single meat item consumed in our country today is hamburger. Hamburger cannot be made exclusively from the trimmings and cheaper cuts of "fed" beef. Their fat content is too high for consumer acceptance even in the form of hamburger. (This is considerably more true today than even 10 years ago—more cattle, particularly heifers, are being fed to a higher degree of finish.) Therefore, without the availability of foreign lean beef, a very considerable tonnage of trimmings and cheaper cuts (plates, flanks, etc.) could not have been used as hamburger at as favorable a price level, which would have meant a substantially lower price on these items and, in turn, would have adversely affected the net value of "fed" beef.

Thus, we see that although imported beef has made possible the increased production and consumption of sausage meats which is only in limited competition with "fed" beef, it has permitted a greater realization on trimmings and certain cuts (which represent approximately 25 percent of the carcass) from "fed" cattle.

So, again we say that there are far more economic factors in the beef business to worry about, than foreign imports, although we do agree that there is a limit to which our country should go in permitting such importations.

FEEDER CATTLE

As indicated in the foregoing, we anticipate a substantial increase in the marketing of feeder cattle during January and early February as compared to a year ago. This is indicated in the rewrite on loan participations. We would expect the feeder cattle market to remain steady during the first quarter of 1964, except as it responds to any changes in the fat cattle market. There will be enough demand for feeders to take care of this supply at current feeder prices.

Many of the calves unsold by ranchers will be carried by them until April. Most ranchers have plenty of hay on hand for their normal numbers plus these additional unsold calves and will keep them in an effort to produce additional weight and bloom on the calves before selling them.

It is not anticipated, however, that a larger number of feeders than normal, coming to the market from the range country in April, will depress the price of feeder cattle at that time because there will probably be fewer replacement cattle available in March, April, and May of this year from the wheat country than there were a year ago.

Projecting ahead to this fall, we would guess that feeders will make another determined effort to buy feeder cattle even lower than this past summer and fall. We think this would be particularly true of yearlings over 700 pounds and two's. Although feeding losses will be substantially less in 1964 than 1963, it will still be touch and go for most feeders. It would be our guess that steer calves will sell at $26 to $28 this fall, yearling steers at $22 to $23 and two's at $20 to $21.

BREEDING STOCK

We would anticipate an increase in number of breeding cattle offered for sale although many of them will be the result of closer culling. We look for good quality, good aged, range cows to sell at the $165 to $185 level. Bred heifers accordingly would sell at the $150 to $170 range.

We look for the bull market to be quite slow this spring with many good bulls selling in the area of $300. This would certainly be the time for many ranchers and farm cow herd owners to upgrade the quality of their breeding stock through the purchase of good bulls on this weak market.

Breeding stock of outstanding quality will bring a premium, of course, over the prices enumerated above.

SPECIAL NOTE

In 1964 plain quality cattle probably will not be too attractive to feed since the full cost of gain per pound will be substantially higher than the anticipated slaughter value. By the same token, it will be a year in which a premium for so-called quality will not pay either. Gainability (which is not directly related to quality) and hence, cost of gain per pound, will be the key to results.

F. L. LOVE.

RAFT TRIP DOWN SNAKE RIVER NEAR JACKSON HOLE, WYO.

Mr. McGEE. Mr. President, one of the most thrilling adventures available to an American, in my opinion, is to raft down the Snake River near Jackson Hole.

An excellent account of such a trip appeared in the May 17 issue of the Washington Post. I ask unanimous consent that this article, by Nate Haseltine, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IT'S GREAT FUN TO BOB DOWN THE SNAKE

(By Nate Haseltine)

Two cantankerous cowboys started it.

They figured that vacationers, particularly Easterners and Californians, would pay well to take a raft ride down the Snake River in Wyoming.

The five vacationing Haseltines paid $10 a head (no reduced rate for children) and enjoyed every second of it. The original cowboy raftbusters weren't there. They had, literally, a falling out some years ago.

The float trips are now sponsored by those who run Grand Teton National Park in Wyoming.

Timewise, it pays to stay overnight at Jackson Lake Lodge. There they wake you up in time for breakfast and the 8 a.m. departure for the Snake. We were trailer-camping, however, which was why we could afford the river trip.

Somehow, we got up early enough that, by skipping breakfast, we got to the lodge in time to catch the special bus to the river.

There, 18 of us piled onto, not into, the raft—a mammoth tube of rubber shaped like a pinched doughnut. The floor, for those who could touch it, was of plywood attached to an iron frame that also held the float in shape.

We grabbed the front seats on either side, though we weren't certain then whether it was the front or the back, and seats is euphemistic for unmarked spaces atop the inflated rubber. But it was comfortable.

Holly, 11, and Robbie, 10, sat foremost on either side. We later found out these were not only the wettest seats but also shared with the two places, in the stern the likelihood of being swept overboard by the paddle handles of the two steersmen.

The boat handlers, now college boys instead of the original cowboys, do nothing to propel the craft. The river current does that amply, and sometimes the steersmen are hard put just to keep the craft headed downstream, off shoals, or from going under overhanging branches or into undercut banks.

They are experts at it, and keep their muscles trim by climbing the nearby Tetons in spare time. Actually, we probably learned more about mountain climbing than river cruising that day, and particularly about the Tetons which we viewed in profile on that 30-mile ride downriver.

It was exhilarating more than exciting; thrilling more than pleasant. In fact, the best descriptive word for our experience was the three-letter one—fun.

Sometimes we glided noiselessly. Sometimes we heard and felt the raft's bottom scraping the river's. Occasionally, in what the steersmen apologetically called "white water," the raft kicked and bucked and pitched sprays of water that somehow sought out our three, Barbara and the aforementioned two.

The day was too cool in the morning and verging on hot in the afternoon. The steersmen passed out a sunburn-preventive cream as if they were paid for every empty tube they brought back.

They also gave us paper cups and showed us our drinking water supply, the clear and cold Snake River that was carrying us downstream. The raw water, they said, assays bacterially less than ordinary safe tap water. They instructed us to keep the river clean. The bottom of the raft became a huge ashtray and trash container.

"It's easier to clean out the raft than the river," the headman told us.

I was the first to spot what I thought was an eagle, high in a tree. It turned out it was an eaglet, and I declined my reward, that of leading the group in singing "The Star-Spangled Banner."

Later, we all saw the eaglet's mother, the baldheaded variety that is our national bird. We also saw a cow moose and her calf, coming up on them unexpectedly as we rounded one of the hairpin bends that characterizes the Snake.

They took off, crashing through marsh and thicket.

At lunchtime, the crew of two roped us safely ashore, in what seemed to be a fight between man and a jealous river.

There we ate box lunches. Our children shared theirs with incredibly friendly chipmunks.

We took off again for the afternoon finale, a longer ride but of shorter duration than the morning's. This course, for the raft rider, is fast water. The river narrows like the Potomac at Chain Bridge and runs about as fast on top.

At the finish point, the crew won another struggle with the currents and tied the raft to the shore. We caught the bus back to the lodge, while a flatbed trailer truck was portaging the raft back upstream for the next morning's run.

About those cowboys: We were near midpoint of the ride when the front steersmen pointed to a projecting tree stump, sticking out like a buoy and showing the direction of the tides. It was pointed away from us. He said he would tell us about it after we passed it.

The stump is called "Disputation Point." Seems that the cowboys did not get along too well with each other. So one day when the one up front decided to pass the tree on the left, the one in the back decided to steer it past on the right.

Each half succeeded. The raft hit and rode up the stump, midships so to speak. The cowboys and two passengers went overboard. No one was drowned, but it was the last of the raft rides until the Park Service took them over as a feature service.

ISRAEL INDEPENDENCE DAY

Mr. HUMPHREY. Mr. President, in our society the age of 16 is a major milestone on the road to maturity. Today, however, we are celebrating the 16th birthday of a nation which was mature at birth. The State of Israel sprang full grown from the sands of Palestine, already populated by patriots old in the ways of government and politics.

From its birth in 1948, Israel has grown and prospered in a most unprecedented manner. Its population has tripled in those 16 years, and its gross national product has multiplied untold times from its initial tiny base. Never in the history of nations have we seen such a fantastic success story. Not only has U.S. technical assistance long since been withdrawn as unnecessary, but Israel has for several years now taken up the burden of foreign aid on her own youthful shoulders. There is scarcely a nation in Africa where the blue and white flag does not flutter over some technical project intrinsic to economic development.

Today Israel is beset by new problems, but these are the problems of an established nation, not a rump group of hardy pioneers seeking to establish and sustain a national entity. The war has been won, the immigrants absorbed, the economy launched, the desert watered, and a true democracy assured. The social, economic, political, and international questions facing this democracy today must seem a luxury compared with the matters of life and death which had to be overcome in the early years of independence. That these life and death matters were overcome is the ultimate tribute to the leaders and people of that land.

It is a great pleasure each May to note the astounding progress that Israel has made in the prior year. It goes on year after year, without fail. In Israel a year is sufficient time for the building of a whole new city, the founding of a new industry, or the reclamation of vast areas of desert. Their time scale seems wholly different from ours—we move in slow motion by comparison.

And so today I am once again delighted to salute our dedicated and energetic friends at the far end of the Mediterranean. They have my profound respect and my warmest personal regards. I congratulate Israel on this memorable occasion, and I shall be waiting to see what new wonders she will accomplish by this time next year.

SIXTY-SIXTH ANNIVERSARY OF CUBAN INDEPENDENCE FROM SPAIN

Mr. SMATHERS. Mr. President, having checked with the able acting majority leader and the able acting minority leader, I ask unanimous consent that I may speak for 20 minutes on a subject of importance.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Florida is recognized for 20 minutes.

Mr. SMATHERS. Mr. President, today, May 20, may not be a significant day for some Americans, but for the brave Cuban people, it is a day of great importance; for on this day, 62 years ago, with the full moral and military support of the United States, Cubans won their independence from Spain.

Every year since that time, until 1959, the Cuban people have commemorated this date as freemen. But since the coming of Fidel Castro's Communist regime, 5 years ago, the Cuban people, once again, have found themselves in the grip of oppressive foreign rule.

In those 5 years, Castro has betrayed the trust and loyalty of the Cuban people to a tyranny unparalleled in their long history. This despotism represents an extension of Communist imperialism in the Western Hemisphere. It threatens the security and freedom of all the Americas.

There is hardly a country south of our borders which has not, in one way or another, been subjected to attempted subversion or outright invasion from that Communist bastion in the Caribbean.

The Organization of American States will soon meet to consider the indictment of the Communist regime of Fidel Castro. The action is brought and sponsored by Venezuela. That country has been under constant terroristic attacks supplied and directed by the Communist regime in Cuba.

Brazil, the most populous country in Latin America, almost succumbed to Communist infiltration. It was narrowly averted. British Guiana, Bolivia, Chile, and the countries of Central America are today under continuing strong Communist intimidation and are suffering from attempted Communist infiltrations.

But this is not all. Communist Cuba has threatened and continues to threaten even the Commonwealth of Puerto Rico with subversion and propaganda.

Thus, the continuance of a Communist presence just off our shores poses a direct threat to all the countries of Central and South America and an indirect threat to the United States of America. In the fall of 1962—on October 22, to be more exact—Cuba, with Soviet made and controlled missiles, constituted a direct threat to the security of the United States; but under the able and courageous leadership of the late beloved President John F. Kennedy we met that challenge in a moment of unspeakable danger and tension. Today I do not believe any responsible person really believes that there is a genuine threat of physical danger to the U.S. mainland or that there will be any time soon from the Communist stronghold of Cuba.

However, this does not mean to say that Cuba and its present Government is not a real, or immediate, or dangerous threat to our ideals and institutions, our position as leader of the Western Hemisphere, and the physical existence of our closest and best friends in Central and South America.

So, on this historic date, I propose to deal with the subject of Cuban subversion in some detail and to suggest certain countermeasures. I hope to answer the subtle voices that preach accommodation, by getting to the heart of the threat we face.

There has been an unfortunate tendency of late to view the initial victories for freedom in Venezuela and Brazil with, first, relief; then complacency.

However, students of Communist aggression know perfectly well that the forces of international communism look upon initial defeat merely as a temporary setback. For they are taught to regroup; to change their tactics; and never to cease their probes to test the weaknesses of their opposition.

So long as communism maintains its bridgehead in Cuba, that much longer will subversion and attempted aggression continue in this hemisphere; that much longer will we see postponed the noble goals of the Alliance for Progress; that much longer will we see postponed peace, prosperity, and stability for the citizens of Latin America.

Let me read abstracts from an interview with the head of Castro's subversive apparatus, Maj. Ernesto Guevara. It was printed in Ultima Hora newspaper, Lima, Peru, on March 31:

> My advice to Venezuelans is this: Arm yourselves and shoot through the head every imperialist you can find who is 15 years of age or older.
>
> For the people of Panama, I have this advice: Don't use boys, but put your sharpshooters in ambush.

This statement was made upon learning that we—the United States—propose to discuss with Panama our outstanding differences.

Asked about "wars of liberation," Guevara said:

> Violence is the only means by which political will can be imposed.

Could anything be clearer?

In an interview while he was in Algeria, as reported by Radio Progresso in Havana, April 16, 1964, Guevara stated:

> The great lesson Brazil offers is: First, we cannot count on our being able to dominate established armies; second, nonviolent means of gaining the successful liberation of America have proved to be very, very—indeed extremely—difficult.

The obvious corollary is that Communist Cuba is prepared to continue its policies of violence.

Brazilian police have uncovered Czech manufactured arms, tents, and Communist directed guerrilla training camps in the vast jungle wilderness of northeastern Brazil. The story of the extent of Cuba-directed Communist infiltration of that great country still remains to be told. But its outlines are clearly visible.

Only 2 weeks following the ousting of President Goulart and his Communist backers, the new War Minister announced the capture of caches of weapons "as well as other material for guerrilla warfare." Their origin was Communist Cuba.

The much propagandized agrarian reform organization in Brazil was actually found to be a channel to Communist subversion. Many millions of cruzeiros intended for that reform found their way into the pockets of Communist organizations.

The State of Guanabara was prepared for the Communist takeover. More than 100 clandestine radio stations were to be the mouthpieces of Communist-oriented Leonel Brizola, the anti-American brother-in-law of President Goulart. Fortunately, they were discovered.

The president of Brazil's Communist Party, Luis Carlos Prestes, openly boasted that hundreds of thousands of Brazilians who had been duped into supporting the Communist Party—and I quote him—"took their political direction" in equal amounts from the Cuban revolutionary government and the now deposed president Goulart.

It is no secret that many top-level positions in the Goulart government were occupied by known Communists. The fact that the Communists were unable to rally popular support in time to counter the swelling anti-Goulart forces, does not erase the fact that they had their hands at the controls of some of the most important government-run departments, particularly those which regulate or administrate communications, oil refining, education, and labor. It is frightening to think of the power and influence they could have wielded in these sensitive areas, had not Mr. Goulart's government been overthrown.

Mr. President, the Communist leaders of Cuba came very close to expanding Communist control to a nation of nearly 80 million people, a nation as large geographically as the United States of America. It is beyond debate that a link existed between the Communist leaders of Cuba and the Communists of Brazil.

Therefore, it was with great enthusiasm last week that the forces of democracy and freedom throughout the hemisphere greeted the news that Brazil's new President, Humberto Castelo Branco, has severed diplomatic and consular relations with Cuba.

Charging Castro with "interfering in Brazil's internal affairs," the Branco government said that the rupture in relations was in "consonance with the Brazilian Government's position of not permitting Communist action within its national territory," and then went on to accuse the Castro regime of "taking advantage of every opportunity to continue exporting its subversive doctrines through intense ideological propaganda."

It is truly unfortunate that a country of the size and stature of Brazil had to resort to revolution, at the risk of widespread civil strife, to defend her constitutional freedoms from Communist attack. It is hoped that the lesson of Brazil will not be forgotten when Chileans go to the polls this fall, to elect a new President, and when the Organization of American States meets, later this month, to consider charges of Cuban aggression against Venezuela.

Another Communist-backed Brazilian, Francisco Juliao, is still active.

In this connection, I believe it most important that those who are interested read the splendidly written articles by Mr. Don Kurzman, of the Washington Post, who for quite some time has been active in this area, and has been writing in great detail and with great interest about what is happening in Brazil.

Castro's radio broadcasts state that Juliao is located in the jungles of Brazil. Those broadcasts exhort the people of Brazil to follow Juliao in all-out guerrilla activity. It is a fact that he and Leonel Brizola are working together with Cuban support, to carry on the type of terroristic activities which we have seen in Venezuela for the past several years. They have even gone so far as to issue a manifesto, a blueprint of terror, which is reminiscent of the Castro statements in 1957 and 1958, just prior to Castro's takeover of Cuba in 1959.

It is significant that Juliao has been a frequent visitor to Communist Cuba, where he officiates as one of the many Latin American Communists who have established a politburo of subversion in Cuba, just off our shores.

Another Havana visitor and close friend of Fidel Castro is Senator Salvador Allende. Allende is a candidate for the Presidency of Chile. Only recently he announced that, if elected, he would carry out Castro-type agrarian reform measures, and would nationalize financial institutions and domestic and foreign industries.

We all know that Castro's so-called agrarian reform has resulted in causing the country people to work on State farms with the status of slave laborers. We also know that the nationalization of financial institutions and industries has been nothing more than outright robbery. Senator Allende has singled out the Anaconda Copper holdings in that country to head the list of the proposed confiscations in Chile. This U.S.-owned company has supplied thousands of jobs and has been a major contributor to the economy of Chile for almost 50 years. What, we ask, will be the effect on the Alliance for Progress and its noble goals throughout the hemisphere if such confiscations are carried out?

There is a clear and present danger that, sustained politically and materially by the example in the Caribbean, the Chilean Communists may actually take over that country, through the ballotbox, as a result of the infiltration of Communists into student organizations, labor unions, and intellectual groups.

The prospects of such an occurrence have lately tended to rally differing, but—fortunately—anti-Communist, forces around Edwardo Frie, a Socialist-minded front runner for the Christian Democratic Party. Undoubtedly, the fall of the Goulart government has also bolstered Frei's standing and power; and let us hope it has encouraged his supporters to exert even greater efforts.

But even if Frei should triumph—a highly problematical conjecture at this moment—he would have to contend with a large and powerful Communist element, financed through Cuba, which would certainly work to obstruct and thereby discredit any responsible attempts to cope with the gigantic problems of underdevelopment which plague the Chilean people.

Effective and forceful countermeasures against Communist Cuba before the September elections in Chile, however, could permanently serve to isolate and cripple Allende's pro-Communist power and assist the local political leaders who wish to keep Chile free from the Communist virus, which of course means dictatorship and loss of personal liberty.

I should like to say here, Mr. President, for a moment, that Castro is no "do it yourself" subversive. Indeed, without massive Soviet economic aid, estimated at more than $1 million worth a day, there can be little question but that his despotic regime would not have long survived.

But, as we all too well know, Soviet aid goes beyond the necessities of maintaining Castro's economy. It has armed and turned Cuba into a mighty arsenal, second in power in the Western Hemisphere only to the United States.

Much of this Communist-bloc military hardware shipped to Cuba has been found in Castro-inspired and Castro-supported guerrilla camps scattered throughout Latin America.

This activity seeks to fulfill a basic Bolshevik aim, expressed as early as 1920 at the Second World Congress of the Communist International. It read:

> A fundamental task of the Communist International, the accomplishment of which alone will insure world revolution, is the destruction of U.S. imperialism; and this destruction is possible only by means of a gigantic revolutionary movement embracing the whole of the Americas.

As stated earlier, following the recent Brazilian revolution, Brazilian military authorities reported finding an arms cache of 6,000 Czechoslovakian rifles. Soviet made weapons have also been found in Argentina and Venezuela, and, I might add, in Bolivia and in many other countries of Central and South America.

According to an OAS report issued on July 5 of last year the teaching and training of Castro-Communist guerrillas was in the hands "not only of Cubans and other Latin Americans, but also of Russians, Czechoslovakians, Chinese, and others."

This is to say nothing of the tons of Soviet bloc revolutionary propaganda which daily floods Latin America; the hundreds of hours of beamed Communist radio propaganda; the accumulated evidence of Soviet Embassy support for local Communist Parties engaged in activities seeking to undermine and subvert democratic institutions.

The list of particulars in the Castro-Khrushchev alliance could be expanded almost indefinitely. What they show is a solid provable continuing pattern of subversion and attempted activities to overthrow existing governments in this hemisphere.

Even the United States has been subjected to limited infiltration. Castro agents have roamed my native State of Florida, and handbills urging its people "to support the first Socialist revolution in this hemisphere" appears mysteriously, along with other Cuban propaganda fodder which has its origin in Cuba.

Floridians have watched these puny incursions, not with indifference, not with alarm, but with enlightened concern. We know from the Castro experience that it is foolhardy to dismiss these signs as of no importance. For, while it is inconceivable that there exists any great threat of a Communist takeover in Florida or elsewhere in the United States, nonetheless it lets us all know that these enemies of democracy are continuing their tireless efforts to bring about overthrow, disunity and division, not only in the United States, but throughout Central and South America.

Our citizens are subjected to English-language broadcasts from Cuba, "The Voice of Dixie," and the Soviet-Cuban combine continues its efforts to infiltrate the youth of this country. I need mention only the illegal trip to Cuba last summer of 59 so-called American students. Invitations which were sent initially to student groups whose leadership is ideologically suspect, have since been extended to others. Right at this moment, according to Castro's radio, a campaign is underway to send another group of American students to Cuba.

Even as a student in 1948, Fidel Castro looked covetously at Puerto Rico. In 1959, he called the Commonwealth of Puerto Rico an exploited colony of imperialism, which must be liberated. He repeated that charge just last April 19.

Certainly there is little danger at this time that Puerto Rico could ever become another Cuba. This showcase island is politically stable and economically prosperous.

But precisely because of its flourishing free enterprise system and successful political union with the United States, it remains a choice Communist target. Its example helps to offset the effectiveness of Castro-Communist antiyanqui propaganda, and provides dramatic evidence to Latin Americans of the advantages of our system over the near bankrupt totalitarian regime of Communist Cuba.

Thus, Castro communism has made Puerto Rican independence from the United States its primary goal for that island. This has witnessed the wooing by the Communists of leftist student groups; namely, the Pro-Independence University Students' Federation and certain Puerto Rican nationalists.

Prominent among the latter is the wife of nationalist leader Pedro Albizu-Campos and Juan Juarbe y Juarbe. Both journeyed to Havana in 1959 as Castro guests, and have become a part of his subversive apparatus. They are now cloaked with diplomatic protection as members of Castro's mission to the United Nations.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **SMATHERS**. Mr. President, I ask unanimous consent that I may continue for an additional 8 minutes.

The **PRESIDING OFFICER**. Without objection it is so ordered.

Mr. **SMATHERS**. Recently, however, the anti-American campaign has taken an uglier turn.

In late April of this year, Puerto Rican police officials battled a small guerrilla-like band in the Moca Mountains and captured a cache of arms including rifles, time bombs, ammunition, Marxist-Leninist literature, and an anti-U.S. manifesto identifying the group as the Authentic Puerto Rican Armed Movement or MAPA.

All evidence indicates that it was a Castro inspired and trained outfit typical of those that we have seen emerging throughout Latin America since Castro came to power. The major significance of this group is not its negligible size, strength or influence, but the fact that it represents Castro inspired and supported aggression on what is legally territory connected with the United States.

Regretfully, I have yet to see where our U.S. officials have in any way denounced this effort against Puerto Rico.

It is true that the Government of Puerto Rico can now handle this type of incursion from Communist Cuba, but surely we, the United States, should lodge some protest with the OAS and world opinion against this Communist effort against a free and democratic land. There is another point to the attempt at subversion in Puerto Rico which I would like to touch upon.

Our State Department is building a legal case, together with its OAS partners, by which the efforts at subversion on this hemisphere will be well documented. Presumably, this could then lead to taking whatever action is deemed necessary under the Rio Treaty. Article 6 gives us the authority to deal with subversion. And, of course, it has not yet been invoked.

Certainly, the legal case of the Organization of American States which the State Department is laboriously assembling, should be buttressed by our own documentation of subversion in Puerto Rico.

We must take the lead in the OAS, along with Venezuela, in urging strong sanctions against Cuba and the government of Fidel Castro.

The time has long since passed for issuing only verbal reproofs and moral condemnations. The time now is for more positive action.

The question arises what do we do about it?

It seems to me that we must start now, today, to rebuild the shattered morale of the people inside Cuba, so often hopeful of help, and so often disappointed. We must unequivocally reaffirm the pledge made by our beloved martyred President, John F. Kennedy, who said in a speech to the American Society of Newspaper Editors on April 20, 1961:

> Cuba must not be abandoned to the Communists. And we do not intend to abandon it either.

Later the distinguished President repeated that same pledge in the Orange Bowl in Miami, when he spoke before the so-called invaders who had been a part of the Bay of Pigs invasion, who had been subsequently released, and who were there in the Orange Bowl with their families and some 20,000 other Cuban refugees and 20,000 other citizens of the State of Florida.

We must encourage the people, through constant official declarations of our sympathy and support to continue with heroic resistance over the years which is of such great importance, but so little understood and reported.

I want to mention here the study published recently by the Citizens Committee for a Free Cuba, called Terror and Resistance in Communist Cuba. This is an impressive study which documents the terrible repression employed by Castro's communism and vividly portrays the source of the strength which completely escapes the attention of institutional diplomacy. That strength is the people.

Mr. President, we should indict Castro's Communist regime for crimes against humanity. It should be indicted by the Organization of American States.

The Organization of American States has buttressed the arguments presented by the Citizens Committee for a Free Cuba in its own study of the barbarities committed by Castro in the phony name of reform. If my colleagues, and above all, if responsible people in the State Department, read these two studies, they will be very deeply impressed.

Mr. President, if we are to lead this hemisphere in the name of justice and morality, it is absolutely mandatory that we unmask Castro's regime for what it is—a cruel and oppressive despotism—and that we indict him before the Organization of American States, and that the OAS thereafter find him guilty as charged.

Having done this, we will have shown the peoples of Latin America that Uncle Sam is not just a talking liberal, but a practicing liberal, who can be counted upon to commit that liberalism to the defense of the personal liberties of others who live in this hemisphere.

Having reestablished our position clearly and firmly in this respect, I believe we must then recognize a Cuban government in exile. I called for this recognition in 1960, in 1961, in 1962, in 1963, and now in 1964. It seems to me this is the only practical way of unifying the Cuban exiles, channeling their efforts into a totality, directed against their common foe of communism and Castro in Cuba.

If we recognize a free government of Cuba in exile, we can then assist it under the terms of all the treaties we have previously signed—and there are seven of them—and we can stand solidly on the firm ground of our tradition—that of assisting men who want freedom in their country to get it. Under the format of a Cuban government in exile, we would be assisting Cubans versus Cubans—those who believe in freedom on one side supported by their friends, opposing those who stand for dictatorship and their friends on the other side. This is the position we have always historically taken. This is the position, I believe, we are taking in South Vietnam today. If it is logical to take position 8,000 miles from home, it is 8,000 times more logical in the Cuban situation here in our own neighborhood, in our own hemisphere.

Mr. President, as I am speaking here today, gallant Cuban exiles are risking their very lives in an effort to liberate their homeland from the iron grip of Communist tyranny.

The daring raid of the Cuban exiles led by Manuel Artime on the port of Pilon in eastern Cuba destroyed a sugar factory valued at $2¼ million.

Mr. GRUENING. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SMATHERS. Mr. President, I ask unanimous consent to continue for another 10 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. SMATHERS. Let me complete this thought, and then I shall yield to the Senator from Alaska.

Mr. JAVITS. Mr. President, reserving the right to object, will the Senator give us an indication as to the total amount of time he will need?

Mr. SMATHERS. Ten minutes more.

Such activity on an intensified scale could deal Castro's ailing economy a lethal blow. It could also serve to inspire the oppressed Cuban people with renewed hope and determination to strengthen internal resistance to the Caribbean tyrant.

Now I yield to the Senator from Alaska for a question.

Mr. GRUENING. I have been listening with great sympathy and interest to the Senator from Florida. When the raid which resulted in the destruction of the sugar mill took place, I took occasion at that time to praise and encourage the Cubans and express the hope that this administration would not follow what seemed to be the mistaken policy of the Kennedy administration in preventing Cubans from making raids. I do not think it is proper for the United States to take part in them, but I do not see why Cuban exiles should not have the right, at their own risk, to try to liberate their own country.

I hope the Senator from Florida agrees with that thought.

Mr. SMATHERS. I totally agree with the Senator from Alaska on that point. On occasions in the past he and I have taken identical positions, that we should let free Cubans fight for freedom in their homeland, and to operate, not necessarily from the United States, but from other lands in this hemisphere.

Mr. GRUENING. I hope the policy taken mistakenly by the Kennedy administration will not be readopted by the Johnson administration. I think what the free Cubans are doing as has always been done in the great American tradition, should be encouraged, although we should not take part officially in such raids.

Mr. SMATHERS. I thank the Senator.

It is significant that Artime's raid occurred during this month of Cuban independence. It emphasizes that freedom from hostile and alien rule is once again the cherished goal of Cuban patriots and that once again they need our help if they hope to succeed.

In 1898 the Congress of the United States recognized that the Cuban people "ought to be free and independent."

Now more than ever we must reaffirm that historic resolution and aid the Cuban exiles in every way consistent with our own laws and consistent with the treaties in which we have entered with other nations, to insure the operation, efficiency, and success of these efforts of Cubans to achieve the freedom of Cuba once again.

In this respect, Mr. President, I would like to call the attention of my colleagues to a remarkable document presented to the Organ of Consultation of the OAS. Written by distinguished Cuban jurist and economist, Juan Andres Lliteras, and by Guillermo Belt, who, I will remember, served as Ambassador to the United States from Cuba, this document eloquently and firmly pleads the case of the Cuban exiles and asks that they be provided with assistance to help liberate their captive homeland. The authors state:

> We come, in brief, to request from your Excellencies that either the Allies of Cuba acknowledge the right of the Cuban people to demand protection under the terms of the Treaty of Mutual Assistance of Rio de Janeiro (1947), and other solemn pronouncements of the American States, made prior to and after the said treaty; or that such rights be denied and repudiated outright, that the peoples of the Americas, as well as our own people, may know once and for all what the future of our Alliance holds for them.
>
> Because if the great American Alliance is invalid for Cuba, it shall likewise afford scant comfort to any other American nation. If events have brought us to so sorry a pass that we are forced to admit that when a free American nation is drawn into the whirlpool of communism—when the iron curtain falls around it—such a nation can expect no relief and must be given up for lost due to the "complexities of the cold war"; then it is preferable, excellencies, to acknowledge the failure of "collective defense" and leave the several States to search for salvation by such means as may be open to them or, at least, to permit them the opportunity to buy time and attempt to prolong their agony, in the hope that unexpected events may afford an opportunity to escape the fate of the Cuban people.
>
> It is useless, in fact dangerous, to continue to close our eyes to reality, gentlemen. The Americas are falling into a state of profound apathy. The rhythm of labor, investments, business and credit, far from responding to the powerful stimuli of the Alliance for Progress, is on the downgrade and threatens to stop altogether, like a tired heart.
>
> The breath of faith and future hope that has always urged our peoples forward is slowly being extinguished with each passing day. The men of America, struggling to extricate themselves from the quicksands of communism, seem to have lost all confidence in the value of individual effort. Stormy winds of rebellion are blowing upon the impoverished and desperate masses, and the time is not far when any solution, bad as it may be, shall appear preferable to the paralysis which is overcoming us all.

And they continue:

> It is clear, therefore, Excellencies, that if the problems of the cold war as it has been affirmed, do not allow the great powers to take effective action, even in the face of such fateful dangers, the people of Cuba should at least be allowed to fend for themselves.
>
> Let them not be hampered in their struggle for freedom, as they are at present; let their ships and armaments not be apprehended and confiscated, under the pretext of violating alleged neutrality laws, which deny the most sacred tradition of the American nations, none of which, it must be remembered, achieved independence without foreign aid. Let the rest of the American States, if they insist, not become directly involved, until it is their turn to come under attack. But let them at least provide the necessary bases, resources, and implements of war to the courageous men who, in Cuba and abroad, are fighting an unequal battle with the forces of evil.

These two distinguished authors then cite ample legal and historical precedent for aiding the exiles based upon solemn American treaties, doctrines, and declarations.

Some of these pledges, such as the Declaration of Independence, which established the American tradition that all people have the right to rebel against tyranny especially if it is imposed from abroad, and the Monroe Doctrine, constitute unique and historic American precepts which are deeply rooted in our heritage. Others of more recent origin were incorporated into the inter-American system when nazism menaced our survival and as Communist imperialism replaced that totalitarian threat against this hemisphere with its own.

These pronouncements include the "no transfer" principle which was incorporated into the Declaration of Havana in 1940 as part of inter-American law, and the Mutual Assistance Treaty of Rio de Janeiro, 1947, which categorically states:

> If the inviolability of the integrity of the territory or the sovereign or political independence of any American State should be affected by an aggression which is not an armed attack, or by an extracontinental or intracontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression—

Clearly the oppressed Cuban people in this instance—

> or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent.

Also of great importance is the joint resolution of the Congress of September 26, 1962, passed less than a month before Khrushchev threatened us with nuclear missiles from Cuban soil. This resolution expressly commits the United States to "work with the OAS and freedom-loving Cubans to restore self-determination to the Cuban people.

We can best give substance to these words while avoiding the dangers of escalation by backing the Cuban exiles. Failure to do so will only lend credence to Communist claims that we are a clay giant that cowers when challenged to action.

So long as we fail to uproot this evil on our doorstep, that much longer will our anti-Communist resolve be questioned by our allies around the world.

For if the United States can permit the brazen Russians to consolidate unchallenged a Soviet bastion on its very shores, how can the scattered peoples of the free world believe that we will protect them?

Indeed, American inaction on the Cuban front can only promote the trend toward neutralism and thus weaken our alliances and endanger our outposts on the periphery of the Communist world, as well as our cause in the Americas.

The weak countries of Latin America look to us for help and guidance. But if the United States appears unwilling to fight the forces of evil here in our own hemisphere, how can we expect to maintain their confidence and respect elsewhere?

Drs. Lliteras and Belt sum up their petition to the Organ of Consultation as follows:

> We respectfully request that the American States, the friends and allies of Cuba here represented, clearly express:
>
> 1. That the Cuban people "are and of right ought to be free and independent"; that they, in fact and in law, are entitled to rebel against the Communist tyranny which has subdued their country; and in the words of the Rio Treaty, proclaim once more as a manifest truth: (a) That the obligation of mutual assistance and common defense of the American Republics is essentially related to their democratic ideals; (b) that juridical organization is a necessary requisite for security and peace; (c) that peace is founded on justice and moral order; and (d) that peace rests on the international recognition of human rights and freedoms and effective democracy.
>
> 2. That any and all American nations are legitimately entitled, under the right of self defense, to provide the Cuban forces engaged in the war against communism, both within and without the territory of Cuba, with whatever resources may be necessary to carry on the struggle, until the foreign invaders are thrown back to the sea.
>
> 3. Their individual and collective determination to put an end to Communist penetration in the Americas and to prevent all access of arms and strategic materials to the Cuban totalitarian regime; especially such fuels as may contribute to the operational capability of planes, ships, and ballistic missiles concentrated in Cuba now threatening the democratic governments of the other American States.
>
> 4. That all means of communication with the Cuban Communist regime, whether by air or by sea, including cable and financial services, be cut off by the rest of the American Republics for the purpose of putting an end to the illegal traffic of agents, arms, money, and propaganda, presently employed by international communism to undermine the democratic institutions of the nations of this hemisphere.
>
> 5. That all recognition shall be denied to the Castro Communist regime in Cuba, culpable of violating all treaties and civilized laws, so that it may not cynically pretend as heretofore to seek protection under the laws which it denies and vituperates.
>
> 6. That the nations of the Socialist bloc be warned that the free peoples of this hemisphere do not countenance and shall not tolerate Communist protectorates in the Americas, and are resolved to see all foreign troops and armaments removed from Cuba, without further delay.
>
> Since the Communist military presence in America cannot fail to be regarded but as a hostile act against all the States of the regional community, the Socialist bloc countries should clearly understand that further insistence in holding or extending their beachhead in this hemisphere is incompatible with normal diplomatic relations with the American Republics.

Mr. President, I regard these as minimum conditions for the protection of this hemisphere, and through extending that protection, the security of this great Nation of ours. The only absolute in foreign affairs is the premium which is placed on initiative. We here in the United States must regain that initiative. If we have the will we can do so, and we should do so, in the name of justice and humanity.

THE MARYLAND PRIMARY ELECTION RESULTS

Mr. BEALL. Mr. President, I should like to make a few observations regarding the Maryland primary election held yesterday, and Governor Wallace's candidacy in particular.

The Wallace candidacy in Maryland obviously gave a good many people an opportunity to voice a protest on any number of matters. But after all is said and done, nothing has really been changed. I do, however, believe that the American people are anxious to get on with the business of the country. The situation on the Senate floor today is certainly not in the best interests of the Nation. It is imperative that the majority party live up to its leadership responsibilities and bring this matter to a final determination. There are many vital matters awaiting action by the Congress.

It has always been apparent that the civil rights bill needed improvement and it appears that appropriate amendments are in process on which there is general agreement.

I firmly believe that it would be best for Congress and the Nation to get this issue behind us.

REPUBLICAN CITIZENS COMMITTEE'S CRITICAL ISSUES COUNCIL—BALANCE OF PAYMENTS REPORT

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a summary as well as the full text of the latest report of the Republican Citizens Committee's Critical Issues Council, entitled "The Balance of Payments: A Time for Fundamentals." Whatever the individual differences may be with the council's report, it richly deserves the attention of the Senate.

There being no objection, the summary and report was ordered to be printed in the RECORD, as follows:

SUMMARY

The Republican Citizens Committee's Critical Issues Council, headed by Dr. Milton S. Eisenhower, today recommended vigorous action to halt the balance-of-payments deficit which is draining the Nation's gold resources and sapping the strength of the dollar—a process that "threatens the welfare and security of every American family."

The council believes that the balance-of-payments problem will get worse in the months ahead. While acknowledging that the deficit has temporarily diminished and gold losses have abated, the council expressed concern that this welcome improvement may lull the Nation into a false sense of security and diminish the determination to correct our payments deficit.

The report states that the present improvement, due largely to the administration's proposal to tax American purchasers of foreign securities, is not likely to continue. The uncertainty surrounding the tax has halted practically all new issues of such securities, but the council warns that many foreign borrowers are preparing to float new issues as soon as Congress decides the exact terms of the interest equalization tax.

The report, the sixth in a series by the Critical Issues Council on important foreign and domestic issues, was prepared by a task force chaired by Dr. Henry C. Wallich, professor of economics at Yale University and former member of the President's Council of Economic Advisers.

Other members of the task force were: Mr. Elliott V. Bell, editor and publisher of Business Week magazine; Dr. William Fellner, chairman, Department of Economics, Yale University; Dr. Neil Jacoby, dean, Graduate School of Business Administration, UCLA, and former member of the President's Council of Economic Advisers; Mr. Clarence Randall, retired chairman of Inland Steel; and Mr. Frazar B. Wilde, chairman, Connecticut General Life Insurance Co.

The continuing deficit—the result of spending more abroad than we take in—is undermining the financial, political, and even the military leadership of the United States, the Republicans declared, in demanding that the problem receive top priority. The administration's efforts to meet the problem have produced only stopgap measures, and a further delay in attacking the basic problem could court disaster, they warned.

Briefly summarized. the situation is this: Ten years ago, the United States owned $22 billion in gold. Our liabilities to foreigners who might demand gold from us amounted to no more than $10 billion. Today our gold holdings are down to $15.5 billion, and our short-term liabilities have risen to $21.3 billion. If foreigners were to demand the maximum of their claims on American gold, we as a nation would be unable to pay.

Our principal need, the council continues, is to increase American exports as far as world markets will permit, in order to raise our international receipts; in short, to reverse the trend of paying out more than we are receiving from abroad. Despite the fact that our expenditures have exceeded receipts by an average of $2.5 billion for the last 6 years, the administration has thus far not given American exporters the support they need to hold America's share in world markets, let alone expand it.

As a remedy, the council urges adoption of a constructive program whereby the United States must:

(1) Expand exports by a series of measures requiring major action.

(2) Cope with the outflow of capital by creating an environment conducive to home investment.

(3) Explore every possibility of reducing the costs of keeping our military forces abroad while adhering to our commitments. To this end we must become more effective in persuading our allies to honor their own military commitments and to assume their proper share of the common defense burden.

(4) Tighten up foreign aid procedures by becoming more selective in our choice of recipients.

(5) Reform the international financial system without destroying the role of the dollar as the world's leading currency.

In urging allout effort to expand America's exports, the council contends that we should not be misled by our present surplus of exports over imports. In 1963, for example, the export surplus was $4.9 billion, but of this amount, $2.7 billion was financed by U.S. Government loans and grants. Thus the surplus in commercial exports was only $2.2 billion.

To expand exports the council urges action to achieve these objectives:

Keep prices and wages competitive.

Bargain down foreign tariffs and other trade restrictions.

Provide better insurance for credit risks run by exporters.

Promote American goods more effectively.

Study means of providing the same tax incentives to exporters that our competitors have.

On the matter of wages and prices, the council says: "To become more competitive, American business must keep price increases to a minimum and where possible should reduce prices.

"Labor's interests in higher employment will best be served by wage demands that recognize the need both to keep prices competitive and to help absorb the unemployed.

"If the tax cut produces renewed inflationary pressures, as seems quite possible, interest rates will tend to rise and should be allowed to have their restraining influence on prices."

THE BALANCE OF PAYMENTS: A TIME FOR FUNDAMENTALS

The strength of the dollar has been sapped by years of deficits in the balance of payments. Gold losses have been heavy and short-term debts have mounted sky high. This insidious process threatens the welfare and security of every American family.

Common concerns, ranging from the price of a cup of coffee, to a young man's prospects for a job in an exporting industry, and to the Nation's ability to hold communism in check are equally affected if stronger action is not taken. It would not be responsible to assume that this action can be avoided simply because, for a few months, we have enjoyed a reduction in the balance-of-payments deficit attributable mainly to temporary factors.

The balance-of-payments drain goes on almost invisibly, like a cancer. The fact that since 1953, our gold reserves have dropped from $22 billion to $15.5 billion, and that foreign countries have, within a few years, accumulated claims against us of over $21 billion that would wipe out the remainder if they decided to cash them, becomes apparent mainly to the readers of financial statistics. Unemployment, recession, and inflation are seen by everyone. That is why many people believe that the problem of gold and the balance of payments are too complicated to form an opinion about. Yet in principle they do not differ from those of the family and its checking account, which the balance of payments closely resembles.

The balance of payments, like the family checking account, is the record of all receipts and payments in dealing with the outside world. Receipts from exports, from investments made abroad, from sales of securities abroad, and the like are the counterpart of the deposits that the family makes in its account. Payments for imports, for new investment abroad, foreign aid, and American troops abroad are the checks that are drawn against it. Our gold stock is the balance in the account. Because our receipts have been less than our payments, we have been drawing down this balance for so long and at such a rate that the remainder is approaching the peril point.

A family may live comfortably and in complete ignorance of what is in store while its head improvidently runs down the bank balance. The same can happen to a nation that runs down its gold supply. After a point, the inevitable consequence is a disruption of its foreign trade, unemployment, perhaps inflation. If that nation is the United States, even more than economic health is at stake. The entire world depends on the dollar. The dollar is used for international reserves, to finance trade, and as a basis for many long-term contracts. If the dollar should fail, the world economy would totter. In that event one thing is sure: the political and military strength that the United States historically has drawn from its powerful financial position will be badly shaken. It is still possible to prevent this if the right measures are taken.

Our situation calls for action. The administration predicted some time ago that the payments deficit would be cured by the end of 1963. The large deficit incurred in 1963 of $3.3 billion shows how completely it has misjudged the situation. By threatening to tax foreign borrowers in our markets retroactively the administration has temporarily brought new borrowing to a halt. This has produced some welcome relief during the last months of last year and the early months of the present, which cannot be expected to continue, however, once the legislation has been decided on and foreign borrowers know what tax they may have to pay.

In addition, the administration has resorted to bookkeeping devices and temporary expedients, such as asking France, Germany, and others to prepay debts they owe us, and these have made the deficit look smaller. It has succeeded in papering over some of the gaps by increased borrowing abroad, which has slowed the gold outflow. But the Government's own statistics show that the hole in the accounts continues large.

What should be done? The answer is the same that the head of a family must give under similar circumstances. Either he must earn more, or the family must spend less. To begin with, the family must take a hard look at its budget.

The summary of our international receipts and expenditures shows that our accounts fundamentally are quite simple (see appendix). The bulk of our international receipts comes from exports—($21.9 billion in 1963). Another good sized amount comes from earnings on our foreign investment—($4.6 billion). The remainder represents various services ($4.5 billion), repayment of loans owed to us ($1 billion) and investments made here by foreigners.

The largest single part of our international expenditures goes for imports ($17 billion). The rest is divided among private capital exports ($4.1 billion), military expenditures ($2.9 billion), foreign aid ($4.5 billion), tourism (over $2.5 billion), and some lesser items. Expenditures have exceeded receipts by $2.5 billion on the average of the last 6 years, even after counting as regular receipts the prepayments of foreign loans, which cannot go on much longer. Excluding such special transactions the deficits have averaged between $3-4 billion annually. Of the accumulated deficit, over $7 billion has been paid in gold, and over $10 billion by incurring short-term debts to foreigners.

The figures make clear why action is urgent. We cannot allow a large balance-of-payments deficit to continue because we shall run out of free gold while foreigners will become unwilling to hold more dollars. After that, we shall have to invade the $12.5 billion of gold set aside as backing for our currency. Fortunately, several lines of action are available, if we have the sense and determination to pursue them.

First, it must be clearly understood that no single part of the balance of payments can be held responsible for the deficit. The deficit could be removed by increasing our receipts or by reducing expenditures. Increasing receipts would be the better way, to the extent that it can be done by measures in keeping with our free market principles.

Some particular expenditures, especially foreign aid and private capital exports, have gone up more sharply than others, since the payments deficit began. It would be a mistake to take for granted, however, that what has gone up most must be cut most drastically. If the milk bill crowds the budget it may be cigarettes that have to yield. The criterion must be the usefulness of the expenditures. All items must be looked at as possible candidates for a cut.

Finally, in devising a plan for curing the payments deficit it must be remembered that many of the items in the balance hang together. It is difficult to remove one stone without unsettling some others.

If we cut imports, for instance, by higher tariffs or by imposing quotas, we shall almost certainly encounter retaliation. Since we sell more than we buy, we would be at the losing end of that exchange. The same is true, in varying degrees, of foreign investment, military expenditures, and foreign aid. They all generate American exports, directly or indirectly. Cutting them means some loss of exports, although by a lesser amount. We may need to reduce all these outlays, but the net gains will never be 100 percent.

Hard choices will have to be made. Time is pressing upon us on two fronts. At home, the balance-of-payments deficit limits freedom to use monetary policy and the other tools the Government must use in the event of economic deterioration, to stimulate higher production, employment, and growth. The longer the balance-of-payments deficit is dragged out, the greater is the danger that we may be unable to pursue the kind of monetary policy that is suited to domestic conditions. Abroad, the dollar is under scrutiny. We cannot indefinitely go on talking and not showing results.

Financial devices will not get us out of the hole. Our fundamental strength would justify long-term borrowing abroad, if markets can be found for appropriate American securities. But the continued rapid buildup of dollar holdings in foreign hands, against which foreign governments can demand gold at any time, threatens to undermine the dollar.

Neither can we pin our hopes on the creation of some new superbank. We can get nothing out of such a bank that our present creditors are not willing to put into it and that they could not lend us without it. Nor would it be wise to surrender to a superbank the wide powers over domestic financial affairs that it would require to be workable.

We must solve our problems by our own actions. When that job is well in hand, there will indeed be need for new international credit facilities. When the United States stops spreading dollars throughout the world, some of the present beneficiaries of this spending will feel pinched. To keep world trade flowing, the existing international monetary mechanism will have to be strengthened. These new facilities have little chance of coming into being, however, unless the United States makes clear to the world that it does not propose them simply as a means of financing our present payments deficit. Our balance of payments and world financial reform are separate problems.

THE SIZE OF THE JOB

In designing an acton program to cure the balance-of-payments deficit, an idea is needed of the magnitude of the job. Stripped of embellishments, the deficits of the last 6 years have been of the order of $3 to $4 billion annually. An improvement of $1 to $2 billion may be achieved by the combined effects of the interest equalization tax, which is to be levied on the amounts foreigners borrow in our capital markets as well as on foreign securities purchased by Americans, of an increase in interest rates that has already taken place, and of trying foreign aid and military expenditures abroad to American exports. The administration has said that, after these measures take effect, a gap of only about $1½ billion would remain to be closed. In fact, the remaining gap may still be of the order of $2 to $3 billion.

But the administration's measures are stopgaps. They are out of keeping with the free market philosophy of our private enterprise economy. Our position must be improved sufficiently, therefore, not only to close the remaining gap, but also to permit the progressive dismantling of the stopgap devices.

The exact magnitude of the needed improvement cannot be stated. It depends on how high a level of military expenditures and foreign aid must be continued. It also depends on how flexible an interest rate policy we aspire to. Because of the ease with which capital now flows abroad if rates there are higher than ours, we may never again be able to attain as low a level of interest rates as at some periods of the past, unless rates abroad also decline. It is clear, however, that the improvement in the balance of payments that is needed if our free market principles are to prevail is much greater than the administration now seems to envisage.

If private foreign investment, foreign aid, military expenditures, and tourism are not to be cut back, the improvement in the balance of payments would have to come mainly through a higher trade surplus and higher income from foreign investments. We must ask ourselves very seriously whether this solution will be acceptable to our trade partners. Our trade surpluses and investment income are other countries' trade deficits and investment service. Both are apt to arouse resentment. Although the rest of the world would be receiving an adequate flow of dollars through our other payments, the balance of trade and the service of foreign investments are often regarded separately. They may then become a source of political agitation. A U.S. balance of payments heavily dependent upon a large trade surplus and a large investment income may be vulnerable. We shall presently see that our existing trade surplus is much smaller than appears, but the political problem it poses must be watched.

PROPOSALS FOR ACTION

In pressing for action, we need not tie ourselves to a rigid goal of perfect balance. All countries find their balance of payments fluctuating. The United States can in the long run very well afford small payments deficits if there are also occasional surpluses. But we must rapidly get to the point where these surpluses are within reach if international confidence in the dollar is to be maintained.

1. Exports

Exports are the mainstay of the U.S. balance of payments. As far as possible, the payments deficit must be removed by an expansion of exports, along with increases in other receipts.

American exports have not kept pace with expanding world trade. Our share of exports of manufactured goods declined from 26 percent in 1953 to less than 20 percent in 1962. The United States has been displaced by Germany as the leader in the world market for manufactures. Our competitive ability has not weakened quite as much as these facts would suggest because part of the drop has resulted from the economic difficulties experienced by Canada and Latin America, our principal customers. But the fact remains that American export prices of manufactures rose by 22 percent since 1953, while those of Germany rose only 6 percent and those of Japan declined by 11 percent.

In the last 2 years, the cost of living in many countries has gone up faster than in the United States. This, however, has not yet had the favorable impact upon American exports that might be expected. It would be quite irresponsible to gamble on continued inflation abroad to bail us out.

We must not be misled by references to our sizable surplus of exports over imports. In 1963, the export surplus amounted to $4.9 billion. But of this impressive amount, $2.7

billion was financed by U.S. Government loans and grants. The commercial exports surplus therefore was only $2.2 billion.

To accelerate exports, a variety of measures are appropriate.

a. Major action

I. Pay and prices: To become more competitive, American business must keep price increases to a minimum and where possible should reduce prices. Labor's interests in higher employment will best be served by wage demands that recognize the need both to keep prices competitive and to help absorb the unemployed. Foreign competition and a constructive, vigorous antitrust policy can help to hold the price line. If the tax cut produces renewed inflationary pressures, as seems quite possible, interest rates will tend to rise and should be allowed to have their restraining influence on prices.

II. Trade Expansion Act: Every effort should be made to bargain down the tariffs that increasingly hamper access of American manufactures and farm products to European markets. Quotas and other nontariff restrictions in our trade must be eased. While the Trade Expansion Act has been grossly oversold as a means of curing the balance of payments, some benefits are obtainable if we bargain effectively. No concessions should be made on American tariffs without adequate compensation. The possibility of establishing worldwide rules against dumping should be explored.

b. Other measures

We should take the following lesser actions that in the aggregate nevertheless will help substantially.

I. Improve export credit insurance: Recent improvements in the insurance against credit risks available to exporters still are inadequate to match European facilities. While there are limits to the sound insurance that can be written, these probably have not yet been reached.

II. End discriminatory freight rates: At the present time, American exporters pay higher freight rates, even on American subsidized ships, than similar products that are being imported. Strong efforts should be made to rectify this discrimination.

III. Step up trade promotion: Present activities of the Department of Commerce should be strengthened. The dollar will not be saved by promotion and exhortation, but since the Government is in effect paying a subsidy of as much as 50 percent when it requires the Defense Department to supply the needs of our overseas troops by procurement in this country, some further efforts on behalf of private exports are justified.

c. Action for study

Tax rebates: Studies should now be undertaken to find ways of rebating the corporate income tax as other countries rebate their turnover taxes. Many foreign countries rebate to their exporters the purchase and turnover taxes they impose upon domestic trade. In turn they impose these taxes upon goods they import including U.S. products. The United States has no such arrangements, because we do not levy this type of tax. Our corporate income tax does not qualify for rebate under the present rules and national legislation. To develop a suitable approach that will not make us vulnerable to retaliation will require careful study, and this should be undertaken.

2. Private foreign investment

American investment abroad should be interfered with as little as our payments position permits, because in the long run it strengthens the balance of payments. Measures that must be taken to restrain excessive outflows should be in keeping, as far as possible, with free market principles. Currency controls to limit the free movement of dollars would destroy the international role of our money and must be ruled out absolutely.

The administration has failed to cope effectively with the outflow of American capital, and such improvised measures as it has taken have been of a sort to undermine free market principles and injure our role as the world's leading supplier of capital. The $4 billion income from our foreign investments of all kinds owned by Americans is our second largest source of international receipts. During the last 3 years this income has been rising at a rate of close to $400 million per year. This increase is one of the most hopeful factors in the balance of payments.

Nevertheless, the pressure of the payments deficit has become so great that the administration has proposed and the Congress may enact legislation to limit American long-term investment abroad, which in recent years has been proceeding at a rate of $3 billion annually. To this end it has proposed a tax on the purchase of foreign securities, referred to as the interest equalization tax. The tax is to discourage new foreign borrowing in the American capital market as well as the purchase by Americans of outstanding foreign securities. It aims to give short-run relief from the capital outflow at the expense, however, of greater income foregone in the future.

Since some of the principal foreign countries are to be exempted, while others may decide to borrow despite the tax, the effectiveness of the measure is dubious. The outflow of capital could have been more effectively restrained by limiting individual new issues, through an institution known in other countries as a capital issues committee. Either device, however, represents an infringement of free markets. That we should be driven to these sorry expedients shows the deplorable state into which our affairs have been allowed to drift.

More in consonance with free markets, as a means of limiting capital outflows, is an increase in interest rates. The administration has already raised interest rates on short-term money, which seems to have succeeded in reducing the outflow of that type of funds. Short-term rates are not believed to have much of an effect upon domestic employment.

A rise of interest rates on long-term capital would probably have more of an impact on the domestic economy, especially on housing, although the effects are often exaggerated. How firmly a rise in long-term rates would discourage foreign borrowers is debatable. They may decide to pay the higher rates, just as they may decide to pay the interest equalization tax proposed by the administration. Long-term rates are likely to press upward in any case if the tax cut stimulates the economy. In the face of a continued payments deficit and of a strong business climate, this tendency should not be resisted.

The most profitable part of our foreign investment is direct investment by American corporations in foreign subsidiaries. The Congress has rejected an earlier proposal by the administration to curtail this type of investment by means of tax changes. The legislation would have compelled American parent companies to pay U.S. corporate income tax on the income earned by its foreign subsidiaries even when no dividends had been received from the subsidiaries.

At the time this legislation was discussed, the administration was still predicting that the payments deficit would be ended in 1963. On that basis, it would have been unwise to impose higher taxes upon direct foreign investment. It would be unwise even now that earlier hopes have faded. It is not certain, however, that we shall be able to afford this posture indefinitely. Like all other outlays, direct private investment abroad may have to carry its share of the burden of adjustment, if conditions require. Meanwhile we must do what we can to encourage foreign capital to come to the United States in larger volume.

3. Military expenditures

The Nation's defense, including the number of American troops stationed abroad, must be governed by military considerations. The defense of the dollar, however, is in a very practical sense part of our grand strategy. A weak dollar would weaken the United States economically and politically, therefore militarily. Without adequate international reserves, the United States might have difficulty conducting even a brushfire war in some remote part of the world.

The United States has enough resources to defend itself without help. It has the resources to defend the entire free world only if it receives appropriate help and support from its allies. It cannot defend its allies unless they are willing to share the burden to an important degree. So far, none of our NATO allies has met its full commitment to the common cause.

The need for American troops in Europe, where more than half of our foreign military expenditures are made, is discussed by another task force of the critical issues council in the statement on the Atlantic alliance. The Atlantic alliance task force concludes that NATO forces perform an essential function and must not be reduced.

Nevertheless, the United States must seek out all possible means to reduce the balance-of-payments cost of our forces abroad without weakening our military or political posture.

Some relief has been achieved by means of agreements under which some of the countries where American troops are stationed purchase American military equipment and so increase our exports. By procuring supplies for our troops in the United States instead of abroad, further savings are being achieved, sometimes, however, at exorbitant budgetary costs. Together these measures have reduced the balance-of-payments cost of our military expenditures abroad in 1963 from $2.9 to $2.2 billion. We must continue to press our allies, whose economic resources are rapidly rising, to accept a larger share of the common defense burden.

FOREIGN AID

The balance-of-payments cost of foreign aid must be further reduced. We must become more persuasive with our allies in urging them to share the burden of foreign aid. Aid to the countries bordering upon the Communist bloc should be administered in terms of the political and military problems involved. Foreign aid has to its credit one outstanding success: The saving of Europe through the Marshall plan. Most of what has come since has been anticlimactic. Foreign aid has not prevented many recipient countries from becoming increasingly unfriendly to us. Foreign aid has not produced rapid economic development in the world. It is likely, however, that without aid developments, particularly in some countries bordering upon the Communist bloc, would have been even less favorable to the United States.

The bulk of our total military and economic aid goes to the border areas around the Communist bloc. These present more of a military and political problem than an economic one, and aid to them should be treated in those terms. Aid to countries not directly menaced by communism should be given only in clear recognition of the following basic principles:

(a) The bulk of the resources and effort needed for a country's development must come from within that country.

(b) Only in a limited number of cases can the United States give enough aid to a country to induce it substantially to alter its national policies.

(c) The benefits to the United States must primarily come from the enduring impact that aid programs have upon people, institutions, and their hopes for freedom, rather than upon the day-to-day decisions of local governments.

Military end items, which account for about one-quarter of total aid, and farm products shipped under the food-for-peace program which account for about one-third as well as Export-Import Bank loans, do not directly affect the balance of payments. Other aid must be increasingly tied to U.S. sources of supply. The administration deserves credit for continuing efforts in this direction that were initiated in 1959. It should be possible to reduce eventually the balance-of-payments cost of all forms of aid to less than 20 percent of the total outlay.

We must insist with our allies that their aid efforts be stepped up. Some of them give a larger share of their income than the United States does, some of them give on generous terms. But almost all fall short of what their present wealth would allow in combined volume of aid and generosity of terms.

IMPROVING THE INTERNATIONAL FINANCIAL SYSTEM

Our No. 1 priority must be to cure our balance-of-payments deficit. On no account must we give grounds for the suspicion that we are seeking to avoid this basic necessity by seeking unlimited credit facilities or by tampering with the gold value of the dollar. The administration should reject emphatically proposals of that sort made in the so-called Brookings Report sponsored by the President's Council of Economic Advisers.

At the same time, improvements in the international financial system are in order. These should be negotiated with the clear understanding that they will not be used to patch up our balance-of-payments situation.

Present efforts to establish credit facilities with foreign central banks and treasuries should be continued and expanded. They can form an important part of the international financial system of the future. They do not adequately make use, however, of the true credit potential of the United States. Since private American investors are acquiring foreign assets at a rate of several billion dollars annually, it would be perfectly sound credit practice for the United States to do some long-term borrowing in the capital markets of foreign countries. This would spare foreign countries the inflationary expansion of their currencies that now occurs when they finance our deficit by acquiring dollars.

Such operations could not be large, because capital markets abroad are too narrow to accommodate large-scale borrowing. The Treasury moreover may have to be authorized to pay interest rates in excess of the statutory 4¼-percent ceiling that applies to its present domestic bond issues. Despite these difficulties, some easing of our payments problem could legitimately be sought by this route, particularly from countries where we have troop expenditures. The Treasury's present efforts to induce foreign countries to broaden their capital markets are helpful in this context.

We should work toward an increase in the resources of the International Monetary Fund. At the same time, the credit facilities offered by the Fund should be cautiously liberalized. The United States should not be hesitant to draw upon the Fund when necessary.

The possibility of strengthening the international financial system in other ways should be explored. Other countries should accept the burden of letting their currency serve as international reserves. At present, only the U.S. dollar and the pound sterling accept this responsibility. We must arrive at an agreement with the major countries to hold specified ratios of gold and foreign currencies in specified ratios in their reserves. This would safeguard the dollar against sudden large conversion into gold, although it might also impose upon the United States an obligation to pay out more gold. Finally, thought should be given to allowing dollars and other currencies to be deposited with the IMF, subject to safeguards clearly spelled out. This would endow the dollars so deposited with a gold guarantee and would protect the United States against demands for their conversion into gold.

These are highly technical devices that need to be elaborated by experts. Their practical consequences for the balance of payments and the dollar, and therewith for production and employment in the United States, would nevertheless be great.

CONCLUSIONS

The details of the balance of payments are complex, as financial matters always are. The principles are very simple. We have been spending abroad far more than we have been taking in. No country, no business, no family can go on doing this indefinitely. At some point, a halt must be called if financial disaster is to be avoided.

The methods of forestalling disaster are simple, though they are not easy. This statement has endeavored to spell them out. We can increase our receipts, and we can reduce our expenditures. We can borrow if we do it on a sound basis. To increase our receipts is much the best way, but in all probability we shall have to act on more than one front. What we cannot afford to do is to let matters drift. After 6 years of deficits, our gold has been sharply reduced and dollar holdings of foreigners are high. At long last, the balance of payments must have top priority. If we are prepared to give it that, we can cure it.

(NOTE.—Not every member of the Critical Issues Council, its task force, or Republican Citizens Committee necessarily subscribes in every detail to all the views expressed. The council endorses its papers as a substantial contribution to public awareness of current critical issues and to the presentation of positive solutions.)

Appendix—U.S. balance of payments, 1963

[In millions of dollars]

RECEIPTS	
Exports:	
Merchandise	21,902
Military sales	632
Income on investments:	
Government	498
Private	4,067
Income from various services	4,504
Foreign investment in the United States	392
Repayment of foreign loans	974
U.S. Government borrowing	1,112
Total receipts	34,081
EXPENDITURES	
Imports	16,962
Private foreign investment:	
Direct and long term	3,440
Short term	642
Military expenditures	2,880
Foreign aid	4,532
Other (including tourism)	7,088
Errors and unrecorded transactions	495
Total expenditures	36,039
Apparent deficit	1,958
Special financial transactions designed to reduce the deficit:	
Nonscheduled receipts on Government loans	325
Advances on military exports	359
Government borrowing	659
Effective deficit	3,301

Source: U.S. Department of Commerce, "Survey of Current Business," March 1964.

"WIPE OUT POVERTY?"—EDITORIAL FROM THE RICHMOND TIMES-DISPATCH

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled, "Wipe Out Poverty?" from the Richmond Times-Dispatch of May 19, 1964, with which I am in full agreement.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Richmond Times-Dispatch, May 19, 1964]

WIPE OUT POVERTY?

Everybody is against both sin and poverty, but efforts to rid the country entirely of either of these widely distributed disabilities are about as utopian as you can get.

President Johnson has launched a tremendous drive against poverty, and admittedly it seems to be a "natural" for a presidential year. The fact that it is to cost nearly a billion dollars of your and my money during the first 12 months, if the plan is ratified by Congress—and nobody knows how many billions after that—seems not to be troubling many people.

Those billions will have to be raised from inflationary deficit financing. Thus the program will not only increase the national debt to new heights but it will boost the price of nearly everything that the average citizen buys. In the meantime, it is hopefully predicted, poverty will be abolished from the United States.

But hold everything. President Johnson also say he's going to eliminate poverty around the globe. He told the Associated Press in New York last month: "Let there be no mistake about our intention to fight that war (against poverty) around the world. * * * The world must not be divided into rich nations and poor nations."

Let no one accuse President Johnson of not thinking big. On top of the foregoing, he assured Latin American ambassadors and Alliance for Progress leaders in Washington on May 11 that the United States will continue to support the Alliance "until we build a hemisphere of free nations from Tierra del Fuego to the Arctic Circle."

Given the present state of Latin America, with its multiplicity of dictatorships and shaky governments of one sort or another, the notion that this entire area can be turned into a "hemisphere of free nations" strikes one as positively fantastic.

Let's hope the taxpayers of the United States aren't going to be called on to ante up a billion or so a year until all Latin America is free.

In addition to the fact that wiping out poverty, at home or abroad, is something that never has been achieved anywhere in the past, there is the positively harmful effect of branding certain parts of this country—specifically 21 counties in southwest Virginia and vast adjacent regions—as depressed.

Granted that there has been too much unemployment in various southwest Virginia counties, especially those directly dependent on coal mining, the huge area of the Old Dominion and of the other areas of Appalachia that have been officially termed "depressed" may be a long time recovering from that opprobrious label.

This whole antipoverty program is strongly reminiscent of the Roosevelt New Deal, which held that Federal spending was the cure for almost every ill. Of course, New Deal spending didn't end either unemployment or poverty. It took World War II to make an appreciable dent in the huge army of U.S. jobless. Tremendous inflation was an accompanying result.

Apropos of President Johnson's antipoverty drive, the Christian Science Monitor last week interviewed an urban planner and his wife, "only a few months away from West Virginia." Both were against the plan. The husband said, "They don't need more money." He urged that present programs be administered "more honestly and efficiently." His wife added: "I know firsthand the graft and corruption emanating from these federally financed programs." She said she would "favor a domestic peace corps that goes in with high ideals and a low budget."

The fact that one of the major leaders in this whole effort is to be playboy Franklin D. Roosevelt, Jr., Assistant Secretary of Commerce, certainly shouldn't commend the plan to anybody. Also, there is the apparently large role of the Area Redevelopment Administration. We suggest a careful perusal of ARA's record, as set forth in an article by Charles Stevenson in the May Reader's Digest. A more shocking recital of bureaucratic ineptitude and interference with private enterprise would be hard to find.

Also, what of the arguments being advanced by Columnist Henry J. Taylor as to the crucial importance of oil imports in bringing on the depression in the coal-mining areas of Appalachia? The Kennedy administration, and now the Johnson administration, accentuate the joblessness in those regions by permitting increased imports of residual oil from Venezuela, Colombia, and Saudi Arabia. There may be some valid arguments for hiking these imports, in competition with coal, in the interests of international trade and at the expense of our own citizens. If so, it ought to be explained from Washington.

And finally, one would suppose that the Lyndon Johnsons—who have allowed tenants on Mrs. Johnson's Alabama lands to live in abject squalor, although apparently satisfied, according to a UPI reporter who visited them—would know that there are thousands of others just like these tenants. They are satisfied with leaks in the roof, cracks in the walls and no toilet facilities. Is a drive by Uncle Sam to give them better facilities with your and my money going to make them happier? If so, why didn't Mrs. Johnson provide her own tenants with these facilities herself?

Poverty is bad, of course. It ought to be reduced to the lowest possible minimum, consistent with the desire of those who suffer from it to be aided, and to aid themselves. But grandiose plans, hatched in an election year, at huge cost to the taxpayer, at the risk of accelerated inflation, and with no assurance that they will work any better than those of the Roosevelt era, leave us as cold as the summit of Mont Blanc in January.

SCHOOL PRAYERS AND CIVIL RIGHTS LEGISLATION—LETTERS FROM FIRST BAPTIST CHURCH OF SUMTER, S.C., AND ARTICLE ON RESOLUTIONS OF GENERAL CONFERENCE OF THE METHODIST CHURCH

Mr. THURMOND. Mr. President, I am pleased to call to the attention of Senators two letters which have been written by the membership of the First Baptist Church in Sumter, S.C., to the President of the Southern Baptist Convention. These letters express the unanimous views of this large congregation on the question of prayers in our schools and also on the proposal that Southern Baptist ministers lobby from their pulpits for passage of the so-called civil rights bill. These two letters reflect the viewpoints of the overwhelming majority of the people in my State. In order that these views may be made known to the Members of Congress, I ask unanimous consent that both of these letters by printed in the RECORD at the conclusion of these remarks.

Mr. President, I also call to the attention of Senators a column, written by Mr. Thurman Sensing, entitled "Methodist Conference Compromises With Evil." In this column, Mr. Sensing points out that the General Conference of the Methodist Church has approved some amazing resolutions which certainly do not reflect the views of the overwhelming majority of Methodists I know in South Carolina and throughout the Southeast. I likewise ask unanimous consent that this column be printed in the RECORD at the conclusion of these remarks.

There being no objection, the letters and the article were ordered to be printed in the RECORD, as follows:

FIRST BAPTIST CHURCH,
Sumter, S.C., May 13, 1964.

Mr. K. OWEN WHITE,
President, Southern Baptist Convention,
First Baptist Church,
Houston, Tex.

DEAR MR. WHITE: On March 25, 1964, the President of the United States, Lyndon B. Johnson, addressed some 150 participants of a Southern Baptist Leadership Seminar in Washington, D.C., In his address, President Johnson called on these Baptist leaders to help bring about congressional approval of the so-called civil rights bill and asserted that the attitudes of Baptist congregations toward civil rights could be changed by "the sermons you preach and the lessons you teach."

President Johnson's unprecedented action is in our opinion a deplorable breach of the constitutional statute of separation of church and state and further serves to enlighten us as to the lengths that power hungry men will go to gain personal and official dominance over every facet of the lives of the citizens of this country. Let it be known to President Lyndon B. Johnson, and all others who read this letter, that we, the members of the First Baptist Church of Sumter, S.C., continue steadfastly in the Baptist heritage that each organized church and each denominational body is free and self-governing and these have no authority over each other. Also, the denominational bodies and the individuals that compose them do not represent the member churches in any authoritative manner. Ours is not a denomination in which policies are dictated from the top down as some would have it.

Further, let it be known that while we have great respect for our church leaders we are in no way bound or controlled by any pronouncement or policies or agencies of the convention. We deplore and deem totally unacceptable any effort on the part of any person, agency, group or elected official to use the Baptist Church to serve the purposes of political gain.

This letter was adopted unanimously by our church in our regular church conference on Sunday, April 19, 1964. It is respectfully submitted in the Christian hope that the leadership of our great Nation under God will give deeper and more thoughtful attention to the relationship of church and state in the future.

Sincerely,

FULTON B. CREECH,
Chairman, Board of Deacons.

FIRST BAPTIST CHURCH,
Sumter, S.C., May 13, 1964.

Mr. K. OWEN WHITE,
President, Southern Baptist Convention,
First Baptist Church, Houston, Tex.

DEAR MR. WHITE: On March 7, 1964, the Philadelphia Inquirer carried an article entitled "Baptist Pledge To Fight Return of Bible Reading." This article was based on the public pronouncement of one Mr. W. Barry Garrett, associate director, Baptist Joint Public Affairs Committee, who said, "The statement puts us on record as opposing any constitutional amendment which will allow the Bible in public schools."

We, the members of the First Baptist Church of Sumter, S.C., do vigorously protest any such statements being made directly or indirectly in the name of the Southern Baptist Convention. We call on you as convention president to let it be known to the aforementioned committee that this pronouncement is not binding on, nor does it speak authoritatively for, any member church in the Southern Baptist Convention.

Further, that this member church does not call for the defeat of, but wholeheartedly supports the principles embodies in the Becker amendment to the Constitution that would permit voluntary Bible reading and prayers in the public schools of this Nation.

This letter was adopted unanimously by our church in our regular church conference on Sunday, April 19, 1964. It is respectfully submitted in the Christian hope that our Nation will soon again be one seeking God's guidance and not tempting His wrath.

Sincerely,

FULTON B. CREECH,
Chairman, Board of Deacons.

METHODIST CONFERENCE COMPROMISES WITH EVIL

(By Thurman Sensing)

As a people who wish to be guided by moral as well as practical considerations, Americans are vitally interested in what the churches have to say about the issues of their time. They do not ask that church organizations be silent concerning contemporary problems, but they believe that these organizations must abide by the same rules of historical truths, factual analysis, and genuine patriotism that guide other respectable groups in the Nation.

This is by way of introduction to the extraordinary and deeply dismaying report issued at Pittsburgh May 8 in the name of the General Conference of the Methodist Church. It is a report that in all likelihood will shock vast numbers of good Methodists who believe that acceptance of coexistence with Marxist evil is betrayal of religious truth and the interest of free men everywhere.

According to the news media, the conference without debate accepted a report from its Committee on Social Concerns that stated:

"It is our judgment that policies of isolation toward mainland China and Cuba should be carefully reexamined to determine whether their continuance will not intensify bitterness, and imprison rather than free the people in those lands from hardships, repression, and authoritarian control."

The report went on to say: "The arms race is immoral, futile, and suicidal. * * * Scripture reminds us (where?) that in the eyes of God the welfare of the human race is more precious than the continued existence of any nation." It also attacked armament that "steadily undermines the foundations of civilization and progressively corrupts the souls of men."

Embodied in this report is a profound defeatism concerning the cause of freedom and subtle argument for surrender.

One wonders where the authors of this report have been the last 20 years. The isolation of Red China and Red Cuba is not the result of hardness of heart on the part of Americans. Communist China is excluded from the company of free nations because it boasts of its dedication to the destruction of Western civilization, including religion. Many ministers of the Gospel are still rotting in Chinese Communist prisons. But one can be sure that they would not ask for their release if the price to be paid were acceptance of Peiping's monstrous tyranny as a respectable government.

As for Red Cuba, that country cut itself off from decent nations by killing and imprisoning thousands of freedom-loving Cubans and by becoming a satellite of the Soviet Union.

Anyone who doubts that evil is inherent in Red Cuba should read John Martino's book, "I Was Castro's Prisoner." It is tragic that the authors of the church report did not read this factual book by one who spent 40 months in Castro's dungeons.

The statements against national defense are equally appalling. The United States has armed itself not for the sake of being armed—for any extreme militarism. It is a matter of preserving freedom through strength and peace through power. If the American people throw away their arms, they will become slaves of communism. Only our nuclear might has saved this Republic from Soviet attack.

The church report, moreover, is insulting to those Americans, overwhelmingly church connected, who are risking their lives each day in Vietnam and other trouble zones. No one in America wants to spend billions on defense, but Americans had rather spend billions on arms for freedom than spend a cent in tribute to Communist overlords.

Basically, the report appears immoral, for it suggests that Americans should be content with mere coexistence with the enemies of freedom, rather than living for freedom. Jesus Christ gave his life on the cross rather than seek improved relations with forces antagonistic to Divine will. Jesus could have accepted an accommodation with his persecutors, but he refused to do so. The Christian way is to fight manfully against evil, not to condemn resistance to evil.

The course of morality and conscience in our own time is to oppose any subtle argument for surrender to nations and global forces that aim to destroy all freedom, including the freedom to worship.

Just as the National Council of Churches does not represent and speak for 40 million Protestants, as it claims to do, neither is it to be believed that the Methodist General Conference speaks for the 10 million members of that denomination.

U.S. POLICY ON VIETNAM

Mr. THURMOND. Mr. President, I call to the attention of my colleagues several strong and eloquent editorial comments on U.S. policy in Vietnam. I ask unanimous consent, Mr. President, to have printed in the Record the following editorials:

"We'd Like the Answers, Too," from the May 16, 1964, Times & Democrat, of Orangeburg, S.C.

"Fighters' Hands Tied," from the May 16, 1964, Greenville Piedmont, of Greenville, S.C.

"For What?" broadcast editorial over radio station WDIX, in Orangeburg, S.C.

"It's Time To Strike at North Vietnam," by Mr. William F. Buckley, Jr., in the May 17, 1964, News & Courier, of Charleston, S.C.

"Will They Get an Answer," May 17, 1964, edition of the Augusta Chronicle, of Augusta, Ga.

I also ask unanimous consent, Mr. President, to have printed together with these editorials my newsletter for this week which is on the same subject.

There being no objection, the editorials and the newsletter were ordered to be printed in the Record, as follows:

[From the Orangeburg (S.C.) Times & Democrat, May 16, 1964]

We'd Like the Answers, Too

"Why are the young Americans who are fighting Communist aggression in Vietnam—shoulder to shoulder with free Vietnamese soldiers—forced to withstand the onslaught of the Communist enemy without having the opportunity to attack the enemy's own territory in the north?

"Why must young Americans give their lives in the jungles and ricefields in Vietnam in the fight against a Communist enemy when the Government of the United States authorizes trade with Communist countries —trade which is utilized to strengthen Communist power in Vietnam and throughout the world?

"Why must our young men die in far-off Vietnam, fighting the enemy, when their Government authorizes cultural exchanges with the Communist world—the exchange of ballet dancers to entertain Communist leaders in Moscow while a young American does the dance of death in Vietnam?

"Why must we repeat the tragic error of Korea—where 52,246 Americans gave up their lives in a war that we had no intention of winning? Must the same number be sacrificed for the same empty reasons in Vietnam?

"Why do we fight Communists with one hand—at a terrible cost to our loved ones—and help communism with the other hand? If international communism is the enemy of our Nation, then we must fight. If it is not, then let's bring our young men home—from throughout the world—and submit to international communism's ambition to control the world. We can't have it both ways—it must be one way or the other."

At first glance, those questions might appear to be part of a Communist brochure needlessly attacking the U.S. Government. But they aren't—at least we have no reason to believe that they are.

Actually, they were asked in a full page advertisement in Tuesday's edition of the Washington Star. The ad contained the names of 127 Americans killed in Vietnam from January 1961 through March of this year. It was signed by relatives of 100 of the men, the relatives representing 42 different families.

There is nothing foolish about the questions. They are some that we, and presumably millions of other Americans, would like answered. They expose the many paradoxes in our relationships with the Communists from Vietnam to Cuba. They expose the many perplexities that worry the people of this country so far as that phase of our foreign relations is concerned.

They show the hoplessness, the futility of the loved ones who have been killed in a brutal jungle battle stalemated by Cambodia to the west and North Vietnam.

The advertisement closed with the following: "To make the supreme sacrifice in a war that cannot be won is too great a sacrifice to ask of anyone. If we are to battle, let's battle to win. If we are not to do this, Mr. President, please tell us: Why?"

There will be those who will charge that the writing and placing of the ad was Communist inspired. We place no credence in that. And even if it were, we would add our own: Why? Why? Why?

[From the Greenville (S.C.) Piedmont, May 16, 1964]

Fighters' Hands Tied

News from South Vietnam that U.S. advisers are being required to use obsolete equipment in the fighting can only bring reactions of shock.

This is reminiscent of the Korean war, where Washington failed to adequately supply U.S. forces and troops had to be rationed in how many shells they could fire at the enemy. Also, planes were all World War II vintage until late in the war, and truly modern weapons never became available in quantity.

The appalling fact is that in Vietnam the United States high command doesn't even have the excuse of unpreparedness. The Nation has the weapons, the modern planes. But U.S. troops are not allowed to use them. Why?

The answer is not difficult to learn, though Defense Department officials are reluctant to admit it. It is simply this: The United States is adhering to the "Geneva accords," the rules set up in the mid-1950's for limiting the fighting in southeast Asia.

The fantastic part of this is that the North Vietnam Communists (the Vietcong) long ago abandoned any pretense of adhering to the agreement, which barred aggressive action in South Vietnam. They are using every weapon they have to win the war.

Why does Washington adhere to an agreement openly violated by the Reds? Why are U.S. troops forced—by their own command—to use inferior equipment? Why do Washington policymakers insist on fighting a war with our hands tied behind our backs?

Secretary McNamara should be asked these questions over and over again now that he has returned from Saigon. When he tells of the fine troops and leadership we have in Vietnam, he should be asked why we don't give them the means to win. Maybe it will take a decade, but that's no justification for not trying to win it sooner.

[From Orangeburg (S.C.) Radio Station WDIX, May 12, 1964]

For What?

How's the war in Vietnam? We have only about 15,000 U.S. personnel there. It is merely a training mission. U.S. troops are advisory to the South Vietnamese. U.S. troops shoot only when they are shot at—it is the Vietnamese who are doing the fighting, except when U.S. personnel must defend itself. That does not seem to be much of a war—and, it's half-way 'round the world—but, not to Air Force Capt. "Jerry" Shank and his widow and their four small children—one of whom he never saw. Capt. "Jerry" Shank died—but not before he had exposed to his widow the shallowness of U.S. diplomacy, the duplicity of U.S. leadership, and the bitterness of U.S. soldiers who have been sent into combat with obsolete weapons—airplanes with the wings coming off and ridiculously undermanned—as few as five airplanes to fight a war. In the May 4 issue of U.S. News & World Report, there are four pages of excerpts from Captain Shank's letters to his wife which tell the sordid story of the "no win" policy and how it is costing the lives of U.S. servicemen and the prestige of this great Nation. Here—in the living, vivid words of a man who was there—is how the "no win" wars are fought which have characterized U.S. intervention around the world since, and including, Korea—the first war that the United States ever lost. Since that time, we have lost them all. Capt. "Jerry" Shank describes the process.

If you have wondered what Senator Strom Thurmond was talking about when he charged that this Nation has a "no win" policy—if you have wondered how the U.S.

State Department directs a "no win" war—then you should read Captain Shank's letters to his wife. The story is on pages 46 through 49 in the May 4 issue of U.S. News & World Report. The letters begin on November 14 of last year and end on March 22 of this year. Captain Shank died in his plane on a mission, 2 days later. On February 24, Captain Shank wrote, "We're down to five airplanes now, all of them at Soc Trang. We have actually got nine total, but four are out of commission because of damage. The B–26's aren't flying yet, but they've been more or less released. I don't know what United States is going to do, but whatever it is I'm sure it's wrong. Five airplanes can fight the war—that's just ridiculous. Tell this to my dad. Let him know, too, how much the country is letting everyone down. We fight and we die but no one cares. They've lied to my country about us." On February 29, Captain Shank wrote, "We've got a new general in command now and he really sounds good. Sounds like a man who is out to fight and win. He's grounded the B–26's except for a few flights. But they have to level bomb, not dive bomb—no strain for the aircraft that way. He has ordered B–57's (bomber-jets) to replace them, and has asked for immediate delivery. He has also demanded they replace the T–28's with the AD–6. The AD–6 is a much more powerful single-engine dive bomber. It was designed for this type of work and has armor plating. We are pretty excited about all the new airplanes. We can really do good work with that kind of equipment," end quote Capt. "Jerry" Shank to his wife. But, the promised new airplanes he wrote of on February 29 had not arrived by March 22. On an airstrike mission 2 days later, Captain Shank flew his inadequate airplane—inadequately armed and improperly assigned for the kind of attack he was ordered to make. Capt. "Jerry" Shank flew his last mission. For what? to satisfy the theory of a "no win" diplomacy which has demonstrated its failure for 18 years? What the voter must require in November is not a change in administration but a change in policy.

[From the Charleston (S.C.) News & Courier, May 17, 1964]

IT'S TIME TO STRIKE AT NORTH VIETNAM

(By William F. Buckley, Jr.)

SOUTH VIETNAM.—A nightmare. What are we going to do about it? President Johnson appears to believe that American policy in South Vietnam consists in sending Mr. McNamara over there every few weeks. To do what?

Dispose first of the narrow political problem. If Senator GOLDWATER is turned down by the Republican convention, the odds are at least even that Henry Cabot Lodge will be nominated. A politician half as skillful as Lyndon Johnson would prepare for such a contingency, and sure enough the way is now set for him to say next fall, should he feel the necessity to do so, something like this:

"Unfortunately, Ambassador Lodge really botched things in South Vietnam. I was reluctant to remove him, until the evidence of his ineptitude was fully accumulated; but at least I took the precaution of sending the Secretary of Defense there on regular trips, to check on and, finally, to confirm, the dismal record of the man whom the Republicans have nominated as their Presidential candidate."

But there is a deeper political problem, which has to do with the growing impatience of the American people with the whole performance in South Vietnam.

In the Washington Star this week I read the most poignant full page advertisement I have ever seen. It had no commercial purpose. It had no partisan political purpose. It listed, simply, the names of a hundred-odd Americans who have been killed in action in South Vietnam.

The ad was paid for by the parents, relatives, and friends of these Americans, and the message, phrased as an open letter to Lyndon Johnson, was simply this, "Why?"

Why were these men killed in South Vietnam in an action whose strategic unintelligibility is becoming increasingly apparent? What are we doing in South Vietnam, if not trying to save southeast Asia from the Communists?

Yet if this is our purpose, how long can we put off facing the strategic realities?

That situation is simply this, that we cannot keep South Vietnam free without taking action against North Vietnam, whose capacity to infiltrate terrorists into free Vietnam is beyond our capacity, or the free Vietnamese's, to cope with.

It is all very well for us to distribute literature to South Vietnamese hamlets about the glories of democratic government. It is something else to reply persuasively to the arguments used by the Vietcong Communist guerrillas.

Their favorite form of cajolery is to descend on pro-Western hamlets, pick out the leaders, and publicly disembowel them. The effect on putative freedom lovers is said to be considerable. Not so different, let us face it, from the effect such a lesson would have on a little town in say Ohio, under similar circumstances.

If Yellowstone, Ohio, were one morning to be occupied by fanatical guerrillas who proved the constancy of their purpose by taking the mayor and his wife and his children, and the aldermen, and their wives and children, and eviscerating them for the public enlightenment, not many residents of Yellowstone would thereafter be disposed to listen to the preachments of American propagandists who tell them to take heart, and fight, team, fight for democracy, as we tell the South Vietnamese to do.

What does it mean that we do not have the people of South Vietnam with us? How can we hope, under the circumstances, to have the people of South Vietnam with us?

Why should they be "with us" when we permit our fear of world opinion to count more heavily than their fear of the Vietcong guerrillas with their bloody pangas?

But hark, the establishment is beginning to move; slowly, oh so slowly, but it is beginning to move.

It is not only the umpteenth trip to South Vietnam by Secretary McNamara. Mr. Nixon was recently there, and said—and consider the importance of his statement, in the light of his subtle political sense: that we must move against North Vietnam.

And behold Nelson Rockefeller has said we must do something there.

So has Mr. William Miller, chairman of the Republican Party. (GOLDWATER, needless to say, has been saying it all along.)

But more important than all of these, for those whose eyes are trained to keep their eye on the true depositories of power: Mr. C. L. Sulzberger, principal foreign affairs expert for the New York Times, has come out and said it in just so many words: If we desire to reverse the impossible situation in South Vietnam, we have no alternative left open to us than to move against North Vietnam.

Why?—as the mothers, and widows, and friends of the victims have asked.

Why? Because the United States is committed for better or worse to help its allies stem the Communist world, in order to keep communism away from our own shores.

We need, then, to face up to our responsibilities, with that courage, faith, and resolution that Vice President Johnson cited when he spoke at Saigon in 1961, calling Diem "the Churchill of today," and pledging to "proceed either alone or with our friends to preserve our position" in Asia.

Let President Johnson give the word.

And let this be a nonpartisan endeavor, supported by Democrats and Republicans alike; so that the bereaved Americans may know, finally, why; why the sacrifices were not in vain.

[From the Augusta (Ga.) Chronicle, May 17, 1964]

WILL THEY GET AN ANSWER?

In a full-page advertisement in the Washington Star Tuesday, relatives of American servicemen killed in South Vietnam asked their President to answer some pointed questions:

Why are our men required to fight an enemy who has a sanctuary in North Vietnam which is sacred from our attack?

Why does our Government by trade strengthen the economy of the Communist system which slaughters our men in South Vietnam?

Why do we provide entertainment in Moscow through cultural exchange to delight the power that backs Communist aggression and killing?

Why do we repeat the error of Korea, in sacrificing our men in a war in which we do not intend to exert the force necessary to win?

Why don't we bring our men home if we do not intend to use adequate power and strategy for victory?

While Americans beg for a government which will back them with adequate weapons, and above all with a will to win, Secretary of Defense Robert S. McNamara on his visit to embattled South Vietnam promised instead to send that country "economic assistance." At the same time Secretary of State Dean Rusk at a NATO meeting at The Hague asked our allies for "nonmilitary" aid for South Vietnam.

The history of erosion and decay of America's defense and of its honor, which began with the determination against a victory in Korea, and which has continued to disgrace us through the Red aggressions and provocations in Laos, Cuba, Zanzibar, Panama, and even in subversive activities in our own country, provides an answer to the mothers of men slain in South Vietnam.

That answer is that there will be no answer, except a continuation of the present drift, until the people of this Nation rise up in their indignation and install a responsible national administration in Washington.

STROM THURMOND REPORTS TO THE PEOPLE: A POINT OF HONOR

(By STROM THURMOND, U.S. Senator from South Carolina)

Since the end of World War II, U.S. official attitude and policy has moved further and further away from the premise that "in war, there is no substitute for victory." Thus in the continuing cold war and in its frequent outbreaks into bloody combat, the United States has been bent on containing the spread of communism, seeking a stalemate, or more recently, in reaching an accommodation through which the conflict might hopefully be liquidated.

The effects of such attitudes and policies extend beyond the more obvious losses in territory, captivity of peoples by communism, or propaganda defeats. There is a fallout effect from such attitudes and policy on the national character of the United States. Rarely calculated is the damage to the honor, self-respect, and integrity of the national character from years of following a "no-win" policy.

The first major blow to the Nation's self-respect was suffered when more than 54,000 Americans gave their lives and 105,000 were wounded in Korea to achieve a stalemate. Seldom phrased, but ever present is the question, did the Nation keep faith with those who made the supreme sacrifice?

Another of the more conspicious events damaging our self-respect was the Bay of Pigs invasion in April 1961. Cuban patriots were sent into Cuba on a U.S. financed and planned invasion, which, because of the timidity of U.S. policy, was predoomed to failure. Many of the Cuban patriots paid with their lives, and the remainder were captured by Castro's forces. In this instance, the United States sought to purge its image, and to the extent possible, redeem its honor, by indirectly paying ransom to the Communists for the release of the prisoners.

Since 1961, the United States has been engaged in a war in southeast Asia. Americans are carrying a major burden in the fighting, although under the pretense of training our South Vietnamese allies.

Years ago, the United States made the correct decision that southeast Asia is vital to U.S. security and thus the area must be defended from Communist takeover. As a result, we have been supporting a defensive war—one in which the initiative has been intentionally forfeited to the Communists and in which the Communists have been permitted to make the ground rules of the war. In addition, the Communist forces have been allowed to maintain a sanctuary in countries adjoining the South Vietnamese battlefield—in Laos, North Vietnam, and Cambodia.

Under such circumstances, the American and Vietnamese forces fighting the Communists have been virtually precluded from victory. The Americans fighting the war have been long aware that they were being required to fight with their hands tied behind their backs.

Recent reports have revealed that this is not the only impediment to the American forces in South Vietnam. Our military men are having to fight in many cases without adequate weapons. Often they have been armed with obsolete and defective weapons of World War II vintage. Many of our servicemen have lost their lives because of this deficient equipment. The United States has been holding back its modern armaments because of our policymakers' fear of escalating the war.

No ransom payments can erase or even mitigate the shame of our Nation incurred in the sacrifice of Americans in a won't win war. There is no way to make up the breach of faith of the Nation to those who sacrifice their lives because the best equipment and armaments available were withheld from them in the fight which our Nation asked them to wage.

If we allow southeast Asia to fall, those who gave their lives already will have died in vain. If our forces are required to fight on with poor equipment and poorer policies that preclude victory, our military men will draw their own judgment as to the state of our national integrity and honor.

Our Nation's birth resulted from the pledge of our forefathers to each other of "our lives, our fortunes, and our sacred honor." Americans must soon realize that the toll of U.S. policy must be measured not only in lives and fortunes, but also in loss to "our sacred honor."

Sincerely,

Strom Thurmond.

OPPOSITION TO EXPANSION OF WESTERN TRADE WITH COMMUNIST GOVERNMENTS—ACTION BY THE EXECUTIVE COUNCIL OF THE AFL–CIO

Mr. THURMOND. Mr. President, in the current climate of increasing pressures for trade by the United States with the Communist nations of the world, the action of the executive council of the AFL–CIO yesterday is most refreshing. The following article appeared in the today's issue of the Washington Daily News:

> The AFL–CIO Executive Council is opposed to any expansion of Western trade with Communist governments.
>
> The council said at its spring meeting yesterday that Soviet Premier Khrushchev is trying to spread "illusions, confusion, and division" among Western nations to lull them into a false sense of security.
>
> It said increased trade could strengthen Russia and her satellites for more offensive actions against the free world.

Mr. President, the executive council of the AFL–CIO is to be congratulated for its clear sighted understanding on the matter of East-West trade. Business organizations, such as the U.S. Chamber of Commerce, would do well to heed the sound position on this subject taken by the AFL–CIO.

The PRESIDING OFFICER (Mr. McGovern in the chair). Is there further morning business? If not, morning business is closed.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. Long] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. Talmadge], for himself and other Senators, relating to jury trials in criminal contempt cases.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 243 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ellender
Fong
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Holland
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Keating
Kennedy
Kuchel
Long, Mo.
Long, La.
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Simpson
Smathers
Sparkman
Symington
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER (Mr. McGovern in the chair). A quorum is present.

Mr. BYRD of Virginia obtained the floor.

Mr. YARBOROUGH. Mr. President, will the Senator from Virginia yield, with the understanding that he will not lose the floor, and that my remarks will precede or follow his in the Record?

Mr. BYRD of Virginia. With that understanding, I yield to the Senator from Texas.

NATIONAL ASSOCIATION OF STATE APPRAISAL AGENCIES CALLS FOR PASSAGE OF GI BILL BASED ON IRREFUTABLE REASONS

Mr. YARBOROUGH. Mr. President, thousands of our servicemen who served this Nation during World War II and the Korean war are now retiring from the Armed Forces. These career servicemen who have served 20 to 30 years in the Armed Forces are facing a very difficult readjustment problem.

Mr. Paul S. Smelser, writing in the Service Letter of the National Association of State Approval Agencies, has reminded us that these career servicemen are for the most part being denied the readjustment benefits of the previous GI bills due to their continued service in the Armed Forces. S. 5, the cold war GI bill, sponsored by 39 Senators, would overcome this unjust situation by providing readjustment assistance to these deserving men and women who have given their valuable and loyal service during the cold war since January 31, 1955. This is one of the many cogent and compelling reasons why the Senate should consider and pass the cold war GI bill, S. 5, which is now on the Senate Calendar, where it has been since the second day of July 1963—the most neglected, shoved aside, stomped on bill in the Senate.

I shall read a few paragraphs from Mr. Smelser's letter, distributed nationwide through the National Association of State Approval Agencies:

> They are skilled in military occupational specialties that have little or no relation to civilian occupations. It seems unlikely that they will remain unemployed or be employed in unskilled occupations.

Mr. President, that is the kind of future that awaits the veteran of today, unless Senate bill 5 is passed, so as to give him a real opportunity in life. I continue to read from Mr. Smelser's letter:

> It appears that a large portion of their potential production will be wasted.
>
> These men earned the education and training assistance benefits provided by Public Law 346 of the 78th Congress and the similar benefits provided by Public Law 550 of the 82d Congress. But they were unable to take advantage of these opportunities because they continued to serve in the Armed Forces. Now, most of them are not eligible for these benefits unless they were officers.
>
> It has often been overlooked that these deserving veterans will be eligible for education and training assistance benefits when the Cold War Veterans' Readjustment Assistance Act (S. 5) is enacted into law. The educational assistance benefits provided by this law will enable them to increase their

earning power and their usefulness as a citizen.

Some veterans organizations have failed to give active support to legislation that would provide educational benefits for cold war veterans. They have maintained that their primary concern is for their own members and that cold war veterans are not eligible for membership in their organizations. By adopting this policy they have failed to act for the benefit of their members who are not only veterans of the cold war but are also veterans of World War II and the Korean conflict.

We are hopeful that veterans, veterans organizations, and educators will increase their active support of S. 5 and that this bill will be enacted into law in the near future.

Mr. President, I ask unanimous consent that the entire letter written by Mr. Smelser, entitled "The World War II-Korean Conflict-Cold War Veteran," be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WORLD WAR II-KOREAN CONFLICT-COLD WAR VETERAN

(By Paul S. Smelser)

Thousands of men who first entered the Armed Forces during World War II are now retiring from the services. These men served their country during three critical periods—World War II, the Korean conflict, and the cold war.

Some of these veterans have acquired knowledge and skills that are closely related to a civilian occupation. They can look forward to 15 or 20 or more productive years in the civilian economy. They can expect to adequately support themselves and their dependents and to contribute to the economy and the general welfare of their community and their Nation.

Large numbers of these veterans, however, are discovering that they are poorly-equipped for civilian life. They are skilled in military occupational specialties that have little or no relation to civilian occupations. It seems likely that they will remain unemployed or be employed in unskilled occupations. It appears that a large portion of their potential production will be wasted.

These men earned the education and training assistance benefits provided by Public Law 346 of the 78th Congress and the similar benefits provided by Public Law 550 of the 82d Congress. But they were unable to take advantage of these opportunities because they continued to serve in the Armed Forces. Now, most of them are not eligible for these benefits unless they were officers.

It has often been overlooked that these deserving veterans will be eligible for education and training assistance benefits when the cold war veterans' readjustment assistance (S. 5) is enacted into law. The educational assistance benefits provided by this law will enable them to increase their earning power and their usefulness as a citizen.

Some veterans organizations have failed to give active support to legislation that would provide educational benefits for cold war veterans. They have maintained that their primary concern is for their own members and that cold war veterans are not eligible for membership in their organizations. By adopting this policy they have failed to act for the benefit of their members who are not only veterans of the cold war but are also veterans of World War II and the Korean conflict.

We are hopeful that veterans, veterans organizations, and educators will increase their active support of S. 5 and that this bill will be enacted into law in the near future.

CUBAN INDEPENDENCE DAY

Mr. SIMPSON. Mr. President, 62 years ago today a small Caribbean island, for which the United States had fought a bloody war with Spain, became the free and independent nation of Cuba. On this date in 1902, the Stars and Stripes were lowered and the Cuban flag—the lone star flag of Narcisco Lopez—was raised on Morro Castel at the entrance of Havana Harbor.

The ceremony was a singular tribute to America's military persuasion and her diplomatic excellence for we had acted in accordance with the mandate of Congress, expressed in the joint resolution of 1898, and made Cuba the "free and independent" nation that she "is and by right should be."

The occasion on which we willingly surrendered the territory we had won in war marked the birth of a sovereign state that was to thrive until its creator scored an opprobrious political first by helping execute that to which it had given life.

With the indulgence of my colleagues, I should like to discuss briefly the rise and the fall of Cuban freedom and the creation in its ashes of a Communist satellite whose power is spreading like a malignancy to infest and feed upon all Latin America.

The circumstances surrounding the fall of Cuba in the closing months of the Eisenhower administration are related in a book, "The Fourth Floor," authored by our former Ambassador to Cuba, Earl E. T. Smith. Ambassador Smith's tract is a dispassionate, authentic account of how the United States, hiding behind a tapestry of lies and subterfuge called nonintervention in Cuba's internal affairs, disarmed Fulgencio Batista, turned other once friendly nations against him and propelled into the presidential palace in Havana, a man with a voluminous record of Communist activity.

The prelude to the rise of Castro's star is fantastic. Castro was compared to Abraham Lincoln and pictured generally as a composite savior, a Robin Hood, and a friendly family physician by the American press. He was openly aided by the United States against the Government of Cuba with which we had friendly and formal relations.

There was a mad scramble in Washington to become a part of the irreversible tide of history that was to drive the despot Batista out of power and supplant him with the romantic and cavalier Fidel Castro.

As Ambassador Smith relates:

> I was told by both President Batista and Prime Minister Guell that the Cuban Government was fighting for its life against terrorist and Communist-inspired revolutionists. Batista added, the Government of Cuba was friendly to the United States and supported the United States wholeheartedly in its fight against communism. He could not understand U.S. intervention on behalf of Castro in his hour of need (p. 99).

This quote is no defense of Batista for he was an ironfisted dictator. However, he would have surrendered office to a constitutionally elected successor had Castro not succeeded in preventing the elections.

The case of Cuba is an open book, written with untold suffering, blood, and deprivation from which any observant reader may learn much. The monster, fed by the United States as a pup in the Sierra Maestra, is now a mature ravenous animal stalking all the Americas and hence, all the free world. Castro has ruled Cuba with an "iron fist" for 5 long years during which he has labored ceaselessly to export revolution. The State Department has hard evidence of such attempts in at least six countries. We were witness a few weeks ago to the superbly documented report by the OAS on Cuban subversion and terrorism in Venezuela. It is somewhat surprising in this context, in view of the tragic history of the past 5 years, to find Cuba referred to as an "old myth" and a "nuisance."

What has happened in Cuba is no myth. What could have happened to the United States in October of 1962 is not a myth. I will quickly admit, however, that there are misconceptions in our foreign policy and in the national consensus regarding communism and Cuba. I should like very briefly to outline what to me are the most patent of these.

The American Government and press seek to give the impression that Castro is some abstract type of rum-soaked idiot whose attitudes fluctuate between total dementia and incidental perversion. But, if the views of those who best understand the nuances of Castro's mind are to be weighed, a fool is precisely what Castro is not.

He is an educated, articulate, and zealous revolutionary. He is capable of sustained, impassionate, and motivational oratory reminiscent of Hitler in the 1930's. James Donovan, who dealt with him at arms length across the bargaining table, considers Castro a hard, intelligent bargainer.

It is reported that Mr. Donovan considers it a toss up as to whether Castro is using Khrsuhchev or Khrsuhchev is using Castro. Castro is a threat in and of himself and to contend that he is not is to indulge in a most dangerous self-deception.

I regard as another misconception the postulate that Cuba does not pose a direct threat to the United States albeit it is a peril to Latin America. This is somewhat like saying that a soldier is less dead because the bullet that killed him was a ricochet. Communism is a patient ideology. Its inevitability doctrine is celebrated not in years but in decades and perpetuity. Communist architects see in Cuba an unprecedented opportunity to spread their ideology throughout the land mass contiguous to their ultimate enemy—the United States.

I hardly need amplify on the extent of the threat should we find ourselves facing a Red tide from Juarez to Cape Horn. In such a perilous position, the question of whether or not Cuba began as a direct military threat to the United States would be totally inconsequential.

Another misconception is that a "thermonuclear holocaust" would be the corollary to any action taken by the United States to extrude communism from Cuba. The Pearl of the Antilles is an ideological beachhead for communism, but it is not necessary for the defense of Eastern Europe or the Communist mainland.

Cuba's primary value to world communism remains that of a springboard for ideas, a way station for Communist thought and dogmas, and a Latin American sanctuary for limited military and unlimited ideological offensives. This does not make Cuba less of a danger to the United States for our security is bound inextricably to the security of all the Americas. It remains, however, that in modern warfare Cuba is unnecessary for actual defense of Mother Russia.

I am firmly convinced, and I think it is axiomatic from a study of communism's reaction to American determination, that Khrushchev will not precipitate a nuclear war over Cuba. He will rave and exhort and rattle his missiles. He might even truncate negotiations for a cultural exchange, but with everything to lose and nothing to gain, he will not trigger a war.

Another belabored misconception is that the limited bee sting jabs at Castro by exiles are not effective. If effectiveness is to be measured by the success of poorly armed youths facing Castro's Soviet trained army on the battlefield, then I concede that the refugees are not effective—in that context.

Realistically, such reasoning disregards the nature of limited warfare and the manner even in which Castro came to power. The embryo of the Fidelista in Cuba was an idea, a mountain, and 12 survivors of an ambush. These 12 burgeoned in numbers and in tactics, branching out from harassment to sabotage to platoon actions and finally to open warfare.

So it can be with the exiles. Individually, their attacks are mere pin pricks, but the sum total of these pin pricks and the action they can galvanize could hemorrhage the giant and destroy him.

Finally, Mr. President, I should like to retire the popular misconception that Communist Cuba provides a showase in which "all may see" the failure of communism.

Cuba may be a showcase of the material inadequacies of a Sovietized nation, and the minuscule segment of Latin America which is allowed to peer inside the island may so regard it. Cuba is, however, a most dramatic showcase of the inability of the United States to match the swiftness of contingencies and marshal a political consensus capable of meeting challenges from Russia—for 20 years our bitterest enemy.

To Latin America, Communist Cuba exists as irrefutable proof that the United States will neither defend its borders nor honor its commitments and rescue its friends.

The Latin American image today is mirrored in the Cuban looking glass. If Cuba, the most prosperous among the small nations of America, in the shadow of the mighty United States could go under as she did, what indeed might the others expect?

We have attempted to isolate Cuba, but is isolation what she deserves? Five years ago Cuba was our ally. The masses of people who were our friends then still reside in Cuba. The forces which govern their destiny have changed, but the people have not. If isolation from the American system is the penalty they must pay for succumbing to communism—with U.S. help—what have other nations to expect if they too slip and fall?

Latin Americans realize that the Communists never fail to support their captive governments even though they be 9,000 miles away, whereas the United States, 90 miles from Cuba, can only retreat in trembling archaic isolationism and plead with the free world to isolate the nation which "is and by right should be free and independent."

Liberation—not isolation—is the course we must chart for Cuba.

Mr. President, we have been a de facto combatant in the inconclusive bloody war in Vietnam for almost half a decade. Now the administration maintains that we will win the war in Vietnam. "Win," however, means victory, and the administration has been known to regard that word with derision and scorn.

Of two things we can be certain: The "ground rules" of Vietnam make total victory in the classic sense utterly unattainable. Just as surely, the lessons of history make anything less than victory totally unthinkable.

In view of this anomaly, I would like to suggest that were we to commit to the Caribbean a fraction of our money and manpower now in Asia, we could ameliorate the situation which poses problems of the most urgent and immediate nature for the United States.

To my knowledge, the Vietcong have no naval installations from which submarines can threaten American shores. The Vietcong are not spewing venom into the Western Hemisphere. They are not threatening our access to the Panama Canal, our space installations on the southern and eastern seaboards, or the elected governments of the Americas. They have no nuclear missiles aimed at the United States. Yet, it is in Vietnam and not in Cuba that the administration has chosen to commit American lives and prestige to make the ultimate stand against international communism.

Mr. President, if we must provide assistance for an army, should not that assistance be for a Cuban army in exile, an army that could infiltrate the Sierra Maestra, organize the farmers and peasants, and begin an effort for Cuban liberation. Would it not be a sound investment in American men and dollars to train, equip, and support the thousands of Cuban expatriates who roam the earth as men without countries? They are eager and willing to fight, under our rules or theirs, to extirpate the madness which governs Cuba.

Our first obligation is to our own national security, but in attending to our security, does not Cuba present itself as the paramount foreign policy issue facing us?

Mr. President, it should not be forgotten, though it often seems to be, that in the course of the one and three quarters century of its existence, it is only now that the United States faces mortal peril. America has fought two world wars thousands of miles from its shores. It has built up vast interests throughout the globe, but only during the past 3 years has the United States allowed the enemy to creep "surreptitiously"—as President Kennedy declared in October of 1962—to the very doorstep of the American mainland.

Throughout our history, Fortress America has withstood all external challenges, but today we are induced to abrogate the very cardinal principle of our foreign policy—the Monroe Doctrine—and bid the enemy welcome on our doorstep.

Mr. President, I ask unanimous consent at this juncture of my remarks to have inserted in the RECORD a statement provided me by Mr. Juan Lliteras, Chairman of the Committee of Cuba Jurists, which outlines various legal ramifications of our Caribbean commitments.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY MR. JUAN LLITERAS

1. Since the year 1776, when the people of 13 small colonies, with a population scarcely in excess of 2,700,000 inhabitants, proclaimed their independence from Great Britain and the determination to become a free nation, it has been an established tradition in America that all peoples have the right to rebel against tyranny; more so when such tyranny is imposed from abroad. The Declaration of Independence of the United States is, therefore, the first in time and significance among the legal arguments which we here present in support of our petition.

2. The corollary right of self-determination, derived from the Declaration of Independence of the United States, was acknowledged by the Pan American Union, since its inception during the latter part of the last century; has been reaffirmed in all important Inter-American pronouncements of later years; and is presently incorporated in the Charter of Bogotá of 1948.

3. The right of nonintervention—especially of nonintervention by extra-continental powers—in the internal affairs of the American nations, likewise affirmed in the charter of Bogotá, originated with the so-called "no-transfer principle," whereby the peoples of America, at an early date, expressed their determination not to permit an extension of the territorial domain of European powers in America. The Monroe Doctrine of 1823, directed to protect the newly won independence of the young American Republics, was firmly based on this principle. Said Doctrine became one of the cornerstones of inter-American law after the seventh Pan American Conference of Montevideo, in 1933, and has provided a solid foundation for collective defense, under the compacts of Rio de Janeiro and the charter of Bogotá.

4. The "no-transfer" doctrine was again invoked in the joint resolution of the Congress of the United States of June 1940 (Pittman-Bloom), and reiterated as a basic principle of public inter-American law in the Declaration of Havana, adopted in said city by the foreign ministers of the American Republics during the month of July of the same year. Under the terms of the Declaration of Havana the American States unanimously resolved not to consent to any transfer of American territory among the European powers involved in the war then being fought on that continent.

These pronouncements are of special significance at this time and might well be applied to Cuba, where a transfer of American territory to an extracontinental power has unquestionably occurred as a consequence of the global conflict known as the cold war.

5. The Mutual Security Act of the United States, 1951, authorized the President to assist the citizens of captive nations, within or without their territory in the struggle to restore the independence of said nations. This law, while never so far implemented, remains on the statute books, and could well be considered as contradicting the ill-advised efforts of certain authorities to restrain Cuban patriots from attacking the Castro-Communist regime under the neutrality laws of the United States.

6. The joint resolution of the Congress of the United States of September 26, 1962, formally committed that nation to "work with the OAS and freedom-loving Cubans to restore self-determination to the Cuban people."

This law, unquestionably the most important piece of foreign policy legislation enacted in recent years, has fallen into oblivion. Neither has the Government of the United States acted upon the joint resolution of September 1962, nor have the nations of Latin America sought to invoke said resolution in self-defense, as they well might have done, to repel the repeated aggressions of international communism staged from Cuba.

Nevertheless, the guidelines laid down by the United States in said resolution, as the unquestioned leader of the free world, point perhaps to the only course capable of affording an effective solution to the problem of American security. First, because the source of our common peril is situated in Cuba. Second, the aforesaid resolution contemplates collective action—though not necessarily unanimous action, or even action by a majority of the American States. It imposes of course, no obligations on those countries which choose not to consider themselves in peril of Communist aggression oblivious of the common danger. Yet, on the other hand, it extends an open invitation to those actually threatened to avail themselves in reciprocal self-defense of the support and resources of the most formidable power in the world.

This distinction is important from the point of view of the internal rules and regulations of the OAS. It is still more important with respect to Cuba, because the joint resolution of September 1962, contemplates the rights of the Cuban people to defend themselves and to receive support within the framework of inter-American collective self-defense. In this sense it may well be considered an express ratification of another joint resolution, famous in the annals of history—the joint resolution of the Congress of April 1898—which solemnly declared that "Cuba is and by right ought to be free and independent."

It matters not therefore that the voice of Cuba be presently smothered by Communist oppression. Other nations may speak for her, because collective self-defense entitles a nation to act or to demand protection not only for its own defense, but likewise in the interest of any ally threatened or overrun by an aggressor. And the case of Cuba is not one of mere danger of attack. The occupation of Cuba by a foreign enemy is an accomplished fact, and this was so recognized at Punta del Este.

In brief, Excellencies, the matter on hand can be dealt with effectively by simply providing freedom loving Cubans with the moral and material support to which, in the circumstances, they are clearly entitled. If Tunisia, Morocco, Egypt, and certain Socialist countries did not hesitate openly to provide arms, bases and a safe haven to the Algerian forces of national liberation, with the tacit consent of the United Nations, what is to stand in the way of the free peoples of America doing as much—and with a better right—for the people of Cuba?

7. It is unquestionably pertinent to invoke in this respect the Mutual Assistance Treaty of Rio de Janeiro, 1947.

The Organ of Consultation of the American States has held five formal meetings and one informal reunion, since the Communist regime came to power in Cuba by deceiving the Cuban people, as the leader of that regime has cynically confessed. These meetings have been almost exclusively concerned with the problem of Cuba, or the dangers arising from the Communist occupation of that island. Starting with the petitions of Peru and Colombia in 1961, followed by that of the United States in 1962, and presently, in the case of Venezuela, the American states requesting said meetings have invariably invoked article 6 of the Rio Treaty, which reads as follows:

"If the violability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack, or by an extracontinental or intracontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent."

The problem here submitted to the American states can, therefore, Excellencies, be reduced to a simple question, to wit: If it is right and proper to apply article 6 of the Rio Treaty when invoked by Peru, Colombia, the United States, and Venezuela, is there any reason why said precept should not likewise apply in the interest of the Cuban people?

We put it thus bluntly because, whereas it is true that the OAS has adopted certain resolutions—of doubtful effectiveness—for the purpose of isolating Cuba and avoiding the proliferation of communism in the rest of the American Republics, no measures, as far as we know, have been applied or even considered to defend the people of Cuba against the actual invasion or military occupation by a foreign power; and it is precisely such measures that article 6 of the Rio Treaty quoted above expressly contemplates, and which should have first priority in all cases of aggression, even when not of a military nature.

On the contrary, whenever the organ of consultation has met, emphasis has invariably been placed on the fact that communist infiltration and subversion of the other members of the system had originated in Cuba; and the American states, under the leadership of the United States, have determined the principal objective of their continental policy to be the isolation of Cuba from the rest of the civilized world.

Everything thus suggests that the general understanding is that Cuba is directly responsible for disturbing the peace of the hemisphere, that that nation should be punished, and that it is proper and just for the Cuban people to suffer the consequences of all international misdemeanors staged from the island.

On the other hand, it has been repeatedly recognized in the Punta del Este resolutions and the several statements made by heads of state of the American Republics, including the words of the late lamented President Kennedy of the United States, that the people of Cuba are a conquered people, under the totalitarian yoke of a foreign power and thus incapable of free action or expression.

This should, and in law no doubt does, exclude the Cuban people from all responsibility in connection with hostile acts directed against the neighboring countries, even if such acts have in fact been staged in Cuba. Hence those who should be accused as aggressors are not the people of Cuba, but the invaders and traitors who, having violated her territory by force, utilize it to assail the sister republics of the hemisphere. This was abundantly proved at the time of the October 1962 crisis, when the American mainland was directly menaced by the emplacement on Cuban soil of nuclear missiles, manned exclusively by Red army troops, with no Cuban participation whatsoever.

There is thus, as we see it, a profound contradiction between the political and military reality in Cuba as acknowledged by the OAS and the attitudes and measures adopted by the American States in connection therewith, considering that the said States have long been and remain today bound to the Cuban people by unimpeachable historical and juridical ties.

What a sense of reason and justice requires on the part of the allies of Cuba, Excellencies, is not the punishment but the defense of the Cuban people. And, if properly understood, that is precisely what article 6 of the Rio Treaty explicitly ordains. All the confusion that we have witnessed, the grave and continued conflicts within the hemisphere, would quickly vanish once responsibility is placed where it rightly belongs and the above mistake is rectified.

Had it not been for the mistaken interpretation of our regional law, we surely would not have heard in this hall the arguments of eminent jurists counseling against all interference in Cuban affairs on the grounds of "self-determination" and "nonintervention," under the assumption that the present Cuban Communist satellite regime represents the Cuban people, instead of the enemies of our country. Nor would sanctions have been requested before as they are at present to castigate an unfortunate and helpless people. Rather would all free men and nations have been expected to move in succor of Cuba, hastening to break her chains.

The enemy of America, gentlemen, is not Cuba but international communism. If we wish to combat that enemy, let the arm raised against it by a free Cuba be upheld, let it be strengthened, let its grip be firm, let the sword that it brandishes in defiance of the banner of the hammer and the sickle rooted on American soil never waver. We dare not allow that arm to falter, because should it ever fail, should providence bring upon us so cruel a destiny, the liberty of America would fall with it.

Mr. SIMPSON. Mr. President, if there is a single precept that has invariably guided the foreign policy of the United States since the treaty with Great Britain of 1783, that principle has been that the United States would, under no circumstances, allow Cuba to fall under the domination of a foreign power. It is virtually unbelievable that the United States has departed from that principle—that after becoming the greatest military and naval power on earth, it is willing to consent to the occupation of Cuba, not merely by another power, but by the most hostile and dangerous enemy that this Nation has ever had to face. Yet, today nobody will deny that Cuba—which "is and by right should be free and independent"—is nought but a Communist satellite, a perpetual monument to the elasticity of American commitments, and a reminder to every nation in the Western Hemisphere that "you, too, can be stripped of your sovereignty and made a Communist satellite."

Mr. President, the free world has been inspired by reports that exiles have landed or will soon land on the Cuban coast to rebuild the anti-Castro underground. It is most indicative that these reports have produced neither histrionics from the Soviets against the United States nor retaliation by the United States against the exiles.

It is difficult in times of relative peace for a nation to put incidents of war into proper perspective. This is perhaps an explanation for the failure of most Americans to realize the enormity of what has been done to Cuba.

Although only 90 miles from our shores, Cuba's plight is revealed to us through the same media which bring us news of Vietnam and Europe. We tend to view Cuba—after 5 years of Communist domination—in a rather abstract and detached manner.

The memory of man is short. Perhaps it is too short to reach back to October of 1962. There was nothing abstract about Cuba then. We faced a mortal danger. We were cognizant of that danger. Cuba is today as invidious a threat as in the missile crisis, but stripped of the glare of publicity and the easily discernible military potentiality of missiles, the quiet crisis of Cuba has tended to slip from the American conscience.

On this, the 62d anniversary of the creation of the nation for which Americans fought and bled, it is to be hoped that a new national awareness will be forthcoming.

Cuba today can still be freed without direct American military intervention. It can be freed by the exiles and without the serious threat of a thermonuclear war. Time is working against us, however, and there is much to be done.

It is incumbent at this late hour, Mr. President, for the administration to provide assistance and strategic planning for the Cuban exiles who are legitimately entitled to work for the liberation of their country. The United States must not only unshackle the Cubans but also direct their efforts so that the common cause—Cuban independence—can be achieved in the shortest possible time.

The administration should recognize a Cuban Government in exile and seek to have that Government given recognition in the Councils of the Organization of American States. It should be acknowledged that the disunity of the Cubans is having a most deleterious effect on their efforts for independence. It should also be acknowledged that the Government of the United States is promoting such disunity as a means of keeping the Cubans in check. A government in exile could provide the singleness of voice that exiles have lacked throughout Castro's reign.

Mr. President, Public Law 733, passed by the 87th Congress and signed by President Kennedy, commits the United States "to work with the Organization of American States and with freedom-loving Cubans to support the aspiration of the Cuban people for self-determination. This is a law, not merely a resolution. It would seem that in the course of recent history we have as a nation broken the law, as well as the spirit of collective defense envisioned by the Organization of American States and the Rio Treaty of Reciprocal Assistance.

The laws, the treaties, the men and machines, and the vital necessity for liberating Cuba are present. It is only determination by the United States that seems to be inadequate.

I do not advocate that the United States be a participant in direct military action in the Caribbean, but we can act as we are acting in Vietnam. We can equip. We can train. We can arm and advise. We are doing this and more in a land 5,000 miles away for a cause ambiguous and ill-defined. We cannot in conscience, in honor, in compliance with the national will, in deference to our myriad commitments, and for our own security, fail to do at least as much in Cuba.

Mr. DOMINICK. Mr. President, I congratulate the distinguished Senator from Wyoming on what I believe to be a superb speech on an extremely important subject, a subject which all Americans have been wrestling with ever since Castro came to power—and certainly in explicit detail ever since the summer of 1962.

I believe that the programs and the points which the distinguished Senator from Wyoming has made—particularly on the need to recognize a government-in-exile, and the amount of time, effort and money being spent in Vietnam compared to Cuba, Vietnam being 5,000 miles away and Cuba only 90 miles away—are important considerations to impinge upon the American conscience and the administration's effort to formulate an adequate policy. I hope it will make some effort to formulate one.

It is a real privilege for me to stand on the floor of the Senate and make a few comments on the same subject.

Mr. President, Cuba, which was granted its independence by the United States on this date in 1902, has gone through many trying and difficult periods. After struggling to maintain their freedom for 50 years, the Cuban people saw their elected government headed by Dr. Carlos Prios give way to the regime of Major General Batista through a military coup on March 10, 1952. Since then, they have not had an opportunity to determine their own destiny through the elective process.

This is particularly significant for us in the United States, in view of the fact that we have enjoyed three presidential elections, six national legislative elections, and countless state and local elections since that date. It is also of significance because this island nation gained its freedom through the actions of the United States, and has since lost its freedom through the lack of action of the United States.

Today, Cuba is an island of horror, and a mere shell of what existed prior to Castro's takeover.

It is an island fortress, stocked and supplied by one or more foreign and unfriendly powers. Its Government has resorted to mass arrests, executions, and the most heinous of crimes against its own citizens, in order to maintain its position of power over the people.

It is, without any question or doubt whatsoever, a staging area, a training ground, and a jumping off point for Communist subversion and sabotage against the entire Western Hemisphere.

This is not a natural role for the Cuban people. They are not by nature subverters of freedom, or saboteurs of foreign governments. They are freedom-loving, honest, and hard-working people who were tricked into believing that Castro was, in fact, interested in bringing about democratic reforms and civil liberties for all Cubans. They know now, however, that Castro lied. Those who have dared speak out against him have found themselves at best imprisoned, and at worst tortured and murdered.

It is difficult for those of us in this country to imagine the terror and privation being experienced by the Cuban people. We forget, for example, that as recently as 1957, just before the Communists came to power, Cuba was ranked fourth among all Latin American countries in per capita income.

Reports coming out of Cuba today indicate a catastrophic drop from that level. We must also realize that in 1958 Cuba was self-supporting in many foodstuffs, such as meat, poultry, fish, fruits, dairy products, and coffee. Reports from Cuba today indicate that not only has the rationing of foodstuffs become progressively more stringent since the Communists gained control, but a ration card is now only a license to search for food, not a guarantee of getting it.

According to a report issued in May, 1962, by the Economic Research Service of the U.S. Department of Agriculture, entitled "Agriculture and Food Situation in Cuba," prior to Castro the Cuban people were among the best fed people, not only in Latin America but in the entire world. This report further states:

> Farm output in the late 1950's was twice the 1935–39 level with an average annual growth of 3.5 percent of the two decades, significantly higher than average population growth of about 2.3 percent for the same period. Furthermore, production for both domestic consumption and export was accelerating just prior to the Castro takeover. Agrarian reform has disrupted production but has neither fulfilled Government promises nor met needs and expectations of the rural people.

There will be little to celebrate on Cuban soil today, but the courageous Cubans still struggling for freedom will undoubtedly be blowing up more bridges, destroying more factories, and disrupting more Communists' plans, even though they must incur the displeasure of this administration to do it. Their efforts to date have, by and large, been scattered and fairly disorganized, if what we read in the press is accurate, but there are signs of unity developing. We must not belittle their efforts. Rather, we should keep in mind the fact that when Fidel Castro waded ashore in his much heralded invasion of Cuba in November of 1956, he had only 82 men with him. This small band of men, many of whom were captured or killed in the earliest stages of the revolution, now control the nation. Such could eventually be the fate of the present Cubans revolting against the Castro Communist regime.

The U.S. Government has made two grievous errors with respect to Cuba, and appears to be making a third. First, it either had not known of or overlooked Castro's Communist leanings when it gave tacit approval to his anti-Batista revolution. Second, it reneged on what now appears to have been a clear commitment to support, to whatever extent necessary for success, the Bay of Pigs invasion which undoubtedly would have toppled Castro and ended Communist influence in this hemisphere. Now it is committing the gravest mistake of all by doing nothing at all. It is not even making an effort to keep the American people fully informed of the situation so close to our own shores.

There are some highly influential Americans, even in the Senate, who do not seem to view Mr. Castro's actions with alarm, but would instead classify them as mere nuisances. It cannot be a mere nuisance when the largest nation in South America, Brazil, is almost converted into a Communist satellite, and, according to our own State Department, largely through the subversive activities of Cuban trained and supported Communists. Certainly, the new Brazilian Government's breaking off of diplomatic relations with Cuba was a result of more than irritation over a nuisance.

The report of the investigating committee appointed by the Council of the Organization of American States to look into the charges that Cuba is attempting to foment revolution and overthrow Latin American governments, would also indicate that Castro's Communist regime is more than a nuisance. That report states in part:

> The Republic of Venezuela has been the target of a series of actions sponsored and directed by the Government of Cuba, openly intended to subvert Venezuelan institutions and to overthrow the democratic Government of Venezuela through terrorism, sabotage, assault, and guerrilla warfare.

The OAS report goes on to state that—

> An important element in Cuban intervention in Venezuela was the shipment of arms that was found on the Peninsula of Paraguana in the State of Falcon on November 1, 1963, close to the date of the general elections. The shipment was made up of arms originating in Cuba that were surreptitiously landed at a solitary spot on the coast, for the purpose of being used in subversive operations to overthrow the constitutional Government of Venezuela.

Mr. SIMPSON. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I am glad to yield to the Senator from Wyoming.

Mr. SIMPSON. I am well acquainted with the investigatory report written with respect to Venezuela. We have discussed it before, as the Senator knows. I should like to inquire of the Senator from Colorado if he remembers the recommendations and what America has done to implement those recommendations in the report.

Mr. DOMINICK. I remember the recommendations well. One of those recommendations was that we take every means necessary to prevent the export of subversion from Cuba. We have not done a single thing, apparently—and when I say "we," I mean the United States of America—to implement it.

Mr. SIMPSON. That is my understanding. The Senator is making a great contribution to the subject. There is much to be done. There seems to be an apathy on the part of American people that is not understandable to me. I cannot understand why we can stand by and do nothing, and at the same time make no effort to recognize the Cuban government in exile, which has given them the starting point.

Mr. DOMINICK. I appreciate the comments of the Senator from Wyoming. I feel that in an effort to obtain some meaning in the American conscience as a whole, we will need some leadership on this problem in the American Nation which we have not had to date.

Mr. SIMPSON. I congratulate the Senator on the fine statement he has made. I think the statement the Senator made in 1963 was one of the finest statements made to the American people. I compliment him. I think it ought to be read in every quarter, and especially in the State Department.

Mr. DOMINICK. I appreciate the very fine compliment.

These are the statements of a five-nation investigating committee set up by the OAS to find the truth. The nations represented on the investigating committee were Argentina, Colombia, Costa Rica, Uruguay, and the United States. The charges are thoroughly documented in a 112-page report containing photographs, diagrams, maps, and statements from the Venezuelan and Cuban Governments. And, if there is any lingering doubt as to the motives of the Cuban Communists in Latin America, the final two conclusions of this OAS report should eliminate them. They are as follows:

> The policy of aggression on the part of the Government of Cuba was confirmed by the discovery on November 4, 1963, by Venezuelan authorities, of a plan of operations, the "Caracas Plan," prepared for the subversive action of the so-called Armed Forces of National Liberation. This plan anticipated the use of arms similar in type and numerical proportion to the shipment of the arms mentioned in the preceding paragraph. The objective of the plan was to capture the city of Caracas, to prevent the holding of elections on December 1, 1963, and to seize control of the country.
>
> Consequently, the acts of intervention that have been outlined, and, in particular, the shipment of arms, constitute a policy of aggression on the part of the present Government of Cuba against the territorial integrity, the political sovereignty, and the stability of the democratic institutions of Venezuela.

Thus, Mr. President, we see, through the eyes of the OAS investigating committee, a true picture of the aggressive intents of the Castro government in Cuba.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. SIMPSON. At this juncture of the remarks of the Senator from Colorado, I think it appropriate to ask if the Senator does not believe that unless the United States does something to help implement the recommendations in the report, that we stand a good chance of losing good faith with the countries that are signatories to the treaty.

Mr. DOMINICK. I think there is little or no doubt about it. To the degree that the United States recommends inaction, or failing to implement the recommendations, the other countries will feel that we will not support them, and the interest that they have in the recommendations will dissipate.

Mr. SIMPSON. I understand that at the outset the United States was happy to sponsor the committee, and now it seems to have drawn aside from it. I wonder if the Senator will tell us whether the State Department has done anything at all with respect to it.

Mr. DOMINICK. I can tell the Senator from Wyoming that to the best of my knowledge the State Department has not done anything to implement the recommendations of the report. I have had fairly extensive conversations with highly informed sources—I believe that is the technical phrase that the news media use—very recently, as early as today.

Mr. SIMPSON. The Senator evidently has access to some of the same information to which I have access. I am sure it is reliable and authentic. Certainly it is inspired by patriotic motives.

I addressed myself to this report some time ago on the floor of the Senate; little or no attention seems to be paid by the State Department to the recommendations in the report. It is high time for this problem to be brought to its attention for implementation.

Mr. DOMINICK. I completely agree with the Senator, as he well knows. The point I am trying to make—and what the Senator has done in this connection is very important—is that despite the efforts that so many of us have made on the floor of the Senate, for some reason which wholly escapes me, there seems to be a great reluctance on the part of the State Department personnel, or policymakers at the present time to take any action with regard to Cuba, even on such a simple thing as recognizing the government-in-exile, as the Senator so cogently suggested in his talk a few minutes ago.

Mr. SIMPSON. It is not understandable to this Senator, either.

Mr. DOMINICK. I quoted from the OAS report. But there are some other things that might be of interest to the Senators and to the public at large. I refer to certain testimony or statements by Ambassador Farland, former Ambassador to Panama, at a recent meeting in Miami, on April 15, 1964.

At that time Mr. Farland, speaking of the Cuban problem, said:

> I am vitally concerned about the military buildup, the arms buildup and the electronic apparatus, and I think I can speak for the consensus of many of the Latin American diplomats, when they say they speak of full knowledge that today Latin America is in greater danger than it was in October of 1962 when the missiles were in Cuba, itself, and the reason for this is, and I have seen this, there is presently an apparatus moving in and out of Cuba for the purpose of subversion in their home countries.

Former Ambassador Farland in public testimony said that Latin America today is in greater danger from Cuba than it was in October of 1962.

According to former U.S. Ambassador to Brazil and Peru, William D. Pawley, it is the opinion of those who followed the Cuban problem closely that the missiles in Cuba during the October crisis of 1962 were not all removed. As most Senators know, there has been public testimony from the head of the CIA that at the present time it is impossible for the CIA to say whether all of those missiles were removed.

There is another bit of evidence which I think is pertinent and important. This is from the statement of Mr. Luis Ferre, Puerto Rican industrialist, author, and former member of the Puerto Rican House of Representatives:

> I know from absolutely dependable sources that there are 10,000 Cubans right now studying in Czechoslovakia and Russia. Ten thousand young men are studying and being indoctrinated. They are trying to take people from Puerto Rico to indoctrinate them. They are sending people from Latin America into Cuba for indoctrination in Communist subversion.

I noticed in a news release concerning Senator SMATHERS' speech on this subject earlier today, that apparently some infiltrators have moved into Puerto Rico and are at present in our own Puerto Rican mountains. They are opposed to our Government. They are trained and have been infiltrating Puerto Rico from Cuba. And still we do nothing.

We need not even look to such sources to find the true meaning of Cuban communism. We can find that in the very words of the Cuban Communists themselves. For example, according to a recent edition of the weekly report published by the Truth About Cuba Committee, Inc., of 646 SW 12th Avenue, Miami, Fla., Ernesto "Che" Guevara said on March 14, 1964:

> When all our comrades understand that each individual means little, that their strength is the collective strength, when they understand clearly that their personal knowledge, their personal ability have no significance.

And so on. This is a far cry from what we believe in this country. It is evident to all of us that no responsible leader could so discount the importance of the individual in a free society.

There can be no question in anyone's mind over the situation in Cuba.

There can be no doubt in anyone's mind over the motives and goals of the Cuban Communist Government.

I think it quite appropriate that on this serious and symbolic commemoration of the 62d Anniversary of Cuban Independence, we consider several questions recently put to the panel members of the Party to People Forum which was sponsored by the Republican Party in Miami, on April 15, 1964. These questions were posed by Dr. Fernando Penabez, a lecturer and author, and probe right into the very heart of U.S. policy with respect to Communist Cuba. The questions are as follows:

> No. 1: "Will the U.S. Government continue to maintain units of its naval and air forces patrolling Cuban waters for the express purpose of protecting Cuba's Communist regime from attacks by Cuban patriots?"

Parenthetically, it seems to me that when someone asks us, as representatives of the people, "Are you going to continue to sell arms and equipment to Cuba and prevent us from regaining control of our island?" we have certainly gone far afield from our original effort of trying to control the exportation of communism from Cuba. I continue to read:

> No. 2: "Has the U.S. Government definitely thrown the Monroe Doctrine into its foreign policy trash basket?"
>
> No. 3: "Will the U.S. Government continue to ignore and deny its solemn and legally binding pledges to effectively oppose the establishment of Soviet Russia and other Communist regimes in the Americas as specifically ordered in the Treaty of Rio de Janeiro, the Bogotá Pacts and other implementing inter-American pacts and covenants; that is, does the United States no longer honor its own treaties when they pertain to the freedom and independence of the Americas?"

Again I emphasize that these are not my questions; they were questions asked by Dr. Fernando Penabez, a distinguished lecturer, who knows what is taking place.

Mr. SIMPSON. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I am glad to yield to the Senator from Wyoming.

Mr. SIMPSON. Does not the Senator agree that probably a fourth valid question could be: Will the United States continue to throw a hot-air blockade around Cuba while selling wheat to Communist Russia for transshipment to Cuba?

Mr. DOMINICK. I fully agree with the Senator from Wyoming. I can only say that that was not one of Dr. Penabez' questions. He asked some others. His fourth question was:

> No. 4: "During the last 3 years the U.S. Government has persistently refused to exert leadership within the Organization of American States and has delegated this leadership to nations such as Mexico and Venezuela, and will this policy continue?"

No. 5, which is a very interesting question—and I call it specifically to the attention of Senators and others who wish to read it, because I believe it is most important:

> Now that the topmost leader of the Foreign Relations Committee of the U.S. Senate has officially admitted that Russian military and political control of 44,000 square miles of Cuban territory is a mere nuisance, will the U.S. Government accept this position regarding the existence in Cuban waters around El Fraile north of Havana Province, between the towns of Jibacoa and Santa Cruz del Norte of the deadly Golem II atomic missile?
>
> The Golem II is designed to be launched from the ocean floor. It has a range of 1,200 nautical miles. It is towed in cannisters two or three at a time, and it can be launched by a submarine or by the Cuba-based trawler fleet which now also sails with great impunity 3 miles away from the beaches and shores of the eastern coast of the United States.
>
> The Golem II's are in Cuba now at this moment, and I have a reliable map that is fully substantiated, which I would gladly give to this panel, indicating where those missiles are at this very moment.

The question is: What, if anything, are we doing to determine the accuracy of these charges? And if they are true, or are even impliedly true, what are we doing to protect the security of the United States from attacks by missiles of this kind?

In that connection, on May 18—2 days ago—I placed in the RECORD, as appears on page 11182, an intelligence report on Cuba, which I had just received, a part of which is worth emphasizing now:

> Matanzas Bay is so deep, that the submarines do not have to surface in order to reach the pens, which are provided with a special system of gates controlling the flow of water. The pens are finished, but we do not have, as yet, any evidence of Soviet submarines operating from this base.

The point I wish to make, deviating somewhat from my principal statement, is that these charges are sufficiently serious and have been made in sufficient numbers to raise, once again, not only the question of the security of Latin America and South America, by virtue of the export of subversion, but also the question of the security of the United States itself from a possible premeditated and wholly undiscovered system of bases from which missiles can be launched.

It seems to me that these questions and the information we have received are serious enough to warrant detailed, explicit answers from the administration.

Many concrete and constructive proposals concerning the Cuban situation have been made on the floor of the Senate over the last year, but this administration has chosen to ignore them. The time is coming very quickly when we shall be forced to take more positive action than has heretofore been the case, or else stop talking about the preservation of freedom and liberty.

If this Government is to commit our young men, our national prestige, and our military and economic might to the preservation of liberty in Asia then we can do no less in the Americas.

I join with so many other Senators in urging this administration again to develop a positive policy, inform the American people of it and move to implement it.

The administration will have my wholehearted support, as I am certain it will have the support of all Members of Congress, in any positive action it undertakes to bring about the preservation and reinstatement of freedom and independence to long-suffering Cubans.

Mr. President, I yield the floor.

Mr. THURMOND. Mr. President, the able Senator from Wyoming [Mr. SIMPSON] has performed a distinct service by his brief but penetrating analysis of the Cuban question. It is altogether fitting that on the 62d anniversary of Cuban independence, the American people should be reminded of the genesis and status of the Cuban situation.

It was the United States which voluntarily undertook to achieve and maintain Cuban independence from foreign domination. This undertaking was not altogether altruistic, for the relative size and location of Cuba and the United States made Cuban independence of foreign domination second in importance to American security and welfare only to that of the Cubans themselves.

As a matter of right, Cubans who have been driven from their island homes should be permitted to take any steps they can devise and execute to free Cuba from its yoke of foreign oppression.

As a matter of right, under international law and justice, any nation or nations of the Western Hemisphere are free to assist in the overthrow of the Communist-satellite regime in Cuba.

As a matter of justice and of self-imposed and accepted responsibility, the United States has an obligation to bring its resources and influence to the cause of the expulsion of communism from Cuba and the reestablishment of freedom in Cuba. To obstruct Cuban efforts against Castro, whether or not we judge them to be effective, is to turn our backs on solemn national obligations and revered principles of justice.

More than 62 years ago, the United States accepted responsibility for Cuban independence and freedom. Not only did the United States go to war for this commitment, but in later years we repeatedly sent troops to Cuba, to guarantee that our commitment was kept.

We are now, and for more than 5 years have been, in default of our long-accepted responsibility for Cuban independence. Our reasons for accepting and undertaking this responsibility are more cogent and pertinent today than ever before.

Action to purge ourselves of this default cannot come too soon. All the people of the Western Hemisphere, and, indeed, all the freedom-loving people of the world, will welcome a return by the United States to a policy of responsibility accepted and obligations performed.

Mr. President, in closing, again I commend the able and distinguished Senator from Wyoming for his illuminating and penetrating address on this subject, which is of vital importance to the people of the United States.

Mr. ALLOTT. Mr. President, the distinguished Senator from Wyoming [Mr. Simpson] has just made a very important speech on Cuba. His remarks were followed by remarks by my distinguished colleague [Mr. Dominick]. As I proceed, I shall discuss phases of both of their speeches. My distinguished colleague has again called attention to the logistics of the situation in Cuba, as he has done on several previous occasions on the floor of the Senate.

Earlier last spring, in a very wonderful speech in the Senate, he called attention to the manner in which communism was being exported to South America, and explained specific means and methods which were being employed.

He has followed up that speech today with another speech which has also given the logistics of the situation in Cuba. Many of us have heard the figures and facts which he has recited to the Senate today. These have been denied by the State Department from time to time, and yet reliable information keeps coming to Senators which completely corroborates the information which he has given to the Senate. Some time the State Department of the United States should start listening to those facts.

I was particularly impressed with the remarks of the distinguished Senator from Wyoming [Mr. Simpson] who said, along the lines of my colleague's speech, that Cuba has relentlessly labored to export revolution. How can we in this country say that Cuba is not a menace and go blithely along, when a country, 90 miles from our shores, is exporting revolution and has at least participated in revolution in six countries of Latin America?

I am particularly struck by the comments which were made by the distinguished Senator from Arkansas [Mr. Fulbright], the chairman of the Committee on Foreign Relations, who said on March 25:

> The prospects of bringing down the Castro regime by political and economic boycott have never been very good. Even if a general free world boycott were successfully applied against Cuba, it is unlikely that the Russians would refuse to carry the extra financial burden and thereby permit the only Communist regime in the Western Hemisphere to collapse. We are thus compelled to recognize that there is probably no way of bringing down the Castro regime by means of economic pressures unless we are prepared to impose a blockade against nonmilitary shipments from the Soviet Union. Exactly such a policy has been recommended by some of our more reckless politicians, but the preponderance of informed opinion is that a blockade against Soviet shipments of nonmilitary supplies to Cuba would be extravagantly dangerous, carrying the strong possibility of a confrontation that could explode into nuclear war.
>
> Having ruled out military invasion and blockade, and recognizing the failure of the boycott policy, we are compelled to consider the third of the three options open to us with respect to Cuba: the acceptance of the continued existence of the Castro regime as a distasteful nuisance but not an intolerable danger so long as the nations of the hemisphere are prepared to meet their obligations of collective defense under the Rio Treaty.

What I am afraid of, and what I believe every American is afraid of, is that that statement represents the thinking of the State Department. Do we have to accept the third of those three options—the continued existence of the Castro regime? I do not believe that we do. We will not have any such thing as "collective security" in this country, nor the thing that was referred to in the speech of the Senator from Arkansas as our being prepared to meet their obligations of collective defense until the United States has the will and the backbone to lead the way to the destruction of Castro.

I continue to read from the same speech by the Senator from Arkansas:

> I think that we must abandon the myth that Cuban communism is a transitory menace that is going to collapse or disappear in the immediate future, and face up to two basic realities about Cuba: first, that the Castro regime is not on the verge of collapse and is not likely to be overthrown by any policies which we are now pursuing or can reasonably undertake; and second, that the continued existence of the Castro regime, though inimical to our interests and policies, is not an insuperable obstacle to the attainment of our objectives, unless we make it so by permitting it to poison our politics at home and to divert us from more important tasks in the hemisphere.

Mr. President, is it an insuperable obstacle to the attainment of our objectives if we pay no attention to it? The State Department and the President owe it to the people of our country to tell them what our aims, our objects, and our methods will be with respect to Cuba.

We had a blockade, but we have gone backward from the so-called agreements of 1962. Instead of having strengthened our position, we have gone backward.

A few weeks ago we heard that the Russians were moving all of their troops out of Cuba. The fact is that today Cuba is the most powerful country, militarily, in the Western Hemisphere, except for the United States. Intelligence sources—and good ones—estimate that in Cuba there are at least 150 coastal defense missiles, 12 missile launching torpedo boats, 5 surface-to-air missiles, 100 MIGS, 200 modern radar stations, 75,000 regular troops, and another 200,000 militia and home guardsmen. The Cuban Army is fully equipped with modern Soviet weapons, many of which, by the way, came from Czechoslovakia, including thousands of tanks, field artillery pieces, and antitank weapons.

How much longer can we as a sane and sensible people accept that condition 90 miles from our shore and say that it constitutes no menace to us?

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to the distinguished Senator from Wyoming.

Mr. SIMPSON. Does the Senator from Colorado remember the elaborate precautions that were taken to protect the life of our President when he was in Florida recently on a political junket? The security agencies of our Government used all the means at their command to protect him against threats upon his life by the Cuban Air Force.

Mr. ALLOTT. I am aware of the accounts that were printed in the newspaper.

Mr. SIMPSON. Does the Senator from Colorado feel that Castro merely constitutes a nuisance when we are required to take such precautions as that, or does the State Department feel that there is no great peril which extends to us from this little island which is 90 miles off our shores?

Mr. ALLOTT. I agree with my friend from Wyoming. However, I do not wish in any sense to seem to be critical of the precautions which were taken to protect our President.

Mr. SIMPSON. No.

Mr. ALLOTT. Such precautions should be taken. The fact that such extreme precautions had to be taken is indicative of the situation of which the Senator has spoken.

Although a subcommittee of the Senate Armed Services Committee placed the number of Soviet troops in Cuba last year at 17,500, there is reason now to believe that the number is much greater than that. I personally believe that it is. We have allowed the initiative that we had grasped in 1962 to slip away from us. We have retired from our position to have on-site inspection by the United Nations of the missiles in Cuba. We finally ended up with an inspection by U-2's, one of which was subsequently shot down.

Our economic embargo on Cuba has been a flop due to the lack of cooperation on the part of our allies. It rankles me to think of how we have protected our allies throughout the whole breadth and scope of this world, and yet, with the billions of dollars and with the lives of the men that we have lost and are losing today—at this very minute in South Vietnam—when a clear and present danger exists within 90 miles of our shore, our allies will not even cooperate to the extent of limiting shipments there and refraining from taking a profit from trading with our enemy. Of those 66 nations of the free world that have vessels involved in the Cuban trade, about 54 of them receive aid from the United States. It is almost incomprehensible that such a situation could exist.

If we wonder why we are unable to coalesce Latin America, if we wonder why we are unable to bring them into a solid group opposing Castro communism, we need only to look at our policy of granting aid to those 54 Nations who are trading with Cuba for the answer. If this country is soft enough and foolish enough to provide them with foreign aid while our friends refuse to cooperate in an economic blockade, how can we expect them to accept our leadership in creating Western Hemisphere unity to expel communism from Cuba and this hemisphere.

Mr. DOMINICK. Mr. President, will the Senator yield at that point?

Mr. ALLOTT. I am glad to yield to the distinguished Senator from Colorado.

Mr. DOMINICK. I think the comments the Senator is making are of real importance, because they point up to one angle of the problem we got into when we started negotiating with the Communist Government of Russia to supply it with certain supplies and equipment, including wheat. After having agreed to supply Russia, how can we say to our allies, "You cannot supply Cuba," when we are supporting the head of the monster? I think the points the Senator is making are extremely good and very powerful in this connection.

Mr. ALLOTT. I appreciate the remarks of my colleague, because he has taken such a strong interest in this subject for so long, and has brought to the attention of the Senate so many facts. If the State Department had read any of the lengthy discussions that have taken place on the floor of the Senate during this year, not only by my distinguished colleague, the Senator from Wyoming, but many other Senators whom I shall not name at this time, it is peculiar that the State Department has not been able to react.

The point the Senator has made is a good one. As soon as this country entered into the so-called wheat deal with Russia, from that moment on every one of our allies throughout the world has been breaking its back to trade with Communist Cuba. So by taking that step we have helped to precipitate a breakdown of one of the two ways by which we could have destroyed Communist Cuba—an economic blockade or embargo.

Let me make two or three suggestions, although I have no hopes that the State Department will wake up enough or increase its cerebrations enough in the next few months to recognize the situation. The officials of the Department sit and watch the tortoise whiz by. It is about time for someone in the Department to get the idea that events do move and that delay works to the advantage of Castro.

I cannot help reminding my colleagues, although it may be slightly irrelevant, that one of the ways in which we salved our consciences in 1956 for not helping the Hungarian revolution was by saying, "It is so far away that we could not possibly do it." From a practical sense, that may have been true. It may have been difficult. But those who tremble and cry in fear, as the speech of the distinguished Senator from Arkansas seems to imply—namely, the myth doctrine—are doing this country a great disservice.

I suggest, first, that we recognize a provisional government, as the Senator from Wyoming has again suggested. We have an opportunity to do so on Guantánamo. That suggestion was made by the senior Senator from Colorado this year. We had an opportunity, and still can establish a provisional government, or permit the Cubans to establish a provisional government, right on their own soil—Guantánamo. Some of the best experts in this country say it would not be violating our treaties or understandings with Cuba.

It could have been done when the water was cut off. Instead, we said, "We can haul water in, so really we are not hurt."

Second, this country should give aid similar to that being given to South Vietnam. We certainly should give aid to Cubans who want to go back and rescue their country from Castro. I see no reason why the U.S. Government should fail to do it.

Free Cubans should be aided in telling the sordid story of Communist Cuba in other Latin American countries. This would be the most effective countermeasure to Castro propaganda in Latin America.

Through our own leadership, travel between Cuba and other Latin American countries should be stopped, regardless of what steps we must take to stop it. This is a necessary step in preventing further exportation of Castroism in Latin America.

I cannot believe that we have not the nerve, the wealth, the materiel, and everything else necessary, when we have been spending $50 billion each year on defense for years. I do not see how we can believe that Khrushchev would start a major world conflict over Cuba.

Next, I think we should call a diplomatic conference of the free world nations for the purpose of placing a complete trade embargo on Cuba. Our sacrifices of men and materiel for the protection of our allies has earned us the right to ask for their support in this.

Again, I think we should reconsider, and I think we will reconsider during our deliberations on the foreign aid bill, the cutting off of aid to those countries which will not give us support in such a trade embargo on Cuba.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. DOMINICK. At the recent Party to People Forum held at Miami, from which I quoted in my own speech, one of the questions asked from the floor was, "Do you think we ought to recognize a government in exile?" Every single member of the panel said, "Yes. This is one of the first steps we ought to take," as was so eloquently advocated by the Senator in his very fine speech a year ago.

I see present in the Chamber one of our own colleagues who was present at the Party to People Forum, the Senator from Kentucky [Mr. MORTON]. I hope he can give us a little insight as to who was there, what their qualifications are, and what was of concern to those who were asking questions on our Cuban policy. It should be of interest to know that some ambassadors were supporting what the Senator has advocated.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MORTON. There was a very interesting meeting at Miami. Former Ambassador Pawley was present. Mr. Farland, former Ambassador to Panama, was present. They were absolutely agreed on the position that the senior Senator from Colorado and other Senators took a year ago, that this action had to be taken.

One sidelight of the Miami meeting which I do not think has come to the fore, and which I think is rather important, is that we sweep the subject of Cuba under the rug. If two young boys climb the wall in Berlin, and one is shot and the other gets away, that event will be headlined in every newspaper in America. That is important, as it should be. Yet 16 people can leave Cuba in a 14-foot boat and get to Florida, 2 of them alive and the rest dead, and, outside the Miami press, no note is taken of it in the newspaper.

The Cuban people are just as interested in preserving their freedom as other people are. Yet we seem to sweep this matter under the rug because Cuba has become to us a nuisance. I believe it is important, whatever we do, to get across to the American people the great heroic efforts being made today by the Cuban people themselves in trying to gain their freedom.

We—Members of the Senate, and the press of the country—are playing it down too much, because it is a nuisance. Therefore, we do not wish to build it up.

I commend the Senator from Colorado [Mr. ALLOTT] on what I believe to be a great statement.

Mr. ALLOTT. I am deeply appreciative of the remarks of the Senator from Kentucky, as well as those of my colleague the Senator from Colorado [Mr. DOMINICK] and the Senator from Wyoming [Mr. SIMPSON].

The attempt to sweep Cuba under the rug will never succeed. It will continue to be a thorn in our side until we do something to stop it, because only we can supply the leadership to the other Latin American countries which is necessary to coalesce the determination to sweep communism out of this hemisphere. We can vacillate, we can waver, we can ignore our duty to supply that leadership for as long as we wish, but the problem will not go away.

I hope that this matter will come to the attention of the press, and thus into the minds and consciousness of the American people, because I am satisfied that most Americans are as deeply concerned about this question as any other which faces us in the field of international affairs, if not more so.

HOW HANDICAPPED WORKERS ARE PROVING THAT ABILITY COUNTS

Mr. PASTORE. Mr. President, some young Americans who have contributed something worthwhile have recently visited Washington as winners of State awards in a contest sponsored by the President's Committee on Employment of the Handicapped.

For 16 years the high schools of the country have been participating in an essay contest based on a realistic community survey under the patronage also of committees of the individual State Governors and the AFL–CIO.

This year the theme was "How Handicapped Workers in My Community Are Proving That Ability Counts."

In the State of Rhode Island the winner in a brilliant field was Miss Catherine Flaherty, a 16-year-old student at Mount Pleasant High School, Providence, whose English teacher is Robert G. MacLean. She is the daughter of Mr. and Mrs. Edward Andreas, of 118 Waverly Street, Providence.

A winner of a $100 savings bond and of the trip to Washington as a guest of the AFL–CIO, she has been hosted here also by the Disabled American Veterans and in the festivities that included their presence at the White House, it has been a personal and official pleasure to welcome Miss Flaherty to the Capitol. As a lasting memorial of this year's contest and as a fruitful thought for all of us, I ask that the essay by Miss Flaherty be printed in the RECORD as a part of my remarks.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

HOW HANDICAPPED WORKERS IN MY COMMUNITY ARE PROVING THAT ABILITY COUNTS

(Written by Catherine Flaherty, 118 Waverly Street, Providence, R.I., age 16, Mount Pleasant High School, Providence, R.I.)

No job requires the use of all the physical, mental, or emotional capacities of human beings. This is a fortunate fact as no man or woman is physically, mentally, and emotionally perfect.

Each of us is fit to do certain jobs, but equally unfit to do others. Occupationally speaking, we are normal workers in relation to the jobs we can successfully perform. We are handicapped workers in relation to the jobs we are physically, mentally, or emotionally unable to handle successfully. In my studies I have come to the conclusion that there is no job which cannot be adequately filled by one or the other so-called handicapped workers. If placed in the proper job, no worker can be justly considered handicapped. Only workers placed in the wrong job, one which does not match their physical, mental, and emotional makeup, are occupationally handicapped. Qualifications rather than disabilities really determine which jobs we are equipped to fill in competition with other workers.

Personnel men know that it is rare to perfectly place the right worker in the right job. Yet this type of placement is the goal that personnel directors try to obtain for every "normal" employee and job applicant. This goal is just as possible with respect to the handicapped. Like the rest of us, their particular abilities and limitations differ and make them unfit for certain types of jobs, but fully capable of holding others. If the handicapped did not have the loss of an eye, leg, or other disability, there would be additional jobs that they could do. This is true also with normal workers. If they only had faster reflexes, or mathematical ability, an ounce more of energy, or mechanical as well as intellectual ability, they too would have a wider range of jobs to choose from. There are many things which make a good worker, such as education and experience. After doing some research, I found that most handicapped workers have had a good education and often experience on professional jobs.

The handicapped workers in my community are proving that their defects do not impair their working capacity. There is evidence that handicapped workers, because of their handicaps, actually are more productive workers than the nonhandicapped. They work harder to keep their position there by producing a greater hourly output. They are seldom late or absent, and they are extra careful not to get into an accident, therefore making their accident rate lower. The handicapped are proving their ability through extra effort. They are helping their employer to realize it is the abilities a person has that count and not the disabilities.

ORDER FOR RECESS UNTIL NOON TOMORROW

Mr. HUMPHREY. Mr. President, earlier today the majority leader requested and received consent to have the Senate, when it concluded its business today, recess until 10 a.m. tomorrow.

I should like to modify that request, and ask unanimous consent that when the Senate completes its business today, it stand in recess until noon tomorrow, Thursday, May 21, 1964.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. BYRD of Virginia. Mr. President, the Constitution of the United States holds it to be a fundamental right that persons accused of criminal acts may be tried by jury.

The pending bill is called a civil rights bill. The business immediately before the Senate is the Smathers amendment, which deals with trial by jury—which is one of the most fundamental civil rights of all.

There can be no doubt that the advocates of the bill want violations of provisions of the bill evaluated as criminal, but they wish to avoid giving persons accused of violating provisions of the bill a trial by jury.

As usual in so-called civil rights bills, advocates of H.R. 7152 resort most frequently to contempt injunctions as a means of avoiding the trial-by-jury protection afforded by the sixth amendment to the Constitution.

Abuse of the sixth amendment in so-called civil rights legislation is becoming almost as infamous as abuse of the "fifth" by the criminal and Communist elements in this country.

Proponents of the bill before the Senate call it the civil rights bill. They fill the newspapers, the television, the radio, and all other media with their impassioned pleas for civil rights. The impression is left that anyone who opposes the proposed legislation must be a man without a sense of justice.

To people who think of civil rights as those rights established in the bill-of-rights amendments to our Constitution, it must be the height of contradiction to see advocates of a so-called civil rights bill tampering with the constitutional right to trial by jury, and opposing inclusion of provisions guaranteeing it.

The right to trial by jury, when a person is accused of a crime, is one of the most fundamental of all rights guaranteed to people of the United States. The pending amendment—No. 577—submitted by Senator SMATHERS simply seeks to protect this right for persons who, whether they are innocent or not, are accused of crime under the pending bill.

The Smathers amendments read as follows:

On page 2, beginning with line 1, strike out all through line 9 on page 3.

On page 3, between lines 9 and 10, insert the following:

"TITLE XI—CRIMINAL CONTEMPT PROCEEDINGS; PENALTIES; TRIAL BY JURY"

On page 3, line 10, immediately before "In", strike out the single quotation mark and insert in lieu thereof "SEC. 1101."

On page 3, line 10, beginning with "for willful", strike out all through line 16, and insert in lieu thereof the following: "arising under the provisions of this Act, the accused, upon conviction, shall be punished by fine or imprisonment or both: *Provided, however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of six months: *Provided further,* That in any such proceeding for criminal contempt, the accused, upon demand therefor, shall be entitled to a trial before a jury: *Provided further, however,* That in the event such proceeding for criminal contempt be tried before a judge without a jury the aggregate fine shall not exceed the sum of $300 nor any cumulative imprisonment exceed thirty days. If the trial is by a jury, the procedure shall conform as near as may be to that in other criminal cases."

On page 3, line 17, strike out the single quotation mark before "This".

On page 3, line 19, immediately after "justice", insert the following: "or to place the integrity of the court in direct and immediate jeopardy".

On page 3, beginning with line 22, strike out all through line 4 on page 4.

On page 4, line 5, strike out "1103." and insert in lieu thereof "1102.(a)".

On page 4, strike out line 7 and insert in lieu thereof the following: "amended by striking out the second and third provisos to the first paragraph thereof, and inserting in lieu thereof the following: "'*Provided further*, That in any such proceeding for criminal contempt, the accused, upon demand therefor, shall be entitled to a trial before a jury, which shall conform as near as may be to the practice in other criminal cases: *Provided further, however*, That in the event such proceeding for criminal contempt be tried before a judge without a jury the aggregate fine shall not exceed the sum of $300 nor any cumulative imprisonment exceed thirty days.'

On page 4, between lines 7 and 8, insert the following material in double quotation marks:

(b) Section 151 of part V of such Act is hereby further amended by inserting, immediately after "justice" in the second paragraph thereof, the following: "or to place the integrity of the court in direct and immediate jeopardy,".

The Smathers amendment is one of a series of amendments which have been offered as substitutes for the original trial by jury amendment offered by Senator TALMADGE. The Talmadge amendment would simply guarantee the right of trial by jury as contemplated by the Bill of Rights, without any "ifs, ands, buts," or limitations. But the proponents of the bill do not want that kind of civil right in their so-called civil rights bill.

Such contradictions as this are characteristic of so-called civil rights legislation which invariably seeks special rights for the few, at the sacrifice of fundamental rights by all. Unfortunately, many unsuspecting good citizens—in their natural gentility—are led down a primrose path which is full of the pitfalls of paradox.

These jury trial amendments are being offered to a bill in which the stated purpose is to outlaw discrimination. But those who drafted the bill deliberately avoided defining discrimination. If the bill were passed, discrimination could be defined—perhaps differently—in each separate case as it developed.

And after discrimination—for whatever it is—is outlawed, the crime would be defined by two civil rights commissions, other Federal bureaucrats, the Federal Attorney General, and Federal judges. It could be expected that the definition might change from case to case.

But this is not all. The bill is marked by a studied effort to deny trial by jury to those accused of the undefined crimes of discrimination. The manner in which people may be accused, and the nature of the trial is different in pertinent sections of the bill.

Title I is the so-called voting rights title. Under this, the accused might be tried by a stacked court of three hostile judges. Here are the applicable provisions in title I—page 4, line 15:

> In any proceeding instituted in any district court of the United States under this section the Attorney General or any defendant in the proceeding may file with the clerk of such court a request that a court of three judges be convened to hear and determine the case.

Page 5, line 10:

> In the event the Attorney General fails to file such a request in any such proceeding, it shall be the duty of the chief judge of the district (or in his absence, the acting chief judge) in which the case is pending immediately to designate a judge in such district to hear and determine the case.

Title II is called the injunctive relief against discrimination in places of public accommodation. Here we return to the old scourge of trial by injunction. This is what we fought so hard against in 1957. Here are the pertinent provisions contained in title II—page 9, line 15:

> Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 203, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted (1) by the person aggrieved, or (2) by the Attorney General for or in the name of the United States if he satisfies himself that the purposes of this title will be materially furthered by the filing of an action.

Page 11, line 1:

> The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this title and shall exercise the same without regard to whether the aggrieved party shall have exhausted any administrative or other remedies that may be provided by law.

Page 11, line 15:

> Proceedings for contempt arising under the provisions of this title shall be subject to the provisions of section 151 of the Civil Rights Act of 1957 (71 Stat. 638).

Title III outlaws segregation of public facilities—Federal, State, and local; and here is how the crime is charged, and how the charge is disposed of—page 11, line 20:

> Whenever the Attorney General receives a complaint signed by an individual to the effect that he is being deprived of or threatened with the loss of his right to the equal protection of the laws, on account of his race, color, religion, or national origin, by being denied access to or full and complete utilization of any public facility which is owned, operated, or managed by or on behalf of any State or subdivision thereof, other than a public school or public college as defined in section 401 of title IV hereof, and the Attorney General certifies that the signer or signers of such complaint are unable, in his judgment, to initiate and maintain appropriate legal proceedings for relief and that the institution of an action will materially further the public policy of the United States favoring the orderly progress of desegregation in public facilities, the Attorney General is authorized to institute for or in the name of the United States a civil action in any appropriate district court of the United States against such parties and for such relief as may be appropriate, and such court shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section. The Attorney General may implead as defendants such additional parties as are or become necessary to the grant of effective relief hereunder.

Title IV outlaws segregation in education, and here again we run into the combination of the Federal Attorney General and the Federal court. Here is what the title says—Page 17, line 2:

> (a) Whenever the Attorney General receives a complaint—
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> (1) signed by a parent or group of parents to the effect that his or their minor children, as members of a class of persons similarly situated, are being deprived of the equal protection of the laws by reason of the failure of a school board to achieve desegregation, or
>
> (2) signed by an individual, or his parent, to the effect that he has been denied admission to or not permitted to continue in attendance at a public college by reason of race, color, religion, or national origin,
>
> and the Attorney General certifies that the signer or signers of such complaint are unable, in his judgment, to initiate and maintain appropriate legal proceedings for relief and that the institution of an action will materially further the public policy of the United States favoring the orderly achievement of desegregation in public education, the Attorney General is authorized to institute for or in the name of the United States a civil action in any appropriate district court of the United States against such parties and for such relief as may be appropriate, and such court shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section. The Attorney General may implead as defendants such additional parties as are or become necessary to the grant of effective relief hereunder.
>
> (b) The Attorney General may deem a person or persons unable to initiate and maintain appropriate legal proceedings within the meaning of subsection (a) of this section when such person or persons are unable, either directly or through other interested persons or organizations, to bear the expense of the litigation or to obtain effective legal representation; or whenever he is satisfied that the institution of such litigation would jeopardize the employment or economic standing of, or might result in injury or economic damage to, such person or persons, their families, or their property.

Title V renews and expands the Civil Rights Commission, and here is what the title provides—page 24, line 19:

> In case of contumacy or refusal to obey a subpena, any district court of the United States or the U.S. court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Title VI is called nondiscrimination in federally assisted programs. This is the title which empowers Washington bureaucrats to cut off taxpayers' money from any so-called federally assisted programs or projects. It invokes provisions of the Administrative Procedure Act, which I shall discuss later. But here is what the language of the title says—page 27, line 8:

> Any department or agency action taken pursuant to section 602 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 602, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with section 10 of the Administrative Procedure Act, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of that section.

Title VII is the FEPC title. It establishes the FEPC commission to deal with business, and here is what it says with respect to the kind of charges and trials business may expect—page 40, line 19:

> The Commission (may) bring a civil action to prevent the respondent from engaging in such unlawful employment practice.
>
> (c) If the Commission has failed or declined to bring a civil action within the time required under subsection (b) the person claiming to be aggrieved may, if one member of the Commission gives permission in writing, bring a civil action to obtain relief as provided in subsection (e).
>
> (d) Each U.S. district court and each U.S. court of a place subject to the jurisdiction of the United States shall have jurisdiction of actions brought under this title. Such actions may be brought either in the judicial district in which the unlawful employment practice is alleged to have been committed or in the judicial district in which the respondent has his principal office * * *.
>
> (e) If the court finds that the respondent has engaged in or is engaging in an unlawful employment practice charged in the complaint, the court may enjoin the respondent from engaging in such unlawful employment practice, and shall order the respondent to take such affirmative action, including reinstatement or hiring of employees, with or without back pay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice), as may be appropriate.

Page 42, line 17:

> (f) In any case in which the pleadings present issues of fact, the court may appoint a master and the order of reference may require the master to submit with his report a recommended order. The master shall be compensated by the United States at a rate to be fixed by the court, and shall be reimbursed by the United States for necessary expenses incurred in performing his duties under this section. Any court before which a proceeding is brought under this section shall advance such proceeding on the docket and expedite its disposition.
>
> (g) The provisions of the act entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932 (29 U.S.C. 101–115), shall not apply with respect to civil actions brought under this section.
>
> (h) In any action or proceeding under this title the Commission shall be liable for costs the same as a private person."

Title IX is called procedure after removal in civil rights cases. This title handcuffs State court action in so-called civil rights cases. The language in the bill requires explanation, and we shall reach the explanation in due course. But here is the language of title IX—page 51, line 19:

> Title 28 of the United States Code, section 1447(d), is amended to read as follows: "An order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise, except that an order remanding a case to the State court from which it was removed pursuant to section 1443 of this title shall be reviewable by appeal or otherwise."

The Talmadge amendment would add a new title near the end of the so-called civil rights bill to provide trial by jury for proceedings to punish criminal contempts in cases before Federal courts.

The amendment was offered Tuesday, April 21, 1964, by Senators TALMADGE, ERVIN, ROBERTSON, THURMOND, and STENNIS. It is identical to an amendment adopted by the Senate by a 51 to 42 vote on August 1, 1957. The 1957 amendment adopted by the Senate was sponsored by Senators: O'Mahoney, of Wyoming; Jackson, of Washington; Magnuson, of Washington; Mansfield, of Montana; Murray, of Montana; Bible, of Nevada; Kennedy, of Massachusetts; Pastore, of Rhode Island; Lausche, of Ohio; Malone, of Nevada; and Young, of North Dakota.

Unfortunately, the amendment was compromised in conference, but the Talmadge amendment provides an opportunity for the Senate to adopt it again, if the substitute amendments are rejected. I ask unanimous consent that the Talmadge amendment, as approved by the Senate in 1957, be printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

> On page 54, between lines 7 and 8, insert the following new title:
>
> "TITLE XI—AMENDMENT TO THE FEDERAL CRIMINAL CODE TO PROVIDE TRIAL BY JURY FOR PROCEEDINGS TO PUNISH CRIMINAL CONTEMPTS IN CASES IN FEDERAL COURTS
>
> "SEC. 1101. Section 402 of title 18 of the United States Code is hereby amended to read as follows:
>
> " '§ 402. Criminal contempts
>
> " 'Any person, corporation, or association willfully disobeying or obstructing any lawful writ, process, order, rule, decree, or command of any court of the United States or any court of the District of Columbia shall be prosecuted for criminal contempt as provided in section 3691 of this title and shall be punished by fine or imprisonment, or both: *Provided, however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall such imprisonment exceed the term of six months.
>
> " 'This section shall not be construed to apply to contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court.
>
> " 'Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.'
>
> "SEC. 102. Section 3691 of title 18 of the United States Code is hereby amended to read as follows:
>
> " '§ 3691. Jury trial of criminal contempt
>
> " 'In any proceeding for criminal contempt for willful disobedience of or obstruction to any lawful writ, process, order, rule, decree, or command of any court of the United States or any court of the District of Columbia, the accused, upon demand therefor, shall be entitled to trial by a jury, which shall conform as near as may be to the practice in criminal cases.
>
> " 'This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court.
>
> " 'Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.'
>
> "SEC. 1103. Section 151 of part V of the Civil Rights Act of 1957 (71 Stat. 638; 42 U.S.C. 1995) is hereby repealed."
>
> On lines 15, 16, and 17 of page 11, strike out subsection (c) of section 205.
>
> On line 8 of page 54, change the designation of title XI to title XII.
>
> On lines 9, 14, 22, and 24 of page 54, change the designations of sections 1101, 1102, 1103, and 1104, to sections 1201, 1202, 1203, and 1204, respectively.

Mr. BYRD of Virginia. Mr. President, I am fully aware of the legalistic arguments lawyers can get into about civil and criminal contempt. They can make it sound simple to distinguish between the two; or they can confuse intelligent people. I had some personal experience with legalistic distortions on this subject in 1957, when I was cosponsor of a bill designed to clarify the distinction between civil and criminal contempt.

I shall refer later to this personal experience, but at this point I quote Representative EMANUEL CELLER, chairman of the House Judiciary Committee, and discuss briefly the 1957 compromise, which was substituted in conference for the Senate trial-by-jury amendment.

Representative CELLER, appearing before the House Rules Committee on January 9, 1964, to testify in behalf of the bill now pending before the Senate, was called upon to distinguish between civil contempt and criminal contempt. He made it both simple and difficult. He made it nice and clear; and I quote him directly. He said:

> If, for example, in a court somebody makes a disturbance, or makes an accusation against a judge, or is guilty of some improper decorum, and the judge wants to find him in contempt, that would be civil contempt.

He also said:

> Criminal contempt would be where a judge issues an order, that the person accused should cease practicing discrimination and he deliberately refuses to cease practicing discrimination, that would be a criminal contempt.

The distinguished chairman of the House Judiciary Committee, in the same statement, said also:

> That is a very thin difference between the two.

In view of the way that contempt proceedings are being used by the modern-day Federal judiciary, and particularly in connection with their more recent application to civil rights cases, it is interesting to take a brief look at history. For this historical reference, I invite the Senate's attention to pages 24 and 25 of the U.S. Supreme Court decision of April 6, 1964, in the case against former Gov. Ross Barnett, of Mississippi. The Court said:

> The available evidence seems to indicate that (a) at the time of the Constitution criminal contempts triable without a jury were generally punishable by trivial penalties, and that (b) at the time of the Constitution all types of "petty" offenses punishable by trivial penalties were generally triable without a jury. This history justifies the imposition without trial by jury of no more than trivial penalties for criminal contempts. The Court, in light of the history reviewed here and in the Appendix to the opinion of the Court, has failed sufficiently to take into account the possibility that one significant reason why criminal contempts were tried without a jury at the time of the Constitution was because they were deemed a species of petty offense punishable by trivial penalties. Since criminal contempts, as they are now punished, can no longer be deemed a species of petty offense punishable by trivial penalties, defendants' constitutional claim to trial by jury should not be denied on the authority of the history of criminal contempt at the time of the Constitution nor on the authority of the past decisions of this Court which relied on that history. Their claim should be evaluated by analyzing the real nature of criminal contempts and applying the policy of the constitutional requirement of trial by jury in "all crimes" and "all criminal prosecutions."

So that they may not be disregarded, let me quote for the record, amendments 4, 5, and 6, from the Bill of Rights, in the Constitution of the United States. They provide:

> AMENDMENT 4
>
> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.
>
> AMENDMENT 5
>
> No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.
>
> AMENDMENT 6
>
> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

From the tone of the demands by advocates of the prohibitions in the pending bill, it does not seem that they would regard violations as trivial. It follows that they must evaluate them in the more serious category of criminal acts. If this is the case, there can be no justification for anything short of trial by jury.

But when the Senate properly provided for trial by jury in civil rights contempt cases in the 1957 bill, it was compromised—in conference—into nonsense, or something worse. As those conference provisions came out—and now stand in the law—a person accused of contempt in civil rights cases must be convicted by the judge trying the case, without a jury, and the sentence announced, before he is allowed to claim his right to trial by jury.

Section 151 of the so-called Civil Rights Act of 1957—the present law—reads as follows:

> In all cases of criminal contempt arising under the provisions of this Act, the accused, upon conviction, shall be punished by fine or imprisonment or both: *Provided however*, That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of six months: *Provided further*, That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however*, That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300 or imprisonment in excess of forty-five days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.

As may be seen from reading the law, the accused may be deprived of his right to trial by jury if the judge chooses to fine him $299.99, or sentence him to prison for 44 days, 23 hours, and 59 minutes, or give him the combination of both.

The attitude of proponents of so-called civil rights legislation against trial by jury was demonstrated in 1957, and it is being demonstrated again with respect to the pending bill in 1964. They even go so far as to contend that the pending bill "contains no primary criminal penalties."

But it is not difficult to question the accuracy of this contention; and the proponents of the bill strain both the logic and the proof of their contention by the emphasis they place on penalties for violation and the means they take to avoid trial by jury.

On the contention that the pending bill contains no criminal penalties, let me quote from Representative Richard H. Poff. Representative Poff represents the Sixth District of Virginia. He enjoys the reputation of a fine lawyer. He has been a member of the House Judiciary Committee ever since he has been in the House of Representatives.

When testifying before the House Rules Committee on January 22, 1964, Representative Poff said:

> While it is said that this bill involves no criminal penalties and no sanctions, the fact still remains that a private citizen under the terms of this bill is subject to a jail sentence and/or a fine and that is because the orders of the court which are disobeyed by an individual citizen may be enforced by contempt proceedings.
>
> If it is a civil contempt citation, the individual citizen is not entitled to a jury trial at all. The case is heard and disposed of by the same judge who cited him for an offense against the court. If it is a criminal case there is a limited opportunity for a jury trial in only two titles of this bill; namely, title I, the voting section, and title II, the public accommodations section if the fine is up to $300, and the sentence 45 days.
>
> The fact of the matter is the jury trial remains in the discretion of the trial judge. If the trial judge proceeds to try the man he has cited in the absence of a jury and assesses a fine of $300 and/or a jail sentence up to 45 days, then he must grant the person accused a trial de novo, but obviously no judge is going to sit on a case and assess such a penalty and then start the case all over again before a jury. He could simply assess a $299 fine and a 44-day jail sentence.

I continue to quote from Representative Poff's testimony before the House Rules Committee. With respect to judicial review, he said:

> Mr. Chairman, proudly it has been said by the proponents of the bill that this title now authorizes judicial review. Originally, of course, it did not. It does now authorize judicial review, but let us examine the nature of the judicial review.
>
> Judicial review under the cutoff of funds section is tied to the Administrative Procedure Act. Two important consequences flow from that fact. First of all, the Administrative Procedure Act authorizes only a review and not a trial de novo. I suggest that a man does not have his full day in court if he is entitled only to a judicial review. He has his day in court only when he has a trial de novo, where he is allowed to present evidence by reputable witnesses and to cross-examine the witnesses who give evidence against him.
>
> The second consequence which flows from keying the judicial review to the Administrative Procedure Act is that the review which is granted is restricted and limited against the citizen, and in favor of the Government agency. What do I mean by that? Let me attempt to explain. Under the Administrative Procedure Act, all that the circuit court needs to find, in order to uphold the determination reached by the Federal agency, is that the Federal agency's determination was based on "substantial evidence." Substantial evidence, Mr. Chairman, is not a preponderance of the evidence. Substantial evidence means something entirely different. That term has been defined several times. If I may be permitted to suggest only one definition, it means only "a reasonable quantum of evidence in support of the agency's decision."
>
> Why is this significant? It is significant because title VI of this bill requires the agency only to make an "express finding" of discrimination. Of course it does not define what discrimination is, but it admonishes the agency only to make an "express finding" of discrimination.
>
> It does not require the agency to conduct a formal hearing or to accept evidence. It only directs it to make an express finding that discrimination was present. So the person against whom the charge is made has never had an opportunity to present evidence, and he is limited in his review only

> to the right to argue the facts and the law before the circuit court of appeals after the agency has reached an express finding. So I repeat now, the individual citizen, the private citizen, has no opportunity to present evidence as that term is understood in the jurisprudence of this country.

And on January 21, 1964, Representative GEORGE MEADER, of Michigan, testified as follows before the House Rules Committee:

> But when you go into this government by injunction procedure, you get a decree from a single judge, perhaps couched in broad and ambiguous terms, maybe just using the word "discrimination," not specifying in detail how he discriminates.
>
> Then he is brought in on a contempt proceeding with an order to show cause why he should not be held in contempt and summarily punished. None of these protections available in criminal proceedings are present in adequate form under contempt proceedings.
>
> Furthermore, it seems to me that Government should act only to enforce public policy. It is the policy and interest of the Government that we are concerned with. Title II on public accommodations of the committee bill really finances private litigation and uses, I say, the summary and harsh weapon of government by injunction in private litigation.
>
> The committee will recall the Norris-La Guardia Act, which prohibited corporations from going into court and getting an injunction against picketing or striking. We outlawed the use of injunction in private litigation in the labor dispute area. On pages 46, 47, 48, and 49 of the House committee report, I listed statutes enforcing public policy by the sanction of government by injunction. Every time we do it we are invading the liberties of our individual citizens.

I cite this testimony in the House Rules Committee hearings on this bill—which were the only hearings that have ever been held on H.R. 7152 as it is now before the Senate—because this testimony tends to show the means to which the proponents of civil rights bill will resort to accomplish the ends they seek, without giving those accused under civil rights laws a trial by jury.

Jury verdicts may not always be perfect. But it is difficult to control a jury, and it is a heinous crime to try; and it is generally conceded trial by jury is—in the interest of justice—the fairest method yet devised of reaching a verdict with respect to the guilt or innocence of an accused.

Why do proponents of these so-called civil rights bills oppose including provisions for trial by jury? They say it is because juries will not convict accused persons in civil rights cases, and that trial by jury is too slow for their purposes anyway. I submit these are cynical replies.

The inference that juries are too biased and prejudiced to reach just verdicts impugns the honesty of jurors under oath, and indicts the Federal judiciary system.

Under title 28, section 1864, of the United States Code, the clerk of the U.S. court and the jury commissioner appointed by the judge pass on the eligibility of all persons to serve in Federal courts as grand or petty jurors. And the only names which go to the jury box are those selected by these Federal officials; namely, the clerk of the court and the jury commissioner named by the judge.

Section 1865 of title 28 of the United States Code also provides that jurors in Federal courts can be selected from such parts of the district as the district judge may direct so that those most capable of trying cases in an impartial manner will be called for service, and that to this end the judge may order that separate jury boxes may be maintained at all places where the district court is held and that the district judge may appoint additional jury commissioners to accomplish this purpose.

Under these statutes, the eligibility of all persons who are called to serve upon either grand or petty juries in Federal district courts is determined by Federal officials and not by State officials.

If speed in judicial disposition of civil rights cases is what the proponents of the pending bill are looking for, they have another contradiction in title IX. This title would impede the processes of justice. It involves the dull subject of court procedure, and for this reason it is largely overlooked.

As lawyers know, the Federal code provides for the removal of certain causes of action from the State courts to the Federal courts. There are four types of cases which may be removed:

First, those cases which involve an interpretation of the laws, Constitution, or treaties of the United States.

Second, those cases where there is a diversity of citizenship between the litigants.

Third, 28 United States Code 1442, permits certain Federal officers who are being prosecuted in the State courts to remove their cases.

Lastly, we have the removal statute, 28 United States Code 1443, which is the statute in question under provisions of title IX.

This permits the removal of cases wherein the laws of a State deny to one being prosecuted in the State court his civil rights, and this is what we are dealing with in title IX. Historically, this statute had its inception in a measure adopted by the Congress in 1863 which had for its object the protection of soldiers who supposedly were carrying out their military orders in other States and might become charged with violation of the laws of those States.

Since adoption, it was amended in 1865 under the leadership of a man from Pennsylvania called Thaddeus Stevens, so that these cases removed to the Federal courts, when the Federal court made a decision on the remand order, could not be appealed.

The obvious purpose of title IX, permitting appeals from remand orders, is simply to impede the State courts. During the time of such appeal, the State court would have no power to enter any orders of any kind, and all process would be stayed. Under such conditions, the officers of a locality would be unable to provide police protection to the law-abiding citizens, and thus lawless elements would be free to run rampant in the streets in an effort to blackmail the local government into nol prossing charges against them before the cause could finally be extricated from a maze of laborious legal appeals in the Federal courts.

Whenever the police power of a locality is restrained and whenever the ability of local government to protect its people is impaired, anarchy prevails and the only recourse left to the people is to take the law into their own hands, a situation which I am sure no Member of this Congress would want.

Mr. ERVIN. I wonder if the Senator from Virginia would yield to me so that I might ask some questions about the point which he has been discussing, that is, the provisions of title IX, referring to procedures in relation to removal in civil rights cases.

Mr. BYRD of Virginia. I yield to the Senator from North Carolina.

Mr. ERVIN. Does not the Senator from Virginia agree with the Senator from North Carolina that the people who would be most benefited by the provision would be those who participate in the so-called nonviolent violent demonstrations?

Mr. BYRD of Virginia. The Senator is entirely correct.

Mr. ERVIN. Does not the Senator from Virginia agree with the Senator from North Carolina that it would be unjust to give these people a right to appeal from a ruling of the Federal court remanding the case back to the State court for trial on the ground that the Federal court had no jurisdiction, and at the same time to deny to the State authorities, who are charged with the responsibility of enforcing the law and protecting the people of the State against crime, the right to appeal from an order which refuses to remand the case to the State court?

Mr. BYRD of Virginia. I agree with the Senator from North Carolina, whom I regard as one of the ablest lawyers in the Senate.

Mr. ERVIN. Does not the Senator from Virginia agree with the Senator from North Carolina that the only effect of that provision, which would make the law for one side of the case one thing and the law for the other side of the case another thing, would be to postpone the possibility that the State could enforce criminal laws against those persons within its own courts?

Mr. BYRD of Virginia. The Senator is entirely correct.

Mr. ERVIN. Does not the Senator from Virginia agree with the Senator from North Carolina that it would be a lamentable lack of respect for proper Federal-State relations for the Congress to propose a procedure which is clearly designed to postpone the trial in State courts of persons for violations of the laws of the State?

Mr. BYRD of Virginia. The Senator is entirely correct.

Mr. ERVIN. Does not the Senator from Virginia agree with the Senator from North Carolina that if this provision were enacted by the Congress, it would ally the Federal Government with the side of the lawbreakers rather than the side of law and order within the borders of a State?

Mr. BYRD of Virginia. I entirely agree with the Senator.

Mr. ERVIN. I thank the Senator for yielding.

Mr. BYRD of Virginia. The Senator has illuminated the subject very much.

It is impracticable, as every sensible person knows, for law enforcement and police protection to be kept and maintained at any level but at the local level. We know that the U.S. marshals and U.S. soldiers cannot be everywhere and they are not a substitute for local police officers, even if we wished to divest the localities of those powers.

These enactments would doubtless precipitate the resurrection of lawless elements, and riotous situations would arise throughout the country, a prime objective of the Communist and other lawless elements, as stated by the Senator from North Carolina. It is a dangerous and ominous situation in this country when local law enforcement officers are prevented by Federal law from suppressing public mischief and violence and protecting the people of the localities in their lawful rights and pursuits.

Title IX is highly discriminatory. To use the terminology of one of the counsel for the Congress of Racial Equality, it would give the so-called civil rights group a special weapon all of their own. It would effectively prevent for a long period of time any trial, either Federal or State, of these miscreants and disturbers of the peace.

If this section should be adopted, it would enable the civil rights litigant to silence the voice and to stay the hands of the State courts for a period of 1 or 2 years or more, and do that even in the face of an adverse decision by a U.S. district judge.

One of the litigants, by the simple filing of a petition and pertinent papers, automatically removes the case to the Federal court. Thereafter, no process of any kind can issue from the State court, no depositions can be taken, no hearings scheduled, and all process must be suspended.

The only legal relief available to the aggrieved community is the immediate application to the Federal court for a remand on the basis that the removal was improper and that the Federal court lacks jurisdiction. This is a matter to be presented to the Federal judge for determination by him as a part of the procedure within the Federal judicial system.

The 1957 so-called Civil Rights Act, as finally passed, dealt largely with what was described as voting rights. And it remains as the general impression that the compromised jury trial provision included in the 1957 act applies only to so-called voting rights cases. But the best legal advice available to me as a Member of the Senate holds that there is strong probability that this impression is wrong.

Right or wrong, proponents of the pending bill are unhappy even with the kind of jury trial provisions that were included in the 1957 act. Now, for the so-called voting rights provisions in title I, they want a three-judge court. In the absence of Senate hearings, we must go to members of the House Judiciary Committee and their testimony before the House Rules Committee.

I quote from the testimony of Congressman EDWIN E. WILLIS, of Louisiana, the fourth-ranking Democrat on the House Judiciary Committee, as presented before the House Rules Committee on January 16, 1964. Representative WILLIS said:

> Another innovation of title I is found in section 101(d) of the bill which authorizes the Attorney General, at his unreviewed discretion, to demand a three-judge court to hear and determine any voting suit.
>
> The chief judge of the circuit would have no choice but to comply with the Attorney General's request. Although one of the judges must be from the district in which the suit is instituted, the other two need not. This provision enables the Attorney General, when he has no confidence in a particular district judge, to convert that judge into a minority of a three-judge panel, if, indeed, he is appointed to the panel at all.
>
> It is difficult to understand why this provision, which did not appear in the administration bill nor in the subcommittee substitute, should now make its appearance. It is extremely difficult to perceive why, in this troubled field, the Attorney General should have what amounts to a preemptory challenge to the district judge before whom the case would normally be tried. I seriously question whether such a flagrant form of forum shopping should be encouraged, least of all should it be provided as an exclusive privilege of the plaintiff Government.

Title II of the pending bill is generally referred to as the so-called "public accommodation title." But proponents of the bill—by their own language—call it "Title II—Injunctive Relief Against Discrimination in Places of Public Accommodation."

The question of trial by jury or by injunction has been with us almost every time so-called civil rights proposals have been made. And when we turn to enforcement by injunction, we invariably are confronted with the problem of contempt. And when we have the problem of contempt it usually involves the distinction between civil contempt and criminal contempt.

The Talmadge amendment to the pending bill would make this distinction for civil rights cases. Efforts to make clear the distinction between the two are not new. An effort was made by the Senate in the 1957 civil rights bill, but it was compromised in conference.

In addition, I joined with the chairman of the Senate Judiciary Committee, the Senate from Mississippi [Mr. EASTLAND], and the Senator from South Carolina [Mr. THURMOND], in a previous effort to clarify the question generally. On March 27, 1957, we introduced S. 1735 of the 85th Congress, 1st session. It reads as follows:

> S. 1735
>
> A bill to amend chapter 233, title 18, United States Code, relating to criminal contempts
>
> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3691 of title 18 of the United States Code is amended to read as follows:
>
> "§ 3691. Jury trial of criminal contempts
>
> "Whenever a contempt charged shall consist in willful disobedience of any lawful writ, process, order, rule, decree, or command of any court of the United States by doing or omitting any act or thing in violation thereof, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.
>
> "This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court."
>
> SEC. 2. (a) Section 3692 of title 18 of the United States Code is repealed.
>
> (b) The analysis of chapter 233 of such title is amended by striking out the item relating to section 3692 thereof.

Nothing could have been more thoroughly American than S. 1735 of the 85th Congress. No legislation could be more thoroughly in accord with the basic principles of American jurisprudence. No proposal could be more in the interest of justice. No enactment could be in better democratic tradition.

But the reaction of the Federal bureau—which is called the Department of Justice—was remarkable. It came from numerous departmental sources, including a speech by Assistant Attorney General Warren Olney III, delivered April 5, 1957, before the National Civil Liberties Clearing House.

Directly and by innuendo, with the other sponsors of a bill to assure the constitutional right of trial by jury, I was accused by the U.S. Department of Justice of subtle, devious, and evil intentions. The Justice Department preferred trial by injunction to obtain convictions with criminal penalties, without the bother of the requirements of criminal processes.

Justice Department prosecutors admitted that in so-called civil rights cases proof was too hard. They wanted quick convictions—not jury trials, which historically have stood between the prosecutor and the defendant. Then, as now, speed was the order of the day, not accountability.

Mr. Olney complained then, as the Attorney General does now, that juries do not convict, and there are too many acquittals. There is reason to complain also about too many acquittals by judges in cases of sit-ins, stall-ins, public nuisance, trespass, and other instances of pure contempt for law and order.

But it is my purpose to defend the great maxim that citizens of the United States are innocent until they are proved guilty, while advocates of these civil rights measures want the quick, tailor-made crackdown of trial by injunction.

Of course, the constitutional safeguards provided by jury trials make punishment of an act as a crime a slower process. Let us hope that they never cease to make action in the democratic processes slower—and even more cumbersome—that actions in totalitarian states.

Are advocates of Federal trial by injunction proposing that constitutional guarantees be sacrificed for speed and ease? This could be a shortcut to Central Government tyranny. Justice Department prosecutors and other advocates of the pending civil rights bill complain loudly about prejudice of local juries, but they are silent on the obvious bias and prejudice in the Federal judiciary.

Mr. Olney tried to make a great point on the technicality by which he claimed the Constitution does not cover injunction contempt cases in which accused persons are thrown into jail on a judge's order. But he conveniently disregarded the history of trial by jury and injunction.

Jury trial was not created, it grew out of the usages of the immemorial past. We find it in the Roman Empire shortly after the death of Christ. We find it in the reign of Alfred the Great—871–901. We find its essence in the Magna Carta. We see it abused and abrogated in the English star chamber, and the extension of the admiralty courts by the British Crown against the Colonies of America. We see it listed as an abuse by the Crown in the Declaration of Independence, and it seems to stand out with a vengeance in the U.S. Constitution:

> The trial of all crimes, except in cases of impeachment, shall be by jury.
>
> No person shall be held to answer for a capital or other infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger.
>
> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury.
>
> In suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved.

At the time of the drafting of the Constitution, equity was in its true, pure historical context. Chancery or equity professed to act as a court only when the other courts could give no relief or inadequate relief, and property or property rights must be in question. Knowing the jurisdiction of equity, the framers and Founding Fathers knew of no need to protect the people by jury trial in contempt cases arising out of injunctions.

But the modern writ of injunction is used for purposes which bear no resemblance to the uses of the ancient writ of that name. Formerly it was used to conserve the property in dispute between private litigants, but in modern times it has taken the place of the police powers of the State and Nation. It enforces and restrains with equal facility the criminal laws of the State and Nation.

With it the judge not only restrains and punishes the commission of crimes defined by statute, but he proceeds to frame a criminal code of his own, as extended as he sees proper, by which various acts, innocent in law and morals, are made criminal; such as standing, walking, or marching on the public highway, or talking, speaking or preaching, and other like acts.

In proceedings for contempt for an alleged violation of the injunction, the judge is the lawmaker, the injured party, the prosecutor, the judge and the jury. It is not surprising that uniting in himself all these characters he is commonly able to obtain a conviction.

A distrust of the jury is a distrust of the people, and a distrust of the people means the overthrow of the Government.

Against the exercise of this jurisdiction the Constitution of the United States interposes an insurmountable barrier. In that masterly statement of the grievances of our forefathers against the government of King George, and which they esteemed sufficient to justify armed revolution are these:

> He has combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our laws, and for depriving us in many cases of the benefit of trial by jury.

Smarting under these grievances, the people of the United States, under the lead of Mr. Jefferson, were extremely careful to place it beyond the power of any department of the Government to subject any citizen "to a jurisdiction foreign to our Constitution and unacknowledged by our laws," are to deprive any citizen "of the benefit of trial by jury."

This was accomplished by inserting in the Constitution of the United States these plain and unambiguous provisions.

Now the officers whose positions were created by and through the operation of that same Constitution come forward and tell us that that is all fine and good but it does not apply to contempt cases arising out of injunctions and, in those types of cases, we want quick and certain punishment or imprisonment.

Notwithstanding, the Constitution expressly enumerates the only exceptions to the right of trial by jury, and positively limits those exceptions to the cases mentioned. Those who favor government by injunction, propose to ingraft upon that instrument numerous other exceptions which would deprive the great body of the citizens of the Republic of their constitutional right of trial by jury.

Undoubtedly, it is the right of the people to alter or abolish their existing government, "and," in the language of the Declaration of Independence "to institute a new government, laying its foundations on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

It is competent for the people of this country to abolish trial by jury, and confer the entire police powers of the State and Nation on Federal judges, to be administered through the agency of injunctions and punishment for contempts; but the power to do this resides with the whole people, and it is to be exercised in the mode provided by the Constitution. It cannot be done by the insidious encroachments of any department of the Government.

Our ancestors, admonished by the lessons taught by English history, saw plainly that the right of trial by jury was absolutely essential to preserve the rights and liberties of the people, and it was the knowledge of this fact that caused them to insert in the Constitution the peremptory and mandatory provisions on the subject which we have quoted.

English history is replete with examples showing that the King and his dependent and servile judges would have subverted the rights and liberties of the English people, but for the good sense and patriotism of English juries. It is to the verdicts of the juries, and not to the opinions of the judges, that the English people are chiefly indebted for some of their most precious rights and liberties.

Such legislation, you can see, would be a vehicle to usurp completely all State and local functions in favor of the Federal Government. The State citizenry and political subdivisions of counties and cities would personally, and through their personnel, be cowed completely. State government, as we know it today, would be destroyed.

I have repeated the evils inherent in equitable contempt process, perhaps overrepeated them. But the ramifications of the use of injunctions are so all powerful and pervading that the question needs repeating to point up its very extensiveness. I have attempted to illustrate the effect and result of government by injunction, or call it government by men or individual fiat.

I submit that it has long been recognized by students of law and government that the power to make law and the power to enforce law should be separated as a protection against tyranny.

It is amazing to realize that in the last 50 years there has developed in the American courts the practice of writing a special law to fit the individual case by judges in issuing injunctions; and that thereupon the judge who himself wrote the law has undertaken to prescribe the penalty for its violation and to punish the violator without permitting the accused to enjoy a trial by jury or even to insist upon a trial before another judge.

It is difficult to see how any civilized people could indefinitely submit to such tyrannical procedure.

This so-called civil rights bill deals in the ultimate of bias, prejudice and emotion. Enforcement of its unjustifiable provisions should certainly be given the benefit of the best available processes for arriving at evenhanded justice. No one can dispute the fact that trial by jury is the best process.

And yet, this bill goes to all means of avoiding trial by jury. It resorts to three-judge courts, the backhanded processes of the Administrative Procedure Act—and worst of all—to contempt injunctions; and all of this in the centralized Federal Government.

In addition to the three-judge court and other questionable processes, let me summarize the centralization of power through Federal injunction suits under this bill, as follows:

The Attorney General can today initiate a suit in voting cases as authorized under the 1957 act, part IV, section 131 (c). Under this bill, the Attorney General could bring suit under title II, section 204(a), the public accommodations section.

Parenthetically, individual citizens also could bring suit under the public accommodations section.

Third, in this bill, the Attorney General could bring suit under the public facilities section, which is title III, section 301. And, of course, the Attorney General may intervene in all suits alleging denial of equal protection of the law.

The Attorney General may bring suits under the public education title of the bill, title IV, section 407(a)(2).

Finally, although it is not clear that the Attorney General himself could bring this suit, suits can be brought under the unlawful employment practices title.

In connection with this recapitulation of the ways in which the Attorney General can initiate suits, it is important to understand that under the language of this bill, the Attorney General makes the decision about whether or not the individual citizen is financially able to bring the lawsuit. That decision by the Attorney General is an ex parte decision and is never the subject of judicial inquiry or review. No evidence can be adduced before any judge in any of these cases to prove that the Attorney General was factually wrong in deciding that the aggrieved individual citizen was financially unable to bring his own lawsuit.

And I shall make one more point. I think all lawyers will appreciate the significance of the language which repeals the doctrine of exhaustion of administrative and legal remedies. It will no longer be necessary, under this bill, for a person to pursue his administrative and legal remedies before he becomes eligible to bring the suit, or have the suit brought for him by the Attorney General.

It may be said, without fear of successful contradiction, that the pending bill—if enacted—would be a giant step in the centralization of power in the Federal Government—the antithesis of our most fundamental national purpose. It would centralize power in both the Federal judiciary and the Federal executive branch.

To this point I have talked largely about the concentration of power through the Federal judiciary and the judicial processes. In short, in this respect, the bill seeks Federal convictions with penalties of criminal magnitude, without the constitutional safeguards of trial by jury.

In conclusion, I shall talk briefly, and generally, about the concentration of power in the Central Government, and its evils, to which the pending bill—part and parcel, and in all respects—would contribute.

The bill before the Senate would be a major blow against our liberties. We had better face up to the departures from the fundamentals on which this Nation was founded—and has grown great—which we have allowed.

I speak only as one Member of the Senate—and only as one Senator representing the State of Virginia. But I think it is appropriate to recall for the record at this time our bitter experience with remote Central Government.

In Virginia, we have firsthand reason to fear powerful Central Government. It was here that Patrick Henry proclaimed the tyranny of remote government, and we revolted against it.

It was in Virginia—as Military District No. 1—that we felt the iron heel of the Washington Government during the tyranny of reconstruction.

It was in Virginia that we learned from Thomas Jefferson that the safeguard against despotic Central Government lies in decentralization of power through the exercise of States rights.

Jefferson wanted a strong Federal Government for protection of our interests abroad, but he urged us to keep authority over domestic affairs in the States.

In the Congress here today, we are fighting with our backs to the wall for the preservation of States rights. I pray that it is not an unsuccessful last stand.

Sometimes I wonder if the people of this country realize how much power over their liberty the Federal Government has usurped in recent years. This usurpation of authority was started by the Warren Supreme Court. Then, the grab for power was picked up by the executive branch. Now, Congress is being asked to extend and expand it.

Jefferson warned us of the Federal judiciary, when he said there was no danger he apprehended "so much as the consolidation of our Government by—the Supreme Court."

What has the Federal Supreme Court been doing?

In the Girard case it upset a man's will that had been standing 125 years, and, in effect, decreed that individuals in their wills cannot leave their possessions as they choose.

In the Mallory case it turned loose a confessed rapist and, in effect, impaired the effectiveness of local police protection for decent American citizens.

In the Konigsburg and Schware cases the Warren court denied States the right to set standards for those who wish to practice law before their own State courts.

In the Nelson case it turned loose a notorious Communist, convicted in a State court, and invalidated sedition laws in 42 States because there was a Federal law in the area.

In the Watkins case it set aside the contempt conviction of a congressional committee witness who admitted he cooperated with Communists but would not name his associates.

In this case the Warren court tortured the salutary provision of the fifth amendment to the Constitution so as to make "taking the fifth" a shield for racketeers and subversives.

In the Jencks case, as Justice Tom Clark said, the Court opened up law enforcement agency files to a criminal, affording him "a Roman holiday in rummaging through confidential information and vital national secrets."

Senators know what the Warren court has done to schools and prayer. Now it is tampering with the right to trial by jury, and has undertaken to dictate and influence formation of political districts within States.

Nothing could be further from Federal jurisdiction than meddling with the districts from which members of State legislatures are elected. Gerrymander by the Federal judiciary is something new and dangerous in our system. It could be used to destroy the fundamental safeguards in our dual governments.

In short, justifying Jefferson's fears, we now have a Federal Supreme Court which is following a line of decisions which have: invaded homes, handicapped police protection, disregarded State sovereignty, interfered with executive authority, usurped powers of Congress, curbed religious practices, tampered with the right to trial by jury, and is seeking to gerrymander State political districts.

Senators do not have to take my word for this. The chief justices of the 48 States in 1958 found a tendency in the Federal Supreme Court decisions, "To press the extension of Federal power, and to press it rapidly."

So far as I know, this was the first time in our history that the State chief justices reprimanded the Federal Supreme Court, and then, they called on it for "judicial self-restraint."

But while usurpation of power and centralization of authority in the Federal Government by the Warren Supreme Court has been justifying Jefferson's fears about the Federal judiciary, listen again to what Jefferson said:

> Departure from principle in one instance becomes a precedent for a second; and the second for a third; and so on till the bulk of society is reduced to misery without sensibilities, except for sin and suffering.
>
> The forehorse of this frightful situation is public debt, and in its train there is wretchedness and oppression.

And now we have a Federal Government which has been in the red for 28 of the past 34 years. There will be more deficits next year and the year after. Deficits last year and this year total $16.3 billion—the largest 2-year peacetime deficit in history—and in this condition taxes will be cut $11.6 billion.

When I came to the Senate the Federal debt stood at $19½ billion. Now it stands at $311 billion. It has been increased $40 billion since the Korean war. This tremendous debt, already piled up up by the Federal Government, will reach $320 billion within the next 2 year. There seems to be no inclination to reduce it, and certainly no plans have been announced.

In fiscal year 1933, when I went to Washington, the Federal Government was spending $4½ billion a year. Now it is spending nearly $100 billion a year.

In 10 years since 1954 spending by the Washington Government has been increased by $30 billion a year. It may surprise you, but the bulk of that increase has not been in military or foreign aid expenditures.

The big increases have been for domestic-civilian programs. These programs now cost $45 billion a year. This is a $26 billion increase since the Korean war.

More than 50 million people are receiving checks each year from the Federal Government. These people, with their families, could total half of our population. Millions more not receiving checks—as such—are benefiting from Federal insurance programs covering housing mortgages, and so on; and when the mortgage is insured, so is the bank.

Name an area of endeavor, and the chances are there a Federal subsidy to go with it. And one does not get Federal subsidies without submitting to Federal control.

For example, there are the increasing Federal requirements for payment of

Davis-Bacon wage rates to federally subsidized construction—schools, hospitals, highways, and so forth. Davis-Bacon wage rates are big city rates. Apply them outside the city, and we spend more for fewer classrooms, fewer hospital beds, fewer miles of roads; and we upset local wage rates and pay more for everything we build.

Federal subsidies, with Federal control, are flowing to business, industry, private finance, agriculture, transportation, power, housing, health, education, States, localities and individuals.

We are being enticed into centralized government by Federal paternalism, forced into centralization by Federal usurpation of power, and driven to centralization under the burden of public debt.

The growth of Federal control can be clearly seen even now in the ever-increasing so-called Federal aid programs and payments to individuals. When I was Governor of Virginia there was only a handful of so-called Federal-aid programs. We had the highway program and land-grant colleges—and a few more.

Federal payments to individuals, in addition to Government salaries, were limited largely to such items as payments to National Guardsmen. Now, the Secretary of the Treasury is reporting Federal expenditures through 65 grants-to-States programs, and 52 programs for payments to individuals.

The Federal Government is now spending $8½ billion a year in State and local aid programs, and $2½ billion a year in programs for payments to individuals. I often wonder whether people stop to think that the money the Federal Government pays out comes from their own pockets—or, in the case of debt, from their children's pockets.

The Washington Government collects this so-called Federal-aid money from us in taxes, charges us administrative costs, and then passes some of the money back to us with orders as to how much match-money we have to put up, and how we may spend the money that was ours in the first place.

That is what is called Federal aid. The Virginia Commission on Constitutional Government found Virginia State and local governments participating in 53 so-called Federal-aid programs.

Make no mistake. Excessive Federal spending in Federal aid, and all other Federal programs is a lever of centralized power which may crush the blessings of liberty right out of the preamble to our Constitution.

Jefferson feared these evils of centralized power all of his life. As late as 1821, in his autobiography, he was still saying: "It is not by consolidation or concentration of power, but by their distribution that good government is effected."

We cannot forget the Federal crackdown on private business 2 years ago when the Central Government turned the fury of its power on the steel industry. Who can forget the unprecedented use at that time of the powers of the Federal Bureau of Investigation, the Federal grand jury, and the threat to withhold Federal contracts from those daring not to conform with demands of the Federal executive.

This was the use of Federal executive power. Think of it in combination with that being exerted by the Federal judiciary against our way of life and our form of government.

And those of us in Congress cannot forget the two recent proposals by the President that he should be given the power of the purse, over both spending and taxes. Both proposals were in violation of the Constitution, which fixes the taxing power of the Government in the legislative branch, and prohibits expenditures except in consequence of appropriations made by law.

When I said earlier that the Congress is now being asked to extend and expand the centralization of power in Washington already usurped by the judicial and executive branches, I was referring specifically to the so-called civil rights proposals.

It takes some 12,000 words, covering some 55 printed pages, in 11 titles, to cover the monstrous grab for Federal power set forth in the civil rights bill now before the Senate.

It is, of course, being filibustered by the redoubtable 19. And from the other side we have heard much talk about keeping the debate germane to the substance of the bill.

There is no problem in remaining germane. There is virtually nothing in our way of life that is not covered in the bill, and everything covered would be subjected to Federal control.

The so-called civil rights bill would extend Federal control over everything using Federal money. It would extend Federal control over elections and voter qualifications; over all public facilities—Federal, State, and local, including education; over all business, from the largest corporation down to five-room lodging houses.

The stated purpose of the bill is to prohibit discrimination, but those drafting the bill—under the direction of the Attorney General's office—purposely omitted a definition of discrimination.

Definitions of what the bill would prohibit would be made later by bureaucrats to be appointed in the executive branch—by the Attorney General—and by the Federal judiciary.

And we may expect the definitions to be changed to fit the cases as they develop. The bureaucrats would man two civil rights commissions. One of the commissions would be the new FEPC to control all businesses employing 25 people or more, when the bill is fully operative. The other commission would be an extension and expansion of the present Civil Rights Commission which has recommended practically everything included in the pending bill—and more.

The bill would prohibit discrimination, or segregation, on the grounds of race, color, religion, or national origin, in the so-called public accommodations title. But, "religion" is omitted in the prohibition against discrimination in federally assisted programs, such as those for schools and education—where prayer is already forbidden by Federal courts.

Instead of trial by jury in so-called voting contempt cases, the Federal Attorney General would "shop around" for three friendly Federal judges to conduct the trials. Avoidance of trial by jury is a major objective.

The so-called public accommodations title of the bill applies, among numerous other places, to private dwellings where "five rooms" may be rented. But the word "room" is not defined. Would a room with bath be one room or two?

The same so-called public accommodations title would extend Federal control to any place holding itself out for public accommodation. The lawyers tell me that this includes not only small businesses, but also churches and other places of religious worship; seminaries and other institutions devoted to the teaching or promotion of any religious faith; mortuaries and cemeteries; privately owned and operated hospitals, clinics, sanatoriums and homes for the aged; and the offices of doctors, dentists, and lawyers.

I am advised further that this title would extend Federal control over private clubs if they offer any courtesies to guests of hotels, and so forth.

If employers in the past have thought Federal interference with their business, and requirements for recordkeeping, were unreasonable, they should contemplate the FEPC provisions of this bill. They would extend Federal control over hiring, firing, promotions, pay raises, transfers, and so forth. The same title would extend Federal control over employment agencies and labor unions.

If a man owned a 25-man farm or business, and a member of his family, a relative, or a friend, were in need of a job, the employer probably could not give such a person a job without giving someone of a different race the opportunity to compete.

Under this bill, when the Government enters into a contract to buy lumber, its primary interest will no longer be receiving the shipment in the specified quality and quantity. It will be integrating the sawmill.

Title VI of the bill would give Federal bureaus the power to cut off all Federal funds to any program, activity, State, locality or individual receiving so-called Federal assistance under grants, loans, and contracts, if the Federal bureau does not like the integration attitude.

I asked the Library of Congress, on March 18, to supply me with a list of Federal programs in which Washington integrationists could cut off the money under this title. The Library gave me, in writing, a list of 105 programs, and said:

> For a variety of reasons, it is difficult, if not impossible, to compile any all-inclusive list of programs and activities which potentially could be affected by the provisions of title VI(6).

Senators may consider the examples of extension and expansion of centralized power which I have mentioned in connection with the so-called civil rights bill as only an introduction.

Most people cannot imagine the unbelievable provisions in this civil rights bill—all of them grabbing control for the Central Government.

Centralization of government in Washington is the most dangerous trend we face in this country today. It is in violation of the principles of Jefferson, who was a Founding Father of both this Nation and the Democratic Party.

Following these principles, this country grew from 13 weak colonies to leadership in the free world in a few generations. They have been safeguards of our liberty and the foundation for our progress. I do not believe our people want them abandoned.

Times and circumstances change, but principles do not.

I shall vote in defense of the overriding principles from which flow such liberties as this Nation enjoys. These must be defended in the interest of the greatest good to the greatest number. This is the source of the national strength of the United States. We know it.

We know also that no surviving nation will ever be all things to all people. The ends sought by the pending bill do not justify the means proposed which do violence to fundamental rights, and it is doubtful that cure can be found in amendments.

EDITORIAL COMMENT ON INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. CASE. Mr. President, interest in the Bobby Baker case continues to run high in the country. That the Baker matter is a problem that this entire body must wrestle with is a fact that has not been lost on the people, as evidenced by the editorials and newspaper accounts I inserted in the RECORD yesterday. Today, four more editorials from major newspapers were brought to my attention; and I ask unanimous consent that they be printed in the CONGRESSIONAL RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 20, 1964]

THE BAKER CASE REPORT

The U.S. Senate as a body, and Senators individually, "have suffered the loss of much respect and prestige" because of conditions brought to light in the investigation of the affairs of Robert G. Baker, former secretary to the Democratic majority. This judgment is not, as might easily be assumed, taken from one of our editorials criticizing the Senate for failing to follow through on the investigation. It is taken from the draft report of the Senate Rules Committee's staff and its chief counsel. The report is scheduled to come up for action at a meeting of the committee today.

To remedy these conditions the report recommends three new rules of conduct for Senators and employees of the Senate, all far more stringent than the vague, general code of ethics adopted in 1958. The new rules would require:

Complete disclosure of the financial interests of all Senators and Senate employees. This seems reasonable and desirable.

Prohibition of association by Senators and Senate employees with "persons and organizations outside the Senate who are engaged in conducting business with the Government or have business before Government officers or agents." On its face, this would put an end to practically all contact between Senators and most of the Nation's large business enterprises. It appears completely unrealistic.

A requirement by the Senate, as a matter of permanent policy, that all Senators respond to requests from any of its committees to appear and testify about any knowledge they have of a subject under investigation. This would be a useful innovation.

The commitee's counsel, Maj. Lennox P. McLendon, deserves praise for his bluntness in assessing the damage effect of the Baker case on the reputation of the Senate. If the investigation had been pursued with greater vigor; if some of the more obvious leads had been followed up; if the majority had not been so plainly unwilling to call Members of the Senate to testify, the affair would not have left the suspicions in the public mind that it did. But the damage has been done and the Senate should face up to it.

At least two of the remedies proposed by the committee staff have long been urged by congressional critics: Disclosure of a Senator's financial interests and the requirement that Senators testify before investigating committees. All three are bound to face harsh criticism from defenders of the status quo. But the debate that is bound to ensue could be useful. If the Baker investigation should eventually bring about a heightening of the Senate's standards, that result will do much to counterbalance the inadequate way in which it was conducted.

[From the Washington Post, May 20, 1964]

STIFF "BAKER" ADVICE

If the Senate Rules Committee concluded that its rough sailing was over when it closed out the Bobby Baker investigation last week, the illusion must have been completely dispelled. At a meeting this morning the committee will be confronted by a draft report from its staff, raising in somewhat different form issues which the committee would not face during the inquiry.

The committee's staff headed by Lennox P. McLendon has courageously recognized that the Senate itself has suffered "the loss of much respect and prestige" because of the operations of its former secretary to the majority. The staff does not contend that the Senate is responsible for all of Mr. Baker's wrongdoings. But it does pointedly note that "the Senate is responsible for putting Baker and others in places of responsibility without imposing upon them the enforceable standards of honesty and integrity the American people have every right to demand of all their public servants, high or low."

The staff rightly sees that the most important task for the Senate, now that it has been relieved of Mr. Baker's presence, is the adoption of rules that would help to prevent similar abuses in the future. The staff has wisely concluded that, to be effective, such rules ought to apply to Senators as well as to their staffs and Senate employees. All would be required to make full disclosure of their income and business associations. Senators would also be required, as a matter of standing policy, to respond to requests from any Senate committee for information in their possession about the subject of the inquiry.

The staff is also suggesting a third rule forbidding Senators to associate with organizations conducting business with the Government. It is extremely doubtful that such a rule could be enforced. But Senators could reasonably be asked to testify when they have pertinent data, as other citizens must do, and to disclose their interests and sources of income, as some Members now do voluntarily.

Adherence to these proposed rules would doubtless have prevented the Baker scandal, and, in the absence of prevention, would have encouraged a more satisfactory investigation than the Rules Committee has conducted. The committee's staff has taken a realistic view of a major governmental problem. The committee itself and the Senate can ignore this advice only at the risk of inviting graver abuses in the future.

[From the Washington (D.C.) Evening Star, May 19, 1964]

SENATE PRESTIGE

It was last week, and Majority Leader MIKE MANSFIELD was speaking against a resolution to authorize questioning of Senators in the "investigation" of the Bobby Baker case. "Let us have done," shouted the Montana Senator, "with sly innuendoes, intemperate inferences, thinly veiled implications."

Well now, let's see.

Senator MANSFIELD appeared to be talking to Senator CASE, of New Jersey. Certainly Senator CASE thought so. But when the oratorical smoke had drifted off, Senator MANSFIELD said he was talking about the press.

What about Lennox P. McLendon, majority counsel to the Senate Rules Committee, which was supposed to dig up all the facts in the Baker case? Evidently he wasn't listening to the majority leader, for the draft report which he has turned over to the Rules Committee may light the MANSFIELD fuse all over again.

At any rate, Mr. McLendon thinks the Senate should compel all Senators (1) to disclose the identity of their financial interests, (2) prohibit all association by Senators with persons and organizations outside the Senate which are doing business with the Government, and (3) require that all Senators as a matter of policy respond to a request from any of its committees to appear and testify about any knowledge they have of a subject under investigation. What are the implications here? And where was this zeal for senatorial disclosure when Mr. McLendon was refusing to call any Senator before the Rules Committee?

There is one more important point to be made. The McLendon report says that Don B. Reynolds, Silver Spring insurance man who touched off the Bobby Baker disclosures, "glories in the role of a character assassin with little respect for the truth and even less respect for the time-honored rules of fair play and common decency."

A ringing—but strange—indictment. Mr. Reynolds repeatedly asked to be called before the committee and be questioned in public session under oath. The committee was unwilling or afraid to call him. Neither would it call Walter Jenkins, long-time aid to Lyndon B. Johnson, to get his story under oath in public session, or in any other session, respecting the $1,208 worth of useless advertising time which Reynolds says he was pressured into buying after selling a large life insurance policy to Mr. Johnson.

Finally, the McLendon report contains this: "The committee feels very strongly that the Senate as a body, and Senators individually, have suffered the loss of much respect and prestige because of conditions this investigation has brought to light."

We disagree. The Senate and Senators have lost much respect and prestige, not really because of what this investigation has brought to light, but because of what it has attempted to cover up.

[From the Trentonian (N.J.) May 18, 1964]

CASE: SACRED DUTY TO GET THE FACTS

(By J. Willard Hoffman)

New Jersey's Senator CLIFFORD P. CASE was an admirable figure last week, if not to some of his fellow Senators, then at least to every citizen who is concerned over the sad derelictions of the Senate regarding the Bobby Baker case.

Senator CASE at last had an opportunity to put himself on record, and what he said, in sum, was that the Senate simply cannot afford to sweep this mess under the rug, that the investigation must be pursued to a more conclusive point than the indecisive and completely unsatisfactory ending which the majority of the Senate Rules Committee apparently is content to foist upon the Nation.

The Garden State's Republican Senator told the Rules Committee that it has "a sacred duty to go out and get the facts, not just sit here and listen to what people come and tell it."

He wants every Senator questioned as to whether he ever had any dealings with Baker or whether he ever benefited from Baker's machinations.

That Senator Case is fighting a losing cause may be gleaned from the reaction of Senator B. Everett Jordan, Democrat, of North Carolina, who charged that the Jerseyan had scaled "the height of demagoguery" and who labeled his proposal "an insult to a Senator."

Jordan, the chairman of the Rules Committee, also said that the Case suggestion was tantamount to a blanket indictment of all Senators.

But what Jordan does not see is that his committee has made the "blanket indictment" of all Senators by failing to clear them, or by failing to clear those who can be cleared.

Case put it straight when he told the committee:

"Every Member of the Senate has had his reputation, his good name, diminished by the Bobby Baker case. As an individual, I resent Bobby Baker's ability to blacken me. As a Member of the Senate, I feel it intolerable that Bobby Baker should pervert this public instrument to his selfish purposes."

And he put the whole thing in focus thusly: "No investigation of Bobby Baker can have any real meaning without an investigation of the relations of Members of the Senate with Bobby Baker."

That is the essence of it. Baker himself no longer is of importance. He has been exposed and discredited.

What remains is this: Baker could not have conducted his manipulations so successfully without the lever of political power, and there is no question that his lever was his relationship with some Senators.

Again, Senator Case to the committee: "When I hear of an employee of the Senate boasting that he has 10 Members of this body in the palm of his hand, I do a slow burn. It is difficult for me to contain my anger when I hear talk, which everyone has heard, of Bobby Baker's dealings in committee assignments—granting or withholding his favors to persons elected by sovereign States to the greatest deliberative body in the world; of Bobby Baker's offering $5,000 to Senators or senatorial candidates for campaign purposes, and attaching strings to such offers in the form of commitments to vote for or against oil depletion allowances or amendment of rule 22, the filibuster rule, for example."

The Senate's authorization for the inquiry covered any conflicts of interest in the financial activities of any former or present "officer or employee" of the Senate. But Chairman Jordan has said that the committee is not investigating Senators.

Until the committee does so, and does so conclusively, the Baker investigation will remain a scandalous "whitewash," no matter what other coloring Jordan tries to attach to it.

Mr. BYRD of Virginia. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER (Mr. McNamara in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 244 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Burdick
Byrd, Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ervin
Fong
Fulbright
Gruening
Hart
Hartke
Hayden
Hickenlooper
Holland
Incuye
Jackson
Javits
Jordan, Idaho
Keating
Kennedy
Kuchel
Long, Mo.
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Morton
Moss
Mundt
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Ribicoff
Scott
Simpson
Smith
Sparkman
Symington
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

The PRESIDING OFFICER (Mr. Inouye in the chair). A quorum is present.

LISTER HILL, HUMANITARIAN FROM ALABAMA

Mr. WILLIAMS of New Jersey. Mr. President, every day a man is privileged to serve in this body he learns something new about the workings of the Senate and something new about the men who comprise it. There is one colleague, in particular, of whose broad range of interests and ability I seem to discover a new dimension each week. Perhaps I should not use the word "new"—for all that we know of this man bespeaks a characteristic that has distinguished his work in the Congress for 40 years—an abiding concern for the handicapped, the underprivileged, the sick, and the poor.

Mr. President, I was honored to receive an invitation from the British Ambassador and Lady Harlech to attend a reception yesterday at the British Embassy on behalf of the Camphill movement for retarded children. Thus did I learn that—among all his many duties—the distinguished senior Senator from Alabama is quietly serving as a sponsor of this magnificent program, just now getting underway in the United States. I therefore ask unanimous consent that there be printed at this point in the Record excerpts from a booklet describing the Camphill movement and symbolizing the humanitarian concern of Lister Hill.

There being no objection, the booklet was ordered to be printed in the Record, as follows:

The Camphill Movement

The Camphill movement had its beginning in the year 1939 when Dr. Karl Koenig of Vienna, an ardent student of Rudolf Steiner, gathered a group of enthusiastic young friends and with them started a small residential school in Aberdeen, Scotland, named "Camphill House," for children in need of special care: Psychotic and mentally retarded children, those with multiple handicaps, and children with behavior disorders tending toward delinquency. The school, which was operated on a nonprofit basis, was soon followed by the establishment of others in England, Northern Ireland, and several countries on the Continent. Special treatments were developed by Dr. Koenig and his coworkers in patient work and in continuous study and critical evaluation of their results.

THE IDEA OF THE VILLAGE COMMUNITY

A new problem had soon to be faced, calling for a solution with increasing urgency: What is to happen to the mentally retarded leaving the special schools, as they must once they reach an age when they can no longer be considered children?

In 1955 a very important step was taken toward solving the problem, and a great experiment began. On a 280-acre farm in Yorkshire, England, a village community for mentally handicapped young men and women was founded: Botton Village.

Curative education had now to be transformed. The earlier teacher-pupil relation was replaced by a lifelong working companionship. Volunteer workers who chose the Camphill movement as their life and their future, became both guides and partners of handicapped "Villagers," who on their part gradually realized that the Village and its successful functioning was their very own concern and to some degree their own responsibility.

After an initial period of experiment and adjustment Botton Village became the prototype of other new villages of the Camphill movement, established—in each instance by Dr. Koenig himself—in Scotland, Ireland, South Africa, and Switzerland.

In 1959 the Camphill movement came to America. By this time no longer a group of groping pioneers but a well developed organization with a history of successful work. Miss Janet S. McGavin, director of one of the Camphill schools in England, took over a school for retarded children in Downington, Pa., which had been started by Mr. and Mrs. William Hahn and run by them on principles akin to those guiding the establishments abroad.

In 1963 because of the constant expansion of its work Downingtown Special School was relocated in more suitable surroundings within the same general area and is now known as Beaver Run, Glenmoore, Pa.

In 1961 Mr. Carlo Pietzner, one of Dr. Koenig's first collaborators, was invited to this country to lend his experience to the founding of a second school, Donegal Springs House, Mount Joy, Pa.

At the same time with the assistance of American friends he began the organization of Camphill Village, U.S.A., in Copake, N.Y., the Camphill movement's first community for mentally handicapped young adults in this country.

THE SCHOOLS

The schools offer a full program designed to develop the children's latent abilities: Play therapy to unfold their personality and inherent skills; schoolwork to impart to them such general knowledge as they are capable of absorbing; individual instruction to assist them in acquiring or improving the basic skills of reading, writing and arithmetic; practical activities such as sharing in household chores and gardening, to foster a sense of responsibility for the welfare of the whole group of which the child is part.

A steady, easy paced routine imparts security and calm to the child's life. Sundays and the festivals of the year are highlights; their observance gives rhythm to the children's life and at the same time awakens their religious awareness.

CAMPHILL VILLAGE: BEGINNINGS AND FUTURE

Camphill Village, U.S.A., is located in a quiet farming valley of upper New York State among the scenic foothills of the Berkshires. A 200-acre farm with two houses and barns, made available by a generous friend, provided the nucleus of the village, and in the autumn of 1961 a Camphill community started with the arrival of a few villagers and a staff of five coworkers and their children.

In the first year two adjoining properties were incorporated, extending the land to 500 acres with a total of four houses. This made possible the admission of more villagers, a rounding out of the staff, and a widening of the scope of farming, crafts, and educational activities.

In the spring of 1963, building of the first new house was completed, a house specially designed by an architect who is acquainted with all the particular conditions of life at Camphill Village. With this step a new phase of growth has started which should stretch over 7 to 10 years. Slowly house after house will be added to form a small, self-contained village. A community hall and chapel will be built, more workshops, an administration building, a village store, as well as a showroom and reception hall, a coffeeshop, storage sheds, barns for more livestock, a parking lot, a swimming pool and other facilities. This ambitious program—for which ample funds will have to be raised—will be pursued steadily and energetically, even though it must be allowed to develop organically, without undue haste.

An ultimate population of villagers and coworkers totaling 150 to 180 is the self-imposed limit. One can expect to have reached a very comfortable and efficient division of labor with this number, while the structure of the community still allows—as is demonstrated in Botton Village—a sufficient variety of work for each individual, avoiding overspecialization and monotonous repetition which would be detrimental to villagers and staff alike.

THE VILLAGERS

The young men and women accepted into the village organism are selected from several viewpoints. They must be over 17 years of age and able to take entire care of their personal needs such as washing and dressing. They must be physically well enough not to require constant medical supervision and they must be fully ambulatory. They must show promise of an ability to perform a sizable amount of useful work under proper guidance, and they must be capable of developing some awareness of themselves as human beings and members of society. Excluded are persons too deficient to meet these requirements and, on the other hand, those so close to the generally accepted standards of normalcy that they could somehow manage to live on their own and earn their living by holding down some undemanding job.

The value of the village idea can be gaged by the fact that for those eligible the alternative to this chance of a useful and dignified life is either to remain indefinitely in the family circle or to be committed to a hospital or institution. Remaining at home usually engenders innumerable hardships, not the least of which is the uncertainty of the future of the retarded son or daughter when the parents die, while the latter rarely offers more than a vegetative existence, devoid of joy, productiveness, hope or purpose.

In the village the retarded person—now called the "villager"—is not considered a "patient" by his guiding coworkers. This must be stressed in order to clarify the philosophy and practice of life at Camphill Villages, based on Rudolf Steiner's spiritual concepts, on Christian thought, and on simple human capacity for love of one's fellow man.

THE COWORKERS

What, beyond the interest in retarded people, forms the common tie among those who have taken up life together in Camphill Village and other communities within the Camphill movement?

Several years before the founding of its first school for children in need of special care, a group of young people, then homeless through the exigencies of war and spiritually at crossroads, discovered a strong kinship: their mutual interest in Rudolf Steiner's teachings. This group, which later became the nucleus of the Camphill movement, pooled their slender material resources and their ardent spiritual efforts under Dr. Koenig's guidance and set up a common household. They soon looked for responsibilities and an opportunity to apply their ideas to some practical task. They took in mentally retarded and otherwise troubled children and worked with them and for them.

In today's worldwide Camphill Movement as in its earliest stage, the patience and strength of those engaged in helping the handicapped should not be misunderstood as pity or mere self-effacing devotion to a chosen duty. The enthusiasm they bring to the task stems in the first place from a deep concern for the destiny of each human soul. They believe in a spiritual entity in all men, whether they are handicapped, average or exceptional. They unite in striving toward a community which will reflect their spiritual aims in all aspects of life: the working of the land, the building of houses, education, human relationships. In this positive and creative approach they find the resources to carry with them—rather than to nurse—the mentally handicapped in their care.

The full-time volunteer coworkers receive neither salary nor any other monetary compensation. This might be puzzling to some readers and requires an explanation. The coworker in the Camphill movement is not hired to do a job but is a partner in a community enterprise.

The history of community living reaches far back through the centuries. Time and again groups of people, united by common goals, have lived together, sharing the ownership of commodities and the profits of their labor or else renouncing personal possessions. The concept of community life in Camphill Village has developed along lines of its own. The person joining as coworker—people from all walks of life and from all age groups have done so—is free to keep what he happens to own, much or little: Money, real estate, car, books, or anything else. As a member of the movement he is maintained in the same way as any of his colleagues who might be penniless, and assumes the same obligation to contribute his full working ability to the common cause.

Funds to operate this nonprofit and tax-exempt organization may derive from a variety of sources: Fees paid by the villagers' parents, fund-raising efforts, foundation grants, donations, government subsidies or the sale of village-made products. All money coming into the village, whatever its source now or in the future, is used exclusively for the running and the expansion of the community. Part of the current expenses is the complete upkeep of the coworkers, including food, shelter, clothing, medical care, as well as such cultural necessities as books or holiday trips. These commodities are furnished rather than the money to buy them and the Camphill worker, freed from the competitive fight for high income, advancement and prestige characteristic of commercial life, is able to concentrate with a quiet mind upon the task he has set himself.

His reward is his total involvement in his chosen work. He identifies himself with the village; it is his way of life, his responsibility, the thing he wants. He may be compared to a creative artist who does not work a fixed number of hours for the sake of a fixed remuneration, but devotes himself unreservedly to the accomplishment of what he feels needs to be done. His conscience and judgment dictate his working hours and no arbitrary hiring and firing determines the length of his stay in the community.

* * * * *

ECONOMICS

The village is a self-contained economic unit and every person living in it supports himself, or is trained to do so, to the extent of his capacities by contributing his share of work, great or small. The community works toward eventual self-sufficiency, shaping its policy from the encouraging example of Botton Village and other Camphill settlements abroad. Here as there, more and more of the food requirements are met by homegrown produce, thanks to a herd of dairy and beef cattle, other livestock and the intensive cultivation of grain fields and vegetable gardens.

All farming and gardening is done on the biodynamic principle. No chemicals, artificial fertilizers, or dangerous insecticides are used, no dubious speedup methods are allowed to interfere with the healthy growth of high-quality produce.

Surplus produce and homemade bread are sold to outside customers. As for workshop products, Botton Village again points the way, where more than 60 percent of the total operating expenses are now defrayed through the sale of the villagers' handmade products: Woven goods, soft dolls, wooden toys, pottery, glass etchings, hand-dipped beeswax candles. The British Government, it is interesting to note, recognizes that the handicapped individuals, so well on their way toward self-support at Botton, would otherwise have to be placed in institutions at public expense. Therefore—at a definite saving to the taxpayer—the Ministry of Labour chose to support the Camphill movement by regular subsidies.

It is not possible at present to operate in the United States without collecting fees for the villagers' upkeep; these fees will be reduced in time or abolished altogether. Eventually the balance between production and expense should be so favorable as to permit a high degree of economic independence.

Nonetheless even now, should the death of parents or guardians terminate the payment of fees for their villager, he will not be turned out, he will be carried by the community in recognition of his contribution of work and of his status as partner in a common enterprise—not a burden but a human being with a function in a social organism, working for his own future by working for the whole group.

Thus Camphill Village hopes to provide a creative answer to a grave problem, capable of wide application. It offers a positive answer because it does not grudgingly allow the handicapped the minimum means for some shadowy existence, locked off from the world; neither does it pretend by the encouragement of merely outward imitation that he can or should join in all manner of activities and customs which may hold less meaning or enjoyment for him than for others. Instead, it strives to enable him to unfold his maximum personal potential with self-respect, in an atmosphere of dignity, confidence, and cheer. He is offered the benefit of a sheltered community built entirely around him, his needs, and his capacities.

It is through his village that the retarded young adult who could never do so on his own, can integrate step by step into the larger world around him. Thus the village itself may emerge as an economic and cultural factor among neighboring communities.

A LEADING NEW JERSEY NEWSPAPER SUPPORTS URBAN TRANSIT BILL

Mr. WILLIAMS of New Jersey. Mr. President, one of New Jersey's leading and largest newspapers, the Newark News, has editorially endorsed the administration's urban transit bill, which I was pleased to sponsor and which has passed the Senate.

I call attention to this extremely cogent editorial, appearing February 1. This newspaper has always had an outstanding reputation for careful evaluation of legislative proposals at the Federal level. It generally takes the position that problems facing our Nation ought to be solved by local initiative and by the level of government closest to the problem.

For that reason, the editorial giving such strong support to my bill is all the more significant and deserves, I believe, the attention of the Members of Congress.

Therefore, Mr. President, I ask unanimous consent that this excellent editorial entitled "An Urban Need," published by an outstanding newspaper in New Jersey be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN URBAN NEED

Another argument for increased Federal aid in improving urban mass transportation facilities is offered by Executive Director Tobin of the Port of New York Authority.

At the National Conference of Urban Transportation he asserted the problem has become nationwide and that while cities and States have made heavy contributions, the need for modernizing equipment exceeds their financial resources. They can, he pointed out, underwrite operating deficits, but not capital requirements.

To the standard complaint of rural legislators that the urban mass transportation bill commits the Federal Government to a vast new spending program, Mr. Tobin has an answer. He says the purpose of the bill is consistent with the pattern of Federal aid for highways, airports, and waterways and other facilities and services of national concern.

The urban transportation program has the strong endorsement of President Johnson, who pointed out in his State of the Union message that "every American community will benefit from * * * the improvement of urban renewal and public transit." But Mr. Johnson confronts the same resistance that thwarted President Kennedy. The rural legislator is never so budget-conscious as when he is considering a proposal to spend money in the cities.

The country Congressman supports multibillion-dollar farm subsidies, the pork in the rivers, and harbors bill, and such projects as the Arkansas River waterway, which will enable water carriers to underbid the railroads for millions of tons of freight business, but the subject of efficient urban mass transportation, upon which depends the prosperity of areas furnishing most of the Nation's tax revenue, starts him talking about local and State responsibility.

If urban and suburban taxpayers were not saddled with the costs of Federal projects for the benefit of rural areas, they could solve their transit problems unaided. As it is, they have a right to expect the Federal Government to be as interested in moving city workers as in shipping wheat and rock phosphate down the Arkansas River.

If, as Mr. Tobin points out, the Federal Government can undertake a massive effort to develop a supersonic plane, it should be able to afford a substantial contribution toward the development of new rolling stock and other equipment for ground transportation. It is generously supporting every form of transportation except the basic one needed to get people to and from work.

WESTFIELD, N.J., WOMAN HONORED BY B'NAI B'RITH

Mr. WILLIAMS of New Jersey. Mr. President, the Westfield-Mountainside, N.J., chapter of B'nai B'rith has presented its Citizenship and Civic Affairs Award for 1964 to Dr. Jane Spragg, physician, educator, and humanitarian.

B'nai B'rith, founded in New York in 1843, is the Nation's oldest service organization. Throughout its history, B'nai B'rith's service to all faiths has distinguished its motto, "Harmony, Benevolence, Brotherly Love."

This year's award winner, Dr. Jane Spragg, through her unselfish contributions to community and civic affairs, has given renewed significance to the individual's responsibilities of citizenship. Dr. Spragg is a member of the board of the tutorial service she initiated at the Westfield Community Center and a former member of the board of education. She is a physician for the planned parenthood clinic, a trustee of the Westfield Area Committee for Human Rights, and a Sunday school teacher. Aside from these activities, Dr. Spragg is the dedicated wife of a minister, with whom she at one time served as a missionary to Puerto Rico, and the conscientious mother of their five children.

Mr. President, every community needs foresight and leadership. My hometown, Westfield, is among the communities in which conviction and dedication to hard work have been translated into community progress. We owe our gratitude to Dr. Spragg and the B'nai B'rith.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point the account from the Plainfield (N.J.) Courier News of B'nai B'rith's presentation of its award to Dr. Spragg.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

B'NAI B'RITH UNIT GIVES AWARD TO WESTFIELDER

WESTFIELD.—Dr. Jane Spragg—physician, educator, and humanitarian—was presented with the 1964 Citizenship and Civic Affairs Award by the Westfield-Mountainside B'nai B'rith and its woman's chapter last night at Temple Emanu-El.

The guest speaker was Senator HARRISON WILLIAMS, JR., Democrat, of New Jersey, a local resident who was a student at Berlin College at the same time as Dr. Spragg.

The citizenship award, which was presented by Mrs. Michael Wuhl, cochairman with Dr. Bernard Layton of the selection committee, was given to Dr. Spragg "in recognition of outstanding service in community and civic affairs and general advancement of citizenship responsibility." She was selected for the honor by a panel of judges comprised of the mayors of Westfield, Mountainside, Fanwood and Scotch Plains; H. D. Merrill, Jr., last year's winner, Mrs. Wuhl and Dr. Layton.

In accepting the award, Dr. Spragg said she had always thought people wére honored for doing something difficult and perhaps a little distasteful, whereas she has done exactly as she pleased for the past 10 years. She went on to say that organizations are valuable not for their boards and officers but for the workers, which she termed "the guts" of any organization.

RETIRED THIS YEAR

Dr. Spragg retired this year as a member of the board of education. She started a tutoring service at the Westfield Community Center and is a member of the board, is a physician for the Planned Parenthood Clinic, a trustee of the Westfield Area Committee for Human Rights, teaches Sunday school, is the mother of five children and at one time served with her husband, the Reverend Howard Spragg, as a missionary in Puerto Rico.

WILLIAMS, who arrived late because of quorum calls on the civil rights bill in Washington, devoted most of his remarks to doing something for our "most priceless resource—young people."

WILLIAMS mentioned the thousands of young people who don't have the opportunity to go to college, either for economic reasons or because of lack of motivation. Some of these young people don't even have the opportunity to finish high school, he said.

The Senator said there is legislation pending which would permit high school students to work up to 20 hours a week under public auspices to earn part of the family income and continue in school. In regard to motivation, he cited the Princeton experiment where the smarter students tutor the slower ones.

ON SCHOLARSHIPS

In regard to college educations, WILLIAMS said scholarships ought to be made available for up to 100,000 qualified youngsters each year. For others, who do not qualify for a scholarship there would be a loan program payable after graduation.

WILLIAMS also mentioned the young women forced to drop out of school and the women with small children who are working mothers. He suggested the girl dropouts be taught homemaking, given an allowance and put to work in the homes of these working mothers. He also spoke of the Peace Corps and said the same could be applied in this country.

In closing, WILLIAMS said our most fundamental mission is seeing that Negro children are given the opportunity for a full life so they don't develop scars in their hearts.

Among those present to honor Dr. Spragg were Mayor Burr A. Towl, Jr., Dr. S. N. Ewan, Jr., superintendent of schools and Gordon Duncan, former member of the board of education and the past awards winners—Raymond Grant, former director of the YMCA; Mrs. Bruce Kimball, former member of the board of education, and Merrill, active in youth affairs.

RESEARCH: EDUCATION'S NEGLECTED HOPE—ADDRESS BY HON. FRANCIS KEPPEL

Mr. MORSE. Mr. President, as chairman of the Education Subcommittee of the Senate Committee on Labor and Public Welfare, I have been for some time concerned about steps which can be taken to bring about a wider dissemination of educational research findings.

In my judgment, much stimulating research is currently being carried on in the field of education but I feel that our schools and colleges of education in many instances do not have the benefit of the research reports.

This situation has been called to my attention by Mr. E. B. Barnes, head acquisitions librarian at the University of Oregon, who urged that additional avenues be explored to bring the research findings more quickly to the front lines of education.

Since education is America's largest industry whose annual expenditure is in excess of $32 billion, I am surprised to find that we are currently expending less than one-tenth of 1 percent of our educational funds on research to develop new and better ways of teaching our young people. So it is with these twin considerations in mind that I read a speech by the Commissioner of Education which was presented before the

Congress of Instruction of the National Education Association here in Washington. The Commissioner gave a thoughtful speech which I feel will be of interest to all Senators.

I am particularly pleased that the Office of Education under his able leadership has taken the exceedingly important step of establishing two research centers for the testing of research proposals. One of these is located at the University of Pittsburgh and the other at the University of Oregon at Eugene. I think the philosophy of these centers as set forth by the Commissioner when he said, "We intend them to operate in much the same pattern as the agricultural experimental stations which have led so successfully to the diffusion of soundly tested research," gives excellent promise of reducing the timelag in the application of research findings which so disturbed him and should disturb many of us.

The Commissioner stated that in medicine for example, "the average lag between research and its application is estimated at 2 years. In education, the process often takes 30 years or more."

This is a situation which should be changed and I very much hope that through mechanisms such as the establishment of these research centers and through better and faster dissemination of research results to colleges of education we may be able to decrease measurably in the near future this too long delay.

Mr. President, I ask unanimous consent that the speech entitled "Research: Education's Neglected Hope" to which I have referred, be printed at this point in my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

RESEARCH: EDUCATION'S NEGLECTED HOPE

(An address by Francis Keppel, U.S. Commissioner of Education, Department of Health, Education, and Welfare)

I am delighted to be here this evening, to speak with you at this educational family gathering. The ties between the Office of Education and the National Education Association are strong and historic. They stem from our mutual interest in the continued growth and improvement of our educational enterprise. We are both in business to serve our schools so our schools may serve the Nation.

In meeting with you at your first Congress on Instruction, I am keenly aware of two guidelines you have set for your speakers. They are tersely expressed. Their meaning is admirable and clear. Your first guideline is that what is said and what is heard "should be an experience in inquiry for the participants rather than a rhetoric of conclusions." Your second guide is that "speakers should examine some basic assumptions."

This evening I hope to spare the rhetoric and accent the inquiry, to explore with you an arena of education which is exploration itself—the problems and promises of research in our educational enterprise.

In discussing educational research this evening—the ways and means of improving our educational system—I would like to make some assumptions and even draw some tentative conclusions. They will scarcely be novel, but they deserve emphasis and reemphasis. And instead of saving them all for the end of my remarks, I will pose them at the outset, using them as reference points for our inquiry:

First, educational research, in an era when research and development are greatly esteemed, is undervalued, underfinanced, and also under a cloud.

Second, the too-rapid adoption of untested educational proposals has often led to disillusionment as a result of early failures and, in the long run, to a painfully slow application of sound research.

Third, educational research is now making significant new beginnings, but they can succeed only with the concerted interest and effort of educators.

Now for my first point, the present status of educational research.

Since World War II, we have witnessed an astonishing growth in expenditures for research and development in industry and in government. Most industries today spend up to 10 percent of their gross revenues on research—and even more on product development. In medicine, the Federal Government alone spent $924 million on research in 1963 and, in agriculture, $173 million on research in the same year.

In the decade between 1951 and 1961, a total of $80 billion was spent by all sectors of our economy on research and development. These expenditures are still on the rise, now reaching an annual rate of almost $18 billion. These figures—$80 billion in a decade, $18 billion in a single year—contrast with less than $20 billion spent on all research from 1776 to 1948, through more than 170 years of American history.

This amazing growth in research expenditure has led to an equally amazing pace of development in science, in agriculture, in industry—to the chemical age in farming, to the antibiotic age in medicine, to the age of automation in industry, to the age of atomic energy and flight into space.

But now let us return to earth and to education. What of educational research in this astounding decade of growth? Have we, in education, kept in stride with the exploding advance of knowledge? Where do we stand in the employment of research and development for the improvement of our schools?

Today education is America's largest industry—with 125,000 schools, 47 million elementary and secondary pupils, 1,800,000 teachers, 100,000 administrators and supervisors, 144,000 local public school board members—and an annual expenditure for all levels of education of $32 billion. In an enterprise of this magnitude, an enterprise which at heart is designed for the exploration of knowledge and the development of human talents, we now spend less than one-tenth of 1 percent of our educational funds on research.

This expenditure—one-tenth of 1 percent—is not a figure from the distant past. It is, indeed, an improvement on the past. It marks the funds we are now spending on research at a time when we are at last beginning to get educational research underway.

Last year, the 88th Congress passed more significant legislation for education than any Congress in history and most of the new programs provide for research. Among them, the Vocational Education Act of 1963, for example, set aside 10 percent of its funds for research and development. Another advance is the expansion of the Office of Education's Cooperative Research Program, whose Federal allotment has grown from $1 million in 1957 to $11.5 million for fiscal year 1964.

This support from the Congress may be promising of better things to come. It could lead to a substantial emphasis on good educational research. If we hope to see this promise fulfilled, however, we had better look not to the Congress but to ourselves, to the traditional outlook on research in our educational enterprise. And here we have been far from enterprising.

Although blessed with such respectable forebears as Socrates and Darwin, Huxley and Compte and Galton, educational research has been under a cloud for years. The best of scholarly research has always gone to the subjects of education, rarely to the methods of education. As a result, the responsibility for educational research has been left almost entirely to the graduate schools of education which have labored long and valiantly but with usually dismaying results.

With some exceptions, educational research still suffers from early failings and lack of vision. Our principal faults from the past are these:

The most common form of educational research has been and is still the small easily managed research project. Focusing on miniature, obscure and noncontroversial issues, such projects are seldom worth the serious attention of administrators or teachers.

Educational research has been and is still short of the best minds needed for the best possible results. Without the best of researchers, we have yet to show an innovative, creative vigor matching our counterparts in medicine, science, agriculture and industry.

Most approaches to educational development have centered and still center on providing more of what already exists—more classrooms, more books, more courses, more visual aids, and more teachers, most of whom are not using what we already know as the result of research.

Our second principal failing is research in the self-defeating paradox of rushing at new ideas before their time and neglecting ideas whose time has come. Sometimes, in search of panaceas, we glibly accept currently fashionable ideas before they are sufficiently developed and tested. When such untested ideas fail to work out initially, we grow impatient, becoming gunshy of change. More often, however—and this is our traditional response—there is an enormous timelag before the best of innovations finally make their way to our schools, a resistance of education to the product of research that is unmatched in other fields.

In medicine, for example, the average lag between research and its application is estimated at 2 years. In education, the process often takes 30 years or more.

Perhaps the classic example is the span between the establishment of the first public kindergarten in America in 1873 and its general adoption by our educational system some 60 years later. In a pioneering and systematic study of the diffusion of new ideas in education, Paul Mort estimated this lag at a half century.

Mort, a student of the American educational process, examined the specific effect of nine new ideas on the Pennsylvania school systems from the late 1800's to the 1930's. Of these nine ideas, all of them adaptations of research, only two—the public kindergarten and special classes for the mentally retarded—showed any observable progress. And even after the 40 years embraced in his study, only 10 percent of the State's school districts had adopted these two innovations.

More recently, a lady college professor experimenting in a high school on curriculum improvement came to much the same conclusion. She conducted her study with considerable caution and then brought her results to the high school principal. The principal brushed aside the researcher's findings, told her that he was pleased with the experiment—not, it turned out, because of its merit, or how it might improve his school, but because it had not disrupted his classes. His farewell to the investigator was cordial. "It's been a wonderful experience having you here," he said. "You haven't bothered us at all."

Of course research should be bothersome, and troubling, and provocative. It should lead to change if it leads to anything. Otherwise, it is not worth the effort to put it in motion.

This distaste for innovation in many of our schools and a craving in a few for innovation almost for innovation's sake now disrupt and hobble the effectiveness of the best of our modern educational research. There are flaws in our present and financially limited approach to research, but the most destructive of flaws is inside our educational system, not outside it.

We need a recognized educational method for the rigorous testing of proposals that grow out of research. This has led to the establishment by the Office of Education of new testing centers where the findings of research may be soundly proved and developed.

Two of these proving grounds for education are now located at the University of Pittsburgh and the University of Oregon under an annual grant of $500,000 for each center. We intend them to operate in much the same pattern as the agricultural experimental stations which have led so successfully to the diffusion of soundly tested research.

Our objective is the diffusion of workable, vital changes in a day in which perhaps the only constant is change itself, a day when our schools are called on for a quantity and quality of education undreamed of in all our history.

And now for my third point, the new research programs now underway and the possibilities of expanding this effort through our concerted interest and effort.

In discussing our new research, let us examine briefly some of the projects of the cooperative research program of the Office of Education. To date, more than 2,800 research proposals have been received from colleges, universities, and State education agencies. Of these, approximately 750 have been accepted and financed.

Many of these projects have resulted in important advancés in the theory of learning and instruction, in counseling and guidance techniques, in the use of special new tools of learning, in the adjustment of curriculums to meet individual differences, and in other areas.

Particular studies have shown that the rate of listening comprehension of blind children can be raised to levels above those for children with unimpaired sight—in fact, to four times the speed of Braille. Other studies show that some children previously identified as "mentally retarded" may, in fact, be youngsters whose capacities have been obscured by "retarded homes" and that their learning ability can be dramatically advanced when they are given special instruction.

Of broad scope are the variety of programs grouped under Project English—which now encompasses 75 cooperative studies in literature, language, composition, and reading skills, and ranges from preschool through college years.

The same sort of cooperative research is also taking place in science, mathematics, social sciences, music, and the humanities. The goal of these studies is to improve the content of curriculums by reexamining traditional aims, by developing subject matter based on current knowledge of human development and the learning process, by developing and testing new methods and materials, and by disseminating information about the most promising findings.

Other dramatic improvements in methods and materials distinguished the new foreign language programs developed under the National Defense Education Act. While reading and writing skills remain among the basic general objectives, they no longer have priority and new programs are devising means to insure that the student can learn to use and understand the pattern of the new language.

These programs give some evidence of a new look and new hope by focusing the research process on central problems in the schools and encouraging the involvement of schools in the process. But what of the results? What do they have to say to the teacher and the administrator? What difference can they make in the schools?

Let us be under no illusion. We are only at the beginning of a promising enterprise. We have plenty of work before the millennium.

Perhaps the greatest educational need today is in the field of reading. Every examination of the problems of our schools of poverty, every question raised by troubled parents about our schools, every learning disorder seems to show some association with reading difficulty. What does research have to say to the schools on the improvement of reading programs?

Three of the most important studies in the long history of reading research have now been completed. One of these studies demonstrates conclusively that the nature of the relationship between the spelling of a word and the sound of a word constitutes the major difficulty in learning to read and to spell. This may scarcely sound like a profound conclusion, but it will obviously focus attention on where to proceed. Based on these findings, new approaches to the teaching of reading are being developed. When this work is complete, a new world of simplified reading programs may be opened up for the schools.

In another study, researchers compared the form and complexity of children's vocabularies and sentence structure with those used in the traditional basic readers. They learned that children have much larger vocabularies and speak in far more complex sentences than are found in the "I-see-the-dog, you-see-the-dog" type of primer. A reform in reading texts may result from this study.

In a third important study, a group of scientists and reading specialists are studying children's reading and language development from elementary through high school. Among the preliminary findings are that southern Negro children, for example, have language patterns quite different from the standard and that learning to read is 12 times more difficult for them than for middle-class children in the North. This study can have considerable impact on reading programs for it demonstrates that the teaching of reading must be tailored to the language experience of the child.

I cite these three examples as merely a start toward what can happen, could happen, if we in education choose to make research a vitalizing force in improving our schools, if we accept it as a full-fledged member of our educational family, not as an unwanted, unwelcome poor relation.

This is our decision to make and our decision will be of primary importance and will prevail. If we decided to elevate research to the status it should have, then I see three principal objectives that should concern us.

First, we need to enlist the services of many good people already doing other important things—outstanding scientists, scholars, artists—creative, active people who can help to develop materials for the schools. We must allow these people to construct usable and practical approaches to better education. In seeking this new talent, we must welcome them into our schools, enable them to learn about the needs of our schools. They must communicate with the teachers. In reading, for example, the linquist and the psychologist must work with the reading expert—and all three, then, with the teacher in the schools. We need the scientists, the scholars, the artists—and we need articulation between them and those who will use what they have to offer.

Second, we must recognize that educational research cannot be isolated in a laboratory, that it will become stale and sterile unless it is extended to the classroom. This requires that we, in our schools, put aside our defensiveness and adopt an attitude of "let's try it and see." Is it true that ability grouping is beneficial to bright students? Let's try it out in our schools and see—try it under conditions which allow for the careful controls needed to evaluate its feasibility.

If we hope to succeed through research, we will need school systems which dare to experiment, to try new ideas, to find out if there are better means of teaching. And, above all, we will need these new research and development centers to test our ideas in detail before they are widely adopted.

Third, we need to broaden the frontiers of educational experimentation to cover the critical educational issues of our day. Let us develop an environment of questioning in our educational system, a climate for investigation rather than the vindication of existing practices, a habit of searching rather than languishing in the comfort of the status quo. When the researcher can show us that what we teach and how we teach it can be improved, let us say "Bless you" for his findings, not "Thank you for not disrupting our classes." Let us recognize that in the process of continuous experimentation and reform lies the only hope of keeping our schools in tune with the needs of our time.

The time for effective action is desperately short. We are caught in a revolution of change which demands an educational technology that is adequate to the role which only education can serve. Our opportunity to meet this demand will never be better than it is today.

CIVIL RIGHTS ACT OF 1963

Mr. MORSE. Mr. President, at a recent convention of the Federation of Telephone Workers of Pennsylvania, a resolution on civil rights was adopted.

I highly endorse the resolution. I commend the Federation of Telephone Workers of Pennsylvania for adopting the resolution.

I ask unanimous consent that the resolution be printed at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Civil Rights

Whereas the United States of America gathers its greatness from the heritage of those who fought for individual freedoms and human dignity; and

Whereas the Congress of the United States is currently debating the civil rights issue; and

Whereas resolution of this forceful concern can no longer go unattended: Now, therefore, be it

Resolved, That the Federation of Telephone Workers of Pennsylvania set forth a policy which has been harbored since the union's inception that the rights, opportunities, and responsibilities of all persons be equal, without regard to race, color, religion, ancestry or national origin.

SERMON BY BISHOP SMALLWOOD E. WILLIAMS, PASTOR OF THE BIBLE WAY CHURCH

Mr. MORSE. Mr. President, on April 19, 1964, one of the distinguished and dedicated religious leaders of the District of Columbia, Bishop Smallwood E. Williams, pastor of the Bible Way Church, preached what I consider to be a very stimulating and inspiring sermon, in the course of which he called attention to some of the great opportunities that confront us in connection with the civil rights issue. It is a short sermon.

Mr. President, I ask unanimous consent that the sermon be printed at this point in my remarks.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

SERMON DELIVERED BY BISHOP SMALLWOOD E. WILLIAMS, PASTOR OF THE BIBLE WAY CHURCH, SUNDAY, APRIL 19, 1964

There are times that call for greatness of soul. This is one of those times—this crucial moment. This is the hour for greatness of spiritual power and magnanimous aim, as the Negro people struggle for freedom. At this moment, the legislative struggle of our generation is now in progress in the Hall of Congress in this city where we reside. The future of the Negro people and the tranquility of our Nation with world implication, are involved.

In my humble opinion, the time has arrived that a judgment should be made, that in event violence comes and blood is shed—God forbid—but such seem inevitable in view of the present filibuster in the U.S. Senate, the question, On whose hands will the blood of the slain be? The slain will be many. There is a rising tide of restlessness and resentment on the part of the oppressed Negro people throughout the United States.

Usually whenever a tragedy or a serious accident occurs resulting in the loss of life or heavy property damage, a court of inquiry is usually set up to determine responsibility; however, that is hindsight—but how much wiser it would be to foresee the possibility of such tragedy and remove the cause and prevent the accident or tragedy. The Bible says: "Where there is no vision, the people perish," but he that keepeth the law happy is he.

It does not require the vision of an eighth century Hebrew prophet to clearly envision exactly what we in America are facing in the social revolution that is now in progress. That precious commodity time has run out on us.

The legislative branch of the Federal Government should accept its moral responsibility and act promptly to save this Nation from violence, hate, racial shift, and bloodshed. The Senate should act now.

If this Republic believes in the democratic form of government, that is, majority rule, why not let democracy work? Vote on the civil rights bill now. The present filibuster in the U.S. Senate is a humiliation which the American people should be spared.

The oppressed are losing confidence in the legislative process. Political hypocrisy and procrastination and the rising tide of Wallacism and do nothingism is not contributing to the tranquility of the Nation.

In my judgment, there has been an ample and admirable display of patience on the part of the oppressed. Two distinguished Presidents of the United States, our precious President Kennedy, a Yankee, and Lyndon B. Johnson, a southerner, have most eloquently stated the case of the patience of the Negro people—for 100 years have since the Emancipation Proclamation.

Frustration and cyncism are now gripping the hearts and minds of our people. The present civil rights leaders are losing control of the masses. The new civil rights groups are being formed, whose devotion to the nonviolent concept has faltered.

Of the Congress of the United States, it surely cannot be said that this was their finest hour—rather, this is their worst hour. The whole proceeding would be comic were it not for the fact that the destiny of this Nation is riding on the outcome. It is said that Nero fiddled while Rome burned—future historians may write that the U.S. Senate filibustered while the United States failed its oppressed people. Where there is no vision, the people perish.

ADDRESS BY CHARLES S. RHYNE, ENTITLED: "THE RULE OF LAW AS A FOREIGN POLICY: WORLD PEACE THROUGH LAW"

Mr. MORSE. Mr. President, one of the great leaders in our country in the advocacy of the substitution of the rule of law for the rule of the jungle in a matter of foreign policy is Charles S. Rhyne, past president of the American Bar Association. He recently has given a brilliant speech entitled, "The Rule of Law as a Foreign Policy. World Peace Through Law."

Mr. President, I ask that the speech be printed in the RECORD at this point in my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE RULE OF LAW AS A FOREIGN POLICY: WORLD PEACE THROUGH LAW

(Address by Charles S. Rhyne, past president, American Bar Association, Washington, D.C., before American Society of Planning Officials, Statler Hilton Hotel Ballroom, Boston, Mass., Apr. 7, 1964)

I am highly honored to speak to you who through the rapidly growing profession of planning have done and are doing so much to make our Nation—particularly our cities—more livable. As a lawyer, I recognize that one of the main ingredients you use is law—largely new law. Through new revolutionary laws on planning an ever accelerating improvement in health, safety, and general welfare of city residents (and esthetics) has been wrought in the last 30 years. I take pride in having worked for 27 years as a lawyer with many of you in that legal revolution whereby planning law has been gradually created to serve the best interests of humanity.

Today I hope to sell you who make up this the "world's largest conference on urban problems" on using your proven planning capacity to help carry out another legal revolution. You who are already attuned to using law in planning for the best interests of humanity are asked to focus your minds upon what law and planning can do for humanity through achieving and maintaining world peace. A large order, yes, but just as attainable as was planning law 30 years ago when this great organization was created to carry your banner. Look at what you have done as evidence of what law and planning can do for world peace.

INSTANT SUICIDE

We live in an enormously complex, revolutionary, profoundly disturbed age, and a very dangerous world. A world where intercontinental ballistic missiles and submarine based hydrogen rockets make war between great nations instant suicide. A recent New York Times editorial put it well:

"Now the enemy of all mankind is war itself, for every war contains within it the possibility of escalation and therefore ultimately of annihilation for all or most of humanity."

The ugly fact that man can now destroy the world lends great urgency as well as great opportunity to the effort to achieve and maintain world peace by burying war under an avalanche of law.

INSTANT COMMUNICATIONS

Ours is also a world of instant communications as well as instant suicide. Whatever happens in Nepal or Naples or New Zealand or New York is known worldwide in a matter of minutes—or even seconds. Transportation and communications of our day have indeed achieved the "one world" Wendell Willkie and others popularized years ago. And this means that whatever happens anywhere can affect mankind everywhere—for good as well as evil. The main meaning of this situation is that great leaders of men can now reach most of mankind with their ideas. Space communications will make this all the more a fact of great importance in our day. In the fight for the minds of men the whole world is now a battleground. Thus ideas and plans can better operate worldwide today than ever before in all history, and most leaders of nations speak to the world as well as their countrymen.

CONTINUOUS CONFLICT

Ours too is a world of almost continuous conflict. Cuba, Cyprus, Vietnam, Indonesia, Cambodia, and other hot spots now in the current world spotlight will be joined by many other hot spots tomorrow. In the very nature of men and nations this will always be so. The strivings for trade and power, ambitions, growth, progress and human nature guarantee this. Force and counterforce are present at every level of human life and human endeavor. For challenge and conflict always will be the very nature of things in any progressive society. Sir Thomas Moore's Utopia is not to arrive in our world of diversity. We must accept the fact that there will always be conflict and lawbreakers will always exist. We must plan in advance to prevent conflict and for unprevented conflicts we must develop machinery to resolve these peacefully.

SEARCH FOR A POLICY

In Washington we are witnessing an agonizing reappraisal of our Nation's foreign policy. The outward manifestation of this is found in a number of important addresses delivered by leaders of the administration and by the opposition. Majority leader Senator MANSFIELD has called for a neutralized Vietnam "a la De Gaulle." Richard Nixon pointed out that a neutralized Laos meant we leave and the Communists stay, and opposed this for Vietnam. Ambassador Adlai Stevenson in his Hammarskjold Memorial Lecture at Princeton called for a new attitude toward world problems based on multiple centers of world power "in which the myth of monolithic blocs is giving way to a bewildering diversity among nations." Senator GOLDWATER urges continued buildup in our military power to offset the Russian bloc. Senator FULBRIGHT delivered a real "blockbuster" calling for the thinking of "unthinkable things"—a new policy on Cuba, Panama and a getting rid of other "myths" and errors he finds in our current foreign policy. Governor Rockefeller has called for a new foreign policy understandable to friend and foe alike instead of what he termed "130 different policies" covering each foreign nation.

AN INWARD LOOKING AMERICA

Prior to this great debate, I received a letter from a lawyer friend abroad who said, "The trouble with the world today is due largely to the fact that you in America have become too inward looking." Without agreeing with this as a fact, I do agree that an inward looking America spells disaster for us and for the free world. To me, that is the lesson of the years leading up to Pearl Harbor in 1941. Unless we take an active part in world affairs and provide strong leadership for the free world it becomes rudderless and confusion and disarray are bound to follow. Our alleged inward looking, it is claimed, has led to the crumbling of NATO in Europe, SEATO in southeast Asia, and the OAS in the Western Hemisphere. Our influence is said to be going down all over the world due to what I believe is a false idea (but an idea which has received ever-increasing credence abroad) that we have abandoned our world leadership role. Various substitute leaders have offered themselves to fill this leadership vacuum, particularly Home of England and De Gaulle of France. But no such proposed substitute has spoken with sufficient vision, reason, idealism or authority to give his voice the authentic stamp of world leadership. The people are apparently still watching and waiting for our President to assume the responsibility of free world leadership.

A FOREIGN POLICY PLAN

The aim of the current debate on foreign policy is to persuade—to capture the minds of Americans for ideas which will demonstrate our world leadership. And in present day terms this means—or should mean—convincing the peoples of the free world as well as Americans. For the eyes of freemen are upon us. They are just as anxious as we are that the current debate turn out right.

They understand that in our democracy we debate and discuss and public opinion fluctuates until it crystallizes into a consensus. Then the consensus becomes a controlling force, and that force guides the foreign policy of our Nation.

I assume that all this current debate is leading up to a major exposition of our foreign policy aims by the President. And this is a good thing. Few people have a clear notion of what the United States is now trying to do in the world. There is a great need that we set forth our plans and our principles in terms the peoples of the world will understand. The only way out of our current dilemma is for the President to speak out in unmistakable words and tell the peoples of the world that we are not looking inward but outward. And that we intend to provide the type of strong world leadership which the free world so direly needs and which the unfree will respect.

I believe that to still the criticism and to demonstrate our leadership potential the President must put forth a plan for the world attuned to the need to avoid instant suicide by preventing or resolving peacefully the conflicts which may lead to nuclear holocaust. The plan must envision constant conflict and worldwide operation to lessen or peacefully resolve conflict. For such a plan the President need only turn to and follow the example of the human story. In the beginning man settled disputes in a fist fight, then with sticks and stones, and finally with guns. But gradually man developed law rules designed to prevent human interdependence from causing chaos and conflict. And law courts were created to decide disputes and punish lawbreakers.

This same evolution toward increased reliance upon law rules to prevent conflict and courts to decide disputes has been gradually taking place in the world community. It is a reasonable idea that since peace and order within nations came through the rule of law, peace and order among nations may be achieved by the same system.

All the President need do is put the resources and prestige of our Government squarely back of a plan to accelerate the growth of a world law system—a world legal order strong enough to do for the world what domestic law systems do for nations.

LAW UNIVERSALLY UNDERSTOOD

If the President would set forth such a plan or program the peoples of the world would understand and applaud. This is true because law is something everyone understands and practically everybody respects. Law is a term that has not been spoiled by verbal distortion as have such words as "peace" and "democracy." Law is everywhere known to be the familiar, the normal, indeed the only, alternative to force in organized society. The concept of a rule of law internationally as a program for peace, therefore, provides a positive, universally understandable[1] idea around which the President can rally the imagination and hopes of peoples throughout the world.

People know what law does within a city, state, or nation. They know that in the absence of law, fear and choas lurk around every corner as the lawless take over. But people do not yet fully realize what law can do within the world community. They do not realize what its absence does there. For law has never been used internationally in the way it can be and must be used.

BIG PUSH TECHNIQUE

I do not stand before you uttering an idea that is new or novel or personal. Utilizing the rule of law to achieve and maintain peace is an idea put forth by the Greeks 25 centuries ago. Like the idea of splitting the atom many have scoffed at it and claimed that a legal order for the world is impractical or impossible. But scientists have proved that nothing is impossible when the technique of the big push—the concentration of manpower and brainpower and money—is applied. This technique will soon put a man on the moon—an idea so fantastic as to be laughable a few years back.

We now spend some $15 billion each year on scientific research. Scientific research received only a pittance and took place in dreary basements 30 years ago during my day in college—or not at all—but it is now at the forefront of activity. Scientists are looked up to as among the great men of our day and complaints are heard from their national academy that they are so busy researching they disdain teaching.

What I propose to the President and to you is that he have our Government do for the rule of law internationally what it has done for science. The results would be just as dramatic and far-reaching in significance. For law can harness scientific achievement for man's benefit before it is used for his death.

A realistic program to make the rule of law meaningful internationally would get off to a good start today because so much has been done recently to further this idea. All agree that research is the key to progress in world law growth as it was and is in science. Let me not mislead, however, I would guess that we spend less than $2 million per year on legal research, and very little of that on world law, as compared to the $15 billion spent on science. Full-time legal researchers number perhaps 100 or slightly more, and few of these are working on world law, while scientific researchers number in the thousands.

JUSTINIAN'S 1,000 RESEARCHERS

Not since Justinian's time has any leader of a nation employed 1,000 researchers to write a code of law but he did it and so can we. For having done this for the Roman Empire Justinian's name, like that of all the great lawgivers since Hammurabi, is honored to this day.

Another Justinian who would employ 1,000 law researchers to write a world code of law today would find that much spadework has been done. In fact, the spadework was launched right here in Boston 5 years ago, on Good Friday just before Easter. Here the American Bar Association gathered the presidents and leaders of the State bar associations of the East plus some of the greatest experts on international law to help answer the question "What can law do to help achieve and maintain world peace?"

CARDINAL CUSHING-ERWIN CANHAM

Cardinal Cushing and Erwin Canham, editor of the Christian Science Monitor, made inspirational speeches which reverberated through the news columns and editorial pages of our Nation and abroad. The cardinal said of the meeting that it "may well be the most significant of our time, for it can set the pattern of the future of the world."

He urged among nations "the voluntary acceptance of a rule of law, replacing violence and force," so that men could, "live in a rational order of law governed by universal justice."

Erwin Canham said, "I have no doubt that it is possible this will indeed turn out to be a historic meeting, playing its part, I hope, as a precursor of the mobilization of large national efforts for the study and preparation of the terms of peaceful living under the rule of law. This job is still ahead of us. It is perhaps more urgent than any other job we face in our lives, and let's hope it will be undertaken and carried forward before it is too late."

MARSHALING WORLD'S LEGAL RESOURCES

Let me summarize what has happened since Boston in the American Bar Association's program to marshal the law resources of the world in the service of mankind:

1. Similar conferences of bar presidents and leaders were held in Chicago, San Francisco, Dallas, and Charlotte—all concluding that a rule of law for the world is now attainable if worldwide support could be mobilized.

2. The American Bar Association set out to mobilize support and secured the backing of leaders of the 1 million lawyers in 115 nations.

3. A working paper summarizing the status of existing international law and legal institutions was prepared by experts from throughout the world and put before Continental Conferences of bar presidents and law leaders in San Jose, Costa Rica for the Americas; Lagos, Nigeria, for Africa; Tokyo, Japan, for Asia; and Rome, Italy, for Europe.

4. The continental conferences developed a recommended program for a world conference and a revised working paper which was printed in French, Spanish, and English.

5. Over 1,000 law leaders from 105 nations met in Athens, Greece, last July to consider and adopt a program designed to achieve world peace through law—the end result being the creation of the World Peace Through Law Center to carry out a plan or blueprint designed to develop a world legal system with 95 committees to implement it. New and strengthened law rules on every subject of transnational interests are to be developed into a world law code and a world court system with trial courts, intermediate appellate courts and final appeals to the World Court at The Hague as key recommendations.

6. Chief Justice Warren and the president of the American Bar Association headed our representatives in Athens and men of like distinction came from other nations. It was the first truly world gathering of the legal profession and its far-ranging historic accomplishments have caused and will cause world law developments of great significance.

7. The world center is now in operation actively carrying out the Athens program. Its influence will undoubtedly grow as its work receives worldwide recognition and acceptance. The Athens documents have been reprinted in many languages throughout the world.

POPE JOHN

Looking back over these 5 years of the American Bar Association's intensive effort to organize the world's lawyers into an effective instrument capable of accelerating world law growth many highlights stand out. I mention only one: Pope John in receiving the delegates in Rome linked law, moral and religious principle, and the brotherhood of man in an inspirational way none of us will ever forget. The support the conferences received from heads of state was likewise inspiring. A total of 89 such messages were received from President Kennedy, Chancellor Adenauer, Prime Ministers MacMillan of England, Balawa of Nigeria, Ikeda of Japan, Nehru of India, and many others. In fact, President Kennedy's interest was so great he sent messages to all four continental conferences and the world conference, and in a conversation I had with him just before going to Athens he urged that we lawyers not let the impetus achieved ever slacken as he had great hopes for concrete results due to the leading part lawyers play in public affairs of most nations. As a personal note, it seems unreal to think of that June day and the President so vitally alive to the world's problems in my current activity before the Warren Commission investigating his assassination.

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[1] It is not just in western movies that the "law" man is always the "good" man.

Perhaps the most quoted phrase at all the conferences was from President Kennedy's inaugural address calling for: "a new world of law where the strong are just and the weak secure and the peace preserved forever."

A WORLD LEGAL ORDER

Such a vast undertaking as building a world legal order is difficult to capsule or chronicle in a few words. But I have touched upon a few highlights as evidence that the idea of world peace through law is on the march throughout the world. I would hope that even you expert planners will agree that the groundwork has been laid for great progress. Louis Brownlow once said "Without sound advance planning one seldom blunders through to great achievement." You know that the best plan is worthless without interested, informed and trained men to execute it. Above all, execution requires dedicated leadership. I believe our planning is sound and hope for great achievement as we have interested, informed and dedicated leaders of the bar in 115 nations who are pledged to carry out this program.

You can appreciate that if some great world leader would emulate Justinian and put 1,000 of the world's best legal researchers to work on a world code of law how welcome such a dramatic announcement would be to the peoples of the world, especially those lawyers in 115 nations now resigned to years of patient labor to accomplish what such a big push to bury war under law could accomplish in a short time. And do not say that such a development is impossible or wasteful daydreaming. As one piece of evidence that it is not, and as further proof of the ever growing tide of support which this program is receiving, I cite the fact that 10 days ago one lawyer personally gave the new Center $100,000 to build a headquarters building at The Hague or such other place as is selected.

LUCE AND POLITICAL LEADERS

Henry R. Luce, editor of Time-Life, in addressing the world conference in Athens pointed out that political leaders are bound to awaken sooner or later to the tremendous worldwide appeal of the idea of a world ruled by law and make it a platform for worldwide support. He said:

"In recent years it has become quite usual for politicians—or let us say, for statesmen—to use the word 'law' in their public speeches. This conference has received congratulations from scores of leading statesmen. But up till now, so far as I know, no President or Prime Minister has put the rule of law at the top of his political banner. No President or Prime Minister has made the rule of law the chief aim of his policy. Neither have any junior politicians done so, so far as I can recall.

"This is an extraordinary fact—and yet wholly understandable for many reasons. For one thing—and I do not mean to be cynical—politicians have not thought that 'the rule of law' would be a vote-getting proposition.

"But now, I think, the time has come when, here and there, and more and more, able politicians will see the good sense in adopting the advancement of the rule of law as a major theme of their foreign policy. The rule of law can become good politics.

"So, that is the matter of substance which it is in my heart to say to you today. Lay your plans well for a continuing organization—an Institute of World Law or whatever you may decide. And then both through that organization and as individuals, confront the politicians of every land with your proposition. The time has come for this decisive effort in world affairs."

I sincerely believe that if the President does not recognize and grasp the potential of the rule of law as a foreign policy some other world leader will. The leader who becomes the "law man" of the world will go down in history as the greatest of all leaders.

RULE OF LAW NOT UTOPIA

A world ruled by law would have room for diversity of national policies, for protection of the self-interest[2]—the vital interests—of nations. Such diversity exists under our national rule of law and a world legal order to prevent war by controlling conflict would perform in the same way. A rule of law internationally is not a cure-all. As stressed previously, conflict and lawbreakers would still exist under such a rule. This is true in England which prides itself on its rule of law, yet I have seen a mob in London's Trafalgar Square and read of Christine Keeler and crime in Soho. We too have mobs and scandal and crime under our rule of law. But as Winston Churchill once said, "With all its defects our rule of law is still the best system yet conceived by the mind of man." And so with all its defects would be a world rule of law.

RUSSIAN LAWYERS

You may say what of the Russians. So before closing let me give you my estimate based on meetings with Russian lawyers both inside and outside of the Iron Curtain. Russian lawyers are in many respects as able and knowledgeable as American lawyers except for one basic handicap: fear. I have no doubt but that if they had their choice between living in freedom or in fear they would choose freedom but now fear is their constant companion. Russian lawyers are afraid to say what they think. They are fearful to express agreement with their colleagues of other nations obviously because reprisals await if such agreements do not jibe with Communist ideology or dialog aimed at dominating the world. Until this fear is overcome progress in getting Russia to accept world law rules and legal institutions will be slow. They claim that because Russia adheres to such universally respected law rules as the Law of the Sea, the Law of Diplomatic Immunity, and the Postal Convention[3] this proves their willingness to abide by the rule of law. Yet self-interest and worldwide public opinion back of these law rules indicate why Russia goes along and really force her to go along. When one seeks to add to these universally accepted law rules such subjects as space, trade, or travel they balk. Self-interest and world opinion are not yet strong enough to force their acceptance by the Russians but it may soon be that strong.

Proof of the effect on Russians of public opinion pressure is found in the appearance of Russian lawyers before the World Court to argue against assessment of Congo costs against their country. They lost and so far they have not paid that judgment. I predict they will pay. They lose their U.N. membership if they do not pay, and self-interest dictates they must not lose that membership. Incidentally, they like to twit us about our unfortunate Connally reservation limiting our acceptance of the World Court and say they are on the same basis as the United States. They accept or reject the Court's jurisdiction case by case. This is a shameful situation and we should rid ourselves of Connally.

CONCLUSION

In conclusion, let me say that a broad and diverse area like foreign policy can rarely be wrapped up in a cliche or a phrase. But capsuling a policy into a familiar phrase is most helpful in these days when leaders of nations must aim for support in the minds of men throughout the world. A foreign policy expressed as the rule of law is a most readily comprehensible foreign policy among most of the world's people. They recognize it as a simple yet meaningful plan accommodating their diverse interests within the rule of right reason. It encompasses the best idea yet conceived by the mind of man for peaceful relations among men and nations. It does not attempt utopia but merely to prevent and control, or peacefully decide, conflict among men and nations. It embodies broad principles to which all right thinking men adhere. The world is surely but slowly moving toward such a rule. A plan for a world ruled by law is not beyond the capacity of those to whom it is addressed: the people of the world. While a world ruled by law has been dreamed of for centuries, the dangers, capacities and one world aspects of today give us a better chance to accomplish this goal than our predecessors. My plea to you is that you help speed the day of its attainment so it will arrive before atomic incineration is our lot. The day on which a world rule of law prevails will be the day that any man can travel anyplace on the face of the earth, or in endless space, in freedom, in dignity, and in peace.

Mr. MORSE. I think it is particularly apropos that this speech be read by all Members of Congress, in view of the fact that our Government is bound and determined to engage in aggressive warfare in southeast Asia. I suggest that the speech by Mr. Rhyne be read as a sort of check on those in our Government bent on warmaking at this critical hour.

EDITORIAL COMMENT ON INVESTIGATION OF ROBERT G. BAKER, BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point an editorial from the Washington Daily News entitled "Some of Their Own Medicine," being a comment on the investigation of Robert G. Baker, by the Committee on Rules and Administration.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SOME OF THEIR OWN MEDICINE

The three reform measures suggested as result of the Bobby Baker investigation have merit—one of them in particular.

Lennox P. McLendon, special counsel for the Senate Rules Committee, says Senators, officers, and employees of the Senate should be prohibited from associating "with persons and organizations outside the Senate who are engaged in conducting business with the Government."

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[2] I strongly feel that Communist power must be matched always with a power margin of our own—the rule of law would not prevent that.

[3] Positive proof of the value of operation under law is found in the fact that transnational relations operate smoothly with a minimum of conflict in these three areas among all nations. All we need do is multiply them a thousandfold.

We agree such associations may be open to suspicion, but such a prohibition would be pretty hard, if not impossible, to enforce.

He also urges Senators be required to respond to requests for testimony from any Senate committee. Why should Senators exempt themselves from obligations they impose freely on other citizens?

But Mr. McLendon's key proposal, made many times before and as often ignored, is that Senators, officers, and employees of the Senate make full disclosure of outside income and business interests.

A number of Senators have made such disclosures with FRANK CHURCH, of Idaho, the latest to add his name to the list. Others should come forward voluntarily. If they continue to hold back, the good name of the Senate requires a rulemaking disclosure binding on all.

There is nothing wrong with Senators owning corporation stock, having private law practice, etc., but their constituents should be informed as to its nature, enabling them to judge possible motives for action on legislation.

The Senators reserve the right to require this kind of strict accounting from top appointees in the executive departments of government, even requiring some to divest themselves of specific stock holdings. It is time they marched up like men and took some of their own medicine.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield, provided I do not lose the floor.

Mr. DOUGLAS. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER (Mr. INOUYE in the chair). The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. LONG] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE], for himself and other Senators, relating to jury trials in criminal contempt cases.

Mr. DOUGLAS. Mr. President, in view of the fact that this is the 60th day of debate and there seems to be no prospect that our southern friends will terminate their discussion, I ask unanimous consent that following the conclusion of the morning hour tomorrow and after 2 hours of debate, the Senate proceed to vote on the pending amendment.

The PRESIDING OFFICER. Is there objection?

Mr. FULBRIGHT. I object.

Mr. ERVIN. I object.

Mr. DOUGLAS. I am deeply pained by the objection of our friend from Arkansas and our friend from North Carolina. There have been 60 days of debate. It is time for the Senate to get down to business. The jury trial amendment is merely a foothill in the discussion. I hope very much that our southern friends will not continue to tie up the business of the Senate and the country.

McNAMARA'S WAR IN SOUTH VIETNAM

Mr. MORSE. Mr. President, I wish to speak about McNamara's war in South Vietnam. It is regrettable that the United States has allowed itself to be put in the position of being haled before the Security Council of the United Nations for its actions in southeast Asia. For weeks, I have warned the Senate that inevitably McNamara's war in South Vietnam was bound to be cause for complaint in the United Nations. It is unfortunate that we have followed a course of action in southeast Asia that has laid the basis for the complaint in the United Nations. But once there—and we are now there—we should seek to bring the United Nations peacekeeping mission into the area to replace U.S. military forces in South Vietnam. This is the case that Ambassador Stevenson should make before the Security Council. It is the only case that is consistent with the United Nations Charter and with long-range American interests.

I repeat my deep conviction that the United States is acting outside the framework of the United Nations in South Vietnam. We are in violation of the United Nations Charter in South Vietnam. We ought to take advantage, at least, of the hearing before the Security Council to change our course and see if we cannot obtain support from within the United Nations to send into South Vietnam a United Nations peacekeeping force to bring to an end the killing, rather than to continue America's course of action of killing in South Vietnam. I speak not only of American boys—and I shall have more to say about them momentarily—but I speak of the killing of thousands of Vietnamese, as well, for they, too, are human beings.

What fills me with utter astonishment is that my Government is advocating killing in South Vietnam instead of stopping a war. We are advocating making war rather than promoting peace. If anyone believes that the course of action the United States is taking and proposing in South Vietnam will result in peace, he could not be more wrong, for the course of action by the United States in South Vietnam will result in more war, more killing, and more violation of the alleged idealism of my country.

I am aghast, too, to think that on the House side, after listening to McNamara, Rusk, and the others who are advocating more war in South Vietnam, voices apparently were not raised, suggesting that the United States keep faith with her obligations under the United Nations Charter. The sad fact is that today the United States, more than any other government in the world, is undermining, weakening, and threatening the survival of the United Nations. The United States, by its course of action in South Vietnam, is putting Khrushchev in such a position that when we move in against him in the future with a complaint before the United Nations as I fully expect we shall, after he proceeds to violate the United Nations Charter, he will say, "See who is talking"; and the rest of the world will laugh at us.

Why we have placed ourselves in this indefensible position, I am at a loss to understand. Why we have performed a great disservice to great leaders of this government of the recent past, leaders who did so much to bring into existence the United Nations Charter, I am at a loss to understand.

At one time the United States pledged itself to seek to preserve the peace; yet tonight the United States is conducting an illegal war in South Vietnam. It is a war clearly outside the United Nations. The United States is acting clearly as an aggressor nation, clearly in violation of the Geneva accords. Yet the United States is trying to alibi and rationalize its outlawry in South Vietnam.

Mr. President, a subterfuge is being carried on by my Government in regard to South Vietnam. The executive branch of the Government, conducting McNamara's war, is trying by indirection to obtain congressional approval of our illegal, unilateral military action in South Vietnam without coming forward with a request for a declaration of war. I fear that many Members of Congress will be sucked in. Apparently there are some who think it is good politics in these critical hours to wave the flag into tatters and thereby pay disrespect to the flag.

What Congress ought to be demanding of the President in answer to his proposal that Congress appropriate more money and send more boys to their death in South Vietnam is: "Mr. President, when are you going to send to Congress a proposed declaration of war?" Every Member of Congress who votes for the request by the President will, in my judgment, violate his oath to uphold the Constitution. In my judgment, no Member of Congress has the right, under the Constitution, to vote funds to send boys to their death in South Vietnam in the absence of a declaration of war. Senators can vote the appropriation requested by the President—and it is an unconstitutional request because of the purpose for which the money will be used—but the issue will not be ended by that vote. I predict today that in the months ahead millions of Americans will begin to ask, as the French finally asked the question, For what purpose is all the killing?

I say to the American people from my desk in the Senate this afternoon: "Remember that the request of the President is a request that will lead to the killing of more and more American boys in South Vietnam. It is a proposal by the President to kill American boys in a war that the United States is conducting, and which has never been officially declared. It is a war that the United States is conducting by directing a puppet government to do its bidding. The United States, and not the military puppet tyrant we are supporting in South Vietnam, is in control in South Vietnam."

McNamara's war in South Vietnam is a U.S. program, outside the United Nations, in violation of the Geneva accords. American boys in increasing numbers are going to be sacrified in the shocking unilateral military action being conducted by the United States in southeast Asia.

Mr. President, this afternoon, from my desk in the Senate, I tell the American people that I have no doubt whatever that plans are incubating for escalating this war beyond the borders of South Vietnam. Escalation of this war beyond the borders of South Vietnam means outright aggression by the United States.

No one hates the Communist regime of North Vietnam more than does the senior Senator from Oregon; no one hates Red China more than does the senior Senator from Oregon; no one hates Red Russia more than does the senior Senator from Oregon. But, Mr. President, I do not propose to forget the international law I know, either. Therefore, so long as there is any chance of stopping my Government from following such an illegal course of action as the one my Government is following in South Vietnam, I do not propose to stop doing everything I can to try to get my Government back within the framework of international law. I shall try to get my Government to seek to follow the peaceful procedures of applying the rule of law, instead of the rule of American military might, in South Vietnam.

That is why I shall continue to say over and over again that we should reverse our course; we should ask the United Nations to take jurisdiction. We should put Russia on the spot, by seeing whether Russia will veto, in the Security Council, a proposal to have the United Nations send a peacekeeping corps into South Vietnam, a proposal which I would urgently ask Congress to support.

That is what the charge by Cambodia before the Security Council gives us an opportunity to do, for Cambodia has placed this matter before the Security Council and, in my judgment, has put us in a bad light, too. I have already referred to letters coming from servicemen in South Vietnam, who have pointed out that they have gone over the borders of South Vietnam. Of course, we know of one incident in which our forces were caught. The State Department and the Defense Department are still trying to alibi it, and the administration is still trying to alibi it, by saying it was all a mistake. But suppose our forces had not been caught invading Cambodia. Would an apology have been sent from the United States to Cambodia? We may be sure none would have been sent. That apology or confession went from the United States only for the reason that the American plane was shot down after it had dropped an inhumane fire bomb, had killed 16 Cambodians, and had burned a Cambodian village. The American pilot was killed as a result of the plane's being shot down. In that instance, we were caught "dead to rights" as an outlaw nation carrying on an aggressive course of action against Cambodia. Therefore, we sent an apology and offered to pay. But, Mr. President, American dollars do not erase violations of moral obligations, nor do they erase violations of international law.

What a bloody chapter of outlawry the United States is writing in its history, in connection with its course of action in South Vietnam.

At the present time, those of us who dare speak out against our Government's policy are being attacked; and I am even called a traitor by the little military puppet-dictator-pipsqueak in South Vietnam called General Khanh. What a disgrace to the history of the United States it is that we have ever given any support to such a person. We even read statements—from the executive branch of our Government—to the effect that our action in South Vietnam is for freedom. Whose freedom, what freedom, and freedom where, Mr. President? There is none in South Vietnam. Read what our correspondents are sending back from South Vietnam. Read what our news analysts are writing and saying about the corruption that exists in South Vietnam. Moore's article in the U.S. News & World Report points out that when one of the officers of the South Vietnam Army attains a high rank, one place where he will not be found is at the battlefront. Mr. President, what do Senators think would happen to the shakedown artists who compose the high military personnel of the South Vietnam Army if the United States stopped paying them the gravy they are collecting by way of the mercenary pay the United States is sending there? I never thought the hour would come when my Government would participate in such an ugly practice as the one in which it is participating now in South Vietnam—by which it is betraying our ideals of the past.

Mr. President, America's military might is no substitute for right.

No matter how powerful we are at the present time, we had better reread our history; we had better recognize that in generations gone by, other nations that substituted military might for right fell; and so will we fall if we continue to follow this course of action.

Mr. President, I am greatly concerned about the effect of America's course of action in South Vietnam on the future of the United Nations. I am very much concerned for the United Nations if we do not quickly retrace our steps.

Once again—as I have done so many times in recent weeks, here on the floor of the Senate—I reject the argument that we must go through with our course there, in order to save face. Save whose face? Since when has there developed in the United States a psychology that our "face" is important when we are wrong? The most handsome "face" we can show the world is an honest face, a face in which we reflect the image of national honesty. We should recognize and admit that we are making a great mistake in South Vietnam. We should ask the United Nations—now that we have been called before it as a defendant—to proceed to take jurisdiction over the war in South Vietnam.

Unless Ambassador Stevenson asks the United Nations to take jurisdiction, we shall find ourselves dragged into war not only in South Vietnam, but in Laos, North Vietnam, and Thailand, too. Such an involvement would cause untold American casualties. It could end only in withdrawal. For 8 years France fought in the territory that now comprises South Vietnam, North Vietnam, Laos, and Cambodia. She suffered some 240,000 casualties and spent more than $5 billion. She still had to withdraw. The American taxpayer, through the American Government, poured more than $1.25 billion into France's war in Indochina. Counting that $1.25 billion, the United States has already spent in South Vietnam $5.5 billion of the American taxpayers' money, not including the cost of maintaining our own forces and our own operations in South Vietnam.

Mr. President, the danger is that we shall be bogged down in South Vietnam for the next quarter of a century—if we avoid a third world war. But I speak solemnly when I say tonight that in my judgment the greatest threat to the starting of a third world war is the United States. The greatest threat to peace with the resulting possibility of bringing about a third world war in the world tonight is the United States. I make that statement because this illegal and unilateral course of action of the United States in South Vietnam could lead to a third world war. The cause-to-effect chain would go directly to the United States. If we go into North Vietnam, if we escalate the war into North Vietnam, we may start a nuclear war.

Turn on the television. Listen to the warmongerers. They are in both parties, Republican and Democratic. The Republicans and Democrats seem to be vying with each other to see who can advocate war faster. Republicans and Democrats, to their shame, are advocating hot pursuit. They are advocating going into North Vietnam. They are advocating going into Laos. Those two countries happen to be sovereign powers. I do not like them, but they happen to have the same sovereign rights in international law as does the United States. That happens to go for Cuba, today, in spite of a great deal of warmongering that has been going on today about Cuba. It still happens to be true under international law that Cuba has the same international law rights and sovereign rights as does the United States.

But once we become drunk on the liquor of warmongering, we tend to think that American military might can solve the problems of the world. The great danger tonight is that American military might may throw the world into world war III. I believe we are whistling in the graveyard if we think we can invade North Vietnam and Laos, and that Red China would then send us a message of congratulations, or that Khrushchev would get on the "hot line" between Moscow and the White House and say to the President, "Bravo. Go to it. I am all for it." He may get on the hot line, but that will not be his message.

Now is the time for some sober thinking. Now is the time for some reconsideration. Now is the time for reappraisal. Now is the time for a rededication to our ideals. Now is the time for us to reverse our policy and pledge to the world anew that we are going to live up to our signature on the United Nations charter, which we are violating at this hour. If we do not, we shall commit the same folly that France committed. An expansion of the war into the same area and an expansion of casualties into the thousands would bring no more victory to the United States than it did to France.

Let the Americans who are now advocating a bigger war effort in Asia remember that Ambassador Stevenson has a great opportunity to put the United States behind the United Nations Charter by asking the Security Council or the General Assembly to put a peacekeeping United Nations force into Vietnam to keep the warring factions apart. That is the only way in which the war there can be confined and contained. Any other course of action would mean expansion of the war and ultimate disaster to the United States.

Next, I wish to make a suggestion to the President of the United States. Several days ago the President commented about a possible revision of the draft law. I have a suggestion for an immediate revision of the draft law. I say to him, "In view of the fact that you are conducting an illegal war in South Vietnam, and in view of the fact that you are asking for more money and more equipment with which to send more American boys to their death in South Vietnam, I suggest that you bring back all draftees at once and that you call for volunteers—a corps that wants to go over and participate in an illegal war. But, Mr. President, bring back the boys that you have sent over there by compulsion. Bring back the boys that had nothing to say about going into South Vietnam to die in a war that we should not be fighting. Mr. President, you have no moral or legal right to kill them. Let us be brutally frank about this. You will have to assume the responsibility for their killing because you, Mr. President, are ordering them to their deaths. So I make a suggestion tonight, Mr. President, that you announce to the American people forthwith that every boy that was drafted and sent into South Vietnam will have an opportunity to come home. I do not want them to be put in an embarrassing position. I want them brought home; and once brought home, if they wish to volunteer to participate in an illegal war in South Vietnam, they should be permitted to enlist."

I say from the floor of the Senate tonight that in my judgment sending American boys into South Vietnam under the American draft law is improper and unjustifiable, and it ought to stop. These boys ought to be brought back; and McNamara, Rusk, the President, and the warmongerers in the Congress who may wish to support this illegality ought to have to rely on enlistees who are willing to go over and fight in the jungles of South Vietnam.

I know that that is a tough suggestion, but this is no time to run away from the issue. I am hoping that the American people will take note of what is involved in the illegal war of the United States in South Vietnam and the great danger that is building up, not only for the future of this Republic, but also the great danger that is building up for the future of the United Nations. If the United States is allowed to get by with this one, we shall not be able to stop Khrushchev, Red China, Nasser, or any other tyrant in the world who wants to ignore the obligations of the United Nations, from getting by with it either.

Last, I want the American people to know that this country is acting unilaterally in South Vietnam. Our alleged allies have walked out on us. Our SEATO allies have welshed. There are no Australian, New Zealand, Philippine, Pakistani, Thai, French, or British soldiers dying in the jungles of South Vietnam—only Vietnamese soldiers and American soldiers.

I say to the American people, watch out for the semantics of this administration, for the officials in the administration are coining interesting word generalities about token support from the Australians, token support from the Philippines, and so forth. But none of their boys are on the battleline, and the support is truly token. It does not amount to a tinker's worth. This is a U.S. war, being conducted behind the facade of a U.S. puppet government, in clear violation of the Geneva accord. In fact, this country is audacious in suggesting that we have a justification for being in South Vietnam, because we assert the Geneva accords are being violated. If they are being violated, it is not for U.S. determination; it is for United Nations determination. The United States stands convicted of conducting a unilateral war in South Vietnam on the allegation that we are in there because the Geneva accords have been violated. This country has never laid a complaint before the United Nations. That also puts us in an indefensible position.

The U.S. Ambassador to the United Nations ought to have been doing something about it for some time past. I happen to think the Secretary General of the United Nations ought to have been doing something about it for some time past. That is why I put in the RECORD, the day before yesterday, the letters I addressed to Ambassador Stevenson and to the Secretary General of the United Nations, under date of May 14, asking in those letters what their position is.

I say to the Secretary General, we have a situation that is worsening in the United Nations. You have a solemn obligation to review the position of the United States with regard to South Vietnam and hold the United States to a United Nations accounting for an obviously illegal course of action under the United Nations Charter.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter I received from Mr. George J. Clauss, of Portland, Oreg., supporting the position I have taken in my opposition to the unilateral military action of the United States in South Vietnam. It is typical of hundreds of letters I have received.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PORTLAND, OREG.,
May 13, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: You have, I am convinced, never been more right than in your May 6, 1964, report to your constituents as to our country's policy in South Vietnam. I feel that it is a strong, clear, accurate, and statesmanlike position. It is an historic and creative statement for which you have significant support in the Senate and in the Nation. But blind reactionary religious and military forces of the country, loud and influential, have a stranglehold on our policies so much so that confusion and apathy pertain. Time will prove that you were right. Acceptance of your suggestions would spare our country additional loss of American lives to say nothing of Vietnamese, vast additional expenditure worse than wasted and humiliation and loss of prestige abroad.

Sincerely yours,

GEORGE J. CLAUSS.

P.S.—Please send 20 additional copies of Senator MORSE's report of May 6, 1964.

Mr. MORSE. Mr. President, I repeat that my mail from across this country is running better than 9 to 1 in opposition to the U.S. course of conduct in South Vietnam in connection with McNamara's war. The mail from our boys in South Vietnam is voluminous. Likewise, it is running better than 9 to 1 in criticism and opposition to America's policies in South Vietnam.

Mr. President, these are the boys who, in order that we may be safe, are facing death over there day in and day out. They should be brought home, and the warmongers should volunteer to go over there. Let them go over there and do the fighting in South Vietnam, but bring back home the boys we have forced to go over there. In my judgment, the spirit, intent, and morality of the Selective Service Act is violated by drafting men and sending them to a battleline in the absence of a declaration of war.

When the proposal of the President to enlarge congressional appropriations for the South Vietnam war, in order to send more equipment to South Vietnam to fight that war, comes before the Foreign Relations Committee of the Senate, I shall fight it. When it comes to the floor of the Senate, I shall fight it. This is an issue which the American people must be called upon to face, for once they get the facts to decide, I am satisfied they will oppose this war. In fact on the basis of what they already know they are opposed to it.

As I said the other day, I do not "buy" the shocking argument of political expediency, the argument that we should wait until after the election. To the contrary, it is so important that the American people should decide it before the election, and, if necessary at the election.

Mr. President, I yield the floor.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. FULBRIGHT. Mr. President, Mr. Justice Black in his succinct and, I believe, very proper dissent from the opinion of the Supreme Court in the case of United States against Ross R. Barnett, et al., concluded with these words:

> It is high time in my judgment to wipe out root and branch the judge-invented and judge-maintained notion that judges can try criminal contempt cases without a jury. It will be a fine day for the constitutional liberty of individuals in this country when that at last is done.

This admonishment should be heeded by the Senate in considering the addition of a jury trial amendment to the pending bill. The Senate should recognize that Mr. Justice Black did not exempt from his broad indictment of the practice of courts in summarily punishing those believed in contempt of its orders instances where judges impose a penalty of less than 30 days' incarceration or $300 fine. His indictment of this practice and his advocacy of a constitutional interpretation prohibiting this potential for judicial tyranny is plenary and it should be sanctioned by the Senate in the adoption of the Talmadge amendment to H.R. 7152.

The right of trial by jury was recognized by our ancestors only after centuries of struggle against the arbitrary practices of the Crown. The guarantee of judgment by one's peers in criminal cases is among the finest of the traditions inherited by the Colonies and subsequently by the citizenry of the United States of America. This fundamental protection of individual liberty was viewed by the Founding Fathers of our Nation as basic to democratic and constitutional government. In its absence no man is safe from the potential of authoritarian practices on the part of judges, prosecutors, and police, jointly and severally.

The right of trial by jury is traditionally one of the first civil liberties suspended by governments bent on totalitarianism. Jury trials are not quick, neat affairs. They are cumbersome and, on occasion, arduous, but our historical experience has proved that the best way to insure an accused person a fair opportunity to defend himself when charged by the State is to impanel a jury to sit in judgment on him.

The full awareness of this truth at the time our country was founded is evidenced by the fact that the right of trial by jury is mentioned in four different passages of the Constitution.

Mr. President (Mr. PELL in the chair), the sixth amendment to the Constitution reads as follows:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

I do not believe there is any amendment or section of the whole Constitution more important to the rights of individuals in this great country. All great countries, small and large, for that matter, have always been and are still confronted with the problem of reconciling an organization of the State as such, and the giving of sufficient power to maintain its integrity with the preservation of the right of the individual. This is at the heart of the difficulties of every country and every society.

This particular amendment has been one of the principal reasons why this country, large as it is, and diverse as it is, has done such a good job throughout its history in preserving personal liberty and personal freedom, together with a government strong enough to maintain its integrity and its national security.

These two elements are in a sense always more or less in conflict. And while we have suffered some difficulties, when we compare our achievements with those of other countries—certainly other countries of any great size—our record has been very good.

The sixth amendment has contributed as much as anything I know of in the Constitution to the achievement of a reasonably satisfactory result.

I ask, Senators, does anyone believe that that amendment should be lightly set aside by a play on words which amounts to saying that we now should give jurisdiction to a court of equity to enjoin all crime? If that be true, this amendment means nothing. If, as the bill attempts to do to a limited degree, we can turn the acts which have traditionally been considered crimes—and were considered crimes when this provision was written—into acts which may be enjoined, as the bill attempts to do, we shall have effectively negated the sixth amendment.

The seventh amendment to the Constitution provides as follows:

> In suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

It will be noted that that is the common law procedure governing civil cases, as contrasted with criminal prosecutions referred to in the sixth amendment. But it is quite remarkable to me that even down to the amount of $20 the Constitution provides for the right of trial by jury. In other words, in a suit for $21 or $25, provision is made for the right of trial by jury. Of course, at the time this amendment was written, the dollar was worth much more than it is today. Nevertheless, the seventh amendment shows that even in civil actions involving matters as small as $21, the Founding Fathers thought it important to provide the right of trial by jury.

The fifth amendment to the Constitution provides as follows:

> No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Here again, the fifth amendment, which is so often cited as the source of individual rights in many cases, provides specifically for a grand jury, which, in a sense, is quite similar. It provides that "no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury." So we can see in another part of the Constitution how concerned the Founding Fathers were with the protection of the individual through the devices of the petit jury and the grand jury.

Article III, section 2, of the Constitution provides as follows:

> The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

We might well ask, Why was it that the provision, "The trial of all crimes, except in cases of impeachment, shall be by jury," was included? The Founding Fathers were still so concerned about the protection of individual rights that they reiterated, in effect, the provisions of the sixth and seventh amendments. It shows again how extremely important, how fundamental to our liberties, the Founding Fathers—some of the wisest men it has ever been our good fortune to have in this country—considered trial by jury to be.

Thus, in four different places in the Constitution and the Bill of Rights we find a specific guarantee of the right to trial by jury. In four places in the Constitution, the Founding Fathers sought to insure and retain the right to trial by jury, which right would most certainly be impaired in the most drastic way if the proposed legislation now before the Senate were not amended by the pending proposal offered by the junior Senator from Georgia.

It is to be recognized, Mr. President, that the Long amendment to the Talmadge amendment covers only cases arising under the provisions of the pending legislation. I suppose it will be said that the Talmadge amendment is too extensive, that the protection it would afford is too broad. We are, of course, dealing with the content of H.R. 7152. Perhaps it is proper at this point for the Senate to deal only with the question of criminal contempts arising under this bill. However, Mr. President, it strikes me that as we are considering a civil rights bill those in support of this proposed legislation should be enthusiastic at the prospect of rectifying a longstanding deficiency in our criminal jurisprudence, a deficiency which exempts from the protections of the jury system defendants charged with criminal contempt of Federal court orders although they may suffer the same punishments as those indicated by a grand jury and adjudged guilty of such indictment by a petit jury.

Those who wrote the sixth amendment specified that all criminal prosecutions should carry the right to a speedy and public trial. Article III, section 2, says the trial of all crimes, except in cases of impeachment, shall be by jury. These are not qualified statements but declarations of a right considered by our Founding Fathers to be absolutely inviolate.

Let me hasten to say that I am well aware of the decision in the Barnett case where five Justices clung to the proposition that criminal contempt cases are somehow to be distinguished from crimes generally. The logic of this conclusion is hard for me to accept as, indeed, it was difficult for the four dissenting Justices who would have recognized not only a statutory but also a constitutional right to a jury trial on the part of the former Governor of Mississippi, the defendant in the case. Mr. Justice Goldberg and Mr. Justice Black wrote what I believe are truly outstanding dissenting opinions in the case. One passage of Mr. Justice Goldberg's dissent is, I believe, quite pertinent to the establishment of a constitutional guarantee in contempt cases and I would like to quote it for the Senate.

There is no question, Mr. President, as to what the law is. The ruling in the Barnett case is the law and it will be followed by inferior courts in the Federal system until such time as the Congress or the Court alters it. It is my personal belief that this issue will be confronted again by the Court and that the Barnett doctrine will be reversed. I feel confident that a majority of the Court will soon recognize that the constitutional provisions which I have recited contemplate all cases where criminal penalties are prescribed. If a conflict exists between the power of a court to maintain respect for its orders and the rights of an individual charged with such disrespect, I believe the Senate must opt for the individual and ultimately must also the court.

Mr. President, to place the amendment under discussion in proper context, I believe it would be helpful to the Senate to consider the Federal statutes now on the books relating to criminal contempt proceedings. Section 401 of title 18 of the United States Code provides:

> A court of the United States shall have power to punish by fine or imprisonment, at its discretion, such contempt of its authority, and none other, as—
>
> 1. Misbehavior of any person in its presence or so near thereto as to obstruct the administration of justice;
>
> 2. Misbehavior of any of its officers in their official transactions;
>
> 3. Disobedience or resistance to its lawful writ, process, order, rule, decree, or command.

Section 402 reads as follows:

> Any person, corporation, or association willfully disobeying any lawful writ, process, order, rule, decree, or command of any district court of the United States or any court of the District of Columbia, by doing any act or thing therein, or thereby forbidden, if the act or thing so done be of such character as to constitute also a criminal offense under any statute of the United States or under the laws of any State in which the act was committed, shall be prosecuted for such contempt as provided in section 3691 of this title and shall be punished by fine or imprisonment, or both.
>
> Such fine shall be paid to the United States or to the complainant or other party injured by the act constituting the contempt, or may, where more than one is so damaged, be divided or apportioned among them as the court may direct, but in no case shall the fine to be paid to the United States exceed, in case the accused is a natural person, the sum of $1,000, nor shall such imprisonment exceed the term of 6 months.
>
> This section shall not be construed to relate to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States, but the same, and all other cases of contempt not specifically embraced in this section may be punished in conformity to the prevailing usages at law.

Section 3691 of the same title, referred to in section 402, provides:

> Whenever a contempt charged shall consist in willful disobedience of any lawful writ, process, order, rule, decree, or command of any district court of the United States by doing or omitting any act or thing in violation thereof, and the act or thing done or omitted also constitutes a criminal offense under any act of Congress, or under the laws of any State in which it was done or omitted, the accused, upon demand therefor, shall be entitled to trial by a jury, which shall conform as near as may be to the practice in other criminal cases.
>
> This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States.

And section 3692, which has come down through several recodifications from the Norris-La Guardia Act provides for jury trials in all cases of contempt arising from the laws of the United States relating to injunctions or restraining orders in labor disputes. The Congress, I believe, showed great wisdom in adopting this approach to the question of criminal contempt in labor cases in the first of the major labor relations acts passed in the past 35 years.

It should be borne in mind that section 3691 of title 18 provides that jury trials should not be available as a matter of right to those held in contempt of any "lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States."

This provision should be considered by the Senate in conjunction with those titles in H.R. 7152 which would vest unprecedented authority in the Attorney General of the United States to obtain court orders in the name of the United States. Under titles 2, 3, or 4, cases may be prosecuted in the name of the United States of America and any poor soul thereafter found in contempt of an order thus obtained would, under present law, have no right to trial by jury no matter what the nature of his offense.

In addition, under title 7 of H.R. 7152 the Equal Employment Opportunity Commission may seek judicial mandates to back up its findings of discrimination in employment. These orders too, if violated, would carry no right of jury trial under section 3691.

Mr. President, I have spoken of the fault in our jurisprudential system which permits the continued dispensation of summary punishment by judges for violation of their own orders. In the continuation of this practice we permit a single man—albeit a Federal judge—to sit in judgment on a complaint of their own initiation against an accused contemptor whose alleged offense is not in contravention of a statute, but rather violates an injunction framed and issued by the prosecutor-judge himself. This combination of powers in one man is contrary to the most sacred principles of Anglo-Saxon law and should not be tolerated by the Congress. It is destructive of the adversary system which has so long protected individual rights and liberties. It is an anachronism drawn from the time when equity was a simple process having as it function the protection of personal property rights and when the punishment was dispensed to achieve compliance with the chancellor's decree and were not severe.

On this question of the severity of punishment which has been meted out historically I would like to quote to the Senate a footnote in Mr. Justice Goldberg's dissent in the Barnett case:

> The historical error on which the imposition of serious penalties for criminal contempts without a jury trial rests is not of the same character or duration as the historical error discussed in *Green* v. *United States*, supra, at 185, 190, 202. There the alleged error occurred before the adoption of the Constitution and has been a part of English and American law for almost two centuries. The Court was not prepared to overturn "at least two score cases in this Court." Id., at 190. Here the error has only recently become manifest and has never been explicitly legitimated by this Court.
>
> The imposition of serious penalties for criminal contempts is a relatively recent phenomenon. From the foundation of the Republic until 1957 I am aware of only two isolated instances of imprisonment for longer than 6 months for criminal contempt brought to the attention of this Court. In re *Savin*, 131 U.S. 267 (1 year); *Hill* v. *United States ex rel. Weiner*, 300 U.S. 105 (2 years). Since 1957, however, our attention has been called to at least six instances where imprisonment of a year or more was imposed.

> *Nilva* v. *United States,* 352 U.S. 385 (1 year and 1 day); *Yates* v. *United States,* 355 U.S. 66 (1 year); *Green* v. *United States,* 356 U.S. 165 (3 years); *Brown* v. *United States,* 359 U.S. 41 (15 months); *Levine* v. *United* States, 362 U.S. 507 (1 year); *Piemonte* v. *United States,* 367 U.S. 556 (18 months). By holding that no nontrivial penalty may be imposed for criminal contempt without a trial by jury, we would be correcting a fundamental, but only recently manifested, historical error.

Mr. President, I believe it is obvious that the punishment dispensed in criminal contempt cases has become increasingly severe as the nature of the injunctive process has changed with modern times. It is high time that constitutional rights of jury trial catch up with the evolution of the law which has substituted the injunction for direct criminal proceedings.

The Supreme Court in the Barnett case has shown an unwillingness to place an interpretation on the Constitution about which there should be no doubt. The Barnett decision that there is no constitutional right of trial by jury in criminal cases makes all the more plain the responsibility of the Senate. We should adopt a jury trial amendment to the pending bill and I believe it should be the Talmadge amendment.

As the Court in Barnett gave considerable attention to the historical precedence for its decision and because of the long standing respect for the jury as a fundamental protection of individual rights I would like to explore for a few moments the relation between equity and law and the monumental changes which have taken place in the former in recent years.

The common law courts of England were possessed of the power to try criminal cases and to hear such civil cases as arose in the relatively simple agrarian society of medieval England. The equity courts with the power of injunction did not adopt the use of juries for they were inappropriate for the determination of the issues involved in early equity proceedings. To capture for the Senate the inadequacies of the common law system and the resultant conflicts which produced the equity courts I would like to quote from the classic treatise on principles of equity by Henry L. McClintock:

> In its early years, the court of chancery met opposition from two sources, the powerful ruling classes who were brought into the court for the reason that they could not be successfully dealt with by the common law courts, and the common law courts which feared the loss of their jurisdiction if the chancellors were allowed to expand their jurisdiction without limit. The result of the opposition was to establish the first great principle of equity jurisdiction, that it could act only when the remedy in the common law courts was not adequate. The power to administer equity could not be entirely taken away from the chancellors for even the common law judges recognized that they were doing some necessary things that the common law could not do, particularly administering uses.
>
> The next opposition to the court of chancery on the part of the common law courts arose from the practice of issuing injunctions against the maintenance of common law actions and the enforcement of common law judgments. This opposition led to the express formulation of the principle that equity acts in personam, a principle which was inherent in the processes then in use for the enforcement of equity decrees. After the political aspects of the controversy had ceased, the application of these two principles enabled the two systems to exist side by side and to function without noticeable friction. The opposition to equity in the 19th century which led to the merger of the two systems was not the opposition of the common law courts, but of the public aroused by the intolerable expense and delay in equitable procedure. During the century, equity acquired the power to act in rem in many cases, either by statute or by judicial development, and the merger of the two systems of procedure into one system, administered by a single court led to a relaxation of the principle that equitable remedies were extraordinary, to be granted only when the ordinary remedies of the common law were not adequate. The result has been a theoretical controversy as to the actual relations of equity law and common law today, one school maintaining that there is actual conflict between them in all fields where equity attempts to intervene, and that in such conflict, equity prevails and the common law becomes merely illusory. The other school maintains that equity still remains a supplementary system and that there is little or no conflict between them. The controversy appears to be largely a question of definition of terms. It still remains true that the possessor of a common law right may bring an action for damages for an invasion of that right and recover judgment if the defendant does not invoke any equitable principle inconsistent with the relief. If the defendant does assert an equitable defense and it is sustained, the common law remedy for the breach of the right will be denied. Similarly a plaintiff who has both a legal and an equitable right may elect which remedy he will seek and ordinarily the court will grant what he seeks.
>
> A problem with more practical aspects is the problem of the classification of equity in our legal system, and in law school curriculums. It has been earnestly advocated that we should no longer regard equity as a separate system, but as merely a part of each branch of the law with which it deals, remedies and procedure, property, contracts, torts, and so on. Whatever may be thought of the logic of that practice, it is apparent that it will be difficult to preserve the characteristic features of equity, its discretion and adaptability, if it is nowhere considered as a whole. If it is not, as some contend, inevitable that those characteristics will be lost anyway under the combined system, it is highly probable that they cannot survive when the various aspects of the system are separately treated and often taught and applied by men who have no adequate foundation themselves on which to base an exposition of the characteristics. The only hope for the preservation of equity lies in a continuous study of it as a system based on fundamental conceptions, but applied in all of the various fields of the law.

Mr. President, I yield the floor.

RECESS TO TOMORROW, AT NOON

Mr. ELLENDER. Mr. President, in accordance with the previous order, I move that the Senate take a recess until tomorrow, at noon.

The motion was agreed to; and (at 7 o'clock and 1 minute p.m.), the Senate took a recess until tomorrow, Thursday, May 21, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 20 (legislative day of March 30), 1964:

ARMY NATIONAL GUARD

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be major general

Brig. Gen. Donald Nicholas Anderson, O375021.

To be brigadier generals

Col. Richard Charles Kendall, O1104680, Adjutant General's Corps.

Col. Edward Donald Walsh, O422743, Infantry.

EXTENSIONS OF REMARKS

Wheat Plan Discriminates

EXTENSION OF REMARKS

OF

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1964

Mr. DOLE. Mr. Speaker, the so-called voluntary certificate wheat plan may favor wheat producers in Texas and other early harvest areas to the tune of between 50 cents and $1 per bushel.

Under present law, the price-support level will not change until July 1, and is presently $1.82 per bushel. On July 1, under the newly enacted program, the support price will drop to $1.30 per bushel, and the market will no doubt drop a like amount.

This, in effect, means that Texas wheat producers harvesting now, or who will be in the near future, will gain a tremendous advantage. The Department of Agriculture reports that the cash market price Monday, May 11, on No. 1 Hard Red Winter wheat at Fort Worth, Tex., was $2.50 to $2.60 a bushel. The law will permit Texas wheat producers and others in areas of early harvest, who are in compliance with provisions of the 1964 program to receive the present high market price and, in addition, diversion payments of between $5 and $8 per acre as well as certificates valued at 70 cents per bushel for 45 percent of normal production, and certificates valued at 25 cents per bushel for 45 percent of normal production. In other words, Texas and other southern wheat producers will receive between 50 cents and $1 more per bushel than Kansas farmers, which may explain the big push and White House pressure to enact the wheat-cotton bill.

From now until July 1, the Department of Agriculture has established a transition plan whereby certain wheat processors will be able to purchase domestic food certificates at only 18 cents a bushel. Even though the Government will be paying Texas and other early harvesters, 70 cents a bushel, only 18 cents will be recaptured from processors.

Wheat farmers in Kansas and other later harvest areas, and the general taxpayer are discriminated against under present regulations governing administration of the new wheat-cotton law.

Tribute to Louis J. Sanguinetti

EXTENSION OF REMARKS

OF

HON. MILTON W. GLENN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1964

Mr. GLENN. Mr. Speaker, it gives me great pleasure to note a recent award of the State of New Jersey to Louis J. Sanguinetti of Landisville in Atlantic County.

As a longtime leader in New Jersey agriculture, he was recently awarded the Gold Medallion of the New Jersey Agricultural Society at the organization's annual meeting. This highest award of the 184-year-old society, the Medallion, was presented to Mr. Sanguinetti for distinguished service to New Jersey agriculture. He is presently a retired sweet potato grower and has always been active in community affairs.

He has served on the executive committee of the Atlantic County Board of Agriculture for 40 years and is a past president. He is also honorary chairman and a trustee of the New Jersey State Sweet Potato Industry Association.

Among the other offices he has held are president, New Jersey State Horticultural Society; chairman, State farmers home administration committee; member, State advisory 4-H committee; field supervisor, Atlantic County Agricultural Conservation Association; member, Roadside Marketing Committee of the New Jersey Farm Bureau; and member, Atlantic County Board of Vocational Education. In his home community, he has served as township treasurer and member of the board of education.

I can think of no better testimonial than that which was given in the testimonial brochure, awarded to Mr. Sanguinetti in Mercerville on May 13, 1964, and I quote it in full:

> LOUIS J. SANGUINETTI
>
> Yours has been a lifetime of service to others. As a member of one of the pioneer families in Atlantic County, you have contributed much to the agricultural development and vigorous growth of the southern New Jersey area.
>
> Ever modest and unselfish, you have served for a half century as an outstanding and respected leader. Successful in your own farm enterprise, you have always given generously of your time and talents in advancing the interests of others.
>
> A true son of New Jersey soil, you have demonstrated a rare capacity for leadership in building stronger farm organizations. Because of your sincerity of purpose and genuine interest in the betterment of your fellow farmers, you have been honored with many offices, both local and statewide. In every instance, you have rendered loyal and devoted service.
>
> Your efforts to build a stronger vegetable industry, particularly your role in the testing and marketing of new varieties of sweetpotatoes, have won wide recognition. Growers continue to look to you for counsel and guidance.
>
> In keeping with a longstanding tradition, your associates on the board of trustees desire to pay tribute to your long and noteworthy career and so award to you the medallion of the society as an expression of sincere gratitude on the part of countless New Jersey farmers.

In conclusion, Mr. Speaker, let me add my own good wishes to this dear friend of many years standing.

We have attended many agriculture affairs together. I have many times sought his advice in matters pertaining to farming and products of our south Jersey soil, and have always found him to be dependable, capable, and cooperative, and one who is certainly deserving of this honor recently bestowed.

James T. Ramey

EXTENSION OF REMARKS

OF

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1964

Mr. HOLIFIELD. Mr. Speaker, the President's announcement of the reappointment of James T. Ramey to a full term as Commissioner of the Atomic Energy Commission is a wise and well-justified action.

Commissioner Ramey, a graduate of Amherst College and a skillful attorney, has an unusual background of experience in Government service and administration. Shortly after he received an LL.B. degree from Columbia University in 1941, he went to work as an attorney with the Tennessee Valley Authority. Following 6 years of service in the TVA, in 1947 Mr. Ramey was appointed to the staff of the General Counsel in the Atomic Energy Commission. From 1947 until 1956 he worked for the AEC, during which time he served as assistant general counsel in the Chicago operations office and assistant to the manager of the Chicago operations office. In these positions he had extensive experience in Government contract negotiation and administration.

On April 1, 1956, the then chairman of the Joint Committee on Atomic Energy, Senator CLINTON P. ANDERSON, appointed Mr. Ramey as staff director of our committee. During the next 6 years he was a diligent and dedicated servant of our committee. His previous 9 years of service in the Atomic Energy Commission gave him a background of comprehensive knowledge of the whole AEC program. Equally important was his wide acquaintance among the scientists, engineers, and administrators of the sprawling AEC facilities. His knowledge and evaluation of the capabilities and experience of the top professional people in the AEC was invaluable in evaluating the programs which they sponsored and supported.

In 1962 a vacancy occurred on the Atomic Energy Commission and most of the members of our committee joined in recommending to President Kennedy that James Ramey be appointed to fill that vacancy. The President nominated Mr. Ramey on August 7, 1962, to fill the unexpired term of John S. Graham. This term expires on June 30, 1964. The new term to which Mr. Ramey has been appointed will be a 5-year term ending in 1969.

During the past 20 months Mr. Ramey has rendered a valuable service as an AEC Commissioner. His 17 years of background in the Atomic Energy Commission and on Capitol Hill, as staff director of the Joint Committee on Atomic Energy, have given him an unusual background of information and experience in both the executive and legislative branches of Government.

Our Nation is fortunate in having the services of many individuals of dedication and ability, such as Mr. Ramey. The dedicated services they render go far beyond the monetary value of the rewards which they receive.

Mr. Speaker, let me reiterate—the announcement by the President that he is reappointing James T. Ramey to a full term as Commissioner of the Atomic Energy Commission is a wise and well-justified action.

Public Opinion Poll

EXTENSION OF REMARKS

OF

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1964

Mr. RHODES of Arizona. Mr. Speaker, under leave previously granted, I wish to include the following questionnaire which I have forwarded to my constituents under date of May 20, 1964:

> PUBLIC OPINION POLL
>
> (From your Congressman, JOHN J. RHODES)
>
> World events are moving at a fast pace. At the same time, we face many domestic problems. As your Representative, I need to know your thinking on these many problems. Your response to this questionnaire will tell me what your thoughts are. We both realize that the responsibility of my vote in the House is mine, but in order to make this vote more meaningful I would like to know how you think on various issues.
>
> Your ideas will be carefully considered as legislation is presented to the Congress. Results of the responses to this questionnaire will be published in a later newsletter.

Please return your completed questionnaire to my district office—6081 Federal Building, Phoenix, Ariz., 85025. An envelope is enclosed for your use. Also, since the questionnaire is being tabulated by computer, will you please add any additional comments you might wish to make on a separate sheet of paper, rather than writing them on the questionnaire itself.

	Yes (1)	No (2)	Not sure (3)
1. How would you vote on a constitutional amendment to permit voluntary prayer in public schools?			
2. How would you vote on the idea of paying for medical care of the aged through the social security system?			
3. In the civil rights bill, which passed the House, there are 10 titles considered to be controversial. Please check how you would vote on each:			
(a) Voting: Strengthens previous laws; calls for standardized literacy tests for Federal elections; 6th-grade education is evidence of literacy			
(b) Public accommodations: No discrimination by any establishment or service that has any contact with interstate commerce			
(c) Public facilities: Permits the Government to file suit and argue cases, on complaint, of discrimination in any publicly owned facilities			
(d) Education: The Attorney General can file suits to force desegregation; authorizes aid to communities that are trying to desegregate			
(e) Civil Rights Commission: Continues the present Commission for 4 more years; prohibits it from investigating the policies of private groups			
(f) Federal aid: Prohibits discrimination in distributing Federal aid. Agencies may cut off aid only after hearings, court review, notifying Congress, and receiving Presidential approval			
(g) Employment: Prohibits discrimination by private employers and unions on the basis of race or sex. Nonemployment of atheists and Communists is not considered discrimination			
(h) Voting census: Directs the Census Bureau to take a census of voters by race in areas designated by the Civil Rights Commission. This could lead to reducing representation in the House by invoking the 14th amendment			
(i) Remand: Permits appeal, on a Federal court order that refuses to take a civil rights case out of a State court even though such appeals are not permitted in other legal cases			
(j) Conciliation: Establishes a community relations and conciliation service in the Commerce Department to conciliate racial disputes			
(k) How would you vote on the whole bill?			
4. In regard to Cuba, would you—			
(a) Resume diplomatic relations to try to win her over?			
(b) Go on trying to persuade others not to trade with her?			
(c) Put on a blockade against strategic materials only?			
(d) Put on a blockade against any commerce in any materials?			
(e) Organize a Cuban emigre army and support an invasion?			
(f) Use all conventional sources necessary to oust Castro?			
5. In regard to Panama, would you—			
(a) Insist on strict enforcement of the 1903 treaty?			
(b) Agree to renegotiate the entire treaty?			
(c) Agree to renegotiate payments to Panama?			
(d) Agree to a partnership arrangement with Panama?			
(e) Have the United States build a new sea-level canal?			

	Yes (1)	No (2)	Not sure (3)
6. In respect to Vietnam, do you believe we should—			
(a) Get out?			
(b) Continue our support at the present rate?			
(c) Increase our support?			
(d) Strike at the bases in North Vietnam used to supply the Viet Cong?			
7. When a nation expropriates American property and holdings, should we—			
(a) Intervene militarily to satisfy our claims?			
(b) Use all diplomatic channels to firmly insist on payment?			
(c) Deny the nation all foreign aid until payment is made.			
8. In regard to the North Atlantic Treaty Organization, do you think we should—			
(a) Abandon it?			
(b) Strengthen it by dealing with the Soviets only after we have NATO approval?			
(c) Increase economic ties through a NATO Common Market?			
(d) Continue our present policy?			
9. As to trade with Communist nations, would you believe—			
(a) It should be done only for dollars or gold			
(b) It should be done on the basis of loans and credits, as with our allies			
(c) Not at all			
10. Since 1960, do you feel the U.S. prestige in the world—			
(a) Has increased			
(b) Has decreased			
(c) Has not changed			
11. How do you feel in regard to disarmament?			
(a) It would be a mistake to consider disarmament at this time			
(b) Universal disarmament should begin, but be done in stages, with thorough inspection and control			
(c) The United States should begin disarming regardless of others, as an example to the rest of the world			
12. In regard to unemployment, do you believe the Federal Government should—			
(a) Assume full responsibility for solving the problem			
(b) Share the responsibility with the States and free enterprise			
(c) Allow the States and free enterprise to solve the problem			
13. How would you vote on establishing a "job corps" with work-training camps throughout the country?			
14. Should a domestic "Peace Corps" be established to provide training and services upon local request?			
15. How would you vote on a federally subsidized retraining program for people whose skills have become or will become outdated?			
16. Generally speaking, would you consider yourself—			
(a) A "Liberal"?			
(b) A "Conservative"?			
(c) An "Independent"?			
17. To help analyze the results of this survey, please check one. Male ☐. Female ☐.			
18. In terms of age, are you—			
(a) Under 30?			
(b) From 30 to 45?			
(c) From 45 to 60?			
(d) Over 60?			

Private Ownership of Fissionable Fuel

EXTENSION OF REMARKS

OF

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1964

Mr. ANDERSON. Mr. Speaker, on June 2 the Joint Committee on Atomic Energy will begin hearings on important legislative proposals, drafted by the Atomic Energy Commission, to permit private ownership of fissionable fuel. The proposals are considered the most important to the nuclear power industry since the Atomic Energy Act of 1954.

Hearings on the proposals were initiated by the committee last summer but did not lead to legislation because they generated complex problems for which there were no immediate solutions.

Our colleague from California, Mr. HOSMER, who is the ranking House minority member of the Joint Committee, has made an important contribution to an understanding of the major problem areas which the coming hearings will turn to—and suggests some solutions—in an article which appeared in the May 18 issue of the trade publication Electrical World. In this article, Representative HOSMER demonstrates why he is considered to be one of the most knowledgeable nonscientists in the country in the field of nuclear energy.

I commend the article to the reading of Members and include it at this point in the RECORD.

PRIVATE OWNERSHIP OF FUEL EXPLORED—JCAE MEMBER ANTICIPATES QUESTIONS LIKELY TO COME UP IN HEARINGS ON PROPOSED FUEL BILL, SUGGESTS PRACTICAL SOLUTIONS

(By CRAIG HOSMER, Congressman, 32d District of California)

Last summer the Joint Committee on Atomic Energy held hearings on a bill, drafted by the Atomic Energy Commission, to permit—and ultimately require—private ownership of special nuclear material used as fuel in power reactors. The bill would have authorized: (1) Long-term agreements to toll-enrich privately owned uranium in Commission-owned facilities; and (2) Government purchase of plutonium and uranium 235 recovered from spent fuel, the former on the basis of its fuel value.

The result of these hearings was not legislation but identification of numerous problem areas with which any legislation must deal. Industry and committee members have since devoted considerable thought to possible solutions, but details of most are yet to be spelled out. Meanwhile recently announced cutbacks in production of enriched uranium have caused some uncertainty as to the costs of toll-enrichment.

This article will analyze seven facets of the problem and, where warranted, suggest possible solutions.

1. Private financing of nuclear fuel might be more expensive than the present system under which fuel is leased from AEC at an annual use charge of 4¾ percent.

Government policy has been to promote development of commercial nuclear power, offering a variety of assistance programs. Leasing special nuclear material at an annual charge of 4¾ percent to reactor licensees has enabled the Government to recover its cost of money and permitted licensees to save the difference between 4¾ and the 10 to 12 percent capital cost of utilities.

Fuel costs, today, are based on uranium concentrates purchased by AEC at $8 per pound. Based in part on continuation of AEC's uranium purchase program through 1970, incremental production of uranium concentrates might be acquired privately from domestic suppliers at about $5 per pound. Estimates show a possible 0.1 mill per kwhr increase over present leased fuel costs if uranium concentrates costing $5 per pound were toll-enriched and financed with private funds costing 10 to 12 percent a year. Such an increase is an insignificant penalty for placing the atom in the ordinary stream of commerce and thereby increasing the confidence of industry and State commissions in forecasts of atomic power costs.

The private ownership legislation would permit the fuel cycle activities preceding gaseous diffusion to be influenced by competition. This, in time, should spur cost reductions and technological advances which could offset the increase, if any, in private financing costs.

2. Nuclear fuel processors and fabricators might find it difficult to finance inventories of nuclear material.

Some independent processors and fabricators have asserted that under private ownership they would be competitively disadvantaged. Because of their relatively small size and the disproportionately high value of enriched material from gaseous diffusion plants, they would be unable to finance fuel material at the prime rate. Larger competitors might be able to do so.

Many believe that this is an academic problem. For many years most electric utilities have financed, often by progress payments, the construction of expensive turbines and related heavy equipment, relieving the manufacturers of financing burdens. This results in lower equipment costs to utilities who obtain capital at lower costs than manufacturers. For similar reasons it is likely that utilities will either purchase enriched material from AEC or acquire the raw material and finance the processing, enrichment, and fabrication. Those who simply provide processing or fabrication services would not be expected, under ordinary circumstances, to finance material in their possession.

Some utilities, of course, may decline to assume financing costs prior to completion of the core, preferring to pay such costs as part of the overall core costs. For competitive reasons, moreover, some fabricators and processors might elect to absorb financing costs.

To permit independent processors and fabricators to compete if any of the foregoing possibilities materialize, the proposed amendments could authorize the AEC to (a) continue leasing special nuclear material to processors and fabricators at current use charge rates, to be sold on behalf of the Government when fabricated fuel is transferred to the utility; or (b) defer payment of AEC's toll enrichment charges until completion of fabrication, possibly with interest comparable to private rates assessed on the amount deferred. AEC's proposed legislation does not, in its present form provide either.

3. Private ownership might encourage mergers of uranium mining and milling companies with others engaged in chemical processing and fabricating. This might result in antitrust violations and be detrimental to nonintegrated fuel processors and fabricators.

Private ownership and the availability of toll enrichment might encourage formation of integrated fuel cycle companies. The extent to which they will be allowed to organize and the extent to which their operations will be limited will unquestionably be a matter for scrutiny by antitrust authorities. Integrated operations do not necessarily conflict with antitrust policies.

The formation of integrated companies represents a threat to nonintegrated processors and fabricators only if the latter are thereby deprived of access to low-cost uranium. Ten or eleven U.S. uranium producers are expected to stretch out their contracts with AEC to December 31, 1970. Assuming that five or six of these producers integrate with processors and fabricators, there will still be four or five independent producers ready to sell uranium in the early 1970's. Moreover, additional supplies of uranium will be available to the extent that importation of foreign uranium is permitted.

4. Long-term agreements to toll-enrich privately owned uranium in Government facilities might adversely preclude reduction of Government stocks of uranium which will accumulate until December 31, 1970.

Whether Government stockpiles of enriched uranium are adequate, insufficient, or excessive may be determined by the following criteria:

(a) Military needs, short- and long-term; (b) commercial power needs, short- and long-term; (c) research needs, short-term; (d) known domestic and foreign uranium reserves; (e) anticipated additional domestic reserves and costs of new discoveries; (f) size of current stockpiles of uranium, enriched uranium and plutonium; and (g) anticipated receipts of uranium concentrates under the uranium purchase program.

Recently announced cutbacks in production of enriched uranium and plutonium suggest that current stocks are at least adequate. Whether or not Government stocks are excessive in light of military requirements is not publicly known. If they are not excessive, private purchases of uranium with toll enrichment in lieu of private purchases of AEC-enriched uranium would not adversely affect the Government stockpile. Furthermore, toll enrichment of private uranium for civilian power use would assist in maintaining adequate Government stockpiles.

On the other hand, if Government stockpiles are excessive, they could be trimmed by drawing on them for civilian power. The extent to which private purchases would reduce the stockpile depends on the demand for civilian reactors. The cumulative North American demand for uranium concentrates for civilian purposes from 1970 to 1980 has recently been estimated at about 70,000 tons, most of this during the second half of the decade. Between now and 1971, civilian demand is estimated at 9,000 to 10,000 tons.

These figures may be conservative. As compared with purchase of 15,750 tons in fiscal 1963 and estimated purchases between June 1963 and December 31, 1970, of 84,500 tons, the civilian demand between now and 1975 would not appear significant. Accordingly, reliance cannot be placed on such demand for material reduction of stockpiles, and toll enrichment, therefore, would not adversely increase them.

Notwithstanding the foregoing, if it appears inconsistent to permit toll enrichment of uranium during AEC's uranium-procurement program, the legislation could postpone until January 1, 1971, AEC authority to enter into long-term agreements to toll-enrich uranium for domestic reactors. Similarly, it might be worthwhile to make a gesture toward reducing the stockpile by requiring one-fourth or one-third of each civilian fuel loading taken from the stockpile. This could, however, adversely affect the economics of private ownership.

5. Continued purchase of plutonium recovered from spent reactor fuel might adversely increase Government stocks of plutonium.

AEC's proposed bill would authorize, but not require, AEC to purchase plutonium produced in private reactors and to guarantee purchase prices for it. As in the case of enriched uranium, recently announced production cutbacks suggest an adequate Government supply of plutonium, determinable of course, only on the basis of military need. Even if stocks are adequate, plutonium produced in civilian reactors between now and about 1975 should be considered in relation to the size of the projected stockpile in determining whether to continue the plutonium-purchase program. It is understood that AEC anticipated production in civilian reactors in planning its future plutonium program.

6. Opportunity for toll enrichment of foreign uranium in Government facilities for U.S. reactors, together with absence of a large domestic demand, might constitute a serious threat to domestic producers.

For a variety of reasons, including the obvious long-term needs for civilian powerplants, long-term military needs, and the substantial investment in the domestic uranium-producing industry, survival of the industry is essential to national interests. Accordingly, any policy determination involving imports of foreign uranium must be consistent with the viability of the domestic uranium industry. This does not necessarily mean that the national interest always requires restrictions on imports and foreign competition. On the contrary, other national interests will often be served by importing foreign uranium. It does, however, require circumspection in permitting foreign competition when domestic demand is insufficient to maintain the domestic producing industry.

It may be useful to examine the relationship of supply and demand during these three time periods:

Years 1964–70: AEC's "stretch-out" uranium-procurement program extends to December 31, 1970. It is anticipated that 10 or 11 uranium producers will accept AEC's proposals, thus assuring a reasonably active domestic industry throughout the period regardless of toll enrichment and importation. If private ownership and toll enrichment are permitted prior to the close of this period, some of those who agree to the "stretch-out" may benefit by added sales of incremental production. Those who decline and whose contracts expire on December 31, 1966, are unlikely to receive any of this benefit.

If unrestricted foreign imports are permitted, it is possible—perhaps probable—that foreign producers will absorb all the added sales based on private ownership and toll enrichment because of their ability to price uranium lower than U.S. producers. But the availability of lower cost foreign uranium might enhance the prospects of additional nuclear powerplants thereby, in the longer run, benefiting domestic suppliers.

If a decision is made to delay toll enrichment until the conclusion of AEC's uranium purchase program the issue of free imports becomes moot.

Years 1971–74: This period may be very significant for domestic uranium producers. As things stand now, AEC's procurement program will have ended, foreclosing any subsequent sales based on incremental costs. (It will be possible, of course, for domestic producers to produce extra uranium at incremental costs and store it for delivery after conclusion of the AEC program.) On the other hand, a Canadian producer's contract with the United Kingdom does not expire until October 1971, and the South

African contract extends through 1973. Both Canadian and South African producers, accordingly, will have the opportunity to sell incremental production to the disadvantage of U.S. producers.

It is anticipated that domestic demand for uranium for power reactors in 1971 will be about 2,500 to 3,000 tons of U_3O_8 for new reactors and replacement of consumed fuels in existing plants. Not until 1975 are such requirements expected to reach the probable level of AEC purchases of 6,000 to 7,000 tons in 1970. Even if there is no requirement that a percentage of new fuel be drawn from Government stockpiles, domestic demand in this period will barely support domestic producers. Unrestricted importation could result in the whole domestic demand being supplied from outside the United States. Obviously this would be inconsistent with the national interest in continued survival of the domestic uranium industry. Restrictions, such as tariffs or quotas, should be considered for this period.

Beyond 1974: The civilian demand for uranium should approach 15,000 to 16,000 tons annually by 1980, the rate of recent delivery to AEC. This should permit domestic producers to survive.

7. Recent cutbacks in enriched uranium production have caused uncertainty as to costs of toll enrichment.

Presumably, costs and budget studies were of primary importance in planning the cutbacks. These studies should provide sufficient basis for AEC to modify its price schedule for enrichment services. Publication would increase confidence in long-term nuclear fuel costs.

The effects of production cutbacks on toll enrichment prices are troublesome to contemplate. If all depreciation and interest costs on all diffusion plants are allocated solely to the reduced throughput, unit costs could increase dramatically—perhaps to the point where the enriched-uranium-reactor technology might have to be abandoned. This would not only jeopardize the U.S. reactor program but it could make the diffusion plants worthless.

An Honor for Good Work on the Plains

EXTENSION OF REMARKS

OF

HON. WALTER ROGERS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1964

Mr. ROGERS of Texas. Mr. Speaker, nowhere in the Nation are the great benefits of soil conservation work more dramatically apparent than on the high, windswept plains of the Texas Panhandle. Because of the progress made by Soil Conservation Service employees, district supervisors, and the farmers and ranchers themselves, it was most fitting that the Agriculture Department has chosen an SCS work unit in the panhandle to receive one of the Nation's two Unit Superior Service Awards.

The Follett work unit which directs work in the Lipscomb County Soil Conservation District has been so honored. And this week, Mr. Albert R. Hodges—the Follett work unit conservationist—came to Washington to be honored in ceremonies at the Agriculture Department as representative of the unit and its work. Mr. Hodges was accompanied by his charming wife and young daughter, Janet Lea.

The other men of the Follett unit who were honored by the award are Mr. Glenford W. Fowler and Mr. Al Schneider, soil conservation technicians, and Mr. Martin F. Graham, soil conservationist. Credit, of course, also goes to the district supervisors of the Lipscomb County Soil Conservation District and to the participating farmers who have done so much in their county.

The Department's award was worded this way:

> For outstanding technical assistance to the Lipscomb County Soil Conservation District in planning and applying an effective conservation program, and for exceptionally effective administration of the Great Plains conservation program.

The other award in the United States was made to the work unit in Alma, Nebr., and I am sure that unit's accomplishments were no less important.

Our efforts to preserve the soundness of our agricultural economy today has an important objective: To prepare American agriculture for the heavy demands to be placed upon it tomorrow. Soil and water conservation efforts are vital in insuring future as well as present farm productivity. By 1980 the population of the United States may top 274 million persons. By then, the problems of our agricultural surpluses may be a matter of history as our farmers supply not only greatly increased domestic requirements but also vastly larger markets around the globe.

I salute the men of the Follett work unit—and all the many thousands of men all over the country who are engaged in this very challenging and very essential work.

DAV Services in New Mexico

EXTENSION OF REMARKS

OF

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 20, 1964

Mr. MORRIS. Mr. Speaker, an exceptional record of vital rehabilitation services freely extended to thousands of New Mexico citizens has recently come to my attention. These splendid humanitarian services are not sufficiently appreciated by those who have benefited thereby, directly or indirectly.

The Disabled American Veterans, a congressionally chartered veterans' organization has a State department and 25 local chapters in the State of New Mexico. The DAV is the only such organization composed exclusively of those Americans who have been either wounded, gassed, injured, or disabled by reason of active service in the Armed Forces of the United States, or of some country allied with it during time of war. I have been a member of the DAV since 1950.

Formed in 1920, under the leadership of Judge Robert S. Marx, DAV legislative activities have benefited every compensated disabled veteran. The present national commander is Douglas McGarrity from the State of Michigan. The national headquarters are at Cincinnati, Ohio. The national service headquarters of the DAV are located at 1701 18th Street NW., Washington, D.C.

Inasmuch as less than 15 percent of our country's war veterans are receiving monthly disability compensation payments for service-connected disability—some 2 million—the DAV can never aspire to become the largest of the several veterans' organizations. Nevertheless, the DAV has maintained the largest staff of any veterans' organization, of full time, trained national service officers, who are located in the 63 regional and 3 district offices of the U.S. Veterans' Administration and its central office in Washington, D.C. They have access to the official claim records of those claimants who have given them their powers of attorney. All of them being war-handicapped veterans themselves, the national services officers are sympathetic and alert to the problems of less informed claimants.

DAV SERVICE FACILITIES IN NEW MEXICO

The DAV presently maintains one national service officer in New Mexico, Mr. Henry J. Dudoich, located in the VA regional office in Albuquerque. The department commander is Dr. W. W. Darr of Las Cruces. The department adjutant is Harry B. Trollinger of Albuquerque. The department headquarters are at room 247, Korber Building, 200 Second Street NW., in Albuquerque.

Two hospitals are maintained by the VA in our State, a 500-bed general medical hospital at Albuquerque and a 222-bed hospital at Fort Bayard. The DAV department of New Mexico has nationally appointed representatives to the Veterans' Administration Voluntary Services Advisory Committee at each of the Veterans' Administration hospitals servicing New Mexico veterans. They are: Albuquerque Hospital: Mr. Albert Guhr, 440 Manzano NE., Albuquerque; Fort Bayard Hospital: Mr. Harry Carlson, 2422 Yucca Drive, Silver City, N. Mex.

During the last fiscal year the VA paid out $39,139,399 for its veteran program in New Mexico, including disability compensation to its 13,606 service-disabled veterans. These Federal expenditures in New Mexico furnish substantial purchasing power in all communities. Nearly 26 percent are members of the 25 DAV chapters in New Mexico. This 26 percent record is much above the average, but not nearly good enough in view of the very outstanding record of personalized service activities and accomplishments of the DAV service office in behalf of New Mexico veterans and dependents during the last 10 fiscal years, as revealed by the following statistics:

Claimants contacted, estimated: 34,500.

Claim folders reviewed: 30,100.

Appearances before rating boards: 16,280.

Compensation increases obtained: 3,200.

Service connections obtained: 820.

Nonservice pensions: 575.

Death benefits obtained: 257.

Total monetary benefits obtained: $2,640,000.70.

These above figures do not include the accomplishments of other national service officers on duty in the central office of the Veterans' Administration, handling appeals and reviews, or in its two district offices, handling death and insurance cases. Over the last 10 years, they reported 2,036,806 claims handled in such district offices, resulting in monetary benefits of $300,543,498.43 and in the central office, they handled 68,334 reviews and appeals, resulting in monetary benefits of $4,327,016.01; proportionate additional benefits were thereby obtained for New Mexico veterans, their dependents and their survivors.

These figures fail properly to paint the picture of the extent and value of the individualized advice, counsel, and assistance extended to all of the claimants who have contacted DAV service officers in person, by telephone, and by letter.

The DAV department of New Mexico operates a salvage industry, the proceeds of which have provided, in the past 6 years, $28,324.58 for veteran rehabilitation, $7,074.94 for emergency relief, and $237,067.64 for wages for disabled veterans in a sheltered workshop among other services to the community.

Pertinent advice was furnished to all disabled veterans—only about 10 percent of whom were DAV members—their dependents, and others, in response to their varied claims for service connection, disability compensation, medical treatment, hospitalization, prosthetic appliances, vocational training, insurance, death compensation, or pension, VA guarantee loans for homes, farms, and business, and so forth. Helpful advice was also given as to counseling and placement into suitable useful employment—to utilize their remaining abilities—civil service examinations, appointments, retentions, retirement benefits, and multifarious other problems.

Every claim presents different problems. Too few Americans fully realize that governmental benefits are not automatically awarded to disabled veterans—not given on a silver platter. Frequently, because of lack of official records, death, or disappearance of former buddies and associates, lapse of memory with passage of time, lack of information and experience, proof of the legal service connection of a disability becomes extremely difficult—too many times impossible. A claims and rating board can obviously not grant favorable action merely based on the opinions, impressions, or conclusions of persons who submit notarized affidavits. Specific, detailed, pertinent facts are essential.

The VA, which acts as judge and jury, cannot properly prosecute claims against itself. As the defendant, in effect, the U.S. Veterans' Administration must award the benefits provided under the laws administered by it, only under certain conditions.

A DAV national service officer can and does advise a claimant precisely why his claim may previously have been denied and then specifies what additional evidence is essential. The claimant must necessarily bear the burden of obtaining such fact-giving affidavit evidence. The experienced national service officer will, of course, advise him as to its possible improvement, before presenting same to the adjudication agency, in the light of all of the circumstances and facts, and of the pertinent laws, precedents, regulations, and schedule of disability ratings. No DAV national service officer, I feel certain, ever uses his skill, except in behalf of worthy claimants, with justifiable claim.

The VA has denied more claims than it has allowed—because most claims are not properly prepared. It is very significant—as pointed out by the DAV national director of claims, Irving Peltz—that a much higher percentage of those claims, which have been prepared and presented with the aid of a DAV national service officer, are eventually favorably acted upon, than is the case as to those claimants who have not given their powers of attorney to any such special advocate.

Most of these unfortunate claimants were not represented by the DAV or by any other veteran organization. I urge every disabled veteran in New Mexico to give his power of attorney to the national service officer of the DAV, or of some other veteran organization, or of the American Red Cross, just as a protective measure.

The average claimant who receives helpful advice probably does not realize the background of training and experience of a competent expert national service officer.

COSTS OF DAV SERVICES

Measured by the DAV's overall costs of about $16,832,000 during a 10-year period, one would find that it has expended about $4.25 for each claim folder reviewed, or about $9.75 for each rating board appearance, or, again, about $24.50 for each favorable award obtained, or about $135 for each service connection obtained, or about $63 for each compensation increase obtained, and has obtained about $16.75 of direct monetary benefits for claimants for each dollar expended by the DAV for its national service officer setup. Moreover, such benefits will generally continue for many years.

METHODS OF PROVIDING SERVICES

Evidently, most claimants are not aware of the fact that the DAV receives no Government subsidy whatsoever. The DAV is enabled to maintain its nationwide staff of expert national service officers primarily because of income from membership dues collected by its local chapters and from the net income on its Idento-Tag—miniature automobile license tags—project, owned by their DAV and operated by its employees, most of whom are disabled veterans, their wives or their widows or other handicapped Americans—a rehabilitation project is thus furnishing them with useful employment. Incidentally, without checking as to whether they had previously sent in a donation, more than 1,900,000 owners of sets of lost keys have received them back from the DAV's Idento-Tag department.

Every eligible veteran, by becoming a DAV member, and by explaining these factors to fellow citizens, can help the DAV to procure such much needed public support as will enable it to maintain its invaluable nationwide service setup on a more adequate basis. So much more could be accomplished for distressed disabled veterans, if the DAV could be enabled, financially, to maintain an expert service officer in every one of the 168 VA hospitals.

MEMORIAL HONOR ROLL

During the last 10 years, the DAV has also relied on appropriations from its separately incorporated trustee, the DAV Service Foundation, aggregating approximately $2 million for salaries to its national service officers. Its reserves having thus been nearly exhausted, the DAV Service Foundation is therefore very much in need of the generous support of all serviced claimants, DAV members, and other social-minded Americans—by direct donations, by designations in insurance policies, by bequests in wills, by assignments of stocks and bonds, and by establishing special types of trust funds.

A special type of memorial trust fund originated about 8 years ago which concerned disabled veteran members of DAV, which established the first perpetual rehabilitation fund of $1,000 with the DAV Service Foundation. Benefactors from 39 States have, up to this time, become enrolled on the memorial honor roll.

Inasmuch as only the interest earnings from special donations will be available for appropriation to the DAV for its use in maintaining its national service officer program in the State of residence of each such benefactor, this is an excellent objective also for New Mexico. Each such special benefactor is enrolled on a permanent memorial honor roll which, updated, is then included in the annual report of the DAV and of its incorporated trustee, the DAV Service Foundation, to the U.S. Congress.

Each claimant who has received any such free rehabilitation service can help to make it possible for the DAV to continue this excellent rehabilitation service for other distressed disabled veterans and their dependents in New Mexico by sending in donations to the DAV Service Foundation, 1701 18th Street NW., Washington, D.C. Every such serviced claimant who is eligible can, and should, also become a DAV member, preferably a life member.

Every American can help to make our Government more representative by being a supporting member of at least one organization which reflects his interest and viewpoints—labor unions, trade associations, and various religious, fraternal, and civic associations. All of America's veterans ought to be members of one or more of the patriotic, service-giving veterans' organizations. All of America's disabled defenders, who are receiving disability compensation, have greatly benefited by their own official voice—the DAV. I consider it a privilege and an honor to belong to the Disabled American Veterans.

SENATE

THURSDAY, MAY 21, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. Metcalf).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, whose love passeth our understanding, and whose mercy is wider than the sea, we turn to Thee, realizing that Thy purpose for us is vaster than is the reach and range of any prayer we may bring.

In all the plans here made for the governance of the Nation in these times that are trying our souls, may Thy wisdom prevail at last over all our fallible judgments. Where there is anything unworthy, purify it; where there is error, correct it; where there is right, establish it; where there is division, unite it.

In all the ministry of public affairs, keep our hearts, we pray, from envy, hatred, and malice. In our thoughts and words, may there constantly be revealed the grace of courtesy and of understanding kindness.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request by Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 20, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 20, 1964, the President had approved and signed the following acts:

S. 627. An act to promote State commercial fishery research and development projects, and for other purposes; and

S. 1988. An act to prohibit fishing in the territorial waters of the United States and in certain other areas by vessels other than vessels of the United States and by persons in charge of such vessels.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Labor and Public Welfare.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of a quorum call, there be the usual morning hour, under the usual conditions.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS TO TOMORROW, AT NOON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon, tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

OBJECTION TO COMMITTEE MEETINGS AFTER NOON, TODAY

Mr. MANSFIELD. Mr. President, at the request of the distinguished senior Senator from Oregon [Mr. Morse], I wish to raise objection to the meeting of committees after 12 o'clock noon, today.

The ACTING PRESIDENT pro tempore. Objection is heard.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll; and the following Senators answered to their names:

[No. 245 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Burdick
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Fong
Gruening
Hart
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Morse
Morton
Moss
Mundt
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Simpson
Smathers
Smith
Stennis
Symington
Talmadge
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. Bible], the Senator from Maryland [Mr. Brewster], the Senator from Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Arkansas [Mr. Fulbright], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Oklahoma [Mr. Monroney], the Senator from Georgia [Mr. Russell], and the Senator from Alabama [Mr. Sparkman] are absent on official business.

I also announce that the Senator from West Virginia [Mr. Byrd], the Senator from Pennsylvania [Mr. Clark], the Senator from Oklahoma [Mr. Edmondson], the Senator from North Carolina [Mr. Ervin], the Senator from Tennessee [Mr. Gore], the Senator from Indiana [Mr. Hartke], the Senator from Maine [Mr. Muskie], and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

I further announce that the Senator from California [Mr. Engle] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. Beall] is necessarily absent to attend a funeral.

The Senator from Delaware [Mr. Boggs] and the Senator from New Mexico [Mr. Mechem] are necessarily absent.

The Senator from Arizona [Mr. Goldwater] and the Senator from Texas [Mr. Tower] are detained on official business.

The Senator from North Dakota [Mr. Young] is absent on official business.

The ACTING PRESIDENT pro tempore. A quorum is present.

Morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION FOR PAYMENT OF CLAIMS AGAINST THE UNITED STATES (S. Doc. No. 75)

A communication from the President of the United States, transmitting a proposed supplemental appropriation in the amount of $949,064, to pay claims and judgments rendered against the United States (with accompanying papers); to the Committee on Appropriations, and ordered to be printed.

REPORT ON TRANSFER OF RESEARCH, DEVELOPMENT, AND OPERATIONS FUNDS

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the transfer of research, development, and operations funds to the construction of facilities appropriation for land acquisition at the Mississippi Test Facility; to the Committee on Aeronautical and Space Sciences.

REPORT ON SHIPMENTS INSURED BY FOREIGN CREDIT INSURANCE ASSOCIATION AND EXPORT-IMPORT BANK

A letter from the Assistant Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, on shipments to Yugoslavia insured by the Foreign Credit Insurance Association and the Export-Import Bank under the short term export credit insurance program, for the month of April 1964; to the Committee on Appropriations.

Extension of Authority of Federal Reserve Banks To Purchase U.S. Obligations Directly From the Treasury

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury (with accompanying papers); to the Committee on Banking and Currency.

Report of Commissioners of the District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on the District of Columbia.

Report on Unnecessary Costs Incurred for Aircraft Parts Supplied by Overhaul Contractors, Department of the Army

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the unnecessary costs incurred for aircraft parts supplied by overhaul contractors, Department of the Army, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Inefficient and Uneconomical Utilization of Military Maintenance Personnel, Fort Campbell, Ky.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the inefficient and uneconomical utilization of military maintenance personnel, Fort Campbell, Ky., Department of the Army, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Weaknesses in Controls Over Drugs and Certain Other Property

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the weaknesses in controls over drugs and certain other property, District of Columbia General Hospital, Department of Public Health, District of Columbia government, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Excessive Relocation Payments to Employees Transferred From One Company Location to Another

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excessive relocation payments to employees transferred from one company location to another, by Lockheed Missiles & Space Co., Sunnyvale, Calif., a division of Lockheed Aircraft Corp., Department of Defense and National Aeronautics and Space Administration, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

Proposed Amendment of Concession Contract at Boulder Beach, Lake Mead National Recreation Area

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment of a concession contract at Boulder Beach, Lake Mead National Recreation Area (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Amendment of Concession Contract at Carter Barron Amphitheater, Washington, D.C.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment of a concession contract at the Carter Barron Amphitheater, in Rock Creek Park, Washington, D.C. (with accompanying papers); to the Committee on Interior and Insular Affairs.

Sale of Enterprise Rancheria No. 2 to State of California

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to sell Enterprise Rancheria No. 2 to the State of California, and to distribute the proceeds of the sale to Henry B. Martin, Stanley Martin, Ralph G. Martin, and Vera Martin Kiras (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A petition, signed by Toshio Chinen, chairman, Assembly of Ozato-Son, of the island of Okinawa, praying for a quick solution of the prepeace treaty compensation issue; to the Committee on Armed Services.

Resolutions adopted by the Iheya Village Assembly, Nakazoto Village Assembly, Higashi Village Assembly, and Haneji Village Assembly, all of the island of Okinawa, favoring the return of Okinawa to Japan; to the Committee on Foreign Relations.

The petition of D. C. Burrow, of Philadelphia, Pa., relating to civil rights; ordered to lie on the table.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

James T. Ramey, of Illinois, to be a member of the Atomic Energy Commission.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

S. 2864. A bill to amend the Agricultural Act of 1949, as amended, relating to price support for milk and butterfat, to encourage consumption of dairy products, particularly butter, by payments on manufacturing milk and cream, to encourage utilization of surplus commodities abroad, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 2865. A bill relating to the status of volunteer fire companies for purposes of liability for Federal income taxes and for certain Federal excise taxes; to the Committee on Finance.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD:

S. 2866. A bill for the relief of Helen E. Parker; to the Committee on the Judiciary.

By Mr. MOSS:

S.J. Res. 179. Joint resolution to authorize the President to issue annually a proclamation designating the first week in June of each year as "National PBX Operators Week"; to the Committee on the Judiciary.

(See the remarks of Mr. Moss when he introduced the above joint resolution, which appear under a separate heading.)

DAIRY CONSUMPTION INCENTIVE ACT OF 1964

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Agricultural Act of 1949, as amended, relating to price support for milk and butterfat, to encourage consumption of dairy products, particularly butter, by payments on manufacturing milk and cream, to encourage utilization of surplus commodities abroad, and for other purposse.

I ask unanimous consent that the bill be printed in the Record following my remarks, and I also ask unanimous consent that the bill lie on the table for 1 week, for additional sponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and lie on the desk as requested.

The bill (S. 2864) to amend the Agricultural Act of 1949, as amended, relating to price support for milk and butterfat, to encourage consumption of dairy products, particularly butter, by payments on manufacturing milk and cream, to encourage utilization of surplus commodities abroad, and for other purposes, introduced by Mr. Nelson, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Dairy Consumption Incentive Act of 1964.

Section 1. Milk is a basic source of the Nation's food supply. The production and use of abundant supplies of milk and its products are essential to the health and general welfare of the Nation. Dairy farming, which is carried on in every State of the Nation and is an important source of farm income, constitutes a vital segment of the agricultural and national economy. It is in the national interest that there be adequate and balanced supplies of milk and its products. Accumulation by Commodity Credit Corporation of storage stocks of dairy products, particularly butter, in excess of the quantities which can be used in the public interest in school lunch, welfare and other outlets, is a costly and uneconomic method of supporting prices to producers for milk and milkfat, involving serious storage space problems and risk of loss.

It is preferable that such excessive supplies be consumed in the domestic commercial markets and that the industry be encouraged and aided in promoting expanded use of dairy products, particularly butter. This can be accomplished by authorizing the Secretary to make payments to producers, either directly or through dairy products manufacturing plants acting as his agents, on milk and milkfat in cream used in manufacturing butter and such other dairy products containing milkfat as he deems advisable, as a method of price support, when in his judgment such payments will be effective in encouraging increased sales of such products through incentive pricing of them to consumers in the markets, in avoiding acquisition and accumulation of excessive stocks under price support operations, and in protecting dairy farm income while producers are adjusting supplies more nearly to market demand.

Sec. 2. The first sentence of section 201 of the Agricultural Act of 1949, as amended, is further amended by deleting the words "milk, butterfat, and the products of milk and butterfat" and inserting in lieu thereof the words "milk, and milkfat in farm-separated cream."

Sec. 3. Subsection (c) of section 201 of the Agricultural Act of 1949, as amended, is further amended to read as follows:

"(c)(1) The prices of milk and milkfat in cream shall be supported, through purchases of milk and the products of milk and milkfat, and such other operations, including consumption incentive payments, as the Secretary may determine, at such level not less than 75 per centum and not in excess of 90 per centum of the parity prices of milk and milkfat, respectively, as the Secretary determines appropriate taking into consideration (i) the supply of milk in relation to the demand therefor, (ii) the importance of milk to agriculture and the national economy, (iii) the ability to dispose of stocks of dairy products acquired through price support operations, (iv) the ability and willingness of producers to keep supplies in line with demand, and (v) the need of dairy farmers for a fair return on their labor and investment."

Sec. 4. Notwithstanding any provisions of the Agricultural Marketing Agreement Act of 1937, as amended, in all orders which base the computation of the minimum class prices for milk in the higher-valued use classifications upon the price or value of milk for manufacturing, such prices for milk in the higher-valued use classifications shall be based upon the price or value of milk for manufacturing plus any payment on milk for manufacturing.

Sec. 5. Whenever the Secretary of Agriculture determines that an agricultural commodity is in surplus supply and that there is a reasonable prospect for development of commercial export markets for such commodity through use in the assistance of needy persons and in nonprofit school lunch programs outside the United States, the Secretary may enter into contracts upon such terms and conditions as he deems appropriate with agencies of foreign governments, nonprofit voluntary agencies registered with the Agency for International Development or other appropriate department or agency of the Federal Government, and intergovernmental organizations to supply, for such period not to exceed five years as he determines the commodity is reasonably likely to continue to be in surplus supply, specified quantities of such commodity in raw or processed form for such use. The Secretary of Agriculture may supply such commodity through the Commodity Credit Corporation and other means available to him, by donations, sales at reduced prices, export payments, and combinations thereof: *Provided, however,* That the Commodity Credit Corporation shall not bear any costs with respect to the handling of such commodity beyond U.S. ports except that it may pay ocean transportation charges on commodities to designated ports of entry abroad, and, in the case of landlocked countries, transportation charges to designated points of entry.

STATUS OF VOLUNTEER FIRE COMPANIES FOR PURPOSES OF LIABILITY FOR FEDERAL INCOME AND CERTAIN EXCISE TAXES

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to exempt volunteer fire companies from paying Federal income taxes and certain Federal excise taxes on money they collect to help fight fires.

This measure is of vital significance to States which are dependent upon volunteer companies to protect their communities from fires. The Commonwealth of Pennsylvania, for instance, has 1,837 fire departments, of which only 125 are fully paid.

Recently, the Internal Revenue Service required volunteer companies to pay taxes on all money collected. This ruling, if permitted to stand, would seriously threaten with extinction many of Pennsylvania's firefighting companies.

In effect, the Internal Revenue Service is penalizing the thousands of men who risk their lives and contribute their time to protect their communities from the hazards of fire.

Therefore, I introduce this bill to enable the companies to carry on their necessary and valuable functions.

The PRESIDING OFFICER (Mr. Nelson in the chair). The bill will be received and appropriately referred.

The bill (S. 2865) relating to the status of volunteer fire companies for purposes of liability for Federal income taxes and for certain Federal excise taxes, introduced by Mr. Scott, was received, read twice by its title, and referred to the Committee on Finance.

DESIGNATION OF FIRST WEEK IN JUNE OF EACH YEAR AS NATIONAL PBX OPERATORS WEEK

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a joint resolution to authorize the President to issue annually a proclamation designating the first week in June of each year as National PBX Operators Week. I ask unanimous consent that the joint resolution be held at the desk for 5 days for additional cosponsors.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk, as requested by the Senator from Utah.

The joint resolution (S.J. Res. 179) to authorize the President to issue annually a proclamation designating the first week in June of each year as National PBX Operators Week, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on the Judiciary.

MODERNIZATION OF FEDERAL BAIL LAWS—ADDITIONAL COSPONSOR OF BILLS

Mr. KENNEDY. Mr. President, on May 14 the chairman of the Senate Constitutional Rights Subcommittee, the Senator from North Carolina [Mr. Ervin], introduced three important bills directed to the modernization of our Federal bail laws. These bills, in essence, call for a reassessment of our philosophy toward pretrial release of accused persons.

Public attention to this area of justice is long overdue. Many of us not in direct contact with the mechanics of law enforcement may tend to assume that existing pretrial protections are satisfactory because they are founded on procedures and concepts rooted in early American and English law. In this, we may well be seriously mistaken. This is the great importance I attach to the work of the subcommittee chaired by the Senator from North Carolina [Mr. Ervin] and the legislation he has proposed. It has awakened us to some very far-reaching questions as to fairness and equality of treatment in the detention of defendants and witnesses, under existing law. It raises the basic point, appropriately when we are at war against poverty, that too often the indigent remain in jail, and for substantial periods of time, while others whose legal circumstances are the same, go free because they have the sufficient funds to post bail.

I think the Senator's bills will be a stimulation to improvement in this area. They may not be the final answer, but they show that Members of Congress are concerned with this problem, and are seriously endeavoring to seek a solution to it.

In this particular, Mr. President, I think we should all be encouraged with what will be taking place in Washington, D.C., on May 27 through 29. This is a National Conference on Bail and Criminal Justice jointly sponsored by the Department of Justice and the Vera Foundation under a grant from the President's Committee on Juvenile Delinquency and Youth Crime. It will be directly concerned with these matters, and I wish it every success in its work. A tribute should also be given to the Attorney General's Committee on Poverty and the Administration of Federal Criminal Justice whose comprehensive study published last February will provide a solid foundation for the development of appropriate corrective legislation in this field.

Mr. President, in view of these remarks, I ask unanimous consent that my name as a cosponsor be added to S. 2838, to S. 2839, and to S. 2840, when these bills are next printed.

I also ask unanimous consent that a very interesting and perceptive article covering this topic by Mr. Richard Starnes in the Washington Daily News on Tuesday, May 19, be printed following these remarks.

The PRESIDING OFFICER. Without objection, the name of the Senator from Massachusetts [Mr. Kennedy] will be added as a cosponsor, as requested, and the article will be printed in the Record.

The article presented by Mr. Kennedy is as follows:

Some Justice

(By Richard Starnes)

It is no idle happenstance that President Johnson combined missionary work on civil rights with his latest antipoverty barnstorming tour. Civil rights, poverty, and criminal justice are inextricably entwined—a fact of which the Nation is only just becoming dimly aware.

The scandalous truth is that equal justice just isn't available to the poor, the friendless, the unsophisticated. More often than not, of course, these people also are Negro or Puerto Rican, which lays the added burden of race prejudice on far too many hapless defendants.

Under the prodding of Attorney General Robert F. Kennedy, the Department of Justice at long last has begun studies of this problem. For almost a year, Federal prosecutors have been under orders from Mr. Kennedy to encourage courts to release indigent defendants without bail where intolerable risks are not involved.

This is to the good, but the principal problem of men languishing in jail because they can't raise bail bonds occurs in State and local jurisdictions. It is disgracefully common, for example, for prisoners to be held for months because they cannot make bail—only to be found innocent when at last they are brought to trial. In Los Angeles, defendants who are denied freedom on bond spend an average of 78 days in prison before being tried. Many are innocent, of course, but innocent or not they are stigmatized for life by their experience.

Moreover, the indigent prisoner who can't make bail is further handicapped because he is unable to assist in his own defense. He cannot help seek out witnesses, he cannot engage counsel with any facility. He is likely to lose his job, and frequently his family is forced to go on public assistance. Far, far too often, arrest and indictment are—for the poor—tantamount to conviction without trial.

Another medieval hangover that is a shameful blemish on the state of criminal justice is the continued widespread imposition of alternative fine-imprisonment penalties. As has been pointed out by Supreme Court Justice Arthur Goldberg, "The choice of paying $100 fine or spending 30 days in jail is really no choice at all to the person who cannot raise $100. The resulting imprisonment is no more or less than imprisonment for being poor, a doctrine which I trust this Nation has long since outgrown."

In a lecture at New York University School of Law last February, Justice Goldberg also pointed out the shocking fact that "the most serious penalty of all—death—is imposed with disproportionate frequency on the poor."

Later this month, Washington will be the scene of a 3-day conference of prosecutors, law enforcement officers and judges on the subject of bail bond and criminal justice. As modest and belated as it is, and as far behind most European countries as the United States, this is a start upward on a long and wearisome road that nevertheless must be taken.

New York is ahead of most other jurisdictions in coming to grips with the double standard of criminal justice. For 2 years it has been experimenting with a system of releasing certain indigent defendants without bail, and fewer than 1 percent of these prisoners has betrayed the trust placed in him.

One of the most terrible abuses of the bail bond system is that it works to the benefit of the professional criminal even as it wrongs the poor—and possibly innocent—defendant. The racketeer's tame bondsman frees his client at once, but there is no such ready help for the prisoner who cannot pay the bondsman's heavy fees.

While the poor are the worst sufferers, even the man of comfortable means can be beggared by having to defend himself in a criminal proceeding. It is undoubtedly true, even as courthouse cynics have long held, that only the very rich can expect an even break when confronted by the majesty and power of the Government in a criminal trial.

The inequities of bonding and criminal justice procedures are problems, to quote Attorney General Kennedy, that have "gone far too long without active efforts toward solution." The conference he has called in Washington merits attention and support.

A NEW THRUST NEEDED FOR THE FISHING INDUSTRY

Mr. **KENNEDY**. Mr. President, on April 25, Hon. James K. Carr, Under Secretary of the Interior, gave a splendid address in Seattle, Wash., at the National Fisheries Institute. I am particularly pleased with this because it represents an administration viewpoint with respect to some of the more pressing problems of the fishing industry.

The statement of this Government official gives those of us who are trying to save this industry a great deal of hope. It gives encouragement to the individual fishingboat owner who wants to stay in business, and yet remain an independent competitor.

More than this, it suggests solutions, and it urges Congress to move forward with legislation. I compliment Under Secretary Carr, and commend a reading of this speech to all those concerned with the fishing industry.

Mr. President, I ask unanimous consent to have excerpts from Mr. Carr's speech printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

A NEW THRUST FOR AMERICAN FISHERIES

(By James K. Carr)

The Good Friday earthquake and tidal waves destroyed 200 boats and damaged nearly a hundred others within minutes. It was a crippling blow to Alaska's fishing industry—a $150 million a year business that employs 22,000 people. It was a dramatic, devastating loss.

Not so dramatic but as serious is the loss of commercial fishing leadership by the United States in competition with other nations throughout the world. In 1963, for the first time in the history of the Republic, over half (56 percent) of the U.S. fishery supply was derived from imports. In contrast, less than 14 years ago (in 1950) only 25 percent of the supply was imported.

The U.S. fishing industry is headed for trouble. The United States is losing "the wet war" over who will harvest the increasingly important resources of the world's oceans. In 5 years the catch of U.S. fishermen has dropped from second to fifth place in worldwide competition. Now the United States is trailing Japan, the Soviet Union, Red China, and Peru in the yearly catch of fish. The U.S. fishing fleet is woefully antiquated in comparison to some modern fleets of other nations. There are estimates that the U.S. catch this year will drop even lower and will have to depend on imports for as high as 60 percent of its fish supply.

The impact of obsolescence has not yet been fully felt by processors, many of whom have both American and foreign sources of supply. Although almost everyone connected with the commercial fishing industry seems to be making an adequate living and, in some cases, better, eventually greater and greater dependence upon foreign supplies will increase the threat that other nations will control the price of raw fish for American processors. Americans cannot afford to disregard improvements in know-how and technology in the fisheries field while they concentrate on explorations of space. Already the Japanese and the Soviet Union have built large refrigerator ships that can stay at sea for months. They roam farther from home, increase the catch and reduce the unit cost.

Developing nations all over the world are feeling the "protein pinch." Two-thirds of the world's population is suffering from malnutrition or undernutrition. The importance of fishery food potential grows with each passing month.

President Johnson dramatized the worldwide struggle and the revolution of rising expectations in his remarks before a group of editors and broadcasters in Washington last Wednesday. Adequate protein-rich food is basic to achieving the goals to which the developing nations aspire.

The hopeful roads to a solution of the rising demands for animal protein lead to the oceans of the world. They cover seven-tenths of the world's surface. The world's oceans and their lifegiving food will be the great arsenals in the future battles against poverty, hunger, and disease.

Make no mistake about it. Peace, security, and prosperity will be surely affected by what we do to tame the wilderness of the sea and how we help conserve and wisely develop the resources of the sea. Knowledge is our first weapon and we are greatly at work in the field of oceanographic research.

The next problem confronting us is how this Nation can rebuild and enlarge a fishing fleet that has atrophied.

Young Americans need to be enthused about the opportunities and the challenging new frontiers of the sea. They need an opportunity for training as to how they can make a living from conservation and development of the oceans' resources. Any such encouragement must, of course, make financial good sense. Fishing in the United States, as an occupation, will die if conditions are not improved—if indifference causes us to overlook our great opportunities—if the young men of America are driven away from this industry by a failure of leadership.

I came here today to suggest that we consider ways to renew and invigorate the Nation's fishing industry. The problems won't be solved by ignoring them or by merely deploring sagging, unhealthy conditions. We cannot afford to just maintain the status quo. That's a Latin phrase for the mess we are in.

For a few minutes I should like to speak more specifically. I want to outline the beginning of a new thrust for American fisheries.

First, let's take a look at some causes that result in the unhealthy effects.

A fishing vessel cannot be built cheaply in the United States. A U.S. law, enacted in 1792, still on the books, prohibits a U.S. citizen from registering a foreign-built vessel in the United States. The result is that modern fishing boats are not being built in this country. Neither do the American boat repair yards get the business they should because the American fishing fleet is shrinking in size every year. American shipwrights lose both ways.

We might well look at what Canada has done to stimulate the construction of new fishing vessels. If a man wants to build a $150,000 boat in Quebec, the Canadian Government will give him a subsidy of 40 percent, or $60,000. In addition, he could get a loan of $81,000 from the Quebec Provincial government without interest. So, it means that the Canadian fishermen could be in business for an initial cash outlay of about $9,000.

Even with the legislation pending before the Congress, which would provide a maximum allowance of 55 percent on a $150,000 boat, the American vessel owner needs a cash outlay of $67,500 to put the same boat on the water in competition with his Canadian neighbor.

Investing in the construction of boats in the United States, even if present legislation passes, appears to be a luxury that fishermen cannot afford. The result is more foreign boats owned by foreign fishermen in traditional American waters.

What can we do about it? I should like to make some personal suggestions, which are not all inclusive by any means, but may give us some food for thought and might help to reverse the trend. They do not represent any proposals by the administration. A lot more study is needed first. They could provide a new thrust for American fisheries.

At your convention, Senator WARREN G. MAGNUSON will speak to the convention on the subject of the world struggle for ocean supremacy, and Congressman THOR TOLLEFSON will speak to you on the subject that the fishing industry is worth saving. I am sure that these two distinguished legislators will have some suggestions concerning improvement of the fishing industry.

I believe they would agree the first thing we have to do is, as a Government, recognize that it is important to rebuild the fishing fleet of America. Having done so, we can determine ways and means to get the job done. I am sure, with American ingenuity, we can outbuild and compete with any fishing country in the world. At least we should keep pace with the leading fishing country—our East Asian ally—Japan.

The training of our youth, particularly the unskilled youth, is much discussed these days, and we are constantly seeking new job opportunities for them. There has been very little talk about fishing as a vocation for some of the young men who are looking for jobs in the United States. I dare say that our training program is woefully short as far as training young men to be fishing vessel operators in the United States.

Perhaps we can begin if we can make fishing a profitable profession.

The ocean is a great new frontier and should represent a challenge to youth. If its full significance is realized, in terms of potentials for commerce, minerals, and food, there will be wonderful opportunities for our young people to help with the task that lies ahead in conquering the ocean. The oceans of the world cover seven-tenths of the area of the world. If men are looking for new frontiers, none can match those related to the development of the resources of the seas.

In terms of assistance in the construction and ownership of American vessels, I believe that you should as a group make some recommendations to your Government. At least we should find ways to match the Government assistance that is given in the construction of vessels in Canada. Why should a Canadian be able to put a boat in the water for a cash outlay of $9,000, but that same boat must cost an American $67,500 unless America thinks commercial fishing is not worth saving.

You may be against subsidy, but look elsewhere. This same principle has been used for many years in the development of the West.

In 1902, the Congress, prodded by President Theodore Roosevelt, established a law which gives interest-free loans to farmers who were willing to go out and develop irrigated land. This land for the most part does not contribute to the surplus farm problems of America. These irrigated tracts in the Western States have been anchors of stability to the people who live in many small towns in Western States. The Federal Government has seen its investment returned manyfold.

These are interest-free loans; they are paid back over a period of years. There is nothing "pork barrel" about it. It would seem to me that the same general principle of interest-free loans to fishermen, particularly for family-owned vessels, might be a means of getting people to go out and face the rigors of the sea and the vagaries of nature, and develop new areas. Such loans would need to be restricted to the construction of vessels that would meet strict standards on size and equipment to make Americans more competitive.

So, with these financial aid programs—an educational and training program for our youth—a sensible construction program for vessels coupled with the removal of restrictive laws preventing the construction of fishing vessels—we can move ahead. These are some of the things that we can do to begin to reverse the trend, turn back the tide and restore the place of American fishermen in a world where they enjoyed success for 300 years.

There are other things we can do and we are doing. One extremely important area is the Department of Interior's applied research on fish protein concentrate. Some people refer to it at times, erroneously, as fish flour. The Department's scientists have been able to develop a tasteless, odorless, white powder that is as high as 85 to 90 percent animal protein. It can also be produced with a mild or strong fish flavor. It could be used as valuable food additive. Its production from fish that now go to waste could be valuable to the fishermen and to the fish processors. Its production could help their economic balance sheet.

More important than that is what it might do for less fortunate people of the world. Hunger is the biggest human problem facing the world today. More than half of the world's total population—2 billion people—suffer from lack of food which is adequate in quality and quantity to sustain health and provide growth and vigor. If hunger is a problem today, what will it be 30 or 40 years from now when the world population doubles? Widespread malnutrition and in many cases undernutrition, is due largely to inadequacies of animal protein in the human diet.

The only readily available source of inexpensive animal protein in sufficient quantities to remedy this diet deficiency is in the sea, in the form of fish. At the present time, some fish processing results in waste of fish that are caught, up to 50 percent of the gross product. This is the kind of inefficiency that must be eliminated. In fact, it shows a lack of total conservation effort that should be applied to our fishing industry. Wisely utilized and managed, the sea, with its vast fish populations, represents an enormous reservoir of high-quality animal protein. I emphasize that quite apart from the purely humanitarian issues, which are in themselves extremely important, are the economic benefits that will rebound to the fishermen and the entire fishing industry if we make better use of the fish that are caught. As an example, the market for fish protein concentrate might exist right here in our own country as a supplement in breakfast cereals, baby foods. There are all sorts of cookies, doughnuts, noodles, and similar foodstuffs that could be transformed into high quality, protein foods by the addition of fish protein concentrate.

Thanks to support from the Congress, this program is moving ahead, appropriations are ranging about $500,000 a year, and we expect, within a short time, to have some problems settled with the Pure Food and Drug Administration.

In conclusion, let me say that it is certainly a paradox in light of present-day scientific developments and the leadership that this country has shown in the space age—orbiting weather and navigation satellites, putting nuclear submarines under the sea and cruising around the world—that we have not made equally striking breakthroughs in harvesting the resources of the sea. What it takes is determination, and I am sure that once the people of the United States realize the problem, there will be that determination to succeed in this vitally important field.

In his message to Congress 2 years ago, the late President Kennedy said: "The seas around us represent one of the most important resources. They already are a principal source of protein. They can provide many times the current supply if we but learn how to garner and husband the self-renewing larder."

In other words, this is a self-renewing resource which, if properly conserved and properly managed, can feed millions of people in the future and bring economic benefit to the youth of America. Government can help but the commercial fishing industry, represented by this and other organizations, cannot sit on its hands. Either you fight back or fade out.

AFL-CIO EXECUTIVE COUNCIL ENDORSES THREE-FOURTHS OF 1 PERCENT INTEREST ON DISASTER LOANS FOR ALASKA DISASTER VICTIMS

Mr. GRUENING. Mr. President, the unprecedented earthquake and subsequent seismic waves which struck Alaska almost 2 months ago on March 27, 1964, caused great material damage and losses which money can never repair or replace. Many an Alaskan watched helplessly as his home and all his family possessions and treasured heirlooms carefully garnered and preserved over the years were irretrievably swept into the sea. In not a few cases even the lot on which his home stood also vanished. For these Alaskans, bereft of their most priceless family possessions, money, regardless of the terms on which it is given or lent, can never replace what they have lost.

But money can restore many other Alaskans to the position which they were in—materially—with a minimum of loss, prior to the earthquake. However, for them the terms on which money is made available is of great importance. The difference can well be that of being able to work themselves out of the financial morass in the foreseeable future or of winding up hopelessly sunk in an intolerable and unbearable financial position.

For this reason I have been urging for some time now that the Administrator of the Small Business Administration—and I would like to have the attention of the majority whip [Mr. HUMPHREY] on this—lower the interest rate on disaster loans to Alaska victims to three-fourths of 1 percent—the same amount charged to foreign borrowers under the foreign aid program—borrowers, moreover who have suffered no disaster. This Mr. Foley, Small Business Administrator, has not yet done, although in all other respects he has reacted admirably, with efficiency and dispatch, to the disaster in Alaska. He cannot be commended too highly for the manner in which he has personally kept on top of the situation as it developed in the 49th State.

As support mounts for my proposal to treat Alaskans at least as well as we treat foreigners under our foreign aid program and making available to them disaster loans at three-fourths of 1 percent interest, I am hopeful that Mr. Foley will change his administrative determination to charge Alaskans the maximum permitted by law—3 percent. To attain this end he needs no change in law.

The latest and very welcome addition to the growing chorus of supporters for the idea of treating our own at least as well as we treat those abroad is the executive council of the AFL-CIO, which yesterday adopted a resolution in support of my request for interest rates on disaster loans at three-fourths of 1 percent.

I ask unanimous consent that the resolution adopted by the AFL–CIO council be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. The executive council of the AFL–CIO is in close touch with its thousands of members in Alaska. They know the plight of many of them and of their dire need for rebuilding and restarting money on the lowest terms possible. The continuation of the present unemployment of many of their members, thrown out of work because of the earthquake, depends in good measure on whether their former employers can obtain loans on favorable terms.

Let no one believe that my proposal represents a windfall to the stricken people of Alaska. Consider the man in business who owed $50,000 on March 27 when the earthquake struck. He was wiped out. He now owes $50,000. He needs to borrow $100,000—$50,000 to pay off his old indebtedness and another $50,000 to begin his business. Even if the Small Business Administration loans him $100,000, it must be remembered that whereas before the disaster he was running a business having an indebtedness of $50,000, he will begin to rebuild his business with an indebtedness of $100,000. There is no reason to believe that his new business will double its gross earnings. The loan therefore must be on such terms as to enable a business grossing at pre-earthquake levels to pay off an indebtedness twice as great as before the earthquake.

The executive council of the AFL–CIO is to be highly commended for supporting the concept that Small Business disaster loans be made to Alaska victims at three-fourths of 1 percent interest. In thus endorsing this concept, the AFL–CIO executive council has acted in the best interests not only of its own members in Alaska and of all Alaskans, but of the people of the other States as well who are genuinely concerned about bringing about the fullest and speediest recovery of their stricken sister State.

EXHIBIT 1

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON ALASKA

The disastrous earthquake and tidal wave which spread death and destruction across large parts of Alaska was one of the greatest natural catastrophes in the history of our country. Five cities were destroyed and hundreds of homes were lost. To the victims of that catastrophe, we express our sympathy. To those who are rebuilding their lives, to those who are working to restore the economic and social life of Alaska, we pledge our support.

Already the American labor movement has responded promptly and generously to help victims of the earthquake. Aid has been given by the AFL–CIO and affiliated organizations. Trade union members in Alaska have given their services in a wide variety of volunteer work to help restore normal community life.

Early restoration of the economic life of Alaska is essential. Job opportunities depend on the revival and continuation of many business activities that have been stopped or curtailed as a result of the earthquake. Therefore, in addition to the $23½ million appropriation recently approved by the Congress to assist the State of Alaska, we look for constructive legislative recommendations to come from the Federal Reconstruction and Development Planning Commission for Alaska, headed by Senator ANDERSON of New Mexico.

We also urge that the Federal Government take such action as may be necessary to help restore and strengthen the vitality of the private sector of the economy of Alaska.

Specifically, we urge that the Small Business Administration make available disaster loans at the lowest possible interest rate to the Alaskan businessmen. We support requests made by Senator GRUENING of Alaska to the Small Business Administration that loans at an interest rate of three-fourths of 1 percent should be made available to qualified applicants in Alaska. Under the Disaster Loan Act, the Small Business Administration can make loans at any interest up to 3 percent with any appropriate delayed repayment terms.

It is inconceivable to us that oversea loans to foreign countries under the U.S. foreign aid program should be made at an interest rate lower than the interest rate charged to American victims of a natural disaster within the United States. We strongly urge that interest rates on Small Business Administration disaster loans to Alaskan businessmen immediately be cut to three-fourths of 1 percent, the charge imposed on loans to foreign countries under the U.S. foreign aid program.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. GRUENING. I yield to the distinguished majority whip.

Mr. HUMPHREY. I take only a moment to say that I am sure the Senator from Alaska agrees that everything that is possible, within the law creating the Small Business Administration, is being done by Mr. Foley.

Mr. GRUENING. I beg to differ. It is not being done by Mr. Foley.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GRUENING. I ask unanimous consent to have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. The law fixes a maximum, but no minimum. It provides that the Administrator may fix the interest rate at 3 percent or lower. Mr. Foley can fix the rate at 2½ percent, at 2 percent, at 1½ percent, at 1 percent, at one-half of 1 percent, or at no percent.

I can see no earthly reason why Alaska's earthquake victims should not receive the benefit that we are so liberally giving to others all over the world. Why the double standard? The decision is purely administrative.

I am sure the distinguished majority whip, who is sympathetic toward our own citizens' needs but has always enthusiastically supported the three-fourths of 1 percent interest rate on foreign loans and kept them in the foreign aid bill, will do everything he can to influence the head of the Small Business Administration to do the same thing for Alaskans.

Mr. HUMPHREY. I thank the Senator for singling me out for this unusual display of interest. What I can do I will be more than happy to do, but we know that the Administrator of the Small Business Administration is giving 18 hours a day of his young life to his administrative duties. No one can be more convincing than the Senator from Alaska. I shall be pleased to try to be helpful.

Mr. GRUENING. I thank the Senator. I hope he will persuade the Administrator to do what the law permits him to do.

BANKING AND CURRENCY COMMITTEE MEETING

Mr. ROBERTSON. Mr. President, I announce an executive session meeting of the Committee on Banking and Currency at 9 o'clock next Monday, May 25, 1964, to consider two noncontroversial bills; namely, House Joint Resolution 889, authorizing the design and manufacture of a galvano in commemoration of the golden anniversary of the Naval Air Station, Pensacola, Fla.; and S. 2259, to liberalize loans by national banks on forest tracts.

ORDER OF BUSINESS

Mr. HUMPHREY. Mr. President, in order that Senators may have some guidance for the coming days, let me say that committee chairmen have spoken to the majority leader and to the Senator from Minnesota about their desire to move on certain committee business.

Tomorrow, the Senate will meet at 12 o'clock noon. On Monday, it is the intention to meet at 12 o'clock noon; also, on Tuesday, Wednesday, and Thursday. Therefore, the chairmen of committees and subcommittees should notify their respective committees and subcommittees to proceed with urgent business in those committees.

I make that announcement in the hope that plenty of action will take place within the committee structure.

Mr. ROBERTSON. Mr. President, I wish to advise the distinguished Senator from Minnesota [Mr. HUMPHREY] that, taking advantage of that opportunity, as chairman of the Departments of Treasury and Post Office and Executive Office Subcommittee of the Committee on Appropriations, I shall endeavor to complete consideration of the bill next week.

Mr. HUMPHREY. The Senator always leads in that manner. I am sure the bill will be the first to come before the Senate, as is usually the case with the Senator from Virginia.

SCHEDULE OF HEARINGS ON TREASURY-POST OFFICE APPROPRIATION BILL

Mr. ROBERTSON subsequently said: Mr. President, in keeping with the interest, expressed earlier today by the leadership, in early action on the appropriation bill for the Treasury and Post Office Departments, I announce that the subcommittee will meet on Monday, May 25, at 10 a.m., in room 1318, New Senate Office Building, to hear witnesses from the Treasury Department; on Tuesday, May 26, in the same room, at 9 a.m., to continue the hearings on that bill; on Wednesday, May 27, in the same room, at 9 a.m., to hear congressional witnesses; and on Thursday, May 28, in the same room, at 9 a.m., to hear outside witnesses.

MEETING OF COMMITTEE ON FOREIGN RELATIONS

Mr. MORSE. Mr. President, this morning the Foreign Relations Committee called Secretary Rusk before it at 11 o'clock for a briefing on South Vietnam. They proceeded to interview Mr. Rusk at 11:15.

At 12 o'clock, the senior Senator from Oregon raised the point of order that the Senate was in session, and that no meeting of the Foreign Relations Committee was authorized thereafter. I said that I regretted that Mr. Rusk had not been called for an earlier meeting of the committee, at 9:30, or some earlier time.

The chairman of the committee stated that the point of order had been raised. He stated that the committee would continue informally, and despite anything that the senior Senator from Oregon could do to stop the committee from continuing informally—I should like to have the attention of the whip, too, because he was present—I could not prevent the Foreign Relations Committee from continuing informally.

I only hope that those who remained for the continuation of the hearing will be able to pay for the cost of the transcript out of their own pockets. They cannot justify paying the cost out of the taxpayers' money. When 12 o'clock arrived, they could not legally continue, formally or informally, at the expense of the taxpayers.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HUMPHREY. I am happy to report to the Senator that the chairman of the committee has a high regard for the senior Senator from Oregon, as we all do. When the Senator raised the point—which he was justified in doing—no transcript was kept of the proceedings. The stenotypist put together his apparatus and left the room.

Mr. MORSE. I am delighted.

Mr. HUMPHREY. The Senator need not worry.

Mr. MORSE. I am delighted. I listened to the Secretary of State. I was shocked at his alibi for not taking the South Vietnamese issue to the United Nations. I propose at some length this afternoon to comment about the position of the Secretary of State to the extent that I can, without violating the secrecy of the session.

I shall also comment on the speech given this morning to the Security Council by our Ambassador to the United Nations, which, in my judgment, is an unjustified rationalization for the U.S. violation of its obligations under the United Nations Charter.

This is a sad day in the history of the United States, when there is no doubt about our recognition that the United Nations has jurisdiction; but there is a failure on the part of our Government to live up to its obligation to take the issue to the United Nations.

PRIVATE SHIPYARDS CAN DO GOVERNMENT SHIPBUILDING AND SAVE MONEY

Mr. PROXMIRE. Mr. President, on a number of occasions I have indicated my strong belief that further economies could be obtained in the Defense Department if shifts were made in the relative amount of Navy ship construction, repair and maintenance work that is done in private shipyards as contrasted with Navy yards.

Two national accounting firms have already demonstrated fairly conclusively that costs in the privately owned shipyards are considerably lower than they are in the naval shipyards for all types of naval shipwork. It seems to me that in these days of continuing budgetary problems, this single point should be given paramount consideration.

In addition, there has recently come to my attention a new study conducted by the highly respected accounting firm of Ernst & Ernst, dealing with capacity of operation in private shipyards. This study indicates clearly that substantial capacity for more work exists in these private yards and that the additional work could be done at relatively low cost to the Government.

The study by Ernst & Ernst is much too lengthy and detailed to insert in the CONGRESSIONAL RECORD. However, a summary of the findings of this report is contained in a letter which Mr. Edwin M. Hood, president of the Shipbuilders Council of America, recently addressed to Secretary of Defense McNamara.

I consider the facts in this letter to be highly significant to the entire question of economy in Government, and I request unanimous consent that Mr. Hood's letter to the Secretary be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SHIPBUILDERS COUNCIL OF AMERICA,
Washington, D.C., May 13, 1964.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: In relation to your present considerations of the private-Government shipyard capacity to support the defense structure of the United States, we respectfully submit the enclosed "Report on Capacity and Utilization of Private Shipbuilding and Ship Repair Facilities, 1963."

This study was undertaken at the insistence of the Board of Directors of the Shipbuilders Council of America—most of whom are contractors to the Navy Department—as a means of demonstrating the extent to which private shipyards could handle additional Navy shipwork with collateral potentials in cost savings to the taxpayers. You will note that this research was performed by the accounting firm of Ernst & Ernst—at no expense incidentally to the public treasury—with advisory assistance from a study task force including six industry members.

It is also important to emphasize that this survey encompassed the availability of information submitted by a significant group of private companies and shipyards—nonmembers of the council as well—who collectively performed 86 percent of the naval ship repair work and 94 percent of the conversion work, by dollar volume, awarded to private shipyards in fiscal 1963. Certain comparative data on naval shipyard facilities and employment were also included to place in perspective the role of each sector of the Nation's shipbuilding and ship repair capacity.

The following summary comments may be of interest to you and your staff and helpful in connection with the deliberations of the DOD-Navy Shipyard Study Board you have appointed:

1. Private shipyard facilities were 58 percent idle in 1963.

2. The number of people the private yards are capable of employing if more shipwork were available is greater than the total employment of the naval shipyards. Private yards are estimated to be able to efficiently employ 100,000 more people than presently; naval shipyard employment is now about 90,000.

3. During 1963, variations in private shipyard employment ranged from 30 percent above to 30 percent below the annual average. Naval shipyard employment fluctuations are not specifically known but are probably 5 percent at most.

Personnel excess to requirements, in large measure, account for the higher costs in naval shipyards. Presumably, much of this excess results from retaining people on the payroll on a standby basis. Private yards, on the other hand, shrink or expand employment immediately, and in a much more direct ratio to the work in hand. This is facilitated by reason of the pool of workers in various crafts in each port area who shift their employment frequently from yard to yard depending upon the location of the volume of work.

4. The range of employment in private yards is also greater than normally expected in private industry. Availability of more shipwork for private yards would undoubtedly lead to more stability and provide operating efficiencies that may reduce the cost of accomplishing shipwork below present levels which are lower than those in the naval shipyards.

5. Private shipyards are absorbing the cost of extensive facilities on a limited volume of business. Plant facilities, and costs associated with them, are more than twice the requirement to handle the 1963 business volume which yielded only 42 percent utilization. Higher activity levels would provide lower unit costs since fixed shipyard costs would be absorbed by a greater number of units of production.

6. Private shipyards, compared with the naval shipyard complex, appear to have a shortage of drydocks in the 1,000 feet and over class suitable for handling aircraft carriers, and there appears to be a limited number of shipyards capable of performing overhaul work on nuclear ships. However, these limitations are applicable to only 60 vessels of the 860 ships in the active naval fleet. Since there are only about 15 large carriers in the active fleet, and since at least 6 private shipyards are equipped for nuclear shipwork, these limitations are minor in the overall context of shipwork on U.S. Navy vessels.

7. The level of unused capacity in private shipyards was just about the same in the eastern districts and on the west coast, though the capacity available in terms of drydocks and building ways varied. In 1963, eastern district private shipyards could have handled upward of 268 additional vessels, and west coast private shipyards upward of 89 additional vessels.

8. Private shipyards, coming within the scope of this study, indicated a willingness to provide all the messing and berthing facilities desired by the Navy provided a consistent workload of naval shipwork justified the investment—a truism which might well apply to any existing deficiencies or new facilities needed in the private sector of the industry to service the naval fleet.

The Shipbuilders Council of America has expended a substantial amount of time and money on this project for we sincerely believe it will be of value to your office in formulating decisions which will have an important bearing on the national welfare. Two separate and independent cost studies have shown that costs in the private yards are lower than costs in the naval shipyards. The enclosed study shows that private yards also have the capacity to furnish "more naval power for the defense dollar."

With highest personal regards, I am,

Cordially,

EDWIN M. HOOD,
President.

THE FARMERS UNION GRAIN TERMINAL ASSOCIATION SHOWS FARMER VITAL COG IN PROSPERITY

Mr. PROXMIRE. Mr. President, the Farmers Union Grain Terminal Association of St. Paul, Minn., has done very many fine things. Recently, it broadcast an answer to the question, "Where is all the money coming from that provides the great affluence that the American consumers are now enjoying?" It answers the question by pointing to the fact that in the past our people spent from one-third to one-half of their income on that prime necessity of life: food. On the average now, according to statistics, they spend only one-sixth of their income or $1 out of $6 for this prime necessity of life.

Of course, the farmer and his marvelous efficiency are responsible to a very great extent for this prosperity.

The terminal also raises the question: What can be done about the tragically low farm income, in spite of the fact that the farmer is the Nation's most efficient producer and hardest worker.

Mr. President, I ask unanimous consent that the grain terminal association's "Daily Radio Roundup" of Monday, May 18, 1964, be printed in the RECORD.

There being no objection, the bulletin was ordered to be printed in the RECORD, as follows:

GTA DAILY RADIO ROUNDUP, MAY 18, 1964

Where in the world do they get all the money? We've heard that question asked literally hundreds of times. We've asked it ourselves. Nobody seems to have a quick, pat answer.

But looking around at this affluent, freewheeling, speed-boating society of ours, there is a tremendous amount of money being spent on good living and good times.

Last weekend here in Minnesota the pike and walleye fishing season opened. That's become a major event. The superhighways leading out of the Twin Cities of St. Paul and Minneapolis were loaded with cars, campers, motorboats on trailers, car-top canoes, and just about every imaginable combination of fishing and outdoor equipment. The amount of money spent on this one piscatorial binge must have been fantastic. And the same conditions are duplicated to a lesser degree in other States. The Dakotas and Montana are famous fishing areas, too.

We're not trying to be critical of this great search for fun and recreation. It's wonderful. Never before have just ordinary people been able to do things like this anywhere in the world. It's part of the modern American way of life and we want that to go on and on and on.

But it brings us right back to our original question: Where does the money come from? Well, maybe the economists could pin it right down to the dollar. Higher incomes—husbands and wives both working—and a lot of other reasons.

We want to point up here just one reason why people these days have more money to buy all the good things of life. It is one of the major reasons. It is that the 80 percent and more of the people who live in cities and suburbs and towns are spending less and less of their income for food.

It used to be that it took a third to a half of any family's income to put food on the table. Not any more. The latest figure we've seen, official from the U.S. Department of Agriculture, is 18½ percent of what they call "disposable" income. That's income after income taxes have been paid.

The farmer today gets only 37 cents out of every consumer dollar spent for food. Not too many years ago it used to be up around 50 cents.

So naturally when people can eat all they want of fine food for less money, they have more to spend on other things. That is what is happening. And the reason that people spend less of their income for food these days is that farmers are getting less for producing it. Quite a bit less, in fact.

This raises another question: What can be done to improve farm income? It is too low now by several billions of dollars a year. Without the Federal Government's farm programs and the farmers' own cooperatives to help, the farm problem today would be a major national crisis. It may yet reach that point.

We mention this today because it is so important and because GTA, as a farmers' cooperative organization, is gravely concerned.

A FOOTNOTE TO INTERNATIONAL ECONOMIC BOYCOTT POLICIES

Mr. KEATING. Mr. President, as a footnote to U.S. efforts to bar all goods of a strategic nature from Cuba and the reluctance of our allies to cooperate, it is a matter of interest to me that the U.S. Government has agreed, and announced as a matter of policy last August its decision not to sell arms and munitions to the Republic of South Africa because of its repressive racial policies. This decision, I am sure, has the support of the great majority of Americans, who are increasingly concerned about the sending of American weapons to be used by other nations in internal disputes or conflicts with neighboring, non-Communist states.

As a result of this position, the United States has not sold Intruder fighter-interceptor planes to the South African Government, which the South Africans apparently wished to acquire.

Yet, Mr. President, the United Kingdom, which also has announced a ban on sale of arms to South Africa is delivering Buccaneer aircraft, which are fairly similar, to the Government of South Africa under a contract which is claimed to predate the ban. It would appear, nevertheless, that this is another instance where trade and commerce has been put ahead of the political considerations which result from sales of military aircraft to a nation with a record like that of South Africa.

In my view, Mr. President, it is extremely shortsighted to put business ahead of principles. Whether the issue is trade with Cuba or with South Africa, free world nations should consider all the implications of trade deals. This action by the British reemphasizes in my view the need for a more coordinated approach to trade problems among our allies and especially the NATO nations and a realistic recognition that more is involved in trade, especially of military, strategic, or potentially strategic goods, than mere profit.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of the report I received on this matter from the Department of State.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., May 13, 1964.

Hon. KENNETH B. KEATING,
U.S. Senate.

DEAR SENATOR KEATING: Thank you for your letter of April 30 inquiring about the Department's blocking of efforts by the South African Government to buy Grumman Intruder aircraft and about consequent sales by the British of Buccaneer aircraft to South Africa.

The sale of military aircraft such as the Intruder fighter-interceptor would be at variance with U.S. arms policy as announced by Ambassador Adlai Stevenson in the United Nations Security Council last August. As a concrete expression of our disapproval of the repressive racial policies of the South African Government, the United States placed a ban on the sale of arms and munitions to the Republic. In order to strengthen our position regarding sales of military items, Ambassador Stevenson stated in December before the Security Council that, in addition to the ban on arms sales, the United States would no longer sell to South Africa equipment and materials used for the production and maintenance of arms and munitions.

The United Kingdom has placed a ban on the sale of arms to South Africa. However, according to the British Embassy, the contracts covering sales of Buccaneer aircraft to the South African Government were signed some 18 months ago before the ban had become fully effective. There is no indication that the present British Government will try to break these contracts. Although a Labor government might view the contracts in a different light, we have no assurance that if a Labor government should come into office that it would seek to renegotiate existing contracts.

If I can be of further assistance to you in this matter, please do not hesitate to let me know.

Sincerely yours,

ROBERT E. LEE,
Acting Assistant Secretary for Congressional Relations.

SPIRITED NEGOTIATIONS NEEDED TO INCREASE BEER EXPORTS

Mr. KEATING. Mr. President, domestic brewers have been hard hit in the past 15 years by unfair foreign competition; imports of beer to this country have risen 350 percent in dollar value, while exports have plummeted 90 percent. American beer exports come up against formidable nontariff barriers abroad that are often more discriminatory than actual tariff walls. For instance, many countries levy internal taxes as well as ad valorem duties which place American beer out of range for most foreign consumers. Also, the countries that have openly erected tariff walls against bottled beer are discriminating against American brewers by higher shipping costs, different weight criteria, and a number of internal levies.

Recently, I joined 41 Senators and Representatives in a letter to Secretary Hodges and Governor Herter to urge that the American delegation to the GATT negotiations make every effort to eliminate nontariff discrimination by member nations against American beer. We have asked that particular attention be given to the forms of hidden discrimination mentioned above. We also pointed out that a reasonable adjustment of this imbalanced situation would not only accrue to the benefit of an important industry and to many farmers, but also would alleviate the lingering problem of gold outflow. I ask unanimous consent that these letters, together with the replies to them, be printed in the RECORD.

The current trade negotiations among GATT members can, if pursued to fair and progressive adjustments of trade discrimination, vastly improve the spirit of trans-Atlantic cooperation. A determined effort to ease the two-way flow of spirits might very well have a buoyant effect on the spirit of the Atlantic Alliance.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

APRIL 29, 1964.

Hon. LUTHER H. HODGES,
Secretary of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: We, the undersigned Members of Congress, are writing to express our interest in the success of the forthcoming negotiations under the General Agreement on Tariffs and Trade and in the expansion of trade by the United States. In particular, we are most desirous that a maximum effort be made by the United States to persuade members of GATT to drastically reduce their tariff rates on beer, to remove all nontariff barriers, and to terminate any restrictions against the importation of American beer that may exist.

We have a common interest in this particular product because the breweries in the States and districts which we represent are anxious to increase their foreign trade. These breweries make large contributions to the economy of each State in which their plants are located, to say nothing of their contribution to the economy of the Nation. We believe that a great potential exists for the brewing industry to make a substantial contribution to the reduction of the gold outflow.

The tariff imposed on beer by the United States is 12½ cents per gallon which is equivalent to slightly more than 1 cent per bottle. This amounts to less than 10 percent ad valorem based on the 1963 average value of imports. While a few countries impose tariffs that are as low or at least are reasonable, most nations impose rates that are extremely high and even prohibitive. In addition, many countries impose ad valorem tariffs and internal taxes which, due to our higher landed costs, result in the U.S. product paying higher duties and taxes than other imported beers. This is especially true in those countries that impose tariffs on filled bottles. U.S. beer is further restricted by having to pay higher shipping charges than foreign beer.

In order to be able to compete with domestic beer and beers imported from low-production-cost countries, the following goals should be sought:

1. Reduction of foreign tariff rates to a level no higher than the equivalent of 10 percent ad valorem.

2. Change in method of imposing tariffs from ad valorem or gross weight to a specific duty such as gallons, liters.

3. Change in method of imposing internal taxes such as equalization, sales, excises, etc., from ad valorem to specific rates.

4. Elimination of the duty on filled bottles or other one-trip containers.

5. Equalization of ocean shipping rates.

The effect of the low U.S. tariff rate on beer imports and the high rates on U.S. beer exports has resulted in a change in ratio of imports to exports from 1 to 2 in 1947 to 22 to 1 in 1963.

Imports in 1963 were valued at $19 million, an increase of more than 350 percent during the past 15 years. Exports, which were valued at $6.4 million in 1947, declined almost 90 percent to $730,000 in 1963.

American and foreign beers contain about the same relatively low alcoholic content. For this reason, tariffs and taxes should not be sumptuary imposts as is often the theory in establishing rates on stronger alcoholic beverages. Nor should tariffs be at rates intended to protect local breweries. The ratio of weight to value is so high, that shipping costs by themselves serve as barriers and thus protect local industry.

Finally, beer is not a luxury. Indeed, in the United States it is exceeded in consumption only by milk and coffee, and many of the countries to which American breweries would like to export, consume up to double the amount per capita consumed in the United States.

We should like to point out also that more than the usual economic benefits from the expansion of exports would accrue from the expansion of beer exports. Each year, the brewing industry uses about one-quarter of a billion dollars worth of farm products. This amount can be increased, perhaps substantially, if the way is paved during the negotiations under GATT. We urge that every effort be made to enable the American brewing industry to do its share in increasing the use of farm products, halting the outflow of gold, and otherwise contributing to the economic betterment of the United States.

Sincerely,

John J. Rooney, Melvin Price, Ken Keating, E. Ross Adair, Herman E. Talmadge, Clement J. Zablocki, Julia Butler Hansen, Daniel K. Inouye, Thomas H. Kuchel, Clair Engle, Hiram L. Fong, Geo. A. Smathers, Henry S. Reuss, George M. Wallhauser, Stuart Symington, Edward V. Long, William Proxmire, Gaylord Nelson, Everett M. Dirksen, Henry M. Jackson, Warren G. Magnuson, Ralph Harvey, Clark W. Thompson, Thor C. Tollefson, Hale Boggs, Richard Bolling, Philip J. Philbin, Ed Foreman, W. S. Mailliard, Howard Robison, Wm. J. Randall, Spark M. Matsunaga, Robert H. Michel, James Harvey, John G. Tower, Frank E. Moss, Joseph G. Minish.

The following have stated that they will sign these letters: Senator J. GLENN BEALL, Senator JACOB K. JAVITS, Representative SAM M. GIBBONS.

OFFICE OF THE
SPECIAL REPRESENTATIVE,
FOR TRADE NEGOTIATIONS,
EXECUTIVE OFFICE OF THE PRESIDENT,
Washington, D.C., May 12, 1964.

Hon. KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KEATING: In Governor Herter's absence, let me thank you for your letter of April 29, 1964, signed jointly with other Members of Congress, in which you urge that a number of steps be taken to expand export opportunities for domestic beer.

This Office, the Trade Information Committee in particular, has made a special effort to obtain the views of the domestic industries concerning the obstacles they face in their export program. For this reason, we are pleased to receive your letter, which makes a number of specific and thoughtful suggestions in this regard.

Your letter will be made available to the various working groups which are analyzing the kinds of concessions which the United States should seek from our trading partners in the trade negotiations. I can assure you that the suggestions contained in your letter will be given serious consideration as we prepare for the beginning of actual bargaining in the Kennedy round.

Sincerely yours,

WILLIAM M. ROTH,
Acting Special Representative.

THE SECRETARY OF COMMERCE,
Washington, D.C., May 14, 1964.

DEAR SENATOR: In the absence of the Secretary, I wish to thank you very much for your letter of April 29 transmitting your views and those of your colleagues regarding the reduction of foreign tariffs and the removal of other import restrictions on U.S. exports of beer during the forthcoming trade negotiations.

It is our intention to do all possible in the current round of trade negotiations at Geneva to secure liberalization of impediments to sales of U.S. beer abroad. As you may know, representatives of the beer industry attended a meeting in this Department on August 15 of last year to discuss barriers to exports and the U.S. Brewers Association recently filed a detailed brief and presented oral testimony before the Trade Information Committee on the subject of foreign tariffs and trade restrictions.

All of the information brought to our attention is available to the teams which have been created to carry out the economic and statistical research necessary to determine what the United States should ask of other countries in the forthcoming bargaining sessions. This work is well underway, and I am sure the requests received to date have been given full consideration.

However, to make sure that no stone is left unturned in our efforts to obtain the mutual objectives sought by the industry, Congress and this Department, and to insure that the full facts of the case are brought to light, our Bureau of International Commerce is making a detailed survey by country of foreign tariffs and restrictions on U.S. beer exports. Any other barriers brought to the surface by this survey will be passed on to our negotiating teams along with copies of your letter and the list of signers for incorporation in their preparations.

So that each of the 42 signers of the letter to Secretary Hodges may know of our interest in expanding opportunities for oversea sales of U.S. beer, I am sending a copy of this letter to each of them. It is helpful to us to know of the widespread interest in the Congress on this matter.

Sincerely yours,

——— ———,
Acting Secretary of Commerce.

DISCLOSURE BY SENATORS OF THEIR INCOME AND OUTSIDE FINANCIAL OBLIGATIONS

Mr. MOSS. Mr. President, on the 18th of May, the majority leader, the Senator from Montana [Mr. MANSFIELD] placed in the record a statement by the senior Senator from Idaho [Mr. CHURCH] in which he made disclosure of his income, outside financial obligations, and associations, and spoke on the general subject of the financial disclosure that Senators should make. In the course of this statement, Senator CHURCH recited a list of Senators who similarly had made a financial disclosure.

Unfortunately, the Senator from Idaho did not appear to be aware of the statement which I made before the Senate many weeks ago in which I made disclosure of my assets and income and business relationships. In my statement I said something similar to that of the Senator from Idaho when he noted that it was a chastening experience to stand before the Senate and acknowledge possession of so little of the world's goods. Like the Senator from Idaho, I have found that it has actually been an expensive experience to serve in the U.S. Senate. I own less now than I did when I came to the Senate, and all appearances are that this trend will continue. I say this not in complaint, but simply to underline the fact that a Senator who is not a man of some wealth when he comes to the Senate will find it difficult to make ends meet, particularly if he has a family of an age where attendance at high school and college is required.

I firmly believe that it is a salutary and desirable thing for all public officers to make disclosure of any possible conflicts of interest, and this is the reason that I made my statement to the Senate of the United States.

THE MESS IN CIVIL DEFENSE

Mr. YOUNG of Ohio. Mr. President, civil defense officials have asked for an appropriation of more than $358 million for the coming year. What is even more amazing is the fact that $124 million of this amount—for fallout bomb shelters—has not yet been authorized by law and very likely will not be. These officials are well aware of the fact that a subcommittee of the Senate Armed Services Committee has refused to approve the authorization measure for so-called fallout shelters. I have the honor to serve on that subcommittee under its very able chairman, the distinguished junior Senator from Washington [Mr. JACKSON].

Our vote in the subcommittee was overwhelmingly against this appropriation. Steuart Pittman, Assistant Secretary of Defense, resigned from his office shortly thereafter.

However, the civil defense bureaucrats never seem to learn. After 13 years, after the complete waste of a billion and a half taxpayers' dollars, and after a thousand silly schemes, including siren sounding and fantastically unworkable evacuation programs, they still hope to continue the fantastic civil defense boondoggle. There is perhaps no other function or agency of the Federal Government that has been so thoroughly discredited. There are few citizens who any longer take it seriously. Communities throughout the Nation have discontinued their civil defense programs and expenditures officially, such as Portland, Oreg., or have ignored them to the point where for all practical purposes they have been abolished.

In my home city of Cleveland, Ohio, for instance, several communities in the Greater Cleveland area have either withdrawn from the Cuyahoga County Civil Defense Organization or are threatening to do so. In fact, the county's civil defense chief, John Pokorny, resigned and sought and obtained greater job security as workhouse superintendent last month. No one has been appointed to replace him as civil defense director. I commend the Cuyahoga County Commissioners on their wisdom and on their refusal to throw more taxpayers' money down the bottomless pit of civil defense expenditures.

In their budget request, civil defense bureaucrats indicate that they hope to have nearly 8,000 persons on the payroll in the next fiscal year. This is about 30 percent more than the total number of special agents employed by the Federal Bureau of Investigation. These employees will be divided into two groups, the first being those employed directly by the Federal Civil Defense Organization. They hope to have 1,091 such employees next fiscal year at an average salary of $10,592.

Incidentally, I note that in the budget for fiscal year 1965, the average salary for paid civil defense employees will be one of the highest in the entire Federal bureaucracy. By comparison employees of the Federal Bureau of Investigation will average $9,206; $9,576 for the National Aeronautics and Space Administration; and $8,015 for the Small Business Administration, to name a few of the many important Government agencies where the average salary is less than that for civil defense employees. It would be difficult to find another agency in the Federal Government where so many have done so little to earn so much.

The second class of civil defense employees comprises those hired by State and municipal civil defense agencies. Half of their salaries are paid by the Federal Government under a matching funds program. There were 5,012 of them in fiscal 1963; their total is estimated at 5,594 this year; and now civil defense officials want 1,175 more officials and employees next year. If they get what they want, the Federal share alone of their salaries and expenses will be $19 million. The rest will come from State and municipal governments where tax dollars grow increasingly scarce, and where vital programs for schools, hospitals, housing and other public services die for lack of funds. It is the program on the national level that spawns the growth of city and State organizations and multiplies the waste.

Too few Governors, mayors, and county commissioners can resist the temptation to accept Federal matching funds to provide in many cases a comfortable haven in the political storm for political hacks and defeated officeholders. While enjoying public sinecures they do little except talk vaguely about survival, plan alerts to annoy their neighbors, and distribute countless reams of literature.

Daily, I—and I am sure all of my colleagues likewise—receive phone calls and letters from mayors and other municipal officials requesting assistance in having their applications for public work projects expedited. Funds for the accelerated public works program, which is operated on a matching basis, have been virtually depleted. At the same time the Federal Government is encouraging these officials to spend about $19 million for salaries, not to mention the additional millions required, for civil defense employees. If we cut off the head of the bureaucratic octopus in Washington, its wasteful satellites in States and cities will soon wither away.

Mr. President, the amount requested for civil defense is about half that requested by the President for the war on poverty. It is more than three times the amount requested for the Peace Corps. Wherever and whenever possible our President and we in the Congress are trying to effect economy in Government without curtailing vital programs both foreign and domestic. In good conscience we cannot appropriate anywhere near the huge sum requested for civil defense purposes. To do so would be to make a sham of efforts toward more economy in Government, to encourage waste of taxpayers' money at all levels of Government, and a slap in the face to taxpayers.

Mr. President, when I first began my fight against wasteful civil defense spending early in 1959 I was virtually alone in the Congress. Today I know that many of my colleagues share my views as evidenced by rollcall votes at various times on efforts to reduce such spending, and by the recent action of the Armed Services Subcommittee on which I have the honor to serve. The recent thaw in the cold war coupled with greatly advanced nuclear technology has raised the question of whether we should continue our civil defense program, such as it is. At any rate these events have made it imperative that the entire program—its objectives and its structure—need drastic redefinition and revision.

Furthermore, the American people and the American press have become increasingly disgusted with this waste of money, time, and effort. One newspaper that has for many years called for a halt to such waste and for the adoption of a realistic civil defense program—if such a thing is possible—is the Cleveland Press, one of Ohio's great newspapers and one of the great newspapers of the Nation. In an excellent editorial entitled "The Mess in Civil Defense" published on May 16, 1964, this newspaper concisely and clearly stated the case against civil defense as now operated. I commend this to my colleagues and ask unanimous consent that it be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MESS IN CIVIL DEFENSE

The Office of Civil Defense wants Congress to appropriate $358 million for next year. For what?

The recent thaw in the cold war has brought about a deterioration of civil defense's functions. This entire program—its objectives and its structure—needs drastic redefinition.

Several communities in Greater Cleveland have either pulled out of civil defense or are threatening to pull out. They understandably do not want to drop their money down a reinforced concrete rathole.

The atrophy in Cleveland has reached the point where the county's civil defense chief, John Pokorny, was shifted to workhouse superintendent last month without anyone yet being named to replace him.

Only Washington can stop the civil defense drift by coming up with a realistic, meaningful program—if one is possible.

Meanwhile, the national CD office wants $358 million new money, a fraction of which is to pay half the salaries of 6,769 persons hired by local CD agencies. Without useful services for these people to perform, CD is in severe danger of becoming a vast boondoggle—if it is not already so.

As long as an economy-conscious (with other departments' money) Congress is available, with civil defense's chief critic, Senator STEVE YOUNG, on the job, the administration may yet face up to the floundering Office of Civil Defense.

U.S. POLICY IN SOUTHEAST ASIA

Mr. MANSFIELD. Mr. President, as a Senator from Montana, I wish to speak on the situation in southeast Asia.

Before I do so, it may be recalled that several years ago I made a speech on the floor of the Senate in which I advocated that consideration be given to the unification of both East Berlin and West Berlin into a united whole. At that time the reaction was somewhat critical. The interpretation of my speech was to the effect that I was advocating the internationalization of West Berlin alone, rather than the unification of the two Berlins, and thereby furthering the difficulties which were inherent in the German question at that time.

Subsequent to that speech, the possibility of the unification of the two Berlins, both East and West, has gone out the window, and the result of not taking any action has been the erection of a wall which has made a definite division between those two cities, one now a part of East Germany. East Berlin is, in fact, the capital of East Germany. The other, West Berlin is a member of the Federal Republic—at least, in a certain sense. So instead of unity, there is division; and that division has been further emphasized through the erection of the wall, which has made a bad situation worse.

In February of this year, I made a speech about Vietnam. At that time I suggested that the United States give some attention to the proposals then being advanced by President de Gaulle, of France, who was seeking to bring about neutrality for all of what formerly was known as Indochina. Following that speech, there was, again, some critical reaction. But now I believe the situation calls for a further examination of the developments in that portion of Asia. I refer to reports in this morning's newspapers of a proposal by President de Gaulle to reconvene the Geneva Conference on the situation in Laos. The Geneva Conference to which he refers was, of course, the one held in 1962, when an agreement was made by 14 nations to guarantee Laotian neutrality. This would appear to be an extension of the urgent suggestion of Prime Minister Souvanna Phouma and is in accord with the diplomacy which the United States has been pursuing for the last several days. All of these efforts point toward the same end. They are designed to prevent a final collapse of the tottering situation in Laos and, in reality, throughout the Indochinese Peninsula.

I have said it on a previous occasion and I repeat it now: the diplomatic initiatives of General de Gaulle in southeast Asia ought not to be dismissed lightly. They are designed to preserve a measure of peace, stability, and national sovereignty in southeast Asia, where all three are on the brink of collapse in the gathering chaos. In my judgment, these initiatives now, as in the past, are consistent in every respect with the interests of the United States in that part of the world.

To be sure, neutralism in Laos, an uncertain affair for several years, is not all that we might desire. But that does not mean that it is not desirable to exert ourselves, and to welcome from others every effort to save it. We might well ask ourselves what would have happened in Laos in the past 3 years without this truce, however shaky. The answer is clear: either Laos would now be incorporated into the expanding orbit of North Vietnam and Asia communism or thousands of American soldiers would be engaged in that remote country. The harrowing conflict in Vietnam, which involves Americans only indirectly, does not begin to compare with what would have been our situation in Laos in the absence of the Geneva agreement of 1962.

May I say, further, that in my judgment there is no inconsistency between President Johnson's efforts to shore up the situation in South Vietnam and General de Gaulle's proposal for a conference on Laos. Indeed, there can be no peace in Indochina, except a Communist-dictated peace, unless an improvement is brought about in the situation in South Vietnam such as the President is striving to achieve. But, conversely, there is little likelihood that the situation in Vietnam can be improved without an understanding in Laos along the lines which General de Gaulle is apparently hopeful of achieving.

It is true that the conference which he proposes could conceivably expand into a general discussion of the Cambodian and Vietnamese situation. But is that something to be feared? Are we afraid of words of criticism from China or the Vietnamese Communists at an international conference? That would hardly be a new experience. We have been raved and ranted at before and have always managed to survive.

So long as our purposes remain clear in Vietnam, so long as we continue to recognize that questions of propaganda and prestige, of "face," East or West, are secondary to both the questions of the peace, well-being, and freedom of the people of southeast Asia and the achievement of our own basic but limited national objectives in Indochina, we have nothing to fear from such a conference.

On the contrary, we might indeed welcome not only the conference proposed by General de Gaulle but even its expansion into the general question of stability in Indochina and southeast Asia.

The PRESIDING OFFICER. The time of the Senator from Montana has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for an additional 4 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, the conference proposed might well be the place to lay all the cards on the table with respect to Indochina and to determine how the peace and freedom of that region is best to be secured. As a nation which is no longer directly involved but whose contacts and cultural influences in Indochina are still extensive, France is clearly in a position to initiate such a conference in all good faith.

As the late President Kennedy said:

> We must not negotiate from fear, but neither should we fear to negotiate.

In accordance with that wise counsel, we must continue our economic and military assistance to Vietnam, but we should also consider most carefully the conference proposed by President de Gaulle. It may well be the last train out for peace in southeast Asia.

It should be noted, furthermore, that the question of raids into Cambodia is now pending before the United Nations in this connection. This morning, the U.S. Ambassador to the United Nations made a speech, a part of which I should like to quote for incorporation in the RECORD. It is contained in Associated Press bulletin No. 66 and reads as follows:

> UNITED NATIONS.—Stevenson declared there is a very simple way to restore order in southeast Asia and to bring about the end of the U.S. military aid to South Vietnam.
>
> "Let all foreign troops withdraw from Laos," he said.
>
> "Let all states in that area make the simple decision to leave their neighbors alone. Stop the secret subversion of other people's independence. Stop the clandestine and illegal transit of national frontiers. Stop the export of revolution and the doctrine of violence. Stop the violations of the political agreements reached at Geneva for the future of southeast Asia.
>
> "The people of Laos want to be left alone.
>
> "The people of Vietnam want to be left alone.
>
> "The people of Cambodia want to be left alone.
>
> "When their neighbors decide to leave them alone—as they must—there will be no fighting in southeast Asia and no need for American advisers to leave their homes to help these people resist aggression. Any time that decision can be put in enforcible terms, my Government will be only too happy to put down the burden that we have been sharing with those determined to preserve their independence. Until such assurances are forthcoming, we shall stand for the independence of free peoples in southeast Asia as we have elsewhere."

Two significant articles were also published in today's press, one of which, in the New York Times, indicates that there is an interconnection between the situation in Laos and the Cambodia charge in the United Nations and the situation in South Vietnam.

I quote the following from the editorial—referring to Secretary McNamara:

> He has also said that "we have no objection in principle to neutrality in the sense of nonalinement." And Secretaries McNamara and Rusk both have indicated that the United States is prepared to abide by the Geneva accords of 1954, which neutralized all the Indochina States, including Communist North Vietnam. As a result of these ac-

> cords, French troops and 120,000 Communist guerrillas were withdrawn from South Vietnam. While neutralization can hardly be said to have been a roaring success in Laos, the story might be different if neutralization could ultimately be applied to all of what was formerly French Indochina.

Also the following:

> To suggest this does not mean that we can afford, in the meanwhile, to lessen our military effort in South Vietnam. Quite the contrary—we must make it clear to the world that we are willing and able to wage war as well as to negotiate for peace.

And further in the editorial:

> We must make clear our willingness at the proper moment to seek a political settlement based, of course, on a non-Communist South Vietnam, independent, neutral—free of Communist guerrillas as well as of foreign troops and bases—and guaranteed by the Great Powers. We must make it clear that we are fighting to get out of, not to stay in, South Vietnam. The aim should be a return to the Geneva settlement of 1954, an objective that might even be supported by the French. In a little noticed statement a few weeks ago, Foreign Minister Couve de Murville indicated that this is really what President de Gaulle has in mind.

The PRESIDING OFFICER. Under the morning hour limitation, the time available to the Senator from Montana has expired.

Mr. MANSFIELD. Mr. President, I ask that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so orderd.

Mr. MANSFIELD. Mr. President, I quote now from an article written by Walter Lippmann, and published this morning in the Washington Post:

> On the contrary, the main objective of French policy is to save southeast Asia from conquest by China and to avert a disaster which would affect the whole Western World in its dealings with Asia. Let us not blind ourselves by a prejudiced refusal to take seriously the French intervention in Asia.

Further on in the article, Mr. Lippmann states:

> If we analyze the situation fully, we shall conclude, I believe, that French policy and American are not competitive in Asia but are in fact complementary. This is to say that what De Gaulle is trying to accomplish is the only conceivable solution of what is certainly an otherwise interminable military conflict. But it is to say also that what the United States is continuing to do, which is to sustain the resistance of the Saigon government, is necessary to the success of the French action.
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> * * * * *
>
> It is in this sense that the two policies are complementary. They would become fused into one policy if the administration adopted as its slogan a modification of Churchill's remark "We arm to parley" and said that "in Vietnam we fight to parley."

Mr. President, I was one of those who felt that the assassination of Ngo Dinh Diem, the only civilian ruler South Vietnam ever had, was a serious mistake. He was the one man who could have held that country together. When I speak of Ngo Dinh Diem, I am speaking only of Ngo Dinh Diem, a man who would be considered, in a sense, the founder of modern, free Vietnam, a man who devoted his life to that country, and still had much to contribute to it, reports to the contrary notwithstanding, at the time when he was gunned down.

Mr. JAVITS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I have listened with close attention to the remarks of the Senator from Montana. If he means essentially the policy which he has laid out for our Government—and without relying upon General de Gaulle's activities but at the same time being willing to recognize and accept him as an ally as long as he performs a useful function as outlined in these ideas and the editorial and the article—I join the Senator from Montana in approving this policy as a political objective for the United States.

Heretofore, I have in a most friendly way differed with the Senator from Montana on ideas to neutralize this area, and also with respect to the situation in Berlin. But I believe the Senator from Montana now has put his finger upon a consistent outline of policy. It is most useful that he is the majority leader.

I believe the criticism that has been made; namely, that our forces are in South Vietnam at so much danger and cost, but without an objective—is answered by this kind of coordinated policy; and I hope very much the distinguished Senator will make clear to the country that this is a consistent line of policy, and is not for a repetition of any previous situation; that we are not fighting blindly, but that we are working to preserve the essential conditions under which this area may have a chance.

The situation is very difficult, and we are all broken-hearted at the losses; but what we are doing is the constructive road to peace, and it must be accepted. I believe the Senator from Montana has sounded exactly the right note on America's political objectives. I consider it an honor to join him in subscribing to that view.

Mr. MANSFIELD. I thank the Senator from New York. However, at the outset I made clear that in making these remarks, I spoke only as a Senator from Montana.

Mr. JAVITS. However, I express the hope that this will be the coordinated line of policy the President will pursue, although I am aware that the Senator from Montana is always very careful in stating that he is expressing only his own view.

Mr. MANSFIELD. Yes; it is one man's view.

Mr. SALTONSTALL. Mr. President, will the Senator from Montana yield briefly to me?

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. The Senator from Montana has stated that our forces should stay in South Vietnam, to give the South Vietnamese confidence that we will continue to support them and will take whatever part we need to take to keep that country free. At the same time, as he suggests, no question of weakness will be involved in any agreement to confer, as President de Gaulle has suggested, on the problem of Laos and Cambodia and the other areas of that part of the world. In other words, we shall be exhibiting, not a sign of weakness, but a sign of strength, by staying in Vietnam and at the same time agreeing to try to confer, in an effort to solve this problem on a political level. That is what the Senator from Montana has said, is it not?

Mr. MANSFIELD. Yes, in general. So far as the first part of the Senator's statement is concerned—his references to staying in—we have no choice. So far as the second part of his statement is concerned, I believe it is the better part of wisdom to negotiate. As our late President said, we should never fear negotiations or fear to negotiate, because I think we can hold our own at any conference table. That is not a sign of weakness or appeasement. It could perhaps be looked upon as a facing up to reality, so to speak.

Mr. SALTONSTALL. I thank the Senator from Montana.

Mr. PELL. Mr. President, will the Senator from Montana yield briefly to me?

Mr. MANSFIELD. I yield.

Mr. PELL. I congratulate the very wise and thoughtful Senator from Montana on the thoughts he has just expressed. They are thoughts that have not heretofore been stated, but they needed to be stated.

Having accompanied him on his trip to this area, and knowing him to be the best informed Member of our body on that part of the world, I only hope that although he has spoken as a Senator from Montana, the policies his words represent may, before too long, be those of the administration.

Mr. MANSFIELD. I thank the Senator from Rhode Island, who has contributed so much to a better understanding of southeast Asia.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD excerpts from a speech I made on the Senate floor on February 19, 1964, on the Vietnamese situation and General de Gaulle's proposals. I also ask unanimous cosent to have printed in the RECORD excerpts from a report in January 1963, in which I was joined by the distinguished Senator from Rhode Island [Mr. PELL], the then Senator Benjamin Smith, of Massachusetts, and the distinguished Senator from Delaware [Mr. BOGGS].

There being no objection, the excerpts from the speech and the report were ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD, Feb. 19, 1964]

It seems to me that President de Gaulle has done well to speak out on southeast Asia. He has again demonstrated a sense of history and statesmanship in seeking new ways for dealing with the continuing instability and insecurity which prevails in Vietnam and much of southeast Asia. President Johnson, in pointing to the differences of view between ourselves and France, most appropriately noted in comment on President de Gaulle's remarks that, "If we could have neutralization of both North Vietnam and South Vietnam, I am sure that would be considered sympathetically." The President was, in my opinion—and today I am speaking only personally—referring to true neutralization—a status based on guarantees and not on words or promises or continued infiltration from the north.

The possibilities of such a neutralization may be extremely difficult to realize, but they ought not to be dismissed out of hand. There are the possibilities of the international patrol and control of borders in which U.S. forces in Vietnam and those of other nations prepared to do so could make a significant contribution. Indeed, Cambodia has indicated that it would welcome and do everything possible to accommodate such an international patrol. And it would seem to me that the Government of Laos under Prince Souvanna Phouma would have much to gain from a similar arrangement and, indeed, so would Thailand.

In that kind of a situation, there would most certainly be a role for France. We may or may not agree with President de Gaulle's approach in whole or part. That is our right and responsibility, even as the French have the right and responsibility to speak and act as they see fit even though I thoroughly disagree with De Gaulle's recognition of Communist China and, along with the Senator from Connecticut [Mr. DODD], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Ohio [Mr. LAUSCHE], and others, consider it a tragic mistake.

But whatever our differences, it seems to me most glib to make light of the admittedly unsatisfactory situation in Laos or the unhappy state of our relations with Cambodia as a basis for any offhand rejection of De Gaulle's essay at a new approach to Indochina and southeast Asia. Indeed, we might well ask ourselves: Do we ourselves, in terms of our national interests as seen in juxtaposition to the cost in American lives and resources, prefer what exists in South Vietnam to what exists in Laos or in Cambodia? Do we prefer another Vietnamese type of American involvement or perhaps a Korean-type involvement in these other countries and elsewhere in southeast Asia? Are we eager for expenditure of the great additions of foreign aid which they would entail? Are we to regard lightly the American casualties which would certainly be involved?

These questions, Mr. President, are very much to the point of the serious situation in southeast Asia, particularly in the Indochinese region, and of President de Gaulle's approach to it. If we face these questions fully and in all candor, if we do not seek to achieve lightly with words what can only be accomplished with blood and other sacrifices on the part of the people of this Nation, it seems to me that we will welcome a contribution of thought and effort from France to the possible solution of the problems of that troubled region. We will not deplore, ridicule, discourage, or denounce a French contribution. Rather, we will hope that, in spite of our doubts and certain of our experiences, the contributions will prove constructive, and we will do whatever we are able to do to bring the hope to fruition.

[Excerpts from report in January 1963]

CONCLUDING COMMENTS ON VIETNAM

Those who bear responsibility for directing operations under the new strategy are optimistic over the prospects for success. Indeed, success was predicted to the group almost without exception by responsible Americans and Vietnamese, in terms of a year or two hence.[1] The word "success" is not easy to define in a situation such as exists in South Vietnam.[2] It would mean, at the least, reduction of the guerrillas to the point where they would no longer be a serious threat to the stability of the Republic. If that point is reached, road and rail communications would once again become reasonably safe. Local officials would no longer live in constant fear of assassination. Rice and other major commodities would again move in volume to the cities. Development throughout the nation would be feasible. In short, the situation in South Vietnam would become roughly similar to that which eventually emerged in Malaya, and it is significant that a good deal of the present planning in South Vietnam is based upon the Malayan experience.

While such a situation would fall far short of the development of a "bastion" in South Vietnam, as the objective has been described on occasion, it would, nevertheless, be adequate to the survival of free Vietnam. It would not necessarily permit any great reduction in U.S. aid to the Vietnamese Government for some years but it would, at least, allow for a substantial reduction in the direct support which American forces are now providing to Vietnamese defense.

Great weight must be given to the views of those who have direct responsibility in the conduct of the new strategy. But even if success is envisioned in the limited sense described above, experience in Vietnam going back at least a decade recommends caution in predicting its rapid achievement. The new strategy is not entirely new. Elements of it have appeared over the past decade or more in various unsuccessful plans for resolving the guerrilla problem in Vietnam. What makes it new, perhaps, is that these elements have been interwoven, along with certain Malayan counterguerrilla tactics into a cohesive pattern which is supported more heavily than ever by the United States.

At this time, experience under the plan does not appear adequate for drawing the kind of optimistic conclusions with respect to it which have been drawn. The reported number of Vietcong casualties has gone up but, so too, has the estimated total of active Vietcong guerrillas. There are indications of improvements in the security of travel and in the movement of rice and other commodities through the countryside, but they are not yet conclusive. The newly strengthened armed services of the Republic, supported by U.S. forces, have scored some striking victories, but the Vietcong have recently shown a capacity to devise new tactics to counter the increased mobility and firepower of the Government's forces. Most frequently pointed to has been the success in winning over the montagnards to the Government. This could be an achievement of great importance in terms of its effect on Vietcong supply lines from north to south through the western mountains, but there are other supply lines by land and by sea. Moreover, the winning over of these scattered and quite primitive tribal peoples who, incidentally, were also won over in Laos, is not to be confused with the winning over of the Vietnamese peasants. The attitudes of the 15 million of Vietnamese in city and countryside, not those of the relatively small group of montagnards, will ultimately determine the future of the Republic and its Government.

It is with the Vietnamese peasant, of course, that the "strategic hamlet" concept is primarily concerned. The concept is based on the assumptions that the Vietcong are sustained by the rural populace primarily out of fear, and in part, because the peasants are not aware of the superior social, economic, and political advantages which are offered by support of the Government and participation in its processes. Assuming the accuracy of the assumptions successful military action within the dimensions of the present effort is conceivable within the foreseeable future. But even to give an initial military victory meaning will require a massive job of social engineering. In the best of circumstances, outside aid in very substantial size will be necessary for many years. However large such aid may be, it will not suffice without a great mobilization of selfless Vietnamese leadership in all parts of the country and at all levels.

It is in this area that criticism and doubt of the new strategy finds most persistent expression. And it is not a service to the people of Vietnam or to this Nation to ignore or to make light of the existence of this criticism and doubt. The fact must be faced that the practices of political organization which have been relied upon most heavily to date in South Vietnam are, in many respects, authoritarian. While the plans for the strategic hamlets are cast in a democratic mold, it is by no means certain at this point how they shall evolve in practice. The evolution of the practices of the Central Government, to date, are not reassuring in this connection.

There are, to be sure, extenuating circumstances in Vietnam which counsel great patience. The situation which was inherited by the Republic in 1955 was one of great corruption, repression, and divisiveness. Apart from the relatively peaceful period 1955–58, moreover, there have been continuous guerrilla pressures designed to weaken the Government and bring about its collapse. In spite of the difficulties some significant political, economic, and social reforms have been essayed over the years. Indeed, the basic political form of the central Government is democratic.

When that has been said, however, it is also necessary to note that present political practices in Vietnam do not appear to be mobilizing the potential capacities for able and self-sacrificing leadership on a substantial scale. Yet, such a mobilization is essential for the success of the new strategy and, hence, the survival of South Vietnam and of freedom within Vietnam.

It is most disturbing to find that after 7 years of the Republic, South Vietnam appears less, not more, stable than it was at the outset, that it appears more removed from, rather than closer to, the achievement of popularly responsible and responsive government. The pressures of the Vietcong guerrillas do not entirely explain this situation. In retrospect, the Government of Vietnam and our policies, particularly in the design and administration of aid, must bear a substantial, a very substantial, share of the responsibility.

We are now reshaping the aid programs in a fashion which those responsible believe will make them of maximum utility. We have intensified our support of the Vietnamese armed forces in ways which those responsible believe will produce greater effectiveness in military operations. This intensification, however, inevitably has carried us to the start of the road which leads to the point at which the conflict in Vietnam could become of greater concern and greater responsibility to the United States than it is to the Government and people of South Vietnam. In present circumstances, pursuit of that course could involve an expenditure of American lives and resources on a scale which would bear little relationship to the interests of the United States or, indeed, to the interests of the people of Vietnam.

If we are to avoid that course it must be clear to ourselves as well as to the Vietnamese where the primary responsibility lies in this situation. It must rest, as it has rested, with the Vietnamese Government and people. What further effort may be needed for the survival of the Republic of Vietnam in present circumstances must come from that source. If it is not forthcoming, the United States can reduce its commitment or abandon it entirely, but there is no interest of the United States in Vietnam which would justify, in present circumstances, the conversion of the war in that country primarily into an American war, to be fought primarily with American lives. It is the frequent contention of Communist propaganda that such is already the case. It should remain the fact that the war in Vietnam is not an American war in present circumstances. The words, "in present circumstances," are reiterated lest they be overlooked by those who may assume that there are no circumstances in which American interests might require even greater efforts in southeast Asia than those which we are now making.

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[1] More recent estimates as, for example, that of Adm. Harry Felt on Jan. 30, 1963, speak in terms of 3 years.

[2] Admiral Felt defines victory as government control of at least 90 percent of the rural population.

LAOS

Background

In contrast to Vietnam, policies since 1961 have involved a lightening of commitment in Laos. As in Vietnam, the United States began to supply aid to Laos about a decade ago. In the early years, this burden was shared with the French. The aid went to a government headed by the then Prime Minister Souvanna Phouma whose internal policy succeeded in bringing about partial integration of the dissident Pathet Lao political faction headed by his half brother Prince Souphanouvong. Various U.S. aid and other activities increased in the kingdom. At the same time the French role declined. Once again, an internal political divisiveness appeared. Souvanna Phouma was compelled to withdraw from the Government. There followed the coups and countercoups of 1959–60 which ended with an anti-Communist military government in control in the administrative capital of Vientiane. Its position, however, was challenged by two other factions, the Pathet Lao looking to the Vietminh of North Vietnam for support and by a group under a U.S. trained military officer, Kong Le, which advocated the return of Souvanna Phouma to the Government. By that time, U.S. agencies had assumed almost total responsibility for outside assistance to the military government in power in Vientiane.

The U.S. involvement

The growth in U.S. personnel in Laos and the overall cost of military and other aid to that country is indicative of the rapid engrossment of the United States in internal Laotian affairs. From a total of two American officials permanently stationed in all of Laos in 1953,[3] the number of U.S. personnel rose to 850 at its height in 1961, a total which has now declined to 250. Through the years 1955–62, the United States provided over $450 million in aid of all kinds to Laos.

In relation to the size and nature of the country this aid effort has been more intense than anywhere else in the world. Laos has only 2.5 million inhabitants, most of whom live in scattered and primitive villages. The land is located in one of the most remote regions of Asia and is largely covered with inaccessible jungle. A decade ago, political leadership on a national scale was nonexistent. Politics centered on the small group of intellectuals in the administrative capital of Vientiane, with ramifications reaching to the Royal Court in Luang Prabang. In 1953, the Laotian Army had two battalions in process of formation, less than a thousand men in all. There were also several hundred Pathet Lao dissidents under arms in the northeast. Outside its immediate neighbors and France, the existence of the Kingdom of Laos as a political entity was almost totally unknown abroad.

Yet scarcely a decade later, 100,000 Laotians were bearing arms. There were three major military factions engaged in conflict. The peaceful little Buddhist kingdom had become both a mirror reflecting the principal ideological stresses of our times and a bloody setting for international competition and intrigue on a massive scale. The transition had gone so far by the spring of 1961 that this Nation was compelled to consider seriously the possibility of a major and direct military involvement of U.S. forces in Laos, with overtones not unlike those of the Korean conflict.

There were, however, different characteristics in the Laotian situation which held some promise that a satisfactory solution to the problem could be achieved through negotiations. An international conference of 14 nations was convened in Geneva on the Laotian question in an effort to find a peaceful solution along lines which had long been advocated by Cambodia. Fourteen months later on July 23, 1962, an agreement was signed by the participating nations and a measure of peace returned to the embattled kingdom.

The current situation

The signatories of the Geneva accord of 1962 pledged themselves to respect the neutrality of Laos and not to interfere in its internal affairs. In addition, they promised to withdraw such military forces as they had in Laos and not to use the territory of Laos for interference in the internal affairs of other countries.

Concomitant with the Geneva agreement, the leaders of the three principal Laotian political factions agreed to establish a unified government and administration under the king. The key figures in the latter settlement were Prince Souvanna Phouma who, having served as the first Prime Minister of an independent Laos, became Prime Minister once again in the provisional government. He was joined in the new government by Prince Souphanouvong, his half brother and the leader of the northern dissidents and by Gen. Phoumi Nosavan, leader of a southern faction who had had close ties with Thailand and U.S. executive agencies.

It is too soon to judge the efficacy of the international and Laotian accords which have been introduced into the situation. Insofar as the larger powers are concerned, U.S. forces have been withdrawn in keeping with the agreement. On the basis of available information, there are neither Soviet Russian nor Chinese forces in Laos in violation of the agreement. But there is every likelihood that Vietminh forces are still present among the Pathet Lao, and there are allegations that foreign elements are also active in other military factions.

Responsibility for determining that all foreign forces have been withdrawn from Laos rests with an International Control Commission. But this group of Indians, Canadians, and Poles has yet to carry out the responsibility, largely because of disagreement among the factions within the provisional government.

This is but one example of the difficulties besetting the government of Prime Minister Souvanna Phouma, which operates on the principle of unanimity of the three factions on matters of significance. There are many others. In particular, there is the problem of military demobilization. An agreement in principle has been reached to reduce the total of more than 100,000 men under arms in Laos to a national force of 30,000 and a police force of 6,000 drawn equally from the three major factions. As of the time of our visit, however, the agreement was still awaiting action. There have also been sporadic violations of the cease fire directed especially at Meo tribes people in Pathet Lao controlled territory. And American planes have even been shot down while carrying relief supplies to isolated troops at the request of the Prime Minister.

Present U.S. policies

It is the policy of the United States, as expressed by the President, to support fully both the Geneva agreement of 1962 and the efforts of Prime Minister Souvanna to establish a unified government in Laos. In keeping with the Geneva accords, the United States has already withdrawn its military aid mission personnel of 650 as well as 400 Filipino contract technicians.

At the same time, and at the request of the Prime Minister, the United States is supplying maintenance material to the armed forces under the control of General Phoumi and those responsive to Souvanna Phouma and has offered to assist in the orderly demobilization of the military when it becomes feasible. The United States is also continuing economic help to the Laotian Government, but the program is shifting from aid designed to permit the economy to sustain large military burdens to aid designed essentially to help in reconstruction and development, with stress on education.

In effect, U.S. Laotian policy is now acting to extricate this nation in an orderly fashion from the position of virtually sole outside support of the Government of Laos. A substantial reduction in the cost of Laotian policy has already been achieved by the withdrawal of the military aid mission. Aid going to Laos, moreover, has been reduced from a peak annual level of $73 million in 1962 to the present level of about $40 million.

While this reduction has been taking place, both France and Britain have agreed to share in new programs of economic reconstruction and development. So far, however, the French have been reluctant to assume any increase in responsibilities for military aid although France is the only power permitted by the Geneva accords to maintain military personnel in Laos.

The Soviet Union is also providing economic assistance to the provisional government, largely through a new commercial payments agreement. The Russians have also given Laos 10 aircraft for transport purposes. They have offered to build a hospital and a radio station and to provide credit for the construction of a large hydroelectric station.[4]

Concluding comments

Solution to the Laotian problem along the lines of international neutralization and national unification would be immensely difficult to achieve in the best of circumstances. Geographic and cultural factors in the situation are such as to encourage internal political fragmentation, and the sense of Laotian nationality is not widely developed among the populace. At the same time, ideological and predatory forces from without have historically tended to press in, as wedges, upon the region in which the little kingdom is located. To these obvious difficulties must be added lingering personal suspicions among the principal Laotian leaders, growing out of the experiences of the past.

What the outcome of the attempted solution will be is still very uncertain. Much hinges on the perseverance of Prince Souvanna Phouma, who as Prime Minister, has undertaken the principal responsibility. Alone among the present leaders he enjoys a stature which is larger than any faction. Much depends, too, on the willingness of France to play a significant part in providing disinterested assistance along with other outside nations. The tenuous peace, moreover, can be jeopardized if there is continued use of the facility which Laos offers for the transshipment of supplies from North Vietnam to the guerrillas in the south.

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[3] In that year, the U.S. mission in Saigon was accredited for all three Indochinese states—Vietnam, Cambodia, and Laos—and the U.S. Minister in Saigon paid only occasional visits to what was then a small legation in Vientiane.

[4] Other bloc countries and Communist China have also indicated interest in supplying aid. Gen. Phoumi Nosavan has visited Moscow and Peiping on an economic aid mission, and a state visit by the King to the Soviet Union, the United States, and other Geneva participants is in progress.

At this point, half year after the conclusion of the agreement, it must be counted an achievement that the military conflict remains substantially in abeyance. There have been, as noted, sporadic and isolated outbreaks of hostility. In general, however, the cease fire has held. Moreover, major outside powers—notably the United States and the Soviet Union—have been giving substantial constructive aid to the provisional government of Prime Minister Souvanna Phouma.

On the other hand until the removal of all foreign forces from Laos is ascertained, until the authority of the unified government is generally accepted throughout the country, until the military forces are reduced and unified, the situation is bound to continue to hang in precarious balance. Attempts by either an outside nation or a faction within Laos to take advantage of the delicate transition could readily upset the situation, and might well bring about the abandonment of the effort at unification by Souvanna Phouma.

From the point of view of the United States, the situation is improved over that which prevailed when the Geneva Conference convened in 1961. At that time it was evident that only military intervention by SEATO, and primarily by U.S. military forces in considerable strength, in a war of uncertain depth and duration, offered the hope of preventing further deterioration in the position of the Vientiane Government.[5] The Geneva Conference interposed a cease-fire at that point, and the accords to which it led helped to forestall a deepening of U.S. involvement. At least the prospect now exists for a peaceful solution and that alone has already permitted a reduction in both aid costs and numbers of U.S. personnel in Laos.

OTHER SOUTHEAST ASIAN NATIONS

Outside Laos and Vietnam, the United States has commitments of varying depth with respect to the other countries of southeast Asia. The ties range from those of intimate alliance with the Philippines and to a lesser extent with Thailand to what might be termed friendly but essentially routine relations with Malaya and Burma. Relations with Cambodia are in an intermediate stage, in which U.S. aid is still a factor but one of declining significance.[6]

Cambodia

Cambodia has developed into one of the most stable and progressive nations in southeast Asia. Apart from difficulties on its borders with Thailand and Vietnam, the kingdom enjoys complete peace and has registered a remarkable degree of economic and social progress in a decade. The leadership of Prince Sihanouk has been a key factor in this achievement. Abdicating the throne in order to participate actively in political affairs, the Prince has led the kingdom with an understanding of his people, with personal dedication, and with immense energy. He has maintained cooperative relations with France on the new basis of full national independence and equality and the French, today, continue to play a major part in the development of the country. Cambodia's contacts with the rest of the world have been greatly expanded and now encompass all of the major powers, Communist and non-Communist. In international circles, Cambodia has come to occupy an influential role among the smaller nations and was a prime mover in the convening of the Geneva Conference on Laos.

Outside assistance has been supplied to Cambodia by many countries, including Soviet Russia and Communist China. The United States has provided over $300 million in assistance from 1955 to 1962. But the level has been declining, with Cambodian encouragement and concurrence.[7]

In spite of this assistance, however, Cambodian-United States relationships have encountered repeated difficulties from the outset. In retrospect, many of these difficulties appear superficial and avoidable. Whatever the difficulties, there is not and can hardly be any legitimate basis for a direct conflict with this remote Asian kingdom. There are, on the other hand, possibilities for deepening cultural and economic contacts of mutual benefit. Indeed, Cambodia's inner progress and declining dependence on United States grant aid points to a foreseeable termination of these programs, not in chaos but in a transition to an enduring relationship of mutual respect and mutual advantage. Finally, Cambodia's existence as an independent nation at peace with all of the great powers is of exemplary value if there is ever to be a durable and peaceful solution to the basic problems of southeast Asia.

It would appear very much in order for the United States to make every effort to understand the position of the Cambodians and to use its good offices in every practicable way to encourage settlement of the border difficulties with Thailand and Vietnam. Our military aid to these countries is undoubtedly a factor in exacerbating Cambodian fears and, hence, has intensified the difficulties which have characterized United States-Cambodian relations. However they may appear to us, these fears are very real to the Cambodians and exert a powerful influence on the course of its policies which of late have tended toward an extreme neutralism.

As noted, there has already been a decline in the level of one-sided United States aid to Cambodia and apparently, the Government of that country desires a continuance of this process. We should seek to meet this desire in an orderly fashion. At the same time, far greater emphasis should be placed on expanding more mutual relationships. Educational and other exchanges and the promotion of tourism, for example, can be of great value in this connection. The possibilities of stimulating investment and enlarged trade should also be fully explored. It would appear greatly in our interest to make every reasonable effort to encourage a transition from what has been a stormy and one-sided aid relationship to a new relationship of greater understanding and mutuality.

Mr. MORSE. Mr. President, I should like to have the attention of the Senator from Montana while I speak briefly in my own time.

I join the Senator from Rhode Island in congratulating the Senator from Montana on his proposal that favorable consideration be given to De Gaulle's proposal for a conference in regard to the southeast Asia problem. Not only should it not be limited to Laos, and not only should it involve Cambodia and North Vietnam, but it should also include South Vietnam.

As the Senator from Montana has said, we should not fear to negotiate. The sad fact remains that our Ambassador to the United Nations this morning rather threw cold water on the suggestion of proceedings to negotiate.

I ask the Senator from Montana if he believes that, within the framework of the suggestion that we not fear to negotiate, we should not fear, either, to have the United Nations take jurisdiction over the whole southeast problem.

Mr. MANSFIELD. Mr. President, if the Senator will yield for an answer——

Mr. MORSE. I yield.

Mr. MANSFIELD. I do not believe that I would go that far at the present moment, but I point out, as the Senator well knows, that a Cambodian charge is now pending in the United Nations. I would not be at all surprised to see the allegations being made by that particular country, which I think has, in view of the circumstances, performed quite well in maintaining its freedom, extend to other areas that used to be known as French Indochina—Vietnam and Laos.

Mr. MORSE. Does the Senator from Montana question the right of the United Nations to take jurisdiction over the conduct of any country in southeast Asia, including the United States, under a charge that such conduct threatens the peace of that part of the world?

Mr. MANSFIELD. I would doubt at the moment that the United Nations had that right, although that question could be brought up. I do not think that it would be wise at the moment to take in all of southeast Asia in that respect, but out of the Cambodian allegations something of the sort could develop.

Mr. MORSE. Does the Senator from Montana question the authority of the United Nations to investigate whether or not the Geneva accords are being violated by any country, including the United States?

Mr. MANSFIELD. I do, at least on the first instance, because, as I recall, the Geneva agreements of 1954, which split North and South Vietnam into 2 countries, and the Geneva agreements of 1962, in which 14 nations participated—and I could be wrong about that—were arrived at apart from the United Nations and on the initiative of those sovereign powers.

Mr. MORSE. Does the Senator from Montana question the fact that whenever there is a threat to the peace of the world, anywhere in the world, under the United Nations Charter, every signatory to the charter comes within the jurisdiction of the United Nations to take what steps it can within the terms of the charter to enforce the peace?

Mr. MANSFIELD. If I understand the Senator correctly, I point out that South Vietnam itself is not a member of the United Nations. I believe that it has an observer in the United Nations. Laos and Cambodia are members. I daresay that any member of the United Nations is at liberty to bring up any question at any time, the validity of that question to be determined by the membership.

Mr. MORSE. Is the position of the Senator from Montana that the jurisdiction of the United Nations to maintain peace in the world is limited only to illegal conduct of member nations, and that the United Nations has no authority to proceed to maintain peace in the world, no matter who the violator is?

Mr. MANSFIELD. No——

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[5] Indications, at the time, were that only Thailand was prepared to use troops in significant numbers. The Philippines and other non-Asian members also offered small contingents. The forces of both Thailand and the Philippines, in any event, are heavily dependent on U.S. aid.

[6] Indonesia was not visited during the course of the mission.

[7] Several months ago, Prince Sihanouk stated that he was prepared for the complete termination of military aid.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I would not deny that statement. But it is a matter which I believe would have to be considered on an individual basis.

Mr. MORSE. Mr. President, later I shall discuss in some detail the speech of our Ambassador to the United Nations this morning, which in many parts I believe was a most unfortunate speech, and one that will do great harm to our country in worldwide opinion. But I wish to say now that we should never hesitate to go to the conference table at any time on any question involving the foreign policy of the United States. This morning, in my judgment, the U.S. Ambassador to the United Nations ducked and hedged that clear obligation of the United States in respect to the question of negotiating. Of course, we ought to embrace with open arms the proposal of France or any other country to seek to go to the conference table for the purpose of promoting peace and ending war, and for the purpose of seeing what can be done to get the United States out of the indefensible position it now occupies in South Vietnam, where the United States is making war.

Think of it. The United States is making war in 1964 in South Vietnam, and we hear the U.S. Ambassador in the United Nations hedging on whether or not we should welcome negotiations with countries that want to sit down and see what can be done to promote peace in southeast Asia. That includes North Vietnam, which I believe is clearly in violation of the Geneva accords—and we have so charged—but unfortunately we have tried to justify our illegal course of action in South Vietnam on the basis of North Vietnam's violation of the Geneva accords, which we never signed. We have a clear obligation to take our charge to the United Nations and to prove it. And we can prove it. We have never had a stronger case to uphold the rule of law than we have against North Vietnam, and, I happen to think, Red China, too. But instead of that we adopt the same tactics.

We can never justify the "end justify the means" program that the United States is following in South Vietnam, because article 37 of the U.N. Charter requires parties to any dispute to refer it to the Security Council if they cannot settle it by pacific means. I shall have something to say within the rules and of my own right under the doctrine of secrecy about the position of the Secretary of State in regard to his attitude concerning negotiating within the United Nations to bring to an end the war in South Vietnam. The United States ought to welcome an opportunity to have the United Nations take a look at the facts, instead of giving the impression around the world that in this case we think American military might can make right. Of course, military might has never made right, and we are not making right by the exercise of American military might in South Vietnam.

Mr. SALTONSTALL. Mr. President, will the Senator yield for the interjection of a question?

Mr. MORSE. I am delighted to yield.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. The Senator can speak on his own time.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

The PRESIDING OFFICER. The Senator is allowed 3 minutes.

Mr. SALTONSTALL. I should like to ask the Senator from Montana a question which would follow the line of questions which the Senator from Oregon asked. In the opinion of the Senator from Montana would it be practical for the United Nations to take a greater responsibility in the South Vietnam, Cambodian, and Laos situation at the present time? Is it practical, aside from any question of illegality or anything else?

Mr. MANSFIELD. I could not answer the question in its broad application, but I will say that the United Nations is now taking up the allegations made by the Kingdom of Cambodia on the question of violations of its borders with South Vietnam. If it is applicable to one country in that respect, I assume it would be applicable to other countries in that area as well.

Mr. SALTONSTALL. As I interpreted the statement of the Senator from Oregon, he would go a little further and possibly bring in the United Nations as a body with responsibilities for keeping peace in that section of the world and maintaining peace. My question was whether it would be impractical.

Mr. MORSE. What would be impractical about it?

Mr. SALTONSTALL. It would be impractical for the United Nations to gather a force from other countries of the world to place there to keep the peace of the world.

Mr. MORSE. Why does the Senator make that statement, in view of the assistance that has been rendered by the United Nations to the Congo, the Middle East, and Cyprus? Does the Senator mean that it is impractical because the United States is involved, and there must be no reflection upon the United States; but that if some other country is violating the Charter of the United Nations elsewhere in the world, it is practical for the United Nations to go in? That is pure nonsense.

Mr. SALTONSTALL. I most respectfully disagree with the Senator from Oregon.

Mr. MORSE. I know the Senator is respectful about it, but that does not make it logical.

"PACEM IN TERRIS" CONFERENCE

Mr. PELL. Mr. President, in recent days a most important conference has been held to plan a major international convocation on the last encyclical of Pope John XXIII, "Pacem in Terris"—"Peace on Earth." I have taken a deep interest in these plans since their inception.

The sessions were conducted by the Center for the Study of Democratic Institutions at Wingspread, the Johnson Foundation conference headquarters in Racine, Wis. The foundation acted as host to the center.

As an indication of the wide scope of this conference and its equally broad representation of major religious and political communities throughout the world, the conferees included: Ambassador S. O. Adebo, of the Nigerian Mission to the United Nations; Father John F. Cronin, S.S., assistant director, social action department, National Catholic Welfare Conference; the Honorable Xavier Deniau, rapporteur, Foreign Affairs Committee, French National Assembly; Dr. Marian Dobrosielski, Counselor of the Polish Embassy in Washington; Dr. Nelson Glueck, president, Hebrew Union College, Jewish Institute of Religion; the Honorable Brooks Hays, Eagleton Institute of Politics, Rutgers University, consultant to President Johnson; Dr. Hudson Hoagland, president, American Academy of Arts and Sciences; Dr. Joseph E. Johnson, president, Carnegie Endowment for International Peace; Mr. Georgi Kornienko, Minister Counselor of the Soviet Embassy in Washington; Msgr. Luigi Ligutti, permanent observer of the Holy See to FAO, Vatican City; Prof. Hans J. Morgenthau, of the Center for the Study of American Foreign Policy, the University of Chicago; the Honorable C. V. Narasimhan, Executive Office of the Secretary-General of the United Nations; Dr. Josip Presburger, Counselor of the Yugoslav Embassy in Washington; Dr. Eugene Rabinowitch, editor of the Bulletin of Atomic Scientists; his Excellency Rashid el Rashid, Ambassador to the United Nations from Kuwait and his deputy, Ahmad Al-Nakib; Mr. Andrew Shonfield, director of studies, the Royal Institute of International Affairs, England; Mr. John Tomlinson, director of mission and world service liaison for the National Council of Churches; and Sir Muhammad Zafrulla Khan, Judge of the International Court.

Our own body was represented by two most able and distinguished Senators: Senator GAYLORD NELSON, of Wisconsin, and Senator GEORGE McGOVERN, of South Dakota. Although I was unfortunately unable to attend the conference in person, I was represented by my special assistant, Livingston Biddle.

Discussions at the conference, chaired with great insight and understanding by Dr. Robert M. Hutchins, president of the center, were extremely frank and unusually free from the acerbity which so frequently accompanies debate on divisive international issues.

The conferees pursued their deliberations in accord with the mood of the encyclical which is addressed to "all men of good will," and in accord with the encyclical's fundamental premise that "all men are equal in human dignity." Participants spoke not necessarily as official representatives of their governments or of their organizations, but as individuals belonging to the whole human family. Thus the discussions were given maximum opportunity for honest exchange.

During the conference it was pointed out that mankind does not need to accept the theological reasoning through which Pope John in part reached his conclusions in order to accept the conclusions themselves. Thus the encyclical was discussed in a unique frame of reference—not primarily as representing a particular theology, although it does with extraordinary eloquence—but as setting forth guidelines to international conduct and those moral imperatives which coincide with the practical self-interest of all men and all nations, regardless of their separate beliefs or ideologies.

It is my own conviction that the principles involved in "Pacem in Terris" are universally applicable. I further believe that the International Convocation—to be held in New York City next February with participating leading statesmen and scholars from all over the world—can well become one of the most meaningful assemblages of our times.

Mr. President, in order to illustrate the scholarly research and reasoning which helped make the preliminary conference such a success, I ask unanimous consent that the schemata of the conference and three working papers, prepared by staff contributors of the Center for the Study of Democratic Institutions, be inserted in the Record at the end of my remarks.

These papers are addressed to the principal themes of the conference.

I recommend them to my colleagues for their consideration. We may not agree with these documents in all respects, but in substance they are immensely thoughtful in providing a basis for free discussion.

There being no objection, the material was ordered to be printed in the Record, as follows:

Schemata Adopted by "Pacem in Terris" Conference Conducted by Center for Study of Democratic Institutions, May 1964

The conferees agreed on these topics for the convocation:

1. How to obtain universal acceptance of the idea of coexistence of nations of differing ideological and social systems.
2. How to achieve sufficient flexibility so that all international conflicts can be settled by negotiation, and how to devise mechanisms for peaceful social and political change.
3. How to obtain recognition of the urgent need for rapid progress toward nuclear and conventional disarmament.
4. How to take actions and develop understanding to create mutual trust among the nations.
5. How to achieve the elimination of racism in all countries.
6. How to achieve international cooperation in assisting the developing countries in the interests of the prosperity of the world, and how to make full use of science and technology for developing cooperation among nations.
7. How to encourage further development of the United Nations so that its means and structure may become equal to the magnitude of its tasks.

The Encyclical as a Guide to International Conduct

(By Fred Warner Neal)

The basic problem of international politics in the modern world is how individual, legally sovereign nations can serve their own interests without jeopardizing the common interest of which their own interest is a part. The problem was there in the prethermonuclear age, but it was not so crucial, nor was it so clear that there did, in fact, exist a common interest. The settlement of national disputes by violence could often be justified on practical grounds and sometimes even on grounds of justice. Today, with human existence hanging in a delicate thermonuclear balance, what was once utopian—the avoidance of war—has become a practical matter of life and death both for individual states and for the world community—for humanity—as a whole.

What "Pacem in Terris" does is to set forth a guide to international conduct in these precarious circumstances. It does so by identifying principles to which all statesmen truly devoted to the interests of their own peoples can subscribe. They do not need to accept the theological reasoning through which Pope John in part reached his conclusions in order to accept the conclusions themselves. Indeed, many of the same conclusions have been arrived at independently by those of different theological persuasion and by those who reject theology of any kind as a basis for dealing with world affairs. For the Pope's conclusions are based as much on secular reason and logic as on theology and altruism.

Thus the encyclical is truly ecumenical, and not only in a religious sense. It is clear that the Pope intended it this way. He addressed his encyclical not only to Roman Catholics, or even just to Christians, but "to all men of good will." And he emphasized that "meetings and agreements * * * between believers and those who do not believe * * * can be occasions for discovering truth and paying homage to it."

Although the papacy is perhaps the most thoroughly Western-based institution, Pope John, in "Pacem in Terris," rises above international sectionalism as above nationalism, while recognizing the fact of both. The principles enunciated are elementary and universal. Indeed, they are so simple that they are often ignored in formulations of foreign policy, and this may be one of the major reasons why so frequently the best-intentioned foreign policies fail to serve the interests either of their originators or of the world community.

International conduct, according to "Pacem in Terris," is based on these ideas and principles:

1. The world is organized into separate, individual nation-states and into differing ideological systems. The nation-states are legally sovereign. They are individual and unique. They have particular interests which they seek to enhance, but they also have a common, human interest. Each nation-state is of equal "natural dignity." In all of them there is both good and evil; none is superior or inferior by nature.

2. The separate interests of the various nation-states are often in conflict.

3. The law of change applies to all finite things, including nation-states and relations between them.

4. Conflicts among nations can be solved either by force and violence; i.e., war, or by negotiation and compromise; there is no other way. But negotiation must involve a sincere desire to seek equitable compromise, based on objective appraisal of the facts.

5. The development of thermonuclear weapons means that solution of conflicts by war is no longer tenable. War can no longer serve the interests of individual nations or the common interest. Nor is the old distinction between just and unjust wars any longer tenable. "It is hardly possible to imagine that in the atomic era war would be used as an instrument of justice."

6. The existence of thermonuclear weapons is in itself a danger, even though there is no intention to use them, since "it cannot be denied that the conflagration may be set off by some unexpected and obscure event."

7. But under existing conditions, this danger inevitably increases. "If one country increases its armaments, others feel the need to do the same; and if one country is equipped with nuclear weapons, other countries must produce their own, equally destructive."

8. "Justice, then, right reason and humanity urgently demand" disarmament.

For the preservation of peace among nations, the encyclical emphasizes, "political communities are reciprocally subject of rights and duties." And "this means that their relationships also must be harmonized in truth, in justice, in a working solidarity, in liberty." Here we have "moral imperatives" which coincide with practical self-interest.

Conflicts of interest between nations do occur. No nation, however, can serve its interest today by trying to settle these disagreements by violence. They must, therefore, be settled by "a mutual assessment of the reasons on both sides of the dispute, by a mature and objective investigation of the situation, and by an equitable reconciliation of differences of opinion."

To this end, conflicts of interest must be minimized and avoided where possible. To violate the rights of national self-determination or interfere in internal affairs of other states, to treat some political communities as by nature superior or inferior to others, to misinform oneself about the facts regarding others, to mistreat national minorities (or for minorities to claim undue measure), for richer nations to fail to aid poorer nations or to aid them "with strings attached"—all such actions create serious conflicts and, therefore, are both morally wrong and are against the self-interest of all states.

But even if states act according to such high precepts of conduct, the thermonuclear armaments race itself jeopardizes peace and "people live in constant fear lest the storm that every moment threatens should break upon them with dreadful violence." And since nations do not always conform to the precepts for international conduct that the encyclical sets forth, the danger is all the greater.

For this reason, disarmament has top priority in the Pope's prescriptions, and he sets forth the order in which it may be achieved. "Justice, right, reason, and humanity," says the encyclical, "urgently demand that the arms race should cease; that the stockpiles which exist in various countries should be reduced equally and simultaneously by the parties concerned; that nuclear weapons should be banned; and that a general agreement should eventually be reached about progressive disarmament and an effective method of control."

Disarmament, in the Pope's view, cannot be achieved by half measures. "All must realize," says the encyclical, "that there is no hope of putting an end to the building up of armaments, nor of reducing the present stockpiles, nor, still less, of abolishing them altogether, unless the process is complete and thorough and unless it proceeds from inner conviction."

But this involves the whole nature of international politics. "If this is to come about, the fundamental principle on which our present peace depends must be replaced by another, which declares that the true and solid peace of nations consists not in equality of arms but in mutual trust alone." Such a state, the Pope believed, "can be brought to pass" and moreover that "it is something which reason requires, that it is eminently desirable in itself and thus it will prove to be the source of many benefits."

In terms of immediate international affairs, what is the practical significance of "Pacem in Terris?" One can hear many, perhaps all, statesmen saying: "We accept the Pope's principles and his precepts, but they don't." In short, "We alone are in step." The fact is that most nations are in step and out of step at the same time. Few nations indeed always conduct their affairs in consonance with all the principles and precepts of the encyclical; but also most, perhaps all, think they observe most of them most of the time. The concept of raison d'etat covers the sin of self-deception as well as others.

The obvious focus of the Pope's prescriptions for relations among states is on disarmament. But the encyclical further prescribes "mutual trust" as a prerequisite for disarmament. How can mutual trust be achieved? Almost certainly there is not meant here the kind of mutual trust that would, for instance, permit general and complete disarmament—or perhaps disarmament of any kind—without inspection. But it means the kind of mutual trust necessary to start the disarmament process in motion. Since this involves principally the major powers, it is hard to see how such trust can be achieved without a general understanding, a detente, among them and particularly between the United States and the Soviet Union. For this two things are necessary: First, an awareness on each side that the other genuinely sees its own interest served by making progress toward disarmament; and second, the settlement by negotiations of disputes between them.

For the first, the distinction made in the encyclical between ideology and social systems is essential. Philosophies may remain the same, but systems cannot avoid change. Disagreement about philosophical truth is no necessary barrier to agreement on honorable and useful political ends. This together with the statement that no political communities are by nature superior or inferior or wholly good or wholly evil, amounts to a theory of "coexistence," which is a prerequisite for everything else.

In this connection, the Pope's exhortations about information are also pertinent. "Truth," the encyclical states, "demands that the various media of social communications made available by modern progress which enable the nations to know each other better, be used with serene objectivity. That need not, of course, rule out any legitimate emphasis on the positive aspects of their way of life. But methods of information which fall short of the truth, and by the same token impair the reputation of this people or that, must be discarded."

This point in the encyclical should not be interpreted as applying only to news media. It applies equally to diplomatic reporting and official communiques and pronouncements. And it also applies to officially erected barriers to information and to travel. No society is altogether "closed" and no society is altogether "open." But there needs to be a recognition of the principle that the more open the better. At the same time, of course, the degree of openness depends, at least in part, on the degree of mutual trust and the extent to which there is mutual acceptance of one state by another, i.e., coexistence.

The matter of disputes is in some ways more complex and in some ways less. The only major specific dispute between the United States and the Soviet Union at the time of this writing, for example, concerns Germany. Unresolved, this dispute blocks progress toward disarmament not only by preventing achievement of mutual trust but also by barring the most likely next steps in the disarmament process, i.e., the freezing of nuclear weapon strength in central Europe and then, perhaps establishing a nuclear free zone there. Here the chances for settlement would surely be improved if both sides would heed the Pope's injunction to seek equitable compromise based on objective appraisal of the facts.

Of course, there are other pressing international disputes besides that between the United States and the Soviet Union in central Europe, and, according to the encyclical, all of them should be truly negotiated. It should be noted in this connection that the encyclical's prescription for true negotiation involves not only meeting and talking but meeting and talking with the sincere purpose of reaching an equitable compromise, based on an objective appraisal of the facts, that is to say, some mutual giving in in the interest of both sides.

Admittedly, this may be a difficult process. But initial failure to reach accord must not deflect either effort or intent. Noting that systems and political situations are subject to constant change, sometimes of a profound nature, the Pope points out that agreements "formerly deemed inopportune or unproductive might now or in the future be considered opportune and useful." But he does not attempt to recommend specific solutions. These must be decided by the proper authorities and be reached "with the virtue of prudence."

The message of the encyclical is clear, however: the thermonuclear era requires changes in all things, and above all, "because of the dynamic course of events," flexibility and the readiness to adapt. The failure to do so violates both reason and moral precepts and risks mutual destruction.

The question of settling disputes, of reaching understanding between nations, involves more than specific geopolitical issues. Here the matter of intervention, so roundly condemned by the encyclical, arises. Where simple, direct military intervention is involved, the issue is usually clear enough. But there is intervention and intervention. One reality of international politics is that major states have "core interests" outside their national boundaries, i.e., "spheres of influence" of one sort or another, which they regard as vital to their security. This does not necessarily involve hegemonistic policies, but states invariably consider a challenge to their core interests by outside powers as a challenge to their very existence.

Two problems apparent in contemporary international politics arise here. One is the tendency of major states to challenge each other's core interests, not only by intervening or establishing military power on their periphery but also by propaganda and subversion. The other problem is the tendency of major states to extend their core interests to areas far distant from their homelands. It is indicative of the complexity of the matter that here both the United States and the Soviet Union will see each other as being the guilty party and that both will be right.

The problem is not confined to these superpowers alone, but in their case it is clearer than in some others. One aspect of it goes back to the question of information. Whereas previously it might have been regarded as wise tactics for a state not to be publicly precise about what its core interests were, i.e., about which areas it considered vital to its security, it is doubtful if in the thermonuclear age this gambit still has validity. The clearer a state can be—to itself and to others—about which areas it considers vital to its existence, the less possibility there is conflict. And since disputes involving core interests have, in the past, seldom been negotiable, restraint in the assertion of core interests has always been an integral part of prudent foreign policy. Today in the thermonuclear age it becomes the essence of wise policy.

Actually, as far as the Pope's encyclical is concerned, it is difficult to justify either a challenge to clearly established core interest or the idea of core interest itself—in the sense of embracing areas beyond national boundaries. Although such core interests, as mentioned above, do not necessarily involve formal hegemony, often they have involved situations where the more powerful states unduly meddle in the affairs of less powerful states. This clearly violates the cardinal precept that relations between states should be based on freedom. But also does not the thermonuclear age, the missile age, raise into question the practical utility of the concept of core interests? Even if spheres of influence were once necessary for security, can they be considered so today when, as the Pope points out, "distances separating peoples have been almost wiped out?" Is not attention to this question involved in the kind of change in thinking for which the encyclical calls? If so, it may be another example where moral precepts and reason meet.

One other question inevitably arises in connection with all these matters—mutual trust, negotiation, flexibility, foreign policy, coexistence, and core interests. This is the question of policies involving recognition and nonrecognition of governments. Is nonrecognition based on disapproval of a de facto government a tenable position, within the limits of the encyclical's guide to international conduct? Does it not involve coexistence and challenge to the most basic core interests? The encyclical does not deal with these matters; but, without judging any particular policy of recognition or nonrecognition, it seems clear that these are questions to which statesmen concerned with the logic and/or moral precepts of "Pacem in Terris" must at least address themselves.

One cannot discuss the encyclical as a guide to international conduct, especially in regard to disarmament, without referring to its call for an increase in public international authority. It is not too much to say that as the power of international organization increases, the achievement of the necessary degree of mutual trust will increase also. The encyclical clearly sees this as an integral part of the disarmament process and also of the larger process of "restoring the relations of all the human family in truth, in justice, in love and in freedom."

Finally, it should be pointed out that, althought the Pope views an amelioration in international relations as urgent, especially in light of the dangers posed by modern weapons, the encyclical calls for prudence in all things. As President Kennedy described the partial test ban treaty "a necessary first step," so the Pope declares "that to proceed gradually is the law of life in all its expressions."

Yet the overriding injunction of "Pacem in Terris" is for action: "In the highest and most authoritative assemblies, let men give serious thought to the problems of a peaceful adjustment of relations between political communities on a world level; an adjustment founded on mutual trust, on sincerity in negotiations, on faithful fulfillment of obligations assumed. Let them study the problem until they find that point of agreement from which it will be possible to commence to go forward toward accords that will be sincere, lasting and fruitful."

No higher assignment could be given men, and no more urgent one.

The Encyclical as a Guide to World Order

(By Hallock Hoffman)

The pastoral letter of Pope John XXIII called "Pacem in Terris—Peace on Earth"—is addressed to the members of the Catholic faith, to the non-Catholic Christian community, and to all men of good will. It is transparent, like its author, in its hope for the safety of mankind. It is a generous and loving letter, full of care for men and faith in the nature its author ascribes to men as a gift of their God. It is a passionate and practical plea for peace on earth, a powerful communication intended to reach across the barriers that divide the world and postpone peace.

The importance of the encyclical cannot be overstated. Its appearance, in a form that gives it the highest possible standing among the membership of the largest hierarchically organized church in the world, could not have been more helpful to all those who have worked for peace. Its unambiguous endorsement of the United Nations Organization will be of continuing value to the U.N., and will assist it in its efforts to engage the nations in the resolution of their disagreements and in developing cooperation among the member states to establish more and better peacekeeping or conflict-resolving agencies under its jurisdiction.

The value of the encyclical in all these practical and psychological realms cannot be diminished, any more than it can be much extended by extending its praise in papers such as this. But the object of this paper is to ask in what respects "Peace on Earth" provides a guide to world order; or, if it does not provide a complete guide, in what way does it help the men of good will to whom it is addressed devise a guide for their future actions.

"The doctrinal principles outlined in this document derive from or are suggested by requirements inherent in human nature itself and are, for the most part, dictates of the natural law" (157). For Pope John, and, as he remarks, for Catholics, the principles set forth in "Peace on Earth" are binding; they are matters of obligation arising from faith. They provide, he also declares, a "vast field in which [Catholics] can meet and come to an understanding both with Christians separated from [the church], and also with human beings [not Christian] * * * who are endowed with the light of reason and with a natural and operative honesty" (157). Since natural law doctrine holds that all human beings are governed by natural law, all human beings are endowed with the light of reason and natural and operative honesty, unless they have been taught to disregard their natural inclinations or have willfully denied them. The Pope's appeal is therefore as wide as it is possible for a Catholic Pope to make it; and the relationship in the pursuit of peace of Catholic, non-Catholic Christian, and non-Christian, both to the task of making peace and to each other in the need for peace, is explicit.

The Pope's letter lays upon all Catholics the obligations to seek to make peace, to seek and make it under conditions of truth, justice, charity, and liberty, and to seek to make it with believers and nonbelievers alike.

The Pope is also explicit in directing Catholics to be generous in interpretation of their own faith and in their judgment on the ideologies or faiths of those with whom they disagree. Even historical movements that have originated from Catholic or Christian teachings may not be identified with those teachings, because, as they seek economic, social or political ends, such movements work, in history in situations that are evolving. For the same reason, a philosophy that seems false to Catholics may lead to ideas for practical action that Catholics can accept, because such ideas, whatever their origins, "conform to the dictates of right reason and [be] interpreters of the lawful aspirations of the human person [containing] elements that are positive and deserving of approval" (159).

The Pope thus establishes the basis of a dialog between Catholics and non-Catholics regarding the conditions necessary for peace, and denies to ideology the power to prevent useful discourse and common action toward peace. In the spirit of the encyclical, Catholics must be prepared to talk with all men everywhere about peace. No person is excluded because of his faith or lack of it; no nation is excluded nor is any other collectivity of persons, simply on the basis of its official ideology. The Pope directed his subjects to make peace with other human beings, and warned them against tangling themselves too deeply in philosophical abstractions. But he warned them also that "relationships" among the states "must be harmonized in truth, in justice, in a working solidarity, in liberty" (80). These conditions are also dictated by natural law, which, "like the rays of a gleaming beacon" must "guide the plans and policies of men and nations" (85, quote from Pius XII).

The encyclical thus speaks with unqualified seriousness about peace, and instructs Catholics to be up and doing about making peace, provided the conditions of peace conform to the natural law. Further, its recognition of the relationship to the condition of the underdeveloped countries (101–108, 121–125) and to the United Nations (141–145) of all peacemaking activities is explicit.

Despite its address to all men of good will, and its definition of "men of good will" as all men willing to reason together (that is, to use their natural reason in discourse governed by a natural and operative honesty—without which it would be impossible to reason together) the encyclical is primarily a letter to Catholics and other Christians. Yet the world is predominantly non-Christian, and the achievement of world order, without world conversion to Catholic Christianity, must be an achievement of men as they are, of various faiths and none, and currently within the dominion of political communities that do not knowingly rest their constitutions on natural law.

A definition of world order, as proposed by the encyclical, includes the following requirements on the relations among the states:

1. The relations among states must be governed by truth.

(a) The requirement of truth is that racism be eliminated; that states as well as persons be recognized as equal in dignity; that inequalities in development do not justify inequalities in treatment; that the media of communication be used to enable the people to know each other better, conveying information solely with "serene objectivity."

2. The relations among the states must be regulated by justice.

(a) Justice implies recognition of respective rights and duties, which includes: settlement of disputes among nations by "a mature and objective investigation of the situation, and by an equitable reconciliation of differences of opinion" (93); equitable treatment of contained minorities, and concern for their welfare, including respect for their languages and customs; cooperation with other nations in search of the common good of mankind; promoting or facilitating cooperation (solidarity) "in all fields between citizens and their intermediate societies * * * (human beings) have the right and duty therefore to live in communion with one another," (100); proportioning wealth among the nations and within the nations, and especially assisting the poorer people to achieve economic development, with acute regard for the human distress involved in schemes of relocation or industrialization (101, 102, 121–125); refuge for exiles and political refugees, including assistance to ease the pain of human migration; disarmament, both in the interests of the security of mankind and to enable the nations to use the resources now devoted to arms to more humane purposes (109–119).

3. The relations among the states should be based on freedom (that is, that no country may unjustly oppress others or meddle in their affairs) (120).

4. The relationship among states should lead to affection and confidence.

(a) Since it is almost unimaginable, in the atomic era, that war could be an instrument of justice, the states should overcome fear through negotiation of their differences, and thus will their people discover that between them "it is not fear which should reign but love, a love which tends to express itself in a collaboration that is loyal, manifold in form and productive of many benefits" (129).

These general and traditional obligations on men conducting the public affairs through the instrumentality of their states must be seen, according to the encyclical, in a new light based on new technical and organizational developments. "At the present day no political community is able to pursue its own interests and develop itself in isolation, because the degree of its prosperity and development is a reflection and a component part of the degree of prosperity and development of all other political communities (131). In times past, one would be justified in feeling that the public authorities of the different political communities might be in a position to provide for the universal common good" (133), but as "a result of the far-reaching changes which have taken place in the relations within the human community (134), at this historical moment the present system of organization and the way its principle of authority operates on a world basis no longer corresponds to the objective requirements of the universal common good (135). Today the universal common good poses problems of worldwide dimensions, which cannot be adequately tackled or solved except by the efforts of public authorities endowed with a wideness of powers, structure and means of the same proportions: that is, of public authorities which are in a position to operate in an effective manner on a worldwide basis. The moral order itself, therefore, demands that such a form of public authority be established" (137).

We have come to a new era, in which weapons are too destructive to be used even under the most rigorously controlled conditions as instruments of justice, and in which the technical means for bringing the peoples of the world into political, economic, and social connection with each other have been perfected. We must have a world government, the Pope appears to suggest, because the system of rights and duties imposed upon states by the natural law no longer fulfill the demands of the moral order. Right reason, as well as historic circumstance, now require a more coherent, worldwide, public authority with worldwide power, and endowed with the means to achieve its purposes.

But this world-governing authority must be achieved only by "common accord and not imposed by force." Practical reason dictates that this world authority should be achieved by peaceable consent, because "there would be reason to fear that a supranational or worldwide public authority, imposed by force by the more powerful political communities, might be or might become an instrument of one-sided interests; and even if this should not happen, it would be difficult for it to avoid all suspicion of partiality in its actions." Such suspicions, even if unfounded, would reduce the efficaciousness of its activity (138). The same practical reason, as well as the requirements of justice, make clear that the world public authority must recognize, respect, safeguard, and promote "the rights of the human person; this can be done by direct action when required, or by creating on a world scale an environment in which the public authorities of the individual political communities can more easily carry on their specific functions" (139).

The world authority must not be limited to settling disputes or protecting the rights of persons or of political communities; it must also, like lesser political associations, "tackle and solve problems of an economic, social, political, or cultural character which are imposed by the universal common good. For, because of the vastness, complexity, and urgency of those problems, the public authorities of the individual states are not in a position to tackle them with any hope of resolving them satisfactorily" (140).

The United Nations Organization is not the world public authority the Pope has described. The Universal Declaration of Human Rights is not beyond improvement. But the declaration "represents an important step on the path toward the juridical-political organization of the world community," (144). And, with this declaration, and with its many international specialized agencies, the United Nations Organization may develop into an effective and efficacious world public authority. "It is our earnest wish that the United Nations Organization—in its structure and in its means—may become ever more equal to the magnitude and nobility of its tasks. May the day soon come when every human being may find therein an effective safeguard for the rights which derive directly from his dignity as a person, and which are therefore universal, inviolate and inalienable rights."

The Pope has proposed a world government with authority to regulate the relations among the states, insofar as these relations would raise issues touching the universal common good. The common good is that good available through the operation of the community, for it is a good that is good for each member of the community, deriving from their participation in the community. It is common because it reaches all; it is common because it is the product of the arrangements made among all for their cooperative and coordinated efforts.

The universal common good must therefore exist, if it exists at all, through the agency of a universal community. Pope John asserts that the world community is a technological and historical fact: there is no longer self-sufficiency for any nation; no single government can now guarantee the common good of its own members, but requires the association and cooperation of other governments to achieve the good of its citizens. But the world community is not a governmental or political fact. The United Nations Organization is a step toward world community and world public authority, but only a step. The Pope, in calling attention to the elements of a world public authority, implies the weaknesses of the present UNO.

A world government, says Pope John, must have power to reach directly to the individual citizen of the national policies, and to assist him against his own government if necessary (139). He has suggested earlier the reason why such power is needed, in his concern for the treatment of minorities and the economically disadvantaged (95, 96, 103–108). In referring to the Declaration of Human Rights, and calling attention especially to its assertions of the inalienability of the right to move from one country to another, and the right to political asylum (144), he makes clear another reason why a world public authority would have to be able to reach the citizen, within his own country, and if necessary, stand between a citizen and his own national government. In these respects, the United Nations Organization is deficient; neither the Security Council nor the General Assembly has power to protect an individual against his own government, if that government is a member of the UNO. Some of the specialized agencies of the UNO, like the World Health Organization or UNESCO, do deal with problems of individuals, but their powers of intervention are weak, and do not meet the Pope's standard of "the proper means for the efficacious pursuit" of their objectives (138). For instance, the International Labor Organization's reports on slavery and related work extortion practices have shown violations of the Universal Declaration of Human Rights. But the ILO has no power to summon the representatives of the governments under whom the offense has taken place, nor the persons conducting the inhuman work practice, before it; neither has it a system of courts or other agencies in which to bring charges. Its means, while not entirely lacking, are neither adequate nor efficacious.

Pope John suggests that the world public authority, in its operation among states, would have the power to encourage disarmament, protect states from armed attack, prevent the exploitation of any country or minority within a country by another; encourage the redistribution of wealth, and "tackle and solve problems of an economic, social, political or cultural character" that are seen to be problems because of existing conditions contrary to the universal common good. The relation between the intermediate political institutions, the states, and the world public authority would be based upon the principle of subsidiarity. "Just as within each political community the relations between individuals, families, intermediate associations and public authority are governed by the principle of subsidiarity, so too the relations between the political authority of each political community and the public authority of the world community must be regulated by the light of the same principle," (140). The idea of subsidiarity referred to briefly in the encyclical entails a complex of relationships. It is clear that the Pope means to import into the idea of world public authority the scheme of justice described in natural law theory by the same term.

Robert M. Hutchins has written, "[Natural law] aims at one and the same time at the primacy of politics and the subsidiary role of the state and of the common good. The primacy of politics means that government allocates functions among individuals and groups and protects them against one another; the subsidiary role of the state and the common good means that the common good serves the good of the individuals who make up the community. The doctrine, in short, is balanced, and therefore complicated. Those who plunge for any uncomplicated view of society are bound to have trouble in understanding and appreciating natural law." [1]

Adherents of natural law must have patience and wisdom in their development of the doctrine. Furthermore, the doctrine is, because it is complicated, especially subject to misinterpretation by those who attend to parts of it detached from the complex whole. "Natural law is afflicted by the rhetorical difficulty that must plague any doctrine that proceeds from principles and tries to apply them in changing historical situations in the light of developing knowledge. * * * Unless all the explicit and implicit qualifications are taken into account, the statement of principle is likely to give a false impression of the directive that is being offered for practical life." The reach of natural law is great, but there are dangers when one seeks to derive from it, in the Pope's words, the "universal common good in concrete form," (138). Natural law is likely to sound both too vague and too specific, at the same moment; the way its principles are heard tends to depend upon the previous experience of the hearers both with it, and with the terms it uses, which are also the terms common to politics everywhere.

There are therefore two types of questions that must be answered about "Peace on Earth" before it can be recommended without qualification as a practical guide to world order. One type of question is about the encyclical's specificity; the other is about its universality.

Is "Peace on Earth" sufficiently universal to be a guide to world order? This question implies that world order must be order for the whole of the world, that it must be an order meeting the reasonable requirements of all men everywhere, and providing the benefits of peace to all on an equitable basis. But "Peace on Earth" is a letter from the head of a great church. Does it speak to all men, especially those not Roman Catholic? Men, although they share a common nature and appreciate a common good, in the special sense of those terms of the natural law vocabulary, are of many cultures, diverse languages, and many passionately believed religions. The spirit of fellowship in mankind pervades "Peace on Earth;" John XXIII was a rare and loving human being, whose humble open heart touched many non-Catholics. But "Peace on Earth" is not merely a letter of good will; it is also a proposal for action, to be undertaken cooperatively, by men of many nations. Is it likely to be understood by Communist and non-Communist in the same way? Is it likely to be understood by brown and black men of eastern lands in the same way it is understood by the pale men of the west, on whose language and tradition it depends?

This question will have to be answered by the participants in the conference; it cannot be answered by a man of one culture for men of another. It is fair to say, however, from the document, that the Pope was striving to preach a universal sermon, and went far toward detaching himself from his special situation as head of the Roman Catholic Church. He urged his fellow Catholics to open their minds and hearts to the peaceful ambitions of those of other faiths and nations, and he bade them cleave to their own obligations to be charitable to others; he did not ask of the "others" that they renounce their own religions or political arrangements.

The second question, as to whether the encyclical is sufficiently specific in its proposals to be useful as a guide to world order, can be answered on the basis of the document alone. The answer is that it is not.

It must be noted that this criticism of the encyclical derives not from the purposes for which the encyclical was intended, but rather from the title of this paper. If the title had been "The Encyclical as a Frame for World Order" the question could have been answered affirmatively. Pope John had other objectives beyond instructing his hearers on the constitution of the world public authority he encourages them to establish.

The generality of the encyclical enables it to state the basic necessities of world order in a manner that will be acceptable to most men of most nations; and this surely was part of the Pope's purpose. This generality of the principles detracts from the value of the document as a guide. It names the qualities that a "world public authority" should possess; it does not describe the means for reconciling the differences among the several insufficient means now used by the nations and the United Nations Organization in search of those qualities. The Pope has given mankind a globe from which the general direction can be discovered; we still need the roadmap on which our route may be plotted.

The generality of the encyclical also leads to apparent contradictions. For example, the Pope asserts that we must have a world public authority which must be set up by concord, not by coercion, (138). Yet the world public authority is not to limit the sphere of action of the public authority of any individual political community; on the contrary, the function of the world authority will be to create an environment, worldwide, in which the public authorities of the several states may "fulfill their duties and exercise their rights with greater security," (141). These concepts of supranationalism and subsidiarity might, within the natural law understanding of the hierarchy of rights and duties, work out among nations run by natural lawyers. But we need only try to foresee what would develop if these two ideas were put into action in the present international system to note how far from a practical guide are the encyclical's paragraphs on world public authority.

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[1] Hutchins, Robert M., et al., "Natural Law and Modern Society," World Publishing Co., 1963.

The most cherished right of the nation-state, as an instance, is the right to make war. It is this right in which national sovereignty finally consists. Yet a world public authority, to provide greater security, must abrogate the national right to make war. Men from other traditions have particular cause to inquire of Catholic thinkers who discuss world public authority for their ideas about war, because the Catholic tradition of the just war has sometimes been presented in justification of uses of force that thinkers from other traditions would not attempt to explain on moral grounds. On this point the Pope is not totally silent, for he says, "it is hardly possible to imagine that in the atomic era war could be used as an instrument of justice."

This may be enough for Catholics, who understand the influence of paper pronouncements on Catholic doctrine; but it is not enough for non-Catholics who have been perhaps overimpressed by Catholic writing about war in recent years (at least in English) that has sought to restore to atomic war some of the usefulness as an instrument of justice it appeared to have lost with the recognition of the awful destructive power of modern weapons. Like the Pope, some non-Catholics can scarcely imagine a just war with hydrogen bombs; but we have nonetheless been assured from time to time that hydrogen warfare would be more just than various other recourses, given some hypotheses.

So also the encyclical is lacking the practical proposals for the structural changes in the present world order implied by its call for better treatment of racial and ethnic minorities, better distribution of wealth, and the improved truthfulness and serene objectivity the Pope urges upon international communication. On these points the aspirations of the encyclical are stated with clarity, but the means by which these aspirations should be realized are not explicated. It would be reasonable to ask non-Catholics and nonnatural lawyers, of whom the "men of good will" overwhelmingly consist, to join Catholic natural lawyers in the explication of the propositions of the encyclical. It is encouraging to assume that "Peace on Earth" prepares the ground for such a cooperative effort. It is evident that the effort will have to supply a vastly more detailed and elaborated set of instructions for the new world order than Pope John XXIII has given us. It is also true that we could not hope for the necessary cooperation between Catholics and non-Catholics if Pope John had not written his letter to the world.

The encyclical was not intended to offer a constitution for the world. Perhaps the government of the world should avoid a written constitution in any case, since many of the nations of the world have no experience with or regard for documentary constitutions. The encyclical is a letter from a gentle and loving elder brother to his younger brothers in all nations and all lands, urging them to find the means for cooperating and caring for each other, and reminding them of some of the lessons their ancestors learned before them as they sought to associate in peace. John XXIII declares that peace and welfare, freedom and justice are inseparable parts of a constituent order. In this sense, "Peace on Earth" is a guide to world order. It is even more powerfully an injunction and a prayer for human action to achieve world order now.

THE ENCYCLICAL AS A GUIDE TO COEXISTENCE

(By John Cogley)

This title was not of my own choosing. At first I was tempted to reject it, mainly because "coexistence" has always struck me as a propaganda word that says either too much or too little to make political sense. But finally I accepted the suggested title because the word, for all its ambiguity, expresses a genuine concern—it is shorthand, really, for the hope that the cold war can be brought to an end; that both the Communist and the Western world will develop along their characteristic lines, without either fearing the other or being interfered with by the other; that the fundamental differences between them will be blurred with the passing of time; that they will enter a stage of collaboration, rather than of rivalry, in improving the lot of mankind; and, finally, that the threat of the nuclear holocaust will be removed if only because the two presently major nuclear powers will no longer have anything to fear from one another.

Taken in this sense, "Pacem in Terris" also seems to be devoted to coexistence as an immediate goal for the achievement of peace on earth. But though Pope John was not so rude as to say "we will bury you," he did end his encyclical with a prayer that God would "banish from the heart of men whatever might endanger peace, may He transform them into witnesses of truth, justice, and brotherly love. * * * By virtue of His action, may all people of the earth become as brothers, and may the most longed-for peace blossom forth and reign always between them." In his own way, then, Pope John was as apocalyptic as Chairman Khrushchev. For him, too, coexistence was a prelude to a peaceful conquest. How to reconcile coexistence with the ultimate goals and beliefs of both men, then, did seem a problem which transcends the boring propaganda uses of the word. Of course, not to hold the suspense, I found no answer to the problem. But investigating Pope John's views, in the light of it, turned out to be an interesting assignment.

I

"Pacem in Terris" largely avoids condemnations and anathemas. Like its author, the well-loved Papa Giovanni, it is eminently positive, optimistic, and open. Pope John took his title of Sovereign Pontiff very seriously. He was much more interested in building bridges between men than in widening the gap of theological, philosophic, and cultural differences dividing them. This was evident in his work for ecumenicism among Christians, his efforts for greater understanding between Catholics and men of non-Christian traditions, and his monumental attempt to create a bond of sympathy between all men of good will, religious believers and atheists alike.

For all that, Pope John was no intellectual cipher, indifferent to questions of truth and falsehood or good and evil. The tolerant spirit for which he was famous was not the result of a bland indifferentism, a pale syncretism, or a vague philanthropy intellectually unrooted. Paradoxically, it was, rather, the fruit of his personal beliefs, which were staunchly held and clearly, though never belligerently, set forth in his encyclicals.

Of its nature a papal encyclical is a didactic document. "Pacem in Terris" is no exception. It is not merely a series of pious exhortations but the outline of a total philosophy of social life and of politics. It is in fact an orderly presentation of a particular ideology—though the document is so devoid of the true believer's spirit that the word "ideology" is probably not a good one with which to describe it. In any case, it is certainly not the utterly "nonsectarian" document it is sometimes credited with being. Nor can it be said to "transcend" the Pope's theological and philosophic convictions, as has also been claimed. For these convictions are the very substance of "Pacem in Terris." They are stated with candor in almost every paragraph. There are no hidden premises in the encyclical. It is patently the work of a Christian believer, specifically a Roman Catholic pontiff. By the same token, it is also unmistakably the work of one who accepts the philosophy of natural law. Pope John, of course, knew how to distinguish between theology and natural law and presumed others did too, though the two are frequently intermingled in his encyclical.

The final section of the encyclical, "pastoral exhortations," where the emphasis is heavily theological, is exactly what it claims to be—the earnest fervorino of a chief shepherd to his Catholic flock. Because the document is also directed to "all men of good will"— which would include millions who accepted the Pope as merely one more moral leader in a pluralistic world—the major content of the encyclical is based not so much on the theological teachings of the Christian Gospel and the Roman Catholic Church as on philosophic doctrine. The doctrine is forthrightly undisguised; it is "the natural law."

Now one could certainly follow the Pope's philosophic reasoning without accepting his religious presuppositions, as one can accept natural law without being a Catholic. Perhaps, also, one could give assent to the Pope's conclusions for theological reasons, without accepting his philosophical doctrines, though this would appear to be more difficult. It is hard to see, however, how one could reject both the theology and the philosophy in the encyclical and still take it seriously as a guide to political action.

Still, remarkably enough, that is what has happened in April 1963, when "Pacem in Terris" appeared. For the encyclical was received enthusiastically by persons who were known to have no taste for Christian theology, particularly for the Roman Catholic version of Christian theology. And, again, many of those who hailed it were famous for their lack of sympathy for the philosophy of natural law, which many of them had over the years persistently charged with being irrelevant and useless for the settlement of real problems in the real world. Yet, "Pacem in Terris" was praised, above all, for its practicality and usefulness in a bomb-threatened world and by some of these same people. By an ironic twist, at the same time, some devout adherents of the Pope's theology and his natural law philosophy received the encyclical coolly. It would seem that the former, however dim their appreciation of the Pope's line of reasoning, were pleased with his conclusions; whereas the latter, though they approved heartily of his premises, balked at his conclusions. (The switch is an interesting one. It makes one wonder whether it would not be better to leave well enough alone and not try to make too much out of the total substance of the encyclical. In any case, it was another reason why I had a certain hesitancy about approaching the document in toto, to see if it really does provide a "guide to coexistence.")

But let us get on to the actual text of the encyclical.

II

We can begin with its opening lines, in which the Pope made a flat statement about the nature of "peace on earth." Such peace, he said baldly, "can be firmly established only if the order laid down by God is dutifully observed." This point would certainly seem doomed to be a cause of disputation rather than of agreement in any genuinely worldwide council. There would be, first of all, a profound difference about the very notion of a God-created order; then, even if an unexpected agreement could be reached on the idea that there are "laws" governing the moral universe which are comparable to the laws of physics, would not another argument surely arise as to just what such laws are? The question is basic. Certainly Pope John could not be said to have been indifferent to it. In one of his few negative passages, he vigorously assailed the idea that the "relationships between men and States can be governed by the same laws as the forces and irrational elements of the universe." The Pope of course derived his "laws" from an understanding of the "nature of man," a concept that many of his stoutest admirers might be expected to reject utterly, as a starting point for anything, especially for anything as important as the peace of the world.

The encyclical then goes on to enumerate a number of specific human rights which are derived from man's nature. They include religious liberty, the right to marry or to embrace the monastic life, and a priori parental right in deciding the education of children, "free initiative" in the economic order as well as "the right to work," the right to private property "even of productive goods," the "right of assembly and association" and the right to establish "a great variety of * * * intermediate groups and societies (between the individual and the State) in order to guarantee for the human person a sufficient sphere of freedom and responsibility." In addition to these rights, any one of which could be a bone of contention in the modern world, the encyclical affirms "the right to freedom of movement and of residence within the confines of (one's) own country; and, when there are just reasons for it, the right to emigrate to other countries and take up residence there." And how much general agreement would there be on this point?

Practically every one of these rights, in fact, is already a cause of dissension and disagreement in the present divided world. Even when they are considered abstractly, there is no consensus about their validity or indeed about the Pope's bald general statement that "every fundamental human right draws its indestructible moral force from the natural law." Nor is there any sound reason for believing that all political and ideological camps could agree on the proposition that men in their social relations should "act chiefly on (their) own responsibility and initiative" without "being moved by force or pressure brought to bear on (them) externally." Indeed, if there were significant agreement on such questions as these, many of the reasons for the cold war would no longer exist.

In subsequent paragraphs Pope John strongly assailed colonialism and racism and affirmed not only the right but the duty of peoples who feel they are being deprived of their rightful independence to "claim these rights." By the same token, he insisted on the moral duty of others "to acknowledge these rights and respect them." Applied to specific cases, wouldn't this principle also be more a sword of division between the present warring political camps than a source of greater amity?

III

The encyclical goes on then to a section called Relations Between Individuals and the Public Authorities Within a Single State.

As might be expected, the Pope takes an uncompromisingly theistic view of political authority. "Those therefore who have authority in the State may oblige men in conscience only if their authority is intrinsically related with the authority of God and shares in it." From this general proposition, John drew the conclusion that "if civil authorities legislate for or allow (praecipiunt) anything that is contrary to that (divine) order and therefore contrary to the will of God, neither the laws made nor the authorizations granted can be binding on the consciences of the citizens, since God has more right to be obeyed than men." He does not hesitate at this point to invoke the authority of Thomas Aquinas, who taught that a positive law which does not conform to the eternal law is "wicked"—not a law at all but "a kind of violence." A few sentences later, the Pope talked about the duty of political authority to provide for "the needs both of body and soul" and to promote simultaneously "both the material and spiritual welfare of its citizens."

The section concludes with the doctrine that "to safeguard the inviolable rights of the human person, and to facilitate the fulfillment of his duties, should be the essential office of every public authority." "Any government (that) does not acknowledge the rights of man or violates them * * * not only fails in its duty, but its orders completely lack juridical force."

Again, one wonders, first of all, if in the foreseeable future there can be any universal agreement on the "rights of man," so enumerated, and, second, whether it would not take a major change, indeed a revolutionary change, in political ideologies before all nations could agree to "coexist" peacefully with an understanding that these rights would not only be solemnly protected but that persons deprived of them would be thereby relieved of civil obedience. Pope John, in his prescription for "peace on earth" stated in no uncertain terms that "the rights of all (presumably as the encyclical understands human rights) should be effectively safeguarded and, if they have been violated, (be) completely restored" by the offending states.

"Pacem in Terris" supports governmental intervention in the economic sphere, after the manner of what is generally called "the welfare state." This made the encyclical unpalatable to certain laissez-faire diehards in the West. A more serious limitation on its value as a "guide to coexistence," though, is its forthright declaration: "For this principle must always be retained: that state activity in the economic field, no matter what its breadth or depth may be, ought not to be exercised in such a way as to curtail an individual's freedom of personal initiative. Rather it should work to expand that freedom as much as possible by the effective protection of the essential personal rights of each and every individual." Like another statement quickly following, namely, that "it is in keeping with the innate demands of human nature that the state should take a form which embodies the threefold division of powers," this preference would not appear to be shared equally by all parties to coexistence.

IV

The third section of the encyclical "Relations Between States," comes to grips with some of the more immediate problems connected with coexistence. Here, again, though, Pope John insisted that the central principle is to be found in the natural law. Again he excoriated racism and from an affirmation that all men are created equal in dignity, he derived the "consequent recognition of the principle that all states are by nature equal in dignity"—vested with the right to existence, to self-development, to the means fitting to its attainment, and to be the one primarily responsible for this self-development. He then emphasized the need to recognize the national sensitivities of others and to discard the broadcasting of propaganda which impairs "the reputation of this people and that."

Here is the first clear-cut practical and hopeful guide to coexistence I found in the encyclical. If it were taken seriously, it would mean that in the interests of peace, governmental campaigns of scurrility would end and officially sponsored hate mongering would be eliminated from the world scene. This would not necessarily mean that black would have to be called white. Pope John's own example of sticking to his principles without stressing the failings of his enemies could be followed by governmental leaders, official broadcasters, and private propagandists.

Of course, no government frankly acknowledges that it is engaged in vicious propaganda policies; it merely underwrites a program of presenting true information to counter the false propaganda of others. But the fact is that peoples do have strange and distorted views of one another, and the libels simply do not come out of nowhere. Eliminating hate producing propaganda, then, could be a useful step toward genuine coexistence In addition, the Pope's proposal suggests that imaginative cultural exchanges should be increased to make up for some of the mischief of the past.

The Pope's practical advice regarding respect for reputations is immediately followed by an exhortation to settle the inevitable disputes between states not by force, deception, or trickery but "by a mutual assessment of the reasons on both sides of the disputes, by a mature and objective investigation of the situation, and by an equitable reconciliation of differences of opinion."

This appeal and dialog and patient negotiation to replace warfare, hot or cold, can be dismissed as a clergyman's cliche, as it has been, or be translated into practical programs of action, whereby the settlement of differences is taken seriously, the meetings arranged for settlement are scrupulously purged of propaganda for the one cause or the other, and points of agreement rather than of dispute are honestly sought out. To expect such high-minded conduct from "political communities" (to use Pope John's designation) may verge on naivete, as many have said. But the Pope was no political innocent, though he was a moralist. What John XXIII was writing, after all, was a treatise on political morality not a study of immoral behavior, and he had faith that the very extremity of the present world situation would be enough to make profound changes even in the traditional behavior of statesmen. In any case, in his fervent appeal for the exercise of reason for the settlement of political arguments, the Pope was being faithful to his natural law doctrine and to his role as a spokesman for the moral forces in the world. Here, clearly, he presented another "guide to coexistence."

"Pacem in Terris" encourages mutual collaboration between nations, and the exchange of capital, goods, and manpower between the haves and have-nots of this world, humanely suggesting that whenever possible work should be brought to the workers rather than the workers to the work. This is immediately followed by a moving passage of commiseration for political refugees—still numbered in the millions—and an appeal that they be granted asylum and assistance in those foreign states where they apply for membership. Here, again, is a practical note. The "refugee problem" has long been a source of friction in the world, and a scandal as well. It is an ever-present threat to peace on earth.

V

It was in the section on disarmament that Pope John made his most forthright bid for a state of coexistence between the antagonistic political forces. The arms race, it is evident, struck him as unreasonable, wasteful, and possibly fatally dangerous. He condemned the race itself rather than any party in the race. The frantic search for equity of armaments, he said, has resulted not only in burdening the richest nations with a hopeless contest but, as a consequence of the waste of wealth, has stood in the way of the progress of less fortunate peoples. The Pope believed that both sides were honestly operating in accordance with the deterrence theory and that neither side had any truly serious intentions of destroying the other. "It is difficult to believe that anyone would deliberately take the responsibility for the appalling destruction and sorrow that war would bring in its train." Still, he insisted, the mere existence of these monstrous instruments of mass destruction is a threat; war could be set off "by some uncontrollable and unexpected chance." The very testing of modern weapons could have "fatal consequences for life on earth."

So, in the traditional terms of natural law—"right reason and humanity urgently demand that the arms race should cease."

Pope John did not endorse unilateral disarmament: "the stockpiles which exist in various countries should be reduced equally and simultaneously by the parties concerned." Moreover, "nuclear weapons should be banned; and agreements should be reached about progressive disarmament and an effective method of control."

Again, the critics may say, easier to proclaim than to do. With mutual suspicion in the air, who can trust disarmament? Pope John offered no magic formula to resolve this difficulty, though he seemed to be quite aware of it. He did not involve himself in the technicalities of disarmament but simply stated that disarmament must eventually be thorough and universal and must proceed from inner conviction. The peace of the world, the Pope said, cannot be interminably based on equality of arms. The present emphasis on parity, the going principle, is self-defeating; it must be replaced by a new principle of international life: "mutual trust alone."

A number of reasons were offered for this seemingly idealistic advice. One, reason itself declares that the relations between States can no longer be based on force or the threat of force, anymore than relations between individuals—the arms race is patently suicidal. Two, there is no one really, who does not want to see war abolished, since no one stands to gain from it. Three, the benefits of an arms-free world would be enormous. Its advantages would be felt by individuals, families, nations, all mankind. A fourth reason is cited later by the Pope, speaking as a moralist: "It is hardly possible to imagine that in the atomic era, war could be used as an instrument of justice."

Of course the Pope did not say that the destruction of arms would miraculously remove all the differences and antagonisms between men. He believed, rather, that in the very coming-together with good will to negotiate, men who believe themselves to be enemies may tap sources of "love" (his word) which they are barely aware of and which might otherwise go undiscovered.

Again, Pope John was above all the adherent to natural law philosophy, for it was his faith in human nature that gave rise to his belief in the benefits of coming together. Even in a sharply divided world, all men have human nature in common, and he believed that it was the only sure bond with which the work of building peace on earth could begin.

(The fourth section of "Pacem in Terris" is concerned with the world community, which is certainly not unconnected with coexistence but is of a specific enough technical interest to justify special treatment. Suffice it to say here that if the expanded "world authority" John suggested could grow out of the United Nations were ever brought to actuality, talk of coexistence might well, and happily, be an exercise in anachronism.)

VI

"Pastoral Exhortations," the final section of "Pacem in Terris," is directed to the Pope's own worldwide Catholic flock. In it he exhorted "our children" to participate honestly and zealously in remaking the modern world and to turn their backs on all manifestations of religious isolationism, perfectionism, and narrow parochialism. He insisted that religious faith and good will are not enough to insure that their efforts would be successful; professional competence and commonsense are required for effective participation in solving the world's problems. The Pope insisted also that religious faith cannot be left at the infantile level but must be brought up to the level of sophistication and maturity reached in one's secular learning. This, he said, is the task of religious educators primarily. Translating the principles of the Christian Gospel into the realities of political and social life requires an operation of intelligence as well as of good will. Saintliness is always desirable, but even it, by itself, is not enough.

Most of this section is of special Catholic interest, but there are principles enunciated in it which have much to do with providing a guide to coexistence. For one, the Pope warns against a too easy jump from principle to application. He thereby echoes the teaching of the venerable Thomas Aquinas, who taught that while sound philosophic principles must always be held firmly and confidently, the conclusions reached from them remain ever hazardous—the more approximate the judgment reached, the more fallible the judgment. In this, Pope John was appealing for careful prudence in political matters and a sensitive weighing of all the factors that must be taken into account in making wise, and incidentally moral, political judgments. He was in fact warning Catholics against the "crusade mentality" that can be expected to produce not the hopeful spirit of coexistence but the fanatical spirit of the holy war.

Secondly, John XXIII asked the faithful to distinguish carefully between "error" and "the person who errs." The former is always an abstraction; the latter is a human being, with a claim on all the human rights and dignity which were so eloquently outlined in the earlier parts of the encyclical. Honest meetings between human beings, John's natural-law sense told him, can never do real violence to the truth. The confrontation of individuals, whatever their philosophic differences, can in fact result in surprising practical agreements, for the service of the common good is not dependent on perfect philosophic or theological accord between those who are moved to join together to make a better world.

This exhortation, which reflected the thinking, if not the exact language, of Jacques Maritain's famous UNESCO lecture on philosophic pluralism, amounted to a solemn repudiation, on the Pope's part, of the ideological mentality which conceives of life as a battle of abstractions, forever irreconcilable and doomed to permanent warfare until one or the other is declared falsely victorious. Pope John, with his customary emphasis on the stability of human nature and the primacy of reason in human affairs, took quite another view of life—and, it might be added, quite another view of the Christian vocation in the world.

Third, Pope John, in the exhortations to his children, insisted on making a distinction between philosophical teachings and the concrete historical and social movements to which these teachings might have given rise. No man, he seemed to be saying, is as good as his principles—and very likely not as bad as his principles, either. No movement subject to the shaping influences of history and the operations of human nature can be judged like an abstraction. The negative judgment passed on a doctrine or a principle does not necessarily cover the concrete association, or the social, economic, or political manifestations that might result from the presence of that doctrine or bad principle in the world.

In abstract language like this, he seemed to be telling the faithful that not even the Communist movement can be judged simply by citing the principles that gave rise to it. As a tangible political entity and social force in the world, after almost 50 years, the Communist movement has an existence of its own that may have been derived from but is not simply identifiable with its philosophical presuppositions. Catholic-Communist collaboration in practical matters, then the Pope seemed to be saying, is not forever unthinkable, even though the two views of life are utterly incompatible.

But while Pope John's "opening to the left" was unmistakable, he hedged it in by certain safeguards. He insisted, for example, that such collaboration must always be "in accordance with the principles of the natural law, with the social doctrine of the church, and with the directives of ecclesiastical authority."

John XXIII was no more pro-Communist than his predecessors or his successor. A convinced Communist, inevitably, would find the main lines of "Pacem in Terris" no more congenial than he would find the intellectual orientation of any other theistic, profoundly Christian, and pronatural law document. What is significant, though, is that the Johannine version of theism, Christianity, and natural law nevertheless, in the interests of world peace and mankind's needs, provided for a mode of genuine coexistence between the Communist and the Christian world.

VII

"Pacem in Terris" never veers from its natural law presuppositions. A world totally fashioned after its prescriptions would be a world in which the philosophy of natural law had triumphed over all others. Essentially, then, the encyclical, in the pluralistic setting of the modern world, is a sectarian statement. That its conclusions jibe with those dear to many who have no taste for its cast of thought may be an unwitting tribute to the universalism of natural law doctrine, a tribute to the remarkably humane spirit of John XXIII, or merely an expression of the yearnings of a generation which longs for peace and is looking for any way out of its present impasse.

Still, it is only fair to the encyclical and to the Pope who signed it that it be taken in toto. And when it is, it will be evident that in itself it is not enough. It needs to be supplemented by equally reasoned, equally forthright statements on the requirements for peace from other schools of thought, religious and antireligious. Then, when all have spoken ex corde and candidly about their separate visions of "Pacem in Terris," will we finally know whether, intellectually, peace is really possible, or indeed whether even long-range coexistence is possible.

The problem of pluralism remains. John XXIII showed that his philosophy is compatible with it. Differences need not result in disaster, even differences as profound as those between Catholicism and communism. Now we must hear from others.

The Pope's vision was of restoring "the order established by God" (a phrase found in both the first and last lines of the encyclical). Is that vision compatible with one that has a totally different view of nature, an utterly different understanding of the ends of human life, of the secular order and of the laws of the universe and of history?

Could, ironically enough, the fact that there are different ideas of what constitutes pacem in terris be the final source of human division, bringing us to the brink of destruction—or is there some bridge-principle, some third unifying philosophy of pluralism—acceptable to all parties—which can reconcile the seemingly irreconcilable?

That of course is the tough question. It is possible to melt it by dissolving it in a bath of peaceful sentiment and amorphous good will. But I believe any serious treatment of Pope John's encyclical must face up to it. I believe not only in the Pope's conclusions but in his theological and philosophic premises. But for me "Pacem in Terris" ends in this big question mark. And only those who reject John's premises, however much they applaud his sentiments and take satisfaction in his conclusions, can answer it for me.

THE MARYLAND GRASSROOTS POLITICAL REVOLT—EDITORIAL

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "The Maryland Grassroots Political Revolt," broadcast by WBOC–TV and Radio Station at Salisbury, Md., on May 20, 1964.

The first paragraph of the editorial reads:

> This Nation has just witnessed in Maryland unmistakable evidence of the greatest grassroots political upheaval in our generation. It was executed yesterday by peaceful resort to the ballot, using as its vehicle the Wallace-Brewster contest in the State's Democratic primary.

This editorial confirms the statement I have made a number of times on this floor—that when the people of the country understand the impact the so-called civil rights bill would have, not only on their social order, but on their property rights and their personal rights of association, there will be a nationwide political revolution. Either the law will be repealed or the pressure groups that are so powerful today and exercise such great influence in the Congress will finally drive us to a government that will discard the Constitution and our system of laws entirely, and become a government that will be directed by a man on a horse.

Mr. President, may I have permission to have the editorial printed in the RECORD?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MARYLAND GRASSROOTS POLITICAL REVOLT

(Editorial by WBOC–TV and WBOC Radio, May 20, 1964, Salisbury, Md.)

This Nation has just witnessed in Maryland unmistakable evidence of the greatest grassroots political upheaval in our generation. It was executed yesterday by peaceful resort to the ballot, using as its vehicle the Wallace-Brewster contest in the State's Democratic primary.

Those who would dismiss the results as an emotional binge of 206,000 Marylanders who voted for Wallace simply lack knowledge of the temper of the grassroots voters.

Marylanders repeated with an even more forceful voice—the substantial protest vote recorded in Wisconsin and Indiana where the people also had an opportunity to express their views on vital national issues.

Governor Wallace came to Maryland where his acquaintances numbered less than a baker's dozen—and after a 2-week campaign was accorded 42½ percent of the total Democratic vote. He had no campaign organization.

Arrayed against him were powerful forces: All the power and influence of a statewide entrenched political organization, pressure groups of various sizes and ilk, a dozen U.S. Senate orators, many religious and secular spokesmen, and daily attacks from a hostile press.

Furthermore, his opponent was a Maryland U.S. Senator standing in for the President, therefore supported by the prestige of the White House.

It cannot be said 206,000 Marylanders were voting solely for Wallace, the candidate. Their convictions were far more deep rooted. It was nothing more or less than a protest against present-day trends and philosophies of government centralized in Washington. One can only speculate what the vote plurality might have been if the candidate had been a Marylander, even of average stature.

It cannot be said the Wallace vote came only from rural counties. Wallace lost populous Baltimore County only by 106 votes with more than 93,000 votes cast. He carried Anne Arundel and ran neck and neck in Prince Georges.

In Maryland, in Indiana, and in Wisconsin, the independent vote expressed in the Wallace forays can be the balance fully capable of electing any candidate.

All this should be apparent at last to the Democratic leadership. If they want to close ranks for the November election, they must stop, look, and heed these voices from the grassroots people back home who consider themselves moderates as opposed to left of center philosophies and trends. The warning sign has been raised.

A half century ago, another presidential candidate, Champ Clark, campaigned with the slogan "You Gotta Stop Kicking My Dog Around."

Independent, moderate voters of today are serving notice they are tired of having the philosophies of extreme liberalism crammed down their throats.

HYPOCRISY IN THE CIVIL RIGHTS ISSUE

Mr. RUSSELL. Mr. President, from time to time I have commented upon the hypocrisy that permeates many aspects of what is called the civil rights issue. No better example of the hypocrisy can be cited than the high degree of racial discrimination and the serious racial problems that exist in certain areas of the country in which numerous State and local statutes have been enacted dealing with discrimination against Negroes and other minority groups.

A recent example of this hypocrisy was brought to my attention through an article in the New York Times of last Friday, May 15. According to this article, the New York State Advisory Committee of the Federal Civil Rights Commission has charged that racial discrimination is being practiced against Negroes in the staffing of privately operated hospitals in New York City—and that city undoubtedly has more laws dealing with the subject of discrimination than any other city in the Nation. Yet, in spite of such laws, the director of the study team that made the charge is quoted as saying that "about one-half of the voluntary hospitals have no Negroes on their staffs."

I was interested further to note that the Civil Rights Advisory Committee recommended that all local, State, and Federal funds be withheld from hospitals accused of practicing racial discrimination. In other words, they are now seeking to implement title VI of the pending bill. If this force bill becomes law, I shall await with interest the determination as to whether the executive department withholds Federal funds from hospitals in New York City that have been accused by the official arm of the Civil Rights Commission in New York State of the worst sort of discrimination.

Mr. President, I ask unanimous consent that the article from the New York Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GROUP CRITICIZES HOSPITAL STAFFS—FINDS NO NEGROES IN MANY VOLUNTARY INSTITUTIONS

A Government advisory group called yesterday for a crackdown on voluntary hospitals in New York City where "Negroes can't get appointed to the staffs."

The New York State Advisory Committee to the U.S. Commission on Civil Rights urged that Federal, State, and city financial aid be withdrawn from any hospital that practiced racial discrimination.

Voluntary hospitals may now qualify for Federal, State, and city funds for projects that include construction, research and the care of indigent patients.

In a 16-page report, released at a news conference, the committee touched upon the racial problem in the entire medical field here—nursing, medical schools, and patient care.

However, it found serious discrimination only in the staffing of the city's voluntary hospitals, which are nonprofit institutions operated under private auspices.

HALF HAVE NO NEGROES

Algernon D. Black, who headed the study team, said that "about one-half of the 90 voluntary hospitals have no Negroes on their staffs."

Informed of the committee's statements, Dr. John V. Connorton, speaking for the voluntary hospitals, replied:

"Our hospitals are looking for qualified people. We can place qualified Negroes. If there is any discrimination, let's work at it without headlines, in a reasonable fashion. That's what we told Black a long time ago."

Dr. Connorton heads the Greater New York Hospital Association, which represents 82 of the city's 90 voluntary hospitals.

Mr. Black is leader of the New York Society for Ethical Culture. The news conference was held at the society's headquarters, 2 West 64th Street.

NEGRO OPPORTUNITIES LIMITED

Dr. George Cannon, a Negro member of the study team, said: "There are Negro doctors in the clinics and outpatient departments, but they hardly ever get a chance to make staff, so they can treat patients upstairs and have admitting privileges for their private patients."

The committee chairman, Richard C. Sachs, said that only about 30 of the 90 hospitals questioned answered the questionnaires. Of the 4,004 staff doctors in these 30 hospitals, he said, only 70 were Negroes.

"That's even less than the percentage of Negro doctors to the population," he added.

The report, which was compiled over a 4-month period last year, showed that the ratio of physicians to the population here was 1 to 480 for whites and 1 to 2,754 for Negroes.

There are an estimated 15,000 white doctors in the city and about 500 Negro doctors. About 200 of the Negro doctors are on the staffs of the city's 21 municipal hospitals, which were found to be relatively free of job bias.

Mr. Black said much of the bias in the voluntary hospitals stemmed from the chiefs of the various medical services. The chiefs usually hold the employment strings.

These hospitals receive about $65 million a year from the city budget for the care of indigent patients in wards.

Mr. Black was asked why Government agencies had not already withheld funds for construction, research and patient care in discriminatory hospitals.

"That's a political problem," he said. "You know that as well as I do."

FRANCE AND AMERICA IN ASIA

Mr. BARTLETT. Mr. President, as so often in the past, Walter Lippmann has admirably untangled some of the confusion now general on the situation in southeast Asia.

Mr. Lippmann makes three points.

No settlement of southeast Asia problems is possible without the participation of Red China. There is reason to believe that China has an interest in such a settlement. So, too, Mr. President, does the Soviet Union, North Vietnam, Cambodia, and Laos. So, too, does the United States. Here lies fertile ground for negotiation.

The exploration of the possibilities of a negotiated settlement need not conflict with present American efforts in South Vietnam. Mr. Lippmann points out that the continued U.S. military resistance to Red aggression and subversion is necessary if negotiations are to be made feasible.

Thus, Mr. Lippmann points out, American policy and French policy in southeast Asia are not in conflict but are in many ways complementary. We have, after all, the same fundamental interests. I ask unanimous consent that the article from today's Washington Post may be made a part of the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EUROPE IN THE SPRING—III—FRANCE AND AMERICA IN ASIA

(By Walter Lippmann)

Although I did not see General de Gaulle, who was in the hospital when I was in Paris, I saw a number of key men who were in a position to discuss French policy. There are, to be sure, reports that the General takes no one into his confidence and that he conducts foreign policy in solitary secrecy. This is simply not true for the major foreign policies. For example, French policy concerned with Germany, Eastern Europe and the Soviet Union, with NATO and U.S. military and political leadership in Europe, involves the government, not just the General himself. The complex of problems which are connected with France's reentry into the Far East are not the sole and secret domain of the General.

The more I heard in Paris, the more evident it became to me that far from being arbitrary, personal gestures, the major French policies are widely prepared, long range diplomatic operations.

In dealing with France today we are dealing with very serious, highly professional diplomats, with men who are every bit as serious and competent as we are ourselves.

We are missing the mainpoint and we are stultifying our influence when we dismiss the French policies as not really serious, as expressions of personal pique or personal vanity on the part of General de Gaulle, as inspired by "anti-Americanism" and a wish to embarrass us. The truth is that there is a failure of communictaion between Paris and Washington. The diplomatic channels are clogged with mutual pride and prejudice, and the consequent lack of understanding is a serious matter which could be and must be corrected.

All are agreed that the critical Franco-American conflict is in China and southeast Asia. This is the raw point where American lives and honor are at stake, as they are not at stake in the current differences in Europe. The Gaullist administration is acutely aware of the extreme sensitiveness of the American people about their involvement in the Vietnamese war. To suppose that the Gaullist government is trying to thwart us and precipitate a disaster in southeast Asia is, I am entirely certain, malicious nonsense.

On the contrary, the man objective of French policy is to save southeast Asia from conquest by China and to avert a disaster which would affect the whole Western World in its dealings with Asia. Let us not blind ourselves by a prejudiced refusal to take seriously the French intervention in Asia.

The French, we must not forget, are the only Western nation qualified to intervene at the present time. The British are engaged in a semicolonial war with Indonesia about Malaysia. The Germans are pinned down in Europe and cannot, while they are partitioned, play the role of a world power. We are at war. Only France among the Western Powers has fully liquidated its military position in Asia and in Africa. Moreover, the prestige of France and French culture among the educated classes of China and southetst Asia is very high.

If General de Gaulle is right, as most surely he is, that there can never be a stabilized peace in South Asia unless it is supported by China, then it would be folly on our part not to hope that he will succeed in his diplomatic explorations in Peiping. However, these explorations are just beginning, and nothing proceeds rapidly in the Orient.

What is the French hypothesis? It is that the Sino-Soviet conflict is very serious, so serious that it now poses great territorial issues, and therefore that Peiping has a strong interest in stabilizing its southern frontier. The real questions are: What is the price of an agreement to stabilize it and what are the guarantees of such an agreement? This is what General de Gaulle has now to find out.

If we analyze the situation fully, we shall conclude, I believe, that French policy and American are not competitive in Asia but are in fact complementary. This is to say that what De Gaulle is trying to acomplish is the only conceivable solution of what is certainly an otherwise interminable military conflict. But it is to say also that what the United States is continuing to do, which is to sustain the resistance of the Saigon Government, is necessary to the success of the French action in Peiping and Hanoi. It is in this sense that the two policies are complementary. They would become fused into one policy if the administration adopted as its slogan a modification of Churchill's remark "We arm to parley" and said that "in Vietnam we fight to parley."

Standing alone, the United States has no credible policy for winning the war or for ending it. Once again, as in all our wars, we are fighting for "victory" without a practical political aim. As we can see in the dictated peace after the First World War, in our demand for unconditional surrender in the Second World War, in the calamitous march to the Yalu in the Korean war, it is the vice of our thinking that when we are engaged in a war we can imagine no satisfactory end to the war except the unconditional surrender of the enemy.

This is one of the main reasons why morale is so very bad in southeast Asia. We are supporting and promoting a cruel and nasty war that has no visible end. There is no light at the end of the tunnel. I have heard it said by people in Washington that we must fight on in South Vietnam for 10 or 20 years. That may sound stouthearted in Washington but it is a dismal prospect for the villagers of Vietnam. What we are offering the Vietnamese people is altogether demoralizing.

On the other hand, if Peiping and Hanoi are allowed to believe that all resistance will soon collapse in Saigon, the price of stabilization on a formula of neutralization is likely to be intolerably high. Like everyone else, if they see a chance of dictating a settlement, they won't negotiate it. It is necessary therefore to do what the President and Secretary McNamara are doing, which is to reinforce the resistance of the Saigon Government.

After my conversations in Paris I think I am entitled to say that the French see a stronger resistance as necessary to the negotiations they are beginning to open up. But most surely they do not think that the reinforcements can be more than a shot in the arm, and I doubt whether any serious American thinks so either.

It must be said also, I believe, that a policy of stabilization in southeast Asia demands that the American power and presence in the South Pacific shall not be withdrawn when our troops withdraw from South Vietnam. On the contrary, we should strengthen our position in the South Pacific. We should be able to do this if we do not forget, as we have allowed ourselves to forget, that we are a sea and air power and must not involve ourselves in land wars on the Asian mainland.

Although I think that French and American action should be thought of as complementary, not as competitive, neither Government can at the present time afford to say so. We cannot say so because we might undermine what little fighting morale there is in Saigon. The French cannot say so because they cannot negotiate in Peiping and at the same time give their blessing to our intervention. But nonetheless, today, as so often before in our history, France and America have the same fundamental interests.

PRESIDENT OF FORT SMITH, ARK., JUNIOR COLLEGE STRONGLY SUPPORTS GI EDUCATION BILL

Mr. YARBOROUGH. Mr. President, again I invite the Senate's attention to what I consider one of the most essential bills to pass before our judgment in some time. I refer to S. 5, the cold war GI bill, which has been pending on the Senate Calendar since last July.

I would like to pass on to all of you the feeling which I get when my approval of this bill is continually reinforced by a daily accumulation of support from some of our most prominent educators. The obvious benefits of this legislation can never escape my attention when those so closely connected with previous GI bills become unanimous in their favoring this bill, and their separate letters begin to snowball into a forceful unity as they constantly and consistently pledge their support.

Recently, I received a letter from Mr. E. T. Vines, president of Fort Smith Junior College in Fort Smith, Ark. As a prominent educator and one who has had experience with previous GI bills, Mr. Vines states:

> Having been a recipient of the original GI bill, I am convinced that this type of legislation has done more for the education of young men and women, who would not otherwise have had the opportunity of going to college, than any bill since the war. I think the original bill has already paid for itself over and over.

Mr. President, it never ceases to astonish me that a Nation can so foresightedly concern itself with utilization of its nonhuman natural resources, and yet allow its most precious resource—its human potential—to remain undeveloped. I suggest that we take the same industriousness, inventiveness, and foresight that was used to develop our Nation technologically and apply them to the development of the 5 million veterans of the cold war now awaiting their chance to help their country progress.

Because Mr. Vines' letter is so typical of the many which we receive in support of this bill, I ask unanimous consent that it be printed in full at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FORT SMITH JUNIOR COLLEGE,
Fort Smith, Ark., February 12, 1964.

Hon. RALPH YARBOROUGH,
Chairman of Veterans' Affairs Subcommittee, U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: I understand there is a bill pending in Congress concerning GI benefits for veterans who entered the service after January 1955.

Having been a recipient of the original GI bill, I am convinced that this type of legislation has done more for the education of young men and women, who would not otherwise have had the opportunity of going to college, than any bill since the war. I think the original bill has already paid for itself over and over.

I would favor any type of legislation that would make it possible for veterans, whether veterans of war or peace, to continue their education after they have completed their military service.

Sincerely yours,

E. T. VINES,
President.

BIRTHDAY TRIBUTES DUE THE LATE PRESIDENT JOHN F. KENNEDY ON MAY 29

Mr. YARBOROUGH. Mr. President, in the May 17, 1964, edition of Parade magazine, editor Jess Gorkin reminded us that on May 29 the late beloved President John F. Kennedy would have been 47 years old. He proposed a birthday tribute to President Kennedy in the form of dimes and dollars to help build the John F. Kennedy Memorial Library in Cambridge, Mass.

This is a fine proposal worthy of support. The San Antonio Light in its Thursday, May 14, edition published an editorial in support of the Parade editor's suggestion.

I ask unanimous consent that the San Antonio Light editorial entitled "J.F.K. Tribute"; the Parade article entitled "A Birthday Gift for John F. Kennedy"; and the accompanying notation on where to send contributions to the Kennedy Library Fund be printed at this point in the RECORD.

There being no objection, the editorial, article, and notation were ordered to be printed in the RECORD, as follows:

[From the San Antonio Light, May 14, 1964]

J.F.K. TRIBUTE

The youth of San Antonio and America are reminded that, on May 29, John F. Kennedy, friend and confidant of all youth, would have been 47 years old.

In the May 17 issue of Parade, our Sunday magazine, an open letter to the youth of America calls upon them to donate the earnings of one day's activities to the John F. Kennedy Memorial Library as a birthday tribute to the late President.

This is an opportunity for our youth to aid in a very worthwhile cause and, at the same time, have their names permanently placed in the Kennedy Memorial Library.

There are many ways to help raise money, such as washing cars, mowing lawns, cake and lemonade sales, and so forth.

Full details as to how you can make your personal tribute to the memory of our heroic youngest President can be found in Sunday's Parade magazine with the Light.

A BIRTHDAY GIFT FOR JOHN F. KENNEDY

(An open letter to youth from the editor of Parade)

John F. Kennedy would have been 47 years old on May 29. But for that terrible deed last fall, he might have expected to romp with John, Jr., to receive a bright birthday kiss from Caroline, or to share a birthday toast with his wife, Jacqueline. No doubt he would have spent part of the day at his desk, as he had on past birthdays, working for a better America for you.

I suggest to you, the Nation's youth, that you should not let May 29 pass unnoted. This would be a fitting occasion for you to show the world that he was not wrong about you. He sought to rouse you to your feet, to quicken your step, to inspire you to undertake great things. He was concerned above all that you not become soft and slothful.

There is a simple way for you now to demonstrate that his dreams for you could not be shattered by an assassin's bullet. I suggest that you donate a day to J.F.K., a day of work, a day of service. Let the world see a little of the vigor he hoped to instill in you.

Here's what you do: Give up 1 day of leisure, devote it to work and offer your earnings as a birthday gift to our fallen President. Set aside the Saturday before his birthday; or another day will do if May 23 is inconvenient. Then go out and get a job. Do a day's work for President Kennedy: mow lawns, wash cars, shine shoes, sell cookies, do something productive.

You can do it on your own or arrange a group project. A Girl Scout troop could make candy to sell; a Little League team could promote an exhibition game; a Sunday school class could organize a rummage sale.

Whatever you earn, send in your dimes and dollars as a birthday present to help build the John F. Kennedy Memorial Library in Cambridge, Mass. The gift would be even more appreciated if you included a note explaining how you earned the money. I am sure Mrs. Kennedy would like to read how the money was raised, and Parade would like to publish the most interesting letters.

I have spoken to the late President's family about this idea, and they tell me he would have been thrilled to have the youth of America work a day in his honor. It's the sort of birthday gift, they say, that would have gratified him. The family would also be proud to have the library built with the nickels and dimes of the young people who were so much on President Kennedy's mind.

The family wants the Kennedy Library to be more than a museum of mementos; they intend to make it a living library full of the sights and sounds of President Kennedy's exciting life and tragic death. They have already started to tape interviews with the people who helped him make history, and Hollywood Director George Stevens, Jr., has begun sorting through old film clips and TV tapes for the best scenes of President Kennedy in action.

The library probably will have a number of booths where visitors can dial a recording or a film strip, depicting any one of the high spots of his career. You might be able to dial the voice of Soviet Premier Nikita Khrushchev, for instance, giving his account of what happened at his historic meeting with President Kennedy in Vienna.

Hundreds will be interviewed: family friends, foreign potentates, political foes—anyone who had a part in his life. For history's sake they will be asked to give their recollections frankly, without hearts and flowers. Thus, 100 years from now, history students will be able to hear Richard Nixon explain how he lost the 1960 election to John Kennedy. They will be able to watch, too, the martyrdom of our 35th President as it happened.

Of course, the library will also contain his personal papers. Even his notes and doodles were saved by his faithful secretary, Evelyn Lincoln, who never threw anything away. She tells how he used to scribble cryptic words on a pad of long yellow paper as he spoke on the phone. He would draw boxes around the key words. On one yellow sheet, for instance, he wrote the word "Malay." Some thought this might be a secret code word that shouldn't be exhibited, but Mrs. Lincoln explains it was merely his abbreviation of the new Asian nation of Malaysia.

As a "memorial room," the family plans to build an exact reproduction of Kennedy's oval office in the White House. His great desk, carved from the wood of the H.M.S. *Resolute,* will be there. On it will be all his personal knicknacks, including the famous coconut on which he carved the message that brought help to the crew of his wrecked PT–109.

Of all the memorials honoring John F. Kennedy, the library should be the most lasting of all. It was his wish that it become a center not only for the study of the past but for discussion of the future. Accordingly, part of it will be set aside as an "institute" where young people can come to discuss public affairs. He took a personal interest in the library and inspected prospective sites every time he visited Boston. One of his last acts was to select the place where it will be built on the Harvard campus.

Franklin D. Roosevelt started the tradition of Presidential libraries to which the general public was admitted. Since he built the F.D.R. Library at Hyde Park, N.Y., others have been built—for Herbert Hoover at West Branch, Iowa; for Harry Truman at Independence, Mo.; and for Dwight Eisenhower at Abilene, Kans. Though built with private funds, all have been turned over to the people and are run by the National Archives.

It seems right that you, the young people, should build the Kennedy Library honoring our youngest President. He had a special kinship with you. He had a great affection for you, and you obviously shared the feeling, judging from the teenage turnout at all his appearances.

I believe you would want to give him something more than the pennies you could get from your parents. That's why I suggest that you give of yourself, that you work a day for J.F.K. No matter how small your contribution, your name will be in the book of donors at the Kennedy Library, where someday you can take your grandchildren and point to it proudly.

So roll up your sleeves, boys and girls, young men and women, and show a little vigor.

WHERE TO SEND CONTRIBUTIONS

When you or your group has worked a day for J.F.K., send the proceeds to Kennedy Library Fund, Parade, Box 1640, Grand Central Station, New York, N.Y. 10017. If you wish, include a note telling how you earned the money.

RALPH McGILL NOTES THAT POVERTY RESULTS FROM POOR EDUCATION

Mr. YARBOROUGH. Mr. President, the 88th Congress, by enactment of five major education bills, has already earned the title "The Education Congress." But we have much more to do in this field, which is so important a part of a long-range solution to the elimination of poverty in the United States.

If, through legislation, we are able to make the best use of modern science in this enlightened age, the virtual elimination of poverty is possible.

In the Tuesday, May 12, 1964, edition of the Houston Chronicle, appeared an abbreviated article bylined by Ralph McGill on this subject. I ask unanimous consent that the article, entitled "Cracks in the Affluent Society," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Cracks in the Affluent Society

(By Ralph McGill)

The politics of poverty is the politics of education. They are inescapably and properly tied together.

As we look at our affluent society today, we see at least four disturbing features:

1. The gap between the educated and skilled, and the functionally illiterate and unskilled, grows wider.
2. The gap between the strong educational institutions and the weak also widens.
3. The gap between good teachers and poor teachers, at all levels, steadily becomes greater.
4. Unemployment produced by new inventions, technology, and automation refuses to grow less. The outlook is for a slow increase.

The future of education will be more and more concerned with the impact of poverty, because history shows that change in education arises always out of political action. President Johnson's action against poverty is one that has been delayed across a long span of years. We can see the slow accumulation of poverty; the many evidences of human erosion produced by it are all around us. Only now are the Nation's resources to be mobilized against it. Therefore, education more and more will be concerned with it.

The PRESIDING OFFICER. The time allotted for the morning hour has expired. Senators should ask for additional time under unanimous consent.

BELLE PLAINE TAKES A STEP

Mr. PEARSON. Mr. President, I ask unanimous consent that the morning hour be extended for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PEARSON. Mr. President, typical of the "do it yourself" attitude of Kansans and indicative of the forward-looking approach of some of our smaller rural communities of Kansas, the citizens of Belle Plaine have taken the first steps in establishing a recreational area which has great potential. Describing the matter in detail is an editorial from the May 18, 1964, Wichita Eagle, entitled "Belle Plaine Takes a Step."

Mr. President, I ask unanimous consent that this editorial be placed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Belle Plaine Takes a Step

Citizens of Belle Plaine and the surrounding rural area have taken a step that could lead to a profitable and needed recreational development.

Meeting last week at the request of the Belle Plaine Chamber of Commerce were interested citizens and officials of the Farmers Home Administration (FHA). The FHA men explained that the Government will underwrite long-term loans to finance recreational development programs in rural areas. (Rural areas are defined as farm areas and towns of under 2,500 population.)

The Belle Plaine people have shown interest in a recreational program. To launch it, they would form a nonprofit corporation. They would outline a program and the plans for implementing it. The loan would be repaid from admission or membership fees to the recreation area. Members of the corporation would not be obligated for the loan.

The potential for Belle Plaine and for other small communities in Kansas to undertake such a program is almost unlimited. They could use the facilities for themselves. But they would be passing by a lucrative market.

Urban dwellers are searching for areas with facilities to fish, camp, swim, and relax. Small communities surrounding metropolitan complexes have the available land, and therefore, the opportunity to cash in on their city cousins' desires. (Individual farmers, too, could develop facilities on their own land profitably.)

Rural communities for years have been losing out to urban areas. With Government loans and their own imaginations, they have the chance to improve their lot substantially by diversifying their local economies with services that are growing in demand with each passing season.

JEFFERSON COUNTY, KANS., LOOKS AHEAD

Mr. PEARSON. Mr. President, in Kansas as well as the Nation, the scene changes.

Today Jefferson County, Kans., faces a future as a growing urban area because of its potential for industrialization and by reason of its recreational facilities. The citizens of that community clearly see and are preparing for that future.

This far-sighted and dedicated public service is best described by an editorial in the May 18, 1964, edition of the Topeka State Journal, entitled "Jefferson County Looks Ahead."

Mr. President, I ask unanimous consent that this editorial be made a part of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Jefferson County Looks Ahead

Jefferson County is launched upon a far-sighted project that, if carried to a successful conclusion, may well point the way for its northeast Kansas neighbors in charting future development. The county has a planning commission that is digging deeply into its work.

Jefferson is in a significant location as to the future. While an agricultural county, at the same time it is adjacent to the spreading urban areas of Topeka and Lawrence. Already it is favored as a home location for persons employed in the two nearby cities. The southern boundary is the Kaw River, another great asset with industrial potential that most counties lack.

Of even more significance is the projected Perry Reservoir which will thrust itself through the central portion of the county, cutting it almost in half. This large body of water, lying within easy reach of thousands of Topekans and Kansas Citians, is bound to bring a changed way of life to Jefferson County residents.

Planning for the impact of the future is no easy task. In the first place it is one of those intangibles that is difficult to get down on paper. It is a slow process that all too often becomes mired down because there is no great pressure to get the job done.

The men on the Jefferson County Planning Commission recognize the formidable task ahead of them but they are conscientious men and know that it must be done if future growth takes the direction that it should. They have been working on it for less than a year. They are making progress. They have the backing of the county commissioners and mayors and councilmen of the cities in the county. They have a clear concept of what they must do.

Jefferson County is to be lauded for the interest and dedicated service shown by citizens in planning for its future. The rewards for their present efforts will be reaped by generations which follow them.

BEEF IMPORTS

Mr. McGEE. Mr. President, I ask unanimous consent that the privilege of the morning hour be extended for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. Mr. President, all of us are deeply concerned about the matter of beef imports, about beef prices, and about what is happening to the cattle industry in this country.

My position on imports is quite clear. I have introduced and cosponsored legislation to try to help in this serious matter.

I have been particularly pleased that leaders of the administration, including the President, have spent many hours and devoted their energies to developing actions which will assist, at this time when the cattle industry is experiencing extreme difficulties.

Because the President has devoted his time and his abilities to this matter and because the officials have supported him in his efforts, I was disturbed that earlier this week when the matter of the cattle industry was under discussion in the Senate that a charge was made that the President's staff and others working with him on this matter were misleading him. Some figures were then presented to show when the President said there was a reduction in imports of beef that actually there had been increases in the imports of beef.

Instead of the President being misled, actually it was the Senate that was being confused, and may I say that I certainly do not think it was, in any sense, intentional. However, if we are to arrive at just and realistic solutions to the problems of the cattle industry, we must make sure that we are making our decisions and carrying on our discussions based on the actual facts.

There are two principal sources of information on imports into this country. One of these is the Livestock-Meat-Wool Market News published by the Department of Agriculture. This publication is designed to show the activities of the meat inspection division. This publication does not pretend to measure the amount of meat actually imported during any particular month. It shows the total quantities on which inspection certificates were received during the period covered by the report.

In other words, the governing factor is the date on which the inspection certificate is received at the main office of the Meat Inspection Division. This means that imports reported for any particular month, for example, may include quantities of meat which entered the United States in an earlier month. The data for January and February 1964 may be used to illustrate this point. The inspection report, as published for these 2 months shows that imports of fresh beef, veal, mutton, and lamb from Australia and New Zealand aggregated 139,945,000 pounds.

However, at least 42,843,000 pounds of this meat had been imported into the United States before January 1, 1964. Some of it had been imported as far back as October 1963 but the inspection certificates were just being recorded by the Meat Inspection Division. Similarly, the information published for the January and February months of 1963, which were used as a comparison for 1964, included a volume of meat which had been imported during months of 1962.

The major factors accounting for this situation with the Livestock-Meat-Wool Market News are as follows:

First. Movement of product: Where suitable arrangements are made by the importer, initial import inspection may occur at the point of destination instead of at the port of entry.

Second. Rejections: Wherever a consignment or a portion of a consignment is rejected, the report on the entry is not distributed until disposition of the rejected lot has been decided. Ninety days is usually allowed for this purpose.

Third. Restricted imports: Products handled under procedures outlined by the Animal Inspection and Quarantine Division are not reported until the required processing has been completed.

Fourth. Sorting and relabeling: Product damaged in transit may, under certain circumstances, be reconditioned, repackaged and relabeled under official supervision. This inspection report is submitted following reinspection of the entry.

Now, Mr. President, with these facts in mind, what are the figures that should be used to provide a proper record of imports and what were the figures on which the President based his statement that beef imports in 1964 may well be down as much as 20 percent from last year?

The figures on which the President based his statement were those provided by the Department of Commerce as compiled by the Bureau of the Census. These figures are the official foreign trade statistics of the United States. They show the quantities of specified products imported into the United States during the month or during any other time period covered by the particular report. The figures of the Bureau of the Census are based on imports for consumption and include those items which are shipped into the United States for consumption during the specified period.

The statistics, as reported by the Bureau of the Census on beef imports, show that, as the President reported, the probability is that imports will be down approximately 225 million pounds this year. Last year the Bureau of the Census showed that imports totaled 1,122 million pounds. The figures of the first 3 months this year plus projections for the remainder of the year show that imports will be down to slightly less than 900 million pounds or a reduction of 225 million pounds.

These are the actual facts—the actual figures. We must make our decisions and our judgments on these figures.

BUFFALO STEAKS FOR WORLD TRAVELERS

Mr. McGEE. Mr. President, Wyoming has always been proud of being the land "where the buffalo roam." In fact, our State boasts not only of herds of Buffalo roaming wild in our parks and forests, but we have the world's largest herd of privately owned buffalo. These 2,000 animals are owned by Mr. D. C. "Bud" Basolo, Jr., on his B-Bar-B ranch near Gillette, Wyo.

And now, Mr. President, Wyoming's link with the old frontier has gone international. Trans World Airlines has just announced that it will begin soon to serve buffalo steak to first class passengers on its transatlantic flights.

This delicacy—and I can attest that properly prepared buffalo steak is a delicacy—should do much to enliven the lives of travelers and to enhance the reputation of Wyoming. The meat will be provided by Mr. Basolo from his Wyoming buffalo herd.

Mr. President, I ask unanimous consent that an announcement of the debut of this unusual service, prepared by Trans World Airlines, be printed in the RECORD.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

TWA ADDS BUFFALO STEAKS AS ONE OF SEVEN LUXURY ENTREES ON TRANS-ATLANTIC ROYAL AMBASSADOR MENU

One of America's prime delicacies, and one of the rarest—buffalo steak—is about to make its international debut on the de luxe "Royal Ambassador" menu presented to first-class passengers on Trans World Airlines trans-Atlantic flights.

The buffalo steaks will be one of the seven gourmet entree choices offered on the elaborate full-course menu which is a feature of the Royal Ambassador service, along with fine wines and liquors, champagne, flowers on the table, four lovely air hostesses and red carpet treatment.

For those who think of the American buffalo as a wild game animal, now largely extinct except for a few thousand in Government preserves and zoos, TWA hastens to assure that the steaks to be served on its flights, beginning about May 20 come from a private herd of 2,000 developed by controlled breeding at the 100-square mile B-Bar-B buffalo ranch near Gillette, Wyo.

And TWA also notes that buffalo steaks properly aged and prepared are better eating than beefsteak. (You'll still be able to get prime U.S. sirloin steak and filet Chateaubriand on the Royal Ambassador menu, along with roast duckling, double thick lamb chops, lobster thermidor, and other goodies.)

TWA plans to use only the selected cuts of the buffalo meat—filets and strips. These will be charcoal broiled, then quick frozen and packaged for placement aboard the StarStream aircraft. In flight they will be restored in the galley's electric ovens for serving at dinnertime, following the tested methods used with other inflight meat dishes.

Buffalo steaks are so tender, juicy, and delicate of flavor, the airline reports, that they will be served without seasoning. But they will be served with a wild rice dressing known by its Indian name of "Oglala Sioux" and an herb sauce will be available.

The king-size (15 by 12 inches) Royal Ambassador menu card, which titles all items in French with descriptive English subtitles list the buffalo steak entree choice in Sioux Indian—"Tatanka Talo Na Psin" with, possibly, a phonetic subtitle.

The B-Bar-B Buffalo Ranch and the meat processing and packing operation are run by D. C. "Buffalo Bud" Basolo, Jr., of San Francisco, who has spent 5 years developing the buffalo stock by basic conservation methods, harvesting each year only the excess animals and carefully maintaining the growth of the herd year by year. The ranch's herd is said to be the largest privately owned herd in the world.

THE ECONOMY OF THE STATE OF IDAHO

Mr. JORDAN of Idaho rose.

The PRESIDING OFFICER. How much time does the Senator from Idaho request?

Mr. JORDAN of Idaho. Three minutes under the extension of the privilege of the morning hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JORDAN of Idaho. Mr. President, the economy of the State of Idaho depends basically not only on those who are employed directly in such pursuits as agriculture, forestry, and mining, but also on those who work in the service industries, and in government in my State, who are dependent upon a healthy economy. Our jobs, our investments—in fact, our future—depends to a great extent on the actions that will be taken at the negotiations in Geneva with regard to imports from other countries, and in securing agreements that will safeguard and protect our fair share of the American market for the products we produce and manufacture.

I have written a letter to Hon. Christian Herter, which is a summary of the many statements and appearances that I have made before the Tariff Commission in this matter. I ask unanimous consent that this summary letter of mine to Mr. Herter, and his reply be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 1, 1964.

Hon. CHRISTIAN A. HERTER,
Special Representative for Trade Negotiations, Executive Office of the President, Washington, D.C.

DEAR MR. HERTER: As you and your coworkers represent our country in the GATT trade negotiation meetings at Geneva, I want to express the deep interest that the people of Idaho have in the conference and negotiations.

The economy of our State depends basically on our extractive industries. Not only those who are employed directly in such pursuits as agriculture, forestry, and mining, but those who work in tourism and recreation, transportation, retail and wholesale trade, construction, education, city, State, and Federal services, as well as in manufacturing, have a vital concern in the production and marketing of the products from our farms, mines, and forests.

Our jobs, our investments, in fact, our future, depends to a great extent on the actions that will be taken at the negotiations in Geneva with regard to imports from other countries, and in securing agreements that will safeguard and protect our fair share of the American market for the products we produce and manufacture.

We, of course, are interested in exporting the products we have in surplus to other countries who have a need for them, but only a small part of our economy depends on exports.

We spend our earnings on American products. We help preserve the high standards of living the country enjoys. We pay taxes to support our schools, highways, and State services, and the needs of our Federal Government. We are concerned with unemployment and poverty. We want to keep "pockets of poverty" to the minimum. We can only do that by insisting that our economy is not threatened by unfair competition for that which we have to sell.

I am summarizing some of the actions that have been taken by myself, along with other interested groups and persons concerning some of the products that are of particular interest to us.

IMPORTS OF BEEF, VEAL, AND MUTTON INTO THE UNITED STATES

The livestock industry, with its attendant facets is probably the most important segment of the Idaho economy. Not only the stockmen but the businessmen and laborers of Idaho are concerned with the recent decline in cattle prices and its resulting effect on the entire economy of our State.

I cosponsored a bill, S. 557, to require additional tariffs on beef, veal, and meat products imported above the present quotas. In December of 1963, I made a statement before the U.S. Tariff Commission and the Trade Information Committee for use at the GATT meeting.

I was a cosponsor of an amendment proposed by Senator Hruska to roll back meat imports to the 1960 levels in connection with the wheat-cotton bill. It was defeated, so I joined Senator Hruska on S. 2612, for the same purpose. I also cosponsored a similar amendment to H.R. 1839, now pending before the Senate Finance Committee.

I consponsored S. 2525, introduced by Senator Mansfield to set meat imports to the average of the last 5 years, and also cosponsored an amendment with Senator Mansfield to H.R. 1839.

It now seems likely that no action will be taken on these proposals until the results of the GATT meetings are known. Many factors have been responsible for the price decline of cattle, but certainly the increase of imports from 2 to 11 percent of our domestic needs has been one of the principal reasons.

SOFTWOOD LUMBER AND PLYWOOD

Many of our softwood lumber mills in north Idaho have been forced to close. Since 1959, workers in these mills have decreased from 12,600 to 10,900. High stumpage prices and operating costs have contributed to this, but the principal cause is the loss of markets to Canadian softwood lumber imports.

This case has been before the U.S. Tariff Commission. I have sponsored four bills in the Senate which were (1) to impose a 6-percent emergency quota on softwood imports, (2) to amend section 22 of the Agricultural Act of 1935 to include lumber and wood products as an argicultural commodity under the act, (3) to amend the National Housing Act to provide that only American lumber and other wood products may be used in construction covered by FHA mortgages, and (4) to require that all lumber imported into this country be marked, indicating the country of origin. I also sponsored an amendment to a House passed bill, H.R. 2513, for the same purpose, to show point of origin.

I have joined with nine other Senators in asking that no change be made in rates on plywood tariffs at this time. Many of our plywood manufacturers are also in the lumber manufacturing business and it is very necessary to their operations that no tariff reductions be made now.

I am hopeful this information will be helpful to you at the Geneva trade and tariff meetings and that you can make agreements to protect our woods workers and forest product operators.

LEAD AND ZINC

It is essential to our national security and for economic growth to further stabilize the lead and zinc industry of our country. More than one-half of our consumptive needs of these minerals are supplied from foreign imports. Many of these imports are produced by funds furnished by American taxpayers. Several of our domestic lead and zinc mines have been forced to close because of low prices for their products and high operating costs. These mines cannot be opened and closed when conditions are favorable or unfavorable. They need some security and stability to encourage them to build for the future.

The 1954 Tariff Commission recommendation for increased tariffs has never been followed. There have been some temporary quotas effected. There have also been recent hearings held by the Tariff Commission. I have cosponsored S. 1534 to set up a quota system based on the ability of mines to produce more of the needs of the country for lead and zinc. This was reported favorably by the Senate Committee on Interior and Insular Affairs, but has been referred to the Senate Committee on Finance, so no immediate action is pending. Idaho's mines have produced to date more than $1.5 billion worth of lead and zinc, but we now need your assistance in stabilizing this part of our mineral economy.

DAIRY PRODUCTS

Our favorable climate and the irrigation of our rich mountain-loam soils in the proper season have made it possible to produce crops such as alfalfa, feed grains, and corn silage in abundance. This has encouraged a stable dairy industry in our State. We have been able to supply local markets and to ship from 75 to 80 percent of our dairy products to other States such as California, Arizona, and Utah.

Recently, increases in frozen and processed dairy product imports have threatened our markets. Certain products excluded under section 22 of the Agricultural Adjustment Act, such as Exylone, Junex, and Colby cheese continue to be shipped in volume to our west coast. We are hopeful that our dairy farmers can have protection of their present markets.

ONIONS

I joined the Idaho-Oregon Fruit & Vegetable Association and others in furnishing information and statements with regard to the protection of our oniongrowers to the U.S. Tariff Commission and the Trade Information Committee. We very much need to keep a high tariff on these crops.

WOOL

Imports of foreign wools threaten our sheep industries. We are hopeful that this can be discussed and negotiated to our advantage.

CHEMICALS

We have one of the largest deposits of phosphate in the United States in Idaho. Many of the byproducts in the processing of phosphate are chemicals. Any tariff adjustments in chemicals should be reciprocal.

HOPS

We have written and have called your attention to the plight of our hopgrowers and processors in Idaho and in the United States. I am hopeful for assistance to aid them.

These are only a few of our extractive industries that can be effected by trade tariff adjustments.

I realize that this is a complex and delicate mission you are undertaking and I, along with the people of Idaho, wish you every success in working out agreements that will be fair and equitable to our American producers.

Sincerely yours,

Len B. Jordan.

Office of the Special Representative for Trade Negotiations,
Executive Office of the President,
Washington, D.C., May 15, 1964.

Hon. Len B. Jordan,
U.S. Senate,
Washington, D.C.

Dear Senator Jordan: In Governor Herter's absence, let me thank you for your letter of May 1, 1964, in which you comment upon a number of products of the State of Idaho and the effect upon them of international trade.

I appreciate having this information, and particularly in light of its specificity. Accordingly, I am making your letter a part of the records of the Trade Information Committee of this Office. As you may know, this committee recently concluded 4 months of public hearings in preparation for the Kennedy round. It is primarily on the basis of the information which it has gathered, as well as the advice received from the Tariff Commission, that this office will recommend to the President the list of imports upon which the United States should offer trade concessions.

I wish to assure you that the information contained in your letter, together with other information dealing with the products you have commented upon, will be thoroughly considered before our recommendations are submitted to the President.

Sincerely yours,

William M. Roth,
Acting Special Representative.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. Long] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. Talmadge], for himself and other Senators, relating to jury trials in criminal contempt cases.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 246 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Burdick
Byrd, W. Va.
Case
Church
Cooper
Curtis
Dirksen
Dodd
Dominick
Douglas
Ervin
Fong
Gruening
Hart
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kuchel
Long, Mo.
Mansfield
McCarthy
McGee
McGovern
McNamara
Metcalf
Miller
Morse
Mundt
Nelson
Neuberger
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Smathers
Smith
Stennis
Talmadge
Walters
Williams, Del.
Yarborough
Young, Ohio

The PRESIDING OFFICER (Mr. WALTERS in the chair). A quorum is present.

LOCAL BOYS WHO MADE GOOD

Mr. FONG. Mr. President, no success stories are as heartwarming and inspiring as those that tell of "local boys who made good." Hawaii, the newest State of our Union, is proud of her people who have carved careers for themselves in various professions and occupations in many lands.

The Honolulu Star-Bulletin has published an article relating the success stories of a number of these Hawaii-born persons. The stories illustrate how these individuals, regardless of their racial backgrounds, have sought out and made the most of their opportunities. Through education, personal initiative, and resourcefulness, each has advanced his career, opening doors of opportunity wherever he could, in the United States or in a foreign country.

In a preface to the article, the Star-Bulletin has this to say:

> Hawaii, famous for the finest pineapple in the world and for its rich supply of sugar, exports another prestigious product—people.
>
> More than 115,000 persons born in the islands now live in mainland States and thousands of others live and work in Asia, Europe, and Africa.
>
> These people represent a cross section of society, a mixture of races and a pool of talent.
>
> Some, like Waipahu-born William A. Patterson, president of United Air Lines, are internationally known. Others have risen to positions of prominence and are highly regarded in science, in teaching, in law, and in business.
>
> The Honolulu Star-Bulletin asked a group of these distinguished sons of Hawaii to comment on their careers and how their island background may have affected their lives.
>
> The list is not intended to include all those who have become successful outside of the islands, but to give the success stories of representative islanders.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Local Boys Who Made Good," which appeared in the May 16 issue of the Honolulu Star-Bulletin.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOCAL BOYS WHO MADE GOOD

BLOOMING SUCCESS

Kei C. Yamato, born 40 years ago in Honokaa, on the Big Island, says one reason he is a successful New York businessman is that racially he stands out "like a sore thumb" in the big city.

"If I were a haole, I wouldn't have stood out in the crowd," he said. "Not as many people would have remembered me.

"When I was elected to membership to any club in New York, I stood out like a sore thumb and everyone remembered 'the guy from Hawaii.'

"Being different from the rest of the crowd helped me tremendously in making my niche in this great city of New York.

"It reminds me of the story of the lemon. When tasted by itself, a lemon is very sour. But mix lemon with the right ingredients: a little sugar, water, and ice—what do you have? A delightful drink called lemonade."

Yamato has mixed the right business concoction.

He is president of Orchids of Hawaii International, Polynesian Products and Holiday Promotions International and is a vice president of Sperry & Hutchinson Co.

He thus heads the world's largest supplier of flowers and plants for premiums and promotions and is an executive for the world's largest trading stamp company.

He rubs elbows with such people as James Farley, politician turned businessman, and Thomas J. Watson, chairman of the board of I.B.M. at the New York Sales Executive Club.

Yamato is a director of the club.

Yamato went into the flower business after winning the Silver Star for gallantry and three Purple Hearts during service with the 442d Infantry and after getting an education at the University of Hawaii and Yale Law School.

He said he found that the fact that he was a third generation American of Japanese ancentry to be to his advantage rather than being a disadvantage in New York.

"Every disadvantage is a challenge to spur a person to do more and rise above the crowd," he said.

"America is still the land of opportunity whether you go East or West.

"I like the challenge of this, the greatest city in the world.

"But one of these days I plan to retire in my real home—Hawaii."

AUTHOR-PROFESSOR

Kenneth K. S. Ch'en, born 56 years ago in Waipahu, is professor of Buddhism at Princeton University and last year received the Lindback Award for Distinguished Teaching.

He is the author of "Buddhism in China; a Historical Survey," and "Buddhism the Light of Asia."

He got his bachelor's degree from the University of Hawaii, his master's degree from Yenching University in Peiping, and his doctorate from Harvard University and he has taught at Yenching, Harvard, and the University of California at Los Angeles.

"It is conceivable that my island background, both racially and culturally has affected my career favorably," Ch'en said.

"Being Chinese racially and having studied the Chinese language during my youth in Honolulu, I was able to adapt myself to Chinese university life with some degree of facility and was accepted by my Chinese professional colleagues at Yenching University in China even though I was born in America.

"Being an American citizen and having received an American education in Hawaii, I feel perfectly at ease with my American colleagues and can communicate freely with my American students.

"My early background in the islands made it possible for me to be at home in the two worlds of the Orient and Occident."

DOCTOR-SCIENTIST

More Hawaiians and part-Hawaiians live on the mainland than on the neighbor islands, and many of these mainland Hawaiians have achieved prominence in their communities.

Dr. Richard Blaisdell, son of Fire Chief William K. Blaisdell, is a physician and scientist at the University of Chicago.

He is an assistant professor, specializing in blood.

The Atomic Energy Commission sent him to Japan for 2 years to study the effect of radiation on the residents of Nagasaki. These studies included effect on reproduction and on such diseases as cancer.

Chief Blaisdell proudly says that his son became a father in Japan without getting married.

Dr. Blaisdell, then a bachelor, adopted a 2-year-old Japanese child, named him Kamakanikailialoha, and took him back to Chicago.

The physician later married a Waimanalo nurse, Irene Sato, and they have a little girl in addition to the adopted boy.

"He thinks about research and people, not profit," Chief Blaisdell said to his son.

"'He seems to thrive on it."

FINANCIER AT 41

Raymond Y. C. Ho, born 41 years ago in Honolulu, is one of the new breed of international financiers, with one foot in the Orient, with one foot in America, and with fingers in many financial pies.

"Without question, my racial and cultural background from Hawaii has led me to the opportunity of participating in international business," said Ho, president of the International Capital Development Corporation in Hong Kong.

"My partners feel that an American of Oriental racial ancestry, raised in the cosmopolitan atmosphere of Hawaii, educated on the mainland U.S., with financial, real estate and insurance experience from business and government is an asset to a company doing international financing in Asian countries.

"My knowledge of Chinese language and of English, and American business practices and methods, have helped in my acting as a bridge between businessmen of two worlds.

"I find that people everywhere have a warm affection for Hawaii. This gives me an advantage.

"I am nearly always treated as a 'neutral' when I am involved in negotiations between two prospective parties from the East and from the West."

Ho was treasurer in the cabinet of Republican Governor William F. Quinn in 1961 and later was Quinn's director of the department of finance and budget.

He resigned from Quinn's cabinet to head the International Capital Development Corporation. The corporation includes investment bankers from New York, Hong Kong, Singapore, and Manila who saw "the tremendous amount of investment opportunities in the Orient" and decided to pool their talents, resources, and contacts.

Hong Kong was selected because of its excellent facilities in banking, communications, transportation; its low taxes, and abundance of cheap labor, Ho said.

"I was invited to join the company since they wanted someone with an American and Oriental background," he said.

Also out in the Orient—in another field and in another country—is Kaiser Y. Tanaka, coach with the Tokyo Orions since 1961.

Tanaka, 56, is a graduate of Kaahumanu School, McKinley High School, and the University of Hawaii.

He said he learned baseball fundamentals while playing with the university and Asahi and Moiliili teams.

This, he said, gave him the opportunity to play pro ball in Japan.

TEACHER OF DOCTORS

A. K. Saiki, born 64 years ago in Waipouli, Kauai, is professor of pathology at the University of North Dakota at Grand Forks.

He is an outstanding pathologist and teacher, with a warm sense of humor.

"Teaching and pathology have taught me much wisdom," he said. "There are no dumb students."

He questioned the admission tests of universities, noting that he was a member of admission committee of the North Dakota Medical School for 15 years, resigning earlier this year because of increasing deafness.

"I.Q. test, 11-plus test, admission test, and admission committee are only other examples of man's inhumanity to man," he said.

"No examination yet devised can properly evaluate a man's character, honesty, desire, carefulness, attitude, strength, weakness, and lastly predict his future."

Dr. Saiki's early education was at Kapaa School and McKinley High School. He was interested in chemistry and physics and went to medical school through the influence of friends who were going into medicine.

"I worked most of my way through school but the dollar stretched a good deal further in those halycon years," he said. "Teaching attracted me the least until an unsolicited offer came and it ended up to be my life's career."

He eventually became head of the department of pathology and bacteriology at the University of North Dakota Medical School. He now is teaching and doing diagnostic surgical pathology.

He and his Finnish wife, who died in 1938, had two children. The elder, George, is with the State rehabilitation setup for handicapped people. The younger, Jack, is head of internal medicine at the U.S. Public Health Service Hospital in Fort Defiance, Ariz. In another year, he will follow his father, starting his residency in pathology at the North Dakota Medical School.

"I do not believe my racial and cultural background had too great an influence in my career," Dr. Saiki said.

"However, Hawaii with its multiracial background (melting pot of the world) has taught me that racial discrimination is not white against black or one color against another color—rather, it is an example of man's inhumanity to man.

"Race is merely a vehicle or medium which creates an opportunity for discrimination.

"Knowing this to be true, discrimination becomes less painful when one faces it."

INTERNATIONAL LAW

Francis Y. Sogi, born 40 years ago at Lanihau on the Kona Coast, is a partner in a New York law firm which also operates in Tokyo.

"There are many opportunities for Nisei attorneys in New York," Sogi said.

"Although competition here is as keen as one can find anywhere in the country, there is always room and opportunity for advancement for anyone who can offer competent service and is willing to devote long hours of hard work.

"The fact that I am able to speak, read, and write Japanese with some degree of facility, as well as the fact that I am admitted to the Japanese Bar, has helped me considerably in my professional advancement."

He, his wife, the former Sara Makaida, and their son, Jun James, live in Elmsford in fashionable Westchester County.

Sogi was elected a member of the local board of education on May 5 and the family life revolves around their church and school.

Mrs. Sogi has given lectures and demonstrations in flower arrangement (Ikebana), Chinese brush painting (Nanga), wood block-ing printing (mokuhan), and Hawaiian cuisine.

Sogi is a director and officer of many Japanese trading and manufacturing companies in New York. He has participated in many trials, forums, discussion groups, and hearings on Japanese business, law and practice.

He keeps in close touch with lawyers in Hawaii and is counsel to the Restaurant of the Five Volcanoes in the Hawaiian Pavilion in the New York World's Fair.

FRUIT RESEARCHER

William Bicknell Storey, born 57 years ago at the old Kapiolani Maternity Home in Honolulu, may have inherited his love for the land and its plants from his missionary ancestors.

His great grandfather was Elias Bond, a member of the ninth company of missionaries who set up his station in Kohala in 1841.

Bicknell said his early education in the Islands, his work at the Hawaiian Pineapple Co. and the old Federal Agricultural Experiment Station and "my participating in numerous botany field trips with Dr. Harold St. John prepared me admirably for the work I find myself in now," research and instruction in tropical and subtropical fruit crops.

He was head of the department of horticulture at the University of Hawaii from 1944 to 1950 and chairman of the agriculture department from 1950 to 1954. He now is professor of horticulture at the University of California in Riverside.

His contributions to Island horticulture are plentiful.

With the late Dr. J. H. Beaumont, he saved the Solo papaya from near extinction in 1935–36. He solved the problem of sex determination in the Solo papaya, and this led to improved fruit and better yield.

"Coming as it did, concurrently with the first successful vapor-heat sterilization treatments for the Mediterranean fruit fly in 1939, it played an important role in the development of the papaya export business," Storey noted.

This business is now valued at hundreds of thousands of dollars.

Storey also participated in the selection of the macadamia nuts grown for commercial purposes.

He helped develop and introduce a new highly esteemed lychee, the variety Groff, into the nursery trade in Hawaii.

And he also was a leader, under Dr. Haruyuki Kamemoto, in orchid research which made the University of Hawaii a center in this field.

TRIO IN FOREIGN SERVICE

To Europeans and Africans, the typical American is white or a downtrodden Negro.

A pair of islanders, serving in overseas consulates, are demonstrating that Americans are also of oriental background.

Samuel Sang Hoy Lee is an American consul at Zagreb, Yugoslavia. He previously served as a vice consul in Palermo, Sicily, and Hamburg, Germany. He was born in Honolulu 33 years ago.

Robert Y. Hayashida, born in Honolulu 26 years ago, is vice consul at Brazzaville, the Republic of Congo. He previously served in Nuevo Laredo, Mexico.

A third islander in the Foreign Service is Tadao Kobayashi, serving in the Department of State's comparatively new operations center, popularly known as the "flap center."

This office, operating around the clock, keeps in touch with American embassies around the world.

Kobayashi's three sons, born on three different continents, demonstrate the traveling one can do with the Foreign Service. The eldest son, Larry, 8, was born in Michigan; the second, Robert, 4, was born in Pakistan, while Kobayashi served as chief of the consular section of the U.S. Embassy in Pakistan, and the third, Neal, 1, born in Colombia, while the father was vice consul and economic and commercial officer at Medellin.

Kobayashi said racial background was no detriment in advancing in Department of State ranks.

"I don't know whether it has favored my career or not," Kobayashi said. "But I do know that physically we do stand out. If we do a good job it's more likely to be noticed but if we do a bum job we are also going to stand out."

"The Foreign Service is based on a competitive merit system, without regard to race, color, or creed," Lee said. "In 1955 I was told by the board of examiners of the Department of State that I was probably the first islander to enter the Foreign Service under the examination system, although there have been others who rose from the ranks."

CANCER RESEARCH

Samuel Saburo Koi de, born in Honolulu 37 years ago, is trying to unravel the riddle of cancer at the Memorial Sloan-Kettering Cancer Center in New York.

His primary interest is in the mechanism of the action of hormones, which have an influence on cancer.

He is a licensed physician in Illinois, Hawaii and New York and last year was certified as a specialist in internal medicine.

He has been a research associate on the staff of the Sloan-Kettering Institute since 1960, primarily doing basic research on steroid hormones, and working with other staff members on the treatment of cancer of the breast and of the thyroid gland.

Dr. Koide originally applied to Sloan-Kettering because of the high caliber of the investigative group work in his field—steroids and endocrinology.

Dr. Koide's wife, former Sumi M. Mitsudo from Longview, Wash., is a physician, too, and practices as a pathologist at Bellevue Hospital.

It was during his student days at the University of Hawaii that Dr. Koide decided to become a doctor.

DROPOUTS PERIL DROPOUT PROGRAM

Mr. MILLER. Mr. President, a pilot program—a prototype of the $200 million Job Corps proposal being pushed by the administration—was initiated last year near Beaumont, Calif. It was designed to teach work skills to youths who have dropped out of school—at a cost of $300,000.

A progress report on that project was contained in the May 19 edition of the Washington Post. It showed that of the 194 youths enrolled in the program, 101 have dropped out. And of the remaining 93, only 11 completed the full 6-month course, last week.

This is a startling indictment of the program, and emphasizes the point that careful consideration must be given to the proposal before it is put into effect on a nationwide basis. There are indications that such a program, despite the good intentions, should never be enacted, and that all it would result in would be a waste of the taxpayer's money.

I hope the lessons learned from the failure of the pilot program in California will be weighed carefully by the proponents of the national project.

I ask unanimous consent that the article, entitled "Dropouts Peril Dropout Program," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Dropouts Peril Dropout Program

(By Charles Hillinger)

Beaumont, Calif.—A $300,000 State program to teach work skills to youths who have dropped out of school has itself become a victim of the dropout problem.

During the first 6 months of the program at the Oak Glen Forestry Youth Camp, 10 miles north of here, 101 of the 194 youths enrolled have dropped out. Of the remaining 93, a group of 11 completed the full 6-month course last week.

The camp's dropouts could have national significance.

The project, the first of its kind in the Nation, is a prototype of President Johnson's $200 million Job Corps, a revamped version of the depression-spawned Civilian Conservation Corps.

The administration program is intended to provide job training for many of America's 750,000 young men who lack skills to get jobs.

DIRECTORS OPTIMISTIC

Despite the dropouts and the spotlight of national interest, the State camp's directors are optimistic about the program's ultimate success.

"You've got to expect a large number of dropouts," said Eugene Grauer, resident State department of employment counselor.

"These are boys who have been dropping out all their lives. They wouldn't be here if they didn't have a problem.

"Another reason is that some boys come to the camp unwillingly. They're pressured by their parents or others and are determined from the outset to resist any attempt to help them."

Grauer maintained that not all the boys who left before the end of the 6 months should be written off as program failures.

"Many of them were actually ready to leave," he said.

Robert E. Green of the State division of forestry said, "It bothers me every time a boy quits and goes down the hill. If they can't adjust here, what's to happen to them?"

CHANGES PROPOSED

Both Grauer and Green feel that changes should be made in the program, especially in admission requirements.

"First change I would make," said Grauer, "would be to raise the minimum age to 17½."

The program admits youths from 16 to 21. Sixteen also is the minimum age under the Johnson program.

"It is obvious 16-year-olds are too immature," Grauer said.

"Of the 42 who came to Oak Glen, 29 have dropped out already. Even if they complete the 6-month training period, where do they go from here?"

"They are too young for military service and not old enough for job placement by the State employment agency," he said.

Green would like to see a restriction requiring that a boy have at least a sixth-grade education. "To equip them with job skills they should have some basic ability to read and write," he said.

The program is costing roughly $1,500 per boy. Training at the mile-high camp on the southern slope of Mount San Gorgonio began November 1.

"They arrive here, head hanging, feet dragging," Green said. "They think the world is against them. They've been turned down time and time again looking for work because they have no experience or lack education."

U.S. POLICY TOWARD WEST GERMANY

Mr. MILLER. Mr. President, our policy on West Germany should be clarified. Without this clarification, there will be more and more suggestions that the United States may be planning to use this key nation as a pawn in the United States-Soviet rapprochement.

President Johnson, in a recent interview with a reporter from "Quick," a Munich weekly, only added fuel to the speculation which is now current.

Certain remarks quoted in that interview demand explanation.

I would like to quote from that interview, as carried in the May 11 issue of U.S. News & World Report:

> Mr. President, will you discuss Russia with Mr. Erhard in June?
>
> Mr. Johnson. Erhard and I understand each other perfectly. * * * As for our relations with the Soviet Union, I have had several exchanges with Khrushchev and I have talked with Mikoyan twice, and in the future we will explore every avenue toward peace. We will remain flexible.
>
> After all, we don't stand with our feet anchored in concrete. The Germans should not, either. If peace is at stake, we will meet the Russians halfway, and even further than halfway, if that is necessary. When Chancellor Erhard was here I told him: Put yourself in the position of the Russians. Try to understand their feelings. They are worrying about the Germans, and that is understandable. They are fearful. I asked Erhard to improve the relationship with the Russians and dispel their apprehensions.

Mr. President, if the United States is to go "even further than halfway" in its relations with the Soviet Union, the American people have a right to know what will be involved. And West Germany and our allies will want to know too.

I ask unanimous consent that the interview as carried in the U.S. News & World Report be placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Worldgram—From the Capitals of the World

President Johnson's views on Europe are causing something of a stir in Bonn. Chancellor Erhard's aids say there's no occasion for alarm, but other important Germans are not quite sure how to take Mr. Johnson's remarks.

It was in an informal interview with a German newsman in the White House that the President spoke his mind on Europe. Here is a translation of high points in the interview appearing in Quick, a popular Munich weekly:

Question. "Mr. President, does withdrawal of 7,500 American troops from Germany indicate a lessening of American interest in NATO?"

Mr. Johnson: "I will tell you something. Plenty of people in this country do not understand why we have so many soldiers in Germany. Many people believe you are raising enough young men to take over that task. They think we should not spend that much money for the defense of West Germany.

"Naturally, we have our obligations. We are standing by them, and we will stand by them despite the criticism sometimes voiced here.

"So far as I know, the withdrawal of these troops is a purely routine matter. I myself learned it first from the newspapers. Let's see what McNamara can tell us about it."

At this point, the Munich reporter said, the President pushed a button and got Secretary of Defense McNamara on the telephone immediately.

Mr. Johnson to Mr. McNamara: "I have a German newsman with me here. He wants to know what the troop withdrawal from Germany is all about."

Mr. McNamara, the German visitor said, repeated what the President had said earlier about the troop withdrawal being a routine matter.

Turning to his visitor, the President asked: "Any more questions?"

Question. "Yes, sir. Are more troops going to be withdrawn?"

Mr. McNamara: "Yes, merely 500 men sometime in the fall, a special unit, and that too will be purely routine."

The questioning then turned to Russia.

Question. "Mr. President, will you discuss Russia with Mr. Erhard in June?"

Mr. Johnson: "Erhard and I understand each other perfectly.

"As for our relations with the Soviet Union, I have had several exchanges with Khrushchev and I have talked with Mikoyan twice, and in the future we will explore every avenue toward peace. We will remain flexible.

"After all, we don't stand with our feet anchored in concrete. The Germans shouldn't, either. If peace is at stake, we will meet the Russians halfway, and even farther than halfway, if that is necessary.

"When Chancellor Erhard was here I told him: Put yourself in the position of the Russians. Try to understand their feelings. They are worrying about the Germans, and that is understandable. They are fearful. I asked Erhard to improve the relationship with the Russians and dispel their apprehensions."

Question. "What about Berlin?"

Mr. Johnson: "I don't want to discuss that. All is quiet there now."

Question. "Mr. President, about the disarmament plan submitted to Russia."

Mr. Johnson: "It was a good plan, wasn't it? Imagine what it would mean if we could completely stop production of atomic weapons."

Question. "But haven't all negotiations for mutual control failed?"

Mr. Johnson: "At first, the Russians always say no. Nevertheless, we have indications they are more interested in such an agreement than they show."

Question. "Mr. President, about American wheat shipments to Russia * * *."

Mr. Johnson: "I had some trouble getting Congress to consent to those wheat shipments. I had to recall the Congressmen and insist that the matter be passed before Christmas. We consider those shipments very important.

"What's at stake is that people get something to eat, not that the military power of the Soviet Union be increased. We are against the growth of military power. But the United States is always for people getting enough to eat."

Question. "What is your opinion about German trade with the East?"

Mr. Johnson: "* * * My personal opinion is: Nothing is to be said against Germany trading with countries of the Eastern bloc. So long as there is trade, there is no shooting. Of course, we would not like to see Germany delivering war materials to Cuba, but we have nothing against worldwide trade."

The German newsman's interview with President Johnson concludes:

Question. "I know of your interest in foreign aid. What can Germany do there?"

Mr. Johnson: "Germany can do something there. Yours is a rich country. After the war Germany was destroyed. We have helped rebuild it so that today it is in competition with us all over the world. We have nothing against competition, and we don't ask for any money back. All we want is that Germany now give other countries the same aid we have given her."

Question. "Mr. President, thank you very much."

Mr. Johnson: "Visit me again, next time at my ranch."

SOVIET UNION INFLUENCE IN ALGERIA

Mr. MILLER. Mr. President, the May 12 edition of the New York Times carried a Washington dispatch that U.S. officials are disturbed over major efforts by the Soviet Union to expand its influence in Algeria.

I can only ask: Where have these Washington officials been?

The handwriting on the wall has been in evidence for more than a year, now; and, during this time, I have repeatedly taken the floor of the Senate to point to this growing Communist influence in that North African nation.

However, I must say that I am highly pleased that Washington officialdom is finally awakening to the fact that a bad situation exists. It is about time. And let us hope it is not too late—that Algeria has not been drawn too far into the maw of the Soviet bear.

I also hope that officials able and willing to make appropriate decisions are disturbed.

They should have been concerned in late March, when the State Department submitted to the House Foreign Affairs Committee a report which noted that Algeria was a nation increasingly marked by pro-Communist influence.

They should have been disturbed on November 5, when Moscow radio announced that the Soviet Union had entered, with Algeria, into a major long-term trade agreement, based on exchange of Soviet heavy equipment and arms for Algerian food.

They should have been concerned when a joint Soviet-Algerian communique, published on December 29 of last year, noted that the Soviet Union had pledged to aid Algerian economic plans, through credits of about $100 million.

They should have been disturbed when the Algiers radio charged, in late 1963, that the "Government of President Johnson had made its first attack on Cuba, by sending anti-Castro pirates to destroy a Cuban ship."

Parenthetically, I may add that we cannot continue to hold the view, as some in the State Department do, that the Algerians see their friendly relations with Cuba and with the United States as unrelated. They are related, because anything which assures support of the continuity of the Castro regime is of concern to us.

Nor can we continue to accept assurances from the Algerian Government that its friendship for Cuba does not imply any anti-U.S. feeling on its part. Actions speak louder than words and this should be the basis for our policy.

The proper officials should have been concerned when Algeria began to enlarge and equip remote airfields to handle long-range jet aircraft. Should they not have been concerned that Algeria has Soviet-made Mig-15 jets, that during the Algerian-Moroccan border crisis last October, some 110 Soviet-made tanks were on Algerian soil?

In view of these developments, there should have been no surprise that Algerian President Ben Bella, after his recent trip to Moscow, received Soviet assurances of $127.6 million in credit to help build a metallurgical complex.

Nor should there have been astonishment over the fact that he obtained promises for construction of a technical institute for 2,000 students—an institute we can be sure will promote the Soviet line.

And what has Ben Bella given in return?

First. Support in demanding the United States lift its economic blockade of Cuba and doing away with—to quote from the Moscow communique—"all forms of pressure against the Cuban Republic."

Second. Joining with the Soviet Union in demanding evacuation of our naval base at Guantanamo and protesting against what the communique said were "pirate raids on Cuban territory and violations of its airspace."

Third. Support of the Soviet demand for withdrawal of our forces in South Korea and South Vietnam, policies which, if followed, would result in these two countries falling into the Communist orbit.

Fourth. An exchange of ambassadors with Red China. This situation begs for a new Algerian policy, one premised upon more effective utilization of the some $90 to $100 million of aid we now pour into Algeria.

I ask unanimous consent that three articles from the New York Times, entitled "United States Disturbed by Moscow's Overtures to Algeria," "Algerians Decry Criticism by United States," and "Algeria Building More Jet Fields," be placed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 12, 1964]

UNITED STATES DISTURBED BY MOSCOW'S OVERTURES TO ALGERIA

(By Hedrick Smith)

WASHINGTON, May 11.—U.S. officials are disturbed by the major effort being made by the Soviet Union for increasing influence in Algeria.

They cite the announcement of new Soviet aid commitments for Algeria and the extremely cordial treatment given to President Ahmed Ben Bella during his recent 13-day trip to the Soviet Union. They see this as evidence of Moscow's decision to shower more attention on Algeria.

While Mr. Ben Bella was in Moscow the Soviet Union granted his country $127.6 million in credit to help build a large metallurgical complex. He also received promises that the Russians would build a technical institute for 2,000 students, send 300 medical workers to Algeria by 1966 and deliver a 19,000-ton oil tanker next year.

Some officials here were disappointed that the Algerian President had supported a number of Soviet positions critical of the United States on such key issues as Cuba, South Vietnam, the seating of Communist China in the United Nations and the situation in Korea.

END OF BLOCKADE ASKED

The final communique signed by President Ben Bella and Premier Khrushchev called for "normalization of the situation in the Caribbean on the basis of lifting the economic blockade and of all forms of pressure against the Cuban Republic." The two leaders called on the United States to evacuate its naval base at Gantanamo and they protested against "pirate raids on Cuban territory and violations of its airspace."

Mr. Ben Bella refrained from joining the Soviet leader in warning of "catastrophic consequences" if the United States continued its flights over Cuba.

In the communique, President Ben Bella also joined Premier Khrushchev in calling for the "withdrawal of foreign troops from South Korea and for the peaceful reunification of Korea on democratic principles."

The two leaders expressed support for "the people of Vietnam who are demanding an end to foreign interference in the internal affairs of South Vietnam."

Despite Mr. Ben Bella's stand on such issues, U.S. officials expected no important shift in Algerian policy as a result of his visit to Moscow.

It was recalled that the Algerian President previously had taken a number of anti-American stands publicly, including the demand for American withdrawal from the naval base at Guantanamo. The Moscow communique, observers said, was merely a summary of developments over the last few months.

Mr. Ben Bella's public pronouncements, one observer said, "are more an indication of where his thoughts lie than anything else." The Algerian leader, the observer said, is "at home with the Socialists, but that doesn't necessarily mean he'll give up Algeria's nonalinement."

Washington is watching to see whether the Algerian Government moves to nationalize French oil interests in the Sahara. So far the United States has preferred to let France serve as the principal counterbalance to the Soviet Union, Eastern Europe and Communist China.

France supplies Algeria with about $350 million in aid each year. Last fall the Soviet Union extended its first large credit of $100 million to Algeria, and Communist China offered $50 million in credits.

The new Soviet aid commitments are viewed here as an effort by Moscow to counteract Peiping's campaign to win more influence in Africa. Soviet officials are believed to be grateful that President Ben Bella would journey to Moscow and helpfully refurbish Moscow's image as a friend of the underdeveloped and revolutionary countries.

Mr. Ben Bella visited the United States soon after coming to power in 1962, but has not been back since.

[From the New York (N.Y.) Times, May 12, 1964]

ALGIERS PRESSES OIL DEMANDS

(By Peter Braestrup)

ALGIERS, May 11.—Algeria renewed today her demands for higher oil revenues from an active participation in every phase of French-run production, transport, and sale of Saharan oil.

The demands came as high-level French-Algerian bargaining began on the complex controversy. The outcome is viewed by both sides as a key to future cooperation between the two countries.

Heading the French negotiators was Olivier Wormser, director of economic affairs at the French Foreign Ministry. The

Algerians were headed by Bachir Boumaza, Minister of National Economy.

Mr. Boumaza returned here from Moscow last week, following a 13-day tour of the Soviet Union with President Ben Bella.

Western sources commented tonight that the oil talks would provide a test of whether the Socialist regime of President Ben Bella had downgraded "nonalinement" and close cooperation with France in favor of greater dependence on Moscow. A key factor, these sources said, will be the willingness of both the French and the Algerians to compromise.

The Algerian demands, designed to increase foreign-exchange reserves and end the "extraterritoriality" of private oil companies, were said to include the following:

A requirement that proceeds of oil sales abroad be banked in Algiers.

A minority share in all foreign oil and related companies.

An increase for the Algerians over their present official 50 percent share of oil profits.

Mr. Wormser was reported to be ready to grant higher royalty payments, but not to concede any basic structural changes by the oil companies, in which the French Government is a major stockholder.

[From the New York Times, Apr. 3, 1964]

ALGERIANS DECRY CRITICISM BY UNITED STATES—PRO-RED INFLUENCE DENIED—NONALINEMENT STRESSED

(By Peter Braestrup)

ALGIERS, April 2.—High Algerian officials condemned today a recently published report by the State Department asserting that Algeria was a nation increasingly marked by pro-Communist influence.

"Such a statement," a Foreign Ministry spokesman commented, "serves no one but the Communists, who will surely make the most of it."

The analysis, which provoked mixed reactions in Western diplomatic circles here, was contained in a State Department report on the world situation to the House Foreign Affairs Committee on Monday.

HOSTILE INTENT DENIED

Citing Algeria's announced policy of nonalinement in the cold war, the spokesman declared:

"If being nonalined is considered in some quarters as being pro-Communist, then Algeria is a Communist country, not a pro-Communist country.

"If the concept of nonalinement, which Algeria, together with other newly independent nations, is trying to implement and have respected by others, can be understood by some powers as a hostile attitude, then Algeria can only feel sorry for them."

The State Department report listed Zanzibar, Mali, Ghana, Angola, and Algeria among critical points subject to Communist influence. Algeria, independent of French rule since mid-1962, was said to be demonstrating more and more that it is marked by a pro-Communist influence.

Algeria's relations with Peiping, Havana, and Moscow, the report said, might be the prelude to an increasing dependence on these countries' support.

This view was sharply contested by Algerian policymaking officials, who said Algeria's aim, as recently reaffirmed by Bachir Boumaza, Minister of Economics, was to have aid, with no political strings attached, from all nations.

These officials conceded that the Soviet Union, with a $100 million industrial credit, and Communist China, with a $50 million loan, were helping Socialist Algeria. But they noted economic aid from France, perhaps $600 million in various forms since independence, continued to outweigh that from all other countries combined.

Experienced Western sources commented that Algeria's touchily independent policy toward the West often mixes public denunciation with private cordiality and that the reverse is sometimes true of Algerian relations with the East.

President Ahmed Ben Bella has repeatedly expressed his aversion to capitalists and his admiration for Fidel Castro of Cuba. The small but active Communist Party, officially banned in 1962, continues to publish Algeria's leading antiimperialist newspaper.

Filling an ideological and technical void, French and Algerian pro-Communist intellectuals are regarded by Western sources as influential in the government radio, the weakly organized student association and the semiofficial press.

All this causes irritation and concern among Western diplomats. The regime's critics in the National Assembly charged last month that Algeria's anti-West rhetoric was scaring off badly needed foreign investment.

On the other hand, rhetoric aside, the Ben Bella regime has given the Communist nations, longtime supporters of Algerian independence, little of substance in return for their long-term credits.

While calling for the eventual nationalization of all industry, the Ben Bella regime has quietly welcomed negotiations with private investors from the United States, Britain, and West Germany. Officially, the United States has seldom been attacked by name.

[From the New York Times, Jan. 12, 1964]

ALGERIA BUILDING MORE JET FIELDS—FIVE SAID TO BE DEVELOPED SINCE MOROCCAN CLASH

TUNIS, January 11.—Algeria has begun enlarging and equipping five remote airfields to handle long-range jet aircraft. She already has four such fields.

Reliable Western sources said that the Algerian authorities, aided by Egyptian technicians, began enlarging the primitive fields during the Algerian-Moroccan border crisis last October.

President Ahmed Ben Bella's purpose in developing these remote fields was not known here, nor was it known whose aircraft would use them.

Algeria has fewer than a dozen Soviet-made MIG–15 jets given to her by the Egyptians. It was assumed by Western sources that the new facilities would be used by Egyptian aircraft coming to help Algeria should another border flareup occur.

RADAR BEING INSTALLED

Algeria already has airfields capable of receiving multiengine jets at Algiers, Oran, Bone and Constantine. The bases under development are at Biskra, close to the Tunisian border, and at Zenata, Paul-Cazelles, Marnia and Oaukda, all in western Algeria. New radar is being installed at the eastern Algerian base of La Calle.

The airbase development, involving the purchase of costly equipment in France, was the latest reported effort to attain parity with the Moroccans or better. During the fighting last October, the Algerian National People's Army was severely dealt with by the better equipped, better staffed Moroccan force.

About 110 Soviet-made tanks have come into Algeria from Egypt or Cuba since the frontier crisis. Cuban and Soviet instructors are operating a tank school for the Algerians at Bebeau, south of Sidi Bel Abbes, in western Algeria.

A total of 3,000 Egyptian technicians, instructors and other military personnel are in Algeria, according to reliable sources.

DRUG ADDICTION AS A HEALTH PROBLEM

Mr. JAVITS. Mr. President, for a very long time I have taken a great interest in the problem of drug addiction as a health problem and have sponsored proposed legislation to bring that about in respect of U.S. policy.

The enactment into law of the Community Mental Health Centers Act of 1963 opens up a new era in the treatment of the mentally ill and opportunities for new approaches to the treatment of narcotic addiction. This legislation is based on the belief that most mentally ill persons can be treated successfully in their own communities and restored to a useful role with their families without first being subject to prolonged custodial hospitalization. At my initiative, provision was made for the community health centers to treat drug addicts who are mentally ill, a problem which is especially concentrated in metropolitan areas. Three noted physicians have prepared an analysis showing how narcotic addiction could be approached if the condition were considered primarily a health problem rather than a criminal matter. The community health center has an essential function in this plan, which involves not only cure but environmental change, clinical medical management, and proper training of personnel.

I ask unanimous consent to have printed in the RECORD excerpts from the paper by Drs. Alfred M. Freedman, Richard E. Brotman, and Alan S. Meyer, all of the Department of Psychiatry, New York Medical College, entitled "A Model Continuum for a Community-Based Program for the Prevention and Treatment of Narcotic Addiction," which appeared in the American Journal of Public Health, May 1964.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

A MODEL CONTINUUM FOR A COMMUNITY-BASED PROGRAM FOR THE PREVENTION AND TREATMENT OF NARCOTIC ADDICTION

(By Alfred M. Freedman, M.D., F.A.P.H.A.; Richard E. Brotman, Ph. D.; and Alan S. Meyer, Ph. D.)

Drug addiction is now seen by many in the health professions as a chronic disease which must be approached preventively if any appreciable degree of success if its elimination is to be attained. The failure of individual treatment efforts and the rapidity and frequency of relapse to drug use after detoxification attest to the need for the preventive approach.

The primary difference between narcotic addiction and other public health problems is in the legal area, for no other disease is at the present time so enmeshed in a proliferation of laws which confuse disease with crime and illegal activity stemming from a disease with the illness itself.

A THEORETICAL CONTINUUM FOR TREATMENT

Narcotic addiction is recognized, at least by professionals concerned with its impact, as a social, medical, and psychiatric problem. The magnitude of the problem and of community concern with it stems not from the tremendous number of addicts (there are far fewer than the number of alcoholics in the United States) nor from the routine use of a particular drug by most addicts in this country, but from the extreme moral stigma and legal sanctions which have been attached to the use of the drug. As a consequence of such legal sanctions, addicted persons are forced into patterns of behavior characterized by covert, illegal, and harried attempts to obtain the outlawed and highly costly drug—a pattern of life which usually prevents them from contributing constructively to society.

Once narcotic addiction is understood in terms of these broad and basic considerations, the goals of efforts at social control of this disease can be clarified. The aims of efforts directed at those who are already addicted should be twofold: First, social and medical rehabilitation of those addicts who are noncontributing citizens of the community, and, second, social integration into the community of those addicts who are already contributing citizens, since there is some evidence that there are persons for whom this may be possible.

Achievement of such goals requires extensive public education of the community as to the nature of addiction as a social problem and the need for a modern public health approach to its amelioration. These goals differ in fundamental fashion from the goals of most current programs aimed at treating addicts in this country. Drug abstinence per se is implicitly or explicitly at or near the top of the list of goals of many conventional programs in this field. It is our belief that social and medical rehabilitation and social integration are more meaningful goals in the treatment of addicts and that, in a rational approach to the problem or addiction, drug abstinence becomes one method along with many others of achieving such goals. As with other problems characterized by psychopharmacological interaction (e.g., mental illness), medically prescribed drug use becomes an essential method along with withdrawal from drugs and abstinence from drugs under supervision.

Against this background one can begin to formulate a continuum of treatment services which is geared to goals which are at the same time realistic and relevant to the control of a social, medical, and psychiatric problem. We propose that the basic principle underlying a model continuum be that the entire community participate in the treatment effort by supporting a series of services aimed at the long-term engagement of the narcotic addict in a rehabilitative and integrative program. Such a program would consist largely of neighborhood-based facilities and services and would include hospital-based services and health facilities as integral arms.

Specifically, the treatment continuum is seen as an action-research program which starts with the initial contact between the addict and the medical staff of the treatment center, which is within the department of psychiatry of a general hospital. Such contact might occur at the hospital to which the addict is applying for admission as an inpatient, or it might take place in a neighborhood agency which is serving as part of a coordinated narcotic addiction treatment service. The initial contact would begin the process of ambulatory care until there could be an effective referral to the inpatient facility for detoxification. This interim period between initial contact and admission interview would include whatever forms of ambulatory treatment are necessary to begin the patient along the road of continual engagement with the treatment personnel. The patient may be engaged in a sheltered workshop program, may be placed on a pharmacological regime, or may be engaged in a form of interview treatment prior to admission for detoxification.

Admission as an inpatient would be followed immediately by a period on the detoxification ward during which withdrawal from drugs is accomplished with the aid of Methadone. The program in the inpatient facility, which will be discussed in further detail later, would be followed in 2 weeks by admission to a Day-Night Center, located away from but near the hospital.

After an extended stay at the Day-Night Center, the patient would return in gradual stages to his neighborhood under the continued supervision of a clinic which would be jointly operated by the hospital and the neighborhood agency. It would be expected that this clinic would have continual contact with the family of the patient from the point of initial contact through ambulatory care and detoxification, through the stay in the Day-Night Center, and in the after-care program at the local neighborhood level. The patient would continue to be engaged in the process until rehabilitation and social integration were achieved. A key aspect of the Day-Night Center program would consist of a program of public health education. This would serve to increase the level of community understanding of narcotic addiction as well as the community's role in helping to effect rehabilitation of addicts and former addicts and in helping such persons achieve integration into community life.

Research into the continuum of treatment would be undertaken as a part of the proposal for a Day-Night Center under the rubric of a community mental health approach. The development of a Day-Night Center is thus viewed as an integral step in the development of a model continuum of community care for the narcotic addict.

Many elements of this model continuum, briefly outlined above and described in previous papers, have been introduced in whole or in part in the department of psychiatry of the New York Medical College-Metropolitan Hospital Center during the past 3 years in the operation of a voluntary narcotic addiction treatment program, closely interwoven with an ongoing research program. The inpatient program at the present time provides a period of approximately 2 weeks on a detoxification ward followed by another 2 weeks on an advanced ward. Psychological testing, recreational and vocational services, group psychotherapy and, where indicated, preparation for individual psychotherapy in aftercare are provided by staff members organized into teams, each headed by a psychiatrist and including a social worker, psychologist, and vocational counselor.

A cooperative arrangement between the New York Medical College Department of Psychiatry and established neighborhood programs provides for a full interagency sharing of information on patients, joint staff meetings, and priority of admission for patients referred to the hospital by the neighborhood agency, utilizing that agency's knowledge of the patient's life history and family history to facilitate screening.

* * * * *

LEGAL OBSTRUCTIONS

Potentially, the professional worker in the field of mental health may draw on three sources in his attempts to help the patient effectuate change. These are: First, his own skills in interpersonal relationships; second, the social pressure of groups; and, third, drug therapy. In working with addicts, however, he is sharply limited with respect to the tools he can currently utilize. He can and does use interpersonal relationships on a 1-to-1 basis, but this approach has, in general, failed to produce the desired change in addicts. As for group approaches, the professional in and out of the hospital has seldom learned to harness for rehabilitative work the social pressures existing in the patient group on the ward and on the street, and in family, friendship, and organizational groups in the neighborhood and in the larger community. In contrast, the addict has been successful in utilizing the ward group and most neighborhood and community groups in which he participates to support his struggle against change. Even when he is struggling to change, these groups frequently apply pressures which prevent his progress.

Finally the question arises whether the most potent tool denied the physician is not medically indicated drug therapy. Unlike the situation in mental illness where the doctor may use his discretion in prescribing drugs he considers appropriate, the physician does not feel legally free to prescribe narcotics as he sees fit in the course of medically treating an addict. At the same time that the physician's hands are tied in treating the addict, the addict himself is able to utilize narcotics at will in defensive efforts to maintain his deviance and to resist change.

The proscription against flexible drug therapy appears on the surface to be accepted by staff members without question. It is seldom discussed except inferentially. Yet it is such a basic question that, regardless of what the answers might be, avoidance of the question is one of the more conspicuous features of staff reaction. There is an interesting contrast between the constant imaginative discussion among patients about drug use in addictive behavior and the constant avoidance of imaginative discussion among staff members about drug use for therapeutic purposes.

Despite the self-imposed restrictions on exploring alternative approaches to treating addicts, staff members have spent considerable time discussing both with patients and at staff meetings questions involving hospital medication. Such matters include methadone reduction procedures, proper sleeping medication, the effects of certain drugs administered on the ward, methods of administering drugs (i.e., parenterally or orally), manipulation of staff members by patients to get drugs, and the like. These are almost exclusively discussed as problems of management rather than of therapy.

The closest the staff has come to considering a broader view of the therapeutic use of drugs was in the establishment of a drug clinic in which nonnarcotic drugs were dispensed to outpatients. Although this clinic has been discontinued as such, medication of various sorts is sometimes prescribed by team leaders and after-care therapists to those awaiting admission and to outpatients. These procedures have been questioned and changed from time to time and remarks jocularly passed by staff members about doctors becoming pushers. The truth of the matter would seem to be that the staff is indeed trying hard to push the hospital, its service, and its various treatment views, but that the community has stacked the cards in favor of the nonmedical pusher on the street.

CONCLUSION

We have outlined a theoretical continuum for the treatment of narcotic addiction in a community-based program and elaborated some of the difficulties such a program faces from community attitudes, patient attitudes and idiosyncrasies, professional attitudes, and legal limitations. How then, can addiction as a public health problem be approached under existing knowledge? We must repeat our original statement that, in the light of all these hindrances to therapeutic progress, the basic approach must be preventive. This does not preclude the simultaneous effort at development of a more successful treatment program for those already addicted, but it does recognize the reality that reshuffling or elaborating upon our present procedures in the management of this disease may continue to meet with the apparent failure that has characterized treatment efforts to such a degree in the past.

It must be recognized that the problems presented to the medical profession and, in fact, to our society as a whole by present-day narcotic addiction are essentially problems of social deviation and disorganization. Since those who are recruited into the ranks of the addict population are young people, mostly adolescents, this deviation can be seen primarily as a problem of youth. It has been found, incidentally, that a certain proportion of addicts do give up their use of drugs either with or without medical help, when they grow older—in their 30's or 40's. We do not know precisely why; perhaps some maturational factor is at work. Our concern must be with the prevention of those wasted 20 years or so in the lives of those who succumb to a chronic disease at the age of 15 or 16.

A new kind of environmental sanitation is called for. Those things which need to be eliminated from the narcotogenic environment are the breeders of frustration, alienation, rootlessness, and aimlessness. We cannot, unfortunately, isolate the disease-carrying bacillus or in the traditional way immunize the growing child in the environment to prevent his succumbing to addiction, but we can effect environmental changes that may provide a kind of psychiatric vaccination for those children we know will be exposed to the addiction-carrying agents. Two kinds of attack through environmental change are indicated: first, a general strengthening of population resistance to the disease of drug addiction, and, second, amelioration or elimination of the contributory environmental factors.

This brings us to a consideration of those environmental factors that are contributing to the present increase in addiction in the United States. What is there in the structure of our present-day society that drives young people into drug addiction or that makes addiction necessary as a way of life? We have been discussing narcotic—primarily heroin—addiction, but we must not lose sight of the fact that or present-day culture is characterized also by the tremendous problem of addiction to alcohol and that many professionals are concerned about cigarette smoking which is so universal and, in some senses, addictive. Smoking, gambling, particularly in the stock market, or Hi-Fi addiction are respectable forms of addictive behavior, but they suggest that the present structure of our society fosters the development of such activities as defenses against its assaults.

What is it that makes society so relentless and vindictive in its attitudes toward the narcotic addict as compared with the alcoholic? Actually persons under the influence of alcohol may cause more damage to themselves and to others than under the influence of narcotic drugs. However, the fact that alcohol is cheaply and legally available, while heroin is not, means that the average drug addict must turn to theft to support his habit. Does this threat to our property have some influence on our attitudes? Does the historical association of opium with Eastern cultures arouse hidden fears and prejudices?

Interesting but fruitless as such speculation may be, the fact remains that a necessary first step in the management of the narcotic addict as a patient is a fundamental change in the classification of his disease. Like other public health problems, addiction must be seen as a civil, not a criminal matter, and the criminal behavior that may result from the addiction must not be confused with the disease itself. With this fundamental change in approach, there must be a creative and industrious application to narcotic addiction of all that is presently known and applied to other public health problems about epidemiology, laboratory technics, and clinical medical management. It is to be hoped that such an attack on this "communicable disease" will yield some of the success that has resulted in the elimination of other major public health problems.

Mr. JAVITS. Mr. President, I pointed out that this question ties directly into the bill which was passed, and which is now law, providing for community mental health centers. This has opened a new era in the treatment of the mentally ill, and, with the fine cooperation of the Senator from Alabama [Mr. HILL], the chairman of our committee, it allows hospital treatment also for narcotics addicts who are mentally ill.

AFTER THE PARTIAL TEST BAN TREATY

Mr. JAVITS. Mr. President, a very interesting article appeared in the Bulletin of Atomic Scientists on what follows the test ban treaty and what openings it makes for further efforts in the same direction. Though I do not agree with some of the thesis involved in that article, it is nonetheless such a penetrating study that I think it should be made available to Senators.

The signing of a partial nuclear test ban treaty by the major powers last year was a notable advance along the road to effective disarmament. The recent agreement between the United States and the Soviet Union to freeze production of nuclear materials marks another step in this direction. However worthwhile these measures are, they should serve as a spur to more intensive efforts for agreements that will reduce the dangers to the world of general war. Continuing efforts must be made especially on verification and veto-free international machinery for inspection of compliance with disarmament agreements and peacekeeping.

Ways in which the partial test ban treaty can be followed up are discussed by Bernhard G. Bechhoefer, author of "Postwar Negotiations for Arms Control," who is a consultant on arms control at the Brookings Institution, a research associate at the Johns Hopkins University School of Advanced International Studies, and a former officer in the Department of State. There are certain aspects of this article with which I do not agree—as for example an effort to establish a modified republic plan in central Europe—but it is as a whole perceptive enough to be worth the attention of my colleagues.

I ask unanimous consent to have printed in the RECORD the article by Bernhard G. Bechhoefer entitled, "The Test Ban Treaty: Some Further Considerations," which appeared in the Bulletin of the Atomic Scientists, May 1964.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE TEST BAN TREATY: SOME FURTHER CONSIDERATIONS

(By Bernhard G. Bechhoefer)

During the debate in the Senate leading to the ratification of the nuclear test ban treaty, many statements were made minimizing its significance. It was pointed out that the test ban does not reduce any armaments whatever and therefore is hardly a disarmament measure; does not prevent the continuation of the nuclear arms race among the great powers; does not prevent transfer of weapons from the nuclear haves to the nuclear have nots, and that it does not even prevent nuclear testing just so long as it is underground.

Nevertheless, with all its limitations, the test ban agreement could be a turning point leading to at least a slowing of the arms race. Its significance can be seen simply by contrasting it with the negotiations for arms control and disarmament which have taken place ever since the end of the Second World War and which have seemed so futile and frustrating.

Let us go back to January 1946—the first meetings of the United Nations Security Council. During the negotiations which led to the organization of the United Nations, it was never anticipated that disarmament would be a major subject for discussion in its early years. The U.N. Charter mentions "disarmament" only three times and always in the context of a future ideal. One of the basic thoughts underlying the U.N. was that the five great powers, institutionalized as the permanent members of the Security Council—the United States, United Kingdom, Soviet Union, France, and China—should remain strong and should prevent the development of other military establishments. Their first task would be to disarm Germany and Japan, maintaining world peace during that period. The U.N. would then establish its own forces which, with the cooperation of the five great powers, would be used to prevent threats to the peace. Only then would the U.N. work out "the principles governing disarmament" and a "system for the regulation of armaments."

This concept was changed by three developments. First, the use of atomic weapons by the United States against Japan created a new dimension in weaponry (it was agreed at the first session of the Security Council to set up U.N. machinery to discuss the control of atomic energy).

Second, the United States unexpectedly and unilaterally disarmed under the slogan "bring the boys home." (We have learned, partly from Yugoslav sources, that as a result of this disarmament Soviet leaders felt free to pursue an aggressive course intended to lead to the immediate triumph of communism in Europe.)

This gave rise to the third factor which the founders of the U.N. had not foreseen—the cold war. The failure of the great powers to agree would not completely paralyze, but would indeed cripple, U.N. peacekeeping machinery. It was in this changed atmosphere that the first U.N. discussions of disarmament took place.

The initial proposals of the United States on the control of atomic energy centered on the Baruch plan. Its crux was an international authority which would have control over all phases of the production and use of nuclear materials except, of course, peaceful uses. It seems probable that the Baruch proposals were sincere, that U.S. leaders believed a complete system of accountability for fissionable materials to be the only way to eliminate the menace of nuclear war. But it was unrealistic ever to believe that the Soviet Union under Stalin would accept proposals requiring the immediate elimination of Soviet secrecy. It soon became apparent that the Soviet Union's response to the Baruch plan was twofold, to develop its own nuclear capability as rapidly as possible and to use all its propaganda resources to thwart any use of the Western nuclear capabilities.

It was not until after the death of Stalin and after the Soviet Union had achieved its own thermonuclear capability that this attitude began to change. By 1955, both the Soviet Union and the United States realized that a nuclear war would destroy all civilization. The United States began to move away from its strategic policy of massive retaliation, and the Soviets began to speak of peaceful coexistence. As a part of this change, the Soviet Union recognized that it was no longer possible to account for all past production of nuclear weapons, and, therefore, it would not be feasible to eliminate nuclear weapons in the early stages of a disarmament program. The emphasis in the negotiations during 1956 and 1957 changed from advocating all-inclusive disarmament to a discussion of specific, relatively small steps which would reduce tensions, limit the arms race, and, with the achievement of greater trust, make possible further steps to limit the arms race.

It seems fair to conclude that during 1956 and 1957 practically all the serious specific proposals of both the Soviet Union and the West concentrated on two areas where the self-interest of the Soviet Union seemed the same as that of the West: steps to prevent additional countries from obtaining nuclear weapons and steps to prevent accidents that might lead to nuclear war. In 1957, when Stassen was the U.S. representative in the U.N., it appeared that agreement might be reached with the Soviet Union on certain broad principles of arms control. Secretary Dulles, however, pointed out that the important breakthrough would not be in the development of agreed principles but in the detailed annexes to carry them out. In 1957, negotiations never even approached the stage of producing detailed annexes.

The initially promising 1957 negotiations were unsuccessful for a number of reasons, one of which was that the NATO allies did not support the U.S. positions. The United States at that time had no overall policy to take into account both NATO and disarmament. When conflict arose, the United States reaffirmed the NATO positions.

After 1957, the progress of disarmament negotiations seemed discouraging on the surface. The Soviet Union declined to participate unless either the negotiating group was enlarged to include all U.N. members or unless 50 percent of the group consisted of the Soviet Union and its satellites. Obviously, a commission consisting of all the U.N. members could not possibly conduct negotiations. Ultimately, the Soviet Union accepted a negotiating group constructed along the lines of the so-called troika principle, composed approximately one-third each of Soviet-oriented, Western, and uncommitted states. This group was to report to a disarmament commission consisting of all U.N. members.

Equally discouraging was the Soviet shift in 1959 from advocating a program calling for partial measures of disarmament to a program for "general and complete" disarmament. This shift had made it necessary to reshape all proposals for immediate measures into measures for the first stage of a program of general and complete disarmament. It is an awkward negotiating posture. However, perhaps the United States was partially responsible for causing the Soviet shift. The propaganda advantages of advocating general and complete disarmament are roughly similar to those of advocating motherhood. Only too often when the Soviet Union talked about partial measures, our so-called responsible leaders attempted to obtain propaganda advantages by saying that in fact we wanted more disarmament than the Soviets wanted. They would then compare U.S. proposals for ultimate comprehensive disarmament with the Soviet proposals for partial measures. This was like equating apples with lemons.

The one encouraging development after 1957 was the first Soviet willingness to discuss the detailed annexes of a disarmament program before agreeing on the general principles. In 1958, the Soviet Union consented to two specific negotiations even though no agreements had been reached on general principles, one on a test ban and another on "measures to avoid surprise attack." The negotiations on surprise attack lasted approximately 60 days and adjourned, never to be renewed. To the United States, measures to avoid surprise attack meant inspection to cover all strategic airbases and missile sites as well as large troop movements. To the Soviet Union, it meant specifically the so-called Rapacki plan, originally presented by the Foreign Minister of Poland, to establish an inspected nuclear-free zone in central Europe.

The negotiations for a complete test ban continued for almost 5 years and broke down, according to the United States, largely because of Soviet unwillingness to allow adequate inspection for clandestine underground testing. Earlier, agreement had seemed close at hand.

In perspective, these test-ban negotiations were in fact less discouraging than they seemed on the surface. The Soviet Union on many occasions made it clear that its greatest interest in a test-ban treaty would be to limit the number of countries with nuclear weapons. Specifically, the Soviet Union always stressed that West Germany should not become a nuclear power. While this Soviet fear of the West Germans under existing world conditions may seem unjustifiable to us, it is nevertheless understandable in view of the Soviet sufferings during World War II.

Inherent in the Soviet proposals was that the same formula which would prevent Germany from becoming a nuclear power could also prevent China from becoming a nuclear power. A country may acquire a nuclear war potential either by testing or by obtaining weapons from another country. A test-cessation treaty would cover testing but would do nothing to prevent the United States from transferring weapons to Germany or the Soviet Union from transferring weapons to China. Until the fall of 1961, the United States had made no public disarmament proposal which would have prevented it from transferring nuclear weapons to the Germans. A nuclear-free zone in central Europe as proposed by the Soviet Union would cover this question of transferring weapons to Germany and would justify a similar formula in Asia. The point is that it seems probable that the Soviet Union never intended to reach a final agreement on banning nuclear tests until a simultaneous agreement was achieved on the problem of transferring nuclear weapons, a problem which is today increasing under serious discussion. The specific Soviet proposals, in contrast to the concept, have never been acceptable to the West.

As we know, early last year the Soviet Union agreed, to the surprise of most disarmament students, upon a partial test ban covering all nuclear tests which could be detected without elaborate monitoring machinery behind the Iron Curtain. In contrast with the previous Soviet position, which had insisted upon the banning of all nuclear tests with simultaneous progress toward solving the problem of transferring nuclear weapons, this represented a decided change.

Why was the Soviet Union willing to make such a change? The increasing conflict between the Soviet Union and China may have been a factor. While the threat of China becoming an important nuclear power is certainly 25 years distant, ultimately the best way to prevent this may be through U.N. action supported jointly by the Soviet Union and the United States; it is none too early to begin the detente which could lead to such a result. It is also possible that the United States-Soviet confrontation over Cuba emphasized the urgent need of some progress toward less strained international relations.

More probably, an immediate reason for the Soviet change in position was the replacement of Adenauer by Erhard as head of the West German Government. Adenauer had consistently taken the stand that the West could not discuss any proposal involving inspection in West Germany until the reunification of Germany. Erhard's position on this subject is believed to be less rigid.

While in all probability neither the Soviet Union nor the United States has taken a step which greatly interferes with its freedom of action, nevertheless the Soviet Union has abandoned one of the propaganda positions which it pursued even up to 1960. The jurists of the Soviet Union had consistently taken the position that any nuclear explosion in weapon development is illegal, just as any use of nuclear weapons is illegal (even suggesting that to use nuclear weapons in retaliation against nuclear attack is illegal). The Soviet Union justified its own weapons tests on the ground that the United States began testing first and the Soviet Union was merely attempting to catch up. (At the time of the first Soviet tests, Vishinsky took the preposterous position that Communist nuclear explosions were peaceful and Western nuclear explosions were warlike. When President Eisenhower offered the Soviet Union a partial test ban in 1959, the Soviet Union rejected the offer on the ground that it would legalize something which was illegal.) In terms of popular propaganda, any East-West agreement would have destroyed the propaganda value of the public image the Soviets sought to create of a Soviet Union against the bomb and a United States for it. Thus, in the propaganda field at least, the Soviet Union had seriously restricted its freedom of action.

The Soviet leaders have stressed that the test ban should be the first step toward a further East-West detente. The second step might well be outside the field of arms control—a settlement on Berlin which almost inevitably would be accompanied by some agreement to create a nuclear-free zone in central Europe. This in turn would establish the formula to prevent China from obtaining nuclear weapons.

The next step could also be in the field of arms control but probably will not be the extension of the test ban to cover underground tests. The recent exchange of correspondence between Premier Khrushchev and President Johnson seems to suggest other more fruitful fields for immediate agreements.

In short, the test-ban agreement is highly significant in three respects. It does lessen, though it does not eliminate, the possibility that additional countries will develop a nuclear weapon potential. It represents a forward movement in the slow shift of Soviet positions which should prevent the return to certain propaganda positions that have plagued the past negotiations. And most important, it establishes the groundwork for a further East-West detente, both on political problems in general and on arms control in particular.

NEW YORK LAWYERS TO HELP RIGHTS DRIVE IN THE SOUTH

Mr. RUSSELL. Mr. President, each day the metropolitan press discloses a new illustration of the hypocrisy of many advocates of the so-called but misnamed proposed civil rights legislation as well as the sectional bias and hate that prompt many of those who are connected with this movement to invade the South, humiliate its people, overturn its institutions, and bring the full force of the Federal power to bear upon the southern people. We have enough difficulty with the Attorney General and his vast coterie of counsel in the civil rights division and all the lawyers in the Civil Rights Commission, as well as volunteers.

In the New York Times of May 21, 1964, I observed an article entitled, "Lawyers Corps Is Formed Here To Aid Rights Drive in the South." The article points out that the corps is to defend so-called civil rights demonstrators in the South. Seminars would be conducted in the laws and procedures in the Deep South this summer. The corps was formed by seven major civil rights groups. Among them is the National Association of Colored People, of which, Jack Greenberg, the local defense and education director, is a founding member, as are also Edwin J. Lukas, National Affairs Director, American Jewish Committee; Howard Moore, counsel, Student Nonviolent Coordinating Committee; Leo Pfeffer, general counsel, American Jewish Congress; John Pratt, counsel to the Commission on Race and Religion, National Council of Churches; Carl Rachin, general counsel, Congress of Racial Equality; Melvin L. Wulf, legal director, American Civil Liberties Union, and Father Robert F. Drinan of the Boston College Law School.

The article states that the 60 lawyers who have been mobilized are being prepared as a special task force for the Southern States. There will be a seminar on the laws and procedures of the States as well as the body of court decisions relating to civil rights. According to the article, the participants will not receive fees, but the expenses of the volunteer corps of lawyers will be paid by the committee. They are now undertaking to mobilize law students to go along and act as clerks for the voluntary lawyers.

I recognize that the people who organized this corps are within their legal rights. But it is rather remarkable that in New York State they would organize and prepare for an invasion of the South. One would think from that action that there were no downtrodden, put-upon citizens of that State who were deserving of their assistance. The members of the corps propose to act as good Samaritans only when they go below the Mason-Dixon line.

I have not observed anything to indicate that they have tendered their services to represent the poor Negroes who were beaten within an inch of their lives by the police to make sure there would be no interference with the World's Fair in New York City. That is beyond their ken. That might bring down the wrath of their own power structure. As was said by those citizens who witnessed but did nothing about those terrible crimes that have occurred in New York City, they "do not wish to became involved."

They are not interested in alleged police brutality and injustice in either New York, Cleveland, or Chester, Pa.

Mr. President, it is rather remarkable that the vast compassion of these lawyers exists only for those who are supposed to be abused in the South. The bowels of their compassion are completely locked until they are south of the Mason-Dixon line. No amount of abuse, no amount of police brutality, no amount of imposition on widows and orphans and others unable to protect themselves, interests them in the slightest degree, unless it is reported from south of the Mason-Dixon line.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RUSSELL. I shall be glad to yield in a moment.

I noted with considerable interest last Sunday a number of articles about a poor widow who was trying to operate a little family grocery store in Newtonville, N.J., and who was being driven out of business by a boycott by the NAACP. That incident found its way into even the New York Times, so we may assume that the Times thought it was "news fit to print."

Sometimes the news that the Times finds fit to print is somewhat colored.

The article describing the boycott against the family store in Newtonville, N.J., states that Negroes are withholding their business because the widow operating the store has not hired a Negro clerk. The article states in part:

> This rural community's general store, the main supplier here of groceries, clothes, house furnishings, and gasoline has become involved in a civil rights dispute that may ultimately put it out of business.
>
> For 3 weeks, the Buena-Hammonton-Weymouth chapter of the National Association for the Advancement of Colored People has been conducting a boycott against the store because of the owner's alleged refusal to hire a Negro clerk.
>
> The store, which also serves as the local post office, is patronized mainly by Negroes, who make up 90 percent of the community's population of 600.

Mr. President, I will not read all of the article, but I want to read this part:

> Mrs. Margaret Chamberlain, who has operated the store since the death of her husband last July, said yesterday that the boycott was "hurting her," but that greater damage was being done to her Negro friends in the community.
>
> "The people here know what I've done for them over the years," the 49-year-old widow said, "and they tell me that they don't like this thing but they're being told to stay away from the store or else."

Incidentally, the Philadelphia Bulletin, in its account of the boycott, stated that Mrs. Chamberlain was considered a heroine for her efforts during a forest fire in April 1963, that destroyed half of Newtonville. She stayed on the telephone in her store alerting residents of the community of the danger even though as many as 16 houses on her street were in flames. After the fire, her store served as a center for distributing clothing and furniture to white and colored victims of the fire.

The New York Times articles states that Mrs. Chamberlain is now heavily involved because the more than $9,000 owed to her by the people of the community of which 90 percent are Negroes, is not being paid and she is being put out of business by the boycott.

The article quotes the president of the area NAACP as saying that if she would hire a Negro the boycott would stop.

Incidentally, the employees in the sales force of the small general store, which has been in Mrs. Chamberlain's family for 30 years, consists of Mrs. Chamberlain, her sister, Mrs. Norman Blazer, who is a copartner, and a neighbor, Mrs. Leroy R. Wolfe, who works part-time.

This shocking incident, Mr. President, is occurring in New Jersey while the 60 lawyers are preparing and girding their loins to invade the South. They will pass right by injustices and indignities of all kinds on their way.

There are other incidents of a similar nature or worse but it does not excite the interest of these lawyers in the slightest. If a lesser injury had been inflicted on a Negro citizen in a southern State, this well-trained and highly organized body would undoubtedly have directed attention to it, issuing a bulletin to the eastern press each day. In addition, a number of men of the cloth would be preaching and praying about it and we would be hearing much about it on the Senate floor.

It all goes to show that there is a great deal of demagoguery and hypocrisy in this entire movement and that some people would do well to brush before their own doorsteps before undertaking to prejudge others and to invade other States and attempt to coerce the people there.

These gallant knights tiptoe by the den of the big dragons in their own States and undertake to find a small southern dragon. If they cannot find one elsewhere they will break into a southern jail to seek him in a cell.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LONG of Louisiana. Does the Senator from Georgia recall what was said in the Sermon on the Mount about hypocrites?

Mr. RUSSELL. Yes.

Mr. LONG of Louisiana. I do not recall the exact words, but was it not to the effect that, "Hypocrite, why beholdest thou the mote"—which means a little fleck of dust—"that is in thy neighbor's eye and not the beam"—meaning a big beam of wood—"that is in thine own eye?" Does the Senator recall that?

Mr. RUSSELL. Yes.

Mr. LONG of Louisiana. The Sermon on the Mount continues to the effect: "First remove the beam that is in thine own eye and then thou will see more clearly how to remove the mote that is in thy neighbor's eye."

Does the Senator from Georgia know of any female priest in the Catholic Church?

Mr. RUSSELL. No.

Mr. LONG of Louisiana. Would that not occur to the Senator to be discrimination and in direct conflict with the provision providing for equal rights for women that was passed lately?

Mr. RUSSELL. I am not undertaking to judge others in this case as much as I am resenting a prejudgment by them.

Mr. LONG of Louisiana. Can the Senator think of any female priests?

Mr. RUSSELL. I have never seen or heard of one.

Mr. LONG of Louisiana. Can the Senator tell me how many altar girls he knows of or has heard of in the Catholic Church?

Mr. RUSSELL. I do not know of any.

Mr. LONG of Louisiana. How many Presbyterian preachers does the Senator know of who happen to be women?

Mr. RUSSELL. I have known of Methodist and Baptist preachers who were women, but I do not recall any Presbyterian preachers who were.

Mr. LONG of Louisiana. Does the Senator know of any considerable number of women, who happen to comprise more than 50 percent of the population, who are preachers or priests?

Mr. RUSSELL. The role of women is usually to run the home, teach in Sunday School on Sunday, and serve as custodians of the souls of their husbands.

Mr. LONG of Louisiana. So is not discrimination based on sex being practiced by the clergy?

Mr. RUSSELL. I think that is undoubtedly true. Of course, the clergy are much better compensated than those who work in other activities of the church.

Mr. LONG of Louisiana. Might it not be well for those who believe in Jesus to read the Sermon on the Mount and see what is said there about hypocrites?

Mr. RUSSELL. Of course, all Americans do not accept Jesus as the Son of God, although they all agree that he was an outstanding philosopher; but even before the time of our Savior there were philosophers who laid down the doctrine of doing unto others what one would have done unto himself, but that lesson is lost on this group.

Mr. LONG of Louisiana. Would not the Senator think that those who are trying to straighten out conditions of others should take heed of the lesson from the Sermon on the Mount and try to straighten out their own affairs first?

Mr. RUSSELL. There is no question about it; but people do not get too much publicity when they clean their own doorstep. They are not hailed as champions of the downtrodden and the masses. But they get great publicity when they sally forth into the poor benighted region of the South to protect the downtrodden and lift the heel of the oppressor from their necks. That conditions are worse in their own backyard concerns them not but when they do down south and return, they are given a hero's welcome home, even though they have gone into southern community after community without finding what they claimed they sought.

Mr. LONG of Louisiana. Is the Senator aware that the demonstrations in Cambridge, Md., were in large part engaged in by outsiders?

Mr. RUSSELL. I do not know that, but that is true in my own State. Those have not been the only demonstrations. Chester, Pa., has had one of the most violent ones. And do not overlook Cleveland.

Mr. LONG of Louisiana. Does the Senator know how the vote went in Dorchester County when Governor Wallace placed himself in opposition to Senator BREWSTER?

Mr. RUSSELL. I believe it was stated yesterday on the floor that he carried the county overwhelmingly.

Mr. LONG of Louisiana. Is the Senator aware that he got over 80 percent of the votes in that county, and that if any Negro voted for him it would have been an accident?

Mr. RUSSELL. I should say that the latter part of the Senator's statement is certainly correct. I believe I did see the figures. I am not too familiar with the breakdown, but I have been amazed at the total vote he received.

Mr. LONG of Louisiana. I saw the returns; and that is what they showed. I believe the returns in the Washington Evening Star showed that total, and it was for BREWSTER.

Mr. RUSSELL. Not only the Washington Star, but the Post, and the News, and the radio and television stations located in Baltimore and Washington were against Governor Wallace.

I believe there is one radio station over in Salisbury that supported him. Someone sent me an editorial that was broadcast yesterday. I had it printed in the RECORD.

Mr. LONG of Louisiana. Would not an 80-percent vote for Wallace in that area indicate that perhaps 95 percent of the white people voted for Wallace after they had been confronted by the demonstrations incited by the outside agitators?

Mr. RUSSELL. An article which I read yesterday in the Washington Post by Mr. Laurence Stern, who was designated as a staff reporter, stated flatly that Governor Wallace received a majority of the white vote, not only in that county, but in the entire State of Maryland. It further stated that he lost the election because, as the Senator has stated, all the Negro citizens were voting for our distinguished colleague, the Senator from Maryland.

Mr. LONG of Louisiana. Does it not stand to reason, after looking at the returns, that the Senator from that State, even with the backing of a popular President, carried the counties where a problem did not exist?

Mr. RUSSELL. That is largely true. I think Montgomery County, where he had the largest majority, has a smaller percentage of Negroes than any of the larger counties.

Mr. LONG of Louisiana. Does not the vote in Dorchester show that the so-called heroes, who come down from the North to organize the Negroes to demonstrate against the whites, do nothing but unite the whites against the Negroes?

Mr. RUSSELL. That is natural. Those who conduct the schools, train the people, and bring the people down there or send them down, as described in the article—even if they do not go themselves—bask in the glory that they receive in such great publications as the New York Times—and that is quite a distinction.

Mr. President, I ask unanimous consent that the article entitled "Boycott Hurting Store in Jersey," published in the New York Times on May 17, and the article entitled "Lawyers Corps Is Formed Here To Aid Rights Drive in the South," published in the New York Times on May 21, 1964, be printed in the RECORD. I think I shall ask that the article on the boycott appear first in the RECORD in case any of these volunteer lawyers read about themselves, so they can close their eyes to the conditions in their own communities in the effort to cleanse the consciences of such cheap demagoguery.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 17, 1964]

BOYCOTT HURTING STORE IN JERSEY—NEGROES WITHHOLD BUSINESS IN PROTEST OVER HIRING

(By Theodore Jones)

NEWTONVILLE, N.J., May 16.—This rural community's general store, the main supplier here of groceries, clothes, house furnishings, and gasoline has become involved in a civil rights dispute that may ultimately put it out of business.

For 3 weeks, the Buena-Hammonton-Weymouth chapter of the National Association for the Advancement of Colored People has been been conducting a boycott against the store because of the owner's alleged refusal to hire a Negro clerk.

The store, which also serves as the local post office, is patronized mainly by Negroes, who make up 90 percent of the community's population of 600.

Mrs. Margaret Chamberlain, who has operated the store since the death of her husband last July, said yesterday that the boycott was "hurting her," but the greater damage was being done to her Negro friends in the community.

"The people here know what I've done for them over the years," the 49-year-old widow said, "and they tell me that they don't like this thing but they're being told to stay away from the store or else."

HAS FAITH IN CUSTOMERS

Mrs. Chamberlain declared that the boycott had been initiated by a "a few individuals seeking to make names for themselves." She said her customers knew this and that she "had faith that they would turn and support me."

"We're a small community," Mrs. Chamberlain said, "and we've lived by helping each other. I've got over $9,000 owed to me on the books and nearly every name belongs to a brown-skinned person."

The sales force of the small general store, which has been in the Chamberlain family for 30 years, consists of Mrs. Chamberlain; her sister, Mrs. Norman Blazer, who is a copartner, and a neighbor, Mrs. Leroy R. Wolfe, who works part-time.

Mrs. Chamberlain said that there had never been a Negro clerk in the store but that she and her late husband had employed Negroes on their chicken farm.

"We don't have segregation here," the widow asserted, "we don't look at color and never have. The NAACP is a good group and they could do a lot of helpful things around here such as keeping the youngsters in school so they'll have that paper when they go to get a job."

NAACP CITES REFUSAL

Clinton Smith, president of the area NAACP, said the chapter's membership had decided to call the boycott after Mrs. Chamberlain had refused its request to promise to hire a Negro clerk in the future.

"She assured us at a meeting in March," Mr. Smith said, "that she would hire a Negro when an opening occurred. When it did, she employed another white."

Mr. Smith said another committee had gone to see Mrs. Chamberlain early in April and repeated the demand that she hire a Negro since most of her business came from Negroes.

"She told us that she would not be dictated to and that she would not hire a Negro," the NAACP official said, "so there was nothing to do but take action."

[From the New York Times, May 21, 1964]

LAWYERS CORPS IS FORMED HERE TO AID RIGHTS DRIVE IN THE SOUTH

(By M. S. Handler)

A lawyers corps to defend civil rights campaigners in the Deep South this summer has been organized in New York.

The corps, known as the Lawyers Constitutional Defense Committee, was formed by seven major civil rights groups and the Reverend Robt F. Drinan, S.J., dean of the Boston College Law School. Father Drinan is a leading Roman Catholic authority on constitutional law.

Thus far, more than 60 lawyers practicing in the Northern States, and several in the Southern States, have responded to the corps' recruiting drive. They will endeavor to protect the legal rights of antisegregation demonstrators and Negroes seeking the right to vote.

Each volunteer defender has agreed to spend 2 weeks or more in Mississippi, Alabama, Georgia, Louisiana, and Florida.

The founding members of the committee, acting in behalf of their organizations, include: Jack Greenberg, director-counsel, NAACP Legal Defense and Education Fund; Edwin J. Lukas, national affairs director, American Jewish Committee; Howard Moore, counsel, Student Nonviolent Coordinating Committee; Leo Pfeffer, general counsel, American Jewish Congress; John Pratt, counsel to the Commission on Race and Religion, National Council of Churches; Carl Rachlin, general counsel, Congress of Racial Equality; Melvin L. Wulf, legal director, American Civil Liberties Union, and Father Drinan.

OFFICES IN SOUTH PLANNED

It was explained at a news conference in the Stephen Wise Congress House, 15 East 84th Street, that it was planned to open offices in the States in which the committee will operate. These offices will be headed by founding members of the committee, who will be on duty for 1 month. The operations will begin June 15 and end September 30.

To prepare the volunteer lawyers for their special tasks in the Southern States, seminars in the laws and procedures of these States as well as the body of court decisions relating to civil rights have been arranged at the Columbia University Law School. The seminars have been scheduled for June 6 and 7.

The volunteer lawyer will work in cooperation with local civil rights lawyers in the South, most of whom are Negroes. The committee will defray transportation and living costs for the volunteer lawyers. However, they have agreed to serve without pay. The committee believes that expenditures for legal briefs and appeals may be high.

Law students are also being recruited to act as clerks for the volunteer lawyers. Their services will be needed to research cases and help prepare briefs.

The committee's founding members said they were cognizant of the special powers granted by the various State legislatures to the Governors to break the civil rights campaign this summer. Particularly drastic and sweeping powers were enacted by the Mississippi Legislature.

The founding members said they believed that these special laws were unconstitutional and that the lawyers corps would move quickly and successfully in the Federal courts to have these special laws set aside.

"If the Federal courts," Mr. Pfeffer said, "were not in a position to provide speedy relief, it would leave the way open for the South to close the freedom schools and drive the thousands of students who plan to attend them this summer into the streets."

Mr. Pratt said a Federal court had already overthrown one of the special laws enacted in Mississippi and that he was confident that the Federal judiciary would grant relief to the civil rights movement against what the corps considered oppressive and unconstitutional legislation.

Mr. JAVITS subsequently said: Mr. President, I should like to say a word about a subject which was discussed by the Senator from Georgia. I was unaware of exactly what he was discussing until I saw an excerpt from an article in the New York Times, which he had placed in the RECORD earlier today.

The article deals with the decision of certain lawyers in New York to form a corps to aid civil rights efforts in the South.

I should like to express a word of approval for what those lawyers are doing. It is something that the American bar ought to do, and which I have repeatedly exhorted it to do, namely, provide legal representation for people who need such representation, on a legal aid society basis, when people cannot otherwise attain such legal representation.

Whatever may be the assertions of our colleagues from the South, the fact is that we have had volumes of reports presented to us by the U.S. Civil Rights Commission showing a most outrageous deprivation of rights in voting, education, the administration of justice, and many other fields, in which the law already provides for the safeguarding of equal opportunity.

One of the things that has worried people like myself most—and it has been referred to on the floor by me, and by the Senator from Connecticut [Mr. RIBICOFF] as recently as yesterday—is that if the door to the courts is barred, either from a practical standpoint because legal representation is not available, or because there is no law to cover the situation, the opening to the streets, unfortunately, is always there, involving great danger to public order and tranquillity.

I should think that our friends from the South would welcome the fact that adequate legal representation would be made available, in the highest tradition of the bar, in order that these rights may be litigated and safeguarded under the law, so that people may not be frustrated and chagrined and made bitter by the fact that there is no opportunity for them to assert their legal rights in court because no lawyers are available to them.

I have on many occasions called attention to antibarratry statutes in Southern States, and to the social and economic ostracism which affects those who would seek to afford to Negroes urgently needed representation in civil rights cases.

It seems to me that what the New York lawyers propose to do is above the civil rights battle and above criticism. A lawyer should be permitted to do his bounden duty where it is urgently needed for people who would otherwise be denied effective representation.

I commend those lawyers for doing their duty, and approve of their action. It is in the finest tradition of the bar.

CBS SPECIAL RADIO DEBATE RE CIVIL RIGHTS

Mr. STENNIS. Mr. President, recently the CBS Radio has been presenting a series of special debate broadcasts on the issues surrounding the civil rights bill now pending before the Senate.

Each week, for several weeks, two Senators with opposing views on the proposed legislation have met in this joint radio debate. I refer particularly to the radio debate of Friday, May 1, 1964, when Mr. Paul Niven was moderator. The Senator from Georgia [Mr. RUSSELL] and the Senator from Minnesota [Mr. MCCARTHY] were the participants in the debate. They represented opposing viewpoints in the debate, moderated by Mr. Niven.

Mr. President, I think the points made by these gentlemen are pertinent. Many of them are worthwhile and shed light upon the issues presented by the bill.

Mr. President, I ask unanimous consent that the debate by these gentlemen be printed in the RECORD at this point.

There being no objection, the text of the debate was ordered to be printed in the RECORD, as follows:

[From CBS Radio, Friday, May 1, 1964]

THE CIVIL RIGHTS DEBATE FROM WASHINGTON, D.C.

CBS Radio presents the fifth in a series of special debate broadcasts on the issues of the civil rights bill now the pending business before the U.S. Senate. Each week at this time two members of the Senate with opposing views on the proposed legislation meet to debate the subject. Now, here is the moderator of the civil rights debate, Paul Niven.

Mr. NIVEN. Should the civil rights bill be passed?—another in our CBS series of debates designed to reflect the great debate on the Senate floor. Our guests today are Democratic Senator RICHARD B. RUSSELL, of Georgia, and Democratic Senator EUGENE J. MCCARTHY, of Minnesota. We will allot 3 opening minutes for the affirmative, 3 for the negative, 1½ minutes each for rebuttal, a period for discussion, and finally 1 minute each for closing. A bell will indicate the end of each period. The question then is "Should the civil rights bill be passed?" For the affirmative, Senator MCCARTHY.

Senator MCCARTHY. Senator RUSSELL, Paul; I, of course, have been advocating the passage of this civil rights bill as well as the passage of several civil rights bills of more limited scope through the years that I have been in Congress. In the 80th Congress before I came, there was action in the House on the poll tax issue which is related to civil rights. In the next Congress there was, at least in the House, consideration of fair employment practices, and through the years, there have been partial advances, and some disappointments in this field. I thought Congress had moved more or less to meet its responsibility as the legislative branch of the Government to implement the decisions which had been made by the courts and some decisions which had been made by the executive officials in their interpretation or in their attempt to carry out the decisions of the court. In other cases, decisions and actions were undertaken by the executive branch of the Government, in keeping with the constitutional responsibilities of the President. I don't mean today to make the case on the basis of the Constitution or the principles of the Declaration of Independence. We've talked about these to the point where they really don't have great, direct bearing upon the action on this bill. I could make, I suppose, simply the argument from history because sometimes the case for the passage of legislation is made by the events and the movement of history itself. I think that in part this is true today: that we were inclined to believe that we could just let this drift along and do nothing about it or leave it to the discretion of the courts and to the discretion of the executive branch of the Government, but pressures and difficulties have developed, principally within the last year, which I think make it imperative that Congress act to meet its responsibilities.

I do think the bill which we are now considering is a comprehensive one in that it reaches into each of the major areas in which I think that, I hesitate to say abuses, but in which I believe that the necessary rights of people have been ignored and overlooked and in some cases abused. On the other side it provides opportunities which must go along with rights because there is both a positive and negative, a protective and a kind of preparatory function in legislation. The bill provides opportunities to achieve that measure of fulfillment of rights which are in part guaranteed, but which in part are withheld from the people. So, I say we move in the area of voting rights in this bill, we move in the area of education, we move to insure job opportunities, and equal treatment before the law and to protect people from any kind of public disgrace and public abuse. And I think that all of these are clearly in keeping with and based upon the principles upon which our country was founded and sustained by the very movement of history through these many years. (Bell.)

Mr. Niven. Three minutes for the negative. Senator Russell.

Senator Russell. Thank you, Mr. Niven. Senator McCarthy, ladies and gentlemen, there are two very tragic aspects of this bill. One has been the fact that an emotional screen has been thrown up about it that has prevented people from understanding its full impact, and the other is because the propagandists for the bill have sought to depict it as a struggle between the South and the rest of the Nation, with the rest of the Nation undertaking to see that the South does justice to its people. A great deal of prejudice has been created that has prevented people from analyzing this bill and understanding its full impact on our system of government. We have the greatest civilization that man has ever known. It did not just happen. It came into being because of the system that was created by the Founding Fathers. The balance of powers between the States and the Federal Government and the balance of power between the three branches of the Government, the legislative, the executive and the judicial. This bill upsets all of those balances of power and would change our form of government. Now we hear about abuses and mistreatment. We have a heterogeneous population, and the people at the bottom of the economic heap, whether they are white, black, yellow, or red, never get complete and total justice. But we also afford opportunities to those of every group. And in the South, we have white men, Negroes, yellow men, and red men who in the enjoyment of their constitutional rights have accumulated more than a million dollars, and they have done it because of the beneficial aspects of this form of government that gives these men those opportunities. There is a complete misapprehension about there being any widespread abuses of the Negro people in the South, and I would point out that the press of the last several days have carried reports of a great many demonstrations in the States that claim that they have passed every law to assure equality and are enforcing those laws to protect the rights of all. If so, why are these people demonstrating? Why are they crying out against injustices, why are they demanding that action be taken to insure them of their rights? I can only say that we will have injustices of some kind as long as we have any government, but in this case, to pass this bill with the impact it will have on our system would be the equivalent of burning down the barn to get at the rats. (Bell.)

Mr. Niven. Our question is "Should the civil rights bill be passed? We now come to 1½ minutes each for rebuttal. Senator McCarthy.

Senator McCarthy. Paul, I would like to make the point that I don't think the bill is altogether directed against the South. Of course, this is the way the lines have been drawn primarily here in the Congress. There are two or three of the areas with which the bill deals, of course, in which I think the problem is particularly acute in the South. For a number of reasons, fairly obvious, historical ones for the most part, some provisions relate to positive action on the part of the government in the South, particularly State governments. In the area of voting, for example, in the area of education and I suppose public accommodations and public service, although the public service area has been pretty well taken care of in the years since the court decisions. But there is at least one area in the North in which civil rights are affected by this legislation and that is the field of fair employment practices. I would be hopeful that the passage of the Federal law in those States in which we do not have fair employment practices laws and in those in which we do have fair employment practices laws but in which they have not been adequately enforced, that the effect of the Federal law would be a constructive one; and that Negroes would be given equal and adequate opportunity to participate fully in the economic—and in that I mean the technological and the professional—life of northern communities. (Bell.)

Mr. Niven. Senator Russell.

Senator Russell. Well, I say that the bill is aimed primarily at the South. It is drawn that way skillfully and carefully where its principal impact would be there and is being so advertised throughout the Nation. It so happens that I have the newsletter that was sent out by Senator McCarthy's colleague, Senator Humphrey, in which he pointed out to the people of Minnesota that this bill would have no impact whatever on them, that they had a fair employment practice law and they had public accommodations laws and that this law would not be effective there but only in other sections of the country, meaning thereby the South. I heard the distinguished Senator from New Jersey [Mr. Case] who is one of the chief promoters of this bill, on a television or radio program last Sunday. He said several times that the bill would have no effect whatever in the State of New Jersey, but it was necessary to pass the bill in order to teach the people of the South the error of their ways. I have just said that there were more Negro millionaires in Atlanta, Ga., than there are in New York, Chicago, Philadelphia, and Los Angeles combined, though they have many times as many Negroes as we have. There was a statement, that it was not going to affect the State of Ohio made by the one man, the most remarkable man in Congress, Mr. McCulloch, whom I do not know personally, but every time any question is raised on the floor of the Senate about the bill, a statement is made that we must get Mr. McCulloch's opinion before we can take any action on it. It's going to be a more famous saying than "Clear it with Sydney,"—"Clear it with McCulloch,"—before the Senate can possibly legislate. (Bell.)

Mr. Niven. Gentlemen, we now come to a period of general discussion. Senator McCarthy, would you open.

Senator McCarthy. Senator Russell, having once served in the House—and I think this is rather the point of view of a House Member—it may be somewhat easier for me to accept than someone who has served in the Senate through these many years. I don't think it's just McCulloch, but that—I know you'll understand—it is a kind of balance of strength on this matter of the relationship between the House and the Senate. It's really not, Senator, that Congressman McCulloch is going to necessarily dictate the point beyond which there can be no retreat if we're going to pass a bill in this session of Congress.

Senator Russell. Well, his name has been mentioned on the floor of the Senate a number of times and that's rather extraordinary because we're supposed to be a coequal legislative body and to take the position that we can't adopt any amendment on the floor unless it's been first approved and OK'd by Mr. McCulloch, who is not a Member of the Senate, is a rather remarkable proposition. I have never seen it happen heretofore in my service here, and I don't believe the House has ever legislated by saying that any Member of the Senate had to give his approval in advance of a vote on a bill. That's just another irregularity about this bill; there's been nothing regular about it from its very inception. No committee, no hearing on the present measure—I know there have been on other civil rights bills. When it was presented in the committee, Congressman Celler spoke for 1 minute, Mr. McCulloch for 1 minute and the bill was declared cleared. It got over here in the Senate and Mr. McCulloch apparently didn't want a committee hearing here and the committee was bypassed, and now when amendments are discussed, why, the Senate is shackled with this same way. It's rather exasperating for one who has taken great pride in the Senate in years past.

Senator McCarthy. Well, it's not altogether unusual when we deal with very complicated legislation to attribute to someone or to a few men a special competence. I think that here in the Senate that there is a disposition on some of the constitutional issues, or what are said to be constitutional issues, to raise the name of Senator Ervin, of North Carolina, as the court of last appeal; and we have reached a point where we kind of advocate a private interpretation of the Constitution whenever it is convenient for us to advocate that kind of an interpretation. I think that the bill is receiving, certainly, thorough discussion. I do not have to say this to you. You know that I had a newspaperman complain. He said that principally the critics and the opponents of the bill whom he seemed somehow to think were going to make extreme statements in their defense and presentation of their position—that is primarily the southern Senators—have been so scholarly and so studied that they were finding difficulty in getting anything to put in their press releases.

Senator Russell. That is disarming, but it is certainly true that as a general rule now the press will not print anything if there is not some fight involved. If you get into a row or an argument and threaten each other why they run from one to the other like little boys sometimes saying "You hear what Senator so and so said about you." He tells you and then——

Senator McCarthy. That is right.

Senator Russell. He goes back and tells him and before you know it you have got a full-blown war. That is one of the unfortunate characteristics of the press.

Senator McCarthy. But underneath it there has been an objective presentation and a great deal of scholarship, I think, on both sides. And there has been a consideration on the part of those who are for the legislation and those who are against it, of some of the legal difficulties involved in the bill; and even though there may be a backup position beyond which the House will not make a concession, I don't think we are really hung on the point of what the House did pass—we can go around that somewhat and beyond it, I think.

Senator RUSSELL. I agree that the debate has thus far, while it perhaps has not been spectacular, has been on a very high level. It's been confined to a discussion of issues that are really involved in this monumental bill, because this is really 11 bills in one. I don't believe there has ever been as far-reaching a single bill ever submitted to the Congress, certainly not in my time, and I am very pleased and proud at the success of my colleagues. When the bill was first presented, we were told it would be an act of the utmost sacrilege, just like we burned all the Bibles, to even think about amending it, and now we have reached that stage after we pointed out the vices in the bill to where some of the proponents are bringing forward amendments to the bill. So the debate has served a useful purpose, and I am very pleased with the able speeches that some of my colleagues have made in pointing out the deformities and imperfections in the bill.

Mr. NIVEN. Senator McCARTHY:

Senator McCARTHY. Well, certainly they have raised some questions about it. I don't think anyone really ever expected in the beginning in a bill of this kind that the Senate would pass it in the exact form in which it came from the House of Representatives. We may do that sometimes on a relatively simple bill dealing with a segment of the economy, a farm bill for example, which deals with a problem which has previously been considered. I do think, though, that the consideration has been orderly and that when we do come to the voting on it, as I hope we shall come to voting very soon, that Members of the Senate can honestly say that this has been thoroughly discussed. There will be an area of uncertainty and confusion because we are legislating in a very difficult area. This is the kind of problem which is not just a limited legal problem. It becomes a complicated social problem, and whenever you are forced to move into an area of that kind to legislate, there are bound to be some rather uncertain areas in which the law can never be as precise as we would like to have it be. I think that those of us who are for the bill are willing to take some chances on the side, perhaps, of going a little bit too far in the hope that the rights that we are concerned about will be fully protected. I am sure that there will be a willingness to—not just a willingness but a necessity—to give continuous surveillance to the operation of these laws and to the execution of them in the years ahead. If some of the abuses which at least have been indicated will arise from the bill do arise—I feel that most of them will never arise—but at that point we can certainly look to the law again.

Senator RUSSELL. Well, of course, it is a very complicated measure and it's poorly defined in many instances. It makes an offense of discrimination in several instances without undertaking to define what discrimination is and, as a rule where you are going to punish a man, as he could be put in jail for criminal contempt under this bill, you at least spell out just what is involved. I want to return just a minute to this proposition of its being a sectional bill because of the fact that the bill as originally sent up here had reference to correcting imbalance of races in the cities of the North and East as one of the methods of stopping segregation. Mr. McCULLOCH and those associated with him accepted an amendment that takes that out. Now all of these demonstrations that we have seen in New York City, Philadelphia, and in St. Louis and other areas are demonstrations against the imbalance in schools due to the ghetto system or the restricted areas in which the Negro populations of those cities reside. It would seem to me that if these people are in good faith and this is not a sectional bill, and they really desire to destroy—to kill—this dragon of discrimination or segregation, that they would restore that provision to this bill. They have the votes to do it. They can get some help out of the South. I would vote for it because I think if you are going to send the armies of the Federal Government into the South to integrate our schools, where we don't have this problem of imbalance due to residence, that the people of the North should be willing to face up to it and say that we are going to break down segregation through correcting imbalance. Now in some cases, the Princeton plan of busing the students has been applied, and I understand New York City is going to apply it in 20 of their numerous schools next fall, but we are moving forward on integrating our schools. It isn't being done enthusiastically nor cheerfully. It is being done because of the fact that our people realize that it's a grim necessity under the decision of the Supreme Court, but if they are to be confronted with that position it does seem to me it is unfair to build a shield around segregation in New York City, Chicago, and these other cities where the Negroes are demonstrating today against that particular kind of segregation by not going back to the original bill and restoring this authority to the Attorney General to correct any segregation brought about by imbalance in the schools.

Senator McCARTHY. Well, I begin to sound as if I were opposing the bill. I think though that in each of these cases such as you have defined where there is a movement either in the States or at the local level, it is accepted that these are not desirable conditions and relationships, and I think the movement will spread in areas where in fact you do have concentration of Negroes who consequently are concentrated in certain schools so that they will move at least in the establishment of new schools, as you have in the Cleveland situation at the present time, to establish them on the edge. In my city of St. Paul and the city of Minneapolis——

Senator RUSSELL. Pardon me, Senator, but the Negroes in Cleveland are bitterly resisting——

Senator McCARTHY. I know they are, sir.

Senator RUSSELL. These new schools, or the location of these new schools.

Senator McCARTHY. In our two cities it is not by any special design, I suppose, but the fact is that the Negroes are somewhat concentrated but it is not in a blocked off area. They tend to run out along two or three streets but this runs through areas of every kind and consequently insofar as schools are concerned, they move out from this area, which is three or four blocks in width, to go to schools which are along the edge or between them and the areas of the city which are more certainly populated by white people. We have had no difficulty, really, and I think this is the way it must go, plus the fact that in many of the northern cities the efforts are being made toward open occupancy in housing which will have the effect of breaking up the Negro ghettoes and consequently moving them into the areas where the schools are now white schools but will not remain so.

Senator RUSSELL. I don't think we could very well use Twin Cities of Minnesota as any fair test, though, Senator. It happens that your State has about the lowest percentage of Negro population in the United States, and the Twin Cities have the lowest Negro population of the first 50 large cities in the United States. The difficulties you have there would amount to nothing; there are so few of them that however you handle it, whether you bus them or whether you had them in separate schools——

Senator McCARTHY. This is true——

Senator RUSSELL. There aren't enough of them to cause any difficulty.

Senator McCARTHY. In terms of number. Well, we've had some difficulty——

Senator RUSSELL. I have 44 counties in my State where there are more Negroes than there are white people.

Senator McCARTHY. We have had some rather good experience there, too, I think, which can serve as a lasting example to the country in that our schools have been open to them and job opportunities have been open and our university has been open, and I suppose that we have the higher percentage of Negroes in professional positions—these are top professional positions—than we have the percentage of the white population.

Senator RUSSELL. You've had some awful good football players out of the South——

Senator McCARTHY. Well, we got some of those from North Carolina and places like that——

Mr. NIVEN. Gentlemen, let me intervene for just a moment. I wonder if we could revert to a discussion of something Senator RUSSELL brought up earlier—your strong feeling, Senator RUSSELL, that Northerners react differently to civil rights demonstrations in their own midst and in the South.

Senator RUSSELL. Well, there is no question about that. The police in the southern cities have handled these demonstrations in exactly the same way they have in the northern cities, but the southern policemen are all charged with police brutality. If a southern policeman had dared to have beaten a Negro man over the head with a club as a picture revealed was done in New York this week, why, they would have made a Federal case against him immediately for violating that man's civil rights. There has been a double standard in this matter, very unfortunately, and I think most any objective person who had studied it would agree that there has been one rule applied to our section as compared to others. I can understand why because we have a different historical background from what they have in New York.

Mr. NIVEN. Senator McCARTHY.

Senator McCARTHY. Well, I think what the Senator has said is true. There has been at least a difference in the standard and what he said earlier about the reassurance, if you might call them reassurances, being given to constituents in certain Northern States about how this bill would have no effect upon them on the grounds that they already had State public accommodation laws or State fair employment practices laws and laws covering the other areas of dispute. In many cases, these laws have not been very thoroughly enforced, and I do think that the passage of a Federal law which will put a backstop really behind the State laws and which will put pressure on State authorities, this would have the effect of tending to reduce the differences which may exist now in terms of a double standard both in the enforcement of the law and also this double standard in terms of attitude toward the problem, and that we will have the tendency to level this whole thing off across the Nation. I am hopeful that this will happen, and I do think it will.

Senator RUSSELL. Senator, of course this bill undertakes to preserve for the State FEPC agencies the powers that will be enforced by the Federal Government in the States that don't have it. And that is one of our complaints of that unfairness. The standards of enforcement have varied so widely throughout the Nation that in some States it's a joke. They really—they don't really amount to anything, and the statistics show that the percentage of unemployed Negroes in the States that have the

FEPC are much higher than in the Southern States where we don't have one. We have a higher percentage of our Negroes employed, and yet we are going to turn it over to the States and State boards in those States whereas they send an army of Federal investigators down to our States.

Senator McCarthy. But I think, Senator, there will be better enforcement. There will be a move to improve the laws in the States, and I do think that the real discrimination in employment, people who are qualified for jobs, in the North is more serious than the discrimination against Negroes on jobs in the South.

Mr. Niven. Our subject is, "Should the civil rights bill be passed?" One minute each for summation. First, Senator Russell.

Senator Russell. Well, I think that this bill is very dangerous to the future of this country. It vests much too great a power in appointive offices, it gives the Attorney General of the United States far greater authority over the lives and the businesses of our people than any President of the United States has ever had. It is unbalanced as to its effect on the several sections of the country. It doesn't even pretend to have concurrent enforcement as is the case with Federal criminal statutes where the laws of the State and the Federal Government both punish the same crime and, on an emotional binge we are threatening here the American way of life, the greatest system that man has ever devised, that has brought more happiness to more people than any other system ever known. It is completely unjustified by any state of facts that exists in this country today. (Bell.)

Mr. Niven. Senator McCarthy.

Senator McCarthy. Well, Paul, of course, I am in quite complete disagreement with this final evaluation made by Senator Russell. I think the bill is an attempt to put into statute what we have accepted in the Constitution since the beginning of the country; to put into statute certain rights which were involved in the Civil War and certain rights which of course the objection to, and the blocking of which, have been the cause for great unrest, particularly within recent years in the United States. I realize that the passage of the law will not eliminate the difficulties in the problem, but I think that the passage of the law, a Federal law, will be a giant step forward toward insuring the achievement of these rights and not just of the rights but of the perfection and the opportunity that come with these rights. At the same time it will do much to eliminate disagreement and difficulties and strife not only in the South—between Negroes in the South and whites in the South, and not only in the North between Negroes and whites—but I think it will have a great force toward making us one nation, North and South together. (Bell.)

Mr. Niven. Gentlemen, we are more than usually grateful to you both. Thank you, Senator Russell and Senator McCarthy for participating in CBS radio's civil rights debate.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. HILL. Mr. President, today we find ourselves fighting the same battle for individual liberty that we fought, most recently, in 1957 and 1960 in connection with so-called civil rights legislation, in 1914 in connection with the Clayton Act, in 1932 in connection with the Norris-La Guardia Act, and in 1959 in connection with the Landrum-Griffin Act—a battle that has a legislative history of some 135 years. This most recent threat to personal freedom, the Mansfield-Dirksen jury trial amendment, is presented to us under the banner of a compromise, a halfway meeting place between an absolute right guaranteed by the Constitution and no right at all as proposed by H.R. 7152.

I submit, Mr. President, that this proposal is not and cannot be regarded as a compromise. It is a partial treatment, a piecemeal offering to the American people of the principle of trial by jury and, as such, it is an abdication of that principle.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. HILL. I yield.

Mr. LONG of Louisiana. Would the Senator not agree that the so-called compromise is an attempt to strike a balance between right and wrong? Either a man has a right to be tried before a jury, or he has no right to be tried before a jury.

Mr. HILL. That is correct. There is no way to strike any balance between the two. If a citizen has that right and a part of that right is taken away, he has been denied a part of his right.

We cannot deny a right. It is an entity. A citizen either has it or does not have it. A compromise would mean that we would be denying the basic fundamental American right to American citizens that our forefathers thought they were guaranteeing in the Constitution of the United States.

Mr. LONG of Louisiana. Does the Senator realize that we have an Attorney General who has never tried a case before a jury, who is asking for a bill that would provide not only that a jury trial be dispensed with, but that the case be tried before a judge whom he recommended to go on the bench? Further, in the event that he had some doubt about winning the case before that judge, he could send for two additional judges whom he also had appointed.

Mr. HILL. That is correct. That is the provision in the bill, and it would be handled in that manner, as the bill came over from the House, and as it is now pending before the Senate.

Mr. LONG of Louisiana. Would not the Senator say that it demonstrates a lack of confidence of the Attorney General in his capacity, if he doubts his ability to win a case before a judge whom he put on the bench?

Mr. HILL. It would seem that way. It would seem that he should be willing to try a case before any judge whom he himself put on the bench.

Mr. LONG of Louisiana. Would it not seem fair that the bill should be amended so that the Attorney General could not bring in two additional judges to counteract a judge whom he recommended himself?

Mr. HILL. It would. There can be no just reason under our judicial system, under our practice, and under our precedents, for packing the court by bringing in additional judges.

Mr. LONG of Louisiana. Would it not seem fair that at least the Attorney General should have the experience of trying a case before a jury before he recommends that the jury system be eliminated?

Mr. HILL. Certainly. As I said to the Senator a few days ago, there is no teacher like experience. There is nothing we can learn quicker than from experience. Before anyone recommends the denial of this precious right of a trial by jury, he at least ought to have some experience and know what a trial by jury means.

Mr. LONG of Louisiana. If a man has never been tried before a jury, or never tried a case before a jury, would it not seem inappropriate for him to attempt to get rid of a jury before he knows what he is trying to get rid of?

Mr. HILL. That is correct.

Mr. KEATING. Mr. President, will the Senator yield at that point?

Mr. HILL. I yield.

Mr. KEATING. It would be an unusual lawyer who would have had experience in trying a contempt of court case before a jury. That practically never happens. So no one should be charged with lack of experience merely because he has not tried that kind of case.

Mr. HILL. That may be true. But so far as the practical side is concerned, so far as experience is concerned, so far as trying a case before a jury is concerned, it involves the same procedure, whether it is for criminal contempt or for some other crime.

Mr. KEATING. We are not here to try the experience of the Attorney General.

Mr. LONG of Louisiana. May I ask a further question?

Mr. HILL. I yield.

Mr. LONG of Louisiana. Would the Senator say it would be unusual for a lawyer never to have tried a case before a jury?

Mr. HILL. I should think so.

Mr. KEATING. It would be a very unusual lawyer who had ever tried a case involving a contempt of court action before a judge, because that does not happen in any State of the Union that I know of.

Mr. HILL. So far as trying a man for criminal contempt or for some other crime is concerned, there is no difference whatever. The question is whether he had had this experience, whether he had ever appeared before a jury to try a case before 12 lawful peers of the accused party in the case.

Mr. KEATING. The charge against the Attorney General, as I understand, is that he is trying to change a custom that has been in existence for a long time. What the bill provides has been the law of this Nation since its founding; namely, that a court can enforce its own mandates without a jury. Therefore, there is nothing unusual about it. Furthermore, we are not in this forum at this time trying the Attorney General of the United States.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LONG of Louisiana. Would it not be fair to suggest that in the event that what the accused is accused of doing is against the law, he should be tried before a jury for violating the law? Would it not be a fair compromise, in connection with what the Senator from New York is discussing, if a person is accused of violating the law, that he be required to have a jury trial?

Mr. HILL. Yes.

Mr. LONG of Louisiana. Would we not be willing to accept as a compromise that if what the man is accused of doing is against the law, he should be permitted to have a jury trial; but if the attempt is made to bypass a jury trial—and that is what the bill is designed to do—and deny the right of a trial by jury, he shall have the right to be tried before a jury? Is that not what we are talking about?

Mr. HILL. That is exactly the situation. Congress assured that right in connection with the Landrum-Griffin Act, and also in connection with the Norris-LaGuardia Act. Congress did it to make sure that the accused would have a jury trial.

Mr. LONG of Louisiana. Is it not a historical fact that labor felt it was being persecuted because the judges lived among rich people in society, and were putting the poor laboring people in jail for violating a court order which a judge had issued, knowing that a person in those circumstances would not have the right of trial by jury?

Mr. HILL. Yes. The conscience of the Nation was so aroused by this injustice imposed upon labor that Congress passed the Norris-LaGuardia Act.

Mr. LONG of Louisana. Was not one of the men who made that fight, and one of the sponsors of the bill, to give protection to a human being accused of violating a judge's injunction, a man named Fiorello LaGuardia, the great mayor of the city of New York, and a great Congressman prior to the time he became mayor of New York?

Mr. HILL. Yes.

Mr. KEATING. Now I agree with the Senator from Louisiana.

Mr. HILL. I served with him in the House.

Representative Fiorello LaGuardia later became mayor of New York. I sat in the House with him before he became mayor of New York. He was an able man. These are the things that motivated him to join one of the great giants in the Senate in the introduction of the Norris-LaGuardia Act, Senator Norris.

Mr. LONG of Louisiana. George Norris was also one of the greatest men who ever put his foot in this Chamber. Is that not correct?

Mr. HILL. I agree with the Senator.

I am categorically opposed to this strange proposal, or to any other such proposal which gives to the unfettered discretion of a Federal judge the power to determine whether a person shall or shall not be entitled to a trial by jury—the Constitution notwithstanding. I am opposed to this strange proposal that would reverse a legislative history of some 135 years' duration, in which the Congress has repeatedly expressed itself in favor of preserving and extending the right to trial by jury, as opposed to restricting it or abolishing it in the wake of powerful pressures arising out of the clamor and political issues of the day. The American people are innately contemptuous of despotic power, whether it be exercised by a king, a dictator, or a judge, and in previous debate on this subject of jury trial I have endeavored to review the reasons why.

When the Senate recessed on Thursday night a week ago, I was in the midst of reviewing the history of the right to trial by jury and how strongly those who founded this Nation felt about it as a vital and inherent part of our democracy and our American way of life.

In the two previous speeches I have made on this subject, I have endeavored to establish a dictionary from which we might more clearly understand and define the issue before us today. I have endeavored to examine and reexamine the question of right to trial by jury from several aspects, the leading two being the word usage of the day and the political climate and atmosphere of the time. While I have endeavored to present a legal and constitutional argument on the subject, it has of necessity become a historical one.

Since the days that the right to trial by jury was won by the English people and by the American colonists, many interpretations have been put on its meaning and much confusion has been centered around it. Indeed, such is the history and story of the Constitution itself; and to bring it into proper perspective, we need once again to examine the word usage and political thinking of the day from whence our Constitution came.

There is general agreement that trial by jury, as we know it today, had its origin in medieval England in the first century and a half of Norman rule, when William the Conqueror and his heirs sought to strengthen their hold on foreign land they had conquered. The Anglo-Saxon system of justice which William found in England at the time he conquered it had elements that foreshadowed the use of juries. The courts were actually presided over by a sheriff and 12 lords, called thanes, acting as judges. According to the law at that time, the lords swore that they would not accuse an innocent man and that they would conceal no crime. The manner of asserting innocence was for the accused to present 12 compurgators, who would swear together as to his good character and reputation. These two elements, combined with a reliance upon sworn witnesses and neighbors and upon open dealings in all such matters, presented the legal background upon which the Normans built a formal procedure.

As I have previously said, the first recorded signs of the jury trial were found in the postdays of Christ in the Roman Empire. It was found in the form of the sworn inquest, whereby the ruler sent out his agents to question people throughout the kingdom on any matter of government or administration in which he at the time might be interested. This was used by William the Conqueror as a means of recording properties with which, as I have said, he sought to strengthen his hold upon the foreign lands he had conquered.

The function of the jury as essentially a local factfinding board continued through the reign of Henry II, and was greatly expanded by him. Under Henry II, a jury was used as a means of indicting those who had violated the King's peace by robbery, thievery, murder, arson, or counterfeiting. The itinerant justices were assigned definite schedules in areas in which they were to try, in the King's name, all men accused by their neighbors of any of these misdeeds. Henry II also initiated three new actions whereby the decision of the jury would determine whether anyone had been wrongfully ousted from possession, and, if so, would reinstate him.

As we see, Mr. President, the jury was originally developed to supply evidence, on oath, as witnesses do today, and not to render a verdict. Insofar as the evidence supplied amounted to an indictment, the juries of that day amounted to what we would call today a grand jury. Until the 13th century, indictment by jury was followed by a trial by ordeal, battle, or compurgation. Eventually, many came to doubt the validity of ordeals and the church would not preside over them. Men became willing to accept the opinion of a second jury, a deciding jury. As a result of these factors, trial by jury became universal. Strangely enough, however, the common belief was that all men were entitled to God's verdict through ordeal, rather than being subjected to rely on mere human decisions, and trial by battle was not altogether abolished in England until the 19th century.

The greatest threat to jury trial in the Middle Ages was the decreasing strength of the kings who controlled the royal justice, for whenever a weak king came to the throne, the feudal nobles did not hesitate to bribe or threaten jurors flagrantly. Many kings, often handicapped by the need of noble support for foreign wars, did not have the power to check these feudal nobles or did not exercise it.

Mr. President, I have reviewed the long and bitter struggles by the people of England against the tyrannnical suppression, intimidation, and punishment that led to the wresting from King John at Runnymede in 1215 the right to trial by jury. I have pointed out that Thomas Jefferson and his contemporaries, who fashioned our Constitution, were a part of the history of this struggle by the English people to secure and preserve such basic legal safeguards as the right to trial by jury and the right to confront and cross-examine witnesses.

I have pointed out that by experience—the best teacher known to man—Jefferson and his contemporaries knew that these basic safeguards were the best security of a people against governmental oppression, that trial by jury, as Mr. Jefferson put it was, "the only anchor by which a government can be held to the principles of its constitution."

They knew of Chief Justice Jeffreys, the "hanging judge," and they were familiar with the history of the Court of Star Chamber.

They knew that it was the Court of Star Chamber that convicted and took the heads of Sir Walter Raleigh and Sir Thomas More, with procedures and "evidence" that no court today would allow.

It was this tyrannical suppression and judicial abuse that was one of the prime causes of the Revolutionary War and which led to the Declaration of Independence and the founding of this Nation.

Mr. President, as I have said, the Founding Fathers knew so well the efforts by tyrannical kings, subservient parliaments and star chambers to deny the English people their legal safeguards and their legal rights. They knew that tyrants on the bench could be as dangerous as tyrants on the throne. And because of this tyranny, they and their ancestors fled England for a new place, for a place called America, for a new way of life, for a way of life that would give them the rights and safeguards they were denied in the mother country. Indeed, our Declaration of Independence proclaims as one of the reasons for the separation from the mother country the deprivation of certain rights and safeguards, and specifically lists the deprivation of right to trial by jury.

Mr. SMATHERS. Mr. President, will the Senate yield that I may ask a question at that point?

Mr. HILL. I yield to the Senator from Florida for a question.

Mr. SMATHERS. The able and distinguished senior Senator from Alabama has read and expressed very well the history of the right of trial by jury, and described how difficult it was to obtain that right; then after the people had obtained it, how precious it was to every citizen who fled from England to this country, and how precious it was in the minds of the authors of the Constitution to our system of government. Does it not shock the sensibilities of the Senator from Alabama to observe how casually the proponents of the so-called civil rights legislation are willing to give away the right of trial by jury, which was gained with so such difficulty and over such a long period of time?

Mr. HILL. It not only shocks the sensibilities of the Senator from Alabama, but also it is almost incredulous. It is difficult to believe that men in this year and day would think about denying to American people that right for which there was so much struggle, so much bloodshed, so much suffering, and so many labors poured out down through the centuries. Our forefathers finally obtained it in the Constitution of the United States. When the provision was put into the Constitution, they had every intention that defendants in all criminal trials should have the right of trial by jury.

When they went further and insisted that the sixth and seventh amendments should be added as a part of the Bill of Rights to the Constitution, they again reiterated the absolute right of trial by jury in all criminal cases and the right of trial by jury in all civil cases in which the amount involved was $20 or more.

Mr. SMATHERS. The Senator has noted the efforts of the proponents of the measure and other Members of the Congress to give away quickly and cavalierly the protection of the right of trial by jury so arduously fought for by our forefathers and forebears and finally written into the Constitution. Does it not give the Senator concern that the day may arrive when possibly, because of momentary passions in the Nation, someone may wish to take away the right of the people to religious freedom? I make that statement because the denial of that right, too, was one of the reasons why our forebears left England and came to this country. The right of freedom of religious worship was guaranteed by the Constitution of the United States. If the proponents of the so-called civil rights measure can totally ignore the history of the right of trial by jury and the desire of American people to have that protection, the day may come, may it not, when it may be opportune for the majority on the floor of the Senate to say, at least temporarily, "We shall give up another of the constitutional rights for which those people fought—namely the right of freedom of religious worship"?

Mr. HILL. The Senator is correct. Once one of the main supports or pillars of a great structure is pulled down, what happens next? Soon all the other pillars go down. It was with the very thought in mind which the Senator from Florida has so well expressed that the Founding Fathers wrote into the Constitution the right to trial by jury. Before the Senator from Florida, the Senator from Alabama, and any other Senator who occupies one of these desks could become Senators of the United States, all had to take an oath to uphold and defend the Constitution of the United States. As the Senator has said, once we pull down one of the fundamental pillars of the Constitution of the United States, we open wide the door and, in a way, extend an invitation to pull down other great pillars of the Constitution. Soon there would be no Constitution. When that occurs, the liberties and freedom of the people of the United States will be gone.

Mr. SMATHERS. Does not the Senator agree that the history of most other countries that had free and democratic government reveals that invariably the way they all started down the road toward authoritarian government and dictatorship was that in a moment of expediency and great passion, and in order to satisfy a whim of the moment, they began to take away basic rights of individual citizens in order to answer the needs of the so-called majority; and when they started doing that, they finally began to destroy the pillars and, as the Senator has said, finally brought the whole house of freedom toppling down on them.

Mr. HILL. I am sure the distinguished Senator has read the book by William H. Shirer, "The Rise and Fall of the Third Reich," the story of how Hitler came to power, how the Parliament took rights away from the people and gave them to Hitler. First one right was taken away, then another and another, until all the rights were taken away, and he became the supreme tyrant of the German people and led them to the tragic holocaust of World War II, a tragedy from which they suffer today, as the Senator knows.

Mr. SMATHERS. Is it not a fact that in that same Third Reich even the parliamentary body, which had been elected to office, succumbed to pressure from Hitler and his group, and his propaganda so that they even voted themselves out of existence?

Mr. HILL. Yes; and they were elected by the people, just as Senators in this country are elected by the people. The purpose of being elected is to have the people represented in the Senate make sure the Constitution is upheld and preserved and to make sure that the full integrity and the rights and freedoms and liberties of the people under the Constitution are preserved.

Mr. SMATHERS. Is it not a fact that if we support the civil rights bill as presently drafted, without giving the people who may run afoul of its provisions the right of trial by jury, in truth and in fact we shall be not only destroying the basic privileges guaranteed to individual citizens by the Constitution but not doing our duty, and turning away from the oath we took when we stood in front of this Chamber and swore to uphold and defend the provisions of the Constitution, one of which is that all citizens in criminal cases shall be entitled to the right of trial by jury?

Yet here we sit, under pressure from certain groups and propaganda throughout the country, until almost a majority are willing to vote to do away with a basic right which Senators swore to uphold and defend when they took their oath of office. Does the Senator agree with that statement?

Mr. HILL. I agree wholeheartedly. I reiterate what Jefferson said when he declared that the only anchor by which a government can be held to the principles of free government is the right of trial by jury. He also declared, "trust no man. Bind all men by the chains of the Constitution." What he meant was to bind them so that they would uphold and defend, whatever the cost, whatever the reason, the Constitution in its full integrity, safeguarding, and preserving to the people the rights, freedoms, and liberties guaranteed to them by the Constitution.

Mr. SMATHERS. I commend the able Senator from Alabama for the excellent speech which he is making. It is unfortunate, it seems to me, that more people do not have the opportunity to hear him, because the arguments he makes are absolutely unanswerable. The logic with which he is speaking today is irresistible. I do not believe any Senator could listen to the argument made by the Senator from Alabama and say, in good conscience, that what he has said is not true and correct.

I cannot help feeling that if the American people had a better opportunity to hear the eloquent arguments of the Senator from Alabama, there would be a great hue and cry throughout the land that the guaranteed right of trial by jury be written into the proposed legislation, as the Senator from Alabama has urged.

I noted yesterday that the able Senator from Connecticut, in talking about press reports on the civil rights legislation, was candid enough to say that 80 percent of the stories issued were on the favorable side, that of the proponents of the civil rights bill, and 20 percent, according to his view—in my view it is not even 5 percent—tell about the arguments against the civil rights legislation, and particularly the argument against the provisions as presently drawn.

If there were a more widespread dissemination of the arguments being made by the Senator from Alabama, which are perfectly logical, I am convinced that the American people would write their Senators and say, "We want you to stand with the Senator from Alabama, and not go against him."

I commend the Senator for the argument which he is making.

Mr. HILL. I thank the distinguished Senator from Florida for his most generous words. I appreciate them deeply. Like him, I very much deplore the fact that the press of the country, the great publications of the country, and the great radio and television stations, do not carry more of the facts about the so-called civil rights bill, and do not give to the people of America a picture of what the bill really is and what it would mean so far as their individual rights and liberties are concerned. If the American people could know today what is in the bill, and what would be embodied by the passage of the bill, how their rights would be infringed upon, and how many of their rights would be undermined and denied, there would be an overwhelming voice rising, demanding defeat of the bill.

Mr. SMATHERS. Mr. President, will the Senator yield for a question, without losing his rights to the floor?

Mr. HILL. I yield.

Mr. SMATHERS. Does the Senator agree that the only logical and fair conclusion that can be drawn from the results of the election in Maryland Tuesday are that the more the people learn what is in the civil rights bill—and it makes no difference where they come from or what their business is—the less they like it?

It is somewhat amusing to me to read in the press, as I did in today's Wall Street Journal, the attempts to explain away the fantastically large vote the Governor from Alabama received against all kinds of odds, despite the fact that many of the radio and press media were against him, and despite the fact that he was hooted and put upon wherever he appeared, despite the fact that his radio and television time did not approach what was used by Senator BREWSTER, who was the stand-in and who was taking the position that he was for the civil rights legislation. Despite all these facts, the Governor of Alabama was able to get 43 percent of the vote. The Wall Street Journal said that fact could be accounted for as a general reaction against the Governor's income tax program in Maryland.

How they can believe that it did not have to do with the question of civil rights, as it was pinpointed in Maryland, I do not know; but this is how the great newspapers are trying to explain it away. They are giving every reason except the right reason—which is that when the American people are given an opportunity to understand what it is all about, they can decide whether or not they want a government which has respect for them and their rights and allows them to use their property as they wish, to hire whomever they wish to hire; and to maintain the seniority system in labor unions. They do not want a Federal agency to tell them whom they may fire and hire and do away with their right of seniority.

I cannot but be amused when my colleagues say that they cannot help believing that the result of the primary election in Maryland was due to the distortions which had been published about the bill. It is strange to me how there could be distortions when 10 Senators went to the aid of the attractive Senator from Maryland and explained at great length what was in the bill. The majority whip, who was talking about distortions, went over there three or four times, and was on television at least five different times. If there were distortions left after he was through, I am afraid they only bespoke the ineffectiveness of his presentation, or else—as I believe is the fact—the people of Maryland really saw the threat comprised in the civil rights bill, and they want no part of it.

Does the able Senator from Alabama believe that, given time and opportunity to know what is in the bill, and given the opportunity to vote for or against it, the people of the country would vote overwhelmingly against this particular bill?

Mr. HILL. If the people were to know just what the bill would do, what the facts are, what the provisions are, how its provisions would affect them, and affect the economic and social life of our country, how it would affect the freedom and liberty of our people, there would be no doubt that there would be an overwhelming vote of opposition against the bill.

It has been charged that the people were brainwashed by the opposition to the bill. Whatever brainwashing there has been has been done by the proponents of the bill. Whenever the people have learned the facts clearly and definitely, they have acted in opposition to the bill. Any brainwashing that has taken place has been brainwashing in favor of the bill, because the facts have not been disclosed, and something which is not true has been presented as the facts. When the true facts are known, the people have risen up in opposition to the bill.

Mr. President, the truth, as we know, is that when our forefathers signed and proclaimed the Declaration of Independence, they set out, as one of the main reasons for their separation from the mother country, the deprivation of certain rights and safeguards such as we have been discussing this afternoon. They specifically listed the deprivation of the right of trial by jury.

After declaring independence from the tyranny of the motherland, the colonists then proceeded to give thought and study to a blueprint for the new way of life they had chosen, a blueprint for democracy, a written constitution to guide them in their fortunes and destinies.

The Constitution was framed after 30 years of colonial and national ferment and political experiment, during which every intelligent American had become a student of government. As a result, the Constitutional Convention brought together the best informed group of statesmen that ever was assembled by democratic processes in the world's history. These men were not afraid of drastic change. Many of them had attended the first Continental Congress that adopted the Declaration of October 14, 1774, denouncing this action of the British Parliament on the ground that American colonists were entitled to the privilege of being tried by their peers according to the course of the law.

When the drawn Constitution reached the Virginia Ratifying Convention, Patrick Henry opposed ratification. He felt that even with the safeguards incorporated in the Constitution, it still infringed on the individual rights of the people and on the sovereignty of the individual and respective States. And there was opposition elsewhere in other ratifying conventions regarding the assurance and written guarantee of certain basic rights, which many felt had been omitted from the Constitution or were not strongly enough protected and assured in the Constitution. This led to the Bill of Rights, the first 10 amendments to the Constitution, and a gentlemen's agreement that it would be the first order of business of the First Congress after the Constitution was ratified. Indeed, if there had been no such agreement to give us the Bill of Rights, there would have been no Constitution.

The sixth amendment in the Bill of Rights, which as I have said was a condition precedent to the adoption of the Constitution, provides for trial by jury, but the authors of that document enshrined the guarantee in the body of the Constitution itself. It became section 2 of article III of the Constitution, and it cannot be read too often in this day of clamor and expediency as a reminder of the blood and sweat and toil with which the Constitution was written. I read it again at this time:

> The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; to all cases affecting Ambassadors, other public Ministers and Consuls; to all Cases of Admiralty and maritime Jurisdiction; to Controversies to which the United States shall be a Party; to Controversies between two or more States, between a State and Citizens of another State, between Citizens of different States, between Citizens of the same State claiming lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

> In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.
>
> The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

But, even with this language in the body of the Constitution in the first instance, the people insisted that it be included as a part of the Bill of Rights and, as I have said, before the Constitution could be ratified, this had to be agreed to. This is how strongly they felt about jury trial.

Even Alexander Hamilton, who as we know advocated a strong Central Government, defended the right to trial by jury and he knew that its omission could prevent the ratification of the Constitution. In No. 83 of the Federalist papers, Mr. Hamilton discussed the question of trial by jury and how much it meant in the Convention debates and agreements to the Constitution. Hamilton stated that the objection to the plan of the Constitutional Convention that met with the most occasion in his own home State related to the lack of a constitutional provision for jury trial in civil cases. He stated that the mere silence of the Constitution in regard to civil cases had been represented as an abolition of trial by jury on the surmise that, "a thing which is not provided for is entirely abolished."

Mr. President, I want to emphasize that we are talking about the concern at the time of the drafting and adopting of the Constitution over the omission of language in the document guaranteeing trial by jury in civil cases.

Hamilton continued:

> Every man of discernment must at once perceive the wide difference between silence and abolition. The rules of legal interpretation are rules of commonsense, adopted by the courts in the construction of the laws. The true test, therefore, of a just application of them, is its conformity to the source from which they are derived. This being the case, let me ask if it is consistent with commonsense to suppose, that a provision obliging the legislative power to commit the trial of criminal cases to juries is a privation of its right to authorize or permit that mode of trial in other cases? Is it natural to suppose that a command to do one thing is a prohibition to the doing of another, which there was a previous power to do, and which is not incompatible with the thing commanded to be done? If such a supposition would be unnatural and unreasonable, it cannot be rational to maintain, that an injunction of the trial by jury, in certain cases, is an interdiction of it in others.
>
> A power to constitute courts, is a power to prescribe the mode of trial, and consequently, if nothing was said in the Constitution on the subject of juries, the legislature would be at liberty either to adopt that institution, or to let it alone. This discretion, in regard to criminal causes, is abridged by an express injunction; but it is left at large in relation to civil causes, for the very reason that there is total silence on the subject. The specification of an obligation to try all criminal causes in a particular mode, excludes indeed the obligation of employing the same mode in civil causes, but does not abridge the power of the legislature to appoint that mode, if it should be thought proper. The pretense, therefore, that the national legislature would not be at liberty to submit all the civil causes of Federal cognizance to the determination of juries is a pretense destitute of all foundation.

Applying this maxim specifically to the Constitution, Hamilton went on to say:

> It must appear unquestionably true, that trial by jury is in no case abolished by the proposed Constitution; and it is equally true, that in those controversies between individuals in which the great body of the people are likely to be interested, that institution will remain precisely in the situation in which it is placed by the State constitutions. The foundation of this assertion is that the national judiciary will have no cognizance of them, and, of course, they will remain determinable as heretofore by the State courts only, and in the manner which the State constitutions and laws prescribe.

Alexander Hamilton was discussing the attitude of the authors of our Constitution toward jury trials, and if there is any question how they felt about it, it is certainly made clear in the following statement by Hamilton in his Federalist paper, that:

> The friends and adversaries of the plan of the Convention, if they agree in nothing else, concur at least in the value they set upon the trial by jury. Or, if there is any difference between them, it consists in this: the former regard it as a valuable safeguard to liberty, the latter represent it as the very palladium of free government. For my own part, the more the operation of the institution has fallen under my observation, the more reason I have discovered for holding it in high estimation; and it would be altogether superfluous to examine to what extent it deserves to be esteemed useful or essential in a representative republic, or how much more merit it may be entitled to as a defense against the oppressions of an hereditary monarch, than as a barrier to the tyranny of popular magistrates in a popular government. Discussions of this kind would be more curious than beneficial, as all are satisfied of the utility of the institution, and of its friendly aspect to liberty.

Mr. President, I have been talking about the Bill of Rights, the first 10 amendments, which are a part of our Constitution. There can be no question of their meaning and of their intent.

The sixth amendment to the Constitution of the United States provides that:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

The seventh amendment to the Constitution provides that:

> In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

In other words, if the value is $20.01, the right of jury trial is preserved.

So, we see, Mr. President, how conscious those who authored and ratified our Constitution and brought this government of laws into being were of trial by jury. Thomas Jefferson referred to it as "the only anchor ever yet imagined by man by which a government can be held to the principles of its constitution." We find trial by jury in at least three places in the Constitution with reference to petit juries, and we find it elsewhere with reference to grand juries.

As we see, Mr. President, the philosophy underlying trial by jury is fundamental to our Anglo-Saxon concept of human liberty and is one of the foundations on which this Nation was built. Jefferson called it a "sacred palladium of liberty." Churchill says it makes the difference between bond and free.

Some of the greatest statements ever struck off by pen by the intellectual giants of our legal history concern this right of trial by jury.

In his "Commentaries on the Constitution of the United States," Justice Story included comments of his own regarding the rights to trial by jury and its relation to the Constitution.

Mr. Justice Story said:

> It seems hardly necessary in this place to expatiate upon the antiquity, or importance of the trial by jury in criminal cases. It was from very early times insisted on by our ancestors in the parent country, as the great bulwark of their civil and political liberties, and watched with an unceasing jealousy and solicitude. The right constitutes the fundamental articles of Magna Carta, in which it is declared, no man shall be arrested, nor imprisoned, nor banished, nor deprived of life, etc., but by the judgment of his peers, or by the law of the land.
>
> When our more immediate ancestors removed to America, they brought his great privilege with them, as their birthright and inheritance, as a part of that admirable common law, which had fenced round, and interposed barriers on every side against the approaches of arbitrary power. It is now incorporated into all our State constitutions, as a fundamental right; and the Constitution of the United States would have been justly obnoxious to the most conclusive objection, if it had not recognized, and confirmed it in the most solemn terms.
>
> The great object of a trial by jury in criminal cases is to guard against a spirit of oppression and tyranny on the part of rulers, and against spirit of violence and vindictiveness on the part of the people. * * * So long, indeed, as this palladium remains sacred and inviolable, the liberties of a free government cannot wholly fall.

Mr. Justice Story in his "Commentaries," recalled that in accordance with the agreement entered into, Congress at its first session, proposed an amendment which was ratified by the people and is now incorporated into the Constitution, providing that:

> In suits at common law, where the value in controversy shall exceed $20, the right of a trial by jury shall be preserved. And no fact tried by a jury shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

We will recall, and as Mr. Justice Story comments, this amendment struck down a major objection to ratification of the

Constitution and secured the right of trial by jury in civil cases, "in the fullest latitude of the common law."

Said Mr. Justice Story:

> Still, it is a most important and valuable amendment; and places upon the high ground of constitutional right the inestimable privilege of a trial by jury in civil cases, a privilege scarcely inferior to that in criminal cases, which is conceded by all to be essential to political and civil liberty.

Those statements are so applicable to our present situation, Mr. President, that I shall quote one final passage from Story's "Commentaries," in which he said:

> It is observable, that the trial of all crimes is not only to be by jury, but to be held in the State where they are committed. The object of this clause is to secure the party accused from being dragged to a trial in some distant State away from his friends, and witnesses, and neighborhood; and thus to be subjected to the verdict of mere strangers, who may feel no common sympathy, or who may even cherish animosities, or prejudices against him. Besides this; a trial in a distant State or Territory might subject the party to the most oppressive expenses, or perhaps even to the inability of procuring the proper witnesses to establish his innocence. There is little danger, indeed, that Congress would ever exert their power in such an oppressive, and unjustifiable manner. But upon a subject, so vital to the security of the citizens, it was fit to leave as little as possible to mere discretion.
>
> But, although this provision of a trial by jury in criminal cases is thus constitutionally preserved to all citizens, the jealousies and alarms of the opponents of the Constitution were not quieted. They insisted that a Bill of Rights was indispensable upon other subjects, and that upon this, further auxiliary rights ought to have been secured. These objections found their way into the State conventions, and were urged with great zeal against the Constitution. They did not, however, prevent the adoption of that instrument. But they produced such a strong effect upon the public mind, that Congress, immediately after their first meeting, proposed certain amendments, embracing all the suggestions, which appeared of most force; and these amendments were ratified by the several States, and are now become a part of the Constitution.

Mr. President, Mr. Justice Story regarded as "slight" the danger that the Congress would exert power in an oppressive way and in an unjustifiable manner to deprive citizens of their right to trial by jury and to drag a man to trial away from his home and away from his friends and witnesses. I regret that this danger, which Mr. Justice Story regarded as slight, now seems most imminent. For this is exactly what the amendment before us and the bill (H.R. 7152) before us would do if enacted in the image of its authors and its proponents. It is against this danger that Mr. Justice Story cited that I am warning when I state my opposition to the bill and to any amendment to any part of it that either abolishes, limits, or denies the right to trial by jury. Thomas Jefferson so wisely and rightly—and now so prophetically—declared that he had no right at all which another had a right to take away from him.

I have endeavored to review the history of the question of trial by jury that we might reflect on its heritage and the indispensable part it has played in the making of our democracy and in the making of our Nation, in our liberty, and in our freedom. I sometimes find that memories are short, and we also find them so in more contemporary happenings. In more recent times, certainly since the beginning of this century, we have found in this country that the principle of trial by jury has been abused by the injunctive process and has undergone many legislative and judicial changes. In my last speech in behalf of right to trial by jury I traced this history in some detail. I shall not endeavor to do so today, but inasmuch as the injunctive process played such an important part in leading to legislation that now by way of statute is involved in this present debate, I think it well to discuss the amendment before us to review briefly the abuses of the injuctive process, and there is no way to do so without historically tracing it to labor, which for so many years was on the other end, the oppressive end, of the injunction.

This led to the Clayton Act and to the Norris-La Guardia Act. It affected the Landrum-Griffin Act. The Clayton Act and the Norris-La Guardia Act were codified into sections of title 18, U.S. Code, and this is directly involved and in point with the amendment before us and the debate in which we are involved. Let us back up a minute and see how they came to be a part of title 18. This is history we should review before rushing headlong on to turn back the clock of time.

In 1911, before passage of the Clayton Act or any thought of any Norris-La Guardia legislation, Samuel Gompers, the pioneer and towering leader in the American labor movement, declared:

> Modern American courts assume the right to issue injunctions interfering with the personal rights of men in exercising free speech, free press, peaceable assemblage, and in their personal relationship with each other. The right of free speech, free press, and peaceable assemblage are specifically guaranteed by the Constitution. They are the fundamental safeguards of a free people, which neither court, king, nor cajolery should be permitted to destroy. The personal relationship between man and man comes clearly within the jurisdiction of the law courts and has no place in the courts of equity unless on the assumption of the court that man is property, an assumption repugnant to the sense of all civilized communities and specifically forbidden by the 13th amendment to the Constitution of the United States. Our contention is that when an injunction is issued in a labor dispute, irreparable injury is done to the parties involved and to the cause of labor, which no court can compute and no bond can indemnify.

Mr. Gompers was concerned about the courts acting without a jury. He feared the injunctive process because it deprived him of a jury trial. As we all know, he might well have been concerned.

In the Gompers case the employees of the Bucks Stove & Range Co. were striking for better working conditions. The company made application for and obtained an injunction issued by a Federal court of the District of Columbia, which undertook to repress the demands of the striking employees. Gompers was cited for contempt of court and for disobedience of the injunction, because he had truthfully stated orally and in print that no law compelled anyone to buy a stove manufactured by the Bucks Stove & Range Co. A Federal judge, sitting without a jury, found Gompers guilty of contempt and sentenced him to jail, thus denying him his constitutional guarantee of freedom of speech and freedom of press, and a trial by jury impartially selected.

The almost unrestrained use of the injunctive and contempt processes by the Federal judiciary in cases involving labor disputes led to the enactment in 1914 of a section of the Clayton Act which attempted to extend the right of trial by jury in proceedings to punish violations of injunctions which were indirect contempts of court—that is, contempts committed outside the presence of the court. This section of the Clayton Act was recodified as sections 402 and 3691 of title 18 of the United States Code.

But the provisions of the Clayton Act were limited in the granting of a jury trial in contempt cases to those instances in which private parties were involved in litigation. An exclusion was provided in cases to which the Government of the United States was a party. It remained for Congress, some 20 years later, to make an exception in this area where trial by jury was denied in cases of contempt.

When the Clayton Act was being considered, certain Senators of the day, led by such giants as Senator Borah, of Idaho, Senator Norris, of Nebraska, Senator Walsh, of Montana, and Senator Reed, of Missouri, favored extending the right of trial by jury to all persons charged with indirect contempts arising out of alleged violations of injunctions. We see how much at point this amendment was with the amendment as originally offered by the distinguished Senator from Georgia [Mr. TALMADGE] before the introduction of the limiting and restricting so-called jury trial amendment offered by the Senator from Illinois [Mr. DIRKSEN] and the Senator from Montana [Mr. MANSFIELD], now before us.

The Borah amendment failed to pass by the narrow margin of three votes, and the Clayton Act did not suffice to end many of the abuses of the injunctive and contempt processes in labor-management disputes. This was due in large part to the failure of the amendment to extend the benefits of jury trials and limited punishments to persons charged with indirect contempts based on supposed violations of injunctions issued in actions brought in the name of, or on behalf of, the United States, and to persons charged with indirect contempts based on supposed violations of injunctions enjoining acts themselves not illegal under Federal or State laws.

Following the enactment of the Clayton Act, there came a series of court decisions which restricted the application of the jury-trial provision in contempt cases involving labor disputes. These cases prompted the late Representative

Fiorello H. La Guardia, of New York, and the late Senator Norris, of Nebraska, coauthors of the Norris-La Guardia Act, to charge that the courts were manned by politically appointed judges who had emasculated the Clayton Act.

There followed in the wake of the judicial emasculation of the Clayton Act a concerted demand by labor for enactment of a law guaranteeing the right of trial by jury in cases involving labor disputes. For many years, advocates of the right of trial by jury fought hard to secure the enactment of legislation which would place some limitation on the judicial despotism that had been running rampant for decades, that grievously injured labor, and that had written shameful pages in the annals of the American judiciary.

The clamor arising from the social conscience of the Nation demanded reform and in 1932 the Norris-La Guardia Act was passed. One of the salient provisions of this act is now embodied in section 3692 of title 18 of the United States Code.

In the case of *Michaelson* v. *United States* (266 U.S. 42), Justice Sutherland, in delivering the opinion of the Court, had this to say further regarding trial by jury. It is certainly appropriate to the criminal contempt question involved in the amendments we are debating. Justice Sutherland stated:

> The simple question presented is whether Congress may require a trial by jury upon the demand of the accused in an independent proceeding at law for a criminal contempt which is also a crime. In criminal contempts, as in criminal cases, the presumption of innocence obtains. Proof of guilt must be beyond reasonable doubt and the defendant may not be compelled to be a witness against himself. (*Gompers* v. *Bucks Stove and Range Co.* (221 U.S. 418).) The fundamental characteristics of both are the same. Contempts of the kind within the terms of the statute partake of the nature of crimes in all essential particulars. "So truly are they crimes that it seems to be proved that in the early law they were punished only by the usual criminal procedure."

This, of course, means trial by jury.

The Court further states:

> The statutory extension of this constitutional right to a class of contempts which are properly described as criminal offenses does not, in our opinion, invade the powers of the courts as intended by the Constitution or violate that instrument in any other way.

In recent years the judiciary has evinced growing and thoughtful concern for the preservation and strengthening of the right to trial by jury. It has voiced admonitions against those who would recklessly abandon such constitutional guarantees.

I think it significant to point out and to emphasize that these opinions go much further than the Talmadge jury trial amendment, which would be watered down by the Mansfield-Dirksen amendment, first, because they state that an accused has a constitutional right to a jury trial in a contempt proceeding, whereas the Talmadge amendment seeks to provide a statutory right to trial by jury; and, second, the opinions I quoted extend the constitutional right of trial by jury to cases of direct criminal contempt, whereas the Talmadge amendment would extend this cherished right only to cases involving indirect criminal contempt. So we see, Mr. President, that while a strong effort is being made to dilute the proposal contained in the Talmadge amendment, recent judicial expressions have strongly favored strengthening the proposition contained in this proposal.

Mr. President, I submit that the constitutional declaration "the trial of all crimes shall be by jury" does possess the vigor and the intent and meaning attributed to it by the founders of our Government, and that, in consequence, it necessarily invalidates, by implication, any proposal or effort to deny Americans their right of trial by jury by extending to the criminal field the injunction and contempt processes of equity.

If our Founding Fathers had meant that the right of trial by jury should depend upon the benign generosity of a politically appointed Federal judge, I believe they would have so specified in the Constitution and the Bill of Rights.

The Congress, by conditioning the right of trial by jury and by placing a dollars-and-cents premium upon its exercise, would violate the constitutional prohibition against the enactment of laws respecting the enjoyment of rights enumerated in the Bill of Rights.

If our Founding Fathers had felt that it was constitutional for politically appointed Federal judges to imprison American citizens for 45 days and fine them $300 on their own arbitrary motions, they would have so provided in the Constitution and the Bill of Rights.

If there can be conferred upon Federal courts power to suppress crime in the civil rights field by injunction and contempt proceedings in trials without juries, there is no reason why there cannot also be conferred upon such courts power to suppress, in like manner, any and all crimes. I have cited the dangers and the overwhelming authority, both judicial and otherwise, for the right to trial by jury. I should like to cite a further authority, because of the excellence of it, before concluding this phase of my remarks. I refer to an article by Judge Henry Clay Caldwell, which appeared in the American Federationist for May 1910:

> These mandatory provisions of the Constitution are not obsolete, and are not to be evaded or nullified by mustering against them a little horde of equity maxims and obsolete precedents which had their origin in a monarchical government having no written constitution. No reasoning and no precedents can avail to deprive the citizen accused of crime of his right to a jury trial guaranteed to him by the provisions of the Constitution, "except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war, or of public danger." These exceptions serve to emphasize the right and to demonstrate that it is absolute and unqualified both in criminal and civil suits, save in the excepted cases. These constitutional guarantees are not to be swept aside by an equitable invention which turns crime into a contempt and confers on a judge the power to frame an extended criminal code of his own, making innocent acts crimes punishable by fine or imprisonment without limit, at his discretion.

Mr. President, the question before us is a simple one. It resolves itself to this: whether we want to preserve the right of trial by jury for the American people, whether we want to give them a piece, a particle, of the right to trial by jury, or whether we want to destroy the right altogether.

The answer for me is as simple as the question. There is no middle ground when it comes to basic rights and fundamental truths.

If a thing is right, it is right and must be recognized as such. If a thing is wrong, it is wrong and must be recognized as such.

This is true of the right of Americans to trial by jury.

This right either is fundamental or it is not.

This right either is guaranteed by the Constitution or it is not.

This right either is inalienable with the individual or it is not.

I, for one, Mr. President, will not be a party to destroying in one fell swoop centuries of judicial progress and reform won at the expense of human toil, human suffering, and human lives.

I, for one, Mr. President, will not be a party to forcing upon an unsuspecting populace legislation which has its origin and its inspiration in the Dark Ages.

I, for one, Mr. President, will not be a party to turning back the hands of time to the infamous days of the star chamber, to the days of the witch hunts and of the inquisitions, to the days of hanging by the ears at the pillory, of humiliation at the stocks.

I, for one, Mr. President, will not be a party to returning the American people and our judicial system to the oppressive days of the Stamp Act and Sugar Act in the Colonies.

I, for one, Mr. President, will not be a party to the undermining and destroying of the Constitution of the United States and the Bill of Rights and of the precious rights and guarantees embodied therein.

At this crucial hour I think it appropriate to recall the words of a great Tennessean, a U.S. Senator, a President of the United States, a giant among defenders of our Constitution, President Andrew Johnson. He spoke these words in one of this Nation's darkest hours, when he stood as a shield to protect every American, turning back the assaults and attacks of impassioned fanatics who would have destroyed the fundamental rights of our people and laid waste to the very institution which gave them sanctuary.

President Johnson impleaded:

> Let us enforce the Constitution * * * I tell the opponents of this Government, and I care not from what quarter they come—East or West, North, or South—you that are engaged in the work of breaking up this Government are mistaken. The Constitution and the principles of free government are deeply rooted in the American heart.
>
> I intend to stand by the Constitution as the chief ark of safety, as the palladium of our civil and religious liberty. Yes, let us cling to it as the mariner clings to the last plank when the night and tempest close around him.

Thomas Jefferson referred to the right to trial by jury as "a sacred palladium of liberty," he considered it the "only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution."

I suggest that we hold fast to that anchor—to those principles of the Constitution—so that the rights, the liberties and the freedoms of the people of America may be preserved.

During the delivery of Mr. Hill's speech,

Mr. BYRD of West Virginia. Mr. President, will the distinguished Senator from Alabama yield?

Mr. HILL. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from West Virginia without in any way losing my right to the floor and with the understanding that the remarks of the Senator from West Virginia will follow mine in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUALIFICATIONS OF VOTERS

Mr. BYRD of West Virginia. Mr. President, in discussing the civil rights bill, there are certain cardinal principles which should be kept in mind among which are these: First, Congress is a body which possesses only those limited powers traceable to the Constitution; second, the Supreme Court gives a presumption of constitutionality to any law passed by Congress, and for a Senator to eschew the responsibility of consideration of the constitutionality of legislation would be to deny the very premise of constitutional presumption, to wit, that the Court can presume constitutionality because the Congress itself has fully considered the constitutional issues involved. Beginning, then, with these two cardinal precepts, I deem it my duty as a Senator to consider not only the wisdom and enforceability of the civil rights bill, but also the constitutionality of its provisions. To do this, I must search for that grant of constitutional power which will support its various titles, and I begin today with title I, the voting rights title.

Every qualified person, white and nonwhite, should be allowed to register and vote, and any individual who discriminates, on the basis of race or color, in registering a voter should be prosecuted. However, Federal prosecution is already guaranteed under provisions of 18 U.S.C. 242, 18 U.S.C. 241, and 18 U.S.C. 371. There are also the Civil Rights Acts of 1957 and 1960, which I supported, and which clothe the Attorney General with additional powers to act in the field of voting rights.

Title I carries several provisions concerning which time will not allow me to comment except to say I do not oppose them. However, I am reluctant to grant authority, which the title would provide, to the U.S. Attorney General to file with the clerk of a district court a request that a court of three judges be convened to hear voting cases. The Attorney General can thus peremptorily remove a case from the jurisdiction of any "unfriendly" District judge of the court in which the proceeding was instituted, and transfer it to a "friendly" forum. It is mandatory that a three-judge court be immediately convened and the case be assigned for expeditious hearing. The "court-packing" procedure will allow voting cases to receive preferential treatment over cases already docketed.

The title I provision which I find most objectionable, however, is section 101(b) which provides that the completion of the sixth grade shall constitute a rebuttable presumption that a person possesses sufficient literacy and comprehension to vote in any Federal election. It should be remembered that there is a vast difference in one's having "completed" the sixth grade and in one's having a "sixth grade education." There are many persons who have "completed" the sixth grade but who are functional illiterates, and, as a matter of fact, many persons who finish grammar school and grades beyond are "reading failures." Additionally, where in the Constitution may be found a grant of power for this provision? Those who support this provision of title I base their position on the 15th amendment which states that the rights of U.S. citizens to vote shall not be denied or abridged by the United States or by any State "on account of race, color, or previous conditions of servitude."

The provision of title I of the civil rights bill regarding literacy tests makes no reference to State denials or abridgements of voting rights based on race, color, or previous condition of servitude. In reality, the provision will apply to all citizens, white and nonwhite. Rather than being corrective of Federal or State action denying or abridging voting rights, the provision is positive in nature and arbitrarily imposes a Federal definition of literacy. The provision, therefore, leaves the 15th amendment and trespasses upon the constitutional provisions of article I, section 2, clause 1; article II, section 1, clause 2; and amendment 17, which leave to the States the matter of determining the qualifications of voters for Members of the House of Representatives, presidential electors, and U.S. Senators, respectively.

In *Pope* v. *Williams* (193 U.S. 621), the Supreme Court said:

> The privilege to vote in any State * * * is not a privilege springing from citizenship of the United States. The privilege * * * is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals.

The Court, in *Guinn* v. *U.S.* (238 U.S. 347), stated:

> No time need be spent on the question of the validity of the literacy test considered alone since, as we have seen, its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision.

The constitutionality of Federal legislation prescribing voter qualifications has not been before the Supreme Court, but there are significant dicta in Justice Field's dissent in *Ex parte Clarke*, 100 U.S. 399, 404. Justice Field stated, with reference to article I, section 4, clause 1, of the Constitution, that the power to make and alter regulations concerning times, places, and manner of holding elections for Senators and Representatives does not authorize Congress to determine who shall participate in the election, or what shall be the qualification of voters. These are matters not pertaining to or involved in the manner of holding the election, and their regulation rests exclusively with the States.

I submit that the provision of title I of the civil rights bill which would establish a sixth grade education as a rebuttable presumption of literacy would, in effect, constitute an effort by the Federal Government to create a standard by which citizens would automatically qualify to vote and would, therefore, contravene the Federal Constitution. If the people want to establish such a Federal standard, the proper course would appear to be by constitutional amendment, as provided in article V of the Constitution, and not by Federal statute.

The foregoing analysis of section 101 (b) should not detract from my earlier statement that every qualified person, white and nonwhite, should be allowed to register and vote. Other provisions of title I, with which I am in agreement, will assist in guaranteeing this. For example, section 101(a)(2)(A), in effect, directs the uniform application of standards, practices, and procedures in determining qualifications of voters. I support this provision because it prohibits discrimination based on race or color in the administering of literacy tests.

Title III would prevent denial of access to or "full and complete utilization of" any public facility "owned, operated, or managed by or on behalf of any State or subdivision thereof," other than public schools and colleges. Fairness and justice certainly require that publicly owned parks, libraries, playgrounds, and so forth, be open to all citizens but legislative history should be developed to aid the courts in properly construing such troublesome phrases as "full and complete" and "managed by," as used here. I support title III, except for one section therein, section 302, which provides that the Attorney General may intervene, for or in the name of the United States, whenever there has been commenced in any court of the United States an action seeking relief from the denial or equal protection of the laws on account of race, color, religion, or national origin. What action? Not just those actions dealing with desegregation of public facilities, but any action seeking relief from the denial of equal protection of the laws.

What laws? Not just title III of the civil rights bill, but any laws. Section 302 is a "sleeper." Inasmuch as title III deals with desegregation of public facilities, one would have a right to suppose that all sections therein would deal only with the subject of desegregation of public facilities; but section 302 covers any action dealing with equal protection of any and all laws. The Attorney General would be authorized to throw the weight of the U.S. Government into lawsuits instituted by any individual charging discrimination under any law. This would be an open invitation to troublemakers and malcontents. The Justice Department would have to greatly increase its legal staff. The cost would be monumental and the defendants in these suits would be paying, through taxes, the lawyers and the costs of the plaintiffs as well. Such is not my idea of justice. The Attorney General, upon receipt of a signed complaint, is authorized, under section 301(a), to institute suits involving desegregation of publicly owned facilities. Section 302, therefore, is unwise, and should be stricken, as it gives the Attorney General broad new powers not needed for enforcement of title III.

Mr. President, the leadership package of so-called moderating amendments would strike section 302 from title III. The other evening, when I read of that amendment, and learned that it would strike out that section of title III, I thought that here was an instance in which the bill would be greatly improved. But then I noted that it was proposed merely to lift that section from title III and to place it in one of the other titles—with the result that if the so-called "package" amendments were agreed to, this section would still be continued as part of the bill.

Title V of the bill would extend the life of the Civil Rights Commission for 4 more years. I voted for legislation to establish the Commission, which was originally conceived to be only temporary. I hesitate to give a temporary agency an additional 4 years of existence, during which time every effort would be made to show the need for its continued existence. I believe the Commission has not functioned in an objective manner, and has all too often proposed radical, impractical, and improvident solutions to human relations problems. More recently, I have come to doubt that the overall makeup of the Commission is such that a balanced viewpoint is presented. I would not vote against the bill because of the inclusion of title V; but if the Commission's life is to be extended, it should be for only 1 year.

Mr. President, I thank the Senator from Alabama for his courtesy in yielding to me.

Mr. HILL. Mr. President, it has been a pleasure to yield to the distinguished Senator from West Virginia. I commend and congratulate him on his very able speech. I ask unanimous consent that his remarks be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

EDITORIAL COMMENT ON INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION

During the delivery of Mr. HILL's speech,

Mr. CASE. Mr. President, evidence of popular indignation over the Bobby Baker case continues to arrive in my office. As I have done in the last two days, I again ask unanimous consent that eight more editorials from newspapers across the country be inserted in the RECORD at this point. They speak for themselves, but the gist of them is that the Senate still has a job to do in this matter.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Post, May 14, 1964]

SENATOR CASE CHALLENGES THE SENATE

The Senate has erupted in high moral dudgeon over Senator CASE's protest against sweeping the Bobby Baker inquiry under the rug, and his demand that Senators submit themselves to inquiry.

No investigation of Bobby Baker is meaningful, the New Jersey Senator rightly believes, if it fails to investigate "the relations of Members of the Senate" with the man who accumulated $2 million while he was a Senate employee.

Since Baker boasted that he had 10 Senators in the palm of his hand, since he had control over committee assignments and campaign contributions, CASE plausibly argues that these matters should be followed up by directly questioning Baker.

If Baker refuses to produce his records, says CASE, each Senator should be asked about his dealings with Baker.

"The height of demagoguery" is the way Senator JORDAN, Democrat, of North Carolina, who headed the Baker inquiry, characterized CASE's request. He added that "it would be an insult to Senators" to ask them the questions proposed by the New Jersey Senator.

Most Americans will surely agree with CASE that Senators have no reason to be treated as a privileged class.

[From the Chicago Tribune, May 16, 1964]

BURIED BUT NOT DEAD

A straight party lineup of 42 Democrats has defeated a Republican attempt to let light and air into the firmly sealed room where the Johnson administration has locked up the Bobby Baker scandal. There is a good reason for this collective agoraphobia (fear of bringing things out in the open). The reputation of Baker's political playmates, among them inmates of the White House, would have gone into severe decline if the truth were known.

The Democrats flunked the test of integrity on a resolution submitted by Senator WILLIAMS, of Delaware. The so-called investigation of the Baker affair was entrusted to the Senate Rules Committee, which has a Democratic majority of 6 to 3. Its chairman, Senator JORDAN of North Carolina, has not only refused to summon witnesses at the request of the Republican minority, but has stated that his committee is not investigating Senators.

This interpretation of the committee's authority was challenged not only by Senator WILLIAMS, whose original resolution initiated the inquiry, but by Senator CASE, of New Jersey. Case said the integrity of the Senate and the reputation of its Members were impugned by Baker's boast that he had at least 10 Senators "in the palm of his hand."

WILLIAMS then offered a supplementary resolution which would have made unmistakably clear the power of the committee to call every Senator before it and ask each if he had any business or financial dealings with Baker and if he got anything of value from Baker. The resolution would have extended the investigation until September 1, instead of permitting it to expire at the end of this month.

The majority leader, Senator MANSFIELD, was able to steamroller the 24 Republicans and nine Democrats who supported the resolution. The vote followed one of the most violent and unseemly scenes in the Senate in many years, with MANSFIELD and CASE engaging in shouted exchanges of bad faith, personal insult, and overriding of senatorial and minority rights.

The vote to end the Baker inquest comes as no surprise to us. We had predicted the outcome Thursday. But the Democrats now must assume the full responsibility for a vote which is nothing less than a confession that they dare not expose themselves to the truth. Here is a campaign issue that will not down—a political party which has convicted itself by pleading nolo contendere.

The Baker case has exposed the shabby morality of a party which which makes an elaborate pretense of virtue. As secretary of the Senate majority and protege of Lyndon Johnson, Baker drew a salary of $19,600. But a few years later, when he was obliged to resign under fire, his net worth was listed at more than $2 million. He had a law business, an insurance business, a vending machine business, a motel and real estate promotions, and a finders racket on the side as intakes for cash far beyond his salary. He also had interests in a mortgage guarantee company and a Washington bank.

The testimony was that he twisted the arm of an insurance colleague in order to confer a $588 phonograph set on Johnson as a sweetener in selling Johnson a life insurance policy. The insurance man also stated that Johnson's administrative assistant persuaded him to buy $1,208 in advertising time on the Johnson radio-television station in Austin, Tex., because it was expected of him. The time was worthless to him because his business was in Washington.

The good name of the Senate and its Members of both parties is blackened by the refusal of the Democrats to face the music. What is hidden in this scandal must be portentous indeed when the President's party publicly shames itself by running from the truth.

[From the Philadelphia Bulletin, May 16, 1964]

THE SENATE WANTS NO PROBE

The U.S. Senate, one would like to think, is the firm defender of probity, honest disclosure, and due process.

Such a day as Thursday, however, makes it difficult to keep this view. It was a day of loud-mouthed wrangling, of voting strictly along party lines, and of avoiding any possibility that inquiry might reveal improprieties damaging to the image of the majority party.

This, of course, had something to do with Bobby Baker, the former secretary of the majority (Democratic) caucus, who has been under investigation for months for deals which seem to have made him wealthy far beyond the emoluments of his office. It has been obvious to anyone older than the Bobbsey Twins that Baker could not have attained this affluence without the friendship of some Senators.

Extending the probe to look into the conduct of Senators as well as Baker and other employees was clearly the approach that Senators concerned with the Senate's rectitude should have welcomed. A resolution to authorize this was put in by a dependable exponent of probity in Government—Senator JOHN J. WILLIAMS, Delaware Republican. Most of the fight for it was put up by Senator CLIFFORD P. CASE, New Jersey Republican. These two do not always see eye-to-eye; this time they were in full, and honest, accord.

The campaign to avoid revealing any skeletons in the Democratic closet was loudly carried on by the majority leader, MIKE MANSFIELD, of Montana, a man whose integrity has never been questioned, ably assisted by TED KENNEDY, freshman Senator from Massachusetts, who had the luck to be presiding temporarily.

There were rough words before these two Democratic leaders steamrollered through a vote to table the Williams amendment—and the vote was then baldly partisan. Even such "good government" people as Pennsylvania's Senator Joseph S. Clark voted, in effect, to suppress full disclosure.

It was an occasion of which the Senate cannot be proud.

[From the Philadelphia Inquirer, May 16, 1964]

MUFFLING THE BAKER PROBE

Senators who are determined to choke off the Bobby Baker inquiry without having Members of the Senate drawn into it were given quite a scare on Thursday.

They had thrown at them a resolution which would have extended the investigation, now scheduled to expire at the end of this month, to September 1. It would also have brought all Senators within the specific scope of the inquiry, subjecting them to questions about any financial dealings they may have had with the former secretary of the Senate majority, and any campaign contributions Baker may have helped to obtain for them.

The resolution was killed by a vote of 42 to 33 but only after Senator Clifford Case, of New Jersey, a backer of the resolution, had engaged in a knock-down-and-drag-out fight with the Democratic leader, Senator Mike Mansfield.

But, if the Senators who want to steer clear of involvement in the Baker probe consider this development a victory, they will have to learn some hard facts of political life. For the Baker mess remains a major political issue, and it has been made more so by the frantic attempt by Democratic Senators to run away from it.

There was no reason why the Rules Committee, under the original resolution authorizing an investigation into Baker's private business dealings, could not look into possible link ups with Senate Members. But Chairman Jordan chose to keep the probe narrowed to Senate employees and any conflict of interest involving them. Trails leading to sacrosanct senatorial doors were quickly closed off, and efforts by Senator Case, Senator John J. Williams, and others to expand and extend the inquiry were treated with disdain.

Bobby Baker pursued very lucrative business ventures while on the Senate payroll. The public has a right to know if he used his influence and his relations with Members of the Senate to advance his personal business interests. Obtaining the answers might or might not embarrass certain Members. But shutting off the answers, by halting the inquiry prior to its completion, only accentuates public resentment and suspicion, and could have profound political recation.

[From the Hackensack (N.J.) Record, May 18, 1964]

THE CLOTURE FOR MR. CASE

Anyone interested in orderly government, not to mention merely sanitary government, will await with some impatience the written explanation for which Senator Case, Republican, of New Jersey, has asked the Senate Parliamentarian. The Parliamentarian supplied to Senator Kennedy, Democrat, of Massachusetts, presiding at the moment, the ruling that Mr. Case could not have the floor to speak on a point of personal privilege; and, of course, once this cantankerous Republican had been shut up the Senate proceeded to vote that the investigation of the Bobby Baker mess has gone as far as it will go.

To the armchair parliamentarian it looks as if Mr. Case was given the steamroller treatment. The majority leader, Mr. Mansfield, of Montana, had accused Mr. Case and two other Republicans, Williams, of Delaware, and Curtis, of Nebraska, of trafficking in sly innuendo by reason of their suggesting the Rules Committee is sweeping Bobby and his rackets under the rug. He said he wanted the Senate to beat down resolutions suggesting the Senate and the Senators are covered with dirt from the rooftop down. Mr. Case had proposed every Senator be asked to spell out his relationships with Baker, if any. Having been defined as sly and a dirtmonger, Mr. Case supposed the implication was conduct unbecoming a Senator, and rose to his question of personal privilege. As the armchair parliamentarian understands the rules of order, this gambit is undebatable and privileged, and takes precedence over all other business except a motion to adjourn, fix the time for adjournment, or take a recess. The Member raising the question of privilege must be recognized. The Presiding Officer must let him state his question. Mr. Kennedy first allowed Mr. Mansfield to hold the floor and, after the bitterness had run on and on for 15 minutes, held that Mr. Case had nothing to complain about. Senator Case got the cloture treatment. He didn't like it.

Almost nobody will like the large implication that when the U.S. Senate wants to shut off a Member, when the stakes are high enough, shut him off it can and will. Mr. Case was shut off because he raised a question desperately important to a lot of Senators, the Baker question. And they can't stop the civil rights filibuster?

So there the investigation stops, as you knew it would. Let it be noted that Senator Williams, Republican, of New Jersey, voted to extend and expand it. Perhaps he will not now have to answer any more nettlesome questions at women's club meetings. The vote was 42 to 33.

[From the Paterson (N.J.) Morning Call, May 18, 1964]

THIS SENATE CAN MOVE QUICKLY

Senator Clifford P. Case, the GOP senior Senator from New Jersey, suffered some indignities at the hands of his colleagues last week when the Senate voted down his proposal to broaden the Bobby Baker investigation. Even more distressing than the Senate's unwillingness to come to grips with the messy Baker business is the way it treated one of the gentlemen and statesmen who has for a score of years labored—and produced—in the Nation's Capital.

Senator Case was denied the privilege of replying to Democratic Majority Leader Mike Mansfield, although Mr. Case demanded that right on a point of personal privilege. Normally a point of personal privilege takes precedence over any other activity on the Senate floor. It will be interesting to hear how the Democratic leadership explains denying this right to Senator Case.

The entire Baker affair continues to leave odors in the Capitol air. It now threatens to do harm to the civil rights bill. Liberal Republican Senators may not join Democrats in voting for cloture to halt the Dixie talkathon that has stymied action on civil rights. Many eyebrows will be raised and questions asked over how the Senate can quickly shut off debate on something like the Baker investigation and how it can't do anything about the filibuster on civil rights. One might surmise from all this that what the Senate really wants done—the Baker thing shushed up—it gets done, and what it is indifferent about—the civil rights bill—it lets drag on.

Mr. Case should be encouraged to pursue his efforts to broaden the Baker investigation. If so many people are in such a hurry to squelch it, that might indicate good and sufficient reason to keep it open and look more closely.

Mr. Case, in pushing his disclosure bill, has had some interesting comment. One of the things he has said that is worth repeating:

Congress will not effectively police itself—it will not do it. I've watched this from the time of Senator McCarthy on down, and you cannot expect Members of Congress to censure any of their Members, or anything else, except in the most extreme circumstances. This requires a constant surveillance, which you can't get.

Keep at it Senator. There are millions of people behind you.

[From the Nashville Banner, May 18, 1964]

BAKER CASE IN FERMENT—OLD SCANDALS NEVER DIE

It may have been deemed politically expedient to bottle up that still-fermenting Bobby Baker case and put it on a back shelf of the Senate cellar—marked "do not disturb." But the process of fermentation doesn't operate by majority rule. Sooner or later, when the bottle is shaken, it blows its top and spews all over the place.

The Senate did not cover itself with glory when it rejected (42–33) the Williams-Case proposal to broaden the Rules Committee inquiry to cover Senators and irregular campaign contributions. The suggestion was simply to follow the Baker trail wherever it might lead. The majority voted "no."

From the outset, the bulk of a concerned constituency would have voted "yes." For the public believes that an agency of government, or a legislative body, that does not hesitate to investigate everybody else should not be immune to investigating itself and its own.

It took some doing for the Senate Rules Committee in that initial inquiry—or motions of it—to pour disclosures back into the bottle and mop up the spillage. The smell remains, along with pertinent questions unanswered. For, treat it delicately as they would, those engaged in the "investigation" could not conceal the fact that their erstwhile Secretary of the Senate majority had left some large tracks in official Washington, with access to many doors.

His mysterious financial transactions are still unexplained, and other matters into which, before the Senate got around to it, the FBI already had run a check.

Old scandals never die; neither do they fade away.

They ferment. Shaken, they explode.

This one will be shaken.

[From the Newark (N.J.) Evening News, May 20, 1964]

AS MR. CASE SAID

The Democratic majority ruthlessly suppressed Senator Case's efforts to reverse the Senate Rules Committee decision that held Senators immune to interrogation in the Bobby Baker scandal. Now, from an authoritative source, has come corroboration of everything Mr. Case has been saying for months.

A report prepared by the Rules Committee's own counsel, Lennox P. McLendon, and his staff not only supports Mr. Case's charge that the Baker case has impaired the prestige of the Senate, but suggests the very same remedies he has proposed. In his report are phrases as unsparing as those used by Mr. Case and other critics of the committee's course and the existing ethical climate in the Senate.

"No amount of sophistry" can alter the fact that "the Senate, as a body, and Senators, individually, have suffered the loss of much respect and prestige because of conditions this investigation has brought to light," the report says.

That's what Mr. Case said, too.

Moreover, the report continues, the Senate should no longer ignore or dismiss lightly the charge that it has been vociferous and energetic in demanding high standards of ethical conduct from officers and employees of the executive branch, but has persistently refused to accept and abide by such standards for its own Members and its employees.

Mr. Case again.

And the McLendon remedies? Public disclosure of the financial interests of all Senators, officers, and employees, prohibition of their association with those having business with the Government, and a requirement that all Senators testify before Senate committees when requested.

Just what Mr. CASE prescribed.

As to that incredibly successful business man, Mr. Robert G. Baker, the report expresses doubt that he could be prosecuted under present law. Nevertheless it condemns him as an opportunist who was guilty of many gross improprieties, including flagrant misuse of his Senate office.

All this is interesting, but as Senator CASE points out, it is no substitute for the complete investigation the Rules Committee did not make. It fails to dispose of the question, uppermost since the inquiry began, whether any Senator had private dealings with Baker. And in the light of his silence, only Senators can provide the answer. Not until they do can the Senate lift the shadow of suspicion that now falls, unfairly but inevitably on its Members.

CALL OF THE ROLL

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BAYH in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 247 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Burdick
Byrd, W. Va.
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Douglas
Fong
Gruening
Hart
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kennedy
Kuchel
Long, Mo.
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Morse
Morton
Mundt
Nelson
Pell
Prouty
Proxmire
Saltonstall
Scott
Simpson
Smathers
Smith
Symington
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. What is the pending business before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. LONG] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE] for himself and other Senators, relating to jury trials in criminal contempt cases.

Mr. DOUGLAS. Mr. President, in view of the fact that this is the 61st day of debate, and there seems to be no hope that our southern friends will voluntarily terminate their discussion, I ask unanimous consent that following the conclusion of the morning hour tomorrow, after 2 hours of debate, evenly divided, the Senate proceed to vote on the pending question.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. Mr. President, reserving the right to object—and I shall object—my understanding is that the leadership is trying to arrive at a compromise. I do not have any high hopes that that laudable purpose will be realized. But while they are trying to do it, it seems to me that it would be somewhat improper to take such a course as this without the presence on the floor of the two leaders who have been active in trying to reach an agreement on the proposed compromise.

If the Senator wishes to renew his request when the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Illinois [Mr. DIRKSEN] are in the Chamber, I shall be glad to yield to him for that purpose later, if I have the floor. But if he insists on his request now, I shall have to object.

Mr. DOUGLAS. Mr. President, I am deeply disappointed at the suggestion of my good friend from Florida. There have been 61 days of debate on the floor. It is time for the Senate to get down to business. The jury trial amendment is merely a footnote in the general discussion. We could at least get that out of the way. I hope that our southern friends will not continue to tie up the business of the Senate and of the country.

I wonder if my good friend from Florida would not withdraw his objection and permit this unanimous-consent request to be adopted.

Mr. HOLLAND. I would be glad to reserve my right to object. I note that the senior Senator from Illinois [Mr. DIRKSEN] is now in the Chamber. His attitude and the attitude of the Senator from Minnesota [Mr. HUMPHREY] should be learned. They have been working diligently, as I understand, to reach a compromise solution.

It occurred to me that it would be at least of questionable propriety to try to reach unanimous consent for an early vote tomorrow, without at least consulting with those two Senators. I should be glad to withhold my reservation in order to hear the expression of the Senator from Illinois [Mr. DIRKSEN] on the subject. In the meantime, I shall be glad to get word to the Senator from Minnesota to see if he can be brought to the Chamber.

Mr. DOUGLAS. Paraphrasing Henry W. Longfellow, I say, "Why don't you speak for yourself, SPESSARD?" instead of hiding behind the acting majority leader and the minority leader?

Mr. HOLLAND. In the first place, I am not unwilling to speak for myself. In the next place, I have never hidden behind anyone in my life. I think the distinguished Senator from Illinois knows that pretty well. But I was reared with an innate sense of courtesy, and I felt there was some courtesy due Senators who have been working so long and vigorously in an effort to work out a compromise solution.

Mr. DOUGLAS. Does the Senator think it is courteous to debate this measure for 61 days without permitting the Senate to come to grips with the issue?

Mr. HOLLAND. I do not think that involves a question of courtesy. That is a matter of right under the Senate rules. I am not aware of having violated any of the rules. I have not deviated from the rule of germaneness for a single instant while I have been debating.

The Senator is confusing the matter of courtesy with the matter of what is provided in the rule.

Mr. DOUGLAS. The Senator and his associates are taking full advantage of every technicality in the rules to hold up the business of the country.

Mr. HOLLAND. That is the conclusion of the distinguished Senator from Illinois. He has a right to state his conclusion. He states it very ably, but I tell the Senator that whenever I think business is being conducted on the floor of the Senate which would result in legislation designed to bring more trouble to the country than good, I shall stand and object to it. I am objecting to it now; and I shall continue to object to it.

Mr. DOUGLAS. Why cannot the Senate proceed with the jury trial amendment?

Mr. HOLLAND. It is quite clear now, after Governor Wallace carried a majority of the white vote in Maryland the day before yesterday, and with all the other indications—which are almost nationwide—of the great disappointment with the proposed bill, and the great unwillingness to have it seriously amended, that we who are trying to have it seriously amended are fighting for the protection of the country. That is my very real conclusion, and I would prefer to state it for myself, rather than to have my distinguished friend from Illinois make the conclusion for me.

Mr. DOUGLAS. Why not let the Senate decide these matters, instead of 19 filibustering Senators from the South monopolizing the time, with the result that we are never permitted to vote? All we ask is that the Senate be permitted to vote, make the decision by majority vote. The Senate should be able to decide by majority what it wishes to do. Our friends from the South, however, refuse to permit us to do that.

I must renew my request for unanimous consent, that at the conclusion of the morning hour tomorrow, 2 hours of debate be set aside for the discussion of the pending amendment, evenly divided between the two sides, and that then the Senate proceed to vote on the pending amendment.

Mr. HOLLAND. Mr. President, reserving the right to object, I say to the distinguished Senator from Illinois that

19 Senators could not possibly hold up the Senate. In order to defeat a cloture motion it is necessary for 34 or more Senators to vote against cloture. To the contrary, 19 Senators—and that is the number of Senators the Senator from Illinois has mentioned—certainly do not have it in their power to hold up for more than a few days, let alone the 61 days which the distinguished Senator from Illinois has mentioned, the deliberations of the Senate. So I believe my good friend is a little ungenerous in suggesting that 19 Senators are responsible for holding up the deliberations of the Senate for 61 days.

Perhaps he is a little too complimentary, because I cannot conceive of any 19 Senators having that much power.

I see in the Chamber my distinguished friend the Senator from Minnesota [Mr. HUMPHREY], who is the able floor leader of the bill. I wish to tell him that I felt it was a matter of courtesy to await the arrival of the Senator from Minnesota and the Senator from Illinois [Mr. DIRKSEN], who are trying to reach a compromise. It would hardly be courteous to them to decide in their absence and without their knowledge that the Senate should commit itself to vote tomorrow on the pending amendment.

Therefore I felt that while they were working on a compromise—and I listened to the distinguished Senator from Minnesota for the better part of an hour yesterday, or perhaps it was the day before yesterday, discuss his own effective desires to amend the bill in such a way as to make it more palatable—it was entirely in line with customary courtesy in the Senate to insist that the Senator from Minnesota be present and that the Senator from Illinois [Mr. DIRKSEN], be present before any final action is taken.

I did not foreclose myself as to whether I should object. However, I wish to give my friends, the Senator from Minnesota and the Senator from Illinois, the first opportunity to object, because I believe they have much more involved in the effort to reach a compromise solution than has the Senator from Florida.

Mr. DOUGLAS. Mr. President, so far as interposing an objection is concerned, I am sure the leaders will leave that matter to our southern friends. Of course, they can speak for themselves. I say that by way of continuing my reference to Longfellow's poem on the courtship by John Alden.

Mr. HOLLAND. I am not courting anyone in this matter. I leave the courting either to the Senator from Illinois or the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, reserving the right to object—and I shall not object—I wish to say to the Senator from Illinois [Mr. DOUGLAS] that so far as the pending business is concerned, which is the amendment offered by the Senator from Louisiana [Mr. LONG], the amendment should be voted upon. The whole series of jury trial amendments should be voted on. They should have been voted on last week. They should have been voted on the week before. They should have been voted on before that. I am very happy to say to the Senator from Illinois that to do so would in no way jeopardize the proposal to make adjustments and modifications in the bill insofar as the Senator from Minnesota sees them. I have no objection. In fact, I commend the Senator from Illinois [Mr. DOUGLAS] for his initiative, for his leadership, and for his cooperation. I believe the Senator from Illinois [Mr. DIRKSEN], is of the same mind.

Mr. DOUGLAS. I am only a humble worker in the vineyard of the Lord. I have not tried to assume a position of leadership. We have gone along for so many weeks—we are now in the third month—with no progress whatever being made, that I thought the country was becoming a little tired. Senators are also growing tired. Therefore I say, let us vote at least on the pending amendment. Therefore I again ask unanimous consent that at the conclusion of the morning hour tomorrow, 2 hours of debate be allowed on the pending amendment, the time to be equally divided between the mover of the amendment and the two distinguished leaders of the respective parties in the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. SMATHERS. Reserving the right to object—and I shall object——

Mr. DOUGLAS. Did the Senator say he would object?

Mr. SMATHERS. I said I would object. I understood the Senator to say that he was working in the vineyard of the Lord. I do not know when he began to speak with the Lord. Of course, I knew that at times he felt that he was the man who was making the decisions about these things. So far as the junior Senator from Florida is concerned, we have made considerable progress in bringing to the attention of the country the defects in the bill now before the Senate. I believe that the results of the primary election in Maryland on Tuesday demonstrated rather graphically the fact that when the people of the Nation know the evils in the bill they will be highly gratified with the work that has been done by Southern Senators.

As time goes on we may get a few recruits. I believe we are on the right side when we keep bad legislation from being passed. In this particular instance we have kept bad legislation from passing. It may be that out of the debate some legislation will eventually come. If it does, it will be legislation improved over that which was first put into the hopper and on which we were first asked to vote. I am delighted to object. I do object.

Mr. DOUGLAS. Mr. President, I am extremely sorry to hear the junior Senator from Florida take that position. What he is saying in effect is that he and his associates know better than does a majority of the Senate. Why not let a majority of the Senate pass on these amendments, instead of having a small minority, by interminable talk, prevent any vote from being taken?

Mr. SMATHERS. Mr. President, I remember the day when the Senator from Illinois stood on the floor of the Senate and filibustered against the so-called Telstar bill. I remember other instances when the Senator from Illinois filibustered at great length. We finally had to obtain cloture to bring the Senator down to where we could end the whole business. I believe the Senator from Illinois and his associates finally wound up by getting 11 votes.

Mr. DOUGLAS. I did not take part in the filibuster on the Telstar bill. I confined myself to asking questions for about an hour. I did vote against cloture. I voted against cloture because cloture had been refused by Southern Senators and Southern sympathizers on civil rights measures. They insisted on stopping that debate in order to ram the Telstar bill through the Senate. I felt it was highly inconsistent to do so from their point of view. If they could use that weapon, my friends who were filibustering the Telstar bill were justified in using the same weapon. The Senator and his friends have let loose a very bad practice in the Senate. If it is used, it can be used by more Senators than one and in more cases than one.

I take it that my friend is obdurate to my request that there be a vote on the pending amendment. Is he obdurate?

Mr. SMATHERS. The Senator from Illinois divines my intention exactly.

Mr. DOUGLAS. I was afraid of that. I always hope for redemption. I believe in the old hymn, which I used to sing in church as a boy:

> While the lamp remains to burn, the vilest sinner may return.

I have always hoped for the return of my friends to the paths of majority rule.

Mr. SMATHERS. I thank the able Senator. I am satisfied that if we can continue for a sufficient length of time, there may be some hope of getting the Senator from Illinois to move over to our side, because there is always hope, according to the hymn mentioned by the Senator from Illinois.

Mr. HOLLAND. If I may compliment my friend——

Mr. DIRKSEN. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. HOLLAND. I am glad to yield, if I may do so without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. If this is going to turn into a revival meeting, I want to get into it.

Mr. HOLLAND. I am very glad to have the distinguished Senator from Illinois become a part of this revival. I ask unanimous consent that I may yield to him without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. It has not yet become a revival. I have seen no souls saved.

I have not seen anyone get into the "Cherokee Strip" that I like to refer to as the "sawdust trail."

Mr. HOLLAND. I thank the Senator from Illinois.

I was about to compliment the senior Senator from Illinois [Mr. DOUGLAS] when I yielded to the minority leader, by saying that I well remember his determined, effective, lengthy efforts in the filibuster against the tidelands bill. He was highly effective on that occasion. I remember having spent several nights, or parts of several nights, on a couch in the library because of his ardent efforts in that regard.

But it appears that it all depends on what the cause is, as to whether the distinguished senior Senator from Illinois [Mr. Douglas] is interested in carrying on a so-called filibuster. To that cause, I thought he made a remarkable contribution. I have not tried to sum up the total amount of his contribution in hours, in pages, or in reams; but I remember that his contribution was quite lengthy. I hope that we may be able to reach the stage of effectiveness that he reached so thoroughly and that showed up so well in that particular debate. Apparently it makes a difference as to what the cause is.

I say again to the senior Senator from Illinois that I believe this particular bill is so bad that it would split the country into all kinds of riotous disturbances, and tragedy. That has already been shown by what has happened in Chicago, Cleveland, and New York; in Chester, Pa.; Philadelphia; and Cambridge, Md.; and also by what happened in the election in the great Free State the day before yesterday. All our fears and apprehensions that were expressed in advance have been shown to be soundly grounded.

I hope the Senator from Illinois will allow us to draw our own conclusions as to the seriousness of our beliefs, which cause us to object so strenuously.

So far, I have not noticed that our ability has been diminished or our strength impaired. The Senator from Illinois should at least allow us to make our contribution to this debate as he contributed to the debate on the Telstar affair of 2 years ago and the tidelands bill of some years ago. I pay respect to him again for the remarkable contributions he made in those long-drawn-out debates.

Mr. President, before I ask unanimous consent that I may yield to the Senator from Illinois, he may recall that in the case of the Tidelands bill exhaustive hearings had been held not only in that year, but in previous years, as well; and that in the case of the Telstar bill hearings had been held not only before one committee of the Senate, but before two separate committees. There had been two separate referrals.

In this instance, hearings have not been held before any committee of the Senate. To the contrary, hearings were denied, even for a limited period of time. My recollection is that an attempt was made to have the bill referred with mandatory instructions to the committee to report back to the Senate in a week or 10 days, or whatever the time was. That request was not granted by the Senate.

Now we are struggling laboriously through this maze of complicated questions, which is worse than a can of earthworms, because they cannot be untangled. This is all because we have not had the benefit of a hearing of any kind.

I am sure the distinguished Senator from Illinois will find it in his heart, generous as he is, to forgive us if we feel that we must explore some of these complicated questions at some length before we at least agree to have the matter come on for a vote.

Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Illinois without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I shall merely say to the distinguished Senator from Florida that it is true that the great Senator from Alabama [Mr. Hill] and I conducted a prolonged discussion on the offshore oil bill, which the Senator from Florida and other Senators were trying to railroad through Congress, so as to give away billions of dollars worth of public property to big oil companies and to States. I wish to give the Senator from Alabama [Mr. Hill] full credit for the result of our efforts. We were successful in retaining for the Federal Government the outer continental shelf beyond the 3-mile or 3-league limit. We therefore saved billions of dollars over the opposition—I am not certain whether the Senator from Florida objected to that provision—over the opposition of the sponsors of the bill.

But the point I wish to emphasize is that our action was not intended to prevent a vote. It was intended to delay a vote until the Senate and the country could be informed about the issues. A filibuster is a prolonged discussion or other delaying tactics intended to prevent a vote. That is precisely what our 19 southern friends are conducting now. It is not an attempt to delay a vote, but to prevent a vote.

We ought to reach the point where we can begin to tackle amendments, such as the jury trial amendment, and get underway. But since the senior Senator from Florida and the junior Senator from Florida are obdurate and refuse to agree to a unanimous-consent request, we shall have to put the question up to the country.

Mr. HOLLAND. I appreciate the willingness of the Senator from Illinois to allow the discussion to continue for a day or two.

Mr. President, my discussion today of the pending civil rights bill will again devote considerable time to the program for desegregation of the public schools, as that subject is covered by title IV of the so-called pending civil rights bill. In the beginning, I may say that I have carefully checked the amendments or changes of the said title IV of the civil rights bill, as proposed by the group of Senators headed by the Senator from Minnesota [Mr. Humphrey], and the Senator from Illinois [Mr. Dirksen] who are seeking to work out the terms of a compromise bill. After careful consideration of their suggestions for changes in said title IV, I have discovered that none of the several changes suggested by them in title IV is substantial, but that the whole substance of title IV, including their amendments, is subject to exactly the same objections that I have heretofore stated in my former remarks as being applicable to the original title IV of the House version of the bill. The proposed amendments to title IV are inconsequential.

It is still true that under the suggested changes, almost unlimited authority would be given to the Attorney General to initiate and maintain, in his own discretion, and without review by any judge or court, injunction proceedings, for whatever relief he deems appropriate, to accomplish desegregation of the public schools, without imposing any sort of jury trial provisions to his use of criminal contempt. And it is still true that the general authorization of appropriations to carry out the purposes of the Civil Rights Act would be unlimited and open end in character, so as to make it possible for Congress to be called upon to appropriate the undetermined billions of dollars which are evidently necessary in order to accomplish the programs of desegregation of segregated or de facto segregated schools throughout our Nation. I think it is wholly established by my earlier remarks on this subject that the cost of Federal participation in the desegregation of the de facto segregated schools of the big cities of the North could, of itself, easily amount to many billions of dollars.

Recent reports of the magnitude of this problem in the city of New York, alone, show that the school authorities there are desirous of obtaining $250 million of outside money—either State or Federal, or both—to add to this year's budget, for desegregation purposes; and the huge amounts that would be required in the future in New York City alone are not even estimated.

In my opinion, in future years even more than the $250 million requested for this year would be required. These principal objections to title IV are not changed in the slightest in the minor amendments proposed to the original title IV as contained in the House version of the bill.

Aside from these considerations, however, is the fact that evidence is building up daily to indicate that in the North and in the South, both within the Negro race and within the white race, more and more strong convictions which are being urged emphasize the importance of better education for the Negro children, rather than segregation—that is to say, better schools, rather than desegregated schools.

In the daily Congressional Record for Monday, May 18, page A2574, the able Representative from California [Mr. Utt] introduced a copy of a speech made by Mr. Don Warden, president of the Afro-American Association, who, I am told, is an able and aggressive young Negro attorney of Oakland, Calif. The facts relative to Mr. Warden, which have been sent to me by a reputable citizen of California, are as follows:

> Don Warden is 28 years old. He is a graduate of Hastings Law School of the University of California and Howard University. He is a practicing attorney in Oakland, Calif. He is president of the Afro-American Association, which has a membership of approximately 2,000 in the San Francisco Bay area. This association has a factory in Oakland where they manufacture clothing for men and women, and they call the clothing "Dignity Clothing." The slogan of the com-

> pany is "Walk in Dignity." Warden has been addressing many Republican and conservative groups and is fast becoming the Negro spokesman against the radical left and is taking on NAACP and CORE and the so-called liberal Democrats.

Mr. President, that is the memorandum I received from a reputable California citizen, in identifying Mr. Don Warden, who delivered the speech which was printed a few days ago in the CONGRESSIONAL RECORD, at the request of Representative UTT, of California. Mr. Warden delivered the speech only a few days ago at a very large meeting of Republicans in California.

I am greatly impressed by this speech by Mr. Warden, and particularly by what he said about the education of the Negroes. One of his paragraphs on that subject reads as follows:

> Let's examine the history and find out what is the real genius of America in terms of advancement and in terms of success. The civil rights groups say "We have the answer." Educationally, if we just desegregate the schools, you will solve the educational problem. This is a lie. How do I know this? Again, we promise not to become emotional, but to back up and to support everything we say. That's an intellectual responsibility. If desegregating schools were the answer, as Lyndon Johnson seems to think, as the present administration seems to think, then we could look to those areas where the schools are desegregated, and we would find educational progress. Even out of the mouths of the civil rights groups comes condemnation. There are greater dropouts in the North than in the South.

I do not need to remind Senators that the leaders of the civil rights efforts have repeatedly stated that the desegregation problems of the North have increased during the last 10 years, as a result of the increase of de facto segregated schools, and that the number of children in those de facto segregated schools in northern cities is greater than the number 10 years ago, when the desegregation decision was handed down by the Supreme Court, and that the number of those de facto segregated schools has also increased.

There is no question whatever as to the soundness of Mr. Warden's conclusion that by looking at the areas where the schools are desegregated, we do not find better school conditions for young Negroes, but instead find, in many areas, large de facto segregated schools where the conditions are very bad indeed, and where, as Mr. Warden said, "there are greater dropouts in the North than in the South."

Continuing on the same point, Mr. Warden said:

> The civil rights groups are sometimes unconsciously reinforcing an inferiority complex. If it is an all-Catholic or an all-Jewish school, they say, "That is all right. That is religion." If it is an all-Japanese school, they say, "That is all right. That's cultural." But if it is an all-black school, they say, "It must be segregation because look at it. It's all black." It reinforces inferiority. It says anything all black is inherently inferior. You can't build pride when you adopt this position.

Again on the same subject Mr. Warden said:

> We have found that by teaching racial pride, the history of the race, it gives the race a sense of purpose. The young man goes to school not asking the counselor, "What should I be when I grow up?" He goes to the community for community support, and he asks the community, "What do you need?" And the community says, "We need doctors, we need lawyers, we need scientists, we need inventors, we need mathematicians." And then he goes to the counselor, and wants to know, "Do I have the ability to do what my people want me to do?" This is the pride. This is the sense of motivation, and it kills flunkouts and dropouts.
>
> We must open up a gigantic war on dropouts and flunkouts if we are going to save the race. What the Afro-American Association has done is this: we have gone to school, and marched around the school, and brought all of the parents out on the street and on the sidewalk. A demonstration, but a practical, affirmative one. We brought the people out on the sidewalks, and we had signs telling the kids to meet us at the library. "Honor grades will make you feel good, like black people should."
>
> Then we tell them: "It is what's inside that counts." Then we had them sign pledges that they would use all reasonable effort to obtain honor grades especially in reading, writing, sciences, mathematics and technical skills. Practical. We sang songs so that they could go to school and come home from school singing words that were meaningful. This is the type of educational program that the Afro-American Association submits. It's practical and it will bring meaningful progress.
>
> Economics. Because of automation today, if you don't have a skill, you're not going to get a job, white or black, or any other color.
>
> You cannot pass laws to make people want to learn. You cannot pass laws to give motivation. And you cannot pass laws to require people to obtain economic skill. It's again a problem of motivation.
>
> In the bay area—

He is referring to the San Francisco Bay area—

> and throughout the United States, they have three public schools at night where a person can come and obtain skills and get jobs. The Afro-American Association has an employment office. And for every job we place, we have about 50 that we can't place because of the lack of skill. The openings are there today—without any demonstration—without any picketing. They're open.

While the rest of the excellent speech by Mr. Warden does not deal directly with the field of education for Negroes, there are some other fine statements in it which I think I should quote at this time. These statements, all of which bear directly on the problems of the Negro people, are as follows:

> America has attracted to its borders persons from Ireland, France, England, China—from all over the world. After these persons came to America, they made a decision: that you get nothing for nothing, but with hard work and initiative, and sacrifice, we can build ourselves and the country into something worthwhile.
>
> These groups did not come to America with the idea of disappearing. The Chinese began to say that "I am Chinese-American"; the Japanese, because they came from Japan, "Japanese-American," the Irish, "Irish-American."'
>
> There is no Negro land. My ancestors came from Africa, and I don't want anyone to forget it. That's the reason we call ourselves Africans or Afro-Americans; to describe our history and our heritage.

Another quotation from Mr. Warden:

> Throughout the bay area (San Francisco Bay), approximately 67 to 70 percent of the arrests are persons of African descent. If a white person were to make this allegation, he would be immediately accused of being a bigot, and I am immediately accused of being an Uncle Tom.

Mr. Warden further stated:

> The issue is that the very race (the Negro) that he belongs to is the race that we have been trying to get away from. We have not had the respect and pride in our own race. Every time a person gets a little money, they want to run away from the race, move away from the race. Someone has to come back into the race to build up the race. You can't do it if everyone moves.
>
> In Birmingham, Ala., Martin Luther King, the merchants have told me, "I just hate you. Maybe I shouldn't. Maybe I should. But I'm honest. I just hate you. I've told you that."

Mr. Warden continued:

> Reverend King says, "I don't care if you do hate me. I'm going to sit-in, roll-in, crawl-in, beg-in, knee-in, steal-in until you take my money." Now the merchant is richer, we are poorer, he has our money, and he still hates us.

Again I quote Mr. Warden:

> If we put up businesses and factories which I feel must be done, this isn't a complete solution—but it's a partial solution. It's what the Chinese have done. If you go to Chinatown, you're not going to say, "I'm not going to go back there anymore. Those people are practicing segregation. I don't think that's right." It's all a Chinese community. No one says it's inferior. The Chinese own one-half of Russian Hill in San Francisco. They could move there tomorrow. But they prefer to take the money to continue to rehabilitate and build up Chinatown, because they love Chinatown. They love to be with each other and they take pride in their accomplishment and achievement.

Mr. President, that young Negro was talking a great deal of commonsense in the speech made in California. I continue with another quotation from him:

> Civil rights leaders come to California and say that California is as bad as Birmingham, Ala. Now, if it is as bad, why should I spend millions and millions and millions of dollars to get the same laws in Birmingham?

Mr. Warden is recognizing a fact which has been recognized several times in the course of the debate. Not only California, but many of the other States where the problem of race as it affects the Negroes has become most serious, have all the laws that are suggested in the pending civil rights bill, and some others besides.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield.

Mr. LONG of Louisiana. Is the Senator aware of the fact that there is a much higher percentage of Negroes unemployed in States that have FEPC laws than there is in States that do not have such laws?

Mr. HOLLAND. I am aware of that. The distinguished colleague of the Senator from Louisiana [Mr. ELLENDER] placed in the RECORD of the debate a list compiled by the Department of Labor which showed conclusively that the number of Negro unemployed persons in all the States of the South was decidedly smaller than the number in the States of the East and other parts of the country in which there are large concentrations of Negroes.

Mr. LONG of Louisiana. For example, is the Senator aware of the fact that in the great State of Michigan, which has an FEPC law similar to that which is sought to be imposed on the States of the South, according to the latest figures, the percentage of unemployment was 6 percent among the white workers, but more than 16 percent of the Negro workers were without jobs? Illinois is another great example of the self-righteousness that we have seen. The latest figures relating to Illinois showed that 3.4 percent of the white workers in the State of Illinois were without work. But is the Senator aware of the fact that in that State more than 13 percent of the Negro workers were without work?

Mr. HOLLAND. I am not aware of the exact number because I have not seen the official list in the past few days. But I remember distinctly that in each State which the Senator has mentioned the number of unemployed Negroes is very high, and in each State the percentage of unemployment vastly exceeds the percentage of unemployment in the Southern States among Negroes.

Mr. LONG of Louisiana. I wonder if the Senator knew about that fact. The FEPC laws seem to boomerang against the colored man when theoretically they are supposed to be for his benefit. Does the Senator know that in the so-called FEPC States a small business man getting ready to hire someone does not place an advertisement stating his need in the newspaper, because if he did place such an advertisement and a colored man should show up in response to the advertisement and the employer did not hire the colored man, the employer might be hauled before the FEPC Commission, so an employer is afraid to hire colored people for fear of being dragged before the FEPC? If he should hire a white man and the employee were no good, the employer could fire him and be done with him. If the employer should hire a Negro and he were no good, the employer would be confronted with the prospect of being hauled before the FEPC Commission. I ask the Senator if he knows that as a result there is a tendency to work out in such a way that an employer does not hire a Negro because the employer cannot get rid of him if he is not qualified.

Mr. HOLLAND. I know from talking to employers from two States, at least—the States of New York and Connecticut—that employers have to procure people to fill important vacancies in important positions on their staffs of personnel before they ever allow any knowledge to come out that there is to be a vacancy, for the very reasons which the distinguished Senator has suggested. I am very sure that the practice is broader than merely in those two States or on the part of the relatively small number of executives with whom I have talked.

Mr. LONG of Louisiana. Based upon the figures that my colleague [Mr. ELLENDER] had printed in the RECORD—and, if need be, I shall supply them again—does it not stand to reason that if people wanted to help a colored man to get a job they would repeal the FEPC laws, because it is in States in which such laws exist that Negroes are being hurt the worst?

Mr. HOLLAND. Mr. President, that may be the case. Certainly they would be hurt worst in the so-called FEPC States. I should like to think that there may be some other causes.

It may be that the ones who have remained at home in the South and stuck to their jobs and their farms represent the ones with greater initiative, greater industry, and greater energy, the ones who are willing to work, and that those who roam to other places are of some other type; but the fact is that the statistics conclusively show, as the Senator has stated, that the percentage of unemployed Negroes in the FEPC States is vastly greater than it is in the Southern States.

Mr. LONG of Louisiana. If a colored man is required to take an examination to compete for a job against a well educated Jew or a well educated gentile of the Caucasian race, who, on the average would win the competition?

Mr. HOLLAND. I should think, if there were freedom of choice on the part of the executive, it would be the better trained man in that case.

Mr. LONG of Louisiana. Based on educational qualifications, who would it tend to be—the colored man or the white man?

Mr. HOLLAND. It would tend to be the white man under the standards of educational qualifications prevailing at this time.

Mr. LONG of Louisiana. Does that fact not show why the Negroes are not asking for FEPC laws in the North any more, but are asking for quota systems?

Mr. HOLLAND. That is one explanation. Whenever we have dependable statistics on this subject, I think we shall always find that the serious-minded Negroes, those who want to elevate their own race and carve out their own future, have remained in the South, and too many of the other kind have gone to other parts of the country. I would like to think that. But the fact is that in the FEPC States, none of which are in the South, the level of unemployment among Negroes is poor, and vastly exceeds the level of unemployment among Negroes in the South.

Mr. LONG of Louisiana. I am not contending that the record in the South is all it should be. We would like to do better by the colored people than we are doing. But before one points the finger of scorn and shame, I think he should come in with clean hands, as one is required to do in a court of equity. When the figures for the State of Michigan, which has an FEPC law, show that 16 percent of the Negroes are unemployed and only 6 percent of the whites are unemployed, and in Illinois, which has an FEPC law, 11 percent of the Negroes are unemployed, and only 3 percent of the whites are unemployed, and when the record is almost as bad in Pennsylvania, does the Senator believe it comes with good grace to be told by people who come from those States that we must pattern our conduct after them?

Mr. HOLLAND. I do not believe they come with good grace or with reasonable cause.

Let me reread the terse statement of the Negro attorney speaking at the California convention. He said:

> Civil rights leaders come to California and say that California is as bad as Birmingham, Ala. Now, if it is as bad, why should I spend millions and millions and millions of dollars to get the same laws in Birmingham?

That speaks very loudly for this conclusion. Apparently, the same conclusion was reached, based on the viewpoint of one of another race, by one who lives in one of the FEPC States, that has been reached by my friend the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. I shall again provide the figures for the RECORD before the debate is over. The record shows very clearly that the record of the FEPC States in providing jobs for Negroes as compared with whites is not nearly as good as it is in the Southern States.

Mr. HOLLAND. I completely agree with the Senator. I hope he will place this compilation in the RECORD again. If he can place it in the RECORD before the permanent RECORD is printed, I hope he will place it in the RECORD at this point, so that those who read it may use the statistics as a reference.

Quoting again from Mr. Warden, a young Oakland Negro lawyer:

> We can reduce crime because we're going to build up racial love and respect in a race. We're going to give our women more respect than they've ever had. We apologize to our women for the way we've acted in the past. We're telling people that we're going to get off welfare and get jobs. If the blind people thought enough of themselves to come away from the corners with their cups begging and to put up factories and businesses because they knew that it would reinforce their pride and their self-image, I think it's good enough for us to try it for a little while.

I read one short additional quotation from Mr. Warden:

> The civil rights groups have not put up one business or one factory in their entire history. Not one. Not even as a token, or a symbol of what could be done. We need images to give the race confidence in itself. As we teach racial pride in history, people don't commit crimes against themselves or anyone else.
>
> The Chinese came to America poor but you never found any crime rate. The Japanese came to America poor but you never found a crime rate because of the degree of love and unity. This is what we are attempting to do.

Mr. President, that completes the quotation from Mr. Warden's able speech.

I am now about to yield to the distinguished Senator from Oregon [Mr. MORSE].

AMBASSADOR ADLAI STEVENSON'S SPEECH IN THE SECURITY COUNCIL OF THE UNITED NATIONS TODAY

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may be allowed to yield, without losing my right to the floor, to the distinguished Senator from Oregon [Mr. MORSE].

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **MORSE.** And with the further understanding that when the Senator from Florida starts his speech again, it will not count as a second speech, and with the further understanding that my interruption will appear elsewhere in the RECORD.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **MORSE.** Mr. President, I ask unanimous consent that the speech delivered before the Security Council of the United Nations today by Ambassador Adlai E. Stevenson be inserted in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE HONORABLE ADLAI E. STEVENSON, U.S. REPRESENTATIVE TO THE UNITED NATIONS, BEFORE THE SECURITY COUNCIL OF THE UNITED NATIONS ON THE CAMBODIAN COMPLAINT, MAY 21, 1964

(Approximately as Delivered)

I

Mr. President, the facts about the incidents at issue are relatively simple and clear.

The Government of the Republic of Vietnam already has confirmed that in the heat of battle, forces of the Republic of Vietnam did, in fact, mistakenly cross an ill-marked frontier between their country and Cambodia in pursuit of armed terrorists on May 7 and May 8, and on earlier occasions. That has been repeated and acknowledged here again today by the representative of Vietnam.

The Government of Vietnam has expressed its regrets that these incidents occurred with some tragic consequences. It has endeavored to initiate bilateral discussions with the Cambodian Government to remove the causes of these incidents.

But these incidents can only be assessed intelligently in the light of the surrounding facts: namely, the armed conspiracy which seeks to destroy not only the Government of Vietnam but the very society of Vietnam itself.

Mr. President, it is the people of the Republic of Vietnam who are the major victims of armed aggression. It is they who are fighting for their independence against violence directed from outside their borders. It is they who suffer day and night from the terror of the so-called Vietcong. The prime targets of the Vietcong for kidnaping, for torture and for murder have been local officials, schoolteachers, medical workers, priests, agricultural specialists and any others whose position, profession, or other talents qualified them for service to the people of Vietnam—plus, of course, the relatives and children of citizens loyal to their government.

The chosen military objectives of the Vietcong—for gunfire or arson or pillage—have been hospitals, schoolhouses, agricultural stations, and various improvement projects by which the Government of Vietnam for many years has been raising the living standards of the people. The Government and people of Vietnam have been struggling for survival, struggling for years for survival in a war which has been as wicked, as wanton, and as dirty as any waged against an innocent and peaceful people in the whole cruel history of warfare. So there is something ironic in the fact that the victims of this incessant terror are the accused before this council and are defending themselves in daylight while terrorists perform their dark and dirty work by night throughout their land.

II

Mr. President, I cannot ignore the fact that at the meeting of this Council 2 days ago, Ambassador Federenko, the distinguished representative of the Soviet Union, digressed at great length from the subject before the Council to accuse the U.S. Government of organizing direct military action against the people of the Indo-Chinese peninsula.

For years, too many years, we have heard these bold and unsupported accusations. I had hoped that these fairy tales would be heard no more. But since the subject has been broached in so fanciful a way, let me set him straight on my Government's policy with respect to southeast Asia.

First, the United States has no—repeat "no"—national military objective anywhere in southeast Asia. U.S. policy for southeast Asia is very simple. It is the restoration of peace so that the peoples of that area can go about their own independent business in whatever associations they may freely choose for themselves without interference from the outside.

I trust my words have been clear enough on this point.

Second, the U.S. Government is currently involved in the affairs of the Republic of Vietnam for one reason and one reason only: Because the Republic of Vietnam requested the help of the United States and of other governments to defend itself against armed attack formented, equipped, and directed from the outside.

This is not the first time that the U.S. Government has come to the aid of peoples prepared to fight for their freedom and independence against armed aggression sponsored from outside their borders. Nor will it be the last time unless the lesson is learned once and for all by all aggressors that armed aggression does not pay—that it no longer works—that it will not be tolerated.

The record of the past two decades makes it clear that a nation with the will for self-preservation can outlast and defeat overt or clandestine aggression—even when that internal aggression is heavily supported from the outside, and even after significant early successes by the aggressors. I would remind the Members that in 1947 after the aggressors had gained control of most of the country, many people felt that the cause of the Government of Greece was hopelessly lost. But as long as the people of Greece were prepared to fight for the life of their own country, the United States was not prepared to stand by while Greece was overrun.

This principle does not change with the geographical setting. Aggression is aggression; organized violence is organized violence. Only the scale and the scenery change; the point is the same in Vietnam today as it was in Greece in 1947 and in Korea in 1950. The Indochinese Communist Party, the parent of the present Communist Party in North Vietnam, made it abundantly clear as early as 1951 that the aim of the Vietnamese Communist leadership is to take control of all of Indochina. This goal has not changed—it is still clearly the objective of the Vietnamese Communist leadership in Hanoi. Take them to U.N.

Hanoi seeks to accomplish this purpose in South Vietnam through subversive guerrilla warfare directed, controlled and supplied by North Vietnam. The Communist leadership in Hanoi has sought to pretend that the insurgency in South Vietnam is a civil war, but Hanoi's hand shows very clearly. Public statements by the Communist Party in North Vietnam and its leaders have repeatedly demonstrated Hanoi's direction of the struggle in South Vietnam. For example, Le Duan, first secretary of the party, stated on September 5, 1960, "At present our party is facing [a] momentous task: to strive to complete * * * revolution throughout the country." He also said this: "The north is the common revolutionary base of the whole country." Three months after the Communist Party Congress in Hanoi in September 1960, the so-called National Front for the Liberation of South Vietnam was set up pursuant to plans outlined publicly at that Congress.

The International Control Commission in Vietnam, established by the Geneva accords of 1954, stated in a special report which it issued in June 1962, that there is sufficient evidence to show that North Vietnam has violated various articles of the Geneva accords by its introduction of armed personnel, arms, munitions, and other supplies from North Vietnam into South Vietnam with the object of supporting, organizing, and carrying out hostile activities against the Government and armed forces of South Vietnam.

Infiltration of military personnel and supplies from North Vietnam to South Vietnam has been carried out steadily over the past several years. The total number of military cadres sent into South Vietnam via infiltration routes runs into the thousands. Such infiltration is well documented on the basis of numerous defectors and prisoners taken by the armed forces of South Vietnam.

Introduction of Communist weapons into South Vietnam has also grown steadily. An increasing amount of weapons and ammunition captured from the Vietcong has been proven to be of Chinese Communist manufacture or origin. For example, in December 1963, a large cache of Vietcong equipment captured in one of the Mekong Delta Provinces in South Vietnam included recoilless rifles, rocket launchers, carbines, and ammunition of Chinese Communist manufacture.

The United States cannot stand by while southeast Asia is overrun by armed aggressors. As long as the peoples of that area are determined to preserve their own independence and ask for our help in preserving it, we will extend it. This, of course, is the meaning of President Johnson's request a few days ago for additional funds for more economic as well as military assistance for Vietnam.

And if anyone has the illusion that my Government will abandon the people of Vietnam—or that we shall weary of the burden of support that we are rendering these people—it can only be due to ignorance of the strength and the conviction of the American people.

III

We all know that southeast Asia has been the victim of almost incessant violence for more than a decade and a half. Yet despite this fact, it has been suggested that we should give up helping the people of Vietnam to defend themselves and seek only a political solution. But a political solution is just what we have already had, and it is in defense, in support of that political solution, that Vietnam is fighting today. The United States has never been against political solutions. Indeed, we have faithfully supported the political solutions that were agreed upon at Geneva in 1954 and again in 1962. The threat to peace in the area stems from the fact that others have not done likewise.

The Geneva accords of 1954 and 1962 were, quite precisely, political agreements to stop the fighting, to restore the peace, to secure the independence of Vietnam and Laos and Cambodia, to guarantee the integrity of their frontiers, and to permit these much-abused peoples to go about their own business in their own ways. The United States, though not a signatory to the 1954 accords, has sought to honor these agreements in the hope that they would permit these people to live in peace and independence from outside interference from any quarter and for all time.

To this day there is only one major trouble with the political agreements reached at Geneva with respect to Vietnam, Cambodia, and Laos in 1954 and again with respect to Laos in 1962. It is this: The ink was hardly dry on the Geneva accords in 1954 before North Vietnam began to violate them systematically with comradely assistance from the regime in Peking. Nearly a million people living in North Vietnam in 1954 exercised the right given to them under the Geneva agreement to move south to the Republic of Vietnam. Even while this was going on, units of the Viet Minh were hiding their arms and settling down within the frontiers of the Republic to form the nucleus of today's Vietcong, to await the signal from outside their borders to rise and strike. In the meantime, they have been trained and supplied in considerable measure from North Vietnam—in violation of the Geneva agreement, the political settlement. They have been reinforced by guerrilla forces moved into the Republic of Vietnam through Laos—in violation of the Geneva agreement, the political settlement.

This is the reason—and the only reason—why there is fighting in Vietnam today. There is fighting in Vietnam today only because the political settlement for Vietnam reached at Geneva in 1954 has been deliberately and flagrantly and systematically violated.

As I say, Mr. President, this is the reason why my Government—and to a lesser extent other governments—have come to the aid of the Government of the Republic of Vietnam as it fights for its life against armed aggression directed from outside its frontiers in contemptuous violation of binding agreements. If the Government of the Republic of Vietnam is fighting today it is fighting to defend the Geneva agreement which has proven undefendable by any other means. If arms are being used in Vietnam today it is only because a political solution has been violated cynically for years.

IV

The same disregard for the political settlement reached at Geneva has been demonstrated—by the same parties—in Laos. Violation has been followed by a period of quiet—and then another violation. Limited aggression has been followed by a period of calm—and then another limited aggression. Throughout the period since July 1962, when the Laotian settlement was concluded, the Prime Minister of Laos, Prince Souvanna Phouma, has with great patience and fortitude sought to maintain the neutrality and independence of his country. He has made every effort to bring about Pathet Lao cooperation in the government of national union.

Now, in the past few days, we have seen a massive, deliberate, armed attack against the forces of the coalition government of Prime Minister Souvanna Phouma. The attack was mounted by a member of that coalition government, with the military assistance of one of the signatories of the Geneva accords. These violations are obviously aimed at increasing the amount of Lao territory under Communist control.

The military offensive of recent days must be seen as an outright attempt to destroy by violence what the whole structure of the Geneva accords was intended to preserve. Hanoi has persistently refused to withdraw the Vietnamese Communist forces from Laos despite repeated demands by the Lao Prime Minister. Hanoi has also consistently continued the use of Laos as a corridor for infiltration of men and supplies from North Vietnam into South Vietnam.

It is quite clear that the Communists regard the Geneva accords of 1962 as an instrument which in no way restrains the Communists from pursuing their objective of taking over Laos as well as South Vietnam.

The recent attempt to overthrow the constitutional government headed by Prime Minister Souvanna Phouma was in large part attributable to the failure of the machinery set up with the Geneva accords to function in response to urgent requests by the Government of Laos. This machinery has been persistently sabotaged by the Communist member of the International Control Commission, who has succeeded by misuse of the so-called veto power in paralyzing the machinery designed to protect the peace in that area and thereby undermining support of the Souvanna government. Today, however, that government which was created under the Geneva agreements remains in full exercise of its authority as the legitimate government of a neutral Laos.

The other Geneva signatories must live up to their solemn commitments and support Prime Minister Souvanna Phouma in his efforts to preserve the independence and neutrality which the world thought had been won at Geneva. These solemn obligations must not be betrayed.

V

Mr. President, my Government takes a very grave view of these events. Those who are responsible have set foot upon an exceedingly dangerous path.

As we look at world affairs in recent years, we have reason to hope that this lesson has at last been learned by all but those fanatics who cling to the doctrine that they can further their ambitions by armed force.

Chairman Khrushchev said it well and clearly in his New Year's Day message to other heads of government around the world. In that letter he asked for "recognition of the fact that territories of states must not, even temporarily, be the target of any kind of invasion attack, military occupation or other coercive measures, directly or indirectly undertaken by other states for any political, economic, strategic, boundary, or other considerations, whatsoever."

There is not a member of this Council or a member of this Organization which does not share a common interest in a final and total renunciation—except in self-defense—of the use of force as a means of pursuing national aims. The doctrine of militant violence has been rendered null and void by the technology of modern weapons and the vulnerability of a world in which the peace cannot be ruptured anywhere without endangering the peace everywhere.

Finally, Mr. President, with respect to southeast Asia in general, let me say this. There is a very easy way to restore order in southeast Asia. There is a very simple, safe way to bring about the end of U.S. military aid to the Republic of Vietnam.

Let all foreign troops withdraw from Laos. Let all states in that area make and abide by the simple decision to leave their neighbors alone. Stop the secret subversion of other people's independence. Stop the clandestine and illegal transit of national frontiers. Stop the export of revolution and the doctrine of violence. Stop the violations of the political agreements reached at Geneva for the future of southeast Asia.

The people of Laos want to be left alone.

The people of Vietnam want to be left alone.

The people of Cambodia want to be left alone.

When their neighbors decide to leave them alone—as they must—there will be no fighting in southeast Asia and no need for American advisers to leave their homes to help these people resist aggression. Any time that decision can be put in enforcible terms, my Government will be only too happy to put down the burden that we have been sharing with those determined to preserve their independence. Until such assurances are forthcoming, we shall stand for the independence of free peoples in southeast Asia as we have elsewhere.

VI

Now, Mr. President, if we can return to the more limited issue before this Council today: the security of the frontier between Cambodia and the Republic of Vietnam. My Government is in complete sympathy with the concern of the Government of Cambodia for the sanctity of its borders and the security of its people. Indeed, we have been guided for nearly a decade in this respect, by the words of the final declaration of the Geneva Conference of July 21, 1954: "In their relations with Cambodia, Laos, and Vietnam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and the territorial integrity of the above-mentioned states, and to refrain from any interference in their internal affairs."

With respect to the allegations now made against my country, I shall do no more than reiterate what Ambassador Yost, the U.S. delegate, said to this Council on Tuesday morning: The United States has expressed regret officially for the tragic results of the border incidents in which an American adviser was present; our careful investigations so far have failed to produce evidence that any Americans were present in the inadvertent crossing of the Cambodian frontier on May 7 and May 8; and there is, of course, no question whatever of either aggression or aggressive intent against Cambodia on the part of my country.

Let me emphasize, Mr. President, that my Government has the greater regard for Cambodia and its people and its Chief of State, Prince Sihanouk, whom I have the privilege of knowing. We believe he has done a great deal for his people and for the independence of his country. We have demonstrated our regard for his effort on behalf of his people in very practical ways over the past decade. We have no doubt that he wants to assure conditions in which his people can live in peace and security. My Government associates itself explicitly with this aim. If the people of Cambodia wish to live in peace and security and independence—and free from external alinement if they so choose—then we want for them precisely what they want for themselves. We have no quarrel whatsoever with the desire of Cambodia to go its own way.

The difficulty, Mr. President, has been that Cambodia has not been in a position to carry out, with its own unaided strength, its own desire to live in peace and tranquillity. Others in the area have not been prepared to leave the people of Cambodia free to pursue their own ends independently and peacefully. The recent difficulties along the frontier which we have been discussing here in the Council are only superficially and accidentally related to the Republic of Vietnam. They are deeply and directly related to the fact that the leaders and armed forces of North Vietnam, supported by Communist China, have abused the right of Cambodia to live in peace by using Cambodian territory as a passageway, a source of supply, and a sanctuary from counterattack by the forces of South Vietnam, which is trying to maintain its right to live in peace and go its own way, too. Obviously Cambodia cannot be secure—her territorial integrity cannot be assured—her independence cannot be certain—as long as outsiders direct massive violence within the frontiers of her neighboring states. This is the real reason for troubles on the Cambodian border; this is the real reason we are here today.

Now it is suggested that the way to restore security on the Cambodian-Vietnamese border is to reconvene the Geneva Conference which 10 years ago reached the solemn agreement which I just read to you.

Mr. President, we can surely do better than that. There is no need for another such conference. A Geneva conference on Cambodia could not be expected to produce an agreement any more effective than the agreements we already have. This Council is seized with a specific issue. The Cambodians have brought a specific complaint to this table. Let us deal with it. There is no need to look elsewhere.

We can make—here and now—a constructive decision to help meet the problem that has been laid before us by the Government of Cambodia—to help keep order on her frontier with Vietnam—and thus to help eliminate at least one of the sources of tension and violence which afflict the area as a whole.

Let me say, Mr. President, that my Government endorses the statement made by the distinguished representative of Cambodia to the Council on Tuesday when he pointed out that states which are not members of the United Nations are not thereby relieved of responsibility for conducting their affairs in line with the principles of the charter of this Organization. We could not agree more fully. Yet the regimes of Peking and Hanoi which are not members of this Organization are employing or supporting the use of force against their neighbors. This is why the borders of Cambodia have seen violence. And this is why we are here today. And that is why the United Nations has a duty to do what it can do to maintain order along the frontier between Cambodia and Vietnam—to help uphold the principles of the charter in southeast Asia.

As for the exact action which this Council might take, Mr. President, my Government is prepared to consider several possibilities. We are prepared to discuss any practical and constructive steps to meet the problem before us.

One cannot blame the Vietnamese for concluding that the International Control Commission cannot do an effective job of maintaining frontier security. The troika principle of the International Control Commission which is to say the requirement under article 42 of the Geneva agreement on Vietnam that decisions dealing with questions concerning violations which might lead to resumption of hostilities can be taken only by unanimous agreement, has contributed to the frustration of the ICC.

The fact that the situation in South Vietnam has reached the crisis stage is itself dramatic testimony of the frustration to which the International Control Commission has been reduced. With the exception of the special report on June 2, 1962, to which I referred, condemning Communist violations of the Geneva accords, the Commission has taken no action with respect to the Communist campaign of aggression and guerrilla warfare against South Vietnam.

The representative of Cambodia has suggested that a commission of inquiry investigate whether the Vietcong has used Cambodian territory. We have no fundamental objection to a committee of inquiry. But we do not believe it addresses itself to the basic problem that exists along the Vietnam-Cambodia border. More is needed in order to assure that problems do not continue to arise.

Several practical steps for restoring stability to the frontier have been suggested and I shall make brief and preliminary general remarks about them. I should like to reiterate what Ambassador Yost said, that we have never rejected any proposal for inspection of Cambodian territory.

One suggestion is that the Council request the two parties directly concerned to establish a substantial military force on a bilateral basis to observe and patrol the frontier and to report to the Secretary General.

Another suggestion is that such a bilateral force be augmented by the addition of United Nations observers and possibly be placed under United Nations command to provide an impartial third-party element representing the world community. We also could see much merit in this idea.

A third suggestion is to make it an all-United Nations force. This might also be effective. It would involve somewhat larger U.N. expenditures than the other alternatives. But if this method should prove desirable to the members of the Council, the United States will be prepared to contribute.

We would suggest, Mr. President, that whether one of these or some other practical solution is agreed, it would be useful to ask the Secretary General of the United Nations to offer assistance to Cambodia and the Republic of Vietnam in clearly marking the frontiers between the two countries. One of the difficulties is that there are places where one does not know whether he stands on one side of the frontier or the other. Certainly it would help reduce the possibility of further incidents if this uncertainty were to be removed.

In conclusion, Mr. President, let me repeat that I am prepared to discuss the policy and the performance of my Government throughout southeast Asia. But the issue before us is the security of the Cambodia-Vietnam border. I have expressed my Government's views on that subject. I hope other members of the Council also will express their views on that subject and that the Council, which is the primary world agency for peace and security, can quickly take effective steps to remedy a situation which could threaten peace and security.

Mr. MORSE. Mr. President, this speech was delivered by our Ambassador as the first reply of the United States to the charge leveled against us in the United Nations' Security Council by Cambodia. I would not want the day to close without going on record in the Senate in disagreement with the speech. Of course, it was a speech that was written primarily for the Ambassador by the State Department. Yet I am sad that Adlai Stevenson permitted himself to be so used, for an ambassadorship is not worth that. I think that Adlai Stevenson abdicated his position of world leadership in the field of world affairs. It is a serious casualty of leadership.

When I think of those great speeches of Adlai Stevenson of another day, when I think of his historic defenses of the application of the rule of law for the settlement of disputes that threaten the peace of the world, when I think of the eloquence of Adlai Stevenson of a bygone day in support of a great ideal that must be put into practice if mankind is to save itself from annihilation from a nuclear war—and contrast the eloquence and nobility of those speeches, with the speech of rationalization, alibiing, excusing, that his lips were used to deliver today in the Security Council of the United Nations—I find it impossible to select words to really portray the depth of my feeling of sadness. Something has gone out of our national leadership. A great light has been extinguished, and a great voice has been misused. We find not one word in the Stevenson speech that meets head on the great issue that he ought to have been talking about—the issue that is being raised by many, not only in our country, but in the other free nations of the world. Why, oh, why has the United States turned its back on the United Nations? Why, oh, why has the United States violated the Charter of the United Nations in South Vietnam? We have, Mr. President. And we shall stand in the pages of history convicted of violating the United Nations Charter—all the alibiing of Adlai Stevenson to the contrary notwithstanding.

I never thought that I would live so long as to see Adlai Stevenson fail to meet an issue squarely, even though it might mean the casualty of an ambassadorship, which as I said on the floor of the Senate the other day, is a minor sacrifice compared with the sacrifice of the lives of American boys in South Vietnam. They are being sacrificed there in violation of U.S. obligations under the United Nations in respect to our unilateral and illegal military course of action in South Vietnam, not only in violation of the United Nations Charter, but also in violation of the Constitution of the United States.

I will repeat and repeat in the months to come that the United States cannot justify sending an American boy to his death on a battlefield in the absence of a declaration of war and without seeking first to settle the dispute in the United Nations.

The American military operation in South Vietnam is clearly unconstitutional. It cannot be justified in the absence of a declaration of war. We are engaging in a subterfuge. Now there is a proposal before the committees of Congress to obtain a form of congressional approval of the unilateral, American military action in South Vietnam outside the framework of the Constitution, by approving appropriations for it. What has happened that we do not meet the issues forthrightly, directly?

One of the saddest things is that the United States has been undercutting the United Nations Charter in South Vietnam, thereby weakening the United Nations Charter and playing into the hands of our Communist enemies—or, as Adlai Stevenson has been heard to say in years gone by, and I paraphrase him, but accurately—"The United Nations is essential to peacekeeping in the world."

As we weaken the United Nations by flouting, circumventing, and violating our obligations under it, we, of course, strengthen the hands of the Communists in following a similar course of action elsewhere. We shall find ourselves in a rather untenable position when we seek to have the United Nations peacekeeping power applied to Russia, Red China, Nasser, or any other power in the world that seeks to resort to threats to the peace, when it can with justification say—as I have suggested on the floor before—"See who is talking—the United States. What about South Vietnam?"

I was disappointed with the Stevenson speech today because he did not discuss any of the articles of the United Nations Charter to which our signature is attached. Of course, it is obvious why he did not discuss them. He could not discuss them and sustain his rationalizing position before the Security Council today. But, the record should be made on the same day. In this discussion of Mr. Stevenson before the Security Council today about the alleged violations of the Geneva accords of 1954, as I have said before, and repeat, the word "alleged" can be stricken if there is any question about the fact that the Geneva accords have been violated and are being violated. But it is disappointing that in his speech Mr. Stevenson did not take note of the fact that the United States did not sign the Geneva accords of 1954. He raises a great hue and cry about their being violated. Certainly Mr. Stevenson knows, or should know, that the United States, not signing the Geneva accords, has no right to take the position that it can enforce them unilaterally on the basis of the U.S. findings.

Mr. President, if the Geneva accords are being violated, the first duty of the United States, or any other country that wants to keep faith with its obligations under the United Nations Charter, is to prove it. We do not prove it with a speech. We prove it with evidence before a body that has jurisdiction to take evidence.

For Mr. Stevenson to stand before the Security Council—and thereby before the world—and seek to rationalize the American unilateral military action in South Vietnam on the basis of the assertion by the United States that the Geneva accords are being violated by North Vietnam and others is, in my judgment, inexcusable.

Mr. Stevenson is a good enough lawyer to know that he ought to go to court to make his charges and submit his evidence. Mr. Stevenson has not been willing to go to court as the representative of the United States; or, apparently, so far as we know, he has not been willing to recommend to the United States that the United States go to court. We have no right to judge for ourselves whether the Geneva accords are being violated, and then assume unto ourselves the right to enforce the accords against the nations that we have decided have violated them.

One of the saddest things about the situation is that we could prove our charge. The saddest thing about it is that in my judgment the United States has a case it can prove against North Vietnam, against China and, I believe, against Laos, that the Geneva accords are being violated and have been violated. We ought to have done that. We ought to have kept faith not only with our commitments under the United Nations Charter, but also with the primary purpose of the United Nations to preserve the world where the peace is threatened anywhere in the world by the application of the rule of law, instead of using unilateral military might, which the United States is doing in South Vietnam.

What a great historic opportunity the South Vietnam crisis has offered the United States, and how sad and unfortunate it is that the United States has run away from its obligation to strengthen the rule of law, purpose, and objective of the United Nations, by taking unto itself the prerogative of acting unilaterally, outside the United Nations, when it is not even a signatory to the Geneva accords.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORSE. After I yield to the Senator from Kentucky I shall proceed to show why we are not a signatory to the Geneva accords. However, if I yield to the Senator from Kentucky, it must be with the understanding that all the rights of the Senator from Florida [Mr. HOLLAND] heretofore guaranteed to him by my unanimous-consent request that he yield to me under the full protection of the points that I raised be continued.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. I should like to ask the Senator a question, so that it may appear in the RECORD as a matter of information. Is it the Senator's view that at the time the Geneva Conference was held, and the accords were made, a procedure was included in the agreement for reference to the United Nations of any breach of the agreement?

Mr. MORSE. Of course not. That would not be required.

Mr. COOPER. The Senator is arguing the principle. I understand that. I am trying to ascertain his recollection. I know that he is familiar with this subject, because he has spoken on it several times. Is it the Senator's recollection that any specific procedure was included in the accords requiring a reference of any breach of the accords to the United Nations?

Mr. MORSE. It does not need to be.

Mr. COOPER. I know that, but I wish to have that clearly spelled out.

Mr. MORSE. I am perfectly willing to spell it out, but it is quite irrelevant to the point I am making; namely, that there has been a violation of the Geneva accords. It is a violation of the Geneva accords which threatens the peace of the world. We are not a party to them. It is not our business to go around the world enforcing everyone else's treaties and agreements. What is happening in South Vietnam is a threat to the peace of the world. That puts it under the jurisdiction of the United Nations. It is the clear duty of the United States to file a complaint before the United Nations in respect to the violation of the Geneva accords, and not to take unilateral military action, which action has intensified the threat to the peace of the world, flowing from the violation of the accords.

Mr. COOPER. I feel it should be spelled out as a matter of record that the powers involved did not refer the matter to the United Nations in 1954 or at any other time during the 10 years in which the troubles have continued. During all the troubles in Laos and Vietnam all of the powers have refrained, for some reason, from referring any breaches to the United Nations. I believe that is historically true.

Mr. MORSE. I do not quarrel with that fact. I only say to my friend from Kentucky that it is completely irrelevant to what the duty of the United States as a signatory to the United Nations Charter has been all this time.

Mr. COOPER. I do not believe it is irrelevant in this case. I have been paying a great deal of attention to what the Senator from Oregon has said about the situation. It is a situation of great difficulty and great concern. However, I must say that I believe he has gone somewhat far, in light of the history of the Vietnam situation. At the inception of the accord there was no agreement to refer the matter to the United Nations, and there has been no reference of breaches since that time by any of the powers, it is not fair to say that the United States has broken the Charter of the United Nations. I cannot accept that.

Mr. MORSE. I do not care whether the Senator from Kentucky can accept it. It happens to be the undeniable fact.

Mr. COOPER. I cannot accept in my mind, that we have broken the Charter of the United Nations.

Mr. MORSE. I can read the United Nations Charter, and the Senator from Kentucky can read it. Under that charter no nation has the right to carry on a course of action which threatens the peace of the world anywhere. The United States has been a party to doing that. What the Senator is saying is that we are not the only ones who have been doing it. I have been pointing that out for a long time. I have been pointing out, as the Senator knows, that as a nonsignatory to the Geneva accords, it was the clear duty of the United States to complain of their violation to the United Nations, and not proceed to send American boys to die in South Vietnam. Let us not forget that the Geneva accords did set up a council, consisting of an Indian, a Pole, and a Canadian. Let us also not forget—and Mr. Stevenson failed to point this out in his speech today—that that council found that the accords had been violated not only by North Vietnam, but also by South Vietnam, citing as their evidence as to the violation by South Vietnam the U.S. military action in South Vietnam.

Mr. COOPER. When was that?

Mr. MORSE. In 1957. We have been guilty, and the lapse of time involving the guilt does not justify it, because there is no statute of limitations which provides an excuse.

Mr. COOPER. The Senator is arguing what he believes the United States should have done, and what it should do today. What I have pointed out is that for all of the powers involved to leave the problem on a regional basis, to see if it could be settled.

Mr. MORSE. That does not exclude it from the United Nations.

Mr. COOPER. But that course has been followed by all the nations in an effort to reach a settlement as they have a right to do under the charter. The basic reason for the problem of South Vietnam is the aggression from North Vietnam, not the United States.

North Vietnam is where the aggression started; this aggression has continued. The United States moved in troops for military training. Unfortunately, the number has increased now to 16,000 or 17,000. I do not know what the end will be. But I would not place the blame on the United States for what has occurred in Vietnam. I do not believe that is a fair representation of the facts.

Mr. MORSE. But they are the facts.

Mr. COOPER. With my great respect for my friend from Oregon, I have to say that we have now reached a point where we must decide what is best to do. I have my views, but I will wait until the Senator has completed his comments.

Mr. MORSE. I have no intention of letting the Senator from Kentucky leave the RECORD as it is at this point, because he is just as wrong as he can be as to the responsibility of the United States—$5.5 billion worth of responsibility, besides 16,000 American boys, with more than 200 casualties thus far. That cannot be erased from the picture, so far as responsibility is concerned. The United States has been operating a war in South Vietnam, and we have not taken the problem to the United Nations.

I go back to my major premise: The United States has no right to conduct a war in Vietnam. It had a duty under the treaty to take the issue to the United Nations for action. We did not do so. We ignored the United Nations. The fact that North Vietnam committed aggression and some other countries did likewise does not excuse the United States. The Senator from Kentucky knows as well as I do that a wrong committed by us cannot be adjusted because someone else committed a wrong.

Mr. COOPER. I did not say that.

Mr. MORSE. The United States has followed a wrongful course of action. I interpret the remarks of the Senator from Kentucky as an effort, to cover it up or erase it. But it is indelible. It cannot be covered up, and it cannot be erased. It is there for history to read.

Mr. COOPER. The Senator from Kentucky is not covering anything up. He is saying that the United States is not the aggressor, and has not breached the charter.

Mr. MORSE. Yes, the Senator is.

Mr. COOPER. No, I am not.

Mr. MORSE. I know the Senator says he is not, but I can interpret his language. It is coverup language.

Mr. COOPER. That can be judged by those who will read this exchange. I remember well in 1954 when the situation arose. I was a Member of the Senate in 1953 and 1954. I felt strongly about the situation then. I said on the floor of the Senate in 1954, although it has perhaps been long forgotten, that the United States should not try to take the place of France in Vietnam; that we should not send troops there.

Mr. MORSE. That is correct. So did I.

Mr. COOPER. But the United States entered into a regional agreement, which can be entered into under article 52 of the United Nations Charter.

Mr. MORSE. Not with immunity——

Mr. COOPER. Let me finish. The Senator will not let me finish my argument.

Mr. MORSE. I will not let the Senator make implications.

Mr. COOPER. The way the United States entered into that regional arrangement in 1954 was a proper way to enter into it under the United Nations Charter. It was a case of bad judgment. I thought so at the time, and I said so. But it was proper to do it under the charter. It was not a violation of the charter, because under article 52 it could be done, and it was done under a regional arrangement. It was a case of bad judgment, but it was not a breach of the charter.

Since that time things have gone badly. But even if men have been lost and we have spent money, that would not mean there had been a breach of the charter, if in fact we have done right. I stood on the same ground 10 years ago that the Senator from Oregon is standing on today.

What I rose to say, and what I still hold—I do not wish to retain the floor longer—is that I think the Senator from Oregon has gone too far in saying that the United States has breached the charter with respect to what has happened. I say that with all respect for the Senator from Oregon.

I would not leave my statement stand at that. I would not take my seat without saying what I think. I think we ought to ask the conference to reconstitute itself and see if it has any helpful recommendations to make. The conference still has jurisdiction, under the charter. If the conference makes any recommendations which might form the basis of an agreement then I think a solution might be attained. If the conference has no recommendations to make, and no solutions to offer, then I would follow the suggestion of the Senator from Oregon and say that the problem should be taken to the United Nations.

If not we must stand by our commitments. I do not leave my position sterile as the Senator from Oregon contends. I could not stand here and listen to a charge that the United States is the country which has breached the charter, when I know that the Viet Minh of North Vietnam have aggressed and continued the war.

It can be argued that we are furnishing our assistance, our men, and our troops to resist aggression, as we have a right to do under the regional arrangement. But I must say that we have come to the time when we must find a solution. The Senator from Oregon proposes taking the issue immediately to the United Nations. I say that it should first be taken to the conference.

Mr. MORSE. Has the Senator from Kentucky finished?

Mr. COOPER. Yes.

Mr. MORSE. Now, I shall reply to the Senator from Kentucky. He is wrong on fact after fact. The United States never signed the Geneva accords.

Mr. COOPER. Of course, we did not, and I did not say so. I know the facts.

Mr. MORSE. Our signature is not on the Geneva accords. We have been acting outside the Geneva accords. We are not even a party to the Geneva accords. We persuaded South Vietnam not to sign the Geneva accords.

Mr. COOPER. We are not a party to the accords, but we have been acting under them, as we are permitted to act, by sending in troops as advisers to assist.

Mr. MORSE. And we have been violating the Geneva accords.

Mr. COOPER. We are allowed to send military advisers.

Mr. MORSE. No; we are not allowed to violate the accords. The accords themselves forbid the sending in of additional military aid above 1954 levels. The Commission found in 1957 that some of our military aid was a violation. We did not even sign the accords, and we have been violating them ever since. We have started to send in our boys and have spent a total of $5,500 million in aid to South Vietnam.

That was the point at which we ought to have called either for a new conference or for taking the issue to the United Nations. As far as a regional treaty to which we are party is concerned, the only one at all relevant is SEATO, and no action has been taken under that. SEATO has not been involved in South Vietnam.

The Senator from Kentucky will not find me in disagreement with the proposal to ask for a new conference. That is the proposal of France. But Adlai Stevenson today, in behalf of the U.S. Government, rejected it.

Mr. COOPER. I have not read his speech.

Mr. MORSE. I have. I know what I am talking about in regard to what the position of the United States is. We rejected the proposal by France to ask for a new conference. I hoped that there would be one. I hoped that this time we would be a party to it, that this time we would help to negotiate an agreement, and that this time we would sign it.

Mr. COOPER. I assume that as Ambassador of the United States to the United Nations, Mr. Stevenson supports the policy of this country. If the Senator from Oregon objects to what Mr. Stevenson said today, what he really is attacking is the policy of the President of the United States.

Mr. MORSE. If I have not made that clear in the past 6 weeks, I have not made anything clear. I surely am in disagreement with the policy of the United States.

Mr. COOPER. I do not attack the President when he is right. Vietnam is not the responsibility of Mr. Stevenson as our representative to the United Nations. He is charged with guiding and directing, so far as the United Nations is concerned, the foreign policy of this country. Vietnam is one aspect of his representation. I should think we would have to know that and not charge him with a great moral lapse.

Mr. MORSE. I still hold him responsible for what he has supported; that is all. I should much prefer to see him resign as Ambassador to the United Nations rather than to have him support a policy that clearly violates our obligations under the United Nations Charter.

Let me enlarge on the point brought forth with respect to the Geneva accords, in view of the remarks of the Senator from Kentucky. Some weeks ago, on the floor of the Senate, I traced the history of the Geneva accords and stated that Dulles, who was then Secretary of State, took the position that the United States would not sign the accords. He had our observer, Bedell Smith, sit at Geneva and say, after the accords had been signed, that the United States would not sign the accords, but would recognize them as binding international agreements.

But the record is clear—and I documented it in my speech—that Dulles was very much upset because France was going to leave Indochina; and Dulles did everything he could to get France to continue the war in Indochina. He went to France; he went to London, and tried to get the British to enter into a tripartite arrangement with France and the United States—a tripartite arrangement between France, the United States, and Great Britain—to send British and American troops into Indochina, to carry on the war. It was the great Churchill—as reported in his memoirs by Anthony Eden—who said that proposal of Dulles would deceive the U.S. Congress, because it was being carried on in great secrecy.

That was when Nixon tried to send up his lead balloon in New York, at the secret meetings with the publishers—about which word got out—in which he proposed that American soldiers be sent into Indochina, when Dulles was trying to negotiate the same kind of deal with the British Prime Minister; but Dulles failed.

Dulles was very much opposed to the French withdrawal from Indochina.

The Geneva accords of 1954 accomplished the splitting of Indochina four ways—into Laos, Cambodia, North Vietnam, and South Vietnam. Laos and Cambodia and North Vietnam were involved in the Geneva accords; but, under the pressure exerted by John Foster Dulles, South Vietnam refused to sign them, as did the United States.

As I said in my long speech in regard to this situation, that was the beginning of American foreign policy in South Vietnam. From the very beginning, the United States circumvented not only the United Nations, but also the Geneva accords, themselves, by our relationship with and our conduct in connection with and our support of South Vietnam.

Mr. President, other countries have violated the Geneva accords. But we met those violations with violations of our own. Not only that, but the United States has made war in South Vietnam, instead of making peace—although as a nonsignatory of the Geneva accords, the United States had no right, in my judgment, to attempt to enforce them unilaterally. Instead, the United States had an even greater obligation, as a nonsignatory of the Geneva accords, to file before the United Nations a petition of complaint, asking the United Nations to take jurisdiction.

So let us face the ugly reality of this situation. The United States is a mighty nation, the mightiest nation in the world. The United States is recognized generally as the most powerful nation in the world. The other powerful nation, comparatively speaking, is Russia. When the mightiest nation in the world follows the course of action our country followed, the Senator from Kentucky should not be surprised to find other nations not challenging it. Of course Russia had no desire to challenge the United States action, because, in my judgment, Russia realized that the United States was weakening the United Nations; and, in my judgment, Russia has no interest in the United Nations, except as a platform for a debating society. So we should realize that Russia has no interest in the enforcement powers of the United Nations; but the United States should have, for I believe that is where the hope of mankind for peace hinges.

But instead of following such a course of action, the United States proceeded to spend $5.5 billion in South Vietnam and to sacrifice the lives of more than 200 Americans, and the United States committed what I believe could properly be described as mayhem against the Charter of the United Nations. That is the situation which confronts us in the United Nations today. But what a glorious record we could have made, instead of the record Adlai Stevenson made today in New York City.

Mr. President, I believe it is necessary tonight to place in the RECORD a few provisions of the United Nations Charter that Adlai Stevenson did not even whisper about in his speech today.

There is no aggression or breach of the peace or threat to the peace that is not one which the United Nations Charter requires to be brought before the United Nations. That is a fact. Wherever there is an aggression or a breach of the peace or a threat to the peace, the United Nations Charter creates an obligation to bring that fact situation before the United Nations.

Article 33 requires "the parties to any dispute"—and I ask the Senator from Kentucky to note this language—"the continuance of which is likely to endanger the maintenance of international peace and security," to try to settle it by peaceful means.

I wonder whether the Senator from Kentucky or any other Senator wishes to argue that the situation in South Vietnam does not involve a threat to the peace, or wishes to argue that it is not a "dispute, the continuance of which is likely to endanger the maintenance of international peace and security."

The sad fact is, I say to the Senator from Kentucky, that if our country continues its course of action in South Vietnam, the United States will run the grave risk of escalating that war, and also of escalating it into North Vietnam and elsewhere. Once our forces cross the border into North Vietnam, our Nation becomes an aggressor nation, and in that event the United States will have lost, in my judgment, any justification for a claim of self-defense, in international law, and will have opened the danger of a third world war, because it is out of just such incidents that great wars are born.

So, Mr. President, we are dealing with a dispute—and I do not intend to let Members of Congress or of the executive branch of the Government forget it—and a danger that has all the potentialities of causing the death of tens of thousands of American boys in the years to come, because I am satisfied that if we escalate this war, we shall get into an Asian war. If it remains only an Asian war, it will be a bogged down war that will cost us the lives of tens of thousands of American boys.

Mr. President, the American people need to know that and need to face up to it when they come to give to Members of Congress advice as to whether they should vote to give to the President of the United States indirect approval, by means of increased appropriations, to carry on what amounts to an executive military action in South Vietnam. That shows how serious I believe this matter is.

I repeat that the Charter of the United Nations requires that parties to a dispute avail themselves first of all possible peaceful means for settling it. That is required by article 33. I am sure Adlai Stevenson knows it by heart; but he could not very well cite it today and still make his speech, because his speech cannot be reconciled with article 33 of the Charter of the United Nations.

Moreover, article 37 of the charter requires that parties unable to settle a dispute by peaceful means of their own choosing, shall refer it to the Security Council. The word is "shall." It is not a discretionary matter.

The course of action of the United States in South Vietnam cannot be reconciled with article 37 of the United Nations Charter. My dear friend from Kentucky does not like to hear one suggest that perhaps our Government is wrong in the course of action that it is taking. But our Government has been dead wrong in the course of action it has taken in South Vietnam in respect to its obligations under article 37 of the United Nations Charter.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORSE. In a moment. I pointed this out in some detail a couple of weeks ago in my so-called foreign policy speech, so far as international law is concerned. I am pointing it out tonight I shall continue to point it out, because all the verbiage that can be poured out cannot change the language of article 37. Article 37 placed upon the United States the clear obligation to take the case to the United Nations and not take it to war. But instead of taking it to the United Nations, the United States took the case to war. That is why Adlai Stevenson had to deliver his very unsound and disappointing speech alibiing for our Government before the Security Council today.

I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, will the Senator yield to me, under the previous understanding that the Senator from Florida will not lose his right to the floor?

Mr. MORSE. I yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. I do not want verbiage, either that of the Senator from Oregon or my own, to color what I have said and what I intend to say again. I said that we may have differences over the policy of the United States. I had some differences over the policies of the United States in 1954 in Vietnam and have had some since that time. The Senator from Oregon can make his statement, and stand on it, that the United States had a duty to take the case to the United Nations. But I say, and I stand on the statement—and it is at this point that I disagree with the Senator from Oregon—that the United States has not committed aggression in Vietnam. I say that North Vietnam and not the United States, has committed the aggression. I wish to make clear that I do not believe the United States has violated the Charter of the United Nations by any act of aggression. That is what I said and that is what I mean. If the Senator from Oregon takes a contrary view, I disagree with him. I shall not say that my country committed an act of aggression in Vietnam, when it has been helping to defend and protect Vietnam people against aggression.

Mr. MORSE. I repeat my former statement. The United States violated the Geneva accords when it went into South Vietnam with men, billions of dollars, and military aid. It was at that point that the United States violated the United Nations Charter. It was at that point that it violated articles 33 and 37. The Senator from Kentucky [Mr. COOPER] can call it what he wishes. The Senator from Oregon has called it a violation of articles 33 and 37 of the United Nations Charter. He has called it a violation of the Geneva accords.

It is very interesting that the so-called neutral council that was set up under the Geneva accords in 1957 found South Vietnam, along with North Vietnam, violating the Geneva accords because South Vietnam took military assistance, military aid and military help from the United States. One of the purposes of the Geneva accords was to stop additional outside military aid in all the four partitions that had been set up in Indochina—Cambodia, Laos, North Vietnam, and South Vietnam.

I wish to say most respectfully, and out of the deep affection that I have for the Senator from Kentucky, that I so interpret his remarks, although he does not seem to think that the impression is there. He seems to think that our wrong is lessened because, in his opinion, North Vietnam has committed a wrong.

That does not change the position of the United States one iota. On this issue it does not make any difference what wrongful acts North Vietnam may have committed. We cannot justify wrongful acts in our part in violation of these articles of the charter. Furthermore, we cannot be judge, jury, and prosecutor at the same time. We had the clear duty to take the case before the United Nations and present our proof, and we could have done it. We still can do it. But we could have done it. North Vietnam was violating the Geneva accords and thereby threatening the peace of that part of the world and endangering the peace everywhere, because in this modern day of nuclear power, a threat to peace anywhere in the world is a threat to the peace everywhere in the world.

Article 37 pinned the United States down to the mat. It did the same with every other country that was violating the charter, too.

Mr. President, I am talking about the obligations of the United States. I am expressing deep regret at the course of action which my country has followed in respect to southeast Asia. Article 37 makes it perfectly clear in the language "they shall refer it to the Security Council" that the United States never did, and had no intention of doing so. We acted unilaterally. We threw our weight around. Contrary to our principles, we created the impression that we still believe that might makes right. Of course, it does not. It will not in southeast Asia, either. All the exercise of United States might in South Vietnam is likely to produce is an escalated war and the death of tens of thousands of American boys.

I continually refer to the death of American boys, but they will not be the only human beings who will be killed. Many South Vietnamese are being killed.

The Secretary of Defense speaks of high casualties among the South Vietnamese as though they were something to be proud of. They are all children of God, too, Mr. President. That is a part of the awfulness of what is happening. We are out of character as a nation in South Vietnam. We are untrue to our ideals. We are in shocking violation of our professings about wishing to set up a system of international justice through law, to the procedures of which will be submitted disputes which threaten the peace of the world. I ask, "When will the United States return to that sound ideal?" It is a sound ideal; it is also a sound practicality.

I listened on the floor of the Senate today to the statement of a colleague in which he said that the case did not go to the United Nations because it would not be practical. I asked him for his definition of what is practical. That is what I meant when I said a few moments ago that I am not persuaded by semantics and verbiage. It sounds plausible to say that something is not practical. When one who uses the term is pinned down and asked what is practical about it, the one making the original statement is overcome with a loss of words. What is ever practical about war? What is impractical about taking a dispute to the United Nations in keeping with our obligations under article 33 and article 37?

Mr. President, Adlai Stevenson has been heard to say over the years, in eloquent terms, what a great ideal that is. I would not walk out on practicing it even if I were ambassador. I would walk out on the ambassadorship first.

We cannot accuse North Vietnam of aggression in South Vietnam or Laos without being obliged to ask the United Nations to deal with it. I have been pleading for many weeks to put North Vietnam and Laos and Red China on the spot by taking our proof to the United Nations.

I have been pleading to put Russia and Red China on the spot, too, and particularly Russia, procedurally, because she is a member of the United Nations and a member of the Security Council.

We should put Khrushchev on the spot and ascertain whether or not he would veto our request for United Nations action in South Vietnam. If he did, it would help prove to the world who it is that is seeking peaceful procedures for settlement of the dispute, rather than finding ourselves in the posture we are in worldwide tonight, in which I am sure millions upon millions of people in the world charge us with making war in South Vietnam. And we are. Then if Khrushchev had vetoed the procedure in the Security Council, the policy of my Government should have been to call for an extraordinary session of the United Nations General Assembly and lay the matter before the delegates of the members thereof.

I served as a delegate in the General Assembly. My service in the United Nations left me with a burning conviction that the United Nations can be made to work. But it cannot be made to work if great powers such as the United States constantly walk out on their obligations to the United Nations as soon as their own spheres of influence are involved.

I would not hesitate a moment, I would not be the slightest bit afraid, to take any issue involving the preservation of the peace of the world by the use of the procedures of the United Nations to the General Assembly of the United Nations for its determination and response. I am satisfied that the response would, by an overwhelming majority vote, sustain United Nations intervention.

Delegate after delegate from the small nations of the world, including the new small nations of Africa, with whom I spent many hours in my weeks of service in New York City as a delegate to the United Nations, told me over and over again that the United Nations offers them their only hope for survival. They were talking about their only hope for survival in 1960 against the danger of Russian encroachment.

The small nations of the world know that their hope for protection against communism does not rest in the United States. It rests in the United Nations.

The United States has not the resources or the manpower to begin to police the world, without becoming bankrupt and insolvent. This country cannot be the policeman, the enforcement officer, for the peace of the world. There are many reasons why this country should get out of South Vietnam, but that is an important one.

It does not do us much good, so far as our future stability is concerned, to wave the American flag as Stevenson waved it today in the Security Council; to seem to beat our breast in some kind of overdeveloped national ego; to give the impression that we are going to protect freedom. Mr. Stevenson forgot to tell the American people that there is no freedom in South Vietnam. He forgot to tell the American people that we are dealing with a military tyranny. He forgot to tell the American people that we are dealing with an American puppet government. He forgot to tell the American people that we have supported three tyrannical puppet dictators; namely, Diem, Minh, and now Khanh.

Freedom in South Vietnam? Find it. It is a police state.

I want South Vietnam to become free. But the best hope for freedom in South

Vietnam is the exercise of the United Nations jurisdiction and not U.S. jurisdiction. U.S. jurisdiction would involve the South Vietnamese people in war for a long time to come, in slaughter and bloodshed. What is needed is a peacekeeping corps in South Vietnam by the United Nations. The language of the United Nations Charter provides for it. But there was not one word from Stevenson today in his speech before the Security Council of the United Nations about the application of the principle of the United Nations for keeping the peace that we are supporting in the Congo, that we are supporting in the Middle East, that we are supporting in Cyprus, and that we ought to extend to South Vietnam.

If it is our wish to produce freedom for the South Vietnamese people, we ought to be supporting United Nations jurisdiction that would lead to the establishment for the next few years—10, 15, or 20—of a U.S. trusteeship in South Vietnam, that would develop freedom for the South Vietnamese people just as rapidly as they are trained to assume the responsibilities of freedom.

The sad thing about the colonial policy of France—and it was true of the colonial policy of the Belgian Government in the Congo—is that the colonists were not trained for self-government.

That is why in all the briefings we get—and I can say this without violating security—from the Secretary of State and others, one of our problems in South Vietnam is to develop political know-how on the part of the South Vietnamese to operate the Government. They do not have the political know-how because the French did not train them to develop political and administrative know-how.

I had not intended to speak as long as I have, but the Senator from Kentucky has raised some points that must be answered in detail. I am led to say, for the benefit of the Senator from Kentucky, that the State Department does not like to have anyone mention the phrase "civil war." The officials in the Department like us to sweep that one under the rug. They like to give the impression that this is a war between South Vietnam and North Vietnam. As the RECORD will show, the Senator from Kentucky made some mention about the North Vietnamese who came down into South Vietnam. They certainly did. But the impression is left that they came down to fight.

The fact is that when the Geneva accords divided Indochina up into its four compartments—Cambodia, North Vietnam, Laos, and South Vietnam. The richest part of what would be Vietnam if North and South Vietnam were one country, the most fertile part, the most productive part, was South Vietnam. Large numbers of farmers and peasants left North Vietnam and came down to South Vietnam to the rice paddies, to scratch out a living in the rich delta area.

That is why I say we need to analyze the semantics used by our State Department briefers. The overwhelming majority of North Vietnamese who came down did not come down to make war. They came down to make a living. So the apologists for the U.S. cross action create the impression in the public mind that North Vietnam sent down thousands upon thousands of cadres, as they are called.

The fact is that no evidence has been submitted yet that very many military North Vietnamese came down. Yet, if we read the Stevenson speech today, it is very cleverly worded in its semantics to give the impression that there is a terrific invasion of South Vietnam. He does not say, "military invasion," but he is a master in the use of words. And that is the impression that one gets.

I have cross examined witnesses for some time on South Vietnam from the Pentagon Building and from the State Department. When I put the question to them: "What military personnel have you found in South Vietnam from North Vietnam, Red China, Cambodia, or elsewhere?" the answer always is, "Practically none." Yet, the State Department does not like to hear me say that it is a civil war.

So when I press the witnesses further with the question, "Am I to understand that the Vietcong are South Vietnamese almost entirely" the answer is "Yes."

Let us put this representation to rest once and for all. We do not help the American case unless we talk in terms of facts. And the fact is that so far as the Vietcong are concerned, the testimony to date has been that it is almost entirely South Vietnamese. There is some testimony that a few soldiers from North Vietnam have been found, and possibly a few from Laos. But there have not been found in South Vietnam any substantial contingent of foreign soldiers.

The same is true of their weapons. The Vietcong have long armed themselves from captured government stocks, not by foreign imports from Communist countries. The so-called supply lines that so many politicians want to bomb are little more than a myth. Leadership for the rebels undoubtedly comes from North Vietnam; but most of their weapons come from the United States.

The foreign soldiers in South Vietnam are U.S. soldiers, not North Vietnamese or Laotian soldiers. What a spot to be in. What a paradox. The United States is talking about invasions from North Vietnam and Laos, and yet, when we put our Government witness under examination, they have to admit that they have not been able to discover very many of them. Yet, the Communists charge us with violating the Geneva accords by having 16,000 foreign soldiers in South Vietnam.

Mr. President, it is true—and I would write it for all I was worth if I were representing my government in a case before the United Nations—that the Government of North Vietnam has engaged in a military training program for South Vietnamese. In my judgment, we cannot reconcile that with the Geneva accords. And I would prove it. The witnesses before the Foreign Relations Committee have proved it to my complete satisfaction.

But, that does not justify our sending more American soldiers over there. It only makes its more compelling that we prove our case in keeping with our obligations under the United Nations Charter. There again, it is a case of the kettle calling the pot black. For we are training the South Vietnamese, too. The Government witnesses say, "Well, we have found some Russian weapons; we have found some Red Chinese weapons; we have found some North Vietnamese weapons; and we have found some Laotian weapons. That shows who is behind this movement today." I think it does, too. But it only calls upon us to prove it. And we can prove it before the United Nations. But there again, we are confronted with another kettle and pot argument, for we are supplying the South Vietnamese with all their weapons. And again, in my judgment, as the neutral council found in 1957, we have thereby for some years violated the Geneva accords.

Why not reverse the field? Are we not big enough to admit a mistake in policy? Must the great United States of America continue to misrepresent our position as, in my judgment, is the case in the speech made today before the Security Council? There are many misrepresentations to be found. There are many misrepresentations of the U.S. position in South Vietnam to be found.

No, Mr. President; peace is more important than U.S. face. Peace is more important than a temporary loss of U.S. prestige, if we lose any prestige by seeking to right a mistaken course of action. I believe the opposite would be true. However, the State Department, and apparently McNamara, in conducting McNamara's war in South Vietnam, place great emphasis on the matter of face. I place none on it. I always thought that face saving was an Oriental custom, not an Anglo-Saxon custom, or an American custom.

These last comments lead me to point out, even though the State Department rankles when we say it, that we are involving ourselves in a civil war. "Oh," they say, "this is no civil war. We are protecting the South Vietnamese from aggression from the north."

The situation in Vietnam is that in family after family—and families are very important to the Orientals—there is a father on one side and some of his sons on the other side; a brother on one side and brothers on the other side; an uncle on one side, and nephews on the other. It is a pretty sad internal state of affairs, which, according to my definition of words, spells civil war.

Let no one think that he has an "out" by saying that because it is a civil war, we have no obligation to take it to the United Nations. I will cover that point momentarily. At this moment in my speech I wish to say again, irrespective of denials from the State Department, according to the evidence the State Department has offered itself, and according to the testimony of witnesses before the Foreign Relations Committee of which I have the honor to be a member, that it spells out a civil war.

In South Vietnam there is a contest between one side, which we characterize as Communist and which I believe are Communists, although we make the mistake of thinking that Communists have only one set of political philosophical beliefs and the other side. We know in the United States that when we speak of a political partisanship ideology, there are degrees of philosophies within a party. We do not have one Democratic Party; we have several Democratic Parties under the Democratic label. We do not have one Republican Party; we have several Republican Parties under the Republican label. Sometimes they are personified by being spoken of as the Goldwater Republican Party or the Rockefeller Republican Party or the Lodge Republican Party. Likewise, in the Democratic Party. We can refer to the leaders of our party and divide up the party in the same way.

The point I am making is that I believe the Vietcongs are Communists, totalitarians. I believe that the Vietcongs are under the ideological domination of Red China. To some extent they are also under the ideological domination of Red Russia, but they lean heavily toward Red China. I abhor it. However, we shall not beat communism with military might. To the contrary, military might will only end mankind.

The other side of the civil war is not composed of a group of Democrats. For the most part, they do not understand the differences of political ideology, and could not care less. There is a situation which involves an internal strife in a country which we, more than any other force, have brought into being, and which we, more than any other power, have maintained since it was created as our puppet. It all spells out to me, so far as the conflict is concerned, a civil war.

Mr. President, does that justify our intervening without going first to the Unted Nations? It does not. We cannot come to the defense of South Vietnam without also bringing the issue to the United Nations so far as our obligations under the charter are concerned.

Article 51 of the United Nations Charter reads as follows:

> Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

I believe that is pretty clear. One of the remarkable things about the Charter of the United Nations is that in our time a group of statesmen such as our representatives at San Francisco, where the United Nations was born, was able, in an international convention, with all the differences that exist in worldwide views, as expressed in that San Francisco conference, to write an organic act as clear, as simple in its phraseology, and as easy to understand and interpret, as the United Nations Charter.

I hold to the point of view that, of course, the greatest organic act of providing for self-government ever penned by man was penned by our constitutional fathers when they wrote the Constitution of the United States. However, it is remarkable that the United Nations Charter should be written with language of acceptance to the delegates from so many nations, as clear and simple in its meaning as the charter.

Article 51 is no exception. Let me read it again:

> Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

That is very clear on the duties of the members of the United Nations. But, say some of the apologists for U.S. action in South Vietnam, South Vietnam is not a member of the United Nations. Those apologists become ensnared by their own rationalizing, for when they say that, they do not take into account other parts of the United Nations, to which I shall refer momentarily.

First, let me say that I consider that to be an argument that cannot be squared with ethics, because the United States is a member of the United Nations. We cannot square with ethics an attempted justification of unilateral U.S. military action in South Vietnam on the ground that South Vietnam is not a member of the United Nations, even if there were not other provisions in the United Nations Charter that refer to "parties to a dispute" whether they are members or not. Yet we hear the argument made by alibiers for America's military action through McNamara's war in South Vietnam that South Vietnam is not a U.N. member.

But even if it should be claimed that article 51 does not apply because South Vietnam is not a member, that still does not relieve the United States of its United Nations obligations, because we are a member, and are bound by article 51. In addition, articles 33 and 37 apply not only to United Nations members but to any parties to a dispute. It is the dispute in southeast Asia that is threatening the peace of the world that gives the jurisdictional right to the United Nations to intervene. The fallacy of the argument of those who try to crawl out from a recognition of the U.S. obligation to take this dispute to the United Nations is that they apparently are laboring under the misapprehension that if a country is not a member of the United Nations, it can go ahead and threaten the peace of the world to its heart's content, and the United Nations will stand by and let it do so. This is the next point I wish to emphasize in my speech tonight.

The United Nations obligation to preserve the peace with respect to the signatories thereto is worldwide. It is global. So let me give a hypothetical. I hope it will always remain a hypothetical. The terrible thought is that it might not be some day—and not too far away, either. But suppose Red China should start on a course of world warmaking, and suppose that United Nations countries X or Y—or, if it is preferred, Russia—or any other Communist nation—should join with Red China by giving her assistance, and then argue that the charter does not apply because Red China is not a member of the United Nations. We all know that in that case we would see very clearly how wrong are the apologists for U.S. unilateral military action in South Vietnam. The task of the United Nations is to exercise its procedure in an endeavor to carry out its peacekeeping responsibility throughout the world, no matter whether the aggressor, the warmaking power, is a member of the United Nations or not. The charter makes ample provision for disputes involving parties who are not U.N. members.

So there is no excuse for the U.S. position in South Vietnam on the ground that South Vietnam is not a member of the United Nations and therefore we had no duty or obligation to report the threat of peace to the United Nations for its determination.

Furthermore, under articles 33 and 37, we are covered anyway, because those articles refer, in the following language, to parties to the dispute. Of course, we have made ourselves a party to the dispute, so that language would cover us. But it also covers South Vietnam, a nonmember of the United Nations, for it is the major party to the dispute on one side, and we ought to go to the United Nations and prove, by the evidence that we can submit, who the parties are on the other side. So I end that section of my speech—and the other section will be much briefer—by saying that under the United Nations Charter itself we are clearly indicted and stand self-convicted of violating our obligations under the United Nations Charter. But there was not one word about that from Adlai Stevenson today.

Mr. Stevenson repeated another old fallacy that has popped up in this debate time and time again: that the U.S. Government is currently involved in the affairs of the Republic of Vietnam for one reason, and one reason only; namely, that the Republic of Vietnam requested the help of the United States and of other governments to defend itself against armed attack fomented, equipped, and directed from the outside. Whom does he think he is kidding? East Germany requested help from Russia, and East Germany is a puppet of Russia, as South Vietnam is a puppet of the United States.

Mr. President, it was the intervention of John Foster Dulles that had more to do with bringing South Vietnam into existence than any other force or factor.

I also read with interest the frequent reference in the Stevenson speech to the "Republic of South Vietnam." No one should get the idea from his use of the term "republic" that South Vietnam is a republic in political practice, policy, and organization. South Vietnam is a dictatorship; it does not have a democratic form of government.

But the point I wish to make is that because a country asks the United States to come in and make war does not relieve us one iota of our obligation and responsibility to take the issue to the United Nations. What an exit, what an escape hatch, that would be to get around the United Nations Charter. Stevenson knows better than that. His lips should not have been allowed to be used to spread that kind of fallacious argument on the record of history for future generations to read.

The South Vietnam Government asked us to come in. We should have said, "We will do everything we can to help to take your case to the United Nations and ask for immediate and expeditious action in the United Nations to preserve law and order and peace in South Vietnam." Even in coming to the defense of South Vietnam under article 51 we are permitted to do so only pending United Nations action, and we are obliged to report to the Security Council everything we do in aid of the victim.

Our Ambassador, however, said nothing of these provisions of article 51 when he spoke of our aid being sent at the request of South Vietnam.

Adlai Stevenson made quite a broad statement in another place in his speech, when he said:

> Nor will it be the last time unless the lesson is learned once and for all by all aggressors that armed aggression does not pay—that it no longer works—that it will not be tolerated.

If that is not rattling the saber, I do not know what language could be used to describe a policy of saber rattling.

Is this a proposal on the part of the United States, through its Ambassador to the United Nations, that we are now setting ourselves up as the policeman for the world, to enforce peace in accordance with our sights, on the basis of our judgment? That policy enunciated by Adlai Stevenson must be repudiated not only by the United States; it must be repudiated by the other nations of the world. The United States should not be allowed to get by with that threat—for it is a threat—whereby we not only rattle the saber, but we threaten the world that we will set ourselves up to intervene whenever, in our judgment, we ought to intervene, irrespective of the fact that our intervention will threaten the peace of the world.

Mr. President, as one Member of this body, I repudiate it, I regret that our Ambassador to the United Nations enunciated it—even in a speech written for him, in the main, by the State Department.

On page 4 of my copy of his speech he is shown as having said:

> The International Control Commission in Vietnam, established by the Geneva accords of 1954, stated in a special report which it issued in June 1962, that there is sufficient evidence to show that North Vietnam has violated various articles of the Geneva accords by its introduction of armed personnel, arms, munitions, and other supplies from North Vietnam into South Vietnam with the object of supporting, organizing, and carrying out hostile activities against the Government and armed forces of South Vietnam.

That is true; but Adlai Stevenson is a very able lawyer; and he knows, as a lawyer, that when one presents evidence to a court, he has the obligation to present all the evidence, not just self-serving evidence; and Adlai Stevenson had the obligation to include in his reference to what the Commission found a statement that it also found in 1957 that South Vietnam had violated the Geneva accords—as I said sometime ago, in my colloquy with the Senator from Kentucky [Mr. COOPER]. One of the reasons why it was found to have violated the Geneva accords was U.S. participation in military action in South Vietnam, in the supplying of our military aid.

All I say to Ambassador Stevenson is that we should have reversed our position, and should have taken the case to the United Nations. We should not have waited for little Cambodia to drag us before the United Nations. For weeks I have warned the Senate that sooner or later the United Nations would call us to account. And now the little nation of Cambodia has done so—little Cambodia, whose governing prince, some months ago, kicked our representatives out of his country. He said to them, "We are done with you and your aid. Get out. We want to be let alone, so far as the United States is concerned." So he threw our representatives out of his country. Now Cambodia has filed these charges against us with the United Nations; but the reply made by our Ambassador to the United Nations is as full of holes as a swiss cheese.

In his speech Ambassador Stevenson also said:

> The total number of military cadres sent into South Vietnam via infiltration routes runs into the thousands. Such infiltration is well documented on the basis of numerous defectors and prisoners taken by the Armed Forces of South Vietnam.

We ought to have the evidence of that. But that evidence has never been put before the Foreign Relations Committee. So the State Department and the Pentagon should get together with Ambassador Stevenson and should tell the same story in all places.

When the record is examined, I think it will be found that possibly the cadres Stevenson was talking about were South Vietnamese who had been trained in North Vietnam—a point I have already covered. Of course, I suppose it could be said that when we train military personnel, we are sending cadres somewhere, too.

All I wish to say is I shall be interested to see whether the State Department will now back up that broad generalization by Ambassador Stevenson. If they have found such facts, then I wish to say they have been derelict in not making those facts available to the Foreign Relations Committee; and they have been doubly derelict, Mr. President, because the record will show that when I have pressed them for information as to the number of foreign cadres in South Vietnam, I have always received the answer that they are minimal, and that the Vietcong consists, for the most part, of South Vietnamese.

In his speech, Ambassador Stevenson also said:

> And if anyone has the illusion that my Government will abandon the people of Vietnam—or that we shall weary of the burden of support that we are rendering these people—it can only be due to ignorance of the strength and the conviction of the American people.

Mr. President, Mr. Stevenson had better get out in the country and talk to the American people. They do not want to abandon the people of South Vietnam; neither do I want to abandon the people of South Vietnam. I want to help the people of South Vietnam; and I am willing to have our country pour great amounts of support into South Vietnam, to help that country over the years develop the seedbeds of economic freedom out of which can grow the plants of political freedom.

But if Mr. Stevenson is laboring under the illusion that the American people stand ready and willing to sacrifice the lives of thousands of American boys in a bogged-down war in South Vietnam, he could not be more mistaken. As he and the rest of this administration will discover, the reaction of the American people in due course of time will be the same as the reaction of the French people after they had lost 240,000 of the flower of their manhood in the Indochina war. Then the French people said to their government, "We have had enough"; and they turned out their government.

Mr. President, I want to help the people of South Vietnam. But again I submit that it is not necessary to slaughter American boys, in order to do so.

What we need to do is use the great world influence of our Government in a peaceful pursuit of peace in South Vietnam, through application and implementation and effectuation of the procedures of international law encompassed within the charter powers of the United Nations.

That should be our course of action.

Mr. Stevenson was on rather thin ice when he said:

> The United States has never been against political solutions. Indeed, we have faithfully supported the political solutions that were agreed upon at Geneva in 1954 and again in 1962. The threat to peace in the area stems from the fact that others have not done likewise.

Ambassador Stevenson would have been a little more accurate, even in that sentence, if instead of saying "we have faithfully supported the political solutions that were agreed upon at Geneva in 1954," he had acknowledged that we have violated them rather freely in our unilateral effort to enforce them.

Mr. Stevenson went on:

> The Geneva accords of 1954 and 1962 were, quite precisely, political agreements to stop the fighting, to restore the peace, to secure the independence of Vietnam and Laos and Cambodia, to guarantee the integrity of their frontiers, and to permit these much abused peoples to go about their own business in their own ways. The United States, though not a signatory to the 1954 accords, has sought to honor these agreements in the hope that they would permit these people to live in peace and independence from outside

interference from any quarter and for all time.

That is not true. We violated the agreements when we proceed to take our unilateral military action in South Vietnam—a course of conduct that the accords were designed to seek to avoid. It is at that point that I respectfully suggest again that we should have taken the issue to the United Nations.

On page 8 of the copy of the speech that I have Ambassador Stevenson talks about our desire to have all foreign troops withdrawn from Laos. I agree. He said:

> Let all states in that area make and abide by the simple decision to leave their neighbors alone. Stop the secret subversion of other people's independence. Stop the clandestine and illegal transit of national frontiers. Stop the export of revolution and the doctrine of violence. Stop the violations of the political agreements reached at Geneva for the future of southeast Asia.

The sad part about that kind of argument is that the other side of the coin constitutes similar charges against the United States as to what we ought to stop doing by way of a course of conduct that really has escalated the strife in South Vietnam.

Mr. President, we would not be in that position if we were presenting the case to the United Nations and asking for United Nations jurisdiction to be taken. I should like to see all those proposals that the Ambassador made in Laos carried out. Does he think that, by way of U.S. unilateral military action, we will get them carried out? Does he think the day will ever come when foreign troops from America will drive other foreign troops from Laos and Vietnam and keep them out?

Anything but. What an irony that this same Ambassador so eloquently defended a U.N. action in the Congo on the ground that once one great power moved into the Congo, other great powers would move in, too.

Toward the end of the speech, Mr. Stevenson made what I believe is the major "blooper" of the speech, although it is hard to evaluate the chain of mistakes made throughout the speech.

I do not understand how an American Ambassador to the United Nations could in all seriousness take the position that he has taken on the most recent French proposal, for France, as an extension of its proposal weeks ago to reach some accord for the neutralization of southeast Asia, has now come forward with a proposal for reconvening a Geneva conference. We rejected it today in the United Nations Security Council. The language I am about to read I believe will show the correct interpretation. I thought that we were always willing to confer. I always thought that we recognized that by conferring and conferring, by negotiating, by resorting to diplomatic discussions, by seeking to hammer out differences of opinion on an anvil of conscionable compromise, we could best promote peace. I do not know all the details of what De Gaulle has in mind. As Senators know, I have been highly critical of some of De Gaulle's proposals, but I have never taken the position that they should not be considered.

We are living in such a critical era of history that we never can justify rejecting the conference table. That is another reason why I am so disappointed in Ambassador Stevenson's speech today. He said—

> Now it is suggested that the way to restore security in the Cambodian-Vietnamese border is to reconvene the Geneva Conference which 10 years ago reached the solemn agreement which I just read to you.

My understanding of the proposal is that it is not limited to the Cambodia-Vietnamese border. It is limited to the whole area of Indochina—Laos, North Vietnam, South Vietnam, and Cambodia. That is my understanding of what De Gaulle is proposing. I think we ought to embrace it and not repulse it. But our Ambassador continued—

> Mr. President, we can surely do better than that. There is no need for another such conference.

What does he mean by the statement that there is no need for another such conference? The issue is crying out for the conference table. The situation in Asia demands, in my judgment, that we go to the conference table, and the sooner the better.

But returning to the Ambassador's speech—

> A Geneva conference on Cambodia could not be expected to produce an agreement more effective than the agreements we already have.

How do Senators like that for prejudgment? How do Senators like that for presumption? Why does he make this statement? Who knows until we try? All I am asking is that we try. He said:

> This Council is seized with a specific issue. The Cambodians have brought a specific complaint to this table. Let us deal with it. There is no need to look elsewhere.

Ambassador Stevenson is too good a lawyer to make that statement. He knows that the Cambodia charge of South Vietnam and United States aggression against its border is but one part of a complex in a crisis that is threatening the peace of Asia and endangering the peace of the world.

I continue to read his speech—

> Let me say, Mr. President, that my Government endorses the statement made by the distinguished representative of Cambodia to the Council on Tuesday when he pointed out that states which are not members of the United Nations are not thereby relieved of responsibility for conducting their affairs in line with the principles of the charter of this organization. We could not agree more fully.

I want to ask my Ambassador: "Why not act accordingly? Why have we not acted accordingly in connection with the whole conflict from the beginning, by bringing it before the United Nations?" It involves nations which are members of the United Nations and nations which are not, but it involves a totality of nations whose course of conduct is threatening the peace of Asia, and potentially the peace of the world; and their conduct falls within the jurisdiction of the charter.

I wish my Ambassador had talked about that.

No, Mr. President; the rejection by Adlai Stevenson today in behalf of the United States to go back to the conference table constitutes a gross and unfortunate mistake on the part of my Government.

I close now by asking unanimous consent that an article appearing in the May issue of War-Peace Report, by Mr. Bernard Fall, setting forth some of the major policy problems that confront the United States in South Vietnam, be printed at this point in the RECORD. I think it particularly appropriate that this article should appear in the CONGRESSIONAL RECORD, along with Stevenson's unfortunate and unsound speech before the Security Council today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ADVERSARY IN VIETNAM—SIGNS OF A MILITARY STALEMATE ARE ALREADY APPARENT IN VIETNAM, THIS EXPERT ARGUES, AND THE ONLY WAY OUT IS A CONFRONTATION AT THE CONFERENCE TABLE

(By Bernard B. Fall)

(NOTE.—Bernard B. Fall, a Frenchman, is the author of six books in English and French, including "Street Without Joy: Insurgency in Indochina," and the recently published "The Two Vietnams." He is professor of international relations at Howard University, Washington, D.C., has studied Vietnamese affairs for the past 12 years.)

As the analysis published in the April issue of War-Peace Report clearly showed, there is some room for debate as to who exactly the adversary is in what many already call the "Second Indochina War." Some see the National Liberation Front of South Vietnam (NLF) as a genuinely local insurrection created out of despair in the face of the late Diem regime's absurd policies. Others (and this is the official view) consider the NLF solely an extension, for use in South Vietnam, of the North Vietnamese regime or even of Peiping. Each side adduces its own evidence to prove its case: on one hand it is contended that even the NLF regulars are indeed southerners (which is true) and on the other one points to the captured Communist bloc weapons to substantiate outside Communist support (also true). Obviously, the actual facts lie somewhere in between.

In my view, and on the basis of my own experience in underground warfare in Nazi-occupied France and later in Indochina, it is possible to lead an insurrection politically and militarily even under guerrilla conditions. That such a fairly centralized direction exists in the south, and has existed at least since 1957 if not earlier, can be fully substantiated. When the killing of village officials began on a large scale in 1957 (an officially admitted total of 472 were killed that year), significant clusterings of the killings occurred in three Vietnamese provinces south of the Mekong River. That obviously did not happen simply because the village officials were more oppressive there than anywhere else, but simply because the guerrilla command had decided to clear those areas for the purpose of making them the permanent resistance bases they have since become. And the deliberate shift last year of Vietcong operations from the Vietnamese highlands to the Mekong Delta was another magnificently executed military tactic, with regular units slipping through the network of United States advised South Vietnamese units with almost impunity.

Unbelievably, that deliberate Vietcong move into the Mekong Delta was officially explained away by the United States as part of "our strategy * * * to sweep them steadily southward and finally corner them"; i.e., sweep the Vietcong out of an area where recruits and food were hard to get and into an area where food and recruits are plentiful and where all of Vietnam's most sensitive targets lay, including Saigon, with its industries, airports and government installations.

True, there has been a great deal of exaggerated propaganda in Washington and elsewhere about "Chinese and Russian" help to the insurgents in view of the presence in South Vietnam of some Soviet- or Chinese-made antitank weapons and automatic rifles. As Arthur Dommen correctly assumes, the bulk of this ordnance comes from Laos. And the fact, for example, that some excellent Madsden submachineguns—produced in Denmark, a NATO ally—have been found among the Vietcong does not ipso facto prove that Denmark backs the Communists in Vietnam; it simply means that arms merchants have no national loyalties. Soviet-made guns (captured by the Israelis in Egypt and resold by them on the world's arms market) can be bought within a mile of the Pentagon on the Alexandria, Va., docks—and quite legally, too. The unfortunate fact is that nine-tenths of all modern weapons in Vietcong hands are standard American weapons captured from the South Vietnamese military and paramilitary forces. Officially, the loss of over 12,000 such weapons in 1963 is acknowledged. What the South Vietnamese may have lost but not reported to their own higher commanders or the U.S. military advisory command, may run much higher. It is obviously far better and easier for the Vietcong to capture matching ammunition for their American weapons from "our" Vietnamese than to get Soviet or Chinese ammunition from Hanoi.

But aid in the form of political and military cadres does come from the north, as well as some fully constituted regular units composed of southern Vietnamese and mountain tribal soldiers. The presence in the south of the 120th, 126th, and 803d Vietcong regiments has been well known for the past 2 years and, according to the New York Times of April 13, 1964, the 108th Regiment had recently been identified in central Vietnam. If that is true, then the Vietcong has reconstituted in central Vietnam all the regular regiments which I knew there during the French-Indochinese war. The 803d and the 108th were particularly dreaded for their junglegoing capability; in June 1954, they mercilessly destroyed a French regimental combat team equipped with tanks and artillery whose core units had successfully fought the Chinese and North Koreans while with the U.N. forces in Korea. Those regiments left South Vietnam in 1954 for the north. Their presence now inside South Vietnam certainly constitutes what the International Control Commission for the maintenance of the 1954 cease-fire provisions has called (with the vote of its Indian and Canadian members overruling the objections of its Polish member) "evidence * * * that armed and unarmed personnel, arms, munitions and other supplies have been sent from the zone in the north to the zone in the south with the object of supporting, organizing, and carrying out hostile activities. * * *"

NO LEGAL REDRESS

It is true, as my compatriot Philippe Devillers said in his article written in 1961 (i.e., long before the NLF developed to its present importance), that many simple farmers and even urban politicians and intellectuals chose to fight with the Vietcong rather than face the certitude of an indefinite stay in one of Diem's infamous concentration camps. That will always be the case when men with real grievances are put into a position where no legal redress is offered them. The same situation occurred in 1946 when the French, still hellbent upon rebuilding their colonial empire, offered no honorable way out to the nationalist Vietnamese opposition. The most active opposition members joined the Viet Minh in its armed struggle against the French—not for the purpose of making Vietnam Communists, but to make it free.

This history does not mean, however, that the Viet Minh was not Communist-controlled nor that it did not end by creating a wholly Communist-dominated state in the zone of Vietnam under its control. The same error, I fear, is being made in evaluating the NLF. The fact that its program does not at present contain Communist objectives offers little guarantee as to its future intentions. I defy anyone to find a single Communist inflection in Ho Chi Minh's 1946 Viet Minh constitution. It was a document designed to win maximum support among the broad population, and it did that most effectively. And the reason offered quite openly by North Vietnam in 1960 for the abrogation of the 1946 document and its replacement by a tough, Communist-line constitution was that the old constitution "no longer was in accordance with Socialist realities." That is in all likelihood what would happen to the present NLF program the day that front comes to power in Saigon.

This does not mean, however, that I agree with those who believe that the only way out of the present Vietnamese dilemma is a 20-year counterguerrilla operation. Here again, the historical precedents show various possibilities:

1. Communist guerrillas do not always win and the Soviet bloc does not always support them to the bitter end. The Communists abandoned their guerrillas in Greece, Azerbaijan, Malaya, and the Philippines—and in South Korea, where there was for a long time a serious guerrilla problem. Milovan Djilas' conversations with Stalin has a magnificient passage on Stalin's cold-blooded decision to let the Greek Communist ELAS partisans die for nothing because he did not want to get war-exhausted Russia entangled in a conflict with the United States.

2. On the other hand, to negotiate with a Communist opponent when one's original war aims are no longer attainable does not automatically mean that one has to lose his shirt; or that native forces being supported will therefore be totally demoralized. In Korea some of the toughest fighting went on while American and Communist negotiators sat at Panmunjom for 2 years. The ROK forces were not demoralized by the negotiations. My own experience has been that one fights harder if a reasonable end is in sight and one knows his side needs a victory to strengthen its negotiating position.

To be sure, the Laotian "sellout" of 1962 is usually dragged in at this point of the argument to prove how badly the West usually fares in such a situation. It was the late Gen. Walter Bedell Smith, a soldier-diplomat of the first rank, who said during the 1954 Geneva conference that it was "difficult to regain at the conference table what has already been lost on the battlefield." In Laos, thanks to a set of incredible illusions (now amply matched in Vietnam), it was believed that the Laotian rightwing forces could be made to fight. The hard fact is that had the military war in Laos continued for 1 more month, all of Laos would have been Communist. But as a result of the negotiations a wobbly neutralist government has, for the past 2 years, kept the Communist Pathet Lao away from the sensitive Mekong Valley which borders on Thailand. Considering the panic that gripped Bangkok in 1962 when it was erroneously announced that Communist forces had broken through to the Mekong near Ban Houei Sai, that surely is an achievement. A Communist advance there could never have been halted without at least very sizable American ground forces being committed at fantastic cost.

3. The North Vietnamese stand to lose at least as much (if not more) than the South Vietnamese if the present second Indochina war escalates. North Vietnam has not had a shot fired at it in anger in 10 years. One stands an awful lot of dictatorship (look at Franco's Spain) just for the sake of not being at war. A single American saturation raid on North Vietnam may do away with 10 years of backbreaking "Socialist construction" as well as with that feeling of peace. It would not (contrary to what some great oversimplifiers believe) bring an end to the insurgency in South Vietnam; on the contrary, with the gloves being off, North Vietnam would then throw her fearsome (and now unemployed) regular divisions into the fight—and who can say what Red China might throw in. That would "Koreanize"—or shall we say: "MacArthurize"?—the South Vietnamese conflict with all the unforeseeable international consequences (in 1950, the nuclear age was in its infancy and the U.N. still white-dominated) that might follow.

SOLE LOGICAL EXIT

It is my feeling that some sort of a mutually acceptable accommodation will eventually ensue from a more realistic appreciation of what the three above-cited factors really mean. It is understandable that Washington does not wish to negotiate with the NLF or Hanoi (one might well wonder whether this might not be more embarrassing in a tete-a-tete than at a multipower conference which is now being heatedly rejected) with as badly a deteriorated military situation as exists now—and just before a presidential election. And it is likewise obvious that General Khanh's regime in Saigon, whose rise to power was favored precisely because he violently rejects any thought of negotiation, would view such contacts as a "sellout." There is, after all, in neighboring Laos the example of the rightist General Phoumi, who was first encouraged to overthrow neutralist Prince Souvanna Phouma, only to be pressured 1 year later into accepting (and, in fact, supporting) the same Souvanna Phouma as premier of a "troika" regime. Khanh would understandably resent being placed in the same kind of predicament.

But signs of a military stalemate—harder to perceive in Vietnam where there is no battleline to draw on maps, as there was in Korea—are nevertheless apparent. And the sole logical exit from such a situation is sooner or later a confrontation at the conference table.

Mr. MORSE. Mr. President, I next ask unanimous consent to have printed at this point in the Record as a part of my speech on the Vietnam issue an article entitled "Vietnam: Alternative to Disaster," written by Donald Grant and published in the May 25, 1964, issue of the Nation. Mr. Grant is U.N. correspondent for the St. Louis Post-Dispatch.

There being no objection, the article was ordered to be printed in the Record, as follows:

Vietnam: Alternative to Disaster

(By Donald Grant)

(Note.—Donald Grant is U.N. correspondent and foreign news analyst for the St. Louis Post-Dispatch.)

It is not really very difficult to demonstrate that the U.S. involvement in the civil war in South Vietnam is a wasteful and futile exercise. Two correspondents in Saigon have just received a Pulitzer Prize for overcoming that difficulty: the story of ever-mounting casualties and expenditures and of diminishing returns for American policy objectives is on public record. Senator Wayne Morse, of Oregon, has assembled the facts and the evidence in a notable speech to his colleagues that is recommended reading.

Senator Morse concluded that the mess in South Vietnam should be turned over to the

United Nations, at the same time acknowledging, in part, the difficulties involved. The United Nations is not a world government; it lacks both the power and the political mechanism to force a peaceful solution to a direct confrontation between major powers. In the case of South Vietnam, however, the United Nations has real possibilities for usefulness that have not been explored. It is a pity that this unthinkable thought has never been pursued seriously in the State Department since the United States plunged recklessly into Vietnam in 1955.

There are a number of possible explanations for this paralysis of imagination in Washington. How can the United Nations act effectively in a situation that involves, among other nations, the People's Republic of China, North Vietnam and South Vietnam, none of which is a member of the United Nations? Moreover, as Senator MORSE so ably demonstrated, the American position in South Vietnam is legally and morally compromised. Would not exposure of this abominable reality before our enemies and quasi-friends in the U.N. further damage American prestige?

So we go on, spending $1.5 million a day, sending in upward of 15,000 American troops, some of whom return with full honors but quite dead. From time to time, figures are published to show that members of the Communist Vietcong have been killed or captured by the hundreds. And other figures show that the theoretical strength of the Vietcong is just about what it has been right along.

Periodically, we take a nervous glance at the areas surrounding Vietnam. There was an American project awhile back to upset the neutrality in Laos, in favor of the right wing; by now we would settle for neutrality in the Souvanna Phouma center, but find it not easy to restore broken eggs to their shells. Cambodia's Prince Norodom Sihanouk seems much too happy when visiting Peiping. The State Department people comfort one another by saying the Cambodian Premier is something of a playboy and does not really mean it. Even Thailand—the headquarters for John Foster Dulles' SEATO was established in Bangkok—is taking a second look at its all-out commitment to the United States. Historically, the Thai have been good judges of political reality; they maintained their independence through the era of colonialism by playing off the greater powers one against the other.

Instead of these rapid and anxious glances, the time has come for Americans to take a long and resolute look at their position in the whole of southeast Asia. Using a minimum of commonsense we could, I think, learn a good deal. For example:

The most useful area to deal with is not a swampy piece of real estate called the Mekong Delta, but the entire area covered by the successor states to the old French Indochina—Cambodia, Laos, North Vietnam, and South Vietnam.

The problem is not chiefly military, but political.

As such, it involves a number of nations, large and small—but no viable solution can be reached without consulting the People's Republic of China.

For reasons exhaustively detailed by Senator MORSE—reasons legal, moral, political, and practical—it is highly desirable to achieve a solution through the United Nations.

It is not very helpful to try to "internationalize the problem of Vietnam" through SEATO, by inducing a few troops from the Philippines to join the battle. NATO could not solve the Cyprus problem, and SEATO is a midget compared to NATO, the wounded giant.

What is required is peace, and the isolation of southeast Asia from the struggles between the great powers. That will not solve all the problems in the area: new nations everywhere are going for some time to have what U.N. Secretary General U Thant has called "teething troubles." But with some foresight these troubles can be prevented from escalating into dangerous confrontation between the large nations. That is what President Charles de Gaulle of France meant when he spoke of neutralizing southeast Asia. It is what Senator MORSE had in mind when he urged that the problem of South Vietnam be turned over to the United Nations.

Time is scarce. As Senator MORSE noted, even now there is talk of U.S.-led attacks on North Vietnam. He also suggested that Peiping could not be counted on to accept this offensive passively.

"This escalation on both sides," he told the Senate, "can only lead to a disaster for the United States. It can only lead from being bogged down in South Vietnam to being bogged down in North Vietnam and then to being bogged down in China. * * * All the briefings on that subject matter that I have received thus far in my many years in the Senate show that is not the place to pick as a battleground with communism."

If that is where the present course is leading, it may not be so unthinkable, after all, to consider the obvious alternative to disaster. The U.N. must play a role in that alternative, but not an initiating role. The first step—and as soon as possible—is to convene another meeting of the nations involved in the South Vietnam affair, a meeting similar to the one in Geneva in 1954, which ended the Indo-Chinese war with France. This time the purpose would be to hammer out an acceptable plan for neutralizing the entire area—Laos, Cambodia, North Vietnam, and South Vietnam. And this time there should be no nonsignatories to the agreement, as were the United States and its chosen government in South Vietnam in 1954.

The Geneva meeting included Cambodia, North Vietnam, South Vietnam, Laos, France, the Soviet Union, Britain, the People's Republic of China, and the United States. There is no reason why other interested nations should not be invited. The Vietcong, which appears to operate with a considerable degree of autonomy, probably should be represented.

Negotiations designed to neutralize the successor states to the old French Indo-China should begin outside the United Nations because key nations, including Communist China, are not members. But the project would not end at such a meeting. A plan, once agreed upon, would be presented to the United Nations Security Council, and the Council would be asked to set up a peacekeeping force to guarantee that neutralization became and remained a fact.

Further, as the United Nations forces entered South Vietnam, United States forces would leave. U.N. forces would also be stationed in North Vietnam, Laos and Cambodia. As an incident to peace, the border dispute between Thailand and Cambodia would have to be settled. The most difficult task, however, would be to achieve an equitable ending to the civil war in South Vietnam.

A longing for peace certainly is not foreign to the people in South Vietnam. More important, it is a perhaps harsh reality of world relations that the representatives of small nations or fractions of nations in southeast Asia would find it extremely difficult to reject the concerted will of the United States, Britain, France, the Soviet Union and the People's Republic of China.

But what do we mean by neutralization? A State Department official recently told me that any neutralization plan for southeast Asia was unrealistic because "no Communist nation ever gives up communism, and North Vietnam would not." The issue, however, is not whether the buslines in Hanoi are state owned or the property of free, private enterprise. Yugoslavia is a Communist state—and a neutralist one. The essence of neutralization, in this context, is that the state in question must not be used as a pawn by any of the great powers.

Until an attempt is made to find out, it is impossible to know whether Peiping would accept a neutralization plan. But it is not totally unreasonable to assume that Mao Tse-tung would welcome the removal of U.S. forces from the proximity of his southern borders. Advantages for the United States are obvious. North Vietnam would be less subject to pressure from Peiping. The American expenditure of men and money would cease, and the danger of our involvement in a major conflict under the least favorable terms would be avoided.

Since neutralization of southeast Asia is fervently advocated by De Gaulle, one can assume French cooperation. British cooperation is almost as automatic: stabilization of the old Indo-China area would ease relations for them in Malaysia and Hong Kong. Soviet Premier Nikita Khrushchev has staked his career on peaceful coexistence and the support of neutralism. This alone does not assure Soviet cooperation, but Moscow now runs the danger of overextended commitments in an area where the power of decision tends to rest with Peiping. This is not in the Soviet interest. Peace could hardly be unwelcome in Laos and Cambodia; both strive for neutralism now, with only partial success. Everything we know about Ho Chi Minh, the North Vietnamese leader, leads one to believe he would be delighted to escape from the role of the little fish ever about to be swallowed by the very large Chinese fish.

This plan for peace and neutralism in Loas, Cambodia, North Vietnam and South Vietnam has been under private discussion within the United Nations. As UN diplomats turn it over in their minds some interesting facets appear. Loas and Cambodia are already members of the United Nations. It would be highly desirable, in connection with the neutralization plan, for North Vietnam and South Vietnam also to be admitted. They could come in as separate states, but without prejudice to future integration, as provided in the Geneva agreement of 1954. There are precedents for this in the merger of Egypt and Syria, and their later resumption of separate nationhood, and in the current merger of Tanganyika and Zanzibar. UN membership rules and practices readily encompass such developments.

Furthermore, the admission of North Vietnam and South Vietnam would itself be an interesting precedent. How about North Korea and South Korea? How about East Germany and West Germany? How about—for that matter—mainland China and Taiwan? This, to be sure, will also occur to the astute gentlemen in Peiping, but as U Thant noted recently, a few unthinkable thoughts may also be good for people other than Americans—among them the Chinese.

By participating in a conference of nations directly interested in the southeast Asia problem, and by seeing the decisions of that conference underwritten by the United Nations, Communist China would have a chance to test the winds blowing from the East River. The United States and the Soviet Union could test Chinese intentions at close quarters, and a step would have been taken toward including the dragon within the world system.

Policing neutralism in Laos, Cambodia, North Vietnam, and South Vietnam would be a tough assignment, and there is reason to believe that U Thant would welcome it. Peace is Thant's business. He also believes the United Nations grows in strength by using its muscles. With advance agreement among the great powers, he could anticipate vigorous and unanimous action by the Security Council, which would help make his task more feasible.

There still remains, of course, the business of the dominoes—the theory that unless the Vietcong is utterly effaced in South Vietnam, all of southeast Asia will fall to communism, piece after piece. The domino metaphor was always dubious; it loses all relevance if neutralism in Laos, Cambodia, North Vietnam and South Vietnam is guaranteed by a United Nations peace force on the spot.

Southeast Asia is a complex of islands and peninsulas inhabited by a variety of human beings of several cultures, subcultures, religions and political and socioeconomic systems. None is really suitable as a counter in a parlor game, whether played in Moscow, Peiping, or Washington.

Mr. MORSE. Mr. President, I close my speech by way of comment upon the Stevenson speech before the United Nations today by saying I am sorry that it was necessary to have to make the speech, but I could not let this day go by and permit anyone to think that any silence on my part might mean agreement with Stevenson's speech. The speech was a great mistake; and I still pray that our Government will reassess its South Vietnam policy and return to keeping its obligations under the United Nations, instead of continuing to act outside the framework of its United Nations obligations.

AWARD OF LEGION OF MERIT TO MAJ. GEN. WILLIAM W. LAPSLEY

Mr. MORSE. Mr. President, on May 9 it was my pleasure to participate in the dedication of Cougar Dam at the site of the dam on the South Fork McKenzie River, Oreg.

In attendance at the dedication ceremonies were two outstanding officers of the U.S. Army Corps of Engineers, both of whom are to be commended for their fine work in connection with Cougar Dam and other river and harbor projects in Oregon. I refer to Maj. Gen. William W. Lapsley, North Pacific division engineer, and Col. Sterling K. Eisiminger, district engineer, both of Portland, Oreg.

During my visit to Oregon to participate in the dedication ceremonies, it was my pleasure to read an article that appeared in the May 7 issue of the Portland Oregonian, indicating that Maj. Gen. Lapsley had been honored on May 6 of this year by the Legion of Merit Award. This news was most gratifying because, in my opinion, General Lapsley is a great credit to our Armed Forces and a dedicated public servant.

Mr. President, I ask unanimous consent that the text of the May 6 announcement of the Chief of Engineers supplying the facts concerning the presentation of the award to General Lapsley, the text of the citation, and the Oregonian news item, be set forth at this point in my remarks:

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAJ. GEN. WILLIAM W. LAPSLEY AWARDED LEGION OF MERIT

Maj. Gen. William W. Lapsley, North Pacific division engineer of the Army Corps of Engineers, today was awarded the Legion of Merit.

The presentation was made at the Pentagon at a luncheon in connection with the annual spring Division Engineers Conference of the Army Corps of Engineers, being held this week in Washington.

The award was presented by the Honorable Stephen Ailes, Secretary of the Army, and Lt. Gen. W. K. Wilson, Jr., Chief of Engineers, in the presence of other division engineers of the Corps of Engineers and a number of civilian and military Department of the Army leaders from the Pentagon. The latter included: Harry C. McPherson, Jr., Deputy Under Secretary of the Army (IA); Gen. Hugh P. Harris, Acting Vice Chief of Staff; Lt. Gen. James L. Richardson, Jr., Deputy Chief of Staff for Personnel; Lt. Gen. Ben Harrell, Assistant Chief of Staff for Force Development; Maj. Gen. Edgar C. Doleman, Assistant Chief of Staff for Intelligence; and Maj. Gen. Lawrence J. Lincoln, Deputy Chief of Staff for Logistics designate.

The citation follows:

"Maj. Gen. William W. Lapsley distinguished himself by exceptionally meritorious service while serving in a position of responsibility as division engineer, U.S. Army Engineer Division, North Pacific, Portland, Oreg., from October 1962 to January 1964. General Lapsley represented the United States in a highly effective manner during the negotiations of the United States-Canadian Treaty relating to international cooperation in water resource developments of the Columbia River Basin. Through his diplomacy, professional knowledge, and skill in defining and suggesting arrangements, he insured the development of compatible terms. His professional competence and devotion to duty, combined with his harmonious working relationship with officials of both nations and senior officers of the military service, contributed to the consummation of the protocol which was signed by the Secretaries of State in the presence of the President of the United States and the Prime Minister of Canada. General Lapsley's successful efforts earned for him the high regard of all associated with him and greatly enhanced the prestige of the U.S. Army. His distinguished performance of duty throughout this period represents outstanding achievement in the most cherished traditions of the U.S. Army and reflects the utmost credit upon himself and the military service."

[From the Portland (Oreg.) Oregonian, May 7, 1964]

CORPS FETES ARMY EXPERT

Maj. Gen. William W. Lapsley of Portland, North Pacific division Army engineer, Wednesday received the Legion of Merit at a luncheon in the Pentagon, Washington, D.C., for his successful efforts and leadership in connection with the negotiations of the United States-Canadian Treaty on water resource development of the Columbia River Basin.

The presentation was a feature of the annual spring conference of division engineers and was made by Stephen Ailes, Secretary of the Army, in the presence of Lt. Gen. W. K. Wilson, Jr., Chief of Engineers.

Among the high-ranking officials present were Harry C. McPherson, Jr., Deputy Secretary of the Army; Gen. Hugh P. Harris, Acting Vice Chief of Staff; Lt. Gen. James L. Richardson, Jr., Deputy Chief of Staff for Personnel; Lt. Gen. Ben Harrell, Assistant Chief of Staff for Force Development; Maj. Gen. Edgar C. Dolman, Assistant Chief of Staff for Intelligence; and Maj. Gen. Lawrence J. Lincoln, Deputy Chief of Staff for Logistics, designate.

The citation said General Lapsley distinguished himself while serving as division engineer at Portland from October 1962 to January 1964, "when he represented the United States in a highly effective manner during the negotiations of the United States-Canadian Treaty relating to international cooperation in water resources development of the Columbia River Basin.

"Through his diplomacy, professional knowledge and skill, and defining and suggesting arrangements, he insured the development of compatible terms," the citation stated.

General Lapsley came to Portland in December 1961, from Korea where he was commanding general of the 7th Logistical Command.

Mr. MORSE. Mr. President, General Lapsley's distinguished career constitutes a fine background for the award of the Legion of Merit. He graduated from the U.S. Military Academy in 1935 and was commissioned in the Corps of Engineers. Prior to World War II, he graduated from the Engineer School at Fort Belvoir, Va., and the University of California at Berkeley, where he received a master's degree in civil engineering.

General Lapsley was appointed district engineer at Norfolk, Va., in 1942, and in 1943 he served as the engineer supply officer, Mediterranean Base Section, Oran, North Africa. He commanded the 41st Engineer Regiment in its operations in Corsica and in the invasion of southern France.

After World War II, General Lapsley was assigned to the European theater I. & E. staff. He graduated from the Armed Forces Staff College in 1947. In 1956, he became commander of the Engineer Maintenance Center in Columbus, Ohio, and was assigned as division engineer, Ohio River Division, in 1958. In 1961, he assumed his duties as division engineer in Portland.

Mr. President, I am sure that the people of the State of Oregon are proud, as I am, of the well-deserved award which was conferred upon General Lapsley on May 6.

ARTICLE BY ROBERT H. SNOW

Mr. MORSE. Mr. President, Dr. Robert H. Snow, who is program administrator of the Adult Education Division of Syracuse University last October published an article in volume 49, No. 3, of Liberal Education magazine, in which he straightforwardly challenged his colleagues to pay more attention to the average undergraduate student.

I am particularly pleased to have had the opportunity to review his article since his comments echo my own teaching experience. The challenge of the C student is one which should bring forth the best of our teaching talent in higher education since these are the young men and women who make up the backbone of our institutions of higher education while they are in college and who comprise the major leadership of our communities when they enter business and professional worlds.

What Dr. Snow is saying will not be popular with a good many educators, but I think his salty comments will be cause for self-searching on the part of conscientious and dedicated teachers.

Mr. President, I ask unanimous consent that the article to which I have alluded be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE UNWANTED MAJORITY

(By Robert H. Snow)

(NOTE.—The current demand for increased attention to the superior student challenged as an evasion of the academic obligation to help every student gain access to intellectual life on his own terms.)

During the 1960's we have been urged to dedicate ourselves anew to the nurture of the superior student and the cultivation of intellect. The hounds are baying in pursuit of excellence. Those splendid catchwords: "advanced placement," "acceleration," "rigorous scholastic standards," "honors section" and their numerous counterparts have come bubbling forth in glorious profusion.

The litany is a familiar one. Having opened the floodgates to an unbookish multitude, we have admitted to our secondary schools and our colleges a vast horde of undesirables, with no love for learning, with little aptitude for serious study. As a result, academic programs have become devitalized, trivial, without substance. Nothing remains to challenge the gifted student, to spur him onward to high achievement. His precious talents are neglected as we cater to the frivolities of the mediocre and the inept. Our educational salvation demands that this woeful state of affairs shall continue no longer. We must reaffirm the primacy of intellect, and once again render to the superior student the attention he deserves.

Within academic circles, there are many who support this crusade with enthusiasm. The prospect of dealing with a selected clientele has numerous attractions. If one could be relieved of the burdens and frustrations involved in attempting to teach those who seem impervious to ideas, life would be considerably more pleasant. Plausible arguments uphold the view that colleges and universities should give major emphasis to serving those of exceptional ability. Resources are limited and should not be squandered upon those who are unresponsive, unable to benefit from intensive intellectual stimulation. Higher education is a privilege, not a right. Society gains most when those with superior talents achieve their full potential. These individuals will eventually occupy positions of leadership, and their contributions will filter down to benefit the total population. Our future progress and our national security as well are dependent upon the cultivation of the best minds. It seems obvious that if energies are diverted in service to the second rate the highly talented will be victimized. Did not Jefferson himself recommend that we sift out the rubbish?

Thus, once again, we are offered in appealing garb the concept of the education of an elite. Let the colleges and universities focus their efforts upon those of greater promise. Let the mediocre be dispatched to humbler surroundings more in keeping with their limited capabilities. It is a proposal to warm the hearts of academicians—and fundamentally vicious.

It is a vicious doctrine because it offers a spurious cloak of legitimacy for irresponsible conduct on the part of those who have accepted positions in colleges and universities. It is a tacit invitation for faculty members and officials to view the majority of their students with contempt, to deny them the opportunities to which they are justly entitled. It supplies a convenient pretext for continued failure to devise educational programs appropriate for those enrolled. It serves to reinforce and perpetuate the worst features of our educational system.

The notion that educators, during recent decades, have been giving an inordinate share of attention to average students is largely myth. The minority with high academic aptitude have always occupied a favored position, and the reasons for this are fairly simple.

Perceptive students are much more pleasant to deal with. They grasp ideas quickly, without need for labored explanations. They are polite, attentive, properly deferential. In general, they are capable of shifting for themselves. Talented people do not require teaching, in the usual sense of the term. Talent cultivates itself. The able students need leisure, access to study materials, opportunity to seek counsel as they desire it. Beyond this, they are relatively self-sufficient. They make substantial progress in a short time, and their achievements reflect credit on the college.

Furthermore, in dealing with highly capable students, the professor finds it easier to maintain a favorable self-image. It is comforting to feel that one's work proceeds on an elevated plane and is concerned with matters of profound significance. Association with superior students helps preserve this gratifying sense of academic dignity. When, on the other hand, one is compelled to deal with students who are obviously limited in their ability to handle abstract ideas, this concept is weakened. The professor is constantly reminded of the more pedestrian aspects of his calling.

Mediocre students are full of disappointments. Teaching them is a struggle. They are often inattentive and fail to appreciate what is done for them. One can deliver a perfectly straightforward lecture to them and it seems to make no impression whatsoever. When told to go to the library and read, they just seem to stare at the pages and understand nothing. They are easily distracted, their interests are painfully immature, they are even a bit uncouth.

So, without any particular encouragement to do so, professors are already inclined to focus special attention upon the better students and to evaluate their own contribution as teachers in terms of the progress made by such students. So long as his top students apppear to be progressing satisfactorily, the professor is confirmed in his assurance that his own performance as a teacher is adequate. The failure of the rest to match the superior students in academic achievement may conveniently be attributed to their lack of application, their indifference or laziness. It rarely occurs to the academician that his instructional procedures may be inappropriate for the majority, or that the achievements of the better students may be due to their proficiency as self-directed learners rather than to any assistance which he has supplied.

In view of this predisposition, encouraging college faculties to become more attentive to the minority of highly capable students may well result in further neglect of the majority. The professor will feel under no great obligation to alter his present course. Whatever changes he might introduce to challenge the gifted would certainly confuse rather than enlighten the average student. But the chief danger is progressive enfeeblement of any sense of obligation toward those who are not exceptional.

The fact is inescapable that it is difficult to teach students of low academic aptitude, with a poor cultural background and little interest in study. It is relatively easy to teach highly intelligent students who are intellectually curious, who have had many cultural advantages and are capable of sustained concentration. Difficulty in teaching is not to be equated with complexity of subject-matter. A trained mathematician may be taught advanced concepts with less effort than is required to teach simple equations to a beginning student of algebra.

When this basic truth is recognized, the absurdity of much traditional practice in colleges and universities becomes clearly evident. Graduate students with special aptitude for study are often grouped in classes with fewer than a dozen members. Freshmen with many obstacles to overcome are frequently taught in classes numbering 40 or more. The graduate students are customarily served by a full professor, presumably an individual of unusual teaching skill. In many cases, the freshmen are taught by inexperienced instructors, and even by graduate students. The best teaching services and the most favorable circumstances for learning are provided for those who need them least; those in greatest need of assistance are placed at the greater disadvantage.

Under these conditions, it is not surprising that many students of only average ability fail to make satisfactory progress. They are confronted with a situation in which they are expected to learn with little genuine assistance from the faculty. Superior students can do this; average students cannot.

In effect, college authorities are saying: "Send us only those very bright students who learn with ease, who are quite well educated already. Anyone who is really in need of educational service, who finds it difficult to learn, and has much to learn, should go elsewhere. We can't be bothered with him." The academic arrangement is neatly designed to make educational resources readily available to those who need them least and inaccessible to those who need them most. Few educators seem to be disturbed by this state of affairs. Yet we would have little respect for a physician should he adopt a similar position and say: "Come to me only if you have a minor ailment. If you are seriously ill, I can't help you."

Within most institutions of collegiate rank, faculty members and others in authority adopt a conventionalized scheme for rating the members of each incoming class. Regardless of the institutions admissions standard, at least 15 percent of the new students are soon judged to be unfit for continuance in the academic program, and they are consigned to outer darkness as rapidly as possible. D's and F's are their lot for the duration of their enrollment.

It is virtually certain that this proportion will be identified as hopeless, whether it be in a prestigeful university or an obscure backwoods college. This is not to say that those so classified in one institution resemble their counterparts in another. Variability among colleges spans a wide range. Some who are considered deplorably inadequate in college A might have been welcomed as prize students in college Z.

At the other end of the scale, roughly 15 percent will be fully accepted as deserving the best the institution has to offer. These are the "good" students, who collect the majority of A's and B's and bask in faculty approval throughout their college days.

This leaves the large middle groups, approximately 70 percent of the original student body—the average ones, whose grades are mainly C's sprinkled with an occasional B. They are not summarily rejected, but neither are they wholly accepted. They are tolerated, permitted to attend classes and accumulate their modest credits, eventually granted diplomas if they survive. But the faculty is not really interested in them, and they are served in grudging fashion. It is impossible to forgive them for their lack of talent. Many professors seem to regard their continued presence within the college as an imposition.

Yet these are the students in greatest need of the services which educational institutions are established to provide. They need skillful teaching, a carefully organized sequence of learning experiences, continuing assistance from sympathetic professors who are sensitive to their problems. They need encouragement, thoughtful guidance, a means of progressing in orderly fashion from present levels of comprehension toward a grasp of more complex materials.

What prevents many institutions of higher learning in America from bearing any resemblance to a "community of scholars" is the fact that so many students are rebuffed at the point of their introductory exposure to the life of the intellect—in the classroom. The imbecilities of campus life as manifest in the election of beauty queens for every occasion, the emphasis on spectator sports, feverish dating practices, party functions, faddism, and juke-joint conviviality are in large part outgrowths of this wholesale rejection of the untalented. Because the average student is denied meaningful experience which might awaken interest in the world of scholarship, he is left to his own devices.

It is customary to regard these frothy extracurricular pursuits as activities which students insist upon to make life bearable—a release from education's dismal grind. College authorities often promote them, in the belief that they offer an innocuous means of relieving tensions and give students something interesting to do. When this occurs, the implication is clear that hope for cultivating widespread interest in serious study has been abandoned. Obviously, suppression of these nonsensical enterprises would not restore the love of learning. But there is a good possibility that if classroom experiences were more stimulating for all students much of the foolishness would wither away. If intellectual ferment does not start in the classroom, it is doubtful that it will start anywhere.

The average student encounters no active hostility—merely indifference, which is considerably harder to bear. His presence is suffered with resignation and with fatalistic acceptance of the belief that he is unlikely to learn anything of consequence in his present situation. His teachers deny him only the benefit of their interest and attention. They are perfectly willing for him to get an education so long as he gets it somewhere else.

"Somewhere else" means at a lower station in the prestige hierarchy. From the standpoint of the select and fashionable college or the famous university, it means one of the large, coeducational diploma mills, or perhaps a state university of second rank. In these institutions, somewhere else may be identified as an impoverished sectarian college, a junior college, a technical institute. At the lower limits, the appropriate "somewhere else" means a business or trade school, the armed services, or a job in the supermarket.

But ordinarily the average student does not choose to go somewhere else unless he is compelled to leave. He remains where he is and pursues a dull routine, reminded in subtle ways that he is considered something of an interloper who cannot expect special treatment if he finds the work too difficult. The fact that he and his kind are in the majority does not alter the case.

In Utopia no one will be "misplaced." Each professor will be supplied with a full quota of students equal in ability to the best who are now enrolled in his classes. Those who are seeking an education above their proper station will be reshuffled into suitable compartments at lower levels, where they will be welcomed among their peers. Then all may be considered worthy of attention, no one need be neglected, and the faculty will be content. In Utopia, perhaps, but never in the real world. Human beings are outrageously insistent upon asserting their individuality, disrupting neatly ordered plans.

Pervasive in the faculty club are appalling misconceptions as to the nature of learning and the role of a teacher. A course of study is presumed to consist of a fixed body of subject matter, known as the work. Students gain knowledge through an obscure process termed "covering the work." The professor is one who officiates during this operation; his primary function is to estimate the success of each student in "mastering" the subject.

The work must necessarily be pitched at a level of difficulty somewhat exceeding the present capabilities of the best students. Otherwise there would be no point in their taking the course. The subject matter will be so selected as to include materials which the most proficient will find unfamiliar, and to exclude items which it may be assumed they already know. As might be expected, those less well prepared will be required to do some adroit leaping over strange terrain in order to "cover" the subject. But this is the task which confronts them, and they falter at their peril.

In times past, when institutions of higher learning assumed responsibility for only a few cloistered scholars and made no claims to broader service, concepts such as these may have been appropriate. They cannot be justified in the modern era. When students have entered an institution in good faith, having measured up to the requirements officially established for admission, all are equally entitled to full privileges. No member of the faculty has the right to fix more exclusive, privately determined, barriers to full acceptance. The obligation to assist each student in gaining access to the intellectual life of the institution on his own terms cannot justly be denied.

ARMENIAN INDEPENDENCE DAY, MAY 28, 1964

Mr. KEATING. Mr. President, history records the steady progress that men born to be free, have made in developing systems of government that will preserve their freedom. Forty-six years ago, on May 28, the gifted and gallant people of Armenia wrought from that evolutionary process a free republic. It did not come to pass without terrible happenings, but on May 28, 1918, the Armenian people threw off the yoke of centuries of despotic Turkish rule and established in Asia Minor the free Republic of Armenia.

In the course of realizing this independent Republic, 60 percent of the Armenian population, 3 million men, women, and children, perished at the hands of the Turkish tyrants.

The Turkish slaughter of Armenians concentrated on the intellectual class, those to whom the people would turn for leadership. Grigor Zohrab, attorney and writer; Dr. Rouben Sevag, physician, writer, and scientist; Daniel Varoujian, famous Armenian poet, teacher, and statesman; Rev. Gomidas Vartabed, renowned composer, and famous church leader; Rouben Zartarian, distinguished writer, teacher, and editor; Adom Yarjanian—Siamanto, a classical poet, and an outstanding leader; H. Boyadjian—Mourad, respected and dedicated leader; Diran Kelegian, editor; Dr. N. Daghavarian, scientist and writer; Aknouni, writer, famous orator, and leader; were 10 great men among 500 intellectuals murdered by the Turks during their campaign to bring about the "final solution of the Armenian problem."

Turkish rule in the Armenian homelands was finally overthrown as part of the Allied effort during World War I. The Armenians contributed 250,000 soldiers to the Allied cause and fought the Turks to a standstill and final defeat.

With the downfall of the Turks the Armenians were free to establish their own republic and they organized a well-functioning government along Western lines within the American arbitrated Woodrow Wilson boundary. Their newly found freedom and the Republic were short lived. They fell prey to early Communist aggression we have come to know so well. Red troops overran the Republic of Armenia and engulfed it. Today free and independent Armenia does not exist except in the minds and hearts of her scattered countrymen. The name of the once sovereign nation of Armenia stands with the prefix "Soviet," the antithesis of all that proud nation and its people represent.

It is not with the vain hopes of the wishful thinker that Armenians commemorate Armenian Independence Day. It is with the faith of a long-suffering people who have seen the bloodstained plains of their homeland divided among conquerors and criminals, that the Armenian people can look forward to a day of retribution, a day when the injustices of centuries will be righted and Armenia will regain its independence. It is our task to keep the memory of those injustices alive and not to be satisfied or complacent with the triumph of might over right. To forget, is to accept what has taken place and it is only then that the greatest evil is wrought. It is therefore both fitting and proper that we celebrate Armenian Independence Day with faith that the future will find her free.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. MORSE. Mr. President, let me say to my friend from Florida [Mr. HOLLAND] that once again I am greatly indebted to him for his never-failing courtesy and cooperation to me as we sit here in the Senate, not only as seatmates but as friends. I appreciate his being willing to yield to me so I could place myself on record in opposition to the Stevenson speech in the United Nations Security Council today.

Mr. HOLLAND. Mr. President, I am happy to have been able to yield to the distinguished Senator from Oregon.

I ask unanimous consent that I may be allowed to continue my speech, which I have barely begun, on the next occasion when I can gain recognition from the Presiding Officer.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the Senator from Kentucky.

Mr. COOPER. Does the Senator from Florida expect to proceed later?

Mr. HOLLAND. I shall proceed later under the unanimous consent which has been given. I shall ask, under the unanimous consent heretofore given, that the Senate recess when the Senator from Kentucky has concluded his remarks, whatever they may be, until noon tomorrow.

Mr. COOPER. Mr. President, on May 18, I offered amendment No. 604 to title VI of H.R. 7152.

The purpose of my amendment is to assure that title VI cannot be used by a Federal Department or Agency to secure or influence compliance with respect to employment practices—practices of the kind which are properly the subject of title VII. Title VII deals with employment practices between companies, unions and individuals, and it provides specific procedures for compliance and enforcement.

I wrote to the Attorney General on April 21 about the possible impingement of title VI on title VII. His opinion, which is contained in a letter he wrote on April 27, and which is found in the CONGRESSIONAL RECORD of May 5 at pages 10075–10076, was that it was not intended that title VI would impinge on title VII. But I think it should be made clear in the bill that it does not do so.

It is not my purpose to cover by my amendment a direct Federal public works program, the primary purpose of which is to provide employment. For I believe that where the purpose of a Federal program is to provide employment, available to all, it may be desirable to provide for termination of financial assistance if discrimination is practiced.

But I do not believe that title VI should extend to the employment practices of firms and individuals who may be engaged in work, under private contracts but in connection with some Government program, when that type of employment is properly the subject of title VII.

I have received a great many letters from farmers who have been led to believe that Government farm programs—such as soil conservation, soil bank, or price support programs—could be cut off if the farmers were charged with discriminatory employment practices.

The Attorney General in his letter said that this is not the intention of title VI. He stated:

> I point out that the farmer would have to have 25 or more employees to be in violation of any employment practice even under title VII.

I would propose that my amendment be considered in the conference which is going on at the present time between the leaders. But if it is not considered then, I shall offer it on the floor.

RECESS TO TOMORROW, AT NOON

Mr. HOLLAND. Mr. President, in accordance with the previous order, I move that the Senate take a recess until tomorrow, at noon.

The motion was agreed to; and (at 7 o'clock and 31 minutes p.m.), under the previous order, the Senate took a recess until tomorrow, Friday, May 22, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 21 (legislative day of March 30), 1964:

NATIONAL SCIENCE BOARD

The following-named persons to be members of the National Science Board, National Science Foundation, for terms expiring May 10, 1970:

Herbert E. Carter, of Illinois.
Julian R. Goldsmith, of Illinois.
William W. Hagerty, of Pennsylvania.
Patrick R. Haggerty, of Texas.
Mina S. Rees, of New York.
John I. Snyder, Jr., of New York.
Julius A. Stratton, of Massachusetts.
Frederick P. Thieme, of Washington.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 21, 1964

The House met at 11 o'clock a.m.

Rabbi Hersh M. Ginsberg, dean, Rabbi Jacob Joseph School, New York, N.Y., offered the following prayer:

> Hashem, Melech Haolom!
> Lord, King of the Universe!

Bless this House of Representatives of the United States of America, which has been hallowed as a sanctuary of freedom, and wherein is preserved the liberty and human dignity of all Americans.

The men and women gathered here have toiled laboriously to guard against any encroachment on the inalienable rights which Thou hast granted unto man. We are mindful that only through Thy grace have their labors borne fruit and has our blessed country fostered hope for the oppressed, given confidence to the downtrodden, and inspired the feeblehearted.

We are humbled by the ominous tasks that still lie ahead; for we can never remain tranquil so long as freedom is denied to any human being created in Thy image; so long as man is judged and governed by his fellow man not by the nobility of his spirit and the grandeur of his heart, but by the color of his skin, by the political doctrines to which he subscribes, or by the religion to which he is committed. Indeed, our aspirations of making the American dream of universal freedom for all men a reality will continue to command our collective attention in the months and years that lie ahead.

Grant, we pray Thee, O merciful Father, to the dedicated men and women gathered here, unto whom has been entrusted the sacred task of governing our Nation, that they may continue to be deserving of Thy sustaining blessings. Shower upon them and their loved ones of Thy divine bounty, teach them to face the trying days ahead firmly and courageously, fill them with Thy holy spirit, make them meek and humble, cognizant of the needs of the poor of body and impoverished of spirit, and inspire them to remain steadfast in their yearning to sanctify Thy holy name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to state that in the light of the eulogies for our late beloved colleague, Mr. CANNON, the Chair will not receive unanimous-consent requests at this time. The Committee will rise at 12 o'clock, and before we go into the Committee of the Whole House on the State of the Union again, the Chair will receive unanimous-consent requests at that time.

INDEPENDENT OFFICES APPROPRIATION BILL, 1965

Mr. THOMAS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. THOMAS].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 11296, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Texas [Mr. THOMAS] had 55 minutes remaining and the gentleman from New York [Mr. OSTERTAG] had 31 minutes remaining.

The Chair recognizes the gentleman from Texas.

Mr. THOMAS. Mr. Chairman, I yield 17 minutes to our distinguished colleague, the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, the distinguished chairman of the Subcommittee on Independent Offices Appropriations, the gentleman from Texas [Mr. THOMAS], on yesterday explained this bill in some detail, as did the ranking member of the committee, the gentleman from New York [Mr. OSTERTAG].

Mr. Chairman, at the expense of some repetition, I will emphasize some of the highlights of this very important bill, the independent offices appropriation bill for 1965.

Before doing so, Mr. Chairman, I want to pay a tribute to our distinguished chairman, the gentleman from Texas [Mr. THOMAS], for the excellent manner in which he has conducted these hearings and for the great work which he has done on this bill. As in the past, Albert Thomas has shown that he knows the workings of these agencies of our Government perhaps better than any single Member of the House of Representatives. He has demonstrated that he has a wider grasp of the workings and budgetary needs of these many agencies of the Government than many heads of agencies themselves. Along with his exceptional store of knowledge of the various agencies, he has a keen mind, a great insight, and a rare understanding for fair dealing and wisely with everyone coming before our committee. He is indeed an outstanding chairman and it has been a great pleasure to serve with him, as it has with all of the other members of the committee; these include the gentleman from Massachusetts [Mr. Boland]; the gentleman from Illinois [Mr. Shipley]; the gentleman from New York [Mr. Ostertag], the ranking minority member of the committee; the gentleman from North Carolina [Mr. Jonas]; and the gentleman from New Hampshire [Mr. Wyman].

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. EVINS. I yield to my friend, the distinguished majority leader, the gentleman from Oklahoma [Mr. Albert].

Mr. ALBERT. Mr. Chairman, I thank the gentleman for paying this more-than-deserved tribute to the distinguished chairman of this subcommittee, the gentleman from Texas [Mr. Thomas]. I feel that one of the most fortunate things that has happened in this House in a long time was when his good constituents and his colleagues convinced him that we needed him here during this next term and during many future Congresses.

Mr. EVINS. We all concur in the sentiments of the majority leader.

Mr. Chairman, as was said on yesterday, this is the last time that our genial friend and colleague, the gentleman from New York [Mr. Ostertag], will participate with the committee in the preparation of recommendations and consideration of the independent offices appropriation bill.

I want to join with others and to reemphasize what others have said on yesterday that we shall miss him, and that our best wishes will go with him in whatever activities he may pursue in the future.

He has made a great contribution to this bill and to all the deliberations and work of our committee throughout the period of his devoted service on the committee. His diligence, his fairness and his outstanding abilities have earned for him the regard and respect of all of his colleagues. I know that I express the feeling of all Members in wishing him a happy and richly rewarding retirement—good luck, good health, and Godspeed.

Mr. Chairman, the pending bill is a big bill and a most important bill. Certainly it is one of the most important of the annual appropriation bills considered by the Congress.

Our subcommittee has held extensive hearings on this bill—some 4 months of hearings. There are two volumes of testimony—thick volumes—containing almost 4,000 pages of testimony. Every item in this bill has been thoroughly studied. The committee has gone into exhaustive details and considered carefully all of the budget requests.

This bill carries funds for some 25 independent offices and agencies of the Federal Government, including the Office of Emergency Planning, National Space Council, Civil Aeronautics Board, Civil Service Commission, Federal Aviation Agency, Federal Communications Commission, Federal Trade Commission, Federal Power Commission, General Services Administration, National Science Foundation, and the Veterans' Administration, among others.

We are funding in this bill programs and services of these agencies which in one way or another affect the lives of all of the citizens of our great country.

We are recommending this bill as a good bill. It has been well considered and we believe it is a well-balanced measure.

Our committee is recommending a total appropriation of $13,318,965,500 for the 25 agencies and offices carried in this bill.

This is $925,719,900 less than the budget recommendation. We have thus made a substantial cut and reduction—a cut of almost $1 billion from the budget estimates. This represents an overall saving of 6.5 percent.

The fund reductions made in this bill provide for substantially less employment in a number of agencies—without curtailment in essential Federal services.

A total of 287,942 positions have been approved. A total of 6,834 positions have been eliminated.

The reductions made will provide for a more economical and efficient operation of all the Federal agencies concerned.

Among the major cuts made in this bill is in the funding for civil defense. The committee feels that this agency can well afford the $268.8 million cut from budget estimates for civil defense. The amounts that have been appropriated and expended over the years for civil defense have been enormous. The State and local governments must make a greater contribution in this effort.

With the entire shelter program under study and review by the Department of Defense at the present time, our committee recommends that no additional funds for stockpiling of shelter supplies or for new programs proposed in the budget be approved.

Another important budgetary reduction which we are proposing is in the appropriation for the Federal Aviation Agency. The total cut recommended is some $56 million less than the budget estimates.

With this action, efforts are being stepped up to achieve greater efficiency and more economy in the operation of this Agency which has grown greatly in recent years. The Agency's fund requests for fiscal 1965 show a reduction of 754 in personnel. As pointed out in the report, our committee commends the able and genial Administrator of FAA—Administrator N. E. "Jeeb" Halaby. He is doing an outstanding job—rendering a great public service. We feel that his Agency is somewhat "top heavy" and that with the reductions FAA can be made even more efficient in its operations.

While making provision for improvement in the efficiency of this important Agency, the committee wants to stress the need for increased emphasis on air safety.

We have included $75 million for the 1965 program for airport construction, and a like amount for advance funding on the 1966 program—the full amount requested. We are recommending $50 million for new facilities and equipment. The total provided for FAA—$775,249,000—is nearly $17 million more than the amount appropriated last year. This increase is due to the inclusion of programs that were not in last year's budget.

Mr. GROSS. Mr. Chairman, will the gentleman yield before he leaves the subject of airports?

Mr. EVINS. I will yield to my friend, the gentleman from Iowa.

Mr. GROSS. How much do the taxpayers of the Nation now have in that white elephant, Dulles Airport? Does the gentleman have any figure in mind as to the total amount that has been invested? And I would like to know how much is in this bill for Dulles Airport?

Mr. EVINS. Dulles Airport has been completed. It has been more costly than was anticipated. The airport has been dedicated and is in operation. The airport is a great showcase and it is the airport of the future. It has been very costly, I will say to my friend. We have to provide about $3 million or $4 million annually now to keep it going—operating efficiently.

Mr. GROSS. I read somewhere or I have heard that the loss on that airport last year was close to $6,900,000 or almost $7 million. Can that be possible? Was that the amount of the loss for last year alone?

Mr. EVINS. It is true that the airport is not having the enplanements and the air traffic that was earlier anticipated. But we feel in the future it will reach its maximum and the expected goals and fulfill our expectations. Of course, there is competition with Friendship Airport and other airports, but Dulles Airport will serve a most useful and important purpose in the long run.

Mr. GROSS. How much is being appropriated for Dulles Airport today out of the pockets of the taxpayers of this country to make up the deficit? Does the gentleman have a figure in mind?

Mr. EVINS. The details of the funding for Dulles are set out in the report. We are appropriating for next year $4,319,000 and $180,000 for construction at this important airport.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. EVINS. I yield to my friend, the distinguished chairman of our committee.

Mr. THOMAS. May I say to my distinguished friend from Iowa, the details are available here. They wanted for maintenance, operation, minor construction and so on about $4½ million this year or to be exact $4,619,000. The committee reduced it by $300,000. How may I explain, if I may, to my able friend from Iowa that we have tied up in that airport about $108 million. When we went into that business out there, as our friend, the gentleman from Tennessee and the gentleman from New York will verify, we demanded of them in so many words to amortize this over a 30 year period. By that we meant to pay back every nickel that the taxpayers have put into it—land cost, improvement costs and interest costs. It is slipping and, as a matter of fact, they lacked about $6 million of carrying out their part of the contract this year. But as the gentleman from Tennessee pointed out, the business is going and picking up and picking up. So give them 21 or 22 years and we hope that it will begin to pay itself off.

Mr. GROSS. Mr. Chairman, will the gentleman from Tennessee yield so that I may ask a question of the chairman of the subcommittee?

Mr. EVINS. I yield to the gentleman.

Mr. GROSS. Your hearings show, I believe, that their loss last year was $7 million or $6,900,000.

Mr. THOMAS. There was a slippage of $6,900,000—the gentleman is right.

Mr. GROSS. And you are providing this year $4,319,000. What about the differential as between the loss and the money you are appropriating?

Mr. THOMAS. One has to go back to the original cost. That is supposed to be amortized over a period of 30 years. How is it amortized? There are the concessions. You have, say, 100 tenants out there. One of them is for soft drinks and one for restaurants and one for newspapers and then there are the landing fees for all the airplanes, and the booths for airplane companies and so forth and so on. So the sum total of that is that it is supposed to be paid for over a 30-year period. But the slippage amounts to the $6,900,000. You are right about that.

Mr. EVINS. Concerning the Housing and Home Finance Agency, our committee is recommending a cut of $172 million below the budget estimates for all programs of this Agency. Cuts have been made in proposed outlays for urban planning and urban renewal grants, the purchase of open lands. The programs are fully funded at this time.

For the General Services Administration, we are recommending $565,260,100. The committee has provided a reduction of $66 million in the budget's estimates for this agency.

The total amount carried in the bill for GSA in fiscal 1965 is some $49 million less than appropriated in 1964. The bill contains $151,722,000 for construction of 149 new buildings. We have increased the funding for two projects under construction and for the acquisition and purchase of one building needed by the Government. This will provide a large and substantial public buildings construction program.

The amounts for construction projects generally have been reduced about 10 percent from the budget estimates. Fallout shelters have been eliminated in the construction of these proposed new public buildings.

As pointed out in the report, the committee is not recommending any funds for sites or planning by GSA for next year since GSA has been overfunded for this work, and there is a lag in sites and planning program.

Funds requested for the expense of operating Government-owned and leased buildings have also been reduced by the committee, and the amount provided for the Federal Supply Service's operating expenses is substantially below budget estimates.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. EVINS. I yield to the gentleman.

Mr. O'BRIEN of New York. A number of us are concerned about the decision of the committee not to recommend any funds for site planning. I think the total amount, if you approved the entire amount, would have been $29,500,000. I have no quarrel with the collective judgment of the committee. I feel certain it is based on sound grounds. However, there are a number of us who have proposed Federal buildings in our districts. There is one in the city of Albany which is badly needed, which will save money for the taxpayers of the United States.

I should like to ask the gentleman a question concerning this. The decision not to recommend any funds for sites this year will not delay to any appreciable extent the date upon which the Federal building, needed and approved, will be under construction, will it?

Mr. EVINS. I will say to my friend that there will not be a delay. The GSA is fully occupied. They are fully funded. They have more work in sight than they can do at this time. There is a lag in the sites and planning work. But GSA will catch up. I feel certain that the gentleman's project will be included and will be built on schedule.

Mr. O'BRIEN of New York. I should like to ask the gentleman one more question. Was there anything in the decision to prevent the General Services Administration, during the days and months ahead, from talking privately with people in the communities where buildings are to be constructed, to see if they can negotiate, when the funds are available, favorable terms?

Mr. EVINS. There is nothing to preclude them from proceeding. I feel certain they will proceed on priority projects.

Mr. O'BRIEN of New York. I thank the gentleman.

Mr. EVINS. This bill reduces total appropriations for the National Aeronautics and Space Administration by $245 million below budget estimates.

With this reduction in the NASA appropriation for 1965, the space agency still will have $5.2 billion for carrying forward the national space effort.

We have approved $4.2 billion for research and development—and the greater part of this goes for contracts with industry.

We have approved $250 million for the construction of additional needed facilities and $640 million for administrative operations.

In short, we have provided the funds needed for continuation of a full-scale space effort—under a program that calls for progress in this area on an economical basis and a better balanced Federal effort in the field of space exploration.

NASA has cut its own budget from an earlier planned program.

The Bureau of the Budget has also made reductions as has the President—President Johnson—in submitting his budget to the Congress.

Both the space authorizing committee and our Appropriations Subcommittee have made further cuts and reductions.

We must reach a composite judgment on the fund needs and fund requirements for the space effort of our country.

I have concluded, as the majority of our subcommittee and the full committee have concluded, that the $5.2 billion is the right level.

We are told that a further cut and a slowdown—and stretchout—will mean a billion dollars in increased costs—because of delays, increased labor costs, increases in construction, administrative and other costs.

So, we can save a billion dollars by approving the amount here recommended—and we will not be killing the momentum of effort or bringing about a slowdown in the program as planned.

Concerning the National Science Foundation, this bill provides some $420 million for various programs of the Science Foundation, including grants for scholarships—fellowships, research, education, basic and applied sciences, and funds for developing new centers of excellence in science and engineering.

Other important agencies for which funds are provided in this bill include the Civil Aeronautics Board under the able direction of Chairman Alan S. Boyd; the Federal Trade Commission under the direction of another able chairman, Paul Rand Dixon, of Tennessee; the Federal Power Commission, a most important Commission, whose Chairman is Joseph C. Swidler, who has a most important role to perform in the public interest; the Securities and Exchange Commission under Chairman Carey; the Civil Service Commission under Chairman Macy; and the Veterans' Administration, which is being well managed and operated by the genial and able Administrator of our veterans' programs, Col. John Gleason—to name only a partial list of the important agencies and administrators.

Mr. Chairman, a great amount of intensive and exacting work has gone into the determination of the fund needs of these agencies by your subcommittee.

The bill, as it comes before you today, represents the best efforts of our subcommittee to insure that all of these important agencies have sufficient funds to discharge properly their functions and duties—but without waste or extravagance.

With the passage of this appropriation bill, our Government will not be skimping on any essential services in any of the 25 agencies involved.

But we are making some substantial budgetary savings in the interest of better use of our resources.

In summary, we have made cuts and reductions totaling $925,719,000—almost $1 billion.

I repeat, this is a good bill—a sound bill.

It meets the high standards set by our late longtime chairman on Appropriations, the gentleman from Missouri, Mr. Cannon, and continued by his great successor, the distinguished gentleman from Texas, Chairman George Mahon.

I urge passage of this bill.

Mr. HARVEY of Indiana. Mr. Chairman, will the gentleman yield?

Mr. EVINS. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. Mr. Chairman, yesterday afternoon the Committee rose following the presentation by the ranking Republican member of the Subcommittee on Independent Offices, the gentleman from New York [Mr. Ostertag]. At the conclusion of his presentation well deserved tributes were paid him by his colleagues. Because there was not the proper opportunity for me to add my own tribute then, I wish to do so today.

When Harold came to the Congress 14 years ago, he was already an experienced legislator, having served 19 years in the New York Legislature. During his service here in the House, it has been my privilege to be intimately associated with him and to count him among my best friends. His steadfastness and conscientiousness are blended with a congenial disposition that makes for a most effective public servant and delightful companion. I can only say that even though I regret his decision to retire, I understand his reasons and wish for him and his wonderful wife Grace, many years of pleasant retirement.

Mr. OSTERTAG. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. Jonas].

Mr. JONAS. Mr. Chairman, of course a bill of this magnitude, involving $13 or $14 billion, cannot be discussed adequately in 10 minutes. I recommend to my colleagues that they read the report carefully and refer to the hearings. The report is detailed in explanation of what the committee did. The hearings were quite voluminous. Those who would like to know more about the bill than we can explain in the short time allocated this morning can obtain that information by reference to the report and to the hearings.

At the outset I would like to pay my compliments to the distinguished chairman of our committee and join with the majority leader in thanking his constituents for talking him out of retiring. I would say in passing that by making that decision he avoids the pleasure I am sure our colleague from New York is deriving out of the complimentary remarks that are being made about him during the course of this debate. It is rather a sad commentary on the situation that exists that a Member of the House must either die or retire voluntarily before any very complimentary remarks are made about him. Of course, after he has passed away, he cannot read the remarks, so those who retire voluntarily have a great advantage over those of us who are retired involuntarily, and we all face that prospect sooner or later. However, the gentleman from Texas has made a great contribution to the efforts of our committee to bring about sound economies in the operation of the Government. His services to the committee cannot be magnified unduly because they have been tremendous. It has been a genuine pleasure to serve over the years with our colleagues on his side of the table, my friends from Massachusetts, Tennessee, and Illinois

I cannot let the occasion pass, either, without paying my personal tribute to Harold Ostertag, the distinguished gentleman from New York who is voluntarily retiring at the end of this term. I have sat next to Harold in the committee room for 5 hours a day almost 5 days a week during this year and I have learned to know of the great care with which he scrutinizes these requests. I have formed the very highest appreciation of his ability and of his study of the problems and his mastery of the subject. The presentation he made yesterday afternoon just before the Committee rose was indeed masterful I thought. It is because of the very fine and detailed analysis that he gave to the bill that I deem it unnecessary for me today to go into any details about the bill.

I join with my colleagues who have spoken and who will speak about Harold Ostertag's service to the Nation and extend to him, as he enters upon retirement, the cordial good wishes of myself and my wife and our very best hopes that he will find that retirement is as satisfying as he now thinks it may be. I am inclined to believe that he will at times, when in retirement, reflect upon the things that he is missing down here in Washington and particularly in the Subcommittee on Independent Offices.

Since I am passing compliments around, I could not, of course, refrain from saying how fortunate I think we are on our side to have the services of the gentleman from New Hampshire [Mr. Wyman].

He has not served on the committee as long as some of the other members; but he has served on the committee long enough to impress all of us with his dedication to the responsibilities placed upon him. It has been a genuine pleasure to work with him in the conduct of the hearings and in the preparation of the bill. I am very proud to have had the opportunity of serving not only with him but with all of my other colleagues who have worked so hard and so harmoniously in an effort to bring to the Committee this morning the bill which is, as the distinguished chairman said on yesterday, just about as unanimous as you could expect a bill of this magnitude and complexity to be, among seven Members of Congress who do not necessarily see eye to eye on all subjects. But I think in the main we are in agreement on the bill. There are some exceptions, of course. I would have changed some of the figures, downward I might add, but in most instances I recognize that where you have seven Members of Congress who are independent-minded the result of their deliberations will have to represent some give and take. Legislation is frequently the result of compromise, and I think on the whole we have a good bill which is worthy of the support of the Members of the Committee.

Mr. Chairman, I would like during the few minutes available to me to call attention to one item that you will find discussed in the hearings on page 30 of part 2. I have a particular interest in this little item because it was my privilege to author the bill under which we now have in existence about 88 motor pools around the country, and by the end of fiscal year 1965 there will be 100 in operation around the country. The advantage of operating a motor pool is that if you have a dozen Government agencies in Chicago or St. Louis or Charlotte or Springfield or Manchester or anywhere in the United States, instead of giving a fleet of automobiles to each one of those agencies to use from time to time, we create a motor pool. When "X" agency has an employee who needs to make a trip by automobile he requisitions one from the pool. He may use it today and an employee of another agency may use it tomorrow; and so on, instead of leaving a fleet of automobiles parked in garages half the time. They are expensive. These employees drive a great many miles in the United States. In 1963, for example, and that is the last year for which figures are available, Government-owned, motor pool vehicles traveled 294 million miles.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman think we could get the Government-operated Cadillac brigade into one of these pools in Washington?

Mr. JONAS. I wish we could. They should certainly be included but unfortunately they are not. I would merely add that I am pleased to be able to report to the Committee that this motor pool operation has already saved the taxpayers $40 million through fiscal year 1963. These savings will increase from year to year at a rate estimated to be $12 million. That does not represent much money if you think in terms of billions. But if we can save $12 million a year on a simple motor pool operation, I believe it is worth saving.

Mr. Chairman, I also invite the attention of the Committee to the fact that we in the subcommittee have been quite concerned over travel. Last year we found, for example, that the 25 civilian agencies represented in this bill were spending between $60 and $70 million a year for travel. I hope the gentleman from Iowa [Mr. Gross] heard that—$60-odd million a year for travel by a few civilian agencies.

Mr. Chairman, we have made substantial reductions in this field. Last year they asked for about $70 million and we reduced them to $64.9 million. This year they requested $67.1 million. We cut them down to $62.4 million. This is approximately $4.3 million under the budget and $2.3 million below last year's appropriation—still too much travel but the committee is still trying.

Mr. Chairman, I regret that no more time is available for me under the limited time available. There are a few other items I should mention, but will have to take some time under the 5-minute rule in order to do it.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. THOMAS. Mr. Chairman, I yield such time as he may consume to the distinguished and genial gentleman from Massachusetts [Mr. Boland].

Mr. BOLAND. Mr. Chairman, I shall not take the time of this Committee to dwell on the appropriations bill that now is pending before this Committee. I believe the valedictory on yesterday of the gentleman from New York [Mr. Ostertag] on the matters that are contained in this bill was one of the best statements I have heard on a legislative bill during the 10 years that I have served on the Committee on Appropriations. So, I will really take this time, Mr. Chairman, to pay my respects and to join with the distinguished and able gentleman from North Carolina with reference to his remarks on the statement which he made on the chairman of this subcommittee, the distinguished gentleman from Texas [Mr. Thomas].

Mr. Chairman, I share with the gentleman from North Carolina [Mr. Jonas] and all the members of this subcommittee as well as all of the members of the full Committee on Appropriations and the entire House membership the joy and the delight and the happiness and the satisfaction of knowing that the people of Houston have forced the gentleman from Texas to change his mind and forced him to come back to this great legislative body.

Mr. Chairman, he has been a great Member of this body and certainly a giant among giants in the legislative field. I know of no man who has done more for his native city, for his State, or for his Nation than the distinguished gentleman from Texas, the chairman of our subcommittee [Mr. Thomas]. So, too, do I join with the members of this subcommittee in my expression of delight at having served with the gentleman from New York [Mr. Ostertag]. He has served in the public life of his State and this Nation for some 32 years; 32 years of splendid and dedicated and spirited service. He comes from a great district in New York. He served that district in the legislative body of the State of New York and has now served for some 14 years in the Congress of the United States.

Mr. Chairman, it has been my pleasure to serve with him on this particular Subcommittee on Appropriations for a period of 10 years. He has a keen and analytical mind and a fantastic sense of judgment. Those qualities have been a real bulwark to this subcommittee and to the full committee. I have never seen the gentleman in the years that I have served with him ever use the awesome power—and I say that advisedly—the awesome power that rests with the members of the Committee on Appropriations to abuse any witness at any time.

He has always been kind and considerate, and of course that is his nature.

Over the past 14 years he has received the enthusiastic support of the people of his district in returning him every 2 years to this body. He would have been returned without question overwhelmingly if he sought to seek reelection this year. He has been a credit to his district, to his State, and to his Nation. He has been a credit to his friends.

I wish for him and for his gracious and lovely wife many, many years of future happiness and future health.

Mr. OSTERTAG. Mr. Chairman, I yield 15 minutes to the gentleman from New Hampshire [Mr. Wyman].

Mr. WYMAN. Mr. Chairman, as the junior member of the team on this committee, I have had a very valuable and interesting experience working under our genial chairman, the distinguished gentleman from Texas [Mr. Thomas], whose gracious kindness and sophistication I think is exceeded only by his ability.

I have enjoyed working with our noted author, the gentleman from Tennessee [Mr. Evins], with our hard-working colleague from Massachusetts [Mr. Boland], with my good friend, the gentleman from Illinois [Mr. Shipley], and learning under our senior colleague on the Republican side, the gentleman from New York [Mr. Ostertag], whom I am very disappointed to see leave us because of his helpfulness and because of his years of experience that seem sort of wasted when he retires. However, in a way, I do not blame him, knowing the work he has had to do.

I would like to say of the gentleman from North Carolina [Mr. Jonas] that he carries a tremendous load in this subcommittee on our side, and although he has been under pressure at home to come back and run for Governor of his State he has decided to remain in Congress. I am glad that he has decided to remain here. The country needs his outstanding capabilities more even than does his home State.

There has been a lot of unanimity in this subcommittee. We have had it, except that once again I have felt compelled to file separate views relating to NASA funds—not out of a spirit of disharmony but out of a deep conviction that in an appropriation bill of $13.3 billion, of which more than $5 billion is for space, we should reduce somewhat the flow of our spending toward the moon. Think of it—five thousand million dollars—for a civilian space program, although we are no longer in a race with anybody to get to the moon.

Mr. Chairman, we are short of money. There should be some priorities established in spending somewhere and we ought to take a second look at it. I feel that the House in fairness to itself through the Committee should consider itself in a position similar to that of a board of directors of a responsible corporation in this space program and the proper place in it of the Apollo program. The justifications total so many pages that if any of us sat down to read them it would take us all day just to read them. Included in these justifications is procurement of Apollo hardware not to be delivered for years and years to come to the level of hundreds of millions of dollars, and yet it is hardware we may never be able to use if the Gemini program does not work. Since we are not in a race to the moon for survival and since we are short of funds, we ought to wait and see the results of the Gemini program before we commit all of these thousands of millions of dollars of taxpayers' money for things we may never be able to use. You know, the Apollo program contemplates a capsule in lunar orbit around the moon, then a breakoff from the capsule and going down to the surface of the moon, spending a few hours there, returning to the capsule in orbit around the moon, then turning the capsule toward earth and coming home. Considering the obstacles and the degree of scientific proficiency required for all this, it is an extremely ambitious program indeed.

At another point in the Record today I have included in full my separate views contained in the committee report.

It has been said, that project Mercury where we have had six successful flights was like threading a needle in the sky. With all due respect to the great accumulation of technical expertise which is gathered in NASA, project Gemini is many times more difficult than threading the Mercury needle in the sky. I, for one, have serious reservations about whether it is going to work as easily or as successfully as it is claimed it is going to work. There are going to be flights later on this year. There are going to be a series of flights. These flights will determine whether we can rendezvous in space and whether our spacecraft are of the right type. Money is in this bill for these Gemini flights and nobody is begrudging it. There is no objection to it so far as I know. However, what many concerned citizens do object to is appropriating hundreds of millions for long leadtime contracts for buying hardware in the Apollo program that we may not be able to use at all if Gemini does not work out.

There is authorized and appropriated in this bill more than $4 billion for research and development. Look at pages 44 and 45 of the bill. You will find there is a single appropriation of $4,345 million, with the money to remain available until expended. This single research and development appropriation is for everything in the NASA program without any instruction or enjoinder upon the Administrator as to how it is to be spent or what it is to be spent for except for the general classifications set out in seven lines of the section.

If you look at the estimates for the fiscal year 1965 in volume I, page 2, and volume II, pages RD 2 to 7, you will find $2,677,500,000 for the Apollo program out of the $4,345 million of R. & D. funds. In this there is almost a billion dollars for spacecraft alone, $520 million for so-called command and service modules, $190 million for a lunar excursion module, $145 million for spacecraft support, and so on.

This is a vast program. There are many lobbyists and many interested parties in and out of Washington. NASA itself prints all kinds of descriptions and justifications and glamorous items about landing on the moon and other fascinating aspects of its work that perhaps make more sense in space. But the fact of the matter is we have not even been able to make a soft landing on the moon of instruments yet. We are not even sure that what NASA is projecting, we are going to be able to do at all. Yet, the Congress is now asked for $5,200 million more. We have spent $12 billion in the program. With this $5 billion more we will be but half way toward the projected minimum cost of $34 billion—hearings, page 948. This is a lot of money. We should hold up and make sure we are on the right road. This is not to object to such things as communications satellites, or weather eyes, or instrument landings on the moon. But the development of legitimate and proper interests of this country in space is a far cry from certain unrealities of the moonshot program. There is no objection to the proper liaison with the military to perfect a role in space that will keep us at the proper level with the Soviet Union so far as security in space is concerned.

But there must be some objection somewhere to buying hardware for the Apollo program before we have proof tested Gemini's rendezvous. And perhaps even more important, even if astronauts are able to get to the moon there are substantial indications that perhaps a man cannot live in weightless space very long. We do not know. There are difficulties. It is a terrific strain on the heart when there is a return to the atmosphere. In questioning of Mr. Webb in the hearings before us, the testimony was that it is going to take 2½ days, at least, to go to the moon, and 2½ days to come back from the moon, and after some time on the moon this means that a person is going to be in a state of weightlessness where the heart works differently in such a state of weightlessness than it does on earth and in the earth's atmosphere for almost a week. There is a real question whether the human animal can survive such a change. We cannot atmospherize these capsules. So you can see there are problems raised here which may be insurmountable for man. This is something that we hope that science and medical science will be able to answer before we kill an astronaut by making him a guinea pig. But regardless of this possible roadblock it is undeniable that unless we can rendezvous and dock in space we are going to be unable to use the Apollo spacecraft or lunar excursion module at all. So here we should hold up until Gemini is completed. There is no hurry except for the understandable enthusiasm of the space advocates.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman.

Mr. BELL. I note that my distinguished friend from New Hampshire indicated that we are not in a race and apparently we are not in any particular rivalry with the Soviet Union in any way in space.

I should like to point out that the Soviet Union is still considerably ahead of the United States in three areas—in the area of big booster capability, in the area of exact precise timing in getting a vehicle off, and in the area of rendezvous. They have accomplished a great deal more in these areas than we have, and all of them involve military possibilities.

Mr. WYMAN. If the gentleman will excuse it, I must comment; because, as he knows, my time is very limited—which is one of the difficulties under which we all labor—my suggestion or implication was not that we are not in a space contest with the Soviet Union but that we are not in a race to the moon with the Soviet Union.

Mr. BELL. Mr. Chairman, will the gentleman yield further?

Mr. WYMAN. I cannot yield further at this time. I will yield in a moment, if I have time.

While the Soviet Union has established a certain degree of superiority in the sense of cosmonauts coming closer together in space, they have never actually rendezvoused in space. Neither have we.

This is an extremely costly business. I suggest to the gentleman from California that we should not go ahead now with such long leadtime procurement, so that we can make certain that when and as we go ahead we will do so in the right direction and finally accomplish what we wish.

As is indicated and set forth in the separate views that were filed and that are now before you, we ought to get rid of the 1970 target date, because the 1970 target date will be all well and good, if we meet it and if we put a man on the moon by 1970, but if we do not, then we shall have just set up another strawman that turns out to be a man of steel, and we shall lose more prestige, an entirely unnecessary loss. The 1970 target date is just another gimmick to keep up pressures for added crash space spending.

As the gentleman knows, my quarrel with the whole situation here relates to the principal reason we appear to be in this moonshot venture, which is prestige. There is no national security council advisory or anybody of authority in the security field who tells us we have to get a man on the moon before the Russians so that we can be safe on earth. We do not know whether the Communist space program even targets a manned moon landing. This is terribly expensive business and this the Communists know well. They want us to spend billions on scientific junkets while they stay close to earth.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from California.

Mr. BELL. The gentleman must realize what the Russians have achieved recently in their program. The gentleman said they had not achieved a rendezvous. The rendezvous takes many steps. The Soviet Union has come considerably closer to realizing a rendezvous technique than have we. The very fact that they came within 1 mile or so of each other is an indication of an ability to maneuver vehicles, so that possibly, in the next step, they can rendezvous.

Further than that, there is a position of precise timing involved in the exercise. At a particular time one vehicle is sent up. At another particular time another vehicle leaves the ground, without a delay in the countdown or a waitover for the next day or anything. They send the vehicle up, with a particular velocity, and they come within a very close area of rendezvous. This is of substantial military benefit in respect to the rendezvous technique itself.

Also, there is the fact that the big boosters give an ability to a country to place large payloads in orbit.

Mr. WYMAN. I recognize the inevitable need for the big boosters. I know that we have to go along with Saturn, because of the need to be able to put substantial loads into space. I hope that we can develop small nuclear explosions as a means of doing it less expensively and less cumbersomely.

At the same time, we have no business in procuring a lunar excursion nodule until we know that we can use the nodule to go down to the surface of the moon. This is what a lot of money in this appropriation is for.

The situation here involved is one in which, if we were members of the board of directors of a private corporation, we would lose our jobs by spending company money for the procurement at this time for equipment for this kind of program, before we know it will work. This money will go down the drain, unless we find out we can rendezvous in space. Whether the two Russians came close to each other or not, there is all the difference in the world between coming close to one another and transferring a pilot from one capsule to another in space or from a capsule to the moon and back to earth.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the distinguished gentleman from Iowa, the ranking minority member of the Appropriations Committee.

Mr. JENSEN. I suppose the gentleman has heard recently—if he has, he is one of the few who have, however—about what came to the attention of the members of the Public Works Subcommittee. As the gentleman knows, the Atomic Energy Commission comes under the jurisdiction, dollarwise, of the Public Works Subcommittee of the Committee on Appropriations. We learned that the proposed landing on the moon was only the beginning; that after we landed a man or two on the moon, if they ever get there, we are then supposed to enter into a program of exploring all the planets in the heavens and elsewhere around the great universe, which program will carry on for the next 18 years.

Now, of course, nobody yet has even attempted to estimate the cost of that program, but it is a proposition that has been dreamed up by those who constantly dream up things. Without a doubt that dream will be publicized very soon, at least after the Public Works Appropriation Committee bill comes to the floor of the House. It is really fantastic in its proportions, and I hope that the American people will not fall for that kind of a gimmick.

Mr. WYMAN. I thank the gentleman. In this appropriation is $23 million for planning where to go beyond the moon. Mr. Chairman, in this figure of $4.345 billion that has been approved by a majority of our subcommittee and that is before the House, at page RD 2-2 of the justifications there is $945 million for spacecraft in fiscal year 1965, to say nothing of some $1.8 billion for the engines. I do not seek to reduce funds for engine procurement. Yet we should recognize that these engines, while beautiful things, are gone once you have made a single launch, because they do not come back—each one of these Saturn shots here costs $100 million a shot. We could have a lot of heart disease and cancer research, oceanography, and a lot of other things done on earth that relate more to life on earth with that amount of money. Some restraints in haste in space spending are now in order for us.

Also included in this is $209 million for fiscal year 1965 in Apollo support alone. So when we spend for a lunar excursion module $189 million and are going on with mockups on this, it is plain foolish until we know whether this will work or not. We should defer the long leadtime procurement and get rid of the 1970 target date. Even if we have to do it by legislative action this country should say we will go to the moon when and as our time and money will permit it. We can continue with the other important aspects of our other space programs, but we should not buy hardware for a rendezvous capability until we know we have established the capability in our Gemini program. This will be established or fail within fiscal year 1965 so what I am talking about is not indefinite postponement.

Finally, I feel I must comment on something that my colleague from New York said yesterday in the Record about the Electronics Research Center. He made reference to the fact that he had been denied by NASA access to certain engineering studies. I want to say that at my request the chairman of the NASA electronics research center site selection committee came to my office this Tuesday with this material. Previous to this I sent my colleague from New York a letter notifying him that he could be there if he wished to and that these reports he wanted to see would be there for his examination. The reports were there and they were available to him for his inspection. He did not choose to come to see them. I have to say this because I think it is important that this should be known so that my colleagues would not get the impression there has been, at least so far as the Appropriations Committee has been concerned, the sanction of any suppression of knowledge from a colleague, particularly a colleague on the authorizing committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. OSTERTAG. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. WYMAN. The purpose was to let Mr. Wydler have this information and look it over. Of course, this is an important subject and relates to a NASA construction commitment that is of major significance. No agency of the Government subject to review by Congress should deny its files to a Member of either the authorizing or Appriations Committee. I shall offer an amendment to line 4 on page 45 of the bill to change the procurement figure from $4.345 billion to $3.5 billion, with a requirement that the reduction shall be applied to the long leadtime of Apollo follow-on procurement items. At that time I hope to be able to spell out more clearly exactly which items we should hold up on until such time as we know the Gemini program is going to work. Someday soon I hope that there can be some added responsibility exercised here to hold up on space spending in unproven horizons. The U.S. Treasury is not a bottomless pit and we must establish some priorities in spending. Nearly $1 billion saved here by holding up for a year on Apollo spacecraft procurement will not hurt the program. With all due respect to other Members of this House none can know or say definitely to the contrary because we do not know Gemini is going to work no matter how confident of success we may be. This check is a responsibility of the Committee on Appropriations together with the authorizing committee.

At the appropriate time I shall offer the following amendment to the NASA research and development section, page 45:

> Strike out all of line 4, page 45 and insert in lieu thereof the following: "$3,500,000,000 to remain available until expended. *Provided, however*, That the reduction in this appropriation shall apply to the Apollo spacecraft procurement program."

I hope that serious consideration will be given to exercising some responsibility by putting on the brakes on this procurement because I detect around the country a very firm feeling on the part of most Americans that this moon business is something we ought to go pretty easy on, anyway at least until we are surer of each step along this glamorous pathway to the stars.

The CHAIRMAN. The time of the gentleman from New Hampshire [Mr. Wyman] has expired.

Mr. THOMAS. Mr. Chairman, I yield to the distinguished gentleman from Oklahoma for a unanimous-consent request.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent that the gentleman from Louisiana [Mr. Hébert] may extend his remarks at this point on this appropriation bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HÉBERT. Mr. Chairman, I was somewhat astonished when I read in the committee report on the independent offices appropriations bill the following statement:

> The entire fallout shelter program is under study and review by the Department of Defense at the present time and the committee recommends no additional funds for stocking shelter supplies or new programs proposed in the budget.

You may recall that on April 29, I made a statement on behalf of the subcommittee which was as follows:

> It is evident from our hearings that a decision on the shelter program can be made independently of other decisions on continental defense. The fallout shelter program can stand alone and will contribute far more to the savings of lives per dollar spent than any other active defense program. It is not dependent on an antiballistic missile system for its effectiveness.

Since reading the quoted paragraph in the report, I have spoken with the Department of Defense and have been assured that the position of the Department is exactly as Deputy Secretary Cyrus Vance stated it to your committee in testifying on the appropriations being sought, and I quote a portion of his statement:

> My purpose is briefly to underscore the importance of this program as an indispensable element of our national security.
>
> Within the Defense Department, an assessment of the importance of civil defense and, in particular, of the fallout shelter program, rests upon detailed studies, the views of senior military officers, and the best judgment of Secretary McNamara and his advisers in this field. All point to civil defense as an essential ingredient of national defense. In both practical and human terms, all indicate the especial importance of a nationwide fallout shelter program.
>
> In my view, a civil defense program with emphasis on fallout shelters is essential because:
>
> It will save many millions of lives in the event of nuclear attack;
>
> It will demonstrate our national will to stand fast, recover from nuclear attack, and look to the future with optimistic determination;
>
> It will give us more flexibility in making future decisions as to weapons systems and strategy.

It will, as Mr. McNamara has said:

> Contribute much more, dollar for dollar, to the saving of lives than further increases in either our strategic retaliatory or continental air and missile defense forces.
>
> It will, in accomplishing all of the foregoing, strengthen our deterrent posture.
>
> But just as the relationship of civil defense to military defense measures is apparent, so, too, is it clear that a nationwide program for fallout shelters is important in its own right. It will stand on its own feet. No matter what else we do, fallout shelters would save lives and give us a human springboard to national recovery from nuclear attack. No matter what future decisions are made as to defensive systems, these shelters are needed.

Secretary Vance concluded by saying:

> In sum, Mr. Chairman, I believe that this program is critical to the security of the people and the military defense of the Nation. Good progress has been made, but further progress is essential. I urge your support in this.

I would like to underscore the fact that substantial progress is being made in creating a realistic and practical fallout based civil defense system. This national enterprise involves the cooperation of three levels of government, as well as business, industry, and individual citizens. Progress will not continue, depending as it does upon a reasoned patriotic response to Federal leadership, if the mistaken impression remains on the record that the Defense Department is hesitant about this program. I am sure the committee did not intend any such impression.

Mr. BROWN of California. Mr. Chairman, I rise to express my disappointment in the reduction by 10 percent of the amount recommended by the President in that portion of the Veterans' Administration budget for funding of hospital replacement projects and modernizations.

Twenty-four percent of this money is slated for veterans hospitals in California. The budget request included $22.6 million to build the Los Angeles Veterans Hospital. This cut would, presumably, be prorated and would take more than $2 million from this project.

California has more veterans than any State in the Union—2,134,000 as of January 1, 1964. We have more veterans of World War I than any State other than New York. Our rate of increase in population is tremendous and this general increase means more and more veterans. Los Angeles County, of course, has more than one-third of the State's population.

I do not believe that anyone would disagree with the fact that we have this tremendous growth problem and that anything that is done to alleviate the situation will only be a step in the right direction.

It is my feeling that the place to save money is not on our hospital programs. I would certainly agree with the suggestion by the Committee on Appropriations that "frills" should not be included in the plans for new hospital construction, but I fail to see how it will be possible to find $2 million in "frills" in the Los Angeles Veterans Hospital plans.

Needless to say, necessities will suffer. In fact, there are necessities that have not been included in the original planning, and the possibility of gaining inclusion of items that should have been included grows more remote. This will be a major blow to the quality of the Los Angeles facility.

On a recent trip to Long Beach Veterans Hospital I was greatly impressed by the work that is being done in the rehabiliation of paraplegics and by the spirit of the patients. I was disappointed by the results of false economy, where unnecessary delays are encountered before operations can be performed because of inadequate facilities and staff. This necessitates, at times, the housing and care of the patients for unnecessarily long periods of time prior to treatment which, in the long run, costs the Veterans' Administration additional funds that could have been saved if facilities and personnel had been available.

Nursing home type care and beds are becoming increasingly in demand and this demand will continue increasing at a faster rate each year. We are not fulfilling the obligations we have properly undertaken to care for our veterans of past wars at the time when their need is the greatest—when they are in poor health and in their declining years.

I do not plan to offer an amendment to restore this cut, which I feel should not have been made, but it is my fervent hope that the funds can be restored by the other body and that the conference committee will see fit to accept any revisions upward that might be forthcoming. It is unfortunate that more time was not allowed between the receipt of the committee's report and today's action on the floor. There has not been an opportunity to determine the general sentiment of the Members, which I feel would be generally in agreement with my sentiments as I have just expressed them.

Mr. ROYBAL. Mr. Chairman, I would like to express my deep concern about the 10-percent reduction made in the President's budget recommendations for funds for replacement and modernization of Veterans' Administration hospitals and medical facilities.

These funds include amounts earmarked for the new Los Angeles Veterans' Administration Hospital scheduled to be built in Hazard Park in my 30th Congressional District.

The amount requested by the President in January was $22,628,000 to construct this urgently needed 1,040-bed facility. A 10-percent cut would involve over $2 million and could severely restrict essential portions of the project.

As you know, California now has more veterans than any other State in the Union—over 2,100,000—and our rapidly increasing population brings more and more veterans into the State each year.

The problem is particularly acute in the Los Angeles metropolitan area with over one-third of the State's population living there.

No one can doubt the great need for this new veterans hospital. For this reason, I was greatly disturbed to learn from this week's committee report that the 10-percent reduction was recommended.

In my opinion, we can find much better places to save money and reduce Government spending than in our veterans hospital programs. There are definitely no frills or extravagant expenditures included in the plans for the new Los Angeles hospital. In fact, it is my understanding that several desirable features were not included in the original plans, and it has been my hope that they could be provided for in future year appropriations.

We dare not forget for a minute the real moral and legal obligation we have assumed to care for the needs of veterans of our past wars. This obligation is particularly heavy in the case of our older veterans whose health is declining.

So it would be my hope that, before this bill is approved in final form for the President's signature, that most if not all, of this 10-percent cut will have been restored, and that any remaining reduction in appropriations will not adversely affect the essential construction requirements of our veterans hospital program.

Mr. SIKES. Mr. Chairman, one of our colleagues here today will not be with us in future Congresses. He is the ranking member of the Committee on Appropriations on the Republican side—the Honorable Harold C. Ostertag. His retirement from Congress will be a great loss to the Nation. It will be a particularly significant loss to the Committee on Appropriations, for he has been a tower of strength in the work done by that committee. Few people other than those who serve on the committee realize the exacting schedule required of its members. Day after day we must take time away from the work of our districts and from the requirements of our office schedules for exhaustive and lengthy hearings on the fiscal requirements of the departments of Government. In this difficult work, no one has contributed more than the gentleman from New York [Mr. Ostertag].

I have never thought of him as Democrat or Republican. He is first of all a dedicated American. In his work in Congress, he seeks constantly the advancement of our country and the enhancement of the standing and the reputation of the Congress.

I have worked more closely with him than most, for we serve together on the Subcommittee on Defense. As I think back through the long years we have worked together, I can name no one who has helped more to preserve the integrity of our committee or who has done more to make our Nation the great force that it is.

I honor and respect Harold Ostertag. I shall miss him very much. I shall regret the loss of his counsel very much. But let me be among the first to say that he has earned the pleasures and benefits of retirement, and I wish him and his wonderful helpmate, Mrs. Ostertag, Godspeed in all they undertake in the years to come. He is truly outstanding, a great American.

Mr. LANGEN. Mr. Chairman, while I support the bill before us today, my purpose in speaking is to comment briefly on one of our colleagues who had much to do with the committee consideration of this bill and others like it through the years. That colleague, Harold Ostertag, is the ranking minority member on the Independent Offices Subcommittee of the Committee on Appropriations.

As we all know, Harold will retire from these Chambers after this session of the 88th Congress. While we respect his judgment and decision to step down, it is with extreme regret that we note his imminent departure.

Gentlemen from both sides of the aisle are aware of the dedicated work performed by Harold Ostertag both in committee assignments and on this floor. He is one of the best liked persons in this body and is highly respected for his knowledge and understanding of the many problems that come before us.

It is my privilege to sit with him on the Appropriations Committee, and I have benefited from his example and advice.

Mr. Chairman, I am sure all of us are united in wishing our colleague a most fruitful and enjoyable retirement. We can be sure that his service to his district, State, and Nation will not end with the closing of this session. He has devoted a lifetime to serving his fellow man and Harold Ostertag will always find time for such service wherever he goes.

It is an honor to be a friend of his and it is my wish that we will have many opportunities to benefit from his wisdom in the years ahead.

Mr. GURNEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GURNEY. Mr. Chairman, I support H.R. 11296 and wish to speak especially about the appropriation for the National Aeronautics and Space Administration which is a part of this bill.

As a member of the House Committee on Science and Astronautics, I support the space activities of this Nation wholeheartedly and without reservation.

There is no more important undertaking, on the part of this Nation, than the space program of the United States. It is my firm conviction that the first nation to fully conquer this frontier of our generation and our time will truly lead the nations of this globe.

I am gratified to learn that the Appropriations Committee is recommending to the House a bill which continues the all-important programs of NASA at a level of spending equal to last year's, and which approves and confirms the work this year of the Science and Astronautics Committee of the House, on which I have the privilege of serving. This Committee recommended to the House an authorization of similar amount.

It is absolutely essential to this Nation to be first in space. By first, I mean that the United States should be preeminent in this activity among the nations of the world.

There are many reasons why this is important. First comes to mind the national security of this Nation. No one knows exactly what shape the military role in space will take by this or other nations. But it is significant that the present space program of this Nation and Russia grew out of the ballistic missile activities of the two nations. Engines, boosters, and the science and technology that goes into our peaceful and our military space programs are similar, overlapping, and inextricably interwoven. The one complements the other. Moreover, over the years, knowledge and skills in activities at first wholly peaceful later become important militarily. No more dramatic example of this can be cited than the invention of the Wright brothers. The airplane, at first considered to be a sort of freak invention, later became a military weapon of great importance and a decisive factor in World War II.

All reasonable men fervently desire that space may be used for peaceful rather than warlike purposes. But the political forces contending in the world today make it plainly evident that the surest way to maintain the peace is through strength. It is imperative that the United States, the leader and bulwark of the West and the free world, became preeminent in space. Military activities of the future are destined to be conducted in space.

The acquisition of scientific knowledge is of great importance in this program. Space achievements of this Nation are rapidly increasing our knowledge, about our home planet the earth, the solar system, and the universe beyond. It cannot be doubted that we are on the threshold of great new discoveries here.

The NASA budget of this year provides moneys for this important and ever growing program.

Space activities of this Nation include the great strides we are making in communications. Certainly one of the surest ways of better understanding of each other by the nations of the world is through improved communications. It is only a question of time before the whole world will be connected by satellite communication systems. It cannot be doubted that such a network will help promote better relations among nations.

Then, too, in the field of weather reconnaissance our space program has made new breakthroughs. Here we can look forward to the day when the world will no longer be caught unprepared by weather surprises, the great tropical storms that have caused tremendous damage, suffering, and loss of human life in the past.

Of great significance in the space effort of the Nation is the reservoir of knowledge and of trained scientists and beginners which the Nation is rapidly building up. This resource will prove of incalculable benefit to the Nation as the years go on.

Lastly, I think it is of vital importance to men and a nation to have a challenge to face and to meet and overcome. In the past history of our planet, exploration has been one of the great challenges. There is little left to be explored on this globe now. Shrunk it has in size indeed with modern tools of transportation and communication.

While there are still some unexplored portions of our earth, there are none which are not open to man should he desire to go there. Space, the solar system, and the universe beyond are the frontiers to be explored today. They constitute the great challenge to men and nations of our day. I do not doubt that meeting this challenge will benefit this Nation in ways far beyond our comprehension today.

The activities and the spending proposed for the next fiscal year of NASA have been gone over at great length by both the Committee on Science and Astronautics and the Appropriations Committee. It is most significant that the two committees are in close agreement. The bill is a sound one, and I urge its support by my colleagues.

I cannot urge this House of Representatives more earnestly or fervently to support this year's appropriations for NASA, in this bill, to the end that our great Nation will continue its strong space program, while it will permit us to gain preeminence and world leadership in these frontiers of today and tomorrow.

Mr. FRASER. Mr. Chairman, I support the Harris amendment to stop the FAA from closing flight service stations. We should be taking steps to increase safety, not cut corners with safety. The FAA should be adding dozens of new sources of weather readings, not cutting them back.

In my State, Minnesota, we have already had the bitter experience of the FAA closing the flight service station at Grantsburg, Wis., a few years ago. The FAA argued that removing the communications and weather specialists would save the taxpayer's money and that weather information would be provided in some other way.

As a result, today the 140-mile route between Duluth and Minneapolis has no weather facility at all. Many people have died in light plane accidents caused by weather along that route since Grantsburg FSS was closed.

General aviation is very important to my State and my city. Business flying helps industrial development and expansion. Recreational flying to Minnesota's fishing and hunting and vacation areas is increasingly important. This growing industry should be encouraged and promoted and made safer.

The FAA is trying to fly backward when it cuts back on safety services to general aviation.

Mr. THOMAS. Mr. Chairman, in the absence of any further requests for time, I ask that the Clerk read the bill.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Page 3, line 13:

"CIVIL DEFENSE AND DEFENSE MOBILIZATION FUNCTIONS OF FEDERAL AGENCIES

"For expenses necessary to assist other Federal agencies to perform civil defense and defense mobilization functions, including payments by the Department of Labor to State employment security agencies for the full cost of administration of defense manpower mobilization activities, $4,190,000."

Mr. THOMAS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Price, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1965, and for other purposes, had come to no resolution thereon.

THE LATE HONORABLE CLARENCE CANNON

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. Karsten].

Mr. KARSTEN. Mr. Speaker, in the history of our Nation, few Members have left a greater imprint upon the House of Representatives than the man whose memory we honor today, our beloved, late colleague, the Honorable Clarence Cannon.

His service in the House covered one of the most important periods in American history. In those years, our Nation and the Congress have faced the most critical problems and Clarence Cannon had a large part in their solution.

His career was typically American. The late Speaker, Champ Clark, persuaded him to come to Washington to work as a clerk in the Speaker's office in 1911. A few years later, he was elected House Parliamentarian and held that office under both Democratic and Republican administrations, until he was elected to the House in 1922. He never lost a subsequent election, and generally led every other national and State candidate on the ballot.

He was one of the world's leading authorities on parliamentary procedure and Members of this House, for generations to come, will be the beneficiaries of the legacy of parliamentary law he left us.

But this was not the only sphere of CLARENCE CANNON's influence in the House. During his service as chairman of the great Committee on Appropriations it is estimated that he presided over appropriation bills totaling more than a trillion dollars. He had a profound knowledge of the fiscal problems of our great country and year after year he meticulously studied and examined practically every detail of the entire Federal budget. All of us know how he fought waste and extravagance and his effectiveness in these fields.

The people of the Ninth Congressional District of Missouri knew CLARENCE CANNON as a great and powerful man but they also knew him as a friend. People of high and low esteem loved and respected him. His personal correspondence was among the heaviest of any Member of the House. Through the years, thousands came to him with their problems, their hopes and their fears. No request was too small or unimportant. He never turned a single one away. In his home district, his name is legend. He faithfully served the people he represented and they will long remember him, not only as an outstanding Congressman, but as a friend.

It was my privilege to know CLARENCE CANNON for almost 30 years and a kind of special bond always existed between us because we both began our service in Washington as employees of the House. I shall never forget his many kindnesses to me. He was a true friend and I am grateful for our long friendship.

His passing is a matter of sadness not only to those of us who served with him, but also to his devoted wife, his family, and his host of friends. Perhaps our feelings on this occasion can best be summed up in the lines of the Poet Laureate Mattie Richards Tyler, who is Mrs. Cannon's good friend:

The shadows touch his desk and empty chair—
No parliamentary problems now for him,
No budgets to be cut with stubborn care
By creed of thrift, unshakable and grim.
For many years he waged a gallant fight
Against the ravages of waste and greed;
He matched his strength with forces of great might,
And rose in power to his Nation's need.

Our Government by law instead of men
Is more secure because of him
His work will long endure. His record stands—
He, who served so brilliantly and long,
Now leaves his torch to other outstretched hands.
God grant those hands—like his—be firm and strong:
His colleagues file in silence to their places,
Respect and loss reflected in their faces.

GENERAL LEAVE TO EXTEND

Mr. KARSTEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the passing of our beloved colleague.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. KARSTEN. Mr. Speaker, I now yield to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Speaker, we are here today to honor the memory of a great man. Few men in history have had the opportunity of participating for more than a half century in the political life of the Nation's Capitol, and still fewer men are permitted the opportunity to serve in this House for more than 40 years.

Mr. Speaker, I am not going to attempt to elaborate upon the statements that have been made by the dean of our Missouri congressional delegation [Mr. KARSTEN], but it is doubtful if Mr. CANNON's record, or records I should say, will ever be equaled. To me it is a paradox that the man who as chairman of the Committee on Appropriations was responsible for bringing to this floor appropriation bills totaling more than a trillion dollars, who also in my opinion was responsible for saving the taxpayers of this Nation more billions of dollars than any other individual.

Mr. Speaker, in many other respects he was a paradoxical figure, a man of many facets, maligned on many occasions, but praised more often; a man who could be tough and hard as steel when the occasion demanded, yet as kindly a person as I have ever known. His counsel and advice have been most helpful to me over the years.

Mr. Speaker, I had known Mr. CANNON, by reputation, long before I came to Congress. But it was after I had been here for a few years before I began to enjoy the intimate association that will forever be cherished in my memories. Mr. CANNON, despite the great power and influence which he held as a result of his position, never failed to reflect the humbleness and the devotion which had endeared him to his constituency throughout the more than 40 years he served his people. His interest in, and leadership in agricultural legislation, will be reflected for many years. No man has been of more help in advancement of the REA program than Mr. CANNON.

Mr. Speaker, many of us were worried because of the apparent decline in his physical stamina, but never during any time did I ever hear him complain of an ache or a pain. It was difficult for any of us to realize that he had reached the age of 85, for he was not only agile in body until recently, but young in mind.

I recall very vividly an occasion on the Friday before his death when he attended a breakfast sponsored by the Missouri Automobile Club, at which were present some half-dozen young men from his district, each of whom received from him one of the shiny new dollars that he presented with an intimate talk which I know has left a lasting impression on the thousands of young people to whom he had made a similar presentation over the years.

Mr. Speaker, no tribute to our departed friend would be complete without a reference to the family relationship which existed throughout all of the years Mr. CANNON served the people of his community, State, and Nation. One of the greatest pleasures which has come from my service in the Congress has been the privilege I have enjoyed of knowing Mrs. Cannon, "Miss Ida" to the tens of thousands of people of the Ninth District and the many friends they have made in the Washington community. Never in my experience have I observed a more gracious lady, one who is not only interested in the constituency which she and her husband served, but one who gave her talents and her energy, who was not only beloved and held in the highest esteem but who was truly a part of the team that rendered such a dedicated service. No one recognized and appreciated her worth and value more than the dedicated husband, father, and grandfather whose memory we eulogize here today.

One other thing I would like to say is that, contrary to what I think many people might have felt about Mr. CANNON, during the 15 years I have served here as a member of the Missouri delegation, despite his great wisdom, and the fact that for many years he was the dean of the delegation, he never at any time tried to influence me in my vote on any question. He always felt you are here to represent your people, and he emphasized the fact that one's first duty was to the constituency of the Member.

Mr. Speaker, as a part of my remarks. I would like to read an editorial which appears in the Wednesday, May 13, issue of the Daily Dunklin Democrat, of Kenneth, Mo., written by the editor, Mr. Jack Stapleton, Jr., entitled "A Man of Principles" which I believe is indicative of the high esteem in which this great American was held, not only throughout the State of Missouri, but in other parts of this Nation, where his service and dedication have been appreciated throughout the years:

A MAN OF PRINCIPLES

The death of Missourian CLARENCE CANNON leaves a void in this State as well as in the U.S. House of Representatives, where the senior Member of the Missouri congressional delegation served so ably.

The 85-year-old Missouri Congressman had a long and distinguished career, serving not only the citizens of his own district but the citizens of every congressional district in the Nation.

As President Johnson noted yesterday, CLARENCE CANNON had a varied public career. His knowledge of, and his contribution toward, the rules of parliamentary procedure were unique in the annals of the Congress. No man in the history of government has contributed so much toward the establishment of parliamentary procedure in the legislative process.

To many Americans, the absence of CLARENCE CANNON from the parliamentarian's chair in the next Democratic National Convention will make the party gathering something less than official.

Beyond this, however, is a far greater contribution which CLARENCE CANNON made, not only to this State but to the Nation. His chairmanship of the important and budget-sensitive House Appropriations Committee gave him almost singlehanded control over every appropriation made by the Congress.

The job was staggering, and undoubtedly, its responsibilities took their toll on Representative CANNON, despite his amazing efforts to keep himself informed about every bill before the House.

It is safe to say that CLARENCE CANNON, during his distinguished career in the House of Representatives, whittled more needless requests from the Nation's budget than any Congressman in the history of the Federal Government.

It is also safe to say that no American applied himself any more diligently to this responsibility than did CLARENCE CANNON. And for his conscientious efforts to protect the citizens' tax dollars, CLARENCE CANNON earned everlasting respect and appreciation from the American taxpayer.

Missourians and Americans will miss CLARENCE CANNON in the years ahead. His dedication to the principles of this State and this Nation made him such an outstanding public servant that it will be difficult to fill the void in Congress.

Mr. KARSTEN. Mr. Speaker, I yield to the gentleman from Missouri [Mr. BOLLING].

Mr. BOLLING. Mr. Speaker, few men in American history have exercised for so long such great power as did our colleague, CLARENCE CANNON, of Missouri.

He was a man of strong convictions, and he fought for his convictions effectively, skillfully, and faithfully.

It was my privilege to be associated with him on a number of projects of common interest. No man could be a better ally. If by any chance you found yourself in opposition to the gentleman from Missouri, no man could be more difficult to oppose.

My heart goes out to his wife, one of the most charming and sweetest ladies of all those I have ever known.

Mr. KARSTEN. Mr. Speaker, I yield to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I thank the gentleman for yielding to me at this time. I, too, wish to join in these well-deserved tributes and eulogy to a very distinguished American, CLARENCE CANNON.

CLARENCE CANNON's district was located right next to the one which I have the honor to represent. I knew him before I came to the Congress. He was a close friend of my father's. I know his family. These are just a few personal touches. CLARENCE CANNON, as a Democrat, was one of the first persons to give of his time to advise a young Republican Member coming to the Congress about the procedures and rules of the House.

Mr. Speaker, I could not have had a better tutor or mentor. The kindness that he exhibited then, I found throughout my career here in the Congress in working with him.

Mr. Speaker, he was dean of the Missouri delegation. In our sessions—and I know the gentleman in the well, the Hon. FRANK KARSTEN will bear this out—as we met, Republicans and Democrats, when there was a question as to what we could do for Missouri, first, it was what was right. But, secondly, it was beyond partisanship. We always took that approach under his distinguished leadership.

Mr. Speaker, perhaps to me the greatest trait of this very distinguished American was that he was what I would regard as a Congressman's Congressman. He was a real student. He did his homework. He had strong views, but he backed them up through the work in which he engaged. So, whether one disagreed or agreed with him, he contributed greatly in moving the debate forward.

Mr. Speaker, this country has lost one of its distinguished statesmen. Beyond the fact that he came from Missouri, our loss is felt with the entire Nation.

Mr. Speaker, I wish to join in expressing my feelings of sympathy to his family. I lost a very close friend.

Mr. KARSTEN. Mr. Speaker, I yield to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Speaker, CLARENCE CANNON was well aware for many years that his lifespan had exceeded the biblical threescore and ten, and he often remarked on the honors which come to those who live long enough to serve here as long as he did. This was in keeping with his extreme modesty. But all of us who served here with him—and particularly those of us in the Missouri delegation—knew that it was more than longevity—more than age—which made CLARENCE CANNON a great Congressman among the select few who achieved greatness in the history of this body.

CLARENCE CANNON knew at 85 that his days had to be numbered, and so, in view of the many achievements of his long career in Congress, and in view of the fine life he led and the happiness he enjoyed with his beloved wife Ida and their wonderful family, we shed no tears for CLARENCE CANNON. Instead, Mr. Speaker, we shed tears today for Mrs. Cannon and the children, and also for ourselves. How tenderly he loved his wife was a secret most of us were able to share, for he wore his heart on his sleeve. They were so fortunate to have had so many glorious years together.

All of us learned much from CLARENCE CANNON. I recalled to the House on April 11, a day before his 85th birthday, how much the orderly procedures of the Congress rest on the monumental work he performed as Parliamentarian of the House before his own election in 1923. "CANNON's Precedents," the huge compilation of all important or significant decisions made by presiding officers of the House for many years, is one of the most important scholarly works in the annals of legislative bodies, and one of the most practical also.

As chairman of the Committee on Appropriations, he knew everything—almost everything—about every program of Government in which taxpayers' funds were spent. And he was instrumental in making this country into a military power of unmatched strength.

But it is CLARENCE CANNON the man whom we mourn—the friend, the kind and courtly and thoughtful person who was forever writing notes to us to thank us or congratulate us or express condolences or to make helpful little suggestions for campaigning or for serving one's constituents better.

The St. Louis Post-Dispatch once referred to his "astringent face." He often looked angry when he was not. He was so utterly absorbed in the work of the Congress, and of the Appropriations Committee, that he often seemed to be scowling when he was just quietly thinking out some problem of immense national concern. Petty things did not concern him, nor did he have any time for petty people.

In the death of CLARENCE CANNON, I weep for Ida Cannon and the children, and I also weep for LEONOR SULLIVAN. For I loved him dearly for a quarter century. I shall always remember his wonderful kindnesses. I shall always remember his towering skill in House debate, and his greatness as a Member of the Congress of the United States—one of the alltime greats in the entire history of the Congress.

Mr. KARSTEN. Mr. Speaker, I yield to the gentleman from Missouri [Mr. HULL].

Mr. HULL. Mr. Speaker, it is with a sense of profound sadness and personal grief that I rise to pay tribute to the dean of the Missouri delegation, the Honorable CLARENCE CANNON, one of the great statesmen ever to serve in the U.S. House of Representatives.

I came to the Congress 10 years ago and from the moment I came through the door CLARENCE CANNON has been at my side with wise counsel, always giving me his friendship and encouragement and reminding me that the best a man can give here is none too good for this great country.

Our congressional districts adjoin one another in the great rural reaches of north Missouri. We served constituencies alike in their interests and aspirations and convictions and districts which demand that their Representatives stand by those convictions. No man was ever truer to his convictions, to his country and to his constituents than CLARENCE CANNON.

Mr. CANNON came to Washington as secretary to an American political hero of this century, Speaker Champ Clark, and he learned the legislative art at Speaker Clark's side. A year after Speaker Clark's death in 1921, CLARENCE CANNON was elected to Congress from the same district, Missouri's famous "Bloody Ninth," which he has served with unfaltering devotion in the more than four decades since.

It is impossible to mention all of the achievements of Mr. CANNON's career or the myriad contributions he has made to this Nation and to this Congress.

It should be noted that with his passing we have lost one of the last great legislative parliamentarians who helped formulate the rules and customs by which the Congress operates.

As chairman of the Appropriations Committee for the better part of two decades, he was a zealous watchdog on the public purse during a period when governmental budgetary requirements increased manifold. No spending item was too insignificant to escape his scrutiny and I am convinced that if it were not for his prudence and dedication to fiscal integrity, this country would be in much worse financial condition than it is today. Every American is in his debt. On this sad occasion, we would do well to ponder his admonition that "no government can indefinitely spend more than it takes in without risking disaster."

Clarence Cannon was the personification of the serious, studious, and dedicated public servant.

His work always came first, and he never spared himself in the excution of his responsibilities. His workweek knew no weekends or vacations; he was on the job he loved every day.

Of all his traits—his wisdom, courage, energy, and kindliness to family and friends—perhaps that which impressed me the most was his eternal youthfulness.

The last time I saw him was at an early morning breakfast just 2 days before he died. We gathered with school safety patrol children from Missouri and Mr. Cannon obviously was enjoying himself as he chatted with these young people. He showed a quick and active interest in them and I remember him stressing to these young Americans the great importance of their future participation in the affairs of our democratic government. He handed five of his young constituents bright new silver dollars and commented with a smile: "They are not making these any more."

Yes, all of us who knew and loved Clarence Cannon thought he was ageless. It seems tragically impossible that he is gone, but those of us who were privileged to be his friend have been glorified by his friendship and the faith of all Americans has been strengthened by the example of his life.

I extend to his devoted wife, our "Miss Ida" and to his daughters my heartfelt sympathy.

May they be comforted by the knowledge of the universal affection and respect in which he was held and that his noble spirit today rests in a place of greater glory.

Mr. KARSTEN. Mr. Speaker, I yield to the gentleman from Missouri [Mr. Randall].

Mr. RANDALL. Mr. Speaker, a real friend of every Member of this House is with us no more. The dean of our Missouri delegation, Clarence Cannon, was loved by every one of his colleagues. We knew him as a friend, whose kindness was a constant reminder of his warm heart and lovable character.

He was not only one of the most distinguished Members of this body, but as chairman of the Appropriations Committee, one of its most influential members. Yet, with all of the power he possessed, he displayed a gentle, loving kindness. Clarence Cannon was not only a great man—he was a good man. In a statement made on the floor at the occasion of his 85th birthday in April, the chairman of the Judiciary Committee remarked that Mr. Cannon's name was like a sign at a crossing—it could be read from right to left, or from left to right, or up or down, but any way it was read it spelled goodness. All of us can readily agree everything about Clarence Cannon was indeed goodness.

The late Speaker of the House, Mr. Rayburn, once said of Mr. Cannon that his lifelong dedication to the service of his country would be an inspiration to all that followed him because Clarence Cannon was truly a great servant of the American people. Mr. Cannon came to Washington in 1911 as a clerk to the late Speaker Champ Clark. He planned to stay only 6 weeks, but remained for more than 50 years.

His biography reveals that before coming to Congress he was a teacher of history. In the more than 50 years in Washington, with more than 40 years as a Member of Congress and more than 20 years as chairman of the Appropriations Committee, he has made more history than he ever taught. He was in control of the Appropriations Committee during the 1940's and the 1950's, two decades of our country's heaviest spending. As chairman of the Committee on Appropriations, he knew more about the operation of the Government of the United States than any other Member of Congress, with the possible exception of a few Members who were subsequently elevated to the Presidency.

During his years in Congress he was instrumental in saving billions of dollars for the taxpayers of America. A tireless advocate of fiscal responsibility in Federal spending, he carried out this crusade with constant vigilance. Usually in May or June, when appropriation bills were being considered, he would deliver his annual antispending lecture. These sermons on spending never failed to impress his colleagues because they knew he was telling the truth.

Not only was Mr. Cannon famous as the chairman of the great Committee on Appropriations, but he gained national acclaim as Parliamentarian of the House of Representatives, and as author of "Cannon's Procedure in the House of Representatives." This display of scholarship as a parliamentarian established him the successor to Thomas Jefferson as the foremost authority on the procedures of the Congress of the United States. Because of his great knowledge of parliamentary procedure, he served as the Parliamentarian for every Democratic National Convention from 1920 to 1960. Everyone of us will cherish in the years ahead our copies of those manuals on parliamentary law which he has given us.

I hope I will be pardoned for a few personal references that I may mention here only because of the great respect for my fellow Missourian. One of the memories I shall always cherish is the day he escorted me into the well of the House to be sworn in and then took me for a visit with the late Speaker, Mr. Rayburn.

We have lived together in the same apartment building for the last 4 years. It has been my privilege to have enjoyed an almost daily visit either in the elevator or the lobby of the building. Although at one time a practicing lawyer in Missouri he felt he had been away for so long that he was out of touch with the recent decisions of our supreme court and the recent enactment of our legislature. I felt highly complimented that he would ask me for my opinion on matters of law in our home State of Missouri. It was a joy and a pleasure to have those frequent moments of conversation which will be missed in the days ahead.

On the Friday before he went away we attended together an AAA breakfast honoring safety patrol members from our State. To each of the boys coming from his home district he presented a 1923 silver dollar. Today, these young men can quite rightfully cherish this valuable souvenir the rest of their lives.

It is no secret that he had not been feeling well for the past several weeks. He confided to some of his closest friends that he wanted to leave this life in the line of duty; that he wanted to go out with his boots on. He worked harder than many Members half his age, and I know from personal knowledge that the light in his apartment in the same building where I lived burned beyond the hour of midnight every evening. On learning of his passing the spontaneous comment of Mrs. Randall was, "He was a real trooper." This was because of the knowledge by all his neighbors that although he was advised earlier by his physician that he should remain at home for a few days rest, he protested that the schedule of appropriation bills must be observed and he would be present to do his part. Like every actor, he lived up to the rule—that regardless of one's personal feelings, "the show must go on."

He lived a life well regulated according to the principles of personal efficiency. He required from his staff an up-to-date daily progress report which was delivered to his apartment house in a brown envelope each morning where it was always placed on one of the benches in the lobby. It was his practice to pick up this envelope each morning on his way to work. From the hospital he had sent word these reports were to be continued. One of the saddest sights of all was the presence of this lonely brown envelope at its usual place in the lobby but which never reached its intended hands on the morning he was called away.

One of Mr. Cannon's outstanding characteristics was his self-effacing modesty. On the occasion of his 85th birthday several of his colleagues gave expression of their esteem on the floor of the House. When he discovered this was going on, he retired from the Chamber. As everyone rose in standing applause, this modest, unassuming gentleman was not present to receive his praise.

Unselfishness as well as modesty was one of Mr. Cannon's outstanding personal traits that made up a personality that was filled with all the things we try to teach our children to become. During the delegation meetings of the Missouri Members of Congress, he would simply announce the agenda always being careful not to make a remark or observation that might influence the decision of any other Member of the delegation on the business at hand. Repeatedly, he would yield to younger Members.

Although 85 years of age, he put into practice his conviction that if a man makes up his mind to carry on, no measure of physical frailty need stand in the way. Until the very weekend that he went away, he propelled his body at a rapid driving pace. His working day was not the ordinary day of 8 hours but double that. Even in the busy life he led, he always maintained an immaculate appearance in a well-pressed suit. For a man who had reached the age of 85, he was truly a remarkable person. He may have lacked the physical strength of a younger man but never lacked the strong spirit to go on with his work.

Our hearts go out in deepest sympathy to Mrs. Cannon, their two lovely daughters, and grandchildren he loved so much. They have suffered the loss of a lifetime companion and a father. We have suffered the loss of a dear friend. His district, the State of Missouri, and the Nation have suffered the loss of a tireless servant of the people.

Our beloved colleague is no longer in our midst. Today we mourn the loss of a true friend. He was a renowned legislator, a distinguished parliamentarian, an eloquent speaker, a true statesman, and a great American. His half century of unselfish service to his country will stand forever as an enduring monument.

Mr. KARSTEN. Mr. Speaker, I yield to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, the loss of the dean of the Missouri delegation to our Congress, is a profound shock to all of us from the State he loved so well.

He was our next door neighbor on Capitol Hill as an apartment dweller.

Only a few days ago, we had occasion to be on the same plane returning from Missouri to Washington. I escorted him and "Miss Ida" to the apartment. Our conversation turned to Missouri's first Senator, Thomas Hart Benton, and I learned that the forebears of our chairman's wife were related to our first Senator. I had recently read the book, the "Magnificent Missourian," dealing with the life of Benton; and Chairman CANNON, a profound historian in his own right, expressed an interest in the book. I gave him the book the same night, and only a few days ago received it back with a gracious note and his comments about some of the passages in the book. He was a charming preceptor.

He will be remembered as a man who devoted most of his life to public service for his country and our great State. Mrs. Hall and I want to express our deepest sympathy to his wife and staff.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join with my colleagues from Missouri in paying tribute to our late distinguished colleague, Mr. CANNON. Certainly with his death one of the giant oaks of this generation has fallen. Here, if ever, was a man of uncommon gifts. Whether you knew him a day or a decade, you were struck by his strong and unusual characteristics.

Another great Missourian, Mr. CANNON's most illustrious predecessor, Speaker James B. "Champ" Clark, recognized these qualities when he brought CLARENCE CANNON into his office for a few weeks more than 50 years ago. Mr. CANNON came here then to learn "what made the wheels go round." He remained here until his death a few days ago and certainly himself made "the wheels go round."

The House knows that the late chairman of the Committee on Appropriations had unique talents which fitted him for the important place he occupied for so many years. Mr. CANNON had been a teacher of history, a lawyer, and a member of the legislature of his State. In the House he found stimulus and outlet for his interest in parliamentary procedure for he was one of the great parliamentarians of all times. He was the first Parliamentarian to serve under both Republican and Democratic Speakers. He was also a distinguished author and scholar whose works and articles on parliamentary procedure are basic references in the field. Mr. CANNON was a student and a scholar such as is rarely found among men in public service. He was probably the best read man in Congress. He had broad knowledge of both history and literature.

His scholarly gifts notwithstanding, Mr. CANNON was also a practical and effective politican. He was a prominent and powerful figure in political conventions, both State and National, for many years.

The House has long appreciated Mr. CANNON's oratory. He had a style and manner of speech second to none ever displayed in the well of this House. He had a faultless ear for the right word, an elegant wit, a devastating and unarguable logic. His style was so unique that neither letterhead nor signature was necessary to recognize his letters or his writings. Even a note from CLARENCE CANNON was a real treat in expressive writing, perhaps a little after the manner of his fellow Missourian, Mark Twain. Even in impromptu speech his rhetoric and grammar were as flawless as his style was unique.

Mr. Speaker, the country has lost a distinguished legislator whose life was devoted almost exclusively to its service. Many such men have served here and have died here but none more truly cut in patterns of greatness than the chairman of the Committee on Appropriations who sentineled the public treasury for so many years. Whatever divergence of view he may have had with any Member, his personal dedication and integrity were as a rock and so was the mutual regard he shared with all Members of the Congress.

Mr. Speaker, great aptitudes and accomplishments impress the mind, yet the heart is stirred most by the personality of the man we knew and loved. Mr. CANNON was to me personally a gracious and kindly mentor, a cooperative and helpful friend. He was also a man of unusual flair and color, one of the least pedestrian personalities I have ever known. He was a man to be appreciated and admired, and now a man to be missed.

I extend my deep sympathy to Mrs. Cannon, his helpmate of many years, to his daughters, and to all his family members.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished minority leader, the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, volumes could—and probably will—be written on the remarkable accomplishments of CLARENCE CANNON, our beloved and venerable colleague whose long and most useful life has now come to an end.

I cannot hope to do justice with these few words to the deep admiration and genuine affection that I have felt for him during the many years of our friendship.

He combined a prodigious capacity for work with a highly gifted intellect, and made the most of both in the service of his country.

His contributions to parliamentary procedures will live as a monument to his memory as long as free institutions remain on this earth.

It can be rightly said that by his wisdom and his fairness he gave the office of the Parliamentarian in this body a truly nonpartisan, professional status.

Beyond that, CLARENCE CANNON's dedication to his responsibilities as chairman of the great Committee on Appropriations is well known to all of us. It will be legendary in years to come.

CLARENCE CANNON has been variously described, and I may say erroneously, as crusty, stubborn, shrewd, dictatorial and even cantankerous.

I want to close with a personal observation on that score.

Some years back, Mrs. Halleck drew Mr. CANNON as a dinner companion at a White House function.

It was their first meeting of any consequence and she admitted to me afterward that she faced the prospects with some slight misgivings.

But for her he proved to be one of the most gracious, witty, and completely charming conversationalists she had ever met.

This was the real CLARENCE CANNON—a man of many talents who could mask a thoroughly delightful personality behind a gruff exterior.

His passing marks the close of a highly distinguished career in the service of this body, but I would hope his bereaved family may take consolation in the fact that he left an enduring legacy of work and writings that have added immeasurably to the world's library of parliamentary law and true statesmanship here in the House of Representatives.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished majority whip, the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, the distinguished minority leader, in his beautiful tribute a moment ago, mentioned a personal experience with our late departed colleague. I, too, wish to mention one.

It was my last experience with CLARENCE CANNON. It happened on the Friday before he died on early Tuesday morning.

Our congressional offices were close together in the New House Office Building. That Friday evening, at about 7:30 p.m., I walked down to get the elevator. Mr. CANNON's office was directly across from the elevator. He came out, with his felt hat pulled rather low on his forehead, as he was inclined to wear it, and he said to me, as he stepped into the elevator, "We are leaving early this evening."

Of course, this was typical of the man. As is true of all great men, he was a hard worker, a dedicated worker. He came to the office literally at the crack of dawn, and he left, as he said that day, the last day, "early" at 7:30 in the evening.

This was an uncommon man, as my colleagues have said. But there was one thing about him that all of us who have served here in the House enjoyed in complete and total compatibility. That was his love of the House as an institution. He knew this body. He inherited a knowledge of it from the late great Champ Clark. He served with great men for many, many years. He knew the significance of the House of Representatives—what it meant to the American ideal and to the American system. There was never a time when he did not try to impart that knowledge to his younger colleagues.

I think that, Mr. Speaker, will be his greatest memorial. I, too, join in extending the deepest sympathy to his family.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished dean of the House, the gentleman from Georgia [Mr. Vinson].

Mr. VINSON. Mr. Speaker, the Nation has lost a great legislator, an outstanding statesman, a dedicated public servant, and one of the most competent men it has ever been my privilege to know.

When I first came to the Congress in 1914, among the first men I met was Clarence Cannon. Even then, he demonstrated an amazing knowledge of parliamentary procedure, and I was very happy when he became Parliamentarian of the House in 1917. Clarence Cannon continued as Parliamentarian under both Republican and Democratic administrations.

I very early learned, as a new Member of the House, that I could always depend upon Clarence Cannon's advice and wise counsel. And, one of the early books that I read, which became my legislative bible, was "Cannon's Procedure." I have used this book as my guide during my service in the House.

He was my friend from the day I first met him in 1914. I was very pleased, and the Nation was very fortunate, when he was elected to the House and became a Member in 1923.

He had already made his mark in the House even before becoming a Member, and he immediately attained a position of prominence and respect.

On September 17, 1941, Clarence Cannon became chairman of the House Appropriations Committee, and except for the 80th and 83d Congresses, when he was ranking minority member, he has been chairman of that committee ever since.

He was a man of high integrity, a man of conviction, a man with determination and firmness, a man with sure knowledge, a man who cherished and protected the prerogatives of the House, and a man endowed with the qualities of greatness.

He spent his adult life on the floor of the House. He loved the House and its traditions. He dedicated his life to his district, his State, and his Nation.

No committee in the history of the Congress has ever had a greater chairman, or has ever been under more able leadership. He was an acknowledged expert in parliamentary procedure, but he was also unequaled in his knowledge of budget procedures and the complexities of appropriation procedures.

Clarence Cannon was the guardian of the Nation's purse strings. No appropriations were ever approved that were not first scrutinized by Clarence Cannon and carefully considered by his committee.

He was a Christian gentleman, a loving husband and father, and a true American in every sense of the word. His dominant thought was the welfare of the Nation. He was a learned man, a great historian, and has been one of the leaders of the House for more than 40 years.

The State of Missouri, the Nation, the Congress, and, indeed, the free world is sadder today because a very great man has crossed over the river. I shall miss him as a personal friend and colleague, but even more, the Congress and the Nation will miss his wise counsel and advice.

I extend to his grieving wife and family my deepest sympathy.

Mr. KARSTEN. I yield to the distinguished chairman of the Committee on Appropriations, the gentleman from Texas [Mr. Mahon].

Mr. MAHON. Mr. Speaker, the name of Clarence Cannon will be written large in the history of the House of Representatives.

Others this morning have related some of the attributes of his life and character. I am certain that as this occasion proceeds other facets of his life will be recalled. So I shall be brief, but I would not want this moment to pass without a few words, inadequate though they may be.

It was my high privilege to associate intimately with Mr. Cannon in affairs of public business for 25 years. I knew something of him. And I had the profoundest admiration for him. He was warm. He was cordial. He was helpful. He was generous. He was my friend. He was able—a man of indefatigable labors. A man of varied interests and eminent accomplishments. He was a strong and persistent supporter of the national defense—even to the point of erring on the side of fiscal generosity if the question were in doubt. He was one of the five men in the House who shouldered the awesome burden of the secret of the atomic bomb until it was revealed at Hiroshima. I hold no fear of contradiction in saying we shall not soon see another Clarence Cannon.

Mr. Cannon served on Capitol Hill under 10 Speakers, under 5 chairmen of the Committee on Appropriations, and he served on the committee with a total of 217 members. Mr. Cannon served as chairman of the Committee on Appropriations for nearly 19 years, almost twice as long as any other man in the 99 years of the committee. The former Speaker, "Uncle Joe" Cannon, was next to Clarence Cannon in length of service as chairman of the committee.

It was the Nation's good fortune that Clarence Cannon lived. Representative government is fortunate to have had a man of his allegiance to the principles of democracy. He lived for the House of Representatives and all that it stands for. He was jealous of its prerogatives. He by no means lived in the past. He was in fact an innovator. He would not stand still. Few men have come to the full realization Mr. Cannon had of the stabilizing virtues of custom and tradition and precedent in the legislative processes. Those inside and outside the Halls of Congress who clamor against the seniority system suffer the misfortune of not really knowing this man, a product of it. He was at his legislative best even to the latter days.

In the Jeffersonian tradition, Mr. Cannon placed economy in the public expenditure and the avoidance of public debt among the first and most important virtues of a public man.

Mr. Cannon put on an air of austerity in fiscal matters and in matters of economy. In an effort to stem the tide of spending he put on a bold front. In this he was sincere to the marrow of his bones. But he was much gentler than many people knew. He loved the classics, as our leader, the gentleman from Oklahoma [Mr. Albert] has pointed out. He loved to write. He loved to work. He loved his family and his fellow man. He loved his Missouri farm. He loved his country. He loved nature and nature's God.

Mr. Cannon was known among us, but not to the general public, as a champion of the cause of culture. His contributions to the continuing improvement of the Smithsonian Institution, the Library of Congress, and the National Arboretum were most significant.

The National Arboretum was one of his favorite haunts. He loved these sprawling acres on the outskirts of Washington.

A short while ago he went out to the Arboretum. It was azalea time and the place was heavenly. As he looked again about this lovely spot I can imagine that he may have said with the poet:

The little cares that fretted me,
  I lost them yesterday,
Among the fields above the sea,
  Among the winds at play,
Among the lowing of the herds,
  The rustling of the trees,
Among the singing of the birds,
  The humming of the bees.

* * * * *

Among the husking of the corn
  Where drowsy poppies nod,
Where ill thoughts die and good are born
  Out in the fields of God.

I have not the slightest doubt that he acquitted himself well before the lamp of history. Time surely will surround the work of his hands with a new veneration. He erected a number of monuments that, I dare say, will stand with time. As President Johnson said last week:

> We shall miss his counsel, his candor, and the courage with which he held steadfastly to his convictions about what was right and best for America.

This great statesman has returned to the land which he loved. May the Lord bless the memory of our departed friend and colleague; and may He bless his wonderful wife, his daughters, and the members of the family.

Mr. Speaker, I think it appropriate to include the resolutions adopted by the Committee on Appropriations on Monday last:

COMMITTEE RESOLUTION ON THE LATE CHAIRMAN, HON. CLARENCE CANNON

Whereas early on the morning of Tuesday, the 12th day of May, 1964, the Honorable Clarence Cannon, full of years and full of honors, and in his 42d consecutive year as a Member of the House of Representatives and after more than half a century of service to the House and the country, answered the last rollcall and joined the congress of the hereafter; and

Whereas throughout his nearly 35 years as a member of the Committee on Appropriations Mr. Cannon, with a rare capacity for superior, dedicated, and indefatigable labor, and fired by the zeal of the true patriot he was, steadily and persistently directed his efforts to the enforcement of economy in the public expenditure; and

Whereas Mr. Cannon, with great dignity and high distinction, served as chairman of the Committee on Appropriations for nearly 19 years, a period almost twice as long as that of any of the other 22 men who served as chairman in the 99 years the committee has existed; and

Whereas throughout his illustrious legislative career Mr. Cannon, combining the gifts of brilliance and uncommon courage and tenacity, was, as the occasions demanded, a forceful advocate and a fearless defender of the pre-eminence of the House of Representatives in money matters, believing, in the words of the Federalist, that the power over the purse was the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people for obtaining a redress of every grievance and for carrying into effect every just and salutary measure; and

Whereas in the words of the President of the United States, Mr. Cannon left a distinguished imprint upon the decisions and policies of our times; and

Whereas no set of resolutions, however fragmentary of design, should be concluded without noting that Mr. Cannon, a man of eminent and varied public services and accomplishments, was an internationally known parliamentarian and universally regarded as the greatest authority on the parliamentary rules, precedents, and practices of the House of Representatives: Now, therefore, be it.

Resolved, That we, the members of the Committee on Appropriations, sharing the universal feeling of grief at the unexpected passing of this illustrious son of the soil and servant of the people, have lost a courageous leader, of dignified bearing and commanding presence; a wise counselor whose opinions bore the weight of ripe experience; and an understanding friend; and, be it further

Resolved, That we extend our deepest sympathy to Mrs. Cannon and others of the family, to his relatives, and others of that wide circle of admiration and universal respect; and, be it further

Resolved, That these resolutions be entered in the journal of the committee, a copy sent to Mrs. Cannon, and arrangements made to include a copy in the appropriate ceremonial proceedings of the House of Representatives.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Iowa [Mr. Jensen].

Mr. JENSEN. Mr. Speaker, I join my colleagues in a sad farewell to the memory of Clarence Cannon. A great tower of strength and influence in this House has fallen. These remarks are addressed to a subject related closely to the acquisition of that influence.

The power of the purse is practically absolute. Mr. Cannon as chairman of the House Committee on Appropriations exercised a control which has been felt to the uttermost corners of our farflung Government.

It was my great privilege to work closely with him in the saving of billions of dollars for our taxpayers. Only a worthy Member such as Mr. Cannon ever rises to head this great committee of which I have had the privilege to be a member for the past 22 years. By the time a man has lasted in this House long enough to become chairman, as was Mr. Cannon, of the Committee on Appropriations, or of any other major committee, he has been distilled into an experienced public servant. Because Mr. Cannon served the voters of his district faithfully and well they responded by returning him to the Congress for a period of over 40 years.

No fraud, no phony can manipulate a confidence gained through the many terms it takes to become chairman of an important congressional committee. The voters are sure to find him out sooner or later, and usually sooner.

Mr. Speaker, I am sure this country is a lot better off because Mr. Cannon has served here in this House of Representatives. He was a valuable public servant. His decisions generally prevailed within the Committee on Appropriations. But Mr. Cannon was always fair and considerate.

Yes, Mr. Speaker, we had many arguments in committee and on the House floor but when we disagreed with Mr. Cannon, on rare occasions, we disagreed agreeably. For, Mr. Cannon never carried his disagreements beyond the committee or the Chamber doors. As I said, some of us have had heated arguments with Mr. Cannon, in committee and on the floor, yet when we met him a minute afterward outside the committee or Chamber doors, he was very apt to put his arm around us and say, "We are still friends; yes, we had arguments but we always remain good friends."

Mr. Speaker, he called me many times since I became the ranking minority member of the committee and said, "Ben, we have a problem and I want to talk it over with you." We ironed out many problems important to the people.

Mr. Speaker, I held Mr. Cannon in the highest esteem. We shall miss him, the country shall miss this great American.

My heart goes out to his dear wife and family. I pray that the same God who took Mr. Cannon to his heavenly home will give strength and comfort to his dear wife and family to bear the great loss they have sustained. God rest his soul.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from New York [Mr. Celler].

Mr. CELLER. Mr. Speaker, it is with a sense of great personal loss that I join in these eulogies to mark the passing of Clarence Cannon. Clarence Cannon and I came to Congress together. We were the only ones left from the freshman class of 1923. We served together during those years which saw crisis follow crisis. I felt with his passing, in the words of Tennyson, that "the old order changeth."

In a congressional sense we grew up together. We both, in the language of Disraeli, climbed the greasy pole, he to become chairman of the Committee on Appropriations and I to become chairman of the Judiciary Committee.

Clarence was a man of marked determination. At times his determination was as firm as a rock you hold in your hand. Clarence had great faith, faith in himself, faith in the Congress, and faith in his country. He did not wear his faith as one would with the fashion of a hat. His was a faith, in the language of Browning, that could move mountains. He, at times, had an enthusiasm that was as fierce as a streak of lightning.

It has been said that character is what you are when no one is looking. Clarence was ever a good and righteous man, seen or unseen.

He was a practical statesman. He knew that politics is the art of the possible. He knew also that at times it is better to bend than to break; that if you want a rose, at times you must put up with the thorns.

He also knew extremely well the traditions and the history of our great country. He realized that if you do not know the mistakes of history you have to live those mistakes all over again.

I honor Clarence not only as the foremost Parliamentarian of the House, not only as the chairman of the Committee on Appropriations, who met responsibly the challenges of his major post, but also as a man of the greatest integrity. Integrity was ever with him. It stood out like a red thread in the gray linen of life.

He was my friend, and I say this most proudly. He had a way of sending me notes that warmed my heart. I want to read to you the last note he ever sent to me:

> Dear Mannie: Somewhere in Holy writ we are admonished to give no heed when men "shall revile you and say all manner of evil against you."
>
> Perhaps by the same rule we should give as little heed to those who, through friendship, say kindly things about us.
>
> But you and I have come a long way together—one of the happiest experiences of my life—and I cannot refrain from an expression of appreciation of the generous comments you made on the floor last Friday—just one of the many instances in which you have said a good word—where and at a time it counted most.
>
> (Signed) Clarence.

I need not dwell on the great services he performed for his constituency, for his State, and for his country. Historians will do justice to that phase of his life. I want only to say that I had a friend who is no more. I am greatly grieved.

To his wife, to the members of his family, to all of his other friends, I extend all of my sympathy.

Mr. KARSTEN. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. Whitten].

Mr. WHITTEN. Mr. Speaker, it was my privilege to go on the Appropriations

Committee in January 1943, after being in Congress only 14 months. At that time Mr. CANNON was chairman of the Appropriations Committee. Brilliant, a man of many and varied interests, he was a quick and tireless worker. We will never have a man more versed in government than he.

I consider my close relationship with Mr. CANNON one of the greatest and finest breaks I have ever had. At the time I went on his committee World War II was in progress and almost everyone was trying to get on the Navy subcommittee or the Army subcommittee because that was where most of the activity was. Representing an inland area in my section, I made no such effort and I ended up being assigned to the Appropriations Subcommittee for Navy. I mention that because Mr. CANNON was always trying to put us where we could look at these matters objectively—and not be tempted to serve selfish interests.

I have seen some of the problems that he had because any man in that position of necessity must face big problems because the requests made of the committee usually amount to fully three times the available money to meet our needs.

Through the years, as a much younger man than Mr. CANNON, I have enjoyed the privilege of going to him on each and every occasion I differed with him, and wanted to try to explain why I differed with him and to explain my side of it and, may I say, try to convince him he was wrong. Never have I asked that he did not receive me. Many times we differed just as strongly when I left as when I went in. But it meant something that a man at that age, at the age of 85, wanted to know the thinking of those on his committee, whatever their age group might be. Perhaps that was the reason for his perpetual youth.

Mr. CANNON dealt with kings and potentates, presidents and cabinet officers, on an equal basis. He influenced national and international affairs. But with it all, never did he lose sight of the fact that he came from the soil and that the basis of our prosperity and well-being is in the land.

It was my privilege to succeed him as chairman of the Subcommittee on Agricultural Appropriations. I recall rather vividly on the Friday preceding his death, we had our agricultural appropriation bill before the committee and someone had something a little critical to say about the Rural Electrification Administration. Mr. CANNON made one of his finest speeches. There he was a man of 85 years of age, his mind clear as a bell. He pointed out in the speech at that time what many of us seem to forget, that many of these Government programs, and that program in particular, have brought much happiness and prosperity to millions of Americans in rural areas, making it possible for them to feed and clothe the millions in our cities. Those of us on the committee well remember that no one could have made a better presentation on what we have done in this country that has been good for America. This happened to be only one illustration.

I have seen Mr. CANNON many, many times when I differed with him, when I had him angry with me, and all of us who worked with him had that experience, but always it was on the basis of the issues involved. He always recognized that you had your local problems. I have heard him say often that if a man did not reflect the views of his people, he did not stay here.

By the same token, I have seen Mr. CANNON many times yield his own personal feelings in behalf of the national interest. I feel that this man who served longer than any man in history as chairman of the Committee on Appropriations never throughout his career, when the chips were down, did anything without having the national interest at heart. He yielded his own personal inclination to the national interest.

Only a few weeks ago I was asking him about his beloved wife, Miss Ida. He said: "Jamie, you know the thing that comes hard to me—she is in fine health but she cannot get around as she would like to, and you just do not know what that means. In all my political career, it has been in my wife's name. She remembered people. She would say, 'Clarence, this is Mr. So and So.' She remembered issues. She contributed more in keeping me on the track than anything in my life."

As all of you know, he had a brilliant mind. He had a wonderful family, a lovely and fine wife. As his many friends here will miss him, I shall miss him. I just hope that I can reflect as the years pass, some of the fine things that he set out before us and some of the lessons that we had the wonderful opportunity to learn.

I extend to his bereaved family my deepest sympathy. We have all lost a friend.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I do not know that I can add anything to what has already been said concerning the many outstanding talents of our departed colleague. But two or three things come to my mind that I think ought to be mentioned.

He did have many varied and outstanding talents. There is no question about that.

One of the things I shall remember him longest by has been touched upon by our genial friend from Mississippi [Mr. WHITTEN] only a few minutes ago.

I believe, when the history of his period has been written, it is safe to assume that he will go down in history as having done perhaps as much as, if not more than, anybody else in the Congress in the broad field of agriculture.

I remember when I first came here. As the gentleman from Mississippi [Mr. WHITTEN] pointed out, he headed the committee. On the legislative side was the able and genial Judge Marvin Jones, one of the all-time greats of agriculture. They would "lock horns" quite often. But his efforts in behalf of agriculture and of the farmers were perhaps as close to his heart as anything else.

As something ancillary to that program, he even extended his great talents in those fields which made life for the farmers more livable. I refer to the extension of telephone service and electricity, and so forth and so on. They were outstanding achievements for him.

He was a student. He was a scholar. He had very much of an artistic temperament, I believed. The little veneer that we saw so much on the floor was very shallow. Underneath it, at heart, he was really a kind and gentle man.

I noticed him many times. He was one of the most remarkable hosts I have ever seen. He was gallant. He would bow. He was courteous to his constituents and to other people. That expressed the warmth and gentleness he possessed. The little veneer on the front was purely a veneer.

I should like to illustrate what I have in mind. He was modest and gentle and even to an extent bashful at times. On occasion after occasion the gentleman from Texas [Mr. MAHON], the gentleman from Iowa [Mr. JENSEN], the gentleman from Mississippi [Mr. WHITTEN], and several others of us went to him and begged him and begged him to let us have a portrait of him painted. We suggested to him that he owed it to the House of Representatives and to the committee of which he had been chairman for so many years. But he said, "Why? Why do I deserve that?" We went to his lovely wife, whom we all love and admire and affectionately call Miss Ida, and Mrs. Cannon would shake her head and say, "I fear we cannot do much with him."

For Miss Ida, his lovely and gracious wife, and his lovely daughters, their husbands and grandchildren—one of whom lives in my town—who are all wonderful people, I join my colleagues in wishing the best of everything. We extend to each and every one of them our best wishes, our sympathy and our sorrow in their great loss.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Speaker, the Congress and our beloved country could hardly have suffered a greater loss than has come to us through the death of our colleague and friend, the Honorable CLARENCE CANNON, of Missouri.

Unquestionably, few men of this century, either in public office or private life, have contributed so much of solid and enduring value to the strength and greatness of our beloved Nation as this unusually brilliant man of courage and wisdom did.

And, fortunately for all of us, his distinguished career encompassed 42 years of outstanding service in the House of Representatives—nearly half of his full and fruitful 85 years of life on earth—a total of 20 of these eventful years having been served, with the deepest devotion to duty and the ultimate in quality, as chairman of the Committee on Appropriations.

This world is indeed a much better place in which to live by Mr. CANNON having lived in it.

Every Member of Congress already knows, of course, that Mr. CANNON was a person of the highest integrity. They know, too, that he was a learned scholar and patriotic statesman and, also, that no single individual in Government had more complete knowledge and fuller understanding of Federal fiscal affairs than he. And, without partisanship, he used those sterling attributes—his superior intellect, his deep wisdom, his unsurpassed skill as a parliamentarian, his unfailing courage, his relentless determination, his amazing energy—all of which, thanks to the Supreme Architect of the Universe, remained with him, undiminished, until the time of his passing from our midst, to make the journey to the other side of eternity—for the true and lasting benefit of our Government and Nation, in furtherance and fulfillment of his most sincere and abiding love for America.

As for myself, Mr. Speaker, I feel a deep sense of personal loss and grief at the death of Mr. CANNON, who was my chairman, my wise counselor, and my devoted friend.

It was my good fortune to have frequent private consultations with this great man, and always on these occasions, which covered 16 of my 18 years as a Member of Congress, I was given better understanding, clearer insight, increased strength and encouragement, as a result of our discussions and conversations. And, in addition to these factors in our relationship, one which I will always cherish, he was my dear friend and, also, one to whom I was closely and faithfully bound by the strong bonds of masonic fraternal brotherhood. I held for him limitless esteem and the warmest affection.

I am bereaved by Mr. CANNON's death, while, at the same time, I am humbly grateful for his life—for his years in this House and his use throughout those years for the betterment and benefit of America of what was undoubtedly one of the finest, keenest minds that our Government has ever had in its service.

Mr. CANNON was clearly the foremost champion within our time of the cause of fiscal sanity and stability in Government. In this most difficult role, through the years, this alert, brilliant man was directly responsible for the saving of many billions of dollars for the taxpayers of our Nation. And none can doubt that our country is much stronger and more stable because of his actions than it would have been otherwise.

Mr. Speaker, I wish to express my heartfelt sympathy to our dear departed colleague's devoted wife, who was close by his side all through the years, and to their two daughters and five grandchildren. May they be comforted and sustained by God's infinite goodness and grace and by the sure knowledge that the immortal soul of their loved one is eternally at peace and rest.

While mourning with them, sharing in their great loss and sorrow, I also, with them, will cherish so long as life may be spared to me the memory of Chairman CANNON and his invaluable contributions to our country and to mankind.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. Mr. Speaker, it is difficult to reconcile ourselves to the fact that our beloved chairman of the Committee on Appropriations, CLARENCE CANNON, has passed away.

His concept of public trust was without parallel and never did he hesitate to speak out against any proposal which he felt was not sound and not to the best interests of our people. Words are inadequate to fully appraise Mr. CANNON's tremendous capacity for loyalty and love of his country. In every position he held, either private or public, he achieved distinction. His service in all of his assignments was marked by a high sense of conscience and duty.

Mr. CANNON had those outstanding moral and intellectual qualities necessary for the position of chairman of the Committee on Appropriations. As a Representative, he had those qualities that are essential for leadership, sound judgment, patience, perseverance, and unyielding adherence to the principles and policies advocated by his party for the welfare of the country. As the chairman of one of the outstanding committees in the Congress, he presided with dignity and firmness.

He had become an inspiration, a symbol of the power and the achievements of the House of Representatives. Mr. CANNON will have a high place in the history of his country and in the hearts of his countrymen. His character, his achievements, and his faithful service will be an inspiration to generations yet to come. May God let the light of His countenance shine upon him and give him peace.

I have lost a true friend and this country has lost a great statesman. To his lovely wife and family, I exend my deepest sympathy in their bereavement.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Speaker, a giant oak has fallen. In the passing of the distinguished chairman of the Committee on Appropriations, the Honorable CLARENCE CANNON, this House has lost one of its foremost Members.

The State of Missouri has lost one of her greatest sons. And this Nation has witnessed the passing of one of the truly great patriots of the Republic. We shall miss him and we shall miss him greatly.

I was deeply saddened by the passing of Mr. CANNON, who was a dear friend, with whom I had been privileged to be intimately associated in our work together on the Committee on Appropriations.

It has been my privilege to serve as a member of the Subcomittee on Public Works Appropriations under the leadership of Mr. CANNON, who was not only chairman of the full Committee on Appropriations, but also chairman of the Subcommittee on Public Works Appropriations. In this work he gave of himself untiringly and unstintingly. For him the development of the great Missouri River in his State and, in fact, all the great rivers of the Nation, was a labor of love. His contributions to our country are legion.

Congressman CANNON was a great chairman of the Committee on Appropriations. It has been said and properly so that untold millions and billions of the taxpayers's dollars have been saved by his work and his frugality.

He was also a great and noted parliamentarian. He was the author of "Cannon's Rules of Procedures and Precedents of the House of Representatives." He served as Parliamentarian of every Democratic National Convention since 1928. Chairman CANNON told me that it was my illustrious predecessor in the Congress, Cordell Hull, who first named him as Parliamentarian of the Democratic National Convention.

Chairman CANNON gave his life in the service of his country as he would have wished it.

His service to his country was great and good from the day that he started his career in the House in the 68th Congress to the day when he answered the summons to his last rollcall.

Our country is stronger today because of his immense contributions.

He was a great friend of my State and a great friend to me personally. We shall all miss him, and are saddened by his passing.

I extend to Mrs. Cannon, the daughters of Chairman and Mrs. Cannon, and other members of his family an expression of my deepest sympathy in their loss and bereavement. My wife joins me in the expression of these sentiments.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, one of the Nation's legislative giants has taken his final leave of the Halls of Congress. CLARENCE CANNON was truly a great American and his going was as dynamic as the way he lived. Knowing him as one can know a man only after many years of close association, I am sure that his living and his going both were the way he wanted it. There was only one CLARENCE CANNON, and the memories which he left are something to be savored over and over again. The lore and the memories of CLARENCE CANNON will be treasured more and more as time passes.

He was one of the oldest men in the House. Yet, he retained an amazing physical vigor and mental sharpness until the final day of his life. He was chairman of the House Appropriations Committee much longer than any other person in history, and no one ever had cause to doubt that he was indeed the chairman. Some called him the most influential man in the House. Certainly, he was one of the most powerful in this great body.

No one questions the fact that CLARENCE CANNON knew more about the workings of the House than any other individual. From the time when he first came to Washington in 1911 and through his long service in the House, which began in 1923, he was absorbed in the parliamentary procedures of Congress, and his works on parliamentary procedure are the official guidebooks for legislative deliberations throughout the Nation.

In sheer ability, he had few peers. He commanded the respect, though not always the admiration, of his colleagues because he made no attempts to curry favor. Now that he is gone, that admiration is accorded him in full measure by colleagues who can measure the greatness of the man in the light of the image of a lifetime of service. And now there is a new and clear awareness of the loss of an earnest friend who will not be replaced in our time. To know him best, is to admire him most.

CLARENCE CANNON did not believe in spending money we do not have for things we do not need. By continually hammering at that theme, he saved billions of dollars for the taxpayers in unnecessary expenditures. Undoubtedly, in his long service here, he saved more money for the taxpayers than any other Congressman in history, and possibly more than any other individual in history. His integrity, parliamentary skill, and his capacity to get things done will be sorely missed in the House. Truly, a great American has passed on.

There is one here today who knew him better, far better, than any of the rest of us. Miss Ida, as we affectionately know his beloved wife, was his inspiration and his guiding light through his long years of public service. To her and to her family, each of us extends heartfelt sympathy in the bereavement that they must bear.

Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. FLYNT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FLYNT. Mr. Speaker, I join with my colleagues in paying tribute to a great American, a leader of this body, and a friend to all of us, CLARENCE CANNON, late a Representative from Missouri.

Mr. Speaker, the loss of such a distinguished and able person as CLARENCE CANNON is felt in our hearts. His absence from the Halls of Congress and the leadership of the Appropriations Committee will engrave his memory in each of us who continue to serve in the House of Representatives.

CLARENCE CANNON served his country well. As an author he applied his genius to laying down the guidelines of parliamentary rules and procedure. I have long been a great admirer of his written accomplishments and his books and manuals will long be the mainstay of deliberative bodies.

He served the House of Representatives with dignity, foresight and courage. As chairman of the Appropriations Committee, his influence reached into every phase of the operation of our Government. A desire for economic management of governmental spending resulted in effectuating economy throughout governmental operations. He was a champion of the principle of fiscal responsibility. He believed and he practiced as John, Viscount Morley said in his "Recollections":

> In my creed, waste of public money is like the sin against the Holy Ghost.

It might be said of him as Alfred Lord Tennyson said of the Duke of Wellington:

Rich in saving commonsense,
  And, as the greatest only are,
In his simplicity sublime.
  O good gray head which all men knew.

A legislator, author, devoted husband and father, CLARENCE CANNON served well. His family's loss is the Nation's loss. We will miss his presence deeply.

Mrs. Flynt joins with me in expressing our heartfelt sympathy to Mrs. Cannon and her two daughters.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, the passing of CLARENCE CANNON was a great blow to the House of Representatives, the Congress as a whole, his State, and our Nation. The legislative body of the Federal Government lost a man with unique talent, priceless experience, and unbelievable energy. The people who have spoken earlier from his own State of Missouri, those who knew him best, have set forth for all time the outstanding characteristics of CLARENCE CANNON. The leadership on both sides of the aisle, men who have served with him for many, many years, men who have worked with him on difficult, controversial problems involving our Nation's past and future, have extolled his virtues and told of his talents.

I would simply like to add a comment or two from my own personal experience. My intimate connections with Mr. CANNON were as the result of my service on the Committee on Appropriations. For some 14 years I have been on this committee, all of the time, of course, when Mr. CANNON was chairman or the ranking Democratic member. As far as the Committee on Appropriations was concerned CLARENCE CANNON was ageless. I have felt that that committee for many reasons would not be the same without him either in the capacity of chairman or the ranking minority member. I do not imply that the quality of the committee or its work will suffer but I do mean to say that the atmosphere in the committee, its approach, its method will be changed because there was only one CLARENCE CANNON.

During his tenure on the committee, at least during my time, he made contributions not only to the committee but to the House as a whole which will be indelibile in the history of our country.

He was particularly kind to the new Members and I was an early and continuous beneficiary of his thoughtfulness. He could be arbitrary but always with a conviction which one had to admire.

I can only say that personally he was a good, a warm friend. He was a kind person to me and hundreds in the Congress in his long and outstanding service and his name and his record will be forever for the good in our Nation's history.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from New York [Mr. ROONEY].

Mr. ROONEY of New York. Mr. Speaker, it is with a heavy heart and a deep sense of personal loss that I join my colleagues here today in paying tribute to my good friend and great chairman, the Honorable CLARENCE CANNON of Missouri.

I have always had the greatest respect and affection for the distinguished chairman of our House Committee on Appropriations. He was my mentor since almost 20 years ago when I was first assigned to the Appropriations Committee. I greatly admired his tremendous knowledge of all matters which came before that committee and his outstanding ability to carry out the many responsibilities of such an important committee. He was a conscientious, hardworking, determined, and indefatigable prober of facts in the maze of issues before his committee.

It was only 4 days before Chairman CANNON's sudden passing that I was invited by President Johnson to the White House on the occasion of his signing of an Executive order extending the career of J. Edgar Hoover as Director of the Federal Bureau of Investigation. There, in the Cabinet Room awaiting the President, I found the Speaker of the House, Mr. McCORMACK, the President pro tempore of the Senate, the Honorable CARL HAYDEN of Arizona, the minority leader of the other body, Senator EVERETT McKINLEY DIRKSEN of Illinois, and the gentleman from Missouri, Mr. CANNON. At that time, Mr. CANNON was in good spirits and apparently feeling fine. He regaled us with a number of interesting and witty stories of life in Washington in times past.

The fact that CLARENCE CANNON was returned to the House of Representatives from his district in Missouri 20 times indicates the esteem in which he was held by his constituents. He surely will be sorely missed by them, by the entire State of Missouri and by these United States.

To his lovely and devoted wife and his daughters, I extend my sincere sympathy in their great loss.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, I am proud to have served in the Congress and as a member of the committee of which this famous American, Congressman CLARENCE CANNON, was chairman.

I was raised only about a hundred miles from the district he represented, bought my first 4–H Club Hereford heifer calves from a farm in his district, and became somewhat acquainted with the general area and its people. They loved their Congressman, he was one of them, he fit the district and I am sure many generations will be so fully aware of his presence at the top of the little hill overlooking a quiet valley where he chose to return to the soil.

CLARENCE CANNON was typical of those who live so close to the soil, to nature, and to God and to life itself. He was clean, quiet, understanding, and a practical man who would quietly press forward for the things in which he believed. He was a fierce advocate of electricity for all Americans and helped make a market for millions of electrical appliances now enjoyed by people who live in rural areas all over the United States. He fought hard and successfully for water and soil conservation and, through his powerful position, his brand was left upon America as scar after scar on our plot of earth was healed over with sod and erosion control projects. His forward-looking attitude and determination to give great service long after most men would have retired gives all of us an inspiration to work harder in our years upon this earth for worthy causes.

The district he represented suffered a great loss but has gained from the permanent impression he left upon all of us and to his family, I express my deepest sympathy.

Mr. KARSTEN. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, as a member of the Committee on Appropriations I have had the good fortune to be rather closely associated with our great chairman, CLARENCE CANNON, during the past 12 years. During this period I grew to love, honor, and respect him for he was not only a great legislator and a great chairman but he was also a man of great character and magnanimity in his personal dealings with his fellow men.

When I, a Republican, came on the committee, as a freshman member, he already had decades of experience in this House and on the committee, and had a great burden of work as chairman of so important a committee. Under these circumstances I had no reason to expect more than simple courtesy from Chairman CANNON. However, he not only treated me with courtesy and consideration, but he took time to help and advise me. As the years have passed I recognized more and more the soundness of his advice and the value that it has been to me in my work on the committee and in the House.

Also as the years have passed I have found myself almost forgetting that CLARENCE CANNON was of a different political party, because it became more and more evident that he was first, last, and always an American—a man who always put the good of his country above all else, including himself. During his long and distinguished service as chairman of the Committee on Appropriations he had the responsibility for passing on projects of the most fundamental importance to this Nation, including the atomic bomb, the hydrogen bomb, the U-2, A-11, and others that necessarily had their genesis, and were developed, in secret. The responsibility for furnishing the necessary funds or denying them rested on a few members of the committee but particularly on the shoulders of CLARENCE CANNON, the chairman.

CLARENCE CANNON was a great American, and America is greater today as a result of his brilliant, indefatigable, and selfless work in this House. The lives of all of us have been enriched by the opportunity that has been afforded us to have lived and worked with him.

I join with my colleagues in expressing my deep sympathy to his wife, to his daughters, and to his grandchildren.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, I am sure that many Members feel as I do today that we would never be called upon to eulogize what we thought to be the indestructible chairman of the Appropriations Committee, Mr. CANNON.

On the Friday before he died when our full committee met I offered an amendment and wished to preface my remarks on the amendment by some general observations on the bill, when the great parliamentarian that he was insisted that the clerk report the amendment before I made any remarks to the committee itself. He was a stickler for abiding by the rules and of course gained the admiration of all the Members of the Congress for his respect for the rules.

I found him to always be eminently fair and marveled at his alertness and sharp wit right up to the weekend before he died. I had often said that I hoped to have just half the capacity that he had when I get ready to retire. It was really amazing to see Mr. CANNON attending meetings regularly and shouldering the great responsibility as chairman of the Appropriations Committee. As one of the younger Members of this House I really feel it a distinct privilege and honor to have served with him in the House and particularly under his chairmanship, for his contribution will be excelled by very few, if any, in the annals of the Congress.

His service was indeed a distinct era. He actually came to the Congress 2 days after I was born back in March of 1923.

He was an insatiable reader and I suspect no one had a better insight into all the activities of the Federal Government than he did. The wealth of knowledge stored up in this man of such small and slight stature would be hard to comprehend. His life and service in this House attest to the soundness of the seniority rule and dispels completely the arguments of those who would limit the number of terms that a Member could serve. To limit the service in this House of a Member like CLARENCE CANNON would have deprived Congress and the country of one of its greatest assets, and while we younger Members may at times become frustrated because of seniority rule, it is best for the long run, and our late distinguished chairman's service proves this beyond the shadow of a doubt. And with this seniority came a great deal of power.

I am reminded of the sermon preached by the pastor at his funeral service in which he likened the life of CLARENCE CANNON to the life of Elijah, in three respects. One of those respects was the power that both men had attained to. But he said that both of them exercised that power with extreme care and discretion.

Again, Mr. Speaker, may I say what a privilege it has been for me to serve with the gentleman from Missouri. Our committee will not seem the same without him and it will take a long time for a new era to take form. My profound sympathies go out to his ever-attentive wife, his daughters, and their families.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, it is a humble honor for me to say a few words about the departed chairman of the Appropriations Committee, Mr. CLARENCE CANNON of Missouri, whose death recently came as a shock to me.

When a man dies at the age of 85, it is perhaps somewhat unusual to say that the death was "unexpected" or that it came as a "shock." And yet CLARENCE CANNON was a living force among us. His energy and devotion to duty astounded all of us who worked on the Appropriations Committee with him.

On the Friday before his death, we worked together on an appropriation bill and his mind was alert, his spirit high, and his concentration was profound.

A great deal has been written about the life and times of Mr. CANNON. The press media gave a great deal of space to the remarkable man who watched the spending of this Government skyrocket during his long congressional life. It is a tribute to his memory that his power was often placed solidly against this trend which we are now finding to be almost beyond our control.

I will not add, Mr. Speaker, to the number of facts written and expressed to this fine and excellent human being, except to say that he was one of the unique Americans of this century, and a man of great courage and integrity. I will miss him greatly, and I want to extend my sympathies to his family. To this family can be added a family of millions of Americans who understand the value of the dollar and the qualities of thrift that marked his life.

In a 1956 issue of the "Churchman," Robert Frost was quoted as saying the following:

> Why abandon a belief merely because it ceases to be true. Cling to it long enough—and—it will turn true again, for so it goes. Most of the change we think we see in life is due to truths being in and out of favor.

Mr. CANNON, throughout his long and memorable life believed deeply in his mission in the U.S. Congress, and as the chairman of the House Appropriations Committee, he did not abandon his belief in the necessity for thrift.

As one who learned a great deal from the distinguished chairman, I would hope that we would be able to rededicate our lives to some of the principles that he believed in.

This would be the finest tribute to his memory, and one in which we could all take just pride. This, in the final analysis, would be the last and greatest testimony to the little man with the big mission from Elsberry, Mo.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Illinois [Mr. LIBONATI].

Mr. LIBONATI. Mr. Speaker, Hon. CLARENCE CANNON, the keeper of the Nation's financial expenditures, who "poetized" his frugality on the floor of the House to accentuate the precarious state of its finances, is dead. His early beginnings, in the hard life of a farming community, without fortune and with only the strong character he had developed as a farmhand and college student, were his assets in life's contest for survival and success.

Mr. Cannon's rise was not of meteoric rapidity—his growth was slow, like the proverbial oak, not the climbing vine. He was an amateur boxer of some renown in college and carried his fighting spirit of the ring into the political arena, and throughout his fiery career as a legislator in the interests of the people.

Clarence Cannon was an artist of the written word—his speeches on the floor are gems of rhetorical language, symbolized by the writings of Walter Pater.

In his presentment of a speech his gruffness of voice and hurried style would confound the listener but, upon reading the context in the Record, the eloquence of his logic and the thorough application of research in its preparation and fullness of discussion, edified his colleagues.

There was no stronger debater in the House, nor one more engulfed in work. Mr. Cannon was a vigorous and worthy opponent, and meticulous in money matters affecting the Appropriations Committee's expenses of operation.

His vigorous scrutiny of financial matters was not only directed at the national but, also, at the committee level. He adhered to no economic theory but the principle of economizing—getting the maximum good in the public interest, with minimum expenditures—a logic unsurpassed in simplicity and force, taught him by the struggle of his youth. He would not scruple to offend his colleagues when principle was involved.

His stern modesty was reflected in his biography depicting the honorary degrees conferred upon him by five colleges and universities, and his authorship of "Synopsis of the Procedure of the House," "Cannon's Procedure," "Convention Parliamentary Manual," "Cannon's Precedents of the House of Representatives," and treatises on parliamentary law in the Encyclopaedia Brittanica and the Encyclopedia Americana. He was an intellectual—bold and rough of exterior, yet soft and understanding and compassionate toward the weak and unfortunate.

He controlled his committee members with a firm hand and did not easily forgive a departure in voting its recommendations for passage in the House.

He was kind and considerate to his working staff—whose love and admiration were reflected in their deep-grained loyalty to his every attitude and request.

His previous service as Parliamentarian of the House, for 6 years, established for him a secure place in the history of its procedures—the compilation of his book of rules, "Cannon's Procedures in the House of Representatives," was not only a laborious task, but marked him as a master of research in this field. This scholarly contribution will be his true legacy, a real and enduring memorialization as long as this body shall assemble for legislative purposes.

Mr. Cannon loved his work. He considered his the highest office in the world—a Member of the United States Congress—and he resented any criticism leveled at its membership.

The Illinois delegation well remembers his positive-minded leadership in certain matters affecting the interests of our State, and will always admire him for his relentless opposition, and again in other matters his powerful and detailed defenses of Illinois' position. He was that kind of a man.

We, the Illinois Members of Congress, mourn his loss and join our prayers with those of his devoted wife, Ida, and darling daughters, Mrs. Ida Elizabeth Pixley and Mrs. Ruby Linda Hackethorn.

May God grant him peace everlasting for his honest and loyal public services throughout life, to his Nation, State, and fellow man. His greatness will live forever in the hearts of his countrymen.

I have written these stanzas to his memory:

Many dreams are lost in sleep
  Others kept in memory deep
Spur ambition to the fore
  To reach heights of history's lore.

E'er working toward this goal
  Gleamed from life a leader's role,
Thus he slowly bent his way
  Toward the glories of his day.

So he lived and so he died
  Harnessed to a greater pride,
Crowned by effort trained and true
  To the ethics of the few.

In his greatness none can muse
  That he faltered in his views,
For he kept his trust in laws
  To protect his Nation's cause.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from North Carolina [Mr. Jonas].

Mr. JONAS. Mr. Speaker, of one thing I believe we can all be sure—that if the distinguished person whose memory we honor today and for whom these eulogies are being spoken could be present, he would be very embarrassed.

Of all the great men I have had the privilege of knowing during my nearly 12 years here in the Congress, I do not believe I have had the privilege of knowing a more modest or unassuming man than the late Clarence Cannon.

Frequently men who are in position to exert great power and influence become arrogant and dictatorial and begin to develop a sense or a feeling of greatness. In some segments of the press Mr. Cannon was referred to on occasion as being harsh and irascible, but, speaking as one who served under his direction and leadership and who was rather close to him, strange as it may seem, I never found him anything other than gentle, kind, and considerate. He was a man who had strong beliefs and was of an independent mind. To his glory it should be said that he had the courage of his convictions and he never hesitated to give voice to them. With it all I always found him to be fair, considerate, and gentle and kind in his personal relationships with the members of his committee and his relationships with his colleagues on the floor.

The eloquent and comprehensive tributes that have been delivered in his memory today need not be repeated by me. I associate myself with all that has been said about this great man. I rate him in the top group of all of the greats I have known since coming to Congress. In my judgment, when the history of the record of his service is written, he will occupy one of the most prominent places in it. I was taught in my youth that there is virtue in thrift, but I think I had begun to lose some of my faith in that virtue until I came to Congress. Then I came under the influence of this towering figure. Of course, I do not speak literally, because he was small of stature, but he was indeed towering of mind. When I heard him on so many occasions implore this committee which he served so effectively as chairman, and implore his colleagues in the House, not to spend money that we do not have for things that we can do without, I was encouraged to renew my own faith in the virtues of thrift and frugality.

If Mr. Cannon will not be remembered for anything else, he will be long remembered for the strong and relentless fight that he made throughout his career here to develop a sense of fiscal responsibility on the part of the leaders of our Government in the executive branch as well as in the legislative branch.

I had occasion just a few days ago for my own purposes to have the clerks of the committee make a compilation of the amount of money by which our committee—that is, the House Committee on Appropriations—has reduced budget requests of three Presidents during the last decade or since I have been a member of the committee. I was amazed to find that this committee, under the leadership of Mr. Cannon, with the exception of 2 years under the leadership of another great chairman of the Committee on Appropriations, Mr. Taber, had reduced budget requests by more than $40 billion. Those budget reductions did not all stand up. Some were increased in this body. And, of course, there is another body which has an equal say on the amount of appropriations. But I think at this point it would not be inappropriate to have the record show that if the budget cuts recommended by our committee during these years had stood up in the final analysis, the national debt of the United States would be about $40 billion less than it is today, and we would not be spending nearly $1 billion a month in carrying charges on the national debt.

One of the greatest contributions that has been made to the financial stability of this country in my generation was made by the man we honor today. I am very proud to have had the honor to serve under his leadership and to have had the experience of serving with him in what I consider to be one of the most important missions of the House.

Mr. Speaker, I join my colleagues in extending to his bereaved wife and daughters and other members of his family my most sincere and deepest sympathy over their great loss. I can only add that I hope it may be helpful to them to know that this departed statesman had a host of friends who join them in mourning his passing.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from New York [Mr. Ostertag].

Mr. OSTERTAG. Mr. Speaker, I rise to join in tribute today to our departed chairman of our Appropriations Committee, the honorable gentleman from Missouri, the late CLARENCE CANNON. It was a genuine privilege and a highly rewarding experience to serve under the leadership of Chairman CANNON during my 12 years as a member of the Appropriations Committee. He possessed great spirit, toughness, determination, and keenness; and he also was a principled, dedicated, honest, and kindly man. He was a pillar in the House of Representatives, and the House will not be the same without him.

The chairman was a figure of unusual contrasts. While he was at times sharply critical, he was also generous and kindhearted. I recall with cherished reflection our many warm conversations and the kind and thoughtful letter he wrote to me earlier this year when I announced my intended retirement from Congress. I know, too, of the time and assistance he gave recently to a young college professor from my congressional district who is currently writing a book on our system of appropriations. Chairman CANNON was well known for his knowledge of parliamentary law and his great contributions in this field, but it may not be commonly known that he was a student and authority on the history of Congress and our system of government.

It was widely recognized that the chairman held the firm conviction that there never was an executive budget that could not be cut, and he consistently proved this point year after year. He was known as a man who was tightfisted with the public purse strings; this stemmed from his dedication to fiscal integrity and responsibility. The chairman was greatly disturbed by the folly of the Federal Government spending year after year more money than our revenues produce, and many of us share this concern.

Though Chairman CANNON strongly opposed excessive Government spending, it is a fact that he presided over the Appropriations Committee during the period when Federal spending reached alltime high levels. In the 20 years of his chairmanship between 1941 and the present, World War II and the Korean war required tremendous outlays and the cold war extended this requirement. During those 20 years, the Congress appropriated more money than in the previous 150 years of our history. More than one and a half trillion dollars was appropriated under the Cannon leadership, but he worked tirelessly to make each budget sound and responsible.

Mr. Speaker, we will miss the chairman's hardhitting, effective, and colorful role in the debates on this floor. He spiced his arguments with sharp comments, amusing anecdotes, and earcatching expressions. I recall just last year when we were debating the tax bill and the chairman wanted to illustrate the enormity of a billion dollars. He told the story about the man who gave his wife a million dollars with instructions to spend a thousand dollars a day. She took the million dollars and spent a thousand every day. In three years, she was back for more. This time he gave her a billion dollars, and she did not come back for three thousand years.

We remember, too, how in recent years he often criticized the space program by calling it a "moondoggle."

Chairman CANNON served in the House of Representatives for 53 years, either as a Member or as an employee. He spent most of his life here. He was blessed with a keen mind and independent spirit, and possessed great interest, fierce desire, and high standards; all of these were dedicated to the best interest of his country.

Mr. Speaker, I am proud to have served with CLARENCE CANNON. He made tremendous contributions to sound and orderly government, and all who follow will benefit from his indelible record. He was my friend, and I am proud to have had the privilge of being associated with him here in Congress. May I join in expressing my heartfelt sympathy and condolences to Mrs. Cannon and his family.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Pennsylvania [Mr. MILLIKEN].

Mr. MILLIKEN. Mr. Speaker, it was with deep sorrow and a great sense of loss that I learned of the sudden death of our colleague, the Honorable CLARENCE CANNON.

During the time I have been a member of the House Committee on Appropriations, and especially since my assignment of the Public Works Subcommittee, I have come to respect and admire CLARENCE CANNON as a dedicated American and public servant, one who never hesitated to put forth that little extra effort when it was needed. He always was helpful to new members of the committee, and I certainly found his vast store of knowledge, based on years of experience, most beneficial to me.

Mr. CANNON lived near my residence here, and it was my privilege to frequently walk to the House Office Building with him in the morning. I found him a most courteous and interesting companion.

The country owes CLARENCE CANNON a debt it never can repay. In his position as chairman of the Appropriations Committee, he never hesitated to take a stand for economy when he felt it was necessary. Political considerations meant nothing to him when compared with the welfare of the country. Billions of dollars were saved throughout the years because of the constant efforts of this one man.

The Committee on Appropriations, his colleagues on both sides of the aisle, his district, and the entire Nation have suffered a tremendous loss in the passing of this unassuming, hardworking, and dedicated Member of Congress. To his wife and daughters, I extend my profound sympathy.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Speaker, I wish to join my colleagues in paying tribute to our departed colleague, CLARENCE CANNON. I was deeply shocked and saddened when I learned of his passing. I extend my sincere sympathy to our colleagues from Missouri on the great loss they have sustained.

When I first came to Congress CLARENCE CANNON was a most important and influential Member of the House, and the Committee on Appropriations. I recall that he succeeded the Honorable Ed Taylor, of Colorado, as chairman of the committee in 1941.

I recall how zealous Mr. CANNON was in protecting the rights, prerogatives, and traditions of the House of Representatives.

I am thinking of his controversy last year with the Appropriations Committee in the other body and how vigorously he fought to maintain the position of the House.

CLARENCE CANNON was a fighter. He believed in fighting for what be believed in, and I remember how firmly he stood his ground on that occasion.

I also recall the many speeches he made on the floor, in which he discussed not only finances, but other national and international issues. On the closing day of the 87th Congress, he took the floor and commented on the fact that for the first time in history we had voted a $100 billion budget. He mentioned that we should go home and tell our people that for the first time in history Congress had voted a $100 billion budget. This was a matter of great concern to him.

I believe Mr. CANNON came to Washington in 1911. He attended the Democratic National Convention in Baltimore in 1912, and told me about some of the things which happened at that convention. Champ Clark of Missouri finally lost the nomination to Woodrow Wilson. It was very interesting to have him relate some of the personal incidents which happened at that convention. He was of course for Champ Clark and was disappointed when he failed to win the nomination.

I agree with my colleagues that we have lost not only one of the outstanding Members of the House, but one of the great Americans of this generation. CLARENCE CANNON will go down in history as one of the great Members of the House of all time. We shall not see his like again.

Mrs. Chenoweth joins me in extending our deep personal sympathy to Mrs. Cannon, and the family.

Mr. MATHIAS. Mr. Speaker, during the past week the House of Representatives lost one of its senior Members. He was the Honorable CLARENCE CANNON, Representative from Missouri and chairman of the powerful House Committee on Appropriations.

CLARENCE CANNON leaves behind him a long record of congressional achievement. He will surely be missed in Washington and in the House of Representatives. Although he was a Democrat and, in fact, one of the ranking Democrats and a part of the Democratic leadership of the House, his voice was much respected on both sides of the aisle. This was primarily because he was not swayed by party influence in reporting truth to the American people.

On matters such as his advocacy of public power I did not quite agree with

CLARENCE CANNON but I always was impressed by the fact that he reported the fiscal facts of life to the American people just exactly as he saw them.

On January 21 of this year he made one of the most important speeches of his entire career. It was a speech analyzing the President's budget. During the course of this speech he made the remark, which I have often quoted, that his long years of experience in Congress indicated the desirability of reading the fine print and the back pages. It was just this sort of thing that CLARENCE CANNON did during his career in Congress. Then, analyzing the President's budget for this year he read the fine print and the back pages and proved to the satisfaction of most of us here in Congress that the budget is not a $97.9 billion budget at all but that it is a budget which will require expenditures of more than $100 billion in the coming fiscal year.

CLARENCE CANNON pointed out that the reason this budget was larger than it looked was because of the device of having supplemental appropriations passed in the current fiscal year and of selling fixed Government assets, such as the paper held by FHA and other Government agencies, in order to produce billions of dollars of cash which could be held over and expended during the fiscal year beginning June 30.

Now, I hope that with the close of CLARENCE CANNON's career we did not lose the tradition in Congress that we have an obligation to tell the people the truth whether it is on the subject of finance as he so often spoke up or in other areas of vital interest to the American people. I hope that the time never comes when party loyalty will obscure the basic integrity of people in public life so that they hide the facts from their constituents and from the public at large. I cannot imagine any duty which is greater or higher on the part of a Member of Congress than to speak out fearlessly and frankly on every public issue of which he has particular knowledge.

I don't think that any Member of Congress, be he a Republican or a Democrat, owes such loyalty to his own party that he would not frankly give to the American people his best judgment, his best knowledge, his best information on every matter of public concern that comes before him.

I repeat that there are matters in which I disagreed with CLARENCE CANNON. These are matters of policy, questions of opinion, but I have the highest respect for the man who never let anything influence his desire to state the facts, to present the record as he saw it, to give the American people the information which he felt they were entitled to have, without regard for who it would hurt, whose toes might be stepped on, or who could possibly have some recrimination against him as a politician. We will miss CLARENCE CANNON on both sides of the aisle in the House of Representatives.

Mr. HAGEN of California. Mr. Speaker, I am privileged to join with my colleagues in paying tribute to our late friend and associate, the Honorable CLARENCE CANNON, of Missouri.

I recall vividly the first occasion that I became acquainted with the personality and abilities of Mr. CANNON. I was not yet a Member of Congress. In following the Democratic National Convention on television I was struck by the appearance of an alert, elderly gentleman at the right hand of the chairman of the convention advising him on matters of procedure and I was much impressed both by his demeanor and competence.

Later I came to know him as a colleague and friend.

Mr. CANNON certainly earned the close friendship of the many people in Congress who had occasion to work with him. Truly he led a productive life—a life productive for the common good. His many accomplishments made him a figure of national and international importance and for such accomplishments standing alone he deserves commendation.

He deserves commendation in another respect. His achievement of a position of great power, honor, and respect did not change the basic simplicity and humbleness of the man. One of the marks of greatness is a refusal to forget the friends who helped one on the way up. CLARENCE CANNON never lost his Missouri character and the smalltown environment from which he developed. That character manifested itself in complete personal honesty and devotion to the welfare of this country.

Mr. RHODES of Arizona. Mr. Speaker, it was with profound sorrow that I learned of the passing of our great chairman of the Committee on Appropriations, the Honorable CLARENCE CANNON. Mr. CANNON's service in the Congress and in the Committee on Appropriations will continue always to be one of the bright spots in our country's legislative history. He was truly a great Member of the House in every sense of the word.

I remember as a veteran of World War II the excitement which prevailed when news reached the Armed Forces that the first atomic bomb had been exploded. The true story came out later, of how this project was financed in such a manner as to preserve its secrecy by the ingenuity, fortitude, and farsightedness of CLARENCE CANNON and the Honorable John Taber, of New York. This is only one of the great contributions made to our country by Mr. CANNON. There are many more—so many that it would be impossible to chronicle them in the time which is available.

Mr. CANNON was always considerate to me as a member of his committee and as a colleague in the House. I felt for him a deep and abiding respect, both for his intellect and ready wit, and for his ability as a legislator. I considered him as a friend, and I will miss him.

Mrs. Rhodes joins me in extending our deepest sympathy to Mrs. Cannon and to the bereaved family of the Honorable CLARENCE CANNON. May God rest his soul.

Mr. PATMAN. Mr. Speaker, it is impossible to surpass in sincerity or depth of feeling some of the things that have been so well and eloquently said in this Chamber on the passing of our brilliant and beloved colleague, Representative CLARENCE CANNON, of Missouri. But I knew him well and intimately and no measure of closeness to the color and the drama of his personality through the decades could diminish my sense of wonder at his many gifts as both a person and a legislator. He was the living symbol of the quality of endurance, of ruggedness, of forthright honesty intellectually, and in his political strategies and leadership. Probably no Member of this House in our time so remarkably provided living and dynamic proof of the good sense of the seniority process and the invaluable meaningfulness of experience and more and still more experience in the handling of the people's business than CLARENCE CANNON.

Here was a tried and true legislator in his 85th year of whom it could never be said that he was old in the sense that he was inadequate to the immense tasks he shouldered for the good of his country and for the distinction and the prestige of this House. To those of us who have known some of the greatest Americans in the last half century—personally, in some instances even intimately and under the greatest pressures of national and international crises—CLARENCE CANNON, as a man and a leader, stood out like the most American of Americans. For me, as I knew him almost up to the very hour of his passing from us, this, his marvelous identity with the accepted image of an American, of one of us who was as essentially native, as it was possible to be, was the greatest thing about him. One had the feeling that if, out of the vast population of our country, we could in high posts have half a score of such men of character and wisdom as CLARENCE CANNON, this country would be safe and secure from any of the dangers that beset it.

What I recognized in him was a mind that never flagged, a physical well-being that age and prodigious exertions could not attack. I could imagine no greater single element of loss to this country, no waste more disastrous in the sense of a capacity to make a contribution of leadership to this Chamber, than the resignation of CLARENCE CANNON from public life when he had reached, say, his 70th birthday, 15 years ago. Luckily, whether such persuasions were ever made or not, he, of course, never submitted to them, probably because he was aware in himself of undiminished powers and the fullness of life. For me as I sat with him, as I talked and listened, as I observed him in committee dealing with the most complicated aspects of the complex fiduciary problems of this country in this century, I had a feeling of immense pride, of warm and personal relationship.

I was proud because CLARENCE CANNON was one of ours.

The vital statistics of CLARENCE CANNON's life have always been well reviewed. I, for one, shall not weary of hearing them again and again. But only for a moment I want to talk, if I may, not about the data per se, but about what they prove in the character of the man. I like to think, because I believe it is true, that for some years as a teacher of history, he chose this career because it enriched his comparative knowledge of the story of his country, and because the subject intrigued his alert and vigorous young imagination. CLARENCE CANNON was a patriot in a profound and a deep sense that derived its strength as much from knowledge to the point of scholarship, as from emotion. He knew what he was patriotic about as a scientist may know his field from intense and devoted research. And this scholarliness, this unrelenting concern with research, with the facts, the detail, the mind- and body-wearying quest for the truth—the whole truth—of any problem, may be said to have been the quality that lent so much effectiveness to his legislative leadership.

When men said of him that he was tough it was this they were referring to. It was toughness of mind, not toughness in the tone of his voice, or the reaction to opposition. Once a man of CLARENCE CANNON's quality felt that he had the fullest command of the facts, and had arrived at his decision from knowledge and judgment based on experience, it was hard for him to abide dissension from those he felt were inadequately informed, or limited in their judgment.

Moreover the subjects that he dealt with as chairman of the Committee on Appropriations, and as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, called for a meticulous knowledge of a vast mass of precise data. He not only knew his homework, as the phrase goes, but he created the homework for others to do, and to him the materials with which he dealt were second nature. He not only knew his work, but he loved it as well.

What he had and what this called for, of course, was a mind that had a quick, even an instant, grasp of a formidable mountain of great facts as well as unlimited minutiae. If sometimes he was impatient, under the stress of time and the pressure of events, with those who often spoke heavily but with an only limited command of the subject, his disgruntlement could be understood. For one of the summations of his effort for his country may be better realized if I repeat what has been said again and again, that in his lifetime, CLARENCE CANNON played a major role in the expenditure of $1 trillion of his country's treasure. In that sense he is probably unique in the whole of human history since the days of antiquity. And no comptroller, no expert accountant, no genius of figures and mathematics, and no computing machines controlled by the ablest expert in finance, knew better or more thoroughly, what was what when it came to withholding or dispensing the people's money for the people's good.

If I may be pardoned a personal note, I say this not out of bereavement merely for a close and a good friend and colleague, but out of my knowledge of CLARENCE CANNON's workmanship in the field of fiduciary legislation. I say it because I happened to have lived much of my legislative life with a deep concern for the American dollar and what was being done to it. In fact, I know you will forgive me, if I point out that the closeness of my association with CLARENCE CANNON stemmed in no small part from the fact that as chairman of the Committee on Banking and Currency, and as chairman of such committees as the Joint Committee on Defense Production and the Joint Economic Committee, I constantly conferred and consulted with CLARENCE CANNON and, I am pleased to say, he, too, frequently sought my counsel.

Again, without going into the chronicle of his life, which already has been done so well, I think it pertinent to point out that the work which is so monumental and so definitive that CLARENCE CANNON did in the field of creative parliamentary studies was the basis, I feel, for his greatness as a Member of this Chamber. It was the beginning of his reputation as a stickler for accuracy and detail. He was a lawyer, a superb and scholarly parliamentarian, a teacher of history, a leader of men of the first magnitude, a stern patriot, and, in my judgment, one of the 5 or 10 greatest legislators this country has produced in all its history. His death will be felt in many places and chroniclers of this era will accord him his due down through the corridors of time. But there is no solace that can fill his place in our hearts, and no one we shall ever know who can fill his shoes.

Mr. HARRIS. Mr. Speaker, the Grim Reaper has again visited these Halls and called one of our most distinguished and beloved colleagues to his reward. Mr. CANNON served the Congress as an employee. He became Parliamentarian to the House of Representatives and left his imprint in the parliamentary procedures under which its business is conducted. He then became a Member of this body as a Representative of the great State of Missouri which has furnished so many outstanding men to our Nation. He was a man who gave his life to public service.

Never was there anyone more dedicated to the service he performed or the people he served. What an inspiration he has been to me and the other Members of Congress as he assumed the demanding duties of the chairmanship of the Committee on Appropriations and continued his outstanding work for the people of Missouri whom he represented so well for so many years. Indeed, he served all the people of this Nation.

He was beloved by all the Members of the House of Representatives for the services he performed and for the courtesies he has extended us through these years as we have appeared before his committee. His guidance and his counsel have become monuments to responsibility in public office.

Few men in the history of our Nation have served so ably or so devotedly or so long. We shall miss him.

Mr. WAGGONNER. Mr. Speaker, all too suddenly, we have lost a great man from our midst with the passing of our colleague, the Honorable CLARENCE CANNON.

Fully armed in every debate and discussion he was a formidable ally when he was on your side of an issue; equally formidable if he were on the other. We will not soon see his equal in either body.

He was an honorable man and I admire honorable men.

Even before I had the pleasure of knowing him personally, I knew of his stature through his monumental work, "Cannon's Procedure in the House of Representatives."

I can only envy those who knew him through a longer association here in the House. I profited by his friendship, by sharing in his wisdom and by the benefit of his strength of character.

Like every other Member of this body, I will miss him sorely.

Mr. CEDERBERG. Mr. Speaker, I join my colleagues today in paying tribute to a great American whose service in the Congress of the United States will be long remembered.

It was my privilege to be assigned to the Appropriations Committee of the House, on which he was serving when I first came to Congress, and so I became closely acquainted with Representative CANNON early in my service in this body. During the years, I have observed his keenness of mind and his astuteness as a legislator.

Few men in the Nation have a greater insight into the fiscal requirements of our Government than had our departed colleague. Few could equal his ability as a parliamentarian.

CLARENCE CANNON surely typified the type of statesman Emerson had in mind when he wrote:

> Not gold, but only men, can make
>   A nation great and strong;
> Men who, for truth and honor's sake
>   Stand fast and suffer long.
>
> Brave men, who work while others sleep,
>   Who dare, while others fly,
> They build a nation's pillars deep
>   And lift them to the sky!

Mr. MARTIN of Massachusetts. Mr. Speaker, death has taken from us one of our ablest and most dedicated leaders, Congressman CLARENCE CANNON, of Missouri.

In the long history of this body, few men have served as many terms, and few have contributed so much to its traditions of service to the American people.

Congressman CANNON began his career in the House on March 4, 1923, just one term ahead of my own service in this body. He served 21 consecutive terms, a remarkable record exceeded among present Members only by the distinguished Congressman from Georgia, the Honorable CARL VINSON.

Mr. CANNON will live in American history and in the traditions of this body for his distinguished contributions to orderly procedure. He was Parliamentarian of the House for three terms, his first term being under Champ Clark, and parliamentarian of the Democratic National Convention for 40 years. His rulings were based upon a complete knowledge of our legal and political precedents. He was the author of a book defining parliamentary procedure.

As chairman of the House Appropriations Committee for many years, he played a major role in shaping the policies and the programs of our country. Few men had a wider or more thorough grasp of the Nation's finances than the distinguished Missourian.

CLARENCE CANNON will be missed by all of us who knew him and who were privileged to work with him in the public interest. He will be missed by the American people.

I join with my colleagues in extending our heartfelt condolences to his family and to the people of his Missouri district. The country has lost a faithful servant it will sorely miss.

Mr. GARY. Mr. Speaker, I join my colleagues in the Congress today in paying tribute to CLARENCE CANNON, who was one of our distinguished leaders in the House of Representatives. It will be many years if ever, in fact, before the Congress sees the like of CLARENCE CANNON again. Though somewhat frail of frame, he was a vigorous and sometimes vehement warrior for what he thought was right. He was a champion of economy and he was never above debating the question in spirited and picturesque language that left no doubt as to where he stood. But above all he was a dedicated public servant who was familiar in every detail with the rules he helped to establish. His work, "Cannon's Procedure of the House of Representatives," for many years has been the legislative bible on the floor of the House.

It is reported that as a young lawyer he told friends he was coming to the Capital to see how the wheels turn. He stayed to become one of the wheels. From 1941 he served as chairman of the Appropriations Committee and it can be safely said that in this capacity he saved this country literally billions of dollars. It was my privilege to serve with him for nearly two decades as a member on that committee which was an experience I shall aways cherish.

Mr. CANNON's great influence is reflected in the swift action that has been taken this year on the appropriations bills in the House. Already nine regular bills for fiscal year 1965 have been cleared by the House. Only three remain in our committee. This speedy action resulted from a schedule announced by Chairman CANNON early in the session. The schedule was designed to complete the business of the Congress before the political conventions this summer.

I extend my heartfelt sympathy to his wife and his family whom he loved so dearly.

With the passing of CLARENCE CANNON the Congress has lost one of its ablest and most colorful Members, the Nation has lost one of its most dedicated public servants and I have lost a revered friend whose counsel, advice, and assistance have been invaluable to me in charting my course in the Congress.

Mr. Speaker, a truly great and good man has been taken from our midst.

> He so lived that when his summons came
> to join
> The innumerable caravan, which moves
> To that mysterious realm, where each shall
> take
> His chamber in the silent halls of death,
> He went not, like the quarry-slave at night
> Scourged to his dungeon, but, sustained and
> soothed
> By an unfaltering trust, approached his
> grave
> Like one who wraps the drapery of his couch
> About him, and lies down to pleasant dreams.

Mr. STUBBLEFIELD. Mr. Speaker, it was with a heavy heart and profound regret that I learned of the passing of a great American.

The country, as well as the Congress, has suffered a grave loss with the death of our distinguished colleague, CLARENCE CANNON, who has served his country in the House more than 40 years. In length of service, he was second only to the distinguished gentleman from Georgia.

Since coming to the Congress in 1923, Mr. CANNON served in many capacities and always with outstanding ability and distinction. As chairman of the important Appropriations Committee, he left his mark on every appropriations bill that has been approved by the Congress in recent years. As a parliamentarian he knew no par and has left an indelible imprint on the future operations of the Congress through his authorship of "Cannon's Procedure" and other works on parliamentary law.

I fell a genuine sense of personal loss at the passing of a good friend. I well remember his many kindnesses and great courtesy when I first came to Congress. His sympathetic understanding meant much to a green Congressman, and I am truly grateful to him for all the help he has extended to the members of the Kentucky delegation and the sympathy he has shown to Kentucky's needs.

I join with my distinguished colleagues today in paying tribute to a man of great ability, dedication, courage, and humanity, who will be sadly missed by all of us.

My deepest sympathy goes to his wife and the other members of his family.

Mr. JOELSON. Mr. Speaker, if I should attain old age I hope I may live it with the verve, youthful spirit, and sense of dedication that were all a part of CLARENCE CANNON, of Missouri.

Chairman CANNON was a vigorous adversary when he felt opposition to be required. Yet underneath his sometimes gruff exterior he was a man of genuine warmth, kindness, and geniality.

One of my prized mementos of Washington is a corncob pipe he gave me when I first visited him upon my selection as a member of the Appropriations Committee. At that time he reminisced about his years in Congress and his philosophy of government and life. As a new member of the committee, I was made to feel entirely welcome and at ease.

He has rendered great service to his Nation which mourns his loss.

Mr. BOLAND. Mr. Speaker, all of us are gathered today to honor and pay tribute to the memory of our esteemed colleague and friend, CLARENCE CANNON.

Well over half a century of CLARENCE CANNON's life has been devoted to serving the public good. He was born more than 85 years ago—on April 11, 1879—in Elsberry, Mo. Having received his education in his native State with a background in history and law, he was persuaded to come to Washington for a brief period to serve as clerk in the office of the Speaker of the House of Representatives. He continued on in Washington—became Parliamentarian in 1911. which position he held until his election to the 68th Congress to fill the vacancy of Representative Champ Clark. CLARENCE CANNON embarked on his congressional career on March 4, 1923, representing the Ninth Congressional District of Missouri, and was successfully reelected to every Congress since that time. When death suddenly claimed him last week he had become the dean of the House in terms of age and had represented his State for a longer period than any other Missourian.

Advancing years, however, did not affect the energy, vitality, and enthusiasm which he displayed in meeting the heavy demands of his office.

As a parliamentarian, he was unexcelled, and his writings on parliamentary rules and procedures have become standard reference tools in governing procedures of the House of Representatives. His keen ability and knowledge along this line also have been invaluable in the role he has played as parliamentarian at every Democratic National Convention since 1920.

CLARENCE CANNON's major contribution in the House of Representatives undoubtedly was his service on the Appropriations Committee. He occupied the position of chairman of this powerful committee almost without interruption since 1941. During this entire time he fearlessly and conscientiously fought to eliminate wasteful and unnecessary spending programs and to achieve more economies in Government operations. His untiring efforts undoubtedly contributed much toward keeping our national finances on a sound basis. While more than $1 trillion has been appropriated by Congress for Government operations during his term as chairman of this committee, CLARENCE CANNON may well be given much credit for cuts running into billions of dollars which have been made in executive budget requests. Thus his powerful and forceful influence has acted as a deterrent to wasteful Government spending which only adds to our budgetary deficits and to our large public debt.

During the past 10 years it has been my privilege to serve with CLARENCE CANNON on the Appropriations Committee of the House. During this entire time there has existed a warm and cordial relationship between us. He has always shown only kindness and consideration toward me, and I have counted him as one of my most valued friends.

CLARENCE CANNON was ever mindful of the constituents he represented in a rural district in Missouri. He was a friend of the farmer and sought always to secure legislation which would improve the lot of those living in rural communities. He actively supported parity payments, soil conservation, reclamation and flood control projects, and lending programs which made credit available to farmers at reasonable rates of interest. He also was a strong champion of public power.

He was an active member of the Board of Regents of the Smithsonian Institution and was ever seeking to maintain the high standards of this fine institution of knowledge. He played an important role in promoting the building of the new Museum of History and Technology.

CLARENCE CANNON's long years of dedication to public service has exerted a tremendous influence in shaping national policies which are benefiting all of our people.

His dear wife, daughters and grandchildren, to whom we extend our deep sympathy, may well be proud of this son of Missouri who has given of himself so unsparingly in the service of his country and who has contributed so much toward the advancement and preservation of our American way of life.

Mr. KILGORE. Mr. Speaker, CLARENCE CANNON had a considerable capacity for indignation—and considerable skill in expressing it. Since he was opposed, as a matter of principle, to extravagance in the conduct of Government and since he was for 22 years chairman of the House Appropriations Committee, he was frequently given opportunity to become indignant.

The late Congressman from Missouri was widely regarded as a crusty and combative man, and so he was. Yet there was another side to CLARENCE CANNON, quite unlike the dour image he rather consistently projected. The brusque exterior did not truly mirror his nature, for many Members of this House knew him as a straightforward, warmhearted individual who responded instantly to a friendly word or deed.

Not many weeks before Mr. CANNON's passing, I distributed to my colleagues bags of onions grown in my south Texas district. Back at once came a note from the chairman of the Appropriations Committee expressing his thanks for the onions.

Whenever I asked to appear before his committee, Mr. CANNON invariably sent me a friendly and cordial note setting the time for my appearance. I know that many other Members of the House have had similar experiences. I consider it worthy of note that this man, whose responsibilities were so heavy and whose knowledge of the House was so great, should have taken time to send such messages instead of simply having a secretary make a telephone call.

Those of us who had the privilege of serving with CLARENCE CANNON will never forget him. He was the only one of his kind.

Mr. ASPINALL. Mr. Speaker, I wish to join my colleagues in expressing my deepest sorrow on the passing of our highly respected and beloved friend, CLARENCE CANNON, and pay tribute to his great and good works. His passing takes from our midst a distinguished legislator and a great American whose outstanding service in this body over a span of more than four decades will stand as a monument to his name and a challenge to all of us who aspire to follow in his footsteps.

I believe that the influence of CLARENCE CANNON upon the House of Representatives will endure as long as this body exists. He was, of course, a powerful Member of the Congress. However, it was power based on respect for his ability and judgment. His sound judgment as chairman of the Committee on Appropriations has saved the American people billions of dollars.

Mr. Speaker, I want to make special reference to the fine working relationship and the cooperation that has existed between his Committee on Appropriations and the House Committee on Interior and Insular Affairs of which I have the honor to be chairman. He fully recognized the dual responsibility which our two committees have for the many important programs administered by the Department of the Interior. Chairman CANNON always insisted that the agencies appearing before his committee for funds obtain their authority for the programs through the legislative committees. Sometimes when the authority was questionable, he required agencies to present their programs to the legislative committees for their review and approval. In return, I have always made certain that Chairman CANNON and his committee were kept advised of my committee's position with respect to appropriation needs. On the day before he died, he wrote me expressing his desire to comply with certain wishes of my committee addressed to him by committee resolution.

CLARENCE CANNON will be missed by every Member of this body but he will not be forgotten. He leaves a mark on the House of Representatives which time will not obliterate.

I wish to extend the sympathy of Mrs. Aspinall and myself to Mrs. Cannon and the members of their family.

Mr. ICHORD. Mr. Speaker, the distinguished and brilliant career of a great man has ended with the passing of the beloved and greatly esteemed CLARENCE CANNON, who has served his district, State, and the Nation so well for so long. Those of us who had the privilege to know him personally have lost a dear friend, and the Nation has lost and mourns an energetic and fighting statesman.

The illustrious chairman of the House Appropriations committee so long associated with the Nation's purse strings was a man of extraordinary proportions measured by any criterion. He was forceful and a bulwark of strength in the Congress. He was resourceful. He was animated in his convictions for efficient and effective government. He was a renowned patriot, constantly depicting wisdom, and skill in managing affairs of State. CLARENCE CANNON was indeed a legislative technician, and his brilliant career of service to America is a hallmark of dedication and devotion to duty and the people he served so ably and conscientiously. A skillful parliamentarian, a champion of honesty, integrity, and courage, a truly great American, Congressman CLARENCE CANNON will live in the hearts and minds of Americans for years to come. History will record Missouri's CLARENCE CANNON as one of the greatest and most remarkable legislative craftsmen whose influence had a tremendous impact on democratic government.

The life, character, service, career, and principles of CLARENCE CANNON have been monumental contributions to maintaining the ideals and traditions of the House of Representatives for over 41 years. By his very presence he generated a spirit of elevated standards and axioms of highest quality.

In public life and private life Mr. CANNON expressly portrayed the words of William Ernest Henley's "Invictus":

> It matters not how strait the gait,
> How charged with punishment the scroll.
> I am the master of my fate, I am the captain of my soul.

I shall always cherish my close association with the departed, and I shall miss his wise counsel. In his passing the House of Representatives has lost a "master legislator" and I have lost a dear friend. To his loved ones I extend my heartfelt condolences.

Mr. JOHNSON of Wisconsin. Mr. Speaker, a great deal has been—and will continue to be—written and said about the many accomplishments during the long and fruitful career of our distinguished colleague, the late Congressman CLARENCE CANNON, of Missouri. However, it is impossible to capture with mere words the scope and magnitude of his 41 years of public service as a Member of the House of Representatives.

Prior to that time, he served the House and the Nation well as House Parliamentarian. His books, "Cannon's Precedents" and "Cannon Procedures," have been and will continue to be the outstanding authoritative works in the area of parliamentary procedure in the House.

During my 11 years in the House of Representatives, I came to know, respect, and like Congressman CANNON in his capacity as chairman of the House Appropriations Committee, a fantastically complicated job which he handled with knowledgeable care and admirable dispatch. As Time magazine observed, he performed "a considerable public service as an Appropriations Committee chairman who spent the taxpayers' money as charily as if it were his own."

Mr. Speaker, when I first met Chairman CANNON, I was amazed at his thorough knowledge of the multitudinous items that make up a proposed budget for a fiscal year. It seems more than one man could possibly remember. However, as I made my yearly appearance before the Public Works Appropriations Subcommittee in behalf of funds for a flood control project in my district, I soon learned that Chairman CANNON did, indeed, remember the particulars of the Eau Galle River flood control project at Spring Valley, Wis.

At the beginning of the 87th Congress, I was pleased and honored when Chairman CANNON asked me if I would consider becoming a member of the House Appropriations Committee. Because the district I represent in Congress is predominantly rural, I decided I could best serve it by remaining on the House Agriculture Committee. However, I regretted the necessity of passing up the opportunity of serving on a committee with Chairman CANNON.

Among the letters which I will always treasure is the one I received from

Chairman CANNON at the time I announced my decision to retire from Congress at the close of this year. He wrote:

> You have had years of experience during a particularly critical period of the history of the country—and nothing takes the place of experience—and personal, first-hand knowledge.

Mr. Speaker, this statement was certainly true of the man who wrote it—Congressman CLARENCE CANNON.

Mr. MINSHALL. Mr. Speaker, the unexpected news of the death of my chairman, the Honorable CLARENCE CANNON, casts a long shadow across the second session of this session of this Congress.

Although his years were many, and his term of service second longest in the House of Reprsentatives, we on the Appropriations Committee looked forward to many more years under his brilliant leadership.

We shall miss his wisdom, his unsparing insight into the fiscal policies of the Nation. Party lines dissolved when Chairman CANNON presented his yearly budget summation: he did not know the meaning of partisanship when the Nation's fiscal integrity came under his scrutiny.

He will be long remembered by his countrymen, and particularly those of us who had the honor to serve with him.

Mr. HALEY. Mr. Speaker, it is always a sad occasion when we pause in our deliberations to pay tribute to a departed colleague. It is particularly so today when we honor our departed friend, CLARENCE CANNON. Probably no Member of this august body has left us such a great legacy as this one man who did so much to develop the orderly procedures of the House of Representatives. His proficiency as a parliamentarian is unequaled in our history and he has left us our own rule book, "Cannon's Procedure in the House of Representatives."

Beyond a doubt, he was one of the most outstanding men to serve in the House in the last 50 years. He was a man of deep convictions and had the courage to uphold those convictions. We need more men of his quality and character.

He was a stanch defender of the position of the House of Representatives, fighting always to protect its constitutional powers and its prerogatives.

Because of his intimate knowledge of the workings of our Federal Government and our legislative procedure, he probably saved the taxpayers of this Nation billions of dollars during his lifetime. His prestige was so great when it came to fiscal matters that few people questioned his judgment on such issues.

We have lost one of the most able and effective men to ever serve our United States. We have lost one of the greatest Americans of our time.

To his family, I express my deepest sympathy. I hope they will find some consolation in the knowledge that their personal loss is shared by all of us in this Chamber and by the American people as a whole.

Mr. SHEPPARD. Mr. Speaker, it is fitting and proper that we should pause, consider, and pay homage to the deeds and the memory of our late colleague, CLARENCE CANNON. Only as this body and this Nation remember the deeds of the great men who have served here, do we find for ourselves the inspiration to achieve great things for our country in the future. Men, today, will pay tribute to his achievements in the field of parliamentary law and legislation. Yet, basically, CLARENCE CANNON was a historian. He loved, lived, and, to some extent, made the history of America. It was this love and this desire to make this Nation great that led to his numerous achievements in other fields. Whether it was here in this body, in his home State, in the political party to which he belonged and served so well, or on the Board of Regents of the Smithsonian Institution, which I think, deep down, was the dearest to him of all of his public services, this was his motivating factor.

This man was a proud man. Proud of his nation; proud, yes, of his accomplishments; proud of his committee, which he so ably led. This was a man of intimate acquaintance with Presidents and of the great of his age. Yet a man who was loved by the ordinary people of America: the farmer in his district; the hometown member of his Masonic lodge; the messenger of his committee. This was a humble man who carried silver dollars in his pockets to pass out to children and to others with whom he came in contact with the age-old admonition:

> Hold on to this, and you will never go broke.

Yes, as CLARENCE CANNON deserves and holds a niche of greatness in the hall of fame of the House of Representatives and of this Nation, so he holds a niche of love, respect and admiration in the hearts and minds of a countless legion of ordinary people with whom he came in contact. I am proud to be a member of that legion.

Mr. CANNON's love for America was evidenced in his desire to make this Nation strong, both economically and militarily. His outstanding achievements in the former field cause many to overlook similar achievements in the latter. The contributions which he made to the military application of atomic energy can never be told. I am certain, because of my own knowledge of his activities, that we would not possess the powerful nuclear submarine threat we have today were it not for the farsighted vision of our colleague in this field. His championship of the Strategic Air Command helped to make this a major weapon system in the arsenal of the free world. Needless to say, at times we differed on how best to provide the military strength we both knew our country required. Yet it was a difference of means to an end, not in the end itself. This Nation owes a debt it can never repay to CLARENCE CANNON or his contributions to our military power.

The outstanding personal characteristic of Mr. CANNON was the simple fact that this was a fearless man. All too often we see in the political life of the House and of this country actions based on the age-old admonition to "Go along and you will get along." CLARENCE CANNON never followed this admonition. It mattered not to him whether he was a minority of one or had the backing of the entire House, as long as in his own mind he was convinced that his action and his vote were in the best interest of this Nation and was the proper thing to do. Mr. Speaker, truly this was a man. As we seek inspiration from his life for our own future, I know of no greater characteristic than this which we should emulate.

Mr. Speaker, the House has lost a great leader; the people of his beloved State of Missouri have lost a great champion; and I have lost a tried and a true friend. My only hope is that the life that he led—his utmost devotion to this House and its institutions, to this Nation and its ideals—will serve as a beacon light of inspiration to those who follow him. I extend my heartfelt sympathies to his beloved wife and companion, who contributed so much to his success in the field of public service and who was in the final analysis his greatest joy and pride.

Mr. FLOOD. Mr. Speaker, the story of CLARENCE CANNON is, in a strong sense, the story of parliamentary effectiveness in a democracy. CLARENCE CANNON may be said to stand out as the symbol of leadership achieved by merit. No matter how the principle of seniority may be criticized, the chemistry of command by force of personality and qualification asserts itself. In one form or another the man with the stuff rises to a position of power, and the man without it falls into his just niche determined by his own limitations.

If we review the life and career of CLARENCE CANNON in this light, the ruthless and pitiless light of the truth and the light of competitiveness among the men of superior merit with whom he worked in this Chamber, we see what it was that made CLARENCE CANNON the man of distinction, the man of power, the man of trust. He led and influenced other men and his colleagues, because he was the complete master of the field in which he operated. Men of great patriotism and distinction who were willing to accept his preeminence did so because they knew that here was a champion, a professional, and a topmost authority on the parliamentary subjects and the national issues to which he dedicated his life.

With me all that I am saying is a matter of not only objective observation, but, I confess, a matter of great emotional consideration. My sympathies are too great for me to divorce myself as a friend and a colleague, from CLARENCE CANNON, and evaluate him as if I were a historian in another century.

I did know him.

I did work with him.

I saw at close range the stature and the quality of the man and I was impressed, not as one is impressed by an episode, a vignette that illustrates the life and character of the man, but as one is impressed by a whole multitude of characteristics. It is this proximity, this interweaving of one's own affairs and points of view with that of CLARENCE CANNON, that makes my feelings toward him, now that he is gone from us, so full of the deepest bereavement I have known since I first came to this Chamber.

When I say I worked with him and therefore knew him as a colleague and a coworker I say this in its deepest and broadest meaning. To CLARENCE CANNON the people's money was a sacred trust. An appropriation that held great popular values but was inherently unsound—was treated not from the standpoint of political gain, but from the standpoint of the national good. We toiled long hours, on broad issues and narrow, in the Committee on Appropriations. Likewise in the work of the Subcommittee on Defense, where appropriations are the very soul of the programs under decision, the insight and judgment, the knowledge and the diligence of CLARENCE CANNON, represented what I may call guidelines indispensable to the ultimate determinations of fiduciary policies. In some committees he was there even when he was not physically present and not actually a member.

We had our own independent judgments.

We, each of us in his own views, sought to arrive at a consensus, at a determination that would strengthen our country. And, invariably, we found CLARENCE CANNON like the Rock of Gibraltar, a mighty, living, parliamentary resource, an expert who was dependable and reliable. He was solid, and he provided a source of knowledgeable reassurance. This was true whether CLARENCE CANNON was actually a member of the committee, or whether the committee's work was, in some way, involved with the reach of his power and influence from his leadership role in a related committee. For myself I always had a feeling that any conference, any consultation, any suggestion that had the voice and wisdom of CLARENCE CANNON behind it, ended on a somehow higher level of decision.

There is of course another and a more human aspect to the life of this great legislator whom we mourn. Men who are as forthright as he was, as honest in their talk, as direct and as free of cant, are very apt to have strong and enduring friendships, and, occasionally, strong and relentless opposition. For me CLARENCE CANNON was the type of man who held out, on the basis of the firmest qualities of character, a friendship that I thought of as indestructible. Those of us who appreciated his true qualities as a patriot, as an educated gentleman, as a superb authority in the field of parliamentary procedure, as a former teacher of history, appreciated him mostly as a man and a friend. All of CLARENCE CANNON, as I saw him, his special gifts as a fiduciary expert, as a parliamentarian, as a master of higher politics, as a genius of political strategy, as a legislative craftsman, contributed to the greatest of all his qualities: his eminence as a human being and a friend.

We here in this Chamber who knew him intimately and worked with him, elbow to elbow, pray to high heaven that in the critical years that are ahead Providence will send to this House of Representatives, honorable, forceful, friendly, patriotic, noble men of leadership like CLARENCE CANNON.

Mr. Speaker, as a member of the Committee on Appropriations, I have been closely associated with the late Chairman CLARENCE CANNON of that committee and got to know him well.

He was one of the hardest working men I ever knew; and possessed, in outstanding degree, the indispensable requisites of the true leader—knowledge and courage.

Faced with the gravest responsibilities in the formulation of annual appropriation bills, he did not limit his interests to matters of budgetary administration but attained a deep insight into the nature of the problems of Government that will place him among the ablest men ever to serve as chairman of the Committee on Appropriations.

Like a distinguished predecessor, Representative Martin B. Madden, after whom the Madden Dam project in the Canal Zone was named, Chairman CANNON developed an intelligent interest in the problems of the Panama Canal. He always used the power of his responsible position to protect the vital interests of the United States in defending our treaty-based sovereignty and jurisdiction over that strategically located waterway against subversive attack.

He often stated to me that it would be as absurd to discuss surrendering the Canal Zone territory to Panama as to propose the return of the Louisiana Purchase Territory to France.

Congressman CANNON deplored the raising of the Panama flag in the Canal Zone in 1960 and foresaw the trouble to which it would lead. In an effort to clarify, make definite, and reaffirm our historic Panama Canal policy, he introduced House Concurrent Resolution 105 on March 4, 1963, and strove to secure its adoption by the House.

Unfortunately, timely action was not taken and now death has removed his guiding hand before he could succeed. The resolution, in which he was so greatly interested, is now before the Committee on Foreign Affairs.

Mr. Speaker, I can think of no more appropriate memorial on which to record the name of CLARENCE CANNON in the history of the United States than prompt adoption by the Congress of the Cannon resolution—House Concurrent Resolution 105—which I insert at this point:

H. CON. RES. 105

Whereas the United States, under the Hay-Bunau-Varilla Treaty of 1903 with Panama, acquired complete and exclusive sovereignty over the Canal Zone in perpetuity for construction of the Panama Canal and its perpetual maintenance, operation, sanitation, and protection; and

Whereas all jurisdiction of the Republic of Panama over the Canal Zone ceased on exchange or ratifications of the 1903 treaty on February 26, 1904; and

Whereas since that time the United States has continuously exercised exclusive sovereignty and control over the Canal Zone and the Panama Canal; and

Whereas where responsibility is imposed there must be given for its effectuation adequate authority; and with respect to the Panama Canal the treaty of 1903 so provided; and

Whereas the United States has fully and effectively discharged all its treaty obligations with respect to the Panama Canal and the only legitimate interest that Panama can have in the sovereignty of the Canal Zone is one of reversionary character that can never become operative unless the United States should abandon the canal enterprise; and

Whereas the policy of the United States since President Hayes' message to the Congress on March 8, 1880, has been for an interoceanic canal "under American control," that is to say, under the control of the United States; and

Whereas the grant by Panama to the United States of exclusive sovereignty over the Canal Zone for the aforesaid purposes was an absolute, indispensable condition precedent to the great task undertaken by the United States in the construction and perpetual maintenance, operation, sanitation, and protection of the Panama Canal, for the benefits of the entire world; and for which rights, the United States has paid the Republic of Panama the full indemnity and annuities agreed upon by the two nations; and

Where, on February 2, 1960, the House of Representatives in the Eighty-sixth Congress, by an overwhelming vote, approved House Concurrent Resolution Numbered 459, favorably reported by the Committee on Foreign Affairs, as follows:

"*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that any variation in the traditional interpretation of the treaties of 1903, 1936, and 1955 between the United States and the Republic of Panama, with special reference to matters concerning territorial sovereignty shall be made only pursuant to treaty."

Whereas, because of continuing claims of sovereignty over the Canal Zone by Panama which, if granted, would liquidate United States control of the Panama Canal and Canal Zone, a further declaration by the Eighty-eighth Congress is deemed necessary and timely: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That (1) the United States, under treaty provisions, constitutionally acquired and holds, in perpetuity, exclusive sovereignty and control over the Canal Zone for the construction of the Panama Canal and its perpetual maintenance, operation, sanitation, and protection; and

(2) That there can be no just claim by the Republic of Panama for the exercise of any sovereignty of whatever character over the Canal Zone so long as the United States discharges its duties and obligations with respect to the canal; and

(3) That the formal display of any official flag over the Canal Zone other than that of the United State is violative of law, treaty, international usage, and the historic canal policy of the United States as fully upheld by its highest courts and administrative officials; and will lead to confusion and chaos in the administration of the Panama Canal enterprise.

(4) That the provisions of House Concurrent Resolution Numbered 459, Eighty-sixth Congress, are reiterated and reemphasized.

Mr. ADDABBO. Mr. Speaker, it was with profound sorrow and a great sense of loss that I learned of the death of our beloved colleague, CLARENCE CANNON. This House has lost one of its most devoted and diligent members, and it is difficult to think of the House of Representatives without CLARENCE CANNON.

While I have been a member of the Committee on Appropriations for approximately a year and a half, I am thankful for the privilege of having served under his chairmanship for that relatively short period. Anyone who has served with him will never forget his dynamic personality, his devotion to his country and this House, and his capabilities. He, through his life's work, has carved his place in our history and forever he will remain there.

Mrs. Addabbo joins me in extending our deepest sympathy to Mrs. Cannon and all his family and ask that God comfort them as only He can.

Mr. DUNCAN. Mr. Speaker, on May 12, 1964, when Representative CLARENCE CANNON, of Missouri, passed away, the Nation lost a great leader, the House a devoted, able and conscientious legislator and chairman, and I, as a freshman Congressman, lost a man who had become my friend.

I am proud and deeply conscious of having touched a little of the greatness of the fabric of American history because I knew CLARENCE CANNON.

He represented the same district in Missouri in which my father was born and reared and he treated me as a constituent as well as a colleague—my problems were his problems and he gave freely of his time to solve them.

He remembered well Mr. A. W. Lafferty, who represented Oregon in this body some 50 years ago, and was quick to come to his aid a few months ago when Mr. Lafferty was dying and needed help.

His name will always be large not only in the history of the House of Representatives but in the making of this great Nation of ours. But those of us who knew him, whether for 1 day or half a century, know that his true greatness was in his humanness. He understood and felt the problems of his fellow man—the A. W. Laffertys—and he sought to do something about them. He was first a man.

Mr. DELANEY. Mr. Speaker, last week one of the strongest men ever to stand in our midst, CLARENCE CANNON, passed away at the age of 85. While I cannot begin to assess the void his death has left in this Chamber, I would like to express my own sadness at his passing and the deep respect which I hold for the memory of that fiery gentleman from Missouri.

CLARENCE CANNON was a rare combination of intellect and courage. Cannon's Precedents and Cannon's Procedure stand as monuments to his unique ability to understand, absorb, and manipulate the complexities of parliamentary procedure. The tough-minded, no-nonsense manner in which he carried out the fight against what he considered spending money we do not have for things we do not need showed a courage and tenacity few men possess.

With his colorful personality, scrappy attitude, and keen mind, CLARENCE CANNON grew into a powerful force in this Congress. In his tenure as chairman of the Committee on Appropriations he presided over the spending of more than a trillion dollars. Yet he maintained a deep concern for the American taxpayer and his money.

I believe that President Johnson summed it up best when he said that CLARENCE CANNON had "left a distinguished imprint upon the decisions and policies of our times. We shall miss his counsel, his candor, and the courage with which he held steadfastly to his convictions."

To these fine sentiments, I add my heartfelt "Amen."

Mr. FOGARTY. Mr. Speaker, there are many men in this Nation with native intelligence such as CLARENCE CANNON had, and with his selfless will to work for the good of their country; but the additional trait that made him a truly great man, and the trait that I most admired in him, was his complete intellectual integrity and honesty. Once he had studied a proposition through and made up his mind what was in the best interests of the country, he was resolute in the support of what he was convinced was right. He was resolute whether this was the majority view or the minority view, whether this was or was not the view of the President, the Speaker of the House, or his subcommittee chairmen—of which I am proud to have been one who served under him for 14 years of his 19 years as chairman of the Committee on Appropriations.

Obviously such objective and impersonal support for what he knew in his mind and heart to be right was not always easy and was not always popular. I know I have been irritated, and I am sure almost every Member of this House has been irritated at some time, by CLARENCE CANNON's undeviating pursuit of the ends he was convinced were right, regardless of whose opinions might be different. But with every passing year he gained in stature and he gained in the admiration of everyone, for he played no favoritism and, with the passage of time, it became overwhelmingly evident to us all that his every thought and every action in his work in this House was aimed at carrying out the best interests of his country.

I am reminded, as I think of CLARENCE CANNON, of something the great Secretary of State, James G. Blaine, said 82 years ago. Secretary Blaine had previously served 13 years in the House and was Speaker during 6 of those years. In an address he delivered February 27, 1882, he stated:

> There is no test of a man's ability in any department of public life more severe than service in the House of Representatives; there is no place where so little deference is paid to reputation previously acquired or to eminence won outside; no place where so little consideration is shown for the feelings or the failures of beginners. What a man gains in the House he gains by the sheer force of his own character, and if he loses and falls back he must expect no mercy, and will receive no sympathy. It is a field in which the survival of the strongest is the recognized rule and where no pretense can deceive and no glamor can mislead. The real man is discovered, his worth is impartially weighed, his rank is irreversibly decreed.

History will record CLARENCE CANNON as one of the great men of our time. And, certainly, he gained his greatness "by the sheer force of his own character." His character and personality have not only influenced this House and each of its Members in the years gone by, but will be a continuing influence for many, many years to come.

Mr. MILLS. Mr. Speaker, this is indeed a sad occasion. When I received word that our esteemed and admired colleague of many years service had suddenly passed away, I reflected upon those monumental contributions which he has made in the public interest over these many years.

Mr. Speaker, our departed colleague, the Honorable CLARENCE CANNON, will be evaluated by the historians of the future as one of the towering oaks in the long history of the House of Representatives. For some 20 years CLARENCE CANNON served as the chairman of one of the most crucial and powerful committees in the Congress of the United States. In carrying out his responsibilities to his constituents and to the people of this Nation, he shouldered burdens of a heavy nature and through his patriotism, his outstanding intellect and his high devotion to duty, he served the people of this country well and good. The chairman of the Appropriations Committee of the House of Representatives has a peculiar and special responsibility not only because of the effect on the economy of the enormous sums of money handled by that committee for the operation of the Government, but also because of the responsibilities which devolve upon that committee and its subcommittees in the actual programing of public policy for the Nation in all the fields of its very broad jurisdiction.

CLARENCE CANNON had been a Member of the House of Representatives for a long time before the vast majority of us came to the Congress. His talents were manifold. His name had over the years become almost legend among legislators. Indeed, the stack of books within which we find codified the precedents and the rulings of the Speaker, the Parliamentarian and the Chair in the House of Representatives bear his name. CANNON's precedents is known throughout the legal world as a reference work on the operation of the House of Representatives.

This is a sad day for all of us. The Nation has lost a great and devoted public servant. His constituency has lost a valued and conscientious representative. We have all lost a warm and close personal friend.

My deepest sympathies are extended to Mrs. Cannon and their two daughters.

Mr. ARENDS. Mr. Speaker, there are no words to express the deep loss I personally feel with the passing of CLARENCE CANNON. We all feel a sorrow that is overwhelming.

There is little that I can add to what has been said about this kindly, scholarly gentleman from Missouri who has served with distinction in the House for 41 years. Indeed, there is nothing any of us can say that would add to towering stature as a man of character, ability, and accomplishments. His contribution to the House of Representatives will stand forever as a beacon to guide and encourage us, and all who come after us, through any legislative crisis that may beset us.

To CLARENCE CANNON, more than to any other man, we are indebted for the great body of parliamentary law upon which this great deliberative body operates. It is this body of law—the work of the keen mind and willing hand of our beloved colleague—that insures all of us, whatever our political faith, that this House is, and forever will be, the voice of the American people, wherever they reside and whatever their wishes and wants.

As chairman of the Committee on Appropriations, CLARENCE served as chief custodian of the Nation's purse. And in this capacity he was ever watchful of the hard-earned dollars the people deposited in the U.S. Treasury. In recent years he repeatedly warned against reckless spending and budgetary devices that only result in self-deception. His ominous words as to our precarious fiscal situation and the need for fiscal responsibility fill many pages of the RECORD.

CLARENCE CANNON was a Democrat. He was a good Democrat. He was loyal to his party and he served his party well. To this many on the other side of the aisle have testified. From this side let it be said that he placed country above any political consideration when there came in issue a matter of principle with him. He was a man of conviction born of many years of study and experience. And he had the courage of his convictions, ready to express them without fear and without favor. Such a man all men, friend and foe in the political arena admire and respect.

The works and deeds of CLARENCE CANNON are a lasting monument to him. While he is no longer with us, he will live for all time.

I feel this loss deeply, Mr. Speaker.

Mr. KEOGH. Mr. Speaker, today Members on both sides of the aisle, irrespective of party affiliation, are paying their tributes to a true parliamentarian, our highly respected late colleague, CLARENCE CANNON. The dictionary says that a parliamentarian is a person versed in the rules and usages of a parliamentary body—and over a period of two generations CLARENCE CANNON has fitted that definition more eminently than any other Member. For more than 40 years he has become known almost immediately to every new Member of the House through his famous and indispensable volume, "Cannon Procedure in the House of Representatives." His major contribution in compiling the precedents of the House in the volumes of CANNON's precedents has greatly facilitated the smooth operation of this body. As a matter of fact, parliamentarians from all over the world have acquired a knowledge of congressional procedure and rules through his writings. His work in this field alone merits for him the undying gratitude and respect of all the Members.

But CLARENCE CANNON's expertise in matters relating to the rules and usages of the House of Representatives, as great as it unquestionably was, did not equal his dedication and effectiveness as the watchdog of the appropriations requested of and granted by the Congress. His single mindedness in his desire and efforts to secure the most benefit from the taxpayers' dollars reaped countless savings over the years. It has been estimated that, during the time while he served as chairman and ranking Democratic member of the Committee on Appropriations, the Congress passed upon budget requests amounting to about a trillion dollars—all of which he considered painstakingly with the view of achieving savings. His perseverance and unstinting labor in behalf of the American people were the manifestations of a truly dedicated spirit and the character of CLARENCE CANNON. He could easily have found popularity in many quarters if he had been willing to forgo his principles, but such action would have been completely foreign to him.

We today are honoring him in death, but he did not have to wait for the many honors and the respect his colleagues and Americans everywhere accorded him during his life. These sometimes took the form of the silent admiration of the Members even when they were constrained to differ with his position on a particular matter. They took a more material form in the award of honorary degrees conferred upon him by institutions of learning.

CLARENCE CANNON will be greatly missed by his colleagues and by the American people. His kind of honesty, courage, and steadfastness are not easily come by. Millions of Americans viewing the forthcoming Democratic National Convention on television will be conscious of his absence as parliamentarian. Far more, the chairman of the convention will miss his guidance and ready answers to parliamentary problems as they arise in the course of the proceedings.

Mr. Speaker, I particularly want to express my sincere condolences to CLARENCE CANNON's dear wife to whom he was so devoted and to his daughters and their children. We know what a great loss his passing has brought to them—a loss that may more easily be borne in the knowledge that it is shared with so many.

Mr. DORN. Mr. Speaker, CLARENCE CANNON was one of the greatest men to serve in this House in all of its history. We all know of CLARENCE CANNON's parliamentary ability, the masterful way in which he presided over the great Committee on Appropriations, but, Mr. Speaker, I will always remember CLARENCE CANNON as one of the foremost experts of his time on air power, missiles, and the Polaris submarine. He ranked with Alexander P. de Seversky in his ability to see into the future. CLARENCE CANNON, though elderly in years, was one of the world's leading proponents of science and technology in warfare. His speeches on the floor were masterpieces. Were it not for a few dynamic leaders like CLARENCE CANNON, this Nation could have lost the cold war in the field of military science and technology. In this respect I believe CLARENCE CANNON made his contribution to this Nation and to the freedom of the Western World. He gave us air power at a critical time before the missile and space age. He took the lead in the Polaris submarine at a time when great battleships and some carriers were obsolete.

This Nation will always be indebted to this great individualist. CLARENCE CANNON was a rugged individual. He could give and he could take. This Nation has lost a great statesman, a great patriot, and this House has lost a great leader.

Mrs. Dorn and my family join me in my deepest sympathy to Mrs. Cannon and the family.

Mr. SLACK. Mr. Speaker, we are met today to memorialize the passing of a colleague whose influence will be felt in the workings of this body for many years to come. He was a man whose sense of dedication to a great responsibility defies ordinary description.

He was one who acted and spoke only to his principles and his convictions. And he repeated his urging and admonitions in this Chamber to three generations of Americans.

To the North, the South, the East, or the West, he was truly the composite national legislator, the man foreseen by our Founding Fathers in the Constitutional Convention of 1787, the man to whom the proper making of the law and handling of the public funds would be the preeminent public trust.

The status of our Nation is built on the careers of such men. They perform the demanding and necessary job which must be done every day. They make the hard and often unpopular decisions. Their only watchword is duty, and they bring to the performance of duty a sense of purpose which permits no interference by those with selfish motives.

All of us here today are convinced that we have in this country the best form of government ever devised by man to govern himself. We have our faults and we have made our mistakes, but we learn from the mistakes and we move forward slowly with the grand design for universal freedom, the extension of government by consent of the governed to all of the nations of the earth.

Within the framework of this grand design we must first perform successfully ourselves to set the example for others, and there is no more important aspects of our performance to a government than the fair, judicious and informed handling of the public moneys. History teaches us that thousands of governments, large and small, from the most idealistic to the most tyrannical, have disintegrated through failure to recognize the need for a sound fiscal base upon which to build through government action.

A knowledge of history brought home that lesson long ago to CLARENCE CANNON of Missouri, so long ago that some of us here were not yet born, but it became for him a principle not subject to manipulation or distortion.

In a long time of dedication to a major public trust, with a course charted by adherence to firm principles, it was never his objective to be the most glamorous individual in Washington or the most popular Member of Congress, or the person sought out by the press for witty comment on affairs of the day. He recognized and accepted the fact that the membership of this House contained many colleagues who considered themselves to be more glamorous or popular or more brightly spoken. But the years had also taught him that these attributes are personal luxuries which melt away when a Congressman must face the repeated drumfire of criticism arising out of his decisions in line of duty.

As we mark the formal end to the official career of Congressman CLARENCE CANNON here today, it is fitting for us to recall again for a moment that word "duty" which exercised the controlling influence in all of his official actions. By the standards he set, we would do well to measure our own.

Mr. FALLON. Mr. Speaker, I rise to give expression to the sadness and deep regret which all of us feel on the passing of our beloved colleague, CLARENCE CANNON.

Throughout his long tenure of some 41 years in the House of Representatives, CLARENCE CANNON has demonstrated that he has had not just the interests of the people of the Ninth Congressional District of Missouri at heart, but those of the entire Nation as well.

Born in Elsberry, Mo., some 85 years ago, this man by study, hard work, and conscientious devotion to duty had risen to occupy one of the most powerful and influential positions in our Congress today.

Among the great contributions which he has rendered during his years of service in the Congress are his writings on parliamentary rules and procedures which today serve as a guide in applying the rules of the House of Representatives. The works he has published such as "Cannon's Procedure in the House of Representatives," "A Synopsis of the Procedure of the House," "Convention Parliamentary Manual," and numerous other treatises made him the foremost authority on this subject in the world.

CLARENCE CANNON would probably consider as his main contribution in public life his serving as watchdog of our national purse strings. He has served with distinction as chairman of the House Appropriations Committee longer than any other man in our national history—since 1941—with the exception of 4 years during which our Republican colleagues have occupied this position. CLARENCE CANNON's dedication to economy in Government operations has left its imprint on every money bill which has been approved by the House during his long term of office. During the years of his service on this committee, Congress has voted more than a trillion dollars in funds for the many Federal programs and activities for which money must be provided each year. Despite the huge sums which have been appropriated during these years, especially during the critical years of World War II and the Korean war, he was proudest of the billions of dollars which his committee was able to cut from spending requests in its careful review of individual programs. Thus CLARENCE CANNON has exerted a tremendous influence on shaping our national budget policy. By his efforts, millions of dollars of our taxpayer's money have undoubtedly been saved.

Representing a rural community in his own congressional district and being a farmer himself, he was ever mindful of protecting and promoting the interests of American farmers. He vigorously supported legislation which would benefit this group such as providing for parity payments, making loans available to farmers at low rates of interest, authorizing soil conservation, reclamation and flood control projects, agricultural research and rural electrification.

CLARENCE CANNON's keen intellectual ability has not been wasted. His life has always been one entirely dedicated to the welfare of the people of Missouri and the Nation as a whole.

Each and every one of us express our deepest sympathy to his wife and family to whom he has been deeply devoted.

The vacancy created by CLARENCE CANNON's sudden death will not easily be filled. His unselfish devotion to the public good will always be a source of inspiration to those of us remaining. His life has made an indelible impression on all who knew him and is a worthy example for all of us to follow.

Mr. DERWINSKI. Mr. Speaker, our beloved colleague, CLARENCE CANNON, had become a legend in his lifetime and his passing is a great shock to all Members who, in a sense, considered him one of the permanent foundations of the House of Representatives.

His service to the House must be measured not only in the years he spent as a Member, but more importantly, the effective manner in which he performed as chairman of the Committee on Appropriations. His knowledge of the appropriations machinery, and his thorough mastery of the Federal budget made him a key figure in our involved governmental structure. He truly represented check and balance on the excessive demands of the bureaucrats for spending schemes. He was a tower of strength in the House. His experience, knowledge, and dedication to his committee assignment is a credit to the legislative branch of Government.

The respect in which all Members held him is a tribute to his leadership. To say that he will be missed is an understatement. He will be missed not only by the people of his district who so often reelected him, but he will be missed by all of us who served with him, and especially by the people throughout the 50 States whom he served so effectively.

Mrs. Derwinski and I express to Mrs. Cannon and her family our deepest sympathy. We realize, however, that his long record of public service will forever be remembered and cherished. He has left an imprint on the Congress that will long endure.

Mr. AUCHINCLOSS. Mr. Speaker, one of the earliest experiences which I had when I first came to Congress in 1942 was meeting with CLARENCE CANNON and I will never forget it. I had been warned that he had a very incisive mind and it was unpredictable just what he would say, but his greeting was one of real cordiality and his offer to help me at any time I saw fit to call on him warmed my heart and started real affection for the man. During my service in Congress our paths did not cross frequently, but whenever we did meet his friendship was evident and my appreciation of his tireless and agile mind became stronger and stronger. I can think of no one in my service who was more individualistic in his thinking and in spite of the fact that he was not known as a good mixer, he carried with him the real admiration of his colleagues because of his undiluted loyalty to the standards of the House of Representatives.

Everyone appreciates the tremendous contributions that he made throughout the years to the cause of good government. Of course, as a parliamentarian, his knowledge of procedure was unequaled and his dedication to the efficient and economical operation of Government was outstanding. He set an example for everyone of us, and there can be no doubt that everyone of us recognized his authority in this field.

While his physical presence among us will be missed, his influence in the operations of our Government will long continue. It was a privilege to know him and I will treasure his friendship all the days of my life.

Mr. BOW. Mr. Speaker, CLARENCE CANNON shall stand forever as one of the foremost statesmen in the history of this Nation.

His devotion to his duties as a Member of the House is well known to all who have served with him, and there have been many who have had that opportunity.

I have known him best as chairman of the Appropriations Committee. For 12 years, as a member of that committee, I have had the honor to serve with him. He was a fair chairman. He was a leader in the fight for fiscal responsibility in the Nation.

Mr. CANNON's periodic analyses of the Federal budget were invaluable. In a few sharp words, he could tear aside the veil of political budgeteering and reveal the plain facts, which usually added up to additional requests for spending.

The House of Representatives and the Nation have suffered a great loss, and one which I feel very keenly, for he was a good friend.

Mr. COOLEY. Mr. Speaker, in our time giants have walked the face of the earth.

CLARENCE CANNON, of Missouri, was one among them.

In an early hour of Tuesday, May 12, 1964, this great man departed this earth to join the immortals.

Mr. Speaker, in physical stature, CLARENCE CANNON was perhaps the littlest of the giants, but in spirit, in fierce devotion to duty, fidelity to truth, intellect, honesty and courage, he towered as tall as any. He distinguished himself in the service of his country and to all mankind.

This Missourian was one of the rising powers in the Congress when I came to the House of Representatives in 1934.

Well do I remember in those days, when I first arrived in Washington in the depth of the great depression, and later during the Second World War, I was struck with the feeling of greatness in the men upon whom, in those times of great crisis, the responsibility had been entrusted to keep the beacon lights of democracy burning in our own country and in lands beyond the seas.

Mr. Speaker, in times of peril, the good Lord above us has blessed this country with great men, to lead us and to show the way.

I count among God's blessings to us: CLARENCE CANNON, of Missouri.

In a lifetime spanning 85 years he was teacher, lawyer, author, parliamentarian, legislator, statesman.

He was the hardest working man I have ever known. He labored with dedication, devotion, and with a passion, on the ramparts of individual freedom, honesty, and constitutional government.

This man was the watchdog of the Treasury of the United States. He was the embodiment of the Nation's conscience on fiscal responsibility. He served as chairman of the House Committee on Appropriations, where all Federal money bills originate, longer than any other man in all our history.

But, Mr. Speaker, CLARENCE CANNON's greater and burning passion was government of the people, by the people, and for the people.

His name will be known in all time to come, at home and in the far corners of the earth, for his monumental works in behalf of representative government, which is the source and the protector of all human liberties in all nations where freedom prevails.

He was the author of: "A Synopsis of the Procedure of the House"; "Cannon's Procedure in the House of Representatives"; "Cannon's Procedure"; "Convention Parliamentary Manual," as well as numerous treatises on parliamentary law; and was editor and compiler of "Precedents of the House of Representatives."

This Missourian was to the U.S. House of Representatives what Sir Thomas Erskine May, the author of "Parliamentary Practice," first published in 1844, was to the English House of Commons.

Mr. Speaker, our own country and the world are paying a tribute of gratitude to CLARENCE CANNON. Whenever and wherever men enjoy or aspire to liberty and freedom through representative government, on down through the years, his name will be spoken.

I cannot close these remarks without mention of my personal devotion to CLARENCE CANNON, of Missouri. This grew principally from our common interest in the agriculture of the Nation and in the people who feed us.

This great man was a son of the soil. Throughout all of his mature years, regardless of all of his other achievements, and they were many, he preferred to be identified simply as "a dirt farmer." He was always a farmer, on his own land. He was proud of this, beyond all else.

Moreover, CLARENCE CANNON was one of the great champions of agriculture and of the farm families of his district and of all America.

Mr. Speaker, this statesman's interest in our farm people was nowhere expressed in more convincing eloquence than before the House Committee on Agriculture in his frequent appearances before this committee.

Perhaps his last plea in behalf of our farm people was made before the Conservation and Credit Subcommittee of the Committee on Agriculture on March 17, 1964, when he appeared as a witness in behalf of the cause of conservation of our soil and water resources. I feel that it is fitting now to quote excerpts from his testimony on that day and in that place, as follows:

> Mr. CANNON. Mr. Chairman and members of the subcommittee, I deeply appreciate the privilege of appearing before this subcommittee. In my opinion, probably, this Committee on Agriculture is the most important committee of the House under present circumstances, because it deals with one of the most fundamental questions domestically affecting the country today.
>
> It called to my attention recently—and I know that the members of this committee who make a study of this subject are more familiar with it than I am—it was called to my attention recently that whenever a man is driven off the farm that a businessman is driven out of the adjacent small town. And as we decrease the population on the farms the market for everything produced by the cities is necessarily correspondingly constricted.
>
> Now all of our legislation these days—all of our political plea in the country is for jobs, jobs. Everything that we have, every expenditure which is proposed, is to remove money from the Treasury to make jobs, to create jobs. Well, gentlemen, we are overlooking the greatest market that could be provided.
>
> The farmer is not a hoarder. All of his income is immediately expended. It is expended for those commodities which support the factories which produce jobs.
>
> He (the farmer) is the only man in America who has no control over his prices.
>
> But when the farmer drives up to the market with his products, the only question he asks is, How much do you pay today? No matter what they are paying, no matter how inadequate it might be, no matter how badly it leaves the farmer in the red, he takes that price or else he has to haul it back home. They pay him whatever they desire to pay or decide to pay.
>
> It is notably unfair and inequitable and it is notably inadequate.
>
> So that the importance of the work of this committee is such that it is of great service to the Nation and it cannot be overemphasized.

Mr. Speaker, such was the man we honor here today, the world's greatest authority on parliamentary practice in his time, and a man who never lost the common touch, in his love and devotion to his people back home.

CLARENCE CANNON, indeed, was one among the giants of our time.

Today we mourn that he has departed from us.

To his charming and gracious wife, Ida, who was his lifelong inspiration, and to all the members of his family, I extend my warm and sincere sympathy and express the hope that the love of his friends will soften their sorrow.

Mr. LESINSKI. Mr. Speaker, as our society grows more and more complex, greater emphasis is placed on conformity and less and less on individuality which was the foundation of our Nation's greatness.

But in the midst of this conformity, there still rise individuals who make their significant mark in the history of our Nation. One such individual was CLARENCE CANNON.

As a member of the Appropriations Committee, I was privileged to work with him. Always I found him to be receptive and courteous. And we all know his diligence to his responsibilities as chairman of that committee.

CLARENCE CANNON will be missed, but his work as a legislator and as a parliamentarian will stand as a lasting memorial to him.

Mrs. HANSEN. Mr. Speaker, our Nation has suffered a grevious loss in the death of Chairman CLARENCE CANNON, and I want at this time to express my deep sorrow at his passing and to associate myself particularly with the remarks of the distinguished gentleman from Texas, Chairman MAHON.

Chairman CANNON's outstanding ability, his intimate grasp of governmental affairs and his intellectual brilliance and integrity mark him as a man who will long be remembered with affection by this Nation.

It was my privilege to serve as a member on Chairman CANNON's Appropriations Committee. Thinking back over the 2 years I served with him, there are certain things I shall never forget—his courtesy, gentlemanliness, thoughtfulness and his outspoken support for those programs in which he believed. When I came to the Committee on Appropriations as the first Democratic woman and the second woman in the entire history of the committee, his attitude was always fair.

Chairman CANNON's constant and continuing concern was for the welfare of democracy. His intense devotion to our free institutions was apparent always.

Among Chairman CANNON's many fine qualities was his deep love of family and his devotion to his wife and daughters. At this time, to his lovely and gracious wife and to his daughters and to their families, I extend my deepest sympathy.

Mr. STEED. Mr. Speaker my colleague, my chairman, my warm friend, my fraternal brother, and one of my favorite great Americans, has gone to his last reward. We mourn.

The passing of CLARENCE CANNON is a loss felt not only by the House of Representatives but by our entire country. In a long, full lifetime of service he became an institution as he devoted himself constantly to making the Committee on Appropriations the effective guardian of the public funds.

It is seldom that one has an opportunity to work with a truly great legislative leader, a man who faithfully represents his constituents and moreover demonstrates unique talents in a special field affecting the entire Nation. Speaker Rayburn was one such man. CLARENCE CANNON was another. It has been a rewarding experience indeed to be able to work with both of them.

Mr. CANNON's record of achievement, extending over 40 years in the House, is there for all to see. As an individual I have found him one of the most warm and faithful of friends, one whom I will proudly remember.

I am sure his family and loved ones take great comfort in the knowledge that he truly won a niche in the halls of history and that his name will live down through the years for the great part he played in making democracy work.

All our lives are richer for having been privileged to walk part of our pathway through life by his side.

Mr. DENTON. Mr. Speaker, as a member of the House Appropriations Committee I can perhaps feel a little deeper the loss of our great chairman, CLARENCE CANNON, than some who were not fortunate enough to have shared such a close relationship with the man. I feel highly honored to have had the pleasure of serving on the Appropriations Committee under such a fine man. He administered the affairs of the committee with a firm, judicial hand.

It has often been pointed out that CLARENCE CANNON had a splendidly rich background, well suiting him to his position as chairman of the House Appropriations Committee.

As a young man, he was a professor of history at Stephens College in Missouri. One of my daughters graduated from that school, and Mr. CANNON often mentioned to me that he had been a professor there.

CLARENCE CANNON came to Washington in 1911 as a secretary to former Speaker of the House Champ Clark. He soon became the House Parliamentarian and has left his knowledge behind in several books of rules for the operation of the House. He was first elected to Congress in 1922 and led a full and active life until the time of his death.

Mr. CANNON, when I first came to Washington, told me that he had known my father when my father served in Congress in 1917 and 1918. I remember Mr. CANNON suggested that I try for a seat on his committee, which I did.

As chairman of the Appropriations Committee, CLARENCE CANNON had a detailed knowledge of all phases of our Government. When a bill was being marked up, or during a conference, I often marveled at his knowledge of the fiscal affairs of our Government, and of the particular bill under study, even though he had been unable to attend the hearings on the bill because of his many other duties.

CLARENCE CANNON was a great advocate of public power, and I expect he was more interested in agriculture than any other one subject. He was a great believer in economy in government, and while we hear of many people who are supposed to be economy advocates, CLARENCE CANNON probably saved the taxpayers of this country more money than any man who ever served in Congress. The figure would run into the billions of dollars.

He hated any form of waste, extravagance, or inefficiency. But, notwithstanding his strong views on economy, he had, I think, a very liberal philosophy. After a bill was marked up, or after a conference, it was always interesting to hear him tell of his early experiences in Congress.

While he was a stern chairman who ran a taut ship, he took an almost paternal interest in all the members of his committee. He recognized that we had problems and attempted to help us with them.

The Nation has lost a great public servant in the passing of CLARENCE CANNON. We on the Appropriations Committee who were close to him will probably miss him more than other people.

Our sympathy goes out to his wife and family in their bereavement. I feel, however, that they should take great pride and pleasure in the fact that CLARENCE CANNON lived such a full and useful life and was such a conscientious public servant.

Mr. MORGAN. Mr. Speaker, it was with a deep sense of loss and shock that we learned of the sudden passing of our beloved and esteemed colleague, CLARENCE CANNON. CLARENCE CANNON celebrated his 85th birthday last month. His long life has been dedicated to selfless public service. He was the first Parliamentarian of the House of Representatives to serve under both Democratic and Republican administrations. He was first elected to the House of Representatives in the 68th Congress, and served in all succeeding Congresses. CLARENCE CANNON has served in this House with great distinction in a number of capacities, the latest of which was as chairman of the Appropriations Committee, a post he first assumed in 1941.

During Chairman CANNON's long career he won fame for his rare ability as a legislator and as one of the world's outstanding authorities on parliamentary law. Who among us would be willing to do without that most valuable reference we keep on our desks under the title "Cannon's Procedure." "Cannon's Precedents of the House of Representatives" is among the standard reference works of this great legislative body.

We in the House of Representatives have been fortunate and honored to serve with this great man, who has been called from us. He has been a shining example of the continuing development of political sagacity and legislative wisdom, and his passing leaves a void in this body which will long be felt.

I am proud to have been one of his numerous friends and I take this occasion to extend my deepest sympathy and heartfelt condolences to his widow and other members of his family.

Mr. HORAN. Mr. Speaker, once again it is a sad privilege for me to join my colleagues in paying tribute to a departed brother. All of us will miss CLARENCE CANNON.

It has disturbed me that, to so many who record the chronicles of the House he seemed to attract adjectives to his personality: "cantankerous," "tyrant," "hunched over little hobgoblin," "grumpy," and even in his obituaries, the press seems to have persisted on insisting that we, his colleagues, did not like him.

That is not true. While CLARENCE CANNON kept his own counsel, he loved to have members of his committee offer their own solid ideas and he was most courteous in hearing them. To me, he was a man of warmth and friendliness. As all of you know, both of us raised apples and we often discussed various phases of that particular industry from proper pollenizers to markets, and we always joshed about the foundation plantings in the State of Washington as coming from Stark Bros. Nurseries in Louisiana, Pike County, Mo., a city not far from CLARENCE's own hometown of Elsberry.

Few knew of the constructive charities that CLARENCE CANNON financed and from which he found so much satisfaction. That was like him. He never sought credit nor fame—it came to him as a natural compensation for hard work and undeviating devotion to progressive goals. Somehow, as I observe the efforts of those who would criticize him, their voices become as sounding brass, or a tinkling cymbal.

We have lost a leader, our Nation, a guide—but from his life and works we can take renewed determination to carry on as CLARENCE would have us do.

Mrs. Horan joins me in extending our deepest sympathies to Mrs. Cannon, their two daughters and their families.

Mr. LANGEN. Mr. Speaker, few men in our history have left as indelible a mark on this body as CLARENCE CANNON. And few men will be remembered as long after their passing. Having served in this House for over 41 years, his influence will continue to be felt by the very procedures under which we operate, so ably identified and cataloged by this great student of government.

CLARENCE CANNON knew this House well. He loved it. And he served his countrymen here with distinction. To know him was to gain from his vast storehouse of knowledge and experience.

It was my privilege to have served with him on the Committee on Appropriations, a committee which he so ably chaired. All of us are familiar with the dispatch with which appropriations bills have been reported from committee during this session, a firm testimony to the efficiency and know-how of Chairman CANNON.

That he was an astute student of history and parliamentary procedure goes without question. Perhaps it is sufficient to point out that he was the first Parliamentarian of this House to serve under both Democratic and Republican administrations. When in doubt, CLARENCE CANNON was the final authority, the last word.

In the field of finance, he could spot wasteful spending a mile away. The taxpayers of this Nation owe him a debt of gratitude for his dedication to the principles of responsible Government spending. His responsibility to the people transcended party lines, as did so many of the considerations of Chairman CANNON. I am sure that many a Cabinet member, many an agency representative, will recall with mixed emotions the task of convincing Chairman CANNON of the necessity for appropriating funds.

Now we say goodby. We utter a few words in eulogy. But mere language cannot impart the feelings we hold in our hearts at the passing of a trusted friend, a great patriot, and a humble public servant. His body has gone, never to walk these Halls again. But his heart remains here forever.

Mr. GIAIMO. Mr. Speaker, it is all too often true that the worth of a man is not known until after his death. This was not true of our distinguished and beloved colleague, whose memory we honor here today.

CLARENCE CANNON became a legend in his own time. In his 41 years in the House of Representatives he became the symbol of fiscal integrity and order. Although it was my privilege to serve on his committee for only a short year before his passing, working with him was an experience I shall never forget.

The extent of his contribution to his country and this Congress can never be accurately measured, for it extends to every facet of our life. Our budgetary principles, fiscal philosophy, economic habits have revolved around CLARENCE CANNON for many decades. Federal programs completed, underway, and still on the drafting boards were authorized and influenced by him. His handiwork can be seen in every aspect of Federal activity in this country.

In the House, his parliamentary genius has guided us for many years and the rules which he has established will continue to be the basis for our deliberations.

A man whose contributions are so endless and valuable has more than fulfilled the expectations and demands of our representative system. We owe a great deal to our beloved colleague and I know that all of us will feel keenly the absence of his leadership and influence.

Mrs. Giaimo and I join in extending to his devoted and loving wife and family our sincere sympathies. Our thoughts and prayers are with them during this difficult time.

Mr. WHITENER. Mr. Speaker, I join with my colleagues today in paying tribute to the memory of our late beloved colleague, Hon. CLARENCE CANNON.

During his many years in the House of Representatives Mr. CANNON made a record of outstanding service which will long endure as a monument to his name. From March 3, 1923, until his recent passing CLARENCE CANNON represented the people of his district, State, and indeed the United States, with great distinction and devotion.

As chairman of the House Appropriations Committee he became the guardian of the people's purse. His vast knowledge of parliamentary law, his deep understanding of our democratic process, together with his unimpeachable character, were the characteristics I admired the most in our departed friend.

CLARENCE CANNON will be greatly missed in this Congress. The things for which he stood, however, will live on to inspire all of us. To the member of his family and the people of his district and State I extend my sincere sympathy on their great loss.

Mr. WILSON of Indiana. Mr. Speaker, I join my colleagues in expressing my sorrow in the passing of a good friend and colleague, CLARENCE CANNON; and with Mrs. Cannon I share her grief, for I know she has lost a loving and devoted husband.

I am at a loss to find words adequate to express my true feelings. CLARENCE CANNON gave the best of his years and his most sincere efforts in making this country and the world a better place in which to live. Many landmarks are left behind as proof of his many successful years in Congress. To know CLARENCE CANNON was to love and respect him. His word was his bond and never did he intentionally mislead or abuse a colleague. I hope his career in Congress will provide an example for those of us here now and those to follow.

Mr. REIFEL. Mr. Speaker, I join with those who are paying tribute to the late chairman of the House Committee on Appropriations, the Honorable CLARENCE CANNON, of Missouri.

My service on the distinguished committee which he headed until his passing was too brief to come to know this gentleman in a very close relationship; however, his name and reputation as one of America's great statesmen and guardians of the public purse made him an object of great respect to me.

I join in mourning the loss of a great chairman, a great Member of Congress, and a great American, and extend my deepest sympathy to the family.

Mr. O'HARA of Illinois. Mr. Speaker, when I came to the Congress good fortune brought to me the enrichment of a daily and unusual association with CLARENCE CANNON. It was confined to a word or two of greetings, sometimes a longer bit of conversation, very early in the morning or very late at night. His office was on the seventh floor, I believe, of the New House Office Building, and mine on the fourth floor, and we used the same elevators. I understand that the elevator operators would speculate among themselves as to which would be the first to arrive, and which the last to leave, the gentleman from Missouri or the gentleman from Illinois. Occasionally we would arrive at the same time, and occasionally leave at the same time, usually on those occasions well past midnight, and it was then we would hold our conversations. Both of us worked in our offices on Sunday, and now and then I would drop in on him, and always he would put aside his work and chat with me, about people we had known in Columbia, Mo., and the University of Missouri in the early years of the century, and on other topics. This was early in my congressional service and I would say the time and patient reception CLARENCE CANNON gave to a colleague, so new to the congressional scene, was a true index of the innate gentleness and generosity of his character.

Until the last day of his life, CLARENCE CANNON was a prodigious worker. He unquestionably was one of the all-time greats of this historic body. To have been his colleague and humble coworker in the vineyards, to have served with the beloved Sam Rayburn, Speaker of the House nearly twice as long as any other Speaker in our Nation's history, to have been the friend and colleague of A. J. Sabath of Chicago, whose tenure of service in the House was longer than that of any other Member, are among the experiences that give deep warmth to my memories. To Mrs. Cannon and the members of his family I extend my deep sympathy.

Mr. PHILBIN. Mr. Speaker, my heart was filled with deepest sadness when I learned of the sudden, unexpected passing of my much beloved friend, CLARENCE CANNON. Only a few days before, I had sat and talked with him here in the House as was my high privilege on numerous occasions.

CLARENCE CANNON was a patriot of highest order, a statesman of extraordinary luster, a man of great learning, profound dedication and unexcelled concern for the integrity, security, and stability of this country.

His entire life was militantly devoted to the preservation and sound advancement of the American system of government and the American economic structure. He was an American to the core, not in the flamboyant or provincial sense, but in the broader meaning of the term, a leader who understood the place of this great Nation in the world.

A man of high principles and firm convictions, he was indefatigable and tirelessly engaged for the greater part of his long, constructive life in working for the perpetuation and the enrichment of the loftiest moral, spiritual, and beneficial ideals, and aims of our American way of life.

CLARENCE CANNON was not only a zealous student of government, economics, budgets, and finance; he was a philosopher in the very best sense of the art of government and the human problems associated with that calling in its relation to human beings and the full sweep of life and the progress of the Nation and humanity.

He understood the present, because he had diligently studied the past. He firmly stood by his beliefs, because he learned from long experience that there was no substitute for honest, sincere, earnest conviction and unceasing labor to achieve his aims.

There was an innate goodness and human kindness about CLARENCE CANNON that no passing exterior impressed upon him by the dictates of his high, influential position could ever obscure. First and foremost he was a real human being, devoted to his family and his friends, unselfishly attached to his work and generously giving of his great gifts and talents to the interests and well-being of his country, the Government, and the American people.

I shall never forget the immediate response of CLARENCE CANNON to the tragic plight of my own great district, State and region and our people when we were visited some few years ago by disastrous floods causing loss of life and widespread destruction.

At that time, with characteristic humaneness and feeling for others, he went out of his way, far beyond the call of duty, to lend the full weight of his great influence and that of his illustrious committee joining with him to cut all bureaucratic redtape and made available prompt, urgently needed relief and help to the many people and places that were so seriously affected by a great natural disaster.

The result was to alleviate distress, bring hope where there was darkness and dismay and to speed the time of rehabilitation and reconstruction. This was typical of his exalted service and career in this body. It will always be gratefully remembered.

There is really no way by which this body, this Nation or the American people can ever pay the great debt that we owe to CLARENCE CANNON. There is no way that he could ever be replaced here. He leaves a deep void in this body that could never be filled. Surely, there is no way by which I, or others, fervent and touched as we are by sorrow and pride in his accomplishments, could ever pay adequate tribute to the enduring work and contributions of this great American, one of the greatest we have known. We will always remember him with appreciation and fondness.

I had great personal respect, admiration, and affection for this noble son of Missouri. To me, as to all of us, he was the symbol of the Nation's determination to order the affairs of this great Government with prudence, economy, and that accountability in expenditure and outlay that the people expect their representatives to seek with perseverance and zeal.

We will greatly miss CLARENCE CANNON. Dear friend, wise counselor, cheerful companion and helpful colleague, learned, zealous, devoted public servant, memorable for his keen mind, hard work and lofty patriotism, peerless leader in his special field, great, outstanding American, his memory will live with us and our successors for many years to come. The name of CLARENCE CANNON will live in the history of this Nation as a proud mark of distinguished leadership and a deep inspiration for many generations yet to come.

To his gracious and beloved wife and loyal helpmate and his loving family to whom he was so completely devoted, I extend my humble prayers and most heartfelt sympathy in their deep and most sorrowful bereavement.

May the good Lord lighten their heavy burden of sorrow, and may our very dear, esteemed and beloved friend and outstanding colleague, CLARENCE CANNON, find peace, surcease, and rest in his heavenly home.

Mr. BROOKS. Mr. Speaker, knowing and working together with our colleagues here in the House of Representatives is one of the highest privileges associated with service in this body.

The House of Representatives has given our Nation giants of leadership in the most revered traditions of this democracy and one of these giants was the Honorable CLARENCE CANNON.

Each of us can count it as a genuine privilege to have known and served with CLARENCE CANNON. He left many indelible marks on the institutions of our Nation and those of us who continue to serve in the House will do well to heed these marks and devote ourselves unselfishly to duty as did our late distinguished colleague.

Mr. KORNEGAY. Mr. Speaker, as a relative newcomer to the Congress, I was not privileged to know intimately the fine and outstanding personality in whose honor and memory we are today assembled. I wish I might have had the opportunity which many of you here have enjoyed over the years, in knowing Congressman CLARENCE CANNON and in receiving the benefit of his wide experience and knowledge.

In the few encounters I had with him, I found him courteous and obliging and fair in connection with legislative measures in which I had a special interest. We are indebted to him, as is the country at large, for his keen judgment on what were necessary and unnecessary expenditures of public funds. He has set for us a pattern of judgment and assessment as a legacy for future use and as a monument to his own integrity and dedicated devotion to duty.

As we, his colleagues in the House, gather today to pay homage to our departed Member, the Honorable CLARENCE CANNON, we in effect honor ourselves in honoring him. His imprint of dedicated service and his public image of unimpeachable probity have cast an imperishable and favorable reflection on the entire membership of this House. In effect, this is a trust which he has left to us, which it behooves us to emulate and to honor.

I extend my deepest sympathies to his wife, his family and the people of his district whom he served so long and so faithfully.

Mr. MURPHY of Illinois. Mr. Speaker, it is with sadness today that I join my colleagues in the House of Representatives in paying tribute to the life and the service of the late and beloved CLARENCE CANNON, who so ably represented the Ninth Congressional District of Missouri in the U.S. Congress.

It was my privilege to know and serve with Congressman CANNON. He was a man of honor and a source of aggressiveness. In his long and distinguished career of public service, Mr. CANNON was the first Parliamentarian of the House of Representatives to serve under both Democratic and Republican administrations. He was notable for his perseverance and determination to achieve that which he believed to be right; he worked hard and strictly attended to the business of the Congress.

Congressman CANNON was a man who loved his America; a strong voice is gone, a strong leader is gone, and a sincere and devoted American is gone. CLARENCE CANNON will be missed from among our midst, but his memory will live on in the history of this great Chamber.

I would hope that his family and friends find comfort in the reflection of a useful life lived by a man who was truly a great American.

May the good Lord bless him and grant him peace everlasting.

Mr. MONTOYA. Mr. Speaker, the tremendous personal grief of Members of Congress over the death of one of its most distinguished Members is only equaled by their realization of the tremendous public loss, felt by those who recognized CLARENCE CANNON as the dedicated and competent Representative he was. I was privileged to have been closely associated with Mr. CANNON as a member of the Appropriations Committee and understand even more profoundly the significant role he played in the determination of our Nation's policies.

Perhaps the words of Josiah Holland most aptly describe the qualities of Congressman CANNON.

God give us men! A time like this demands
strong minds, great hearts, true faith, and ready hands;
Men whom the lust of office does not kill,
Men whom the spoils of office cannot buy,
Men who possess opinions and a will;
Men who have honor; men who will not lie.

For 40 years, CLARENCE CANNON has been just such a man. He was a public servant whose independent thinking for the good of his fellow man earned for him the highest recognition among his colleagues and leaders of the Nation.

In his capacity as chairman of the Appropriations Committee, he wielded tremendous influence. His grasp of his job and his wise conduct of the affairs of his committee were qualities to provoke the admiration and respect of everyone. Realizing full well the extent of his influence, CLARENCE CANNON sought vigorously to devote himself to the welfare and security of our Nation.

Those of us who had the privilege of working directly with him realize the inordinate amount of energy with which he pursued his obligations throughout the years. At a time when most men dream of retiring, CLARENCE CANNON rededicated himself to the service of his constitutents and of his country. To all of us he was the epitomy of congressional success.

I want to express my gratitude on behalf of the people of New Mexico for his many years of leadership through periods of crisis and complex change. When strength, imagination, and confidence were required for Congress to effectively carry out its responsibilities, CLARENCE CANNON never faltered. He stood firm and ready to act when the occasion demanded. He was an inspiration to all of us and his example of diligence and selflessness will long be remembered.

I join with my colleagues in expressing the deepest sympathy in these days of sorrow to his family. We shall all miss him, but the trust he held so well for so long will remain in our hearts and memories forever.

Mr. BURKE. Mr. Speaker, I wish to join with my colleagues in expressing my deep sympathy to Mrs. Clarence Cannon on the passing of her distinguished husband the late beloved Hon. CLARENCE CANNON, of Missouri. CLARENCE CANNON was a devoted and dedicated public official who gave unstintingly of his time and effort on behalf of the entire Nation. He was skilled in the art of government, trained for the great tasks and responsibilities that were his as chairman of the House Appropriations Committee. Prudent yes, but possessed with the milk of human kindness, CLARENCE CANNON placed human needs at the top of the list when considering legislation affecting the American people. CLARENCE CANNON was a great American who made his mark on the American scene of government. He was a man of independent views, a man of strong convictions, a man who voted as his conscience dictated. He leaves behind him a record that has now become an intregal part of this great legislative body.

CLARENCE CANNON was a man who thought directly and talked directly and always acted courageously when expressing his views. There never was any question about where he stood on important legislation. Yes, like the great Edmund Burke, CLARENCE CANNON placed the interest of his Nation first.

CLARENCE CANNON will be missed by all of us, but as we say farewell, we remember that great service he rendered to his Nation, his State, and his congressional district. A service of unselfish devotion. May Almighty God grant him peace everlasting.

Mr. HARVEY of Indiana. Mr. Speaker, in joining with my colleagues to pay tribute to our deceased Member, CLARENCE CANNON, I can but say that his was a dedicated career. His services to his district, the House of Representatives, and his country were long and productive. It is easy for us to see the niche that one like Mr. CANNON enjoyed here in the House, but the position of trust and affection he enjoyed among his constituents was another facet of this remarkable man. A few years ago Mr. and Mrs. Cannon were snowbound in my district—caught while enroute to Washington. Some of my friends there in Richmond, Ind., called to tell me of their misfortune and to assure me that their guests would be given every hospitality. During their brief stay there they endeared themselves to those with whom they came in contact and left a lasting impression. I cite this illustration as another tribute to the great qualities that this fine couple enjoyed. Our sincere sympathy is extended to Mrs. Cannon in her bereavement.

Mr. HARRISON. Mr. Speaker, I join with my other colleagues in mourning the great loss we have suffered through the death of our beloved fellow member, the Honorable CLARENCE CANNON. His death is not only a personal loss to each of us but it is also a loss to our country which he has served so well during the many years he was a Member of this body. I consider it an honor to have been privileged to serve on the Appropriations Committee under his chairmanship. He was a great leader, a fair man, and one who never hesitated to fight for the things he believed in. Our loss is great, but that of his family is even greater. To them I extend my deepest sympathy.

Mr. BENNETT of Florida. Mr. Speaker, truly a giant tree has fallen in the forest of the leaders of our time. CLARENCE CANNON was a courageous fighter for economy and for the security and welfare of his country. He knew how to say "yes" as well as "no"; and I know of no one who ever challenged his sincerity or his dedication to principles and to his country. We in Congress have each lost a close personal friend in him, a man who will be respected for generations yet to come and who made our country stronger and better by his great service to it.

Mr. FINNEGAN. Mr. Speaker, CLARENCE CANNON died on May 12, at the age of 85, during his 41st year of service as a Member of Congress. For 53 years he devoted his immense energy and his keen mind to public service, working literally until the day he died; and it is right and just that we mark his passing with thoughts and words of praise for his many outstanding contributions to the Nation.

CLARENCE CANNON will most assuredly be remembered for his outstanding and scholarly contributions to the study of the precedents and procedures of the House of Representatives, and he will be remembered for his tremendous record of achievements as a Member of Congress and chairman of the House Appropriations Committee.

Mr. CANNON came to Washington in his early thirties to work for the then Speaker of the House, Champ Clark, who several years later appointed him Parliamentarian of the House of Representatives. In this capacity he began a lifelong study of House procedures and precedents, a study which admirably equipped him for his service as a Member of the House, while it gained for him national recognition as a foremost authority on the procedures and precedents of the House of Representatives.

In 1922 Mr. CANNON was elected to the 68th Congress from the Ninth District of Missouri. During the years before he assumed the chairmanship of the House Appropriations Committee in 1941, Mr. CANNON established himself as an energetic, hard-working Congressman, especially in the area of farm and rural legislation; he supported bills providing for parity payments, farm loans at low rates of interest, reclamation, and soil conservation projects, flood control, and scientific agricultural research. He also made substantial contributions during this period to the enactment of legislation for the protection of crops from pests and livestock from disease, and for the rural electrification program.

CLARENCE CANNON became chairman of the House Appropriations Committee during World War II and distinguished himself by the skill with which he funded the war effort and by the zeal with which he struggled to return to the Treasury appropriated but unspent money. It was in the last months of World War II that Mr. CANNON's attitude and philosophy about his role in life emerged and manifested itself. It was to become the overriding motivating principle of his approach to the responsibilities of the Appropriations Committee. In 1944, he solemnly declared:

> The House Appropriations Committee is unanimously of the belief that no agency should be allowed to have any funds for which it does not account to Congress annually and which it does not justify in hearings before congressional committees.

Mr. CANNON directed his committee in accordance with this belief, and he vigorously defended the principle of congressional control over the purse.

In his annual end-of-session speech in 1957, Mr. CANNON reiterated his views on what had become perhaps his greatest concern as chairman of the Appropriations Committee. He said:

> The executive branch and the Congress in recent years have tended toward lodging more and more budgetary determinations outside the traditional annual appropriation bill procedure. Substantial amounts of the budget are passed upon or set in legislative bills. Various devices to get money out of the Treasury through the side door and the back door rather than the front door have gained in popularity. Action on these matters is often diffused. They all ought to go through one procedure, one system, under one set of rules, so that the Congress and the country can clearly see the whole picture at any given time or point.

As a member of the Appropriations Committee during this 88th Congress, I came in close contact with the dedication which Mr. CANNON brought to bear while chairing the committee. I remember many evenings and Sundays when I would stop by my office next to his, and find him working there with a singular devotion to his duties and great responsibilities. The House will surely miss this man who is so much a part of the tradition which makes up this body.

I wish to extend to Mrs. Cannon and the other members of his family an expression of my most sincere sympathy in their loss and bereavement.

Mr. SHRIVER. Mr. Speaker, the House and our Nation have lost a wise and dedicated public servant. We shall sorely miss CLARENCE CANNON. His contributions to the parliamentary conduct of the legislative business of the Nation in this body will long be remembered. His great concern and frugality over the use of taxpayers' money in his capacity as chairman of the Appropriations Committee will long be appreciated. His deep interest and support of those projects across the United States which contributed to the preservation of land and water resources and furthered flood control and water development will benefit our Nation for many years to come.

CLARENCE CANNON was most helpful and considerate of new Members of the Congress. A new Member of the House could always look to Chairman CANNON for friendly advice and counsel prior to an appearance or presentation before his committee.

I know that many private citizens and public officials in the Fourth Congressional District of Kansas join me in this expression of deep sympathy and regret upon the loss of a distinguished American, Representative CLARENCE CANNON, of Missouri.

Mr. MURPHY of New York. Mr. Speaker, CLARENCE CANNON was an example to every Representative in Congress. To me he was the epitome of a statesman legislator concerned with the overall progress of the United States. The progress that CLARENCE CANNON wanted was orderly, economically and militarily secure. His life was devoted to that end.

I knew him for the past 2 years and often spoke about him with our mutual friend, Jim Farley, who was a great admirer of him for many decades. I would like to include here the sentiments of the former Postmaster General and chairman of the Democratic National Committee, James A. Farley:

> The passing of Congressman CLARENCE CANNON, of Missouri, brings to an end the service of one of the most illustrious Members of the Congress who, for over 40 years, was a Member of the House of Representatives and for 22 years chairman of the important Appropriations Committee. He was a man of courage and character and was a truly great public servant.
>
> I knew him intimately and thoroughly enjoyed the relationship I had with him during the years I served as chairman of the

Democratic National Committee and Postmaster General. He was particularly helpful to me during my tenure as national chairman and his advice and wise counsel during the conventions of 1936 and 1940 were invaluable. He was one of the most loyal men I have ever known and I am sure that view is shared by thousands of Americans with whom he came in contact daily. His record in the House of Representatives is well and favorably known not only to its present membership but to others who are no longer Members of the House but served with him over the years. His associates in the House will mourn his passing and his record of accomplishment will be pointed to by legislative historians in the years to come.

James A. Farley.

Mr. KIRWAN. Mr. Speaker, it was with great shock and sorrow that I learned of the untimely passing of Clarence Cannon. He had been my chairman of the Committee on Appropriations for nearly 19 years. His leadership and support since I joined the committee in 1943 were invaluable to me down through the years in considering appropriation requests for the development and protection of our great natural resources. Although he was perhaps better known for his efforts in achieving economy in public expenditures, he always believed strongly in the need to make adequate provision for our forests, our parks, our public lands and minerals, water resource development, and all the programs so vital to the growth and prosperity of our country. Few people realize that just since 1956, when he became chairman of the Subcommittee on Public Works, that $7,600 million has been appropriated to the Corps of Engineers just for flood control, navigation, and multipurpose projects. This represents 46 percent of the total of $16,500 million which has been appropriated for these purposes down through history. So, although he gave no quarter to the project which could not stand the acid, he fully supported those which would benefit the development of our great Nation.

I will always treasure my association with this truly great man. It is rarely that this Nation has the opportunity to be served by a man of his brilliance, industry, courage, and tenacity. And there was the less well known, human side of Clarence Cannon, his sense of humor, ever interest in history, love of music and the arts, and above all his great love for his wife, family, and God. We have lost a truly great chairman, and my deepest sympathy goes to Mrs. Cannon and the other members of his family in these saddened days.

Mr. CAHILL. Mr. Speaker, I join my colleagues in paying deserved tribute to the memory of one of America's great statesmen, Clarence Cannon, of Missouri.

As a freshman Member of the House of Representatives in 1958, I met Mr. Cannon and during the three terms that I have been privileged to serve in the House my respect for him has grown with each new experience. I have found him at all times to be understanding of the problems of my particular district and anxious in every way to be helpful to the people who live there.

Mr. Cannon was a devoted public servant in the true sense of the word. During his long and memorable service in the House of Representatives, he has carved himself a place among the immortals.

I express to Mr. Cannon my sincere sympathy in her bereavement.

Mr. DENT. Mr. Speaker, to all men command is a different undertaking and, it is said, the commander is the loneliest of men. And so apparently was the legislative life and leadership of our late colleague Clarence Cannon, who was chairman of the Appropriations Committee longer than any man in the history of the U.S. Congress. He assumed a task and responsibility that could be taken lightly by no man, particularly not by a man endowed with the strength of moral convictions and sense of public responsibility that our late colleague possessed.

Though known to all as a dedicated and loyal son of the Democratic Party Clarence Cannon knew no partisan lines or allegiances in his efforts to curtail and eliminate those expenditures he felt to be inefficient and unwise. Although always aware of the increase in Government expenditures that accompanied the growth of the Nation, Representative Cannon remained alert to the ever-present need of economy in government. Perhaps ironically, he chaired the committee that appropriated over a trillion dollars under his leadership. But this reflects neither the reduction nor elimination of projects and expenditures that saved billions for the tax paying public. This was Representative Cannon in his dedicated exercise of responsibility.

Few could have borne this responsibility of chairing one of the most important committees in Congress and achieved the sense of purpose and direction that Clarence Cannon did for the past quarter of a century. As mortals we at times find ourselves at discord with our fellow men. But those of us who had the privilege of knowing Clarence Cannon are compelled to respect and admire the brilliance and courage of convictions of this sagacious man.

Although he has now answered his last rollcall, we are fortunate to have "Cannon's Precedents," and "Cannon's Procedure" to give continued direction to this body of which he was so much a part. His parliamentary skills were evident not only to all of us in this body but also as parliamentarian of every Democratic National Convention since 1920.

Clarence Cannon was always acutely aware of the needs of his constituents. In this awareness and in the spirit of scholarship which he admired, he established the Clarence and Ida W. Cannon Foundation that has provided the opportunity for several students of Elsberry, his birthplace, to attend college.

These are but a few of the contributions that Clarence Cannon made to the Congress and these United States. It is these contributions that are the true and fitting memorial to his life. We are proud to have shared in these years of his commanding leadership.

Mr. LIPSCOMB. Mr. Speaker, the Congress and the Nation have suffered a grievous loss in the death of the Honorable Clarence Cannon, a Member of the House of Representatives for 41 years from the Ninth District of Missouri. He was truly a great public servant.

Clarence Cannon will always be remembered for the enviable record he compiled as a guardian of the public funds, a reputation he richly deserved.

He was untiring in his efforts to hold the spending of the taxpayers' money to the most essential purposes. His vigilance in guarding against excessive budget requests is legendary.

Our friend also was perhaps the greatest Parliamentarian this body has known in the history of the Republic. His contributions to orderly procedures of the House will forever place all present and future Members deeply in his debt.

I consider it a privilege to have served since 1958 on the House Appropriations Committee under the very able chairmanship of Mr. Cannon. He was ever ready and willing to give me the benefit of his counsel and advice, which I shall always treasure. His passing is a great personal loss to me as I know it is to many colleagues.

We have lost a truly admired friend and mentor. I extend my heartfelt condolences to Mrs. Cannon and the other members of his family.

Mr. FEIGHAN. Mr. Speaker, today we pay tribute to my great and beloved friend, Clarence Cannon, whose passing brought sorrow to all who were privileged to know him.

It was my good fortune to come to know Chairman Cannon shortly after the start of my first term in Congress. That was 21 years ago. As a freshman Member of Congress, his kindliness toward me, his patience and understanding in the face of my many queries remain as one of my fondest memories of our friendship. That friendship grew closer over the years and those warm human traits of character which I found in our early acquaintance remained the hallmark of my departed friend.

Many Members of this body, present and past, shared this memorable experience with Chairman Cannon. There were no limits to his circle of friends, no limit to his kindness, no limit to his patience and no limit to his interest in and concern for the problems of any Member who sought his wise counsel. These virtues of our departed colleague will be sadly missed in the days and years ahead. For they are rare traits in any generation.

The future will record Chairman Cannon as a parliamentarian without equal in the annals of the House of Representatives, as a longtime chairman of the Appropriations Committee, whose independence of mind and decision gave renewed dignity to Congress, as a Member whose great accomplishments became legendary in his lifetime, and as a man whose positive work in vital aspects of our national life during 41 years of selfless service to the Nation will survive the test of time. All these tributes are richly deserved by our friend who sought none of them during a long, purposeful, good, and happy life.

To his dear wife and children, Mr. CANNON, as he was known to countless millions in our land, left a priceless heritage. They have my sympathy in their great loss. To Mrs. Cannon, whose steadfast companionship with one of the finest gentlemen I have ever known in my journey through life, I extend my deepest sympathy.

Mr. ROOSEVELT. Mr. Speaker, it is with the deepest sorrow that I express my condolences to the family of the late Hon. CLARENCE CANNON. We shall sorely miss him, as he has represented, as few men have, a bulwark of strength and dedication. He had the kind of fortitude and strong character to carry out his convictions often in the face of tremendous opposition, as he believed deeply and sincerely that his particular philosophy was in the best interests of our country.

We are indeed fortunate that he left a legacy of such far-reaching importance to those of us who are in the House of Representatives and those who will follow us in the coming generations. His compilation of legislative precedents is a great and wonderful achievement. Having had the privilege of watching him in action at so many Democratic conventions, I will long remember his contributions to those memorable occasions.

Although I so much regret his passing from our midst after so many, many years of service to this body and to this Nation, I am glad that he lived a long and fruitful 85 years.

Mr. HUDDLESTON. Mr. Speaker, all of us were deeply grieved to learn Tuesday morning of the death of our longtime friend, Representative CLARENCE CANNON, of Missouri.

Mr. CANNON last March 4 celebrated the 41st anniversary of the commencement of his service as a Member of the House of Representatives. For 23 years, he served as chairman of the House Appropriations Committee.

During this long service, Chairman CANNON amassed a record of service to this Nation and the people of Missouri that has been seldom equaled in this country's history. As chairman of the Appropriations Committee since 1941, he presided over the appropriation of more than a trillion dollars, far more than any other man in history.

As all of us, who have had occasion from time to time to discuss with him various projects for which we were endeavoring to get funds, recognized, he was truly the "watch dog" of the Treasury. Always fair and understanding, he very rightly knew that his was the responsibility of giving the American people value received for their tax dollars.

We Members of Congress who have served with him over the years join with tens of millions of other American citizens and taxpayers who mourn his passing. His presence in this House will be greatly missed.

Mr. ZABLOCKI. Mr. Speaker, I wish to join my colleagues in paying tribute to the memory of an outstanding Member of this body, the late Honorable CLARENCE CANNON.

Chairman CANNON had the unique distinction of being a legend in his own time. That legend was composed of a record of outstanding service in one of the most prestigious positions in the House of Representatives, coupled with Chairman CANNON's singular personality.

Coming from America's "show me" State, he combined native American shrewdness, commonsense, skepticism, and hardworking practicality in dynamic proportions. Through his efforts year in and year out, waste and inefficiency in Government were denied sustenance. He always demanded that the executive branch be as "lean and mean" as he himself was reputed to be. Through his judicious budget-cutting efforts, he saved the American taxpayers millions of dollars.

Yet for all his ferocity when faced with bureaucratic boondoggling, CLARENCE CANNON was a warm and kindly man. Many of us have memories of unexpected words of commendation from him, words to be treasured since their sincerity was beyond question. I warmly cherish some words of commendation and encouragement spoken by Chairman CANNON to me after I had made a statement on a matter of mutual interest at a meeting in the White House. It was all the more surprising to me since I was unaware that the chairman knew that I was a Member of Congress.

CLARENCE CANNON, powerful political figure and grandfather, has carved a firm niche for himself in our Nation's history. The chroniclers of our times must give him their attention, for he was instrumental in molding a responsible, responsive Government to lead our Nation in times of peril and plenty.

Missouri can well be proud of her native son, for CLARENCE CANNON was a truly distinguished American.

Mr. WHARTON. Mr. Speaker, CLARENCE CANNON's passing brought great sorrow to this Chamber and I doubt that these eulogies will render any less painful the great personal loss which his family knows and must bear. Nonetheless, it is indeed fitting that we pause to reflect on this great American's contributions to the Nation and the Congress.

His vacancy may be dimmed by time, but those who grew to respect and love him for his steadfast integrity will find, as I have, that there is a void in this body. A giant in every measurable way, CLARENCE CANNON was a friend to all who revered sound government. There was no in between.

Whether or not you agreed with him, you had to admire him for his was greatness of the first order. I feel that the finest tribute which we could bestow on his memory would be to adopt his cause of fiscal integrity and sound government in these troubled times. My sympathy likewise goes out to the bereaved wife and daughters.

Mr. PEPPER. Mr. Speaker, in the passing of the Honorable CLARENCE CANNON, this House, the Congress, and the Government of the United States have lost not only one of the oldest and most powerful Members of the House but one of the best and greatest Members of the House. CLARENCE CANNON loved America and embodied the typical virtues of America—individualism, high character, and great courage. He was deeply dedicated to the American way of life and to everything which made America greater and stronger.

He was a frugal man with money but his vista of America was great, indeed magnificent. He helped to build this greater America immeasurably by all that he did in the service of this House and the country in the more than one-half century of his public service.

He was a warm friend, a gracious and charming gentleman, a distinguished American.

The passing of CLARENCE CANNON is to me a poignant personal loss for I enjoyed his friendship from the time I came to the other body at the beginning of 1937 and was the beneficiary of immeasurable kindnesses from him.

His example will ever be an inspiration to those who knew him and learn of him and his mighty works will long endure.

Mrs. Pepper and I extend our deepest sympathy to Mrs. Cannon and all his loved ones.

Mr. WYMAN. Mr. Speaker, the death on May 12 of CLARENCE CANNON, chairman of the Appropriations Committee, brought to an end a long career of dedicated public service.

Chairman CANNON first came to the House in 1911 as confidential secretary to House Speaker Champ Clark. Thereafter, he became House Parliamentarian, the first to serve under both Democrat and Republican administrations. We are all familiar with "Cannon's Procedure" and "Cannon's Precedents," which he wrote during this time.

In 1922, Mr. CANNON ran for the congressional seat in Missouri's Ninth District and won. In 1941 he became chairman of the Appropriations Committee. It was in this capacity that CLARENCE CANNON best served his country, for he took his responsibility for the Nation's economy most seriously, spending many long and tedious hours poring over voluminous justifications in order to be able to make the most intelligent decision possible as to where the national budget might best be reduced.

I first met Mr. CANNON when I served as secretary to the Honorable Styles Bridges, then chairman of the Senate Appropriations Committee in 1948. At that time, John Taber served as chairman of the House Appropriations Committee and Mr. CANNON was the ranking minority member for the brief period of the 80th Congress. During these years, before and since, CLARENCE CANNON had labored long and mightily to keep appropriations of the public moneys from flowing over into the never-never land of pork barrel pressures.

As the junior member of the largest committee of the House, I find it a particular pleasure to be able to say that the distinguished committee chairman, Mr. CANNON, was always kind, gracious, and patient with me. He was not one, who despite his enormous power in his official position, would either abuse it, take advantage of it, or allow it to go to his head. One of the freshman class in any congressional session can pay no greater compliment to a senior Member than to recite these simple facts.

All of us on the Appropriations Committee who knew and worked with Chairman CANNON will sorely miss his presence at both subcommittee and full committee meetings. We are fortunate, however, that this giant of a man will be succeded by a Member of equal competence and dedication, our distinguished colleague, Hon. GEORGE MAHON, who, I am sure, feels the same overwhelming sense of responsibility to the American people for the appropriation of their tax dollars as did our late Chairman CLARENCE CANNON.

America is better off because the Honorable CLARENCE CANNON lived among us. Would that such might be the epitaph of more Americans.

Mr. ANDREWS of Alabama. Mr. Speaker, under unanimous consent granted me I wish to include at this point in the RECORD the remarks I made during the hearings of the Foreign Operations Subcommittee of the House Appropriations Committee:

THE LATE HONORABLE CLARENCE CANNON

Mr. Chairman, yesterday morning the House Appropriations Committee suffered a great loss in the death of our beloved chairman, CLARENCE CANNON. The sudden and untimely passing of Mr. CANNON has shocked and saddened us all. To his family, it has brought a sorrow that will ease with time—but never cease. Among his friends and colleagues, it has left an emptiness that will be filled with memories—but never a replacement.

More than just an admired and respected colleague, Mr. CANNON was a true and devoted friend whose death came as a great personal loss to me. His advice and assistance were always welcomed because I knew they were based on sound judgment and unfailing loyalty.

He was truly a dedicated man. One of the memories that I will always cherish is the opportunity that I had to serve under him on the House Appropriations Committee. Throughout our service together, my respect and admiration for him grew ever greater with the passing of years. No Member of the House of Representatives had greater wisdom or influence. He could be gentle, but he could also act with the strength and toughness of a man who knows no fear. He stamped the print of his personality on the course of events in this committee as few men have done. When we consider the stature of the man, we realize that anything we might say about him would be an understatement. I never met a man who did not respect him. Driven by an indefatigable determination to pursue and fulfill all his dreams, he set his goals high.

As chairman of the great House Appropriations Committee he held tightly the purse strings of our Government's expenditures in an effort to curb unnecessary spending and extravagance. As a parliamentarian, he was without equal. He was an outstanding legislator, and his love for this great country of ours was unsurpassed.

I find words, mere words, truly are inadequate to express the emotions and sentiments that well up in my heart on this occasion. I extend to his beloved wife and the other members of the family my deepest sympathy in their great sorrow.

Mr. STAGGERS. Mr Speaker:

> Men of perverse opinion do not know
> The excellence of what is in their hands
> Until someone dash it from them.
>
> —*Sophocles.*

> It takes a long time to bring excellence to maturity.—*Publilius Syrus.*

> Experience is an arch to build upon.
>
> —*Henry Adams.*

> And long experience made him sage.
>
> —*John Gay.*

These are a few of the thoughts that come to mind when we contemplate the remarkable record of Congressman CLARENCE CANNON. The fate of this Republic has always rested in the hands of strong men who have it in their power to do well or ill. How fortunate we are that so many have chosen to serve the public interest with devotion and fortitude. Their careers have meant to them the establishment of justice and freedom and opportunity, instead of the grasp of personal power and privilege.

Mr. CANNON gave a lifetime—a long and arduous lifetime—to the development of a single arm of this Nation's Government. Early in his youth he chose a definite field in which he might work out his destiny, and he labored in it until the end. We congratulate his native State, Missouri, on its wisdom in placing his ability and selflessness at the disposal of Congress through a full half century of the most far-reaching change the world has ever witnessed. We congratulate this House on having profited from his wise counsel and his unfailing courage in doing what was necessary to be done in order to insure progress and stability. We shall miss him—acutely. But monuments to his memory remain in the action which he has fostered and in the orderly procedure which he has stamped upon this assembly.

He gave the people of his best:

> The worst he kept, the best he gave.
>
> —*Tennyson.*

Mrs. KELLY. Mr. Speaker, humbly, I join my colleagues in paying tribute to one of our former colleagues, the late CLARENCE CANNON. There is no doubt of the "nitch" in which historians will place Mr. CANNON. He is truly one of the great. His record as a Representative from the State of Missouri, his record as chairman of the Committee on Appropriations, his record as a parliamentarian, his record as an author—of "Cannon's Procedures," "Cannon's Precedents," "Procedure in the House of Representatives," "A Synopsis of the Procedure of the House," "National Convention Parliamentarian Manual"—constitute an enormous contribution to history for one man.

I am proud to have served with him and I am proud to have been one of his admirers. He was a kindly man, he was a devoted family man. At this time, I extend to his devoted wife and his family my sympathy on his death. He will be missed by them and he will be missed by his colleagues.

Mr. MATTHEWS. Mr. Speaker, we were all saddened with the recent passing of the great chairman of our House Committee on Appropriations, the Honorable CLARENCE CANNON.

Critics of the congressional committee system would do well to ponder the outstanding performance of the Committee on Appropriations of the House of Representatives. I know of no man who could have served more diligently or effectively, more objectively or more patriotically, as chairman of this committee than the Honorable CLARENCE CANNON of Missouri, who was one of the most distinguished products of the seniority system of our committee procedure. I should like to point out further that we are most fortunate to have succeeding the great CLARENCE CANNON, the gentleman from Texas, the Honorable GEORGE H. MAHON. I should like also to observe that I know of no other system which we could devise that would now place as chairman of our House Committee on Appropriations a more distinguished, consecrated, and able patriot than the gentleman from Texas [Mr. MAHON.]

I realize that we must in no way detract from the unique contribution of the Honorable CLARENCE CANNON in paying our eulogy to this great American, but I believe that one of the most effective tributes that could be paid to him would be again to emphasize how effectively the House Committee on Appropriations operated under Mr. CANNON's leadership. I pay tribute to this gentleman from Missouri because of his effective and consecrated work as chairman of a powerful House committee.

I did not have the pleasure of knowing the Honorable CLARENCE CANNON in the warm personal relationship that was enjoyed by so many of his colleagues. I do, however, remember with deep appreciation the tremendous service he rendered his Nation, the courtly attitude he always expressed in dealing with his colleagues, and I, too, shall miss him.

The gentleman from Missouri, the Honorable CLARENCE CANNON, expressed to me more than any other man in the House the "Character of the Happy Warrior" so beautifully expressed by William Wordsworth when he said:

> Who, if he rise to station of command
> Rises by open means, and there will stand
> On honorable terms, or else retire,
> And in himself possess his own desire;
> Who comprehends his trust, and to the same
> Keeps faithful with a singleness of aim;
> And therefore does not stoop, nor lie in wait
> For wealth or honors, or for worldly state,
> Whom they must follow; on whose head must fall,
> Like showers of manna, if they come at all.

I express to Mr. CANNON's widow, and to the people of Missouri, my profound sympathy because of the passing of this illustrious and noble man.

Mr. WHALLEY. Mr. Speaker, in stature he was small, but in the respect and esteem in which he was held by the Members of the House of Representatives he was a giant. It is difficult to imagine the appropriations process in the House without his stern presence and his equally stern insistence on economy in the administration of the Federal Government. His understanding of the legislative branch of the Government was immense, his knowledge of the uses to which the funds appropriated by Congress were put by the executive branch was extraordinary, his concern for his constituents and the welfare of his district was profound, and his love for his country was infinite.

The Members of both Houses of Congress join with President Johnson who knew and admired Mr. CANNON when both served together in the House of Representatives in his statement of praise for this redoubtable son of Missouri.

> Mr. CANNON left a distinguished imprint upon the decisions and policies of our times—

The President said—

> We shall miss his counsel, his candor, and the courage with which he held steadfastly to his convictions.

It was in 1911 that the Speaker of the House, the Honorable Champ Clark, brought CLARENCE CANNON to Washington as a temporary clerk in the Speaker's office. He remained to the end of his life. He served as Parliamentarian of the House until his own election to fill Speaker Clark's seat as a Member. He was sworn in for his first term on March 4, 1923, and won reelection every 2 years through 1962, when he was chosen for his 21st consecutive term. As a parliamentarian he was widely accepted as the greatest authority in the country, and in addition to his early duties as House Parliamentarian he served as parliamentarian of Democratic National Conventions from 1920 to 1960. His achievements as chairman of the House Appropriations Committee are known to every Member of the House of Representatives.

His courage and honesty, his determination and his knowledge, his love for this House, his devotion to his friends and his country, all will be terribly missed.

Mr. RHODES of Pennsylvania. Mr. Speaker, I join with my colleagues in the House of Representatives in paying tribute to our late colleague, the Honorable CLARENCE CANNON, of Missouri.

CLARENCE CANNON's career in Government has spanned over 50 years. Our country and its representative institutions will long feel his impact as a great parliamentarian, as a Member of the House for over 40 years, and as chairman of the House Appropriations Committee.

His eulogy can be spoken simply; he was an honorable man, a man of integrity and great ability, and he has served his country well.

My deepest sympathy goes to Mrs. Cannon, their daughters, and other members of his family.

Mr. CHELF. Mr. Speaker, every Member of the House of Representatives will miss our colleague, the late CLARENCE CANNON. He left the imprint of his knowledge and his personality upon not only the membership but the actual House itself. He was the author of the very parliamentary procedure followed here and that, alone, would be an everlasting testimonial of the highest order to him.

His vast store of information, along with his vigilant efforts to effect necessary legislation and yet preserve the sound economy of our Nation, over his long years of service here, made an invaluable contribution to the history of Congress and of our country.

We shall miss him sorely but we are grateful for the privilege of having been associated with him in a common endeavor and for his many outstanding accomplishments. He was a great American and a noble son of old Missouri. He loved both with a passion.

It is my fervent prayer that God will give comfort to his family.

Mr. KARSTEN. Mr. Speaker, I yield to the distinguished Speaker of the House of Representatives to conclude this eulogy.

Mr. McCORMACK. Mr. Speaker, the remarks of the various Members today are a deserving tribute to a great man, not only a great man but a good man, one of the outstanding figures of American history, particularly on the legislative side of our Government.

CLARENCE CANNON served for over 40 years, representing the people of his district with great credit. He always reflected credit upon them. He served in a dedicated manner. He served the people of his district, his State, and our country during several of the most important periods in our Nation's history. He was here during the days of economic affluence in the twenties. He was here during the days of the great depression. He was in this body during the days of the coming of Hitler across the horizon. He served in this body while Hitler took over Germany and carried on his campaign of wickedness and destruction.

CLARENCE CANNON served in this body during World War II and after World War II, and to this very day of Communist aggression to take over the world and impose that vicious and evil ideology upon all governments and upon all peoples.

During his long and honorable service, CLARENCE CANNON always stood for the national interest of our country. In connection with legislation and appropriations having to do with the strength of America to meet any enemy, actual or potential, we always found CLARENCE CANNON in committee and in the well of this House fighting for such legislation and appropriations that would assure not only the preservation of our country for ourselves, but for future generations of Americans; and at the same time he always stood for and fought for such legislation that would be a warning to any enemy, actual or potential, that America would be prepared.

On the domestic side he fought for progressive measures particularly in the field of agriculture and he was a leader in strengthening the agricultural life and community of America, to which I can testify, coming from a city district which does not have one farm, and I have consistently supported such legislation during my own years of service in this body.

CLARENCE CANNON represented the spirit of America. He was born of the soil. His thoughts were always connected with the soil of America. His life was somewhat like a Horatio Alger story. In addition to being an inspiration for all Americans to follow and for all good persons everywhere to follow, his life was particularly an inspiration for the youth of America—these youngsters whom we see in the galleries of this Chamber—these youngsters who come to the Capitol. When I see them, I see all young Americans in all places—in all the homes and streets of our cities as well as in the rural areas throughout the country. They are the future leaders of our country. They are the ones to whom we must look in the future to take over the reins of Government when those like ourselves and others with responsibility have passed on.

CLARENCE CANNON always had that in mind, always trying to be an inspiration for the youth of America. His dedicated years of service in this body are historical in that respect.

If CLARENCE could speak to us from the great beyond today, I know he would express his pleasure at the depth of feeling that every one of us is experiencing and expressing because of his passing on. And particularly for the beautiful remarks made about that dear sweetheart and wife of his, Mrs. Cannon.

As the poet said:

> It is in the arms of a woman we enter life.
> In the arms of a woman we gain courage
> and strength to bear life,
> It is in the arms of a woman we leave life.
> And as for the span between,
> How meaningless it would be without her.
> And "her" means mother and wife.

We all know Mrs. Cannon was the constant guide and adviser of this great American.

He recognized her wisdom and the soundness of her views. But more than that, the closeness of their married life through the years they were married was always an inspiration, and will always be an inspiration, for other married couples to follow.

So we miss CLARENCE CANNON. He was an integral part of the House. As two or three of my colleagues well said, he loved the House of Representatives. That is true. I can understand, because I love this body. He loved this great Chamber, which I consider to be the greatest legislative body in the world, bar none.

The collective judgment of this body is sound. We may have our differences, but everyone here is a dedicated American and a dedicated legislator, and the collective judgment of the House—we may not always agree with it—is sound and for the best interests of our country.

CLARENCE CANNON throughout the years played an important part, an outstanding part, in the determination of the collective judgment of the House of Representatives.

I had an intense feeling of respect and admiration, and a strong feeling of friendship, for him.

My friendships are entirely different from political views. I separate in my mind my friendships from political views or differences on public questions. I admired CLARENCE CANNON very much and entertained for him, as I said, the strongest feeling of friendship possible. I shall miss him very much, as will all my colleagues.

He was a bulwark of strength through the long years he served in this body, rendering honorable and trustworthy service.

So I make these remarks, as my other colleagues did, most regretfully on the passing of a dear friend, a great American, an outstanding colleague. I extend to that sweetheart of his throughout their long married life, Mrs. Cannon, and to her loved ones my profound sympathy in their great loss and sorrow.

CIVIL RIGHTS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, a Washington newspaper said today editorially:

> The forces in Maryland that favor a sane, reasonable and constitutional settlement of civil rights issues have won a significant victory in the face of great odds.

That statement represents one of the worst beatings ever administered to the right of freedom of speech. There just is not a word of truth in it. Any one who has mastered the first page of the political primer knows that an outsider running against a favorite son always has the odds against him. Instead of having great odds in his favor, Governor Wallace was confronted with the most formidable lineup of opposition that could be assembled in a single State. The political parties, the Negro organizations, the liberal organizations, labor, even the churches opposed him. The President and the brother of a martyred President visited Maryland to show their support for the favorite son ticket. Despite this lineup, it is an undenied and undeniable fact that Governor Wallace was defeated only by the Negro bloc vote. That means he got a majority in all other groups. It is not a victory to be proud of.

Reams of explanation will not change the fact that the people are seriously disturbed by efforts to enact into law a civil rights bill which will establish the framework for a police state and the setaside of the American Constitution.

The tide of civil rights support is beginning to recede. The majority do not want this iniquitous bill. They know there is no need and little honest demand for it. Now, they are demanding that the rights of the majority also be considered and the voice of the majority heard. Theirs will be the last word.

SUBCOMMITTEE ON COMPENSATION OF THE COMMITTEE ON VETERANS' AFFAIRS

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from Texas [Mr. TEAGUE] I ask unanimous consent that the Subcommittee on Compensation of the Committee on Veterans' Affairs may be permitted to sit while the House is in session today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUBCOMMITTEE ON SCHOOL PRAYER OF THE COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from New York [Mr. CELLER] I ask unanimous consent that the Subcommittee on School Prayer of the Committee on the Judiciary may be permitted to sit while the House is in session today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

WILL OBSOLETE AIRCRAFT WIN THE WAR IN VIETNAM?

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, there is every justification for the current wave of public indignation over asking officers of the U.S. Air Force to serve this, the richest Nation on earth, by facing death in obsolete and wornout aircraft. The American people have a right to the full truth and there is reason to believe that they are not getting it.

Just a few hours ago I learned from a reliable source that the A-1E aircraft which are en route to Vietnam at this moment to replace the obsolete and wornout B-26 and T-28's were taken from Litchfield Park, a boneyard airfield in Arizona. It might be pointed out that the last A-1E was built by the Douglas Aircraft Co. in 1953. So these planes which are supposed to replace obsolete equipment are a minimum of 11 years old themselves. We have no assurance that metal fatigue has not set in and that these aircraft might be just different death traps.

I shall ask Secretary McNamara to furnish the exact log, age, and history of every aircraft being sent to Vietnam. The American people have a right to the full truth and assurance that officers of the U.S. Air Force will not again be required to face death in obsolete and wornout aircraft.

INDEPENDENT OFFICES APPROPRIATION BILL, 1965

Mr. THOMAS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 11296, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose the Clerk had read through line 19, page 3, of the bill. If there are no amendments at this point, the Clerk will read.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent that the bill be considered as read at this point and that all points of order not heretofore covered in the bill may be saved.

Mr. GROSS. Mr. Chairman, at this hour in the afternoon I would have to object to that. Let us proceed with the reading of the bill.

The CHAIRMAN. Objection is heard. The Clerk will read.

The Clerk read as follows:

OFFICE OF SCIENCE AND TECHNOLOGY

Salaries and expenses

For expenses necessary for the Office of Science and Technology, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $75 per diem, $880,000.

Mr. WRIGHT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this for the purpose of inquiring of the very able and distinguished chairman of the subcommittee with respect to the amount of money recommended in this bill for airline subsidies. I observe that $79 million has been recommended for subsidy payments to air carriers. If I am not mistaken, I think this is exactly the same amount that was provided in last year's legislation but some $3,824,000 less than had been contained in the budget estimate. As usual, the chairman and this great subcommittee have done a magnificient job of finding those places where substantial economies can be effected in the operation of our Government without curtailing the services of the Government. I should simply like to ask the chairman whether or not this reduction below the Presidentially requested amount would mean any curtailment in local service carrier operations and services.

Mr. THOMAS. I would be delighted to reply to the very intelligent question of our distinguished colleague from Texas [Mr. WRIGHT]. As he knows, because he is an expert in this, and he certainly studies it, and we want to commend him for it, there is a reduction of about $3 million, from $82.8 million to $79 million. Of course, whatever amount of money the Civil Aeronautics Board says is due a particular carrier, or all of them together, that is the amount they are going to get. That is a debt against the United States. Of course there is that magic formula, honest, efficient, and economical management; but what we are trying to do is say to the carrier, "You do your business economically and whatever is necessary you will get." This committee will recommend such sum to the House and it will be provided.

May I point out to my colleague one other thing. First, I repeat that whatever amount of money is necessary they are going to get. I think this amount is going to cover it. If it does not we will certainly come in with sufficient money to cover it.

There is in here for the first time a subsidy for one of the big airlines of $3,750,000. Of course, this budget was prepared some 5 or 6 months ago, and in the last 4 or 5 months, as we all know, the aviation industry entered into one of its greatest periods of prosperity. We hope that will continue, and it could well be that this amount in the bill is more than they need. But, to answer the gentleman's question directly, whatever the Board says they are entitled to, they will get.

Mr. WRIGHT. Mr. Chairman, I want to thank the chairman for his very straightforward and lucid answer.

Mr. Chairman, since this bill provides $79 million for subsidy payments to the Nation's air carriers, I think it would be appropriate for us to think together for a few minutes on the vital services that our airlines provide to our country.

I speak not only of the major trunk carriers, but of the local service airlines which serve smaller communities and make it possible for practically all Americans to avail themselves of the swift and safe trunk flights which operate from our metropolitan areas.

Without these local service carriers, it would be impossible for untold millions of our citizens to make connections with the sleek and speedy jets which whisk us from coast to coast in a matter of hours.

In essence these local service carriers are the veins which funnel the lifeblood of passengers and freight into the main arteries of our Nation's commerce.

This is a tremendously important job, and the local service carriers do it well.

Among the local service airlines you will find some of the greatest success stories in our great free enterprise system. In my own district, for example, is headquartered Central Airlines. Its story is truly remarkable.

Founded almost singlehandedly by my good friend, Keith Kahle, Central began operations in September 1949. During that first month of operations, using single-engine Beechcraft Bonanzas, Central carried a total of only 54 passengers. Keith laughingly recalls today that the passenger total might not have been so high if he had not been able to sell tickets to so many of his relatives.

But Keith did not give up. He realized he was providing a service that was desperately needed, and the public soon began to recognize this, too. As a result, Central began to grow. And today, 15 years later, it is still growing.

This month Central is expecting to carry 36,000 passengers. The company has a total of 781 employees, and serves 42 cities in 6 States—Texas, Oklahoma, Kansas, Missouri, Arkansas, and Colorado. On air routes where little Bonanzas once flew, today there fly comfortable Convair liners, and of course there still are many DC–3's.

The DC–3's have long been regarded as the old reliable workhorses of the airways. Even though they are among the safest and most reliable ships in the sky today, the local service airlines are extremely conscious of the fact that these gallant old planes soon will have to be replaced with faster, more modern aircraft. They are anxious to see the development of a suitable replacement, and believe that the Government should take an active role in spurring this project.

Since the subsidies contained in this bill represent a very large amount of taxpayers' money, it is fair to ask ourselves what the local service carriers are doing to reduce the amount of subsidies they require. I am happy to report there are positive answers to this question. Let me give you one concrete example.

Thirteen local service airlines—including some Alaskan carriers and one from the Caribbean—recently banded together in an effort to cut costs by making joint purchases of common supplies. For instance, all airlines use large quantities of teletype paper. This new group will obtain this paper directly from the manufacturer, rather than through more costly retail channels.

This group is known as Capco—Consolidate Airline Purchasing Corp. It opened an office in Washington on the first of this month. Keith Kahle, who originated the idea, is serving as its $1-a-year president, in addition to his regular duties as vice chairman of the board of directors of Central. Keith told me about the plan to demonstrate how local service carriers are making a conscientious effort to reduce operating costs. I think such efforts deserve our attention.

I should like to commend the chairman and this subcommittee for their continuing interest in this vital function of our growing country and our expanding economy.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, we have had many words in connection with this bill but not too much light on some aspects of it during the general debate so far. This bill calls for the spending of some $13,318 million in the next fiscal year. This is an increase, according to the report, of more than $90 million over the amount spent for the same general purposes last year. Oh, sure—there is a reduction from the budget request but that is really meaningless. If there is to be economy there must be reductions below the amount that was spent last year, and on that basis this bill is more than $90 million richer than it was last year.

Only yesterday the House approved the agriculture appropriation bill. It was cut $1 billion from the figure of last year. Of course, you can argue whether it means exactly what it says or not, but at least we voted for a cut of over a billion dollars from the spending of the previous year for agriculture. Yet this committee is here today with a bill calling for $90 million more than was spent for the same general purposes last year. That neither looks nor smells like economy.

I would like to ask the chairman if it is not true that in this bill, out of the $140 million for the aeronautics and space setup, which was cut out of the bill last year as an economy measure, $100 million has been put back in this bill this year.

Mr. THOMAS. May I say to my distinguished friend, the gentleman from Iowa, that I will give the gentleman the exact figures on space. But, now, I go back in my memory. There is less money this year than was authorized last year. But let me point out to the gentleman what was appropriated and authorized. We will give the gentleman that information in a minute. However, the gentleman should bear in mind that in this $90 million to which the gentleman referred a moment ago, there is a pay increase involved here with which we have nothing to do other than to pay it.

Mr. GROSS. All right.

Mr. THOMAS. It is a mandatory item.

Mr. GROSS. Let us deal with the Space Administration and that $100 million which is contained in this bill.

Mr. THOMAS. I shall get to it in a minute.

Mr. GROSS. This was supposed to have been an economy measure last year, but it is right back in here today.

Mr. THOMAS. Permit me to explain it to the gentleman.

Mr. GROSS. Surely.

Mr. THOMAS. There is a mandatory increase and we cannot laugh it off. There is an increase in here for payment of pensions to veterans that was not contained in the bill last year. That represents a minor increase, and I know that my friend is not complaining about that.

Now permit me to give the gentleman the exact figures on the space item. When we get through, the gentleman will find that there is perhaps a little reduction.

Mr. GROSS. I am looking for information about this increase which I would like to have gotten during the general debate on the bill instead of having it taken out of my pitiful 5 minutes.

Mr. BEERMANN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-six Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 134]

Abbitt
Adair
Alger
Andrews, Ala.
Ashley
Ashmore
Auchincloss
Avery
Ayres
Baring
Barrett
Barry
Bass
Blatnik
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bray
Brock
Bruce
Buckley
Burton, Utah
Chelf
Clawson, Del
Cohelan
Colmer
Cooley
Cramer
Curtis
Davis, Tenn.
Diggs
Dingell
Dorn
Dowdy
Edmondson
Elliott
Ellsworth
Flynt
Foreman
Forrester
Fulton, Tenn.
Gary
Goodell
Grant
Gray
Hall
Hanna
Harding
Hardy
Harsha
Hays
Hébert
Herlong
Hoffman
Huddleston
Ichord
Jensen
Jones, Ala.
Kee
Kilburn
Kilgore

Kirwan
Lankford
Leggett
Lloyd
Long, La.
McIntire
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Meader
Miller, N.Y.
Minshall
Morrison
Mosher
Norblad
Patman
Pelly
Perkins
Pilcher
Pirnie
Pool
Powell
Randall
Rivers, S.C.
Roberts, Ala.
Rodino
Roosevelt
Roybal
St Germain
Scott
Selden
Senner
Short
Smith, Calif.
Springer
Stubblefield
Sullivan
Teague, Calif.
Thompson, La.
Toll
Tupper
Wickersham
Willis
Wilson, Charles H.
Winstead
Younger

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 11296, and finding itself without a quorum, he had directed the roll to be called, when 325 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee found itself without a quorum, the gentleman from Iowa [Mr. GROSS], had asked unanimous consent to proceed for an additional 5 minutes.

Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The gentleman from Iowa [Mr. GROSS], is recognized for 6 minutes.

Mr. GROSS. Mr. Chairman, as I had observed before the quorum call was made, this bill calls for the spending of $13,000-plus million, which is some $90-plus million above the spending for the same general purposes last year. This compares with the agricultural appropriation bill which the House approved yesterday in which there was a cut in spending of over $1 billion below the spending for the same general purposes in the previous year. I am waiting for someone to bring in a bill, other than the Agriculture Committee, with a substantial cut in spending in it. I am afraid the gentleman from Texas [Mr. THOMAS] has brought us a bill that does not fit any pattern of economy.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. THOMAS. Mr. Chairman, may I humbly attempt to persuade my distinguished and amiable and genial friend from Iowa that this little subcommittee does fit his standard, up to a point anyway. He is right that there is about $100 million more in here than last year. There was a tremendous cut last year; do not try to take that away from us.

Mr. GROSS. Just a minute now. We have the statement from you that you economized last year.

Mr. THOMAS. And you got it.

Mr. GROSS. Wait a minute. You allegedly economized last year to the extent of $141 million.

Mr. THOMAS. Well, you make your statement and I will make mine.

Mr. GROSS. Wait a minute, now. There is $100 million, is that right, back in this bill of the economy that you claimed to have made last year?

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes; of course.

Mr. THOMAS. And if the gentleman wants more time we can help him get it. The gentleman is right. There is $100 million in here. Where does it come from? Why?

Mr. GROSS. I am talking about the Aeronautics and Space Administration.

Mr. THOMAS. If the gentleman will yield further, let me answer your question. The gentleman asked the question.

Mr. GROSS. That is what the $141 million was applied to.

Mr. THOMAS. The gentleman is wrong about that.

Mr. GROSS. No; I am not.

Mr. THOMAS. I will tell the gentleman where it is if the gentleman wants to know. We have about $50 million in here which reflects an increase in pay, a mandatory item. That is item No. 1.

Mr. GROSS. Not in the Aeronautics and Space Administration. We went over this awhile ago. Please do not take my time trying to sell me on the idea that you have $100 million worth of salary increases in 1 year in the Space and Aeronautics Administration.

Mr. THOMAS. You go ahead and then I shall use my own time.

Mr. GROSS. I cannot accept that one on that basis. But getting back to the business of additional expenditures dealing with salary increases, how much is contained in this bill to finance the retirement fund of Federal employees and Members of Congress? How much is there in this bill for that purpose? I tried to get it straight in the hearings but could not do so.

Mr. THOMAS. It amounts to about 6½ or 7 percent of the entire salary bill.

Mr. GROSS. I have reference to the retirement fund alone. How much are you putting in for that?

Mr. THOMAS. About $65 million.

Mr. GROSS. About $65 million?

Mr. THOMAS. Yes.

Mr. GROSS. And a substantial or significant part of that was made necessary by virtue of the salary increase bill of 1962; is that correct?

Mr. THOMAS. Certainly a portion of it.

Mr. GROSS. What I am trying to point out to the Members of the House is that when and if they vote for another salary increase—and a bill is on the way here now—they can expect to pick up a still bigger load in the retirement fund that is already $34 to $36 billion in the red.

Mr. THOMAS. The gentleman's arithmetic is correct.

Mr. GROSS. Is that correct?

Mr. THOMAS. Your arithmetic is correct.

Mr. GROSS. I want to put the Members of the House on notice that when they get around to voting on that bill, it is not just the salary increases for which they will be voting, but voting to obligate the taxpayers for millions of dollars for increases in the retirement fund.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes.

Mr. JONAS. The $65 million is not any part of the Government's payment of the 6½ percent on salary payrolls for the retirement fund. It is just to take care of the increased annuitant rates increased last year.

Mr. GROSS. That is right.

Mr. JONAS. The Government's part of that cost.

Mr. GROSS. Apparently, some people are perfectly willing to let our great grandchildren pay for the increase?

Mr. JONAS. That is correct. But I want the RECORD to show that the $65 million is not the Government's share of what it owes on civil service retirement, and it is only to take care of the increases voted last year for annuitants.

Mr. GROSS. Yes. And, another few years, this is going to cost the then taxpayers $1 to $2 billion a year in order to meet the requirements of the fund, if they are met.

Mr. JONAS. The fund is about $35 billion in the red now and it is going in the red at the rate of $1.5 billion a year.

Mr. GROSS. I thank the gentleman from North Carolina, and I would like to say to Members on both sides of the aisle that we cannot seem to get time in the Post Office and Civil Service Committee to deal with the situation that confronts the retirement fund which is $34 to $36 billion in the red. We cannot get time to do anything about it because all our time is spent bringing salary grab bills to the floor of the House, as the gentleman from Texas and the members of his committee know, who have been dealing with this huge deficit in the retirement fund. We cannot take time in the Committee on the Post Office and Civil Service to meet this serious issue. The majority of the Members are always thinking in terms of increased pay. That is about all the Post Office and Civil Service Committee has done in this session of Congress.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. JONAS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I take this time in order to extend the colloquy with the gentleman from Iowa [Mr. GROSS]. I had intended to allude to the civil service retirement fund in my original remarks during general debate, but time was limited and it was impossible to do so.

Now, there are different theories about how the Government's obligation to this fund should be taken care of. There are those who argue that it is not necessary to pay into the fund each year because the full faith and credit of the United States is involved and that the Government is obligated in the end to make up whatever deficit there is.

The other argument is that it is better to pay in every year the Government's share in order that we will have a trust fund out of which Federal employees may be assured they will have their annuities paid when they become entitled to them.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Tennessee.

Mr. EVINS. I should like to inform the gentleman from North Carolina and the gentleman from Iowa that this committee has been the one trying to do something about the civil service retirement fund. It is now in a more critical situation than it was several years ago.

Mr. JONAS. Yes, it is getting worse at the rate of $1.5 billion a year. The unfunded liability of the Federal Government in that fund is already $35 billion. So when we talk about the national debt being $310 billion—and I read in the paper yesterday that a request is going to be made to increase this shortly to $325 billion—you can add $35 billion additional to it because this is an obligation just as binding as a note or savings bond, but it is not included in the national debt. So whatever the national debt is you have an additional liability in this one fund of $35 billion.

As the gentleman from Iowa pointed out, legislation is pending before his committee right now sponsored by the Civil Service Commission which is designed to take care of the deficit as the years go by instead of allowing the deficit to accumulate to the point where we will be at zero and have no more money left in the fund with which to pay these earned annuities. Then the Civil Service Commission will have to come to the Congress every year for a new appropriation of several billions each year to pay the annuities that have been earned. The Civil Service Commission takes the position that it would be much better to keep this fund actuarily sound; for the Government to pay in its part every year, just as the Government extracts 6.5 percent from the salary of each employee, and use that as a trust fund which could be invested to produce some income in the way of interest, which would add to the capital in the fund and keep it actuarily sound.

This is a very important subject. I would respectfully refer the members of the committee to the testimony given by Mr. Macy and his associates in the Civil Service Commission beginning on page 164, part 1, and running over for several pages. I think you will find the information set forth there very revealing. I do not believe any one can read that testimony without being concerned about the situation.

The CHAIRMAN. For what purpose does the gentleman from Texas [Mr. THOMAS], a member of the committee, rise?

Mr. THOMAS. Mr. Chairman, I would like to renew my unanimous-consent request that the remainder of the bill be considered as read and subject to points of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair will recognize Members on points of order.

Mr. WYDLER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WYDLER. Mr. Chairman, I make a point of order against the language in the bill appearing on page 45 in that paragraph beginning on line 6 and ending on line 10 and the language in the next paragraph beginning on line 12 and ending on line 23 as follows:

CONSTRUCTION OF FACILITIES

For advance planning, design, and construction of facilities for the National Aeronautics and Space Administration and for the acquisition or condemnation of real property, as authorized by law, $245,000,000, to remain available until expended.

ADMINISTRATIVE OPERATIONS

For necessary expenses, not otherwise provided for, of the operation of the National Aeronautics and Space Administration, including uniforms or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); minor construction; supplies, materials, services, and equipment; awards; purchase or hire of not to exceed two aircraft for administrative use; maintenance and operation of administrative aircraft; purchase and hire of motor vehicles (including purchase of not to exceed sixty-seven passenger motor vehicles, of which thirty-four shall be for replacement only); and maintenance, repair, and alteration of real and personal property; $610,000,000.

Mr. Chairman, I make the point of order against these two paragraphs on the ground that these are appropriations for which there is no authorization.

The CHAIRMAN. Does the gentleman from Texas [Mr. THOMAS] desire to be heard on the point of order?

Mr. THOMAS. May I inquire of my distinguished friend the gentleman from New York [Mr. WYDLER] who is a very able and personable young man whom I personally like; I understand the gentleman's point of order strikes out all funds for acquisition of real property by the National Aeronautics and Space Administration and, second, all funds for administrative operations.

Mr. WYDLER. Yes, that is correct.

Mr. THOMAS. My distinguished friend knows exactly what he is doing, Mr. Chairman. His point of order is good. I hope he will not insist upon it but if the gentleman insists upon the point of order, it is a valid point of order since this has not been authorized. However, Mr. Chairman, I would like to point out to the gentleman that this House of Representatives and the very able and distinguished legislative committee on space, the Committee on Space and Astronautics, of the House have certainly done their work and the bill was passed by a tremendous vote in the House. But through causes beyond the control of this body, it has not been acted upon by the other body and, of course, the point of order is good. Would my distinguished friend consider withdrawing his point of order?

Mr. WYMAN. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New Hampshire desire to be heard on the point of order?

Mr. WYMAN. I would like to address some remarks to the gentleman concerning the point of order in the nature of a question, if that is in order at this time, Mr. Chairman.

The CHAIRMAN. The Chair will indulge the gentleman.

Mr. WYMAN. I thank the Chairman. I would simply like to inquire if the gentleman from New York can tell us, whether if this is done, we are ever going to get a chance to move on the floor of the House to amend these sections; or if this is going to come back to us in the way of a conference report only?

Mr. WYDLER. Is the gentleman from New Hampshire directing that question to me?

Mr. WYMAN. It is directed through you to the Parliamentarian. Are we going to get a chance to amend this if your point of order is made here now or are we bound by the conference report?

Mr. Chairman, if I may, I would address that question to the Chair as a parliamentary inquiry.

The CHAIRMAN. This is not a matter for the present occupant of the chair to decide. This is a question for the House to consider.

Mr. TEAGUE of Texas. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Texas [Mr. TEAGUE] rise?

Mr. TEAGUE of Texas. Mr. Chairman, I intend to make the same point of order if the gentleman from New Hampshire does not insist on his point of order, and I say that for the information of the House.

The CHAIRMAN. Does any Member desire to be heard further on the point of order made by the gentleman from New York? If not, the Chair is prepared to rule.

The gentleman from New York [Mr. WYDLER] has made a point of order to the two paragraphs on page 45 of the bill, lines 6 to 10 and lines 12 to 23, respectively.

The Chair sustains the point of order against both paragraphs.

Are there any further points of order?

Mr. TEAGUE of Texas. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. TEAGUE of Texas. Mr. Chairman, I make a point of order against the language of the bill on page 44, beginning on line 19 to and including line 4 on page 45, as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Research and development

For necessary expenses, not otherwise provided for, including research, development, operations, services, minor construction, supplies, materials, equipment; maintenance, repair, and alteration of real and personal property; and purchase, hire, maintenance and operation of other than administrative aircraft necessary for the conduct and support of aeronautical and space research and development activities of the National Aeronautics and Space Administration; $4,345,000,000, to remain available until expended.

I make a point of order against that paragraph on the ground that it is an appropriation not authorized by law.

The CHAIRMAN. Does the gentleman from Texas [Mr. THOMAS] desire to be heard on the point of order?

Mr. THOMAS. Mr. Chairman, I do not desire to be heard on the point of order. I regretfully admit the point of order is good.

The CHAIRMAN. The point of order is sustained.

Mr. TEAGUE of Texas. Mr. Chairman, I make a further point of order.

The CHAIRMAN. The gentleman will state it.

Mr. TEAGUE of Texas. Mr. Chairman, I make a point of order against the language of the bill on page 46, line 2 to and including line 16, as follows:

GENERAL PROVISIONS

Not to exceed 5 per centum of any appropriation made available to the National Aeronautics and Space Administration by this Act may be transferred to any other such appropriation.

Not to exceed $35,000 of the appropriation "Administrative Operations" in this Act for the National Aeronautics and Space Administration shall be available for scientific consultations and emergency or extraordinary expense, to be expended upon the approval or authority of the Administrator and his determination shall be final and conclusive.

No part of any appropriation made available to the National Aeronautics and Space Administration by this Act shall be used for expenses of participating in a manned lunar landing to be carried out jointly by the United States and any other country without consent of the Congress.

I make a point of order against that paragraph on the ground that it is an appropriation not authorized by law.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. THOMAS. Mr. Chairman, I reiterate my former remark. The point of order is good.

The CHAIRMAN. The gentleman from Texas concedes the point of order. The Chair sustains the point of order.

Mr. HARRIS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Are there further points of order to the bill? If not, the Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. THOMAS. Mr. Chairman, I wish to state to the House that it will be the intention of your subcommittee, when we go to conference, to restore to the bill every item—which includes construction, the cost of laboratories, personnel, research and development—and every dime that has been stricken, of course, legally, by points of order. I wish to make the record clear on that point.

Mr. HARRIS. Mr. Chairman, I move to strike the last word.

(By unanimous consent, Mr. HARRIS was given permission to proceed for an additional 5 minutes.)

Mr. HARRIS. Mr. Chairman, I wish to join our colleagues in commending the distinguished chairman and other distinguished members of this committee for the diligent and fine work they have accomplished in bringing to the House this appropriation bill. I know they have had difficulty in arriving at what are considered to be the best decisions and solutions to problems. I commend them for it.

I know the committee has made a diligent effort to do the job that has been challenging them, to carry out the functions of Government as contained in this appropriation bill. I know they have given much thought, consideration, and time to economizing, and to meeting the challenges, and to providing reductions wherever they felt, from the information they have had, were justified. For that effort I join others in applauding the committee.

I am quite concerned about the provision which is included in the appropriation bill having to do with the operations of the Federal Aviation Agency for the next fiscal year. The committee has made some rather drastic cuts. There is a reduction of $10 million in operations. The committee reduced by 33 percent the request for towers and communication equipment, such as radar sites and so forth, to carry out the new program of communications. The committee has also reduced by one-half the requested amounts for research and development, from $42 to $21 million.

It is true, Mr. Chairman, that this Agency has grown large rather fast, but we know there is a reason for it. The act of 1958 provided for a consolidation of the communications services and operation of the airways, a consolidation of commercial private flying and the military. We know that the personnel of the Agency necessarily had to be expanded. It is a large Agency.

We also know that since that time our aviation industry has progressed so rapidly that today airplanes are being flown which will travel faster than the speed of sound. We know that faster planes will come into play in the future.

So there is justification for it. The committee recognizes that. I know that there is a question about the research and development program, because there are some carryovers to meet some of the needs.

However, I want to call to the attention of all Members of this House the problem of flight service stations. Many of you have been to me and to other members of the committee, expressing great concern about what is happening to the reduction of this service and the closing out of a good many of these flight service stations. Let me remind you that there has already been an announcement made that 42 of the 297 flight service stations are being closed out on a graduated basis. What that means is that the Federal Aviation Agency will necessarily be required to reduce certain services of the aviation industry. There is contemplated an ultimate program of 150 flight service stations plus a number of satellite stations in an effort to meet the economy demands that have been made on the Agency.

What concerns me is that the committee has reduced the operations of the Federal Aviation Agency for the next fiscal year by $10 million. By this you have said in your committee report that in addition to the 754 jobs which have been reduced by the Agency itself, you want the Agency to make another reduction of 1,500 employees. If it can be done without reducing services, it ought to be done, but we are advised that the substantial reduction of the additional 1,500 employees is going to come from the reduction of the flight service stations. That means that within the next 12 months these 42 flight service stations will be cut out.

I would like to ask the distinguished chairman of this committee if it is the intention and purpose of the committee that a substantial part of this reduction be used for the purpose of reducing the flight service stations and immediately cut down the service of these stations that are now existing.

Mr. THOMAS. If the gentleman will yield to me, the answer to my able and distinguished friend—and I am never in too much disagreement with him—is this: You have 299 of these stations now. The Administrator—not this subcommittee, but the Administrator—during the next 15 months wants to reduce this number by 42. The overall cost by any stretch of the imagination brought about by the reduction will not be more than $2.5 or $3 million. So, out of the $10 million cut, this item will not be reduced by more than $2.5 million. I cannot see why it will be reduced that much, Mr. HARRIS.

Mr. HARRIS. That is why I want to discuss that with the distinguished chairman. I wanted to discuss this with the distinguished chairman because we have just had a hearing in our committee on this problem. Our committee was told only last week that the reduction of this service would be 42 of the 299, and out of that there would be approximately 600 jobs that would go with it.

Mr. THOMAS. That is a high figure, but go ahead.

Mr. HARRIS. Approximately 600. We were also advised that the average salary of the personnel was about $9,000.

Mr. THOMAS. That is correct.

Mr. HARRIS. That is not only the salary but the expenses that go with it. The salaries would be substantially less than that, but let us say about $9,000 a year total expense. That would mean $5.4 million. That is more than half of the total $10 million reduction in operations.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. HARRIS] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HARRIS. I regret to take so much time.

Mr. THOMAS. You are entitled to it.

Mr. HARRIS. But any number of Members of this House have been to us in the last several months and have been greatly concerned about the flight service stations in their home towns and throughout the country. We are told by the Administrator that if the 1,500 additional job reduction is required, as the committee report states, they will have to go to the top priority and that means that approximately 600 people in this particular type of service will go. That means that 42 stations will be closed down immediately under the program, which is not agreed to by everybody, otherwise they will graduate them through a period of 12 to 24 months. I want to make certain that we do not get caught in the middle. I would like to get the gentleman to advise the House that they are not going to be closed down by this recommendation of reduction or accept an amendment which I am prepared to offer.

Mr. THOMAS. I have seen the gentleman's amendment. Will the gentleman yield to me at this time?

Mr. HARRIS. I am glad to yield to the gentleman.

Mr. THOMAS. I think our able and genial friend, the Administrator, Mr. Halaby, may be puffing the figures a little bit; I do not mean he is doing that arbitrarily, but he is putting his best sales foot forward. Certainly by no stretch of the imagination, as I see it, could that reduction be any more than 50 percent of what he says it is. His top figure is $5 or $5½ million. We think it will be less, about $2½ million at the most. Regardless of that, may I say to my able friend from Arkansas, one of the great chairmen of this House—he certainly does a tremendous job——

Mr. HARRIS. I thank the gentleman, but let us get on with this.

Mr. THOMAS. We will meet with the gentleman and his committee in the morning——

Mr. HARRIS. Would the gentleman object to my offering this amendment now, and then he could take it with him and work it out?

Mr. THOMAS. I do not want to do it that way. Will the gentleman permit our committee to come over to his committee room tomorrow morning, have the Administrator over there, and I will guarantee that we will work it out to his satisfaction?

Mr. HARRIS. But in the meantime the bill will have passed and be on its way. It will not do any good to talk about it after you close down these stations.

Mr. THOMAS. The gentleman means that the bill will be passed by our brothers here today?

Mr. HARRIS. Yes; it will be passed here today.

Mr. THOMAS. But the other body is not through talking yet. The gentleman does not mean that it will become law. It will pass the House, but it will not become law by tomorrow.

Mr. HARRIS. That is correct, but so far as we are concerned, it will have passed, the gentleman will have his program.

Mr. THOMAS. We will get the Administrator over to the gentleman's office tomorrow, regardless of what is done here now.

Mr. HARRIS. Mr. Chairman, let me ask the gentleman this question, and I think it is a fair question. Is it the intention that these 42 flight service stations be closed down immediately?

Mr. THOMAS. No, it is not; I would say in about 15 months, or 12 to 15 months.

Mr. HARRIS. What are they going to do for money in the next 12 months?

Mr. THOMAS. There is money provided in here now until June 30.

Mr. HARRIS. June 30 of this year, but I am thinking about the next fiscal year.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman.

Mr. EVINS. There are some members of this committee who do not want the flight service stations closed. Protests have been made to the Administrator. The Administrator says that he wants to make certain economies. But the Administrator could make some of these economies without closing down these flight stations, at least he could make these economies without closing a substantial number of these flight service stations.

Mr. HARRIS. That is precisely what I am concerned with. Mr. Chairman, I am going to be compelled to offer this amendment, in view of the situation.

AMENDMENT OFFERED BY MR. HARRIS

Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: On page 11, line 19, immediately after "facilities," insert the following "the continuation of the existing authorized domestic flight service stations".

Mr. THOMAS. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. HARRIS. I yield.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes, with the last 5 minutes being reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HARRIS. Mr. Chairman, I shall now proceed to explain my amendment.

Mr. OSTERTAG. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from New York.

Mr. OSTERTAG. First of all, may I say to the gentleman that as a member of the Committee on Appropriations I share his concern about the flight service stations and I know that many Members of the House are concerned about it. We discussed this matter in our hearings. As I see it, the matter of dollars is not involved here. The FAA has authority, as I understand it, to do it or not to do it. I see no way by which we in appropriating funds can protect or continue more of these flight service stations than the administration desires to continue.

Mr. HARRIS. Let me say to my distinguished friend from New York that I appreciate his interest and I know all members of this Committee are interested in this question. However, I feel that through the adoption of the amendment which I have offered, it does not involve increased sums of appropriations. It only provides for the continuance of these stations for the next 12 months.

Let me tell you why it is important to do this. It is a question of whether or not we are going to give the Agency time to phase out some stations and to work it out for the best interest.

Mr. Chairman, it will take a period of 12 to 16 months and maybe a little longer to do this. What the committee has done is this: They reduce by $10 million operations of the agency. They say they are going to accomplish the bulk of the reduction in the reduction of the flight service stations. On the other hand, if you reduce this service, it requires the remoting of this information from another station somewhere. It takes time to get the facilities installed. They cannot do it merely through the snap of the finger. It will require several months.

On the other hand, the committee has reduced the funds recommended for additional equipment and facilities by one-third, or $25 million. This means the FAA is going to say that they cannot acquire the remoting facilities to remote this information to the station where they would get the information. This would bring about a reduction in them. Therefore, you cannot have the service, either direct or by remoting.

Now, what we would do by this amendment, if what the gentleman says is correct, my distinguished friend, the gentleman from Tennessee [Mr. EVINS]—we would say that within the amount of funds appropriated, they would have to continue the operation of these flight service stations, and that is all there is to it.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Tennessee.

Mr. EVINS. I would request that the gentleman from Arkansas, the gentleman from Mississippi [Mr. WILLIAMS], and others persuade the Administrator not to close these stations. He said he could keep them on, but he wants to economize in this field. However, I feel he can economize elsewhere.

Mr. HARRIS. I thank the gentleman from Tennessee. If the Committee adopts this amendment, then we would have the assurance on the part of the Members of the House that this would be done.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from California. The gentleman has a very serious problem in his district with which he has been wrestling for months.

Mr. DON H. CLAUSEN. I would like to take this time to direct a question to the gentleman from Tennessee, who has alluded to the fact that the Administrator has requested these closures.

We have been told that there was a directive from the Committee on Appropriations itself suggesting that they have to close them. Could the gentleman answer that question? Is this a fact? Has there been a directive from the committee to the Administrator to close them?

Mr. EVINS. If the gentleman from Arkansas will yield, there was language in the report last year directing the Administrator to practice economy wherever he thought possible, because we thought the Agency was topheavy and that it should be reduced. This is where he chose to make that reduction.

Mr. DON H. CLAUSEN. If the gentleman from Arkansas will yield further, is it not the personal feeling of the gentleman from Tennessee that there are other areas where economies could be effected other than in this area?

Mr. HARRIS. Let me say this, in the first place. Yes; the committee had language last year, and I think appropriately so, directing this Agency to start reducing. It did start reducing. It has reached its maximum. It is going down. They have reduced by 1,100 in the amount of personnel since last year and they are going down more. There are 754 reductions in the Agency budget. The committee would cut the force by 1,500 in addition to the reduction proposed by the Agency. It is rather drastic and we do not want it to fall primarily on flight service stations.

I think it has reached its peak and coming down, but let us not all of a sudden start cutting on the service because, I may say to my colleagues, it is a dangerous situation when you start flying through the air without the right kind of safety information to go with it.

The CHAIRMAN. The chair recognizes the gentleman from Mississippi [Mr. WILLIAMS].

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from West Virginia.

Mr. HECHLER. Mr. Chairman, I rise in support of the pending amendment. I certainly hope that this amendment is adopted. I believe that if the FAA and the committee could conclusively demonstrate that genuine economies can be achieved, without the loss of safety, everybody would favor the remoting of information now handled by these flight service stations.

The FAA has estimated that the closing of the flight service station at Huntington, W. Va., would result in a savings of between $26,400 and $36,700 per year. One human life could not be calculated in terms of the figures I have just cited, yet safety would be threatened by this move. Some people contend that it would be just as easy for a pilot to pick up a phone to some remote center and get the same type of information he now gets personally across the counter. The general aviation pilots to a man say their safety is threatened when you take away the flight experts who know the mountainous terrain.

What about the costs of relocating personnel, building new communications buildings and equipment, and the other cost factors? I do not believe all these have been fully documented, and these are aside from the vital considerations of safety.

I commend the gentleman from Mississippi [Mr. WILLIAMS] for the hearings he has held on this subject. I certainly hope that the amendment of the able gentleman from Arkansas [Mr. HARRIS] will be adopted, and I strongly urge that in the interests of safety and genuine economy the pending amendment be adopted.

Mr. WILLIAMS. Mr. Chairman, like the distinguished gentleman who preceded me, I wish, also, to compliment this committee on the efforts they have made to bring about some economy in the operation of these agencies and, in particular, the Federal Aviation Agency. In the bill which is presently before us, the Federal Aviation Agency has been reduced $10 million in operational funds, $25 million in facilities and equipment, $21 million in research and development, and several other smaller reductions.

I am not too much concerned with the decrease in the amount of money appropriated for facilities and equipment for, indeed, according to the committee report, there is $126 million left over for this purpose. Insofar as I can determine from the information I have at hand, that should be sufficient to meet their needs for this purpose during the next year. I am not too much concerned about the reduction in R. & D. because much of the R. & D. activities presently carried on by the Federal Aviation Agency are a duplication of efforts in other agencies of government.

I am deeply concerned, however, over the reduction recommended in the appropriation for operation and maintenance of their facilities.

I requested the Federal Aviation Agency to give me information as to how they intended to use the additional money they had put in their budget request for operations and maintenance. I was told it was for the purpose of operating newly allocated facilities—and I have a list in my hand—10 long-range radars, 6 terminal radars, 33 air traffic control radar beacons, 19 traffic control towers and combined station/tower, 25 remote air-ground peripheral communications outlets, 103 Doppler direction finder equipment, 29 limited remote communications outlets, 247 short-range navigation facilities, 8 instrument landing systems, 22 approach light systems, 32 runway end identification lights, 12 visual approach slope indicators, and 12 low/medium frequency facilities.

All of these, Mr. Chairman, are instruments of safety in the operation of aircraft.

Funds for the operation and maintenance of these facilities was the purpose of their requesting an increase in their operations budget for next year. The committee saw fit not to grant the increase but, instead, reduced their request by $10 million.

What does this mean? This means that the equipment I have just listed is either ready to go into operation or will be ready to go into operation by January 1, 1965. The Federal Aviation Agency is going to have to operate this equipment because of the investment which has been made out of funds appropriated previously. This equipment is necessary to our air traffic control system and to the safety of the operation of aircraft. If the amendment offered by the distinguished gentleman from Arkansas is not adopted, and if this $10 million cut goes through, the Agency is going to have to find some other place to make this up. The most convenient place for them to reach is in the field of general aviation, which is not represented by the Air Transport Association or the big airlines, but is the field of business aviation, agricultural aviation, private aviation. That would strike at the greatest service that is rendered to private aviation, that is, the flight service station system.

In 1949 we had over 500 flight service stations in the 48 States. Today that number has been reduced to 297.

If Mr. Halaby goes through with his present plan for remoting these 42 flight service stations and reducing the number eventually to 150, what he calls hard-core stations, it will result in a very dangerous curtailment of service to the general aviation community.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WILLIAMS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WILLIAMS. Mr. Chairman, if Mr. Halaby goes through with this and he remotes all stations inside of a 100-mile radius, that is going to mean we will have to have minimum areas of 31,460 square miles where there will be only one weather reporting agency and only one place where a pilot can get his weather information. For the general aviation pilot that is a very, very dangerous thing.

It has not been told to you that these flight service stations average over 1,100 saves per year. That means these flight service stations are responsible for saving 1,100 aircraft per year from possible disaster—and goodness only knows how many lives they save in the process.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I am glad to yield to the gentleman.

Mr. JONAS. I do not ask these questions in any critical way, but to get the benefit of the great knowledge that the gentleman from Mississippi has on this subject. We were told in committee by Mr. Halaby and his associates that they can provide equivalent services, just as expert service, just as quick service, and just as effective service with a telephone operation which they propose to substitute for the stations and, yet, save a substantial amount of money. Now I am not making that argument. But I say we were told that by the FAA witnesses. I would appreciate it if the gentleman would address some comment to that proposal which was made in committee.

Mr. WILLIAMS. I will do my best if I have the time. I am afraid we are not going to have the time to go into it in great detail. Mr. Halaby can render the same enroute services to the airlines and cross country pilots by remoting and by telephone, but he certainly cannot render the same service to the general aviation pilot who goes into the flight service station and stands eyeball to eyeball with the people in the service station and takes a look at the weather reports himself and takes their advice. In other words, remoting will remove a most necessary and vital terminal service now utilized by our pilots.

Now, when Mr. Halaby made his original announcement, he indicated he was going to remote all of these stations to what he called hard-core stations. He was just going to abolish all of these stations, that is, those 42 stations, which would also result in reducing weather information, particularly local weather information, made available to pilots.

Later on he apparently realized that he had made a mistake so he began to retreat. Now he has come in with an alternative plan. He says now he is going to abolish these stations and he plans to substitute in their place a system of what he called manicom operations whereby one or two men provide a sort of skeleton type of limited operation. However, he is not yet ready to explain fully the details of this manicom operation to the committee. He is unable to tell us, for instance, how many frequencies will be available to the pilots in flight through use of these manicoms. He has not been able to tell us how many lines will be required from the manicom station to the so-called central or hard-core stations. He has not been able to tell us exactly how much it is going to cost. He is not able to tell us how much this experiment that he plans to put in as a substitute is going to cost. He has not been able to show the committee thus far that there will be any real substantial savings in this entire discontinuance operation that is contemplated.

The gentleman from California [Mr. DON H. CLAUSEN] has a very peculiar situation in his district at a place called Arcata, where the weather can move in suddenly and be gone in the next 25 minutes. A pilot flying in that area never knows what kind of weather he will run into at Arcata. If the Arcata station is abandoned, as Mr. Halaby plans, there will be no weather information available at Arcata for the pilots flying in and out of that area. If the station is retained, weather information will be available.

The same thing holds true at Brunswick, Ga., in the district of Congressman TUTEN. The weather moves in suddenly, and 15 minutes later it is gone. In the meantime the pilot "upstairs" has no way in the world of knowing what the weather is at the station.

As I mentioned a moment ago, if Mr. Halaby goes through with this proposition of putting these stations a minimum of 100 miles apart, this will mean there will be an area of 31,416 square miles wherein there is only one weather-reporting facility available. In my opinion, this compromises safety.

It seems to me, Mr. Chairman, that the continuation of these flight service stations is absolutely essential. It is essential in the interest of aviation safety. It is essential in the interest of our aviation system.

I hope that the amendment offered by the gentleman from Arkansas will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Chairman, I want to join my colleague from Mississippi in a bipartisan approach to the flight service station problem and in support of the amendment offered by the gentleman from Arkansas [Mr. HARRIS].

At the outset I also wish to extend my thanks to the chairman and to the other fine members of this subcommittee of the Appropriations Committee, who have heard me before on this subject.

True, like many people, I came into this debate because I had extenuating circumstances with respect to a flight service station in my own area. I can advise the members of the committee that Mr. Halaby admitted an error has been made, not only at the Arcata facility, but also in some five others. This only points to the fact that there are problems not only with respect to the particular flight service station in my district, but with respect to many of them throughout the country.

Frankly, there is too little knowledge of the overall service that a flight service station provides. When we consider this particular problem, I believe one thing has not been taken into account, and that is the lack of flexibility in the criteria established on these particular facilities. Heretofore general aviation has been totally dependent upon the flight service station as the main line of communication and a navigational aid. The airlines do not have this problem, because they have their own duplicating facilities.

I believe what has happened here is that where we have the en route navigational facility which takes care of the aircraft en route, we have not taken into account the tremendous responsibility of the flight service station in providing terminal facilities where towers are nonexistent. Unless this is available, pilots of aircraft will be caught out under very serious and changing weather circumstances and will not be able to safely land the airplane or be advised of existing weather conditions by a qualified flight specialist.

If I had an hour I could tell of my personal experiences, since I have been a professional flier, and how I have saved lives virtually because of the fact that I had "educated eyeballs" serving at the flight service station, giving me up-to-the-minute observations in areas where the fog conditions can change in a matter of minutes.

If I had the opportunity, I should like to take all of the members of the Committee on Interstate and Foreign Commerce and of this subcommittee of the Committee on Appropriations with me in my aircraft, to demonstrate specifically what can or cannot be done. No one can fully understand the extent of the problem unless he has had cockpit or pilot compartment exposure.

I believe that one of the reasons why this particular amendment is so important is that it coincides with the hearings now being held by Mr. WILLIAMS' Subcommittee on Transportation and Aeronautics. These hearings will bring out more and more of the problems facing the general aviation community should a loss of communication facilities take place, where terminal services are necessary.

I believe we should have about 12 months to again evaluate the problem. Then we can come back and report to the Appropriations Committee something of real value.

The hearings which I held in my own district were attended by people from all over California. I feel certain that if any Member could have been a witness at those hearings he would have agreed that there were some very serious mistakes made in suggesting the removing of the Arcata facility.

On the matter of the FAA budget, there may be areas in which we can cut.

I am not an expert on this, because I am not on the committee that hears testimony, but I am personally convinced in my own mind that the one thing we need to do in order to expand business in this area is to recognize the advantages which are available only in the general aviation community. Airlines do not need this and the military are pretty well set, but the business fleet of this Nation will be responsible for our growth. If we do not recognize this as an opportunity to change the economics, we will not be consistent in some of our thinking here on the floor of the Congress. We spend all sorts of money to try to change the economy. We should be giving some consideration possibly to expanding landing aids and communication facilities rather than cutting back. If this is an error of the Administrator, then the entire Congress should let the Administrator know it and know in no uncertain terms that we do not agree with him. After all, we are the representatives of the people. They have expressed their wishes very vigorously to many members of Congress. I think it is our responsibility to express the wishes of our constituents to the agencies involved. In this way, we can work together for the common good of all aviation users.

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. Yes. I will be happy to yield.

Mr. HECHLER. Is it not true that the Administrator of the Federal Aviation Agency failed to state exactly what economies can be achieved in dollars and cents as a result of the proposals that have been made with regard to flight service stations?

Mr. DON H. CLAUSEN. Yes. I am sure that when the committee hearings that the gentleman from Mississippi [Mr. WILLIAMS] is holding now are completed, you will have ample evidence of what you just suggested.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I will be happy to yield to the gentleman.

Mr. WILLIAMS. I believe the Administrator said that the closing of these stations in the remote and hard core areas and replacement by telephone leased wires, and so forth, would effect an eventual saving of some $3.5 million which would become effective along about 1967. Before we would realize any real saving it would be about 1967. However, he realized subsequent to that time this was not going to render the service that was necessary to be rendered to the general aviation community and to the airlines in some cases and now he is going to substitute a so-called manicom system which will entail the purchase of additional equipment and stringing additional telephone lines and leasing of them. It is impossible at this point to determine whether there will be any savings at all.

Mr. DON H. CLAUSEN. I agree with the gentleman, and I urge the support of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. OSTERTAG].

Mr. OSTERTAG. Mr. Chairman, I believe it important to keep our minds on the dollars with respect to operations under the Federal Aviation Agency. Now, if I recall correctly, we have appropriated nearly $10 million more for operations than was appropriated last year for this same general purpose. Our committee expressed concern about this flight service station program and the proposal on the part of the Administrator to reduce the total number by some 42. Questions were raised as to the desirability of making certain closings in view of the proximity of one to the other. If I understood the Administrator correctly, he admitted that there would be no savings in the closing of these flight service stations in the first instance, because under the terms of this bill the money is there for these stations as they exist today, but the consolidations will cost just as much money for some time to come before savings ultimately would be achieved.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. Yes. I will be happy to yield to the gentleman.

Mr. KYL. The gentleman said that you have increased the amount of the appropriations for general purposes. Was there an increase in money for the specific purpose which is the subject of this amendment?

Mr. OSTERTAG. Well, no. We do not appropriate specifically for one service or another. This flight service station operation comes within the category of operations under the Federal Aviation Agency.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. Yes. I will be delighted to yield to the gentleman.

Mr. HARRIS. Is it not true that out of the $537 million or $538 million total that is carried in this legislation for operations a very small percentage of it is for the operation of the flight service stations?

Mr. OSTERTAG. To a certain degree that is correct. Perhaps slightly under 10 percent of the overall operations costs of the FAA.

Mr. HARRIS. Therefore, the $10 million in addition to the total operations over last year should not necessarily be considered in this matter because the flight service operation costs only a relatively small part of the total.

Mr. THOMAS. Mr. Chairman, will my able friend and counterpart from New York yield?

Mr. OSTERTAG. I will be happy to yield to the distinguished chairman of the subcommittee.

Mr. THOMAS. Let us set the record straight on this flight service station operation. This very small percent will amount to just $52 million this year. Let us get the record straight on this.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I yield to the gentleman from New York.

Mr. ROBISON. In partial answer to the last statement of the gentleman from Texas, my own consideration of this overall problem is prompted by the proposed closing of one of these flight service stations in my district. It indicates that this is not sound economy, that this is false economy and we may well be trying to save money at the risk of human life. I do not think you can compromise in the area of air safety. In my judgment, these stations perform a very valuable and necessary function. I strongly support the amendment of the gentleman from Arkansas.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I have to oppose this amendment because I do not think we ought to be legislating here on an appropriation bill. While the amendment is perhaps not technically subject to a point of order we are dealing with a legislative matter. We cannot here on the floor of the House or in a committee tell Mr. Halaby where he ought to have a flight station and where he does not need one. Do you not see what we get if we start issuing directives to the head of the Federal Aviation Agency, telling him that he is making a mistake if he takes out 42 flight stations all over the United States? How do we know, and what opportunities do we have to know, whether the places he proposes to eliminate ought to be eliminated or not? That is an executive function.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. THOMAS] to close the debate.

Mr. THOMAS. Mr. Chairman, may I respectfully state to my colleagues that this amendment ought to be defeated. We are all for economy, but "Do not economize on me." That is the old standard rule. Here is this Agency. If there is any agency in government that has done well in the way of appropriations, it has. There is only $833 million in the budget this year and for the last 7 years it has gone from 24,000 to 47,000 employees. This is a matter that involves $52 million.

Mr. Chairman, this amendment will tie the hands of the Administrator. Now, listen carefully to this. Under this amendment he cannot close one of the 299 stations—not one. Under the bill we are now considering he has authority to close not one; that is to say, it is not mandatory that he close even one. Why tie his hands? As the gentleman from North Carolina [Mr. JONAS] so ably pointed out, this amendment is subject to a point of order. My able friend from Arkansas and I discussed that a while ago, but I did not care to raise the point. Let us vote this amendment down. The Administrator is the expert, not the members of this strong committee. My friend the gentleman from Arkansas [Mr. HARRIS] and my friend the gentleman from Mississippi [Mr. WILLIAMS] are able men.

They are able. There is no question about that. They are fine pilots. However, I am not going to take their judgment against the judgment of the Administrator of this Agency and his experts. It is his job and their job and not our job to do this.

Mr. Chairman, I respectfully urge that we vote this amendment down and let the Administrator work his will. He is not going haywire about this thing. It is not mandatory under the language of this bill that he even close one. Do the members of the Committee understand that language?

Mr. Chairman, if we adopt this amendment then the Administrator cannot close one station. Now, I say let him work his will.

Mr. HARRIS. Mr. Chairman, will the gentleman yield to me?

Mr. THOMAS. Yes, I yield to the gentleman from Arkansas; of course I will.

Mr. HARRIS. I think we should understand what the actual facts are.

Mr. THOMAS. I have given them to you.

Mr. HARRIS. If the gentleman will yield further, all right——

Mr. THOMAS. Do not doubt that. I have given the facts to the gentleman.

Mr. HARRIS. The gentleman knows that the Administrator does not intend under his program to close one of these stations in the next 12 months; is that not right?

Mr. THOMAS. From 12 to 15 months.

Mr. HARRIS. Is it not a fact that he is not and does not intend to close even 1 of the 42 stations in the next 12 months?

Mr. THOMAS. Well——

Mr. HARRIS. Is not that a fact or not?

Mr. THOMAS. This bill would cover the operations of this agency until June of 1965—June 30 of next year—and during that time he says he will close whatever he intends to.

Mr. JONAS. Mr. Chairman, will the gentleman yield to me?

Mr. THOMAS. I yield to the gentleman from North Carolina.

Mr. JONAS. Can anyone here conceive of the Federal Aviation Administrator flying in the face of any directive from the Committee on Interstate and Foreign Commerce?

Mr. THOMAS. Why, of course not.

Mr. JONAS. If the gentleman will yield further, if hearings are conducted and if you tell him "You are making a mistake to close XYZ or ABC flight stations," can anyone imagine his closing them down in the face of this directive?

Mr. THOMAS. We offered to meet with him in the morning and straighten it out. Does anyone doubt that this man who dreams and thinks of safety 15 hours a day is going to do anything to jeopardize the safety of the people of this country?

Mr. Chairman, let us see what is involved here. Here are a few of these little flight stations located over the country. They only have one or two employees; that is all. Ask my distinguished friend the gentleman from California what he has. Where does that man get the information to whom you talk? He gets it over the telephone. He cannot see over 15 or 20 miles from where he is standing. If you close it, you are going to pick up the telephone and get the same information that is given to you direct. Let us be frank about it.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time on this amendment has expired.

Mr. DOLE. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. Dole moves that the Committee now rise and report the bill back to the House with a recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Kansas is recognized for 5 minutes on his preferential motion.

Mr. DOLE. Mr. Chairman, I wish to say that I agree with our distinguished chairman that everyone wants economy. However, in my particular district they are contemplating closing 3 of the 42 flight service stations and I do not want such a generous share of the FAA economy achieved in the district it is my honor to represent unless there is justification for it.

Mr. Chairman, I would point out that the FAA Administrator is talking about a potential savings of about $1.5 million. This is much less than the amount the Chairman, Mr. Thomas, talks of saving by closing flight service stations.

Permit me to point out, without being critical or passing judgment, that in 1963 the Government shelled out $1.5 million to buy a new Lockheed Jetstar for Mr. Halaby's use. Also the FAA purchased eight Beechcraft Queen Air 80's at a cost of $229,000 each. To justify this expense, the Agency said that it was necessary "to keep the general aviation inspectors current and proficient in production aircraft."

Mr. Chairman, Mr. Lieurance, Director, Aviation Weather Service, appeared before the Transportation and Aeronautics Subcommittee, chaired by the gentleman from Mississippi [Mr. Williams] and he indicated they have not even completed the study in connection with the 42 announced closings.

Mr. Chairman, it would appear the announcement to close 42 stations was made first—followed by efforts of justification. We ask only that there be justification for closing any or all 42. If it can be demonstrated to Members of the House the same service can be offered and the same safety features provided after closing as now offered there can be no serious objection to closing the flight service stations.

But, Mr. Chairman, until there is this justification, all interested parties are entitled to their day in court.

Mr. Chairman, in letters from agents of the FAA, which shall be included, I have not received satisfactory justification for this proposed action. I am told the net reduction will be 162 employees if the closings are carried out. However, the savings is only about $1.5 million out of some $50 million, or the exact figure the Chairman mentioned. So it is not a very significant amount.

Mr. Chairman, people from my congressional district and from many other districts were here last week to testify with reference to this matter. Not a one complained about the economy factors but about the fact there had not been justification or complete consideration of other vital factors.

I am not a pilot and hence not equipped to argue the technical merits of the case, and as stated before, I strongly feel economy in our Federal Government is a necessity; but there should be justification by the FAA Administrator, Mr. Halaby. It seems rather strange to notify Members of Congress one day that stations will be closed, and on the next send emissaries to each of the areas involved to meet with the mayors, pilots, and other interested parties and advise them, after the decision was made, they were to lose their flight service station. Why was a decision reached prior to the completion of studies by the FAA and the Weather Bureau? If studies were in fact made, why are they not made available now to Members of Congress? Not a single one of these six witnesses who appeared from the First Congressional District of Kansas wants the Federal Government to spend $1 unnecessarily, but they would appreciate, and are entitled to, justification being made. If there is a satisfactory showing by the agencies involved that there will be a real savings, no increased hazards to the hundreds of thousands of pilots and passengers who use private, low altitude air travel, and that the estimated economy is in line with economies in urban areas, and the Administrator's own expenditures, then I shall not object. The best information obtainable is that the bulk of the savings will result from the fact that eventually—we are not told when—there will be 162 fewer employees, but this does not seem completely reasonable. I am making a separate effort to determine how much is spent by the Federal Government each year in various phases of safety and accident prevention, to determine whether or not the estimated million and one-half dollar saving is of any real significance.

Mr. Chairman, I certainly support the amendment which has been offered by the gentleman from Arkansas [Mr. Harris].

Federal Aviation Agency,
Central Region,
Kansas City, Mo., February 28, 1964.

Hon. Bob Dole,
House of Representatives,
Washington, D.C.

Dear Mr. Dole: Mr. Halaby has requested me to reply to your February 13, 1964, letter regarding consolidation of the Russell, Kans.; Goodland, Kans.; and Dodge City, Kans., Flight Service Stations.

Your assumption about the requirement for these stations in the past is correct. Historically, they were needed to provide air-to-ground communications for en route traffic. As a communications link, the flight service stations were located primarily along principal airways to provide continuous radio communications coverage. The stations also provide a variety of other services, such as aeronautical and weather briefings for pilots, flight plan handling and reporting weather observations.

Technical advances in the air traffic control system have made consolidation of stations possible. Communication facilities can be remoted without degrading the service or reducing air safety. For example, Air Route Traffic Control Centers have used remote outlets for a number of years in issuing air traffic control clearances to aircraft operating on instrument flight plans. This same principle will be used when flight service stations are consolidated. Other essential services such as flight plan handling and pilot briefings will be handled by nontoll telephone lines. Weather observations will continue to be made locally and the data will be disseminated over the same teletypewriter network as used at present.

Present plans are to remote Russell into Salina, Kans.; Goodland and Dodge City into Garden City, Kans. The personnel complement at both Salina and Garden City will be increased sufficiently to handle the additional workload. The combined increase, however, will not be as great as the number of positions required to man the separate locations. It appears that a net savings of approximately 10 positions will be possible with the consolidation.

It will require 12 to 24 months to accomplish this consolidation. Personnel at Goodland and Dodge City will be reassigned to Garden City, or another location of their choice, to the greatest extent possible. Personnel at Russell will be handled in the same manner; either to Salina or another location of their choice if possible. Retirements, attrition and normal turnover of personnel are expected to create sufficient vacancies so that no person will be adversely affected to the extent of being without a job.

Representatives from this office held conferences at each location where stations were scheduled to be relocated. Conferences were attended by local civic leaders, representatives of aviation interests and news reporters. Reactions varied, but in no case were essential service requirements stated which are not expected to be met upon completion of the consolidation program.

Your personal interest in this matter is appreciated. We believe it is important that you understand our continuing modernization of the airways. If we can be of further service to you, please let us know.

Sincerely yours,
J. M. Beardslee,
Director.

Federal Aviation Agency,
Washington, D.C., March 5, 1964.

Hon. Bob Dole,
House of Representatives,
Washington, D.C.

Dear Mr. Dole: Thank you for your letter of February 21, 1964, to Mr. Halaby, signed also by Senator Pearson, concerning the FAA flight service station program.

The initial phase of the flight service station study is complete and identifies 42 stations to be consolidated with others. The estimated net savings to the Government is $1,500,000 annually; and the one-time capital cost ($1,470,000) of this phase of the program will be recovered from the operational savings during the first year.

The FAA selection criteria for the first 42 stations to be consolidated were based generally on aeronautical weather and cost considerations rather than adherence to State or political boundaries. The enclosed paper outlines this criteria in some detail.

The FAA has undertaken the station reduction program only after intensive study and with benefit of experience at some 60 locations where remoted stations have been operated satisfactorily during recent years. The announcement of the first phase results was purposely made well in advance of the actual implementation dates so that users would have sufficient time to study the plan and make known their reactions.

The overall staffing of FAA stations will be reduced by about 162 positions and this will account for most of the program savings. However, the employees so displaced will be offered assignments to existing vacancies elsewhere in the air traffic system without loss of grade or salary.

When two flight service stations are consolidated, the primary functions (air/ground communications) of both are continued with one staff instead of two. Pilot briefings and flight plan services are also continued at the remoted site by means of a direct toll-free telephone line to the controlling station; and, in those cases where FAA takes weather observations, the responsibility of such services reverts to the U.S. Weather Bureau, and full prior coordination with that agency assures continuity of the necessary weather services. Thus, important aeronautical and weather services, needed in various degrees by all pilots, will still be available and at considerably reduced cost to the Government.

We trust that this information will bring about a better understanding and acceptance of the station consolidation program. If we can be of further service, please let us know.

Sincerely yours,

LEE E. WARREN,
Director, Air Traffic Service.

CRITERIA FOR SELECTING 42 FLIGHT SERVICE STATIONS FOR CONSOLIDATION—JANUARY 1964

At the present time, there are 296 manned flight service stations (FSS) in the contiguous 48 States. Sixty more sites receive essentially the same services via remote radio and landlines as part of previous consolidation programs. There are also 250 Weather Bureau stations (WBAS). At 110 locations, there is both an FSS and a WBAS and 99 are at the same airport.

During the past several months, the FAA has been intensively studying the role of the flight service station in the future air traffic system with a view to keeping these facilities abreast of changing aeronautical demands and effecting economies wherever possible without loss of essential services. An integral part of this study has been a joint FAA/U.S. Weather Bureau effort to identify needed weather services at the station locations and continue them in the most effective manner consistent with prudent use of public funds. The whole study is still in progress and is expected to be completed within the next few months.

Meanwhile, so that as much advance notice as possible might be given to the personnel at these locations, to the communities, and to the aviation users, the 42 stations selected for consolidation were made known in advance of the completion of the study.

The basic selection criteria for the 42 consolidations are as follows:

(1) Weather observing requirement is, or can be, met by means other than the FSS; viz:

(a) An existing WBAS.

(b) Other Government stations; e.g., an FAA tower, a military base, or the Coast Guard.

(c) Supplementary aviation weather reporting station (SAWRS) where Weather Bureau provides weather measuring equipment at the airport and trains airport or airline personnel in weather observing. Observers are not paid by the Government.

(d) Weather Bureau furnishes, installs, and maintains equipment and selects and trains local citizens as observers. The observers work part time to meet a predetermined schedule for observations and are paid on a fee basis.

(e) Combination of (c) and (d) above.

NOTE.—Categories (a) and (b) are almost always 24-hour observations, whereas (c), (d), and (e) may be less than 24 hours as determined by aeronautical and synoptic requirements.

(2) Essential services of the FSS's, except for weather observations, can be provided from a remote location via telephone, wire, and/or radio links without diminishing air safety and without noticeable reduction in flight services to aviation users.

(3) A net savings to the Government can be demonstrated both in terms of continuing operational and maintenance costs as well as personnel. These savings must take into account the costs of remoting equipment and lines and any expenses incurred in replacing essential observational or other services through other means.

FEDERAL AVIATION AGENCY,
Washington, D.C., March 24, 1964.

Hon. ROBERT DOLE,
House of Representatives,
Washington, D.C.

DEAR MR. DOLE: We have had a chance to thoroughly review the well prepared report of the flight service station at Russell, Kans., presented by Mr. Townsley and the delegation which visited us in Washington. We greatly appreciate the time and effort that these people have gone to and they have done an excellent job of presenting their case.

I want to reconfirm the fact that the consolidation is not planned to take place for 12 to 24 months. However, the Agency has not changed its position concerning the consolidation of the 42 flight service stations which are scheduled to be remoted at that time. We believe that the net savings to the Government justify our action. Although the same terminal services will not be provided, the essential en route services will be available through remote facilities.

We do appreciate the interest on the part of the community and their efforts to come to Washington to present their case. I assure you we thoroughly reviewed the matter in view of their visit and your vigorous inquiries. For your information, I am enclosing a copy of a letter we sent to Mr. Townsley.

Thank you for your continuing interest in this matter.

Sincerely,

WM. J. SCHULTE,
Assistant Administrator.

Mr. HARRIS. Mr. Chairman, will the gentleman yield to me?

Mr. DOLE. Yes, I yield to the gentleman from Arkansas.

Mr. HARRIS. I want to make clear again that we are not asking for any increase in the total amount of funds.

We have been told that if the $10 million reduction made by the committee is approved, it is going to be taken out on the reduction of flight service stations. What we are saying here is you shall not take all of the economy out of this service, you have to find it somewhere else.

Let me say one other thing, and I would not imply anything insofar as the intentions of my distinguished friend from Texas is concerned, but may I say to the gentleman that the program has been outlined and these reductions will be made perhaps in the next 12 months in man-hours in the various given stations, but no flight service station is intended to be closed down in the next 12 months. At the end of the next 12 months from then to the following 12 months they are going to phase out the service and improve it with a reorganization which will create a total of about 150 flight service stations with some satellites all around. It takes a little while to provide telephone facilities that the gentleman mentioned.

All we are doing here, I repeat, is to say to the Administrator that if you are going to make a $10 million reduction it cannot all come out of the flight service. If I could have gotten the assurance of the gentleman I would feel differently.

Mr. THOMAS. But the language does not say that.

Mr. HARRIS. I assure you that the language does.

Mr. DOLE. Let me point this out: There has been talk about experts but they have already indicated that 6 of the 42 should probably not have been closed.

Mr. THOMAS. If he has made a mistake they will rectify it.

Mr. HARRIS. If he does not have the money he cannot operate them, and he says that the high priority is here.

Mr. BEERMANN. Mr. Chairman, it should be pointed out that the facilities that the FAA has, and that Mr. Halaby has to fly around the country are used in the upper stratosphere. The small businessman or farmer who flies a single-engine airplane or twin-engine airplane will be flying between 4,000 and 10,000 feet. At this altitude he can only reach out on the radio probably 60, 70, 80, or perhaps 100 miles. Consequently, if that station is closed and remote control furnishes the weather, there is a vacuum in that particular 300-mile area, extending 150 miles each way.

Mr. BOLAND. Mr. Chairman, I rise in opposition to the preferential motion.

I think it ought to be said that the planes that Mr. Halaby has are planes used for the purpose of testing facilities in the airways system, and some are also sent out from headquarters for accident investigations.

I appreciate the statement of the chairman of the Interstate and Foreign Commerce Committee, who is an important Member of Congress, and also his colleague. I also appreciate that there is an Aircraft Owners and Pilots Association, which is an organization that has been kicking Mr. Halaby around since he has been Administrator of the Federal Aviation Agency, and that organization has also kicked his predecessor around. It is one of the most pampered organizations in this Nation insofar as doing things that they think they ought to have in air safety and air transportation is concerned.

What the chairman of the subcommittee says to you is this: We have not been told by Mr. Halaby he would close one station, nor does the chairman indicate by the bill we have brought in here that he is forced to close one station. I think we ought to go along with the recommendation of the subcommittee. The Administrator of FAA will pay some attention, of course he will, to the subcommittee that is now airing the question of whether or not these flight stations ought to be closed.

Some of these flight stations were established many years ago. There are 299 of them, I think now, and he recommends closing 42. I do not doubt for a moment that some mistakes have been made. Some such stations have been closed. The gentleman from California [Mr. DON H. CLAUSEN] came before our committee. He made a good case on the Eureka-Arcata station, as I recall it. I do not think that Mr. Halaby has closed that station, but I do not think either that we ought to tell him through this amendment that has been proposed here that he cannot close any station. We ought to give him the discretion and the power to do so if they ought to be closed.

These flight stations, as I said, were established many, many years ago. All that he seeks to do is to remote some of these stations. You can pick a telephone up and get the same information as you can get by going up to a counter where a man is and seeing him, as both the gentleman from Arkansas [Mr. HARRIS] and the gentleman from California [Mr. DON H. CLAUSEN] said, in an eyeball-to-eyeball confrontation.

That is the whole sum and substance of this argument here. We have no quarrel with those who think that they ought to get better service. We are not saying that you will not get better service by what we do here at all. This is a discretion that we leave with the Administrator. I think it should be within his discretion. I think he will do the job that ought to be done, keeping in mind the safety of those who fly private planes. It is in this area that we have the greatest concern because they are the people who use the flight service stations more than any other segment of the flight industry.

Mr. BEERMANN. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman.

Mr. BEERMANN. I think the gentleman is making the point I was trying to make a while ago. There are about 85,000 airplanes owned by private industry, small businesses, farmers and ranchers, and I believe about 2,000 are owned by the commercial airlines. These 2,000 usually fly at 10,000 feet and upward. At 10,000 feet you can always get information on your VHF radio from an FAA station or an OMNI station up to 120 miles away. When you fly below 10,000 feet you reduce that distance or reception by about 10 miles for every 1,000 feet. Consequently, if you are flying across an area where a station is taken out and a bad weather storm comes up, and it might be one of these pilots who cannot afford a jet star—as the gentleman from Mississippi mentioned—you would be flying at 5,000 or 6,000 feet altitude in a bad thunderstorm or bad weather area without benefit of local weather observation. The remote station that gives you information has to take it from the OMNI station that may be taken out and no one is there to give the information to you. So the coverage then is going to be done by radar or remote control, if someone might call in, that is a pilot, and reports weather information in that particular area. I have flown across areas several times and reported information to a station and then they remoted it to the main station. Maybe an hour later, the situation in that area is entirely different. I think the area has to be covered for the majority of people as well as the minority who are the high-altitude flyers.

Mr. BOLAND. I am becoming somewhat confused here. I hear the gentleman from Mississippi talk about an eyeball-to-eyeball confrontation across the country and about the flight service stations, and then the gentleman from California gets up and talks about a private pilot or plane up in the clouds. The information that our committee has is that this is a station that gives weather information primarily to someone who want to fly a plane. But this information can be given just as readily by telephone. I would like to ask the gentlemen who have been talking here—is it your contention that none of these ought to be closed anywhere in the United States—not one flight service station?

The CHAIRMAN. The time of the gentleman has expired.

The question is on the preferential motion.

The preferential motion was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. HARRIS].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. THOMAS. Mr. Chairman, I ask for tellers.

Tellers were appointed, and the Chairman appointed Mr. THOMAS and Mr. HARRIS as tellers.

The Committee divided, and the tellers reported that there were—ayes 59, noes 56.

So the amendment was agreed to.

Mr. RAINS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I understand the bill is open for amendment and discussion at all points. I say to the distinguished chairman of the subcommittee that it is not my intention to offer an amendment, but I do want to view with extreme alarm something that has happened in the bill.

Ordinarily this distinguished committee uses a surgeon's scalpel to get in and cut out all the fat, but as relates to FHA they used a meat-ax approach in this particular instance. I wish to point out that the Federal Housing Administration operates on its own money. The taxpayers do not pay for the operation of the FHA. While the gentleman is cutting back, he is cutting back on the Federal Housing Administration's use of money which it earns.

As a result, I thought it was a little extreme to cut $6 million off the operating expense of the FHA alone. The reason for that is this: the FHA—and I do not have to defend it, because all of you are for it and you know it has done a wonderful job—the FHA has had many foreclosures, and I am concerned now about these foreclosures. Most have been brought about by the closing of airfields and the moving of populations and matters of that kind. This is one organization which pays its own way and even its own administrative costs, is making a desperate effort to move the backlog of foreclosed houses which are now on the market. If you will look in your own congressional district, you will see you have some of them there. In view of the fact that it is going to take extra people for the sales effort which they are making, it seems to me to be penny wise and pound foolish to cut off the very means by which you want to cut down on the foreclosures. I would offer an amendment, but I know it is most difficult to have any success with the distinguished chairman. I have tried it before a good many times, but I really hope—and I say this sincerely—that before this bill becomes law and before the final conference report is in on it, that the distinguished members of the Committee will look to the fact that first of all you are not saving taxpayers' dollars. In the second place, you are reducing the amount of personnel and expenses that they need to relieve a backlog which you now have, and that is not good business.

Mr. Chairman, I will close my remarks at this time because I am hopeful that somewhere along the way there will be an increase in this amount so that the FHA can at least get rid of or proceed with the good job they are doing with the foreclosures.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. RAINS. I yield to the gentleman.

Mr. JONAS. May I say to the gentleman that I personally appreciate his bringing this matter up. I have had some concern about the cut in the limitation on nonadministrative expenses and that is the item to which reference was made, but it must be considered that 1959, for example, was the biggest housing year in history, even bigger than 1964 and bigger than that expected in 1965; nonadministrative expenses that year were about half what they are this year. The committee really felt that they ought to slow down a little bit in some of their expenditures, and as the chairman of the subcommittee will say when he takes 5 minutes, which I hope he will, we have another explanation of this action which I think will or should, when it is brought to the attention of the gentleman from Alabama, satisfy him that there is not a member of the subcommittee who would take any single action to cripple the activities of the FHA.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAINS. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RAINS. I appreciate what the gentleman has said, but you must realize the year 1959, which you said and I agree was the big housing year, was the application year. What you were doing then was this: You had people working in the various offices taking in the applications. Today you have a job fastened on the FHA by circumstances—I do not know that I can discuss what brings it about—whereby they have extra selling activities which they did not have in the year 1959. That is the point I am really concerned about. When you come to realize that you are cutting the President's request of $10 million—and this is administrative expense—you are, in fact, cutting it $6 million and you are going to be compelled to cut off about 600 or 700 people now engaged in reducing the backlog of the foreclosures which we have.

The independent offices appropriation bill as reported by the House committee would make crippling cuts in the budget of the Federal Housing Administration. It would make these cuts at a time when FHA's workloads are at peak levels and are rising, at a time when it needs all of the manpower it now has and more to keep abreast of the mounting volume of business. The House bill would reduce the manpower available below current levels.

The Federal Housing Administration has an efficient record of nearly 30 years of service to the American public. This year it has improved on its fine record and has increased its productivity and promptness of service to the public and is struggling to keep up with the mounting volume of business. Homeowners and mortgagees who pay the fees and premiums from which FHA meets all of its expenses and costs of operation are entitled to receive prompt service. The agency has to have a budget that will let it spend enough of its income to provide that kind of service.

The volume of mortgage insurance applications in the quarter ending March 31 was 17 percent above the same period a year ago. In addition, the Federal Housing Administration has increased its sales of acquired home properties to record levels in the present favorable housing market. The economy is on the rise, and we want to keep it that way. The Federal Housing Administration, with its rising volume of business, is an important element in the housing sector of the economy. It has accounted recently for approximately a third of the new homes priced at $15,000 or less and about 30 percent of homes in the $15,000 to $20,000 range. Altogether, next year the Federal Housing Administration will handle mortgage insurance applications covering about a million units of housing. Its rising workload right now is approximating that annual rate of business.

In the face of this rising volume of FHA mortgage insurance applications and the important role FHA is playing in keeping the economy of the Nation strong and on the rise, the Congress certainly cannot wish to impair FHA's ability to do its job. I am afraid, however, that that is exactly what would occur under the bill as reported. By cutting the President's request of $10,375,000 for administrative expenses to $9 million and by cutting the nonadministrative budget request of $79,750,000 to $75 million, the bill would not only deprive FHA of the increased budget that it needs to meet its increased workloads next year—it would cut the budget below the amount that the Congress made available to it last year for its operations in the current fiscal year.

Under the bill, FHA would have less manpower in fiscal year 1965 than it has now under its current appropriation act limitations, and it will have a much bigger job to do than it has had in the last fiscal year. The committee has recommended removal of the limitation on the use of fee appraisal services. This would partly offset the effect of the cut. Fee appraisals give the agency desirable flexibility, but they are more costly, and the agency must continue to rely mainly on its staff to handle its work. It cannot handle more business with less manpower. I am satisfied that the agency needs the full budget requested by the President.

Mr. VANIK. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I want to take this time to direct the attention of the committee and the House to unexplainable delay and procrastination in clearing up cases before the Civil Aeronautics Board.

After the CAB approved the United Airlines-Capital Airlines merger in April 1961, the Board, on its own motion, initiated the United Airlines competitive service under docket 12837. This case was filed July 25, 1961. Two years later, on May 31, 1963, an initial decision was made by the hearing examiner recommending a pattern of competitive service. Another year has now passed with no action by the Civil Aeronautics Board.

For the past 3 years, Cleveland and the northern Ohio community have been compelled to endure one-carrier service to Chicago in the West and to New York and Philadelphia to the East. Although this has redounded to the tremendous advantage of the benefited carrier—it has enjoyed the highest passenger load factors on these routes—the adverse effect upon the public life of my community has been deplorable. The loss of business and the extent of public inconvenience because of inadequate service is incalculable.

It is absolutely inexcusable for a public agency to take up so much time in the conduct of the public business. Every additional day's delay compounds the harassment to my community to the same extent that it profits the privileged carrier which holds a monopoly on these vital routes.

I hope that this subcommittee and the Interstate and Foreign Commerce Committee will investigate the unreasonable and inexcusable delay in providing vitally needed airline competition on these important routes.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have taken this time to ask a question of the distinguished chairman concerning Washington National Airport. There are two items in this bill totaling $5,150,000 for Washington National Airport. One is for $3,530,000 for operation and maintenance and the other is $1,620,000 for construction. The question I would like to ask the gentleman from Texas is, is there anything in this bill or any other bill of which the chairman knows which would prohibit the use of commercial short-runway jets in operating into or out of National Airport?

Mr. THOMAS. We know of no prohibition in the bill, I will say to the gentleman from Illinois.

Mr. PUCINSKI. I thank the gentleman for his reply, for the very simple reason that I wanted to establish some legislative history here this afternoon. I recently wrote to the Director of the FAA, Mr. Halaby, requesting that he give consideration to permitting short-runway jets to come into National. I can appreciate the fact that for many years during the jet age, National has been barred to the big jets because runways are too short. But now all the major airlines, as far as I know, are acquiring short-runway jets, the 727, the Caravelle, and there are some others on the drawing board.

Chicago's Midway Airport is reopening on July 5 to accommodate these short-runway jets. United Airlines is initiating jet service from Chicago's Midway Airport to New York twice a day. United Airlines, of course, has been flying its bigger jets out of O'Hare Field for several years.

United is also initiating daily service from Midway to Washington National in their turboprop Viscounts. They are a very fine ship.

But I am sure that American and United and the other airlines would be very happy to operate their short-runway jets from Chicago's Midway to National Airport if Mr. Halaby will permit the use of National Airfield by commercial jets.

Unfortunately, Mr. Chairman, Mr. Halaby takes a completely arbitrary position on this matter. It is one for which, in my judgment, he cannot find any sound basis or sound reasoning. He gives as an excuse the fact that traffic is very heavy at National Airport and the field is not ready for jets. The fact remains, I believe, that these jets could come in here.

Mr. Chairman, La Guardia Field was recently opened to short-runway jets. It seems to me that perhaps the jet age should also catch up with the Nation's Capital. In view of the tremendous volume of traffic which moves in and out of the Nation's Capital to the Midwest, certainly these people should be entitled to fly into and out of the Nation's Capital on the short-runway jets without having to go all the way out to Dulles Airport and to Friendship Airport. The time of travel to both of these fields is too long. In both instances, it takes longer to get from the Capitol to either one of them than it does to make the flight from National Airport to Chicago by jet.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman has raised a very pertinent question and I want to compliment him for his doing so. While the committee may have no information with respect to the traffic of Caravelles and that type of jet in and out of National Airport, I cannot help but believe that some force is at work to prevent it from being used by jets.

Mr. PUCINSKI. The gentleman is absolutely right. The decision is completely arbitrary. It is my information that the carriers have indicated they would want to bring jets into National but the FAA gave them a flat "No." They have said they want to come into National Airport with their short-runway jets. There is nothing in the world to stop them from operating these jets into National except the FAA. They now need only 2,000-foot runways. The runways at National are more than adequate.

Mr. Chairman, it would be my hope that the Members of the House would join me in petitioning Mr. Halaby to open National Airport to short-runway jet traffic. I am sure that within a very short time we could could have a substantial service between Washington National and Chicago's Midway Airfield and that we could then cover the rest of the Midwest, including the State of the gentleman from Iowa [Mr. Gross], Wisconsin, Minnesota, and all the other States.

Mr. Chairman, I say one of the things that disturbs me and worries me is the absolute power which the FAA has taken upon itself to make these arbitrary decisions, without any rhyme or reason.

Mr. Chairman, the time has come when this Nation's Capital should join the jet age, in my judgment.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. PUCINSKI. I yield to the gentleman from Iowa.

Mr. GROSS. In this case, to protect the Dulles Airport, this white elephant, losing proposition.

Mr. PUCINSKI. I agree with the gentleman. Mr. Halaby is denying short-runway jets permission to use National because he insists on forcing the airlines to use Dulles. This is the kind of Federal control which I am sure Congress never intended. I agree that Dulles is a white elephant and shall remain so for several years until volume increases enough to sustain three major airports; Friendship, Dulles, and National. But in the meantime, apparently Mr. Halaby insists that the Nation's Capital shall be bypassed by the jet age. I submit Mr. Halaby is keeping jets out of National because the people in the FAA do not want to expose their tender ears to jet noise but these same people have been oblivious to jet-noise problems in all the major cities of the country. It is my hope the FAA will withdraw its foolish opposition to using National for short-runway jets so we can develop a decent shuttle service between National and Chicago's Midway to serve the entire Midwest.

Mr. THOMAS. Mr. Chairman, I yield myself 2 minutes and then I shall yield to my distinguished friend the gentleman from Mississippi [Mr. Williams]. I also plan to yield to my good friend the gentleman from Texas [Mr. Teague]. Then, I shall move that the Committee rise and report the bill back to the House.

Mr. Chairman, I do not think I can add anything to the very learned discussion between the gentleman from Alabama [Mr. Rains] and the gentleman from North Carolina about these non-administrative expenses of the FHA.

Mr. Chairman I say to our friend, the gentleman from Alabama [Mr. Rains], it is not our intention to hurt the FHA. Of course these are their funds. But they procure these funds by virtue of Governmenment credit. Do not forget that, by virtue of Government credit. That is what they are operating on.

Mr. Chairman, I do not know of any agency in Government that has had a nicer increase in jobs than they have had. Beginning in 1962, they had 7,280, and this year they wanted 9,479, in a period of 4 years. Think about it. That represents a tremendous increase. But, regardless of that, they are doing a tremendous job. They have a big workload. As the gentleman from Alabama [Mr. Rains] pointed out, and God bless him, he is one of the fine and able men of this Congress, and this Congress and the United States owes him a tremendous debt for his knowledge and his ingenuity and his ability and hard work in the field of housing. But we are getting far too many foreclosures, gentlemen. He is right about that. This is due to some extent to perhaps not the best administration. There are some other causes too. Their workload is divided into two parts—putting business on the books and foreclosures, and that is divided into two parts; namely, major alterations and new starts.

I will say to the gentleman from Alabama [Mr. Rains] that last night I was startled to read in the Wall Street Journal that much to my surprise the new starts for April had fallen 6 percent behind.

That is not a good point, and I did not raise it to say that the workload of FHA is going down. I do not want to see it going down. That means bad times. When you do not build a new house you affect many industries in this country. But it looks like it is going down.

What we have done is this: The bill amounts to 194 jobs, Mr. Jonas, as you well remember, less than 1964 when they had a tremendous increase. We try to offset that by taking the limitation off on the number of field appraisers the FHA can use when they need them. Heretofore they could hire all the appraisers they wanted to, and the customer paid it not the FHA, but we required them to account for that in a limitation. What they estimate is 50,000 field appraisers at roughly $20 each, which is a million dollars. The 194 people are not going to cost quite a million dollars. Anyway, when we go to conference I assure you we will straighten this out.

Mr. RAINS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Alabama.

Mr. RAINS. I would like to point out that time after time this House has been confronted with the statement, and I dare say the majority of the House would vote that way, let FHA use their own resources. But I am opposed to that. I believe the Appropriations Committee should handle that matter. When you cut a job out, when you are trying to reduce your inventory of foreclosures, it seems to me that is a little dangerous, which is the point I have in mind.

Mr. THOMAS. We are not going to let them do that.

Mr. WYMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the chairman of the subcommittee a few questions about this NASA appropriation at this point. I am a little confused. I tried to find out the answer by parliamentary inquiry a moment ago but was not successful. As the chairman knows, I have an amendment to reduce the research and development funds for NASA.

Are we going to have a chance to put the question to the House at any time in the proceedings on this bill, aside from on a conference report now that the gentleman from Texas [Mr. Teague] has made a point of order against this portion of the NASA appropriation?

Mr. THOMAS. May I say to the very able and genial gentleman from New Hampshire, and I mean that sincerely—he is one of our very able men and most able lawyers in the House. He did not get the Phi Beta Kappa key for nothing. But as the matter stands the bill goes to conference. I say the matter will be worked out in conference. Then we bring it back to the House and under the rules of the House you can get a separate vote on the item you are interested in.

Does that answer the question?

Mr. WYMAN. Not quite. I appreciate the gentleman's very kind remarks but I do have an amendment I would like to have the House consider.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Indiana.

Mr. HALLECK. Might I inquire of the gentleman from Texas if it may not be possible, if we get the papers first, and the arrangement that has been arrived at is not satisfactory, a motion to recommit would be in order?

Mr. THOMAS. I think that is always in order.

Mr. WYMAN. I would like to offer an amendment and have a chance to vote on this amendment to cut back some of the Apollo space funds until the Gemini operation has been completed. I would like to make sure that, as a Member of the House, as a member of the committee, and as a member of the subcommittee, I am going to have a chance to put this question to the House for a vote and upon debate even if it is necessary to have a NASA bill come before the House as a separate matter in a supplemental bill.

Will we have the opportunity on the conference report to put this specific question before the House for a vote?

Mr. THOMAS. May I say to the gentleman we cannot change the rules of the House. When we bring it back here in the form of a conference report you can offer a motion and vote it up or down.

Mr. WYMAN. Then would the gentleman from Texas say to the gentleman from Indiana that the motion to recommit would be agreed to?

Mr. THOMAS. I cannot bind the conferees but such a motion is always in order.

Mr. HALLECK. A motion to recommit can be made under the rules of the House, and if it should be determined here to make such a motion to recommit, as I understand the rules, the motion to recommit could be made if we get the papers first.

Mr. WYMAN. That is on the conference report; is it not?

Mr. HALLECK. That is right.

Mr. WILLIAMS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to make an inquiry of the chairman of the committee about the amount that has been appropriated for payments to air carriers; that is, subsidies to local service airlines. I notice that the budget recommendation was $82,824,000. The committee allowed $79 million of that which is a reduction of some $3 million.

Now, as the gentleman knows, this is a contract authorization. I presume that appropriations must be made on the basis of the best guess as to what will be needed. The question I want to ask the gentleman is, if the committee should find that it has made an error in arriving at this particular figure, and it becomes necessary that additional funds would be needed, I would presume the committee would recommend such additional funds in a supplemental bill?

Mr. THOMAS. May I say to my distinguished friend, the gentleman from Mississippi, that he has stated the situation 100 percent correctly and, of course, if there should be a deficit that will be taken care of.

Mr. WILLIAMS. I thank the gentleman for this assurance. I am sure that he, as well as I, is interested in preserving the economic health and retaining the service of our local service airlines.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I notice on page 17 of the bill, a proviso that no part of the appropriation made to the Federal Trade Commission shall be used for an economic questionnaire or financial study of intercorporate relations. I do not see any such provision in connection with the Federal Power Commission appropriation. I point this out because in a recent issue of one of Washington's daily newspapers, there was carried the picture of a young lady who was posed with a 10-pound questionnaire that is being circulated by the Federal Power Commission to 114 natural gas companies. The underline to the picture says the questionnaire has been criticized by some industry spokesmen as a burden to business.

Power industry sources estimate that it will cost each company from $85,000 to $250,000 to get and fill in all the answers to this questionnaire. I wonder why the same prohibition was not applied by the committee to the Federal Power Commission appropriation as has been applied to the Federal Trade Commission.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. THOMAS. May I say to our distinguished friend from Iowa that the committee had no complaint from customers of the Federal Power Commission or at least they did not transmit their complaints to us. But getting back to the Federal Trade Commission, we had witnesses who asked to appear and we were delighted to have them appear and they made a very good case. Therefore, we put the limitation in the bill. It might be a fair assumption that if we had had some complaints then we would have taken similar action in the other case.

Mr. GROSS. Would the gentleman agree with me that if it is true that it is going to cost between $85,000 and $250,000 to answer what amounts to a 10-pound questionnaire, that this is going a little bit too far?

Mr. THOMAS. The gentleman is right as usual. There is no question about that.

Mr. GROSS. I also notice the committee has increased the appropriation to the Federal Communication Commission by $710,000. I do not ask for his comment, but I will say to the gentleman I would hope that with that $710,000 additional to the Federal Communications Commission the members would be able to do something about the virtual monopoly that exists in commercial television in Austin, Tex.

Mr. TEAGUE of Texas. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Chairman, the proposed bill would impose an expenditure limitation of $257 million on the Veterans' Administration's loan guarantee revolving fund in fiscal year 1965.

Expenditures from this fund are for the payment of claims, and related expenses, resulting from defaults on VA guaranteed or insured housing loans to veterans. When private lenders make loans to wartime veterans for the purchase or construction of homes, and the VA guarantee attaches, the Government assumes legal obligations to pay valid claims of lenders which arise from defaults by the veteran borrowers.

Limitations, similar to that recommended by the Appropriations Committee for fiscal year 1965, have been imposed on the loan guarantee revolving fund in each of the past 2 years. In each of these years, it has been necessary for VA to delay payments of legal claims to lenders, because of the limitation. At present, VA is deferring payment of approximately $40 million of valid lenders' claims, pending congressional approval of an increase in the 1964 limitation from $300 to $360 million. The VA's revised estimate for fiscal year 1965 is now $352 million, compared with the $257 million limitation in the proposed bill.

Private investors are concerned about the present situation in the loan guarantee revolving fund. VA has received numerous complaints from lending institutions, as have many of us here in the Congress. In particular, the large trade associations such as the Mortgage Bankers' Association and the American Bankers' Association have been very critical of this situation.

Since payments from this fund are made pursuant to law, an expenditure limitation can serve no useful purpose.

Mr. Chairman, the Appropriations Committee has recommended a reduction of $10,767,000 from the Veterans' Administration appropriation request of $102 million for construction of hospital and domiciliary facilities. The committee has recommended this reduction on the basis that contractor's estimates have not been prepared, their contention being that a 10-percent reduction in the cost estimates can be effected.

The construction costs reflected in these estimates are based upon previous contract awards. These contracts reflect the Veterans' Administration's concerted effort to provide adequate construction at minimum cost. The estimates do not provide an adjustment for anticipated increases in the construction cost index nor for the inclusion of new labor saving devices and advanced medical technology. If this reduction is sustained, it will not be possible to save this amount in the cost of construction. The only alternative will be to defer or cancel specific projects in the planned program.

Included in this request are funds for the award of construction contracts for a new 1,040-bed hospital at Los Angeles, Calif.; a 720-bed replacement hospital at San Juan, P.R., and the replacement of 1,220 beds at Hines, Ill. In addition, funds are included in this request for the planning of a new facility at Chicago, Ill., and essential modernization, other improvements and research projects totaling $32 million.

The appropriation request of $102 million is the fifth increment in a 15-year program. To modernize the Veterans' Administration medical facilities, the projects included in this program have been planned and are now under development with contract awards scheduled in fiscal year 1965.

The major part of this request is for the construction of new facilities. It is important that these facilities be completed as rapidly as possible in order to prevent a drastic reduction in beds during the latter modernization phase of this program. The Veterans' Administration is exerting maximum efforts to provide these new facilities as soon as possible to meet the needs for medical care of veterans. A reduction below the request of $102 million will seriously affect the planned schedule for fiscal year 1965 and subsequent years.

Mr. THOMAS. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

WHAT CONSTITUTES DISTINGUISHED SERVICE IN THE DEPARTMENT OF AGRICULTURE?

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, on May 19, I placed in the CONGRESSIONAL RECORD my observation dealing with the recognition given to Mr. Horace D. Godfrey, the Administrator of the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture. Since that time some facts have been called to my attention about the hearings, where attempts were made by the Senate committee to dig out all the facts surrounding the Billie Sol Estes case.

It seems that Mr. Godfrey repeatedly coached witnesses. Senator MUNDT protested about this practice. Chairman McCLELLAN supported the wishes of Senator MUNDT and suggested that such coaching practices cease.

I offer for the RECORD an excerpt from page 1325 of the hearings, part IV, where one of these incidents is reported.

I would also like to submit for the permanent RECORD my previous statement.

I would pose the question: Is Mr. Godfrey being rewarded for his coaching ability?

The material referred to is as follows:

WHAT CONSTITUTES DISTINGUISHED SERVICE IN THE DEPARTMENT OF AGRICULTURE

Mr. NELSEN. Mr. Speaker, it has come to my attention that Mr. Horace D. Godfrey, Administrator of the Agricultural Stabilization and Conservation Service, Department of Agriculture, is today being given an award for distinguished service in the Department of Agriculture. This comes as a surprise to me in view of the fact that this branch of our Department of Agriculture came under considerable criticism during the Billie Sol Estes investigation.

Lengthy hearings before a Senate subcommittee clearly revealed the confusion, the mismanagement, the lack of records, the duplication of such investigations as were conducted—and they revealed a woeful lack of management and knowledge of what was going on in the Estes case, particularly in the Agricultural Stabilization and Conservation Service headed by Mr. Godfrey. I would like to refer to the testimony of Paul Kamerick, assistant counsel of the Permanent Subcommittee on Investigations of the Committee on Government Operations of the U.S. Senate. This subcommittee in its attempt to get information as to the whys and wherefores of the Billie Sol Estes scandal assigned expert investigators to try to unravel the mess, and Mr. Kamerick testified:

"Almost all of the meetings and conferences involved in the Estes allotment case were recorded only in the memory of those who attended. Thus, it is now impossible to produce records that should have been made but were not. It is inevitable that the Department itself must be handicapped by these and other deficiencies. At the outset some difficulty was experienced in locating documents believed to be germane to this investigation. We were informed that there was no central repository for records where most or all of the information concerning Billie Sol Estes might be located. No such repository exists. This deficiency has greatly complicated and impeded the progress of the investigation. In the interests of securing adequate coverage and of saving time, we met separately with the Secretary, the Under Secretary, the General Counsel, and Assistant Secretary John Duncan, and asked to have assembled for our review, all information under the jurisdiction of their offices relating to Billie Sol Estes and any of his business enterprises. We also met jointly with the ranking officials of the Agricultural Stabilization and Conservation Service including representatives of the Administrator and the five Deputy Administrators who supervise the activity of this agency, and made a similar request from them. As a result, material concerning Estes was located and furnished to us by 16 different offices in the Department's Washington headquarters. This demonstrates a cumbersome and ineffective recordkeeping system which causes unnecessary operations difficulties and directly affects the efficiency and economy of the Department.

"I must say at this point that we are not sure yet that we have all the documents in the Department of Agriculture pertinent to Billie Sol Estes. We have tried for weeks to assemble them and we believe the officials of the Department have tried to assemble them. We feel we have most of them, but, under the existing system, we cannot be certain."

On page 9 of the hearings appears further information that I think should be referred to at this time, in testimony by Mr. Kamerick:

"The structural weakness of the Department of Agriculture is further demonstrated by a breakdown of communications between the Department and the subordinate organizations at the State and county levels. Some instructions issued by the Department apparently either do not reach the subordinate organizations or are disregarded if they do reach them. There is no method of receipt or followup to make certain that such instructions actually reached their destination. In some areas of activity, the subordinate organizations of the Department are almost autonomous.

"There is a similar lack of communication between agencies within the Department of Agriculture in Washington. Within the Department there are 11 internal audit groups, including one attached to the Office of the Secretary. Each of these groups has no authority and little interest in anything that transpires, outside their own narrow assignments. In October 1961, the Agricultural Stabilization and Conservation Service investigation division completed a comprehensive 3½-month inquiry into the questionable cotton allotment transfers engineered by Billie Sol Estes. Two or three months earlier, in September 1961, the Internal Audit Division of the Agricultural Marketing Service, another of the Department's agencies, initiated a separate inquiry into Estes' financial position, based on rumors of unreported mortgages. Neither investigative group was aware of the inquiry being conducted by the other until February 1962 and the parallel investigations were not coordinated at any time. In fact, the Internal Audit Group terminated its inquiry early in April of 1962, and the two units were still not coordinated.

"Such malfunctions could not come about if there existed within the Department a single unified audit-investigation group with authority and responsibility to report to the Secretary. It is paramount that such a group report at the highest level. It seems clear that any program head who controls his own audit-investigation staff is, in the final analysis, evaluating himself. Few officials can be completely objective about their own operations and an audit-investigation group can be only as effective as the operating head permits. A group equipped and manned to audit, investigate, and monitor all of the varied activities of this important Department could save the Government many millions of dollars each year and at the same time improve the services of the Department."

Recalling accounts of the Billie Sol Estes case, it is my recollection that great difficulty was experienced by those who wished to dig into the facts and the gentleman in charge of the records suddenly found himself out in the cold and a new man in charge of records.

Without question, information had come to the attention of people in high position within the Department as to the unsavory operations of Billie Sol Estes. In spite of this information, Billie Sol Estes was appointed to the Cotton Council.

Many other points could be added, but it seems strange that an award could be made to a man who is in charge of this agency and program where investigation has revealed poor organization and where obviously information was not made available to investigators and where obviously a coverup was attempted in the entire Billie Sol Estes case.

EXCERPT FROM PAGE 1325, HEARINGS, "HANDLING OF POOLED COTTON ALLOTMENTS"

Senator MUNDT. Mr. Chairman, I am going to have to protest. The chairman has called attention several times to the fact that the employees of the Department are constantly whispering answers to the witness. This is strictly out of order.

If someone wants to volunteer as a witness among the employees, he should stand up and take an oath and testify. I have no objection but I do think we are entitled to get the answers of the witness.

Mr. CHAIRMAN. I do not know that I have issued any statement about it publicly.

Senator MUNDT. You called it to their attention a few days ago.

The CHAIRMAN. I probably did. Anyway, where it is a matter of ascertaining the date of some record or something that way, where it is a matter of refreshing the witness' memory, there is no objection to that if they indicate they wish to ask and inquire, that is all right.

But a prompting of the witness in the sense of somebody whispering to him what to say is highly improper.

Senator MUNDT. It has happened several times today. The witness has not at any time asked for assistance. I quite agree if he wants to turn back to get a fact, a figure, or paper, OK.

But several times this afternoon we have had employees of the Department prompting the witness. This is not proper procedure. I am glad the chairman has again called it to their attention. I hope he will not have to do it again.

The CHAIRMAN. I was preoccupied here with something else. I did not see what occurred that aroused your attention at the moment. But I will make this statement again.

Witnesses will testify on their own, based on their own knowledge and information. If they desire to secure from someone present a document or date, something to refresh their memory, if they suggest they would like to do so, the Chair will, of course, grant the request.

Watch out for anything that will be regarded as prompting of a witness.

Proceed.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

LANDRUM-POWELL POVERTY PACKAGE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, much has been written in the press, and much has been said on the floor of the House with respect to H.R. 10440, the Landrum-Powell poverty package.

The minority staff of the House Education and Labor Committee has prepared a brief analysis and commentary on this proposal. This analysis describes the various programs authorized by the poverty bill. It also points up the extent to which these programs are largely duplicative of programs already being carried forward by the Federal Government. It also sets forth in some detail the tremendous sums of money which are currently being expended by the Federal Government to combat and alleviate the conditions of poverty in the United States.

Mr. Speaker, I have received innumerable requests for this study from various Members of the House. In order to make this information available to all Members, I include this study at this point in the RECORD:

A BRIEF ANALYSIS AND COMMENTARY ON H.R. 10440 (THE SO-CALLED POVERTY PACKAGE) AND A RÉSUMÉ OF FEDERAL PROGRAMS CURRENTLY OPERATING TO COMBAT POVERTY

(Prepared by the minority staff, Education and Labor Committee)

EDUCATION AND LABOR COMMITTEE

Minority members: PETER H. B. FRELINGHUYSEN, of New Jersey; WILLIAM H. AYRES, of Ohio; ROBERT P. GRIFFIN, of Michigan; ALBERT H. QUIE, of Minnesota; CHARLES E. GOODELL, of New York; DONALD C. BRUCE, of Indiana; JOHN M. ASHBROOK, of Ohio; DAVE MARTIN, of Nebraska; ALPHONZO BELL, of California; M. G. (GENE) SNYDER, of Kentucky; PAUL FINDLEY, of Illinois; and ROBERT TAFT, Jr., of Ohio.

Professional staff: Philip R. Rodgers, minority clerk and counsel; Charles W. Radcliffe, minority counsel for education.

I—ECONOMIC OPPORTUNITY ACT OF 1964—BRIEF ANALYSIS

Title I—Youth programs

Part A

Authorizes establishment of a Job Corps consisting of work camps for male enrollees aged 16 through 21; enrollees would work primarily on conservation projects; maximum enlistment would be for 2 years. (Similar, in many respects, to H.R. 5131, pending before the Rules Committee.) This program would be 100 percent federally financed. First year cost, $190 million.

Part B

Authorizes community work-training programs for unemployed youth of both sexes aged 16 through 21. Federal share of costs would be at least 90 percent, but could go to 100 percent if the Director so decreed. Youth would work in hospitals, parks, playgrounds, etc. First year cost, $150 million.

Part C

Authorizes Director to arrange with colleges for work-study programs for needy college students, in which students would work up to 15 hours a week, either on college projects or in local community nonprofit activities. This program would be 100 percent federally financed. First year cost, $72.5 million.

Title II—Community action programs

Authorizes Federal funds for urban and rural community action programs. Director would pay part or all of the costs of such programs conducted either by public agencies or nonprofit private agencies in such fields as health, education, job training, and vocational rehabilitation. First year cost, $815 million.

Title III—Special programs to combat poverty in rural areas

Director could: (1) Make grants up to $1,500 to poor farm families for capital investments in machinery, livestock, seeds, etc., or to start a farm business; (2) make loans up to $2,500 for same purposes; (3) make loans to nonprofit corporations to purchase rural property, develop it, and sell it back to farmers for family-sized farms. First year cost, $50 million.

Title IV—Employment and investment incentives

Part A

Authorizes Director to make or guarantee loans to businessmen for enterprises which will result in new employment; requires that a majority of the new employees be from ranks of long-time unemployed and members of low-income families. First year cost, $25 million.

Part B

Authorizes Director to make or guarantee 15-year, $15,000 loans to persons to establish small businesses. Uses existing Small Business Administration loan fund.

Title V—Family unity through jobs

Authorizes Director to transfer to HEW Secretary funds for pilot and experimental projects to help unemployed fathers to obtain employment or otherwise become self-supporting. First year cost, $150 million.

Title VI—Administrative provisions and Volunteers for America

Authorizes Director to set up Volunteers for America—a domestic Peace Corps similar to that proposed by President Kennedy (H.R. 5625) which is pending in the Committee on Education and Labor. Volunteers would work with various community groups; principally on Indian reservations, mental health programs, with migrant workers, and in the community action program. Volunteers could not work in any State without the consent of the Governor. First year cost, $10 million; total first year cost, $962.5 million.

General Comments

1. This analysis does not purport to cover H.R. 10440 line by line, nor to point up the deficiencies in draftsmanship which are conspicuous throughout the bill.

2. Authority for these programs would be placed in the hands of a poverty czar—the Director of the new Office of Economic Opportunity. Established departments, which operate programs in any of these fields, will be compelled to cooperate.

3. Excluding social security benefits and other trust funds, Federal programs now existing and aimed directly at eliminating the causes of poverty or ameliorating its effects, will cost nearly $9 billion in fiscal 1965.

4. These existing Federal programs are duplicated in virtually every aspect by the provisions of H.R. 10440—aid to college students; vocational education; manpower training; loans and other assistance for low-income farm families; small-business loans; vocational rehabilitation; aid for the aged, dependent mothers and children, and disabled; prevention of dependency; housing for the elderly; urban renewal; rural renewal; research and demonstration projects in almost all these fields, area redevelopment, etc.

5. The power and authority of the Director and of the new agency—unlike authorizations in most laws administered by existing agencies—is ill-defined and virtually without limitation. For example: a State Governor would have only the power to comment on title II community action projects; within the community, the Director could bypass public agencies and deal only with private agencies, and the Director would establish criteria for all projects.

6. None of these programs requires State approval or State participation as such, with the limited exception that the Volunteers for America may not be employed in any State without the consent of the Governor of such State. The format of this proposal represents a complete departure from the generally accepted arrangement of State-Federal relationships. The Director of this proposed program could bypass virtually all established State and local governments and implement his programs by direct Federal action.

7. While this proposed program calls for a budget of only $1 billion in the year of its inception, it might well be that the cost in subsequent years could easily run as high as $5 billion annually.

FEDERAL PROGRAMS CURRENTLY OPERATING TO COMBAT POVERTY (AS PROVIDED FOR IN THE BUDGET), FISCAL 1965

NOTE.—These are Federal programs having the purpose or effect of helping to eliminate the causes of poverty or to ameliorate the condition of poverty; many of these programs are aimed specifically at the poor, others are of more general application. Excluded from this compilation are: $16.6 billion in social security payments; $455 million for unemployment compensation and employment services under social security; $330.3 million for administration of social security; and $878.4 million for new and unauthorized education programs and the Youth Employment Act proposal, which account for most of the initial cost of the poverty package.

Agency and program	Amount budgeted	Remarks
	Millions	
OFFICE OF THE PRESIDENT: Public works acceleration	$214.2	Grants up to 75 percent of cost of water, sewerage, and health projects.
DEPARTMENT OF AGRICULTURE:		
1. Agricultural research (Hatch Act)	39.8	Includes projects for improving rural life.
2. Cooperative extension (Smith-Lever Act)	62.9	
3. Farmer Cooperative Service	1.1	
4. Economic Research Service	6.3	Farm economics and marketing economics.
5. Special milk program	99.8	Whole milk for children in schools, day camps, etc.
6. School lunch program	374.5	Includes both commodities and cash payments.
7. Food stamp plan (requires new legislation)	51.1	
8. Donation of commodities to needy persons (other than school lunch progam).	204.4	1963 figure (1965 estimate not available) for donation of food for needy persons through public and private welfare and charitable agencies.
FARM HOME ADMINISTRATION: Rural housing grants and loans:		
9. Development loans	.5	Secretary Freeman testified that 90 percent of loans go to farmers with income of $3,000 or less. Purpose identical to poverty bill grants and loans to farmers.
Grants	2.0	
Loans to elderly	15.0	
Building loans	5.7	
Total	23.2	
10. Rural renewal loans	2.1	
11. Direct loan account:		
Real estate	27.5	
Operating	300.0	
Total	327.5	
12. Office of Rural Areas Development	.1	Coordinates operating programs.
13. Rental housing for elderly	5.0	
DEPARTMENT OF COMMERCE: Area Redevelopment Administration:		
1. Operations and technical assistance	17.5	The purposes of the Area Redevelopment Act are virtually indistinguishable from the provisions of title IV of the "poverty" bill, "Employment and Investment Incentives," as well as overlapping title II "Community Action Programs."
2. Grants for public facilities (requires new legislation)	35.0	
3. Area redevelopment loan fund	170.0	
Total	222.5	
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE:		
Office of Education:		
1. Vocational Education Acts	190.4	Includes $41,800,000 to Commissioner for direct help for culturally deprived youth (residential schools, work-study, and special projects); also, State plans include heavy emphasis on out-of-school youth.
2. Student loan program (National Defense Education Act)	135.0	Specifically intended for needy but able college students. Fund is now meeting colleges' requests.
3. Science, mathematics, foreign language instructional equipment and audiovisual equipment for elementary and high schools (National Defense Education Act).	62.0	States give priority to schools most in need of assistance to buy expensive equipment.
4. Improved counseling, testing, and guidance in schools (National Defense Education Act).	24.7	Key part of effort to prevent school dropouts.
5. Area vocational-technical schools (National Defense Education Act)	15.0	
6. Cooperative research and demonstrations	17.0	Program emphasis now being changed to provide much more aid for projects in slum districts.
7. Education of handicapped children	16.5	Program designed to prevent future dependency.
Vocational Rehabilitation Administration:		
8. Vocational rehabilitation grants to States	100.1	These 2 programs (8 and 9) heavily emphasize prevention of dependency and assist in expanding, improving, and coordinating State and local services and facilities.
9. Vocational rehabilitation research and training	40.6	
Public Health Service:		
10. Chronic diseases and health of the aged	53.7	These programs (10, 11, and 12) make a major contribution to State and local efforts to improve general health and to prevent, control, and treat disease. Such community health also purport to be a major factor of title II of the "poverty package."
11. Communicable diseases	30.0	
12. Community health practice	22.6	
13. Hospital construction (amount here is that proposed for separate transmittal for 5-year extension of Hill-Burton Act).	270.0	Includes nursing homes, diagnostic and treatment centers, rehabilitation centers, and project grants for comprehensive area plans for medical facilities.
14. Environmental engineering and sanitation	9.2	Grant assistance to States, cities, industries and researchers to eliminate health hazards in food and water.
15. Indian health activities	62.2	Full range of health, medical and hospital services for Indians and Alaska natives; health education and improvement of living conditions are stressed.
Welfare administration:		
16. Public assistance grants to States	2,739.4	Payments to individual recipients; medical care for aged.
17. Public assistance administration, services, and training (grants to States).	262.6	A major purpose of these grants is to finance State and local programs to prevent dependency and causes of dependency.
18. Bureau of Family Services	5.9	Administers public assistance grants, coordinates Federal and State efforts, provides technical and other assistance for programs to prevent dependency.
19. Maternal and child welfare	131.8	Grants to States, including research and demonstration for improved maternal and child health services (particularly in rural areas), child welfare services and crippled children's services.
20. Office of Aging	.6	
21. Cooperative research for social security	1.8	
DEPARTMENT OF THE INTERIOR:		
1. Indian education and welfare	96.9	A major emphasis of the poverty bill provision for "Volunteers for America" is work on Indian reservations. These 3 programs—plus PHS health services—relate to nearly every phase of Indian life.
2. Indian resources management	40.7	
3. Construction of facilities and irrigation systems (Indians)	51.1	
DEPARTMENT OF LABOR:		
1. Manpower training and development	411.0	1963 amendments liberalized act to permit basic education as part of job training and to permit training allowances for unemployed youth, ages 16 to 21. (Same age group mentioned in title I of "poverty package.")
2. Area redevelopment training program	9.0	Administered in conjunction with Area Redevelopment Administration.
3. Apprentice training program	5.5	
4. Unemployment Insurance Service and U.S. Employment Service	13.4	
HOUSING AND HOME FINANCE AGENCY:		
1. Low-income housing demonstration programs	5.0	Housing is one of the programs singled out for attention in title II of the "poverty bill." In the huge existing program there already is close coordination between HHFA and HEW to provide numerous services for families living in public housing.
2. Public facility loans (1965 capital outlay)	110.0	
3. Urban renewal grants	1,320.3	
4. Housing for elderly loan fund	100.0	
5. Low-rent public housing grants	230.6	
6. Low-rent public housing development loans	399.0	
SMALL BUSINESS ADMINISTRATION:		
1. Business loans	197.1	These 2 programs (1 and 2) virtually duplicate title IV of the "poverty bill."
2. Investment and development company assistance; debenture purchase and loans.	105.3	

Summary of programs already budgeted to combat poverty

With the exclusions noted above (principally, social security funds and the bulk of the initial funds for the poverty package), the total amount budgeted in fiscal 1965 for programs which combat poverty is $8,738,600,000. This $8.7 billion may be summarized as follows:

1. Public assistance payments; food donations; school lunch; other direct aid to needy persons, $3,287.3 million.

2. Agricultural redevelopment; assistance for farm families and rural communities (does not include price supports), $468 million.

3. Vocational education; manpower training and development; U.S. Employment Service, $644.3 million.

4. College student loan fund; other special educational programs, $295.8 million.

5. Area redevelopment and accelerated public works, $436.7 million.

6. Vocational rehabilitation; community health; family services and prevention of dependency, $888.3 million.

7. Indian health and welfare, land and resources, $250.9 million.

8. Loan assistance for small business, $302.4 million.

9. Urban renewal, public facilities, and low-income housing, $2,164.9 million.

These funds are budgeted to Federal departments and agencies, as follows:

	Million
1. Office of the President	$214.2
2. Agriculture Department	1,015.9
3. Commerce Department	222.5
4. Health, Education, and Welfare Department	4,191.1
5. Interior Department	188.7
6. Labor Department	438.9
7. Housing and Home Finance Agency	2,164.9
8. Small Business Administration	302.4
Total	8,738.6

NATURAL GAS REGULATION

Mr. **WILLIAMS**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. **WILLIAMS**. Mr. Speaker, attempts at well-head regulation of natural gas sales pursuant to the Phillips decision have resulted in the creation of a chaotic condition within the natural gas industry. The need for corrective legislation, either exempting these sales from regulation or providing some legislative standards or yardsticks by which regulation could be effected, is quite apparent.

Recently, speaking before the convention of the Independent Petroleum Association of America in New Orleans, Mr. Robert W. Henderson, an attorney of Dallas, Tex., delivered a masterful address which pointed up the necessity for prompt action.

Because Mr. Henderson is unusually qualified to speak on this subject, I feel his thoughts will be of interest to the House of Representatives. Accordingly, I include Mr. Henderson's speech at this point in the RECORD:

OPENING REMARKS OF ROBERT W. HENDERSON BEFORE THE INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA, MAY 5, 1964

I consider it a great pleasure to appear here before you and to have the opportunity to make a few brief remarks to independent producers, the backbone of the oil and gas industry. Further, it is indeed an honor to appear on this panel with the distinguished Congressman from Mississippi, Mr. JOHN BELL WILLIAMS, and your most learned general counsel, Mr. L. Dan Jones. Both of these distinguished gentleman should be commended for their untiring efforts in bringing the need for corrective legislation to the attention of Congress and the general public. Congressman WILLIAMS. made an excellent speech on this same subject to the House of Representatives on April 15, 1964.

With 10 years of confusion and chaos behind the gas producing industry, where are we now headed in the attempt by the Federal Power Commission to regulate an industry under a statute which was not designed nor intended to apply to independent producers?

We are all aware that on June 7, 1954, the Supreme Court concluded in the Phillips decision that independent producers selling gas in interstate commerce were subject to regulation under the Natural Gas Act, which was passed in 1938 by Congress. Let me emphasize three most important points at this time: First, that act was not designed for regulation of independent producers, but for public utility pipeline companies; second, the act does not contemplate nor was it designed to regulate anything but the individual company; and, third, the act does not require FPC to use the rate base cost-of-service approach, although FPC may if such an approach is found to be sound, reasonable, and feasible.

Up until September 28, 1960, the date of the Phillips opinion No. 338 and statement of general policy 61-1, FPC recognized that its duty was to regulate the individual company, and it attempted to accomplish this purpose through the use of the rate base—cost-of-service approach. FPC then discarded that approach and came to the conclusion that it was impractical and unworkable to regulate producers as utilities.

However, FPC then embarked upon its area price approach in an attempt to set a commodity price for gas for 23 pricing areas. In my opinion, such action is in direct conflict with the act which contemplates the regulation of the individual company insofar as its interstate gas business is concerned. There are no standards or guidelines in the act which indicate in any manner as to how a price for gas is to be determined on an area basis. Such a regulatory procedure was not contemplated. The only standard in the act is that the price shall be lawful which has been defined as a "just and reasonable rate." The method of regulation is clearly an area of responsibility for Congress. If the FPC on September 28, 1960, believed that it was obligated to continue its attempt to regulate producers, it should have sought legislative guidance from Congress. But this it didn't do. It commenced its experiment.

In December 1960, FPC instigated the Permian Basin area rate proceeding and in May 1961, it instigated the south Louisiana area rate proceeding. The trial of the Permian case is over and we are waiting for the trial examiner's initial decision. Hearings commenced in the south Louisiana case 2 weeks ago. As you know, FPC instigated the Hugoton-Anadarko and Texas Gulf Coast proceedings late last year, and 114 companies are busily filling out 10-pound questionnaires.

Let's take a closer look at the Permian and the south Louisiana area rate proceedings.

In the Permian case FPC appointed a trial examiner to receive and hear the evidence and sit in judgment without being furnished any guidelines or standards as to how to conduct such a hearing, what types of evidence to receive and what the issues should be. This failure to provide any guidance is due, in my opinion, to the fact that FPC was at the time the case was commenced and is today without such knowledge, even though it continues to refuse to request Congress for such guidance. The lack of standards and guidelines is the principal reason that the case was in process for more than 2½ years. There were some 250 hearings days. The transcript consists of more than 30,000 pages. There are 337 exhibits. The initial brief of the staff of the Commission is over 500 pages.

In the south Louisiana case, where hearings commenced 2 weeks ago even though the case was instigated in May of 1961, the transcript is already over 7,000 pages and there have been 197 exhibits marked for identification. The exhibits alone, if stacked up, would be over 3 feet high. The time required for cross-examination has been estimated to be from 6 months to a year.

The cost of preparing and presenting evidence in these area proceedings is overwhelming. In the Permian case alone, the group of cooperating producers incurred an expense of approximately $1½ million on outside consulting and witness fees alone. This same group will spend in excess of a million dollars on these outside consulting and witness fees in the south Louisiana case. Let me emphasize that these expenses are only a small fraction of the total costs. This same group of cooperating producers must have had over a hundred of their own personnel directly involved in these proceedings as technicians. As you may know, large groups of accountants, engineers, economists, geologists, and lawyers are needed. The salaries and traveling expenses of such company personnel are not included in these estimates nor do such estimates include the tremendous cost incurred by the industry in furnishing the 1960 cost data which is being used in those two cases.

The cost of the transcript alone exceeds the dollars involved of many small producers. Ninety percent of the number of producers involved in these area rate proceedings cannot economically justify the retention of local counsel or the use of employed counsel to even keep up with the proceedings through the purchase of the daily transcripts. Very few producers can justify having counsel present at the hearings, notwithstanding the fact that each producer is absent from the day-to-day hearings at his own peril. The trial examiner in the south Louisiana case made this point very clear this past April 23, even though it was pointed out to him that 200 of the 233 respondents in the proceeding could not afford to keep counsel present in the hearing room since such cost would far exceed what the producers had involved in the proceeding. Under these circumstances there should be no doubt in anyone's mind that the smaller producers are being denied due process of law as guaranteed by the Constitution.

It may be of interest to know that producers are not only faced with opposition from the staff of FPC but from groups of distributors, public service commissions and occasionally with the views and contentions of pipeline companies. For instance, in the south Louisiana proceeding, the opposition is composed of the FPC staff and two different groups of distributors.

Basically, there are two principal contentions as to how area rates should be established. First, there is the contention that area rates should be based upon costs which are allocated to gas and which are supposed to represent the costs of exploring, developing, and producing such gas. The second contention is that area rates should be based upon economic evidence which considers the supply and demand situation together with the revenue requirements of the industry which is required to bring forth the needed supply.

In the south Louisiana proceeding, the FPC staff and both groups of distributors contend that the area price should be a cost-based rate. That is, they contend that the cost of finding, developing, and producing gas should be determined from the cost data which is available only from 81 producers out of 233 which are parties to that proceeding. They further argue that such area price determination should be made pursuant to the rate base cost of service approach. Since there are no precise and definitive standards and guidelines in calculating a per unit cost by the cost of service approach, each of the three adversaries determines a different per unit cost for gas. However, each of the per unit cost determinations falls within the range of 13 to 14 cents per thousand cubic feet, if you exclude the 2.3-cent Louisiana severance tax.

Based upon these cost determinations the staff is recommending a price of 15.75 cents for all contracts located within the taxing jurisdiction of Louisiana and 13.45 cents for that portion of the offshore area located outside of the taxing jurisdiction of Louisiana. Even though the price recommendations of the distributor groups are somewhat more favorable to the producers than the recommendations of the staff, they still are asking for an approximate 25-percent reduction in revenues from the existing contract prices.

There are two principal supporters of the contention that the area price determination should be based upon economic considerations. First, your association contends that, if any area rate is to be determined, FPC should use "market value" of natural gas as determined by currently negotiated competitive contracts. The second principal supporter is a group of cooperating producers which is primarily composed of the major integrated companies. This group of producers contend that FPC should weigh all of the economic considerations in arriving at a considerered judgment as to what is a proper area price, including such factors as the relation of supply and demand, the cost-profit ratios, the production-reserve ratios and the statistical trends in drilling. These producers recommend a price of 24 to 25 cents per thousand cubic feet.

You should know that the FPC staff, in rebuttal to such economic considerations, has presented what they refer to as an econometric model. The witness who sponsors such theory is called an econometrician. I was told that an econometrician is a person who is an economist, a statistician, and a mathematician since he takes economic theory and applies statistical tests to express his results in mathematical equations. Regardless of what an econometrician may be, the conclusions show the absurdity of the theory. For example, it is contended that if gas prices are reduced, demand for gas will increase; therefore, you as an independent producer can produce and sell more gas and thereby will have more revenue to use for exploration to discover the additional gas which is needed to satisfy the increased demand. If you follow this concept to its logical conclusion, the cheaper the gas—the greater the exploration effort.

I might mention a few additional positions which are being advocated. A few producers, including the ones that I represent, contend that the area rate approach is invalid and that any just and reasonable determination of their contract prices should be made by considering each producer's own individual circumstances including its cost of finding, developing, and producing the gas. Some of these same individual producers are also contending that the cost characteristics of the small producers are so different that their prices cannot be legally established through the use of composite rate base cost-of-service studies which include the cost of the large major integrated companies. The facts supporting this contention clearly show the invalidity of the area price approach.

In the Permian Basin proceeding there are 399 producer-parties. The composite rate-base cost of service exhibits of the FPC staff include the cost data of only 131 producers which include all of the major integrated companies. However, those exhibits do not include the cost data of some 268 small producers who have contracts on file with the FPC, nor the cost data of over 2,000 additional small producers who have percentage type casinghead gas contracts. To clearly illustrate my point, the 131 producers have been divided between producers selling more than 10 billion cubic feet of gas in interstate commerce and less than 10 billion. Thirty-nine fell in the large producer category and 92 in the small producer category. By looking at their total oil and gas operations, it was found that the ratio of revenue available for income taxes, cash dividends, and working capital, after operating expenses and capital recovery charges, to total revenue received is only 7.3 percent for the 92 small producers and 16.2 percent for the 39 large producers. The same contrast was shown by comparing the ratio of net revenues to unrecovered investment where it was 4 percent for the 92 small producers and 15 percent for the 39 large producers.

The differences in the cost characteristics are even more pronounced in the south Louisiana proceeding between the large and small producers. There are 233 producer-parties, but cost data is available from only 47 producers selling more than 10 billion cubic feet of gas annually in interstate commerce and from only 34 producers selling less than 10 billion. Of these 81 producers, complete cost data is available for all of the large volume major integrated companies. However, cost data is missing from 152 small producers.

By comparing the ratio of revenues available for income taxes, cash dividends and working capital with total revenues received, it was found that the ratio for the 47 large producers was 17.5 percent, whereas the ratio for the 34 small producers was a negative 3.4 percent. The comparison of net revenues (total revenues less total expenses) with remaining unrecovered investment shows a distinct difference. The ratio or return on investment for the 34 small producers is 1.1 percent where for the 47 large producers it is 14.3 percent.

Even under the traditional rate base cost of service approach the composite rate of return earned in 1960 by these 34 small producers on their total oil, gas, and liquid operations for the continental United States is five one-hundredths of 1 percent on a rate base or remaining unrecovered investment in excess of $282 million. Limiting such study to the south Louisiana area, the composite rate of return on their total oil, gas, and liquid operations is 0 percent on a rate base in excess of $98 million. If allocations and assignments of costs are made between gas and liquids, following what standards and guidelines are available, the 34 small producers end up earning no rate of return on their gas operations in the south Louisiana area or in the continental United States.

Even with this type of showing which the FPC staff is well aware of, they contend that these 34 small producers should refund millions of dollars which they have collected in the past as well as reduce their revenues on their south Louisiana contracts by nearly $4 million a year.

A similar study was made of 12 middle-size producers out of the 47 large producers. The composite rate of return earned in 1960 by these 12 medium-size producers on their total oil, gas, and liquid operations for the continental United States was 4.44 percent on a rate base or remaining unrecovered investment in excess of $437 million. Upon allocating and assigning cost between gas and liquids these 12 middle-size producers earned approximately 5 percent on their continental United States gas investment of $171 million. The FPC staff contends, even in the face of these facts, that these 12 middle-size producers, should refund millions of dollars which they have collected in the past as well as reduce their gas revenues from their south Louisiana contracts by $7 million a year.

A further study was made using the cost data of 46 producers out of the 81. These 46 represented the 34 small producers as well as the 12 medium-size producers. This study showed that in 1960 these 46 producers on a composite basis earned in 1960 only a 2.72 percent rate of return on their total oil, gas, and liquid operations for the continental United States on an investment in excess of $719 million. Limiting the study to south Louisiana, these same 46 producers earned only a 1.76-percent rate of return on their total oil, gas, and liquid operations on an investment in excess of $297 million. Even after allocating and assigning this composite cost to gas on the one hand and to oil and liquids on the other hand, these 46 producers only earned 4.54 percent on a gas investment in excess of $235 million on a continental United States basis and 3.83 percent on a gas investment in excess of $165 million on a south Louisiana basis.

Our public servants, the staff of the Federal Power Commission, are contending that these 46 producers should refund millions of dollars which they have collected in the past. In addition, it is their position that the gas revenues under the gas purchase contracts of these 46 producers should be reduced by approximately $11 million a year.

You may be asking yourself, why does the FPC staff make such a contention? The answer is simple. It is their position that you should average the low-volume, high-cost small producer with the high-volume, low-cost large producer. By this process, the cost of the small producer is reduced and added to the cost of the large producer. It is nothing more than a swapping of cost to arrive at an average. When the average is weighted by volume, the high-cost, small producer with 10 percent of the volume gets lost in the shuffle.

There is one point which I want to make very clear. By small producers being referred to as high-cost producers, I do not mean or am I implying that such producers are inefficient in any manner. Their high cost is principally the result of two factors. First, small producers plow back a greater percentage of their internally generated revenues than the larger companies, and second, small producers drill almost twice as many exploratory wells to total wells drilled than the larger companies.

Some of you are probably wondering how these per unit costs and rates of return of small- and medium-size producers become involved in the need for corrective legislation. As we all know, the 5-to-4 Supreme Court decision in the *Phillips* case last year did not approve the area price approach since the lawfulness of the method was not before the Court for review. Justice Clark, writing for the four dissenting Justices had this to say about the area price approach:

"Inevitably, the area average will be lower than the high-cost producer. Hence the 'financial requirements of the industry' will not satisfy him. If the rate is set by the 'financial requirements' of the higher cost producer it will be higher than that necessary to make it just and reasonable to the lower cost producer, thus resulting in a windfall to the latter. If the 'financial requirements' of the lower cost producer are used it will result in a rate that will confiscate the gas of the higher cost producer. If the higher and lower costs are averaged, as the Commission indicates it intends to do, then the higher cost producer will still not recover his costs and the rate will be confiscatory" (373 U.S. 294, 83 S. Ct. 1266 (1963)).

With a full disclosure of the facts summarized here today, it is hard to believe that our Supreme Court is going to endorse a procedure which will result in a wholesale confiscation of property in violation of the fifth amendment to the U.S. Constitution.

However, such a prediction cannot possibly become a reality for at least 3 more years. If and when such event occurs, corrective legislation will have to be obtained. The members of the Commission which instigated the area price approach acknowledged that the area price method was a noble experiment of last resort. Even one of the present Commissioners has indicated substantially the same fact. To start the wheels in motion for corrective legislation some 3 years or more down the pike may be like calling the doctor after the patient has died, or to use Justice Clark's own words in his dissent in last year's Phillips' decision and I quote:

"I predict that in the end the consumer will find himself to be the biggest goose of the hunt and the small producer the dead duck."

The area price approach is not only of doubtful validity because of its confiscatory nature upon small producers, but its validity is also in jeopardy by reason of the many complex questions which will have to be necessarily decided at the same time.

For instance, percentage type casinghead gas contracts behind gasoline plants may have to be renegotiated. This is true, even though the sellers under such contracts are not parties to the area rate proceedings and will be denied their day in court.

Moreover, many plants in the Permian Basin are processing gas well gas, at least in part, where the plant owner purchases the gas well gas at a fixed price per thousand cubic feet at the wellhead plus a percent of the liquids recovered. The FPC staff has recommended that the price for gas well gas and residue gas in that area be set at 13.5 cents per thousand cubic feet. What happens to the plant owner? A seller cannot stay in business if he is required to sell at the same price at which he is obligated to purchase, especially since most of the Permian plants were not built based solely upon a retention of a percentage of the liquid recovered.

Many other problems are presented for determination. What happens to the producer who built small or medium size pipelines to get his gas to the interstate purchaser? Does he receive the same wellhead price?

What happens to those producers who can show that the area price is not a just and reasonable price insofar as their sales are concerned. Many producers have already attempted to show this fact, as well as the confiscatory effect of the recommended prices by the opposition. All such attempts have been met by a complete exclusion of such evidence from the record. The refusal to receive such evidence flies in the face of Justice Clark's words in the recent *Phillips* case where he said and I quote:

"Moreover, it must be remembered, that the burden of proving just and reasonable rates is on the producer and he cannot be precluded from offering relevant proof of his cost. This he will demand in the event his statistics show his costs above those fixed for his area. And so the cold truth is that, after all of its area pricing investigation and the fixing of a rate pursuant thereto, the producer aggrieved at that rate may demand and be entitled to a full hearing on his cost" (373 U.S. 294, 83 S. Ct. 1266 (1963)).

There can be no effective solution to the problems of the independent producer other than complete decontrol legislation. Area pricing is certainly not the answer. In my opinion, a great many more small producers will suffer under area pricing type of regulation, than under the rate base cost of service approach on a company by company basis. This brings us to what I believe FPC will offer in an attempt to take legislative pressure off and to bolster the validity of the area price approach. Mr. Swidler, the Chairman of the Commission, had his staff look into the question of exemption of small producers a couple years ago. The staff reported back that such an exemption would be illegal under the Natural Gas Act. This exemption question has lain silent for the last couple of years, but it was resurrected a few weeks ago in the Supreme Court decision of *FPC* v. *H. L. Hunt*. In that decision, Justice Clark, writing for the majority, indicated that the Commission should investigate the possibility of not exercising its total jurisdiction. He pointed to the National Labor Relations Board which refuses to exercise jurisdiction over certain labor disputes where the company involved has less than a prescribed amount of revenue from interstate operations. I now understand that Mr. Swidler has asked the staff to reanalyze their previous legal recommendation in the light of this most recent decision. I further understand that he has pointed out that there are only 260 producers selling more than 2 billion annually in interstate commerce which represents 91 percent of the total interstate sales volumes. This would leave 3,400 small producers with 9 percent of the total interstate sales who are selling less than 2 billion annually in interstate commerce.

If this prediction becomes a reality, I strongly urge that you do not permit such satisfaction to turn you from your goals of obtaining proper corrective legislation. If FPC grants such relief from regulation, it can be taken away at any time, just as easily by FPC. Moreover, if such an exemption is granted, there will always be those members in your association who do not have the exemption status. More importantly, however, such an exemption will not work to your best interest. If the exemption is granted, the area pricing approach may be sustained by the courts. If an area price is determined based upon the composite costs of only the larger producers, such price will be, in my opinion, always lower than if your costs had been included. Under these conditions, I cannot visualize a pipeline purchaser offering to buy gas from an exempt producer at a higher price than the established area price. Such procedure can readily be called regulation without representation. Furthermore, such an exemption is not in the national interest. It will discourage the small producers, who are the backbone of our industry, from exploring for natural gas reserves, so as to retain his exempt status. The industry needs and should have more incentives to continue its exploration for natural gas, instead of action which lessens what incentives are in existence today.

Upon closing my remarks, I would like to leave certain thoughts with you today which you may wish to consider. First, even though your association as well as all of us will continue to work toward corrective legislation, we cannot forget that we are involved in a day-to-day conflict with the FPC in attempting to protect our statutory and constitutional rights. Only last week a conference was held to consider the promulgation of a cost questionnaire for small producers for use in the two new area rate proceedings. I might add that you were ably represented by Mr. Powell. Nobody likes or wants questionnaires, especially those issued by FPC. However, regardless of what our wants may be or what we may say, the FPC staff is going to use cost data in the area hearings. Even though the proposed questionnaire is designed solely for the construction of a rate-base cost of service study, I earnestly urge each of you who receive such a questionnaire to spend the time, effort and money to complete it. You have a story to tell and it should be told. None of us desire to be regulated as a public utility on a cost-of-service basis. Regardless of our desires, those are the rules of the game which are being used and advocated by the FPC staff.

If you can show that you can win the game by the rules of the opposition, and I believe you can, I don't have much doubt that FPC will gladly change the rules. Moreover, cost data from the small independents will go a long way in proving that the rate-base cost of service approach cannot be used for the smaller producers.

The last point that I would like to leave with you is in regard to the type of corrective legislation which is needed. Anything less than complete decontrol legislation will leave many problems to be fought out before the Commission and in the courts. If, on your road to legislative success, you are forced into accepting anything less than complete decontrol legislation, let me sound a warning. Beware of accepting "market value" legislation unless such legislation can spell out and define "market value" in such a manner that there can be no room for interpretation. Let us not forget that the 10th anniversary of a similar problem approaches, where all of us thought, as well as Congress, that the production and gathering exemption of section 1(b) of the Natural Gas Act was free from interpretation.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF THE REPORT ON THE MISSISSIPPI RIVER AND TRIBUTARIES PROJECT

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 731

Resolved, That there be printed for the use of the Committee on Public Works, House of Representatives, one hundred additional copies of the report of the United States Corps of Engineers on the Mississippi River and Tributaries Project (House Document No. 308, Eighty-eighth Congress, Second Session).

Mr. JONES of Missouri. Mr. Speaker, the purpose of this resolution is to permit 100 extra copies to be printed concurrently with the regular press run of House Document No. 308, 88th Congress, the report of the Corps of Engineers on the Mississippi River and tributaries project. Insofar as there will be an understandable demand for extra copies over and above that which is printed by law, the savings effected will be in the best interest of real economy. We are asking for this resolution rather than the costly and expensive "back to press" operation which often attends the desire on the part of committees to acquire extra copies of important documents after the original printing.

The resolution was agreed to.

A motion to reconsider was laid on the table.

BILL TO MAKE ILLEGAL UNFAIR TRADE PRACTICES

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I have today introduced a bill to make illegal certain unfair trade practices.

With the concentration of the marketing and distribution of agricultural products in the hands of fewer buyers, and the resulting dangers of monopolistic practices from such concentration, it has become apparent that it is not only in the best interest of farmers but also in the best interest of our entire national economy that the marketing power of farmers and ranchers be strengthened.

The wider use of contract marketing also has created a greater need for strengthening the bargaining position of farmers. Many farmers and agricultural leaders are of the opinion that in the future more and more agricultural commodities will be produced under contract. Marketing contracts are now being used for many commodities.

The success of these marketing and bargaining associations depends to a great degree on the number of producers who join these associations and the volume of products they produce. Failure to sign a sufficient membership and tonnage results in the associations being unsuccessful in their attempt to obtain recognition from processors and handlers.

Some processors have made it well known that they are opposed to marketing and bargaining associations as they adversely affect the balance of buying power that processors now enjoy. They much prefer to deal with a grower on an individual basis rather than deal with a group of growers who have voluntarily joined together to market their crops.

Processor actions intended to discourage, and interfere with, association membership during the past few years have aroused growers to request Federal legislation to prevent discriminatory practices. Present Federal antitrust legislation does not effectively deal with certain unfair trade practices which are being carried on by some food processors.

Growers believe that they should not have to operate in an economic climate where they fear processor reprisal because they are members of an association which has as its purpose the strengthening of the market power of its farmer members.

First. Threats have been made by representatives of some processing companies that growers will not be offered contracts if they sign association membership agreements. This may eliminate the market outlet for many growers.

Second. Cases have been reported where growers who have joined a marketing association one year have not been offered contracts by processors the following year.

Third. Some processors have encouraged growers to resign from bargaining associations by providing resignation forms and advice on how to terminate their marketing contracts with the association.

Fourth. In some cases, leaders of associations have been singled out as examples. They have been offered limited contracts—or no contracts at all—even though they had been reliable, high-quality producers for a company for many years. Cases have also been reported where association leaders have received undesirable unloading schedules or have been denied use of company containers in which to harvest and deliver crops.

Fifth. Some processors have employed other discriminatory tactics to prevent associations from reaching their legitimate objectives. As an example, a processor refused to buy from association members located near his processing plant and contracted with new growers at considerable distance from his plant, even thought the raw product cost was higher due to hauling charges and quality factors.

Sixth. Some processors have carried on planned and organized campaigns designed to make certain that a marketing association was not successfully organized in their area.

The proposed legislation would amend chapter 12 of title 7 of the United States Code by providing for a new section 3, which establishes unlawful practices affecting associations of producers of agricultural products and members thereof.

The effect of the proposed language is to provide a new section 3 to the Capper-Volstead Act, which is the basic legislation that authorizes the establishment of associations of producers of agricultural products and members thereof.

The new section 3 would make it unlawful for any processor, handler, distributor, dealer, or agent thereof, or for any person, doing business in interstate or foreign commerce, who purchases or contracts to purchase agricultural commodities from producers, knowingly to do any of the following:

First. Interfere with, restrain, coerce, or boycott any agricultural producer in the exercise of his rights to join and belong to an association of producers of agricultural products;

Second. Discriminate against any agricultural producer with respect to price, quantity, quality, or other terms of purchase of raw agricultural commodities by reason of his membership in, or contract with, such association;

Third. Coerce or intimidate any association member or other person to breach, cancel, or otherwise terminate a membership agreement or marketing contract with association;

Fourth. Pay or loan money, or give any other thing of value, to a producer as an inducement or reward for refusing to or ceasing to belong to such association;

Fifth. Make false reports about the finances, management, or activities of such associations, or interfere in any way with the efforts of such associations in carrying out the legitimate objects thereof.

Section 4 would provide for a criminal penalty and damages in case any person violates section 3. Any person who was found to be in violation and convicted would be punished by a fine not to exceed $1,000 or imprisonment not to exceed 1 year, or both, in the discretion of the court.

Any person who felt that he was injured in his business or property by reason of violation of section 3 could sue in his own district court and could recover triple damages he might have sustained and the cost of the suit including a reasonable attorney's fee.

The proper State courts would not be deprived of jurisdiction of any action that might be taken in them for damages.

Section 5 recognizes the right of an association of producers to be affiliated with other agricultural associations or organizations in carrying out its objectives. There is nothing in the law at present which prohibits such an affiliation. However, section 5 would further clarify this matter.

GOVERNMENT BY PROCUREMENT

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, the May-June 1964 issue of the Harvard Business Review calls attention to a potentially serious threat to the vitality and creative force of our free enterprise system. The warning is sounded in an article by Paul F. Hannah entitled, "Government Buying Erodes Management."

The main point of the article is that management decision and control have been narrowed sharply in recent years through the Government's procurement process. Serious concern is expressed about the fact that there are no congressional controls on the way procurement regulations are being used to affect business decisions, advance social objectives, and to protect workers.

According to the article, the Government has been delving deeper and deeper into the affairs of both its prime contractors and its subcontractors, insisting on greater and greater participation in decisionmaking. It has been achieving this role through its natural interest in contractors' costs and by means of the rights that it has acquired, through congressional enactments and contract clauses, to obtain cost information.

The charge is made that Government auditing of contractors is being extended beyond areas of verification of the contractors' recorded data to determine the soundness of his pricing proposals, operating plans, budgets, and management decisions.

This is being done in spite of the fact that there has never been congressional sanction for the assumption by the Federal Government of the full role it is attempting to play. Congress' interest in the way contractors have managed their businesses has been directed toward the protection of the Government against fraud, excessive profits, and unfair dealings. It has not given the executive branch, or even its own General Accounting Office, authority to manage or supervise the managers.

The Government's power of procurement is also being used to achieve social and economic objectives, many of which may be highly proper and desirable. Mr. Hannah notes that contractors, for example, are required by the Government to give preference, wherever practicable, to small business; to companies in labor surplus areas and in depressed industries; to U.S. flag, privately owned ocean carriers; and, except in certain specified cases, to domestic sources of supply as required by the Buy American Act.

Another objective being sought through use of the procurement power is that of insuring equal opportunity in employment for all qualified persons, without regard to race, creed, color, or national origin.

The Government has also used its strength as a purchaser to protect workers, particularly in regulating hours and wages. Increasingly, however, regulations are being broadened to limit the contractors' freedom of action in connection with labor matters. Mr. Hannah's article also illustrates the use of Government contracts not only to exercise Federal control over industry, but also to require the States to adhere to federally established industrial health and safety standards.

These examples of Government by procurement could be broadened to include the obligations imposed to convey title to inventions developed during the performance of research and development contracts with NASA, the Federal Aviation Agency, the Atomic Energy Commission, and certain other Government agencies, or to give to a competitor such background data as would enable him to make the device under contract.

The issue posed by the article is this: Unless congressional controls are instituted, industry will have to continue to accept whatever encroachments the executive branch decides to make.

The procuring process, Mr. Hannah points out, is too devastating in its effect on our free enterprise system, and represents too powerful a tool to be left in the hands of those who have no direct responsibility to either the people or to industry. According to the author, careful procedures should be legislatively established for periodic checks to assure that the limits on the exercise of procurement power established by the Congress are not exceeded.

I ask unanimous consent that this important article be included in the RECORD at this point.

[From the Harvard Business Review, May–June 1964]

GOVERNMENT BUYING ERODES MANAGEMENT

(By Paul F. Hannah)

(AUTHOR'S NOTE: For a technical documentation of the points made in this article, see my paper, "Government by Procurement," the Business Lawyer (American Bar Association), July 1963, p. 997. That journal's permission to present this version is appreciated.)

The two prosperous-looking men sitting together in the first-class section of the plane to Washington quickly found something to talk about. One was the president of a $20 million business; the other, a corporate executive of one of the Nation's 500 largest industrial companies.

"The great thing about being the president of a relatively small company," the president was saying, "is that you can run the business the way you want to. You make the decisions—and stand or fall by the result. In this job, you've got the control and the freedom to act, and you're not hedged in by all the procedures and rules such as you have to have in a company the size of yours."

"What business are you in?" the corporate executive asked.

"We're prime contractor to the Army on electronic parts, and also do work for military subcontractors. About 30 percent of our sales, however, are just for commercial uses."

"In a way I envy you," the corporate executive said. "We do a lot of work for the Army and other Government agencies, also. But what about the controls imposed by the Government procurement agencies? Don't they limit your freedom of action? Our people down the line tell us they do, although I don't know much about it."

"Oh, I let my contract administrator and controller handle all that. From time to time they complain, but I tell them it's their job to keep the customers happy and keep us out of trouble. I don't let them bother me with those problems."

GOVERNMENT RESTRAINTS

How free to "run the business as he wants to" is either of these executives? In this article I will explore this question. My belief, based on firsthand experience during and since World War II, is that the top executives of neither big nor little companies have really focused on the extent to which the area of management decision and control has been narrowed in recent years through the Government's procurement process.

Mastery of the increasingly intricate and extensive Government procurement regulations is imposed by top executives on middle and lower management and on the corporate and divisional staff in the "engine room" of their enterprises. These lesser executives operate under general directives to "get the business," "keep the enterprise out of trouble," and "keep the customer happy." And, as long as these are followed, the "bridge" will not inquire as to how the machinery is working.

Once in a while, a General Accounting Office (GAO) investigation, or a visit from a representative of the President's Committee on Equal Employment Opportunity, or a vigorous defense by a vice president of manufacturing of increases in the facilities budget (based on new safety regulations imposed under the Walsh-Healey Public Contracts Act) may bring the problem of "government by procurement" to the attention of the bridge. These occasions, however, are not sufficiently frequent to make the top executive aware of the day-to-day exercise by Government of more and more of the prerogatives which he thought were his.

Why doesn't the engine room telegraph the bridge more frequently? Because:

The directives under which the engine room operates are clear and explicit;

The alternative to going along with the procurement rules and regulations with which it is confronted is a long, hard fight with the customer, not at the contracting officer level (he is stuck with them, too) but at top echelons;

In all but rare instances, the trouble, expense, and loss of business risked in fighting out the particular issue are thought to outweigh the harm that would be avoided;

The restriction on management freedom is usually a restriction burdening the bridge and not the engine room, and hence may not seem to be particularly important to engine room personnel.

This exploration of the process of "government by procurement" as a political phenomenon of the day is not intended as condemnation either of Government action or Government motivation; the needs of the Government are important. Rather my purpose is to illuminate, to suggest the need for congressional controls over the process, and to recommend some ways of achieving such controls which are compatible with the national interest.

CUSTOMER AS KING

Prior to World War I, the Government used practically none of its power as a buyer to achieve goals it had as a sovereign. The controls exercised were almost all directly related to effective and efficient purchasing and the avoidance of excessive profits. One of the reasons may have been the relative unimportance of Federal Government purchasing to the economy as a whole. In 1914 total Government expenditures were merely $735 million, and by 1945 they had climbed to only $12.7 billion. In fact, as late as the 1930's the Federal Government was an insignificant factor in the sales of most private companies. It is different today. Procurement in fiscal 1962 totaled $32.4 billion.

Now the sales of even the largest companies are, to a substantial degree, for Government end use, as the following figures testify: Radio Corporation of America, 35 percent; Westinghouse Electric Corp., 20 percent; General Electric Co., 25 percent; and International Telephone & Telegraph Co. (continental United States), 60 percent. Many substantial companies are almost wholly dependent on their sales to the Government and its prime contractors: i.e., McDonnell Aircraft Corp., 99 percent; Raytheon Co., 86 percent; North American Aviation, Inc., 90 percent; General Dynamics Corp., 95 percent.[1]

The Government's purchasing power in today's economy, in which our full industrial capacity is not being used, is such that it can dictate the terms and conditions of purchase. The only limit, therefore, upon the exercise of Government controls over a large segment of U.S. business is that which the Government elects to impose on itself.

The Government could, of course, elect to dictate terms only relating to price and deliveries. It has, however, to an increasing degree, been ranging far from these simple matters. Let us look at three areas where, since the Government's self-restraint is substantially less than at the end of World War II, serious encroachments have been made on business freedom through:

1. Interference in management decisions.
2. Attempts to advance social objectives.
3. Action to protect workers.

(The examples that follow have been gleaned primarily from Department of Defense procurement policies and directives.)

INTERFERENCE WITH MANAGEMENT

During the past decade the Government has been delving deeper and deeper into the affairs of both its prime contractors and its subcontractors, insisting on greater and greater participation in decisionmaking. It has been achieving this role through its natural interest in contractors' costs and by means of the rights that it has acquired, through congressional enactments and contract clauses, to obtain cost information.

Prior to World War II (except for a brief flurry during World War I in the cases of cost-plus-percentage-of-cost contracting) suppliers of goods and services were asked for little cost information by the Government. During World War II, however, the audit services were built up, but slowly, and the information sought was largely to verify the contractor's statement of incurred costs or to judge the overall reasonableness of his estimates.

Today, however, is the day of "operational auditing" to evaluate the effectiveness of contractor management and of its use of its resources. There are no barriers in terms of organizational boundaries subject to review in this auditing; its approach is through the organization chart, functional statements, procedural directives, reviews of planning and programing, budgeting, funds control, R. & D. procurement and supply, management and stock control, and through books of account. Government auditing of contractors is being extended beyond areas of verification of the contractor's recorded data to determine the soundness of his pricing proposals, operating plans, budgets, and management decisions.

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[1] Data obtained from Standard & Poor's stock reports, company annual reports, and informal advice from company personnel.

For example, as Graeme C. Bannerman, Deputy Assistant Secretary (Procurement) of the Department of Defense, has said:

"In the Government's relations with industry both parties should find it to their mutual advantage to cooperate in the free exchange of factual data. Government's representatives should become thoroughly familiar with the individual estimating procedures used by the different contractors, and systems should be devised cooperatively for the measurement of after-the-fact results, testing the results against the estimates to determine how effectively the firm is being managed. More particularly, information that is available to industry management should be equally available to Government negotiators in the pricing of contracts." [2]

The use of statistical sampling techniques in this endeavor requires investigation for comparison purposes into matters not directly related to the costs of particular Government contracts.[3] Thus, the auditors come to regard themselves as having a role to play in the installation of PERT, the critical path method, and PERT-cost systems and in the followup on their use.

Government auditors today want to examine not only cost records but also all types of internal procedures, including not only those related to accounting but those developed for purchasing, for arriving at make-or-buy decisions, for capital appropriations, and for making engineering decisions. They ask for organization charts, statements of departmental and divisional functions, departmental budgets, profit and loss data of divisions, divisional balance sheets, internal audit reports, inventory schedules, and planned expenditure schedules. They want to see corporate minute books and even copies of reports made to top management by management consultants. They desire to interview personnel out of the presence of management. They claim to need, for comparison and sampling purposes, data on fixed-price contracts, even contracts resulting from formal advertising. In short, Government auditors call for practically unlimited access to all the information management has available to it.

BEYOND LEGISLATIVE SANCTIONS

There has never been congressional sanction for the assumption by the Federal Government of the full role it is attempting to play. Congress interest in the way contractors have managed their businesses has been directed toward the protection of the Government against fraud, excessive profits, and unfair dealings. It has not given the executive branch, or even its own General Accounting Office, authority to manage or supervise the managers.

It was not until the Armed Services Procurement Act was adopted in 1948 that Congress gave the military procuring agencies even the right to examine contractor records. In that act, Congress granted authority to inspect the plants and audit the books and records of contractors who performed cost-reimbursement type contracts. A similar grant was made to the General Services Administration and the executive agencies other than the military departments by the Federal Property and Administrative Services Act of 1949.

Prior to this time, some cost-reimbursement type contracts had contained provisions requiring retention of records and the right of the Government (including GAO) to examine "books, records, documents and other evidence bearing on the costs and expenses of the contractor under the contract and in respect of the termination of work thereunder." Termination clauses used since shortly before the end of World War II had similar requirements. These were not ordered by Congress, however.

In 1951 Congress extended to the General Accounting Office the right of examination of books and records it had given to the procuring agencies in 1948. This applied only in the case of contracts that had been negotiated, and it limited the Comptroller General's examination to those books and records "that directly pertained to and involved transactions relating to the contract or subcontract" [4]—a grant not extensive enough to permit the exercise of any managerial functions, particularly since it did not embrace the right to examine personnel. Furthermore, it was quite clear from congressional discussion and the comment of the General Accounting Office on the legislation that the congressional intention was not for GAO to supervise the manager but, rather, to search out fraud or overreaching. For example, Congressman EMANUEL CELLER said:

"The powers given are like a Damoclean sword that will hang over the heads of the contractors. * * * The amendment will give power to the General Accounting Office to go into the books and delve into the records of these contractors * * * to determine whether or not there is fraud or overreaching or whether they have done anything untoward, in which event reports will be made and suitable action may be taken. The power of investigation and inquiry of the General Accounting Office should be an excellent deterrent." [5]

The next time Congress acted in this area, it again limited itself to pricing and fair dealing. In 1962 it required the Department of Defense (DOD), the Coast Guard, the National Aeronautics and Space Administration (NASA) contractors and subcontractors to agree to submit cost or pricing data and to certify their completeness, accuracy, and currency prior to the award or pricing of negotiated prime contracts, and subcontracts under negotiated prime contracts, and in certain other situations. The object of this law was "to require truth in negotiating." [6]

STEADY USURPTION

The contract clauses imposed on contractors have not, however, been limited to the narrow areas marked out by Congress.

From about 1961 the Comptroller General has been given the same examination rights in cost-reimbursement type contracts as the procuring agencies have themselves acquired by contract. The contract clauses supplied by ASPR (the armed services procurement regulation), following the enactment of the 1962 act, expanded the Government's right of examination to "all direct and indirect costs of whatever nature claimed to have been incurred and anticipated to have been incurred in the performance of" the contract. This language goes beyond the words—"that directly pertain to and involve transactions relating to the contract or subcontract"—used in the statute.

Even the rights acquired by these much more extensive contract clauses, however, are nowhere near as great as those asserted by Government representatives in their day-to-day dealings with contractors.

A fair interpretation of the clauses might be that any record may be examined by the Government which is material to a proper determination of whether the cost or pricing data submitted by the contractor or the subcontractor are complete, accurate, and current, or whether costs charged against the contract have been incurred, or cost estimates figured into the price are reliable. But examinations to determine contractor efficiency, to measure adequacy of purchasing systems, or to determine management's competency, however desirable they may be from the governmental viewpoint, represent not exercise of contractural statutory rights, but the naked power of a market in which there is but a single buyer.

Why do Government representatives dealing on a day-to-day basis with contractor representatives insist on reviewing management decisions and actions and on getting into matters with respect to which they have neither statutory nor contractural rights? There are two basic reasons:

1. The Government has adopted the concept that it should, through regulation of profits, reward what it considers to be good management and punish that which it regards to be bad. The Department of Defense, for example, in carrying out this concept, has told each contracting officer, before determining what fee or profit to allow, to delve into such matters as the degree of risk assumed by the contractor, the contractor's investment, his rates of capital turnover, his past and present performance in such areas as quality control, efficiency in cost control, timely compliance with contractural provisions, and management of subcontracting programs.[7] It has imposed on the procurement official the burden of evaluating and approving the contractor's purchasing systems and his make-or-buy programs and other important individual decisions.[8]

2. Those charged with spending the Government's billions believe that they can bring about great savings to the taxpayers by imposing these techniques, and that they should both order the use of the techniques and see that they are followed.

The necessary consequences of such policies are, of course, these:

The formulation by the Government of standards (in a wide variety of management situations) by which to measure contractor performance.

The examination by the Government of important managerial actions to determine compliance.

Efforts to meet those standards, whether or not they approve of them, by those members of management who want to get rewarded.

The catering by management to those Government representatives who are making the performance measurements, irrespective of their competency to do so or the soundness of their evaluations.

There are many intelligent people in and out of Government, including the Secretary of Defense, who must be sincere in believing that the world's largest purchaser of goods and services should exercise at least the degree of control in the managerial area which the executive branch of Government is now exercising.

But this process raises a number of questions:

Is it possible for the Government to staff itself with enough mature, experienced, trained managers to do the job competently?

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[2] "Two Views on New Procurement Management Trends," The Federal Accountant, September 1962, page 121.

[3] See Hubert Van Drooge, Management Evaluation Through Statistical Sampling Methods, U.S. Army Audit Agency Bulletin No. 465-3, December 1962, page 42.

[4] 10 U.S. Code 2313(b), Act of October 31, 1951, C. 652, 655 Statute 700.

[5] U.S. Code Congressional and Administrative Service (St. Paul, Minn., West Publishing Co., 1951), page 2572.

[6] Senate Report 1884, August 17, 1962, U.S. Code Congressional and Administrative News (St. Paul, Minn., West Publishing Co., 1962), page 2478.

[7] Armed Services Procurement Regulation, Section 3-808.2 (Chicago, Commerce Clearinghouse).

[8] Armed Services Procurement Regulation, Sections 3-903.3, 902 (Chicago, Commerce Clearinghouse).

How are such managers of the management to be made responsible to the stockholders of the companies involved?

If the Government is going to assume an extensive managerial role, should it do so other than on the basis of legislation arrived at after serious public debate on the possible effects on industrial management?

And, given congressional sanction or not, what will be the ultimate effect of the process on our much wanted free enterprise system?

ADVANCING SOCIAL GOALS

We have made much use of the Government's power of procurement to achieve social and economic objectives. The contractor, for example, is required by his Government contracts to give preference, wherever practicable, to small business: to companies in labor surplus areas and in depressed industries; to U.S. flag, privately owned ocean carriers; and, except in certain specified cases, to domestic sources of supply as required by the Buy American Act.[9]

In approving purchasing systems, the contracting officer must examine "the extent to which the purchasing system is consistent with any contractual requirements covering small business or labor surplus area concerns" and whether his procedures provide for elements of "free and open competition." One of the factors used to determine whether approval shall be given by the contracting officer to make-or-buy decisions is "whether small business concerns are given an equitable opportunity to compete for subcontracts." For example, the contracting officer may not agree to a make-or-buy program without getting the advice and counsel of the Small Business Administration or putting an explanatory statement in the contract file as to why he did not get such advice and counsel.

These examples represent policy declared by Congress. But there is another illustration of the use of procurement power to advance a social objective which, though doubtless approved by the vast majority of Americans, had not been accepted by Congress when the power was first exercised. This is the objective of ensuring equal opportunity in employment for all qualified persons, without regard to race, creed, color, and national origin.

EQUAL EMPLOYMENT

Executive Order No. 10925 (dated March 6, 1961) declares it to be the obligation of the U.S. Government to secure equal employment opportunity for Government contractors. The head of each contracting agency is made responsible by this Executive order for obtaining compliance by each contractor and subcontractor with the provisions of the order, and the rules, regulations, and orders of the President's Committee on Equal Employment Opportunity created thereby.

As a result of the order, each DOD contract or subcontract for more than $10,000 involving U.S. workers (except contracts or subcontracts for standard commercial supplies or raw material not in excess of $100,000) must contain a nondiscrimination clause.[10]

By this clause, the contractor promises not only not to discriminate but to take affirmative action to ensure that applicants are employed and employees are treated during employment without regard to race, creed, color, or national origin in all respects, including employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay and other forms of compensation, and selection for training.

The contractor also promises that all advertisements for employees will state his policy, that each labor union will be notified of it, and that he will comply with all provisions of the Executive order and rules, regulations, and relevant orders of the President's Committee on Equal Employment Opportunity and will include the pertinent provisions of ASPR clauses in every subcontract or purchase order in such a way that they will be binding not only on the first tier but also on subsequent tiers of subcontractors. Finally, the contractor binds himself to take such action against delinquent subcontractors as the contracting agency may direct, even to the extent of risking litigation.

The contracting officer must require each contractor himself to file, and for each first tier subcontractor to file, compliance reports, which, however, will be omitted in the case of contractors participating in the "plan for progress" discussed later. The contract provides for routine and special compliance reviews, and procedures are contained in the regulation for the handling of compliants and their processing.

Although, under the regulation, "initial emphasis for obtaining compliance should be placed upon methods of conference, conciliation, mediation and persuasion, if such measures do not succeed in obtaining the necessary degree of progress, consideration will be given to invoking the appropriate sanctions." These sanctions can include termination of the contract, with the approval of the Secretary of Defense, and debarment and suspension on the recommendation of the Secretary and the approval of the executive vice chairman. The Department of Justice may be asked to enforce the contract or to have enjoined organizations or individuals seeking to prevent or preventing compliance with it. It may also be asked to prosecute those individuals "furnishing false information to the Department."

There is, however, a "carrot" as well as a "stick." Certificates of merit may be awarded by the President's Committee—one of the benefits of this award is exemption from filing compliance reports.

PLAN FOR PROGRESS

Running a parallel course with the Executive order and the regulations thereunder is the "plan for progress" which was inaugurated by the President's Committee to enroll leading Government suppliers in the administration's nondiscrimination campaign. Agreements under this plan had, as of January 20, 1964, been executed by 135 companies which had approximately 6.5 million employees out of the total of 50,000 industrial companies which employed about 15.5 million people and 243,000 nonindustrial contractors who employed about 4.5 million people estimated to be subject to the Executive order.

The plan for progress agreements, which have varied somewhat from each other, usually contain: (a) A statement to the effect that it is the company's employment policy not to discriminate on the basis of race, creed, color, or national origin in recruiting, hiring, or assigning work or advancements; (b) a promise to adhere to this policy; and (c) a listing of steps to be taken to implement the agreement. These steps have related to publicity for the policy; to assignment of high-level responsibility for execution of the policy; to procedures for recruiting, transfer, promotion, force reduction, and training; and to desegregation or nonsegregation of employee facilities.

The President's Committee calls for annual evaluations of progress and reports. These have included, to date, a "self-analysis" questionnaire, covering mainly personnel policies and procedures as they relate to discrimination, and a progress report for 1962, totaling personnel by plant location and by major job category. The progress report shows the number of nonwhite employees in each category; it further compares the percentage of nonwhites in the job categories at the start of the plan for progress program with the percentages of the nonwhites added in new jobs during the period.

As of January 20, 1964, the Committee had received a total of 2,300 complaints alleging employer discrimination, of which it reported that 72 percent had been completely processed and resolved, with the remainder still in process.

While there may be some question as to whether the Department of Justice could successfully prosecute a contractor for a misstatement in a compliance report or report to the President's Committee, there seems to be no doubt but that a contractor not living up to the nondiscrimination provisions of his contract could have his contract terminated for default. Whether debarment from Government contracting for discrimination in employment would be upheld by the courts is debatable. In the present climate, it probably would be.

In this way, the power of the Government as a purchaser has been used to solve a social problem which it has difficulty solving as a sovereign.

PROTECTION OF WORKERS

For more than 50 years the Government has used its strength as a purchaser to regulate working hours and wages. Recently, it has brought this power to bear in settling labor disputes peacefully. As early as 1912, contracts for public works (but not those for supplies) contained provisions forbidding the employment of laborers or mechanics for more than 8 hours a day. The Eight-Hour Law was superseded by the Work Hours Law of 1962, which requires payment of time and a half (the basic rate for overtime on all public contracts).

In 1936 the Walsh-Healey Public Contracts Act was adopted, which regulates, among other things, minimum wages, maximum hours of labor, and the ages of workers. Many managements have had their manufacturing budgets upset by the Secretary of Labor determining under this act the prevailing minimum wage in their industry.

The current armed services procurement regulation contains many provisions, which to some degree limit the contractor's freedom of action in connection with labor matters. The regulation controls the use of "overtime." It requires contractors to cooperate with State as well as Federal agencies engaged in enforcing laws relating to such matters as child labor and equal pay for women. Contractors are encouraged to utilize to the fullest extent practicable the U.S. Employment Service and its affiliated local State employment service offices in meeting contractors' manpower requirements. Apprentices will be permitted by contractors to work "only under a bona fide apprentice program registered with the State apprenticeship council, which is recognized by the Federal Committee on Apprenticeship, U.S. Department of Labor; or if no such recognized council exists in the State, under a program registered with the Bureau of Apprenticeship, U.S. Department of Labor."

In February 1962 a new and quite radical step was taken in the labor field. Specifically:

Contracting officers were told, by an amendment to the ASPR, to impress on contractors the fact that they would be held accountable for delays caused by strikes which, with reasonable diligence, they could end.[11] A contractor could end a strike if he would agree to voluntary arbitration, or if he would accede, in the process of mediation of the dispute, to that which a contracting officer might later regard as only reasonable. In theory, at least, the contracting officer, then, can declare the contractor in default and hold him liable for the excess cost to the Government which might be assessed as a result of the failure of the contractor to make timely delivery, if the contracting officer believes that the contractor did not do all in his power to end the strike.

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[9] Armed Services Procurement Regulation, Sections 1-700, 1-805.1, 1-1401, 6-100, 3-903.3, 3-902, and 41 U.S.C. 10 a-d (Chicago, Commerce Clearinghouse).

[10] Armed Services Procurement Regulation, Sections 12-802, 12-806, and 12-809 (Chicago, Commerce Clearinghouse).

Thus, the contracting officer, under the policy declared in the armed services procurement regulation, and the "delays-damages" clause in Government contracts, is able to bring to bear on the contractor a control over his industrial relations and procedures which is hardly contemplated by corporate executives.

HEALTH AND SAFETY STANDARDS

Our last example illustrates the use of Government contracts not only to exercise Federal control over industry but also to require the States to adhere to federally established industrial health and safety standards.

The Walsh-Healey Public Contracts Act, for example, prohibits manufacture for the Government under conditions "which are unsanitary or hazardous, or dangerous to the health and safety of employees." This act gives the Secretary of Labor, designated to administer it, authority to make, amend, and rescind the rules and regulations necessary to carry out these and other provisions of the act. His regulations have been held to have the force of law.

However, the Walsh-Healey Public Contracts Act bows in the direction of the States by providing that compliance with the safety, sanitary, and factory inspection laws of the State in which "the work or part thereof is to be performed shall be prima facie evidence of compliance." For years contractors had believed that if they satisfied State requirements, they were complying with the Federal law.

It is significant to note that no regulations were issued by the Department of Labor dealing with health and safety until 1942, 6 years after the law was enacted. In that year, a simple, 12-page booklet entitled "Basic Safety and Health Requirements" was published "for establishments subject to Walsh-Healey Public Contracts Act." After reciting the act in the foreword of the booklet, the Administrator of the Division of Public Contracts of the Labor Department stated: "It is not intended that these requirements shall in any way supersede or supplant existing State laws, codes, or standards dealing with safety and health conditions for workers."

The requirements were stated to be "a guide to substantial compliance with the act." They consist of very general rules dealing with buildings and structures, fire prevention, material handling, machine guarding, eye protection, sanitation, and a few other specific topics.

In 1951 a more elaborate, 23-page booklet entitled "Safety and Health Standards for Contractors Performing Federal Supply Contracts Under the Walsh-Healey Public Contracts Act" was issued. Again, the booklet was described as a guide. Part II, headed "Requirements," covered, with considerably more elaboration than the 1942 booklet, the same general subjects. Instead of using the mandatory "shall," however, the booklet, with few exceptions, uses the subjunctive "should."

At the end of 1960, however, the Secretary of Labor published, in the Federal Register of December 28, a highly detailed set of "Safety and Health Standards for Federal Supply Contracts."[12] Here is a sample of the detail:

"Wood railings: For wood railings, the post shall be of at least 2- by 4-inch stock, space not to exceed 8 feet; the top rails shall be at least 2- by 4-inch stock of two right angle pieces of at least 1- by 4-inch stock and the intermediate rails shall be of at least 2- by 2-inch stock or at least 1- by 4-inch stock."

The foreword of these regulations interprets the Walsh-Healey Public Contracts Act as requiring a single standard of safety and health conditions for all work subject to the act. It then proceeds, in effect, to eliminate the statutory provision that makes compliance with State law prima facie evidence of compliance with the act.

Without congressional or court assistance, it interprets this provision as not purporting to take the place of the uniform national standards, as having application only to the issues which require evidence, and as providing no defense of particular conditions because such conditions may not be specifically prohibited in the State safety, sanitary and factory inspection laws. The foreword then declares that the regulations themselves constitute prima facie evidence of what is required for safety and puts the burden of showing them to be wrong on anyone who is adversely affected by them. Following this are approximately 90 pages of regulations.

The Secretary of Labor has recognized that the regulations may extend into areas in which reasonable men may differ. With this, many members of industry have agreed. After the issuance of the regulations, more than 140 changes were made at the insistence of industry associations. Even as amended, however, the rules go extensively beyond the corresponding States' standards with their records of strict regulation of health and safety. For example:

Regulation 50–204.244 requires 1 lavatory for each 20 employees up to 100 persons, and 1 lavatory for each additional 25 persons or portion thereof. Massachusetts requires 1 lavoratory for each 30 persons. The cost of meeting this one requirement, I have been informed, in one company's Massachusetts plants is $180,000.

This unprecedented Federal purchasing power makes it possible for the Federal Government to preempt a field which was once fully occupied by the States and to impose strict control over managements again and again.

PROGRAM FOR REFORM

These examples of "government by procurement" may not even represent the most significant that could be cited. Of greater significance, in the eyes of many, might be the obligations imposed to convey title to inventions developed during the performance of research and development contracts with NASA, the Federal Aviation Agency, the Atomic Energy Commission, and certain other Government agencies,[13] or to give to a competitor such background data as would enable him to make the device under contract. Others might point to current proposals (relating to formula approaches to profit determination) which, if adopted, would require contractors to reveal much more private information than they do at present.

But the issue is not which avenue through the procurement process leads to the greatest encroachment by the Government on managerial prerogatives. The issue is this: Unless congressional controls are instituted, industry will have to continue to accept whatever encroachments the executive branch decides to make. So long as the current dependence of industry on Government purchasing continues, and so long as industrial capacity outruns demand, the Government can secure whatever terms and conditions it may see fit to demand. And so long as "timely compliance with contractual provisions" is a criterion for fee or profit allowance,[14] managers in companies with substantial Government business, whose way to promotion and pay depends on the profits of their operations, will bow the head and bend the knee.

CONGRESSIONAL ACTION NEEDED

Should there be congressional controls on Government purchasing, and, if so, how shall they be achieved, and what practical steps may be taken?

Obviously, the invasion of management prerogatives results to some degree from the legitimate need of the procuring agencies, faced with multiple choices in awarding highly sought after contracts for vast systems, to make informed decisions and to protect themselves from charges of waste, favoritism, and poor pricing procedures. Many of the other goals sought through the procurement process are highly desirable, and this process offers a simple and direct method for their achievement.

But what of the dangers? The procuring process is too devastating in its effect on our free enterprise system, and represents too powerful a tool to be left in the hands of those who have no direct responsibility to either the people or to industry. Furthermore, both industry and the people are entitled to assurances that if this process is to be used at all in the managerial area, it is going to be operated by persons who have demonstrated managerial competence.

Different rules should be sorted out and formulated for handling those matters which deal exclusively with the securing of a fair bargain for the Government and those which deal with the advancement of national social and economic policies. Likewise, careful procedures should be legislatively established for periodic checks to assure that the limits on the exercise of procurement power established by the Congress are not exceeded. This is one way of stemming the basic and inevitable tendency of all bureaucracies toward accretion of power and authority. Additionally, Congress alone can be expected to stop duplication and overlap, the auditing of auditors, the reviewing of the reviewers, and the reinvestigation of the investigated.

WHO IS TO LEAD?

If congressional direction and restraints are to be provided, what leadership is going to bring them about? Managers of the affected contractors and subcontractors, either in their individual capacities or as representatives of their companies, can and will probably do little or nothing. Whether rightly or wrongly (and I believe wrongly), they maintain that there is too much at stake, both for themselves and their companies, to risk conflict with the representatives of the customer on which they are dependent.

But what they cannot or will not do might be possible for their trade associations to do for them. Yet there are perhaps too many trade associations, speaking with too many voices, to provide cohesive leadership. If industry were to select a single association, staff it with distinguished business leaders, and empower it to speak for industry with a single voice, a great deal might be accomplished. But it seems extremely unlikely that such an agency could be agreed on.

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[11] Armed Services Procurement Regulation, Section 12–101 (Chicago, Commerce Clearinghouse).

[12] Federal Register (Part 2) pages 13809–13825.

[13] See Lee E. Preston, "Patent Rights Under Federal R&D Contracts" (Thinking Ahead), HBR September–October 1963, page 6.

[14] Armed Services Procurement Regulation, 3–808.2(g) (Chicago, Commerce Clearinghouse).

There are three professional bodies, however, which are independent, fortunately, of the favors of the Government procurement process—the lawyers, the accountants, and the faculties of business schools. These professional groups, by virtue of experience and training, might provide leadership. Each has a stake in our free enterprise system and each has competence. Above all, each, provided with the sinews of war, might do battle successfully with growing bureaucratic power. Both the American Bar Association and the American Institute of Certified Public Accountants have effective sections or committees dealing with public contracts. Many business school faculty members belong to these organizations. These groups could provide, if they would, the core of leadership.

What specific steps might they take? Here are a few:

1. A topflight legal, accounting, and professorial group might be created, either under a foundation grant or with the support of industry, or both, to review legislation to be proposed to Congress for the control of "Government by procurement." As a basis for such drafting, all existing laws and regulations relating to the procurement process would be studied thoroughly for their impact on management and for their adherence to existing legislatively established national policy.

2. This same group, or a different group (again with the help of industry and its trade associations), might persuade Congress to establish committees to oversee the functioning of such organizations as the General Accounting Office, the audit agencies of the procuring services, and the regulation writing committees of the Defense Department, NASA, and the General Services Administration. Such committees would determine these organizations' experience, competence, and adherence to the limits imposed on them by statutory authority and fairness in dealing with management. They would also assess objectively the necessity and value of the industry regulations they imposed.

3. The Congress might be asked to amend the Administrative Procedures Act, so that the rules and regulations affecting procurement could be issued only through the rulemaking procedures established by that act.

4. A legal and accounting team might be established by the organizations of the professions and financed by industry to assist in making sound, well-presented comments on proposed rules and regulations. This team could review not only proposed regulations but also proposed contract clauses, to determine compliance with law, practicability, clarity, and impact on business management. It could be charged with the task of negotiating with the procuring agencies for necessary contract and rule changes.

5. The Appropriations Committees of Congress might be asked to adopt a set of criteria by which they would determine, on the basis of performance, whether appropriations asked for on behalf of the General Accounting Office, the procuring agencies, and their audit and control functions were justified. These criteria would extend beyond achievement of dollar savings and refunds exacted from industry. They would embrace such matters as quality and experience of personnel, industry satisfaction with fairness of operation, compliance with congressional restraints on the exercise of power, and compatibility of procedures with the concept of industrial freedom from unnecessary governmental control.

6. Agencies conducting investigations might be required to formulate and promulgate internal directives for the conduct of investigations and audits of contractors. These directives would be reviewed by the legal and accounting team suggested already, and by the congressional oversight and appropriations committees.

Are these impractical suggestions impossible of execution? Perhaps so. But, if the United States is going to continue to extend its "Government by procurement" of our "free enterprise" system, they are worth trying.

NOTED ECONOMIST SEES POSSIBILITY OF OVERHEATING THE ECONOMY ARISING FROM JOHNSON ADMINISTRATION POLICIES

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, Dr. Henry C. Wallich, professor of economics at Yale University and a member of President Eisenhower's Council of Economic Advisers, has performed an important service in calling attention to the dangers of economic instability arising from the administration's highly expansionary economic policies. Dr. Wallich has set forth his view in articles which appeared in the Journal of Commerce of May 4 and 5.

In the first of these articles, Dr. Wallich says that the prospect for the economy throughout the year is for continued expansion. Citing evidence to show that the economy is much closer to its effective capacity ceiling in many lines than administration officials seem to think, he suggests that business spending for new plant and equipment may go up much more than anticipated. Under present circumstances, he believes we may have steady growth through 1964 with "something like a blowoff late this year or early next, with the prospect of a decline thereafter." Such a development would also add to the already mounting pressure on prices.

In his second article, Dr. Wallich says that the administration's strongly expansionary policies are not appropriate for an economy already in a strong expansion and beginning to approach its capacity limits. The tax cut, he points out, was not designed to take effect in this kind of economic environment. The change in climate from the fear of recession in 1962 to the strong expansion of 1964 requires a shift toward greater caution.

Because of the inflexibility of fiscal policy, Dr. Wallich believes that monetary policy must carry most of the load. To be effective, however, monetary policy must be applied with some anticipation.

Dr. Wallich also suggests that we should get ready to review plans for the second stage of the tax cut scheduled to take effect in January 1965. If by the end of the year it is apparent that too much expansionary fuel has been pumped into the economy, he says that Congress should not hesitate to reverse itself and postpone the second stage for a year.

I ask unanimous consent that the two articles by Dr. Wallich, which make such an important contribution to our understanding of the policy choices before us in the current economic situation, be included in the Record at this point.

[From the Journal of Commerce, May 4, 1964]

As Tax Cut Takes Effect: Existing Expansionary Force Seen Sowing Seeds of Future Ills

(By Henry C. Wallich)

As the tax cut is beginning to take effect, two concerns appear to be uppermost in many observers minds: Have we packed so much expansionary force into 1964 that inflation may accelerate? Will the concentration of the tax cut in 1964 leave the economy with too little support and in danger of a downturn in 1965? On the answer to these questions largely depends the kind of policy that will be appropriate for the rest of the year.

Forecasts for 1964 have been characterized by an exceptional degree of unanimity—almost everybody has predicted continued strong expansion. Ordinarily such unanimity would make one cautious. Perhaps it ought to do so now.

NO DOWNTURN SIGHTED

But in the face of the tax cut, and of the approaching election, it is very hard to build any sort of argument for stagnation or downturn this year. Certainly, if either should happen, the economics underlying the tax cut would get a very black eye.

The data for the first quarter give little reason to doubt that expansion will continue.

The GNP advanced slightly less rapidly than in the last quarter of 1963, but not significantly so. The expansion of Government spending slowed a little, and the rate of inventory investment declined.

Personal consumption jumped sharply. With the tax cut, there is good reason to think that personal consumption will continue to boom. Inventory investment is very likely to recover and advance, given a mildly inflationary climate, and fixed investment is fairly certain to rise.

The slowing of Government expenditures—by no means a reduction—that ought to result from the Johnson budget seems already to be casting its shadow ahead. It will not slow the advance much more than it has already. All this therefore spells continued expansion.

MONEY SUPPLY SLOWS

On the monetary side, the growth of the money supply has been slow recently, after a sudden spurt around the turn of the year. The rise of time deposits and of savings and loan shares has been spectacular, at a rate of 12 percent per year, and the volume of short-term Government securities, the near-monetary character of which is sometimes overlooked, had also advanced at close to 10 percent. Most interest rates have remained roughly stable. It is hard to see any financial brakes functioning.

The long duration of the present cyclical expansion is what lends most strength to the uneasy feeling that a downturn ought to be ahead somewhere in the foreseeable future.

Some have argued that in fact this is not an "old" expansion, because we had something like a very mild recession in 1962. On that reckoning, the present expansion is still young and ought to have a long life ahead of it.

A MOOT POINT?

This may well remain a moot point forever. If 1962 saw a recession, it was the mildest on record. More persuasive than arguments based upon length and timing appears to me the fact that the present expansion, whether young or old, has produced no significant maladjustments. Apart from unemployment and the payments deficit, the economy has proceeded with remarkable balance.

No present shortages, no vulnerable speculative positions are visible to the naked eye, although they might come to light if something untoward should happen.

The rate of expansion has been sufficiently fast to encourage a moderate rise of plant and equipment spending—a very slow expansion might be unsustainable precisely because it would put no pressure at all upon capacity. But the rate of expansion has not been fast enough to create visible bottlenecks or unsustainable increases in output as we had, in some sections of the economy, in the years 1955–57. In fact, the modest annual increase in GNP, has left it rather uncertain whether the expansion is to be considered primarily as recovery from recession or as long-term growth.

MAY BE HIGHER

Nevertheless, the rate of capacity utilization may be higher than appears. Dr. Walter Heller, retiring chairman of the President's Council of Economic Advisers, in a recent speech went to considerable pains to demonstrate that most industries are still well below their preferred operating rates, let alone below full capacity. But a new survey undertaken by the Department of Commerce raises questions about this.

The Commerce Department asked manufacturers whether, in the light of prospective 1964 sales, they (1) needed more plant, or (2) had adequate facilities, or (3) had excess capacity. Somewhat surprisingly, firms with 49 percent of total capital assets replied that they needed more, while only 44 percent of the firms with 44 percent of assets said they had enough and 7 percent reported excess plant and equipment.

The data, being new, are not easy to interpret. Presumably, even firms who feel their facilities are adequate for 1964 sales engage in some capacity expansion—else we would not be likely to have the present rate of plant and equipment spending.

But when firms representing almost one-half of existing capacity indicate that this capacity is insufficient for the needs of the current year, one is bound to wonder how much excess capacity really exists.

OPERATING AT 87 PERCENT

Present operating rates probably average around 87 percent, although in some industries they are higher. That is about 2 years' growth before capacity is reached. Of course few businesses would care to operate at full capacity. Hence the statement that capacity is inadequate may simply mean that reserves of capacity are inadequate. But if businessmen want to keep these capacity reserves intact, we are much closer to the effective capacity ceiling in many lines than Dr. Heller seems to think.

If that is so, business spending for new plant and equipment will go up more than anticipated. An added hint that this may happen can be extracted from the speed with which businessmen last fall up-graded their investment spending plans as the good outlook for 1964 unfolded.

In that case, the fears of an early letdown in 1965 would lose some of their foundation. The economy would then be operating in accordance with a model suggested by some economists, in which it would be propelled, like a space capsule, by several rocket stages. The first-stage booster would have been government spending, which would be succeeded by private plant and equipment spending. The second stage would ignite only, however, if the first-stage booster had carried the economy sufficiently close to the capacity ceiling is to spark large-scale new investment. If the ceiling is lower than anticipated, the second stage may be ready to blast off.

UNSTABLE MODEL

But under present circumstances, this model does not look very stable. Instead of steady growth through 1964 and into the future, we might have something like a blowoff late this year or early next, with the prospect of a decline thereafter. For we would then finally be generating an imbalance of the sort that so far was avoided, in the form of an unsustainable rate of increase in plant and equipment spending.

Such a development would not only destabilize the orderly progress of the components of the GNP. It would also add to the already mounting pressure on prices. The fact that prices in many industries have been rising is another indication that output is closer to capacity than it has been for some years. Rapid further expansion would further narrow the gap and accelerate the price trend.

To this source of price pressure must be added the prospect of more rapidly rising wages. The President's guideposts notwithstanding, it would be surprising if higher profits and lower unemployment should fail to raise the scale of the average settlement. The impulse will be greater if bargaining takes place in an atmosphere of expected cost of living increases.

A good case can be made, therefore, to support the view that the policies we have pursued are inflationary. Less strength can be mustered for the expectation of an early letdown in 1965. Nevertheless, the two possibilities are not contradictory. If an inflationary spur should occur, there is likely to be, not long thereafter, a reaction.

[From the Journal of Commerce, May 5, 1964]

Second Tax Cut Questioned; Greater Stability Held Vital Need of Economy

(By Henry C. Wallich)

Our present policies are strongly expansionary. Taxes have just been cut to a level that, if the economy were operating at full capacity, probably would barely balance the budget. A further, smaller cut has been legislated for 1965. Monetary policy has been tightened moderately but certainly has produced no scarcity of credit. All this comes on top of several years of rapidly rising Government expenditures, mitigated only by a proposed brake on Federal spending in fiscal year 1965.

These are not policies appropriate for an economy in strong expansion and beginning to approach its capacity limits, especially when that economy has a serious balance-of-payments problem. Nor were these policies conceived for that kind of economy. The tax cut was conceived in 1962, at a time when there was real concern that the economy might slip back into recession. Since that moment, the arguments supporting the cut have fluctuated with the economic trend, between prophylaxis against recession and structural reform. When the cut finally was passed, the economy was moving ahead quite well, although with excessive unemployment.

CAUTION NEEDED

The change in the climate by early 1964 requires a shift toward greater caution, always bearing in mind the vulnerable balance of payments. President Johnson did make one move in that direction by cutting his 1965 budget proposals from an expected $102 billion or so to $97.9 billion. But he offset this by pulling a greater part of the tax into 1964, concentrating its main expansionary force in a period before the slowdown of Federal spending could have much effect.

This concentration of the firepower of fiscal policy within such short range is all the more noteworthy because even when the tax cut was more urgently needed than now, it was conceived as a measure spread out in time. Three annual stages was the original plan. This now has been reduced, in effect, to one stage and a half.

Meanwhile the mix of monetary and fiscal policy that was envisioned to go with the tax cut also has suffered a change. The classical doctrine is that a country suffering from both unemployment and a passive balance of payments ought to pursue easy budgets and tight money. The easy budget will give stimulations at home, while tight money keeps capital from flowing out and may attract some from abroad.

POSSIBLE SOLUTION

This has been the European technique, and it was preached to American officials going to the Paris meetings of the OECD (Organization for Economic Cooperation and Development). American officials returning from Paris frequently would refer to this new mix as a possible solution to our difficulties. But, like some wines, the first part of the prescription, relating to easy budgets, seemed to travel better than the second dealing with tighter money.

As a result, the emphasis in the Washington versions of the mix increasingly came to be upon the easy budget. This has now been carried to the point where the President's Economic Report contains the much quoted statement that it would be self-defeating to cancel the stimulus of tax reduction by tightening money. The injunction following it in the Economic Report, that monetary policy must remain flexible so that it can quickly act against payments deficit or inflation, evidently contemplate a contingency not considered likely to arise.

This is a change in the terms of the bargain. A great many people supported the tax cut because they believed that monetary policy would be clearly and unconditionally available in case the effects should be excessive on the price and balance of payments fronts. Now they find that the remedy upon which they relied has been pushed pretty far back into the reserve.

All in all, our policies have taken on a more expansionary orientation as the need for expansion has diminished. Naturally, under such concentrated stimulus, the economy is moving ahead very nicely. But we are now taking reach chances on the side of too much instead of too little stimulation.

GUIDEPOSTS WEAK

The administration may claim that it is relying on its guideposts for noninflationary wage and price behavior. If so, it is putting more weight upon them than they are likely to support. The guideposts are desirable, and a reasonable amount of suasion to obtain some degree of compliance is justifiable. But part of the effort to implementing the guideposts must be the maintenance of an economic climate that does not encourage both labor and management to violate them.

Dr. Heller, the President's Chief Economic Adviser, has placed special stress on the fact that wage settlements in the last few years have been approximately in line with productivity gains. He concludes from this that inertia will keep them so. The experience of other countries does not bear this out. Germany, for instance, a country in the past notorious for the unaggressiveness of its labor unions, in 1960 saw these same unions shift from wage demands of about 5 percent to increases of 10 percent and more, and maintain annual gains of this order for 3 years in a row. France and Italy have had similar experiences. Enough wholly unreasonable settlements have been agreed to by employers in this country to make reliance on the inertia of low settlements entirely problematical.

What would be the appropriate policies for this situation? Fiscal policy, our most powerful tool, unfortunately is highly inflexible. The best we can hope to do with it, in the immediate future is to stick to President Johnson's budget and thus put as tight a lid upon expenditure increases as possible.

Monetary policy has wider choices. The balance of payments, for the time being, requires no urgent action. Eventually, when the interest equalization tax is passed, the outflow of capital may resume. If so, an increase in interest rates on the part of the Federal Reserve could make its effects felt immediately.

The threat of inflation is less easily dealt with by monetary means. Monetary restraint can exert a quick effect against inventory buying, but that in effect is not likely to be strong.

On fixed investment monetary restraint may have a somewhat more powerful influence. But the effect is likely to be delayed, in keeping with the longer planning period of most fixed investment spending. Thus, to be sure of being effective, monetary restraint must be applied with some anticipation. This is a risk, but one that in our vulnerable position we cannot afford not to take. Hard as it may be in an election year, the Federal Reserve should resume and perhaps accelerate the process of tightening that was begun last year but suspended in the fall.

With a view to 1965, finally, we should get ready to review plans for the second stage of the tax cut. Unfortunately we still have no means for administrative variation of tax rates, and are not likely to have for many years. Even so modest a substitute as advance examination by congressional leaders of the means by which a quick anticyclical tax change might be carried through is not yet in sight. But the pending second stage provides an opportunity.

If by the end of the year it becomes apparent that too much expansionary fuel has been pumped into the economy, it would be a great mistake to pump in some by means of a second tax cut. Accordingly, the Congress should not hesitate to reverse itself and postpone the second stage for a year. If on the contrary, the economy should be threatening to go downhill at that time, the tax cut will provide welcome impetus. But as things look now, our dangers are on the upside. Our policies must be oriented accordingly.

NONTARIFF TRADE BARRIERS

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, while tariffs were the chief means of protecting both agricultural and nonagricultural industries until recent decades, they are now less significant in restricting imports. This is the theme I sought to drive home in my floor speeches during the debate on the Trade Expansion Act of 1962, as well as in a number of public addresses I had the opportunity to make on the general subject of trade expansion in the past couple of years.

I am quite pleased that this theme has now become a common one in international trade circles and was an accepted premise in the opening session of the Kennedy trading round under the auspices of the GATT at Geneva, Switzerland, May 2.

An excellent article recently appeared in the May 1964 Review, published by the Federal Reserve Bank of St. Louis, entitled "Farm Commodity Exports and International Trade Policies." I am placing this article in the Record to emphasize the importance of nontariff trade barriers in today's international trade. Although much of the article deals with other aspects of international trade, it is so well written that rather than excerpt the material I wished to emphasize for insertion in the Record, I am placing it in in its entirety.

I am particularly anxious to point up the section entitled "Nontariff Trade Barriers Used by Selected Countries," and table IV, which shows the percentage of agriculture benefiting from nontariff import control of 17 major countries, including the United States. Note that the United States is one of only four countries below the 50-percent mark. The United States is 26 percent; the United Kingdom is 37 percent, and Canada and Australia are both 41 percent. Two countries have 100 percent, and five are in the 90-percent bracket.

(The above-mentioned article follows:)

Farm Commodity Exports and International Trade Policies

Agricultural exports are influenced by the foreign trade policies of this and other nations. Since the mid-1930's, this Nation has pursued a conscious policy of "freeing" international trade. This policy, however, has not been completely successful. As a percent of cash farm receipts, neither commercial exports nor imports of agricultural products have approached levels prevailing prior to the mid-1930's Some of the factors tending to retard farm exports are examined in this article.

FARM COMMODITY EXPORTS

Farm commodities valued at $5.1 billion were exported by the United States in 1963.[1] Exports financed entirely by the U.S. Government amounted to $1.7 billion, while commercial exports (sales for dollars) amounted to $3.4 billion. A large portion of the commercial exports were subsidized by the Government.

Total farm exports in 1963 were equal to about one-seventh of the Nation's cash farm receipts and about one-fourth of total exports.

Farm commodity exports are especially important to the Central Mississippi Valley States where agricultural production and distribution, and associated services and manufacturing provide a relatively large portion of employment and income. Substantial portions of the area's major crops—cotton, soybeans, corn, tobacco, wheat, and rice—are exported. During the 1962–63 fiscal year, 58 percent of the Nation's wheat crop, 54 percent of the rice crop, about one-fourth of the cotton, tobacco, and soybean crops, and about 12 percent of the feed grain crops (corn, oats, barley, and grain sorghum) were exported. The above crops account for approximately one-half of the cash receipts from marketings in the Central Mississippi Valley area.[2]

INTERNATIONAL TRADE POLICIES

Relatively free trade without tariffs or other government restrictions, generally prevailed throughout the world in last half of the 19th century and until the beginning of World War I. With the exception of this period, from about 1850 to 1914, however, restrictions on trade have generally been the order of the day.

Following World War I, there was an observable worldwide trend toward increased trade restrictions, reflecting growing economic nationalism. During hostilities a number of nations had been unable to obtain needed products and had expanded their own industries. Agricultural production increased in many nations as supplies from usual sources were unavailable. Following the war, nations attempted to protect these industries from foreign competition.

Britain, traditionally a free trade nation, inaugurated the "key industries" duty in 1921, levying a 33⅓-percent ad valorem rate on numerous items. Furthermore, duties that had been imposed on a number of luxuries in 1915 were restored in 1925, following their lapse in 1924. In 1922 the United States raised import duties by enacting the Fordney-McCumber tariff.

In order to protect home industries, many nations instituted direct trade restrictions by means of import and export licensing systems and exchange controls.

The League of Nations called a conference in 1927 in an attempt to stop the rising trend of tariffs. Another conference was called the same year to deal with quantitative restrictions. Negotiations dragged on until 1930 when higher tariffs in the United States nullified the efforts of both conferences.

The higher tariffs were effected by the Smoot-Hawley Act of June 1930. Rates were increased on more than 800 items. Retaliation from other nations was prompt. Canada, Cuba, Mexico, France, Italy, and Spain immediately raised their duties on products of importance to the United States. The following year, India, Peru, Argentina, Brazil, China, and Lithuania adopted general increases. In addition to higher rates, unfavorable public opinion led to unofficial boycotts of American goods in a number of nations. Probably the most serious aspect of the act was the reversal of the efforts of nations to reduce trade restrictions.

Concurrent with these restrictive policies and a worldwide depression was a drastic decline in world trade. From 1929 to 1932 the dollar value of international trade dropped 61 percent. U.S. imports and exports declined 77 and 70 percent, respectively.

In 1934 the United States, through passage of the Hull Reciprocal Trade Agreement Act, made the fist of a series of attempts to expand international trade. Further tariff liberalization was provided in 1945, 1947, and 1955.

In 1947 the General Agreement on Tariffs and Trade (GATT) was formed with the United States as a member. The agreement contains several significant trade liberalizing features. It consists of three major parts: schedules of tariff concessions, a set of rules, and an administrative organization. Under the rules of the GATT, a concession extended by one country automatically applies to all other contracting parties. During tariff negotiations, each contracting party wanting to extend concessions meets with the major exporting country of each item being considered. As a result, all bilateral concessions are extended multilaterally to all other participants. Prior to this agreement, tariff negotiations by the United States were conducted bilaterally with individual foreign nations, and concessions obtained were often limited to one country.

Opportunities to negotiate for fewer restrictions in international trade were again broadened with the passage of the Trade Expansion Act of 1962.

In addition to attempting tariff reductions, Congress has enacted special legislation to enhance farm exports. Farm commodities were of major importance in the postwar assistance to Europe and Japan under the United Nations Relief and Rehabilitation Administration, the Marshall plan, and other relief and recovery programs. In 1954 a fixed portion of economic aid funds was earmarked to buy surplus farm commodities from the United States. Public Law 480, which was passed in 1954, has provided the bulk of surplus disposal exports (Government financed exports) in recent years. This law provides for: (1) sales of farm products for foreign currencies, (2) disaster relief, (3) donations and barter, and (4) long-term dollar credit sales.

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[1] Fiscal year ending June 30.

[2] Arkansas and portions of the States of Illinois, Indiana, Kentucky, Mississippi, Missouri, and Tennessee (the Eighth Federal Reserve District).

In addition, the Government may provide export payment assistance for both commercial exports and exports under the special Government-financed programs. Farm programs in the United States provide for the maintenance of domestic prices of many commodities at levels higher than world prices. Stocks thus accumulated cannot be marketed without some form of assistance. Such assistance is provided through both payment-in-kind and payment-in-cash programs.[3] Export payment assistance was obtained on about 30 percent of all farm commodity exports for dollars in 1961–62 and more than 50 percent of Government financed exports. In 1961–62 more than 90 percent of wheat and flour exports, all cotton and rice exports, about one-fourth of the feed grains, and one-third of the dairy product exports were made with the assistance of export payments.

RESULTS OF TRADE AGREEMENTS ACTS

Since the Reciprocal Trade Agreements Act of 1934, the major countries of the world have negotiated numerous tariff reductions on internationally traded farm commodities. Despite the substantial rate reductions, modifications of quotas, etc., duties have often remained so high and other restrictions so effective that trade was not greatly affected.

Relative to cash farm receipts, the value of U.S. commercial farm exports is well below levels prior to the Trade Agreements Act. Exports averaged about 20 percent of cash farm receipts in the two decades from 1910 to 1930 and about 13.5 percent during the depression years 1930–34. In comparison, commerical farm exports in the period 1960–63 averaged only 9.3 percent of cash farm receipts (table I). Exports relative to cash farm receipts have not increased greatly since the early 1950's.

TABLE I.—*Commercial exports as a percent of cash farm receipts*

[Dollars in millions per year]

	Commercial exports [1]	Cash farm receipts [1]	Percent of cash farm receipts
1910–14	$1,160	$5,930	19.6
1915–19	2,640	10,600	24.9
1920–24	2,090	9,800	21.3
1925–29	1,790	10,900	16.4
1930–34	930	6,880	13.5
1935–39	750	7,800	9.6
1940–44	420	13,700	3.1
1945–49	1,570	26,000	6.0
1950–54	2,270	30,700	7.4
1955–59	2,480	31,000	8.0
1960–63	3,410	34,800	9.8

[1] Export data are for fiscal years. Cash receipts data are for calendar years up until 1930 and fiscal years thereafter.

Source: U.S. Department of Agriculture.

FARM COMMODITY IMPORTS

Although agricultural exports have not shown a relative increase since the Trade Agreements Act of 1934, neither have agricultural imports increased. Imports during 1960–63 were only 11 percent of cash farm receipts compared with about 15 percent immediately before World War II and about 20 percent in the 1920's.

Supplementary imports, i.e., those which compete directly with domestic farm products, have been equal to about 6 percent of cash farm receipts in the past two decades compared with 9 percent in the last part of the 1920's (table II). Supplementary imports consist primarily of cane sugar, cattle and meats, fruits, nuts, vegetables, fats, oil, oil-bearing materials, tobacco, and apparel wool. These commodities accounted for 80 percent of all such imports in 1962 (table III).

TABLE II.—*Imports of farm commodities*

	Total imports		Supplementary imports [1]	
	Annual average (millions)	Percent of cash farm receipts	Annual average (millions)	Percent of cash farm receipts
1910–14	$910	15.3	---	---
1915–19	2,020	19.1	$1,230	11.6
1920–24	1,890	19.3	1,060	10.8
1925–29	2,220	20.3	970	8.9
1930–34	1,070	15.6	500	7.3
1935–39	1,150	14.7	620	7.9
1940–44	1,460	10.7	830	6.1
1945–49	2,430	9.3	1,300	5.0
1950–54	4,300	14.0	1,880	6.1
1955–59	3,920	12.6	1,690	5.5
1960–63	3,830	11.0	2,010	5.8

[1] Supplementary imports consist of all imports similar to agricultural commodities produced commercially in the United States and imports interchangable to any sufficient extent with such U.S. commodities.

Source: U.S. Department of Agriculture.

TABLE III.—*Major supplementary commodities imported*

	Value (thousands)	Percent of total supplementary imports	Percent of U.S. consumption [1]
Sugar	$509,344	23.9	45.8
Cattle and meats	576,184	27.0	5.6
Fruits, nuts, vegetables	230,668	10.8	7.6
Fats, oils, oilbearing materials	152,124	7.1	1.0
Wool, apparel	120,177	5.6	38.7
Tobacco, unmanufactured	101,200	4.7	1.5
Hides and skins	62,695	2.9	---
Dairy products	54,166	2.5	1.2
Grains and preparations	42,879	2.0	.7
Others	285,481	13.5	---
Total	2,134,918	100.0	---

[1] Last column data are for 1961; other data are for 1962.

Source: U.S. Department of Agriculture.

Sugar and apparel wool are the only agricultural imports that supply a significant portion of the U.S. market in competition with domestic producers. In recent years sugar imports have accounted for about 50 percent of domestic consumption. The percentage is down somewhat from levels prior to the 1930's, when imports averaged about three-fifths of domestic consumption. Imports of apparel wool have averaged about 40 percent of domestic consumption since 1955, a larger proportion than in the thirties, but about the same as in the early twenties.

Although sugar and wool imports are a large portion of domestic usage, only a small percent of the Nation's farmers produce in competition with these imports. Farmers engaged in sugar production in 1959 numbered only 28,000, or 0.7 percent of all farmers in the Nation, while the value of domestic sugar output was only about 1 percent of cash farm receipts. Although a larger portion of the Nation's farmers (8.5 percent) reported wool production, wool output was a relatively small proportion of income on most of the farms and accounted for only 0.3 percent of total farm commodity sales in the Nation.

Meat and cattle imports have increased in recent years. In 1962 cattle and beef imports provided 11 percent of domestic beef consumption. Other supplementary commodity imports have generally been insignificant.

REASONS FOR LACK OF TRADE EXPANSION

The fact that U.S. foreign trade in farm commodities did not expand relative to domestic sales probably has a twofold explanation. First, the Trade Agreements Acts permitted many exceptions to tariff reductions, and, second, the use of nontariff trade controls became increasingly important as nations assumed a more protective policy toward agriculture.

Immediately following the Trade Agreements Acts, the United States moved generally in the direction of lower tariffs. Rate reductions were relatively easy to negotiate as rates on many items were higher than necessary to prevent imports from competing with domestic production in most countries. Thus it was possible for substantial cuts to be negotiated without protest from competing domestic producers. Subsequently, it became difficult to make further concessions without intensifying competition. Increasing pressure developed to protect domestic producers, and extensions and renewals of the Trade Agreements Acts contained more restrictive clauses. Beginning in 1942, escape clauses were incorporated into some of the agreement, providing for their modification if imports threatened injury to domestic producers. In 1947 an Executive order required an escape clause in all future agreements. This stipulation was also included in the Trade Extension Act of 1951.

When the act was renewed in 1948, a "peril point" provision was added, requiring the Tariff Commission to survey all commodities on which the President proposed to negotiate concessions and to specify rates of duty below which, in the judgment of the Commission, tariffs could not be lowered without injury to domestic producers. Tariff rates below these points were permitted, but whenever such concessions were negotiated, the President was required to explain to Congress the reasons for his actions. In 1949 Congress extended the Trade Agreements Act without including the peril-point amendment. The amendment was again included, however, in the Extension Act of 1951.

In 1955 the "defense essentiality" amendment was added to the Trade Agreements Acts. This amendment directed the Office of Defense Mobilization to advise the President whenever any article was being imported in quantities sufficient to impair national security. If, following an investigation, the President found that imports were impairing national security, he was directed to take such action as he deemed necessary to adjust imports to a level that would not impair the national security.

The renewal of the Trade Agreements Act in 1958 was hailed for its long term (4 years, the longest of any renewal). The restrictions, however, were major handicaps, and the negotiating authority vested in the President was small. When American negotiators prepared to negotiate at the 1961 Geneva session of the General Agreement on Tariffs and Trade, "they found themselves hamstrung by the law's protective clauses."[4]

With our own negotiations limited and subject to modification whenever imports might tend to injure domestic producers, it is reasonable to assume that other nations entering into such negotiations were similarly cautious.

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[3] Payment-in-kind export programs were developed by the Commodity Credit Corporation in 1956 and 1958. Upon proof of export of commodities, certificates redeemable in CCC commodity stocks are issued to exporters covering the difference between world prices and domestic prices. For some products, wheat flour, cotton, and tobacco, the exports payments are made in cash.

[4] Christian A. Herter and William L. Clayton, "A New Look at Foreign Economic Policy" (Washington: U.S. Government Printing Office, 1961), p. 6.

At the heart of the problem was the domestic farm policy of the United States. During the period from World War II through the 1950 decade, this Nation assumed increasing responsibility for protecting agriculture both from domestic and international competition. The following is a summary statement concerning these protective policies from the United States and World Trade: [5]

"On both sides of the Atlantic the times call, not for an excuse to do nothing, but a mandate to do something to clear world trade channels of these barriers. Among other beneficial results, success would allow the comparative advantage of U.S. agricultural production in many products to assert itself in the widest possible world market."

NONTARIFF TRADE BARRIERS

While tariffs were the chief means of protecting both agricultural and nonagricultural industries until recent decades, they are now less significant in restricting imports. Extremely high levies would be required in most countries to provide the current level of protection for agriculture. The nations prefer to maintain tariff duties at relatively moderate levels and to use other protective measures such as import quotas, special clearings agreements, export subsidies, bilateral trade agreements, import licensing, and monopolies operating under governmental authority.

Trade in agricultural commodities has been the most important target of these trade barriers. Domestic farm programs generally involve Government assistance through price-support operations. To this end, some type of supply controls is essential. Deficit nations generally find that import restrictions are sufficient. Production controls are often used along with import restrictions in the surplus nations. All these methods tend to isolate agriculture from world trade. For example, if domestic prices for wheat in the United States were maintained at higher than world price levels and free imports were permitted, the Nation would soon find itself supporting world prices.

Nontariff protection practices used by nations which purchase the major portion of U.S. farm commodity exports are included in the summaries, based on U.S. Department of Agriculture studies and other sources cited. Health and sanitary regulations have not been considered as barriers, though in some instances they have probably been used to limit imports.

The U.S. Department of Agriculture has estimated the proportion of agriculture in 17 countries benefiting from nontariff import controls. These findings are presented in table IV:

TABLE IV.—*Percentage of agriculture benefiting from nontariff import controls* [1]

United States	26
Austria	91
Belgium	76
Denmark	87
France	94
Greece	82
Italy	63
Netherlands	79
Norway	97
Portugal	100
Switzerland	94
United Kingdom	37
West Germany	93
Canada	41
Australia	41
New Zealand	100
Japan	76

See footnote at end of table.

[1] Such import controls include: (1) Quantitative restrictions, mainly import quotas and embargoes (limit volume of imports and may discriminate as to source), (2) variable levies and gate-price system (restricts imports to difference between supported domestic production and utilization), (3) conditional imports (makes imports conditional upon other variables such as production, utilization, and price), (4) monopolies (includes trading by State agencies, quasi-government agencies or private institutions operating under governmental authority), (5) advance deposits on imports (considered nontariff barriers when discriminatory), (6) import discrimination and preferential treatment (discriminate as to source of supply), (7) import licensing (also discriminate as to source of supply if not granted automatically), (8) bilateral agreements (included if they preclude free market access to country not party to the agreement).

Source: USDA, "Agricultural Protection by Nontariff Trade Barriers," Sept. 10, 1963.

In addition to nontariff restrictions on imports, other Government programs have an impact on farm commodity trade. Such a program is the deficiency payment system of the United Kingdom. Payments to farmers tend to maintain higher than otherwise amounts of labor and other resources in agriculture, thereby limiting imports just as effectively as high tariffs or other controls.

International commodity agreements have also tended to restrain world trade. Such agreements were originally designed to stabilize markets and foreign exchange earnings in primary producing countries. Economic efficiency was to be achieved by giving a preferred position to low-cost producers. Long-run equilibrium prices were to be respected. These ends, however, have not been achieved. "One would be hard pressed to argue that it was the efficient producers of tin, sugar, wheat, or coffee that earned increasing opportunities for supplying the market on the basis of quota privileges." [6] Furthermore, it is generally conceded that these agreements have not served the consumers' interest. Prices have generally been maintained at higher than equilibrium levels. New commercial substitutes have been encouraged and consumption often reduced.[7]

The numerous restrictive features of the Trade Agreements Act pointed to the need for new legislation as indicated in the Report of the Joint Economic Committee to the Congress of the United States entitled "Foreign Economic Policy for the 1960's":

"A simple renewal of the Trade Agreements Act on the lines of the 1958 extension will not suit the needs of our foreign economic policy in the 1960's.

"Much greater authority is needed now than was needed in 1958. We must be able to offer negotiations consistent with the speed with which members of the Common Market are eliminating tariffs among themselves in order to maintain the recent expansion of trade between Western Europe and North America. Authority to reduce tariffs 20 percent over 5 years will not be enough."

The Trade Expansion Act of 1962 has provided broader authority for negotiations toward freer trade. The President can now take a stronger hand in dealing with nontariff restrictions. Special authority has been given him to negotiate with the Common Market and to eliminate gradually tariffs on broad categories of commodities in cases where the foreign trade of the United States and the Common Market account for 80 percent or more of world exports in such a category. Special authority is provided to induce the elimination of unjustifiable import restrictions and quotas. To eliminate such restrictions the President is authorized to retaliate by imposing tariffs or import restrictions against foreign countries whose discriminatory import policies oppress U.S. commerce, especially in farm products.

The Trade Expansion Act also moderates some of the restrictions which had been added by amendments to the Trade Agreements Acts. The Tariff Commission will no longer set specific peril points. The "escape clause" is retained but it is more difficult to invoke.

Whether the act can meet the needs for more efficient use of resources, both here and abroad, and the enhancement of economic growth and welfare remains a question. The law is only an instrument for implementing new trade policies. Such policies are not provided in the act but remain subject to negotiation.

CLIFTON B. LUTTRELL.

NONTARIFF TRADE BARRIERS USED BY SELECTED COUNTRIES [1]

JAPAN

All commercial imports into Japan must be licensed. Thus, both the quantity and types of imports can be closely controlled. The Japanese are moving toward trade liberalization, but progress has been slow. Initially the licensing system was used primarily to conserve foreign exchange. In recent years, however, the nation's foreign exchange position has improved, reducing the need of import controls for this purpose. The control system is now used to an important degree to protect domestic industries, primarily agriculture, from foreign competition.

While Japan is the leading importer of U.S. farm commodities (see table), approximately 76 percent of agriculture in the nation is protected through nontariff controls. The major grains—rice, wheat, and barley, which account for more than 60 percent of total farm output—are clearly protected. Despite the licensing requirements, however, Japan imports large quantities of U.S. cotton, oilseeds, feed grains, and wheat.[2]

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[5] "Final Report of the Committee on Commerce" (U.S. Senate, June 26, 1961), p. 166.

[6] Boris C. Swerling, "Current Issues in Commodity Policy." Essays in International Finance No. 38 (Princeton, N.J.: Princeton University, June 1962).

[7] More recently such agreements, ostensibly designed for trade, have been recognized as a means of international assistance. See "International Commodity Arrangements and Policies," Monthly Bulletin of Agricultural Economics and Statistics (December 1963).

[1] The principal source for this section is: U.S. Department of Agriculture, "Agricultural Protection by Nontariff Trade Barriers" (1963). Other sources are noted by subsequent footnotes.

[2] Joint Economic Committee, Congress of the United States, "Trade Restraints in the Western Community" (1961).

Commercial agricultural exports from the United States by country of destination, 1960–61

	Million dollars	Percent of total
Japan	492.2	14.3
Canada	487.7	14.1
United Kingdom	442.6	12.8
West Germany	355.0	10.3
Netherlands	334.6	9.7
Italy	173.9	5.0
Belgium and Luxembourg	129.8	3.8
France	99.0	2.9
Venezuela	84.6	2.5
Spain	62.7	1.8
Others	784.9	22.8
Total	3,447.0	100.0

Source: U.S. Department of Agriculture.

CANADA

Canada ranks second in imports of U.S. commercial farm commodities, but a portion of these commodities is probably reexported. Major commercial exports to Canada include: fruits and preparations, feed grains, oilseeds, vegetables and preparations, and cotton.

Grain imports into Canada are rigidly controlled by licenses. Licenses are granted at the discretion of the Wheat Board for imports of wheat, oats, barley, and specified grain products. Import permits issued by the Department of Trade and Commerce are required for several commodities, including turkeys, butter, cheddar cheese, dry skim milk, and butterfat.

UNITED KINGDOM

The United Kingdom has restrictions on imports of a number of farm commodities. Such restrictions apply to apples, pears, several citrus products, pork, and other dairy products except cheese.

The United Kingdom also has a producer deficiency payment system. Price guarantees cover three-fourths of total farm output in the nation. This system encourages and shelters domestic production from world competition.

The United Kingdom has a tradition of relatively free trade in farm commodities. In the mid-19th century with the removal of the corn laws, the nation permitted cheap wheat from overseas to drive 200,000 workers off the farms in a 10-year period.[3] In recent years, however, the United Kingdom, like other West European nations, has been striving toward greater self-sufficiency in food production. For example, domestic wheat and wheat flour production accounted for 21 percent of consumption in 1909–13, compared with 35 percent in 1955–58. The degree of self-sufficiency in other cereals rose from 47 to 66 percent and for sugar from 0 to 24 percent during the period.[4] The United Kingdom is less self-sufficient than any other West European country. Nonetheless, the deficiency payment program has had an important impact on domestic resource use, food production, and imports.

WEST GERMANY

West Germany uses the variable levy-gate system of import controls. In addition, the nation has import quotas, both seasonal and other types.

NETHERLANDS

The variable levy-gate system is used. In addition, quantitative import controls and minimum import prices are used to protect domestic agricultural prices.

ITALY

Like other Common Market nations, Italy uses the variable levy-gate price system. Additional controls include state trading of wheat under a special EEC grant and temporary governmental authorization of imports of certain food items, such as livestock, meats, butter, and oil. State trading is also active in tobacco. Citrus juices other than grapefruit and fresh grape imports are embargoed.

BELGIUM

The variable levy-gate system of the EEC Common Agricultural Policy regulations is used by Belgium. Import quotas, minimum import prices, and seasonal restrictions are also used. Until recent years Belgium protected agriculture less than most West European countries. More recently, however, farm groups succeeded through government intervention in obtaining both higher domestic prices and increased protection from imports.

FRANCE

France as a member of the Common Market uses the variable levy-gate system and, in addition, has seasonal and arbitrary embargoes on imports.

VENEZUELA

A large percent of agricultural commodities entering Venezuela are subject to an import licensing system. In some cases, the license is required for public health and sanitation; however, in most cases it is intended to protect and encourage local producers. In addition to the licenses, importers of certain products are required to purchase a fixed quantity of the domestically produced product for each unit of the product imported. Additional import controls are exercised through the foreign exchange market.

Venezuela had a minimum of restrictions on international trade throughout the postwar period until 1960. At that time balance-of-payments problems led to further restrictions.[5]

SPAIN

For many years, all imports into Spain were subject to license. Such licenses for dollar imports were normally granted only for goods regarded as essential to the national economy. Upon becoming a member of the Organization for European Economic Cooperation in 1959, Spain freed many imports from licenses. Most of the liberalization, however, occurred in the industrial sector. In addition to licenses, an annual global import quota is used, and a "fiscal tax" is imposed on most imports. All these restrictions are in addition to normal import duties.[6]

UNITED STATES

This Nation has quotas on some farm products as a part of the domestic price support program. These quotas limit imports. In addition the United States has some informal import limiting agreements and unusually high health and purity requirements which limit such imports as meat and rice.[7]

WOOL MANUFACTURERS NEGLECTED—COTTON GETS MORE HELP

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the lavish help the American cotton industry has received from the Federal Government is in striking contrast to the bitter neglect given our woolen industry. Imports of cotton textiles into this country are limited by quotas established to aid our domestic mills in meeting foreign competition. With the passage of the wheat-cotton bill, cotton mills will now receive windfall Government subsidies. Under this unfortunate wheat-cotton legislation the top five cotton mills, based on their last year's use of raw cotton, will receive estimated subsidy handouts paid by the U.S. taxpayer as follows: $16.5 million, Burlington mills; $13.5 million, Stevens mills; $11.3 million, Springs mills; $9 million, Dan River mills; and $7 million, West Point mills.

The woolen industry does not ask for subsidies, but it does ask that the administration keep the promises it made to limit woolen imports. The administration negotiated an international agreement in 1962 which established quotas on cotton imports. Promises were given that a similar agreement or other controls would be established for woolens. These promises were believed by legislators who supported the Trade Expansion Act of 1962. But these promises have been broken by an administration that has sat idly by as woolen mill after woolen mill has shut its doors due to an uncontrolled flood of cheap foreign woolen imports. Failing to establish any international agreement on wool quotas, the administration—Kennedy and then Johnson—has also failed to impose unilateral restrictions on wool imports. Since 1947 over 300 woolen textile mills employing more than 100,000 workers have closed. Meanwhile imports are steadily increasing.

The President's concern for the cotton industry but utter disregard for the plight of the American woolen industry is illogical, unfair, and ruinous. The American woolen industry does not seek the costly Government paternalism given cotton, but this dying industry does deserve a chance to live by the fulfillment of previously made promises.

"E" AWARD TO CESSNA AIRCRAFT CO. FOR EXPORT EXCELLENCE

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

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[3] Charles P. Kindleberger, "Foreign Trade and the National Economy" (New Haven: Yale University Press, 1962), p. 114.

[4] J. Frederic Dewhurst, John O. Coppock, and P. Lamartine Yates, "Europe's Needs and Resources" (New York: Twentieth Century Fund, Macmillan & Co., 1961), p. 199.

[5] U.S. Department of Commerce, Overseas Business Reports, "Licensing and Exchange Controls of Venezuela," Pub. No. 63–80 (1963).

[6] U.S. Department of Commerce, "Economic Development in Spain 1960"; "Basic Data on the Economy of Spain" (1960); "Economic Developments in Spain 1961."

[7] Joint Economic Committee, op. cit.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SHRIVER. Mr. Speaker, it was my privilege to be present at the White House on Monday, May 18, 1964, for the presentation by the President of an "E" Award, symbol in excellence in world trade, to the Cessna Aircraft Co. of Wichita, Kans. Cessna was 1 of 10 U.S. firms honored. Mr. Dwane Wallace, president of Cessna, and Mrs. Wallace were present for the awards ceremony.

Cessna sold 54 percent of all American light airplanes exported in 1962. It exported 22.9 percent of its total sales in 1963 to markets in Latin America, Europe, Africa, Australia, and Asia. The company has often participated in Department of Commerce trade fairs and took part in the USIA exhibit in the Soviet Union, Transportation U.S.A., in 1961.

In addition to its many achievements and contributions to private aviation, Cessna has contributed significantly in the production of defense materials for the free world.

I am proud that Cessna Aircraft Co. is one of several aircraft manufacturers in my congressional district which has helped establish Wichita and the State of Kansas as a leading aviation center of our Nation. My warmest congratulations to the Cessna team upon receiving this most deserving award for export excellence.

SOVIET ANTISEMITISM

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HORTON. Mr. Speaker, today I wish to call my colleagues' attention to the greatest deception in modern history: the false claims the Soviet Union lays to its liberation of mankind.

All of us are aware that the Communists point to the multinational Soviet state in support of their contention that peoples of differing racial and religious backgrounds can live in harmony under communism. However, what is said and what is done are as opposite as possible. The Communists are not liberators, they are captors; and, their totalitarian terror is especially felt by minority groups.

The plight of Soviet Jewry offers shocking evidence of the real Soviet attitude toward minorities. While pretending that antisemitism has no part of official policy, the Communist regime is conducting a full-scale program of persecution against the Russian Jews. The subjection of these people proves and exposes the falseness of the Communist doctrine of liberation.

Today, all the power of the Soviet state is pressed into a campaign of attrition, a campaign designed to erode traditional Jewish values and institutions. If successful, there will be no free expression of Judaism allowed in the Soviet Union. A great faith will be rendered helpless by atheistic forces of godless communism.

Let me cite a few examples of the sort of discrimination Soviet Jews are experiencing in the U.S.S.R. today.

In the religious realm of life, Jews suffer the severest disabilities. Education of young rabbis, a vital aspect of the life of any religious community, is made extraordinarily difficult. Until 1957, no Jewish institution existed to train rabbis. In that year a rabbinical academy was established as a adjunct of the Great Synagogue in Moscow. Since then, only two men have been ordained as rabbis. Neither has been able to function as a religious leader. This is but one example of the type of religious discrimination Soviet Jews suffer.

The same type of discrimination exists in the political, economic, and cultural realm where the awful presence of Soviet power is felt everywhere. Jews are discriminated against in the universities and in the political life of the state. Jews are not permitted, for example, in the foreign service. Jews have been tried and executed as criminals in cases clearly designed to stir up deep anti-Semitic feelings in the Soviet Union. Jews are ridiculed in officially sponsored propaganda attacks where they are held up to the scorn of society as unwanted pariah.

I ask that the people of the Afro-Asian countries who may be tempted by the vaunted Soviet claims of liberty, equality, and fraternity to look at reality.

I ask them to look at the case of Soviet Jews, for here is the evidence upon which to judge the validity of Soviet claims of democracy and humanity.

Mr. Speaker, morality and justice demand that we, as a free and democratic people, rebuke the base and despicable actions of the Soviets towards Russian Jewry. This unmerciful persecution by the agents of international communism must be held up to the scorn it deserves.

Let us speak out continually in condemnation of the Soviets' denial of religious freedom. Certainly, all Americans have an obligation to take part in this battle against intolerance and discrimination.

I believe that this Congress has a right and duty to resolve its sense of condemnation of the deplorable anti-Semitism which today exists in the Soviet Union. For that reason, I support the adoption of a number of pending resolutions, notwithstanding the State Department's recommendations against them. I urge my colleagues to familiarize themselves with this problem and to work for House action and approval of these resolutions that would demonstrate anew that freedom of religion is held dear by the people of the United States and that we are not afraid to denounce those governments which pervert this principle.

PANAMA CANAL AND THE MILTON EISENHOWER PAPER

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, the Lorraine Room of the Hotel Lafayette in Washington, D.C., at 2:30 p.m. on April 7, 1964, was the scene of an unusual press conference that purported to appraise problems related to the Republic of Panama and the Panama Canal. Attended by Dr. Milton S. Eisenhower, who is a brother of ex-President Eisenhower and now heads Johns Hopkins University, former U.S. Ambassador to Panama Joseph S. Farland, and other members of a so-called Republican Citizens Committee's Critical Issues Council, the conference was promptly followed by a deluge of publicity in the mass news media featuring the first paper issued by this so-called committee under the title of "Panama: A Realistic Appraisal." (For full text see CONGRESSIONAL RECORD, April 8, 1964, pp. 7193–7196.)

Described the next day in the Congress as "an excellent alternative program for dealing with Panama issue" and as "the very finest contribution of the opposition party to a bipartisan foreign policy and approved editorially in the Washington Post, the Eisenhower statement was obviously intended for propaganda purposes and it was extensively exploited in the press of the United States as well as that of Panama—Star & Herald, Panama, Republic of Panama, April 8, 1964.

Mr. Speaker, such propaganda exploitation in this era of managed news and controlled press is not accidental but the result of planning to obtain maximum publicity rather than a "realistic appraisal" and clarification that the isthmian situation so urgently needs.

Since then, I have had an opportunity to examine this amazing declaration in greater detail and I find it to be a bewildering muddle of the first order—reckless, unrealistic, and unworthy of serious consideration. In view of the volume of reliable information published in the CONGRESSIONAL RECORD and elsewhere in recent years on Panama, the Panama Canal, and interoceanic canals generally, it is indeed difficult to understand the failure of Dr. Eisenhower and his collaborators to produce a better informed and more objective paper. It reflects little credit on those who lent their names to give it prestige and I am glad to see from accompanying notes that all members of the self-appointed and unofficial Republican Citizens Committee's Critical Issues Council do not necessarily subscribe in every detail to all the views expressed and that the positions taken by them do not represent official Republican policy.

IMPORTANT POINTS OVERLOOKED OR MINIMIZED

In an effort to be "all things to all people," those who prepared the subject paper on Panama, overlooked certain very important facts. Because of their importance I shall enumerate some of the more significant:

First. That the Isthmus of Panama has always been, and still is, an area of endless bloody revolution and today is seething with revolutionary communistic activity led by Red agents trained in Cuba and elsewhere, some of whom were observed leading the January mob assaults on the Canal Zone.

Second. That this Red influence is firmly entrenched in the University of Panama and in the Panamanian Government and is all powerful in the formulation of Panamanian foreign policy. This was recently illustrated by the unreasonable and discourteous demand of President Chiari, dicated by some of the Red revolutionaries, to hoist the Panama flag at full mast at the same time the U.S. flag was at half mast in respect to the memory of General MacArthur. This procedure permitted hoisting the Panama flag superior to that of the United States, which display is contrary to the laws of our country. See picture on front page of the April 8, 1964, issue of the Panama Star & Herald.

Third. That the Eisenhower paper does not squarely present the historical fact that Panama is not, and never has been, a nation in the sense of Argentina, Brazil, England, or France, but an artificial creation that grew out of the movement for an Isthmian Canal, and that it was not a partner in the construction of the Panama Canal and is not a partner now.

Fourth. That the paper fails to show that the United States has important treaty obligations with respect to the maintenance, operation, and protection of the Panama Canal with Great Britain and Colombia, as well as with Panama; and, in fact with the entire world.

Fifth. That it ignores the realistic fact that where there is responsibility, such as that involved in the Government of the Canal Zone and the management of the Panama Canal, there must be adequate authority; and that such sovereign authority in perpetuity granted in the 1903 treaty was primarily rooted in the recommendations of the Isthmian Canal Commission and not in the work of the French engineer who became the first Minister of Panama to the United States.

Sixth. That it does not reveal that Dr. Eisenhower and Ambassador Farland were key participants in promoting and executing the illegal display of the Panama flag over the Canal Zone territory in September 1960 in contemptuous disregard of the overwhelming vote—381 to 12—of the House of Representatives in opposition to such display—CONGRESSIONAL RECORD, February 2, 1960; also of a unanimous vote of the Congress taken after extensive hearings and debates on the Gross amendment—CONGRESSIONAL RECORD, February 9, 1960—to prohibit such display. The reason for these actions in the Congress was that informed congressional leadership realized that the formal display of the Panama flag within the Canal Zone in recognition of Panamanian "titular sovereignty" was contrary to treaty and international usage, and "charged with dangers that could explode beyond Panama-United States relations," and "be used to arouse anti-American sentiment throughout the hemisphere." This view of the Congress has been absolutely vindicated by subsequent Red-led assaults on the Canal Zone—House Report No. 2218, 86th Congress, page 39.

Seventh. That the paper belittles the status quo, but fails to offer any alternative other than some form of surrender to radical Panamanian demands, and fails to meet such demands with counter proposals; for example, a needed widening of the Canal Zone to include the entire watershed of the Chagres River.

Eighth. That it asserts that the "United States is not sovereign in the zone," which statement is contrary to facts and reflects a pathetic bias or disregard of the view of such eminent statesmen as Secretaries Hay, Root, and Hughes; as well as of former Presidents Theodore Roosevelt and Taft.

Ninth. That it neglects to define the term "titular sovereignty," which was characterized in 1906 by Secretary Taft as a "barren idealty," and the later misuse of which, by elements in our Government, has been a major cause for widespread confusion, as to U.S. sovereignty and jurisdiction over the Canal Zone territory.

Tenth. That the paper overlooks the fact that, in addition to the purchase of sovereignty over the Canal Zone from Panama, the United States obtained ownership of all land and property in the zone from individual owners and that total cost of such acquisition as of March 31, 1964, totals $144,568,571, making the Panama Canal Zone, when compared to other territorial acquisitions of the United States, the most costly in our history. See CONGRESSIONAL RECORD, April 7, 1964, page 7173.

Eleventh. That it emphasizes the Canal Zone as a "strip bisecting" Panama but fails to make clear that Panamanians have unrestricted rights to cross the Canal Zone on highways and toll-free facilities constructed and maintained by the United States at its own expense.

Twelfth. That it does not mention that the Canal Zone has often served as a haven of refuge for Panamanians fleeing from violence in Panama and assassination during times of turmoil—CONGRESSIONAL RECORD, April 9, 1964, page 7367.

Thirteenth. That it does not state the fact that the United States, under the 1903 treaty with Panama, is obligated to operate the Panama Canal in perpetuity and that failure to do so would be nonfulfillment of treaty obligations to Panama and open our country to claims by Panama for the perpetual payment of annuities, and vast damages.

Fourteenth. That the paper fails to disclose the fact that Dr. Eisenhower induced his brother, the then President of the United States, to display the Panama flag in the Canal Zone with equal dignity with the U.S. flag, which display was followed and expanded by President Kennedy. This practice, as other Members of the Congress and I predicted, in nowise placated Panama, but became the immediate basis for enlarged and impossible demands, and finally brought about the tragic riots of last January.

In this general connection, Mr. Speaker, I reiterate what I have heretofore said in this Chamber that our Government's handling of the Panama relationship in respect to the canal through recent years has seemed utterly naive and childlike. One after another demand has been granted with resulting erosion of U.S. rights and authority but, apparently, our representatives have never required of Panamanian representatives any assurance that there would be accorded the United States some reciprocal benefits. Thus, these cessions have resulted not in composing the whole situation of demands and differences involved, but have only led to ever increasing and impossible demands by Panama, thus multiplying these matters of friction. Imagine a Disraeli or a Bismarck acting with such naivete and futility.

DR. EISENHOWER'S MEDDLING RESPONSIBLE FOR STRIKING THE U.S. FLAG

In connection with placement of responsibility for the U.S. flag in the Canal Zone in September 1960, it is important to know that Panama on November 3, 1959, was expecting a U.S. declaration acknowledging Panamanian sovereignty over the Canal Zone; that this expectation was based on conversations of Panamanian Minister of Finance Fernando Eleta on September 13, 1958, with Dr. Milton Eisenhower at the latter's home in Baltimore, and that premature disclosure of these conversations in the press of Panama evoked a formal denial by the Department of State that Dr. Eisenhower had made "any statement which could be construed to commit the U.S. Government to any course of action." See my address, "Panama Canal: Symbol of Fourth Front," CONGRESSIONAL RECORD, January 13, 1960.

Mr. Speaker, I do not wish to be too harsh on Dr. Eisenhower whose unofficial meddling in Panama Canal matters has certainly brought tragic results for both the United States and Panama, but whatever his motives might have been, they were heedless and naive. Undoubtedly, he is chiefly responsible for the proposal to the then President of the United States for the formal display of the Panama flag in the Canal Zone territory in equal dignity with the U.S. flag. He was not an official of our Government, but had the President's ear because of relationship.

Formal approval of Dr. Eisenhower's proposal was a great error of American history; and the total consequences which later resulted are absolute proof of what I have stated. Undoubtedly Dr. Eisenhower would like very much to obtain the seal of approval of his flag performance and the program outlined in his paper, by the two great political parties of our Nation; and thus somewhat salve the wounds that have resulted from his actions.

Napoleon—or Talleyrand—is credited with having said of some tragic incident of his day that "it was worse than a crime—it was a blunder." Perhaps the same commentary applies to Dr. Eisenhower in connection with the initial flag display, for the yielding in this regard by the United States more than in any other matter caused radicals and trouble-hunting Red revolutionaries in Panama to assume that our country was admitting, not titular or reversionary sovereignty, but complete sovereignty of Panama over the Canal Zone. Thus, the later mobs were incubated and hatched in Panama and the Ides of January 1964 eventuated.

Mr. Speaker, in view of the history of Dr. Eisenhower's meddling in the Panama situation, which is well known to the Nation and documented by the informed elements, I do not believe it likely that his efforts to obtain the stamp of approval on the heedless and mistaken proposals of his paper will succeed.

IMMEDIATE TASK OF THE UNITED STATES

Mr. Speaker, the Red-led and directed Panamanian assaults on the Canal Zone in January 1964, were a direct challenge to the sovereignty and ownership by the United States of the Panama Canal. As such, it has focused attention of the people of our country on Isthmian questions to a greater degree than at any time since the 1898 dash of the *Oregon* around Cape Horn and has caused many of our more thoughtful leaders to reflect.

Before our Government decides upon any program that may involve the ultimate abandonment of the Panama Canal, as suggested in the Eisenhower paper, we must consider what would be lost by such withdrawal. What are the facts?

First. The 1903 treaty was a workable treaty granting indispensable rights, power, and authority under which the canal was constructed and subsequently maintained, operated and defended.

Second. The existing Panama Canal is a fine canal, which, as has long been foreseen, is now approaching saturation.

Third. We know that it will work and how to maintain and operate it.

Fourth. We know how to increase its capacity and improve its operational efficiency at least cost under existing treaty provisions.

Fifth. We have experienced the abrogation of portions of the 1903 treaty applying to the Republic of Panama, with resultant injuries.

Sixth. We have been required to defend the Canal Zone against organized "lawlessness and disorder" by use of force.

Seventh. We have no other canal treaty except a general one with Nicaragua, which treaty would have to be supplemented with additional conventions with Nicaragua and other adjacent countries for a canal there.

Eighth. We would have to be prepared to defend any canal constructed, maintained, and operated by the United States, wherever it may be located, against violence.

To any realistic student of the canal question it must be obvious that if the United States cannot, or will not, stand up for its sovereignty over the Panama Canal which it built at its cost and owns, it will not stand up for one at another location. Indeed, the American taxpayers, who have to provide the funds for another canal, would never authorize such an undertaking if our Government fails to sustain its just and indispensable rights at Panama.

The immediate task of our Government is the safeguarding of our undiluted sovereignty over the Canal Zone and Panama Canal, for if our country fails to hold on to that constitutionally acquired domain under Red-Panamanian pressures, or political opportunism in the United States, it would fail elsewhere. Everything else in this issue is secondary to the Canal Zone sovereignty question.

KEY CANAL QUESTIONS

In addition to the paramount question of sovereignty over the Canal Zone there are other key canal problems. Regardless of how many times they are stated there are always some who wish them restated and I shall again summarize them. They are:

(a) The increase of capacity and operational efficiency of the present Panama Canal through the adaptation of the third locks project—53 Stat. 1409—to provide a summit-level terminal lake anchorage in the Pacific end of the canal as was approved in principle on November 15, 1945, by the then Governor of the Canal Zone when testifying before the Committee on Merchant Marine and Fisheries for providing increased capacity of the existing Panama Canal—executive hearings on H.R. 4480, 79th Congress, page 9.

(b) The construction of a new Panama Canal of so-called sea level design, or any modification thereof, to supplant the existing canal.

(c) The construction and ownership, by the United States, of a second canal at another location.

The modernization of the existing Panama Canal mentioned in subparagraph (a) above does not require a new treaty with Panama or additional authority. The other two proposals would require new treaties with Panama or with other countries depending upon the location.

Mr. Speaker, these facts are crucial matters that do not seem to have been adequately appreciated by Dr. Eisenhower and his collaborators. In the Congress, they are understood, have been extensively documented, and will not be overlooked or dismissed as casual matters. Certainly they are not proper subjects for consideration by either ex parte administrative groups or self-appointed, unofficial "experts" in a propaganda drive. They must be considered solely on the basis of merits by an independent body not subject to administrative controls or the needs of party politics.

The Eisenhower paper, indeed, could not have been more slanted or biased in behalf of Panama had it been written by the most radical Panamanians who now formulate Panama policy.

DR. EISENHOWER'S PROPOSED TREATY AMENDMENTS IRRELEVANT

What is the program recommended in Dr. Eisenhower's paper in the way of treaty amendments for meeting these problems?

First. It urges expenditure of $75 million on temporary canal improvements, which is nothing more than treating operational symptoms rather than removal of their causes. Where such improvements would contribute to the major improvement of the canal they are logical; where they are mere stopgaps they are wrong. Dr. Eisenhower conveniently avoids mention of the fact that the taxpayers expended some $75 million on a new set of locks for the Panama Canal, and because of suspension of their construction in May 1942, our country received no return for its money except two huge lock site excavations, one at Gatun and another at Miraflores.

Mr. Speaker, these and many other relevant facts will not be overlooked by informed Members of the Congress who are well acquainted with them, especially the Appropriations Committees, which are responsible for the formulation of canal appropriations.

Second. Also, the paper suggests a new treaty providing for construction of a predetermined type of canal—sea level, with or without tidal locks—which has not been the subject of an independent inquiry, and regardless of the costs or consequences. This, indeed, is the height of irresponsibility that will not impress those who have studied the canal question objectively and who cannot be dismissed as incompetent, uninformed, or inexperienced.

Third. The paper also suggests a provision raising tolls 30 percent to enable payment by interoceanic commerce of a $15 million annuity to Panama. To this, I would ask: What do shipping interests, foreign and domestic, say? This irresponsible and heedless suggestion is characteristic of the utter lack of understanding by the Eisenhower group of the realistic problems involved.

Fourth. It recommends the rotation of civilan employees of the Panama Canal. This is about as sensible as suggesting the periodic exchange of employees of the Pennsylvania Railroad or other great industrial enterprises and it could lead to nothing but chaos. Such a plan would be absolutely unworkable because skilled personnel would not accept employment in a remote area of oppressive humidity under such conditions; and indispensable efficiency would be greatly impaired.

Fifth. The paper would subordinate the operation of the Panama Canal to matters of social reform in Panama. As to this, I would emphasize that Panama's greatest single source of annual income of $85 million comes from the Canal Zone; that Panama is only one of the countries affected by the Panama Canal; and that the very existence and independence of Panama depend upon the canal.

From my study of Dr. Eisenhower's suggestions for treaty amendments, it appears that he does not know that most of the points suggested by him as treaty amendments are not necessary but are already covered, for example, transit tolls. The fact that increased commerce has enabled the canal to continue relatively low tolls is a tribute to those who formulated the toll policy. The increase proposed in the paper would undoubtedly serve to reduce the volume of shipping through the canal and might altogether destroy the shipping of the United States, which operates at a serious disadvantage through higher wage rates and other items, as compared to foreign merchant marines.

ONE VOICE IN PANAMA?

Mr. Speaker, one of the interesting points raised by Dr. Eisenhower was his suggestion for a single voice on the isthmus in dealing with Panama, when speaking for the President of the United States. This idea is not new.

On one occasion in early Canal Zone history, when faced with the problems of construction of the Panama Canal, the offices of Governor of the Canal Zone and U.S. Minister to Panama were temporarily combined. We then had one voice on the isthmus, and this official reported to the Secretary of War—now Army—but it was not deemed wise at that time to make the practice permanent.

While it is obvious that high officials of our Government on the isthmus should not be at loggerheads, at least in public, the great enterprise of the Panama Canal cannot, and should not, be subordinated to control by some diplomat unduly solicitous about retaining his post and who does not bear any direct responsibility as to the canal. In recent years, our position at Panama has been greatly weakened because our State Department and its agents at Panama have been allowed to formulate policies of appeasement in total disregard of supervisor, and absolutely indispensable, interests of the Panama Canal enterprise.

My main purpose in mentioning these facts is to show that problems similar to those of today have previously arisen and been met. We can do the same again if we act in the proper spirit, and I would suggest to the officials of our Government that they review this important part of isthmian history.

It would be absolutely fatal to subordinate the Governor of the Canal Zone and President of the Panama Canal Company to the U.S. Ambassador to Panama. If conditions are such that one has to be subordinated in regard to canal questions, it should be the Ambassador and not the Governor.

U.S. CITIZENS AND PATRIOTIC YOUTH IN CANAL ZONE VICIOUSLY ATTACKED

The most unfair and shortsighted aspect of the Eisenhower paper is its slanderous attack on U.S. civilian employees of the canal enterprise, who are the ones who have maintained, operated, and protected the great tropical waterway during three great wars as well as in times of peace.

It compares the alleged "affluent living conditions of U.S. citizens in the zone" with the "abject poverty" in Panama. It does not explain that living conditions among Panamanian masses are among the best in Isthmian and Caribbean regions mainly because of the presence of the canal. Nor does it compare the slums of Panama with the truly palatial residences of wealthy Panamanians, who own practically all of the land areas of Panama, and who have the great obligation and duty of betterment of the Panamanian masses.

In this connection, I wish to stress with all my power that when the United States acquired the Canal Zone it was the worst pesthole in the world. After undertaking the canal enterprise, the zone, adjacent cities and adjoining areas were sanitated with complete effectiveness. They thus became models for healthful conditions in the tropics. The houses built for our employees were not palaces but clean, comfortable homes similar to those in every respectable town in the United States. Any properly comprehending person would realize that living conditions in the Canal Zone should be examples for emulation rather than causes for envy and hatred.

When our Government let Panama assume responsibility for maintaining public order and sanitation in the terminal cities, it did not take long for conditions to retrograde. There has been a series of border violence that would never have occurred had the 1903 treaty provision authorizing the United States to intervene not been rescinded. Moreover, following our relinquishment, at Panamanian request, of the task of supervising sanitation in the two terminal cities, the accumulation of garbage on the streets of these cities has become a national disgrace and a threat to public health.

The suggestion implicit in the Eisenhower paper to remove the contrast between Canal Zone townsites and the slums of Panama, which are just across the boundary, can only be accomplished by reducing living conditions in the zone to those in nearby sections of the Republic.

Mr. Speaker, to this, I would state that the Congress is well informed on this matter and will not permit the lowering of our standards in the zone to those of unfortunate slum dwellers in Panama, for the simple reason that the Panama Canal cannot be maintained, operated, sanitated, and protected by the denizens and habitues of isthmian brothels.

The lowest blow of all in the indicated paper was its attempt to blame "deeply intrenched" U.S. citizens in the Canal Zone for creating the danger of border violence and their "17-year-old schoolboys" with having "instigated" the January 1964 riots.

Mr. Speaker, such reckless charges in the paper are utterly without foundation and are foul and cowardly slanders against the people of our country, especially our youth. In this light, it is far more revealing about the authors of these accusations than of their targets. The people of our country will know how to appraise this false and unpatriotic presentation of these incidents. See my address, "Panama Canal: Focus of Power Politics," CONGRESSIONAL RECORD, March 9, 1964, page 4705.

SUMMATION

In summation, I would stress the following points:

First. The paper is a masterly example of evasion, falsification, and justified proposals for placation.

Second. Its proposals, if accepted, would assure the ultimate surrender to radical Panamanian demands, and eventual abandonment by the United States of the Canal Zone and Panama Canal, with the likelihood that, following the example of Cuba, all of Latin America, including Panama, would go down the Communist revolutionary drain.

Third. It fails to present the Canal Zone sovereignty issue in its true light, but follows the Red propaganda that our presence in Panama is wholly colonial and imperialistic in purpose.

Fourth. It does not mention the important question of what should be done to increase the capacity and improve the operational efficiency of the existing Panama Canal.

Fifth. It urges construction of a second canal of predetermined type at some other unnamed location without understanding whether such canal would be as good as the canal we already have.

Sixth. It attempts to transform the Panama Canal into a source for social service funds for Panama, regardless of the vast sums already furnished by our taxpayers to Panama for welfare and other purposes totaling, indeed, many millions.

Seventh. It erroneously alleges that "the United States is not sovereign in the zone" in complete opposition to the views of some of our most eminent statesmen and U.S. policy since 1904 and in absolute opposition to actual practice and controlling policy of more than 60 years of U.S. occupancy. This allegation invites the query, With how much less authority than it has always exercised in the Canal Zone can the United States efficiently perform the great task that it has always performed?

Mr. Speaker, in two addresses in the House on March 9 and 11, 1964, I dealt at length with the interoceanic canal policy. I would urge all who seek fuller information in these regards to read and study those two statements.

Now that diplomatic relations between Panama and the United States, broken by the former on January 10, have been restored and diplomatic problems are soon to be discussed, they should be approached in the spirit of good will. Instead, we have the situation in which Red revolutionary students at the University of Panama were able to intimidate President Chiari of Panama, and the responsible U.S. authorities, to yield to the demand for the display of the Panama flag in the Canal Zone above that of the United States which had been lowered in tribute to General MacArthur, one of our greatest heroes and a world figure of the first magnitude. It seems that this dishonorable and contemptuous action was approved in the Department of State. No wonder, Mr. Speaker, that Red radicals in Panama at this moment are agitating for removal of the U.S. flag from the zone.

The discourtesy to General MacArthur, while regretted by thoughtful Panamanians, was not accidental but a studied insult to probe and test the strength and fiber of U.S. leadership. As much as anything else in canal history it demonstrates the absolute necessity for the exercise by our Government of complete supremacy in the Canal Zone as provided by treaty and the imperative need for eliminating policies that change with every radical demand that emanates from Red sources in Panama.

Finally, Mr. Speaker, I would stress that the Eisenhower paper reflects an utter lack of understanding of canal problems, and that, if its recommendations were carried out, doing so would bring chaos to Panama, liquidate U.S. sovereignty and ownership of the Panama Canal enterprise, and bring about a vacuum that would be promptly filled by Red revolutionary power, with extinction of Panamanian independence and the dominance of communistic power throughout Latin America. Certainly at this most critical period of world history, any surrender by the United States of its authority over the canal enterprise might well prove fatal to the best interests of all the free nations, and a crime of the first magnitude against humanity itself.

EXTENSION OF VALID PASSPORTS FROM 3 YEARS TO 5 YEARS

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. Feighan] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, the recent Supreme Court decision on the Angelika Schneider case suggests the need for extending the validity of a passport to a 5-year period.

Action by Congress to meet this need would be sound, logical and economical and completely in keeping with President Johnson's directive to reduce paperwork and redtape in government.

To meet this need I have introduced today H.R. 11349.

The purpose of my bill is to provide authority for the Secretary of State to extend the period of a valid passport from 3 to 5 years from the date of issue, without renewal, and in certain instances the authority to limit a passport to a period less than 5 years.

My bill also raises the fee for a passport in these circumstances from $9 to $10. This, in my opinion, is reasonable in view of the time extension from 3 to 5 years.

The Passport Office workload has increased steadily, year by year, and has heavily burdened a small efficient and devoted staff. In 1926 when the basic law on the validity of a U.S. passport was passed, 176,000 passports were issued or renewed. In 1959 when the initial validity of the passport was extended from 2 to 3 years, and the renewal validity extended for 2 years, there were 732,000 passports issued or renewed. Last year the Passport Office issued or renewed over 1 million passports and in 1965 it is estimated a volume of over 1,300,000 will require attention. According to figure submitted to Appropriations Committees 15 percent of this volume is renewal work. By extending the life of the passport to 5 years, without the renewal requirement, the Passport Office would be relieved of this phase of the work.

The bill which I have introduced will greatly reduce the costly burden of passport renewals while at the same time remove an unnecessary inconvenience of the public. I am convinced travel agents, our airlines and our steamship lines will welcome this change.

The efficiency and good management of the Passport Office has been widely recognized by Members of Congress, the public at large, and the entire travel industry. It is, indeed, a model which other government offices could well emulate. Under the management of the present director, Miss Frances Knight, the unit cost of a passport has been reduced from $3.47 in 1955 to $2.92 in 1963. During the same period, employee productivity has risen from 1,404 passports issued per man year of employment to 2,500 passports issued per man-year of employment. This is all a matter of record before the Appropriation Committees and it is a record which is hard to beat.

LEGISLATIVE PROGRAM FOR THE WEEK OF MAY 25, 1964

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARVEY of Michigan. Mr. Speaker, I have asked for this time in order to inquire of the distinguished acting majority leader if he will inform us of the schedule for the balance of this week and for next week.

Mr. McCORMACK. The program for next week is as follows:

Monday is District Day, but there are no bills. We will consider H.R. 10041—hospital and medical facilities amendments of 1964. This has an open rule and provides 3 hours of general debate.

On Tuesday we take up the military construction appropriation bill for 1965.

On Wednesday H.R. 5130, increase in federal deposit and savings insurance. This has an open rule and provides 2 hours of general debate.

On the same day there are eight unanimous-consent bills from the Committee on Ways and Means, as follows:

H.R. 4198, free importation of instant coffee.

H.R. 9688, responsibility for placement and foster care of children.

H.R. 10463, suspension of duty on metal scrap.

H.R. 10465, personal and household effects.

H.R. 10466, assistance for returning nationals.

H.R. 10468, suspension of duty on shoe lathes.

H.R. 10473, foster care in child-care institutions.

H.R. 10537, suspension of duty on natural graphite.

On Thursday and the balance of the week the program is as follows:

On Thursday, at 12:30 p.m., the House and Senate will receive in joint meeting the President of Ireland, His Excellency, Eamon de Valera.

The usual reservation is made that conference reports may be brought up at any time and any further program will be announced later.

ADJOURNMENT OVER TO MONDAY, MAY 25, 1964

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. Smith of Iowa). Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, I believe one day of the announced program for next week is dedicated to bills of a unanimous-consent nature which come from the Committee on Ways and Means and will be disposed of quickly. Is that on Wednesday or Thursday?

Mr. McCORMACK. If the gentleman will yield, Wednesday.

Mr. GROSS. On Wednesday?

Mr. McCORMACK. Yes. Well, if we cannot get them up on Wednesday, we will bring them up on Thursday.

Mr. GROSS. I am surprised that the distinguished acting majority leader would fail to schedule the pay increase bill next week.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I understood that there was all kinds of pressure from the White House and from every other direction to get the pay increase bill through immediately. I am surprised that it has not been programed for consideration next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Of course.

Mr. ALBERT. The distinguished acting majority leader did not schedule it. The majority leader scheduled it.

Mr. GROSS. Scheduled what?

Mr. ALBERT. The program.

Mr. GROSS. I see. Then, I would be glad to address myself to him.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. Yes, I will always yield to the acting majority leader.

Mr. McCORMACK. All I can say is that I sort of miss my friend's colloquy when we used to have these pleasant exchanges under his reservations.

Mr. GROSS. I have missed my friend, the gentleman from Massachusetts, now the distinguished Speaker, and I, too, am enjoying this exchange.

Mr. McCORMACK. If the gentleman will yield further, I am very happily surprised that my friend is surprised, because I am always glad to surprise him.

Mr. GROSS. I still do not have an answer to my question.

Mr. McCORMACK. It is a wholesome answer.

Mr. GROSS. As to why the pay increase bill is not scheduled for next week?

Mr. McCORMACK. Might I say that my answer is a wholesome one based upon the purity of my friend's mind in reserving the right to object and in asking the question.

Mr. GROSS. I am pleased beyond measure to have the solicitude of the distinguished gentleman from Massachusetts. I want him to believe that, but I still have no answer to my question.

Mr. McCORMACK. I do not wish to put it on the basis of solicitude. I have a great deal of admiration and respect for my friend the gentleman from Iowa.

Mr. GROSS. But, I would like to get some answer to the question as to why the pay bill—the pay increase bill—with all the pressure that is put on by the

White House and in the Post Office and Civil Service Committee and the fact that a rule now has been granted, that it is not before the House for consideration next week.

I do not want to think, I will say to my distinguished friend, that the bill to increase the pay of Members of Congress, is being delayed until after the primaries in New York and California. I do not want to think that the leadership would delay the bill because there are elections during the first week of June.

Mr. McCORMACK. If the gentleman will yield further, I can assure my friend from Iowa, first, that there was no pressure. Second, that the impressions the gentleman have are entirely without foundation. My friend has a refreshingly suspicious mind at times, but he is not always correct.

Mr. GROSS. Well, it might be suspicious——

Mr. McCORMACK. I said "refreshingly suspicious." I did not say "suspicious."

Mr. GROSS. I thank the gentleman.

In view of the fact that I apparently am not going to get an answer to my question, I will withdraw my reservation, Mr. Speaker.

The **SPEAKER** pro tempore (Mr. SMITH of Iowa). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday of next week be dispensed with.

The **SPEAKER** pro tempore (Mr. SMITH of Iowa). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

OPPONENTS OF QUALITY STABILIZATION

The **SPEAKER** pro tempore (Mr. SMITH of Iowa). Under previous order of the House the gentleman from Pennsylvania [Mr. DENT] is recognized for 30 minutes.

Mr. DENT. Mr. Speaker, the following news article shows what lengths some opponents of quality stabilization will go to in order to create the impression that the people are overwhelmingly opposed to receiving quality goods yet they purchase brand named products:

PENNSYLVANIA SOLONS GET ANTI-QSB PLEAS

MONROEVILLE, PA.—White Cross Stores has sent petitions with the signatures of more than 61,000 customers who oppose the quality stabilization bill now before Congress to Pennsylvania's 2 U.S. Senators, Representatives from White Cross sales areas, and administration officials.

William Moffitt, assistant to the president of the cut-price health-and-beauty-aids chain, reports that Senator JOSEPH F. CLARK, a Democrat, has replied that he will not support QSB and that he considers the proposal "an unnecessary intrusion into our competitive system of free enterprise." Republican Senator HUGH SCOTT, who is up for reelection in Pennsylvania this year, is on record as a QSB cosponsor, but has not yet replied to the White Cross letter which accompanied the petitions, according to Mr. Moffitt.

Herbert E. Hoffman, of the U.S. Attorney General's office, told White Cross, "Despite its misleading title, it is really price-fixing legislation and if enacted into law will mean higher prices for the consumer."

White Cross' appeal to the Pennsylvania Supreme Court to have the State's Fair Trade Act declared unconstitutional was recently upheld by a 5-to-2 decision.

Mr. Speaker, it is not often that we Members of Congress have the temerity to stand up and tell anybody to go climb a tree, but I am tempted to do it now. Even in an election year, there are limits to the amount of misinformation a public servant can take from some of the ax grinders who try to manipulate public opinion for private gain.

All of us have been bombarded with petitions at one time or another, on one issue or another. The question has occurred to each of us—though we seldom express it in public—how valid is this petition? How much weight does it carry? Recently a box of petitions from my State were sent here by a discount drug chain. These petitions purported to contain the names of people who object to the quality stabilization bill.

Mr. Speaker, this batch of alleged "signatures" is as phony as some of the other shoddy tactics used by the discount propagandists in opposing quality stabilization.

The petitions appear to be taken from 16 different cities of Pennsylvania. They are salted with forgeries and false names and addresses. I am further convinced, after making a survey, that very few of the people who actually did sign these petitions know what they signed, or why. They were duped—perhaps it would be more appropriate to say they are the victims of political "bait-and-switch" tactics so common to this type of operation.

Mr. Speaker, I charge that the people who promoted these petitions are guilty of attempting to defraud the U.S. Congress for the purpose of influencing legislation. They are guilty of misleading their customers as to the purpose and intent of the petitions. They are petty Fagins who contribute to the delinquency of minors by inducing them to sign other people's names for the purpose of influencing Federal legislation.

The purpose of all this is to frighten Members of Congress into believing that if we should, in good conscience, vote for the quality stabilization bill, we might face some kind of catastrophic political retaliation.

Mr. Speaker, let me describe in some detail these petitions, and the results of our study of them. I think it is important that we become more familiar with the techniques of so-called modern merchandising in its political application.

When these petitions were turned over to my office, quite frankly, it was our intention to give them only a routine examination. But even in this cursory examination, we noticed blocs of identical signatures showing up on virtually every petition. The more they were scrutinized, the more we became convinced the petitions were not entirely bona fide.

More than 2,000 names appeared on plain tablets of lined paper, with no explanation or indication that they were intended as petitions. For all these signers knew, they might have been signing for seed catalogs.

We spot checked 250 signatures from my district and found 65 percent of the names checked are not on the voter registration lists of either political party.

We decided to investigate further and took the petitions back to Pennsylvania for an on-the-spot sampling. First, a number of people whose names were on the petitions were telephoned and queried about the quality stabilization bill. Not a single person talked to had any idea what it was about, and each person queried assured us they had never signed a petition for or against the bill. These people were then informed that their names appeared on a petition taken in the local discount store during the last 10 days of January. Some still insisted they did not recall such a petition. Others did recall signing a petition at that time and place. The latter group were then asked if they could recall what they had signed. The replies were impressive in their uniformity. It appears that the petitions were placed just beyond the cashier's counter, and as each customer checked out his purchases, he or she was asked this sort of question: "Are you in favor of higher prices?"

Or, "Do you want to pay more for your deodorant?"

Or, "Do you want Congress to force you to pay more for your mouthwash?"

Or, "Would you want this store to charge more for your toothpaste?"

As the customer gave the only possible reply to such simple-minded questions, he or she was told to sign the paper on the table at the front of the store. Frequently, the customer was also asked to write in the names of friends and relatives to fatten the list. Many people, including teenagers, complied. I am sure they did it without any appreciation of the seriousness of the act, or any understanding that they were signing a petition to be sent to Congress, and it is not my intention to embarrass those who were made the unwitting tools of these petty Fagins by naming them here. But the petitions are in my office for those of you who care to inspect them.

At this point, we decided to carry the inquiry another step. Questionnaires were prepared in order to discover whether the person whose name was on the petition had ever heard of the quality stabilization bill or had even the most rudimentary knowledge of it. These questions read as follows:

1. Have you heard of the quality stabilization bill? (Yes.) (No.) (Don't know.)

2. Is it your understanding that the quality stabilization bill is:

(a) A city ordinance.

(b) A bill now before the State legislature.

(c) A bill passed by Congress in 1960.

(d) A bill now before Congress.

(e) A bill passed by the State legislature in 1962.

(f) Don't know.

3. The quality stabilization bill deals with:
(a) Changes in the State sales tax.
(b) Changes in the Federal income tax.
(c) Limiting farm production to best available acreage.
(d) Repeal of the 14th amendment.
(e) Retail prices.
(f) Don't know.

4. Have you ever signed a petition in favor of the quality stabilization bill? (Yes.) (No.) (Don't know.)

5. Have you ever signed a petition against the quality stabilization bill? (Yes.) (No.) (Don't know.)

6. Have you ever given permission to anyone to sign your name to a petition for or against the quality stabilization bill? (Yes.) (No.) (Don't know.)

7. Is this your name and address? (Show name on petition.) (Yes.) (No.) (Don't know.)

8. If so, is your name written in your own handwriting?

9. If your answer to question No. 8 is "Yes," and your name is in your own handwriting, can you recall why you signed the petition? Please state the place and circumstances, to the best of your recollection.

10. If your answer to question No. 8 is "No," do you know who wrote your name on this petition?

Mr. Speaker, it was very difficult and time consuming to find bona fide signers, but among those we were able to interview, here is what we found.

Only about 20 percent of those interviewed said they had ever heard of the bill, and of those who said they had heard of it, four out of five stated they were under the impression they had signed a petition in favor of the bill.

Of all the people interviewed, either in person or by telephone, only one—I repeat, only one recalled signing a petition against the bill.

After being shown the name on the petition, those who had actually signed the petition often recalled the circumstances, and the answers were similar to those we had obtained from others in the telephone sampling. Here are some typical explanations as to why these petitions were signed, and I quote:

> Cashier stated only to be signed so that she could get deodorants cheaper and other cosmetics.
>
> Cashier said bill had something to do with discount stores going out of business.
>
> Cashier asked for signatures to keep the store in business.
>
> Signed the petition thinking it was for discounting Revlon and Hazel Bishop products.
>
> One of the store attendants said "sign your name if in favor of lower prices." I did not know that it was for a bill in Congress. He urged me to write names of friends.

Mr. Speaker, this last quote was from a teenaged girl who wrote in the names of eight friends. Another wrote 23 names. The petitions are riddled with such names, and this is not confined to New Kensington by any means. The pattern appears identical in all 16 cities, raising the strong suspicion that managers of each store in this giant chain received similar instructions—a master plan to deceive this Congress.

In a broader context, this survey might raise some questions about the force and validity of many other petitions reaching Congress. This whole field deserves a thorough study, and this discount petition might be a good starting point for such an investigation.

After completing the 10 questions already described, the people interviewed were then asked to read a description of the quality stabilization bill. The description quoted the report of the 33-member House Interstate and Foreign Commerce Committee, which reported the bill favorably with only 1 dissent. It also listed the sponsor of the bill. After this material had been read, the question was then asked:

"Do you think you would favor the bill described above?"

The purpose of this question was simply to test the strength of the opinions of those who had actually signed the petitions. In other words, to find out how many of the people among these hundreds of signers had any real convictions about the bill. Among those who actually signed their own names to the petition, only 12 percent said they would stick to the position expressed by the petition and oppose the bill.

After seeing the results of our survey, Mr. Speaker, it is my opinion that if I were to use the methods adopted by the opponents of the quality stabilization bill, I could get as many signatures on petitions advocating the violent overthrow of the U.S. Government, legalization of embezzlement, or the use of the hydrogen bomb. All I would have to do is type out a paragraph urging these things in big words, using long, confused sentences, and add a few propaganda cliches. Then I would stand in front of any store and ask: "Do you want to pay more for your deodorant? Please sign this petition or Congress is going to force you to pay higher prices for your gargle."

If we were to make a thorough canvass of all these petitions, I firmly believe that after eliminating the forgeries, pranksters, phony names and addresses, teenagers, unregistered voters, those who were deliberately misled as to the purpose of the petition, and those who have no information or opinions on the bill, we would find that out of 30,000 alleged petitioners, not more than 2 or 3 percent could be regarded as bona fide. And I think most of these would be in doubt if they heard any sensible discussion on the merits of the bill.

Mr. Speaker, in recent weeks more and more has come to light about the nature of discounthouse operations. A Member of the other body recently gave a speech on the Senate floor in which he described in detail the flood of unethical discount advertising, documented by the better business bureau. Senator PROXMIRE recently analyzed the Marrud Study which proves conclusively that discount chains are misnamed—that there is no real saving passed on to the consumer, but merely the exploitation of famous brand names to give the appearance of discount prices.

From the very beginning, those of us who have heard the evidence pro and con on this vital bill have constantly challenged the opponents to stop peddling propaganda slogans like sugarcoated pills, and deal in hard information. Their answer has always been more propaganda. More fraud. More artful dodging. From beginning to end, the campaign against this bill has been a sham. This petition is the latest product of an utterly deceitful campaign.

I think it is time we put an end to it. I say it is time to bring the quality stabilization bill onto the floor for full debate and a vote. If this bill is bottled up in committee the country will be on notice from this day forward that the destiny of the greatest nation in the world is not going to be settled in the Halls of Congress by the elected representatives of the people; it is to be settled, instead, by the paid propagandists of private pressure groups.

More and more, we hear rumblings from the American people that Congress is losing its power by default, by inaction, by refusing to move unless prompted by the executive branch. Somebody must settle the great, pressing problems facing the Nation. If not Congress, then who? The 33-man House Interstate and Foreign Commerce Committee has spent years examining this problem of resale price maintenance. Finally, that committee filed a report recommending passage. Of the 33 members, there was only 1 dissent.

Yet we sit here, afraid to move, afraid to do our job because of falsity like these petitions, and a flock of canned editorials and press releases circulated by the discount propagandists to the Nation's press. What are we afraid of? Why are we paralyzed when many of us here know perfectly well that this bill is a good one, a necessary one, and must be passed now if we are going to give the small businessmen of the country the relief they need?

Are we just a flock of political cowards to let these charlatans bury us in this kind of propaganda?

How each of us votes on this bill is our own affair, but by Heaven we must bring it out for a vote, or stand condemned as frightened little men who cannot be trusted with the business of the greatest Nation on earth. If any of us have not the guts enough to vote on a bill of this importance, then we should get out of office and let someone with backbone do the job.

Mr. Speaker, I demand that H.R. 3669 be brought out of the Rules Committee for a full debate and a vote. This is the only decent answer to those who think to intimidate us into letting the bill die in committee rather than put the issue to a fair test.

This incident described herein in face of the report that I have just made on the investigation of petitions from my area recall to my mind, and I am sure to yours, the famous case involving the utilities and Congressman Dennis Driscoll, of Pennsylvania. You will remember, I am sure, that Driscoll made this same type of investigation that I have just carried out when he received thousands of telegrams during the early Roosevelt administration inspired by the utilities companies. Congressman Driscoll's exposure of the fakery and the false signatures on these telegrams was one of the highlights in those early days of the tactics used to oppose legislation.

A great multitude of the people and the exploiters under the guise of benefactors are all too often the Fagins in our consumer cost complex.

Now Mr. Speaker, of all the many statements made by the late Matthew Woll, vice president of the American Federation of Labor, I particularly want to call attention to the inherent danger that indiscriminate price wars would destroy the free enterprise system.

Mr. Woll further stated that "he believed the greatest protection of our competitive system law in the abolition of unfair pricing practices which result in monopoly control." He took the strong stand that no one should be permitted to sell "at a price which does not show him a fair profit on top of a fair wage rate."

This and other statements by Woll and many other liberal Americans who were directly responsible for a change in the attitude of the people at that time who were hoodwinked into the same belief prevailing today. Nobody who sells at a low discount price is a great benefactor to the consumer.

These great Americans are changing their attitudes of their times caused by the passage of the antitrust law. Price fixing is a violation of the antitrust law when it is done in collusion and in conjunction with others who fleece the consumer.

However, price fixing and quality stabilization are entirely different matters.

One of our greatest Presidents once said:

> I do not prize the word "cheap." It is not a badge of honor * * * it is a symbol of despair. Cheap prices make for cheap goods; cheap goods make for cheap men; and cheap men make for a cheap country.

In my humble opinion, production labor has the stick in maintaining a two-price stabilization.

It has long been the contention of organized labor and the great demand for justification of unionized-made goods because of better working conditions, higher rates of pay, and more freedom of expression of movement by the members of organized labor. Better goods are produced and the public benefits.

LABOR'S DUAL ROLE

Labor in our economy occupies a dual position of principal consumer and wage earner. It is fundamental that when jobs are destroyed or wages cut, labor's ability to consume the products of our economy is damaged. For this reason the present chaotic situation in retailing is a serious threat to labor's position.

As a consumer, the worker and his family suffer if there is a decline in quality, and if retail monopolies are established, depriving him of his free choice of goods and services. The net effect of this situation will be higher and higher prices for lower quality.

As a wage earner, labor must be concerned with the effect on jobs. The job market already is constricting under the impact of automation. Further aggravating the dangerous position of labor is the destruction of hundreds of thousands of retail jobs, plus the loss of production jobs caused by pressures placed on manufacturers by discount chains to cut labor costs.

As established merchants are driven out of business, jobs are destroyed and these are not replaced in the big self-service sales silos. Nor are they replaced in factories forced to react to the discounter's heavy pressure for ever lower factory prices by trimming the cost of labor, as well as materials.

The discount houses have become the dumping ground for cheap goods, both foreign and domestic. Off-brand goods, made by cheap substandard labor, are the stock-in-trade of many discount houses, even though these stores devote the great bulk of their bait advertising to reputable American brand names.

I believe, Mr. Speaker, that we want to take a better look at just what this legislation does and what it is intended to do.

QUALITY—THE IMPORTANT PART OF A BARGAIN

Price of a product is meaningless except as it is related to its quality. The two—price and quality—go together to make up value. Under the normal functioning of a free, competitive enterprise system—free from the pressures of monopoly at either the production or retail level—the consumer looks to the manufacturer because quality control is in the maker's hands. It is the manufacturer who determines such factors affecting quality as machine tolerances, bacteria counts, durability of materials and design, thoroughness of premarket testing, inspection procedures, use of high-grade or low-grade labor, and so on.

The national brand name is built up over a period of years at great cost and sacrifice of temporary profits for the purpose of developing long-pull customer loyalty and repeat business.

THE MARKETING OF BRANDED PRODUCTS

Most manufacturers of national branded consumer products devote continuously a considerable amount of effort and money to establishing and maintaining broad distribution through which flows that manufacturer's production. The manufacturer cannot continue the investments needed to develop broad distribution unless he can protect the quality on which the ultimate reputation of the product must depend.

A manufacturer, often working through wholesalers and jobbers, will carefully cultivate the sales interest and support of a large number of small retailers. He may advertise extensively in the trade press, employ salesmen and demonstrators and may send free educational and promotional materials and displays to his retailers. In addition to the manufacturer's national advertising program, the manufacturer may defray a substantial part of the expenses of local advertising undertaken in conjunction with the retailer. Mass distribution facilities are painstakingly enlisted.

The only known method by which a manufacturer can enlist the essential cooperation of wholesalers and retailers, in this process of creating broad distribution, is to make it profitable for his resellers to deal in—and consumers to buy—his product.

Only the anticipation of a profit causes resellers to perform indispensable services in advertising, displaying, and demonstrating the product, in educating the consumer and in creating a demand. It is the firm conviction of many manufacturers that success could not have been achieved without the active cooperation of great numbers of small independent resellers.

By the above means and after a considerable lapse of time, a manufacturer may achieve consumer acceptance and broad distribution. He has thus created a valuable good will for his brand name—possibly his most valuable asset.

THE "COME-ON"

It is at this point that the discounter enters the picture. Ignoring the product until its brand name has gained wide consumer acceptance, he now functions as a parasite. He slashes the product's price as a "come-on" to the consumer. Such pricecutting inexorably tends to tear down and destroy the manufacturer's patiently acquired distribution system.

The ethical retailer usually cannot reduce his prices to meet those of the discounter. As resale prices are reduced, profits are reduced, and the constructive reseller loses his incentive to display and sell that manufacturer's product. Thus the manufacturer loses his most effective business ally.

The promotional efforts of the resellers dwindle and wane, for the sale of the product is no longer profitable. Reaction at the retail level is varied: some retailers drop the line; others give it less shelf space and sales effort; others put the profitless item under the counter and concentrate on the sale of substitute profitable items. "Giveaway" pricing by the discounter is intended to cause the consumer to feel that the manufacturer has been overpricing the product. Thus the incentive of the resellers to continue merchandising the product has been destroyed.

In any event the disparate retail levels will not long prevail, for the ethical retailer will not allow his store to continue to be a mere display of the price-cut product, a showcase, a convenient backdrop against which the discounter can perform.

In the absence of law enabling the manufacturer to protect the goodwill of his trademark, the consumer, the reseller, the manufacturer, all pay the toll. Perhaps the consumer suffers the greatest loss by the gradual weakening or complete disappearance of the resellers that helped build the community. Gone are dealers willing to do the costly educational job of introducing new products. They know from experience that the discount house will prey on the demand they help create for any new product.

Gone then are dealers willing to multiply the impact of the manufacturer's national advertising. Merchants who know how to stress features and services of the product to the consumer bow out in favor of discounters who know only how to yell that they have "cut the price."

Gone then are dealers dedicated to serve the community by handling the manufacturers' complete line—the slow turnover items as well as the fast movers. Taking their place are the "cherry-picker" discount stores whose decision to handle a product is based solely on "how often does the item turn?"

Gone then from the community are the dealers who serve the consumer so well by telling the manufacturer about product experience in the home, about new uses for the product, about complaints regarding it.

There is a tragic loss to the consumer and the community when dealers with many years experience hesitate to invest in fixed assets; to maintain outstanding store personnel; to buy local advertising; to use point-of-purchase material; to cooperate with factory sales-training and service personnel; to deliver; to install; to explain warranties and guarantees; to service; and to reinvest profits in the business.

Examining these forces, is it any wonder that some manufacturers make the decision to acquire and operate their own stores—such as Robert Hall clothes?

Examining these forces, is it any wonder that the manufacturer who builds wide consumer acceptance for his product because of its value—quality as related to its price—is the manufacturer hit the hardest by the mass merchandiser who has done nothing to create the demand for the product?

Is it any wonder then that, for some manufacturers, sales and profits dwindle and they must cut costs somehow to stay in business?

In any case, the discount house moves another step toward monopoly.

Thus a manufacturer may find himself a captive. His distribution is now concentrated in the hands of a few giant discounters, each trying to outdo the other. Some discounters even demand a special that is exclusively theirs. They do not want any competition on the models they promote. Earl Lifshey, the well-known marketing columnist for Home Furnishing Daily, documents this, telling of the 63-store Vim appliance, radio, and TV chain that not only dictated specifications to the manufacturer but also insisted that the products bear the manufacturer's brand name:

> They can and do buy enough to justify national brand manufacturers making special models to Vim's specifications—to be sold under the regular national brand label. All of which is almost like eating your cake and having it too. At least three-quarters of Vim's stock, it is said, consists of such items. And while some manufacturers—G.E., for instance—decline to go in for that sort of thing, the potential volume is so big many can't really ignore it. (Sept. 14, 1960.)

The consumer has a vital stake in halting this trend toward concentrating "life or death" power in the hands of a few discounters. There are no benevolent monopolies.

IN THE PROFIT VISE, QUALITY IS SQUEEZED OUT

As more and more ethical retailers abandon a product because it has been made profitless, its manufacturer finds himself increasingly squeezed. The discounter is relentless in his pressure for a better deal in price—in co-op money, in demonstrators, in quantity discounts, and so forth. The manufacturer is blackjacked: "Cooperate or my business goes to another supplier. You do not want to lose a mass market for your product, do you?"

Sales and profits of the manufacturer dwindle, and he must cut costs somehow in order to stay in business. His first move will be to try to increase plant and marketing efficiency. But there is an optimum level of efficiency beyond which a manufacturer cannot go without cutting the quality of the product. If he reaches this point and the company still cannot make a profit, he is likely to feel compelled to cut corners. He may, for example, do some of the following:

Cut the number of quality inspectors along the assembly line, and otherwise reduce the payroll.

Increase the acceptable tolerances on defective parts to reduce the cost of waste.

Substitute cheaper, inferior materials.

Eliminate extra coats of paint or varnish.

Cut down the number of fastenings, seams, weld spots, rivets, screws, and so forth.

Under these conditions the consumer, the community, the economy, labor, the manufacturer, the ethical retailer—all take a loss. Quality of product tends to be lowered; wages and jobs may be lost; a brand name reputation is depreciated; and the community has lost the service of those ethical merchants who have had to go out of business in the face of ruthless trade trickery.

Obviously, no manufacturer is likely to discuss this widespread problem publicly, even in general terms, since the image of low-quality production would attach itself to his company.

But Home Furnishings Daily, a trade, not consumer, publication, has documented the story over the past few years. Examples:

> BOCA RATON, April 17, 1961.—Big retail chains that virtually dictate to manufacturers the prices they will pay for appliances is one of the key elements behind the profit squeeze of producers.
>
> This was a point made during an interview with a key sales executive at the Gas Appliance Manufacturers Association Convention that ended here Sunday.

> NEW YORK, April 18, 1962.—The quality of furniture being received at department stores around the country has declined considerably in the past year.
>
> This is the conclusion reached by the directors of the home furnishings group of the National Retail Merchants Association which held a meeting during their conference last week in reviewing the progress of their minimum quality acceptance standards for furniture adopted in February 1961.

> NEW YORK, October 2, 1959.—A fierce cost squeeze among aluminum furniture producers, particularly in low end lines, may create major quality problems this coming season.
>
> That is the opinion of experienced individuals in the industry itself and also among the suppliers of aluminum tubing and plastic webbing.

> PALM SPRINGS, CALIF., April 4, 1961.—"Some smaller-volume television-radio-high fidelity manufacturers soon will have to decide whether to remain in business due to the impact of the discount retailers and private-label lines." So declared H. Leslie Hoffman, president of Hoffman Electronics Corp., in an address before the annual spring meeting of National Business Publications, Inc., at El Mirador Hotel.
>
> "The paradox of the consumer electronic market is that consumers are demanding improved quality while manufacturers and dealers are offering price," Mr. Hoffman noted.

> CHICAGO, January 11, 1961.—The lack of quality standards in the curtain and drapery industry has become one of the most dominant gripes among retailers attending the market here.
>
> Increasing customer dissatisfaction with the quality of merchandise available has led to a growing belief on the part of buyers that they must buy first quality goods.
>
> Some buyers admit that they were to blame in part for the poor quality conditions by forcing converters to give them the lowest prices. They still feel, however, that these converters must accept most of the responsibility for the constantly deteriorating conditions that currently exist.

"Servicemen Decry Quality Decrease" was the caption for a Home Furnishings Daily survey story of the electric housewares industry appearing in the March 9, 1961, issue. One excerpt from that survey typifies the report:

> PHILADELPHIA.—Electric housewares across the board seem to be getting shoddier all the time as manufacturers try to make up for the poor profit picture by cheapening their products.
>
> Products are made with every possible shortcut on quality, and these shortcuts hamper repairs and replacements and boost the cost of service.

Even the Wall Street Journal has felt compelled to discuss the quality deterioration story. In its March 23, 1960, issue it said:

> The stepped-up drive of manufacturers to come as close as possible to making trouble-free appliances and TV sets is important both to dealers and consumers. The dealers have had trouble keeping up with the mounting service load. Consumers spent a record $5 billion for TV and appliance repairs last year, more than double the total a decade earlier and only $3 billion less than they spent on new equipment.

Often by increasing the prime factory cost of an item by as much as 5 or 10 percent the value of the product to the consumer may be increased by 200 or 300 percent—or more. By the same token, an arbitrary reduction of as much as 5 or 10 percent in the prime factory cost of a product may readily reduce the value of that product to the consumer by half or more, without noticeably altering its appearance.

Omitting the hardening operation on the wearing parts of the lowly can opener, for example, might reduce slightly its factory cost to meet relentless pressures of predatory competition—but would most certainly reduce its usefulness as a can opener to almost zero—without any change in its appearance.

THE TREND TOWARD MONOPOLY IN THE HOME CITY OF CONGRESS

There is no doubt about it. In many market areas, manufacturers of quality brand name products are caught in a vise. It is constantly tightened by the giant discount chains which are gaining ever more control over large blocks of the retail market.

For example, in the home city of Congress—Washington, D.C.—never a fair trade area—a handful of discount houses are rapidly establishing control tending toward monopoly over the so-called white goods market—that, is refrigerators, washing machines, dryers, freezers. House brands such as Sears Roebuck's Kenmore and Coldspot sold exclusively through one retail chain, are insulated from this type of discount monopoly, but most other major manufacturers have seen their retail outlets constricted until a handful of discount houses dominate the market.

The discounters' own publication, Discounter Merchandiser, in its April 1963 issue, boasts:

> Discounters are the leading white goods appliance retailers in the $25- to $30-million Washington, D.C., market.

The publication then cites the following figures, representing the percentage of the District of Columbia market controlled by discounters in each brand:

	Percent sold by discount stores
General Electric	24.0
RCA Whirlpool	68.7
Norge	60.0
Frigidaire	26.7
Hotpoint	44.4
Westinghouse	50.0
Kelvinator	30.8
Maytag	41.7
Gibson	42.9

The insidious part of the picture is that the quality brand names themselves used as loss leaders in bait-and-switch advertising, are the chief instruments in the destruction of local competition. Under present laws, the manufacturer-owner of the brand name and the independent retailer both are helpless to prevent the abuse of brand names in price wars, unfair competition, and restraint of trade.

"BAIT AND SWITCH" TRADE TRICKERY AND HOW IT WORKS

Justice Brandeis' determined advocacy of an antimonopoly law permitting a standardized price for competitive trademarked products was motivated primarily by his concern for the unwary consumer. He stated:

> The consumer's gain from price cutting is only sporadic and temporary. The few who buy a standard article for less than the value do benefit—unless they have, at the same time, been misled into buying some other article at more than its value. But the public generally is the loser; and the losses are often permanent.

Essential to the "bait and switch" practice of consumer entrapment is the off-brand. There is likely to be a great difference between the quality requirements in a national brand name product and those in an off-brand product.

The off-brand merchandise often is pushed in one-shot deals, and targets of opportunity where a quantity of cheaply made goods can be dumped on the market at a quick profit. The manufacturer of off-brand products, having no great investment in advertising, and no established brand-name reputation to maintain, can then easily change the name on the product and come back for more. A customer, disappointed in the short erratic life of the first product, may buy it again under a different name, never realizing both are made by the same manufacturer.

Here's how the off-brand is used in the "bait and switch" game, making a sucker out of the consumer.

A discounter buys 100 quality brand-name suits at a wholesale price of $50 each, or $5,000 for the lot. He also buys 100 off-brand suits of lower quality at a wholesale price of $25, or $2,500 for the lot. His markup must average, for example, at least 25 percent.

He advertises the well-known brand suits at cost in order to build store traffic. This means he must sell the entire lot of low quality suits for at least a 25-percent markup plus the amount lost on the brand-name suits.

THE MATHEMATICAL FORMULA

In other words, his markup on the off-brand suits must, as a minimum, be the total of: His wholesale price of $2,500; plus 25 percent of $2,500, or $625; plus the loss on the brand-name suits, or $1,250; total retail price on the 100 off-brand suits equals $4,375. Average cost of off-brand suits: $43.75; markup on the off-brand suits: 75 percent.

THE PRICE PAID BY THE CONSUMER FOR THIS KIND OF BARGAIN

A customer who actually leaves the store with a quality brand suit is getting a temporary bargain—but at whose expense? The following people suffer:

First. The customer suffers who allowed a salesman to switch him to a cheaper suit with the pitch that "this suit is just as good as the brand name, but it does not carry their label, so we can sell it cheaper." He pays premium prices for a suit which should retail at less than $35.

Second. The purchaser of the national brand suit suffers. From a long-range point of view, he is contributing to the development of retail monopoly with its punishing impact on the consumer.

Third. The community suffers as businesses are destroyed and quality goods and services are sacrificed on the altar of bargain prices. It suffers further when most of the retail profits are siphoned out of the community into the home offices of giant discount chains.

Fourth. The national economy suffers as retail monopolies now continue to grow at an alarming rate, and competition is destroyed.

Fifth. The ethical merchant suffers as he must sell quality goods at a fair price in order to stay in business.

Sixth. The small merchant suffers as he cannot subsidize loss leaders with exorbitant profits from other parts of the store. Tens of thousands of small merchants are being driven out of business by giant mass retail chains using selective loss-leader selling to destroy competition.

Seventh. The manufacturer of the quality brand suit whose good name and reputation suffers from the degrading of his trademark by sharpies using it to entrap the consumer.

Eighth. Labor suffers, as hundreds of thousands of retail jobs are destroyed by unfair competition—jobs which are not replaced in the big self-service sales silos. Labor also suffers from the downgrading of labor and the elimination of jobs in the factories. Cheap goods are too often made in substandard plants both here and abroad, using substandard labor, paying substandard wages. All this compounds the serious unemployment problems introduced by automation.

Mr. Speaker, let us look at the Senate hearings.

The charge that the bill would permit price fixing is totally without merit, yet it has been the most useful and oft-repeated of the scare slogans used against the bill. This propaganda phrase, in its popular sense, means prices fixed collectively in restraint of trade, either through an illegal conspiracy by a private group, or by the Federal Government.

As Senator EUGENE MCCARTHY pointed out:

> The reason this (price fixing) allegation crops up is because the opponents of quality stabilization shut their eyes to a simple but fundamental distinction. To permit one manufacturer of a brand name competitive product, a mattress, for example, to control the use of his trademark, is far different than to permit all mattress manufacturers to get together and fix prices. The former is permitted under quality stabilization. The latter is not permitted under quality stabilization. The former promotes competition. The latter destroys competition.

Again, under this bill, retail prices may be set by the producer on an individual brand-name product only if that product is sold in a fully competitive market. This is already done by producers who control their own retail outlets—Robert Hall clothes—for example. Nearly all large retail chains carry house brands on which the prices are established and maintained in all of its retail outlets.

In his testimony Dixon admitted that many firms now lawfully establish their retail price, and that this will not be changed whether or not the quality stabilization law is enacted:

> Senator HARTKE. What I am saying is as far as A. & P. is concerned, on a can of peaches today, A. & P. peaches, they establish that price today, do they not?
>
> Mr. DIXON. That's correct.
>
> Senator HARTKE. There wouldn't be anything changed under that setup under this new law?
>
> Mr. DIXON. No, sir—
>
> Senator HARTKE. And of all the trademarked names under Sears & Roebuck, Kenmore and all the like?
>
> Mr. DIXON. Correct.
>
> Senator HARTKE. In other words, what you have here, you have certain of these people who today are in this field of establishing prices, isn't that true?
>
> Mr. DIXON. This is correct.
>
> (From Senate transcript p. 367 of 1963 quality stabilization hearings.)

Sears catalogs, for example, carry thousands of such house brand items on which they establish, nationally, the retail price. So long as such products must compete in the open market, the charge of price fixing cannot apply, even by the wildest definition of the term. Even the discounters opposing the bill do not think it is a bad practice; many of them are acquiring their own house brands. Only the producer who does not control his own retail outlets is left today without a voice in the resale of his branded goods. He and the small independent retailers are the victims of discrimination under present laws.

The consumer accepts or rejects all prices, quality stabilized or not, house brand or not. If she does not like the price, she buys a competitive product. Under quality stabilization the combination of quality plus price must be right for the consumer or else the manufacturer will lose his market.

On this point, Mr. Dixon testified further that the consumer is never hurt by established prices in a competitive market:

> Senator HARTKE. Is the consumer today hurt by the fact that High's milk cannot be sold by anybody else at the price High's is selling it at?
>
> Mr. DIXON. The consumer is never hurt, sir.
>
> Senator HARTKE. This is an established price, and he has gone to the extent of establishing his own retail outlet. It is an established outlet. Is the consumer hurt?
>
> Mr. DIXON. That's correct, he isn't hurt.
>
> (From Senate transcript p. 368 of 1963 quality stabilization hearings.)

Thus Mr. Dixon himself demolished the biggest of the big lies about the quality stabilization bill.

Further, Mr. Speaker, from the Senate hearings Senator EUGENE MCCARTHY had the following to say:

> Although deep discounting does give the impression of savings in buying well-known brands, these savings are necessarily nullified by a higher markup on other less-known products. This is true because every store has to realize a certain minimum gross margin on total sales. Therefore, it is a gross misconception to add up the savings on specific items and project these on a nationwide basis as the basis for claims that quality stabilization will result in higher prices to the consumer and cost him savings of billions of dollars.
>
> More than one-third of the total volume of trademarked goods sold today are controlled in price all the way from manufacturer to the consumer. These are the brands of large distributors such as chainstores, mail-order houses, and cooperative buying organizations. The forces of competition have kept the prices of these brands in line. The same will be true for the prices of products placed under quality stabilization.

And from the same testimony I believe the following from Senator HARTKE sums up pretty much the dangers to a distribution system unless this legislation becomes part of our congressional considerations this year.

Mr. Dixon eventually admitted—pages 360–361—that "in this field really in which we are dealing here," today's antitrust laws are neither "fast enough," "effective enough," or "adequate."

After patiently listening to Mr. Dixon's analysis of economics as related to our antitrust laws, Senator HARTKE told the Federal Trade Commission Chairman that "you are in fact arguing for the gradual elimination of the small independent dealer":

> Senator HARTKE. As I see the carrying out of your idea, you justify through increased efficiency and larger buying, if we carry that reductio ad absurdum, you are in fact arguing, absent the other law you talked about, you are in fact arguing as I see it for the gradual elimination of the small independent dealer and the reduction in this country to a limited number of those people who can operate drug stores.
>
> (From Senate transcript p. 373 of 1963 quality stabilization hearings.)

Instead of abrogating our antitrust laws, the truth is that the quality stabilization bill in purpose and effect is antimonopoly and supplemental to our Nation's antitrust laws. Its enactment will bring the antitrust laws up to date to meet the changed conditions in the marketing of national brand-name products. The truth is that our Nation did not have a brand-name economy when the Sherman Act was enacted in 1890. Today we have.

THE KHRUSHCHEV THRUST IN THE MIDDLE EAST

The SPEAKER pro tempore. Under previous order of the House the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, it is necessary for us to take special note of the lengthy visit which Chairman Khrushchev is presently making to the United Arab Republic.

Everybody should realize that this is a renewed effort to enhance Russian influence in the Arab world. In addition to this obvious fundamental, we have now to reckon with the Sino-Soviet competition for the ideological adherence of the underdeveloped continents. And so Khrushchev is similarly attempting to counteract the recent initiatives of Red China.

The Soviet leader has openly given his support to the envisaged effort on the part of the Arabs to divert the Jordan waters and subvert Israel's irrigation project. He has always stood blankly for the Arab world in its unprincipled opposition to Israel. It is not surprising, therefore, that Cairo radio constantly bows to the Soviet and allows itself the most sordid, hysterical outbursts against the Western democracies.

All this must be coupled with the Egyptian war effort in Yemen, and Khrushchev's undoubted support of this cause. It is now estimated that instead of a gradual withdrawal of Egyptian troops, which some people were naive enough to anticipate, Colonel Nasser has raised the component in Yemen to 40,000 soldiers. Certainly, the expectation is that if the war is won against the Royalists there, Nasser, by his instrumental support, will have gained a stranglehold on the Yemen republican regime. This is not a happy prospect.

Besides furnishing Russian backing for this venture, Nasser has gotten from the Soviet leader a stanch attack upon the British installation in Aden. He pictures conditions there in fairy-tale fashion, an oppressed people bent on overthrowing their arbitrary masters. How simple—and wrong—is the Russian glove. It can be made to fit any eventuality.

What is intensely discouraging is that the open flirtation of a great power in backing Nasser and the Arabs unflinchingly means that peace in the Middle East becomes less of a surety. Nasser will never surrender his war on Israel if he can lean upon the support of a great power. The colonel can continue to play one side off against the other, and his own adventures can continue unchecked.

The duplicity and hypocrisy of his policy gives cause for the greatest anxiety. One of his aims is to secure a control of the oil pipelines for use as a lever with which to confront the West. Egypt is not naturally endowed with this vital resource, but this goal forms part of the basis for Nasser's continued attempts to bring key Arab rulers under his sway.

There is no question but that the Soviets are aware of Nasser's strategy here, and they will be capable of exercising considerable influence over this resource if the Egyptian leader succeeds.

On March 18, I pointed out to the House that Middle Eastern oil, though still an essential import, is decreasing in importance as other substitute products and facilities are launched. Western Europe still leans heavily upon this source of energy today, however, but there are enormous new finds of natural gas which will quickly in succeeding years become available as a substitute.

This is important. As far as we are concerned, our own industry makes us self-sufficient.

And so it would be foolish and presumptuous, and somewhat mythical, not to bring in these relatively new factors in considering the significance of Middle Eastern oil. Certainly, there are no grounds upon which we can base a policy solely upon Arab oil. It should no longer assume an influence upon our outlook and policy, and if Nasser is able to seize a personal control over some of its sources, it should by no means scare us into submission.

I have before spoken strongly for a firm reaffirmation of our pledge to Israel. I think the present situation in the Middle East makes this essential, without delay. We must make it clear to the Arabs, in an open declaration, that an attack upon the State of Israel shall be considered an attack upon this country and its vital interests, and that we stand prepared to defend the young nation with all means available.

VICTORIOUS REPUBLICANS

Mr. CONTE. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER pro tempore (Mr. SMITH of Iowa). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, when the history is written of the 88th Congress, one fact must be taken into consideration; namely, the overwhelming majority of Democrats in both bodies.

These majorities have been and will continue to be responsible for many of the decisions made in this historic legislative body.

But let it also be recorded, Mr. Speaker, that on Wednesday evening, May 20, a small but hardy band of Republican Members of the House—in keeping with the highest ideals of physical training—trounced the Democrats in the annual congressional "rollcall" game at D.C. Stadium.

This victory was reminiscent of some of the great upsets of all time when consideration is given to the number of Democrats available for this classic.

And when I say trounced, I am taking into consideration the fact that we won by the score of 6 to 5.

The closeness of the score was purely a bipartisanship gesture on our part, for it was obvious to all in attendance that, in the late innings, we allowed the opposition to get a few extra hits.

It was a great honor for me to again captain this strong Republican team, and I would like to list, for posterity, the following members who contributed significantly to our team victory. They were Messrs. BROOMFIELD, DEROUNIAN, GOODELL, CONTE, MARTIN of California, GRIFFIN, RUMSFELD, DON H. CLAUSEN, MICHEL, and SKUBITZ. This, Mr. Speaker, was also the batting order of victory.

WELFARE SERVICES FOR UNFORTUNATE YOUNG PEOPLE

Mr. HARVEY of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MORSE. Mr. Speaker, it was my high privilege to hear a stirring address last evening by Mrs. Katherine B. Oettinger. Mrs. Oettinger, who is Chief of the Children's Bureau in the Department of Health, Education, and Welfare, addressed the Boston University Alumni Club at a "Boston University Night on the Hill" meeting. Mrs. Oettinger outlined the ambitious program planned by the Children's Bureau to provide welfare, day care, and other vital services for millions of unfortunate young people. I wanted to make her remarks available to other Members and I am, therefore, including her address in the CONGRESSIONAL RECORD following my remarks:

ON MEETING HUMAN NEEDS

(Address by Mrs. Katherine B. Oettinger, Chief, Children's Bureau)

It gives me great pleasure to be here at this Boston University Night on Capitol Hill. When I became a member of the board of trustees, I had a felicitous sense of satisfaction. In a sense, although my physical home was in Government, I had felt that my spiritual home remained in Boston University.

Our last meeting of this board was held in the new beautiful student union—and I know with what diligence and anticipation, President Case had planned and looked forward to its opening.

Now the university is embarked on a campaign for a new library. A short time ago, I had the rare privilege of conversing with the president emeritus of Princeton University, Harold M. Dodds. The new Firestone Library on that campus did not have to meet the criticism of 50 years ago leveled against the Pyne Library. When the Pyne Library was built, people worried for fear it would be so attractive a place for reading that it would take the boys away from their studies.

A library is much, much more than a collection of books or, in our modern jargon, "a place for the retrieval of facts."

Indeed a library can, in the best sense, bring students into intimate association with the thought and experience of the human race. In our search for excellence—and the knowledge which is its keystone—libraries represent the foundation.

I think at the same time we encourage students in their search for excellence, we must also encourage their dedication to contributing to their community in meeting the human needs of its citizens.

For many, this may be inherent in their profession, or in their vocation, or in their avocation. But for all of us in these complex times, the motivation to contribute to the human needs of our neighbors in our communities—and I am using neighbors to include citizens in our larger communities as well as those in our smaller communities—is of prime importance.

It seems to me how we motivate young people is of crucial importance to our future. In this connection, I am reminded of a story. A rancher out West had a sheep dog who was fast of foot. One day this dog flushed out a rabbit but was soon outdistanced.

Someone passing by said to the rancher, "How do you account for that? How come the dog didn't catch that rabbit?" The rancher thought for a minute and said, "The difference was motivation. The dog was running for fun. The rabbit was running for his life."

I think there are many signs that point to the fact that in building education, health, and welfare services in our communities especially for our children, we must start running for our lives—and perhaps what is even more important, all of us in positions of leadership—running in the same direction toward the same goal. For all of us concerned in these fields, our aim is the same—helping the dependent become independent and the young to realize their full potential.

A popular gag of the wondrous jet age is "Breakfast in Boston, lunch in London, dinner in Chicago, and luggage in Bangkok." We must get our destinations together and our arsenal of services located within our community if we are to meet the social problems so characteristic of 1964.

This is one of the most urgent issues of our day. Within the past several weeks, I have attended a number of major meetings and have heard from many sophisticated sources one recurring theme: This is the hour, 1964 the year, when the tremendous collision of social forces so long predicted by the economists and the sociologists has occurred.

This is the time when automation, the population explosion, the migration of people into cities, the changing picture of employment, and other socioeconomic changes have combined to produce a whole new range of problems which cannot be solved by the methods of earlier years.

This is the year when the invisible poor have suddenly ceased to be invisible. As a society, we are face to face with the shameful fact that one-fifth of our Nation's families live in devastating poverty in the midst of affluence. And coupled with this fact is another: The cruel legacy of poverty is passed from parents to children.

This is the time when the post-World War II baby boom swelled the population of 16-year-olds by almost a million in a single year. This army of young people will steadily grow until 1967. The more fortunate of these young people—about 35 percent—are moving toward our colleges and universities. Are we ready for them? Can colleges and universities absorb the swelling number that storm the doors of their admission offices in undergraduate and graduate schools?

For the 65 percent that will move toward the work force, are we ready with improved vocational schools? What are their chances for employment? This we know—a fantastic proportion of these young people is now being catapulted into the hopeless mire of unemployment, unfulfillment, which lead too often to delinquency or crimes of desperation or boredom.

The education legislation passed during 1963, is concrete evidence of our deep national commitment to the education of our children and youth.

During this year, Congress responded dramatically in several areas of education—perhaps one of the most important from the view of the university—in brick-and-mortar measures to provide for needed facilities in higher education. In addition, the Congress responded magnificently in vocational education, in medical and health education, in programs for retraining the unemployed, and in educating the handicapped.

The vocational education measure is particularly notable. Not only did it update and broaden the scope of vocational education but for the first time, Federal funds were provided for building new vocational high schools, adult training centers, and other training facilities.

Now we must complete the work of strengthening the entire structure of education, and aid our communities in meeting the problems of crowded classrooms, underpaid teachers, and changing curriculum needs in elementary and secondary schools.

It is to meet other overwhelming, essential needs of our present society that so much creative Federal social legislation has also been passed within the past 2 years—and many of the groups with which you are associated have spoken out strongly in favor of such legislation and in support of the necessary appropriations to support the new program.

Just take some examples from the Federal bureau I know best—the Children's Bureau, and its expanding administrative obligations—first, there were the 1962 amendments to the Social Security Act, providing for child welfare services for children in trouble and for troubled children in every political subdivision by 1975; for day care services when these are in the best interests of mother and child; for research, demonstration, and training grants. Many of the children in this latter group are children of working mothers who do not have proper care and protection during daytime hours.

Next came the 1963 amendments, providing for vastly expanded programs of prenatal, maternal, and infant care with special emphasis on the effectiveness of such care in reducing infant mortality, prematurity, mental retardation, and other handicapping conditions.

Now the administration's Economic Opportunity Act, with its attempt to get at and to weed out the very roots of poverty from which so many other health and social problems spring, reflects our new vision of what we can hope to achieve for children and youth.

In his message on poverty, President Johnson defined the objectives of this proposed legislation as being "to eliminate the paradox of poverty in the midst of plenty in this Nation by opening to everyone the opportunity to live in decency and dignity."

And we have, at last, hope of doing this. We are beginning to free ourselves from some of the inhibiting ideas which have clung like cobwebs to hamper our free development of new social patterns for this new and very different social era.

In the past, we have assumed that "the poor we have always with us" and that the only way to make the poor less poor was to take from the "haves" and give to the "have-nots."

As Walter Lippmann has recently phrased it, "Until recently it was always assumed that there was only so much pie and the social question was how to divide it. But in the last 30 years, a revolutionary idea has taken hold in the advanced countries of the world. The size of the pie to be divided can be increased by invention, organization, capital investment and fiscal policy, and then a whole society, not just one part of it, will grow richer."

There has been a growing realization that this is the only road to a sound economy. This Nation cannot afford to go on paying the evermounting costs of financial relief which does nothing to break the cycle of dependency and restore families to lives of independence and self-respect.

About $6 billion is now expended annually in this country by Federal, State, and local governments for public welfare, and over $1 billion by private agencies. This is a financial investment which must be protected and from which we must get a good return in terms of human well-being and dignity.

For the end and aim of these efforts are to protect our human investment. We must use every cent of these billions of dollars so effectively that no phase of child development or family life in any community is left without resources for help and guidance of whatever kind is needed.

And what is our most urgent need in this connection? First of all, I would say enlightened citizens to work for and to see the need of meeting some of the most urgent problems growing out of our quickening social change, particularly as they affect children.

And secondly, well-prepared specialists who can serve to put to work all that science is discovering about better ways to help people. As alumni interested in the university's special functions, let us look just at the workers with professional training in a wide variety of health and welfare fields in new frontiers that are opening. These must be supplied by our professional schools and universities. Funds for scholarships, educational leave, and educational grants for strengthening faculty and facilities to these schools are forthcoming from many Federal sources. These funds also further stimulate voluntary giving to the private institutions of higher learning.

For example, in moving around the country observing Children's Bureau supported programs, I am always running into alumni of Boston University as well as from other universities who are now in frontiers of service undreamed of even a few years ago. For example:

1. Nurses who work in concert with a whole team of specialists in helping mentally retarded children and their parents. The discovery of simple methods of finding children in infancy who suffer from inborn errors of metabolism has led to a whole new treatment through diet of youngsters who otherwise would have been doomed to a life of severe mental retardation. A study sponsored by the Children's Bureau through the maternal and child health program involving a simple blood test given within 3 days of birth, has screened over 400,000 babies in a sampling of hospitals. This study revealed an incidence two times as great as anticipated of this rare disease called phenylketonuria. Followup treatment has saved these youngsters and at the same time has proved the efficacy of a method of detection that puts us on the threshold of knowledge about many other devastating metabolic disorders.

2. Similarly physicians who are now being trained in improved methods of open heart surgery. During the last few years as a lifesaving procedure have saved thousands of children. The crippled children's program which serves children with congenital heart malformations treated only 2,207 in 1950; while new methods and new facilities had increased this number to 22,761, in the past year, according to reports from * * * many States.

3. Again occupational and physical therapists are working in amputee centers for children and teaching them to use devices such as prosthetic hands only recently designed by clinical-engineering teams. These were fashioned for children as a result of a special study of earlier efforts to help veterans. Opening a whole new world for these handicapped children starts in infancy when the baby learns to use a crude mitt to keep his balance as he creeps. All along the way to independent living many specialists trained in our schools are needed to bring handicapped children to a full life and to find their place in the world.

4. Educators and psychological counselors are seeking new ways for reaching the child from culturally deprived families to take his place in school. For example: The Children's Bureau with funds from the new child welfare research and demonstration grants program is supporting a study on educability and rehabilitation: "The Future of the Welfare Class." These workers are learning the importance of communication between mother and child so that a child can deal with abstract concepts. The destructive impact on early childhood development is profound when the mother is unable to interact with her child to stimulate learning experiences. As new curriculum and materials are developed, we may be able to introduce a truly preventive learning program that will bring new benefits to these mothers and their children which will put to work new findings in the field of communications theory in our new day care programs.

5. Lawyers working with doctors as in the new Legal-Medical Institute at Boston University are turning their attention to formulating laws to safeguard children especially those suffering from neglect and abuse. Three years ago only one State required mandatory reporting of evidence of injury inflicted by parents on their children. Now physicians in eight States are operating under new laws to report such findings. Ten more States are considering new legislation. Reporting is not enough—protective services must follow. So once again a whole team of service workers are centering upon this growing problem of child abuse.

6. And finally, social workers who must man new comprehensive approaches to juvenile delinquency, to antipoverty programs, to social planning are in dangerously short supply.

Within the past year or two a number of exciting new developments to provide supplemental socializing agents have gotten underway. For example, the 1962 Amendments to the Social Security Act provided authority for the expansion and improvement of day-care services. States are giving the development of these services high priority.

The need is urgent. Statistics indicate that there are now more "latch key children"—children left without supervision while their mothers work—than there were during the crisis period of World War II. Within the past decade the number of working mothers has increased by 73 percent. Nine million children under 12 have mothers who work—yet licensed public and voluntary day-care facilities are available for less than 200,000 children.

We know that the vast majority of these mothers are working for economic reasons, and that many of them lack financial resources to pay for adequate care for their children. Over a fourth of all children with working mothers who live in two-parent homes have fathers who earn less than $2,000 a year, and almost half the children with working mothers in one-parent homes have mothers who earn less than that amount. Children living with their mother only are twice as likely to have an employed mother as are children living in husband-wife families.

The constructive potential of the day care experience is immense, particularly for these children from deprived homes. Among the children needing day care, we are discovering a significant number who appear to be functionally retarded—children who may be of normal intelligence and without physical handicaps of any kind, but whose development has been so stunted by the paucity of stimulation in their home invironments that they lack any drive to learn, to play, even to speak. Through the development of really excellent day care services we can do much to supplement the positive elements in the child's homelife—and compensate for its drawbacks.

We must look to the schools of social work in this country to provide the estimated 20,000 new workers who are required to complete child welfare services in all geographical areas by 1975, as mandated by the 1962 amendments. This covers only one field of social work. The schools are producing only 2,505 graduates each year so the magnitude of the needs for reaching this goal becomes apparent as a responsibility of the university.

A free nation can rise no higher than the standards of excellence and dedication set by its universities and colleges by producing these many teams of workers in the service professions to put to work new ways of reducing ignorance and illiteracy, school dropouts, dependent and neglected children, negation of civil rights, ill health, and debilitation for children and adults. The schools are encouraging not only good social policy but good economics. While I have centered on meeting human needs I have not forgotten the other long story of Boston University's contribution to industry and finance as they actively recruit the engineers, scientists, business administrators or economists our country needs.

And yet, that is not the whole story. Sometimes we go on perpetuating the wistful myth that if only we had enough money to spend, we could wipe out poverty, reverse urban decay, anchor our drifting, unhappy youth, care for and protect our children, secure education for all who need or could use it to achieve their highest potential, and safeguard our families.

But I believe that the most important ingredient in accomplishing this is not money, as important as this is. It is the cooperative effort and dedication of our people in building the better society we seek for the future in all of our communities.

Quite obviously, it is to this high purpose—meeting human needs—that universities and colleges must dedicate themselves and the young people who attend them. For it is they who must light the way for our country and for future generations.

A WOMAN'S TOUCH AT THE INTERSTATE COMMERCE COMMISSION

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an article.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, in the 77 years since the Interstate Commerce Commission was established in 1887, that august body has been exclusively a men's club. The State of West Virginia is honored that President Johnson chose to nominate for membership on the ICC one of the Mountain State's most able and attractive women, Mrs. Virginia Mae Brown.

Mrs. Brown will be sworn in on Monday, May 25, as a member of the Commission. She was born in Pliny, W. Va., in the Fourth Congressional District, and I am proud to claim this distinguished West Virginian as one of my constituents.

The April 1964 issue of Traffic Management carried an excellent editorial on Mrs. Brown's appointment which under unanimous consent I include at this point in the RECORD:

THE WOMAN'S TOUCH

(By Stephen Tinghitella)

President Lyndon B. Johnson, in appointing Mrs. Virginia Mae Brown to the Interstate Commerce Commission, has done what no other President attempted. Since its inception in 1887 the ICC has been for men only, partially because of the rugged industry it regulated. We are not so naive as to believe that the appointment was not motivated by politics. But, we are pleased that the President did not select just any generally capable woman to fulfill part of his promise to name 50 women to high level Government posts.

Mr. Johnson's many years in the legislature made him aware of the vital work the ICC performs and, therefore, the need for well-qualified Commissioners. Mrs. Brown, a lawyer and one rooted in public service, has held high positions in the State of West Virginia; she has been executive secretary of the judicial council, State insurance commissioner and is now a member of the public service commission of that State. One thing in her favor right off is that she is versed in handling regulatory matters, which often is not the case with new Commissioners. Here too with public service commission experience, she can offer an intrastate viewpoint when the perennial State-versus-Federal question arises in rate and service matters.

Selecting one who by nature is close to the problems of the consumer brings a bonus not figured in Mr. Johnson's original plans of appointment. He is quite serious about having people in Government look after the consuming public. This is evident in his appointment of Mrs. Esther Peterson to the newly established post of Special Assistant to the President for Consumer Affairs. Mrs. Peterson still holds positions of Assistant Secretary of Labor and Executive Chairman of the Interdepartmental Commission of Status of Women (originally held by the late Mrs. Franklin D. Roosevelt). President Johnson's search for more women talent might have gained momentum as a result of the superb job now being done by Mrs. Peterson.

The ICC has a great deal to say about whether freight rates rise. This in turn is reflected in consumer prices. Food expenses today represent 28.2 percent of the family budget. Statistics show that the fairer sex controls between 85 to 90 percent of consumer buying. Who then is closer to consumer prices than a woman who prepares the family budget? Except on major purchases, men quite often are far removed from the actual spending. We are not trying to second-guess the President, but we are looking for something new that will be added with the surprise choice he made. At this time there is a movement to eliminate discrimination against women in business. Therefore, the administration must do something to show that the Government makes good use of the female talent available.

Mr. Johnson, being an astute politician with a sense of fairness, has served notice that "this administration is not running a stag party." In the United States there are 4 million more women than men—and that's a lot of votes. Right now there are 234 women elected to State legislatures, 93 in key Federal executive jobs, 11 in the House of Representatives, 2 in the U.S. Senate, and 2 Federal district judges. In the field of traffic and transportation it seems that the trucking industry stands out from all the rest with 2,800 in top executive positions, such as president, vice president, treasurer, or secretary with officer standing. Perhaps the reason that many have achieved top executive positions in trucking stems from the fact that trucking started quite often as a family business years ago when the industry was in its infancy. Wives helped build the business then and are now reaping the hard earned fruits of their labor. Many also have come up through the ranks through sheer ability. Some 17,000 women members of traffic clubs are affiliated with the Associated Traffic Clubs and seven are on the ATC's board of directors.

We are certain that with the appointment of Mrs. Brown to the ICC, more women will be inspired to look into the field of traffic and transportation, both in private industry and government.

It will be a switch to see and hear a lady commissioner make a speech to an all-male audience, particularly to traffic clubs whose memberships are restricted to men. And while thinking of this, we cannot help making this observation: When Mrs. Brown is debating commerce cases with other commissioners, her woman's prerogative of having the last word can only take the form of a dissenting opinion.

According to information received, Mrs. Brown has scored a series of firsts in her succession of executive positions in West Virginia; and this appointment is another big first. We can look forward to her gaining still one more when she becomes the chairwoman of the ICC—6 years hence.

TWO ARRAIGNED IN SEIZURE OF STOCKPILE OF WEAPONS

Mrs. HANSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, as I have pointed out earlier the ersatz self-styled guerrilla organization that calls itself "The Minutemen" represents a grave threat and a danger to this Nation. This is not only an extremist rightwing group, it is an armed extremist rightwing group.

Now one of its leaders, Richard Lauchli, has been arrested in connection with the seizure of a stockpile of weapons in Clinton, Ill., that included at least 100 submachine guns, five 50-caliber tripod-mounted machineguns, a flamethrower, several 25-pound aerial bombs, several mortars and numerous automatic pistols.

Next week I will detail for my colleagues in the House and for the American people the information that I have gathered on this armed extremist organization. For now I would like to introduce for the RECORD the article that appeared in the Baltimore Sun, May 21, 1964, relating the story of the seizure of the weapons and the arrest of Minuteman Lauchli.

TWO ARRAIGNED IN SEIZURE OF STOCKPILE OF WEAPONS

CLINTON, ILL., May 20.—A former Illinois leader of the anti-Communist Minutemen and a companion were unable to post $20,000 bond today in connection with Federal seizure of a stockpile of weapons.

Richard Lauchli, 37, of Collinsville, the one-time Minuteman chief, and Donald Sturgis, 36, of Fairmont City, were arraigned before a U.S. commissioner in Springfield. The hearing was continued.

POSED AS MIDDLEMEN

U.S. Treasury agents posing as middlemen for an unnamed foreign weapons buyer seized the arsenal last night in Clinton. They captured Lauchli and Sturgis after a 5-mile automobile chase over country roads at speeds up to 115 miles an hour.

An inventory showed at least 100 submachineguns, five .50-caliber tripod-mounted machineguns, a flamethrower, several 25-pound aerial bombs, several mortars, and numerous automatic pistols.

In addition, Treasury agents raided Lauchli's Collinsville home and confiscated more submachineguns and another flamethrower.

At the arraignment, Lauchli said he wanted to hire a lawyer and seek reduction in his bond. Sturgis said he is innocent and asked for time to hire a lawyer.

Authorities gave this account:

The Treasury agents bargained for weeks with Lauchli and Sturgis and agreed to buy the arsenal for $17,000. The Government had learned about the collection of weapons after Lauchli wrote to a Chicago man, offering to sell them. He tipped off the agents.

Yesterday, an agent went to Collinsville and helped load the weapons into a truck. They drove the truck, disguised as carrying a shipment of dairy products, to an abandoned barn north of Clinton.

To guard against trickery, Lauchli kept the weapons' vital firing parts with him. He drove to Clinton in his own car. At the barn, the agents were allowed to assemble and fire one of the submachineguns to make sure it was in working order.

ALERTED BY RADIO

After Lauchli and Sturgis drove off with the money, other Treasury agents were alerted by radio. They caught the men and charged them with possession of unregistered automatic weapons.

Lauchli had bought the weapons as scrap and reconditioned them.

TEODORO MOSCOSO

Mrs. HANSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the resignation of Ambassador Teodoro Moscoso represents an irreplaceable loss to this Government. No public servant, in my judgment, served so well, with so much enthusiasm, creativeness, and dedication as Ambassador Moscoso under the Kennedy-Johnson administrations.

He was born in Barcelona, Spain, November 26, 1910, and came to live in Ponce, Puerto Rico, at an early age. Both his parents were American citizens. He received a B.S. degree from the University of Michigan in 1932. He ran his family's retail drug firm in Ponce from

1932 until 1939. In 1938, he became a member of the municipal housing authority in Ponce and, in 1941, he was made its executive director. He was so successful in the operation of this agency that in 1942 he became housing administrator for all of Puerto Rico.

The program Moscoso put together as housing administrator later became the legislation that formed the basis of Puerto Rico's eminently successful and universally known development program—Operation Bootstrap—known in Spanish as Fomento. The success of this program was of worldwide significance. For Moscoso proved once and for all that no nation need remain underdeveloped and impoverished, that nations could pull themselves up out of poverty and despair, and that this could be accomplished within the context of a free and democratic society. From 1942 to 1962, more than 700 new industrial plants established themselves in Puerto Rico, unemployment greatly declined, per capita income rose from less than $200 to more than $600 per year, tourism adds $50 million each year to the country's income, annual payrolls of industrial plants now exceed $100 million, and the average life expectancy has increased from 46 to 70 years.

It is no wonder that President Kennedy appointed Moscoso U.S. Ambassador to Venezuela in 1961. He is the first Puerto Rican ever to serve as a U.S. Ambassador. And the architect of Operation Bootstrap was the logical choice for U.S. Coordinator of the Alliance For Progress, and for Assistant Administrator for Latin America in the Agency for International Development, to which posts he was also appointed by President Kennedy.

To the early critics of Operation Bootstrap as well as to the critics of the Alliance for Progress Ambassador Moscoso has often delivered his "bumblebee theory":

> Such are the aerodynamics and wing-loading of the bumblebee that, in theory, it cannot fly. But the bumblebee does not know this.

This is part of the admirable record of the man we are losing. His appointments by President Kennedy were widely heralded in Latin America. And his record as prime mover of the Alliance for Progress was acknowledged even by the critics of the Kennedy policy in Latin America.

He is an evangelist for progress, an inventive theorist who knows how to put theories to work for the benefit of mankind, and the world has much need for such a man. His departure is our loss and we will feel it deeply.

TAXES, POVERTY, JOBS, AND PROFITS

Mrs. HANSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. FLOOD. Mr. Speaker, last Thursday, May 14, Mr. Harold W. Williams, Deputy Administrator of the Area Redevelopment Administration of the U.S. Department of Commerce, delivered an excellent speech before the Chamber of Commerce of Pittston, Pa.

Unfortunately, I could not be present on that occasion to hear Mr. Williams' fine address as I was with the congressional delegation in Missouri to attend the funeral of Congressman CLARENCE CANNON.

However, a copy of Mr. Williams' address has been forwarded to me and at this point, Mr. Speaker, I would like to submit it for the RECORD.

Address follows:

TAXES, POVERTY, JOBS, AND PROFITS

(Speech by Harold W. Williams, Deputy Administrator of the Area Redevelopment Administration, before the Pittston Chamber of Commerce, West Pittston, Pa., May 14, 1964)

I have chosen as my title this evening, "Taxes, Poverty, Jobs, and Profits," not only because these subjects are interrelated, but also because they are items which have been much in the news recently.

I am sure that you were all pleased with the enactment by the Congress this year of a substantial tax cut, for businessmen as well as for the general taxpayer. While much groundwork for this tax cut had been accomplished previously, we all owe much to the legislative skill of President Johnson for the prompt passage of the bill this year.

As a result, we can look forward to continued prosperity and economic growth. We have just completed the 38th month of sustained economic growth, the longest peacetime growth period in our history. All the indicators point to the conclusion that this growth will undoubtedly continue for the balance of 1964 and well into 1965.

In the past 3 years, from the first quarter of 1961 to the fourth quarter of 1963, there has been a $9 billion increase in the annual rate of corporate profits after taxes. This is nearly a 50-percent gain.

From February 1961 to March 1964 there has been a $56 billion increase in the annual rate of labor income. This is nearly a 20-percent gain.

During the same period, prices have been remarkably steady—in fact, from 1959 to 1964, the wholesale price index has been virtually unchanged—while the consumer price index has risen by only 7 percent—much of this offset by improvements in the quality of goods and services. For instance, while medical costs have risen, we are getting better medical care and better drugs.

Gross national product has grown at a rate of over 5 percent per year for the past 3 years. We are surging ahead on all fronts save one.

Unemployment continues at intolerably high levels. From 1961 through 1963, the annual average rate of unemployment declined only 1 percentage point from 6.7 to 5.7 percent. Although it finally looks as if we might get down to 5 percent and below by the end of 1964, no responsible person in Washington today is satisfied with the high level of unemployment, especially in the face of unparalleled national economic growth.

Even more intolerable, if that is possible, is the continued existence of millions of poverty-stricken families and individuals in the midst of our affluence. We have suddenly come to realize, largely as a result of President Johnson's war on poverty, that too many Americans fail to share our rising prosperity.

National averages are one thing, but individual poverty is another. A rising gross national product can mask a great deal of misery.

There is a standard joke among economists that if you put one hand in the freezer and another on the lighted stove, the temperature of your body would be unchanged, on the average.

Look at it another way. If you take four fellows, each earning $1,000 a year, and if at the end of 2 years, three of them continue to earn $1,000 a year, while the fourth struck it rich and earned $5,000 a year, their gross product would have increased from $4,000 annually to $8,000 annually, or by 100 percent. Their average annual income would have increased to $2,000, but three of them would still be just as bad off as ever.

And this illustrates what has been happening in the United States. The Nation is growing richer, but many individuals are still poor, and many are still unemployed.

The existence of poverty and the scarcity of jobs mock our national affluence. As such, they must remain as priority items on the agenda of unfinished business for Americans in 1964.

It would be useful, I think, to try to understand and sort out the battery of programs which our national administration has developed as a part of our war on poverty and joblessness, and to see how they relate to each other.

You will pardon me, I hope, if I begin with the area redevelopment program, since historically it was the first, and it is the one with which I am most intimately connected.

ARA—the Area Redevelopment Act—was passed a little over 3 years ago on May 1, 1961. (We sometimes call it the Flood-Clark-Douglas bill.) The original authorization provided some $385 million for a 4-year program of financial and technical assistance plus retraining in areas of substantial and persistent unemployment and underemployment, the so-called depressed areas.

By May 1, 1964, in 3 years, ARA had approved 479 financial assistance projects involving $187.4 million in loans and $39.8 million in grants. The sponsors of these projects estimate that when their new facilities are fully operating, they will be responsible for 110,339 direct and indirect jobs in areas where they are most needed. In addition, ARA has approved $9.7 million for 305 technical assistance projects. Projects for training 29,988 persons have been approved under ARA.

Here in the Pittston-Scranton-Wilkes-Barre-Hazleton area—the Luzerne-Lackawanna County region—ARA had by May 1 approved eight financial assistance projects for a total of $3,894,198. These have made possible a total investment of over $7,700,000 and will result in over 3,700 direct and indirect jobs. An additional 633 persons have been or are being retrained under ARA. These amount to over 4,300 new employees, or almost 2 percent of the total work force in the two counties—a not inconsiderable achievement in 3 years.

And more is yet to come. (In fact, we announced approval of more than $1 million for a Hazleton project just last week.)

I will come back to ARA later, but let us turn now to some other weapons in war against poverty and joblessness.

Shortly after the Area Redevelopment Act was passed, Congress, under the prodding of Senator Clark, passed the Clark-Holland Manpower Development and Training Act. Approval of this act was based largely on the success of the pilot training programs under ARA. The Manpower Development and Training Act greatly expanded the scope of Federal aid for adult vocational training. The time for training was extended to 52 weeks; provision was made for experimental and demonstration programs. No geographical limitations were placed in the bill.

Under manpower development and training, over 120,000 persons have been or will be trained under projects already approved for the Nation as a whole. Here in Luzerne and Lackawanna Counties projects for training 142 persons have been approved.

Senator Clark was largely responsible for another great advance in the war on poverty and joblessness through his successful introduction of the Accelerated Public Works program. This program of Federal grants to accelerate the pace of public works construction has proved to be one of the most popular and most effective of the antipoverty programs. For the Nation as a whole, we have accelerated a total of more than $1.7 billion worth of public works at a Federal cost of $850 million. These projects will create an estimated 200,000 man-years of employment in the eligible areas. Here in Luzerne and Lackawanna Counties we have 59 approved projects amounting to a total of $5.6 million in Federal grants.

Two additional programs are slated to be added to our arsenal of antipoverty weapons this year. The first of these is called the Economic Opportunity Act, and it is considered one of the major items in President Johnson's 1964 legislative "must" list. In addition to providing for the establishment of a general headquarters for the war on poverty under the title of the Office of Economic Opportunity—and a chief of staff in the person of Sargent Shriver, the Economic Opportunity Act will spearhead a major thrust to break up the vicious cycle of poverty amongst the very poor families, particularly in city slums and destitute rural areas. As it now stands, the bill provides for a Job Corps devoted to conservation work and city programs; a Volunteer Corps for persons to help in the war on poverty; a work program to help students stay in school or return to school; a work program for poor college students; a community action program to develop better coordination and planning of antipoverty programs at the local level; special programs of grants and loans for very poor farm families; aid to cooperatives and very small businessmen; and special loan programs to businesses which would employ long-term unemployed or workers from poor families. This last program would be supervised by ARA.

The second new program slated for legislative action this year is the Appalachian program. This program will be concentrated in the Appalachian area—Luzerne and Lackawanna Counties are considered to be on the northeast fringe of this region. It provides largely for massive Federal aid to construct a system of developmental highways, and to get better economic use of the region's natural resources, including water, coal, and timber. There is also provision for the shifting of agriculture to cattle grazing and for the establishment and financing of local development districts to carry out needed projects.

I would not blame you if you found these programs confusing—the initials alone—ARA, MDTA, APW, EOA, PARC, and so on—are enough to make anyone unfamiliar with bureaucratic mannerisms uneasy. But I think that if you will keep in mind the main thrust of each program, you will begin to see how this all fits in to a clear and coherent attack on the twin problems of poverty and joblessness.

The Appalachian program and the accelerated public works program are largely concerned with things. The manpower development and training program and the Economic Opportunity Act are largely concerned with people.

The Applachian program and APW—to put it another way—are designed mainly to improve the economic environment of an area. As these programs are carried out, it will be easier to spur the economic growth of the areas where they have had effect. They are concerned with roads, natural resources, water and sewage systems—all vital to economic growth.

But environment alone cannot produce economic growth. A productive work force—trained and highly motivated—is also needed. This is where the training and education and camp programs come in—because they are designed to take persons who are not productive and to help them become capable of contributing to the work force.

A productive worker, however, cannot produce unless the economic environment is right. He must have access to markets, natural resources and water. That is why we say that we must improve not only the economic productivity of our jobless and our poor but we must also improve the environment in which they can work.

But there is still something missing. Even the best of circumstances and even the best of workers will not produce unless someone puts them together and starts them off. That someone is the businessman—the entrepreneur. Given a good economic environment and a good work force, we still need private enterprise to develop the businesses that will provide the jobs and the incomes to win the war on poverty and joblessness.

And here we come to the role of ARA—the Area Redevelopment Administration. It is our job to help communities help businessmen put more people to work more quickly and in the places where jobs are most needed. We do that by helping communities develop economic growth programs and by financial and technical assistance to both communities and businessmen for the purpose of creating commercial and industrial enterprises that will provide more jobs.

So—ARA needs programs like training, education, public works, and so on if it is to accomplish its goals. And the Appalachian program and the poverty program need ARA if they are to accomplish their goals. We are all part of the same administration and the same army—in the war on poverty.

It is a pleasure for me to report that here in the Luzerne-Lackawanna area, you are—largely by your own efforts but with some help from Harrisburg and Washington—winning the war.

You do not need me to give you all the cold statistics of how the economy of this area has declined but let the record at least show that from 1940 to 1960 the combined population of the two counties dropped by 21.7 percent, from over 742,000 to 581,500. At the same time as this area's population was dropping by 21.7 percent, the population of Pennsylvania was increasing by 14.3 percent and of the United States as a whole by 35.7 percent. Quite a difference.

But that is past. This area is on the march. Unemployment is down. Employment is up. Since 1961—which is coincidental with the establishment of ARA—this two-county area has had a 1.1 percent increase in its employment, adding upward of 2,300 jobs. This is not as good as the Nation at large which increased its employment by 3 percent in the same period, but when you consider what this area has gone through and how it has seen jobs vanishing every year while the country as a whole prospered—you can say, "We have turned the corner. The future is ours."

To be sure, unemployment for 1963 averaged 10.5 percent, almost twice as much as the country at large. Yet unemployment was down by almost 20 percent from the 13.1 percent figure of 1961. There were 6,500 fewer unemployed in this area in 1963 than there were in 1961.

We in ARA like to measure our task by a figure we call the "job gap." This represents the number of new jobs needed in an area to bring the unemployment rate down to the national average. In Lackawanna and Luzerne Counties, the job gap in 1961 was 14,900. By 1963 it had dropped to 11,000, a reduction of 3,900.

This is good progress, but we need to do better in this year. The community leaders and businessmen of Luzerne and Lackawanna Counties should take pride in what has been accomplished, but it should be a pride tempered by a realization that there is still much to be done. Most of the unemployment improvement in this area has come about because people are leaving the work force and the area. That needs to be reversed.

In the last 3 years, you created 2,300 more jobs, but 4,200 people left the work force. In the next 3 years, your goal should be not only to add more jobs, but also to stop the drop in the work force and the loss in population.

I have no doubt that you can do it, and I do believe that you can make greater use of the ARA program to that end, particularly our financial assistance program of low-cost long-term loans to commercial or industrial enterprises.

ARA can make loans of any amount for as long as 25 years to community development groups or to business enterprises for the purposes of expanding an existing business or establishing a new business. Our current interest rate is 4 percent. We may make loans for the purchase of land, buildings, machinery, and equipment. Our loans are limited to a maximum of 65 percent of the total cost of the project, but we are permitted to take a subordinate lien on the property and to defer payout whenever necessary to secure a maximum amount of participation in the project from private financial institutions. At least 15 percent of the total cost must be inserted into the project as a standby loan subordinate in lien to ours or as equity capital. Of this 15 percent, 10 percent must come from the State or local government or from a local development organization, and 5 percent must come from a nongovernmental source.

We are not permitted to make loans for working capital or for relocations, and we must assure ourselves that financing is not otherwise available and that there is reasonable assurance of repayment. We also insist that the number of new jobs to be created by the project is enough to warrant the amount of the loan requested from us.

We have made two large industrial loans in Scranton for the Trane plant and for Eureka printing and in Hazleton for Sekisui plastics and Hazleton Weaving. We also helped finance machinery and equipment for Goldsmith Mills in Wilkes-Barre. And I wish that we had some more opportunities to help you with ARA financing in Pittston.

Keep in mind, however, that we do not want to finance the projects that can be financed by others. We hope that you will first check with your local banks, with Small Business Administration and with the Pennsylvania Industrial Development Authority. By and large they offer less complicated financial processing and in the case of PIDA, better interest rates. However, you should keep ARA in mind for those projects which require financing of machinery and equipment, or which need a longer payout or which have an element of risk that is too great for more conventional lending sources. We will certainly be happy to work with you.

For those of you who may have wondered whether ARA is still in the business of making loans, I want to assure you that we are making loans every day, and we expect to continue to do so. Until our new authorization bill is passed, we cannot make grants for public facilities—as we did in Scranton, Hazleton, and Wilkes-Barre before our authority ran out—but we are optimistic that we will have favorable action on our new bill soon.

Part of our optimism stems from the fact that your own Congressman, the Honorable DANIEL FLOOD, has been such a tower of strength and such a tireless worker on behalf of any measure which would improve the economy of this area. He has been at our side constantly, and we have had the benefit of his long years of legislative and administrative experience. I know that you can count on him to wage legislative battle without pause on behalf of the jobless and the poor.

I have spoken up to now of taxes, poverty, and jobs—but up to now I have said nothing about profits. It is time to rectify this omission, because no one can really explain the theory and philosophy of ARA without mentioning profits. ARA is based on the profitmaking system. ARA works to create jobs by making it possible and profitable for businessmen to expand their businesses or establish new ventures. The greatest shortage in most areas with which we deal is the shortage of businessmen—men who are capable of putting together an economically sound business. We see our role as one of encouragement and aid to businessmen to help them realize opportunities for more profits and thereby create more jobs.

In addition, ARA relies on local initiative to create projects. Despite allegations to the contrary which have no basis in fact, ARA does not insist that any community take its money. The project must be developed locally and supported locally before ARA will even consider it. And it will not be supported unless it is profitable to the local community to do so.

We must also keep in mind that ARA also seeks to make a profit for the Federal Treasury. The money it obligates is not "spending" but rather investment. Every dollar which ARA puts out comes back to the Federal Treasury in the form of loan repayments or increased taxes.

We recently calculated that if you allowed a generous 10 percent for bad debts on our loans and charged every penny of administrative expense we have incurred so far, the "cost" to the Federal Government of each ARA job would be only $800. Yet every year, on the average, the Federal Treasury will receive $170 in taxes from each new jobholder and $260 in taxes per employee from each business we have assisted. In 2 years, the Federal investment will be fully repaid, and this does not even take into account the savings on relief costs and unemployment insurance.

You can understand ARA if you think of profits—profits for the businessman; profits for the local community; and profits for the Federal Treasury. That is the basis of the ARA program and that is why we think it has been a success.

Joblessness and poverty are social and economic evils. As President Johnson said to a group of clergymen last month, from the very beginning of our religions, social conscience has rested on moral conscience. We are against joblessness and poverty because it is evil to allow people to suffer when you can do something about it—and we know now that our economic society is strong enough to eliminate economic suffering.

I do not have to call upon you—the businessmen of Pittston—to enlist in this crusade—because you have been in it for many years. You have been waging a struggle against overwhelming economic forces since anthracite coal first started to decline many years ago. You have joined ranks and developed imaginative and sacrificing programs which have been widely copied throughout our land.

But your struggle has been—until a few years ago—uneven. It must have seemed—and it may still seem—as if you can never prevail. But you are no longer alone.

First, the resources of your State government through the establishment of PIDA under the Leader administration came to your side.

Second, the resource of your Federal Government came to your other side with the establishment of ARA, the training program, and accelerated public works.

And now, the Johnson administration is proposing more weapons under the Economic Opportunity Act and the Appalachian program.

I cannot help but feel that victory in your long struggle is now in sight. I cannot help but be confident that with what you have done already and with what you can do in the future, that you will win the battle. I cannot help but hope that all of us will see the day when poverty and joblessness will no longer exist—not only here in Pittston—but anywhere in this Nation—and that some day, perhaps not in our lifetimes, our country will lead the entire human race to victory in this battle.

THE REALITY OF FOREIGN AID

Mrs. HANSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DAWSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. DAWSON. Mr. Speaker, following is an address by the Honorable David E. Bell, Administrator, Agency for International Development, Department of State, at the 27th annual convention of the Super Market Institute, Inc., Chicago, Ill., April 29, 1964:

THE REALITY OF FOREIGN AID

It is an honor and a privilege for me to be invited to speak to this group. The industry you represent symbolizes the tremendous productive American economy, and the enormously flexible and efficient distribution system by which our production reaches the American consumer. In a sense, what you represent by way of efficient production and distribution in the United States is what we are trying to help create through our foreign assistance programs in the less developed countries.

I'd like this noon briefly to say a word about what we're doing, and why, and to ask for your help in doing it.

Most people, I find, do not have a very clear picture of how the U.S. foreign assistance program actually works.

Let me begin by giving you two or three illustrations.

As many of you know, Nigeria is the most populous country in Africa, with about 55 million people, most of whom live under very primitive conditions. One of the major needs in the eastern part of Nigeria is for more protein in the diets, and one of the best ways to provide protein is through poultry and eggs. But until recently the local chickens were weak and scrawny and the local eggs were few and small.

Three years ago, an American agricultural specialist named Charlie Davis, from Mississippi, went to work on this problem. He got a group of Nigerian farmers together and offered to start them off with some improved poultry stock if they would take care of it properly. Together, he and the Nigerian farmers worked out simple, homemade incubators and brooder houses. Davis brought in 1,300 baby chicks from the United States, and the farmers started to take care of them. Together, Davis and they solved one by one the problems of keeping the chickens alive and healthy. The farmers started marketing eggs and chicks. More farmers became interested. Today there are some 200 commercial chickenfarmers in eastern Nigeria where only 1 existed before 1960. The eggs now sold there are much larger and many times more plentiful than before, and their cost has been cut almost in half.

The most important part of that story is not simply the increase in production and the larger distribution of poultry and eggs at lower prices. Those are valuable it's true. But the most important part of the story is that the ideas and know-how that made these gains possible are now planted firmly in Nigeria, and the multiplication of better poultry-producing techniques and better nutrition for the people of that country can now go forward on a self-sustaining basis. Charlie Davis—known all over Nigeria as "Chicken" Davis—has, like Johnny Appleseed, sown a crop which will be harvested for generations to come.

That is an example of foreign aid at work—an American technical adviser helping people in an underdeveloped country learn to meet their own needs in steadily better ways.

Let me give you another example.

Throughout Latin America, surplus agricultural commodities from the United States are being used to feed schoolchildren. Some 10 million—about one-third of the schoolchildren in Latin America—are being fed under the "Alianza para Los Niños"—for many of them the only hot meal they receive. The effects of the school lunch program are frequently startling. A group of schoolchildren in northeast Brazil gained an average of 10 pounds each during the first 3 months. In country after country, the report shows the dropout rate falling sharply when school feeding is available.

This is a case where everyone gains. The children gain in nutrition and in education. The United States makes good use of commodities which would otherwise be idle in surplus. And millions of mothers and fathers in Latin America know that the Alliance for Progress means something direct and immediate for their own children.

That is an example of foreign aid at work—American surplus agricultural commodities being used to help meet human needs in the less-developed countries.

Let me give you one more example.

When I was last in India about a year ago, I was privileged to attend the dedication of a sizable hydroelectric project—the Rihand Dam and powerplant. It is an example of how we have made our surplus agricultural commodities do double duty. The Rihand Dam and powerplant were paid for in large part by the proceeds from the sale of U.S. surplus wheat in India. The wheat was badly needed to provide the Indian people with a minimum diet. The dam and powerplant were badly needed to provide a major new source of electricity for a large part of India. Incidentally, one of the major users of the power from that dam is a new aluminum plant which is a joint private investment of the Kaiser Aluminum Corp. of the United States and the Birla interests of India.

And that, too, is an example of U.S. foreign aid at work—using U.S. agricultural commodities not only to feed hungry people but to help lay the basis for private investment in a growing economy.

We could examine hundreds of illustrations of foreign aid projects.

U.S. foreign aid provides radio sets (made in Texas), which are used to call for help from the Vietnam villages when they are attacked by Communist guerrillas.

U.S. foreign aid provides technical advisers from the U.S. savings and loan industry to help establish savings and loan systems in Chile, Peru, Ecuador and other Latin American countries—allowing tens of thousands of Latin Americans for the first time to buy homes on decent interest rates under long-term mortgages.

U.S. foreign aid provides a group of professors from the University of Illinois to help establish a land-grant college in the province of Uttar Pradesh in India, where agricultural yields are one-quarter or one-fifth what they are here in the Middle West.

U.S. foreign aid provides a few dozen diesel engines for the fishing boats based in Karachi Harbor, in Pakistan, enabling the fishermen to stay out at sea twice as long and to bring their catch in for the first time on a reliable timetable.

These examples I trust will make my point clear. When you think of the U.S. foreign aid program you should think not of U.S. dollars going abroad, but instead of U.S. goods and U.S. technicians being sent to specific places for concrete purposes. You should think of practical, down-to-earth activities like building schools, roads and powerplants, showing farmers how to grow more food, training doctors and engineers, tax collectors and policemen—in short, help to create the skills and facilities with which the people of the less developed countries can solve their own problems.

II

By emphasizing the concrete, practical projects on which we work, I run the risk of another sort of error. It would be quite wrong to think of the foreign aid program as simply a sprinkling of good works around the world. We are working to a definite pattern. We are following clearcut and definite guidelines, which give us standards by which to measure where we are going, and when we have arrived.

The first guideline is our objective, which can be stated simply: we are trying to help people acquire the means to stand on their own feet.

After World War II, you will remember, we helped the European countries until their economies had been sufficiently restored so they could go ahead by themselves. Then they did not need any further aid from us, and in fact our economic aid to Europe ended 10 years ago.

Since then, our economic aid has been going not to the countries of Europe, but to the free countries of Asia, Africa, and Latin America. Here the problems are enormous; the standards of living are very low. The people of India, for example, receive an average annual income per person of about $80—compared to an average income per person in the United States of about $3,000. It will take decades before the people of India have bridged that gap. But our foreign aid program to India has smaller and more attainable goals. We want to help the people of India acquire the basic skills, the essential base of capital facilities, and the social institutions which will allow them to raise their own production and their own standards of living, year after year, continuously into the future. When we have given them this initial boost—which is of course no small task, and one which will necessarily take a number of years—then our aid program can end and the Indians can go ahead by themselves.

Sometimes people say, yes, we see how you can be successful in Europe. But how can you hope to be successful in the less developed countries. In point of fact, economic aid has been ended in some 17 countries, mostly the countries of Western Europe, plus Japan. But we have now identified 14 more countries in the Far East, the Near East, Africa, and Latin America in which the aid program can soon be ended.

Let me cite the Republic of China, on Taiwan, as an example.

Over the last 15 years, the United States has provided very substantial assistance to the free Chinese on the island of Taiwan. With our help, the Chinese have built roads, ports, powerstations, communications facilities. They have carried out a highly successful land reform program, and raised agricultural yields per acre almost to the level of those in Japan. The United States has provided technical advisers, capital assistance, surplus agricultural commodities. The Chinese have taxed themselves, increased their own savings, worked hard, avoided luxury consumption.

Today, the free Chinese are doing very well. Their production, exports, and standards of living are all rising steadily. They have reached the point at which economic assistance from the United States can be substantially reduced, and before long it can be ended altogether.

Note that the per capita income in Taiwan is still only in the neighborhood of $150 per person. But there is 90-percent literacy, and 80 percent of the children finish six grades of school. There is a lively and flourishing economy which can be expected to go ahead from here. The forces that will result in continuing progress have been established in Taiwan.

That is the objective we seek throughout the less developed countries. It will come in different ways and on different timetables, but there is no reason why it cannot be achieved throughout Africa, Asia, and Latin America.

I might note in passing that this basic idea of helping others to get on their own feet is hardly a radical new idea. It is instead one of the oldest and soundest elements of American doctrine. The frontier barnraising, you might say, was the original model for a successful aid project. In today's lingo, a barnraising could be described as a situation in which technical and material assistance was offered on a temporary basis, and when the project was completed the beneficiary was able to carry on without further external aid. Or in more familiar language, the neighbors brought their axes and saws and hammers and helped a fellow get a roof over his cattle and his hay so he could start farming.

This illustration also points to the second major guideline which we are following in the U.S. foreign aid program. This is the basic requirement of self-help. A common criticism of the aid program is: "Why help people who won't help themselves?" The answer is "we don't." We expect and, indeed, insist on self-help as a fundamental condition for our aid.

This is true of individual projects. We would not have sent those 1,300 baby chicks to eastern Nigeria unless the Nigerian farmers were prepared to invest the labor and care that were necessary to create thriving poultry farms. The surplus food we make available for school lunches in Latin America is stored, prepared, cooked, and served by local volunteers—ordinarily by mothers of the schoolchildren.

On a broader scale, when we are considering the amount of help we will give to a country, we ask them first what are they prepared to do for themselves. The great conception of the Alliance for Progress is precisely that it is a partnership between the Latin American countries and ourselves. At Punta del Este the Latin Americans agreed that they would have to mobilize more of their own resources through higher taxes and through encouraging more private investment. They agreed they would have to expand their schools and health services. They accepted the necessity of undertaking the many policies and actions which are necessary to transform their economies into dynamic, progressive, ever-growing ones.

The United States part in the Alliance is to provide skills and capital which the Latin Americans do not have, and which they will need to achieve economic and social progress. The rough calculations made at Punta del Este for the 10-year span of the Alliance was that 80 percent of the resources would come from the Latin American countries themselves, and 20 percent from us—half in the form of Government aid and half in the form of larger private investment.

Thus far the experience under the Alliance has not been uniform. Some of the Latin American countries have done all that anyone could ask—and to them we are providing major external aid. Other countries have not undertaken the self-help measures which are necessary if their problems are to be solved—and in those cases, of course, our assistance has been restricted. We shall continue to follow this pattern.

I believe that more and more of the Latin American countries are coming to understand and to apply the self-help standards of the Alliance. We have high hopes, for example, for the new Government of Brazil. If I am right—and if the United States does not falter in carrying through our commitment under the Alliance—we can look forward to substantial progress.

As in Latin America, and elsewhere in the world, we have no interest in providing assistance that would allow people to avoid facing up to their own problems. We are interested in joining in partnership with people who are prepared to undertake the sacrifices and make the hard choices that are needed to solve their problems.

We have another major guideline for our aid efforts. This is to invite other advanced countries to join us in helping the less developed countries. Fifteen years ago the United States stood alone as the only strong free nation. Thanks in large part to our assistance, this is no longer the case. The countries of Western Europe and Japan are strong and flourishing. And I am glad to be able to say that they are also today providing major programs of assistance to the less developed countries.

In the calendar year 1962, the last year for which we have complete data, the Western European countries and Japan provided over $2 billion in foreign aid. Together the other donor countries maintain overseas more technicians than we do, and they bring to their schools more foreign students than we do.

We believe there are important ways in which the other donor countries should improve their assistance programs, and we will continue to urge this upon them.

Nevertheless, it is a fact today that the other advanced countries have joined the United States in assisting the less developed countries.

III

In closing, let me comment briefly on the question which is often raised, whether we can afford the foreign aid program.

Part of the answer is to note that the cost is relatively small. We are using for foreign aid today less than 1 percent of our total national product. We spend 10 times as much on defense. It is our foreign aid program, however, which constitutes the dynamic, constructive element in helping to alter the world in ways that are desirable from our point of view.

Not only is the total cost of U.S. foreign aid relatively small, we have also undertaken many steps to minimize its impact on our balance of payments. Today, over 80 percent of our foreign aid appropriations are spent directly in the United States for U.S. goods and services.

We are seeking efficiency in many ways. One of them is to try to obtain the best available talent wherever in our country we can find them. You have an illustration at this table. When we wanted experts to advise us on our food for peace program in India, we asked Irving Rabb and his colleagues from New England to help us. The results, as you all would expect, were first class. We are attempting to follow this same policy in every field: To seek the best talent the United States has to offer whether the field is food marketing, or highway engineering, or agricultural production, or whatever.

Nevertheless, even though the cost is relatively low, and even though we get the highest quality results we can for every dollar spent, we are still spending substantial sums of the taxpayers' money each year, and we need to be sure the reasons are sufficient.

I have no question that they are.

To contribute to the establishment of free and independent countries around the world is unmistakably in the national interest of the United States.

To contribute to the development of stronger economies, which will constitute larger markets for our products and better places for our investments, is unmistakably in our own national interest.

Finally, to contribute to the well-being of our fellow men—to help overcome poverty and illness and hunger in poor lands—is unmistakably part of our responsibility as members of human society.

In the words of President Johnson, speaking last week in Washington, in seeking to assist the developing nations, we Americans are "joined in a great adventure which unites the highest of our national ideals and the most important of our national needs."

CONTROLLING LABOR COSTS IN THE GOVERNMENT

Mrs. HANSEN. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. HENDERSON. Mr. Speaker, the members of the Manpower Utilization Subcommittee have requested the Secretary of Defense to appear before the subcommittee in a public hearing on June 9 regarding the use of contractor employees and active duty military personnel to perform work historically and successfully handled by Government civilian employees.

This subcommittee, of which I have the honor to serve as chairman, has for some 10 years believed that greater efficiency and economy could be achieved in the Federal Government by more effective manpower management. I am happy to say that we are now seeing numerous signs of progress. On April 13, every department and agency of the Federal Government was represented at a manpower symposium conducted by the Manpower Utilization Subcommittee. During the symposium we heard the Deputy Director of the Bureau of the Budget, Hon. Elmer B. Staats, say that productivity of civilian employees in the Federal Government was definitely on the upswing. The Chairman of the Civil Service Commission, Hon. John W. Macy, Jr., told the symposium representatives that his Commission was working closely with the departments and agencies to see that only the very best qualified employees were being promoted.

Each department and agency revealed specific examples of improved management techniques. For example, the Department of Navy, in 1963, reorganized its naval shipyards to cut overhead expense, to consolidate the maintenance and control of tools and facilities, and to improve working conditions. Hon. Paul Fay, Jr., Under Secretary of the Navy, reported to the subcommittee that this management action in the shipyards was going to save the taxpayers $7½ million.

We were told by the Assistant Secretary of Agriculture for Administration, Hon. Joseph M. Robertson, that employee productivity increased by 8 percent during 1963 in the poultry inspection program of the Agricultural Marketing Service. According to Secretary Robertson, this represented savings of 131 man-years, or more than $1 million in payroll costs.

Two weeks ago, at our manpower symposium, the Director of Data Management at the Veterans' Administration, Mr. Philip J. Budd, gave us a very fine specific example of improved management in the Federal Government. For years the VA issued GI insurance dividends over a 12-month period at a total administrative cost of about $1.4 million annually, or about 27 cents per dividend check. In January 1964, new procedures were developed and keyed to the very latest electronic business machines. This resulted in 5.3 million dividend checks being issued in only 8 days, at an estimated cost of $25,000 as compared with $1.4 million theretofore. Instead of 27 cents per dividend check the VA had cut this administrative cost to one-half cent per check.

The Associate Administrator of the Federal Aviation Agency, Mr. Alan L. Dean, in speaking to our symposium delegates, revealed payroll savings in excess of $2 million annually at the Agency's research facilities at Atlantic City. How was this accomplished? According to Mr. Dean, it was made possible by converting contractor employees to direct-hire Government employees.

Copies of the subcommittee's manpower symposium are being sent to all the departments and agencies and to you Members. There are available additional copies, if you wish them.

Speaking for the members of the subcommittee, I believe that this is real progress. Management and employees in the departments and agencies are to be congratulated because such accomplishments reflect good teamwork. Employee productivity is not just the result of management's desires. Increased production reflects the willingness of all employees to do just a little more, often a lot more. The members want to see this progress continued. We feel that it will; however, the continued efforts by all hands will tell the story.

Mr. Speaker, the reason for holding our public hearings, beginning June 9 is because there have been observed many indications that more emphasis is being placed on reducing the number of people on the Government payroll than on reducing the cost of getting the job done.

Time and again the attention of our subcommittee is being called to the discharge of longtime Government civilian employees and their replacement by combat-qualified military personnel. I recognize several reasons for the use of military personnel in support-type jobs, such as the need to train the military man for shipboard and/or oversea posts and the need for an adequate rotation base. But, likewise, I question the practice of recruiting men from the civilian economy to put on a uniform and proceed to perform jobs common to our civilian way of life.

The subcommittee members have seen many examples of young men who were brought into the armed services to spend the majority of their time learning skills of the civilian artisan—painter, carpenter, brickmason, electrician, teacher, statistician, typist, and so forth. Some of this is necessary, as I indicated a moment ago, but I feel that the public has great difficulty comprehending this aspect of our Military Establishment. I do.

Of even greater consequence in the labor picture of our Federal Government is the apparent willingness of some top management officials to resort to contractors for personnel to perform work that has been successfully and historically handled by Government personnel and generally at lower cost. I am in favor of private enterprise and I am opposed to the Government opening new businesses. I am not in favor of the Government opening a paint manufacturing establishment or constructing a plant to manufacture shoes. But, I do question the use of a contractor who merely furnishes personnel where the Government provides facilities, material, utilities, tools, and so forth. The contractor merely staffs the Government facility with employees, who frequently are local people recently released by the Federal Government.

Our studies concerning the use of contractors have revealed in many instances such significant facts as these:

(a) There was a restriction on the number of civilians who could be hired on the direct Government payroll which brought about the use of a contractor.

(b) The Government failed to make a proper comparison between the in-house and contractor costs. In fact, our observations frequently indicate that cost comparisons were made after the contract was let and questions were raised.

(c) When complete objective data were finally developed the contractor operation was generally more expensive.

Mr. Speaker, the members of the Manpower Utilization Subcommittee join me in praising the teamwork of management and employees throughout the Government. Definite progress is evident. Likewise, we believe that the defense posture of our Nation reflects an excellent relationship between the three basic sources of labor for the Military Establishment, namely, the career civilian employee, the military man, and contractor personnel. We do, however, feel that entirely too much emphasis today is being given to the restriction of the use of career Government employees with emphasis on the contracting out of work.

Even when ceiling limitations arise, management is still forced to get the job done. If the career civilian is not available, then it is natural for management to resort to the use of combat-qualified military personnel or of the contractor.

The Manpower Subcommittee members have many questions to ask top management in the Department of Defense concerning this manpower management function during the public hearings commencing June 9.

I hope that these hearings will conclusively show that it is the policy of the Congress as well as the executive branch that the one test to be applied to all decisions regarding the type of labor used is: "What is the most economical and the most effective way to get the job done?"

WATER STUDY NEEDED IN WESTERN STATES

Mrs. HANSEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. BROWN of California. Mr. Speaker, the threat of continued shortages of water in the Colorado River, the source of 80 percent of southern California's water, demands that a comprehensive study be made to determine the most feasible source of a major supply of water. This is directed not only toward solving the immediate shortage problem, but also with a view toward assuring the future of the Pacific Southwest, a region destined to grow to a population of some 30 million people within the next 50 years.

The six-agency committee, composed of the southern California water agencies which take Colorado River water—including the Metropolitan Water District of Southern California—has proposed a plan which would direct the Secretary of the Interior to engage in an intensive study to determine these possible sources and report the most feasible plan to Congress within 3 years. At the same time it would authorize the initial features of the regional plan, including the construction of two great dams—Marble and Bridge Canyon—which would, through the generation of power, assist in financing the plan, as well as the Central Arizona project, the Southern Nevada project, and the Dixie project in Utah.

Further, to assure that the Colorado River aqueduct, which brings Colorado River water into Los Angeles and the coastal areas, will remain in operation, the traditional rule of western water law of "first in time, first in right" is included to provide that existing projects on the Colorado River have priority over new projects in time of shortage.

This plan deserves the careful consideration of all those concerned with the water supply problems of the Pacific Southwest and, indeed, all those concerned with the economic well-being of this fastest growing area of the United States.

I am today introducing a bill that would authorize the coordinated development of the water resources of the Pacific Southwest, and hope that it will receive the prompt attention of the Congress.

NEW HAVEN 508

Mrs. HANSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I am disturbed by reports that the New Haven Railroad trustees are persisting in their efforts to kill off Rhode Island's last commuter train in spite of the rejection of their application by the Interstate Commerce Commission and the overwhelming public protest which this proposal has brought forth.

The Providence Evening Bulletin reported on April 24 that the railroad had decided to petition the ICC for a review of its recent decision denying the New Haven request to abandon train 508 and its return train 521. While the railroad undoubtedly has the right under section 13(a) of the Interstate Commerce Act to seek such a review, I seriously question the judgment it is showing in "thumbing its nose" at the public in this way.

The decision and report of the Interstate Commerce Commission on March 31 of this year which rejected the New Haven's application to discontinue train 508 ran to 38 pages and is filled with overwhelming evidence that there not only is a continuing need for this service but also that its use has been increasing in recent months and that the need will be much greater in the future.

The trains in question provide primarily a commuter service between New London and Providence but they also provide a means of traveling to and from points beyond Providence, principally to Boston, Mass. Train 508 has operated Monday through Saturday, leaving New London at 7:22 a.m. and arriving in Providence at 8:47 a.m., serving 10 intermediate points on the way. It then proceeds to Boston, arriving at South Station at 9:50 a.m. The railroad proposed to discontinue only the New London-Providence service. Trains 521 and 525 have provided the return movement—No. 521, Monday through Friday and No. 525, on Saturday. They originate at Providence, although the cars are used earlier in service from Boston to Providence. The equipment of each train consists of two Budd cars.

While train No. 521 transported 44 passengers, on the average, per trip in 1962, Train 508 in that year carried an average of 102 revenue passengers per trip. The dropoff in the evening is attributed to the fact that many of the passengers on 508 return on other trains. Train 508, therefore, clearly contributes to the increased use of these other return trains and has considerable feeder value to the New Haven's overall passenger train operations. The Commission ruling ordered the continued operation of trains 508 and 521 between Westerly and Providence, R.I., Monday through Friday but it permitted the discontinuance of 508 and 525 on Saturdays.

The report of the Interstate Commerce Commission was critical of the New Haven's claim that the expenses of operating these trains in 1962 exceeded revenues by $48,759. The State of Rhode Island, in opposing the discontinuance analyzed the data on which this claim was based and concluded that the excess of expenses was only $16,887. In any case, the ICC's report states quite clearly—and I quote:

> It is evident, both from the testimony of its witnesses and from its arguments on brief, that the cost exhibits reflect certain allocations of costs to units of service, which are largely theoretical and not entirely pertinent to the specific inquiry at this proceeding. We seek not the allocated costs as such, but the savable costs. Unless a particular cost will be avoided as a direct result of the proposed discontinuance and not merely be reallocated and added on to other service units, it must be disregarded as immaterial.

The Commission then looked at some of the claimed expenses which the New Haven had charged to these trains, such as maintenance-of-way costs and alleged injuries to persons and made the following findings:

> The subject trains are operating over the New Haven's main line, and, in the absence of specific evidence demonstrating how the discontinuance of one roundtrip a day from this heavy-duty traffic line could bring about a saving in maintenance-of-way expenses, this item will not be recognized. With respect to injuries of persons, the New Haven's cost witness had no knowledge that any injury had, in fact, been attributable to operations between New London and Providence during the period studied.

The Commission also pointed out that the railroad had made no attempt to ascertain the actual costs associated with feeder revenues through studies or otherwise.

One would think, since the earnings of a railroad depend upon revenues from its operations, that the New Haven would have precise revenue figures available before seeking to abandon any train. The Interstate Commerce Commission found, however, that quite the contrary is the case with respect to these trains. I quote again from the ICC report:

> The New Haven does not have actual data for revenue passengers or revenues from the trains. It does, as a matter of daily procedure, count the passengers into and out of Providence, and on the subject trains this would cover about 95 percent of the passengers. Because the data thus produced do not show passenger origin and destination, and reflect nonrevenue as well as revenue passengers, it was not possible to determine therefrom the number of revenue passengers and the revenues.

The Commission then stated quite frankly that "we believe the revenue data are understated." It went on to point out that the carrier's exhibit had made no provision for an increase in traffic on the trains, although the record showed that since the 12-month period ended September 30, 1962, during which the number of revenue passengers was 43,012, the number has steadily increased to 44,974 for the 12 months ended October 31, 1963, the last 12-month period for which data was available. This meant that, despite a known rise in traffic of 4.6 percent over the last 12-month period, the New Haven trustees nevertheless went right ahead and sought to discontinue the trains anyhow.

The Commission also found that—

> The evidence of need for the service is substantial.

I quote again from its report:

> As already indicated, contrary to the downward trend in revenue passengers being experienced by the carrier and railroads in general, use of the subject trains has actually turned upward. This increase in patronage is particularly impressive inasmuch as it has largely occurred after a fare increase effective November 16, 1962. Furthermore, it is reasonable to anticipate that use of these trains will continue to grow. Population data and other evidence in the record demonstrate that persons are moving from Providence to areas in Rhode Island south and west of Providence through which these trains run. The record has considerable testimony of individuals who have located their residences outside of Providence in reliance on the availability of these trains, particularly the 508, to transport them to and from their offices in Providence.

In addition, the Commission found:

> The number of students using the trains to attend schools in Providence has increased. And the 508 continues, as it has over the years, to fulfill the needs of those persons who need to be in Boston at an appropriate time to avail themselves of medical facilities.
>
> The New Haven offers no train service which is a reasonable substitute for that of the subject trains. If they should be discontinued, 8 of the 12 communities served by the trains would be entirely without rail passenger service. These are Noank, West Mystic, Mystic and Stonington in Connecticut, and Shannock, Kenyons, Wickford Junction and East Greenwich in Rhode Island.

The Commission also found that, except at East Greenwich, "there is no reasonable, alternate bus service." In addition, it stated what every motorist knows; namely, that "driving into downtown Providence during rush hours is trying and tedious and requires traversing a highway system which is presently inadequate."

In summary, the Commission concluded:

> The evidence is persuasive that discontinuance of the 508 would have a profound effect on a number of persons who use it. Some would retire or give up their employment or places of business in Providence. Others would move back into Providence.

Mr. Speaker, the overwhelming weight of the evidence, as set forth and analyzed by the Commission, makes clear that there simply can be no justifiable discontinuance of New Haven train 508 at the present time. In fact, the evidence, as the ICC points out, indicates a growing use of this train in the future and that, even today, it is an absolutely essential service for many members of the public. That the New Haven, despite the clear rebuke implicit in the foregoing analysis of its application to discontinue these trains, should nevertheless continue its effort to remove them seems to me to be nothing less than an open act of defiance of public opinion.

The situation I have just outlined, in my opinion, is also an example of the glaring abuse which far too many railroads have made, and continue to make, of the passenger train abandonment provisions which Congress enacted in 1958. Furthermore, it underscores the need for enactment of my bill, H.R. 8502, which would repeal this provision and thus once again return control over passenger train operations to the State commissions, which are most familiar with the need for such services.

COMMUNICATION SATELLITE STOCK SALES

Mrs. HANSEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Carey] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. CAREY. Mr. Speaker, I have introduced legislation today to limit the individual subscription in stock of the Communication Satellite Corp. to five shares per person in the initial offering.

The intent of the law as passed by Congress was expressed clearly at section 304(a) of the act as follows:

> The shares of such stock initially offered shall be sold at a price not in excess of $100 for each share and in a manner to encourage the widest distribution to the American public.

It is evident from the offering prospectus of the corporation that the widest possible distribution is not being effected.

The 11 managing underwriters and the corporation plan to distribute the stock in lots of 50 and in some cases 100 shares. This will mean that only 50,000 to 100,000 Americans can buy into this great public-sponsored enterprise. By passage of my legislation the number would be increased tenfold.

We have 17 million persons or more in the country who purchase common stocks. Why should this offering be restricted to a small preferred group of buyers who would be the select clients of the underwriters?

Already two leading brokerage firms have refused to participate in this offering because they objected to the way the pie was being cut up by the managing underwriters.

I have contacted the Securities and Exchange Commission to request that this offering be suspended until it can be determined whether the intent of the law is being followed. They have replied that they are powerless to do so.

It is possible that the Department of Justice has the power to intervene here but I feel that the better way is for the Congress to expressly provide for an appropriate distribution. Every possible means must be taken to allow each American who so desires to participate in ownership of the corporation. It must not be reserved to the favored friends of the fortunate.

Thirty years ago the great Governor of New York, Alfred E. Smith, was called upon to recommend financing arrangements for power projects in connection with Niagara Falls. He did so in such a way that no "wealthy stockholder could leave Niagara Falls to his heirs in a will."

Unless we act promptly the Satellite Corp. may one day be a legacy devised to a handful when it should serve all and belong to a multitude.

CLOSING OF SUPERMARKETS IN DELAWARE-MARYLAND AREA CAUSES GREAT HARDSHIP TO HOUSEWIVES, ELDERLY COUPLES AND THOSE CITIZENS WHO LACK TRANSPORTATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Delaware [Mr. McDowell] is recognized for 10 minutes.

Mr. McDOWELL. Mr. Speaker, I would like to call the attention of my colleagues in the Congress, and particularly those who are devoting their time and efforts in the field of marketing and consumer problems, to an intolerable and singular development which I feel is contrary to the public interest and general welfare. I refer to the total closing by chainstore operators of supermarkets in several of the largely populated areas of Maryland and Delaware which are serviced by their Baltimore, Md., warehouses. About 250 food markets have now been closed to thousands of customers. All indications are that secondary boycotts will spread along the Atlantic seaboard States.

After 6 weeks of efforts by the Department of Labor's Mediation Service to assist management and labor in resolving their disputes, no progress has been forthcoming. There are reports in the Delaware newspapers that the supermarkets involved may be closed for another 3 months.

Mr. Speaker, it is difficult to estimate the economic losses to the communities and the hardships which accrue daily to housewives, elderly couples, and those citizens who lack transportation as a result of the inability of labor and management to reach an agreement. Without attempting to evaluate the merit of the dispute, it is pertinent that it be known that only one major supermarket chain is directly involved in the dispute with its employees. The several other supermarket chains give recognition to this dispute by summarily closing their stores at the same time, and they remain closed even though they have no dispute with their employees.

The Congress appropriates millions of dollars for the health and welfare of our citizens and while there may be disagreements as to the nature and extent of programs and appropriations, there exists an area of agreement whereby the public interest and the general welfare are carefully considered and respected. No cleavage is so great between opposing views that settlement is not possible at management-labor bargaining tables. Labor and management are also taxpayers and consumers. Aside from the matter of unfairness to them, thousands of innocent bystanders, in this instance housewives, likewise represent an important segment of our economy, and the shrinkage of their marketing outlets has a depressing effect upon markets and production and employment.

Mr. Speaker, I suggest that management and labor act quickly and responsibly in resolving their disagreements. The consumers, long accustomed to marketing in their home areas must now travel, at increased risk, 10 to 50 miles for their meats, vegetables, milk, and other table necessities. Small independent stores find it necessary to remain open 7 days a week. Their employees, unprepared for the standing lines of customers, work 18 hours a day at the cash registers and in restocking store shelves. The public safety is endangered by the growing number of automobiles parked along the roads near these independent stores since customer parking space is very limited as contrasted with the acres of parking space at the supermarket chainstores.

I further suggest that the disagreements and solve-nothing bargaining will not be resolved in the comfort of air-conditioned motels. Agreements can only come about by the relentless and productive work of both management and labor, and in this instance, I urge all parties concerned to roll up their sleeves, put aside their cigars, and demonstrate to the public the products of free, collective bargaining.

Mr. Speaker, I urge the appropriate committees of the Congress to fully inform themselves of the facts with regard to this major dispute and to follow closely the proceedings of the Mediation Service of the Department of Labor in its efforts to bring about a settlement of this 6-weeks-old problem which threatens to spread throughout other areas of the country served by the regional and national food stores concerned.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Fulton of Tennessee, for May 21, 1964, on account of official business.

Mr. Pirnie (at the request of Mr. Halleck) for today, on account of official business as a member of the House Committee on Armed Services.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Feighan (at the request of Mr. Albert), for 15 minutes, today, and on Tuesday, May 26; and to revise and extend his remarks and include extraneous matter.

Mr. Dent, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Halpern (at the request of Mr. Harvey of Michigan), for 15 minutes, on May 21.

Mr. McDowell (at the request of Mrs. Hansen), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Philbin in two instances.

Mr. Ashley (at the request of Mrs. Hansen) was given permission to extend his remarks in the Record and to include extraneous matter, notwithstanding the fact that it exceeds 2 pages of the Record, and is estimated by the Public Printer to cost $517.50.

(The following Members (at the request of Mr. Harvey of Michigan) and to include extraneous matter:)

Mr. Wyman.

Mr. Quie.

(The following Member (at the request of Mrs. Hansen) and to include extraneous matter:)

Mr. Fulton of Tennessee.

ADJOURNMENT

Mrs. HANSEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until Monday, May 25, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2101. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 6, 1963, submitting a report, together with accompanying papers and illustrations, on a review of the Mississippi River and tributaries project, in response to a resolution adopted June 12, 1954, by the Committee on Public Works of the U.S. Senate, and to other resolutions by that committee and by the Committee on Public Works of the House of Representatives, listed in the accompanying report of the Mississippi River Commission, and to the Flood Control Acts of July 24, 1946, and May 17, 1950 (H. Doc. No. 308 (six volumes)); to the Committee on Public Works and ordered to be printed with illustrations.

2102. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury"; to the Committee on Banking and Currency.

2103. A letter from the Assistant Secretary of the Interior, transmitting proposed amendment No. 1 to concession contract No. NPS-WASO-IX-62-7, authorizing Super Attractions, Inc., to present theatrical productions for the public in the Carter Barron Amphitheater in Rock Creek Park from November 1, 1962, through October 31, 1965, which will extend the contract for 3 additional years until October 31, 1968, pursuant to 70 Stat. 543; to the Committee on Interior and Insular Affairs.

2104. A letter from the Assistant Secretary of the Interior, transmitting proposed amendment No. 3 to concession contract No. 14-10-0100-125, as amended and extended, authorizing Clarence W. Anderson and Margarette E. Anderson, husband and wife, to provide facilities and services for the public at Boulder Beach in Lake Mead National Recreation Area, which will extend the expired contract from January 1, 1964, through December 31, 1964, pursuant to 70 Stat. 543; to the Committee on Interior and Insular Affairs.

2105. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to authorize the Secretary of the Interior to sell Enterprise Rancheria No. 2 to the State of California, and to distribute the proceeds of the sale to Henry B. Martin, Stanley Martin, Ralph G. Martin, and Vera Martin Kiras"; to the Committee on Interior and Insular Affairs.

2106. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to repeal certain acts relating to containers for fruits and vegetables, exportation of tobacco plants and seeds, standards for grains, naval stores and wool, and for other purposes"; to the Committee on Agriculture.

2107. A letter from the Comptroller General of the United States, transmitting a report on the weaknesses in control over drugs and certain other property at District of Columbia General Hospital, Department of Public Health, District of Columbia Government; to the Committee on Government Operations.

2108. A letter from the Comptroller General of the United States, transmitting a report on the unnecessary costs incurred for aircraft parts supplied by overhaul contractors, Department of the Army; to the Committee on Government Operations.

2109. A letter from the Comptroller General of the United States, transmitting a report on the inefficient and uneconomical utilization of military maintenance personnel, Fort Campbell, Ky., Department of the Army; to the Committee on Government Operations.

2110. A letter from the Comptroller General of the United States, transmitting a report on the review of excessive relocation payments to employees transferred from one company location to another by Lockheed Missiles and Space Co., Sunnyvale, Calif., a division of Lockheed Aircraft Corp., Department of Defense and National Aeronautics and Space Administration; to the Committee on Government Operations.

2111. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MADDEN: Committee on Rules. House Joint Resolution 925. Joint resolution creating a joint committee to commemorate the 100th anniversary of the second inaugural of Abraham Lincoln; without amendment (Rept. No. 1421). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 732. Resolution for consideration of H.R. 3881, a bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; without amendment (Rept. No. 1422). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 733. Resolution for consideration of H.R. 11049, a bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes: without amendment (Rept. No. 1423). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FINDLEY:

H.R. 11345. A bill to amend the act authorizing association of producers of agricultural products, approved February 18, 1922; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 11346. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 11347. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 11348. A bill to amend title I and XVI of the Social Security Act to make it clear that optometrists' services are includible in the programs of medical assistance for the aged thereunder; to the Committee on Ways and Means.

By Mr. FEIGHAN:

H.R. 11349. A bill to establish the period of validity and fee for a passport; to the Committee on Foreign Affairs.

By Mr. ABBITT:

H.R. 11350. A bill to clarify the intent of the Agricultural Act of 1964 with respect to wheat marketing certificates; to the Committee on Agriculture.

By Mr. ANDERSON:

H.R. 11351. A bill to amend section 101 of title 38, United States Code, to extend full wartime benefits to persons who served in the Armed Forces of the United States for 90 days or more in Mexico or on its borders during the period beginning on May 9, 1916, and ending April 6, 1917, and to extend full wartime survivor benefits to the survivors of such persons; to the Committee on Veterans' Affairs.

By Mr. BROWN of California:

H.R. 11352. A bill to authorize the coordinated development of the water resources of the Pacific Southwest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GONZALEZ:

H.R. 11353. A bill to amend title 38 of the United States Code to provide that certain veterans who were prisoners of war shall be deemed to have a service-connected disability of 50 percent; to the Committee on Veterans' Affairs.

By Mr. HOSMER:

H.R. 11354. A bill to authorize the coordinated development of the water resources of the Pacific Southwest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KASTENMEIER:

H.R. 11355. A bill to amend the Agricultural Act of 1949, as amended, relating to price support for milk and butterfat, to encourage consumption of dairy products, particularly butter, by payments on manufacturing milk and cream, to encourage utilization of surplus commodities abroad, and for other purposes; to the Committee on Agriculture.

By Mr. MARTIN of California:

H.R. 11356. A bill to authorize the coordinated development of the water resources of the Pacific Southwest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CAREY:

H.R. 11357. A bill to amend the Communications Satellite Act of 1962, Public Law 87–624, to provide a limitation on the amount of the subscription of any person to five shares in the original issue; to the Committee on Interstate and Foreign Commerce.

By Mr. LESINSKI:

H.R. 11358. A bill to provide that the Secretary of the Army shall determine the location of the mouth of the Detroit River, Mich.; to the Committee on Public Works.

By Mr. McCLORY:

H.R. 11359. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H.R. 11360. A bill to amend the Tariff Act of 1930 and the act of February 13, 1911, to eliminate those provisions which require payment to the United States for overtime services of customs officers and employees; to the Committee on Ways and Means.

By Mr. PEPPER:

H.J. Res. 1032. Joint resolution authorizing the continued shipment of the drug krebiozen in interstate commerce in order to insure the continued availability of such drug for the treatment of patients now being treated with such drug and for terminal cancer patients; to the Committee on Interstate and Foreign Commerce.

By Mr. VAN DEERLIN:

H.J. Res. 1033. Joint resolution declaring the Friday immediately following Thanksgiving Day in each year as John F. Kennedy Day which shall be a legal public holiday; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.J. Res. 1034. Joint resolution pertaining to southeast Asia; to the Committee on Foreign Affairs.

By Mr. JONAS:

H.J. Res. 1035. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed; to the Committee on Agriculture.

By Mr. PRICE:

H. Res. 730. Resolution authorizing the printing of "U.S. Defense Policies in 1963" as a House document; to the Committee on House Administration.

By Mr. RYAN of Michigan:

H. Res. 734. Resolution requesting the International Joint Commission to examine and report the feasibility of raising the Great Lakes water level; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 11361. A bill for the relief of Mrs. Ida Young; to the Committee on the Judiciary.

By Mr. COLLIER (by request):

H.R. 11362. A bill for the relief of Uldarico B. Blando; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 11363. A bill for the relief of Benjamin Alexander Shafran; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 11364. A bill for the relief of Donald B. Bonner; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 11365. A bill for the relief of Vito Maggio; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H.R. 11366. A bill for the relief of Dr. Jorge Rosendo Barahona; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 11367. A bill for the relief of William Hernandez Floyd (Guillermo Hernandez Izquierdo); to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 11368. A bill for the relief of certain individuals employed by the Department of the Navy at the Pacific Missile Range, Point Mugu, Calif.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

898. By the SPEAKER: Petition of Kihei Shiroma, Iheya, Okinawa, for the return of Okinawa to Japan; to the Committee on Foreign Affairs.

899. Also, petition of Seigen Ukumoto, Nakazato, Okinawa, for the return of Okinawa to Japan; to the Committee on Foreign Affairs.

900. Also, petition of Heiryo Chibana, Yomitan-son, Okinawa, for the reversion of the administrative power of Okinawa to Japan; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Exchange of Letters Concerning NATO Unity

EXTENSION OF REMARKS

OF

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 1964

Mr. QUIE. Mr. Speaker, the House Republican task force on NATO unity, of which I am chairman, desires that constructive, bipartisan action be taken to strengthen the Western Alliance.

We recently wrote President Johnson, concerning a specific recommendation which my colleagues and I feel would go far toward strengthening the structure of NATO. The text of our letter to President Johnson and the reply we received follow:

> The problems you are encountering illustrate the dangerous disarray of this vital free-world association and the urgency of revitalizing it.
>
> We believe the time has come for an immediate and thorough study of the NATO structure itself. The house of freedom can be no stronger than its foundation and framework. We hope structural improvements can be accomplished which will make NATO more durable and effective in serving the many common interests of the North Atlantic community—economically and politically, as well as militarily.
>
> The task is urgent and vital. It calls for the very best talent the United States and other NATO nations can offer. We therefore urge that you invite former Presidents Dwight D. Eisenhower and Harry S Truman to head a blue-ribbon delegation of U.S. citi-

zens to meet with similar groups from other NATO nations for the purpose of formulating and proposing for ratification improvements in the structure of NATO.

General Eisenhower and Mr. Truman had more to do with the formation of NATO in 1949 than any other two men.

They have intimate, firsthand knowledge of the NATO structure and its problems. They are held in high esteem throughout the North Atlantic community, and their appointment to this task would undoubtedly motivate other NATO heads of state to select their very best talent too.

Our committee consists entirely of Republicans, but we view this as a responsibility and opportunity which calls for full bipartisanship. We therefore offer our fullest cooperation and would like to meet with you at your convenience.

Mr. Speaker, the letter was signed by Congressman ALBERT H. QUIE, of Minnesota, who is chairman of the task force and all of its members. They are: CHARLES E. CHAMBERLAIN, of Michigan; JOHN J. RHODES, of Arizona; HASTINGS KEITH, of Massachusetts; ROGERS MORTON, of Maryland; ALEXANDER PIRNIE, of New York; ROSS ADAIR, of Indiana; CHARLES GOODELL, of New York; JOHN BALDWIN, of California; JAMES C. CLEVELAND, of New Hampshire; TOM CURTIS, of Missouri; PAUL FINDLEY, of Illinois; GERALD FORD, of Michigan; and ROBERT ELLSWORTH, of Kansas.

The reply follows:

THE WHITE HOUSE,
Washington, May 18, 1964.

Hon. ALBERT H. QUIE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This is to acknowledge the letter of May 14 to the President signed by the House Republican Task Force on NATO Unity.

Your recommendations will have the President's careful consideration.

Sincerely yours,

LAWRENCE F. O'BRIEN,
Special Assistant to the President.

Our Speaker Presents Views on Poverty

EXTENSION OF REMARKS
OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 21, 1964

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks, I include herein two very timely, comprehensive, and penetrating articles on President Johnson's antipoverty program by our esteemed and dear friend, our great Speaker of the House, the Honorable JOHN W. McCORMACK.

In these articles our illustrious Speaker, with characteristic keen insight, broad vision, and humane feeling, has brilliantly postulated some of the principal considerations implicit in the forward-looking antipoverty program of the President.

I am sure that the Congress and the country will appreciate having the benefit of our beloved Speaker's wise observations and commentaries on this tremendously vital problem, as ably presented in the column entitled, "Washington," by my good friend, the well-known, talented writer, Mr. Frank Daley.

The articles follow:

L.B.J. SEES POVERTY FIRSTHAND

(By Representative JOHN W. McCORMACK, Speaker, U.S. House of Representatives)

Lyndon Johnson has brought hope to Appalachia. A man who always wants to see for himself, he chose to go behind the statistics to the suffering they pinpoint.

He wanted to talk to the man who had found no work at all this year—to the woman who had to serve her family cold potatoes and water meal after meal—to the boy who was gaining nothing from his few hours in the one-room schoolhouse shack because he lacked the physical energy to stay awake.

The President observed mountains of misery, long valleys of despair. I am sure his experiences redoubled his determination to batter down the barriers that bar Americans in Appalachia and elsewhere from the mainstream of the Nation's life.

In parts of Alabama, Georgia, Kentucky, Maryland, North Carolina, Pennsylvania, South Carolina, Virginia, and West Virginia there are few roads to travel, few radios and television sets to bring in news, few factories to hire the unemployed.

Appalachia's economy was based on coal. As automation revolutionized the coal industry, new products cut down the demand for coal. Thousands of mines and allied industries that depended on them fell idle.

Men who would willingly learn new skills find no new industries coming in to replace the mines. Factories are not attracted to an area without highways, electric power, and a trained work force. This is the challenge which President Johnson is meeting.

On his trips into Appalachia, the President realized that the crucial need was for hope. And that he could give. As President of the United States he is leader of the "other America" as well as of the more affluent segments of our society.

So he went to Appalachia as a man to whom a down-and-out miner could talk—despite the awesome power of the Presidency. On a ramshackle porch, Johnson asked questions and got answers, and the miner knew he'd met a man who understood poverty and who could sense the helplessness of a father caught in its vicious cycle.

Federal aid now going into stopgap relief is costing half a billion dollars a year. This money can only hold off the immediate threats of malnutrition and complete collapse—it cannot change the status quo. It cannot give the poor new jobs so they can participate in our free enterprise system.

After his first visit to Appalachia, the President proposed to Congress a $238 million program to blast through the walls, sending highways into previously inaccessible hamlets, developing natural resources, preventing floods, and training workers for the industries that will follow the highways in to build their factories.

He approved a comprehensive regional development plan to be guided by a commission. If this is enacted, the relief lines will dwindle, the supermarket lines will lengthen. Industrial and personal profits will rise.

I know that Americans of all political shades of conviction will see the eminent good sense of the President's plan and will give him their wholehearted support.

POVERTY CURE NO PIPEDREAM

(By Representative JOHN W. McCORMACK, Speaker, U.S. House of Representatives)

The Nation today faces a hard, basic challenge: to eliminate poverty. This is no pipedream. It can be done. It is a plausible objective within our reach.

President Johnson has analyzed this challenge and proposed the Economic Opportunity Act of 1964 as a blueprint for action.

President Johnson's antipoverty program is a carefully drawn, logical plan that will enable us to gradually bring all our people into the comfortable life most of us now enjoy.

These are 35 million of our fellow citizens who are shackled to poverty, largely through circumstance. They live marginal existences, outside the circle of affluence, outside the free enterprise system.

Clear Fork Valley, Tenn., is deep in the heart of America's poverty-stricken Appalachian country. There Mrs. Marlow and her eight children struggle daily against the grinding poverty in which they must live—but it is a losing struggle.

Last November Thomas Marlow and a companion were trying to scratch a living from one of the pitiful little coal pits that dot the region. As so often happens, there was a cave-in. The companion was killed and Marlow's back was crushed. He is still a charity patient in the hospital, but will return home soon—paralyzed.

Home is a shack that rents for $8 a week. There the Marlows conduct their battle against hunger and dirt.

The Marlows are better off than some. Next month they will receive a check for $110 a month from the Welfare Department. The trouble is, it isn't enough.

Columbus Cooper started clearing his 26-acre South Carolina farm when he was 16 years old. Now he is 57. Four years ago he had to mortgage his farm for the first time.

It is estimated that to maintain an ordinary standard of living a farmer needs to gross at least $10,000 a year cash income. Columbus Cooper, with a family of 12, grosses $1,500.

President Johnson's Economic Opportunity Act outlines the basic steps that will help these victims of the "other America" to break their economic bonds.

As President Johnson said in his poverty message:

"Today, for the first time in our history, we have the power to strike away the barriers to full participation in our society. Having the power, we have the duty."

Apollo Space Waste

EXTENSION OF REMARKS
OF

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 21, 1964

Mr. WYMAN. Mr. Speaker, setting an arbitrary target date to put a man on the moon and then spending extra billions of tax dollars trying to meet it for prestige is foolish. So, also, is buying hardware for the Apollo moonshot that requires a rendezvous in space before we have proved in our Gemini program that we are capable of doing this in space.

To help in explaining these views under unanimous consent I include at this point in the RECORD my separate views filed with the Independent Offices Subcommittee last week:

SEPARATE VIEWS OF CONGRESSMAN LOUIS C. WYMAN—NASA APPROPRIATIONS

In terms of priorities in spending—of deciding on what we shall spend of available dollars to spend—I am convinced that we are spending too much money on our civilian space programs. As I view it, without harm to any legitimate interest and concern of the United States and with benefit to the economy by contributing to fiscal stability by achieving a more reasonable flow of Federal funds, the present space appropriation can and should be reduced by at least a billion dollars. I am convinced that such a reduction would neither wreck the program nor interfere with the proper security interests of the United States.

Two things are seriously wrong in our space spending: First, the 1970 target date for a man on the moon; and second, advance contracting for Apollo before we know that Gemini is going to work.

TARGET: 1970

One thing is certain amidst all the uncertainties of our space effort. This is that the 1970 target date (to put a man on the moon) is foolish. It is like setting up a strawman but not knowing whether he is straw or steel. If he's steel, we're not going to be able to knock him down, and we will lose more face. If he's straw, nothing has been accomplished except the wasting of tremendous additional billions of taxpayers' dollars by being in a hurry in a field where apparently nobody else is in a hurry, even the Communists, at least to get to the moon. Our target date in terms of American space policy should be simply that we will go to the moon if, as and when our space technology and our pocketbook find it possible to do so, not by any set date.

APOLLO LEADTIME

A fact of great significance is that the entire Apollo program is contingent on the success of Gemini—on the establishment of a clearly defined rendezvous capability in space. Despite this fact, billions of dollars in the space program are being committed to long-lead-time advance contracting for Apollo launch and space capsules and modules (including the so-called lunar excursion module) that we may never be able to use at all if Gemini doesn't work. If this is sought to be justified because of the so-called 1970 target date, it is inexcusable. It is waste, pure and simple, and the people of this country who are paying these tremendous sums ought to be informed of these facts. There is no need to risk these billion dollar losses.

We should defer the long-lead-time contracting in Apollo until after Gemini is proven and the feasibility of the lunar orbit approach system is proven. If anyone has any doubt but that there are substantial non sequiturs in the assumptions concerning presently projected sequence of steps to a manned lunar landing, they should read Dr. Hugh Dryden's "Footprints on the Moon" in the March 1964 issue of the National Geographic magazine.

WHY MEN RATHER THAN INSTRUMENTS?

As NASA justifications are presented to the committee, one is compelled to return again and again to the question of why a man on the moon. Why would not instruments do just as well and at vastly less cost?

We have not been able even to make a soft landing of instruments on the Moon as yet. Projecting a manned landing with the costly emphasis of American concern for human safety in the process costs now and will require in the future billions upon billions of extra, sorely needed tax dollars, largely for prestige. There isn't much else in the near vacuum that prevails on the moon, with heat and temperature ranges approaching 500°. No air to breathe, no water to drink—a strange objective indeed.

The Moon is no place for man to be. It is a hostile environment to human life. This we know now. It is not a matter of speculation. The moonshot glamour is no voyage of Christopher Columbus. We can see and even photograph the lunar surface. Isabella could only imagine what lay beyond the horizon at sea.

To allow a human being to exist for a single second in the lunar atmosphere requires costly pressurized space suits. Even for the Gemini preliminary tests, these suits cost $60,000 each. One can only hazard a guess as to the cost of a space suit for a man on the moon to be able to survive even a matter of hours. To this must be added the millions upon millions in costs for all the tests and preparations to develop what is believed may be a workable suit for a few steps on the surface of the moon. I do not believe this cost is worth the loss to Americans of other demonstrable societal benefits that we are denied because of the fantastic drain of Federal funds in extra billions in a space program targeted at civilian scientific exploration of the Moon with the follow on of Mars and Venus.

WHAT ARE OUR REAL OBJECTIVES IN SPACE?

It is fair to ask once again, what are our real objectives in space? The only justification for such vast expenditures of money at a time when we are heading toward national insolvency would be something in the nature of a National Security Council advisory that, should Communists get to the moon before we do they might use it as a means to force us to capitulate by way of some futuristic application of laser beam or other as yet unknown means of hemispheric destruction. There is no such testimony, nor does NASA under existing law even have a permissible military objective, such as integration of weapons systems in capsule mockups. So, aside from showing we can accomplish something we set out to do for so-called prestige, when all these billions have been spent the lunar landing program, even if successful, will have accomplished for those presently living very little, if anything, except to deny all of us a great deal of alleviation of misery in life on earth as well as saddling our children with an even greater mortgage on their future ability to continue life under the free enterprise system.

MILITARY ROLE IN SPACE

Maneuverable capsules in inner space, with military capabilities of observation and intercept, are an obvious necessity with responsible indication that the Communist space program is oriented toward just such a capability. We will look foolish with our two- and three-stage boosters behind a scientific junket should Communists continue their march toward world supremacy by having devised some new method of space warfare.

With space funds limited as they are, it is vital that we do not spend ourselves broke and overextended in civilian, scientific space programs. The emphasis should be upon military necessities in space—with the civilian space program complementary thereto.

In my opinion, the justifications for spending in space programs that have been submitted to the Appropriations Committee have failed to establish any pressing need or justification for the Apollo program in the manner in which it is being programed.

CUMULATIVE COSTS

The hard economic facts of space costs to date are that we have appropriated nearly $12 billion in our space efforts. The current requests amount to $5.445 billions more, and the overall program designed to yield a single landing on the moon, with considerable fallout to gigantic booster capabilities and other interplanetary and lunar observations, will cost in the admitted vicinity of at least $34 billion. Thus, with the appropriation in the current bill of $5.2 billion, we are but halfway in the single, most expensive civilian program ever undertaken by the United States and which is being continued under pressure of haste although our governmental debt is astronomical and our Government is allowed to be operated at a loss of billions more each year.

Single launches for the Saturn I test shot cost $50 million each. The projections for the Saturn V monster launches are $100 million each, with some 15 programed. Even if successful, unless related to a prime security concern of this Nation, what is proved except that we can do it? Man in space faces greater hazards to existence than he would 5,000 feet under water. Except as may be necessary to preserve or protect our survival on earth, it is difficult to justify billions for such ventures. There is vastly greater reason for oceanographic exploration than for junkets to the moon.

CONCLUSION

It is fair to ask, why the hurry? Why the extra billions for a manned moon landing? Why the tremendous commitments to lunar excursion modules and orbital space vehicles before the capability to rendezvous has been proven? The whole cost of Gemini is less than the single year's cost for this increment of Apollo.

We should slow down in our spending on space, reassess the situation and bring the programs back to a more realistic, down-to-earth basis. The U.S. Treasury is not a bottomless pit, but some of the space advocates seem to think it is. We should cut back the present space appropriation by at least a billion dollars, or to an appropriation for fiscal 1965 of $4.2 billion. This is not going to wreck anything except the best-laid plans of a few space contractors. But it will help a great deal in providing additional funds for some of the pressingly important things we must do now on earth.

A Bill To Strengthen the Social Security Program

EXTENSION OF REMARKS

OF

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 1964

Mr. FULTON of Tennessee. Mr. Speaker, I introduced yesterday for appropriate reference a bill to strengthen the social security program. My bill would provide for long-range improvements in the scale of general benefits. It would remove a number of existing inequities. In all, approximately 2 million social security recipients would benefit next year alone. It provides for financing the cost of the improvements.

For many years, hospital care for the elderly has been the major consideration of Congress in the social security field. I have supported in the past, and will continue to support health care legislation. But, in addition, I believe that we also should give attention to a number of existing inequities in the social security law and to its long-range adequacy.

No legislation can meet every need, remove every obstacle, pay every bill. But my bill is an effort to help resolve some of the more troubling inadequacies and inconsistencies.

In substance, the bill:

First. Helps those who wish to continue to work past retirement age of 65 by permitting them to earn $1,800 a year without losing social security benefits, rather than $1,200, which is the present ceiling on outside earnings. Beyond this improvement, the bill would reduce the present penalty on outside earnings between $1,800 and $2,400 a year by allowing retention of $1 in benefits for every $2 earned between these amounts. The provision, as a whole, would materially assist about 900,000 social security beneficiaries in the first year of operation.

For some, forced retirement at age 65 creates more than financial hardship, important as that is. People are living longer and feeling better for it than at any time in the history of man. Forcing them out of the work force before their time often destroys their sense of usefulness, stability, and personal worth.

Second. Provides an increase in the earnings base on which taxes are levied and benefits paid from the first $4,800 of income to $5,400. This would increase the maximum family benefit from $254 to $274, and the maximum benefits for the individual worker from $127 to $137. In the first year alone, this provision would benefit 700,000 family members, and, eventually, all who receive social security will benefit.

This change is required to keep up with increases in the cost of living and to maintain a closer relationship between current salaries of workers prior to retirement and the amount of benefits on which they must live following retirement.

Third. Pays benefits for children up to age 22 instead of 18 years, if the children are full-time students. When these benefits were established in 1940, it was presumed that, by age 18, a child would have completed his schooling and would be capable of supporting himself. This is no longer true.

The number of professional, technical, and other jobs requiring higher educational qualifications is growing at a much greater rate than the number of unskilled jobs.

A study made by the U.S. Office of Education in 1956 and a 1960 study by the Survey Research Center of the University of Michigan each showed that about 60 percent of the cost of college attendance came from family contributions. Another Office of Education study, published in 1958, reported that lack of financial resources was a major cause of college dropouts. And families that have lost the earnings of the family breadwinner are more likely to lack financial resources than are other families.

Not only may the child be prevented from going to college by loss of parental support and loss of his benefits; he may also be prevented from finishing high school.

This provision would benefit, in its first year, 350,000 individuals who would, otherwise, be ineligible.

Fourth. Eliminates a serious restriction in the payment of disability insurance benefits by assuring benefits to an insured worker, who has been totally disabled for a continuous period of between 150 to 180 days, for each additional month in which the worker continues to be totally disabled. Under present law, disability benefits are not paid unless the worker's disability is expected either to result in death or to continue to be total for an indefinite period. In the first year, this provision and the following one would bring benefits to a total of 585,000 disabled workers.

Fifth. Reduces the waiting period for disability benefits from the present 6 months to 3 months. Under this provision, disability benefits could be paid beginning with the fourth full month of disability, not the seventh, as under present law, and a worker's first check would reach him within 120 to 150 days after being disabled.

Sixth. Provides benefits for disabled widows. Under existing law, a widow, whether healthy or disabled, cannot receive social security benefits until she reaches age 62. Yet a widow who is disabled needs money to live on at least as much as the widow who can work. My bill requires that to be eligible for benefits, a widow be disabled either at the time of her husband's death or within a 5-year period after his death. This would cover 60,000 widows next year.

Seventh. Corrects certain technical aspects of the retirement test which, under present law, bar some beneficiaries from receiving benefits upon reaching age 72.

On the cost side, the bill would require expenditures from the Social Security Trust Fund amounting to 0.39 percent of payroll. Of this, 0.24 percent would be financed by the provision, which I have already described, increasing that portion of an individual's annual earnings which are taxed and credited for social security benefits from $4,800, as at present, to $5,400.

The remainder of the benefits would be financed by substituting decimals for fractions in determining future tax rates. This change would not only have the effect of increasing slightly the income to the trust fund, but would be consistent with the change already made in the social security rates for self-employed people under the amendments of 1961. Further, it would simplify computation of taxes.

My bill also permits transfer of social security income from the Old Age and Survivors Insurance Fund to the Disability Fund, thus assuring stability for both funds in the light of the cost of my amendments.

The Government's Role in Consumer Protection

EXTENSION OF REMARKS

OF

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 1964

Mr. ASHLEY. Mr. Speaker, on April 24, 1964, the University of Toledo and the Consumers Union, Inc., sponsored a conference on the Government's role in consumer protection on the university's campus at Toledo, Ohio. Among the highlights of the conference were addresses by Senator Philip A. Hart, of Michigan; Mr. George P. Larrick, Commissioner, Food and Drug Administration; and William H. Orrick, Assistant Attorney General in charge of the Antitrust Division.

Because what these three distinguished public officials have to say is of such vital importance on the timely subject of consumer protection, I know my colleagues will be as interested as I was in them.

The addresses follow:

THE GOVERNMENT'S ROLE IN CONSUMER PROTECTION

(By William H. Orrick, Jr., Assistant Attorney General in charge of the Antitrust Division, U.S. Department of Justice)

You have asked me to discuss the Government's role in consumer protection as viewed from the executive-judicial perspective. That is a tall order indeed, for one could give an entire law school course on the protections courts alone have fashioned for consumers. For example, until Judge Cardozo's landmark decision in the 1916 *McPherson* v. *Buick Motor Co.* case,[1] a consumer had no right to sue a motorcar manufacturer for an injury arising out of a defect in his automobile. Until that time he could sue only the dealer who sold him the automobile. It is reasonable to suppose that the imposition of that direct liability on the manufacturer had its effect in terms of the care with which automobiles were thereafter designed and manufactured.

There are many, many more examples of protections afforded to the consumer by the courts under the law of negligence, breach of warranty and other doctrines familiar to contract and tort lawyers, but I shall restrict my remarks here this afternoon to the role which the antitrust laws have in protecting consumers.

Those laws, which I am sworn to enforce, are designed to protect the functioning of our particular economic system of free enterprise. All antitrust enforcement is ultimately directed to the benefit of each individual man, woman, and child in this Nation. These laws have a direct and obvious impact on the consumer in terms of the ultimate price that he must pay for goods and services. A study completed late last year showed that the Antitrust Division had 70 enforcement matters pending in food alone, 23 of which were cases. Bread and milk, which absorb over 10 billion consumer dollars a year, were the subject of about half of these matters Less obviously and directly, but perhaps of greater importance to the consumer, the antitrust laws prevent interference with our system of economic democracy in which consumers vote by their expenditures how this Nation's resources are to be allocated.

Competition, and more particularly price competition, is the premise on which our economic system is founded. I am sure that all elements of our society—labor, management, consumer, government—would agree. Yet too often I see the Sherman Act. Criticized as an "antiquated"[2] "horse-and-buggy"[3] statute, passed in an earlier century, which somehow needs rethinking and updating.

I don't agree with these criticisms. It is no more antiquated than the freedoms of speech, press, religion and assembly which date back to the adoption of the first amendment in the 18th century. These freedoms remain today, April 24, 1964, fundamental in our system of ordered liberty. So it is with the Sherman Act in the sphere of economic liberty. Were the act merely a particularized prohibition of specific abuses which have since disappeared, the charge of obsolescence would be warranted. But the Sherman Act is more than that. Its sweeping language makes illegal "every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States." It has truly been called a "Charter of freedom."[4] As head of the Antitrust Division I have occasion to "rethink" the Sherman Act almost daily. My rethinking has only reinforced my belief in the prime importance of competition to our system and the wisdom of the Sherman Act's protection of competition. Competition is as basic as the wheel, but as modern as the missile.

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[1] 217 N.Y. 382, 111 N.E. 1050 (1916).

[2] Time, p. 94, Apr. 24, 1964.

[3] The Wall Street Journal, p. 18, Feb. 11, 1964.

Any economic system has to apportion the production of goods and services to the various sectors of the economy on some basis. The techniques within our own system for achieving this allocation are numerous. Some of them doubtless are not wholly consistent with an idealized free enterprise system but experience has proved them necessary in certain limited situations. Among these are Government ownership, as with our own post office, Government competition with private enterprise, as in certain areas involving the production of defense material, and various types of regulation and licensing. The Tennessee Valley Authority and the Communications Satellite Corporation are still other techniques.

But in most sectors of our economy it is competition on which we depend to maintain a proper allocation of goods and services in the market. In general, as demand for a product or a service increases, suppliers of that product or service tend to increase the price. As an increasing price makes that particular activity more profitable, new capacity will enter the market, either through new companies or through expansion of existing companies. While there are imperfections in the free market mechanism, I am satisfied that this is the best system. In this connection, I might note that current Russian problems with agriculture and fertilizer production certainly suggest that, even apart from the sacrifice of liberty that goes with their system, they have not solved technical and economic problems as well as we have.

Do not misunderstand me. I do not say that our own system of private enterprise is also the best possible system for all other places and times. Indeed, as just indicated, we ourselves depart from it in a variety of special circumstances. The problems of underdeveloped countries are not the same as those of the United States. Our friends in Western Europe have great democracies although their embrace of the free enterprise ethic is perhaps less comprehensive than our own. For this country however, I think that competition as the market regulator will achieve the best possible results.

Since competition occupies so basic a position in our system it is natural that any attempt to tamper with it produces ill effects which ripple through the entire economy. If there is overcapacity in an industry, for example, competition would ordinarily force the price down. When, however, there is an agreement which keeps prices artificially high, the normal market response continues to produce even more capacity. The problem becomes increasingly acute until the stress produced by the overcapacity finally forces prices to fall drastically.[5]

Not only may additional capacity be attracted to the industry in which the prices are kept high, but a price conspiracy may provoke foreign competition. Indeed, elimination of tariff protection was widely supported as a trust-busting technique at the time the Sherman Act was passed.

Perhaps the most fundamental impact of prices kept high by agreement is that products so priced are simply beyond the reach of the budgets of some consumers. Some companies may agree not to compete in price on the ground that the public is well-enough served by their continued competition in areas of quality, service, and innovation. But if I have only $5 to buy a widget and there are no $5 widgets available, it is not much solace that for $10 I can buy a sterling silver widget, or a widget that can be turned on and off by remote control, or a miniaturized widget. I don't have $10 and so must do without any widget.

The impact of antitrust violations, even in nonconsumer goods, is ultimately felt by consumers. In the Philadelphia Electric cases, for example, involving in large part price fixing on major electrical equipment purchased only by public utilities, the conspiracy had an impact in dollars and cents terms on individuals. To the extent that the cost of that equipment was put into the base on which State commissions set the rates which the utilities charged, the base and therefore the rates were higher than they otherwise would have been. In such cases, consumers had to pay higher electric bills.

I do not agree that unrealistic price levels set by collusion are justifiable as a spur to research and development. In many cases the results are precisely to the contrary. If a good profit is being made with the current product, the companies involved may have little incentive to upset their economic applecart by developing new products.

Thus, any agreements or other activities which tamper with competitive factors, particularly prices, jeopardize the proper functioning of our economic system. Not only does such activity put products out of the financial reach of some consumers, but by disrupting the ability of the market mechanism to reflect the true needs of an expanding economy, it deranges the proper allocation of goods and services within this economy. In short, when businessmen act to tamper with the market by agreement they throw sand in its mechanism. As Attorney General Kennedy has so aptly put it, this is nothing more nor less than "economic racketeering."

Since that free market mechanism depends upon competition, and particularly price competition, we in the Antitrust Division are distressed over the persistence of price collusion in our economy. Unfortunately, there is nothing new in this. As long ago as 1776, Adam Smith, the classical spokesman for free enterprise, said:[6]

"People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices."

More recently, in testimony before the Federal Trade Commission, a businessman said:[7]

"I could go on and on and on—but I want to say that when any two businessmen get together, whether it is a chain institute meeting or a Bible class meeting, if they happen to belong to the same industry, just as soon as the prayers have been said, they start talking about the conditions in the industry, and it is bound definitely to gravitate, that talk, to the price structure in the industry. What else is there to talk about?"

We are equally concerned over the tendency among certain businessmen to disparage price competition. Associations of pharmacists have openly claimed, incorrectly,[8] a right to fix the price of prescription drugs. Other associations promulgate codes of conduct which make price competition "unethical." Concerns which compete in price are frequently given the label "chiselers" by their competitors. But even unilateral refusals to compete in price or to sell to retailers who compete in price may very well be as corrosive of our economic and ultimately our political liberties as actual illegal agreements. When the affairs of an industry are so conducted, the kind of competitive incentive necessary for product improvement and greater efficiency is missing and the self-regulatory character of the market is disrupted. The industry stagnates. Direct Government intervention by Congress becomes a political possibility. In short, the entrepreneur or company which engages in price competition is in the great American tradition. It is his detractors who are literally the chiselers, for they chisel away at the economic underpinnings of our personal liberties.

The Antitrust Division of the Department of Justice enforces the law to some extent by announcement of its enforcement intentions. Last week for example, in a speech to the American Bar Association, I discussed some of our current thoughts on a program to combat overconcentration. In similar fashion, I consider that I am enforcing the antitrust laws by addressing these remarks to you here today, for I am taking this occasion to stress the Attorney General's particular concern over collusion which results in higher consumer prices, including illegal resale price fixing and abuses of the so-called fair trade laws. His concern reflects the President's own concern with the welfare of consumers which led him to appoint Mrs. Esther Peterson as the first "Special Assistant to the President for Consumer Affairs." Through our activities in this field the Antitrust Division makes its contribution to the administration's war against poverty.

This special concern over competitive consumer prices has, of course, been a matter which has for long engaged a good part of the energies of the Antitrust Division. It has recently produced several significant cases. Among those cases are the following:

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[4] *Appalachin Coals, Inc.* v. *United States,* 288 U.S. 344, 359 (1933).

[5] In American Metal Market, Annual Copper Supplement, p. 5, Sept. 16, 1963, it was said, following the sentencing for price fixing of certain companies in the brass industry, *United States* v. *Anaconda American Brass Co.* (D. Conn. Cr. 10–725):

"Long before the Hartford sentence was pronounced, the industry had learned another lesson.

"The lesson simply is that if prices seem high enough, and productive costs look attractive in relation, the marketplace will automatically attract additional supplies. The rugged laws of economics are such that nothing fails like success. In an economy of abundant capital, successful industries attract investment, capacity expends, prices fall and expansion is forced to a halt awaiting a further growth of consumption."

This served to confirm the conclusion in "Report of the Federal Trade Commission on the Copper Industry," p. 249 (1947):

"Past efforts to stabilize prices upward have, in fact, produced not stability, but wide fluctuations in price which have been disastrous to the industry as a whole. The stronger and more comprehensive the controls have been while they lasted, the more severe have been the effects on the industry when they broke down. Their failure constitutes an indictment of cartels, and monopoly."

[6] "Wealth of Nations," Mod. Lib. ed. 1937, p. 128.

[7] "In the Matter of Chain Institute, Inc.", FTC, Docket No. 4878, quoted in Jacobs, "Statistical, Standardization, and Research Activities," 6 A.B.A. Antitrust Sec. Rep. 80 at 80–81 (1955).

[8] *Utah Pharmaceutical Assn.* v. *United States,* 371 U.S. 24 (1962) affirming 201 F. Supp. 29 (D. Utah 1962); *Northern California Pharmaceutical Assn.,* 306 F. 2d 379 (9th Cir. 1962); *cert. den.* 371 U.S. 862 (1962) (a criminal case).

On December 27 of last year, a complaint was filed against a major producer of cosmetics, Max Factor & Co., in which it was charged that Max Factor had agreed with retail sellers of its products that those sellers would sell only at prices fixed by Max Factor, with the alleged result that "retail prices of Max Factor cosmetics have been maintained at noncompetitive levels." [9]

On March 10 of this year, a civil action was filed against four major manufacturers of swimwear, Jantzen, Catalina, Cole of California, and Rose Marie Reid. That complaint charges that defendants agreed among themselves on the date on which they would permit retailers to reduce the price of swimwear to the public, and that they exchanged information with respect to retailers who would not abide by defendants' wishes in this matter. Apart from this alleged meddling with the business judgment of the retailers who had purchased and paid for defendants' swimwear, this activity is alleged to have resulted in the prices of swimwear being "fixed, maintained, and stabilized at high and artificial levels." [10]

Twenty days later, on March 30, a civil action was filed against the O. M. Scott & Sons Co., a seller of lawn care products. That complaint alleges that Scott has entered into resale price-fixing agreements in States where those agreements are not lawful, which has allegedly had the result of "forcing consumers * * * to pay noncompetitive prices for lawn care products manufactured by defendant O. M. Scott." [11]

The flying public may be interested in two related complaints which we filed on April 2 against major producers of light aircraft, the Piper Aircraft Corp.[12] and the Beech Aircraft Corp.[13] Among other things, both of these companies are alleged to have entered into arrangements preventing their distributors from selling airplanes in territories assigned to another distributor, with the effect of maintaining prices of their airplanes to consumers "at arbitrary and noncompetitive levels." A suit filed against the Bay West Paper Co. on April 1 charged the same type of offense.[14]

In addition to those cases which have been filed in the past 4 months, three other cases, all charging unlawful agreements by members of druggists' associations to enforce so-called fair trade prices, have recently been settled by consent decrees prohibiting those practices.[15]

The significance of the cases which I have just discussed is emphasized by the relief which is demanded in them. As you may know, two Federal statutes provide an exemption from the antitrust laws for resale price fixing on branded articles in certain limited situations.[16] The Department is seeking to enjoin the defendants who have misused this limited "fair trade" exemption from thereafter fair trading any of their products as the only effective way to prevent recurrence of the violation.[17] Thus, in the Max Factor complaint, the Department seeks to have defendant "enjoined from applying or seeking to apply any State fair trade laws against any person buying or selling Max Factor cosmetics." Similar relief is requested in the Swimwear complaint.[18] In addition, there the Department is asking that "each defendant be enjoined from preticketing its swimwear with a retail price" and "from suggesting any price to be charged by any retailer for swimwear." In the Beech and Piper cases, each prayer requests that defendant "be enjoined from suggesting or otherwise disseminating retail or resale prices * * * to its distributors, dealers, or other purchasers for resale."

Thus we have been and will continue to be taking action against those concerns which illegally fix consumer prices and thereby abuse the narrow fair trade exemption. We shall also seek to prevent defendants from thereafter engaging in any resale price maintenance activities, where appropriate to prevent a recurrence of the violation.

I wish to emphasize one further point. The Swimwear civil case, which I have previously mentioned, was preceded by a criminal indictment against those same four companies for agreeing on the date at which they would permit their dealers to set swimwear prices independently.[19] All four companies have pleaded nolo contendere, which is the equivalent of guilty for the purposes of that case, and last Monday were fined a total of $68,000. It has been clear to every responsible antitrust practitioner and every company which sought responsible legal advice ever since at least 1940, that any agreement "formed for the purpose and with the effect of raising, depressing, fixing, pegging, or stabilizing the price of a commodity" [20] is a criminal violation of the antitrust laws. Nor, as the Supreme Court reminded us in *Simpson* v. *Union Oil Co.*,[21] decided last Monday, can there be any possible question that resale price maintenance not carried on within the narrow confines of the "fair trade" exemption [22] is a criminal antitrust violation, as is a horizontal agreement to enforce so-called fair trade prices. This has been established Department policy since at least July 18, 1951, when the Department issued the following release: [23]

"Those who are engaged in programs or schemes of the following type, involving commodities which flow in interstate commerce, should know that they may be subject to criminal prosecution: Agreements among competing retailers to maintain and adhere to specified minimum prices; agreements to coerce and induce wholesalers or manufacturers, through threat of boycott or other reprisals, to refrain from selling to price-cutting retailers; agreements to coerce or induce manufacturers or wholesalers to enter into so-called fair trade contracts; agreements to coerce or force retailers to sign such contracts; agreements on the prices or margins of profits which should be set forth in such contracts and on methods to require producers or wholesalers to specify certain prices or markups in such contracts."

Indeed, in the last 20 years, the Department of Justice has instituted case after case where State fair trade laws have been used to cloak illegal price fixing. These cases variously involved agreements among competing manufacturers,[24] wholesalers,[25] retailers,[26] and among manufacturers competing with others at different levels of distribution.[27]

In view of these demonstrated abuses of existing "fair trade" laws, I unqualifiedly oppose the so-called quality stabilization bill [28] which would legalize resale price fixing on a nationwide scale. As President Johnson said in his message on consumer interests of February 5, 1964:

"Freedom of choice for consumers from our storehouse of goods, at the lowest possible prices, is the very cornerstone of American consumer policy. I believe strongly in this principle. Therefore, I oppose legislation which limits price competition, whether under the label of 'quality stabilization' or any other name."

I was not merely using a figure of speech when I said, in my testimony before a special Senate subcommittee: "The bill might more aptly be named 'The Consumer High Price Act.'"

In conclusion, I desire to emphasize in the strongest terms what I have already said—that price competition is the foundation of our economic system, that price competition is in the finest tradition of the American way of doing things, and that we are a freer people today because price competition has been at the core of our economic system. As our recent cases clearly indicate, the Department will vigorously attack illegal agreements influencing consumer prices, whether horizontal or vertical, and whether by large companies or small. A climate in which price competition is disparaged, even if not pursuant to an illegal agreement, is an unhealthy climate for this country. I leave you with the words of Senator Sherman, who had this to say of those who take into their own hands the regulation of the economy for their private gain: [29]

"If we will not endure a king as a political power, we should not endure a king over the production, transportation and sale of any of the necessaries of life. If we would not submit to an emperor, we should not submit to an autocrat of trade, with power to prevent competition and to fix the price of any commodity."

Remarks of Senator Philip A. Hart at Government's Role in Consumer Protection Conference at University of Toledo, Toledo, Ohio, April 24, 1964

Let me begin today with a statement you may not believe.

It's that I think ideally there should be no consumer legislation.

Now, I admit, that statement may be a bit suspect coming from a man whose assignment is enacting laws—and furthermore, from one who has spent hundreds of hours working for the adoption of truth in packaging.

Yet, why blink the fact, the loudest acclaim—if I could work it out so there would be no consumer legislation—would come from my colleagues in the Congress who have discovered in recent years that this legislation is more often than not a bone in their throat.

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[9] *United States* v. *Max Factor & Co.*, (W.D. Mo. Civ. No. 14757-1).

[10] *United States* v. *Jantzen Inc.* (D. Ore. Civ. No. 64-111).

[11] *United States* v. *O. M. Scott & Sons Co.* (D.D.C. Civ. No. 760-64).

[12] *United States* v. *Piper Aircraft Corp.* (M.D. Pa. Civ. No. 8447).

[13] *United States* v. *Beech Aircraft Corp.* (D. Kan. Civ. No. W 31 29).

[14] *United States* v. *Bay West Paper Co.* (E.D. Wis. Civ. No. 64–C–86).

[15] *United States* v. *Nassau-Suffolk Pharmaceutical Society, Inc.* (E.D. N.Y. Civ. Nos. 63 C 1206 and 1207), entered Dec. 9, 1963; *United States* v. *Hawaii Retail Druggists Assn.*, (D. Hawaii Civ. No. 2064), entered Nov. 19, 1963.

[16] Miller-Tydings and Maguire Acts, found, respectively, in provisos to 15 U.S.C. sec. 1 and in 15 U.S.C. sec 45(a) (2)–(6)

[17] See e.g., *International Salt* v. *United States*, 332 U.S. 392.

[18] In a consent decree entered Dec. 30, 1963, *United States* v. *Roehr Products Co.* (D. Conn. Civ. No. 9370), defendants are precluded from "fair trading" for 3 years after entry of the judgment.

See also consent decree entered Mar. 15, 1962, *United States* v. *Band-It Co.* (D. Colo. Civ. No. 7796).

[19] *United States* v. *Jantzen, Inc.* (D. Ore. Cr. 64–25).

[20] *United States* v. *Socony-Vacuum Oil Co.*, 310 U.S. 150 at 223 (1940).

[21] No. 87, 1963 Term, decided Apr. 20, 1964.

[22] *Dr. Miles Medical Co.* v. *John D. Park & Sons Co.*, 220 U.S. 373 (1911).

[23] 2 C.C.H. Trade Reg. Rep. par. 6160.10.

[24] E.g., *United States* v. *Maryland State Licensed Beverage Assn., Inc., et al.* (Cr. 23212, 1955; Civ. 9122, 1956; D. Md.).

[25] E.g., *United States* v. *National Wholesale Druggists Assn.* (Cr. 618–C, D. N.J. 1942).

[26] E.g., *United States* v. *Utah Pharmaceutical Assn.* (Civ. C, 30–31 D. Utah 1961).

[27] E.g., *United States* v. *McKesson & Robbins, Inc.* (Civ. 76–50, SDNY 1952).

[28] S. 774; H.R. 3669.

[29] 21 Congressional Record 2457.

The only other group who would be more ecstatic in their joy, I suspect, would be the manufacturers who claim that every time the Government sets out to repair the free enterprise system, it gets its finger meshed in the balance wheel.

But—and there is the "but"—to eliminate consumer legislation, we would have to eliminate the need for it.

One of two situations would be required for that, as I see it. Consumer legislation would not be needed if we had a nation of producers who agreed not only in philosophy, but in deed, with the father of free enterprise, Adam Smith, when he said that the only reason to produce goods and services is to serve consumers' needs.

Frankly, I think if Adam Smith were a student at the University of Toledo today, he might get his usual A in economics for that philosophy. But I doubt if he would do better than a "C minus" from his professor in psychology. For the statement demonstrates a lack of understanding of human nature.

The first purpose of business is to make a profit.

In itself, that purpose necessitates a self-interest. Granted, along the road to piling up a profit, the needs, wants, and desires of the consumer must be taken into account. But the focus is still back on the balance sheet. And each of us here can list cases where a business is indeed making a profit and yet not serving the best interests of the consumer. If you lack examples, I would be happy to supply books of testimony taken at "truth in packaging" hearings for your enlightenment.

Let me emphasize, I am not condemning anyone for this focus of interest. You can't keep your sights focused on two things at once and in the competitive business world, that balance sheet represents survival.

Allowing that the businessman is not going to assume the major responsibility for the consumer, the alternative would be to have the consumer watch out for himself.

Ideally, if consumers were well educated in their shopping, if they took the time needed to read, to study, to compare, supposedly, they could protect their own interest.

But there is a flaw in this Utopian idea, too.

Experts in fields related to consumer interest—economists, consumer's league representatives and even the director of the Food and Drug Administration, George P. Larrick, who is with us today, testified at the "truth in packaging" hearings.

They all said that under current conditions many times not even the experts can spend wisely.

For the information needed for informed choices simply is not available to the consumer.

To put it arithmetically, every equation needs a numerator and a denominator. In many cases today, we are denying the consumer the denominator.

Granting the need for consumer legislation, then, the question looms: what specifications should be set for its design.

To me, there are two simple ones:

It should guarantee the consumer the information he needs to spend his money wisely.

And, it should establish guidelines for all business—guidelines which would help to offset the self interest of profit making and put the marketplace back on the keel Adam Smith had in mind.

This is exactly what is being attempted by what are certainly the two best-known pieces of consumer legislation now in Congress—the two truth bills.

There are many packages in the supermarket today that give the consumer all the information needed to make an informed choice.

But still two cans of coffee may sit side by side on the shelf—each apparently containing 1 pound. Only when the housewife has made her selection and lifts the tab to place the key to one at home will she—possibly—note that under the tab is printed, in microscopic type "12 ounces."

Certainly, the housewife may still select the 12-ounce can, based on quality, even if she knows it costs more per ounce. But, truth in packaging would at least see that the weight of both brands was printed prominently so the housewife could know what choice she was making.

This is the type of information to which the consumer is entitled.

And, just as the consumer is entitled to information, ethical businessmen are entitled to the protection of guidelines. Several manufacturers have told the Antitrust Subcommittee—off the record—that they would be delighted to have truth in packaging. Without it, they said, they are being forced into competitive practices with which they do not like to be associated.

They would be much happier, they said, if all must play by the same rules.

Senator DOUGLAS' truth in lending bill fulfills the same specifications as truth in packaging.

It says simply that borrowers from all concerns should know how much interest, and what rate, they are paying annually.

But, from the uproar this bill has touched off, you would think lending institutions were being told they must stop charging interest altogether.

Which brings us to one of the most interesting—and real—problems of the legislative perspective of consumer legislation.

The Senate and House Office Buildings in Washington are filled, or so it sometimes seems, with representatives of interest groups—trade associations, manufacturers' representatives, lobbyists for thousands of special interests.

And although I may be damning with faint praise—despite the unfavorable connotation the word "lobbyist" is gathering—they often serve a useful purpose.

A Senator is sent to Washington to serve the best interests of his constituents—and the Nation.

To do so, he should know all the ramifications of each of thousands of pieces of legislation each year.

In the 87th Congress, more than 20,000 measures were introduced. Less than 1,500 were enacted into law.

Say a Senator is in full agreement with the bulk of a bill—and all the amendments look sound enough on the level of primary study. Yet, in reality, one of the amendments may so severely hamper a major business in his State as to force it into bankruptcy—at a great loss of employment and tax revenue.

The lobbyists, you can be sure, would be quick to bring this amendment and its effect to the attention of the Senator.

But, the special interest groups do more than put the finger on an and/or clause in a bill. Once they have spotted a piece of legislation and deemed it beneficial—or detrimental—to their interests, they crank up a full barrage.

Pressure is brought to bear, briefing sessions are held with elected officials and representatives of organizations who have an interest in the bill, letters are written—aimed at initiating a letter barrage to Congress.

In short, they incite the public—at least the part affected by the legislation—to action. They give those on their side a target to fire at—they concentrate attention on one issue at a time.

But who represents the consumer in the Halls of Congress? Who looked over each of the 20,000 measures proposed in the last Congress with the interest of the consumer in mind? And who spotlighted special areas of interest at which the consumer could aim his barrage?

Unfortunately, no one did.

But, at this date in history, the consumer does have at least one strong new ally in Washington—Mrs. Esther Peterson, Special Assistant to the President for Consumer Affairs.

Last December, I asked President Johnson to create this office and in January, he named Esther Peterson to the post.

Yet, as talented and as dedicated and as hard working as is Mrs. Peterson, she simply can't do the job alone.

With the limited staff she has, she can—at best—only skim the surface.

The best solution would be a Department of the Consumer—staffed with sufficient counsel to inspect each proposed piece of legislation to assess its effect on the consumer. Also, the Department could represent the consumer before regulatory agencies.

But, perhaps most important, it would alert the public that its interest is involved.

Unfortunately, this Department of Consumer, I fear, is far from being realized.

What can we in Congress do in the meantime to help?

It seems to me, in the absence of a lobbyist for the consumer, that the Antitrust and Monopoly Subcommittee—which I chair—has a special responsibility.

This subcommittee handles probably more matters of direct interest to the consumer annually than any other legislative committee.

In this position, we are able to spotlight one problem at a time, to rally the forces of public to the front to state strongly their desires.

And, we may be able thus to present the other side of the case to Senators and Congressmen who otherwise would not hear it.

Clearly, in the past, when the parade of special interests reached a Senator and presented their case the situation was much like a judge being asked to rule when only the defendant's attorneys made a courtroom presentation.

The arguments are usually logical. They usually show the reasons a vote in the manner the lobbyists desire would benefit the Senator's constituents.

And there has been no one to point out that although a vote one way may benefit one special interest—and thus a certain number of the Senator's constituents, that many more constituents—the consumer public—would be severely hampered by such a decision.

This is the role—perhaps more public defender than lobbyist—which the Antitrust Committee will be playing in upcoming months as we spotlight such areas of consumer interest as: the high cost of funerals, doctor-owned pharmacies and doctor-owned drug repackaging plants.

And, it will be the role we will be playing for perhaps years as we investigate the broad field of concentration—the control of one market area by a limited number of firms—and its effects on the price the consumer pays.

Certainly, it is clear to me that someone must give the consumer a flag to rally around. And, until someone else steps out to carry it—the Antitrust and Monopoly Subcommittee will be the standard bearer.

THE FDA'S ROLE IN CONSUMER PROTECTION

(By Geo. P. Larrick, Commissioner of Food and Drugs, U.S. Department of Health, Education, and Welfare)

It is a pleasure to take part in this conference under the joint auspices of the University of Toledo and Consumers Union.

Our subject, "The Government's Role in Consumer Protection," is a timely one. It would be a wonderful thing to have similar meetings in every community of our country, so that all of us could become better informed about our mutual interests and problems as consumers.

The mission of the Food and Drug Administration is to protect the consumer—particularly where he is not able to protect himself.

The Food and Drug Administration is a part of the U.S. Department of Health, Education, and Welfare.

It is a law enforcement agency of the Federal Government.

Equally important, it is a scientific institution.

Thus, it applies the scientific method, and scientific facts, to the job of consumer protection. Approximately, its motto might be: "Science working through law to protect the public."

Let me give you an illustration of what this means:

Not so long ago, near San Francisco, a family was sitting down to dinner. They were unaware that in the next few minutes they would set off a chain of events that would cost half a million dollars and prevent the illness of hundreds—perhaps thousands—of other people.

The meal included one of the new heat-and-eat frozen food products. Shortly after eating the entire family became ill and one member had to be taken to the hospital.

The hospital called the county health department. They in turn reported the occurrences to the San Francisco District of the Food and Drug Administration. Since no packages were left of the original purchase, the FDA Inspector collected samples from the local supermarket. Bacteriologists at the San Francisco FDA laboratory checked the samples and found staphylococcus bacteria in quantities sufficient to cause the reported illnesses. A seizure action was immediately filed in the Federal court against the remainder of the shipment in the hands of the local distributor and it was thus promptly taken off the market.

Meanwhile, the San Francisco district had reported its findings to the district where the manufacturer was located. Another FDA inspector visited the factory and found conditions that would have led to the bacterial contamination of the product. Several other lots that had been distributed were seized and the company undertook a nationwide recall of all of the suspected products. A total of $211,000 worth of this food item was destroyed. The company, now very much aware of the need for strict sanitary and bacteriological control of its operations, promptly made very extensive improvements in the plant and adopted procedural changes costing altogether almost a quarter of a million dollars.

Just recently I learned there was a sequel to this story. The experience of this firm led to an industrywide study of bacteriological control with the result that other producers have also taken additional steps to insure the safety of their products.

Our food and drug law helps to protect the public health, and this of course has great economic significance.

But this law has other benefits.

It conserves the consumer's purchasing power.

It stimulates technological progress.

It fosters fair competitive practices.

It is an underlying factor in our free competitive economy, by aiding consumer choice in the marketplace based on reliable product information.

CURBING DISHONEST PRACTICES

Experience has shown that without laws to protect the consumer many dishonest practices would flourish. Vigorous and continuing control is needed to prevent such practices as short-weight packaging, substitution of cheaper ingredients, and the sale of spoiled or contaminated products. Another common form of cheating is the misrepresentation of products through false labeling and advertising.

In the year 1962 consumers spent $74½ billion, about 20 percent of their disposable income, for food. This does not include what they spent for alcoholic beverages. Most of this food was pure and wholesome, safe to use, and honestly packaged. But if—let us assume—there had been a shortage in the net weight averaging only a quarter of an ounce per pound—it would have cost consumers over a billion dollars a year.

Without a strong FDA it would be much easier to market adulterated products—for example, fruit juices diluted with water, jams with less fruit and more sugar and water, dairy products short in butterfat, cheap varieties of fish labeled as more expensive kinds, spoiled eggs in place of fresh eggs, ground cocoa shell in place of cocoa, horsemeat labeled "beef" and decomposed foods treated with chemicals to conceal their true condition. These are just a few of the kinds of food adulteration that are kept in check by constant vigilance. If only 1 percent of the food dollar were spent on such cheats it would cost the consumer another three quarters of a billion dollars.

CONSERVING CONSUMER PURCHASING POWER

The food and drug law also helps to conserve or increase the consumer's purchasing power in some less obvious ways.

For example, FDA inspection activities help to insure sanitary handling of food commodities. In addition to insuring clean foods this prevents tremendous losses from spoilage and pest contamination. Even so, it is necessary to remove some rather large quantities of unfit food from sale. Last year over 8,000 tons of food were seized in Federal court actions, and nearly 12,000 tons were voluntarily destroyed or converted to animal feed or other purposes under the supervision of FDA inspectors.

The American food supply would be far more costly and less plentiful without the use of chemical pesticides to control insects and plant diseases. But the use of these pesticides must be carefully regulated to insure that residues of such materials are kept within limits that are safe for humans and livestock. Without the controls required by law it would be impractical to use many of these pesticides and the cost of our fruits, vegetables, and other foods would be increased. In America, one farmworker can now feed and clothe about 25 fellow Americans. A Russian farmworker can clothe and feed only 2½ fellow Russians. Pesticides help to make that difference. Similarly, medicated livestock and poultry feeds help to increase the supply of meat and eggs and keep down the cost of these important foods. Here again, the food and drug laws are necessary in the interest of safety.

PROMOTING CONSUMER CONFIDENCE

Another economic contribution of strong food and drug law enforcement is through promoting consumer confidence in our foods, drugs, and cosmetics. Nowhere in the world do people buy with so little hesitation. Americans readily accept new products, assuming they would not be on the market if they were not safe and satisfactory. This has had far-reaching effects. It has made it possible for new industries to grow rapidly—for example, frozen foods, which have grown from 268 million pounds in 1938 to well over 5 billion pounds today, with a retail value of over $2.5 billion.

A very important trend has been the development of so-called convenience foods—like the cake mixes and the frozen dishes that need only to be heated and served. They are especially helpful to the 24 million employed women—over half of them married—who now comprise about 35 percent of our working population. Such foods are safer because of the pure food law.

Establishment of food standards helps to protect consumer purchasing power and consumer health. The food standard regulations prevent adulteration—for example by added water. They require food to contain what is expected. When you buy jam, for example, it is a product made from 45 parts of fruit to 55 parts of sugar. Bread must not exceed 38 percent moisture; butter and oleomargarine must have an 80 percent fat content; raisin bread must contain raisins equal to 50 percent of the weight of the flour; cream cheese must contain cream equalling 33 percent milk fat, and so on. In such ways does the law maintain the intrinsic value of many foods. And this also contributes to their nutritional integrity—a fact of significance from both the health and economic standpoint.

Enrichment of selected foods with vitamins and minerals is carried on through the food standards program. This has helped to reduce or wipe out diseases caused by dietary deficiencies.

Under the law the Secretary of Health, Education, and Welfare is required to establish a food standard whenever such action is needed to "promote honesty and fair dealing in the interest of consumers." Thus food standards are also concerned with promoting fair competition in the production and marketing of foods. All of us are familiar with how business reacts when one firm discovers some way to cut corners and sell an item for less, or to promote it by some sales gimmick. Too often the other firms must follow suit or go bankrupt and the consumer loses. This type of opportunism in business can sometimes be nipped in the bud by prompt enforcement action, but a great deal more is prevented by the existence of standards.

THE PROBLEM OF CHOICE

The American consumer is very fortunate as compared with the consumers of other countries because of the high quality and great variety of products made available in the marketplace by American industry. But this in itself creates a problem, the problem of choice. Ours is a free-choice economy, with production influenced by the millions of choices made every day by the consumer. But such choices, to be effective, must be informed and rational. Here again the food and drug law has an economic role because of the information it requires to appear on labels for consumer protection.

If consumers would make greater use of label information the manufacturers would give more information on their labels and the consumer would be better off. If people would read and heed the label warnings on drugs and other products used around the home there would be fewer cases of accidental poisoning—especially of small children. Housewives would save money by making better buys. Following the label directions carefully can make a tremendous difference in safety and satisfaction.

DECEPTION, FRAUD, AND QUACKERY

Now I should like to turn to another aspect of consumer protection that is more personal because it so directly affects the individual or his family. I am referring to protection against deception, fraud, and quackery.

Recently I learned of the case histories of several people who were users of an unproven cancer remedy. One woman patient who had cancer of the breast paid approximately $8,000 for this drug. She had three operations between 1959 and 1963 and died of cancer in June 1963.

A 35-year-old woman who used the drug intermittently has paid a total of $5,000. Her treatment dates from 1952, when she had surgery, and she had another operation in 1961.

These are typical of the expenditures people will make for unproven and ineffective remedies when they are motivated by the fear of cancer. They are not exceptional.

A more unusual case was one recently called to our attention by a Member of Congress. The person involved was a victim of a nervous ailment. During one year he paid $28,600 for treatments with a machine represented as being capable of performing psychoanalysis and treatment of mental conditions, as well as other diseases. For similar treatments a college student paid $2,600 out of his educational fund to improve his capabilities as a student.

The medical "con man" who is a big-time operator can bilk the public of millions. In December the Federal court at Indianapolis sentenced a man (Roy DeWelles) who is reliably estimated to have made $3 million with a machine to give enemas. It was supposed to "detoxify the colon" and cure everything. He got 10 years in prison for mail fraud in a case brought by the Post Office Department.

During 1962 and 1963 the Food and Drug Administration secured the destruction of over 1,000 machines called Micro-Dynameters. They were being used by health practitioners to diagnose and treat all kinds of ailments, but were completely worthless for any medical purpose. The machines themselves sold for $875, but the big loss was to the thousands of patients who paid $3 to $10 per treatment.

The cost in money, of course, may be unimportant compared to the consequences of improper diagnosis and treatment.

The biggest money is made by the promoters who appeal to a mass market. Not long ago we stopped the sale of a product called Acnotabs. It was being advertised to teenagers and their parents as a sure cure for pimples. It sold for $5.95 per bottle, and nearly 4 million of the tablets were seized in one lot. This action stopped a high-powered sales campaign that would have cost our teenagers millions of dollars.

In New York the grand jury recently indicted the promoters of a worthless reducing remedy called Regimen. The advertising featured testimonials by people who had actually lost weight—not because they were taking Regimen but because they were on starvation diets. Over the last 6 years the weight conscious public has spent $10 million for this product.

There is no way to measure accurately the cost of misbranding and misinformation in the health field. It has been estimated at more than a billion dollars a year. Vitamin quackery and other food fads are said to cost the public half a billion dollars a year. But the cost would be far more were it not for the protection of our Federal, State, and local laws.

Here it would be appropriate to ask what is the cost of the protection provided by the FDA. In the current fiscal year the appropriation for enforcing the Federal Food, Drug, and Cosmetic Act is $35,800,000, about 18½ cents for each person in the United States. We are sure that this insurance saves the consumer many times its annual cost.

Today we are seeing a revival of interest and action in all things concerning the consumer. It has been given great impetus by the President, in his recent message on the American consumer, and his appointment of Mrs. Esther Peterson as his Special Assistant for Consumer Affairs.

Various factors have contributed to the heightened interesting matters affecting the consumer. Paradoxically, a movement that was born of the depression of the 1930's is having a comeback in these more prosperous times of the 1960's. One reason for this is the urgency of certain questions affecting the consumer:

How can we assure continuing safety of the human environment in our increasingly complex and highly technological civilization? The water we drink and the air we breathe, as well as the purity of food and drugs, are now a matter of public concern.

And how shall we best protect the consumer's pocketbook in a multiple free choice economy, which presents such a tremendous variety of competing options to spend the family income—whether wisely or foolishly?

But this revival of interest in the consumer interest is also a conscious effort because many people have thought deeply about how to secure an adequate and fair representation of the consumer in our society and in our Government. I recall a meeting of the Council on Consumer Information in 1960 where Orville Freeman, then Governor of Minnesota, made the statement: "If the voice of the consumer is too weak in our councils, then Government should make a special effort to strengthen that voice."

In 1962 President Kennedy crystallized this philosophy in his historic message on consumer rights: The right to safety, the right to be informed, the right to choose, and the right to be heard.

President Johnson has now established an action program to make these rights more of a reality in our national life. In his message to Congress on February 5, 1964, the President made some recommendations.

"Too often," the President said, "we await the spur of tragedy before strengthening the Food, Drug, and Cosmetic Act.

"Too often, we discover dangers in foods and cosmetics only through serious injury to a consumer.

"The Food and Drug Administration now lacks the needed authority to inspect fully the factories in which food is produced; to require a showing that cosmetics are safe before they are offered to the public; to examine for safety and effectiveness before they are marketed, medical devices for the diagnosis of symptoms and treatment of illnesses."

The President recommended enactment of new legislation to extend and clarify inspection authority—comparable to that which now applies to prescription drugs—of foods, over-the-counter drugs, cosmetics, and therapeutic, diagnostic, and prosthetic devices. I would like to tell you briefly why this authority is needed.

Most people have assumed that the Food and Drug Administration is able to make whatever kinds of inspections are necessary to enforce the law. But that is not the case.

In 1952 the Supreme Court ruled that the inspection provision of the 1938 act was invalid because of legal uncertainty about the penalty for refusing to permit inspection. The law provided for criminal prosecution for refusal to allow inspection but said the inspector had to have permission to enter. The Court thought this was inconsistent and too vague to stand as criminal law.

An amendment was promptly introduced to remedy this defect. As passed by the Senate it would have provided authority to make a complete inspection without advance notice. But in the House certain Members put on record their understanding that the bill did not include authority to inspect certain business records, such as formulas, complaint files, qualifications of key personnel, records of interstate shipment, and the prescription files in retail drug stores. This legislative history is, in effect, a part of the law.

Today production and distribution are carried on very largely through the medium of records. Thus, Food and Drug inspectors are shut out from access to information which may have an important bearing on law violations.

For example, when sources of bacterial contamination of food must be traced, it is essential to obtain control records and other information about manufacturing processes.

Another example—the food additives amendment allows manufacturers to use materials that are safe in proper amounts but which may be harmful if used in excessive amounts. FDA inspectors cannot effectively check on this unless they have access to manufacturing records.

Adequate investigation of cosmetic injury reports is impossible without a complete inspection.

Congress has remedied this situation with regard to prescription drugs. The prescription drug amendments passed in 1962 authorize examinations of all things, including records, which have a bearing on compliance with the law. Financial data and certain personnel and research data are exempted. Inspectors do not and should not have authority to go through private papers that have no bearing on the legality of a product.

Modern cosmetics have a generally good record for safety, but every now and then we have experiences that make us realize that new cosmetics, like drugs, food additives, and colors, should be cleared for safety in advance of marketing, as recommended by the President.

Shampoos and other hair preparations have caused serious injuries when they got into the eyes. Products used on the nails have caused painful and disfiguring injury to hundreds of women. We do not know whether certain hair dyes are safe for use. The lack of authority to review formulas and complaint files presently makes it practically impossible to resolve this question.

Industry should not be the sole judge as to whether cosmetic products used by millions of people are safe.

Therapeutic devices and cosmetics are now the only products under the Federal Food, Drug, and Cosmetic Act which are not subject to premarketing clearance.

I have already mentioned the problem of the pseudoscientific electronic gadgets, such as the Micro-Dynameter device, that are used by some health practitioners to diagnose or treat all manner of disease.

The litigation necessary to stop distribution of the Micro-Dynameter took 2 years, ending with an appeal to the Supreme Court which was denied. Far better protection would be a requirement that devices, like drugs, be cleared for safety and effectiveness before they are used on the public.

Another class of devices are the prosthetic devices used in surgery. Here, for example, is a nail which had to be removed from a broken hip because it corroded after it was implanted in the bone. Prosthetic hip joints have proved defective after insertion into the bodies of patients and have had to be removed from the victims through additional surgery. It is unthinkable that such devices should continue to be marketed to the medical profession without a prior determination that they have been adequately tested and are suitable for their intended purpose.

Any discussion of the Government's role in consumer protection must take into account the very great impact of industrial technology. This is shown in the development of a host of new products which frequently raise new questions and problems of consumer protection. All of us—industry, Government, consumers are concerned in the solution of these problems. Consumer protection is not really achieved until industry has taken the necessary steps. We commonly say that the law protects the consumer, or that the Government protects the consumer, but neither one is effective until the manufacturers comply with the law. In the last analysis, they have to provide the protection.

The American people enjoy a standard of living that is unsurpassed throughout the world. They participate in an economic system that is unique in productivity and quality of consumer goods. They are protected by the law of the land and by its enforcement machinery. And they are protected by less tangible forces—for example, by generally high ethical standards in business and professional conduct. No country in the world pays as much attention to consumer protection in all its many aspects.

And yet, paradoxically, American consumers tend to be complacent and to neglect their own interests, while other elements in our society are organized and vocal. And this is the significance of our meeting today.

A true free-enterprise economy cannot exist unless the consumer is able to perform his basic function as a discriminating purchaser. Industry, government, and the consumer—each has a distinctive role in the great drama of the marketplace. And all these roles are directed to a single purpose—to supply the needs and wants of all our citizens.

Prayer Is an American Tradition

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 21, 1964

Mr. PHILBIN. Mr. Speaker, from a moral point of view, as well as from a democratic point of view, the denial by the Supreme Court of the right to pray on a voluntary basis in the public schools is a shocking development in this great country that was in its inception, and always has been, irrevocably dedicated to belief in God and the principles of ordered personal liberty.

If this judicial decree is carried to its logical conclusion, it would ultimately bar prayer from every phase and segment of American public life. It would remove every reference to God from our courts, from the executive and legislative departments of the Government at every level. In fact, if followed to its logical conclusion, it would officially make us a prayerless nation and a prayerless people, a nation prohibited by our own highest court from mentioning the name of God in public. What a travesty.

This would mean that the word God would in time be eliminated from oaths that are taken in the courts or elsewhere, would strike "In God We Trust" from our coins and wherever else it may appear, it would bar prayers at public ceremonies and meetings, it would strike down the words "In God We Trust" above the Speaker's rostrum in this great legislative Chamber. It would forbid prayers here, if this be dared.

It is not sufficient to say these things shall not come to pass. It only needs to be said that the first step toward these things has taken place by Supreme Court decision, against the wishes and convictions of an overwhelming number of the American people.

Thus, at one stroke, we have accomplished two things that will certainly come back to plague us. We have driven the mention of God from our public schools, from the ears of our youth who will be the leaders of our Nation in the future, thus educating these leaders, upon whom this Nation will have to rely for its existence and retention of our freedoms, without mention of God in the places where they are being trained for this vital leadership in all the affairs of Government and of our national life.

At the same time, we strike down the principle of majority rule by going counter to the will of the majority. It is not sufficient to say that this is an instance of where minority rights must be protected. There is no challenge presented to the protection of minority rights, in fact, the leaders of every branch of the Government, under the law and under American policy, are unchangeably committed to the protection of minority rights, which are safeguarded here as in no other nation on earth. Hence, the prayer ban decision makes it possible for the views, held by only a very small minority of the American people, to prevail in critical, important and crucial areas of American life against the wishes of an overwhelming number of our people.

A onetime, celebrated American humorist once put on the lips of Mr. Dooley the expression, "that the Supreme Court listens to the election returns." It has not done so in the prayer decision. But the Supreme Court has a greater obligation than that. It must listen to, carefully study, and obey the Constitution of the United States and the moral and spiritual codes, usages and mores of the American people, which have been followed here since the start of this great, free Government. The Court must interpret the Constitution as it is written, not remake it after its own heart. It is a court of interpretation, not a legislature. It construes the law, not creates or changes it.

There has been no real effort made by the Court to check the flagrant, indecent, flammatory, derisive attacks that are directly made upon the Almighty in the spoken and written words of atheists, agnostics, and other disbelievers and Communists, although there have been instances when these scurrilous attacks have been so bitter and so vicious that they could well have sparked serious public disorders in our midst.

Why do we not listen to the counsel of some of the great men of American history to interpret the Constitution the way it was written, and not by what judges may want to write into it, men who understood the place that religion, morality, ethical standards, and spiritual forces have, and were intended to have, in American life, in our government and in our affairs.

I would suggest that some of those who are now inveighing so strongly against prayer in the public schools on the theory that such prayers violate minority rights and constitute the establishment of a religion, a statement which, taken in proper context, is so fantastic as hardly to require rebuttal, might turn their attention, if ever so briefly, to the prophetic words of the great Abraham Lincoln, who once said:

> We have been the recipients of the choicest bounties of heaven. We have been preserved in peace and prosperity. We have grown in wealth and power as no other nation ever has grown. But we have forgotten God. We have forgotten the gracious Hand which preserved us in peace and prosperity. And we have vainly imagined in the deceitfulness of our hearts that these things were produced by some wisdom and virtue of our own. Intoxicated with success, we have become too self-sufficient to feel the necessity of redeeming grace, too proud to pray to the God that made us.

If we look around this country and this world today and observe what is transpiring, it would be very easy for reasonable men to conclude that what the Nation and the world needs most today is more prayer, not less, more faith in Divine intercessions, not less, and more regard for the Constitution and its plain, simple terms, not less.

If we were to follow such a course, a course clearly desired and strongly sought by an overwhelming number of the American people, it would be a better reflection of American democratic institutions and a more promising, augury for the early reclamation and effective buttressing of the moral truths, spiritual standards, and practices of our way of life which have contributed more than all else to the origin, the growth, the prosperity, the greatness, and the freedom of this glorious Nation.

Shall Americans remain supine and unmoved by the sinister attacks upon our sanctuaries of liberty?

Or shall we rally as God-fearing people should to preserve them?

The prayer decision must go. If it remains this Nation will lose its most valuable asset—the spiritual faith and loyalty to free principles of our people. We will lose the very soul of America.

SENATE

FRIDAY, MAY 22, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

Rev. Father John C. Rielly, S.M., of Chaminade College, Honolulu, Hawaii, offered the following prayer:

In the name of the Father, our Creator; and of the Son, our cherished Redeemer; and of the Holy Spirit, our beloved Comforter. Amen.

O Heavenly Father, who deigned to send Your only begotten Son to save us, hear our prayer. And You, O Saviour, Jesus Christ, who fulfilled Your mission here on earth, and returned to the Father, so that, together with Him, You might send us another Paraclete, permit us to address Your Holy Spirit on behalf of all those here present and for all those whom they represent across our beloved land.

Come, O Holy Spirit, come, and from Your heavenly home send forth the fire of Your holy love. Make this love effective in our lives, O Father of the poor, and enrich us as we serve the needs of others. O finger of God's right hand, touch us, heal us, direct us, and save us from ever going astray. Enlighten us to do what is right. Shine within our hearts and minds, that we may always do Your holy will. We, who confide in Your almighty power to protect, beg You for Your sevenfold gift of grace. Grant us virtue's sure reward; grant us true salvation, Lord, loving and eternal happiness.

In the name of the Father, and of the Son, and of You, O Holy Spirit, who are with Them one. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 21, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House has passed a bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of a quorum call, there be a morning hour, under the usual conditions, and with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS TO MONDAY, AT NOON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon, on Monday next.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, before I suggest the absence of a quorum, I ask unanimous consent that the Senate proceed to the consideration of executive business, to consider the nomination on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

ATOMIC ENERGY COMMISSION

The Chief Clerk read the nomination of James R. Ramey, of Illinois, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1969.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request by Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 248 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Burdick
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Dodd
Douglas
Ervin
Fong
Gore
Gruening
Hayden
Hickenlooper
Holland
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Keating
Kuchel
Long, Mo.
Mansfield
McCarthy
McGovern
McIntyre
Metcalf
Miller
Monroney
Morse
Mundt
Neuberger
Pearson
Pell
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Simpson
Smith
Sparkman
Stennis
Talmadge
Tower
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Arkansas [Mr. Fulbright], the Senator from Michigan [Mr. Hart], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from Wyoming [Mr. McGee], the Senator from Michigan [Mr. McNamara], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pastore], the Senator from Georgia [Mr. Russell], and the Senator from New Jersey [Mr. Williams] are absent on official business.

I also announce that the Senator from West Virginia [Mr. Byrd], the Senator from Mississippi [Mr. Eastland], the Senator from Oklahoma [Mr. Edmondson], the Senator from Louisiana [Mr. Ellender], the Senator from Indiana [Mr. Hartke], the Senator from Alabama [Mr. Hill], the Senator from South Carolina [Mr. Johnston], the Senator from Wisconsin [Mr. Nelson], the Senator from Florida [Mr. Smathers], the Senator from Missouri [Mr. Symington], the Senator from South Carolina [Mr. Thurmond], and the Senator from Tennessee [Mr. Walters] are necessarily absent.

I further announce that the Senator from California [Mr. Engle] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. Boggs], the Senator from Kentucky [Mr. Cooper], the Senator from New Mexico [Mr. Mechem], and the Senator from Arizona [Mr. Goldwater] are necessarily absent.

The Senator from Colorado [Mr. Dominick], the Senator from Vermont [Mr. Prouty], and the Senator from Pennsylvania [Mr. Scott] are absent on official business.

The Senator from Nebraska [Mr. Hruska] is detained on official business.

The Senator from Delaware [Mr. Williams] is necessarily absent to attend the funeral of a friend.

The Senator from Kentucky [Mr. Morton] is necessarily absent to attend the funeral of a relative.

The ACTING PRESIDENT pro tempore. A quorum is present.

REPORT ON PROCUREMENT OF MILITARILY DESIGNED TRANSMITTER WHEN COMMERCIALLY DESIGNED EQUIVALENT WAS AVAILABLE AT LESS COST

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on procurement of militarily designed transmitter when commercially designed equivalent was available at less cost, Department of the Navy, dated May 1964 which, with an accompanying report, was referred to the Committee on Government Operations.

COMMEMORATIVE STAMPS AND COINAGE IN HONOR OF GEN. DOUGLAS MacARTHUR—RESOLUTION OF FOURTH ASSEMBLY DISTRICT REPUBLICAN CLUB, JACKSON HEIGHTS, N.Y.

Mr. KEATING. Mr. President, I present and ask unanimous consent for appropriate reference a resolution adopted by the membership of the Fourth Assembly District Republican Club, Inc., of Queens County, N.Y., calling for the enactment of legislation authorizing the issuance of a U.S. postage stamp and future issues of coinage in commemoration of the late Gen. Douglas MacArthur.

I ask unanimous consent that the text of the resolution be printed at this point in the RECORD.

There being no objection, the resolution was referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

FOURTH ASSEMBLY DISTRICT
REPUBLICAN CLUB,
Jackson Heights, N.Y.

Whereas the late General of the Army Douglas MacArthur served his country throughout his long and distinguished career with a dedication to duty and country surpassed by no man; and

Whereas his successful performance of that duty and his dedication to the cause of liberty and democracy have earned for him an international reputation as a true champion of liberty; and

Whereas in the hearts of his own countrymen, he has became one of America's outstanding heroes deserving of appropriate commemorative actions so that his memory will survive among generations yet unborn: Be it therefore

Resolved, That the Fourth Assembly District Republican Club of Queens County, N.Y., urges that legislation be enacted providing for the issuance of a special memorial U.S. postage stamp in honor of Gen. Douglas MacArthur; and be it further

Resolved, That serious consideration be given to the possibility of enacting legislation to provide for the inclusion of General MacArthur's portrait on future issues of coinage of the United States of America.

ODIN V. CARLSON,
President.

PETITION

The **ACTING PRESIDENT** pro tempore laid before the Senate a resolution adopted by the Sashiki-Son Assembly, of the island of Okinawa, favoring the reversion of Okinawa to the Fatherland, which was referred to the Committee on Foreign Relations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RANDOLPH:

S. 2867. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of lead proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

By Mr. CURTIS:

S. 2868. A bill for the relief of Andreas, Gregoriors, Eleni, Nikolaos, and Anna Chingas; to the Committee on the Judiciary.

CIVIL RIGHTS—AMENDMENTS

AMENDMENT NO. 607

Mr. TOWER. Madam President, I submit an amendment, intended to be proposed by me, to title VII of the civil rights bill, and ask unanimous consent that it be printed at this point in my remarks.

The **PRESIDING OFFICER** (Mrs. NEUBERGER in the chair). The amendment will be received, lie on the table, and will be printed; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 607) is as follows:

On page 50, after line 25, insert the following new section:

"AGREEMENTS REQUIRING MEMBERSHIP IN A LABOR ORGANIZATION

"SEC. 719. Section 8 of the National Labor Relations Act, as amended (29 U.S.C. 158), is amended by adding the following new subsection at the end thereof:

" '(g) Any agreement, as authorized in subsection (a)(3), requiring membership in a labor organization as a condition of employment, shall to that extent be unenforceable and void if such labor organization, because of race, color, religion, national origin, or sex, denies membership therein to any individual on the same terms and conditions generally applicable to and with the same rights and privileges generally and uniformly accorded to all members of such labor organizations.' "

Mr. TOWER. Madam President, my amendment would nullify those provisions of any collective bargaining agreement which require membership in a union as a condition of employment in any case where the contracting union maintains an exclusionary policy with respect to membership based on race, religion, color, national origin, or sex.

For the past 30 years, labor unions have been the recipients of many special privileges, rights, and immunities enjoyed by no other form of private organization in our society, and conferred on them by Federal law. Among the most substantial of these union advantages is the power to contract with the employer to compel membership in the union as a condition of employment.

In 1935, Congress adopted the Wagner Act which the trade union movement refers to as its "Magna Carta." A fundamental principle of the Wagner Act was that no employer could lawfully discriminate against an employee because of his membership or nonmembership in a labor union. This basic principle was embodied in section 8(3) of the Wagner Act, which made it an unfair labor practice for an employer "by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization."

If section 8(3) had stopped right there, every form of compulsory union membership agreement would have been rendered unlawful. To avoid this, the Congress conferred a special immunity on labor unions by including a proviso to section 8(3) which permitted unions and employers to enter into compulsory union membership agreements without violating the law.

It was clearly recognized that this exception was in direct contradiction to the act's fundamental principle that an employee's job status was to remain completely unaffected by reason of his membership or nonmembership in a union.

In 1947, Congress recognized the need to narrow this broad and powerful immunity it had granted to labor unions 12 years earlier. Although in enacting the Taft-Hartley Act, it continued to permit employers and unions to enter into compulsory union membership agreements, it narrowed the permissible scope of such agreements. Moreover, it also made explicit by writing into the new statute a principle which had previously been part of the unwritten law, to wit, the so-called right-to-work principle. Section 14(b) of the amended National Labor Relations Act specifically authorized the States to prohibit all forms of compulsory union membership. To date 20 States have enacted such right-to-work laws.

Nevertheless, in the remaining 30 States, unions continue to enjoy the special privilege of lawfully being able to compel employees to join the union if they wish to hold on to their jobs. It is my firm conviction that this special privilege should be withdrawn from any labor union which denies fair and equitable treatment to qualified employees and applicants for employment and which discriminates in membership on the basis of race, religion, color, national origin, or sex.

For that reason I am introducing this amendment which, simply stated, merely renders null and void any provision in a collective-bargaining agreement requiring union membership as a condition of employment, if the union which is a party to such an agreement, discriminates with respect to membership therein because of race, religion, color, national origin, or sex. If a union wishes to assert the prerogatives of a private organization to pick and choose its own members in any way it sees fit, it is inequitable for the Federal Government to grant it the special privilege of contracting for compulsory membership where the union exercises its prerogative unjustly, arbitrarily, and in a discriminatory manner.

In closing, I would like to point out that my amendment would not apply in any way in those States which have or enact right-to-work laws or which have or enact fair employment practice laws covering this matter. Inasmuch as the bill merely nullifies compulsory union membership contract provisions under certain discriminatory conditions, it can obviously have no application in any State where such provisions are already prohibited by State law.

AMENDMENT NO. 608

Madam President, I submit another amendment to the civil rights bill, and ask unanimous consent that it be printed at this point in the RECORD.

The **PRESIDING OFFICER.** The amendment will be received, lie on the table, and be printed; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 608) is as follows:

On page 29, line 17, immediately after "include" insert "(1)".

On page 29, line 21, immediately after "assistance" insert a comma and the following: "or (2) any student placement service of an educational institution which is exempt from taxation under section 501(a) of the Internal Revenue Code of 1954".

Mr. TOWER. Madam President, this is a very simple amendment designed only to clarify a situation with which I think there is complete agreement. It specifically exempts university and college placement services from the civil rights bill definition of an "employment agency."

I do not believe that it ever was intended for placement services maintained by educational institutions for the assistance of their students to come under the term "employment agencies." But the bill leaves the matter uncertain.

Section 702(b) of the bill defines employment agency as "any person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person." It then exempts agencies of a State which might exclude State-supported colleges, but might not.

Section 702(f) of the bill defines employee to mean an individual employed by an employer. But this appears to be too restrictive. What is intended, no doubt, is to include also "prospective employees," since the present wording if strictly interpreted would remove from the provisions of this act all persons not already employed when they seek work.

Assuming that "prospective employees" are intended to be covered by this act, then students certainly might be included if they are served by placement services in seeking initial work after their education. They almost certainly would be covered in seeking new opportunities through such a service in the later years of their employment. Many colleges operate such services.

I feel that it is unrealistic to bring college placement services under this law, neither do I think it was intended.

It can only be assumed that, if subject to this law, colleges would face added expenses for recordkeeping and for possible legal defenses at a time when this Congress is attempting to put more money into American education, rather than to increase the costs of educational institutions.

It also is obvious that this provision would operate to the detriment of those remaining colleges which are primarily utilized for whatever reason by a majority of students of a so-called minority group. This could affect especially church supported schools.

There also is the issue of testing which has arisen because of the interpretation in the Motorola-Illinois FEPC case. It is possible that tests will be subjected to supervision under this civil right's law—although I hope not. Since our colleges and universities use tests for many reasons, I do not think there should be left any possibility that they would be restricted in such testing.

At any rate, it was not and is not intended that American colleges and universities be harassed by this bill. Therefore, I suggest that my amendment be utilized to specifically spell out the fact that college placement services are not covered by the bill.

Mr. TOWER subsequently said: Madam President, I ask unanimous consent that the amendments which I submitted may be entered into the RECORD as having been read for the purpose of the cloture motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUCCESSION TO THE PRESIDENCY AND VICE PRESIDENCY—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. BAYH. Madam President, one of the great issues before the country today is the problem of providing means for proper disposition of Presidential or Executive affairs during times when the President is unable to carry forward the powers and duties of his office.

A joint resolution dealing with this problem, as well as the problem of replacing a Vice President during a time when we would have no Vice President, was introduced by some of us on December 12, 1963.

I ask unanimous consent at its next printing to have the name of the distinguished Senator from Connecticut [Mr. DODD] added as a cosponsor of Senate Joint Resolution 139, which deals with this problem.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate of May 14, 1964, the following names have been added as additional cosponsors for the following bills:

S. 2842. A bill to confer jurisdiction on U.S. district courts to hear and render judgment on certain claims: Mr. GOLDWATER, Mr. GRUENING, Mr. HART, Mr. MANSFIELD, and Mr. MCGEE.

S. 2848. A bill to establish a program for Federal assistance for college and vocational education loans and a program for Federal undergraduate scholarships: Mr. MCCARTHY.

NOTICE OF MEETING OF PUBLIC LANDS SUBCOMMITTEE

Mr. BIBLE. Mr. President, I would like to take this opportunity to announce that I have scheduled a Public Lands Subcommittee meeting for 10 a.m. on Friday, May 29, to take testimony on four park bills. They are:

S. 91, to establish the Fort Bowie National Historic Site in Arizona.

S. 605, to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in the Independence National Historic Park.

S. 2048, to provide for the Big Horn Canyon National Recreation Area.

S. 1870, to establish the Valle Grande-Bandolier National Park in New Mexico.

These are apparently noncontroversial measures and in the limited time that has been made available, the committee should be able to hear all of the witnesses who desire to testify.

I want to assure my colleagues who are sponsoring other park legislation that as soon as the situation on the floor of the Senate clarifies to such an extent that we can be assured of having sufficient time to hear all of the witnesses, I will schedule hearings promptly.

I would like to particularly assure my colleagues from Pennsylvania and Maryland who have sponsored the Tocks Island and Assateague Island proposals that I have been swamped with requests of interested parties to present their views to the committee. For this reason it appears to be the better course to delay action on these bills until the civil rights matter has been disposed of and the restrictions on committee meetings are lifted.

It is also anticipated that the subcommittee will shortly conduct a field examination of the proposed Fire Island National Seashore. With this exception hearings have been concluded on the bill.

I see on the floor the Senator from New York [Mr. KEATING]. I hope that we can make the inspection either this weekend or the weekend thereafter. As soon as it is completed, we hope to proceed with the consideration of the Fire Island National Seashore at an early meeting of the subcommittee in executive session.

Mr. KEATING. Mr. President, I am very glad to hear the remarks of the distinguished Senator from Nevada. I know he has moved along diligently with the Fire Island bill. Of course the circumstances that prevail on the floor of the Senate at the present time have made it impossible to have the subcommittee visit Fire Island. However, I am gratified to hear his statement, that he and his subcommittee will make a field inspection trip up there. I understand he does not feel that further hearings are necessary beyond the hearings which have already been held here. Is that correct?

Mr. BIBLE. The Senator is correct. Apparently no further requests for hearings have been received. If there are further requests in the field for hearings, it may delay that much longer the ultimate decision on this very worthwhile project. We hope to make the inspection trip a week from tomorrow or the weekend thereafter.

Mr. KEATING. I am grateful to the Senator. If he gets there on the Memorial Day weekend, May 30, he will see a very busy place. If possible, I would like to be there with him, to guide him through the maze of people who will be there that day, enjoying themselves on the holiday. Whether that is possible or not, I hope following the inspection trip the Senator and his fine committee will proceed to act favorably on the proposed legislation. It will be a great boon to that whole area.

Mr. BIBLE. I assure the Senator from New York that as soon as we have completed the details we shall notify both Senators from the State of New York.

Mr. KEATING. I thank the Senator.

AMBASSADOR STEVENSON'S SPEECH TO THE UNITED NATIONS YESTERDAY

Mr. MANSFIELD. Madam President, at the time of my remarks on southeast Asia yesterday, I had not seen the full text of Ambassador Stevenson's speech to the United Nations. In particular, the news ticker had not yet carried the report of his proposal that there be U.N. action to halt the border incidents between Cambodia and Vietnam. He proposed that a joint Cambodian-Vietnamese force under U.N. observation and direction or an all U.N. force be used to patrol the border between the two countries. He stated further that the United States would be willing to do its part in the maintenance of such a force.

It is an excellent proposal and he is to be commended for advancing it on behalf of the U.S. Government. As I have indicated in the past, some kind of impartial patrol force on the borders is a necessity for peace in Indochina at this time. The absence of a clear geographical boundary between the two countries, Cambodia's historical fear of its neighbor to the east, and the operation of Vietcong units in the border area, all point toward this need.

An impartial border force such as Mr. Stevenson proposed, moreover, would be in line with what Prince Sihanouk has long sought for the protection of his country's neutrality and should go far toward improving relations between Cambodia and South Vietnam. I am hopeful that it would also be useful in restoring a measure of amity in our relations with Cambodia.

"THE CHALLENGE OF COMMUNISM"—ARTICLE BY GOV. NELSON A. ROCKEFELLER

Mr. JAVITS. Madam President, I should like to insert in the RECORD at this point an outstanding fine article entitled "The Challenge of Communism," written by Gov. Nelson A. Rockefeller.

Persons like myself have said that Republicans ought to continue to make contributions to the foreign policy efforts of this country within the context of the bipartisan foreign policy as initiated by Arthur Vandenberg of Michigan, the father of NATO and of the United Nations.

This article by Governor Rockefeller carries out fully that concept, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Look, June 2, 1964]

THE CHALLENGE OF COMMUNISM

(By Nelson A. Rockefeller)

(New York's Governor Rockefeller speaks candidly about our past errors in dealing with the Soviet Union; the danger in trying to play Communist Russia against Red China; the mistake we make in believing a change in Russian strategy means a change in Communist aims.)

In the 19 years since World War II ended, periodic Soviet peace offensives have raised the hopes of millions, but these expectations have invariably been disappointed. We have recently been going through another such phase. Early in January, it was reported that President Lyndon B. Johnson was planning his own "peace offensive" for 1964. Roger Hilsman, who was then Assistant Secretary of State for Far Eastern Affairs, spoke optimistically of the lessons the leaders of the Soviet Union had absorbed regarding "the values and priorities which one may safely pursue on a small planet." And Secretary of State Dean Rusk reportedly told a NATO meeting in December 1963 that the West has an interest in Soviet policy prevailing over Chinese policy. Yet, within a few weeks after these statements were said to have been made, the world was again racked by crises from Vietnam to Zanzibar, from Cyprus to Panama and Cuba—some of them Communist instigated, all of them Communist exploited. And at the Disarmament Conference in Geneva, the Soviet negotiators were intransigent as always, making the usual Soviet propaganda proposals designed to disarm the West unilaterally.

No responsible American will dispute the urgency of the effort to achieve peace. But Americans are not willing to buy peace at the expense of freedom. Anyone aspiring to leadership in our society owes it to the American people not to raise false expectations. He must not naively pretend that history will hand us our deepest desires on a silver platter. He must also avoid a sterile negativism that above all is concerned with striking a belligerent pose. I, for one, offer no easy solutions or panaceas to the challenge posed by Communist imperialism. The success of our struggle for peace depends on our understanding of the nature of the Communist challenge and of the dangers and opportunities inherent in the present situation.

From its beginning, communism has occasionally preached political coexistence. It has always rejected ideological coexistence. Last summer, an official document of the Soviet Communist Party declared the irreconcilability of Communist values with those of the West: "The Communist Party of the Soviet Union comes out resolutely against peaceful coexistence in the ideological sphere. This is a simple truth that all who regard themselves as Marxists-Leninists should have mastered long ago."

Have Soviet values changed then, as Hilsman, among others, has implied? The answer is found in the Soviet Communist Party's own words in its memorandum to the Chinese Communists of July 14, 1963: "We fully stand for the destruction of imperialism and capitalism. We do not believe in the inevitable destruction of capitalism, but are doing everything for this to be accomplished by * * * the class struggle and as soon as possible.

Peaceful coexistence was avowed by the Soviet Union between 1924–39; between 1943–46; at the time of the Geneva Summit Conference of 1955; and again at the time of Nikita Khrushchev's visit to the United States in 1959. On each occasion, the period of relaxation was ended when an opportunity for expanding communism presented itself. The 1924–39 period of tranquillity was followed by the annexation of Bessarabia, a third of Poland, the Baltic States—and an attack on Finland. In the period following World War II came the creation of the chain of satellites in Eastern Europe. The spirit of Geneva gave way to the penetration of the Middle East and a crisis over Berlin. And the spirit of Camp David was ended with another Berlin crisis and the establishment of a Communist military base in Cuba.

When the Soviet Union faces internal difficulties, should we bask in the relative calm, or should we use the opportunity to press energetically for a settlement of the issues that produced the cold war in the first place? If all we ask of the Russians when they are in trouble is a more conciliatory tone, we should not be surprised if they step up pressure as they regain strength.

To avoid a repetition of this process, we must guard in particular against the danger of confusing a change of tone with a change of policy. Soviet peace offensives in the past have been characterized by a change of tone from the usual bellicosity to more normal forms of international conduct, together with some marginal "concessions" designed to meet the rare Western demands for "deeds, not words." These concessions, as often as not, are merely agreements to stop doing something the Soviet Union had no right to do in the first place. Thus, in 1943, it abolished the Comintern and the international apparatus for Communist subversion—on paper at least. The late Senator Tom Connally, of Texas, said then: "Russians for years have been changing their economy and approaching the abandonment of communism, and the whole Western world will be gratified by the happy climax of their efforts."

By 1948, the Comintern, under another name, was reestablished, though it had hardly been inactive during the period that it was formally dormant.

The tendency to view Soviet developments with excessive optimism was illustrated last summer by Under Secretary of State W. Averell Harriman, upon his return from Moscow. He reported that both domestic pressures and the experience of the Cuban crisis had convinced the Soviet leaders of the importance of peaceful coexistence.

But these views were also held by Harriman back in 1959—in the middle of that year's Soviet offensive against West Berlin—when he wrote: "I think Mr. Khrushchev is keenly anxious to improve Soviet living standards. I believe that he looks upon the current 7-year plan as the crowning success of the Communist revolutions, and a historic turning point in the lives of the Soviet people. However, as I had indicated elsewhere, he is finding it difficult to attain the ambitious goals set forth in the plan as long as armaments are making such heavy demands on scientific genius, technical skill and capital investment."

This was a year before the breakup of the Paris Summit meeting, 2 years before another ultimatum on Berlin and the Soviet abrogation of the nuclear-test moratorium, and 3 years before the installation of Soviet missiles in Cuba.

Recently, there were those who described the agreement to permit some West Berliners to visit relatives on the other side of the wall during Christmas as a "step forward." It was overlooked that the wall itself is a violation of solemn agreements and that this so-called concession was obtained only after the West Berlin city government had negotiated separately with the East German regime. The negotiations enhanced the status of East Germany and began a process that could end in the separation of West Berlin from the Federal Republic of Germany—both objectives of the Soviet Union since 1958. We have come a long way when blackmail based on the anguish of divided families is considered conciliation.

Still more recently, President Johnson responded optimistically to Khrushchev's proposal for an agreement on the renunciation of force. Secretary Rusk said that he hoped that our Soviet "friends" were "sincere" in this appeal. But the insincerity of the Soviet proposal was obvious on its face. Khrushchev specifically stated that the agreement would not restrict the use of force against Taiwan, or the use of force against Western military bases that exist under old treaties; that internal struggles to unite countries like Vietnam and Korea were also in a separate category.

We were asked, therefore, to sign an agreement renouncing the use of force, but not to object to the use of force against Taiwan, Panama, and Guantánamo. At the same time, we were to withdraw our forces from Vietnam and Korea. And yet President Johnson wrote the Soviet Premier that Khrushchev's proposal could be the basis for further progress toward peace. To the extent that we confuse the change of Soviet tone with a change of policy, we strain the free world alliance, and also raise false hope among our own people.

The impact on Soviet actions is even more serious. As long as the Russians believe that any action of theirs, no matter how provocative, can be reversed by a change in tone, they have no incentive to conduct a responsible policy.

We face no more urgent task than to make clear that the cold war can be ended only by resolution of such issues as the division of Berlin and Germany, Soviet subversion in the underdeveloped countries and Soviet encouragement and support for so-called wars of national liberation, which are in fact nothing but wars to overthrow legally constituted governments.

In approaching the free nations, the Russians constantly encourage the belief that each country can do better by dealing directly with the Soviet Union, rather than by acting in concert with the rest of the free world. This danger is compounded by the tendency of political leaders the world over to believe that they have a "special" relationship with Khrushchev—a belief assiduously fostered by Soviet diplomacy. In many democratic countries, the approach of election time makes a pilgrimage to Moscow almost obligatory.

The United States has an unfortunate record of bilateral negotiations with the Soviet Union. In 1962, we engaged in what were called exploratory talks, over Berlin, without the participation of France or the Federal Republic of Germany. In 1963, we and the British negotiated the nuclear test ban treaty without consulting our continental allies on some of its key provisions. And we endorsed by implication a nonaggression treaty between NATO and the Warsaw Pact. This moved the Secretary General of NATO to warn that the United States should not "embark on courses which other members of the alliance might be unable to support."

Unless the West can develop a united program, the pressures for separate accommodation can be expected to multiply, and the purposes of Soviet policy will be served. As the Communist parties are made more "respectable," and the Soviet leaders are given certificates of good conduct, so does the domestic situation in many free countries become increasingly difficult.

The argument is often made that we have an interest in supporting one Communist faction against the other. Sometimes, it is said that we should support individual Communist leaders by making concessions to them, lest more bellicose opponents take over. However, the free world must not delude itself about its ability to affect internal developments in the Communist world. Neither the split between Yugoslavia and the Soviet Union nor the Sino-Soviet dispute was caused, or even foreseen, by free-world policy.

Many of the internal Communist arguments have in any event had primarily a tactical significance. A decade ago, China was supposed to be the "liberal Communist power"; today, the opposite supposition rules. A decade ago, Khrushchev replaced Georgi Malenkov because he supposedly put too much stress on consumer goods. Two years later, Khrushchev adopted Malenkov's program.

The gyrations of Communist internal politics are too complex, and too involved with the ambitions of individuals, for the West to base its policies on them. We cannot play Kremlin politics. We should not make concessions simply to strengthen a so-called "peaceful" Khrushchev. The test of our offers must be the national security of the United States and the cohesiveness of the free world.

The Sino-Soviet dispute may in time sap the world Communist movement. But we would do well to recognize that, for the immediate future, the split represents danger as well as opportunity.

Finally, I should warn against the expectation that industrialization will automatically make the Communists more peaceful. Nazi Germany was highly industrialized, and highly aggressive. Imperial Japan was the only industrialized country in Asia, and the most bellicose one. Former Assistant Secretary of State Hilsman spoke optimistically of a new generation of less doctrinaire Chinese Communist leaders. Is there any substantial evidence to support this theory?

In order to be effective, any policy toward the Communists must be based on the unimpaired military strength of the United States. The sole argument Khrushchev has used in behalf of peaceful coexistence is that nuclear war is too risky. We have to strive to keep it so.

While our present strategic forces are adequate and dependable, there exists in the Defense Department a dangerous complacency about long-term developments that may amount to a "Maginot mentality"—the assumption that what we have today will prove sufficient tomorrow. This is exemplified by overemphasis on the so-called cost effectiveness approach of Secretary of Defense Robert McNamara, which has been criticized in a unanimous report of the Joint Committee on Atomic Energy: "If this theory had been rigidly applied in the past, we would not have many of the essential weapons we have today. If our potential enemies do not choose to use the same cost-effectiveness criteria as our Department of Defense, we may well find that they will oppose us with the best weapons technology will provide."

I am concerned also about the steady redeployment of troops, which has been going on for more than a year, from Europe, from Japan and even from Vietnam. Once before, in Korea, such redeployment invited Communist aggression. Let us never forget that the presence of U.S. troops overseas heartens the friends and discourages the enemies of freedom. A lasting settlement is possible only if the Soviet leaders become convinced that they will not be able to use the West's desire for peace to demoralize the West. Effective negotiations with the Soviet Union presuppose negotiations with our allies—including Charles de Gaulle—about a common policy.

In all the areas likely to be discussed with the Soviet—political, military, and economic—unresolved disputes exist in the Western alliance. These must be overcome. Specifically:

1. It is dangerous to negotiate with the Soviets as long as allied disunity presents them with a shopping list of conflicting programs.

2. It is impossible to make responsible proposals on disarmament until we have settled long-festering disputes on strategy.

3. In the economic field, the issues raised by the recent wheat deal demonstrate the urgent need for common trading policy as to the Soviets.

Our most urgent task is to form a more perfect union among the nations of the West. I urge an early convocation of a summit conference of the nations of the North Atlantic to begin forging common policies. The heads of the member states should then create a permanent body charged with formulation of the following:

Common NATO negotiating positions toward the U.S.S.R. on matters of common concern.

A common NATO trading policy toward the Soviet Union and the Communist bloc;

A common strategic doctrine among the countries of NATO;

Long-range goals of NATO policy; and

Policies that enable other regions to collaborate with the Atlantic community on a basis of equality and mutual respect.

In the past, the tendency has been increasingly to negotiate on a Soviet agenda. When the Soviet is bellicose, the West is reluctant to raise controversial issues for fear of magnifying Soviet hostility. During periods of calm, the West does not raise these issues for fear of disturbing the mood of tranquillity. The West urgently requires a positive program of its own.

The West should make clear that the Soviet cannot ride two horses at the same time: That of peaceful coexistence toward the West and of subversion in all the underdeveloped countries. A real relaxation of tensions presupposes an end to the Soviet policy of indirect aggression in Asia, Africa, and Latin America.

Even in the absence of a settlement of these fundamental issues, some limited agreements may be possible. They fall into three areas:

1. Standards of international conduct: The Soviet Union can relieve the impression that it is not prepared to meet expected standards of international conduct by taking the following steps: It can meet its financial obligations to the United Nations; it can meet its obligations under the international fishing conventions; it can sign the international patent and copyright conventions; it can sign the Japanese peace treaty.

2. Agreement on trading principles between East and West: The nations of the West should seek a comprehensive agreement with the Soviet Union on the principles of international trading. The agreement would cover such areas as dumping and price discrimination, where a state-controlled economy has an obvious advantage in maneuverability over a free-market economy. The principles of the General Agreement on Tariffs and Trade (GATT) seem appropriate.

3. Cultural exchange: Whatever our differences with the Soviet leaders, we harbor no animosity toward the Soviet people. The Russians, like peoples everywhere, deeply desire peace and value individual freedom. It is in the interest of peace to have the greatest possible contact between our people and those of Russia. The greatest degree of collaboration in pure science or other cultural or intellectual fields should be fostered.

If the United States and the free world are to endure and prosper, we must begin to look beyond the edge of the desk over which current crises come. We must choose to lead by making a reality of equal opportunity at home. This will have crucial meaning for those throughout the world whose choice for their own future may rest on our ability to make real the American dream. We must choose to lead in building among the Western nations a union of the free, dedicated to the preservation of human dignity.

It is the task of the leader to raise a standard to which our friends can repair—to define the limits which our foes know they may not transgress. Above all, it is the challenge of leadership to define peace not simply as a static condition, not just as the absence of war, but as an opportunity for free men everywhere to realize the best they have within them.

CONSEQUENCES OF TRADE WITH SOVIET BLOC IN STRATEGIC MATERIALS

Mr. TOWER. Madam President, Mr. R. G. Follis, chairman of the board of the Standard Oil Co. of California, has written in the April issue of the Standard Bulletin a concise and powerful analysis of the consequences of trade with the Soviet bloc in strategic materials, particularly oil industry facilities.

I ask unanimous consent to have the views of Mr. Follis printed in the RECORD, and I commend them to the careful attention of the Senate.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

TRADE WITH SOVIET RUSSIA

(The U.S.S.R. wants to trade the West for prototypes of advanced industrial plant that will let them bypass five decades of research and experience, keep their technical resources at work on military projects and give them a big competitive edge in world markets.)

From all the economic barometers, from reports from within Russia herself, the Soviet economy is sagging, and badly. Growth of heavy industry has slowed to a crawl; in other sectors, such as agriculture, the slowdown amounts to stagnation.

At the same time, there is an apparent relaxation of tensions in the Soviet "cold war" with the West. Whether or not these two things are related cannot be known for sure. One facet of the present thaw is a Soviet invitation for more trade with the West. Even now, to help ease their food crisis, America is selling grain to the U.S.S.R. Meanwhile, Russia continues to dump oil on world markets wherever it can be used to open free world countries to infiltration, and at the same time secure more foreign credits, at whatever price. It is not clear that the U.S.S.R. and the free world have the same understanding of the word "trade."

What do the Russians really want? They have already indicated what it is. Despite their aggressiveness and the advanced technology displayed in the military and related activities, the Russian plant for supplying consumer goods for peacetime use is inefficient and obsolete in many areas. To bring the Russian plant into shape would require years and years of devoting to the task huge amounts of capital and, most important of all, technical manpower which in our unbelievably complex technical era puts a firm limit on what can be done in any society.

What they are asking for, in their trade deals, is industrial machinery, not to equip their whole industrial complex, but just one or two ultramodern plants in each category: Chemicals, steel, petroleum, rubber, and a long list of other vital elements. These are obviously needed for just one purpose—model prototypes. At one stroke, by simply copying (Russia does not believe in patents) they will have bypassed 50 or more years of trial and error, of research, inspiration and invention. And their plants, unlike those of the West, will all be of the most modern, advanced type, able to pour manufactured goods into the marketplace in quantity and price almost impossible to match. In other words, they want to repeat the massive transfer to them of Western technology which took place in the thirties and early forties. Then, similar plants in a wide spectrum were made available to them—thus relieving their technological manpower so that their energies could be directed to military and other activities.

And what will the Russians use for trade goods to obtain these plants? The most accessible resource the Soviets have to offer the free world for exchange is their oil—they have already opened and disrupted several markets in the West with it. Further evidence that petroleum is their prime trading weapon is its top priority on the list of modern prototype plants wanted. Russia, before any other plants, wants samples of advanced major refineries and petrochemical plants. Once these plants are duplicated and in operation, they may well pay for the prototypes of all the rest.

What is Russia's eventual aim? On this, we have direct evidence. It is in their own statements. One such statement is contained in a speech made by Premier Khrushchev only last December at the Soviet Communist Party meeting in Moscow. It said, in effect, that when the U.S.S.R. had succeeded in obtaining from the West the equipment it needed to avert disaster, it would be able to then "inflict a crushing blow on the Old World and establish with incontestable conclusiveness the superiority of socialism over capitalism."

This is not a simple challenge of competition—and not just a matter of the oil industry alone. Petroleum happens to be the vehicle selected to force the door; if the Soviets can obtain the technical prototype machinery in this field, the new plants they will then build can, and will, secure the foreign exchange power needed by Russia to repeat the performance with every other industry.

It can be hoped that our own Government will be foresighted enough—in this one field of technical industry or in any other—not to create such competition for its own economy by permitting the sale to Russia of prototype equipment. To do so would be to abet a Russian purpose which is neither constructive nor beneficial. It is, in short, the complete destruction of our economy (including our oil and all other industry) and eventually our entire way of life. Perhaps we could convince some of our allies of this fact, too.

R. G. FOLLIS,
Chairman of the Board, Standard Oil Co. of California.

ALLIANCE FOR PROGRESS—ADDRESS BY PROF. J. W. F. DULLES TO TYLER JUNIOR COLLEGE, TYLER, TEX.

Mr. TOWER. Madam President, I ask unanimous consent to have printed in the RECORD a thoughtful speech given at Tyler, Tex., Junior College March 6, 1964, by Prof. J. W. F. Dulles of the faculty of the University of Texas.

Mr. Dulles is a talented and careful observer of Latin America, and his scholarly views on the Alliance for Progress will be of interest to the Senate.

I might note as a matter of further interest, that Mr. Dulles is the son of former Secretary of State, John Foster Dulles.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE ALLIANCE FOR PROGRESS—THOUGHTS FOR TYLER JUNIOR COLLEGE, TYLER, TEX., MARCH 6, 1964

About the Alliance for Progress I should like to make a few observations. They might be divided into two categories. One covers the dangers of generalizing about the situation in Latin America. The other has to do with the objectives of the Alliance.

I

In some places there exists a simple generalization about Latin America which is much used as the basis for judgment. Sometimes it seems to color the newspaper stories which appear in our country, so that for the initiated on the spot it is occasionally hard to recognize from these stories what is really going on. This generalization pictures the Latin American armies, the landowners, and the rich as taking a reactionary position and fighting against reforms which would benefit their countries and the downtrodden. Actually there are so many exceptions to this generalization that it can hardly be considered very valid or very useful.

During a visit I made to Argentina in 1962 it was apparent that the military chiefs there stood for two healthy things. One was support of anti-Castro action by the OAS, backing the position of the United States. The other was to prevent the return of Perón, whose regime was hardly beneficial to Argentina and who has said that when he does return to power a million Argentine heads will roll. These views held by military leaders—particularly their views regarding Cuba—usually brought them into conflict with the administration of President Frondizi. Finally, the military leaders felt they should take drastic action when they saw that a strong Peronista-Communist combination was about to take the country in what seemed to them to be a dangerous direction. Argentina is now back on the democratic path.

In the past 20 years the Brazilian military has stepped into the political picture on several occasions. Each such step was a very short one in which the purpose was to keep Brazil a democracy. One may or may not agree with the position taken by the Brazilian armed force ministers following the resignation of President Quadros in 1961, but it is nevertheless clear that their objective was to prevent what they felt to be a serious development in favor of communism. They had no desire to take over the nation's political administration, did not do so, and have opposed no social improvements.

Last year there was a military takeover in Guatemala. This was occasioned by the fact that an election was pending, and the election would have brought Juan José Arevalo, a Communist, to the presidency. Some of you may have read Arevalo's book, "The Shark and the Sardines." You may recall that in the early 1950's popular election brought Guatemala into the Communist camp, that this was terribly upsetting to our country, and it took military action in 1954 to overthrow the Arbenz Communist regime. Last year's military coup was, in my opinion, preferable to having Guatemala at the present time become another Cuba.

In an issue of National Review last month Mr. Charles Stokes, of Houston, wrote disparagingly of views such as these which I have expressed now and then. He pictured me as an apologist for military dictatorships in Latin America. He wrote: "It appears Mr. Dulles would set aside certain basic principles to achieve pragmatic, short-term results." Mr. Stokes went on to discuss underlying causes, four centuries old, of Latin American political instability. With much of what he wrote I am in agreement, and I feel sure he would agree with some of the evolution he would like to see may take a good deal of time. I am not trying to say that I think a military dictatorship is the best thing, and certainly I would not say that everything the military has ever done in all of Latin America has been good. But in some areas of Latin America the military in recent years has played a very healthy role, and I would quarrel with generalizations to the contrary.

Some thoughts about this matter have been expressed by Adolf Berle, who served under Presidents Roosevelt and Truman as Assistant Secretary of State for Latin American Affairs and as Ambassador to Brazil, and who, more recently, was chairman of President Kennedy's Task Force for Latin America. Mr. Berle recently wrote that "Latin American armies differ from country to country but they are responsible for and to the best of their ability have maintained constitutional democratic governments over most of the region, and their officers are as enlightened and patriotic as most citizens."

All sorts of statements could be made about agrarian reform and there would probably be some truth to all of them, for conditions vary not only from country to country but also inside many of the countries as well.

Experience does show that the simple division of large estates among peasants means a reduction of food production, at least for a while. Such a program created a very serious situation in Bolivia. More recently Castro, whose agrarian reform program has been described as a shambles, has made it clear that he will distribute no more land.

Together with the possession of a piece of land, a great deal is needed to make things satisfactory for a landowner and for the economy of a country with hungry citizens. By using a combination of experience, new investment, and new techniques, landowners in Latin America have increased food production by about 60 percent between 1940 and 1960. Many of them have done very commendable jobs. But in some areas the uncertainty about possible future reform has caused productive landowners to hold off from installing badly needed mechanical equipment. Furthermore in some regions the passion for quick industrialization has resulted in Government monetary and financial policies which have been quit unfavorable for the agricultural sector. Some food shortages have developed and these have contributed to poverty and inflation. The need of further increasing food production is a serious problem in some places.

Mr. Berle states that it is a misconception to say that agricultural reform is a good thing. He also writes that it is at least arguable that agrarian reform is an issue urged primarily by intellectuals and politicians * * * rather than an issue engendered by insipient agrarian revolt.

In February 1962 when I was in southern Brazil I found Governor Brizola, who likes to expropriate foreign utilities, was devoting much time trying to stir up the idea that there is a great need for agrarian reform in the most southern Brazilian state of Rio Grande do Sul. These efforts of his did not catch on. Nor do they seem to have made Brizola popular in his own farming and cattle-raising state of Rio Grande do Sul. In the election which followed, Brizola lost control of his own state, but he nevertheless appeared to be a far leftist hero in the metropolitan city of Rio de Janeiro—which is hardly an agrarian area. The city of Rio voted to have this great expropriator from a distant southern state represent it in the federal congress.

Intellectuals and politicians may possibly, as Mr. Berle has suggested, be to the forefront in urging agrarian reform. At the same time and for other reasons work is being done by Communists, whose attacks on the landowning class, and whose efforts in some areas to organize peasants for an eventual guerrilla campaign, are not designed to serve as useful solutions.

Statistics about Latin America are sometimes drawn up to show that a large percentage of cultivated land is held by a small part of the population. Sometimes I wonder what corresponding statistics would show for the State of Texas or for the United States. Or what would be the effect here of breaking up the large landholdings, or threatening to do so, with compensation to be in practically worthless paper.

But I do not want to do too much generalizing myself. It seems that in some regions of Latin America there has developed a tenseness calling for some action. Some of these situations exist where there are large government landholdings, such as in Guatemala. In various sectors there are opportunities to create useful new land by new irrigation and new roads. But such solutions take time. Some land expropriations can be expected regardless of the cost in total food production and the considerable cost of equipping the new landowners with what they will need in addition to land.

It is to be hoped they will be properly equipped. It is also to be hoped that each area will do its utmost to end soon the kind of uncertainty which has caused some of the present landowners to decide to carry on with antiquated farming methods instead of investing in new equipment.

And now a few thoughts about the industrialists and their attitude toward reforms of one type or another.

Statistics show an income distribution of Latin America which is far from satisfactory. In Venezuela, for example, 10 percent of the population receives 80 percent of the national income. In this day of propaganda and communications we can appreciate how dangerous it is to have 90 percent of the population in poverty. But such is the income of Latin American peoples that if all of it were distributed evenly upon a per capita basis, it would simply mean that everyone, instead of the 90 percent, would be too poor. What has happened is that the area of industrial production has to date included a relatively small sector of society. It has not been big enough and a large part of society continues outside the economic picture.

Let us assume we find a state which has had no industry and to which one industry comes, attracted by the profit motive. It brings good earnings for the owners, taxes for the tax collector, and relatively good conditions for its employees. But elsewhere in the state 90 percent of the population is outside of this activity. On the part of certain politicians, ever mindful of the 90 percent, the tendency has been not to take steps to attract new industries, but rather to take a different course. Unfurling a banner of so-called reform, they often present a package of projects which include expropriation threats, the limiting of profit remittances, and the carrying on of fiscal policies which assume such a currency inflation that only a crazy businessman would let his earnings remain in the local currency.

There have been of late occasions when important new industries, and useful expansions of production, have been killed—killed by so-called reforms supported by ultranationalists and Communists; or killed by an outworn theme which goes like this: Spoilation by foreign investment associated with reactionary local capital.

It is perhaps not inappropriate to consider that our own country, in its early days, owed much of its development to European capital which found it attractive to come here. But it is not just foreign capital which is affected in Latin America by what the Chase Manhattan Bank calls the barrage of propaganda against free enterprise. A former Finance Minister of Brazil, the largest Latin American country, has stated that his countrymen are keeping in the United States, Switzerland, and other foreign countries an amount equaling 150 percent of the biggest possible sum that his country can hope to obtain under the Alliance for Progress.

David Rockefeller, speaking in Paris, pointed out that "in some cases a strong and emotional nationalism has led to domestic actions discouraging and even negating the flow of outside assistance from both public and private sources." He emphasized that "economic development is—essentially and profoundly—a product of a nation's domestic policies and attitudes." He stated that "too much of our aid has been channeled into Government programs and too little has gone to stimulate the productive energies of private enterprise." He added that "it is folly to think, as some apparently do, that the staggering task of development can be accomplished without full use of the talents of private enterprise and full support of private investment."

Senator JOHN TOWER in last January's Reader's Digest wrote an article called "Let's Stop Financing Socialism in Latin America." TOWER quotes an Ecuador citizen as saying about Ecuador: "If all the capital sent abroad would return, Ecuador could be well off. No basic foreign aid would be necessary." TOWER estimates the outflow from Brazil at $1 billion simply since the Alliance was started. He quotes a Mexican as saying: "Your Alliance is giving governments the money to buy up and operate, as money losing socialist state monopolies, scores of businesses that were formerly taxpaying parts of the free enterprise system. It seems remarkable to some of us that the wealth of the American people should be used to undermine the very system that produced it." TOWER gives rather appalling figures of the losses run up by government-owned business enterprises in Argentina, Bolivia, Brazil, etc. He states that U.S. taxpayers have furnished since World War II nearly $8 billion to Latin America in loans and grants, but that much of this has gone to bail out Latin American government losses caused by deficits in nationalized industries. Furthermore, he feels that the encouragement of this socialism speeds the outflow of local capital.

What we have to bear in mind is that not all of those who call for state ownership of industries have the solutions which will be the most helpful; not all of those who blame private enterprise for the hungry state of the masses have the best interests of the people at heart. Seeking to identify themselves with the many who are poor, demagogs organize loud demonstrations against what they label "the trusts" and "the Yankee imperialists" and introduce legislation which has driven away foreign and domestic private capital.

Alsogaray, formerly Economics Minister of Argentina, has written that it is habitual in some cases "to encourage the ultranationalistic and socialistic groups, believing they are popular and represent Latin American feeling." This, he says, is a "basic error."

I just want to say that some who have taken a bold and sensible stand against such ultranationalistic and socialistic groups, and against much of the legislation these groups favor, have become branded as reactionaries who are opposing reforms.

This is not to say that there are not some measures of reform which would be useful. I have seen situations where I believe strong antimonopoly or antitrust legislation would seem to be a useful reform, helpful both to consumers and to jobseekers. The situation, however, is so complicated that many of the generalizations which have been used, in order to create a nice, simple picture, are far from useful and far from fair. As Ambassador Lincoln Gordon once remarked: "There are reforms, and there are reforms."

II

And now to turn to my second and last category of observations: the objectives of the Alliance for Progress.

If we ask ourselves why the United States is participating on a large scale in the Alliance, a number of laudable reasons come to mind. One of these, surely, is the humanitarian aspect, which President Lyndon Johnson has stressed more than once. The peoples of all the Americas have qualities which transcend selfish interests and are characteristically ready with a helping hand when neighbors badly need it. In addition we have come to know that, in today's world, our own situation depends more and more on the conditions existing in other countries. World order is important. A good argument for the Alliance for Progress lies in the fact that the principal Communist nations are fearful of it. They see it as something which will do much to prevent large parts of Latin America from following the Cuban path. Russia and China are engaged in a well-financed campaign to smear and block the Alliance. Their agents at times identify themselves with local ultranationalists and support measures which will upset the economy. The National Federation of Students in at least one important South American country has come out against the Alliance for Progress. In one situation with which I am familiar such a stand was the result of clever and very hard work by Communist agents supported by apparently ample funds and by some professional nationalists of the far left. I feel sure that such a stand does not represent the views of the vast majority of students, many of whom are inactive politically. It is an example of the work being done by enemies of the Alliance.

To be successful the Alliance must be seen for what it is, a combined or cooperative effort agreed to by 20 nations. It must not be thought of as a vehicle to be used by our country to devote funds to popularize itself in Latin America.

The great Spanish liberal writer, Salvador de Madariaga, has suggested in his latest book that the United States should give up control of the Panama Canal. In giving his reason for this proposal, he states that such a step would help popularize our country in Latin America. I am not of the opinion that the idea of trying to popularize ourselves abroad should be the basis of deciding on important steps. The basic idea behind the Marshall plan was not the popularization of the United States.

Probably an important quality which each of the nations, including our own, should seek to obtain, is respect. And certainly the surest way for the Alliance to fail is for it to be considered as a one-way flow of effort; that is, from our country south. In this cooperative effort, a tremendous scale of performance is called for by all of the allies of the Alliance.

The Alliance, you will recall, calls for a number of things. Stress has been placed on an increase in Latin America's gross national product and a better distribution of it. Quite properly much attention has been devoted to education and it is pointed out that "inadequate educational programs have been a serious obstacle to economic progress and social integration." Men like Mr. Watson Wise, who are deeply concerned with international education, are doing as much as anyone in our country can do for our neighbors.

The problem with which the Alliance has been faced for over 2 years is how to achieve the excellent objectives which the leaders of 20 nations regard as desirable.

In "The Decline of the West," Oswald Spengler has described the characteristics of societies which can expect to become strong, and those which will decline. Describing the spring of a civilization, he writes of the birth of a new God-feeling, in the grand style. Describing the winter, or final days, he writes of "materialistic world outlook * * * extinction of spiritual creative force * * * ethical practical tendencies of an irreligious and metaphysical cosmopolitanism."

Those characteristics of societies which are dynamic are not necessarily encompassed by the economist's tools. They are characteristics which are associated with a cause considered worthy of sacrifices by the individual. We have seen new life spring sometimes from the most unpromising situations—utterly difficult situations in which some self-reliance has been necessary for survival, and yet where despair has been so rampant that a leader can call a halt to smallminded fraticidal skirmishes. I have seen a football team revive almost overnight when the individuals come to concern themselves with a larger purpose than their own selfish interests. The component parts of a society are each more willing than one might suppose to sacrifice, to work longer hours, for example, if they are quite positive that the other components will do the same, and if it is appreciated that when all set their eyes on a bigger cause, great things can be done. This principle has been used in connection with good causes and bad ones. But it is this magic leadership, this call beyond a limited day-to-day material infighting, that can bring progress out of stagnation. Germany from defeat and from the economic depression of 1933 became something terrible, but strong, in 1939. England arose to a cause with the leadership of Churchill. Compare France of De Gaulle with the floundering postwar pre-De Gaulle France. Many Brazilians in 1960 and 1961 saw that needed leadership in Quadros, overwhelmingly elected to provide a stern and moral government, after pledging that sacrifices would be required of all. He cut out cockfights and bathing beauty contests, limited horseracing to Sundays, and made it mandatory for bureaucrats to put in their full hours of work. Are some of these details trivial, or are they significant? Brazil's present troubles are attributable to his resignation after 7 months in office.

The vitality required for progress cannot be supplied by foreign aid. Once that vitality is expressing itself under dynamic leadership, such aid can be helpful.

It is at this point that we should again remind ourselves that it is dangerous to devote the major share of our attention to the byproducts of a strong civilization; our major attention should be devoted to the spirit which makes a society strong.

History has demonstrated again and again that nations whose primary attention has been focused on the spirit have built up strong moral fibers. The cherishing of spiritual and moral values for their own sake has often been accompanied by such outward manifestations as well-being. The danger comes when a society becomes so attracted by the byproducts that it puts byproducts, such as well-being, ahead of its interest in moral values for their own sake.

The point can perhaps be illustrated by the example of man's search for happiness. The man who has some well-loved goal will experience happiness when he makes steps in the direction of his goal. He is getting happiness as a byproduct. Were he to forget this nature of happiness, and start on a pursuit of happiness for its own sake, his pursuit would not be successful.

Societies characterized by the spirit I have described, possessed of this desire to sacrifice for a cause which is almost a passion, have advanced regardless of handicaps. But, unless the cause be united with metaphysical truth, the advance can be short lived.

We might again recall what motivated the founders of universities which flourish in our country today. Pioneers in a new world, who were at work earning a living for themselves and their families, resolved to contribute of their time and income to establish institutions which, they resolved, would preserve God's word and pass it on to future generations. Concerned about their offspring they had the wisdom to know that the primary function of education was something greater than fostering material progress.

One of the messages which is clearly emphasized in the Old Testament is this one. When the main attention became shifted to the byproduct and away from the original strengthening spirit, civilizations become weak. When leaders, regardless of their practical education, flouted much of the moral law, and their followers did the same, weaknesses developed and civilizations fell; and no amount of attention to material things could cure a condition of fundamental weakness.

As I have mentioned, education is assigned an important part to play in the alliance and this is a very good thing. In the Charter of Punta del Este we find it written that "the primary aim of education is the overall development of each human being." I know that all of us appreciate that the attainment of the overall development of each human being is impossible unless attention is given to the deepest and most significant aspect of that development.

Charity and the redistribution of assets on a humanitarian basis are not in themselves enough, particularly if such steps are simply inspired by motives of self-preservation. These and other steps must be the byproducts of a great spirit which has as its basis love of the word of God.

History has shown that neither will our country, nor any country allied with us, progress in any meaningful way if the bulk of our attention is so fully focused on the byproducts of greatness that we ignore the fundamental spirit which makes for true strength. This lesson, I feel, should not be ignored as 20 nations, including our own, strive to make a success out of the Alliance for Progress.

FRANCE AND AMERICA ON VIETNAM

Mr. McCARTHY. Madam President, the Washington Post is publishing a series of articles written by Walter Lippmann, based upon Mr. Lippmann's recent trip to Europe.

The third in this series entitled "Europe in the Spring," was published in the Washington Post on May 21, and the third section is entitled "France and America in Asia."

Mr. Lippmann makes a number of interesting observations with regard to American-French relationships, particularly as the relationships meet in an attempt to advance toward a solution of the problems in southeast Asia.

I should like to note two observations made by Mr. Lippmann in this article, to which I believe all Senators should be attentive:

> There are, to be sure, reports that the general takes no one into his confidence and that he conducts foreign policy in solitary secrecy. This is simply not true for the major foreign policies. For example, French policy concerned with Germany, Eastern Europe, and the Soviet Union, with NATO and U.S. military and political leadership in Europe, involves the government, not just the general himself. The complex of problems which are connected with France's reentry into the Far East are not the sole and secret domain of the general.

Later in the article, Mr. Lippmann states:

> After my conversations in Paris I think I am entitled to say that the French see a stronger resistance as necessary to the negotiations they are beginning to open up.

This was with reference to southeast Asia.

Madam President, I ask unanimous consent to have the entire article by Mr. Lippmann printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 21, 1964]

"EUROPE IN THE SPRING," III—FRANCE AND AMERICA IN ASIA

(By Walter Lippmann)

Although I did not see General de Gaulle, who was in the hospital when I was in Paris, I saw a number of key men who were in a position to discuss French policy. There are, to be sure, reports that the general takes no one into his confidence and that he conducts foreign policy in solitary secrecy. This is simply not true for the major foreign policies. For example, French policy concerned with Germany, Eastern Europe and the Soviet Union with NATO and United States military and political leadership in Europe, involves the government, not just the general himself. The complex of problems which are connected with France's reentry into the Far East are not the sole and secret domain of the general.

The more I heard in Paris, the more evident it became to me that far from being arbitrary, personal gestures, the major French policies are widely prepared, long-range diplomatic operations.

In dealing with France today we are dealing with very serious, highly professional diplomats, with men who are every bit as serious and competent as we are ourselves.

We are missing the main point and we are stultifying our influence when we dismiss the French policies as not really serious, as expressions of personal pique or personal vanity on the part of General de Gaulle, as inspired by "anti-Americanism" and a wish to embarrass us. The truth is that there is a failure of communication between Paris and Washington. The diplomatic channels are clogged with mutual pride and prejudice, and the consequent lack of understanding is a serious matter which could be and must be corrected.

All are agreed that the critical Franco-American conflict is in China and southeast Asia. This is the raw point where American lives and honor are at stake, as they are not at stake in the current differences in Europe. The Gaullist administration is acutely aware of the extreme sensitiveness of the American people about their involvement in the Vietnamese war. To suppose that the Gaullist government is trying to thwart us and precipitate a disaster in southeast Asia is, I am entirely certain, malicious nonsense.

On the contrary, the main objective of French policy is to save southeast Asia from conquest by China and to avert a disaster which would affect the whole Western World in its dealings with Asia. Let us not blind ourselves by a prejudiced refusal to take seriously the French intervention in Asia.

The French, we must not forget, are the only Western nation qualified to intervene at the present time. The British are engaged in a semicolonial war with Indonesia about Malaysia. The Germans are pinned down in Europe and cannot, while they are partitioned, play the rule of a world power. We are at war. Only France among the Western powers has fully liquidated its military position in Asia and in Africa. Moreover, the prestige of France and French culture among the educated classes of China and southeast Asia is very high.

If General de Gaulle is right, as most surely he is, that there can never be a stabilized peace in south Asia unless it is supported by China, then it would be folly on our part not to hope that he will succeed in his diplomatic explorations in Peiping. However, these explorations are just beginning, and nothing proceeds rapidly in the Orient.

What is the French hypothesis? It is that the Sino-Soviet conflict is very serious, so serious that it now poses great territorial issues, and therefore that Peiping has a strong interest in stabilizing its southern frontier. The real questions are: What is the price of an agreement to stabilize it and what are the guarantees of such an agreement? This is what General de Gaulle has now to find out.

If we analyze the situation fully, we shall conclude, I believe, that French policy and American are not competitive in Asia but are in fact complementary. This is to say that what De Gaulle is trying to accomplish is the only conceivable solution of what is certainly an otherwise interminable military conflict. But it is to say also that what the United States is contining to do, which is to sustain the resistance of the Saigon Government, is necessary to the success of the French action in Peiping and Hanoi. It is in this sense that the two policies are complementary. They would become fused into one policy if the administration adopted as its slogan a modification of Churchill's remark "We arm to parley" and said that "in Vietnam we fight to parley."

Standing alone, the United States has no credible policy for winning the war or for ending it. Once again, as in all our wars, we are fighting for victory without a practical political aim. As we can see in the dictated peace after the First World War, in our demand for unconditional surrender in the Second World War, in the calamitous march to the Yalu in the Korean war, it is the vice of our thinking that when we are engaged in a war we can imagine no satisfactory end to the war except the unconditional surrender of the enemy.

This is one of the main reasons why morale is so very bad in southeast Asia. We are supporting and promoting a cruel and nasty war that has no visible end. There is no light at the end of the tunnel I have heard it said by people in Washington that we must fight on in South Vietnam for 10 or 20 years. That may sound stouthearted in Washington but it is a dismal prospect for the villagers of Vietnam. What we are offering the Vietnamese people is altogether demoralizing.

On the other hand, if Peiping and Hanoi are allowed to believe that all resistance will soon collapse in Saigon, the price of stabilization on a formula of neutralization is likely to be intolerably high. Like everyone else, if they see a chance of dictating a settlement, they won't negotiate it. It is necessary therefore to do what the President and Secretary McNamara are doing, which is to reinforce the resistance of the Saigon government.

After my conversations in Paris I think I am entitled to say that the French see a stronger resistance as necessary to the negotiations they are beginning to open up. But most surely they do not think that the reinforcements can be more than a shot in the arm, and I doubt whether any serious American thinks so either.

It must be said also, I believe, that a policy of stabilization in southeast Asia demands that the American power and presence in the South Pacific shall not be withdrawn when our troops withdraw from South Vietnam. On the contrary, we should strengthen our position in the South Pacific. We should be able to do this if we do not forget, as we have allowed ourselves to forget, that we are a sea and air power and must not involve ourselves in land wars on the Asian mainland.

Although I think that French and American action should be thought of as complementary, not as competitive, neither government can at the present time afford to say so. We cannot say so because we might undermine what little fighting morale there is in Saigon. The French cannot say so because they cannot negotiate in Peiping and at the same time give their blessing to our intervention. But nonetheless, today, as so often before in our history, France, and America have the same fundamental interests.

DE GAULLE ON VIETNAM

Mr. McCARTHY. Madam President, I ask unanimous consent to have printed in the Record an article entitled "De Gaulle on Vietnam," written by Ronald Steel and published in the magazine the Commonweal, of April 24, 1964, at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. McCARTHY. While I do not entirely agree with the observations made by Mr. Steel in the article, I do believe he knows that, we, too, raise the same hard questions which he raises, and that we should give some attention to the answers which he proposes, or to the answers which we may ourselves propose as alternatives to his suggestions.

Exhibit 1

[From the Commonweal, Apr. 24, 1964]

Neutralize Southeast Asia: De Gaulle on Vietnam

(By Ronald Steel)

(Ronald Steel who has written on international affairs for a number of American journals, is the author of the recently published "The End of Alliance" (Viking).)

Charles de Gaulle's decision to recognize Peiping, coupled with his proposal to neutralize southeast Asia, has struck official Washington with the full force of an unrepentant heresy. France's action is variously described as having dealt a mortal blow to SEATO, NATO, CENTO, the Alliance for Progress, etc., opened the floodgates of Asia to the tide of communism, and/or subverted American diplomacy and with it our leadership of what John Foster Dulles used to call the free world. Curses and moans are the order of the day along the Potomac, where the administration, like a spinster at the marriage of her younger sister, is seething with resentment over what it considers another betrayal of its various grand designs by its favorite arch-villain.

Licking the wounds of its battered pride, the State Department has been consumed with indignation over the actions of That Man in Paris. But, as so often in the past, its arguments have a distressing—although by now expected—tendency to be more self-righteous than convincing. In the land of the diplomatic cliché, the most predictable phrasemaker is king. The rest of us, however, before joining in the Greek chorus over Gaullist perfidy, might for our own benefit take a dispassionate look at what De Gaulle has done in Asia, and what it is he hopes to accomplish.

First, he has recognized that the real Government of China is the one that has ruled the country from Peiping since 1948, and not the one that languishes in Formosa on subsidies provided by the American taxpayer. This stunning act of political adventurism follows a similar action taken by Her Majesty's Government many years ago. In all fairness should not the chant of Gaullist treachery be supplemented by a resounding chorus of "Perfidious Albion"? While the Democratic administration, although it has been in power for more than 3 years, has not shown the slightest intention of discarding an irrational China policy inherited from its predecessors, it blithely assumes that the Europeans must forever remain prisoners of our own China lobby. President Johnson may be afraid to admit that there is something lying between Korea and Pakistan that Washington's political maps don't show, but De Gaulle and Sir Alec are not obliged to put on the same blinkers.

Second, by establishing political ties with Peiping, De Gaulle has sought to open a dialog with China that to his mind offers the only way of stabilizing the West's disintegrating situation in southeast Asia. His position is quite simple: it rests upon the belief, as Couve de Murville recently explained, that "the United States is unlikely to do with 20,000 men what France was unable to do in 8 years with 200,000 men." De Gaulle is convinced that the United States is simply repeating France's tragic error by trying to impose a military solution upon what is essentially a political problem; that the war in Vietnam is not so much one of the Communist North against the "free" South, but a rebellion within South Vietnam itself against a government whose only source of support is the American money and weapons that stand behind it. Since the United States is considerably more interested in fighting the war against the Communist guerrillas than is the Saigon Government itself, the rebellion has turned into a second colonial war with America taking France's place in an effort to impose a friendly regime upon an increasingly hostile people.

Washington is not unaware of the political aspects of this struggle. It has read the manuals of Ho Chi Minh and Che Guevara, but unfortunately it is trying to apply their lesson in reverse. The newly ordained guerrilla warfare experts along the Potomac seem to believe that the present ruling junta in Saigon will win universal adoration if only the Vietnamese people can be shown that their generals have friends in Washington. Thus Secretary McNamara puts on his khaki shirt for a barnstorming tour of South Vietnam, jumping out of helicopters to kiss babies and reassure stunned peasants that the Pentagon stands four-square behind its man in Saigon. Like a small town mayor receiving the blessing of a touring Governor, General Khanh told newsmen, "We would make a good team." The Vietnamese no doubt thought so, too, but the lesson they drew from it may not be the one Washington intended. Treated to a parade of American officials come to embrace their generals, trained by white soldiers, and equipped by the United States to fight a war against their own rebels, might they not assume that this is our war and not theirs?

It is in the mire of this increasingly hopeless civil war that De Gaulle's proposals come like a draught of fresh air. The aims of Paris, despite its radically different approach, are not so very different from those of Washington. Both wish to stabilize southeast Asia and establish cohesive states which will have sufficient internal support to maintain their independence in the shadow of the Chinese colossus. They disagree totally, however, on methods: American officials are trying to achieve through force of arms what De Gaulle believes can be accomplished, if at all, only by an enlightened diplomacy. His judgment is based not only upon the bitter lesson of France's own colonial experience in Indochina, but upon the conviction that there can be no peace in Asia without China's acquiescence.

Despite France's extensive economic and cultural interests in Indochina, De Gaulle has let the United States have a relatively free hand in Vietnam. During the past few months, however, under the impact of the political disintegration in Saigon, the breakdown of the truce in Laos, and the edgings of a fearful Cambodia toward Peiping, he has decided that the need for a political solution has become desperate. Convinced that Washington is following a policy which will lead to the communization of all southeast Asia, De Gaulle is trying to salvage what he can before the war spreads to North Vietnam or until a pro-Communist coup topples the rightwing regime in Saigon. Rejecting the Pentagon's military blueprints as irrelevant to what is essentially a political struggle, he hopes to reach a settlement with China for a neutral southeast Asia from which Western influence will not be excluded.

What De Gaulle is proposing is not simply the neutralization of South Vietnam, but that of all southeast Asia beginning with South Vietnam—a neutralization guaranteed by the major powers. As he explained in his January 31 press conference announcing the restoration of diplomatic ties with Peiping: "There is no political reality in Asia * * * which does not interest or touch China. Neither war nor peace is imaginable on this continent without China's becoming implicated. Thus, it is absolutely inconceivable that without her participation there can be any accord on the eventual neutrality of southeast Asia * * * a neutrality which, by definition, must be accepted by all, under international guarantee, and which would exclude armed agitation, supported by one side or the other, as well as outside intervention; a neutrality which seems to be, in the present situation, the only solution compatible with the peaceful life and progress of the people of the area."

While the administration finds such an effort fanciful, it publicly muses over the possibility of extending the war to North Vietnam. This rests upon the assumption that there is no civil war in the south, but only Communist aggression from the north—an aggression which can be halted by bombing cities and supply bases. The fact that intervention from North Vietnam has yet to be proved does not seem to diminish enthusiasm for this theory. But it is a policy so unrealistic that most officials in Washington privately admit it to be as futile as it is provocative. Not only would it fail to strike at the real source of Communist strength—which is not northern supply bases but a South Vietnamese population so hostile to its own government that it looks upon the Communist-led rebels as liberators—but would likely force China to come to Hanoi's aid in a ghastly repetition of the Korean war.

The administration is admittedly riding a tiger it does not know how to dismount. It has sunk billions of dollars into supporting a government which has already collapsed twice in the past few months. It has sent American soldiers to die in defense of an army which has no desire to win and does not know why it is fighting. It has helped compromise the uneasy truce in Laos and driven Cambodia to dissociate herself violently from the United States. And it has committed American prestige to an area where we have neither the power to impose a viable military settlement nor the flexibility to negotiate a political truce. With an election looming on the horizon the Johnson administration is highly vulnerable to Republican attack for its inept handling of foreign affairs, yet it is afraid to change course for fear that will only supply more ammunition to be used against it. It has become the prisoner of its own mistakes, and those of its predecessors, and it does not have the courage to face an embarrassing reality.

Trapped in a policy which even its advocates do not claim can lead to anything more than an armed stalemate, Washington sinks ever deeper into the bottomless pit of the Vietnamese civil war. Hypnotized by the military aspects of the struggle, it can see no other. Not only does it consider the possibility of extending the war to the north, it greets Senator MANSFIELD's proposal for neutralization as a stab in the back, and it excoriates De Gaulle for asking the question it dare not raise itself. Yet as Walter Lippmann, as well as Senator MANSFIELD and others, has pointed out, the only hope for stability in southeast Asia lies in the neutralization of the entire area under international guarantees. Only under such a neutralization can there be any possibility of creating independent governments with the internal strength and the popular support to resist Communist infiltration. There is no guarantee that neutralization will work and that the small states along China's frontier can forever resist the dominance of their powerful neighbor. Probably the best we can hope for is the transformation of Indochina into a kind of Finland—or Mexico. But the opposite is certainly true: that there can be no peace in Asia so long as Indochina is used as a military bastion by the great powers in their conduct of the cold war.

In our obsessive suspicion of Gaullist motives, it easy to ignore that his efforts to neutralize southeast Asia through an agreement with China are very much to our own interests. If successful, his plan offers the one way by which we can disengage ourselves from what has become a disastrous overextension of our prestige and a misguided understanding of our own vital interests without becoming involved in a war against China or suffering a humiliating forced withdrawal. Perhaps De Gaulle will not be able to gain the neutralization of southeast Asia even with our support—the time is very late and our position has deteriorated very rapidly—but it is certain that he cannot do so if we insist on blocking the way. While the administration is right when it says France no longer has the power to decree a settlement in Indochina, it refuses to recognize that only a France with diplomatic ties to Peiping can do for Washingtn what it is no longer capable of doing for itself.

Time is running out fast in South Vietnam. Without Washington's cooperation, DeGaulle does not have the leverage with which to hammer out a new Indochinese settlement. If his efforts fail we are likely to experience yet another coup in Saigon, this time by a neutralist regime which will order the Americans out and open direct negotiations which Ho Chi Minh to end the war and unify their divided country. In our enthusiasm for prosecuting the struggle against the Communist guerrillas we seem to have lost sight of the fact that no foreign power can win a civil war for a people who have turned against their own government and who look upon the government's friends as their enemies. The dangers of neutralization are considerable and its chances dubious; but the dangers of continuing a hopeless war are even greater, for an anti-American coup is the solution most guaranteed to humiliate the United States and to trigger a violent political reaction here at home. The administration thinks it can forestall a coup by vigilance in Saigon, but can it win a war the Vietnamese no longer want to fight? Washington is being offered a helping hand off the tiger. If it refuses to dismount, then we must all be prepared to go wherever the tiger may take us.

TRUTH-IN-LENDING BILL

Mr. ROBERTSON. Madam President, several days ago, the majority leader's office indicated the interest of the majority leader in early action on the Treasury and Post Office appropriation bill. I had an agreement with them that if on Monday, Tuesday, Wednesday, and Thursday of next week the Senate did not meet until noon, I would schedule hearings for those days on this appropriation bill.

I scheduled hearings commencing at 10 o'clock on Monday, and at 9 o'clock on Tuesday, and for the remaining days.

At 9 o'clock on Tuesday we shall hear the Secretary of the Treasury who had appeared before the Finance Committee on Monday.

On Wednesday we shall hear congressional witnesses on the question of minting $50 million of new silver dollars. On Thursday, we shall hear outside witnesses.

In the meantime, my dear friend the Senator from Florida [Mr. HOLLAND] came to me and said that he and his colleague the junior Senator from Florida [Mr. SMATHERS] had a joint resolution to authorize the preparation of a memento—a galvano—without any cost to the Federal Government, to celebrate the 50th anniversary of the naval air station in Pensacola. The Senator stated that the House had passed that joint resolution without any objection and he felt that there would be no objection in the Senate to it, and asked if I would therefore give him a hearing before the Banking and Currency Committee.

I told him that there had been before that committee for 4 years, with over 4,000 pages of testimony, a highly controversial bill, S. 750, euphemistically called truth in lending; that all the financial institutions of the Nation were bitterly opposed to it; and that we had never been able to complete action on it, but that the Senator from Illinois [Mr. Douglas] insisted that if there were to be another meeting of the committee it would have to be on his bill.

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. ROBERTSON. Madam President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROBERTSON. The Senator from Florida reported to me that the Senator from Illinois [Mr. Douglas] had agreed that I might call a meeting of the committee on the bill of the Senator from Florida in executive session for 9 o'clock next Monday morning.

Today I received a very bitter if not insulting letter from the Senator from Illinois [Mr. Douglas], repudiating 100 percent what I understood from the Senator from Florida [Mr. Holland] the Senator from Illinois [Mr. Douglas] had said. What they said is between them. I acted on what the Senator from Florida [Mr. Holland] told me. But the Senator from Illinois [Mr. Douglas] repudiated that 100 percent and put me on notice that I had been very unfair to him and that he was not going to stand for that treatment any longer, that when the committee met next Monday at 9 o'clock, he would insist that I take up his bill S. 750, the so-called truth-in-lending bill.

Madam President, the members of the Banking and Currency Committee know that we never have gotten any Federal agency to endorse a bill without amendments. The bill states that it is to be administered by the Federal Reserve Board. The Board refused to take it under any circumstances. The patrons said later, "Turn it over to the Federal Trade Commission." The Commission asked for about nine pages of amendments before they would agree to handle it. There has not been a time since the debate on the civil rights bill began when we would have had more than an hour and a half to consider the bill and that would not even cover one amendment.

Consequently, there have been no more meetings of the committee because the Senator from Illinois insisted that when the committee met it had to act on his bill. It would require days to discuss that bill and vote on all the amendments.

I was shocked, when I had called this meeting on two noncontroversial bills, to find that the Senator from Illinois not only repudiated what the Senator from Florida had said about his having no objection to the meeting, but he charged me, as I understand it, with violating a promise which I had made to the Senator from Pennsylvania [Mr. Clark] on giving the Senator from Pennsylvania due notice of what would be in the bill before executive sessions.

Think of it, Madam President. Here is a bill to let the Government issue a little memento to celebrate the 50th anniversary of the naval air station in Pensacola, and another bill introduced by the distinguished Senator from New Hampshire, a companion bill to one which was unanimously passed by the House, to authorize national banks to make slightly larger loans on forest tracts.

The PRESIDING OFFICER. The Senator's time has again expired.

Mr. ROBERTSON. Madam President, I ask for 1 more minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. I asked that the committee be polled on the forest tract bill, if we could not have a meeting. Every member of the committee in that poll agreed to the bill except Senators Douglas and Clark. They did not indicate that they were against the bill. They stated that they did not want anything to come out of the committee unless the truth-in-lending bill came out first.

Now the Senator from Illinois [Mr. Douglas] has said, as I understand it, that I have violated my agreement with the Senator from Pennsylvania [Mr. Clark] as to the notice he would get on the forest bill, and that he did not get enough notice.

I announce that there will be no meeting of the Banking and Currency Committee at 9 a.m. next Monday, on anything. From present indications, when the committee meets again, it will be on the Douglas bill, and that will not be at any time soon, because we cannot meet on that bill until we have time to consider carefully the many amendments which have been proposed by the Federal Trade Commission and others.

Mr. SPARKMAN. Madam President, may I ask the chairman a question?

The PRESIDING OFFICER. The time of the Senator from Virginia has again expired.

Mr. SPARKMAN. I ask unanimous consent that I may procede for 1 minute for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Does this mean that the subcommittees will not be permitted to meet?

Mr. ROBERTSON. No. The Production and Stabilization Subcommittee has met on the truth-in-lending bill for 4 years, and it could not get it out of the subcommittee. Finally the bill was voted out of the subcommittee by one vote, and the Senator who cast that vote said that if his amendment were not adopted by the full committee, he would vote against the bill in the full committee. That amendment has not been adopted.

Mr. SPARKMAN. I am not speaking about the Production and Stabilization Subcommittee. I am referring to a housing bill in the Housing Subcommittee.

Mr. ROBERTSON. That subcommittee can go ahead. There will be no full committee meeting next Monday.

The PRESIDING OFFICER. The time of the Senator has expired.

PERSONAL STATEMENT BY SENATOR DOUGLAS

Mr. DOUGLAS subsequently said: Mr. President, I rise to a question of personal privilege occasioned by some rather extraordinary remarks which the junior Senator from Virginia [Mr. Robertson] made about me earlier today.

The Senator made those remarks without notifying me in advance of what he was going to say. My secretaries report they did not receive any such warning. Half an hour ago I telephoned his office to inform him that I was going to reply to the remarks he had made. But he has not appeared on the floor and I cannot wait longer.

I have tried to accord to him the proper courtesies which, for some reason or other, he did not accord to me. The Senator from Virgina stated that I had written him a "bitter, if not insulting letter," which also repudiated an alleged agreement which I had with the Senator from Florida [Mr. Holland].

In order that Senators may know whether or not the statement of the Senator from Virginia is correct, I ask unanimous consent that the letter which I addressed to Senator Robertson on yesterday be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

May 21, 1964.

Honorable A. Willis Robertson,
Chairman, Committee on Banking and Currency, New Senate Office Building, Washington, D.C.

Dear Willis: I was surprised to read in last Saturday's Congressional Record that you now blame the younger members of the Senate Banking and Currency Committee for the fact that the committee has not met during the last 5 weeks despite my repeated requests that the committee be convened to complete action on S. 750, the truth-in-lending bill which was reported favorably by the Production and Stabilization Subcommittee on March 16, 1964.

The Congressional Record on page 11075 contains the following colloquy:

"Mr. Humphrey. It does not, if I may say so respectfully to my beloved friend the Senator from Virginia. I hope that committees will adjust to their schedules so that they can meet in the early morning.

"One of the reasons why the Senate has been meeting at 10 a.m., instead of earlier, is to permit Senate committees to conduct their business in the early hours of the morning.

"It is also very beautiful in Washington in the early morning. I know that Senators enjoy the beauty of the early morning hours.

"Mr. Robertson. I concur in that statement. In my earlier duck-hunting days I learned that the sun rises very beautifully, especially over one's quarry. I can stand 14 and 16 hour days, but in the Committee on

Banking and Currency I have noticed that some of the younger members do not seem to want to appear at 8 o'clock in the morning, for some reason or other, and the committee has been handicapped in meeting for that reason."

At the very least, this is an uncharitable reflection on the younger members of the Banking and Currency Committee. I find it incredible to believe that a majority of the members of this or any other committee would deliberately ignore a request of the committee chairman for a quorum to be present so that necessary committee business could be transacted.

I now understand that you have called an executive session for 9 a.m. Monday, May 25, of the full Banking and Currency Committee, to consider a resolution to design and manufacture a galvano, and a forest tract bill for commercial banks, which is being pushed by the American Bankers Association. As I have stated previously, I do not believe that the committee can continue to be run in such a way as to favor those bills that the chairman personally favors and to hinder action on these bills which I and others in the committee may favor, but which the chairman opposes. The issue, as Senator CLARK so eloquently stated, is not the truth-in-lending bill or any other bill before the committee, but simply the question of fair committee procedure and adequate guidelines to insure that all members are treated equitably. Again, I must state that I do not believe that the committee can continue to operate in this fashion. We must adopt some minimum rules of procedure governing committee activity.

Finally, even though the rules of the committee do not require it, and even though you have expressed your implacable opposition to Senator CLARK's rule proposal which would require that all members of the committee be given adequate notice of any matter to be brought up for a vote in executive sessions, nevertheless, I feel it only proper and just to notify you now that next Monday I will move to report S. 750, the truth-in-lending bill, to the Senate.

With best wishes.

Faithfully yours,

PAUL H. DOUGLAS.

Mr. DOUGLAS. If one reads the letter, he will find not the slightest touch of either bitterness or insult in it. The Senator from Virginia and I have differed very sharply on the question of whether the Senator from Virginia, as chairman of the Committee on Banking and Currency, would call meetings of the committee to consider bills which were before it, or whether he would refuse to call such meetings, or, if he called the meetings, whether he was privileged to bring certain bills up for action, and refuse to bring other bills up for action.

It is a well-known fact that the Senator from Virginia is very much opposed to Senate bill 750, the truth-in-lending bill, which certain Senators, including myself, have been sponsoring for several years now.

Finally, we were able to get a meeting this spring after I had requested it on the 16th of March, at which meeting S. 750 was discussed for a half hour. Since then, I have repeatedly asked the Senator from Virginia if he would not call another meeting of the committee, and his reply always was that he was certain he could never get a quorum. In his colloquy with Senator HUMPHREY on Saturday last to which I refer in the body of my letter, by implication he states that this is because some of the younger members do not want to appear as early as 8 o'clock in the morning, for some reason or other, and the committee has been handicapped for that reason.

In comparison with the Senator from Virginia, I count myself as one of the younger members of that committee. So far as I am concerned not only would I be willing to come at 8 o'clock in the morning, but I would come at 7 o'clock in the morning to consider any bill properly before that committee, even one that I opposed.

Two days ago the Senator from Florida [Mr. HOLLAND] approached me, and said he had a bill for the manufacture of a galvano, whatever that is; but I think it is intended to commemorate the establishment of the Pensacola Air Station, and that he wanted to bring it up in the committee; that the Senator from Oregon [Mr. MORSE] was opposed—and, I believe, properly opposed—to having a polling of the committee serve as action by the committee, but wanted a meeting of the committee held. The Senator from Florida asked me whether I would attend such a meeting of the committee. I said of course I would attend.

I also said—although I am not certain whether the Senator from Florida fully heard me, since he was moving away, "The chairman has been holding up the truth-in-lending bill; and if we have such a meeting, I want that bill considered, also."

I cannot quite understand the logic of the Senator from Virginia. He seems to attack somewhat incoherently from every quarter, like the character in Stephen Leacock's novel who "mounted his horse and rode off in all directions."

So it is hard to find out what the essential thrust of the charge of the Senator from Virginia is. Certainly I did not break faith with the Senator from Florida. I said I would go to the committee next Monday and consider his bill, but I also said that if I did go there, I would bring up Senate bill 750. I tried to do that in a courteous but firm fashion. I am still willing to attend such a meeting and vote favorably for the Holland bill. But I also felt we should consider S. 750 at the same meeting.

The final part of the last sentence of my letter reads as follows:

> I feel it only proper and just to notify you now that next Monday I will move to report S. 750, the truth-in-lending bill, to the Senate.
>
> With best wishes.
>
> Faithfully yours,

Apparently that only threw the Senator from Virginia into a rage; and now he has canceled the meeting of the committee, because in the last paragraph of his speech he said:

> That subcommittee can go ahead. There will be no full committee meeting next Monday.

Mr. President, I shall be very glad to go to any meeting of the full committee which the chairman of the committee calls; but I simply reserve the right—as a humble member of the committee—at that time to have the same privileges that any other member of the committee has, and to move that a given bill be considered and reported.

I have always thought that was a right of a member of the committee, whether or not the majority of the committee agreed with him. He is entitled to propose but the majority can dispose.

But a broader issue is really involved in this matter; it is the question of whether the chairmen of the various committees are to be czars over the committees, whether they are to have unrestricted power to decide when the committees will meet, and to prevent the committees from meeting, for long periods of time, and whether they will have power to refuse to permit certain matters to come before the committees, or whether they, too, are under a rule of law.

I have always thought the chairmen of committees are not dictators or czars, but are members of the committees, although the first among equals, if I may use that expression.

The Senator from Pennsylvania [Mr. CLARK] and I have been struggling on this matter for some time in the Banking and Currency Committee. On April 1, I made the following statement in the committee; which is printed in the hearings on the bill on the content of silver coins:

> However, I must state openly and for the record my conviction that the committee can no longer continue to be run in such a way as to favor those actions which the chairman and others favor and to hinder any matters which I and others who feel similarly with me favor and which others oppose.

The Senator from Pennsylvania [Mr. CLARK] further said:

> To me, the issue is one of orderly procedure, fairness, justice, majority rule, power of the chairman, the fact that the chairman made a personal issue some months ago of the proposal I made to have orderly and fair rules of procedure adopted by this committee. At that point I yielded and said I would not put forward those rules, because the chairman took that, as I am afraid he is taking more and more matters, as a personal issue. And I would plead with him to let this committee go about its business in an orderly way.

He also said:

> The truth-in-lending bill is entitled to a final vote by the committee after 4 years.

That is all I am asking for—that the committee be entitled to vote on the truth-in-lending bill just, as a matter of fact, the way those of us who favor the civil rights bill are asking that the Senate be entitled to vote on the civil rights bill. The chairman seems to be opposed to this in both cases.

If we are to have a dictatorship in the Senate—which I am afraid we have—that is one thing. But I believe that is not what the country expects of the Senate, and I do not think that comports with the principles of fairplay.

Mr. MORSE. Mr. President, will the Senator from Georgia yield briefly to me, with the understanding that his rights to the floor and his other rights will be preserved and protected?

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may yield further, for whatever colloquy the Senator from Oregon [Mr. MORSE] may wish to have with the Senator from Illinois, and that in doing so I shall not lose any of my rights.

The **PRESIDING OFFICER.** Is there objection? Without objection, it is so ordered.

Mr. DOUGLAS. First, let me say there are some factual inaccuracies and some rather vehement language by the Senator from Virginia to which I shall not try to respond in kind; I shall pass that over in silence.

Mr. MORSE. I wish to ask whether the hearings have been completed.

Mr. DOUGLAS. Oh, yes; they have been concluded and printed. The subcommittee voted to report the bill, by a vote of 5 to 4, on March 16. By that vote, the subcommittee voted to report the bill to the full committee. But since March 16, we have been waiting for an adequate committee meeting.

Mr. MORSE. Does not the Senator's committee have a rule of procedure that a meeting of the committee can be called by a petition signed by a majority of the committee?

Mr. DOUGLAS. By a petition to the Secretary of the Senate.

Mr. MORSE. A petition to the Secretary of the Senate?

Mr. DOUGLAS. Yes, to the Secretary of the Senate; that is the formal procedure.

Mr. MORSE. In connection with the Committee on Labor and Public Welfare, on which I serve, if the majority give due notice to the other members of the committee, by a signed petition, a meeting of the committee is called.

But the rule of the Senator's committee requires notice to the Secretary of the Senate, does it?

Mr. DOUGLAS. That is correct.

The Senator from Pennsylvania [Mr. Clark] has wanted the committee to adopt a rule similar to the one to which the Senator from Oregon has referred—in other words, a rule which would permit a majority of the committee to call a meeting of the committee, to consider a certain matter. But, as the Senator from Pennsylvania stated in the excerpt from the hearing which I read a moment ago, he found that this was made a personal matter by the chairman of the committee, the Senator from Virginia, who was violently opposed to this proposal; and the Senator from Pennsylvania withdrew—he did so mistakenly, I believe, but out of a desire to be obliging—his proposed rule.

Mr. MORSE. What would happen after such a petition was filed with the Secretary of the Senate?

Mr. DOUGLAS. After a certain number of days—I am not quite certain how many days—the next ranking member of the committee would be privileged to call a meeting of the committee.

Mr. MORSE. Has the Senator from Illinois tried that procedure?

Mr. DOUGLAS. No; we have not yet tried it, because I have been reluctant to push the chairman as vigorously as that. I have tried to treat him as a gentleman; and I have been reluctant to go outside the committee.

Mr. MORSE. He is a gentleman, and he is a distinguished Member of the Senate. But, as the Senator from Illinois knows, we must be completely impersonal and professional in our relationships in the Senate.

My questions are based on that motivation.

How long has the bill been before the Senator's committee?

Mr. DOUGLAS. This bill or a similar bill has been before the subcommittee of the Banking and Currency Committee for 4 years.

Mr. MORSE. How long has the subcommittee report been pending before the full committee?

Mr. DOUGLAS. Slightly over 2 months. It was submitted on March 16.

Mr. MORSE. Does the Senator from Illinois contemplate that if there is substantially longer delay, he may try the petition route for holding a committee meeting?

Mr. DOUGLAS. I shall probably be compelled to do so. I hope I shall not be compelled to do it. This attack by the Senator from Virginia came as a surprise to me. I was not notified that it was coming. I have been able to obtain a transcript of Senator Robertson's speech from the Official Reporter of Debates. I am replying as best I can now without much preparation. I notified the Senator from Virginia that I intended to reply. I tried to conform myself.

Mr. MORSE. How many cosponsors are there?

Mr. DOUGLAS. There are 23 cosponsors of the bill.

Mr. MORSE. That shows a substantial interest in the Senate.

Mr. DOUGLAS. That is correct. I am afraid that the opponents of the bill believe that if it ever gets to the floor of the Senate it will pass, and they hope to kill the bill by asphyxiation in the committee itself.

Mr. MORSE. Has the Senator given any consideration to the possibility, if the delay is long continued, of moving to discharge the committee from further consideration of the bill?

Mr. DOUGLAS. That is a very severe method. I am ready to consider it. I may be driven to it. I hope that the chairman will get over his temper tantrum and agree to have a meeting of the committee. That is particularly possible now since next week the Senate will be meeting at noon instead of at 10 o'clock in the morning. There will be full opportunity for committee meetings in the morning hours every day.

Mr. MORSE. Again, on a completely impersonal basis, for I am very fond of the Senator from Virginia and what I say has no relation to him as an individual at all, but in my capacity as a Senator, representing the people of a sovereign State, and also as a lawyer, I believe in using the rules of procedure to accomplish the objectives of the legislative process. A fundamental objective of the legislative process in the Senate is to get bills out of committee after they have been considered or adequate opportunity has been given for their consideration. I shall be glad to advise with not only any members of the committee, but also other Senators who have sponsored the bill. My recollection is that I am one of the cosponsors of the bill.

Mr. DOUGLAS. Yes. I was very much honored to have the co-sponsorship of the Senator from Oregon.

Mr. MORSE. There is a hard session ahead. I do not know how we are going to handle all the business of the Senate that we have to handle without coming back after the election. I fully expect that such will be the case. But, after due deliberation, we must get legislation out of committee as early as possible and placed in a position to be voted upon in the Senate. I wish the Senator to know that I shall be glad to join in a motion to discharge the committee if the Senator finds his diplomatic negotiations come to naught.

Mr. DOUGLAS. I thank the Senator from Oregon for his helpful statements and I also thank the Senator from Georgia for his courtesy in permitting me to make my statement in reply to the attacks by the Senator from Virginia.

TRAGIC DEATH OF SOUTH DAKOTA CRUSADER

Mr. MUNDT. Madam President, South Dakota is justifiably proud of many of her sons and daughters who have given unselfishly of their time and talents for the welfare of their fellow man. We have visiting here today, and seated in the special gallery, two distinguished recording artists from South Dakota. Miss Polly Johnson is from Rapid City and Mary Jayne is from Sioux Falls, S. Dak., but both now reside in California.

These ladies record religious music exclusively and travel extensively representing Teen World International, an organization dedicated to encourage better citizenship and a more active church participation program among the teenagers of America. Their dedication in this area of vital human need has brought them many honors and much recognition.

So recognized and so honored was Mary Jayne, who last year was awarded the Oscar for being selected "Best Female Vocalist of the Year" by the National Evangelical Film Foundation. Also she was the recipient of an Award of Merit for outstanding aid to America's youth by Teen World International.

South Dakota is indeed proud of Polly Johnson and Mary Jayne. We laud them and encourage them to continue in this unselfish endeavor.

Madam President, this was written for entry in the Record on May 25 in honor of the guests mentioned. Since it was composed, Miss Polly Johnson was taken in death, the result of a tragic airline crash in which all aboard were killed. She has now given the full measure of devotion to her career. It is now my desire that this award would be made a part of the Congressional Record this date in memoriam, and as a posthumous tribute, to Miss Polly Johnson.

The **PRESIDING OFFICER.** Is there further morning business?

AIRCRAFT NOISE ABATEMENT

Mr. KEATING. Madam President, the National Aeronautics and Space Administration is increasing its efforts to discover effective methods to reduce the jarring noise produced by the jets that zoom into and out of New York airports every few minutes. NASA's spending on aircraft noise abatement research has increased by 628 percent since 1962, rising from $148,000 in that year to $247,000 in 1963, to $931,000 in 1964. The Space Committee, of which I am a member, has tentatively approved a sum of $1.4 million for this program next year, a decision which I strongly support.

Although there is still no promise of a new sound barrier to protect the harassed neighbors of jet airports, I shall continue to press, as I have for the past several years, for accelerated research programs in this direction in hopes of an eventual breakthrough. In 1962 and 1963 I introduced bills directing the FAA to institute noise abatement research programs, and the NASA report I hold here lists several developments that may bear fruit in the next few years. Experimentation in pilot projects has indicated areas for possible reduction of noise in jet airplanes. Current test flights for a steeper landing approach, for instance, may result in dramatic alleviation of the noise problem in areas close to landing and takeoff strips.

Long Island residents, particularly those living near John F. Kennedy International Airport, complain, justifiably, of the earsplitting noise that disturb sleep as well as conversation. I do not go along with the suggestion that this disturbance should be put up with, any more than I can support the suggestion of one long-suffering constituent that night flights be discontinued. If we can afford to spend billions of dollars to send a man to the moon, we should be able to afford a few thousand dollars to make life more pleasant for those who choose to remain on earth.

I ask unanimous consent that the letter to me and pages 1 to 7 and 10 to 11 of NASA's research programs on engine noise be printed in the RECORD, following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION.
Washington, D.C., May 14, 1964.

Hon. KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KEATING: In response to your request of May 7, 1964, to Mr. Webb, we are enclosing information on past and present NASA noise research. Attachment I is a summary of continuing engine noise research programs now underway within NASA entitled "Current NASA Engine Noise Research Programs." Attachment II is a description of the NASA sonic boom research program.

A rough measure of the increasing NASA effort in aircraft noise research since 1962 is given in the following table:

Fiscal year:	*R. & D. expenditures*
1962	$148,000
1963	247,000
1964	931,000

About 30 percent of the listed expenditures is in support of boundary layer noise and sonic boom programs. The remainder (70 percent) is in support of engine noise abatement research which is described herein.

If you wish more detailed information on NASA noise research than that contained in the attachments, we will be pleased to provide it.

Sincerely yours,
RICHARD L. CALLAGHAN,
Assistant Administrator for Legislative Affairs.

CURRENT NASA ENGINE NOISE RESEARCH PROGRAMS, MAY 1964

The aircraft engine noise research now being conducted or sponsored by the NASA falls logically into several categories; very basic research studies carried out under university contracts; noise standards and community response studies also carried out under contract; and in-house investigations of inlet and jet exit noise phenomena. It should be emphasized that the NASA studies are all directed toward the fundamental understanding of engine noise generation and propagation and are not development projects. In our studies we do not attempt to optimize or develop economic applications but only to uncover basic mechanisms—this is the traditional and charter role of the aeronautical research activities of NASA and its predecessor NACA.

CONTRACT STUDIES

Our basic university research is now being carried out at MIT and Syracuse. At MIT, unstable shear flows and their relation to aerodynamic noise are being studied to permit a more basic understanding of flow phenomena near jet exits and their noise-producing properties. This study has already resulted in a MIT report "The Effect of Free Stream Turbulence and Vorticity on the Radiative Sound Field of a Free Jet" and the final report of the program will be completed by the fall of 1964.

The Syracuse study entitled "Noise Investigations of Impinging Jet Flows" is concerned with analytical and experimental investigations of the noise characteristics of powered jet flows from highly underexpanded convergent and convergent-divergent nozzles which are interacted with relatively low energy control jet flows. These studies cover a 3-year period and may indicate possible noise alleviation trends through mixing of various jet exit flows.

Community response to noise and economic factors are being investigated by a contract study entitled "Subjective Noisiness of Aircraft Sounds" and a contract entitled "Study of Economic Factors Relating to Optimum Use of Land Exposed to Noise From Commercial Aircraft Landing and Takeoff Operations." The first of these studies will be completed in August 1964 and the second in October 1965.

IN-HOUSE INVESTIGATIONS

Compressor noise: The Langley Research Center has completed a small-scale study of the effect of rotor and stator spacing and the number of blades upon the noise output of a single stage compressor. The model used for his pilot study was a 1-foot-diameter electrically driven rotor/stator combination on which the distance between rotor and stator and between blades could be varied. Preliminary results indicate that spacing is a definite factor and that compressor noise can be reduced by moving the stator one-half an engine diameter ahead of the rotor. The first stage is believed to be the most important noise producer but the multistage effects must be studied in follow-on programs. The data are being analyzed in detail and results will be published this year.

As a logical continuation of the pilot work just described, Langley is now proceeding with the procurement of components for the full-scale compressor noise facility referred to in testimony before Congress on February 27, 1964. This effort began 1 year ago with a canvass of possible industry suppliers to coordinate the requirements for the many speciality areas involved in the design of the equipment since many of these speciality areas were outside NASA areas of detailed knowledge. Informal proposals were received and, by October 1963, specifications for the equipment could be written. Contract negotiations were then carried out with a contract finally being signed last month. The major item of equipment is the most advanced three-stage compressor design known to the aircraft industry (cost $360,000) and it is being procured from the Continental Engine Co. Foundation and building alteration contracts (total $90,000) and instrumentation contracts will be let by the end of this fiscal year. It will be at least a year before this equipment is operational and another 6 months before results can be obtained in quantity. The equipment will, as stated previously, be used to study stage interactions and the effects of rotor and stator spacing in a multistage compressor upon the noise generated. Provisions are also made for studying the effects of choked inlets upon noise propagation.

Choked inlets: At present, our choked inlet studies use a full-scale engine (2,000 pounds of thrust). The setup is ready to go, engine performance tests are being conducted, and acoustic tests will begin when dry and calm weather permits. Within 6 months we will have a good fix on the basic noise reduction properties of choked inlets. With a choked inlet a shock wave is generated within the inlet which theoretically prevents the propagation of sound upstream. If such a system is shown to be feasible it would appreciably reduce landing approach noise if the engine can be operated at off design conditions for the approach. Tentative plans for further work in this area include the measurement of noise from the choked inlets of the X-21 under landing approach conditions at the NASA Flight Research Center. To accomplish this we are planning to install a cable system and recording station at Edwards for the pickup, recording, and analysis of noise from aircraft in takeoff, landing, and cruise conditions. The cost of this equipment will be roughly $100,000.

Jet exits: Jet exit noise is being studied at Langley. We are looking at the problems involved in changing engine bypass ratios with a hot primary flow and a cool secondary flow to determine how much bypass flow can be tolerated without adversely affecting engine performance. Bypass ratios up to 5 have been investigated which have produced extra thrust without an increase in noise. A report on these tests is in the process of being published. Other work in the jet exit noise area consists of closely monitoring wind tunnel work on exotic jet exits. When the most efficient exit configuration is selected an acoustic model will be built and tested.

SST engine noise: Future plans for engine noise research, in addition to the continuation of ongoing programs, will include the study of the engine noise problem in the research program necessary to support the development of engines for the supersonic transport. About $500,000 of fiscal year 1965 SST funds will probably be required for these studies.

Coordination with FAA: There is another important engine noise program now underway which is funded by the FAA. It covers basic research on compressor noise and will be phased in with our in-house studies by the close coordination which has been established between our two agencies and the probable inclusion of one of our noise experts as a technical monitor for the program. This study costs roughly $150,000 and is scheduled for completion in March 1965.

OUTLINE OF NASA ACOUSTICS PROGRAMS

The following outline of current NASA acoustic programs indicates the broad base of our noise research effort:

1. Boundary: Layer noise.

(a) Measurement of surface pressures on two Scout vehicles (Langley Research Center contract with Chance Vought Corp.).

(b) Wind tunnel parameter studies (headquarters contract with Douglas—Santa Monica, and Bolt Beranek, and Newman).

2. Jet mixing noise:

(a) Rocket engines:

(i) Measurements on KIWI–B engine (headquarters contract with Douglas—Santa Monica jointly supported with USAF).

(ii) Measurement of statistical properties of supersonic jet noise fields (Langley Research Center).

(b) Jet engines:

(i) Basic study of noise generation by shear flows (headquarters contract with MIT).

(ii) Basic study of noise generation by the mixing of two jets differing in their flow parameters (Langley Research Center).

3. Fan and compressor noise:

(a) Basic study of compressor noise generation (Langley Research Center).

(b) Study of compressor noise propagation in a duct in the presence of airflow (Langley Research Center).

4. Community response:

(a) Jet engine noise: Studies are being conducted with the aid of measured spectra from various types of jet engines including the turbofan in an attempt to devise methods of rating these various noises with regard to the community response problem (Langley Research Center monitoring with B.B. & N. supported jointly with FAA).

(b) Large ground launched space vehicles. Prediction of community noise levels for future Nova class vehicles (Langley Research Center).

5. Structural response to noise:

(a) Effects of jet noise:

(i) Experimental studies of the response of supersonic transport type aircraft structures at elevated temperatures and for airflow attachment in the presence of intense noise. Studies include steel and titanium in various configurations of interest (Langley Research Center).

(ii) Response of complex structures to noise (Headquarters contract with B.B. & N.).

(iii) Equipment malfunction (Langley Research Center). Project not active at present.

(b) Effects of rocket engine noise:

(i) Response of ground building-type structures near launch sites of large rocket vehicles including experimental studies of response of specific building components (Langley Research Center).

(ii) Transmission characteristics of space vehicle structures and launch site building structures. (Langley Research Center.)

(iii) Sonic fatigue of flight vehicle type structures (Langley Research Center).

6. Miscellaneous research projects:

(a) Noise propagation studies both vertically in the atmosphere as well as parallel to the earth's surface over long ranges.

(b) Helicopter rotor noise experimental studies.

(c) Development of new facilities, both modification of present facilities and engineering planning for new facilities such as the low frequency noise facility now out for construction bids.

(d) Development of test techniques where required for unique types of research work such as the combined environmental studies involving intense noise at elevated temperatures.

(e) Analytical and experimental studies involving prediction of noise environments inside and outside of a variety of space vehicles.

(f) The monitoring of research contracts in the acoustics area, plus some of the contracts supported by FAA funds for the SCAT program.

RESEARCH RESULTS

The results of research in the general noise field (as distinct from research on sonic booms) have been published as indicated by the following list of NASA/NACA staff papers.

1. Maglieri, D. J., and Hubbard, H. H.: "Preliminary Measurements of the Noise Characteristic of Some Jet-Augmented-Flap Configurations." NASA memo 12–4–58L, January 1959.

2. Hubbard, H. H.: "Noise Problems Associated With Ground Operations of Jet Aircraft." NASA memo 3–5–59L, March 1959.

3. Maglieri, D. J.: "The Shielding Flap-Type Jet Engine Noise Suppressor." Journal of Acoustical Society of America, volume 31, No. 4, April 1959.

4. Hubbard, H. H.: Noise. Hearings before NASA authorization subcommittee of the Committee on Aeronautical and Space Sciences, U.S. Senate, 86th Congress, for fiscal year 1960. April 7–10, 1959.

5. Edge, Philip M., Jr.: "Random Noise Testing of Aircraft and Missile Components With the Aid of a Laboratory Air Jet. Shock, Vibration, and Associated Environments," part II, bulletin No. 27, June 1959.

6. Regler, A. A., and Hubbard, H. H.: Noise. "Induced Structural Fatigue." Noise Control, July 1959.

7. Mayes, William H.: "Some Near-and Far-Field Noise Measurements for Rocket Engines Operating at Different Nozzle Pressure Ratios." Journal of Acoustical Society of America, volume 31, No 7, July 1959.

8. Hess, Robert W., Herr, Robert W., and Mayes, William H.: "A Study of the Acoustic Fatigue Characteristics of Some Flat and Curved Aluminum Panels Exposed to Random and Discrete Noise." NASA TN D–1, August 1959.

9. Mayes, William H., Lanford, Wade E., and Hubbard, Harvey H.: "Near-Field and Far-Field Noise Surveys of Solid-Fuel Rocket Engines for a Range of Nozzle Exit Pressures." NASA TN D–21, August 1959.

10. Hubbard, Harvey H.: Noise. Hearings before the NASA Authorization Subcommittee of the Committee on Aeronautical and Space Sciences, U.S. Senate, 86th Congress, for fiscal year 1961, June 30, 1960.

11. Hubbard, H. H., and Maglieri, D. J.: "Noise Characteristics of Helicopter Rotors at Top Speeds Up to 900 Feet Per Second." Journal Acoustics Society of America, volume 32, No. 9, September 1960.

12. Hilton, David A., Mayes, William H., and Hubbard, Harvey H.: "Noise Considerations for Manned Reentry Vehicles." NASA TN D–450, September 1960.

13. Hilton, David A., and Mayes, William H.: "Measured Noise in Space Vehicles." Presented at 59th meeting of Acoustics Society of America, Brown University, Providence, R.I., June 9–11, 1960.

14. Kantarges, George T.: "Some Measurements of Noise Transmission and Stress Response of a 0.020-inch Duralumin Panel in the Presence of Air Flow." NASA TN D–458, September 1960.

15. Hubbard, Harvey H., Edge, Philip M., Jr., and Modlin, Clarence T., Jr.: "Design Considerations for Minimizing Acoustic Fatigue in Aircraft Structures." Proceedings of WADC–University of Minnesota Conference on Acoustical Fatigue, September 30–October 2, 1959. WADC Technical Report 59–676, March 1961.

16. Clevenson, S. A., Hilton, D. A., and Lauten, W. T., Jr.: "Vibration and Noise Environmental Studies of Project Mercury." The 1961 proceedings of the Institute of Environmental Sciences, national meeting, April 5–7, 1961, Washington, D.C.

17. Edge, Philip M., Jr.: "Acoustic Fatigue Tests Relating to the Design of Structures for Elevated Temperatures." Proceedings of Symposium on Structural Dynamics of High Speed Flight, volume 1, Los Angeles, Calif., April 24–26, 1961.

18. Mayes, William H., Edge, Philip M., Jr., and O'Brien, James S., Jr.: "Near-Field and Far-Field Noise Measurements for a Blowdown-Wind-Tunnel Supersonic Exhaust Jet Having About 475,000 Pounds of Thrust." NASA TN D–517, April 1961.

19. Maglieri, D. J., Hilton, D. A., and Hubbard, H. H.: "Noise Considerations in the Design and Operation of V/STOL Air-Craft." NASA TN D–736, April 1961.

20. Regier, Arthur A., Mayes, William H., and Edge, Philip M., Jr.: "Some Noise Problems Associated with the Launching of Large Space Vehicles." Presented at annual meeting of Armed Forces-National Research Council Committee on Hearing and Bioacoustics, Washington, D.C., November 3, 1961.

21. Hilton, David A., Mayes, William H., and Hardesty, C. A.: "In-Flight Noise Measurements for Three Project Mercury Vehicles." NASA TN D–997, January 1962.

22. Mayes, William H., and Edge, Philip M., Jr.: "Application of a Blowdown Wind Tunnel for Large Scale Acoustic Environmental Testing." Sound—Its Uses and Control, March–April 1962.

23. Modlin, Clarence T., Jr., and Edge, Philip M., Jr.: "Model Studies of Some Methods of Jet Noise Generation for Laboratory Testing." To be published in July–August 1962 issue of Sound—Its Uses and Control.

24. Howes, Walton L.: "Similarity of Near Noise Fields of Subsonic Jets." NASA TR R–94, 1961.

25. Howes, Walton L.: "Similarity of Far Noise Fields of Subsonic Jets." NASA TR R–52, 1960.

26. Howes, Walton L.: "Distribution of Time-Averaged Pressure Fluctuations Along the Boundary of a Round Subsonic Jet." NASA TN D–468, 1960.

27. Mayes, William H., and Edge, Philip M., Jr.: "Launch Site Noise Measurements for Three Large Rocket Powered Vehicles." NASA TN D–1502.

CONCLUDING REMARKS

There have been no major breakthroughs which will contribute to quick solutions of the problems associated with the alleviation of aircraft noise near airports. It has been suggested that the solution of the airport noise problem requires a systems approach which covers not only alleviation of the noise intensity from jet engines but also the proper zoning, soundproofing, air conditioning, and industrial use of areas not suited for housing but located near airports. Another consideration is, of course, the use of the airspace near airports to minimize the effect of aircraft takeoff approach and landing noise on nearby communities. This is essentially in the province of the FAA but NASA does have a major flight test program directed toward studying the problems of very steep approaches for aircraft. In this program various types of aircraft are landed by the use of special landing aids (installed at the Langley Research Center) at angles approaching 15° to 20°. Normal transport approach angles seldom exceed 3°. If the problems associated with this technique can be successfully worked out, a major step will have been taken toward alleviating high intensity noise near airports. The problems being studied are not restricted to the development of instrument systems to permit a controlled steep approach angle but are also closely tied to problems of stability and control and flight safety.

WYOMING SPACE AGE CONFERENCE

Mr. SIMPSON. Madam President, for the second year in a row, the city of Riverton in Fremont County, Wyo., will be host to an event in which the Equality State takes great pride—a "Spage Age Conference and Exposition," which open its doors June 3.

The first conference and exposition drew a crowd last year of 25,000. It has evolved from the annual industrial banquet held by the Riverton Chamber of Commerce.

In the heart of Wyoming's most diversified industrial area, Riverton is blessed with farsighted men and women who, in this space age, are as interested in symbolic and numerical control and cybermation as they are in the annual rodeos which highlight my State's pleasant summers.

Wyoming is especially honored at this year's conference and exposition to have as keynote speaker, U.S. Air Force Chief of Staff, Gen. Curtis LeMay.

Conference planners are elated and honored that General LeMay, whose jet speed itinerary is planned down to the minute, will be actively participating in the event. His appearance will make the theme of the exposition, "The Role of the U.S. Air Force in Space," singularly appropriate. General LeMay will speak at noon on "Wyoming Day" June 4.

Madam President, to better explain the scope and purpose of the Space Age Exposition in Wyoming, I should like at the conclusion of my remarks to have printed in the Congressional Record a news story from the April 27 Riverton (Wyo.) Ranger, a letter from Wyoming's distinguished chief executive, Gov. Clifford P. Hansen, and a press release issued by my office, under date of April 24.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SIMPSON. Madam President, I should also like to publish the tentative agenda for the conference as an indication that the State whose capital city hosts the personnel of nearby Fort Warren Air Force Base and one of the largest ballistic missile systems in America is not only cognizant of its role in our national defense but proud of that role and determined to make even more and greater contributions to the military and space sciences.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Exhibit 1

[From the Riverton (Wyo.) Ranger, Apr. 27, 1964]

General LeMay Organized Berlin Airlift in 1948

Gen. Curtis E. LeMay, Chief of Staff of the Air Force who will keynote Wyoming's Space Age Conference and Exposition in Riverton June 4, has a distinguished record of service for his country.

The Space Age Exposition will run from June 3 through June 7.

Last week the conference and exposition were announced by Gov. Clifford Hansen and Senator Milward L. Simpson.

General LeMay is an active, jet qualified command pilot. He also holds the areonautical ratings of aircraft observer, combat observer and Technical observer. On many of his jet trips, General LeMay is at the plane controls.

The 57-year-old combat veteran was born at Columbus, Ohio, and attended Columbus public schools. He graduated from Ohio State University with a bachelor of civil engineering degree and is a distinguished alumnus of the College of Engineering of Ohio State.

HONORARY DEGREES

General LeMay's distinguished record of service has been recognized by many schools. He has honorary degrees from John Carroll, Kenyon College, University of Southern California, Creighton, University of Akron, Tufts, Ohio State, University of Virginia, and Case Institute of Technology.

He has many awards and decorations from the U.S. Government and from foreign governments. These include the Distinguished Service Cross, the Distinguished Service Medal with two oak leaf clusters, the Silver Star, the Distinguished Flying Cross with 2 clusters, the Air Medal with 3 clusters, the Medal for Humane Action, the National Defense Service Medal and many other American awards.

His foreign decorations include the British Distinguished Flying Cross, the French Legion of Honor, degree of commander; and awards from Brazil, Russia, Belgium, Morocco, Chile, Argentina, Sweden, Ecuador, and Uruguay.

General LeMay entered the armed services as a flying cadet in 1928. He received a regular commission in January 1930. The General of the Air Force participated in the first mass flight of B–17 flying fortresses to South America in 1938. Prior to our entering World War II, he pioneered air routes over the South Atlantic to Africa and over the North Atlantic to England.

General LeMay organized and trained the 305th Bombardment Group in 1942 and led that organization to combat in the European theater. Formation procedures and bombing techniques developed by General LeMay were later adapted to the B–29 superfortresses which fought the war to its conclusion in the Pacific.

REGENSBURG SHUTTLE RAID

As commanding general of the 3d Bombardment Division (England), he led the famed Regensburg raid, a B–17 shuttle mission that originated in England, struck deep into Germany, and terminated in Africa.

In July 1944 he was transferred to the Pacific to direct B–29 heavy bombardment activities of the 20th Bomber Command in the China-Burma-India theater.

Still later he became Chief of Staff of the Strategic Air Forces in the Pacific.

At the conclusion of World War II, he returned to the United States piloting a B–29 superfortress, on a nonstop, recordbreaking flight from Hokkaido, Japan, to Chicago.

After the war General LeMay was transferred to the Pentagon at Washington to be the first Deputy Chief of Air Staff for Research and Development.

BERLIN AIRLIFT

In October 1947 General LeMay was selected to command the U.S. Air Forces in Europe with headquarters at Wiesbaden, Germany. He organized air operations for the famous "Berlin airlift."

A year later he returned to the United States and assumed command of the newly-formed Strategic Air Command, establishing its headquarters at Offutt Air Force Base near Omaha, Nebr. This central location became the nerve center of a worldwide bomber-missile force.

SAC COMMANDER

Commanding SAC for nearly 10 years, he built, from the remnants of World War II, an all-jet bomber force, manned and supported by professional airmen dedicated to the preservation of peace.

Under his leadership and supervision, plans were laid for the development and integration of an intercontinental ballistic missile (ICBM) capability.

In July 1957 General LeMay was appointed Vice Chief of Staff of the USAF and served in the capacity until July 1961, at which time he was appointed Air Force Chief of Staff, the post he now holds.

Wyoming Executive Department,
Cheyenne, May 8, 1964.

It is with pleasure that we invite your participation in Wyoming's second "Space Age Conference and Exposition" at Riverton June 3–7.

Gen. Curtis LeMay, Air Force Chief of Staff, will keynote the conference on Thursday, June 4. General LeMay is one of America's great military leaders, a national figure who I am sure will be well worth hearing.

Theme of the afternoon space age conference on Thursday is "The Technological Revolution." A group of leading national figures will be present to discuss this theme with us. They will present valuable data and information designed to help open the door for Wyoming participation in the space science fields.

A leading industry speaker will complement the appearance of General LeMay and both the Air Force and industry will provide a technical industrial exposition which should prove of great interest.

It is expected that several different Air Force jets will be on display to add to the exposition.

Last year's Wyoming Space Week Exposition at Riverton attracted about 25,000 people. The National Aeronautics and Space Administration cooperated in the program, and James E. Webb, NASA Administrator, was the keynote speaker. The conference and exposition provided Wyoming with a fine orientation in the space science field.

We are hopeful that this year's conference will show us the way into active participation of Wyoming in the space sciences.

Mark June 4 on your calendar.

We hope you can join with the others from Wyoming on that day to help in the planning of our State's future participation in the space age.

Sincerely yours,

Clifford P. Hansen,
Governor.

Here's News

(By Milward Simpson, U.S. Senator, Republican, of Wyoming)

LeMay at Wyoming Space Conference

Washington, D.C.—U.S. Air Force Chief of Staff Gen. Curtis LeMay will speak at the Wyoming Space Age Conference and Exposition to be held in Riverton, Wyo., June 4 through 7, U.S. Senator Milward L. Simpson announced today.

"The presence of General LeMay, one of America's greatest military leaders, will come as a highlight of the space age conference," Senator Simpson said. "His active participation will form the nucleus of what promises to be an exhibition to equal or top last year's monumental show."

Wyoming Gov. Clifford Hansen proclaimed the conference and exposition in an announcement today. Last year's exposition, featuring speakers and exhibits from the National Aeronautics and Space Administration, ran for 8 days. It drew National attention and some 25,000 people. This year's theme is the "Role of the U.S. Air Force in Space."

Senator Simpson said General LeMay is looking forward to the Wyoming exposition "with keen anticipation" and is making preparations with his staff for the participation of the Air Force "in what is destined to become one of the outstanding annual events in the Equality State."

"Gen. Curtis LeMay is a military leader of unquestionable stature and integrity. His leadership and vision have helped mold an Air Force second to none in the world. His concern for our national security, plus his lifetime of experience serving his country in war and peace, make him preeminently qualified to speak to Wyomingites on the space age to which America's future is so inextricably bound," Senator Simpson said.

EXHIBIT 2

WYOMING SPACE AGE CONFERENCE, WYOMING DAY, JUNE 4

From 9 a.m.: Exposition open to the public, National Guard Armory, Riverton.

From 10 a.m.: Dedication of exposition, Governor Hansen, Senator Simpson, General LeMay, and other dignitaries.

From 10:30 a.m.: Informal tour of the exposition by the official group.

From 11 a.m.: Flyover by Wyoming Air National Guard planes and possible Air Force planes.

From 12 noon: Keynote banquet, Gen. Curtis LeMay, keynote address; introduced by Senator Simpson, Governor Hansen, opening remarks.

From 2: p.m.: Space age conference, theme "The Technological Revolution." Conference speakers: "Wyoming Research and National Goals," Dr. John Bellamy, director, NRRI, University of Wyoming; "Impact of Symbolic Control in Industry," Albert K. Hawkes, director of Computer Services Division IIT Research Institute; "Numerically Controlled Machine Tools," Mr. L. C. Penny, Sundstrand Aviation, Denver; "Bionetics—Living Growing Science," Air Force representative, Capt. Leslie Knapp; "Summary and Review," Wyoming Natural Resource Board and Industry.

From 6:30 p.m.: Industry banquet: E. B. Fitzgerald, president, Cutler-Hammer, Inc.; Wyoming industrial achievement awards.

SENSIBLE TALK ABOUT CUBA

Mr. BARTLETT. Madam President, "Let's Talk Sense About Cuba" is the title of an article by the able and truly perceptive junior Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Senate Foreign Relations Committee. Certain it is that sense is needed when we talk of Cuba and of Latin America as a whole.

I am afraid that too often in the past we have tended to think of the problems, the dangers, and the opportunities of the whole hemisphere in terms of Cuba. Too often our efforts to encourage a peaceful but profound social revolution across Latin America have been viewed solely as countermeasures made necessary by the threat of Castro's exported subversion. The basic principles of the Alliance for Progress are important in themselves, and not because a Cuban dictator is making threats on the peace of a continent. The deep unrest and injustice which it is designed to meet would be there whether or not there had ever been a Castro. In his article, the Senator well says:

> If Castro and his henchmen were to disappear tomorrow, much of Latin America would still be stirred by demands for radical social change.

Castro is a grave threat, it is true, but only because he answers these demands for radical social change. This threat, for us, should be more of a challenge. We must show the people of the hemisphere that orderly change and democratic processes can produce a more effective revolution than does Castroism. We have a job to do in Latin America and we should not let hysteria about the man with the beard keep us from it.

I ask unanimous consent that the Senator's excellent article from the May 16 issue of the Saturday Evening Post may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S TALK SENSE ABOUT CUBA

(By Senator J. WILLIAM FULBRIGHT)

(NOTE.—Democrat from Arkansas Senator FULBRIGHT is chairman of the Foreign Relations Committee. He was a Rhodes Scholar and at 34 was president of the University of Arkansas. He served one term in the House before his election to the Senate in 1944. One of the most distinguished Members of the upper House, Senator FULBRIGHT shook Washington recently with a speech attacking the myths that underlie U.S. foreign policy. Here he defends himself against his critics and tells in fuller detail what he thinks should be done about Castro's Cuba.)

For a long time it has seemed to me that American attitudes toward the world tend to be rigid and slow to adjust to new situations. Thus, for example, we tend to resist change in policies which were developed to deal with a monolithic Sino-Soviet bloc despite the facts that the Chinese and Soviets are now deeply, perhaps irrevocably, split, and that there is growing trend to diversity in Eastern Europe. There are people who cry for a blockade or other stern measures against Cuba, making no distinction between the problems posed by a Cuba with Soviet medium-range missiles and by a Cuba with Communist workers riding to the cane fields in new British buses.

It was in an effort to point out some of the areas in which change has outrun policy that I spoke in the Senate on March 25. "We are confronted with a complex and fluid world situation." I said, "and we are not adapting ourselves to it. We are clinging to old myths in the face of new realities." I stated, for instance, that Castro "is not likely to be overthrown by any policies which we are now pursuing or can reasonably undertake." I suggested that our efforts to persuade free-world countries to maintain a boycott on trade with Cuba have been largely unsuccessful and that for this reason the boycott policy has been a failure.

My purpose was, and remains, to stimulate a general discussion, a rethinking, and a reevaluation of our foreign policies in the light of changing circumstances. Such criticisms as were contained in my speech were directed at inflexibility in public and congressional thinking about foreign policy, and not at specific policies of the present and preceding administrations, except as these policies have been thwarted or unduly influenced by popular prejudices.

There is nothing more difficult, and nothing more important, than the adjustment of our thoughts and of our policies to changing realities. As Eric Hoffer has written: "It is my impression that no one really likes the new. We are afraid of it. * * * Even in slight things the experience of the new is rarely without some stirring or foreboding."

If there was something "new" about my speech of March 25, it was not what was said but the fact that it was said, and said publicly. In any case, reactions of fear and foreboding were largely confined to the Congress. The reaction of the press and of over 10,000 private citizens who wrote letters to me in the first 3 weeks after the speech was very substantially favorable to the views which I expressed. What is more important, the reaction showed a very substantial interest in a public exploration of the issues which I raised. The voluminous public response indicates to me that the American people are eager for a public discussion and may be receptive to changes in policies.

I welcome the opportunity to examine some of the questions raised in the various comments and criticisms of my speech. I have no objection to being held responsible for anything I said. I do object, however, to being held responsible for things I did not say. I did not say, for example, that American policy is guided solely by myths, or that our policies were inappropriate at the time they were framed. I did not say that we should ourselves enter into friendly relations with the Castro regime in Cuba or terminate our own economic boycott. I said only that our effort to organize a concerted international boycott which eventually will bring down the Communist regime is a failure, which it demonstrably is.

I did say that we should face the probability that the Castro regime will continue to exist. We are, of course, already doing so, and this particular suggestion, therefore, is not the adoption of a new policy so much as the acknowledgment, to ourselves, of an existing fact.

There has been considerable inaccuracy on another point. I did not say that the Castro regime is not a "grave threat" to the hemisphere. I said that it is not a "grave threat" directly to the United States. I did say that it is a "grave threat" to the Latin American countries, but one which should and can be dealt with through the procedures of the Organization of American States.

One criticism which has been directed at the speech is that I neglected to state more explicitly what I believe our policy toward Cuba should be. On reflection, I think this criticism may be well taken, because Cuba now appears to have greater importance in the public mind than I had thought.

I believe that the United States under present conditions should maintain its own political and economic boycott of the Castro regime. It would be desirable if all the other countries of the free world would join in such a boycott, but experience has amply proved that major industrialized countries of Europe, and Japan as well, are unwilling to do so and that we are incapable of either forcing or persuading them to do so. We look silly when we cut off a pittance of military aid to Great Britain and France because they trade with Cuba, when at the same time we find an excuse to continue substantial aid to Spain despite its trade with Cuba. What makes the case even sillier is that the aid we were giving to Britain and France was not aid at all. It was called aid because it came from military-assistance appropriations, but in fact it paid for a sales-promotion campaign to persuade high-ranking British and French officers to buy American military equipment.

There is an important distinction to be made between Cuba and Western Europe on the one hand and Cuba and Latin America on the other. Cuba is not a grave threat to Western Europe, any more than it is a serious threat directly to the United States. But Cuba is a grave threat to Latin America. It is logical, therefore, to expect the Latin American reaction to Cuba to be different from the Eureopean reaction, and this has indeed been the case. The Organization of American States has found the Castro regime to be incompatible with the principles of the inter-American system, and Cuba has been excluded from the inter-American organization. Fourteen of the Latin American States have broken diplomatic relations with Cuba. There has been increasing inter-American cooperation in the exchange of intelligence and in the application of countersubversive measures. Latin American trade with Cuba, over all, is insignificant.

Nonetheless, Cuban intervention in the affairs of Latin American States has continued, the most flagrant example being the shipment of arms to Venezuela, a shipment which was fully confirmed and documented by a committee of the OAS.

The OAS is the deliberately chosen instrument of the American states to deal with these problems. It has available to it adequate procedures and powers, based on the Rio Treaty and the Charter of the Organization of American States. I believe the United States should fully meet its obligations under these treaties to participate in multilateral action to protect the hemisphere from Soviet-Cuban aggression and subversion. But this is primarily a Latin American problem. We cannot protect people who are not interested in protecting themselves.

The real problems of this hemisphere are not going to be solved by boycotting Cuba but by making the Alliance for Progress a success. Our exaggerated preoccupation with Cuba has distorted our judgment of the revolutionary movements in several Latin-American countries. If Castro and his henchmen were to disappear tomorrow, much of Latin America would still be stirred by demands for radical social change.

This change need not be brought about through totalitarian methods and controls. In fact, the example of Castro's Cuba has perhaps done more to turn Latin Americans away from communism than all our preaching about its evils. Latin Americans have been shocked by Castro's brutality as well as by an inefficiency that has made a shambles of the Cuban economy.

Despite the importance of these considerations, it was not my major purpose in my statement of March 25 to stimulate a debate on Cuba but rather to place this issue in a reasonable perspective. The problems of the Caribbean are difficult; but unless they are made the focus of a clash of interests between the great powers, as in the missile confrontation of 1962, they are not in themselves the issues which are likely to precipitate a third world war or to determine the shape of world politics in the decades to come.

The problems which are much more likely to be decisive stem from our relations with the two great powers of the Communist world and our relations with our free world allies. It was with respect to these problems—the supreme issues of our time—that I sought to provoke discussion, and to suggest that, when placed in perspective, such issues as Cuba have engaged our attention to a degree out of all proportion to their real importance. For example, I spoke of the "myth * * * that every Communist state is an unmitigated evil and a relentless enemy of the free world," and I pointed to "the reality * * * that some Communist regimes pose a threat to the free world while others pose little or none, and that if we will recognize these distinctions, we ourselves will be able to influence events in the Communist bloc in a way favorable to the security of the free world."

One of the criticisms of my speech is that I did not explore the problems of the Western Alliance and particularly the increasing differences of opinion between General de Gaulle and the other members of the Western community.

My basic belief is that the best hope for the North Atlantic democracies lies in the development, by gradual stages, of a close political, military and economic partnership. If the Western community of nations is to survive and prosper, its prospects for doing so depend heavily on its overcoming its ancient rivalries and animosities and uniting its member nations in a close working partnership.

Impressive progress toward the development of such a partnership was made from the end of World War II until quite recently—through the Marshall plan, the NATO alliance, the formation of the European Economic Community and of a variety of international financial institutions, and other steps. In the last few years France, under General de Gaulle, has pursued policies which are apparently aimed at quite different objectives, although it is not yet clear what these objectives are. The tendency of current French policy, if I gage it correctly, is away from partnership with other nations, particularly Great Britain and the United States, and back toward the kind of nationalism that has divided the West against itself in centuries past. In many ways French policy is being skillfully, even brilliantly, executed, and many highly informed observers have come to the conclusion that the Gaullist concept of a European community of sovereign nations, vaguely and loosely bound to each other and separated from Great Britain and the United States, represents the "wave of the future."

Perhaps it does. Efforts to assess the realism and the prospects of General de Gaulle's program, however, are handicapped by the fact that it is extremely difficult to grasp the true meaning of the general's statements. We have been told that the postwar era is at an end and that the Gaullist design is built on that reality; that the Atlantic-partnership idea is only a disguise for American hegemony in Europe; that this hegemony, which is equated with Soviet domination of Eastern Europe, is intolerable and must soon end; that France and Europe (the terms seems to be used interchangeably) have a destiny and "personality" of their own which must not be diluted by "Anglo-Saxon" admixtures; and that Europe must aspire to be "Europe from the Atlantic to the Urals."

In its present state of definition Gaullism seems more a mystique than a program. It may be that President de Gaulle, in his own good time, will give content to his vision of Europe and of the world. It may be that he will go beyond elegant disquisitions on the pride and personality of nations and proceed to suggest the kind of continuing institutions that will bind together the European nations, firmly or loosely, and the kind of political and economic relations he feels Europe should have with the United States and the British Commonwealth.

It may be, as the general has suggested, that the NATO alliance has served its purpose and is obsolete. I do not think so, nor do I think that NATO is a disguise for American hegemony in Europe. In any case, whether or not NATO survives in its present form, it is essential that provision be made for close and continuing cooperation among the nations of the West, lest they revert to the uncontrolled nationalism that all but destroyed Europe in two World Wars. There are two constructive proposals for long-range cooperation that can be implemented with little delay: The seaborne multilateral force and the proposed consultative Atlantic Assembly. If these are unacceptable to France, perhaps General de Gaulle will propose a better approach.

It is inconceivable that France should be anything less than a leading participant in an Atlantic community. France's partners are in need of her wisdom and her vision—the same wisdom which enabled President de Gaulle to end the Algerian war and to make France the guarantor of order and economic growth in large areas of Africa and, indeed, in proportion to her resources, the leading nation of the free world in extending economic aid to underdeveloped countries. Many Frenchmen have feared that France cannot be herself as a participant in a larger community. They would do well to consider that the free world, of which France is an integral part, can have little chance of realizing the full measure of its hopes and opportunities without the participation of France.

The foregoing are some, although certainly not all, of the questions raised by the criticisms of my speech of March 25. I hope that these exchanges are only the beginning of a national rethinking of foreign policy and of a new receptiveness on the part of our people and their policymakers to new ideas and fresh approaches. In a free debate in which no proposal is barred because of its unfamiliarity or its incompatibility with prevailing prejudices, there is certain to be a good deal of error as well as insight. But this need not trouble us. As Thomas Jefferson said, "Error of opinion may be tolerated where reason is left free to combat it."

CONSERVATION AND POLITICS

Mr. CHURCH. Madam President, we are all aware of the growing importance of conservation and resource issues in our national life. And we are also aware of the natural divisions which have occurred in the conservation community itself.

It has remained for Assistant Secretary of the Interior John A. Carver to put some of these problems in their proper perspective in a recent address before the Conservation Week banquet at Utah State University, Logan, Utah.

I ask unanimous consent to have his address printed at this point in the RECORD, and recommend it to the attention of my colleagues.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CONSERVATION AND POLITICS

A week ago today I spent a day on a university campus in Massachusetts, before a graduate seminar on our territorial programs and policies. I've savored the opportunities I've had over the past 3 years, at Lansing and Ann Arbor, Milwaukee and Chicago, at Princeton and Riverside and Boston, to discuss government in the university community.

I'm particularly proud to have been asked to be with you tonight. Your Conservation Week has become justly renowned, and the standards set by my predecessors are demanding indeed. I recall that you heard a most significant speech a year ago. Although your scheduled speaker, Chairman WAYNE ASPINALL, was unable to be here, you were able to hear his talk, and in it the main features of his bill for a Public Land Law Review Commission, and of associated legislative items. In the intervening year, his bills on the subjects discussed here have been introduced, hearings held, and they have passed the House of Representatives.

My subject, "Conservation and Politics," can be opened by amplifying the reference to the Public Land Law Review Commission. Here was a measure which at the House hearings received virtually unanimous support from the broadest possible spectrum of the public interested in the public lands, whether commercially, as with the timber, forage, and mining industries, or noncommercially, as with the wildlife organizations and recreationists, and public interest and governmental units, State, county, and local.

This measure passed the House 339 to 29. The bill was sponsored from both sides of the aisle, among others by a member of the Outdoor Recreation Resources Review Commission with unimpeachable conservation credentials, JOHN KYL, of Iowa.

The purpose of the Commission bill is clearly stated in it: It is to study the statutes, review the policies and practices of the Federal agencies, compile data on demands for the public lands, present and future, and to recommend legislation to the Congress.

Yet last week a newspaper columnist, with a radio program also, referred to this as a bill to turn the public lands over to the cattle and mining interests.

Such a charge is erroneous, irresponsible, and a calumny on the Congress. Yet, it is of such stuff that conservation politics is made.

This is the good guys against bad guys method of policy formulation. In the international field we're all aware of the attempt to manipulate public attitudes with reference to some other country's policy—what they want, we oppose, and vice versa. In the resources field, it works the same way. If the lumber or cattle or mining people want a public land law review commission, then to some groups it must be bad; if the Sierra Club or the Wilderness Society or some other public group agrees, however reluctantly, to a modified version of the wilderness bill, then those who had demanded the modifications are likely to take a second look.

A related, or refined version of this, is the epithet method of manipulating policy formulation.

Even experienced and sophisticated veterans of public resource management react in a conditioned way to verbal stimuli which are a part of our political tradition. Take the word "exploit" in reference to economic development needs. This is ordinarily a bad word in the conservation lexicon—not for any etymological or philological reason, for words are neutral. But this one exudes the colorful symbolism of our political environment. "Exploit" means "spoil"; "conserve" means "save." In this context, one doesn't even need to write down the moral propositions that create the differences. Generations of holy crusade have produced the glandular reaction—"exploiter," evil; "conservationist," virtuous.

This Pavlovian reference illustrates how deeply conservation issues have cut into national thinking. Some will say: "Isn't this good? Shouldn't people react righteously without having to ponder? Let's not equivocate with evil." This begs the question, for it assumes that the labels and catch phrases, the campaign slogans, have been correctly assigned; that there is some divine guidance, some intuitive gift, that permits ready identification of an infidel or heathen cause. For the purist, there are no gradations of virtue—no compromises between ideal and reality.

A few days ago an experienced and seemingly sophisticated Government servant said to me, "Why doesn't the Department create a special board for the sole purpose of identifying the public interest?"

A good question. Yet in the 3 years and almost a half I've been in the Department, I can't recall any one of the innumerable controversies where each side of the issue wasn't framed plausibly in terms of the public interest. I've known no decision made by Secretary Udall which hasn't been made in the public interest. Yet the controversies have been deep and vigorous, and many have reverberated in the Halls of Congress or the columns of the press long after they were made. In all of them both sides of the controversy are stated in terms of the public interest, and in most of them both sides are in the public interest. But choices have to be made and the job of making choices cannot be delegated by the Secretary to a board.

Let's look at a couple of specific cases. The development plan for the Potomac presents one controversy now active; the development of the Colorado another. Those who would build dams (in one case the dam builders are in another Department, in the other case in our own), and those who oppose in favor of the existing values, such as parks or private improvements each states a public interest case.

Electric energy for a rapidly growing population and burgeoning economy must be planned for. Both sides agree, but opponents of the dam assert that account has not been taken of alternatives like nuclear power.

Recreation opportunities are laudable side benefits of dams—but does this kind of recreation outweigh the damage to natural features?

Listen to the language of the two sides:

From the dam builders:

"Water-based outdoor recreation is one of the most popular leisure-time activities in the Pacific Southwest region. The capacity of many existing recreation facilities is already strained. Coincident with the anticipated population growth of the region will be an increased demand for water-oriented outdoor recreation uses. Thus, new basic facilities are included in the plan of development wherever appropriate.

"The basic facilities that would be provided at the reservoirs include access roads, parking areas, beaches, boat launching ramps, picnic and campground areas, public utilities, comfort stations, and related items. The new reservoirs would create new large water areas for boating, fishing, swimming, and water skiing and, additionally, would provide new access to some of the most spectacular scenery in the Nation."

From the opponents:

"The construction of a reservoir in this reach of the canyon (at Bridge) would inevitably result in the loss of park values of national significance.

"The river, with its ever changing currents, pools and rapids, would be blotted out by the slack water of the reservoir.

"The existing natural streambank ecology would be drastically changed throughout the extent of the reservoir. The existing plant and animal habitats would be drowned out, and colonization by exotic species would be expected. In the uppermost regions of the reservoir, silt depositation and debris accumulation would be inevitable.

"The most obvious change in the recreational use would be the limitation of the traditional and exhilarating experience of wild river boating."

Controversies like these are incapable of resolution by the application of rhetoric or slogan—something far more fundamental is expected of Government than that.

And something far more fundamental ought to be expected of the public.

Conservation issues are public issues. Success in the task of conservation requires mastery of the workings of politics, both internal and external. Conservation presents elemental conflicts of values.

If the politics of conservation are to be worthy, if it is to be recognized that resource managers must communicate to the public and to the legislatures a sense of ethical urgency rooted in a felt philosophy, then history must be studied, our society comprehended, our governmental system mastered.

Slogans are not substitutes for celebration; and the field of conservation isn't open to be staked as the exclusive domain of any group, however well intentioned.

Many in this room will participate in making the social decisions that must be made to meet the demands of 300 million people for living space, food and fiber, and all of the other resource requirements of an almost unimaginable technology. Conservation and resources promise to become the most critical domestic political issue as we approach that social milestone. Any attempt to answer the challenge with cliches must fail—and with it our basic values, quite possibly our whole political system and our existence as a democratic society.

Professional resource managers have their own sophisticated phrases. The appeal of "sustained yield" has been sufficient to turn many a tide. And "multiple use" comes close to being the universal solution to all demands, even though it provides no effective assistance in adjudicating incompatible demands. The mere suggestion of "giveaway" is enough to stop any resource transaction in its tracks—at least temporarily. Such slogans are high-powered weapons of the political arsenal.

It helps to recognize that these are the current manifestations of a long tradition. Resource issues have been political issues since the earliest days of the Republic. Jefferson and Hamilton's ideological struggle had as one of its ingredients the policies which should governor in settling western lands.

The Mississippi bubble was the major political issue of its decade. John Wesley Powell made the settlement of arid lands a bloody battleground long before those lands had any real value. In the last decade, Al Sarena held center stage while the pressures for more open space, better recreation facilities, more and purer water piled up. This accumulation is our political inheritance, the unfinished agenda of our generation.

The techniques of achieving political goals for conservation were never more effectively exhibited than they were at the hands of the first Roosevelt and his chief lieutenant, Gifford Pinchot. Roosevelt made his name synonymous with conservation, as he met both the interests and their legislative spokesmen head on.

By a pen's stroke, he set aside public lands for forest purposes while enrolled enactments of Congress prohibiting such executive action sat out the constitutional waiting period on his desk. Forestry, reclamation and wildlife protection became main functions of the Federal Government under his tutelage.

Teddy Roosevelt took the conservation movement out of the polite conversation of drawing rooms and off the platforms of the lecture circuit. An ideal, clothed with Victorian respectability, became an objective of public policy—of Government activity. Conservation was made an object of political contest—where it has been ever since, not only at the Federal level but in the States as well.

Pinchot presents an even more interesting case study in the development of political conservation and conservation politics, which is equally significant. Pinchot is something of a rarity among all public figures: a pioneer in an emerging profession and respected for that in itself; masterful politician, good enough to quarterback many of Roosevelt's most daring forays, and to be elected Governor of Pennsylvania twice; but above all, superlative bureaucrat. With a singleness of purpose that would have been disastrous in one of lesser ideals, Pinchot used a small and ineffectual office in the Department of Agriculture as the nucleus for concentrating most of the Federal forestry activities into one of the largest and most powerful of all Federal bureaus—one that could dominate Cabinet officers and challenge a President of the United States.

Pinchot's zeal to become the dictator of conservation values and morals led, of course, to his split with Taft and his accusations against Secretary of the Interior Richard K. Ballinger, whom Taft appointed to replace Pinchot's friend and collaborator, James Garfield. The congressional hearings on these accusations marked one of the bitterest episodes in the history of conservation politics. The stakes were high—the office of the President becoming eventually involved. Ballinger was eventually exonerated of any intentional wrong-doing, but it was found that certain of the evidence submitted in his behalf had been misrepresented as to time of preparation. Press and public alike remembered only this tarnishing fact—Ballinger was publicly guilty, though innocent.

This incident in one man's bureaucratic war on those who opposed him did lasting harm to a major conservation department of the Government. Pinchot—although out of office—never lost an opportunity to remind the country of Interior's faults, as if Ballinger had been found guilty. Not until Harold Ickes took over a quarter century later did the Department retrieve the public respect so necessary to discharge its conservation mission.

The politics of the conservation movement itself, including both the internal manipulation of organizations and the interplay of powerful forces among those who have a rightful claim to be called conservationists, took shape in Roosevelt's time, too.

Theodore Roosevelt's task in establishing the conservation ideal ran across the grain of traditional thinking. He had to first establish waste as something close to immoral—and then work on the public conscience to see that it reacted accordingly. The substantive issues of his day were, however, relatively uncomplicated. Techniques of forest protection were direct, elementary and easily comprehended; power generation and transmission had potential for the future, but comparatively little current relevance; demands upon land and water resources were confined to single uses, uncomplicated by competing needs incompatible with each other.

Now our population has almost doubled and its mobility multiplied fivefold or tenfold. A disturbing percentage of our land area must be devoted to concrete ribbons strung with the beads of metropolis, suburb, and town. Technology has made possible and created forms of land use which were impossible a half century or even a decade ago. The protective barriers to the wilderness have been breached.

Hetch Hetchy was the early warning of what is today a truism—that one conservationist's ideal could be another's desecration, that the recriminations among friends under stress match those that draw blood from sworn enemies.

The cities of central California and the bay area were outstripping readily available supplies of water; a similar situation in power could be foreseen due to their great distance from conventional energy sources. To those who were thoroughly steeped in Theodore Roosevelt's premise that "conservation is the great fundamental basis for national efficiency," it was elemental that the rivers of the Sierras should be harnessed to provide the water and power requirements for a growing prosperity. From almost every standpoint of economy, efficiency, and engineering convenience, the ideal site for dam construction was in the Hetch Hetchy Valley of the Tuolumne River. Heated opposition immediately developed from two quarters; from private utility interests, because the project was to be constructed and operated by the city of San Francisco, and from an important segment of the conservation movement itself, because the site was deep in the Yosemite National Park, consecrated in the eyes of parks purists.

Hetch Hetchy became a national issue primarily because of its public power aspects, but the contention between conservation values was also very much in the public eye. Labels became mixed and the identity of friend and foe became complicated. If you can conceive of it, John Muir was actually cast in the role of advocate for Pacific Gas & Electric Co., was called a mouthpiece of "the interests." To those who recount this story from the public power viewpoint, the term "conservationist" is reserved for Hetch Hetchy's proponents—all others fall in the category of "nature lovers" or "power interests." In this, the first clear instance of conflict among national conservation objectives, the charge was also made by one element of the conservation front that their erstwhile friends were being exploited by those having diametrically opposite social values. "Save Yosemite From Destruction" was a rallying cry among dedicated conservationists; it was equally available to those who would use every possible device to defeat the reservation of any further lands for park purposes.

Any number of parallel situations may be cited to demonstrate the increasing conflict between and among interests within the conservation family in its broad expanse. The Steamboat Springs project, dear to the hearts of the reclamation branch of the family, foundered upon the unavoidable consequence of flooding a part of Dinosaur National Monument. The Glen Canyon reservoir is already beginning to fill, but the bitterness over failure to protect Rainbow Bridge against water intrusion is readily evident in our daily mail. Issues such as these find their outlet in the exercise of highly developed techniques of political pressure.

The issues upon which the conservation community finds itself divided will increase as demands for scarce land increase. The political dimension of conservation has expanded in ever-widening circles as our society and our technology have become increasingly complex. The simple "for" or "against" issue of 1900 now has overtones of the bureaucratic contest for policy supremacy. "Multiple use" becomes a slogan to block the preservation of critically needed recreation values; freedom to locate mineral claims argues against inclusion of a public domain tract in either a forest or a park. Parks supporters are accused of "locking up" resources because they regard public hunting incompatible with park objectives. The pluralism of modern life makes extremely complicated the simple faith which motivated Thoreau, Muir, Powell, and the other prophets of the good life.

Let us now look to the future prospects for conservation as a political issue. Will it drop out of the field because other problems of modern life demand all of our attention? I am convinced that the exact opposite will be the case. Science and technology can change and multiply and stretch the limits of such resources as food and fiber and energy sources. But eventually we get back to the fundamental elements of land and water. Living space for twice our present population will demonstrate the inelasticity of the land surface. Water problems, both qualitative and quantitative, must be attacked promptly and with every scrap of our imagination—for wars have been fought and civilizations have died for its lack. We face a century of intense competition for these elemental resources. Government must inevitably enter as the arbiter. Conservation issues may, therefore, become the dominant ones in public affairs, therefore in politics, in our own generation.

The stewardship of Stewart Udall as Secretary of the Interior has seen a truly remarkable elevation of the level of conservation politics.

First and foremost, he has penetrated the American consciousness of the land and water, and has made conservation a felt philosophy, in and out of Government. President Kennedy's White House Conference on Conservation in 1962 was the first since Teddy Roosevelt, and it caught the public's attention and interest. So did that memorable conservation tour in the beautiful autumn of 1963. Mr. Udall's book "The Quiet Crisis" is thoughtful and deep, and its influence widens month by month.

It takes a great Secretary to be able to manage both the programs for water development and the programs for park and natural value protection, and the public does not even begin to understand how well he has mastered the fundamentals of each, thus freeing himself from the shackles of slogans and rhetoric.

The Secretary sees the relationship of conservation to other social objectives and other Government programs, as witness the conservationist cast of the Job Corps segment of President Johnson's war on poverty.

And he sees beyond the horizon. The land and water conservation fund bill, landmark conservation legislation which must be enacted, will rationalize the hit-or-miss, stop-and-start progress in meeting the national demand for parks and recreation opportunities.

The Pacific Southwest water plan, too, represents statesmanship of a most demanding order.

I commend to you the field of conservation, and the field of politics—separately and together. I love them both.

SALVATION ARMY WEEK

Mr. KEATING. Madam President, 84 years have passed since Commissioner George Scott Railton and his seven "Hallelujah Lasses," as they were called, marched into New York and "opened fire" on America. Today the Salvation Army includes 5,000 officers in the United States, 1,300 evangelical centers, and more than 800 institutions and services. Its workers have become known for their selfless devotion, their endless patience, and their consistent optimism.

The Salvation Army, which first won fame in this country by providing the "doughboys" with doughnuts in World War I, and had a major hand in the USO clubs during World War II, does not limit itself to work with the distressed. Army services range from missing persons bureaus and correctional services for prisoners to marital counseling, from rooms for evicted slum dwellers and nurseries for children of working mothers to free soup kitchens and medical and dental care.

The Salvation Army began as a unique adventure in evangelism. The founder of the Army, William Booth, believed in providing "soup and soap" before trying to convert the thousands of forgotten human beings—the alcoholics, the streetwalkers, and the criminals—who were not wanted by organized religion of the time.

This year, while we are ourselves trying to change the face of the "other America," it is particularly appropriate to salute the work of the Salvation Army.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

The Chair lays before the Senate the unfinished business.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. LONG] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE] for himself and other Senators, relating to jury trials in criminal contempt cases.

CALL OF THE ROLL

Mr. CHURCH. Madam President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 249 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Burdick
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Dodd
Douglas
Ellender
Fong
Gruening
Hickenlooper
Humphrey
Inouye
Jackson
Javits
Jordan, Idaho
Keating
Long, Mo.
Mansfield
McCarthy
McGovern
McIntyre
Metcalf
Miller
Monroney
Morse
Mundt
Neuberger
Pearson
Pell
Proxmire
Ribicoff
Saltonstall
Simpson
Smith
Sparkman
Stennis
Talmadge
Yarborough
Young, N. Dak.

The **PRESIDING OFFICER.** A quorum is present.

The Chair recognizes the Senator from Georgia.

Mr. **TALMADGE.** Madam President, I ask unanimous consent that I may yield to the distinguished Senator from Alaska [Mr. GRUENING] with the understanding that my doing so will not affect my right to the floor in any way whatsoever or cause the resumption of my speech to be counted as a second speech.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

BRING WAR IN SOUTH VIETNAM ALSO TO CONFERENCE TABLE

Mr. **GRUENING.** Madam President, President Johnson and Ambassador Stevenson are to be highly congratulated for taking a portion of the southeast Asian mess to the United Nations. That is precisely where it belongs. I have so urged ever since March 10, 1964, when I spoke in the Senate and stated that the United States should get out of South Vietnam and immediately pull our troops back from the fighting front.

While the administration's action in the United Nations yesterday was an entering wedge, it has not gone far enough. However, it does mean that the administration which inherited the Vietnam mess from previous administrations has now realized that in southeast Asia we cannot and should not go it alone. It might have done this immediately on taking office, but it is not easy overnight to shake off established—even if mistaken—policy, especially if the same policymaking personnel continues in office.

The solution of the serious problems existing in southeast Asia lies in strict adherence to the Charter of the United Nations calling for collective action by the signatories to the charter and not by individual action. I congratulate President Johnson in having come at least this far.

As James Reston writes in today's New York Times:

> None of this removes the need for defending the principle of collective action. That need is just as great now as it was when the U.N. Charter was written, or when the fighting broke out in Korea or the Congo.

The administration's actions in the United Nations yesterday was hailed today by Max Frankel in the New York Times in these words:

> For the first time, also, the United States indicated that it was prepared at any time at least to debate the entire southeast Asia situation, including its own actions, in the world organization.

So far so good. It is high time the United States stopped sabre rattling and resorted to peaceable measures. Why not this procedure for all southeast Asia? Why not stop the killing in South Vietnam now?

The situation—as I have said repeatedly—in South Vietnam is such that it is now threatening the peace of all southeast Asia. Ambassador Stevenson should have gone further. He should have offered solutions along the same lines to end the fighting in South Vietnam where brother is fighting brother and father is fighting son.

It is also a situation where American boys are dying in battle.

It is also a situation that cries out for international solution for the problem which will not be resolved in battle but around a conference table. The United Nations offers such a conference table for us and before the situation deteriorates further we should seize upon this opportunity and lay the matter before the Security Council of the United Nations. If we are thwarted there we should go further and invoke the powers of the General Assembly.

As we go it alone in South Vietnam the situation continues to deteriorate.

The New York Times, in a leading editorial on Thursday, May 21, 1964, occupying more than half its editorial columns, analyzes the deteriorating situation in Indochina and comes to the conclusion that:

> We must confront the Communists with options short of unacceptable defeat, options to which they can turn, once some of their leaders begin to conclude that victory may be unattainable or too expensive. In brief, we must define our peace aims.

According to the New York Times editorial, "total victory is beyond our grasp."

This conclusion is reaffirmed by the sombre statement contained in Joseph Alsop's column in the Washington Post and Times Herald on May 20, 1963, to the effect that:

> Like a muffled thief in the night, slipping from shadow to deceptive shadow, a great national disaster is creeping up on the United States—and on this poor country [South Vietnam] too. In one night, almost before we know it, we may be overtaken by the disaster that is creeping up on us.

It is heartening to have the New York Times finally take a good hard look at the facts in southeast Asia. Such a reappraisal of our tenuous position in South Vietnam by one of the Nation's leading newspapers is long overdue. I would hope that in the days ahead such reappraisals will take place in our newspapers from coast to coast.

As I have been saying for months now on the floor of the Senate, the problem in South Vietnam is a political and not a military one. The United States cannot impose by military force alone a victory upon South Vietnam. By the same token, the United States cannot achieve peace in Vietnam by interposing bodies of U.S. military men between the Vietnamese and the Vietcong. The lives of American soldiers cannot be used as a substitute for a will to win on the part of the Vietnamese.

The time has long since come to negotiate an honorable way out of our involvement in South Vietnam—in which we are alone involved and in which our so-called allies have given us at most only moral, if any, but no material assistance.

The New York Times states in its editorial:

> But an increased military effort alone, without an offer to negotiate, would simply compound the errors of the past.

With this statement, I am in hearty accord. But I would add to it.

In the first place, I would add the suggestion that our military strength should henceforth be maintained only through the South Vietnamese fighting men and our military material. There is no earthly reason for the loss of a single additional American military man on the fighting front in South Vietnam. We have needlessly lost too many American military personnel in battle already. Our so-called advisers should be withdrawn at once from the fighting lines.

In the second place, I would add that negotiations should be begun immediately and that the United States should make it abundantly clear that it is not attempting to make South Vietnam a U.S. colony. I care not whether the immediate negotiations for a peaceful settlement in South Vietnam are begun in the United Nations which, because of Cambodia's complaint against the United States, is already seized with part of the problem in southeast Asia, or through SEATO, which was involved in the 1954 settlement. The medium of negotiations is relatively unimportant. The important point is that we begin negotiations.

In the third place, I would add that there is a definite need for an investigation of why the people of the United States have not been given the facts and why it has been necessary, in the words of the New York Times, for the "harsh facts" of the war in South Vietnam to be "brought to public notice through the enterprise of American newspapermen on the spot." In recent years there has, in my opinion, not been a more flagrant violation of the American people's right to know. The investigation I am calling for should be two pronged.

First, it should investigate to find out whether the true facts of the situation in South Vietnam over the years have been withheld from the American people not for security reasons but to cover up bureaucratic bungling.

Second, and even more important—it should investigate to determine whether there has been a serious failure on the part of our intelligence apparatus to find out and evaluate accurately the true facts.

In that connection, consider the on-again, off-again type of statements issued by Secretary McNamara after each of his trips to South Vietnam.

On Secretary McNamara's first trip, Homer Bigart cabled to the New York Times on May 11, 1962, from Saigon as follows:

> After 48 hours in South Vietnam, Mr. McNamara said he was "tremendously encouraged" by developments. He said the Vietnamese people had more security. He was pleased by the quality of assistance given by the American military and civilian personnel.
>
> His visit left Americans and South Vietnamese with these impressions:
>
> First, the Kennedy administration still is rigidly following its "sink or swim with Diem line."
>
> Second, the administration regards President Ngo Dinh Diem as a remarkable national leader whose loss would be a great setback to the anti-Communist cause in southeast Asia.
>
> Third, the administration believes the American correspondents here are giving a distorted picture to Congress of American involvement in the shooting war.

That was after Secretary McNamara's first visit to South Vietnam.

The official statement on October 3, 1963, from the White House after Secretary McNamara's return from his second visit stated in part:

> Secretary McNamara and General Taylor reported their judgment that the major part of the U.S. military task can be completed by the end of 1965, although there may be a continuing requirement for a limited number of U.S. training personnel.
>
> They reported that by the end of this year the U.S. program for training Vietnamese should have progressed to the point where 1,000 U.S. military personnel assigned to South Vietnam can be withdrawn.

The New York Times story by Tad Szulc at that time was headed "Vietnam Victory by the End of 1965 Envisaged by United States; Officials Say War May Be Won if Political Crisis Does Not Hamstring Effort."

Within 3 months Secretary McNamara was back in Saigon, on his third visit, and this time the New York Times story by Hedrick Smith on December 21, 1963, was headed: "United States Drops Plans for 1965 Recall of Vietnam Force."

In the story there appears this significant paragraph:

> Some diplomatic observers maintained that the goal, announced by the White House early in October, was never meant as an inflexible commitment. They suggested that it was intended primarily for domestic political purposes.

And now we come to Secretary McNamara's latest excursion, his fourth, to South Vietnam earlier this month. This time the New York Times story by Jack Raymond on May 15, 1964, was headed: "McNamara Urges Further U.S. Aid for Vietnam War; Back From Saigon, He Gives President a Plan To Send More Money and Men."

It is obvious from these accounts that the American people have been misled. Whether this was deliberate or whether those issuing the statements were not given accurate appraisals of the situation is a question the answer to which the American public has a right to know.

Following this latest visit to South Vietnam, and Secretary McNamara's recommendations, President Johnson last Monday sent to the Congress a special message requesting an increase of $125 million in the amount to be authorized to be appropriated for economic and military assistance to South Vietnam for the 1965 fiscal year beginning July 1, 1964. Both Secretary Rusk and Secretary McNamara, testifying before the House Committee on Foreign Affairs, urged the speedy approval of this request. That committee approved the request last Wednesday.

The President's message is even more puzzling when put in the context of reports recently emanating from Saigon.

In a news story by the Associated Press from Saigon dated May 7, 1964, printed the next day in the New York Times, Premier Khanh is reported as saying:

> But he (Khanh) said American aid—which involves 16,000 men and money at the rate of $500 million a year—was adequate at this stage and he had no plans to ask Defense Secretary Robert S. McNamara for more when he visits Saigon again next week.

The New York Times, in a story from Washington by Jack Raymond dated May 14—10 days after Khanh's statement—starts off as follows:

> Secretary of Defense Robert S. McNamara laid before President Johnson today a new plan for increased military and economic support for South Vietnam.

Four days later the President sent to the Congress a message requesting the authorization of an additional $125 million in economic and military aid for South Vietnam.

Who wants this aid: Secretary McNamara or Premier Khanh?

I am still more puzzled by other implications of the President's message.

It can have three possible purposes.

As the New York Times characterizes it, it could have as its purpose that of giving the morale of the South Vietnamese a psychological boost.

It could also have as its purpose the attempt to create the myth that the foreign aid budget for fiscal year 1965 is irreducible. If this is so, then it will not stand up to objective scrutiny.

In the first place, the amount requested to be authorized to be appropriated—$3.4 billion—is larger by $400 million than the amount appropriated for the foreign aid program for the current fiscal year. Which new programs included in the $400 million increase—and in what countries—are so very important that they cannot be cut by the $70 million additional assistance which the President says South Vietnam needs for its economic development?

As anyone who has studied the foreign aid program knows—and as has been repeatedly brought out here on the floor of the Senate—the foreign aid budget submission for fiscal year 1965—as it has been in the past—is only an illustrative budget and not a firm budget as is submitted with respect to domestic programs. This means that the AID administrators are saying to the Congress, for example, that with the money given them they will carry out projects A, B, C, and D in countries W, X, Y, and Z. This statement, however, is preceded by a big caveat. The AID administrators tell the Congress repeatedly, firmly, and unmistakably that they are not to be held to these illustrations. During the year we may find it more advantageous to do projects E, F, G, and H in an entirely different group of countries.

This is known as the illustrative budget.

It is not permitted for domestic programs.

The AID administrators have resisted for years all attempts to require them to submit firm budgets to which they would be held accountable. The reasons given by these administrators for resisting the submission of firm budgets to Congress is their claim that in an ever-changing world it is impossible for them to tell the Congress with reliable certainty in May for what purposes they will have to spend the appropriated foreign aid money in the following May or even November.

So, on the one hand, the AID administrators are saying to the Congress that they cannot submit firm budgets to the Congress because they need flexibility—maneuverability—and the ability to react instantly to events anywhere in the world.

Meanwhile, on the other hand, the President is telling the Congress that every penny of the $3.4 billion requested of the Congress for the next fiscal year cannot be decreased a few million from one country's program and a few million from another country's program to accumulate $125 million he says is vitally needed for South Vietnam.

The AID administrators cannot have it both ways. And also the timetable is all wrong.

Why the rush with this $125 million authorization?

We are dealing with a foreign aid authorization request for fiscal year 1965. With the parliamentary situation in the Senate being what it is, there is no possibility of early action on the authorization for some little time yet. And then there will have to come the appropriations. But meanwhile, there will probably be a continuing authorization enabling aid to go forward at not to exceed the rate for fiscal year 1964, $3 billion. What early advantage is to be gained by rushing the House Committee on Foreign Affairs to approve an authorization bill for $3.525 billion instead of $3.4 billion?

One advantage would be to create the myth of the irreducible foreign aid budget.

Another advantage is to get Congress to sign on the dotted line a blank check approval for an escalated war in South Vietnam.

This disturbs me greatly. I object strenuously if this message signals a decision to escalate the intensity of McNamara's war in South Vietnam—a war which cannot be won by military fighting in the steaming jungles of South Vietnam or by burning alive with napalm bombs inhabitants of entire villages in the hope that some of them may be Communist Vietcong fighters—a war in which all too many U.S. fighting men have been maimed or killed—a war which is not worth the life of a single additional American soldier—a war which all impartial students of the problem agree can only be settled at the conference table and not on the battlefield.

I repeat, Madam President, the time has come to withdraw our fighting men from the frontlines in South Vietnam and to begin at once to settle the problem of South Vietnam and of southeast Asia at the conference table where we have a chance to achieve peace in that area of the world rather than to escalate our military efforts which can at best achieve only a military stalemate, but which will in any event cost us dearly in lives of our servicemen.

Since making my first major speech in the Senate on the March 10, 1964, my mail has been heavy on the subject of Vietnam running about 100 to 1 in favor of my position. What are the American people saying about the U.S. position in Vietnam?

This is an excerpt from a letter from a couple in Webster, N.Y.:

> We hope you will continue to use your influence in changing the present southeast Asian policy away from support of this senseless and brutal war. It is our hope that Government leaders might at least consider negotiation and possible neutralization of the area. We deplore the present sterile and unrealistic position.

A professor at the University of Pennsylvania writes:

> I deeply admire your stand on Vietnam, and believe it would be supported by most Americans if they truly understood the situation there. Against tremendous numerical and material odds, the guerrillas have been fighting, suffering, and dying in steadily increasing numbers. People do not behave in this way, year in and year out, simply at the behest of some outside master, whether Communist or otherwise. We can understand what is happening in Vietnam today only if we recognize the basic fact that the guerrillas are not opportunists, are not mercenaries for an outside power, but are willing to endure enormous sacrifice and suffering because they themselves believe firmly in the rightness of what they are doing.

From the secretary of a Farmers Union local in Minnesota comes the following plea:

> For the last 2 years the Minnesota Farmers Union has in its bylaws that any issues endangering peace should immediately be brought before the United Nations. In the interests of world peace, and with the recognition of the right of all nations to develop their own resources and form of government, we urge that the United Nations be called on to supervise a cease fire so as to enable our forces to return home.

Another professor at the University of Pennsylvania writes:

> I think it is one more dangerous myth that we are in Vietnam to uphold a vital part of the "free world." The truth about Vietnam—about its origins, its political composition, and our own role—have too long been buried.

From a noted anti-Communist South Vietnamese author, now living in Paris—Tran-Van-Tung—comes a thoughtful analysis of the problems, in part, reading:

> For my part, I am convinced that if America is genuinely interested in helping Vietnam defend her freedom and independence against the Communist menace, she must help us to install a representative civilian government with the participation of all the foremost Nationalist leaders in the very shortest time possible. With genuine representation embodied in government under the leaders who have earned real popular support by their long and dedicated struggle against communism, dictatorship and feudalism, we can assure a renaissance of the national spirit. A Nationalist government can create the atmosphere of purpose and dedication—so sorely lacking today—that can turn the tide against the Communist aggressors.

I could go on at great length reading from the hundreds of letters I have received in the same vein from almost every State in the Union. In the interests of time these brief excerpts must serve as illustrative of the views of thinking Americans in various parts of the country who are genuinely concerned over our being in South Vietnam at all and anxious that the war there not be escalated.

In the various newspaper accounts, I find the repeated use of the word "fragile" as applied to the situation in southeast Asia. That is probably an appropriately descriptive adjective. It is "fragile" which means easy to break, or likely to break. Our policymakers should hasten to get the problems to the United Nations conference table lest what is fragile be irreparably shattered. Every day lost may well mean the loss of more American lives.

Madam President, I ask unanimous consent to have the editorial published in the New York Times of Wednesday, May 20, 1964, as well as various articles, newspaper reports, and telegrams on the crisis in South Vietnam, and the letter from Tran-Van-Tung, printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 20, 1964]

NEW PHASE IN VIETNAM

The crisis in Laos, Cambodia's arraignment of the United States in the Security Council and President Johnson's request for sharply increased aid to South Vietnam are all coincidental; but they are also interrelated.

In Laos, Washington has no alternative but to try to save what remains of the 1962 settlement. The trouble with that settlement has not been that it neutralized Laos, but that it failed to neutralize it completely. Laos has remained a source of East-West conflict because of its lengthy common border with Vietnam and its use by the Communists as a protected military highway for the Vietcong. It always has been clear that the 1962 cease-fire in Laos would remain fragile as long as the war in Vietnam continued.

The Cambodian problem also stems primarily from the Vietnamese war. The recent border incidents now under debate in the United Nations are only part of the problem. The real difficulty with Prince Sihanouk—who has canceled American aid and sought better relations with Peiping—is that he has become pessimistic about halting the Communist advance in neighboring South Vietnam.

The past year has thus seen a steady deterioration in all three of the non-Communist successor states which the United States, since the 1954 collapse of French hegemony in Indochina, has sought to preserve from Communist absorption. But the core of the problem is Vietnam. And that problem now is entering a new phase.

Only a year ago high American officials still regarded the military outlook in South Vietnam with optimism—or said they did. The war, we were told, was being "won." As late as October, it was officially predicted that the Vietcong could be largely "suppressed" by the end of 1965. And it was announced that all but a handful of American troops would be home by then.

We do not say that there was deliberate deception of the American people in these announcements; but it is clear that the harsh facts of the war in South Vietnam were only brought to public notice through the enterprise of American newspapermen on the spot. Within only the limits of military security, the American people are entitled to know frankly from their own Government what goes on in Vietnam.

In any event, there has been quite a different tone in recent weeks. Secretary McNamara now predicts "a long, hard, difficult war" and correctly points out that "there can be no such thing as a purely 'military' solution of the war in South Vietnam." The American objective now, as stated by the White House, is "to bring Communist aggression and terrorism under control."

In these circumstances, it is of great importance that we frankly recognize limited, realistic objectives. Total victory is beyond our grasp; but it is within our capability to deny victory to the Communists—and to increase their costs and difficulties. If we demonstrate that we will make whatever military and political effort that requires, the Communists sooner or later will also recognize reality.

President Johnson's plan for $125 million of additional American military and economic support for Saigon is as important for psychological as for military effect. We may have to do considerably more, as well as to keep open our option to punish North Vietnam directly if the war intensifies. But it would be a mistake to enlarge the war further without establishing a reasonable, limited objective for its settlement.

From its beginning in 1961, the program of American military intervention on the Asian mainland in Vietnam has been designed to help the South Vietnamese fight their own war, rather than to fight it for them. But American intervention was followed by an increased Communist effort. The result so far has been merely to enlarge the guerrilla war without changing the real balance of forces. Further increase in American aid could simply mean another frustrating spin around this vicious circle—unless, at the very same time, we begin to open the way toward a peaceful settlement.

We must confront the Communists with options short of unacceptable defeat, options to which they can turn, once some of their leaders begin to conclude that victory may be unattainable or too expensive. In brief, we must define our peace aims.

Secretary McNamara has already made it clear that the United States seeks neither to establish bases in South Vietnam nor to enroll Saigon in any Western alliance. He has also said that "we have no objection in principle to neutrality in the sense of nonalinement." And Secretaries McNamara and Rusk both have indicated that the United States is prepared to abide by the Geneva accords of 1954, which neutralized all the Indochina states, including Communist North Vietnam. As a result of these accords, French troops and 120,000 Communist guerrillas were withdrawn from South Vietnam. While neutralization can hardly be said to have been a roaring success in Laos, the story might be different if neutralization could ultimately be applied to all of what was formerly French Indochina.

It would be wise to hold forth, as well, the prospect of normal trade for North Vietnam both with South Vietnam and with the West. North Vietnam cannot feed itself. The war has been accompanied by critical food shortages, an economic crisis, and increasing dependence on the Chinese—whom all Vietnamese traditionally fear. The possibility of a peace that would reverse this trend could well be a serious incentive to the Hanoi hierarchy.

To suggest this does not mean that we can afford, in the meanwhile, to lessen our military effort in South Vietnam. Quite the contrary: we must make it clear to the world that we are willing and able to wage war as well as to negotiate for peace.

Whether in waging war or negotiating peace, the United States would benefit from additional allied support in Vietnam; and attempts are being made to obtain it. But such attempts will not get very far if our allies suspect our purposes is to prolong or expand the war in search of an unattainable victory. We must make clear our willingness at the proper moment to seek a political settlement based, of course, on a non-Communist South Vietnam, independent, neutral—free of Communist guerrillas as well as of foreign troops and bases—and guaranteed by the Great Powers. We must make it clear that we are fighting to get out of, not to stay in, South Vietnam. The aim should be a return to the Geneva settlement of 1954, an objective that might even be supported by the French. In a little-noticed statement a few weeks ago, Foreign Minister Couve de Murville indicated that this is really what President de Gaulle has in mind.

American willingness to negotiate on this basis will not necessarily bring peace quickly, or even a negotiation. Military force is essential if the Communists are to be brought to the conference table and a reasonable settlement extracted. But an increased military effort alone, without an offer to negotiate, would simply compound the errors of the past.

[From the New York Times, May 12, 1962]

McNamara Terms Saigon Aid Ample: Says It Is at Peak and Will Level Off—Diem's Fight Against Reds Hailed

(By Homer Bigart)

Saigon, Vietnam, May 11.—U.S. aid to South Vietnam has reached a peak and will start to level off, Robert S. McNamara, Defense Secretary, disclosed today.

Before departing for Washington, Mr. McNamara said he doubted whether U.S. military personnel assigned to South Vietnam would be increased above the present levels of strength.

There are more than 6,000 American servicemen advising, training and supporting South Vietnamese forces in the struggle against the Communist guerrillas. An additional 1,000 or more American servicemen are believed to be either en route or destined for shipment.

The flow of war materiel will not be increased, barring unexpected setbacks in the domestic struggle or overt aggression from the Communist bloc, Mr. McNamara indicated.

After 48 hours in South Vietnam, Mr. McNamara said he was "tremendously encouraged" by developments. He said the Vietnamese people had more security. He was pleased by the quality of assistance given by the American military and civilian personnel.

He had visited some strategic hamlets and training areas for the civil guard and self-defense corps and had found "nothing but progress and hope for the future."

His visit left Americans and South Vietnamese with these impressions:

First, the Kennedy administration still is rigidly following its "sink or swim with Diem line."

Second, the administration regards President Ngo Dinh Diem as a remarkable national leader whose loss would be a great setback to the anti-Communist cause in southeast Asia.

Third, the administration believes the American correspondents here are giving a distorted picture to Congress of American involvement in the shooting war. The administration feels the reporters are magnifying incidents where American servicemen find themselves in combat situations and are writing too much about American casualties.

DELAYS IN NEWS CHARGED

The correspondents petitioned Mr. McNamara to ease the U.S. information policy. They are convinced information on American casualties is being withheld or at least subjected to unnecessary delays.

They complained that South Vietnamese officers had intervened successfully to prevent the correspondents from riding on U.S. helicopters engaged in transporting combat units to battlefields.

Mr. McNamara listened sympathetically. At an airport news conference, he said his optimism over the security situation was based on the effectiveness of the strategic villages that are springing up all over South Vietnam and on the improved training of the Civil Guard and Self-Defense Corps.

Other Americans here are impatient for a comprehensive plan for the pacification of the Mekong Delta provinces. But Mr. McNamara seemed content with the small resettlement operation he visited in An Xuyen Province. There 11,000 South Vietnamese in a Communist-controlled area had been moved forcibly or voluntarily into a military zone controlled by the 31st Regiment.

GUERRILLA ACTIVITY OFF

Mr. McNamara was told there had been a sharp falloff ir. guerrilla activity in the area.

Despite his cheerful assessment, Mr. McNamara is reported to hold realistic views on the probable length of the war. He is said to feel that years will pass before South Vietnam is secure.

Asked if he had evidence of infiltration from Communist North Vietnam by way of Laos, Mr. McNamara replied:

"Without qualifications, the answer is yes. I have seen during my visit here munitions which were manufactured in Communist China and brought into South Vietnam, presumably through the Laotian border. I have seen other evidence of infiltration, some of it gathered by U.S. personnel."

Gen. Lyman L. Lemnitzer, Chairman of the U.S. Joint Chiefs of Staff, who accompanied Mr. McNamara, said he had detected a greater feeling of self-confidence among the Civil Guard and Self-Defense units. They are getting improved training and are losing fewer weapons under attack, he said.

[From the New York Times, Dec. 21, 1963]

United States Drops Plans for 1965 Recall of Vietnam Force: McNamara Assures Junta Troops Will Stay as Long as Wanted and Needed—Johnson Sends Pledge

(By Hendrick Smith)

Saigon, South Vietnam, December 20.—Secretary of Defense Robert S. McNamara gave South Vietnam's leaders a pledge of support from President Johnson today. The United States will back the war against Communist guerrillas as long as its help is needed and wanted, the Vietnamese leaders were told.

According to reliable sources, the message did not specifically mention any date for the withdrawal of American forces, but in effect it eliminated the previously announced goal of withdrawing most of them by the end of 1965.

Secretary McNamara also sought to allay Vietnamese fears that the United States might permit proposals for neutralizing Vietnam to become the subject of a possible international conference on Cambodian neutrality.

SAIGON FEARS CONFERENCE

Vietnamese leaders have feared that if such a conference were held, it would seriously undercut the morale of the Vietnamese Army and help fan support here for a neutral Vietnam.

Mr. McNamara delivered President Johnson's assurances orally in a closed session with Maj. Gen. Duong Van Minh, Chairman of the Military Revolutionary Council, and other leaders of the ruling junta.

Even before today, key U.S. officials were saying privately that with a recent sharp deterioration in the war effort, the 1965 troop withdrawal goal was unrealistic.

Some diplomatic observers maintained that the goal, announced by the White House early in October, was never meant as an inflexible commitment. They suggested that it was intended primarily for domestic political purposes.

In today's meeting the generals were reported to have asked Mr. McNamara about an editorial in the New York Times December 8, suggesting discussions on Vietnamese neutrality.

The generals wanted to know whether this represented Washington's policy, and they were given assurances that it did not. U.S. officials were reported to have said that if a conference about Cambodia were held, Washington would insist that it be limited to Cambodia and that the conference would not mean any change in the U.S. commitment to the war here.

But these assurances were understood to have fallen short of a categorical declaration that the United States would not under any circumstances back or attend a conference on Cambodian neutrality.

THREE MEETINGS ARE HELD

Mr. McNamare met three times with the junta leaders last night and today. The sessions were also attended by Henry Cabot Lodge, the U.S. Ambassador; John A. McCone, Director of the Central Intelligence Agency; William P. Bundy, Assistant Secretary of Defense for International Security Affairs; and Gen. Paul D. Harkins, commander of the U.S. forces in South Vietnam.

In the final session at General Minh's office, Mr. McNamara, Mr. McCone, and Mr. Lodge met privately with General Minh and two other junta leaders—Maj. Gen. Tran Van Don, the Defense Minister, and Maj. Gen. Le Van Kim, secretary general of the junta, who is considered General Minh's right-hand man. Nguyen Ngoc Tho, Premier of the provisional Government, also attended.

Earlier, most of the junta—15 generals—attended a 2-hour session of free give and take.

After the final meeting, which lasted an hour, Mr. McNamara held a closing strategy conference with U.S. officials at their military command headquarters. In the evening he left on an Air Force jet for Honolulu.

Before boarding his plane, Mr. McNamara issued a terse statement that was considered reserved and cautious in its comments about the course of the war.

OPTIMISM IS QUALIFIED

Mr. McNamara said he had thoroughly discussed with U.S. officials the American program for "providing training and logistical support to the South Vietnamese war effort" and had heard the Vietnamese generals "explain in detail their program for 1964."

Although Mr. McNamara said he was "optimistic as to the progress that can be made during the coming year," he carefully qualified his optimism and avoided expressing confidence that the war situation would improve.

STUDENTS JEER FRANCE

The issue of Vietnamese neutrality also aroused a demonstration in Saigon today. Several thousand Vietnamese students, in a light-hearted mood, marched on the French Embassy to demonstrate against President de Gaulle's proposals for neutrality and unification with Communist North Vietnam.

One student said, "We'd like to do a Jakarta," a reference to the recent sacking and burning of the British Embassy in Jakarta by Indonesian demonstrators opposed to Malaysia. But there was no violence.

The crowd, composed of boys and girls from the Government-run high schools and Saigon University students, was shouting, cheering, and laughing as it trooped along the sunny boulevards, first to the Embassy and then to the French Cultural Center.

STATEMENTS PRESENTED

After about an hour three student leaders, escorted by four Vietnamese soldiers and two police commissioners, went to the Embassy gate and asked to present a statement to French officials. They saw the chargé d'affaires, Georges Perruche.

BATTLE PACE ACCELERATED

SAIGON, December 20.—Secretary McNamara will confer in Honolulu with Adm. Harry D. Felt, commander of U.S. forces in the Pacific, and will then return to Washington.

During his visit here, South Vietnamese forces stepped up their activity against the Vietcong guerrillas. An American spokesman said that there had been no significant contact, but that "with major operations in the Mekong Delta and north of Saigon, we can expect fireworks in the near future."

There are reports that the ruling junta, which has been accused by some U.S. officials of concentrating on politics at the expense of the war, is planning now to change its tactics and concentrate striking power in key regions until they are fully pacified.

Some regions—particularly the Mekong Delta and the country's southern tip, where the Communist hold is strongest—would be left temporarily under the control of the Vietcong.

"But this won't be for long," a Vietnamese officer said. "As we pacify the key regions, we will move out and get them."

Although Secretary McNamara, after a visit 3 months ago, said he believed the Vietnamese could handle the Communists without the present massive U.S. help, American officials now express concern.

"If things don't get moving in 90 days we are lost," one American official said.

A U.S. spokesman put the American combat-death toll at 89 after an unsuccessful search for the pilot of a fighter-bomber that crashed on a dive-bombing run early in October.

[From the New York Times, Oct. 3, 1963]

VIETNAM VICTORY BY THE END OF 1965 ENVISAGED BY UNITED STATES: OFFICIALS SAY WAR MAY BE WON IF POLITICAL CRISIS DOES NOT HAMSTRING EFFORT—WARN ON REPRESSION: MCNAMARA AND TAYLOR TELL THE PRESIDENT AND SECURITY COUNCIL OF THEIR MISSION

(By Tad Szulc)

WASHINGTON, October 2.—The United States said tonight that the war in South Vietnam might be won by the end of 1965 if the political crisis there did not significantly affect the military effort.

A formal statement of U.S. policy, approved by President Kennedy after a National Security Council meeting at the White House, warned that while repressive actions by the Saigon regime had not yet "significantly affected" the war effort, "they could do so in the future."

It said that under the present conditions most of the 14,000 U.S. military personnel could be withdrawn from Vietnam by the end of 1965 and that 1,000 men might be able to leave by the end of this year.

"The political situation in South Vietnam remains deeply serious," the statement said.

BASED ON RECOMMENDATIONS

The policy statement was approved on the basis of recommendations from Secretary of Defense Robert S. McNamara, Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, and Henry Cabot Lodge, Ambassador to South Vietnam.

Mr. McNamara and General Taylor returned here early today from a week-long factfinding mission in Vietnam on President Kennedy's orders.

The mission was designed to evaluate the military and political situations in the southeast Asian country, with particular emphasis on whether the political crisis, stemming from the regime's repression of its Buddhist and other opponents, is affecting the 8-year-old war against the Communist Vietcong guerrillas.

POLICY MAY BE REVIEWED

Essentially, the object of the mission was to try to resolve the profound differences within the administration over the state of affairs in South Vietnam and the future course of U.S. policy there.

The statement, which was read to newsmen by Pierre Salinger, White House press secretary, after the 50-minute meeting of the National Security Council, deliberately avoided committing the United States to a frozen position toward the regime of President Ngo Dinh Diem.

Administration quarters said later that while the present decision was to maintain military and economic aid to South Vietnam at its present levels, this policy would come under review at any time if it became clear that, indeed, the political crisis was seriously damaging the conduct of the war.

In that sense, it was acknowledged, the United States was, in effect, placing the Diem regime on notice that it might have to reconsider its support for South Vietnam if adequate measures were not taken to redress the political situation.

Officials said that although the policy statement deliberately avoided making a formal judgment that the war could not be won without a meaningful political change in Saigon, the implication was there for President Diem to see.

The statement said that U.S. policy remained one of "working with the people and Government of South Vietnam to deny this country to communism," but added significantly that "effective performance in this undertaking is the central object of our policy in South Vietnam."

It said that the United States sought to support Vietnamese efforts to defeat "aggression" as well as "to build a peaceful and free society."

"The United States has made clear its continuing opposition to any repressive actions in South Vietnam," it said.

Up to now, the statement said, the McNamara-Taylor mission found that "the military program in South Vietnam has made progress and is sound in principle, though improvements are being energetically sought."

It said that "major U.S. assistance" was needed only until the Communist insurgency had been suppressed or until Vietnamese forces "are capable of suppressing it."

Mr. McNamara and General Taylor were reported to believe that "the major part" of the U.S. military task could be completed by the end of 1965, although a limited number of training personnel might still be required.

By the end of this year, the statement said, the training program for the South Vietnamese forces should have progressed to the point where 1,000 U.S. personnel can be withdrawn from the country, in the opinion of Mr. McNamara and General Taylor.

U.S. military strength in South Vietnam has risen from 685 men in early 1961 to more than 14,000 men at this time. The buildup began after General Taylor's first mission to Vietnam in 1961.

Mr. McNamara and General Taylor went into a top-secret White House meeting shortly after 6 p.m., about 12 hours after their return here from a weeklong factfinding mission in Vietnam.

They had given Mr. Kennedy a preliminary briefing at a morning conference. The President then called the Council meeting for the early evening.

WHITE HOUSE STATEMENT ON VIETNAM

(Following is the text of a statement read by the White House press secrteary, Pierre Salinger, after a meeting of the National Security Council today.)

WASHINGTON, October 2.—"Secretary McNamara and General Taylor reported to the President this morning and to the National Security Council this afternoon. Their report included a number of classified findings and recommendations which will be the subject of further review and action.

"Their basic presentation was endorsed by all members of the Security Council and the following statement of U.S. policy was approved by the President on the basis of recommendations received from them and from Ambassador Lodge.

"The security of South Vietnam is a major interest of the United States as of other free nations. We will adhere to our policy of working with the people and Government of South Vietnam to deny this country to communism and to suppress the externally stimulated and supported insurgency of the Vietcong as promptly as possible. Effective performance in this undertaking is the central object of our policy in South Vietnam.

"The military program in South Vietnam has made progress and is sound in principle, though improvements are being energetically sought.

"Major U.S. assistance in support of this military effort is needed only until the insurgency has been suppressed or until the national security forces of the Government of South Vietnam are capable of suppressing it.

"Secretary McNamara and General Taylor reported their judgment that the major part of the U.S. military task can be completed by the end of 1965, although there may be a continuing requirement for a limited number of U.S. training personnel.

"They reported that by the end of this year the U.S. program for training Vietnamese should have progressed to the point where 1,000 U.S. military personnel assigned to South Vietnam can be withdrawn.

"The political situation in South Vietnam remains deeply serious. The United States has made clear its continuing opposition to any repressive actions in South Vietnam. While such actions have not yet significantly affected the military effort, they could do so in the future.

"It remains the policy of the United States in South Vietnam, as in other parts of the world, to support the efforts of the people of that country to defeat aggression and to build a peaceful and free society."

[From the New York Times, May 15, 1964]

MCNAMARA URGES FURTHER U.S. AID FOR VIETNAM WAR: BACK FROM SAIGON, HE GIVES PRESIDENT A PLAN TO SEND MORE MONEY AND MEN—DEFENSE CHIEF SAYS VIETCONG CAN UNDERMINE REGIME IF COUNTERATTACK IS WEAK

(By Jack Raymond)

WASHINGTON, May 14.—Secretary of Defense Robert S. McNamara laid before President Johnson today a new plan for increased military and economic support for South Vietnam.

Accelerated Communist activity will require expanded U.S. support, particularly to increase the size of the South Vietnamese

Air Force, Mr. McNamara said at a news conference after reporting to the President. This may require modest increases in the number of U.S. training personnel in South Vietnam, he added.

The Defense Secretary repeated earlier predictions of ultimate victory against the Communist insurgency.

"But I want to emphasize it is not going to come soon," he said. "This is not that kind of war. This is a war for the confidence of the people and the security of those people, and that kind of war is a long, hard war."

TALKS LAST HOUR AND HALF

The Defense Secretary and Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, reported to President Johnson and his aids for 1½ hours, shortly after returning from their Saigon mission. It was Mr. McNamara's fifth trip to Vietnam.

Mr. McNamara, with General Taylor by his side, afterward met reporters in the Fish Room of the White House. He said that the Communists in Vietnam had increased their terrorist activities in recent weeks, and explained that his proposals for increased support to the government of Nguyen Khanh were being considered.

He noted that this might involve sending more American troops.

Additional meetings with the President on the topic have been scheduled for tomorrow and the next day, Mr. McNamara said.

POLICE UNITS WILL RETURN

The United States withdrew 1,000 men from South Vietnam at the end of last year, leaving 15,500. Two military police units are due to be returned, however, in addition to more training personnel for the Air Force.

The role of U.S. military forces in South Vietnam is officially characterized as the providing of training and logistical support. U.S. pilots and ground soldiers go into the combat zones, however, and are authorized to fire when fired upon.

According to the latest official estimates, 128 Americans have been killed by hostile action in South Vietnam since January 1, 1961. In addition, 87 casualties have been suffered in actions not attributed to the enemy. The number of wounded is officially estimated at 854 and 9 persons are missing.

In funds, the American effort in South Vietnam is costing $500 million a year.

The Defense Secretary also disclosed that he had been summoned to appear before the House Armed Services Committee at a closed hearing next Tuesday.

The committee has made known that it wishes to question Mr. McNamara on charges that the U.S. propeller-driven airplanes in South Vietnam are obsolescent and have caused the deaths of American pilots.

The Secretary of the Air Force, Eugene M. Zuckert, denied the charges yesterday. Mr. McNamara himself said at the airport, when he arrived this morning, that the aircraft being used in South Vietnam were "well chosen for the purpose in hand."

"I think it is necessary again to emphasize that this is an antiguerrilla war," he said.

The Secretary's comment was in answer to remarks on the fact that the United States does not use modern jet fighter aircraft in South Vietnam.

The United States is not a signatory to the Geneva agreements of 1954 that ended the French-Indochina war. The agreements provide that no modern jet aircraft be introduced into the area.

Washington has, however, indicated its intention to abide by the agreement. In recent days, nevertheless, the official position has stressed not the Geneva agreements but the tactical requirements of the terrain.

It was announced yesterday that 75 Douglas Skyraiders, designated A-1H and A-1E, were being sent to South Vietnam to replace the B-26 fighter-bombers that were recently withdrawn and the T-28 trainers still in use. The Skyraider is a propeller plane.

The United States does, however, have two types of jet aircraft in South Vietnam. A few RF-101 reconnaissance jets have been flying photo missions. In addition, U-2 planes have used South Vietnamese airfields for mapping missions that presumably cover much of southeast Asia.

Secretary McNamara, discussing the accelerated Vietcong attacks, said that they were directed primarily at the rural population to erode confidence in the protective effort of the Saigon government.

With the rate of kidnapings, murders, and ambushes increasing "very substantially" in recent weeks, the Secretary said, it is "absolutely essential" for the Government of South Vietnam to increase its counterattacking activity. He said it was also vital "that we consider ways and means through increased economic assistance, increased military support to assist the Government of Vietnam."

Asked whether the plan to step up U.S. support made "obsolete" the previously announced plan to withdraw most U.S. forces by 1965, Secretary McNamara answered, as he has in the past, that "our primary function is one of training, support, and logistical assistance."

As the U.S. units complete their training work, they will be withdrawn, he said.

"It may be necessary, in order to expand the training, particularly for the increases in the regular and paramilitary forces of South Vietnam, to send over certain additional U.S. personnel," he said. "If that becomes necessary, they will be sent for that purpose."

The Secretary thus again made clear that the United States was no longer bound by the earlier forecast.

KHANH HONORS AMERICANS

SAIGON, SOUTH VIETNAM, May 14.—Maj. Gen. Nguyen Khanh paid formal tribute today to the Americans who have died defending South Vietnam from the Communist guerrillas.

He awarded the medal of the Commander of the National Order of Vietnam to Maj. Gen. Charles J. Timmes, retiring chief of the Military Assistance Advisory Group in South Vietnam.

The citation to General Timmes said he had showed "a praiseworthy spirit of cooperation."

Turning to the American officers present, Premier Khanh said, "If the task is difficult on the Vietnamese side, it is much more so for you, our American friends, who have come to fight on our side.

"I want to say here how much we appreciate your many sacrifices. More than 300 American heroes have given their lives to this land. Be proud of them. They have died so that millions of Vietnamese remain free."

HARKINS ATTENDS CEREMONY

The award ceremony for General Timmes was attended by Gen. Paul D. Harkins, outgoing commanding general of the American Military Assistance Command, which was recently enlarged to include the functions of the Military Assistance Advisory Group.

Meanwhile, in a move aimed at tempering religious conflicts between Buddhists and Roman Catholics in central Vietnam, the Justice Ministry today announced the postponement of the trial of former Maj. Dang Sy, commander of troops that fired upon Buddhist demonstrators in Hue a year ago.

The Government said the trial would be postponed from Monday until after the Buddhist celebrations set for May 26.

[From the New York Times, May 15, 1964]

TEXT OF THE MCNAMARA-TAYLOR NEWS CONFERENCE

WASHINGTON, May 14.—Following is the text of the remarks about Vietnam by Secretary of Defense Robert S. McNamara and Gen. Maxwell D. Taylor, Chairman of Joint Chiefs of Staff, at a news conference in the White House today:

Mr. MCNAMARA. Good morning, ladies and gentlemen. Perhaps General Taylor and I can give you a few words of comment of what we found during our recent visit to Saigon and then respond to a few of your questions.

There is no question in our minds but what the Communists have stepped up their rate of attack in recent weeks in South Vietnam primarily against the rural population and primarily in the form of tactics designed to harass the rural population, to instill terror in them, to erode away their confidence in the ability of their Government to provide for their physical security.

These attacks have taken the forms of kidnapings, ambushes, murders—terrors of every form. They have been directed particularly against the leaders of the provincial governments, the district governments, the villages. They have kidnaped district chiefs, for example, and literally cut off their heads. They have ambushed the officials of the districts and the provinces. One of these ambushes took place while we were there.

The rate of kidnapings, murders, ambushes has increased very substantially in recent weeks. It is absolutely essential, therefore that the Government of Vietnam increase its activity to counter these attacks and that we consider ways and means through increased economic assistance, increased military support to assist the Government of Vietnam in that activity.

INCREASE IN FORCES SOUGHT

We have agreed with them that their regular military forces and their paramilitary forces must be increased in size very substantially and very soon. We have agreed that the number of aircraft in the Vietnamese Air Force must be increased.

While General Taylor and I were there in early March, we agreed we should have added 75 A-1 type aircraft to the Vietnamese Air Force. Yesterday , we considered it desirable to increase by 100 percent the number of Vietnamese pilots and to further strengthen that air force, and this will be done very promptly.

Other steps that will add to the ability to effectively protect the rural population have also been agreed upon and will be undertaken soon.

Perhaps I can respond to some of your questions and General Taylor as well.

EXTENSION OF WAR DISCUSSED

Question. Mr. Secretary, you say it is absolutely essential for the Government to counter these attacks. Does this or does this not argue that maybe the war ought to be carried across into North Vietnam from which the logistics and other suppliers come?

Answer. I think you would agree that to counter effective terror tactics of the type that are being directed against the rural population requires action on the soil of South Vietnam, and a proper response to these terror tactics directed against that rural population would not be reliance upon military pressure upon the north. This is not to exclude that as a possible action. Whether or not such action is undertaken however, it can only be considered a supplement to and not a substitute for effective action on the soil of South Vietnam.

Question. Mr. Secretary, does this stepup in the war and the need for putting more men and planes in make obsolete the Kennedy plan for U.S. withdrawal by 1965?

Answer. I think we should recognize that our primary function is one of training, support, and logistical assistance. As the U.S. units in South Vietnam complete their training functions, I am sure you would all agree that they should be withdrawn. It may be necessary in order to expand the training, particularly for the increases in the regular and paramilitary forces of South Vietnam, to send over certain additional U.S. personnel. If that becomes necessary, they will be sent for that purpose.

Question. Mr. Secretary, I understand you have been directed to come before the House Armed Services Committee to retell your findings on the Vietnamese war. When will you go?

Answer. I have been told this morning, although I have not actually checked it with the committee yet, that they would like me to come before them next Tuesday, and if that be the case, I will be delighted to do so.

Question. Mr. Secretary, there are reports that the South Vietnamese Government is in particular trouble because of many of the leaders in the area just south of Saigon having been shifted around by the new Government so extensively that they just can't seem to get themselves organized. Is this one of the things you have looked into and is it true?

Answer. There have been frequent changes of government and government leaders. Since the first of November, in 35 of the 41 Provinces, there have been changes in Province chiefs. In nine of the Provinces, I believe the Province chiefs have been changed three times since the first of November. This was to be expected as an aftermath of the two changes in the national government. The village, the district, and the Provincial levels however, are seeing a stabilization of personnel at the present time, and I have every reason to believe that the number of changes will decline substantially in the future.

CHANGES IN MILITARY CHIEFS

Question. Have there been similar changes with military leaders?

Answer. There have been changes in military leaders as well since the first of November, but the frequency of such changes is declining dramatically.

Question. Mr. Secretary, did the President approve any specific plan of step-up this morning?

Answer. The President is considering the suggestions made for increased economic and military support.

Question. When do you anticipate a decision?

Answer. We expect to meet again tomorrow and the next day on these questions.

Question. What would be your estimate, sir, of how many more U.S. training personnel would be needed in Vietnam?

Answer. I think, on balance, the number is not likely to increase substantially. There will be both increases and decreases associated with the strengthening of the Vietnamese forces.

Question. Is there any possibility that our returning personnel will be augmented by people from Taiwan and similar other allies?

Answer. I think it is highly desirable that other flags be represented particularly in such areas, for example, as the supply of medical personnel and the supply of training and advisory personnel. As you know, both Secretary Rusk and I have approached other governments requesting such assistance.

Question. Have there been any acceptances?

Answer. I have received a very sympathetic response to the requests I have made. I have not had a chance to discuss with Secretary Rusk the discussions he has held during the past week.

Question. Can you name some of the countries?

Answer. I think it would be better to wait until they themselves are ready to announce official action in response to our request.

Question. Mr. Secretary, how do you feel the war has been reported out there?

Answer. I think all of you are perhaps better qualified to discuss that than I. On balance, to answer your question specifically, I think the reporting has been very good. Recognizing the fact that in a very real sense we have 41 different wars, and it is extremely difficult for any one man, any one reporter to intimately be acquainted with all of the variations in the military actions and guerrilla actions that are occurring particularly when you recognize the character of those actions.

As I stressed a moment ago, these are terror tactics, terror operations directed against individuals, and you can well imagine the difficulty of reporting that kind of war in 41 different provinces.

COMPARISON SOUGHT

Question. Mr. Secretary, would you compare the conduct of the war now with your last visit as only making progress?

Answer. I think we are, and I remain personally convinced—and I would like to have General Taylor who is far better qualified than I to speak to this—that persistent execution of the political-military plans of General Khanh's government, plans that they have developed and that we have concurred in and have agreed to provide assistance, will lead to successful conclusion war. But I want to emphasize it is not going to come soon. This is not that kind of war. This a war for the confidence of the people and the security of those people, and that kind of war is a long, hard war.

Question. What measures do you recommend?

Answer. Let me suggest that General Taylor comment on this same question.

General Taylor. I could add very little more except to say that General Khanh impresses me as a very energetic military leader. He thoroughly comprehends this complicated war—that it is not purely military by any manner of means but involves political and economic facets as well.

I think [that] it is very encouraging and perhaps surprising to find in a young man who has so quickly pulled together the many facets of this problem. However, as the Secretary has said, this is not something that can be done overnight. The programs being executed are involved, they are complicated, and I think they would test any government.

Question. General, how do you find the young officers in the South Vietnamese military forces?

Answer. Somewhat like the young officers in Korea, whom I know much better. They try hard. They are generally courageous. They have very little professional background, however. They make the mistakes of relatively untrained officers. However, the officer corps is growing and maturing every month and with time, of course, will be constantly better and more effective.

Question. General, do we know why the Communists have changed their tactics recently?

Answer. I don't think they have changed it in quantity so much as they have in quality. They have taken very heavy losses, as you know, in recent weeks. This cannot be pleasant for them especially when one considers that a wounded man for them is very frequently a fatality. Hence, it is quite understandable that they have shifted now, making the populace more the target rather than the formed bodies of troops.

The Adversary in Vietnam

(By Bernard B. Fall)

As the analysis published in the April issue of War/Peace Report clearly showed, there is some room for debate as to who exactly the adversary is in what many already call the "Second Indochina War." Some see the National Liberation Front of South Vietnam (NLF) as a genuinely local insurrection created out of despair in the face of the late Diem regime's absurd policies. Others (and this is the official view) consider the NLF solely an extension, for use in South Vietnam, of the North Vietnamese regime or even of Peiping. Each side adduces its own evidence to prove its case: on one hand it is contended that even the NLF "regulars" are indeed "southerners" (which is true) and on the other, one points to the captured Communist bloc weapons to substantiate outside Communist support (also true). Obviously, the actual facts lie somewhere in between.

In my view, and on the basis of my own experience in underground warfare in Nazi-occupied France and later in Indochina, it is possible to lead an insurrection politically and militarily even under guerrilla conditions. That such a fairly centralized direction exists in the south, and has existed at least since 1957, if not earlier, can be fully substantiated. When the killing of village officials began on a large scale in 1957 (an officially admitted total of 472 were killed that year), significant clusterings of the killings occurred in three Vietnamese provinces south of the Mekong River. That obviously did not happen simply because the village officials were more oppressive there than anywhere else, but simply because the guerrilla command had decided to clear those areas for the purpose of making them the permanent resistance bases they have since become. And the deliberate shift last year of Vietcong operations from the Vietnamese highlands to the Mekong Delta was another magnificently executed military tactic, with regular units slipping through the network of U.S.-advised South Vietnamese units with almost impunity.

Unbelievably, that deliberate Vietcong move into the Mekong Delta was officially explained away by the United States as part of "our strategy to sweep them steadily southward and finally corner them"; i.e., sweep the Vietcong out of an area where recruits and food were hard to get and into an area where food and recruits are plentiful and where all of Vietnam's most sensitive targets lay, including Saigon, with its industries, airports and Government installations.

True, there has been a great deal of exaggerated propaganda in Washington and elsewhere about Chinese and Russian help to the insurgents in view of the presence in South Vietnam of some Soviet- or Chinese-made antitank weapons and automatic rifles. As Arthur Dommen correctly assumes, the bulk of this ordnance comes from Laos. And the fact, for example, that some excellent Madsden submachineguns—produced in Denmark, a NATO ally—have been found among the Vietcong does not ipso facto prove that Denmark backs the Communists in Vietnam; it simply means that arms merchants have no national loyalties. Soviet-made guns (captured by the Israelis in Egypt and resold by them on the world's arms market) can be bought within a mile of the Pentagon on the Alexandria, Va., docks—and quite legally, too. The unfortunate fact is that nine-tenths of all modern weapons in Vietcong hands are standard American weapons captured from the South Vietnamese military and paramilitary forces. Officially, the loss of over 12,000 such weapons in 1963 is acknowledged. What the South Vietnamese may have lost but not reported to their own higher commanders or the U.S. military advisory command, may run much higher. It is obviously far better and easier for the Vietcong to capture matching ammunition for their American weapons from "our" Vietnamese than to get Soviet or Chinese ammunition from Hanoi.

But aid in the form of political and military cadres does come from the North, as well as some fully constituted regular units composed of southern Vietnamese and mountain tribal soldiers. The presence in the South of the 120th, 126th, and 803d Vietcong regiments has been well known for the past 2 years and, according to the New York Times of April 13, 1964, the 108th Regiment has recently been identified in central Vietnam. If that is true, then the Vietcong has reconstituted in central Vietnam all the regular regiments which I knew there during the French-Indochinese war. The 803d and the 108th were particularly dreaded for their jungle-going capability; in June 1954, they mercilessly destroyed a French regimental combat team equipped with tanks and artillery whose core units had successfuly fought the Chinese and North Koreans while with the U.N. forces in Korea. Those regiments left South Vietnam in 1954 for the North. Their presence now inside South Vietnam certainly constitutes what the International Control Commission for the maintenance of the 1954 cease-fire provisions has called (with the vote of its Indian and Canadian members overruling the objections of its Polish member) "evidence that armed and unarmed personnel, arms, munitions and other supplies have been sent from the zone in the North to the zone in the South with the object of supporting, organizing and carrying out hostile activities."

NO LEGAL REDRESS

It is true, as my compatriot Philippe Devillers said in his article written in 1961 (i.e., long before the NLF developed to its present importance), that many simple farmers and even urban politicians and intellectuals chose to fight with the Vietcong rather than face the certitude of an indefinite stay in one of Diem's infamous concentration camps. That will always be the case when men with real grievances are put into a position where no legal redress is offered them. The same situation occurred in 1946 when the French, still hellbent upon rebuilding their colonial empire, offered no honorable way out to the nationalist Vietnamese opposition. The most active opposition members joined the Vietminh in its armed struggle against the French—not for the purpose of making Vietnam Communist, but to make it free.

This history does not mean, however, that the Vietminh was not Communist-controlled nor that it did not end by creating a wholly Communist-dominated state in the zone of Vietnam under its control. The same error, I fear, is being made in evaluating the NLF. The fact that its program does not at present contain Communist objectives offers little guarantee as to its future intentions. I defy anyone to find a single Communist inflection in Ho Chi Minh's 1946 Vietminh constitution. It was a document designed to win maximum support among the broad population, and it did that most effectively. And the reason offered quite openly by North Vietnam in 1960 for the abrogation of the 1946 document and its replacement by a tough, Communist-line constitution was that the old constitution "no longer was in accordance with Socialist realities." That is in all likelihood what would happen to the present NLF program the day that Front comes to power in Saigon.

This does not mean, however, that I agree with those who believe that the only way out of the present Vietnamese dilemma is a 20-year counterguerrilla operation. Here again, the historical precedents show various possibilities:

1. Communist guerrillas do not always win and the Soviet bloc does not always support them to the bitter end. The Communists abandoned their guerrillas in Greece, Azerbaijan, Malaya, and the Philippines—and in South Korea, where there was for a long time a serious guerrilla problem. Milovan Djilas' "Conversations With Stalin" has a magnificent passage on Stalin's cold-blooded decision to let the Greek Communist ELAS partisans die for nothing because he did not want to get war-exhausted Russia entangled in a conflict with the United States.

2. On the other hand, to negotiate with a Communist opponent when one's original war aims are no longer attainable does not automatically mean that one has to lose his shirt; or that native forces being supported will therefore be totally demoralized. In Korea some of the toughest fighting went on while American and Communist negotiators sat at Panmunjom for 2 years. The Republic of Korea forces were not demoralized by the negotiations. My own experience has been that one fights harder if a reasonable end is in sight and one knows his side needs a victory to strengthen its negotiating position.

To be sure, the Laotian "sellout" of 1962 is usually dragged in at this point of the argument to prove how badly the West usually fares in such a situation. It was the late Gen. Walter Bedell Smith, a soldier-diplomat of the first rank, who said during the 1954 Geneva conference that it was "difficult to regain at the conference table what has already been lost on the battlefield." In Laos, thanks to a set of incredible illusions (now amply matched in Vietnam), it was believed that the Laotian rightwing forces could be made to fight. The hard fact is that had the military war in Laos continued for 1 more month, all of Laos would have been Communist. But as a result of the negotiations a wobbly neutralist government has, for the past 2 years, kept the Communist Pathet Lao away from the sensitive Mekong Valley which borders on Thailand. Considering the panic that gripped Bangkok in 1962 when it was erroneously announced that Communist forces had broken through to the Mekong near Ban Houei Sai, that surely is an achievement. A Communist advance there could never have been halted without at least very sizable American ground forces being committed at fantastic cost.

3. The North Vietnamese stand to lose at least as much (if not more) than the South Vietnamese if the present second Indochina war "escalates." North Vietnam has not had a shot fired at it in anger in 10 years. One stands an awful lot of dictatorship (look at Franco's Spain) just for the sake of not being at war. A single American saturation raid on North Vietnam may do away with 10 years of backbreaking "Socialist construction" as well as with that feeling of peace. It would not (contrary to what some great oversimplifiers believe) bring an end to the insurgency in South Vietnam; on the contrary, with the gloves being off, North Vietnam would then throw her fearsome (and now unemployed) regular divisions into the fight—and who can say what Red China might throw in. That would "Koreanize"—or shall we say: "MacArthurize?"—the South Vietnamese conflict with all the unforeseeable international consequences (in 1950, the nuclear age was in its infancy and the U.N. still white dominated) that might follow.

SOLE LOGICAL EXIT

It is my feeling that some sort of a mutually acceptable accommodation will eventually ensue from a more realistic appreciation of what the three above-cited factors really mean. It is understandable that Washington does not wish to negotiate with the NLF or Hanoi (one might well wonder whether this might not be more embarrassing in a tete-a-tete than at a multipower conference which is now being heatedly rejected) with as badly a deteriorated military situation as exists now—and just before a presidential election. And it is likewise obvious that General Khanh's regime in Saigon, whose rise to power was favored precisely because he violently rejects any thought of negotiation, would view such contacts as a sellout. There is, after all, in neighboring Laos the example of the rightist General Phoumi, who was first encouraged to overthrow neutralist Prince Souvanna Phouma, only to be pressured 1 year later into accepting (and, in fact, supporting) the same souvanna Phouma as premier of a troika regime. Khanh would understandably resent being placed in the same kind of predicament.

But signs of a military stalemate—harder to perceive in Vietnam where there is no battleline to draw on maps, as there was in Korea—are nevertheless apparent. And the sole logical exit from such a situation is sooner or later a confrontation at the conference table.

[From the National Guardian, May 21, 1964]

BURCHETT IN VIETNAM: U.S. TAXPAYERS ARM GUERRILLAS

(By Wilfred G. Burchett)

FROM A LIBERATION FRONT BASE IN SOUTH VIETNAM.—If a delegation of U.S. taxpayers could have made the sort of journey I made they would have been scandalized. On one occasion, along a road in Tay Ninh Province which had been built with U.S. equipment in 1961 and had now been reduced by the guerrillas to a serpentine track just wide enough for bicycles and foot soldiers, we overtook a long line of National Liberation Front troops who were shifting their base. From behind the first impression was of an endless undulating line of white triangles, but as we grew closer, the white triangles turned out to be flour-bag haversacks, each bearing the clasped hands of friendship above the U.S. flag and the printed words: "Gift of the American people."

As seen from behind, the typical Vietcong or Giai Phong Quan (liberation army) soldier, as they call themselves, is an interesting study. Attached to his webbing belt, from left to right, is first a tiny ingenious bottle lamp. It is made from French perfume bottles, with the top bored through to take a metal-encased wick which pops out automatically when the brass cap is removed. Cap and wick casing are made from U.S. cartridges. It is this tiny lamp that lights the way along jungle paths for night attacks. Next to the lamp hangs a bunch of hand grenades, made in NLF jungle arsenals; one I visited was turning out 5,000 grenades a month, and there are many such.

Alongside the grenades is another "secret weapon" of the guerrillas, the nylon hammock which is standard equipment. Usually made from parachute nylon, it folds up into the space of a handkerchief; slung by parachute cords between trees, it is the perfect guerrilla bed. I slept in nothing else for almost 5 months and—with a mosquito net slung above and tucked in all around—I found it the most admirable sleeping equipment for jungle travel. It can be slung and unslung in a matter of seconds, just the time necessary to pull the cords at each end—a vital factor in guerrilla conditions which demand shifting camp at a moment's notice.

Alongside the hammock is a water canteen, mostly with a big "U.S." on the cloth container, but some hammered out from U.S. plane remnants and covered with NLF containers made in a jungle uniform factory. Finally, there is what looks like a sizable round bomb, wrapped in parachute cloth—in fact, the day's ration of 750 grams of cooked rice. (During the war against the French, the standard for Vietminh troops was 250 grams daily, and I noticed how robust were the front soldiers of 1964 compared with the lean troops I had seen 10 years earlier at the time of Dienbienphu).

The standard arm is the U.S. carbine, with a fair sprinkling of the much appreciated Garands. Of course, the front soldier, like the Vietminh soldier before him, marches on the famous Ho Chi Minh sandals. The only difference is that Michelin has been replaced by Goodyear. The soles are from auto tires, the four thongs which keep them in place being strips of inner tubes. They are by far the most comfortable form of footwear ever devised for heat and jungle conditions. With such equipment, a front battalion can march 15 miles after dark to attack and destroy a post, and march back to its base with the booty before sunup. (In tropical South Vietnam, there are at least 12 hours of darkness every day of the year).

In Cu Chi district, which starts at about 7 miles north of Saigon, I was shown a battered old U.S. carbine, introduced to me as "our mother carbine." After a large seizure of arms at Tua Hai near Tay Ninh, in February 1960, Cu Chi and the five other districts of Gia Dinh, the province in which Saigon is situated, each received one carbine. "Each carbine has had many litters of children since," a local front leader explained with a grin. "With that one carbine and lots of dummy wooden guns and explosions produced from carbide for bicycle lamps, we very soon attacked our first post, and replaced our dummy guns with real ones."

In many other places I visited, I was told that their first weapons had come from the Tua Hai booty. Later, I tracked down Quyet Thang, the commander of the Tua Hai action a rawboned peasant who had been a guerrilla leader in the anti-French war. As this was the first large-scale military act in the Nambo (Cochin-China), I was interested in the details. The Liberation Front had not officially been set up in February 1960, when the Tua Hai action took place, but Quyet Thang explained that local committees existed and that "the word had gone around" to set up self-defense units to resist the armed raids of the Diemist troops.

"Some of us who had taken part in the anti-French war got together secretly and we agreed that we had to start armed resistance—but first we must have arms. The Diemists just then were conducting a sweep through Tay Ninh province with two divisions. Our plan was to set up a battalion of guerrillas and then attack the Tua Hai fortress, where we knew there was a large stock of arms."

Over the next few months they combed the whole province for all weapons, no matter how old, that existed. This was an area to which the armed sects, Hoa Hoa, Cao Dai, and Binh Xuyen, had withdrawn in 1955, after having been crushed by Diem troops. Altogether Quyet Thank was able to muster 260 men, a few former resistance fighters like himself, but the majority youngsters who had fled to the forest to escape Diem's conscription gangs. "We also had 170 weapons, an ill-assorted lot, many of them archaic, and a strictly limited number of cartridges," Quyet Thang said. "Through some former resistance fighters who had been conscripted and were garrisoned at Tua Hai, we managed to smuggle scouts inside and examine the whole layout."

Tua Hai was—and still is—a formidable, square fortress built by the French. At the time Quyet Thang's men attacked, it was the garrison headquarters for the 32d Regiment of Diem's 21st Division, situated only about 2 miles north of Tay Ninh. "Our aim was to obtain 300 weapons and explain to the troops why we were fighting. We had prepared some leaflets signed by the Peoples' Self-Defense Forces.

Scouts managed to infiltrate in the small hours of the morning and placed mines all around the main barracks. The explosion of the mines was the signal for a general assault: "Within seconds the barracks were ablaze, panic-stricken troops were racing for shelter, and our men had poured over the ramparts to wipe out the command post and seize the arms depots," Quyet Thang said. When I asked where the mines came from, he said some mine-making experts from the anti-French war had fashioned them from TNT from unexploded U.S. bombs and shells. Timed for the moment of the assault was the arrival of 500 porters to carry off the booty.

"In the arms depot there were thousands of weapons, the regimental stock and lots of spares. We piled them up and our fighters threw away their old weapons, grabbed the new ones and rushed off to continue the fight. The enemy rushed out of the fortress, then reformed and tried to assault us, but by then all the watchtowers were in our hands and their machineguns also. After almost 2 hours of fighting it was all over, and more than 800 rifles, and scores of pistols and machineguns were in our hands. We carried off about 1,000 weapons in all, and could have had many more had we been able to transport them. There were lots of 578 mm. recoil-less cannon. I didn't know what they were, but we took five along anyway. Later they were very useful against blockhouses and amphibious tanks."

The guerrillas, outnumbered by about 10 to 1, lost 10 dead and 12 wounded in the action. About 300 weapons were kept for the battalion, and the others were distributed to virtually every district in Cochin-China, and became the mother weapons which quickly started the process of rapid reproduction.

Historians may later set the Tua Hai action as the beginning of the war in South Vietnam, though this would not be accurate. Nonetheless, it was the first large-scale action by the people's self-defense forces that were later organized under a unified command into today's liberation army. The Tua Hai action set the pattern for the innumerable attacks on posts which still today remain the principal suppliers of arms and ammunition.

"As a matter of fact," concluded Quyet Thang with a grin, "we were a bit worried as to what our people would say after the attack. The line at that time was to use arms only in self-defense. Only after the front was officially formed 10 months later was this changed. But we figured that as most places had no arms at all even for self-defense, we had to get arms. So we decided to call this a self-defense action."

If the American taxpayers' delegation would be scandalized to see all these fine arms in the hands of the guerrillas, they would have apoplexy if they were to visit the jungle arms factories where carbines, light automatics, imitation Colt revolvers, mountains of hand grenades, and an incredible variety of special-purpose mines are being made—almost exclusively with U.S. equipment. Here are U.S. lathes, drills, spot welders, everything from the generators that power them down to delicate balances for measuring detonator charges—all U.S. made and most of them with the clasped hands of friendship and the sign: "Gift of the American people" This legend was also stamped on the many different bicycles I rode and on the outboard motors which powered the many sampans I traveled in.

[From the Washington Post, May 20, 1964]

THE NIGHT THIEF GIVES WARNING

(By Joseph Alsop)

SAIGON.—Like a thief in the night, with muffled foot slipping from shadow to deceptive shadow, a great national disaster is creeping up on the United States—and on this poor country, too.

The disaster is a final Communist triumph in South Vietnam. What is happening in Laos is peripheral, for the future of Laos will eventually be settled by the outcome here in Vietnam.

What is happening in Laos is a clear warning that the Communist timetable is much shorter than the Washington policymakers seem to suppose.

Even if the Communist advance proceeds no further and an immediate crisis showdown is thereby avoided, the aims—and gains—of the enemy are obvious. To begin with, they have gained elbow room in Laos, the corridor country, which will be very useful in a future crisis of the war in Vietnam.

They have gained in Vietnam, too, since unpunished Communist successes in Laos naturally cause Vietnamese doubts about America's strength of will. And finally, the Communist policymakers in Hanoi must also be concluding that they have made an important test of this American strength of will, with delightfully encouraging results.

Hence the Laotian warning is dangerous to ignore. Yet it is far more dangerous to ignore or misread what is happening here in South Vietnam. In a nutshell, the war effort here is approaching a breaking point.

There are three solid reasons for believing that the breaking point may not be far off—unless the United States begins to take preventive action. The first reason is simply the growth of war weariness, the loss of patience and endurance. These have been the most striking consequences of the successive coups d'etat, beginning with the fall of President Ngo Dinh Diem.

The psychological climate is therefore unhealthy, as the desertion rates in the army and civil guard units clearly attest. The hope of creating a healthier psychological climate is all too slim, in turn, because of the unhealthy military situation.

President Johnson has asked for more aid for South Vietnam, and he has told Congress that the new, more vigorous leadership of Gen. Nguyen Khanh is a very hopeful factor. He is dead right on both points. But he might better have told Congress that even the efforts of General Khanh, vigorously aided by the United States, are most unlikely to turn the tide here. By doing more of the usual things, we can at best hold on.

The enemy is attacking in heavier and heavier strength, often with disturbing success. To turn the tide, General Khanh needs to find another 150,000 men, to fill up his existing units and to create the additional forces planned with Secretary of Defense Robert McNamara. Without these added men, Khanh has no margin of advantage. But as the alarming desertion rate too plainly suggests, recruiting this many more soldiers will be a slow business if not an impossible task.

Meanwhile, in some Provinces in the delta, and in Quang Nai in the center of the country, the South Vietnamese Regular Army has already lost the upper hand in the contest with the Communist forces. In sum, the situation already exists that General Giap classically seeks to create.

The defending forces are at stretch, and they have no large, easily mobilizable reserves. Thus, South Vietnam resembles a bowl of water, or rather a bowl of poison, which has just reached the brimming-over point. Put more into the bowl and there will be the devil of a mess.

Finally, the third reason for intense alarm is General Giap's obvious preparation to put a lot more into the bowl. This is the real meaning of the battalions of North Vietnamese Communist regulars which are now deployed just across the Vietnamese border, in Laos.

To this must be added a grim probability. The probability is that the U.S. military leadership out here is wrong in its belief that our continuing superiority in firepower and mobility will overcome any crisis the enemy can create.

Firepower and mobility cannot be exploited to win a battle begun by surprise at dusk, and over and finished before sunrise. Yet a night's battle, ending in capture or destruction by the Communists of no more than a thousand or two thousand Vietnamese Regulars, might well cause the kind of paroxysm of alarm and defeatism that would bring this war to an end.

This is the crucial point. The position in Vietnam today is—above all—fragile. To shatter this fragile position for good and all, the enemy need not plan anything as ambitious as the fight at Dienbienphu—a small battle but one that went on for a long time.

In one night, almost before we know it, we may be overtaken by the disaster that is creeping up on us.

[From the Washington Post, May 21, 1964]

Additional $125 Million Viet Aid Voted by House Group

(By John G. Norris)

The administration won strong congressional support for its program of stepped-up aid for South Vietnam yesterday, as the House Foreign Affairs Committee voted an additional $125 million for that southeast Asian country.

Both the Foreign Affairs Committee, with its quick and unanimous approval of the added assistance, and the House Armed Services Committee, through its chairman, Representative Carl Vinson, Democrat, of Georgia, expressed their confidence in the administration's plans.

"I am satisfied with what the (Defense) Department is doing and with what this Government is doing," said Vinson, after receiving a 2-hour report from Defense Secretary Robert S. McNamara. "I am behind the position of the Secretary in the prosecution of the war."

Members of both groups are gloomy over the deteriorating situation in southeast Asia, but few see any alternative to continued full support of South Vietnamese forces fighting the Communist guerrillas.

FIGURES RELEASED

As the House committee approved the additional $55 million in military aid and $70 million in economic aid for South Vietnam, the Defense Department declassified heretofore secret figures showing the scope of military assistance to that country.

Now budgeted for Vietnamese military aid in the fiscal year beginning July 1 is $205.8 million, compared to $209.8 million this year and $211.5 million in fiscal year 1963.

Including economic aid, but not the cost of maintaining 15,500 American troops there, the total assistance now contemplated for South Vietnam during the coming year is $477.8 million, compared to $432.5 million this year and $408.7 million in 1963.

This makes it evident that, until the recent decision to ask for an additional $125 million, President Johnson's economy budget actually called for a cutback to $352.8 million in aid for South Vietnam in the coming year.

The House Armed Services Committee's closed session was called to inquire into recent press criticism that obsolescent planes employed in South Vietnam had caused the death of two U.S. fliers. In refuting such charges, McNamara told the committee that American and Vietnamese forces "are receiving the best equipment available for the unique task at hand."

M'NAMARA TO RETURN

He told newsmen afterward that the equipment assigned to Vietnam was chosen with regard to, first, the "enemy threat"; second, "the capability of the Vietnamese to operate it"; and third, "the effectiveness of (the equipment) in relation to the operational requirements."

High-performance jet warplanes would not meet these requirements of the guerrilla war, officials noted.

Most of yesterday's session of the House Armed Services Committee dealt with the broader aspects of the Vietnamese war, and members did not get down to questions about the obsolescent T-28 and B-26 planes. McNamara will return Monday, with Air Force Secretary Eugene M. Zuckert, to go into this aspect of the war.

Under questioning by newsmen, McNamara commented on reports that Americans are flying most of the air missions there. He said "scores" of Vietnamese have been trained as pilots; that they flew 1,300 sorties in April, and that the amount of their combat flying has increased 800 percent since January 1962.

In his prepared statement to the committee, McNamara said "the road ahead will be long and hard" but "it is not in our tradition to back off when the going gets tough."

Mentioning Kosciusko, Von Steuben, and Pulaski, McNamara said; "The mission of our men in South Vietnam is the same as the mission of those Europeans who came to this country to train and assist us in our fight for liberty."

[From the New York Times, May 8, 1964]

Khanh in Favor of Broader Help: But Saigon Premier Asserts U.S. Aid Is Sufficient Now

Saigon, South Vietnam, May 7.—Premier Nguyen Khanh said today that U.S. aid was sufficient but he would welcome help of any kind from other nations in the war against the Communist guerrillas.

The Premier was commenting on efforts by the Johnson administration to get assistance from members of the North Atlantic Treaty Organization and the Southeast Asia Treaty Organization.

President Johnson said at a news conference in Washington yesterday:

"I think a good many countries are giving serious consideration to making contributions in that area to keep communism from enveloping that part of the world. And we welcome that help, and we expect to receive it."

Premier Khanh commented:

"We are involved in a war with many problems, military, social, and economic, and we would welcome any help we could have from the free nations."

FINDS PRESENT AID ADEQUATE

But he said American aid—which involves 16,000 men and money at the rate of $500 million a year—was adequate at this stage and he had no plans to ask Defense Secretary Robert S. McNamara for more when he visits Saigon again next week.

The Premier described the impending visit—Mr. McNamara's fifth to Vietnam and second in 2 months—as routine.

"We have no special problems to solve," he said. "We simply want to push our efforts in the war against the Vietcong."

Premier Khanh repeated today, the 10th anniversary of the fall of Dienbienphu, the symbol of France's loss of Indochina, that he opposed the defensive concept of warfare.

"That sort of philosophy is very bad and would eventually lead to defeat," he said.

U.S. AIDES SOMBER

Elsewhere, U.S. officials took a somber view of two aspects of the war—the "clear and hold" program that impressed Mr. McNamara on his visit in March and Communist operations across the Cambodian-Vietnamese frontier.

A high American source said the pacification program, under which troops move out from a secure base to clear and then hold an adjoining district, is moving more slowly than U.S. authorities would like. But there is hope for an improvement soon, he said.

U.S. advisers on the Mekong River at Sadec, the Vietnamese 9th Division's headquarters, said Vietcong units had started using Cambodia openly as a sanctuary. They reported 15 Communist incidents and attacks on Vietnamese frontier posts in 1 day.

[From the New York Times, May 22, 1964]

New U.S. Ideas on Asia—Tentative Step Toward Involving U.N. in Area Is Break in 10-Year Pattern

(By Max Frankel)

Washington, May 21.—In its move at the United Nations today, the United States injected several new features into its policy for southeast Asia. In effect, officials acknowledged, they were taking a small and tentative step toward involving the United Nations in that threatened region, thus breaking a 10-year-old pattern of Washington thinking about the problem. For the first time, the United States proposed an international peace-keeping operation on the border between Cambodia and South Vietnam.

The response of other nations will determine whether Washington would also contemplate a more extensive form of United Nations observation of South Vietnam's borders with Laos and North Vietnam.

For the first time, also, the United States indicated that it was prepared at any time at least to debate the entire southeast Asia situation, including its own actions, in the world organization. Hitherto, Washington has feared the interference of other nations, mistrusted the United Nations and accounted only to the 14 nations that signed the Geneva agreement on former French Indochina in 1954.

And for the first time, the United States denounced as basically unworkable the system of having three-nation commissions supervise the Indochina accords. Though Washington is still trying to get action from the commissions of Canadian, Indian, and Polish officials, it virtually wrote off the three-nation format because decisions under it could be reached only by unanimous vote.

Officials pointed out that recourse to the United Nations, at least at this stage, certainly did not imply reliance upon the world organization. That is why the statement by the U.S. representative at the United Nations, Adlai E. Stevenson, to the Security Council was coupled with a pledge that the United States would continue to do what it felt it must do to support non-Communist regimes in southeast Asia.

Separate demonstrations of force, it is felt, must accompany diplomatic efforts to emphasize that point. Today's announcement of American reconnaissance flights over the Plaines des Jarres in Laos was only the first of several direct warnings of U.S. action, officials said.

One difficulty of bringing Asian problems into the United Nations has been the feeling here that such action would only dramatize the absence of Communist China from the world organization. Washington dealt with Peiping, among others, at the 1962 Geneva Conference on Laos, without facing the embarrassing membership question.

FACING MOSCOW'S CHALLENGE

Another difficulty has been the fear that an appeal to the United Nations would be interpreted in South Vietnam and in United States political discussions as defeatist. But because the current debate was initiated by the Soviet Union and at a time when Washington was vowing resistance, officials seized the opportunity offered by Moscow's challenge.

Thus far, the U.S. offer of support for United Nations actions extends only to the problem of securing Cambodia's frontier with South Vietnam. Washington decided for tactical reasons to let the Secretary General, U Thant, and other members take the lead in evolving a specific proposal.

Such international action, it is thought, would not only help the Cambodians, but also frustrate in some measure the movements of Communist guerrillas. Some officials are already thinking beyond this proposal to a time when the United Nations might receive or even gather reconnaissance information about violations of South Vietnam's other frontiers.

The significant step, officials explained, despite Mr. Stevenson's cautious language, lay in the breaking of a 10-year policy that was developed before the United Nations learned to function as a peace-keeping agency notably in the Congo, the Middle East and most recently in Cyprus.

[From the New York Times, May 22, 1964]

THE UNDERLYING PRINCIPLE IN VIETNAM

(By James Reston)

WASHINGTON, May 21.—In the present crisis over Vietnam, it is not only the United States that is being tested, but the United Nations and the whole postwar system of keeping the peace.

No doubt Washington has made many mistakes in Vietnam over the last few years, but at least they were made in defense of honorable promises and in keeping with the basic principles of the United Nations Charter.

The United States did not agree at San Francisco in 1945 to oppose aggression only when it was easy or only close to home where its power was predominant, but to try to maintain order anywhere in the world.

This is the underlying principle in Vietnam, and the Charter of the U.N. is quite specific about it. It obliges all members to unite their strength to maintain international peace and security. It states in article 1 that the member states shall "take effective collective measures for the prevention and removal of threats to the peace and for suppression of acts of aggression. * * *" And it insists that this be done with the minimum of force necessary.

THE HARD REALITIES

This is precisely what the United States has been doing in southeast Asia. It has intervened to halt aggression, not to expand it, to help the South Vietnamese, not to replace them. It has been trying to take effective collective measures for the suppression of acts of aggression, and its measures would have been more effective if the allies had made them more collective.

On purely selfish national grounds, there was a good case to be made against any U.S. intervention in Vietnam. It was over 7,000 miles from our shores. It was rough country to defend against guerrilla action. It could not be sealed off from its arms source without attacking China. And that was not all.

The Communist troops in North Vietnam had helped defeat a French army of 400,000 and even now are regarded by many people in South Vietnam not as aggressors but as tough soldiers who helped liberate the peninsula from the white French colonialists. Nor was it ever clear that the people of South Vietnam were as determined to defend the principle of self-help as the United States was to defend the principle of collective security.

Accordingly, the adventure was always dubious militarily and is now hazardous in the extreme. The desertions from the South Vietnamese Army were admitted by Secretary of State Rusk on Capitol Hill today to be much greater than most observers here had believed, and fear of assassination is helping paralyze the war effort of the South Vietnamese Government.

Gen. Nguyen Khanh, the South Vietnamese Premier, lives in such fear for his life that he sleeps one place one night and another the next. The Communist attacks have increased and their terroristic tactics have spread right into Saigon.

Nevertheless, none of this removes the need for defending the principle of collective action. That need is just as great now as it was when the U.N. Charter was written, or when the fighting broke out in Korea or the Congo. And even the French, who want to neutralize Vietnam but cannot tell us how it is to be done, concede that only by continued collective action in Vietnam—by which they mean American action—will the whole of southeast Asia be saved from conquest by the Communists.

THE NEUTRALITY DANGER

Meanwhile, in the midst of all the present recriminations about the present mess in Vietnam and Laos, it may be useful to define what the immediate danger is. It is not that South Vietnam is about to be overrun by the Communists. It is not that the United States is preparing to attack North Vietnam or even order its own troops into the South Vietnamese units. It is that the South Vietnamese Government will be overthrown by a neutralist coup and that the United States will then be invited to leave.

In this fragile situation, even casual talk of ideal solutions or neutralization can be dangerous. There are no ideal solutions and even to reach the point of an honorable settlement means suppression of the Communist aggression. It means, above all, keeping in mind the collective security principle of the U.N., and urging other member nations to do the same.

[From the New York Times, May 22, 1964]

THE INDOCHINA PROBLEM

In his speech at the United Nations yesterday, dramatized by his sudden recall from Europe, Adlai E. Stevenson emphasized American support for a U.N. role in helping end the friction on the ill-marked frontier between South Vietnam and Cambodia. He effectively refuted the baseless charges about American "aggression" made by Soviet Ambassador Fedorenko earlier this week when the latter relapsed into language reminiscent of the worst days of the cold war. And Ambassador Stevenson made clear that the United States will abandon neither the people of South Vietnam nor our military effort there.

The basic problem of American policy in what was once French Indochina also emerged clearly from the Stevenson speech. The United States would like to have a return to the political solutions agreed upon in the two Geneva conferences in 1954 and 1962. How is that to be accomplished, especially now when the Communist forces in South Vietnam and Laos alike believe they have the upper hand militarily?

As we suggested on this page yesterday, the United States may have to intensify its military support of the South Vietnamese before a peaceful settlement can be envisaged. But it would be futile to pursue the will-o'-the-wisp of a total victory in southeast Asia, short of embarking on an all-out war that under present circumstances the people of the United States would neither want nor accept. And if we cannot win a clear-cut military victory in this area, the power of the United States is such that the Communists must realize that they cannot either and that they, as well as we, will ultimately have to accept a political solution arrived at through negotiation.

President de Gaulle is presumably aiming for such a political solution in calling for an international conference on Laos, but events have already shown that the individual parts of Indochina cannot be considered in isolation. If there is to be serious negotiation, it must consider the total situation in all four states: the two Vietnams, Laos and Cambodia. The objective must be restoration of peace on the basis of the Geneva accords of 1954.

The purpose of any intensified American military effort in Indochina—should that be necessary—must be to make clear to Hanoi, Peiping, and Moscow that they are running unacceptable risks if they persist in their present policy. But at the same time we have the obligation—and are under the necessity—of holding forward the possibility of a political negotiation that could bring lasting peace to the area and make it possible eventually to get our troops out of this part of southeast Asia.

[From the New York Times, May 22, 1964]

TEXT OF STEVENSON'S SPEECH AT U.N. AND EXCERPTS FROM FEDORENKO'S REPLY

ADDRESS BY MR. STEVENSON

The facts about the incidents at issue are relatively simple and clear.

The Government of the Republic of Vietnam did in fact mistakenly cross the ill-marked frontier between their country and Cambodia in pursuit of armed terrorists on May 7 and May 8 and on earlier occasions.

That has been repeated and acknowledged here again today by the representative of Vietnam.

The Government of Vietnam has expressed its regrets of the tragic consequences. It has endeavored to initiate bilateral discussions with the Cambodian Government in order to remove the cause of these incidents.

But these efforts have not yet produced any useful results.

These incidents, Mr. President can only be assessed intelligently in the light of the surrounding facts; namely, the armed conspiracy which seeks to destroy the Government of Vietnam and the very society of Vietnam itself.

Mr. President, members of the Council, it is the people of the Republic of Vietnam who are the major victims of armed aggression.

They suffer from terror

It is they who are fighting for their independence against violence directed from outside their borders. It is they who suffer day and night from the terror of the so-called Vietcong.

The prime targets of the Vietcong for kidnaping, for torture and for murder have been local officials, schoolteachers, medical workers, priests, agricultural specialists, and any others whose position, profession, or other talent qualified them for service to the people of Vietnam, plus of course, the relatives and children of citizens loyal to their Government.

The chosen military objectives of the Vietcong for gunfire, or arson or pillage, have been hospitals, schoolhouses, agricultural stations, and various improvement projects by which the Government of Vietnam for many years has been raising the living standards of the people.

The Government and the people of Vietnam have been struggling for survival—struggling for years—in a war which has been as wicked, as wanton and as dirty as any waged against an innocent and peaceful people in the whole cruel history of warfare.

It seems to me that there is something both grotesque and ironic in the fact that the victims of this incessant terror are the accused before this Council and are defending themselves in daylight, while terrorists perform their dark and dirty work by night throughout their land.

I cannot ignore the fact that at the meeting of this Council 2 days ago Ambassador Fedorenko, the distinguished representative of the Soviet Union, digressed at great length from the subject before the Council to accuse the U.S. Government of organizing direct military action against the people of the Indochinese peninsula.

For years—too many years—we have heard these bold and unsupported accusations in the halls of the United Nations.

Malicious tales decried

I had hoped that such malicious fairytales would be heard no more. But since another fanciful accusation against my country has been made by the Soviet representative, I am sure that the members of the Council will permit me to set him straight on my Government's policy with respect to southeast Asia.

First, the United States has no—and I repeat, no—national military objective anywhere in southeast Asia.

U.S. policy for southeast Asia is very simple: It is the restoration of peace so that the peoples of that area can go about their own independent business in whatever associations they may freely choose for themselves without interference from the outside.

I trust my words have been clear enough on this point.

Second, the U.S. Government is currently involved in the affairs of the Republic of Vietnam for one reason and one reason only—because the Republic of Vietnam requested the help of the United States and of other governments to defend itself against armed attack fomented, equipped, and directed from the outside.

Earlier U.S. role recalled

This is not the first time that the U.S. Government has come to the aid of peoples prepared to fight for their freedom and their independence against armed aggression sponsored from outside their borders. Nor will it be the last time, unless aggressors learn once and for all that armed aggression does not pay, that it no longer works, that it can no longer be tolerated in the nuclear age.

The record of the past two decades makes it clear that a nation with the will for self-preservation can outlast and defeat overt or clandestine aggression even when that internal aggression is heavily supported from the outside and even after significant early successes by the aggressors.

I will remind the members of the Council that in 1947 after the aggressors had gained control of most of the country many people felt that the cause of independent Greece was hopelessly lost. But as long as the people of Greece were prepared to fight for the life of their own country, the United States was not prepared to stand by while Greece was overrun.

This principle, Mr. Chairman, does not change with the geographical setting. Aggression is aggression. Organized violence is organized violence. Only the scale and the scenery change. The point is the same in Vietnam today as it was in Greece in 1947 and in Korea in 1950.

The Indochinese Communist Party, the parent of the present Communist Party in North Vietnam, made it abundantly clear as early as 1951 that the aim of the Vietnamese Communist leadership is to take control of all of Indochina.

This goal has not changed. It is still clearly the objective of the Vietnamese Communist leadership in Hanoi. Hanoi seeks to accomplish this purpose in South Vietnam through subversive guerrilla warfare directed, controlled and supplied by North Vietnam.

The Communist leadership in Hanoi has sought to pretend that the insurgency in South Vietnam is a civil war. But Hanoi's hand shows very clearly. Public statements by the Communist Party in North Vietnam and its leaders have repeatedly demonstrated Hanoi's direction of the struggle in South Vietnam.

First Secretary quoted

For example, De Du Dan, First Secretary of the party, stated on September 5, 1960, and I quote: "At present our party is facing a momentous task—to strive to complete the revolution throughout the country." He also said this: "The North is the common revolutionary base of the whole country." Three months after the Communist Party Congress in Hanoi, in September 1960, the so-called National Front for the Liberation of South Vietnam was set up pursuant to plans outlined publicly at that congress.

The International Control Commission in Vietnam, established by the Geneva accords of 1954, stated in a special report which it issued in June 1962, that there is sufficient evidence to show that North Vietnam has violated various articles of the Geneva accords by its introduction of armed personnel, arms, munitions, and other supplies from North Vietnam into South Vietnam with the object of supporting, organizing, and carrying out hostile activities against the Government and armed forces of South Vietnam.

Supplies move from north

Infiltration of military personnel and supplies from North Vietnam to South Vietnam has been carried out steadily over the past several years. The total number of military cadre sent into South Vietnam via infiltration routes runs into the thousands. Such infiltration is well documented on the basis of numerous defectors and prisoners taken by the armed forces of Vietnam.

Introduction of Communist weapons into South Vietnam has also grown steadily. An increasing amount of weapons and ammunition captured from the Vietcong has been proven to be of Chinese Communist manufacture or origin.

For example: In December 1963, a large cache of Vietcong equipment captured in one of the Mekong Delta provinces in South Vietnam included recoilless rifles, rocket launchers, carbines, and ammunition of Chinese Communist manufacture.

The United States cannot stand by while southeast Asia is overrun by armed aggressors. As long as the peoples of that area are determined to preserve their own independence and ask for our help in preserving it we will extend it. This, of course, is the meaning of President Johnson's request a few days ago for additional funds for more economic as well as military assistance for Vietnam.

Continued support pledged

And if anyone has the illusion, Mr. Chairman, that my Government will abandon the people of Vietnam, or that we shall weary of the burden of support that we are rendering these people, it will be only due to ignorance of the strength and the conviction of the American people.

We all know that southeast Asia has been the victim of almost incessant violence for more than a decade and a half. Yet, despite this fact, it has been suggested that we should give up helping the people of Vietnam to defend themselves and seek only a political solution.

But a political solution is just what we have already had and it is in defense—in support—of that political solution that Vietnam is fighting today.

The United States has never been against political solutions. Indeed, we have faithfully supported the political solutions that were agreed upon at Geneva in 1954 and again in 1962.

The threat to peace in the area stems from the fact that others have not done likewise. The Geneva accords of 1954 and 1962 were precisely political agreements to stop the fighting, to restore the peace, to secure the independence of Vietnam and Laos and Cambodia, to guarantee the integrity of their frontiers and to permit these much-abused people to go about their own business in their own way.

United States not a signatory

The United States, though not a signatory to the 1954 accord, has sought to honor these agreements in the hope that they would permit these people to live in peace and independence from outside interference from any quarter and for all time.

To this day, there is only one major trouble with the political agreements reached at Geneva with respect to Vietnam, Cambodia and Laos in 1954 and again with respect to Laos in 1962. It is this:

The ink was hardly dry on the Geneva accord in 1954 before North Vietnam began to violate them systematically, with comradely assistance from the regime in Peiping.

Nearly a million people, as you will recall, living in North Vietnam in 1954 exercised the rights given to them under the Geneva agreement to move south to the Republic of Vietnam.

Even while this was going on, units of the Vietminh were hiding their arms and settling down within the frontiers of the republic to form the nucleus of today's so-called Vietcong to await the signal from outside in order to rise and strike.

In the meanwhile, they have been trained and supplied in considerable measure from North Vietnam in violation of the Geneva agreement—the political settlement.

They have been reinforced by guerrilla forces moved in to the Republic of Vietnam through Laos in violation of the Geneva agreement—the political settlement.

This is the reason—and the only reason—why there is fighting in Vietnam today. There is fighting in Vietnam today only because the political settlement for Vietnam reached at Geneva in 1954 has been deliberately and flagrantly and systematically violated.

As I say, Mr. President, this is the reason why my Government and, to a lesser extent, other governments, have come to the aid of the Government of the Republic of Vietnam as it fights for its life against armed aggression, directed from outside its frontiers in contemptuous violation of binding agreements.

If the Government of the Republic of Vietnam is fighting today, it is fighting to defend the Geneva agreement, which has proved undefendable by any other means. If arms are being used in Vietnam today, it is only because a political solution has been violated cynically for years.

The same disregard for the political settlement reached at Geneva has been demonstrated by the same parties in Laos. Violation has been followed by a period of quiet and then another violation follows. Limited aggression has been followed by a period of calm and then another limited aggression.

Throughout the period since July 1962, when the Lao settlement was concluded, the Prime Minister of Laos, Prince Souvanna Phouma, has with great patience and fortitude sought to maintain the neutrality and independence of his country. He has made every effort to bring about Pathet Lao cooperation in the Government of national union.

Now, in the past few days, we have seen a massive, deliberate armed attack against the forces of the coalition Government of Prime Minister Souvanna Phouma.

The attack was mounted by a member of that coalition Government with the military assistance of one of the signatories of the Geneva accord. These violations are obviously aimed at increasing the amount of Lao territory under Communist control.

Outright attempt

The military offensive of recent days must be seen as an outright attempt to destroy by violence what the whole structure of the Geneva accord was intended to preserve.

Hanoi has persistently refused to withdraw the Vietnamese Communist forces from Laos despite repeated demands by the Lao Prime Minister.

Hanoi has also consistently continued the use of Laos as a corridor for infiltration of men and supplies from North Vietnam into South Vietnam.

It is quite clear that the Communists regard the Geneva accords of 1962 as an instrument which in no way restrains the Communists from pursuing their objectives of taking over Laos as well as South Vietnam.

The recent attempt to overthrow the constitutional Government headed by Prime

Minister Souvanna Phouma was in large part attributable to the failure of the machinery set up by the Geneva accords to function in response to urgent requests by the Government of Laos.

This machinery has been persistently sabotaged by the Communist member of the International Control Commission, who has succeeded by misuse of the so-called veto power in paralyzing the machinery designed to protect the peace in that area and thereby undermining support for the Souvanna government.

Today, however, that government which was created under the Geneva agreements, remains in full exercise of its authority as the legitimate government of a neutralized Laos.

The other Geneva signatories must live up to their solemn commitments and support Prime Minister Souvanna in his efforts to preserve the independence and the neutrality which the world thought had been won at Geneva.

These solemn obligations, we submit, must not be betrayed.

Mr. President, my Government takes a very grave view of these events. Those who are responsible have set foot on an exceedingly dangerous path.

As we look at world affairs in recent years, we have reason to hope that this lesson has at last been learned by all but those fanatics who cling to the doctrine that they could further their ambitions by armed force.

Chairman Khrushchev said it well and clearly in his New Year's Day message to other heads of government around the world. In that letter he asked for—and I quote—"recognition of the fact that territories of states must not even temporarily be the target of any kind of invasion, attack, military occupation or other coercive measures directly or indirectly undertaken by other states for any political, economic, strategic boundary or other considerations whatsoever."

There is not a member of this Council, Mr. President, or a member of this organization which does not share a common interest in a final and total renunciation, except in self-defense, of the use of force as a means of pursuing national aims.

The doctrine of militant violence has been rendered null and void by the technology of modern weapons and the vulnerability of a world in which the peace cannot be ruptured anywhere without endangering the peace everywhere.

Way to restore order

Finally, Mr. President, with respect to southeast Asia in general, let me say this: There is a very easy way to restore order in southeast Asia. There is a very simple, safe way to bring about the end of U.S. military aid to the Republic of Vietnam.

Let all foreign troops withdraw from Laos. Let all states in that area make and abide by the simple decision to leave their neighbors alone. Stop the secret subversion of other people's independence. Stop the clandestine and illegal transit of national frontiers. Stop the export of revolution and the doctrine of violence. Stop the violations of political agreements reached at Geneva for the future of southeast Asia.

The people of Laos want to be left alone. The people of Vietnam want to be left alone. The people of Cambodia want to be left alone.

When their neighbors decide to leave them alone, as they must, there will be no fighting in southeast Asia and no need for American advisers to leave their homes to help these people resist aggression.

Any time that that decision can be put in enforcible terms, my Government will be only too happy to put down the burden that we have been sharing with those determined to preserve their independence. Until such assurances are forthcoming, we shall stand for the independence of free peoples in southeast Asia as we have elsewhere.

And now, Mr. President, if we can return to the more limited issue before this Council today—the security of the frontier between Cambodia and the Republic of Vietnam.

Cambodian stand upheld

My Government—if there is any misunderstanding about it, let me put it straight—is in complete sympathy with the concern of the Government of Cambodia for the sanctity of its borders and the security of its people. Indeed, we have been guided for nearly a decade in this respect by the words of the final declaration of the Geneva Conference of July 21, 1954, which says:

"In their relations with Cambodia, with Laos and Vietnam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and the territorial integrity of the above-mentioned states and to refrain from any interference in their internal affairs."

With respect to the allegations now made against my country, I shall do no more than reiterate what Ambassador Yost, the U.S. delegate, said to this Council on Tuesday morning: The United States has expressed regret officially for the tragic results of the border incidents in which an American adviser was present. Our careful investigations have failed to produce evidence that any Americans were present in the crossing of the Cambodian frontier on May 7 and May 8 and there is, of course, no question whatever of either aggression or aggressive intent against Cambodia on the part of my country.

Let me emphasize that my Government has the greatest regard for Cambodia and its people and its chief of state—Prince Sihanouk, whom I have the privilege of knowing. We believe he has done a great deal for his people and for the independence of his country. We have demonstrated our regard for his effort on behalf of his people in very practical ways over the past decade. We have no doubt that he wants to assure conditions in which his people can live in peace and security.

My Government associates itself explicitly with this aim. If the people of Cambodia wish to live in peace and security and independence and free from alinement if they so choose, then we want for them precisely what they want for themselves.

We have no quarrel whatsoever with the desire of Cambodia to go its own way in peace and security.

Cambodia not left alone

The difficulty, Mr. President, has been that Cambodia has not been in a position to carry out with its own unaided strength its own desire to live in peace and tranquillity.

Others in the area have not been prepared to leave the people of Cambodia free to pursue their own ends independently and peacefully.

The recent difficulties along the frontier which we have been discussing here in the Council are only superficially and accidentally related to the Republic of Vietnam. They are deeply and directly related to the fact that the leaders and armed forces of North Vietnam, supported by Communist China, have abused the right of Cambodia to live in peace by using Cambodian territory as a passageway, a source of supply, and a sanctuary from counterattack by the forces of South Vietnam, which is also trying to maintain its right to live in peace and go its way.

Obviously Cambodia cannot be secure. Here territorial integrity cannot be assured. Here independence cannot be certain as long as outsiders direct massive violence within the frontiers of her neighboring states.

This is the real reason for troubles on the Cambodian border and this is the real reason that we are here today.

Now it is suggested that the way to restore security on the Cambodian-Vietnamese border is to reconvene the Geneva Conference which 10 years ago reached the solemn agreement which I have read to you.

While I hesitate and dislike to differ with my distinguished friend from Cambodia, I submit, Mr. President, that we can surely do better than that—that there is no need for another such conference. A Geneva Conference on Cambodia could not be expected to produce an agreement any more effective than the agreements we already have.

Complaint discussed

This Council is seized with a specific issue. The Cambodians have brought a specific complaint to this table. Let us then deal with it.

There is no need to look elsewhere. We can make here and now a constructive decision to help meet the problem that has been laid before us by the Government of Cambodia to help keep order on her frontier with Vietnam and thus to help eliminate at least one of the sources of tension and violence which afflict the area as a whole.

Let me say, Mr. President, that my Government endorses the statement made by the distinguished representative of Cambodia to the Council on Tuesday when he pointed out that states which are not members of the United Nations are not thereby relieved of responsibility for conducting their affairs in line with the principles of the charter of this organization.

We could not agree more fully that the regimes of Peiping and Hanoi, which are not members of this organization, are employing or supporting the use of force against their neighbor.

This is why the borders of Cambodia have seen violence. And this is why we are here today and that is why the United States has a duty to do what it can to maintain order—the United Nations, I beg your pardon—has the duty to do what it can to maintain order along the frontier between Cambodia and Vietnam to help uphold the principles of the charter in southeast Asia.

As for the exact action which this Council might take, Mr. President, my Government is prepared to consider several possibilities.

We are prepared to discuss any practical and constructive steps to meet the problem before us. One cannot blame the Vietnamese for concluding that the International Control Commission cannot do an effective job of maintaining frontier security.

Unanimous vote required

The composition—the troika composition—of the International Control Commission which under the Geneva agreements on Vietnam and Cambodia requires that decisions dealing with violations which might lead to a resumption of hostilities can be taken only by unanimous agreement has contributed to the frustration of the ICC.

The fact that the situation in South Vietnam has reached the crisis stage is itself dramatic testimony of the frustrations to which the International Control Commission has been reduced.

With the exception of the special report on June 2, 1962, to which I referred, condemning Communist violation of the Geneva accords, the Commission has taken no action with respect to the Communist campaign of aggression and guerrilla warfare against South Vietnam.

The representative of Cambodia has suggested that a commission of inquiry investigate whether the Vietcong has used Cambodian territory.

We have no fundamental objection to a committee of inquiry. But we do not believe it addresses itself to the basic problem that exists along the Vietnam-Cambodian border.

More is needed in order to assure that problems do not continue to arise.

Several practical steps for restoring stability to the frontier have been suggested, and I shall make brief and preliminary general remarks about them.

I wish to reiterate what Ambassador Yost said the other day—that we have never rejected any proposal for inspection of Cambodian territory.

Now one suggestion is that the Council request the two parties directly concerned to establish a substantial military force on a bilateral basis to observe and patrol the frontier and to report to the Secretary General.

U.N. observers suggested

Another suggestion is that such a bilateral force be augmented by the addition of United Nations observers and possibly be placed under United Nations command in order to provide an impartial third-party element representative of the world community.

We also could see much merit in this idea. Now, if I am correctly informed, a third suggestion is to make it an all-United Nations force. This might also be effective. It would involve somewhat larger United Nations expenditures than the other alternatives, but if this method should prove desirable to the members of the Council the United States will be prepared to contribute.

We would suggest, Mr. President, that whether one of these or some other practical solution is agreed, that it would be useful to ask the Secretary General of the United Nations to offer assistance to Cambodia and to the Republic of Vietnam in clearly marking the frontiers between the two countries.

One of the difficulties is that there are places where one does not know whether he stands on one side of the frontier or the other. Certainly it would help to reduce the possibility of further incidents if this uncertainty could be removed.

And now in conclusion, Mr. President, with my apologies for detaining the members so long, let me repeat that I am prepared to discuss the policy and the performance of my Government throughout southeast Asia, but that the issue before us is the security of Cambodia and the Cambodian-Vietnam border.

I have expressed my Government's views on that subject. I hope other members of the Council also will express their views on that subject, and that the Council, which is the primary world agency for peace and security, can quickly take effective steps to remedy a situation which could threaten peace and security.

Thank you, Mr. President.

REPLY BY MR. FEDORENKO

From that noisy and rather sensational show of American advertising techniques, which was used today in the statement made by our U.S. colleague, one might have thought that he was making some really important and substantive statement.

Even the most optimistic observer would have supposed that the United States, having heeded the voice of reason, finally was declaring that it was going to withdraw its troops from South Vietnam, and in particular from the regions which are contiguous to Cambodia.

Others might have expected that the United States would at least have declared its intention to fulfill the Geneva agreements of 1954, which, as you know, have been stubbornly violated by it and whose violation, in the case of Cambodia, has led to this meeting of the Security Council.

Travels recalled

Of course, it is necessary to bear in mind the fact that the representative of the United States has been overtaken, as it were, by events when he was traveling overseas. He is obviously still under the impression of his recent Rome meetings and his negotiations and his talks with the NATO bloc where, as we know, it is normal to make speeches regularly under the old tattered flag of anticommunism.

But let me remind our American colleague that he is no longer at secret meetings with his military allies; that he is now at a meeting of the Security Council and that he should not here speak from the platform of the protagonists of militarism, accusing others of all sins possible.

The representative of the United States was, in fact, playing a definite role today; he was speaking from the dock as the accused. And I would remind Ambassador Stevenson that on the agenda of the Security Council for today we have the question of the aggression carried out by the United States and South Vietnam against Cambodia, and that this is what we should be talking about today.

U.S. stand challenged

But meanwhile the representative of the United States has attempted to represent matters in such a way as to seem to be speaking in defense of the peoples of southeast Asia, who, according to him, have become the victims of Communist aggression, and he continues to make statements that correspond not at all to the actual state of affairs.

It is indeed strange what can sometimes be done with logic. From Mr. Stevenson's very figurative speech, it would seem that when the United States sends 16,000 soldiers to South Vietnam for the purpose of waging a very cruel and dirty war, to put to the sword and to the flame the people of Vietnam who are struggling for the liberation and independence of their country, the United States, according to their way of thinking, is in some way contributing to an international detente by these actions.

It turns out that by organizing aggression against Cambodia, the American military are in some way making a contribution to the cause of peace.

He charges turnabout

This attempt to accuse others in a case of the pot calling the kettle black, and in their search for a scapegoat they have been led to wage a war thousands of miles from their own shores, obviously financed out of their own funds.

The representatives of the United States try to present the affair as if American troops, guns, and money were being used simply in order to guarantee for the population of South Vietnam the right to live under the social system they prefer.

This is a very striking affirmation which, I feel, we must not overlook since it completely distorts the real state of affairs. In South Vietnam the United States has installed, and is maintaining in power by all the means at its disposal, including military means, a puppet regime which is contrary to the wishes of the people.

The extent to which that regime has been foisted on South Vietnam and is not enjoying any popularity in the country may be seen in the simple fact that over the last 6 months the United States has been obliged to replace three governments there.

Question of rules raised

When, at the beginning of the discussion of this item, the Soviet delegation spoke in opposition to the participation of those who pretend to represent South Vietnam, we had in mind particularly the mandate of those rulers.

What mandate do the South Vietnam rulers have? Who gave it to them? From whom did they receive the right to lord it in that region? From the dead or from the living? From Ngo Dinh Diem, the puppet who was set up because of a foreign occupation, whereafter, for the same reason and at the behest of the same people, one usurper was replaced by another henchman?

But, as they say, a monkey with a crown on its head still remains a monkey. The puppets are being changed and are replacing each other—Ngo Dinh Diem, Syngman Rhee and their like. This is part of the policy.

The Eastern peoples are famous for their wisdom, as expressed in the saying that a snake does not become straight if it is put through a bamboo tube.

In order to maintain its puppets in power and to preserve its beachhead for aggression against the peace-loving peoples in southeast Asia, the United States is waging an undeclared war against the people of South Vietnam.

There is a tremendous armed force there which is carrying out a punitive war against the South Vietnamese population. Who, at this present time, would be bold enough to say that those who have taken over from the Foreign Legion, as it were, have now become advisers, friends of the people, and so on?

I shall simply confine myself to a reference to the appeal of a very well-known compatriot of Mr. Stevenson, Senator Wayne Morse. I refer to a statement which he made in the Senate on May 18 of this year on the question of the McNamara war in South Vietnam. This appears in the Congressional Record, pages 11214–11221. This is what Senator Morse said:

"We support the totalitarian, military, tyrannical puppet government in South Vietnam. If anybody believes that in South Vietnam people are free, they can hardly be more mistaken.

"We have already been caught red handed when we carried out acts of aggression against Cambodia and Prince (Norodom) Sihanouk threw us out of there. This has put an end to the complex theory which was held by John Foster Dulles, Cambodia and Burma have turned away from us and, as we all know, the theory of John Foster Dulles has nothing left except in Thailand and South Vietnam."

Morse letter quoted

In conclusion, I cannot fail to refer to the letter of Senator Morse to Mr. Stevenson on May 14 of this year. I hope that the members of the Council are familiar with this letter but, to refresh their memories, I should like to give a brief quotation from it:

"As you know, I consider that the unilateral military action which the United States is carrying out in South Vietnam is not in accordance with international law and is by no means justified under it, as well as being irreconcilable with our obligations under the Charter of the United Nations.

"I realize the delicate position you are in. Nevertheless, I consider that the American people have a right to know whether you are in accord with the policy of sending American lads to die in South Vietnam, where war has not been declared.

"Finally, I am much concerned about the fact that, as I see it, we are subverting and undermining the United Nations. I am very much afraid that we are weakening the United Nations."

These opinions fill us with considerable concern and anxiety. We share the concern and alarm expressed by Senator Morse. And are we not justified in expecting from a member state of the United Nations—a permanent member of the Security Council—some objectivity in assessing the situation which has become the subject of discussion in the Security Council?

Are we not entitled to expect an acknowledgment of the very grave crimes which have been committed against an independent state, Cambodia, a member state of the United Nations?

I feel that it is hardly necessary to have an interpretation of my remarks. Do you not think, Mr. President, that it would be well, to refrain from any interpretation in view of the exteme clarity of my position?

[From the New York Times, May 22, 1964]

UNITED STATES PUTS A JET WATCH OVER LAOS—AIR AID REQUESTED—PLANES SCOUTING REDS BECAUSE TRUCE UNIT CANNOT FUNCTION

(By Hedrick Smith)

WASHINGTON, May 21.—The Government disclosed today that unarmed U.S. jetplanes piloted by Americans had been flying reconnaissance missions over the Plaine des Jarres, in central Laos, to gather information on Communist forces.

A State Department spokesman said the missions had been undertaken at the request of the Government of Laos because of "the current inability of the International Control Commission to obtain adequate information" on recent attacks on neutralist and rightwing forces in Laos.

The commission, made up of representatives of India, Canada, and Poland, is assigned to supervise the numerous truces in the fighting between pro-Communist and anti-Communist forces in Laos.

Coupled with the disclosure of the reconnaissance flights was a report by qualified sources that the United States had provided the bombs being used by the Laotian Air Force for raids against the pro-Communists' positions in the embattled Plaine des Jarres.

These sources indicated that the bombs were supplied some time ago at the request of the Laotian Government under the July 1962, Geneva agreements between East and West. Under these accords Laos was to be unified and neutralized, with a government to consist of neutralist, rightist, and pro-Communist factions. The current raids were the first in which the bombs were used.

FIRST OFFICIAL ADMISSION

The announcement of the reconnaissance flights was the first official acknowledgment since the signing of the Geneva accords that the United States was taking a military role in Laos.

The disclosure came in the wake of reports from Tokyo quoting the Peiping radio to the effect that pro-Communist Pathet Lao troops had fired on American planes over Laos. Officials here could not confirm that any planes had been fired upon.

The State Department's acknowledgement of the flights was viewed by observers here as having as much importance as the flights themselves or even more.

It was interpreted as part of a carefully developed plan by the Johnson administration to demonstrate that it was prepared to go beyond traditional diplomatic gestures of showing its concern over military attacks against the neutralist forces in Laos.

The announcement was also viewed as a parallel move to a speech in the United Nations Security Council today by Adlai E. Stevenson, the U.S. delegate, in which he denounced aggression in Laos and South Vietnam.

ORIGIN NOT DISCLOSED

Officials did not disclose where the reconnaissance flights originated but they left the impression that the planes flew from and landed outside Laos, presumably neighboring Thailand. The type of planes being used was also not disclosed.

Officials turned aside suggestions that the reconnaissance flights might be a violation of the 1962 Geneva accords on Laos by noting that the accords make no mention of reconnaissance flights.

Washington also argued that continued violations of the accords by the Pathet Lao and North Vietnamese forces and their refusal to permit the International Control Commission to inspect their areas made the flights necessary to preserve the accords.

Officials repeatedly emphasized that the United States considered that the 1962 agreements, which are the basis for Premier Souvanna Phouma's Government, were still in force and that the reconnaissance flights would certainly not cause them to be scrapped.

The agreements, signed by the United States and 13 other powers, including North Vietnam and Communist China, forbid "the introduction of foreign regular and irregular troops, foreign paramilitary formations and foreign military personnel into Laos."

Officials here maintained that since the flights presumably started and ended outside Laotian territory and airspace, the aircraft and personnel were not being "introduced" into Laos.

Another provision of the agreements permits the introduction of "quantities of conventional armaments as the Royal Government of Laos may consider necessary for the national defense of Laos."

The officials indicated that Premier Souvanna Phouma, who has accused the Pathet Lao and North Vietnamese forces of violating the accords during the current fighting, had orally requested U.S. support under this provision.

The flights began a few days ago and are continuing, the officials said. They were authorized by high administration officials with President Johnson's approval.

TO ASSIST IN EVERY WAY

In a prepared statement on the reconnaissance flights, the State Department said:

"We are working with the Royal Lao Government in response to its request to assist in every way possible in supplementing its information on the intention and dispositions of attacking forces.

"For this purpose, certain U.S. reconnaissance flights have been authorized in view of the current inability of the International Control Commission to obtain adequate information. Information obtained will be turned over as rapidly as possible to the ICC."

Officials said the planes were surveying troops, supply depots, and positions for photographs that could conceivably be used to document forther charges of aggression against the North Vietnamese and the Pathet Lao forces before the United Nations. It was indicated that copies of the photographs would be flown back to Washington as well as being turned over to truce commission representatives in Vientiane.

Officials maintained that the flights were the first American jet reconnaissance missions over the Plaine des Jarres in central Laos in the last 2 years.

There have been reports that the United States was using high-flying U-2 jets on reconnaissance missions over southeast Asia. There has also been speculation that reconnaissance planes based in Thailand or South Vietnam have periodically flown photographing missions over the Ho Chi Minh Trail in eastern Laos to watch for North Vietnamese troop movements toward South Vietnam.

On the diplomatic side of the Laos issue, qualified sources said Secretary of State Dean Rusk had strenuously objected to the French Ambassador, Hervé Alphand, over a French proposal yesterday for a new international conference on Laos.

Officials here were both shocked and irritated that Paris had put forth the proposal without having consulted its allies.

In response, the United States and Britain have decided to turn aside the French suggestion by throwing their support to a separate proposal for consultations in Vientiane among the 14 nations that signed the 1962 agreements.

Robert J. McCloskey, State Department spokesman, reiterated that the United States was "agreeable to consultations in Vientiane, as suggested by the Prime Minister." He refrained from commenting directly on the French proposal.

Washington is fearful that any formal international conference would provide Communist China and North Vietnam with a forum for propaganda demands calling for neutralization of all the Indochinese Peninsula.

Officials here also believe that it would be a mistake to have Prince Souvanna Phouma leave Laos at a time when his forces are beleaguered and the Communists have been trying to undermine his position.

Washington also contends that to hold an international conference now would be to "reward the aggressor," as one official put it, referring to the military attacks on neutralists and rightwing forces.

Nonetheless the French proposal drew support from Senator MIKE MANSFIELD, the majority leader, who has often been at odds with the administration on southeast Asia policy.

[From the New York Times, May 22, 1964]

BRITISH GOAL: CONSULTATIONS

(By Sydney Gruson)

LONDON, May 21.—Britain concentrated her diplomatic efforts today on trying to bring about "consultations" on Laos among the countries that worked out a solution for the Asian kingdom's political problems in Geneva in 1962.

Such consultations, which were requested Tuesday by Prince Souvanna Phouma, the neutralist Premier of Laos, would have the effect of shelving France's proposal last night for a more formal 14-nation conference.

Prince Souvanna Phouma suggested that representatives of the 14 countries "consult" in Vientiane, the Laotian administrative capital, where all except Burma have diplomatic missions.

The 14 are Britain, the Soviet Union, the United States, France, Communist China, India, Canada, Poland, Burma, Thailand, Cambodia, North Vietnam, South Vietnam, and Laos.

The French proposal, made to Britain and the Soviet Union as cochairmen of the 1962 conference, was brief. It said a new session was necessary to solve the problems of Laos, which have been complicated by the pro-Communist Pathet Lao forces recent military victories and the merger of the kingdom's rightwing and neutralist factions.

The United States had asked France and Britain, among other countries with diplomatic representation in Peiping, to seek Communist China's help to end the fighting in Laos. Britain acted promptly to do so, though without results so far, but the French refused, according to reliable sources here.

The French stand was reliably reported to be that it would be useless to seek China's assistance.

PROPOSALS CALLED SIMILAR

The British Foreign Office took pains to explain that it was not "knocking down" the French proposal in issuing a statement today expressing support for Prince Souvanna Phouma's "efforts to promote consultations in Vientiane."

Asked if the statement meant that Britain ruled out the idea of convening a formal conference, Michael Hadow, Foreign Office spokesman, said "No."

"We are considering that and consulting about it," he added. He said the French proposal and the proposal by the Laotian Premier were "on very similar lines."

British officials conceded that the situation in Laos might come to the point where a conference was inevitable. But it was clear to observers that Washington and London would do everything possible to keep any consultations or conference at the lowest possible diplomatic level.

British officials indicated that renewed representations would be made soon to the

Soviet Union and Communist China. For the moment, there was little hope that the Chinese would be amenable immediately to restoring the situation in Laos.

At best, it is felt here, a halt might be called in the Pathet Lao offensive. At worst, it is feared, the Chinese will encourage the Pathet Lao forces to sweep to the Mekong River and provoke a serious military confrontation with the United States, which is committed to assist in the defense of Thailand, which borders on the Mekong.

[From the New York Times, May 22, 1964]

PARIS WIDENING PROPOSAL

(By Drew Middleton)

PARIS, May 21.—President de Gaulle's government declared anew today that the guaranteed neutrality it seeks for Laos should be extended to neighboring nations.

A statement to this effect by Foreign Minister Maurice Couve de Murville after a Cabinet meeting apparently widened the latest French diplomatic initiative to include the southeast Asian states of North and South Vietnam and Cambodia. But France, like the other governments involved, insisted that the situation in Laos take priority.

Cambodia's ruler, Prince Norodom Sihanouk, has already asked for a conference to guarantee his country's neutrality. The French have supported his request.

General de Gaulle, who presided over the Cabinet meeting, believes that North and South Vietnam should be united in independence and their neutrality guaranteed.

Because of the urgency of the military situation in Laos, the French Government is concentrating on assembling a conference to deal with that problem.

Mr. Couve de Murville, in letters to Britain and the Soviet Union, did not specify the level or site of the session he proposed. Qualified French sources said the Government did not believe that a conference at the ambassadorial level in Vientiane, as proposed by Prince Souvanna Phouma, would be high-powered enough.

The French are apparently thinking of a conference attended by deputy foreign ministers. Geneva now seems the most likely site, but the French will not insist on it.

As reported by Information Minister Alain Peyrefitte, Mr. Couve de Murville told the Cabinet:

"There is no other solution to the problem of Laos than neutralization guaranteed by the (interested) powers. A true and sincere solution of neutralization must extend to all of southeast Asia. It is the sole guarantee of the peace and independence of the states."

PARIS, *April 2, 1964.*

Hon. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRUENING: Vietnamese problems have given rise to numerous controversies in your country. I know that, despite your many duties you have taken an active interest in the sad drama of my country and for this reason I am writing to you to give you my points of view on the problems which face us.

As I wrote to Senator FULBRIGHT and Secretary of State Dean Rusk last February 25, neither the netutralization of Vietnam, as supported by both the Communist bloc and General de Gaulle, nor an "escalation of the war" are solutions acceptable to the Vietnamese people.

The only truly viable solution is to help the Vietnamese people attain a position of political, ideological, economic, and military strength which will make it possible for us to carry on and win what has so often been called "a Vietnamese war." This increased capability can only be attained by means of sweeping political and social reforms including a change from military dictatorship to representative nationalist government.

The policy of the Johnson administration, like that of its predecessor, is basically sound. The commitment to aid Vietnam until final victory over the Communists has been achieved is a stance worthy of a great nation and the leader of the free world. But why has this policy—so good in itself, so just and so heavily supported—been so completely frustrated during these past 10 years? The answer is simply that American aid has been misdirected. The wrong leaders and the wrong groups have received and abused American support while the Vietnamese people and their legitimate nationalist leadership have been virtually ignored.

American support for Diem's regime, justified and successful for so long as Diem had the support of the Vietnamese people and the nationalist leadership, became untenable when he and his family began to abuse their power, thereby divorcing themselves from popular support. After that point, neither massive American aid in money, material, and manpower, nor the frequent declarations of wholehearted support from certain American officials could save our mandarin from catastrophe.

Diem's downfall was the clear refutation of all policies involving the support of dictatorships without regard to the will of the people. In revolutionary Asia, such tactics are outdated; they simply cannot work. America's hasty rush to support the new military strong man Gen. Nguyen Khanh following his unpopular coup d'etat and the subsequent American campaigns describing the general as a man who enjoys the admiration, respect, and complete support of the United States, indicate that we are in for another round of the disastrous brand of pragmatism which prescribes any kind of government so long as it is not good government, any kind of leaders so long as they are unpopular and dictatorial. * * * The same mistakes which led to the catastrophe of Dienbienphu and later to the bloody fall of Ngo Dinh Diem are starting all over again.

The Vietnamese people, one of the most courageous and persevering in Asia, have known thousands of years of colonialism under the Mongols, Chinese, and French. We are currently in the midst of a guerrilla war which has gone on almost uninterruptedly for two decades. Through all this time we have suffered under governments and leaders chosen not by ourselves, but imposed by force from the outside. When America entered the scene of our struggles, we hoped—and we still hope—that with the friendship and support of your great nation—leader and champion of the free world—we could finally realize our centuries-old aspiration to be a free and independent people with a responsible government devoted to the national interest and serving the popular will. We did not foresee new dictatorships, new police-state methods, and new oppression. We could not have expected the same errors, the same insults, and the same disregard for Vietnam's legitimate interests and leadership that characterized the French involvement in Indochina.

For my part, I am convinced that if America is genuinely interested in helping Vietnam defend her freedom and independence against the Communist menace, she must help us to install a representative civilian government with the participation of all the foremost nationalist leaders in the very shortest time possible. With genuine representation embodied in government under the leaders who have earned real popular support by their long and dedicated struggle against communism, dictatorship, and feudalism, we can assure a renaissance of the national spirit. A nationalist government can create the atmosphere of purpose and dedication—so sorely lacking today—that can turn the tide against the Communist aggressors.

I believe that if Khanh is really the great military genius he is claimed to be, he should be named supreme commander of all Vietnamese forces and be given a year to "pacify South Vietnam." Then he could begin his triumphal march to Hanoi and realize the unification of the country as he has so often said he could. There is no point in wasting the time of this military wizard in diplomatic maneuvers with Sihanouk, Chiang Kai-shek, and De Gaulle or in parades and "barnstorming" tours. If he can win the support of the army and galvanize its will to fight, then the route to quick and total victory has been found.

Too much time, money, and prestige have been wasted during these last years in supporting the false doctrine of building up strong men in hopes of winning the war by strictly military means. Continued, obstinate adherence to this policy can only end at the bargaining tables of Geneva and a humilitating defeat for the free world and all it stands for.

I would like to draw your attention equally to the massive utilization of napalm and white phosphorus against defenseless cities and villages as reported in the New York Herald Tribune, April 2, 1964. Instead of killing Vietcong combattants, this tactic takes its greatest toll among innocent civilians including women, children, and the aged. These barbaric attacks are acts of reprisal and repression which succeed in little more than turning the peasant population against the United States which supplies the necessary bombs and aircraft. This is not the way to win the minds and hearts of men—rather it is the way to become known as the new colonialists. Because of tacit American support for these actions, there is a growing gulf between the Vietnamese and American peoples which has become a serious threat to the interests and prestige of your country. I hope that you will do everything in your power to limit these bombardments in favor of attacks on strictly military objectives which do not slaughter or alienate the civilian population.

I know perfectly well that Khanh and his regime are being launched even more strongly than was our mandarin and that consequently any change in America's Vietnam policy is unlikely for the near future. Duty, my friendship for your great Nation, and love of my own country nonetheless, compel me to continue my appeals for commonsense in this important struggle. The solution of Khanh and the sects is an inimaginative one. Followed too long, it will complete the destruction of your efforts, prestige, and interest in Vietnam. Only the nationalist program offers real prospects for an anti-Communist victory. Only a representative nationalist government can create a prosperous and powerful bulwark in the image of Japan and West Germany, to face the Communist threat and the neutralist conspiracy of Prince Sihanouk. Within the next few weeks I will be sending you a detailed program which can—if it is applied in time—save South Vietnam from what appears to be almost certain disaster. This nationalist program for unity and progress outlines a step-by-step procedure for establishing the fundamental conditions for victory in Vietnam. I hope that you will find this material both interesting and useful.

Please accept my deepest respects. I remain,

Sincerely,

TRAN-VAN-TUNG.

TRAN-VAN-TUNG

Tran-Van-Tung, renowned author of more than 12 books on the culture and traditions of his country, was born in 1915 in central Vietnam, the eighth child of a well-known and prosperous family. Constantly in search of new knowledge, he acquired a Chinese classical education, and then supplemented it by studies in Paris.

By the end of World War II, he was already an acclaimed writer and journalist, several times Laureate of the Académie Française, and prizewinner of the Academy of Political Science in Paris for his farsighted and brilliantly written book, "Vietnam Faces Her Destiny." Many of his works, which include essays, poems, and tales of Vietnam, have been published by Mercure de France, Grasset, etc. His most recent books include "La Colline des Fantômes" (Editions du Parc, France), "Vietnam Against Communism" and "Vietnam" (La Baconnière, Switzerland). "Vietnam" has also been published in English by PRM publishers of London.

Although he represented his country on several important occasions, including the anniversary of the French Revolution in 1939, the Nationalist Asiatic Conference in India in 1950 (where he first met Nehru and other Asian leaders), and the Far East Conference held in New York in 1952, Tran-Van-Tung was primarily a man of letters, an historian, and a thinker. Because of his strong humanitarian principles and his firm belief in the ideals of liberty, he has always been an arch enemy of communism, colonialism, and the monarchy in Vietnam, and has witten articles expounding his views in leading American newspapers, as well as in his books.

But it was only after disaster wiped out his family and his possessions that Mr. Tung began to take an active role in politics. Following the Communist invasion of central Vietnam, his mother died of hunger, his five brothers and seven sisters were assassinated or imprisoned, and all his property was confiscated. It is now 10 years since he has had any news of his family from Communist-controlled central Vietnam, and Tran-Van-Tung has dedicated his life to the struggle against the Communists who seek to conquer the rest of Vietnam.

In 1952, while he was representing Vietnam at the Far East Conference in New York City, Mr. Tung was summoned to visit Ngo-Dinh-Diem, who was then taking refuge at the Maryknoll Seminary in Ossining, N.Y. Mr. Tung met with Diem and urged him to return to Saigon to help in the struggle against communism. He continued to support Diem until 1956, despite his growing disillusionment with Diem's policies and dictatorial methods, and his inability to defeat the Communists. In 1955, the Democratic Party of Vietnam was formed to defend the liberty and independence of the young Republic. Mr. Tung is the guiding light of this party, whose aim is to establish a free and democratic government, and to achieve, through a concrete program, the best material, intellectual, moral and social conditions for the people of Vietnam. When, in 1957, Diem banned all national political parties and imprisoned all leaders opposed to him, Mr. Tung realized fully that Diem had betrayed the cause of liberty in Vietnam, replacing the principles in which Mr. Tung so strongly believes with a corrupt dictatorship and totalitarian methods similar to those employed by the Communists.

At present Mr. Tung continues to fight for liberty and to oppose communism and dictatorship with all the strength of his forceful personality. He represents the new generation of Vietnamese, and is the recipient of many messages of esteem from such world leaders as President John F. Kennedy, General de Gaulle, Ramon Magsaysay, etc. He leads a simple, ascetic life, reads voraciously, and works untiringly. A man of thought, to whom personal wealth is of no importance, Tran-Van-Tung is a fervent nationalist, and an anti-Communist by principle and idealism, as well as through personal tragedy. For 10 years he has been actively engaged in the struggle against communism, feudalism and dictatorship. His one passion is his country, and his only goal the liberty and welfare of his people.

[From the Washington Post, May 16, 1964]

VIETNAM STRATEGY—DOUBTS RAISED OVER MCNAMARA PLAN

(By Warren Unna)

Secretary of Defense Robert S. McNamara's press announcement Thursday on the decision to beef up the South Vietnamese Air Force is causing considerable dismay among some official quarters in Washington.

They see McNamara's decision as a green light to those high officials in the U.S. Air Force and the South Vietnamese military who think they can win the war against the Communist Vietcong by dropping bombs.

The Air Force theory is that a bomb is the quickest, cleanest, and most effective way of wiping out the Communists—within South Vietnam as well as across the borders in Communist North Vietnam and neutral Cambodia.

But some State Department and U.S. Army officials argue that what the Air Force calls a "Vietcong base" may well contain many innocent Vietnamese farmers. They say bombing them will only alienate the Vietnamese people from both their own government and the United States, and force them to be more sympathetic toward the Vietcong.

McNamara, at his White House press conference Thursday, announced an agreement with the Vietnamese to increase the number of planes in the Vietnamese Air Force, as well as to double the present 200 South Vietnamese pilots.

On Wednesday, Air Force Secretary Eugene M. Zuckert announced that 75 Navy Skyraider bombers, capable of carrying three times the load of present U.S. planes in South Vietnam, now were en route to the war front.

Yesterday, Presidential Press Secretary George Reedy indicated Mr. Johnson soon may be sending up a special budget request to Congress to take care of increased U.S. military assistance to South Vietnam.

All this would be in line with the traditional American response to send in more men, equipment, and money whenever the going gets rough—and particularly when Congress begins heckling an administration for not producing victories.

But what is the current situation in South Vietnam?

Officially, the Pentagon lists the number of Vietcong infiltrators at 25,000.

Against these there are:

More than 16,000 U.S. military "advisers," 2,000 to 3,000 of them actually in the field. The rest, including some 14 to 15 generals—enough for an Army group headquarters used in the battle of Europe—sit in the capital of Saigon.

A regular Vietnamese Army of 250,000 plus some 200,000 paramilitary members of the Self-Defense Corps and the Civil Guard.

The rule of thumb ratio for fighting a guerrilla war is 10 to 1. South Vietnamese forces, exclusive of their American advisers, outnumber the official estimate of Vietcong by 18 to 1.

In addition, a highly placed U.S. military authority in Saigon is reported to have acknowledged that there hasn't been one casualty to a Vietnamese officer above the rank of captain in the past 2 years. He added that once a man gets to be a major he seeks a staff command back in Saigon, not a field command exposed to fire.

In the face of these statistics, indicating something is needed besides more men, equipment, and money, the U.S. Air Force and the Vietnamese military want more bombing raids, and by jets if possible.

Moreover a Joint Chiefs of Staff memo in January reportedly pushed by the Air Force over the reluctance of the Army deplores the diplomatic inhibitions being put upon the military. These restrictions confine bombing targets to within South Vietnam.

Now, with more planes and more pilots circling the skies over a Vietnamese guerrilla ground war significantly devoid of conventional bombing targets, critics of the Air Force think the temptation to bomb villages under the lable of "Vietcong bases" may become overwhelming.

But will such bombing win the war?

Those in Washington who say it won't, and who oppose the U.S. Air Force and the Vietnamese bomb advocates, contend the answer is not more men, equipment, and money.

These critics are not sure the war can be won at all.

But if it can be, they argue that more attention be paid to getting Vietnamese as well as American brass out of Saigon, to decentralize the U.S. military advisers, to dispatching U.S. military to South Vietnam on a voluntary basis so they don't count the days until their return, and to seeing to it that U.S. aid gets out into the countryside where it is needed.

BERKELEY, CALIF.,
May 20, 1964.

Senator GRUENING,
Washington, D.C.:

Students urge an immediate end to war in Vietnam; withdrawal of U.S. troops and materials; abide by the 1954 Geneva agreement.

(The above telegram was signed by the following students:)

Deborah Rossman, James Taylor, Margie Jacobsen, R. M. Hamilton, Carol Davenport, Carla McCabe, Ronald Slayen, Wendell Brunner, Edward Resenfeld, Dorothy Mith, Bruce Gale, Alice Large, Frank Andrews, Stanley Narrar, Denn S. Anderson, Stanley Fishkin, Romer Greene, Jeff Lusting, R. Farrell, Marsha Wick, Myrsan Wixman, Jack Kurzweil, Lin Jensen.

Judy Meyers, Eden Lipsom, Arnold Abrams, George Goldman, Jerry Weber, Thomas Miller, Patti Iiyama, Ken Cloke, Florence Yellin, Christopher Stantlend, Christina Wren, Sheila Walsh, Matt Canon, Bill Rottenberg, Ron Borden, Douglas Hamilton, Mark Birnbaum, Peterr Schaffer, Nicholas Jankowski, Allen Bortel, Margaret Koster, Judith Toben, Elsa Johnson, Carolyn Smith, Margarte Flanigan, Myran Warshaw.

Roslyn Tumen, F. Brunke, David Walls, Mark Davenport, Ellen Frank, Laurence Slayen, John Perlman, Thomas Smith, Kathleen Barta, Michael Kogan, Jan Cattolica, Gordon Willson, Susan Davis, Henry Lorenvzi, Michael Miller, Dave Minor, Bonnie Walters, Robert Cirese. Sandra Liuck. Alfred Walters. Susan Miller, Roy Torkington, Marian Moses, Allen Ren, Susan Garlock, Anita Levine, Carol Furst, Ann Higginbottom.

Sandor Fuchs, Richard Hoffmann, Leo Downey, Amelia Clemens, Barbara Whitt, Michael Whitt, Madge Strong, Thomas Weller, Sandra Nicholson, Peter Aborn, John Rooerts, Art Goldberg, Leanne Tannenbaum, Steven Plageman, Armin Wright, Stepehen Jacobsen, Hal Fretwell, Judith Baston, Ellen Horwitz, Tom Paine, Linda Murrell, Steven Crafts, Jean Rothman, Harvy Meyers, R. Fallenbaum, Bob Nakamura, Marie Holliday, Ronald Aikin.

Anita Pitz, Anne Boytin, Michael Galvin, James Ogden, Timithy Thomas, Roy Douglas, Janet Weitzner, Henry Weinstein, Libbe Hurvitz, Gerald Wick, Deborah Bartlett, Carol Lyons, Judith Stein, Jerry Fish, Arlene Cozano, Alice Schwartz, Robert Dietrich, Hugh Fowler, Paula Katz, Goerge Higginbottom, John Williams, Elliot Costello, Thomas Dodd, Judy Winston, Peter Muldavin, Linda Smith, Penny Guy.

David Stein, Mary Kington, Priscilla Dudley, Petter Bissell, Edwin Wilson, Ronald Rohman, P. Sholund, Susanna Falc, Robert Johnson, Colleen Eldridge, Stephen Weinstein, Richard Gardner, Eva Havas, Donald Kelsey, Donna Launer, Arlene Blenne, Joe

Hacker, Jeannie Wald, Elaine Duncan, Eve Corey, Susan Swift, Joe Webb, Brude Boston, Robert Hayes, Bruce Cox, Jan Dash, David Heath, Michael Millmah.

Stephanie Probst, Margaret Lima, Carl Clewlow, Robin Rosenoerg, Helen Fein, Marlene Licht, Craig Moody, Mike Smith, Harry Roberts, Carolyn Pardee, Rob Pierre, Rutham Corwin, Abraham Bahr, Stephanie Waxman, Sandra Breit, Claude Beagane, Bob Williams, Earl Lalo, Bruce Pohdron, Eugene Lavenger, Chip Weitzner, Margie Tette, Ben Crites, Maryanne Ses, P. Pharaiyn.

Mr. MORSE subsequently said: Mr. President, while I was serving as one of the hosts of a group of visiting Oregonians, I was not on the floor of the Senate when the Senator from Alaska [Mr. GRUENING] delivered his speech today on South Vietnam, which he entitled "Bring the War in South Vietnam Also to the Conference Table."

I read the speech, and I congratulate him again, as I have done repeatedly in recent months, as the courageous, dedicated Senator from Alaska has stood on the floor of the Senate and spoken out in righteous and rightful criticism of the foreign policy of the United States in southeast Asia.

His speech today is an additional chapter in criticism of American foreign policy in South Vietnam.

I think so highly of this series of speeches of the Senator from Alaska that I would at this time suggest that, with only the slightest of revision, they would be suitable for publication in a book.

It has been a matter of pride to me to stand shoulder to shoulder with the Senator from Alaska [Mr. GRUENING], the Senator from Louisiana [Mr. ELLENDER], and the other day the Senator from South Carolina [Mr. JOHNSTON], in criticizing American foreign policy in South Vietnam.

To the extent that he has suggested modifications in American foreign policy in South Vietnam, I have also been pleased to applaud the majority leader of the Senate [Mr. MANSFIELD]. I believe the statement that the majority leader made of recent date, suggesting that we ought to consider fully a proposal of the French for a change of policy in South Vietnam, is absolutely sound.

But I particularly wish to commend the Senator from Alaska for his speech today. In the news release it is stated that "the May 21 decision of the Johnson administration to place the Cambodia-South Vietnam border dispute in the hands of the United Nations Security Council has been praised by Senator ERNEST GRUENING today."

In the speech itself, the first paragraph reads as follows:

> President Johnson and Ambassador Stevenson are to be highly congratulated for taking a portion of the Southeast Asian mess to the United Nations. That is precisely where it belongs. I have so urged ever since March 10, 1964, when I spoke in the Senate and stated that the United States should get out of South Vietnam and immediately pull our troops back from the fighting front.

I wish to say I am glad the President and Mr. Stevenson, our Ambassador to the United Nations, at long last have apparently come to recognize that the United Nations has an interest in what goes on in South Vietnam. That is some progress.

The Senator from Alaska also points out in his speech that comments of various newspaper columnists and correspondents today indicate that this may be the beginning of a change of policy on the part of the United States, whereby we shall gradually take the South Vietnam matter to the United Nations.

I not only hope so—I pray for it.

But the suggestion that the Cambodian dispute be handled by the United Nations will, of course, not solve the problem. As I pointed out in a long speech in the Senate last night, the entire southeast Asia issue should have been taken by the United States to the United Nations months ago. The United States should stop its illegal, unconstitutional course of action in South Vietnam, resulting in the unjustifiable killing of American boys.

This gesture on the part of the U.S. Government, through the lips of Adlai Stevenson yesterday that the Cambodian border dispute be taken to the United Nations is far from a satisfactory proposal for a solution of the South Vietnam crisis.

As I said last night, and as I repeat today, I think the speech of Adlai Stevenson yesterday was unfortunate, unsound, and inexcusable.

Adlai Stevenson knows better. He can never justify the use of his lips yesterday in uttering a speech in which he walked out time and time again from the glorious record of statesmanship that he has made in the past. That is behind us now. The question is whether or not this country is to make a recovery. It is a question of whether or not the United States is going, at long last, to reassert itself for the application of the rule of law in the settlement of disputes that threaten the peace of the world, rather than rattle the U.S. sabre and, behind the scenes, get ready to escalate the war into North Vietnam. For that is what is going on now. For what I said last night and what I say today and what I shall continue to say day by day, I shall have many castigations heaped upon my head, including those of yellow journalism, one of whose writers in a story today suggested that the Senator from Oregon talked as if he were speaking from the Kremlin.

None of those yellow journalists hate communism more than does the Senator from Oregon. But I obviously love my country more, because my country cries out for the application of the rule of law for the settlement of the dispute in southeast Asia. My country cries out for a return to the fulfilling of its obligations under the United Nations Charter.

Adlai Stevenson, in his speech of yesterday, in paragraph after paragraph, walked out on the very organization in which he sits as the Ambassador from the United States. He walked out on article 33, article 37, and article 51. He walked out on the pledges of the United States, under the United Nations Charter, to resort to peaceful procedures, and not military might, for the settlement of disputes that threaten the peace of the world.

Of course it is not pleasant for me to say this—a longtime admirer of the great Stevenson. I resigned from the Republican Party in 1952, in the midst of a campaign, so I could campaign for Stevenson. I thought I had no ethical right to remain in the Republican Party and campaign for him as the Democratic candidate. But the Stevenson for whom I campaigned in 1952 and 1956 was not the Stevenson who talked in the Security Council of the United Nations yesterday. He never before made a speech consisting of such a chain of non sequiturs and rationalizations of unsound policies. But he was mouthing the policy of our Government.

An ambassadorship is not worth that price. So I am again raising my voice in plea today that this country go back into the United Nations in fact—in practice—rather than merely keep a membership in it.

I am raising my voice in plea again today that the United States lay the whole southeast Asia issue before the United Nations and put Russia on the spot. Let Russia dare to use the veto in the Security Council on the question of taking jurisdiction of the southeast Asia issue. If she does, the course of conduct of my Government should be clear. We should call for an extraordinary meeting of the General Assembly of the United Nations and lay the whole issue before it. Let the General Assembly of the United Nations determine whether the United Nations will attempt to maintain peace, which is its primary purpose. We support this type of procedure and program in the Middle East, in the Congo, in Cyprus, why not in southeast Asia? We should not limit a proposal for United Nations jurisdiction to South Vietnam. It involves North Vietnam. It involves Laos. It involves Cambodia. The whole area of Indochina should have United Nations jurisdiction extended to it and maintained in order to keep the peace.

I am aghast, Mr. President, at my Ambassador in the United Nations, Mr. Stevenson, suggesting as American policy our opposition to another conference called for by France of the Geneva accord membership. We did not even sign the Geneva accord of 1954. We are the last country to talk about not having a conference of the signatories to the Geneva accord of 1954. In my judgment, France should be applauded for suggesting the reconvening of the Geneva accord conference. This time, if it is reconvened, I hope that the United States will sit as a member, and a voting member, and, by way of peaceful procedures of international law, reach a settlement or a program for seeking to maintain peace in South Vietnam, and not to make war.

What a reflection on the United States that in southeast Asia today the United States is making war. What does that do to all the professings of our leaders about their desire to promote peace? We do not promote peace by making war.

We do not promote it by following a unilateral military course of action resulting in the loss of thousands of lives, and which is now beginning to result in the loss of several hundred American lives.

If we do not stop this holocaust, I warn again—as I have warned many times on the floor of the Senate in the past several weeks—that thousands of American boys will be killed in southeast Asia. For if this war is escalated into North Vietnam, a holocaust of major proportions will result.

I have no intention of sitting in the Senate and supporting a program which will kill American boys in the jungles of Indochina without any justification.

Mr. President, I hope that my Government will go much further than merely to suggest that a United Nations council or peacekeeping corps of some kind be set up to patrol the borders of South Vietnam and Cambodia. Along with the Senator from Alaska [Mr. GRUENING], I would welcome that, of course. It is better than nothing, but not much better than nothing. It could be the beginning of a full-scale program of returning to the United Nations in practice. That is what I hope it will lead to. But we do not have much time, for the situation can get out of hand.

We have been dragged before the United Nations by a complaint from Cambodia. As the Senate knows, for many weeks past I have been warning in my almost daily speeches that sooner or later we would be called to render an accounting before the United Nations on this issue. It was up to little Cambodia to file its complaint, after she had kicked us out of Cambodia.

If it were not so tragic, it would be amusing to read that part of Stevenson's speech yesterday which admitted violation of Cambodian borders in the incidents in which we were caught redhanded.

I have received many letters written by American servicemen in South Vietnam to the effect that violations of the borders of Cambodia have been frequent.

We must expect that to happen, Cambodia is a small territory. With all the air combat going on, it must be expected that violations of her borders will occur. That does not make it right. That does not excuse it. But that is a part of the warmaking business. What I wish to do is to get my country out of the warmaking business into the peacekeeping business. We are a member of a great organization known as the United Nations which has as its primary purpose—in fact, its objective—the maintenance of peace by resort to peaceful procedures of international law encompassed by reference in the United Nations Charter.

So I say to my President, to my Secretary of State, to my Secretary of Defense—and now to Adlai Stevenson: "Please bring to an end your illegal McNamara's war in South Vietnam. Stop it. Call upon the United Nations to take over and maintain a peacekeeping corps in southeast Asia which will bring an end to the killing that is going on."

I state once again the great tenet of a great Republican who was my best teacher in the field of foreign policy. I have cited it before, but it needs to be repeated again and again, because we have pretended that it was the basis of American foreign policy vis-a-vis the United Nations. I want to make it not a pretense but a reality. That great Republican from Michigan, Arthur Vandenberg, chairman of the Foreign Relations Committee of the Senate, one of the architects of the San Francisco Charter, at one time the leading isolationist in the Senate, to become, in my opinion, the leading internationalist of this body, left us the tenet which I should like to leave with the Senate again today, as I close my remarks:

> There is no hope for permanent peace in the world, until all the nations of the world, not just those we like but all the nations of the world are willing to set up a system of international justice through law to the procedures of which will be submitted each and every dispute that threatens the peace of the world, for final and binding determination, to be enforced by an international organization such as the United Nations.

I recommend this tenet for reappraisal, review, and reconsideration by the heads of my Government, the President, the Secretary of State, and the Secretary of Defense—and I suggest that Adlai Stevenson reconsider it also.

I suggest that Adlai Stevenson, as the American Ambassador to the United Nations, who owes a trust not only to the United States but also to the United Nations itself, proceed to do what he can to implement that great principle of American foreign policy, at least as a first step to return on the long road of retreat from statesmanship which he made yesterday, when he delivered that unfortunate, unfounded, and fallacious speech before the Security Council of the United Nations.

[Applause from the galleries.]

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. TALMADGE. Madam President, throughout all of Anglo-Saxon history, from ancient England to the present time, the people have come to learn that the right to a trial by jury is of the utmost importance to the preservation of their life, liberty, and property.

History shows that this was a hard-learned lesson, and that often, in order to assure themselves this right, the people were compelled to resort to rebellion and even bloodshed, and revolution against rulers who would oppress them and attempt to make them mere chattels of the government.

It is a difficult thing, and this we all know, to take the power to oppress away from government once it has been given this power. Governments always are hungry and thirsty for power, and once it is placed within their grasp, it is next to impossible to ever take it away. So it has been throughout all of history, and so it is today.

We have liberty and freedom in America. We owe it to the courage, foresight, and the wisdom of our forefathers. It is a rich heritage that we enjoy as have no other people in history.

We are a free people because our system of government is based upon the sound philosophy that all power of the Government is derived from the consent of the governed. In this country, the actions of the Government is determined by the will of the people. The will of the people is not bent to the will of the state as it is in totalitarianism and communistic government.

However, we must ever be vigilant to protect our rights and freedoms and not to take them for granted. For history also has shown that when the people are unwary and not careful about the power they bestow upon their government, they have found themselves entwined in the tentacles of oppression.

One of the most basic of all of the rights of the American people is the right of a trial by jury in our courts of law in all criminal prosecutions. Without this right, we would soon lose all that we hold dear. It is interesting to trace the Anglo-Saxon history of jury trials and it is especially noteworthy to see how this right evolved from ancient history, to Magna Carta, to the Declaration of Independence, to the Constitution, and to the present day.

And when we see how people have struggled and fought and died to secure the right to a trial by jury, it underscores the amazement which I feel in finding myself compelled to stand in this Senate today to speak in its behalf, to defend it and to urge it.

To my mind, it is not a debatable issue. It is as basic and fundamental a right as any to be found in the Constitution.

I now wish to read a history of jury trial, with particular emphasis on efforts which have been made over the centuries to abrogate it, in the hope that the lessons of history will be heeded:

TRIAL BY JURY: OUTLINE OF ORIGINS AND EFFORTS TO ABROGATE

A. ENGLISH ORIGINS OF TRIAL BY JURY

Modern scholars agree that trial by jury as we know it today had its origins in medieval England in the first century and a half of Norman rule when William the Conqueror and his heirs sought to strengthen their hold upon the foreign land which they had conquered.

1. The Anglo-Saxon system of justice which William discovered in England at the time of the conquest had elements that foreshadowed the use of juries. The courts were presided over by a reeve (sheriff), and 12 senior thanes (lords) usually acted as the judges. According to a law of Ethelred (c. 981), they "swear on the relic that is given to them in hand, that they will accuse no innocent man, nor conceal any crime." The customary method of asserting innocence was for the accused to bring forward 12 compurgators, who would swear together on his sound char-

acter and good reputation. These two elements, combined with a reliance upon sworn witnesses and neighbors and upon openness in all dealings presented the legal background upon which the Normans built a formalized procedure.

2. The earliest clear use of the jury is found in the sworn inquest, originally a Frankish or perhaps even Roman practice whereby the ruler sent out his agents to question people throughout the kingdom on any matter of government or administration which interested him. William the Conqueror instructed his agents to summon a number of reliable, knowledgeable men in "every shire and hundred," put them on oath to tell the truth, and then ask about landholdings, property, previous tax assessments, and similar matters. These sworn inquests provided the material for the Domesday Book, which recorded the names and properties of all landholders. One of the most famous of these inquests was held during William's reign on Pennenden Heath where Lanfranc, Archbishop of Canterbury, reclaimed the lands which had been taken from the archbishopric by Williams' ruthless half brother, Odo of Bayeux. For 3 days all the important men of the county were heard, swearing that Lanfranc was the lawful holder of the lands in dispute.

3. The function of the jury as essentially a local factfinding board continued through the reign of Henry II in the inquest on sheriffs to inform the King about the conscientiousness of his representatives, and through the reign of Richard I in the assessment by local juries of the Saladin tithe of 1188, the first tax on income and personal property, needed to finance Richard's crusade.

4. The scope of the jury was greatly expanded by Henry II as a means of indicting those who had violated the King's peace by robbery, thievery, murder, arson, or counterfeiting. In these assizes, the itinerant justices were assigned definite schedules and areas in which they were to try in the King's name all men accused by their neighbors of these misdeeds. Henry II also initiated three new actions whereby the decision of a jury would determine whether anyone had been wrongfully ousted from possession (as distinct from title), and if so, would immediately reinstate him.

5. Thus the jury was originally developed not to give a verdict but to supply evidence on oath, as witnesses do today. Insofar as this evidence amounted to an indictment, the juries were parallel to modern grand juries. Until the 13th century, the indictment by jury was followed by a trial by ordeal, battle, or compurgation (in which the accused endeavored to produce as many men as possible to swear to his innocence). Only as the men came to doubt the validity of ordeals, as the church refused to preside over the ordeals, which thus could not be said to reflect God's will, and as men became willing to accept the opinion of a second, deciding jury (which might contain the same personnel as the indicting jury), did trial by jury become universal. Ironically, however, all men were still thought to be entitled to God's verdict through ordeal rather than to be forced to rely upon a mere human decision, and trial by battle was not formally abolished in England until the 19th century.

6. Trial by jury was always a privilege offered only by the king in his courts. The feudal lords were not permitted to offer jury trials but were themselves the judges in their own courts. As a result, since many cases involved alleged malpractices by the lords, litigants relied more and more on the king's courts with their relatively impartial juries. This increased appeal to the royal courts, caused almost entirely by the innovation of jury trials, was perhaps the greatest single factor in the development of a strong central administration in England, an administration which, moreover, was never wholly dependent upon the feudal classes for its services nor ever wholly divorced from the middle classes who helped to administer its justice.

B. MAGNA CARTA AND TRIAL BY JURY

Clause 39 of Magna Carta provided: "No freeman shall be taken or [and] imprisoned or disseised or exiled or in any way destroyed, nor will we go upon him, except by the lawful judgment of his peers or [and] by the law of the land." Modern scholars are agreed that this did not refer specifically to trial by jury at that time. Rather it was intended to put an end to rapacious King John's habit of taking hostages, levying exorbitant fines, and imprisoning nobles without even consulting his own council of barons. But both in its immediate effect and in its later interpretation, the clause did contribute to the idea that every man was entitled to a legal hearing before any penalty, detention, or dispossession.

Madam President, I wish to repeat that this provision of Magna Carta provided that no person shall be deprived of his freedom or property "except by lawful judgment of his peers, or by the law of the land."

Are we now to go back on Magna Carta? Are we to go back on our Constitution, in which in four instances, there is provided a jury trial in the prosecution of criminal cases? Are we to turn our backs upon so fundamental a right as that of trial by jury?

Madam President, this is precisely what we would be doing if we were to enact this force legislation which, in at least five of its titles, would permit honest, hard-working, sincere, and law-abiding citizens to be hauled before a Federal tribunal by the Attorney General and summarily sent to jail without benefit of trial by jury, without having their guilt or innocence decided or passed upon by 12 men good and true from their own communities.

We cannot compromise this right by providing that some accused persons in some cases would be given a trial by jury if accused of criminal contempt of court under the harsh and punitive provision of this misnamed legislation.

Magna Carta provided that no man should suffer the loss of his freedom or belongings wtihout a trial by jury; and I am wholeheartedly in agreement with this principle.

Our Constitution declares, in article III, section 2, paragraph 3, in no uncertain terms, and in the clearest language possible, that "the trial of all crimes, except in cases of impeachment, shall be by jury."

Furthermore, to reenforce this provision, to insure it for our people for all time, the right to a trial by jury was provided for in the Bill of Rights.

In the sixth amendment we are told so that no one could mistake its meaning, that accused persons shall enjoy the right to a speedy and public trial in all criminal prosecutions; not some criminal prosecutions, Madam President, but all criminal prosecutions; not only where a person may be sentenced for more than a certain number of days or fined more than a given number of dollars, but "in all criminal prosecutions."

I continue reading:

C. ATTAINT OF JURORS AND STAR CHAMBER

1. The greatest threat to jury trial in the Middle Ages was the decreasing strength of the kings who controlled the royal justice. For whenever a weak king came to the throne, the feudal nobles did not hesitate to bribe or theaten jurors flagrantly. Many kings, often handicapped by the need of noble support for foreign wars, had not the power to check these mighty barons.

2. The process of attaint, originally devised to provide extra protection to the defendant, constituted one royal weapon against the corruption of justice. It was really an extension of the original concept of the jury as a panel of witnesses rather than judges. When the jury gave a verdict that seemed to contradict the known facts, the jurors themselves could be tried or attainted for perjury, convicted, and imprisoned. This practice, although originally intended to remedy abuses, lent itself very easily to further abuse, since the feudal lords were also able to attaint juries who decided against them. The result was that jurors occupied a very precarious position and that litigation often dragged on for as much as half a century. Actions for attaint were not finally prohibited until the famous Bushell case of 1670 when a judge attempted to imprison a whole jury for a verdict with which he disagreed. By that time, juries were clearly recognized as decisionmaking rather than evidence-giving bodies, and therefore the charge of perjury was no longer applicable. Actually with the coming of the strong Tudor and Stuart governments the lengthy process of attaint had fallen into disuse.

3. The Tudor and Stuart method of insuring fair juries was more direct, but perhaps also more repugnant to our own ideas of justice. The court of the star chamber which had gradually developed from the king's privy council and was comprised of certain privy councilors, bishops, and judges, was in 1487 given specific jurisdiction to hear and settle in closed session any disputes, legal, judicial, administrative, in which the interest of the king was involved.

Mr. LONG of Louisiana. Madam President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. LONG of Louisiana. Does the Senator's research on the subject indicate that the organization of the star chamber actually had a good and worthy purpose when it first started?

Mr. TALMADGE. The Senator is entirely correct. It was an improvement over the then existing system. But as the Senator is well aware the star chamber itself became very corrupt. Charles I, I believe it was, later lost his head because of the star chamber trials.

Mr. LONG of Louisiana. Is that not one more example of how the theory that "The end justifies the means" can go astray and do great harm by starting with a meritorious purpose, but with a method which denies people their fundamental freedoms, with the result that in the end it is a very horrible thing, practically a Frankenstein monster?

Mr. TALMADGE. The Senator is correct. The star chamber proceedings started out to correct abuses that then existed in England. But they became so horribly corrupt that the people rebelled, Charles the First lost his head, and the star chamber procedure was abolished.

Mr. LONG of Louisiana. Can the Senator tell me whether the star chamber trials were those in which the great liar, Titus Oates, would testify as a professional witness?

Mr. TALMADGE. I believe that was illustrated in my research.

Mr. LONG of Louisiana. Were the star chamber proceedings those in which a man did not have an opportunity to confront and cross-examine his accuser, or the witnesses who were called to testify against him?

Mr. TALMADGE. The Senator is entirely correct. That is the weakness of any system that does not have the protection of the devices that our forefathers devised—that is, indictment by a grand jury, the opportunity to cross-examine witnesses, to have a jury trial, to be represented by counsel, and all of the protections that have developed throughout history as being vitally necessary to insure a fair trial for the accused and to preserve liberty for all our people.

Mr. LONG of Louisiana. Does the Senator recognize the fact that under the terms of the bill, the Attorney General would be given the power not only to dispense with the jury trial—if the judge would go along with him—but he would also have the ability to have the case tried before a judge whom he, as a practical matter, had recommended for the Federal bench, and who perhaps hoped to obtain a promotion by means of the recommendation of the same Attorney General. Is it not true that the Attorney General would also have the power, in the event he thought that judge would not decide in his favor, to bring in two additional judges?

Mr. TALMADGE. The Senator is correct. The Senator has placed his finger on the weakness of the whole situation. Under the revised amendments that have been discovered somewhere by the ad hoc, unknown committee, and which have been circulating around the Chamber—from no Senate committee, incidentally—the Attorney General would even be authorized to determine in what areas of the country, in what cities, or in what towns certain laws would be applicable before bringing the defendants to trial before the judges he had appointed.

Mr. LONG of Louisiana. Is the Senator aware of the fact that it is in the fifth circuit that the bill is hoped to have its greatest impact?

Mr. TALMADGE. The Senator is correct.

Mr. LONG of Louisiana. Is the Senator aware that the presiding judge in the fifth circuit has had a way of being appointed on the three-judge courts when they prefer two judges who have a way of deciding against white people in certain cases?

Mr. TALMADGE. If the Attorney General wants to carry it a step further, he can select the stacked judges under all conditions.

Mr. LONG of Louisiana. Would it not be fair to say that when he asked for a three-judge court, it would be known what two judges he wanted to select for the three-judge court?

Mr. TALMADGE. That is correct. He would want to select judges who he knew had preconceived notions.

Mr. LONG of Louisiana. Would it not be fair to say that the effect of the bill would be that in the event the case were to be tried before a judge who had the respect of the community, the Attorney General would want to be sure that he could bring in two additional judges who might be despised by the same community?

Mr. TALMADGE. The Senator has stated it correctly. A year or two ago, a judge from North Dakota was brought to Arkansas to try a case.

Mr. LONG of Louisiana. That was before they got John Minor Wisdom, and others of his caliber.

Mr. TALMADGE. That is correct. They try to deprive the defendants of a trial by jury, and then they permit the Attorney General to stack the court as he sees fit by going all over the country to select judges whom he prefers. I thank the Senator for his colloquy and for his penetrating questions, which have helped to demonstrate the evil that would destroy the freedom of all citizens in the country, whoever they are, wherever they may reside.

Mr. LONG of Louisiana. Would it not be fair to say that the result of this provision would be not only to deny a man the right to be tried before a jury, which the Constitution seeks to give him, but also to guarantee to the Justice Department that it can obtain two prejudiced judges to hold against the defendant?

Mr. TALMADGE. The Senator is correct. The entire proposal is devised on a "heads I win, tails you lose" basis. It was drafted with that end in view.

Mr. LONG of Louisiana. I thank the Senator.

Mr. TALMADGE. I continue to read from the history of jury trial:

> Originally the Star Chamber performed a useful task, settling disputes between and punishing important barons who might otherwise have escaped through common law loopholes, looking into cases of alleged jury corruption, handling many administration matters equitably and efficiently, and in general reinforcing rather than competing with the other branches of royal justice.
>
> 4. But, as with many other institutions founded in the best of faith and very well equipped to handle certain immediate problems, the star chamber tried to extend its potentially unlimited power into fields where it should never have gone. Under Charles I the bishops on the court undertook to punish religious writers with whom they differed, to try to enforce a censorship on all printed matter, and to mete out cruel and unusual punishments for minor political offenses. The Star Chamber had clearly outlived its usefulness as a method of controlling rebellious barons and was becoming an instrument for religious and political persecution. The star chamber with its denial of the trial by jury which Englishmen had come to feel was their right constituted one of the main grievances against Charles I, and was an important element in his fall. One of the first acts of the Parliamentary Party after it had gained the upper hand was to abolish the star chamber in 1641, and to assert the right of every Englishman to a fair and open judgment by his peers.
>
> 5. Nevertheless, unscrupulous judges continued to use the threat of attaint and fines against jurors with whose verdicts they disagreed. In the famous trial of William Penn, the Quaker, in 1670, the judge and court officials threatened the jurors with starvation, fines, and other punishments if they did not declare the defendant guilty of speaking at an unlawful (that is, Quaker) meeting. When the jury absolutely refused to alter their verdict, the judge had them all taken to Newgate prison, where they remained until the court of common pleas declared their commitment illegal.
>
> 6. Another instance of the power which judges could wield over juries fearing punishment themselves is shown by the bloody circuit of Judge Jeffreys in 1686. Jeffreys headed an ecclesiastical commission which set out to punish all nonconformist sympathizers of Monmouth's rebellion. He browbeat and threatened juries ruthlessly, with the result that over 300 people were killed and over 800 sold into slavery. This abuse of the right to a fair jury trial was an important contributory cause of the glorious revolution, which deposed James and his heirs from the throne forever.
>
> ### D. TRIAL BY JURY IN ENGLAND DURING THE FRENCH WARS
>
> During and after the French Revolution a panicked fear of revolutionary elements led to repressive censorship and severe curtailment of civil liberties in England. But fortunately there were also men like Charles James Fox who continued to place faith in the people and who eventually won several important victories for the principle of trial by jury.
>
> 1. In 1793 Parliament passed an act suspending habeas corpus for a year in certain cases. This act, renewed several times, abrogated the ancient privilege conferred by the writ, and therefore in effect denied the accused the right to a jury trial before detainment. Although most of the upper classes accepted this as necessary protection against revolutionaries, Charles James Fox never ceased to protest this invasion of civil liberties and the denial of trial by jury. Fox himself was expelled from the Privy Council in 1798 for proposing the toast "Our sovereign—the people." But within a decade, the crisis abated, his words were heeded, and habeas corpus and the right to trial by jury were restored, never again to be suspended in England.

Mr. SPARKMAN. Mr. President, will the Senator from Georgia yield to me for a question?

The PRESIDING OFFICER (Mr. WALTERS in the chair). Does the Senator from Georgia yield to the Senator from Alabama?

Mr. TALMADGE. I am delighted to yield to the distinguished Senator from Alabama for a question.

Mr. SPARKMAN. First, I commend the Senator from Georgia for his continuing and very able, clear, and lucid defense of the right of trial by jury.

Mr. TALMADGE. I thank the distinguished Senator from Alabama. I return the compliment, because he has made some of the most magnificent speeches it has been my pleasure to hear since I have been a Member of the Senate. I compliment him heartily.

Mr. SPARKMAN. I thank the Senator from Georgia.

By the way, I used the phrase "defense of the right of trial by jury." Did the Senator from Georgia ever believe he would be called upon to defend that right?

Mr. TALMADGE. Even before I entered law school, I used to go to court, occasionally, to watch my father try cases. Then I entered the University of Georgia, and studied civics and history; and later I entered law school. I learned that the greatest right free men and women have is the right of trial by jury. It took bloody revolutions and sacrifices over hundreds of years to achieve this greatest of human rights. I never dreamed that at this late hour, in the year 1964, almost 1,000 years after Magna Carta, and almost 200 years after the Declaration of Independence and the Constitution of the United States, I would be standing on the floor of the U.S. Senate and would be defending and speaking to protect and preserve the right of the 190 million American people to trial by jury.

Mr. SPARKMAN. And pleading with other Senators of the United States to vote to preserve the right of trial by jury?

Mr. TALMADGE. The Senator from Alabama is correct.

How Senators could ever read the history of the right of trial by jury and the history of the Star Chamber trials and the history of Judge Jeffreys, and the history of similar developments, and then say the jury trial system is antiquated and that we need to strike it down and end the right of trial by jury, and that our forebears were all wrong, and that now we should turn the fate of our people over to handpicked judges appointed for life, not elected by the people, and let them determine all these things, is more than I can understand.

Mr. SPARKMAN. And not even have the cases tried by the judges regularly assigned to the areas where the cases arise.

Mr. TALMADGE. Oh, yes. The Attorney General would be authorized to "stack the deck."

Mr. SPARKMAN. And to assign to the cases the judges he picked.

Mr. TALMADGE. Yes.

Mr. SPARKMAN. By the way, under the amendment of the Senator from Georgia which calls for the right of trial by jury, his amendment would be complete, and would not necessitate any addition whatever, would it?

Mr. TALMADGE. That is correct. The amendment would apply to all criminal cases of every kind and character.

I point out that an identical amendment was adopted by the Senate in 1957, by a vote of 51 to 42. One of the coauthors of the amendments at that time was the late, martyred President John F. Kennedy. Another coauthor at that time was the distinguished majority leader of the U.S. Senate, the Senator from Montana [Mr. MANSFIELD]. Furthermore, the concluding speech made at that time on the floor of the Senate was made by the then distinguished majority leader of the Senate, Lyndon B. Johnson, now President of the United States.

Mr. SPARKMAN. By the way, that speech was in favor of the amendment, was it not?

Mr. TALMADGE. Indeed it was.

Furthermore, I point out that the Senator from Alabama and I are now standing for exactly what John F. Kennedy, MIKE MANSFIELD, and Lyndon B. Johnson stood for in 1957.

Mr. SPARKMAN. The Senator from Georgia submitted his amendment about 4 weeks ago, did he not?

Mr. TALMADGE. Yes, it was at about that time.

Mr. SPARKMAN. Since then, we have been served with notice—that is all, so far—that a brand new bill will be put before us, probably some time next week. I have not counted the amendments, but I understand there are more than 70 amendments.

Mr. TALMADGE. I am sure the Senator's source of information is the same as mine. We read it in the press, and we hear rumors about it; and then we hear over the airwaves that this mysterious committee, which is unknown to the Senate, is going to bring in a bill, and that "that will be it," and that we will be gagged, and will have to knuckle under, and will have to take what that committee says.

Mr. SPARKMAN. The Senator has seen what purports to be the first draft of that bill, has he not?

Mr. TALMADGE. I have seen a memorandum that came to my desk. It was signed by a Senator, but it did not have the imprint of any legislative committee. It was not accompanied by any committee report. There was no explanation of it. It was not even on official paper. It came into my office in some way. Whether it blew in the window, whether a page brought it in, whether it came through the mail, or whether it fell out of the trashbasket, the Senator from Georgia has no way of knowing.

Mr. SPARKMAN. There was no name attached to it?

Mr. TALMADGE. There was a name attached to the piece of paper on the memorandum document, but there was no information attached to that.

Mr. SPARKMAN. On the document itself.

Mr. TALMADGE. There was no pride of authorship. No one claimed credit for it. It was a foundling. From whence it cometh no one knoweth.

Mr. SPARKMAN. What is that old saying about our friend the mule? "No pride of ancestry, no hope of posterity."

Mr. TALMADGE. The Senator is correct—"No pride of ancestry and no hope of posterity." Perhaps the document comes in that category. However, I wish to defend the mule. In my more youthful days I used to plow with a mule from time to time.

Mr. SPARKMAN. So did I. I rode the mule.

Mr. TALMADGE. It was a part of the economy of Georgia, Alabama, and much of our Nation. The worthy mule kept a good many of us from starving to death. I would not want the mule to be placed in the same category with this other foundling about which I have spoken.

Mr. SPARKMAN. I should like to say something else about the mule, because I join the Senator in paying high compliment to the mule. As the Senator said, the mule has meant a good deal to the economy of our country—not only our section of the United States, but also the entire Nation.

Mr. TALMADGE. The Nation and the world, for that matter.

Mr. SPARKMAN. I remember as a boy hearing people say, when they talked about putting out one's utmost and doing one's best, "I will do my best, and that is all a mule can do."

Mr. TALMADGE. That is correct.

Mr. SPARKMAN. That was a pretty good compliment to the mule, was it not?

Mr. TALMADGE. That is entirely correct. I agree.

Mr. SPARKMAN. We were speaking about the rumored report that has been going around that we shall be served with a bill some time next week, or perhaps not until after the California primary. Is it not rather strange that activities in faraway places affect the actions of the Senate?

Mr. TALMADGE. It is unthinkable to me that the Senate of the United States should even consider primaries in dealing with legislative subjects.

Mr. SPARKMAN. But the Senator has heard that rumor.

Mr. TALMADGE. I have heard the rumor. In fact, I read it in the press.

Mr. SPARKMAN. We have heard it over the radio.

Mr. TALMADGE. That is true.

Mr. SPARKMAN. The proponents of the measure talk about cloture and related subjects, but they say that there will be no move on the bill until after the California primary.

Mr. TALMADGE. Yes; I have seen such a report in the press several times.

Mr. SPARKMAN. I am not so sure that the proponents will offer that large package of amendments, which must be almost a half-inch thick——

Mr. TALMADGE. I have heard rumors that there were 70 amendments.

Mr. SPARKMAN. More than 70.

Mr. TALMADGE. I do not know that anyone has counted them. No one has reported exactly what they are. But I am sure that it will require considerable time to analyze in detail the contents of those amendments. For example, I understand that one of those amendments would authorize the Attorney General to determine at his own pleasure what laws of the Government would be applicable in certain areas of the country. He could say that a particular law would be applicable in a certain parish in Louisiana and would not be applicable in another parish in Louisiana, or that it would be applicable in Idaho, but not in Georgia.

Mr. SPARKMAN. Would it not be the other way around? Would it not be applicable in Georgia but not in Idaho?

Mr. TALMADGE. Very likely. I am talking about the discretion which would lie in the hands, the bosom, and the heart of the Attorney General.

Mr. SPARKMAN. The Senator knows as a matter of general information how it would operate.

Mr. TALMADGE. I have an idea, but the Senator from Georgia has always been under the impression that laws were made to affect all people at all times and in all places.

Mr. SPARKMAN. The Senator from Georgia does not make that statement about the pending bill.

Mr. TALMADGE. No; of course not.

Mr. SPARKMAN. I am talking about the bill. Does the Senator know of anything in the purported amendments, the rumored bill, that would change in any way the original provision with reference to trial by jury?

Mr. TALMADGE. Indeed not. All that I have been able to hear about the purported new bill is to the opposite effect. It would draw the noose even tighter. It would authorize the Attorney General to select his courts at will and to determine in what counties, parishes, and State the bill would be applicable, and in what areas it would not be applicable. Complete dictatorial powers would be vested in the Attorney General of the United States.

Mr. SPARKMAN. During the Senator's legislative career, either in the Congress or in his State, has he ever encountered legislation so discriminatory as the measure before the Senate?

Mr. TALMADGE. I never have, in all the history of our great Republic.

Mr. SPARKMAN. That point leads me to another subject. We must turn to newspaper reports to determine what the new bill, or the 70 amendments, would do.

Mr. TALMADGE. We must obtain our information from the newspapers or the airwaves, or some rumor that we pick up from someone who has received information from other sources.

Mr. SPARKMAN. Three days ago I was attracted by an article that appeared in the Washington Evening Star under the byline of J. A. O'Leary. The title of the article was "New Rights Bill Accord." Who accorded to it?

Mr. TALMADGE. The Senator from Georgia was not even invited to the meeting. He had no knowledge that any meeting was even occurring. He heard of no witnesses being invited. He knew of no testimony that was offered. There was no opportunity to cross-examine anyone. So far as the Senator from Georgia knows, the proponents might have met at a fortune teller's home and had her pass judgment on the document.

Mr. SPARKMAN. In any event, the Senator from Georgia is not privy to their meeting or to their counsel.

Mr. TALMADGE. The Senator from Georgia was kept in deep darkness about the whole subject; and, so far as I know, virtually every other Member of the Senate was also.

Mr. SPARKMAN. I should like to read the headline which I started to read: "New Rights Bill Accord Bans Busing of Pupils." Of course, we know that in the original bill the busing of pupils was banned.

Mr. TALMADGE. No; in the original bill the busing of pupils was not banned.

Mr. SPARKMAN. It was not banned, but it was not required.

Mr. TALMADGE. Yes.

Mr. SPARKMAN. It was not required. There was a provision in the bill specifically exempting the busing of pupils as a requirement.

Mr. TALMADGE. The Senator from Alabama has reached the second step of the evolution.

Mr. SPARKMAN. I did not mean in the original bill which was presented to the House, but I meant the bill as it came to the Senate.

Mr. TALMADGE. The bill authorized the hauling of schoolchildren to wherever they could be carried to achieve the greatest mixing effect.

Mr. SPARKMAN. The Senator is correct on that point. I meant the original bill so far as we in the Senate are concerned.

Mr. TALMADGE. Then there was rebellion from certain areas of the country.

Mr. SPARKMAN. Including Westchester County. The Senator knows where that is, does he not?

Mr. TALMADGE. Oh, yes, indeed. There was rebellion in certain areas of the country.

Mr. SPARKMAN. There is no integration in Westchester County, N.Y.

Mr. TALMADGE. When the question arose, the provision was stricken from the bill on the floor of the House. Now the bill has come to us as a document designed to attain the maximum degree of mixing in southern areas and a minimum degree of mixing in other areas.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SPARKMAN. Will the Senator permit me to conclude?

Mr. TALMADGE. I yield to the Senator from Alabama until he concludes his colloquy.

Mr. SPARKMAN. The Civil Rights Commission is my authority for the statement which I am about to make. I call to the attention of the distinguished Senator from Illinois that the Civil Rights Commission, which the Senator has supported so well, pointed out that the most highly segregated city in the United States is Chicago.

Mr. DOUGLAS. Mr. President, will the Senator yield so that I may reply?

Mr. TALMADGE. Mr. President, I shall yield in a moment.

Mr. SPARKMAN. They get by, by saying that the segregation is not de jure but is de facto. The segregation exists just the same, and the bill makes certain that that segregation will not be interfered with. But I wish to call to the Senator's attention the new proposed amendments.

Mr. DOUGLAS. Mr. President, since the name of my city has been called in question——

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may yield at this point without affecting my rights in any way whatsoever to the floor briefly to the Senator from Illinois for a reply.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. I thank the Senator from Georgia.

First let me say, on the question of voting rights, that Negroes have equal voting rights, and that is the practice in the city of Chicago. I wish they had this right in Alabama, in Georgia, and in other cities and States of the South.

Second, they have the legal right to attend schools which are mainly attended by whites; and a considerable number of the schools of the city are in fact desegregated.

It is true that schools are in the main constructed on neighborhood patterns, so young children will not have too far to walk to and from school. It is true that residences tend to be concentrated, but not entirely so, with Negroes in one section of the city and whites in another section, and that this of necessity results in a considerable number of schools which are, as the Senator from Alabama has said, de facto segregated.

In the first place, this is not as bad as though they were legally segregated. In the second place, we in Chicago are trying to achieve a greater degree of actual desegregation.

A report has just been brought in by a committee headed by Prof. Philip Hauser, recommending that the school districts be enlarged so that they will include white neighborhoods as well as colored neighborhoods, and that in the elementary schools students be transported to the schools of their choice, at public expense, and that freedom of choice be given over the entire city so far as high schools are concerned, but that here each student would have to transport himself at his or his family's expense.

I read in this morning's Chicago newspapers that a committee of 20 has been established as recommended by the Hauser report to implement these recommendations and carry them out.

So we are trying in a positive way to overcome de facto segregation.

A third and very important feature of the bill relates to public accommodations, under title II. We have had in Illinois a State public accommodations law since 1885, which has been progressively amended and strengthened many times since then, and never with a backward step, always with a forward step. It includes not only the categories listed in the pending bill, but barbershops and a number of other categories which are not included in the pending bill.

There is no segregation so far as parks, playgrounds, and swimming beaches are concerned. Formerly there was de facto segregation on the swimming beaches, but that is not true now.

Finally, so far as a fair employment practices law is concerned, 2 years ago the State passed a State fair employment practices act. The city of Chicago had passed a fair employment practices ordinance years before that, and we are seeking to enforce it. The scope of coverage is the same as that in the proposed Federal act—ultimately a coverage of all firms with more than 25 workers.

We have many problems in the North, and we are certainly not perfect in the way we handle these issues. I wish to make that clear. We appreciate the greater problems which our friends in the South face, because they inherited the evil system of slavery, which we were fortunately spared, not necessarily because of superior character——

Mr. SPARKMAN. Because those in the North sold them to the South.

Mr. DOUGLAS. But because of facts of geography and climate. Those in the South unfortunately have been cursed with the results of the slavery system.

The point is that we are trying to improve. We have already gone a long way. We would like to see those in the South catch up with us. We will also go ahead more than we have.

Mr. TALMADGE. Would the Senator support an amendment to restore to the bill what it originally had in it—namely, a provision to provide for the busing of students in order to achieve perfect racial balance?

Mr. DOUGLAS. I do not think it was ever in the bill.

Mr. TALMADGE. It was, when it came to the floor of the House.

Mr. DOUGLAS. No. What happened in the House was that there was inserted in the bill a provision to the effect that the bill did not deal with racial imbalance inside a city. This is a matter for local and State action; and we are willing to let that question be decided locally. I do not think this is a matter for national legislation, because I do not personally think we should abolish the system of neighborhood schools; but I think we can broaden our neighborhoods.

Mr. TALMADGE. Was the Senator's answer in the negative or in the affirmative? Would he support such an amendment?

Mr. DOUGLAS. I do not think it would be appropriate to offer such an amendment.

Mr. TALMADGE. Is the Senator's answer in the affirmative or the negative?

Mr. DOUGLAS. I will wait until such an amendment is offered, but I am surprised that the Senator from Georgia, who claims to be such an apostle of States rights, should invade not only State but local and city rights. This is centralization gone mad.

Mr. TALMADGE. The Senator from Georgia is defending States rights, but the Senator from Illinois is now defending his own pattern of segregation.

Mr. DOUGLAS. No.

Mr. TALMADGE. I am asking the Senator if he would support an amendment to achieve perfect racial balance in Chicago; and the Senator will not answer my question.

Mr. DOUGLAS. I am supporting the Hauser plan for the city of Chicago, which provides for the widening of school districts and a much greater degree of desegregation in the schools, so that neighborhood schools would serve broader neighborhoods, so that both Negroes and whites, to a greater degree, could go to those schools than at present. Will the South accept the Hauser plan?

The statistical study which has been presented shows that there are a very large number of desegregated schools now. It so happens that my own area—Hyde Park Kenwood—is a desegregated neighborhood. We get along together very well. Our schools are desegregated, approximately 50 percent Negro and 50 percent white.

Would that the city of Atlanta and the city of Birmingham would do likewise.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. TALMADGE. I desire first to respond to the Senator from Illinois.

Mr. DOUGLAS. And the city of New Orleans.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The statistics for the year 1960, which are the latest figures I have been able to obtain, show that unemployment among the whites in Illinois is 3.8 percent—less than 4 percent—while among the Negroes it is 11.5 percent.

Is it not hypocrisy to say that the Congress should enact a law in order to provide employment for Negroes, and end with unemployment among the Negroes three times as much as unemployment among the whites?

Mr. TALMADGE. We in Georgia would not want to wish that curse on Illinois if the situation were reversed.

Mr. LONG of Louisiana. These figures are based on the statistics. Consider the figures for Michigan. Unemployment among the whites is 6 percent, while it is 16.3 percent among the Negroes.

Look at the figures for Pennsylvania. For the whites unemployment is 5.8 percent, and for the Negroes it is 11.3 percent.

The ratio of Negro unemployment is 107 percent greater in the North, in the FEPC States, than it is in the South.

Would enactment of such a law as is proposed be the way to get a poor man a job?

Mr. TALMADGE. I do not believe so. I think it is the way to deny a man a job.

Mr. SPARKMAN. Mr. President, will the Senator yield at this point for a moment?

Mr. TALMADGE. I yield.

Mr. SPARKMAN. The Senator from Illinois said that segregation in Chicago was not legal. I suppose he means, it is not required by law.

Mr. DOUGLAS. Yes.

Mr. SPARKMAN. The Senator might be interested to know that Alabama has not had a single law requiring segregation in years.

Mr. DOUGLAS. It is enforced by the shotgun and by other methods as well.

Mr. SPARKMAN. The Senator was talking about Chicago and saying that segregation is de facto. In Alabama it is de facto.

Mr. DOUGLAS. I never thought the schools of Birmingham were desegregated.

Mr. SPARKMAN. It is not required. Furthermore, the reason the Senator has this integrated school in his neighborhood is that currently Negroes and whites live there together as they do in the South. We do not have great ghetto areas like those in Harlem, Chicago, Pittsburgh, Cleveland, Detroit, Philadelphia—almost any city one could wish to name.

The proponents were not content with the bill as it was originally presented to the House, not content even as it was amended in the House. A new amendment has been submitted, according to the press. I do not know this to be true, but it is quoted here. This is what it says regarding the transportation of students by bus. It does not say, "nothing in here shall be construed to require it." It provides:

> Provided that nothing herein shall empower any court of the United States to issue any order seeking to achieve a racial balance in any school by the transportation of pupils or students from one school to another, or from one school district to another, in order to achieve such racial balance or otherwise enlarge the existing power of the court to insure compliance with the constitutional standards.

Mr. TALMADGE. They went a long way to prohibit anyone to make a ruling like that, but as the Senator from Alabama knows, he and I have been watching the situation, looking at photographs, reading articles in the press, and watching television. There have been gigantic school strikes in New York City, Philadelphia, Cleveland, and Chicago, in order to achieve racial integration. Now a bill is brought in, the purpose of which is alleged to be to end discrimination which prohibits the opportunity to achieve a pure racial balance, if desired, in Chicago, in Cleveland, in New York, and other areas.

Mr. DOUGLAS. Just a moment——

Mr. TALMADGE. This might cause considerable consternation in many circles.

Mr. DOUGLAS. As a good Democrat, may I be allowed to participate in this discussion?

Mr. SPARKMAN. Is it not true that the language I have read even restrains——

Mr. TALMADGE. It dares the judge to even consider the question.

Mr. SPARKMAN. It takes it away from the courts.

Mr. TALMADGE. It dares the judge to enforce the order. It dares him to consider it.

Mr. SPARKMAN. Yes—to carry out constitutional standards.

Mr. TALMADGE. That is entirely correct. The Senator has pointed out a weakness in the particular measure.

Does the Senator from Alabama desire to ask a further question? If not, I shall yield at this time——

Mr. DOUGLAS. May I be heard?

Mr. SPARKMAN. If I may ask one further question, then I shall cease and desist.

Mr. DOUGLAS. I do not wish the Senator to do that. I do not wish him to leave the Chamber.

Mr. SPARKMAN. I was captivated by this quotation in the press of several days ago.

Mr. TALMADGE. It intrigued me, too. In fact, I never heard of that particular measure being retained in any act. It almost threatens any judge with impeachment if he dares to even consider a matter of this kind.

Mr. SPARKMAN. It is a great arm of the Congress, saying that the State could——

Mr. TALMADGE. The only power to remove a Federal judge would be through the U.S. Senate.

Mr. SPARKMAN. The Senator is correct. That would be the only way to do it constitutionally.

Mr. TALMADGE. That language points a finger at the judge and says, "If you dare even to consider such an issue as this, the Senate will 'defrock' you." That is the meaning of it.

Mr. SPARKMAN. The Senator is correct. The Senator also knows that many of us have thought from time to time that some restraints should be placed upon the courts.

Mr. TALMADGE. But that is not the proper way to go about it.

Mr. SPARKMAN. There should be a dividing line between the legislative and the judicial branches. We know that from the Constitution.

Mr. DOUGLAS. May I be permitted to get into this game of table tennis that is now going on?

Mr. SPARKMAN. An attempt is being made to tell the Supreme Court what it cannot do. This is aimed not only at the Supreme Court, but all the courts of the United States.

Mr. TALMADGE. All courts, and in the most brusque possible language—almost rude.

Mr. SPARKMAN. It is said, "Do not do it. Do not do anything otherwise than what is provided for under constitutional standards." Can anyone top that?

Mr. TALMADGE. The Senator from Alabama has put his finger on a very weak point.

Mr. SPARKMAN. Let me mention another point——

Mr. DOUGLAS. May I not be permitted to get into this game of shuttlecock? Apparently it is going to continue interminably. May not this hapless Senator be permitted to make a few comments?

Mr. SPARKMAN. I assure the Senator from Illinois—one day I mistakenly called him "the Senator from Chicago."

Mr. DOUGLAS. I am very proud to come from Chicago. I frequently refer to my good friend the Senator from Alabama as "the Senator from Huntsville."

Mr. SPARKMAN. I am proud of it. I am proud to come from Huntsville. Huntsville is my hometown.

Mr. TALMADGE. The Senator from Alabama has done a great deal of good work in Huntsville. I am sure that he is proud of Huntsville, as I am sure Huntsville is proud of him.

Mr. SPARKMAN. Huntsville orbited the first satellite the free world ever built—let us not forget that. It has played a great part in orbiting every other satellite since that time. But I am moving somewhat away from my subject now.

Mr. DOUGLAS. This seems like a movable time.

Mr. SPARKMAN. This is what I tried to move to a while ago when the Senator insisted on referring to shuttlecock, was it?

Mr. DOUGLAS. Battledore and shuttlecock.

Mr. SPARKMAN. I was intrigued by the quotation which I read in the newspaper some time ago. This is what we are talking about, in connection with the proposed civil rights bill. That was H.R. 7152, but I do not know what it will be if it has added to it several extra pounds of amendments—more than 70 of them; but this is what the speaker said:

> But neither this law nor any law can be a solution. We must recognize that law can only provide orderly ground rules. It cannot play the game. It is easy for us in the North to patronize the South. It is so very much easier to see the morality of problems in Birmingham when you are sitting in Boston.

I might insert there, "Chicago," but the speaker said "Boston."

> Whatever law is debated, whatever statute is enacted without public understanding—

Mr. TALMADGE. I certainly agree with that.

Mr. SPARKMAN. Does the Senator know who said that? This was in a speech made by the Attorney General of the United States.

Mr. TALMADGE. I would agree with the Attorney General's comments at that time, and I would urge him to read and reread that same statement morning, noon, and evening.

Mr. SPARKMAN. I could continue indefinitely. I have enjoyed this colloquy very much. I would appreciate it if the Senator would allow my friend the distinguished Senator from Illinois to enter into this colloquy, inasmuch as I promised him that I would cease and desist.

Mr. TALMADGE. I appreciate very much the comments, the colloquy, and the words of wisdom of the distinguished and able Senator from Alabama. I agree with his conclusions wholeheartedly.

I am now glad to yield to the distinguished Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS. I thank the Senator from Georgia. I am truly surprised that such able attorneys as the Senator from Georgia and the Senator from Alabama should be so carried away by sectional standards as to ignore the plain meaning of the revised bill which will shortly be presented to this body and have misinterpreted the decisions of the Supreme Court. It is painful but necessary to——

Mr. TALMADGE. I did not know that we had referred to any decisions of the Supreme Court.

Mr. DOUGLAS. It is my painful but necessary duty to——

Mr. TALMADGE. To what decision is the Senator from Illinois referring? Could he give me a specific example?

Mr. DOUGLAS. The section on transportation of pupils by bus.

Mr. TALMADGE. We are not talking about Supreme Court decisions, we are talking about a law which the Congress of the United States will write.

Mr. DOUGLAS. The provision in the proposed new title IV, to which the Senator from Alabama has called attention, merely reaffirms in statutory form the language in a recent decision of the Supreme Court, stating that in the absence of legislation or in the absence of a municipal ordinance, it is not——

Mr. TALMADGE. What the Senator is talking about is legislation.

Mr. DOUGLAS. It is not a violation of the 14th amendment to refrain from transporting students by bus from one section of the city to another; in other words, the 14th amendment does not carry with it the right to compel transfer from one neighborhood school to another by means of city-furnished transportation.

If the Senator from Alabama and the Senator from Georgia have some regard for the language——

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

Mr. DOUGLAS. I should like to read the language first.

Mr. TALMADGE. I should like to clear up that point before the Senator proceeds. The Senator from Georgia—and I feel certain the Senator from Alabama also—agree implicitly with what the Senator from Illinois is saying about the Supreme Court decision in the busing case. However, the Supreme Court has also said the same thing about public accommodations; yet the Senator from Illinois wants to ignore it. And at the same time he wants to hide behind the Supreme Court's decision, and keep his schools in Chicago segregated.

Mr. DOUGLAS. Does the Senator refer to the 1883 decision of the Supreme Court on the Federal public accommodations law of 1875?

Mr. TALMADGE. No; the decision of the Supreme Court in 1963. The Senator is a fine economist, but sometimes he is a little off base on his law.

Mr. DOUGLAS. There was a decision of the Supreme Court in 1883, declaring the Federal public accommodations law of 1875 to be unconstitutional.

Mr. TALMADGE. Yes.

Mr. DOUGLAS. But that has been long since reversed in the mind of the public.

Mr. TALMADGE. The Senator will find that the Howard Johnson decision, the one which originated in North Carolina, was passed upon by the Supreme Court as late as 1963. In that case the Court held that a private businessman had a right to select his customers. The Senator from Illinois wants to change that. He does not want to change the busing decision, but he wants to enact a law so there cannot be a pure mix of students in Chicago.

Mr. DOUGLAS. I should like to quote the passage in the proposed amendments which pertains to this point.

Mr. TALMADGE. I yield to the Senator for that purpose.

Mr. DOUGLAS. I thank the Senator. The passage reads:

> Provided that nothing herein shall empower any court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards.

All this provides is that it is not proper to use the 14th amendment—to require the transportation of public school students from one school district to another in order to achieve a racial balance. That is precisely what the Supreme Court held in the recent case. I believe it was in the Gary case. This would permit States and localities to carry out this practice if they so desired.

Mr. TALMADGE. And Congress, if it so desired, by legislation.

Mr. DOUGLAS. We explicitly say that this is not our purpose. We would leave it up to the localities and the States for action. What we are trying to do is to have a minimum of Federal action and maximum of local action. But not to permit localities to violate the basic constitutional protections.

Mr. TALMADGE. That is what the Senator from Georgia desires. There is no difference between us in that respect, except that the Senator from Illinois wants to mix them in Georgia and segregate them in Illinois.

Mr. DOUGLAS. My friends from the South have never accepted the results of the Civil War. They have never accepted the 14th and 15th amendments to the Constitution as being part of our organic law.

Mr. TALMADGE. I have forgotten the Civil War. I hope the Senator from Illinois has forgotten it also. Sometimes I doubt it, because he fights it over and over again on the floor of the Senate, nearly every day.

Mr. DOUGLAS. I do not mean this to be a personal characterization of the Senator from Georgia. I simply refer to the section. As a result of the Civil War, the Nation decided that it would provide protection for all citizens against invasions, by the States of creatures of the States. In my judgment it must also do so against private persons who exercise State power. That is the constitutional basis for our proceeding under title IV. Public accommodations are something else again, because they involve the commerce clause as well as the 14th amendment.

I am becoming fed up with my dear friends for implying that we are hypocrites. We are not hypocrites. No one has ever heard from my lips any attack on the people of the South.

Mr. TALMADGE. I do not say the Senator from Illinois is a hypocrite. I have asked him if he would support an amendment to have a pure mix in the city of Chicago, and he would not give me an answer. He has not answered my question and he will not answer it.

Mr. DOUGLAS. I support the Hauser proposal. Will the Senator from Georgia pledge that he will support the Hauser plan for Atlanta and other cities of the South?

Mr. TALMADGE. I have asked the Senator a question about a pure mix in Illinois. The Senator from Illinois will not answer my question. He has consistently refused to do it. The Senator from Georgia does not know why, but he will not accuse the Senator from Illinois for being a hypocrite for not answering.

Mr. DOUGLAS. That is not the issue in the bill. The Senator from Georgia is trying to bring in extraneous matters.

Mr. TALMADGE. The Senator from Illinois brought in the Civil War. I did not do so.

Mr. DOUGLAS. The Civil War is unfortunately still with us. Sometimes I wonder who won it. I sometimes wonder if we should not have the Confederate flag flying from the Capitol, when I look at the committee chairmenships in the Congress. Perhaps it was not necessary for Lee to take Washington after all.

Mr. TALMADGE. I deeply regret that the Senator from Illinois does not recognize that the War Between the States ended 99 years ago. I hope that the Senator from Illinois one of these days will know and realize that that war ended 99 years ago, and quit fighting it every day on the floor of the Senate.

Mr. DOUGLAS. The war has ended, but the duration has just begun.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I ask the Senator if he is aware of the fact that when the battleship *Missouri* sailed into Tokyo Bay——

Mr. TALMADGE. I was there on that day.

Mr. LONG of Louisiana. When the battleship *Missouri* sailed into Tokyo Bay to accept the surrender of the Japanese, a Confederate flag was flying from the mainmast. Perhaps the admiral did not know about it. However, it was indicative of the fact that southerners fought alongside with boys from all parts of the country, and even had a higher ratio of volunteers in the service of the country than any other section of the Nation.

Therefore I should like to say to the Senator that perhaps the South is the only part of the country which may have involuntarily become a part of the Nation. However, the South is not complaining about it. We have always proved ready to defend our great Nation.

Mr. TALMADGE. I agree with what the Senator from Louisiana has said. What he has said is true. The war ended in 1865. The Senator from Louisiana, being the able historian that he is, realizes that perhaps there never was such internecine bitterness and unhappiness as that which was the aftermath of the War Between the States. After the war the Southern States were occupied by invading armies.

State officials were dismissed from office. Military governors were appointed. The best citizens were disfranchised. The worst citizens were enfranchised. Graft and corruption and disaster were rampant everywhere for approximately 12 years.

There was no marshal economic program of any kind to help us. Our people almost starved to death. Never in the course of human history have a people been so completely subjugated and denied every aspect of human charity and dignity as was the people of the South.

Notwithstanding that fact, we were readmitted to the Union. We have made our contributions to the Union since that time. As the Senator from Louisiana is aware, southerners have fought valiantly in the war with Spain, in the First World War, in the Second World War, and again in the Korean war. Many of them are engaged in Vietnam right now.

We need not make any apologies for the South when it comes to questions of patriotism and loyalty to our country. I hope that every Member of the Senate will forget that unfortunate incident which happened almost 100 years ago. Unfortunately, the Senator from Illinois will not let a day go by without mentioning the War Between the States. Apparently what he wants to have is another military occupation of the South. The Senator from Louisiana and the Senator from Georgia are standing on the floor of the Senate trying to resist it. I hope the Senator from Illinois will desist.

I now yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, does the Senator from Georgia believe that the very eminent southern columnist, Mr. William S. White, is an accurate observer of the psychology of the South and the country?

Mr. TALMADGE. I should say that the eminent columnist to which the Senator from Illinois has referred is a more accurate observer than the Senator from Illinois.

Mr. DOUGLAS. Does the Senator know that in his book entitled "The Citadel" the southerner, Mr. William S. White, says that "the Senate is the South's undying revenge for Appomattox"? Out of their own mouths discerning and ardent southerners say that. I think it is true.

Mr. TALMADGE. I hope that the Senator from Illinois will not try to emulate William Tecumseh Sherman, who visited Atlanta on one occasion, and burn down the city again.

Mr. DOUGLAS. There is a question as to who first set fire to Atlanta. It might have been the Atlantans first, before Sherman. There is quite a dispute on that point.

Mr. TALMADGE. There is no dispute in my area of the country.

Mr. DOUGLAS. Oh, no. You feel very certain there.

Mr. TALMADGE. I hope the Senator from Illinois will not try to detract from the great military reputation and the accomplishments of William Tecumseh Sherman. He is given full credit for burning down Atlanta, and almost starving our people to death. Sherman himself said, "War is hell." And I believe him.

Mr. DOUGLAS. He believed in total war.

Mr. TALMADGE. He was one of the first generals who practiced total war. And he was very successful in his purpose. He broke the breadbasket of the South in his march through Georgia.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. Have we finished?

Mr. TALMADGE. If the Senator propounds another question, I shall be glad to answer it. The Senator from Louisiana was on his feet asking that I yield to him. I now yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Not all southerners have to apologize. And not all southerners should be punished because the South fought the Civil War. One of this Senator's forebears went to the convention and voted against seceding from the Union. My father told me that my great-grandfather not only said that we should refuse to fight, and should free the slaves, but when the sheriff came after him, he hid under the logs in the woodshed and would not have anything to do with it.

I am frank to say that we could do much more for the Negroes if certain people would quit stirring the resentment of the whites against the Negroes, and of the Negroes against the whites. It sets back the cause of the colored man.

During the time that my uncle was Governor of Louisiana, the colored registrations increased by 1,000 percent. But that was prior to the Supreme Court decision in the Brown case, and prior to the civil rights action that was going to get them the right to vote. All of the Federal compulsion has so stirred resentment among whites that now in every parish there are people organized against it. If it were not for the resentment which has been aroused by the interference of the outsiders, and the strong arm of the Federal Government trying to make people do things that they resent, the Negro registration would have probably increased by 70 or 80 percent over what it is.

Mr. TALMADGE. I agree completely with the words of wisdom of the Senator from Louisiana. Of course, as the Senators knows, he shares the view that most of us in the Senate have, and certainly the Senator from Georgia, that everyone is entitled to the respect which his merit, his character, and individual attainments entitle him to receive.

Every man ought to be treated in accordance with that fact, and that is the policy and the position of the Senator from Georgia. He knows many white people with whom he does not like to associate. He knows many Negroes that he does not like to associate with. There are probably some white people and Negroes who would not want to associate with the Senator from Georgia. That is their privilege. And I would defend their right to act accordingly. But man's relation to his fellow man is largely a matter of the heart, the mind, and the conscience. When Senators think they can pass coercive, jail sentence, Federal legislation and say to a little barber, "You must shave this man, whether you like it or not; you must shine his shoes, whether you like it or not; you must live in a boarding house with him whether you like it or not; you must eat in an eating place with him whether you like to or not," all such coercion as this can do is lead to discord, friction, and ill will.

I now yield to the Senator from Illinois.

Mr. DOUGLAS. The Senator from Georgia is always very courteous.

Mr. TALMADGE. I thank the Senator. The feeling is mutual. I have had the privilege of serving with the Senator from Illinois on the Committee on Finance. I have never known a man whom I have enjoyed associating with to a greater degree than the able and distinguished Senator from Illinois.

Mr. DOUGLAS. I thank the Senator. I want to rise to a matter of personal privilege concerning the Senator from Virginia [Mr. ROBERTSON].

Mr. TALMADGE. Mr. President, I shall be delighted to yield if the Senator from Illinois desires me to do so. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois for a personal statement, without it affecting my rights to the floor in any way whatsoever, and without my subsequent remarks constituting a second speech.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(Mr. DOUGLAS made a personal statement, which will be found elsewhere, under an appropriate heading.)

Mr. TALMADGE. I return to my discussion of the history of jury trials in England:

2. Fox himself was responsible for the extension of the scope of jury trials in libel cases. Since the libel laws represented the principal restrictions upon freedom of speech in England, it had been customary for the judge in a libel case to decide himself whether a given publication was a libel and leave to the jury only the question of whether the accused had actually been responsible for its publication. Juries resented their inability to answer what usually was the most controversial question of the case, and in the case of the Dean of St. Asaph the jurors deliberately declared a man innocent of publication simply because they did not consider the material libelous. In 1792 Fox was responsible for a new libel law which extended the power of juries to decide the whole question, as to law as well as fact. In principle, it was a victory for democracy and trial by jury, although in practice the juries tended to be less tolerant in their interpretations of libel than the judges had been.

E. TRIAL BY JURY IN MODERN ENGLAND

Since the beginning of the 19th century, there has been no threat to the right of trial by jury in criminal cases. The grand or indicting jury was eliminated in some instances by the 1873 Judicature Act and almost entirely abolished by the 1933 Administration of Justice Act. In civil cases jury trial was no longer considered necessary as a rule, so that today less than 10 percent of civil cases in England are tried by jury. These changes, which came about during the 19th and 20th century judicial reforms, were made in the interests of economy, efficiency, and equity for all. On the whole, they have accomplished their purpose and have not been criticized. But the growth of so-called administrative law, that is, of legal decisions made by various boards or commissions upon disputes to which they themselves are a party, like income tax, community planning, and education, has led to widespread demands for a comprehensive administrative code, with more provision for appeals, and perhaps even some juries. Although nothing has yet been done, it is clear that the absence of jury trials in this ever-increasing area poses many threats to property, if not actually to life and liberty.

F. TRIAL BY JURY IN COLONIAL AMERICA

Although the same conditions on the whole held in colonial America as in 18th century England with respect to the administration of justice and trial by jury, the attitude of the colonists was from the first different. Being in no position to fear feudal exactions or exploitations, the colonists looked upon the King not as their protector but rather as himself the potential aggressor upon their rights. It was in this spirit that they protested every effort to limit trial by jury as an act of royal tyranny.

1. In 1696 Parliament had reorganized the admiralty courts so that they would be better able to cope with the flagrant smuggling in and out of all the colonies which was the American reaction to the navigation acts. The admiralty courts, which were not a part of the traditional common law system, did not provide for trial by jury, and as a result English or English-appointed judges frequently sentenced colonial merchants and seamen arbitrarily. The more effective the courts became, the more the colonists resented them, and the more they came to insist upon trial by jury as a fundamental right.

Another way of putting this is that the more abusive and tyrannical the admiralty courts became, the more men desired the right to live and work in freedom. They felt the wrath of the English judges whose primary aim was to keep them under the heavy thumb of English rule, without trial by jury. Persons accused of crimes against the Crown were tried powerless and at the mercy of a single judge who was the prosecutor, the judge, the jury, and the one who sentenced the defendant, all at the same time.

I would point out that in the so-called civil rights bill which is pending before the Senate, we have 55 pages, 11 different titles affecting every area of human relations from the cradle to the grave. The bill purports to regulate every hotel in America, every motel in America, every cafe in America, every hamburger stand in America, every hotdog stand in America, a high percentage of the barbershops in America, a high percentage of the shoeshine shops in America, and every place of business that has 25 or more employees.

It would extend the broad power of the Government of the United States into the most intimate of human relations. The bill would deny the right of a trial by jury. It would authorize the Attorney General to file suits at will against virtually any citizen in America in the name of the U.S. Government, at the expense of the taxpayers. And it would further authorize the Attorney General to select the judges before whom he would prosecute the case. And it would deny to the defendant the right of a trial by jury.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. STENNIS. Mr. President, I am impressed with the enumeration of the things that the bill would do. I ask the Senator if it is not always true throughout the history of our Government that once power—ordinarily reposed in the people or the State—is picked up, so to speak, by the Federal Government through the far-reaching operations of a bill, brought to Washington, made a Federal function, a bureau is set up, people are employed to implement those bureaus, agencies, and activities that they have all over the Nation, is it not invariably true that that power grows and grows through successive legislative enactments, or by custom, and that it feeds on itself and never is returned to the people, or to the States? Has that been true in legislative history?

Mr. TALMADGE. The Senator is so correct. I do not recall any government, wherever it may be located, municipal, State, or Federal, that has ever voluntarily relinquished any power that has ever been delegated to it. That is particularly true of the Federal Government. The Senator knows that Congress has on a number of occasions passed acts that were supposed to be temporary in their nature and in their scope. Those acts have a way of being extended and extended year after year. For instance, as the Senator knows, the so-called excise taxes were imposed during the war years to raise money with which to fight the war and to prevent inflation. Yet, a high percentage of those same excise taxes have been renewed year after year. They expire on June 30 this year. Congress will no doubt have the burden of extending them again. I am sure that that action will be recommended.

The Senator knows that several years ago the so-called Civil Rights Commission was created. It was said to be purely temporary in scope. It has been extended twice, I believe, since that time. And this bill now, I believe, would make it permanent, or it started out to make it permanent.

I am sure the Senator has read, as I have, several of the fine books written by Dr. Northport Parkinson, in which he illustrates the theory of government that if you create a bureau with two employees, the two employees will insist that their powers, their duties, their responsibilities, and their salaries be increased. What started out to be a bureau with two employees, in the due course of time will be several thousand employees.

During the war years, the Senator from Georgia had the privilege of serving as flag secretary and aide to the commandant of naval forces for a time in New Zealand. We were directly under Admiral Halsey's command. We received a secret dispatch requesting us to make recommendations as to what personnel could be released in New Zealand for duty in combat areas in forward stations. By that time, Guadalcanal had been secured. We were winning victories at sea almost daily. General MacArthur was advancing with his armies in New Guinea. And New Zealand at that time was truly a remote station. The principal service that it rendered was for rest, relief, and recreation for combat forces in the area, and also for food supplies, and things of that nature for the forces that were fighting in the Pacific.

The commodore sent for me when he received that dispatch. He said, "TALMADGE, I wish you would work on this and see what we can do about making officers and men available for forward duty." The Senator from Georgia at that time was an officer in the Naval Reserve. And he realized the importance of the duty that had been assigned him by the commanding officer.

I worked on it day and night for about a week. I conferred with various department heads. I conferred with some of the New Zealand authorities. I worked out a plan where we could effectively demobilize about 75 or 85 percent of the naval and military personnel in New Zealand. When I worked out the plan, I brought it to the executive officer to obtain his approval. He studied it and said, "TALMADGE, that is fine." And he initialed his approval on it and said, "Take it to the commodore."

I took it to the commodore. He looked it over and said he thought it was all right. But then he said, "TALMADGE, I want to talk with the public relations officer and with the legal officer about this. He kept it in his basket until he could confer with those two individuals. About that time, the Senator from Georgia received his orders to come back for assignment to duty at another station. His assignment was as the executive officer on the attack transport, APA-97.

After our ship was commissioned and we returned to the South Pacific, I ran into some of my associates with whom I had served in New Zealand. I said to them, "By the way, whatever happened to the dispatch Admiral Halsey sent to the commodore, about making personnel available for forward duty?"

They said, "Well, after he got through talking with the legal office and the public relations officer, they decided they could not spare any personnel in New Zealand, and that they needed additional personnel, instead of making some they already had available for forward stations in combat areas."

I said, "What happened when Halsey received that word?"

They said, "He shipped about 95 percent of those folks out of there, in one fell swoop, and assigned them to duty in forward stations."

I refer to that incident to illustrate the point that unless an iron hand is used in situations of this type, such developments tend to grow and grow and grow. That is particularly true when civilian authority is in command, because such civilians get good jobs, get promotions, are given administrative charge, and obtain seniority rights and retirement benefits; and the lust for office and for power is such that they continue to serve in such capacities and their power grows and grows.

That development bears out what Lord Acton said about the corruption which comes from absolute power. He said "absolute power corrupts absolutely." I think that is true in connection with this bill, too—that such power would corrupt absolutely.

Mr. STENNIS. I thank the Senator from Georgia. He has given a fine illustration from practical life.

I believe he was Governor of Georgia longer than any other Governor of his State.

Mr. TALMADGE. I thank the Senator from Mississippi; but one of the Governors of my State served in that position longer than I did; Joseph E. Brown served as Governor of Georgia from 1860 to 1868. That was in the period of the War Between the States and immediately thereafter. I do not know whether he was elected following 1865, or whether he just obtained the office by appointment by some occupying Yankee general.

I had the honor to serve as Governor for some 6 years and 2 months; and I considered it a great compliment and honor to serve my people.

Mr. STENNIS. The Senator from Georgia served them very well.

During the time he was Governor of the great State of Georgia, did the Federal Government return to his State any of the power the Federal Government had taken away from it?

Mr. TALMADGE. No. On the contrary, the Federal Government made repeated and incessant demands for more and more power. As a matter of fact, while I was a member of the Governors' conference, we established a commission to study Federal-State relations, with a view to trying to cede back to the State governments some of the power the Federal Government had taken from them, and particularly to try to outline some method of taxation whereby the States and the Federal Government would not be taxing the same things—because, as the Senator from Mississippi knows, in the income tax field, for example, prior to our recent tax reduction, the individual income tax rates under the Federal law went as high as 92 percent. When State income taxes were imposed in addition to the 92-percent tax the Federal Government imposed, the result was a virtually impossible situation. In fact, the Federal Government would milk the tax cow dry before the State governments had an opportunity to impose their taxes.

But we were never able to do anything in that field, because, as the Senator from Mississippi knows, the expansion of Federal power is such that it increases year after year.

In the short period of time that I have served in the Senate—I came here in 1957—the Federal budget has increased, if my memory serves me correctly, from approximately $60 billion a year in 1957 to approximately $100 billion a year at the present time. That is the way it grows year after year.

But to answer the Senator: If any of these provisions were enacted into law, the only way they could ever be changed would be by revolution. Of course I think that if some of these provisions were written into law, we would well nigh have a revolution in some of the areas of our country, because the people would be bitterly disappointed. They have been told repeatedly that this bill is a kind of "do good" bill to give everyone his rights. I am sure the Senator from Mississippi agrees with me that every citizen is entitled to have, and should have, his constitutional rights.

Mr. STENNIS. Absolutely.

Mr. TALMADGE. But, as the able Senator from Mississippi also knows, they are adequately enforceable in the courts at the present time, if any are denied their rights.

This bill would do nothing except expand Federal power; it would delegate additional authority to Federal officials, to permit them to harass and annoy citizens in every area of their private life. The bill is not a civil rights bill; it is a bill to regulate the 190 million Americans.

Mr. STENNIS. The Senator from Georgia has stated the matter very well.

In connection with his statement that this trend will continue unless it is stopped by the people, let me recount, before I ask a question, I wish to do this to refresh the Senator's recollection in regard to some of the actions taken by the people in the last few months, although I am sure the Senator from Georgia will recall this—that in the State of Washington two elections were held with reference to proposed city ordinances relating to civil rights and the regulation of the people.

Mr. TALMADGE. Yes; I am sure the Senator from Mississippi is referring to proposed ordinances of the city of Tacoma, Wash., and the city of Seattle, Wash.

Mr. STENNIS. That is correct. One of those proposals was defeated by a vote of 2 to 1; the other was defeated by a vote of 3 to 1.

Mr. TALMADGE. Yes. The proposed ordinance in Seattle was defeated by a vote of 2 to 1; and the proposed ordinance in the city of Tacoma, Wash., was defeated by a vote of 3 to 1. They were in regard to the subject matter of title II of the pending bill, and only that title; they did not relate to the subject matters dealt with in the other 10 titles of the bill.

Mr. STENNIS. There was also a vote in the House of Representatives of the State of Rhode Island; was there not?

Mr. TALMADGE. Yes; the House of Representatives of the State of Rhode Island also defeated what would be the equivalent of title II of this bill.

Mr. STENNIS. The House of Representatives of the State of Rhode Island defeated it by a vote of approximately 2 to 1; did it not?

Mr. TALMADGE. Yes; approximately 2 to 1. I believe the distinguished Senator from Rhode Island confirmed that on the floor of the Senate; and it is in the RECORD.

Mr. STENNIS. There were also two elections—one in New York and one in Massachusetts—on the question of busing children. Such a provision was at one time included in the bill. In the elections to which I have reference, the trustees there who stood against busing the children from one part of the city to another were reelected by overwhelming votes; were they not?

Mr. TALMADGE. Yes. As I recall, the lady in Massachusetts who was a member of the school board, and who vigorously opposed the busing of schoolchildren, led the ticket in that election.

Mr. STENNIS. Yes.

Of course, we recall, too, the more recent votes taken when the matter of having the States have control over these questions was the sole issue raised by Governor Wallace, who went a thousand miles from his home State to an area where he was a stranger—Wisconsin, an area far removed from his home State. In Wisconsin, he was without a political ally of any kind; and, as the record shows, he was without a personal friend there, unless it happened that he had two or three friends there. Nevertheless, he received a sizable proportion of the total vote cast there, to the amazement of the people of his home State. He achieved that result in the face of the severest kind of opposition, both political and otherwise; did he not?

Mr. TALMADGE. Yes; I agree with the Senator from Mississippi.

In my judgment, the 43 percent of the total vote in Maryland that Governor Wallace received was cast for him solely because of a grassroots citizens revolt against legislation of the type now before us, and also because of the rabid conduct of some citizens who were depriving other citizens of their rights, by lying on the streets or lying on the sidewalks, and blocking doors, blocking driveways, and so forth.

Mr. STENNIS. Yes; and that situation in Maryland, as well as in the other States in which elections have recently been held, shows unmistakably that this stranger, who received such a large vote, received it because the people of these States do not like the idea of being regulated and controlled by the Federal Government, instead of by their State governments, and do not like the attempts to have all the power taken from the States and lodged in bureaucrats in Washington, D.C.

Mr. TALMADGE. The Senator from Mississippi is eminently correct. I am sure that the Senator from Mississippi is familiar with the effort to enforce the prohibition laws. The Senator will recall that there was a great moral crusade throughout the country to stop people from drinking whisky. Of course, drinking whisky is an evil. I am sure the Senator from Mississippi will agree with that.

Mr. STENNIS. Yes.

Mr. TALMADGE. But our experience has been that it could not be regulated by law. Notwithstanding that fact, preachers and many fine citizens insisted that a national prohibition law be passed. The 18th amendment was written into the Constitution of the United States. I remember that when I was a small boy down in Telfair County, Ga., we employed a county policeman to assist the sheriff in enforcing the prohibition laws. There was one county policeman who had shot down nine people whom he had apprehended making whisky back in the remote swamp areas. The method that he used to enforce the prohibition laws would be to arm himself with at least two pistols, at least one rifle, and a sawed off shotgun. He would find a man making illegal whiskey somewhere and he would draw his rifle and shoot him down just as if he were hunting deer or other game.

That was the type of enforcement that was carried on.

The people rebelled. They demanded that the 18th amendment be repealed, which was done in 1933.

My judgment is that if the type of legislation which is proposed is written on the statute books, the reaction will be far more violent than was the reaction to the 18th amendment, because the proposed legislation does not purport to regulate merely what a man drinks, but also where he lives, where he eats, where he sleeps, where he works, and every other area of human conduct. The strong arm of the Federal Government would be brought in to make decisions that normally have been left to the private individual and each man's good judgment and good sense.

Mr. STENNIS. In the opinion of the Senator from Mississippi, it is not known to the people generally that the bill would actually empower the Federal Government, through its agencies, to go out from Washington and invade the premises of people. Agents of the Government could even invade the home of a lady who had as many as six roomers. The bill would regulate whom she could take into her house and whom she could feed. It would regulate whom she could permit to sleep there. As the Senator has said, the bill would actually empower all such actions as the Senator has enumerated, would it not?

Mr. TALMADGE. Of course it would.

Mr. STENNIS. It would give the power to the Attorney General and then make it his duty to carry out those provisions of the bill.

Mr. TALMADGE. The bill would authorize the Attorney General of the United States to say to any widow in America who had a house with six rooms, some of which she rented to boarders, whom she shall have sleep in her own house.

I point out to the able Senator from Mississippi that the third amendment provides that the Government cannot even quarter troops in private homes in time of war without a special act of Congress, and at no time in time of peace. It is inconceivable to the Senator from Georgia that our Founding Fathers, who framed the Constitution, should say that troops could not be quartered in private homes, and yet we would now turn that around and, under the provisions of a bill which is now brought before the Senate, authorize the Attorney General to quarter private citizens in private homes and jail the widow without the right of trial by jury if she refused.

Mr. STENNIS. The Senator has not overstated in the least the purpose of the bill and the power that would flow from it. Under the provisions of the bill as it is now written, an agent of the Government could enter a little business, a small factory, or a store, if it had 25 or more employees, and tell the proprietor whom he might employ, whom he might discharge, and even whom he might promote in operating that private business. Is that not true?

Mr. TALMADGE. That is true. The Senator from Mississippi did not cover it all. The agents could assign jobs within a business. They could determine whom the employer could hire and promote. They could determine whom the employer could assign to various jobs in the business, and whom he could discharge. The bill would affect every area of employment in businesses having 25 or more employees, and it would divest the employer of his free right to employ whomever he saw fit to employ, and to decide who could best assist in the operation of his business. It would deprive the prospective employee of the right to choose his own associates and decide where he wanted to work. It would deny the rights of labor unions to make collective bargaining agreements and to have their own business agent fill jobs when vacancies arose.

Imagine a situation involving a small business in which 25 people might be employed. Suppose a vacancy arose in that business and five people applied for the job. Suppose, further, that one of the applicants was Chinese, another was Japanese, still another was a Baptist, one a Jew, and one a Negro. One of those people would have to be employed. If the manager of such a business employed one of them, he would be letting himself in for a lawsuit brought by any of the other four, because everyone of them would have a right to contend that he had been discriminated against under the terms of the bill. Such action would authorize the Attorney General to file suit against the proprietor, and the businessman could be put in jail without the right of a jury trial for discriminating against someone. One hundred mindreaders would be required to determine whether or not the employer had discriminated against anyone, because no one but the man who hired the successful applicant would know what his motivation was in employing any particular individual.

Mr. STENNIS. And in all of that process, what the owner of the business might think was best for his business——

Mr. TALMADGE. He would not have anything to do with it.

Mr. STENNIS. He would be lost in the shuffle.

Mr. TALMADGE. The Government would take charge. The owner of the business, the employer, would be merely a bystander, hoping that he would not be run over by the Government in the process.

Mr. STENNIS. Before the Senator concludes his speech, since he is the author of the pending amendment, which would guarantee the right of trial by jury to anyone who might be charged with criminal contempt in connection with the enforcement of the proposed legislation, I wish to ask him one particular question with reference to his amendment. The argument is often made against the Senator's amendment that the court must have ample power to require obedience to its writs, its summonses, its mandates, and its orders. Did not the Senator amply provide full protection to every court under all those circumstances when he wrote into his amendment the following language which I shall read in order to make the point clear in the RECORD and also to call it to the attention of the Senate? I read from page 3 of the Senator's amendment No. 513, beginning at line 17:

> This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court.
>
> Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

That is the Senator's language. Will the Senator explain that provision of his amendment in his own fine and clear way so that Senators may know what it is and what the intentions of the Senator were, and so that the provisions may be unmistakably and clearly known so that there can be no question about them? I understand that is settled law. Will the Senator answer that inquiry?

Mr. TALMADGE. The Senator from Mississippi is eminently correct. He is a cosponsor of the amendment, and was a distinguished jurist before he came to the U.S. Senate, as well as a distinguished lawyer. So he is completely aware of the powers of courts of equity. There is a distinction between civil contempt and criminal contempt.

When a judge orders something to be done, if the individual does not carry out his order, it is within the power of the court to imprison him or take such action as is necessary to compel the defendant to comply with the order of the court. That is known as civil contempt.

The most common practice, of course, arises in situations in which a judge orders the defendant imprisoned until he carries out the order of the judge. The defendant would remain in prison until he executed the order of the court. When he executed the order of the court, he would be released from prison, a free man. He could be detained in jail as long as the judge thought necessary to insure compliance with his particular order.

Criminal contempt is entirely different. Criminal contempt is a judge-ordained, judge-made, judge-prosecuted, and judge-executed crime. It occurs when a judge hauls a man up before him and says, "You disobeyed my court order. I am going to put you in jail for 2 years." He is put in prison. The judge can impose such sentence as he sees fit, so long as it does not violate the eighth amendment, which prohibits cruel and unusual punishment.

As the able Senator knows, the Constitution of the United States guarantees the right of trial by jury in four different places for all crimes. The language does not read "some crimes," or "big crimes," or "intermediate crimes." It says "all crimes." Criminal contempt is a crime defined by a judge to be a crime. A judge can put a man in jail for criminal contempt. The prisoner can have a prison record for the remainder of his life. A judge can impose a fine. He can dispossess a defendant of his worldly goods.

In my judgment, it is within the meaning of the Constitution that, if a person can be tried for a crime, he should have the right of trial by jury. The Senate, by a vote of 51 to 42 in 1957, sustained that same amendment, paragraph for paragraph, line for line, word for word.

The late President John F. Kennedy was one of its sponsors. Our distinguished majority leader [Mr. MANSFIELD], who now sits in the chair in front of the distinguished Senator from Mississippi, was one of the sponsors. The then majority leader of the Senate, Lyndon B. Johnson, now President of the United States, vigorously supported it and made the concluding speech for it.

It was good law then. It was good sense then. It is good law now. It is good sense now. I hope the Senate will uphold the greatest civil liberty mankind has ever known, which is the right of trial by a jury of one's peers.

It is a travesty indeed that the Senate should even be considering a so-called civil rights bill which in five different titles would deny the people the right of trial by jury. It is unthinkable to the Senator from Georgia that in this enlightened day, we should turn the clock back to star chamber trials, trial by inquisition and torture, as once practiced in England, as the Senator from Georgia has said this afternoon.

Mr. STENNIS. Would this bill not deny the greatest civil right that has developed under our system, namely, the right of trial by jury in criminal cases?

Mr. TALMADGE. The Senator is entirely correct. As the great Winston Churchill said, the right of trial by jury is the difference between freedom and slavery. And it is.

Mr. STENNIS. The Senator's amendment would not restrict the court in any way in its power to demand the carrying out of its commands and orders and the power to keep a man in jail until he obeys. No jury trial is involved in such cases, and the power of the court is plenary. Is that correct?

Mr. TALMADGE. The Senator is entirely correct.

Mr. STENNIS. I thank the Senator for yielding. He is making a fine presentation.

Mr. TALMADGE. I thank the Senator for his penetrating questions, which will shed light on the issue before the Senate at the present time.

Mr. President, I have attempted this afternoon to trace some of the history of the right of trial by jury.

Freedom did not blossom overnight. Its growth has been a long and tortuous struggle. I have recited this afternoon some of the problems the people had in England, leading up to the Magna Carta, and to some of the problems that led to the Declaration of Independence and the Constitution of the United States.

After the struggle of thousands of years to obtain liberty, I hope the Senate will not now say that the need for liberty has passed; that we are about to vest all the power in a Federal judge, appointed for life, to say that he does not need a jury, that he knows best, that he and the Attorney General can handle all our problems. I hope it will not be said, "Let us strike down Magna Carta. Let us strike down Thomas Jefferson's Declaration of Independence. Let us strike down the Constitution of the United States. Let us now vest this power in a Federal judge, appointed for life. He and a wise Attorney General can handle the problems of the people better than all the great leaders in human history, who sacrificed their nations and the blood of patriots for hundreds of years to achieve the greatest human right that mankind has ever achieved—the right of trial by jury."

THE CIVIL RIGHTS BILL AND SOUTH DAKOTA

Mr. McGOVERN. Mr. President, congressional mail is sometimes a valuable indication of the depth of feeling on national issues of the people we represent in the Congress.

No issue in recent years has called forth the volume of mail that now descends on Washington both praising and condemning the civil rights bill.

I would not claim to speak for other States, but the mail from South Dakota has been running 2½ to 1 in favor of the bill. Furthermore, the proportion of favorable mail has been increasing steadily in recent weeks.

Considering the natural tendency of people to write when they oppose a measure and remain silent when they are in favor, I consider this an overwhelming endorsement of the civil rights bill by the people of my State. Those who favor the bill seem to be motivated primarily by religious or moral conviction.

Those who fear the consequences of passage of the civil rights bill very often are misinformed about the contents of the bill. They have often been misled by organized propaganda efforts. Through newspaper advertisements and circulars, the opponents of the bill have created a picture of a monstrous Federal power eagerly awaiting the chance to swoop down on the hapless citizen and snatch away his rights.

As a matter of fact, the civil rights bill now before the Senate would have very little impact in South Dakota, for two very good reasons:

First. The number of Negroes in South Dakota is small. Discrimination against our Indian minority has long since been widely condemned and State action taken to eliminate its remnants.

Second. South Dakota already has a law on the books covering the most sensitive portion of the proposed civil rights bill—the right of all persons, regardless of race, to free access to public accommodations. The South Dakota law is far more sweeping than the bill before Congress and provides much stiffer penalties for violations. The South Dakota law has not brought disaster to the State—indeed, I would venture to guess that most people in the State are totally unaware of its existence. Neither would the civil rights bill now before Congress create any serious difficulty.

Chapter 58 of the 1963 Sessions Laws of South Dakota states:

> No person shall be excluded on account of race, color, religion, or national origin from full and equal enjoyment of any accommodation, advantage, or privilege furnished by public conveyances, theaters, or other public places of amusement, or by hotels, motels, barbershops, saloons, restaurants, or other places of refreshment, entertainment, or accommodation.

The South Dakota law covers many places that are excluded from coverage under the Federal bill, such as barbershops, bowling alleys, and small motels. Moreover, while the Federal bill provides only civil remedies in the form of injunctive relief, the South Dakota statute is enforcible by criminal sanctions, with fines up to $200.

I would like to go through the proposed Federal civil rights bill title by title to demonstrate the constructive and restrained character of the legislation, and to quiet the unjustified fears held by some people in my State and across the Nation:

Title I of the Federal bill deals with voting rights and eliminates the opportunities that now exist in some States for discrimination in voting. South Dakota has no literacy test for voting and in fact there has never been any indication of discriminatory voting practices in the State. Therefore, title I would have no impact in South Dakota.

Title II would prevent discrimination in certain places of public accommodation. Since South Dakota already has a law far broader than the proposed Federal statute, and since the South Dakota law would take precedence in all cases, title II would not have any effect in South Dakota.

Title III provides new tools by which the Attorney General can prevent discriminatory treatment at facilities owned by State and local governments, such as public parks, libraries, and municipal golf courses. Since there are no known instances in South Dakota in which use of publicly owned or operated facilities has been denied because of race, color, or religion, title III would have no meaningful application in our State.

Title IV provides new tools for eliminating unconstitutional segregation in public schools. Since there is no unconstitutional segregation in South Dakota schools, title IV would not be relevant in South Dakota.

Title V would extend the life of the Federal Civil Rights Commission for another 4 years. This Commission has no enforcement powers but is simply an information-gathering organization. Title V will therefore have no specific application within South Dakota.

Title VI would withhold Federal funds from programs which are segregated. Agricultural subsidies and other farm benefits would not be subject to termination because of any discriminatory employment practices by farmers. Neither would the law affect social security or veterans' pensions, FHA or VA mortgage insurance or guarantee programs, or Federal insurance of bank and savings and loan deposits. Since there is no known discrimination in federally assisted programs in South Dakota, title VI would have no effect in South Dakota.

Title VII seeks to eliminate discrimination in employment because of race or color. It would create a Federal Equal Employment Opportunity Commission with power only to seek voluntary compliance with its orders. Court suits could be filed only after voluntary efforts failed. The Federal Civil Rights Commission has found virtually no instances of employment discrimination against Negroes in South Dakota. It has found evidence of some discrimination against Indians, but the State commission on Indian affairs has been working on this problem for some time. Since South Dakota is already taking action to eliminate what little employment discrimination exists in the State, title VII will have very little practical effect in South Dakota.

Titles VIII, IX, X, and XI of the civil rights bill are procedural only. They relate to the compiling of statistics on voting registration, to the removal of civil rights cases from State to Federal courts, to the establishing of a Community Relations Service, to help solve racial disputes on a voluntary basis, and to the express provision that State laws shall take precedence when they cover a particular situation.

This is all there is to the civil rights bill. The horrendous powers claimed for it by its opponents simply do not exist.

The bill does not affect homes or apartments or small boarding houses.

The bill does not take away anyone's right to jury trial. To the extent it deals with jury trial at all, the bill gives a right to jury trial where it would not otherwise exist.

The bill does not tell businessmen that they must serve, or hire or fire any particular individual; retailers remain wholly free to refuse to serve the drunk, the disorderly, the unkempt, and so forth, and employers remain wholly free to hire, fire, and promote on the basis of ability and qualifications. All that is prohibited is discrimination on grounds of race, religion, or national origin.

The bill does not cover all retailers. It applies only to certain designated places—hotels, motels, restaurants, lunch counters, gasoline stations, movie theaters, concert halls, and the like—all public commercial establishments which are established to serve, and invite the patronage of, the general public.

The bill does not cover private clubs, professions, or service establishments. The practice of doctors, lawyers, and realtors is not affected by the bill.

The bill does not create any hiring quotas.

The bill does not affect union seniority.

The bill does not require the firing of whites in order to hire Negroes.

The bill does not affect social security or veterans' pensions or bank deposit insurance.

The bill does not permit massive or wholesale cutoffs of Federal assistance.

The bill does not give the Attorney General any unusual powers; he is authorized merely to sue in the Federal courts to enforce constitutional and other basic rights.

The bill does not give great powers to the Federal Government—in every instance, first reliance is placed on State and local authorities to deal with illegal discriminatory practices.

In short, all the bill actually does do, even in areas in which discrimination is most prevalent, is to try to assure for all of our citizens the rights and opportunities which most of us take for granted.

Why is this legislation necessary? Because in this country we believe that every man is entitled to the same opportunities, the same rights, and the same privileges that are accorded each of his fellow Americans. For many Negro citizens today this is not the case. It is still true that a Negro cannot always choose his hotel and restaurant the way a white person can, he cannot always go to the church he would like to attend, or send his children to the schools he would like to see them attend, or live where he would like to live, or get a job when he is qualified for that job. White persons have these rights, and unless we grant them to our Negro citizens also, this Nation cannot in good conscience call itself free and democratic.

In South Dakota, thanks to the good will of the vast majority of its citizens, instances of discrimination are rare. Some problems still exist regarding our Indian citizens, but steps are being taken, with the overwhelming support of South Dakotans, to solve them.

The civil rights law will not be the final answer to problems in this country. The treatment of our fellow citizens is primarily a moral question, and years of education and soul searching remain before this Nation is truly a land of opportunity for all, regardless of race. But the passage of this law will give us new tools with which to pursue our goal of equal dignity for all men. We have delayed too long already. Let us delay no longer.

VISIT TO THE SENATE BY THE MELLO-MACS OF PORTLAND, OREG.

Mr. MORSE. Mr. President, today the Oregon delegation of Congress is being visited by a group of wonderful songsters from Portland, Oreg., known as the Mello-Macs. It is a wonderful chorus from the Multnomah Athletic Club under the direction and leadership of one of our outstanding song directors in the Northwest, Bruce Kelly. During the noon period this group of 60 lovely women singers presented a program at the rotunda of the Old Senate Office Building. I wish to say in behalf of the Oregon delegation that we have always been very proud of our State, but today the Mello-Macs made us boastfully proud, for they presented a concert that was enjoyed by all of those who were fortunate enough to be privileged to hear it.

Mr. President, they sang yesterday and the day before at the World's Fair. They also sang at the State Department. Today, as I said, we were privileged to hear them in the Old Senate Office Building. In behalf of the delegation I wish to thank them for their visit to Washington and for the privilege that they have given to us to express our pride in our State symbolized by these lovely women singers.

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. CASE. Mr. President, throughout this week I have inserted in the RECORD evidence of the public demand that the Senate get on with the job it needs to do in the aftermath of the Bobby Baker case. Again today I ask unanimous consent that more editorials and commentaries in support of this position be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

"EDWARD P. MORGAN AND THE NEWS": RADIO BROADCAST, AMERICAN BROADCASTING CO., MAY 12, 1964

PORTLAND, OREG.—Whether or not the Bobby Baker case figures as a cutting issue in the 1964 presidential campaign remains to be seen. The hinterland does not seem to be excited or even avidly interested now in its sordid scenario. The Senate Rules committee, which reluctantly investigated the amazing financial and other machinations of the former secretary to the Democratic majority, is expected to issue a report—possibly in the next fortnight—sternly condemning such practices but this won't be enough to prevent their repetition or materially bolster the sagging standards of congressional morality. The trouble is that Congress is not about to correct its own sins, present or future, let alone atone for past ones. After all, as North Carolina's Senator JORDAN, chairman of the Baker inquiry, said with ingenuous candor early in the proceedings, "We are not investigating Senators."

Some Senators, however, think the time has come to do just that. Today as a matter of fact Senator CLIFFORD CASE, Republican, of New Jersey, in a stormy session of the Rules Committee, declared no investigation of Baker "can have any real meaning without an investigation of relations" of Members of the Senate with him.

Several months ago, Oregon's Senator MAURINE NEUBERGER, a Democrat, joined CASE and Democratic Senator JOSEPH CLARK, of Pennsylvania, in introducing legislation aimed at correcting the double standard in Washington on conflicts of interest.

"Congress," Mrs. NEUBERGER writes with obvious feeling in the May issue of Pageant magazine, "has long demanded full disclosure of financial holdings from the other two branches of Government while winking at the questionable practices of its own Members. Congress needs a code of ethics backed by law to protect the public from the few dishonest legislators and to protect honest legislators from public suspicion or unjust allegations from political rivals."

Senator NEUBERGER impatiently rejects the standard defense of the status quo in congressional morality which argues that when a legislator gets out of line the voters can turn the rascal out. "The weakness of this argument," she says, "is that the public is at a distinct disadvantage. * * * Voters have little or no knowledge, as a rule, of the nature of their Congressman's financial interests. A Senator might sit on the Agriculture Committee which writes farm legislation involving billions in crop subsidies, but the public would be completely unaware of whether or not he is speculating in commodity futures. Nor would it know if a member of the Finance Committee attached a rider to a tax bill to benefit a private enterprise in which he had gambled his financial life."

So the Neuberger-Case-Clark bill, while not preventing a lawmaker from making private investments or using his personal influence with a Federal regulatory body, would require him to report publicly what his holdings are and to keep a record of his contacts with Government agencies. This annual requirement would extend to top congressional staff aids (Baker was one of these) and to the executive branch. After all, Senator NEUBERGER pointedly recalls, a Secretary of the Air Force in the Eisenhower administration and a Secretary of the Navy in the Kennedy administration developed clouded conflicts of interest between their Pentagon assignments and their private businesses.

Additionally, the bill would modernize the Corrupt Practices Act to require full reporting of congressional campaign expenses. Senator NEUBERGER was astonished and chagrined to find her meticulous report of expenses for her reelection in 1960 returned to her with a note from the Senate secretary's office saying it was not necessary. A loophole in the law allows candidates' committees to handle such finances and committees operating within a State are not required to report campaign expenditures.

This brought the lady from Oregon back to one of her major concerns in politics: How to finance campaigns so candidates are "less dependent upon large business interests and labor unions for their contributions." Mrs. NEUBERGER has introduced what she calls a "first-step" bill in this direction. "It provides that the Government match every private contribution of $10 or less (from a voter). Both the private and Federal contribution would be held by the Treasury Department and applied to certain designated campaign bills submitted by the candidates. The hope is that the Federal matching provision would stimulate political campaign committees to go after more small contributions and less large ones."

"Congress," her Pageant magazine article concludes, "must act not only to protect the general public, but to protect its own integrity and to preserve public confidence in its capacity to function freely and wisely amidst the manifold pressures of an untidy world."

The maddening trouble of it is that the manifold pressures of an untidy Congress have kept the mild reform legislation of Senators NEUBERGER, CASE, CLARK and others locked up in committee pigeonholes where they will probably stay unless and until the electorate becomes sufficiently aroused to demand action.

This is Edward P. Morgan saying good night from Portland, Oreg.

[From the Madison (Wis.) Capital Times, May 13, 1964]

Senator CLIFFORD CASE, an outstanding liberal Republican from New Jersey, spotlighted the weaknesses of the investigation in his appearance before the committee Tuesday.

He charged a whitewash and a failure to get the facts.

"No investigation of Bobby Baker can have any real meaning without an investigation of the relations of Members of the Senate with Bobby Baker," he said.

He was immediately set upon by CLARK and other Democrats.

This has been one of the patterns of the investigation. Any witness who gave testimony that embarrassed the Democrats and urged that the truth be pursued becomes a target of attack.

This was particularly true of the witness who told of the insurance deal with Lyndon Johnson—Don Reynolds.

There was something else in the case testimony that was according to pattern.

Senator CASE asked for an opportunity to make a statement before the committee a month ago. His request was ignored until a newspaper columnist, Roscoe Drummond, reported that the request was being ignored. The following day CASE was told he could appear.

This has been typical of virtually everything important uncovered in the Baker investigation. The press has forced the committee all along the line.

The Lyndon Johnson involvement was made public only after Clark Mollenhoff of the Cowles paper reported the incident. And so it has gone, with the committee ignoring much of the evidence which has been carried in the public press.

[From the Memphis (Tenn.) Commercial Appeal, May 15, 1964]

UNFINISHED BAKER CASE

No man would accept an unjust accusation, whether it is made directly or by innuendo. He would protest.

So it is not surprising that a number of Members of the U.S. Senate have risen to their feet to deplore the demand of some Republicans that the Bobby Baker case be expanded to cover the conduct of Senators.

Senator JOHN J. WILLIAMS, Republican, of Delaware, one of the prime movers of the investigation into the affairs of former Senate aid Baker, has been roundly denounced for not naming names, if he thinks some Senators are being less than honest.

Senator B. EVERETT JORDAN, Democrat, of North Carolina, chairman of the Rules Committee which has made a mild effort to uncover something of Baker's unusual rise to wealth, jumped on Senator CLIFFORD CASE, Republican, of New Jersey—another proponent of a broad gaze at the affairs of all Senators—with a cry of "demagoguery."

In what is supposed to be the world's most exclusive gentleman's club, this is vehement language.

Well, it is understandable that men of good repute would object to indiscriminate smearing of not only their personal integrity but also the good name of the Senate itself.

But where are the voices that must also object to the failure to clear the Senate's reputation of the shadow cast over it by Bobby Baker? The books on that case are not closed. Delays are only deepening the mystery.

The Senate owes it to itself to push ahead in this inquiry, and to step on whatever toes are in the way.

[From the La Crosse (Wis.) Tribune, May 15, 1964]

"DEAD CAT" BAKER CASE ISN'T BURIED

Last month, Senator JOHN J. WILLIAMS, Republican, of Delaware, gave it as his opinion that "you don't get rid of the smell of the dead cat until you bury it" and added that he didn't think the Bobby Baker case had yet been buried.

This week (perhaps it's getting warmer in Washington) the stench of the Bobby Baker case became evident again. And while a few members of the Senate Rules Committee (charged with investigating the financial wizardry of the onetime Senate page boy) seemed ready to order out a shovel detail, their colleagues had other thoughts.

Senator CLIFFORD CASE, Republican, of New Jersey, demanded at an open meeting of the Rules Committee that each Senator be asked if he had ever had any business or financial dealings with Baker, or had received campaign contributions "or anything else of value" from him. Senator EVERETT JORDAN, North Carolina Democrat and the committee chairman, called CASE's request the "height of demagogery," and said such questions would be "an insult to Senators."

The next day, WILLIAMS, author of the original resolution directing the investigation, offered an amendment which would make it clear that Senators were included.

The scattered reports and affidavits made so far in the probe, reluctant as it has been, show that Baker was a party to dozens of different deals that involved the use of his Senate friendships, with the implication that people he sought special favors from could benefit legislatively or otherwise.

This has had a wide range: A charter for a new District of Columbia bank, the vending machine business in several defense plants, stock deals, a fancy motel, expensive gifts, and a report that he was distributing campaign contributions for several Senators.

Far from being an insult to the Senators to get to the bottom of the Baker case, the refusal to do so constitutes damage to their character. Until a Senate committee—and the American public—learns which Senators, if any, were involved in shady deals with Bobby Baker, all of whom are under a cloud.

The way to clear up these suspicions obviously is to go ahead and investigate. It is what the committee should have done, with the gloves off, months ago.

[From the Spokane (Wash.) Spokesman-Review, May 16, 1964]

CASE MAKES STRONG BAKER PROBE PLEA

Senator CLIFFORD P. CASE, of New Jersey, deserves commendation for following up on his intention to get a thorough inquiry into the relations of Bobby Baker with Members of the U.S. Senate.

He has now publicly told the Senate Rules Committee that it has neglected its responsibility in this investigation and that the integrity of every Member of the Senate is subject to question because of this neglect.

Months ago the committee was authorized to probe into the outside relations of Mr. Baker, onetime protege of Lyndon B. Johnson and longtime secretary of the Senate Democratic majority. The committee uncovered a few facts about Mr. Baker's activities, but it has never tried to do a complete job. It has specifically ignored what business or financial dealings Mr. Baker had with the Senators themselves.

Senator CASE should be encouraged to press forward with his demands for a complete inquiry. Those Senators who have had a clear record with respect to the Baker dealings cannot be hurt by a thorough investigation. Yet the implications of a coverup are damaging to all who served during the Baker era.

[From the Moline (Ill.) Dispatch, May 16, 1964]

TO THE BITTER END

Partisan politics may be lurking in the wings as Senator CASE, of New Jersey, occupies the stage with his demands that all Senators be questioned about any dealings they may have had with Bobby Baker. CASE is a Republican. Because Baker was close to high Democratic figures and was secretary to the Senate majority before resigning under fire, the scandal is an embarrassment to Democrats.

Partisan or not, Senator CASE is right in his insistence that the Senate has an obligation to pursue this matter to its quite possibly bitter end. Reasons given in his testimony before the Senate Rules Committee—at his request, and at a public hearing even though a majority of the committee at first sought to keep the hearing secret—are most persuasive.

CASE wants the Rules Committee to ask all Members of the Senate whether they had any business or financial dealings with Baker, and whether they received anything of value from him. He correctly believes that this is the only way the Senate can get to the bottom of a sordid matter, and that until this is done the public will not be satisfied and the Senate's image will be badly stained.

There have been persistent rumors about Baker's hold on certain Senators. CASE referred to them thus: "When I hear of an employee of the Senate boasting that he has 10 Members of this body in the palm of his hand, I do a slow burn. It is difficult for me to contain my anger when I hear the talk, which everyone has heard, of Bobby Baker's dealings in committee assignments—granting or withholding his favor to persons elected by sovereign States to the greatest deliberative body in the world." He went into even greater detail, but this is enough to suggest that such rumors cannot be ignored. The Senate would be wise to follow CASE's advice.

[From the East St. Louis (Ill.) Journal, May 17, 1964]

U.S. SENATE TAKES FIFTH AMENDMENT

The rough edges of the Bobby Baker case frayed tempers in the U.S. Senate Friday. The result was one of the most unlikely of spectacles: a shouting match between mild-mannered Majority Leader MIKE MANSFIELD, of Montana, and the generally urbane CLIFFORD P. CASE, Republican, of New Jersey.

The matter at hand was a resolution authorizing the Senate Rules Committee to include the activities of Senators in its investigation of Bobby Baker's affairs. Mr. Baker, it has been shown, became quite a wealthy young man in his job as secretary to the Democratic majority in the Senate, allegedly through the price he could command whenever he wanted to peddle some of his Capitol Hill influence to interested buyers.

Majority Leader MANSFIELD moved to table this resolution, which Senator CASE had backed strongly earlier in the week. Senator MANSFIELD characterized the resolution as politically inspired and as "impugning the integrity of the whole Senate with sly innuendo."

This brought Senator CASE scrambling back with the charge that the Montanan was accusing him of improper conduct.

Out of all the uproar that ensued, it seems that neither Senator CASE nor Senator MANSFIELD had the last word. Indeed, the last word on this particular phase of the Bobby Baker investigation was uttered some months back when the chairman of the Senate Rules Committee, Democratic Senator B. EVERETT JORDAN, of North Carolina, blandly said his committee "is not investigating Senators."

It certainly isn't. Senator MANSFIELD's motion carried 42 to 33.

[From the Rockford (Ill.) Star, May 17, 1964]

SENATE COVERUP

Senator CLIFFORD CASE, Republican, of New Jersey, went down fighting when the Senate Democratic majority abruptly put an end to the investigation of the Bobby Baker scandal. CASE lost his fight to have the probe include Members of the Senate when Senator EDWARD KENNEDY, Democrat, of Massachusetts, who was presiding, repeatedly gaveled him out of order.

The Senate locked the door on the Baker probe after the Senate Rules Committee had closed it by suspending its investigation. The floor fight came in debate over a resolution by Senator JOHN WILLIAMS, Republican, of Delaware, which would have kept the probe alive and broadened it to make all Senators subject to investigation.

The great concern of the Democratic majority in voting down the resolution was to prevent Walter Jenkins, President Johnson's top confidential aid, from being called to testify. Republican members of the Rules Committee were eager to question Jenkins. They want to know who told the truth, Jenkins or Insurance Agent Don B. Reynolds, about the latter's claim that he was pressured into buying $1,280 worth of advertising over the TV station in Austin, Tex., owned by the Johnson family. Reynolds testified in the Baker probe that he sold a $100,000 life insurance policy to Mr. Johnson and that Jenkins then suggested the agent purchase the advertising. Jenkins has said he knows nothing of the advertising sale, but not under oath.

Why is it that the Democratic majority in the Senate doesn't want Jenkins questioned? That question will continue in the public mind.

[From the New York (N.Y.) Post, May 17, 1964]

THE BAKER CASE

(By William V. Shannon)

WASHINGTON.—The investigation by the Senate Rules Committee is scheduled to end May 31. But the Bobby Baker case will not die.

Although the Republicans can naturally be expected to talk about it between now and November, mere partisan clamor would not be enough to keep Baker on the front pages. Senator WILLIAMS, Republican, of Delaware, however, the Senate's extraordinary amateur sleuth, has hinted broadly in recent weeks that he has additional undisclosed information that could be highly important.

WILLIAMS had urged the Senate to extend the Rules Committee inquiry for another 3 months and to spell out clearly that it had the authority to cross-examine every Senator on his relations with Baker. Senator CASE, Republican, of New Jersey, was a cosponsor of this resolution.

WILLIAMS emphasized that he preferred the committee to investigate his undisclosed information since it could cross-examine witnesses, bring together the accusers and the accused, and better protect everyone's rights. But he warned that if the committee refused to act, he would make his charges in a speech to the Senate and review the Baker story "in all its dirty details."

The Delaware Senator enjoys playing detective, but he is not a scandalmonger or a sensation seeker. If he does make a major speech about the Baker case, he probably has evidence worth considering.

Since Baker, the former page boy who rose to be secretary to the Senate majority and amassed a fortune on paper of $2 million while on the public payroll, was a protege and confidential agent of President Johnson during the latter's years as Senate leader, the Democrats have been absolutely determined to restrict and kill off the investigation.

Baker, like most wheeler-dealers, had friends in both parties which may account for the discernible lack of zeal for this inquiry on the part of Senate Minority Leader DIRKSEN, Republican, of Illinois, and other GOP figures. Naturally, however, DIRKSEN gave the Williams-Case motion formal support. Senator MANSFIELD, Democrat, of Montana, the majority floor leader, and his fellow Democrats had to bear the responsibility for defeating it.

MANSFIELD, normally a soft-spoken, pipe-smoking, gentle man, showed the strain of performing an uncongenial chore. Having obtained an agreement to interrupt the civil rights debate for 20 minutes to dispose of the Williams-Case resolution he moved to table the resolution. His language was uncharacteristically emotional.

The resolution, he said, would impugn the integrity of every Senator. No Member should cast reflections on his colleagues on the basis of any suspicion or rumors—one of the biggest businesses of this city.

"Name your Senators," he cried. "Name them now—tomorrow—within the next 48 hours—name them on the floor—state your charges—be specific."

When MANSFIELD went on to say he wanted an end to sly innuendos, CASE rose to a point of personal privilege, contending as a sponsor of the resolution that he was entitled to deny he was engaging in slander or innuendo. Ordinarily, a Senator claiming personal privilege is automatically recognized. MANSFIELD refused to yield the floor because of the time limit. Senator KENNEDY, Democrat, of Massachusetts, who was presiding, refused to recognize CASE after receiving contradictory advice from the Senate Parliamentarian.

KENNEDY ordered an immediate vote which the Democrats won 42 to 33. Nine Democrats joined with 24 Republicans in the minority. The effect of the vote was to kill the Williams-Case resolution and allow the investigation of the Baker case to end as scheduled on May 31. But the abrupt manner in which MANSFIELD and the majority steamrollered the opposition caused excitement and aroused sympathy for CASE.

It was subsequently agreed that when the Senate meets on Monday, the Parliamentarian will present a memorandum explaining the precedents for the unusual advice he gave the Presiding Officer. CASE will also have the opportunity to present his views which was denied him Thursday. There is an outside possibility that the vote on tabling will be rescheduled.

The furor has worked to CASE's advantage. His aim is not to pursue Baker as an individual. Baker is primarily the symbol of what is wrong with the Senate establishment. His career dramatizes what has long been gossiped around the Capitol about the interconnections among certain Senators, staff employees, and lobbyists and the trading of Senators' votes and influence in exchange for preferred committee assignments and under-the-table campaign contributions. CASE has been crusading for several years to reform the establishment. The Baker case, if it continues to develop, may yet enable him to carry his crusade to success.

Mr. TALMADGE. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BAYH in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. JORDAN of North Carolina. Mr. President, it has been several weeks now since the jury trial amendment by the Senator from Georgia [Mr. TALMADGE] and several other Senators was offered for consideration by the Senate.

A great deal has transpired since the Talmadge amendment was first offered.

This period of time has been a period of great enlightenment by a great many people throughout the Nation.

I believe that the debate is serving a very good purpose, in that it brings to a clear point and in terms everyone can understand the far-reaching effects this bill would have if it were enacted as originally presented.

A great deal of the legislation which is considered by the Senate and the Congress is highly complicated and, in many cases, very technical.

The bill we are now considering, H.R. 7152, is a very complicated bill. It has many, many provisions and it is difficult for a layman to read the bill and realize its full impact.

I have gone over the bill numerous times myself, and each time I read it I find something new in it.

But there is one thing certain: The American people understand what we are talking about when we say the bill as now written would deny the citizens of this country the basic right to trial by jury.

The American people understand what this right means. They know that when the right to trial by jury is tampered with and compromised, then the basic foundations of our system of government are in deep trouble.

The American people do not want any part of a bill that would empower a judge to haul them before him, try them, convict them, and send them to jail without having the basic right of a trial by a jury of their peers.

At that point, I should like to add that they would wish the peers to live in the same locality they do, or in their own county—certainly within the boundaries of their own land, because that is what the Constitution set out unmistakably in the beginning.

As time passes and this measure, H.R. 7152, is examined and analyzed, we are seeing a tremendous change in public opinion about the entire question of civil rights.

We are seeing a nation being shocked when it realizes that under the name of civil rights a bill is being considered which, if enacted into law as now written, would do grave damage to many of the basic human rights our Government was formed to protect and preserve.

We are seeing a great effort made by those who originally supported this bill to rewrite it and somehow "compromise" on a new so-called package.

I wish them well, because I am certain that anything on which they agree could not be worse than the measure we have before us now. That would be impossible. I would also say to those who are trying to agree on a compromise that the American people should not be asked to compromise their right to a trial by jury.

The American people will not stand for this basic right to be damaged or destroyed.

At the time H.R. 7152 came to the Senate from the House of Representatives, there was a great clamor throughout the Nation to enact the bill very hastily as originally written.

But as time goes on we are seeing a great change come about. I think we are seeing a change in direct proportion to the amount of knowledge the public gains about this bill.

I have been greatly pleased with the way the newspapers and other news media have reacted to the question of trial by jury.

A good example of this is an editorial which appeared in the Charlotte, N.C., Observer on May 6, 1964. This editorial was published shortly after Senator TALMADGE's amendment was offered, and I would like to read it into the RECORD at this point. It is entitled: "A Vote for Talmadge's Amendment," and it reads as follows:

A VOTE FOR TALMADGE'S AMENDMENT

The Senate filibuster on the civil rights bill will probably come to a temporary halt today so that Senators can deal with an issue that poses a delicate and serious question.

Assuming that a hitch doesn't develop in current plans, the Senate will take up consideration of several amendments to the civil rights bill. Each amendment proposed would, if enacted along with the bill, have an important impact on two serious issues affecting the country:

It would affect the enforcement of the bill, and hence the pace of social change, particularly but not exclusively in the South.

It would affect the rights of individuals and to some degree the effectiveness of the American court system.

This method of enforcement for the 1964 bill, as it has been for previous civil rights law, is through the injunction process. If an elections official or an innkeeper or an employer should violate a provision of the law, a court can issue an injunction ordering him to comply with it. If he refuses to do so, then he can be brought to trial on a charge of contempt of court. The main trend of Anglo-Saxon law and the tradition in the United States has been to deny jury trials in such cases.

Each of the Senate amendments would make some provisions for jury trials in civil rights cases and one would go beyond that. They are raised in the foreground of a recent

Supreme Court ruling that was to some extent a departure from the past.

On April 6 the Court held that Gov. Ross Barnett and then-Lt. Gov. Paul B. Johnson, Jr., of Mississippi, who had been cited for criminal contempt in the Ole Miss eruption, were not necessarily entitled to a jury trial. This had the effect of tossing the final decision back to a lower court. But the Supreme Court added in a significant footnote:

"Some members of the court are of the view that, without regard to the seriousness of the offense, punishment by summary trial without a jury would be constitutionally limited to that penalty provided for petty offenses."

With this in mind, Majority Leader MIKE MANSFIELD and Minority Leader EVERETT DIRKSEN introduced an amendment to the civil rights bill which would limit punishment under the act to 30 days in jail or a $300 fine if no jury trial was held. If the defendant was found guilty by a jury, the sentence could be more severe.

Earlier, Senator HERMAN TALMADGE, of Georgia, introduced an amendment which would require a jury trial in all criminal contempt cases except those where the violation occurred in the presence of the court.

The Mansfield-Dirksen amendment appears to be a neat compromise, written in the spirit of the Supreme Court's decision, which was another compromise. But it draws a strange and, in our view, unjustifiable line by extending a new right to persons who are before the court on a petty issue while withholding that right from a defendant in a more serious case.

The Talmadge amendment is the most far-reaching in its effects, but it is also the most meritorious. It would extend the right of trial by jury, so sacred in other areas of the law, to all kinds of criminal contempt cases except those where the violation occurs in or near the presence of the court.

Senator TALMADGE's motives may well be to "water down" the civil rights bill in the hope that southern juries will not uphold the courts in their efforts to enforce the civil rights law. Many northern liberals and the Johnson administration are afraid this is exactly what will happen, and they favor either no jury trial provisions at all or only the limited provisions contained in the Mansfield-Dirksen proposal.

Yet there is another dimension to this issue which takes it out of the customary pro- and anti-civil rights battleground. Supporting the Talmadge position is that most liberal of organizations, the American Civil Liberties Union. Also, the most liberal members of the Supreme Court—Chief Justice Earl Warren and Justices William O. Douglas and Hugo Black.

Lined up against the mandatory extension of jury trials to this field are the National Association for the Advancement of Colored People and the most conservative members of the Supreme Court.

Although southern Federal judges would seem to have recourse in some circumstances to civil contempt procedures to enforce their orders—and no one has suggested jury trials in this area—there is some danger that the amendments in question would weaken both the dignity and the effectiveness of the courts in civil rights cases. It will be no happy thing for American justice if juries in Mississippi, Alabama, or any part of the South consistently set free persons who are guilty of criminal contempt.

Despite the dangers, we have come to believe that extension of the right of trial by jury to this field is long overdue and will have a healthy effect on the Nation's jurisprudence in the years to come.

Finally, we believe with Justice Black that it is fundamentally wrong when "one person has concentrated within himself the power to charge a man with a crime, prosecute him for it, conduct his trial, and then find him guilty."

Justice for the American Negro and justice for all Americans are not irreconcilable, and the first should not be sought at the expense of the second.

It is interesting to note, Mr. President, that there is a definite sense in the Senate that we are dealing with a most sensitive and delicate situation when we begin tampering with the question of our basic right to a trial by jury.

If nothing else, I think the discussions we have had on this one question will serve a good purpose in not only bringing about a new appreciation for our right to a trial by jury but also they will point out some of the far-reaching aspects of this bill in general.

Mr. RUSSELL. Mr. President, will the Senator yield with the understanding that it does not affect his right to the floor, and that when he resumes his remarks it will not constitute another speech?

Mr. JORDAN of North Carolina. I yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUSSELL. Mr. President, I am proud of the many outstanding arguments that have been made on the paramount issue of the right of freemen to be tried by a jury of their peers before they can be punished. One does not need to be a lawyer to understand that right. It is taught to our children in the schools, even in the sixth grade, when they begin studying civics.

A few days ago I happened to come across in a newspaper I was reading a verse from Kipling's poem, "What Say the Reeds at Runnymede?"

In the poem, Kipling has the Reeds reply in this vein:

At Runnymede, at Runnymede,
Your rights were won at Runnymede!
No freeman shall be fined or bound,
Or dispossessed of freehold ground.
Except by lawful judgment found
And passed upon him by his peers!—
Forget not, after all these years, The charter signed at Runnymede.

I say to the distinguished Senator from North Carolina that we shall forget the charter if we defeat the amendment that assures a trial by jury in cases of criminal contempt. That is really a criminal charge. I can imagine what the Reeds at Runnymede would say in the event this great deliberative body, which is supposed to be representative of the freest people on earth, were to turn back the clock and start marching back down the hill to the bogs of tyranny.

If the Senator will indulge me, I shall read my version of Kipling's poem.

Mr. JORDAN of North Carolina. I shall be delighted to hear it.

Mr. RUSSELL. It reads:

Ah, Runnymede! Ah, Runnymede!
Shame on cowardly seed of a braver breed!
Men there made free, now fined and bound
And dispossessed of freehold ground,
At whim or fancy of life-tenure judge,
Who, to please benefactor politically bent
Or fear-ridden by sound of demonstrators' chant,
Now consigns to perdition, with hypocritical cant,
The charter signed at Runnymede!

Mr. President, the newspaper article which contained Kipling's verse dealt with the fact that the British were setting aside a plot of ground on the plains at Runnymede in order that we might build a marker or memorial to our martyred President, John Fitzgerald Kennedy. It seems to me that it would be a mockery for the Senate to participate in building a memorial to John Kennedy at Runnymede if the Senate defeats this prime symbol of free men everywhere—the right of a trial by jury.

No man was more courageous than John Fitzgerald Kennedy when he stood in this Chamber and spoke for the right of a trial by jury. It would be a great tragedy if now we were to deny this right—to retreat from the high ground to which man has climbed, and from whence he aspires to even higher reaches.

It is a great tragedy that in all this emotional whirl, what four or five seminarians or preachers may say will received more attention throughout the Nation than the fact that the Senate is about to put to a test the question of whether Senators really believe in the things that have made the American people a free people, and whether Senators are going to vote to deny to the American people this right that is the primary right of all free men—namely, the right of trial by jury.

I regret that I have impinged on the time of the Senator from North Carolina; and if he wishes to have me do so, I shall be glad to ask that my comments be printed in the RECORD at the conclusion of his remarks.

Mr. JORDAN of North Carolina. Oh, no; I am delighted to have the Senator's remarks printed at this point in the RECORD; I think that will be most appropriate.

If the Senator from Georgia will permit me to do so, I should like to ask him a question.

Mr. RUSSELL. Certainly.

Mr. JORDAN of North Carolina. Does not the Senator from Georgia believe that the Founding Fathers, who wrote the Constitution and the Bill of Rights, would be astounded to learn that at this time the Senate of the United States is discussing a proposal to do away with such fundamental rights of the people? It required approximately 1,000 years or more to provide these rights by law, did it not?

Mr. RUSSELL. Yes; it required a thousand years, along a bloody road, with violent fighting by brave men, to provide us with the rights we have today—our great structure of freedom, by which a few men moved civilization farther forward in those few years than it had gone in a thousand years prior to their time. Not only would it be a reflection on them; but certainly those who sacrificed so greatly, in order that we might enjoy these rights, could not rest in peace if they realized that the Senate of the United States would carelessly disregard this greatest of all memorials and symbols of freedom—the thing that Churchill says is the distinction between bond and free on this globe.

Such a development is inconceivable to me; and I have been saddened to see this issue treated as if it were a minor matter. I cannot understand how such an attitude has developed among Senators to such an extent that the Senate is considering the question of whether we are to have in our country a process of control of the rights of the people by means of injunctions, under a system by which the Attorney General would not only be the custodian of the rights of the people of the country, but also would regulate this private lives; under this system we would have government by injunction, and a citizen would be denied the opportunity to go before a jury of his peers and submit to them his complaint. Instead, we are told now that "In this new day, we do not have time for those things"; and we are told that the Attorney General should be allowed to go before judges of his own choice, whom he may have selected for lifetime appointment to the bench, and have those judges determine the fate of citizens and the disposition of their rights and of their property for which they may have worked for years.

Mr. JORDAN of North Carolina. I thank the Senator from Georgia for his remarks.

Mr. STENNIS. Mr. President, will the Senator from North Carolina yield to me?

Mr. JORDAN of North Carolina. I am glad to yield to the Senator from Mississippi, provided I may do so under the terms heretofore stated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. I am impressed very much by the remarks of the Senator from Georgia.

I wish to ask him this question: Is not what he has said augmented and compounded in importance and effect by the fact that the pending bill would make discrimination a crime, but does not define the word "discrimination," but still would snatch from a citizen his right of trial by jury?

Mr. RUSSELL. Yes. It would permit the Attorney General to decide what would be a crime or an offense against the law now proposed; and the pending bill would permit the Attorney General to define it after the law had been passed, without having any standards implicitly stated or spelled out in the bill; and the bill would permit the Attorney General to define the crime or offense after the citizen had committed the act—thereby assailing the Constitution in still another respect, and making this proposed law really an ex post facto law, because when the citizen committed the act, he would not know that such a law was going to be imposed. Under the pending bill, the Attorney General could go into court and could secure an injunction; and under the injunction the Attorney General could proceed to regulate the life of that citizen and his business; and if the citizen resisted or cried out against the injustice of not having a jury trial, and if the citizen refused to obey, he would be tried before a judge whom the Attorney General had selected in the first instance. The Attorney General would submit to him the petition for an injunction; and the citizen would wind up in durance vile, and possibly also with a heavy fine imposed upon him, but without any opportunity whatever to appear before a jury.

It is indeed sad that an issue of this sort should be pending before the U.S. Senate. Some of us have been endeavoring to discuss it and to let the American people understand what is proposed to be taken from them.

Some persons say this issue is only a southern issue. Mr. President, I would be proud to have it considered a southern issue, and I am proud to be associated with southern Senators in struggling to preserve this right.

But I say it is a great tragedy that Senators from other parts of the country are driven to support what they must know in their heart of hearts would be a clear violation of a fundamental American principle of freedom.

Nevertheless, some say this is only a southern issue. How sad it is that that feeling has been whipped up by the organs of propaganda in this country, to the point where many Senators would be willing to legislate blindly, merely because it is said that southerners propose to save these fundamental rights of freedom of the people of the United States.

Mr. President, why should we not seek to save them? Men of the South wrote most of the Constitution, in which these rights have been embedded. However, these rights have been enjoyed, not alone by the people of the South, but by the people of the entire country—by those of the East, the West, and the North, as well as by the people of the South.

Mr. LONG of Louisiana. Mr. President, will the Senator from Georgia yield briefly to me?

Mr. RUSSELL. I yield.

Mr. LONG of Louisiana. Is the Senator from Georgia aware of the fact that in the Court of Appeals of the Fifth Circuit, which includes Georgia, Louisiana, and most of the other Southern States, there has been very severe criticism because the senior judge has developed the habit of consistently appointing to the three-judge courts a majority of judges who very consistently agree with the Attorney General?

Mr. RUSSELL. Yes, I have heard that criticism, and I believe it is justified.

Mr. LONG of Louisiana. John Minor Wisdom is one who has repeatedly been appointed to such three-judge courts.

Is it not adding insult to injury when a citizen not only is denied a trial by a jury, but also is faced with a situation in which the Attorney General is given the right to use, in that connection, a judge whom he selected and had nominated by the President, and whose nominations were confirmed by the Senate—and not only to have that judge used, but also to use two other biased and prejudiced judges, who would be selected to rule on the charge the Attorney General himself had made?

Mr. RUSSELL. Certainly. I have already stated that the Attorney General would define the crime and would describe it and would fix the standards, and he could do that after the commission of the act, and then could go before a judge whom he had selected, and who had been appointed on his recommendation, and could obtain an injunction.

The purpose of the bill is to change completely the course of the adjudication of cases and the regulation of our people by law. It would change our system from that of a self-governing people who have the right to a jury trial to a people who would be pawns in the hands of Federal judges and the Attorney General. This bill would give the Attorney General of the United States far greater powers than any President has ever had to regulate the lives and businesses of our people.

Someday we may have a very bad Attorney General. Some people criticize the one we have at the present time. But no man, particularly an appointed officer, is entitled to have the vast powers over the lives, property, the welfare, and the happiness of the American people that is proposed to be vested in the Attorney General of the United States.

I thank the distinguished Senator from North Carolina.

Mr. JORDAN of North Carolina. Following up the discourse of the Senator from Georgia, I point out that if the bill were passed in its present form, since it does not define what discrimination would be, the Attorney General could define the term in any order that he might make. If he wished to win a case badly enough the Attorney General could define the term in such a way that he could be sure to win the case. He could state anything he wished. I do not think that there could be an ultimate agreement on the meaning of the term "discrimination."

Mr. RUSSELL. If it were an offense which might cause a man to go to jail or pay a fine, there ought to be some way at least to spell out a part of the meaning of the term so that the American people could know how to avoid violating the law.

The other day I read in the RECORD a statement of the distinguished Senator from Louisiana [Mr. LONG] in which he referred to the fact that the Attorney General had never tried a case before a jury. It may be that he does not wish to go before a jury, and therefore is attempting to put through the three-judge provision so that he will never have the experience of trying a case before a jury.

Mr. JORDAN of North Carolina. Is it not a fact that even in our courts today thievery is defined in different stages? Petty thievery is defined in the law, and the different degrees of thievery following that are subsequently defined. The crime of murder is placed in two or three different categories. There is first degree murder, second degree murder, and manslaughter. The terms are defined. A person knows under what law he will be prosecuted if he commits such a crime. But the provision of the bill to which the Senator has referred is no way in which to set up the proposed crime.

Mr. RUSSELL. The bill is designed to eliminate all difficulties that the prosecuting officer might confront. Of course, the Constitution requires that a man be apprised of the crime with which he is charged. Moreover, he must be confronted by the witnesses against him, and he is entitled to a trial by jury.

The bill would reverse that whole system. The law provides that a man is presumed to be innocent until he is found guilty, or at least until substantial evidence has been presented and proved. In my State the evidence must be sufficient to convince a jury beyond a reasonable doubt of the defendant's guilt before he can be fined or imprisoned.

But the bill does not establish any standards. It does not provide that a judge must find this, that, or the other, or that a particular rule of evidence is to apply.

Under the bill the Attorney General would in many cases be in the same position in which Edgar Bergen is with Charlie McCarthy: He will talk with Charlie, and then he will tell Charlie what to say. On that flimsy basis American citizens would be confined to jail or fined.

Mr. JORDAN of North Carolina. Will the Senator from Georgia answer a question for me? In the judgment of the Senator would it be safe to give to the Attorney General under the bill the authority to determine what discrimination is?

Mr. RUSSELL. Of course, the Attorney General might make his definition as he goes along and change it from time to time. There is no provision in the bill that if he were in error, the defendant would have a right to correct the error.

Mr. JORDAN of North Carolina. It is almost ridiculous. If the bill were enacted in its present form, the law would be almost ridiculous.

Mr. RUSSELL. It is a very sad commentary on our civilization that the American people have not protested more than they have. When they have understood what this bill actually provides, they have spoken in no uncertain terms.

Maryland has been called the Free State. At one time I thought that the title was a memento of the Revolutionary War period or something of that kind. But evidently there must be a great desire for freedom still in the State of Maryland, because in the recent Maryland election a man who did not know more than a handful of people there came into the State only a couple of weeks before the primary. He engaged in a campaign against the most popular political figure in the State, and he received a majority of the white votes in the State. So there is some freedom in this land. If we continue to discuss the bill from now until fall, I believe we shall get the truth across to the American people, and they will know the issues that are involved. When the voice of the American people finally resounds in this Chamber, the Senate will reject this proposal.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. JORDAN of North Carolina. I am delighted to yield to the Senator from Louisiana on the same terms upon which I have yielded to Senators previously.

Mr. LONG of Louisiana. The Senator, as a successful businessman, knows that in order to succeed in business, a businessman must make decisions as to what commodities he will buy, whom he will hire, to whom he will sell his product, and what firm he will employ to move his commodities. I ask the Senator if the average successful businessman does not have to make innumerable decisions—as to whom he will trade with, whom he will buy from and sell to, and what transportation he will use; and if all of those decisions do not involve careful discrimination.

Mr. JORDAN of North Carolina. The Senator is correct. There is no doubt about it.

The Senator has spoken about trucking lines and transportation. As the Senator knows, since he lives in the city, the city of New Orleans is a point of origin of dozens of trucking lines and other forms of transportation. There are numerous trucking lines that ship from New Orleans to Baltimore, New York, and other ciites. A man has a perfect right to select whatever line he wishes to choose. If the freight rate is the same—and it is usually set by the Interstate Commerce Commission—a businessman is privileged to select whatever line he wishes.

Mr. LONG of Louisiana. Is it not correct that oftentimes a man finds that he wishes to use a fast mode of transportation even if it is more expensive, or vice versa?

Mr. JORDAN of North Carolina. Certainly. There is no reason why he should not if he wishes to do so. He is using his own money. He has a right to select the company that he wishes to haul his goods, the kind of equipment he wants to haul it, and everything about it.

The bill could lead to a situation in which the businessman could not make such selection.

Mr. LONG of Louisiana. If a person were completely denied the right to discriminate, and he found that he could not do business, would we not have a system of government similar to that which the Communists have?

Mr. JORDAN of North Carolina. I believe we would approach pretty close to it.

Mr. LONG of Louisiana. Is it not correct that a person in his ordinary daily life discriminates 100 times a day without ever thinking about it? When a person decides whom he shall visit he discriminates. When he decides whom he shall marry he discriminates. He discriminates if he decides to buy a present for one daughter instead of another. He discriminates when he decides that he will place a long distance call to Aunt Susie instead of Uncle John. His communications with his neighbors in one fashion or another involve some sort of discrimination. If he says "hello" to one person and does not say "hello" to another he discriminates. Is it not a fact that in ordinary living a person engages in a thousand acts of discrimination every day without thinking about it?

Mr. JORDAN of North Carolina. There is no question about it. A person selects what he wants out of what there is to be had, and that is discrimination.

Mr. LONG of Louisiana. In many instances do not the laws of the country require a person to discriminate? For example, suppose an employer wishes to hire someone. The law requires that the employer give the job to the person who makes the best grade on an examination.

Mr. JORDAN of North Carolina. The Senator is now talking about civil service?

Mr. LONG of Louisiana. Is that not correct?

Mr. JORDAN of North Carolina. It is supposed to be that way. I hope the rule is still in effect.

Mr. LONG of Louisiana. Does not that involve discrimination in favor of the person who has had a better education?

Mr. JORDAN of North Carolina. It certainly does. There is no question about it. That would be through no fault of the employer.

Mr. LONG of Louisiana. Is it not often true that the person who has not had an equal education finds himself less educated through no fault of his own?

Mr. JORDAN of North Carolina. Certainly. Although the schoolhouse was provided, perhaps he could not get there. That is no fault of the schoolhouse.

Mr. LONG of Louisiana. Is not that discrimination which the law requires?

Mr. JORDAN of North Carolina. That is correct.

Mr. LONG of Louisiana. As the Senator knows, a veteran gets a preference of 10 points in a Civil Service examination if he was perhaps only scratched by a C-ration can. The 10 points are added to what he obtains in an examination so that, in competition with another person who may have received a higher mark the veteran would get the preference for the job. Is the Senator aware of that veterans preference in the law?

Mr. JORDAN of North Carolina. That is correct. It is also a fact that, even if he were not wounded, he would get 5 points extra.

Mr. LONG of Louisiana. Yes, but if he were a 10-point veteran, he would get that preference, even though he might have received a mere scratch or a mere brush or no more than stubbed his toe. I could give the Senator examples that are even more ridiculous than that. But the veteran who has become a 10-point veteran gets a job in preference to someone who may be better qualified. Is that not fantastic discrimination?

Mr. JORDAN of North Carolina. And that discrimination was established by law in this very body. Is that not correct?

Mr. LONG of Louisiana. That is correct. That is the law. It requires discrimination in favor of all veterans, whether they fought or not. If he did not do anything but curry an old gray mule, and the mule kicked him, the veteran gets a 10-point preference.

In view of that type of discrimination required by law, can the Senator say it is evil for a person to discriminate?

Mr. JORDAN of North Carolina. I have no criticism of the law which was enacted by Congress, granting privileges that would help wounded veterans. I have never been. But, at the same time, it does discriminate against a person who probably did not get a chance to go in the Army.

Mr. LONG of Louisiana. I ask the Senator from North Carolina if his mother taught him as a boy that he should try to go with the right kind of people and avoid those who had bad morals and tended to be lawless and were not the best kind of folks. Did his mother suggest that to the Senator from North Carolina when he was growing up as a young man?

Mr. JORDAN of North Carolina. She did more than suggest it—she insisted on it.

Mr. LONG of Louisiana. Was that not discriminating against persons who did not have polite manners, those who perhaps spat on the floor, and who did all kinds of things like that? Was that not discrimination?

Mr. JORDAN of North Carolina. It certainly should be so classified.

Mr. LONG of Louisiana. When the Senator from North Carolina went with certain company, was he not discriminating against other folks?

Mr. JORDAN of North Carolina. I think it could be put in that class.

I thank the Senator for his comments. I think they fit into my remarks.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may make a comment without prejudice to the rights of the Senator from North Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. This situation reminds me of a story my father used to tell at the time his uncle was recommended to be on the board of deacons of the Baptist Church. His uncle had been a kind of rough and tumble type around the community, and his reputation was not everything to be desired. The board of deacons spoke about the fact that he had been crude and unruly and had done things that were not approved of in the community. After they had run him down a bit, the preacher came to his defense and said, "Don't you think, after all, the rougher element is entitled to some representation on this board of deacons?"

All these activities involve discrimination. It is ridiculous to try to enact a law that provides that it is evil to discriminate in ways people normally do, and fails to define what the nature of the crime, and to try to force conformity on all, contrary to a person's moral judgment. It seems a fantastic violation of a person's rights, particularly when it is coupled with a denial of a right to jury trial when a person is faced with such charges.

PRAYER IN PUBLIC SCHOOLS

Mr. PEARSON. Mr. President, will the Senator yield for an insertion in the RECORD without losing his rights to the floor or his resumption being counted as a second speech?

Mr. JORDAN of North Carolina. I yield with that understanding.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PEARSON. Mr. President, occasionally someone is able to deal with a complex and controversial subject such as the issue of prayer in the public schools in such a way as to make the facts stand out above debate and emotions.

Such an effort is an editorial in the May 18, 1964, Wichita Eagle entitled "Let's Not Tamper With the First."

For the benefit of those who would reflect upon this subject, I ask unanimous consent that this editorial be made a part of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LET'S NOT TAMPER WITH THE FIRST

Three weeks of hearings by the U.S. House Judiciary Committee on proposed constitutional amendments to permit prayer and Bible-reading in public schools have not altered our view that Congress should leave the matter alone.

What the hearings have demonstrated are these points:

That much of the resentment against the 1962 and 1963 decisions by the Supreme Court is based on misunderstanding. The Court did not forbid singing of the national anthem, nor did it foreclose use of the motto, "In God We Trust"; most of all, it has not "outlawed God," nor the Bible, nor the Lord's Prayer; and it has not made the United States is a "godless society."

That leading members of all faiths are divided on the amendments, but that most of them counsel against Congress entering the "religious thicket"; they fear that this would do more to endanger our religious liberty than protect it.

That the difficulty of marking out the proper boundaries between church and state is great; that any prayer in a classroom can hardly be termed voluntary when children are under pressure to conform; that no pat answers are available on how a community would decide what religion's prayers would be recited or which version of the Bible would be read.

We feel that thoughtful Americans will agree with such prominent religious leaders as Catholic Bishop Fulton J. Sheen and Presbyterian Dr. Eugene Carson Blake that the first amendment should remain "undisturbed." It has served us well as it is. Let's not tamper with it.

DEPRESSED BEEF PRICES

Mr. PEARSON. Mr. President, one of the major beef packers in Kansas is Excel Packing Co. of Wichita. Recently, I received an extremely interesting letter from its president, Sam H. Marcus, regarding the very troublesome problem of depressed cattle prices.

Here is a man who is gravely concerned with the price of cattle. The very sensitive relationship of beef prices to consumer demand makes it essential that he buy and sell at as low a price as possible. In many respects, he benefits from low prices because they tend to expand his market.

Mr. Marcus, however, has not confined his interest solely to buying, packing, and selling. His interest extends to a deep concern for the health of the livestock industry in its entirety. His statements in the letter I received reflect his concern and his fear as to where present administration policies are taking the country and the livestock industry.

Mr. Marcus' comments are both interesting and enlightening. I therefore ask unanimous consent that excerpts from Mr. Marcus' letter be included at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Senator JAMES B. PEARSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PEARSON: The causes [depressed beef prices] one must admit are multiple, but that the beef imports in large quantities is a major force there can be no question.

Permit me to again review quickly the part the imports have had in the buildup that created the problem at hand. The imported boneless beef has been and is still being sold at a penny or 2 cents per pound under domestic beef. A penny or two does not sound like much, but it is the difference between profit or loss for the independent domestic cow beef boners and has almost put them out of business, thus destroying part of the market for our cows. Coincidentally, it created a ceiling price on cows that made it uneconomical for the farmer to liquidate cows that rightfully should have been culled from his herd. Feeder calf prices being what they were, he could do better raising another calf with that cow. Had our own supply and demand factors been allowed to function, cow prices would have risen and cows would have been marketed. Thus, we would not have had the buildup in cow herds and calves that has caused the present depressed price condition in the industry.

The Government is at present spending something like $80 million on a giveaway beef program. About 200 million pounds of beef will be given away in one form or another. As a nation we produce over 450 million pounds of meat and meat products per week, not including poultry. You can readily see that the program will only dispose of about 1 percent or less of our annual production of red meat. We are presently overproducing about 10 to 12 percent in beef due to the imbalance I have described above.

How much good will the $80 million do to solve the problem? Would it not be better and cheaper to give the industry the balance that it needs by restoring the balance of supply and demand? It worked well for us before the Pandora box of foreign meat supplies was allowed to be opened.

I realize the political implications, but if something is not done soon, animal agriculture problems could very easily throw our whole economy into a depression that might make the thirties look tame. You can't break the farmer and have prosperity.

Very truly yours,

SAM MARCUS.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney

General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. STENNIS. Mr. President, will the Senator from North Carolina yield to me without losing his rights to the floor?

Mr. JORDAN of North Carolina. I yield to the Senator from Mississippi.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, the Senator from Minnesota [Mr. HUMPHREY], who is the manager of the civil rights bill, has inserted in the RECORD a special civil rights newsletter of May 1964 in which he and the Representative from Ohio [Mr. MCCULLOCH] discussed H.R. 7152. This newsletter confirms what many of the opponents of the civil rights bill have attempted to explain on the floor of the Senate and in other statements in which we discussed what the bill is designed to do and also what it will not do.

One of the objectionable aspects of the bill which has been repeated many times by the opponents is that its provisions would apply to some States but would not apply to others. It would allow certain States to continue to operate their affairs in the same manner in which they are accustomed, while imposing a completely different and more rigid set of standards on other States, particularly in the South. This was confirmed in the special civil rights newsletter by the following language:

> This authority is weaker than that granted to 25 State commissions under State law. And, where a State commission is doing its job the Federal Commission may not interfere.

The special newsletter said further:

> A majority of the States have enacted legislation which is as strong or stronger than the major provisions of the civil rights bill. Nothing in the bill interferes with the effective enforcement of these State laws. And, where these laws are being effectively enforced, there is no reason for the Federal Government to interfere in State's rights.

It is now perfectly clear, by the admission of those who are managing the bill on the floor of the Senate, that there is no intention of imposing the terms of the civil rights bill now under consideration upon the 25 or so States who have some form of State civil rights measures. They will have one set of standards, the South will have another.

No doubt if this bill is enacted into law, Mississippi, Alabama, and Georgia and other southern States will be forced to adhere to every single letter and paragraph of the new law. But it will not change things in a State such as New York.

In order that this difference may be fully understood, it is only necessary to examine the experience of the State of New York. The State of New York has passed an FEPC-type law. Apparently, the New York Legislature felt it was needed in that State. I would not presume to tell the State of New York what laws should or should not be passed. That is the prerogative of the citizens and the elected officials of New York. They can best determine what measures are good or bad for their State, and it is proper that they should determine their own course of action in this matter. It is equally proper that Mississippi should be granted the same right and privilege. I object to the people of New York, or any other State, seeking to impose a Federal law on the people of Mississippi and then have that law carry a provision that will, in effect, exempt them from the operation of that Federal law.

I am not acquainted with the specific reasons why such a law was passed in New York, but the fact is that New York was the first State to enact an FEPC law.

In hearings before the House Committee on Education and Labor, the former chairman of the New York State Commission for Human Rights testified as to the experience of the State of New York in administering the law. He reviewed the administration of the New York law from its passage in 1945 to December 1962. According to his testimony, over 73 percent of the complaints filed before the State Commission were found to have no probable cause of action on the grounds given by the complaint. Of the 7,725 complaints filed, only 37 were ordered for public hearing, and hearing was completed in only 7 of the more than 7,700 complaints.

It was pointed out in the testimony that, although almost three-fourths of the complaints were determined to have no cause of action and that only 7 of 7,700 were heard by the Commission, the Commission had been successful in resolving the problems of equal employment opportunity through various methods of conciliation.

Again, I do not attempt to pass judgment upon the kind of law the State of New York should have, or how it should be administered, or whether it should have a law at all. It seems, however, that measured by comparing the number of orders issued after hearing to the number of complaints filed, the standard of enforcement—which the State of New York has a perfect right to determine for itself—is rather low.

It was further pointed out that a large number of the complaints were settled by agreement through conference and conciliation.

The point is that the State of New York, under title VII, could agree with the Federal Government that it would handle its own equal employment opportunity problem. Past experience shows that the State of New York issues an order after hearing on the average of only once in every 3 years.

Under present circumstances, Mississippi, Alabama, Georgia, Louisiana, and many other States, would not be afforded the same opportunity as New York. These States do not have an FEPC law. The people of these States have the same right to determine that there is no need for such a law in their particular State as the citizens of New York have to determine there is a need for such a law in their State.

Mr. President, the Census Bureau table which was placed in the RECORD and discussed more than once, shows that nonwhite unemployment in New York City is higher than it is for the Nation's average, that in Mississippi nonwhite unemployment is lower than it is for the national average, although the State that I have the honor to represent has the highest number, percentagewise, of colored people than any State in the Union.

But even if Mississippi, or any of the other States not now having such a law, enacted an FEPC law, there would be no assurance that the Federal Commission would agree to stand aside and let Mississippi or the other States handle equal employment opportunity problems on the same standard as New York. As a practical matter, it is probable that exactly the contrary would be true. The pressure that is now being exerted on Mississippi and other Southern States in this and other civil rights fields will not be lessened with the passage of this bill, or this title. It will be increased.

Suppose Mississippi should pass an equal employment law. No person who has made any knowledgeable assessment of present circumstances existing in the Nation could really believe that in the practical application of title VII Mississippi would be allowed the right to dismiss almost three-fourths of all claims as having no ground of complaint, as New York has done. This would be branded as a complete breakdown in the operation of the law.

I point out again that even though there is no FEPC law in the State of Mississippi, even though we have the highest percentage of nonwhites of any State in the Nation, our unemployment rate for nonwhites is less than that of the State of New York.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield for a question?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana. His State is similarly involved. The Senator is well versed in the problem and is seeking to find its solution.

Mr. LONG of Louisiana. I hold a table of figures in my hand, the latest information I could get, which shows the percentage of unemployed whites in all the States of the Union compared with the percentage of unemployed nonwhites.

The fantastic thing about this table is that it shows in the FEPC States, compared to Southern States, the average is 4.9 percent of unemployed whites as against 10.1 percent of unemployed nonwhites. That is a ratio of 107 percent on the discrimination index.

On the other hand, in the South, 4.4 percent of whites are unemployed compared to 7.4 percent of nonwhites unemployed. That gives a ratio of 67 percent higher than for unemployed whites.

Mr. President, I ask unanimous consent to have this table printed in the RECORD, so that it may be available to other Senators.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Unemployment as percent of civilian labor force, by color, by States, April 1960

State	Total	White	Nonwhite
United States	5.1	4.7	8.7
Alabama [1]	5.7	4.7	8.4
Alaska [2]	12.8	10.5	25.4
Arizona	5.3	4.7	13.2
Arkansas [1]	6.0	5.3	9.1
California [2] [3]	6.1	5.8	10.0
Colorado [2] [3]	4.0	3.9	6.6
Connecticut [2] [3]	4.6	4.4	8.9
Delaware [3]	4.6	3.8	9.2
District of Columbia	4.1	2.5	5.7
Florida [1]	5.0	4.6	6.7
Georgia [1]	4.5	3.8	6.3
Hawaii	4.2	4.8	4.0
Idaho [3]	5.7	5.6	8.6
Illinois [3]	4.5	3.8	11.5
Indiana [3]	4.2	4.0	8.5
Iowa	3.2	3.1	9.3
Kansas [3]	3.7	3.4	8.5
Kentucky [1]	6.0	5.9	8.1
Louisiana [1]	6.1	4.7	9.5
Maine	6.5	6.4	17.8
Maryland	4.8	3.8	9.5
Massachusetts [2] [3]	4.2	4.1	7.8
Michigan [2] [3]	6.9	6.0	16.3
Minnesota [2]	5.0	5.0	12.8
Mississippi [1]	5.4	4.5	7.1
Missouri [3]	4.1	3.7	8.6
Montana	6.8	6.4	24.8
Nebraska	3.1	3.0	7.7
Nevada [3]	6.2	5.9	10.1
New Hampshire	4.3	4.2	10.2
New Jersey [2] [3]	4.6	4.1	9.5
New Mexico [2] [3]	5.9	5.5	13.6
New York [2] [3]	5.2	4.9	7.4
North Carolina [1]	4.5	3.6	7.4
North Dakota	5.6	5.4	25.2
Ohio [2] [3]	5.5	4.9	11.9
Oklahoma [3]	4.4	4.0	9.0
Oregon [2] [3]	6.0	5.9	9.5
Pennsylvania [2] [3]	6.2	5.8	11.3
Rhode Island [2] [3]	5.3	5.2	10.0
South Carolina [1]	4.1	3.4	5.7
South Dakota	4.1	3.7	23.8
Tennessee [1]	5.2	5.0	6.5
Texas [1]	4.5	4.1	7.1
Utah	4.1	4.1	5.7
Vermont [3]	4.5	4.5	10.6
Virginia [1]	4.2	3.5	7.1
Washington [3]	6.6	6.4	13.4
West Virginia [3]	8.3	8.2	11.4
Wisconsin [2] [3]	3.9	3.7	11.4
Wyoming	5.1	5.0	10.1

[1] Southern States.

[2] States with effective fair employment practice commission laws in 1960, as classified by the U.S. Department of Labor.

[3] States with FEPC laws.

Source: U.S. Bureau of the Census, 1960 Census of Population, PC(1)C series table 53, 83.

	White	Non-white	Percent
FEPC	4.9	10.1	107
South	4.4	7.4	67

Mr. LONG of Louisiana. Mr. President, the cold blooded record shows that discrimination against Negroes in employment is much worse in the North, in States which have FEPC laws, where at least they have the laws to prohibit discrimination, than in the South where there are no such laws.

There are a number of reasons for that. One reason is that because of the FEPC laws, an employer is afraid that if he hires a person of the Negro race who turns out to be not qualified, he might not be able to discharge him because of being hauled before the FEPC Commission on a charge of discrimination. So the employer tries various ways to maneuver around to avoid the law.

As one example, a businessman from a northern State told me that in those FEPC States one should never answer an ad in the newspaper, because it is likely to be a trap set by either CORE or the NAACP. If an employer finds the kind of person he wishes to employ and he is white, it would be safer to hire him, because if he turned out to be not qualified, he could be fired with no possibility of the charge of discrimination being placed against him.

It has been found that discrimination in FEPC States is worse against the poor colored man than it is in the South. I should like to see the colored man receive a better break everywhere, North and South, but I should like to inquire of the Senator whether this table does not amply demonstrate that discrimination in the FEPC States?

Mr. STENNIS. It certainly does; and I join the Senator from Louisiana in asking unanimous consent that the table be printed in the RECORD.

Mr. LONG of Louisiana. Discrimination is worse in the States that already have FEPC laws; is that not correct?

Mr. STENNIS. The Senator is correct. Those figures are not the compilation of a group, opposing this bill, but they are census figures; is that not correct?

Mr. LONG of Louisiana. These are administration figures. They show that, nationwide, 4.7 percent of whites are unemployed, and 8.7 percent of nonwhites are unemployed.

Why is it so bad? How could it be so awful? We find that the law is bad in the States which already have FEPC laws. They are the ones which make it so bad.

For example, the great State of Michigan—which has two Senators who hope to impose their Michigan-type of FEPC law on us—probably heads the list in discrimination against Negroes. In Michigan, 6 percent of whites are unemployed and 16.3 percent of Negroes are unemployed.

One would think that the State of Illinois, so ably represented by two outstanding Senators in this body, two fine persons from that State, would have made some headway in helping the colored man to advance himself. However, the State of Illinois stands out above all other States as one which has discriminated against Negroes—for example, not the State, but the way it works out under their law.

The figures show 3.8 percent white unemployment and 11.8 percent nonwhite unemployment. That is a ratio of almost 3 to 1 in discrimination against Negroes. It is a discrimination index, one might say, of 100 for the North and 67 for the South.

Pennsylvania shows 5.8 for white and 11.3 for nonwhite.

Cannot the Senator understand why Negroes demonstrate in demanding a quota system, and thereby show up the hypocrisy of the FEPC laws?

Mr. STENNIS. The Senator has shed additional light on this subject. These groups show in their demands for a quota system, that the FEPC law as administered by those States is not effective or necessary. Even so, Senators from those FEPC States, with all due deference to them personally, are trying to write an FEPC provision into the pending bill. They know that the Federal law would not apply in their States.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. It is obvious that a colored man is worse off in those States, so far as getting a job is concerned, than he is in the South. Is that not correct?

Mr. STENNIS. Yes.

Mr. LONG of Louisiana. One would think that if they wanted a law to help the colored man, they would want the Federal Government to do the job if the State cannot do it. Yet they are now trying to exempt themselves from the application of the Federal law.

Mr. STENNIS. The opposition to the proposed Federal law applying within a State has come from the people of those States. That is why their Senators are trying to exempt their States from application of the Federal law. It is only commonsense for them to want to do that. I can understand their position. I do not blame them personally. But it seems to me that they ought to go as far with us. They should say to us, "We are willing to be bound by the law that we are proposing to have apply to you."

Mr. LONG of Louisiana. Does it not seem strange to the Senator that Senators who propose a Federal law in this field do not wish it to be applicable to their States?

Mr. STENNIS. I do not know why they should wish to exempt themselves from a law they are trying to have apply to us.

I made reference to the tables presented by the Senator from Louisiana. I did not have them before me at the time. I now have these tables and point out that in Mississippi the unemployment rate among nonwhites is 7.1 percent, which is below the national average. The national average at the time the table was made up was 8.7 percent. These figures were furnished by the U.S. Census Bureau. The rate of nonwhite unemployment in Mississippi is less than in New York, as the Senator has already mentioned. Mississippi's unemployment rate of nonwhites—and there is no FEPC law in Mississippi—was less than in 24 of the 25 States which have an FEPC law.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for one further question?

Mr. STENNIS. I am glad to yield.

Mr. LONG of Louisiana. If we put a law on the books which would have the effect of telling an employer that if he hires a colored man who is not qualified and lays him off or fires him, he can be hauled into court and tried before a judge without a jury and put in jail for 30 days, because he tried to get rid of an unqualified employee, would it not stand to reason that the employer would prefer to hire a white person and would be afraid to hire a colored man, because he knew that if he hired the white man who turned out to be unqualified, he could fire him?

Mr. STENNIS. Yes.

If Mississippi or any other Southern State completed only one FEPC hearing in 3 years, as the record shows has been done in New York, there would be marches, sit-ins, lie-ins, riotous demonstrations, endless political oratory, and it would create pandemonium in the Attorney General's office. All the forces of the Justice Department would be ordered into action, and its biggest legal guns would not only be aimed at the South in threat, they would be fired with the most potent legislative and executive warheads available.

The Federal Equal Opportunity Commission created under this title, as a practical matter, would never make an agreement to let Mississippi or any other Southern State handle its own problems in this area. If, by some miracle, such an agreement was made, and the enforcement record in any of these States was of the same level or standard as that in New York, it would be rescinded by the Commission just as quickly as it could write an order doing so.

Now, it is not intended to make an example of New York. Other States have similar records. Between the time the law was passed in the State and December 31, 1961, California had only 2 hearings in over 1,000 cases filed. Massachusetts had only 2 hearings in over 3,500 cases filed. Pennsylvania had only 19 hearings in over 1,200 cases filed. In 13 of the first States to pass an FEPC law, of the total 19,000 cases filed in those States, only 62 hearings were held, and just 26 cease and desist orders were issued. Only 18 court actions were taken.

What would be the reaction if this same situation occurred in any Southern State or in the Southern States collectively? The South would be descended upon with all the force that could be found in title VII of H.R. 7152. This bill and this title may sound good in theory to some people, but, as a practical matter, the effect would be to set up one standard with strongly enforced radical requirements in the South while, at the same time, other States are allowed to set their own standards.

Mr. President, as a result of the debate in the Senate, in which we have exposed the details of this bill, the proponents of the bill, in response to our criticism and criticism from home, have rewritten the bill. They have taken out many of the provisions which would apply to them and to their States, many of whom have FEPC laws, but they did not change any of the provisions which affect other parts of the country.

That same memorandum inserted in the RECORD by the Senator from Minnesota, which I have previously mentioned, referred to an opinion by "22 of the Nation's most distinguished lawyers" in which it was reminded that these distinguished lawyers stated that "titles II and VII—those dealing with public accommodations and fair employment practices—are 'within the framework of the powers granted under the Constitution.'"

This memorandum has been referred to several times during the course of the debate on civil rights. The memorandum was prepared some weeks ago pursuant to a joint request by the Senator from Minnesota [Mr. HUMPHREY] and the Senator from California [Mr. KUCHEL].

It is immediately obvious from a study of the complete memorandum that either: first, the conclusion that the memorandum unqualifiedly supports the constitutionality of title VII is erroneous or, second, the conclusion reached by the distinguished attorneys and the resulting memorandum opinion was rendered with no evidence whatever upon which to base their finding and is therefore invalid.

My remarks now are directed to title VII. The proponents of title VII have gone to great lengths to establish the fact that Congress has the right to regulate interstate commerce and also to regulate matters of intrastate commerce which have an effect upon interstate commerce. Although the proponents of H.R. 7152 might have hoped it goes further, so far as title VII is concerned, that is what this memorandum has advised. That is all the memorandum has advised.

The Senator from Mississippi, and I am sure every other opponent of title VII who is a lawyer, understands that Congress has the right to regulate interstate commerce and to regulate matters of intrastate commerce which affect interstate commerce. The Senator from Mississippi feels in many instances the regulation has gone too far, but the right of the Congress, generally, to establish such regulation is quite clear.

But that is not the question before us at all.

The question is whether in the case of the conditions anticipated under title VII there is sufficient proof that discrimination in employment has such a substantial and close effect upon commerce and that this effect is of such magnitude that it threatens to obstruct or unduly to burden the freedom of commerce so that the Congress is authorized under the commerce clause to enact corrective legislation.

This question was not discussed in the memorandum. It was impossible for its authors to discuss it because no evidence of discrimination or its effect upon commerce has been offered.

Its authors could not discuss something that did not exist. Consequently, a conclusion that the memorandum supports the contention that title VII of H.R. 7152 can, without qualification, be based upon the commerce clause, is without foundation.

The 22 lawyers cited *NLRB* v. *Jones & Laughlin Steel Corp.*, 301 U.S. 1 (1943), and stated:

> The National Labor Relations Act is an example of the type of Federal legislation upheld by the courts against the charge of interference with property rights.

There is no disagreement with that statement. As I have said, it is conceded the Congress has authority to enact the type of legislation involving regulation of interstate commerce, but, again, that is not the question. The question is whether or not Congress has the authority to enact this legislation—title VII.

Whether that authority exists depends upon the facts surrounding this legislation and whether these facts—pertaining to this title—are such that it can be concluded that this title can be enacted as a type of regulation which the Congress is authorized to enact.

There have been no committee hearings on this title either in the House or Senate. No evidence has been offered. Therefore, we cannot know what conclusion the facts would establish.

However, the Supreme Court has laid down rather clearly the circumstances which the facts must establish in order to base the type regulation of an activity upon the commerce clause.

In NLRB against Jones & Laughlin Steel Corp., which the proponents cite as authority for passing this type of regulation, the Court held:

> The scope of the power of Congress over interstate commerce may not be so extended as to embrace effects upon interstate commerce so indirect and remote that to embrace them would effectively obliterate the distinction between what is national and what is local and create a completely centralized government.

It said further:

> If the commerce clause were construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the Federal authority would embrace practically all the activities of the people and the authority of the State over its domestic concerns would exist only by sufferance to the Federal Government. Indeed, on such a theory, even the development of the State's commercial facilities would be subject to Federal control.

Mr. President, that is exactly what the bill has done in many of its major provisions.

The Court said further:

> Whatever amounts to more or less constant practice and threatens to obstruct or unduly to burden the freedom of interstate commerce is within the regulatory power of Congress under the commerce clause and it is primarily for Congress to consider and decide the fact of the danger and meet it.

In NLRB against Jones & Laughlin Steel Corp, the Court acted only after it found there was very stringent and urgent necessity to act in order to remove a burden from commerce. In fact, the Court in that case found:

> Giving full weight to respondent's contention with respect to a break in the complete continuity of the "stream of commerce" by reason of respondent's manufacturing operations, the fact remains that the stoppage of those operations by industrial strife would have a most serious effect upon interstate commerce. In view of respondent's farflung activities, it is idle to say that the effect would be indirect or remote. It is obvious that it would be immediate and might be catastrophic.

In order to conclude that this proposed legislation—title VII—can be founded upon the commerce clause, the requirements laid down in NLRB against Jones & Laughlin Steel Corp., which is cited in the memorandum as authority for its enactment, must be met.

No hearings were held on this title. no witnesses were examined, and no evidence offered from which it could be determined whether the conditions title VII seeks to correct are such that the requirements of the NLRB case are met. No evidence having been offered, it is only logical to assume none exists. If none exists, obviously the requirement cannot be met.

The memorandum opinion ignores the fact that there is no evidence before the Senate on which to base a conclusion.

What evidence has been submitted that there is, in fact, discrimination in employment? The answer is "None." What showing has been made that discrimination, if in fact it does exist, has a "most serious effect upon interstate commerce"? There is none.

What showing has been made that discrimination if it exists is a "more or less constant practice"? None whatever. What evidence has been offered that shows discrimination in employment, if in fact it does exist, "threatens to obstruct or unduly to burden the freedom of interstate commerce"? There has not even been an attempt to do so.

The proponents of title VII have not shown even the remotest effect discrimination, if it in fact does exist, has had, has now, or will ever have upon interstate commerce. Surely they have fallen far short of the conditions present in NLRB against Jones & Laughlin Steel Corp. case which the court determined had a "most serious effect upon interstate commerce" and that effect was "immediate and might be catastrophic."

There has been no showing whatever that would give any support to the contention that conditions as they exist in relation to discrimination and interstate commerce would authorize enactment of the so-called remedial legislation advocated in title VII.

With all deference to the distinguished lawyers who concurred in the memorandum opinion, they have not reached a sound conclusion if they intend to say without qualification that title VII is constitutional. They have rendered judgment without evidence. They have reached a verdict without facts.

If they intended to convey the conclusion that it is within the power of Congress to enact the type of legislation which regulates commerce, they are imminently correct.

But the type of regulation which Congress can regulate and that legislation contained in title VII are two completely different things.

Title VII reaches much further than any legislation of that type ever enacted by Congress.

It is doubtful that there would ever be circumstances and public necessity which would justify passage of legislation so far reaching and encompassing that further relaxation of the Constitution would be necessary.

Certainly such circumstances do not exist now.

Mr. President, I yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I thank the Senator from Mississippi for his characteristic courtesy.

I have merely a brief statement to make, with the permission of the Senator from Mississippi.

REQUEST TO APPROPRIATE REMAINING FUNDS FOR 1964 FOR THE MANPOWER DEVELOPMENT TRAINING ACT

Mr. DOUGLAS. Mr. President, I have written to the chairman of the Senate Appropriations Committee urging that the remaining $55 million which was authorized for the Manpower Development Training Act program, as administered by the Department of Labor and the Department of Health, Education, and Welfare, be appropriated as quickly as possible. The original authorization allowed $165 million to be made available during the fiscal year of 1964. Of that amount, only $110 million was actually appropriated. Of this amount practically all of it was allocated by January of this year. Since then, what few additional projects have been able to get started did so with funds which had been turned back from previously approved training projects.

Few of us will doubt the effectiveness and value of the Manpower Development Training Act retraining programs. Its retrained workers have been removed from the relief rolls in almost every State of the Nation, and have taken their place on the positive side of our economy. However, there will not be many more retrainees receiving this help unless the remaining funds authorized are made available. I hope other Senators will join with me in urging this action. I ask that a copy of my letter be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 22, 1964.

Hon. CARL HAYDEN,
Chairman, Senate Appropriations Committee,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HAYDEN: I am writing to urge favorable consideration of a supplemental appropriation of $55 million for the Manpower Development Training Act. The deficiency appropriations bill, H.R. 11201, is now before your committee, and I hope that in your action on that bill, you will include this sum, already authorized, in order to enable the Manpower Development Training Act program to continue.

For all practical purposes, the $110 million originally appropriated was used up last January, and what new programs have been inaugurated since then have been possible only through canceled out funds returned from previously approved projects. Congress had authorized $165 million during the fiscal year of 1964, and to date, only a total of $110 million has been appropriated.

While I believe in a careful scrutiny of possible economies, I am impressed with the success of the Manpower Development Training Act program and the benefits which it has brought to retrained workers and to their families and communities. We should not let this valuable program expire, but we should rather provide the funds necessary to continue and expand it. At present, there are Manpower Development Training Act programs which have been approved by the State of Illinois and the Department of Labor. These programs would require $3,347,504 and would retrain 1,248 people. However, these are being held up because there are no funds left under Manpower Development Training Act. More and more Illinois programs are being put on the shelf every day, and this is also the case in other States.

The Manpower Development Training Act has proved itself capable of retraining workers displaced by automation and other technological advances, and I believe it deserves our full support.

With best wishes.

Faithfully yours,

PAUL H. DOUGLAS.

RECESS TO MONDAY, AT NOON

Mr. STENNIS. Mr. President, in accordance with the previous order, I move that the Senate take a recess until 12 o'clock noon, on Monday next.

The motion was agreed to; and (at 5 o'clock and 54 minutes p.m.), under the previous order, the Senate took a recess until Monday, May 25, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 22 (legislative day of March 30), 1964:

IN THE MARINE CORPS

The following-named (platoon leaders class) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Barba, Richard D.
Buchanan, William L.
Buse, Henry W. III
Juul, John F.
Kelly, Thomas W.
Olivas, George S.
Paulson, Jon W.
Ramsdell, Jeffrey K.
Secrist, James E.
Stevens, John L. III
Tucker, Phillip E.
Vankat, William J.

The following-named (Army Reserve Officers' Training Corps) candidates for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefore as provided by law:

Neubauer, Ronald S.

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Allen, Russell L.
Corbett, Lawrence P., Jr.
Keane, John F., Jr.
Murphy, Douglas G.
Younger, Alvin M.
Alexander, Richard E.
Anderson, Dennis N.
Ayres, Albert B.
Beavers, Freddy W.
Bolton, James L.
Collins, Billy D.
Downer, John R.
Doyle, Charles M.
Dryden, Ralph M., Jr.
Etter, William R.
Flannery, Raymond J., Jr.
Goetz, Philip T.
Gordon, James T.
Harper, Richard O.
Kizer, James P.
Levan, Robert L.
Loney, Edward H.
Martin, Bruce A.
Marvel, Jerry W.
Nolan, John L.
Palmateer, Homer R.
Spiars, Early W.
Wagener, Paul H.
Walsh, John F.
Zilka, Lewis J.

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Dempsey, Daniel G.
Eklund, Richard M.
Archie, Arrington W.
Baggette, John C.
Barton, Thomas Y., Jr.
Beekman, Frederick W., III
Britt, James E.
Bryan, James R.
Campbell, Thomas E.
Castagnetti, Gene E.
Collins, Melville W., Jr.
Ciancimino, James A.
Connor, Richard A.
Conway, Jack L.
Davidson, Douglas M.
Endert, Roger F.
Esslinger, Arden A.
File, Gerald B.

Frakes, Bernard E.
Hamilton, Francis X, Jr.
Hancock, David
Hand, Donald L.
Hempel, Edward S.
Huebner, Ray E.
Johnson, Harry N.
Kilb, Roger E.
Kirchner, Francis J.
Kowalewski, Anthony J., Jr.
Lesher, Charles E.
Lowrey, John J.
Lucas, Richard J.
Manning, Anthony E.
Marcantel, William E.
McDanal, Charles E.
Miller, David R.
Moriarty, John B.
Nelson, Jimmie C.
Ortiz, Naval A.
Phelan, Harold J.
Reilly, Edmund W.
Rieker, Thomas J.
Sambito, William J.
Snowden, Robert J.
Spencer, John F.
Tavis, Augustus T.
Toomey, Cornelius R., II
Vann, Hugh M., III
Vargas, Manuel S., Jr.
Venator, Raymond L.
Adams, Merrel F., Jr.
Amelse, Lawrence T.
Baker, Barrie T.
Brown, Gene A.
Burns, Orval L.
Butler, Dallas E.
Carroll, Theodore D.
Connor, Charles R.
Cunningham, James I.
Dennison, Raymond E.
Dicke, Gary D.
Diehl, James R., Jr.
Edwards, Roy T.
Evans, Donnie C.
Franklin, George E.
French, Guy B.
Gibson, Jon R.
Gilsrud, Gary C.
Green, Thomas W.
Haag, Myron L.
Hubbard, Donald E.
Inderrieden, Richard L.
Johnson, William D., Jr.
Johnson, William E.
Jones, Edwin A.
Kelly, Gordon K.
Kline, Joseph F.
Kuranowicz, Paul M.
Lee, Gregory W .
Lowe, Darrell M.
Mack, Peter M.
Marshall, Robert C.
McGaha, Dayle O.
Ogline, Fred E.
Perlin, Stephen J.
Perryman, Webb E.
Polhamus, Richard M.
Prevost, Albert M.
Rengel, Gregory A.
Rischar, Ernest L.
Roman, Joseph G.
Ross, Daniel C.
Scharar, Frederick S.
Sharp, Harry F., Jr.
Spaith, James A.
Sperry, Burton P., III
Stansfield, Floyd F.
Stocking, Roy J., Jr.
Terry, David C., Jr.
Tripp, Alfred L.
Vermilyea, Clyde L.
Visconti, Francis
Westbrook, Dan
Wilder, Charles L.
Williams, Thomas, Jr.
Wilson, William B.
Lyman, Thomas J., Jr.
Davis, James M.
Dorsett, Earl H., Jr.
Butler, John C.
Ray, Carol A.
Halliday, Bartholomew G., III

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant subject to qualification therefor as provided by law:

Egloff, James E.
Brennan, Patrick J.
Criche, Richard H.
Nelson, David A.
Anderson, Donald F.
Camp, Richard D., Jr.
Lind, Stephen W.
Anderson, Larry R.
Johnson, Kenneth H.
Meyers, Tolman U.
Fagan, James W.

In the Army

The following-named officers for temporary appointment in the Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. Kermit Levelle Davis, O19386, U.S. Army.

Brig. Gen. Woodrow Wilson Stromberg, O20728, U.S. Army.

Brig. Gen. David Bennett Parker, O20571, Army of the United States (colonel, U.S. Army).

Brig. Gen. Frank Wade Norris, O21110, Army of the United States (colonel, U.S. Army).

Brig. Gen. George Edward Pickett, O21938, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. John Martin Cone, O20658, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Henry Chiles, O20295, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Nels Redling, O31516, Army of the United States (colonel, U.S. Army).

Brig. Gen. Chester Lee Johnson, O20681, Army of the United States (colonel, U.S. Army).

Brig. Gen. Delk McCorkle Oden, O20805, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Raymond Peers, O21366, Army of the United States (colonel, U.S. Army).

Brig. Gen. Gines Perez, O30126, U.S. Army.

Brig. Gen. Walter Brown Richardson, O30597, U.S. Army.

To be brigadier generals

Col. Wendell John Coats, O22964, Army of the United States (lieutenant colonel, U.S. Army).

Col. Theodore Henderson Andrews, O33688, Army of the United States (lieutenant colonel, U.S. Army).

Col. Walter Martin Higgins, Jr., O21987, Army of the United States (lieutenant colonel, U.S. Army).

Col. Burton Robert Brown, O21113, U.S. Army.

Col. John Joseph Hayes, O32309, Army of the United States (lieutenant colonel, U.S. Army).

Col. Richard Henry Free, O22926, Army of the United States (lieutenant colonel, U.S. Army).

Col. Wilbur Eugene Showalter, O21794, Army of the United States (lieutenant colonel, U.S. Army).

Col. Walter Ferrell Winton, Jr., O22966, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Merle Fondren, O32481, Army of the United States (lieutenant colonel, U.S. Army).

Col. Lloyd Brinkley Ramsey, O23553, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Morgan Prosser, O31945, U.S. Army.

Col. Osmund Alfred Leahy, O23106, Army of the United States (lieutenant colonel, U.S. Army).

Col. Phillip Buford Davidson, Jr., O21969, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Carmin Noble, O22942, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Beirne Spragins, O22080, Army of the United States (lieutenant colonel, U.S. Army).

Col. Leonard Burbank Taylor, O83589, Army of the United States (major, U.S. Army).

Col. Donn Royce Pepke, O25188, Army of the United States (lieutenant colonel, U.S. Army).

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major generals

Maj. Gen. Victor James MacLaughlin, O18580, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ellsworth Ingalls Davis, O18658, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Richard Davis Meyer, O18963, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Thomas Honeycutt, O18975, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Chester Arthur Dahlen, O19020, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Thomas Ralph Yancey, O42256, Army of the United States (brigadier general, U.S. Army).

Brig. Gen. Gines Perez, O30126, U.S. Army.

Maj. Gen. John Joseph Lane, O19021, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Frederick Thorlin, O19067, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ethan Allen Chapman, O19076, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Richard John Meyer, O19147, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Carl Darnell, Jr., O19213, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Harvey Julius Jablonsky, O19390, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Richard Winn, O19491, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Oliver Clark Harvey, O38776, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Julian Alexander Wilson, O30359, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Wythe Gleaves Rich, O19910, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Walter August Jensen, O19006, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Thomas Powers 3d, O19137, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Elmer John Gibson, O19822, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Frank Joseph Sackton, O30553, Army of the United States (brigadier general, U.S. Army).

Brig. Gen. Walter Brown Richardson, O30597, U.S. Army.

Brig. Gen. Bruce Edward Kendall, O30623, U.S. Army.

To be brigadier generals, Medical Corps

Brig. Gen. James Bowdoin Stapleton, O19656, Army of the United States (colonel Medical Corps, U.S. Army).

Brig. Gen. Byron Ludwig Steger, O19661, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Robert Estes Blount, O19612, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Joe Morris Blumberg, O29332, Army of the United States (colonel, Medical Corps, U.S. Army).

In the Navy

The following-named midshipmen (Naval Academy) to be permanent ensigns in the Supply Corps of the Navy, in lieu of ensigns in the line of the Navy, as previously nominated, subject to the qualifications therefor as provided by law:

Vincent T. Canale
Maxie S. Day
John E. Gordon
Gary P. Jones
Robert J. Mizer
John A. Stanley
Peter M. Syrko
Stephen D. Moore

The following-named (Naval Reserve Officer Training Corps) candidates to be permanent ensigns in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

George R. Armstrong
Richard A. Bates
James W. Bell
Robert E. Bill
Craig M. Brandt
James F. Byrne
Ray L. Caldwell
Peter T. Chiodo
Ralph R. Davis
James T. Dewing, Jr.
Jerry M. Dunagan
Julian D. Edge, Jr.
Donald W. Getts
Eugene H. Ginchereau
Clarence H. Glover, Jr.
Robert L. Gorham
Alan R. Greenwood
Philip B. Harper
Christopher B. Harris
Joseph J. Joerg, Jr.
David O. Kauppi
David R. Laehn
Michael M. MacMurray
Edward J. Mathias
John F. McDonald
Frank J. Monahan
Phillips S. Murray
Jack E. Olson
Bradford K. Perry
James H. Perry, Jr.
Walter E. Pollock III
Ernest H. Pomerantz
Thomas L. Potter
William P. Rebarick

Phillip F. Rehbock
John P. Ribka
Robert E. Robertson III
Dexter R. Rowell
Thomas W. Sampson
Stuart O. Schmitt
Ivan "J" Snyder, Jr.
Richard P. Trumpler
Francis A. Walker
Francis D. Walker III
George T. Wasleski, Jr.
Peter K. Watt
William R. Welch

The following-named (Naval Reserve Officers Training Corps) candidates to be permanent ensigns in the Civil Engineers Corps of the Navy, subject to the qualifications therefor as provided by law:

Theodore J. Bielen, Jr.
David L. Browne
Donald D. DelManzo, Jr.
Jerry C. Ebersbaker
Robert P. Dillman
Stephen A. Fausett
Thomas A. Gaither
Robert M. Gallen
Mark W. Hall
George P. Hibbard
Frank J. Jerebek
Warren H. Klink
John R. Lutz
William D. Martin
Terence A. McLaughlin
Michael A. Merback
William R. Mitchum III
Charles P. O'Neill
Frederick "J" Osgood
Dean A. Schofield
Bradley W. Simmons
William G. Smither
Floyd E. Swartz, Jr.
William W. Talley
Ronald E. Walkington
William H. Williams, Jr.

The following-named graduates from Navy enlisted scientific education program to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Joseph O. Desrochers
William V. Smith

The following named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

John A. Anderson
David A. Austin
Donald C. Gibson
Richard R. O'Reilly
Theodore R. Whatley

Timothy M. McCormick (civilian college graduate) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Ronald J. Amalong
Dale W. Boyd
Andrew N. Cattano
Marvin Grossman
Donald J. Hayden

Ernest S. Kozma (Naval Reserve officer) to be a permanent lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

The following named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

"G" "W" Allen
Arthur D. delaOssa
Lawrence W. Gregory
Walter P. Witherspoon, Jr.

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Ralph A. Beck, Jr.
Lathe L. Bowen
Donald H. Donoho
Dennis D. Flynn
Jerry L. Lane
David W. Sexton
Thomas H. Sugg
Neil H. Waldow

The following-named officers of the U.S. Navy for temporary promotion to the grade of chief warrant officer, W–3, subject to qualification therefor as provided by law:

Abbott, John C., Jr.
Agidius, Theodore H.
Allen, Fred A.
Allen, Willie
Anderberg, Roy A.
Anderson, James B.
Andries, Justin J., Jr.
Angulo, Mike M.
Ansley, William A.
Avery, Harrison W.
Barger, Paul K.
Barker, James D.
Barnhart, Marvin R.
Barter, William E.
Bartholomew, Cornelius R.
Bean, John M. P.
Beatty, James M.
Bender, Marjorie G.
Benton, George J.
Berce, Antone E.
Bieber, Gustave W.
Bissen, Edward H.
Blackwell, Lewis
Blalock, Ralph T.
Boardman, William B.
Bogart, Jerome F.
Bowser, Albert E.
Brett, Robert A.
Bromley, Jack E.
Brooks, James D.
Brooks, Orin A.
Brown, Albert L., Jr.
Brown, Joe W.
Bruno, Anthony
Buell, Benton E.
Bunnell, John D., Jr.
Burkhart, Russell L.
Byars, Frank
Cameron, Stanton W.
Cannon, James G., Jr.
Carroll, Thomas R.
Collins, Richard S.
Combs, Howard S.
Conaway, Ralph H.
Corvin, Julian P.
Coughlan, Maureen A.
Cowan, Bill F.
Cowell, Benjamin F.
Cranford, James F.
Cunniff, Thomas F.
Davis, Richard P.
Devine, Cleo J.
Dillin, Ralph L.
Dobranski, John
Dorcy, Raymond M.
Drucker, Charles F., Jr.
Dumann, Edward W.
Duran, John B.
Dyer, Otho E.
Eaton, Bernard E.
Edwards, Herman B.
Eggers, Walter E.
Eiffert, Robert E.
Emmerson, Vernon D.
Fagan, James F.
Faircloth, George B., Jr.
Felts, Thomas W.
Fenstermaker, Roy E.
Fitzgibbon, Joseph L.
Ford, Egbert A.
Furqueron, George W., Jr.
Gardner, Thomas H.
Garner, "J" "P"
Gibbs, Jack D.
Gibbs, Robert M.
Gilliatt, Harold R.
Godfrey, Joseph M.
Gossman, Richard G.
Gray, Harry L.
Gray, James E.
Greenfield, William G.
Groah, Albert A.
Grudt, Dale
Hagen, James E.
Hamblen, George P.
Hammond, Lowell G., Jr.
Harris, Jack L.
Harrison, Lawrence F.
Hartman, George A.
Havens, William F.
Hayes, Alan G.
Hayes, John F.
Hayter, Clifford C.
Heafner, James E.
Healy, Gordon R.
Heckbert, Donald F.
Hedrick, Devoe E.
Hensler, William
Hermsen, Gerald E.
Hinckle, James P.
Holland, Andrew S.
Hollingsworth, William C.
Hollis, James D.
Howard, Jack M.
Inscoe, Benjiman F.
Isselhardt, Francis X.
Jinnette, Richard H.
Johnson, Benjamin M.
Johnson, Donald R.
Johnson, Edward H.
Johnson, Thomas M.
Johnston, Harvey C., Jr.
Jones, Donald B.
Jones, Leonard F.
Josefowski, Lawrence J.
Kavanaugh, Thomas E.
Kelly, James W.
Kelsay, Alfred O.
Kelso, Don A.
Killian, Walter E.
Klimkewicz, Paul
Kopek, Vincent J.
Kramer, Theodore
Lacombe, Calam M.
Lacy, Gene H.
Lafave, Howard J.
Lafleur, Marshall J.
Laird, Harvey R.
Lash, Don L.
Lawrence, Thomas C.
Layne, Harry
Leamons, Forrest E.
Learned, Donald D.
Longo, Frank P.
Magle, Harry
Mancill, Floyd E.
Marbourg, Edgar F., Jr.
Marlitt, Charles R.
Mason, Thomas C.
Maxwell, Charles F.
Maynes, Robert I.
Mazzara, Philip C.
McLeod, John B.
McMeins, Walter R.
Mellencamp, Dale J.
Merrick, William V.
Moe, Sigurd M.
Monaghan, Jerome A.
Morison, Philip A.
Morrissey, Peter C., Jr
Mullins, Ray H.
Mundy, Bruce T.
Munsen, Jack A.
Murray, Richard
Nelson, Vernon J.
Nestor, Joseph L.
Nichols, Sanford M.
Noble, Robert W.
Nolan, Willis R.
Nolting, Fred W.
Nordin, Everett L.
Northrop, William T.
O'Connor, James G.
Odle, Charles P.
Olson, Alfred E.
Olson, Leon D.
Overly, Robert W. D.
Parkin, William V.
Patterson, William M.
Paul, George T.
Paulsen, Norman J.
Pennington, Frank H., Jr.
Peragine, Joseph V.
Petersen, Richard J.
Petro, Joseph
Petzold, Herbert H.
Phillips, Richard W.
Podbielski, Joseph M.
Proper, Gaylord L.
Ramsey, William T.
Rawlins, Billy J.
Reading, Warren E.
Reames, John R.
Reid, Neal S.
Reis, Adam W.
Reische, John V.
Rettig, Wayman B.
Robinett, Homer E.
Rodrigues, Leo L.
Roehs, Frederick J.
Rose, James M.
Rupert, Frederick R.
Sadler, Maurice E.
Sanchez, Ernest E.
Schimpf, William J.
Schmidt, Henry
Schrei, Robert C.
Seaton, Charles H.
Sessions, William M.
Shafner, Paul
Shannon, Harold A.
Shoop, Welland T.
Smallwood, Frank W., Jr.
Smith, George R.
Soule, William C.
Sparks, Robert C.
Stagg, Philip R.
Stanley, Edward A.
Stephens, Frank, Jr.
Steward, John L.
Storey, Jack W.
Stroberg, John E.
Strother, Roscoe S.
Strube, James L.
Surface, Cecil R.
Swenson, Albert F., Jr.
Taylor, Robert M.
Tether, Charles E.
Thorpe, Leslie F.
Tillis, James B.
Timchak, Walter
Toole, Cecil W.
Tyre, Clyde R.
Van Cleef, Jacque E.
Vautier, Byron C.
Wagoner, James I., Jr.
Waldeck, Vernon L.
Wasson, Willard F.
Watson, George C.
Wheeler, Norman E.
White, Heber D.
Whiteside, James M.
Wildermuth, Aaron H. R.
Wilkinson, Robert P.
Williams, George E.
Williams, Lowell K.
Wilson, William H.
Woods, Kenneth W.
Worrell, Harry R.
Ziner, Joseph J.
Zink, Donald J.

The following-named officers of the U.S. Navy for temporary promotion to the grade of chief warrant officer, W–4 subject to qualification therefor as provided by law:

Acosta, Eugene J.
Adams, Elton R., Jr.
Albee, Donald F.
Allard, Wesley J.
Anderson, Ralph K.
Baglioni, Joseph J.
Baker, Eugene V.
Ballou, Raleigh W.
Ballweber, George R.
Barchenger, Robert A.
Barnett, Norman B.
Barnsdale, Everett K.
Barrett, Norman R.
Bates, Russell
Bates, William E.
Bauer, Robert N.
Beckley, Morton H.
Beeby, Francis L.
Begley, Eugene F.
Bell, Arthur R.
Bergman, Howard E.
Bly, David
Bodine, Allen D.
Bohm, Lawrence R.
Bonds, James D.
Bonnette, George R.
Boone, Raymond E.
Brehm, Carl L.
Briggs, Lloyd C.
Broe, Gerald J. R.
Brothers, Harold F.
Brown, Glen R.
Brown, Quentin L.
Buch, Herbert W.
Buckingham, Thomas L., Jr.
Burke, Mary L.
Cagle, Otis H.
Campbell, Walton B.
Christner, Ray L.
Clement, Ralph J.
Clyatt, Thomas L.
Coan, Walter N., Jr.
Coates, James E.
Coleman, Arthur J.
Conrardy, Robert H.
Corn, Frank E.
Cornett, William
Crawford, Newton U.
Crowell, David F.
Cunningham, Lester K.
Cyr, Norman B.
Daniels, Robert F.
Darouze, Manuel J.
Davis, Claude R.
Davison, Richard F.
Delaney, Thomas P.
Dennison, James W.
Derocher, Paul J.
Diamond, Emil R.
Dillon, William B.
Donnelly, William E.
Dool, Wilbur S., Jr.
Doty, William C.
Douglas, Daniel C.
Edwards, Richard M.
Eiden, John S.
Eldred, Fred H.
Endrizzi, Emanuel J.
Erlandson, Helge H., Jr.
Evans, William A.
Fant, William F.
Fender, George R.
Fish, Phillip V.
Forman, Charles L., Jr
Fraim, Cloris D., Jr.
Fuller, Ralph D.
Fulton, Ralph W.
Gailing, Malcolm C.
Gilbrook, Ralph W.
Glass, Edward B.
Goodman, Jack V.
Gorman, Tom B., Jr.
Grant, Paul H.
Green, Raymond J.
Greenlees, Roy W.
Gregory, William E.
Haines, Jesse M.
Hale, Jack R.
Hamill, Joseph M.
Hancock, Merle H.
Harvey, Albert F.
Helms, Harold L.
Henking, Alfred M.
Hill, Keith B.
Hinson, Charles W.
Hoagland, Harold L.
Hubka, Ervan C.
Huppee, Raymond M.
Huttig, William J.
Ikard, Drennen G.
Ingleright, Vincent J.

James, James R.
Jamison, Eugene F.
Jeffers, Homer A.
Johnson, Wilbur C.
Johnston, Earl M.
Jones, Barney T.
Jordan, William C.
Keating, John L.
Kemp, Douglas R., Jr.
Kerekesh, Michael
King, Clinton R.
Kirschner, Winstead B.
Klaas, Leverne L.
Kovacs, Michael
Kreahling, Leonard J.
Lacey, Louis P.
Lapham, Wesley E.
Lawrence, Harold K.
Lawrence, Thomas H.
Leatherman, James V.
Lee, Oliver E.
Leonard, Robert L.
Leone, Michael A.
Lichtman, Norman D.
Lorenz, Lee
Loselle, Dewey J., Jr.
Maccioli, Carmen
Mansfield, Bernell C.
Marit, Frank, Jr.
Marshall, William C.
Martindale, Walter, Jr
Mastantuno, Joseph C.
Mathers, Ivan R.
Mazgay, Joseph A.
McCally, James D., Jr.
McCart, Paul G.
McDonald, Billy B.
McElvain, Melville E.
McGinnis, Samuel E.
McGuigan, John T.
McGuire, Dewitt T.
McKinney, Rex U.
McLeod, Junior D.
McNair, Douglas J.
McNeil, Edsel
McRoy, Billie L.
Mello, Alfred
Mendenhall, Bill
Midgett, Sumner K., Jr.
Miller, Jack S.
Minehan, Henry W.
Mittner, Jack E.
Modic, Frank
Mohan, Robert J.
Molen, Robert F.
Molnar, William A.
Mooney, James L.
Morris, Glenn J.
Newton, Gordon B.
Nolan, Donald N.
Noll, Gus, Jr.
Norris, John H.
Nowlan, Robert B.
O'Donnell, Charles P.
Ogley, Benjamin F.
Oliver, James R.
Orr, Charles T.
Palombo, Orlando L.
Park, John
Parsons, Thomas U.
Peckinpaugh, Paris E.
Peltier, Robert M.
Perkins, David W.
Perry, Seth J.
Pinto, Joseph A.
Plaster, Coy T.
Putman, Alvin F.
Queel, Craig J.
Quertermous, Elmer
Rachford, Thoma J., Jr.
Rafalovich, Daniel S.
Ramet, Charles C.
Ramsey, Joseph D.
Rangus, Anthony P.
Rauenzahn, Richard P.
Rinehart, Forrest B.
Ripple, Elmer G.
Robards, Stanley D.
Robbins, Earl B.
Roberts, Leo B.
Robinson, Lee R.
Robinson, Steve H.
Robinson, Eugene
Roby, John P.
Sabota, Michael J.
Reed, Virgil L.
Rhoades, Donald M.
Richard, Louis H.
Richards, Lyle J.
Richardson, Carl W.
Riddle, Wendell
Riley, William E.
San Felippo, John J.
Sawin, Philip J.
Schuler, Russell L.
Schweers, Nelson
Scott, Robert M.
Sellers, Alben J.
Shelton, Warren L.
Simko, Frank M.
Simzisko, John
Singer, Frank W.
Smith, Leland R.
Smith, Luther W.
Snuffin, Royden O.
Sofranik, Julius A.
Soulard, George A.
Suggs, Cecil L. R.
Sullivan, John L.
Suomi, Sulo W.
Sweeney, George H.
Swenson, Wallace A.
Thomas, Warren D.
Travis, Eddie
Tripodi, Benjamin L.
Trotter, Edgar C.
Turney, Arthur D.
Unfried, Charles M.
Upchurch, Rober C., Jr.
Wallace, Marvin L.
Wallace, William H.
Warrick, Herbert B.
Weimar, Clarence W.
Welch, Claude W.
Westover, James R.
Wilgus, Edward E.
Williams, Henry P., Jr.
Wilson, Joseph H., Jr.
Winters, Raymond R.
Wolfe, Phillip P.
Young, Norman P.
Zachko, Peter G.
Zarr, Don W.

The following-named officers for permanent promotion to the grade of chief warrant officer, W-4, subject to qualification therefor as provided by law:

Ace, Robert F.
Ayres, Gordon K.
Brooks, Frans O.
Carey, Kenneth C., Jr.
Davis, William H.
Gilmore, Francis L.
Harkins, Billy M.
James, William B.
Kay, James R.
Mitchell, William J.
Norris, Francis C., Jr.
Peringer, Allan C.
Peterson, James C.

The following-named officers for permanent promotion to the grade of chief warrant officer, W-3, subject to qualification therefor as provided by law:

Benson, John H.
Beverly, Lynwood A.
Billington, John J.
Brayton, Gerald R.
Britton, Junior E.
Broome, Warren W.
Burgett, Bernard E.
Carter, Hughie S.
Chesmore, Kenneth L.
Clark, Victor L.
Claude, Henry L.
Coffey, William A.
Cramer, Max L.
Creek, James C.
Dagdigian, Walter A.
Edwards, Harry M.
Elrod. William F.
Fellrath, Frank M., Jr.
Flores, Ernest
Frates, Norman C.
Fussell, Elbert R.
Gallagher, Hugh P.
Gerard, Charles J.
Glass, William W.
Greer, Maurice C.
Gross, John H.
Harvey, Leo Q.
Haubert, Earl W.
Hauser, Robert F.
Hilt, George T.
Hofmann, Jack J.
Hudock, Charles J.
James, Albert N.
Jensen, Lester P.
Johnson, Thomas F.
Kanicki, Joseph J.
Kelly, Harold A.
Kodger, Herbert E.
Lake, Oriel N.
Larson, Richard E.
Luke, Charles P.
Moore, Verne L.
Orner, Bernard
Partlow, George W.
Peak, Claude F.
Peebles, Albert P.
Peironnet, Joseph W., Jr.
Pellerin, Martin U.
Porter, Stanley
Preston, Leonard H.
Pursel, John J.
Rhatigan, Joseph T., Jr.
Rittgers, Harley M.
Rolland, William F.
Sandell, Ormond H.
Schroeder, Robert F.
Segler, Marvin L.
Shedd, John C.
Sheppard, John R.
Smith, James R.
Smith, Vernon G.
Swan, Aubrey E.
Swift, Thomas L.
Swirka, Edward D.
Timmons, Joel W.
Travis, Richard D.
Wilcox, Mack R.
Wilson, Joseph M.
Wilson, Theodore J.
Worrells, Albert M.
Wright, Benjamin W.

Alice F. Schalz, Nurse Corps, U.S. Navy, for permanent promotion to the grade of lieutenant (junior grade) in the Nurse Corps subject to qualification therefor as provided by law.

Lelah E. R Spencer, Nurse Corps, U.S. Navy, for temporary promotion to the grade of lieutenant commander in the Nurse Corps subject to qualification therefor as provided by law.

The following-named officers of the Navy for permanent promotion to the grade indicated:

To be commanders, line

Abbott, Edwin W., III
Absher, George W., Jr.
Adams, Emil J.
Adams, Frank M.
Adams, Fred I.
Adams, Lynn "W"
Adelman, Joseph L.
Adkisson, Hubert K.
Ahlstrom, Orin J.
Aicklen, William J., Jr.
Alexander, Aaron G.
Allen, Charles D., Jr.
Allen, James B.
Allred, Jimmie "B"
Althoff, William B.
Altz, Leroy V., Jr.
Amme, Richard D.
Anders, Samuel G., Jr.
Anderson, Arland T.
Anderson, Charles R.
Anderson, James R.
Anderson, James L.
Anderson, John M.
Anderson, Paul E.
Anderson, Raymond M., Jr.
Anderson, Richard W.
Andrus, Richard C.
Ansel, David D.
Appert, Edward P.
Apthorp, Grant B.
Arguelles, John R.
Armstrong, Frank D., Jr.
Ashford, Robert "L"
Ashley, Linsey S.
Asmundson, Franklin J.
Atkinson, Bert M., Jr.
Atkinson, Edward C.
Atkinson, Roy C.
Aubert, George A.
Auger, Thomas E.
Aulick, Donald M.
Ayers, George "L", Jr.
Ayres, James E.
Babbitt, Franklin G.
Babineau, Francis E.
Bacchus, Robert E.
Bach, Nicholas R.
Bachert, John O.
Bade, Robert B.
Bagley, Worth H.
Bailey, Daniel L.
Bailey, Edward C.
Bailey, Emera S.
Bailey, Gordon W.
Bailey, John D.
Bailey, John B.
Bailey, Keith E.
Baker, Robert G.
Baker, Royal W.
Bakle, George F.
Baldwin, Lawrence C.
Balfe, John M.
Ball, Edwin L.
Banks, Charles A., Jr.
Banks, Daniel L., Jr.
Barber, Albertus V., Jr.
Barfield, Charlie H.
Barfield, Norwood R.
Barksdale, David A.
Barlow, John F.
Barnes, Alan F.
Barnes, Jerald D.
Barnes, Robert J.
Barnum, Ralph L.
Barr, Leon V.
Barr, Robert M., Jr.
Barry, James H.
Barry, William
Barteluce, John J.
Bartholomew, Barton W.
Barton, Charles A.
Barton, George E.
Bauman, Robert W.
Baxter, James A.
Baylis, John R.
Bayly, Donald C.
Beam, Jay K.
Beaubouef, James A.
Bebb, Kenneth N.
Beck, Charles E.
Beck, Lester H.
Beck, William, Jr.
Becken, Bradford A.
Becker, Karl E.
Becker, Terrill F.
Begley, Robert E.
Bellah, James C.
Bennett, Arthur K., Jr
Bennett, Jack W.
Bennett, William O.
Benson, William D.
Bent, Jack
Bergner, Robert B.
Bergs, Robert A.
Bernstein, Fred J.
Berry, Henry M.
Bettis, Alfred M.
Beumer, Everett H.
Beutler, Albert G.
Beyer, Delbert A.
Bihr, Richard A.
Biordi, Rudolph V.
Bird, Comer H., Jr.
Bird, George B., Jr.
Bischof. William W.
Bivin, Homer R.
Bivins, William F.
Blackwelder, Buren L.
Blades, Jehu L.
Blair, James A.
Blair, Richard E.
Blake, John S.
Blanks, Alva L.
Blawusch, Dirck E.
Blevins, William D.
Bliesener, Arthur B.
Blixi, Melvin D.
Blount, Robert H.
Blumberg, David H.
Bodamer, Robert E.
Boger, Clarence E.
Boland, Paul
Boland, Robert I., Jr.
Boller, Jack W.
Bolstad, Daryl B.
Bolton, Jordan T.
Bond, John C., Jr.
Bonewits, Donald G.
Boniface, John G.
Booker, Thomas F.
Borgerding, Howard A.
Borgstedt, Forrest C.
Bothwell, John H.
Bott, Alan R.
Boulding, Austin L.
Boule, Arthur E., Jr.
Bouwman, Fredric G.
Bowdey, Floyd D.
Bowen, Alva M., Jr.
Bowen, Edwin E.
Bowen, Llewellyn D.
Bowen, Thomas J.
Bowerman, Robert G.
Bowling, Roland A.
Boyack, Maurice R.
Boyd, Carl J.
Boyd, Paul C.
Boyle, Paul A.
Brabant, Robert J.
Bradshaw, Ray H.
Brady, Charles G., Jr.
Brady, Donald P.
Brady, Robert L., Jr.
Braid, Robert A.
Braly, Henry L., Jr.
Brand, Richard G.
Branton, Richard C.
Brazzell, Robert J.
Breen, Charles E., Jr.
Brenner, Thomas B.
Brett, Robert P.
Briggs, Winston D.
Brite, Murrel C.
Brittain, Thomas B., Jr.
Bromley, Frederick B.
Brooke, Rupert
Brooks, Richard S.
Brooks, Richard I., Jr.
Brotherton, William D., Jr.
Broughton, Walter T., II
Brower, Robert C.
Brown, Bryan B., Jr.
Brown, Floyd H.
Brown, Francis T.
Brown, Ian F.
Brown, John W.
Brown, Joseph W., Jr.
Brown, Kenneth
Brown, Keith F.
Brown, Lofton C.
Brown, Louis F., Jr.
Brown, Thomas D.
Brownlee, Robert E., Jr.
Brozo, John G.
Brtek, Frank C.
Brubaker, Donald E.
Brumbaugh, Dale C.
Brumsted, Robert B.
Bryan, George S., Jr.
Bryant, Bobby D.
Bryce, Thomas A.
Buchanan, Fillmore B.
Buck, Maurice D.
Bucknum, Jack E.
Burgesser, Charles B.
Burgin, Wilbur J.
Burhans, John H.
Burkart, John C.
Burke, Edwin J.
Burke, James A.
Burke, Robert E.
Burki, Arde A.
Burns, William L.
Burrell, Robert E.
Burrill, James T.
Burton, James B.
Burton, Lester H.
Bush, Philip R.
Bush, Ward A.
Butler, Frank J., Jr.
Butler, John E.
Byington, Ward G.
Caine, Arthur D.
Caldwell, George A., Jr.
Callaway, John D., Jr.
Camp, Herbert E.
Campbell, Joseph W.
Campbell, Richard D.
Campbell, William M.
Cannon, Herbert "B"
Cantwell, William P., Jr.
Cardillo, Robert J.
Carey, Edmond J.
Carl, John G.
Carlin, James
Carlin, Walter P.
Carlisle, Charles S.

Carment, Frederick, Jr.
Carnahan, Ralph H.
Carneghi, Albert J.
Carpenter, Harold L.
Carroll, Eugene J., Jr.
Carroll, Kent J.
Carroll, Thomas F.
Carter, Jack L.
Cartwright, Harold J.
Casey, Robert M.
Casper, William F., Jr.
Casseday, Jack N.
Casserly, Christopher J.
Castillo, Edmund L.
Causey, Charles W., Jr.
Chamberlain, Charles H.
Chamberlain, Raymond E., Jr.
Chambers, Lloyd S., Jr.
Chandler, Donald E.
Chapman, James H.
Chapman, Kendall J.
Chattleton, William D.
Cheek, Glen R.
Chrisler, Robert P.
Christensen, Morris A.
Christensen, Jack A.
Chuilli, Ernest J.
Chute, Charles L.
Cislo, Louis
Clancy, George M.
Clark, Angus-Kerr
Clark, Carroll D.
Clark, Edmund T.
Clark, Robert O.
Clausen, Paul K.
Clegg, George B., III
Cleland, William H.
Clement, Robert R.
Clifton, Autry W.
Cobean, Warren R., Jr.
Cockrell, Jack R.
Cody, Harold R.
Cohan, George M., Jr.
Cole, Kenneth J.
Cole, Russell W.
Collins, John T.
Collins, Robert M.
Collister, Louis J.
Colquhoun, Richard G
Comet, Robert E.
Condon, Vernon W.
Cone, Warren M.
Conn, Robert H.
Constantine, James R.
Cook, Harry W.
Cooke, Edward W.
Cooke, Robert S.
Coppedge, John O.
Corley, James W.
Coulter, Fred W.
Counihan, Henry R.
Coursin, Jack T.
Covert, Lawrence W.
Cowan, Paul G.
Craig, Neil
Crandall, Jack C.
Crane, John W., Jr.
Crangle, Eugene V.
Craven, Phillip R.
Cravener, Leahmon A.
Crawford, Bentley B.
Crawford, Robert E.
Creasman, Jesse C.
Creighton, Bert H., Jr.
Crockett, Charles B., Jr.
Cronander, James H.
Cronemiller, Carl F., Jr
Crosby, William H.
Cross, Thomas J.
Cross, William E.
Crowe, William J., Jr.
Crozier, Francis J.
Cuccias, Robert F.
Cummings, Arthur H., Jr.
Cummings, Charles W.
Cummings, Donald E.
Cummins, Peter P.
Curtin, Lawrence J.
Cushman, Charles H., Jr.
Cutchall, Lee G.
Czerwenka, Adolph P.
Dahlby, Philip C.
Dale, Robert L.
Dallmann, Paul H.
Damon, William Q.
Darr, James, Jr.
Daughtrey, Ezekiel H.
Davenport, Fred W.
Davenport, Thomas T.
Davidson, Alan N.
Davidson, James B.
Davies, Henry E.
Davis, Calvin R.
Davis, Hector W., Jr.
Davis, John A., Jr.
Davis, Ray E.
Davis, Theodore F.
Davis, William G.
Davis, William R.
Davison, Morgan L.
Davison, Richard R.
Dawson, John F.
Deacon, William, III
De Camp, Dwight E.
De Chow, Claude E.
Decker, Edward A.
de Ganahl, James A.
Degler, Forrest R., Jr.
De Hart, Turner
Dehn, Emerson C.
Deibler, Robert R.
De Lorenzi, Robert M.
DeMayo, John J., Jr.
De Ment, Henry F.
Dente, Eugene
Denton, Jeremiah A., Jr.
DeVeas, Thomas E.
Dew, Carlos, Jr.
Dickey, George L., Jr.
Dickson, John E.
Dietrichson, Warren D.
Diffendorfer, Jarl J.
DiMatteo, Dominic J.
Dise, Robert L.
Ditzler, David D.
Doak, William C.
Doescher, Walter W., Jr.
Dolan, William R., Jr.
Donaldson, Charles E., III
Dorman, Alvin E.
Dorman, "R" "H"
Doss, Robert F.
Doty, William K.
Dougherty, John J.
Douglas, Walter M.
Douthett, Richard B.
Dowling, Patrick S.
Downey, Denis J. J.
Doyle, James H., Jr.
Doyle, Philip P.
Drake, John F.
Draz, David I.
Duacsek, Anthony W.
Duberg, Carl N.
Du Biel, Robert A.
Duckett, John P.
Dudley, Harrison G.
Dudley, Sherman F.
Dugger, John A.
Dulhagen, John J.
Duncan, Robert C.
Dunning, Richard A.
Dunton, Stanley W.
Durbin, Stephen F.
Durden, Walter D.
Durey, Orin J.
Durkin, Michael F.
Dutra, John E.
Eadie, Charles J.
Eagan, Bryan R.
Ebel, Stanley T.
Eckhart, Myron, Jr.
Edmondson, George H
Edwards, Harold L.
Ekelund, Kenneth O., Jr.
Elefante, Frank L.
Elliott, Chester E.
Elliott, Edward C.
Elliott, Hollie H., Jr.
Elliott, Thomas J.
Ellis, Edmund H.
Ellis, George W.
Ellis, Samuel S.
Ellis, William H.
Endacott, Jack A.
Engel, Wilson F., Jr.
Enright, John P.
Enright, Robert E.
Enyart, John W.
Estelmann, Hermann J.
Ettner, Edward R.
Evans, Jack R.
Evans, Jack E.
Evans, James G.
Evans, Joseph D.
Everett, James G.
Ewald, Arden A., Jr.
Ewing, Paul C.
Exum, John D.
Fagan, John F., Jr.
Fagan, Philip J.
Fahrney, Robert H.
Farley, James E.
Farley, John W.
Farley, Russell J.
Farrington, Richard S.
Farris, George W.
Farshing, Donald D., Jr.
Faughman, Franklin P.
Faulders, Cyril T., Jr.
Faull, Joe D.
Fay, Robert J.
Feher, Melvin A.
Fenwick, Joseph E.
Ferguson, James C.
Ferrante, John M.
Ferris, Wilbur G.
Field, Francis E.
Fife, Milton E.
Filson, Paul L.
Finlay, Robert W., Jr.
Finneran, John G.
Fischer, David W.
Fischer, Richard H.
Fisher, James R. M., II
Fisher, Lee W.
Fisher, William B., Jr.
Fiske, Clarence O.
Fiske, Samuel L.
Fitchko, George W., Jr.
Fitzgerald, Carl S.
Fitzgerel, John H., Jr.
Fletcher, Gene C.
Fluhart, James H.
Folensbee, Albert H.
Folop, Albert A.
Foote, Edward J.
Ford, Frank W.
Forgy, William J.
Forsyth, Donald D.
Forsyth, William D.
Fortson, Thomas E.
Fosdick, Theron D.
Foster, William L.
Foust, James W.
Fowler, Earl B., Jr.
Franch, Ardwin G.
Francis, Samuel
Franz, Donald A.
Freeman, James
Fridge, Herbert E.
Friedman, Robert
Fries, William D.
Fritsch, Edward C., Jr.
Fritz, Ernest S.
Fromknecht, George W.
Fuller, Richard, Jr.
Furland, Frederick W.
Gaehler, Alfred H.
Gainer, Richard D.
Gallagher, John J.
Gallagher, Joseph
Gallagher, Cornelius R.
Gallup, Frederick S., Jr.
Gammill, James L.
Garbee, Edwin T.
Gardiner, Richard S.
Gardner, James S.
Garrison, Walter V.
Gary, Stanley P.
Gately, Donald E.
Gatewood, Walter P.
Gaul, Raymond A., Jr.
Gaunt, Richard H.
Gauntt, Wesley R.
Gautier, Robert H.
Gavitt, Kenneth W.
Gay, William W.
Geary, John T.
Geary, Joseph R.
Geary, Mervyn O.
Geer, Jon R.
George, Robert M.
Georgen, William M.
Gerecke, Thomas F.
Gerhard, Harry "E"., Jr.
Gernert, Harold F.
Gibbs, Howard B.
Giedt, John G.
Gilles, Donald A.
Gilliam, Gail H.
Gilliland, Frank
Gilmore, Russell G.
Ginn, Benjamin F.
Ginn, John O.
Girard, Jean L.
Glab, Joseph T.
Glaser, William R.
Glauser, Clarence J.
Gless, Richard D.
Glindeman, Henry P., Jr.
Glover, John W.
Glowasky, William A.
Gokey, Noah W., III
Goldstein, David A.
Goodpasture, Joseph H.
Gorder, Merle H.
Gordon, Jack G.
Gorman, Donald V.
Gortney, William M.
Gott, Charles L.
Gower, Harry T., Jr.
Gower, Robert F.
Graham, Thomas A.
Grantham, Delbert D.
Grantham, Robert D.
Grause, Jerome E.
Gravely, Samuel L., Jr.
Graves, Jack C.
Graves, Luther J., Jr.
Gray, Gordon L., Jr.
Gray, Julian F.
Greene, Ernest "G"
Greene, Joseph M.
Greene, Wallace A.
Gregonis, Joseph P.
Gregory, Grover K., Jr.
Greig, Joseph E.
Gremer, Charles E.
Griffin, Harry J.
Griffin, James W.
Griffiths, Charles H.
Griswold, Richard A.
Grkovic, Nicholas
Grojean, Charles D.
Grove, George S.
Groves, Thomas E.
Guentz, Jack E.
Guertin, Louis H.
Gulick, Richard I.
Gullette, John G.
Gunter, Monchie M., Jr.
Guthrie, Charles
Gygax, Rex
Haak, Frank S.
Haecherl, Frank S.
Hafner, Joseph J.
Hahs, Orrie A.
Haines, John B.
Haizlip, John W., Jr.
Hall, Ray E.
Hall, Richard P.
Hall, Walter D.
Hallam, Orval K.
Hallett, Oliver S.
Hamaker, William R.
Hamberg, Harold A.
Hamilton, Joe
Hamilton, Robert M.
Hancock, David L.
Haney, William E.
Hankins, Wallace W., Jr.
Hanks, Robert J.
Hanna, Donald L.
Hannah, Glyde B.
Hansen, Hans P.
Hansen, John E.
Hanson, Edgar G.
Harbottle, Lyman W.
Hardy, Willis A.
Harlan, Wick R., Jr.
Harmer, Frank D., Jr.
Harper, George A.
Harper, John R.
Harris, William C.
Harris, William L., Jr.
Hart, Harry S.
Hart, Robert R.
Hartley, Paul J., Jr.
Hartman, Willard R.
Harvey, Donald P.
Haselton, Frederick R., Jr.
Hattersley, Julian
Haugen, Edward S.
Hauser, William F.
Haycraft, Logan, Jr.
Hayes, Arthur M., Jr.
Hayes, James W., Jr.
Hays, Seymore T., Jr.
Hayward, Thomas B.
Hazelwood, James M.
Hazen, Alan M.
Heberling, Donald A.
Hedgepeth, Charles H.
Heekin, Robert P.
Heesacker, Bernard A.
Heiderer, Robert
Heidorn, Lawrence H.
Heile, Donald H.
Heimbach, Hilton R., Jr.
Heinberg, Wolf
Heise, Frederick J.
Heller, Lester M.
Hemler, Frank T.
Hemmer, Edgar H.
Henderson, Jerome E.
Henderson, James R.
Henriques, David N., Jr.
Henry, Eugene M.
Herbert, Christopher A.
Herbert, Edward D.
Herman, Richard D.
Herrick, Carl H.
Herzog, James H.
Herzog, John J.
Hess, Charles M.
Hess, John A.
Hesse, Theodore S.
Hessom, Robert C.
Heuer, Edward H.
Higgins, Robert T.
High, John R.
Higley, Warren A.
Hihn, Don E.
Hill, Charles C.
Hill, Edward C.
Hilton, Jack
Hinchcliff, Lester G., Jr.
Hinds, Charles D.
Hinkle, William L.
Hoffman, Paul J.
Hoffman, Raymond L.
Hoffmann, Roy F.
Hoke, Charles H.
Holden, William P.
Hollyer, Richard S.
Holm, Kenneth C.
Holmberg, Frank E.
Holmes, Robert E.
Holt, Albert T.
Hooffstetter, William B.
Hoover, Ralph A., Jr.
Horn, Francis R.
Horn, Maurice A.
Horner, Walter R.
Horton, William P.
Houck, Donald F.
Houck, John F., Jr.
Hough, William L.
Houston, Willard S., Jr.
Howard, Donnell
Howard, George D.
Howard, John N.
Howe, Thomas
Howell, Raymond S., Jr.
Hoy, Hugh A.
Hubka, Verne R.
Hubler, Vernon R.
Hudner, Thomas J., Jr.
Hudson, George D.
Huff, Andrew F.
Hughes, Arthur J.
Hughes, Thomas J., Jr.
Hugus, James E.
Hulihan, John W.
Huling, Harold E.
Hume, David M.
Hunter, Perry F., III
Husty, Richard M.
Hutches, Robert S.
Hutchinson, Thomas H., Jr.
Hutchinson, Harold R
Hutton, William L.
Huval, Willard R.
Hylind, Kenneth G.
Ingraham, Mark W., Jr.
Irish, Edelbert E.
Irvine, Harry B.
Irvine, James F., Jr.
Irwin, Charles M., Jr.
Iselin, Earl C., Jr.
Iverson, Robert G.
Ives, Thomas K.
Jablonski, Felix J.
Jackson, Laurence L., Jr.
Jackson, Thomas E.
Jacobs, Richard "B"
Jennings, Verne H., Jr.
Jensen, William G.
Jewett, Frederick F., II
Jex, Donald R.
Johnson, Benjamin T.
Johnson, Charles M., Jr.
Johnson, Charles E.
Johnson, Dean R.
Johnson, Francis A.
Johnson, John R.
Johnson, John D., Jr.
Johnson, Keith V.
Johnson, Mortimer C.
Johnson, Theodore R., Jr.

Johnston, Frank S.
Johnston, John W.
Jones, Allen, Jr.
Jones, John M.
Jordan, Edward V.
Jorgensen, George D.
Joy, Harmon R.
Joynton, Harry D., Jr.
Junghans, Robert C.
Junod, Louis L.
Kaffer, Gerald H., Jr.
Kallies, Richard H.
Karlowicz, Mitchell J.
Karnagel, Donald T.
Karr, Kenneth R.
Karr, Walter G., Jr.
Kasner, Edmund B.
Kaufman, Robert Y.
Kaye, Alan J.
Kearns, John S.
Keegan, Earl W., Jr.
Keen, Timothy J.
Keiser, George R.
Keith, James
Kellam, Raymond O.
Keller, William F., Jr.
Kelley, Albert J.
Kelly, George R.
Kelly, James J.
Kelly, Leslie D., Jr.
Kelly, William F.
Kemp, Glenn E.
Kennedy, Alfred F.
Kennedy, Clarence L.
Kennedy, James R.
Kent, John "L"
Kenyon, Eugene C., Jr.
Keough, Raymond F.
Kern, Francis X., III
Kessing, Oliver O., Jr.
Kidd, Robert A.
Kiehl, Elmer H.
Kiley, Donald W.
Kilgore, Frank J.
Killefer, William, Jr.
Killingbeck, William E.
Kilpatrick, David D.
Kimble, Elbert D.
Kimmons, George W.
Kimzey, Ord, Jr.
King, Franklin T.
King, Herbert T.
King, Ogden D., Jr.
King, William D.
King, William L., Jr.
Kingsbury, Edward J., Jr.
Kingsbury, Chester E.
Kington, Joseph E., Jr.
Kinney, Donald E.
Kirk, George G. E.
Kirklighter, James F., Jr.
Kirkpatrick, James
Kiser, Charles A.
Kleczewski, Marion J.
Klein, Melvin E.
Kline, Edward C., Jr.
Klingberg, Franklin N.
Klug, George J.
Knueven, William H.
Koch, Ferdinand B.
Kochis, Peter C.
Koenig, William H.
Komorowski, Raymond A.
Koons, Jack L.
Korb, Frank J.
Kosnik, Joseph T.
Kovanic, Francis J.
Kranz, Arthur C.
Krebs, Edward C., Jr.
Kreutz, Arthur R.
Kriss, John
Kuehn, Walter J.
Kulik, Adam P.
Lackore, Raymond C., Jr.
Lademan, Dixon
La Haye. James D.
Lakey, Keith G.
Lambert, Carl R.
Lambert, Joel, Jr.
Lammers, Lorin R.
Lane, Dwight A., Jr.
Lang, Hugh E.
Langford, John D.
Langille, Justin E., III
Languedoc, Arthur J.
Lanzit, Jerome R.
Larcombe, Howard N., Jr.
Larsen, Bertrand O.
Lasseter, Joe F., Jr.
Lassiter, "A" "C", Jr.
Last, Frank J., Jr.
Lauver, George I.
Lavelle, Francis M.
Layser, Richard G.
Layton, Donald M.
LeBreton, Guy J., Jr.
Ledbetter, Robert L., Jr.
Leddick, Roth S.
Lee, Earl B.
Lee, Robert E.
Leib, James M.
Leidholdt, Edwin M.
Leisk, William H., Jr.
Lemeshewsky, Andrew A.
Lemmon, Donal D.
Lenihan, Jeremiah E.
Lennon, Gerard T.
Lenson, Robert H., Jr.
Lessmann, Walter G.
Leuschner, Robert J.
Leutz, Leon H.
Levi, Burna D., Jr.
Lewis, George H.
Lewis, John C.
Liles, Percy L.
Lilly, Creighton D.
Lindberg, Charles H.
Linder, Isham W.
Lindgren, George B.
Lindsay, John R.
Linville, James C.
Long, David A.
Longley, Wilbur E.
Longo, Charles R.
Lonnquest, Theodore C., Jr.
Loranger, Donold
Lowans, Warren H.
Lowell, John E.
Lowell, Percival D., Jr.
Lowen, Ernest E.
Lucas, Burke D., Jr.
Lund, Howard R.
Lynch, Robert E.
Lyon, Harvey E.
Lyon, Henry J.
Lyon, James O.
Lyons, Kenneth H.
Lyons, Richard T.
Mac Millan, Harold R.
Macomber, Mark M.
Macon, Benjamin H.
Macon, Glen G.
Madill, William G., Jr.
Magee, William C.
Maginnis, Hayden R.
Mahinske, Edmund B.
Maier, Arthur R., Jr.
Malan, Max E.
Malone, Walter J.
Mann, Philip L.
Manring, Alvin B.
Maragos, George
March, George P.
Marsh, John C.
Marshall, Leo J., Jr.
Marshall, Robert C., Jr.
Martin, Barney
Martin, Claude F., Jr.
Martin, Frederick V.
Martin, James W.
Martin, Reginald E., Jr.
Martin, Samuel A.
Martz, David J.
Marvin, Stephen D.
Matejceck, John F.
Mathews, John M.
Matthews, Howard L., Jr.
Matthews, Walter L., III
Matthews, William R.
Mattson, Kenneth B.
Matula, Valentin G.
Maulden, Hoyt P.
Maupin, Elwin C.
Mawhiney, William T.
Maxwell, Raymond C., Jr.
May, Robert C.
Mayer, William S.
Mayes, Luther E., Jr.
Maynard, Allison L.
McAdams, Lee T.
McCabe, Robert E.
McCall, Robert E.
McCandless, Arlin R.
McCaulley, Henry B.
McClaugherty, Bernard M.
McCracken, William H.
McCrary, Robert D.
McDaniel, William O.
McDonald, Nathan F.
McDonald, Wesley L.
McDonnel, James L.
McDonnell, John C.
McElroy, Robert L., Jr.
McElwain, Richard S.
McFarland, Earle T.
McGill, John C., Jr.
McGovern, William
McGrane, Clarence V., Jr.
McGrath, Charles J.
McGrath, Herman G., Jr.
McGrath, John J., Jr.
McGraw, Donald L.
McIntyre, Douglas E.
McKee, David A.
McKeever, Elmer V.
McKenzie, Robert P.
McKenzie, William W., Jr.
McLaughlin, Norman H.
McMahon, James P.
McMullen, Frank D., Jr.
McMurray, Samuel F.
McNeil, Robert K.
McNett, Edgar L.
McOmie, Donald B.
McRostie, Richard J.
McVey, Don C.
Meek, Orville M., Jr.
Meginniss, Walter M.
Meisenheimer, John L.
Melander, Vincent E.
Melick, Roger E.
Mentzer, Howard D.
Merrell, Chandler V.
Metzel, Jeffrey C., Jr.
Metzger, Robert L.
Meyer, Joseph J., Jr.
Meyer, Wayne E.
Midgette, Oliver F.
Mikhalevsky, Nicholas
Miller, David W.
Miller, John "X", Jr.
Miller, John W.
Miller, Kirk C., Jr.
Miller, William O.
Mills, Herbert D., Jr.
Mills, Jack O.
Mills, Ralph B., Jr.
Mills, William P.
Millsaps, Lewis M.
Mingo, John J.
Minton, Don R.
Mitchell, Eugene B.
Mone, James V.
Mongilardi, Peter, Jr.
Montgomery, Marvin D.
Monthan, George R.
Mooney, Rodney T.
Moore, Harry R.
Moore, James A.
Moore, James I.
Moore, Ralph L., Jr.
Moore, Robert E.
Moore, William V.
Moorhead, Kenneth W.
Moran, Thomas L.
Moreland, Herbert A., Jr.
Morgan, Horace H.
Morgan, Newton H.
Morgan, Robert L.
Morgan, Walter N.
Morgan, William H.
Morgiewicz, Daniel J.
Moro, Albert J.
Morris, James W.
Morrison, Joseph B.
Morse, Kenneth L.
Morton, William W.
Moseley, Richard E.
Moses, Carl W.
Moss, James L.
Mount, Harold W.
Mouton, Edison E.
Mulholland, William P.
Mullen, Theodore W.
Muncie, Maurice O.
Muncie, Wendell B.
Munnikhuysen, Henry F.
Muns, David L.
Murline, Robert A. H.
Murphy, Francis J.
Murphy, James J.
Murray, Harrison C.
Murrill, Robert L.
Mussetto, Bruno
Nagler, Gordon R.
Negele, John H., Jr.
Nelson, Albert N., Jr.
Nelson, Clifford
Nelson, Gerard L.
Nelson, Perry W.
Nemoff, Alfred J.
Nevins, John D.
Nevitt, Fred M., Jr.
Newbern, Robert O.
Newkirk, Kenneth H.
Newsome, William R.
Ney, Kenneth C.
Nichols, Robert L.
Nicholson, John H.
Nicholson, Robert H.
Nicklas, William C., Jr.
Niehaus, Herbert H.
Nienberg, Robert J.
Nimitz, Charles E. C.
Nivison, William
Noble, Guy E.
Nockold, Louis W.
Noesen, Harold
Nolta, Cornelius V., Jr.
Norberg, Delbert W.
Norin, Robert A.
Norris, Crockett J.
Norton, James C.
Nott, Hugh G.
Nourse, James A.
Nugent, Corliss R.
Nuss, Jerry J.
Oberg, Owen H.
O'Brien, Edward F., Jr.
O'Callaghan, Edmund W.
Oddo, Phillip W.
Odell, Robert L.
Oechslin, Robert E.
Offtermatt, Wilbur F.
Ogle, Robert J.
O'Grady, John P.
Ohsiek, Robert R.
Olivari, Louis
Oliver, Stephen
O'Neal, Alfred C.
O'Neil, Timothy R.
O'Neill, Thomas H. R.
Orbeton, Maurice C., Jr.
Orton, Robert D.
O'Shaughnessy, James D.
Ostertag, Carl J., Jr.
Overn, John A.
Owen, Howard J.
Owens, Haydn, Jr.
Owens, John D.
Pace, Robert D., Jr.
Packer, Duncan
Packer, Samuel H., II
Paddock, Richard A.
Page, Robert A.
Palkovic, Richard M.
Palmer, Frederick F.
Panther, James E.
Parker, Edwin J.
Parks, Larry G.
Parrish, Harvey S., Jr.
Parry, Loren C.
Pavelle, John J., Jr.
Pavis, George P.
Paxson, Roy H., Jr.
Pearson, Douglas C.
Pearson, Francis E., III
Pedneault, Henry R.
Peebles, George C., Jr.
Peeler, James C.
Pell, Isaac N., Jr.
Peniston, Robert "C"
Penny, Harmon C.
Peopler, George F.
Perez, Raul B.
Perry, William J.
Perszyk, Joseph S., Jr.
Peters, Bernard
Petersen, Richard L.
Peterson, John P.
Peterson, William S.
Phelps, Henry E.
Phillips, Alva L., Jr.
Phillips, Billy
Phillips, Chester G.
Phillips, George W., Jr.
Phillips, Harvey R.
Piatek, John A.
Pickert, Aloysius J., Jr.
Pickrell, Robert M.
Pierozzi, Constantino N.
Pierucki, Ervin J.
Pietrowski, Edward L. F.
Pinkepank, Merril C.
Pirro, John J.
Pittman, Shelly B.
Pitz, Marcellus T.
Ploetz, John D.
Plummer, Philip F.
Plunkett, Robert D.
Pomeroy, Leslie K., Jr.
Pond, Robert B.
Pope, John E.
Poplin, Glenn O.
Porter, Edward M., Jr.
Porter, William R.
Porter, William W.
Posch, Frank M.
Postlethwaite, Charles W.
Potter, Eugene W.
Potter, Horace S.
Prassinos, George
Presgrove, Charles K., Jr.
Presson, Herman W.
Price, Charles H.
Price, Harold B.
Pringle, Robert C.
Probyn, Robert W.
Prum, Bruce E.
Pullen, Boyd M., Jr.
Purcell, Stephen E., Jr.
Putnam, Earl B.
Putman, Orlin N.
Quelland, Obed R.
Quisenberry, William R.
Rae, William C., Jr.
Ragsdale, Homer C., Jr.
Randall, Craig E.
Rank, Cyrus "A"
Ranzau, Walter W.
Rasko, Robert V.
Rasmussen, Merwin E.
Ratte, Paul W.
Ray, Charles E.
Ray, Troy G.
Rayner, Donald E.
Readdy, Francis J.
Reardon, Francis P.
Reaves, George A., III
Redden, Lawrence E.
Redgrave, DeWitt C., III
Reed, Robert F.
Reese, Walter "H"
Regan, William F.
Reich. Charles A.
Reider, Richard K.
Reilly, Jeremiah D., Jr.
Reilly, Joseph L., Jr.
Renn, John E.
Renz, Louis T.
Rex, James F.
Reynolds, George R.
Reynolds, Milton L.
Rezzarday, Joseph, Jr.
Rich, Harold G.
Richardson, James P.
Richelieu, Charles F.
Riddick, John C.
Riehl, Julian W., Jr.
Rieke, Norbert A.
Riggs, Wallace M.
Riley, Edward E.
Risley, Clayton E., Jr.
Robb, William H.
Robcke, Jack H.
Roberts, John
Robertson, Horace B., Jr.
Robertson, Bruce W.
Robeson, Robert H., Jr.
Robinson, William H., Jr.
Robinson, Winthrop P.
Roche, Robert F.
Rock, Clifford "T"
Rodgers, Hollis "T"
Rodgers, Lawrence G.
Rodier, Richard L.
Roetman, Orvil M.
Rogers, Bernard L.
Rogers, Frank W.
Rogers, Harris G., Jr.
Rogers, Harry M.
Rogers, William Haley
Rogers, William Henry
Rogerson, Reuben G.
Rollins, Henry G.
Romatowski, Louis A., Jr.
Rooney, Frederick T.
Rose, Albert E., Jr.
Rose, Charles J.
Rose, Vernon D., Jr.
Ross, Royal R., Jr.
Roulstone, Don J.
Rouse, Jerome A.
Roux, Vernon K.
Rowe, Donald E.
Roy, Robert I.
Ruebsamen, Darrel D.
Ruoti, Anthony
Rush, William A.
Rushin, Thomas E.
Russel, Joseph W.

Russell, Thomas B., Jr.
Russell, William M.
Ruxton, Robert T., Jr.
Ryan, Bayliss Q.
Ryder, Donald F.
Sabin, Nelson
Sadler, Robert J.
Sandeford, William H.
Sanders, Rodney D.
Sanders, Wilton T., Jr.
Sanderson, James R.
Sante, Robert D.
Saunders, Walter E., Jr.
Savage, Richard A.
Savage, Stuart, Jr.
Saylor, Beverly
Schabacker, Robert B.
Schaffer, Donald R.
Scheer, Lawrence E.
Scherrer, David E.
Scheuhing, Robert E.
Schirra, Walter M., Jr.
Schloer, Eric G.
Schmidt, Wesley H.
Schmieder, Arthur H.
Schneider, Frank J., Jr
Schneider, Robert F. J.
Schneiders, Joseph M.
Schniedwind, Robert F.
Schoenherr, Charles G.
Schou, Aage J.
Schoultz, Robert F.
Schuknecht, Arnold R.
Schwemley, Paul A.
Schwitters, Merlin J.
Scott, Benedict J.
Scott, Norvell O., Jr.
Scott, Richard Y.
Scott, Walter
Scott, Wiley A.
Script, John L., III
Seabaugh, Raymond R.
Seargeant, John A.
Searl, Floyd C.
Searle, Willard F., Jr.
Seger, Josef M.
Seidel, George H.
Sell, Carl H.
Sellers, Harry S.
Sellman, Edmund W.
Sells, Warren H.
Sentman, Albert G.
Shanahan, John J., Jr.
Shane, Elbert B.
Sharer, Keith W.
Sharp, Wallace E.
Shea, Stephen J.
Sheil, James E.
Shelton, John P.
Shepard, Everett G., Jr.
Sheppard, James C.
Sherfy, John B., Jr.
Sherman, Benjamin F., Jr.
Sherman, Hildreth G.
Shinn, William G.
Shipman, James L.
Shonk, William H., Jr.
Short, Merton D.
Shrake, Francis B.
Shreve, Andrew K.
Sickel, John A.
Sigafoos, John J.
Sigler, Edward E., Jr.
Simon, Harold W.
Simpson, William E.
Sinclair, George T.
Sisson, Luther B.
Skidmore, Edward O.
Skoog, Joseph L., Jr.
Slonim, Charles E.
Small, Rufus C.
Smith, Albert J.
Smith, Bertram C.
Smith, Billie E.
Smith, Donald L.
Smith, Edwin P., Jr.
Smith, Emory P.
Smith, George T.
Smith, George E.
Smith, George K.
Smith, Gerald W.
Smith, Henry L.
Smith, Horace G., Jr.
Smith, Howard G.
Smith, Hugh W.
Smith, James V.
Smith, John C.
Smith, John A.
Smith, Lloyd S., Jr.
Smith, Lloyd H.
Smith, Ralph F.
Smith, Raymond D.
Smith, Robert S.
Smith, Rush S.
Smith, Wallace E.
Smith, Wayne H.
Smith, Wendell K.
Smullen, Orville A., Jr.
Snead, Leonard A.
Snopkowski, Edward L.
Snowden, Macon S.
Snyder, Jack L.
Soper, Malvern E.
Spann, Willis L.
Spencer, Paul E.
Spencer, William A.
Sperandio, Joseph L.
Sprague, Albert T., III
Spruit, Robert E.
Stadter, George B.
Stahl, Douglas
Stahl, Lawrence E.
Stanfield, Henry L.
Stanfill, Joseph F., Jr.
Stanley, Earl W.
Stanley, Henry T., Jr.
Stanley, Hilton L.
Starr, Mark R.
Staveley, Ernest
Stecker, Kenenth W.
Steeves, Harold M.
Stell, Albert L., Jr.
Stensrud, John D.
Stephens, Alvis H.
Stephens, Lawrence B.
Stephenson, Clarence B.
Stevens, Jack M.
Stewart, Clell
Stewart, Richard C.
St. George, William R.
Still, Raymond G.
Stilwell, Edward P.
St. Louis, Joseph A. R.
St. Marie, John W.
Stobie, Edwin F.
Stockdale, James B.
Stokes, Robert E. L., Jr.
Stone, Courtenay McK.
Stone, Robert S.
Stout, Burke W.
Stratton, Andrew C.
Strayve, Jerome R.
Strong, George T.
Strong, James T.
Stroux, Peter M.
Stufflebeem, John D.
Sullivan, Elmer D.
Sullivan, John F.
Sullivan, William P.
Summitt, Charles D.
Sumney, Frank F.
Sup, George C.
Sutherland, Robert S.
Sutton, Thomas L.
Swainson, Gustav F., Jr.
Swanson, Hjalmer E.
Sweeney, James R.
Swope, John R.
Sylvia, Henry J.
Taft, Jesse W.
Talago, Joseph, J.
Tallent, Carson R.
Tarpey, John F.
Taylor, Cecil O.
Taylor, David, Jr.
Taylor, James D.
Taylor, John L.
Taylor, Waymon
Teasley, William A., Jr.
Tedholm, Charles E.
Tesh, Charles P.
Thayer, Wirt C.
Thede, William L.
Thigpen, Francis Y.
Thomas, Albert H., Jr.
Thomas, Lon C.
Thomas, Ralph L., Jr.
Thomas, Robert E.
Thomas, Robert H.
Thompson, Bruce R.
Thompson, Elmer N.
Thompson, Harold T.
Thompson, Lewayne
Thompson, Robert D.
Thompson, Thomas N.
Thompson, William
Thompson, William F.
Thomson, Robert G., Jr.
Thornton, John L.
Thorson, Robert L.
Thurtell, Frank A.
Tice, John J., III
Tidd, Emmett H.
Tiderman, Otto D.
Tierney, John M.
Tiffany, Emory G.
Tilghman, Walter W., Jr.
Tilley, Herbert S.
Timidaiski, James T.
Tisdale, Robert S.
Titcomb, Edmund B.
Tolson, George F., Jr.
Tonkovic, Andrew A.
Toohill, Donald L.
Toole, Wycliffe D., Jr.
Trahan, Paul K.
Travers, Edward P.
Travers, Martin J.
Treacy, Edmund J.
Treadwell, Archie B.
Tribble, Robert J.
Trott, Robert J.
Trube, Alfred G., Jr.
Tucker, Ralph M.
Tucker, William W.
Tuel, Merritt D.
Tull, John L. D.
Tull, Robert
Tully, Claude I.
Turk, Carl F.
Turley, Miles D. J.
Turner, John S.
Turner, Stansfield
Twaddell, Miles E.
Uhwat, Robert A. D.
Ulbricht, Frederick W.
Upshur, Giles C., Jr.
Urban, Henry, Jr.
Urquhart, Alexander W., Jr.
Usina, Joseph D.
Vail, Malcolm E.
Vail, Ronald A.
Valentine, Andrew J.
Vallely, James R.
Van Demark, James L.
Van Sickle, John R.
Van Train, William A., Jr.
Van Tuyl, Andrew J., Jr.
Vardy, Richard S.
Vaughan, Jack A.
Vaught, Thomas B.
Vaught, William J.
Vereen, Jackson E.
Viele, John W.
Viney, Irwin J.
Von Gerichten, Robert L.
Von Schrader, Chandler L.
Voorhees, Jack R.
Vose, Frederic H. E.
Waddell, Henry M., Jr.
Wade, William D.
Wahl, Clyde F.
Waits, Jack E
Walden, Walter A.
Walker, Charles W., Jr
Walker, Grover "C", Jr.
Walker, William O.
Walsh, Francis R., Jr.
Walsh, John A.
Ward, Raymond E.
Warfield, John B.
Warriner, Victor G.
Wash, John L.
Waterman, Jack "E"
Watkins, Robert W.
Watt, Jesse R.
Weatherford, Jack E.
Weaver, Keith T.
Weaver, Roy B.
Weaver, Walter C.
Webb, George J.
Weber, Kent J.
Webster, Daniel A.
Weidman, William K.
Weidner, Robert E.
Weigel, John J.
Weirich, James E.
Welander, Robert O.
Wells, Donald M.
Wells, John W.
Wells, John T.
Wellsman, Howard C.
Welty, Wayne J.
Wenger, Donald B.
Wente, David A.
Werle, Joseph P., Jr.
Werner, Paul F.
Wertheim, Robert H.
Wessinger, William D.
West, Earle L.
Westfall, Elmer T.
Westmoreland, Arthur E.
Wettlaufer, Warren H.
Whaley, Lucien O. G.
Wheeler, William L.
White, Allan E
White, Arthur T.
White, Ray B.
Whitmire, Donald B.
Whitney, Loren C.
Whitney, William J.
Whittle, Alfred J., Jr.
Whyte, Herbert E.
Wicks, William F.
Wieland, Daniel T., Jr.
Wiggins, Bryan D.
Wiggins, Thomas E.
Wilcox, Burr C.
Wilcox, Charles L.
Wilder, James H.
Wilkins, James C., Jr.
Wilkinson, Roland F.
Willett, Elbert H.
Williams, Buck D., Jr.
Williams, Charles S., Jr.
Williams, Elmer R.
Williams, Glenn E.
Williams, Joseph N., Jr.
Williams, John H. D.
Williams, Joseph L., Jr.
Williams, John G., Jr.
Williams, James S.
Williams, William H.
Williamson, Robert, II
Willis, Charles H.
Wilson, George B., Jr.
Wilson, Henry R.
Wilson, James B.
Wilson, James G.
Wilson, Kenneth E., Jr.
Wilson, Phillip A.
Wilson, Richard H.
Wilson, William D.
Wineman, Glenn W.
Winslett, Ernest R.
Winter, Henry E., Jr.
Wise, Maurice H., Jr.
Witham, Burton B., Jr.
Wolf, Edward F.
Wolfe, George M.
Wolfe, John M.
Wollam, Raymond L.
Wood, Eugene E.
Wood, Robert D.
Woodard, David A.
Woods, Charles E.
Woods, William L., Jr.
Woody, William S.
Woolston, John
Working, Patrick L.
Wyand, Donald McK.
Wyman, Charles L.
Yelton, Harold M.
Youmans, Laurens W., Jr.
Young, Austin V.
Young, Grant C.
Young, William B.
Youngblood, Donald K.
Yuengling, Douglas J.
Zartman, Walter F.
Zebrowski, Walter T.
Zeni, Levio E.
Zenni, Martin "M"
Zimmerman, George G.
Zimmerman, Wayne L.
Zuehlke, Lloyd T.
Zyvoloski, Richard A.

To be commanders, Medical Corps

Baker, Robert L.
Boswell, "J" Thornton
Britton, Joseph H.
Buechel, Donald R.
Craighead, John T.
Drips, Robert C.
Dunn, Seldon C.
Durden, Charles S., Jr.
Egan, John F.
Garrett, Robert I.
Gaylor, Donald H.
Gordon, John J.
Jacoby, William J., Jr.
Johnson, Burt C.
Kretzschmar, Hanns O.
Latham, Ernest F.
Lucas, William E.
Maher, Robert W.
McDonough, Robert C.
McGreevy, John J.
Miller, Charles H.
Murray, Dermot A.
Musgrave, Max E.
Myers, Willis S.
Neptune, Edgar McC., Jr.
Noer, Harold R.
O'Connell, Patrick F.
Olson, Marshall W.
Parkinson, Leonard S. C.
Paslay, Jefferson W.
Prescott, Eustace H., Jr.
Richardson, Fred W.
Rosenwinkel, Norbert E.
Sanderlin, Joseph M.
Steen, Frank G.
Stephens, David L.
Wilber, Martin C.
Wilson, David Q.
Winter, William R.
Youngman, Samuel A.

To be commanders, Supply Corps

Abrams, Bernard
Adrian, Rodger J.
Ainlay, Henry L., Jr.
Allen, Paul M.
Anderson, John J., Jr.
Anderson, Oscar M., Jr.
Avellone, Francis P.
Bain, Louis E.
Baird, Richard S.
Baker, William R.
Bandish, Bernard J.
Barron, Willard D.
Boltwood, Chester McB.
Borchers, Alyn L.
Breeden, Robert L.
Bruening, Paul M.
Butler, Arthur G., Jr.
Canalejo, Armando, Jr.
Challain, Leonard J.
Chance, Carl
Chapman, Edgar C., Jr.
Charette, Author E.
Clements, Daniel J., Jr.
Collins, James H.
Comeau, Reginald B.
Condon, Thomas P.
Conover, Donald T.
Corley, James O.
Creekman, Charles T.
Crook, Lewis J.
Crouch, Perry B.
Davis, Albert S.
Dellasega, Joseph L.
Dellinger, Charley P.
Depew, Robert W.
De Santo, James V.
Dorion, William E.
Doucette, Forrest H.
Downey, James G.
Elkins, Robert H.
Elmore, John W.
Erickson, Allwyn B.
Evans, Stuart J.
Fernas, William M., Jr.
Ferris, Robert H.
Fisher, Robert D.
Flock, Jens B., Jr.
Forrest, James E.
Fowler, George O., Jr.
Fronke, Robert E.
Fry, Roy A., Jr.
Gaetz, Edward F., Jr.
Gallagher, Granville W., Jr.
Galligan, Charles H., Jr.
Gallup, Mearl
Gillis, Charles L.
Gobel, Carl F.
Gralla, Eugene
Griffith, Stephen S. D.
Haley, Robert S.
Handforth, Carlos H., Jr.
Harbaugh, Norman R.
Harris, Melvin W.
Harvey, Hobart D.
Haslett, Robert H.
Hassenger, William E.
Hatch, James C.
Hawley, William F.
Hay, Patrick M.
Hein, Joseph J., Jr.
Heurich, Robert G.
Hilderbrant, Earl F.
Hill, Roger E
Holbert, Herbert S., Jr.
Hillard, Kelly V.
Holifield, Arthur W., Jr.
Holmes, John W.
Horngren, Earl W.
Hughes, Thomas W., Jr.
Huntress, James F.
Hynes, Edward J.
Irwin, Harry E.
Jankovsky, Norlin A.
Johnson, Richard D.
Johnson, Warren B.

Jones, Joe L.
Jones, Joseph B.
Jones, Thomas W.
Josselyn, Allan H., Jr.
Kamps, John H.
Kash, William B.
Keenan, Joseph I.
Keidel, Charles J.
Keller, Bruce W.
Keller, Richard C.
Kellogg, Dean L.
Kennedy, Patrick F.
Kimball, Jack F.
King, Edward D.
Knight, Reed H.
Knight, Richard H.
Knipple, John D.
Knobel, Roland J., Jr.
Kuhlman, Norman H. C.
Laning, George H.
LaPlante, Robert W.
Larson, Albert G.
Larson, Leslie O., Jr.
LeClert, Arthur C.
Lent, Robert E.
Lewis, Raymond O.
Lindsey, Bob R.
MacDonald, Albert P., Jr.
Manore, Thomas E.
Marx, James H.
McDugald, Jesse
McElhanon, Byron F.
McGlaun, Albert L., Jr.
McHenry, Wendell, Jr.
McKee, Richard N.
McKenna, James E.
Means, James McD.
Meng, Edwin L., Jr.
Mercadante, James A.
Miller, John C.
Minton, Horace L.
Moore, Alvin
Murauskas, William A.
Murray, Douglas S.
Nichols, Horace E.
Nickson, Roy E.
Oller, William M.
Orr, Raymond J.
Owen, Frank T., Jr.
Pate, Walter T., Jr.
Peffley, John F.
Philion, Thomas F.
Pluto, Raymond J.
Polk, Donald E.
Polk, Robert B.
Pollitt, Ernest A.
Poor, John L.
Pope, George S., Jr.
Potts, Stanley W.
Prehn, John L., Jr.
Primm, Jules R.
Prosch, Edmund J.
Randolph, Karl W.
Reese, Lawrence W.
Renfro, Edward E., III
Riley, George D., Jr.
Rinetti, Edward J.
Ristan, Albert G., Jr.
Robison, John T.
Rodgers, Wallace F.
Ronayne, William D.
Rossi, Louis P.
Schanze, Fred, Jr.
Schar, Kenneth A.
Shepard, John C.
Sloan, Dale F.
Sloan, Waldo D., Jr.
Small, Joseph T.
Smith, Carlton B.
Smith, Joseph F.
Spargo, Robert A.
Sprague, Raymond E.
Steele, James H.
Sueur, Charles A.
Surran, Charles R.
Swenson, Sigurd E.
Sylvest, Robert S.
Sylvester, Nelson J., Jr.
Tanner, Sylvan
Taylor, Albert T., Jr.
Teichler, Alfred H., Jr.
Tetrault, Joseph H.
Thompson, Charles E.
Thompson, Robert W.
Thurman, Horace E., Jr.
Tice, "J" Philip
Tinney, Richard T.
Tippin, Jesse R.
Tongren, Hale N.
Turnage, Robert E.
Van Osdol, Robert C.
Victor, William V.
Vogel, Robert E.
Waller, Thomas C., Jr.
Weihrich, Walter F.
Wingo, Rodney K.
Woolard, Kenneth A.
Worden, Frank N.
Xefteris, Zefter C.
Zenk, Lawrence P.

To be commanders, Chaplain Corps

Abucewicz, John A.
Bakker, Peter J.
Boyer, Arthur C.
Brown, Jonathan C., Jr.
Cloonan, Joseph F.
Darkowski, Leon S.
Dennis, Arthur W.
Fay, John P.
Fitzpatrick, Francis J. N.
Forney, Fredric J.
Griffin, Cornelius J.
Hayes, Henry H.
Hayes, Jack W.
Herrmann, Theodore C.
Hopkins, Ralph W.
Lavin, Henry T.
Long, Bradford W.
Maguire, Connell J.
Mahoney, Vincent J.
Palmer, Wendell S.
Power, Bashford S.
Power, Joseph G.
Radcliffe, Robert W.
Rademacher, Glen A.
Rossbach, George F.
Somers, Lester I.
Sullivan, Mark
Trower, Ross H.
Vincer, John D.
Widman, John A., Jr.
Zoller, John E.

To be commanders, Civil Engineer Corps

Allen, John C.
Allen, Max H.
Andrews, James D.
Arn, John A. M.
Ashley, Donn L.
Baker, Carlyle J., Jr.
Barron, William W.
Bartlett, Robert B.
Bixby, Paul
Blevins, "W" "J"
Brantner, William B.
Briggs, Fred M.
Burch, Bobby F.
Burfield, James A.
Burton, George W.
Cole, Marvin L.
Dalton, Donald F.
Daub, Leland A.
Dearth, Keith H.
Devlin, John G.
Diehl, Charles E.
Divoll, Richard L.
Doyle, Paul J., Jr.
Draves, Albert W., Jr.
Dunnells, Robert E.
Farley, Robert J.
Feinman, David M.
Fisher, John R.
Flippen, Homer W.
Forquer, Charles J.
Francy, William J.
Gault, Alan C.
Goetzke, George A., Jr.
Hansen, Bernard L.
Hediger, Fritz H.
Heuston, Robert H.
Hill, James M., Jr.
Hoskins, Dalton
Hudson, Richard I.
Iselin, Donald G.
Jasper, Paul R.
Jones, Whitney B.
Kaloupek, William E.
Klingenmeier, Russell J., Jr.
Koonce, Stephen J.
LaLande, Albert M., Jr.
Lennox, Frederick E.
Locke, Harry A.
Magneson, Norman J.
Mallory, Charles W.
Merrill, Bergen S., Jr.
Merritt, Harold W., Jr.
Miller, Charles G., Jr.
Mitter, Wayne S.
More, David C.
Morgan, Joseph E.
Nuss, Edward S.
O'Neill, Lawrence F.
Patrick, Donald A.
Paul, Edwin C.
Peacock, Francis B.
Petersen, John H.
Powell, Joseph E.
Puddicombe, Robert W.
Reeve, John J., Jr.
Rumble, James D.
Russell, William F., Jr.
Saunders, Edward M.
Sears, Kenneth P.
Seitz, Carl R.
Snow, Arthur W.
Snyder, Donald C.
Souder, Charles L.
Spangler, William S.
Stacey, Ernest R.
Stiffler, Lloyd E., Jr.
Sturman, William H.
Tarran, David G.
Theriault, John P.
Timberlake, Lewis G.
Van Leer, Blake W.
Vaughn, James H., Jr.
Walls, Worthen A.
Walton, Albion W., Jr.
Whyte, David P.
Williams, Richard C.
Williams, Thomas C.
Yount, George R.
Zirzow, Charles F.

To be commanders, Dental Corps

Bartlett, Stephen O.
Brown, Edward H.
Charles, Thomas J., Jr.
Cohen, Robert
Davies, Ernest E.
Dennis, Harry J., Jr.
Dunn, John J.
Echols, Archie D., Jr.
Elliott, Robert W., Jr.
Finnegan, Frederick J.
Gregory, Worth B., Jr.
Holmes, Corey H.
Ikenberry, Esthel D. K.
Jasper, William J.
Johnson, "C" Paul, Jr.
Kramer, Howard S., Jr.
Lehmann, William G.
Mahoney, Jack D.
Mann, William H.
O'Malley, John E.
Penick, Edward C.
Rau, Charles F.
Reitz, Phillip V. D.
Samuels, Homer S.
Stephenson, Thomas D.
Taber, Donald S.
Timberlake, Robert W.
Woodworth, George K.
Wortham, Maury E.
Zeigler, Paul E.

To be commanders, Medical Service Corps

Anderson, William S.
Baldridge, Henry D., Jr.
Bates, Marion D.
Bohannan, Ray
Brooks, Euris J.
Broulik, Frank
Burr, Leonard W.
Caldwell, Charlie C.
Chapdelaine, Jack A.
Chapman, William H.
Civiello, Harold J.
Clauss, Edward L.
Coburn, Kenneth R.
Coggburn, Manfred W.
Colman, Frederick R.
Combs, Harrison T.
Combs, Norris K.
Conaway, Theodore H., Jr.
Cox, Walter R.
Cumming, William G., Jr.
Deriso, Dominic J.
DiGiambattista, Italina
Ethridge, John W.
Fennell, Chester C.
Garrett, John L.
Gleason, Edmund H.
Grafius, Melba A.
Hopson, Claude T.
Hull, William B.
Hunter, Russell E.
Joslin, Leslie H.
Kelly, Joseph A.
Mason, Anderson T.
McKearly, Georgia M.
McMillin, Charles R.
Meade, Charles D.
Meckes, Maurine M.
Miller, Lloyd W.
Moeller, Ruth
Moore, Daniel D.
Moore, Granville M.
Nelson, William H.
O'Malley, Elizabeth
Parker, James H.
Pipkin, Alan C.
Rasmussen, John E.
Ray, Jewel P.
Raybourn, Byron C.
Reeves, Elizabeth
Ricker, Robert E.
Sabbag, George J.
Smith, Forbes H.
Smith, Orville E.
Sorger, Frank J.
Tennille, Robert M., Jr.
Thompson, Rufus L.
Tipton, Stewart P.
Tompkins, Franklin H.
Vick, Ella M.
Von Radesky, Horace
Ware, Robert M.
Will, Robert C.
Young, John L.

To be commanders, Nurse Corps

Alwyn, Florence E.
Andrews, Lois A.
Bareford, Louise
Brennan, Mary P.
Butler, Anna T.
Caesar, Marion F.
Champion, Ruth A.
Check, Anne
Coffman, Ruth M.
Cohan, Patricia G.
Conrad, Arline C.
Covington, Margaret L.
Davis, Virginia A.
DeMariano, Helen J.
Duerk, Alene B.
Eaton, Dorothy E.
Elmore, Audrey I.
Feeney, Elizabeth
Finn, Mary V.
Fisher, Emilie L.
Fraser, Mary A.
Galindo, Mary W.
Gallagher, Eleanore M.
Gearing, Mary V.
Gilmore, Zoe P.
Harris, Bertha E.
Hurst, Patricia
Jacobson, Frances J.
Job, Florence K.
Jungersen, Helen H.
Kloetzli, Margaret A.
Kovacevich, Mary T.
Linnenbruegge, Hedwig M. E.
Maguire, Eleanor J.
Morgan, Marion L.
Morin, Aline E.
Murray, Elizabeth M.
Perron, Roberta E.
Pikutis, June
Schmid, Pauline W.
Simon, Lenore
Smith, Marcella E.
Stafford, Wilhelmina H.
St. John, Elizabeth
Turner, Jessie E.
Upchurch, Ouida C.
Van Gorp, Dymphna P. A. M.
Walmsley, Rita H.
Walsh, Claire M.
Wardell, Marion F.
Watson, Ann O.
Weden, Marion E.

The following named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Dennis B. Fryrear
Dale "K" Shambaugh
George E. Stern

The following named (Army Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

John C. Hurst

The following named (U.S. Air Force Academy) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Harley H. Dupler, Jr.
Francis Zavacki

CONFIRMATION

Executive nomination confirmed by the Senate May 22 (legislative day of March 30), 1964:

ATOMIC ENERGY COMMISSION

James T. Ramey, of Illinois, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1969.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 25, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Isaiah 26: 4: *Trust ye in the Lord forever: for in the Lord Jehovah is everlasting strength.*

Eternal God, in this brief moment of prayer, inspire us with a new appreciation and awareness of those spiritual resources which Thou hast placed at our disposal.

We humbly beseech Thee that during these troubled times we may take counsel with Thee to learn and cultivate the secret of courage and conquest.

May our hearts expand with pride that our beloved country, conceived in sacrifice and dedicated to Thy glory, is seeking through research and devotion to find the way of blessedness for all mankind.

Grant that where there is darkness, we may be messengers of light; where hearts are bruised and broken may we bring the healing consolation of Thy grace; where there is fear and despair may we be the heralds of a brighter and better day.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, May 21, 1964, was read and approved.

THE LATE HONORABLE deLESSEPS S. MORRISON

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I take this time to announce to the House the tragic and sudden death of a distinguished American on Friday last, our former Ambassador to the Organization of American States, the Honorable deLesseps S. Morrison, and his 7-year-old son, a most attractive and promising young man, were killed instantly in an air crash in Mexico.

The death of Ambassador Morrison takes from the American scene one of our leading young statesmen. Mr. Morrison had a distinguished career in my State. After serving as one of the leaders in our State legislature and after outstanding service in the Army in World War II he was elected mayor of my city at an early age. He brought new optimism, new pride, and new dedication to that ancient community. Throughout that city are monuments to his vision—buildings, bridges, public thoroughfares, a great new civic center, a new upsurge of commerce and trade, and warm cultural relations with our neighbors to the South, all of which this young man promoted and succeeded in bringing to fulfillment.

Only recently he served as our Ambassador to the Organization of American States, where he did an outstanding job.

His loss will be felt everywhere, but particularly in my city, to which he was totally and completely devoted.

It is always tragic when a man is killed in the prime of life. I feel in this particular case a sense of personal grief, because he was a member of my family, related to my wife. He was my former law partner. But the real loss is to our country, which he loved, and which he served as a major general in the U.S. Army, and to our State, where he fought so many political battles, where he brought progress and moderation, and to our city, to which he brought tremendous good—a city which today is very sorrowful indeed.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I desire to join the distinguished majority whip in this expression of sorrow over a tragic accident which certainly shocked the Nation. Here was a man who had done so much in such a short period of time, and who offered so much promise for the future. This man, perhaps as much as anyone in the country, if not more, had helped to unfold the policy of the administration of our late beloved President in Latin America. He was loved by those with whom he served as our Ambassador of the Organization of American States. He had such a brilliant and such a distinguished career. He was so attractive that it is almost unbelievable that his life and that of his little 7-year-old boy could have ben snatched away over the past weekend.

Mr. BOGGS. I thank the gentleman.

COMMITTEE ON ARMED SERVICES

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from Georgia [Mr. VINSON] I ask unanimous consent that the Committee on Armed Services may be permitted to sit while the House is in session during general debate this afternoon.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DELEGATES TO INTERNATIONAL LABOR ORGANIZATION CONFERENCE, GENEVA, SWITZERLAND

The **SPEAKER.** Pursuant to the provisions of House Resolution 687, 88th Congress, the Chair appoints as delegates to attend the International Labor Organization Conference in Geneva, Switzerland, between June 17 and July 9, 1964, the following members of the Committee on Education and Labor: Mr. POWELL, of New York; and Mr. GRIFFIN, of Michigan; and as alternates to attend said Conference, the following members of the Committee on Education and Labor: Mr. ROOSEVELT, of California; and Mr. QUIE, of Minnesota.

HOSPITAL AND MEDICAL FACILITES AMENDMENTS OF 1964

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 715, and ask for its immediate consideration.

The Clerk read the resolution, as follows.

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10041) to improve the public health through revising, consolidating, and improving the hospital and other medical facilities provisions of the Public Health Service Act. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The **SPEAKER.** The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentlewoman from New York [Mrs. ST. GEORGE], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 715 provides for consideration of H.R. 10041, a bill to improve the public health through revising, consolidating, and improving the hospital and other medical facilities provisions of the Public Health Service Act. The resolution provides an open rule, with 3 hours of general debate, making it in order to consider the substitute amendment now in the bill.

H.R. 10041, as reported, would accomplish the following:

First. The bill extends the present Hill-Burton hospital construction program—which expires June 30, 1964—for 5 years. Existing law authorizes appropriations for grants for the construction of public or nonprofit; first, hospitals and public health centers; second, diagnostic or treatment centers; third, hospitals for the chronically ill and impaired; fourth, rehabilitation facilities; and fifth, nursing homes.

Second. The bill authorizes appropriations for construction and modernization of hospitals ranging from $150 million for fiscal year 1965 through $180 million annually for the last 2 years of the program. Of these amounts $20 million is specifically earmarked for modernization in fiscal year 1966, $35 million in 1967, $50 million in 1968, and $55 million in 1969. Existing law does not provide earmarking of funds for modernization. The bill authorizes the States to transfer sums from the modernization category to new construction, in amounts which, when added to other funds appropriated for new construction, will not exceed in the aggregate $150 million for new construction in any fiscal year.

Third. The bill consolidates nursing home and chronic disease categories and increases the combined authorization by $30 million—to $70 million—in fiscal 1965. The existing authorizations for $20 million annually for the diagnostic and treatment centers and $10 million for rehabilitation facilities are continued for 5 years with no change in amounts.

Fourth. The bill adds grants for area-wide health facility planning in metropolitan and other areas—$2.5 million in fiscal 1965 and $5 million in each of the next 4 years, with 50–50 Federal-State matching.

Fifth. The bill permits States to use 2 percent of their allotments—not to exceed $50,000 a year—for State administration of the construction program, on a 50–50 matching basis.

Mr. Speaker, I urge the adoption of House Resolution 715.

Mrs. ST. GEORGE. Mr. Speaker, I yield myself such time as I may consume.

The resolution, House Resolution 715, makes in order the consideration of the bill, H.R. 10041.

The bill would extend the present Hill-Burton hospital construction program, which would expire on June 30, 1964, for 5 years.

I believe we are all agreed that this program has been most successful since it has been in operation, and that date is 1946.

The present bill authorizes appropriations for construction and modernization of hospitals, ranging from $150 million for the fiscal year 1965—the same as existing law—to $180 million annually for the last 2 years of the program. Of these amounts $20 million would be specifically earmarked for modernization in fiscal year 1966, $35 million in fiscal year 1967, $50 million in fiscal year 1968, and $55 million in fiscal year 1969.

Existing law does not allow for modernization or for funds for that end. I believe this is a great improvement because I have had some experience with the Hill-Burton program, and with construction under the Hill-Burton Act. I have always regretted that we were not enabled to modernize some of the facilities already in existence, and had to go to the great expense of building new ones, and probably tearing down the old.

The total cost estimate under this legislation is $220 million at the present time, which is a reasonable amount as compared to what the program has been costing right along.

I know of no objection to the rule. I know that the administration favors the bill. It is my understanding that the committee turned in a unanimous report. And, Mr. Speaker, I yield back the remainder of my time.

Mr. YOUNG. Mr. Speaker, I have no further requests for time on House Resolution 715, and I move the previous question.

The previous question was ordered.

The resolution was agreed to.

IN COMMITTEE OF THE WHOLE

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10041) to improve the public health through revising, consolidating, and improving the hospital and other medical facilities provisions of the Public Health Service Act.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10041 with Mr. VANIK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS] for 1½ hours and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 1½ hours. The Chair at this time recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, H.R. 10041 is an extension and revision of the Hill-Burton Hospital Construction Act. This bill was introduced by me for the purpose of carrying out recommendations made to the Congress by President Johnson in his special health message of February 10, 1964.

In addition to extending the present Hill-Burton hospital construction program, which is due to expire June 30, 1964, for an additional 5 years, the bill would make a number of revisions in that program, which experience over the 18 years during which this program has operated has shown to be desirable. Under existing law, there are five categories for which construction assistance is authorized. These are: First, hospitals and public health centers; second, diagnostic or treatment centers; third, hospitals for the chronically ill and impaired; fourth, nursing homes, and fifth, rehabilitation facilities.

This bill would continue existing authorizations for these categories with the following exceptions: First, the funds currently authorized for new construction, $150 million a year, would be somewhat reduced over the 5 years this extension would operate, except that by use of transfer authority contained in the bill the current level of $150 million a year for new construction could be continued. A second revision made by the bill is in the existing categories of assistance in the construction of hospitals for the chronically ill and impaired, and nursing homes. Under existing law, $20 million annually is authorized for construction assistance of each of these types of facilities; however, as recommended in the President's health message, these categories are combined into a single category, designated as facilities for long-term care, and the combined appropriations for these facilities are increased from $40 million annually to $70 million annually.

A third change made in the bill is that funds are specifically earmarked for modernization of existing facilities. The total appropriation for modernization contained in the bill amounts to $160 million over the life of the program; however, funds may be transferred from this modernization category to the new construction category, or if appropriate findings are made by the State, funds may be transferred from other categories contained in the bill to modernization.

Two additional changes made in the bill relate to planning and administration. The bill authorizes a total of $22.5 million over a 5-year period for one-half of the costs of metropolitan, regional, or other area planning of hospital and related health facilities. In addition, the bill permits the States, at their option, to use up to 2-percent of the allotments made to the States subject to an overall ceiling of $50,000 a year, to meet increased costs incurred by the State for the administration of the Hill-Burton program in the State.

The total authorizations contained in the bill amount to $1,362,500,000 over a 5-year period. The existing law which expires this June 30 provides authorization of $220 million a year so that over a 5-year period, a straight extension of existing law would provide authorizations totaling $1,100 million. Therefore, the increases provided in the bill over existing authorizations amount to $262,500,000 over a 5-year period, or an average of $52,500,000 extra per year. This modest increase in annual costs rises out of the $30 million annual increase in authorization for facilities for long-term care, from the amounts authorized in the bill for fiscal year 1966 and beyond for modernization, and the new program providing for special project planning grants.

Since the program was initially enacted in 1946, there have been a number of amendments agreed to in the operation of the program, but none have ever made any significant change in the basic structure of the act as laid down initially. The principal amendments that have been agreed to since the act was initially adopted have been the addition of further categories of projects eligible for assistance under the act.

This has been one of the most important and well administered programs uniformly throughout the Nation and, in my judgment, one of if not the most popular programs we have had for Federal and State cooperative or joint effort.

The success of this program has been phenomenal. There is no opposition that I know of to the 5-year extension as provided under this authorization of the Hill-Burton Act, to the modifications that are included in this bill, or to the modernization phase of it, which is a new provision altogether.

The success of this program can be measured by the network of modern and efficient hospitals which have been built throughout the United States. A systematic method of planning and constructing hospitals and other kinds of health facilities emerged from this successful program which has resulted in the approval of 6,810 hospital and other health facility projects as of June 30, 1963, involving a total cost of $6,190 million and involving Federal funds of $1,960 million. As of that date, these projects had produced 289,489 general, mental, tuberculosis, and long-term-care beds, and helped construct 1,522 rehabilitation centers, public health centers, diagnostic and treatment centers, other health laboratories, and other similar outpatient facilities.

But the gains have been more than quantitative. The program has had a marked effect in raising State licensing standards and in improving the design, maintenance, and operation of health facilities in every State. It has helped attract vitally needed physicians and other health specialists to rural areas. And, through the development of State plans, the first steps have been taken toward the establishment of more coordinated systems of hospitals and other facilities to provide more efficient and economical health care.

Significant progress has been made in reducing the shortage of general hospital beds throughout the country. Nevertheless, shortage areas remain, and their needs should be met.

In 1948 we had only 59 percent of the general hospital beds we needed, whereas 83 percent of the general hospital beds needed are in existence today. At the same time, however, State agencies report that we still need 133,000 additional new general hospital beds if the Nation's requirements are to be met. In addition, it is estimated that more than 13,000 general hospital beds are required annually just to take care of the annual increase in our population.

In summary, it can be said that the Hill-Burton program has made a remarkable impact on the construction of hospitals and other health facilities throughout the country. Much remains to be done, however, since many areas are still in need of additional general hospital beds and facilities.

The Committee on Interstate and Foreign Commerce conducted hearings and we endeavored to bring up to date for the record the information with reference to our experience in this field, the progress we have made and the needs insofar as we could determine them for the future. After all of those who desired to do so had the opportunity to be heard, the committee considered the bill and unanimously reported it, and today recommends it to the House for your approval.

Mr. Chairman, the bill as reported very briefly would accomplish, No. 1, the extension of the present Hill-Burton hospital construction program as I just said, which expires June 30 of this year, for a period of 5 years or until June 30, 1969. Under this program, general, tuberculosis, mental, chronic disease, and other types of hospitals and related facilities, public health centers, rehabilitation facilities, diagnostic or treatment centers, and facilities for long term will be eligible to receive construction assistance.

No. 2: The bill authorizes appropriations for construction and modernization of hospitals ranging from $150 million for the fiscal year 1965 through $180 million annually for the last 2 years of the program. Of these amounts $20 million is specifically earmarked for modernization in fiscal year 1966; $35 million in 1967; $50 million in 1968; and $55 million in 1959.

The bill authorizes the States to transfer sums from the modernization category to new construction in an aggregate amount not exceeding $150 million total for new construction in any fiscal year. I think this requires a little further explanation. As the program was submitted to us by the administration, it inaugurated a new concept whereby allocations would be made to the States under a new formula from the total appropriation earmarked for modernization purposes. Also, Mr. Chairman, the bill would inaugurate a procedure that after the first year the old formula governing allotments to the States would continue so far as the new construction phase of the bill is concerned, but the amounts authorized would be gradually reduced each year. Meanwhile, under the new formula for modernization, appropriations would gradually increase and these amounts would be allocated under a new formula.

Specifically this would mean that the Hill-Burton program, which in all candor is weighted toward the rural areas, would gradually over the 5 years be reduced so far as new hospital construction is concerned, and a new formula would apply to modernization, weighted toward the urban areas.

Some of us felt that it would bring on a hardship if we did no more than continue the existing new hospital construction program, meeting the needs as outlined in the State plans over the years to take care of the 133,000 beds that are needed at the present time.

We recognized full well that there exist needs in urban and other areas where old and obsolete facilities should be brought up to date, and consideration should be given to those areas where the needs are the greatest.

As I have mentioned, this bill provides funds specifically earmarked for modernization of existing facilities. Existing law authorizes the use of funds for modernization of hospitals, so that in this sense, this feature of the bill is not needed. However, under existing law there is no priority given to projects for modernization of facilities, but a priority is given in the allocation of funds for projects involving hospitals serving rural communities and areas having relatively small financial resources. Because of this priority for rural communities with small financial resources, there have been relatively few projects approved involving exclusively modernization. Of course, where a project for new construction is approved under the existing priority setup, for example, the addition of a new wing to a hospital, modernization work is also frequently approved along with the new construction; however, unless a project is able to qualify for new construction under the existing priorities, modernization needs are frequently not met.

There have been a number of surveys conducted in recent years aimed at determining the needs for modernization. None of these surveys have been complete enough to provide absolutely firm data, however, they indicate that it is reasonable to assume that at least $4 billion is needed today for modernization and replacement of existing facilities without any increase in the total number of beds.

Primarily, modernization needs exist in the large urban centers. These urban hospitals provide a full range of specialized hospital services essential to all types of medical care. Significant research is conducted in these facilities, and they help train our future health and medical specialists. In short, they are the keystone of quality medical care in the United States. For this reason, the bill provides a separate modernization program, designed specifically to meet modernization needs, with priority being given under the bill to projects located in densely populated areas.

The existing Hill-Burton formula for distributing funds among the States takes into account population and financial need—determined on the basis of per capita income—thus placing the funds appropriated in geographic areas which are not necessarily those in which the greatest need exists for modernization work. Funds earmarked for modernization under the reported bill would be allotted on a different basis which would take into account not only population and financial need, but also the extent of need for modernization.

The administration recommended that at least $340 million be provided for modernization, to be financed in part by reducing the existing $150 million annual authorization for new construction to $100 million annually. There is much to be said on each side of this question. Since the proposal for specifically earmarked funds for modernization constitutes somewhat a departure from existing law, and since there are still substantial unmet needs for new construction, the reported bill will permit the continuance of the existing $150 million per year assistance in the construction of new facilities, with more limited funds authorized for modernization than were requested by the administration. This bill authorizes appropriations for new construction in the amount of $150 million for fiscal 1965; it then authorizes $140 million for fiscal 1966, $135 million for fiscal 1967, $130 million for 1968, and $125 million for fiscal year 1969. In each of these years in which funds less than $150 million are authorized for new construction, the bill permits the States, upon a finding that the need for new construction is substantially greater than the need for modernization, to transfer from their modernization allotment to their new construction allotment, so that each State will have available to it under the bill amounts for new construction equal to the amounts authorized for new construction under existing law.

On the other hand, the bill also authorizes transfers from a State's allotment for new construction to the State's allotment for modernization. This is set out in section 602(e)(1) of the bill on page 66, beginning with line 15 down through line 18 on page 67.

What is required for a transfer to the modernization category under this subsection is that the State must have afforded a reasonable opportunity to make applications for the portion to be transferred, and there have been no approvable applications, or there must be a finding by the State agency that the use of the portion proposed to be transferred will better carry out the purposes of the act.

Now, Mr. Chairman, this is not necessarily a novel approach. I do not think it is even a unique approach. What we tried to do was to say that we wished to continue the hospital construction program about on the level that it has reached, which I am sure is today serving fairly well to meet the annual needs and demands. For that reason we hit upon this idea of giving the States at their own discretion the authority to transfer certain of the appropriations that would be allocated under the modernization program to new hospital construction under the program as we have had it throughout the years, as it seemed to them to fit their own specific needs.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I shall be glad to yield to the gentleman from Iowa.

Mr. GROSS. On that subject, can money be allocated in this bill to the States for the administration of the program? Are they permitted to use Federal funds for administration within the States?

Mr. HARRIS. The bill provides that 2 percent of the funds will be allocated to the States, or up to $50,000 could be used by a State, in connection with their administration of the State plan within the State.

> Section 606(c)(1) of the Public Health Service Act added by the bill adds a new provision under which not more than 2 percent of the aggregate allotments of a State for any year—but not in excess of $50,000—would be available to pay up to one-half of the cost of administration of the State plan. However, a State would be entitled to such funds only on the condition that expenditures from State sources for such purposes are at least equal to the amount so expended during fiscal year 1964.
>
> Funds authorized under this provision (sec. 606(c)(1)) would be used by the State agencies for the purpose of providing technical consultation and assistance to local communities, reviewing architectural drawings and specifications, inspecting projects, certifying the Federal payment of funds due, and otherwise supporting activities which are essential to full and complete administration of the State plan.

Mr. GROSS. If the gentleman will yield further, I asked the gentleman that question because the Comptroller General in his communication to your committee was critical of this sort of procedure, saying that this was restricted in practically all other similiar financing projects. Is that not correct?

Mr. HARRIS. The Comptroller General did make a recommendation which is included in the report to which no doubt the gentleman is referring.

Mr. GROSS. Yes.

Mr. HARRIS. We have endeavored to analyze their report and their position and to meet many of their recommendations on this bill.

Mr. GROSS. But in this case the money that otherwise could be used for construction, a certain amount of it—a small amount of it—can be used by the States to administer the program?

Mr. HARRIS. Yes, that is true. I would like to say further to the gentleman that the language that is included in the bill—some of us thought and I personally thought—would carry out what the committee felt would be the best procedure. An amendment was offered in the the committee to delete this language, but that amendment was rejected.

I think I should point out that there is a distinction between these funds and funds authorized for areawide planning. These 2-percent funds are available for administration of the State plans, and are not intended to be used for planning activities of the sort covered by the new section 318 of the Public Health Service Act added by section 2 of the bill.

Section 2 of the bill adds a new section 318 to the Public Health Service Act which would authorize total appropriations of $22,500,000 over a 5-year period for grants to State Hill-Burton agencies to cover up to 50 percent of the costs of comprehensive regional, metropolitan area, or other local area plans for coordination of existing and planned health and related facilities. These project grants would be made to State agencies submitting applications which are approved by the Surgeon General of the Public Health Service. The planning activities described in the application would be carried out by the State agency itself, or by local public or nonprofit groups organized for health facility planning activities designated by the State agency either before or after approval of the application.

More than $1.5 billion is spent annually for the construction of health facilities in this country. The original cost of a hospital is much less than the cost of its year-by-year operation. Empty and unused beds are wasteful and increase the cost of care to patients who are occupying beds. This is an especially serious problem for smaller hospitals. Great care must be taken that we do not construct unneeded hospital facilities, and that we avoid wasteful duplication of facilities and services. Better planning and greater cooperation are an absolute necessity. The investment of $2.5 million the first year and $5 million for each of the 4 succeeding years is a modest investment to insure that Federal funds totaling $250 million annually and larger sums of private funds used for this purpose are spent wisely.

I must say that, in my own judgment, the language which the committee adopted in that respect for planning purposes in section 2 of the bill probably would go a little further than many might desire in permitting the Federal Government to control or allocate funds for specific projects to be developed.

The committee had to make some very close decisions within this field. We finally came up with an idea that, carrying out the experience we had in the past, the amounts appropriated should be granted to the State agencies for the development of plans. We think this phase of it has to be given some careful consideration if and when we do get into conference with the other body.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I say to the distinguished gentleman from Iowa that in order for the State to qualify for the $50,000 it would be necessary that the expenditures from that particular State were at least equal to the amount so expended for the same purpose for the fiscal year 1964. This does not make it possible for the State to develop funds which they previously used for administration and devote those funds to some other purpose. This still makes the State produce the maximum amount that they produced for 1964.

Mr. HARRIS. Let me read this from page 9 of the committee report: Section 606(c)(1) of the Public Service Act added by this bill adds a new provision under which not more than 2 percent of the aggregate allotment of a State for any year, not in excess of $50,000, would be available to pay up to one-half of the cost of administration of the State plan; however, the State would be entitled to such funds only on the condition that expenditures from State sources for such purpose are at least equal to the amount so expended during the fiscal year 1964.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. HARRIS. Mr. Chairman, I yield myself 5 additional minutes.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. GROSS. Then the gentleman does not feel this is creating a precedent with respect to other Federal financed plans and projects?

Mr. HARRIS. No, I cannot see that it would be establishing a precedent. As a matter of fact—I would have to check this—it seems to me in our procedure in the Bureau of Public Roads there is far more leeway given in that program than would be included in this one.

Mr. GROSS. In the use of Federal funds for administration purposes?

Mr. HARRIS. Yes, and developing and planning.

Mr. GROSS. I thank the gentleman.

Mr. HARRIS. Mr. Chairman, there is one other matter in this bill I want to refer to, and that has to do with the program submitted to us for mortgage insurance. We received the request, which was included in the bill as introduced by me, to provide a mortgage insurance program.

As submitted by the administration, the bill would have established a program administered by the Surgeon General under which mortgages on hospitals and other health facilities could be insured. The proposal also would have transferred from the Housing and Home Finance Agency the existing program of insurance of mortgage loans made to finance proprietary nursing homes. Losses on the program would have been met by borrowing from the Treasury.

This brought on a great deal of discussion. Under present law nursing home programs under FHA have been carried out fairly satisfactorily. The Committee on Banking and Currency has jurisdiction over that program. That committee had some interest in this new approach insofar as hospital construction is concerned. We conferred with members of the committee and staff regarding it. At the same time the people interested in the continued nursing home program were very strong in their recommendation that this authority be carried out under FHA as it had been in the past.

In addition, there were other groups and organizations that were interested in this program. The overwhelming sentiment expressed to us seemed to be in favor of the program being carried out insofar as mortgage insurance was concerned as it has in the past, with proprietary-type construction programs.

That brought us to the consideration of other type programs such as nonprofit and public-sponsored programs. The FHA, of course, has no authority to insure or guarantee mortgages for construction of public or nonprofit health facilities. So we thought the thing out very carefully and we decided that there were so many problems involved with mortgage and guarantee projects that were sponsored by a governmental entity or a nonprofit organization with reference to the security of the mortgage and how it might be carried out that we felt in the first place the program as it has been carried out under FHA should be continued as far as proprietary sponsorship is concerned, and insofar as the other program is concerned it would be the Federal Government actually participating in the construction of these projects. In view of the flexibility that is given for Federal funds in the existing programs—up to 66⅔ percent under certain conditions—and in view of the allocation formula, we felt that we should not get further into the field of mortgage guarantee.

Consequently the committee in its wisdom did not concur in the recommendation of the administration with reference to this new-type program for the nonprofit and public-sponsored project. We therefore deleted that provision from the bill.

Just one thing further—I mentioned a moment ago the features of the bill with reference to planning. Under section 2 of the bill we authorized a total appropriation of $22,500,000 for a 5-year period for grants to cover 50 percent of the cost of comprehensive regional, metropolitan-area, or other local-area plans. These project grants could be made to the State agency submitting the application. Planning activities described would be carried out by the State agency itself or by the local public or nonprofit group. As I indicated a moment ago, I think this particular part as it is eventually going to be carried out will require further consideration. This was the action which the committee took and I, of course, am supporting the action of the committee regarding this program.

Mr. Chairman, I, on behalf of the committee, strongly recommend the bill to the House for your approval.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Hill-Burton Act was originally passed by this Congress in August 1946 as a new concept in Federal-State Government cooperation in the health field. The need for new hospital beds, particularly in rural and less populated areas was evident. Most communities obviously did not have the resources and in many instances the proper incentives to create the institutions within their own areas to provide, at close hand, a proper level of hospital care. This made it difficult or impossible for the medical profession to provide the level of treatment necessary to the health needs of the people.

Since that action by the Congress 17 years ago, and as of June 30, 1963, there had been 6,810 projects approved under the program. They created 290,000 beds in general, mental, tuberculosis, chronic illness hospitals, and nursing homes. Whereas our country had only 59 percent of the general hospital beds it needed in 1948 it has 83 percent of the needed beds in these particular facilities today. Much of the credit for this remarkable advance can be accredited to the Hill-Burton program which has been well accepted, well understood, and widely used by the people of our country through their State governments working closely with individual communities in the very best and most desirable cooperative arrangements. To support this construction activity under part C of the present act we have been spending for some years now about $150 million per year.

In 1954 Congress added several specific categories of facilities to those already being supported. It appeared at that time that many hospital-related needs were necessarily being neglected in favor of basic hospital construction and thus upsetting to a great degree the required balance of health facilities. For example the lack of nursing homes was recognized as tieing up hospital beds and personnel to the detriment of emergency, surgical, and other more urgent care. The categories added were those in part G of the present act: Diagnostic or treatment centers, hospitals for the chronically ill, rehabilitation facilities, and nursing homes.

On these we have been spending about $70 million per year and since 1955 have helped in the building of 1,992 facilities which qualified in one of the four categories.

The undeniable success of the program as it now stands might argue for simply renewing it for a few more years without changes of any kind. No one could argue that such action would be far better than allowing the demise of such activity to the great detriment of our population. Such a course of action, however, would be an easy, nonthinking way out. This country is dynamic and its needs are ever changing. We must look at these important programs in the light of present realities and trends. Great changes are taking place in our society. New concepts of care are emerging. Certain facilities may be needed in greater numbers as time goes on in place of some now required. For example, there will be increased need for services to the aging and chronically ill. So there have been changes and some expansions included in H.R. 10041. Your committee has looked at them closely and critically. There have been some differences among us on the level of effort in each category but no difference as to the need for a changing and responsive program. There are some new features in this bill and I wish to mention them briefly.

First is the provisions for areawide planning. It has been tried on an experimental basis and found to be a valuable procedure for promoting better use of the funds available and for the efficient use of facilities and personnel among the interrelated health facilities in existence or available to an area. Each little community cannot be an island, looking at its needs as though all other communities did not exist. It does not make sense and there needs to be encouragement to use a wider planning base. There is no doubt in my mind that in many instances this kind of planning activity may not only increase efficiency in the use of present or proposed projects but may make fewer necessary. The amount included here is $22.5 million to fund this activity for the next 5 years. This is half the amount originally requested. The committee felt that because it is a new activity and has not heretofore been carried out on a wide scale that it should be less ambitious until we can observe results.

Probably the most basic change in this bill over previous acts is the emphasis on modernization of existing hospitals. I have always felt strongly that the Hill-Burton program should be geared primarily to create hospitals where none existed before and leave the problem of maintaining the institution created thereafter to the community. By and large I still feel that way. I am convinced, however, that there is a great need for the earmarking of some funds for modernization. The great need for new beds over the country since 1946 has left no money for such projects although they have been eligible for consideration. The big, metropolitan hospitals were not built under this program but they have supplied a large proportion of the research, advancement of techniques and the training ground for those doctors who have manned the Hill-Burton hospitals. Such institutions have been subject to economic pressures which have restricted their ability to make basic changes to the physical plants. I know that many have spent every available extra dollar to carry out projects which have improved the state of the medical art beyond measure. Now they need assistance. By earmarking some funds for them without lowering the amounts available for new construction we will make it possible for them to maintain the pioneering philosopy toward medical advancement.

In one category we have increased the amount of money to be available over the next 5 years. As I pointed out before we have been supporting construction of nursing homes and hospitals for the chronically ill as separate programs under part G of the act. Each year $20 million has been spent on each program. Here we have combined the two into a new category called facilities for long-term care and increased the yearly authorization to $70 million. This is consistent with the now recognized need for additional facilities to cope with the problem of age. Although the terms formerly used encompass the kinds of care generally required by the infirmities connected with advancing years, the new designation is more comprehensive and envisions the construction of more space outside the hospital for those requiring professional care over a long period of time. The increased emphasis on long-term care is justified and I recommend the authorization as it now appears in the bill.

There was a part B in H.R. 10041 when it came to the full committee. It would have provided for loan guarantees to nonprofit hospitals in addition to grants where appropriate. The basic idea of a loan guarantee program is appealing. It is the feeling of the committee, however, that it did not belong in this bill and it should not be administered by a public health agency of the Government if and when it is embarked upon. The whole subject of loan guarantees to nonprofit agencies needs more study and consideration. When we know much more about the problem itself and have solid, eminently sensible answers at hand the Congress can give the matter its serious attention.

This legislation came from the committee unanimously. I recommend H.R. 10041 to the House and urge that it be passed in the form presented here by our committee.

Mrs. FRANCES P. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentlewoman.

Mrs. FRANCES P. BOLTON. I do want to say my own personal word of thanks to the committee. Through all these years, few programs that we have passed has meant as much to the people of this country as the Hill-Burton program and I am certainly in favor of continuing it. I am hoping that somewhere in the whole program, for the health of this country, a little consideration will be given to the manning of the hospitals—shall I say the womaning of them? We need so many bedside nurses. I hope in the bills that are coming along, there will be someone who will take up that matter. I know there is money for nurses training, but I also know that that is not what I am talking about. I suppose there still is a shortage of some 70,000 bedside nurses.

Mr. SPRINGER. May I say to the House, I know the distinguished gentlewoman from Ohio has been interested in this nursing problem for a number of years. I want to assure her they are in process now of taking up the Professional Nurses Training Act; and it is being heard. I think I can assure the gentlewoman there will be a bill forthcoming on this which is rather sizable and I think it will be comprehensive. I think it will cover almost all of the things that the gentlewoman has in mind. There may be some things with which she will disagree and there may be some things that it will not cover that she might wish it to cover. I am sure that at the proper time she will have the opportunity on this floor to request and to present whatever amendments she feels will improve the bill.

Mrs. FRANCES P. BOLTON. We in Ohio are so very proud that it bears the name of Harold Burton.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. NELSEN. In answer to the question, the nurses' training bill has been considered in our subcommittee and there is attention given to the traineeships and student loans. But in addition to that, there has been some emphasis placed in the direction of hospital schools where many of our nurses have been trained. We found many of our hospitals have ceased to provide the training that they have previously been giving because they found it was being done at a loss to the hospitals—which means necessarily that hospital costs to patients have to be increased. We have attempted in the bill to encourage an expansion of that program. I am sure the gentlewoman will approve of that feature in the Nurses' Training Act that we are considering in our committee.

Mr. SPRINGER. I thank the gentleman from Minnesota.

May I say, pursuing what the gentleman from Minnesota and the gentlewoman from Ohio have already said, that under the Manpower Retraining Act which we passed in this House 2 years ago last February, we are now using a great deal of funds for the purpose of training nonprofessional nurses.

Mrs. FRANCES P. BOLTON. Let me suggest that a "nonprofessional" nurse is not what I am talking about. We need professional nurses trained to nurse at the bedside.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. I join the gentleman from Illinois in commending the distinguished gentlewoman from Ohio for the interest she has manifested in this problem over the years. We have appreciated her assistance to the committee through the recent testimony she gave to the committee on H.R. 10042, a bill dealing with this subject matter.

The subcommittee is endeavoring to develop, and has developed, a bill which it has recommended to the full committee. I intend to bring this bill to the attention of the full committee in the near future.

I recognize, as do all who are familiar with this, that there are problems with respect to the bill, and we probably will have some problems in the future. The committee has included in this bill, in case we are unable to overcome the problems with respect to the nurse-training proposal, a provision that the State agencies shall give special attention and priority, to the extent deemed feasible by the State agency, to construction of hospital facilities, which will include new or expanded facilities for nurse training. We put that in this bill, in case something happens and we are unable to get the other authorization approved.

Mrs. FRANCES P. BOLTON. I thank the gentleman very much.

Mr. SPRINGER. Mr. Chairman, I shall continue with what I was discussing, concerning the practical nurses' training program under the Manpower Retraining Act. In my own town of Champaign-Urbana this is being done and funds are allotted for this practical nurse training program, and the group is largely made up of those who come out of high school and some others up to 30 years of age. In our community there is a tremendous need, because two of the largest clinics of the country are located in Champaign-Urbana.

I understand that much of the need can be alleviated by a sound nurse training program, extending over several months, in this field. This is something which I believe is constructive, which has come out of the Manpower Retraining Act in this field. People who are not trained for any particular job have gone into this. It has been successful. I believe it will be at least a partial answer to the terrific shortage in our own community of registered nurses.

Mrs. FRANCES P. BOLTON. I say to the gentleman that the practical nurse has become an indispensable part of national program for the care of the sick throughout the country. There is one of the finest schools of the country in Cleveland, but they do give a year's training.

Mr. SPRINGER. I thank the distinguished gentlewoman from Ohio for her observations. I believe they are quite pertinent at this point, and certainly are relevant to the whole health program we are considering.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I should like to say to the gentleman that I think this is a good bill. It contributes to the health and the welfare of all the people. I think many communities need this help and because it does work with the States it has that added benefit.

We are all conscious of the fact that we have a situation among our population in the field of health that must be solved and this is one of the ways it is being solved.

May I say to the gentleman that I am also pleased to know that this is the Hill-Burton Act, and the name Burton I think stands as a monument in this bill to a very great American, Harold Burton of the State of Ohio. Harold Burton at one time served as the law director of the city of Cleveland and as the mayor of the city of Cleveland. I might say parenthetically that he was also a lieutenant and a captain in World War I, received the Purple Heart and the Croix de Guerre. I might say that he also served in the State Legislature of Ohio and then came to the U.S. Senate where he served with great distinction.

While he was in the U.S. Senate, he and the distinguished Senator LISTER HILL conceived this bill. It was passed and bears his name. Harold Burton has been a great American and a fine public servant, and I am delighted that this bill stands as a monument to him as a great American.

Mr. SPRINGER. Mr. Chairman, I thank the gentleman from Ohio. May I say that even with the Hill-Burton Act it is my understanding that Hill-Burton has contributed only about 35 to 40 percent of the hospitals that have been built during the life of this piece of legislation. About 60 to 65 percent of all the hospitals in this country have been built without any Hill-Burton funds at all. So we know that Hill-Burton funds have been given in the areas where there was no other solution to the problem except funds provided under this legislation.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, unfortunately I did not hear all of the remarks of the gentleman from Illinois, nor the concluding remarks of the gentleman from Arkansas [Mr. HARRIS]. I would like to ask whether this bill leaves in the hands of the Surgeon General the authority to fix interest rates.

Mr. SPRINGER. I shall have to refer that question to the Chairman.

Mr. HARRIS. No, sir; it does not.

Mr. GROSS. Mr. Chairman, I have read with much interest, I will say to the gentleman, the communication from the Comptroller General. This was one of the things that he criticized in the original bill, leaving authority to fix interest rates in the hands of the Surgeon General. The gentleman now says that this will be one of the duties of the Secretary of the Treasury?

Mr. HARRIS. If the gentleman will yield, as I said in my concluding remarks on the bill a few minutes ago, the part of the bill providing for mortgage insurance was stricken out. The committee in its wisdom did not agree to the administration's request in this regard. In view of the various problems that the committee had, as I explained earlier, we decided that it would not be in the best interests to establish a new program of mortgage insurance in the Department of Health, Education, and Welfare. Therefore, we eliminated that title altogether.

Mr. GROSS. I see. I thank both of the gentlemen for their comments.

Mr. HARRIS. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I thank the gentleman from Arkansas for yielding this time to me.

The legislation before us now is a very well-considered measure. Both the Public Health and Safety Subcommittee and the Interstate and Foreign Commerce Committee examined this legislation in every detail.

The success of the Hill-Burton program has been great, but more needs to be done. Since the original enactment of the Hill-Burton program in 1946, and through fiscal year 1963, a total of 6,810 hospitals and health facilities were approved. In Florida alone, there were 214 health projects approved under Hill-Burton authority from 1946 through March 31, 1964. The Federal share of these projects amounts to $56,296,000.

However, this progress meets only part of the needs, not only in Florida, where we have a large population of elderly persons, but throughout the Nation, where hospital and health facility construction and improvement cannot keep pace with population growth. More than 13,000 new general hospital beds are needed each year just to meet national requirements, and State agencies estimate that 133,000 new general hospital beds are needed to provide adequate health care for the existing population.

The legislation before us is unique in that it provides for modernization of hospitals which previously had to await completion of projects in "rural communities and areas with relatively small financial resources." As a result of the preference shown these hospitals, these hospitals in urban areas were unable to effectively compete for additional beds. Furthermore, many of the hospitals in urban and economically stable areas are obsolete, a problem aggravated by shifts in population and relocation of industries. This is of particular concern to Florida and the people of my district as we have undergone such tremendous expansion in the recent decade.

Also, the bill now before the House carries provisions for long-term health care facilities. These facilities serve chronically ill patients, as well as those whose illnesses are of longer duration than patients occupying beds in general hospitals. Our senior citizens are among those whose health needs are acutely affected by the shortage of beds such as those envisioned in this particular provision.

This bill combines chronic disease hospitals and nursing homes into one distinct category-facilities for long term care. The previous ceiling of $20 million for chronic disease hospitals and $20 million for nursing homes would be replaced by a $70 million ceiling to cover both in this measure.

This new ceiling will result in the construction of some 15,000 long-term beds annually.

Mr. Chairman, because of the importance of this legislation to the elderly citizens of Florida, as well as those affected with the critical shortage of hospital beds for general health care, I am pleased to have participated in the committee efforts on this bill, and urge its passage by the entire Congress as well.

Mr. BENNETT of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I favor the renewal of the Hill-Burton program. It has had my vote and support, both in the committee and on the floor of the House, during the past 17 years during which time it has been in effect. I believe it is one of the finest Federal aid-grant programs that Congress has ever enacted.

Mr. Chairman, this program has been well administered. It has provided hospitals throughout the United States in areas which otherwise never would have had those hospitals, and where they were badly needed.

Mr. Chairman, all in all, it has accomplished a very worthwhile purpose. I believe there has been less complaint and more satisfaction with the Hill-Burton program as a Federal-aid program than any other with which Congress has dealt.

Mr. Chairman, the bill before us renews the program for another 5 years. Its estimated cost is $1,326 million which is an increase of $285 million over the last 5-year period.

Mr. Chairman, this is not an unusually high increase in view of the increased costs of construction and so forth. Therefore, I feel that it is fully justified.

Mr. Chairman, there was one serious question that I had in mind during the time that the committee considered the bill. That had to do with areawide planning grants, which initially provided for an authorization of $45 million as contained in the bill. I have always felt that planning grants in Federal-aid programs should be at a minimum, because the essential thing in any aid program is to get something accomplished, something constructive. Usually the States and local communities can come up with adequate plans to spend all of the Federal money that we are able to provide for them.

Mr. Chairman, this bill, as I say, with $45 million in it for this purpose—some of us thought that was too much. We finally compromised and an amendment was offered cutting it to $22.5 million. It provides that funds be channeled through State agencies rather than through any nonprofit or public group that could be selected by the Secretary of the Department of Health, Education, and Welfare, as the bill originally provided.

Mr. Chairman, I believe this represented a sound improvement. I still believe that the $22.5 million can be better used if it were in the construction part of the program instead of in planning.

Next was the matter of earmarking funds for modernization of existing hospitals. The danger in such an idea is the possibility that we may create a vicious and widening circle of build and rebuild for the Nation's hospitals. This must be avoided. The question was explored by the committee and does appear, to my satisfaction, at least, that the terms of our final bill successfully blocks such a possibility. In the first place the priority will be in favor of metropolitan hospitals which almost universally have been built entirely by local funds and which have real need to modernize. These large hospitals have trained doctors and pressed the cause of medical advancement through research and experimentation. Much of the manpower and know-how of small hospitals originates there. In the second place the amounts so wisely included by Chairman HARRIS in his version of this bill—which version was adopted by the full committee—are small enough in relation to the apparent need and the probable size of the individual projects to assure that we will not be doubling back. And finally it is possible for a State agency to reassign funds to new construction if not required for modernization in that State. It seems to me that we have built in a combination of safeguards and flexibility which should protect everyone.

Another matter which concerned me was the provision in part G for assistance in the construction of diagnostic and treatment centers. Although this item is not new, its wording suggested to me that it could be used to grant aid for private clinics and other freestanding facilities for outpatient care run by any group, as long as doctors were employed. Such facilities should have some connection with a hospital. Language from the present act was reinserted to make reasonably certain that such a connection will exist. Section 605(e) provides:

> Notwithstanding any other provision of this title, no application for a diagnostic or treatment center shall be approved under this section unless the applicant is (1) a State, political subdivision or public agency, or (2) a corporation or association which owns and operates a nonprofit hospital (as defined in section 625).

One last reservation about the bill as now constituted. Section 606(c) provides:

> (1) At the request of any State, a portion of any allotment or allotments of such State under this part shall be available to pay one-half (or such smaller share as the State may request) of the expenditures found necessary by the Surgeon General for the proper and efficient administration during such year of the State plan approved under this part; except that not more than 2 per centum of the total of the allotments of such State for a year, or $50,000, whichever is less, shall be available for such purpose for such year. Payments of amounts due under this paragraph may be made in advance or by way of reimbursement, and in such installments, as the Surgeon General may determine.
>
> (2) Any amount paid under paragraph (1) to any State for any fiscal year shall be paid on condition that there shall be expended from State sources for such year for administration of the State plan approved under this part not less than the total amount expended for such purposes from such sources during the fiscal year ending June 30, 1964.

In my opinion the basic idea of paying for the administrative processes of a State is faulty. At least it is unwise. I know that there is precedent in other, unrelated programs for grants to defray administrative expenses. I know, too, that the language of the bill seems to rule out a substitution of Federal funds for the State funds presently used for administrative purposes and to make funds available only to finance an increased effort. Experience indicates that once money is available to hire people to serve other echelons of government the pressure for those funds make any strict enforcement of the rules impossible. Governors will not have their honor besmirched by a bureaucrat questioning their efforts or their intentions and Presidents listen sympathetically. As a matter of practical application such funds are an outright gift to be used any way a State desires. The little tricks of accounting and personnel practices can easily give the illusion of compliance. I fear that this may turn out to be a way to pay for additional planning. In any event it is a reduction in the sums available for hospital construction, the primary purpose for which Hill-Burton is being continued. Having voiced my fears I will drop the matter. I suggest to Congress, through its watchdog agency, the GAO, that the expenditure of these administrative funds be closely followed. It is my further hope that the States will see the desirability of using every available dollar to increase directly the construction of hospital facilities and that, seeing their duty to their citizens, will not request diversion of surely needed construction money to salaries.

In the last year we have passed several bills designed to upgrade the medical services of this country. Among these are the Mental Health Act and the Medical Teaching Facilities Act. They are expensive programs. So is this one. Over a billion for the next 5 years. Others will follow shortly for action. We will see a Nurse Training Act and a Public Health Traineeship Act. Those will not be free either. Certainly the health needs of the American people are all important and no one would accuse me of pressing for miserly treatment by Congress of any program proposed to meet those needs. I have supported the past legislation, I support this bill, and no doubt I shall support further bills for this purpose but I feel strongly that we must watch for signs indicating that the entire health problem is being shifted to the Federal Government. We must not allow that to happen. New programs and expansions of ongoing programs must be carefully weighed to make certain that the main effort remains where it belongs—close to the citizenry and those dedicated to his health needs.

All in all, I think we have a good bill. It is a bill to which there was no objection in the committee.

Mr. Chairman, this bill has my wholehearted support and I hope it will pass the House unanimously.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Chairman, I rise in support of this bill. The committee, in my opinion, has brought in a very fine piece of legislation in the extension of the Hill-Burton Act. One of the fine features about this program is its operation through the States and the cooperation between the Federal Government and the States where the States administer the program. I think that is one of the reasons why it has been so successful. I am therefore heartily in favor of the legislation.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CURTIN].

Mr. CURTIN. Mr. Chairman, I rise in support of H.R. 10041, which is legislation designed to extend the provisions of the Hill-Burton Act.

The Hill-Burton legislation has been, over the years that it has been in effect, one of the most popular and successful programs that have been inaugurated by the Congress. It can very well be said that the Hill-Burton program is a milestone in successful Federal, State, and local grant-in-aid programs. Its success is apparent from the network of fine hospitals which have operated efficiently and well to preserve the health of the people of these United States.

H.R. 10041 would extend this program of hospital construction for an additional 5 years. I wholeheartedly support this bill.

Mr. HARRIS. Mr. Chairman, I yield 10 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I am strongly in favor of H.R. 10041, the Hospital and Medical Facilities Amendments of 1964, the bill to extend and improve the Hill-Burton Act.

The Hill-Burton Act, formally known as the Hospital Survey and Construction Act, was enacted in August 1946. My husband was, at that time, a member of the House Committee on Interstate and Foreign Commerce and was vitally interested in the development of this legislation and worked vigorously for its enactment. It became, without any doubt, one of the most successful programs of the Federal Government in the health-care field. A network of fine hospitals now stretches across the country, many of them located in areas which never had any hospital facilities at all, and others located in areas where existing facilities prior to the passage of this legislation were sometimes so inadequate as to have been worse than no hospitals at all. As of last June 30, the Hill-Burton Act has been instrumental in the construction of nearly 7,000 hospitals and other health facilities throughout the country.

Following the enactment of the original bill in 1946, the program was first expanded in 1949 in Public Law 380 of the 81st Congress. In 1954, in my first term in Congress, the program was further broadened to include grants for construction of nursing homes, diagnostic and treatment centers, rehabilitation centers, and chronic disease hospitals. This was done in Public Law 482 of the 83d Congress, legislation I was proud to support and work for. We further amended and expanded the program in 1958 and again in 1961.

MODERNIZATION OF URBAN HOSPITALS

The bill now before the House carries out most of the major recommendations made by President Johnson in a special health message he sent to the Congress on February 10, 1964. The Committee on Interstate and Foreign Commerce is to be commended for the prompt manner in which it acted on this far-reaching legislation.

Of particular importance to St. Louis and to other metropolitan areas in the country is the recommendation made by the President, and incorporated in this bill, to set up a new program of grants to help public and nonprofit agencies modernize or replace hospital and related health facilities. The bill authorizes a total of $160 million specifically earmarked for modernization of hospital facilities. Under the present law, there is already authority for certain types of modernization grants, but priority in the allocation of funds for this purpose within the States must now go to hospitals serving rural communities and areas with relatively little financial resources. Consequently, urban hospitals, which carry a tremendous burden in caring for the sick in our large metropolitan areas, have been unable to receive effective help compared to that available in the rural areas.

Yet it is in the large metropolitan areas where our hospitals support the preponderance of research and provide the wide range of services which make them what the committee refers to as "quality care hospitals." Hence, I am deeply gratified that H.R. 10041 establishes a new basis for the allocating of funds to be earmarked for modernization, so as to take into account within the States the extent of need for modernization of facilities, thereby making the hospitals in urban areas eligible.

GREAT INTEREST AMONG HOSPITAL ADMINISTRATORS AND TRUSTEES IN ST. LOUIS

Following President Johnson's action last February 10 in sending a special message to Congress urging the changes now being made in this legislation in the Hill-Burton Act, I heard from a number of officials and trustees of hospitals in the St. Louis area who enthusiastically endorsed the President's recommendations. The only criticisms I received on this legislation were to the effect that the modernization funds would probably not be large enough to meet the actual needs. Instead of $160 million over a period of 4 years, as proposed in this bill, some of those who wrote to me urged a figure of more than $400 million. According to the Public Health Service, it would probably cost from $3½ to $4 billion to modernize and replace existing facilities, without increasing the total number of beds. We cannot do this whole job overnight, but we must certainly take effective steps to begin to do the job of making our existing hospitals as efficient and as useful as possible.

Our people are living longer and, on the whole, enjoying better health. Modern medical science regularly performs many miracles in healing the sick and in preventing sickness. But the community hospital, whether it be a publicly owned facility or a nonprofit hospital supported by organizations or religious groups or groups of private citizens, is the key to the community's health standards. In our major cities, our hospitals have been subject to constant financial difficulties, and it has been a recurring battle just to keep going. Necessary modernization has often had to be postponed indefinitely. Without these hospitals our citizens would be in desperate straits. This legislation will help to provide an effective means to promote the improvement and modernization of hospitals in the urban areas; but much more in the way of Federal funds will be needed to complete the job.

Mr. HARRIS. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Chairman, I rise in support of the pending legislation.

I wish to pay tribute to the members of the committee from both sides of the aisle who have worked out a very fine bill, and commend them particularly for the provision which, for the first time, allocates funds for the modernization of existing hospital facilities.

The passage of this bill will mark one of the great forward steps taken in the improvement of medical facilities and services throughout the Nation. In the New York City area where it is no longer possible to secure additional building space or areas for new construction, we are in great need of this program, for we must improve upon the facilities that we now have.

I enthusiastically support this legislation and again commend the committee for its work in writing such an excellent bill.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point in the RECORD on the pending bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ROOSEVELT. Mr. Chairman, the Hill-Burton program has helped to make American medical care what it is today. Never before have hospitals and other health facilities been so readily available to our people. In California alone, over 10,500 inpatient beds and about 70 other health facilities have been built under the program since it was begun 17 years ago. However, we cannot afford to lay the Hill-Burton program to rest on its laurels. Much remains to be done. We still need about 133,000 general hospital beds and we shall need more as the population grows. Still more acute are our needs for other types of health facilities. We need an estimated 900,000 mental hospital beds but currently we have only half that number which are acceptable by Hill-Burton standards. Our rapidly growing population of persons over 65 is putting heavy pressure on long-term care facilities and we now have only one-third of the beds needed in this category. In all, the United States has a current deficit of over 1 million inpatient beds.

The best way to attack these shortages is through the Hill-Burton program which sets the pace for hospital construction in this country. It helps States and local communities to evaluate and meet their needs for health facilities. H.R. 10041 will continue this invaluable program with a few much needed changes. Among other things, the appropriation authorization for desperately needed long-term care facilities has been almost doubled from $40 to $70 million a year. A special provision has also been made to assist our older hospitals to modernize. The hospitals most in need of modernization are the big city hospitals that form the heart of modern American medicine, many of which are now outdated and often present fire or other safety hazards.

H.R. 10041 meets the most urgent needs for hospital construction and renovation facing us today and it deserves the vigorous and wholehearted support of Congress. I urge its immediate passage.

Mr. FOGARTY. Mr. Chairman, I feel it is not only a privilege but an obligation to endorse the report on H.R. 10041, the Hospital and Medical Facilities Amendments of 1964, and to urge favorable action on the bill.

The health of our people is the very essence of our vitality as a Nation. And that, essentially, is this bill's major objective: to foster better health for all by improving and expanding the hospital and medical facilities construction grant programs now authorized by title VI of the Public Health Service Act. Most of us here, of course, refer to that act as "The Hill-Burton program."

Over the years, few programs enacted by Congress have received the overwhelming support by both sides of the aisle as has been the case for Hill-Burton. This popularity has been well-deserved. The original legislation was enacted in 1946 at a time when the Nation faced a critical hospital shortage. In very short order, hospital construction received a most effective "shot in the arm," as a result of grants which were made to every State in the Union. Many of our smaller communities which never before had a hospital were, for the first time, provided with the modern facilities so essential to adequate medical care.

But the needs of 1946 are far removed from those of 1964. While amendments have been added to the act through the years, the time has finally arrived when we must face up to the fact that no program as dynamic as Hill-Burton can rest on its original plan. It is essential that the legislation be revised to keep pace with the changing needs and concepts in the health facility field. In line with this thought, we might do well to heed the advice of Abraham Lincoln in his message before Congress in 1862. His words, spoken more than 100 years ago, are just as applicable today. "The dogmas of the quiet past," he warned, "are inadequate to the stormy present. As our case is new, so we must think anew and act anew. We must disenthrall ourselves."

Briefly, H.R. 10041 provides for the following:

First, a 5-year extension of the Hill-Burton program.

Second, a new grant program for modernization or replacement of public and nonprofit hospital and related health facilities, particularly in urban areas where the greatest need exists.

Third, a combining of the present separate grants programs for chronic disease hospitals and nursing homes into a single category of long-term care facilities, with an annual ceiling of $70 million instead of the current $40 million.

Fourth, the award of planning grants in two categories: Special grants to help develop comprehensive regional and local plans for health and related facilities and limited matching funds to be made available to help State agencies meet part of their costs of administering Hill-Burton.

The Hill-Burton Act, in its 18-year history, has strengthened the health resources of every State, of nearly every county and community in this country. In my own State of Rhode Island, 50 Hill-Burton projects have placed more than 1,500 urgently needed new hospital beds at the service of our people, and have added 13 other health facilities, including nursing homes and rehabilitation centers. New hospitals have been built in Warwick, Newport, Cranston, North Providence, Woonsocket, Wakefield, and Westerly, as well as five major hospitals in Providence itself. Nursing homes have been built in Exeter and East Providence. In achieving this advance, a Federal contribution of $10.5 million has sparked a total investment of $55.6 million, with the remainder coming from State and local sources.

This pattern of achievement is paralleled across the Nation. Now the bill before us would extend and expand its effectiveness. The benefits of this bill are national in scope. Moreover, their impact will be felt not only by our present population but by many generations yet to come. Passage of this bill will insure better health for all of our people—now and in the future. For this reason I urge its enactment.

Mr. ANDERSON. Mr. Chairman, I rise in support of H.R. 10041 and commend the Committee on Interstate and Foreign Commerce for what I believe to be generally an excellent job in framing this renewal legislation. Certainly the principle of matching grants to construct hospital facilities is so firmly imbedded in our law that it requires no defense. As has been pointed out during the debate here today, the original measure was conceived, sponsored, and passed because of the dedicated efforts of men from both sides of the political aisle.

However, I should not want the occasion to pass without commenting on and expressing my reservations about an innovation contained in the present legislation. I refer specifically to section 606(c)(1). This new section of the law provides that at the request of any State a portion of its allotment may be made available to pay up to one-half of the expenditures required to administer the State hospital plan. There is a limitation of not more than 2 percent of the total annual allotment or $50,000, whichever is less. The section further provides that to be eligible for a payment of this kind for administrative expenses the State must continue to expend as much for the administration of the State plan as it did during the current fiscal year which ends June 30, 1964.

This new section apparently had its genesis in the health message submitted to the Congress by President Johnson February 10, 1964. At that time he said: "I also recommend that limited matching funds be made available to help State agencies meet part of their costs of administering the Hill-Burton program so that these agencies can plan wisely for our hospital systems."

I note on page 36 of the committee report that the Comptroller General of the United States in a letter to the chairman of the Committee on Interstate and Foreign Commerce dated March 16, 1964, commented as follows:

> On this new subsection of the bill Federal allotments to States or other Federal-State programs generally have not been made available for administrative expenses of the States. We seriously doubt the advisability of Federal participation in such costs.

Mr. Chairman, I share the apprehension of the Comptroller General over this proposal that the Federal Government shall in effect engage in paying the salaries of the State personnel employed to administer programs which are at least in part federally financed. I hope that this is not the camel's nose under the tent and that further efforts will not be made to breach what I regard as the wholly salutary principle that States and State agencies pay their own personnel.

We had this issue before us, albeit, in a somewhat different guise when the House discussed the proposal for Federal staffing of State mental health clinics and institutions. At that time, it was the overwhelming opinion of this body that the Federal Government should not involve itself in staffing State institutions. It is not simply the added cost and expense that this would mean to the Federal Government important as this fact is in view of our presently impoverished Treasury. What is far more important is to maintain the idea that State governments are more than merely administrative subunits of an all powerful and all encompassing Federal bureaucracy. If the Federal Government is going to pay individuals employed by the States to administer programs which are essentially oriented to meeting State needs and problems, then it will only be a question of time until the Federal Government will also supervise, direct, and control the activities of State employees who are thus federally financed.

Mr. Chairman, I have taken this time and uttered these remarks in order to buttress, if I can, the legislative history of this bill as it relates to section 606(c)(1). It should be made abundantly clear that our action in passing this bill containing as it does this particular section does not constitute any weakening of congressional resolve that, save on a very limited basis, Federal funds shall not be employed to staff State agencies.

There are those, of course, who have made it plain that they already believe that State governments are mere historical anachronisms, and that they should be regarded as vestigial relics of a rural society which has now become urbanized. However, I hope that a majority of the Members of this body will always adhere to the belief that the genius of our Federal system is that it permits a cohesive union of strong and independent State governments which can be induced to meet the problems of modern society. Our purpose in the Congress should be to offer incentives to the States to address themselves to these problems while at the same time we eschew any efforts to debase their administrative independence. By the same token I hope that the governors and legislatures of the several States will not become so enamored of the lure of Federal funds that they seek this means of financing their own day-to-day operations instead of taking the courageous and positive action at home that will be necessary to raise the revenues which are necessary to continue the functioning of strong and viable State governments.

Mr. RYAN of New York. Mr. Chairman, H.R. 10041, the proposed Hill-Burton amendments, provides a much-needed extension and revision of one of the Federal Government's most important health programs. In its 17 years of operation, the Hill-Burton program has revolutionized hospital construction in the United States. It has made good medical care more accessible to all Americans. At the time the original Hospital Survey and Construction Act was passed in 1946, this country was confronted by an alarming shortage of hospital beds. Hospital construction had declined during the depression years; and, once we entered the Second World War, civilian hospital construction had to be further postponed. Those hospitals that were built were unevenly distributed as their construction depended more upon the availability of local funds than upon need for beds. Rural areas in particular suffered from lack of medical facilities.

The Hill-Burton program has made tremendous progress in alleviating the shortage of hospital beds. The most recent figures show that over 7,000 projects have been approved, adding a total of 304,613 inpatient beds in addition to 2,012 other health facilities. This is almost a third of a million beds in just 17 years. New York State has benefited from this program and is the second State in the Nation in terms of the number of beds built. Hill-Burton assistance has enabled both local governments and voluntary nonprofit organizations to undertake much-needed construction and we have added 16,000 beds and 21 other health facilities. In New York, the Federal Government has paid $97,335,000 out of the total cost of $431,833,000. Throughout the country, the Hill-Burton program has served as a pump primer and a little over $2 billion in Federal expenditures has stimulated almost $4½ billion in State, local, and private expenditures for the construction of health facilities.

The Hill-Burton program can measure its achievements in more than beds. It has changed the very nature of hospital construction in this country. As each State is required to survey its needs and establish priorities for construction on this basis, hospitals have been built where they were most needed. Hospital construction is no longer a haphazard matter, but attacks the severest shortages first.

The Hill-Burton program has also been instrumental in establishing standards for health facilities. The minimum standards for the construction and operation of Hill-Burton facilities have often become the basis for State laws regulating all hospitals. In 1941, only 10 States and Territories had hospital licensure laws and only one required nursing homes to be licensed. Ten years after the Hill-Burton program was passed, hospital and nursing home licensure was practically universal.

One of the greatest achievements of the Hill-Burton program is that it has never become rigid, but has adjusted to the changing needs of hospital construction. In the beginning of the program, much of the emphasis was on the construction or enlargement of general hospitals, although tuberculosis, mental, and chronic disease hospitals were also eligible. In the program as a whole, over 77 percent of Hill-Burton funds have gone into general hospitals.

In 1954, Congress responded to an increasingly important problem—the problem of the chronically ill. As the number of older persons in our population grows, so does the number of those who need long-term care. These patients do not need the intensive treatment of a general hospital but they need some care. Congress shifted part of the emphasis of the Hill-Burton program by amending the act to earmark funds for facilities that would serve the chronically ill. In addition to chronic disease hospitals, nursing homes were specifically made eligible for funds. The construction of long-term care facilities relieves some of the pressure on general hospitals, and at the same time, lowers the cost of caring for the chronically ill. Rehabilitation facilities were also made eligible for grants which indicates the faith of Congress in the ability of the sick to become useful members of society again.

Now, 10 years later, Congress is again assessing the needs in hospital construction and trying to reach a balance between the many very valid demands upon the Hill-Burton program. I believe that the pending bill seeks to meet the changing needs of our hospitals.

First of all, H.R. 10041 maintains the current program of general, mental, and chronic disease hospital construction with slight reductions in grant authorizations in each fiscal year between 1966 and 1969. Although we have been catching up on our general hospital bed need, we still have a deficit of 135,000 beds and because of our growing population, it would reach 200,000 by 1969 if we stopped all construction. It is estimated that under the Harris amendment to the Hill-Burton Act, almost 80,000 general hospital beds would be built in the next 5 years and that in the same period an additional 70,000 beds will be built without grant assistance. Thus, under the proposed amendments, there will still be a deficit of 50,000 general hospital beds by 1969. The shortage of mental hospital beds is far more serious. Although we need 907,000, we have only 458,400 acceptable beds, which is scarcely 50 percent.

The proposed Hill-Burton amendments also recognize that facilities for the care of the chronically ill remain one of the most serious problems facing our hospital planners. As of 1963, we had only about a third of the beds needed. Under H.R. 10041, the appropriation authorization for long-term care facilities would be increased to $70 million a year. At present, the authorization is $20 million each for chronic-disease hospitals and nursing homes. This, in itself, is not enough to keep abreast of the increases in our aged population. But if we increase the appropriations to $70 million, approximately 15,000 beds will be built annually under the program.

In the new legislation, chronic-disease hospitals and nursing homes have been combined into a single category because, as Secretary Celebrezze testified:

> Separate categories for chronic-disease hospitals and nursing homes have tended to create and perpetuate an artificial distinction between the two types of long-term care facilities. Combining the two categories would stimulate States to focus attention on the total service and facility requirements of the aged while affording them maximum flexibility to encourage community planning of facilities most appropriate to local needs.

The Hill-Burton amendments are not only a continuation or expansion of existing programs but also contain a major provision dealing with another much neglected area: the problem of obsolescence in our hospitals. Under H.R. 10041 a total of $160 million over the next 5 years would be earmarked specifically for modernization projects. The problem of obsolescence is becoming increasingly severe as modern techniques demand newer and better facilities. Many long-established hospitals now present numerous health and fire hazards through poor or outdated construction or inefficient operation. Cramped facilities and old-fashioned equipment necessitate inefficiencies of operation that reduce the quality of patient care while increasing its cost. Almost 75 percent of a hospital's costs are in payroll, and through automation and streamlining of services a hospital can both economize and improve the quality of its care. To do so requires a capital outlay for modernization.

Obsolescence is primarily the problem of the big city hospital although older small city and town hospitals are also suffering. The plight of these hospitals affects the quality of medical care throughout the country. It is the big city hospital that leads American medicine as it is the center for research, for applying new techniques, and for training young doctors, nurses, and other health personnel. Patients come to the big city hospitals from all over the country to receive treatment for rare or difficult diseases that smaller hospitals cannot handle.

In 1960, the Public Health Service published a survey of modernization needs based on a study of the 25 metropolitan areas having more than 2,500 hospital beds each and a sampling of smaller metropolitan areas. They found that an estimated $3.6 billion would be needed to bring American hospitals up to date. With rising costs, it is now thought that it would require $4 billion. The longer we wait, the more serious the problem. Between 1957 and 1963 the number of hospital beds increased by 19 percent but, according to the State Hill-Burton agencies, the number of unacceptable beds also increased by 19 percent.

The Public Health Service survey showed that the Middle Eastern States—Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, and West Virginia—were the area of greatest modernization needs. In 1956 they had 93,930 beds needing $487 million for renovation. Even in New York City alone, the figures are staggering. Dr. Martin R. Steinberg, who is director of the Mount Sinai Hospital in New York, testified before the Interstate and Foreign Commerce Committee last March that a survey of New York City hospitals indicated that an expenditure of $250 million would be required to fully modernize existing hospitals. One hundred and twenty million dollars of this is needed just to replace nonfire-resistant facilities. In his opinion, even these figures are an understatement.

The proposed modernization provision is extremely important to New York City where the decay of existing general hospitals threatens the quality of their medical care, research, and training. As New York hospitals are leaders in modern medicine, the country as a whole is indirectly affected.

It is very difficult for hospitals to obtain funds for modernization. Alteration does not have the same public appeal that new construction has, and commercial loans may be too expensive for a hospital to afford. Although technically, much of the modernization work now needed would be eligible for Hill-Burton funds under existing legislation, such projects receive very low priority and very few Hill-Burton grants are made exclusively for alterations to existing plants. New construction, or additions to facilities, tend to be favored and the law specifically gives preference to rural and low income areas. Thus the big city hospital modernization project which adds no beds and yet is vital to maintaining the highest quality of medical care does not usually receive assistance under the Hill-Burton program as it is now set up.

Through the modernization provision of H.R. 10041, the Hill-Burton program is once again responding to the changing needs in hospital construction. Earmarked funds serve as a guarantee of top priority for modernization projects within the limits of the appropriations for that category. Since the relative need among States for modernization funds differs from their need for other construction, the formula for allotments among the States under this provision includes an "extent of need" clause in addition to the criteria of population and per capita income which form the basis of all State allotments. The modernization provision is a well-thought-out answer to a very great need.

Mr. Chairman, the benefits of the Hill-Burton program must reach all citizens equally regardless of race, creed, or color. Since I have been a Member of the House, I have fought to have this fundamental principle applied to this program which has been administered on a "separate but equal" basis. The present act now provides that facilities must be made available to all persons residing in the territorial area served by an applicant, but "an exception shall be made in cases where separate hospital facilities are provided for separate population groups, if the plan makes equitable provision on the basis of need for facilities and services of like quality for each such group." On November 1, 1963, the U.S. Court of Appeals for the Fourth Circuit held this language unconstitutional in *Simkins et al.* v. *the Moses H. Cone Memorial Hospital et al.*, 323 F (2) 959 (1963). The U.S. Supreme Court denied certiorari on March 2, 1964.

H.R. 10041 has omitted the "separate but equal clause" and now provides that "the facility or portion thereof to be constructed or modernized will be made available to all persons residing in the territorial area of the applicant."

In the 87th Congress and also in the 88th Congress I introduced legislation (H.R. 2114) to amend the Hill-Burton Act to prohibit discrimination in any respect whatsoever on account of race, creed, or color in hospital facilities built under the program. I also sponsored in both Congresses legislation (H.R. 2113) to prohibit granting of Hill-Burton funds to any hospital that discriminates on account of race, creed, or color in the employment of personnel, selection of professional and nonprofessional staff, or in permitting the use of the facilities of such hospital by physicians or other professional health personnel.

In both the 87th and 88th Congresses when the Department of Health, Education, and Welfare appropriations bills were on the floor, I offered amendments to deny funds under the Hill-Burton Act for hospitals, nursing homes, or other establishments which maintain segregated facilities or which refuse to admit individuals on the basis of race, creed, color, or national origin. Unfortunately, these amendments were defeated. Congress should have met its obligation but failed to act. Instead, the result was achieved by a judicial declaration through private litigation.

The Committee on Interstate and Foreign Commerce has accepted the Court's ruling that the present language is unconstitutional and has removed it from the pending bill. However, I regret that the committee did not explicitly prohibit Hill-Burton hospitals from discriminating on the grounds of race, creed, color, or national origin in their admissions policies, in their wards, or in their staffing and employment practices.

The story of racial discrimination in Hill-Burton hospitals is shocking. Approximately 70 hospitals which have received a total of about 100 Hill-Burton grants are completely segregated and 8 out of every 10 of these are for white people. These hospitals were built under the "separate but equal" clause of the act. But as the North Carolina Advisory Committee to the U.S. Commission on Civil Rights pointed out, "the long existing Negro hospital has provided the community wherein it is located an excuse to bypass the Negro where new hospital construction is concerned." The Negro hospitals usually have poorer facilities and are less well financed than white or integrated ones, and with such limitations they cannot give equal care.

Segregation is no less offensive when the color line is drawn inside the hospital doors than when it bars the entry. Segregation by ward is widespread in the South. The North Carolina Advisory Committee states in its report that "in those institutions now receiving white and Negro patients, segregation usually prevails according to wing, corridor, ward or on some area basis." In these cases of segregation, a "separate but equal" ward can mean 12 beds in the basement as it does in one Georgia hospital. In hospitals in which a certain number of beds are assigned to each race, Negroes may be denied entrance because their quota has been filled although empty beds are waiting for white patients. Even in those hospitals which do not have a quota, segregation by race is prejudicial to the best medical care.

Discrimination is also practiced in hospital staffing, and this discrimination hurts both the physician and his patient.

Without staff privileges in a good hospital, a physician cannot give the quality of medical care that he has been trained to give. In surgical, and other serious cases, he must choose between referring his patient or giving him second rate care. Furthermore, a physician who is denied contact with his colleagues has a very difficult time keeping abreast of modern developments in medicine and his training soon becomes outdated.

Physicians are not the only group whose employment suffers because of race. Discrimination is practiced in other phases of hospital employment.

Of the $2,084,221,000 that the Federal Government has spent or is obligated to spend on Hill-Burton projects, $791,299,000, or almost 40 percent, has gone to the 14 Southern States which are listed in a recent Wall Street Journal article as having segregated Hill-Burton hospitals.

Now that the courts have spoken and the "separate but equal clause" is being removed from the act, the racial injustices under the program must end. No longer can discrimination be tolerated in admissions policies, in wards, in staffing, and employment practices.

It is also the responsibility of the Department of Health, Education, and Welfare to take affirmative action to eliminate the various forms of discrimination practiced in this program. I understand that the following assurance will be required in all Hill-Burton applications:

> The applicant hereby gives assurance to the State agency that all portions and services of the entire facility for the construction of which, or in connection with which, aid under the Federal act is sought will be made available without discrimination on account of race, creed, or color; and that no professionally qualified person will be discriminated against on account of race, creed, or color with respect to the privilege of professional practice in the facility.

Mr. Chairman, the Hill-Burton program has made substantial progress toward providing this Nation with good medical facilities, but its purpose will not be achieved until all citizens benefit from it equally. Let us pass the pending bill and then be vigilant in making sure that it is administered in keeping with our principles and ideals.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute amendment as printed in the bill.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Hospital and Medical Facilities Amendments of 1964".

Sec. 2. Part B of title III of the Public Health Service Act (42 U.S.C. 243, et seq.) is amended by inserting at the end thereof the following new section:

"Special project grants for assisting in the areawide planning of health and related facilities

"Sec. 318. There are authorized to be appropriated $2,500,000 for the fiscal year ending June 30, 1965, and $5,000,000 for each of the next four fiscal years to enable the Surgeon General to make grants to the appropriate State agency or agencies designated in accordance with section 604(a)(1) to cover not to exceed 50 per centum of the costs of projects for developing (and from time to time revising) and supervising and assisting in the carrying out of comprehensive regional, metropolitan area, or other local area plans for coordination of existing and planned health facilities, and facilities related thereto, and services provided by such facilities."

Sec. 3. (a) Title VI of the Public Health Service Act (42 U.S.C., ch. 6A, subch. IV) is amended to read as follows:

"TITLE VI—ASSISTANCE FOR CONSTRUCTION AND MODERNIZATION OF HOSPITALS AND OTHER MEDICAL FACILITIES

"Declaration of purpose

"Sec. 600. The purpose of this title is—

"(a) to assist the several States in the carrying out of their programs for the construction and modernization of such public or other nonprofit community hospitals and other medical facilities as may be necessary, in conjunction with existing facilities, to furnish adequate hospital, clinic, or similar services to all their people;

"(b) to stimulate the development of new or improved types of physical facilities for medical, diagnostic, preventive, treatment, or rehabilitative services; and

"(c) to promote research, experiments, and demonstrations relating to the effective development and utilization of hospital, clinic, or similar services, facilities, and resources, and to promote the coordination of such research, experiments, and demonstrations and the useful application of their results.

"PART A—GRANTS AND LOANS FOR CONSTRUCTION AND MODERNIZATION OF HOSPITALS AND OTHER MEDICAL FACILITIES

"Authorization of appropriations for construction grants

"Sec. 601. In order to assist the States in carrying out the purposes of section 600, there are authorized to be appropriated—

"(a) for the fiscal year ending June 30, 1965, and each of the next four fiscal years—

"(1) $70,000,000 for grants for the construction of public or other nonprofit facilities for long-term care;

"(2) $20,000,000 for grants for the construction of public or other nonprofit diagnostic or treatment centers;

"(3) $10,000,000 for grants for the construction of public or other nonprofit rehabilitation facilities;

"(b) for grants for the construction of public or other nonprofit hospitals and public health centers and for grants for modernization of such facilities and the facilities referred to in paragraph (a), $150,000,000 for the fiscal year ending June 30, 1965, $160,000,000 for the fiscal year ending June 30, 1966, $170,000,000 for the fiscal year ending June 30, 1967, and $180,000,000 each for the next two fiscal years.

"State allotments

"Sec. 602. (a)(1) Each State shall be entitled for each fiscal year to an allotment bearing the same ratio to the sums appropriated for such year pursuant to subparagraphs (1), (2), and (3), respectively, of section 601(a), and to an allotment bearing the same ratio to the new hospital portion of the sums appropriated for such year pursuant to section 601(b), as the product of—

"(A) the population of such State, and

"(B) the square of its allotment percentage,

bears to the sum of the corresponding products for all of the States. As used in this paragraph, the new hospital portion of sums appropriated pursuant to section 601(b) (which portion shall be available for grants for the construction of public or other nonprofit hospitals and public health centers) is 100 per centum of such sums in the case of the fiscal year ending June 30, 1965, seveneighths thereof in the case of the first fiscal year thereafter, twenty-seven thirty-fourths thereof in the case of the second fiscal year thereafter, thirteen-eighteenths thereof in the case of the third fiscal year thereafter, twenty-five thirty-sixths thereof in the case of the fourth fiscal year thereafter.

"(2) For each fiscal year beginning after June 30, 1965, the Surgeon General shall, in accordance with regulations, make allotments from the remainder of the sums appropriated pursuant to section 601(b) (which portion shall be available for grants for modernization of facilities referred to in paragraphs (a) and (b) of section 601) on the basis of the population, the extent of the need for modernization of the facilities referred to in paragraphs (a) and (b) of section 601, and the financial need of the respective States.

"(b)(1) The allotment to any State under subsection (a) for any fiscal year which is less than—

"(A) $25,000 for the Virgin Islands, American Samoa, or Guam and $50,000 for any other State, in the case of an allotment for grants for the construction of public or other nonprofit rehabilitation facilities,

"(B) $50,000 for the Virgin Islands, American Samoa, or Guam and $100,000 for any other State in the case of an allotment for grants for the construction of public or other nonprofit diagnostic or treatment centers, or

"(C) $100,000 for the Virgin Islands, American Samoa, or Guam and $200,000 for any other State in the case of an allotment for grants for the construction of public or other nonprofit facilities for long-term care or for the construction of public or other nonprofit hospitals and public health centers, or for the modernization of facilities referred to in paragraph (a) or (b) of section 601,

shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotment from appropriations under such subparagraph or paragraph to each of the remaining States under subsection (a) of this section, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from appropriations under such subparagraph or paragraph from being thereby reduced to less than that amount.

"(2) An allotment of the Virgin Islands, American Samoa, or Guam for any fiscal year may be increased as provided in paragraph (1) only to the extent it satisfies the Surgeon General, at such time prior to the beginning of such year as the Surgeon General may designate, that such increase will be used for payments under and in accordance with the provisions of this part.

"(c) For the purposes of this part—

"(1) The 'allotment percentage' for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that (A) the allotment percentage shall in no case be more than 75 per centum or less than 33⅓ per centum, and (B) the allotment percentage for the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 75 per centum.

"(2) The allotment percentages shall be determined by the Surgeon General between July 1 and September 30 of each even-numbered year, on the basis of the average of the per capita incomes of each of the States and of the United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce, and the States shall be notified promptly thereof. Such determination shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such determination.

"(3) The population of the several States shall be determined on the basis of the latest figures certified by the Department of Commerce.

"(4) The term 'United States' means (but only for purposes of paragraph (1) and (2)) the fifty States and the District of Columbia.

"(d)(1) Any sum allotted to a State, other than the Virgin Islands, American Samoa, and Guam for a fiscal year under this section and remaining unobligated at the end of such year shall remain available to such State, for the purpose for which made, for the next fiscal year (and for such year only), in addition to the sums allotted to such State for such purpose for such next fiscal year.

"(2) Any sum allotted to the Virgin Islands, American Samoa, or Guam for a fiscal year under this section and remaining unobligated at the end of such year shall remain available to it, for the purpose for which made, for the next two fiscal years (and for such years only), in addition to the sums allotted to it for such purpose for each of such next two fiscal years.

"(e)(1) Upon the request of any State that—

"(A) a specified portion of any allotment of such State under paragraph (1) of subsection (a), other than an allotment for grants for the construction of public or other nonprofit rehabilitation facilities, be added to another allotment of such State under paragraph (1) or (2) of such subsection, other than an allotment for grants for the construction of public or other nonprofit hospitals and public health centers, or

"(B) a specified portion of an allotment of such State under paragraph (2) of subsection (a) be added to an allotment of such State under paragraph (1) of such subsection,

and upon simultaneous certification to the Surgeon General by the State agency in such State to the effect that—

"(C) it has afforded a reasonable opportunity to make applications for the portion so specified and there have been no approvable applications for such portion, or

"(D) in the case of a request to transfer a portion of an allotment under paragraph (1) of subsection (a) for grants for the construction of public or other nonprofit hospitals and public health centers, use of such portion as requested by such State agency will better carry out the purposes of this title,

the Surgeon General shall promptly (but after application of subsection (b)) adjust the allotments of such State in accordance with such request and shall notify the State agency.

"(2) In addition to the transfer of portions of allotments under paragraph (1), the Surgeon General, upon the request of any State that a specified portion of an allotment of such State under paragraph (2) of subsection (a) be added to an allotment of such State under paragraph (1) of such subsection for grants for the construction of public or other nonprofit hospitals and public health centers and upon simultaneous certification to him by the State agency in such State to the effect that the need for new public or other nonprofit hospitals and public health centers is substantially greater than the need for modernization of facilities referred to in paragraph (a) or (b) of section 601, shall promptly (but after application of subsection (b) of this section) adjust the allotments of such State in accordance with such request and shall notify the State agency; except that not more than the following portions of allotments of a State under paragraph (2) of subsection (a) may be so added (under this paragraph) to allotments of such State under paragraph (1) of such subsection:

"(A) in the case of an allotment under paragraph (2) of subsection (a) for the fiscal year ending June 30, 1966, one-half of such allotment;

"(B) in the case of an allotment thereunder for the fiscal year ending June 30, 1967, three-sevenths of such allotment;

"(C) in the case of an allotment thereunder for the fiscal year ending June 30, 1968, two-fifths of such allotment; and

"(D) in the case of an allotment thereunder for the fiscal year ending June 30, 1969, five-elevenths of such allotment.

"(3) After adjustment of allotments of any State as provided in paragraph (1) or (2) of this subsection, the allotments as so adjusted shall be deemed to be the State's allotments under this section.

"(f) In accordance with regulations, any State may file with the Surgeon General a request that a specified portion of an allotment to it under this part for grants for construction of any type of facility, or for modernization of facilities, be added to the corresponding allotment of another State for the purpose of meeting a portion of the Federal share of the cost of a project for the construction of a facility of that type in such other State, or for modernization of a facility in such other State, as the case may be. If it is found by the Surgeon General (or, in the case of a rehabilitation facility, by the Surgeon General and the Secretary) that construction or modernization of the facility with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the corresponding allotment of the other State, to be used for the purpose referred to above.

"General regulations

"SEC. 603. The Surgeon General, with the approval of the Federal Hospital Council and the Secretary of Health, Education, and Welfare, shall by general regulations prescribe—

"(a) the general manner in which the State agency shall determine the priority of projects based on the relative need of different areas lacking adequate facilities of various types for which assistance is available under this part, giving special consideration—

"(1) in the case of projects for the construction of hospitals, to facilities serving rural communities and areas with relatively small financial resources;

"(2) in the case of projects for the construction of rehabilitation facilities, to facilities operated in connection with a university teaching hospital which will provide an integrated program of medical, psychological, social, and vocational evaluation and services under competent supervision;

"(3) in the case of projects for modernization of facilities, to facilities serving densely populated areas; and

"(4) to the extent deemed feasible by the State agency, to hospital facilities which will include new or expanded facilities for nurse training;

"(b) general standards of construction and equipment for facilities of different classes and in different types of location, for which assistance is available under this part;

"(c) criteria for determining needs for general hospital and long-term care beds, and needs for hospitals and other facilities for which aid under this part is available, and for developing plans for the distribution of such beds and facilities;

"(d) criteria for determining the extent to which existing facilities, for which aid under this part is available, are in need of modernization; and

"(e) that the State plan shall provide for adequate hospitals, and other facilities for which aid under this part is available, for all persons residing in the State, and adequate hospitals (and such other facilities) to furnish needed services for persons unable to pay therefor. Such regulations may also require that before approval of an application for a project is recommended by a State agency to the Surgeon General for approval under this part, assurance shall be received by the State from the applicant that (1) the facility or portion thereof to be constructed or modernized will be made available to all persons residing in the territorial area of the applicant; and (2) there will be made available in the facility or portion thereof to be constructed or modernized a reasonable volume of services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial viewpoint.

"State plans

"SEC. 604. (a) Any State desiring to participate in this part may submit a State plan. Such plan must—

"(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

"(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) will have authority to carry out such plan in conformity with this part;

"(3) provide for the designation of a State advisory council which shall include representatives of nongovernmental organizations or groups, and of public agencies, concerned with the operation, construction, or utilization of hospital or other facilities for diagnosis, prevention, or treatment of illness or disease, or for provision of rehabilitation services, and an equal number of representatives of consumers familiar with the need for the services provided by such facilities, to consult with the State agency in carrying out the plan, and provide, if such council does not include any representatives of nongovernmental organizations or groups, or State agencies, concerned with rehabilitation, for consultation with organizations, groups, and State agencies so concerned;

"(4) set forth, in accordance with criteria established in regulations prescribed under section 603 and on the basis of a statewide inventory of existing facilities, a survey of need, and (except to the extent provided by or pursuant to such regulations) community, area, or regional plans—

"(A) the number of general hospital beds and long-term care beds, and the number and types of hospital facilities and facilities for long-term care, needed to provide adequate facilities for inpatient care of people residing in the State, and a plan for the distribution of such beds and facilities in service areas throughout the State;

"(B) the public health centers needed to provide adequate public health services for people residing in the State, and a plan for the distribution of such centers throughout the State;

"(C) the diagnostic or treatment centers needed to provide adequate diagnostic or treatment services to ambulatory patients residing in the State, and a plan for distribution of such centers throughout the State;

"(D) the rehabilitation facilities needed to assure adequate rehabilitation services for disabled persons residing in the State, and a plan for distribution of such facilities throughout the State; and

"(E) effective January 1, 1966, the extent to which existing facilities referred to in section 601 (a) or (b) in the State are in need of modernization;

"(5) set forth a construction and modernization program conforming to the provisions set forth pursuant to paragraph (4) and regulations prescribed under section 603 and providing for construction or modernization of the hospital or long-term care facilities, public health centers, diagnostic or treatment centers, and rehabilitation facilities which are needed, as determined under the provisions so set forth pursuant to paragraph (4);

"(6) set forth, with respect to each of such types of medical facilities, the relative need, determined in accordance with regulations prescribed under section 603, for projects for facilities of that type, and provide for the construction or modernization, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

"(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of facilites providing inpatient care which receive aid under this part and, effective July 1, 1966, provide for enforcement of such standards with respect to projects approved by the Surgeon General under this part after June 30, 1964;

"(8) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

"(9) provide for affording to every applicant for a construction or modernization project an opportunity for a hearing before the State agency;

"(10) provide that the State agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports;

"(11) provide that the Comptroller General of the United States or his duly authorized representatives shall have access for the purpose of audit and examination to the records specified in paragraph (10); and

"(12) provide that the State agency will from time to time, but not less often than annually, review its State plan and submit to the Surgeon General any modifications thereof which it considers necessary.

"(b) The Surgeon General shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). If any such plan or modification thereof shall have been disapproved by the Surgeon General for failure to comply with subsection (a), the Federal Hospital Council shall, upon request of the State agency, afford it an opportunity for hearing. If such Council determines that the plan or modification complies with the provisions of such subsection, the Surgeon General shall thereupon approve such plan or modification.

"Approval of projects for construction or modernization

"SEC. 605. (a) For each project pursuant to a State plan approved under this part, there shall be submitted to the Surgeon General, through the State agency, an application by the State or a political subdivision thereof or by a public or other nonprofit agency. If two or more such agencies join in the project, the application may be filed by one or more of such agencies. Such application shall set forth—

"(1) a description of the site for such project;

"(2) plans and specifications therefor, in accordance with regulations prescribed under section 603;

"(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate the facility on completion of the project;

"(4) reasonable assurance that adequate financial support will be available for the completion of the project and for its maintenance and operation when completed.

"(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of construction or modernization on the project will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

"(6) a certification by the State agency of the Federal share for the project.

"(b) The Surgeon General shall approve such application if sufficient funds to pay the Federal share of the cost of such project are available from the appropriate allotment to the State, and if the Surgeon General finds (1) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages; (2) that the plans and specifications are in accord with the regulations prescribed pursuant to section 603; (3) that the application is in conformity with the State plan approved under section 604 and contains an assurance that in the operation of the project there will be compliance with the applicable requirements of the regulations prescribed under section 603(e), and with State standards for operation and maintenance; and (4) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the regulations prescribed pursuant to section 603(a). Notwithstanding the preceding sentence, the Surgeon General may approve such an application for a project for construction or modernization of a rehabilitation facility only if it is also approved by the Secretary of Health, Education, and Welfare.

"(c) No application shall be disapproved until the Surgeon General has afforded the State agency an opportunity for a hearing.

"(d) Amendment of any approved application shall be subject to approval in the same manner as an original application.

"(e) Notwithstanding any other provision of this title, no application for a diagnostic or treatment center shall be approved under this section unless the applicant is (1) a State, political subdivision, or public agency, or (2) a corporation or association which owns and operates a nonprofit hospital (as defined in section 625).

"Payments for construction or modernization

"SEC. 606. (a) Upon certification to the Surgeon General by the State agency, based upon inspection by it, that work has been performed upon a project, or purchases have been made, in accordance with the approved plans and specifications, and that payment of an installment is due to the applicant, such installment shall be paid to the State, from the applicable allotment of such State, except that (1) if the State is not authorized by law to make payments to the applicant, or if the State so requests, the payment shall be made directly to the applicant, (2) if the Surgeon General, after investigation or otherwise, has reason to believe that any act (or failure to act) has occurred requiring action pursuant to section 607, payment may, after he has given the State agency notice of opportunity for hearing pursuant to such section, be withheld, in whole or in part, pending corrective action or action based on such hearing, and (3) the total of payments under this subsection with respect to such project may not exceed an amount equal to the Federal share of the cost of construction of such project.

"(b) In case an amendment to an approved application is approved as provided in section 605 or the estimated cost of a project is revised upward, any additional payment with respect thereto may be made from the applicable allotment of the State for the fiscal year in which such amendment or revision is approved.

"(c)(1) At the request of any State, a portion of any allotment or allotments of such State under this part shall be available to pay one-half (or such smaller share as the State may request) of the expenditures found necessary by the Surgeon General for the proper and efficient administration during such year of the State plan approved under this part; except that not more than 2 per centum of the total of the allotments of such State for a year, or $50,000, whichever is less, shall be available for such purpose for such year. Payments of amounts due under this paragraph may be made in advance or by way of reimbursement, and in such installments, as the Surgeon General may determine.

"(2) Any amount paid under paragraph (1) to any State for any fiscal year shall be paid on condition that there shall be expended from State sources for such year for administration of the State plan approved under this part not less than the total amount expended for such purposes from such sources during the fiscal year ending June 30, 1964.

"Withholding of payments

"SEC. 607. Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State agency designated as provided in section 604(a)(1), finds—

"(a) that the State agency is not complying substantially with the provisions required by section 604 to be included in its State plan; or

"(b) that any assurance required to be given in an application filed under section 605 is not being or cannot be carried out; or

"(c) that there is a substantial failure to carry out plans and specifications approved by the Surgeon General under section 605; or

"(d) that adequate State funds are not being provided annually for the direct administration of the State plan,

the Surgeon General may forthwith notify the State agency that—

"(e) no further payments will be made to the State under this part, or

"(f) no further payments will be made from the allotments of such State from appropriations under any one or more subparagraphs or paragraphs of section 601, or for any project or projects, designated by the Surgeon General as being affected by the action or inaction referred to in paragraph (a), (b), (c), or (d) of this section,

as the Surgeon General may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments may be withheld, in whole or in part, until there is no longer any failure to comply (or carry out the assurance or plans and specifications or provide adequate State funds, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

"Judicial review

"SEC. 608. (a) If the Surgeon General refuses to approve any application for a project submitted under section 605 or section 610, the State agency through which such application was submitted, or if any State is dissatisfied with his action under section 607 such State may appeal to the United States court of appeals for the circuit in which such State is located, by filing a petition with such court within sixty days after such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Surgeon General, or any officer designated by him for that purpose. The Surgeon General shall thereupon file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Surgeon General or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Surgeon General may modify or set aside his order.

"(b) The findings of the Surgeon General as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Surgeon General to take further evidence, and the Surgeon General may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The judgment of the court affirming or setting aside, in whole or in part, any action of the Surgeon General shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Surgeon General's action.

"Recovery

"SEC. 609. If any facility with respect to which funds have been paid under section 606 shall, at any time within twenty years after the completion of construction—

"(a) be sold or transferred to any person, agency, or organization (1) which is not qualified to file an application under section 605, or (2) which is not approved as a transferee by the State agency designated pursuant to section 604, or its successor, or

"(b) cease to be a public health center or a public or other nonprofit hospital, diagnostic or treatment center, facility for long-term care, or rehabilitation facility, unless the Surgeon General determines, in accordance with regulations, that there is good cause by releasing the applicant or other owner from this obligation,

the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a facility which has ceased to be public or nonprofit, from the owners thereof) an amount bearing the same ratio to the then value (as determined by the agreement of the parties or by action brought in the district court of the United States for the district in which the facility is situated) of so much of the facility as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction or modernization under such project or projects. Such right of recovery shall not constitute a lien upon said facility prior to judgment.

"Loans for construction or modernization of hospitals and other medical facilities

"SEC. 610.(a) In order further to assist the States in carrying out the purposes of this title, the Surgeon General is authorized to make a loan of funds to the applicant for any project for construction or modernization which meets all of the conditions specified for a grant under this part.

"(b) Except as provided in this section, an application for a loan with respect to any project under this part shall be submitted, and shall be approved by the Surgeon General, in accordance with the same procedures and subject to the same limitations and conditions as would be applicable to the making of a grant under this part for such project. Any such application may be approved in any fiscal year only if sufficient funds are available from the allotment for the type of project involved. All loans under this section shall be paid directly to the applicant.

"(c)(1) The amount of a loan under this part shall not exceed an amount equal to the Federal share of the estimated cost of construction or modernization under the project. Where a loan and a grant are made under this part with respect to the same project, the aggregate amount of such loan and such grant shall not exceed an amount equal to the Federal share of the estimated cost of construction or modernization under the project. Each loan shall bear interest at the rate arrived at by adding one-quarter of 1 per centum per annum to the rate which the Secretary of the Treasury determines to be equal to the current average yield on all outstanding marketable obligations of the United States as of the last day of the month preceding the date the application for the loan is approved and by adjusting the result so obtained to the nearest one-eighth of 1 per centum. Each loan made under this part shall mature not more than forty years after the date on which such loan is made, except that nothing in this part shall prohibit the payment of all or part of the loan at any time prior to the maturity date. In addition to the terms and conditions provided for, each loan under this part shall be made subject to such terms, conditions, and covenants relating to repayment of principal, payment of interest, and other matters as may be agreed upon by the applicant and the Surgeon General.

"(2) The Surgeon General may enter into agreements modifying any of the terms and conditions of a loan made under this part whenever he determines such action is necessary to protect the financial interest of the United States.

"(3) If, at any time before a loan for a project has been repaid in full, any of the events specified in clause (a) or clause (b) of section 609 occurs with respect to such project, the unpaid balance of the loan shall become immediately due and payable by the applicant, and any transferee of the facility shall be liable to the United States for such repayment.

"(d) Any loan under this part shall be made out of the allotment from which a grant for the project concerned would be made. Payments of interest and repayments of principal on loans under this part shall be deposited in the Treasury as miscellaneous receipts.

"PART B—GENERAL

"Federal hospital council and advisory committees

"SEC. 621. (a) In administering this title, the Surgeon General shall consult with a Federal Hospital Council consisting of the Surgeon General, who shall serve as Chairman ex officio, and twelve members appointed by the Secretary of Health, Education, and Welfare. Six of the twelve appointed members shall be persons who are outstanding in fields pertaining to medical facility and health activities, and three of these six shall be authorities in matters relating to the operation of hospitals or other medical facilities, one of them shall be an authority in matters relating to the mentally retarded, and one of them shall be an authority in matters relating to mental health, and the other six members shall be appointed to represent the consumers of services provided by such facilities and shall be persons familiar with the need for such services in urban or rural areas.

"(b) Each appointed member shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. An appointed member shall not be eligible to serve continuously for more than two terms (whether beginning before or after enactment of this section) but shall be eligible for reappointment if he has not served immediately preceding his reappointment.

"(c) The Council shall meet as frequently as the Surgeon General deems necessary, but not less than once each year. Upon request by three or more members, it shall be the duty of the Surgeon General to call a meeting of the Council.

"(d) The Council is authorized to appoint such special advisory or technical committees as may be useful in carrying out its functions.

"(e) Appointed Council members and members of advisory or technical committees, while serving on business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, but not exceeding $75 per day, including travel time, and, while so serving away from their places of residence, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"Conference of State agencies

"Sec. 622. Whenever in his opinion the purposes of this title would be promoted by a conference, the Surgeon General may invite representatives of as many State agencies, designated in accordance with section 604, to confer as he deems necessary or proper. A conference of the representatives of all such State agencies shall be called annually by the Surgeon General. Upon the application of five or more of such State agencies, it shall be the duty of the Surgeon General to call a conference of representatives of all State agencies joining in the request.

"State control of operations

"Sec. 623. Except as otherwise specifically provided, nothing in this title shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any facility with respect to which any funds have been or may be expended under this title.

"Studies and demonstrations relating to coordinated use of hospital facilities

"Sec. 624. (a) The Surgeon General is authorized to conduct research, experiments, and demonstrations relating to the effective development and utilization of services, facilities, and resources of hospitals or other medical facilities and, after consultation with the Federal Hospital Council, to make grants-in-aid to States, political subdivisions, universities, hospitals, and other public and nonprofit private institutions or organizations for projects for the conduct of research, experiments, or demonstrations relating to the development, utilization, and coordination of services, facilities, and resources of hospitals or other medical facilities, agencies, or institutions, and including the construction of units of hospitals or other medical facilities which involve experimental architectural designs or functional layout, the efficiency or economy of which can be tested and evaluated, or the demonstration thereof, and projects for acquisition of experimental or demonstration equipment for use in connection with hospitals or other medical facilities. Any award for any such project made from an appropriation under this section for any fiscal year may include such amounts as the Surgeon General determines to be necessary for succeeding fiscal years for completion of the Federal participation in the project as approved by the Surgeon General. Payments of any such grant may be made in advance or by way of reimbursement, and in such installments, as may be determined by the Surgeon General; and shall be made on such conditions as the Surgeon General finds necessary to carry out the purposes of this section. A grant under this section with respect to any project for construction of a facility or for acquisition of equipment (1) may not exceed $500,000, and (2) except where the Surgeon General determines that unusual circumstances make a larger percentage necessary in order to effectuate the purposes of this section, may not exceed 50 per centum of so much of the cost of such facility or such equipment as the Surgeon General determines is reasonably attributable to experimental or demonstration purposes. The provisions of clause (5) of the third sentence of subsection (a) of section 605 and any other provisions of such section which the Surgeon General deems appropriate shall be applicable, along with such other conditions as the Surgeon General may determine, to grants under this section for projects for construction or for acquisition of equipment. There is authorized to be appropriated not to exceed $10,000,000 for any fiscal year to carry out the provisions of this section.

"(b) If, within twenty years after completion of any construction for which funds have been paid under this section—

"(1) the applicant or other owner of the facility shall cease to be a public or other nonprofit institution or organization, or

"(2) the facility shall cease to be used for the purposes for which it was constructed or for the provision of hospital or other services for which construction projects may be approved under this title (unless the Surgeon General determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so),

the United States shall be entitled to recover from the applicant or other owner of the facility an amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility. Such right of recovery shall not constitute a lien on such facility prior to judgment.

"Definitions

"Sec. 625. For the purposes of this title—

"(a) The term 'State' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia.

"(b) The term 'Federal share' with respect to any project means the proportion of the cost of construction of such project to be paid by the Federal Government, determined as follows:

"(1) With respect to projects for which grants are made from allotments made from appropriations under paragraph (b) of section 601, the Federal share shall be whichever of the following the State elects:

"(A) the share determined by the State agency in accordance with standards, included in the State plan, which provide equitably for variations between projects on the basis of objective criteria related to the economic status of areas and, if the State so elects, such other factor or factors as may be appropriate and be permitted by regulations, except that such standards may not provide for a Federal share of more than 66⅔ per centum, or less than 33⅓ per centum, or

"(B) the amount (not less than 33⅓ per centum and not more than either 66⅔ per centum or the State's allotment percentage, whichever is lower) established by the State agency for all projects in the State;

"(2) With respect to projects for which grants are made from allotments made from appropriations under paragraph (a) of section 601, the Federal share shall be whichever of the following the State elects:

"(A) the share determined by the State agency in accordance with the standards, included in the State plan, and meeting the requirements set forth in subparagraph (A) of paragraph (1),

"(B) the amount (not less than 33⅓ percentum and not more than either 66⅔ per centum or the State's allotment percentage, which ever is lower) established by the State agency for all projects in the State, or

"(C) 50 per centum of the cost of construction of the project.

The State agency shall, prior to the approval by it, under the State plan approved under part A, of the first project in the State during any fiscal year, give written notification to the Surgeon General of the Federal share which it has elected pursuant to paragraph (1), and the Federal share which it has elected pursuant to paragraph (2), of this subsection for projects in such State to be approved by the Surgeon General during such fiscal year, and such Federal share or shares for projects in such State approved by the Surgeon General during such fiscal year shall not be changed after approval of such first project by the State.

"(c) The term 'hospital' includes general, tuberculosis, and other types of hospitals, and related facilities, such as laboratories, out-patient departments, nurses' homes and training facilities, and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

"(d) The term 'public health center' means a publicly owned facility for the provision of public health services, including related publicly owned facilities such as laboratories, clinics, and administrative offices operated in connection with such a facility.

"(e) The term 'nonprofit' as applied to any facility means a facility which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"(f) The term 'diagnostic or treatment center' means a facility for the diagnosis or diagnosis and treatment of ambulatory patients—

"(1) which is operated in connection with a hospital, or

"(2) in which patient care is under the professional supervision of persons licensed to practice medicine or surgery in the State, or, in the case of dental diagnosis or treatment, under the professional supervision of persons licensed to practice dentistry in the State.

"(g) The term 'rehabilitation facility' means a facility which is operated for the primary purpose of assisting in the rehabilitation of disabled persons through an integrated program of—

"(1) medical evaluation and services, and

"(2) psychological, social, or vocational evaluation and services,

under competent professional supervision, and in the case of which—

"(3) the major portion of the required evaluation and services is furnished within the facility; and

"(4) either (A) the facility is operated in connection with a hospital, or (B) all medical and related health services are prescribed by, or are under the general direction of, persons licensed to practice medicine or surgery in the State.

"(h) The term 'facility for long-term care' means a facility providing in-patient care for convalescent or chronic disease patients who require skilled nursing care and related medical services—

"(1) which is a hospital (other than a hospital primarily for the care and treatment of mentally ill or tuberculous patients) or is operated in connection with a hospital, or

"(2) in which such nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to practice medicine or surgery in the State.

"(i) The term 'construction' includes construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings (including medical transportation facilities); including architects' fees, but excluding the cost of off-site improvements and, except with respect to public health centers, the cost of the acquisition of land.

"(j) The term 'cost' as applied to construction or modernization means the amount found by the Surgeon General to be necessary for construction and modernization respectively, under a project, except that such term, as applied to a project for modernization of a facility for which a grant or loan is to be made from an allotment under section 602(a)(2), does not include any amount found by the Surgeon General to be attributable to expansion of the bed capacity of such facility.

"(k) The term 'modernization' includes alteration, major repair (to the extent permitted by regulations), remodeling, replacement, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

"(l) The term 'title', when used with reference to a site for a project, means a fee simple, or such other estate or interest (including a leasehold on which the rental does not exceed 4 per centum of the value of the land) as the Surgeon General finds sufficient to assure for a period of not less than fifty years' undisturbed use and possession for the purposes of construction and operation of the project."

(b) The amendment made by subsection (a) shall become effective upon the date of enactment of this Act, except that—

(1) all applications approved by the Surgeon General under title VI of the Public Health Service Act prior to such date, and allotments of sums appropriated prior to such date, shall be governed by the provisions of such title VI in effect prior to such date;

(2) allotment percentages promulgated by the Surgeon General under such title VI during 1962 shall continue to be effective for purposes of such title as amended by this Act for the fiscal year ending June 30, 1965;

(3) the terms of members of the Federal Hospital Council who are serving on such Council prior to such date shall expire on the date they would have expired had this Act not been enacted;

(4) the provisions of the fourth sentence of section 636(a) of the Public Health Service Act, as in effect prior to the enactment of this Act, shall apply in lieu of the fourth sentence of section 644(a) of the Public Health Service Act, as amended by this Act, in the case of any project for construction of a facility or for acquisition of equipment with respect to which a grant for any part thereof or for planning such construction or equipment was made prior to the enactment of this Act;

(5) no application with respect to a project for modernization of any facility in any State may be approved by the Surgeon General, for purposes of receiving funds from an allotment under section 602(a)(2) of the Public Health Service Act, as amended by this Act, before July 1, 1965, or before such State has had a State plan approved by the Surgeon General as meeting the requirements of section 604(a)(4)(E) as well as the other requirements of section 604 of such Act as so amended.

Mr. HARRIS (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, and that it be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. Are there any committee amendments?

AMENDMENT OFFERED BY MR. HARRIS

Mr. HARRIS. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

> Amendment offered by Mr. HARRIS: On page 100, line 15, strike out "644(a)" and insert in lieu thereof "624(a)".

Mr. HARRIS. Mr. Chairman, this is purely a typographical error in the bill, and this amendment is for the purpose of correcting that error.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. HARRIS].

The amendment was agreed to.

The CHAIRMAN. The question is on the committee substitute amendment to the bill.

The committee substitute amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. VANIK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10041) to improve the public health through revising, consolidating, and improving the hospital and other medical facilities provisions of the Public Health Service Act, pursuant to House Resolution 715, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD on the bill H.R. 10041, just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

VIETNAM

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter from the Secretary of the Air Force.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, there has been much comment about the use of outmoded or obsolete aircraft in Vietnam. Unfortunately, these statements are ill founded. They miss the mark a country mile. The aircraft which have been used in Vietnam are those which are best suited for the job to be done. They were chosen for that reason. And, each of them was overhauled and brought into first-class condition before being used.

A letter from Secretary of the Air Force Eugene M. Zuckert, to the Honorable CARL VINSON, chairman of the House Armed Services Committee, dated May 13, 1964, brings out these facts in detail. This letter has been made public, and I can see no justification for the continuing criticisms which simply help to magnify a news story that happened to make headlines.

The men who are doing the fighting know that among all the planes we have, these are best for the job to be done for the mission in Vietnam. They are simple to maintain and particularly well adapted to operating from undeveloped airfields. The requirement in Vietnam simply is not one where high-proficiency aircraft, such as advanced jets, are best fitted.

One paragraph in particular from Secretary Zuckert's letter is worthy of consideration. He stated:

> In Vietnam, our pilots have performed with marked skill and valor. Other Air Force men have contributed importantly to training the Vietnamese in radar, weather operations, photo processing, and air transport. For the mission assigned the T-28 and B-26 aircraft have also performed outstandingly. Maintenance rates for these aircraft, under hard circumstances, have been comparable with the Air Force average. The ordnance employed—primarily rockets, conventional bombs, and napalm—has given satisfactory performance, with expected reliability standards achieved.

Through the use of these aircraft, it is possible for air cover and air scrutiny to be maintained for long hours over designated target areas. Slower speed provides closer ground support and more careful scrutiny of ground targets but without undue vulnerability to Vietcong weapons. Importantly, the casualty rates are low.

The Air Force knows what it is doing. A copy of Secretary Zuckert's letter is attached for reprinting in the RECORD:

DEPARTMENT OF THE AIR FORCE,
Washington, May 13, 1964.

Hon. CARL VINSON,
Chairman, Committee on Armed Services, House of Representatives.

DEAR MR. CHAIRMAN: Before he departed on his trip overseas, Secretary McNamara asked me to reply to your letter of May 5, to him, inquiring about equipment provided by the United States and used in the Republic of Vietnam. As indicated below, this equipment was selected with precise mission suitability in view, was carefully tested and improved prior to use in Vietnam, and has performed outstandingly ever since its assignment there.

Our country is committed to advising and training the Vietnamese for their fight against the Communist insurgency which seeks to take away their freedom. It is the Vietnamese who will determine the outcome, and the equipment we provide must fit their needs and skills. The war is being fought in a less developed land, where equipment must be suited to both the job and the facilities, and able to meet the unique problems encountered.

Any discussion of U.S. Air Force activities in Vietnam must begin with the activation of the Special Air Warfare Force which was started in 1961 to assist in countering Communist-inspired insurgencies. From this force was developed the 1st Air Commando Squadron which was deployed in Vietnam in November of the same year. Its mission then, as now, was to advise and train the Republic of Vietnam Air Force (VNAF). As a key element of this training function, American pilots in the squadron began at that time to fly the operational training missions which they continue to fly so effectively and bravely today.

When the Special Air Warfare Forces were organized, they were equipped with B-26 and T-28 aircraft because of the particular suitability of these aircraft to the Vietnamese environment and the mission at hand there. Both aircraft were relatively simple to maintain, and were particularly well adapted to operating from undeveloped airfields.

Prior to being dispatched to Vietnam, the B-26 and T-28 aircraft were modified for combat operations, inspected, given major overhaul, and brought to "like new" condition.

At a cost in excess of $3 million, 31 T-28 aircraft were modified and overhauled as follows:

(a) Wing modification to assure structural integrity at 10,400 pounds maximum gross weight (increased from 7,000 pounds).

(b) Installation of self-sealing fuel tanks.

(c) Installation of six "hard points" on wing on which to carry ordnance (bomb racks for 500-, 250-, 150-pound bombs, automatic gun chargers, gun pods for M-3 50-caliber machineguns, 2.75 rockets).

(d) Complete airframe overhaul, including corrosion control and repaint.

(e) Beefed up engine firewall to accommodate the H-1820-86 1,425-horsepower engine.

(f) Beefed up the nosewheel steering and the wheel assembly for rough terrain operation.

(g) Armorplate installed on seats and floor.

To validate the load-carrying capabilities of this aircraft for both the 3,000 and 4,000 pounds external load capacity wing, two wing static tests were accomplished at an additional cost of more than $1 million.

At a cost in excess of $5 million, 41 B-26 aircraft were modified and overhauled at Ogden air materiel area as follows:

(a) Complete airframe and engine overhaul.

(b) Replacement of all tubing and wiring.

(c) Replacement of fuel cells.

(d) Corrosion treatment.

(e) Removal and inspection of all wing attachment fittings. Inspection of the wing structure, ribs, stringers, and wing bulkheads for cracks, missing rivets, corrosion and repair as required.

(f) Propellers replaced.

(g) All armament was checked for condition, security, and serviceability.

(h) Flight tests were conducted by qualified personnel. Discrepancies noted were corrected.

Like the equipment, the men being assigned to Vietnam have received special attention. All pilots of the 1st Air Commando Squadron undergo an intensive 60-day training course at Hurlburt Air Force Base. The proficiency of all pilots is carefully evaluated. Each must meet and pass inspection by a special standardization board established to insure crew proficiency. When these men are sent to Vietnam, they are ready for the assignment.

The tour for pilots in South Vietnam has been increased within the past year from 6 to 12 months. During a 12-month tour a pilot will normally fly approximately 100-150 operational training sorties. Neither the length of the tour nor the number of sorties flown is considered excessive. To date the Air Force has experienced 19 fatalities in T-28 and B-26 aircraft resulting from actions by hostile forces and 6 fatalities in these aircraft from other causes. Three men are missing in action.

In Vietnam, our pilots have performed with marked skill and valor. Other Air Force men have contributed importantly to training the Vietnamese in radar, weather operations, photo processing, and air transport. For the mission assigned, the T-28 and B-26 aircraft have also performed outstandingly. Maintenance rates for these aircraft, under hard circumstances, have been comparable with the Air Force average. The ordnance employed—primarily rockets, conventional bombs, and napalm—has given satisfactory performance, with expected reliability standards achieved.

In 1962 the 1st Air Commando Squadron supported the VNAF with an average of 375 operational training sorties per month. In 1963 this support was increased to an average of 750 sorties per month. During the 4,500 sorties flown in 1962, 4 strike aircraft were lost to hostile action; during the 9,000 sorties flown in 1963, 9 strike aircraft were lost. Due to the increased effectiveness of Vietcong antiaircraft fire, 6 aircraft have been lost to hostile action so far this year.

In three of these cases, one in 1963 and two in 1964, the precise cause of loss is not known, but it is possible that structural failure may have been a contributing factor. However, there is no positive evidence of T-28 structural failure within design limits. In one case, structural failure in a wing may have occurred as a result of extremely high stresses in excess of design limits during pullup by a T-28 in an attack on a heavily defended target. In the other two cases, it was impossible to determine the specific cause because efforts to obtain the entire wreckage were not successful, but ground fire was experienced in both cases.

In addition, five aircraft, two B-26's and three T-28's, were lost to causes other than hostile action. Of the two B-26's, one indicated structural failure. The aircraft had been repaired for control difficulties. During the subsequent test flight, the tail section failed. Investigation indicated the aircraft was overstressed in flight. The other B-26 went down on a photo mission in deep water and the cause is unknown. The T-28 noncombat incidents are not attributable to structural failure.

The B-26 has been used for reconnaissance and bombardment, and has clearly demonstrated its effectiveness. However, as a result of the accident investigation of B-26 crash in February of this year at Hurlburt Air Force Base, Fla., which gave the first positive evidence of an accident resulting from structural failure, immediate action was taken restricting the flying of the aircraft. All of the B-26's have now been withdrawn from operational flying throughout the world, to permit additional modification.

The USAF initiated action in September 1963 to modify A-1E aircraft to replace the T-28 aircraft. The modifications involved extensive engineering and complete overhaul, which have been carried out as quickly as possible. The replacement of T-28's was programed to occur as the VNAF transitioned from T-28 to A-1H aircraft, the single-seater counterpart of the A-1E. The first A-1E aircraft are en route now and will arrive in Vietnam early in June.

The overall effectiveness of our Air Force's support of VNAF operations has become very clear:

First, by virtue of air operations the Vietcong do not enjoy their former freedom of movement.

Second, in the absence of roads, the air capability has provided a timely and vital communications asset.

Third, air cover of convoys and trains has reduced Vietcong ambushes.

Fourth, airpower now provides Vietnamese villages with a measure of security from Vietcong surprise attacks that could previously be resisted only passively or ineffectively.

Fifth, attacks on villages, day or night, frequently cease with the arrival of aircraft overhead.

Sixth, one characteristic of guerrilla operations is that initiative lies largely in the hands of the insurgents. Flexibility and speed of response are essential to counter this. Particularly in the Vietnamese environment, airpower offers a critical equalizing measure.

If you have any further questions, I would be pleased to provide any additional information you may desire.

Sincerely,

EUGENE M. ZUCKERT.

NORMAN REDLICH AND THE WARREN COMMISSION

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. JOHANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, one can only wish that the Warren Commission—named to investigate the assassination of President Kennedy—had as much gumption and good judgment as Norman Redlich has gall.

Redlich is a professor of law at New York University. Since December 20 of last year he has been a $100-a-day legal consultant to the Warren Commission. Meanwhile he has continued to lend his name and support to Communist front groups—a practice he began 9 years ago.

Redlich has maintained his membership on the National Council—the governing body—of the Emergency Civil Liberties Committee—identified by two congressional committees and FBI Director J. Edgar Hoover as a Communist front.

His name appeared on an April 13, 1964, New York Times advertisement, lauding the work of the ECLC and soliciting funds for its support. Formation of the Emergency Civil Liberties Committee—not to be confused with the American Civil Liberties Union—was announced in October 1951 by the Communist Daily Worker. It serves, among other things, as a propaganda and legal defense arm for Communists.

Redlich's name also appears on ads published in the December 21, 1963, Nation and the February 1964 Frontier. These ads solicit funds for legal defense of three youths indicted by a Federal grand jury last September for illegal travel to Cuba as guests of Castro's Government and for "conspiring illegally to organize and promote a trip to Cuba in violation of U.S. travel laws."

Early last year this man Redlich, who is now "helping" the Warren Commission investigate the assassination of President Kennedy—by a self-styled Marxist, 3-year defector to Soviet Russia, and member of the Fair Play for Cuba Committee—joined in a statement protesting hearings of the House Committee on Un-American Activities on violations of State Department travel regulations and pro-Castro propaganda activities in the United States.

Also since joining the Warren Commission staff, Redlich's name was carried in the February 21, 1964, Abolition News, the bulletin of the National Committee to Abolish the House Un-American Activities Committee, as one of the organization's sponsors. Seven of the 13 top leaders of this organization are identified Communists.

Because the Warren Commission has followed a "hire first, investigate later" policy, it was not until last week that it got around to reviewing the report on an investigation of Redlich. And the Commission then cleared him for the duties he has been carrying on since December 20—including access to classified material.

The Commission cleared Redlich on the grounds that there was no evidence of actual Communist Party membership. Standard government security criteria include many other disqualifying factors—among them "unsuitability and pressure risk" and "sympathetic association with subversive individuals or groups."

The Commission, incidentally, rejected a motion by Congressman Gerald R. Ford of Michigan—one of its members—to terminate Redlich's employment.

Last Feburary the Commission chairman, Chief Justice Warren, told reporters that "because of security precautions, some of the testimony might not be released to the public within their lifetimes."

The Commission's laxity in the Redlich matter makes a mockery of "security precautions."

At the time of the Warren statement, I warned in a House speech that "public confidence is a very fragile thing."

By its hiring and retaining Norman Redlich, the Commission has shown about as much concern for public confidence as a clumsy and careless baggageman does for the "handle with care" labels.

Blundering is not treason, by any stretch of the imagination. But it can be just as fatal—both to public confidence and to national security.

JOINT CONFERENCE ON MENTAL RETARDATION

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, mental retardation is a grave national problem. Much has been accomplished in the treatment of mental health, but much remains to be done. On Friday, April 3, a Joint Conference on Mental Retardation was held in Concord, N.H., sponsored by the New Hampshire Council for Retarded Children and the Division of Mental Health of the New Hampshire Department of Health and Welfare.

It was my pleasure to attend this meeting and to bring the conference up-to-date on the important and far-reaching legislation which was passed in the first session of the 88th Congress to help combat the problem of mental retardation. I am proud that New Hampshire was one of the very first States to file an application to participate in the new programs. The New Hampshire application, prepared under the leadership of Dr. Shao-Chi Yu, New Hampshire Director of Mental Health, has been adjudged as an excellent one—one which may well serve as a prototype for other applications.

The legislation which Congress passed will do much to assist the problem of mental retardation, but much remains to be done. The tools have been supplied, but we now must get trained people and put the programs to work. The need for initiative and energy at the local level is great. The mere passage of Federal laws does not solve the problem, although it does help.

This was one of the most successful meetings of its kind ever held. There were more than 500 people in attendance, a fine tribute to the excellent job done by my friend and constituent, Gloria R. Murray of Peterborough, chairman of the conference, and her husband, Fred E. Murray, vice president of the New Hampshire Council for Retarded Children. Harold C. Ladam of Keene, the dedicated president of the New Hampshire Council, is also a friend and constituent. All are long-time leaders in New Hampshire's efforts to combat mental retardation.

Among the featured speakers at the Conference were: Samuel Kaminsky, associate executive director of the National Association for Retarded Children; Dr. William F. Windle, research professor, New York University Medical Center; and Dr. Stafford L. Warren, special assistant to the President on Mental Retardation.

New Hampshire Gov. John King and U.S. Senator Thomas McIntyre also addressed the conference.

Other participants in the day-long program were: James J. Barry, commissioner, New Hampshire Department of Health and Welfare; Rev. Hartley T. Grandin, executive secretary, New Hampshire Council of Churches; Conrad A. Cote, vice president, New Hampshire Council for Retarded Children; Dr. Yu; Charles C. Davie, mayor of Concord; Dr. Jackson Wright, president, New Hampshire Medical Society; Dr. Mary M. Atchison, director of public health, New Hampshire Department of Health and Welfare; Dr. Ursula G. Sanders, director, Child Health and Crippled Children's Services; Dr. Walter St. Clair, psychologist, Veterans' Administration Hospital; Paul E. Farnum, commissioner, New Hampshire Department of Education; Dr. Elsworth Tracy; Mrs. Frances P. Fitzgerald, executive secretary, New Hampshire Easter Seal Agency; Dr. Cairbre McCann, medical director, Crotched Mountain Foundation; Arthur E. Toll, superintendent, Laconia State School; Jere Chase, vice president, University of New Hampshire; Dr. David Sarner, dean of instruction, Keene State College; and Rev. Dennis O'Leary.

Mr. Kaminsky made some remarks of special significance to the general public which I would like to share with my colleagues. Excerpts from his address follow:

EXCERPTS OF REMARKS BY SAMUEL KAMINSKY

As we look at the total spectrum of the community, national, State, and local, we find planning bodies have been organized to help determine and differentiate the responsibilities at various levels. Lest you think this an easy task one only has to glance at the President's Panel report and notice the latitude that is allowed in terms of planning, especially at the local level where different kinds of dispersed, centralized or decentralized, and coordinated efforts are mentioned. Political structure and attitude, population and population distribution, extent and kind of economy, structure of governmental services, are elements that always must be taken into consideration before attempting to plan to meet our various responsibilities to the retarded.

Whether we represent a national, State, or local association our major purpose should be synonymous—that of promoting the general welfare of the mentally retarded of all ages everywhere: at home, in the communities, in the institutions and in public, private, and religious schools, and last but not least, to alleviate or prevent mental retardation in children yet unborn. The problem then is one of trying to meaningfully participate in a plan of action that will change these words from an abstract statement of principle into reality represented by concrete services.

BASIC NEEDS

We might begin by asking ourselves the question: What is the first ingredient necessary to bring about needed services for the retarded? I do not profess to be an authority on this question but I would just about be willing to gamble on the answer resting somewhere in the area of an informed, interested, and willing public. If this is true we can then begin with our first responsibility—that of informing the body politic of basic facts about causes, needs, and methods of treatment for the mentally retarded.

Another basic principle very much in the limelight at the present time is that of emphasizing the necessity for interdepartmental or interagency planning and programing for the retarded. This is coupled with the focus on a continuum of care and services which permits an individual to move with ease from one type of service to another while maintaining at all times the proper attention to his unique requirements. As the President's Panel report indicates: The ongoing process of assuming that an individual receives the services he needs when he needs them and in the amount and variety he requires is the essence of planning and coordination.

PRESENT LACK OF SERVICES

That not many communities come anywhere near offering the total program of services needed by the retarded is a fact that speaks for itself. Recent statistics indicate that less than 25 percent of the retarded who need special education services are receiving them. Only a small percentage are receiving vocational training or employment services. The basic design of many of our programs is not geared toward modern thinking with regard to techniques and research activities that will stimulate program improvement.

ROLE OF ASSOCIATION

Since the purpose is to promote the welfare of the mentally retarded the role of our associations is to individually and collectively stimulate community action to benefit the retarded. This means that we must be prepared to assist in planning new services to help organize public and legislative support for both local and State programs, to initiate demonstration projects which illustrate to the community where the greatest lacks remain. In this respect our greatest challenge is to incorporate from the past that which will enrich the present and aid in coping with the future, keeping in mind at all times, the dynamic and changing nature of our needs and altering the services to meet these needs.

COMMUNITY PROGRESS

To be effective a comprehensive community program designed to meet the needs of the retarded must be closely coordinated. There is a lot of talk these days about coordination but believe me it is still hard to find truly coordinated efforts. As far back as 1956 at a conference of the Northeastern States held under the auspices of the Council of State Governments a formal resolution recommended that the council consider methods of coordinating the activities of Federal, State, and local agencies among themselves in programs of research, training, and treatment of mentally retarded persons. This was followed by a national conference called by the Council of State Governments in 1958 at which time after exhaustive discussion, the conference agreed that the problems of the mentally retarded are not and cannot be the sole responsibility of any one department of State government. They are important concerns of several departments and require a multiple coordinated attack.

This blueprint for dealing with the needs of the mentally retarded was concurred in by the President's Panel on Mental Retardation in its report to President Kennedy in October 1962 in which it stated: "Each State should make arrangements through such means as an interdepartmental committee, council or board for the joint planning and coordination of State services for the mentally retarded, the Panel went further and added the following * * * in addition to interagency committees, public advisory committees broadly representative of interested lay and professional groups have proved valuable in helping to develop and advise on how to carry out comprehensive programs. In effect what was being said was that community planning cannot be solely from the top down or from the bottom up. It must involve a combination of both professional and volunteer participation and must utilize the maximum resources of both.

RESEARCH

I could not possibly leave the subject of community responsibility and planning without mentioning research. On Monday of this week the New York Times carried a report of a Rockefeller Institute scientist who succeeded in isolating a single gene and transplanting it to another cell thereby altering the trait of the cell. While the extent to which this development will find application eventually in biological research is uncertain, of one thing we are certain: The benefits of research and the promises it holds for the future in terms of prevention as well as new methods of care and treatment appear limitless.

PLANNING

In planning to meet our responsibilities we can expect to meet many obstacles. We should not be surprised because we have faced them before and many times have overcome them. For instance we know the difficulties in trying to plan for such a heterogeneous group as the retarded especially when many have been labeled with inappropriate classifications that do not reflect their true potential. We also know that we still suffer somewhat from the lack of a common language and a common body of knowledge from which to draw and we are certainly aware of such things as the cultural lag between our changing philosophy toward the retarded and the readiness of communities to support needed services. We are aware also of the lack of understanding among many professionals that the retarded can profit from their services, of the demands and priorities of special interest groups, and the lack of skilled manpower and finances to back basic community services.

With the changing focus we are becoming aware of new problems such as those brought about by the shift to modern urban life and the various complexities involved; of the interagency struggles to either gain or evade power and control of the lack of administrative structures or mechanisms to insure vital communication, cooperation and coordination, and of the complexity of a process that involves so many interrelated and interdependent programs.

IN CONCLUSION

We do not expect utopia in the community of the future. Our realistic goals are this side of utopia. Democracy offers only simple human dignity with no reward except the opportunity to go on working. When Solon, the great lawgiver was asked, "What is the essential ingredient of the ideal community?" he replied, "When those who have not been injured become as indignant as those who have."

LONG ISLAND YOUTHS SHOW ACTIVE INTEREST IN SPACE AGE

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WYDLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WYDLER. Mr. Speaker, I am proud that the Fourth Congressional District of New York is part of Long Island, which may be truly thought of as the "cradle of aviation." It was from Roosevelt Field, Nassau County, in my congressional district, that Charles A. Lindbergh took off on his historic flight to Paris.

Therefore, I am particularly pleased to report that in the coming space age there are signs that Long Island will again play a leading role.

Recently, two fine young men from Plainedge High School were selected by the U.S. Army to demonstrate a homemade two-stage rocket at Fort Sill, Okla. These two men, Stephen Codish and Geoffrey Sheridan, both 17 years old, are examples of the best in American youth today—imaginative, resourceful, and with the ability to turn dreams into reality.

It was my pleasure to meet these two young men at a special assembly in the Plainedge High School. Addressing their classmates, I explained how proud I was, as the Congressman of the Fourth Congressional District, to have these young men in our district and how they were helping it to really be the "Fabulous" Fourth Congressional District.

The fact that the actual firing was only partially successful does not detract from the adventure. Both Steve and Geoffrey immediately informed me by telegram of that fact. Shortly thereafter an account appeared in Newsday by Pat Patterson and it tells the story well. It went as follows:

> The homemade rocket went bang—and with it the hopes of two 17-year-old Plainedge High School seniors who demonstrated their brand of rocketry for the Army over the weekend.
>
> "We were disappointed that it didn't work," said Stephen Codish, who with his schoolmate, Geoffrey Sheridan, traveled to Fort Sill, Okla., to fire their two-stage rocket for the Army. The rocket performed well in the first stage, climbing to 1,375 feet with a 100-pound payload, Stephen said, but exploded in the second stage. "We're not exactly positive what went wrong. We don't know if everything just melted or the mercury switch failed to work," he said.
>
> The failure, said the two young scientists, came after a near-perfect liftoff. Oddly enough the malfunction which the boys believe caused the rocket to explode in its second phase was the system which drew the most praise from Army Engineers. "The Army was very impressed with the injection system," Codish said. "It depended upon our mercury switch. It had a new safety device which prevents false firing. The Army said it had never seen an injection system like the one we used," he added.
>
> The boys, who successfully launched a mouse in a one-stage orbit in Suffolk last year, said they used solid fuel of zinc and sulfur. "We may try again in August," said young Sheridan. "We would like to work on a rocket similar to this and maybe we can return to Fort Sill."
>
> Stephen and Geoffrey said they got the basic idea for their newest rocket from a rocket book for amateurs. They began experimenting on rocket projects 2 years ago and Saturday's venture was their first failure. "I don't think we knew enough about the two-stage rocket," Sheridan said in explaining Saturday's disappointment.
>
> Young Sheridan praised the Army facilities at the testing ground. "They really have a nice system there," he said. "They track the missile by radar and are able to retrieve it. They were really wonderful to us," he said.
>
> Codish said the Army Engineers estimated that if the second phase had been successful, the rocket would have reached a height of 6 miles. "And it carried a 42-pound (second stage) rocket," Codish said.
>
> Saturday's trip followed months of planning and effort by the parents of both boys and their teachers at Plainedge where both youngsters are majoring in mathematics and science. The Dad's Club of the school chipped in with $250 for the trip. The remaining $200 was earned by the boys themselves by raffling transistor radios and selling potato chips.
>
> Especially helpful, said the boys, was Mrs. Wilma Pokress, a teacher at the high school, who encouraged them in their project and gathered information for them on safe fuels to use. "Without her, we would have had quite a bit of trouble," they said.

Codish, who lives at 68 Windhorse Road, Bethpage, and Sheridan of 261 Pine Street, Massapequa, said they will enter Rensselaer Polytechnic Institute next fall. They plan a career in engineering.

On May 13 the two young men wrote me a letter explaining the event and most importantly that they have now started a rocket club in school. The letter said:

DEAR CONGRESSMAN: In answer to your letter of May 7, 1964, my partner and I are happy to tell you of our partial success.

We flew to Oklahoma from New York because of Fort Sill's outstanding equipment for rocket launchings. Our rocket was tracked by two radar systems and the Army made final calculations of range, thrust, speed, etc.

We obtained money through a raffle we held and through various organizations in our community. The greatest donation toward our $450 trip (including rocket expenses) was that of the Plainedge High School Dad's Club. Much help also came from teachers and neighbors. We have started a rocket club in our school so other students interested in rocketry can study it and gain some practical experience in aerodynamics, fuels, electronics, and general physics, chemistry, and mathematics.

The *Sphinx*, our 7½-foot rocket, was divided into two stages. The first stage carried the 42-pound second stage 1,375 feet up. The second stage was to be ignited by an electrical charge from a circuit completed by a mercury switch. When the rocket slowed down, the inertia of the mercury was to cause it to move up in its tube, connecting two wires which completed the circuit. For a reason of which we are not sure, this system failed to operate as expected. The Army engineers estimated the second stage would have attained an altitude of 6 miles.

Our electrical ignition system, with its safety features and checkpoints of original design, impressed the Army greatly. The general policy at Fort Sill, Okla., is not to allow electrical systems on amateur rockets. In spite of this policy, Army officials felt our system merited a trial.

Sincerely yours,

STEPHEN CODISH,
GEOFFREY SHERIDAN.

My sincere congratulations to these young men and their parents who inspired them. My congratulations to their teacher-sponsor, Mrs. Wilma Pokress; the head of the science depart, Mr. Earle Lloyd; and to the principal of the school, Dr. Martin Stader, who gave them direction. My congratulations, also, to all who gave financial aid and particularly to the Dad's Club of Plainedge High School.

THE 4-H CLUB ACTIVITIES IN MONTANA

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, it is my pleasure to insert in the CONGRESSIONAL RECORD for my colleagues to review the work of two very fine young people from my State of Montana, Marilyn Farris of Flathead County who wrote "Highlights of My 4-H Career and Their Role in My Future Career," and Charles Howard of Yellowstone County who wrote "4-H—Its Present and Future."

I recommend the reading to my colleagues.

HIGHLIGHTS OF MY 4-H CAREER AND THEIR ROLE IN MY FUTURE CAREER

(By Marilyn Farris, Flathead County, Mont.)

Many of the highlights of my 4-H career centered around many rewarding values; but yet there have been those highlights with values that have meant a great deal to my role in the future. Perhaps one of the greatest values I learned in my first years as a 4-H member is that of decisionmaking. From judging contests to my own club activities, I found out how to make these decisions and most important, why they were made. Such knowledge from an experience such as this prepared me with valuable knowledge for the future and the larger questions and decisions I would have to answer.

When the year came that I was old enough for the junior leadership project, I soon found that this was going to be one of the most rewarding projects, and one of the greatest highlights I would ever experience in my 4-H work. Of course, at the beginning I had a lot of new "tricks" to learn but I found that as I learned them, I was also helping someone else. Whether it was projects, record books, demonstrations, or 4-H camp, I knew that each time I helped one of those members I was helping them prepare for the future as well as taking a big step in that direction for myself, too.

Through helping members with demonstrations, I found this to be a great opportunity for teaching younger members the importance of public speaking, and also a chance for me to practice as well as share my knowledge and rewarding experiences with others. With record books, I showed members the importance of recordkeeping and stressed the importance of their use in the future as well as the present. I know as a member myself this was a great help to me in my future, too.

The greatest of all highlights of my 4-H career was that of being assistant leader and sometimes leader to a local 4-H club. As this club was near rockbottom, and it was my task to get them back on the road to rewards and success, I gained and strengthened my essential values to a great extent. My courage to face the bad with the good grew stronger each day, my values of leadership improved with each helping hand I gave, and the rewarding glows in the members' eyes gave me the want to face each task that presented itself before me.

Achievement awards, demonstration awards, judging awards, 4-H camps, State 4-H congress, and others all were great highlights and important roles during my 4-H years, but I know I will treasure always the rewards I received in junior leadership greatest of all because it had that "special something" that really prepared me for my career in extension work.

Once more I'm enjoying another year of 4-H work, but there are only a few more of these years left for me. But with the hopes of a career in extension work, I will never be very far away from the organization which has nearly been my career for almost 10 years.

The pages of memories will be full, but the goals of the future will have their sturdy foundation from the highlights and rewards of my 4-H work.

4-H—ITS PRESENT AND FUTURE

(By Charles Howard, Yellowstone County, Mont.)

One of the duties of a representative of a State 4-H club is to present a report of stewardship in that State. As one of the four selected to represent more than 13,300 4-H club members in Montana, I am happy for the privilege of presenting this report in which I shall try to outline the deeds, accomplishments, successes, failures, and needs of 4-H in our great State of Montana.

While Montana has had many "firsts," they were slow in adopting club work for the youngsters although a few dedicated school superintendents had made attempts to interest their pupils in a phase of club work as early as 1900. The passage of the Smith-Lever Act in 1914 probably marked the advent of concentrated club work in our State.

In the beginning, the projects were confined to corn, potatoes, and other vegetables. Montana, like other States, had become garden conscious through their war efforts to increase the world food supply by their war gardens and it was a natural transition into club projects. It was not until the 1920's that livestock, clothing, and breadmaking were added to the list of projects available for club work.

Though slow in starting, it was not long before Montana was bursting out at the seams in 4-H club activity. In 1920, we had 37 standard 4-H clubs. In 1921, the number of clubs had grown to 165. We are still stretching our resources to the limit. Today we number more than 13,300 members, all busily engaged in projects designed to fulfill the 4-H motto, "To Make The Best Better."

Each of these members is carrying one or more projects in which he, or she, is doing his very best, under supervision, to "Make the Best Better." Each of these 4-H members is not only concentrating on making his project the best possible but he is doing it under conditions which automatically enrich him in character building and good citizenship. He is learning to win and lose, give and take, live and let live, but above all enjoy his work knowing that he is putting his best effort into his project.

These projects vary in size from the baking of a loaf of bread to the raising and marketing of a grand champion bull but each, in its own way, is equally important. It is his, or her, project with nothing acceptable but the best.

Financially speaking, 4-H club projects have added considerably to the economy of our State. A minimum $25 for the average return of some 25,000 projects represents quite a bit of extra money available to 4-H club members for spending in our State.

Many of these smaller projects develop into larger projects as the years roll by. In my particular case, a motherless lamb, plus almost 10 years of careful supervision by my parents and 4-H leaders, is helping greatly toward paying the expenses of my college education.

Perhaps the least of the benefits of 4-H club work is the dollar and cents valuation. Montana 4-H is giving to the Nation some 13,300 useful citizens, who through their club efforts, have learned to live with people as well as themselves. They are learning many lessons in life that will make better communities as well as better individuals. In striving for perfection they attain a sense of character building unconsciously, which will be with them as long as they live.

No one will deny that the youth problem is one of the major factors in the development of our generation. The boy or girl of today is the citizen of tomorrow. On their shoulders will rest the cares of the world. The time, interest, understanding, and financial support given by our legislative bodies is going a long way toward preparing these young people for the carrying out of the 4-H club pledge, "I pledge my head to clearer thinking, my heart to greater loyalty, my hands to larger service, and my health to better living, for my club, my community and my country." Just as we have devoted our efforts to the "Making Best Things Better," we are asking our friends to continue their efforts toward the same goal. We are faced with the problems of population explosion. Every time that big white bird drops a bundle we add another to the list who will be a potential 4-H club member in 10 years. Our resources are stretched pretty thin now and there are many youngsters in our community that are badly in need of the benefits of 4-H club work. We are deeply grateful for the marvelous support we have received on National, State, and county levels.

We ask for this continued support. It will be the best investment that has been made since Manhattan was bought from the Indians for $24.

SECRETARY DILLON ADVISES EUROPEAN COUNTRIES TO REDUCE LONG-TERM INTEREST RATES

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. REUSS. Mr. Speaker, in an address before the 11th Annual International Monetary Conference of the American Bankers Association in Vienna, Austria, on May 21, 1964, Secretary of the Treasury Dillon emphasized the disadvantages to the world and to Europe of its persistently high long-term interest rates. The text of Secretary Dillon's address follows:

I am very pleased to be with you at another of your Annual International Monetary Conferences, which offer such a unique and valuable opportunity to confer with one another and with our European friends.

All of us recognize the need to improve the process of balance-of-payments adjustment among the free industrial nations. We have found that the old "rules of the game"—whatever their values in the past—are no longer adequate. For instance, the classical presumption that balance-of-payments deficits call for the restriction of domestic economic activity has had little relevance to the situation facing the United States in recent years. Nor has the other side of the classical coin—easy monetary policies designed to stimulate demand—been any more appropriate as an antidote for recent European payments surpluses.

The selection of suitable international payments policies has also become more difficult because domestic economic policies now encompass so many more objectives than they once did. For example, the promotion of full employment has come to be accepted as a high priority responsibility of governments throughout the free world. Price stability, the promotion of international trade, and the stimulation of overall economic growth, all now occupy prominent places in national policy objectives.

All of this means that we have had to seek new techniques—and new combinations of old techniques—to deal with payments deficits and surpluses. We have also learned that our search for effective policies cannot proceed in isolation. In moving to solve their own balance-of-payments problems, major countries must find ways to achieve their objectives without creating serious difficulties for others. The success of balance-of-payments adjustments increasingly depends upon the coordination of national efforts. We have learned the lesson—particularly in the short-term capital area—that close international cooperation can contribute in very specific ways to the improvement of the adjustment mechanism.

Although we have made substantial progress, many unresolved questions remain. Nowhere is this more evident than in the area of long-term portfolio capital flows. The importance of some of these unresolved questions was becoming apparent at the time of your conference in Rome 2 years ago. I spoke then of the dangers inherent in the growing pressure of foreign borrowers upon the U.S. capital market. Within 6 months, those pressures began to mount rapidly and, by mid-1963, the volume of new issues in the New York market was running at more than three times its previous level. That, unfortunately, left us no recourse but direct governmental action. Accordingly, last July, we launched an intensified program to improve our balance of payments, in which the proposed interest equalization tax is a key element.

We look upon that proposed tax solely as a transitional measure. It must not be allowed to obscure the desirability of working out measures that can permanently strengthen the international adjustment mechanism, nor our own need vigorously to pursue other elements of our balance-of-payments program, such as the reduction of Government expenditures overseas and the pursuit of appropriate fiscal and monetary policies. But the necessity for the interest equalization tax highlights the serious problems that have arisen in attempting to reconcile freedom of capital movements with the harsh necessities of balance-of-payments adjustment.

If long-term portfolio capital flows are to make their maximum contribution to our mutual growth and welfare, they should be permitted to respond freely to shifting patterns of trade, to differentials in profit opportunities, and to the basic capacity of various nations to save. But if they are not to undermine the adjustment mechanism, long-term portfolio capital movements must also be responsive to the balance-of-payments position of borrowers and lenders alike.

The difficulties inherent in accomplishing both of these goals simultaneously become clear when we consider the kinds of problems that have recently plagued us in the area of international flows of portfolio capital. Countless borrowers and lenders are constantly making decisions to buy or sell foreign securities on the basis of price and yield differentials and availabilities of funds, as these factors are reflected in the marketplace. But we have no assurance that these decisions will, at any given time, reflect basic differences in the underlying capacity of various countries to provide capital for domestic uses—much less their capacities to transfer that capital abroad. Instead—in the case of more than one country—flows of portfolio capital have recently shown a disturbing tendency to seriously aggravate imbalances in payments, rather than to assist in their adjustment. The greatest difficulties on this score have arisen for countries which do not have controls on their capital markets—Germany and the United States.

In our case, it was necessary to reduce an excessive net outflow of portfolio capital, while the German problem has been the reverse one of discouraging an excessive net inflow. Our approach was the proposed interest equalization tax to increase the effective cost of foreign borrowing in our markets. The German approach—in some ways complementary—was to propose a withholding tax on nonresident purchasers of German interest-bearing securities, thereby lowering the after-tax yield to some foreign investors and thus tending to discourage capital inflows. Perhaps even more significant in terms of progress toward more efficient capital markets, the German authorities coupled this with an important structural reform, in the proposal to remove the 2½-percent tax on the purchase of newly issued securities—a step designed to offer encouragement to new capital issues, both foreign and domestic.

The fact that a country as basically committed to the free flow of funds as is the United States found it necessary to propose the interest equalization tax underscores the importance of achieving a better balance in the structure and efficiency of world capital markets. Until that better balance is achieved, it will be difficult, or even impossible, to influence the direction and amount of long-term portfolio capital flows through the normal action of monetary policy, without the help of special measures aimed at encouraging or discouraging such movements. Consequently, progress in improving the free world's capital markets has become essential if the uninhibited flow of long-term international portfolio capital is not to be a disturbing element in the quest for payments equilibrium.

In seeking the reasons why portfolio capital flows have become disturbing to payments equilibrium, one is immediately struck by the current wide disparity between European long-term interest rates and our own. Long-term interest rates in Europe have been very high throughout the postwar period. Although conditions vary from country to country, Europe can generally be characterized as having been on something close to a "6 percent basis" since World War II. Certainly, in the light of past experience, 6 percent is an unusually high level of long-term interest rates for Europe. Throughout the 19th century, the annual average of prime long-term bond yields in continental Europe was only slightly above 4¼ percent. In England, it was just under 3½ percent. And, during the early decades of this century, the overall averages, with the sole exception of Germany, were little, if any, higher.

Because of the vast needs of postwar reconstruction and, more recently, of rapid economic growth, reasons can be found to justify the current high level of European long-term interest rates. In addition, relatively recent experience with inflation has discouraged postwar European investors from the purchase of bonds. But these transitory conditions do not suggest that 6 percent is desirable as a permanent level, or that it is likely to be maintained over any very long period of time. History would seem clearly to indicate otherwise.

While the prevention of inflation remains vitally necessary, in Europe as well as elsewhere, current inflationary threats appear to be different from those of the immediate postwar period. There now seems to be much greater ground for the use of income policies to restrain upward pushes on the cost-price structure, and much less reason to place primary reliance on high and inflexible levels of long-term interest rates. I do not suggest that the necessity for interest rate variation is at all diminished. I only question whether it is desirable, as a long run proposition, that European interest rates should continue to fluctuate around levels so much higher than their historic averages. While the immediate and visible threat of such high rates is to international payments balance, one can reasonably expect that the maintenance of sustained growth in Europe itself will, in time, require appreciably lower long-term rates of interest.

Even with due allowance for the special factors that I have mentioned, the question arises as to the extent to which institutional frictions and government restrictions are to be held accountable both for the current high level of long-term interest rates in Europe and for other impediments to the availability of funds. Throughout history, efficient capital markets have tended to produce lower rate structures and, conversely, inadequate capital markets have generally bred high interest rates. European capital markets once led the world, but in the postwar period they have fallen far behind the needs of the times, particularly in the access they offer to foreign borrowers. This is partly because government intervention and controls have impeded the development of broad and integrated capital markets in Europe, and partly because private financial institutions have sometimes been slow to adapt imaginatively to changing situations.

A broad and responsive capital market helps to insure that temporary influences can be readily and rapidly absorbed within an acceptably narrow range of changes in security prices and yields. However, where governments follow the practice of preempting and channeling large proportions of the funds potentially available, it becomes difficult to provide sufficient breadth in the private sector of the market. Unless security prices and yields are free to react to changing patterns of supply and demand, and to respond to broad and vigorous competition among private financial institutions, the prospects for the development of truly efficient capital markets cannot be bright.

The failure of European capital markets to keep pace with the expanding capital requirements of the industrialized world has been a major factor in stimulating pressures upon the New York capital market. The imbalance has been so large that the greater availability of funds to potential borrowers in New York has often seemed more important than interest rate considerations.

With such wide disparities in market capacity and accessibility, there is no use looking to relatively minor international variations in long-term interest rates to guide the flow of capital and to encourage balance-of-payments adjustment. And the major variations in interest rates that would be required to bring long-term portfolio capital flows into better balance do not seem possible for either Europe or the United States. The heavy accumulations of savings in the United States make it doubtful that even an extremely restrictive monetary policy could cause our long-term interest rates to approach the European level—and any such extreme monetary policy would clearly run counter to our current domestic need for fuller employment and higher utilization of our industrial capacity. In Europe, on the other hand, efforts to reduce long-term interest rates cannot hope to achieve really significant success until broader and more active capital market facilities come into being.

It is encouraging that this need is now recognized on all sides. During recent years, Europe has taken significant steps toward improving her capital markets. The increasing economic integration of Europe offers an opportunity for much greater progress in the future, and it is imperative that the opportunity be seized. Recent experimentation in achieving a broad European market for security flotations deserves to be carried further despite the difficulties that have been encountered. The increase in dollar-denominated loans under the stimulus of the proposal for the interest equalization tax, the use of unit of account loans, and the proposal by Dr. Hermann Abs for separate national shares in large European security flotations, are all developments of considerable significance.

I recognize that institutional changes of the required scope cannot be achieved easily or quickly. However, there are promising signs of progress. The task now is to push ahead vigorously in a concerted effort to enlarge and improve European capital markets as a necessary prerequisite to our common effort, within a framework of free markets, to harness long-term portfolio capital flows to the stark realities of balance-of-payments imperatives. Until this has been successfully accomplished, it must be recognized that portfolio capital calls on the New York market from abroad will, in some fashion or another, have to be contained within the limits set by our own overall balance-of-payments situation.

This is, for us, a new and unpleasant fact of life, but it is one with which our European friends have long learned to live. And it is only one of many ways in which we must accommodate our policies to the exigencies of our international payments situation. We must continue to reduce our military expenditures overseas, as well as the dollar cost of our foreign aid programs. We must continue vigorously to press the sale of advanced military equipment to help offset the cost of maintaining our forces abroad. We must continue to increase the attractiveness of direct investment in the United States. And, above all, we must continue to seek out ways of enlarging our exports while maintaining price stability at home.

Until our payments deficit is entirely removed, and our gold losses halted, our work will be unfinished. The past 10 months have seen a dramatic improvement in our payments situation, stemming in good part from the intensified action program introduced last July, but also from a noticeable longer term improvement in our underlying competitive position. The seasonally adjusted annual rate of deficit on regular transactions during the second quarter of 1963 was swollen by massive foreign borrowing in our markets and exceeded $5 billion. This rate of deficit was cut sharply to a little under $1 billion in the third quarter of 1963, and to a little over $2 billion in the fourth quarter. Preliminary data for the first quarter of this year indicate that after seasonal adjustment our deficit on regular transactions has declined even further to an annual rate of about $550 million.

But it must be recognized that these first-quarter results overstate the actual improvement. There is evidence of a substantial temporary inflow of short-term funds from Canada during March—an inflow that was completely reversed early in April. Even so, after taking this into account, the first quarter still weighed in as our best quarter since 1957. On an overall basis and without allowance for favorable seasonal influences, our international payments so far this year have been in approximate balance. This cannot be expected to continue as seasonal effects will soon shift against us. Even if 1964, as a whole, should record another sizable deficit on regular transactions, there are excellent reasons to hope that it will be sharply reduced from the levels of the past 6 years. We have, therefore, every right to be encouraged.

But we must remember that a good part of our recent progress is due to the proposal for the interest equalization tax. By the end of 1965, when this tax is scheduled to expire, a secure payments equilibrium will require a much better balanced international flow of long-term portfolio capital than characterized late 1962 and the early months of 1963. Specifically, this means that U.S. portfolio capital in large amounts should not be asked to support the expansion of developed areas with strong balance-of-payments positions. Increasingly flexible and efficient capital markets in Europe, capable of supplying funds at reasonable rates of interest, will remove one major source of difficulty. It is then that opportunities should emerge for long-term capital movements to contribute more actively to the process of balance-of-payments adjustment among nations.

We do not by any means have all the answers in the long-term capital area. But as international capital markets achieve a better balance, both in terms of interest rates and of lending capacity, it should prove possible to apply in the long-term capital area some of the lessons we have learned in the short-term area.

A narrowing of existing differences in long-term interest rates among industrialized countries, together with wider access of borrowers and lenders to a variety of national markets, implies a growing sensitivity of long-term portfolio capital flows to relatively minor interest rate variations. This sensitivity can be turned to our mutual advantage, for it will provide opportunities for governments to make greater use of acceptable variations in monetary policy to influence these flows in the interest of balance-of-payments adjustment, without violating their own domestic needs. It suggests another way in which we can all work together to strengthen the adjustment process, while continuing our progress toward a world of free capital movements and ever freer trade and payments.

DAIRY CONSUMPTION INCENTIVE ACT OF 1964

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, last Thursday I introduced H.R. 11355, the Dairy Consumption Incentive Act of 1964, designed to make a direct assault on the dairy industry's two biggest problems—too little farm income and too much butter surplus.

The major provisions of the bill would permit a reduction of 15 to 20 cents a pound in the retail price of butter while maintaining or increasing dairy farmers incomes.

The Secretary of Agriculture would have authority to make consumption incentive payments to milk producers to offset reduced market prices for butter. The lower market price would be achieved by a downward adjustment of the price at which the Commodity Credit Corporation purchases butter.

The Secretary could make incentive payments when, in his judgment, they would encourage butter consumption, avoid excessive accumulation of Government butter stocks, and protect dairy farm income while producers bring output more in line with demand. Payments would be made to farmers directly or through dairy manufacturing plants.

My bill further provides for the combination of price support purchases and incentive payments to insure producers at least 75 percent and up to 90 percent of parity. It would give the Secretary greater discretion to raise the dairy support level than is provided in the present law because it would require him to consider the need of dairy farmers for adequate incomes in setting the overall support level.

American consumers of dairy products would save several hundred million dollars a year on their food bills under this program.

These savings to consumers, plus the savings to the U.S. Government of high storage, processing, and transportation costs on surplus butter, would far more than offset the cost to the Government of the payments to dairy farmers needed in order to maintain and increase their incomes.

About 1 out of 4 pounds of butter manufactured in the United States during the past 2 years was bought by the U.S. Government. It must be kept in costly deep-freezer storage until it can be distributed through welfare programs. Much of the Government-owned butter has been specially processed, vacuum packed in cans, and transported under refrigeration to famine areas overseas, at far greater cost than the lower cost foods which would be preferred for this purpose.

The dairy consumption incentive program established by my bill would insure that most of this butter would move through the grocery stores onto the tables of cash-paying consumers instead of into Government warehouses.

This bill places the responsibility upon the Secretary of Agriculture to determine the level of manufacturing milk support that would be justified under circumstances existing in each marketing year. Under present circumstances, the Secretary would be justified in increasing the total support to milk producers by 15 to 25 cents per hundredweight above the present minimum level. This would result in raising prices received by farmers for manufacturing milk to about $3.30 to $3.40 per hundred pounds. If the bill is adopted, I would urge the Secretary to establish support at that level immediately.

Mr. Speaker, there is no real surplus today of milk products other than butter. We can use all the dry milk and cheese our dairy industry is producing to supply essential food donation programs in the war on poverty and food for peace.

By channeling surplus butter into consumption in commercial and household uses, full use can be made of these highly nutritious dairy protein foods in important public programs without accumulation of unusable surpluses of butter.

For this reason, the Dairy Consumption Incentive Act of 1964 also contains an earlier proposal of mine which would provide a new and useful method of expanding oversea markets for U.S.-produced foodstuffs, increasing our dollar trade, and aiding in the economic development of recipient countries.

Section 5 of the act authorizes long-term supply contracts for school lunch and welfare programs abroad. Under this section firm commitments for any period of up to 5 years could be made by the Secretary of Agriculture upon his determination that the commodity in question was reasonably likely to continue in surplus for that period. Great flexibility would be allowed in setting the terms and conditions of payment under the contract, including donations, sales at reduced prices, and export payments. The Secretary would be authorized to make contracts embodying a combination of these terms, permitting him to insist on increasing participation in the cost of the shipments by the recipient country over the course of a given contract.

The proposed section differs from the present titles III and IV of Public Law 480 in two material respects, and would fill a significant gap now existing between these two titles. Unlike title III it would allow sales as well as donations for school lunch and welfare programs, thus reducing costs to the United States. And it would permit firm commitments of up to 5 years without requiring, as title IV now does for long-term dollar credit sales, that the commodity be in surplus at the time of delivery.

This authority for firm commitments on the strength of estimated future supply conditions is the most significant innovation of the proposal. Because existing law requires a determination at the time of delivery that the commodity is then in surplus, recipient countries having informal commitments for periods longer than a year or two cannot be entirely sure that these later deliveries will be made.

Elimination of this uncertainty is highly desirable, not solely for the convenience of recipient nations, but, very importantly, for the U.S. producers, processors, and shippers. Without greater assurance that supplies of a commodity will be forthcoming in a predictable volume over a fairly long period, countries with a capital deficit are discouraged from investing in the storage, packaging, and distribution facilities needed to receive both intergovernment shipments and commercial sales through private channels. Where the commodities might be used for such politically sensitive purposes as welfare and school lunch distributions, there is an even greater disinclination to embark on a program which might have to be terminated because of supply conditions in the United States.

There is good reason to expect that adoption of this section would increase substantially the oversea markets for commodities now in surplus, providing both added outlets for Government-held supplies and a long-range market for dollar trade. I would cite our experience with milk exports to Japan as dramatic evidence of its potential effect.

We have been shipping milk to Japan for use in school lunch programs since 1947. During this time, these shipments have been given sufficiently high priority to assure the Japanese that short-term commitments to deliver would be renewed when they expired. The result of this policy has been a 37-fold expansion of our milk shipments since 1947, with the Japanese Government now paying the United States two-thirds of the world market price for the milk it receives. The present level of Japanese milk purchases represents 9 percent of total U.S. annual production of nonfat dry milk. This is equivalent to 37 percent of the output of this commodity by my own State of Wisconsin.

It is now fair to say that Japan has become, by virtue of this program, an assured and growing market for nonfat dry milk. Preferences for milk have been established in childhood and its nutritional value is reflected in the marked gains in height and weight of the average Japanese schoolchild. Quite apart from the additional outlets for milk among that 30 percent of the school-age population in Japan not now covered, it is clear that the demand for milk is strong among those who have grown beyond the school age. These milk-consuming adults constitute a market for private commercial exports from this country, a market which will in all likelihood grow over the years.

Japan represents only about one-twentieth of the untapped world market for nonfat dry milk alone. Although Japan is not typical of all countries with imbalanced or insufficient agricultural resources, the expansion of Japanese milk consumption provides a striking and instructive example of what can be achieved by the food-for-peace program. The proposed amendment would make one condition of the Japanese experience—predictability of supply—more generally available to recipient nations and those administering the program.

Mr. Chairman, H.R. 11355, like most farm legislation, is not self-explanatory. Since the Dairy Consumption Incentive Act should receive substantial interest and support among consumers and other nonfarm groups, I would like to insert into the RECORD at this point a brief, and I hope clear, explanation of how the program would operate and what it would achieve. I commend it to the attention of interested Members, and I also invite any additional questions or comments about aspects of the bill which are not fully explored in this statement:

EXPLANATION OF H.R. 11355, THE DAIRY CONSUMPTION INCENTIVE ACT OF 1964

The Dairy Consumption Incentive Act would:

First. Cut butter price to consumers by 15 to 20 cents per pound, through butter consumption incentive payments;

Second. Raise dairy farmers' incomes. Liberalized price support authority to give recognition to farmers' need for income will free the Secretary from restrictions in the present law which prevent him from setting support above the floor; and

Third. Authorize long-term supply commitments for foreign school lunch projects, and so forth, so that when necessary because supplies are tight, USDA would buy at market prices above the support level to supply these projects, as we do for our own school lunch program.

By freeing the dairy programs from the burden of surplus butter—which is too expensive and wasteful to use for food donation programs—the way will be opened to:

First. Build new cash markets for manufactured dairy products. Expanded and intensified oversea market development efforts for dry milk, cheese, et cetera, can expand market outlets for U.S. milk products, particularly if the butterfat cost is brought into line with world market prices.

Second. Enter into supply contracts with other countries to initiate school lunch programs using U.S. milk, on the pattern of the highly successful project in Japan.

Third. Rebuild the domestic commercial demand for butter, by putting it into the hands of commercial consumers who are good prospects as regular users, instead of donating huge "surpluses" to poverty recipients abroad who will never become cash customers, while commercial use in the United States goes down year after year.

The program authorized by this legislation would operate as follows:

First. The Secretary of Agriculture would be authorized to raise the support level for manufacturing milk above the present minimum of 75 percent of parity. The criteria to be taken into account by the Secretary in determining the support level would be greatly liberalized. Under present law, the Secretary is permitted only to take into account the price support level that is needed to assure an adequate supply of milk. With only a few brief exceptions during the past 10 years, both Secretaries Benson and Freeman have interpreted the present law as requiring price supports to be limited to the minimum of 75 percent.

Under the proposed bill, the Secretary would be required to take into consideration all of the following factors in determining the level between 75 and 90 percent of parity at which returns to farmers on manufacturing milk would be supported:

(a) The supply of milk in relation to the demand therefor;

(b) The importance of milk to agriculture and the national economy;

(c) The ability to dispose of stocks of dairy products acquired through price support operations;

(d) The ability and willingness of producers to keep supplies in line with demand; and

(e) The need of dairy farmers for a fair return on their labor and investment.

Second. The return to dairy farmers on milk used for manufacturing would be supported at a level between 75 and 90 percent of parity through a combination of purchases and payments. The CCC would continue to offer to purchase butter at prices 15 to 20 cents per pound below present support levels. It would also maintain its purchases of cheese and nonfat dry milk under the support program. If the Secretary of Agriculture determined that the purposes of the act would be served, he could extend payments for other products containing milkfat, as well as butter.

Third. The income of dairy farmers would be maintained through dairy consumption incentive payments equal to the difference between the support level and the CCC purchase price. Every dairy farmer would be entitled to receive payments to maintain his return at a full 75 to 90 percent of parity on the milk which he markets for manufacturing uses during the marketing year. This would insure that combined returns to farmers from prices received in the market and incentive payments would not be less than the support level. Payments of 50 to 75 cents per hundredweight of manufacturing milk would maintain or modestly increase gross dairy farm income above the 1963 level.

Fourth. The retail prices of butter would be permitted to decline sufficiently to encourage the purchase by commercial consumers of most or all of the total quantity of butterfat produced. The reduced quantities of butter acquired by CCC could be used readily and without waste for domestic welfare programs.

Fifth. CCC would continue to offer to buy nonfat dried milk at the present, or possibly higher price levels, in order to obtain adequate supplies for use in food-for-peace market expansion programs such as the Japanese school milk program. This would create permanent new markets for U.S. milk which could, as in Japan, become progressively more self-supporting.

Sixth. The Secretary would enter into contracts with foreign governments or nonprofit welfare agencies to supply, by sale or donation, dry milk needed for initiating school lunch programs in those countries and operating them over periods of up to 5 years. He would do so only if he determined the commodity is reasonably likely to be in surplus throughout the contract period. However, if unexpected demand or tightness in supply should arise during the contract period, the Secretary would be authorized to buy supplies in the open market to satisfy these contracts, just as at present needed products are purchased in the open market for our own school lunch program when such products are not available from CCC-owned "surplus" stocks.

Seventh. Minimum prices for class I milk which are established under Federal milk marketing orders on a basis of prices received by farmers for milk used for manufacturing, would be adjusted to reflect prices received plus the amount of payments received on milk for manufacturing, thus insuring that fluid milk market producers would participate fully in the program's income benefits.

PROF. PAUL A. FREUND OF HARVARD OPPOSES CONSTITUTIONAL AMENDMENTS RELATING TO SCHOOL PRAYERS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. SENNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SENNER. Mr. Speaker, many eminent constitutional lawyers have testified before the Committee on the Judiciary in opposition to the pending resolutions proposing amendments to the Constitution with respect to school prayers, Bible reading, and other religious observances in public affairs.

One of the most able expositions which I have heard was that of Prof. Paul Freund of the Harvard Law School. I therefore seek unanimous consent that Professor Freund's statement before the Committee on the Judiciary be printed in the CONGRESSIONAL RECORD:

STATEMENT OF PROF. PAUL A. FREUND BEFORE THE HOUSE JUDICIARY COMMITTEE, MAY 15, 1964

I have been professor of law at Harvard University since 1939 and have taught in particular constitutional law. Of course, I appear in a purely individual capacity.

It is a special privilege to have come before this committee which is conducting a sorely needed great debate on the significance of the recent school prayer decisions and the philosophy of the first amendment as it contains the historic guarantees of free exercise of religion and nonestablishment.

As I hope to make clear, I believe that the recent decisions are a sound and necessary reflection of the constitutional guarantees of the first amendment. But apart from that position, I ask you to consider whether this is the time or the occasion to begin making inroads on the Bill of Rights. Only some overwhelming need, with the fullest possible understanding of the issue and the consequences, could justify a breach in what has been regarded for more than 170 years as an inviolate covenant between the people and their government. Public opinion on the subject of prayers in the public schools has shifted markedly from the time of the earlier decision in 1962. The process of explanation and debate is still going on, thanks in good measure to the work of this committee, but even now glaring misunderstandings continue and unreasoning emotions are still too prevalent. Such an atmosphere is surely not a proper setting in which to call for a far-reaching decision that would for the first time in our history dislocate a basic provision of the Bill of Rights.

There are still too many spokesmen, to say nothing of their followers, who have evidently not read the text of the opinions themselves. There are still too many who are content to describe the issue as keeping God in the schoolrooms (as if the Almighty could somehow be excluded by a judicial decision) or resisting the forces of atheism (ignoring the fact that in the Supreme Court concurring opinions were delivered by Justices who happen to belong to our three major faiths).

Let me turn to the decisions themselves and try to analyze them by putting a series of questions which have been asked by critics of the decisions.

First, don't the decisions actually interfere with the free exercise of religion by the majority? This way of putting the issue really begs the question, as an illustration should make clear. The free exercise of religion includes the right to worship in one's accustomed way. Does it then follow that where a majority in a school are Jews or Catholics they may bring in a rabbi or priest to conduct full-scale religious services every day, with a full panoply of ritual and insignia, giving the minority the privilege of absenting themselves? No one, I assume, would uphold such a free exercise of religion by the majority. The proper setting for such a free exercise would be a parochial school the maintenance of which is also guaranteed under the Constitution.

But, it may be argued, at least a nonsectarian exercise should be permitted. With more than 200 sects in the United States, over 80 of them having more than 50,000 members each, it is not easy to envisage a strictly nonsectarian religious exercise. One man's piety is another's idolatry. Moreover, to make the secular courts the arbiter of what is permitted and what is prohibited in the name of sectarianism would compound the intrusion of the secular arm into the religious sphere. This was the point of the case a few years ago holding that the motion picture "The Miracle" could not be banned in New York under a law forbidding sacrilegious pictures.

When the Miracle case was decided by the Supreme Court, the Pilot, the publication of the Boston archdiocese, expressed its approval in a thoughtful editorial. "For some strange reason," the Pilot said, "the impression has got about that Catholics are uniformly unhappy about the recent ruling of the Supreme Court on the occasion of the Miracle case. This simply is not so. The Supreme Court merely indicated its incapacity to define an essentially theological term—sacrilegious. No one should be surprised that a group of jurists exercising a civil function in a pluralistic society should refrain from such a definition." When the prayer and Bible-reading cases were tried in Pennsylvania, we were treated to the spectacle of a civil court listening to a series of theologians disputing, under examination and cross-examination, whether passages in various versions of Scriptures were or were not nonsectarian. Under the most careful drafting of a constitutional amendment, this wholly inappropriate use of the civil process would mount, compounding the admixture of secular and religious functions.

The real choice before the Court was whether to draw the line among prayers, upholding some and rejecting others, or to draw the line between all devotional exercises on the one hand and objective studies of a literary or historical kind on the other. Considering the functions of a civil court, it is hardly surprising that the line was drawn in the latter way.

Second: Is not the minority given sufficient protection by being excused from participation? The key to this aspect of the case is the fact that the exercises took place in a classroom during the schoolday. The psychological constraint to conform is strong in this atmosphere, and nonconformity produces a stigma which is real and painful to a child. As Justice Frankfurter put it in the released-time case:

"That a child is offered an alternative may reduce the constraint; it does not eliminate the operation of influence by the school in matters sacred to conscience and outside the school's domain. The law of imitation operates, and nonconformity is not an outstanding characteristic of children. The result is an obvious pressure upon children to attend."

The same point was made by the Wisconsin Supreme Court in 1890, in a case involving the reading of the King James Bible. A group of Catholic parents objected, even though their children could have been excused. The court said this:

"When a small minority of the pupils in a public school is excluded, for any cause, from a stated school exercise, particularly when such cause is apparent hostility to the Bible which a majority of the pupils have been taught to revere, from that moment the excluded pupil loses caste with his fellows, and is liable to be regarded with aversion, and subjected to reproach and insult. The practice in question tends to destroy the equality of the pupils which the Constitution seeks to establish and protect, and puts a portion of them to serious disadvantage in many ways with respect to the others."

Why, then, it may be asked, were Jehovah's Witnesses thought to be adequately protected in their conscience by being granted exemption from the flag salute, without abolishing the ceremony from the schools? The answer is that the flag salute is, by general assent, regarded as a nonreligious exercise; a sect, however, which regards it as an affront to religious commands may simply be excused from compliance.

The question of excuse or exemption can be viewed on a spectrum of public regulations or practices. At one end are the clearly sectarian exercises, such as a full-scale religious service in the classroom. Exemption would hardly be thought adequate relief for the dissenters. For reasons which I have already suggested, all clearly religious exercises have now been put in this category. Next come exercises like the flag salute, which to some carry a religious connotation. Finally, at the other end of the spectrum, are such secular rules as those forbidden polygamy, rules which a certain religious sect finds in conflict with its religious duties. Here not even exemption is granted, in view of the social imperative of the civil rule. The same would be true, I have no doubt, if a sect protested that to pay taxes is sinful. In short, a solution by way of exempting the religious dissenter is not a sovereign remedy; in some circumstances it is too little, in others it may be too generous.

Third: Do the recent decisions threaten other civic practices which in some way involve religion with the State? What, for example, is the legal status of chaplains in Congress, in the armed services, or in prisons? The opinion of the Court by Justice Clark, and the concurring opinions of Justice Brennan and Justice Goldberg, are at pains to point out that the decisions is addressed to religious exercises in the public schools and is not to be taken in any doctrinaire way as a barrier to every civil program that in some way involves religion.

From the standpoint of constraint on the individual, an opening prayer in Congress is surely distinguishable from the prayer exercise in the schoolroom. And chaplains in the armed services or in prisons may be a means of preserving the free exercise of religion for those whom the Government has displaced from their normal places of worship. Similarly with GI benefits that can be used to pay tuition at a theological school; if the money can be used for dental or dancing school, there would be a question of denial of free exercise of religion to forbid its use at a divinity school. In these examples, the guarantee against establishment runs into the countervailing guarantee of free exercise. In the school prayer cases these two branches of the first amendment point harmoniously in one direction.

Fourth: Does not the decision ignore the rightful place of moral education in the public schools? Is this the time to weaken our all too fragile defenses against moral coarseness and delinquency? The question sounds more horrendous than it should. It ignores the essential role of the home and the place of worship in the full education of the child. Moreover, it assumes that there is some irreplaceable value in a prescribed prayer or ritual Bible reading as a means of moral education. Such an assumption is surely a dubious one. A school prayer at best would face the dilemma of being so bland as to be meaningless or so sectarian as to be divisive and to some repelling. An English cleric recently questioned the value of a religious assembly in the schools, saying: "The whole idea presented is of God as a trivial inconvenience that must be got out of the way before getting down to the real work of the day."

But the question of the loss to education is not whether the prayer exercise has some value. Even if it has, the question is rather whether this avowedly religious exercise is an irreplaceable or unique mode of strengthening the moral aspect of education. What, in other words, is there to take its place?

There are at least three lines of development that can be followed (aside, of course, from greater emphasis on the home and the place of worship).

The first, closest to the prayer itself, is the brief period of silent reverence or meditation, during which each pupil will recite to himself what his heart or his upbringing may prompt.

The second mode of moral education is curricular. It might include an exercise in which pupils are individually asked to select and read passages of moral instruction from whatever source. But all such brief inspirational exercises appear weak in comparison with more thoroughgoing efforts to build moral values into a course of study. The greatest effect of the Court's decision may be, hopefully, a serious and basic inquiry into the moral component of public education. I would hope that, under the stimulus of the decision, encouragement will be given to those educators who are striving in social studies to teach awareness of moral issues, ways of identifying those issues, and habits of ethical analysis that will endure as part of an individual's mental makeup.

A third approach to moral education—in addition to the special exercise and possible curricular developments—might be called atmospheric. This is a function, above all, of the teacher. Reverence for what we know, humility in the presence of the unknown, awe in the face of the unknowable—these are pervasive moods of the spirit that transcend religious differences and make of learning a spiritual adventure. There is a story of Willard Gibbs, the great Yale scientist, standing before a blackboard on which he had worked out an abstruse equation, tears streaming down his cheeks, and the class staring at the board with the gaze of one who had just seen angels. No court or Constitution stands in the way of that kind of moral and spiritual experience. All that stands in the way is our indifference or inadequacy to meet the challenge.

ROSTENKOWSKI NEW MAYOR'S MAN IN HOUSE

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIBONATI. Mr. Speaker, a recent article appearing in the Chicago Sunday Tribune, treating with the career of Congressman Daniel Rostenkowski, spread its encomiums of his life, both family and public, as one of the finest tributes paid to any public servant for many a year.

It is with a deep sense of elation that I join with Mr. Willard Edwards in his laudatory statements relative to Congressman Rostenkowski's career. It wears well, with an old "pro" like myself, to read an article that treats with facts and the truth concerning a public figure. Mr. Edwards is to be complimented in his treatment of the factual data and incidents which have touched the life of a young man whose career shines brightly in the political aura of our great city of Chicago.

Congressman Danny is entitled to, and has earned, great respect in the House of Representatives and it is only a matter of time until his true worth in his contributions to the public interest of the citizens of Chicago, the people of the State of Illinois, and of the Nation, will be known. The great mayor of Chicago, Hon. Richard J. Daley, and the Congressman's father, Joseph Rostenkowski, former alderman and now the collector of customs, as well as his dear wife and family, are proud of those accomplishments.

The Illinois delegation joins with Mr. Edwards in his splendid treatment of our dear young leader, Danny.

The article, appearing on Sunday, May 24, 1964, by Willard Edwards, follows:

Rostenkowski New "Mayor's Man" in House: O'Brien Job Goes to "One of Youngest"

(By William Edwards)

Washington, May 23.—The minions in Congress of big city political machines rarely emerge from an obscurity which many find comfortable.

They are usually affable and aging party hacks, selected with some attention to appearance, ability, and even to intelligence, but their indispensable qualification is docility to boss rule.

They vote as they are told and the reward is reelection to the House every 2 years by substantial majorities rolled up by an organization which controls the ballot boxes.

JUST AN OBEDIENT FOLLOWER

When the roll is called in the House on major issues, delegations from New York, Philadelphia, Chicago, and other large cities vote en bloc, according to instructions from a leader who has in turn received his orders from the political ruler back home. Independent judgment is not permitted and retribution would be swift to one who exercised it in defiance of the machine's wishes.

The system does not encourage the flowering of native talents when they are present. The machine-picked Congressman has little incentive to enlarge his interests beyond those peculiar to his district. Seniority pushes him up the ladder in the House and sometimes into committee chairmanships but he is always marked for what he is—an obedient follower and not a leader.

There are exceptions to every rule and there is a suspicion in House circles that a Chicago Democrat, an unquestioned product of the political machine dominated by Mayor Richard Daley, may be one of them. The passage of years will be required to test the qualities of leadership in this young Congressman but he has made a promising beginning.

GETS WAYS AND MEANS POST

Representative DAN ROSTENKOWSKI, 36, is serving his sixth year in the House as Representative of the Eighth Congressional District, the biggest in Chicago, a sprawling area which includes wards 31, 32, 33, 34, 36, and parts of wards 30, 35, 37, and 40. It has 486,000 residents. Indianapolis has a smaller population.

He has just been given a prestigious appointment to the House Ways and Means Committee which not only initiates all tax bills and revenue legislation but doubles as a committee on committees for assignment of members to other committees. This designation automatically included him in an exclusive group which exercises influence on the Democratic majority organization in the House.

The recent death of Representative Thomas J. O'Brien (Democrat of Illinois), left open the unofficial post of leader of the Chicago Democratic delegation. O'Brien was 86. ROSTENKOWSKI, a half-century younger, will take over his duties although, for purposes of protocol, Representative WILLIAM L. DAWSON, 78, a veteran of 22 years in the House, will enjoy the title of dean, or senior member of the delegation. It is to ROSTENKOWSKI, the youngest among them, that Chicago Democrats will look for word from Mayor Daley.

HE'S BEEN YOUNGEST BEFORE

The role of youngest in political bodies is not new to ROSTENKOWSKI. He was the youngest member of the Illinois Assembly, the youngest State senator at the time of his election, probably the youngest delegate to a Democratic National Convention, and one of the youngest Members of the House when elected.

There are two courses now open to him, if fate is kind. As the spokesman for a powerful political machine in Congress and as a member of a powerful committee, he can operate in the background, wielding much influence in deals and trades, as did the late Representative William Green of Philadelphia, a political power at home and in Congress.

In time, he could become a political boss on his own, perhaps the youngest in the field, pulling strings behind the scenes, putting other men in office but not aspiring to higher position for himself.

Or, he can interest himself in public service on a broader scale, take a lead in House debate and action, acquire the prominence and publicity essential to attainment of more than local attention, and become a congressional leader in the true sense of the word. The U.S. Senate, the Chicago City Hall or the Springfield Statehouse are not beyond his ambitions or capabilities.

MACHINE MAY BE YOKE

The estimate here is that he may choose the latter course. He has many of the attributes necessary for political success beyond the narrow confines of a congressional district in a big city. His main handicap may well be the political security of machine sponsorship which insures him longevity in office as long as he takes orders. It has sapped the ambition of many a Member of Congress from the metropolitan areas.

ROSTENKOWSKI has been breathing politics since he was a child. He was born January 2, 1928, in the near-northwest side area of Chicago, where his grandfather settled nearly a century ago and became president of the Polish Roman Catholic Union in the Polish-American community there. His father, Joseph, was alderman of the 32d ward for 20 years and is now U.S. collector of customs. The Congressman lives at 1372 West Evergreen Street, a few yards from the home first occupied by the grandfather.

As the "alderman's son," he enjoyed a certain prestige, he remarked wryly. He was, in addition, the only child in the family and there was just the hint that he may have been the kind of boy who owns the ball and bat and always wants to pitch.

AN ATHLETIC LEGEND

He craved a West Point career (Polish people are great for uniforms and parades) and his father, who wanted him to go into politics, sent him to St. John's Military Academy at Delafield, Wis., to test his liking for military discipline.

"I loved it there," he said. "It was one of the greatest things my father ever did for me. I wasn't the alderman's son any longer. I was on my own. I started even. It taught me responsibility and how to make my way on my own."

He established himself as an athletic legend at St. John's, winning more letters at baseball, football, basketball, and track than any student in St. John's history. He was 6 feet, 2 inches and 180 pounds of muscle (he still looks trim at 220) and his coach told him he had "a terrific pair of hands."

HE CHOOSES POLITICS

His first love was baseball. He played second base and was a good late hitter. The White Sox looked him over and ignored him but later, after he had played with professionals in the Army, Connie Mack of the Athletics made him an offer. Reluctantly, he put sports aside for a political career.

ROSTENKOWSKI is not a man of great eloquence but he has imagination and a gift for catching an emotion or a scene in simple words. In fond recollection of his football days, when he was a defensive back, he spoke of the tension on the field.

"There is nothing quite like the awful quiet which seems to descend when you see the opposing back break away and you are the only man between him and the goal. You know the stands are roaring but you don't hear them. There's just you and he and no one else and that terrific silence."

BECOMES BAKER IN KOREA

West Point no longer appealed when he was graduated from St. John's. It was 1946 and like most young men of that period, ROSTENKOWSKI wanted to get his military service over quick. He enlisted and on Christmas eve, at the age of 18, he was in Korea—the prewar Korea. It was cold but he was lucky; they put him in the warm kitchen on the night shift as a baker where he learned to bake bread in batches of 40 loaves, no more, no less.

Later, transferred to Kangming, on the 38th parallel, near the beaches on the Japanese Sea, he spent his afternoons swimming or playing baseball. His memories of Korea are quite different from those of Americans who came later.

He was 20 when he came home and contemplated a college education. A basketball scholarship at the University of Kansas lured him for a few weeks. He was assigned in practice to guard Clyde Lovellette, a mountainous center who later became a great professional star. He held him to 7 points but sadly contemplated a body covered with bruises from jarring contacts. The delights of playing basketball for an education faded.

GETS MAYOR'S NOD

Back in Chicago, he took a job in the corporation counsel's office by day and attended Loyola University night school. He took all the courses in economics, history, and political government he could find and began seriously considering a political career. On a blind date one night, he met blonde La Verne Pirkins. She was wearing "a beautiful purple dress—my favorite color." The resulting union has produced four blond daughters—Dawn, 12; Kristie, 11; Gayle, 8; and Stacy, 3.

A vacancy in the State legislature provided his opening for elective office. He had no trouble winning. At 23, he was the youngest man in the Springfield Assembly. He found it exciting. Four years in the State senate followed. When the late Representative Thomas S. Gordon, Democratic Congressman for the Eighth District for 18 years, decided to retire in 1958, ROSTENKOWSKI put in his bid with the one man who counted—Mayor Daley. The mayor's nod meant election. It is all very simple in a city controlled by a smooth running machine.

TO CONGRESS AT 30

ROSTENKOWSKI had all the qualifications which must be considered in such a selection by the head of a big city political organization. His name and heritage were ideal for a district which is 40 percent Polish-American.

He had 6 years of legislative experience. He was big and personable and popular with men and women alike. His youth was perhaps a drawback. Older party followers might grumble that such a reward should be reserved for one who had worked longer in the vineyard.

Daley, perhaps, glimpsed the need for younger Chicago Democrats in Congress. Their average age, when the 30-year-old ROSTENKOWSKI joined them in 1959, was 65. The three oldest Members are still serving, 6 years later. Their average age is 76. ROSTENKOWSKI is young enough to be the son of any one of his fellow Democrats, with one exception.

The experiment in youth, if it was indeed that, has paid off. ROSTENKOWSKI, during his first three terms has applied himself with diligence to learning his job which will now be greatly expanded by his appointment to the Ways and Means Committee.

As a whip of the Illinois delegation, he will report to the Democratic majority leader on how that delegation will vote on key issues.

He is esteemed by colleagues in both parties as a hard-working legislator, with a grasp of domestic and foreign problems. He has a keen sense of humor which has made him popular with the Washington press.

"Why ask me? I'm just a slave," he may quip in grinning reference to his status as a representative of the Chicago political machine when asked about a bill pending in the House. But reporters know they will then get a commonsense analysis of the situation, adjusted to the political realities of the moment.

Pressed for a serious discussion of the role of a machine-sponsored Congressman, he confessed irritation at portrayals of Mayor Daley as an iron-handed dictator.

"The problems in my district are the same as Daley's problems for Chicago," he said. "There's no conflict."

DENIES DALEY'S A DICTATOR

"Can you conceive of yourself defying him?

"If you could make the argument that he was advocating bad policy, he'd listen. The delegation is cohesive. It shows consistency in voting because Chicago is so unified that the mayor doesn't have to hammer us, as is sometimes implied. I consult with him every chance I can get, once every 2 weeks at least, not only on the Washington situation but on the general situation. It's unfair to call him a dictator."

The words were uttered in complete awareness by both speaker and listener that Daley, with a word, could destroy the Congressman's career. All Chicago Democrats owe their jobs to the mayor and never forget it.

"To sum it all up, DANNY ROSTENKOWSKI has had a lot of breaks," the Congressman said. "Everyone needs them. What I've tried to do is to be active in every area so that when the bolt of lightning strikes, I can grab a piece of it."

THE ROLE OF THE MUNICIPAL SYSTEMS IN THE U.S. POWER INDUSTRY

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a speech made by the Chairman of the Federal Power Commission to the Public Power Organization in Miami, Fla., recently.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, much of our growth, development, and progress in this country is a result of our electric power industries. We have a combination of electric power development in the United States unsurpassed by any nation.

The private power industries, the Federal power development, the municipal operations and cooperatives all are playing an important role in providing the needs of our people in order that they may meet the challenges of a changing and expanding economy.

The role of the municipal systems in the U.S. power industries was the subject of an address by the Honorable Joseph C. Swidler, Chairman of the Federal Power Commission, before the American Power Association in Jacksonville, Fla., on May 14, 1964. In view of its importance to the overall power needs of the country I ask unanimous consent that it be included at this point in the RECORD.

THE ROLE OF THE MUNICIPAL SYSTEMS IN THE U.S. POWER INDUSTRY

Two years have gone by since I addressed the American Public Power Association Convention in Puerto Rico. They have been very busy years for the Federal Power Commission, covering a period in which we have worked in the mainstream of the electric power industry. Our two major activities have been the National Power Survey, to encourage more coordinated planning in the industry, and our stepped-up program of wholesale rate regulation. You must judge for yourselves how well we have succeeded. I will only claim that even our severest critics no longer accuse us of being indifferent to the problems of the industry and the needs of its consumers.

The past 2 or 3 years have witnessed a great change in the approach of the electric power industry to building the facilities to meet its load growth.

As late as 1960 most power companies were still building facilities primarily to meet the needs of their own service areas without adequate consideration of the opportunities for larger, more efficient and better located facilities which would be feasible if built jointly with their neighbors.

Today the virtues of power system integration are no longer a matter for debate between regulatory officials and the industry. Power pooling and the reduced rates which pooling makes possible are the accepted goals of all sectors of the industry. These goals are being translated into high-performance interconnected networks covering wider and wider areas of the country. A steady flow of small rate reductions has reversed the postwar upward trend of electric rates, which is now headed downward.

The Federal Power Commission does not claim credit for the many joint projects now under construction. They represent management decisions based upon detailed studies which are no doubt the culmination of many years of preliminary work. We believe however that the Commission's National Power Survey, by focusing attention on the opportunities for savings from joint action, has served to precipitate final action on many of these joint projects which had been in the mill or on the shelf for a long time.

The National Power Survey is a first attempt in this country to apply a national perspective to the future plans of the 3,600 separate entities that make up the American electric power industry. In the survey report the Commission will attempt to describe the growth and development of the power system technology and power uses between now and 1980, some 16 years from now. We expect to portray a pattern of increasing coordination that will include all power systems.

Peering into the future, we shall indicate some of the extra-high-voltage transmission lines, both alternating current and direct current, which we expect will traverse the country by 1980. The report will suggest the order of magnitude of the benefits of power pooling and of the national integration of power pooling.

Prophecy is a dangerous business which I have more than once foresworn, and the purpose of the survey report is not to test the accuracy of the FPC's crystal ball. The Commission is very much aware that no one can blueprint the future of the electric power industry a decade or more ahead, and that it would be a great mistake to try. What we can do is to encourage the industry to broaden its perspective when it draws its own blueprints for the near term and its programs for the years beyond. Anyone with forward responsibilities must attempt not merely to guess the shape of the future, but also to exercise his responsibilities to make that future come true. In a sense every prediction by a responsible agency is a target and the National Power Survey is no exception; a target, I repeat, not a blueprint for particular facilities. I am confident that the general magnitude and nature of development we envisage in the power survey report will come about in substance and within a reasonable time. The power survey report will help to bring them about by promoting industry-wide discussion and action to achieve these goals.

While no one can describe in detail the facilities that will make up our Nation's power supply in 1980, there are several strong trends that give us a general insight into the shape of things to come. In the past 10 years while electric loads have doubled, the size of the largest and most economical generating unit has increased fivefold, from 200,000 kilowatts to 1 million kilowatts. The emergence of nuclear power adds to the trend toward large generating stations because in nuclear plants the economies of scale are even greater than in conventional plants. The advances in extra-high-voltage (EHV) transmission technology are just as promising as those in generating stations. Five hundred kilovolts transmission networks are being built in several areas of the United States and experimentation is being conducted on 700-kilovolt lines. We envision EHV networks covering much of the country by 1980.

The existence of transmission grids capable of moving large blocks of power freely over broad areas will provide increasing flexibility for power system planners. Most hydroelectric stations can be tied into these networks and be used for peaking purposes for which they are ideally suited. There should be no power systems operating in isolation by 1980. On the contrary, the power supply for all consumers should be provided by generation and transmission networks which integrate the facilities of a large area of our country.

It seems obvious that this enormous technological development will not take place without an impact on the structure of the industry. It is in an effort to appraise this impact, especially as it may affect municipal systems, that I should like to address myself today.

The pattern of power system development that we visualize is one which reflects the fundamental nature of the electrical power business: capital-intensive; naturally monopolistic; on the generation and transmission side showing great economies from increases in scale and improvements in load factor; and on the distribution side, responsive especially to high usage per customer and high consumer density per mile of line.

When we take a broad look at the future, these fundamental factors help us to picture the physical plant of the industry. All generation and transmission facilities, whether owned by private, cooperative, Federal or other public agencies, should be planned and built as part of large power networks which form a common source of all power supply in the area, in order to reduce the cost of bulk power supply. All distribution systems should have access to low-cost power sources, in order to enable them to build, load and bring down their own unit distribution costs.

The challenge to the industry is to adjust its present institutional structure to build a system of power supply which will conform with rather than violate the basic economics of the industry.

We all have an ever-increasing stake in the avoidance of institutional conflicts which burden our economy in general and electric consumers in particular. In 1930 electricity accounted for only 10 percent of the Nation's energy. At the present time 20 percent of our energy is utilized in the form of electricity. By 1980 we estimate electricity will account for 30 percent of all energy needs. In the 2.7 trillion kilowatt-hours a year market we anticipate in 1980, each tenth of a mill of savings per kilowatt-hour will amount to over $250 million a year. As each year goes by therefore the public stake in the efficient conduct of the electric power business grows stronger, not only absolutely but relatively as well.

Who will benefit most by the technological development that we look forward to by 1980? Obviously it will be those who have thus far profited least from modern power technology and have some catching up to do. In the Tennessee Valley, residential consumers are already paying on the average less than a cent a kilowatt-hour. The same thing is true in the Pacific Northwest.

If we exclude the existing low rate areas of the Tennessee Valley and Northwest, where Federal projects play a dominant role, the problem of improving costs and rates for power supply boils down to 85 percent private and 15 percent public and cooperative, the present division of the remainder of the industry. It is evident that if we are to avoid duplication of facilities the private companies are the natural parties to shoulder the major responsibility for effective pooling of generation and transmission facilities.

The responsibility of the private companies for effective pooling carries with it the obligation to include all power systems within the compass of the joint plans. Outside the TVA area and the Pacific Northwest there are some 400 private companies and about 2,800 Federal, State, municipal, and cooperative systems. A major effort is needed to encourage these enterprises to plan and build together so that all of the Nation's electric power consumers will receive the benefits of the economies of scale in generation and transmission and avoid the costs of duplicate facilities.

Mergers of existing power systems are not the sole or even major vehicle for achieving the economies of scale in generating and transmission although there are undoubtedly some cases where mergers would be in the public interest. Many different arrangements are feasible as vehicles for joint planning and combined ownership of projects by companies from the same or differing sectors of the industry. Power systems are demonstrating in pools in every part of the country that the participants in such joint undertakings can still maintain their identities as separate power enterprises.

There may be temptations on the part of the power companies to use their predominant position in some areas as a lever to force a takeover of municipal and cooperative systems. This would be very shortsighted. I said in a talk to the American Power Conference last month, and I repeat here, that the large investor-owned companies "must ever keep in mind that they are public service companies. Their property and organizations are impressed with public service responsibilities; and I believe that these responsibilities extend beyond their zones of retail operations. Their properties as a whole are impressed with a public interest which is applicable both to wholesale and retail service."

The municipals and cooperatives play an indispensable role in the Nation's power economy—a role which transcends mere numbers. We start with the presumption that no institutional framework for the power technology of the future can be satisfactory unless it makes provision for preserving the pluralistic nature of the Nation's power systems.

To serve the Nation's needs a plan of development must be broad enough to cover the wholesale requirements of all distributors on an economic basis. Cooperatives and municipals must be full partners with investor-owned companies in the emerging power pools either through schemes for joint ownership or through a wholesale purchase relationship which is fair to both parties.

The FPC has a particularly important role to fill in insuring that power is made available at wholesale at reasonable rates and on fair terms. It is a role which the Commission is now actively engaged in implementing. Cases are underway involving power companies in some 20 States. These cases deal with restrictive provisions in wholesale contracts, dual rates, refusals to serve, unlawful rate levels and failures to file wholesale rate schedules. Hearings in several cases have been completed and decisions by the Commission will be forthcoming soon.

A thoroughgoing review of all electric rate schedules presently on file is being made with a view toward eliminating excessive or discriminatory rates and unreasonable provisions in these rate schedules. This activity has already resulted in numerous rate reductions. For example, many fuel adjustment clauses were found to be out of date and they have been adjusted to more equitably reflect present fuel costs and operating efficiencies. We have sent out letters to all public utilities asking that the recent Federal income tax reduction be reflected in lower rates to the extent costs permit. Our recent decision in the Alabama-Tennessee case providing for flow-through to consumers of the benefits of liberalized depreciation should also enable utilities to lower their wholesale rates. We are just beginning to move into the era of effective wholesale rate regulation and the progress to date indicates that energetic regulation will result in lower wholesale rates.

We are taking action to require the filing with the Commission of wholesale rates in interstate commerce so that they can be scrutinized. Perhaps most important to our effort is the fact that the legal ground rules have now been clarified. The Supreme Court only a couple of months ago in the Colton case held once again, and unanimously, that the law grants the Commission jurisdiction over all wholesale transactions in electricity in interstate commerce. I am happy to say that some public utilities subject to the act have been apprised of this latest opinion of the Supreme Court and have filed their wholesale rates with us. To be specific, there were 220 wholesale rate filings with the Commission in April 1964, the month following the Colton opinion, more than had been filed in the previous 3 months, and the pace of filings in May continues at the same high rate.

For the benefit of the remaining companies which come under the statute and which are still debating when to file, we issued a statement of policy on April 21 which stated that if their rates are filed by August 1, 1964, the Commission on its own motion will not look back at past violations of the statute. We are more interested in future protection for consumers than in recriminations about past failures but we cannot condone further delay in complying with the law.

The situation is reminiscent of one of President Johnson's stories, in which he tells of buying some hams from an old farmer in Texas during World War II when meat was rationed and Office of Price Regulation (or OPA) stamps were required to buy it. As President Johnson tells it, he ask the old man how many stamps were due. The old man had hardly heard about what he called the "OP and A." Finally he said, this "OP and A, we have never put it in down here." Many power companies have reacted in the same way to the "FP and C." They have never put it in down there.

When a statute is first passed in a wave of popular and congressional interest, the administrators are expected to act promptly and vigorously to make it the law of the land in practical application as well as in legal principle. Administration of a new law according to its terms creates no effect of shock or surprise, but not so 30 years later, we have found. Important interests in nonenforcement grow up with the years. A request for compliance with the law may be treated as though it were itself inconsiderate and unconscionable.

The Commission's efforts to carry out the law in the full scope which the law provides has provoked proposals to change the statute. A bill H.R. 11081, has recently been introduced in Congress which would indeed go very far toward making the regulatory provisions of parts II and III of the Federal Power Act a nullity. If enacted, it would leave the law on the books but, as a practical matter, would strip the Commission of its authority to regulate the rates at which thousands of local distributors throughout this country purchase power at wholesale from public utilities. In addition to exempting all utilities operating in cooperative, nonprofit, or membership form, it would exempt all other utilities which are subject to the act because of the ownership of facilities used for transmission and sales at wholesale for consumption within a State or for purchases and sales at the State line. Almost all of the 20 cases now underway before the Commission would be rendered moot. By excluding most of the companies now covered by the law, and many of the transactions of the remainder, it would destroy the kernel and preserve the shell.

In my judgment, H.R. 11081 would wipe out one of the most farsighted reforms of the New Deal era in the utility field. The proposal to repeal wholesale rate regulation comes just at the time when our regulatory program is gaining momentum and when it holds promise at long last of affording wholesale customers the protection to which they are entitled under the law.

A close observer of the industry asked me shortly after the Colton decision was handed down by the Supreme Court in March why the Commission was proceeding so earnestly to require public utilities to file their wholesale rates in interstate commerce with the Commission, as the Supreme Court ruled they must. I answered that this was what the Federal Power Act required. He responded that a law in the District of Columbia prohibited the sale of ice cream cones, but that it was ignored by everyone, and no hard feelings. I told him that the two situations were not exactly comparable.

The Federal Power Act is a major legislative approach to the solution of the problems of the Nation's most important industry. The Federal Power Commission has been created specifically to administer the provisions of that law. The members of the Commission have sworn to carry it out to the best of their ability. I am sure that we all intend to do so, fortified by an occasional ice cream cone if available, unless Congress should decide that our work is superfluous.

I stress the role of FPC regulation in assuring fairness in wholesale transactions because I believe it is a necessary foundation upon which satisfactory long-term wholesale relationships can be built. I see no conflict between effective regulation of wholesale rates and the long-term interests of the seller and all of its wholesale customers. The investor-owned companies in their own interest should be willing to share the benefits of the economies of scale with the smaller systems of the country, which include many of the municipal and cooperative systems. But cooperation and coordination is not a one-way street. The municipal and cooperative systems must in turn accept the same standards of the national interest in system coordination. When offers are made of wholesale rates at reasonable levels and on fair terms or to participate in a joint project on an equitable basis, they should be received and considered on their merits. Past animosities and distrust should not be permitted to continue to poison future relations when there is evidence of a will to work together in a cooperative spirit.

The municipalities in particular are handicapped in assuming the role of full partners in our emerging power pools by special legal barriers which now prevent many of them from participating in joint programs, except perhaps as wholesale customers of the private systems. Clearly this is a matter to which they must now direct increased attention.

The Commission a couple of months ago released the report of the Legal Advisory Committee of the National Power Survey. I commend this report to you and particularly chapter VII for its careful summary of the limitations upon the authority of local public agencies. The conclusions of the Committee are summarized in the opening sentences of chapter VII in which the Committee said:

"The legal authority of local public agencies to enter into interconnection and pooling agreements, leasing arrangements and joint ventures, including the creation of jointly owned entities to construct new facilities, is limited in various respects which sometimes prevent entirely, and sometimes substantially affect the nature of, proposed pooling arrangements."

I might add that this report is the product of a distinguished committee of outstanding lawyers representing all the elements of the industry and the State commissions. Among its members were Northcutt Ely, the general counsel of this organization, E. Kendell Davis, general counsel of the Sacramento Municipal Utility District, Curtis Bell of the Southeastern Power Administration, Herbert Squires of the Pennsylvania Public Utilities Commission and William E. Torkelson of the Wisconsin Public Service Commission. FPC's own Assistant General Counsel at the time of the preparation of the report, Thomas E. Debevoise, also served as a member of the Committee until he resigned to enter private practice.

The Legal Advisory Committee mentions five types of restrictions upon the public agencies which require legislative attention and I should like to comment briefly on each of them.

First, are the restrictions on lending credit which the report considers "a major impediment to cooperative efforts by public agency systems with nonpublic agency systems." There is great uncertainty as to what kind of joint enterprises might be held to violate the constitutional and statutory provisions found in many States which prohibit public agencies from making any donation, grant or loan of credit in aid of or as a participant in a joint enterprise with a private corporation.

This is a restriction which I believe everyone would agree is not in the public interest. It can be surmounted either by legislation securing exemptions for pooling transactions or by the development of contractual and organizational devices which can be sustained under the laws of the respective States.

A second problem arises when, as is frequently the case, State laws fail to grant adequate authority for cooperation between public and nonpublic agencies or even by the public agencies among themselves. In some States there are even prohibitions against such interagency cooperation. These laws fly in the face of the needs of the public agencies and the best interests of all power consumers. They urgently require legislative reexamination.

Third, the Legal Advisory Committee stated that the most common form of restriction was that which stemmed from limitations on the borrowing power of local governments. In my judgment this is the most serious of the gaps in the authority of public agencies. It inhibits their participation in the trend toward coordination and integration of power systems.

The limitations may take any one of a variety of forms from an absolute limit on total indebtedness, or a limit expressed as a percentage of the tax base, to a requirement for a local referendum to authorize the issuance of bonds, even revenue bonds; or the limitation may take the form of a prohibition against using the proceeds of bonds for any jointly owned facility.

It is easy to understand the reasons for the requirement of a referendum as a precedent condition for a public agency to enter the electric power business. However, once a public agency is launched into this field, which more than any other business is characterized by the recurrent need for borrowing in order to provide the new plant required by system growth, there is no sound reason for referendum and other restrictions which prevent the businesslike operation of the system. I refer particularly to restrictions upon the issuance of revenue bonds which have no claim upon tax revenues and which the financial markets are willing to buy solely upon the security of the earnings of the electric business.

Fourth and fifth in the report of the lawyers are restrictions on operations or the sale of power outside of the city limits or specified geographical area. The Legal Advisory Committee directs attention both to limitations on retail service areas of municipalities and on their ability to own generating and transmission property outside of city limits.

The limitation of a public agency to a reasonable service area is not involved as I understand it in the criticisms of the Legal Advisory Committee. Rather, the problem is to assure that the service area is a reasonable operating entity and that restrictions on the service area do not prevent public systems from building generating plants or transmission lines wherever dictated by considerations of economy and business prudence. It seems to me that these are legislative ground rules which should apply to every municipal enterprise.

The members of this association are not unaware of the statutory disabilities under which they function. The report of the Legal Advisory Committee merely puts these problems in a new context, that of enabling local public agencies to participate in the integrated planning and operating networks which increasingly characterizes the American power economy. The report suggests the general public interest stake in removal of the statutory restrictions which prevent the public systems both from sharing fully in the benefits of the improved power technology and from making their full contribution to the development and utilization of the new technology.

If I may be permitted one more reference to my talk before the American Power Conference I should like to refer here as I did there, to the argument that is sometimes heard from utility executives that they have contributed so much to research and pioneering in electric power technology that they should not be asked or required to share the benefits of the economies which they achieve to their purchasers of power at wholesale. I answered in brief that as public service enterprises, they had an obligation to pass along the benefit of their investments in research to all consumers, wholesale as well as retail. These investments have been made by all classes of customers and should be shared by all classes.

Let me add here, however, that I believe it is increasingly incumbent upon the public systems to be sure that they do not fall behind the privately owned systems in their support of research and of the costs of pioneering in equipment and technology. Representatives of all segments of the industry even now are striving to perfect an organization which will permit all of the power enterprises of the country to pool their resources for research and development work. I refer to the ad hoc Research Organizing Committee on which Federal, municipal, and cooperative systems are represented along with the investor-owned companies. Paul Shaad, of Sacramento, is a member of this organizing group. I strongly urge upon you individually and as an organization to support this undertaking and pledge your fair share of the required financing. In the present-day world research is everybody's business.

The electric power industry as a whole has done too little research, and though I have made no detailed analysis, it may well be true that in the past the public systems have not carried their share of the inadequate industry research budget. The municipal distributors have a special interest in the field of research. The technology of distribution accounts for $27 billion of the $75 billion investment in the electric power industry but it has attracted a relatively small part of the industry's research effort.

The municipal power systems should recognize that the time has long since passed when any segment of the electric power industry can concentrate on purely local or even regional interests. All of the elements of the industry must now meet the new test of serving the national interest as well. The Federal Power Commission has a large responsibility to fulfill in encouraging the development of the industry in a manner that will meet the test of the national interest and in particular to insure fair rates for the sale of power at wholesale. For the State and municipal public agencies meeting the test of serving the national interest means an active program of legislative reform at the State level so that local public agencies are freed from legal barriers which prevent their integration into the power pools. It means also for public agencies an end to all complacency about high costs of generation and, instead, a search for joint projects or favorable power purchase arrangements from efficient and low-cost sources whether in the same or a different sector of the industry. The great changes now taking place in the industry require that the municipal systems continuously reexamine the way in which they are exercising their responsibilities for self-improvement, and that they take a broad perspective if they are to continue their great contributions to the progress of the electric power industry.

I see much evidence that the municipal systems are rising to this challenge. Based upon past performance there is every reason to believe that you will address yourselves with renewed vigor to the problems of today, that you will continue to play a large and constructive role in the electric power industry of tomorrow, and that you are prepared to discharge your share of the responsibilities of leadership.

HOOVER, GREATEST OF TODAY'S PATRIOTS

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHENCK. Mr. Speaker, my good friend, publisher Alvin D. Smith of the Butler County American, has long been a great admirer and strong supporter of the Federal Bureau of Investigation and especially its Director, the Honorable J. Edgar Hoover, because of their unrelenting efforts in protecting our American way of life. Publisher Smith has continued to forcefully express his views of admiration of Mr. Hoover and his associates in the FBI in the columns and editorials of the Butler County American. It has been my privilege to frequently commend and always agree with Mr. Smith's views on Mr. Hoover and the FBI.

The Butler County American is published in Hamilton, Ohio, and enjoys a wide circulation among both Negro and white citizens.

Publisher Alvin D. Smith personally wrote an editorial and published it on the front page of his May 16, 1964, Butler County American.

Mr. Speaker, since I fully share the sentiments so well expressed by Mr. Smith, I ask unanimous consent that Mr. Smith's editorial be included in full as a part of my remarks:

HOOVER, GREATEST OF TODAY'S PATRIOTS, IN HIS 40TH FBI YEAR

The name of J. Edgar Hoover will go down through the ages as one that means all for which America stands—freedom to all regardless of race, color, or creed. When history is written of how Uncle Sam's neck was saved from a Communist block, all freedom lovers will thank God for giving us J. Edgar Hoover as Director of the FBI.

In this period of American history, looking at the executive, judicial, and legislative departments of Government, or at any segment of our population, the name of J. Edgar Hoover stands as our greatest patriot.

The world has no parallel with Mr. Hoover's building of the FBI to protect rights under the rule of law and order. As he did it, citizens felt his spirit and took him into their hearts. By every means possible he has kept them informed of the evils seeking to destroy the good life. And, by actions through the FBI, he has protected them. It was because of faith in J. Edgar Hoover that Negro masses did not swallow Communist bait.

May 10 was the 40th anniversary of Mr. Hoover's direction of the FBI. In every walk of life, citizens commend him. And, as he is nearing his 70th birthday, which is the mandatory retirement age for Government personnel, we, like all Americans, were happy to see that President Johnson waved the rule to allow Mr. Hoover to continue indefinitely. For that, this paper sent President Johnson a wire of thanks for his actions.

No man in public service has been more successful in having men and women under him pin their faith in the leader than J. Edgar Hoover has done in the FBI. All of the agency's personnel are saturated with the spirit of J.E.H., which saves the taxpayers money and secures the rights of all regardless of station, race, or creed, that all may have the same American opportunity.

And so, on Mr. Hoover's 40th anniversary as head of the FBI, and of his nearing 70th birthday, we are happy to salute him and pledge our continued support to freedom's cause on the path lighted by the FBI Director.

S O S SENT OUT BY AMERICAN BANKERS ASSOCIATION—LOBBYING BLITZ GOING ON

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, today I wish to warn the Members of Congress against a well-organized propaganda campaign being waged by the American Bankers Association and its affiliates in every State in the Union. During the next day or two, or up until we vote on the measure next Wednesday afternoon, we may expect to hear from bankers back home in our districts who will follow out to the letter the plea from the ABA.

Bankers in our districts are pretty decent fellows. Many of them are leaders in our communities and run their independent banks as they should be run—as public institutions—ever mindful of their responsibility to their depositors.

The ABA is now attempting to debase their activities. The ABA would like them to forget their responsibilities to their depositors. The American Bankers Association is right now working overtime to fool their own members—and would have their own members fool the Congress.

The ABA is pressuring like mad to kill a measure—H.R. 5130—which would double the insurance protection given on bank deposits and savings and loan accounts.

They are trying to get their members across the country to "immediately wire and write your U.S. Representative urging him to oppose and vote against H.R. 5130." From the same message, which I hold in my hand, from the Indiana Bankers Association, I read:

> The American Bankers Association has sent out an S O S in opposition to this bill.
>
> We urge you to please send copies of your wire and letter to the office of the American Bankers Association at 730 15th Street NW., Washington, D.C.

They even give the ZIP code—20005. I quote further:

> And we also suggest that you send copies of your wire and letter to the office of the Indiana Bankers Association, 810 Union Title Building, Indianapolis, Ind.

ZIP code 46204.

It is apparent from the mail and telephone calls that I learn that Members are receiving, the ABA has their propaganda blitz going for them in 50 States.

In their propaganda blitz the American Bankers Association is not sticking to the facts. In a statement I released to the press for today's papers, I stated:

> In their high-priced high-powered blitz, they are deliberately falsifying the facts. They make it appear that the administration opposed the proposed increase in insurance protection for depositors. Actually, the administration has testified before the Rules Committee that they have no objection to raising deposit protection, and the administration has verified that the insurance funds are easily able to support the increase without any difficulty whatsoever.
>
> Some agency officials are advocating a little "sour with the sweet." By this they mean that the limits on bank time deposit interest rates would be put on a standby basis while savings and loan dividends would be subjected to standby limitations on their dividend rates. This means that the "sour" would go entirely to the savings and loan institutions, who would thus be at a competitive disadvantage with the commercial banks.
>
> The bank interest rates under the proposal could be removed entirely by the Federal Reserve Board—traditionally a good friend of the big banks—which, to my way of thinking, is like making the goose the guardian of the shelled corn. This would drain deposits from the S. & L.'s and would be tantamount to a death sentence. The Fed officials are dues-paying, card-carrying members of the American Bankers Association at the cost to the taxpayers of $90,000 a year.

I pointed out in this same statement for the press that the ABA is again doing what comes naturally—fighting against insurance on bank deposits. They fought the original legislation back in 1933, even though thousands of banks had closed their doors and billions of dollars had been lost by depositors.

It is perfectly idiotic to oppose an increase in insurance on bank deposits and savings and loan accounts from $10,000 to $20,000. Nobody will be hurt by the enactment of the proposed legislation. The depositors will gain. And the independent bankers that I was talking about a moment ago who are public-spirited men are not opposed to this insurance coverage increase. The opposition comes primarily from the few large banks which control the Federal Reserve System and our whole banking setup. They like to lay down the law—they like Congress to dance to their tune—they like to see big business chew up little business, and that is what this flight is all about.

It is not difficult to see who is behind the propaganda blitz I have been warning you against, and I am certain that a majority of the Congress will use their vote next Wednesday as evidence of our support for small business and against control of banking by a few giant banks.

When you receive mail or long distance calls from the nice-fellow banker back home, let him in on what I have just reported to you. The chances are he has been duped—the Congress need not be.

I am reading the attached press release on this subject as follows:

STATEMENT BY CONGRESSMAN WRIGHT PATMAN, CHAIRMAN OF THE HOUSE BANKING AND CURRENCY COMMITTEE, ON PROPOSED LEGISLATION TO INCREASE INSURANCE ON DEPOSITS IN COMMERCIAL BANKS AND SAVINGS AND LOAN INSTITUTIONS FROM $10,000 TO $20,000

The American Bankers Association and its affiliates are at it again—fighting a proposed increase in insurance on bank deposits and savings and loan accounts from $10,000 to $20,000.

They fought the original bank deposit legislation which became law in 1933, only after thousands of banks had closed their doors and billions been lost by depositors. When the Government sought to see that such conditions would not be repeated, organized bankers under the ABA screamed bloody murder. They saw all sorts of bogeymen who would ruin the legitimate banking business.

Today they see the same bogeymen. In a well-organized propaganda campaign, they are now attempting to frighten the people of the United States and the Congress—just as they did when the first Federal Deposit Insurance Act was before the Congress. On May 18, 1964, for example, the Indiana Bankers Association sent out to its members an "urgent" appeal—asking them to "immediately wire and write" their representatives to oppose and vote against a bill that merely proposes to increase insurance on bank deposits and savings and loan accounts up to $20,000.

In their high-priced, high-powered propaganda blitz, they are deliberately falsifying the facts. They make it appear that the administration opposed the proposed increase in insurance protection for depositors. Actually, the administration has testified before the Rules Committee that they have no objection to raising deposit protection, and the administration has verified that the insurance funds are easily able to support the increase without any difficulty whatsoever.

Some agency officials are advocating a little "sour with the sweet." By this they mean that the limits on bank time deposit interest rates would be put on a standby basis while savings and loan dividends would be subjected to standby limitations on their dividend rates. This means that the "sour" would go entirely to the savings and loan institutions, who would thus be at a competitive disadvantage with the commercial banks.

The bank interest rates under the proposal could be removed entirely by the Federal Reserve Board—traditionally a good friend of the big banks—which, to my way of thinking, is like making the goose the guardian of the shelled corn. This would drain deposits from the S. & L.'s and would be tantamount to a death sentence. The Fed officials are dues-paying, card-carrying members of the American Bankers Association at the cost to the taxpayers of $90,000 a year.

When you take this whole controversy and study it carefully, you come to one conclusion. You realize that this is a battle between small business and big business. It is the small and medium-sized banks and the savings and loan institutions which would be strengthened by the bill. And it is the few big banks who are trying to dominate and control the banking system of the United States, with the help of the friendly Fed, who are opposed to the bill.

Every Member of Congress who believes in small business will use his vote next Wednesday as evidence of his support of small business—and against control of banking by a few giant banks.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. FULTON of Tennessee (at the request of Mr. RIVERS of Alaska), for today, May 25, 1964, on account of official business.

Mr. WHITE, for the week of May 25, 1964, on account of official business.

Mr. KYL, for Tuesday and Wednesday, May 26 and 27, 1964, on account of Trusteeship Council sessions of United Nations in New York.

Mr. JOHNSON of Wisconsin, for May 25 through June 5, 1964, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 30 minutes, today, and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ALGER.

Mr. BONNER.

Mr. O'BRIEN and to include extraneous matter.

The following Member (at the request of Mr. KUNKEL) and to include extraneous matter:

Mr. HOSMER.

The following Members (at the request of Mr. HARRIS) and to include extraneous matter:

Mr. COOLEY in two instances.

Mr. POWELL.

Mr. FOGARTY and to include tables.

ADJOURNMENT

Mr. HARRIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 26, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2112. A letter from the Assistant Secretary, Export-Import Bank of Washington, transmitting a report stating that the Export-Import Bank of Washington on May 15, 1964, issued its guarantee with respect to a certain transaction with Hungary, pursuant to title III of the Foreign Aid and Related Agencies Appropriation Act of 1964, and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

2113. A letter from the Comptroller General of the United States relative to a report relating to procurement of militarily designed transmitter when commercially designed equivalent was available at less cost, Department of the Navy; to the Committee on Government Operations.

2114. A letter from the Comptroller General of the United States, transmitting a report on a review of weaknesses in animal disease control activities involving primarily eradication of brucellosis in cattle, Agricultural Research Service, Department of Agriculture; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of May 20, 1964, the following bill was reported on May 22, 1964.

Mr. SHEPPARD: Committee on Appropriations. H.R. 11369. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes; without amendment (Rept. No. 1424). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted May 25, 1964*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Nineteenth report on procurement of equipment for Marine Corps tactical airfields; without amendment (Rept. No. 1425). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of May 20, 1964, the following bill was introduced on May 22, 1964:

By Mr. SHEPPARD:

H.R. 11369. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes.

[*Introduced and referred May 25, 1964*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAWKINS:

H.R. 11370. A bill to authorize the coordinated development of the water resources of the Pacific Southwest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KYL:

H.R. 11371. A bill to amend the Historic Sites Act of 1935 to provide for the protection, preservation, and maintenance of the historic buildings and area of the Washington Navy Yard in the Nation's Capital when they are no longer needed for military purposes by the Department of the Navy; to the Committee on Interior and Insular Affairs.

H.R. 11372. A bill to amend the Housing Act of 1949 in order to advance the national housing policy of ending slums, which are a major feature of poverty, and the realization as soon as feasible of a decent home and a suitable living environment for every American family; to the Committee on Banking and Currency.

By Mr. RAINS:

H. Res. 735. Resolution to provide additional funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 153; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII.

The SPEAKER presented a memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to water research, which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ROONEY of New York:

H.R. 11373. A bill for the relief of Mario Fernando Gomes DeCarvalho; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.R. 11374. A bill for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

901. By the SPEAKER: Petition of Royal D. Rood, public relations director, Responsible Enterprise Association Educational Foundation, Detroit, Mich., relative to the treatment of cancer with Krebiozen; to the Committee on Interstate and Foreign Commerce.

902. Also, petition of Mrs. Chester F. Miller, national corresponding secretary, National Society Daughters of Colonial Wars, Saginaw, Mich., relative to being placed on record as being dedicated to the preservation of the Constitution of the United States and the ideals and principles of the American Republic; to the Committee on the Judiciary.

903. Also, petition of Myron W. Fowell, Massachusetts Congregational Christian Conference, Boston, Mass., relative to being in favor of passage of the civil rights bill and being in opposition to the Becker amendment thereto; to the Committee on the Judiciary.

904. Also, petition of Toshio Chinen, Ozato-Son, Okinawa, relative to the problem of pretreaty claims; to the Committee on Foreign Affairs.

905. Also, petition of Kosei Minei, Sashiki-Son, Okinawa, calling for the reversion of Okinawa to the fatherland; to the Committee on Foreign Affairs.

SENATE

Monday, May 25, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. Metcalf).

Hon. WALLACE F. BENNETT, a Senator from the State of Utah, offered the following prayer:

Our Father in heaven, as we resume our work on the long and arduous problem we have been facing now for many weeks, we ask for Thy patience and a continuance of Thy blessing.

We realize that we have been admonished "the letter killeth, but the spirit giveth life."

We realize, too, our Father in heaven, that we have the responsibility of the letter—the responsibility to find the words through which the spirit may shine.

We pray for insight, for inspiration, and for the ability to find the words which will accomplish our purpose, without creating more problems than they were intended to solve.

We ask, too, that since the purpose of our present endeavor is to find a way by which to bring greater peace in our country and greater understanding between its citizens, we who labor on this problem may also be blessed with an increase of peace and understanding among ourselves, else how can we create the spirit for which we are responsible?

We ask this blessing in the name of Thy Son, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 22, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of a quorum call, there be a morning hour, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS TO NOON ON TUESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the business of the Senate today, the Senate stand in recess until 12 o'clock noon on Tuesday next.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll; and the following Senators answered to their names:

[No. 250 Leg.]

Aiken
Allott
Anderson
Bartlett
Bennett
Bible
Boggs
Carlson
Case
Church
Cooper
Cotton
Dirksen
Dominick
Douglas
Eastland
Ellender
Fong
Gruening
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Javits
Johnston
Jordan, Idaho
Keating
Kuchel
Lausche
Long, Mo.
Mansfield
McCarthy
McClellan
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Mundt
Muskie
Neuberger
Pearson
Proxmire
Robertson
Russell
Saltonstall
Smith
Stennis
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from North Dakota [Mr. Burdick], the Senator from Virginia [Mr. Byrd], the Senator from Connecticut [Mr. Dodd], the Senator from Arkansas [Mr. Fulbright], the Senator from Washington [Mr. Jackson], the Senator from Massachusetts [Mr. Kennedy], the Senator from Louisiana [Mr. Long], the Senator from Wyoming [Mr. McGee], the Senator from Washington [Mr. Magnuson], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pastore], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from Connecticut [Mr. Ribicoff], the Senator from Alabama [Mr. Sparkman], the Senator from Missouri [Mr. Symington], and the Senator from Tennessee [Mr. Walters] are absent on official business.

I also announce that the Senator from West Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Pennsylvania [Mr. Clark], the Senator from Oklahoma [Mr. Edmondson], the Senator from North Carolina [Mr. Ervin], the Senator from Tennessee [Mr. Gore], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from North Carolina [Mr. Jordan], the Senator from South Dakota [Mr. McGovern], the Senator from Wisconsin [Mr. Nelson], the Senator from Florida [Mr. Smathers], the Senator from Georgia [Mr. Talmadge], the Senator from South Carolina [Mr. Thurmond], and the Senator from New Jersey [Mr. Williams] are necessarily absent.

I further announce that the Senator from California [Mr. Engle] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. Beall], the Senator from Vermont [Mr. Prouty], and the Senator from Pennsylvania [Mr. Scott] are absent on official business.

The Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Arizona [Mr. Goldwater], the Senator from New Mexico [Mr. Mechem], the Senator from Kentucky [Mr. Morton], the Senator from Wyoming [Mr. Simpson], and the Senator from Texas [Mr. Tower] are necessarily absent.

The ACTING PRESIDENT pro tempore. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communications and letters, which were referred as indicated:

Proposed Supplemental Appropriation, 1964, for Civil Aeronautics Board (S. Doc. No. 76)

A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1964, in the amount of $6 million, for the Civil Aeronautics Board (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

Proposed Supplemental Appropriations, 1964, Various Agencies (S. Doc. No. 77)

A communication from the President of the United States, transmitting proposed appropriations involving new obligational authority, in the amount of $52,170,000, and an increase in an appropriation to liquidate obligations incurred under previously granted contract authority, in the amount of $350,000, for various agencies, for the fiscal year 1964 (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

Report on Exportation of Dry Milk to Hungary

A letter from the Assistant Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that Bank had issued its guarantee with respect to the exportation of dry milk to Hungary; to the Committee on Appropriations.

Report on Weaknesses in Certain Animal Disease Control Activities

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on weaknesses in animal disease, control activities involving primarily eradication of brucellosis in cattle, Agricultural Research Service, Department of Agriculture, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Overstated Cost Estimates Included in Certain Contracts With the Boeing Co., Seattle, Wash.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on overstated cost estimates included in the initial target prices of incentive contracts AF 33(600)-36319 and AF 33(600)-38098 with the Boeing Co., Seattle, Wash., for the Bomarc A weapon system, Department of the Air Force, dated May, 1964 (with an accompanying report); to the Committee on Government Operations.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate the petition of C. R. Mead, of Westport, Conn., relating to his claim for redress of grievances be heard by the U.S. Supreme Court, which was referred to the Committee on the Judiciary.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

S. 1004. A bill to authorize appointment of the Director and Deputy Director of the Coast and Geodetic Survey from civilian life, and for other purposes (Rept. No. 1024).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON, from the Committee on Post Office and Civil Service:

One hundred and forty-five postmaster nominations.

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HUMPHREY:

S. 2869. A bill to amend title II of the Social Security Act so as to eliminate inequities arising in certain cases from the manner prescribed for the crediting of wages of an individual which are paid after his death; to the Committee on Finance.

(See the remarks of Mr. Humphrey when he introduced the above bill, which appear under a separate heading.)

AMENDMENT TO TITLE II OF SOCIAL SECURITY ACT

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to eliminate inequities arising in certain social security cases for the crediting of wages of an individual which are paid after his death.

This bill was drafted to meet the rare situation of an uninsured worker who would be insured if wages that he earned in the quarter of his death but that were paid later could be credited to the quarter of his death. The need for this amendment to the Social Security Act arose during my attempts to assist a family in the collection of a lump-sum death payment under the social security system.

The need for this amendment is clear and I urge the Congress to act promptly on this proposal.

The PRESIDING OFFICER (Mr. Inouye in the chair). The bill will be received and appropriately referred.

The bill (S. 2869) to amend title II of the Social Security Act so as to eliminate inequities arising in certain cases from the manner prescribed for the crediting of wages of an individual which are paid after his death introduced by Mr. Humphrey, was received, read twice by its title, and referred to the Committee on Finance.

NOTICE OF HEARING ON CERTAIN TAX CONVENTIONS AND PROTOCOLS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, I wish to announce that the Committee on Foreign Relations will hold a public hearing on several tax conventions and protocols at 10 a.m., on Wednesday, May 27, 1964, in Room 4221, New Senate Office Building. The conventions and protocols to be considered are as follows:

First. Executive K, 86-2, August 17, 1960: A protocol modifying and supplementing the convention between the United States of America and Japan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Tokyo, on May 7, 1960, supplementing the protocol signed at Washington on April 16, 1954.

Second. Executive G, 87-2, August 31, 1962: Protocol between the United States and Japan, signed at Tokyo on August 14, 1962, modifying and supplementing the convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income signed at Washington on April 16, 1954, as supplemented by the protocol signed at Tokyo on March 23, 1957, and as modified and supplemented by the protocol signed at Tokyo on May 7, 1960.

Third. Executive A, 88-1, January 15, 1963: Convention between the United States of America and the Grand Duchy of Luxembourg for the avoidance of double taxation of income, the prevention of fiscal evasion, and the promotion of trade and investment, signed at Washington on December 18, 1962.

Fourth. Executive P, 88-1, December 3, 1963: Protocol, signed at The Hague on October 23, 1963, modifying and supplementing the extension to the Netherlands Antilles of the convention between the United States of America and the Kingdom of the Netherlands for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and certain other taxes.

Fifth. Executive Q, 88-1, December 3, 1963: Supplementary convention between the United States of America and the Kingdom of Sweden relating to income and other taxes signed at Stockholm on October 22, 1963, modifying and supplementing the convention and accompanying protocol for the avoidance of double taxation and the establishment of rules of reciprocal administrative assistance in the case of income and other taxes, signed at Washington on March 23, 1939.

Sixth. Executive A, 88-2, March 4, 1964: Protocol between the United States of America and Greece, signed at Athens on February 12, 1964, modifying and supplementing the convention of February 20, 1950, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons.

Seventh. Executive B, 88-2. April 1, 1964: Protocol to the International Convention for the Northwest Atlantic Fisheries, signed at Washington under date of February 8, 1949, which protocol relates to harp and hood seals. The protocol was signed at Washington under date of July 15, 1963, for the United States of America and 11 other governments.

Persons wishing to testify on any of the conventions or protocols should communicate with the clerk of the Committee on Foreign Relations without delay.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. ROBERTSON:

Statement regarding the resignation of Hon. Mortimer M. Caplin, Commissioner of Internal Revenue.

RACES IN HAWAII: A HAPPIER STORY

Mr. HUMPHREY. Mr. President, I am very happy to introduce into the Record an article relating to the great State of Hawaii. I am particularly delighted in light of the fact that the Senator from Hawaii [Mr. Inouye] is the Presiding Officer.

Mr. President, as we press for passage of H.R. 7152 there are many gloomy voices abroad. They augur a growth of racial antipathy and violence if the bill succeeds. It is an article of faith among many opponents of civil rights that the closer two races are drawn together the harder they rub each other the wrong way.

In this context I would commend to my colleagues an article by Hon. Nelson K. Doi in the Milwaukee Journal. Mr. Doi is the president of the Senate of the State of Hawaii. He describes most pertinently for us the racial situation in his own State, a situation which very simply refutes the intolerant racist theories of our own mainland stalwarts of segregation. It is well known that Hawaii is far out in the front lines of the battle for integration and equality. We now learn that it is also making unusual discoveries in the process.

As Senator Doi explains:

> In fact, more and more business organizations are finding out that it is good business to have a multiracial staff and management. Clearly the multiracial approach improves the balance statement.

In a time when our legislative perspectives on civil rights tend to grow more narrow, we are indebted to Senator Doi and the Milwaukee Journal for giving us a breath of fresh air on the subject. I request unanimous consent to have this interesting article printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RACES IN HAWAII: A HAPPIER STORY

(NOTE.—Today, on the 10th anniversary of the U.S. Supreme Court's ruling against segregation in public schools, race relations in many parts of the country are strained by demonstrations, by riots, police crackdowns, school boycotts, legislative filibusters, and prolonged litigation. But in the newest State, Hawaii, there is a happier story. It is told here by the president of the Hawaiian Senate, a man of Japanese descent, in a condensation of his speech May 6 at the western Governors' conference in San Francisco.)

(By Nelson K. Doi)

The fact that the rights of man can be enjoyed to such a high degree in Hawaii, regardless of a man's race, religion, color, racial origin, or ancestry, is in large part a product of our history. Equal rights legislation has played a limited but occasionally crucial part in this history. Today, a little less than a third of Hawaii's civilian population is Caucasian (white); a little less than a third is Japanese; about 17 percent are Hawaiian or part Hawaiian; 11 percent are Filipino, and 6 percent are Chinese. Another 3 percent includes Negroes, Koreans, Samoans, and others. None of these data are very accurate since a large proportion of our people are really part Japanese or part Chinese or part Caucasian, even though they are arbitrarily listed under a single racial category.

I should note that the term "race" is used rather loosely in Hawaii to refer to a combination of a person's ancestry and cultural background. Few Hawaiians are particularly sensitive about identifying their racial antecedents. Observations about a person's race are common in Hawaii. Sometimes these discussions almost take on the form of a game, especially when you try to identify the ancestry of young Katy O'Day, a lovely looking lass who obviously is not Irish.

SINGLE SCHOOL DISTRICT

Education is one of the focal points of the civil rights movement. Hawaii's constitution is very specific that "there shall be no segregation in public educational institutions because of race, religion or ancestry," and this describes the situation as it is. We have one single public school district for the entire State and the schools are all racially mixed, though the population composition varies from school to school.

Our problem today in public education is not that of assuring racial mixing but rather of making certain that we have adequate schooling for all our children, especially those who are culturally and economically disadvantaged.

Our university serves not only thousands of Hawaiian students of many races but it also serves an increasingly large number of students from the mainland and abroad.

The instruments of justice in Hawaii are relatively well integrated. As illustration, the chief justice of the supreme court is an American of Japanese ancestry, as is the current president of the bar association. The chief of police in Honolulu is of Chinese extraction. Correctional facilities are not and have not been maintained on a segregated basis.

Medical services and facilities are another area which has not been tarnished by discrimination. There is no discrimination in the hospitals, public or private, in Hawaii, and no discrimination that I know of by medical practitioners.

The availability of privately owned, public accommodations to people of all races is unfortunately an emotion packed issue in the United States. Today in Hawaii such accommodations are, to the best of my knowledge, available to all regardless of race, though this has not always been the case. There are some places where the clientele is primarily of one race, but this is mainly a matter of choice. There are no State laws on the availability of accommodations, though I have no doubt that we would pass such legislation swiftly if the need should arise.

The free exercise of the franchise is one of the important avenues to equality. There are no racial restrictions on voting in Hawaii. Every racial group is a minority and few politicians rely solely on an appeal to the members of one group. Politicians talk race a lot and they spend a lot of time designing racially balanced tickets.

There is some demonstrable tendency for people to vote for candidates of their own race, but it is not a disciplined effort, nor is it sufficient in itself to get one elected. Today, people of all races are in both political parties and political control is not along racial lines.

To illustrate: the Governor is Caucasian; the speaker's ancestors came from Portugal; mine from Japan. The racial backgrounds of our four county executive officers include Chinese, Hawaiian, Negro, Caucasian and Indian in various proportions.

Equal employment opportunities are recognized as being fundamental to the basic equality of human beings. There are few remnants of discrimination, if any, left in public service employment in Hawaii. Teachers and civil service employees of all races work side by side.

The situation in private employment has been changing rapidly during the past few years. The pre-World War II history of Hawaii was marked by many instances of wage discrimination. In the early 1900's for instance, for the same job, the Caucasian was paid the most, then the Hawaiian, next the Portuguese, who were treated as a separate group from other Caucasians and at the bottom, the Japanese. Furthermore, many higher positions were reserved for persons of a particular race.

ANTIDISCRIMINATION LAWS

In 1959 a statute was passed forbidding wage discrimination on the basis of race, religion, or sex. In 1963 the legislature adopted a fair employment practices act.

Today, the limiting of certain jobs to people of particular racial extraction is breaking down. In fact, more and more business organizations are finding out that it is good business to have a multiracial staff and management. It is satisfying today to watch as many of the banks, for example, begin to diversify racially. Clearly, the multiracial approach improves the balance statement.

Racial discrimination in public housing has not been a problem in Hawaii. In fact, there is relatively little discrimination in the field of private housing, though we still have a few small, exclusive subdivisions left which are all-Caucasian, and many neighborhoods in which specific racial groups dominate, particularly in the rural areas.

Occasionally the racial characteristics of a desired tenant are cited in a house-for-rent advertisement. We also have some problems in providing adequate off-base rental housing at reasonable rates for members of the military and occasional instances in which Negro and other families have had difficulty obtaining adequate housing.

These are problems which are recognized. The Honolulu Chamber of Commerce, together with others, is working on adequate housing for military families; the National Association for the Advancement of Colored People will shortly be seeking to determine whether or not there is a real problem of discrimination in the rental of housing units.

The range of interracial social relations in Hawaii has vastly increased in recent years. The present generation is much more broadminded than its predecessors. Its members have many more interracial contacts than did their parents.

There are still, however, some racially restricted private social and business clubs and there is still much talk and many actions which are based on racial considerations which would be irrelevant in a better Hawaii. We still traffic in the easy generalizations about race.

Racial intermarriages are quite common in Hawaii and are accepted by most of its people. In fact, mixed backgrounds are frequently points of pride. Our State director of personnel services, for example, can rattle off with dispatch that she is Portuguese, Chinese, English, Hawaiian, and Tahitian.

HOW DID IT HAPPEN?

One personal report indicates the kind of change in attitude that has occurred over time: My parents would have been extremely displeased with me if I had married other than a Japanese girl; my wife and I, however, are not concerned about the racial ancestry of our children's future mates.

One of the interesting byproducts of the high rate of intermarriage in Hawaii is that our racial statistics are becomingly meaningless. Even today one has to use caution when citing such data. In a generation or so they won't be citable at all.

How did this relatively high degree of racial harmony come about? It did not come about because we are inherently better human beings, nor have good relations always existed.

The fact that Hawaii had a long history of political independence and that the native people of Hawaii extended a traditional hospitality and friendship to visitors and newcomers greatly influenced our later development. Because Hawaii was a monarchy and not under the direct political control of a colonial power, the missionaries, the traders, and the merchants all had to seek and obtain the cooperation of the ruling Hawaiians.

During this period the tradition of accepting intermarriages was established. In fact, our largest landed estate was left by Princess Bernice Pauahi, who married a mainland Caucasian by the name of Charles Bishop. There was no open strife in Hawaii between native and newcomer.

The second significant factor which has promoted racial harmony in Hawaii has been universal suffrage. The Organic Act of 1900 provided the right to vote to all male citizens. This was over the vigorous opposition of the ruling Caucasian elite that had engineered the revolution in 1893 and arranged the annexation 5 years later.

Fortunately, Congress did not give in and the Caucasian merchants and professionals had to accept this bitter pill. This critical provision of law made it possible for the children of immigrants to vote in later years, and it is the vote that has in large part changed the political complexion of Hawaii.

The third critical historical factor has been the emphasis on universal education in Hawaii—a tradition established by the missionaries who first came to the islands in the 1820's. Later the strong cultural drive of Oriental families to gain education for their children reinforced this tradition. Public education was always available to children of all races.

Finally, World War II and the GI bill made it possible for a great number of Hawaiians of various racial extractions to gain a college education and to pursue professional training.

The fourth factor—the requirements of the plantation economy for a seemingly endless supply of hard-working laborers—did not of itself produce harmony, but it did give us our multiracial population. Each group that came in—Chinese, Japanese, Korean, Portuguese, Spanish, Filipino—was prejudiced and race and class conscious in its own right, and the plantations themselves practiced racial prejudice. But the members of these groups became more assimilated as they gained education in American ways, and had increased relationships with peoples of other races.

Finally, World War II pushed social changes ahead a generation and with it, racial harmony. Islanders with no previous mainland contacts became acquainted with other portions of the United States and with parts of Europe.

Members of minority groups gained confidence in their own abilities and right to participate in the community; war brides arrived; the trend toward unionization was greatly accelerated; a significant middle class emerged; the mechanization of agriculture began in earnest; progress in aviation revolutionized travel to and from and among the islands, and many of our people began to have significant relations with people of other races.

GOAL IS PRACTICAL

There is a growing and vital concern in Hawaii about the civil rights of all Americans. With statehood we gained assurance not only that we were entitled to our views but that we had a responsibility to speak out.

One splendid example of our growing concern with national civil rights was the Civil Rights Week, organized at the University of Hawaii by the students. The students brought to Hawaii some of the top spokesmen on civil rights: Mohammed Ali of the Black Muslims, William J. Simmons of the White Citizens Council, James Farmer of the Congress of Racial Equality, and Martin Luther King, Jr., of the Southern Christian Leadership Council. The major speeches were broadcast on television and radio and commentators discussed the various approaches at length.

About the same time, a civil rights conference was organized to further Hawaii's support of the legislation now before the U.S. Senate. Several weeks ago a delegation from this conference, composed of a Negro, a caucasian and a Hawaiian, visited Congress and urged each Member of the Senate to support the civil rights bill. There has also been an increasing amount of letter writing to Members of Congress and to friends on the mainland by people from Hawaii urging support of the bill.

Our danger is that of becoming complacent about the civil rights struggle on the mainland. Because we have a fair degree of equal rights, it is all too easy not to be concerned about the other fellow.

What, then, can a still very imperfect Hawaii suggest to its fellow countrymen?

We've had sufficient experience to be able to say that equal rights for all citizens is not only a desirable goal—it is practical.

Second, the attainment of equal rights takes hard and persistent effort by the dominant group and the minorities. It requires struggle to overcome the innate selfishness of those who wish to preserve the status quo and their own private share at someone else's expense.

Third, educational, economic, social, and political progress are vital to the achievement of equal rights; the battle is a multifront affair.

Finally, the attainment of equal rights is worthwhile for government, business, labor, and society, but most of all it is worthwhile for the individual.

For the individual from the minority group, equal rights means a chance to fulfill his individual potentialities, a chance to be recognized as a unique individual created in his Maker's image.

For the individual from the dominant majority, equal rights for all citizens means true freedom—for I am not fully free as long as my countryman is enslaved by the nefarious web of discrimination. As that web is lifted from my brother, as he gains equal rights, so can I and he become freemen.

This, then, is Hawaii's message: As equal rights are gained, so all of us become more truly the freemen and brothers God intended us to be.

COUNCIL OF CHURCHES RESOLUTION

Mr. HUMPHREY. Mr. President, the degree of support exhibited by the churches and synagogues of America in behalf of the pending civil rights bill is nothing short of amazing. As I have documented at some length, religious laymen and leaders have spoken out boldly and courageously in support of legislation guaranteeing human rights and human dignity.

I have recently received another example of this support. The Suffolk County, N.Y., Council of Churches has adopted by unanimous vote a resolution urging the Senate to terminate its record-breaking filibuster, to oppose all crippling amendments to the civil rights bill, and to pass the bill without further delay.

This resolution is just another indication of the moral and spiritual questions involved in the consideration of this historic legislation.

I ask unanimous consent that the resolution approved by the Suffolk County Council of Churches be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION REGARDING CIVIL RIGHTS LEGISLATION

Whereas the U.S. Senate is presently debating a broad program of civil rights seeking to curb certain racial injustices; and

Whereas the nature of the pending bill is entirely in accord with Christian belief and common principles of justice; and

Whereas it is both in the national interest and the common good that the present record-breaking filibuster be brought to an end: Therefore be it

Resolved, That the Suffolk Council of Churches record its endorsement of the civil rights bill in its present state and its opposition to any crippling amendments, and that it make known its desire for cloture to both the majority and minority leaders of the U.S. Senate.

THE CHURCH ASSEMBLY ON CIVIL RIGHTS ADDRESS BY DR. BENJAMIN SPOCK

Mr. HUMPHREY. Mr. President, the Church Assembly on Civil Rights is one of the finest and most fruitful manifestations of support for the civil rights bill. The assembly is composed of clergymen and other representatives of every State in the country. It meets daily here in Washington and it will continue to do so until H.R. 7152 becomes the law of the land.

Speaking to the Church Assembly during its daily services are some of the most distinguished Americans who have a message on the civil rights issue and some of the most eloquent spokesmen for America's great religious bodies. They carry a message of faith, a message of truth, a message of inspiration to all Americans who see the moral imperative of effective civil rights legislation.

Two examples of recent speakers at the Church Assembly for Civil Rights are Dr. Benjamin Spock and the Reverend Dr. Robert W. Spike. Dr. Spock, whose name is as familiar in American households as bandage, aspirin, and perhaps even Bible, is the internationally known pediatrician whose expert knowledge and good sense open doors every day into the hearts, minds, and bodies of our youngsters. This time, Mr. President, Dr. Spock has applied his gifted mind to the effects which racial discrimination has on children of all races. His message is one which every American parent should read and ponder. It is a vital addition to Dr. Spock's highly respected writings.

The Reverend Dr. Robert W. Spike is the executive director of the Commission on Religion and Race, National Council of Churches. In the context of social revolution, and in the context of Christian conviction, Dr. Spike reminds us eloquently of our responsibilities, our choices, and our purpose in meeting the challenge of equal justice for all.

Mr. President, I ask unanimous consent that Dr. Spock's address, "Children and Discrimination," and Dr. Spike's address, "The Desperate Search for Peaceful Alternatives," be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHILDREN AND DISCRIMINATION

(Address by Dr. Benjamin Spock, internationally known pediatrician from Cleveland, Ohio, at church assembly on civil rights worship service on May 2, 1964, Lutheran Church of the Reformation, Washington, D.C.)

Children are affected by discrimination in different ways. Psychological studies have shown that the Negro child in America becomes convinced at an early age that he is inferior, because of the color of his skin. The belief will come partly from the treatment he receives from white children and adults, partly from what his parents must tell him directly, or indicate to him indirectly. What this really means is that the Negro child becomes prejudiced against himself, at the start of life, by accepting the white man's prejudice against him. At a later age period, experiments involving Negro and white students who take tests in each other's presence show that a Negro who actually scores just the same as a white student will characteristically rate his own performance as inferior. This unrealistic sense of inadequacy gets expressed, of course, in low expectations for himself in school and career. It also follows that each Negro comes to think less well of his family, his friends, his race, than they deserve. And he himself is similarly held in lowered esteem by them. So there is a vicious cycle in operation, which keeps the self-confidence of all members of the race depressed.

Human beings are strongly influenced by what others expect of them. This has been demonstrated in a variety of natural situations and also in experiments. When they feel that others expect them to behave well or to achieve highly, they tend to meet the challenge. If others expect them to be loafers or scoundrels—even though they are really high principled—they let down their standards to some degree. It's bad enough, for instance, when the community expects further delinquent behavior from a youth of any color who has already served time in a training school, because this helps to discourage him and make him cynical. ("What's the use of trying if that's what they think of me.") But to a degree this is his own fault because he did get himself into trouble before. On the other hand, there are many white people who expect most Negro youths to be lawless because of their skins. This surely increases to some degree their temptation to misbehave, as it would increase the temptation of white youths. The reason the great majority of Negroes don't succumb is that they are actually brought up with such extra high standards of behavior that the liability is canceled out. A physician who takes care of both white and Negro children can easily see that conscientious Negro parents instill a greater obligation to lawfulness and politeness than white parents need to do. They must do this, they explain, because Negroes will be blamed first whenever there is trouble.

To me it seems remarkable that most Negro children grow up not only conscientious but unhostile—friendly. It speaks for the parents' maturity and their forgivingness toward white people that they haven't instilled a fierce hatred of the race which has deprived them and insulted them for so long. How do they manage to teach their children that God is in heaven and that human beings are generally trustworthy? I doubt if I could have done it, if I had had to prepare my sons for what Negro youths must face.

What I said about the effect of the community's expectation on whether a child will be law-abiding has also been shown to be clearly true of schoolwork. If a teacher believes that a certain student—of whatever color—is stupid, even though he really has a satisfactory aptitude, his actual performance in that classroom will be poor. He will also appear stupid to a visitor to the class. He will have a dull look in his eye and an inattentive manner. He is not dull, and not even inattentive. He is reacting to the explicit or implicit scorn of the teacher with a resentment which he does not express openly because he is too polite. His restrained resentment takes the form of seeming to ignore the teacher and the teaching material. Experimental projects carried out by the Bank Street College of Education in New York have shown that some of the most withdrawn and indifferent Negro pupils can respond dramatically to teachers who like them, believe in them, and will go halfway to find their interests.

It is easy to see why racial discrimination undermines Negro children. But it's also true—though not as easily visible—that it is harmful to white children, too. When they are taught that Negroes are dirty or diseased or bad, they are really being taught that they must be afraid of them. This kind of fear also produces hate. Back in the olden days some parents tried to make their children behave by threatening that the policeman would get them, or the bogeyman. Then they came to realize that fearfulness in the child is too great a price to pay for obedience. In modern times most religious teachers have refused to instill the fear of hellfire or the fear of an angry God, sensing that these dreads will impair a child's character rather than strengthen it.

There are parents who don't teach a specific fear of Negroes but who show by their manner that they feel more uneasy, for instance, if they find their children playing with an unknown Negro child than with an unknown white child. In discussing the news of the day they may use a tense tone in mentioning the entrance of Negroes into a local school or residential district. These vague expressions of apprehension are as disturbing to children as specific fears, sometimes more so. Children have had less experience with the world, so their imaginations are less realistic, more morbid. A parent's reference to obscure danger may arouse fantastic alarms in a young child's mind. It has been learned, for example, what terrifying ideas they will formulate about a relatively simple operation like removal of tonsils and adenoids. We must go a step further and recognize that the mere fact that a white child's parents don't meet Negroes socially will give him a slight sense of strangeness and uneasiness, which most of us realize is still in us in adulthood when we try to overcome this social barrier.

We have plenty of evidence that children turn out most successful—occupationally, socially, academically, emotionally—if they can grow up feeling that there are no ordinary situations they can't cope with adequately, no people that they can't deal with agreeably. For their own sakes they should be able to feel this way about Negroes—as well as about white people of different backgrounds and manners.

Another harm to the white child in learning prejudice is that it gives him a scapegoat for his own inadequacies. When I hear an adult sneer at Jews or Catholics I feel embarrassed for him that he has revealed so publicly his uncertainty about his own worth and that he has to take such a childish and spiteful way to try to overcome it. The capable and confident person doesn't need to boost himself by trampling on others. It's healthier for children to grow up believing that they must prove their capabilities, rather than that they can claim superiorities that have no basis in reality.

Some honest parents say, "I don't particularly want to teach my child prejudice and I regret the damage that discrimination does to Negroes. But I'm still not for integration of schools because I fear its effect on my child's education."

This fear has been based primarily on the knowledge that Negro children on the average have lower scores on intelligence tests and show less academic aptitude than average white children. In actuality there are very bright Negro children, as well as average and dull ones—the same range as for white children. But there is a larger proportion of Negroes in the lower brackets and this is what brings the average down. There is no proof, however, that Negroes are innately less endowed with gray matter. Most psychologists believe that the intellectual and academic differences are explained by cultural deprivation of the Negro. I agree with this view. The study which particularly impressed me (regarding the power of environment to influence intelligence) showed that a group of white children born illegitimately to mentally retarded mothers but adopted into above-average families, developed intelligence roughly similar to those of their adopting parents. The majority of Negroes are up against multiple cultural disadvantages: poor education, irregular and low-paying jobs, poverty, crowded living quarters, no tradition of reading books, little intellecual stimulation, no hope for betterment, the constant humiliation from the white world. Children from any background would be unable to develop superior intelligence if brought up in such an environment. Other groups in America's past have started from poverty and slums, but they were able to escape as soon as they learned American ways and developed capabilities. The Negro because of his skin is chained to a slippery incline. He must struggle excessively to climb upward, but if he or his children are not able to persevere they'll slide to the bottom again.

Actual studies of the effects of integration of schools, in Louisville and Washington, show academic improvement for the Negroes and no academic disadvantage for the white children. The improvement in the Negroes was anticipated, because a great majority of Negro schools in the past have been inferior—in equipment, in the level of training of their teachers, in the morale of teachers and pupils, as well as in the readiness of the pupils to learn. So integration provided better teaching and also new hope.

As to why the school progress of the white children was not slowed there are reasonable explanations:

Since the work of the Negro children improved, the difference between them and the white children was minimized.

Since the neighborhoods where Negroes of limited educational background live are usually nearest to neighborhoods where whites of limited educational backgrounds live, the Negro children who are less advanced scholastically will usually be integrated into nearby schools where the white children are also less advanced.

Even when children with widely different aptitudes do go to same school, as is true for instance of the single high school in small cities, they will usually become separated into more advanced and less advanced classes.

In other words the quicker children and the slower children—either Negro or white—will rarely be combined in the same classrooms. Of course any classroom will have children with a moderate range of aptitudes. That's why, in many school systems, the class is divided into sub-groups. Even when children of widely different aptitudes are combined in the same class it has been shown in experiments that a good teacher can move them all along at their different rates, provided there aren't too many in the class. This was the system in the little red schoolhouse of hallowed fame.

Residential integration is often opposed by conscientious parents in a neighborhood of private homes for fear that the supposed delinquency of Negro children may prove contagious to their own. This is the most unlikely danger of all. Negro parents have at least as high standards for their children's behavior as white parents of the same educational and economic level. The Negro children who are involved in delinquency are not those whose parents can afford to buy homes. They are predominantly from the lowest economic level and from broken families, as are the white children who become delinquent.

I am saying that the fears of white parents about school and residential integration are not justified by theory or experience. To those parents who say, "I still want to postpone it," there are several answers:

The social tensions and the harm to adults and children, white and Negro, which result from segregation are not stationary today—they are increasing steadily.

Because automation is eliminating the unskilled jobs upon which Negroes have had to depend, there is now chronic, demoralizing unemployment for them, which contrasts more and more glaringly with the mounting prosperity of the rest of the population.

These excessively disadvantaged Negroes are the least able to inspire in their children a conviction about the value of schooling. Their children are further alienated when their teachers are uninspired or prejudiced or antagonistic. They drop out of school in adolescence, find no work, lose hope, and get into trouble because there is no other way to spend their time or relieve their feelings.

The pools of demoralization and resentment, of crime and disease, which are enlarging in the inner cities were not created by the Negroes. They are the end result of the humiliation and the segregation which we have imposed on them. But it is clear that the Negroes will now tolerate them no longer. I think this is fortunate for all of us. But we must have the decency and the gumption to do our part.

We should support the groups in our communities which are working to open schools, residential areas, and jobs. We must be ready to communicate when racial issues arise, with our school and municipal officials. We should make our views known to local papers, banks, and real estate people. At this particular moment it is vital that we speak to our Senators about the urgency of the civil rights bill, or write to them.

The news shows clearly that those who are aroused to fear and antagonism at the prospect of integration are quick and vigorous in expressing their feelings. It is the people of good will who most often fail to speak up.

The Desperate Search for Peaceful Alternatives

(Sermon by the Reverend Dr. Robert W. Spike, executive director, Commission on Religion and Race, National Council of Churches, at church assembly on civil rights worship service, Monday, May 4, 1964, Lutheran Church of the Reformation, Washington, D.C.)

Recently I sat at my desk and held two pieces of paper in my hand. One was a clipped editorial from a Louisiana newspaper. It began, "The National Council of Churches and the World Council of Churches plan a bloody invasion of the State of Mississippi this summer, sending 200,000 people into the State to stir up trouble." In the other hand was a mimeographed document describing two projects—a home missionary program of basic community service, including voter registration which the council proposes to initiate in Mississippi, and a program of orientation and training for college students who have volunteered for work with civil rights groups this summer. These students have not been recruited by the council, but will submit to our training program in order to prepare themselves for effective work and to learn how to respond nonviolently if they meet brutal hostility. There may be 1,000 to 1,500 of them.

These two pieces of paper ostensibly described the same plans. How could there be such an appealing lack of misunderstanding?

Yet this totally different way of looking at the events of the freedom revolution now going on in this country is growing more common. In the South, nearly all efforts to call attention to the besetting social injustices of segregation are denounced as "inciting violence" and lawbreaking. And increasingly in the North, demonstrations are interpreted as being violent when in fact the violence is almost 100 percent from those attempting to suppress these protests.

Events are turned upside down and made to be the opposite of what they are, as in the case of the Louisiana editorial.

The New York World's Fair stall-ins threat was greeted around the country as a horrifying shock—the counterpart on the left of an irresponsible rightwing. Editorials and statements by the ream have appeared which put this terrible idea on a continuum with Governor Wallace and the most vicious of segregationist habits. This then allows the writers of these pieces and supposedly all rational people to draw back a bit from the real frustrating pressure that is building up in this country because so little action is really taking place in the redress of racial grievances and to feel some righteousness in going slow.

The facts that need attention, however, is that the stall-ins did not occur. They were successfully contravened by an amazingly able Negro rights leadership. The demonstrations on the fair grounds were a legitimate kind of protest which nullified the stall-in pressure, born out of the puzzling confusion of the New York scene. And yet authorities dealt with the demonstrations as if they were stall-ins. And the public has continued to act as if the stall-ins had occurred. It is a through-the-looking-glass world, this spring of 1964. It is frightening because we drift toward real tragedy this summer because we cannot face the real situation we are in.

The real situation is that we are already deep into a major social revolution, deeply affecting the whole pattern of our society. It has been a longtime building up pressure. The cover of complacency and self-satisfaction about the American way of life has held down all the ugly truth about how many of our citizens have been ghettoized. The majority group in our Nation has convinced itself that hard work was a magic escalator on which anyone could ride to the top of the heap. One-tenth of our population has known that this simply was not true, and millions of white Americans suspected it wasn't.

Now the same elan that grips the colored peoples of other parts of the world has captured our Negro population. It cannot be contained or diverted. It will not subside ever again until the whole society is open to Negroes without hesitation.

Christians can never be too glib about God's will in history, but there is something so right about the healthy movement for full dignity, something so disciplined about its commitment that there is a deep confidence that God works mightily through this movement.

And herein lies the real chasm that divides us. It is not whether you are for this or that demonstration, this or that title in the civil rights bill. It is whether you see this movement, this social revolution as a fact or as something that you are trying to prevent from becoming fact.

This takes it completely out of the realm, even, of whether you are happy about the fact or not.

Essentially the tactics of opposition in the South are conditioned by a fantasy. It is the conviction that Negroes are by nature excitable, and easily led, that if the resistance is strong enough this present unpleasantness will go away, or in another variation of this, integration may be coming, but it is far off down the road, beyond our lifetime. Even in the places where the greatest pressure is being applied, where Negroes have died for their belief in freedom, this illusion is clung to by white people.

What is becoming apparent is that a variant form of this fantasy is also true of the North. White leaders in northern cities have somehow believed that because they personally did not possess the bizarre personal Negro-phobia that characterizes so many southern political leaders, nothing further was demanded of them. They have not accepted the freedom revolution as a fact. They have hoped for a slow evolutionary process which would not change the usual order of doing things very much. They have become so accustomed to exaggerated phrases that even a phrase like the freedom revolution can be rolled out rhetorically, while deep down it is amended to mean "a long, slow, imperceptibly moving change of opinion."

This is a fatal error, and only comes from insulation from the depth of feeling that is a permanent reservoir within the Negro community.

Because so many white leaders in the north—political, business, and educators, to be explicit, do not correctly estimate the fact of a revolutionary movement in our midst, they employ essentially the same tactics that southern white leaders apply when the pressure builds, and an explosion occurs. They exert police power to put down disorder. They refuse to negotiate with the real leaders of the movement. They denounce "irresponsible" leadership, and the battlelines are drawn.

Chester, Pa., and Cleveland, Ohio, are good examples of this fantasy-based strategy. Chester, long a sore spot of economic exploitation of Negroes, has refused to come to terms with a new Negro leadership. Its board of education under the domination of an old-fashioned Republican political machine will not negotiate. Police brutality is earning Chester the reputation of being the "Birmingham of the North."

In Cleveland, a similar intransigence on the part of the board of education has led to large scale rioting between Negro and white groups.

Both cities exude high-minded statements about not submitting to pressure, and condemning violence. The white leadership in both cities still seems to believe that it can win by holding the line.

It is a suicide course.

There will be no turning back from the freedom commitment until major changes have been made in educational policy, and political responsibility.

The real choice that white leadership has to make is between a permanent condition of social disorder in which police power must be used ever more harshly, or whether it will take drastic steps to facilitate the changes in social balance that are necessary to achieve some of the goals of the freedom movement. There are those, speaking in this same mood of realism who might argue that the Negro population being such a minority, the real threat is so irritating the prejudiced white population that they will be led to violent resistance if Negroes are given their rights. This is, of course, a real possibility. But here is where true realism has to take account of factors other than pure self-interest. I have spoken of an elan in the movement. That spirit transcends the Negro's desire for self-interest. It is the essential rightness of the movement's goals—the freeing of our society from cant and hypocrisy that gives it infinitely more power than population figures would indicate. Increasing numbers of white people have found a tangible life commitment in the movement. And even more, the sacrificial deaths of 1963 ordain an ultimate victory for the goals of the movement.

Of all people, the followers of the cross ought to know the reality of that kind of power.

So where we are, now, in this spring of 1964, is not a position of deciding for or against the revolution. It is a time of desperate search for peaceful alternatives.

In fact, the whole civil rights movement, all of the organizations up to and including SNCC, has been characterized by that search. Demonstrations themselves have been in the main the only peaceful alternatives open to a people who have been shunted off, rebuffed, cast out. Nothing is more exasperating than the white equating demonstrations with violence. Demonstrations like picketing and sitting in are responses to a violent, hostile condition that prevails in a community. What does happen is that peaceful protest often releases this hostility in the white community and the blame for it is projected back on the freedom movement. Whites, knowing the extent of their rejection of Negroes, believe deeply that terrible hatred must exist among Negroes and so they fear any break in the status quo, lest that escape. The irony is that often the first burst of hostility is once again from the white community. To be honest, it must be admitted that increasingly, Negro hostility is being vented. And who should be surprised.

What is most desperately needed right now is for some real search for peaceful alternatives on the part of the white power structure in northern cities.

It will take extraordinary efforts. Boards of education are unable to initiate the kind of program that will be required to meet the school crises arising in all of the major cities. Political captivity on the part of the board members, and educational and theoretical rigidity on the part of the school administrators conspire to prevent any drastic changes in school systems. So the whole problem settles down to arrogant defiance of legitimate protest or giving in a little here or there.

It will take action on the part of the highest civil authority; perhaps the establishment of an overarching agency which has emergency powers in order to meet the crises in northern cities.

Citizen committees of first rank ought to be formed immediately in order to demand such a wholistic approach to the events that threaten to tear apart our country. If the present trend of piecemeal, unrealistic policies are continued, that is exactly what will happen.

It all goes back, however, to facing the fact of the revolution, or pretending it doesn't exist yet, and maybe can be avoided. If one sees it as a fact, then the Nation can respond as it does in wartime, with imagination and vigor. But if it is thought to be a bad dream, then only sedatives will be prescribed, and disaster awaits us.

You now may ask, how does all this have anything to do with the civil rights bill, or perhaps the Christian Gospel? To those questions, two quick responses:

First, the long delay over this bill is perhaps the most frightening example we have of the unwillingness of white leadership to accept the reality of the revolution. This is a mild bill, mostly putting into more specific codification rights that are already given in the Constitution. It is a bill which will make possible real gains in certain parts of the country, but more important than that will symbolize to the Nation and to the world that America is still a land which takes seriously its heritage of liberty. The prolonged debate is sickening because it is so unreal. This bill should have been pased last October—before President Kennedy's death. In any external threat to the Nation, extraordinary measures could be achieved by Congress in 24 hours. For nearly a year now, the slow machinery of Government has succeeded in delaying a bill that could say to the Nation and to the world that America faces its internal sins, and will move to repair their damage. The longer this delay, the more pressure builds, the more inevitable the tragedy that lies ahead. This bill is one of those peaceful alternatives whose time is running out. The clock is ticking. The President may be right in saying it may take all summer, but the bill will be passed. If it does, however, there may be only a hollow laugh to greet it, for by then more people will be dead in the streets.

But the cause of freedom will not be killed. It will rise from the ashes of all its martyrs. What is most at stake over there on the Hill is the integrity of the white majority of this Nation. The bill is really mostly for them. Will they help with freedom's cause, or will they be the roadblock which will have to be overcome through more suffering?

And as for the gospel of Jesus Christ, is it not always about decision? Is it not always a moment-to-moment encounter with our Lord in the faces of those who suffer and are seeking releases?

Christian history is only secular history with the events demanding sacrificial commitment from those who followed the Crucified One.

As Jesus went up to Jerusalem, knowing that if He went He went to die—John records him saying, "Now is my soul troubled. And what shall I say, Father save me from this hour? No, for this purpose I have come to this hour."

For this purpose you and I have been brought to this hour, to be midwives of a new opened society of freedom. And it is Christ who greets us from the faces of all the marchers and the jailed, and the weary dark faces of our common land. Do they see Him in our white faces too, or do they see a bland, unyielding facade of self-pity and fear?

HAROLD RUSSELL—CHAIRMAN OF THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

Mr. HUMPHREY. Mr. President, just last month Members of Congress were saddened by the death of Maj. Gen. Melvin Maas who had served for a decade as Chairman of the President's Committee on Employment of the Handicapped.

The Committee is fortunate to have an able and experienced successor in Mr. Harold Russell, a Vice Chairman since 1962. Mr. Russell is particularly well qualified to assume the chairmanship, not only by past positions of leadership, but also because he epitomizes the indomitable spirit which can transform physical handicaps into spiritual growth and a richer life.

Addressing the annual meeting of the Committee on April 30, Mr. Russell demonstrated the ideas and faith that will guide his efforts to restore the handicapped individual to a productive, dignified, and respected role in his community.

Too often natural disabilities are aggravated by psychological barriers which separate the handicapped from the general public. Mr. Russell is well qualified to break down these barriers to communication and understanding. His award-winning personification of Homer Parish in "The Best Years of Our Lives" spoke directly to the hearts of millions of Americans. I am sure his present role will be another dramatic success.

I take this occasion to reiterate to Mr. Russell the good wishes and pledge of cooperation which I have already conveyed to him privately.

Mr. President, I ask unanimous consent that the remarks of Harold Russell, Chairman of the President's Committee on Employment of the Handicapped, delivered at the annual meeting of the Committee in Washington, D.C., on April 30, 1964, be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of Harold Russell, Chairman, the President's Committee on Employment of the Handicapped, Before the Annual Meeting of the Committee, Washington, D.C., April 30, 1964

Welcome to Washington, a city which this month lost one of her noblest souls.

Our dear friend, Mel Maas, is no longer with us. In our hearts we pray for him, each of us in his own way.

Part of our sadness is the knowledge that this annual meeting, and all annual meetings to come, will never be the same.

At this precise point in the past 10 annual meetings, Chairman Mel Maas would grope his way to this podium, feel for this microphone, pause for a long moment, and—in a voice that really didn't need a microphone—proceed to speak as though he were chatting with each of us individually.

"Yes, I'm handicapped," he would say—this man who was blind; who had arthritis so bad that his fingers couldn't read braille; who had had several serious heart attacks, one right on this platform; who had hardening of the arteries and diabetes and ulcers, and I don't know how many other shattering ailments. "Yes, I'm handicapped," he would say, "I wear false teeth."

And, even though we had heard his little joke many times before, we relished hearing it again. For it wasn't so much a joke as it was one man's personal testament of courage; one man's personal way of laughing at hardship, yes, at himself. And we knew that if Friend Mel could come out fighting each year, with a smile on his lips, so could we; so could we.

He could not see us sitting before him, but he could open our eyes. This man without sight could open our eyes, and could make each of us see so plainly from where we came and to where we go.

He lived the program of the President's Committee. It was as much a part of his heart as the blood that pumped through it. He knew it as though it were inscribed in his mind in braille—from the slightest detail of staff assignments to the broadest view of the program's impact on world history.

We mourn the passing of our friend and teacher. And we know that Mel Maas needs no monument of stone. His monument is the President's Committee on Employment of the Handicapped.

And now I stand before you with the difficult task of following in his path.

I see this President's Committee as not merely another program that goes about its affairs, justifying its budgets, publishing its pamphlets. Instead, I see this Committee—as well as all the Governor's committees and mayors' committees across the land—as sort of "keepers of the keys" of what is truly great about America. Let me explain:

Do you want to know what I believe America is truly all about? What our flag means, flying overhead? Why we have gone to war three times in our own generation? Then look closely at the President's committee, and at Governors' committees and mayors' committees.

You will see for yourself that the work we do is tied up in something called the equality of man.

Our work furthers not just the cause of the handicapped, but the cause of all humans; the worth of all men and all women, able-bodied and handicapped alike. Our workers don't just talk about it, but actually demonstrate the deep truth that indeed all men are created equal; that indeed all men are endowed with certain skills and talents; that indeed all men are fully entitled to hold their heads high, to lead lives of independence, to support their families.

Our work has to do with equality.

When you think of the President's committee, and of this entire movement of opportunity for the handicapped, in that light, you can see for yourself that it is not such an easy thing to assume the title of "Chairman."

I have accepted the chairmanship in all humility knowing that I will gain strength from the heritage that Mel Maas and Ross McIntire left behind them—and from each and every one of you.

I have accepted the chairmanship because I cannot think of anything in this world more worth fighting for than the equality of man.

When he was alive, Mel Maas had a talent, actually a touch of genius, for putting his finger on the most urgent needs of the handicapped—both present and future. You have my pledge that I shall continue in the directions to which he pointed.

He was in touch with the times when he stressed the need to taken action in furthering job opportunities for the mentally restored and mentally retarded; in breaking down age-old prejudices against anyone who had ever set foot inside a mental hospital; in convincing the Nation that retardation of the mind doesn't necessarily mean retardation of skills.

I shall continue to stress that need. A need which was so important to Mel Maas and to our beloved martyred President John F. Kennedy.

Joined with others, he urged the elimination of architectural barriers—those high stairways, narrow revolving doors and other thoughtless devices that keep the handicapped out of the public buildings of America. This movement is gaining steam—largely, I think, because it makes such downright good sense. I shall do what I can to help build that head of steam.

Mel Maas followed Ross McIntire's lead when he urged strong State and local action in furthering job opportunities for the handicapped; an approach that looked not to Washington for the solutions to all problems, but rather for grassroots resources, in the communities. He wanted to see stronger Governors' committees and stronger local committees as the real shock troops.

I, too, shall do all within my power to give strength to local action.

He believed in flexibility; in preventing hardening of the attitudes; in being able to spot problem areas; in taking action where and when needed. In this way he met such problems as airline travel for the handicapped, the rights of amputee truckers to drive across State lines; barriers against handicapped schoolteachers; and a host of others.

I pledge to you the flexibility of a Mel Maas.

He stressed the need to look ahead more than to look behind; to see to it that the handicapped are prepared for the job opportunities of tomorrow, rather than the fast disappearing job opportunities of yesterday.

With your help, I shall bring to my job this same forward look.

Mel Maas pioneered in the President's people-to-people program and gave leadership to this exchange of friendship among those working with and for the handicapped the world over. He traveled across the globe in this mission; and it was my pleasure to accompany him to several international meetings where the handicapped were importantly involved.

I shall maintain my long-time interest in the international scene and shall continue the work of Mel Maas and Earl Bunting in people-to-people efforts for the handicapped, and in other groups with similar aims such as the World Veterans Federation and the International Society for Rehabilitation of the Disabled. In this, I am proud to be joined by Mel's lifetime friend, Dr. Frank Krusen, the new Chairman of the People-to-People Committee for the Handicapped.

I do want you to know that I hold certain beliefs about opportunities for the handicapped. Since this is my maiden appearance before you as Chairman, I want to share them with you.

I believe in ability; in an entire orientation toward the handicapped that stresses not what is wrong with them but what is right with them; that emphasizes not disability but ability; that faces the fact that the "can-do" in a man's life exceeds the "can't-do."

I believe in the equality of man—and as I see it, this means a sincere respect for the differences between men, whether they be differences of color, of creed, of religion, of physical condition, of mental condition, or whatever.

I believe that, just as all men are born equal, all men are born different—and once we learn to accept this fact of life, we shall come to accept the handicapped as our fellow human beings in the fullest sense.

I believe there is a flame burning within each of us—some people call it a soul or a spirit—and that this flame is more important than the body that houses it.

Let the body or the mind be handicapped, but let the flame be free to burn brightly. This is the flame of our civilization, the flame that makes us men and not animals, the flame that has given us peace and justice and kindness and mercy and love.

When any man's flame is stifled by prejudice and misunderstanding and rejection, the whole world is the poorer. When any man's flame is allowed to burn brightly, the whole world is the richer.

There you have the true meaning of our work. The true meaning of this President's Committee and of your own Governors' committees and mayors' committee.

We have a stake in humanity. May God give us the courage and the strength to meet the challenge.

HELP FOR STRICKEN ALASKA

Mr. BARTLETT. Mr. President, much has already been done in and for Alaska following the March 27 earthquake and the destructive wave action which followed. Of course, what has been accomplished to date is but a bare beginning. It will take years to repair the damage and to build the new Alaska. Much, indeed, remains to be done by way of planning, aside from accomplishment. There are those in certain circumstances who suffered grievous losses who can be helped little if any under existing programs, and it is they who invoke my chief concern.

However, the Alaska Reconstruction Commission, under the chairmanship of Senator CLINTON P. ANDERSON, of New Mexico, is working diligently and constantly with the cooperation of all Federal agencies concerned, and under the direction of President Lyndon B. Johnson, to get the big job underway with the least possible loss of time.

A sensible, illuminating editorial on this subject appeared May 20 in the Fairbanks, Alaska, Daily News-Miner. I ask unanimous consent that it be printed with my remarks:

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RESULTS MOCK CRITICS

Most Alaskans are satisfied, grateful might be the better word, at the pace and amount of Federal assistance arising from the earthquake emergency. The few voluble critics on the other side of the fence would be enlightened, perhaps even silenced, if they bothered to read the periodic and frequent reports coming from the Alaska Reconstruction Commission.

The fifth report of Chairman CLINTON ANDERSON to President Johnson reveals that financial authorizations and actual work are moving forward at a fairly rapid clip. Disaster costs have been pared down to $205,811,771, and every agency that could possibly have an affiliation with this type of emergency is hard at work.

One note of gloom in Senator ANDERSON's letter to the President relates to the $50 million bond issue authorized by the Alaska State Legislature. "Bond specialists report that the State, if it were to try to market these bonds now, would have to pay an interest rate substantially above the 3.5619 percent rate carried by the most recent issue of Alaska State bonds," the Senator wrote.

"My personal feeling is that this would be a most heavy burden which the State cannot sustain."

We will hear more about this when the legislature meets again next Monday. But meanwhile, excerpts from the commission's latest report are very encouraging. Examples:

The Small Business Administration will make loans up to 30 years at 3 percent interest for financing new homes for affected owners.

Of 92 million projected total for the Corps of Engineers recovery activities under Public Law 875, the Office of Emergency Planning now has authorized $80,960,200.

In this category, the Valdez program for repair of water and sewer facilites and debris removal ($179,400 total) is now nearly nine-tenths done as compared to two-thirds completed last week. (Date of this report is May 8.) Also in Valdez, the project to provide a temporary barge terminal ($60,700 total) was more than one-third complete at the writing.

Contracts totaling $698,500 have been awarded for soil studies in Anchorage, Seward and Valdez. Jobs like this are characterized by one of the Anchorage newspapers as the work of "long-hairs" and "so-called geologists," but history is sure to mock this current fit of pique.

The SBA has been extremely active out of its Anchorage office. Applications are being processed for 58 homes and 113 businesses. This would add up to nearly $10 million. Home and business loans approved so far are approaching the million dollar mark there.

Because of the longer steaming distance to the Anchorage port, Whittier will be increasingly used as a substitute until Seward port facilities are reconstructed.

A comprehensive 94-page report finished in record time by a group of leaders in the U.S. construction industry, at the request of the Anderson commission, sheds further light on the port problem and explains why no money should be spent on Anchorage harbor facilities until geological studies confirm that the area is stable.

Total damage at this port is still unknown. Piles were broken and sprung due to a lateral shift of the dock structure. Damage below low-tide elevation has yet to be determined.

"This constitutes a very grave situation," the construction men reported, "since the structural strength of the dock possibly may be seriously impaired."

On the brighter side, the estimated million dollars of damage to the port area may be considered to be only $100,000 in replacement since the port is reported to have carried earthquake insurance.

Whatever happens there, reconstruction at Seward and rebuilding of the Port of Valdez, which is ice-free, will be key factors in restoring surface transportation on a fairly versatile basis.

Tying in the Alaska Railroad with the Canadian National Railway to facilitate inbound shipments from the mid-continent would prove another factor in providing versatility, competition and subsequent lower freight costs, although this is not a subject in the report at hand.

The Anderson progress report lists a number of additional progressive steps. Interest rates on rural housing loans in small communities and rural areas affected by the earthquake have been dropped from 4 to 3 percent. This program of the Farmers Home Administration could prove helpful to communities such as Valdez.

Urban Renewal offers assistance on a larger scale, with at least three-fourths of the total cost being borne by the Federal Government. The Government has estimated Federal grant requirements for proposed urban renewal projects at more than $51 million. Anchorage would get about half; Valdez, $7 million. These totals could increase.

Aside from the statistics, which in themselves are encouraging, for it appears almost as if various agencies are competing to help, the whole tenor of the Anderson report suggests that a big job is being done on a hard-hitting basis with no fooling around.

"Bureaucratic inefficiency" has become a cliche description of big government these days, regardless of which political party is running the show, but in the case of the Alaska reconstruction program this description is largely absent.

This doesn't mean that mistakes haven't been made, or won't be made, or that there have been no oversights. Also inequities exist in arriving at damage or repair costs which must be corrected.

But as total damage is assessed in a case-by-case basis, and more and more agencies pitch in, the total picture—so far at least—is one of results at a promising pace.

Doubters should keep current with the weekly reports of the Anderson commission, and the survey of the Alaskan Construction Consultant Committee, made up of leading construction industry representatives of the Associated General Contractors of America and the International Union of Operating Engineers.

SOME COMMUTER RELIEF COMING?

Mr. JAVITS. Mr. President, the news that the Rules Committee of the other body has, after more than a year, finally sent the Senate-passed mass transit bill to the House floor is good news indeed for the beleaguered commuters in our major cities. I ask unanimous consent that there be printed in the RECORD at this point in my remarks an editorial which appeared in the New York Herald Tribune on May 23.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FAIRPLAY FOR THE COMMUTERS

Good mass transportation is what the big cities need and they aren't getting it. Why? Because practically all the Government succor goes to highways for the traffic-congesting automobile. And in this competition, as New York knows only too well, the commuter trains have been steadily losing out.

The whole picture is out of balance. It makes no sense to build more roads for the encouragement of cars and simultaneously balk at assisting a complementary and efficient form of transit which is so essential to the great urban centers. For if we put the commuter trains out of business, the result can only be more and more automobile strangulation.

What's needed is equal treatment—namely, money to preserve and improve service for the commuters. The proposal for $500 million Federal grants to encourage urban mass transportation is small enough, but at least it recognizes the compelling necessity. The Senate passed this bill early last year, and now at last the House Rules Committee, under President Johnson's urging, has allowed it to emerge.

We can understand that most Congressmen from around the country aren't particularly concerned about New York commuters. But they ought to be. For what is good for the cities is good for everybody. The health of national transportation is accepted policy; that's why highways are built at great national expense. But let's be fair about the spending. Give the commuters and their railroads the help that is essential.

VIETNAMESE POLICY

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD an article published in the morning Times entitled "Six Papers Banned by Saigon Regime—Premier Also Arrests Nine of His Political Opponents."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SIX PAPERS BANNED BY SAIGON REGIME—PREMIER ALSO ARRESTS NINE OF HIS POLITICAL OPPONENTS

SAIGON, SOUTH VIETNAM, May 24.—Maj. Gen. Nguyen Khanh's military government banned six newspapers today and arrested nine political opponents who demanded the release of two generals he jailed in his coup d'etat last January.

Premier Khanh's move against the Vietnamese newspapers followed the banning of three others yesterday.

Three of the daily papers affected today were closed permanently. The three others were put under a temporary ban. One of those closed was Tien (Progress), which had just finished a 2-month temporary suspension.

Copies of Tien were seized throughout the city because its first issue described General Khanh's regime as a so-called democratic government.

WIDE RANGES OF CHARGES

Charges against the other papers ranged from libeling government officials to printing morally offensive stories. One paper criticized the security failure that permitted Vietcong terrorists to bomb the U.S. aircraft ferry *Card* in Saigon harbor earlier this month.

Another was accused of having sown division between the people and the army, and another was suspected of having had financial support from the followers of the slain President, Ngo Dinh Diem.

Newspapers in Saigon have a short life for financial as well as censorship reasons, and the papers shut down had existed 2 to 109 days. The suspensions left Saigon with about 50 daily papers.

The Khanh government has closed a score or more of newspapers for various reasons since he took office, but never so many at once. Charges ranged from having made antigovernment statements to having endangered security.

NINE MEN SEIZED

General Khanh's political move was directed against nine men from the central Vietnamese city of Hue who had been agitating for the release of Maj. Gen. Tran Van Don, and Maj. Gen. Ton That Dinh. The generals have been imprisoned in the mountain resort city of Dalat since January following the overthrow and slaying of President Ngo Dinh Diem last November.

Gen. Tran Van Don was Defense Minister, and Gen. Ton That Dinh was Interior Minister in the military government of Maj. Gen. Duong Van Minh, which overthrew the Diem regime. But this junta was overthrown by General Khanh. He imprisoned some of its officials and permitted Gen. Duong Van Minh to remain as figurehead chief of state.

The nine men—two teachers, two civil servants, two businessmen, a student, a mechanic and a court secretary—were also accused of having formed a political party without Government permission. Their party apparently had few members.

They were arrested and flown here for questioning. Authorities then decided they should be returned to Hue to see if courts there would try them for political offenses.

Mr. MORSE. It is an interesting story on the military dictatorship policies of the government headed by a tyrant military dictator whom the United States is supporting in Vietnam—I think to our great historic discredit.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the New York Times today entitled "Brandt Opposes Ties to Far East, Asserts Bonn Cannot Make Commitments in Asia." Mayor Brandt comments favorably upon the position taken by France in regard to the situation in Asia.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRANDT OPPOSES TIES TO FAR EAST—ASSERTS BONN CANNOT MAKE COMMITMENTS IN ASIA

BERLIN, May 24.—Mayor Willy Brandt has warned against any immediate or large-scale involvement of West Germany in the Far East.

He said on his return from a 6-day trip to the United States that he had told American leaders that West Germany, because of its position in the world, could not undertake commitments with the United States in southeast Asia.

The concept of the Social Democratic mayor of West Berlin is of heightened interest because of his position as his party's chairman and candidate for Chancellor in next year's general elections.

He said he had emphasized in the United States that West Germany's interests were centered in Europe and had advocated a broad aid program for Eastern Europe. According to an aid of Mr. Brandt, there was full agreement on this between Washington and the mayor.

PROJECTS SUGGESTED

This new policy should take the form of East-West projects to reach out beyond Western Europe's present eastern boundaries, Mr. Brandt said. The plans he mentioned included the construction of a common highway, canal, and electric power network throughout the Continent.

In Washington yesterday, President Johnson suggested a similar program of help—a sort of Marshal plan for rebuilding Eastern Europe as was carried out in war-torn Western Europe after World War II. He called for "bridges across the gulf which has divided us from Eastern Europe."

Mr. Brandt's warning against Far Eastern commitments was viewed as a cautious rejection of an effort by Secretary of Defense Robert S. McNamara to win the active support of West Germany for the U.S. operation in South Vietnam.

The Secretary of Defense, who came to Bonn 2 weeks ago on the first leg of his last trip to Saigon, was understood to have been disappointed by the lack of enthusiasm of Chancellor Ludwig Erhard's government.

INTERESTS IN EUROPE

Mr. Brandt left no doubt that he sided with Dr. Erhard on the Far Eastern issue.

"I made it clear in the United States that Germany is no world power and that our main interests are in Europe and in the North Atlantic community," he said at a news conference after his return.

"Where new commitments arise outside of NATO they can only be undertaken in a larger framework and not bilaterally between the United States and ourselves alone," he said.

Mr. Brandt caused a storm within his party and among the ruling Christian Democrats with a speech last week before the Foreign Policy Association in New York in which he praised President de Gaulle for his courage "in thinking the unthinkable."

"Sometimes," he went on, "I ask myself as a German: Why should he be the only one?"

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed in the RECORD an article written by Drew Middleton entitled "China's Intentions—United States-French Conflict on Vietnam Said To Stem From Clash on Reds' Motive."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 25, 1964]

CHINA'S INTENTION: UNITED STATES-FRENCH CONFLICT ON VIETNAM SAID TO STEM FROM CLASH ON REDS' MOTIVE

(By Drew Middleton)

PARIS, May 24.—The contrast between the American and French approaches to problems in southeast Asia arises, most "neutral" diplomats believe, from a fundamental difference over what Communist China's intentions are in Asia.

President De Gaulle has proposed an international conference, attended by China, to restore peace and neutrality in Laos. This reflects the French President's opinion that settlement of the troubles of four countries on the Indochinese peninsula—Laos, Cambodia, North and South Vietnam—in accord with China, is the only practical goal.

The United States appears to be moving toward a more militant attitude toward North Vietnam, which the Johnson administration increasingly regards as China's ally and as a base for aggression in South Vietnam and Laos.

The French Government believes China's cooperation must be won if there is to be a long-term settlement. Such a settlement, the French believe, must be based on a clear Western desire to neutralize the area by withdrawal of all foreign forces and a desire to guarantee the neutrality. This, it is argued, would reassure the Chinese about American intentions.

These convictions, rather than any wish to annoy the United States, lie behind French policy as it has developed since the recognition of the Peiping regime in January.

CLOAK FOR TACTICS SEEN

But the convictions are based on an assessment of Chinese intentions and military strength that the United States and some other French allies do not agree with.

American policymakers appear to believe that the main impact of Chinese imperialism in Asia will be to the south and southwest for many years to come. They do not think the Chinese are prepared to push north and west toward Siberia and Soviet Central Asia.

Nor do Americans appear to think China can be induced to abandon its drive to the south and southwest by agreements on neutrality. On the contrary, the Americans believe, such agreements might make it easier for the Chinese to cloak their tactics.

Chinese communism is in an expansionist stage, American experts believe. The poorly armed underdeveloped countries of southeast Asia, this theory goes, suit the Chinese military preference for the use of lightly armed infantry trained in hit-and-run tactics.

The final American argument is that once the former Indochinese area falls, the position of every other state in southeast Asia, pro-Western or neutral, is in grave danger.

Misconceptions have aggravated the differences. The French, scarred by a long and unsuccessful struggle in the same area, ascribe unreal motives in South Vietnam to the United States.

SOME FACTS OVERLOOKED

There is a tendency, for example, to overlook the fact that Americans are involved in South Vietnam because the Communists began making guerrilla attacks.

There is also a willingness to believe that the U.S. military involvement is larger than it actually is. The French are also dubious about the connection between affairs in the peninsula and the fate of Malaysia or the Philippines.

On the American side, there is readiness to see the French eagerness for neutralization as a policy of appeasement rather than as a result of a sober analysis of how to meet Chinese fears of American "aggression" in a sensitive area.

Both the American and French Governments may be seeking the same goal. But until they can agree on what China's aims are, observers suspect, their policies will conflict.

CAN SMALL BUSINESS SURVIVE?

Mr. PROXMIRE. Mr. President, this week—beginning today, May 25, 1964—has been designated by President Johnson as Small Business Week. In his proclamation, President Johnson pointed out that 9 out of every 10 businesses that supply the needs of the American people are small and independently owned and operated. The President also noted that these small enterprises provide about one-third of all goods and services. They are a broad source of employment opportunities, and the development of new ideas, new methods, and new products stimulates our economy.

The Presidential proclamation urged chambers of commerce, boards of trade and other organizations during Small Business Week to participate in ceremonies "recognizing the great contribution made by the 4.6 million small businesses in this country to our prosperous society and to the well-being and happiness of our people."

Mr. President, I am sure that all of us are grateful that the President has seen fit to emphasize in this significant way the extremely important and key role which small business plays in our economy. This role has always been a matter of continuing and deep concern to me. I have been a small businessman myself, and I know the difficulties which small businesses face, as well as the great contribution they can make to the effective operation and growth of the national economy. Since coming to the Senate, I have had the rewarding experience of being chairman of the Small Business Subcommittee of the Senate Banking and Currency Committee. In this position, I have had an oportunity, as several of my colleagues have, to hear witnesses analyze the problems that confront small businesses, and the nature of the steps which the Government can take to assist and maintain small business.

The contribution of small firms to our national economic strength cannot be overstressed. In the purely economic sense, it is the small businessman who provides the most direct and immediate services and products to consumers. It is the small businessman who is closest to the needs of the consumers and who is most aware of the techniques and means to satisfy consumer wants.

It is the small business firm which is also most sensitive to the pressures of our competitive system. The small businessman is the one who can make the slight adjustments in prices, or the minor changes in quality of product, or the personalized assistance to the consumer which will differentiate his product from the impersonalized mass-produced item.

These are some of the immediate and direct economic benefits that this Nation obtains as a result of the existence of small business firms. But there is, in my judgment, a more important and more fundamental type of advantage which we derive from the small business firms in our country. This is the intangible spirit of enterprise, of free initiative, of aggressive independence that has made our Nation great.

It takes real, raw courage to strike out on your own, to commit your energies and your savings for the production of a commodity or service where the market is uncertain and depends in large part upon your own success as a businessman and, more fundamentally, as a person. Yet, this is the type of step which every small businessman must take. It is exactly this quality, probably more than any other, which has made our Nation great. The most valuable contribution made by every small businessman—including farmers—is spirit, the spirit of initiative, of courage and, in a very real sense, of adventure.

Small businessmen also contribute in another major way which is largely intangible. Because of their closeness to their consuming public and because of their spirit of initiative and courage, small businessmen are probably our most active single group of inventors and innovators. Yet inventions and innovations, along with the spirit of initiative, are the funndamental ingredients of economic growth. If our Nation is to expand its ability to satisfy our wants, these ingredients must be preserved and cultivated.

Yet, the outlook for small business in this Nation is bleak. I am deeply concerned about the future of small business as we have known it in this country in the past. There is overwhelming evidence of the decline of small business.

The U.S. Bureau of the Census figures show that in the great New York metropolitan area, while retail sales were soaring between 1950 and 1960 the number of small businesses in the area actually dropped to one-half in 1960 what it had been in 1950.

I have felt this concern about the future success of small businesses so deeply that I have recently written a book on this subject. The title of this book raises the question: "Can Small Business Survive?" In the book I attempt to catalog a number of methods, devices, techniques and procedures by which small businesses, despite the overwhelming pressures against them, can survive and continue to contribute to our Nation. I believe it is essential that we, here in the Federal Government, help. At the same time, it is my strong conviction, bolstered by meeting and talking with thousands of small businessmen, both in my own

State of Wisconsin and throughout the Nation, that the last thing most small businessmen want is subsidy, especially by the Federal Government. After all, this is not the type of man who goes into small business.

At the same time, small businessmen want and deserve an even break. Frankly, I do not believe they are getting this even break now. The deck is stacked in favor of big business financially, managerially, technically, and governmentally.

Where can we be of direct assistance? Certainly one of the major areas involves taxation. I think there is no doubt that there tends to be a net discrimination against small businesses in the area of Federal taxation, despite the fact that there are a number of special provisions in the law for small businesses. The reason the net balance is weighted in favor of large businesses is simply because there are so many provisions in the tax law which are of only real significance to large businesses. From the standpoint of legislation, therefore, much more must be done to take tax recognition of the heavier business burdens on small business.

Another major area concerns Government procurement. It is so easy for a Government procurement officer simply to deal with one large business firm, rather than recognizing the peculiarly advantageous arrangements that can be worked out with small businesses. All of our Government agencies should be far more aggressive and imaginative in finding ways in which small business firms can more effectively serve their Nation by offering their commodities to the Government.

A third area which is extremely important is to make it easier for the small businessman to get the long-term money he needs with the same ease and at the same low interest rates as big business. Government loan procedures in the Small Business Administration and the affiliated small business investment companies needed to be simplified and streamlined. Congress must also urge and assist banks and other private lending agencies to shoulder more of the burden for small business investment. Ultimately, the private sector of the economy must do the job.

Another field concerns the question of competent management. The large range of management improvement programs offered by such agencies as the Department of Commerce and the Small Business Administration are, frankly, underused by the small business community.

In another area, I feel that both the Congress and the executive branch have fallen down. This has to do with the appropriate enforcement of our antitrust laws. Small business can compete more effectively if big business is constrained within the laws that we have established on the books.

Finally, we in the Congress must insure that small business, as well as large, shall have the opportunity and incentive to go abroad. Export markets are available and the means by which to serve these markets should also be available. A surprisingly large number of small businesses have shown that they can sell abroad and make excellent profits in the process.

Mr. President, I yield the floor.

FOREIGN LOANS FOR ONLY A THREE-QUARTERS-OF-1-PERCENT SERVICE CHARGE: ALASKA DISASTER LOANS AT THE MAXIMUM RATE OF 3 PERCENT—WHY THE DOUBLE STANDARD?

Mr. GRUENING. Mr. President, on Saturday, at the weekly meeting of the Alaska Reconstruction Commission, Mr. Eugene Foley, Administrator of the Small Business Administration, who also administers the Disaster Loan Act, announced that he was making loans to Alaskan earthquake disaster victims repayable at 3-percent interest rate, which is the maximum permitted under the Disaster Loan Act. He referred at this meeting to the 3 percent as a well-publicized rate, which seemed to be a reference to my hitherto unsuccessful efforts to get a lower interest rate for our Alaskan victims—people who have lost their home and its contents, often even the lot on which the home stood, who have also lost their business with its inventory and still have loans outstanding against these vanished possessions.

Mr. Foley then went on to say that the statement that foreign aid loans were made at a lower rate, namely, three-fourths of 1 percent, was incorrect—that these foreign loans were made at a rate of 5½ to 6 percent. This was presumably to refute my plea that Americans should at least get as good a deal as we have been giving and continue to give to foreign private enterprise under our foreign aid program.

I felt obliged to correct this error on Mr. Foley's part by pointing out, as I had previously on the floor of the U.S. Senate, that in the first place, loans were made and had been made, to the extent of over $1½ billion, and were continuing to be made at three-fourths of 1 percent with a moratorium of 10 years on the repayment of principal, and although these were technically made to foreign governments, those governments merely acted as conduits for our American dollars and handed the money on to private enterprises in their country. Actually, the three-fourths of 1 percent, in the case of foreign loans, is called a service charge. So really we are virtually making grants, because it is very doubtful whether the principal, repayment of which does not begin for 10 years, will ever be repaid. The officials who are making these generous commitments of our dollars will not be around at that time.

To be sure, our foreign aid program has permitted, quite unwisely, foreign governments which are the recipients of our taxpayers' dollars to collect a toll on our generosity and to reloan the money we lend them for private enterprise at three-fourths of 1 percent at reloan rates of 5½ or 6 percent. In other words, these foreign governments levy a toll before they bestow our dollars where our foreign aid administration has destined them to go. But that does not alter the fact that Uncle Sam and our taxpayers are lending our money at three-fourths of 1 percent, which to date has been denied the American victims of the disaster in Alaska, whereas the foreign beneficiaries, some of whom are anything but friendly to the United States, have suffered no disaster.

But, in addition to that, there are so-called development loans that have been made under our foreign aid program, not through foreign governments but directly to private enterprise abroad; and even the wholly incorrect assumption that when a loan goes through a foreign government for private enterprise, it is somewhat different from a loan to private enterprise and therefore establishes no precedents for similar action at home is thereby further refuted. I gave a list of some of these foreign aid three-fourths of 1 percent interest-bearing loans to Mr. Foley on a previous occasion. After he had finished speaking at last Friday's meeting, I left the meeting and went to my office and brought the list to him again. Here it is, but it is only a partial list, illustrating the fact that under our foreign aid program loans do go directly to private enterprises:

Afghanistan: Loan on March 23, 1963, of $2,625,000 to the Ariana Afghan Airlines, 49 percent of the stock of which is owned by Pan American World Airways (a private U.S. corporation) and the major portion of the remainder of the stock owned by private Afghanistan banks;

India: (a) Loan on June 28, 1962, of $17,900,000 to the Tata Hydroelectric Power Supply Co., Ltd., and the Andra Valley Power Supply Co., Ltd. (both private companies) for the Trombay Thermal Power Station;

(b) Loan on September 25, 1962, of $13,700,000 to the Tata Engineering & Locomotive Co., Ltd. (a private corporation) for expension of a private truck plant;

(c) Loan on July 27, 1962, to NAPCO Bevel Gear of India, Ltd. (a private corporation) of $2,300,000 for expansion of privately operated precision gear plant;

Egypt: Loan on April 26, 1962, of $3 million to the Societe Misr Pour La Rayonna for the construction of a cellophane plant. This company was a private owned company, but by nationalization decree of the Egyptian Government, a controlling interest in the company was nationalized;

Brazil: (a) Loan on March 6, 1963, to the Credito e Financiamento S.A. (a private corporation) of $4 million for the establishment of a development bank;

(b) Loan on March 11, 1963, to the Companhia De Carbonos Coloidois (a private corporation) of $2 million for a carbon black plant;

Mexico: Loan on June 30, 1962, to the Nacional Financiera, S.A. (a private corporation) of $20 million for supervised agricultural credit.

I reminded Mr. Foley that after a previous meeting of the Reconstruction Commission, when I corrected his mistaken view that no three-fourths of 1 percent loans from the United States had gone to the private sector, I had told him I would give him the evidence, and I asked him, if I did so whether he would modify his stand. I understood him to say that he would. He says I am mistaken in this; that he merely said he would consider it. I am asking him again to consider it. So far, he has stood firm for the maximum interest rate which the Disaster Loan Act permits.

The PRESIDING OFFICER. The time of the Senator from Alaska has expired.

Mr. GRUENING. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, I consider it as shocking and incomprehensible, as I have stated before and will continue to state, that while the United States dishes out loans all over the world in places where even repayment is doubtful, where there is no obligation to make such loans on the part of the United States, at three-quarters of 1 percent, with a 10-year moratorium on capital repayments, the best the Small Business Administration which administers the Disaster Loan Act will do, as of now, is no better than 3 percent, with a 1-year moratorium on interest and principal, and a 5-year moratorium on principal.

This is a double standard—a discrimination against our citizens—which I consider inexcusable. Moreover, the rehabilitated disaster victim begins paying taxes to the Federal Government, to State, municipality, and school district as soon as he is on his feet again. Thus, the better the terms the better not only for the borrower but for our whole economy. No similar advantage accrues from our foreign loans.

I now find that there is danger that even this 3-percent rate will not be adhered to and may be exceeded. In a letter written by Mr. Eugene Foley to the Senator from New Mexico [Mr. ANDERSON], dated May 20, he writes as follows:

> 6. We have made provision for the making of loans by banks which will include borrower's present indebtedness, both secured and unsecured, which is past due and, in some instances where necessary, other indebtedness which is not past due.
>
> 7. Under the blanket participation agreement, we have just increased from $100,000 prior authority for banks to process and make final determination on disaster participation loans up to $250,000, based on a minimum of 10-percent participation. In the beginning the limit for 10-percent participation was $20,000 and there was a $100,000 limit for 25-percent participation, with no such loans to be made by banks in excess of $100,000.
>
> 8. We are permitting our field offices to approve direct disaster loans up to $100,000 and regular participation disaster loans up to $150,000. This is an increase of $50,000 in each category. On the bank-processed disaster participation loans, concurring authority has been increased to $250,000 to match the bank's authority to process and approve.
>
> 9. We are now permitting banks to charge interest of not to exceed 6 percent on their portion of home loans in which they are participating as against a previous allowance of not to exceed 3 percent. We are also paying the banks a service fee of one-fourth percent per annum on the unpaid portion of the SBA share of disaster loans which they service for us. This will be taken out of the interest collected for the account of SBA. Banks formerly were paid no service fee on disaster loans.

This obviously means that banks may participate in these disaster loans, which is wholly unnecessary, and that therefore the rate to the borrower would actually be higher than 3 percent. While this may be technically permissible, I consider it a violation in spirit, if not in fact, of the Disaster Loan Act, which provides that loans shall be made at an interest rate not to exceed 3 percent. Moreover, I see no reason why banks should be profiting by this disaster. As I pointed out before, the act prescribes a maximum, but no minimum. Mr. Foley has admitted to me, and the text of the act confirms it, that he could make loans at any interest rate lower than 3 percent that he desires. He could make them at 2½ percent, 2 percent, 1½ percent, 1 percent, or three-fourths of 1 percent—the rate charged for foreign loans—or, in fact, at no percent. So far, however, he has not chosen to do so.

I shall continue to ask why this is not done, and I shall also analyze what additional burdens this new proposal to let the banks in on this procedure will impose on the sorely distressed Alaska earthquake victims.

SENATOR BREWSTER COMES TO THE AID OF THE PRESIDENT AND HIS PARTY

Mr. MANSFIELD. Mr. President, the phrase "Now is the time for all men to come to the aid of the party," is best known to typists and secretaries. Yet for all its usage this old phrase still bears wisdom and pertinence. One Senator who heeded the call is the distinguished Democratic Senator from Maryland [Mr. BREWSTER]. Senator BREWSTER does not face reelection until 1966. Yet when it became necessary for someone to stand in Maryland for President Johnson and for what President Johnson stands, Senator BREWSTER came to the aid of the President and his party. The Senator from Maryland served with courage and loyalty in a most difficult situation.

An editorial carried in the Washington Evening Star under date of May 22, 1964, states, in part, as follows:

> The likable Marylander did not seek his role as a stand-in candidate. Nor did he relish it. He accepted the chore as a duty to his party and to his State. Once the race began, however, the Senator threw himself into the campaign with all the vigor he has. And we simply want to take this opportunity to say we think he acquitted himself well, in a task from which he could scarcely hope to benefit in either a personal or a political sense.

Mr. President, I ask unanimous consent that an editorial from the Washington Evening Star of May 22, entitled "Good Job," which lauds the Senator from Maryland for his dedicated effort on behalf of the President and the Democratic Party be placed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOOD JOB

In the tortured analyses of the Maryland primary, one aspect of the Brewster-Wallace race has been largely ignored.

We refer to the performance of Senator BREWSTER. Certainly his slight margin of victory was the sharpest kind of disappointment. For whatever it may portend, Governor Wallace attracted a much larger percentage of Maryland votes than either his friends or his enemies had anticipated—and no amount of rationalization can change that fact.

But this was not the fault of "DANNY" BREWSTER. The likable Marylander did not seek his role as a stand-in candidate. Nor did he relish it. He accepted the chore as a duty to his party and to his State. Once the race began, however, the Senator threw himself into the campaign with all the vigor he has. And we simply want to take this opportunity to say we think he acquitted himself well, in a task from which he could scarcely hope to benefit in either a personal or a political sense.

ADMINISTRATOR EUGENE P. FOLEY OF SBA EXERCISES LEADERSHIP FOR MORE JOBS IN AIDING SMALL BUSINESSES

Mr. YOUNG of Ohio. Mr. President, this week has been designated by the President as National Small Business Week. Approximately one third of all the goods and services produced in the Nation are provided by our almost 5 million small businessmen. Nine out of every ten businesses in the country are engaged in what are really small enterprises. They play a vital role in our national economy. They are the backbone and heart of our free enterprise system.

Mr. President, too often the problems of small business have been disregarded, or not given enough attention by the Congress and in the legislatures of our 50 States. I have always spoken out in support of legislation to promote and encourage the growth of small businesses and shall continue to do so.

Under the direction of its very able Administrator, Eugene P. Foley, the Small Business Administration has done outstanding work toward helping to solve the problems of small businessmen and in assisting them in their contribution to our economy. What Administrator Foley is doing and the magnificent leadership he is exercising will mean more jobs for Ohio men and women. More families in our 50 States now living under difficult circumstances will have breadwinners as a result of Administrator Foley's leadership in helping operators of small businesses to acquire additional capital and to prosper and expand when they bring before his agency adequate proof that they are worthy of credit and their businesses have the potential to prosper and expand.

In the Washington Post of May 24 there appeared an excellent article by "Gene" Foley entitled "SBA Head Sees Bright Future for Small Firms." It sets forth concisely and clearly the role of small business in our economy and the work that the Small Business Administration is doing toward assisting in that regard. I commend this to my colleagues and ask unanimous consent that it be printed in the RECORD at this point as part of my remarks. I gladly report to my Ohio constituents that the SBA and Administrator Foley will cooperate with them and with me as their agent and public servant to take all proper steps to assist small business enterprises of Ohio and of all our States.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOLEY CALLS THEM AID IN POVERTY WAR: SBA HEAD SEES BRIGHT FUTURE FOR SMALL FIRMS

(By Eugene P. Foley)

Small business in America is in relatively good health today and can look forward to an even brighter future.

More than 9 out of every 10 businesses in this country are small enterprises. Moreever, the Nation's small firms are increasing at about 50,000 a year and account for virtually all the net gain in our business population.

This no doubt will surprise those who fear small business is on the way out in this country, that it is being swallowed up by the giants. Actually, at the current pace of the economy, the small business population of 4.6 million will go over 5 million by 1970.

In recognition of the tremendous role small firms play in our national economy, President Johnson has proclaimed the week starting today as National Small Business Week. The President pointed out that small businesses provide:

About one-third of the Nation's goods and services.

A broad source of diversified employment opportunities.

An opportunity for expression and growth of personal initiative and judgment.

New ideas, new methods, and new products which stimulate our economy.

It is in the area of service industries that the small businessman is dominant and where he will have his best future. The service field promises to continue to be an area of exceptional dynamic growth.

SERVICES ON RISE

During the period 1946 through 1963, employment in businesses providing services increased from 4.7 to 8.3 million—a rise of 76 percent. For the rest of the economy, the growth in employment was 18 percent.

Americans with more money to spend are demanding more services. The man or woman who has an idea, some capital, and a willingness to take risks has an excellent chance to establish a successful small business today.

In rapidly growing suburbia, the small businessman can find many opportunities to establish a successful business, particularly in the service field but also in retail trade.

I do not mean to suggest that small business is without problems. The number of small manufacturers has been declining in recent years—from 332,000 in 1947 to 313,000 on January 1, 1963. This important sector of the small business world must not be weakened.

Of concern, too, is the matter of increasing the amount of Government work done by small firms. Federal Government purchases in fiscal 1963 added up to $33.8 billion—but only 16.8 percent or $5.7 billion went to small business.

RESEARCH AND DEVELOPMENT POTENTIAL

In research and development, small business handled a mere 3.5 percent of the $5.7 billion the Federal Government spent in fiscal 1963. We believe smaller firms are qualified to do a greater part of this and other Government work.

Time and again small firms have produced a higher quality product at a lower price and at an earlier delivery date than the Government could have obtained from their giant competitors.

The line between small and big business often is difficult to draw. Many think of small business as only the "mom-and-pop" type of operation, such as the corner grocery. But a factory could have 250 employees and still be considered small. The yardsticks for measuring the size of a business vary by industry. Basically, a small business must be independently owned and operated and not dominant in its field.

In the President's war against poverty, the small business community can perform combat duty. The SBA will supply ammunition.

By assisting and encouraging small businesses to expand, the SBA can help open up a major source of jobs for the unemployed. As an indication of what can be achieved, nearly 23,000 new jobs have been created by one of our programs alone. This is the one under which $53.3 million have been loaned to local development companies since 1958 for use in constructing plants or otherwise aiding expansion.

ALLY AGAINST POVERTY

In another attack on poverty, the SBA has launched pilot projects in Philadelphia and New York with a liberalized small loan program that gives more attention to the human qualities of the applicants and less to their collateral, though it, too, is considered. The projects are aimed at opening the doors of the business world to the man or woman who has a good idea but is prevented from putting it into effect merely because of lack of capital. We believe that if the potential is there, we should be willing to take a calculated risk.

The pilot projects also cover very small businessmen who, while established, need help to expand.

In this era of rapid change the small businessman, far from being at a disadvantage, often has the edge over the industrial greats.

This is because it is usually the small businessman who is the innovator, who takes a chance on developing new products and new techniques. Many significant inventions are the work of individuals who have imagination and are willing to gamble by founding a small firm to market their inventions.

Big companies have heavy investments that tend to make them conservative, that make them resist radical change. It is the small businessman we must look to for new products, new services, new ideas in retailing.

THE 50TH ANNIVERSARY OF THE NAVAL AIR STATION AT PENSACOLA, FLA.

Mr. HOLLAND. Mr. President, I have previously requested the distinguished Senator from Virginia [Mr. ROBERTSON] and the distinguished Senator from Illinois [Mr. DOUGLAS] to be present in the Chamber at this time, so that they might hear what I would have to say.

On January 14 of this year, my colleague [Mr. SMATHERS] and I introduced, at the request of the city of Pensacola, Fla., and others, Senate Joint Resolution 145, which states that the city proposed, on June 13, 1964, to "celebrate with appropriate ceremonies the golden anniversary of the Naval Air Station, Pensacola, Fla." That is the 50th anniversary of the founding of the station at Pensacola.

A similar resolution was offered in the House of Representatives at about the same time—House Joint Resolution 889. The House joint resolution was passed by the House as an unobjected-to item on May 18. I immediately began to attempt to have either that resolution or the Senate resolution, or both, reported for early action, because the time is so limited for the striking of the galvano, which would be permitted to be struck under the resolution, at the expense of the city of Pensacola, for presentation to the Naval Air Station, and the officers and men stationed there, and to the Navy.

Pursuing my effort, I then tried to have the Committee on Banking and Currency polled. I was told by the distinguished chairman of the committee [Mr. ROBERTSON] that objection to polling the committee had been made by the Senator from Oregon [Mr. MORSE].

I conferred with the Senator from Oregon, to see if I could persuade him to withdraw his objection to polling the committee. He refused to withdraw his objection. However, he said he thought that a special meeting of the committee might easily be called to report this measure.

I went to the Senator from Virginia and talked with him about it, but he was unwilling to call a meeting unless the Senator from Illinois [Mr. DOUGLAS] would agree to not bring up another matter, about which I am not advised, but which I understand is entitled a truth-in-lending bill.

I then went to the Senator from Illinois and asked him if he would attend the meeting. I received assurance from him that he would. I thought I had his complete assurance that he would not press the truth-in-lending bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HOLLAND. I ask for an additional 3 minutes.

THe PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. I immediately reported that fact to the distinguished Senator from Virginia [Mr. ROBERTSON]. I also reported to the only other member of the committee whom I saw on the floor, the Senator from New York [Mr. JAVITS], that I thought everything was satisfactorily arranged.

Later I was told by the Senator from Virginia [Mr. ROBERTSON], either over the telephone or by letter—I have forgotten which—that he was calling a short meeting for this morning, Monday, for the purpose of handling this particular matter.

I thought the matter had been completely arranged. I was not on the floor on Friday when the Senator from Virginia announced that the meeting would be called off. He told me that he was trying to locate the Senator from Illinois [Mr. DOUGLAS], to have him present on that occasion. I was out looking for the Senator from Illinois when the announcement was made by the Senator from Virginia. I found the Senator from Illinois, but he was very happily entertaining a gentleman and a lady at a table in the Senate restaurant, and I did not feel that that was a time when I should intervene on this matter, because the Senator from Virginia had told me that the Senator from Illinois claimed he had not told me that he would not raise the truth-in-lending bill.

I have very carefully read the comments by the Senator from Virginia and the Senator from Illinois, which I believe were not made with both of them on the floor at the same time. The Senator from Virginia had made comments on this subject on Friday, and later in the day, as I read the RECORD, the Senator from Illinois made some comments, too.

It seems that I am in complete disagreement with the Senator from Illinois on the question of his having given me the assurance. I feel sure he gave me that assurance, as reported to the Senator from Virginia. The Senator from Illinois tells me he does not remember it that way, and I am quite willing to accede to this situation. Sometimes we misunderstand one another. However, I do not think I could have misunderstood him in this instance.

But what I am trying to get now is some means to have consideration given to this very innocent measure, which is to honor all the men who have passed through the Pensacola Naval Air Station and have served our country so gallantly, which will not cost the country a nickel, and which is in accordance, I believe, with serving the best traditions of our Nation, so that action may be immediately taken.

I cannot conceive of any Senator objecting to that, so that the galvano—the model from which the medal commemorating the air station will be struck—may be made by the Treasury Department, but at the expense of the city of Pensacola, for delivery to the naval exhibition at the Naval Air Station.

If there is any way in the world in which this impasse can be broken, I am hopeful that it will be, because it seems to me that the objective is sound. The Senators from Florida and the member of the Florida district which is affected have been most diligent in their efforts. The joint resolution was introduced in the Senate on January 14—almost 4½ months ago.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may have an additional 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HOLLAND. Both the Senators to whom I have addressed myself are in the Chamber, and I do not wish to keep them here indefinitely or to have them return later to discuss this problem. So my question is: Is there any way in which this problem can be adjusted, so that this innocent measure, but very important and worthwhile resolution, from a patriotic viewpoint, may be brought up and passed in timely fashion? The medal would be struck without the slightest expense to the Government. That is the question which I am addressing to the Senate at this time.

Both the distinguished Senator from Virginia and the distinguished Senator from Illinois are in the Chamber. I hope they may have some suggestion as to how we can get by this impasse.

Mr. ROBERTSON. Mr. President, my distinguished colleague from Illinois [Mr. DOUGLAS] said I might proceed. I do not mind going ahead. The only way I know of is to have the distinguished Senator from Florida move that the committee be discharged. If he makes that motion, I shall not object to it. I do not know whether, under the Morse formula, we could move in with any other business.

I told the Senator from Oregon [Mr. MORSE] this morning, after I read today what he had said, that he had not read the 17th verse of 26 Proverbs, which says that he who moves into a fight that is not his own is like a man who grabs a dog by the ears. It was the Senator from Oregon who put the screws on us. The Senator from Oregon said that if the Senate allowed any other business to be transacted, it would not be so anxious to proceed to the passage of the so-called civil rights bill. So he said there would be no other business.

Mr. HOLLAND. Surely the Senator from Virginia does not mean that the Senator from Florida said that.

Mr. ROBERTSON. I said the Senator from Oregon, not the Senator from Florida. The Senator from Oregon said there would be no polling of committees, and there would be no action by committees, when the Senate was in session.

The Senate has been convening at 10 o'clock and remaining in session, at one time until 10 o'clock at night, perhaps a few nights until later; at least, it has been meeting daily for 12 hours.

Then I received word that the distinguished Senator from Illinois [Mr. DOUGLAS] was complaining all of a sudden about a bill he has had before his own subcommittee for 4 years. He was chairman of that subcommittee and did not report the bill until after the Senate had got into the hassle over civil rights. Not a single committee had even considered the controversial measure, much less reporting it, and it could not possibly have received action on the floor of the Senate until the civil rights bill was finished. Still, he is urging us to pass the civil rights bill without any amendments. I understand the Senator from Illinois has been ready, able, and willing for some time to vote for cloture. That would be entirely all right with me. But this is what I was confronted with last Friday.

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that I may speak for an additional 3 minutes.

Mr. HOLLAND. Mr. President, I ask unanimous consent that sufficient time be granted by the Senate to enable us to dispose of this matter. I shall certainly not abuse the privilege.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROBERTSON. This is what the committee was confronted with last Friday: A controversial bill had been pending for more than 4 years. The committee had taken more than 4,000 pages of testimony. If one tried to read it at the rate of 50 pages an hour, 8 hours a day, he would be reading it the better part of a month. Who is reading it? I have been reading it. The chairman has gone out of his way to be accommodating. We have spent almost $90,000 on this one bill. Never in our history have we spent so much money. The Senator from Illinois asked that we bring college professors to Washington to testify. Never before had we brought college professors; but I agreed to bring college professors here. Later in the day, I shall indicate what we spent to bring college professors before the committee.

That reminds me of the great Republican named Knutson, who represented Minnesota. He was placed on the House Committee on Ways and Means when some New Dealers were trying to amend the tax laws. He would say, "They have never met a payroll."

The more I think about that, the more I am reminded that we have an Attorney General who wants to abolish trial by jury; yet he has never met a jury. That makes a little difference.

I graduated Phi Beta Kappa in law, but I was not ready to try a justice of the peace case. I had had no practical experience. I had not met a payroll.

So we brought the college professors, who know all the theories but have never met a payroll, to tell us about all the financial institutions of the United States. They were going to make sellers and lenders tell the borrowers how much interest they would have to pay. If Mrs. Murphy wanted to buy a washing machine, she would be told, "Mrs. Murphy, if you buy this machine on revolving credit, you will pay interest at the rate of 8.1794 percent." It would take an expert accountant plus an IBM machine to figure that out—and that would apply to every transaction. That is what the truth-in-lending bill proposes.

That bill has been before Congress for 4 years; yet no State has copied it. It has been before the House for 4 years, but not one word of testimony has been taken on that side of the Capitol.

In addition, the Senator from Illinois said, "We want hearings to be held in the hinterlands."

I said, "We have never held hearings in the hinterlands."

"Oh, yes," he said; "we must have hearings in the hinterlands."

"All right," I said; "go ahead and have hearings."

So we spent $4,500 of committee funds, in accordance with a committee vote, to hold hearings in various cities. Has anyone read all of them? Of course not.

Then when the distinguished Senator from Minnesota [Mr. HUMPHREY] wanted to collaborate with his great leader, the distinguished Senator from Montana [Mr. MANSFIELD], to have the Treasury-Post Office appropriation bill reported, he said, "I will agree not to have the Senate convene until noon on Monday, Tuesday, Wednesday, and Thursday." I said, "I am your man. I will get that bill out."

Then my friend from Florida [Mr. HOLLAND] said, "I am interested in a bill to strike a little galvano." I have never seen a galvano. He said, "There is no objection to the galvano, and it will not cost the Government anything."

I said, "Mr. Morse will not let us poll the committee on it. When the committee meets, the distinguished Senator from Illinois has a bill that has priority. When we can meet, his bill has priority. But we might run in this bill ahead of it."

"But," I said, "the Republicans have a conference at 9:30 on Monday. I have scheduled a hearing on the Treasury-Post Office bill at 10 o'clock. I will have only 30 minutes. In all, the truth-in-lending bill involves some 4,000 pages of testimony and dozens of amendments. Still I am asked to handle two bills in addition to the truth-in-lending bill. I will simply have to cancel the meeting. I could not handle it."

The Senator from Florida asks what can be done. I propose to finish hearings on the Treasury-Post Office bill this week. We cannot mark it up this week, but I expect to finish hearings on it this week. I plan to call a meeting of the Committee on Banking and Currency for 8:30 next Monday morning. The business will be the business of my distinguished colleague from Illinois, the truth-in-lending bill, S. 750, at 8:30 next Monday morning.

This afternoon—I do not have time now—I shall make a few observations, for the purpose of the Record, as to why I have been less than enthusiastic about this bill—all of which I told him in a very friendly way; and he said he knew it would be absolutely friendly. But I shall explain what we have been up against, and why I could not set his bill for a 15-minute hearing this morning, and why I acted on the request of my good friend, the Senator from Florida, for all they wanted was a 15-minute session on a minor bill to authorize a galvano, which would not cost the Government anything. We were supposed to meet for 15 minutes, to authorize that galvano, and perhaps also to help our friend, the Senator from New Hampshire, who wanted a bill to authorize minor increases in national bank loans secured by forest tracts. No one objected to that bill, but it would have been necessary to poll the committee, and we were not allowed to poll it.

Of course, if we have authority to tell people what to report to their customers in the way of interest, we have authority to tell them how much interest can be charged; let us make no mistake about that. When we move into that field, we shall be moving into a very large one. Can we imagine that the banks and all the others involved in extending credit want such a bill enacted into law? Of course they do not. But that is what we have to dispose of; and we could not dispose of it in 15 minutes.

However, I am calling the committee to meet next Monday morning, at 8:30 a.m. I regret very much the necessity of calling it at that hour. The distinguished Senator from Minnesota has a sense of humor; and certainly a sense of humor is a good thing to have. Ten days ago he admonished me a little about not calling a committee meeting at 8 or 8:30 a.m. I said to him, "Well, I could be there, but the younger members could not be there."

To my surprise, I received a letter from my distinguished friend, the Senator from Illinois, saying he is one of the younger members, and that I had reflected on him.

Mr. DOUGLAS. Oh, no, not at all.

Mr. ROBERTSON. Then on whom did I reflect? I was charged with reflecting on someone.

At any rate, it seems that we can no longer have a little humor on the floor, not even in a friendly interchange of that sort. It seems that, instead, we must watch very carefully what we say, or else, the next thing we know, someone will take offense, and will charge that we have "put our foot in it."

Mr. President, later in the day, when I have more time, I shall go into some of the details in that connection.

At the present time I merely wish to say that I acted on what the Senator from Florida told me was the situation.

The Senator from Illinois [Mr. Douglas] sent me a letter; it was dated one day, but was delivered by page, to me, at 11:45 a.m. the next day. I had been in committee meeting, and I did not get the letter until 12:15 p.m. I had to make whatever move I was going to make during the morning hour. So I came to the Chamber. The Senator from Illinois [Mr. Douglas] had answered the quorum call, and then took some lovely constituents to lunch; and I did not know where he had gone. I tried to find him, and the Senator from Florida [Mr. Holland] tried to find him. I had to make whatever move I was going to make in the morning hour, which was then underway. I just said, "There will be no 'show' this evening" or "There will be no 'show' tonight"—Senators know the difference. That is the way that meeting was called off.

But now the meeting is called back on, again, and it will be on Senate bill 750, at 8:30 next Monday morning.

Unfortunately, I had to leave last Friday afternoon; it was a red-letter day at Lexington, a little town of 6,000, but a great town. Washington & Lee University has more leaders among its alumni than any other college in the Nation. VMI, next to West Point, has turned out more great military leaders than any other college in the Nation. As a great superintendent there once said: "We at VMI teach no 'ism' except patriotism." That was the spirit of George Marshall.

On that occasion, last Saturday, there were present the President of the United States and many other distinguished guests. We should have had there the future Vice President, but he would not come. [Laughter.] We also had there the former President of the United States, and the Secretary of State, and former Secretaries of State, and major generals, lieutenant generals, and full generals, everywhere, and from 12,000 to 14,000 people—all in that little town of 6,000 people. They were there to do honor to whom? To the graduates of VMI. Naturally, I went there on Friday afternoon

Mr. YARBOROUGH. Mr. President, will the Senator from Virginia yield briefly to me?

Mr. ROBERTSON. Yes; and let me say that I know Texas A. & M. is a good school. [Laughter.]

Mr. YARBOROUGH. I merely wish to state that perhaps the distinguished Senator from Virginia does not realize that Texas A. & M. had more graduates who were commissioned officers in the Armed Forces in World War II than any other college in the Nation, including West Point.

Of course I honor VMI, too.

Mr. ROBERTSON. But what is the size of the student body of Texas A. & M.?

Mr. YARBOROUGH. It is larger than that at West Point.

Mr. ROBERTSON. That is correct, and West Point has a student body of 4,000; whereas there are only 800 at VMI. In World War II, every one of the members of the graduating class of VMI went into the military service—every one of the 800. Think of that. Those young men are taught not only to be patriots, but also to be outstanding citizens in all respects. One of the largest employers in the country said to me, "Next to a Cornell graduate, I would rather have a VMI graduate than any other graduate I can get."

I said to him, "Why?"

He replied, "Because those from VMI will do what they are told to do." They are disciplined and trained; they obey orders.

I had to be there on that occasion; and I could not stay here and participate in the debate as to why I could not that morning handle three bills, one of them one of the most controversial in the entire session, in 15 minutes.

So, Mr. President, later today I shall speak further on this matter. In the meantime, I shall permit the Senator from Illinois to speak first. I shall speak second.

Mr. DOUGLAS. Mr. President, I shall not discuss the military prowess of the graduates of the Virginia Military Institute; it is not necessary that I do so, because they have an imperishable record in the annals of our country.

I should instead like to deal with the matter at hand, and try to reconstruct as accurately as I can what happened.

On the morning in question, the Senator from Florida [Mr. Holland] walked up the center aisle and approached me at my seat, which is at the side of the aisle, and asked me whether I would attend a meeting in the Banking and Currency Committee, to consider a galvano bill which he had. I was somewhat mystified by the term "galvano."

Mr. HOLLAND. So was I until I looked into it.

Mr. DOUGLAS. He then went on to say that the chairman had complained that he was not able to get a quorum at early morning meetings, and asked me if I would attend this meeting.

If I make an inaccurate statement at any point, I wish the Senator from Florida would correct me.

I replied that I would be very glad to attend and to help make a quorum.

Our memories apparently differ as to what followed after that.

After I had made that statement, the Senator from Florida started to move away. I added that the chairman had taken the position that he did not want to bring up the truth-in-lending bill. The Senator from Florida thinks I told him that I would waive bringing up the truth-in-lending bill. I certainly have no memory of making such a statement; in fact, according to my memory, I said exactly the opposite. For me to have said that I would waive bringing up the truth-in-lending bill for consideration would have been a complete reversal of the position I have always taken. I have never been opposed to having the committee go about its business; I have merely said that when the committee does meet, I think that I, as a member of the committee, should have a right to request committee action on that bill. Of course, it is within the power of the committee not to grant such a request; but I think I do have a right to make that demand.

The memory of the Senator from Florida and my memory on this point differ. I regret that this has happened; I can only say that I certainly never thought I had consented to withhold the truth-in-lending bill from committee consideration.

Then I went back to my office, and in the course of the afternoon I dictated the letter to the Senator from Virginia which appears on pages 11728–11729 of Friday's CONGRESSIONAL RECORD.

If the letter is read carefully, it will be noticed that I never said that I would not attend the forthcoming meeting of the Banking and Currency Committee. To the contrary, I said that when the meeting occurred on Monday, I would move to report the bill S. 750.

I renew that statement. I shall be very glad to meet at any time which the chairman of the committee, the distinguished Senator from Virginia [Mr. ROBERTSON] sets. I shall be very glad to have the galvano measure considered. I am perfectly willing to have it given priority, although technically I am not certain that this should happen. I shall be glad to have the joint resolution given priority. I shall be glad to have the forest tract bill also considered ahead of the bill S. 750, and I am agreeable to the committee's voting on both of those bills even though I think one bill may still be in a subcommittee. I would move to discharge it, to have it brought out of the subcommittee and have it considered by the full committee.

I believe the galvano measure has never been referred to subcommittee. I shall be glad to move to waive the referral to a subcommittee so that it properly may be considered in the full committee.

Mr. President, all I ask is that there be regular rules of procedure. What has happened is that our good friend from Virginia, who is strongly opposed to the bill S. 750, is refusing, or up to now has refused, to have the bill considered except for the 15 or 30 minutes which he gave to the subject at an earlier meeting on April 9.

All I am asking for is equal treatment with other members of the committee. I think it is somewhat unusual and improper for the chairman to say that there are certain bills which he favors that will be put through on the "express," and that others will be "sidetracked" and never considered. That is the whole issue which is at stake.

If the Senator from Virginia will pardon me, his arguments have differed from time to time. At one time he claims that he was not able to get a quorum; then he alleges that I am trying to prevent the galvano measure and the forest tract bill from coming up. This is not my purpose, and has never been my purpose. I am perfectly willing to have those bills considered. I merely say that they should be considered in the committee in regular order, and that some time should be left so that I can at least bring up the bill S. 750.

On the merits of that bill, S. 750, there can be disagreement. The Senator from Virginia evidently intends to speak against it this afternoon. If he will tell me when he intends to speak, I shall try to be present so that I may give my version of the case.

I am sorry that this misunderstanding has arisen between the Senator from Florida [Mr. HOLLAND] and myself. I certainly have no memory of agreeing that I would not bring up my bill in the committee. That would have been a complete reversal of the position which I have repeatedly taken. And while I would very dearly like to oblige the Senator from Florida in every way, I wanted to help him surmount the obstacle which he thought existed, namely, the fact that he was not going to be able to obtain a quorum in the Banking and Currency Committee to consider the galvano resolution.

The Senator from Virginia a week ago Saturday had complained that he could not get a quorum. I wanted to assure the Senator from Florida that I would not only be present but also that I would vote for his bill. I still feel that I had the right, at least, to have my bill, the truth-in-lending bill, considered. I shall be glad to answer any questions anyone may have on the question.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. In view of a somewhat sticky situation which has developed, in view of the statement made by the distinguished chairman of the Committee on Banking and Currency that a meeting would be held on the bill of the distinguished Senator from Illinois on Monday morning next, in view of the fact that the joint resolution which the distinguished Senator from Florida [Mr. HOLLAND] has called to our attention has a time limit of June 13 for the striking of a galvano to celebrate the 50th anniversary of the Pensacola Air Station, and in view of the fact that this will cost nothing—not a thin penny—to the U.S. Government, I was wondering if the distinguished Senator from Illinois [Mr. DOUGLAS] would, in view of those circumstances, provided that we can obtain clearance all around, consider the possibility under a unanimous-consent agreement of discharging the committee from further consideration of this particular joint resolution so that it can be brought up at an appropriate time for consideration by the Senate. I hope to make the request, and in view of the unusual circumstances, I would hope that the Senator would give it his serious consideration.

Mr. DOUGLAS. First, let me say that I am not opposed to the galvano measure. I have only the friendliest feelings toward the Senator from Florida. I shall be very glad to do what I properly can. It seems somewhat ridiculous that we must discharge a committee in order to get action on so minor a measure as the one about which we are speaking.

I believe that the Senator from Virginia must have read my letter very hastily and reacted rather speedily and thought I was objecting to a meeting of the Banking and Currency Committee.

Quite to the contrary. I am ready to have the committee meet and I am ready to make the galvano joint resolution the first order of business. I merely ask that after the galvano measure has been disposed of and the forest tract bill has been disposed of, I shall at least be privileged to be recognized by the chairman to propose the bill S. 750, and not be ruled out of order.

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mrs. NEUBERGER. Is there a unanimous-consent request before the Senate?

The PRESIDING OFFICER. No.

Mrs. NEUBERGER. Mr. President, if such a request is made, I should like to be given notice, and I should like to be on record as objecting, because I believe the procedure is very unusual. It is an extraordinary request of the chairman of our committee to meet on Monday morning at 8:30 a.m. May I ask the majority leader what time it is proposed to convene the Senate on Monday?

Mr. MANSFIELD. I would have to hazard a guess. My guess would be 12 o'clock noon on Monday next.

Mrs. NEUBERGER. Then I do not understand why there should be any extraordinary 8:30 a.m. meeting of the committee. The usual time for committees to meet is 10 o'clock a.m., unless the Senate is in session. I do not see how the proposed extraordinary action could help the proposal of the Senator from Florida [Mr. HOLLAND]. If the committee cannot obtain a quorum to consider the joint resolution, how would the situation be helped? Many members of the committee are very much interested in the bill to which the Senator from Illinois has referred. We have not had an opportunity to have the bill fully considered in the committee. I am perfectly agreeable that there be a committee meeting at the usual time of 10 o'clock on Monday. But the purpose of an 8:30 a.m. meeting is obviously to see that a quorum is not available.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. In view of the statement that if a unanimous-consent request were made there would be an objection, I wish to inform the Senate that there will be no unanimous-consent request.

Mr. DOUGLAS. So far as I am concerned, I should be glad to meet at 8:30 a.m.; if the chairman of the committee wishes to hold a meeting at midnight, I shall come at that time. I am perfectly willing to have the galvano measure made the first order of business. I am perfectly willing to have the forest tract bill made the second order of business. But I reserve the right to bring up the bill S. 750 for consideration at that time. If the notice which I gave about bringing up S. 750 caused the chairman to call the whole meeting off, I suggest, if the Senator from Florida wishes his joint resolution to be considered by the committee, that he persuade the Senator from Virginia to agree that at the proposed committee meeting the galvano and forest tract measures be considered, and that then I be allowed to make a motion to bring up the bill S. 750, instead of saying, "If you intend to bring up the truth in lending bill, we will have no meeting at all," which is what the chairman apparently did last Friday.

Mr. ROBERTSON. Mr. President, will the Senator yield to me?

Mr. DOUGLAS. I yield.

Mr. ROBERTSON. I tried to make it clear last Friday. I said we only had half an hour this morning and that we could not consider the galvano resolution and the truth-in-lending bill in half an hour. I have now called a meeting for next Monday. When I called it, I did not know at what hour the Senate was going to meet. I wanted to give the Senator all the time possible. I am tied up every morning in Appropriations Committee work for the rest of the week. I am under a definite obligation to the majority leader who gave us the privilege of carrying this work forward.

I suggested that we meet at 8:30. Then we would have until the time that the Senate convenes. That meeting would be called to consider S. 750. If someone at that meeting wants to bring up the galvano resolution or any other bill, I doubt if there would be any objection made. But, from now on whenever we call a meeting of the committee, it will be on S. 750. And we will not call a meeting for any other purpose. That is the purpose for which we are calling the meeting on Monday.

As the Chair said, it is an impossibility to satisfy everyone on the committee with regard to this bill or any hearing. We tried time after time before we got into the extended debate, and we could not get a quorum.

The Appropriations Committee has been holding hearings with just one member present. They have a rule which permits that procedure. They can hear testimony, but they cannot report a bill with one member. We cannot handle the most controversial bill of the entire session with one or two committee members present. We must have a quorum. We must stay there and complete the discussion and then vote. If we cannot get a quorum, that is something else.

Some members do not want to hold any meeting at all. Some would like to have a meeting at 10 o'clock. Others might like to come in about 11:15. We cannot please everyone on this committee. A good many of the members do not want anything to do with this bill at all. The chairman of the subcommittee would not have taken 4 years to get it out of his own subcommittee if the bill were popular.

Mr. DOUGLAS. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator has the floor.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. I want to make it clear that I appreciate the two very real concessions that have been made by my two distinguished friends. The Senator from Virginia [Mr. ROBERTSON] if I understand him, has agreed to call a meeting. And as many meetings as may be called hereafter at this session, I think, would be subject, under his statement, to the same announcement, that he would expect to have the truth-in-lending bill become the first order of business.

I am not familiar with that bill. I am not a member of the committee. The distinguished Senator from Illinois [Mr. DOUGLAS], notwithstanding the fact that he and I are in disagreement on certain facts—and I can understand that those things might occur—is perfectly willing, when the meeting is called by the Senator from Virginia, to have the galvano bill—which I happen to be the sponsor of, and which is a matter of small consequence to the Nation, but of great concern to all who have served at the Naval Air Station at Pensacola, Fla.—considered. I was in hopes that that course might be followed. I have no means of knowing how long it would be before action could be taken on the matter. Until the bill is passed, the Secretary of the Treasury is not authorized to proceed. This would be accomplished entirely at the expense of the city.

I am grateful for these two very real and friendly concessions. I am in hopes that we can take that further step today. I just do not know how soon the leadership would be willing to have us dip into the calendar and pick up a bill of this type and pass it.

I believe it would be passed by unanimous consent. It relates wholly to a patriotic objective that I think is important. I do want to express my appreciation to both of the Senators. I say to the distinguished Senator from Illinois that while my recollection remains completely different from his on the one detail as to the conference, on which he has expressed his recollection, I make no charges. I am not interested at all in bringing out any issue of that kind.

I am not infallible. I do not suppose that any of us are infallible. But I certainly would not have gone to the Senator from Virginia and told him that the Senator from Illinois had told me that he would not call up the bill unless that had been my understanding.

I am grateful to both Senators. And I hope that somehow during the course of the day we can get the bill on the calendar so that it may be handled at an early time.

Mr. DOUGLAS. Mr. President, I would like to add one or two words. Although perhaps too much has already been said about this matter. I did not correct all of the misstatements that the Senator from Virginia made on Friday. But on page 11728, the Senator made a statement that Senator CLARK and I "did not want anything to come out of the committee unless the truth-in-lending bill came out first."

That has never been our position. We have simply asked that the committee consider S. 750. The committee can do what it wishes with it, nor, indeed, have we insisted that S. 750 must have priority. We simply said that at meetings of the committee where other business is considered, we have the right to have this, or any other matter brought up.

I feel that S. 750 should be brought up at the forthcoming meeting of the Banking and Currency Committee.

After the Senator from Virginia [Mr. ROBERTSON] made his statement, I suddenly remembered that I have an appointment in southern Illinois on next Sunday afternoon. I will have to drive 150 miles to get to St. Louis in order to get a plane. But I cannot catch a plane until the next morning. This brings me to Washington at about 11:30. I would hope that the meeting could be held on next Tuesday, or on Friday of this week, if necessary.

I made this request to the Senator from Virginia personally. I do not think at the moment he is favorably inclined to it. But I hope that upon consideration he may be.

As far as I am concerned, if there is no further discussion on this matter, I am ready to yield the floor.

The PRESIDING OFFICER. The hour for morning business has expired. Is there objection to the Senator from Texas [Mr. YARBOROUGH] proceeding?

There being no objection, it is so ordered.

VETERANS WITHOUT EDUCATIONAL OPPORTUNITIES PLEAD FOR GI BILL

Mr. YARBOROUGH. Mr. President, for the past several months, I have tried diligently to secure consideration of S. 5, the cold war GI bill. We have heard eloquent pleas from editorials, educators. and numerous veterans for its passage. Today I would like to concern myself with a group of citizens who present the most convincing argument for the passage of this bill—those young men who themselves would be affected by the benefits of this bill.

Instead of trying to present the case of these gentlemen in my words, I have selected three letters out of many that I have received in the last month which illustrate the mounting need for the enactment of the GI cold war bill. First, I would like to quote a young man who writes on behalf of his fellow servicemen in his unit when he states:

> Many of us hope to further our education upon completion of our military service, and the benefits we might derive from this bill would certainly be a great help to us.

Next, I have a plea from a recently discharged young man who lacks the funds to attend college, when he states:

> I don't have a trade or profession as my high school * * * only prepared me for college. I am above average in intelligence, and believe I could do well in college as I have a thirst for knowledge.

Last I would like to share with you the words of a young veteran who is now attending college:

> I am attending Pan American College at the present time and have found that there are many other veterans who would qualify under this bill, were it passed, attending Pan American College, or who would be attending if they were financially able.

Of all the statements that can be made in favor of this bill, I view the sincere urgency of these letters to be the most persuasive. To illustrate the desire of these young citizens to improve themselves and their country, Mr. President, I ask unanimous consent that these letters be printed at this point in the RECORD; from Lt. Henry W. Neill, Jr., of Fort Carson, Colo.; from Fred R. Hall, of Mesquite, Tex.; and from William J. Wilson, of McAllen, Tex.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FINANCE AND ACCOUNTING
OFFICE, U.S.A.G.,
Fort Carson, Colo., May 15, 1964.

Hon. RALPH W. YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR MR. YARBOROUGH: While serving overseas during the early part of 1963, several of my friends and I wrote to you requesting information concerning the cold war GI bill (S. 5). The literature we received at that time was most enlightening, and the consideration given our inquiry was greatly appreciated.

Although I am now stationed with a different group of men, I find the interest in this bill just as great. Many of us hope to further our education upon completion of our military service, and the benefits we might derive from this bill would certainly be a great help to us.

Any additional information you could forward me concerning this bill, and its progress in Congress, would be greatly appreciated, as would any indication of what action we might expect the present Congress to take concerning it.

Thank you for the support you have shown the cold war GI bill in the past.

Sincerely yours,
HENRY W. NEILL, Jr.

MESQUITE, TEX.,
April 27, 1964.

Hon. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

SIR: I am writing concerning your cold war GI bill of rights.

I served in the Navy from 1957 to 1961, and since my release I have been floundering around from one job to another.

I don't have a trade or profession as my high school (Thomas Jefferson, San Antonio) only prepared me for college. I am above average in intelligence, and believe I could do well in college as I have a thirst for knowledge.

There must be many other young men who are in the same fix in which I find myself. Is there any hope for us, sir?

Very sincerely,
FRED R. HALL.

MCALLEN, TEX.

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SIR: I am a recently discharged serviceman and am greatly interested in the new GI bill before Congress at this time. I am attending Pan American College at the present time and have found that there are many other veterans who would qualify under this bill, were it passed, attending Pan American College or who would be attending if they were financially able.

The majority of the servicemen who were serving at the time of the Berlin and Cuban crisis are of legal voting age and are influential in the community at the present time. As the issue is now fairly clouded both in the newspapers and on television I would like to ask for some up-to-date truthful information on the subject.

If you would be so kind as to send me any information concerning the GI bill that is presently releasable, I would be very glad to pass it on to the people concerned, and where it came from. We in the Rio Grande Valley wish you the best of luck in the coming campaign.

Sincerely,
WILLIAM J. WILSON.

EL PASO COUNTY HISTORICAL SOCIETY SUPPORTS THE GUADALUPE NATIONAL PARK BILL

Mr. YARBOROUGH. Mr. President, I am deeply gratified by the almost unanimous support being given to the creation of a Guadalupe Mountains National Park in west Texas. My bill, S. 2296, would preserve some 70,000 acres of this picturesque mountain range. Among the most recent of the many resolutions that have been passed endorsing the proposal is one from the El Paso County Historical Society. I ask unanimous consent to have it printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ON GUADALUPE NATIONAL PARK

Whereas the preservation of sites where significant historical events and movements have occurred and which possess a colorful and rich historical heritage are of particular importance to a regional historical society; and

Whereas the area designated in a bill now before the U.S. Senate as "Guadalupe National Park" is stamped with an historical heritage which represents the great cultures, ideas and movements which have molded the traditions of the American Southwest; and

Whereas the Guadalupe Peak-McKittrick Canyon area is rich with the lore of the southwestern Indian tribes; was the site of important campaigns against the Comanches and Apaches; was a welcome landmark and beacon arising above the desert plains for travelers along the southern routes; was visited by travelers, traders, and immigrants who passed it on several important southwestern travel routes; including the famous Butterfield Express Line; abounds with stories of lost mines and buried treasures; and was the witness of the most significant and colorful chapter of southwestern history; the great westward migration; and

Whereas it is the belief of the El Paso Historical Society that the rich historical heritage of this area can best be protected and preserved, and the natural beauty of the area best displayed and made available to the public by the U.S. National Park Service: Now, therefore, be it

Resolved, That the El Paso Historical Society unanimously endorse the bill now before the U.S. Senate to create "Guadalupe National Park" and recommend and encourage its prompt enactment into law.

CONREY BRYSON,
President.

Attest:
MAY 1, 1964.

EDWARD F. SHERMAN,
Director.

UNIVERSITY OF TEXAS FACULTY PAYS TRIBUTE TO LATE WALTER PRESCOTT WEBB, ONE OF ITS ALL-TIME GREATS

Mr. YARBOROUGH. Mr. President, on Friday, December 20, 1963, it was my privilege to insert in the CONGRESSIONAL RECORD a series of articles from various publications in memoriam to the late, distinguished historian and educator, Walter P. Webb, former president of the American Historical Association.

These articles have already proved of great value to other historians, in fact to all serious students of the Southwest.

Because of the interest already shown in the life and works of Walter Prescott Webb, it is important that certain further articles and documents be included in the RECORD.

I ask unanimous consent that the documents and minutes of the general faculty report of the special Walter Prescott Webb memorial resolution committee, University of Texas, Dr. Joe B. Frantz, chairman, titled "In Memoriam," the tribute of the faculty of the University of Texas to distinguished historian Walter Prescott Webb, be printed in the RECORD, with the attached bibliographical material.

I also ask unanimous consent that an article from the Journal of the West, July 1963 edition, entitled "Walter Prescott Webb, 1888–1963, Western Historian," by Franklin Parker, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IN MEMORIAM—WALTER PRESCOTT WEBB

(Report by the general faculty of the special Walter Prescott Webb Memorial resolution committee)

The mortal mirror of excellence which Walter Prescott Webb had fashioned for the University of Texas and its Department of History was shattered this past March 8, 1963, when Professor Webb's half-century of association and devotion was terminated by an automobile accident a dozen miles south of Austin. If death is ever fitting, Webb's death was proper, for he departed this world at full speed, returning from a short whirlwind speaking and autograph tour in connection with his latest literary effort.

To detail Webb's activities about the university campus and in his profession, to delineate his character, or to define his contributions as a man, a writer, a professor, and a thinker would require a short pamphlet. He attended the university as an overage undergraduate, received all his regular degrees here, and taught on its faculty from 1918 into 1963. In that protracted period he held most important positions in his profession, served on most of the university's elective committees, advised as well as resisted administrations, operated widely in several slices of Texas life, and made his influence felt in circles seldom touched by most academics.

Briefly, the essential facts of Webb's life are these. Born in Panola County, Tex., on April 3, 1888, he moved with his family when he was 3 years old to Stephens County in West Texas, where he learned from living the lessons of a semiarid, lightly treed, and frequently forbidding agrarian environment. When 60 years later a traditional graduate student intent on a traditional answer would ask him when he started gathering material for his book, "The Great Plains," Webb would answer him with characteristic bluntness, "When I was three."

The son of a sometime country schoolteacher who farmed for a living, thought and argued for pleasure, and taught for supplementation, Webb had little formal precollegiate schooling, prehaps 4 years altogether. Determined to escape the soil, he early decided to be a writer or editor, but turned to teaching as a profession to underwrite his literary efforts. He never turned away, and although 1 month shy of 74 years old when he died, he was exploring teaching by television, having already videotaped two of his courses and having deeply involved himself in an American civilization course whose conception was little short of magnificent. He, of course, was the person in this instance who had conceived.

Through a boyish letter to a southern literary magazine, the Sunny South, Webb the largely untaught country boy was contacted by a Brooklyn toy dealer, William E. Hinds, who encouraged the youth, with so little to recommend him, to go to college and to prepare himself to be a writer. "Remember," Hinds wrote Webb in his first letter, "in the bright lexicon of youth there is no such word as fail." For the next three decades Webb would often need to recall that quotation.

Parts of Hinds' encouragement to Webb was tangible, and beginning in 1909 Webb worked on his college degree at the University of Texas, partially with funds he saved while intermittently teaching in public schools at all levels and of all sizes and partially on loans from William E. Hinds, whom Webb never met. Meanwhile Webb progressed up the pedagogical ladder, teaching in one-room schools in Stephens and Eastland Counties, at Beeville, at Cuero, where he was a principal, and at Main High School in San Antonio. He introduced the first school yells Beeville had ever heard, and he also coached the tennis team to the State title. In San Antonio he flirted with the idea of becoming an optometrist, a flirtation triggered by a dispute over policy at Main High School. His argument was principally with one man, and as Webb said later in life, "One of us had to go, and he was the superintendent."

Whether Webb could have left teaching and writing is not arguable, for before he quit he had accepted a speaking assignment at the annual meeting of the Texas State Teachers Association on the teaching of history in high school. Frederic Duncalf, then a junior member of the university's department of history, liked what Webb had to say, and returned to Austin recommending strongly that Webb be brought in to instruct future public school teachers of history. Thus Webb, at 30 years old, just 3 years removed from his bachelor's degree, joined a department he was to serve with increasing distinction for 45 years. Except for visiting stints he would never leave the university. He did teach at Stephen F. Austin, Duke, Northwestern, Harvard, Wyoming, Houston, Rice, and Alaska, in addition to London and Oxford, and spent one brief period as consultant to the National Park Service.

Hardly a major university failed to invite him as a lecturer on its campus, and he was equally responsive to invitations from small colleges and high school teachers' groups, because he felt a function of a professor was to give as wide service as possible.

At Texas he supervised approximately 70 M.A. theses and 32 Ph. D. dissertations. Meanwhile he moved from instructor to assistant professor in 1920, to associate professor in 1925, and to professor in 1933.

In later years he liked to twit his colleagues all the way to the president's chair with the remark, "I came along at the only time I could have made good here. You fellows would never have hired me; and if you had hired me you wouldn't have kept me; and if you had kept me, you wouldn't have promoted me." And he likewise transferred some of his own early hard experience to struggling students, especially at the graduate level.

"I've never sat on a doctoral examination which I could have passed myself," he would say as he voted to pass students which the remainder of a committee was unanimous in rejecting. No great grademaker himself, he tended to grade high, though he was no easy mark for a pass. Webb liked to read, widely and indiscriminately; any student who would evince similar likes he would pass regardless of whether he had read what was assigned, but he had to read.

Webb likewise was a bit of a soft mark for the offbeat student. When one girl, instead of turning in a traditional term paper, handed him a parcel of homemade cartoons illustrating a point, Webb was entranced. "It makes more sense than nine-tenths of the papers I get," he said half-truculently to a colleague who suggested that this sort of approach shouldn't be encouraged. The girl received an A.

What did Webb do? Specifically, he wrote "The Great Plains" in 1931. It won the Loubat Prize, given by Columbia once every 5 years to the book making the greatest contribution to the social sciences. A decade later it was honored by having a national conclave examine it as one of the most significant books on the American scene; and two decades later in a poll of the profession it was voted the most significant book of the past quarter-century by a living historian.

Webb wrote the definite history of the most famous of Western law-enforcement agencies, the Texas Rangers. Webb's estimate of it was that the book was definitive but "surprisingly dull." His "Divided We Stand" stirred considerable controversy in historical, economic, and political circles, not all of which has died. In 1952 he brought out "The Great Frontier," a book which again provoked controversy and led to Webb's latest thesis being the topic for analysis by the Second International Congress of Historians of Mexico and the United States, a title which doesn't include the South American, Australian, British, Canadian, French, and Spanish historians who participated. A volume of his shorter pieces, "An Honest Preface," appeared in 1959.

At the time of his death Webb had just brought out "Washington Wife," a diary which he and Mrs. Terrell Webb had edited and which in 2 weeks after its appearance had hit the national best-seller lists. Between times Webb had written several public school textbooks, a small piece of promotional propaganda called "More Water for Texas," a limited edition of "Flat Top Ranch," numerous articles for national magazines, especially Harper's, several of which had again stirred the sensitive.

In the professional journals Webb was hardly known. In the two leading historical journals he had a lifetime total of seven reviews, four in one and three in the other. The only two articles which appeared on the major journals were is presidential addresses for the Mississippi Valley Historical Association (1955) and the American Historical Association (1958). Of the latter association he was, incidentally, the only president ever elected while teaching in a southern university or while teaching west of the Mississippi.

Honors came to Webb, despite the fact that he was in his midforties before he obtained his Ph. D. In 1958 the University of Chicago, which had once rejected him for a Ph. D., awarded him an honorary doctor of laws; earlier he had received a similar degree from Southern Methodist University. He was Harkness lecturer in American history at the University of London, and Harmsworth professor of American history at Oxford, from which latter institution he held an honorary M.A. Oxon.

At the University of Texas, Webb rose to the rank of distinguished professor, was chairman of the University of Texas Press Advisory Board, a long-time member of the Committee on Academic Freedom and Responsibility (the latter noun being his addition to the committee's title), several selections committees for university administrators, and so on. He was elected to Phi Beta Kappa, and at the time of his death was one of its national lecturers. He was a fellow of the Texas State Historical Association, was director of the association for about 8 years, a fellow of the Texas Institute of Letters, a member of the Texas Philosophical Society, and a regular attendant at a Thursday night poker club. In the mid-1930's he shot the rapids of Santa Elena Canyon in an attempt to dramatize the necessity of making a national park out of the Big Bend.

While with the Texas State Historical Association he promoted the idea of a Junior Historian movement, forming five public school chapters in 1940. By 1959 the number had reached 171 chapters. Many believe, with J. Frank Dobie, that "the far-reachingness * * * of this Junior Historian movement can't be determined at all" and may well be the greatest contribution to history which Webb had made.

Others would argue that the two-volume "Handbook of Texas," which Webb conceived and originally promoted, may be even a greater contribution to the State. Like the Junior Historian idea the "Handbook," with its 16,000 articles contributed by 1,000 historians, was unique, though both have since been widely admired and copied in other States.

And so the list continues. A $10,000 gift from the American Council of Learned Societies for a lifetime of distinguished scholarship; invitations to talk to physicists and architects and psychologists; a highly successful boys' camp at his Friday Mountain Ranch; the launching (with Charles E. Green) of the Headliners Club, Austin's first downtown social club; the rebels' table (with Dobie and Roy Bedichek) at Town and Gown; as adviser on the staff of Senate Majority Leader Lyndon B. Johnson; an adviser to founders of new magazines (True West and Frontier Times are only two examples); a severe critic of Coca Cola on the Texas campus; one of the first four distinguished alumnus award winners from the Texas Ex-Students' Association; the list seems interminable, and almost incredibly varied.

To talk of the intangibles, of Webb the teacher, Webb the man, and Webb the colleague, leads to the same sort of ineffability encountered when most of us try to describe a sunset, or explain jazz, or why we like our friends. He was not a smooth lecturer, but his voice, dry and flat and western as the plains he came from, carried compulsion. As he grew older and his life richer with recognition, he developed a feeling of quiet power which he could communicate to his auditors. But mainly he was a suggestive teacher who threw out ideas, many of them barely formed, that sent dissenting students to the library or to Scholz' to study and to argue and particularly to think. Like a good cowman he often parabolized, instructing his students in word pictures drawn from the earth to which he always remained close. He probably thought of himself as an artist who worked not with brushes or strings but with words. But on the other hand he could be distressingly straightforward and succinct, cutting through torrents of argument to deliver directions that were blunt and even brutal, as both faculty and students learned on painful occasions. Logan Wilson likened him to a cactus; Harry Ransom observed that whereas most of us work by "making salads, compotes, mosaics," Webb "starts by scratching his own mind." Every man who knew him felt he owned a special piece of him; not all felt any affection or warmth, but each knew a memorable moment when Webb either opened a curtain to illuminate a thitherto obtuse outlook, or else delivered a generalization that was as unforgettable as it was unacceptable.

In his last annual report to the university's administration Webb gave an insight into the state of his intellectual affairs just before his death. As usual, it shows something of the man also. Under the question regarding "continuing research," he wrote:

"There may be some question as to whether what I am doing can be classed as 'research.' I am, I think, gathering up the loose ends of a long, exciting, and disorderly life by doing essays on the American West, The Emerging South, and the implications of The Great Frontier thesis." Then he goes on to describe almost offhandedly his work on "Washington Wife" and his Ford Foundation project in American civilization.

Webb married twice. His first wife was the former Jane Oliphant, of Austin, whom he married in 1916 and who preceded him in death in 1960. Surviving is one daughter, Miss Mildred Webb, currently a humanities research assistant II at the university. In 1961 Webb married Mrs. Terrell Maverick, widow of the late Congressman and San Antonio mayor, Maury Maverick. She was seriously injured in the accident which took Webb's life, but has since recovered markedly.

Perhaps Gov. John Connally, in proclaiming that Walter Prescott Webb should be one of the two non-office-holding civilians to be buried in the State Cemetery, summed up Webb's career as pithily as anyone when he said:

"More than a scholar-writer, Dr. Webb tended cattle, drank coffee from a can with the Rangers as he went on their manhunts, shot the rapids of Santa Elena Canyon to focus national attention on the natural wonders of Texas, and was forever at the call of the State for honest, unselfish advice in solving its problems. Friend of the mighty and friend of the friendless in Texas, he was a 24-hour-a-day worker for its greatness in all fields."

The list which follows is only partial. Webb had little use for recordkeeping, except as he might need to defend himself later. Many of his articles and reviews were not listed in his annual reports to the university, and he not infrequently would mererly write in the activities and publication columns, "Nothing of particular significance." By and large he disdained carbon copies, and often lost copies of older articles, fiction (he sold at least three short stories), and reviews. Possibly this list will lead readers to remember other bibliographical items and submit them to the committee in order that the list may be made more nearly complete.

A. R. LEWIS,
J. A. BURDINE,
JOE B. FRANTZ,
Chairman.

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[From the Journal of the West, July 1963]

WALTER PRESCOTT WEBB, 1888–1963—WESTERN HISTORIAN

(by Franklin Parker)

Famed historian of the West, Walter Prescott Webb, died March 8, 1963. The car he was driving overturned on a main highway 12 miles south of Austin, Tex. Dr. Webb died almost immediately. Mrs. Webb, who was with him, was injured but recovered.

First a student at the University of Texas in 1914, Dr. Webb had taught there almost continuously since 1918. Rustic and caustic, his career was unorthdox, his writings brilliant, and his themes controversial. "The Great Plains" and "The Great Frontier," his most noted books, evoked criticism and debate. Both are widely read and are said to be classics in their field.

About 1918 the new history instructor at the University of Texas began reading original Texas Ranger sources. He learned a lot about the rangers—their dependence on the horse, their love for the Colt revolver, and their fighting technique, particularly against the Comanche Indians. In a moment of synthesis during this research Webb saw the rangers as an advance guard for easterners adjusting to the Great Plains environment. His imagination soared. He asked himself: what happened when Americans emerged from their moist eastern woodlands to the dry, flat, unwooded, Indian-ruled plains?

Webb saw the Great Plains as an abrasive, wearing away and changing old ways of thinking and doing. The plains forced the westerner to develop new techniques, modify laws, find new weapons, use windmills for drawing water, attempt dry farming, use barbed wire fences, and write a new romantic literature.

"The Great Plains," published in 1931, evoked criticism from historians because of its broad generalizations. But it delighted western readers and writers who liked to think of themselves as new men with new ideas and new approaches. The book was a best seller and became a standard college textbook. It was never revised by Webb who quoted his publisher as saying that it would never go out of print.

Webb returned to his research on the "Texas Rangers." His book of that title was published in 1935, 18 years after he began it. Publication coincided with the centennial of the Rangers' founding. Paramount Pictures bought the story rights and produced it as a motion picture in 1936 starring Fred MacMurray. Webb later commented, "I am not going to tell you what I got for it in the midst of the depression, but I will say that what I got made the depression more tolerable."

Webb next wrote "Divided We Stand: The Crisis of a Frontierless Democracy," a pamphlet published in 1937. The U.S. Supreme Court had just declared the National Recovery Act unconstitutional. Webb wrote the pamphlet in a burst of indignation. He charged the North, led by the Republican Party, with seizing economic control of the country at the expense of the South and West. The book trod on many toes and brought a storm of protest. But it influenced President Roosevelt to declare the South the No. 1 economic problem of the Nation.

Chapter VI of "Divided We Stand" gave Webb another moment of synthesis for his next book. "The Great Frontier" was published in 1952, after 13 years of thought, research, reading, and organizing student seminars on the topic. "The Great Plains" was regional, "Divided We Stand" national, and "The Great Frontier" international. Webb looked at the new lands discovered by Columbus and others around 1500 and asked himself what effect they had on the last 450 years of Western civilization.

The answers Webb found centered around a boom hypothesis. The new wealth from new frontiers flowing into Europe had precipitated a gigantic windfall. The boom had interjected something new into the narrowly confined mind of Europe. New conditions stimulated new ideas about capitalism, democracy, individualism, technological advances, and progress. In short, said Webb, modern civilization rests squarely on the windfall which the frontier freely bestowed on Europe.

This was a bold thesis. It cut across many disciplines and it evoked much criticism. Rightwing groups did not like Webb's conclusion. He had said that since the closing of the frontier around 1900 boom-born institutions like democracy and capitalism were finding themselves increasingly in trouble. The book, published during the McCarthy era, was suspect.

The writing that stirred the most furor was Webb's "The American West—Perpetual Mirage" in Harper's, May 1957. Webb analyzed the difficulties desert conditions imposed on people in desert States. His purpose was to spotlight the problems so that solutions might be found. But westerners and western newspaper editors were angered. They disliked what they thought was criticism. Webb was accused of bearing a grudge against the West. He was deluged by hostile letters and editorials.

The West nurtured Webb, the West occupied his thoughts, and it was the West that he loved. History as high adventure began for him on a poor farm in Stephens County, Tex. A dreamy and lonely youth wrote a letter to the editor of Sunny South saying that he was a Texas farm boy who wanted to be a writer but had no education or money. Back came a letter from a reader, William E. Hinds of Brooklyn, N.Y. Hinds sent books. He later sent money. Webb went to school a year and worked a year to repay the loan. He repeated the process until he had received a bachelor's degree from the University of Texas. The team of Webb and Hinds was short lived and singular.

Mr. Hinds died in 1916. Webb never met him. Webb taught in public high schools for a time and then joined the history department at the University of Texas. In "The Search for William E. Hinds," Harper's, July 1961, Webb paid moving tribute to the man who had helped him, sight unseen. The debt is perpetuated in the Webb-Hinds Scholarship which Dr. Webb established at the University of Texas.

Webb's other writings include "Handbook of Texas," 1952, "More Water for Texas," 1954, "An Honest Preface," 1959, and an introduction to "Ellen Maury Slayden, Washington Wife," 1963. He earned all of his degrees from the University of Texas. He taught there for more than 40 years except for brief periods at the Universities of London (1938) and Oxford (1942–43), Rice University (1959), and the University of Houston (1959–60). He received honorary degrees from the University of Chicago, Southern Methodist University, and Oxford University. He directed the Texas State Historical Association and edited its Southwestern Historical Quarterly. He was president of the Mississippi Valley Historical Association in 1955 and of the American Historical Association in 1958.

The last piece he wrote was, fittingly, regional. It appeared as scheduled in a supplement to the student publication, the Daily Texan, 2 months after his burial. "There is something infectious about the magic of the Southwest," Webb wrote. "Some are immune to it, but others must spend the rest of their lives dreaming of the incredible sweep of the desert, of great golden mesas with purple shadows, and tremendous stars appearing at dusk in a turquoise sky. And I am one of these."

CHAIRMAN JOSEPH McMURRAY, OF FEDERAL HOME LOAN BANK BOARD, ADDRESSES TEXAS SAVINGS & LOAN LEAGUE

Mr. YARBOROUGH. Mr. President, it was my privilege to attend the 42d annual convention of the Texas Savings & Loan League on Monday, May 18, 1964, in Tyler, Tex.

The chairman of the Federal Home Loan Bank Board, Mr. Joseph P. McMurray, delivered an excellent address at this convention entitled "Management and the Mission of the System," which is of importance nationally.

I ask unanimous consent to have this address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

MANAGEMENT AND THE MISSION OF THE SYSTEM

(By Joseph P. McMurray)

I am indeed proud to be with you here in Tyler today, among so many distinguished Texans; and I am thankful for this opportunity to exchange views with the Texas Savings & Loan League. You have made your leadership felt throughout the industry, and we trust that meetings such as the present one will lead to even greater advances.

As a matter of fact, the great State of Texas is legendary for leadership in all walks of life, as everyone knows. The very name "Texas" is a household word for the biggest and best, for the "firstest and the mostest." This has been common parlance in our country for generations.

But today, we in Washington have a very special reason to appreciate more keenly than ever before those supreme qualities that give Texas first rank in so many ways. For during recent months, we have been fortunate enough to have a great Texan—indeed a great American—at the head of our National Government. And those of us who are privileged to serve with him have had personal cause to be grateful that this Nation should have had a statesman of his stature at a time of need.

Working with the President is an inspiration and a challenge for all of us. He is preeminent in political wisdom, and his energies are boundless as his insight is profound. But he also has great human sympathy and understanding; and I have a very special reason for admiration and enthusiasm—one which touches on subjects of mutual interest to us here today.

Let me begin by saying that I am particularly impressed with the President's war policies—and by that I do not mean so much the shooting wars, or the cold war. I mean that program which he has called the war on poverty. For this war has an immediate impact on our special interests in the business of home mortgage financing. Let me explain a bit further.

As you may know, for 20 years I have waged a continuing battle for adequate housing for the poor (as I have also done for middle-income families). I strove for this cause in both Government and private activities—first, as a staff director of the Banking and Currency Committee of the U.S. Senate, then in my capacity as an official in New York, and later in 1960 in a special study I made for the National Association of Home Builders. In my report to the latter, I concluded that the elimination of slums and inadequate housing was a target of first importance to our national well-being. This was, in a sense, a declaration of war on poverty in housing. And now, it is indeed heartening to observe that the President's current war on poverty will give impetus to this historic crusade against inadequate housing and slum dwellings. So let us join all citizens, everywhere, in the ranks of the President's war on poverty, and do our bit on the housing front.

Let me assure you that a crusade to eliminate substandard housing will not be damaging to your interests. On the contrary, it will benefit the savings and loan business substantially. I pointed this out in my report to the National Association of Home Builders 4 years ago, when I said, "Clearly the demand for private housing will be tremendous, even apart from this program; and in view of this demand it does not appear that there is any reason for concern that homes provided under this program will offer any real competition to construction for the normal private market. In fact, it is the purpose of this plan to encourage a substantial increase in total home production. The benefits of this proposal to improve substandard housing will go far beyond the number of units directly aided. It is meant to stimulate production of lower priced and moderately priced housing generally"

Today, 4 years later, it is gratifying to see projects like the Tulsa plan that have come about as a result of my report. The National Association of Home Builders, in cooperation with the Tulsa Home Builders Association, Housing and Home Finance Agency, and the city of Tulsa in Oklahoma, that great neighbor of your State, is now demonstrating what can be done. In fact, the project is called a demonstration program. There, private enterprise is constructing 100 homes for low-income families.

The Tulsa Builders Association has formed a nonprofit managing corporation called Home Builders Demonstration, Inc. This corporation has contracted with builders who will receive a standard profit for such projects. The corporation will lease the houses at subsidized rents, where necessary, with the subsidy paid by HHFA. The occupants are permitted to establish an escrow fund to accumulate a downpayment to purchase the home.

Information on this program is available from the Tulsa Home Builders, but Dick Hughes, of Fort Worth, Tex., a past president of the Home Builders, and the chairman of the committee who hired me to make the study and to whose committee I made the report, is a key participant in this program; many of you know him and can get information directly from him. You and your industry can make a great contribution to our national well-being by helping the organization of projects of this type and other possible ones suggested in the report wherever the need may exist.

But, to enter upon a civic endeavor such as this, we must first be sure that our own house is in order: and this brings me to the subject for today, which has to do with management and the mission of the system. By "management" we mean the performance of each association. And stated in its simplest form I think my theme would be: "The better the management, the less the rulemaking."

There are certain statutory principles, as originally set down by the Congress, which the Board is instructed to preserve, and which members are required to live by in return for insurance of their accounts, advances of credit, and other benefits.

These minimum "conditions of membership" so to speak, required by Congress, are primarily three. They really form the outline for my talk today, and are as follows:

First, economical home finance; second, soundness of operations; and third, adequate reserves, for the financial stability of members.

These three, then, are the minimum requirements. There is nothing we can do to change that. We, the officers of the club—that is, the Chairman and the other members of the Board—are asked only to spell these principles out to you in the form of rules. So, as long as some rulemaking is necessary, we are anxious to make these rules as lenient as possible in order to leave you the widest latitude which you can justify by your management performance.

As to the first—economy to the borrower—I believe this is a direct result of sound operations, and what it adds up to is good management.

Good management, as it pertains to the savings and loan industry, was once defined by a group of highly competent consultants to the U.S. Savings & Loan League, and I pass it on to you with my concurrence.

They said that "managers of associations should always assume that they (1) pay too much for money, and (2) have excessive operating expenses." These are excellent precepts, especially if you look at the results of a study we now have in process at the Board. This study reveals some interesting facts showing what economical home finance really means. Let me state a number of the facts.

First, the average association has expenses of 1.2 percent of its assets. This ranges from as little as seven-tenths of 1 percent to over 2 percent. Except for the fact that very small associations are at the high end of the range, there is little variation by size of associations.

From these facts we are led first to the observation that increased efficiency does not accompany size to the extent that we would expect.

Second, a good many associations have quite low operating ratios. About 2 percent of the associations operate for less than seven-tenths, and about 24 percent of all associations operate for less than 1 percent. Economical operations are possible and, as the next few points will demonstrate, are essential to economical and sound home finance.

Third, as expenses rise, so do the costs to the borrower. Interest rates and fees on mortgages rise sharply with operating expense ratios. I would not want to just say that the high expenses cause the high interest charges. The line of determination could run the other way around.

If you look further, though, you find that the evidence seems to push toward the conclusion that high expenses cause high charges. If so, then the control of expense ratios must be tightened if this industry is to achieve economy—one of its primary congressional mandates.

It is sometimes argued that high expenses are justified in order to attract savings capital, especially in areas where mortgage money is badly needed. And apropos of this, it is true that our study shows a kind of correlation between very rapid growth, and high expense. However, there are other elements in this relationship; and the whole subject needs further testing, as we shall see later on.

The fourth point I want to make is that the higher the expense ratio, the higher the foreclosure rate, and also the ratio of real estate owned and real estate sold on contract. Now, this would appear to upset the "need for growth" argument; for if such a need existed, allegedly because of an inadequate supply of mortgage money and housing, the expensive, high dividend operation would not have the typically high foreclosure and slow asset ratios revealed by our study.

From these findings, I think we must come to the realization that a high expense ratio generally is a sign of weakness in management. We must accept the fact that a high expense institution does not, as a rule, fulfill the requirement of economical home finance.

We must consider carefully the probability that the high expense institution is often also the less or least sound institution.

Here is a challenge for each of you, for the officials of your league, and for all trade organizations in this industry. Let's get at the cause of high expense. Study it here in Texas and elsewhere. See if you can find its causes and cures. Of course, we could regulate, even more intensively than we have, based on the expense ratio and, indeed, we may be forced to do so. But you and your industry could contribute more by a self-directed appraisal that brings about a favorable change, than we could, with a mountain of regulations. So, here you have a target, a challenge, a task. You could cure this without the prod of the regulator and prove that self-discipline can outperform supervision.

My next point deals with the soundness of credit. Our preliminary findings indicate several things.

First, high expenses, high foreclosures, and a large volume of slow assets are closely related.

Second, rapid growth, high foreclosures, and high slow assets are closely related.

Third, high dividends, high foreclosures, and high slow assets are closely related.

Fourth, high interest and fees on mortgages are also related to high foreclosures and slow assets.

These four points demonstrate that there are a number of practices open to the most serious question. You, as well as we at the Board, must recognize these difficulties, and must take steps to correct them. There seems little point in pursuing rapid growth by paying high dividends and running an expensive shop if the consequences are only high charges to borrowers and unsound practices, as this study demonstrates.

Our premise in all this is that strong evidence of bad loans and slow assets are most frequently caused by weaknesses in management. No one would dispute this. And when we see evidence of bad lending closely related to high expenses, excessive charges to borrowers, big dividends, and rapid growth, we are forced toward the conclusion that these things are caused by weakness in management. When all of these elements, high charges, high expense ratios, and high dividends, are closely related to foreclosures and slow assets, then the quality of management is open to question.

In answer to this, the associations involved may say (as we have commented above): "High costs are not really the fault of management. We are in a money-short area, and we need to push our growth in order better to serve the public. That is really why we have high dividends, expenses, and interest costs."

Then we ask the question: "Why should the short-money area, and the need for rapid growth, justify such a fallout of poor loans?"

The typical answer is neat, to the effect that, in a short-money area, there is much activity, and much moving about of industrial and commercial development locations, and that naturally some loans are going to get "left in the lurch."

But on closer examination, this argument falls down because: First, not all rapid growers in these communities show bad results in high foreclosures and slow assets. Second, those rapid growers who do show bad results are also found to charge about 1 percent higher interest rates than the others. This, of course, results in higher-risk loans.

Thus, it appears from our agency study that some associations go into this high-risk business knowingly, and this conclusion is confirmed in a recent survey made by the Sacramento State College, in California, which showed that some lenders will ignore the problems and danger signals in their areas just in order to get loans. These are high-yield loans; and the price they pay is a correspondingly high ratio of foreclosures and slow assets.

Thus, the defense of high charges and dividends, based on industry moving about in the fast-developing areas, falls down. Management must take the blame. As we recall, from our high school Shakespeare: "The fault, dear Brutus, is not in our stars, but in ourselves, that we are underlings." In the end, it is judgment that counts.

In view of such facts, the Board has found it necessary to take cognizance of poor lending results in drafting the reserve regulation, in regulating participations, and in developing policy for advances. This matter should be of serious concern to you, even though you may not be one of those in a class with poor lending results. I say this because I believe it is up to you to stamp out abuses of your less virtuous colleagues in the industry, so that further regulation will not be necessary. Otherwise, the many who are upright will suffer for the misdeeds of the few. For as Edmund Burke said so well: "All that is necessary for the triumph of evil, is that good men do nothing."

Thus, it is no longer enough to be good. We must also be our brother's keeper. The good must now lock arms and move to a new horizon in which the integrity of that which they value is protected and preserved. May I say that the good institutions outnumber the weak and the foolish to such an extent that this task should not be difficult to accomplish.

My third and final point is related to the principle of adequate reserves. Those of you who are students of the National Housing Act know that the associations must set aside reserves satisfactory to the Board before paying dividends. The question arises: What are satisfactory reserves? The answer must come in several parts, reflecting some of what I have already presented.

The first principle is imposed by the National Housing Act; namely, a minimum reserve of 5 percent against savings. In building any system, we have to keep this in mind. The 5 percent is a minimum and the Board is directed to obtain reserves it considers adequate, which may mean a higher rate.

The second principle involves the degree of risk in the average portfolio. As you know, the industry argued for a 16-percent cushion free of taxes in 1951. Congress granted 12 percent. In the 1962 legislation it seems as if Congress has said 6 percent, but this is not strictly correct. You may still accumulate a total reserve of 12 percent tax free. Based on industry presentations, it would appear that 12 percent would be a desirable target. We wouldn't quarrel with that, but ultimate targets and current realities are two different things.

As nearly as we can tell, and the position is partly a rule of thumb, an 8-percent reserve ratio should offer adequate protection against loss in the average situation. We should like to move associations in that direction. Yet, here too we have to deal with history and current conditions. Based on our calculations, the average association should be able to grow at least as rapidly, and probably more so, as it has in the past if it provides a 6-percent reserve against its increase in risk assets.

Now the average association is exceedingly sound and strong. So while the 6 percent is below our general target of satisfactory reserves, it does not give too much concern.

Nevertheless, we should prefer 8 percent and will attempt to encourage and direct institutions in that direction. As you know, the reserve regulation treats the over 8-percent reserve association more liberally than others.

Having settled at 6 percent, we found that in order to maintain or achieve it, each association ought to supply at least that much as it grew. Exceptions were provided for over 8-percent associations and no requirement is imposed on over 12-percent associations. We also provided exceptions for younger or smaller associations which were blurred accidently in our last amendment. However, that will be adjusted on final publication.

The 6-percent margining requirement really amounts to only slightly more than 5 percent on savings, since the 6 percent applies only to risk assets. On the average, total savings would exceed risk assets by at least 10 percent. The effective margining against savings, therefore, is only 5.4 percent of saving. You can see that this is a very mild boost from past practice.

Perhaps I ought to say something about our original proposal for the reserve regulation. It would have required increased margining for more rapidly growing associations. In principle, I still think this has validity. We did hit some technical problems that turned us away from this approach.

Nevertheless, the higher incidence of foreclosures and scheduled items among rapid growers, compared with the average association, indicates that the principle is still valid. We have preserved it in practice, even though in form it has been abandoned.

That brings us to the question of asset quality. In discussing soundness of credit and operation, I mentioned that about 45 percent of the rapid growers had unfavorable experience. This is reflected in foreclosures and scheduled items. We have adopted an additional capital margin for scheduled items. In this way the fast grower with substandard performance, and all substandard performers, can be up against a more rigid requirement without affecting the overwhelming majority of good performers. As experience accumulates, we may adjust the mix of requirements to be still more selective and, hopefully, more effective.

In closing, it seems appropriate to restate some basic thoughts.

First, economical operation is an end you must seek. The evidence that high-cost operations are inefficient in a number of respects is strong and clear.

Second, lenders with high operating expenses also show the greatest propensity to less than satisfactory performance in terms of soundness. Sound operations cannot be achieved by those who seek the highest return merely to show the most glowing profit statement, or to pay the highest dividend; for they must accept risks in exchange for the high profits that lead down the primrose path.

Our obligation is to control such operators more closely and intensively than the rest of the institutions. Your obligation is to help us bring them into line.

And last, no substitute can be found for adequate reserves. A properly designed reserve mechanism will bring those who are foolish or unwise into focus quickly, and will protect the rest of you from their ill-considered behavior.

As you know, we have moved on all three of these fronts. The reserve regulations, our rules on participations, our discussions with the banks on advances policy, and other of our actions, are aimed at getting, in terms of management, the results that Congress directed.

You must act, too. Some of the reasons for your striving to achieve these goals have already been mentioned. But one more point remains. American industry has been successful because it has recognized that the rewards go to those who do a good job for the public. You who are in a financial industry have an even greater responsibility toward that public than the average business. Without a strong sense of public duty, you cannot long enjoy the fruits of success. If you join us in driving toward the goals that Congress has directed, you, we, and most of all the public will reap a good harvest. Your immediate gain will be the material reward that any success brings, but, more importantly, you will have set a pattern for future generations to follow with admiration. The key to this more enduring success is in your hands. I hope you will use it.

Let Texas lead the way.

CONFLICT OF INTEREST AND PUBLIC CONFIDENCE

Mrs. NEUBERGER. Mr. President, Edward P. Morgan is one of the most perceptive commentators of the American political scene. One of his regular radio network programs recently originated in Portland, Oreg., where he was an observer and commentator on the primary election. His visit to Oregon coincided with the inquiry here in Washington into the financial and business interests of Members and employees of the Senate, better known as the Bobby Baker investigation.

Mr. Morgan chose as the subject of his remarks the double standard of Congress on the question of conflict of interests. In his talk, he makes generous reference to S. 1261, jointly sponsored by the junior Senators from Oregon and Michigan, and the senior Senators from New Jersey and Pennsylvania. If enacted, this bill would proceed toward eliminating the temptations and ugly rumors of conflict of interests within the Government by requiring full disclosure of all financial interests by the Members of the Senate and the House of Representatives, and all Government employees in the executive and legislative branches who receive an annual salary in excess of $15,000.

Mr. President, I ask unanimous consent to have Mr. Morgan's comments printed in the Record.

There being no objection, the comments were ordered to be printed in the Record, as follows:

Portland, Oreg.—Whether or not the Bobby Baker case figures as a cutting issue in the 1964 presidential campaign remains to be seen. The hinterland does not seem to be excited or even avidly interested now in its sordid scenario. The Senate Rules Committee, which reluctantly investigated the amazing financial and other machinations of the former secretary to the Democratic majority, is expected to issue a report—possibly in the next fortnight—sternly condemning such practices but this won't be enough to prevent their repetition or materially bolster the sagging standards of congressional morality. The trouble is that Congress is not about to correct its own sins, present or future, let alone atone for past ones. After all, as North Carolina's Senator Jordan, chairman of the Baker inquiry, said with ingenuous candor early in the proceedings, "we are not investigating Senators."

Some Senators, however, think the time has come to do just that. Today as a matter of fact Senator Clifford Case, Republican, of New Jersey, in a stormy session of the Rules Committee, declared no investigation of Baker "can have any real meaning without an investigation of relations" of Members of the Senate with him.

Several months ago, Oregon's Senator Maurine Neuberger, a Democrat, joined Case and Democratic Senator Joseph Clark, of Pennsylvania, in introducing legislation aimed at correcting the double standard in Washington on conflicts of interest.

"Congress," Mrs. Neuberger writes with obvious feeling in the May issue of Pageant magazine, "has long demanded full disclosure of financial holdings from the other two branches of Government while winking at the questionable practices of its own Members. Congress needs a code of ethics backed by law to protect the public from the few dishonest legislators and to protect honest legislators from public suspicion or unjust allegations from political rivals."

Senator Neuberger impatiently rejects the standard defense of the status quo in congressional morality which argues that when a legislator gets out of line the voters can turn the rascal out. "The weakness of this argument," she says, "is that the public is at a distinct disadvantage * * *. Voters have little or no knowledge, as a rule, of the nature of their Congressman's financial interests. A Senator might sit on the Agriculture Committee, which writes farm legislation involving billions in crop subsidies, but the public would be completely unaware of whether or not he is speculating in commodity futures. Nor would it know if a member of the Finance Committee attached a rider to a tax bill to benefit a private enterprise in which he had gambled his financial life."

So the Neuberger-Case-Clark bill, while not preventing a lawmaker from making private investments or using his personal influence with a Federal regulatory body, would require him to report publicly what his holdings are and to keep a record of his contacts with Government agencies. This annual requirement would extend to top congressional staff aids (Baker was one of these) and to the executive branch. After all, Senator Neuberger pointedly recalls, a Secretary of the Air Force in the Eisenhower administration and a Secretary of the Navy in the Kennedy administration developed clouded conflicts of interest between their Pentagon assignments and their private businesses.

Additionally, the bill would modernize the Corrupt Practices Act to require full reporting of congressional campaign expenses. Senator Neuberger was astonished and chagrined to find her meticulous report of expenses for her reelection in 1960 returned to her with a note from the Senate Secretary's office saying it was not necessary. A loophole in the law allows candidates' committees to handle such finances and committees operating within a State are not required to report campaign expenditures.

This brought the lady from Oregon back to one of her major concerns in politics: how to finance campaigns so candidates are "less dependent upon large business interests and labor unions for their contributions." Mrs. Neuberger has introduced what she calls a first-step bill in this direction. "It provides that the Government match every private contribution of $10 or less (from a voter.) Both the private and Federal contribution would be held by the Treasury Department and applied to certain designated campaign bills submitted by the candidates. The hope is that the Federal matching provision would stimulate political campaign committees to go after more small contributions and less large ones."

"Congress," her Pageant magazine article concludes, "must act not only to protect the general public, but to protect its own integrity and to preserve public confidence in its capacity to function freely and wisely amidst the manifold pressures of an untidy world."

The maddening trouble of it is that the manifold pressures of an untidy Congress have kept the mild reform legislation of Senators Neuberger, Case, Clark and others locked up in committee pigeonholes where they will probably stay unless and until the electorate becomes sufficiently aroused to demand action.

This is Edward P. Morgan saying good night from Portland, Oreg.

RESOLUTION OF THE PUTNAM COUNTY, N.Y., BOARD OF SUPERVISORS

Mr. KEATING. Mr. President, on May 12, the Board of Supervisors of Putnam County unanimously approved a resolution opposing the erection of overhead wires for transmission of utility lines, except in cases where the utility lines conform with the comprehensive county plan approved by the supervisors and now in effect.

A copy of this resolution is being forwarded to the Federal Power Commission.

Mr. President, I ask unanimous consent to have this resolution printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolved, That this board of supervisors go on record as further opposing any erection of overhead wires for the transmission for electricity or other utility lines without conforming with the comprehensive county plan, approved by the supervisors, now in effect, and that a copy of this resolution be forwarded to the Federal Power Commission at Washington, D.C., Senator Jacob Javits and Senator Kenneth B. Keating.

Attest:

John P. Morris,
Clerk of the Board of Supervisors
of Putnam County.

SUPREME COURT DECISION IN PRINCE EDWARD COUNTY SCHOOL CASE

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be allowed to proceed for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. president, I invite the attention of the Senate to the fact that the Supreme Court has just decided—at long last—the Prince Edward County school case.

I ask Senators to take note of the fact that the case goes back to 1951, that it has just been finally decided by the Supreme Court, and that even now it goes back to the district court in Virginia for further proceedings.

The case was decided in favor of the schoolchildren. Prince Edward County is directed to reopen its schools and to raise the necessary tax money to support them.

Mr. President, let us remember that from 1959 to 1963—4 years—Negro children did not even go to school in Prince Edward County, that there was a blackout on education for Negro children in Prince Edward County.

If we are going to go through this same kind of procedure in every case with every recalcitrant county that insists on maintaining unconstitutional laws and practices, people will indeed be driven to extremes in their reaction.

It is the duty of legislators to anticipate the demands of justice. It is their duty to see that general law covers the demands of justice.

One of the great issues we face in the civil rights debate is the timetable. We must have a just answer to give to people like those in Prince Edward County, or we shall be in for a great deal of trouble. That timetable is rapidly running out.

So when many of us speak about the need for agreement on what amendments we shall adopt, and which are in the process of being worked out this very minute, to move into the cloture phase, which will be the "payoff" in the debate as far as the Nation and the Senate are concerned, it is Prince Edward County and cases like it which underline exactly what we say.

One can only express the hope that, now that the Court has laid down its decree, the State of Virginia, with its great traditions in the founding of this Nation, the home of Patrick Henry and George Washington, will, through its citizens and State and county officials, now loyally carry out what the Court says must be done.

Judge Black has written a historic decision that a State or part of a State cannot, by denying tax funds for schools, effectually perpetuate segregation which the law forbids if it opens a school.

I hope the country will take into consideration both the case itself and the long and tragic lapse of time in which there was a blackout of education in the area until some people, in 1963, by voluntary contributions, enabled Negro children to go to school. I believe the history of this case helps toward an understanding of what we mean by the urgency of the civil rights bill, the urgency for peace, order, and tranquillity in the country that it be enacted before the summer sets in.

I express the hope that the State of Virginia and its counties will now use their great tradition of constitutionalism and will carry out in good faith the decision which the Supreme Court has made.

ARMING FOR A TRADE OFFENSIVE

Mr. BARTLETT. Mr. President, the first great common market in modern times came into being in 1789 with the adoption of the U.S. Constitution. All the duties and tariffs between the colonial States were swept away to the incomparable benefit of the American economy.

The lessons taught by this trade expansion in the young Republic are still valid today—only today they have application not just to national but to international trade. This is clearly set forth in a speech made to the San Francisco Area World Trade Association by the able chairman of the Senate Commerce Committee, the senior Senator from Washington [Mr. Magnuson].

It is time to utilize to the utmost our talents in salesmanship and production in the world's markets.

> We must compete for these markets—on both sides of the Iron Curtain—and business and government have reason to work together in this effort—

Says Senator Magnuson. I ask unanimous consent that this perceptive and forthright speech may be made a part of the Record at this point.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Arming for a Trade Offensive

There must have been, in 1786, at least one successful New York manufacturer who didn't give a hang about exporting to Boston, Richmond, or Philadelphia. He was content with the New York market. He knew his customers; they knew him. He wasn't interested in unraveling red tape to ship goods over the border only to be met by another State's duties and tariffs. Besides, in the New York market he was well protected by tariffs, duties—and bad roads—from competition from foreign States.

"They don't sell in New York, and I don't sell in Boston." he might have said. "Exports? Who needs them. I'll export to Brooklyn."

One year later, in 1787, the delegates to the Constitutional Convention in Philadelphia proceeded to sweep away all interstate trade barriers. The reluctant merchant was left standing unprotected in the midst of the world's first great common market.

Now he was forced to compete with goods from all over the Union in his own local market. But he soon discovered that if he could compete successfully in New York, there was no reason why he could not compete—equally successfully—in Boston and Philadelphia.

Clearly, to those early American businessmen whose horizons lifted to encompass a whole nation, the common market created by the Constitution brought not only fierce, competitive challenge, but unmatched opportunity.

We are still digesting that lesson—now in the context of a world market. Too many American businessmen are yet inclined to turn their backs on foreign markets.

Times are good. The American consumer continues to consume at a record pace. Foreign trade entails uncertainty, strange trade patterns, redtape. "Export? I'll export to Texas."

But the American consumer dressed in his English suit, sporting an Italian tie and shoes, checking time on his Swiss watch as he takes his wife in their Volkswagen to a French movie, carries a message for the American businessmen: He who turns his back on foreign markets, ends up facing foreign competition in his front yard. The American common market is no longer the private preserve of the American businessmen.

American business is challenged at home. But if it can meet foreign competition at home, and there is no reason why it cannot, then it can compete effectively and dynamically throughout the world. If we cannot compete in Tokyo, London, or Frankfurt, then we soon will not be competing effectively in Walla Walla and San Diego.

And if it is essential for the economic well-being of the individual businessman that he learn to compete both at home and abroad, it is equally essential for both the economic and political well-being of our Nation. Although we remain the largest exporting and importing nation in the world, our leadership is now sorely pressed—pressed by the growth of the European Common Market, by the Communist trade offensive among the less-developed and uncommitted nations, pressed by the need to maintain a favorable balance of payments, and pressed by the need for new jobs for the unemployed and the 13 million new jobseekers who will enter our labor force within the next decade. Each billion dollars of new exports means 100,000 new jobs.

There is no reason why we should be intimidated by this task. We have a great trading tradition. Today American companies sell watches to Switzerland and china to England. President Johnson is not the only American who knows how to close a "better deal."

But if the gross volume of our exports remains high, our share of the world's markets has entered a steady decline. We export 4 percent of our gross national product. West Germany exports 16 percent—four times that share of her gross national product. France 11 percent, Great Britain 14 percent—the European Common Market as a whole 12 percent—most of the world's developed nations export a far greater share of their national product than do we.

The experts blame the apathy of the American businessman. If there is apathy, and I am not sure there is, then it is an economic malady compounded of misinformation, fear of redtape, and uncertainty as to Government policy—particularly with respect to trade with Eastern European countries. Nothing would cure it quicker than the scent of rich rewards from the successful plunge into foreign markets. But there will be no such rewards so long as uncertainty and misinformation paralyze our selling efforts abroad.

Many Americans were surprised, if not outraged, at the proposal to sell surplus wheat to the Soviet Union.

Yet it has never been U.S. policy to embargo or oppose the sale of foodstuffs to the Sino-Soviet bloc countries other than Cuba, China, North Korea and North Vietnam. We had never before sold the Soviets grain because they had never offered to buy any.

But the great public clamor at the wheat sale is evidence of the failure of our policymakers to communicate our trade policy to our citizens.

Every citizen, and in particular every American businessman, should be informed that the wheat sales, and indeed all commerce in nonstrategic goods with the East European countries, furthers both the trade and foreign affairs policies of the United States.

Quaker Puffed Wheat may be shot from guns, but wheat shipments won't add to the firepower of Soviet arms.

In its most elementary terms, the wheat deal involved the exchange by us of a surplus commodity: wheat, for a commodity in which no country has a surplus: cash.

The two wheat sales added over $125 million to the receipts we need to balance our international payments, strengthen our dollar, and maintain our gold reserves. And in the bargain, we saved $14 million a year in grain storage fees.

These were tangible benefits. The wheat sale also served as an object lesson to the world in the superiority of a free agricultural economy.

The, wheat deal is past history. It may not recur, though Russian buyers this year are reportedly seeking another 100 million bushels of wheat—primarily from Canada—to replenish their reserves.

But capital equipment and industrial machinery are high on Khrushchev's shopping list and Soviet teams are today out hunting for capital equipment among our friends and allies. Wherever they go in Western Europe and Japan, they will find willing sellers for such equipment, including entire industrial plants.

The realities of industrial production in the free world have changed since we instituted our present export controls. Fifteen years ago, the United States was the sole world's supplier of most industrial equipment. Today a dozen countries compete effectively in the market for capital goods.

We keep our heads in the sand if we expect to deny the Soviets access to modern industrial goods by refusing to sell our own. The national leadership of the chambers of commerce is exactly right in believing that there is no point in telling an American businessman that he can't sell to a willing buyer anywhere, unless it is clear that such sale is inimical to the interests of his country.

We in Government have not fulfilled our obligation either to inform the American businessman of the desirability of increased trade with East European countries in nonstrategic goods or to eliminate those impediments to East-West trade which remain as a vestige of outmoded and discarded foreign policy.

If the timidity of the American businessman in reaching out for trade with the Soviet bloc reflects uncertainty as to national policy, the failure of American business to tread more than ankle deep in allied markets, particularly Europe and Japan, reflects something else again, the anemic American sales effort.

Too often American industrial capacity and know-how are untapped because we do not have effective salesmen in the field to convey the product of this capacity and know-how to the doorstep of the potential customer. The best products in the world will not sell themselves. We, of all people, should know this, living as we do in a country where an aspirin manufacturer can convince millions of consumers that his brand of aspirin is "fast, fast, faster" than any other, when, in fact, all aspirin is the same.

Government and business are trading partners in the drive to expand American exports. The interests of government and business are mutual—not conflicting. If government acts as a roadblock to foreign commerce, then it is failing in its primary obligation. And the governments of most trading nations have taken a leading and aggressive role in promoting the export trade of their citizens. Though your Government has begun to play its rightful role in export promotion, we have not yet matched the efforts of our competitors.

The Department of Commerce has stepped up its export promotion activities. Trade missions, trade fairs, trade centers—each serve to display the wares of American business.

I am delighted that the program of mobile trade fairs, in which I have personally taken a strong interest, is now well underway. I am informed by Secretary of Commerce Hodges that the Commerce Department has authorized the distribution of support funds for four proposed mobile trade fairs which meet the standards set by the Commerce Department. The mobile trade fair, as a trade promotion technique used by the Department of Commerce in cooperation with private enterprise, is in the highest tradition of government-business cooperation.

So, too, the commercial attachés, within the limits of time and their own minimal business experience, provide information and assistance to the aspiring U.S. exporter.

But these efforts are not enough. What is needed is a selling effort for American business as a whole, comparable to the vigorous selling activities now carried on by the few exporting giants of American industry.

I have been greatly intrigued by the newly developed Executive Service Corps, promoted by Senator HARTKE and David Rockefeller. Sponsored by the private business community, and backed by the resources of AID, the corps will draw upon the pool of newly retired executives to assist in the development of industry in semideveloped countries.

As Senator HARTKE has observed, this may be a golden opportunity for American business to render technical assistance of a kind which American businessmen are peculiarly well qualified to give. At the same time, the corps would provide useful and creative employment for men of talent and experience who are not ready to be put out to pasture. Primarily, of course, the Executive Service Corps would require the services of managerial and technical experts. These men are in a very real sense an untapped natural resource of the American enterprise system.

But there is a similar reservoir of veteran sales personnel. Why not enlist their talents in aid of our export expansion goals? Why not a volunteer export expansion service—not with the essentially humanitarian goals of the Executive Service Corps, but with the hardheaded and enormously significant objective of infusing fire into our export expansion program?

Our commercial attachés, under the stimulus of President Kennedy's export expansion program, in 3 years trebled the number of "trade opportunities" which they opened up for American exporters. And the cash value of the transactions arising directly from these trade opportunities has jumped from $3 million to $20 million in the last 2 years.

As commendable as this effort has been, implemented by commercial attachés who are likely to be relatively inexperienced in the ways of the business world and saddled with dozens of chores unrelated to the job of promoting exports, it is still a pale achievement when matched with our total exports which, for 1964, are now at a projected annual rate of $24.5 billion.

By contrast, how much could we accomplish by placing in a country with a developed market, a man with 30 or even 40 years of hard, competitive selling experience.

Free from a desk, armed with preliminary grounding in the language and economy of the assigned country, he could get out into the business community with a keen and experienced eye for sales opportunities.

Here is a man who could sit down with his sales counterpart in the business community of any country in the world. He could talk knowledgeably and in the language of trade that the businessman understands about American product lines, commercial practices and product suitability for the local market. And he could lay to rest many of the hoary and ugly misconceptions about doing business with Americans.

Equally important, he will be able to convey back to the American businessmen at home an accurate and realistic picture of the opportunities for new market penetration.

Nor are the possibilities limited to developed countries. We have too often failed to channel American aid into American trade. A member of the Export Executive Service in an underdeveloped country could well spot the opportunities for grafting healthy trade relationships upon developing aid projects.

Too often U.S. aid dollars have helped a developing country to its feet only to see our competitors from other countries cash in on the resulting new markets for modern industrial plants, machinery, chemicals, and transport equipment. We need alert businessmen on the scene to discover and exploit these opportunities and to find ways of selling what these growing countries need. Trade and aid must become inseparable partners.

Again, in East European countries where American businessmen have feared to tread, the export expansion volunteer—with the clear and unwaivering support of his Government—could be the entering wedge for an expanding United States-Soviet bloc trade.

Plainly, there are potential hazards and roadblocks in such a proposal. It is by no means certain that the business community and individual volunteers could be enlisted in significant numbers for such an enterprise. This project will require perceptive and painstaking planning. Conflicts of interest must be avoided or neutralized. Coordination with the offices of commercial attachés must be worked out to avoid overlap or friction.

Nonetheless, I see great potential in this proposal as a trade expansion resource which could bridge the gap between the essentially one-shot fair and the structural limitations of the commercial attachés. I have, therefore, instructed the staff of the Senate Commerce Committee, in cooperation with the Commerce and State Departments, to explore the feasibility of and to blueprint a proposal for such an Export Expansion Service.

Most important, we will need the support of men such as yourselves. I solicit your aid and counsel.

I believe, and I know that you share that belief, that the natural partnership between Government and business offers great promise for the future of American exports. More than that, the future role of the United States as a leader of nations depends in no small part upon the success of that partnership.

VETERANS OF 442D VETERANS CLUB OF HAWAII ENDORSE AND CALL FOR PASSAGE OF GI BILL

Mr. YARBOROUGH. Mr. President, the cold war GI bill has received active support from many organizations, but few have been as illustrious as the 442d Veterans Club. This club represents the approximately 6,000 men who served in the 442d Regimental Combat Team in Italy and France during World War II. The entire membership of the 442d was composed of American volunteers of Japanese extraction. The 442d, known by their celebrated slogan, "Go for Broke," became, in the words of Gen. Mark Clark: "The most decorated unit in the entire military history of the United States," a record for which a tragic number of them paid with their lives.

Mr. President, I am proud to announce that one of the cosponsors of S. 5 was a member of the 442d, and who at this moment I am very happy to note, is the present occupant of the chair. The valuable service which the Senator from Hawaii [Mr. Inouye] rendered to his unit and the United States is shown by the fact that he entered as a private in 1943 and received a battlefield commission as a second lieutenant in 1944.

I am deeply honored by the support which the 442d Veterans Club has announced for the cold war GI bill, S. 5, and I ask unanimous consent to have its letter printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The 442d Veterans Club,
Honolulu, Hawaii, October 17, 1963.

Senator Ralph W. Yarborough,
Chairman, Subcommittee on Veterans' Affairs, Washington, D.C.

Dear Senator Yarborough: This is in reference to the cold war GI bill 5, presently on the Senate Calendar awaiting consideration.

As an organization vitally interested, the 442d Veterans Club solicits your support in producing favorable legislative action for the benefit of our young veterans now denied educational benefits under the existing GI bill.

Sincerely yours,

Takao Hedani,
President.

LIBRARIES IN D.C. SCHOOLS—LORRAINE GOLDMAN'S ANSWER

Mr. HUMPHREY. Mr. President, it is no secret to anyone in this body that the schools of the District of Columbia cry out for adequate library facilities. This is only one of several urgent needs of the District of Columbia school system. Hundreds of Washington schoolchildren pass through their early formative years without ready access to a decent school library, with its many doors to the enrichment of life and learning. To keep those doors closed is a tragedy for the children and a disgrace to the Congress.

Washington has 135 elementary schools, and not one of them has the kind of library which is considered adequate by the American Library Association. None of them has a professionally trained librarian. The situation in the junior high and high schools is scarcely better.

What the District schools do have is a few volunteer librarians, some commendable efforts by civic groups to fill the book gap in perhaps 11 or 12 percent of the public schools, and some rare people like Don and Lorraine Goldman. The shortage of good libraries, librarians, and books leads directly to the neglect of good reading habits, and this is all too evident to those we hold responsible for teaching our children in schools. The Goldmans knew this when they moved to Washington from California 2 years ago, and they know it even more now.

Lorraine Goldman teaches 11th and 12th grade English at Dunbar High School. Her approach to the book gap in D.C. schools is a modest one, but it has been a heart-warming success in its own terms. The story of Lorraine Goldman's unique effort to bring children and books together into a lasting friendship was told by Edward P. Morgan in his May 5 broadcast on the American Broadcasting Co. We can be thankful for people like the Goldmans, and we can be grateful that Ed Morgan told their story to his listeners. It is a story which may make some of us think more carefully about the vital need for additional funds to bring District of Columbia library facilities up to acceptable standards.

Mr. President, I ask unanimous consent that the May 5 radio broadcast by Edward P. Morgan be printed at this point in the Record.

There being no objection, the radio broadcast was ordered to be printed in the Record as follows:

Broadcast by Edward P. Morgan

The District of Columbia has been subjected by an arrogant Congress to the humiliation of taxation without representation for generations. The fact that this year for the first time District of Columbia residents can vote for President and that today in primary elections both parties have picked their delegates to the national conventions and other officers cannot hide the monstrously larger fact that the capital of the so-called free world denies its citizens that fundamental right of an open society—the ballot.

Someday this odious situation will be corrected and Washington will have an elected government of its own. Meanwhile this travesty on democracy is made a little less intolerable by the stubborn courage and marvelous ingenuity of individual people. During National Library Week recently I reported on the shocking condition of libraries in Washington public schools. Indeed in elementary schools they virtually do not exist. But at Dunbar High, a school in the middle of a poverty-plagued Negro ghetto not far from Congress' newest and most hideous multimillion-dollar office building, things are different. And thereby hangs a tale in which a transplanted teacher from California is the heroine.

When Don and Lorraine Goldman moved to Washington 2 years ago they were stunned by the fact that they had become voteless, that Congress, busy dipping into the pork barrel for home consumption, was frequently downright hostile to the basic educational and other desperate needs of the Nation's Capital. Lorraine Goldman took a position teaching 11th- and 12th-grade English at Dunbar where the grim faculty joke is that English is a foreign language because so many of the students come from deprived homes with illiterate parents and with whom a book is an alien, useless thing not numbered among the spare household goods.

Enter Mrs. Goldman, young and freshly filled with a logical naivete of enthusiasm stemming from a fine university education. What a rude awakening to an idealist to be confronted with student attitudes about learning ranging from indifference to outright refusal. But gradually an idea began to jell in Mrs. Goldman's mind. She had visited a book display in Washington at which several leading publishers were showing their latest paperback wares. Teachers were invited to take a free armload back to the classroom for trial. The paperback, need it be said, has come a long way culturally since its first girlie-cover days. What, Mrs. Goldman wondered, if she could acquire an attractive selection of paperbacks, keep them handy near her desk, and gradually cajole reluctant teenagers to read?

She and her husband didn't ring up the number of man-hours—and woman-hours—it took them to corral nearly a thousand books but months of letterwriting toil did it. Many came from publishers, gratis. Many more came from a benevolent bookdealer friend of the Goldmans in San Diego, Calif. The most surprising source was the children themselves.

"The way this worked," reports a proud Don Goldman, "was beautiful—a result of sheer ingenuity and pure Madison Avenue. She set up a paper-back book reading club in her classroom—after shrewdly requiring the reading of a certain number of books per semester for a passing grade. * * * To check out a classroom paperback, whether for required reading or—God willing—for mere enjoyment, a student had to pay a dime rent per book or purchase a suitable paperback to add to the library. If a boy or girl did the latter, he or she would be entitled to borrow books for the rest of the year free of charge."

But the hardest job of all was to sell kids the idea of reading anything. Mrs. Goldman, "like a midway barker," by her husband's testimony, "kept chipping away at her customers, enticing, threatening, reasoning. At the merest hint a child was weakening she would drag him to her colorful supermarket counter and apply the tour de force, her personal appeal. Sometimes she would give the rental dimes to a particularly stubborn nonreader and ask him to help her select a new purchase." Lists of new titles and students' reading records were posted and though they may not have been followed like the major league standings, some children actually began to read.

This has been going on now more than 6 months. No miracles have been wrought, no educational revolutions won, but a beginning handful of youngsters has found something unexpected and worthwhile to enrich their lives—lives which had never known books before in poor, overcrowded homes, in overcrowded, understaffed and ill-equipped schools. Exciting little things have happened: the realization of a Negro child, after reading the "Diary of Anne Frank" that others have suffered the brutality of discrimination; the emerging pride in discovering the existence of Negro authors; the strange new job of simply learning to read. The revelation to a Washington slum child that someone else—who doesn't even know him—actually cares, this is a big achievement in itself. "That book man in San Diego must really like us a lot," one student told Mrs. Goldman.

Who knows when Congress, in its wisdom, will end Washington's colonial status and endow it with the resources of self-government? Meanwhile the Goldmans, in the tradition of great teaching, have begun fortifying the neglected structure of democracy with the resources closest to hand—themselves and their fellow human beings.

This is Edward P. Morgan saying good night from Washington.

CIVIL RIGHTS BILL OFFERS BEGINNING

Mr. HUMPHREY. Mr. President, I commend to my colleagues a brief article by Msgr. James P. Shannon, president of the College of St. Thomas located in St. Paul, Minn. Writing in the college newspaper, the Aquin, Monsignor Shannon speaks simply and eloquently on the moral issues of civil rights. He points out that passage of the civil rights bill would be dramatic evidence of the serious public concern over the historic disabilities our society has forced upon the Negro. I agree completely with Monsignor Shannon when he writes—

> Millions of Americans are convinced that the pending civil rights bill is based on fundamental morality, and that it is necessary, balanced, realistic, and late.

Monsignor Shannon deserves the warm commendation and thanks of civil rights supporters for this forceful and realistic statement.

I ask unanimous consent that Monsignor Shannon's statement be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESIDENT'S CORNER: CIVIL RIGHTS BILL OFFERS BEGINNING

In Washington, D.C., at the Lincoln Memorial, Jewish, Protestant, and Catholic theological students are keeping a 24-hour vigil until the passage of the civil rights bill. There are no speeches, no protests, no arguments. Their only verbal message is a large sign which reads "Civil rights is a moral issue."

One school of thought holds that such public demonstrations are of no value. I disagree. I think that such carefully prepared public protests are an effective and praiseworthy method of demonstrating to the Congress the depth and the extent of current American opinion on civil rights. And it's about time.

Just 100 years ago, the Congress of the United States added the 13th, 14th, and 15th amendments to the Constitution in order to assure freedom and equality to the emancipated slaves. In great part, however, the freedom and the opportunities promised to the Negro in these amendments have been denied him in practice.

WHAT WE PRACTICE

The vast discrepancy between what we preach and what we practice in race relations is a scandal to the world. I cannot agree with the critics of the pending civil rights bill who think that our racial problems will solve themselves if we just take our time and let things work out naturally. We have followed this formula for 100 years. It just doesn't work.

I do grant the validity of the statement that morality is not assured by new laws. Recall the debacle of the 18th prohibition amendment. It is generally agreed that this unfortunate article in the end actually encouraged public and private immorality. Critics of the pending law are correct in saying that neither this nor any other law will guarantee peace and justice among races in our society.

However, it is the consensus of many political and religious leaders that such a law at this time would be an effective step toward redressing the balance in race relations. It would be dramatic evidence of the serious public concern over the historic disabilities our society has forced upon the Negro. It would also help the confused observers in many other lands answer the question "Where do the American people stand on matters of race relations?"

The pictures of police dogs in Birmingham and firehoses in Maryland being used to herd Negroes in the street are well known at home and abroad. But they do not tell the whole story.

MILLIONS ARE CONVINCED

Millions of Americans are convinced that the pending civil rights bill is based on fundamental morality, and that it is necessary, balanced, realistic, and late. They are willing to indicate their support of the bill by letters and other acts of endorsement. This is what the seminarians are saying silently at the Lincoln Memorial.

I have written to Senator HUMPHREY, Senator McCARTHY, and to Mr. KARTH, our Representative in Congress, to express my endorsement of the bill now being discussed. I am aware of the opposition it faces. I am aware of the problems of policing it which will arise once it is enacted. I am also convinced that the passage of this bill will not automatically assure the end of all racial tensions in the land.

But it is a beginning, and a good beginning. It stresses the fundamental moral principle of equal opportunities for Negroes. This principle, if followed, would in time enable all Negroes to help themselves and to lift many of the historic disabilities under which they have labored for more than two centuries in America.

This bill merits the support of every citizen in our land and particularly of every citizen concerned about the future of a free society which is now only half free.

(The Aquin encourages its readers to follow Monsignor Shannon's example by writing their own Senators and Representatives, expressing their views on the civil rights struggle. Our religious and educational heritage demands at least this much of us.—The Editors.)

CIVIL RIGHTS—"A CONCISE EXPLANATION OF H.R. 7152"

Mr. HUMPHREY. Mr. President, the civil rights bill has been in the hands of Congress for 11 months. Both Houses have debated the bill carefully and thoroughly. Many fine explanations have been prepared by Members of Congress and by others who support the bill—explanations designed to counteract the well-financed drive by certain opponents to confuse and mislead the American people.

The debate and the explanations have helped. They have given millions of Americans the truth about H.R. 7152. And those who know what this bill contains and what it does not contain have responded sensibly and without emotion.

But the campaign to mislead the public with wholesale distortions continues. We see this in an uninterrupted flow of nightmarish propaganda and we see it in the results of recent primary elections. Those elections will not affect the substance or the passage of this bill, but they do point to the need for a renewed effort to explain this bill in straightforward and uncomplicated language.

I have asked my staff to prepare an explanation of H.R. 7152 as it was passed by the House of Representatives. This explanation is brief, it includes all of the bill's major provisions, and it has been read and approved by the bipartisan floor managers of the bill in both Houses of Congress. Regardless of Senate amendments to the bill—and there are certain amendments which many of us will support—the basis for our action is the bill as it was passed by the House of Representatives. The principles and objectives of H.R. 7152 will remain, and after the Senate has worked its will I intend to have this explanation revised and updated in order to keep the public fully informed of the bill's provisions.

The explanation is as follows:

The title of H.R. 7152 reads: "An act to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes."

H.R. 7152 was reported to the House of Representatives on November 20, 1963, by the Committee on the Judiciary after one of its subcommittees had held 22 days of hearings with 101 witnesses and 17 days of executive sessions on a large number of proposals relating to the subjects covered by the bill and to still others not covered by it. The full Committee, in turn, held 7 days of executive sessions. Title VII of the bill, relating to equal employment opportunity, is similar to bills which had been considered and reported favorably to the House by the Committee on Education and Labor in 1962 and 1963.

The House of Representatives debated H.R. 7152 for 9 days and passed the bill on February 10 by a vote of 290 to 130. The Senate voted on March 26 to take up the bill and has been debating it since March 30—the Senate Committee on Commerce and the Committee on the Judiciary had held hearings on similar measures during 1963.

WHAT H.R. 7152 PROVIDES AND WHAT IT DOES NOT PROVIDE

TITLE I. PROTECTION OF VOTING RIGHTS

The title provides that tests, standards, etc. which are used to qualify voters in Federal elections may not be used to discriminate on the basis of race, that registration of voters in Federal elections may not be denied because of immaterial errors or omissions in applications, that literacy tests must be administered in writing unless the individual requests and State law permits a nonwritten test, and that a copy of the literacy test and answers be maintained and given to the applicant upon request. Title I also authorizes the Attorney General or a defendant to ask for trial by a 3-judge court, with provision for direct appeal to the U.S. Supreme Court. Under this title, in any voting rights cases a person is presumed to be literate if he has a sixth grade education, but this presumption may be challenged in court by the State—this is called a rebuttable presumption.

The title does not provide that persons not qualified to vote under State law would be permitted to vote. State control over voter qualifications is not impaired, except that those qualifications must apply equally to all citizens regardless of race.

TITLE II. PUBLIC ACCOMMODATIONS

The title provides that discrimination because of race, color, religion, or national origin is prohibited in specified places of public accommodation, such as hotels, motels, and other lodging places for transients; theaters, motion picture houses, sports arenas and stadiums; restaurants, cafeterias and other eating places; gas stations; specialty shops and barbershops in hotels covered by the title; and stores with eating facilities covered by the title. The title permits an aggrieved individual or the Attorney General to enforce the right of equal access to places of public accommodation through civil suits for injunction. In the case of complaints arising in States which have laws or regulations prohibiting the types of discrimination covered by this title, the Attorney General must afford State or local officials a reasonable time to act before he institutes action himself. With provisions for determining whether specific establishments are covered, this title applies generally to discrimination supported by State action or exercised by establishments whose business operations affect interstate commerce. If an offender ignores an injunction issued under this title and thereby becomes involved in contempt proceedings, he is guaranteed the right of trial by jury.

The title does not provide for coverage of small roominghouses with fewer than five rooms for rent and in which the proprietor lives. It does not apply to either the rental or sale of private homes, apartments, or other residential units. It does not apply to doctors', dentists', or lawyers' offices. The title does not provide for criminal penalties nor for suits for money damages. It does not provide for any invasion of a businessman's freedom to set his own standards of conduct, dress, and so forth, for customers except that he may not apply those standards in such a way as to discriminate because of race, color, religion, or national origin.

TITLE III. DESEGREGATION OF PUBLIC FACILITIES

The title provides that the Attorney General may initiate or intervene in suits to desegregate public facilities—that is, publicly owned, operated, or managed parks, hospitals, reading rooms, beaches, and so forth—other than schools, where aggrieved persons are unable to sue because they are financially unable to do so or are unable to obtain effective legal representation, or because initiation or continuation of a suit might jeopardize their employment or otherwise result in injury or economic damage to them, their families, or their property. The Attorney General would also be authorized to intervene in private suits brought by persons seeking relief from a denial of equal protection of the law because of race, color, religion, or national origin.

The title does not provide for extension of Federal authority into any new areas; it simply improves the legal remedies designed to afford equal protection of the laws as guaranteed by the 14th amendment. It does not allow the Attorney General to act on his own initiative; he must first receive a signed complaint indicating that discrimination has occurred and that the complainant is unable to sue for reasons stated above.

TITLE IV. DESEGREGATION OF PUBLIC EDUCATION

The title provides that the Attorney General may initiate or intervene in school desegregation cases where students or parents are unable to sue. The title would also allow the Commissioner of Education to provide technical assistance, grants, and training institutes to help communities prepare for school desegregation, but only if such assistance is requested by local school authorities. The title specifically excludes from the definition of "desegregation" any transportation or bussing of students to end racial imbalance. The Commissioner of Education would be directed to conduct a survey and report to the President, within 2 years from the enactment of the bill, on the lack of equal educational opportunities by reason of race, color, religion, or national origin in public educational institutions at all levels.

The title does not provide for any measure of Federal control over the hiring and firing of teachers, the selection of textbooks, or the choice of curriculum. In fact, control of school systems remains in the hands of local authorities.

TITLE V. COMMISSION ON CIVIL RIGHTS

The title provides that the Commission, established by the Civil Rights Act of 1957, is extended for 4 years. The title also gives the Commission authority to serve as a national clearinghouse for information concerning denials of the equal protection of the laws and to investigate charges that patterns on practices of fraud or discrimination exist in Federal elections. Certain minor procedural and technical changes are also included in this title.

The title does not provide any enforcement powers for the Commission. It remains an information-gathering and investigative body.

TITLE VI. NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAM

The title provides that no person in the United States shall be excluded from participation in or otherwise discriminated against because of race, color, or national origin under any program or activity receiving Federal financial assistance other than contracts involving insurance or guarantee. Specifically, the title enables Federal agencies administering programs to terminate or to refuse to grant or to continue assistance under a program in which there has been an express finding of noncompliance by discrimination, but agencies may take such action only after they have attempted to bring about compliance by voluntary means, and only after a hearing. Agency actions are subject to judicial review and a report to Congress is required before funds can be denied. Any agency rules or regulations issued under this title must be approved by the President.

The title does not provide that individuals receiving funds from government agencies under Federally assisted programs—for example, widows, children of veterans, homeowners, farmers, elderly persons living on social security benefits—would be denied the funds they receive. The title is directed toward agencies administering such funds in a discriminatory way, not toward recipients themselves. The title does not provide for withwrawal of all Federal assistance to a State or community which discriminates in a particular program.

TITLE VII. EQUAL EMPLOYMENT OPPORTUNITY

The title provides that employers, labor unions, and employment agencies whose activities affect interstate commerce would be prohibited from discrimination on the basis of race, color, religion, sex, or national origin. Such discrimination would be defined as unlawful employment practices. The enforcement of provisions dealing with unlawful employment practices would not be authorized until 1 year after the enactment of the bill. During the first year of enforcement, coverage would include employers and unions with 100 or more employees or members, and would proceed in stages over 3 years to include those with 25 or more employees or members. The title would create a bipartisan, five-member Equal Employment Opportunity Commission, appointed by the President and confirmed by the Senate, to investigate complaints and to bring about voluntary settlement. Failing voluntary settlement, the Commission would be authorized to file civil—not criminal—suit to enforce the title. The title provides that if the Commission fails or declines to bring a civil suit within 90 days, the aggrieved person may himself file suit if he obtains the permission of one Commission member. The burden of proof that discrimination has occurred rests with the complainant. The relief available is a court order enjoining the offender from engaging further in discriminatory practices and directing the offender to take appropriate affirmative action; for example, reinstating or hiring employees, with or without back pay. The title provides further that the Commission shall utilize and seek the cooperation of State fair employment practices agencies to enforce the title. The Commission may require employers, labor unions, and employment agencies to keep and preserve records and to make reports which will assist the Commission in carrying out the purposes of the title.

The title does not provide that any preferential treatment in employment shall be given to Negroes or to any other persons or groups. It does not provide that any quota systems may be established to maintain racial balance in employment. In fact, the title would prohibit preferential treatment for any particular group, and any person, whether or not a member of any minority group, would be permitted to file a complaint of discriminatory employment practices. The title does not provide for the reinstatement or employment of a person, with or without back pay, if he was fired or refused employment or promotion for any reason other than discrimination prohibited by the title. The title contains no provisions which would jeopardize union seniority systems, nor would anything in the title permit the Government to control the internal affairs of employers or labor unions. Employers would continue to be free to establish their own job qualifications provided they do not discriminate because of race, color, religion, sex, or national origin. The title would not prohibit an employer from hiring persons of a particular religion, sex, or national origin where religion, sex, or national origin is a bona fide occupational qualification. The title would not apply to employment of aliens outside a State, nor to religious corporations, associations, or societies, nor would it affect any laws creating special rights for veterans.

TITLE VIII. REGISTRATION AND VOTING STATISTICS

The title provides that the Secretary of Commerce shall conduct a survey to compile registration and voting statistics in geographic areas recommended by the Commission on Civil Rights. The survey would include a count of persons of voting age by race, color, and national origin, and a determination of the extent to which such persons are registered to vote and have voted in statewide elections in which Members of the House of Representatives have been nominated or elected since January 1, 1960.

TITLES IX, X, AND XI. REMOVAL PROCEEDINGS IN CIVIL RIGHTS CASES, ESTABLISHMENT OF A COMMUNITY RELATIONS SERVICE AND MISCELLANEOUS

Title IX provides that the orders of Federal courts sending certain civil rights cases back to the State courts shall be reviewable on appeal. Such orders are not reviewable at the present time.

Title X provides for the establishment of a Community Relations Service in the Department of Commerce, with personnel limited to a Director and six employees. The Service would provide assistance to local communities in attempting to resolve disputes relating to discriminatory practices. Such assistance could be offered upon the request of local officials or upon the initiative of the Service, but no further powers are provided.

Title XI provides several customary sections, including an authorization for appropriations to carry out the purposes of the bill, a severability clause—which provides that if any provision of the act is held invalid the rest of the act will not be affected—and a standard preemption clause—which provides that nothing in the act shall be construed as indicating congressional intent to occupy the field to the exclusion of State laws on the same subject.

SUMMARY COMMENTS

H.R. 7152 is designed to improve the means for protecting the constitutional rights of all Americans. As it now stands it is neither an unprecedented nor a punitive measure. It does not provide for preferential treatment of any individual or particular group of Americans.

Thirty States and many cities now have public accommodations laws, and many of those laws contain wider coverage and stronger enforcement provisions than those in title II of H.R. 7152.

Twenty-six States have laws prohibiting discrimination in employment, and FEPC bills have been reported favorably by House and Senate committees in every Congress for the past 20 years.

The constitutionality of titles II and III—the two most controversial titles of the bill—has been supported by 20 of the most reputable lawyers in the United States, including 3 former Attorneys General of the United States, 4 former presidents of the American Bar Association, 4 law school deans, and other members of the legal profession who are members of both the Democratic and Republican Parties.

NEW BROADCASTING FACILITIES DEDICATED IN THE NATION'S CAPITAL

Mr. KUCHEL. Mr. President, the postwar era has witnessed a phenomenal development which is a boon to virtually every American. Our citizens everywhere now enjoy the instantaneous benefit of graphic, on-the-spot presentation of public events, a wide range of appealing entertainment, fine quality cultural enrichment, inspiring religious services, and many other contributions to pleasant, well-informed living, through the medium of television.

As the site of Government for the Nation to which the free world looks for leadership and encouragement, the city of Washington daily witnesses events which have profound implications for the maintenance of freedom and tremendous impact upon the stability of world affairs and human progress. The National Capital is undeniably a foremost news center on this globe.

Residents of this community long have enjoyed enviable television service. A major contribution to even better communication through pictorial broadcasting has just been made with the completion of new operating facilities for station WTTG, the forward-looking local outlet owned by Metromedia, which renders conspicuous service to several metropolitan audiences in my home State of California.

A few days ago I was privileged, in company with some of my colleagues, officials of local government, and civic leaders, to participate in dedication of the WTTG studios in a versatile video center on Wisconsin Avenue. The significance of the event was pointed up in remarks by the President of the Board of District of Columbia Commissioners. I ask unanimous consent to have printed in the RECORD the comments made on that occasion by the Honorable Walter Tobriner.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Remarks of the Honorable Walter Tobriner, Chairman, District of Columbia Commissioners, WTTG-Metromedia District of Columbia Headquarters, April 28

Mr. Chairman, distinguished guests, ladies and gentlemen, I am delighted to have the opportunity of participating in the dedication of WTTG's new building. As a matter of fact the establishment of your new studio here on the heights, now enables us to refer to this section of the city as the TV complex.

We are always happy to see a new building in the Nation's Capital. For yours is not a new business nor a new station, since this height has become Washington headquarters for Metromedia, it suggests the expansion of a Washington-based enterprise taking full advantage of Washington as a news center of the Nation.

I want to thank you for the many fine things that you have been doing to help the public understand existing problems and recommended solutions, and to thank you for your cooperation in arranging for District personnel to appear on your valued programs to explain District of Columbia government functions, programs, and policy.

That you have been able to erect this fine new building shows that you have gained a position of influence among the news media of our country. And this is further reflected by the fact that your "empire," so to speak, stretches from Mount Wilson on the Pacific to the shores of the Potomac, to Hudson's Bay and to the Olympic Peninsula.

Personally, and on behalf of the Board of Commissioners of the District of Columbia, I congratulate you on the dedication of this building. We wish you the best of luck, a continuation of your interested, constructive, and compassionate participation in the problems that confront us, not only locally but on a national level.

"THE REPUBLICAN PARTY WAS BORN OF A CRUSADING CONCERN FOR HUMAN DIGNITY"—GEN. DWIGHT D. EISENHOWER

Mr. KUCHEL. Mr. President, Gen. Dwight Eisenhower has performed another superb public service to the people of the United States and to the members of the Republican Party. In his personal statement, which was published this morning in the New York Herald Tribune and in other newspapers across the land, he demonstrated in bold relief what the Republican Party has stood for in the past and what it must stand for now and in the future. He eloquently discussed the immutable principles of Lincoln, our party's heritage of human freedom. He described the enormous progress made during his 8 years as Chief Executive of our country, in the creation of preeminent defensive military strength, and in the devotion to the cause of a just peace. Our party, as he clearly noted, loyally supports the United Nations in its efforts to keep the peace. He recalled, with unassailable precision, the firmness and the prudence which motivated his Republican administration in dealing with the innumerable crises provoked by international communism. He recalled our steadfast party pledges and our performance in the field of civil rights and social progress, in broadening social security, workmen's compensation, in providing hospital construction and medical research, to mention but a few. He courageously called all Republicans in America to remain steadfast to Republican principles as they were meticulously spelled out in our recent national platforms. We cannot go backward. Our party's approach in the future must be no less firm, constructive, and imaginative than it has been in the past. The overwhelming majority of Republicans enthusiastically agree.

I ask unanimous consent that the text of General Eisenhower's magnificent statement be printed at this point in the Record, in connection with my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

A Personal Statement by Dwight Eisenhower—On the Republicans' Choice

(By Dwight D. Eisenhower)

Many concerned people have urged me to indicate my preference among the possible Republican candidates or to try to dictate the Republican Party's choice of a presidential nominee this July.

I do not intend to attempt this. It is not my proper role. I do fervently hope, however, that the person selected to lead our party in the coming campaign will be a man who will uphold, earnestly, with dedication and conviction, the principles and traditions of our party.

There is no mystery about Republican principles. They have been spelled out at length in our national platforms—most recently that of 1956, on which I was proud to run for reelection, and that of 1960, for which I was proud to campaign.

These platforms represented the responsible, forward-looking Republicanism I tried to espouse as President, the kind that I am convinced is supported by the overwhelming majority of the Republican Party, the kind I deeply believe the party must continue to offer the American people.

We Republicans believe in limited government, but also in effective and humane government.

We believe in keeping government as close to the people as possible—in letting each citizen do for himself what he can do for himself, then making any call for government assistance first on the local government, then on the State government, and only in the final resort on the Federal Government.

But we do not shrink from a recognition that there are national problems that require national solutions. When they arise, we act.

During the Republican administration of 1953–61 we established the Department of Health, Education, and Welfare, we extended social security coverage and increased its benefits, we raised the minimum wage and brought more workers under its coverage than ever before. We increased aid for hospital construction, we increased aid for medical research, we introduced a new program of medical aid for the aged. We inaugurated urban renewal, passed the first depressed areas legislation, launched a new program to help low income farmers, and began the most gigantic highway building program in the history of the United States.

I cite these examples not to applaud a past record but to illustrate the positive nature of true Republicanism—spotting new needs, sizing them up, and acting decisively when their national nature and scope require it.

As a party that looks to the future, not just to the present, we Republicans believe in paying now for what we need now, not saddling those yet to come with the burden of our debts. But we believe in meeting our needs.

Right now the Nation's most critical domestic challenge involves man's relation to his government and also to his neighbor—the issue of civil rights.

The Republican Party was born of a crusading concern for human dignity; it retains that concern today.

There is reason for Republican pride that in the 8 years of its last administration the Nation made more progress in civil rights than in the preceding 80. We did this through vigorous Executive action, through steadfast enforcement of court decisions and through passage of the Civil Rights Acts of 1957 and 1960—the first such acts passed since Reconstruction.

Equal opportunity and mutual respect are matters not only of law, but also of the human heart and spirit, and the latter are not always amenable to law. But the Nation has a profound moral obligation to each of its citizens, requiring that we not only improve our behavior but also strengthen our laws in a determined effort to see that each American enjoys the full benefits of citizenship—benefits which no agency of government, national, State, or local, has the right to abridge.

As the party of Lincoln, we Republicans have a particular obligation to be vigorous in the furtherance of civil rights. In this critical area, I have been especially proud of the dramatic leadership given by Republicans in Congress these past 2 years. With equal emphasis, I can say the same of our Republican Governors.

In the foreign field, the overriding concern of the Republican Party—of either party—must be the maintenance of peace while protecting and extending freedom. This is not easily or simply done in a dangerous, volatile and uncertain world.

It requires military strength second to none, backed by a vigorous and expanding economy. Military adequacy must be our minimum. We must not, however, permit unnecessary and wasteful military expenditures to weaken the aggregate of American strength.

It requires loyal support for the United Nations in its peace-keeping efforts.

It requires calm, painstaking study of all the infinitely complex situations that confront us—whether in southeast Asia, in Cuba, or wherever danger threatens or opportunity beckons—followed by firm decision and prompt but carefully conceived action. In today's nuclear-age diplomacy there is no time for indecision, but neither is there room for impulsiveness. There is great need for imagination and inventiveness, not only to treat successfully with today's crises, but to probe into those areas where, step by step, the barriers between East and West can be lowered.

The last Republican administration acted both firmly and prudently in such danger areas as Berlin, the Formosa Straits, Iran and Lebanon. It acted constructively and imaginatively in such matters as enlarging its network of alliances and making them effective, evolving new concepts of social progress through foreign aid, promoting cultural and technical exchanges, and developing proposals for open skies and the peaceful use of space.

Our party's approach in the future must be no less firm, no less prudent, no less constructive, no less imaginative.

Believing in the Republican Party as I so devoutly do, I have for many months urged that Republicans from coast to coast be given a fair chance to work their will, in careful deliberations, at the national convention—and therefore to make that convention truly representative of the party.

I hope they will have that chance. And I earnestly hope the party will select a nominee who skillfully and wholeheartedly would apply to our problems, both domestic and foreign, those principles which I have noted here.

Mr. KEATING. Mr. President, will the Senator from California yield briefly to me, so that I may make a brief comment on the same subject?

Mr. KUCHEL. I yield.

Mr. KEATING. I am very glad the Senator from California has had printed in the RECORD the report to the people by General Eisenhower. It seems to me that his statement is a great boost for an open Republican convention and for progressive Republicanism.

Supporters of most of the prominent Republican candidates for the presidential nomination will rejoice over the plea General Eisenhower has made that our party nominate a candidate who will support the principles of Republicanism as espoused in our party's national platform.

His appeal for civil rights legislation, his backing of the United Nations peacekeeping efforts, and his rejection of impulsive solutions for dealing with international crises—all of these are very timely and to the point.

I think it a most persuasive statement by the leader of our party and one of the most popular leaders in the history of any nation. It is but another indication of the wide consensus of feeling within our party—a feeling which we hope will be widely shared throughout the Nation—that the Republican Party will continue to stand for those principles which General Eisenhower has enunciated in his statement.

I applaud it; and I am confident that it reflects the sentiment of the overwhelming majority of the rank and file of Republicans and, we hope, of many other citizens throughout the Nation. I commend the Senator from California for having the statement printed in the RECORD.

Mr. KUCHEL. I thank the Senator from New York, who is widely respected throughout the Nation for his progressive views and his Republicanism. I am convinced that the tenets laid down by General Eisenhower in his statement represent the commitments our fellow Republicans want included once again in the basic commitments of our party to the Nation.

THE RURAL ELECTRIFICATION PROGRAM

Mr. JOHNSTON. Mr. President, one of the truly miraculous cooperative ventures between the people and their local and national governments has been the rural electrification program, which has brought electricity to millions of homes all across rural America, including 156,000 such consumers in South Carolina.

Unfortunately, many people are tending to forget the great benefits that have resulted to South Carolina, from Main Street to the most rural crossroads, by this rural electrification program. It was in the winter of 1934, shortly after I became Governor-elect of South Carolina, that I made a trip to Washington to prevail upon the late President, Franklin D. Roosevelt, to assist South Carolina in establishing a rural electrification program. Armed with a $100,000 grant to South Carolina, I returned to the State and in 1935, asked the general assembly to authorize the creation of a rural electrification program with which to survey the needs in our State. Back then, 97 out of every 100 rural families in South Carolina were living without electricity in their homes. Only 3 percent of all the rural homes in our State had electricity. These rural people, of course, had wanted electricity all along, but the privately owned power companies said it was impractical and financially impossible to bring electricity to rural South Carolina. Thus, the rural electric cooperatives, owned and operated by the members served, were organized to construct transmission lines all across rural South Carolina.

This started before the national rural electrification program came into existence. This was a monumental task requiring assistance from the Federal Government in the form of low-interest, long-term loans, because there was no private financing available.

Those who stand up and criticize the rural electric cooperative program should think twice and remember that the job they are doing was turned down repeatedly by so-called private industry and so-called private investors. Actually, however, the rural electric cooperatives are a form of private enterprise, because they are owned by the members who meet annually to elect their officials and to conduct the business of the co-ops.

Assisting in the success of rural electric cooperatives in South Carolina has been the coming to our State of low-cost electric power brought to us by the South Carolina Public Service Authority—Santee-Cooper—and the construction of multipurpose hydroelectric generating dams on the Savannah River—Clarks Hill and Hartwell Dam. The people of South Carolina, even those who do not directly consume electrical energy generated by these projects, are benefiting every day in the form of reduced power rates from the private power companies. Were it not for the "yardstick" on the cost of electricity in South Carolina resulting from the availability of low-cost power from these projects, power rates all over our State would be much higher. When Santee-Cooper electricity went on the power lines, the power rates of the private companies to rural consumers dropped by approximately 50 percent, from approximately 13 mills to a little better than 6 mills per kilowatt-hour. This situation has helped to keep power rates down all over our State and has had the side benefit of helping to bring industry, which consumes tremendous quantities of electricity, into our State.

This is why I have been in favor of full development of the Savannah River, including the construction of the publicly owned Trotters Shoals multipurpose dam, as well as the Duke Power Co. diversion dam, because the construction of both of them will bring that much more electricity to our State. I am not against construction of the Duke Dam, but I hold steadfastly to the policy of seeing to it that this dam is constructed in such a way as not to block other utilization of the Savannah River. The Duke Dam and the Trotters Shoals Dam can both be constructed so that each dam can fully utilize the waters of the Savannah River which belong to all the people.

The rural electric cooperatives, as a result of extremely efficient management, the availability of funds through the REA lending program, and because of the availability of low-cost power, have turned out to be a tremendous victory for our rural people and a highly successful investment. Contrary to the dire predictions of those who opposed the co-ops and the public power program in our State, the Santee-Cooper Lakes have not drained out through holes in the ground, and the rural electric cooperatives have not gone into bankruptcy, nor have they been a drain on the Federal Treasury. The 24 rural electric cooperatives in South Carolina, serving 156,000 consumers, operate 35,000 miles of transmission line, employ 757 people, and maintain an annual payroll in salaries of $3,500,000. Out of $93 million these co-ops have borrowed from the Federal Government, they have repaid more than $26 million of these mortgages, and at the same time have paid $14 million in interest to the Federal Government on these loans.

It is truly amazing that the electric cooperatives have succeeded, but when we analyze their operation it is easy to see why they need low-cost loans and low-cost power. Electric cooperatives average 4.5 customers per mile of line and receive an annual average of $423 revenue per mile of line in operation. Private power companies average 41.5 customers per mile of line and realize an average income of $6,818 per mile of line. One can readily see that co-ops necessarily must have an entirely different type operation than a private power company. The private power companies would not come into these sparsely populated areas.

Main Street businessmen should be supporting rural electric cooperatives and the public power programs in our State because of the great benefit that has resulted to our State's overall economy. If we look closely at the purchases by rural electric co-op members, you will realize how much better off our Main Street business people are than they were before the advent of the rural electrification program. The rural people of South Carolina have purchased locally 900,000 major appliances, including 133,000 refrigerators, 93,000 ranges, 62,000 freezers, 99,000 washing machines, 90,000 water pumps, 5,000 bathroom sets, 66,000 water heaters, 17,000 TV sets, 145,000 radios, and thousands upon thousands of other gadgets, not to mention farm industrial equipment and the things that are purchased by the co-ops themselves in the maintenance of their systems.

There is not one single thing about rural electric cooperatives that anyone can say is bad for our State, for the people of our State, or for our State's economy. This is why I am constantly fighting to continue the rural electric cooperative program on a sound basis. Their job is not done and will not be done for years to come because the power systems they have developed need to be maintained and must meet the needs of growing rural South Carolina. South

Carolina will probably increase its population over the next 30 years or so by nearly 5 million people, and many of these will be in rural areas depending upon the successful operation of the co-ops.

Those who attack the co-ops with demands to cut off the lending program or to sell the co-ops to some private investor, or to put an end to our public power programs supplying the co-ops, are merely putting themselves in the position of cutting off their nose to spite their face. If this well-balanced rural electrification-public power program is put out of balance, then we will see our rural people returned to the pre-REA days of darkness. The whole program has been built on a solid, well-balanced foundation, and the people of South Carolina should be backing it 100 percent because it is beneficial to every single individual in our State who flicks a light switch, and it is certainly needed by any human being in our State who does not have electricity in this modern day of rocket ships, missiles, and nuclear reactors.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

CIVIL RIGHTS ACT OF 1963

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. LONG] to the amendment (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE], for himself and other Senators, relating to jury trials in criminal contempt cases. What is the will of the Senate?

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it

Mr. McCLELLAN. Is a quorum call in order?

The PRESIDING OFFICER. A quorum call is in order.

Mr. McCLELLAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 251 Leg.]

Aiken
Allott
Anderson
Bartlett
Bennett
Bible
Boggs
Byrd, W. Va.
Carlson
Case
Church
Cooper
Cotton
Dominick
Douglas
Ellender
Fong
Gruening
Hickenlooper
Holland
Humphrey
Inouye
Javits
Johnston
Jordan, Idaho
Keating
Long, La.
Mansfield
McClellan
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Muskie
Neuberger
Pearson
Proxmire
Saltonstall
Smith
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of the absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. BAYH, Mr. BREWSTER, Mr. HILL, Mr. JORDAN of North Carolina, Mr. McCARTHY, Mr. MUNDT, Mr. SMATHERS, and Mr. SPARKMAN entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. COTTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COTTON. The Senator from New Hampshire has on the desk an amendment to the pending bill. When the amendment was offered, I obtained unanimous consent that the amendment should be considered as having been read, in the event of any cloture motion.

The parliamentary inquiry is this: If a new bill, or a clean bill, should be offered to the Senate as a substitute for the pending bill, and at the same time cloture should be invoked, would the bill now on the desk, which by reference and by line and section refers to the present pending bill, would that be considered as having been read, and could it be offered to the substitute, or would my amendment be foreclosed because it had not been offered in form for the substitute before cloture was invoked?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). In the opinion of the Chair, it would be considered as having been read and could be read to the substitute.

Mr. COTTON. Even though it had to be changed in form, in referring to section and page and line to the substitute that had been offered in the meantime?

The PRESIDING OFFICER. In the opinion of the Chair, the Senator could modify when offered to the substitute.

Mr. COTTON. That is the opinion of the Chair as expressed after consultation, so that it is likely to be the opinion of the next Presiding Officer?

The PRESIDING OFFICER. The Chair will state to the Senator from New Hampshire that there has been, indeed, consultation with the Parliamentarian, and the views expressed by the Chair are those of the Parliamentarian.

Mr. COTTON. I am sure that the present occupant of the chair knows that I did not intend to express any lack of confidence in the Chair's opinion, but I did wish to be sure that I would not be foreclosed from the substitute, even with cloture invoked, under my hour of bringup the amendment.

I thank the Chair.

Mr. McCLELLAN. Mr. President, will the Senator from New Hampshire yield for a question?

Mr. COTTON. I am glad to yield to the Senator from Arkansas.

Mr. McCLELLAN. I was not in the Chamber when the Senator propounded his original parliamentary inquiry. Did that relate to the possibility of a new bill being introduced and made the pending business?

Mr. COTTON. It related to the possibility of either a new bill, or an amendment in the nature of a substitute which would supersede the entire pending bill. I wish to make sure what would happen to amendments on the desk to the present bill if such a substitute were offered and cloture should be invoked and voted at the same time.

Mr. McCLELLAN. I thank the Senator for yielding to me.

Mr. President, I should like to propound a parliamentary inquiry, in line with what the distinguished Senator from New Hampshire has just asked.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. The first inquiry I should like to make is: If a complete, new bill were introduced, would it not be subject to the same motion that was made with respect to this bill, that it be referred to committee for due consideration and committee action?

The PRESIDING OFFICER. Does the Senator mean a substitute for the pending bill?

Mr. McCLELLAN. I shall ask about a substitute later. My present inquiry is, if a new bill were introduced, could it be taken up for consideration without a motion being made?

The PRESIDING OFFICER. In the opinion of the Chair, the ordinary course would be to refer a new bill to committee.

Mr. McCLELLAN. I thank the Chair. I hope such action will be taken in the wisdom of our leadership, which would serve a worthwhile purpose, I believe.

Mr. President, another parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. The Presiding Officer referred to a bill being offered as a complete substitute. Would such substitute, if offered as a substitute for the pending bill, be subject to a motion to refer to committee?

The PRESIDING OFFICER. It would not be, in the opinion of the Chair.

Mr. McCLELLAN. What effect, may I inquire further, Mr. President, would that have on amendments which have been offered and which lie upon the desk?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that if a complete substitute is offered to the bill, it will be subject to amendment in two degrees.

Is that responsive to the Senator's inquiry?

Mr. McCLELLAN. It would be subject to amendment. Would the pending amendments that have been offered to this bill up until today still be pending, and could they be considered as amendments to the substitute bill, or would they have to be reoffered?

The PRESIDING OFFICER. The amendments now pending could be offered to the substitute and would have to be offered to the substitute, as the Chair understands.

Mr. McCLELLAN. I wish to get this ruling explicit so that I can understand it. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. My recollection is that I have sent to the desk some 34 amendments and had the clerk read them. I believe I am correct in that. I will ask as a parliamentary inquiry, is that not correct?

The PRESIDING OFFICER. The amendments sent to the desk by the Senator have been considered as having been read.

Mr. McCLELLAN. I did not ask that they be considered. I asked the clerk to read them, and he read them.

The PRESIDING OFFICER. They have been read, in a parliamentary sense, and they are eligible to be offered.

Mr. McCLELLAN. Even after the cloture motion might be adopted—even after cloture might be voted?

The PRESIDING OFFICER. If cloture is adopted, amendments then must be germane.

Mr. McCLELLAN. I did not ask about the germaneness of them. I know they are germane. I would not offer anything that was not germane. They are germane amendments. Assuming they are germane to the bill and have been read——

The PRESIDING OFFICER. The Chair was not able to make that assumption.

Mr. McCLELLAN. If cloture were voted, could those amendments be offered and voted on?

The PRESIDING OFFICER. On that assumption, they could be offered. The Chair, of course, was unable of his own knowledge to state whether they were germane.

Mr. McCLELLAN. On the assumption they are germane.

The PRESIDING OFFICER. On the assumption they are germane, yes.

Mr. McCLELLAN. Then they are eligible to be offered after cloture is voted. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLELLAN. Another question. If a substitute bill, or an amendment in the nature of a substitute, were offered and adopted and cloture voted, or if cloture were voted while that substitute were pending, would my amendments, which have been previously offered and read by the clerk, be eligible?

The PRESIDING OFFICER. If a substitute were adopted to the entire bill, no further amendment would be in order. Amendments should be offered prior to the vote on the substitute. If they were so offered, they would have precedence over the vote on the substitute.

Mr. McCLELLAN. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Do I correctly understand that the 34 amendments which I have at the desk, which have been read by the clerk, and which are eligible to be offered after a cloture petition is adopted, or after a cloture vote adopting cloture is had, and which are eligible as of now, if a substitute bill were offered for the whole bill in the nature of an amendment, I would have to offer those amendments to that substitute before cloture were adopted; otherwise they would not be eligible. Is that correct?

The PRESIDING OFFICER. No. The Chair is advised by the Parliamentarian that those amendments to the substitute, referred to by the Senator, would necessarily have to be offered before the substitute were voted upon.

Mr. McCLELLAN. Suppose cloture were voted before the substitute were voted on; then what would be the status of the amendments? The point is that it would be possible to file a substitute amendment and immediately vote cloture on the whole bill. Then what would happen to the amendments?

The PRESIDING OFFICER. The amendments might be offered, whether or not cloture had been imposed.

Mr. McCLELLAN. Mr. President, tomorrow I shall study the record. I shall probably have some further parliamentary inquiries to make, because I have at the desk, as I recall the number, 34 amendments, which I have sent to the desk and which I had the clerk read in full. I wish to protect the status of those amendments, because in good faith I have offered them, and I definitely intend to call them up, or most of them, and ask for a vote on them.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I do not want any parliamentary maneuvering, if I can prevent it, from invalidating those amendments, which I propose to offer and to have a vote on. Therefore, I shall make further parliamentary inquiries from time to time, to make certain that nothing is happening that would invalidate those amendments.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield for a question.

Mr. KUCHEL. In the nature of a parliamentary inquiry.

Mr. McCLELLAN. I yield for that purpose, provided I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. I believe the use of the word "substitute" is extremely important. I should like to have the Parliamentarian and the Chair confirm my understanding. First, a Senator may offer a bill in the nature of a substitute to the pending bill. Second, he may offer an amendment in the nature of a substitute. If he offers it under my first example, any amendments that any other Senator wishes to offer must be addressed to the substitute.

Mr. McCLELLAN. I have already——

Mr. KUCHEL. Will the Senator wait a moment?

Mr. McCLELLAN. The Senator and I can discuss this matter, but we are not getting a parliamentary ruling.

Mr. KUCHEL. What I should like to have the Chair do is state for the benefit of the Senate the difference between an amendment in the nature of a substitute, on the one hand, and a substitute, on the other hand.

The PRESIDING OFFICER. The Senator from California propounded a parliamentary inquiry, did he not?

Mr. KUCHEL. Yes.

The PRESIDING OFFICER. As the Chair understood the question, he will answer it by saying that in this case, if a substitute were offered for the entire bill, it would be subject to amendment. Is that responsive to the Senator's inquiry?

Mr. KUCHEL. Suppose an amendment were offered and that amendment were not offered as a substitute for the entire bill, although that amendment consisted of a multiplicity of proposed changes, and suppose that that amendment were adopted by the Senate. Would other amendments be available thereafter?

The PRESIDING OFFICER. Not to the particular part or parts that were adopted.

Mr. KEATING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. Prior to the adoption of these amendments, an amendment to the amendment could be offered, could it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. KEATING. When that was dealt with, another amendment to the amendment could be offered. Is that correct?

The PRESIDING OFFICER. To a different part of the amendment.

Mr. JAVITS. One further parliamentary inquiry: As I understand, a substitute is subject to amendment in two degrees.

The PRESIDING OFFICER. That is correct.

Mr. JAVITS. First, an amendment when proposed may in turn be amended, whereas an amendment in the nature of a substitute is subject to amendment only in one degree.

The PRESIDING OFFICER. It is subject to amendment in one more degree.

Mr. JAVITS. That is correct.

Mr. McCLELLAN. Will the Chair state the difference between an amendment in the nature of a substitute and a substitute amendment?

The PRESIDING OFFICER. The Chair will advise the Senator from Arkansas that there would not be a difference between an amendment offered as a substitute and a substitute itself.

Mr. McCLELLAN. That is what I thought. I did not believe there was any distinction between the two. If a substitute were offered for the pending bill, that amendment or that language would take the place of everything in the bill. I wanted to understand the parliamentary difference, if there were any.

The **PRESIDING OFFICER.** The Chair has stated that there is no difference.

Mr. **McCLELLAN.** I thought I so understood the Chair.

Mr. **JAVITS.** Mr. President, a further parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator from New York will state it.

Mr. **JAVITS.** When a substitute has been adopted, no further amendment to the bill as it then stands before the Senate is possible.

The **PRESIDING OFFICER.** That is the understanding of the Chair, an understanding which has been reinforced by the opinion of the Parliamentarian.

Mr. **JAVITS.** Whereas, if a series of amendments to the bill were adopted, the bill could always be further amended.

The **PRESIDING OFFICER.** Any part of a bill which has not been previously amended is subject to amendment.

Mr. **JAVITS.** I thank the Chair.

Mr. **HUMPHREY.** Mr. President, will the Senator from Arkansas yield for a parliamentary inquiry?

Mr. **McCLELLAN.** I yield for that purpose.

Mr. **HUMPHREY.** The Senator from Arkansas has indicated an interest in what will happen to the amendments he has presented to the original text of H.R. 7152. Several amendments have been presented and read, and they are drawn in terms of applying to the language of H.R. 7152. My question is: Would it be in order, if and when cloture were invoked, to offer the same amendments to the substitute, or must the amendments to the substitute be reoffered?

The **PRESIDING OFFICER.** When and if cloture is invoked, it would be in order to offer the amendments. They would be in order to be offered whether or not cloture were invoked.

Mr. **HUMPHREY.** The question is: Do they have to be presented de novo, or do they qualify as having been presented and read to the language of the substitute?

The **PRESIDING OFFICER.** They would qualify, having already been presented and having been read and offered to the substitute.

Mr. **HUMPHREY.** So if and when a cloture motion were presented, and if and when cloture were invoked, the amendments that are at the desk, which would qualify by having been presented and read, would be included within the purview of what we call the cloture operation?

The **PRESIDING OFFICER.** The Senator has stated a fact, in the opinion of the Chair.

Mr. **HUMPHREY.** So any amendment that has now been presented and read would not be denied the opportunity of being presented to the Senate for a vote under the terms of cloture?

The **PRESIDING OFFICER.** In the opinion of the Chair, the only amendment that could conceivably be excluded from the circumstances outlined by the Senator from Minnesota would be an amendment ruled not to be germane.

Mr. **HUMPHREY.** I understand; and such an amendment is not at the desk.

The **PRESIDING OFFICER.** The question of germaneness has not been taken up.

Mr. **HUMPHREY.** This explanation is most helpful, because a number of Senators have been concerned lest if a cloture motion were filed and cloture were invoked, amendments that had been presented in good faith and read might be disqualified. As I now understand, those amendments are within the category of being qualified and can be called up and voted upon, either on their merits or upon a motion to table.

The **PRESIDING OFFICER.** In the opinion of the Chair, the situation outlined by the Senator from Minnesota represents the parliamentary fact, with the proviso as to germaneness.

Mr. **HUMPHREY.** Yes; I understand that.

Mr. **HILL.** Mr. President, will the Senator from Arkansas yield for a parliamentary inquiry?

Mr. **McCLELLAN.** I yield for that purpose.

Mr. **HILL.** If and when cloture is invoked, is it not true that no matter how many amendments a Senator might have offered, he would be limited to an overall period of 1 hour to speak?

The **PRESIDING OFFICER.** As the Chair understands, the Senator could consume 1 hour in debate on all matters. However, that would not preclude him from bringing before the Senate amendments he might have presented, and they could be acted upon by the Senate, but without the right of any Senator to debate them. The Chair should qualify that statement by saying that any Senator who had time remaining could debate them; but if the Senator from Alabama, for example, had exhausted his 1 hour, he would not have any further time in which to speak. He could offer his amendments, but not debate them.

Mr. **HILL.** No matter how many amendments there were, after I had consumed my hour, I could not speak any further?

The **PRESIDING OFFICER.** In the opinion of the Chair, that is the strict limitation that is imposed.

Mr. **McCLELLAN.** Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator from Arkansas will state it.

Mr. **McCLELLAN.** Assuming that a substitute amendment had been adopted and that cloture had been invoked, could the author of an amendment modify his amendment so as to make it pertinent to and apply at the proper place in the substitute?

The **PRESIDING OFFICER.** In the opinion of the Chair, once a substitute has been adopted, no further amendment is in order.

Mr. **McCLELLAN.** Prior to the time of its having been adopted and prior to the time of the adoption of the substitute. After that, as I understand, no amendments are in order, germane or otherwise.

The **PRESIDING OFFICER.** That is correct.

Mr. **McCLELLAN.** But prior to that time, while the substitute is pending it is subject to amendment.

I ask this question specifically: Does not the author of an amendment have the right to modify his amendment so as to make it apply at the proper place in the substitute instead of in the original bill?

The **PRESIDING OFFICER.** The Chair advises the Senator from Arkansas that the author of such an amendment or such amendments would have that right.

Mr. **McCLELLAN.** And that is a right, is it not? He does not have to obtain unanimous consent to do it, does he? He has a right to modify his amendment, has he not?

The **PRESIDING OFFICER.** Yes, unless the yeas and nays have been ordered. Unless the yeas and nays have been ordered, he can so modify it.

Mr. **McCLELLAN.** As I understand, if the yeas and nays have been ordered, he must obtain unanimous consent.

The **PRESIDING OFFICER.** That is correct.

Mr. **McCLELLAN.** But prior to that time, he has a right to modify his amendment—has he not?

The **PRESIDING OFFICER.** That is correct—prior to that time.

Mr. **HUMPHREY.** Mr. President, will the Senator from Arkansas yield?

Mr. **McCLELLAN.** I yield.

Mr. **HUMPHREY.** I am pleased that the Senator from Arkansas has established that civil right, so that we can have this point made manifestly clear.

Mr. **McCLELLAN.** Oh, Mr. President, I believe in civil rights; and, as the Senator from Minnesota knows, I want to retain those rights. I do not want the majority to take them away from me.

Mr. **HUMPHREY.** We have been protecting them for 63 days.

Mr. **McCLELLAN.** If the Senator from Minnesota will walk farther on this side of the aisle, I will have a great deal more faith in his statement.

Mr. **HUMPHREY.** Mr. President, will the Senator from Arkansas yield again to me?

Mr. **McCLELLAN.** I yield.

Mr. **HUMPHREY.** I believe we have had a very helpful discussion of the parliamentary situation which I trust will prevail.

I merely wish to summarize the situation which will exist in the event such amendments are offered to the bill, and thereby become the pending business, and if cloture is ordered.

Is it correct that the substitute can be amended in two degrees, if the amendments have previously been offered and read?

The **PRESIDING OFFICER.** That is correct.

Mr. **HUMPHREY.** Second, Is it correct that amendments already presented and read—such as those referred to by the Senator from Arkansas, applying to House bill 7152—can be offered to the substitute, as well?

The **PRESIDING OFFICER.** That is the opinion and the ruling of the present occupant of the Chair.

Mr. **HUMPHREY.** And the author of the amendments may offer them to the substitute; is that correct?

The **PRESIDING OFFICER.** Yes, provided they are germane.

Mr. HUMPHREY. I thank the Chair.

Mr. McCLELLAN. Mr. President, I rise to a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. If a substitute is offered or if an amendment in the nature of a substitute is offered, will there be any parliamentary declaration as to the time to be allowed to Members to study the substitute, in order to have an opportunity to arrive at some judgment as to where it should be amended, in addition to the amendments then lying at the desk?

The PRESIDING OFFICER. There is, of course, as the Senator from Arkansas knows, no limitation on debate, except as might be provided by means of cloture.

Mr. McCLELLAN. Then we would have all the time from the time when the substitute was submitted until the time when cloture was ordered, to study it and to offer amendments to it, would we?

The PRESIDING OFFICER. Yes; until the time the substitute was voted upon.

Mr. McCELLLAN. I have one further question: After a cloture motion is filed, during the 2 days that it must lie on the table before a vote can be taken on it, are amendments in order if the substitute has not previously been adopted?

The PRESIDING OFFICER. The Chair will state an opinion. One calendar day, during which the Senate is in session, must intervene between the filing of a cloture petition and the vote thereon. If such a petition were filed, the vote would come 1 hour after the Senate had met following the filing of the petition the next day but one. Until the Senate had voted cloture up or down, the Senate could continue to consider any amendments, and new amendments could be offered during that time.

Mr. McCLELLAN. They could be offered.

The PRESIDING OFFICER. Provided they were read.

Mr. McCLELLAN. Would we be able to have them read? Could we offer them and have them read between the time the cloture petition was filed and up to the time of the vote on the cloture petition?

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLELLAN. I thank the Chair.

Mr. HUMPHREY. I thank the Senator from Arkansas for helping to clarify the situation.

It must be made very clear that the right of a Senator to file an amendment, and to have that amendment acted upon up until the very minute the vote takes place upon cloture, is unlimited, as long as the amendment is germane. That rule has been clearly enunciated by the Chair, so there can be no question about it at all.

The PRESIDING OFFICER. To make the point clear to the *n*th degree, the Chair now states that to be a fact.

Mr. McCLELLAN. I thank the Chair. We hear reports and rumors that a substitute will be offered to the original bill, and that a new bill will be before the Senate. Then we hear that the substitute may possibly be offered for one title or another title of the bill. Those of us who are opposed to the bill are not always taken into the confidence of those who are formulating strategy for the enactment of the bill.

Mr. KEATING. And vice versa.

Mr. McCLELLAN. We shall tell the Senator from New York our strategy. We are "agin it."

Mr. KEATING. But the strategy of the opponents to the bill is not always imparted to the rest of us.

Mr. McCLELLAN. Yes. We reveal our opposition on the floor openly as I am doing today. We talk about it.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. HUMPHREY. I wish the gracious and considerate Senator from Arkansas to know that the proposed amendments to H.R. 7152 that would be incorporated into what might be called a substitute were brought to the attention of the entire caucus of the Democratic Party. All members were invited, and a goodly number participated. The same procedure took place in the Republican conference.

I can well understand the Senator's concern over proposed new language. It is the intention of those who are proposing the amendments in the nature of a substitute, or, as we say, as a package, to present those amendments this week so that they can be studied and discussed, and so that when we go into session next week, the amendments can be further studied and debated, and any and all amendments that any other Senator would like to offer to that language can be submitted. Amendments may be presented and read.

The Senator from Minnesota would be opposed to any procedure that would cut off that kind of consideration of proposed legislation as important as the measure before the Senate. Thus far we have had 63 days, going onto the 64th day, of discussion of the bill H.R. 7152 and all amendments pertaining thereto. The proposals which will be offered this week are amendments to the text of H.R. 7152. Many of them have been discussed already. I believe that every Senator would wish to see that text in its exact language.

It has been made available for the respective conferences. It will be offered as a printed amendment in the nature of a substitute for the bill H.R. 7152, and every Senator will have an opportunity to study the amendments. The Senator from Illinois [Mr. DIRKSEN], the Senator from California [Mr. KUCHEL], the Senator from Montana [Mr. MANSFIELD], the majority leader, and the Senator from Minnesota will discuss those amendments along with other Senators, I am sure. I presume that my good friend, the Senator from New York [Mr. KEATING], who has taken such an important part in the debate, and other Senators will discuss the proposals in detail so that the Senate will know what our interpretation of those amendments is, and so that Senators who may wish to discuss the proposals with us may have an opportunity to do so. I believe that the Senator from Arkansas has performed very fine service today by calling those matters to our attention. I assure him that the Senator from Minnesota will try to be as considerate and cooperative on these proposals as he has been on others; with respect to them no one has been more cooperative and considerate than has the Senator from Arkansas. I shall try to follow his standard.

Mr. McCLELLAN. I thank my friend. He is very kind and generous in his remarks. My only purpose was to try to clarify the situation so that we could get our bearings and know the status of the amendments that have been offered and what effect other proceedings in the nature of substitutes and amendments might have. We wished to be certain, and to protect our rights in our objective and purpose to have the amendments ultimately considered, and to preserve our right to offer amendments to any substitute bill or amendment in the nature of a substitute that might be presented.

The Senator from Minnesota has been very frank to advise us that we shall have an opportunity to see the amendments. On my part I should like to say that his action is as much appreciated. I am sure that statement is true with respect to all of those with whom I am associated in opposition to the bill. I believe no one could read the bill more than once without discovering that every time he reads it thereafter he will find some place in which it needs amendment. It is an involved bill, as the distinguished Senator from Minnesota has said. It is a bill that is of great importance either way, no matter which side one is on. A bill of that importance certainly should not be given light attention or consideration when we proceed to revise the language that is in the bill now by amending it either to make it stronger or to modify the impact of it.

As I recall, the pending business is still the amendment with reference to jury trials. It is now 20 minutes past the hour of 3 o'clock. There is a new rule of germaneness with respect to debate.

I ask if the time for germaneness with respect to the pending amendment has expired, or must I for a given time—and if so, for how much time—direct my remarks to the pending amendment on trial by jury.

The PRESIDING OFFICER. The hour and the minute, the Chair will advise the Senator from Arkansas, when germaneness no longer will be applicable will be 4:42 p.m.

Mr. McCLELLAN. According to my calculation, that is about an hour and 22 minutes from now.

The PRESIDING OFFICER. Assuming that the two clocks in the Chamber are slightly different, that is the Chair's understanding, too.

Mr. McCLELLAN. During the past few weeks we have been discussing various aspects of what I have said—and what I repeat, and what I will continue to reiterate—is one of the most precious heritage possessed by the American people, the right to a trial by jury.

During the 180-odd years since the Constitution was adopted, the American people have taken this right for granted. They have felt secure in this right. They have not, until recently, realized—and they had not theretofore even contemplated—that there would ever be an assault made upon the constitutional right of a trial by jury. Those who have become alerted to, and cognizant of the situation with respect to the pending proposal to deprive citizens of the right of a trial by jury in certain instances are disturbed. Some of them are shocked by the proposal. Others are absolutely alarmed, and are apprehensive as to what the future welfare of our people will be, what impact this proposal will have on their rights and the privileges which they have heretofore enjoyed.

They are wondering if this is the beginning of even greater erosions of constitutional authorities and directives than have taken place heretofore.

There are other citizens who have not even yet sensed the danger that lurks in the bill with respect to trial by jury. It is just inconceivable to them that Congress should ever tamper with such a sacred right—a right that is inherent in our treasured heritage. They cannot believe it. They cannot believe that Congress would do such a thing. Therefore they go along, rather complacently, and possibly make no expression about it. Some may wake up too late and realize that they should have protested—some who are not now speaking out as they would if they sensed the danger in what is attempted to be perpetrated here by the proposed legislation.

In my previous remarks, I have shown that when the American Colonies declared their freedom from Britain, the prestige of the jury as a guardian of the liberty of citizens was running high. Yes, it was running very high.

Our Founding Fathers thought so much of the right to a trial by jury that it was written into the constitution of the States, and into the Constitution of the United States in several places. It is quite clear. Mr. President, I have no doubt that if this fundamental right of trial by jury had not been incorporated in and guaranteed in the first 10 amendments—which we know as the Bill of Rights—the Constitution as we know it today would have never been adopted. We might have had a constitution, but it would have been different from the Constitution that has made it possible for America to not only guarantee and preserve the greatest personal liberty to human beings that has ever been vouchsafed to them by any other form or system of government, but also, that made it possible under our free enterprise system for those who have enjoyed this heritage of liberty to become the most prosperous, the most progressive, and the most secure people that the world has ever known.

One may ask, What does the right to trial by jury have to do with it? I know one thing, Mr. President (Mr. BAYH in the chair) it has made the individual citizen more sympathetic to his responsibilities toward government. It has also made the individual citizen respectful of his government. It has also caused the individual citizen to prize freedom more, and to serve his government with greater dedication and devotion than he would if the right to trial by jury were taken away.

It smacks of dictatorship to say that a person can be charged with a crime, and only one man will determine his guilt or innocence. In this instance, that one man would be the one who accuses a person of a crime. If we do that, we shall lose a precious right.

Mr. President, repealing, impairing, limiting, or restricting the right to a trial by jury as our Founding Fathers decreed, involves a degree of deterioration and some measure of decadence. That right and privilege of every citizen was decreed by the Founding Fathers, which decree was ratified and affirmed by the several States of the Union, and by the people thereof, in the adoption of the Constitution and the 10 amendments thereto, constituting the Bill of Rights.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I am glad to yield to the Senator from Florida for a question.

Mr. HOLLAND. I noted with appreciation that the Senator referred to the increased sense of responsibility of government that came to citizens because of the jury system. Did the Senator mean—and I hope and believe that he did—that to a citizen who sits as a juror there comes, perhaps for the first time, a full realization of the fact that he is an important cog in the machinery of justice for his area and for his nation?

Mr. McCLELLAN. It gives him the consciousness that he is a part of government. It impresses upon him immediately that he has something to say about law and order in his community, that he has the opportunity to protect the innocent as well as to protect the guilty. In other words, he has a great deal of confidence—as I am sure any good citizen would have—in the wisdom, fairness, and sincerity of purpose of a jury composed of his peers than of only one judge sitting on the bench. Especially would that be true if that judge were the one who accused him of a crime, as would be true here.

So the jury system has brought home to the individual citizen—when he has been called upon to serve on the jury to sit in judgment upon his fellow man, sometimes his neighbor and sometimes a fellow citizen of his own community—the thought that, "I am a part of my government. I have a responsibility to do right in this case. I have a duty under the law to mete out justice."

Everyone cannot work for a democracy under our system. Perhaps everyone could work for a government under another system which has flourished to a degree—which I hope someday will wither away; but not in a democracy, not in a republic, not in our form of government can everyone work for the government.

Mr. President (Mr. BARTLETT in the chair), under the jury system, everyone has a responsibility and an obligation and, in some instances, the opportunity to participate in government as a juror. He takes an oath to render a fair and impartial verdict. In criminal cases, he takes an oath not to convict a defendant, the accused, unless the State or the Government brings evidence before the court, and before that juror, which has such import and impact as to convince him beyond a reasonable doubt of the guilt of the accused. It may perhaps convince 11 others on the jury, and yet not convince him. If he is not convinced beyond a reasonable doubt, he, as a citizen, has taken an oath and has become an official of the government, in a sense, for a limited time to try that one case and to mete out justice. Such an obligation brings home a sense of responsibility.

I have seen juries work. I have tried a few cases, as I know the Senator from Florida [Mr. HOLLAND] and the Senator from Indiana [Mr. BAYH] have. I have seen jurors really struggling and worrying, trying to weigh the evidence with meticulous care, to make certain that they gave the defendant the benefit of every doubt. They did not wish to convict him unless the government, the State and the prosecution had met the requirements by providing convincing evidence. I have seen juries struggling with their duty.

Do not tell me we shall now take away that right. It is said that we are not going to take it away in all cases—only in one type of case. There are those who advocate taking it away in certain civil cases, and that we should take away the right to a trial by jury for what might be determined to be minor criminal cases.

I do not know what might be termed a minor criminal case. Using the term in one sense, a misdemeanor might be a minor criminal case. An accused who is convicted is sometimes adjudged to be a law violator, even though the offense may carry with it a small penalty.

Let me point to the youth of today, who start out committing small offenses, in many instances. As they grow up in crime, some of them become guilty of committing grave offenses. But the point I wish to make is that if an accused youth is unjustly convicted, found guilty, by one judge sitting as a juror, of a small offense, a stigma is placed upon that youth. He may very well overcome it. Many do. But immediately a stigma is placed upon that person. Therefore, I am unwilling to start to whittle away at the right of trial by jury. I would be much more satisfied personally, if I were charged with a minor breach or a technical breach, and if I did not feel guilty, to have 12 of my peers, instead of 1 man, sit in judgment on me. I would feel that I deserved to have 12 men state that I was guilty, instead of having 1 man say it. That is no reflection upon our courts or upon any judge who sits on the bench. We are all human beings. It is less likely that 12 men, in their collective judgment, will err than that 1 man will err.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. McCLELLAN. I am glad to yield.

Mr. HOLLAND. First, I think the Senator is correct in what he says about the added responsibility, the added sense of being a part of the government, that citizens feel when they are confronted with the duty of performing jury service.

I wonder if the distinguished Senator believes that a more impressive illustration could be given of the fact that judges differ and that judges quibble over technicalities, and that judges' judgments run in different directions on the same question, than the fact that the Supreme Court of the United States in the recent jury trial case affecting the former Governor of Mississippi, Mr. Barnett, divided 5 to 4, five of them feeling that he was not entitled to a jury trial and four of them feeling that he was entitled to a jury trial. Could there be a more impressive illustration of the fact that the minds of judges are prone to run along legal technical lines, and that they do not always address themselves to the bare fact of guilt or innocence, than that 5-to-4 decision by our highest and most distinguished Court.

Mr. McCLELLAN. The distinguished Senator from Florida is correct in the illustration he has drawn. It would not be possible for an accused to be convicted, because there would be a division among the judges. Such a division among a jury would entitle the accused to another trial before his liberty were taken from him or any punishment were inflicted.

Mr. HOLLAND. If it were a jury, rather than a court.

Mr. McCLELLAN. If it were a jury, rather than a court; yes. The significant point about the decision to which my friend from Florida refers is that the so-called liberals on the court were the ones, who, in keeping with true liberalism, insisted that Governor Barnett was entitled to a jury trial. I wish our liberal friends in the Senate would join the liberals on the Supreme Court, and join us in voting to put an amendment in the bill to make certain that true liberalism in one respect, at least, shall prevail in the legislation. I have not actually abandoned the hope that they will do so. I still have some hope. We only lacked one vote to adopt an amendment sometime ago. I hope that there will be more than one Senator who, after profound meditation, and after being given another opportunity, will vote for jury trials.

Mr. HOLLAND. I am glad the Senator made the point with reference to the membership of the U.S. Supreme Court. The fact is that the four members of that distinguished tribunal who are generally referred to as the more liberal members, all voted for a jury trial in a criminal contempt proceeding. This, the Senator from Florida thinks, as does his friend from Arkansas, is the truly liberal point of view.

Does the Senator remember that that great liberal, the late Senator from Wyoming, Mr. O'Mahoney, was the leading advocate of the insistence upon jury trial in criminal contempt case when the civil rights bill of 1957 was debated on the floor of the Senate?

Mr. McCLELLAN. I remember that. I remember that he felt very strongly about it and that he put his whole effort into that one phase of the battle.

Mr. HOLLAND. I remember that very well. I hope that the fact that the so-called liberals on the present Supreme Court have voted as they have on this issue in the Barnett case, and the fact that we all remember the valiant fight made successfully by the distinguished Senator from Wyoming, Mr. O'Mahoney, in favor of jury trials in criminal contempt cases, will bring about a reexamination of their position by some of the avowed liberals in this body, who up to now have consistently, in the present debate, voted for a system under which the judge, who feels that his court, himself, has been shown disrespect, prefers the criminal contempt proceeding, sits upon the case, hands down the judgment, and imposes the penalty.

To the Senator from Florida that seems to be the essence of something very different from liberalism and, in fact, is the essence of authoritatism and autocracy in our Government.

The Senator from Florida agrees with the Senator from Arkansas that the truly liberal point of view is that jury trials must prevail in these troublesome cases of criminal contempt.

Is it not true that a criminal contempt case does not arise until after there has been very great friction between the court and the judge, on the one hand, and the parties to the proceeding on the other hand, and that it actually arises out of a violation of the wishes of the court?

Mr. McCLELLAN. The mandate of the court.

Mr. HOLLAND. Out of the mandate of the court.

Mr. McCLELLAN. We say that the ruling of the court is the law of the land. It is the law of the case, certainly. The court has ruled that such and such must be done or must not be done, as the case may be. That is the law of that case. Therefore, for criminal contempt to arise, there must be a flouting of the court's ruling by an individual, or some disobedience of it. The person involved thus becomes a law violator in the eyes of the court. The court makes the accusation and issues the citation for contempt. The court has already made the finding. It would, in a sense, be like a grand jury finding an indictment and assessing the punishment against the defendant at the time of the finding of the indictment.

It is almost tantamount to that.

Mr. HOLLAND. It seems to me it is a good deal worse than that, because a grand jury, in most cases, sits impartially between citizens of the area where they serve and other citizens.

Mr. McCLELLAN. The Senator is correct. It is even worse. Who would ever think of letting a grand jury, at the time of handing down an indictment, convict and assess the penalty and send a person to a penitentiary or a jail? Yet in the bill, as the Senator points out, it is proposed to go further.

Mr. HOLLAND. The most that a grand jury does, does it not, is to rule upon the facts presented to them—generally it is the State's case only——

Mr. McCLELLAN. It is one-sided.

Mr. HOLLAND. It is an ex parte proceeding—it appears that there has been enough showing of the commission of a crime to warrant the returning of an indictment, without any attempt on the part of a grand jury to try to prejudge the final handling of the case. They know that a jury will be impaneled, and that a trial judge, sitting impartially as between the defendant and the general public, must sit upon the case, with all the opportunity for the handling of the conduct of the case that the law makes available, and with the assurance that an appeal will follow if there is serious error.

The grand jury merely says, in effect, "This looks like a case that should go to court; and we feel it so keenly that we will return an indictment"; whereas a judge who brings a criminal contempt proceeding feels that he and his court have been shown contempt by a person before that court, and he holds that the person shall be subjected to a criminal contempt trial by him, in which he renders the verdict and imposes the sentence. It seems to me that that kind of case is so much worse than what would happen if a grand jury were to proceed to a final judgment that there is no comparison.

Mr. McCLELLAN. The judge makes a finding of guilt before he issues a citation. A grand jury merely decides that a crime has been committed and that the evidence tends strongly to show that the accused is the one who committed the crime. Its duty is to make the charge, to make the accusation, which it does in the form of an indictment. It knows that thereafter, in accordance with our procedure, the defendant will have what we say is a fair trial; that he will have a trial before a jury of his peers, if he is accused of a crime.

But the bill proposes a departure. It proposes something that, as I recall, one of the Supreme Court judges said was something that amounted to the court stating a verdict without any law or constitutional basis; that it was acting in violation of the spirit of the Constitution. In effect, that was the ruling of the four dissenting judges in the recent decision.

Mr. HOLLAND. They spoke of it as judge-made law.

Mr. McCLELLAN. Judge-made law; and they were correct. It is not in the Constitution. It is contrary to the express language of the Constitution. A judge may have ruled in that way, or may have developed a practice, to a limited extent, of saying, "Oh, well, this is a contempt matter; it is not a charge of a crime, and therefore there is no provision for a jury." But any authority or power that takes away a man's liberty or imposes a punishment is in effect criminal in its inception and criminal in its aspects and in its consequences.

The punishment for contempt by a fine of $300 and a jail sentence of 45 days is just as much punishment and just as much taint upon one's character as if it were a fine of $300 and a sentencing to jail for 45 days for some statutory offense.

I do not see that there would be any difference. In effect, the person would be a jailbird when he came out, if we may use that language, knowing that he had been convicted of something adjudged criminal contempt. The word "criminal" itself implies that he committed an offense. Instead of having committed an offense against a statute, he has committed an offense against a court order, a mandate, that had interpreted some statute. It is a distinction without a difference, so far as the consequences are concerned, because of the limitation of punishment that the proposed law may provide.

The original bill provided for punishment by 45 days in jail and a $300 fine, while some amendment—I do not know whether it is still pending—would reduce the jail sentence to 30 days. But the offense would be criminal in all its concepts and in all its processes, down to the punishment, just the same as if one were fined $300 for petty thievery and were sentenced to 30 days or 45 days in jail. He would have to pay the same amount of money as punishment and also would be incarcerated and his liberty denied for a period of time.

The offense is properly called criminal contempt. It is named properly. But when we name it, as we have named it, and as it is, a defendant is entitled to a jury trial under the Constitution. I am a little perturbed. I feel it within me and am concerned that we have come to a point in this country, whether we call it liberalism, or whatever term might be applied to it, whether it be complacency or lack of due reverence for the Constitution, or if we have decided that the Constitution does not apply to modern life and modern civilization, that we are ready to abandon that principle in order to achieve one certain act as covered by the provisions of the bill; to believe that in a civil rights bill, we are ready and willing to abandon that principle, the Constitution to the contrary notwithstanding, because we want to get somebody at the end of the line and make him subservient to whatever the court may order or decree.

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. McCLELLAN. I yield.

Mr. HOLLAND. First, the Senator is doing a fine thing in bringing out this point. I commend him warmly.

Second, I ask him if he does not believe that for criminal contempt there should be a provision for trial by jury regardless of the severity of the sentence imposed, for this reason: That if the cutoff point is small—the Senator has spoken of a 30-day cutoff point that is provided in one of the amendments—a judge of conscience and of character would be somewhat loath to fix a sentence at less than that, because he might feel that his fellow citizens would think that he did not want the case to come before a jury and did not want it to be passed upon by a jury of citizens, and therefore would be more likely to go beyond the limit than he would be to come under it, for the reason that a judge of character would want the people to know he was acting in good faith and with self-respect, and would be just as willing to have a jury pass upon the case as he would be to pass upon it himself, perhaps more so?

Mr. McCLELLAN. Perhaps more so.

Mr. HOLLAND. To repeat the question: Does not the Senator feel that a limitation such as this might very easily prove to bring about greater verdicts, and greater punishment, rather than lesser ones, and with much greater expense, because the provisions of the 1957 law, as proposed to be continued, in part, do set such a cutoff date and such a cutoff amount, both in days of punishment and in monetary fine or penalty? Does not the Senator think there would be more de novo trials in that situation, because courts of conscience would want it to appear that they were so sure of their judgment that they were perfectly willing to have a defendant tried by a jury of his peers, if they felt he had been handled unjustly?

Mr. McCLELLAN. I think the Senator from Florida is correct. I do not think there is any doubt about that. Certainly the only course for us as legislators is not to start whittling away at the Constitution. The right thing for us to do is simply to provide for a jury trial. If we do that, we shall have solved the problems and shall have preserved the integrity of the Constitution and the integrity of our action, and we shall not have compromised the Constitution or given any taint of unconstitutionality to the bill. But without such a provision, the bill would be absolutely unconstitutional, for no one can correctly argue that the incarceration of a defendant does not deprive him of his liberty. The Founding Fathers clearly intended that no citizen be deprived of his liberty without a trial by jury. In fact, in the Constitution they even provided that in suits at common law, if the value in controversy was as much as $20.01, the right of trial by jury must be preserved.

I believe that if the Founding Fathers had known that today we would be confronted with a proposal to deprive a defendant of the right of trial by jury if he was faced with a sentence of incarceration for 45 days or less or a fine of $300 or less in a criminal case, they would have been shocked, for they intended to have the Constitution guarantee the right of trial by jury in all criminal cases. The debates at the Constitutional Convention and the debates in the various States in connection with ratification of the Constitution clearly show that the intention of all concerned was that the Constitution guarantee the right of trial by jury. Therefore, if Congress were now to attempt by legislative act to tamper with the Constitution, to the extent of modifying that clear guarantee, as incorporated in the Constitution by the Founding Fathers, I believe we would be going far astray and would be taking a tragic step.

Furthermore, if such a step were taken in this case, it would not be long before a similar situation would arise; and then this case would be pointed to as a precedent, and it would be said, it was done then, so why should we not do it now? In other words, one evil would beget another; one careless disregard of the Constitution and what it was intended to do would beget another, and then another, and then another, until finally the basic structure of our Government would be seriously weakened and impaired, and the system of justice that has served us so well would be impaired.

Of course our constitutional system is not perfect; no perfect system has ever been devised. But we have not found many ways to improve on the one we have, so we had better not abandon it. Instead, we should preserve it and cling to it.

On the last occasion when I spoke here, when we began to think about the Constitution and some of the developments that are apparent today, including court decisions and some of the proposals that come before Congress, but apparently ignore the Constitution and do not give it the weight, the consideration, and the reverence it deserves, I began to think of the old hymn "The Old Rugged Cross." I think there is a lesson to be learned from that hymn; I think it carries a spiritual message for us. I think it brings us a lesson of patriotism, too. In short, let us cling to the Constitution, not abandon it.

I wish that every citizen of this country would, upon sober reflection, realize what is involved in the issue now confronting us. I especially wish that every Member of the Senate would—as the Senator from Florida [Mr. HOLLAND] suggested a few minutes ago—engage in a reexamination of his position and of what heretofore have been his judgment and his decision, and would weigh them in the light of tomorrow and in the light of destiny and of the consequences, and then would determine to be at least on the safe side. No violence will be done to the Constitution by providing in the pending bill for a jury trial. In that event, no one will charge that the Constitution has been violated.

Several weeks ago the Senate voted 45 to 46 on the issue then pending. Forty-five of the ninety-one then voting felt that the Constitution requires that the pending bill guarantee a jury trial. They must have felt that way, or they would not have voted as they did. Many of them are in favor of civil rights as defined in the pending bill and as intended to be put into effect and enforced by means of the bill. Many Senators among those 45 would support the bill; but they do believe it is better to cling to the Constitution, rather than to cut loose from it and drift into practices and into legislation and court procedures that contravene the true letter and spirit of the Constitution.

I hope there will yet be a change of heart on the part of some Senators, because we cannot go wrong if we vote for what the Constitution requires. On the other hand, if Senators vote for something different, and merely hope it will not be in conflict with the Constitution, they take a clear risk. But the goal—as represented by the pending bill—certainly is not worth the risk of undermining the fundamental law of our land.

Mr. HOLLAND. Mr. President, the Senator from Arkansas is to be particularly commended for his point that the question before us is the single one of whether the Constitution does or does not require provision of the right of trial by jury; and that in this case it would not be proper for us to provide, in effect, "If the fine is more than a certain amount, the Constitution does require a jury trial, and therefore in the bill we will provide for a jury trial; but if the fine is less than a certain amount, the Constitution does not require a jury trial, and therefore in the bill we will not provide for a jury trial." So I commend the Senator from Arkansas for making that point so clear. He has pointed out that if once we were to establish in this bill the principle that by fixing a dividing line not too high on the theory that the persons who were faced with punishment below that line would not be inclined to appeal or to raise trouble, we might save the court and the public a little expense, even though injustice would be done to some of our citizens, we would establish a clearly unsound precedent, and one which would be sure to be subject to extreme pressure for an enlargement of the principle to be applied to many other crimes, although not of the most serious sort, and eventually perhaps to be applied even to the most serious crimes.

So I hope the Senator's plea will fall on willing ears, because I do not see how we can divide the application of the Constitution to such an extent—namely, by specifying that its application will depend on the amount of monetary fines or on the number of days of incarceration.

Mr. McCLELLAN. I am sure that the Senator agrees with me that had the Founding Fathers and framers of the Constitution intended to permit such to be done, they would have so provided in the Constitution. They did permit trials without the right of a jury in civil actions where nothing but material substance—money or property—was involved, and where the value of the substance adjudicated was $20 or less. In such a case, neither litigant has the right of trial by jury. That limitation was spelled out for civil cases. Had the framers of the Constitution intended it to apply in criminal cases, I am sure they would have spelled it out in relation to criminal cases as they did in relation to civil cases.

If one has any doubt about the question, all he needs to do is merely ask himself the following question: Which is more sacred in the hearts and minds of the framers of our Constitution—a $20 bill or a day in jail or 5 days in jail or 10 days in jail? Which is more sacred, a $20 bill in a civil action or a $300 fine? Which is more sacred? No one can answer that question, and no one will dare say that our Founding Fathers regarded—and the provisions of the Constitution clearly manifest their regard—imprisonment upon criminal conviction, which carries with it a greater stigma less reprehensible than a case in which someone is sued for a debt of $20 or $25.

A defendant in such a civil action might contend that he did not owe the debt, but a jury might find that he did owe it. The result in such a case would not necessarily carry with it any stigma of dishonesty. In such a case there might be honest differences of opinion.

But in cases in which there is a statute or a court mandate that states "Thou shalt not," and that statute or mandate is violated, or it is charged that there has been a violation, and if the accused is adjudged guilty and serves time in jail, is not his right to a jury trial in such a case more sacred? How much further could the Founding Fathers, by the language of the Constitution, go in order to protect one so charged? How much more explicit would they try to be with respect to making certain that a man was not punished by being sent to jail than to make certain that $20 was not taken away from a defendant without the right of trial by jury? No advocate of the proposal to abandon the right of trial by jury for violation of the terms of the bill would contend that a $20 bill was more sacred to the framers of our Constitution than was a day, 10 days, or 45 days in jail.

Mr. President, I hope that the bill will never pass. I make that statement for many reasons. I could talk about those reasons at length if I could have an opportunity to rest my physical body and being in between times. I could discuss those reasons and not exhaust all of them. I could talk about them from now until the end of the present session of Congress.

The reasons are unlimited, and we could talk about them at great length. We could expound upon them from now on as to why the bill as a whole should not pass. But it seems to me that if tomorrow, next week, a month from now, or at any time in the future we are able to secure the adoption of an amendment which would provide the right of trial by jury, while the bill will be condemned and should be, the battle that we have waged for 64 days—and even if we waged it for 94 or 104 days—to secure that one amendment, our efforts will not have been in vain. We shall have accomplished something. We shall have preserved one of the fundamentals of American freedom in our basic jurisprudence.

Surely we ought not to pass the bill, but I shall not regret a moment that I have spent on the floor of the Senate or in conference, or any effort that I have made, even if the debate should run continuously, if we succeed in having such an amendment adopted. I will know that those of us who stand here and oppose the measure and point out these deficiencies in it will have the consolation of knowing that our collective efforts were not in vain, and that we salvaged something from what I believe is an iniquitous measure.

Mr. President, the right to trial by jury was considered by the great men who founded this Nation as a basic and vital part of representative government 177 years ago. Thinking and dedicated men today still consider it as important as did our Founding Fathers when they provided for the right of trial by jury.

For example, I point out a statement which was made by Supreme Court Justice Walter R. Hart of the Supreme Court of the State of New York 7 or 8 years ago, as I recall, on the occasion of his approval of the certificate of incorporation of the "Committee for the Preservation of the Constitutional Right to Trial by Jury, Inc." That statement was reprinted in the February 1956 issue of a publication called the Plaintiff's Advocate, a quarterly publication which is the official organ of the New York State Association of Plaintiffs' Trial Lawyers. I wish that the Senators from New York would read that statement and be influenced by it, because the organization also serves as a New York affiliate of the National Association of Claimants' Attorneys, consisting of some 7,000 attorneys in all of the States and Puerto Rico.

In granting the certificate of incorporation to the Committee for the Preservation of the Constitutional Right to Trial by Jury, Inc., Justice Hart reviewed the statements and observations of many outstanding jurists in behalf of trial by jury, as well as those of some of the recent critics of that institution. He then concluded with the following statement:

> Not a single logical reason has been advanced for the proposal to discontinue the right to a trial by jury in personal injury actions.

This statement was made in respect to the right of trial by jury in civil cases. As I previously said, I believe it is far more important to preserve the right of trial by jury in criminal cases than it is in civil cases, but I insist that it should be preserved in both. I quote further:

> I do not believe that the citizens of our great State will ever sanction such action solely upon the theory that to retain such right will involve the expenditure of money.

Some people argue that, "We ought to do away with the jury trial. It is cumbersome and expensive. We have to pay the jurors. It is not necessary, because we have to pay the courts, and they have to be present all the time. Let the courts decide it." That is contrary to my concept of what the Constitution intended, and what the Constitution means. And I shall not vote to disregard it.

Again, I say that I shall cling to the Constitution. I quote further from that wonderful address:

> One of the grievances against King George the Third in the Declaration of Independence was that he had deprived us "in many cases of the benefits of trial by jury."

That was one of the complaints. That was one of the grievances that our Founding Fathers had against the mother country—that we were being deprived of the right of a trial by jury in many instances. I quote further:

> This precious heritage, secured for us at the price of the blood of our ancestors, should not be sacrificed on the altar of economy.

If it should not be sacrificed on the altar of economy, neither should it be sacrificed on the altar of expediency—political expediency, or any other kind of expediency. It ought not to be sacrificed.

The judge then stated further:

> To argue to the contrary would be as illogical as to contend that the right of the citizens to vote should be curtailed because the increased population required new polling places and additional election officials.

Everyone will say, "Let us provide new polling places. Let us get everyone to vote. Let us spend more money." With a larger population today, it costs more money to hold an election than it did some years ago. But no one is contending that in order to reduce Government expenditures, we should eliminate polling places or refuse to provide any more. We encourage voting. We spend more money. It is an obligation. Therefore, the bill seeks to deal with the issue of the right to vote.

The right of a trial by jury is about as precious as the right to vote. We can deny a man the right to vote, and he does not go to jail. We can deny a man the right to vote and assess no penalty against him. But when we deny a man the right of a trial by jury, we may subject him to the arbitrary judgment, decision, and penalty imposition by a judge who is the one who accused him of the offense in the first place.

I do not see how people can insist that one ought to have the right to vote, and at the same time say that the defendant in a criminal proceeding should not have the right of a trial by jury. If one is the essence of liberty—the right to vote—certainly the other is the essence of freedom—the right to a jury trial before anyone should be convicted and incarcerated in prison.

I certainly agree with what the judge said:

> To argue to the contrary would be as illogical as to contend that the right of the citizens to vote should be curtailed because the increased population required new polling places and additional election officials.

The judge said further:

> I cannot agree that a jury trial, while important in a criminal action, is unnecessary in a civil action.

He took the position that he assumed that while everyone thought it was important in a criminal case, he thought it was also of great importance in civil actions.

He said further:

> I have witnessed, during my years at the bench and bar, the horrible tragedies that have fallen upon plaintiffs in civil actions, and their families, where accidents have resulted in loss of life, limbs and eyesight. There have been carried into our court on stretchers, wheeled in on wheelchairs, walked in on crutches or artificial limbs, plaintiffs who claimed that their injuries were due to the negligence of a defendant. It certainly cannot be disputed that the impact of an unfavorable result would be far more drastic than a conviction would be to a defendant in the majority of cases where he stands accused of a crime.
>
> No other example need be cited to emphasize the importance of a jury in a civil action than the one referred to by Mr. Justice Botein.

Mr. Justice Botein is now a member of the New York Supreme Court appellate division. Justice Botein was quoted as follows:

> I should like to see engraved over the portals of our new courthouse the immortal words "The right to trial by jury as heretofore used shall forever remain inviolate."
>
> But should we fail our ancestors who gave their lives to preserve for us this precious right, should we permit it to be abridged and in time wither and die, as it descends in silence to the grave let no man write upon its tomb a single word. When the years have passed and the impact upon our democracy shall have been fully realized, if I do not greatly deceive myself, impartial posterity will inscribe an epitaph on that tomb, expressive of profound veneration.
>
> Gentlemen, it is with a feeling of satisfaction that I sign this certificate of the Committee for the Preservation of the Right to Trial by Jury, Inc.

Make no mistake about it. There are those who favor the civil rights proposal generally, and who may go, in other respects, as far as the provisions of the bill would go, but who have warned us heretofore of the danger of undertaking to abolish the right of a trial by jury.

Mr. President (Mr. METCALF, Acting President pro tempore in the chair), they have warned us of its sacredness, of the price that was paid in blood by our Founding Fathers for the establishment of the right to a trial by jury. It is one of the reasons which gave rise to the Declaration of Independence, a reason which warranted its inclusion as a grievance against King George III because of its denial to the Founding Fathers in colonial days. Every reason to justify and warrant them to name it as a grievance against the British King at that time, continues to exist today as the reason why it should not be abolished.

Human nature has not improved greatly since then. Men are no more perfect in integrity today than they were in the days of the founding of our Government. We cannot say that a judge is more perfect today, more capable of meting out justice, more learned, has more integrity, or can be trusted more than those of long ago.

This issue deserves continuous debate until we awaken to the realization of the harm we are about to do if we take away this precious right. So, Mr. President, I have no apology to make for standing on the floor of the Senate and consuming the time that my strength will permit. With deference to other Senators who may wish to speak, I have no apology for the time that I consume in discussing this issue, and in reminding Senators of the great jurists of our day—many of them of the present day—and others who, throughout the ages since this Government was established, have contended that the right to trial by jury is one of the greatest liberties, one of the greatest rights, and one of the most sacred ever secured to its citizens by the Constitution.

I cannot speak with the eloquence of the authors from whom I shall quote, but I declare my complete faith and unequivocal agreement with the great truths which they have spoken.

So long as the pending bill remains an issue in the Senate, I intend to make this record, not with my thoughts alone, not with my judgment as against those who may disagree with me, but to fortify and reinforce my opinion with that which has been expressed by the great jurists of our country, and by great liberals, as well as others who may be conservative and who have a deep conviction, and unswerving conviction, of the importance of the right to trial by jury.

I read now excerpts from a recent book written by Charles W. Joiner, dean of the Law School of the University of Michigan.

It is absolutely inspiring to go back to the comments of others and read what they have said about jury trial before this issue came to the Senate.

Under the title "The Constitution, the Supreme Court, and the Jury," Dean Joiner says in his book:

> In this complex country with the central Federal Government and 50 separate State governments, it is difficult to generalize about the jury. There are, however, a number of common grounds upon which it can be discussed.
>
> First, most States have a specific constitutional provision concerning the jury which is worded somewhat like this: "The right to jury trial shall remain inviolate."

Those are very strong words. I do not know how one could possibly write any stronger.

"Shall remain inviolate" means that it shall endure, that it shall not be taken away, that it shall not be tampered with, that it shall be sacred, and that it shall be preserved.

Dean Joiner continues:

> This provision and those like it apply to State courts and have no effect upon the Federal courts.

Mr. President, I believe all the Thirteen Colonies had a comparable provision written into law in their States under the Federation of States before the Constitution was adopted. In the Constitutional Convention it was made certain that the right to a trial by jury would remain inviolate.

Dean Joiner continues:

> Second, in the Constitution we find the following provisions having bearing on the right to jury trial.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks, the 6th, 7th, and 14th amendments to the Constitution.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

AMENDMENT VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

AMENDMENT VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

AMENDMENT XIV

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the

> United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.
>
> SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.
>
> SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.
>
> SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Mr. McCLELLAN. Mr. President, Dean Joiner continues:

> Obviously, by their terms the sixth and seventh amendments apply to Federal courts. The question of whether they also apply to States through the 14th amendment will be discussed later.

Then under the title, "The Jury in Federal Courts—Meaning of Jury Trial," Dean Joiner states:

> When our Constitution was adopted, the jury was a reasonably sophisticated institution in England. It was thought so highly of by the framers of the Constitution that two of the provisions of the Bill of Rights were devised specifically to protect the right of citizens to a jury trial, the sixth amendment in criminal cases, and the seventh amendment in civil cases. Significant aspects of trial by jury have been discussed by the Supreme Court in defining the more general terms found in these amendments. In the 1899 case of the *Capital Traction Company* v. *Hof*, which was appealed from an inferior tribunal, the question was raised whether a constitutional trial by jury could be held before an inferior tribunal.
>
> The opinion of the Supreme Court in this case added substance to the seventh amendment. The Court held that a constitutional trial by jury required the jury to be in the presence and under the superintendence of a judge empowered to instruct them in the law, to advise them on the facts, and to set aside their verdict if he felt that it was against the law or the evidence. This important case illuminated the nature of the partnership existing between a judge and jury.
>
> At an earlier time the Supreme Court had held that the words "trial by jury" as used in the seventh amendment required a unanimous verdict.
>
> The Court has also held that the word "jury" necessarily involves 12 persons who are reasonably impartial in the case. The Court has reasoned that if there could be fewer than 12, there is no reason that 1 would not be enough; this would destroy the very meaning of the word "jury."

To say that one judge can take the place of what the Constitution says should be a jury, destroys the meaning of the word "jury" in the Constitution.

> Since 12 was the number of people on an English jury when the dual court system was transplanted in America, 12 is the number required by the seventh amendment to the Constitution.
>
> To summarize, the seventh amendment as interpreted by the Supreme Court provides for a jury comprised of 12 persons, not necessarily men, a unanimous verdict, and a trial in the presence and under the superintendence of a judge empowered to instruct them on the law, to advise them on the facts, and to set aside a verdict if he feels it is against the law or the evidence. Thus, trial by jury in the Federal courts preserves the distinction between the judge and the jury, giving the judge the right to expound the law and to apply it in the final analysis, and giving to the jury the right to find the facts and apply them to the law as given by the judge.
>
> Although the Supreme Court has given distinct form to jury trial and meaning to the term "trial by jury," the latter is not and never has been a completely unchanging concept. This is best pointed out by citing two cases.
>
> In *Walker* v. *Southern Pacific Railroad*, the plaintiff brought an action against the railroad for injuries. The jury returned a general verdict in the plaintiff's favor, but also answered some special questions which were inconsistent with the general verdict. The judge entered judgment for the defendant on these special findings instead of for the plaintiff on the general verdict, and the Supreme Court of the United States affirmed, holding that an act of the legislature changing the form in which a verdict may be rendered and giving primary force to the answers to special questions is not inconsistent with the right of trial by jury. Justice Brewer said: "the seventh amendment, indeed, does not attempt to regulate matters of pleading or practice, or to determine in what way issues shall be framed by which questions of fact are to be submitted to a jury. Its aim is not to preserve mere matters of form and procedure, but substance of right. This requires that questions of fact in common-law actions shall be settled by a jury, and that the court shall not assume, directly or indirectly, to take from the jury or to itself such prerogative. So long as this substance of right is preserved, the procedure by which this result shall be reached is wholly within the discretion of the legislature, and the courts may not set aside any legislative provision in this respect because the form of action—the mere manner in which questions are submitted—is different from that which obtained at the common law."

We could recite illustration after illustration of the fact that this is the right which the Constitution guarantees. It is the right which many State constitutions require to be inviolate. It was the intention of the Founding Fathers, who framed the Constitution, that it should be inviolate.

Mr. President, one of my colleagues wishes to address the Senate this afternoon. I am also apprised that it is not intended to have the Senate remain in session very late. In order to accommodate my colleague, I shall have to be content with this abbreviated address and hope that I shall have the opportunity at some time in the future to conclude it. If I have that opportunity, I shall produce and continue to produce supporting, reinforcing evidence, in the form of the opinions of the greatest jurists of our country, of the value of trial by jury.

There is almost unlimited material to sustain and support the position we are taking in regard to amending the bill in this vital area. I hope this material will be persuasive; and I hope that if ever again this issue is voted on by this body, the right of trial by jury will be overwhelmingly sustained. I hope that an appropriate amendment will be adopted, to make certain that the Constitution is still alive and in force and will serve those who in the future might be accused of criminal contempt growing out of this bill, if it were to be enacted. Of course I hope the bill will not be enacted; but if it is enacted, or regardless of whether it is enacted, I hope a jury trial amendment will be adopted.

After a jury trial amendment to the bill is adopted, and regardless of whether the bill as thus amended is ever enacted, but immediately upon adoption of a jury trial amendment, I hope the recording angel of heaven will dip the tip of his wing in a golden fountain, and will write, for all eternity, across the face of the dome of this Capitol that henceforth no Congress of the United States shall ever again tamper with, abridge, or nullify the right of American citizens to trial by jury, as now expressly guaranteed by the Federal Constitution. I hope this will be the last attempt of that sort, and that hereafter no citizen will ever have to be disturbed or concerned about any proposed legislation designed to deny him this right and to destroy this great heritage that has been ours, which we should preserve and pass on to our posterity.

Mr. LONG of Louisiana. Mr. President, at this point will the Senator from Arkansas yield for a question?

Mr. McCLELLAN. I yield.

Mr. LONG of Louisiana. Is the Senator from Arkansas familiar with the provision of the bill which not only would allow the Attorney General to deny a defendant the right to be tried by a jury, but, in the event the Attorney General found that the available judge—who might even be one who had been appointed on the recommendation of the Attorney General—might decide for the defendant, also would allow the Attorney General to bring in several other judges—in short, would permit him to take his pick?

Mr. McCLELLAN. Yes; and I thank the Senator from Louisiana for his question.

Mr. President, I have just observed the absence of a quorum.

The ACTING PRESIDENT pro tempore. The absence of a quorum has been suggested; and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 252 Leg.]

Aiken	Bartlett	Boggs
Allott	Bayh	Cannon
Anderson	Bennett	Carlson

Case
Church
Cooper
Cotton
Dirksen
Dominick
Douglas
Gruening
Hayden
Hickenlooper
Holland
Humphrey
Inouye
Jordan, Idaho
Keating
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McIntyre
McNamara
Metcalf
Miller
Monroney
Mundt
Muskie
Neuberger
Pearson
Proxmire
Randolph
Robertson
Saltonstall
Smathers
Smith
Sparkman
Symington
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The ACTING PRESIDENT pro tempore. A quorum is present. The Senator from Virginia [Mr. ROBERTSON] is recognized.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Texas [Mr. YARBOROUGH] without losing my right to the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CURTAILMENT OF POSTAL SERVICES UNWARRANTED

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from Virginia for yielding to me for this purpose.

Mr. President, as every Senator knows, our constituents are not reluctant to make known their views on how the Government is being run. Of late, there appears to be hardly any Government action arousing so much protest as the recent action of the Post Office Department in cutting back its parcel post and window service.

The problems caused by the curtailment of window service are particularly acute. Whole metropolitan areas are left without any means of stamp or money order purchase after regular business hours. This strikes right at the needs of the great majority of people—those whose jobs prevent them from getting to the post office until evening or Saturday afternoon.

My constituents do not understand why this curtailment in services should follow so soon after the raise in postal rates which Congress voted several months ago. The Post Office Department's purpose is service to the public, but it is about to eliminate service to them at the only convenient time the public has to obtain these services.

I questioned Postmaster General Gronouski about this matter during the Post Office appropriations hearings last Friday. The yearly savings to the Post Office of cutting these important services is only $8.8 million a year, a very minor fraction of 1 percent of the Post Office budget. If the Post Office Department will not act to correct its error in cutting these services, Congress should make sure that the Department is given a strong directive in this matter on behalf of the public.

The Washington Post on May 23, 1964, pointed out the effects this action was having on this great metropolitan area, effects typical of those being experienced all around the country. The Post correctly states:

> These services are central to the operation of our whole economy, and the administration has no right to cut them off merely to save a little money.

I ask unanimous consent that this editorial be printed in full at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INSUFFICIENT POSTAGE

> Even the Post Office Department seems to have forgotten, in this age of electronics, that it is providing essential services to the people of this country. If the Department had not forgotten the importance of its job, it would never have ordered the severely damaging reductions in its operations that went into effect this month.
>
> For the first time in memory, post office service is cut off throughout the entire metropolitan area at 5 p.m. sharp. The only exception, a meager and insignificant concession to the well justified public protests, is the one window at the Main Post Office that is held open until 6 p.m. Every window in every post office is shut tight from 12:30 p.m. Saturday until 8:30 a.m. Monday, 44 hours with no service whatever. The new hours make the windows totally inaccessible to anyone who works from 8:30 a.m. to 5 p.m., as most people do, and these people consequently have no opportunity to register a letter, or to buy a money order, or to mail a package. These services are central to the operation of our whole economy, and the administration has no right to cut them off merely to save a little money.
>
> No doubt the curtailment of service will save $12.7 million. No doubt the telephone companies could save money by turning off the phones at 5 p.m., and no doubt the electric companies could save money by turning off the power at 5 p.m. But these are services that citizens need at night as well as during the day, and continuous service is worth the small cost. Postmaster General Gronouski plans to make a new statement on Monday. At the minimum, this city needs one window open in every substation until 6 p.m., and a resumption of 24-hour service at the Main Post Office.

Mr. HUMPHREY. Mr. President, I wish to join in the statement of the distinguished Senator from Texas. I have been very much upset over the fact that these services are to be curtailed.

It seems to me that this is a false economy. It surely does not help the American economy upon which the revenues of the Government depend. The Senator is most timely in his remarks. I merely want the RECORD to show that the Senator from Minnesota agrees with him. I would hope that other Senators would speak up so that this type of alleged economy could be put in its proper perspective, and that either Congress would take action on its own, or the administration would reverse its position.

Mr. YARBOROUGH. I thank the distinguished Senator from Minnesota. I think he is exactly correct. I am glad to have the majority whip add his voice, which is heard widely all over the country. It will have a great influence.

I have been back in my State a number of times recently. The people are unanimous in their opinion that they need this service. They are unanimously opposed to a cut in these essential services.

Mr. McNAMARA. Mr. President, I am happy to join in the remarks of the Senator from Texas. His remarks are most timely. The Senator pointed out that the savings involved are $8.8 million a year.

Mr. YARBOROUGH. Out of a $5 billion budget.

Mr. McNAMARA. That is correct. And the savings of $8.8 million would not only mean that the Department would not be in a position to serve people, but they would not be able to sell stamps, and thus no part of the $8.8 million would be recouped by having the service available to the people.

Mr. YARBOROUGH. I thank the senior Senator from Michigan for pointing that out. I did not have that in my remarks. It is a good point. There would be more revenue coming in by merely keeping the services available to the people.

Mr. McCARTHY. We should make one additional point, that it is accepted in the United States that our great productivity in part comes from our technology and skill of our workers, but what is left out of consideration is the fact that these things would mean very little if it were not for communications and transportation. Certainly, the postal service and other forms of communication contribute—I will not say as much productivity—but it is a vital part of the total operations of the economy, and we should not curtail a function as important as the postal service.

Mr. YARBOROUGH. The Senator from Minnesota brings out a strong economic factor. The part it plays in the success of the economy is demonstrated by the fact that the American postal system handles 68 billion pieces of mail a year. That is more mail than all the rest of the world combined. As to the phase of transportation, 20 cents out of every dollar spent in America goes for transportation. So I believe that in the great success of the American system, productivity is only a part. There are distribution, communications, transportation, and the mails—which is one of the most vital of all, and extremely important.

Some post offices used to be open 24 hours a day. I myself used to work until 1 or 2 o'clock in the morning. I could go down to the post office and buy special delivery stamps, and I would see other people there. The day before yesterday I received a letter from one of my constituents, a lady, stating that she had been to the post office to buy some stamps. She had to stand in line for a very long time. There was only one window open for selling stamps. But the clerk was courteous and apologized and stated it was an economy measure that necessitated the closing of the other windows. This lady was sending me a letter of protest.

Mr. HUMPHREY. What day was that?

Mr. YARBOROUGH. One day last week.

Mr. HUMPHREY. Was it on a Saturday?

Mr. YARBOROUGH. No, it was not a Saturday. The windows are always closed on Saturday.

Mr. HUMPHREY. I know.

Mr. YARBOROUGH. This was a week day. This was a working day.

Mr. HUMPHREY. Let me say to the Senator from Texas that out in my part of the country, if we were to close up a store on Saturday we might just as well start writing a ticket for bankruptcy. If the Post Office Department wants to maintain some degree of fiscal responsibility and solvency, I suggest that it keep its windows open as long as there is any business. I have never known of any businessman making any money by closing up his shop.

Mr. YARBOROUGH. That is a cogent observation. I point out further that the Senator from Minnesota has had extensive experience, particularly in the States of South Dakota and Minnesota, in the smaller towns; and he knows that some of them have no banks, and that the post office virtually serves as the bank.

If one checks the record of money orders sold, he will find more money orders sold in small towns without banks than in those which have a bank.

Mr. HUMPHREY. On the subject of money orders, the post office would close its money order department rather early out in my hometown, during the dark days of the depression, so that when we needed a legitimate way to make a dollar my father established what we called the "Humphrey money order department."

I never realized that one could make such a good profit out of writing one's name on a piece of paper. If the post office is going to close, we shall be more than glad to take care of that business.

Mr. YARBOROUGH. I have stated facts on the floor of the Senate today. What I am listening to now is hearsay. But after I protested before the committee, a citizen of my State came by and stated that the Seven-Eleven chainstores which open at 7 a.m. and close at 11 p.m. each day sell many money orders. They charge a fee for writing them and make enough money off the money orders to keep the store open until 11 o'clock at night.

Mr. ROBERTSON. I am much interested in this colloquy because I am chairman of the subcommittee hearing this appropriation, and I expect that in my position I have received more complaints along this line than anyone else.

Unfortunately, the distinguished Senator from Minnesota was talking about private enterprise. One does not have a store with a monopoly which closes on a Saturday and does not open until Monday, but the Federal Government has got a monopoly on this Post Office business. We have put too much stress, I fear, on free delivery in the city and rural free delivery in the country. We have increased the salaries of postal workers in the last 20 years $2.2 billion a year. That lacks much of being free. It is not free any more. I realize that. No one likes to have to pay 5 cents for first-class mail with all the other categories being increased from 60 to 100 percent and then get such poor service.

The point I should like to emphasize is that the cost of operating the Post Office Department has been going up and up, by leaps and bounds, and we have put a little too much emphasis on free delivery, free this, that, and the other. We furnish between $450 to $500 million in service to religious organizations alone. We even put the REA's in the other day.

We must recognize the fact that the post office business is rot free any more. The only purely socialistic thing written into the Constitution was written in by Benjamin Franklin and he did it because he had contracts to carry the mail in Pennsylvania and he charged 35 cents to carry the mail into a part of Virginia. Later, he was in favor of letting the Government have the monopoly, and carry the mail everywhere because it could be done more cheaply.

His theory was correct, but then we started to permit too much free delivery in the city and too much free rural delivery in the country, so that it was not panning out.

Now we have a department of Government which spends more than any other industry in the Nation. Only General Motors, I believe, has more employees than the Post Office Department—I believe it is 24,000 more. There is no business in the world as large as our Post Office Department, but it is treated as the repository for political patronage.

Every time there is a change of Presidents, the Postmaster General is thrown out before he learns how to operate the business, another one is put in. I shall not go into more detail about it, but who would not expect the biggest business in the world to go into the red if it were to be treated as a residue for political patronage? We must stop talking about free delivery and rural free delivery and say, "All right; if we are to do all these things, if everybody is to be satisfied with the Government, we shall have to go down into our pockets and pay for it."

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield. The Senator from Texas yielded to me. When I speak, I expect to speak on another subject.

Mr. YARBOROUGH. I thank the distinguished Senator from Virginia. I had completed my remarks.

The ACTING PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Louisiana [Mr. Long]?

Mr. ROBERTSON. I am glad to yield to the Senator from Louisiana, with the understanding that I shall not lose my right to the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LONG of Louisiana. I wonder if it would be fair to let them spend as much as they take in, and let them charge as much as they wished, but not let them charge the public any more than they take in. I wonder whether the Senator would consider such a proposal; namely, that we stop their handing us an annual deficit check, and let them spend whatever they take in, and let them charge whatever they wish to charge for their services.

Mr. ROBERTSON. That might leave too much discretion to the Postmaster General. The Postmaster General used to be the top political adviser to the President. The Senator knows how we have subsidized newspapers and magazines, and what we used to call the junk mail. The Post Office Department has never actually gotten its hands on any of the money that has come in. It goes into the Treasury. We must appropriate whatever the Post Office Department spends. After all, it is a problem of Congress. We fix the rates. We determine the services. We in effect tell them what they can do and what they cannot do. The problem comes back into our laps. Perhaps that is the best place for it to be.

Mr. LONG of Louisiana. Might it not be well to provide some competition for the Post Office, and to let the Post Office meet a little competition, by letting it spend whatever it takes in, and then not have it ask us to pick up the deficits?

Mr. ROBERTSON. I do not know. These regulatory matters are for the consideration of the Committee on Post Office and Civil Service. I suggest that the Senator submit the suggestions to the committee.

Mr. President, I ask unanimous consent that I may yield to the Senator from New Jersey, without my losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

INVESTIGATION OF ROBERT G. BAKER BY THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. CASE. Mr. President, the editorial pages in newspapers throughout the country are still hammering away at the point I have repeatedly made that the Senate has not completed its task in the Bobby Baker investigation. I ask unanimous consent that more samples of this editorial commentary be inserted in the Record at this point.

There being no objection, the editorials were ordered to be printed in the Record, as follow:

[From the Paterson (N.J.) News, Apr. 24, 1964]

Many Faces of Reality

One thing must be said for Senator J. W. Fulbright. The chairman of the Senate Foreign Affairs Committee gave other politicians a new opening to destroy other myths and embrace other realities, when he called on the country to reject the myths and realities of its foreign policy toward communism and especially its manifestations in Cuba and Panama.

Senior New Jersey Senator Clifford Case found some myths closer to home. He called on fellow Senators to reject the myth of immunity and face the reality that all Senators are tainted with the imminent whitewash of former Senate Majority Secretary Bobby Baker. Case urged them to purge themselves of the mess by telling what, if any favors, Baker had done for them. As he has urged for several years, Senator Case wants them to go even further. Did they ever make some money through Baker, did they ever bask in the light of his munificence? Why, he urges, not have the Rules Committee ask the Senators for the information that can't be gotten from Baker.

Then Gov. Nelson A. Rockefeller, campaigning in California, told the Republican Party whose presidential nomination he seeks, it must decide whether to face the realities of modern life or succumb to nostalgic nostrums of a past that never was. He was trying to shift the State's loyalty from his opponent, Senator Barry Goldwater, spokesman of the conservatives, to his own liberal philosophy.

Without agreeing with Fulbright, we respect his adroitness with words. Both parties are finding that the grim realities have many faces, and that the American people want satisfactory answers to all of them.

[From the Los Angeles (Calif.) Times, May 11, 1964]

ALL IS QUIET ALONG THE POTOMAC

Proposals by Senator Clifford Case, Republican, of New Jersey, for continuing the Bobby Baker probe make so much sense that the investigating committee probably won't touch them with a 10-foot pole, in public anyhow.

Baker, former secretary of the Democratic Senate majority, was revealed as a politico-financial wheeler-dealer. He resigned in haste when his curious investment portfolio came to light.

Senators immediately voted to investigate, to learn if this former employee had improperly involved their august body in his fiscal manipulating. Some cynics suggested that the Baker inquiry would be the most vigorous noninvestigation in legislative history, because Baker was the onetime No. 1 protege of a Senate majority leader named Lyndon Johnson.

But the cynics just did not know Senator B. Everett Jordan, Democrat of North Carolina, the probe committee chairman. He mercilessly flayed key witnesses with the sharp edge of a rose petal. His evasive action, whenever it seemed impossible to avoid finding out something about Baker's operations, was incredibly deft. After 5 months of relentless probing, the committee had managed to create a reasonable doubt that anybody named Bobby Baker ever lived.

Now Senator Case wants to spoil everything. He notes that the purpose of the probe was to find out if the Senate was improperly involved in Baker's peccadilloes. He suggests that Jordan simply ask all 100 U.S. Senators, in writing, what dealings they had had with Baker.

No wonder Senator Jordan is preparing to bury Case's suggestion under a closed hearing. Senator Case has been around long enough to know that logic and commonsense have no place in a delicate affair like this. It is outrageous and irresponsible to hint that the public has a right to know what public servants are doing. Public hearing, indeed.

Anybody with any understanding knows Baker was just running a pilot program, fighting poverty his own way. Sort of an unsung hero, when you come right down to it—and nobody else will be allowed to sing, either.

[From the Hartford (Conn.) Times, May 14, 1964]

SENATOR CASE CALLS A SPADE A SPADE

Senator Clifford P. Case, of New Jersey, put the Senate Rules Committee on the spot—in public—the other day. Spearheading a Republican move to get the Bobby Baker case out from under the protective blanket of senatorial courtesy, he said, "This committee (he is not a member but was appearing at a public session) has a sacred duty to go out and get the facts, not just to sit here and listen to what people come and tell it."

Senator B. Everett Jordan, the North Carolina Democrat who heads the committee, had just commented that the committee had heard many witnesses without any testimony that indicated business dealings of any kind between Baker and any Senator except one small land sale many years ago.

Senator Case put his finger on the soft spot in the committee's self-defense. No detective on a city police force would be worth his salt if he just sat in his office and waited for people to come in and tell him about the wrongdoings of their neighbors and themselves. He has to get out, ask embarrassing questions, look for fingerprints, and poke through heaps of debris to find the truth.

Senator Case proposed that the committee ask each Senator whether he had ever had any business with Baker, and if so, what it was. He also suggested another question about whether Baker had ever performed any valuable service for a Senator.

Either there are Senators who have had unethical dealings with Baker or there are not. If there are not, an efficient investigation would clear the air. If there are, the people should know about them and the Senate should discipline the wrongdoers and change its rules to prevent any such misfeasance in the future. Let's have a real investigation, not just a gesture.

This is an inconvenient time for Senators up for election to be questioned, but the people's interest comes first. Even if, as whispers and rumors say, President Johnson might be embarrassed, so be it. So far, nothing more embarrassing has been uncovered than that a former protege of the former Senator Johnson went sour.

[From the Bridgeport (Conn.) Post, May 14, 1964]

BAKER CASE IS PUSHED

Republicans in Washington have finally gotten around to demand a reopening of the Bobby Baker case, and reports say they are getting some strong Democratic support.

Their new move calls for the interrogation of U.S. Senators who may have had financial dealings with the former secretary of the Senate majority. Noisy partisan strife marked the presentation of this demand by Senator Clifford Case, New Jersey Republican. Although not on the Rules Committee, the Senator has been a bitter critic of the probe which appeared to have been whitewashed.

Senator John J. Williams, Delaware Republican and one of the most serious men in the Chamber, started the Baker investigation last October, and last month in an address to the Nation's editors, he pledged that he would leave no stones unturned to dig out the facts on Baker, and he wasn't at all concerned what was discovered about persons in high places.

The rules chairman, Senator B. Everett Jordan, North Carolina Democrat, has frequently opposed such moves as the one just made, asserting that the committee is not investigating Senators. Not specifically, to be sure, but if the inquiry into the facts he says he wants shows that a Senator was improperly involved with Baker, that Senator should be made to talk.

[From the Hartford (Conn.) Courant, May 15, 1964]

SENATOR CASE RESENTS THE BOBBY BAKER CLOUD

The appearance of Senator Clifford P. Case of New Jersey, before the Rules Committee of the Senate was no more effective in reopening the Bobby Baker case than he probably expected it to be. But it was effective in another way: It gave the country the picture of one honest and angry Senator who was upbraiding his colleagues for permitting themselves to be put under a cloud by the young wheeler and dealer, and who resents that fact.

Senator Case went before the Senate committee with the request that every Member be asked to tell of his dealings with Bobby Baker. That was a cause foredoomed, as was the prospect of reopening the investigation. To do that would mean calling in Walter Jenkins, personal assistant to the President, to set the record straight on what appears to be perjured testimony. That is too much to expect of a political party during an election year.

The American people are inclined to be cynical about such matters. They tend to believe that all politicians are crooks, and that one party is as bad as the other. Such a group condemnation is of course, unfair. There are some honest and devoted men in the Senate. But the Senate as a group has permitted itself to be denigrated by its unwillingness to grasp the thistle of the Baker case, and instead to duck and dodge it—knowing all the while that Members of the Senate were deeply involved.

It is reported that the venerable counsel for the Rules Committee was somewhat shocked at what he learned of the Senate's activities, and is preparing a conflict-of-interest recommendation that would, among other things, require a financial statement of outside financial dealings and income from the Senate. If by some remote chance this were to be adopted, then the Bobby Baker case would at last have been worth something.

[From the Rocky Mount (N.C.) Telegram, May 16, 1964]

BAKER CASE NOT COMPLETE

It seems that an attempt has been made to sidetrack the main item of concern in the Senate-Baker controversy. Republican attempts to get the Baker investigation extended to include activities of Senators themselves are met with the contention that the Senate Rules Committee was not given the authority to do this.

Senator John Williams, spearhead of the move to extend the Baker case, and other Republicans have maintained that the original resolution, the one that led to the Baker inquiry, also gave the Rules Committee all the authority it needed to investigate Senators. But when Senator Clifford Case appeared before the committee several days ago to press his proposal for a questionnaire for each Senator, Special Counsel L. P. McLendon ruled the committee has no legal basis to investigate Baker's handling of campaign funds for Senators.

This brings up the question: Why not make the changes necessary to give the committee the power to investigate activities of Senators? And that is precisely what Senator Williams did: He introduced a sweeping amendment to his original resolution giving the committee power to investigate any business dealings of any Senator or former Senator and any questionable activities including the receiving of campaign funds under questionable circumstances.

The Democrats have answered this attempt to broaden the Baker case—as it should be—by charging politics. But the Senate should be reminded that there can be no complete and thorough investigation until the group is directed to look into the activities of the Senators themselves. Whitewash will not serve to satisfy the public's curiosity about Bobby Baker's affairs.

That an election is coming up before long is unfortunate from the Democrats' viewpoint. Perhaps the Republicans are indeed trying to make political capital out of this mess. At the same time, it is felt by many people that the Senate's probe of the Baker case is far from complete, Democratic announcements to the contrary.

The reaction of the Senate to any proposal that it be investigated is to charge smear tactics and an effort to deliver a blanket indictment of the whole Senate. But we think it is time to stop treating Senators as privileged members of a club who cannot be questioned.

Senator Williams was challenged to produce evidence that any Member of the Senate had committed any questionable act in connection with the Baker case or any other matter. Williams, of course, did not have such evidence. But that's just the point in demanding extension of the Baker investigation so that any such evidence may be brought forth.

As for the claim that the Rules Committee is not authorized to delve into activities of Senate Members, it will not hold water. The Rules Committee is armed with staff investigators, subpena powers, and the vast authority of the Senate itself, but it lacks the simple determination to use them fully.

The result is an appalling travesty of democratic government.

[From the St. Louis (Mo.) Globe-Democrat, May 16, 1964]

BRAZEN BAKER WHITEWASH

With 42 of the Democratic Senators voting against any further inquiry into the scandalous Bobby Baker affair, the American people have now been treated to perhaps the most brazen whitewashing job in their political history.

How the erstwhile secretary of the Senate Democratic majority amassed about $2 million in 9 years on a salary that never exceeded $19,600 is to remain, for the most part, a deep, dark secret.

Why he kept "frighteningly" large sums in $100 bills in his Senate office will not be disclosed.

And the Democratic Senators, voting down the specific proposal that Senators be included within the scope of the inquiry, have done their best to make sure no light is thrown on the 10 of their number whom their onetime secretary claims he held "in the palm of his hand."

What may puzzle many people—remembering the great to-do made over mink coats and freezers during the Truman administration and the hue and cry raised against Sherman Adams for accepting a vicuna coat during the Eisenhower administration—is how the Senate could bury a scandal right on its own doorstep.

The method was simplicity itself. The Senate turned the problem over to its Rules Committee, clubbiest in the Chamber, which then gave a classic performance of how to investigate without finding out anything.

"We are not investigating Senators," Chairman B. EVERETT JORDAN announced in the beginning, which was the tip-off on what wasn't coming. The committee might as well have shut up shop right then.

How could it be remotely possible to find out if the secretary of the Democratic majority had misused his authority without even looking in the direction of the Senators from whom he derived the authority?

The committee went through the motions, did some shadowboxing. But when Bobby, who had threatened earlier to "write a book," took the stand and took the fifth and didn't say a mumbling word, it quickly became apparent that the investigation had come to a dead end.

The Democratic Members didn't want to ask any questions that might be embarrassing. The Republican Members weren't allowed to summon any witnesses.

Even when a direct conflict in testimony developed between what Don B. Reynolds, the insurance man, said, and what Walter Jenkins, President Johnson's assistant, said, the two men couldn't be called back to try to get at the truth.

On that sorry note, the Bobby Baker inquiry comes to an end where the Senate Democrats voted to chop it off.

According to what Bobby is quoted as having said, 10 of them could have a personal disinterest in getting at the truth. If his count is right, the disinterest of the others may be purely political.

With a presidential election coming up and the Democrats campaigning against poverty, it might divert attention of the voters from a major issue if they were still trying to find out how that Democratic Senate secretary pyramided his $19,600 salary into a cool $2 million.

[From the Greensboro (N.C.) News, May 16, 1964]

THE SENATE'S GOOD NAME

Senator CLIFFORD CASE, of New Jersey, the Republican who's pressing for an extension of the Bobby Baker hearings, told the Rules Committee Tuesday that he does a slow burn over the whispers of senatorial corruption.

Thursday's essentially party line vote condemns Senator CASE—and the interested public—to more slow burning. Officially, there are to be no more Baker hearings after May 31.

The Senate Democrats, we think, are making a mistake in allowing the Baker case to be shut officially this month when there is a good deal of uneasiness about it still. They compound the mistake with unctuous declarations that the Senate's critics are merely trying to filch the Senate's good name.

Intentionally or not, the Senate majority is broadcasting the impression that Senators consider themselves above the rules governing conflict of interest that they apply to other public servants. Certainly a lot of gossip has circulated about the Baker case. Some of it is trashy and beneath the Senate's notice; but some of it is worth further probing.

In the latter class, as Senator CASE notes, are stories to the effect that Mr. Baker held certain Senators in the palm of his hand and that he traded off committee assignments and campaign funds for favors rendered.

The Rules Committee and the Democratic majority are right, of course, to say that anyone who has evidence of shady dealing should bring it to proper notice. It does weaken Senator CASE's argument that he comes armed only with self-righteousness and rumors.

But the Senate, all the same, has an obligation to provide a forum in which those rumors may be either specified or silenced.

There is probably more to the Baker case than has so far met the eye. If so, when the hidden is revealed, the damage to the Senate will be greater for its having helped suppress it.

[From the Detroit (Mich.) Free Press, May 16, 1964]

AS WE SEE IT: DEMOCRATS CAN'T STAND TOO MANY SUCH VICTORIES

A few more victories like the one they scored in the Senate Thursday, and the Democrats ought to be in trouble.

In an angry, shouting session, 42 Democrats and no Republicans voted down a proposal to expand the Bobby Baker inquiry to include themselves. Nine Democrats and 24 Republicans wanted it expanded.

Justified or not, the implication is that there are nine honest Democrats in the Senate, including PHILIP HART, and 42 other Democrats, including PATRICK MCNAMARA, with something to hide. This is undoubtedly not true, but it is the kind of thing which will be hard to shake, especially in an election year.

Thus the Democrats reaffirmed the earlier words of Senator EVERETT JORDAN of North Carolina, in charge of the Baker inquiry, that, "We are not investigating Senators." All the committee intends to do, and all the Senate majority wants done, is to pin the tag on assorted low-level flunkies.

Leading the demands for an expanded investigation were Republican Senators JOHN J. WILLIAMS, of Delaware, and CLIFFORD CASE, of New Jersey.

WILLIAMS has built a deserved reputation as the Senate's finest sleuth. CASE, the spokesman for the pair, has a reputation for unmatched integrity.

They were not only voted down, but beaten by tactics more common in a 14th Michigan District Republican convention than in the U.S. Senate. Freshman TEDDY KENNEDY was presiding as a matter of strict rotation, and he played patsy for every suggestion from Majority Leader MIKE MANSFIELD.

When MANSFIELD demanded that CASE name names he wanted investigated, KENNEDY even refused to let CASE reply, a breach of tradition almost unknown in the Senate.

The Williams-Case proposal, said MANSFIELD, impugned the character of Senators and cast doubt on the integrity of the committee.

The committee has been in doubt ever since JORDAN's dictum, and the untouchabilities of some Members of the Senate has been under suspicion since the jolly weekends at the Carousel Motel were unearthed, among other matters.

A thorough investigation would have undoubtedly cleared more members than it would have implicated. But beating down the motion casts a shadow on the motives of 42 Members, all Democrats. This they're going to have to live with.

[From the Dubuque (Iowa) Telegraph-Herald, May 17, 1964]

BOBBY BAKER AGAIN

The latest outburst in the Senate over the Bobby Baker case may have more than simple political repercussions. It naturally was a political move, as the debate and vote proved, but the bitterness of the attacks might well unsettle nonpartisan deals on the civil rights bill.

The vote to sidetrack Senator WILLIAMS' motion to look into personal relations between Senators and Bobby Baker was carried by 42 Democrats against 24 Republicans (joined by 9 Democrats).

Senator CASE, who spoke for the Williams' motion, accepted defeat by branding Democratic Majority Leader MANSFIELD as a "tyrant who is overriding individual Senators' rights."

That kind of talk from Republicans whom MANSFIELD hopes to help him break up a filibuster (which southerners call overriding individual Senators' rights) may make a Democratic-Republican coalition difficult to organize.

Yet MANSFIELD must have Republican help to win enough votes (67) to invoke cloture (stop the filibuster).

The incident proves that the Republicans will not give up easily on exploiting the Bobby Baker case in the election campaign.

[From the Decatur (Ill.) Herald, May 17, 1964]

SENATE TAKES FIFTH AMENDMENT

The rough edges of the Bobby Baker case frayed tempers in the U.S. Senate Friday. The result was one of the most unlikely of spectacles; a shouting match between mild-mannered Majority Leader MIKE MANSFIELD, of Montana, and the generally urbane CLIFFORD P. CASE, Republican, of New Jersey.

The matter at hand was a resolution authorizing the Senate Rules Committee to include the activities of Senators in its investigation of Bobby Baker's affairs. Mr. Baker, it has been shown, became quite a wealthy young man in his job as secretary to the Democratic majority in the Senate, allegedly through the price he could command whenever he wanted to peddle some of his Capitol Hill influence to interested buyers.

Majority Leader MANSFIELD moved to table this resolution, which Senator CASE had backed strongly earlier in the week. Senator MANSFIELD characterized the resolution as politically inspired and as "impugning the integrity of the whole Senate with sly innuendo."

This brought Senator CASE scrambling back with the charge that the Montanan was accusing him of improper conduct.

Out of all the uproar that ensued, it seems that neither Senator CASE nor Senator MANSFIELD had the last word. Indeed, the last word on this particular phase of the Bobby Baker investigation was uttered some months back when the chairman of the Senate Rules Committee, Democratic Senator B. EVERETT JORDAN, of North Carolina, blandly said his committee "is not investigating Senators."

It certainly isn't. Senator MANSFIELD's motion carried 42 to 33.

[From the Port Arthur (Tex.) News, May 17, 1964]

CAN POLITICS KEEP NOTORIOUS BAKER CASE BOTTLED UP, DESPITE DEMAND FOR FULL PROBE?

Sure, there's politics in it both ways, but objective observers are applauding demands that the blackout be lifted on the notorious Bobby Baker case.

U.S. Senator CLIFFORD P. CASE—acknowledged to be one of the most liberal Republicans in Congress—deserves the support of the fairminded citzenry in demanding that Baker's manipulations and connections be aired in the full light of day. Senator CASE wants all the facts revealed in the Baker affair, no matter who gets tarred in the probe of shenanigans, if any, of the former senatorial employee.

Chairman EVERETT JORDAN of the Senate Rules Committee, whom CASE asks to dig into the case, retorts that it would be an "insult" to the Senators to question them regarding business dealings they may have had with the wily Baker.

The U.S. Senate for a century and a half has been known as the "most exclusive men's club" in America, and its members have traditionally avoided "embarrassing" each other with unwelcome questions.

Senator JORDAN branded CASE's affrontery as "the height of demagoguery." But JORDAN was on the other side of the fence, and properly so, a few years ago when President Eisenhower's closest associate, Sherman Adams, was under fire for accepting expensive gifts such as a vicuna coat. JORDAN wanted Adams' hide, and helped get it.

For the foreseeable future, it appears that the Baker "mess" will stay swept under the senatorial rug.

Only an indignant public can drag it out.

[From the Sioux City (Iowa) Journal, May 17, 1964]

SENATORS PRIVILEGED?

Even as the Iowa Legislature was reluctant to reapportion itself, so is the U.S. Senate, apparently, reluctant to investigate the activities of some of its Members who may have been entwined in the Bobby Baker case.

Senator CLIFFORD P. CASE, of New Jersey, has demanded several times that the Senate conduct an inquiry, declaring recently: "No investigation of Bobby Baker can have any real meaning without an investigation of the relations of Members of the Senate with Bobby Baker." The New Jersey Senator makes a good point when he argues that the Senate Rules Committee should not treat Senators as a privileged class.

Our guess is that the public would welcome an airing of the Baker case. Indeed, the people are entitled to no less, regardless of where the political chips may fall. If there are Members of the Senate who were involved in unethical dealings, the facts should be made known.

But so far, as Senator CASE says, the record is incomplete.

SENATE'S ACTION ON BAKER CASE WAS ONE OF MEN WITH UNEASY CONSCIENCES

(By Andrew Tully)

WASHINGTON.—In the Bobby Baker case, the U.S. Senate has emerged as a shabby collection of furtive street-corner operators afraid to let the people find out what has been going on.

Its defeat of a resolution to question Senators about their relations with this useful financial wizard was the act of men with uneasy consciences. All the votes to reject the resolution were cast by the Democratic majority, although this does not necessarily indicate Republican purity. GOP Senators could afford to support it, knowing it didn't have a chance.

Senators like B. EVERETT JORDAN, Democrat, of North Carolina, chairman of the Senate Rules Committee which investigated Baker, can ooze explanations that the committee lacks power to check on Baker's relations with members of this private club, but the public should be wondering what they've got to hide. It remains a truism that the politician with a guilty conscience runs where no man pursueth.

Baker worked for the Senate for 8 years as secretary of the Democratic majority. During that time he built a $2 million financial empire on a salary of $19,600 a year. Possibly he managed this without the influential helping hand of his bosses, but if he did, it was the coincidence of the century. Honest cynics prefer to listen when Senator CLIFFORD CASE, Republican, of New Jersey, notes sadly that he does a "slow burn" when he hears of Baker boasting that "he has 10 Members of this body in his hand."

During the course of this gingerly investigation, the New York Times reported Baker had helped pass an amendment to the 1962 tax bill favorable to his $1.2 million resort motel. Newspapers and a few individual Senators charged that Baker passed out campaign contributions in return for votes, and withheld cash when the votes were refused him. But the committee ruled its assignment did not permit the study of political finances.

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This is understandable, if sordid. During Baker's imperious tenure very few Members of the Senate managed to avoid doing business with him and, usually, incurring political obligations which could be liquidated only at vote-taking time. No Senator in his right political mind ever snubbed an operator who was known as "Lyndon's boy" in the days when President Johnson was Senate majority leader.

It is disheartening to hear a Senator like Pennsylvania's Democratic JOE CLARK, an authentic reformer type, insist that the committee lacks the authority to require Senators to testify. CLARK said rather wanly he hoped the committee would seek much power in its report, but for now he appears to be fearful lest he rock the boat in an election year.

Nevertheless, the fact remains that Majority Leader MIKE MANSFIELD, Democrat, of Montana, has said the committee does have the power to quiz Senators, and MANSFIELD is a member in good standing of the establishment. "MIKE," of course, recognizes that the folks may start thinking naughty thoughts about a Senate that refuses to clear its name.

[From the Jackson (Mich.) Citizen Patriot, May 18, 1964]

THE SENATE DEGRADES ITSELF BY IGNORING BOBBY BAKER

The Baker story never has been told in full. Apparently, if the Senate majority has its way, the mess will be swept under the rug. (Big rugs, they have in Washington.)

What you, the citizen, know about Bobby and his wheelings and dealings has been passed along largely from hard working newspapermen and a few Senators who don't like the rug act.

You know that something is wrong here. You should be told. But the Senate apparently is determined not to give you the facts because to do so might embarrass a few Members of the "most exclusive club on earth."

You may remember when a Democratic Congress literally kicked Sherman Adams out of the White House because it detected a hint of hanky-panky.

And you may recall that, in an earlier day, a home freezer and mink coat scandal led right to the doors of the White House where Harry S. Truman was living.

One of our efficient writers in Washington reports that Mr. Truman was asked what to do when the Bobby Baker scandal first broke. His advice: "Let 'er rip. Don't try to hide anything."

This philosophy enabled Mr. Truman to survive all that uproar over the "mess in Washington" and to assume the status of a respected, retired politician. (Mr. Truman resents being called an "elder statesman.")

His present successor in the White House seems to be cut of different cloth. And the men who work in the Senate seem to be not so anxious to have the facts brought out.

Their reaction to a suggestion that the Baker inquiry be broadened was a black mark against the Senate. The Members of the club don't seem to want to be put under the microscope of public opinion.

But let the record show that Senator PHILIP A. HART, of Michigan, a Democrat, was recorded as one of the nine Democrats who voted for letting the people get a peek at the activities of "Lyndon's boy." McNAMARA? On the negative side. Where else?

Something strange is going on here. Senator JOHN J. WILLIAMS, the Senate's supersleuth who blew the whistle on some unsavory characters of yesteryear, believes he has something. TED KENNEDY, presiding during the hassle over Baker, took his orders and carried them out.

The signals might have been called from the White House where Bobby Baker's onetime mentor doesn't like to be disturbed by penetrating questions about his protege, or anything else that might be embarrassing.

The trouble is that hushing up the Baker story will do irreparable harm to the President and, worse, degrade the Senate in the eyes of the people who look to it as a lofty and unassailable symbol of the Republic and an effective agency for keeping it alive.

[From the National Observer, May 18, 1964]

SIN AND THE PARTISANS

Bobby Baker's fortunes won't get wider examination, at least for now, despite a Republican attempt to extend the Senate investigation.

The Democratic leadership defeated such a proposal charging partisanship and a screaming match developed between Democratic Leader MANSFIELD and Republican Senator CASE.

The episode did no one any credit but it did manage to obscure the question of improper activities on the part of Senators during the Democratic Mr. Baker's heyday. No doubt the Republicans were making a partisan point, but they are also performing as an opposition should.

Sin is nonpartisan most places and we presume the Senate is no different. But we wonder why the Democrats, who usually profess such worry about lack of congressional action, are so unworried this time around.

[From the Oswego (N.Y.) Palladium-Times, May 19, 1964]

SENATORS EMERGE AS SHABBY BUNCH OF FURTIVE OPERATORS

WASHINGTON.—In the Bobby Baker case, the U.S. Senate has emerged as a shabby collection of furtive street-corner operators afraid to let the people find out what has been going on.

Its defeat of a resolution to question Senators about their relations with this useful financial wizard was the act of men with uneasy consciences. All the votes to reject the resolution were cast by the Democratic majority, although this does not necessarily indicate Republican purity. GOP Senators could afford to support it, knowing it didn't have a chance.

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SLOW BURN

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WITNESSES TRIED

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[From the Philadelphia (Pa.) Inquirer, May 20, 1964]

THE BOBBY BAKER WHITEWASH

Staff members of the Senate Rules Committee, in a report to be submitted to the committee Wednesday, have come up with a lengthy discourse on ethics that is nothing more than an attempt to bury the Bobby Baker case under an avalanche of self-righteous platitudes.

The Democratic majority on the Rules Committee ought to be wary of giving the report an official stamp of approval. The American people are not going to be fooled by high-sounding phrases, dealing with generalities of Senate ethics, while the specifics of the Baker scandals are quietly covered by a coat of whitewash in the hope that unanswered questions soon will be forgotten.

As Senator CASE, of New Jersey, said Tuesday, the code of ethics proposed in the staff report contains some worthwhile ideas but it is no substitute for a complete investigation of the Bobby Baker mess, particularly a full-scale probe of unethical conduct, if any, by individual Senators in connection with Baker's multifarious wheelings and dealings.

If Senators have nothing to hide in the Baker affair they should not object to a thorough investigation that would remove clouds of suspicion. Leaving the probe undone, and mysteries lingering, will serve no purpose except to increase public belief that the Senate is trying to cover up some unpleasant and embarrassing truths.

The staff report is said to propose, among other things, that all Senators be required to appear and testify before Senate committees on request. This is a splendid suggestion but why should not it apply to the Baker proceedings? The Rules Committee should put the theory into practice by requesting Senators to answer testimony linking them with the Baker case.

Bobby Baker has no right to special exemption from prescribed standards of conduct merely because he served in the influential position of secretary to the Senate Democratic majority. Nor should Senators themselves, regardless of party, be immune to investigative procedure when their names are linked, rightly or wrongly, with matters of questionable propriety.

A lofty code of ethics for the Senate, if enforceable, would be fine. We are in favor of it. However, adopting rules of conduct for the future will not obscure a failure by the Senate to investigate fully more pertinent matters of the present, namely, the Bobby Baker affair in all its ramifications.

[From the New York (N.Y.) Post, May 20, 1964]

THE SENATE'S WRESTLE WITH ITS CONSCIENCE—THE ODDS FAVOR THE SENATE

Senator CASE, Republican, of New Jersey, is right when he suggests that an exacting code of senatorial ethics should be a supplement to—not a substitute for—a sweeping investigation of the Bobby Baker case.

Last week the Senate indignantly voted down CASE's proposal that every Senator be required to testify to any dealings with Bobby Baker.

It is nice to know that the new ethical safeguards would prohibit Senators from taking the fifth, as it has been described, when asked to testify on what they know about a subject under investigation. But their adoption will hardly efface the unpleasant impression left by the latest moves to bury the Baker inquiry.

As the report drafted by L. P. McLendon, the Baker inquiry's special counsel, pointedly notes, the Baker case has cast a heavy shadow over the Senate as a body as well as over individual Senators.

The tougher standards that the committee's special counsel proposes would require all Senators to publish periodically a statement listing their financial interests. This is a highly desirable safeguard of the public interest. Many Senators have already published such statements voluntarily. But others, like Senator DIRKSEN, piously oppose this provision on the ground that it would constitute an invasion of privacy and relegate Senators to the status of second-class citizens.

DIRKSEN's Illinois colleague, PAUL DOUGLAS, has effectively answered this absurdity. Service to the Senate "is a distinction which we cherish not only for ourselves but also for our families," he declared. "We should, I believe, be willing to sacrifice some degree of privacy in order to reassure the citizens who elect us."

Such disclosure, moreover, is no more than is now required by the Senate of all executive branch officials who must obtain Senate confirmation.

Another useful McLendon recommendation would prohibit all associations of Senators with persons or organizations doing business with the Government.

Adoption of such a code would be some assurance to the public that legislators regard public office as an honor and a form of public service rather than private aggrandizement.

Full financial disclosure would enable voters to judge for themselves the question of conflict of interest.

If the Senate self-righteously rejects such recommendations, it should not blame others for allegedly plotting to downgrade and discredit the upper Chamber.

It will be its own most damning accuser.

[From the New York (N.Y.) News, May 20, 1964]

WHITEWASH, ANYBODY?

The august Senate Rules Committee, understandably sensitive to coast-to-coast howls concerning its nonprobing of L.B.J.'s onetime buddy Bobby Baker, has leaked the news that it has prepared an 81-page report on recommended Senate ethics.

That's all very fine, though it does smell a bit like locking the barn door after the horse is stolen.

But we'll have to echo the wry verdict of Senator CLIFFORD CASE, Republican, of New Jersey, on this one: Even this hefty book of senatorial etiquette "will not take the place of doing a complete investigative job in the Baker case itself."

[From the Elizabeth (N.J.) Daily Journal, May 20, 1964]

BLOCKING ANOTHER BAKER EPISODE

For the first time something productive is visible in the backwash of Bobby Baker's complex and tainted tenure as secretary of the Democratic majority in the U.S. Senate. A report by the Rules Committee counsel recommends a code to expose financial associations of Senators and staffs, to prohibit suspicious associations, and to force Senators to testify on these matters upon request.

The same report exonerates Mr. Baker of unlawful acts, but does not condone any doubtful ethics surrounding his activities and the involvement of unnamed Senators in his machinations.

This is fine, but it should not be necessary in the ranks of the greatest legislative body in the country. There should be no suspicion of grave conflict of interest, influence peddling, or other intrigue.

The substance of the report prepared by the committee's counsel, Lennox O. McLendon, echoes the often reiterated comments of Senator CASE, of New Jersey, whose efforts to force a complete inquiry have been beaten down.

The committee report and conclusions will be less susceptible to erasure. Not all the Democrats concur in the attitude of the majority (nine, including WILLIAMS, of New Jersey, voted against tabling the inquiry proposal) and by alining themselves with the Republicans they can force adoption of rules which will tend to prevent a recurrence of the Baker condition.

Senator CASE, however, does not regard the report as taking "the place of a complete investigation." In that he is right because the Senate record should contain officially the reasons for new rules. Neither should the lack of investigation block improvement of the Senate rules.

"No amount of sophistry" will relieve the Senate of criticism, the committee counsel warned in his report:

"It cannot be truthfully asserted that the Senate is responsible for all wrongdoings of Baker and certain other individuals," he continued. "But on the other hand, it cannot be denied that the Senate is responsible for putting Baker and others in places of responsibility without imposing upon them the enforceable standards of honesty and integrity the American people have a right to demand of all their public servants, high and low.

"The Senate should no longer ignore or dismiss lightly the charges made and repeated almost daily in the public press that the Senate has been vociferous and energetic in demanding compliance by officers and employees of the executive department with high standards of ethical conduct * * * but that it has persistently refused to accept and abide by such standards for its own Members and its employees."

The overall performance of the Senate in the Baker episode incites only censure. It has been and remains a stain upon the repute of that body and the general esteem of our Government.

Senator CASE's insistence and now the committee counsel's findings are the instruments for purifying the atmosphere. This the American people want.

[From the Hartford (Conn.) Courant, May 21, 1964]

THE BOBBY BAKER CASE REFUSES TO DIE

The Bobby Baker case dies hard. No sooner had the recommendations for reform come off the duplicating machine than Senators began attacking them as radical and unreasonable. These reforms, recommended by committee counsel, would require Senators to file a statement of financial dealings, and refrain from palling around with government contractors. Only a most naive person would expect the Senate to swallow that without gagging.

Meanwhile, back at his post as conscience of the Senate and guardian of the American purse, Senator JOHN J. WILLIAMS, of Delaware, announced that, code of ethics or not, he was going to continue to press for a full and fair investigation. He learned that nobody in the outside world had bettery try to do what Bobby Baker did, because without powerful friends in the Senate like his, they might go to jail.

There is no doubt that the Baker case will have its impact on the coming election. It has already appeared on the scene here in Connecticut. Eugene Scalise of Glastonbury, a candidate for the Republican nomination for the U.S. Senate, has assailed Senator DODD for his vote against broadening the scope of the investigation against Baker. Mr. DODD's attitude toward full disclosure and toward other recommendations by Counsel McLendon will also, no doubt, be discussed during the campaign.

Of course, any candidate can immediately remove himself as a target. First, he should answer the question put by Senator CASE: Have you had dealings with Bobby Baker, and what were they? Secondly, he should make a full financial disclosure of income other than that received as a Senator. Senator DIRKSEN has already expressed displeasure at this idea, saying it would make him a second-class citizen.

Be that as it may, the senatorial candidate who takes an affirmative stand on both the Baker case and conflict of interest, will be going to the public with unquestionably clean hands. Polls have indicated that the American people are not greatly upset by the Baker case, because they traditionally hold to the belief that "both sides are crooks." But when the issue is joined in the individual States in the coming election, an anti-investigation, anti-ethics Senator may be put on the defensive. In a general way, also, the Supreme Court libel decision broadening the limits of political discussion should also contribute to a freer airing of the matter than otherwise would have taken place. It is good to let a little light and air into these things.

[From the Durham (N.C.) Morning Herald, May 21, 1964]

PRINCIPLES GET AT THE CHIEF ISSUE

The three principles of reform recommended for Senate action by the Rules Committee's counsel, L. P. McLendon, get at the heart of the issue raised by the Bobby Baker case.

Senate acceptance of Major McLendon's three principles would repair the serious damage done to Senate prestige by the Baker case. For they recognize what the Senate has taken great pains to deny—that the serious damage in this case wasn't done by Bobby Baker or any of the other sharpshooters who try to make a good thing out of friendships or employment in the Senate.

The Senate's unwillingness to admit its own obvious connection to the unwholesome Baker affair was the damaging blow to the Senate. All the politically self-serving charges, the contradictions, the innuendoes, and the evidence of misdeeds would have had less effect on the Senate's reputation if it hadn't carried on as though the case was separate and apart from the Senate.

Clearly, it was impossible for any committee to conduct a believable investigation on the terms set by the Senate for the Baker probe. The Rules Committee was authorized to investigate Senate employees but not their employers, the Members of the Senate. Who can believe that employers are thus divorced from the affairs of their employees or that Senators should be put beyond question as well as beyond suspicion?

No one can and no one did accept such conclusions. On the contrary, the Senate's attempts to divorce itself from its own awkward affairs created suspicions. They emphasized the license that these supposed public servants demand for themselves. In the end, the Senate's double standard became a greater issue than the wheeling and dealing of its employees.

Mr. McLendon has recognized this result. His three principles would set it straight by officially requiring that Senators as well as Senate employees give an honorable accounting of their financial interests, refrain from business deals that might wind up in conflicts of interest, and respond to questions asked by the Senate's own committees.

Senators may consider Mr. McLendon's principles an impertinent slur on their honor. But the public won't. And if Senators want others to accept their august view of their honor, they would do well to put into effect for themselves these principles that they certainly expect others to abide by.

[From the New York Times, May 24, 1964]

ETHICS ISSUE STIRS THE SENATE BUT CURATIVE ACTION IN WAKE OF BAKER CASE REMAINS IN DOUBT

(By Cabell Phillips)

WASHINGTON, May 23.—A certain dividend from the dismal and protracted investigation into the affairs of Robert G. Baker, is that the Senate, and possibly the whole Congress has had the skin rubbed raw in a vital and sensitive area—its conscience and its pride.

It does not follow that curative action will be swiftly taken to repair the Senate's damaged prestige. There is a mountainous inertia, in what Senator JOSEPH S. CLARK calls "the sapless branch" of government, to doing anything about its own health.

But it is only when Congress is shocked that it is moved to take an introspective look at itself. And the revelations brought out in the Baker inquiry about the slack ethical standards of the Senate, and its untidy housekeeping, appear to have produced such a shock.

RESIGNED UNDER FIRE

The Senate Rules Committee spent from November to the end of March investigating the outside business activities of Bobby Baker, who spent most of his adolescent, and all of his adult, life in the Senate. He started out as a page in 1944 and was the $19,600-a-year secretary to the Democratic majority when he resigned under fire last October at the age of 35.

In the last 5 years of his tenure, he amassed a fortune that he estimated a year ago at more than $2 million; had his fingers in half a dozen flourishing business enterprises; lived in a $125,000 house and became defendent in a $300,000 civil damage suit that alleged (among other things) the improper use of his official influence.

Mr. Baker refused to answer questions about himself when called before the committee, invoking his constitutional privilege against self-incrimination. The committee, however, amassed more than 1,500 printed pages of testimony about him from other sources, which drew an incredible picture of his complex financial and business operations.

COMMITTEE'S STAND

Last week a supposedly secret draft of the committee's final report on the investigation came into reporters' hands. It concluded that while Mr. Baker had violated no criminal conflict-of-interest statutes, he was guilty of a wide range of gross improprieties that did conflict with his official duties and his public responsibility.

While the committee, in its preliminary report, condemned Bobby Baker as a rascal, it reserved its greater wrath for the lax moral atmosphere of the institution in which he thrived—the U.S. Senate. "No amount of sophistry," it said, "could relieve the Senate of the ultimate blame for making the Bobby Baker story a reality."

Its chief recommendation for penance and reform was the adoption of a rule requiring Senators (and Senate employees) to make periodic public disclosures of all their outside sources of income. The theory underlying this plan is that it is both a deterrent to self-aggrandizement at the public expense and a yardstick by which to measure the overlapping between a Senator's legislative exertions and his personal interests.

SENATORIAL POWER

If such a proposal does not go all the way to the heart of the Senate ethical problem, it at least gets well within the periphery. For the heart of the matter is that a Senator—any Senator—is invested with an enormous grant of power by the simple fact of his position.

It does not take great show or muscularity to use this power; indeed it rarely is used conspicuously or venally for that matter. The level of fundamental honesty in the Senate is high.

But the vote of a single Senator in committee or on the floor can often be decisive on a piece of legislation. And the nearest show of senatorial interest in the hypersensitive bureaus downtown—an innocent sounding letter or a telephone call—can often tip the scales on where a dam is to be built, to whom a contract is to be awarded or how a regulatory dispensation is to be granted. The outcome of such exercises of a Senator's power may or may not affect his personal, his pecuniary or his political well-being but it frequently does.

And what is true for Members of the Senate in this respect is true in greater or lesser degree for employees of the Senate.

Indeed, there is a whole layer of the Washington power structure little known to the outside world made of senior staff committee members, administrative assistants to the more powerful Senators and the principal hired functionaries of the Senate itself. It was to this last named category, of course, that Bobby Baker belonged.

It is manifestly impractical to try to prohibit a Senator from concerning himself with legislative and administrative matters affecting his constituents', or even his own, welfare. The late Senator Robert S. Kerr, of Oklahoma, an oil millionaire, candidly called himself "an oil Senator," and no one could rationally reprove him. But it may instill a certain caution in such a Senator if he knows that periodically his official endeavors and his net worth will be set down in parallel columns for the public to look at.

DOUBLE STANDARD

Most Members of the Senate recognized that they are beset by more temptations than is good for them. They also recognize that there is a double standard of acceptable conduct as between the legislative and the executive branches of government that breeds public suspicion and contempt for the legislators. And they are acutely aware that the Baker investigation has now accentuated this derogatory attitude beyond anything it has been in recent years.

Efforts to write a new code of ethics for Members of Congress flourish at the beginning of each legislative session but they just as regularly come to naught. Representative Henry Reuss, Democrat, of Wisconsin, in the House, and Senators Joseph S. Clark, Democrat, of Pennsylvania, and Clifford P. Case, Republican, of New Jersey, in the Senate, have been the most persistent evangels in this field.

REFORMS ROADBLOCK

Many of these reformers want to unclutter the procedural structure of the two Houses as well as to establish some clear signposts of personal conduct. By combining the two objectives they run head on into that most stubborn and sacrosanct of obstacles, Senate rule XXII, which protects the right of unlimited debate. In consequence most reform proposals of the past have foundered.

In addition the tradition of senatorial independence runs deep in the consciousness of "the establishment." Any code of ethics, including a rule of financial disclosure, would, in the words of Minority Leader Everett McKinley Dirksen, be interpreted as making "class B citizens" of Members of the Senate.

But the shock effect of the Baker disclosures and of the mounting signs that the Senate's image has been darkened, are dislodging many older Members from their orthodox moorings. Many now concede that a disclosure rule is possibly the least painful corrective that can be applied. It imposes no "do's and don'ts" on a Senator's freedom of action while clearing of the underbrush of suspicion.

ANOTHER PROPOSAL

Another proposal in the Rules Committee document that also finds a grudging measure of support would require Senators to give testimony before a committee when requested to do so. Presently this is a matter of discretion for the individual Member.

But the prospect for early action on either of these measures is clouded first by inertia and the general resistance to change within "the establishment," and second by the realities of the Senate Calendar. The civil rights filibuster has created a logjam that is likely to exclude all "nonessential" legislation in this election year.

In any event, as Senator Clark points out, in "the sapless branch" no real progress in congressional reform, including a code of ethics, is likely to happen until enough public pressure is built up to force Congress to act in its own interest.

[From the New York (N.Y.) Times, May 24, 1964]

Cleaning Up the Baker Case

The recommendations for raising ethical standards made by the staff of the Senate Rules Committee seem an earnest attempt to eradicate any suspicion that Senators might be engaged in skulduggery.

But it is unfortunate that the same staff report does not see fit to apply such standards to the case of Robert G. Baker, whose financial dealings triggered the committee's investigation and were responsible for the report's finding that the Senate had lost public "respect and prestige." The Senate may repair some of the damage to its reputation if it adopts the proposals to compel its members to disclose their financial interests and to testify in committee investigations. It cannot hope for complete rehabilitation, however, if it continues to take the view that senatorial transactions with Mr. Baker are to be treated as state secrets.

The big issue in the Baker investigation, the main reason for the Senate's loss of prestige, was the lack of any serious effort to probe into the alleged dealings between the former secretary of the Senate majority and various Senate Members, Democratic and Republican. This glaring omission is condoned by the report. It argues against checking on these dealings; it attacks Don B. Reynolds, the insurance agent who first drew attention to Mr. Baker's operations, as a "character assassin"; and it is content to conclude that Mr. Baker was guilty of "gross improprieties."

These findings make clear that the validity of its proposals to raise standards is based on what the committee did not choose to investigate rather than what it revealed. We certainly do not vouch for Mr. Reynolds, but the fact is that he repeatedly offered to testify under oath. Without affording him that opportunity, and without hearing other witnesses to rebut his testimony, the committee was hardly in a position to judge Mr. Reyonolds' veracity or assess the extent of Mr. Baker's improprieties. In essence, the report seeks to nail down the stable door without discovering the amount—or the perpetrators—of the damage. We trust that the Senate recognizes that the first step in raising standards is to undertake a thorough cleaning up of the Baker case.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that I may yield to the Senator from West Virginia, with the understanding that I do not lose my right to the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR GEORGE McGOVERN SUPPORTS NATIONAL ECONOMIC CONVERSION COMMISSION IN TESTIMONY BEFORE SENATE COMMERCE COMMITTEE

Mr. RANDOLPH. Mr. President, hearings were begun today by the Senate Commerce Committee on S. 2274, a bill to create a National Economic Conversion Commission. Under provisions of this proposed legislation, the Commission would deal with the problem of strengthening alternative sources of income for persons and communities threatened with the loss of defense installations or contracts. It is my privilege to be among the cosponsors of this measure which seeks to minimize detrimental effects on the economy resulting from reductions in defense spending.

The first witness in support of S. 2274 was Senator George McGovern, Democrat, of South Dakota, who introduced the bill on October 31, 1963. Senator McGovern pointed out to Commerce Committee members that "Nowhere in government at the present time do we have an agency with the mandate and the resources adequate to insure defense oriented communities and individuals alternative economic opportunities."

Declines in armament spending, while in no sense representing disarmament, are a probability and no longer will there be the need to purchase as many new weapons as we once did. This change will have a strong impact on the lives of millions of Americans, including citizens of West Virginia.

Mr. President, I share the view expressed by my capable colleague when he stated that: "The vast defense industry in this Nation is a creature of conscious government policy. Because of this, the Federal Government has a special responsibility to protect defense-dependent communities and individuals."

I request unanimous consent that the testimony of Senator George McGovern before the Senate Commerce Committee, May 25, 1964, be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator George McGovern, of South Dakota, Before Committee on Commerce, Re S. 2274, To Create an Economic Conversion Commission, May 25, 1964

Mr. Chairman and members of the committee, I wish to express my appreciation to you for scheduling these hearings. The demands of the civil rights debate make this less than an ideal time to begin exploration of such a complicated subject. Your sense of urgency, however, is well justified by events.

The subject of our present inquiry can be stated succinctly: What steps should the Federal Government take to prevent economic distress and unemployment in the wake of shifts and cutbacks in defense spending?

I believe the Federal Government has a clear obligation to those companies, communities, and individuals that have become dependent on our defense budget for their income, and that we must create the necessary governmental machinery to prevent changes in our Defense Establishment from resulting in avoidable loss of employment and income. For this reason I have introduced S. 2274, which would create a National Economic Conversion Commission to plan for the orderly transition from military to civilian production. By careful planning, we can prevent changes in our defense program or reduced defense spending from causing economic distress and unemployment.

It has long been thought that a cutback in defense spending depended on an enforcible disarmament agreement with the Soviet Union. Actually, even in the absence of that elusive agreement, the changes and reduction in defense spending have already begun.

On April 23, a little over a month ago, Secretary of Defense McNamara announced the scheduled closing and consolidation of 54 defense installations in 29 States.

Some months previously, the Defense Department had revealed plans for shutting down over 100 other installations in 35 States. More such announcements are almost certain to follow. Secretary McNamara has warned that no military installation in this country ought to be considered anything other than temporary.

As a result of more efficient management, American taxpayers are being saved hundreds of millions of dollars that would otherwise be spent on unneeded or obsolete military facilities. Secretary McNamara deserves strong praise for his forthright and sensible action.

At the same time, we must recognize that thousands of jobs and the economic support of entire communities are being threatened by the phaseout of surplus military bases and the termination of defense contracts. Hardly a State will escape the loss of at least one defense installation, and the resulting anxiety and distress will be translated into political pressures that may not be in the national interest.

I ask that a list of these closings and consolidations be printed as an appendix to my testimony (app. A).

Not only are unneeded military facilities being scheduled for phasing out, but many defense contracts will not be renewed. The Department of Defense, at my request, drew up a list of major military procurement programs not funded beyond the end of fiscal year 1963, and those not funded beyond the first 6 months of fiscal 1964. The list reveals that in this brief period over 50 major suppliers were affected in 20 States. Because of the concentration of defense industry in the United States, fewer areas are affected by contract cutbacks than by the base closings, but the impact on those areas is that much greater.

I ask that this list be included as an appendix to my testimony (app. B).

It is difficult to trace the employment losses occasioned by contract cutbacks, since such a great proportion of the work is subcontracted. A sampling study made by Prof. Seymour Melman of Columbia University shows that in 19 large firms in 6 States some 67,000 jobs have been lost or are about to be lost because of a decline in defense spending. This does not include the impact on subcontracting firms.

I would like to ask that this list also be included at the conclusion of my testimony (app. C).

We do know that the modest cutbacks now taking place have already caused major unemployment problems in defense-oriented areas in California, Massachusetts, New Jersey, Maryland, and the State of Washington. The outlook is for still sharper cutbacks in the years ahead. The proposed budget for fiscal year 1965 contains $1.3 billion less for defense activities than the 1964 budget. Some estimates, including one by former Deputy Secretary of Defense Roswell Gilpatric, predict a decline in defense spending of up to 25 percent by 1970.

These cutbacks in no sense represent disarmament. They do not come about as the result of any agreement with the Soviet Union. They will not result in any weakening of this Nation's military defenses. They reflect only on American power so great that we reach the point of diminishing returns when we add to it.

Congressman CARL VINSON, the respected chairman of the House Armed Services Committee, explained this new development in our defense planning to the House of Representatives during presentation of next year's scaled-down defense budget in these words:

"Simply stated, we are reaching a point in several areas, principally missiles, where we are coming up pretty close to our total needs. And we simply do not need to buy as many of the items as we did before. As a matter of fact, we are stronger in our defense today than we have ever been in any peacetime period before."

The correctness of Mr. VINSON's observation must be obvious to all who understand the power of modern nuclear weapons. On August 2 last year, I suggested to the Senate that we should examine our need for additional nuclear weapons. I said on that occasion:

"I think we need to take another careful look at our enormous arms budget, asking ourselves: What part of this budget represents additions to an already surplus overkill capacity? What alternative uses can be made of surplus military funds for strengthening the economic and political foundations of our society?"

This Nation began an intensive buildup of our defensive capability after the outbreak of the Korean war. We set out to build a massive military system so formidable as to discourage aggression by all but the most foolhardy. We have now largely achieved our goal. Since there has been no war, we have not had to use any of our strategic weapons. They remain available for action on a moment's notice. Because much of our defense is dependent on missiles, which remain ready for use, our replacement needs are slight. We must continue maintenance and modification as improvements are made but we will not need to make as heavy defense expenditures in the future as we have had to make in the past. We will need, instead, to provide new opportunities for manpower and resources no longer required for our defense.

THE FEDERAL RESPONSIBILITY

What is the Federal Government's responsibility in meeting this need?

Speaking before the House Armed Services Committee earlier this year, Secretary McNamara said:

"The Defense Department cannot and should not assume responsibility for creating a level of demand adequate to keep the economy healthy and growing. Nor should it, in developing its programs, depart from the strictest standards of military need and operating efficiency in order to aid an economically distressed company or community."

We cannot quarrel with the Department of Defense on this point. Our national security would be dangerously compromised if our Defense Department were subjected to the pressures of economic need in carrying out its mission to defend our Nation. Moreover, I do not believe we want to give our military agencies responsibility for the direction of our nonmilitary economy.

At the same time, the overall responsibility for the smooth transfer of defense resources to civilian use lies with the Federal Government. But nowhere in the Government at the present time do we have an agency with the mandate and the resources adequate to insure defense oriented communities and individuals alternative economic opportunities.

Such an agency would be created by S. 2274.

This bill would create a National Economic Conversion Commission in the Executive Office of the President. The Commission, headed by the Secretary of Commerce, would include the Secretaries of Defense, Agriculture, Labor, and Interior, the Chairmen of the Atomic Energy Commission and the Council of Economic Advisers, and the Directors of the Arms Control and Disarmament Agency and the National Aeronautics and Space Administration.

The Commission would be required to conduct a study of the appropriate policies and programs to be carried out by the departments and agencies of the Federal Government to facilitate conversion, and to report to Congress and the President within 1 year the action required.

The Commission would consult with State Governors and other local officials, and convene a National Conference on Industrial Conversion and Growth to focus attention on the problem and bring together interested persons from the entire Nation.

The bill also provides for studies to be undertaken by defense contractors, defined as firms with more than 25 percent of their employees working on defense contracts, to explore alternative production possibilities for these firms if their defense contracts were to be curtailed or terminated.

SCOPE OF THE PROBLEM

At the end of World War II we dismantled our enormous Military Establishment almost overnight. Defense allocations which absorbed 40 percent of our gross national product were reduced by 80 percent in 1 year's time. In the same length of time we returned 9 million servicemen to civilian life with virtually no increase in unemployment. No such sudden reduction of military spending is in prospect now.

New factors, however, make the current situation more difficult.

We have no large backlog of consumer demand now, as we did after World War II.

The technical skills required for much of today's defense production are less adaptable to civilian use.

Defense production is concentrated both geographically and by industry to a greater degree than in the past.

Of the more than $25 billion in prime defense contracts awarded last year, almost half of the money went to five States, and 23.1 percent went to one State, California. Five States—Kansas, Washington, New Mexico, California, and Connecticut—have more than 20 percent of their total manufacturing employment in major defense work. If we add to the procurement figures the income derived from military installations, we find that 29 percent of personal income in the State of Alaska is from the defense budget, and the figure for Hawaii is 22 percent, and for Virginia 15 percent. It is 10 percent or more in the States of Washington, Maryland, the District of Columbia, New Mexico, California, Kansas, South Carolina, Georgia, and Utah. A great many jobs in New York, Massachusetts, New Jersey, Pennsylvania, and Texas also depend on defense funds, although because of the size of these States the proportion of total State income is lower.

Concentration by industry is just as severe. All employment in the ordnance industry, over 93 percent of employment in aircraft and missiles construction, 60 percent of employment in shipbuilding, and 21 percent of employment in the electrical machinery industry is attributable to defense procurement.

During World War II, conversion planning began as early as 1943, under the direction of a highly competent quasi-official group of businessmen and economists known as the Committee for Economic Development. Private industry planning was mightily assisted by a series of Federal programs including the GI Bill of Rights, and favorable tax, credit, and monetary policies. This planning paid off in the smooth transition to a civilian economy we experienced after World War II. Proper planning today will yield similar dividends.

IMPACT OF DEFENSE SPENDING ON THE ECONOMY

To understand the importance of proper planning, let me sketch briefly the impact of the defense budget on our present economy. This will indicate both the magnitude of the conversion problem and some of the opportunities for alternative activity. It should be recognized that while reductions in defense spending without advance planning can cause distress, heavy defense spending has also taken a toll of our economy.

Since the Korean War began in 1950, this Nation has devoted over half of its total budget each year to defense. In the present fiscal year, we are spending over $1 billion each week for military purposes. This amount is more than the cost of running the entire Federal Government for all of the New Deal years of 1933 to 1940 combined.

Almost 10 percent of our gross national product goes into defense work at the present time, and at last count, more than 6.7 million persons were employed in Federal and industrial defense-related activities—9 percent of total U.S. employment.

Among our most highly skilled workers, the impact is even greater. Sixty-five percent of all research and development work done in the United States is financed by the Federal Government—46 percent of it by the Department of Defense alone. A substantial proportion of the rest is supported by funds from NASA and the AEC. More than half of all research performed by private industry is financed by the defense agencies, and over 60 percent of all research done by universities and private laboratories is Government financed.

Two-thirds of all the scientists and engineers in the Nation are caught up in the defense effort.

As a result of the commitment of our best brains to solving military problems, our industries have not maintained the rate of technical innovations that has traditionally been the source of much of our national wealth. While 65 percent of all research and development in this country is financed by the Federal Government, and most of that goes for defense purposes, in West Germany 85 percent of research and development is privately financed and directed to civilian ends. The result is that Europe and Japan have overtaken us in the application of inventive talent to the production of civilian goods. This has led to a weakening of our competitive ability in international trade.

The high concentration of brainpower on defense matters has also taken a heavy toll in our schools. Today it is extremely difficult for our colleges and universities—not to mention our primary and secondary schools—to attract and hold talented teachers in competition with defense industries. Properly planned conversion can permit us to rebuild the strength of our teaching corps, which is important not only to our future development but our future security as well.

I wholeheartedly support a strong national defense. But strength and national security are not measured by arms alone. Equally important in the long run is the health of our economy and the overall capacity of our people.

We have the opportunity now, for perhaps the first time since the Korean war began, to relieve ourselves of part of the great burden of arms, without in any way endangering our military strength. We have the opportunity now to apply a greater proportion of our national wealth and the talents of our people to solving some of the social and economic ills that still exist in this land of plenty. There may even be an opportunity for further tax reduction.

THE REQUIREMENTS OF CONVERSION PLANNING

The Federal Government, because of its great financial involvement in defense production, has a duty to plan for conversion. This obligation, however, does not take the place of planning at local and State levels and by defense contractors.

S. 2274 is drafted with this distinction clearly in mind. The National Economic Conversion Commission is given the task of planning appropriate policies and programs to be carried out by the departments and agencies of the Federal Government.

At the same time, many of the problems are best understood at lower levels of government, and for this reason S. 2274 would require the convening of a National Conference on Industrial Conversion and Growth. For this reason also, the Conversion Commission would be required to consult with State Governors and encourage studies at State, local, and regional levels.

Governmental planning at any level, however, is not enough. That is why S. 2274 would require defense contractors to set up conversion committees to plan their own conversion to civilian production.

This requirement, which is section 5 of the bill, has stirred some controversy. I have been asked by many, including some who strongly favor this legislation, why it is necessary to require defense contractors to plan for their own conversion. The answer is simply that for many of them, unless there is such a requirement there will be no planning. No question of Government interference is presented here because these contractors are largely or entirely dependent upon Government funds. This requirement would be no different in principle from the many other conditions a defense manufacturer must meet in order to be awarded a contract.

It seems to me that we have a choice here—either defense contractors explore their capabilities in civilian fields, or the Government must do it. We cannot afford to let a situation develop in which there is no planning. We know from past experience and the present fears of communities and employees throughout the Nation that in the absence of planning, the loss of a defense contract or installation can mean economic distress.

Faced with this choice, I would like to stress my preference for having the planning done by the firms themselves. They know best their own capacities and their own financial condition. Some defense contractors, including a few very heavily dependent on defense moneys, have laid careful and thoughtful plans. Some defense firms have dynamic management, determined to survive whatever the future brings. Others hold a defeatist view that if the money goes they will just have to put a padlock on the factory's gate.

Last summer the New York Times reported on a survey it had made of the conversion planning of private defense contractors. The survey showed that very little planning for conversion has been done by industry and that "many defense contractors simply refuse to consider a sizable cutback in arms production as any kind of a possibility in the foreseeable future." I would like to ask that this article be printed at the conclusion of my testimony (app. D).

PRESENT CONVERSION ACTIVITIES

At the present time, several offices in various Government agencies have partial responsibility for conversion. It is my belief that none of these is properly equipped to do the job that needs to be done.

Perhaps the most helpful of these agencies in meeting the immediate needs for guidance of communities losing defense installations is the Office of Economic Adjustment in the Department of Defense. This is a three-man office, headed by Mr. Donald Bradford, a civilian career employee of the Defense Department.

The primary function of this office is to provide advice and guidance to communities faced with the loss of defense installations and contracts. The office consults with civic leaders in the affected community and suggests ways in which the community might attract new industry to take up the gap in employment, and points out to the local leaders the Federal assistance programs for which they might be eligible.

This is a very important function, and in several communities there have been satisfying results. One of the most notable successes is the community of Presque Isle, Maine. The closing of a Snark base in 1959 took from that town of 13,000 its major support—a payroll of about $3,500,000. Very few jobs were directly affected, since all of the 1,259 military personnel at the base, and all but 35 of the 268 civilian employees were reassigned to other bases. But the impact on the rest of the community, on retail establishments, real estate offices, banks and the like, was substantial.

The Office of Economic Adjustment helped the people of Presque Isle assess their resources and suggested ways in which the Government property left by the pullout might best be used. New industry came to Presque Isle and within 2 years this new industry had created 1,000 new jobs with a payroll of $5 million.

The Office of Economic Adjustment is limited, however, both as to staff and as to legislative authority. The Department of Defense, while it desires to be as helpful as possible, recognizes that it cannot have primary responsibility for communities and people affected by the curtailment of unnecessary military activities. With this we must agree. Our concern is with the health of our civilian economy, and this cannot be left to military authority.

A second agency with some responsibility for conversion planning is the Committee on the Economic Impact of Defense and Disarmament which President Johnson gave formal status in a memorandum of December 21, 1963. This Committee, which is currently under the Chairmanship of Mr. Gardiner Ackley of the Council of Economic Advisers, was given a rather limited assignment by President Johnson. In his memorandum, the President said:

"I do not expect this Committee to undertake studies of its own, but rather to evaluate and to coordinate * * * existing efforts, and if it seems desirable, to recommend additional studies—subject, of course, to appropriate review and authorization through established channel."

The function of the Committee is limited, in the words of the memorandum, to:

"The review and coordination of activities in the various departments and agencies designed to improve our understanding of the economic impact of defense expenditures and of changes either in the composition or in the total level of such expenditures."

I was very pleased with President Johnson's announcement of the formalization of this Committee, which had operated in an informal manner for several months under President Kennedy, because it showed that the President was aware of the problem. After considering the work of this Committee to date, however, and realizing its built-in limitations, I believe that as presently constituted it is not equipped to deal with a problem of the magnitude of the one now confronting us.

The Committee has met on very few occasions. In the 5 months since the President's memorandum it has not even completed its organizational work, much less begun the assigned task of coordinating Government activity in the conversion field.

Included in the most recent announcement of projected closing of military installations was the Black Hills Army Depot in my State of South Dakota. This move, scheduled for completion by 1967, will affect 450 jobs in a community of less than a thousand which is totally dependent on the military installation. Since this is perhaps the most difficult kind of situation created by defense cutbacks, I asked the Committee if it would do a study of this closing's impact on the community and send a Committee member, or in the alternative, a staff member, out there to talk to the people and consider how they could be helped. I was informed that no Committee member could go because they "all have full-time jobs in other areas," and no staff member could go because the Committee has no staff and even if it did it has no funds from which to pay transportation.

I know of other Members of Congress who have made similar requests to the Committee and received similar replies.

This experience clearly points up the present inadequacy of the Committee. Without any funds or staff, without any legislative authority and only a Presidential injunction to "coordinate" activities, and with all of its members holding full-time jobs in other capacities, we cannot expect the Committee to function in a way that would reassure communities faced with the loss of a defense contract or installation.

I have no desire to create a complex of committees with overlapping jurisdiction all working on the problem of conversion. I would hope and expect that the National Economic Conversion Commission to be created by S. 2274 would supplant the President's Committee, or else that the President's Committee would be upgraded and turned into a Conversion Commission, with a clear legislative mandate, appropriated funds, and a professional staff.

A third Agency with some responsibility in the area of economic conversion is the Arms Control and Disarmament Agency. This Agency has given us the best available analysis of the impact of arms and disarmament on the economy.

Under the overall direction of Mr. Archibald Alexander, Assistant Director of the Agency, a staff of four men has been conducting research on the economic impact of arms reduction. For example, two projects now in the planning stages call for research into patterns of defense spending, and the impact of shifts in defense procurement on the electronic industry.

The work of the ACDA in this field is important, and basic to our understanding of what steps can be taken to help affected communities and individuals. The Arms Control Agency, however, does not have the legislative authority to develop plans to remedy the conditions its research makes known. It is this latter function that can best be performed by a National Economic Conversion Commission.

Last Tuesday the Atomic Energy Commission announced the creation of a new office to help industry adjust to cutbacks in the production of nuclear materials. Other agencies, including the Departments of Labor and Commerce, now have operations relating to the conversion problem. If we are to avoid a wasteful duplication of effort, we need to have a single commission with overall responsibility for this area, and this commission must have the resources and the legislative authority to take necessary action.

I should not conclude my testimony without some reference to other bills now before the Senate which have some connection with the problems of conversion.

The Manpower Subcommittee of the Senate Labor and Welfare Committee, under the chairmanship of Senator CLARK, has recently completed many months of hearings into the whole range of manpower difficulties faced by this Nation. The hearings have been printed, together with an excellent summary and a most imaginative list of recommendations.

Senator CLARK's committee has considered several bills which would have some bearing on the problem of economic conversion of the defense industry.

Among these are S. 2298, to establish a Commission on the Application of Technology to Community and Manpower Needs, by Senators HART, HUMPHREY, and CLARK, and a later version of this bill, S. 2623, to establish a National Commission on Automation and Technological Progress, sponsored by Senators HART, WILLIAMS of New Jersey, RANDOLPH, HUMPHREY, CLARK, and MORSE.

This legislation seeks to deal with a wide range of problems faced by this Nation as a result of changing technology, automation, and a rising rate of unemployment. It is a job that must be done, and the Hart bill will have my wholehearted support.

The problem of conversion, however, is immediate and compelling. Already there are reports of layoffs from all parts of the Nation. If we wait until we have found solutions to the complex and difficult problems of automation and the technological revolution, we will find that we are too late to prevent grave economic distress in many defense-dependent communities. The political pressures that will build up under such circumstances and which will inevitably influence military decisions which ought not to be influenced by such pressures, will compound our problems.

The same limitation is found in the other bills before the Clark committee, such as Senate Joint Resolution 105 by Senator JAVITS and others; Senate Resolution 50, by Senator LONG of Louisiana; and S. 2427, by Senator HUMPHREY.

None of these bills come to grips with the particular problem we are now facing of a loss of personal and community income in the wake of a declining level of defense expenditure. None of them would require the defense contractors to bring their knowledge and experience to bear on developing alternative productive capacity. None of them require a report and specific proposals to be sent to the President and Congress within a year of enactment. Perhaps most important, none of them requires treatment of the conversion problem as a separate problem. All would seek to treat it as part of the overall economic situation, and would try to solve it in that context.

The legislation now before the Clark committee would be needed even if we had no defense industry in this country. We must learn how to deal with the impact of automation and changing technology on our society.

By the same token, we would need S. 2274 even if there were no technological revolution going on in this country. The defense budget plays such an important role in our overall economy that any change or cutback creates problems of economic adjustment that must be dealt with swiftly.

The problems created by defense cutbacks are similar in many ways to the overall problem of technological change. There are important differences, however.

Automation and technological change come about not primarily as a result of Government action, but because of breakthroughs in the private sector of the economy.

The vast defense industry in this Nation, on the other hand, is a creature of conscious government policy. Because of this the Federal Government has a special responsibility to protect defense-dependent communities and individuals. The shifts and reductions in defense spending which have already begun, and which doubtless will increase in the months and years ahead, require that the Federal Government have a commission equipped to meet the specific needs of our defense communities.

We have built a Defense Establishment of unparalleled proportions in America. The dangers of the times demand it. We often say that preparation for war is our best guarantee of peace.

But we must also be prepared for peace.

Gearing our society for peacetime production in the modern world is a large task, and S. 2274 will not provide all the answers. It will go a long way, however, toward meeting the initial problems and reassuring our people and the peoples of the world that the United States need not continue the arms race to avert economic collapse.

Indeed, the diversion of human talent and resources from excess military purposes to constructive peaceful efforts can lay the basis for a stronger America and a more secure world.

APPENDIX A

MILITARY INSTALLATIONS WITH CLOSING DATES IN FISCAL 1964 OR THE FIRST HALF OF FISCAL 1965, AS ANNOUNCED BY THE DEPARTMENT OF DEFENSE ON DECEMBER 12, 1963

ALABAMA

Theodore Army Terminal, Mobile, June 30, 1964.

ARIZONA

Radar site, Winslow, August 30, 1963.

Radar site, Yuma, August 30, 1963.

ARKANSAS

Radar site, Walnut Ridge, August 30, 1963.

CALIFORNIA

Air Force Plant No. 16, Downey, October 26, 1963.

Air Force Plant No. 76, Bakersfield, March 30, 1964.

SAGE Center, Marysville, August 30, 1963.

Benicia Arsenal, Benicia, August 30, 1963.

Fort Mason piers, San Diego, July 12, 1963.

Mira Loma Air Force Station, Ontario, December 31, 1964.

Marine Corps supply forwarding annex, San Francisco, July 1, 1964.

Naval Air Station, Oakland, July 1, 1963.

Naval repair facility, San Diego, December 21, 1964.

Naval Oceanographic Office, San Francisco, January 31, 1964.

Nike site 33, San Francisco, June 30, 1964.

Pasadena Area Support Facility, Pasadena, December 31, 1964.

Overseas Supply Agency, San Francisco, July 1, 1964.

Santa Rosa Island A.C. & W. Station, Santa Barbara, July 1, 1963.

CONNECTICUT

New London dock, New London, November 7, 1963.

Nike site HA–25, Hartford, September 9, 1963.

FLORIDA

Fort Village Lanham Housing, Key West, August 30, 1963.

GEORGIA

Naval Forms and Publications Supply Office, Byron, September 30, 1964.

ILLINOIS

Nike site C–44, Chicago, September 23, 1963.

Nike site C–54, Chicago, August 1, 1963.

Naval Oceanographic Office, Chicago, October 31, 1963.

INDIANA

Air Force Plant 30, Indianapolis, September 30, 1964.

IOWA

Ottumwa Tracking Station, Ottumwa, March 31, 1964.

KENTUCKY

Camp Breckenridge, Union County, June 30, 1964.

Louisville Army Depot, Louisville, July 1, 1963.

LOUISIANA

Camp Leroy Johnson, New Orleans, June 30, 1964.

England Air Force Base radar site, Baton Rouge, August 30, 1963.

Gap Filler site, Lake Charles, August 30, 1963.

Gap Filler site, Weeks Island, August 30, 1963.

Overseas Supply Agency, New Orleans, July 1, 1964.

Naval Oceanographic Office, New Orleans, January 31, 1964.

MAINE

Deblois Weapons Range, Columbia Falls, April 30, 1964.

MARYLAND

Naval Oceanographic Office, Baltimore, January 31, 1964.

Naval Weapons Industrial Reserve Plant (DOD 148), Strawberry Point, October 31, 1963.

MASSACHUSETTS

"E" Street Annex, Boston, June 30, 1964.

Mifflin Estate, Nahant, January 3, 1964.

Naval Oceanographic Office, Boston, October 31, 1964.

Nike site B–38, July 1, 1963.

MICHIGAN

Camp Lucas, Sault Ste. Marie, June 30, 1964.

SAGE Direction Center, Sault Ste. Marie, December 31, 1963.

Nike site D–17, Algonac, December 3, 1963.

Nike site D–54–55, Detroit, August 1, 1963.

Nike site D–86, Franklin, November 1, 1963.

MINNESOTA

Radar site, Grand Rapids, January 7, 1964.

MISSOURI

Fort Crowder, Neosho, June 30, 1964.

St. Louis Ordnance Plant, St. Louis, June 30, 1964.

NEVADA

Lanham Act housing site, Hawthorne, December 1, 1963.

NEW JERSEY

Camp Kilmer, Edison, June 30, 1964.

Nike site PH–32, Burlington, July 5, 1963.

NEW MEXICO

Radar site, Las Cruces, August 30, 1963.

Radar site, Roswell, August 30, 1963.

NEW YORK

Army Building, 39 Whitehall Street, New York, June 30, 1964.

SAGE Direction Center, Syracuse, August 30, 1963.

Mitchell Field sewage facilities, New York, April 30, 1963.

Naval Oceanographic Office, New York, January 31, 1964.

Building No. 2, Jay Street Annex, Naval Shipyard, Brooklyn, July 1, 1964.

Niagara Falls chemical plant, Niagara Falls, October 10, 1963.

Nike site NY–23, Nassau County, September 12, 1963.

Overseas Supply Agency, Brooklyn, July 1, 1964.

NORTH CAROLINA

Naval Air Facility Weeksville, Elizabeth City, December 31, 1964.

Radar site, Cherry Point, August 30, 1963.

NORTH DAKOTA

SAGE Direction Center, Grand Forks, December 31, 1963.

SAGE Direction Center, Minot, August 30, 1963.

OHIO

Brookfield Air Force Station, Brookfield, November 1, 1963.

Lordstown Military Reservation, Lordstown, September 15, 1963.

Naval Reserve Training Center, Cleveland, August 1, 1963.

Rossford Ordnance Depot, Toledo, July 1, 1963.

OKLAHOMA

The 32d Air Division, Oklahoma City, December 31, 1963.

OREGON

Naval Air Landing Field, Tilamook, July 31, 1963.

PENNSYLVANIA

Lukens Steel plant, DOD 337, Coatesville, December 15, 1963.

Naval home wharf, Philadelphia, March 31, 1964.

Naval Reserve Training Center, Erie, October 22, 1963.

Naval Reserve Training Center, Harrisburg, June 1, 1964.

RHODE ISLAND

Nike site PR–69, Providence (Coventry), September 9, 1963.

SOUTH DAKOTA

Nike site E–01, E–20, E–40, E–70, Ellsworth, September 12, 1963.

TEXAS

Camp Gary, San Marcos, December 31, 1964.

Radar site, Eagle Pass, August 30, 1963.

Gap Filler site, Carrizo Springs, August 30, 1963.

Gap Filler site, Comstock, August 30, 1963.

Gap Filler site, Delmita, August 30, 1963.

Gap Filler site, El Paso, August 30, 1963.

Gap Filler site, Palacios, August 30, 1963.

Gap Filler site, Laredo, August 30, 1963.

Gap Filler site, McCamey, August 30, 1963.

Gap Filler site, Riviera, August 30, 1963.

Naval Oceanographic Office, Galveston, October 31, 1963.

Panatex Ordnance Plant, Amarillo, December 6, 1963.

Radar site, Pyote, August 30, 1963.

Radar site, Ozona, August 30, 1963.

Radar site, Rockport, August 30, 1963.

VERMONT

Radar site, Lyndonville, August 30, 1963.

WASHINGTON

Radar site, Fort Lawton, Seattle, August 30, 1963.

Ammunition storage annex, Spokane, September 30, 1963.

SAGE Direction Center, Spokane, September 30, 1963.

Mount Rainier Ordnance Depot, Tacoma, July 1, 1963.

Naval Oceanographic Office, Seattle, October, 31, 1963.

ADC Unit, Spokane, September 30, 1963.

Naval Harbor Defense Unit, Port Townsend, January 16, 1964.

ALASKA

Radar site, Bethel, October 31, 1963.

Radar site, Middleton Island, October 31, 1963.

Radar site, Ohlston Mountain, October 31, 1963.

Eight DEW line sites, April 30, 1964.

HAWAII

Bombing range, Bonham Air Force Base, March 31, 1964.

Fort Ruger theater parcel, June 30, 1964.

Sand Island Harbor control post, April 30, 1964.

ALABAMA

Birmingham: Consolidate the contract administration offices of Army and Air Force.

ARIZONA

Phoenix: Consolidate the contract administration offices of Navy and Air Force.

CALIFORNIA

Los Angeles: Consolidate the contract administration offices of Army, Navy, and Air Force.

Oakland: The terminal functions of the Oakland Army Terminal and the Navy Supply Center, Oakland, will be consolidated.

Pasadena: The Army's Pasadena Area Support Center will be transferred to GSA by July 1965 for management.

San Francisco: Consolidate the contract administration offices of the Army, Navy, Air Force, and DSA.

San Francisco, naval activities: Eight naval activities will be relocated from various locations in San Francisco and San Bruno to Treasure Island by December 1966.

COLORADO

Denver: Consolidate the contract administration offices of Army and Air Force.

CONNECTICUT

Bridgeport-Hartford: Consolidate the contract administration offices of Navy and Air Force.

Windsor Locks: The Air Force Reserve Group now at Bradley Field will relocate to Westover AFB by July 1966.

FLORIDA

Jacksonville: The seadrome, Naval Air Station, Jacksonville, will be inactivated by January 1965.

Key West: The seadrome, Naval Air Station, Key West, will be inactivated by January 1965.

Pensacola: The seadrome, Naval Air Station, Pensacola, will be inactivated by January 1965.

GEORGIA

Atlanta: Consolidate the contract administration offices of Navy, Air Force, and DSA.

ILLINOIS

Chicago: Consolidate the contract administration offices of Army, Navy, Air Force, and DSA.

Decatur: Decatur Naval Weapons Industrial Reserve Plant will be declared excess and reported to GSA by June 1964 for disposal.

LOUISIANA

New Iberia: The Naval Auxiliary Air Station, New Iberia, will be declared excess and reported to GSA by January 1965 for disposal.

MARYLAND

Baltimore: Consolidate the contract administration offices of Navy and Air Force.

MASSACHUSETTS

Boston: Consolidate the contract administration offices of Army, Navy, Air Force, and DSA.

New Bedford: Fort Rodman, a subpost of Fort Devens, Mass., will be declared excess and reported to GSA for disposal by September 1966.

Watertown: Watertown arsenal will be declared excess and reported to GSA by September 1967 for disposal except for the facilities occupied by the Army Materials Research Agency which will remain at Watertown.

Winthrop: Fort Banks, a subpost of Fort Devens, will be declared excess and reported to GSA by September 1966 for disposal.

MICHIGAN

Detroit: Consolidate the contract administration offices of Army, Navy, and Air Force.

Grosse Ile: Naval Air Station, Grosse Ile will be declared excess and reported to GSA by September 1967 for disposal.

MINNESOTA

Minneapolis: Consolidate the contract administration offices of Navy and Air Force.

MISSOURI

Kansas City: Consolidate the contract administration offices of Army and Air Force.

St. Louis: Consolidate the contract administration offices of Army, Navy, and Air Force.

NEBRASKA

Sidney: Sioux Army Ammunition Depot will be declared excess and transferred to GSA for disposal by June 1967.

NEW JERSEY

Newark: Consolidate the contract administration offices of Navy and Air Force.

NEW YORK

Buffalo: Consolidate the contract administration offices of Navy and Air Force.

New York City: Consolidate the contract administration offices of Army, Navy, Air Force, and DSA.

Rochester: Consolidate the contract administration offices of Army and Air Force.

Utica: Consolidate the contract administration offices of Navy and Air Force.

NORTH CAROLINA

Winston-Salem: Consolidate the contract administration offices of Navy and Air Force.

NORTH DAKOTA

Bismarck: Fort Lincoln will be declared excess and reported to GSA by June 1965 for disposal.

OHIO

Akron: Consolidate the contract administration offices of Navy and Air Force.

Cincinnati: Consolidate the contract administration offices of Army, Navy, and Air Force.

Cleveland: Consolidate the contract administration offices of Army, Navy, and Air Force.

Columbus: Establish a new DSA data system field office in Columbus.

OKLAHOMA

Muskogee: The high energy fuel plant at Muskogee, Okla. will be declared excess and reported to GSA for disposal by July 1964.

OREGON

Clatskanie: Beaver Army terminal will be declared excess and reported to GSA by July 1965 for disposal.

PENNSYLVANIA

Philadelphia: Consolidate the contract administration offices of Army, Navy, Air Force, and DSA.

Pittsburgh: Consolidate the contract administration offices of Army, Navy, and Air Force.

SOUTH DAKOTA

Igloo: The Army Black Hills Ammunition Depot will be declared excess and reported to GSA by June 1967 for disposal.

TEXAS

El Paso: Consolidate the contract administration offices of Army, Navy, and Air Force. Inactivate 431st Air Refueling Squadron at Biggs AFB in June 1965.

UTAH

Salt Lake City: Consolidate the contract administration offices of Army and Navy.

VIRGINIA

Norfolk: The seadrome, Naval Air Station, Norfolk will be inactivated by January 1965.

WASHINGTON

Bremerton: Part of Navy East Park Housing Annex will be declared excess and reported to GSA for disposal by September 1964.

Lynnwood: The U.S. Army Northwest Relay Station at the Lynnwood and Silver Lake sites will be relocated to the Spokane SAGE Control Center and Yakima Firing Center, Wash., by December 1966.

Seattle: Relocate all activities from the premises of the Seattle Army Terminal to permit full closing of this facility.

Seattle: Fort Lawton operations will be phased out, with the X Corps Headquarters relocating to Fort Lewis and other tenants to naval activities in the Seattle area.

Seattle: Consolidate the contract administration offices of Army, Navy, and Air Force.

Tacoma: The U.S. Army Tacoma storage site will be declared excess and reported to GSA for disposal by January 1965.

WISCONSIN

Milwaukee: Consolidate the contract administration offices of Navy and Air Force.

APPENDIX B

MAJOR MILITARY PROCUREMENT PROGRAMS NOT FUNDED AFTER FISCAL YEAR 1963[1]

F-105 aircraft, major suppliers: Republic Aviation Corp., Farmingdale, N.Y.; United Aircraft Corp. (Pratt & Whitney Division), East Hartford, Conn.; Collins Radio Co., Cedar Rapids, Iowa; North American Aviation, Inc. (Autonetics Division), Downey, Calif.; General Electric Co., Burlington, Vt.; General Electric Co., Johnson City, N.Y.; Laboratory for Electronics, Boston, Mass.

Falcon (GAR 2B/11) missiles, major suppliers: Hughes Aircraft Co., Tucson, Ariz.; Thiokol Chemical Corp., Elkton, Md.; the Eagle-Picher Co., Joplin, Mo.

MAJOR MILITARY PROCUREMENT PROGRAMS NOT FUNDED BEYOND THE FIRST 6 MONTHS OF FISCAL 1964

Dyna-Soar (R. & D.), major suppliers: the Boeing Co. (Aerospace Division), Seattle, Wash.; RCA, Camden, N.J.; Minneapolis-Honeywell Regulator Co., St. Petersburg, Fla.

OH-13/23 helicopter, major suppliers: Hiller Aircraft Corp., Palo Alto, Calif.; Bell Helicopter Co., Fort Worth, Tex.; Indiana Gear Works, Indianapolis, Ind.; Parsons Corp., Traverse City, Mich.; United Aircraft Corp. (Ham-Stand Division), Windsor Locks, Conn.

OV-1 aircraft, major suppliers: Grumman Aircraft & Engineering Co., Bethpage, L.I., N.Y.; Bendix Corp., Eatontown, N.J.; Chandler Evans Corp., West Hartford, Conn.; Collins Radio Co., Cedar Rapids, Iowa; Motorola, Inc., Scottsdale, Ariz.; Ryan Aeronautical Co. (Electronics Division), San Diego, Calif.; Sperry Rand Corp., Phoenix, Ariz.; United Aircraft Corp. (Hamilton Standard Division), Windsor Locks, Conn.

A4E aircraft, major suppliers: Douglas Aircraft Co., Inc., Long Beach, Calif.; United Aircraft Corp. (Pratt & Whitney Division), East Hartford, Conn.; Bendix Corp., Teterboro, N.J.; Lear-Siegler, Inc., Grand Rapids, Mich.; Ryan Aeronautical Co. (Electronics Division), San Diego, Calif.; AiResearch Corp. (Garrett), Phoenix, Ariz.; Melpar, Inc., Falls Church, Va.; Kollsman Instrument, Elmhurst, L.I., N.Y.; United Aircraft (Ham-Stand), Windsor Locks, Conn.; Genisco, Inc., Los Angeles, Calif.

RA-5C aircraft, major suppliers: North American, Columbus, Ohio; Solar Aircraft, San Diego, Calif.; Collins Radio Corp., Cedar Rapids, Iowa; Bendix Corp., South Bend, Ind.; North American (Autonetics Division), Downey, Calif.; General Dynamics (Electronics Division), San Diego, Calif.; Garrett Corp. (AiResearch Division), Los Angeles, Calif.; General Electric Co., West Lynn, Mass.; General Precision, Inc. (Kearfott Division) Little Falls, N.J.; Westinghouse Electric Corp., Glen Burnie, Md.

KC/RC-135 aircraft, major suppliers: the Boeing Co. (Transport Division), Renton, Wash.; United Aircraft Corp. (Pratt & Whitney Division), East Hartford, Conn.; Northrop Corp. (Norair division), Hawthorne, Calif.; Rohr Aircraft Corp., Riverside, Calif.; Ryan Aeronautical Co., San Diego, Calif.; Twin Industries, Inc., Buffalo, N.Y.

Hawk missile, major suppliers: Raytheon Co., Lexington and Andover, Mass.; Raytheon Co., Bristol, Tenn; Aerojet-General Corp., Sacramento, Calif.; Intercontinental Manufacturing Co., Garland, Tex.; Northrop Corp. (Nortronics Division), Anaheim, Calif.; RCA, Camden, N.J.; Bendix Corp., Teterboro, N.J.; Goodyear Aircraft, Inc., Akron, Ohio; FMC Corp., San Jose, Calif.

Nike-Hercules missile, major suppliers: Western Electric Co., New York and North Carolina; Douglas Aircraft Co., Inc., Charlotte, N.C.; Intercontinental Manufacturing Co., Garland, Tex.; Thiokol Chemical Corp., Marshall, Tex.; Hercules Powder Co., Radford, Va.; General Electric Co., Syracuse, N.Y.; Continental Can Co., Inc., Chicago, Ill.; Aerojet-General Corp., Azusa, Calif.; Elgin National Watch Co., Lincoln, Nebr.; FMC Corp., Lakeland Fla.; Consolidated Welding & Engineering Co., Chicago, Ill.

APPENDIX C

RECENT AND PENDING LAYOFFS IN 19 MAJOR DEFENSE FIRMS (AS PREPARED BY PROF. SEYMOUR MELMAN OF COLUMBIA UNIVERSITY)

(NOTE.—These data were assembled from managements, trade unions, and employees of the firms.)

New York metropolitan region:	
Arma Division:	
1963 to date layoff of production workers	690
1963 to date layoff of engineers and technicians	825
1963 to date layoff of clerical and administrative workers	200
Sperry Gyroscope:	
1963 to date layoff of production workers	1,000
1963 to date layoff of engineers and technicians	550
1963 to date layoff of clerical and administrative workers	200
Reeves Instrument	360
Republic Aviation:	
1963 to date layoff of workers	3,700
Scheduled layoff (few engineers involved)	6,000
Ford Instrument: 1963 to date layoff of production workers	430
New Jersey:	
RCA (Camden and Morristown):	
1963 to date layoff of production and maintenance	3,700
1963 to date layoff of engineers	800
1963 to date layoff of technicians	450
ITT:	
1963 to date layoff of production and maintenance	300
1963 to date layoff of engineers and technicians	280
1963 to date layoff of salaried employees	220
Bendix Aviation (Teterborough)	500
Bendix Aviation (Red Bank):	
1963 to date layoff of production and maintenance	400
1963 to date layoff of white-collar workers	400
Bendix Aviation (Homedale):	
1963 to date layoff	100
Curtiss-Wright (Teterborough):	
1963 to date layoff of production and maintenance	2,000
1963 to date layoff of salaried personnel	400
ITT (data and information systems):	
1963 to date layoff (mostly professional staff)	500
General precision:	
1963 to date layoff of engineers	60
1963 to date layoff of production workers	170
Impending layoff of production workers	180
Massachusetts:	
Avco (Lawrence, Lowell, and Wilmington):	
1963 to date layoff of engineers and scientists (projected layoff now pending 2,500)	270
Mitre: 1964 layoff	150
Raytheon: 1963 to date layoff	8,000

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[1] Maintenance and modification programs may continue to be funded after fiscal year 1963.

California:	
Aerojet (Sacramento):	
1963 to date layoff	2,000
Pending layoff	3,000
Aerojet (Azusa):	
1963 to date layoff	800
Pending layoff	1,200
Douglas (projected layoff now pending, 3,750)	------
Lockheed:	
1963 to date layoff of engineers and scientists	1,100
Pending layoff (not including 700 to be transferred to Sunnyvale	1,500
Systems Development Corp.: pending layoff	1,000
Colorado:	
Martin (Denver): As of Mar. 8 layoff of employees	2,800
Washington: Boeing:	
1963 to date layoff of employees (continued reduction in employment through 1964)	14,600
Total	67,085

Mr. ROBERTSON. Mr. President, I ask unanimous consent that I may yield to the Senator from New Jersey [Mr. WILLIAMS] without my losing my right to the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FINANCIAL DISCLOSURE BY SENATOR HARRISON WILLIAMS AND HIS STAFF

Mr. WILLIAMS of New Jersey. Mr. President, the ultimate judge of the integrity of an elected official is—and ought to be—his constituency. The people must decide whether their representative—be he rich or poor—is worthy of public trust. Over the years the American people have erred on occasion, but by and large their judgment has been sound. No finer system than ours has ever been devised to hold those who legislate accountable to the people for whom they legislate.

In recent years, as the range of matters with which a Member of Congress is concerned has broadened to take in so much of our national and economic life, there has been a growing consensus that the public has the right to know what bearing, if any, the private financial interests of a legislator may have on his conduct of the public's business. Most recently, public attention has been drawn to the financial activities of a former Senate employee. This in turn has led to the demand that both Senators and Senate employees be required to disclose their financial interests.

Mr. President, there is nothing more essential in this democracy than public faith in the integrity of the National Legislature. My concern in this regard has been evidenced in my support of the original resolution authorizing the Rules Committee's investigation of the Baker affair and—only 2 weeks ago—in my support of a resolution which would have removed all doubt about the intended scope of that inquiry.

I believe that financial disclosure is a reasonable and desirable step in the public interest. I am therefore filing today with the Secretary of the Senate—where it will be available for public examination—a full, complete, and detailed description of my financial situation. I also ask unanimous consent, Mr. President, that my financial statement be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WILLIAMS of New Jersey. This statement reflects my conviction that a meaningful disclosure of interests necessarily entails a dollars and cents evaluation of one's financial holdings. Stock ownership, for example, is only meaningful in this context when the extent of ownership is stated.

I would remind my colleagues that it was the conduct of a former employee of this body, and not that of a Senator, that gave rise to the current investigation. Many staff personnel, representing as they do an extension of Senators themselves, are in a position to exercise varying degrees of influence in the legislative branch. I believe, therefore, that it is imperative that public trust repose not only in Senators but in the men and women whom they employ to assist them. Although this has been pointed out innumerable times in the past, no one, to my knowledge, has yet acted upon it.

Pending Senate bills would require disclosure for Senate employees only at salary levels of $10,000 or $15,000. This dividing line would seem to fall short of its intended purpose. I have given considerable thought to this problem, and it is my judgment that $7,500 represents a far more realistic cutoff point if we are to reach all professional staff personnel whose responsibilities are of sufficient importance to endow them with a significant measure of influence.

Mr. President, the three members of my staff whose salaries exceed $7,500 per annum have submitted to me comprehensive and detailed statements of their financial interests. I am today filing their statements, along with my own, with the Secretary of the Senate.

In conclusion, Mr. President, I think it worth noting that there are already several approaches to disclosure in evidence in the Senate.

Certainly, in meeting the public trust, it would seem most effective if one clear set of guidelines could be established.

My financial statement—and those of my staff—represent, of course, what I judge to be a proper approach to disclosure.

If we pride ourselves on the strict standards we impose on high officers in the executive branch of the Government, then, I believe, we in the Senate can settle for no less in promulgating our own code of ethics.

There is a continuing need for the Senate to demonstrate that its house is in order. To this end I have disclosed my personal holdings and those of my staff whose salaries exceed $7,500.

EXHIBIT 1

MAY 25, 1964.

Hon. FELTON M. JOHNSTON,
Secretary of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. JOHNSTON: I am furnishing herein a complete statement of my financial interests as of May 20, 1964, which is to be retained in your files and which may be made available to the general public.

My present stockholdings are:

American Telephone & Telegraph, 6 shares, current market value	$840.00
Annual dividend (1963)	21.60
Behlen Manufacturing Co., 50 shares, current market value	431.25
Annual dividend (1963)	40.00

My wife and I own the following real estate:

Residence:	
231 Elizabeth Ave., Westfield, N.J., purchase price (1955)	$24,000.00
Tax evaluation (40 percent of fair market value)	26,800.00
Mortgage balance—Westfield Savings & Loan Association	14,604.03
Summer home:	
Tamworth, N.H., purchase price (1959)	12,900.00
Fair market value	13,000.00
Mortgage balance—New Hampshire Savings & Loan	6,785.36

I estimate the value of my tangible personal property as follows:

Household furnishings	$2,500.00
3 automobiles (1964, 1961, and 1929 models)	3,500.00
Miscellaneous	750.00
Total	6,750.00

My life insurance policies and retirement credits are as follows:

Federal employees group life insurance	$20,000.00
Civil service retirement fund credit (deductions from Jan. 3, 1959, to May 31, 1934)	9,131.57
Mutual of New York, permanent whole life	45,000.00
Cash value	4,515.00
(Dividend account)	745.67
Mutual of New York, term insurance	15,000.00
National service insurance, term insurance	10,000.00

My wife and I have the following savings and checking accounts:

Checking account, National Savings & Trust, Washington, D.C	$1,575.00
Checking account, Bank of Commerce, Washington, D.C	44.00
Savings account, Westfield Federal Savings & Loan, Westfield, N.J	7,023.64
Savings account, New Hampshire Savings Bank, Concord, N.H	1,034.79
Total	9,677.43

My assets also include accounts receivable (primarily legal fees) of approximately $3,200. My obligation, in addition to the mortgages noted above, is a personal loan of $3,000.

In addition to my Senate salary of $22,500 and the dividend income noted above, I received income during 1963 in the following amounts:

Lecture fees	$500.00
Legal fees	13,322.95

These legal fees were received for services rendered to New Jersey clients; none of the services rendered related to matters involved in congressional legislation nor to matters pending before Federal courts, agencies, or commissions.

Savings accounts and U.S. savings bonds held by my five children do not exceed $2,500.

I estimate that during 1963 my nonreimbursed expenses, incurred in connection with the performance of official duties as a U.S. Senator, amounted to $7,245.50.

My income and expenditures to date in 1964 are comparable in amount and nature to the foregoing.

To the best of my knowledge, the above listings constitute a full disclosure of my financial status as of May 20, 1964.

Sincerely,

HARRISON A. WILLIAMS, Jr.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. LONG of Louisiana. Why is the Senator leaving out income which does not equal $7,500 a year?

Mr. WILLIAMS of New Jersey. At some point it is necessary to draw the line. The suggestion has been made that the line be drawn with reference to $15,000 and with reference to $10,000. I will not be popular for saying it, but it seemed to me that $7,500 would separate the professional people from the secretarial people. The professional people are our extra arm in working directly with our constituents.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. ROBERTSON. Mr. President, the framers of the Constitution intended that we should have a government of three branches, separate and coequal. It was intended that the executive branch should execute the law, that the judicial branch should enforce the laws, and that the legislative branch should enact the laws.

Mr. President, in recent years there seems to have started a contest among all three of the branches as to which shall have superiority and which should go the furthest in destroying the kind of government it was intended we should have; namely, a government of strictly limited and delegated powers, with all other powers reserved to the States and to the people thereof.

Last year, the President, without any legal authority, in my opinion, issued a nondiscrimination housing order. Of course, it is to be confirmed by Congress. We saw him setting up an FEPC establishment which would apply to Government contracts, equally without any authority. That again is to be confirmed by Congress.

The Supreme Court has not been lacking in its contribution to the program of killing States rights.

It took a tremendous step forward in 1954 when it held that the 14th amendment applied to education. Everyone who knows anything about history knows that those who framed the 14th amendment did not have any idea that it would apply to education. The Congress that proposed the amendment operated segregated schools for years in the District of Columbia. There was no reference in any ratifying convention that it applied to education. Yet after the Supreme Court had held, in Plessy against Ferguson, that separate-but-equal schools were not in violation of the 14th amendment, and after decisions had come down from cases in the State of Massachusetts, the Supreme Court reversed all of its previous decisions—and I say thereby wrote law—by holding that the 14th amendment applied to school segregation.

The Court drove another nail into the coffin of States rights today, when it held that a district court had the power to compel a county to operate schools and to appropriate money for that school's operation.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LONG of Louisiana. Is it not true that both the judiciary and the executive have been usurping the powers that belong in the legislative branch; in other words, is it not correct to say that the executive authorities, without any authority by Congress have been issuing executive orders telling people what they had to do with regard to housing, what they had to do in various and sundry situations, what they had to do with regard to contracts, and what they had to do with regard to whom they could hire, and that the judiciary had also been usurping the lawmaking function, which is reserved to Congress under the Constitution, by writing new laws, saying that the law is anything but what it is, thereby usurping the lawmaking function, as well.

I ask the Senator this question, If Congress does not assert itself and, more or less, slap the wrists of both the executive and the judiciary in that regard, what function will be left for Congress?

Mr. ROBERTSON. I agree that Congress should do all of that; but, in addition, Congress should slap its own wrist and put a little more restraint on its own actions.

I shall shortly discuss a proposal which I believe Congress has no authority to pass. Certainly it would do violence to the fundamental theory of States rights.

The Supreme Court has construed the 14th amendment, the due process of law amendment, to mean that it can strike down any State law of which it disapproves. It never was intended that the Supreme Court should have that power.

As the Senator says, Presidents issue orders. One of them was reversed by the Supreme Court when he seized the steel mills, but many Presidents have not been reversed for assuming powers that were not delegated to the President.

Still, Congress has allowed the Supreme Court to usurp its functions when the Constitution provides but two jurisdictions for the Supreme Court. One instance is when a treaty is involved; the other is when there is litigation between the States.

But now the Supreme Court has moved into a new field. There is pending before the Senate a civil rights bill that is without any support in the Constitution. Yet Congress is moving in to tell the States what they must do; and on top of that the Supreme Court, not to be outdone, has handed down a decision today to the effect that it can tell a county that it must levy a tax, that it can tell a county it must operate a school.

I expected the Supreme Court to strike down the provision for tuition grants, because that was an extension of the decision in the case of Brown against Board of Education. I did not approve of that decision; but when the Court struck down the provision for tuition grants, it was acting in keeping with that decision. However, the Court has gone further than that. Thank goodness, two Justices dissented.

The Supreme Court has now taken the position that it can tell a Virginia county—and if it can tell a Virginia County, it can tell a county in Utah or in Illinois or anywhere else—that it will have to levy a tax. Suppose 40 cents a $100 is required to operate a school, but the county does not levy more than 20 cents a $100. The Supreme Court can tell the county it has not levied enough. It can tell the county how much tax it must levy.

Suppose a school board said it would assign white teachers to a colored school. The Supreme Court could say, "No; you must supply colored teachers."

Incidentally, when the first Farmville, Prince Edward County, case was decided, Virginia was employing more colored teachers in its public schools than the total number of teachers who were employed in all segregated schools combined.

Mr. President, think what this precedent means. If the Supreme Court can tell a school board it must levy a tax, it can tell it how much the tax must be. If it can tell a State that it must operate a school, it can tell it who is to teach in that school.

Suppose $4,800 is the salary required to obtain teachers having college certificates, and the board offers only $2,500. Cannot the Supreme Court say, "Although you have opened a public school, it is a second-class public school; you must operate a first-class public school"? Then the Supreme Court will tell the State authorities the amount it must pay its teachers.

Suppose someone should say, "We have no gymnasium in our school"; or, "Our school is not air conditioned"; or there is some other complaint. The Supreme Court could then say, "Your buildings are old, horse-and-buggy-day buildings. We cannot have these fine young people occupying them when the weather becomes warm, without providing air conditioning for them."

Mr. President, I say there is a general trend in the courts and in Congress to kill States rights. I call that taking us down the road to dictatorship.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question at that point?

Mr. ROBERTSON. I yield.

Mr. LONG of Louisiana. When the Supreme Court, perhaps with the assistance of the Executive and perhaps with the assistance of Congress, undertakes to destroy State government and States rights, is it not thereby destroying government of the people and by the people, as we have come to know it?

Mr. ROBERTSON. Of course they are. No nation that has given up its personal liberties has ever been able to restore its former government. When a country goes into the hands of a dictator, all liberty goes. Dictators do not need a supreme court. Dictators do not need parliaments, except the one party, "da, da," or whatever they call it in Russia. There is only one party, and it is told how to vote. There is no free debate and no freedom of choice.

TRUTH-IN-LENDING BILL

Mr. President, what we see happening is a trend.

Ordinarily, I would not speak of a bill that is pending before the Committee on Banking and Currency before it was actually placed on the calendar. But something happened on Friday that makes me feel that a little comment about that bill is entirely in order. The bill has become quite well advertised, both by its number, S. 750, and by its nom de plume, or whatever writers would call it, the truth-in-lending bill. That bill is another evidence of the fact that we do not think the States know how to govern themselves. Every State has the power not only to fix the legal rate of interest, but to declare what the lender must tell the borrower about the rate of interest or the amount of interest in dollars.

Such a bill has been pending before Congress for more than 4 years. It was supposed to be a model in that respect. Yet no State has copied it. Most States have laws to regulate interest charges, and some have laws on the subject of disclosure.

A companion bill has been pending all this time in the House, but not 1 day of testimony has been heard on it.

The Senate bill was referred to a subcommittee of the Committee on Banking and Currency, of which the patron of the bill was the chairman. It was his subcommittee. The bill remained before that committee—his committee—for 4 years. It did not come out of that committee until the Senate became involved in another bill which the President said must have priority. He said everything else must stand back of the civil rights bill.

First, the President said he would give the civil rights bill priority over taxes; then he decided it would be better to give the tax bill priority and let the $800 million a year tax saving be poured into the commercial stream. So the distinguished Senator from Louisiana [Mr. LONG] reported a bill to reduce taxes. The chairman of the Committee on Finance [Mr. BYRD of Virginia] did not wish to handle the tax bill and did not care to vote for it; so the Senator from Louisiana reported the bill. He did a splendid job in explaining it, and Congress passed it. When Congress passed the tax bill, we were informed that the Chief Executive had said that the next priority was the civil rights bill.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DOUGLAS. I merely wished to correct one statement the Senator from Virginia made. He stated that the truth-in-lending bill had not been reported from the subcommittee. If he will examine the records of his committee, he will find that on April 28, 1960, a motion to report the truth-in-lending bill to the full committee was adopted by a rollcall vote of 4 to 3, Senators FULBRIGHT, DOUGLAS, CLARK, and PROXMIRE voting to report the bill; Senators BENNETT, CAPEHART, and BUSH voting against reporting it.

So it was reported in 1960, and it was again reported 2 months ago.

Mr. ROBERTSON. I have been speaking about this Congress.

Mr. DOUGLAS. The Senator from Virginia said the bill was before the subcommittee for 4 years and was not reported.

Mr. ROBERTSON. The bill and its predecessors have been before the committee for 4 years. A previous subcommittee did report an earlier bill, but it was not acted on by the full committee; and now it is before this subcommittee.

That was a slight technical error, and I stand corrected. I want to be technically correct in everything I say about this matter.

This is another step on the part of the Congress to tell the banks, the savings and loan associations, the automobile dealers, and everyone who sells a washing machine, a refrigerator, a bedstead, or anything else, on time, "You must handle it this way. We know better than you do about what you should disclose to your customers, and therefore we are going to impose this model law, that has been before us for 4 years."

I am sure that statement will not be contested; and it has been before the House committee the same length of time, although there has not been 1 day of testimony before the House committee, whereas on our side, our committee has taken over 4,000 pages of testimony.

As I said earlier today, Saturday was a red-letter day in my little hometown of Lexington—a college town. Washington and Lee University has a thousand students, and VMI has a thousand cadets. Many colleges have a student body five times that number. But Washington and Lee University and VMI are famous for the outstanding accomplishments of their graduates. Their emphasis has been, and is, on quality, rather than quantity.

On Saturday, the President of the United States spoke there. A former President of the United States also spoke there. Another famous person who was there was General Bradley, the commander of our armies in World War II. He commanded more troops than Xerxes commanded; Xerxes had a million men under his command, but I think General Bradley had more than a million men under his command in World War II.

I forget whether it was General Marshall or General Eisenhower who said it; but one of them told me he considered General Bradley the greatest field commander this Nation has ever produced.

As I say, General Bradley was there. He is chairman of a foundation to build a memorial to a great VMI graduate, a great patriot, the Chief of Staff in World War II, a Secretary of Defense, and a Secretary of State—General George Catlett Marshall.

So I had to leave the Senate rather early on Friday, to get there, to meet some of my friends who were coming, and to be there by 10 o'clock, fast time, the next morning.

The President was gracious enough to invite me to go with him; but he was going by plane to Roanoke, and then by helicopter, and he was not going to get to Lexington until 11:30 a.m. That was too late for me; so on Friday, I had to dash off.

On Friday, while I was on my way there, the statement to which I have referred was put into the CONGRESSIONAL RECORD. I could not see it until I returned here from Lexington.

I ask Senators to listen to that statement, in which the Senator from Illinois complained that I had not pushed hard enough to bring this new invasion of States rights to a vote. This is what the patron of the bill said on this floor Friday, knowing full well that, partly through his help, we were "under the gun" in a way in which we have not previously been. It is not an easy task to make two or three speeches a week, for 2 or 3 hours each time, and to say anything worth hearing. I challenge those who call this a filibuster—we call it trying to educate the public—to examine the speeches we have made and to say whether they were germane and whether we were trying to explain what is in the bill and whether we were trying to keep Congress from carrying us further down the road to dictatorship. That was not an easy task; and we were in session between 10 hours a day and 12 hours a day. Sometimes the Senate met at 10 a.m., and at times the session continued to midnight—14 hours a day. Not many Members can hold this floor in the way that our distinguished friend, the Senator from Louisiana [Mr. LONG] can. His father had one of the great records for holding the floor here.

I wish to say that when it comes to holding this floor, the father of the Senator from Louisiana was tops; but the present Senator from Louisiana himself is no slouch, and we commend him on both his felicity of expression and his endurance.

Mr. LONG of Louisiana. Madam President, will the Senator from Virginia yield?

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Does the Senator from Virginia yield to the Senator from Louisiana?

Mr. ROBERTSON. I yield.

Mr. LONG of Louisiana. Is the Senator from Virginia familiar with the late Senator George Malone's definition of a filibuster; namely, a long speech with which you do not agree—whereas, if you agree with it, it is profound debate?

Mr. ROBERTSON. Yes, indeed. [Laughter.]

Madam President, I return to my reference to the celebration at VMI: while I was there, the Senator from Illinois [Mr. DOUGLAS] said, in speaking in this chamber:

> It is the question of whether the chairmen of the various committees are to be czars over the committees, whether they are to have unrestricted power to decide when the committees will meet, and to prevent the committees from meeting, for long periods of time, and whether they will have power to refuse to permit certain matters to come before the committees, or whether they, too, are under a rule of law.

And he said:

> If we are to have a dictatorship in the Senate—which I am afraid we have—that is one thing. But I believe that is not what the country expects of the Senate, and I do not think that comports with the principles of fairplay.

I do not know whether that called me a czar or a dictator, or called me both. But I just want to deny the soft impeachment of being either. I have tried to be scrupulously fair to all members of the Banking and Currency Committee.

Bear in mind, Madam President, that although the distinguished Senator from Illinois thinks this bill is one of the best pieces of proposed legislation the Senate has ever had an opportunity to consider, some members of our committee are as bitterly opposed to it as he is in favor of it. I had to take them into consideration, in calling meetings and in deciding on what we were to do. But I went out of my way, Madam President, to accommodate the distinguished Senator from Illinois.

When the Senator from Arkansas [Mr FULBRIGHT] was chairman of the committee, he permitted the Senator from Illinois to name an economist, who did a great deal of work as economist for the Senator from Illinois. He went to the Treasury Department. Then the Senator from Illinois asked me for the privilege—and I granted it to him—of picking out his own economist. Then he got another very fine young man. I like him, and I think he has a great future; and he is with us now.

He had been working on the bill. He wanted to improve his educational background and perhaps get a Ph. D. degree. I do not know. He wished to go to school for 6 months and then come back. It was not too bad a job at $17,200. It was a little better than those college fellows usually get. But the man was worth it.

I said, "Sure, let him go to school. Let him come back, and we will take him back at his old job. Let him improve himself. I hope that he gets a Ph. D."

That was one effort we made to cooperate.

I wish to point out another thing. Never since I have been chairman of the committee have we ever paid for witnesses to come and testify. The patron of the bill to whom we are referring said, "There are some college professors whose testimony I must have."

I said, "Why don't you let them come?"

The Senator from Illinois said, "They cannot possibly pay their way."

I said, "Why cannot they mail their statements in?"

He said, "We must have them present in person and let Senators cross-examine them."

So in a moment of weakness I yielded.

I said, "All right. Invite those professors to come and we will pay their way."

Well, they came and we paid their way. The expense amounted to quite a large sum. We paid for the transcript of their testimony. We paid to print the transcript. Then what became of the testimony? With all due deference, I will tell the Senate what became of it. One thousand copies of the transcript, including the testimony of those professors, were given to the distinguished Senator from Illinois to use in 1960 when he was campaigning for reelection. That is what became of that testimony. I was generous with him. I said, "You may have a thousand copies." I knew that no one else would read it, and so I let the copies go out to Illinois, if it would do the Senator any good. I wished to see him reelected, so I let him have the copies. That was cooperation.

Mr. DOUGLAS. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DOUGLAS. Is it not true that I personally paid the expenses of one of the witnesses, and I believe the Senator from Utah paid the expenses of one of the witnesses as well?

Mr. ROBERTSON. That must have been afterward, because I have the record of the witnesses whose expenses the committee paid. The committee paid for the witnesses $733.60. That was the first and only time that it did so. What became of the testimony?

As I said this morning when some of the braintrusters would write a tax bill, Harold Knutson used to say in the Ways and Means Committee, "Well, they have never met a payroll. The fine professors know all the theories, but they have never met a payroll."

Those witnesses attempted to state what should be put on a credit slip, although they may never have bought a washing machine. I approved a voucher for $733 to pay their expenses in order to enable them to come and testify. Their testimony was included in the record, but who read it? I ask Senators, Who read the testimony? Yet I am told that I am a czar, a dictator, or a little of both.

Not content with the witnesses who appeared to testify, the Senator said, "We must have hearings in other cities and other communities."

Never since I have been chairman of the committee—in fact, in the 18 or 19 years that I have been a member of the committee—has any subcommittee traveled to other cities. We did send some investigators out to Chicago when some bank ran into difficulties. But I am not sure whether any hearings were held out there.

I said, "We will let the committee vote on the question."

The committee voted to let the Senator conduct the hearings in various places.

Back in 1960, as I said, we paid $733.60 for travel; we paid $1,160.11 for reporting; we paid a total of $1,972.39 for the imported testimony of the professors who had never met a payroll, but who intended to tell all of our financial institutions how they should operate.

Then we went ahead and conducted out-of-State hearings. There were expenses for traveling, reporting, and printing of the hearings held in the field. The charges were as follows: New York reporting, $638; Pittsburgh, $390; Louisville, $387; Boston, $170; Boston, $273; travel to New York, $565; Pittsburgh, $490; Louisville, $447; Boston, $617; Boston, $523.

The total amount authorized for field hearings was $4,700; the total expenditures for field hearings were $4,504.02, leaving a balance of $195.98, and that amount does not include what it cost to print the hearings.

Mr. DOUGLAS. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DOUGLAS. Will the Senator tell me of any subcommittee which has ever held hearings in four cities on five different occasions for less money than that, including the expenses of the members of the committee, members of the staff, and including reporting expense and the rest of the expenses? I believe it was a very economical hearing.

Mr. ROBERTSON. That may be, but that was my first and only experience in such a venture. I did not believe it was at all worth while to go out to those various cities. Hearings were conducted off and on for a period of 4 years. We have accumulated a total of $89,619.51 of expense in our consideration of the bill. Think of it. Never in the history of the Banking and Currency Committee, as far as I know, has the committee spent that much on any one bill.

Mr. DOUGLAS. Madam President, will the Senator submit an itemized list of the alleged total?

Mr. ROBERTSON. These figures were given to me by the staff. I will ask the staff to supplement the total.

Mr. DOUGLAS. May I ask what part of the total included the expenditure for the comparative survey of State laws? How much did that amount to?

Mr. ROBERTSON. It was $9,257.25.

Mr. DOUGLAS. In that connection I wish to point out that the Senator's own staff made a miscalculation. They informed me that the cost would be several hundred dollars. I said that the project would be worth while, but I found that the Senator's own staff—not mine—had made an egregious miscalculation. The total was approximately $10,000, and that amount did not include the printing cost. When I found that out, I said that it was not necessary to have the transcript printed. So charge not that item to me. Charge that item to the Senator's own retinue.

Mr. ROBERTSON. I certainly will charge it to the Senator, for the Senator from Illinois is the one who demanded it.

The Senator from Utah [Mr. BENNETT] is present. In a thoughtless moment he made some kind of commitment that the survey could be printed, and the Senator presented to me a demand backed up by him. We had a copy of the survey in our office and another copy somewhere else, which no one would read. No one would read either copy, but the Senator desired the survey to be printed, and he demanded that it be printed.

I yield to the Senator from Utah on that question.

Mr. BENNETT. The Senator from Illinois is correct. We both assumed that we were dealing with a much smaller figure. But I point out to my friend from Virginia that if the $10,000 is deducted from the total figure, there still remains a pretty substantial figure.

Mr. ROBERTSON. Absolutely. But I did not wish to spend any of that amount. Is that not correct? Did I not object to printing the survey no matter what the cost?

Mr. DOUGLAS. The Senator would not have spent a cent on any of the investigation if his position had prevailed.

Mr. ROBERTSON. We should spend whatever was necessary, but a survey of State laws was involved which another agency had prepared. They had it in their office. No one cared about it. The agency sent us a copy and no one cared to see it. Still it had to be reprinted, and I discovered that an agreement in the subcommittee had been made to print it.

Then I obtained an incorrect estimate. When I found it was going to cost $30,000 or $40,000, I said, "It has gone too far. I am not going to have it printed." So the work was stopped. But by that time $9,200 had been spent.

Mr. BENNETT. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. BENNETT. When the problem first arose in the committee, the Senator from Utah assumed we were going to have a comparatively short, simple statement about various laws. But somewhere along the line, someone was encouraged to develop an encyclopedia on State laws. The Senator from Utah was greatly surprised at the scope of the work that was done when, as a result of a casual comment in the hearing I assumed we were going to have a little brochure, with a simple analysis of the basic State laws, we suddenly found ourselves with an encyclopedia.

Mr. ROBERTSON. The Senator from Virginia would like to keep the RECORD straight. I received a request from the Senator from Illinois to print this summary. I said, "Who authorized it?" He said it was concurred in by the ranking Republican member of the subcommittee. It was not the Senator from Illinois who said it would only cost a few thousand dollars. I asked, "What will it cost?"

I did not want to print it if it cost only 5 cents. I did not think it was that good. But we received an erroneous estimate of a few hundred dollars when in fact the total job would cost $30,000 or $40,000—I forget what the total cost would have been. But that is when I blew up and would not go any further.

Mr. DOUGLAS. Was the Senator from Illinois the one who gave the erroneous estimate?

Mr. ROBERTSON. Absolutely not. He was going to print it regardless of the estimate.

Mr. DOUGLAS. Not at all.

Mr. ROBERTSON. So far as I know, he was. Anyway, he asked that it be printed; and we received an erroneous estimate. We will remove that from the cut. It did not get into a finished product. That is not included in the more than 4,000 pages of testimony. We would have only $80,400 left as the cost of this bill if we were to take that item out.

Mr. DOUGLAS. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DOUGLAS. As I recall, it was a Republican member of the committee who said we could not legislate effectively unless we knew what the State laws were. This led to a request for information on State laws, later joined in by both sides of the aisle, and the estimate of the Senator's staff was only a few hundred dollars. It turned out that it was an enormous figure. I agreed to a small amount. But I did not feel that the expenditure of the large sum, which it later turned out was involved, would be justified.

Mr. ROBERTSON. Madam President, I have tried to point out, without taking up too much of the time of the Senate, that the chairman of the committee has not been a czar or a dictator. He has tried to be fair. He has given the bill more leeway than any other bill since I have been chairman, or on the committee. We have paid for witnesses. We have paid for unlimited hearings. Never have we spent as much as $80,000 on any bill.

I was surprised when on Friday afternoon I received a letter that was dated Thursday. It was sent to me by a messenger. It was received in my office at 11:45. I had been conducting hearings, and I did not get it until 12:15.

I did not have any time. I knew I had to leave for my home. I had a few minutes to do whatever I had to do, during the morning hour. I dashed over here. I called Senator HOLLAND. I said, "Senator DOUGLAS has repudiated what you told me. You told me he said we could bring up your bill and he would not ask to have his bill brought up." The Senator said: "He said he would not try to bring it up." We tried to look for the Senator. We could not find him. He was very graciously entertaining some friends or constituents—I hope it was constituents—and the Senator from Florida [Mr. HOLLAND] said he did not want to interfere with him.

I had to make my little statement. The Republicans were having an important conference on cloture, or something important, at 9:30 this morning, and they would have had to leave the committee meeting. I had to commence a 10 o'clock committee hearing. I could not handle two so-called noncontroversial bills and one of the biggest bills that has been before us at this session, and the most controversial. I had to call off a meeting and take another look at the matter. That is when I received the statements about my being a czar and a dictator and whatnot.

Mr. DOUGLAS. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DOUGLAS. I telephoned the office of the Senator from Virginia and reached his office. I notified the office of the Senator from Virginia that I intended to reply to the attack which the Senator from Virginia had previously made. The Senator from Virginia did not come. He says now that he has a perfectly valid excuse.

Mr. ROBERTSON. I said what?

Mr. DOUGLAS. The Senator said he had a perfectly valid excuse.

Mr. ROBERTSON. I received the message just before I left for home.

Mr. DOUGLAS. I received no notice from the Senator from Virginia or his staff. They admit they did not notify me. So far as the records show, my office did not receive any message from the Senator from Virginia who made his attack on me without giving me notice.

Mr. ROBERTSON. The facts are that the Senator wrote a letter on Thursday. He did not send it around until just before the morning hour on Friday. When it reached my office, the time was recorded as 11:45.

Mr. DOUGLAS. I signed it in the evening and asked to have it delivered by the inside postal delivery service that evening, not the next morning, so that there would be immediate delivery.

Mr. ROBERTSON. I have no way of knowing when I was supposed to receive it. All I know is that I had only the morning hour, 1 hour, in which to say whatever I had to say. If I canceled the meeting, I had to cancel it during that morning hour.

Mr. BENNETT. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. BENNETT. The Senator from Utah received a copy of that letter. But he did not see it until after the Senator from Virginia had made his speech. My staff does not call me to talk to me about every letter that comes in. The letter came in after the morning hour had begun.

Mr. DOUGLAS. What time did it arrive at the Senator's office?

Mr. BENNETT. I presume the letter was delivered about the same time that it was delivered to Senator ROBERTSON's office.

Mr. DOUGLAS. I signed the letter the previous evening at about 6:30 and left instructions that it be given that evening to the inside delivery service and that every effort be made to get immediate delivery to the offices of the Senators concerned.

Mr. ROBERTSON. Madam President, I had about 30 minutes within which to act. I could not find the Senator. We looked for him. Senator HOLLAND looked around for him. Senator HOLLAND finally found him in the dining room.

Mr. DOUGLAS. He did not notify me.

Mr. ROBERTSON. He did not notify the Senator. Senator HOLLAND stated this morning why he did not notify him. He did not want to take the Senator away from his constituents, whoever he was with at the time. But in any event, before I left for home, I dictated this letter to all the members of the committee. It reads:

> Dear Paul: Your letter dated May 21 which was delivered by a page to my office at 11:35 a.m., today, and did not actually reach me until 12:15 p.m., surprised me very much.
>
> When Holland approached me last week about action on his noncontroversial bill to provide a recognition of the Pensacola Naval Air Station, I told him that even though his bill was noncontroversial I could not give it priority over your bill which had been pending for a long time and, therefore, he should ask Morse if he would waive the rule against polling the committee. Holland reported that Morse was unwilling to waive that rule but he said "would you be willing to give my bill a hearing if Douglas agreed that you could call an executive session for that purpose without bringing up his bill?" and I said "yes".

Let us have that clearly understood—without bringing up the Senator's bill. I had only half an hour to act—

> and I said, "yes." Senator Holland reported to me that he had such an agreement with you, and that is the reason and the only reason I announced that the committee would meet in executive session next Monday at 9 a.m. to consider two noncontroversial bills—the Holland resolution and the McIntyre bill.
>
> When I reached the floor at 12:20 today, I showed your letter to Senator Holland and both of us tried to find you, but without avail.

Mr. DOUGLAS. I was found, but I was not notified.

Mr. ROBERTSON. The Senator from Florida did not tell me that. I said, "Try to find him."

Mr. DOUGLAS. He did find me. He tried to find me, and he found me, but he did not notify me.

Mr. ROBERTSON. "We waited until after the quorum call, and you did not appear."

Mr. DOUGLAS. I was not notified.

Mr. LONG of Louisiana. Madam President, I call for the regular order.

Mr. ROBERTSON (continuing to read from the letter):

> Therefore, before the morning hour expired, I deemed it both necessary and proper to say that I had called the meeting on the assurance of what Senator Holland had told me; but your letter repudiated that 100 percent, and that, therefore, there would be no meeting next Monday morning on the Holland resolution and McIntyre bill, nor any other meeting until we could take up your bill, which would not be until we could have time to consider the multitude of pending amendments.

Incidentally there are 35 amendments, and we do not know how many more will be offered before action is completed on the bill. Five amendments have been offered by the distinguished Senator himself.

Mr. DOUGLAS. Madam President, will the Senator from Virginia yield?

Mr. ROBERTSON. I am glad to yield.

Mr. DOUGLAS. I waited until the quorum call. The Record will show that I answered the quorum call.

Mr. ROBERTSON. I checked the Record——

Mr. DOUGLAS. I answered the quorum call, and the Record will so show.

Mr. ROBERTSON. The Senator is correct. I checked the Record today. The Senator from Illinois must have gone up to the desk and said, "Put me on," because I was in the Chamber when the quorum call started, but he evidently was not. I did not see him. I sat here for the whole of the quorum call. I did not see him. But I did see the Record today. The Senator from Illinois is correct; in some way or another he got on the list of the quorum call.

Mr. DOUGLAS. Then the Senator's letter is incorrect.

Mr. ROBERTSON. What is that?

Mr. DOUGLAS. The Senator's letter is incorrect.

Mr. ROBERTSON. My letter was based on what I knew last Friday and it was correct then, because I was present shortly after the quorum call and the Senator was not. I therefore assumed that the Senator had not answered the quorum call. The Senator must have been the first one to answer it, because I was in the Chamber at 20 minutes after 12 and I could not find the Senator. But I checked the Record today; and the Senator is correct. He did answer the quorum call. However, it appeared to me at the time that the Senator had not answered it. I apologize for that error, but we could not find the Senator.

Mr. DOUGLAS. The Senator from Florida stated that he did find me, but he did not notify me. The Record will show that.

Mr. ROBERTSON. Let the Record show that the Senator from Florida did find the Senator and he did not notify the Senator. It was not my fault. Let me finish reading this letter, and then I shall——

Mr. LONG of Louisiana. Madam President, will the Senator from Virginia yield at that point?

Mr. ROBERTSON. I yield.

Mr. LONG of Louisiana. Let me say it is possible that both Senators are correct, because when a quorum call is begun the clerk will usually put on the roll every Senator in the Chamber, even though a certain Senator may not be present at the time his name is called.

Mr. ROBERTSON. That must have been what happened, because I came into the Chamber shortly after the quorum call started and I waited, thinking that the Senator from Illinois would surely answer the quorum call and that I would then get to see him. He moved a little too fast for me. I did not get to see him.

The Senator from Florida evidently did see the Senator from Illinois, but did not notify him.

To continue reading the letter:

> As I explained on the floor today, the only reason we have an opportunity for committee meetings next week is to give me a chance to complete action on the very important Treasury-Post Office appropriations bill, which means so much to our colleague, Mike Mansfield. He faces a really tough fight and one item apparently of considerable concern in Montana is the minting of additional silver dollars on which he has been sent a petition signed by more than 11,000 voters. So, I heard witnesses of the Post Office Department today and I thought that I could devote at least a half an hour next Monday to favoring the Florida Senators whose celebration is scheduled for June 13, and then proceed with witnesses from the Treasury Department. The Republicans have a conference at 9:30 Monday morning, so the Republican members would not have been at our meeting but a short time, and it would have been a physical impossibility to discuss and vote on the amendments in the limited period that would have been available.
>
> There was nothing uncharitable at all in my reference to the fact that we could not get a quorum present at 8 or 8:30 in the morning. The Appropriations Subcommittee have been meeting with just one person present, but when we vote on your bill, a quorum is required.

Mr. DOUGLAS. Madam President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. DOUGLAS. How does the Senator from Virginia know that he could not get a quorum at 8 or 8:30? Has he ever called such a meeting at that time?

Mr. ROBERTSON. Yes. Several times I have sat in the committee room for an hour before we could obtain a quorum. That, of course, was before this so-called filibuster began. A meeting will be called for next Monday, at 8:30 a.m. We shall obtain a quorum, and then go to work on the Senator's bill and stay on it, so far as I am concerned, because I want to see it disposed of. Of course, I would rather see it laid on the table indefinitely; but in any event I want to see some action taken on it.

To finish reading the letter:

> In addition to that, your measure is the most controversial that has been before our committee in a long, long time and, therefore, cannot be disposed of in a few minutes at any one session.
>
> As I have said, I intend to cooperate with you to bring the bill before the full committee in plenty of time for action this session, at a time when the committee will have a full opportunity to consider all the amendments which have been proposed. However, it would clearly be unreasonable to review the many significant amendments proposed by the Federal Trade Commission and others, including you, without ample time for full discussion and exploration.
>
> Since you sent a copy of your letter of May 21 to all members of the Banking and Currency Committee, I am sending a copy of this reply to them.

That summarizes the unfortunate impression of the distinguished Senator from Illinois, that because I did not give him preference over every other member of the committee, because I did not run roughshod over the members of the committee who did not care for his bill, I was hostile to him personally.

I have never been hostile to him personally. I have tried to point out that during the period that I have served as chairman I have never given anyone more kindly or more favorable treatment than the Senator from Illinois. I have even gone to the point of inconveniencing myself.

We shall start the hearing at 8:30 next Monday morning. I do not wish to do it at all, but I thought, perhaps since we have a few days when the Senate will meet at 12 o'clock, the committee will have an opportunity to work on the bill, because we cannot hope to bring the bill to the floor of the Senate before action is completed on the civil rights bill.

Madam President, I had planned to go into a discussion of the civil rights bill in some little detail this afternoon, but I have taken up a great deal of time in explanation of the background, and in an effort to convince the Senator from Illinois that he has not been mistreated. I understand that the distinguished Senator from Missouri [Mr. SYMINGTON] would like me to yield to him for the purpose of making a motion.

Mr. DOUGLAS. Madam President, I do not wish to delay the Senator from Missouri, but I should like to comment on one statement made by the distinguished Senator from Virginia. So far as I know, the chairman has never called a meeting this year at which he did not obtain a quorum. We have obtained a quorum at every meeting, as a search of the records will show. I hold a sheaf of papers in my hand of the hearings and the meetings, and I find no record of not obtaining a quorum at any meeting called this year.

I believe the Senator from Virginia is too harsh on the younger members of the committee, of whom I count myself one, in saying that we would not get up at 8 o'clock. I shall be glad to come to any meeting the chairman calls, even if it is at 4 o'clock in the morning.

Mr. ROBERTSON. I am sorry. I engaged in a little pleasantry. I did not mean that they would not get up at 8 o'clock. Perhaps they would. Certainly at least half the membership would not get up at 10 o'clock to attend a meeting on this bill. That is what we are up against, Madam President.

Mr. DOUGLAS. That is a very grave charge to make against the opponents of the bill, that they would not come to a committee meeting to consider this bill. I should like to defend them. I do not believe that they would act in that fashion. In my judgment they would come, even if it meant voting against the bill. I do not believe they would engage in the sabotage of which the Senator accuses them. He is rather ungracious to his Republican allies in saying that they would not attend.

Mr. ROBERTSON. I hope the Senator will bring them to the meeting at 8 o'clock on Monday morning. That will be the best test of who is right.

I do not know half as much about the bill as I ought to know, or half as much as the Senator from Utah [Mr. BENNETT] knows about it. He has attended practically all the hearings. He has done a wonderful job. He has gone out in the field for the hearings. He has made two excellent speeches on the bill.

Madam President, I ask unanimous consent that there may be printed in the RECORD at this point a speech delivered by the Senator from Utah [Mr. BENNETT] on April 22, 1964, before the Illinois Retail Merchants Association in Chicago, Ill., and another speech delivered by the Senator from Utah before the Virginia Retail Merchants Association at Richmond, Va., on May 17, 1964.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

GOVERNMENT—FRIEND OR FOE

(By Senator WALLACE F. BENNETT)

It is always a stimulating experience for me to come back again into the atmosphere of the business world in which I worked for 30 years and talk from the point of view of Government, of which I am now a part.

Tonight I face a particularly fascinating challenge, which is to discuss S. 750—the Douglas so-called truth-in-lending bill—a specific piece of proposed legislation against the background of what is to businessmen like yourselves a great and puzzling question.

Let's talk first about the basic question, as stated in the title of my talk—is the Federal Government a friend of business or a foe?

There is no categorical "yes" or "no" answer to this question. Ours is a government of laws, but laws are conceived and administered by men, and it is the men in government who, by being friend or foe, set the image of government. Speaking particularly of individual men in government, their attitude toward business reflects their personal philosophy, their background of experience, and also, very importantly, their concept of the political advantages that they think may come from befriending business or attacking it. The whole American business structure was shaken when the late President Kennedy attacked the steel industry, but many of these same businessmen who were disturbed then have been charmed by the present courtship from the White House. Still, I leave you to decide whether you see in this any change in support of proposed laws affecting business. The fact that Senator DOUGLAS claims to have even greater support today for his so-called truth-in-lending bill is a good case in point.

Before we move on to a discussion of the specifics of the bill and its author, however, there is one more aspect of this friend-or-foe question which we should explore briefly. This involves the direct relationship between buyers and sellers—consumers and business. Are these two trading partners friends—or foes?

I am interested to discover that you had several roundtable discussions on this subject this morning, under the title "The Consumer-Retailer Partnership," which indicates that you believe these two are friends, not foes. So do I. Business cannot exist or prosper unless it demonstrates its friendship for and faith in its customers. The old theory of "let the buyer beware" exists today only in the books the theorists write and read themselves. It has been replaced, at least in the United States by marketing concepts of open shelves in the supermarket and a particularly open system of almost universal consumer credit, which is based on the finest human attribute—faith. The fact that credit volume grows every year—and 98 percent of it is repaid when due—is perhaps the most dramatic proof that this faith is not misplaced.

But sound as it is, the partnership is not perfect. There is still a tiny remnant of evildoers on both sides. Among the consumers, there are some shoplifters and bad check artists and those who get credit they never intend to pay. On the business side there are a few exploiters of shoddy merchandise, selling with extravagant promises, using hidden gimmicks. To all of these, Government is an enemy, using local laws to punish their crimes. But are all consumers stupid and ignorant—and all businessmen crooks? Obviously, the answer is no. The mutual faith to which I have referred demonstrates that the vast majority of consumers are trustworthy and the vast majority of businessmen are honest.

I'm afraid that the proponents of the bill seem to have difficulty accepting these facts. They apparently feel that consumers are good guys and businessmen are bad guys. While they might accept the idea that there are only a few dishonest consumers, they refuse to believe that there are equally few dishonest merchants. They distrust them all.

The provisions of S. 750 reflect not only this basic mistrust but also an interesting attitude toward credit itself. From his record, it is obvious that Senator DOUGLAS, an academician who relies almost entirely on theory, tends to believe that interest rates are generally too high. He votes to use controls, subsidies, and direct Government loans to try to bring these rates down. When you add this to a basic mistrust of business, a theoretical rather than practical approach, and a political conviction that consumers are to be appealed to, you have a clear basis for understanding what the Douglas bill is all about.

This bill has cost more in time and money than any other in the Senate Banking and Currency Committee's history. We have had 4 years of hearings and studies on this bill and created a record 4,400 pages long at a cost of more than $75,000.

Both Senator DOUGLAS and I have sat through every word of this process; and today we are further apart than ever. I will list several assumptions the bill makes. The bill won't work because these assumptions are essentially false, impractical, or unnecessary. Of its sponsors it can be said in the Biblical phrase, "they imagine a vain thing."

A brief look at the language of the bill itself reveals many such vain or false, imaginings. Here are a few:

1. That consumers do not use credit wisely because they are being deceived as to its true cost.

2. That businessmen engage in the deception of their customers because they can make more profits out of credit than they can out of sales.

3. That since consumers cannot use their credit wisely, under present conditions, their decisions damage the whole economy.

4. That all types of consumer credit should be interchangeable; therefore, there is only one right way to express credit changes—the way required by the Douglas bill. That manner of disclosure is truth; any other is ipso facto falsehood.

5. That to be called "truth" all credit costs (*a*) must be stated in writing in advance; and (*b*) must be stated both in total dollars and also as a simple annual rate.

6. That this pattern must be enforced on a national basis, by the Federal Government, superseding all State laws that are not identical.

7. That the principles of disclosure are so simple that the bill needs only to state them to make them largely self-enforcing. As for actual details to governing under the law, these can be worked out by some Federal agency—as yet unselected—and enforced in the Federal courts.

8. That all this confusion and agony will, in the end, benefit the consumer—and win his votes.

This evening, at the risk of not sounding as colorful as are the emotional cases used in support of this bill, I would like to discuss the fallacies of each of these assumptions in turn.

1. Are lenders and sellers deliberately deceiving consumers as to the cost of credit—and are most consumers so ignorant and stupid that they can be thus exploited?

Commercial deception, as a basic policy, disappeared in America long ago and was replaced by the concept that "The customer is always right." Since most business is repeat business, based on faith, rather than a series of one-shot "killings," no established seller or lender would risk deceit as a policy. This is the record of the hearings.

The bill's sponsors have tried to sustain their false assumption by publicity campaigns calculated to cry up a storm of popular indignation. That process is still going on—in every mass media they can persuade to cooperate—newspapers, magazines, radio and TV. Books have been written, and now White House-sponsored consumer conferences are being set up. All they have created is a gigantic apathy * * * no flood of mail, no spontaneous consumer uprisings against you credit grantors. Only silence. You still know that your customers are not stupid, and they still have faith in your honesty.

2. The second assumption is that you encourage credit sales because you make more profit on your credit charges than on your sales. No one who believes this understands merchandising or the problems of sales competition. Which produces the biggest share of your gross margin—sales or credit charges? Most if not all of your gross margin comes from sales markup. Income from credit charges usually fails to cover the added cost of credit service. In other words, credit service exists to increase sales.

You do not make sales for the purpose of creating profit in credit charges. This is illustrated by an objective study of 80 stores by Fouche, Ross, Bailey & Smart, management consultants. It was discovered in this investigation that total credit costs for all stores in the study was $6.2 million more than the $15.8 million. This means that only about 70 percent of the cost of giving credit is paid for by credit charges. The remaining 30 percent must be made up from markup on sales. Most stores that start on a cash basis—including supermarkets, discount houses, and national chains—move into credit slowly. Credit sales are in effect forced on the merchant by consumers who will go elsewhere if he doesn't satisfy their demands for this accommodation.

3. The third assumption—that ignorance of credit costs forces consumers to use their credit unwisely and that this affects the basic business cycle—is pure unsupported theory. The best authority on this is the Federal Reserve Board, responsible for managing our overall monetary system to smooth out the peaks and valleys of the cycle. They say "No" very firmly. Let me quote briefly from Chairman Martin's statement: "Finance charges on consumer installment credit, a major area that would be covered by the bill, have not shown much fluctuation in response to cyclical changes in the availability of credit during the postwar period. Also, it is hard to find evidence as to consumer responsiveness to the changes in charges that have occurred."

4. The fourth false premise is that all consumer credit is the same and is interchangeable. On this assumption rests the next one—equally false—that people will shop for credit along with merchandise and services, if all credit is expressed in the same official way. A logical extension of this idea is that people will ignore their needs and change their buying patterns, which now reflect convenience or loyalty to brands and stores, simply because they can find different things at different places at credit rates that may be a fraction of a percentage lower.

Of course, the real truth about lending is that all forms of consumer credit are not identical. Some, like mortgages, are large direct loans of money whose total credit cost is made up of interest charges. Others, like revolving charge accounts, are services in which interest is only a small part of the credit cost.

Today a person seeking a mortgage will find all mortgage credit costs quoted in the same way and thus can make an accurate credit cost comparison. The same is true if one wants to open a revolving charge account at one of two department stores, or decide which of two credit unions to join. Where comparisons have any meaning, they are easy to make. Mortgage loans are probably the cheapest form of consumer credit, but what consumer housewife would even think of trying to negotiate one of these when she wants to buy a pair of rubbers on a rainy day? The Douglas bill would force all credit grantors to adjust their system to conform to a theoretical basis for comparisons that, in practice, will never be made. Are the present methods of stating credit—each of which fits the needs of its uses—false, and the bill's formula—which no one uses—true? I think it significant that no body of credit suppliers, even those who testify in support of it, have voluntarily dropped their present pattern and adopted the one the bill would require.

The fifth assumption is the heart and focus of the bill, the ultimate expression of the imagined perfect solution, the dreamer's utopia. It sets up straitjacket terms into which all credit transactions must be forced—and says only that is "truth." Even more than the others, it distorts truth into falsehoods and impossibilities. It has two unyielding requirements:

1. That the cost of credit under the formula must be computed and given to the customer in writing in advance of every credit transaction.

2. That it must be figured both in dollars and as a simple annual rate.

The first requirement rests on the fallacy that all of the basic facts on which to make the calculation are within the control of the lender or seller and are known to him in advance. This is obviously not true since it is the customer, and not the seller, who has the choice—and therefore the control—in all cases. He decides how much he will buy—and when—and how much he will repay—and when.

There is another fallacy which is an extension of the first. It is that the seller knows in advance how the customer will act and how his actions will influence the quoted dollar cost and rate. If the bill passes, it will be a great boon for gypsies, tea leaves, and crystal balls. You would think this would be obvious even to Senator DOUGLAS. However, he has said—over and over again—that these concepts are the heart of the bill and he will not change them. Of course, if he ever admits they are invalid, his whole bill falls. His only defense is the weak one that the enforcing agency can write regulations to identify where this "in advance" information is "ascertainable."

The section's other requirement is based on the false assumption that it is always possible—and even easy—for anyone with a sixth-grade education to do the required calculations. Dr. Robert W. Johnson, in his book "Methods of Stating Consumer Financial Charges," estimates that it is impossible for anyone to get the right answers in 69 percent of consumer credit transactions. Other witnesses have shown that the basic rate transaction is not a problem in simple percentage but involves a choice among a variety of complex algebraic formulae. The bill's author says this can all be taken care of with rate books, charts, and sliderule-type computers. At successive hearings he has proudly unveiled a series of different gimmicks—only to have all of them revealed as failures. The latest is this little beauty designed by the CUNA especially to help Senator DOUGLAS—or so I believe. But under questioning, a CUNA official admitted it would only work on simple credit union loans, with regular repayments, and charges at monthly rates.

Of course no chart will show both the rate and the dollar cost. The requirement that both dollar cost and simple annual rate be shown sets up the false implication that the relationship between dollars and rate is always fixed and that the same dollars will always produce the same rate and vice versa. Just the varying of the time of payment within the month can destroy this mythical relationship.

One final comment on this point. The very phrase "simple annual rate" is a synthetic idea that hides falsehoods. It is intended to be a legal synonym for interest and in hearings the author has used both terms interchangeably—but called it interest most of the time. But when you come to compute it—the bill would require you to add in "the sum of all the charges which any person to whom credit is extended incurs in connection with, and as an incident to, the extension of such credit." Interest is only one of these charges. So, if the customer believes this simple rate is true, he is being deceived—not given truth.

Let's move on to the sixth assumption, which is that for consumer protection, the power to control all consumer credit must be placed in a Federal agency and all State laws not exactly in conformity to this one must be abandoned.

Early this year, the Supreme Court of Nebraska overturned a State consumer credit law of long standing and invalidated every installment contract made in the State since the law was enacted. This created chaos. If the Douglas bill passes, it may create 50 situations similar to Nebraska's—affecting millions of people and billions of dollars. The danger is obvious.

A seventh assumption is that once a formula is adopted, the problem will disappear. This idea generates a very curious two-part fallacy. The words of the bill leave the consumer with the responsibility of enforcing it himself by court action. But the promises of the bill's supporters leave consumers with the idea that if the bill passes and they think they have been deceived, Uncle Sam will get their money back for them and punish the lender or seller.

One of the remarkable aspects of this whole experience is that never at any time has the bill's author had a clear picture of this enforcement problem. He has no firm idea as to which Federal agency should enforce it.

Although the administration has recommended that the FTC enforce the law even against the banks—over which it has long sought control and been denied by Congress. This bill may be the back door through which it can reach its goal.

At the present time, there is even an idea that FTC should write regulations for merchants—FRB for banks and HLBB for savings and loan associations. Think of it—three sets of regulations from three agencies with different powers.

The idea that the bill would be easy to enforce is a great error. Many consumers haven't the experience or means to go to court. If all did, the Federal courts, many of which are now months behind schedule, could be swamped. At the present they take no cases under $10,000. Cases under this bill would reduce our courts to the level of a small claims operation and block justice in major cases.

The eighth and final assumption of the bill's supporters is that by intervening in the buyer-seller credit relations, the Government will be a friend to the consumer and provide him protection against his enemy—the small businessman. To some supporters of the bill this sounds like a good vote-getting idea. But that too is a fallacy.

In the first place, the consumer doesn't need or want this protection. He knows the cost of credit now—or can find it out easily. If he's interested in comparisons, he can make them. He doesn't accept the idea that he is ignorant, stupid, or gullible.

Second, he, the consumer, would bear the added cost of giving this unwanted service. He would absorb in his shopping hours the time he must wait for the seller to figure the total dollar cost and simple annual rate. His order couldn't be written up until this has been done.

Third, the consumer can't understand what is meant by "simple annual rate" and doesn't know he's supposed to want to.

Fourth, this whole question of credit cost is so small a part of the consumer's total spending program that it cannot be made into an issue that will influence his votes in favor of the bill's supporters. This was proved in the campaign against me in 1962.

On the other hand, support for this bill could have exactly the opposite political effect. Senator Douglas' party does everything it can to woo the votes of the so-called small businessmen, like you and me. If the bill passes we would be hurt in terms of added cost, added time, and added harassment. And I have had personal evidence that even the threat of the bill can wipe out party loyalty in many small businessmen.

Maybe this is a good point on which to move to the end of my quest for the answer to the title of my speech: "Government—Friend or Foe?"

If Government reflects the philosophies and fallacies of this bill, it is a foe, not only to the businessmen, but to their customers. At this time it is impossible to tell whether or not the bill will be approved by the committee. But let's imagine the worst and assume that it becomes law. Will this mark the end of the Federal Government's attempt to control consumer credit? I am sure it will not. Let me tell you what I think will happen then.

The next step will be a kind of Federal usury law—an attempt to put a ceiling on credit charges. And since its advocates believe in low interest charges and the myth that any rate above 6 percent is immoral, that ceiling will be less than your cost for credit service.

To meet this, you must begin to bury this cost in your prices. Some merchants are already doing this. Then the Government will probably react with a law requiring you to reveal how much you have thus buried, setting in motion a whole new process of reports, complaints, and punishments.

While all of this is going on for you, the small loan companies will face a different problem. They can't possibly survive loaning money at these low rates; and when the people become conditioned to expect them, there will be a demand for direct subsidized Federal consumer loans. Does this shock you? It shouldn't. The Federal Government already has 14 agencies with 74 credit programs loaning money at low or subsidized rates. To add consumer loans would be a simple—and to many, a logical—next step.

The passage of the Douglas bill can thus have damaging effects extending far beyond its own provisions. If it is only the first step toward the complete federalization of consumer credit, the time to act is now—both in Congress and at the polls. Otherwise, we may soon get a permanent wrong answer to the question in my title—"Government—Friend or Foe?"

Speech by Senator Wallace F. Bennett Before the Virginia Retail Merchants Association, Richmond, Va., May 17, 1964

Mrs. Bennett and I are grateful for the warm and generous welcome you have given us here tonight, and I am honored by the privilege of opening your important meeting. There is a real challenge in the responsibility of matching my message to the circumstances and the spirit of the occasion.

In the first place, this is a Sabbath evening—the end of a day on which our thoughts turn to the great spiritual values in our lives. In the second place, this is Richmond—the capital of the Old Dominion, deeply imbued with great political traditions based on responsible local government.

There is no conflict or incompatibility between these two traditions, and I hope that what I shall say will be in harmony with both. This should not be hard because during most of my years in the Senate I have served under your two great Senators. As a member of the Finance Committee, Harry Byrd is my chairman. And on the Banking Committee, I serve under Willis Robertson. I am sure you know better than I how great these men are, each in his own sphere.

Tonight, however, I want to pay a special tribute to Senator Robertson, since the problem I am to discuss falls in the jurisdiction of this committee. I can proudly claim that he and I have stood shoulder to shoulder for 4 years to protect your customers and you against the Federal credit control bill sponsored by Senator Douglas. I will have more to say about that in a moment.

Indeed, as I have come to know Senator Robertson more intimately, I have learned how deep and strong his Christian faith is—and how gallantly he can fight for the traditional political beliefs of Jefferson, Madison, and Robert E. Lee. I think it can be said that, as a Senator, he personifies the message I shall try to bring you tonight.

In the spirit of this Sabbath evening, may I begin by pointing out that that great principle of faith, which is the central strength of Christianity, is also the greatest resource available to the retailer—a resource that is constantly growing in strength and usefulness. It has become the essential ingredient in billions of transactions that take place in millions of stores in the country every day. It is the irreplaceable foundation of the modern customer-dealer relationship, and we must not allow it to be weakened or destroyed and then replaced with a concept of the use of legalisms and force.

The customer has faith in his merchant friend and buys with confidence. He knows that goods which prove defective will be accepted for return. He knows that prices will be fair, representing a reasonable rate of return to the merchant. He knows, through repeat experience, that his merchant trading partner is worthy of his loyalty. Without such loyalty on the part of our customers, none of us would last very long in today's business world.

In return, the merchant has faith in the customer. He puts goods on open counters, lets items go out on approval, and has self-service departments. Above all, the merchant offers credit to all of his customers who are capable of handling it. It is a testimony to his faith in faith and to the integrity of American customers to note that over 98 percent of all consumer credit accounts are repaid.

Of course, impressive as this figure is, it reminds us that there are some accounts which are not repaid and that a tiny fraction of these delinquencies are deliberate. There are those who take advantage of the great reservoir of faith and good will which exists in the buyer-seller relationship and try to enrich themselves at the expense of other innocent persons. Shoplifters, forgers, and those who obtain credit fraudulently are in this class. They are usually required, by the very nature of their acts, to move on quickly, lest they be found out. They cannot come back to deal with a store they have cheated.

Among sellers there is this same tiny "fringe" of men and women who take advantage of the faith that is general in American commerce. They sell shoddy merchandise whose value is misrepresented. They misstate easy terms and defraud the public. Like the shoplifters and check-kiters, they are few and far between; and they must constantly be on the move. Fly-by-nighters who must hit and run, they are the exceptions that prove the rule. Anyone who knows American retailing, knows that lasting success can be built only on repeat business based on honest dealing—in other words, on mutual faith.

Unfortunately, there are still those who do not know American business patterns as they really operate today—those whose sole source of knowledge comes from the textbook and the classroom. They often assume that the ancient warning, "Let the buyer beware," still applies and mistake the exception for the rule. They fail to grasp the significance of the mutual trust and faith that has come to exist between seller and buyer—or lender and borrower, as the case may be.

It is from such men that legislation like the Douglas bill, misnamed the "Truth in Lending" bill, gets its support. They assume that if one businessman is unethical, all businessmen must be. Conversely, they assume that if one customer is gullible, all customers need to be protected from themselves. Lacking faith in business themselves, they fail to understand the workings of business faith and decide that the force of law must be brought into the marketplace to fill a void which, except in a few cases, exists only in their imaginations.

The individual provisions of this so-called truth measure demonstrate not only a mistrust of businessmen in general but a woeful lack of understanding of many aspects of American commercial life. Let's look at a few of them.

1. The authors of the bill apparently do not understand how credit can take many forms. They assume, incorrectly, that all credit is alike and is interchangeable and that all costs attached to credit can be compared accurately.

Even a quick glance at the various types of credit shows immediately that there are fundamental differences between them. Mortgages on homes don't resemble revolving charge accounts in size, cost of servicing, nature of the transaction involved, repayment pattern, availability, or purpose. Similar differences appear when we look at the other types, such as installment credit on merchandise, small loans, credit union loans, auto loans, and so on. Each type of credit has evolved to fill a particular consumer demand, and each has its own individual pattern of special factors and special cost.

For a mortgage, the interest on the money is the prime consideration. It is a long term, formal, heavily secured loan of a large amount of money.

For a credit union loan, the amount pledged to the credit union in "shares" owned by the borrower becomes a factor. The money amount is comparatively small, and the repayment pattern is tied to a man's paycheck. His main security is the stability of his employment rather than any tangible asset represented by a house or car.

Because they do not understand that each type of consumer credit serves a particular need, which difference creates different cost components, and because they have no faith in the ability of the consumer to choose the type of credit that best serves his need, the supporters of the Douglas bill "imagine a vain thing." They imagine that they can wipe out the effects of this difference by a theoretical legalism—a new magic mythical yardstick they call "simple annual rate."

Their very use of this phrase is an admission of their frustration. To them, it means "simple annual interest." In fact, Senator Douglas, in all of the hearings on the bill, has used the two terms interchangeably. And yet, it almost never can express interest only—which is a charge for the use of money over time—because the bill itself requires the inclusion of "the sum of all the charges which any person to whom credit is extended incurs in connection with, and as an incident to, the extension of such credit."

They also display their ignorance of the true nature of consumer credit when they require the statement, in all cases, in advance, of the total dollar cost as well. This is based on the false assumption that the relationship of these two expressions of cost, once stated, will not vary. We all know that this is demonstrably not the case.

2. But failure to understand the true nature of credit is not the only aspect of the proposed law which is abhorrent to people of a State like Virginia. On its face, this is another program which would invade and seize for the Federal Government responsibilities and power in an area in which the States have hitherto been supreme. Virginia is one of the foremost among many States whose awareness of this danger is acute and whose determination to oppose it is courageously unyielding.

Tonight, I do not propose to discuss the narrow question of the constitutionality of this proposal. As might be expected, there are those who believe it is constitutional. I don't. I hope the question never has to come up, because I hope the bill will never be passed. But there is a broader, deeper question which affects the whole legal and economic pattern affecting credit, should this proposal be adopted.

Up to the present time, laws dealing with credit have been adopted by virtually all States. In enacting these laws, the States have met local needs. For example, what is required in an industrial State like New York, with its giant metropolitan area, is different from what is needed in a State like Virginia with its more uniform balance of agriculture and industry.

The Douglas bill proposed to invade this area of established law on behalf of the Federal Government and replace all these naturally different laws with one identical, overriding Federal statute, enforced by Federal power.

Dealing as it does with only one aspect of the credit relationship, disclosure of finance charges, the bill appears harmless enough on its face. But it contains a charge of dynamite on the subject of Federal-State relationships. Its legal effect, I am advised, may be far beyond what appears in the bill itself. There is a doctrine, enunciated by the Federal courts and upheld by the Supreme Court of the United States, known as the principle of preemption. The central idea of this legal principle is that when the Federal Government enters a field of legislation in a broad way intended to be applicable over the whole country, it is presumed by the courts that the Congress intended the Federal law to replace all State laws that differ from it and intended it to be the only law on the subject.

Federal power is plenary; that is to say, it is supreme and prevails over State laws. Therefore, if you have a Federal law on a subject and a State law on the same subject, the State law may be invalidated by the Federal law.

We have already had one striking warning of what happens when existing consumer credit laws of a State are invalidated. The year was 1964, and the State was Nebraska. The State supreme court of this one State created a crisis which the Douglas bill could cause to be repeated in all 50 States by use of Federal control. The Supreme Court of Nebraska overturned a State consumer credit law of long standing and invalidated every installment contract made in the State since the law was enacted. This created chaos. If the Douglas bill passes, it may create 50 situations similar to Nebraska's—affecting millions of people and billions of dollars. The danger is obvious.

Let me give you another example. South Carolina had a statute requiring railroads to pay damages and a $50 penalty if goods were damaged while being carried and if the railroad failed to prove that it was not responsible for the damages. Federal law also covered the subject, except that it did not provide for the $50 penalty. The Supreme Court of the United States held that the State law in this area was invalid and said:

"When Congress has taken the particular subject matter in hand, coincidence is as ineffective as opposition, and a State law is not to be declared a help because it attempts to go further than Congress has seen fit to go."

So far as laws to regulate consumer credit are concerned, this doctrine can have unexpected and startling effects. The one thing that the Douglas bill requires is what its sponsors say is a simple thing: That the amount of the total finance charge in a credit transaction be quoted both in dollars and as a "simple annual rate." However, a State law, as in New York and other States, may require a great deal more by way of protection to the borrower or buyer. For example, the State law may limit the amount of interest that may be charged, while the Douglas bill specifically does not. State law may require that the buyer be given a copy of the contract. It may prohibit harsh repossessory proceedings. It may restrict wage assignment and garnishment, and so on.

All of this State protection may go by the boards if the Douglas bill prevails and if the Supreme Court holds, as it did in the South Carolina case, that the intent of Congress is construed to be that once a customer has been given the information required by the Douglas bill, he has been protected all he needs to be. This may not happen, of course, but it is a real possibility, with a resultant risk of great magnitude for consumers who now depend on State laws to safeguard them.

There is another aspect of this same question that deserves comment. I refer to the question of flexibility and amendability. Let us refer again to the New York example, because New York is the scene of a tremendous volume of credit buying. There, the legislature meets every year. And every year amendments are proposed to the State banking law, the State small loan law, the retail installment sales law, and other laws governing relations between creditors and debtors. Changes are constantly being made by the legislature in response to the needs made known to the assembly. Incidentally, the Douglas bill approach to simple annual rate has been offered several times as an amendment to the New York law and has always been rejected as unsound. It has met the same fate in every other State where it has been considered.

While State laws can be kept up to date with comparative ease, the U.S. Congress is occupied with far-reaching and highly controversial national questions, such as medical care, civil rights, foreign aid, defense, and taxation. These subjects are immensely complicated and difficult and necessarily claim the attention of the Congress for months on end. Would the Congress find time to amend and perfect the Douglas bill once it were passed? Would Congress ever consider legislative enactments to meet differing situations in the various States? The answer is obvious.

The bill would introduce into credit the necessary rigidities of Federal law. There might be crying needs for revision in certain areas, but they could not be met because the Congress would be occupied with other issues. It must be borne in mind that we live in an economy in which credit plays a central part. The constant adjustments of relationships created by new products, new sales ideas, and new forms of business transactions require new ways of handling the needs of consumers. It cannot be demonstrated—and those advocating the Douglas bill have not even tried to do so—that the basic idea on which the bill is based has any practical relationship to the requirements of lenders and borrowers and buyers and sellers or that it is flexible enough to change when the requirements change.

3. Finally, of course, there is the question of enforcement. Legislators with the best of intentions and highest motivations may write laws for noble purposes; but if these laws are so worded as to be unenforceable and unworkable, the high motives are frustrated. In addition to failing to understand credit itself and failing to realize what they may be doing to existing State law, the bill's supporters fail to realize that, as it is currently drafted, their measure simply cannot be complied with and, therefore, cannot be enforced.

You know better than I that it is impossible for a merchant to forecast for his customers, in advance, what their repayment patterns will be on each and every credit transaction. Yet, without that information, you could not comply with the law. When this is pointed out to Senator Douglas, he suggests that this can all be cleared up when the regulations are written by the agency charged with enforcement of the bill. In other words, he hands the mystery to them. To which we must reply, at the present time, "What agency?"

Originally, it was thought that the Federal Reserve Board should enforce this bill. The Board of Governors took a long look at it and decided differently. They said:

"The Board, of course, wishes at all times to cooperate fully with Congress and the committees of Congress. However, the Board strongly urges that S. 750 not be favorably reported by your committee without a further amendment in accordance with the foregoing recommendation to place administrative responsibility for the bill in the Federal Trade Commission, and with the Board's consistent position that administration of the bill by it would not be appropriate. The Board would not favor enactment of the bill in its present form."

Almost glibly, the bill's author said, with a wave of his hand, "Let the Federal Trade Commission do it then." The actual language of the bill has never been amended to make this change, and so we have had no hearings on this proposal.

But resentment is already pouring in from banks and other financial institutions who strenuously object to being made subject to the FTC. This would mean that they would have to comply with the edicts of still another agency, not connected with banking but policing their consumer lending practices. They are under the jurisdiction of not one, but two or three governmental agencies already. If the FTC were given the power to enforce this bill, the banks could well be caught between two conflicting sets of regulations, one promulgated by the Federal Reserve Board and the other by the Federal Trade Commission. I can hardly see how this will increase consumer faith in lending institutions or dispel any confusion which may exist. The obvious effect will be a sharp move in the other direction.

There are many other aspects of this bill I could discuss with you, but these three are enough for one Sunday evening. This bill is based on a lack of understanding of what credit really is in modern life. It is based on ignorance of the myriad of legal questions involved that would be created if the Federal power of preemption were imposed on local credit laws. It is based on sweeping, false, and misleading assumptions about enforcement problems. In sum, it is based primarily on a theoretical approach to a practical question. Is it any wonder that its supporters are those who fail to realize the vital role that mutual faith between buyers and seller, between lender and borrower, plays in our economy?

What can we, who, from our actual experience in business, have an understanding of all of these things, do to help nurture, and increase the already great reservoir of faith and trust which now exists? How can we offset the insidious influence of this bill and its premises? In short, how can we serve the economy and our customers better by helping them use their credit more wisely?

To repeat an old truth, in this field as in all others, what we need most is a successful program of education reaching all groups involved.

First, we must realize that the truth is on our side and that is a powerful weapon. Let us learn it fully so that we can tell it properly to others. To refer to a scriptural passage, "Truth is mighty and will prevail." Too many of us businessmen have been on the defensive on this bill simply because we haven't taken the time to inform ourselves about it. Once we understand what is involved, we can defend our position against all comers, regardless of their academic attainments or political prominence. So, first, we must educate ourselves.

This we must do quickly because we face an immediate need to get the full truth about the bill to all Senators directly involved in order to make sure that the bill doesn't pass. You in Virginia are fortunate because Senator Robertson, who heads the Senate Banking and Currency Committee and serves as a member of the subcommittee considering this bill, has a full grasp of what is involved and is doing his utmost to see that truth will prevail and the bill will be defeated.

Next, we must tell our story to our trading partners, the consumers. They are the ones who will suffer most if the bill passes. They are the ones who must pay higher prices as business costs go up, as they surely would under this bill. It will be the customers who will experience the annoyance and delay while they wait for the laborious calculations to be made. They are the ones who will be confused by the meaningless figures they will be quoted. Enlist them in the fight by educating them about the facts of their present credit charge costs so that they understand that these costs are fair and need not be tampered with by Federal interference.

Third, see that the news media gets and understands the truth about consumer credit. Senator Douglas and others are flooding the papers and airwaves with stories, meant to appear as if they were representative examples—stories which paint businessmen everywhere with the same brush as cheats and deceivers.

Bring a reporter into your store, give him the provisions of the Douglas bill, and ask him to put himself in the place of both clerk and customer—ask him to figure out a sample problem on a revolving charge account. Don't worry. The smartest reporter in the world, equipped with the newest IBM computer, won't be able to figure out an accurate simple annual rate on a revolving charge account in advance—because it has been demonstrated time and again by some of the Nation's leading mathematicians that it is impossible. Tell this truth to the news media and enlist their help in getting the facts before the public.

We recognize, as I said in the beginning, that there is a tiny minority in the twilight zone of the business world who prey on the unsuspecting and the gullible. Help expose these people and root them out. Support the better business bureau and help in the constant improvement and enforcement of State and local laws dealing with fraud, false advertising, and business deception. If our consumer credit laws are weak or inadequate, help strengthen and perfect them. If they need better enforcement, insist on this with State and local officials.

In other words, what we must do is try to nurture the atmosphere of faith and trust which does exist and make it stronger. American businessmen have an extraordinary story to tell, and they should be willing to take the time and, where necessary, the money to tell it. If you of this association will provide the leadership needed to get this job done so that the whole truth about American business can be fully told, then the doubters and the skeptics, the theoretical "nay-sayers," the men who are ignorant of the practical facts of economic life will be silenced in the most effective way possible.

On this lovely Sunday evening when thoughts of faith and truth are strong in our minds, let us resolve to begin at once to get this job of education done, remembering again the phrase, "Truth is mighty and will prevail."

Mr. DOUGLAS. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DOUGLAS. I welcome the fact that the secretary of the Illinois Retail Merchants Association to which the Senator from Virginia referred is Mr. Joseph T. Meek, who ran against me for the seat in the U.S. Senate in 1954, and who was beaten by me by a majority of 241,000 votes.

Mr. ROBERTSON. I do not know who the secretary was. I am glad that my friend came back to us with such a big vote.

Mr. DOUGLAS. I am sure the Senator is greatly pleased.

RECESS

Mr. SYMINGTON. Madam President, in accordance with the previous order, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 41 minutes p.m.) the Senate took a recess, under the previous order, until tomorrow, Tuesday, May 26, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 25 (legislative day of March 30), 1964:

PUBLIC UTILITIES COMMISSION

James A. Washington, Jr., of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia for a term of 3 years expiring June 30, 1967. (Reappointment.)

IN THE COAST GUARD

The following-named person to be a permanent commissioned officer in the Regular Coast Guard in the grade of ensign:

James Milford Sharpe, Jr.

EXTENSIONS OF REMARKS

Howard Bertsch, Administrator, Farmers Home Administration, Gets Distinguished Service Award

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 25, 1964

Mr. COOLEY. Mr. Speaker, Mr. Howard Bertsch, Administrator of the Farmers Home Administration, a great champion of the family farms of America, has received the Department of Agriculture's Distinguished Service Award, the Department's highest citation.

The coveted award was presented to Mr. Bertsch by Secretary Orville L. Freeman in honor award ceremonies on the grounds of the Washington Monument, May 19.

Secretary Freeman cited Mr. Bertsch "for dynamic leadership in revitalizing the spirit, redoubling the impact, and greatly increasing the rural credit program, and thus sharply increasing the Department's attack on rural poverty."

Mr. Speaker, Mr. Bertsch has devoted his entire life to serving the needs of disadvantaged rural families.

His first attack on the difficulties rural people endure came in 1934 when he began his USDA career. He joined the Resettlement Administration as a county supervisor in Clackamas County, Oreg., and served that agency as well as the Farm Security Administration in Oregon during the following 9 years.

His ability to cope with difficult rural problems was recognized in 1943, when Mr. Bertsch was placed in charged of the farm ownership loan program of the Farm Security Administration for Oregon, Washington, Idaho, and Alaska. His administrative talents were again recognized in 1947 when he was promoted to the national headquarters of the agency.

In 1954 Mr. Bertsch left the agency to assume a position as a consultant to the Ford Foundation on rural credit programs. During the next 7 years he was financial adviser to the Development Bank and to the Agricultural Bank of Iran, and played a major role in the development of that country's village improvement program, rural credit program and rural cooperative program.

Bertsch was awarded "The Order of the Crown" in 1958 by his Imperial Majesty, Mohammed Reza Pahlevi, and decorated by the Minister of Education, Government of Iran, by order of the Council of Ministers, for distinguished service to Iran.

Under Administrator Bertsch's leadership, the Farmers Home Administration has increased the volume of its lending activities from $300 to $800 million a year, and greatly increased its support of the family farm and the rural communities that are so vital to the welfare of rural America and the nation.

Under Bertsch's leadership:

The Farmers Home Administration has been assigned a role of growing importance in rural areas development.

Farm ownership and operating loans have been broadened to serve the full range of family farmers including small farmers. Credit may now be advanced for the financing of income-producing recreational enterprises. The emergency loan program has been streamlined.

Small towns and associations of farmers and other rural residents may now borrow funds to finance community water systems and to shift land to forestry, grazing, and recreational uses.

The housing program has been broadened to serve people in small towns as well as farmers. Special loan programs have been authorized to help the rural elderly buy or build homes suited to their needs and to provide them with rental housing. Credit is available to improve housing for farm laborers.

All Farmers Home Administration loans are accompanied by technical advice on farm and financial management. Loans are made only to applicants who are unable to obtain needed credit from conventional lenders.

Collections on loans continue to set records. Since the midthirties the agency and its predecessors have loaned more than $7.4 billion. About $5.9 billion in principal and interest have been repaid. Losses on loans made under current programs are less than 1 percent of the principal advanced.

Bertsch graduated from Oregon State University in 1931 with a B.S. degree in agriculture, and obtained his master's degree the following year from Kansas State University.

Mr. Speaker, Howard Bertsch is a dedicated friend of the farm families of America. I congratulate him, and I commend the Department of Agriculture for its wisdom in recognizing the quality and the service of this man by conferring upon him the Department's highest award for distinguished service.

Tribute to Hon. Mortimer M. Caplin, Commissioner of Internal Revenue, a Great Virginian

EXTENSION OF REMARKS

OF

HON. A. WILLIS ROBERTSON

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 25, 1964

Mr. ROBERTSON. Mr. President, we in Virginia share with the Nation a feeling of loss at the resignation of our adopted son, the Honorable Mortimer M. Caplin, Commissioner of Internal Revenue. Commissioner Caplin came to Charlottesville, Va., first as a student and then as a professor of law in the university. He served with distinction in the university and in 1961 was chosen by the late President John F. Kennedy as Commissioner of Internal Revenue.

My colleague, the senior Senator from Virginia, the Honorable HARRY F. BYRD, has informed me that, in spite of the fact that the Congress has passed two major revenue bills, a relatively unnoticed bill passed in 1961 could be one of the most significant tax measures ever passed in this Nation. This 1961 legislation provided for numbering taxpayer's accounts. It was pushed by Mr. Caplin as a direct outgrowth of his experience with automatic data processing. By providing numbers to substitute for names, it will eventually be possible to record all taxpayer's returns on the memory drums of the computers in the National Service Center, located in our neighboring State of West Virginia. I agree with my colleague that this can be one of the most significant changes in the tax collection procedures of this Nation, and I insist, Mr. President, that this project exemplifies the forward looking thoughtfulness of Commissioner Caplin.

As Senators know, I am chairman of the subcommittee of the Appropriations Committee that has jurisdiction over Treasury appropriations. In this connection. I have come to know Commissioner Caplin well. I can assure my colleagues that Mr. Caplin has proved himself to be a truly outstanding administrator. He has been in charge of a bureau of more than 60,000 employees involved in a difficult and demanding line of work. Mr. Caplin has maintained the morale of his employees at a high level; he has seen to it that they give a dollar's work for a dollar's pay; and, he has instilled a sense of pride and urgency throughout his whole organization. Where there has been deadwood or corruption, he has not hesitated to move vigorously. Where there has been outstanding performance, he has made certain it was recognized.

Last of all, Commissioner Caplin has proved himself to be a man of the highest integrity in a post that is subject to terrible pressures. He has enforced the law fairly; he has collected the taxes due; and he has developed in the bureau the thesis that revenue agents are not to harass taxpayers to fill a mythical quota, but to collect the taxes due and not 1 cent more.

We in Virginia are proud to have given to the Federal Government this outstanding public servant. We wish him well on his return to his previous career of teacher and lawyer.

Independence Day of Jordan

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 25, 1964

Mr. POWELL. Mr. Speaker, the Kingdom of Jordan today celebrates the 18th anniversary of her independence. On this memorable occasion, we take pleasure in extending warm felicitations to His Majesty, King Hussein; and His Excellency, Saad Juma, the Jordanian Ambassador to the United States.

> I have been made to feel at home and among friends.

This was said by King Hussein of Jordan as he began his third official visit to the United States last month. Extensive newspaper and magazine coverage brought to Americans a picture of this amiable man who has been this country's stanchest Arab friend. Moreover, President Johnson paid tribute to King Hussein by saying:

> While the world knows you as a courageous soldier, your friends in America know you as a wise and effective leader for peace.

The most commendable homage, though, which was paid to the King was given by a columnist when he said that Hussein personifies Jordan's independence, for he wants to make his country a model democracy and to bring a better life and opportunity to his people by using the monarchy as an instrument for progress through evolution.

Jordan is poor in natural resources. There is little water to irrigate the vast desert tracts. Furthermore, the population is divided among Bedouins who rove the countryside in search of pasturelands, urbanites, and Palestinian refugees, whose wish is to recover their former lands in what is now Israel. Since 1946, though, when Great Britain terminated its mandate and granted to Jordan full independence, this desert state has struggled against these negative and diversifying factors to progress from a backward tribal nation to a unified one in the throes of modernization and industrialization. The capital, 'Ammān, a mud town of 30,000, 15 years ago, is now a thriving metropolis of 200,000. Aquaba, the nation's only outlet to the sea, is being developed as a resort and tourist haven as well as a modern port. An American engineering company is designing this city as a "lush park in the desert," complete with palm-lined streets and luxury hotels. Phosphate production, completely disrupted during the Palestinian war in 1948–49, now accounts for 38 percent of the total value of Jordan's exports. Furthermore, the national income has increased at an annual rate of approximately 9 percent over the past decade. This figure is expected to increase by 60 percent at the termination of a 5-year plan now in progress.

Many of these accomplishments are a direct result of foreign aid which our Government has extended to Jordan. Since the program's inception in 1949, economic aid has totaled $438 million, with approximately $45 million extended annually at the present time. The largest single project undertaken with American foreign aid has been the East Ghor Canal. This waterway, expected to be completed sometime this year, diverts the waters of the Yarmuk River in the north to the arid plains in the south. When in full operation, hundreds of thousands of acres will be irrigated, and 2 million kilowatts of power will be generated, which in turn is expected to increase the gross national product by 14 percent, or $7 million.

When King Hussein recently stated that it was his sincerest hope to have always the best relations with the United States, based on good understanding, mutual respect, and cooperation, he was expressing the sentiments of the Jordanian people as well. Therefore, as the Jordanians celebrate their independence anniversary this day, it is with pleasure that I extend to them congratulations in their achievements and for their efforts to create a progressive nation. It

is also my sincerest wish that the amicable relations between the two countries will continue and that the rapid rate of development will persist so that prosperity will soon be attained for all.

A Matter of Conscience

EXTENSION OF REMARKS
OF

HON. LEO W. O'BRIEN

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, May 25, 1964

Mr. O'BRIEN of New York. Mr. Speaker, the city of Schenectady, N.Y., which is part of my congressional district, was honored recently by a visit from the distinguished Postmaster General, the Honorable John A. Gronouski.

We do not see many Cabinet officers up our way and we were impressed by the dignity, ability, and kindness of this gentleman from Washington.

During his visit, the Postmaster General delivered the following talk which I believe is worthwhile reading for every Member of this House:

A MATTER OF CONSCIENCE

(An address by John A. Gronouski, Postmaster General, before the annual communion breakfast of postal employees, St. Adalbert's School Auditorium, Schenectady, N.Y., May 17, 1964)

I have chosen to call my talk this morning "A Matter of Conscience," thinking it would be suitable to the occasion, and hoping that your very presence at this communion breakfast would make you receptive to what I have to say.

I come before you both as a Catholic and as a member of the President's Cabinet—but in that dual capacity, I come neither to preach nor to politic.

Nor does that dual capacity cause me any discomfort. If one American tradition calls for the strict separation of church and state, another tradition calls just as strongly for the fusion of religious morality and statesmanship.

All too often Americans tend to view their Federal Government as something separate and apart from their private beliefs and everyday lives. And just as often they write off the programs of their Government as a form of political maneuvering.

But the fact is that our Constitution, our form of government and our national objectives find their basis in the mainstream of the Judeo-Christian tradition—and it is in that tradition that the success or failure of any administration will be judged by future generations of Americans.

The programs of our Government are nothing more—or less—than extensions of our national philosophy, and they should be extremely personal to us all.

It is easy to become crass and jaded in this world of ours, and to look for selfish justifications for the things we do.

It is easy to say we must take care of our poor because poverty is a blight on our national economy, or because poverty costs us too much money to maintain.

It is easy to justify our foreign aid program by arguing that it is saving half the world from the menace of communism.

It is easy to support the civil rights bill on the theory that we're going to have trouble if it isn't passed.

And for too many Americans it is just as easy to oppose these programs without giving any thought to the moral questions involved.

But there are moral questions involved—questions that relate directly to the fundamental principles of our religious faith—and we ignore them at our peril.

And there are more pressing arguments behind these programs than purely selfish ones.

I said a moment ago that I did not come here to politic, and I meant it. I have come here to talk to you about these programs because they are right. And they would be just as right if another administration had proposed them and someone else were Postmaster General.

What are our efforts to alleviate poverty at home and abroad but expressions of Christian charity; reaffirmation of our belief that we are our brothers' keepers?

What is civil rights, after all, but an extension of the brotherhood of man?

We must not be ashamed to say we are generous or that we care about people. When we reach out to help those who are less fortunate, let us remember the words of Christ: "As long as you have done it for one of these, the least of my brethren, you did it for me."

Today, in this great Nation of ours, the "least" of Christ's brethren are those millions of citizens who are suffering from racial intolerance or economic want. All too many are suffering from both.

In seeking to help these people, President Johnson has pleaded that partisan politics be cast aside. We are attempting to give millions of underprivileged people a new lease on life. We must not make them political pawns in the process.

I must admit I lose some of my Christian tolerance when I hear a man of national reputation accusing President Johnson of perpetrating a "cruel hoax" on our impoverished citizens. I want to tell Richard Nixon that there is a "cruel hoax" all right, but it has nothing to do with the President's antipoverty program. It has to do with the fact that 35 million Americans are not earning enough to meet the basic needs of life—in this the richest nation in the history of the world. And it has to do with the fact that 20 million Negroes are denied equal opportunity—in the Nation that lit the torch of freedom throughout the world.

It is significant that President Johnson's favorite Biblical quotation is from the Book of Isaiah: "Come now, and let us reason together." And this is what he is asking the Nation to do now: To reason together as children of God so that, in the end, all of our citizens can have the opportunity to fulfill their highest ambitions.

These are aims that all of us—Democrats, Republicans, Independents—can support. They are aims that we, as Christians, must support. It is more than a matter of national policy. It is a matter of conscience.

As Catholics, we can take pride in the efforts our church has made to alleviate poverty and to end racial discrimination.

Not only has our church supported programs at every level of government in the field of public welfare, but it has also encourage its members to give of themselves. In many of our cities, college students have formed tutoring groups to aid children in slums. Retired teachers have volunteered to give their evenings to help the illiterate acquire at least a minimum level of reading and writing. There are settlement houses and neighborhood projects to bring hope and incentive to those who seem to have no future. Halfway houses have been established for former prisoners, to ease their transition into normal community life.

But I think particularly of the leadership the church has given on civil rights. In 1958, the Catholic bishops of the United States said in their statement on discrimination:

"It is a matter of historic fact that segregation in our country has led to oppressive conditions and the denial of basic human rights for the Negro. This is evident in the fundamental fields of education, job opportunity, and housing. Flowing from these areas of neglect and discrimination are problems of health and the sordid train of evils so often associated with the consequent slum conditions."

The Catholic Church was one of the earliest groups to recognize this inherent relationship between discrimination and poverty in the United States and it has been most successful in bringing this relationship before the American public.

But the church has moved far beyond the educational phase of segregation. Now, the byword is action.

The Catholic bishops have stated on three separate occasions that "the settlement of the race problem is for all of us a sacred duty * * * which can be fulfilled only on the basis of justice and in the spirit of charity."

Already the Catholic schools have been integrated in Louisiana, and come next September, they will be integrated in Alabama as well.

Catholic interracial and interfaith councils exist in some 70 archdioceses of the Nation. Working together, the clergy, laity, and press preach Catholic principles of interracial justice through every available medium.

In Maryland—the first State south of the Mason-Dixon line to enact a public accommodations law—Catholic leaders hailed the bill's passage 2 months ago as a "triumph of legislative wisdom."

And in the presidential primaries in Wisconsin, Maryland, and Indiana, the Catholic press has done a magnificent job, reacting swiftly and forcefully against what it has called the "moral evil" of those who were running on a distorted anticivil rights platform.

But in spite of all our progress in the areas of poverty and civil rights, the major tasks lie still ahead. And nothing less than a truly national effort will suffice. We are now in the opening stages of the most massive attack on discrimination and human want in the history of the world. President Johnson has called on all of us to support him in this attack.

Let us give him that support. In the years ahead, let us truly be able to say, "We gave our hearts and our hands to those in need—in the name of Christ."

Thank you.

The Hill-Burton Program

EXTENSION OF REMARKS
OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, May 25, 1964

Mr. FOGARTY. Mr. Speaker, as a graphic illustration of the manner in which the Hill-Burton program has been of direct, forceful aid to a State, I include a listing of all the hospital and medical facilities approved for my State of Rhode Island under the Hill-Burton program from the inception of the act in 1946 up to date.

Status	Location		Name of facility	Ownership	Category	Type of construction	Adjunct facility	Beds provided	Estimated cost		Initial approval
	County	City							Total	Federal share	
3	Providence	Cranston	Osteopathic General	1	1	2	4	42	$575,670	$153,080	June 1960.
3	do	do	Osteopathic General DTC	1	9	2			58,456	28,839	Do.
3	do	do	Osteopathic General	1	1	4		24	300,836	75,000	June 1952.
3	do	do	State Hospital	4	3	2		150	975,895	365,183	May 1955.
3	do	do	State Rehabilitation Center	4	6	1			174,545	87,273	June 1956.
3	do	East Providence	Emma Pend Bradley ASF	1	3	2	4		212,243	25,000	March 1960.
3	do	do	H. I. Chaffee Nursing Home	1	0	1		*39	958,460	456,454	June 1958.
3	do	North Providence	Our Lady of Fatima	1	1	2		100	2,968,744	400,000	September 1959.
3	do	do	Our Lady of Fatima NH	1	1	6	2		3,292,126	300,000	June 1950.
3	do	Pawtucket	The Memorial	1	1	5	4	*16	567,476	170,238	January 1955.
3	do	do	The Memorial ASF	1	1	2	4		58,278	23,311	June 1959.
3	do	do	The Memorial	1	1	5		56	504,418	201,767	May 1950.
3	do	do	Jane Brown Pav RI Hospital	1	1	5		*8	504,441	50,000	December 1958.
2	do	do	Miriam Hospital DTC	1	9	5			1,006,423	402,778	April 1962.
2	do	do	Miriam Hospital	1	1	5	4	*110	4,616,054	96,074	Do.
3	do	do	Miriam	1	1	1		150	1,715,358	670,143	December 4918.
3	do	do	Providence Lying In	1	1	5		69	1,893,128	514,607	June 1956.
3	do	do	Providence Lying In DTC	1	9	5			299,262	100,000	Do.
3	do	do	Rhode Island Hospital RF EQ.	1	6	3			82,864	26,869	June 1959.
3	do	do	Rhode Island DTC EQ	1	9	2			200,000	100,000	June 1958.
2	do	do	Rhode Island Hospital NH	1	1	2	6		2,769,385	212,756	July 1962.
3	do	do	Rhode Island Hospital EQ	1	1	2			8,756,578	240,000	September 1955.
3	do	do	Rhode Island Hospital RF EQ.	1	6	3			3,947	1,473	June 1962.
3	do	do	Rhode Island Hospital	1	G4	5		32	571,237	235,741	June 1956.
3	do	do	Roger Williams General	1	1	2		50	1,002,055	240,673	June 1957.
2	do	do	Roger Williams General NH	1	1	2	6		635,062	60,008	September 1963.
3	do	do	Roger Williams General DTC	1	9	2			362,256	181,128	June 1957.
3	do	do	Roger Williams General ASF	1	1	5	4		107,882	39,833	October 1956.
3	do	do	Roger Williams General	1	1	2	4	48	975,937	390,374	February 1950.
3	do	do	St. Elizabeth Home ASF	1	G4	3	4		95,394	41,449	December 1959.
2	do	do	do	1	0	3	4		217,818	93,651	December 1962.
2	do	do	St. Joseph Hospital	1	1	7	4	*182	6,396,628	685,069	March 1962.
3	do	do	St. Josephs EQ	1	1	5	4		687,111	10,000	October 1954.
3	do	do	Woonsocket	1	1	5	4	39	252,190	100,159	August 1958.
3	do	do	Woonsocket Hospital	1	1	5	4	54	490,211	192,969	October 1961.
3	do	Woonsocket	Woonsocket	1	1	5		*8	1,128,307	280,704	December 1948.
3	Washington	Exeter	Ladd School Nursing Home	4	0	2	4	45	1,385,178	300,000	October 1960.
3	do	do	Ladd School Rehabilitation Center.	4	6	2			675,699	112,956	June 1960.
2	do	Wakefield	South County Hospital	1	1	5	4	17	748,416	266,266	November 1960.
2	do	do	South County Hospital DTC	1	9	2			43,048	21,524	November 1960.
2	do	Westerly	Westerly Hospital	1	1	2		*32	1,697,417	150,000	October 1962.
1	do	do	Westerly Hospital DTC	1	9	5			389,259	118,724	April 1964.
3	Kent	Warwick	Kent County Memorial	1	1	2	4	120	1,875,804	664,731	January 1959.
3	do	do	do	1	1	1	1	100	1,244,354	431,742	December 1948.
3	do	do	Kent County MemorialDTC	1	9	2			337,683	168,841	January 1959.
3	do	do	Kent County Memorial ASF	1	1	2	4		170,504	68,151	August 1958.
2	Newport	Newport	Newport Hospital	1	1	6	4	*26	956,163	75,000	March 1962.
2	do	do	Newport Hospital DTC	1	9	6			265,317	132,659	March 1962.
3	do	do	Newport ASF	1	1	2	4		38,400	15,360	April 1950.
3	do	do	Newport EQ	1	1	2	4		120,714	16,738	April 1949.

EXPLANATORY NOTES

The following defines the codes used in the following listing:
Status: The status of a project is indicated as follows:
(1) Approved but not yet under construction.
(2) Under construction.
(3) In use.

Location: Locations are listed alphabetically by county within a State.

Name: The name used is that indicated by the project sponsor in the official application.

Ownership: The type of ownership is indicated as follows: (1) Voluntary nonprofit, (2) city, (3) county, (4) State, (5) special district, and (6) city-county.

Categories and authority for programs: The various categories, grouped by program authority under title VI of the Public Health Service Act, are indicated as follows: (1) General hospital, (2) tuberculosis hospital, (3) mental hospital, (4) chronic disease hospital, (5) public health center, (7) general hospital and public health center, and (8) State health department laboratory. Programs under part G: (G4) Chronic disease facility, (6) rehabilitation facility, (9) diagnostic or treatment center, and (0) nursing home.

Type of construction: The type of construction is indicated as follows: (1) New (2) addition, (3) remodeling, (4) replacement, (5) addition and remodeling, (6) addition and replacement, (7) addition, remodeling, and replacement, and (8) remodeling and replacement.

Adjunct facility: The adjunct facility being constructed is indicated as follows: (1) Laboratory, (2) nurses home, (3) outpatient department, (4) service facilities, (5) nurses home and service facilities, and (6) teaching or training facilities.

Beds provided: Indicates beds provided for patients by the project. Where no beds are listed the project is for equipment only (EQ); a health center (HC); rehabilitation facility (RF); diagnostic or treatment center (DTC); nurses home (NH); nurses school (NS); or adjunct service facilities (ASF). An asterisk (*) in the "beds provided" column indicates a project which includes other facilities as well as beds.

Estimated cost: Includes the estimated total project cost and the estimated amount of Federal participation. A project may be a total facility or part of a total facility.

Initial approval: Represents the month and year in which the initial project application was approved by the Surgeon General of the Public Health Service.

Tribute to Horace Godfrey

EXTENSION OF REMARKS

OF

HON. HERBERT C. BONNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 25, 1964

Mr. BONNER. Mr. Speaker, North Carolina citizens are pleased with the recognition recently accorded one of their own by the Government of the United States.

Horace D. Godfrey, native of North Carolina, is a recent recipient of the Department of Agriculture's highest award for distinguished service. The recognition is richly deserved. Horace Godfrey is a keyman in farm-action programs affecting farm production and marketing.

As Administrator of the Department's Agricultural Stabilization and Conservation Service, he heads up programs that influence the production, conservation, and use of soil and water resources on millions of farms throughout the Nation.

As executive vice president and a member of the Board of Directors of the Commodity Credit Corporation, the Department's bank agency, he participates in policymaking that puts millions of dollars annually into the Nation's economic bloodstream, protecting farm income and encouraging the orderly and increased marketing of farm commodities both at home and abroad.

The award citation reads:

For distinctive leadership in the development and operation of major programs affecting farm income and conservation, and for outstanding skill in administration resulting in increased efficiency and economy.

Mr. Godfrey was appointed administrator of ASCS (then known as the Commodity Stabilization Service) and executive vice president of the CCC in January 1961. Except for wartime service in the Air Force, he had served continuously in farm program administration since 1934, for the most recent 12 years as State administrative officer for the ASCS State office in North Carolina. He is a career employee who has made steady advancement through diligent application to the job to be done.

January 1961 was a critical time for agriculture, calling for aggressive action, tuned to the needs of farmers and performed so as to provide maximum assurance of success. Price supports for major commodities had been successively lowered, farm prices had declined, and farm income had dropped to low levels at the same time that farm operation costs had steadily increased. Government stocks of such important agricultural commodities as feed grains and wheat had climbed to record levels, and the costs of these and other major price-supported operations had skyrocketed.

Soil bank programs initiated in the 1950's had failed to stop increases in surpluses, had cost tremendous sums of money, and had seriously affected local communities where a large portion of the farms had been retired from production. Conservation efforts had become confused and were not especially encouraged. The organizational structure of the agency administering the programs was not adequate for the job.

Since the new Administrator took office, improvements in both programs and the administrative organization have benefited the whole agricultural industry, directly affecting not only the welfare of farmers, but also markets, general business operations, international relationships, and individual consumers and taxpayers generally. ASCS operations include price support, production adjustment, conservation assistance, surplus inventory management and disposition, sugar and wool payments, and many related activities.

Agency operations involve transactions in practically every county in the United States, growing out of individual dealings with the great majority of all farmers, warehousemen, banks, cooperatives, overland and water carriers, and others.

Changes in operations—such as the elimination or reduction in fees and other deductions made from farmers' price-support benefits—have provided more income to farmers from their crops. Administrative decisions on rates of payment for warehouse charges and similar items have resulted in saving millions of dollars. The agricultural conservation program has been revitalized, resulting in more conservation practiced by more farmers each year; the number of participants increased by 11 percent in just 1 year. Farm income has increased. Government stocks have been reduced.

The first emergency feed grain program, authorized 2 months after the new administration took office—for crops which were to be planted within a few weeks—resulted in the actual diversion of more than 25 million acres from production into approved conserving uses. This program has been followed by similar diversion programs for wheat and subsequent feed grain crops. Just this spring, new programs were authorized for the next two crops of upland cotton and wheat.

These new programs have meant increased workloads, but they have been performed with less manpower. ASCS was one of the very few agencies of Government which actually reduced employment last year, and the reduction was greater than that for any other agency in the Department of Agriculture.

In streamlining the organizational structure of ASCS, lines of authority and responsibility have been clarified and established on a functional basis. The net result has been a reduction of 545 man-years of Federal employment in fiscal 1963 compared with 1962—saving $3,320,000—and an expected further reduction of 493 in the current fiscal year, saving an additional $4,117,000.

County office administration also has been improved. Man-years worked in fiscal 1963 in these offices were nearly 6 percent less than in the preceding year, a trend that is expected to continue.

North Carolinians are proud of their fellow citizen, Horace D. Godfrey, and the record of achievement he has made in administering farm programs and saving money for taxpayers.

Castro on the Colorado

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 25, 1964

Mr. HOSMER. Mr. Speaker, with 18 million acre-feet of water in storage back of Hoover Dam and dams upstream, there are enough reserves in the Colorado River mainstream to cope with 4 more years as dry as 1963 and 1964. Yet Interior Secretary Stewart Udall, in order to build up a head of water to produce power at Lake Powell, behind Glen Canyon Dam, has arbitrarily cut off the flow of the Colorado River at that point, like Castro cut off the water for the Guantanamo Naval Base. Further, as a direct consequence, he has imposed a 10-percent cut on water uses downstream in violation of the Colorado River compact, which prohibits withholding of water upstream for power uses which is needed for consumption downstream.

The following opinion was expressed today by M. J. Dowd, Colorado River Commissioner of California and chairman of the committee of six agencies which put Colorado River water to beneficial use in southern California:

> The Udall order of a 10-percent cut in water uses in the lower basin does not reflect an actual drought situation. The order reflects an artificial crisis, a Udall illusion intended to gratify interests related only to power generation, upper basin interests which are careless of urban and irrigation needs of people living in the lower basin of the river. The order of Secretary Udall to reduce water use is not justifiable at this time.
>
> The Udall order to cut water uses in the lower basin by 10 percent makes no sense. It forces the spending of local water reserves, where they exist, as is the case in San Diego, for example, for a foolish rehearsal which will dissipate savings that later may be badly needed.
>
> The Udall order to cut water uses comes without warning to irrigators and ignores crop patterns now in progress as result of careful planning by growers who relied upon contractual promises and who cannot shift operations impulsively. They face an unnecessary risk of financial loss.

A further criticism was made by Samuel B. Nelson, general manager and chief engineer of the Los Angeles City Department of Water and Power, the agency with which the Bureau of Reclamation contracts to operate the public power generators at Hoover Dam. He said:

> The Udall order to sequester so much water back of Glen Canyon Dam, out of which this water will come hard if a real drought develops, has by no means been proven to be the most profitable way to manage power production on the river. To reduce production of 18 electrical generators at Hoover Dam in order to start one at Glen Canyon, and months later another there, and months later a third—maybe, is supposed to be supported by Federal figures which are yet to be given for checking by engineers who advise other interested public agencies. When we receive these data as now promised, and analyze them, more detailed comment may be made on this financial aspect of the power situation. As of now, we are skeptical.

The six agencies for which Commissioner Dowd spoke are the Imperial Irrigation District, of which he is executive officer, the Coachella Valley County Water District, the Palo Verde Irrigation District, the Metropolitan Water District which serves 9 million people in 113 cities in southern California, the San Diego County Water Authority, and the Los Angeles City Department of Water and Power.

From Indio, Raymond R. Rummonds spoke for the Coachella Valley growers. He cited the current expenditure of $7 million there on water conservation improvements. Unusually high efficiency in water employment results. There is less and less slack which can be taken up. He added that income from water sales to growers is one of the principal sources of money available to pay back that $7 million, and to repay the $26 million U.S. loan used to build the irrigation system. The mandatory 10-percent cut in water availability could upset funding plans of the district, he said.

In Blythe, officials of the Palo Verde Irrigation District observed that its water right is the first established on the river and has legal priority. Since all unused water drains back to the river, an improvement in efficiency of use seemed difficult to accomplish. The mandatory 10-percent cut announced by Secretary Udall to "gain experience" in ways to cope with a possible third dry year in 1965 brought the counter question, "What is reasonable?" The Secretary of the Interior is charged by law to make reasonable regulations.

There is little doubt that the troubles on the Colorado River stem from the fact that the river simply does not contain enough water to satisfy all the uses to which it can be put. There is also little doubt that this situation can be remedied, although it may cost a lot of money. That remedy, endorsed by these six southern California water agencies is embodied in bills introduced on the Senate side by Senator KUCHEL, and on the House side by myself and others.

These would look to augmenting the Colorado's limited flow by diversion of surplus, unused, and unneeded waters from other river basins.

It is time the Interior Secretary stops aping the fatuous Fidel and starts supporting feasible permanent solutions to western water problems.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 25, 1964

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of May 23, 1964:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, May 23, 1964)

ARE WE FIGHTING COMMUNISM OR HELPING IT?

Just what is going on? Are we going to win the war against communism or have we already capitulated? These are questions the American people have a right to ask after the key vote this week on the agricultural appropriation bill, H.R. 11202.

The key vote was on an amendment by Congressman FRANK BOW, of Ohio:

"That no part of the funds herein appropriated shall be available for any expense incident to making export payments or export subsidies on any agricultural commodities being sold or sold to the government of any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961) or to any agency or national thereof."

This was a simple statement that no money taken from the American people would be used to subsidize agricultural commodities for Communist countries.

The amendment did not prohibit the sale of goods to Communist countries. It merely said we wouldn't subsidize them.

This amendment, which said we wouldn't help communism, was defeated by 1 vote—187 to 186. (CONGRESSIONAL RECORD for Thursday, May 21, 1964, p. 11437. You should know how the Members voted. Only five Republicans were against the amendment.)

OBJECTIONS TO ENTIRE BILL

My own objections to the agriculture appropriation bill are based (1) in my disbelief in control of the farmer and farm products; (2) the unconstitutional nature of the present farm law. More specifically, I listed the following objections in speaking against the appropriation:

1. There is a conflict between sections 32 and 22 of the Agriculture Act. Even as Government is buying $400 million of meats, between 1936 and 1962, as surplus under section 32, we find the United States being flooded with foreign meats under section 22.

2. There is overlapping jurisdiction and expenditures in Public Law 480, funded in this bill, and the AID in the foreign aid bill.

3. There is an increase of $167 million to a total of $1.9 billion in Public Law 480 funds to give away or sell short, agriculture products overseas, including to Communists.

4. The REA is granted $450 million more when the great bulk of rural electrification is behind us and private enterprise can take over the job.

5. There is room for reasonable doubts on other sections of the bill including Federal aid for land conservation to grow crops when we are retiring land from crop use; Federal food stamp plan; Federal school milk and lunch; illegal grain shipment diversion; Farm Home Administration; Government loans to farmers; Federal rural renewal; Federal rural public housing for the elderly, etc.

HERE WE GO AGAIN

Is the Johnson administration cutting spending? Not so you can notice it. Next week the Committee on Ways and Means is going to be asked to raise the debt ceiling to $325 billion. The President opposes reducing or eliminating Korean war excise taxes. Yet he and those pressing for his programs would have you believe they believe in economy and lower taxes. What's the record?

1. The cash budget this year may run as high as $140 billion. (Far from the $98 billion we are led to believe the President will spend).

2. The political gimmick, war on poverty, calls for new billions of Federal money.

3. Just this week the President asked Congress for $125 million more to carry on his war in Vietnam.

4. The President is demanding Congress increase Federal salaries, especially in the high bracket political areas.

5. The President is putting every conceivable pressure on Congress to pass a medicare bill with all the funds coming out of the general treasury.

We just increased the debt ceiling to $315 billion on November 7. Republicans opposed it at that time and warned that debt ceiling increases are never temporary. I said in that debate:

"Debt ceiling has been used as a gimmick. Increases are seldom temporary. Some have vainly tried to use it as a check rein on Government which has no limitation on spending, borrowing, or taxing. The sky is the limit. Perhaps we should repeal the debt ceiling mechanism. Or we could make it a practical tool to aid in controlling the rate of expenditures, which now is entirely in the hands of the Chief Executive."

Instead we go merrily along with the Democrat philosophy that all problems can be solved by throwing money at them. It can't be done and 30 years of the New Deal, Fair Deal, New Frontier, and the present wheeling and dealing has proved it can't.

Horace D. Godfrey, North Carolinian, Receives Agriculture Department's Highest Distinguished Service Award

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 25, 1964

Mr. COOLEY. Mr. Speaker, Horace D. Godfrey of North Carolina has been presented the Department of Agriculture's highest award for distinguished service.

We salute this North Carolinian for his dedication and service to the farm people of America.

Mr. Speaker, as Administrator of the Department's Agricultural Stabilization and Conservation Service, Horace D. Godfrey is a key man in farm-action programs affecting most phases of farm production and marketing. He heads up programs that influence the production, conservation and use of soil and water resources on millions of farms throughout the Nation.

As Executive Vice President and a member of the Board of Directors of the Commodity Credit Corporation, the Department's banking agency, he participates in policymaking that puts millions of dollars annually into the Nation's economic bloodstream, protecting farm income and encouraging the orderly and increased marketing of farm commodities both at home and abroad.

The award citation reads:

> For distinctive leadership in the development and operation of major programs affecting farm income and conservation, and for oustanding skill in administration resulting in increased efficiency and economy.

Mr. Godfrey was appointed Administrator of ASCS—then known as the Commodity Stabilization Service—and Executive Vice President of the CCC in January 1961. Except for wartime service in the Air Force, he had served continuously in farm program administration since 1934. For 12 years, prior to coming to Washington, he was State administrative officer for the ASCS State office in North Carolina.

January 1961 was a critical time for agriculture, calling for aggressive action, tuned to the needs of farmers and performed so as to provide maximum assurance of success. Price supports for major commodities had been successively lowered, farm prices had declined, and farm income had dropped to low levels at the same time that farm operation costs had steadily increased. Government stocks of such important agricultural commodities as feed grains and wheat had climbed to record levels, and the costs of these and other major price-support operations had skyrocketed.

Soil bank programs initiated in the 1950's had failed to stop increases in surpluses, had cost tremendous sums of money, and had seriously affected local communities where a large portion of the farms had been retired from production. Conservation efforts had become confused and were not especially encouraged. The organizational structure of the agency administering the programs was not adequate for the job.

The whole agricultural industry—and rural living generally throughout the United States—have benefited from the improvements made in both programs and the administrative organization since the new Administrator took office. ASCS operations include price support, production adjustment, conservation assistance, surplus inventory management, and disposition, sugar and wool payments, and many related activities.

Agency operations in the fiscal year 1963 involved paying out about $7 billion in Government funds and receiving about $3 billion. They involved transactions in practically every county in the United States, growing out of individual dealings with the great majority of all farmers, warehousemen, banks, cooperatives, overland and water carriers, and others.

Decisions made in the administration of these activities have directly affected not only the welfare of farmers, but also markets, general business operations, international relationships, and individual consumers, and taxpayers generally.

Changes in operations to provide more income to farmers from their crops have included elimination or reduction in fees and other deductions made from farmers' price-support benefits, more adequate recognition of grades and qualities in setting support prices, and more effective use of reseal loans to provide timely storage income to farmers and give them the benefit of higher prices that might occur during the reseal period.

Administrative decisions on payment of warehouse charges and similar items have resulted in saving millions of dollars.

A revitalization of the agricultural conservation program has resulted in more conservation practiced by more farmers every year. The number of participants in this program, under which the Government shares with producers the cost of needed conservation, was increased by 11 percent in just 1 year. This was done through encouraging community committeemen to visit their neighbors, on their own time, and to convince them of the need for practicing more conservation on their farms. The conservation programs can be effectively used as a part of the attack on rural poverty in certain areas of the country, such as the Appalachian region.

Mr. Speaker, during the time Mr. Godfrey has served as ASCS Administrator, farm income has increased, and the organizational structure has been revamped. I would like to review for the benefit of the Members some of these events.

Two months after the new administration took office—on March 22, 1961—Congress took action to increase farm income, reduce stocks, and cut Government costs by enacting the first emergency feed grain program. This was slated to become effective for crops which were to be planted within a few weeks. Its success can be judged from the fact that the 1961 program resulted in the actual diversion of more than 25 million acres from the production of corn and grain sorghum into approved conserving uses.

The following August, legislation authorized diversion programs for 1962 crops of feed grains and of wheat—then being planted in some sections.

In September of 1962, the Food and Agriculture Act was enacted, authorizing a feed grain program and a wheat stabilization program for 1963 and providing a broader diversion and price program for 1964 and subsequent crops of wheat.

In May of 1963, legislation extended the feed grain program for 1964 and 1965.

In April of 1964, to forestall a drastic drop in farmer income—expected to follow the removal of wheat quotas with an attendant cut in the available price support—a voluntary program was authorized for the 1964—and 1965—crop of wheat—much of it already in the ground—and additional new program provisions were authorized for the 1964—and 1965—crop of upland cotton—already planted in many sections.

While ASCS has taken on a substantially increased workload during this period, the agency has performed it effectively with less manpower. ASCS was one of the very few agencies of Government which actually reduced employment last year, and the reduction was greater than that for any other agency in the Department of Agriculture.

Starting in June 1961, the organizational structure of the administrative agency was streamlined—and it was further realined in November of 1962—to more effectively operate the farm programs with less money and manpower. Lines of authority and responsibility have been clarified and established on a functional basis. Policy advisory functions now are vested in a small group of policy staffs, reporting directly to the Administrator and in effect serving as his eyes and ears in their respective fields.

Despite the fact that the second reorganization of ASCS involved closing three large field offices employing nearly 1,000 people, moving another field office employing over 400 people, and reassigning the functions and responsibilities performed by about 550 people in Washington, the reorganization was completed within a 4-month period, with little or no loss in overall effectiveness during the period of transition.

The net result has been a reduction of 545 man-years of Federal employment in fiscal 1963 compared with 1962—saving $3,320,000—and an expected further reduction of 493 in the current fiscal year, saving an additional $4,117,000.

County office administration also has been improved. These small offices, nearly 3,000 in number, are the points at which program operations reach individual farmers. Man-years worked in fiscal 1963 in these offices were nearly 6 percent less than in the preceding year, a trend that is expected to continue.

During the summer of 1961, a data processing center was established in Kansas City, Mo., to handle program work, thus reducing the manpower required in handling the masses of paperwork incident to ASCS programs. The center is now in the process of taking over responsibility for accounting and related work for all CCC-owned grain inventories in the country, in addition to handling all CCC price-support loans on grains.

And the work of reviewing and analyzing the techniques and staffs is continuing. Additional methods are being initiated as possible sources of further economy and greater efficiency. Management surveys and justifications of each individual position are a part of this effort. So is an operational analysis of individual programs, to determine whether program objectives can be met and operating policy carried out in a more effective manner.

Mr. Speaker, Horace Godfrey, from my home State of North Carolina, has been entrusted with very large responsibility. For his performance in discharging this responsibility he has received the highest award of the Department of Agriculture.

SENATE

TUESDAY, MAY 26, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou whose throne is truth, in a turbulent time we would wait at noontide to set our hearts in tune with the infinite, so that in the whirl of pressing tasks we may be preserved from impatience and depression.

In the midst of feverish social ferment where the lowest so commonly is the loudest, we desperately need in each day of deliberation a shrine of reverence, to give the Highest a chance at our lives. So give us, we beseech Thee, ears to hear not just the strident shouts of the noisy streets, but also the still voice heard only in the inner chamber.

If this weary flesh of ours, faced by clever and determined foes, should fear and falter, keep us firm and steadfast, as we put on the whole armor of faith and hope and love, strengthened by the realization that ours is also a time of splendor, bright with promise as we stand at the portals of a more glorious tomorrow for all men.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 25, 1964, was dispensed with.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of a quorum call, there be the usual morning hour, under the usual conditions.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS TO NOON, WEDNESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon on Wednesday, tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

JOINT MEETING OF TWO HOUSES ON THURSDAY TO HEAR ADDRESS BY DR. EAMON DE VALERA, PRESIDENT OF IRELAND

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish again to announce, on behalf of the distinguished minority leader, the Senator from Illinois [Mr. Dirksen] and myself, that there will be a joint meeting in the Hall of the House of Representatives at 12:30 p.m. on Thursday next to hear an address by the President of Ireland, Dr. Eamon de Valera.

It is anticipated that Senators will leave this chamber at about 12:15 p.m. in a body.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 253 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Cannon
Carlson
Case
Church
Cotton
Dirksen
Dominick
Douglas
Ellender
Ervin
Fong
Gruening
Hayden
Hickenlooper
Holland
Humphrey
Inouye
Javits
Johnston
Jordan, Idaho
Keating
Kuchel
Lausche
Long, La.
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Monroney
Mundt
Muskie
Neuberger
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Smith
Stennis
Symington
Walters
Williams, Del.
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from North Dakota [Mr. Burdick], the Senator from Virginia [Mr. Byrd], the Senator from Connecticut [Mr. Dodd], the Senator from Arkansas [Mr. Fulbright], the Senator from Alabama [Mr. Hill], the Senator from Washington [Mr. Jackson], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Wyoming [Mr. McGee], the Senator from Oregon [Mr. Morse], the Senator from Rhode Island [Mr. Pastore], and the Senator from Alabama [Mr. Sparkman] are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster], the Senator from West Virginia [Mr. Byrd], the Senator from Pennsylvania [Mr. Clark], the Senator from Mississippi [Mr. Eastland], the Senator from Oklahoma [Mr. Edmondson], the Senator from Tennessee [Mr. Gore], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from North Carolina [Mr. Jordan], the Senator from Washington [Mr. Magnuson], the Senator from Utah [Mr. Moss], the Senator from Wisconsin [Mr. Nelson], the Senator from Florida [Mr. Smathers], the Senator from Georgia [Mr. Talmadge], and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

I further announce that the Senator from California [Mr. Engle] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. Beall], the Senator from Iowa [Mr. Miller], the Senator from Kansas [Mr. Pearson], the Senator from Vermont [Mr. Prouty], and the Senator from Texas [Mr. Tower], are detained on official business.

The Senator from Kentucky [Mr. Cooper] is absent on official business.

The Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Arizona [Mr. Goldwater], the Senator from New Mexico [Mr. Mechem], the Senator from Kentucky [Mr. Morton], and the Senator from Wyoming [Mr. Simpson] are necessarily absent.

The ACTING PRESIDENT pro tempore. A quorum is present.

Morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Proposed Amendment Decreasing Appropriations, 1965, for Treasury Department (S. Doc. No. 78)

A communication from the President of the United States, transmitting an amendment decreasing the request for appropriations transmitted in the budget for 1965, in the amount of $3,300,000, for the Treasury Department (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

Report on Overobligation of an Appropriation

A letter from the Administrator, Veterans' Administration, Washington, D.C., reporting, pursuant to law, on the overobligation of an appropriation in that Administration; to the Committee on Appropriations.

Report on Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting, pursuant to law, a report on defense procurement from small and other business firms, for the period July 1963–March 1964 (with an accompanying report); to the Committee on Banking and Currency.

Report on Additional Costs Resulting From Failure To Consolidate Certain Federal Communications Services

A letter from the Comptroller General of of the United States, transmitting, pursuant to law, a report on additional costs resulting from failure to consolidate certain Federal Communications services in the Washington, D.C., area, General Services Administration, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Unnecessary Costs Incurred in Transporting First-Class Mail by Air

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred in transporting first-class mail by air, Post Office Department, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

Col. William W. Thomas and Lt. Col. Norman R. Snyder

A letter from the Assistant Secretary of the Air Force (Installations and Logistics), transmitting a draft of proposed legislation for the relief of Col. William W. Thomas and Lt. Col. Norman R. Snyder, U.S. Air Force (with an accompanying paper); to the Committee on the Judiciary.

Chief M. Sgt. Robert J. Becker

A letter from the Assistant Secretary of the Air Force (Installations and Logistics), transmitting a draft of proposed legislation for the relief of Chief M. Sgt. Robert J. Becker, U.S. Air Force (with an accompanying paper); to the Committee on the Judiciary.

Amendment of Title 39, United States Code, To Authorize the Postmaster General To Relieve Postmasters and Other Employees for Certain Losses

A letter from the Postmaster General transmitting a draft of proposed legislation to amend title 39, United States Code, to authorize the Postmaster General to relieve postmasters and other employees for losses resulting from illegal, improper, or incorrect payments, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. Johnston and Mr. Carlson members of the committee on the part of the Senate.

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE

The ACTING PRESIDENT pro tempore laid before the Senate the following concurrent resolution of the Legislature of the State of South Carolina, which was referred to the Committee on the Judiciary:

Resolution —

A concurrent resolution memorializing the Congress of the United States to propose an amendment to the U.S. Constitution making lawful the voluntary participation in daily prayer and the reading of Scripture in the public schools

Whereas the general assembly has noted with great concern the recent decision of the U.S. Supreme Court declaring the offering of prayer to Almighty God in the public schools unconstitutional; and

Whereas it is not believed that this decision represents the will of the people of America; and

Whereas at least this body holds that the matter should be submitted to the electorate of the entire United States in order that by the exercise of the free ballot the will of the people may be determined as to whether or not daily prayer and the reading of the Scripture should be allowed in the public schools of the country; and

Whereas the general assembly further believes that the great majority of the people will vote in favor of paying this simple homage to Almighty God, which will result in inserting into the U.S. Constitution a mandate making it lawful to voluntarily participate in daily prayer and the reading of the Scripture in the public schools: Now, therefore, be it

Resolved by the house of representatives (*the senate concurring*), That Congress is hereby memorialized to propose an amendment to the U.S. Constitution, which shall be amendment XXIV, as follows:

"AMENDMENT XXIV

"Notwithstanding any statute of the Congress or of any State of the United States or of any decision of any court to the contrary, it shall be lawful to voluntarily participate in daily prayer and the reading of Scripture in the public schools throughout the United States."

Be it further resolved, That a copy of this resolution be forwarded to the President of the Senate of the Congress, to the Speaker of the House of Representatives of the Congress, to each U.S. Senator from South Carolina and to each Member of the House of Representatives in the Congress from South Carolina.

Attest:

INEZ WATSON,
Clerk of the House.

DEATH OF THE LATE KING PAUL OF GREECE

The ACTING PRESIDENT pro tempore laid before the Senate the following communication from the King of Greece, which was referred to the Committee on Foreign Relations:

THE ROYAL PALACE,
Athens, April 25, 1964.

MR. PRESIDENT: It was with deep emotion that I received from U.S. Ambassador H. R. Labouisse the text of the resolution of the U.S. Congress of March 9, 1964, on the occasion of the death of the late King Paul, my beloved father.

The participation of the entire membership of such a noble and representative body in our bereavement was greatly heartening to us all.

Please accept and convey to the honorable Members of the Senate the heartfelt thanks of Queen Frederika and myself as well as those of my people.

CONSTANTINE R.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SYMINGTON, from the Committee on Armed Services, without amendment:

H.R. 10774. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of cadmium from the national stockpile and the supplemental stockpile (Rept. No. 1026).

By Mr. SYMINGTON, from the Committee on Armed Services, with an amendment:

S. 2272. A bill to insure the availability of certain critical materials during a war or national emergency by providing for a reserve of such materials, and for other purposes (Rept. No. 1025).

REPORT ENTITLED "REFUGEES AND ESCAPEES"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1027)

Mr. HART. Mr. President, from the Committee on the Judiciary I ask unanimous consent to submit a report entitled, "Refugees and Escapees," pursuant to Senate Resolution 66, 88th Congress, 1st session, as extended, together with the individual views of the Senator from Pennsylvania [Mr. SCOTT].

I ask unanimous consent that the report, together with the individual views, be printed.

The PRESIDING OFFICER (Mr. WALTERS in the chair). The report will be received and printed, as requested by the Senator from Michigan.

REPORT ENTITLED "ANTITRUST AND MONOPOLY ACTIVITIES, 1963"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1028)

Mr. HART. Mr. President, from the Committee on the Judiciary I ask unanimous consent to submit a report entitled, "Antitrust and Monopoly Activities, 1963," pursuant to Senate Resolution 56, 88th Congress, 1st session, as extended, together with the individual views of the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], and the Senator from New York [Mr. KEATING].

I ask unanimous consent that the report, together with the individual views, be printed.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Michigan.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF:

S. 2870. A bill to provide that coins of the United States hereafter minted shall bear no mark or inscription signifying either the place or the date of coinage; to the Committee on Banking and Currency.

(See the remarks of Mr. METCALF when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 2871. A bill for the relief of Arthur Anderson; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 2872. A bill to amend title I of the Internal Security Act of 1950; to the Committee on the Judiciary.

(See the remarks of Mr. THURMOND when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

INVESTIGATION OF PARTISAN POLITICAL FUNDRAISING IN THE CIVIL SERVICE

Mr. WILLIAMS of Delaware (for himself and Mr. CARLSON) submitted a resolution (S. Res. 332) requesting the Attorney General to investigate partisan political fundraising in the civil service, which was ordered to lie over under the rule.

(See the above resolution printed in full when submitted by Mr. WILLIAMS of Delaware which appears under a separate heading.)

ELIMINATION OF DATE, AND INSCRIPTION OF PLACE OF COINAGE ON U.S. COINS HEREAFTER MINTED

Mr. METCALF. Mr. President, the Board of Governors of the Federal Reserve System, in reporting to Chairman ROBERTSON of the Banking and Currency Committee on Senate bill 2671, a bill to redefine the silver content in silver coins, pointed out that there is a serious coin shortage at present in this country.

The Board of Governors suggested one step that could be taken to help alleviate the serious coin shortage would be to authorize the Treasury Department to discontinue the practice of changing each year's mintage date. The Board pointed out that the procedure of putting the date on coins results in coins of previous years being quoted at higher and higher premiums as they grow older, and consequently more and more of them are withdrawn from circulation by collectors.

Mr. President, the recently issued Kennedy half dollars serve to illustrate this point. As I understand it, present plans call for minting 90 million of these coins in 1964. If the date on the new coins is then changed, the first year's issue will be at a much higher premium—and disappear from circulation much faster—than if the public knew the date on coins would remain unchanged for the entire life of the coin.

The use of mint marks signifying the place of coinage also leads to the same practice. The 1885 Carson City silver dollars are of greater numismatic value than those of the same year coined at other mints, only because of the limited number coined at Carson City, and only because there is no longer a mint at Carson City.

If we did not have the problem of so many coins being taken out of circulation by collectors due to mint marks and dates, we would not have as serious a small coin problem, and we would then have one less obstacle to overcome in our efforts to secure the minting of additional silver dollars which we in the West love so well.

Mr. President, although I realize it will not result in an immediate solution to the problem, I introduce for appropriate reference a bill to provide that the coins of the United States hereafter minted shall bear no mark or inscription signifying either the place or the date of coinage.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2870) to provide that coins of the United States hereafter minted shall bear no mark or inscription signifying either the place or the date of coinage, introduced by Mr. METCALF, was received, read twice by its title, and referred to the Committee on Banking and Currency.

AMENDMENT OF TITLE I OF INTERNAL SECURITY ACT OF 1950

Mr. THURMOND. Mr. President, on July 10, 1963, Secretary of State Rusk appeared before the Senate Commerce Committee to testify on a civil rights bill on which the committee was holding hearings. Secretary Rusk made an impassioned plea on behalf of the bill and stressed his support for civil rights. Among other things, Mr. Rusk expressed great concern for the image of the United States across the world as it was affected by any denial of civil rights in the United States.

One of the most glaring denials of civil and statutory rights of an American citizen has been in process within Mr. Rusk's own State Department since June 27, 1963, when six security officers entered the office of State Department Security Evaluator, Otto O. Otepka, and seized his records, the contents of his safe, and expelled Mr. Otepka from his office. Subsequently, formal charges were filed again Mr. Otepka based on an allegation that he gave information to a congressional committee. It has subsequently come to light that some of his superiors had given false testimony to the Senate Internal Security Subcommittee concerning Mr. Otepka, and his performance of his duties.

Mr. Otepka has requested, under applicable regulations and provision of law, a hearing on the charges filed against him.

No such hearing has been granted, and Mr. Otepka is still being prevented from performing his duties.

Mr. President, this is an intolerable situation. It should not be permitted to continue. The protection of the rights of an individual employee of the U.S. Government, as established by statute, is being thwarted and denied. Since the administrative procedures within the State Department designed for the protection of the rights of individuals have broken down, there is apparently no recourse but for the Congress to enact additional legislation to insure that individual rights are protected.

A simple remedy for this situation is for the Congress to provide that an employee who finds himself in a position similar to that of Mr. Otepka shall have a cause of action against his superior officers in the Federal district court of the United States for such damages as he may incur as a result of unwarranted actions taken by his superiors. Mr. President, I send a bill to the desk for this purpose and ask that it be appropriately referred.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 2872) to amend title I of the Internal Security Act of 1950, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on the Judiciary.

INVESTIGATION OF PARTISAN POLITICAL FUNDRAISING IN THE CIVIL SERVICE

Mr. WILLIAMS of Delaware. Mr. President, out of order, on behalf of myself, and the Senator from Kansas [Mr. CARLSON], I ask unanimous consent for the privilege of submitting a resolution.

The **PRESIDING OFFICER.** The resolution will be received.

Mr. WILLIAMS of Delaware. The purpose of this resolution—I will read it:

Whereas it has been reported in the public press that career employees of the Federal Government have been solicited by the Democratic National Committee to purchase tickets to a political fundraising dinner to be held on May 26, 1964; and

Whereas the Congress, from time to time, has enacted laws designed to prohibit partisan political activities by career employees of the Government, and to protect such employees from partisan political pressures: Now, therefore, be it

Resolved, That the Attorney General is requested to investigate the alleged solicitation of career employees by the Democratic National Committee to purchase tickets to a political fundraising dinner to be held on May 26, 1964, for the purpose of ascertaining whether such solicitation has involved a violation of existing laws, and (1) if it appears that any such violation has occurred, to take appropriate steps to punish those responsible therefor, or (2) if it appears that the alleged solicitation was not in violation of existing laws, to formulate and recommend to the Congress, within 60 days, the enactment of such additional laws, or amendments to existing laws, as may be necessary to prohibit further solicitations of this nature.

Mr. President, in this connection, I ask unanimous consent to have printed in the RECORD an article published in the Washington Evening Star, for May 12, 1964, written by Joseph Young, and entitled "Drive Stepped Up To Sell Employees $100 Tickets to Affair for Johnson," an editorial published in the Washington Star for May 24, entitled "The Big Bite," and an editorial published in the Washington Daily News of May 25, 1964, entitled "The Sluggers."

There being no objection, the article and editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, May 12, 1964]

DRIVE STEPPED UP TO SELL EMPLOYEES $100 TICKETS TO AFFAIR FOR JOHNSON

(By Joseph Young)

The Democratic National Committee is stepping up its drive to get Government career employees to attend the $100-a-ticket affair in honor of President Johnson on May 26 at the District of Columbia Armory.

Thousands of career employees in grade 9 and above have received "invitations" from the Democratic National Committee in the past few weeks. Many thousands of others had received invitations and followup letters during the past 3 months.

And the Democratic National Committee apparently has devised a new wrinkle to pressure Government careerists into attending.

During the past week employees of grade 13 and above in the Agency for International Development, which is seeking legislation to "select out" employees without regard to civil service laws, received invitations.

The invitations they more or less expected. But what chilled them was their civil service grade number written in ink on the corner of the invitation cards.

AID employees feel this is a not-too-subtle way of telling them their agency expects them to attend if they hope to avoid the fate of being "selected out" of their jobs, should AID get this authority.

While letters sent to Government employees at their homes, soliciting funds for political purposes, are not a violation of Federal laws, it is a violation if names of employees were furnished by the agencies for which they work.

It long has been taken for granted that many agencies do furnish such information to political organizations, but this is very difficult to prove.

However, the situation regarding AID employees and the fact that their grades were written on their invitations suggest the information may have come from AID.

AID officials emphatically deny the information came officially from the agency.

They acknowledge there are hundreds of organizational charts bearing the names of AID employees, their grades, job duties, etc., that are intended for "official use only," and that someone at AID could have furnished a chart to the Democratic Committee. They declare, however, that if this happened it was without the approval of AID.

[From the Washington (D.C.) Star, May 24, 1964]

THE BIG BITE

Administrations may come and administrations may go, but the big bite goes on forever. The big bite, by polite definition, is an invitation to attend a dinner party in honor of a Washington dignitary, such as the President of the United States. For the high privilege, the guest is expected to chip in at least $100 for the good of the party—Democratic Party, that is.

Well, that's all right. Anyone who wishes to ante up that kind of money to break bread with President Johnson at the Armory next Tuesday is entitled to do so. It is those people who would just as soon not, but are going to anyway, or at least are going to pay for it, whom we are concerned about.

These are the grade 11 and upward Federal career employees who receive invitations, plus subtle and not-so-subtle hints that it would be good personnel strategy to cough up the cash.

It is an evil practice which has been going on so long now it almost has won the badge of respectability through repetition and the broad wink. Administration after administration has shut its eyes to the implications of coercion, blackmail and veiled threats which are a part of these "invitations" to Federal career employees. Each time it happens someone says: What about the Hatch Act and the Corrupt Practices Act?

The plain truth is that these laws, designed to protect the Federal worker against political flimflammery, are all but worthless in such cases. In the first place, they require a formal complaint by the offended employee, who is not about to risk his future so rashly. Second, they require prosecution by political appointees loath to bite the feeding hand.

Consequently, there is only one practical solution for muzzling the big bite. That is for the President of the United States and the national committees of the political parties to put a stop to the biting practice, once and for all.

[From the Washington (D.C.) Daily News, May 25, 1964]

THE SLUGGERS

We know it costs a heap of money to stage a national political campaign—in 1960, the Democratic Party spent nearly $10 million, and ended up $3.8 million in debt.

We know there are many ways to raise this money, and both major parties have used all methods. And that all along there have been good legal questions about some of these schemes.

Corporations are barred by law from making political contributions. But at the national conventions they regularly are pressured to buy program advertising, more or less worthless.

This has been condoned because both parties have been doing it, and because, technically at least, the money has gone to local committees to finance the expenses of the convention—not to the general campaign.

It is one thing to solicit a convention city businessman for a program ad on the ground he may reap extra business from the convention delegates. It is something else to badger corporations around the country who could not possibly profit from the delegate visitation.

The Democratic National Committee now has a new gimmick. It has taken over the program for the July convention in Atlantic City and boosted the ad prices—$15,000 for a full page, for instance, as against $5,000 in 1960. Hundreds of companies, far away from Atlantic City, have been solicited. Many of these firms do business with the Government or are otherwise involved with Government agencies: They are subject to agency regulation, or are liable to antitrust prosecution.

In addition to tripling the advertising fees, the Democratic National Committee proposes to sell souvenir copies of the program for $10 each, all around the country. It hopes to raise some $5 million this way, many times the normal cost of staging a convention.

Similar schemes in the past have been condemned as illegal by such authorities as the late Supreme Court Justice Robert H. Jackson and Senator Carl Hatch, author of the 1939 "pernicious political activities" law. In addition to this serious legal question, it is wrong, any way it is looked at, for a party in power to put the slug on companies which can be hurt or favored by direct Government action.

Mr. WILLIAMS of Delaware. Mr. President, following these editorials, I ask unanimous consent that a sample form of the solicitation letter and form for applying for tickets, be printed in the RECORD.

There being no objection, the forms were ordered to be printed in the RECORD, as follows:

Buffet preceding the gala salute to President Johnson will be held at 7:30 p.m., May 26. It is being held in honor of Secretary and Mrs. Rusk and given by Messrs. Crockett and Duke. Whoever is going to the gala with you is also invited to the buffet.

Please call Mrs. Johnson in Protocol giving the number attending (X 2006 or 2680).

SALUTE TO PRESIDENT LYNDON B. JOHNSON

May 26, 1964.

Post Office Box 1213,
Washington, D.C.

Name______________________________________
Address____________________________________
City______________________ State __________
Please reserve for me ______ seats.

ONE TICKET ISSUED FOR EACH $100 CONTRIBUTION

I enclose check payable to the Democratic National Committee.

Please credit this contribution to ________
(State)

____________________ ____________________
(Date) (Signature)

SPECIAL INSTRUCTIONS

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No contribution should be made by any person, firm, or corporation negotiating for or performing a contract for the Federal Government in his or its own behalf, but employees and officials of such persons, firms, or corporations may make contributions.

Mr. WILLIAMS of Delaware. Mr. President, I ask for immediate consideration of this resolution. I believe it is one on which the Senate should act.

Mr. MUSKIE. Mr. President, until there is more time to give it further consideration, I shall have to object.

The PRESIDING OFFICER. It will go over under the rule.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS of Delaware. As I understand the situation, with the objection of the acting majority leader, the resolution will now go to the calendar, and it will come before the Senate on the day following an adjournment.

The PRESIDING OFFICER. It will go on the calendar under resolutions going over under the rule.

Mr. WILLIAMS of Delaware. It would be in order on the day following an adjournment. Is that correct?

The PRESIDING OFFICER. It would be subject to be laid down during the morning hour on the next legislative day.

Mr. JOHNSTON. I suggest to the Senator that he include Republicans, as well as Democrats in his resolution. I would like to see both included.

Mr. WILLIAMS of Delaware. I would like to see both included. This resolution deals with a particular case but I agree it is wrong whether the solicitation is made by Republicans or Democrats from these civil service employees. In my opinion it is a violation of the law, no matter which party does it, and if not a violation then our laws should be changed.

Mr. JOHNSTON. I hope the Senator will include both.

Mr. WILLIAMS of Delaware. I hope the Senator will join in supporting the resolution and the Attorney General can examine solicitations of either party.

Mr. JOHNSTON. Some Republicans are at the head of departments and agencies. If Democrats are to be included, I see no reason why Republicans should not be included also.

The resolution (S. Res. 332) was ordered to lie over under the rule.

JOINT COMMITTEE ON ETHICS IN LEGISLATIVE BRANCH—AMENDMENTS (AMENDMENT NO. 655)

AMENDMENT No. 655

Mr. JAVITS. Mr. President, I submit for printing, under the rule, and for reference to the Committee on Rules and Administration, a series of amendments submitted by my colleague from New York [Mr. KEATING] and myself with reference to Senate Concurrent Resolution 5, to establish a Joint Committee on Ethics in the legislative branch of the Government.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment was referred to the Committee on Rules and Administration.

CIVIL RIGHTS ACT OF 1963—AMENDMENTS (AMENDMENT NOS. 609 THROUGH 643)

Mr. ERVIN. Mr. President, I ask unanimous consent to submit at this time certain amendments to H.R. 7152.

I ask unanimous consent that they be printed and lie on the desk until called up, and I also ask unanimous consent that they be considered as read for all purposes under the rules of the Senate.

The PRESIDING OFFICER. Without objection, the amendments will be received, printed, lie on the desk, and be considered as read, as requested.

The amendments are as follows:

AMENDMENT No. 609

On page 38, line 18, inmmediately after the word "power", insert the words "in the performance of its duties under this title".

AMENDMENT No. 610

On page 43, line 2, immediately after the period, insert the following new sentence: "Upon objection made by a defendant to any finding of fact or conclusion of law made by a master in any action under this title, and an application made by such defendant within thirty days after the filing of the report of the master for a trial de novo before the court, such defendant shall be entitled to receive such trial before the court.".

AMENDMENT No. 611

On page 31, line 22, immediately after the word "employer", insert the words "and who is engaged in an occupation having a direct effect upon commerce".

AMENDMENT No. 612

Beginning with the words "in which" in line 5, page 32, strike out all to and including the word "industry" in line 7, page 32.

AMENDMENT No. 613

On page 40, line 22, strike out the words "shall, within ninety days,", and insert in lieu thereof the words "shall at the earliest practicable time".

On page 41, line 3, strike out the words "failed or".

On page 41, line 4, strike out the words "within the time required under subsection (b)".

AMENDMENT No. 614

On page 43, line 12, strike out the word "Nothing", and insert in lieu thereof the words "Except as hereinafter provided, nothing".

On page 43, line 13, immediately after the period, insert the following: "No action may be instituted under this title against any person within any State to require the performance by such person of any act or practice forbidden by the law of that State until an original action against such State has been instituted in the Supreme Court and such court shall have entered its final judgment to the effect that such State possesses no power to enact legislation forbidding such act or practice.".

AMENDMENT No. 615

Beginning with line 19, page 43, strike out all to and including line 7, page 44, and insert in lieu thereof the following:

"(b) Notwithstanding any other provision of this title, whenever any State or any political subdivision thereof has established a governmental agency charged by the law of such State or political subdivision with the duty to prevent or restrain any unlawful employment practice, such governmental agency shall have exclusive jurisdiction except as hereinafter provided to institute actions to prevent or restrain such unlawful employment practice within the territorial jurisdiction of such State or political subdivision. Whenever the Commission receives any complaint alleging that any such unlawful employment practice is occurring or threatened within the territorial jurisdiction of any such governmental agency, the Commission shall transmit such complaint to such governmental agency for investigation and appropriate action. No person may bring a civil action under section 707(c) in or with respect to any case so transmitted while such case is pending before such governmental agency. If such governmental agency does not initiate investigative or enforcement action upon such case within ninety days after receipt of such complaint, the Commission may bring action with respect to that complaint under section 707(b) in the district court of the United States for the judicial district within which such unlawful employment practice is occurring or threatened upon a showing of good cause for belief that such governmental agency has failed to discharge its duty in good faith."

AMENDMENT No. 616

Beginning with line 9, page 44, strike out all to and including line 15, page 44, and insert in lieu thereof the following:

"SEC. 709. (a) Whenever the Commission has reason to believe that any person under investigation upon a charge filed under section 707 may be in possession, custody, or control of any documentary material relevant to that investigation, the Commission may issue in writing, and cause to be served upon such person, a civil investigative demand requiring such person to produce such material for examination. Such demands shall be made in the manner, and shall be subject to the same conditions, requirements, and judicial proceedings, prescribed with respect to the issuance of civil investigative demands pursuant to the Antitrust Civil Process Act (76 Stat. 548; 15 U.S.C. 1311)."

AMENDMENT No. 617

On page 44, line 15, immediately after the period, insert the following: "No examination of any evidence may be made under this subsection, over the objection of a custodian who asserts in bar thereof his privilege against self incrimination, until such custodian has been accorded reasonable opportunity to make application, to the district court of the United States for the judicial district in which such evidence is situated, for an order restraining or enjoining such examination. Such court shall have jurisdiction to hear and determine such matter, and to enter therein such orders and decrees as it may determine to be appropriate for the protection of the rights of the custodian of such evidence.".

AMENDMENT No. 618

On page 44, line 18, immediately after the word "Commission", insert the words "to the extent authorized by statute hereinafter enacted by the Congress".

AMENDMENT No. 619

On page 44, line 21, immediately after the word "purpose", insert the words "for each fiscal year pursuant to authorization given by statute enacted during the preceding fiscal year".

AMENDMENT No. 620

On page 44, line 25, immediately after the period, insert the following new sentence: "No reimbursement may be made under this subsection for any expense incurred by any State or local agency for the compensation of personnel of such agency, the construction, maintenance, alteration, improvement, or repair of any structure occupied by such agency, or for or in connection with legal actions or proceedings instituted by or on behalf of such agency.".

AMENDMENT No. 621

On page 45, line 9, immediately after the period, insert the following new sentence: "No such regulation may require any employer, employment agency, or labor organization to make or keep any record, or to submit to the Commission any report, containing information substantially identical with information required by any other law of the United States or of any State to be recorded, preserved, or transmitted for any purpose other than the purposes of this title.".

On page 45, line 9, strike out the word "The" where it follows the period, and insert in lieu thereof the words "Subject to the foregoing limitation, the".

AMENDMENT No. 622

On page 45, line 19, immediately after the period, insert the following: "All regulations prescribed by the Commission shall be promulgated in compliance with the requirements of section 4 of the Administrative Procedure Act (5 U.S.C. 1003).".

AMENDMENT No. 623

On page 46, line 5, immediately after the period, insert the following: "Nothing contained in this title shall be construed to impair the right of any employer to (1) determine or to prescribe the education, training, skill, experience, or other qualifications required for the occupancy of any position or the performance of any service by any employee or prospective employee of such employer, or (2) remove from any position or service within his employment any employee rendering unsatisfactory service as determined by such employer.".

AMENDMENT No. 624

On page 46, between lines 5 and 6, insert the following new subsection:

(d) The provisions of this section shall have no application in any fiscal or calendar year to any employer, employment agency, or labor organization whose gross receipts during the preceding fiscal or calendar year were less than $10,000, or whose net receipts during such fiscal or calendar year were less than $5,000.

AMENDMENT No. 625

On page 46, between lines 5 and 6, insert the following new subsection:

"(d) No employer, employment agency, or labor organization shall be obligated by subsection (c) to expend in any calendar or fiscal year any sum exceeding an amount equal to 3 per centum of the gross receipts of such employer, employment agency, or labor organization during such year for the preparation and maintenance of records, and the preparation and making of reports, in compliance with requirements imposed pursuant to subsection (c). To the extent that any employer, employment agency, or labor organization incurs reasonably in any such year aggregate expenses which exceed such amount, for or in connection with any such compliance, the Commission, upon written application made by such employer, employment agency, or labor organization setting forth a verified itemization of all expenses so incurred, shall reimburse such employer, employment agency, or labor organization, from funds appropriated to the Commission, in an amount equal to the amount by which such expenses exceed 3 per centum of the gross receipts of such employer, employment agency, or labor organization for that year. Any employer, employment agency, or labor organization may bring a civil action, in the district court of the United States for the judicial district in which it has its principal place of business, against the Commission for the recovery of the amount of any reimbursement for which the Commission is liable under this subsection. Such court shall have jurisdiction to hear, determine, and render judgment in any such action without regard to the amount in controversy. Summons and process of the court in any such action may run to any other judicial district of the United States."

AMENDMENT No. 626

Beginning with line 6, page 46, strike out all to and including line 24, page 46.

AMENDMENT No. 627

On page 41, line 21, immediately after the period, insert the following new sentence: "No such civil action may be instituted against any employer by or on behalf of any employee or applicant for employment if within six months preceding the date of institution of such action such employee or applicant has engaged or participated in, or has incited or assisted participants in, any riot or other disturbance of the peace upon the premises of such employer or resulting in interference with the conduct of business by such employer.".

AMENDMENT No. 628

On page 43, between lines 10 and 11, insert the following new subsection:

"(i) No action under subsection (d) may be instituted until (1) there has been transmitted to the Attorney General or chief legal officer of the State in which the alleged violation of this title occurred a written notice containing a full and complete statement as to the identity of each prospective defendant in such action and the facts and circumstances relied upon in support of each allegation of unlawful conduct to be made against each such prospective defendant, and (2) such legal officer has been accorded reasonable opportunity to procure compliance by each prospective defendant with the requirements of this title."

AMENDMENT No. 629

Beginning with line 9, page 44, strike out all to and including line 15, page 44, and insert in lieu thereof the following:

"SEC. 709. (a) Upon written complaint, duly subscribed and executed under oath, made by any individual alleging that he has been deprived of any right secured to him by this title, the Commission may conduct an investigation to determine whether there is substantial ground for belief that any violation of this title affecting the rights of the complainant has occurred. Such investigation shall be conducted at the place at which such violation is alleged to have occurred by an examiner appointed under section 11 of the Administrative Procedure Act (5 U.S.C. 1010). In any such investigation such examiner shall have authority by subpena to require the attendance of witnesses and the production of documentary evidence relevant to the alleged violation, except that (1) the attendance of a witness may not be required outside the State in which he resides or transacts business, and (2) the production of documentary evidence may not be required outside the State in which such evidence is kept. Proceedings in any such investigation shall be conducted in conformity with the provisions of the Administrative Procedure Act, including the provisions of section 6 thereof (5 U.S.C. 1005)."

On page 44, line 16, strike out the word "With", and insert in lieu thereof the words "Except as otherwise provided by this title, with".

Beginning with line 6, page 46, strike out all to and including line 18, page 46.

On page 46, line 19, strike out the subsection designation "(b)", and insert in lieu thereof the subsection designation "(d)".

Redesignate the numbers of succeeding sections of title VII accordingly.

AMENDMENT No. 630

On page 46, lines 12–14, strike out the words "the provisions of section 307 of the Federal Power Commission Act shall apply with respect to grants of immunity,", and insert in lieu thereof the words "the Commission may not grant to any person any immunity from prosecution, penalty, or forfeiture,".

AMENDMENT No. 631

On page 46, lines 12–14, strike out the words "the provisions of section 307 of the Federal Power Commission Act shall apply with respect to grants of immunity,", and insert in lieu thereof the words "the Commission may not grant to any person any immunity from prosecution, penalty, or forfeiture in accordance with the provisions of section 9 of that Act without first obtaining the written consent of the Attorney General and serving upon such person a duly certified copy of any consent therefor granted by the Attorney General,".

Amendment No. 632

On page 46, after line 24, insert the following new subsection:

"(c) It shall be unlawful for any person other than a duly authorized member or representative of the Commission on Civil Rights to engage in the practice of soliciting other persons to make complaints or institute legal proceedings alleging any violation of this title or to secure or protect any right secured thereby. Whoever violates, attempts to violate, or combines with any other person to violate the prohibition contained in this subsection shall be fined not more than $5,000, or imprisoned not more than one year, or both. Whenever any violation of the prohibition contained in this subsection has occurred or is threatened within any State, the Attorney General thereof, or the chief legal officer of any political subdivision of such State within which any such violation has occurred or is threatened, may institute in any court of such State or of the United States of competent jurisdiction appropriate proceedings to prevent and restrain such violation or threatened violation. The district courts of the United States shall have jurisdiction to hear and determine actions instituted to prevent and restrain violations and threatened violations of such prohibition. Process of the district court for any judicial district in any such action may be served in any other judicial district by the United States Marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States. Whenever any such action is instituted in any district court of the United States, such action shall be assigned for hearing at the earliest practicable time, and all proceedings therein shall be expedited to the greatest practicable extent.

Amendment No. 633

On page 47, lines 6 and 7, strike out the words "or approved", and insert in lieu thereof the words "and supplied".

On page 47, line 7, immediately after the word "Commission", insert the words "from time to time with the approval of the Attorney General".

On page 47, line 7, strike out the word "excerpts", and insert in lieu thereof the words "the full and complete text".

On page 47, line 9, immediately after the word "title", insert a comma and the following: "including a full, complete, and accurate statement of the substance of all determinations made by the courts with respect to the application and validity of provisions of this title".

Amendment No. 634

On page 47, line 16, immediately after the word "veterans", insert a comma and the words "or for the protection of the health, safety, or morals of individuals of the female sex".

Amendment No. 635

On page 47, line 21, immediately after the words "shall be", insert the word "promulgated".

On page 47, line 23, immediately after the word "Act", insert a comma and the following: "including the provisions of section 4 thereof (5 U.S.C. 1003)".

Amendment No. 636

On page 48, lines 6 and 7, immediately after the word "Commission,", insert the words "or of any appellate court of the United States,".

Amendment No. 637

On page 49, line 1, immediately after the words "in the", insert the word "lawful".

On page 49, line 2, immediately after the word "duties", insert the following: "within the scope of their authority in compliance with the provisions of this Act".

Amendment No. 638

Beginning with line 3, page 49, strike out all to and including line 8, page 49, and insert in lieu thereof the following:

"APPROPRIATIONS

"Sec. 715. No sum may be appropriated to the Commission for any fiscal year for the administration of this title except in conformity with authorization given therefor by legislation enacted by the Congress during the preceding fiscal year."

Amendment No. 639

On page 49, line 16, immediately after "Sec. 717.", insert the subsection designation "(a)".

On page 50, between lines 2 and 3, insert the following new subsection:

"(b) The Secretary of Labor shall make a full and complete study of the factors which might tend to result in discrimination in employment because of race or color. Such study shall include a comprehensive investigation to determine:

"(1) the differences in customs, mores, and traditions among individuals belonging to different races or of different colors;

"(2) the differences in the psychology, habits, traits of character, social and cultural values, motivations, and predispositions among individuals belonging to different races or of different colors;

"(3) the existence, extent, and causes of, and the basis and justification for, antagonism between individuals and groups of individuals belonging to different races or of different colors;

"(4) the effect upon the nature, extent, and expression of such antagonisms of the enforcement by law of association of individuals and groups of individuals belonging to different races or of different colors;

"(5) the nature and character of the acts, practices, devices, means, and methods used or threatened by individuals and groups of individuals of minority race or color to express or give effect to their antagonisms to individuals of other races or colors;

"(6) the extent to which such acts, practices, devices, means and methods are used within various geographical areas of the United States;

"(7) the effects of such acts, practices, devices, means and methods upon the attitudes and conduct of individuals of the races and colors against whom they are directed or upon whom they are perpetrated;

"(8) the identity, nature, and extent of the problems arising from such antagonisms in the employment relationship; and

"(9) the solution of such problems, including a consideration of means whereby minority groups of individuals of subnormal cultural level may be elevated to an acceptable level of behavior and conduct.

The Secretary shall transmit to the Congress not later than June 30, 1965, a full and complete report of the results of such study."

Amendment No. 640

On page 50, between lines 2 and 3, insert the following new section:

"MALICIOUS PROSECUTION

"Sec. 718. (a) It shall be unlawful for any person to institute or cause to be instituted, to attempt to institute or cause to be instituted, to make any threat to institute or cause to be instituted, or to combine or conspire with any other person to institute or cause to be instituted, any action or proceeding under this title without just cause for the purpose of injuring any person in his business, profession, occupation, or employment. The district courts of the United States shall have jurisdiction to prevent and restrain violations and threatened violations of this subsection, and to enter such restraining orders and such temporary and permanent injunctions as may be required to prevent and restrain such violations. It shall be the duty of the several United States district attorneys, in their respective districts, to institute proceedings to prevent and restrain violations and threatened violations of this subsection.

"(b) Whenever any action has been instituted under section 707 by any person (other than the Commission) who has made complaint alleging a violation of this title by the defendant therein, and final judgment in such action has been entered in favor of the defendant, such defendant shall be entitled to recover from such person, by action instituted in any State or United States court of competent jurisdiction, the amount of any damages sustained by such defendant by reason of the institution and prosecution of such action under section 707. If, in any action for the recovery of damages under this subsection, it is determined that the defendant therein instituted or caused to be instituted such action under section 707 with malice and with intent to injure the defendant in such action in his business, profession, occupation, or employment, the plaintiff in such action under this subsection for the recovery of damages shall be entitled to recover threefold the amount of the damages so sustained by him and reasonable attorney's fee."

On page 50, line 4, strike out "Sec. 718", and insert in lieu thereof "Sec. 719".

Amendment No. 641

On page 50, between lines 2 and 3, insert the following new section:

"PENALTY

"Sec. 718. Whoever, acting under color of any provision of this title or of the assertion of any right recognized or protected thereby, incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or any State or any political subdivision of any State, or the laws of the United States or any State or any political subdivision of any State, or gives aid or comfort to any such rebellion or insurrection, shall be fined not more than $10,000, or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States."

On page 50, line 4, strike out "Sec. 718", and insert in lieu thereof "Sec. 719".

Amendment No. 642

Beginning with line 4, page 50, strike out all to and including line 8, page 50, and insert in lieu thereof the following:

"Sec. 718. (a) This title shall take effect on the date on which the Secretary of Labor shall determine, and proclaim by declaration published in the Federal Register, that there is no area within the United States in which there exists any substantial nonseasonal unemployment or any appreciable surplus of available labor."

On page 50, line 9, strike out the subsection designation "(c)", and insert in lieu thereof the subsection designation "(b)".

Amendment No. 643

On page 50, line 25, immediately after the period, insert the following new sentence: "No plan so made shall be placed in effect (1) until a period of thirty calendar days has passed during a regular session of the Congres after the transmittal to the Senate and to the House of Representatives of a copy of such plan, or (2) if during that period either House of the Congress has agreed to a resolution stating in substance

that such House does not favor the placement of such plan in effect.".

Mr. STENNIS submitted 11 amendments (Nos. 644 through 654), intended to be proposed by him, to House bill 7152, supra, which were ordered to lie on the table and to be printed.

(See the remarks of Mr. STENNIS when he submitted the above 11 amendments, which appear under a separate heading.)

Mr. DIRKSEN (for himself, Mr. MANSFIELD, Mr. HUMPHREY, and Mr. KUCHEL) submitted an amendment (No. 656), in the nature of a substitute, intended to be proposed by them, jointly, to House bill 7152, supra, which was ordered to lie on the table and to be printed.

(See the remarks of Mr. DIRKSEN when he submitted the above amendment, which appears under a separate heading.)

PROHIBITION OF SCHEMES TO INFLUENCE BY BRIBERY THE OUTCOME OF SPORTING CONTESTS

Mr. KEATING. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives amending S. 741, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 741), an act to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes, which were, on page 1, line 6, strike out "of participants"; on page 1, line 9, after "influence" insert ", in any way,"; on page 1, lines 9 and 10, strike out "the outcome of"; on page 2, line 1, strike out "the outcome of"; on page 2, line 2, strike out "$5,000," and insert "$10,000,"; on page 2, line 3, strike out "10 years," and insert "5 years,"; on page 2, strike out lines 17 and 18, inclusive, and insert "in interstate or foreign commerce of any facility for transportation or communication;"; on page 3, after line 5, strike out "of participants".

And to amend the title so as to read: "An Act to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery sporting contests, and for other purposes."

Mr. KEATING. Mr. President, on October 30, 1963, the Senate passed my bill, S. 741, a bill to prohibit schemes in interstate or foreign commerce designed to influence, by bribery, the outcome of sporting contests. A similar bill, which I also introduced, has been passed by the Senate in September of 1962.

The measure is designed to prevent gamblers from corrupting college and professional sports by making such schemes a Federal crime. The leaders of many sports associations have recognized this threat to the game, and have supported this legislation.

After Senate passage last year, S. 741 was referred to the House Judiciary Committee which made three amendments. The first changes the penalty so that this law conforms to other Federal antibribery statutes. The other two amendments emphasize provisions of the Senate bill regarding applicability to schemes which affect the score, while not changing the result of a sporting contest, and applicability of the law to sports officials as well as contestants. The House passed this version of the bill on January 22, 1964.

At a meeting of the Committee on the Judiciary today the committee recommended that the Senate be requested to concur in the amendments to S. 741 by the House of Representatives.

Accordingly, I move that the Senate concur in the House amendments to S. 741.

The motion was agreed to.

NOTICE OF HEARING ON NOMINATION OF SPOTTSWOOD W. ROBINSON III TO BE U.S. DISTRICT JUDGE, FOR THE DISTRICT OF COLUMBIA

Mr. HART. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, June 3, 1964, at 9:30 a.m., in room 2228, New Senate Office Building, on the nomination of Spottswood W. Robinson III, of the District of Columbia, to be U.S. district judge, for the District of Columbia—appointed during last recess of Senate.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Indiana [Mr. BAYH], the Senator from Pennsylvania [Mr. SCOTT], and myself, as chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. THURMOND:

News report by him entitled "United States and Cuban Independence," dated May 25, 1964; and editorial entitled "No Marxists Wanted," published in the Charleston, S.C., News and Courier of May 20, 1964.

DEATH OF DR. HOWARD ZAHNISER

Mr. METCALF. Mr. President, those of us sincerely interested in the conservation of our natural resources lost a friend and an effective ally with the untimely death of Dr. Howard Zahniser.

The executive director and editor of the Wilderness Society died in his sleep at his home in Hyattsville, Md., during the night of May 4.

Dr. Zahniser—"Zahnie," to his close friends—gave his life for the cause of conservation. In the words of the Wildlife Management Institute:

> Dr. Zahniser was fully aware of the implications of his failing health, and he was continuously caught between his intense desire to achieve firm protection for a national system of wilderness and his personal need for rest and relaxation. He chose to work forcefully for wilderness preservation, and he accepted a tremendous load of writing, speaking, and counseling assignments during the several years that the wilderness bill has been before Congress.

As is pointed out in the Institute's Outdoor News Bulletin of May 8, on two occasions Dr. Zahniser had seen his goal partially fulfilled with Senate passage of a wilderness bill:

> Again in the present Congress, he saw the bill approved by the Senate and sent to the House. He died with the knowledge that the Public Lands Subcommittee had concluded public hearings on the wilderness bill and that prompt committee action in marking up and reporting the bill could clear it for House consideration and enactment this year.

The Institute's suggestion that "approval of a sound bill would be an everlasting memorial to a man who gave so much to obtain permanent protection of natural areas of native America for the benefit and refreshment of all generations" were echoed in editorials in the May 9, 1964, issues of the New York World-Telegram and the New York Times.

Mr. President, I ask unanimous consent that the editorials entitled "Wilderness Apostle," and "Compromising the Wilderness," be included in the RECORD at this point in my remarks.

There being no objection the editorials were ordered to be printed in the RECORD, as follows:

[From the New York World-Telegram, May 9, 1964]

WILDERNESS APOSTLE

The cause of American conservation lost one of its gentlest souls this week.

Howard Zahniser, who for a decade struggled to bring his vision of a wilderness bill to fruition, died in his sleep, aged 58.

He had suffered heart trouble in the recent, frustrating years when the wilderness bill was hung up in the House. But he never wavered in his faith that Congress one day would see the wisdom of preserving up to 60 million wilderness acres—a fragment of the America that was—for future generations.

Only last week, as a House committee concluded hearings on the bill first introduced in 1956, he voiced new hope. "I think this will be the year," the ever-optimistic Zahniser said.

He was executive director of the Wilderness Society and in his 19-year tenure that group's membership grew from 2,500 to 27,000. He was a voice of reason and moderation for all conservationists. No one told better why we should preserve the wilderness.

"Our civilization is such that all our land will be put to some use," he said to the committee last week. "If we do not by law deliberately set aside areas to be protected we cannot expect to see wilderness endure in our country."

He also told the committee, "It has been my privilege to attend all the 18 hearings that have been held on this legislation," from 1957 to last week.

The best memorial these Congressmen could give Zahniser would be to pass the wilderness bill swiftly.

[From the New York Times, May 8, 1964]

COMPROMISING THE WILDERNESS

There is special poignancy in the death of a man on the apparent eve of his attaining the goal for which he had long and devotedly labored. Such was the death of

Howard Zahniser, executive director of the Wilderness Society and principal architect of the wilderness bill which now, after so many years, seems likely to win approval of Congress in the current session. The purpose of the bill, already approved by the Senate and now pending in the House, is statutory and permanent preservation of some unspoiled remnants of primeval America which are in public hands but under differing—and in many cases insufficient—degrees of governmental protection.

It is useful to remember that only about 8 percent of the 180 million acres in the national forests is proposed for such protection. These areas are still unspoiled, scenic, magnificently wild. To let the mining industry have free rein to explore and exploit them for another 10 years, as is proposed in a "compromise bill" now under consideration, would guarantee their almost certain despoliation. It would be ironic if Howard Zahniser's sudden death were seized upon by the enemies of wilderness preservation to open the way to sabotaging and wrecking a strong, effective bill that by rights should become his lasting monument.

Mr. METCALF. Mr. President, besides being the architect of the wilderness bill, Howard Zahniser was one of America's leading conservationists. He was an annual contributor to Encyclopaedia Britannica on wildlife conservation and wilderness preservation. During the recent hearings, he submitted an 11,000 word statement to the House Subcommittee on Public Lands in support of the bill, which I am cosponsoring, to establish a national wilderness system.

Before becoming associated with the Wilderness Society in 1945, Dr. Zahniser had been a newspaperman with the Pittsburgh Press and the Greenville, Ill., Advocate. Besides being a freelance writer, essayist, and book editor, he served from 1931 to 1942 with the Bureau of Biological Survey and its successor agency, the U.S. Fish and Wildlife Service, as an editor, writer, and broadcaster on wildlife research, administration, and conservation, and was in charge of the agency's Current and Visual Information Section. When he was named to the Wilderness Society staff, he was directing the publication and research-reporting program in the U.S. Agriculture Department's Bureau of Plant Industry, Soils, and Agricultural Engineering.

In recent years, he contributed frequently to Nature magazine and was editor of the Wilderness Society's magazine, the Living Wilderness.

In 1946, he helped organize the Natural Resources Council of America. He was its chairman in 1948 and 1949 and contributed a chapter to the council's book, "America's Natural Resources."

Dr. Zahniser wrote the foreword for Francois Leydet's "Tomorrow's Wilderness" and Arthur Carhart's "Planning for America's Wildlands." He also wrote a chapter for the Sierra Club's "Wilderness: America's Living Heritage."

He served on the Secretary of the Interior's Advisory Committee on Conservation, was a member and Washington representative of Trustees for Conservation, and was a director of the Citizens' Council on Natural Resources.

Greenville College in Illinois, from which he received his A.B. degree, awarded him an honorary doctor of letters degree in 1957. He was president of the Thoreau Society in 1956 and was a member of the National Parks Association, the National Audubon Society, and other conservation groups.

Dr. Zahniser was born February 25, 1906, in Franklin, Pa. He is survived by his wife, two sons, two daughters, and one grandson.

The news of Zahnie's death brought to me a surge of affectionate recollection of his kindness, his devotion, and his effective efforts on behalf of the conservation of our natural resources.

As one who worked closely with him since I came to the House of Representatives in 1953, I know that the imprint of Dr. Howard Zahniser's personality and his philosophy in the whole broad area of conservation will permanently endure.

RENO SHRINE BAND CAPTURES WORLD TITLE

Mr. BIBLE. Mr. President, we in Nevada are mighty proud of the Kerak Temple Shrine Band from Reno. This group of musicians won the world championship title this past weekend in competition with other Kerak Temple groups from California, Oklahoma, Arizona, and Utah. As a member of the Reno Kerak Temple, I am especially pleased with the honors accorded the band and its soloists. This, I believe, is the first time a Kerak band from such a relatively small area has gained such signal honors.

Mr. President, I ask unanimous consent to have a report in the Reno Evening Gazette of May 19 on the Reno Kerak Temple Shrine Band triumph printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN LAS VEGAS: RENO SHRINE BAND CAPTURES WORLD TITLE

The Arabians of Kerak Temple Shrine in Reno came back from Las Vegas this weekend with the world's championship band title.

The group of 35 musicians won five large gold and marble trophies for both group playing and individual performance in the Oriental bands competition. Eight Kerak groups from California, Oklahoma, Arizona, Utah, and Nevada took part.

SEVENTH ANNUAL

The competition was held Saturday during the seventh annual jamboree of Oriental bands in Kerak Temple groups.

The trophies included world championship trophy for the best overall band in North America, the Eli Liverato Memorial Plaque as the most improved band, first place for class B bands, first-place drum solo to Ken Davis, and second-place musette solo to N. A. (Tink) Tinkham.

"It was a real team effort," Sultan Paul Bergman said of the group. "And it sure paid off. It was the first time a class B band won the title."

SECOND PLACE

This isn't the first time the Arabians have taken band prizes. They've had second place in the competition for the past several years.

The band practiced weekly since January to gain their triumph. "And for the last month we've been working twice a week," Bergman added.

"A lot of the credit should go to our band director 'Tink' Tinkham. He pulled us together and taught us precise playing."

PERSIAN MARKET

To win, the Arabians played the contest tune, "Persian Market" and a medley of four marching tunes.

"When we finished, the audience in the Tropicana Hotel showroom kept clapping and asking for more," Sultan Bergman said. "They didn't want the group to quit."

SIZE

Bergman explained that the class B title comes from the number of band players—not the quality of playing. "Class B is a group from 30 to 39 members. Class A is 40 members and up."

"This is the first time in the 7 years of competition a class B band has won the top trophy," he added.

In the past 7 years of competition, the band has changed a number of members, Bergman says. Most of the members join without knowing how to play an instrument. "We try to instruct them," Bergman added.

OTHER TOWNS

Members of the Shrine Oriental band association in the Arabian group come from Reno, Sparks, Carson City, and Gardnerville.

Sultan Bergman said he didn't play in the band this year. "I watched from the sidelines and criticized," he said, adding that he was a member of the skit the group put on for the competition.

Band members who brought back the trophies include: Arthur K. Wilson, Oscar Fujii, F. M. Buchanan, H. B. Sprenger, Muller E. Bogle, Don Rogan, Wagner Sorensen, Orwin G. Benson, Kenneth L. Davis, Marcus E. Waltz, Dorman G. Patten, Ed Comer, Vance Nelson, Kenneth F. Brown, Henry C. Schwabrow, Dean Anderson, William E. Devine, David H. Cannon, Mas Baba, Clarion W. Thomason, Frederick Putnam, Jr., Morris Buchanan, Joseph Gans, Alfred J. Van Natta, Ted H. Bergevin, Ralph Berger, George M. Twaddle, Ray Landon, Charles E. Seney, Robert E. Ewing, Tinkham, Laurance A. Gulling, Claude E. Piersall, Harry W. Ferguson and Orval Paul.

TESTIMONIAL DINNER HONORING DR. FRANK T. SIMPSON

Mr. RIBICOFF. Mr. President, last Saturday a testimonial dinner was held in Hartford, Conn., honoring Dr. Frank T. Simpson. I have known Dr. Simpson for many years. During his entire lifetime, he has been a constructive human being who has done so much for so many.

Dr. Simpson is the subject of a most perceptive column "Of Many Things—Testimonial," by Thomas E. Murphy of the Hartford Courant.

I ask unanimous consent that Mr. Murphy's article be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TESTIMONIAL: OF MANY THINGS

(By Thomas E. Murphy)

Of all the tribal rites practiced by Americans the one I shun most consistently is the public banquet or dinner, whether for fund raising, celebrating a quota, or honoring a sterling citizen. For one thing the chairs are never comfortable, the speeches are usually long and tedious, and the fellow next to me is invariably a smoker of big black cigars and likes to blow smoke rings. But frankly, I plan to emerge from my hermitage next Sunday night because the occasion is so compelling that it makes all the minor hazards of the public dinner inconsequential. The occasion? The Alpha Phi Alpha fraternity testimonial dinner for Dr. Frank T. Simpson, Negro humanitarian and champion of human rights.

I first met Frank more than 20 years ago when we were both embarking on new jobs. There had been a bad incident in the South and an elderly clergyman had been badly beaten. As an outgrowth of this incident the first civil rights law in the country was passed. Former Governor Baldwin was a prime mover, and so was Bill Mortensen. In 1944 Frank was appointed executive secretary to this Civil Rights Commission and served in this capacity for 15 years. These were fruitful years. Many of the young people of Hartford, in today's minority groups, are scarcely conscious of the fact that they are enjoying the benefits of Frank's labors. You may say that Negro salesgirls in downtown stores were inevitable. But I can testify to the fact that the pioneering was done only by a great deal of loving care, patience, and persistence. And the white people who threatened to strike never did.

Breaking open a trade union was one of the history-making things Frank did. This was one of the few times when he resorted to court action. The Supreme Court of Errors backed him, and this particular union was opened to all. For the most part Frank has preferred to sit down and reason patiently with the offender, and he usually is persuasive enough.

About 5 years ago Frank was compelled to move over into another field. In his new job as assistant to the Public Welfare Commissioner he has widened the scope of his work and has taken on new, heavier responsibilities. His was the first voice crying in the wilderness, 4 or 5 years ago, calling attention to the iron ring of the North End. He was given the runaround by the city manager at that time, and members of the council. But he has lived to see others take up his cause. I get a kick out of some of the youngsters that are stirring things up nowadays. When Frank pioneered he worked alone, with only a few people backing him morally. But he never got discouraged.

That is the key to Frank's life. No matter how often he has been knocked down, he picks himself up, brushes off the dust, and starts onward again. I have never heard him say an ill word about any person, and Lord knows he has had plenty of reason to. But he believes implicitly in the Golden Rule, and works by it. Frank is a native of Alabama, and is a perfect example of the theory that once an educational tradition is established in a family it continues. It is this tradition that is lacking in many Negro homes. But Frank's mother was educated in Alabama by an earnest group of women missionaries from Connecticut. She was graduated from high school and was so indoctrinated by the group that all of her children became college graduates. This tradition now continues, and Frank's son is a highway engineer.

This particular testimonial is for the prime purpose of raising money for scholarships. For years one of Frank's pet projects has been serving on the Board of Directors of the National Scholarship Service and Fund for Negro Students in Inter-Racial Colleges. One of the great delights of his life is the return of these scholarship students, back into the Hartford community, as doctors, social workers, teachers, scientists. They are a leavening force that, as time goes on, increasingly affects the Negro community in Hartford.

From the time Frank's presence was felt in Hartford in 1932 at the Independent Social Center in the North End, he has been a moving spirit for good. There are few people like him of any complexion. I am glad, at long last, that he is getting some of the recognition that is due him.

So there you have it, folks. I'll see you at the Statler-Hilton next Sunday night at 6:30 p.m., I hope, joining with me in paying honor to a good citizen and a good man.

FINE SPEECH ON POVERTY BY A. PHILIP RANDOLPH

Mr. WILLIAMS of New Jersey. Mr. President, the National Advisory Council on Farm Labor has been a leader in the fight for a better life for America's most underprivileged group, the migratory farmworkers. Last week this group of public-spirited citizens held 2 days of public hearings on the problems of the 2 million men, women, and children who follow the crops. Under the able and inspiring leadership of Dr. Frank Graham, Mr. A. Philip Randolph, and Miss Fay Bennett, the council has focused public attention on the plight of the migrant to arouse the Nation's conscience.

The other night I was privileged to hear Mr. Randolph speak at the annual dinner of the council. His brief and incisive remarks make an eloquent case for speedy passage of the Economic Opportunity Act and of legislation to help the American farmworker become a proud and self-reliant citizen. I know his thoughtful remarks will be of interest to my colleagues and I ask unanimous consent to have them printed in the RECORD.

There being no obection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY MR. RANDOLPH

It is clear, I think, that the roots of poverty are many and its causes complex. It can be found on the farm and in the city, among young and old, among the employed and unemployed. Thus, it should be equally clear that the Nation's effort to conquer poverty depends not on any single program, but on a coordinated and comprehensive attack, and a marshaling of all our resources and ingenuity.

This objective will not be reached without bold, far-reaching leadership by the Federal Government. However, the responsibility for this massive attack must be shared by the States and local communities. And it must be backed by the full strength of an aroused public conscience.

In no area is the need for total commitment to the war on poverty more clearly demonstrated than among the 3½ million migrants and other farm workers—the "excluded Americans." Handicapped by a lack of education which confines them to agricultural labor or propels them unskilled and unprotected into overburdened cities, sheltered in housing which is inadequate by any reasonable standard, undernourished and prone to disease, with incomes far below the poverty level, they are, nevertheless, excluded from virtually all labor and social welfare legislation, and far removed from most health and welfare services.

The Economic Opportunity Act, the Appalachia bill, an accelerated public works program are all essential components of this massive attack on poverty. But much of what is needed for farm workers does not involve new programs so much as a concentrated effort to extend measures which have been enacted in the past. No war on poverty can hope to achieve victory unless it includes a campaign to extend to farmworkers protections against unemployment and exploitation. At present workers in agriculture have none of the three basic economic rights enjoyed by the majority of industrial workers: minimum wage, protection of the right to organize and bargain collectively, and unemployment compensation. Expanding civil rights can only take on full meaning for these "excluded Americans" when they have achieved these economic rights.

Pressures to prevent farmworkers from acquiring equality of status with other American workers, and to deny them the special measures needed to improve their working and living conditions, have been widespread and powerful. An aroused and enlightened public can overcome these pressures. An aroused and enlightened public can, by united action, insure equal rights for farmworkers. Not only can we act, we must act to achieve these ends. "For," in the words of President Johnson, "the war on poverty will not be won here in Washington. It must be won in the field, in every private home, in every public office, from the courthouse to the White House."

EDITORIAL PRAISE FOR SENATOR CASE

Mr. WILLIAMS of New Jersey. Mr. President, we have all followed with interest the fine efforts of my distinguished colleague, Senator CASE, to continue and expand the investigation of the Rules Committee into the tangled affairs of Bobby Baker. I have always supported this investigation, and I voted with my colleague to continue it. The Senator has been justifiably praised and lauded by newspapers across the country. In particular, his dedicated work has been greeted with enthusiasm in the State of New Jersey.

On several occasions, the Senator has placed a selection of these editorial encomia in the RECORD for the benefit of Senators from other States who do not have the opportunity to read the New Jersey papers as closely as they might like. As a citizen of New Jersey, I have read the comments of the New Jersey press with great interest. One of our very fine newspapers, published in the home county of Senator CASE and myself, is the Elizabeth Daily Journal which spoke very kindly of Senator CASE's efforts and stated that "New Jersey can be proud of Senator CASE." Unfortunately, this excellent editorial was not included among those placed by Senator CASE in the RECORD.

So that the RECORD may be complete, I ask unanimous consent that this well earned tribute to my colleague may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ANOTHER POOR SENATE PERFORMANCE

Senator CASE, known for his serenity and poise, shook the Senate in his angry clash with Senator MANSFIELD, the majority leader, but regrettably he could not bring it to plumb the depths of Members' involvement in the bizarre affairs of Bobby Baker. The Rahway Senator has been striving for weeks to prevent an obviously oncoming whitewash.

New Jersey can be proud of Mr. CASE. It also should salute Senator WILLIAMS, of Westfield, who broke with his Democratic colleagues to vote with Senator CASE for an expanded inquiry into the Baker manipulations.

Senator WILLIAMS, deploring "the bitter partisanship," reinforced his prior assertions that he was not within the Baker orbit. No stronger disavowal than his vote against his own party should be needed.

This was a courageous act, for which Mr. WILLIAMS doubtless has been chided in the cloakrooms by others of his party. Only eight other Democrats voted to broaden the investigation, and the move lost in a tabling vote, 42 to 33.

The majority reluctance to expose the whole Baker episode is disturbing. It can be interpreted easily as an admission that Members are enmeshed and the party cannot afford exposure in a presidential election year.

In rebuffing those who wanted to broaden the committee's powers, a technicality unnecessary in the opinion of some experts, the Senate cloaked the situation in partisanship and did a disservice to itself.

Too many citizens are perturbed by the facts already adduced and by the suspicions aroused. Americans usually are tolerant of petty flaws in the performances of officials, but this matter transcends all excusable dimensions.

A thorough cleansing would have restored the luster with which trust in the Senate should glow.

DELAY IN ACTING ON APPROPRIATION BILLS

Mr. McCARTHY. Mr. President, delay in acting on appropriation bills has become a matter of increasing concern. Last year, action on 8 of the 12 major appropriation bills was not completed until late in December.

This year, although the House has been moving expeditiously, the legislative situation in the Senate has been such that we have not yet acted on a single one of the major bills, and only one of them has been reported.

The National Capital area chapter of the American Society for Public Administration has prepared a statement on "The Administrative Cost of Delayed Appropriations," which points out the loss to orderly and efficient management of Government programs resulting from these delays.

I ask unanimous consent to have this statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE ADMINISTRATIVE COST OF DELAYED APPROPRIATIONS

(Statement by National Capital area chapter, American Society for Public Administration)

The National Capital area chapter of the American Society for Public Administration is greatly concerned about the serious delays in the enactment of major appropriation bills by the U.S. Congress.

In fiscal year 1964, 8 of the 12 major appropriation bills were not enacted until late in December when nearly half of the fiscal year was over. Only one was passed prior to the beginning of the fiscal year and only four were passed by the time a third of the year had gone by. Appropriation bills have delayed increasingly in recent years but never as much as in fiscal year 1964.

Delays of several months in the passage of appropriation bills greatly impede efficient and effective management of the public business. They seriously hamper systematic planning and orderly execution of Government programs, causing inefficiency, uncertainty, and costly improvisation. The chapter believes strongly that such delays are an invitation to fiscal irresponsibility.

The chapter recognizes that there are many factors contributing to the delay of appropriations, some of which are not under the control of Appropriations Committees. Appropriations, for example, are sometimes held up for lack of authorizing legislation, which in an increasing number of cases is extended for only 1 year at a time. The chapter believes, therefore, that the delays of appropriations can be eliminated only if all committees of the Congress work in cooperation toward this objective.

The chapter commends the appropriate committees for the establishment of a schedule for acting on all appropriation bills for fiscal year 1965 prior to the beginning of the fiscal year. In the interest of good government, the National Capital area chapter urges the Congress to take such other steps as may be necessary to complete action on appropriation bills by the beginning of the fiscal year to which they apply.

SARGENT SHRIVER ELOQUENTLY DESCRIBES HOW POVERTY BILL WILL HELP SMALL FARMER AND MIGRATORY FARMWORKER

Mr. McCARTHY. Mr. President, more than half the Nation's poor—15 million men, women, and children—live in rural areas. These long forgotten poor have found an effective fighter for their cause in the National Advisory Council on Farm Labor. This group of concerned citizens has done a fine job in pressing for legislation to bring a better life to America's rural poor.

At the conclusion of 2 days of hearings on the farm labor problem, the council was privileged to hear a fine address by Sargent Shriver, the leader of the President's war on poverty. Mr. Shriver eloquently described the direct and immediate help the poverty bill will bring to America's rural poor. This fine address will be of interest to my colleagues and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SARGENT SHRIVER, BEFORE THE NATIONAL ADVISORY COMMITTEE OF FARM LABOR, MAY 18, 1964

Today, prosperous America has the greatest chance of any nation in the history of the world to wipe out poverty.

We have declared war on poverty, and are fortunate to start that war during a period of justifiable confidence and pride in a system that has helped make us the most powerful, the most comfortable, and the most free nation in history.

Now, feeling our oats, we are out to prove that the spirit and techniques of this American system can satisfy the needs of all of our citizens.

This is a goal that can be shared by every American. There is room for everyone on the battlefield because it is going to take all the compassion and initiative we can muster to free the prisoners of poverty.

America can fight this war now because the enemy has been sighted. But if it hadn't been for the efforts of people like A. Philip Randolph, Dr. Frank Graham, Fay Bennett, Father James Vizzard, Senator "Pete" Williams, and many others, poverty might very well have remained in hiding. If it hadn't been for writers like Mike Harrington and Paul Jacobs, "comfortable America" might never have spotted "the other America."

The people in this room didn't have to read the books. All of you, and the organizations you represent, have been fighting the poverty battle for years, virtually alone. Certainly you know the facts about rural poverty as well as any group in this country. But these facts require constant repetition if all the people are to grasp the full scope of the job before us.

What are the facts?

One out of every three rural families lives with an income of less than $3,000 a year. Almost half of all our poor live in rural areas and more than half the rural poor live in the South. Rural underemployment amounts to the equivalent of 4 million unemployed, and that figure may be doubled within the next decade.

Those are just some of the statistical, economic facts. The faces of poverty are facts, too:

The resigned face of a dirt farmer, unskilled at anything except agriculture—and behind the times even in that—watching his family's welfare deteriorate like his land.

The weathered face of a migrant worker, living with his family in a series of one-room shacks, his children tramping along behind him without shoes and without schooling.

The baffled, bitter face of a young Negro trapped behind the barriers of his rural ghetto, a prison within the prison of poverty.

The sad and bewildered face of a coal miner, once a good provider, now displaced by a machine, having to face his wife and children with his self-respect chipped away a little more each day.

Poverty is reflected everywhere in these areas. Rural America has almost three times the proportion of dilapidated and substandard houses that urban America has. Rural children get one-third less medical service than children in and near cities; the mortality rate of rural children is 50 percent higher than in urban areas. Clinic and social services are almost totally lacking.

The rural schools are weakest and the dropout rates highest.

There are dirt roads instead of highways in the rural areas and they are sometimes impassable.

What this means in human terms is that water comes through the roof when it rains, but is only available up the road when you want it to drink; that a Solomon's choice must be made among four children to decide who goes to school because there is only money for one pair of shoes.

Within the rural areas are found one of the major subcultures of poverty—the small farm. Sixteen percent of America's 30 million poor live on farms. More than 40 percent of all farm families are poor. More than 80 percent of nonwhite farmers live in poverty, although the overwhelming majority of poor farm families are white.

Among these poverty-stricken farm families are about 1 million families who have been called boxed in. They are headed by a person so handicapped by age, or lack of education, or physical disability, or a combination of all three, that the family must make it where they are, or they won't make it at all.

The breadwinners of these 1 million farm families have few choices open to them, and what choices there are only spell more poverty and more suffering.

Right now there is little help available to these families from any source. The FHA is prohibited by law from providing credit to families who have no repayment base or prospects. So the one Government agency most active in helping low-income farm families is unable to help those who need it most—the 1 million who cannot avoid the steel trap of poverty.

The provisions under title II of the Economic Opportunity Act will help to eliminate this painful paradox. Grants would be combined with loans and intensive technical assistance to raise the sights and the opportunities of impoverished rural families.

The Equal Opportunity Act also proposes a program of loans and grants to State and local nonprofit organizations for the purchase and resale of farmland to low-income family farmers who are being pushed out of the race for land by the giants of agriculture and real estate.

The bill proposes that credit and technical assistance be extended to organize and finance small cooperatives made up mostly of low-income rural families, or to strengthen co-ops already in existence.

Title III, of course, attacks only one aspect of the rural problem. Our bill proposes additional legislation which would have a direct impact on rural poverty. For example, under title I we request permission to establish a Job Corps. Membership in this Corps is open to any man or woman from 16 to 22. We hope to enroll 100,000. Each will receive $50 a month, but they can allot $25 per month to their families. If they allot the $25, we will match that $25 so that each Job Corps trainee could send home $50 a month—$600 a year.

Well, you say, $600 isn't much in affluent America. I agree with you. But if your total family income last year was $1,800, $600 is a 33⅓-percent net increase in your financial situation. That's a big boost—that may be the first glimmer of hope for many a rural family—that might be an inspiration to other boys and girls in the family and nearby to join the Job Corps, advance themselves and help their mothers and fathers at the same time.

Yes, this $600 a year could be a direct "shot in the arm" to many a poverty-stricken rural family.

Title I will also reach 340,000 additional young men and women between 16 and 22 years of age. It will give them jobs in their own hometowns, right where they are; and these jobs will not only supply financial assistance to the young people involved, but they will relieve parents of the necessity of supporting these young people. These jobs will give parents a hope for their children—a hope which many of these same parents had long ago despaired of.

Title II will help stimulate and support action programs to meet a rural community's most urgent needs in health, education, and other areas. Educational centers will be started in rural as well as in urban locations. Conservation camps will enroll not only the children of the city slum, but also rural youths who have dropped out of school and are drifting without aims or means. The program of jobs for potential school dropouts will give them a little income and stability to encourage them to remain in school.

The importance of providing decent education for the children of poor farm families cannot be overemphasized, especially when these families live in an environment that offers no incentives for education. A few days ago, the Department of Agriculture released a study of education among farm youngsters. Listen to these tragic facts:

In 1962, out of 1.3 million farm youths, 400,000 already had dropped out of school, the overwhelming majority without any high school education at all. Only one in three farm youths goes to college, compared with nearly half of our urban youngsters.

What more fertile ground could there be for action programs under title I and title II?

There are other points of attack in the rural poverty problem. Such measures as the wheat-cotton bill, which prevent the kind of price drops that push small farmers to the wall, are part of the war on poverty, too. And what about farm labor? What about the farmworker trying to get a decent living wage?

American farmworkers are the most underprivileged group in the Nation's entire labor force. The average earnings of agricultural workers are barely over $1,000 a year from all sources, farm and nonfarm. Farmworkers are excluded from minimum wage, unemployment insurance, and most State workmen's compensation laws. In addition, they are excluded from legislation which protects the right of workers to organize into unions and bargain with their employers.

Each year, approximately 500,000 American farmworkers are forced to migrate in order to avoid either low wages or unemployment at home. While on the road, they are underemployed, their wages are low, their housing is poor, they lack health and welfare services, and in some cases even safe vehicles for transportation. The children of migrants are denied the benefits of education, because they lead nomadic lives, and because they are needed in the fields.

America's migrants, because they are constantly on the move, are the hardest of the American poor to reach. When they settle down in cities and towns, they remain poor, but at least become eligible for welfare.

In this day of concentrated farmownership and mechanized agriculture, when only a small percentage of all farms hire the vast majority of all farm labor, it makes no sense at all to exclude farmworkers from the protection of labor and social legislation that have benefited other workers for over a quarter of a century. The time has come when America should make every effort to eliminate a farm labor system that is based on poverty and destitution. Surely it is not beyond our resources nor our ingenuity to include, in our war against poverty, these always "excluded" Americans.

Increasing the wages and improving the working conditions of farmworkers is not going to hurt the family farmer; on the contrary, it may help him. If a large grower or processing corporation is able to obtain an unlimited quantity of labor for low wages, then the work performed by a farm operator and the members of his family on a small, family farm becomes of equally low value. The substandard wages paid on the huge corporate farms become the standard of income for self-employed farmers who must compete in the same markets.

There is another way of attacking the migrant labor problem under the Economic Opportunities Act. The Director of the Office of Economic Opportunity, under title VI, could refer volunteers—upon request of the Governors—to work in meeting the health and education needs of migrants and their families.

What I have described to you tonight is part of what has been called the antipoverty package. It is not the whole war, of course. But this package alone will create $1 billion worth of new programs and incentives. And it will produce these results in its first year of operations:

1. A $450 million program to train and place over 400,000 young men and women—including thousands of youths from the farms of America—to help them escape from the poverty into which they were born.

2. The amount of $315 million worth of support for community action projects—urban as well as rural—to help local groups develop those programs which will have the greatest meaning for the particular community.

3. Another $50 million to carry out title III programs for rural America alone.

4. An amount of $150 million for training and jobs for unemployed parents—in rural and urban areas.

But what we do under this new authority cannot be measured by numbers alone.

Take the provision in title III, for example. For years, groups like yours have recommended that we try to make our very poorest farm families self-sufficient. Now we have the means to do it. We are confident it will work. And when it proves itself, we will do more.

We are going to enlist the good faith, the good heart of America in this program. Thousands of volunteers will be recruited to help carry it out. Many of these volunteers will come from the farms—and go to the farms. This is an exciting promise of the poverty program, as it has already proven exciting in the Peace Corps.

So the poverty program is not to be measured by cold statistics alone, although the statistics above are impressive. Instead, it must be measured primarily by the commitment it implies—a commitment by the richest nation of the world to give all of its citizens a chance to enjoy its riches.

I have been talking tonight, not about utopia, but America—a land of opportunity, not a paradise of plenty. The American experience is rooted in realism. We have never sought to create a blissful paternalistic society in which all of a man's needs would be provided for from birth. Historically and traditionally our dictum has been: give a man liberty and opportunity and he will go as far as his ability will allow.

The objective of the war against poverty is to liberate 35 million Americans from the cycle of poverty, and give them the opportunity to advance. For economic reasons, for moral reasons, for human reasons—for every reason known to reasonable men—we must and will win that war.

ECONOMY OF NORTHEASTERN MINNESOTA

Mr. McCARTHY. Mr. President, the economy of northeastern Minnesota has traditionally been dependent upon iron ore mining, whereas that industry was set back through depletion of the so-called direct-shipping ores. It is now staging a comeback through the development of taconite, but nonetheless the diversification of industry in that area has long been necessary.

A most encouraging development, therefore, is the joint effort of labor and industry to form the Northeastern Minnesota Development Association, a privately financed nonprofit organization, whose purpose is to attract new and diversified industry.

I ask unanimous consent to have printed in the RECORD an article published in the New York Times for Monday, May 25, describing this newly formed group and the problems and potentiality of this area.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 25, 1964]

LABOR, BUSINESS, AND CIVIC LEADERS IN THE MESABI IRON RANGE JOIN TO DIVERSIFY INDUSTRY

(By Austin C. Wehrwein)

HIBBING, MINN., May 24.—A fresh spirit of cooperation and hope is stirring the Mesabi Iron Range, a rugged country of gigantic rust-colored open-pit craters, lakes, and woods.

The dream is a broadly based, economically diversified area. But the traditional economic base has been iron ore. In the last 10 years 211 mines have closed, leaving 121. Natural ore-mining jobs have been cut in half. Areawide unemployment runs from 10 to 12 percent and there are pockets in the 100-mile-long range where it is as high as 40 percent.

Hard times have plagued the Mesabi since depletion and foreign competition broke its virtual monopoly on high-grade ore for American mills. But from Gov. Karl Rolvaag on down the people reject the suggestion that this is another Appalachia.

When iron is king, the Mesabi's welfare is decided in boardrooms of steel companies far away on the basis of national and international events.

DIVERSIFICATION SOUGHT

This weekend labor and industry in the region started a $1 million privately financed nonprofit organization, the Northeastern Minnesota Development Association, "to produce jobs" by attracting diversified industry. It will put to a test the dogged optimism, sometimes verging on wishful thinking, that is combined with despair.

The backers include the United Steelworkers of America and the International Brotherhood of Teamsters, who have given a total of $75,000, the United States Steel Corp. and a cross section of the industry-commercial-professional community.

It was not always this way. Industry and labor here have often locked horns and communities have bickered.

The "do-it-ourselves" leaders would like to work with, rather than rely on, the Government, including the Johnson antipoverty campaign. This is no States rights feeling because there is no basic philosophical objection to help. But, unlike ingrown Appalachia, the people here are of diverse stocks—Finns, Swedes, Norwegians, Italians, and a variety of Slavic strains.

Many are second-generation Americans with an intense yearning for education. Schools, the beneficiary of high tax yields from the mines when the going was good, are equal to any in the State. In Grand Rapids, for example, the school district serves an area of 36,000 square miles.

Also unlike Appalachia, people will move away, although they would rather stay. This is a mixed blessing—it means that there are fewer pockets of discouraged hopeless people but it also means that there is a draining away of talent.

FISH CAUGHT FOR VETERANS

Typical of the flavor of the area was the "Pike for Vets" celebration in Grand Rapids a few days ago. For a week, people left their jobs and went fishing in 20 lakes in a 30-mile radius. The 1,500 pike they caught were cleaned by volunteers and were frozen for shipment to a veterans' hospital at Minneapolis along with a supply of wild rice to provide the patients with a fish dinner.

Primarily, the hope is based on what people call the "three T's"—tourism, timber, and taconite. And the greatest of these is taconite, low-grade iron ore that can be processed and upgraded.

The new development association crystalizes the desire for economic diversification to get away from a one-product economy. Nevertheless, taconite promises immediate jobs.

A representative case is that of John Kavlie, a 35-year-old father of three children, ages 8 to 3, who lives in Chisholm.

He is both a miner and a railroad fireman. He is working now but he has received from the railroad a dismissal notice effective June 7. In the last 10 years, he has been unemployed for 4. He likes his native region and wants to stay. He hopes to get a job in one of the new taconite plants. His wife works as a schoolteacher, which helps. But he said:

"It gets pretty tough and sometimes you just get by. And a man does not like to be supported by his wife."

TACONITE DEVELOPMENTS

The family lives with his father-in-law, who is a widower.

This is what is happening in the taconite picture:

Armco and Republic Steel Corps. have a taconite plant at Babbitt. Another is at Erie, where the Bethlehem Steel Co., Youngstown Sheet & Tube and two smaller companies have joined hands. Together this represents a $300 million investment.

On June 3, ground will be broken for a taconite plant at Eveleth in which the Ford Motor Co. has an 85-percent share of an investment estimated at $45 million. In the wings are United States Steel and M. A. Hanna Co. United States Steel has already sunk $27 million in a pilot operation and if a tax reform amendment passes a $150 million plant will be built by United States Steel at Iron Mountain.

Also contingent on voter approval of the constitutional amendment in November is an $80 million Hanna plant near Hibbing.

Mine taxation methods for years were a bitter issue in Minnesota. Now labor, industry and leaders of both parties as well as citizens in many walks of life have united behind the amendment to give mines the same tax treatment as other industries. Taconite is, in fact, essentially a manufacturing process.

Moreover, natural iron mining is a summer enterprise that creates winter unemployment. Taconite, which has already provided about 5,000 jobs to offset to some extent the loss of 8,000 jobs in natural mining, is a year-around process. It should be noted that in addition to the loss of mining jobs, many mining-supported jobs are lost when a mine closes. It is said that for every miner's job there are about two others directly related to it.

In summing this up, Representative JOHN A. BLATNIK, the Democrat whose district includes the Mesabi, looks for a beginning of $200 million in new taconite plant construction this year if the amendment passes.

CALLS AREA BLESSED

In Duluth, Gerald W. Heaney, a leader in the new development group, said:

"We are blessed as no other depressed area is blessed. There is no reason why we cannot achieve our goal of being the first major area taken off the list of depressed areas."

But more than regional patriotism is needed to turn such blessings as vast water resources, abundant electric power and timber stands into jobs. Taconite aside, the Mesabi suffers the same disadvantages as other areas remote from big cities.

Help from the Area Redevelopment Administration on a large scale produced 13 light manufacturing plants but only 500 jobs. This is regarded as a gain here but it is hardly spectacular compared with more industrialized regions.

The advantage of diversification is, however, obvious. Grand Rapids (population 7,200) is a comparatively thriving community largely because it is the home of the prosperous Blandin Paper Mill.

Grand Rapids also has a busy industrial foundation that has helped promote a plastics, a woodworking and a water ski making company. More important, the foundation has backed the Sugar Hills ski project and the related expansion of a semiluxury resort called Otis Lodge. Local private capital plus Small Business Administration loans totaling $235,000 made these developments possible.

Charles Skinner, an imaginative young man who left law practice to go into the enterprise, said that the ski project brought in $800,000 in the winter season.

Largely due to the 40,000 skiers who came to the 7 miles of Sugar Hills ski trails, Grand Rapids has doubled its motel capacity.

Mr. Skinner represents a new breed in the Minnesota vacation business. He says that its salvation is to become a year-round thing, geared to the rapidly accelerating flood of vacationers with more money and time and a desire to do more than just fish.

Taconite expansion also holds out the prospect of new related industries. So, for that matter, does a thriving more sophisticated tourist industry. High value, low weight manufactured products, such as electronics components, are also sought. Litton Industries, which put just such a plant in Duluth with some reported political prodding, has since expressed high pleasure at its good rate of productivity.

MEAT IMPORTS

Mr. JORDAN of Idaho. Mr. President, we who represent Western States have long been proud of the independence of our livestock industry and those who make it operate. This pride was again stirred last Thursday when delegates from western beef producing States, at a conference in Boise, Thursday, recognized the extreme emergency facing that industry but steadfastly opposed any scheme to subsidize direct purchases of cattle by the Government.

Instead, these cattlemen urged that we in Congress and the administration join our efforts to get at the basic causes of the multimillion-dollar loss that the cattle industry has sustained. They urged passage of legislation which would limit the importation of beef, veal, lamb, and mutton to the average of shipments during 1959–63.

These western range operators are men of few words and decisive action. When told that the administration had suggested that the U.S. cattle industry check the possibility of markets in Europe for U.S. cattle, one of the delegates suggested that at a time when imports were crippling cattle prices in the United States with low-grade meat, the U.S. Government would be wiser to suggest to those nations that are shipping to the United States that they supply the European market and leave the American market for U.S. production. U.S. cattlemen have developed through many millions of dollars of promotion an expanding market for meat in the United States. "Why?" they ask, should they now turn this market over to foreign producers and be forced to spend more U.S. dollars to develop meat consumption in Europe. Let the foreign exporters develop their own markets, the cattlemen suggest.

The cattlemen are also practical people and firmly believe that they must help themselves. They recognize that part of their problems are within the domestic industry. They suggested that their American National Cattlemen's Association undertake a full economic study of the cattle industry to determine what the producers and feeders can do to help themselves. They also suggested changes in the grading program to allow lighter cattle to be marketed at higher grades, and they unanimously endorsed action to step up meat promotion programs with more emphasis on the value of U.S.-grown meat.

These men are not whiners, nor are they looking for handouts. They are willing to pay their own way and fight for their own industry, but they feel deeply that they should not have to fight against their own Government which is entering into agreements to give away more and more of the U.S. meat market to foreign producers.

We want to make every effort to get meat to the tables of America at the price and quality demanded by the consumer, and at the same time assure them that it is inspected under the high sanitary standards that every U.S. citizen has a right to expect, the delegates agree.

The cattlemen cited facts and figures pointing out that when the cattle industry suffers a multimillion-dollar loss, many other industries such as feed grain, farm machinery, and the merchants of the farming community also feel the effect of this loss of spendable income which the cattlemen do not have now. They also pointed out that they pay a substantial share of the taxes to support local, State, and Federal Government programs.

The PRESIDING OFFICER. The time of the Senator from Idaho has expired.

Mr. JORDAN of Idaho. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JORDAN of Idaho. Mr. President, while the cattlemen do not like paying taxes any more than any other segment of our economy, they all agree that they would rather be making money upon which to pay taxes than to be receiving doles from tax-supported poverty programs.

Mr. President, I ask unanimous consent to have printed in the Record a "Statement of Action" which was adopted by the Western States Beef Import Conference, and an article published in the Idaho Daily Statesman, reporting on the conference.

There being no objection, the statement and article were ordered to be printed in the Record, as follows:

Statement of Action

(By the Western States Beef Import Conference, Boise, Idaho, May 21, 1964)

Cattlemen of the Nation were called upon here today to step up their battle for survival by initiating an aggressive action program to secure passage of beef import legislation now bogged down in Congress.

Feeders and ranchers of eight Western States, meeting in Boise, Idaho, at a special conference on industry problems, endorsed principles of the legislation which would limit the importation of beef, veal, lamb, and mutton to the average of shipments during 1959–63. Multimillion-dollar losses are being suffered throughout the country because of excessive shipments of foreign meats.

Crossing State lines to recognize the extreme seriousness, especially if drought should hit this year, the stockmen met as the Western Beef Conference. It also urged changes in beef grading to allow for more orderly marketing of finished animals at lighter weights; close culling of cow herds; aggressive promotion efforts and other activities designed to assist the industry to reverse the trend of falling cattle prices at all levels.

High on a list of recommendations was a suggestion that an extensive economic study of the entire industry be inaugurated immediately through the American National Cattlemen's Association. Such a study, delegates felt, should be conducted by business management consultants on the premise that the beef industry is one of the Nation's largest businesses with problems far more complex than most.

The group showed grave concern over losses coming to allied businesses and communities depending upon beef production, the loss of jobs in supplying and service industries, and a substantial reduction in the tax base available for local, State, and National functions.

Although 32 delegates of the 11 State organizations recognized the extreme emergency facing the industry, it firmly opposed any scheme to subsidize direct purchases of cattle by the Government, deplored the free-trade philosophy of the administration which was blamed for bartering away the future of the livestock industry, and blamed Government encouragement of grazing of cattle on acres diverted from surplus crop production for many of our excess cattle on hand today.

The conference was called by the Idaho Cattle Feeders Association and the Idaho Cattlemen's Association in an effort to dramatize the critical nature of the industry. Other States represented included Washington, Oregon, Montana, California, Nevada, Utah, and New Mexico.

Regarding the entire import situation, the group discussed in detail beef promotion activities emphasizing the use of U.S. beef in retail outlets, restaurants, and locker plants. It specifically requested that sanitary requirements for slaughtering in foreign countries match the high standards prevailing in this country.

[From the Idaho Daily Statesman, May 22, 1964]

Cattlemen Brand Imports as Menace to Economy; Vow To Fight for Market

(By Don Morrissey)

Delegates from western beef producing States at a conference in Boise Thursday pointed out the industry has taken a multimillion-dollar loss due to foreign beef imports and strongly recommended that imports of beef, lamb, and mutton be regulated by legislation on a 5-year base, using the years between 1959 and 1963 to set averages.

Presidents of cattlemen's organizations from eight States said jointly, "We are willing to share our market but not willing to give it away."

It also was recommended that the present Department of Agriculture grading standards be revised to allow the feeding and marketing of younger and lighter weight animals and that they be graded as choice.

OPPOSED TO SYSTEM

The delegates are opposed to the modified dual-grading system as proposed by the Department of Agriculture and said State associations should be encouraged to solve local problems, including the raising of overweight animals.

Conference members cited the tremendous tax loss to the Federal Government due to the depressed cattle industry and stated they were opposed to the Government trend toward one-world philosophy.

The group seeks more stringent regulations for inspection of foreign meat plants, recommended the Government purchase of American beef for various programs instead of foreign beef and went on record as opposing grazing cattle on diverted lands.

Delegates pointed out grain producers and merchants and all other allied industries face losses due to the depressed beef industry and said every other type of retail business will be affected if the trend is not halted.

EXPRESS CONCERN

Cattle feeders and producers expressed great concern at the conference on how a breakdown in the beef industry could affect the entire Nation's economy.

State by State, delegates voiced opinions on conditions in their areas and offered suggestions as to how the problem could be whipped.

It was explained by Lyle Liggett, Denver, Colo., of the American National Cattlemen's Association, that numerous bills and legislation on imports had been presented in both Houses of Congress but that action was being held up until the civil rights matter is disposed of.

He said the national association was opposed to a change in import quotas which set the base at an average for 1962–63, which were the highest import years for the countries affected. He explained the association favored a more reasonable base period—the years between 1959 and 1963.

ACCUSED OF PRESSURE

"The administration," he said, "is pressuring against legislation which will set import controls and is trying to get pet bills passed."

He added, "it is possible the Senate will be allowed to pass legislation to aid election of some western Congress Members only to see the measure defeated in the House after the election."

At the meeting it was pointed out imports are below last year but that this could be a "smoke screen" which will result in an increased imports base later on.

Concern was expressed over a Government proposal to develop meat exports to European countries and it was pointed out the market quantity for certain qualities is not known.

WOULD ENCOURAGE OTHERS

Allan Adams, of the Utah Cattlemen's Association, said to become engaged in such a program would in a way be encouraging export of beef from other countries and would be an endorsement for free world trade.

Carl Twisselman, McKittrick, Calif., president of the California Cattlemen's Association, pointed out the industry has short-range problems, also, besides the long-range battle against imports.

He mentioned an excess of animals as one domestic problem and said a thorough research project of the industry should be carried out.

Curtis Eaton, Twin Falls, president of the Idaho Cattlemen's Association, presented proposals from his organization including a change in Department of Agriculture grading standards which would put the upper half of the good grade in the choice classification.

NEEDS TO TAKE ACTION

Ralph Miracle, Helena, Mont., secretary of the Montana Cattle Growers Association, said Congress needs to exert itself and take action to defeat some of the administration proposals which would set price and production controls on certain commodities.

Delegates strongly opposed subsidy of the industry by the Government and urged that it be allowed to find its own solution through a self-help program. He said associations should determine how much strength they have for favorable legislation in Congress and then fight for it.

Also speaking for favorable legislation to control imports were Pete Marble, Reno, of the Nevada Cattlemen's Association; Jim Brooks, of the Oregon Cattlemen's Association; Sherman D. Harmer, of the Utah Cattlemen's Association; Jack Tibbetts, of the Washington Cattlemen's Association; Cal Cartwright of the Washington Cattle Feeders Association; Les Davis of the New Mexico Stock Growers Association; Henry Jones of the Idaho Cattle Feeders Association; George Russell of the Oregon Cattlemen's Association; Jim Ellsworth of the Idaho Cattle Feeders Association; Allan Adams of the Utah Cattlemen's Association; Floyd Skelton, Idaho Falls banker and former cattleman; Ernie Davis of the Oregon Beef Council; Walter Yarbrough of the Idaho Black Angus Association; Willard Brunch of the Oregon Cattlemen's Association, and Dr. Wayne Robinson of the University of Idaho.

LETTERS, WIRES READ

Several letters and wires from other State associations and Governors lending support to proposals to better the beef industry were read as was a telegram from Idaho's Republican Senator Len B. Jordan.

Oregon's beef promotion by stores wherein chains and independents feature domestic grown beef was explained and its success related.

The group discussed the enforcement of labeling laws which state where products are produced, and suggestions were made that cities pass ordinances to that effect.

Speakers pointed out the industry should not look for or encourage Government handouts. It also was stressed that the consumer will be the real loser if beef imports are not cut down because supplies will be lessened and prices will increase.

SUGGESTS IMPORT HALT

Jones suggested that beef imports be halted entirely. He said, "Europe protects its own people, and the United States should do the same by tariffs or other means."

Regarding the Government's buying of beef for various programs, Brooks said, "It only scratches the surface. The industry can work out its own solution if we are allowed to."

Twisselman said, "We should let President Johnson know we don't intend to let up and that we plan to continue our fight to preserve the beef industry."

He also suggested that associations work to obtain support from allied industries and to encourage programs for foreign beef producers to supply the European market.

PROMISES SUPPORT

The Idaho Farm Bureau Federation promised its support to proposals which would help the industry and noted it was opposed to Government farm controls and favored reduction of beef imports, labeling of products and promotion of domestic products.

Clyde Rutledge, president of the Greater Boise Chamber of Commerce, and Gov. Robert E. Smylie welcomed delegates and others at a noon luncheon.

Smylie told luncheon guests, "The State Department must be made to realize this is a national problem and that a unified effort is being made to save the industry."

EXECUTIVE SESSION

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business for action on the nominations of postmasters. The postmaster nominations have been cleared with the two Senators from every State involved.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. ERVIN, from the Committee on the Judiciary:

Eugene A. Gordon, of North Carolina, to be U.S. district judge for the middle district of North Carolina.

By Mr. ERVIN (for Mr. EASTLAND), from the Committee on the Judiciary:

John H. Kamlowsky, of West Virginia, to be U.S. attorney for the northern district of West Virginia.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. INOUYE. Mr. President, from the Committee on Armed Services, I report favorably the nominations of 35 flag and general officers in the Army, Navy, Marine Corps, and Air Force. I ask unanimous consent that these names be printed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations ordered to be placed on the Executive Calendar are as follows:

Rear Adm. Alexander S. Heyward, Jr., U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

George E. Tomlinson, and John L. Winston, Marine Corps Reserve officers, for temporary appointment to the grade of major general;

Maj. Gen. Joseph R. Holzapple, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general;

Adm. Harry D. Felt, U.S. Navy, to be placed on the retired list in the grade of admiral;

Rear Adm. Joseph M. Lyle, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Russell A. Bowen, and Douglas J. Peacher, Marine Corps Reserve officers, for temporary appointment to the grade of brigadier general;

Maj. Gen. Jean Evans Engler, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Anthony A. Mitchell, U.S. Navy, for appointment to the grade of lieutenant commander, while serving as leader of the U.S. Navy Band;

Lt. Gen. Frank Shaffer Besson, Jr., Army of the United States (major general, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, in the grade of general;

Vice Adm. Thomas H. Moorer, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of admiral while so serving;

Rear Adm. Bernard A. Clarey, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Vice Adm. Bernard L. Austin, and Rear Adm. Laurence H. Frost, U.S. Navy, for appointment to the grade of vice admiral on the retired list;

Rear Adm. William E. Ellis, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Rear Adm. Robert T. S. Keith, U.S. Navy, for appointment to the grade of vice admiral on the retired list;

Maj. Gen. John C. Munn, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list;

Lt. Gen. Carl Henry Jark, Army of the United States (major general, U.S. Army), to be placed on the retired list;

Maj. Gen. Lawrence Joseph Lincoln, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Maj. Gen. Leighton I. Davis, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general;

Rear Adm. Allen M. Shinn, U.S. Navy, to be Chief of the Bureau of Naval Weapons;

Rear Adm. Kleber S. Masterson, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Lt. Gen. Paul Wyatt Caraway, Army of the United States (major general, U.S. Army), to be placed on the retired list;

Vice Adm. Roy A. Gano, U.S. Navy, for appointment to the grade of vice admiral on the retired list;

Capt. John K. Leydon, U.S. Navy, to be Chief of Naval Research;

Capt. Robert H. Hare, U.S. Navy, for temporary promotion to the grade of rear admiral, while serving as Deputy and Assistant Judge Advocate General of the Navy;

Gen. William F. McKee, U.S. Air Force (major general, Regular Air Force), to be placed on the retired list in the grade of general;

Lt. Gen. Hunter Harris, Jr., U.S. Air Force (major general, Regular Air Force), to be assigned to positions of importance and responsibility designated by the President, in the rank of general;

Lt. Gen. Andrew Thomas McNamara, Army of the United States (major general, U.S. Army), and Lt. Gen. John Southworth Upham, Jr., Army of the United States (major general, U.S. Army), to be placed on the retired list;

Maj. Gen. William Frew Train, U.S. Army, and Maj. Gen. Charles Wythe Gleaves Rich, U.S. Army, to be assigned to positions of importance and responsibility designated by the President, to serve in the grade of lieutenants general;

Vice Adm. Elton W. Grenfell, U.S. Navy, for appointment to the grade of vice admiral on the retired list; and

Rear Adm. Vernon L. Lowrance, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving.

Mr. INOUYE. Mr. President, in addition, I report favorably the following appointments and promotions: 3,466 in the Army in the grade of colonel and below; 4,768 in the Navy in the grade of captain and below; 2,424 in the Marine Corps in the grade of colonel and below; and 3,290 in the Air Force in the grade of colonel and below. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expenses of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations ordered to lie on the desk are as follows:

Howard F. Stevenson, and sundry other officers of the Marine Corps, for promotion in the Marine Corps;

Fred W. Anthes, and sundry other persons, for appointment in the Marine Corps;

Edwin R. Cooley, and sundry other officers, for promotion in the Regular Army of the United States;

John W. New, and sundry other persons, for appointment in the Regular Air Force;

William B. Abbott, Jr., and sundry other persons, for appointment in the Regular Air Force;

Richard F. Burns, and sundry other officers, for promotion in the Regular Army of the United States;

Duane A. Adams, and sundry other persons, for appointment in the Regular Air Force;

David C. Aabye, and sundry other midshipmen (Naval Academy), for appointment in the U.S. Navy;

Russell S. Hesse, and sundry other officers, for promotion in the Regular Army of the United States;

Ritchie P. Stimpson, and sundry other officers, for appointment and reappointment in the Regular Air Force;

Vincent T. Canale, and sundry other midshipmen (Naval Academy), for appointment in the U.S. Navy; and

Richard D. Barba, and sundry other persons, for appointment in the Marine Corps.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the nominations of postmasters be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters on the Executive Calendar are considered and confirmed en bloc.

Without objection, the President will be immediately notified of the confirmation of the nominations.

LEGISLATIVE BUSINESS

The PRESIDING OFFICER. Without objection, the Senate will resume consideration of legislative business.

SPEECH DELIVERED BY JAMES A. FARLEY AT LAW DAY EXERCISES AT THE UNIVERSITY OF GEORGIA

Mr. RUSSELL. Mr. President, several days ago I had the pleasure of inserting in the CONGRESSIONAL RECORD a speech on American political life by Hon. James A. Farley, delivered at Law Day exercises at the University of Georgia, on May 1, 1964.

Mr. Farley is one of the best known of our elder statesmen, and is one of the greatest political philosophers this Nation has ever produced.

Some of Mr. Farley's more pungent comments and observations have been extracted and included in an article by Mr. Eugene Patterson, editor of the Atlanta Journal-Constitution, and published in the Atlanta Journal-Constitution of May 10, 1964.

Mr. President, to those who did not have an opportunity to read the text of Mr. Farley's speech, I commend this article as an abbreviated version of his remarks, and ask unanimous consent that it may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OVERSHADOWED—JIM FARLEY'S WORDS ARE GOOD AS GOLD

(By Eugene Patterson)

The sudden news of the Johnson, Kennedy, and Truman visits to Georgia obscured a call by one of the wisest Democrats of old—Jim Farley.

The pro who ran the party for Roosevelt is a Coca-Cola executive now, but he holds a doctorate of pepper in politics. He demonstrated it in a May 2 Law Day speech at the University of Georgia. Some samples:

On political logrolling.—"I have rolled many a log, secure in the knowledge that if someone didn't roll the logs there wouldn't be any lumber even to build a stadium for these grandstand quarterbacks. I count it as a vital part of Government that a Senator from Arizona, for example, is likely to look with favor upon a new lighthouse in Maine, provided the Senator from Maine views with sympathy an irrigation project in Arizona."

SPECIALIST

On legislators.—"Precisely as a specialist stands at his post on the stock exchange, a Congressman and a Senator trades for his State on the floor of Congress."

Is this all there is? Does a politician simply need to roll logs and maintain an election-consciousness of his constituents' strengths and weaknesses?—"If he had only these, he would be a mere officeseeker dedicating his life to his personal vanity. To have the elements of a great leader, his ship must have a purpose and a destination. No man and no ship can reach his destination unless he raises his eyes above the horizon and gazes upon the stars."

More on politics and the sea.—"During my more than 50 years in American politics * * * it occurred to me that American politics was much like the sea, which constantly rebalances itself. Hurricanes raise mighty waves, but the sea is so delicate that even the tiniest breeze raises a ripple. I noticed that the great American political leaders were much like skilled ship captains. They had as much respect for the will of the American people as a good captain has for the sea. A good politician, like a good captain, knows that the very force which sustains him can also sink him. He must judge the ripples, because they herald tomorrow's storm. He must distinguish between the deep currents and the temporary surface storms."

SPOKESMAN

On this year's presidential election.—"The President is the sole spokesman for the entire Nation. This is particularly true in foreign affairs. Party lines cease at the American shoreline. Thus, at the time of the Berlin crisis, many Democrats including myself wired President Eisenhower that they unconditionally backed the President. The then majority leader of the Senate, Lyndon Johnson * * * abolished the aisle in the Senate. His mighty support gave President Eisenhower a doubly reinforced position in those difficult days. The Communist leadership was given to understand by the action of Lyndon Johnson that President Eisenhower spoke for a unified nation.

"I cannot refrain from mentioning that I believe President Eisenhower could perform the greatest of public services by declaring that foreign policy should not be an issue of this (1964) campaign. If President Johnson is given the same support in foreign policy that he marshalled for President Eisenhower the Nation will be strengthened immeasurably thereby. Surely the pressure points now are not less important than they were then. * * * The world leaders of communism have shown in the past that they do not understand that party loyalty in these United States is all but insignificant as against loyalty to the U.S. Government itself. * * * A statement by President Eisenhower—that the present American foreign policy is the settled policy of the American people—would immeasurably reinforce the forces of freedom."

I wonder what Republicans think of Mr. Farley's proposal?

TRIBUTE TO DR. ROBERT W. JOHNSON

Mr. MUNDT. Mr. President, our Nation does not as some other countries do, bestow special titles on men and women of distinction who have made important contributions to their native land and its people.

Only on rare occasions are medals struck in honor of public spirited citizens who have given of their time and effort for the welfare of fellow Americans. Publicizing the efforts and successes of those who serve humanity well is consequently about the only special reward which we can render. I think this is generally recognized by Members of this body who have, individually, reported the meritorious deeds of friends, constituents, and fellow citizens of our land.

I rise today to pay tribute to a man whom I have never met—a man who is not a constituent of mine, but, nevertheless one of whom I have heard much from mutual friends—a well-known American doctor whose special skills in the field of orthopedic surgery are widely recognized throughout our Nation and the world.

On June 3, Dr. Robert W. Johnson, Jr., of Baltimore, Md., who has won fame for his important work, will celebrate his 73d birthday. Dr. Johnson has been an instructor in orthopedic surgery at Johns Hopkins Medical School, where he has been actively associated since 1919. He has been orthopedic surgeon-in-charge of the Johns Hopkins Hospital, and was elected president-elect of the American Orthopedic Association in 1948. After serving in this capacity, he served as chairman of the Journal board, responsible for the publication of the Journal of Bone and Joint Surgery. It is my understanding that he counts this among the highlights of his career.

Perhaps one of the accomplishments which has brought him great self-satisfaction, as well as the merited applause of both the medical world and the general public, is his work with the Children's Hospital and his establishment of one of the earliest county crippled children's clinics in Maryland at the Emergency Hospital, Easton, Md. He conducted it regularly, and gradually it led to the establishment of a special fracture service at the Memorial Hospital, Easton, and, eventually, to an orthopedic service there to handle cases from the Eastern Shore of Maryland. He also conducted clinics for the State health department's service for crippled children in six other counties at various times.

Dr. Johnson is the son of a doctor, Dr. Robert W. Johnson, Sr., and he is the great-grandson of Maryland's famous Dr. Thomas Johnson, of Baltimore County. Dr. Robert W. Johnson proudly displays in his office the diploma which his great-grandfather received from the University of Pennsylvania in 1793. One of the signers of this diploma—Dr. Benjamin Rush—was also one of the signers of the Declaration of Independence. The Johnson family has a distinguished record of service to the people of Maryland.

Dr. Robert W. Johnson, Jr., himself a graduate of Johns Hopkins in 1917, has given a great portion of his lifetime to further the research in orthopedic surgery at his alma mater. Immediately after his graduation, he was commissioned first lieutenant in the U.S. Army Medical Reserve Corps and ordered overseas at once to join a special unit of orthopedic surgeons to serve with the British under the direction of Col. Sir Robert Jones. His service in this capacity was so brilliant that he was rapidly given more and more responsibility, until he had direct charge of 225 beds at Oxford as well as other duties with his unit. Upon his release from military service, he returned to Johns Hopkins.

His research and writings in the field or orthopedic surgery are well known to the medical profession. He has contributed over 35 articles to the literature of orthopedic surgery—experimental, operative, or clinical character. A real tribute to his sincerity and devotion to his profession is the fact that he refuses to publish any book alone. Among the honors bestowed on him was the gold medal for the best scientific exhibit at the American Academy of Orthopedic Surgeons meeting in 1946, an honor he shared with Dr. John Lyford.

I am sure that his deeds, his professional stature, his discoveries, and his great contributions to the health and welfare of innumerable patients on whom he has exhibited his skill, are written in the hearts and minds of thousands of his contemporaries. However, his impressive record should be given exposure and his professional attainments should receive the plaudits of fellow Americans for whom he has labored.

I want to extend to Dr. Robert W. Johnson, Jr., of Baltimore, happy birthday greetings, and to wish him good health and contentment. I want to assure him that he has not gone unnoticed nor have his contributions to medicine, surgery, and the welfare of his patients whom he has served been left unrecorded in the annals which mark the progress and history of our Nation.

SMALL BUSINESS WEEK IN NEW YORK STATE

Mr. KEATING. Mr. President, this week is Small Business Week in New York State. During this period New York gives special recognition to the fact that within its borders, as in the United States as a whole, small business establishments remain the life blood of the economy.

In the sheer number of business units, in terms of the matchless opportunities they provide for self-employment, in terms of the jobs they create that offer the satisfaction and pride that go hand-in-hand with more personalized relationships than exist in large-scale enterprise, small businesses continue as the cornerstone of the American system of economic organization. When it prospers, we all prosper with it. When it falters, not only the health of the economy but also traditional social values falter with it.

Small business has been historically responsible for generating the ideas, the inventiveness, the industrial know-how that have given birth to the giants of enterprise that form the other vital segment of the private economy. There is no irreconcilable conflict between the two. Each sector cannot exist without the other. With the proper public policy setting, especially in the fields of antitrust, Government procurement, and taxation, both large and small business can flourish as in the past. But always our emphasis and stress must be upon preserving a climate of freedom for economic opportunity that has made possible the grassroots growth of the family businesses that are the backbone of the entire system.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point the proclamation of Gov. Nelson A. Rockefeller, dated May 18, 1964, declaring the week of May 24–30 as Small Business Week in New York State.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

PROCLAMATION BY GOVERNOR ROCKEFELLER

Small business forms the very backbone of New York State's economy.

We tend to think of the Empire State as the center of vast corporate industries, which it most certainly is. The fact is often overlooked, however, that it is also the home of more small firms than any other State. The latest census shows that there are more than 40,000 wholesale firms, 183,000 retail outlets, and 109,000 service businesses in our 62 counties. These firms represent approximately 15 percent of the national total, an impressive total indeed.

Many industrial giants of the future may well emerge from our fledgling enterprises, reflecting a pattern of business growth that has characterized our economic history.

The volume of new incorporations each year emphasizes the spirit of initiative and resourcefulness which are special marks of New York's economy. In 1961, 34,000 new businesses were incorporated—one-fifth of the Nation's total and more than double that of the second-ranking State. Thus, each year the basic principles of our free enterprise system are reaffirmed in New York State.

Now, therefore, I, Nelson A. Rockefeller, Governor of the State of New York, do hereby proclaim the week of May 24–30, 1964, as Small Business Week in New York State.

Given under my hand and the privy seal of the State at the capitol in the city of Albany this 18th day of May in the year of our Lord 1964.

NELSON A. ROCKEFELLER.

By the Governor:

WILLIAM J. RONAN,
Secretary to the Governor.

ADVISORY COMMITTEE ON PRIVATE ENTERPRISE IN FOREIGN AID

Mr. JAVITS. Mr. President, I hail with great pleasure and with a sense of very deep significance to the Nation the announcement, which I understand was made by the White House this morning, of the appointment, at long last, of the Advisory Committee on Private Enterprise in Foreign Aid, provided for by the foreign aid bill which was passed last fall, in connection with which I had the honor to offer an amendment.

The Advisory Committee is a committee of nine distinguished Americans, representative of the private sector in its many forms, including trade unions, universities, farmers, workers, and managers of business.

Its task will be, as prescribed by law, to find the means by which the private enterprise system may take its full part in foreign aid.

The provision under which the Committee will function will expire at the end of this year, and it will be necessary to bring about an extension of the time, so that the Committee may perform its duty. Also, it will probably be necessary to do something about its budget—$50,000 was provided for it by way of an authorization at a time when we were not aware exactly of what would be the ambit of its work. The budget may have to be somewhat greater. Of course, it would have to be completely justified.

But, Mr. President, the important point is that this is the first real new departure in the foreign aid field. Foreign aid could move in one of two directions. It could go either in the international organization direction, and turn over some part of our foreign aid effort to the International Bank and other international agencies, or it could move in the direction of private enterprise. The private enterprise direction is by far the most constructive.

Second, the Chairman of the new Committee is expected to be Arthur K. Watson, president of IBM Word Trade Corp. Mr. Watson is one of the most distinguished businessmen in the United States.

If the private enterprise system can take over much of the work of foreign aid, that will be a real solution, because it will, at one and the same time, materially accelerate the volume and speed with which foreign aid moves out and will relieve a great burden which is placed upon the taxpayers of the United States.

The appointment of this Committee promises a major departure in policy. It has a quotient not only of investment capital but of technical assistance undreamed of in respect to foreign aid. It is a concept for which I have been contending since I first went to the House of Representatives, back in 1947. Hence, it is with the deepest gratification that I hail this announcement from the White House, at long last of the appointment of the members of this Committee.

The members of the Committee are: Arthur K. Watson, whom I have already mentioned, and who probably will be the president or chairman; W. T. Golden, president of Systems Development Corp.; Dean Ernest Arbuckle, of the Stanford Business School; Joseph Beirne, president of the Communications Workers of America; Kenneth Nadan, executive vice president of the Farmers Cooperatives Association; Judge Edith Samson, of the Circuit Court of Illinois and a former U.S. Alternate Delegate to the United Nations; Murray Wilson, of Wilson & Co., engineers, and former president of the American Society of Professional Engineers, Salina, Kans.; Henry Heald, president of the Ford Foundation and former chancellor of New York University, my alma mater; and Sidney Stein, Jr., an investment counselor, of Chicago, Ill.

The Committee will be supported by an adequate staff headed by a highly capable executive director.

I flag this announcement as the single most promising development, in my judgment, in the whole foreign aid program of the United States since its very inception. This Committee will be entitled to the encouragement and support of every Member of Congress and of the entire country, as well.

VETERANS SHOULD BE TRAINED UNDER A GI BILL TO AVOID MORE EXPENSIVE RETRAINING LATER

Mr. YARBOROUGH. Mr. President, the Washington Post of Monday, May 24, contains an article on the Norfolk project, which was an experiment in retraining the unemployed. In this project, it was found that one of the major difficulties in trying to retrain the unemployed is to provide the spark of motivation, initiative, and hope. I refer to this article to emphasize the fact that because of the difficulties in effective retraining, it is much more effective to try to eliminate the causes for unemployment before resorting to this method.

In connection with this article, I point out that last year cold war veterans were recipients of $93 million in unemployment payments. Here we have a situation in which an unskilled young American, lacking the funds for further education, finds himself among the 43 percent of his age group serving in the Armed Forces.

Fifty-seven percent do not serve at all; it is the remaining 43 percent who protect liberty for all of us. Yet when a veteran of the cold war is discharged, after 2 to 4 years of service, he emerges into civilian life. Yet, when he is discharged 2 to 4 years later, he emerges into civilian life just as he left it—unskilled, lacking educational funds, and a prime candidate to enter either the ranks of the unemployed or the unskilled, who may soon be unemployed under the threat of automation.

In the face of this situation, there is a proven alternative which could readily serve to prepare our cold war veterans for a productive civilian life. This program is the cold war GI bill, S. 5, which is now pending on the Senate Calendar, where it has been, where it has lain, where it has been bypassed, where it has been shoved aside since the 2d day of July of last year. Under this bill a young veteran would have the opportunity to further his education or training now, instead of becoming a prime candidate for more expensive retraining later.

This bill is similar to the previous GI bills of World War II and the Korean war, which were effective in benefiting more than 10 million veterans returning to civilian life. In the interest of avoiding poverty before we have to declare war on it, and in order to provide our young veterans with an effective tool to escape unemployment, I believe the time has come to enact this needed law.

To emphasize the difficulties in retraining, which we would escape by passing the cold war GI bill, I ask unanimous consent that the Washington Post article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOPE IS POVERTY WAR WEAPON

(By Philip D. Kopper)

A pilot project in retraining the hard-core unemployed indicates that the greatest battle in the war on poverty is giving hope to the hopeless and a sense of purpose to the chronically idle.

This is one of the basic conclusions marked by staff members of Norfolk State College who concluded a year-old, federally sponsored project on retraining last November.

One hundred Negro men 21 to 60—several "functionally illiterate"—participated in the program. Ten dropped out, but of the remainder 73 percent have worked in trades for which they were trained or in closely related fields.

Thirteen percent have found work in other, unrelated areas.

L. B. Brooks, the college director, said in a telephone interview yesterday that the project proves that more attention must be paid to the personal development of retraining candidates.

He said this means that while a chronically unemployed person is being trained in a manual skill, his mastery of the three R's must be developed and his personal problems must be watched so that, for instance, he doesn't leave the program because of financial difficulty.

The Manpower Development Training Act establishes maximum levels of pay the participants may receive. In Norfolk this was about $27 a week.

MUST GAIN TRUST

Brooks asserted that the 10 men who left the program did so before the college received an anonymous grant that increased weekly stipends to $40 a man plus a $2 a week for each child.

Initially, there is the problem of gaining the trust of potential participants, he said.

The program, initiated by the Office of Education, was aimed at the rockbottom members of unemployed ranks—men whose backgrounds have made them distrust outside authority.

But Brooks said many new applicants emerged after the program was complete and one man was hired as a shipyard steelworker for $100 a week and another became a telephone lineman earning $72.

The staff, whose work is being studied by the Labor Department, also determined that the very persons for whom many public assistance programs are intended actually receive little or no aid.

CREDITORS COOPERATED

Brooks and his colleagues concluded that such agencies as the Public Health Service, local welfare boards, and similar departments should be coordinated to make manpower training a success.

For instance, to make the Norfolk project work, the staff persuaded some creditors to postpone collections until their idle debtor was in a better position to find work.

Staff members, working long hours of unpaid overtime, also sought surplus food for the families and free school lunches for children of participants and showed housewives ways to pinch pennies.

In recruiting for the program, the Norfolk staff gave aptitude tests and accepted many men who were graded at levels below passing on the basic U.S. Employment Service scales.

The group of 100 was then split in half with 50 receiving training in "manipulative skills" in auto mechanics, electricity, masonry, building maintenance, and sheet metal work.

The other 50 received that training and general education courses as well.

While recruiting and preventing dropouts were primary problems, the next major obstacle was persuading employers to lower some hiring standards such as "paper" evaluation—that is disqualifying an applicant without a face-to-face evaluation that considers his new training.

Brooks and other officers at the college feel that the program has achieved notable and demonstrable ends and that, in addition, their experience should be used in the future.

Meanwhile, the Labor Department has received a report on the Norfolk program and is studying others in various stages of development around the country.

DEATH OF T. V. SMITH, EDUCATOR AND FORMER REPRESENTATIVE FROM ILLINOIS

Mr. YARBOROUGH. Mr. President, the Washington Evening Star of today contains an article about the passing away of T. V. Smith, 74, an educator and former Representative from Illinois.

Mr. Smith was born and reared in Texas, and was a graduate of the University of Texas. His imprint there was so large that when I attended the University of Texas, he had already moved on and was then at the University of Chicago. But he was more talked about by students of the University of Texas with whom I was associated at that time than was any other professor on the faculty.

His work as a teacher of philosophy at the University of Texas and the University of Chicago, and in other places, and his authorship of numerous books, left a large imprint in the educational center of our society.

Mr. Smith was the author of numerous books, one of which was entitled "Foundation of Democracy."

Mr. President, I ask unanimous consent that the article published in the Washington Evening Star today may be printed at this point in my remarks, as a partial tribute to a man who is entitled to many tributes.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

T. V. SMITH, 74, EDUCATOR, EX-ILLINOIS REPRESENTATIVE

T. V. Smith, a philosopher and politician who served as an Illinois Congressman from 1938 to 1940, died Sunday at the Hyattsville Nursing Home. He was 74.

Mr. Smith, who made his first political speech at the age of 13, was elected to his term as Congressman at Large in spite of opposition from the Chicago Democratic organization. He was a Democrat.

He said little on the House floor, but spoke to the Nation in 1939 in a series of radio debates with the late Republican Senator Robert A. Taft.

The two covered many issues: Relief, State's rights, social security, the Wagner Act, and the Constitution. These talks were later published in a book called "Foundation of Democracy."

In 1931 he inaugurated the University of Chicago Round Table, one of the first informal radio discussion shows.

Mr. Smith was born at Blanket, Tex., a town of 300, where he earned his first dollar picking cotton. He was graduated from the University of Texas and later received a Ph. D. degree from the University of Chicago after teaching at Texas Christian and Texas State Universities.

He was named a professor of philosophy at Chicago in 1923 and retained the post until 1948, with time off for his other activities.

During World War II he served in the Army as a director of education for the military government in Italy.

From 1948 until he retired in 1959 he served as professor of poetry, philosophy, and politics at Syracuse University.

WROTE MANY ARTICLES

Mr. Smith wrote more than 20 books on political philosophy and several hundred magazine articles on the topic.

He leaves a son, Gayle, of 4005 Tennyson Road, University Park, Md., an English professor at the University of Maryland, and a daughter, Mrs. Nancy Stewart Kemppinen, of Richmond.

Services will be at 3 p.m. tomorrow, at the Fort Myer Chapel, with burial in Arlington Cemetery.

The family requests that expressions of sympathy be in the form of contributions to a favorite charity.

INVESTIGATION OF ROBERT BAKER BY COMMITTEE ON RULES AND ADMINISTRATION — PERSONAL STATEMENT BY SENATOR YOUNG OF OHIO

Mr. YOUNG of Ohio. Mr. President, daily I receive letters from constituents in Ohio regarding the Bobby Baker investigation. The Committee on Rules and Administration, searchingly, thoroughly, and most meticulously over a period of many weeks, listened to the testimony of witnesses relative to their dealings with Bobby Baker.

As is well known, Mr. Baker was subpenaed, and he appeared before the committee with his counsel. However, he refused to testify, claiming the protection of the constitutional guarantees of which any person facing such an investigation, if he feels that his answers may tend to incriminate him, may avail himself. These are constitutional guarantees of which we are very proud. They are a part of the first ten amendments to the Constitution and were included on the demand of the men who won the Revolutionary War before their respective States would ratify the Constitution.

Now, may I make a personal reference to this matter. It is reported in the Congressional Record of recent date that Lennox McLendon, counsel of the Senate Committee on Rules and Administration, stated that public disclosure of private wealth represents the best defense of each Senator against suspicion of wrongdoing.

A distinguished Senator said on the floor of the Senate:

> I would add that it represents, too, the best assurance that the public interest will be served.

Mr. President, it happens that early in 1959, I fully disclosed to the Secretary of the Senate my financial holdings and financial status. I had promised the citizens of my State that if elected I would do so. I even sold some stock I owned at that time in Pan American World Airways and a sugar concern. Inasmuch as I was a member of the Committee on Aeronautical and Space Sciences, and the Committee on Agriculture and Forestry, I had in mind the fact that Pan American World Airways had ownership of the then Cape Canaveral, now Cape Kennedy, and also the fact that sugar legislation might come before the Committee on Agriculture and Forestry. I disposed of those stocks—taking a loss at that time, although I am not complaining about that. Therefore, no claim of conflict of interest could possibly have arisen.

By reason of that public disclosure, the citizens of my State may judge whether I am even in the remotest degree at the present time, or ever have been, actuated by selfish motives in my public conduct, including my votes.

It is a matter of pride with me that I was the very first Member of the Congress to make such a disclosure, and continued doing so in succeeding years. Recently I filed with the Secretary of the Senate copies of the income tax returns made in 1962 and 1963 by my wife and myself. To do that made me feel rather "naked," I may say, and caused embarrassment to members of my family; but it appeared to me that it was proper to do so. I do not feel that I am engaging in any crusade. I merely did what I told the people of Ohio I would do in 1958.

Nevertheless, I receive letters denouncing me referring to the situation in regard to Mr. Baker, regardless of the thorough investigation and the complete report that have been made.

The PRESIDING OFFICER. The time available in the morning hour to the Senator from Ohio has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, Bobby Baker was an employee of the U.S. Senate before I was elected to the Senate. If it is said that he dealt with campaign funds for Senators I know nothing about that, because in my campaign against Senator John W. Bricker, in Ohio, in 1958, few gave me any chance to meet with success. Most of my campaign funds came from members of my family. The law of Ohio limits to the realistic amount of $4,000 the contribution which any one person may make to a senatorial election campaign. Members of the family—including my two brothers and my daughter—each contributed $4,000 to my campaign, and I contributed $4,000. No one was then giving me much chance of success; and I received very minimal campaign contributions.

When I came to the Senate, no one—Bobby Baker or anyone else—offered any campaign contribution to me. Throughout my time in the Senate, I have never had any personal dealings or business dealings with Bobby Baker. I know of the opening of the motel in which he had an interest or of which he was the owner; but I was not in attendance or an invited guest on the occasion of its opening nor have I ever been there since.

It is said he was an officer of the Quorum Club. I have never been inside the Quorum Club. So I know nothing about that.

Mr. President, I ask unanimous consent to have printed in the Congressional Record, as parts of my remarks, an excerpt from the Congressional Quarterly for the week ending May 22, 1964, and also an article from the Washington Daily News written by George Clifford and Tom Kelly.

There being no objection, the excerpt and the article were ordered to be printed in the Record, as follows:

Committee Assignments

Senate Majority Whip Hubert H. Humphrey, Democrat, of Minnesota, November 14, 1963, said the Rules Committee should investigate a report that Baker had caused two Senators to lose committee assignments which they sought.

According to Humphrey and Senator Jospeh S. Clark, Democrat, of Pennsylvania, Baker appeared before the Senate Democratic steering committee in January 1961 and told it that Senators Stephen M. Young, Democrat, of Ohio, and Quentin N. Burdick, Democrat, of North Dakota, were no longer interested in assignment to the Judiciary Committee. The steering committee thereupon assigned two less senior Senators to Judiciary—Edward V. Long, Democrat, of Missouri, and William L. Blakely, Democrat, of Texas, 1957–61. Both Young and Burdick subsequently said they had been very much interested in assignment to Judiciary.

Baker also reportedly played a role in other committee assignments.

Ear to the Ground: Washington—No Cake for Baker

(By George Clifford and Tom Kelly)

Who blew the whistle on Bobby Baker?

Have a few possible clues:

1. Two years ago Senate Secretary Baker fired the assistant secretary, Jessop McDonnell.
2. Not too long after the firing the word about Bobby began to drift around the Hill.
3. The liberal Democratic Senators are untouched by the scandal and delighted that Mr. Baker no longer is around to hand out favors to cooperative conservatives.
4. Next Tuesday night a host of the liberals will throw a $25-a-plate testimonial dinner at the Sheraton-Park Hotel for Jessop McDonnell.

The dinner committee chairman is Senator Paul Douglas and the cosponsors include Senators Humphrey, Muskie, Neuberger, Proxmire, McNamara, Yarborough, Stephen Young, Clark, Morse, Moss, Metcalf, McGee, Hart, Burdick, Harrison Williams, Bartlett, and McGovern.

When Bobby was running the Senate shop all Senators were, of course, equal but some were more equal than others.

The ones who were most were southern conservatives. The ones who were least were liberals from anyplace. Liberals somehow didn't get the committee posts they wanted and conservatives somehow did.

Mr. McDonnell was fired, in the words of a man who knows, "because he got too friendly with liberal Senators." He kept on being friendly after the ax and he became secretary to the Conference of Western Senators.

The case against Mr. Baker broke in the papers much later, when a vending machine president filed a suit charging that Bobby had peddled his influence to obtain a Government contract.

The case was building on the Hill long before that. After it became public the Senate majority decided with remarkable speed to push Bobby out. The Senators already knew the shape of things to come.

The list above is a rollcall of Mr. McDonnell's grateful friends, but it is more than that.

You might paste it in your hat.

It lists some of the Senators who are not one bit worried about the current Baker probe. There are a number of others who are.

Mr. McDonnell is now retiring from the Government after 13 years, and the announced purpose of the party is to hail his service. It is, too. Jessop's friends haven't forgotten their pal.

Bobby's haven't forgotten theirs, either, but so far nobody has suggested giving him a party.

Mr. YOUNG of Ohio. Mr. President, the article published in the Congressional Quarterly recalls to my mind the fact that in January 1961, I made application for membership on the Judiciary Committee.

The PRESIDING OFFICER. The additional time yielded the Senator from Ohio has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. As I was saying, in January 1961, I made application for membership on the Judiciary Committee; but I was not given that assignment. I have no complaint at this time whatever to make about the failure to do so. I am very happy that at the present time, and for some time past, I am, and have been, a member of three major committees of the Senate—the Committee on Armed Services, the Committee on Aeronautical and Space Sciences, and the Committee on Public Works. I am very happy and proud to be a member of those committees, and I am trying to be a hard-working member.

So if the Congressional Quarterly has correctly referred to the statement about what Mr. Baker said—namely, that I was not interested at that time in assignment to membership on the Committee on the Judiciary—he uttered a misstatement of fact, because in January 1961, I definitely was interested in being assigned to membership on the Judiciary Committee. I had applied in writing for that appointment; and at that time I desired that appointment.

It is also a fact, as set forth in the article in the Washington Daily News, that I was on the dinner committee, as a cosponsor, together with some other Senators, for a testimonial dinner for the former assistant secretary for the Senate majority, Jessop McDonnell, who, according to well-authenticated rumor, was dismissed from his position by the then Secretary for the majority, Robert G. Baker.

Mr. President, I yield the floor.

MONTANA TERRITORY 100 YEARS AGO

Mr. MANSFIELD. Mr. President, 100 years ago today Montana became a territory. On May 26, 1864, President Abraham Lincoln signed Montana's Organic Act. Twenty-five years later we became a State.

At the time the Treasure State was carved out of the Idaho Territory there were about a dozen communities in the western portion of the area, with a total population of about 35,000. Twenty-five years later the population had grown to almost 150,000.

The early years in Montana were fascinating years, the forging of a new State with its heroes and a share of the villains as well. The bustling mining camps, the war of the copper kings, and the Indian wars, are all associated with this period.

Virginia City and Bannack were the centers of activity. They have now faded into history, giving way to new busy metropolitan areas like Great Falls, Billings, Butte, Missoula, and Helena. Montana today is moving forward while preserving its friendly character, its natural beauty, and abundant opportunities.

This year, 1964, is a big year for Montana. The centennial celebration began on January 1, and an event has been scheduled at some place almost every day of the year. Today the State capital, Helena, is the scene of ceremonies commemorating the signing of the organic act.

We are paying tribute to the past, but we are also witnessing a present and a great future in a State with considerable promise. I have often said that a State's greatest resource is its young people. It is appropriate then today that a new work of music by a young Montana artist is being premiered as a part of these ceremonies. Eric Lundberg, Helena High School student, has written "Sleeping Giant Symphony." Eric Lundberg is well known as a very promising young composer, and he is making a very worthwhile contribution to the cultural heritage of our State.

DETERIORATION OF RELATIONS BETWEEN CHINA AND OUTER MONGOLIA

Mr. MANSFIELD. Mr. President, the New York Times of May 21, 1964, published an excellent article written by Harrison Salisbury, the distinguished scholar and journalist of Sino-Soviet relations in central Asia. Mr. Salisbury is one of a very few American observers who have traveled to that remote region which is sandwiched between China and Russia.

Mr. Salisbury's article tells of a severe deterioration of relations between China and Outer Mongolia. Outer Mongolia, apparently, is a new focus of the national and ideological rivalry between the two Communist giants. It bears watching as part of our effort to understand the course of the Sino-Soviet dispute. The difficulties described in the article are part of the accumulating tensions in what may well become the most danger-ridden area in the world, the long Russian-Chinese boundary in central Asia.

Mr. President, I ask unanimous consent that the article referred to may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHINESE-MONGOL TENSION RISING; ULAN BATOR CHARGES SUBVERSION—STREET FIGHTS AND EXPULSION OF WORKERS FOLLOWED BY TIGHTER BORDER WATCH

(By Harrison E. Salisbury)

A severe deterioration in relations between Mongolia and Communist China is reported in information received from Ulan Bator, capital of the remote Asian land.

Street clashes have erupted between Mongols and Chinese workers assigned by the Peiping Government to construction projects in Mongolia.

Sharp protests have been sent to the Foreign Ministry in Peiping against Chinese interference in domestic Mongolian affairs, distribution of subversive propaganda and other activities contrary to normal diplomatic practice.

The rising Mongol-Chinese tension, a byproduct of the intensifying Moscow-Peiping ideological struggle, has led the Mongolian authorities to carry out a series of far-reaching security measures.

There were suggestions that Ulan Bator feared the Chinese might attempt to carry out a coup d'etat against the government of Premier Yumzhagiin Tsendenbal, which firmly supports Moscow in the Communist dispute, and replace it with a regime inclined to the Peiping side.

Adherents of the Chinese Communists viewpoint are known to exist within the top Communist Party structure of Mongolia. It is also known that some Mongols of nationalistic inclination, hopeful of creating a greater Mongolia, saw in the Chinese-Soviet conflict an opportunity to advance their ambitions by playing politics with Peiping. China has actually sought to win influence in Mongolia for at least 8 years.

The most drastic step taken thus far by Mongol authorities since the deterioration of relations, it was reported, was a decision to expel from Mongolia all the thousands of Chinese workers there under an agreement reached between Peiping and Ulan Bator in 1955.

The precise number of Chinese workers in Mongolia has not been made public. Premier Tsedenbal has estimated the total in excess of 20,000. Private estimates made on the scene have placed the number as high as 40,000 or even higher.

Official announcements in Ulan Bator concerning the expulsion order said that "tens of thousands" of workers were involved. Both in Ulan Bator and in Peiping it was emphasized that the decision to repatriate the workers had been made solely by the Mongolian Government.

Originally, the Chinese workers had been given the option of settling in Mongolia permanently as Mongol citizens. This privilege was canceled several years ago.

CHINESE WORKERS ISOLATED

Even before the decision to oust the Chinese, the Mongols had imposed strict security measures on them. For more than 2 years the Chinese were confined to isolated and guarded barracks, surrounded with barbed wire and protected by security detachments armed with submachine guns.

Association between the Chinese and the Mongols was held to a minimum. Nonetheless, it was reported, clashes between Chinese and Mongols have become increasingly frequent in recent months.

The repatriation of the Chinese workers is expected to place a serious burden on the economy of Mongolia. The Chinese had been engaged in almost every major construction project in the country—building dams, irrigation works, highways, bridges, factories, mills, and housing.

In protesting Chinese activities, the Ulan Bator Government charged Peiping with having attempted to use "unworthy forms of pressure" and with "interference in internal affairs."

In a note delivered to Peiping last Friday, the Foreign Ministry called on the Chinese to halt forthwith all forms of illegal activity in the country and to give assurance that they would abide by the norms of diplomatic conduct.

The note strongly implied that unless Peiping ceased its activities the next step could well be a severance of diplomatic relations.

Security measures along the nearly 4,000-mile-long frontier between China and Mongolia were said to have been greatly tightened.

THE CHANGING FEDERAL SERVICE

Mr. CARLSON. Mr. President, as a member of the Senate Post Office and Civil Service Committee, I have for many years been greatly interested in the efficiency and productiveness of the Federal work force and the well-being of Federal employees. It is not generally recognized that great changes have occurred in the composition of the work force occasioned by advancing technology, increasing population, and changing Government missions. Some still think of the Government as an army of clerks, even though Government is the No. 1 employer of scientific talent and the Nation's prime user of automatic data processing equipment. It is in the interest of the public that these changes be recognized.

Civil Service Commissioner Robert E. Hampton has expertly summarized these changes and their significance to Federal managers in an article entitled "The Changing Federal Service." This article is published in the April–June 1964 issue of the Civil Service Journal, a publication issued quarterly by the U.S. Civil Service Commission. I commend its reading to everyone interested in our Federal Government.

I ask unanimous consent that the article referred to may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT DOES IT MEAN TO MANAGERS?—THE CHANGING FEDERAL SERVICE

(By Robert E. Hampton, Commissioner, U.S. Civil Service Commission)

A lot has happened since 1950 when I first entered the Federal service. Among other things, we have been involved in hot wars and cold ones—from Korea and Berlin to Cuba and Vietnam. We have had to deal with complex domestic issues—from the challenge of automation and saturated airways to drug control and the conquest of space.

The hallmark of the 1950's was change—change so sweeping that relatively few people in the world were left untouched or unaffected.

Our Nation changed, perhaps more than most countries, for we were on the leading edge of advancing technology.

The Federal service—that cross section of the Nation charged with carrying out national programs and goals—changed too. Yet many of us in the service have had little opportunity to assemble and analyze the facts and figures of change on a Government-wide basis, and even less opportunity to draw useful conclusions from the data.

For the manager—the man who has program responsibility and responsibility for the work of others—lack of awareness of change could be a serious handicap, especially if any of his plans and day-to-day decisions are based on assumptions about the work force and the Federal environment that are no longer valid.

For a statistical measure of change, we have been studying information from various Government-wide occupational surveys. We have looked backward in time, outward to other sources of information, and forward for a glimpse into the future in an effort to assess changes in the Federal service.

So for the Federal manager, I should like to discuss some of our findings, within the context of what these changes may mean to him.

CHANGING MISSIONS

The Federal Government, both the largest employer and biggest business in the United States, is probably the least static and the most accustomed to change.

General Motors may decide to build a Chevy II, United States Steel may decide to build a fully automated rolling mill, and A.T. & T. may decide to invest in a communications satellite. In each instance, change is necessitated in the organization; maybe more, fewer, or different types of employees are needed. New facilities may have to be built, and a tooling-up process planned. But even such changes as these are relatively minor in comparison with those that may grow out of decisions involving national goals and Government programs—such as the decision to send a man to the moon.

As in industry, Government's new or modified mission ordinarily necessitates change to carry it out. The most obvious changes can be seen in reorganization, consolidations, and the establishment of new agencies—or in agencies that are being phased out or abolished.

Since many Federal functions cut across agency lines, there is a much better yardstick for measuring overall change: shifts in the composition of the work force.

We all know from experience that Government operations have become increasingly complex, and that this has caused us to recruit more highly specialized people and fewer with only general or limited skills.

The questions is, How many more and how many fewer? For here is our best measurement of change.

CHANGING WORK FORCE

At the outset let's consider one of the most widespread misconceptions about the Federal service—that it is "an army of clerks."

There was a time, the records show, when the Federal service was composed predominantly of clerks doing routine and repetitive chores. Although that time has long since passed, today we still find ourselves similarly described by writers and commentators. One would gather from their pronouncements that of today's 2,489,000 Federal employees, at least a million must be general clerks at the bottom of the pay scale.

GONE: THE ARMY OF CLERKS

Let's look at the facts. The latest available figures for grade levels in clerical occupations are from the Commission's 1961 white-collar survey. At that time we had around 28,000 general clerical employees in grades GS–1 through GS–4. But think about this: we had more employees in physical science occupations and nearly four times that many in engineering.

Before heading for the higher specialties, let's consider change as it relates to the most basic ingredient of governments everywhere—the typist. In 1947 the Federal Government employed around 85,000 typists. Since that time, overall Federal employment has increased about 25 percent. If the demand for typists had increased accordingly, today we would employ 106,250. We now employ around 78,000, an actual decrease of 8 percent, or 26 percent less than might have been expected. The introduction into many Government offices of quick-copy equipment has substantially reduced the demand for persons whose skills do not extend beyond the ability to type.

Let's move on to other fields. In 1947 we had around 14,000 employees whose work involved the operation of bookkeeping machines, calculating machines, and cardpunch, sorting, and tabulating machines. Today they have increased to some 22,000—but a new dimension has been added: The computer.

In 1947 we had almost no employees engaged in computer operations, because computers as we know them today did not exist. It was not until 1951 that the Government's first commercially procured computer, the Univac I, was installed in the Bureau of the Census.

PRIME USER OF COMPUTER OUTPUT

Since then the Federal Government has become the Nation's prime user of automatic data-processing equipment. Today we employ some 10,300 computer employees, and many of the 22,000 machine-operating employees mentioned above now work in direct support of the Government's ADP and computer systems, accounting for their rapid increase.

The computer has influenced other occupations, too. New and perhaps computer-sired occupations have emerged—operations research, for example, already accounting for some 400 Federal employees.

However, this new and growing beanstalk to higher levels of achievement hasn't lifted everything along with it. It has contributed to a reduction in the Government's need for subprofessional mathematical and statistical employees. Today we have 9,403 subprofessionals in these fields—a drop of nearly 32 percent since we obtained our first computer in 1951. On the other hand, the number of professional mathematicians has doubled since 1951 to a total of 2,532, and professional statisticians have increased nearly 13 percent to a total of 2,569.

DRAMATIC CHANGES IN SCIENCE AND ENGINEERING

In science and engineering, changes have been exceedingly dramatic. Today we employ 34,320 in the physical sciences—an increase of 21 percent since 1957. Physics is up 60 percent since 1957, and chemistry has grown 29 percent. In the biological sciences we employ 36,917, an increase of 28 percent since 1957.

MORE TECHNICIANS THAN TYPISTS

The rate of change in engineering has been even greater than in the sciences. Today we employ 116,854 in engineering occupations—an increase of 67 percent since 1957. Support functions, too, in engineering and other professional fields have increased. Today we employ more technicians than typists: 78,326 technicians and 78,105 typists.

We see then that advancing technology has caused drastic changes in the composition of the work force, especially in science and engineering. However, all changes cannot be laid solely at technology's doorstep.

GREATER DEMAND FOR SERVICES

A growing America has increased the demand for Government services, so today we have more air traffic controllers, more social security claims examiners, more accounting and budget workers, more post office city carriers, and more specialists in business and industry. Congress has passed new laws, many of which have provided new or expanded services to the public, so today we have more food and drug inspectors, more highway engineers, and more persons employed in the field of education.

Today there are more laws to interpret, administer, and enforce; a greater regulatory workload on agencies; and more claims to examine. And so we find that legal and kindred occupations in Government have increased 28 percent since 1957, to a total of 38,084.

Congress has provided increased medical research and public health services, and our war veterans are growing older and more in need of Government medical assistance with each passing year. Consequently we find that medical officers, mostly in the VA and Public Health Service, have increased 15 percent since 1957, to a total of 11,202.

BUT RELATIVELY FEWER WORKERS

However, the Federal service has not "exploded" with the population. Since 1956 our population has increased 13 percent, while Federal employment increased less than 5 percent. In 1956, about 14 people out of every thousand in the population worked for the Federal Government. Today the number has dropped to 13 out of every thousand. This means that a larger Government workload is being handled by proportionately fewer employees.

Let's look at another kind of change: white-collar in relation to blue-collar employment.

MORE WHITE-COLLAR, FEWER BLUE-COLLAR WORKERS

In recent years there has been a definite nationwide trend toward increased white-collar employment and a consequent decrease in blue-collar work. The same is true in the

Federal service—further evidence of increasing specialization.

Since 1951 Federal white-collar employment increased 28 percent (excluding jobs found only in post office, such as postmaster and city carrier): from 905,902 to 1,157,594, as shown in the 1962 occupational survey. Blue-collar work decreased 19 percent between 1951 and 1962: from 834,947 to 680,064.

ANOTHER MEASURE: ESCALATION

Another way of measuring change in the Federal service is through changes in grade structure. In recent years the Government's grade structure has generally shifted upward, or has escalated.

Many factors can cause escalation, but certainly the trend toward greater need for more professional and technical skills and a declining need for lower grade jobs involving routine and repetitive tasks has been a primary cause.

Some jobs have been filled at a higher level. For example, to recruit more high-quality college graduates, we requested and obtained legislative authority to hire outstanding graduates at the GS–7 level instead of GS–5. And we have had to revise many of our position classification standards to reflect the fact that substantial and significant changes in individual occupations had already taken place.

In 1962, as compared with 1958, there were proportionately more people in the upper grades and proportionately fewer people in the lower grades, while the middle grades remained relatively stable. Increases by grade level were:

GS–11's increased by 24,368.
GS–12's increased by 22,000.
GS–13's increased by 17,747.
GS–14's increased by 9,108.
GS–15's increased by 4,656.

Employment increases by occupational group from 1957 to 1962 were largely in fields such as science, engineering, and business and industry, in which the journeyman grade is high. This definitely is one of the major causes of our grade escalation.

INCREASE IN PROFESSIONAL EMPLOYEES

As in the rest of the economy, the Federal service showed a marked increase from 1954 to 1962 in the proportion of professional employees. Professionals increased 40 percent while other occupations increased only 17 percent during this period.

In 1954 the median grade in the Federal service was GS–5; by 1961 it had gone up to GS–6; and by 1963 it had advanced to GS–7.

THE NATIONAL PICTURE

For the most part we have looked at some of the occupational changes in the Federal service. However, the service is not a closed society; it acts, reacts, and interacts within the context of society at large. Many of the changes previously discussed have also taken place in business and industry.

Technology has spread its problem-solving yet problem-generating mantle everywhere, and the nationwide occupational shift has been toward increased specialization.

Labor Department's new "Manpower Report of the President," March 1964, gives us our most comprehensive look at the national picture. Every Federal manager should give high priority to studying this revealing document.

Let me quote a few passages from the section, "Where We Stand."

"The past year was one of excellent economic growth. * * * The gross national product was boosted by $30 billion so that it now is more than $600 billion a year. * * * Employment was increased by almost a million * * * but unemployment persisted grimly despite 1963's strong economic advance. * * *

"The labor force expanded by 1.1 million last year and annual increases are expected to be even greater in the future. The largest increases are occurring among those under age 25 and among married women.

"Productivity and demand shifts, meanwhile, are changing our requirements for workers.

"Manpower needs are shrinking in declining industries and in those where new machines and methods are replacing workers faster than new jobs are being created by new demand.

"But more manpower, with skills not always possessed by displaced workers or by new entrants into the labor force, is required by other industries. In 1963 four-fifths of the new increase in jobs was in service, trade, and State and local government activities.

"Occupationally, unskilled jobs are declining in importance. Demand is expanding most in professional and technical, clerical, and service occupations. Requirements for education and training for employment are increasing steadily.

"Imbalances flowing from these trends require our attention. Current and prospective shortages of needed skills must be better identified if we are to prevent any drag on our economic growth."

The signs point strongly to continuing change as long as our national population grows, as long as technology continues its forward rush, and as long as a line can be drawn between the free world and the Communist camp.

What do such changes mean to the Federal manager?

One thing they surely mean is that he had better not ignore them, for the implications are strong in many of his operating areas. With our focus on people and the personnel-management aspects of change, let's look at some of the implications.

RECRUITING AND HIRING

Every manager's prime resource is people: Those explicitly needed for program operation.

Indications are strong that the manager will have to give increased attention to his recruiting needs; the kinds of skills he needs most will be increasingly harder to find; and competition will be intense.

At present there seems to be some confusion as to how the Government's recently announced personnel cuts and employment ceilings can serve, or are consistent with, the national manpower policy which is to create more jobs and qualified workers to fill them.

I think we can agree that economy in Government is definitely good for the Nation, and that at all times we should strive to carry out the missions of our organizations with the fewest possible employees. I think we can agree, too, that an employee's salary should always represent the best use of that much tax money for the overall good of the Nation.

Personnel cutbacks will make the manager's job tougher but they will not put him out of the recruiting business. (See "The Quality Recruit—Today's Best Bargain," p. 10.) Each year we lose around 300,000 employees through resignations, retirements, removals, reductions in force, and deaths. Even with the programed cuts, we will still have to recruit more than 250,000 new workers a year to fill jobs that become vacant.

About 15,000 new employees will have to be recruited from the college campus—not in 1970, but next year; 1970 will be a different story. With each passing year we will need to recruit a higher percentage of college graduates in relation to our total hiring—with increased emphasis on getting the Ph. D. Increasing specialization offers no other alternative.

Briefly, these factors point to the manager's need to strengthen campus contacts and relations; insist on quality across-the-board in hiring, with increased emphasis on a candidate's potential as well as current qualifications; seek assistance of local educators when special courses or curricula are needed to update employee skills and to meet hiring needs; insist on equal-employment opportunity as the backbone of efforts to select best qualified; select and train as recruiters those employees who will project the best possible organizational image on the campus.

TRAINING, DEVELOPMENT, AND UTILIZATION

Skills shortages and continuing changes in technology will make it necessary for the Federal manager to become increasingly concerned and involved in employee training: more training for more employees, more course diversification, and with more top management interest, support, and expectations.

The shelves of the national manpower market will not be amply stocked with every skill you will be needing. So, what you can't recruit you will have to grow.

Take the computer programer, for example. Although educational institutions are beginning to provide courses in ADP and computer programing, they are not yet producing graduates who can walk into your computer room and go right to work. Some Federal agencies have been hiring bright, promising, and interested eligibles from the Federal-Service Entrance Examination registers (or from the management intern option), and have put them in their computer rooms as trainees.

Inservice training, of course, is not something new. What is new is the increasing necessity for managers to use it on a planned basis to minimize adverse impact of recruiting failures; update skills of employees for increased utilization; develop employee potential.

The Government Employees Training Act of 1958 was itself born of change, for changing conditions had produced important needs that could not be met in any other way. The act revolutionized Government training.

It gave legal sanction to and encouraged agencies to pool resources on a cost-shared basis for employee training. Today hundreds of courses are offered across the country on an interagency basis. More than 300 are offered in the Washington, D.C., area alone. We are also conducting more refresher training, or "skills retreading," for in many instances jobs are changing so fast they threaten to outstrip the incumbents. In addition, today more agencies are sending selected employees outside Government for needed training that is not offered on an in-house or interagency basis.

The Training Act has accelerated the establishment by educational institutions of off-campus study centers in areas of concentrated Federal employment. To date there are some 100 of these centers across the country, meeting many official training needs of adjoining Federal establishments, as well as the personally financed self-development needs of employees. Educational institutions have shown great willingness to set up off-campus centers where the need has been clearly identified—identified in many instances by Federal managers who have followed through to get such facilities established.

Certain trends are emerging on the training front; training courses are becoming longer (more 2-week courses and fewer 2-day ones); refresher training is increasing; more broad-based training is being offered to develop employee potential; off-campus study centers are proliferating, and management is showing greater interest in identifying training needs and in meeting them head on.

Training and development, of course, go hand in hand with employee utilization and productivity. The President has made clear that Federal agencies are expected to make strong and continuing efforts to achieve better manpower utilization and increased productivity. The emphasis, as well as the efforts, will have to increase, for these are not just nice words invented by the Bureau of the Budget or the Civil Service Commission—they are operating necessities.

Methods and procedures to achieve better utilization and productivity will probably become increasingly formalized as staffline programs, followed up by closer audits and inspections. Training will be an inherent part of such programs.

Managers will become increasingly involved and increasingly held accountable. Just make sure that all training in your organization is clearly identified as the best means to a legitimate end. And then, pour it on in carefully measured amounts.

READJUSTMENT PROBLEMS

Change always necessitates adjustment, especially human adjustment.

The President's Manpower Report states that the typical job of the future for production workers will probably be that of machine monitor, and that more and more the operator is becoming a skilled watchman, with functions demanding patience, alertness to malfunctioning, a sense of responsibility for costly equipment, and a better educational background than was needed in the past by factory operatives. The report also points out that under some circumstances the same increased qualifications are required of clerical workers who are caught up in ADP or EDP operations.

Here we have to hark back to training, for extensive training is needed to make a machine monitor of the new breed from today's machine operator. Not all operators are equipped to become monitors, so they will either become surplus or will have to be retrained for other work.

Adjusting to these changes won't be easy for the manager or the employee. And adjustments won't be limited to employees in the subprofessional ranks. All workers—whether engineers, administrators, laborers, or clerks—face the possibility of occupational changes necessitating retraining and readjustment.

Employees, their unions, and management share a mutual and a legitimate interest in the effects of change on career employees. So far, automation has not resulted in a general tendency to reduce personnel. Rather, it has helped us to get more and faster results with essentially the same number of employees.

The dislocation and readjustment element we have encountered to date has been primarily the dislocation of skills rather than employees. However, automation of some operations has had an impact on employees, and some shining examples in Federal establishments across the country have emerged to illustrate how management can minimize individual hardship.

Few of today's Federal managers can expect to be immune to automation in their operating spheres. The best advice I can offer is for the manager—at the first strong sign that automation is in the offing—to begin immediate planning for it and to consult with his own top management, training officers, placement officers, officials of employee organizations, and the Civil Service Commission. We will work with you to make sure personnel regulations contain the necessary flexibilities to get your mission accomplished and to work out new rules as necessary. We can also fill you in more completely on the experience of others, in effecting the transition with minimum adverse effect on employees.

MANAGEMENT AND MANPOWER

Here, for the manager, we find some of the strongest implications of change: longer range and more formalized manpower planning.

This is reinforced by several factors:

Long-term supply-demand imbalance for many types of professional and highly skilled workers makes planning a must.

Bureau of the Budget is already requiring some departments and agencies to submit program plans spelling out the use of money, manpower, and materials for the current budget year plus the next 3 years.

Many Federal agencies now have access to computer capability to process large quantities of data and to arrive at conclusions and projections more rapidly than ever before.

Add this up, extend it a little, and you get more and more managers involved in formal manpower planning. Fortunately, most managers are well seasoned in planning their work force, though most have dealt with it on a short-range and informal basis.

In the future, managers will have to provide considerably more documentation and justification when submitting staffing requests. They will have to show they have taken into full account factors such as:

Changes likely to occur in mission and organization.

Budget allocations and other controls.

Physical facilities.

Lines of authority and supervision.

Attrition (past and expected).

Employee training and utilization.

Manpower forecasting is a step beyond work force planning, and this will be new to most managers. It takes into full account the expected national supply of qualified workers in specific occupations at specific times. It projects and measures one's anticipated manpower needs against the expected national supply and estimates how many of each needed type of employee one can reasonably expect to get—and when Thus a good manpower forecast can point up the need for major efforts to minimize the adverse impact of occupational shortages, or it can paint a more relaxed picture where the supply seems likely to fill one's expected needs.

Formalized and longer range manpower planning will require more recordkeeping, such as running accounts on attrition by occupation and grade level, why the employee left, where he went, whether or not the vacancy was filled, how, and by whom. The manager's personnel office and headquarters office will want periodic staffing reports from him.

Neither work force planning nor manpower forecasting will call for clairvoyance on the part of the manager, but both will require a lot of spadework and systematic, educated "guesstimating."

THE CHANGING MANAGER

Today's manager is a highly skilled combination of many things. He manages people, money, and materials—and assures the proper combination and application of each to perform a given task.

But already he is pressured by change to become something more—innovator, management analyst, employee-management relations adviser, educator, and so forth.

He must look to his own self-development, but he cannot make of himself all these things. The organization has to help.

About a year and a half ago, Dun's Review polled 300 top executives across the country with the question: "Which are the 10 best-managed companies in U.S. industry, and what is the most outstanding ability of each one?" In the 10 companies cited as best managed, six common threads ran brightly and clearly through their operations. One of them was: "An active training program that keeps new managers continually pressing to the fore and established managers on their toes." The other common characteristics had to do with abundant working capital, corporate structure, good communications, high executive salaries and employee benefits, and willingness to risk money on product research.

Government training programs for managers are definitely on the upswing but, generally speaking, they haven't yet reached the point where they keep "new managers continually pressing to the fore and established managers on their toes."

More and more, however, the Federal manager will find "timeout" called on him: timeout for skills retreading in a changing environment, and timeout to pursue broader knowledge, understanding, and a wider operating perspective. For, as the future rushes in upon him, he will be concerned increasingly with national purpose as well as national programs. He will be more concerned with people, especially his own: their motivational needs, performance incentives, utilization and productivity, job satisfactions and recognition, long-range potential, and career development. And he will become increasingly involved in the master-servant relationship between men and machines.

Change is not just the hallmark of our times—it has become our only constant. Like the environment in which we live, the changing Federal service is replete with challenges and opportunities that are unprecedented. The Federal manager must not allow himself to be jostled along or smothered by change. He must anticipate, plan for, and adjust to change. He must take charge of change. The stakes are tremendous in any terms we state them. The manager's vision and his capacity for innovation and leadership can have crucial effect on our world position, our power for peace, the attainment of national goals—even man's future on this planet and worlds beyond.

NATIONAL CONFERENCE ON BAIL AND CRIMINAL JUSTICE

Mr. STENNIS. Mr. President, I have a statement prepared by the Senator from North Carolina [Mr. ERVIN], with an article appended thereto from The Nation, entitled "Bail Too Often Means Jail."

I ask unanimous consent that the Senator's remarks together with the article referred to appear in the RECORD at this point.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

NATIONAL CONFERENCE ON BAIL AND CRIMINAL JUSTICE

(Statement by Senator ERVIN)

Tomorrow, May 27, will mark the first day of the National Conference on Bail and Criminal Justice. The conference, which will conclude Friday, is sponsored jointly by the Department of Justice and the Vera Foundation, under a grant from the President's Committee on Juvenile Delinquency and Youth Crime.

This will be the first national conference ever held in this country to evaluate bail problems; and among those attending will be Federal, State, and local law enforcement officials, judges, prosecutors, defense lawyers, bondsmen, probation officers, juvenile authorities, law professors, and representatives of community organizations.

An article entitled "Bail Too Often Means Jail," appearing in the May 24, 1964, edition of the Washington Post, highlights the background of this important conference and some of the problems to which the conferees' attention will be directed. The article refers to three bills concerning bail, S. 2838, S. 2839, and S. 2840, which I introduced on May 14 on behalf of myself and Senators HRUSKA, FONG, BAYH, WILLIAMS of New Jersey, JOHNSTON, LONG of Missouri, and KENNEDY. As I stated at that time, these bills should go a long way toward ameliorating the inequities that now exist for the poor defendant under existing Federal bail laws. However, as the article points out, these bills only apply to Federal courts. And even there I do not maintain that these measures offer a final solution, although they should offer a focal point for those considering reform.

The response to the eighth amendment's mandate that "excessive bail shall not be required" has been long in coming, but the National Conference should be an important step in achieving it.

In order that my colleagues may become more familiar with the objective of the National Conference on Bail, I attach the article to which I have referred, "Bail Too Often Means Jail," for printing at this point in the Record:

"BAIL TOO OFTEN MEANS JAIL—HAVE OUR JUDGES FORGOTTEN THERE IS A CONSTITUTIONAL PURPOSE FOR SETTING BAIL FOR ACCUSED PERSONS?

"(By James E. Clayton)

"No one knows where or when the idea of releasing defendants on bail pending their criminal trials originated. But a good many people are convinced that the bail system in use in the United States today just doesn't work.

"As a result, 400 lawyers, judges, bondsmen, court officials, and policemen will meet here this week to talk about the system and its problems.

"Before them will be such matters as the case of Sylvester Pendarvis, an 18-year-old New Yorker who was charged with a crime he did not commit and spent 13 months in jail because he was too poor to raise $1,300 bail—either out of his own funds or from a bondsman.

"Ironically, New York City spent about $2,300 keeping him in jail.

"The situation Pendarvis encountered is not unique. A recent survey of four Federal district courts showed that 28 percent of the defendants who needed only $500 to get out of jail pending their trials could not raise it. Only half the defendants whose bond was $2,500 or less could raise it.

"In most instances, the failure of a man to raise bail means he loses his job as well as his freedom.

"One example often cited is that of another New Yorker who was charged with robbery and held in lieu of $10,000 bail. His wife could not raise the money (he earned only $50 a week) and he sat in jail for 55 days.

"In those 55 days, he lost his job and his wife felt obliged to move from their apartment because of the comments of neighbors about her 'jailbird' husband.

"It turned out that the police had picked up the wrong man and the charges against him were dropped. But that restored neither his job nor his apartment.

"These are the kind of facts that led Attorney General Robert F. Kennedy to call the National Conference on Bail and Criminal Justice. Its purpose is to get the public interested in reform and to get officials thinking about the problems.

"Some of these problems arise because many judges have forgotten the basic reason for the bail system. The Constitution provides that 'excessive bail shall not be required' but no one thought much about that phrase until recent years.

"There is general agreement now, however, on two basic propositions. One is that the Government should rarely require a man to stay in jail before he is convicted; the presumption is that every man is innocent until proven guilty.

"The second basic proposition is that the purpose of bail is to insure that defendants appear for their trials. If a defendant fails to appear, the bail money is forfeited.

"Thus, a man charged with a capital offense may be denied bail on grounds that he might flee the country. He might decide that his life was worth more than the forfeiture of any amount of money.

"One the other hand, a man who is well-established in his community and who is charged with a minor crime may be released without putting up any bail. The odds that he will run away are small.

"If the basic purpose of the bail system is kept in mind, it seems obvious that among the relevant factors concerning the amount of bail are the seriousness of the crime, the background of the suspect, his financial status and his standing in the community.

"One would think, for example, that a highly paid business executive charged with income tax evasion would show up for trial without monetary spur. If he failed to appear, that would constitute a separate offense. Yet, bail is often required because setting of bail has become routine.

"A visitor to almost any courtroom in the Nation can see bail set for prisoners based solely on the crime charged against them. Any man charged with larceny may need $2,500 to get out while one charged with armed robbery may need $10,000.

"The logic of setting bail on such a system is nonexistent, unless bail is used for purposes other than that for which it was intended.

"Tied in with the problems of setting bail at a reasonable and proper amount is the way the bail bond system operates. Most persons who are released pay a bondsman for putting up the bail.

"The theory is that the bondsmen help the courts by keeping track of defendants and making sure they appear at the proper time. Bondsmen contend they take the risk of losing their money if a man fails to appear.

"There are many cities in the country, however, in which the bail bond business is a racket. Cash is not actually forfeited when prisoners disappear; court aids take kickbacks for steering business to particular bondsmen.

"Typically, a bondsman will accept only those persons he regards as good risks. Then he requires them to pay a premium ranging up to 10 percent of their bail and, in addition, put up collateral for the full amount. A man who has little cash or property doesn't have a chance to get a bond.

"Several experiments designed to change the bail situation are underway. The two most important are in New York City and Washington where prisoners are being released on their promise to reappear.

"These experiments are being conducted under close controls and few defendants have skipped town.

"Perhaps as important to reform as these experiments, however, are three bills introduced in the Senate last week with bipartisan support. All want to make it easier for persons without money to get out of jail before their trials.

"Such bills, however, would apply only in the Federal courts and changes in the bail system are already underway there. More than a year ago the Justice Department ordered its attorneys to take the initiative in recommending the release of defendants without bond if there is no substantial risk they will flee.

"A study by a committee of leading lawyers and judges, headed by Prof. Francis A. Allen of the University of Michigan Law School, was behind that directive. It is also behind the conference to be held here this week and the Attorney General's recent comment that 'there can be no equal justice when persons are forced to stay in jail before their trials not because they are poor risks, but because they are poor.'"

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. CASE. Mr. President, as I said during my appearance before the Senate Rules Committee this morning, there has been universal press support for the demand that the committee continue its inquiry of the Bobby Baker case until the job is done. I now ask unanimous consent to have printed in the Record at this point both my statement delivered to the committee today and more evidence of this press support.

There being no objection, the material was ordered to be printed in the Record, as follows:

Text of Statement by Senator Clifford P. Case, Before the Senate Rules Committee, Senate Caucus Room, May 26, 1964

I appreciate the opportunity to appear before the committee while it is considering its recommendations pursuant to Senate Resolution 212.

I am here to urge as strongly as I can that the committee recommend legislation embodying a requirement for regular public disclosure by Members of the Congress and top legislative staff (as well as high officials in the executive branch) of their financial interests and transactions. Such a requirement is contained in S. 1261, a bill sponsored by myself and Senators Neuberger, Clark, and Hart, which is presently pending before the committee. The bill is identical to one which I first introduced in 1958 and in every Congress since then. I urge also adoption of a second, equally important part of our bill which would require that all communications, oral or written, to regulatory agencies, from a Member of Congress or any other person outside the particular agency, with regard to a particular case, be made part of the public record of that case.

Public disclosure is, I have long been convinced, the most effective way to protect the integrity of the Congress and the legislative process.

The need for such a requirement rests on a simple fact, which is, I think, universally recognized—outside of Congress. That is the fact that Congress is not going to police itself. One need look no further than to the current inquiry.

The vigor with which Congress exposes errors and failings in the executive branch is signally wanting with respect to the legislative branch. This reluctance may not be unnatural. It may be quite understandable—I am not now interested in discussing whether Congress should or should not exercise active surveillance over its own Members—the point I do want to make is Congress has not done, and will not do, this job.

Further, this reluctance is fortified by the protective instinct which any majority party has for the interests of the majority, or any administration party has for the interests of the administration. And both majority and minority, administration and opposition, are understandably reluctant to explore paths which might involve the highest official of the land, be he Republican or Democrat.

And yet, we should not delude ourselves—if we do, we shall be the only ones who are deluded—that the good name of the Senate and public confidence in its integrity can be restored by still another proclamation of high principles without any real sanction or other means of assuring their observance.

I remind the committee that in 1958 the Congress adopted a "Code of Ethics for Government Service." It set out 10 tenets to which "any person in government service" should adhere. The tenets set forth are unexceptionable. The precepts include:

V. "Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties."

The code concludes:

X. "Uphold these principles, ever conscious that public office is a public trust."

The code is fine as far as it goes, but clearly it did not go far enough to deter Bobby Baker.

No code will deter anybody, except those who don't need deterrence, unless there is some way to call to account those who violate its terms. To those who would point to the Senate's power to censure or expel as a means of enforcement, I can only repeat that history shows the Senate will not effectively police its Members.

We have had the power of censure and expulsion from the beginning, yet the most remarkable aspect of our possession of this power is the rarity with which it has been used.

Of the more than 250 cases involving Senate elections, expulsions, and censures summarized in a study compiled for your Subcommittee on Privileges and Elections in 1962, by far the greater number concerned a challenge of credentials or charges of election irregularities. Only a handful involved the conduct of the office of Senator and in few of these cases was censure either recommended or, if recommended, voted by the full Senate.

This 1962 study did not include an inquiry made in the 1890's, which is relevant, I believe, to the current proceeding. In 1894, certain newspapers in New York and Philadelphia published reports indicating that efforts had been made to influence certain Senators, by bribe, offers of campaign contributions or otherwise, to vote against a pending tariff bill. On the basis of the press stories, a special committee was established to investigate and report. Several of the chief witnesses declined to answer the committee's questions. The special committee called at least 78 Senators, who, under oath, responded to uniform questions as to their financial interest in the tariff bill.

The 1894 committee investigation came to my attention only after my recent appearance before your committee. I recognize that the committee's interest today is primarily in recommendations for legislation dealing with the future. Yet, I would, I think, be derelict in my duty to the committee and to the Senate if I did not point out that the 1894 inquiry, in which a special committee of the Senate addressed identical questions to more than 85 percent of the entire membership of the Senate, was a direct precedent for the suggestion I made to the committee some time ago and pressed again during my testimony 2 weeks ago.

Though I did not know it at the time, my suggestion was not novel. The method had been employed before and, so far as the record shows, no Senator raised any objection to being interrogated by the committee of inquiry.

Before I return to my recommendations in regard to future legislation, I once more urge the committee to reconsider its decision to close the investigatory phase of its work. The committee should not close the books on the Bobby Baker case without investigating the incidents involved in headlines such as these:

"'Secret Senator' Has Vast Power—Majority Leader's Secretary Can Make or Break Members"; "Senator Says He Barred Cash Tied to Oil Vote"; "Senators Charge Baker Worked a Doublecross"; "Democratic Senators Claim Baker Betrayed Them on Legislation"; and "How Can the Committee Fail To Respond to the Request by the Majority Whip of the Senate That It Investigate Charges That Mr. Baker Deceived the Democratic Steering Committee in the Allocation of Committee Assignments?"

Since my recent testimony, there has been universal newspaper support for the demand that the committee continue its inquiry until the job is done. I have placed a number of these editorials in the CONGRESSIONAL RECORD, and additional ones come in from all over the country. It is significant that every editorial referring to this matter supports the position that the inquiry should not be prematurely closed.

And, so far as the matter of remedial legislation is concerned, the 1894 Senate inquiry is the best possible example of the Senator's recognition in those days of the efficacy of public disclosure. As I indicated, the Senate reports do not indicate any objection to the committee's procedure by any individual Senator. Apparently, the Senators recognize that public disclosure was their best defense against the suspicion of wrongdoing.

This is not the only committee of the Senate to take this view. In 1951, a special subcommittee of the Committee on Labor and Public Welfare, under the chairmanship of the distinguished Senator from Illinois [Mr. DOUGLAS], undertook exhaustive hearings on ethical standards in Government.

The subcommittee strongly recommended institution of a disclosure requirement. Its report noted:

"Disclosure is like an antibiotic which can deal with ethical sicknesses in the field of public affairs. There was perhaps more general agreement upon this principle of disclosing full information to the public and upon its general effectiveness than upon any other proposal. It is hardly a sanction and certainly not a penalty. It avoids difficult decisions as to what may be right or wrong. In that sense it is not even diagnostic; yet there is confidence that it will be helpful in dealing with many questionable or improper practices. It would sharpen men's own judgments of right and wrong since they would be less likely to do wrong things if they knew these acts would be challenged."

As the Douglas report indicated, the approach of disclosure avoids problems inherent in any attempt to prescribe specific do's and don'ts.

While Congress has made no real attempt to do so, it is doubtful that it is possible to frame statutory prohibitions which would adequately safeguard against conflicts of interest in the infinitely broad and varied situations with which Members of Congress and congressional staff have to deal.

All of us would agree, I believe, that it would be impracticable and unrealistic to require Members of Congress and top legislative staff to divest themselves of all financial interest which might conceivably be affected by legislation or by action of executive agencies under the purview of a committee on which a Member serves or the staff member is employed.

A sharpened judgment of the individual in any particular situation, would be, I believe, one of the most salutary effects of a disclosure requirement, both with regard to financial interests and dealings with regulatory agencies or interested parties thereto. At the least, it would heighten concern not only to be right but to seem right. With such a requirement in effect, I am certain there would be a decline both in proffers and acceptances of such valuable gifts as deep freezes, vicuna coats or stereo sets.

Public disclosure as a statutory requirement is not a new principle. Preventive rather than punitive in approach, it already applies, in part, to the area of campaign contributions and expenditures. It is the principle behind the requirement that lobbyists register and report expenditures to the Congress.

Another application of the principle was discussed in the 1963 Judicial Conference. The Conference adopted a resolution forbidding any Federal justice or judge from serving as an officer, director or employee of a corporation organized for profit. While it disapproved of a Senate bill to require each judge to submit regularly complete financial reports open for inspection by any member of the judicial council of each circuit, the action was taken on the ground that "regardless of the merits of the proposal, judges should not be singled out from other officials of the U.S. Government to make such reports."

Public disclosure is particularly appropriate in an area where flat prohibition might raise questions of infringement upon the right of the people to elect the representative of their choice. Certainly, it would help to give the electorate a better basis on which to judge.

For the Congress as a whole and for the individual Members of it, a requirement for disclosure of financial interests would help to dispel the cynicism and disdain with which so many citizens view the political practitioner. This attitude is, I am convinced, for the most part unfair. Yet it certainly has historical, and even some contemporary, basis.

Support for the principle of disclosure is growing. One evidence is the action of several candidates for high office in making public in one form or another their financial worth. At this time, more than 30 of us in the Congress, including the majority leader, have voluntarily made public a financial statement.

To accomplish the objective, however, disclosure should, as the Judicial Conference report suggests, apply equally to all, and to the same extent. And it should include income and gifts from all sources.

Our bill, S. 1261, would provide that each Member of the Congress and each employee in both the legislative and executive branches at the $15,000 level and above, submit annually in such form as the Comptroller General provides, a financial report to be maintained by the Comptroller General as a public record.

The reports would include:

(1) The amount and source of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by him, or by him and his spouse jointly, during the preceding calendar year which exceeds $100 in amount of value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, and other facilities received by him in kind;

(2) The value of each asset held by him, or by him and his spouse jointly, and the amount of each liability owned by him, or by him and his spouse jointly, as of the close of the preceding calendar year;

(3) All dealing in securities or commodities by him, or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction during the preceding calendar year; and

(4) All purchases and sales of real property or any interest therein by him, or by him and his spouse jointly, or by any person acting on his behalf or pursuant to his direction, during the preceding calendar year.

If press reports are accurate, the counsel of the committee has stated that public disclosure of private wealth represents each Senator's best defense against suspicion of wrongdoing. I would add that it is the best assurance the public interest in the integrity of the Congress as a whole will be served.

[From the Montclair (N.J.) Times, May 14, 1964]

FIGHTING FOR THE FACTS

Senator CLIFFORD P. CASE has waged a valiant but so far losing fight to get his fellow

Senators to disclose their dealings with Bobby Baker.

The fact that very many highly placed individuals at the top levels of Government appear to be involved with the former secretary to the Senate majority makes it all the more imperative that an investigation find out how much fire there was behind all that smoke.

New Jersey can be proud of its senior Senator's efforts to get at the facts. If few of his fellow Senators are willing to disclose their dealings with Mr. Baker, at least we in New Jersey can be assured that we are represented by a man who had nothing to hide. It is certainly to be hoped that a goodly number of his colleagues will follow his example. The voters can remember the others at the appropriate time.

[From the Miami (Fla.) Herald, May 16, 1964]

THE BAKER HUSH-UP WON'T—AND SHOULDN'T

The Senate of the United States has done itself a disservice by refusing to investigate its own Members. The vote was 42–33 against broadening the Bobby Baker inquiry to cover "activities involving the giving or receiving of campaign funds under questionable circumstances."

The extension was proposed by Senator **JOHN J. WILLIAMS**, Republican, of Delaware, who first turned the spotlight on the $2 million fortune amassed by the $19,000-a-year secretary to the Senate majority.

As Senator **WILLIAMS** pointed out, one witness already has told of seeing $30,000 or $40,000, mostly in $100 bills in Baker's office. This never has been explained.

Besides, Senator **CLIFFORD P. CASE**, Republican, of New Jersey, said that Baker once boasted: "I have 10 Senators in the palm of my hand."

The implications are inescapable. By refusing to get to the bottom of the matter, the Senate leaves many unanswered questions in the minds of citizens.

The negative vote will enlarge the Bobby Baker scandal as an issue in the forthcoming political campaign. Republicans won't let voters forget that Baker was a protege of President Johnson when he was Senate majority leader.

The party line was drawn on the rollcall. Not a single Republican was among the 42 Senators who killed **WILLIAMS'** proposal. All 42 are Democrats, including Senator **SPESSARD L. HOLLAND**, of Florida. (No vote on the question was recorded from Florida's other Democratic Senator, **GEORGE A. SMATHERS**.)

By contrast, 9 Democrats voted with 24 Republicans to pursue the matter. That would have been the only way to dissipate the cloud which the majority has anchored firmly not only over the Senate but specifically over its Democratic masters.

We consider the decision a political mistake and just plain wrong. If any Senators, past or present, were involved in Bobby Baker's questionable activities, the American people have a right to know.

[From the Roll Call (Washington, D.C.), May 20, 1964]

THE SENATE AND THE BAKER CASE

The draft of the report on the Bobby Baker investigation released this week will do little to salvage respect or prestige lost by the Senate in the past 6 months.

As we predicted, the report condemns Baker for improprieties committed during his term as secretary to the Senate majority, but states the former page boy violated no conflict-of-interest laws.

Although he got the roughest goingover in the 6-month ordeal, Baker himself pales into insignificance when measured against the immeasurable disrespect earned by the Senate as a body, and many of its individual Members.

The Senate for too long has smugly slithered by in its rarified club atmosphere. Behind its legislative curtain its Members were above suspicion, above reproach. Dirty linen was never washed in public. It just wasn't washed.

But the sorry machinations of the investigating committee and the even sorrier performance of the Senate last week has revealed an ugly picture to the public.

The Democrats have furnished hard-pressed Republicans with a major issue—the majority irresponsibility in dealing with what smells like something very rotten in the halls of the Senate.

There are many odiferous byproducts, but the major area of wrongdoing is undoubtedly the relationship of legislators to unprincipled lobbyists for special interests.

We will explore this area further in subsequent editorials.

[From the Chicago Tribune, May 20, 1964]

COVERED UP BUT NOT FORGOTTEN

The Senate has turned down a chance to vindicate itself and pursue the Bobby Baker investigation to its proper conclusion. The rules committee is preparing to divert attention from its own wretched conduct in the affair by proposing a new "code of ethics" for all Senators. And we fully share the disgust of Senator **JOHN J. WILLIAMS**, of Delaware, the Republican who brought the scandal into the open and tried to keep it there.

"I will not sit back," he said yesterday, "and allow the results of the Baker episode to be brushed under the rug with the adoption of a high-sounding code of ethics and the pious statement that he was guilty only of gross improprieties and that there were no laws violated."

Only 75 Senators found it convenient to vote on Mr. **WILLIAMS'** latest resolution: 42 Democrats voted to kill it, and all 24 voting Republicans voted to keep it alive. In addition, nine Democrats including Senator **DOUGLAS**, of Illinois, put duty to Congress and country ahead of the fear of embarrassment to their party and voted with the Republicans.

Besides Senator **DOUGLAS**, they were Senators **PROXMIRE** and **NELSON**, of Wisconsin, **BARTLETT** and **GRUENING**, of Alaska, **HARRY BYRD**, of Virginia, **CHURCH**, of Idaho, **HART** of Michigan, and **HARRISON WILLIAMS**, of New Jersey. We commend them.

As for the code which the committee is said to have prepared, it would prohibit Senators from associating with people doing business with the Government and would require them to publish their financial dealings. In effect, such a code merely assumes that all Senators have questionable morals and that the existence of a new code—there are already others like it—will somehow set them aright. This is a shabby substitute for the courage to demonstrate that improprieties and dishonesty are not to be tolerated in the U.S. Senate and are the exception rather than the rule.

[From the Coast Advertiser (Belmar, N.J.), May 21, 1964]

SENATOR CASE PROTESTS

For all of us who are interested in getting away with something shady, we have just received an excellent illustration of doing it legally. Our teacher? The U.S. Senate.

Bobby Baker is a name uncomfortably familiar to the Senate. Because of blatant misconduct in his former position as secretary to the Senate's Democratic majority, the Senate observed the good practice of holding an investigation. But Bobby Baker would not incriminate himself, as is his privilege under the fifth amendment. With the formality of an investigation out of the way the Senate on majority vote declared that their little investigation was over without questioning Walter Jenkins, special assistant to the President, about a certain stereo, and without questioning any Senators. Officially then Capitol Hill can return to its routine as though nothing happened in the first place.

Admittedly, this is a bad year for investigations of public officials. It could influence the vote in an unjust way. But this action, of sweeping ethics under the rug, cannot be justified at any time and certainly not at a time when many Senators are going to the people for reelection. This is really the heart of the action that came before the Senate last week. Although the Senate did not vote against ethical restrictions they did vote against raising the question of ethics in connection with Bobby Baker. Either they assume, by this action, that Senators are above any breech of ethics, or that the question of ethical conduct can be raised only when it involves a minority party. It would be a travesty of injustice to see one party use this issue against another party per se but it would be a worse travesty of injustice to re-elect individual men who are involved in misconduct. Something needs to be done about ethical procedure of men holding high office, and those who are living by ethically responsible standards cannot wait for a new incident to have their honesty vindicated.

Senator **CLIFFORD CASE** has proposed that the conduct of Members of the Senate and House will be justified by an annual disclosure of their sources of income. The proposal is simple enough in scope and should be welcomed by all officials as a vindication of their modus operandi. This suggestion was shouted down by Senator **MANSFIELD** who defensively suggested that the proposal carried innuendo of guilt. The Senate bursting with angry exchanges, Senator **CASE** was shouted down in schoolboy fashion with even the Chair hastily ignoring his "point of personal privilege." Party pitted against party, the Senate decided that this is no time to talk of ethics.

No one's honesty has been vindicated. The Senators will continue to do themselves and their people the same disservice until they distinguish between their public and private lives. The public needs to know how they use the privileges of their office. They must not be allowed to forget that their office is held by the graces of and for the benefit of the people they represent. Senator **CASE**, in the interest of the public, has made a step toward controls for the responsible use of high office. It is a shame that sensitive feelings kept his proposal from being considered intelligently. We trust that he has the fortitude to press the Senate again for proper ethical controls.

[From the St. Louis Post-Dispatch, May 21, 1964]

ETHICS IN THE SENATE

The "secret" report of the Senate Rules Committee staff proposing a stiff code of ethics for the Senate and its employees could hardly serve any purpose other than that of a second coat of whitewash for the Bobby Baker case. Even if the code should be adopted it would be a wholly insufficient substitute for a genuine investigation of the former Senate Democratic majority secretary's frenzied influence peddling and for corrective legislation to prevent a repetition of that disgraceful affair. Its authors furthermore ought to know that it is unadoptable as well as unworkable and unenforceable.

A deep and ugly stain has been left on Congress, and even on the Presidency itself, by the partisan defensive and shallow work of the Senate Rules Committee. As a result it may never be known how deeply some Senators were involved in Mr. Baker's abuse

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of his official position or the nature and extent of Mr. Baker's involvement with President Johnson and with the Johnson family's Austin television monopoly, elsewhere under attack. Congress and the executive branch have sustained a loss in standing which would now seems irretrievable.

What legislation could do to prevent further erosions of respect and confidence in the future is at best debatable. Members of Congress operate at levels on which there is nothing that really can compensate for deficiency in a personal discipline of accountability. The least Congress can do in good conscience, however, it seems to us, is to apply to itself and its employees, including the staffs of Members, as fair and practical a law against conflict of interest as it has already applied to the executive branch.

Beyond that, it could work wonders in public esteem by taking a more serious view than it usually takes of its responsibilities to judge the qualifications of its own Members. But there again we come back to the question of self-discipline rather than lawmaking. Perhaps Congress deserves the comedown it has taken in the Baker case, as a true reflection of its quality. We do not like to think so.

[From the Daily Home News (New Brunswick, N.J.), May 21, 1964]

U.S. SENATE UNDER A CLOUD

In answer to a radio announcer's query whether he intended to drop his fight in the Bobby Baker mess after the cavalier treatment he received from the majority on the Senate floor the other day, Senator CLIFFORD P. CASE said, "Indeed I am not. I am not satisfied, and I don't think the American people are satisfied, with the passive role the committee (Senate Rules Committee) has taken."

CASE then added, "Press reports have appeared over and over again about Bobby Baker's relations with individual Senators. The committee cannot look away from them, nor can the investigation be buried by steamroller tactics. The reaction of the press and public makes this plain.

"No investigation of Bobby Baker can have any real meaning without an investigation of the relations of the Members of the Senate with Bobby Baker. The Senate's concern is with the Senate, its reputation and good name and that of its Members."

On Tuesday, CASE amplified this position in a statement on the floor of the Senate. He said, "There is no looking away from published reports that Bobby Baker dealt in campaign funds for Senators, and bragged that he had 10 Members of this body in the palm of his hand. I shall have more to say about this in the future."

We hope CASE will have plenty more to say about this. Much is at stake. The issue has tremendous import for the future of our Nation, import that transcends the future of Bobby Baker or a few Senators who may have accepted his largesse.

In a Nation such as ours, our freedoms and in fact our very life depend upon the respect of the people for their government, for their laws and for the people who make their laws.

Today the U.S. Senate stands tarred with the brush of rumor, but rumor which persists and is widespread and appears backed by some fact. The rumor seems supported by the fact that Bobby Baker had taken the fifth amendment to protect himself against answering questions about his relationships with Senators. The rumor can't be downed by Baker testimony, because he won't testify. The answer must be found from the Senators themselves, and the Senate Rules Committee adamantly refuses to submit entirely proper questions to the entire Senate membership, questions that no honest man need fear answering.

For one reason and another, public esteem for the Congress certainly does not stand at an alltime high today. Public esteem for the Senate must drop grievously if the Baker case is not cleared up.

As things now stand, all the Members of the Senate are under a cloud of suspicion. CASE wants that cloud dispelled. Certainly the great majority of the Members of the Senate should be standing with CASE today.

[From the Newark (N.J.) Star Ledger, May 22, 1964]

THE BAKER CASE, CONTINUED

The Baker case has had its share of sensational disclosures. But revelations and disclosures are transitory and illusory; and they serve little purpose unless they bring remedial actions.

One of the most disheartening aspects of the Baker case is the pervasive feeling that most of the Senators are not particularly upset by the disclosures. They seem to be disturbed primarily over the fact that the activities were disclosed to the public.

The U.S. Senate is a fraternity where most lodge brothers immediately close ranks when any of their colleagues are exposed to criticism or charges. The House of Representatives is another example of hypersensitivity to criticism.

The Baker case, by its very sensationalism, has created an aperture in the Senate cloak, an involuntary opening that is extremely distasteful to these legislators.

A secret draft report by the Senate Rules Committee, which looked into the financial affairs of Robert Baker, former secretary to the Democratic Senate majority who quit under fire, says the Senate has lost heavily in respect and prestige as a result of the Baker disclosures.

As for Baker himself, the report maintains that he was guilty of gross improprieties and fraudulent practices but, significantly, not legally guilty of conflict of interest. There is a thin line here between moral conduct and a patent disregard for ethical standards.

What the Senate group is saying is that the Government does not have legal grounds for criminal proceedings against Mr. Baker. But it makes it clear that Mr. Baker callously disregarded his trust to further personal interests.

True, there is no legal redress available to the Government, but there is an excellent opportunity for preventive measures by the Senate itself. The Senate should take some positive, corrective action to restore its lost prestige and respect.

The most positive step is an obvious one * * * a code of ethical conduct for the Senators and their employees, a rigid code that would make a repetition of the Baker case possible only in an atmosphere of extreme hazard.

One committee proposal that seems reasonable calls for Senators to disclose periodically all sources of outside income.

Another recommendation, however, appears too restrictive and unrealistic. It would bar intercession by a Senator with any governmental agency on behalf of a corporation doing business with the Government. This would seriously impede a legislator in performing a legitimate and necessary service for his constituent.

The committee has recommended a code of ethics as a "necessity for protecting the good and faithful public servant against a minority who would take advantage of every opportunity to engage in all manners of moneymaking and influence-peddling schemes."

This is far reaching and unprecedented legislation. It has been stoutly resisted in the past by the lawmakers. Now there are factors present that should dissipate opposition to a code of official conduct.

Perhaps it's impossible to legislate high moral conduct. Even the most stringent code cannot guarantee a completely ethical performance. But it can help assure the public that lawmakers are committed to a high standard of moral conduct.

[From the Philadelphia (Pa.) Inquirer, May 24, 1964]

FEATHER DUSTER IS NOT A BROOM

(By Roscoe Drummond)

WASHINGTON.—The inadequacy of the Senate investigation of the Bobby Baker case is coming home to roost. It is putting the Democratic members of the Senate Rules Committee—and of the Senate itself—in an acutely embarrassing and untenable position.

What has happened is that the Rules Committee, after shrinking from questioning any Senator about his relations with Baker—financial or otherwise—has received from its chief counsel a stern proposal that in the future all Senators make such a total disclosure of income and business associations as to protect them from future suspicion.

The primary purpose of a congressional investigation is to provide the evidence, the documentation, and the reasons for new legislation.

But the investigation of Baker has been so feather-dusterish and restricted that it has provided no basis for the strongest proposal of its chief counsel—full disclosure of income and professional and business contacts, a conflict-of-interest code almost as exacting as Congress applies to the executive branch of the Government.

UNTENABLE POSE

Is seems to me that the position of the Rules Committee is particularly untenable for this reason:

Its chairman, Senator B. EVERETT JORDAN, Democrat, of North Carolina, has sternly held to the line that "it was not investigating Senators" and Counsel Lennox P. McLendon backed him up by contending that the committee was powerless to question them. When this issue came to the floor of the Senate recently 42 Democrats said in effect: "That's the way we like it."

Therefore, no Senators have been questioned by the committee concerning their relations with Baker, when he was secretary to the Senate Democratic majority and the committee has produced no evidence on which to base a recommendation that any conflict-of-interest law should be passed to govern Senators.

Surely the conclusion which these circumstances require is that either the committee failed to discharge its responsibility by not questioning Senators or McLendon exceeded the evidence the committee developed by proposing that Senators should be stopped from doing what the investigation has failed to show they were doing.

LOGICAL CONCLUSION

I submit that if the staff report to the committee proposing a new code of conduct and ethics for Senators is appropriate, then the failure to investigate the conduct and ethics of Senators in the Baker affair is inappropriate.

Is there any other logical conclusion?

How can the Democratic members of the Rules Committee vote to support the staff report urging that in the future "all Senators respond to requests from any committee to testify" when they all voted against the resolution specifically empowering the committee to question Senators in the Baker case?

Of course, the Democratic members of the Senate Rules Committee don't have to be consistent. They can be in favor of Senators testifying in theory and against Senators testifying in fact; that is, when it might be embarrassing.

And that is exactly what has happened. This fact is now visible for all to see.

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is closed.

CIVIL RIGHTS ACT OF 1963

The **PRESIDING OFFICER**. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. **STENNIS**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 254 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Cannon
Carlson
Case
Church
Clark
Cotton
Dirksen
Dominick
Douglas
Ellender
Ervin
Fong
Gruening
Hart
Hayden
Hickenlooper
Holland
Humphrey
Inouye
Javits
Johnston
Jordan, Idaho
Keating
Kuchel
Lausche
Long, La.
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Mundt
Muskie
Neuberger
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Smith
Stennis
Symington
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The **PRESIDING OFFICER**. A quorum is present.

The question is on agreeing to the amendment (No. 577) proposed by the Senator from Louisiana [Mr. LONG] to the amendment (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE] for himself and other Senators, relating to jury trials in criminal contempt cases.

Mr. **STENNIS**. Mr. President, almost a year ago, upon the introduction of the bill which is now pending before the Senate, and on my first reading of that bill, I was impressed more than anything else with the tremendous power that would be granted to the Federal Government in totally new fields of activity. One field would be that of industrial management, a field which the Government had never entered in this manner before, as well as other innovations and changes with reference to court procedures and the creation of three-judge courts, public accommodations, desegregation of schools, cutoff of Federal funds, and a host of other issues.

I was also impressed at that time that so much of the power would not only be new to the Federal Government but would take away from the local government—whether it be a city or school unit, a district or even a State—the power presently residing in the people, and transfer it to Washington to become a part of the Federal system.

What impressed me further at that time was the taking away of power from the people at the local level and transferring it to Washington and drawing it into the national elections—every 2 years, in the case of Members of the House, every 4 years in case of a President of the United States, and every 2 years for an election of a third of the members of the Senate.

I was also impressed with the fact that a great part of this power would be concentrated in the Attorney General of the United States. It makes no difference who may occupy the position of Attorney General today; there will be a different man tomorrow, or the next year, or in the next 4 years, or for any other given period of time. It does not refer to the present Attorney General alone but it refers to the Office of the Attorney General—not for this year alone but for all the years to come, should this bill be enacted into law and be upheld by the Court.

Another thing which impressed me was that the power which would be vested in the Attorney General, to be exercised largely by him, would not be power derived from elective office but from purely appointive office—that is, he would be appointed by the President of the United States. Everyone knows that the President of the United States cannot give his personal supervision to one-tenth of the power which is vested in Cabinet officers and heads of departments. He cannot possibly know or have personal knowledge of how that power is being exercised, even to the extent of 5 percent of it.

The Office of the Attorney General is not only not an elective office but throughout our system of government and its tenure it has been known largely as a political office, not a nonpartisan, not a bipartisan, but a political office.

I remember the first time I attended a session of the Supreme Court of the United States. A gentleman named Mitchell was being sworn in that morning as Solicitor General of the United States—later he became Attorney General. The Chief Justice of the United States, Mr. Taft, was the presiding officer of the Court that morning. He personally swore in Mr. Mitchell.

I remember quite well the remarks the Chief Justice made at the time. He pointed out to Mr. Mitchell that the Court looked to the Solicitor General of the United States to represent the Government before the Court. The Chief Justice told the Solicitor General, "Of course, the Attorney General is the nominal officer representing the Government in the Court, but," he said, "the Attorney General must spend a great deal of his time advising the President of the United States." Then, in his fine jocular way, with a broad smile on his face, he added, "Politically and otherwise."

The Chief Justice of the United States, not in a decree of the Court, but in a very solemn ceremony of the Court, a man who had been President of the United States, pointed out that the Office of Attorney General was a political office, and that a great deal of the time and effort and energy of the Attorney General was spent in advising the President of the United States on political matters.

Yet we are asked to put into that office, which is not a nonpartisan office, but a political office for the most part, and probably the most political office of any of our departments of Government, this vast power.

I called attention to this fact the first time I saw the bill, after reading it, when I spoke about it on the floor of the Senate. At that time I called it a vast grab for power. I believe that anyone, especially if he is a lawyer, who has read and studied the bill even in a hurried manner, must realize that it is a real grab for power.

One of the things which also impressed me then, and impresses me now, is that in addition to all this vast power, those who drafted the bill were so zealous on the subject that they even went over into what is almost settled law and sought to deny a jury trial, not merely in cases in which a person is guilty of civil contempt by not obeying a court's order—in such circumstances a jury trial should not be provided—but also in connection with criminal contempt, with respect to which the spirit of the Constitution demands a jury trial. The courts have almost gone far enough to say that trial by jury is a matter of right in criminal contempt cases.

The bill entered this field, however, contrary to the spirit, if not the letter, of the Constitution of the United States.

After almost a year, and this subject has been debated a great deal in the press and other news media, and also on the floor of the Senate and on the floor of the House during this time, I believe that still, right down to this very minute, the most impressive thing about the entire bill is the vast power it would put into the hands of the Attorney General, a political officer. It would go so far as to deny a jury trial in circumstances which I shall define and relate more fully in a few minutes by reading the amendment offered by the Senator from Georgia.

It is no surprise, even though there is political force, power, and pressure behind the bill, that this amendment, offered first by the distinguished Senator from Georgia [Mr. TALMADGE], providing for a jury trial in criminal contempt cases only, should arrest the attention of Senators and, in spite of all the pressure behind the bill, cause the Senate to move slowly before turning down the Talmadge amendment. The first vote bearing on the amendment was a tie vote; and on the second vote, about 30 minutes later, the margin of defeat was only one vote. I believe that in itself proved the seriousness of the situation and the concern of Senators with reference to this provision.

I find, too, that even though it has been gone over several times, because of the complicated nature of civil contempt and criminal contempt, this subject is not fully understood by all Senators and by the public. The attempted answer of those who oppose the amendment is that the court should have control over the enforcement of its own decrees.

The Talmadge amendment, No. 513, which is the pending question, subject to perfecting amendments offered by the Senator from Louisiana and others, expressly sets out—and I shall take the liberty of reading that part of the amendment for the benefit of Senators and the RECORD—in no uncertain terms that the amendment would in no way encroach upon the power of a judge to require that his mandate, the order of his court, be obeyed. The judge would still have the power, if the amendment should become law, to send to jail, an offending party who does not obey the court's order; and he would have the power to keep that person in jail until he complied with the court's order. That is why it is ordinarily said in debate that the man who is sent to jail by the judge without a jury trial carries the key to the jail in his pocket, meaning that whenever he is willing to obey and does obey the order of the court, he can get out of jail.

This power is not only preserved to the judge in civil contempt proceedings with respect to acts committed in the court's presence, but also out of the court's presence, with respect to those who disobey in any way an order of the court. I read now from the amendment, begining at page 3, line 17:

> This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court.

In other words, the section providing for a jury trial shall not apply to matters of that kind. I read further:

> Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury—

I repeat this for emphasis—

> without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violation of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

In that case, the words "power of detention" mean the power to put a person in jail. The last part of the provision clearly spells out that the power shall remain with the court to require anyone to carry out the order of the court and obey the judgment of the court.

So let it not be said any more—because if it should be said, it would be contrary to fact and contrary to the express words of this proposal—that the amendment offered by the Senator from Georgia would leave a presiding judge without full power, and without the intervention of a jury, to enforce compliance with his orders and decrees. A judge would have control over his court in the courtroom and in the immediate surroundings of the court. Regardless of what a defendant did that might violate some statutory law, he could be punished for failure to carry out the order or decree of the judge entered against him, and he could be punished by the judge without a jury.

The Talmadge amendment simply provides that if criminal contempt proceedings are instituted against the defendant because of the defendant's failure to comply with an order of the court, the defendant shall be entitled to be tried by a jury.

That is very simple. Such a right is guaranteed in the case of an alleged thief or murderer, one charged with false pretenses, an alleged robber or rapist, or one accused of any other crime. A person accused of any crime cannot be punished without a jury trial, unless he pleads guilty. He cannot be convicted of a criminal offense without a jury trial. No one proposes that, this guarantee should be repealed.

The right of trial by jury is the greatest civil right that any of us has. We are not talking about the benefit of a jury trial only for the person who may be in the wrong. The innocent man is included in this principle. The principle goes even further. The greatest good or benefit that comes from the principle that a man is entitled to a jury trial is the mere fact that he is entitled to it under the law. He is entitled to have the process of a jury trial. In that way, there is a protection against threats and persecutions. A jury trial affords a hindrance to oppression. It affords almost complete protection from wrongful prosecutions and oppressions.

I know from my experience in public life before coming to the Senate that the so-called average person, whatever he may do—whether he works in an automobile factory or on a farm or in a little store, or is a small merchant—has as his greatest civil right and strongest protection the principle of jury trial, which we are discussing. Without the right to a trial by jury, inroads would be made upon him in his local community, in his own county or State, and in his relations dealing with the Federal Government.

It is most unfortunate that there has grown up outside the principle of the right of trial by jury the field of law in criminal contempt proceedings, in which the courts have held that a jury trial is not absolutely mandatory.

Even so, the judges of many courts are greatly divided on the question, in spite of the precedents. In the most recent cases decided by the Supreme Court on this subject, four Justices said that regardless of precedent, regardless of everything else, there should be a jury trial as a matter of right in criminal prosecutions for contempt. Five Justices said that there is no absolute guarantee of trial by jury in such cases. But even those five said, in a footnote to the opinion, that if the punishment were to be beyond that for petty offenses, the court should grant a jury trial.

The five Justices who were in the majority also said that it was a matter for Congress to decide. By their footnote as to punishment, the majority of the Court virtually recommended that Congress consider the matter and provide for a jury trial in criminal contempt cases. That shows what a narrow margin the bill is on in denying a jury trial in these cases.

I submit that it has no margin to stand on, considering the spirit of the Constitution. I do not believe there is anything that would appeal more to most Americans than to have the Senate say: "This question has now been fully considered. It is a grave matter. It is more in the tradition of our institutions and the spirit of our Constitution to provide for jury trials in criminal contempt proceedings. By unanimous vote, we will write that provision into the bill."

Furthermore, I do not believe a single proponent of the bill would ever regret in any way having taken such a position. On the other hand, I believe that in years to come they would regret not having taken such a position. It will plague Congress; it will plague everyone. I wish no ill will to Members of Congress, politically or otherwise, but in future elections and in future years it will plague those who vote against providing for trial by jury in criminal contempt cases.

The failure to guarantee trial by jury will be further accentuated by enacting this law which has such sweeping consequences. This fact is underscored and accentuated because the bill would create a vast number of new actions out of which criminal contempt proceedings may arise. For example, this bill moves into the field of industrial management and attempts to prohibit discrimination in employment. It moves into the field of public accommodations, in which great areas of the country are totally unaccustomed to what is proposed by reason of their social pattern or way of life. An action for discrimination would be established in that field. Yet the bill does not define what shall constitute discrimination. In other words, the bill proposes to open up completely new fields of legal action and at the same time deny the right of trial for those who are accused of violating a court order in this undefined area.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield to the Senator from Louisiana. I know of his great interest in this subject, and his understanding of it, too.

Mr. LONG of Louisiana. Would not the matter of avoiding the crime of discrimination be especially difficult, in view of the fact that if a person is to lead a successful business life or a happy social life, he must discriminate hundreds of times every day? Is it not true that when a man goes into business, he must decide where he will locate his business; and does not that involve a matter of discrimination?

Mr. STENNIS. Yes.

Mr. LONG of Louisiana. He also has to decide whom he will hire—even if he decides that one-tenth of his employees will be Negroes, 1 percent will be Chinamen, one-half of 1 percent will be Japanese, 10 percent will be Anglo-Saxons, 2 percent will be Jews, and so forth, or even if he selects his employees on the basis of a racial quota, as the bill called for in the beginning. Therefore, does not a businessman have to discriminate in that connection?

Furthermore, does not a businessman discriminate when he decided whether he will ship the products of his plant by land, by water, or by air, and also when he decides which carrier he will use, regardless of whether the shipment is by highway, by rail, by water, or by air; and is it not also true that the question of whether his business will fail or succeed depends on wise discrimination of that sort by him?

Furthermore, in order to have a happy social life, does not every person have to discriminate? In fact, is not wise discrimination in choosing one's spouse or mate with whom to live one's life the most important decision one makes in connection with the question of whether he will have happiness in his social life?

Therefore, under the provisions of the pending bill, would not the question be this: When does a person discriminate for his happiness and when does he discriminate for business advantage?

Furthermore, do not some existing laws require discrimination? For example, there is the veterans' preference law. If one is hiring someone to work for the Government, a veteran's preference or advantage must be given, and thus there is discrimination in favor of the veterans. There are also other laws which require discrimination in favor of one person or another based on the tests they take. In that connection I ask the Senator from Mississippi if it is not a fact that there is discrimination on the basis of those who have had a college education.

So would not some laws already in existence thus require discrimination; and, in addition, the law now proposed would result in their being put in jail because they had been discriminating.

Mr. STENNIS. That is correct.

Furthermore, it is a fact that many long-established social habits would be contrary to the requirements of the bill. The bill would make such habits a crime. There would be no defense from that charge, and the defendant would not be entitled to have a jury trial; and the Attorney General would be permitted to select two additional judges to serve on the bench with the judge of that district, and the bill would permit the two additional judges to say to the judge who had been serving there for a number of years, "We are wiser than you are, and we are also wiser than Congress." Certainly that would be most unfair to the citizens involved, and there would inevitably be a considerable backlash.

Furthermore, as the Senator from Louisiana has suggested, discrimination is involved when one determines where he will live or where he will locate his business—whether in one part or another part of a city or town, or whether in a town or in a large city. All those decisions involve discrimination. But after those choices are made in connection with the establishment of a business, the provisions of this bill would result in the prosecution of that person for engaging in discrimination.

For example, the public accommodations provisions of the bill not only would take from the owner of such a business the control of it, but also could result in the loss of his investment in it.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield further to me?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. Is it not also true that no provision of the bill states that it will not be a crime to discriminate against members of the major race in the country—meaning persons of the Anglo-Saxon type, the first settlers in this country after the Indians; but all provisions of the bill which deal with discrimination on account of race say only that it will be discrimination, and will be a crime, if one discriminates against minority groups, meaning Jews and Negroes? Therefore, would not the bill encourage employers to lean over backward in that respect, and therefore hire too many Negroes?

Mr. STENNIS. Yes. Furthermore, this bill would not create any new jobs; so if new employees had to be taken in, some of those who had been working in a plant would have to be discharged. That is the way the bill would work; and Federal agents would force manufacturing plants to follow that pattern. The result would be that many persons would be thrown out of their jobs. That is one of the tragic aspects of the bill.

Mr. LONG of Louisiana. Is it not also a fact that in Louisiana—a State which I am sure the Senator from Mississippi knows well—and also in Mississippi and in other States in that part of the country, various contractors and business concerns by tradition and practice have hired Negroes almost exclusively? Does any provision of the bill state that such a practice is approved—namely, the hiring of only colored people to work on a construction job or on any particular projects for which the employers think colored citizens would best suit their needs and desires? Does any provision of the bill state that a colored contractor could hire only colored people, so as to make sure that by means of the bill colored people would not be denied the rights and privileges they had been enjoying up to this time, when they had been working for a contractor who hired only colored people?

Mr. STENNIS. No; there would be no protection of that kind, unless it were provided by ignoring the provisions of the bill or by having the enforcement officials close their eyes to what such a contractor or businessman was doing, for under the provisions of the bill a contractor or businessman who had been employing only colored workers might be required to discharge some of his colored employees if a white person applied for a job.

Mr. LONG of Louisiana. If the Negro mobs are successful in their insistence that the proposed law be passed by Congress, and if they are successful in making the President bend the knee and making the Attorney General bow to their will, what would there be to prevent the whites from taking to the streets, one of these days, and terrifying the President and the Attorney General, on the basis of very strong protests because of the fact that the bill would permit contractors to have only Negroes working for them and would not protect the whites? Can the Senator from Mississippi explain how the bill would benefit the Negroes, without hurting the whites?

Mr. STENNIS. There is no explanation.

I am glad the Senator from Louisiana has referred to the matter of the employment of colored people. I remember seeing, when I was a young boy, some very excellent workmen at the sawmills. There were many such mills in the timber country, and some of them employed colored workers almost exclusively. I admired those fine workmen as they operated the carriage, as it was called. Those men could handle that machinery in an excellent manner. The more skilled ones could saw a fine line of lumber. Colored men had most of the jobs. And they had the better jobs. There was some complaint about it among the white people of the community, to the effect that they could not get jobs at that mill.

No one dreamed of trying to enact a law to force the sawmill operator to give white men jobs at the expense of the colored men. The colored men were in the jobs. They were doing the job. They knew how to do the job, and they were good workers. And they were willing. They helped the owner make a profit.

Under the proposed law, that system would be destroyed. The Government would probably create a formula to place workmen on a mixed basis. The Government would see to it that they did things in a certain way, but the profit would not be there. It would be destroyed if the owner could not operate in the most efficient manner.

Mr. LONG of Louisiana. Does it not mean in the final analysis that the bill would give no right to the colored man and no right to the white man? It would take rights away from both of them and give them to the Government.

Mr. STENNIS. That is true. A regulatory power of the Government would proclaim that the people are not capable of selecting in their private business those who they might think would make the business profitable and create more jobs through the growth of the business. This bill proposes to take that civil right away from the owners, whoever they may be, and place it in the hands of the Government. The Government would exercise its opinion as to who would be the best employee, but the bill does not provide that the Government will underwrite any loss that may result to the employer.

The public accommodations title would also be very damaging. It would destroy many businesses. It is proposed to say: "We are not only going to take your civil rights away from you, but we are also going to create a pattern of employment. But you must still put up the capital. And you must still take the losses, if there are any losses."

I thank the Senator very much for his very fine illustrations. I am delighted that the Senator from Louisiana brought up the matter of employment. I think we ought to change the name of title VII from "Equal Employment Opportunity" to the "Industrial Management Act." That is the effect of it. It is proposed to take over, to a large degree, the industrial management of the businesses of the country, except those with fewer than 25 employees, and except for those that are exempt under the terms of this far-reaching title.

More and more exemptions from the provisions of title VII, the so-called FEPC part, have been proposed in amendments which the proponents of the measure, including the Attorney General, have finally agreed upon, according to the press reports.

We are reaching the point now that a Senator from a State that has an FEPC law can write to his constituents and tell them: "It does not make any difference what is in the bill. It will not apply to us." I think that is a fair statement. They believe they have gotten out from under the provisions of the bill. Tied into that very point is a story—I hope it is only a story—or a report at least, that the proponents have picked up some votes for cloture on the bill.

When we hear reports that the provisions of the amendment package propose to take certain States out from under its operation, there is a rash of reports that the proponents have picked up some votes. It is a hard fact of life that the main effect of these amendments—the major parts of them—is to provide that many States, and virtually all of them that have an FEPC act of any kind, will not be affected by the operation of title VII. That, of course, attracts votes for cloture on the bill.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. Would it not be well to send word to the Negro mobs that have been demonstrating in Chicago that their Senator has succeeded in agreeing to a package which, in effect, means that there is nothing in the bill that will affect Illinois or Chicago one way or the other?

Mr. STENNIS. If they do not find out about it, they are certainly derelict. If their leaders do not advise them on the subject, they are not living up to their responsibility.

Mr. LONG of Louisiana. Would it not be fair to advise the Congress of Racial Equality chapter, the NAACP chapter for the city of New York, and that great State, that there is nothing in the bill to affect them one way or the other, that their interests have been completely removed from the bill?

Mr. STENNIS. That is certainly the effect of all these amendments. We bring that information out in the Chamber as best we can, and I hope we can inform all the Nation just what is in this bill. We do it to give them warning.

Mr. LONG of Louisiana. How about Dick Gregory? He has been telling humorous stories about integration. Should we not send word to him, wherever he may be, that every section of the country except the South has been completely dropped out of the bill?

Mr. STENNIS. I hope he finds it out. It is not exaggerating one bit to say that some of the strongest proponents of the bill in the Senate have said to the Senator from Mississippi—not in a speech, but in conversation—that they objected to the form of the amendments because they discriminated against the South. They say there is nothing left in the bill except the provisions that would be aimed on the Southern States.

Mr. LONG of Louisiana. We have been led to believe that Senators from the Northern States want to do something for their own people, rather than merely to try to whip the South. They want to do something to change the racial situation in their own States.

Mr. STENNIS. The movement started on that note. But many Senators have heard from home. Many protests have been made. Many of the public protests have been read into the RECORD. Some of our friends were writing to their constituents back home, saying, "Do not worry about the bill. It will not affect our State."

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. RUSSELL. The Senator is eminently correct. Of course, the whole thrust of the bill is now directed at the South. Every one of the amendments is designed to build a wall along the Mason-Dixon line, below which the Department of Justice and all its agencies will continue political forays into the South. They cannot get into the Northern States. The Northern States have been protected.

The Senator from Louisiana referred to Dick Gregory. I read an article the other day in which he said that there was more hypocrisy in the North over the civil rights question in 5 minutes than there was in the entire South. He said that one could find out what the southerners said and what they did, but that in the North there is doubletalk.

They have not fooled all the Negroes about the bill. Even before these amendments were drafted, there was a meeting in Washington on Saturday, April 18. I read from the New York Times of Sunday, April 19:

> MILITANT NEGROES FORM NEW GROUP—NORTHERNERS CRITICIZE RIGHTS BILL AND PROTEST LEADERS
>
> WASHINGTON, April 18.—A dozen Negro leaders from New York, Chicago, and other northern cities denounced today the civil rights bill pending in the Senate and the preoccupation of the heads of national Negro organizations with its passage.
>
> They said they were "not against" the civil rights measure. But they made plain that it was "not needed" and "not something we have asked for."
>
> Their grievance against the national Negro leadership, they said, was the national organizations' anxiety "to please the white community" and thus promote passage of legislation that they declared would mean little or nothing to northern, urban Negroes.

The article contains a list of those who were present, including a Member of the House of Representatives, ADAM CLAYTON POWELL. James Farmer, national director of CORE, was criticized because he did not go along with some of the threatened demonstrations at the opening of the New York World's Fair. But a few of those present were listed.

The article continues:

> He [POWELL] joined in the criticism of the civil rights bill as a measure whose "passage or defeat will not mean very much to two-thirds of the Negro people," particularly in the North.
>
> "Protest demonstrations in the cities have been primarily directed at school segregation policies," Mr. POWELL said. "There is nothing in this bill that would take care of that."

The article continues:

> Other spokesmen denounced the bill as having little or no effect on discrimination in housing or in limiting the economic exploitation of minority groups in the "high rent ghettos" of the urban centers in the North.

Of course, the Senator knows that some Members of this body are on the hotspot on the question of school integration and housing; when there is any question that is going to bring about a conflict between them and any of the voters in their States, they write an amendment that even denies jurisdiction to the Federal courts to deal with segregation in the schools brought about by the ghettos that are maintained in the northern cities. Yet they want to invade the South, where there are no ghettos, where the Negroes and white people live in the same block, and compel them to mix the races in the schools in those areas.

The demonstrations in the North have been directed against this very thing—racial imbalance in the schools—and Members of the Senate from those States have not had the courage to face up to the situation and tell the Negro leaders that they are closing the door to any prospects of having integration of the races in the schools and correcting racial imbalance there.

The same thing is true for housing.

The entire bill has been drawn and designed, and has been redrafted and redesigned, as a punitive thrust against the white people of the South.

One amendment which I saw in a copy that was in circulation deals with the section on voting; it provides that the Attorney General can write a letter to the attorney general of any State and say he does not think it is going to be necessary to enforce the literacy test provision in that State, and thereby exempt that State from the law. Who ever heard of any such thing in the United States—permitting the Attorney General of the United States to write a letter to the attorney general of a State saying, "This act of Congress does not apply in your State because I, the Attorney General of the United States, have so concluded"?

Referring to the public accommodations section, part II, the proponents have picked on any little scrap of any law in any State that undertakes to prohibit the exercise by any owner of a business of a choice of those with whom he will do business, and allows a 90-day delay. They know, of course, that the Southern States do not have laws of that kind.

Mr. President, I measure my words when I say that not even in the days of

Charles Sumner and Thad Stevens was there ever a more bold-faced attempt in the Congress to pass a sweeping, comprehensive bill that would apply only to one section of the country. There never has been in my experience any previous occasion when such a sweeping bill as this was brought up. There has been a scurrying like that of rats for a hole to prevent this act from applying to certain parts of the country. There are those who beat their chests and say, "Oh, what a champion of civil rights I am. I am not going to help enact a civil rights provision that will help the black man in my State, but watch me make those southerners squirm. Wait until I get through with them. What a hero I am."

Mr. President, it is pathetic, it is sickening, it is almost nauseating to see how the bill has been worked upon and worked around until it has application only to the Southern States.

We knew before that it was designed to do that, but certain Senators do not even make a pretense of applying it generally all over the United States. Senators who have not said anything about States rights for 20 years now come out charging and saying, "Oh, we are for civil rights, but we have to protect our local laws and our State FEPC agencies." These agencies may not have decided two cases in 10 years, but they are going to protect their laws, and yet send out armies of Federal agents into the South to harass every form of business.

They say, "We have a perfect public accommodations law in our State." There may have been prosecutions of only four or five cases in years, but they say, "We have a perfect State law, but we will send the Civil Rights Commission, the Attorney General, and the public accommodations officials to prosecute any person in the South who attempts to transact business with those with whom he chooses to do business."

Mr. President, it is a sad day in this country when this bold-faced attempt is made to single out one section of the country for this kind of punishment, to send this kind of punitive expedition into that section, while building a wall around every other section of the country that happens to have any kind of little law that is more honored in the breach than in the observance. In some States it was not even known that such laws existed until a number of letters were received by Members of the Senate from their constituents expressing concern about this bill. Senators wrote back, "Do not worry. This provision does not apply to our State. We have section 444 which says that employers cannot practice discrimination on account of race, and things of that kind. So it does not apply to us."

But the bill is designed to apply solely and exclusively in the Southern States. We have something new in this country when the Attorney General can write a letter exempting a State from a provision of Federal law by saying, "From my lofty perch in Washington, I have looked out across the country and have decided that you are pure."

There are 24 States which have literacy provisions, and if this bill should be enacted into law it will not be 10 days before every State outside the South will be given a clean bill of health by the Attorney General. He will say, "You are pure. We will not investigate you." But Government agents will be swarming all over the Southern States to show the proponents of the pending bill what valiant defenders they are of the civil rights cause.

I regret having taken so much of the Senator's time, but I wished to point out that there are cases now in which the Negroes are not so foolish or so ignorant as not to see through the fraud which is embraced in the compromise.

I received a letter from the U.S. Chamber of Commerce on the FEPC section of the pending bill, suggesting seven amendments that it thought should be applied to the bill. Virtually all these suggestions are incorporated in the amended version of the bill that has been circulated among Members of the Senate.

The great liberals in the Senate followed the U.S. Chamber of Commerce right down the line. There was only one slight deviation. The U.S. Chamber of Commerce suggested that the word "willfully" should be inserted as a compromise.

But the troika used the word "intentionally." However, both are synonymous in every law dictionary.

Mr. STENNIS. To whom does the Senator refer when he mentions "troika"?

Mr. RUSSELL. We know that the troika consists of the Senator from Illinois [Mr. DIRKSEN], the Senator from Minnesota [Mr. HUMPHREY], and the Attorney General of the United States. They are the "troika."

Unfortunately, although the Senate is supposed to be a legislative body, the "lead horse" is the Attorney General, a member of the executive branch of the Government.

Mr. STENNIS. I thank the Senator from Georgia for his very fine contribution to this debate, and the illustration of the information in the hands of colored leaders.

Mr. President, these remarks bring to mind that in the industrial management of FEPC—and I say this with the greatest concern as well as modesty—the South has been engaging in more and more industrial development, building more factories and bringing in more industries. That progress has made the South, to a degree, a rival with other parts of the country. We do not have a great many regulations and restrictions of which industrial manufacturers are getting an overdose in other areas. That is one of the reasons why more and more factories are being built in the South, at least enough to manufacture many of the products which the South consumes. Undoubtedly, that is one of the underlying motivations for the existence of the bill, to place more regulations and restrictions on the thriving industries of the South.

To cite an illustration, I was visiting a small city in Mississippi a year or two ago, inspecting a newly built plant, and after the manager had shown me through it—he had managed plants in other States of the North and East—he referred to his assembly line and told me, which I state with modesty for these are his words, not mine, "That is the best line of workmen I have ever seen."

He was delighted that he had gone South and had opened up this plant and was getting fine results from people who had not done that kind of work for very long. I do not say this boastfully. I say it with humility. Both white and colored workers were employed at that plant. All the members of the community who could qualify on their merit were working there. The manager was glad to get away from the dictation, supervision, and control of some arm of the Government. He relished it, and he was happy there; and we want him to stay there.

I believe that it is the competition now offered by the South that is one of the reasons why some, at least, want to place us under the provisions and operation of the pending civil rights bill.

One further remark about the amendments which I understand will be submitted this afternoon in their final form.

I stated on the floor of the Senate a day or two after debate began that the bill—referring to the bill which had come over from the House of Representatives—was at its high water mark then, that it had more votes to support it then than it would have after the bill becomes exposed for what it is in debate.

I am certainly no prophet, but I have been in the Senate for some time. Events have substantiated that prediction, because the bill that was under debate then has now been abandoned. In effect, it has been withdrawn. One thing after another has been thrown overboard, as the Senator from Georgia has stated. One objection after another from other areas of the country has been taken care of. At present, it is a very different bill. Exception after exception has been taken to it. Under title I of the proposed amendments, for example, the Attorney General of the United States can write a letter to the attorney general of any State and say, "You are not subject to the law," and that State will not have to comply with certain provisions of title I.

Objections came in to balancing the schools, to busing little children from one area of the city to another.

Objection was heard outside the South to that provision, so it was thrown out, partly in the House of Representatives; but after it got to the Senate, the exception was not enough, so the proponents have written in another amendment in the package which is coming over this afternoon, which prohibits the court from signing an order to require the transportation by bus of children from one school to another.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield for a question?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Would it not be fair to state that the position of de facto segregation is just as strong as it ever was; in fact, in some respects it is affirmatively protected by the bill?

Mr. STENNIS. It is frozen. No judge, whatever he may think of the terms of the law in its final form, so long as the amendment is retained, would be permitted to sign an order, taking into consideration any kind of imbalance which may exist in a school, even if it had one colored pupil in it and 999 whites. The judge cannot take into consideration the imbalance that may exist.

Mr. LONG of Louisiana. Is that not the very issue over which the terrible demonstration occurred in the city of Cleveland which led to the tragic event when a young preacher was run over by a bulldozer?

Mr. STENNIS. The Senator is correct.

Mr. LONG of Louisiana. The poor bulldozer operator, in order to avoid a group of demonstrators in front of him, backed his machine away from them and inadvertently ran over the young preacher who was lying down behind it.

Mr. STENNIS. The Senator is correct. It was one of the real tragedies. But the man was mistaken; they were not arguing about the integration of schools. They were arguing about the balancing of the schools, and the effort to balance the number of children of each color. The school had already been integrated. Still I remember a news item which was published next morning which stated, "Young Minister Loses Life in School Integration Crisis."

There was no crisis at all. A new building was under construction. There was no question of integration, because the school was already integrated.

Mr. LONG of Louisiana. Were they not protesting de facto segregation?

Mr. STENNIS. The Senator is correct.

Mr. LONG of Louisiana. Is it not correct that the bill would provide in the law that a judge cannot sign an order against the so-called de facto segregation?

Mr. STENNIS. The people in the North and East who want actual integration have been kicked in the face now, and the judge is even expressly prohibited from signing a court order undertaking to do anything about it.

Mr. LONG of Louisiana. Mr. President, can the Senator point to anything in the bill which would eliminate the ghettos we have heard about? Negroes live in ghettos in certain cities. What would happen to them? Is there anything in the bill to prevent the existence of ghettos?

Mr. STENNIS. Not so far as the Senator from Mississippi knows. There originally was a provision with respect to housing. Because of objections from certain areas, that provision was taken out of the bill, as the Senator knows.

Mr. LONG of Louisiana. I am sure the Senator is familiar with the beautiful passage in the Bible in which Jesus speaks about the mote in a person's eye, which is only a little speck of dust:

> And why beholdest thou the mote that is in thy brother's eye, but perceivest not the beam that is in thine own eye?

And of course the Senator knows that a beam is a big piece of wood.

Mr. STENNIS. Yes; the Senator has well quoted that passage.

Mr. LONG of Louisiana. I believe the passage goes on to quote Jesus as saying:

> Thou hypocrite—

I do not mean that the Senators who are advocating this provision are hypocrites.

Jesus said:

> Thou hypocrite, cast out first the beam out of thine own eye, and then shalt thou see clearly to pull out the mote that is in thy brother's eye.

Does not the spirit of that passage apply to this situation? The first thing that the proponents should do is to help pass a bill that will meet their own problems.

Mr. STENNIS. The Senator is entirely correct.

I am surprised, Mr. President, that there is such a running out on the groups which have been sponsoring these various provisions.

I should like to say a few more words about the FEPC part of the bill. Of course many States already have FEPC laws. As I said, they were passed because the people in those States felt that they wanted that kind of law. However, they should keep control of the problem through their Governors and legislators, who know the problems in those particular areas. The proponents would create a Federal FEPC law, and have it apply in areas of the country which do not have FEPC laws.

That brings to my mind some employment figures, to which reference has already been made. The only legitimate purpose that a provision like the FEPC provision could possibly have would be to give more jobs to minority groups, or to the nonwhite group. That is the only purpose that I have ever heard that was given as a justification for that provision; namely, that it would afford a better chance for people to obtain jobs.

I have before me some statistics furnished by the Bureau of the Census. The Senator from Louisiana has already placed certain figures into the RECORD. They purport to give the unemployment figures of the civilian labor force by color and by States. These figures were furnished by the Bureau of the Census, and were issued in April 1960, and are the latest figures that were made available by the Bureau of the Census. They give the percentage of nonwhite persons who are unemployed. I refer to the State with which I am most familiar, the State of Mississippi. In my State the rate of unemployment among nonwhite citizens was 7.1 percent. I will run down the list of States which already have an FEPC law. For example, on that date Rhode Island had a nonwhite unemployment rate of 10 percent. The great State of Illinois, represented by Senator DOUGLAS and Senator DIRKSEN, had a nonwhite unemployment rate of 11.5 percent, as contrasted with the rate in Mississippi of 7.1 percent.

We have the largest percentage of nonwhite residents of any State in the Union. I could read on through a list of other States. The great State of California, which has an FEPC law, has a nonwhite rate of unemployment of 10 percent.

Consider the great industrial State of Michigan. Ford, General Motors, and many other industries are located in Michigan. On the date in question, Michigan had a nonwhite unemployment rate of 16.3 percent. That is more than twice the rate in the State of Mississippi.

The State of Louisiana, on that day, had a nonwhite unemployment rate of 9.5 percent.

Almost every one of the Southern States, which do not have FEPC laws, but which generally have the highest percentage of nonwhite citizens, has a lower nonwhite unemployment rate than the industrial States, which have FEPC laws. As a matter of fact, 24 of the 25 States which have FEPC laws have a higher nonwhite unemployment rate than Mississippi, although Mississippi has the highest percentage of nonwhite residents.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. Is it not correct to say that if we compare the percentage of white persons who are out of work with the percentage of Negroes who are out of work, the ratio is much better from the standpoint of the Negroes, in the Southern States than it is in the FEPC States? Does that not mean that an FEPC law, rather than providing a poor colored man with a job, is costing him a job? It is worse for him in an FEPC State than it is in a Southern State. Is that not correct?

Mr. STENNIS. It is worse for him in an FEPC State. Yet, in trying to pass this proposed law, the proponents are taking themselves out from under its operation.

Mr. LONG of Louisiana. Based on cold figures, if Federal interference were needed to help a colored man to obtain a job, it is more needed in States which have FEPC laws than in Southern States. Is that not correct?

Mr. STENNIS. Yes.

I respond to the Senator from Louisiana further in this way: This is not the first day that these figures have been brought up. They were placed in the RECORD previously. Nevertheless I have not heard one attempt made to answer them. I believe the reason is not the lack of talent on the part of the proponents, but the fact that there is no answer to be given, except the one that is carried on the very face of the figures.

The lowest rate of nonwhite unemployment exists in our Southern States, and our States do not have FEPC laws.

Mr. LONG of Louisiana. Do not the figures show that in FEPC States, the employers succeed in discriminating against a colored man at least 50 percent or more than in the average Southern State?

Mr. STENNIS. The Senator is correct. Negroes are unemployed at a much higher percentage in FEPC States. In the State of Virginia, the nonwhite unemployment rate was 7.1 percent. The next State to it in the list is the State of Washington, where the nonwhite unemployment rate was 13.4 percent. That is almost 2 to 1 on a percentage basis.

We can illustrate that point from west to east, east to west, south to north, and north to south, in any way we wish. The figures prove that to be the case. I appreciate the questions asked by the Senator from Louisiana and the way he went into this subject.

A great deal has been said about the Attorney General having power to intervene. It is said that he would intervene in certain suits to see that justice is done.

I have some amendments to submit in a few moments. One has to do with the voting rights title of the bill. We talk about the authority of the Attorney General to bring suits, or to intervene in suits. My amendment would provide that in voting right suits the attorney general of a State also would have the right to intervene.

I shall read the operative part:

> No proceeding under this section may be instituted in any district court within any State without notice to the attorney general or other chief legal officer of such State. Such officer shall be entitled as of right to intervene any such action as an interested party.

I have another amendment which would give the attorney general of the State authority to intervene when the defendant is an officer of the State:

> Whenever the defendant in any such action is an officer or employee of a State or political subdivision of a State, the attorney general of that State may intervene in such action upon the same terms and conditions upon which intervention by the Attorney General of the United States is allowed in that action.

Mr. President, I ask unanimous consent that the amendments I now submit may be considered as read for all purposes as may be required under the rules of the Senate.

The **PRESIDING OFFICER** (Mr. BAYH in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. **STENNIS**. Mr. President, I also ask that the amendments be printed and lie on the table.

The **PRESIDING OFFICER**. The amendments will be received and printed, and will lie on the table.

Mr. **STENNIS**. I thank the Chair.

I continue with the discussion of the bill under the general outline of "a grab for power." I do not believe there is anything that goes further than title II, regarding public accommodations, in granting the Attorney General the authority, under the bill as now written, to roam at will. I have heard of roving ambassadors. The bill would make the Attorney General a roving Attorney General, with authority to proceed against any person or group of persons, not when he had cause to believe that a law is being violated; but the bill actually provides that he shall have authority to bring suits against persons if he has reason to believe that the law may be violated in the future.

It is not possible to obtain a search warrant to search even an illegal place of business until some officer makes oath that he at least has reason to believe that the law is being violated there.

But the public accommodations section of the bill would turn the Attorney General loose and permit him to go up and down the highways and byways, and merely by filing an allegation in court, in the form of a suit, that there is a prospect of a pattern of violation, or that it is his belief that a person will not comply with the law, be granted the power to bring into court dozens or scores or hundreds of people and make them defendants.

The danger and injustice of that situation are overwhelming. The Attorney General would have at his side and in his counsel and employment a large number of fine, experienced, smart, bright, talented legal assistants. He would also have at his beck and call all the resources and experience of the FBI, with all of its vast number of competent, capable investigators. He would also have at his command the vast resources of the entire Department of Justice, with its network of offices throughout the United States.

The public accommodations section is so rigged that the Attorney General could proceed almost at will against persons and put pressure upon them and intimidate them. We need not talk about the right of jury trial with reference to many of those people, because they would never get that far, even if the amendment should be adopted. They would be coerced, intimidated, and driven into a corner, and would literally be put out of business.

The owners of small cafes would not have the resources to fight such proceedings. They have only a thin margin of profit anyway.

Consider the little cafe operator. He is an American citizen. He owns a little property. He has worked for a long time and has saved his money. He has invested it and has also borrowed more money from the bank with which to buy appliances for his small cafe.

As the Senator from Louisiana [Mr. LONG] said, he was discriminating in selecting his location. He located it in an area where he would be among his friends and where his business would be convenient to them. They patronize him, and he carries on his business in accordance with the laws of his State and the customs of his community. He serves good food. The atmosphere is congenial and friendly, and his customers return frequently.

Then the order comes. The agent of the Attorney General enters his place of business. Under the terms of the bill, the Attorney General could run him out of business and take away his civil right to choose his customers—which is what the law of Mississippi provides on this subject. The law of Mississippi does not provide that he may not operate his cafe so that both races can eat together; it merely provides that the proprietor shall have the right to choose his customers.

The Federal agent could come in, take down the sign from the wall, and say, "No; the Federal Government will prescribe the pattern for your business and help you to choose your customers. Whether you want them or not, you will have to accept those people as customers." But they will not be real customers. They will not return again as patrons. They will not add anything to the business.

The situation would rapidly develop to the point where the customers that the little cafe formerly had would stop coming. They would leave the proprietor with his tables bare. He would quickly go out of business.

We need not talk about jury trials for such persons. Their cases would never get to a jury. They would be intimidated out of business.

That is one of the tragedies of the entire bill. The little person would have the business he built up over the years with his own money, his own effort, and his own sacrifice, jerked out from under him, so to speak, just as one would jerk a rug out from under a person. His customers would be scattered and gone. He would have nothing left except the notes at the bank, that he had signed and had been paying off, in order to pay for his equipment. He would have to pay them off as best he could.

There is the tragedy. There is the illustration of what could happen as a result of the grant of power that would be provided by the bill.

But even if he were able to compete and try to have his rights adjudicated in court, there would certainly be the coercive power, whereby he would know that for the least little infraction, if the judge were a man of whims and caprice, he could be tried, even on a criminal offense, without a jury.

I am not interested in the amendment from the standpoint of protecting someone from punishment if he were guilty of willfully violating a law. But it is the principle of the American system which has protected our rights, including the greatest right of all, the right of trial by jury, that must be maintained.

It is even emphasized and made more important because of what is now provided by section 302, in title III, which would give the Attorney General power to intervene in any proceeding if a denial of equal protection of the law on account of race or color is alleged. That provision is found on page 13 of the bill, as it is now written. I quote from that section:

> SEC. 302. Whenever an action has been commenced in any court of the United States seeking relief from the denial of equal protection of the laws on account of race, color, religion, or national origin, the Attorney General for or in the name of the United States may intervene in such action. In such an action the United States shall be entitled to the same relief as if it had instituted the action.

Now I read section 303:

> SEC. 303. In any action or proceeding under this title the United States shall be liable for costs, including a reasonable attorney's fee, the same as a private person.

That section is buried in title III, which has to do with desegregation of public facilities. But this language is by no means limited to public facilities. This language is unlimited. It would apply to any kind of action instituted by any person, so long as it was alleged that there had been denial of equal protection of the laws, on account of race, color, religion, or national origin. This provision would allow the Attorney General to intervene. So he could intervene as a plaintiff, regardless of whether the judge wanted him to intervene or not. In other words, the provision does not say the court may let the Attorney General intervene; the provision states that the Attorney General can intervene as a matter of right.

Now I read again the last sentence of section 302:

> In such an action the United States shall be entitled to the same relief as if it had instituted the action.

That would make the United States the dominating plaintiff in the case. Under this provision—and what a grab for power this concealed section is; I call it "the sleeper"—all the Attorney General would have to do, would be to get some dummy to file the suit. Then the court would have to let the Attorney General intervene; and from then on, the Attorney General would dominate the suit. He would have the FBI and the Department of Justice and all their talent at his beck and call, and he would have the use of the funds of the United States. In addition, this provision very definitely would make the United States the plaintiff in the case; and, therefore, the defendant would not be entitled to a jury trial. It is deception and deceit and downright trickery to include this provision in the bill in this way.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield further to me?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. In addition, when the Attorney General came into the suit, not only would the defendant be denied the right of trial by jury, but in the event the Attorney General found that the case was to be tried before a judge about whose views he had some doubt, the Attorney General could bring in two other judges, presumably judges in whose views he would have more confidence; and the Attorney General could thereby get those two outside judges to dominate the case from the bench, could he not?

Mr. STENNIS. That is correct. Never before now has anyone had the audacity to propose such a plan and scheme and to seriously ask that it be enacted into law.

Mr. LONG of Louisiana. Does not the bill include a provision that if someone wishes to file a suit on the ground that he has been discriminated against, he can have a private attorney—any ambulance chaser in the country—file the suit, and then can have the court pay the attorney his fee for suing the defendant?

Mr. STENNIS. Yes. I have already referred to that point; I did so at a time when the Senator from Louisiana had to leave the Chamber briefly. As I have already pointed out, such a dummy plaintiff could even have the Government pay the cost of the attorney's fee.

Mr. LONG of Louisiana. Does the Senator from Mississippi know of any other provision of law by which the Government would pay the fee of the attorney who brought suit against someone?

Mr. STENNIS. No; certainly not.

Mr. LONG of Louisiana. Suppose the person being sued was completely innocent, had done no wrong of any sort: Does the bill include any provision which would result in having the Government pay the attorney's fee of such a defendant in such a prosecution?

Mr. STENNIS. No. But in that connection the Senator has an amendment which would be added to this part of the bill, so that at least there would be fair play if some attorneys' fees were to be paid in that way. If the Government would pick up that check, it should also pick up the check for the little fellow, the innocent defendant.

Mr. LONG of Louisiana. Indeed so. The least that could be done would be to give such a defendant an equal privilege.

Is there not a crime which is referred to as champerty—meaning a proceeding by which a person who is not a party to a suit bargains to aid in it or to carry on its prosecution, in consideration of a share of the matter in suit?

Mr. STENNIS. Yes. In most States that is a crime.

Mr. LONG of Louisiana. But would not the bill actually encourage persons to commit such a crime—in other words, to help someone sue, even though the person helping had no actual interest in the case?

Mr. STENNIS. Certainly the bill goes in that direction, and would encourage such litigation and would stir up litigation. So I think the Senator's point is well taken.

Mr. LONG of Louisiana. When the Senator from Mississippi was in law school, were civil rights at that time thought of as being the rights guaranteed and protected by the Bill of Rights to the U.S. Constitution?

Mr. STENNIS. Yes; civil rights were ordinarily considered to be the rights guaranteed by the first 10 amendments of the U.S. Constitution—in other words, by the Bill of Rights.

Mr. LONG of Louisiana. In that connection, let me refer to the Ten Commandments. The Ten Commandments set out the cardinal sins, but not all sins. Similarly, does not the Bill of Rights set out the cardinal civil rights?

Mr. STENNIS. Yes; and one of them is the right of trial by jury. That right is provided for in two places in the Bill of Rights.

Mr. LONG of Louisiana. Yes; it is guaranteed twice in the Bill of Rights, is it not?

Mr. STENNIS. Yes, as well as one place in the original body of the Constitution.

Mr. LONG of Louisiana. Therefore, would not the pending bill instead of actually being a civil rights bill, really be a bill which would repeal civil rights?

Mr. STENNIS. Yes, because it would end the right of trial by jury, which is one of the most important rights of the American people.

So the bill would circumvent the Constitution, would violate the Bill of Rights, and would nibble away at the edges of the Constitution itself.

Mr. LONG of Louisiana. The bill would actually destroy a considerable part of the Bill of Rights, would it not?

Mr. STENNIS. That is correct.

Mr. LONG of Louisiana. Does not the 10th amendment provide:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Mr. STENNIS. That is correct.

Mr. LONG of Louisiana. Can the Senator from Mississippi think of any power the Federal Government could be denied if it claimed all the powers that would be provided by this bill?

Mr. STENNIS. If the bill became law and were upheld, the result would be to "go overboard"; in that event, there would be an entire abandonment and reversal, so to speak, of the first 10 amendments to the Constitution, the Bill of Rights.

Mr. LONG of Louisiana. Did the Senator read the decision of the Supreme Court yesterday which undertook to say that a U.S. district court could levy a tax? The Court said that it could order a local governing body to levy and collect a tax. That is the same thing as saying that the court could levy a tax.

Mr. STENNIS. Yes. The Constitution of the United States was created by the States themselves. That is the source of all the legal power—the people being the basic source. The States then delegated certain power to the Federal Government to tax, but limited it to Congress. A tax measure must originate in the House of Representatives. But now the Court says to the parents: "We will levy a tax on your property, if you do not do thus and so."

Mr. LONG of Louisiana. Can the Senator think of any more supreme usurpation of power than for the Court to arrogate unto itself the power to tax? Is not that one power that all forms of government vest exclusively in the legislative branch insofar as our form of government is concerned?

Mr. STENNIS. Without any exception, so far as the Senator from Mississippi knows, that is true.

Mr. LONG of Louisiana. The legislative branch could delegate it to the legislative branch of the counties, the school districts, or other agencies. That shows how far this tendency has gone, without any word of the Constitution having been really changed with reference to such matters.

Mr. STENNIS. The Senator is entirely correct.

Mr. President, further in connection with section 302, as I understand, in the rewritten measure—the master amendments that are supposed to be submitted this afternoon—there has been a complete modification of this section 302 that I have referred to, so far as its location in the bill is concerned.

The entire section 302 has been stricken from the bill. It no longer appears in title III. But similar language has been carried over into title IX, and that language reads virtually the same as that which we have been discussing, except for the following provision:

> * * * relief from the denial of equal protection of laws on account of race, color, religion, or national origin, based on the 14th amendment. Then the Attorney General for and in the name of the United States may intervene in such action.

So, even though on the face of it, the master amendment proposes to strike out section 302, as a matter of cold, hard fact, it has only been moved to another place in the bill, under a different title. The 14th amendment has been used as such in the language of the section, which does not detract from the power that the Attorney General would obtain under the section. I do not believe that the meaning of the section would be changed substantially. As rewritten, it has all the vices, all the power, and all the consequences that it had before. The only change is that it has been brought out into the open and placed under another title of the bill. It is not misleading so far as its location in the bill is concerned. It would prove to be among the most far-reaching provisions in the bill. It would prove to be the most arbitrary power that had ever been vested in any Attorney General under any circumstances.

As the Senator from Louisiana [Mr. LONG] pointed out, this process has gone so far that if the Attorney General had a mind to do it, he could find a judge whom he himself appointed, or recommended to the President, at least. Then if he were not satisfied with one or another of these judges, he could, merely by a wave of his hand, so to speak, create a three-judge court.

My complaint is not directed at the judges, or at the court. My complaint is directed at giving anyone such roaming, roving power as this without the limitations and restrictions that we ordinarily impose as a protection for the people. It goes beyond all reason, and is a dangerous precedent to establish.

The Senator from Mississippi believes that if this proposal were in any other bill than a civil rights bill, it would not be seriously considered for one moment.

AMENDMENTS NOS. 644 THROUGH 654

Mr. President, I have certain amendments in which I have an interest. I wish to submit the amendments and make a few remarks in connection therewith.

I ask for unanimous consent that I may do so.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **STENNIS**. I submit an amendment to title I with reference to voting rights, which would make it a Federal crime to incite, assist, or engage in riot, rebellion, disturbance of the peace, and so forth, "against the authority or laws of any State or political subdivision thereof," under color of any provision of the bill. It would also bar any person convicted thereunder from Federal office or employment.

Mr. President, I ask unanimous consent that the amendment may be considered as read, to comply with all the rules of the Senate, and that it be printed and lie on the table.

The **PRESIDING OFFICER**. The amendment will be received and printed, and will lie on the table; and without objection, the request of the Senator from Mississippi is agreed to.

Mr. **STENNIS**. Mr. President, I offer an amendment to provide that whoever institutes or conspires to institute an action against the owner of a business, alleging a denial of equal protection of law, and knowing such allegation to be false, or maliciously with intent to injure such business, shall be liable for treble damages to such owner of a business for damages sustained.

It is an amendment to title III, but it is of general application.

Mr. President, I ask unanimous consent that this amendment be considered as read, to comply with all the rules of the Senate, and that it be printed and lie on the table.

The **PRESIDING OFFICER**. The amendment will be received and printed, and will lie on the table; and, without objection, the request of the Senator from Mississippi is agreed to.

Mr. **STENNIS**. Mr. President, I offer an amendment to amend title III, section 302—title III being on public facilities—concerning the authority of the Attorney General to intervene, by adding a new subsection (b). The proposed subsection (b) would make it unlawful for any person to institute suit, or threaten to institute suit for the purpose of injuring any person in his business, profession, occupation, or governmental office, or employment.

Mr. President, I ask unanimous consent that this amendment also be considered as read in compliance with all the rules of the Senate, and that it be printed and lie on the table.

The **PRESIDING OFFICER**. The amendment will be received and printed, and will lie on the table; and, without objection, the request of the Senator from Mississippi is agreed to.

Mr. **STENNIS**. Mr. President, I have another amendment that applies to title VII, which is the FEPC title. The bill authorizes reference by the Federal courts to a master to hear issues of fact presented by the pleadings. The parties in proceedings of such far-reaching importance should at least have the facts determined by a court.

This amendment deletes the authority for reference of FEPC matters to a master.

I ask unanimous consent that this amendment be considered for all purposes of the rules as having been read, and that it be printed and lie on the table.

The **PRESIDING OFFICER**. The amendment will be received, printed, and lie on the table; and, without objection, the request of the Senator is agreed to.

Mr. **STENNIS**. Mr. President, I have another amendment, to be numbered in the proper way.

The Attorney General must now receive a written complaint, sworn to, of voting violations, with full details, and make a full investigation and find probable cause for belief of violation before filing suit.

Present law only requires the Attorney General to receive the complaint.

I ask that this amendment be considered as read so as to comply with all the rules of the Senate, and that it be printed and lie on the table.

The **PRESIDING OFFICER**. The amendment will be received, printed, and lie on the table; and, without objection, the request of the Senator from Mississippi is agreed to.

Mr. **STENNIS**. Mr. President, I have another amendment, to be numbered properly by the clerk, which would abolish the three-judge courts as a statutory matter under title I of the bill.

I ask that the amendment be considered as read so as to comply with all the rules of the Senate, and that it be printed and lie on the table until further call.

The **PRESIDING OFFICER**. The amendment will be received, printed, and lie on the table; and, without objection, the request of the Senator from Mississippi is agreed to.

Mr. **STENNIS**. Mr. President, I have three other amendments, to be numbered properly by the clerk.

One refers to title V, the Civil Rights Commission, which provides that the FBI is to investigate reports that any organization active in promotion of civil rights or civil rights legislation may be Communist or Communist front, and to furnish the information immediately to the Attorney General, the Civil Rights Commission, and Congress.

The second amendment applies to title III, section 302, the broad authority of the Attorney General to intervene in any action involving a denial of equal protection of the laws.

This amendment would limit such authority, and provide that the Attorney General may only intervene "upon leave granted by the court upon a showing of good cause."

The third amendment relates to section 3691, title 18, United States Code, which provides for jury trial in criminal contempt cases arising in district courts, when the act done or omitted is also a crime under the laws of the United States or any State, except in cases in which the United States is a party.

This amendment would bring all of title I and all contempt proceedings under title I under section 3691 of title 18.

My request is that all the amendments be considered as having been read so as to comply with all the rules of the Senate, that they be printed, and lie on the table until further called.

The **PRESIDING OFFICER**. The amendments will be received, printed, and lie on the table; and, without objection, the request of the Senator from Mississippi is agreed to.

The amendments (Nos. 644 through 654), intended to be proposed by Mr. STENNIS, to House bill 7152, are as follows:

AMENDMENT No. 644

On page 25, between lines 17 and 18, insert the following new section:

"SEC. 508. Whenever the Director of the Federal Bureau of Investigation receives information to the effect that any organization which has for one of its objects or purposes the advocacy or promotion of any legislation for the protection of civil rights, or the elimination of differentiation in the treatment of individuals under color of the assertion of right to the equal protection of the laws, may be a Communist organization, a Communist-front organization, or a Communist-infiltrated organization within the meaning of the Subversive Activities Control Act of 1950, as amended (50 U.S.C. 781), he shall transmit such information promptly to the

Attorney General who shall furnish promptly to the Commission on Civil Rights and to the Congress all available information concerning the identity, membership, objects, and control of such organization."

AMENDMENT No. 645

On page 13, line 8, immediately after the words "United States", insert the words "upon leave granted by the court upon a showing of good cause".

AMENDMENT No. 646

On page 5, line 24, strike out the closing quotation marks.

On page 5, after line 24, insert the following new paragraph:

"Proceedings for contempt arising from the provisions of this section shall be subject to the provisions of section 3691, title 18, United States Code."

AMENDMENT No. 647

On page 13, line 4, immediately after the section number "Sec. 302.", insert the subsection designation "(a)".

On page 13, between lines 10 and 11, insert the following new subsection:

"(b) It shall be unlawful for any person to institute or cause to be instituted, to attempt to institute or cause to be instituted, to make any threat to institute or cause to be instituted, or to combine or conspire with any other person to institute, cause to be instituted, or threaten to institute or cause to be instituted, said action under subsection (a) for the purpose of injuring any person in the business, profession, occupation, or governmental office or employment. The district courts of the United States shall have jurisdiction to prevent and restrain violations of this subsection. It shall be the duty of the several United States district attorneys, in their respective districts, to institute proceedings to prevent and restrain violations of this subsection."

AMENDMENT No. 648

On page 13, line 4, immediately after the section number "Sec. 302.", insert the subsection designation "(a)".

On page 13, between lines 10 and 11, insert the following new subsection:

"(b) Whoever institutes or combines or conspires with any other person to institute any action against any person in any court of the United States alleging any denial by the defendant of equal protection of the laws on account of race, color, religion, or national origin, with knowledge or with reason to believe that such allegation is false, or maliciously with intent to injure the defendant in his business, profession, occupation, or governmental office or employment, shall be liable to such defendant for threefold the amount of the damages sustained by such defendant directly or indirectly in consequence of the institution of such action and a reasonable attorneys fee. Such action for damages may be instituted in any court of competent jurisdiction. The district courts of the United States shall have jurisdiction to hear and determine such actions for damages without regard to the amount in controversy. Process of the district court for any judicial district in any action under this subsection may be served in any other judicial district of the United States by the U.S. Marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States. As used in this subsection, the term 'person' means any individual and any partnership, corporation, association, or other legal entity."

AMENDMENT No. 649

On page 5, line 24, strike out the closing quotation marks.

On page 5, after line 24, insert the following:

"Whoever, acting under color of any provision of this section or of the assertion of any right recognized or protected thereby, incites, sets on foot, assists, or engages in any riot, rebellion, insurrection, or other disturbance of the peace directed against the authority or laws of any State or any political subdivision thereof, or gives aid or comfort to persons engaged in or threatening any such riot, rebellion, insurrection, or disturbance of the peace, shall be fined not more than $10,000, or imprisoned not more than 10 years, or both, and thereafter shall be incapable of holding any office or employment under the United States."

AMENDMENT No. 650

On page 5, line 24, strike out the closing quotation marks.

On page 5, after line 24, insert the following new paragraph:

"No proceeding under this section may be instituted in any district court within any State without notice to the Attorney General or other chief legal officer of such State. Such officer shall be entitled as of right to intervene in any such action as an interested party."

AMENDMENT No. 651

On page 13, line 10, immediately after the period, insert the following new sentence: "Whenever the defendant in any such action is an officer or employee of a State or any political subdivision of a State, the Attorney General of that State may intervene in such action upon the same terms and conditions upon which intervention by the Attorney General of the United States is allowed in that action."

AMENDMENT No. 652

Beginning with line 14, page 4, strike out all to and including line 24, page 5.

AMENDMENT No. 653

On page 5, line 24, strike out the closing quotation marks.

On page 5, after line 24, insert the following:

"No action may be instituted under this section by the Attorney General on behalf of or for the benefit of any person unless such person has submitted to the Attorney General a written complaint, duly subscribed and sworn to under oath by such person, in which there is set forth a full and complete statement of the facts and circumstances relied upon by that person in support of his complaint, including the name, address, and official capacity, if any, of each individual as to whom complaint is made, and a description of each alleged act or omission of such individual which is believed to provide a basis for the institution of action by the Attorney General under this section. No action may be taken by the Attorney General upon any such complaint until the Attorney General has determined, upon the basis of a full and complete investigation conducted by him, that there is probable cause for belief that the violation of law alleged in such complaint in fact has occurred."

AMENDMENT No. 654

Beginning with line 17, page 42, strike out all to and including line 2, page 43.

Mr. STENNIS. Mr. President, at this time I have no further discussion to make on these particular provisions of the bill. Therefore, I suggest the absence of a quorum, and yield the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 255 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Cannon
Carlson
Case
Church
Clark
Cotton
Dirksen
Dominick
Douglas
Ellender
Fong
Gruening
Hart
Hartke
Hickenlooper
Holland
Humphrey
Inouye
Javits
Johnston
Jordan, Idaho
Keating
Kuchel
Lausche
Long, La.
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Mundt
Neuberger
Pell
Proxmire
Ribicoff
Robertson
Russell
Saltonstall
Scott
Smith
Sparkman
Stennis
Symington
Thurmond
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

AMENDMENT NO. 656

Mr. DIRKSEN. Mr. President, I present an amendment, in the nature of a substitute, and ask that it be considered as having been presented and read for purposes of qualifying under the cloture rule.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RUSSELL. Mr. President, as I understand, the Senator from Illinois is merely sending the amendment to the desk, to be printed and to lie on the table, and is asking that it be considered as having been read, for all purposes, under the rule. Is that correct?

Mr. DIRKSEN. Yes; but it is not being called up now.

Mr. RUSSELL. That is the point I wished to have clear.

The amendment, in the nature of a substitute (No. 656), submitted by Mr. DIRKSEN (for himself and other Senators), is to strike out all after the enacting clause of the bill H.R. 7152 and insert in lieu thereof the following:

That this Act may be cited as "The Civil Rights Act of 1964."

TITLE I—VOTING RIGHTS

Sec. 101. Section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), and as further amended by section 601 of the Civil Rights Act of 1960 (74 Stat. 90), is further amended as follows:

(a) Insert "1" after "(a)" in subsection (a) and add at the end of subsection (a) the following new paragraphs:

"(2) No person acting under color of law shall—

"(A) in determining whether any individual is qualified under State law or laws to vote in any Federal election, apply any standard, practice, or procedure different from the standards, practices, or procedures applied under such law or laws to other individuals within the same county, parish, or similar political subdivision who have been found by State officials to be qualified to vote;

"(B) deny the right of any individual to vote in any Federal election because of an error or omission on any record or paper relating to any application, registration, or other act requisite to voting, if such error or omission is not material in determining whether such individual is qualified under State law to vote in such election; or

"(C) employ any literacy test as a qualification for voting in any Federal election unless (i) such test is administered to each individual and is conducted wholly in writing, and (ii) a certified copy of the test and of the answers given by the individual is furnished to him within twenty-five days of the submission of his request made within the period of time during which records and papers are required to be rationed and preserved pursuant to title III of the Civil Rights Act of 1960 (42 U.S.C. 1974–74e; 74 Stat. 88); provided, however, that the Attorney General may enter into agreements with appropriate State or local authorities that preparation, conduct, and maintenance of such tests in accordance with the provisions of applicable State or local law, including such special provisions as are necessary in the preparation, conduct, and maintenance of such tests for persons who are blind or otherwise physically handicapped, meet the purposes of this subparagraph and constitute compliance therewith.

"(3) For the purposes of this subsection—

"(A) the term 'vote' shall have the same meaning as in subsection (e) of this section;

"(B) the phrase 'literacy test' includes any test of the ability to read, write, understand, or interpret any matter."

(b) Insert immediately following the period at the end of the first sentence of subsection (c) the following new sentence: "If in any such proceeding literacy is a relevant fact there shall be a rebuttable presumption that any person who has not been adjudged an incompetent and who has completed the sixth grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico where instruction is carried on predominantly in the English language, possesses sufficient literacy, comprehension, and intelligence to vote in any Federal election."

(c) Add the following subsection "f" and designate the present subsection "(f)" as subsection "(g)":

"(f) When used in subsections (a) or (c) of this section, the words 'Federal election' shall mean any general, special, or primary election held soley or in part for the purpose of electing or selecting any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives."

(d) Add the following subsection "(h)":

"(h) In any proceeding instituted by the United States in any district court of the United States under this section in which the Attorney General requests a finding of a pattern or practice of discrimination pursuant to subsection (e) of this section the Attorney General, at the time he files the complaint, or any defendant in the proceeding, within twenty days after service upon him of the complaint, may file with the clerk of such court a request that a court of three judges be convened to hear and determine the entire case. A copy of the request for a three-judge court shall be immediately furnished by such clerk to the chief judge of the circuit (or in his absence, the presiding circuit judge of the circuit) in which the case is pending. Upon receipt of the copy of such request it shall be the duty of the chief judge of the circuit or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge and another of whom shall be a district judge of the court in which the proceeding was instituted, to hear and determine such case, and it shall be the duty of the judges so designated to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited. An appeal from the final judgment of such court will lie to the Supreme Court.

"In any proceeding brought under subsection (c) of this section to enforce subsection (b) of this section, or in the event neither the Attorney General nor any defendant files a request for a three-judge court in any proceeding authorized by this subsection, it shall be the duty of the chief judge of the district (or in his absence, the acting chief judge) in which the case is pending immediately to designate a judge in such district to hear and determine the case. In the event that no judge in the district is available to hear and determine the case, the chief judge of the district, or the acting chief judge, as the case may be, shall certify this fact to the chief judge of the circuit (or in his absence, the acting chief judge) who shall then designate a district or circuit judge of the circuit to hear and determine the case.

"It shall be the duty of the judge designated pursuant to this section to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited."

TITLE II—INJUNCTIVE RELIEF AGAINST DISCRIMINATION IN PLACES OF PUBLIC ACCOMMODATION

SEC. 201. (a) All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin.

(b) Each of the following establishments which serves the public is a place of public accommodation within the meaning of this title if its operations affect commerce, or if discrimination or segregation by it is supported by State action:

(1) any inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence;

(2) any restaurant, cafeteria, lunch room, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises, including, but not limited to, any such facility located on the premises of any retail establishment; or any gasoline station;

(3) any motion picture house, theater, concert hall, sports arena, stadium, or other place of exhibition or entertainment; and

(4) any establishment (A) (i) which is physically located within the premises of any establishment otherwise covered by this subsection, or (ii) within the premises of which is physically located any such covered establishment, and (B) which holds itself out as serving patrons of such covered establishment.

(c) The operations of an establishment affect commerce within the meaning of this title if (1) it is one of the establishments described in paragraph (1) of subsection (b); (2) in the case of an establishment described in paragraph (2) of subsection (b), it serves or offers to serve interstate travelers or a substantial portion of the food which it serves, or gasoline or other products which it sells, has moved in commerce; (3) in the case of an establishment described in paragraph (3) of subsection (b), it customarily presents films, performances, athletic teams, exhibitions, or other sources of entertainment which move in commerce; and (4) in the case of an establishment described in paragraph (4) of subsection (b), it is physically located within the premises of, or there is physically located within its premises, an establishment the operations of which affect commerce within the meaning of this subsection. For purposes of this section, "commerce" means travel, trade, traffic, commerce, transportation or communication among the several States, or between the District of Columbia and any State, or between any foreign country or any territory or possession and any States or the District of Columbia, or between points in the same State but through any other State or the District of Columbia or a foreign country.

(d) Discrimination or segregation by an establishment is supported by State action within the meaning of this title if such discrimination or segregation (1) is carried on under color of any law, statute, ordinance or regulation; or (2) is carried on under color of any custom or usage required or enforced by officials of the State or political subdivision thereof; or (3) is required by action of the State or political subdivision thereof.

(e) The provisions of this title shall not apply to a bona fide private club or other establishment not open to the public, except to the extent that the facilities of such establishment are made available to the customers or patrons of an establishment within the scope of subsection (b).

SEC. 202. All persons shall be entitled to be free, at any establishment or place, from discrimination or segregation of any kind on the ground of race, color, religion, or national origin, if such discrimination or segregation is or purports to be required by any law, statute, ordinance, regulation, rule or order, of a State or any agency or political subdivision thereof.

SEC. 203. No person shall (a) withhold, deny, or attempt to withhold or deny, or deprive or attempt to deprive, any person of any right or privilege secured by section 201 or 202, or (b) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person with the purpose of interfering with any right or privilege secured by section 201 or 202, or (c) punish or attempt to punish any person for exercising or attempting to exercise any right or privilege secured by section 201 or 202.

SEC. 204. (a) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 203, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the person aggrieved and, upon timely application, the court may, in its discretion permit the Attorney General to intervene in such civil action. Upon application by the complainant and in such circumstances as the court may deem just, the court may appoint an attorney for such complainant and may authorize the commencement of the civil action without the payment of fees, costs or security.

(b) In any action commenced pursuant to this title, the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the costs, and the United States shall be liable for costs the same as a private person.

(c) In the case of an alleged act or practice prohibited by this title which occurs in a State, or political subdivision of a State, which has a State or local law prohibiting such act or practice and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, no civil action may be brought under subsection (a) before the expiration of thirty days after written notice of such alleged act or practice has been given to the appropriate State or local authority by registered mail or in person, provided that the court may stay proceedings in such civil action pending the termination of State or local enforcement proceedings.

(d) In the case of an alleged act or practice prohibited by this title which occurs in a State, or political subdivision of a State, which has no State or local law prohibiting such act or practice, a civil action may be brought under subsection (a): *Provided*, That the court may refer the matter to the Community Relations Service established by title X of this Act for as long as the court believes there is a reasonable possibility of obtaining voluntary compliance, but for not more than sixty days: *Provided further*, That upon expiration of such sixty-day period, the court may extend such period for an additional period, not to exceed a cumulative total of one hundred and twenty days, if it believes there then exists a reasonable possibility of securing voluntary compliance.

SEC. 205. The Service is authorized to make a full investigation of any complaint referred to it by the court under section 204(d) and may hold such hearings with respect thereto as may be necessary. The Service shall conduct any hearings with respect to any such complaint in executive session, and shall not release any testimony given therein except by agreement of all parties involved in the complaint with the permission of the court, and the Service shall endeavor to bring about a voluntary settlement between the parties.

SEC. 206. (a) Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by this title, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights herein described, the Attorney General may bring a civil action in the appropriate district court of the United States by filing with it a complaint (1) signed by him (or in his absence the Acting Attorney General), (2) setting forth facts pertaining to such pattern or practice, and (3) requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order or other order against the person or persons responsible for such pattern or practice, as he deems necessary to insure the full enjoyment of the rights herein described.

(b) In any such proceeding the Attorney General may file with the clerk of such court a request that a court of three judges be convened to hear and determine the case. Such request by the Attorney General shall be accompanied by a certificate that, in his opinion, the case is of general public importance. A copy of the certificate and request for a three-judge court shall be immediately furnished by such clerk to the chief judge of the circuit (or in his absence, the presiding circuit judge of the circuit) in which the case is pending. Upon receipt of the copy of such request it shall be the duty of the chief judge of the circuit or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge and another of whom shall be a district judge of the court in which the proceeding was instituted, to hear and determine such case, and it will be the duty of the judges so designated to assign the case for hearing at the earliest practicable date to participate in the hearing and determination thereof, and to cause the case to be in every way expedited. An appeal from the final judgment of such court will lie to the Supreme Court.

In the event the Attorney General fails to file such a request in any such proceeding, it shall be the duty of the chief judge of the district (or in his absence, the acting chief judge) in which the case is pending immediately to designate a judge in such district to hear and determine the case. In the event that no judge in the district is available to hear and determine the case, the chief judge of the district, or the acting chief judge, as the case may be, shall certify this fact to the chief judge of the circuit (or in his absence, the acting chief judge) who shall then designate a district or circuit judge of the circuit to hear and determine the case.

It shall be the duty of the judge designated pursuant to this section to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited.

SEC. 207. (a) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this title and shall exercise the same without regard to whether the aggrieved party shall have exhausted any administrative or other remedies that may be provided by law.

(b) The remedies provided in this title shall be the exclusive means of enforcing the rights hereby created, but nothing in this title shall preclude any individual or any State or local agency from asserting any right created by any other Federal or State law not inconsistent with this title, including any statute or ordinance requiring nondiscrimination in public establishments or accommodations, or from pursuing any remedy, civil or criminal, which may be available for the vindication or enforcement of such right.

TITLE III—DESEGREGATION OF PUBLIC FACILITIES

SEC. 301. (a) Whenever the Attorney General receives a complaint in writing signed by an individual to the effect that he is being deprived of or threatened with the loss of his right to the equal protection of the laws, on account of his race, color, religion, or national origin, by being denied equal utilization of any public facility which is owned, operated, or managed by or on behalf of any State or subdivision thereof, other than a public school or public college as defined in section 401 of title IV hereof, and the Attorney General believes the complaint is meritorious and certifies that the signer or signers of such complaint are unable, in his judgment, to initiate and maintain appropriate legal proceedings for relief and that the institution of an action will materially further the orderly progress of desegregation in public facilities, the Attorney General is authorized to institute for or in the name of the United States a civil action in any appropriate district court of the United States against such parties and for such relief as may be appropriate, and such court shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section. The Attorney General may implead as defendants such additional parties as are or become necessary to the grant of effective relief hereunder.

(b) The Attorney General may deem a person or persons unable to initiate and maintain appropriate legal proceedings within the meaning of subsection (a) of this section when such person or persons are unable, either directly or through other interested persons or organizations, to bear the expense of the litigation or to obtain effective legal representation; or whenever he is satisfied that the institution of such litigation would jeopardize the personal safety, employment or economic standing of such person or persons, their families, or their property.

SEC. 302. In any action or proceeding under this title the United States shall be liable for costs, including a reasonable attorney's fee, the same as a private person.

SEC. 303. Nothing in this title shall affect adversely the right of any person to sue for or obtain relief in any court against discrimination in any facility covered by this title.

SEC. 304. A "complaint" as used in this title is a "writing or document" within the meaning of title 18, United States Code, section 1001.

TITLE IV—DESEGREGATION OF PUBLIC EDUCATION

Definitions

SEC. 401. As used in this title—

(a) "Commissioner" means the Commissioner of Education.

(b) "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

(c) "Public school" means any elementary or secondary educational institution, and "public college" means any institution of higher education or any technical or vocational school above the secondary school level, provided that such public school or public college is operated by a State, subdivision of a State, or governmental agency within a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental source.

(d) "School board" means any agency or agencies which administer a system of one or more public schools and any other agency which is responsible for the assignment of students to or within such system.

Survey and report of educational opportunities

SEC. 402. The Commissioner shall conduct a survey and make a report to the President and the Congress, within two years of the enactment of this title, concerning the lack of availability of equal educational opportunities for individuals by reason of race, color, religion, or national origin in public educational institutions at all levels in the United States, its territories and possessions, and the District of Columbia.

Technical assistance

SEC. 403. The Commissioner is authorized, upon the application of any school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools, to render technical assistance to such applicant in the preparation, adoption, and implementation of plans for the desegregation of public schools. Such technical assistance may, among other activities, include making available to such agencies information regarding effective methods of coping with special educational problems occasioned by desegregation, and making available to such agencies personnel of the Office of Education or other persons specially equipped to advise and assist them in coping with such problems.

Training institutes

SEC. 404. The Commissioner is authorized to arrange, through grants or contracts, with institutions of higher education for the operation of short-term or regular session institutes for special training designed to improve the ability of teachers, supervisors, counselors, and other elementary or secondary school personnel to deal effectively with special educational problems occasioned by desegregation. Individuals who attend such an institute on a full-time basis may be paid stipends for the period of their attendance at such institute in amounts specified by the Commissioner in regulations, including allowances for travel to attend such institute.

Grants

SEC. 405. (a) The Commissioner is authorized, upon application of a school board, to make grants to such board to pay, in whole or in part, the cost of—

(1) giving to teachers and other school personnel inservice training in dealing with problems incident to desegregation, and

(2) employing specialists to advise in problems incident to desegregation.

(b) In determining whether to make a grant, and in fixing the amount thereof and the terms and conditions on which it will be made, the Commissioner shall take into consideration the amount available for grants under this section and the other applications which are pending before him; the financial condition of the applicant and the other resources available to it; the nature, extent, and gravity of its problems incident to desegregation; and such other factors as he finds relevant.

Payments

SEC. 406. Payments pursuant to a grant or contract under this title may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments, as the Commissioner may determine.

Suits by the Attorney General

SEC. 407. (a) Whenever the Attorney General receives a complaint in writing—

(1) signed by a parent or group of parents to the effect that his or their minor children, as members of a class of persons similarly situated, are being deprived by a school board of the equal protection of the laws, or

(2) signed by an individual, or his parent, to the effect that he has been denied admission to or not permitted to continue in attendance at a public college by reason of race, color, religion, or national origin, and the Attorney General believes the complaint is meritorious and certifies that the signer or signers of such complaint are unable, in his judgment, to initiate and maintain appropriate legal proceedings for relief and that the institution of an action will materially further the orderly achievement of desegregation in public education, the Attorney General is authorized, after giving notice of such complaint to the appropriate school board or college authority and after certifying that he is satisfied that such board or authority has had a reasonable time to adjust the conditions alleged in such complaint, to institute for or in the name of the United States a civil action in any appropriate district court of the United States against such parties and for such relief as may be appropriate, and such court shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section, provided that nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards. The Attorney General may implead as defendants such additional parties as are or become necessary to the grant of effective relief hereunder.

(b) The Attorney General may deem a person or persons unable to initiate and maintain appropriate legal proceedings within the meaning of subsection (a) of this section when such person or persons are unable, either directly or through other interested persons or organizations, to bear the expense of the litigation or to obtain effective legal representation; or whenever he is satisfied that the institution of such litigation would jeopardize the personal safety, employment, or economic standing of such person or persons, their families, or their property.

(c) The term "parent" as used in this section includes any person standing in loco parentis. A "complaint" as used in this section is a "writing or document" within the meaning of title 18, United States Code, section 1001.

SEC. 408. In any action or proceeding under this title the United States shall be liable for costs the same as a private person.

SEC. 409. Nothing in this title shall affect adversely the right of any person to sue for or obtain relief in any court against discrimination in public education.

SEC. 410. Nothing in this title shall prohibit classification and assignment for reasons other than race, color, religion or national origin.

TITLE V—COMMISSION ON CIVIL RIGHTS

SEC. 501. Section 102 of the Civil Rights Act of 1957 (42 U.S.C. 1975a; 71 Stat. 634) is amended to read as follows:

"Rules of procedure of the commission hearings

"SEC. 102. (a) At least thirty days prior to the commencement of any hearing, the Commission shall cause to be published in the Federal Register notice of the date on which such hearing is to commence, the place at which it is to be held and the subject of the hearing. The Chairman, or one designated by him to act as Chairman at a hearing of the Commission, shall announce in an opening statement the subject of the hearing.

"(b) A copy of the Commission's rules shall be made available to any witness before the Commission and a witness compelled to appear before the Commission or required to produce written or other matter shall be served with a copy of the Commission's rules at the time of service of the subpena.

"(c) Any person compelled to appear in person before the Commission shall be accorded the right to be accompanied and advised by counsel, who shall have the right to subject his client to reasonable examination, and to make objections on the record and to argue briefly the basis for such objections. The Commission shall proceed with reasonable dispatch to conclude any hearing in which it is engaged. Due regard shall be had for the convenience and necessity of witnesses.

"(d) The Chairman or Acting Chairman may punish breaches of order and decorum by censure and exclusion from the hearings.

"(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall receive such evidence or testimony or summary of such evidence or testimony in executive session. The Commission shall afford any person defamed, degraded, or incriminated by such evidence or testimony an opportunity to appear and be heard in executive session, with a reasonable number of additional witnesses requested by him, before deciding to use such evidence or testimony. In the event the Commission determines to release or use such evidence or testimony in such manner as to reveal publicly the identity of the person defamed, degraded, or incriminated such evidence or testimony, prior to such public release or use, shall be given at a public session and the Commission shall afford such person an opportunity to appear as a voluntary witness or to file a sworn statement in his behalf and to submit brief and pertinent sworn statements of others. The Commission shall receive and dispose of requests from such person to subpena additional witnesses.

"(f) Except as provided in sections 102 and 105(f) of this Act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

"(g) No evidence or testimony or summary of evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission such evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than one year.

"(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission shall determine the pertinency of testimony and evidence adduced at its hearings.

"(i) Every person who submits data or evidence shall be entitled to retain or, on payment of lawfully prescribed costs, procure a copy or transcript thereof, except that a witness in a hearing held in executive session may for good cause be limited to inspection of the official transcript of his testimony. Transcript copies of public sessions may be obtained by the public upon the payment of the cost thereof. An accurate transcript shall be made of the testimony of all witnesses at all hearings, either public or executive sessions, of the Commission or of any subcommittee thereof.

"(j) A witness attending any session of the Commission shall receive $6 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 10 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $10 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

"(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State wherein the witness is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process except that, in any event, the Commission may issue subpenas for the attendance and testimony of witnesses and the production of written or other matter at a hearing held within fifty miles of the place where the witness is found or resides or is domiciled or transacts business or has appointed an agent for receipt of service of process.

"(l) The Commission shall separately state and currently publish in the Federal Register (1) descriptions of its central and field organization including the established places at which, and methods whereby, the public may secure information or make requests; (2) statements of the general course and method by which its functions are channeled and determined, and (3) rules adopted as authorized by law. No person shall in any manner be subject to or required to resort to rules, organization or procedure not so published.

SEC. 502. Section 103(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975b(a); 71 Stat. 634) is amended to read as follows:

"SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $75 per day for each day spent in the work of the Commission, shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from his usual place of residence, in accordance with section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 732b-2; 60 Stat. 808)."

SEC. 503. Section 103(b) of the Civil Rights Act of 1957 (42 U.S.C. 1975b(b); 71 Stat. 634) is amended to read as follows:

"(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from his usual place of residence, in accordance with the provisions of the Travel Expenses Act of 1949, as amended (5 U.S.C. 835–42; 63 Stat. 166)."

SEC. 504. (a) Section 104(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975c(a); 71 Stat. 635), as amended, is further amended to read as follows:

"Duties of the Commission

"SEC. 104. (a) The Commission shall—

"(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

"(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, or national origin or in the administration of justice;

"(3) appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution because of race, color, religion, or national origin or in the administration of justice;

"(4) serve as a national clearinghouse for information in respect to denials of equal protection of the laws because of race, color, religion, or national origin, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, and transportation, or in the administration of justice;

"(5) investigate allegations, made in writing and under oath or affirmation, that citizens of the United States are unlawfully being accorded or denied the right to vote, or to have their votes properly counted, in any election of presidential electors, Members of the United States Senate, or of the House of Representatives, as a result of any patterns or practice of fraud or discrimination in the conduct of such election; and

"(6) Nothing in this or any other Act shall be construed as authorizing the Commission, its Advisory Committees, or any person under its supervision or control to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club or any religious organization."

(b) Section 104(b) of the Civil Rights Act of 1957 (42 U.S.C. 1975c(b); 71 Stat. 635), as amended, is further amended by striking out the present subsection "(b)" and by substituting therefor "(b) The Commission shall submit interim reports to the Preesident and to the Congress at such times as the Commission, the Congress or the President shall deem desirable, and shall submit to the President and to the Congress a final report of its activities, findings, and recommendations not later than January 31, 1968."

SEC. 505. Section 105(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975d(a); 71 Stat. 636) is amended by striking out in the last sentence thereof "$50 per diem" and inserting in lieu thereof "$75 per diem."

SEC. 506. Section 105(f) and Section 105 (g) of the Civil Rights Act of 1957 (42 U.S.C. 1975d (f) and (g); 71 Stat. 636) are amended to read as follows:

"(f) The Commission, or on the authorization of the Commission any subcommittee of two or more members, at least one of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this Act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this Act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman. The holding of hearings by the Commission, or the appointment of a subcommittee to hold hearings pursuant to this subparagraph, must be approved by a majority of the Commission, or by a majority of the members present at a meeting at which at least a quorum of four members is present."

"(g) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce pertinent, relevant and nonprivileged evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof."

SEC. 507. Section 105 of the Civil Rights Act of 1957 (42 U.S.C. 1975d; 71 Stat. 636), as amended by section 401 of the Civil Rights Act of 1960 (52 U.S.C. 1975d (h); 74 Stat. 89), is further amended by adding a new subsection at the end to read as follows:

"(i) The Commission shall have the power to make such rules and regulations as are necessary to carry out the purposes of this Act."

TITLE VI—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

SEC. 601. No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

SEC. 602. Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity by issuing rules, regulations, or orders, of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and, shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been so found, or (2) by any other means authorized by law: *Provided, however,* That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means. In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

SEC. 603. Any department or agency action taken pursuant to section 602 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 602, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with section 10 of the Administrative Procedure Act, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of that section.

SEC. 604. Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment.

TITLE VII—EQUAL EMPLOYMENT OPPORTUNITY

Definitions

SEC. 701. For the purposes of this title—

(a) the term "person" includes one or more individuals, labor unions, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(b) The term "employer" means a person engaged in an industry affecting commerce who has twenty-five or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, and any agent of such a person, but such term does not include (1) the United States, a corporation wholly owned by the Government of the United States, or a State or political subdivision thereof, (2) a bona fide private membership club (other than a labor organization) which is exempt from taxation under section 501(c) of the Internal Revenue Code of 1954: *Provided,* That during the first year after the effective date prescribed in subsection (a) of section 716, persons having fewer than one hundred employees (and their agents) shall not be considered employers, and, during the second year after such date, persons having fewer than seventy-five employees (and their agents) shall not be considered employers, and, during the third year after such date, persons having fewer than fifty employees (and their agents) shall not be considered employers: *Provided further,* that it shall be the policy of the United States to insure equal employment opportunities for Federal employees without discrimination because of race, color, religion, sex or national origin and the President shall utilize his existing authority to effectuate this policy.

(c) The term "employment agency" means any person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person; but shall not include an agency of the United States, or an agency of a State or political subdivision of a State, except that such term shall include the United States Employment Service and the system of State and local employment services receiving Federal assistance.

(d) The term "labor organization" means a labor organization engaged in an industry affecting commerce, and any agent of such an organization, and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.

(e) A labor organization shall be deemed to be engaged in an industry affecting commerce if (1) it maintains or operates a hiring hall or hiring office which procures employees for an employer or procures for employees opportunities to work for an employer, or (2) the number of its members (or, where it is a labor organization composed of other labor organizations or their representatives, if the aggregate number of the members of such other labor organization) is (A) one hundred or more during the first year after the effective date prescribed in subsection (a) of section 716, (B) seventy-five or more during the second year after such date or fifty or more during the third year, or (C) twenty-five or more thereafter, and such labor organization—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended;

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection.

(f) The term "employed" means an individual employed by an employer.

(g) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States; or between points in the same State but through a point outside thereof.

(h) The term "industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Reporting and Disclosure Act of 1959.

(i) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act.

Exemption

SEC. 702. This title shall not apply to an employer with respect to the employment of aliens outside any State, or to a religious corporation, association, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, or society of its religious activities or to an educational institution with respect to the employment of individuals to perform work connected with the educational activities of such institution.

Discrimination because of race, color, religion, sex, or national origin

SEC. 703. (a) It shall be an unlawful employment practice for an employer—

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

(b) It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin, or to classify or refer for employment any individual on the basis of his race, color, religion, sex, or national origin.

(c) It shall be an unlawful employment practice for a labor organization—

(1) to exclude or to repel from its membership, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin;

(2) to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's race, color, religion, sex, or national origin; or

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs to discriminate against any individual because of his race, color, religion, sex, or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.

(e) Notwithstanding any other provision of this title, (1) it shall not be an unlawful employment practice for an employer to hire and employ employees, for an employment agency to classify, or refer for employment any individual, for a labor organization to classify its membership or to classify or refer for employment any individual, or for an employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining programs to admit or employ any individual in any such program, on the basis of his religion, sex, or national origin in those certain instances where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise, and (2) it shall not be an unlawful employment practice for a school, college, university, or other educational institution or institution of learning to hire and employ employees of a particular religion if such school, college, university, or other educational institution or institution of learning is, in whole or in substantial part, owned, supported, controlled or managed by a particular religion or by a particular religious corporation, association, or society, or if the curriculum of such school, college, university, or other educational institution or institution of learning is directed toward the propagation of a particular religion.

(f) As used in this title, the phrase "unlawful employment practice" shall not be deemed to include any action or measure taken by an employer, labor organization, joint labor-management committee, or employment agency with respect to an individual who is a member of the Communist Party of the United States or of any other organization required to register as a Communist-action or Communist-front organization by final order of the Subversive Activities Control Board pursuant to the Subversive Activities Control Act of 1950.

(g) Notwithstanding any other provision of this title, it shall not be an unlawful employment practice for an employer to fail or refuse to hire and employ any individual for any position, for an employer to discharge any individual from any position, or for an employment agency to fail or refuse to refer any individual for employment in any position, or for a labor organization to fail or refuse to refer any individual for employment in any position, if—

(1) the occupancy of such position, or access to the premises in or upon which any part of the duties of such position is performed or is to be performed, is subject to any requirement imposed in the interest of the national security of the United States under any security program in effect pursuant to or administered under any statute of the United States or any Executive Order of the President; and

(2) such individual has not fulfilled or has ceased to fulfill that requirement.

(h) Notwithstanding any other provision of this title, it shall not be an unlawful employment practice for an employer to apply different standards of compensation, or different terms, conditions, or privileges of employment pursuant to a bona fide seniority or merit system, or a system which measures earnings by quantity or quality of production or to employees who work in different locations, provided that such differences are not the result of an intention to discriminate because of race, color, religion, sex, or national origin.

(i) Nothing contained in this title shall apply to any business or enterprise on or near an Indian reservation with respect to any publicly announced employment practice of such business or enterprise under which a preferential treatment is given to any individual because he is an Indian living on or near a reservation.

(j) Nothing contained in this title shall be interpreted to require any employer, employment agency, labor organization, or joint labor-management committee subject to this title to grant preferential treatment to any individual or to any group because of the race, color, religion, sex or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex or national origin employed by any employer, referred or classified for employment by any employment agency or labor organization, admitted to membership or classified, by any labor organization, or admitted to, or employed in, any apprenticeship or other training program, in comparison with the total number or percentage of persons of such race, color, religion, sex, or national origin in any community, State, section, or other area, or in the available work force in any community, State, section, or other area.

Other unlawful employment practices

SEC. 704. (a) It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this title, or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this title.

(b) It shall be an unlawful employment practice for an employer, labor organization, or employment agency to print or publish or cause to be printed or published any notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, sex, or national origin, except that such a notice or advertisement may indicate a preference, limitation, specification, or discrimination based on religion, sex, or national origin when religion, sex, or national origin is a bona fide occupational qualification for employment.

Equal Employment Opportunity Commission

SEC. 705. (a) There is hereby created a commission to be known as the Equal Employment Opportunity Commission, which shall be composed of five members, not more than three of whom shall be members of the same political party, who shall be appointed by the President by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years, beginning from the date of enactment of this title, but their successors shall be appointed for terms of five years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Commission, and one member to serve as Vice Chairman. The Chairman shall be responsible on behalf of the Commission for the administrative operations of the Commission, and shall appoint, in accordance with the civil service laws, such officers, agents, attorneys, and employees as it deems necessary to assist it in the performance of its functions and to fix their compensation in accordance with the Classification Act of 1949, as amended. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members thereof shall constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noticed.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the action it has taken; the names, salaries, and duties of all individuals in its employ and the moneys it has disbursed; and shall make such further reports on the cause of and means of eliminating discrimination and such recommendations for further legislation as may appear desirable.

(e) The Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2201–2209), is further amended—

(1) by adding to section 105 thereof (5 U.S.C. 2204) the following clause:

"(32) Chairman, Equal Employment Opportunity Commission"; and

(2) by adding to clause (45) of section 106(a) thereof (5 U.S.C. 2205(a)) the following:

"Equal Employment Opportunity Commission (4)."

(f) The principal office of the Commission shall be in or near the District of Columbia, but it may meet or exercise any or all its powers at any other place. The Commission may establish such regional or State offices as it deems necessary to accomplish the purpose of this title.

(g) The Commission shall have power—

(1) to cooperate with and, with their consent, utilize regional, State, local, and other agencies, both public and private, and individuals;

(2) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents the same witness and mileage fees as are paid to witnesses in the courts of the United States;

(3) to furnish to persons subject to this title such technical assistance as they may request to further their compliance with this title or an order issued thereunder;

(4) upon the request of (i) any employer, whose employees or some of them, or (ii) any labor organization, whose members or some of them, refuse or threaten to refuse to cooperate in effectuating the provisions of this title, to assist in such effectuation by conciliation or such other remedial action as is provided by this title;

(5) to make such technical studies as are appropriate to effectuate the purposes and policies of this title and to make the results of such studies available to the public;

(6) to refer matters to the Attorney General with recommendations for intervention in a civil action brought by an aggrieved party under section 706, or for the institution of a civil action by the Attorney General under section 707, and to advise, consult, and assist the Attorney General on such matters.

(h) Attorneys appointed under this section may, at the direction of the Commission, appear for and represent the Commission in any case in court.

(i) The Commission shall, in any of its educational or promotional activities, cooperate with other departments and agencies in the performance of such educational and promotional activities.

Prevention of unlawful employment practices

SEC. 706. (a) Whenever it is charged in writing under oath by a person claiming to be aggrieved, or a written charge has been filed by a member of the Commission where he has reasonable cause to believe a violation of this title has occurred (and such charge sets forth the facts upon which it is based) that an employer, employment agency, or labor organization has engaged in an unlawful employment practice, the Commission shall furnish such employer, employment agency, or labor organization (hereinafter referred to as the "respondent") with a copy of such charge and shall make an investigation of such charge, provided that such charge shall not be made public by the Commission. If the Commission shall determine, after such investigation, that there is reasonable cause to believe that the charge is true, the Commission shall endeavor to eliminate any such alleged unlawful employment practice by informal methods of conference, conciliation, and persuasion. Nothing said or done during and as a part of such endeavors may be made public by the Commission without the written consent of the parties, or used as evidence in a subsequent proceeding. Any officer or employee of the Commission, who shall make public in any manner whatever any information in violation of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned not more than one year.

(b) In the case of an alleged unlawful employment practice occurring in a State, or political subdivision of a State, which has a State or local law prohibiting the unlawful employment practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, no charge may be filed under subsection (a) by the person aggrieved before the expiration of sixty days after proceedings have been commenced under the State or local law, unless such proceedings have been earlier terminated, provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State or local law. If any requirement for the commencement of such proceedings is imposed by a State or local authority other than a requirement of the filing of a written and signed statement of the facts upon which the proceeding is based, the proceeding shall be deemed to have been commenced for the purposes of this subsection at the time such statement is sent by registered mail to the appropriate State or local authority.

(c) In the case of any charge filed by a member of the Commission alleging an unlawful employment practice occurring in a State or political subdivision of a State, which has a State or local law prohibiting the practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, the Commission shall, before taking any action with respect to such charge, notify the appropriate State or local officials and, upon request, afford them a reasonable time, but not less than sixty days (provided that such sixty-day period shall be extended to one hundred and twenty day during the first year after the effective date of such State or local law), unless a shorter period is requested, to act under such State or local law to remedy the practice alleged.

(d) A charge under subsection (a) shall be filed within ninety days after the alleged unlawful employment practice occurred, except that in the case of an unlawful employment practice with respect to which the person aggrieved has followed the procedure set out in subsection (b), such charge shall be filed by the person aggrieved within two hundred and ten days after the alleged unlawful employment practice occurred, or within thirty days after receiving notice that the State or local agency has terminated the proceedings under the State or local law, whichever is earlier, and a copy of such charge shall be filed by the Commission with the State or local agency.

(e) If within thirty days after a charge is filed with the Commission or within thirty days after expiration of any period of reference under subsection (c) (except that in either case such period may be extended to not more than sixty days upon a determination by the Commission that further efforts to secure voluntary compliance are warranted), the Commission has been unable to obtain voluntary compliance with this title, the Commission shall so notify the person aggrieved and a civil action may, within thirty days thereafter, be brought against the respondent named in the charge (1) by the person claiming to be aggrieved, or (2) if such charge was filed by a member of the Commission, by any person whom the charge alleges was aggrieved by the alleged unlawful employment practice. Upon application by the complainant and in such circumstances as the court may deem just, the court may appoint an attorney for such complainant and may authorize the commencement of the action without the payment of fees, costs, or security. Upon timely application, the court may, in its discretion, permit the Attorney General to intervene in such civil action. Upon request, the court may, in its discretion, stay further proceedings for not more than sixty days pending the termination of State or local proceedings described in subsection (b) or the efforts of the Commission to obtain voluntary compliance.

(f) Each United States district court and each United States court of a place subject to the jurisdiction of the United States shall have jurisdiction of actions brought under this title.

Such an action may be brought in any judicial district in the State in which the unlawful employment practice is alleged to have been committed, in the judicial district in which the employment records relevant to such practice are maintained and administered, or in the judicial district in which the plaintiff would have worked but for the alleged unlawful employment practice, but if the respondent is not found within any such district, such an action may be brought within the judicial district in which the respondent has his principal office. For purposes of sections 1404 and 1406 of title 28 of the United States Code, the judicial district in which the respondent has his principal office shall in all cases be considered a district in which the action might have been brought.

(g) If the court finds that the respondent has intentionally engaged in or is intentionally engaging in an unlawful employment practice charged in the complaint, the court may enjoin the respondent from engaging in such unlawful employment practice, and order such affirmative action as may be appropriate, which may include reinstatement or hiring of employees, with or without back pay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice). Interim earnings or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the back pay otherwise allowable. No order of the court shall require the admission or reinstatement of an individual as a member of a union or the hiring, reinstatement, or promotion of an individual as an employee, or the payment to him of any back pay, if such individual was refused admission, suspended, or expelled or was refused employment or advancement or was suspended or discharged for any reason other than discrimination on account of race, color, religion, sex or national origin or in violation of section 704(a).

(h) The provisions of the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932 (29 U.S.C. 101-115), shall not apply with respect to civil actions brought under this section.

(i) In any case in which an employer, employment agency, or labor organization fails to comply with an order of a court issued in a civil action brought under subsection (e), the Commission may commence proceedings to compel compliance with such order.

(j) Any civil action brought under subsection (e) and any proceedings brought under subsection (i) shall be subject to appeal as provided in sections 1291 and 1292, title 28, United States Code.

(k) In any action or proceeding under this title the court, in its discretion, may allow the prevailing party, other than the Commission or the United States, a reasonable attorney's fee as part of the costs, and the Commission and the United States shall be liable for costs the same as a private person.

SEC. 707. (a) Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by this title, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights herein described, the Attorney General may bring a civil action in the appropriate district court of the United States by filing with it a complaint (1) signed by him (or in his absence the Acting Attorney General), (2) setting forth facts pertaining to such pattern or practice, and (3) requesting such relief, including an application for a permanent or temporary injunction, restraining order or other order against the person or persons responsible for such pattern or practice, as he deems necessary to insure the full enjoyment of the rights herein described.

(b) The district courts of the United States shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section, and in any such proceeding the Attorney General may file with the clerk of such court a request that a court of three judges be convened to hear and determine the case. Such request by the Attorney General shall be accompanied by a certificate that, in his opinion, the case is of general public importance. A copy of the certificate and request for a three-judge court shall be immediately furnished by such clerk to the chief judge of the circuit (or in his absence, the presiding circuit judge of the circuit) in which the case is pending. Upon receipt of such request it shall be the duty of the chief judge of the circuit or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge and another of whom shall be a district judge of the court in which the proceeding was instituted, to hear and determine such case, and it shall be the duty of the judges so designated to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited. An appeal from the final judgment of such court will lie to the Supreme Court.

In the event the Attorney General fails to file such a request in any such proceeding, it shall be the duty of the chief judge of the district (or in his absence, the acting chief judge) in which the case is pending immediately to designate a judge in such district to hear and determine the case. In the event that no judge in the district is available to hear and determine the case, the chief judge of the district, or the acting chief judge, as the case may be, shall certify this fact to the chief judge of the circuit (or in his absence, the acting chief judge) who shall then designate a district or circuit judge of the circuit to hear and determine the case.

It shall be the duty of the judge designated pursuant to this section to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited.

Effect on State laws

SEC. 708. Nothing in this title shall be deemed to exempt or relieve any person from any liability, duty, penalty, or punishment provided by any present or future law of any State or political subdivision of a State, other than any such law which purports to require or permit the doing of any act which would be an unlawful employment practice under this title.

Investigations, inspections, records, State agencies

SEC. 709. (a) In connection with any investigation of a charge filed under section 706, the Commission or its designated representative shall at all reasonable times have access to, for the purposes of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to unlawful employment practices covered by this title and is relevant to the charge under investigation.

(b) The Commission may cooperate with State and local agencies charged with the administration of State fair employment practices laws and, with the consent of such agencies, may for the purpose of carrying out its functions and duties under this title and within the limitation of funds appropriated specifically for such purpose, utilize the services of such agencies and their employees and, notwithstanding any other provision of law, may reimburse such agencies and their employees for services rendered to assist the Commission in carrying out this title. In furtherance of such cooperative efforts, the Commission may enter into written agreements with such State or local agencies and such agreements may include provisions under which the Commission shall refrain from processing a charge in any cases or class of cases specified in such agreements and under which no person may bring a civil action under section 706 in any cases or class of cases so specified, or under which the Commission shall relieve any person or class of persons in such State or locality from requirements imposed under this section. The Commission shall rescind any such agreement whenever it determines that the agreement no longer serves the interest of effective enforcement of this title.

(c) Except as provided in subsection (d), every employer, employment agency, and labor organization subject to this title shall (1) make and keep such records relevant to the determinations of whether unlawful employment practices have been or are being committed, (2) preserve such records for such periods, and (3) make such reports therefrom, as the Commission shall prescribe by regulation or order, after public hearing, as reasonable, necessary, or appropriate for the enforcement of this title or the regulations or orders thereunder. The Commission shall, by regulation, require each employer, labor organization, and joint labor-management committee subject to this title which controls an apprenticeship or other training program to maintain such records as are reasonably necessary to carry out the purposes of this title, including, but not limited to, a list of applicants who wish to participate in such program, including the chronological order in which such applications were received, and shall furnish to the Commission, upon request, a detailed description of the manner in which persons are selected to participate in the apprenticeship or other training program. Any employer, employment agency, labor organization, or joint labor-management committee which believes that the application to it of any regulation or order issued under this section would result in undue hardship may (1) apply to the Commission for an exemption from the application of such regulation or order, or (2) bring a civil action in the United States district court for the district where such records are kept. If the Commission or the court, as the case may be, finds that the application of the regulation or order to the employer, employment agency, or labor organization in question would impose an undue hardship, the Commission or the court, as the case may be, may grant appropriate relief.

(d) The provisions of subsection (c) shall not apply to any employer, employment agency, labor organization, or joint labor-management committee with respect to matters occurring in any State or political subdivision thereof which has a fair employment practice law during any period in which such employer, employment agency, labor organization, or joint labor-management committee is subject to such law, except that the Commission may require such notations on records which such employer, employment agency, labor organization, or joint labor-management committee keeps or is required to keep as are necessary because of differences in coverage or methods of enforcement between the State or local law and the provisions of this title. Where an employer is required by Executive Order 10925, issued March 6, 1961, or by any other Executive Order prescribing fair employment practices for Government contractors and subcontractors, or by rules or regulations issued thereunder, to file reports relating to his employment practices with any Federal agency or committee, and he is substantially in compliance with such requirements, the Commission shall not require him to file additional reports pursuant to subsection (c) of this section.

(e) It shall be unlawful for any officer or employee of the Commission to make public in any manner whatever any information obtained by the Commission pursuant to its authority under this section prior to the institution of any proceeding under this title involving such information. Any officer or employee of the Commission who shall make public in any manner whatever any information in violation of this subsection shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more than $1,000, or imprisoned not more than one year.

Investigatory powers

SEC. 710. (a) For the purposes of any investigation of a charge filed under the authority contained in section 706, the Commission shall have authority to examine witnesses under oath and to require the production of documentary evidence relevant or material to the charge under investigation.

(b) If the respondent named in a charge filed under section 706 fails or refuses to comply with a demand of the Commission for permission to examine or to copy evidence in conformity with the provisions of section 709(a), or if any person required to comply with the provisions of section 709 (c) or (d) fails or refuses to do so, or if any person fails or refuses to comply with a demand by the Commission to give testimony under oath, the United States district court for the district in which such person is found, resides, or transacts business, shall, upon application of the Commission, have jurisdiction to issue to such person an order requiring him to comply with the provisions of sections 709 (c) or (d) or to comply with the demand of the Commission, but the attendance of a witness may not be required outside the State where he is found, resides, or transacts business and the production of evidence may not be required outside the State where such evidence is kept.

(c) Within twenty days after the service upon any person charged under section 706 of a demand by the Commission for the production of documentary evidence or for permission to examine or to copy evidence in conformity with the provisions of section 709(a), such person may file in the district court of the United States for the judicial district in which he resides, is found, or transacts business, and serve upon the Commission a petition for an order of such court modifying or setting aside such demand. The time allowed for compliance with the demand in whole or in part as deemed proper and ordered by the court shall not run during the pendency of such petition in the court. Such petition shall specify each ground upon which the petitioner relies in seeking such relief, and may be based upon any failure of such demand to comply with the provisions of this title or with the limitations generally applicable to compulsory process or upon any constitutional or other legal right or privilege of such person. No objection which is not raised by such a petition may be urged in the defense to a proceeding initiated by the Commission under subsection (b) for enforcement of such a demand unless such proceeding is commenced by the Commission prior to the expiration of the twenty-day period, or unless the court determines that the defendant could not reasonably have been aware of the availability of such ground of objection.

(d) In any proceeding brought by the Commission under subsection (b), except as provided in subsection (c) of this section, the defendant may petition the court for an order modifying or setting aside the demand of the Commission.

Notices to be posted

SEC. 711. (a) Every employer, employment agency, and labor organization, as the case may be, shall post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment, and members are customarily posted a notice to be prepared or approved by the Commission setting forth excerpts from or, summaries of, the pertinent provisions of this title and information pertinent to the filing of a complaint.

(b) A willful violation of this section shall be punishable by a fine of not more than $100 for each separate offense.

Veterans' preference

SEC. 712. Nothing contained in this title shall be construed to repeal or modify any Federal, State, territorial, or local law creating special rights or preference for veterans.

Rules and regulations

SEC. 713. (a) The Commission shall have authority from time to time to issue, amend, or rescind suitable procedural regulations to carry out the provisions of this title. Regulations issued under this section shall be in conformity with the standards and limitations of the Administrative Procedure Act.

(b) In any action or proceeding based on any alleged unlawful employment practice, no person shall be subject to any liability or punishment for or on account of (1) the commission by such person of an unlawful employment practice if he pleads and proves that the act or omission complained of was in good faith, in conformity with, and in reliance on any written interpretation or opinion of the Commission, or (2) the failure of such person to publish and file any information required by any provision of this title if he pleads and proves that he failed to publish and file such information in good faith, in conformity with the instructions of the Commission issued under this title regarding the filing of such information. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that (A) after such act or omission, such interpretation or opinion is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect, or (B) after publishing or filing the description and annual reports, such publication or filing is determined by judicial authority not to be in conformity with the requirements of this title.

Forcibly resisting the Commission or its representatives

SEC. 714. The provisions of section 111, title 18, United States Code, shall apply to officers, agents, and employees of the Commission in the performance of their official duties.

Special study by Secretary of Labor

SEC. 715. The Secretary of Labor shall make a full and complete study of the factors which might tend to result in discrimination in employment because of age and of the consequences of such discrimination on the economy and individuals affected. The Secretary of Labor shall make a report to the Congress not later than June 30, 1965, containing the results of such study and shall include in such report such recommendations for legislation to prevent arbitrary discrimination in employment because of age as he determines advisable.

Effective date

SEC. 716. (a) This title shall become effective one year after the date of its enactment.

(b) Notwithstanding subsection (a), sections of this title other than sections 703, 704, 706, and 707 shall become effective immediately.

(c) The President shall, as soon as feasible after the enactment of this title, convene one or more conferences for the purpose of enabling the leaders of groups whose members will be affected by this title to become familiar with the rights afforded and obligations imposed by its provisions, and for the purpose of making plans which will result in the fair and effective administration of this title when all of its provisions become effective. The President shall invite the participation in such conference or conferences of (1) the members of the President's Committee on Equal Employment Opportunity, (2) the members of the Commission on Civil Rights, (3) representatives of State and local agencies engaged in furthering equal employment opportunity, (4) representatives of private agencies engaged in furthering equal employment opportunity, and (5) representatives of employers, labor organizations, and employment agencies who will be subject to this title.

TITLE VIII—REGISTRATION AND VOTING STATISTICS

SEC. 801. The Secretary of Commerce shall promptly conduct a survey to compile registration and voting statistics in such geographic areas as may be recommended by the Commission on Civil Rights. Such a survey and compilation shall, to the extent recommended by the Commission on Civil Rights, include a count of persons of voting age by race, color, and national origin, and determination of the extent to which such persons are registered to vote, and have voted in any statewide primary or general election in which the Members of the United States House of Representatives are nominated or elected, since January 1, 1960. Such information shall also be collected and compiled in connection with the Nineteenth Decennial Census, and at such other times as the Congress may prescribe. The provisions of the section 9 and chapter 7 of title 13, United States Code, shall apply to any survey, collection or compilation of registration and voting statistics carried out under this title, provided, however, that no person shall be compelled to disclose his race, color, national origin, political party affiliation, how he voted, or the reasons therefore, nor shall any penalty be imposed for his failure or refusal to make such disclosure. Every person interrogated orally, by written survey or questionnaire or by any other means with respect to such information shall be fully advised with respect to his right to fail or refuse to furnish such information.

TITLE IX—INTERVENTION AND PROCEDURE AFTER REMOVAL IN CIVIL RIGHTS CASES

SEC. 901. Title 28 of the United States Code, section 1447(d), is amended to read as follows:

"An order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise, except that an order remanding a case to the State court from which it was removed pursuant to section 1443 of this title shall be reviewable by appeal or otherwise."

SEC. 902. Whenever an action has been commenced in any court of the United States seeking relief from the denial of equal protection of the laws under the Fourteenth Amendment to the Constitution on account of race, color, religion, or national origin, the Attorney General for or in the name of the United States may intervene in such action, if the Attorney General certifies that the case is of general public importance. In such action the United States shall be entitled to the same relief as if it had instituted the action.

TITLE X—ESTABLISHMENT OF COMMUNITY RELATIONS SERVICE

SEC. 1001. (a) There is hereby established in the Department of Commerce a Community Relations Service (hereinafter referred to as the "Service"), which shall be headed by a Director who shall be appointed by the President with the advice and consent of the Senate for a term of four years. The Director is authorized to appoint, subject to the Civil Service laws and regulations, such other personnel as may be necessary to enable the Service to carry out its functions and duties, and to fix their compensation in accordance with the Classification Act of 1949, as amended. The Director is further authorized to procure services as authorized by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55(a)), but at rates for individuals not in excess of $75 per diem.

(b) Section 106(a) of the Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2205(a)), is further amended by adding the following clause thereto:

"(52) Director, Community Relations Service."

SEC. 1002. It shall be the function of the Service to provide assistance to communities and persons therein in resolving disputes, disagreements, or difficulties relating to discriminatory practices based on race, color, or national origin which impair the rights of persons in such communities under the Constitution or laws of the United States or which affect or may affect interstate commerce. The Service may offer its services in cases of such disputes, disagreements or difficulties whenever, in its judgment, peaceful relations among the citizens of the community involved are threatened thereby, and it may offer its services either upon its own motion or upon the request of an appropriate State or local official or other interested person.

SEC. 1003. (a) The Service shall, whenever possible, in performing its functions, seek and utilize the cooperation of appropriate State or local, public or private, agencies.

(b) The activities of all officers and employees of the Service in providing conciliation assistance shall be conducted in confidence and without publicity, and the Service shall hold confidential any information acquired in the regular performance of its duties upon the understanding that it would be so held. No officer or employee of the Service shall engage in the performance of investigative or prosecuting functions of any Department or agency in any litigation arising out of a dispute in which he acted on behalf of the Service. Any officer or other employee of the Service, who shall make public in any manner whatever any information in violation of this subsection, shall be deemed guilty of a misdeameanor and, upon conviction thereof, shall be fined not more than $1,000 or imprisoned not more than one year.

SEC. 1004. Subject to the provisions of sections 205 and 1003(b), the Director shall, on or before January 31 of each year, submit to the Congress a report of the activities of the Service during the preceding fiscal year.

TITLE XI—MISCELLANEOUS

SEC. 1101. (a) In all cases of criminal contempt arising under the provisions of this Act, the accused, upon conviction, shall be punished by fine or imprisonment or both: *Provided, however*, That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of six months: *Provided further*, That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however*, That in the event such proceeding for criminal contempt be tried before a judge without a jury the aggregate fine shall not exceed the sum of $300 nor any cumulative imprisonment exceed thirty days. If the trial is by a jury, the procedure shall conform as near as may be to that in other criminal cases.

(b) Section 151 of the Civil Rights Act of 1957 (41 Stat. 638) is amended by striking out the third proviso to the first paragraph thereof, and inserting in lieu thereof the following: "*Provided further, however*, That in the event such proceeding for criminal contempt be tried before a judge without a jury the aggregate fine shall not exceed the sum of $300 nor any cumulative imprisonment exceed thirty days. If the trial is by a jury, the procedure shall conform as near as may be to that in other criminal cases."

SEC. 1102. Nothing in this Act shall be construed to deny, impair, or otherwise affect any right or authority of the Attorney General or of the United States or any agency or officer thereof under existing law to institute or intervene in any action or proceeding.

SEC. 1103. Nothing contained in any title of this Act shall be construed as indicating an intent on the part of Congress to occupy the field in which any such title operates to the exclusion of State laws on the same subject matter, nor shall any provision of this Act be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this Act, or any provision thereof.

SEC. 1104. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 1105. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Mr. DIRKSEN. Mr. President, this amendment represents not merely weeks, but months of labor. It goes back to the time when the bill was first introduced; namely, when it was the President's bill, in the Judiciary Committee of the Senate, and title II in the Commerce Committee of the Senate. It occurs to me that from that day on we have been fairly laboring with the bill, early and late. At long last, we awaited the results of the consideration of it by the House of Representatives. In due course, by an overwhelming majority, the House passed a civil rights bill, which was subsequently messaged to the Senate, and ultimately found its way to the calendar of the Senate.

I believe 16 days of discussion were had on the motion to take up the bill, before there finally was a vote. Since that time the bill has been before the Senate for discussion, long and short. I must confess that when I first looked at the House bill, I saw in it some inequities and imperfections and technical errors which did not satisfy me. I believed that the Senate would have to work its will upon this measure in order to develop what I thought was a measure at once practical, workable, equitable, and fair, and one which had a proper regard for what the States had done in a number of fields, notably in the accommodations field and in the field of equal employment opportunities.

The work has gone on, and we have been beating out the iron upon the anvil of discussion. In that discussion at least five conferences were held, consecutively, in my office, attended by Senators who represent all shades of opinion with respect to this measure. Included were Members on both sides, as well as staffs from both sides. Included also were the Attorney General, the Deputy Attorney General, and the Director of the Division of Civil Rights in the Department of Justice.

Prior to that time, along with the staff, I had drafted about 70 modifications in the House bill; and from time to time those have been presented and discussed in the policy committee of my own party.

As a result of the various conferences, and by the process of give and take, we have at long last fashioned what we think is a workable measure. I trust it will commend itself to the Senate and that, in due course, if that course is necessary, it will command sufficient votes ultimately to bring debate to an end, in the sense that the cloture rule provides.

If my memory serves me correctly, this is the 64th day that the Senate has been considering the bill. The Senate has been fairly immobilized, except for minor and secondary bills which have been permitted to be considered. We have now reached the point where there must be action; and I trust that there will be action. I believe this is a salable piece of work, one that is infinitely better than what came to us from the House.

In the House of Representatives, the bill was discussed for a period of 64 hours. In that period of time, the House considered 155 amendments, of which 34 were adopted. I would be the last person in the world to reflect upon the craftsmanship and workmanship of the House of Representatives. But I know it is a large body. I know that at times it must be a little unwieldy. I know the restrictive quality of the rules under which the House operates.

So we worked our will upon this measure. Frankly, I believe it is a good measure and would take us well down the road and will prove to be fair, equitable, and easy of administration.

At some future time—and I apprehend it will be next week—I expect to devote myself to this measure at some length. I shall not do so today. But I must indicate now that this proposal is being submitted for myself, for the majority leader, the very distinguished Senator from Montana [Mr. MANSFIELD]; for the deputy majority leader, the very distinguished Senator from Minnesota [Mr. HUMPHREY]; and for the deputy minority leader, the very distinguished Senator from California [Mr. KUCHEL].

As I look back now now upon the time that has been devoted to the bill, I doubt very much whether in my whole legislative lifetime any measure has received so much meticulous attention. We have tried to be mindful of every word, of every comma, and of the shading of every phrase. We have attempted to be fair in giving everyone an opportunity to present his cause.

In our own party conferences—four or five in number—over which the distinguished Senator from Massachusetts [Mr. SALTONSTALL] presided, we first went through the handiwork that we had put together. Everything in the bill was examined. Ultimately, Senators who had individual amendments to offer had a fair opportunity to present them and have them considered; and they were either acceptable or not. In many cases, by modifying the language, many of those amendments were made acceptable. So this is a well-rounded piece of work and is not unlike what happens in a smithy, where the blacksmith, early and late, carefully shapes a product. So on the anvil of controversy and discussion this amendment has been shaped. I am proud to present it for the sponsor and the cosponsors. I trust that at a reasonably early date it may come on for consideration. There is no disposition to cut short the time. We believe it ought to be before the Senate for a time, so Senators may examine it in detail. But a time will come, unless other measures fail, or unless other procedures are not adequate to our cause, when we may have to resort to a cloture motion. I do not peg the date. We do not want to be capricious or arbitrary about it. We believe every Senator should have an opportunity to study the proposal. The amendment in the nature of a substitute is obviously open to further amendment, because we do not want to close the door.

Mr. President, that is the story for the moment. At a later time, I shall wish to speak on the question at some length.

Mr. MANSFIELD. Mr. President, I wish to support what the distinguished minority leader has just said and to give him full credit for the leadership which he has undertaken in trying to prepare this amendment in the nature of a substitute which has just been laid before the chair. The amendment will not, of course, meet with the approval of every Member of this body. No such measure could. But it is the best that could be done through the combined efforts of such outstanding Senators as the distinguished minority leader [Mr. DIRKSEN], the deputy majority leader, the distinguished Senator from Minnesota [Mr. HUMPHREY], and the deputy minority leader, the distinguished Senator from California [Mr. KUCHEL].

We were ably aided by the staffs of both the Republicans and the Democrats. To them also should go a great share of the credit for hammering out on the anvil the proposal that has just been laid before the Senate.

Due to the fact that the bill, in one form or another, has now been pending before the Senate for close to 70 days, I express the hope that it will not be too long before an attempt is made to invoke cloture, because, in my opinion, that is the only way by which we can face the issue, an issue which I sincerely wish had come before my time or afterward. But the issue is here, and it cannot be evaded, dodged, or delayed much longer.

Furthermore, I would hope that no one would raise the question as to what the President should do concerning what is the Senate's responsibility. The President has made his position clear. The courts have made their decisions clear. The House has rendered its verdict. What happens now is up to the Senate, and to the Senate only. It is not up to the executive branch, but to the legislative branch of the Government.

I hope, along with the distinguished minority leader, that before too long the Senate will face the issue and will dispose of it one way or another.

Mr. DIRKSEN. Mr. President, I should like to particularize the services rendered by Charles Ferris and Kenneth Teasdale, on the majority side; and by Cornelius Kennedy, Bernard Waters, and Clyde Flynn, on the minority side. If ever I have seen a spirit of dedication in connection with any measure, they have exhibited that spirit day in and day out, not for weeks, but for months.

Mr. HUMPHREY. Mr. President, first, I wish to join the distinguished majority leader in commending the distinguished minority leader on his statesmanship, his cooperation, and his diligence in this effort to bring before the Senate a constructive and workable piece of legislation. I join also in the commendation of the staff members, not only those mentioned, but others who worked alongside these able members of the staffs of the majority and minority—the members of our own senatorial staffs. In particular, I would like to add to that list of able counsel cited by the minority leader my commendations to Gerald Grinstein, John Stewart, Ray Wolfinger, and Harry Schwartz, all of whose efforts and dedication were so exemplary of the type of staff we had assisting us. There are many other staff persons who should be mentioned.

Mr. President, we have sought to make the civil rights bill which came to the Senate not only workable in terms of its administration, application, and enforceability, but also acceptable, not only to Congress, but to the American people, as well.

Problems of civil rights will ultimately be settled at the community level. The Federal Government has its share of the responsibility, in the sense that all of us are citizens of the United States of America, but these are also human problems, economic problems, moral problems, and they become very much community problems.

Therefore, one of the improvements I see in the amendment in the nature of a substitute, which has been submitted by the Senator from Illinois [Mr. DIRKSEN], is the inclusion within the words and text of the amendment of provision for the responsibility of local and State authorities to seek compliance with the law, wherever possible, through voluntary methods; and, if voluntary methods fail, to seek compliance with the law through local enforcement. If voluntary methods and local enforcement should both fail, we then have the authority to seek compliance with the law through action by the Federal Government in the courts of law. This is a commonsense and just balance of Federal and State responsibility.

Mr. DIRKSEN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. DIRKSEN. Mr. President, from time to time, in comments made in the press and elsewhere generally on the question of civil rights legislation, one might have been inclined to assume that we approached this task with the idea of watering down the bill. However, no such thought ever entered our minds.

It has been said by some that we sought to impair the bill; but we had no such intention.

It has been said by some that we sought to weaken the bill structurally. But, Mr. President, we had no such intention.

We had the fixed purpose and the fixed goal of arriving at a workable measure in every one of its titles, while giving proper regard to what the States already have done in this field. I yield to no one in my regard for the State legislatures, the State commissions, and the State criminal statutes in connection with public accommodations, because I have said over and over again that the primary and the exclusive jurisdiction, where those verities were involved, should begin at the State level; and it has been wholly our purpose to make this measure a fair and workable one.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield to me, to permit me to ask the Senator from Illinois one question on this point?

Mr. HUMPHREY. I yield.

Mr. JAVITS. I think that as this word goes out to the world, the Senator should make clear—because I know how he has labored on this measure; and it has been materially beaten out as on an anvil, as he has said—that not only was it his intention not to omit any title, but also that he affirms and stands ready to demonstrate that no title is omitted, and that he is willing to prove it by his amendments; and that no title has been emasculated; and that the fundamental structure of the bill remains.

Mr. DIRKSEN. That is a correct statement; and it is the attitude with which we approached this measure.

Mr. HUMPHREY. Mr. President, the Senator's clarification is indeed helpful. We have strengthened the responsibility for community action.

I repeat that the procedures thus outlined allow time to be used for the purposes of voluntary conciliation and mediation, so that reason, good judgment, and commonsense may be brought to bear upon these difficult problems of civil rights.

The procedures thus outlined provide time, so that men of good will, logic, and reason can work within a framework of law to seek solutions of these difficulties.

Furthermore, the amendments which now have been designed and placed before the Senate encourage the States and the local communities to take a greater share of the responsibility in carrying out the equal protection of the laws and equal rights within the laws.

Mr. President, I have said a number of times that I was prepared to do whatever I could, as one Senator, to work out a bill which would be a workable instrument and would be a reasonable instrument and would be an enforcible instrument, and which, above all, would work to the common good in our Nation. I truly believe that what we have done is to include within the amendment which has been sent to the desk the spirit of reconciliation and conciliation and the spirit of a practical, commonsense approach to the difficult problems we face as a nation.

I also wish to emphasize that any Senator can offer amendments to this substitute amendment. No Senator is foreclosed from bringing additional matters to the attention of his colleagues for their consideration and vote. But let us soon come to the time where votes will be possible, where the Senate can begin to legislate instead of procrastinate. This fact needs emphasis and more emphasis.

The main amendments are to be found in titles II, V, VI, and VII. In each of them, and particularly in titles II and VII, local and State responsibilities are emphasized—not merely local and States rights. Both rights and responsibilities are clearly outlined and brought into play. I will discuss these amendments at greater length later this week. I hope all Senators will become familiar with these new proposals.

Therefore, it is my view that the Senate has before it legislative proposals which can represent a major breakthrough in what now appears to be an impasse. I hope that within a very reasonable period of time we shall complete our work in this area and shall come to a decision on civil rights legislation. This is a decision which is already far too long overdue. The hour is late. Let us delay no longer.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. RUSSELL. Mr. President, I have been seeking recognition.

Mr. HUMPHREY. Mr. President, I yield the floor.

Mr. KUCHEL. Mr. President——

Mr. RUSSELL. Mr. President, for some time I have been seeking the floor.

The **PRESIDING OFFICER.** The Chair understood that the Senator from Minnesota was yielding.

Mr. HUMPHREY. I was yielding; but then I understood there was objection.

Mr. RUSSELL. Mr. President, I did not object; but I believe I would be justified in objecting to the handing of the floor from one to another of the proponents involved in these historic negotiations.

However, I do not wish to be offensive. So if the Senator from Minnesota wishes to yield to the Senator from California I certainly will not object, but at least I hope several other Senators will not thereafter be yielded to before I have an opportunity to say a few words on this measure.

I realize that those who have participated in this historic gathering feel "it is all over now," except for counting the votes and sending the messages to the States that are not to be covered by the bill, and sending the emissaries of the FBI to the States that are to be covered by it.

Mr. HUMPHREY. Mr. President, those of us who have worked on this measure do not feel that way. We are most respectful of our colleagues. We feel there should be time to consider this measure.

I would yield to the Senator from California [Mr. KUCHEL], because he is one of those who have carefully and diligently worked to perfect this measure.

Mr. RUSSELL. Mr. President, I shall not object; but I have been seeking recognition ever since the minority leader concluded his remarks.

I understood the Senator from Minnesota to say he yielded the floor. If there is any doubt about that, I shall refer to the RECORD, and shall ascertain from it whether I correctly understood what the Senator from Minnesota said.

Mr. HUMPHREY. That is correct; I yielded the floor, because I did not care to have any question raised, even though just before that, I had yielded to the Senator from California. Certainly I wish to avoid any objection.

Mr. RUSSELL. The Senator from Georgia did not understand that the Senator from Minnesota had yielded to the Senator from California. Nevertheless, I am very glad to have the Senator from California proceed.

Mr. KUCHEL. Mr. President, the pathway to equal treatment under law for all Americans is a long and tortuous one.

I apprehend that before too many days or weeks have passed, the Senate bill will have passed another milestone in that journey. I shall never forget the opportunity that I have had in the past several weeks to sit around a conference table in the office of my Republican leader, where men of good will from both great American political parties serving in the Senate and men from the executive branch met and together tried to fashion a meaningful bill on this important subject and bring it to the Senate in the faith that not merely a majority of the Senate would support it, but that an overwhelming majority of the Senate would support it.

I salute the two leaders of the majority party for their indefatigable, fair, and worthwhile efforts in fashioning what is now presented to the Senate as an amendment in the nature of a substitute. I am sure that they would not in any fashion wish me to fail to say what I say now.

The distinguished leader of the minority has set a high standard. He gave of himself unselfishly. He has worked literally 7 days a week, 7 nights a week with an able staff, for whom I have the most unbounded respect. I likewise respect the able staff of the majority party in high degree. By reason of those conferences, followed by conferences in which Republicans alone participated—and which lasted for many hours, and over several days—I think I can say with some assurance that this represents a meaningful, effective, reasonable, and fair civil rights amendment.

As my colleague from Minnesota has stated, it recognizes the individual responsibility upon this free land of ours. And it recognizes also the responsibilities of States and of the American citizen. But it also recognizes the responsibility of the Federal Government. And thus, it has clothed the Federal Government, through the responsible Federal officials, with authority under the provisions of the bill to assist American citizens—black or white, Christian or Jew, rich or poor—in achieving equality of treatment and justice under the American Constitution. Thus, it will be a thrill that will live in my heart that I was able to participate in those meetings and listen to the discussion.

As I conclude, I repeat that I pay great tribute to the legislative skill, the legal ability, the monumental patience, and the desire to go forward which was represented in all the discussions by distinguished Senators on this side of the aisle.

This is not a partisan matter. This is a matter of American concern. When I say that I apprehend the Senate will put its imprimatur on this legislation, it will have done so because Americans in the Senate, Democrats and Republicans, will have united in approving it.

As the Senator from Illinois [Mr. DIRKSEN] stated, and as our Democratic colleagues have stated, the amendment in the nature of a substitute when it is made the pending business will be open to amendment by any Member of the Senate who may offer such amendments as he believes are necessary.

Thus, in the last analysis, the genius of this parliamentary system will have profited. Senators will have an opportunity to study any part or parcel, sentence, or phrase of the amendment in the nature of a substitute, in which I am glad to have joined as coauthor.

Mr. RUSSELL. Mr. President, I hope I may be pardoned for not opening my remarks by adding my bouquets to the praise that covers the distinguished Senator from Illinois [Mr. DIRKSEN]. I shall defer my bouquet until later, when I shall have had an opportunity to further study and analyze not only the amendment in the nature of a substitute, but also the statements that the Senator from Illinois has made from time to time about the proposed legislation.

I have been interested in following the activities of the distinguished Senator from Illinois with respect to the amendment in the nature of a substitute. As we pass out all these flowers, as we commend the leadership for what has been done, and as we call the Senator from Illinois the Senator of Senators for having finally come to rescue of the fair damsel just before the Indians seized her, I cannot help wondering what has happened to the Attorney General.

All I know about the various conferences that were held concerning the amendments to the bill is what I have read in the press. Day after day, the lead paragraph—as I believe newspapermen call it—of articles reporting on all these conferences has referred to the Attorney General's views. "The Attorney General said he would not accept this." "The Attorney General said he thought he might accept this, and that he was working to contrive language to see whether he could accept what the Senator from Illinois had proposed."

I had thought that this marvelous legislative package would be brought down the aisle of the Senate by a great troika—the Senator from Illinois, the Senator from Minnesota, and the Attorney General. They were the three figures that we read most about in the press reports of the conferences on the bill.

From what I had read of the Attorney General's position, I had assumed that he was the center horse of the Troika, and had something to do with the history-making, earth-shaking, so-called compromise that has been brought forward.

Later I shall discuss in some detail some of the news articles. They caused me great concern. I am somewhat of a relic in the Senate. I can remember back in the days when people mentioned States rights, and did not use it as a smokescreen to cover up legislation to protect all of the States except the Southern States from punitive, political expeditions such as this bill proposes. I can remember when States rights meant something, when Senators defended the rights of their States and the rights of all States, because of the principle of government known as the separation of powers, or the division of powers.

Since I came to the Senate, committees of the Senate have requested the Attorney General to advise them with respect to legislative matters. In times past, before I came here, a branch of Congress had passed resolutions which requested the Attorney General to render an opinion as to some legal matter. The then Attorney General had stated:

> No. Under the separation of powers, I am a member of the executive branch of the Government. I cannot advise the legislative branch by giving them an opinion.

He cited two sections of the code.

After reading of the Attorney General's activities with respect to the amendments to the bill, my concern was so great that I addressed a letter to the Attorney General under date of May 7. I wrote:

> DEAR MR. ATTORNEY GENERAL: It has been my understanding that, up to the present time, the Department of Justice as a matter of policy as well as from lack of clear statutory authority has not rendered any legal opinions to the Congress or to individual Members thereof.
>
> In recent days, Members of the Senate have read into the CONGRESSIONAL RECORD a number of opinions purporting to be from the Attorney General giving official interpretations of the effect of various provisions of H.R. 7152 as well as expressing your official views as to the limitations, effect and scope of the authority that would be granted by the Congress in the event this bill should be enacted into law.
>
> This leads me to request from you an official statement as to your concept of the policy of your office in giving legal opinions in response to requests of individual Members of the Congress. I would also be glad if you would set forth what you regard as your official role in the conferences being reported daily in the press between the Attorney General and a number of his assistants with the leadership of both parties in the Senate as well as with other Senators. .

I received a reply after a lapse of some days. The letter is dated May 12. The letter from the Attorney General reads:

> I have your letter of May 7, 1964, and am pleased to answer your inquiries concerning the recent actions of this Department in furnishing information and legal analysis concerning H.R. 1752 to Members of the Senate.
>
> You are correct in your understanding that the Department of Justice has traditionally declined to give official legal opinions to the Congress, its Members and committees. As pointed out by Attorney General Mitchell in a letter to the President of the Senate, dated April 25, 1932 (36 Op. A.G. 533), the relevant statutes (5 U.S.C. 303 and 304) do not authorize the Attorney General to give such opinions "except upon call of the President or at the request of one of the heads of the executive departments to enable him to decide a question pending in his own department for action."
>
> Attorney General Mitchell's letter was written in response to a Senate resolution asking for his opinion on the question whether certain transactions of railroad companies were in violation of the antitrust laws. After discussing a number of precedents—

I may interpolate here to say that beginning in 1820 every Attorney General of the United States, with the exception of the present occupant of that Office, who has been requested to render opinions by Congress has stated he could not do so under the law and under the general concept of the separation of powers of our Government.

I realize that I am talking about something that does not mean anything in today's world—separation of powers. Senators say, "Why do you bring up some old, wornout theory such as that?"

Mr. President, we would not be here in this Chamber today, enjoying the glories of the United States, had it not been for the doctrine of separation of powers that is being eroded away today through the efforts of many men in high public office.

I continue to read from the Attorney General's letter:

> After discussing a number of precedents, he properly informed the Senate of his obligation to decline its request. However, he was careful to distinguish between the resolution before him and congressional requests made to an Attorney General in connection with pending legislation:

And then he quotes one brief quotation from Attorney General Mitchell's letter. It is taken out of context, but states:

> "When pending legislation affecting the Department of Justice has been referred to Attorneys General for comment or suggestion, it has been their practice to suggest such legal points as are pertinent and which ought to receive consideration by committees."

It is an ironic note in these proceedings to read those words, "to receive consideration by committees," when the bill we are considering—the most comprehensive and far-reaching bill to come before the Senate in many years—was not sent to any committee, except the troika committee, after it left the House of Representatives.

I continue to read from the letter of the Attorney General:

> I believe that the action of this Department which has in part occasioned your inquiry—i.e., the transmittal of a number of legal discussions bearing on the provisions of H.R. 7152 in response to inquiries from Members of the Senate—clearly falls within the area of permissible conduct which Mr. Mitchell marked out.

I now invite the attention of the distinguished Senator from Montana [Mr. MANSFIELD] to the remainder of this letter, because he said the President has had nothing to do with the Senate's action on the bill. The Attorney General says he was sitting in the troika committee as a representative of the President:

> Turning to my role, and that of my assistants, in the conferences with Senators to which you refer, I believe it is important to mention the constitutional duties of the President in the field of legislation. Article II, section 3 of the Constitution provides that the President "shall from time to time give to the Congress Information on the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient."
>
> In furtherance of this basic responsibility, the executive branch necessarily presents its views to Congress and Members thereof, formally or informally, on bills recommended by the President, as well as other proposed legislation. Since the President cannot carry out his constitutional duties in the legislative arena by himself—

I am not sure the Attorney General is acquainted with the present power of the President of the United States, but at least it is theoretically correct to say that he cannot carry out his duties in the legislative arena by himself.

The letter continues:

> he must rely to a great extent on his chief subordinates and their principal aids to discuss pending measures with members of the legislative branch.

Then he refers to a finding by the Hoover Commission Task Force on Departmental Management, which stated that a department head has a constitutional obligation both to consult with and to inform the legislature.

The letter continues:

> It is in this role—

That is, as representative of the President of the United States—

> that my assistants and I have been attending, at the suggestion of Senators MANSFIELD and DIRKSEN, the conferences on H.R. 7152 which you mentioned in your letter.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a brief summary of the findings and letters from the various Attorneys General of the United States, beginning with Attorney General William Wirt in 1820, declining to be drawn into rendering any opinion to the Congress or any member thereof.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

> In 1820, Attorney General William Wirt, in a letter responding to the reference of a claim on which his opinion was sought, indicated that it was not his duty to give official opinions to the House of Representatives. He commented that, "If it was thought advisable to connect the Attorney General with the House of Representatives in that character of legal counselor which he holds by the existing law toward the Presi-

dent and heads of departments, a provision would be made by law for that purpose."

In 1832, Attorney General R. B. Taney wrote to the chairman of the Committee on Military Affairs, who had sought his opinion on the question of whether Congress had the power to review the sentence of a general court-martial. In deciding that he should not express an official opinion on this subject, Attorney General Taney said, "It is for Congress to consider and decide upon the extent of its power over a matter of this description; and it would hardly, perhaps, be deemed to be within the legitimate scope of the duties of the Attorney General, who is subordinate officer of the executive department, to attempt to mark out the limitations of the legislative power."

In 1852, Attorney General J. J. Crittendon held that it was not within the province of the Attorney General to advise the House Committee on Commerce as to the validity of a claim pending before it. He relied on the precedent of the 1820 opinion of Attorney General Wirt.

In 1861, Attorney General Edward Bates declined to render an opinion on a petition that had been referred to him by a Senate resolution. He cited earlier opinions of Attorney General Wirt and Attorney General Crittendon that, in the absence of any statutory authority to give official opinions to the legislative department of the Government, the assumption of such a power by the Attorney General would be in violation of his oath of office and of dangerous example.

In 1869, Attorney General William M. Evarts decided that he could not comply with a request from the Senate Committee on Naval Affairs for an opinion on a case referred by that committee. He said that, "It has been distinctly held by my distinguished predecessors, Mr. Wirt, Mr. Taney, Mr. Crittendon, and Mr. Bates that it was not competent for the Attorney General to give opinions concerning any matters pending in Congress upon the request of either of the Houses or of any committee."

In 1872, Attorney General George H. Williams declined to give advice to the House Committee on Foreign Affairs which had referred certain claims to him with a request for an official opinion on them.

In 1873, the Senate Committee on Indian Affairs directed the acting Secretary of the Interior to request an opinion from the Attorney General on a question of treaty construction. In declining to give this opinion, Attorney General George H. Williams stated that "Several of my predecessors have decided, and on three different occasions I have affirmed their views, that the Attorney General was not authorized to give his official opinion upon a call of either House of Congress or any committee thereof, as to any matter pending before Congress. * * * I fully recognize the right of the head of any of the departments to call upon me for an official opinion in respect to any question of law pending before the department by whose head the call is made, and I consider it my duty promptly to respond to such a call; but I cannot recognize the right of any committee of Congress to call for such an opinion for their use in matters of legislation; and if given for that purpose it would be entitled to no more consideration in Congress than the opinion of any other individual presumed to have a knowledge of legal matters."

In 1882, a Senate resolution directed the Attorney General to investigate and report on who were the owners of the land and water power at the Great Falls of the Potomac. A letter from Acting Attorney General S. F. Phillips to the President of the Senate indicated that any information on the subject in the records of the department would be gladly furnished, but that the investigation was not within the duties of the Attorney General as prescribed by law. He quoted opinions previously mentioned in this note to the effect that "it is not competent for the Attorney General, in the absence of a statutory requirement, to give opinions concerning any matter pending in Congress upon the request of either of the Houses, or of any committee."

In 1882, Attorney General Benjamin Harris declined to furnish to the Secretary of the Interior at the request of Senator Cockrell, of Missouri, an opinion on whether a bill to quiet title to lands in Missouri should be approved because the bill did not present "a question of law arising in the administration of your department." He quoted approvingly a statement from the opinion of Attorney General George H. Williams in 1873 that an opinion by the Attorney General to a congressional committee for its use in matters of legislation "would be entitled to no more consideration in Congress than the opinion of any person presumed to have some knowledge of the point in question."

In 1884, Attorney General Benjamin Harris Brewster informed the Speaker of the House that he could not furnish the legal opinion requested in a House resolution that he be asked to report on whether section 3738 of the Revised Statutes, which prescribed 8 hours of employment as constituting a day's labor for all laborers employed on behalf of the United States applied to the letter carriers of the United States. He indicated that the authority of the Attorney General did not permit him to give advice at the call of either House of Congress or of Congress itself and cited as precedence the opinions mentioned earlier in this note.

After this opinion the House adopted a resolution that the Postmaster General should ask the Attorney General for his opinion on this subject since the law permitted the Attorney General to give opinions to the heads of executive departments.

In 1885 Attorney General Benjamin Harris Brewster declined to give the opinion to Postmaster General Frank Hatton because the request "though coming from the head of a department is to all intents and purposes an application by the House;"

In 1932 Attorney General William D. Mitchell was requested by a Senate resolution to inform the Senate of his opinion on the legality of some recent railroad mergers. In refraining from responding to this request Attorney General Mitchell quoted the opinions mentioned earlier in this note particularly the one by Attorney General Wirt in 1820 and commented that this opinion had stood unquestioned for 112 years and had been repeatedly followed in later rulings. He also stated: "Congress has accepted this longstanding interpretation of the law and has never attempted by law to enlarge the power or duties of the Attorney General so as to require him to give opinions to either House of Congress or to committees thereof. Having in mind the constitutional separation of the functions of the legislative, executive, and judicial branches of the Government, there has always been a serious question whether the principle of that separation would be violated by a statute attempting to make the Attorney General a legal adviser of the legislative branch, and as a matter of governmental policy the wisdom of constituting as legal adviser of either House of Congress an official of the executive department, who sits in the President's Cabinet and acts as his legal adviser, has always been open to doubt.

"When pending legislation affecting the Department of Justice has been referred to Attorneys General for comment or suggestion it has been their practice to suggest such legal points as are pertinent and which ought to receive consideration by committees, but their practice has never properly involved any formal legal opinions from Attorneys General and has no resemblance to a request for an opinion as to the effect of an existing statute."

In 1939, a Senate resolution requested the Attorney General to report on what executive powers are available to the President under his proclamation of national emergency. Attorney General Frank Murphy, in a letter to the President of the Senate, indicated that compliance with the resolution would require him to give an opinion to the Senate on legal phases of the subject matter of the resolution and that the precedents prevented him from doing so. He quoted extensively from the 1932 opinion by Attorney General Mitchell.

Mr. RUSSELL. Mr. President (Mr. McGovern in the chair), I believe it might be well to read from one or two of these brief statements.

In 1832 Attorney General Taney said:

> It is for Congress to consider and decide upon the extent of its power over a matter of this description; and it would hardly perhaps, be deemed to be within the legitimate scope of the duties of the Attorney General, who is a subordinate officer of the executive department, to attempt to mark out the limitations of the legislative power.

Attorney General George H. Williams, in 1873, in a letter to the Congress, said:

> I fully recognize the right of the head of any of the departments to call upon me for an official opinion in respect to any question of law pending before the department by whose head the call is made; and I consider it my duty promptly to respond to such a call; but I cannot recognize the right of any committee of Congress to call for such an opinion for their use in matters of legislation; and if given for that purpose it would be entitled to no more consideration in Congress than the opinion of any other individual presumed to have a knowledge of legal matters.

That was the position of the Attorney General back in the days when the Senate still entertained a rather high opinion of itself and thought that some of the lawyers in the Senate were fairly well qualified to pass upon constitutional questions.

Mr. President, I have referred to the newspaper accounts of the conferences on these amendments. It is not necessary for me to read all the clippings, but I would like to cite a few to illustrate the prominent role the Attorney General played in the conferences.

First, is a rather flaming headline from the Washington Evening Star of Wednesday, May 13 which states: "Leaders Support Rights Package." Its lead paragraph reads:

> Democratic and Republican Senate leaders completed an agreement late today on a compromise civil rights bill which Attorney General Kennedy said "is perfectly satisfactory to me."
>
> Senate Democratic Whip Humphrey concurred and announced that the next step would be to submit a compromise to separate conferences of all Democratic and Republican Senators, probably early next week.

Mr. President, I invite attention to this statement:

> As he went into the meeting with Senate Republican Leader Dirksen today, Mr. Kennedy had said that while there is "general agreement on principles," there is still a lot of work to be done on the language. Then he added:
>
> "We are not going to accept any changes that would destroy the effectiveness of the bill."

He thereby proclaimed a veto power in advance on the part of a representative of the executive branch over the actions of the leaders of the Senate.

Mr. President, I could read these articles by the hour. For example, here is a headline from the New York Herald Tribune: "Rights Vote Seen in June." This was May 14. "Bill Is Revised by Leaders and Bobby Kennedy." This is a Republican newspaper, so irreverent that it did not call him by his title of Attorney General.

The lead paragraph states:

> Attorney General Robert F. Kennedy and Senate leaders of both parties yesterday completed work on a revised civil rights bill.
>
> All parties thought the bipartisan compromise could be enacted into law next month and without further change.
>
> "This bill is perfectly satisfactory to me"—

It was not one of the leaders, Mr. President.

> Mr. Kennedy told reporters, after emerging from the final round of negotiations in the office of Senate Republican Leader Everett M. Dirksen.
>
> "And it is to me," said Hubert H. Humphrey, Democrat, of Minnesota, the bill's floor manager.

The writer goes on to say that the Senator from Illinois [Mr. Dirksen] has been striving to draft a modified section, and describes what had happened.

The following headline in big letters is from the Baltimore Sun of May 13:

> Justice Department—

Not the Senate first, the Senate is merely incidental to this bill—

> Justice Department, Senators Supporting Legislation Concur—Package Deal Announced by Dirksen.

That says practically the same thing that has been said in these other articles, that the Attorney General had agreed, and that the bill would now pass without any changes.

I could read similar headlines from practically all the newspapers in the country.

The Philadelphia Inquirer, which, I believe, is another Republican newspaper, gives credit to whom credit is due. It had a big headline, "Kennedy Approves Amendments to Rights Bill." It does not even mention the Senator from Minnesota or the Senator from Illinois.

I have a stack of similar headlines before me. It is in a sense ludicrous, but to me there is something tragic about all this. We have gotten so far away from the principle of the separation of powers as to give veto power in advance to the executive branch of the Government, not to the President himself, but to the Attorney General of the United States.

Mr. President, the Attorney General states that he gave answers only to Senators and Representatives who wrote him.

I ask unanimous consent to have printed in the Record a statement showing several different instances in which material was inserted by various Senators giving opinions, memorandums, and speech assistance, from the Attorney General or his staff.

There being no objection, the list was ordered to be printed in the Record, as follows:

Pages 6557–6558: Letter from Assistant Attorney General Burke Marshall, dated December 20, 1963, to Senator Kuchel.

Pages 6559–6560: Letter of Senator Kuchel of January 31, 1964, to the Attorney General; letter to Senator Kuchel from Assistant Attorney General Burke Marshall; and letter to Assistant Attorney General Marshall from Senator Kuchel.

Page 6726: Reference by Senator Keating to a memorandum furnished to him by the Department of Justice.

Page 7207: Rebuttal to arguments of Senator Hill prepared, at request of Senator Clark, by the Department of Justice.

Pages 7209–7210: Opinion rendered to Senator Clark, as chairman of the Subcommittee on Employment and Manpower, by Deputy Attorney General Nicholas deB. Katzenbach.

Page 7218: Also reference by Senator Clark to information furnished by the Department of Justice responsive to his inquiry re the costs incidental to title VII, as well as the number of new employees which the title would make necessary.

Pages 8244–8245: A memorandum of experience with present criminal sections of Civil Rights Act and letter to Senator Javits, dated April 14, 1964, from Assistant Attorney General Burke Marshall.

Pages 8978–8979: Two memorandums prepared by Senator Humphrey in cooperation with the Department of Justice.

Page 9767: Explanation of section 205(b) of title II, prepared by the Department of Justice at request of Senator Humphrey.

Pages 9126–9127, 10075–10078: Letter of Senator Cooper, dated April 21, 1964, to the Attorney General, and reply of the Attorney General, dated April 29, 1964, re title VI.

Page 11033: Statement by Senator Bennett that the set of proposed amendments was worked out with the acting minority leader and with the Attorney General.

Mr. RUSSELL. I wish to cite one of them. The distinguished Senator from Kentucky [Mr. Cooper] wrote a letter to the Attorney General in which he specifically requested the opinion—not an answer—but the opinion of the Attorney General as to some 18 questions about various parts of the bill. And the Attorney General answered in detail as to all of them.

Mr. President, I ask unanimous consent that the letter from the Senator from Kentucky and the Attorney General's reply be printed in the Record at this point in my remarks.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Mr. Cooper. Mr. President, I have been very much interested in the speech of the Senator from Vermont, particularly the part directed to title VI.

On April 21 I wrote to the Attorney General of the United States asking him to comment on several questions which the Senator has raised today with respect to title VI. I have not yet received an answer to my letter but I do not believe that the Attorney General has had time to respond to questions I propounded. In view of the questions that have been raised by the Senator from Vermont, I should like to have the letter that I wrote to the Attorney General printed in the Record.

Mr. President, I ask unanimous consent that the letter of April 21 which I wrote to the Attorney General be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

April 21, 1964.

Hon. Robert F. Kennedy,
Attorney General of the United States,
Washington, D.C.

Dear Mr. Attorney General: I have been devoting close attention to certain sections of H.R. 7152, now before the Senate, and I would appreciate very much if you would give me your opinion on the following questions:

TITLE VI

1. Title VI, section 602, provides in part that "each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity by way of grant, loan, or contract other than a contract of insurance or guaranty." Would you list the kinds of "contracts of insurance or guaranty" which would be exempted under section 602 from the coverage of section 601?

2. Does the term "recipient" on line 16 of section 602 apply to private individuals, or does "recipient" include only Federal departments or agencies, States, or subdivisions of States?

3. Would section 602 cover an employer who receives funds under a Federal program, and who discriminates in his employment practices?

4. Would section 602 apply to individuals who contract directly with a Federal agency? Would it apply to a corporation which contracts directly with a Federal agency?

5. Would title VI of the present bill supersede those arrangements which have been established under Executive Order No. 10925, March 6, 1961 (President's Committee on Equal Employment Opportunity)?

6. Are there any Federal agencies which now have regulations which prohibit discrimination in their programs or activities covered by title VI? If so, which agencies, what are the regulations, and to what programs are these regulations directed?

7. Would persons who receive payments under various agricultural support and marketing programs be "recipients" under title VI? If so, what type of discrimination by these "recipients" under title VI would be grounds for cutting off their participation in a program? Would it include employment practices?

8. Title VI would apparently enable each Federal department or agency to establish its own rules and regulations for cutting off Federal funds. How is it intended that a consistent set of regulations prohibiting discrimination in Federal financial assistance programs shall be established throughout all departments and agencies? What procedure is provided by title VI to secure consistent regulations pursuant to, and the uniform application of, title VI in each and every Federal financial assistance program?

9. Would you provide several examples of the kinds of discrimination in the administration of Federal financial assistance programs which have occurred? I would appreciate specific details and examples in this instance.

10. Is it intended that the act of a Federal agency under title VI in cutting off funds for a program will take place only if discrimination within that particular program has occurred? Or, would it be possible to cut off funds for a particular program to influence the termination of discriminatory practices by a State, which are not covered by the particular program?

11. Would this title authorize the termination of school lunch programs to influence the desegregation of public schools within the State?

12. Under title VI, could such programs as the Federal-State highway program, and

similar State aid programs, be terminated for the purpose of persuading or coercing the State or its subdivisions to end discrimination in public schools, public accommodations, or public facilities, etc.?

TITLE IV, SECTION 401(C)

Would a privately endowed college which received 51 percent of its money each year from Federal grants qualify as a "public college"—operated predominantly through the use of Government funds? What is the test which would bring a private school within this section?

1. Considering that H.R. 7152 would provide the Attorney General with authority to intervene in actions brought by individuals under titles I, II, and III (301), would section 302 provide the Attorney General with authority to intervene in cases arising under title VII?

2. To what type of action, other than those specifically authorized in H.R. 7152, would section 302 be applicable? Would section 302 embrace cases brought by individuals against State officials, or individuals against individuals, claiming the denial of equal protection of the law?

3. Would title III, section 302, permit the Attorney General to intervene in cases involving alleged denial of the first, fifth, and sixth amendments to the Constitution? If so, what criteria would be established for the intervention of the Attorney General?

4. In what respect does section 302 differ from the old title III of the original civil rights bill of 1957?

With kindest regards, I am,
Sincerely yours,
JOHN SHERMAN COOPER.

REPLY OF ATTORNEY GENERAL KENNEDY TO QUESTIONS RELATED TO CIVIL RIGHTS ASKED BY SENATOR COOPER

Mr. COOPER. Mr. President, will the Senator yield?

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may yield to the Senator from Kentucky with the same understanding under which I have previously yielded to Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. I thank the Senator from Georgia.

Mr. President, several days ago I had printed in the RECORD a letter which I had written to the Attorney General of the United States. In my letter I asked for his comments on several questions that I addressed to him relating to titles III, IV, and VI of the pending bill. The Attorney General responded quickly, and I believe in a very informative and frank way. I ask unanimous consent that the letter of the Attorney General dated April 29 be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., April 29, 1964.
Hon. JOHN SHERMAN COOPER,
U.S. Senate, Washington, D.C.

DEAR SENATOR COOPER: This is in reply to your letter of April 21, 1964, asking a number of questions relating to H.R. 7152. For convenience, I shall repeat your question and follow it with my answer.

TITLE VI

1. Question. Title VI, section 602, provides in part that "each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity by way of grant, loan, or contract other than a contract of insurance or guaranty." Would you list the kinds of "contracts of insurance or guaranty" which would be exempted under section 602 from the coverage of section 601?

Answer. Section 602 would not apply to any contracts of insurance or guaranty. Among the kinds of insurance and guaranty which are excluded from section 602 by the quoted language are insurance of bank deposits by the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation; Federal crop insurance; national service life insurance; Federal employees group life insurance; and FHA and VA mortgage insurance and guaranties.

2. Question. Does the term "recipient" on line 16 of section 602 apply to private individuals, or does "recipient" include only Federal departments or agencies, States, or subdivision of States?

Answer. "Recipient" means generally the person or entity to whom a Federal grant or loan is made, or with whom a Federal assistance contract is entered into. It includes a State or local agency which receives and administers funds; it is in the course of such administration that discrimination most often occurs, if at all, and it is to discrimination by such State and local agencies that title VI is basically directed. A private person or organization may also be the recipient of a Federal grant or loan, as in the case of a Hill-Burton grant to a hospital. I am not aware of any situation in which a Federal department or agency would be the recipient of a Federal grant, loan, or assistance contract.

3. Question. Would section 602 cover an employer who receives funds under a Federal program, and who discriminates in his employment practices?

Answer. Generally, no. Title VI is limited in application to instances of discrimination against the beneficiaries of Federal assistance programs, as the language of section 601 clearly indicates. Where, however, employees are the intended beneficiaries of a program, title VI would apply. Thus, for example, creation of job opportunities is one of the major purposes of the accelerated public works program. Hence construction employees would be deemed beneficiaries of such a program, and section 602 would require the administering agency to take action to prohibit racial discrimination against them in such a program. On the other hand, the Agricultural Adjustment Act and acreage allotment payments under it is a commodity program having nothing to do with farm employment. Farm employees are not beneficiaries of that program, and section 602 would not authorize any action to require recipients of acreage allotments to refrain from racial discrimination in employment. See CONGRESSIONAL RECORD, March 30, 1964, pages 6545–6546 for further discussion of this point.

4. Question. Would section 602 apply to individuals who contract directly with a Federal agency? Would it apply to a corporation which contracts directly with a Federal agency?

Answer. Title VI does not apply to procurement contracts, or to other business contracts which do not involve financial assistance by the United States. It does apply to grant and loan agreements, and to certain other contracts involving financial assistance (for example, those research "contracts" which are essentially grants in nature). In those cases in which title VI is applicable, section 602 would apply to a person or corporation who accepts a direct grant, loan, or assistance contract from the Federal Government. But, as indicated, the fact that the title applied would not authorize any action, except with respect to discrimination against beneficiaries of the particular program involved.

5. Question. Would title VI of the present bill supersede those arrangements which have been established under Executive Order No. 10925, March 6, 1961 (President's Committee on Equal Employment Opportunity)?

Answer. No.

6. Question. Are there any Federal agencies which now have regulations which prohibit discrimination in their programs or activities covered by title VI? If so, which agencies, what are the regulations, and to what programs are these regulations directed?

A. Yes. The following are some examples of the actions which have been taken to preclude discrimination in Federal grant and loan programs:

(a) Executive Order No. 11114, 28 Federal Register 6485, June 23, 1963, prohibits discrimination in employment on construction financed in whole or in part by Federal grants or loans.

(b) Executive Order No. 11063, November 21, 1962, 27 Federal Register, 11527, prohibits discrimination in residential housing provided in whole or in part, by Federal grants or loans, and in residential housing under federally assisted urban renewal projects.

(c) Applicants for grants under the Federal Airport Act are required to furnish an assurance that neither the applicant nor any other person occupying space or facilities at the airport "will discriminate against any person or class of persons by reason of race, color, creed, or national origin in the use of any of the facilities provided for the public on the airport."

(d) The Department of Health, Education, and Welfare has refused to enter into contracts for teaching institutes under the National Defense Education Act with segregated institutions. See CONGRESSIONAL RECORD, April 7, 1964, page 7102.

7. Question. Would persons who receive payments under various agricultural support and marketing programs be "recipients" under title VI? If so, what type of discrimination by these "recipients" under title VI would be grounds for cutting off their participation in a program? Would it include employment practices?

Answer. Farmers who receive Federal grants, loans, or assistance contracts would be "recipients" within the meaning of title VI. Title VI would protect such farmers, themselves, from being denied the benefits of such programs, or otherwise discriminated against under them, on grounds of race, color, or national origin. But, since such programs are basically commodity programs, and since individual farmers are the ultimate beneficiaries of such programs, title VI would not authorize imposition of any requirements on individual farmers participating in these programs. And, more particularly, it would not authorize imposition of any requirements with respect to farm employment, since farm employees are not beneficiaries of the programs referred to.

8. Question. Title VI would apparently enable such Federal department or agency to establish its own rules and regulations for cutting off Federal funds. How is it intended that a consistent set of regulations prohibiting discrimination in Federal financial assistance programs shall be established throughout all departments and agencies? What procedure is provided by title VI to secure consistent regulations pursuant to, and the uniform application of, title VI in each and every Federal financial assistance program?

Answer. Section 602 provides that each agency's rules and regulations must be approved by the President. The validity of such rules and regulations will be subject to judicial consideration in any judicial review proceeding. Any cutoff of funds must be reported to the appropriate congressional committees.

9. Question. Would you provide several examples of the kinds of discrimination in the administration of Federal financial assistance programs which have occurred? I would appreciate specific details and examples in this instance.

Answer. A number of examples, with supporting evidence, are set forth at Congressional Record, March 30, 1964, page 6543 (Mr. Humphrey); April 7, 1964, pages 7054–7057 (Senator Pastore); April 7, 1964, pages 7100–7103 (Senator Javits); December 5, 1963, pages 23530–23531 (Senator Javits). Among them are the following:

Under the Hill-Burton Act, between 1946 and December 31, 1962, grants totaling $36,775,994 were made to 89 racially segregated facilities. Of these, $4,080,308 went to 13 all-Negro facilities; the remainder went to all-white facilities.

Large grants have been made for construction and operation of racially segregated public schools in federally impacted areas, under Public Laws 815 and 879. For example, for fiscal year 1962 the following grants were made for construction and operation of public schools in impacted areas in five Southern States: Alabama, $6,948,061; Georgia, $6,200,863; Mississippi, $2,161,945; South Carolina, $4,331,576; Virginia, $15,639,603; total for the five States, $35,282,048. Yet for the school year 1962–63 Alabama, Mississippi, and South Carolina had no Negroes and whites together in any type of school. Georgia had only 44 Negroes in integrated schools, and only about one half of 1 percent of Virginia's Negro children were in desegregated schools. Substantial Federal funds go to segregated schools in other States.

There is substantial evidence of exclusion of Negroes from training for higher skilled and better paid jobs under federally supported vocational training programs.

10. Question. Is it intended that the act of a Federal agency under title VI in cutting off funds in a program will take place only if discrimination within that particular program has occurred? Or would it be possible to cut off funds for a particular program to influence the termination of discriminatory practices by a State which is not covered by the particular program?

Answer. Funds could be cut off only under the particular program within which there is discrimination and only to the particular recipient who is doing the discriminating in this program. Section 602 makes this clear and express by providing, (1) that each agency responsible for a particular program of assistance adopt generally applicable rules, regulations, or orders with respect to discrimination in "such program," i.e., the particular program committed to its administration; and (2) that assistance may be terminated by such agency only for a violation of such a rule, regulation, or order, i.e., one relating to its own program and adopted with Presidential approval; and (3) that assistance may be terminated under a program only as to the particular recipient who is expressly found to have violated such rule, regulation, or order, i.e., to the person who is discriminating under a program in violation of a rule, regulation, or order applicable to that program. It would therefore not be possible to cut off funds under one program because of discrimination in another program, and assistance could be terminated only to the person or local agency which was discriminating. If only a single county in a State were discriminating, only that county could be cut off; there could be no cutoff to an entire State since the State had not violated any rule or regulation. It thus is clear from the present language of section 602 that any cutoff of funds must be limited to the particular situation in which discrimination has occurred, to the particular recipient who is discriminating, and to the particular program in which the discrimination exists. See House Report No. 914, part 2, pages 25–6; Congressional Record, April 7, 1964, pages 7059–7060 (Senators Ribicoff and Pastore).

11. Question. Would this title authorize the termination of school lunch programs to influence the desegregation of public schools within the State?

Answer. It would authorize termination of school lunch payments to segregated schools. However, in view of the availability of suits under title IV of H.R. 7152 as a means of achieving desegregation, it is not expected that such termination would occur. The intention is very clear that "fund cutoff is the last resort to be used if all else fails to achieve the real objective—the elimination of discrimination in the use and receipt of Federal funds." Congressional Record April 7, 1964 (Senator Pastore).

12. Question. Under title VI, could such programs as the Federal-State highway program, and similar State aid programs, be terminated for the purpose of persuading or coercing the State or its subdivisions to end discrimination in public schools, public accommodations, or public facilities, etc.?

Answer. No. The reasons why this could not be done are explained above.

TITLE IV, SECTION 401(C)

Question. Would a privately endowed college which received 51 percent of its money each year from Federal grants qualify as a public college—operated predominantly through the use of Government funds? What is the test which would bring a private school within this section?

Answer. The intention by the "wholly or predominantly" phrase, is to include schools and colleges which are "private" in name only—i.e., to reach attempted evasions of the 14th amendment. If a school or college is genuinely "private" in origin and character, the fact that it received substantial Federal grants (for research, language institutes, text books, school lunches, etc.) would not bring it within section 401(c). It should be noted that title IV does not create new legal obligations; it merely authorizes suits by the Attorney General in those situations where private persons now have a right of action under the 14th amendment.

TITLE III

1. Question. Considering that H.R. 7152 would provide the Attorney General with authority to intervene in actions brought by individuals under titles I, II, and III(301), would section 302 provide the Attorney General with authority to intervene in cases arising under title VII?

Answer. No. Cases arising under title VII would be based on rights created by statute. Section 302 is limited to cases involving denials of the right to equal protection of the law under the Constitution. Intervention in cases brought under titles I and III could be possible because denials of the right to vote or of use of governmental facilities because of race, etc., is a denial of equal protection of the laws in violation of the Constitution. But, there would, under section 302, be no general right to intervene in cases brought by individuals under title II, except in instances in which there was sufficient State involvement in the conduct alleged to also violate the Constitution's equal protection clause.

2. Question. To what type of action, other than those specifically authorized in H.R. 7152, would section 302 be applicable? Would section 302 embrace cases brought by individuals against State officials, or individuals against individuals, claiming the denial of equal protection of the law?

Answer. Section 302 would allow intervention in cases commenced in Federal court seeking relief from a denial of equal protection of the laws only where such denial was on account of race, color, religion, or national origin. Such a suit would be based on the 14th amendment and would normally be brought against a State official. It could be brought against a private individual only if sufficient "State action" were involved to constitute a constitutional violation.

3. Question. Would title III, section 302, permit the Attorney General to intervene in cases involving alleged denial of the first, fifth, and sixth amendments to the Constitution?

Answer. No.

4. Question. In what respect does section 302 differ from the old title III of the original civil rights bill of 1957?

Answer. Part III of H.R. 6127 (85th Cong., 1st sess.) as passed by the House, would have authorized suits by the Attorney General for injunctive relief from any actions which would give rise to a cause of action under 42 U.S.C. 1985; it would have authorized the Attorney General to initiate law suits to vindicate a very broad range of Federal rights, including, according to the testimony of then Attorney General Brownell, the right to be free from unlawful searches and seizures, the rights included within the broad concept of due process of law and rights of free speech, press, and religion. Section 302 differs from that provision in the following respects, inter alia: (1) it confers only a right of intervention, and not a right to initiate litigation; (2) it extends only to denials of constitutional rights, and not to denials of the additional statutory rights created by 42 U.S.C. 1985; (3) it extends only to denials of equal protection of the law on account of race, color, religion, or national origin, and not to such denials on account of other considerations; and (4) it does not extend to denials of privileges and immunities. In short it is a much narrower provision.

I trust the foregoing will prove helpful in your further consideration of H.R. 7152.

Sincerely yours,

Robert Kennedy,
The Attorney General.

Mr. RUSSELL. Mr. President, we can dress this issue up any way we please. We may talk all we wish about the American system, and say that we are going to accord rights and protect rights; but when we get down to the heart of the bill we strip away the original disguise from what from the beginning was a sectional bill, and reveal it for what it is.

I have previously stated that this is a political foray, a punitive expedition into the Southern States. Why do I say that?

There are 31 or 32 States which have public accommodation laws. The Southern States, where people are old fashioned and believe that a man ought to have the right to do business with whom he pleases, and have the right to decline to do business with whom he might desire not to do business, do not have public accommodation laws. Therefore, they are immediately brought within the purview of the proposed law.

The same thing is true with respect to the so-called FEPC or fair employment provisions. Approximately 25 States have such laws. They vary widely in their extent, and there is even more variance in the application of such laws. However, every one of the States, whether the law is administered by a separate commission, or an industrial commission, or whether the provisions are administered by a State agency, as an additional function, is protected by the provisions of the proposed law. No Federal agents can go into such a State until the lapse of 90 days, and until the complainant has exhausted himself financially and physically in trying to obtain the redress he seeks.

But in the Southern States, the agents may move in immediately.

Mr. President, to me the most insulting of all these changes has to do with the voting provision; 24 or 25 States have literacy tests as a precondition for registering to vote. My State has such a test. I say the provision is not abused, and has not been abused. I say further that it is not administered any differently in the case of a registrant who is a Negro than it is in the case of a white registrant.

However, to take care of States outside the South, and to assuage the feelings of Senators from outside the Southern States which have literacy requirements for voting, the proponents have now brought forth a provision under which the Attorney General could waive the application of the law to any State which he desires by writing a letter to the attorney general of the State which is affected. There has never been any such monstrous provision brought forth in any legislative body. It puts Charles Sumner, Thad Stevens, and Ben Wade to shame. They could not bring up anything like that provision, under which the Attorney General can merely waive the application of a Federal law to a State by writing a letter to the attorney general of that State.

Mr. President, I shall reserve my bouquets for the distinguished Senator from Illinois. I have the greatest admiration for him. I regret that he has stepped out of the Chamber. He is without doubt the most accomplished thespian who has ever trod this floor. Ordinarily, I can see him in a Shakespearean role. This time, however, he has gone beyond that.

I read in a newspaper that he had said something had to be done and that he reached up into the heavens—or at least reached up and grasped the lightning. That is going pretty far. Shakespeare never wrote of anyone reaching up and grabbing lightning. This takes us back to Mount Olympus and the ancient Greek gods. This time, I assume, the Senator from Illinois is taking on the role of a Greek god. It cannot be Ajax. He defied lightning when he approached the couch of Cassandra. I believe there is a reference somewhere in mythology to Zeus, becoming exasperated with the people on earth, and starting to loose a lightning bolt toward the earth. But he changed his mind and reached out and caught it just in time before it reached the earth. That must be the mythological allusion to which the Senator from Illinois referred. But in the case of this bill I do not believe he caught the lightning bolt quite quickly enough.

Unless I am badly fooled, he has killed off a rapidly growing Republican Party in the South, at least so far as his party's prospects in the presidential campaign are concerned. He may not have defeated any Republican Representative from the South. They know on which side of the street to walk on this issue. But if he has not killed the chances that any Republican presidential candidate might have had in carrying any Southern State in November, I am badly deceived. We shall await the result with interest. I say that in spite of the fact that at least three Southern States of the Old Confederacy have gone Republican in the last three presidential elections.

Of course, I do not attribute any improper motive to the Senator from Illinois. He may have grown weary listening to the oratory on this bill. We all grow tired of hearing other Senators speak. I know I do. I am honest about it. We like to have the opportunity to break in and speak ourselves, and sometimes to break up another Senator's speech. Therefore I can understand the Senator's feelings. As I said, I shall withhold my little bouquet of flowers.

When the liberal press is through, and when the President writes a two- or three-page letter congratulating the Senator from Illinois for the salvation of this important part of his program, my tiny little bunch of flowers will not be noticed anyway in the presence of such majestic floral offerings as will be his.

I only say that I shall conclude for the time being by saying that the bill has now been stripped of any pretense, and that it stands as a purely sectional bill; that in order to get the votes, as the proponents conceive it, to impose a gag rule in the Senate, provisions have been written into the bill which would draw a monumental wall—a wall that would make the great Wall of China look like a toadstool—around all the States that are north of the Mason-Dixon line, and which could not possibly be scaled by the best engineer. The best FBI agent could not wend his way through the kind of thicket that has been erected to protect those States.

I must express the hope—I greatly fear it will be dashed to earth—that some of the recent converts to States rights will show the same devotion in the days that lie ahead that they have shown in drafting the proposed legislation in a proclaimed effort to protect the rights of States.

As one who lives in the South, as one who has never been ashamed of being a southerner, and as one who believes that the people of the South are as good citizens as people anywhere else in the country, I resent this political foray. It may be that the proponents will be successful in getting this measure through by gagging those associated with me in opposing this bill; but I will maintain always that I do not believe it is consistent with the fundamental principles of fair play to which all American citizens usually subscribe.

DASTARDLY RECORD OF SOVIET ACTIONS AND PERFIDY

Mr. THURMOND. Mr. President, a very timely warning for our country and its foreign policy planners appeared yesterday in the Washington Post in the context of a public survey advertisement by the International Latex Corp. As a nation, we have characteristically had short memories, and our foreign policy planners seem to have the shortest memories of all. Our foreign policy apparently ignores, for the most part, the dastardly record of Soviet actions and perfidy and its constant efforts to undermine freedom everywhere in the world. I ask unanimous consent that the article, entitled "Blunt Warning by 40 Ears," and published in the Washington Post of May 23, 1964, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BLUNT WARNING BY 40 EARS

(By A. N. Spanel, founder-chairman, International Latex Corp.)

Perfidy has been for so long a fixed element in the record and reputation of Soviet Russia that it has lost most of its earlier power to shock and anger its victims. Kremlin duplicities are by now accepted calmly, almost as if they represented a natural phenomenon.

Only that can explain the complacency with which the American public has received the State Department announcement that 40 microphones have been dug out of the walls of the U.S. Embassy in Moscow. But it is an ominous piece of news, one which we would do well to take seriously and ponder deeply.

The real danger is that, in our current eagerness to swallow Khrushchev's peaceful coexistence line, we may treat this latest evidence of Kremlin treachery too lightly—that we may ignore the grim warning it packs, for fear of disturbing the consolations of wishful thinking and self-delusion.

The discovery of the "bugging" of our Embassy, on a scale and for a duration without precedent even in the annals of Communist deceit, could be a blessing in disguise if it served to end the soporific myth that communism has changed its nature. It could be a reminder, perhaps in the nick of time, that the Red leopard, for all of Khrushchev's purring and meowing, hasn't turned into a pussycat.

WE HAVE BEEN WARNED

But if the reminder goes unheeded, if it does not compel us to reappraise the beguiling coexistence formula, we shall find ourselves more inextricably in the Soviet trap for America and the free world. We shall then be set up for another Pearl Harbor, this time of the nuclear variety.

Commonsense is our guarantee that if the Kremlin, for over 10 years has been eavesdropping on our Embassy staff, as well as on the conversations of visiting military men, scientists, and foreign diplomats, Khrushchev has been playing diplomatic poker with us, with marked cards. Unfortunately the stakes in this game are nothing less than the future, the very survival, of America and the Western civilization of which it is a part.

Only the naive, the blind, and the Communist-infected will minimize and wish away this decade-long exercise in treachery. It is their kind who once explained, in tones cultured and raucous, that we could do business with Hitler if only we "tried to understand the wave of the future."

The same voices are again being heard, pleading every imaginable argument with instant optimism dished up to whet our appetites for lucrative trade. There are, alas, too many in our Western World not only willing but eager to barter principles for the mirage of commerce with Communists, though a third of mankind is already in the bloody claws of Red tyranny. Under the spell of suicidal greed they close their eyes to the Kremlin's record of broken treaties. They forget that Moscow still refuses to pay even part of the $11 billion it owes the United States in war debts; on the contrary, they actually countenance plans for huge credits to Communist lands.

WORLD AWAITS U.S. RESPONSE

The immediate question, of course, is what to do about this new proof of Soviet betrayal. First things first, it would probably be the best part of wisdom to dismantle the U.S. Embassy building in Moscow brick by brick. Our staff must be assured the privacy to which an embassy is entitled by international law, tradition, and civilized behavior.

We might then build a new embassy with clear American glass bricks, not on the present site but on the original plot of ground on Manezh Square from which our Embassy was ousted by Stalin in 1952. (It is noteworthy that at the time, the British Embassy was determined not to be budged, and they weren't.) Beyond that, our course in policy vis-a-vis the Kremlin must be geared to firmness based on a realistic understanding of the immoral essence of communism.

We have a useful precedent for firmness in an episode on March 23, 1962, between Soviet Russia and France. On March 18 France was negotiating the Evian agreements with the FLN, recognizing Algeria's independence on condition that the natives of that French territory would confirm by referendum that the majority desired it as the FLN claimed. General de Gaulle declared that if any nation recognized the FLN as speaking for a "sovereign" Algeria before such a referendum took place, it would risk a break of relations with France.

Moscow violated this reasonable stipulation by recognizing the FLN only 5 days later though the referendum had not yet taken place. In retaliation for this piece of arrogance, General de Gaulle at once recalled his Ambassador, Mr. Dejean, from Moscow and on March 23 demanded that Soviet Russia recall its Ambassador from Paris. One week later Mr. Vinogradov, the Soviet Ambassador, left France and was not permitted by General de Gaulle to return to his post until July 28, after the Algerian referendum had already taken place.

FIRMNESS, NOT DISUNITY

From that day until this, Khrushchev has behaved most respectfully toward France and its determined head of state, while he has not hesitated to vilify the United States, Germany, and England. For he knows that he can get away with any obscene method of downgrading and degrading us before the whole of mankind. Indeed, he has gotten away with much, much more than that.

Recently we had occasion to write in these columns that, inspired and supported by the Kremlin, "a Communist fortress, Cuba, stands at the very doorstep of our own country and serves as the staging area for the spread of the new barbarism to the entire American hemisphere." Then we went on to say:

"The African Continent, having largely become 'independent,' is racked by horrifying tribal warfare and many of the new countries are subjected to despotisms far worse than the worst exploitations of the colonial past. From Zanzibar to Ghana the agents of communism prowl for prey amidst the chaos. A Communist-armed and Communist-oriented Indonesia reaches out for empire in the South Pacific. India, as a reward for its naive neutralism, is menaced by Red China; and Pakistan, once a stanch ally against communism, finds comfort fishing in Communist waters. Nasser brazenly works both sides of the street yet our dollars continue to feed his sinister war machine and power-mad ambitions.

"The inventory of dissolution and defeat could be extended without end. The frontiers of freedom are shrinking and violence has the right of way. Yet the nations of the West are more disunited than ever, openly putting commercial profit above common purpose. Not only have our alliances been weakened but the objectives for which they were formed are fading from memory.

"Indeed, the free world could be competing for its own destruction under banners of nationalism which in essence reiterate the sick pronouncement made a century ago by a European statesman: 'We have no perpetual allies and we have no perpetual enemies, our interests are perpetual.' "

"The very nations which thought they could do business as usual with Hitler are rushing to do business as usual with the Khrushchevs and Maos and Castros. The lessons of such recent history have been lost upon them. Those who thought they could buy peace by appeasing the Nazis—thereby making war inevitable—now unashamedly beg for the privilege of appeasing the Communists.

"Political leadership today," we ventured to warn, "is failing mainly because we have lost the compass of principle and are eager to compromise with evil."

The discovery of those 40 "ears" should bring the free world back to its senses, and especially our own country as its last bastion. Just as the microphones were built into the Embassy walls, perfidy is built into the Communist code of conduct, and the determination to bury us is built into the Communist ideology.

UNDERSTANDING THE VIEWS OF ARAB NATIONS

Mr. THURMOND. Mr. President, Khrushchev's much publicized trip to the Arab nations emphasizes the need for the United States to clearly understand the views of the Arab nations.

King Hussein of Jordan has been a longtime friend of the United States and is an articulate spokesman for the Arab nations. On his recent official visit to the United States, King Hussein made an address to the Citizens Committee on American Policy in the Near East.

I ask unanimous consent that the address by King Hussein be printed in the Record at the conclusion of these remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by His Majesty King Hussein I, of the Hashemite Kingdom of Jordan, at a Luncheon Tendered by the Citizens Committee on American Policy in the Near East, Blue Room, Shoreham Hotel, Washington, D.C., April 15, 1964

I am deeply grateful to the Citizens Committee on American Policy in the Near East for giving this luncheon in my honor and, for affording me the opportunity to address myself to the American people through this friendly and sympathetic forum. My visit is one of good will, and I should like at the outset to convey to the American people the greetings and best wishes of my countrymen in Jordan and of my brethren in the Arab world at large.

I take it, by the very name of your committee—the Citizens Committee on American Policy in the Near East—that you have some concern about your country's policy toward our part of the world. It is a concern which I share, and about which I have had some very frank and friendly talks with your Government since my arrival in the United States. Consequently, I deem it my duty to set forth as objectively and as forthrightly as I can, the feelings, the policies and the aspirations of the Arab world in regard to current national and international problems.

I say the Arab world rather than Jordan intentionally because we do not regard ourselves as anything but a loyal and dedicated part of our greater Arab homeland. I feel it is imperative to give this reaffirmation because of the doubts which exist in some minds concerning the essential unity of the Arab nation.

The question is often asked by people not as knowledgeable about us as you are: Is the Arab world truly united or does its seeming unity stem from the temporary expediency of confronting a common danger and a common adversary? To answer this question I would only reply that the 100 million people of the Near East and north Africa, in territories which stretch from Syria in the north to the Sudan in the south and from the Atlantic Ocean in the west to the Persian Gulf in the east regarding themselves as Arabs; and in their striving to build their national life after centuries of disastrous stagnation and division, are now embracing Arab nationhood as the standard around which to rally their hopes and aspirations. When we talk therefore, about the Arab world, we do not talk about an alliance of states or, for that matter, an alliance of nations but rather about one nation which is bound inseparably together by community of language, historical traditions, customs, culture, common interests and above all by a sense of belonging to one nation.

The affirmative factors, therefore, which unite the Arabs long precede any contemporary problems or crisis situations; and they will certainly long outlive them. In the first half of the present century our energies and our aspirations were devoted singlemindedly to the achievement of national independence. The energies and the sacrifices in this sacred cause have not been made in vain. We are presently engaged in the process of national consolidation. We have been experimenting with various forms, and our efforts have met with varying degrees of success and failure as is only to be expected in a newly reawakening nation.

The question may be legitimately asked: Does the Arab world, in terms of cohesion, have anything to show in solid achievement? And the answer is undoubtedly "yes." This can be seen from the evolution of the Arab League over the past 19 years from a mere skeleton political organization comprising 7 Arab States into its present 13-state membership, and whose activities cover practically every phase of our national life.

When the Arab summit conference convened in Cairo recently, the conferees were not charting new territory but were giving their sanction to a large body of inter-Arab working agreements, in differing stages of implementation. These agreements cover such pivotal sectors as a unified defense command, an economic unity agreement, a common market, cultural cooperation, judiciary agreements, an Arab development fund, petroleum, shipping and airlines, and scores of other arrangements at both official and nongovernmental levels. This gradual, functional approach to unity has so far proved the most effective in achieving its aims while, at the same time, avoiding some of the disruptive influences which have become imbedded in our political and social systems during the long interlude which shattered Arab national life and witnessed its decline and stagnation.

Furthermore, unity in our view need not take the form of one single pattern in which there is no room for difference of opinion or even disagreement. But such differences of view as may have arisen in the past or which may arise in the future should not be misunderstood to mean that the unity of the Arab world is shaky and not durable any more than that disagreement between Democrats and Republicans be mistaken to mean that this great Union is in disunity. For it is the mark of a free people to be able to differ within the overall framework of a firm sense of unity, a common purpose, and a common destiny.

The common destiny which we envisage, and for which we have committed our energies and our resources is to forge ahead in the modern world, as speedily as we can, with a view to making the fullest contribution possible to the cause of world civilization, as we had done so abundantly in the past, and to partake in the movement of humankind toward a richer and higher life for all. This is not, I assure you, a vain expression but rather a deepfelt yearning which draws inspiration and strength from our history, our traditions, and our sense of mission. The Arabs are probably one of the most history-conscious people in the world, and it is a history which is predominantly humane and creative, liberal and tolerant, and distinguished as much for its ability to learn as to teach. Our homeland has seen the dawn of civilization, it has also been the abode of its middle age. It is our challenge now to see to it that we contribute actively toward its full maturity and to the never-ending march toward new and undreamt of vistas of life.

In the very short period since our modern renaissance we have made far-reaching progress in every walk of life, in spite of the innumerable handicaps which confronted us as they inevitably do every developing nation. To give but one concrete example from the experiences of Jordan: In the 1930's and even 1940's, the number of students who went to colleges and universities could be counted in scores; today we have almost 18,000 students yearly in colleges and universities all over the world out of a population of less than 2 million. The number is increasing at an accelerated rate, year after year, and it compares most favorably percentagewise with some of the most advanced countries in the world.

However, across all of our hopes and accomplishments falls the shadow of Palestine and I feel certain that what drew you together as a committee was concern over this problem and your country's attitude toward it.

This great Nation of the United States has justly earned over generations past a pride of place as a Nation which adheres unwaveringly to the legal and moral principles in dealing with the rest of the world. We recognize with gratitude the humanitarian and the educational contributions which American citizens have generously and selflessly made since the 19th century toward our modern awakening. It is, therefore, the more distressing that such a legacy of good will and friendship should be affected as a result of a policy which in our view neither conforms to the American traditions of morality and legality, nor for that matter to the well-considered national interests of the United States, and they are quite substantial. It may well be that the tragedy of Palestine has resulted, in no small measure, from a failure in communication. And that the American people, if adequately informed, would not tolerate an injustice equal to any in modern times, being inflicted upon a small and innocent people. It is a tragedy which, if they knew, would weigh heavily upon the consciences of all peoples who believe in goodness, fairness, and justice.

The truth of the matter is that here is a people—an ancient hard-working and homogenous people—who have in the 20th century not only been denied the right to self-determination, but even the right to exist in the homeland in which their forefathers have lived and died from recorded history. They have been forcibly uprooted from their homes, their properties despoiled, and their means of livelihood cut off. One million in number, these men, women, and children, in town and in village, in refugee camps, and in forced dispersal under every sky, have been enduring their suffering for 16 long years. They are suffering morally, and physically, day in and day out, and ironically at a period which is boasted to be the era of mankind's greatest emancipation.

This is the problem which lies at the core of most of the turmoil, the tensions, and the international realinements which are occurring in our part of the world today. It is not, as the Zionists try assiduously to preach, a quarrel between the Arab States and the Jews. It is simply that the Israelis are refusing to restore the rights unlawfully wrested from the Arabs of Palestine; the inalienable right of those refugees to return to their ancestral homeland, to the properties that they had developed with the sweat of their brows, and to their normal means of decent livelihood. Over and above that, not many people realize that the Israelis presently occupy 30 percent more territory than was called for under the United Nations partition plan (unfair as the Arabs felt such resolutions were because of their violation of the principles of self-determination).

Partition itself is morally indefensible; and the existing situation is even worse, being in blatant defiance of the United Nations. But grave as these considerations are, they do not tell the whole story. For there is a deep-felt conviction amongst all Arabs that this foreign element which is Israel, which has been planted in their midst and which has geographically separated their Asian and their African domains is a real and ever-present danger to their national survival, and a base from which the Israelis would be enabled to commit further aggressions.

There must be some who retort: But how could 2 million Israelis threaten the security of close to 100 million Arabs? This ostensibly sounds like a plausible question, and the answer is that by themselves and in a long drawn-out struggle they could not.

But in order to appraise the gravity of the present and the continuing Israel threat as seen by the Arabs I could answer as follows: Two million Israelis, with massive assistance from the outside, maintain an armed establishment almost half that which the 50 million people of the Federal Republic of Germany possess, notwithstanding the fact that West Germany is the bulwark of Western defense against the Communist world.

Moreover, the Israelis, with substantial technological and financial assistance from the outside have, since 1950, been working on the development of atomic power and other media of mass destruction.

Not only does this activity run counter to the established U.S. policy of preventing a proliferation of the deadly weapons of destruction, it is also opening the floodgates of the whole Middle East to an accelerated armaments race in quality and in quantity with incalculable consequences to the peace not only of the area but of world peace as a whole.

The Arab world would certainly not have wished to spend countless millions on military defense every year when those millions are so sorely needed for development, progress, and social betterment, which is the avowed aspiration of the modern Arab renaissance. But when national survival itself is at stake, as I have tried earlier to explain, what choice are the Arabs left with?

I would like now to say a few words about the Israel plans to divert the waters of the river Jordan, sometime this year, because it is obviously a part of the overall issue of Palestine. I am sure you will readily agree with me that according to international law and practice the waters of a river may only be used for the irrigation of the river basin itself. What the Israelis are planning to do is to divert those waters unilaterally to an area several hundred miles away which has nothing to do with the Jordan watershed. They are planning to do so in order to bring in more immigrants and thereby increase the mortal danger which the Arabs already feel as a result of the existence of Israel. It is a prospect which we do not view lightly not only on account of its illegality, and the damage which it is already bringing to our farmers in the lower Jordan Valley but, equally importantly, because of its longrun threat to our national survival.

As for the political and the diplomatic realinements which have occurred and are still occurring in our part of the world, the hands of the Arabs are similarly being forced into courses of action which they might have otherwise not wished or chosen. And who is the beneficiary of all this? It is clearly not the United States of the free world, and the blame must be placed squarely upon a Zionist movement which evidently pays little heed to whatever happens provided it serves its ends.

Would the Jews benefit from a course of action which the Zionists claim is designed to serve them? I am firmly convinced that in the long run it would not, either in Palestine itself or in the countries throughout the world in which they reside and wish to continue to reside as good citizens.

As I said before the Arab world has no quarrel with those who profess one of the great religious faiths. On the contrary, the Arabs have for generations lived in amity with the Jews, and I need hardly remind my distinguished audience that during the bleakest periods when they were elsewhere subjected to persecution, it was the Arabs who gave them asylum and a place of dignity in their midst. After all we both belong to the same Semitic race.

It is clearly in the best interest of the adherents of the Jewish faith wherever they live to make a deep, soul-searching and, perhaps, an agonizing reappraisal of their attitude toward this whole problem of Zionism. For if they could only do that they would be able to make a far-reaching contribution toward solving a tragedy which threatens to engulf them and others in a senseless and ruthless calamity.

As for our American friends, I would merely urge that they have a new look at the tragedy of Palestine and its people, in harmony with their own great traditions of morality and legality, and make a true appraisal of their national and ideological interest in the area and, above all, the cause of world peace.

Thank you again, my good friends, for your warm hospitality and kindness and I sincerely look forward to welcoming you as our guests in Jordan—the Holy Land.

Thank you.

SUPREME COURT DECISION IN PRINCE EDWARD SCHOOL CASE

Mr. THURMOND. Mr. President, the decision of the Supreme Court in the Prince Edward School case handed down yesterday, marks another milestone in the long line of tortuous and inaccurate constitutional interpretations stemming from the original ruling in the Brown case of 1954. By ruling that Prince Edward County, Va., violated the equal protection clause of the 14th amendment to the Constitution by voluntarily closing down its public school system, the Court has contributed substantially to the already divisive effects of its original decision.

This decision transcends the bounds of legal logic and constitutional conformity to an extent difficult to imagine. In order to avoid a new trial on the merits of the question before a three-judge court, the Court first held that the matter involved only the single county, but in the end the decision seems to be applicable to all the counties of the State.

Mr. President, it must be remembered that all the public schools of the county were closed, not only the schools for colored children. Next, private schools were set up for the white children and were offered on the same basis to colored schoolchildren. Tuition grants in the same amount were available to all the schoolchildren of the county, not only one class of them. There was equality of treatment and equal protection of the laws in every way possible.

Mr. President, the crux of the decision and that which is most to be dreaded is the language of the Court which reads as follows:

> The district court may, if necessary to prevent further racial discrimination, require the supervisors to exercise the power that is theirs to levy taxes, to raise funds adequate to reopen, operate, and maintain without racial discrimination a public school system in Prince Edward County like that operated in other counties in Virginia.

The full import of this dictum needs to be carefully studied. By this one deft stroke of the pen, the Court has assumed upon itself a power previously reserved with the appropriate legislative body of the State. By this wording, the Court demands that taxes be levied and funds appropriated for a particular purpose. I know of no decision in the history of Anglo-Saxon jurisprudence which has usurped the prerogative and functions of the legislature to such a great extent.

NEGRO HEROES OF EMANCIPATION

Mr. JAVITS. Mr. President, I have before me a most interesting document, entitled "Negro Heroes of Emancipation," parts of which I hope will be of real interest to Senators, prepared by the National Association for the Advancement of Colored People. The booklet consists of biographies compiled by the association in connection with the yearlong observance in 1963 of the centennial of the Emancipation Proclamation. This booklet, which is beautifully illustrated with original drawings, is a fine contribution toward repairing the very substantial gap in most American's understanding of the role of the Negro in the history of our Nation. I ask unanimous consent that excerpts from the booklet be printed in the RECORD at this point in my remarks.

There being no objection, the excerpts from the booklet were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM "NEGRO HEROES OF EMANCIPATION"

FOREWORD

This book is the unforeseen product of one of the activities conducted by the NAACP as part of its year-long observance of the centennial of the Emancipation Proclamation. Besides its nationwide essay contest among high school and junior high school students; besides the scores of meetings, rallies, and other commemorative activities undertaken by its branches throughout the country; and in addition to the monumental Negro history mural painting, "Our New Day Begun," which it commissioned, the association developed a weekly biographical series, "Heroes of Emancipation."

These biographical sketches were prepared and distributed as part of the association's regular press service to some 300 daily and weekly newspapers. There is no exact count of the number of newspapers which printed these narratives, but it is known to have been considerable, especially in the Negro press. The response to the biographies overwhelmingly justified the decision to undertake them and the many hours of research and writing which they demanded of Mildred Bond, who was their author. Expressions of appreciation and commendation were widespread, and a great many persons urged that we compile the series in a single volume for more general distribution. This we have done.

In publishing "Negro Heroes of Emancipation," we have again been fortunate in having at our disposal the rare talents of James I. DeLoache, the creator of "Our New Day Begun." Mr. DeLoache has illustrated the volume with original drawings which underscore the sense of excitement conveyed in the text. This has been a labor of love for Mr. DeLoache, who has had as a lifelong interest the visual depiction of the Negro's struggle for identity and achievement.

It is our hope that these biographies will inspire as well as inform; that they will reinforce for the knowledgeable, and engender for others that pride of heritage without which no people can aspire to greatness.

ROY WILKINS.

FEBRUARY, 1964.

BENJAMIN BANNEKER

Benjamin Banneker was born in Maryland in 1730, the grandson of an Englishwoman and an African. His grandmother, Molly Walsh, had come to America as an indentured servant, worked her time out, and bought a farm and two slaves. She had then freed the slaves and married one of them. Banneker's mother, Mary, was one of four children born to this union. His father was an African.

As a student at a county school in Maryland, young Banneker was given access to the large library of one George Ellicott. He mastered Latin and Greek, and gained a good working knowledge of German and French. One of the noted astronomers and mathematicians of his time, he also became the first American to make a clock. From 1792 to 1795 he published one of the earliest series of almanacs brought out in the United States. This publication was very much like Benjamin Franklin's "Poor Richard's Almanac." Banneker was appointed to the commission which surveyed and laid out Washington, D.C., the new Capital of the young Republic.

He boldly lashed out at the injustices of the age. In 1791 he wrote to Thomas Jefferson, reminding the author of the Declaration of Independence that words were one thing and slavery another. "Suffer me to recall to your mind that time, in which the arms of the British Crown were exerted, with every powerful effort, in order to reduce you to a state of servitude; look back, I entreat you * * * you were then impressed with proper ideas of the great violation of liberty * * * how pitiable it is to reflect that you should at the same time counteract His (the Father of Mankind) mercies, in detaining by fraud and violence, so numerous a part of my brethren under groaning captivity and cruel oppression, that you should at the same time be found guilty of that most criminal act, which you professedly detested in others."

Banneker's achievements made him so prominent that he was sought and received by some of the most famous and important men of the United States. Among these were James McHenry, once Vice President, and Thomas Jefferson, President of the United States. It was Jefferson who appointed Banneker to the commission that planned Washington. The case of Benjamin Banneker caused Jefferson to conclude that he was wrong in believing that "blacks * * * are inferior to the whites * * * ." He corresponded with Banneker regularly and wrote about him enthusiastically to the Marquis de Condorcet. "Perhaps," Jefferson concluded, 'their [the blacks] want of talent was after all only a result of their miserable circumstances."

Banneker, the devoted advocate of emancipation, was cited by many as proof of the equality of the races. He was thus regarded in America by the American antislavery leaders; in France; and in England by Pitt, by Wilberforce, and by Buxton. He died October 9, 1805, at the age of 75.

PHILLIS WHEATLEY

The first Negroes destined to win literary renown in America were Phillis Wheatley, Jupiter Hammond, and Gustavus Vassa. Phillis Wheatley was the most gifted and the most famous of the three. Every history of Negro America praises her talent and accomplishment.

At the age of 7, in 1761, Phillis Wheatley was kidnaped and brought from Senegal in a slave ship to Boston, where she was lucky enough to be purchased by John Wheatley, a prosperous tailor who trained her as a personal servant for his wife. As a result, Phillis quickly learned the English language and acquired the fundamentals of a classical education.

While still a child, she began writing remarkable verse. In an age in which few women—or men—read books, Phillis Wheatley wrote her first one when she was 20 years old. It was published in England, where she had been taken by her master's son because of her weak health. The book, "Poems on Various Subjects, Religious and Moral," was the first published volume by a Negro woman and the second by an American woman.

When George Washington was appointed Commander in Chief of the Continental Army, she celebrated the event in heroic couplets. Washington wrote her a letter dated February 28, 1776, in which he said, "Thank you for your polite notice of me * * * however undeserving I may be * * *. I would have published the poem, had I not been apprehensive that, while I only meant to give the world this new instance of your genius, I might have incurred the imputation of vanity." She subsequently visited General Washington and his staff and was warmly welcomed.

The antislavery societies published and sold "The Memoirs and Poems of Phillis Wheatley," which they used to illustrate the intellectual capacities of the Negro.

During her stay in London, Phillis was internationally acclaimed; but on her return to Boston, her fortunes began to decline. Following the death of her patroness, Susannah Wheatley, she married John Peters, a handsome colored grocer. The couple drifted from place to place, taking their two children with them. Phillis was finally reduced to earning her keep as a drudge in a cheap boarding house. Her two children died, and she separated from her husband before their third child was born. Although she had been considered a prodigy in her time, she died penniless in December, 1784, within a few hours of her third child.

Her reputation was kept alive by antislavery writers and publicists of succeeding decades, who well knew the symbolic value of an unmixed Negro slave girl from Africa who had displayed such literary talent, and who had been officially received and admired by no less a personage than Gen. George Washington.

JAMES FORTEN

The first and perhaps the greatest of the free Negro abolitionists was born in Philadelphia in 1766, and attended, until he was 10 years old, the school for colored children conducted by the Quaker abolitionist, Anthony Benezet. At 14, during the Revolutionary War, Forten joined the Navy as a drummer boy on Decatur's ship *Royal Lewis*. Later he was apprenticed to a sailmaker in Philadelphia. He subsequently became the owner of a sail loft, employing some 40 Negro and white men. Eventually, he amassed a fortune of more than $100,000.

Forten was a passionate foe of colonization. In 1814, together with Richard Allen and Absalom Jones, he raised a force of 2,500 Negro volunteers to protect the city against the British. Like many of the white reformers and philanthropists of that era, he gave his time and wealth to a wide range of humanitarian causes. He was a major abolitionist angel. It was he who purchased enough subscriptions to enable William Lloyd Garrison to found the Liberator in 1831; and in 1834 he gave financial assistance to keep the paper going.

It was in the first issue of the Liberator that Garrison's famous editorial appeared: "I will be as harsh as truth, and as uncompromising as justice. On this subject—slavery—I do not wish to think, to speak, or write, with moderation. * * * Urge me not to use moderation in a cause like the present. I will not equivocate—I will not excuse—I will not retreat a single inch—and I will be heard."

When not crusading for temperance, peace, and women's rights, Forten worked as an organizer and wrote pamphlets for various campaigns for Negro progress. In 1831, in Philadelphia's African Methodist Episcopal Church, he presided over a meeting called to denounce the American Colonization Society. In that same year he was also responsible for assembling a national convention of free Negroes, the first of a far-reaching series, for the purpose of considering the plight of the Negro and planning for the social advancement of the race.

It is to Forten that historians credit the conversions of William Lloyd Garrison and Theodore Dwight Weld to belief in racial equality—two conversions which might well be considered the most important events in the antislavery crusade.

Forten, as a militant champion of Negro rights, played an important role in the shaping of our American tradition. At the age of 58, in the year 1842, he died in Philadelphia.

HEROES OF REBELLION

The argument that the Negro is innately docile and that he has always felt secure under white ownership is not borne out by history. On the contrary, the story of American slavery is a violent one, repeatedly punctuated by thwarted insurrections and bloody rebellions. In fact, some historians see the white man's old and choking fear of the violence he knew to be smoldering in the Negro breast as the basis of the tortured Negro-white relationship that exists in America today.

Counting only those uprisings involving at least 10 Negroes and then mentioned by a contemporary source, Herbert Aptheker has enumerated no fewer than 250 Negro revolts in this country. In his book "American Negro Slave Revolts," Aptheker traces the history of these uprisings back as far as 1526, when an insurrection occurred in the area now called South Carolina. He goes on to describe others, through the New York City rebellion of 1712 and the 1730 Negro plot in Virginia that prompted the Lieutenant Governor of that State to advise whites to arm themselves—even in church.

During the 17th century, fear of the Negro had been rampant among American slaveholders, and with the flood of revolutionary sentiments loosed by the American and French Revolutions in the 18th century, the situation worsened. After long years of harsh repression, years when any Negro was subject to whipping, burning, hanging, or shooting by any gang of whites, the close of the 18th century found an atmosphere ripe for explosion.

What was perhaps the igniting spark came in Haiti, where the rebellion led by an ex-slave named Toussaint L'Ouverture was so successful that by 1801 the entire island was under black domination. Though Toussaint was eventually captured and killed, his feat became legendary, and was apparently the flicker from which flamed the three most famous insurrections in the history of American slavery—the uprisings of Gabriel Prosser (1800), Denmark Vesey (1822), and Nat Turner (1831).

JOHN B. RUSSWURM

By 1860 the total population of the United States was 31,500,000. Of this number, slightly more than 14 percent, or about 4,500,000, were Negroes including nearly half a million free persons of color. A significant number of the Negroes could read as well as speak intelligently. These were the people for whom the pioneer Negro journalists wrote. Generally, their literature criticized the proslavery groups as well as the American Colonization Society and vigorously denounced the proponents of slavery.

Of this group of writers, John B. Russwurm was one of the most prominent. He was born in Jamaica, West Indies, October 1799, of a white American father and a native Jamaican mother. When the elder Russwurm moved to the United States, he sent his son to Canada. To conceal their relationship, he renamed him John Brown; but when he later married, his wife, who was white, insisted that the boy be taken into the family. Russwurm was educated in Canada and at Bowdoin College, where, in 1826, he became the United States first Negro college graduate. In March 1827 he established this country's first Negro newspaper, Freedom's Journal, which he renamed Rights of All in March 1828.

Russwurm was a stanch advocate of immediate emancipation, and the columns of Rights of All were used as a forum for the antislavery societies. Bold headlines proclaimed the various meetings of free Negroes held throughout the North to denounce the enemies of the antislavery movement. For 4 years Rights of All presented the program of the Negro in America in opposition to colonization. However, about 1830, Russwurm began to advocate colonization, and his paper carried a biography of Paul Cuffee, shipowner of Massachusetts, a colonizationist who had taken 30 Negroes to Sierra Leone. It was at this point that Russwurm's advocacy of colonization destroyed his influence among the Negroes. He subsequently joined the colonizationists and went to Liberia to become the first superintendent of schools there. For a time, he served as governor of the independent province of Maryland before it became a part of Liberia. Russwurm died June 17, 1851, at the age of 52.

FREDERICK DOUGLASS

"The noblest slave that ever God set free," as Douglass was called by W. E. B. DuBois, was born Frederick Augustus Washington Baily.

Douglass, the foremost of the Negro abolitionists, described his beginnings in the opening pages of his "Narrative": "In Talbot County, Eastern Shore, State of Maryland, near Easton. I, without any fault of my own, was born, and spent the first years of my childhood * * *. I suppose myself to have been born in February 1817 * * *. My only recollections of my mother are a few hasty visits in the night on foot * * * of my father, I knew nothing. I hardly became a thinking thing when I first learned to hate slavery."

As a boy of 10, Frederick had learned to read a little from his mistress—until her husband angrily interfered. In his early teens he taught at a little country Sunday school until white men broke it up, warning him not to "try to be another Nat Turner." Fred's master sent him for taming to a man who enjoyed the reputation of being "a first rate hand at breaking young Negroes." The first week under Covey, he was flogged so severely that he bore forever the scars upon his back. By resisting subsequent beatings, Frederick found that "when a slave cannot be flogged, he is more than half free."

On September 8, 1838, at the age of 21, Frederick escaped to New York disguised as a sailor. He married a free Negro girl and moved to New Bedford, Mass., where William C. Coffin, the abolitionist, heard him speak. Coffin invited Frederick to tell his story at an antislavery convention in 1841. When he finished, Garrison cried, "Have we been listening to a thing, a piece of property or a man?" The crowd answered "A man. A man." From that day, Frederick Douglass became a public figure. He toured with Collins, Garrison, and Phillips. He was attacked by mobs in Boston, Harrisburg, and Indiana. Enroute to Europe in 1845, some Southerners threatened to throw Douglass overboard for a speech he made aboard ship. He lectured in England for 2 years not only on slavery but also on women's suffrage. While there, he raised enough money to purchase his freedom and establish a newspaper on his return to the United States.

In 1847, in Rochester, Douglass founded the North Star. Its slogan was "Right is of no sex—truth is of no color—God is the Father of us all, and all we are Brethren." Douglass later changed the name of the paper to Frederick Douglass' Paper.

Douglass believed that he and other black abolitionists could make positive contributions by being activists in the antislavery movement. He said that "the man who has suffered the wrong is the man to demand redress * * * the man who has endured the cruel pangs of slavery, is the man to advocate liberty." His famous Fourth of July speech is an excellent illustration of the passion and brilliance he brought to the antislavery cause. Speaking in Rochester, N.Y., July 5 1852, he asked, "What, to the American slave, is your Fourth of July? To him, your celebration is a sham, your boasted liberty, an unholy license; your national greatness, swelling vanity; you invite to your own shores fugitives from abroad; but the fugitives from your own land you advertise, hurt, arrest, shoot and kill."

Week after week, in the crucial decades before the Civil War, Douglass traveled up and down, preaching, warning, and pleading. Long before Lincoln saw it, Douglass said the war couldn't be fought or ended without coming to grips with the problem of the Negro.

After emancipation, Douglass turned his mind to reconstruction. He demanded ballots and land for the freedmen. In 1883, he denounced the Negro's "so called emancipation as a stupendous fraud. America abandoned the Negro, left him an outcast man—in law, free; in fact, a slave." In this period he became an elder statesman. He was named marshal of the District of Columbia and Minister of Haiti; but he continued to press claims of Negroes. His battle cry was "Agitate. Agitate."

In February, 1895, the "noblest slave" died at Anacostia Heights, Washington, D.C.

HARRIET TUBMAN

The most famous Negro guide for the underground railroad was Harriet Tubman, who was called "the Moses of her people." John Brown once introduced her to Wendall Phillips as "one of the best and bravest persons on this continent." She was born a slave in Maryland about 1820, 1 of 11 children. She escaped in 1849 and was not heard from by her Maryland friends for over a year. Then one night in 1850, a cabin door in Maryland swung open, and a startled slave jumped to his feet. There in the doorway stood a woman who cried, "It's me, Harriet. It's time to go North." Thus began her heroic underground railroad journeys. She made 19 excursions into the slave States and led 300 slaves to freedom. She accomplished this remarkable feat as much by careful planning as by courage. She always started on Saturday night in order to be well on her way before an alarm could be sounded. Her trips back to Maryland were made only after she had saved enough money out of her own wages to help finance them. She threatened to kill any fugitive who wanted to turn back; none ever did. In this way she avoided publicity and detection. When Harriet realized that the new Fugitive Slave Act meant that her charges actually were not safe even when she delivered them to Chester or Philadelphia, she decided to take them as far as Canada. By 1852 slaveholders were offering a total of $40,000 for her capture, dead or alive. Harriet Tubman became famous in the North as well, and was often called upon to appear at large meetings. Leaders like Garrison and even William Henry Seward, later Lincoln's Secretary of State, honored her with their friendship. Seward said of her, "a nobler higher spirit, or a truer, seldom dwells in human form." This magnificent escaped slave was perhaps the greatest conductor on the underground railroad. An abolitionist organizer, and a friend of John Brown, she also served throughout the Civil War, first as a nurse and then "as commander of several men who were scouts * * * under directions and orders of Edwin M. Stanton, Secretary of War, and of several generals." Harriet Tubman continued to work for the rights of Negroes until her death in 1913.

THE BLACK SOLDIER IN THE CIVIL WAR

"To everything there is a season, and a time to every purpose under the heaven:

"A time to be born, and a time to die; a time to plant, and a time to pluck up that which is planted; a time to kill, and a time to to heal; a time to break down, and a time to build up; a time to love, and a time to hate; a time of war, and a time of peace."

To the millions of slaves and black freemen living in America in 1862, these prophetic words of Ecclesiastes were suddenly a ringing truth. The time had come to make a choice—a choice that was not only to shape the destiny of the black man but also that of the Union. Following the fall of Fort Sumter, Lincoln issued a call for all men who loved the Union. Both blacks and whites rallied to this call. They drilled and formed military units like the Hannibal Guards of Pittsburgh, the Crispus Attucks Guards of Albany, Ohio, and similar groups in New York, Philadelphia, and Boston. The Lincoln administration, however, thanked these volunteers and sent them home, indicating that this was a "white man's war."

During the summer of 1862, though, as the tide of war began to go against the Union, three generals, without waiting for official approval, began organizing Negro regiments. David Hunter set up the first South Carolina Volunteers, and Jim Lane organized the first Kansas Colored Volunteers. In New Orleans, Ben Butler took over an organized regiment of 1,400 free Negroes which was to become the 1st Louisiana Native Guards, the very first Negro regiment to receive official recognition in the Union Army. On September 22, 5 days after the Battle of Antietam, Lincoln notified the South that all slaves would be freed on January 1, 1863. By the end of 1863, there were an estimated 50,000 black soldiers in Union ranks. Despite the fact that they were not accepted as equals, that they were offered monthly pay of $7 when their white comrades were receiving $13, black soldiers joined the war vigorously, fighting, before it was over, in over 400 battles, including Port Hudson, Milliken's Bend, Fort Wagner, Poison Spring, Nashville, Tupelo, Petersburg, and Richmond. In many instances, Negro soldiers who were captured as prisoners of war were sold into slavery. At Fort Pillow, Tenn., some 300 black soldiers, women, and children were murdered by General Forrest's rebel troops after the fort had surrendered. Some were nailed to logs and burned; others were buried alive.

Author Lerone Bennett relates that black soldiers deported themselves brilliantly during the summer of 1863. "At Port Hudson, an important Confederate fort commanding a stretch of Mississippi River, and at Fort Wagner commanding Charles Harbor these troops made seven of the most gallant charges of the war. Six times the 1st and 3d Louisiana Native Guards assaulted the fortifications of Port Hudson, only to be finally repulsed bacause of lack of support." It was during this battle that Capt. Andre Cailloux was conspicuous for his bravery. After his left arm was shattered by a bullet, he remained on the field and rallied his men for a final charge. "As he sprinted across the field," writes Bennett, "his voice could be heard above the thunder of battle." In English he shouted, "Follow me," and in French, "Suivez-moi." He fell mortally wounded some 50 yards from the fort.

The black soldiers were equally courageous at Fort Wagner, under the leadership of their white officer, Col. Robert Gould Shaw. Shaw had led his black troops across a half mile of sandy terrain where they engaged in a desperate last-ditch struggle with the defenders. During this battle, Shaw and a black sergeant who fought beside him were mortally wounded at the same time.

Ten days after the Port Hudson assault, during the first week of June, 1863, 2,000 Texans attacked the Union fort at Milliken's Bend, about 20 miles north of Vicksburg. The fort was held by a thousand soldiers, about 840 of whom were black. As the Texans advanced on the fort, they murdered the black soldiers they had captured. Enraged by these atrocities, the blacks rallied on the banks of the river and—with the last-minute assistance of a Union gunboat—black and white soldiers stood toe to toe and as they ran out of bullets, clubbed each other with musket butts and stabbed with bayonets; finally, the white Texans broke and fled. Thus, was the fort at Milliken's Bend saved.

Later, in 1864, when Ulysses S. Grant crossed the Rapidan River and began his bloody duel with Lee, a Negro division was with him. At the same time, Ben Butler marched on Richmond; accompanying him were some 5,000 black foot soldiers and 1,600 black cavalrymen. On June 15, Grant sent Gen. W. F. Smith to make an attack on Petersburg. The Negro division which spearheaded this attack opened a mile-wide hole in the Petersburg defenses, and captured 7 guns and 200 prisoners. Grant subsequently settled down for the 10-month siege which ended with the fall of Richmond and Petersburg in April, 1865. About 34 black regiments participated in this famous siege, and were prominent in the Battle of the Crater, and the battles at Darbytown Road, Fair Oaks, Deep Bottom, Hatcher's Run, New Market Heights, and Fort Gilmer. The 2d Division of the all-Negro 25th Corps was one of the Union divisions which chased Lee's army from Petersburg to Appomattox Courthouse. By the war's end, approximately 186,000 black soldiers had served in the Civil War.

With the surrender of Joseph Johnston and the defeat of Lee, black soldiers and civilians had something to cheer about. The Emancipation Proclamation and the 13th amendment gave meaning and reality to the freedom they had so long dreamed of. In the words of Ecclesiastes, it was "a time to laugh * * * a time to dance * * * a time to get, and a time to lose; a time to keep, and a time to cast away."

Mr. JAVITS. Mr. President, I hope that the excerpts which Senators read in the Record will interest them sufficiently to encourage them to obtain copies of the booklet itself. It will, I am sure, impress them with the beauty of its preparation, the strength of the personalities thereby revealed, the general pride shown by the Negroes of our country in their struggles to advance, and what their advance means to all our people and to all mankind. I think perhaps the last-mentioned is indeed the most significant of all the feelings engendered by this beautiful and interesting booklet.

TARGET FOR PITCHMEN: THE ELDERLY

Mr. HART. Mr. President, many Members of the Senate and many Members of the House are concerned about protection of the consumer. We are considering many new proposals to help customers get full information about products sold to them in the often bewildering marketplace of a great industrial nation.

Older Americans, in particular, should have the facts they need, in order to make important decisions. Many have worked for years for pensions or other forms of fixed income, only to discover in retirement years that even the wise planning of many years can be upset by a catastrophic illness or other unexpected expense. They have special reason for seeking full value from every dollar.

And yet, thanks to the investigations and hearings launched within recent months by a subcommittee of the Senate Special Committee on Aging, we now discover that the elderly in this Nation have become the special target of ruthless schemers, quacks, promoters of worthless products, and others who sell worthless services or products.

The subcommittee chairman, the Senator from New Jersey [Mr. Williams], has said the elderly have become the No. 1 target of "salesmen of sorrow and loss." His Subcommittee on Frauds and Misrepresentations affecting the elderly has already heard from dozens of witnesses who have given information on such subjects as health frauds and quackery, deceptive practices in the sale of health insurance, and mail-order land sales.

Through all this, the Senator from New Jersey and the other members of the subcommittee have tried to distinguish between reputable firms and shady firms. But they have also tried to show clearly that schemers are making a big business out of bilking the elderly.

The Senator from New Jersey and the other members of the subcommittee are performing a valuable service to the Nation by sounding this warning; and I should like to help them express that warning by asking unanimous consent to have printed in the Record an article from the May 17 issue of the Newark, N.J., Star-Ledger. It gives a good summary of the work done thus far by the subcommittee.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Newark (N.J.) Star-Ledger, May 17, 1964]

Target: 600,000 Jerseyites—Salesmen of Sorrow Zero in on the Elderly

(Note.—Senator Harrison A. Williams, Democrat, of New Jersey, is chairman of a Senate subcommittee now investigating frauds and misleading practices affecting the elderly. The subcommittee has held hearings this year in San Francisco and in Washington, D.C., on health frauds and quackery. This month in Washington other witnesses described inaccuracies in some health insurance sales pitches. In this article, written especially for the Star-Ledger, the Senator describes the subcommittee objectives.)

(By Senator H. A. WILLIAMS, JR.)

WASHINGTON.—Watch out for slippery sales pitches aimed directly at the elderly.

Testimony now piling up in Washington indicates that heartless schemers—salesmen of sorrow and loss—have zeroed in on men and women past retirement age.

They're not playing for small stakes. In New Jersey alone, at least 600,000 persons are now past 65. Throughout the Nation 18 million persons in the same age group have a total buying power of from $36 to $38 billion.

MOST SKIMP

This is a big and growing market, even though individuals in that market often have only the bare essentials of life. Most of them need every cent they have.

But the Senate subcommittee on frauds and misrepresentations affecting the elderly has disheartening evidence that bilking the elderly has become big business.

More than that, it will almost certainly become bigger as the number of elderly increases—unless, that is, Americans spot the danger and head it off.

To help increase public awareness of the seriousness of the problem, the subcommittee I mentioned before has already held four hearings this year.

CHECK LAND SALES

Tomorrow we begin hearings on interstate mail order land sales. Witnesses will come from the West, Southwest, and East to tell about the bad—and the good—that results from the sale of retirement or investment sites in remote parts of distant States.

In this investigation, as in all the others, we're going to distinguish between the reputable dealer and the shady promoter who lives just within, as well as outside, the letter of the law.

Sometimes the distinction is easy to make. Take quacks, for example.

Usually they make offers that no reputable practitioner would make, and usually they claim that they have a "secret" cure. Always, their cost is high.

DEPEND ON HOPE

But people in pain want relief and the hope of cure. The quack or the peddler of phony "health products" or devices is prepared to cash in on that hope.

Arthritis is one of the most painful of ailments and there are 400,000 sufferers in New Jersey alone. At our hearings on quackery and health frauds a few weeks ago, we heard from two of them.

Their experiences—long and heartbreaking bouts with practitioners who promised everything and delivered nothing at all—should be read by anyone who is tempted by the glib claims of the unscrupulous.

FACTS FORGOTTEN

Sometimes, however a buyer is misled, not by distorted facts, but by the omission of facts. Earlier this month, at hearings on tactics used to sell health insurance, we learned that many elderly people do not know what is in policies sold to them by shady companies.

Several witnesses told us that policies were canceled, when needed most, because of a clause called "preexisting illness." This restriction, they said, had not been explained to them by anyone. And it would take a trained insurance analyst to understand the technical language used in some of the policies.

WIDE FIELD OPEN

How can protection be given in such cases? Usually, we can depend upon the reputation of the seller. Most health insurance firms honestly try to explain what they're selling. But many of the elderly have turned to tricky policies of fly-by-night companies simply because they can't afford the cost of adequate coverage.

The subcommittee has a wide field of inquiry. In the next 2 months we hope to look into investment and "career opportunities" schemes, as well as sharp practices in the sale or repair of hearing aids. We may have other announcements, too, in the near future.

But even though our field is varied, one common theme is taking shape. It's becoming more and more obvious, I think, that more regulation may be needed, but it is not the final answer.

Better consumer education programs, as well as a higher degree of public awareness, are essential, too.

Once the morality of the marketplace was summed up in just two words, "caveat emptor." The buyer, and no one else, had to look after the buyer's interests.

We've come a long way since then. Our food is almost always safe to eat; our weights and measures are generally accurate and we have volumes full of regulations about advertising and labeling.

With all that, "caveat emptor" has not yet disappeared. The difference now is sometimes that the huckster uses the law itself to help him. He finds ways to live up to inadequate laws while he violates the spirit of those laws.

More and more the key word for real protection in today's marketplace is morality—morality of the seller and the expectation of moral treatment by the buyer.

Until we reach that happy state of affairs, the subcommittee will have to be content to present the facts to the public.

If the buyer must beware, he should know of what to be wary. We're trying to give him that warning.

RECESS TO TOMORROW, AT NOON

Mr. HART. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate now stand in recess, under the order previously entered, until 12 o'clock noon, tomorrow.

The motion was agreed to; and (at 5 o'clock and 1 minute p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Wednesday, May 27, 1964, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 26 (legislative day of March 30), 1964:

POSTMASTERS

ALABAMA

Samuel W. Whitehead, Rogersville.
Janet F. Blackburn, Russellville.
William H. Davis, Vina.

ALASKA

William P. Koso, King Cove.

ARKANSAS

Edward T. Billingsley, Melbourne.
Buddy E. Hughey, Ratcliff.

CALIFORNIA

William P. Robinson, Rio Vista.
Elmer F. Porini, Smithflat.
Merlyn R. Smith, Tahoe Valley.
Thomas H. Theobald, Tujunga.
Eugene W. Hammack, Windsor.
John L. Woods, Yuba City.

CONNECTICUT

Joseph F. Glynn, Clinton.
William J. O'Brien, Taftville.
Theresa A. Morway, Thompson.

FLORIDA

Donald J. Stroup, Reddick.

GEORGIA

George W. Camp, Atlanta.
Pearl O. Hester, Conley.
Calvin A. Barfield, Jr., Douglasville.
Michael S. Dowling, Hoboken.
Jack W. Winn, McRae.
James L. Cline, Waleska.

IDAHO

Carol J. Nitz, Elk City.

INDIANA

Howard L. Ring, Anderson.
Herschel R. Ell, Cory.
Gerald N. Wilhems, Hartford City.
Raymond L. Hopwood, Memphis.
Gordon N. Strange, Plainville.
Wayne M. Renbarger, Sweetsers.
Lloyd S. Schafer, Winchester.

IOWA

Merland E. Buttolph, Bennett.
Rollis G. Jensen, Denver.
Earl F. McGrane, Ionia.
James M. Kennedy, Le Mars.
Dale W. Erickson, Lorimor.
Eugene K. Hamilton, Morning Sun.
Eugene A. McCarville, Perry.

KANSAS

Donald C. Ratcliff, Belle Plaine.
Harold E. Good, Wellsville.

KENTUCKY

Anna F. Farris, Clermont.
Samuel B. Norfleet, Jr., Nancy.
William A. Miller, Shelbyville.

MAINE

John C. Hayman, Danforth.
Clayton M. Dolloff, Mount Vernon.

MARYLAND

Francis J. Woodard, Chase.
John S. Parsons, Pittsville.

MASSACHUSETTS

Mildred E. Hazel, Harvard.
John E. Connor, Leominster.
Raymond L. Merrigan, North Adams.
Ann S. Hammatt, South Orleans.

MICHIGAN

Otto A. Hausler, Boyne Falls.
Lawrence J. Hunt, Howard City.
John A. Liberacki, Unionville.
Harry J. Herman, Weidman.

MINNESOTA

James J. Root, Donnelly.
Jeanette M. Lindeman, Stanchfield.
Ward K. Anderson, Wahkon.

MISSISSIPPI

E. Broughton Henderson, Jr., Greenville.

MISSOURI

Charles A. Bagby, Arbyrd.
John G. Schieber, Conception.
Donald A. Downing, Edina.
Robert E. Hahn, Flat River.
Kenneth J. Thull, Morrison.
Russell L. Joiner, Trenton.

MONTANA

Philip E. Pings, Augusta.
Clayton R. Miars, Forsyth.
Helen L. Lucier, Frenchtown.
Mabel C. Beers, Judith Gap.

NEBRASKA

Owen Ted Borders, Gordon.

NEVADA

Myra A. Dinius, Gabbs.
Georgia E. Dunham, Mina.

NEW JERSEY

Edward J. Phipps, Chatham.
H. Pearl Hinshaw, Long Valley.

NEW YORK

Francis L. Marshall, Clayton.
Louise E. Seville, Congers.
Robert L. Callahan, Cooperstown.
George W. Stevens, Hobart.
Henry C. Schreiber, Long Island City.
George J. Posner, Mamaroneck.
Gary C. Babjeck, Philmont.
William A. Potskowski, Port Henry.
Timothy D. Sullivan, Scarsdale.
Herbert Strumpf, Selkirk.
Margaret B. Forbes, Smithtown.
James F. Murray, Valatie.

NORTH CAROLINA

Madeline S. Forrester, Bear Creek.
Roy B. Tucker, Marshville.
Jacob M. Nifong, Pfafftown.

NORTH DAKOTA

Stephen J. Urie, Cogswell.

OHIO

William T. Duke, Akron.
James P. Hanacek, Northfield.

OKLAHOMA

Donald R. Kardokus, Eakly.
Donald L. McKinney, Inola.
Sexson C. Longest, Ringling.
Parks E. Harlan, Spiro.

OREGON

Norman D. Baker, Port Orford.
Jesse C. Edington, Sisters.

PENNSYLVANIA

Harry D. Hess, Bangor.
Edward W. Snyder, Beach Lake.
Donald P. Fischer, Bethlehem.
John A. Reph, Jr., Danielsville.
Joseph Windish, Jr., Denver.
Robert K. Tabler, Echo Lake.
Martin T. Brittingham, Jr., Exton.
E. Glenn Kauffman, Gap.
Byron D. Cooper, Johnstown.
Harry R. Collins, McDonald.
Marian A. MacDonough, Marshalls Creek.
Luther D. Clewell, Nazareth.
Ernest W. Parsons, Pen Argyl.
Chester L. Shirk, Rothsville.
Glenn C. Boote, Swiftwater.
James L. Roney, Unionville.

SOUTH DAKOTA

Orval J. Lambertz, Canistota.

TENNESSEE

Mary K. Roberts, Counce.
William A. Barger, Huntington.
James E. Steadman, Mascot.
S. Jesse Simpson, Jr., Sweetwater.

TEXAS

Rosale M. Trammell, Big Wells.
Milton L. Routt, Chappell Hill.
Craft Harrison, Copperas Cove.
Jack P. Humphries, Edinburg.
Robert E. M. Gilbert, Harlingen.
Clairene R. Dunn, Highlands.
Dixie S. Odom, Karnack.
Samuel T. Toney, La Vernia.
Ora A. Smith, Wellman.

VERMONT

Donald J. Willcox, Peacham.

VIRGINIA

LeRoy Davis, Hallwood.
Conway F. Allen, Norge.
Mary S. Thaxton, Roseland.
Myrtle V. MacGregor, Stafford.
Warner R. Hargis, Jr., Tasley.

VIRGIN ISLANDS

Rupert A. Williams, Kingshill.

WASHINGTON

Bryce R. McNeely, Kelso.
Clyde M. Brown, Orcas.
Corrine J. Wilcox, Tokeland.

WEST VIRGINIA

A. Alvin Farmer, Bolt.
Phillip B. Jordan, Keyser.
Harry F. Weaver, Paw Paw.
Lois E. Skaggs, Victor.
Carl B. Miller, Winfield.

WISCONSIN

Jack E. Brown, Hager City.
Louis W. DeMark, Racine.
Joseph F. Strahan, Saukville.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 26, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Timothy 21: 19: *Nevertheless the foundation of God standeth sure.*

Eternal God, we are again turning unto Thee, conscious of our many needed blessings, but encouraged by every gracious invitation in Thy Holy Word and constrained by that love from which nothing can ever separate us.

Grant that in these times of tremendous social and economic upheavals and of strained international relationships, our moral and spiritual ideals may remain unshaken, for if these foundations are destroyed what can the righteous do?

May we be eager to extend and widen the horizon of understanding and sympathy and have a larger share in establishing the spirit of good will among all mankind.

Inspire us to engage in those great cooperative adventures and enterprises in which all the nations shall have an abundant opportunity for self-initiative and self-development.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

COMMUNICATION FROM THE KING OF GREECE

The SPEAKER laid before the House the following communication from the King of Greece:

> THE ROYAL PALACE,
> *Athens, April 25, 1964.*
>
> Mr. Speaker, I was deeply moved by the unanimous resolution of the U.S. Congress of March 9, 1964, on the occasion of the death of the late King Paul, my beloved father.
>
> The generous words of praise for my beloved father coming from such a noble and representative body were greatly heartening to us all.
>
> Please accept and convey to the honorable Members of the House of Representatives the heartfelt thanks of Queen Frederika and myself, as well as those of my people.
>
> CONSTANTINE R.

SPECIAL COMMITTEE ON HOUSING OF THE PUBLIC WORKS COMMITTEE

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that the Special Committee on Housing of the Committee on Public Works may hold hearings on the so-called Appalachian bill and be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

DECISIONS OF THE SECRETARY OF THE INTERIOR WITH REFERENCE TO THE LOWER COLORADO RIVER

Mr. UTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, the events of recent weeks on the lower Colorado River dramatically highlight the water crisis that faces the Pacific Southwest. On May 11, Secretary Udall made the difficult decision to resume filling operations at Glen Canyon Dam, even though it meant seriously reducing storage at Lake Mead downstream to the minimum level at which power can be efficiently generated at that installation. Later in the week, on May 16, he ordered a 10-percent reduction of all Colorado River deliveries to users in Arizona, California, and Nevada. Thus, the impending water crisis in the Southwest which we have long talked about but refused to face up to is on us, and decisive action is urgently needed.

There is a general consensus that the solution must come through a regional approach rather than on the piecemeal project-by-project approach of the past. However, agreement is still lacking on the specific structure of a regional plan, and Secretary Udall is seeking to reach a consensus on the essential elements of a regional plan before the administration makes any final decisions in this critical area.

The bill I am introducing today would authorize the kind of regional approach which all of the lower basin States could support. The proposal is sponsored by the 6 California public agencies which serve 9 million southern Californians with Colorado River water. It would utilize the basic components of the Interior Department's plan of January 1964, modified, however, to expand the scope of the water importation aspects of the plan and to afford protection to existing uses in Arizona, California, and Nevada against newly authorized projects until such time as the imported water is actually available to users in the basin. It affords an unprecedented opportunity to supersede the old wars on the Colorado with new cooperative efforts toward meaningful regional development.

SUPREME COURT DECISION ON THE PRINCE EDWARD SCHOOL CASE

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Speaker, the Supreme Court of the United States, in rendering its decision on the so-called Prince Edward school case, has shocked many leading constitutional lawyers of America. The Court disregarded all judicial restraint. It is modifying, stretching, disregarding, and interpreting the Constitution to fit the Court's own political and social philosophy regardless of precedent and regardless of the rights of the people of America.

Never, in the history of our Nation, has the Court intimated or held that it had the authority to compel a legislative body to levy taxes upon its people to carry out an order of the Court. This abolishes and wipes out the separation of the branches of our Government.

The Court, with brazen power, is arrogating unto itself legislative functions that the Constitution has never conferred upon the Court. It breaks down and tears asunder the separation doctrine which has meant so much to America.

If our people sit idly by and permit a continuation of such arrogated power, our necks will be under the heel of a judicial dictatorship such as has never been known before in the free world. We must not—we cannot—permit this to happen in America.

MILITARY CONSTRUCTION APPROPRIATION BILL, 1965

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 736, Rept. No. 1427) which was referred to the House Calendar and ordered to be printed:

Resolved, That during the consideration of the bill (H.R. 11369) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes, all points of order against said bill are hereby waived.

Mr. BOLLING. Mr. Speaker, I call up House Resolution 736 and asked for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution.

The SPEAKER. The question is, Will the House now consider House Resolution 376?

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Does this require unanimous consent?

Mr. SPEAKER. It requires a two-thirds vote.

Mr. GROSS. Mr. Speaker, is there any way to ascertain the reason for this request?

The SPEAKER. If the House decides to consider it, then the debate will be under the 1-hour rule on the resolution.

Mr. GROSS. Is there no way of ascertaining what is being done here, Mr. Speaker? Is there no time available?

The SPEAKER. The Chair will state at this point that it is a matter of consideration. If consideration is granted, which requires a two-thirds vote, then the resolution will be considered under the 1-hour rule.

The question is, Will the House now consider House Resolution 736?

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Iowa objects to the vote on the ground that a quorum is not present and makes the point of order that a quorum is not present.

Mr. GROSS. Mr. Speaker, I withdraw my objection to the vote and the point of order.

The SPEAKER. The question is, Will the House now consider House Resolution 736?

The question was taken; and (two-thirds having voted in favor thereof) the House agreed to consider House Resolution 736.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith]; and pending that I yield myself such time as I may consume.

Mr. Speaker, it is my understanding that the only reason for this resolution is that the other body has not completed consideration of the authorizing legislation on this subject. The House has completed such consideration and has passed the authorizing bill. Only in this fashion can the appropriation bill be considered. A point of order would lie against the whole appropriation bill to be considered unless this procedure were followed, because the authorization has not yet become law.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. The gentleman will be glad to yield to the gentleman from Iowa.

Mr. GROSS. What sort of precedent are we setting here? Is this to be followed by resolutions providing for the consideration of other appropriations bills, the authorization for which has not been passed by the other body and enacted into law? Is this creating a precedent? Is this to be followed the rest of the session where we will be asked to pass appropriation bills without action having been completed on the authorization for those appropriations?

Mr. BOLLING. The gentleman now speaking can only answer for himself. As far as he is concerned there is no precedent whatsoever created in this situation. There may be other bills handled in this fashion, or there may not. But this clearly is no precedent.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I think the record should clearly show what we are doing here today because during my time on the Committee on Rules I think this is the first time a position like this has ever confronted the House or that we have been asked to take a position in the Committee on Rules on a matter such as this.

Mr. Speaker, we have before the House for consideration today—and it has been programed—the military construction appropriation bill, H.R. 11369.

Mr. Speaker, as the gentleman from Missouri [Mr. Bolling] stated, the rules of the House provide that appropriation bills cannot be considered unless the authorization bill has first been enacted into law. This has not occurred because of the time being consumed in the other body on other legislation. We are now faced here in the House of Representatives with the question of whether or not we should continue to legislate or whether or not we should sit and wait. We are faced here with the question of whether or not this body should continue to send additional legislation over to the other body or whether or not we should hold up some on our program.

Mr. Speaker, I believe that particular question can be argued either way. If we send more and more legislation over to the other body and complete our chores and labors, there is the argument that the other body will then have to work for some considerable time in order to dispose of the necessary legislation. By the same token, it can be argued the other way.

However, Mr. Speaker, I do want to make one thing perfectly clear. I hope that the leadership will agree with this statement, and that is if we take this precedent, an unprecedented move here in the House of Representatives today. and dispose of this legislation and other legislation and we send it to the other body, that the leadership in this particular body will do its best to adjourn this session as soon as it can, or at least give us a recess so that we will not be kidding ourselves by waiving points of order in violation of the rules of the House, and still be held here until Christmas of this year.

Mr. HALLECK. Mr. Speaker, will the gentleman yield to me?

Mr. SMITH of California. I would be happy to yield to the distinguished minority leader.

Mr. HALLECK. Mr. Speaker, I would like to say first of all to the gentleman from California [Mr. Smith] that I think probably in years past, for reasons possibly not quite like this one, the Committee on Rules has granted rules waiving points of order on appropriation bills. But be that as it may, I think this much should be perfectly clear—and I am glad the gentleman from California raised the question. If we are to go along with this sort of procedure in order to expedite the work of the House of Representatives, it ought to be done with a very definite view in mind that one day we either adjourn sine die, or if having concluded the work of the House of Representatives and the other body having not completed its work, that we could expect recesses or other arrangements would be worked out which would make it possible for the Members of the House of Representatives to get back home to see their constituents, to see their families, or to do whatever they might want to do, because we are not held here.

Mr. Speaker, I want to say this one thing further. If this sort of procedure is to be followed, then, certainly, we ought to consider those things as quickly as we can that are to come before the House of Representatives. If some are not to be considered, OK, we will not consider them. But, then, having done our part as one of the coordinated branches of the legislative part of our

Government, then we ought to be able to look forward to some sort of respite rather than being required to stay here week after week to take up one little bill after another, occupying weeks and weeks of consideration here when all such small matters could be considered in a few days and disposed of.

So, Mr. Speaker, in response to the gentleman's inquiry may I say that although we in the minority are not in charge of the bill, we could control it as we have enough votes over here so that a two-thirds vote could not prevail if we do not want it to prevail; and I would hope that the leadership on the other side of the aisle would agree with me that if we are willing to go along with this sort of procedure, some real beneficial results may accrue.

Mr. SMITH of California. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Iowa.

Mr. GROSS. It seems to me we are putting a lot of eggs in one basket. We have passed the authorization bill and sent it to the other body. Then before they dispose of that, and before a conference, before they come back to the House, we pass the appropriation bill that is putting all of our eggs in the basket on the other side. This is what I find wrong with that sort of procedure. I would hope this will be the last of it. I would hope, for instance, that the pending foreign aid authorization bill can be passed by the House, sent to the other body, and then in the normal procedure they work their will and enter into conference before we pass the appropriation bill and dump it over there in the same fashion this bill is being dumped into the hands of the other body.

I do not like this procedure. I do not like this yielding to expediency. Since the House has agreed to it, it does not violate the rules, but it is in contravention of the orderly procedure of the House of Representatives. I thank the gentleman from California for the explanation he has given, and the statement he has made that this action is not to be considered as a precedent for the remainder of this or any other session.

Mr. HALLECK. Mr. Speaker, will the gentleman yield again?

Mr. SMITH of California. I yield to the gentleman from Indiana.

Mr. HALLECK. Is this appropriation bill we are presently considering above or below the figure of the authorization bill as passed by the House of Representatives?

Mr. MAHON. It is $280 million below the budget estimate.

Mr. HALLECK. What about the authorization?

Mr. MAHON. The authorization, I should say.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I would like for a member of the subcommittee to give the right figures.

Mr. SMITH of California. The question is whether or not this appropriation bill is less than the authorization previously passed.

Mr. MAHON. It is less than the authorization, it is less than the budget. It is about $280 million below the budget.

Mr. SIKES. One hundred and thirty million dollars below the authorization.

Mr. SMITH of California. When the conference comes around on the authorization and it is below the amount we appropriated, we will have that question to consider.

This particular bill, Mr. Speaker, is a good bill, and as I further understand it the members of the Committee on Appropriations preferred not to have proceeded in this way. But they have set a schedule, they are trying to abide by that schedule, and in order to do so this particular waiver of the rule has been granted.

I want to make my position clear, and the position of the committee. As I understand it, this is not a precedent. Each matter will be considered on the merits of the particular bill. That includes the public works bill, and particularly the foreign aid bill. They would first come in with an authorization on foreign aid, but they will not pass the appropriation before the Members are given an adequate chance to consider the appropriation bill passed on the authorization. It is my statement, and the statement of the Rules Committee, as I understand it, that this is not a precedent for that. If I am wrong in that statement I would like any member of the Rules Committee to stand up and correct me if this is a misstatement.

I thank you, Mr. Speaker.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I do not think anyone likes this rule. I am sure the Committee on Appropriations does not, and I am sure the Committee on Rules does not. We are in an unusual jam about legislation, and so far as the Rules Committee is concerned I think the gentleman from California [Mr. SMITH] has stated the situation accurately.

I did not want to grant this rule, the Appropriations Committee did not want to ask for this rule. Everybody hoped that this would not be the subject of precedence for running wild with appropriation bills that have not been authorized by law.

As chairman of the Committee on Rules I have a very deep feeling about abiding by the rules of the House, as other Members of course have. We regret it very much that the exigencies of this situation seem to justify the granting of this rule and the passage of the rule. Personally, I think we are going much too far in using exigencies of the occasion to do things that the rules, which really in my judgment, were not intended to do. You know what we are doing here today is suspending the rules of the House and doing so by virtue of a rule from the Committee on Rules.

Well, I do not say that that is illegal, because it is within the rules. But I do not think the rules ought to be that way. If we are going to suspend the rules of the House, we ought to follow the regular rule which is that there must be a two-thirds vote in order to suspend the rules of the House.

Now what happens in these, what I have termed exigencies? And that is where the leadership on both sides of the House want to get something through in a hurry. You just come up to the Committee on Rules and say, "Give us a rule to waive the rules of the House." And that is what the Committee on Rules does. So that the net effect is that any time that it is desired by the majority of the House to pass a bill that is not in conformity with the rules of the House, they get a rule and instead of having to have a two-thirds majority to vote for it, they do it by the vote of a simple majority. That was done here recently in the little, may I call it, conspiracy by which the cotton bill and the wheat bill and the food stamp bill were passed by a majority of the House in violation of the rules of the House; and they did it by the device of getting a rule out of the Committee on Rules which when passed by a majority vote instead of a two-thirds majority abrogated the normal rules of the House.

That is what we are doing in this case. The only reason you have to have a two-thirds vote this morning—and there was not any way to get around that by the Committee on Rules—the only reason you needed a two-thirds vote this morning was because you wanted to take it up on the very same day—when the rules provide that you cannot take it up until the next day.

So whether the two-thirds vote suspended the rules of the House or not, it was just a question of whether you should take it up today or tomorrow. If you waited until tomorrow to take this bill up, then you would have been passing an appropriation of over a billion and a half dollars—good as it may be—by a majority vote of the House when there had never been a law authorizing that appropriation.

Now I am saying these things not in opposition to this rule but in the fervent hope that this is not going to be used as a device to get around the rules in violation of the House whenever a particular occasion seems to justify it.

I was happy to note that both the gentlemen who presented the rule, the gentleman from Missouri [Mr. BOLLING] and the gentleman who spoke on the minority side, both agreed that this is not to be regarded as a precedent for putting through every bill that you want to get through in a hurry, when it has not been authorized by law. We just ought not to be doing that kind of thing. We are doing too many things here under the pressure of the moment which, if more consideration was given to them, probably would not be done. That is all I need to say about it.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MILITARY CONSTRUCTION APPROPRIATION BILL, 1965

Mr. SHEPPARD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11369) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 3 hours, one-half to be controlled by the gentleman from North Carolina [Mr. JONAS] and one-half to be controlled by myself.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11369, with Mr. RIVERS of South Carolina in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from California [Mr. SHEPPARD] will be recognized for 1½ hours and the gentleman from North Carolina [Mr. JONAS] will be recognized for 1½ hours.

The Chair recognizes the distinguished gentleman from California.

Mr. SHEPPARD. Mr. Chairman, I yield myself such time as I might require.

Mr. Chairman, budget estimates for the military construction program for fiscal year 1965 total $1.879 billion. Your committee recommends appropriations slightly under $1.6 million, a reduction of about $280 million below the budget estimate. These reductions include the amount of $151.105,000 as a result of changes made by the military construction authorization bill passed by the House and now awaiting action in the Senate.

This bill consists of literally thousands of individual line items varying from a few thousand to several million dollars. Your committee has reviewed each of these line items in its hearings and deliberations and our actions are based on such detailed considerations.

In making the reductions to which I have referred the committee adopted several basic policies. First, projects were eliminated or funds reduced where the cost appeared excessive or plans and designs were too elaborate. The committee report on page 4 sets out a specific example with reference to what can happen to construction costs unless plans are properly reviewed by those in authority. As is stated in the report, the extensive modifications incurred by the Army in the changes to the ordnance-tank and automotive command building in Warren, Mich., to accommodate the Army Mobility Command, represent an excellent example of the extent to which excessive costs can be incurred if proper control and supervision is not present.

Second. As always, the committee has eliminated projects or reduced funds where the plans and designs were inadequate to assure firm cost estimates. Not to follow such a policy, in the final analysis, means to do nothing more than write a "blank check" appropriation.

Third. The committee insists that maximum utilization be made of existing facilities. This is perhaps the hardest policy of all to enforce. All of the services want new facilities. They want what they call more modern facilities. Sometimes, of course, these are necessary, for military science is moving forward very rapidly and frequently new facilities, especially of an operational nature, are essential. But where the services can properly use existing facilities without injuring the defense program, we insist that it be done. The requirement for this policy is made more apparent to all concerned by the program of the Department of Defense for the closure of military installations with which I am certain many of you are far too familiar.

Fourth. Projects are disapproved that are not clearly essential to the military posture of the country at the present time or in the foreseeable future. For example, the committee does not feel that it can accept as essential at this time the construction of many of the commissaries, additions to officers' clubs, unnecessary duplications of facilities and the like which were requested.

Fifth. The committee insists, as it has in the past, that maximum utilization be made of funds appropriated in support of prior year programs and remaining uncommitted or unobligated. Favorable costs resulting from advertised competitive bidding, the changing nature of our defense requirement, including efforts to change our present unfavorable balance of trade, and other factors often result in savings or in reductions in the planned scope of facilities or sometime in the actual cancellation of projects. These are no-year funds and the committee believes it must monitor their expenditure very carefully to fulfill its responsibilities to the House. In this respect, a reduction of $23,120,000 has been made in the funds available to support the military construction and family housing programs.

Many of you have asked questions about armories and other construction projects for the Reserve and National Guard components of the military services. This year, the authorizations for these facilities were again requested and made in lump-sum fashion without specific line items. Your committee has appropriated the funds in a similar fashion. There is no earmarking of funds for specific projects. I would like to emphasize, however, that the committee has approved all of the funds requested and contained in the authorization bill for these programs in the three services.

You will find the details of the committee action set forth in our report. For your guidance, beginning on page 23 of the report, there is a State-by-State breakout of the funds approved for military construction followed by the details of the family housing construction program.

In summary, the committee recommends a reduction of $279,985,500. This consists of $151,105,000 as a result of reductions made in the authorization bill—$105,760,500 as a result of specific reductions made in the various programs by this committee—and $23,120,000 as a result of savings and utilization of funds remaining available from prior year programs.

Mr. Chairman, when a committee recommends a reduction, even of this magnitude, in a defense program the question is always raised as to whether or not we are crippling the defense effort. First, let me point out to you that a significant portion of the reduction is realized from recoupment of funds and other savings from prior year programs. Second, your committee has approved the essential operating facilities requested in this program. Where there has been doubt in our minds, we have resolved it in favor of a strong national defense. I might say categorically that there were several instances where specific operational facilities were questioned quite seriously.

Your committee believes that we are presenting to you today a realistic military construction program. Our hearings have been lengthy and in detail. Those of us, on both sides of the aisle, who have participated in them and in the writing of this bill, do not believe that the actions taken will, in any way, shape or form, retard or damage our defense effort. On the contrary, if properly implemented these actions will increase the defense effort of this country and add to our strength. Commonsense tells me that this bill will not satisfy every military service. Perhaps it will not satisfy every Member of this House, but I assure you that it is a solid bill. Our goal, this year, as it has been in the past is a military construction program, which, if properly implemented by the Defense Department and the military services, will save money, make better use of existing facilities and keep the construction program under continuous review by those in authority in the executive branch and in the Congress.

As I have stated in the past, we realize that unfortunately we cannot win a popularity contest in handling these construction bills. In my opinion the committee has done a thorough job in bringing this bill before you. I think it is a good bill. It deserves your attention, your consideration, and I am personally convinced your approval.

Language contained in the Army portion of the report accompanying this bill sets forth our reasons for denying the request for funds for the rehabilitation of mobilization type facilities at Fort Polk, La., and Fort Lewis, Wash. These facilities are not used by the Regular Army troops but are to be held in standby condition in the event of future mobilization of additional Army troops. At the present time the Army is programing the use of operation and maintenance funds, under existing limitations on the use of these funds, for repair type activities for this work. The committee feels that this is the maximum that should be obligated on these facilities and by no stretch of the imagination are we indicating to the Department of Defense that they are to utilize operation and maintenance funds for work of the type contemplated by the request for military construction funds. Frankly, I personally think the entire matter of continuing to maintain these facilities should be much more carefully studied by the Department of Defense and probably steps taken to stop even the present amount of operation and maintenance obligations thereon.

Mr. Chairman, this is the last military construction appropriation bill I shall handle on the floor of this House. We have always made it a policy in our subcommittee not to indulge in personalities during our handling of this bill and we do this for a variety of reasons. I would like to depart, however, for a moment to pay tribute to three men of the uniformed services who over the years have worked very closely with this committee. Often, we see the military men held up to some ridicule and scorn. Unfortunately, all of us who exist in the public eye know only too well that it takes only one bad apple to spoil an entire barrel. I know of no finer or better qualified men who have worn the uniform of their respective services than Maj. Gen. William Shuler of the Army—Rear Adm. Peter Corradi of the Navy—and Maj. Gen. Robert Curtin of the Air Force. Their ability and determination to formulate and implement realistic construction programs and to present all of the information desired and required by our committee has reflected credit upon their respective service, and stands as excellent examples for any military man anywhere. Frankly, I commend them to you and to their superiors as outstanding examples of, not only exceptional military men, but of exceptional and dedicated public servants. I only trust that in the years to come my successor as chairman of this subcommittee, and those associated with the military construction program in the House, will have men of the same caliber with whom to work. If this is so, then you need not fear that the Congress will be presented with sound and reasonable construction bills.

Mr. Chairman, I now yield 35 minutes to the gentleman from Florida [Mr. Sikes].

Mr. SPRINGER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Fifty Members are present, obviously not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 135]

Andrews, Ala.
Ashmore
Avery
Baring
Barry
Bass
Berry
Blatnik
Boggs
Bolling
Bray
Brown, Ohio
Bruce
Buckley
Burton, Utah
Carey
Casey
Celler
Chelf
Clausen,
Don H.
Clawson, Del
Colmer
Cooley
Cramer
Curtis
Diggs
Dorn
Dulski
Edmondson
Edwards
Elliott
Evins
Farbstein
Fisher
Forrester
Grant
Gurney
Hansen
Harding
Harris
Hays
Henderson
Holland
Huddleston
Johnson, Wis.
Jones, Ala.
Kee
Kilburn
Kilgore
Kirwan
Leggett
Lloyd
Long, La.
Mailliard
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Miller, Calif.
Miller, N.Y.
Morrison
Moss
O'Hara, Mich.
Olsen, Mont.
Pelly
Pickle
Pilcher
Pillion
Pool
Powell
Purcell
Rains
Randall
Rhodes, Ariz.
Riehlman
Roberts, Ala.
Rogers, Tex.
Roybal
St Germain
Scott
Secrest
Selden
Shipley
Shriver
Sibal
Siler
Smith, Iowa
Snyder
Stubblefield
Teague, Tex.
Thompson, La.
Toll
Van Deerlin
Van Pelt
Watson
Watts
White
Wickersham
Williams
Willis
Wilson,
Charles H.
Winstead
Wright

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Rivers of South Carolina, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 11369, and finding itself without a quorum, he had directed the roll to be called, when 324 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Sikes].

Mr. SIKES. Mr. Chairman, my principal mission here today is not to discuss the military construction bill. The report speaks for itself. The bill has been pared to the barest minimum consistent with the necessary operations of the military services. It is another outstanding achievement in a great Congressman's career. This bill is Harry Sheppard's bill. It is Harry Sheppard's language and Harry Sheppard's thinking. It is a good bill. Harry Sheppard does not bring any other kind to the floor.

So I am going to talk about the distinguished gentleman from California [Mr. Sheppard], the chairman of the Subcommittee on Military Construction.

In 28 years of meritorious service, he has earned the admiration and the high regard of the entire membership of Congress. He has established a reputation for forceful deliberation and for rugged adherence to the principles in which he believes. The work he has done here establishes a performance level of the highest order.

I have watched many Congressmen come and go. I profoundly regret to see Harry Sheppard leave the Halls of Congress. He does so of his own volition, and he has richly earned the right of retirement. But that does not erase the fact that we shall miss him and his work, and it does not change the fact that we need men of the character and strength of Harry Sheppard.

I feel a particular closeness to Shep. I have worked for years at his side in committee. He is a native of a State closely identified with my own First District of Florida. He was born in Alabama not 50 miles from the area of Florida which I represent. It is an area rich in history and rich in product. I can point to no finer product than Harry. He was associated with a great university in the State of Georgia, the State in which I grew up and attended college. After leaving Georgia Tech, his career was indeed a fabulous storybook; a legend of success as exciting as any Horatio Alger theme. After a successful career as a businessman, he came to Congress from California 28 years ago. The rest is public service written in large and shining letters.

A strong exponent of economy, he has saved billions—literally billions—for the taxpayers. Possibly he has saved more money for the American people than any other Member now serving in Congress. This is indeed a unique accomplishment in times like these.

I do not know what he and Kay plan for the future. He is very fortunate in having in her a lovely helpmate who will be found by his side wherever he may be. I can tell you that I shall try to tempt them to my own State of Florida. Shep has earned the right to come home, and I insist that not even his own State of California can make him more at home than we would do.

The important thing today is to pay tribute to a man who has earned it in fullest sense. Harry Sheppard has been a lawmaker of the highest order, a legislator of great ability and intelligence, and a great Congressman whose work will live on in the annals of Congress for many years to come. I salute Harry Sheppard, a great American.

Now let me talk for a few minutes about the bill.

Requirements for military construction are based on many things. Changing patterns of warfare enter strongly into these considerations. The missile program imposed a great new construction load upon the Department of Defense. Guerrilla warfare in southeast Asia has resulted in new training requirements and some necessity for changed types of construction. The Polaris submarine brought with it a changing concept of required military construction. This bill has consistently attempted to reflect these changing patterns. Coupled with the new is always the requirement for maintenance of the old. Maintenance problems are constantly growing as buildings become older. Deferred maintenance is a necessary evil and one which can only be eliminated by boarding up or tearing down a facility. As maintenance becomes more and more burdensome, the tendency is to disregard the needs for maintenance and to allow buildings to become progressively more deteriorated. The services have never really faced up to the problem of deferred maintenance and its solution. Once Congress attempted to do so by appropriating moneys above that requested in the budget. The Department of Defense found a way to use it for other purposes. Here is an area which deserves further consideration and which should not continue to wait for that consideration. A small step toward solution is found in base closures, but these are few and they represent only a minor percentage of the total cost.

I call attention in particular to a situation which I believe has direct bearing upon our success or lack of success in keeping qualified young men in the service. I am thinking of the living quarters which are available as barracks or as bachelor officers' quarters. These, in some instances, simply are scarcely fit for human habitation. They are World War II or older construction; most of them intended only temporary use. To say the least, they do not encourage a young man accustomed to a good homelife to want to stay in the military service.

I am certain this situation adds to the number of trained men who leave the services and who must be replaced with other trainees who have had similar costly training. The loss is both in time and in money. In the meantime, the effect on morale is certainly not uplifting. A man reacts to his surroundings and the surroundings which we make available are sometimes poor.

This is not a situation which is carried on deliberately by the military services. Military construction money is—in the main—what is left over after other necessary activities are taken care of. It is always kept at a minimum. First consideration must be given to training facilities and for a number of years the missile program has dipped heavily into the construction budget. Improvement of living quarters has been put off as long as possible and then put off again. In consequence, living quarters frequently seem to be found at the bottom of the priority heap. Regrettably, they do not even seem to outrank administration buildings. This, I cannot understand. New and imposing administration buildings are desirable from the standpoint of efficiency and convenience. They add to the appearance of the post. But, in my thinking, they are not at all as essential as barracks and BOQ's. I hope that in the years ahead we shall make a greater effort—even at greater cost—based in part on the place in which they live—to provide more adequate living facilities for the young men of the services whose first impressions may go far toward determining whether they will make the service a career.

What I have said about barracks and BOQ's applies in equal measure to family housing. This too is very important. However, we are in my opinion making more realistic progress on family housing than we are in the areas of barracks and BOQ's.

Mr. Chairman, I am not going to discuss in detail the construction items in this bill. As I said initially, they are carried in the report. The report is full and it is accurate. This is a good bill and its deserves the support of the House.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the distinguished gentleman from Texas, the chairman of the Committee on Appropriations.

Mr. MAHON. Mr. Chairman, I thank my distinguished colleague for yielding.

Mr. Chairman, this is a very special day. The gentleman from the Golden State of California, our great and good friend—my great and good friend, HARRY SHEPPARD, brings before us, for the last time, the annual military construction appropriation bill. I ask the indulgence of the House for a few moments of felicitous thought about this distinguished American.

Mr. Chairman, I have a very great personal affection for HARRY. We have been very close on the committee through some 26 of his 28 years of service here at the seat of free government.

This is the 400th anniversary of the Bard from Avon who once had one of his characters to say:

> I hate ingratitude more in a man
> Than lying, vainness, babbling drunkenness,
> Or any taint of vice whose strong corruption
> Inhabits our frail blood.

So, Mr. Chairman, with pleasure I take this opportunity to make public note of the fullness of my gratitude for what HARRY SHEPPARD has meant to me, the House, and the country.

For many years we have sat side by side in the Committee on Appropriations, through the long, long days, weeks, and months of hearings. I know something about this man. He has been loyal to me. He has been my true friend. Unnumbered and countless are the times when HARRY SHEPPARD has been my wise counselor and firm supporter. Often has he lent a steadying hand. He will always occupy a warm place in my heart.

HARRY SHEPPARD is a builder. As chairman of the Military Construction Subcommittee, he has contributed to the building of military strength not only in brick and mortar but in many other ways. As the ranking majority member of the Subcommittee on Defense Appropriations, which handles the other part of military spending, he has been on the job for all these years serving the best interests of the taxpayers, serving the best interests of defense, and doing a magnificent job. He began his active association with defense budgets in the committee some 24 years ago. He is an acknowledged expert.

Craftsmen are known by their mastery of their crafts. Day-to-day excellence is the mark of the good workman. This applies to legislators as well as artisans. HARRY SHEPPARD is a good workman. In Navy parlance, he runs a tight ship.

HARRY SHEPPARD, the man, is possessed of a multitude of lovable personal qualities. He wears a hard-shell exterior but it is only a facade. Someone has said:

> Kindness is a language that the deaf can hear and the dumb can understand.

May I say that perhaps his most shining virtue is his rare and unfailing courtesy and kindness. Whether in the company of the high and the mighty or with the low and the humble, never have I seen him take leave of the Christian virtue of kindness.

HARRY SHEPPARD is truly a self-made man. He epitomizes what Emerson must have had in mind when he said:

> America is but another name for opportunity.

Born in the Deep South, his has been a rich and colorful career. He worked on the railroads. He was in the copper business in Alaska. He traveled extensively abroad. He organized businesses and he succeeded at it. He has served his State and his country here for the last 28 years. And he has done so with distinction and with success. I regret to see him leave these hallowed, vaunted Halls. He has been at home here.

Mr. SHEPPARD ranks No. 2 on the committee. Just below him is Mr. THOMAS. I have sometimes inquired of our friend, HARRY SHEPPARD, if it was not just a little unpleasant to be sandwiched in between two cantankerous Texans. The truth is I think he has rather enjoyed it, and he has never come out second best.

Wise in the ways of Congress, Woodrow Wilson once said:

> Congress in session is Congress on exhibition. Congress in committee is Congress at work.

If we may assess HARRY SHEPPARD's 28-year legislative career by Wilson's gage, we can say that HARRY has acquitted himself well before those who will, in times to come, look at the history he witnessed and helped make.

He has wrought well. We wish him well. I will miss him. The committee will miss him. The House will miss him. May God bless him and his lovely and delightful wife, Kay, in their retirement.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the distinguished Speaker of the House of Representatives.

Mr. McCORMACK. Mr. Chairman, I join with my friend from Texas [Mr. MAHON], in the eloquent remarks he has made about our very dear friend, HARRY SHEPPARD, of California.

HARRY SHEPPARD has been a bulwark of strength during a most trying period of our Nation's history, and of the history of the world. He has stood for a strong national defense at a time when such action was necessary, not only in connection with the preservation and strength of our own beloved country, but in combating the vicious hordes of international communism in their evil intent to dominate or conquer the entire world.

HARRY SHEPPARD has also been a supporter of a firm foreign policy. He has served the country with outstanding ability and great distinction and extraordinary courage. He has left his marked imprint upon the pages of the legislative history of our country.

On domestic matters he has had a refreshing, forward-looking and progressive outlook, always fighting for the passage of legislation that was in the best interests of the people of our country.

I am very sorry to see HARRY SHEPPARD leave the Halls of Congress at the end of this session because the country needs men of his experience and his ability, and his dedication in either branch of the Congress of the United States.

However, having made the decision to retire voluntarily, I extend to HARRY SHEPPARD the thanks of a grateful Nation and I extend to him the deep appreciation, friendship, and esteem of all his colleagues, and wish for HARRY SHEPPARD and Mrs. Sheppard many,

many years of future happiness and success.

When he leaves here he leaves with the knowledge that he did his best for our country, and his best were marked contributions that will be chronicled throughout the legislative history of our great Nation.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the distinguished chairman of the Committee on Armed Services.

Mr. VINSON. Mr. Chairman, I thank the gentleman for affording this opportunity to me on this special occasion.

It is not my purpose to attempt a further explanation of the bill now before the House.

When the very distinguished gentleman from California [Mr. SHEPPARD], explains a military construction appropriation bill on the floor, we all know that he speaks from an extensive knowledge based upon exhaustive research and study.

But it is my purpose to publicly express my deep regret that this House will not again have the privilege of hearing HARRY SHEPPARD present another military construction appropriation bill.

He has announced his intention not to seek reelection to the next Congress. The Nation, the Congress, and the 33d District of California will lose a champion, a brilliant legislator, a wise counselor, a stanch advocate of a strong national defense, and a true American with unimpeachable integrity and outstanding loyalty.

I have known HARRY SHEPPARD since he entered the Congress in 1937. I have watched him grow in stature as his knowledge of the legislative process deepened.

His voice has always been the voice of preparedness without waste; progress and prosperity by strengthening the free enterprise system; and the voice of knowledge based on keen insight, broad experience, and hard work.

Over the past years, HARRY SHEPPARD has had the responsibility of justifying the expenditure of many billions of dollars for military construction items scattered throughout the world. All of us know that when his subcommittee completes its hearings, every dollar to be expended has been carefully and painfully scrutinized.

It is a rare occasion when any bill that HARRY SHEPPARD presents to the House is amended, and its an even rarer occasion when any item he approves and endorses is deleted. This is a tribute to the respect and admiration in which he is held by his colleagues.

This is the last military construction appropriation bill HARRY SHEPPARD will present to the House.

I am sorry that he has chosen not to be a candidate for reelection for the Nation can ill afford to lose the services of a man of his talent, his ability, his leadership, and his dedication to the cause of good government and a strong national security.

I know that his leadership will inspire those who will follow.

We, the Congress and the Nation, are all better off because HARRY SHEPPARD devoted nearly 28 years of his life to his Nation.

I wish the distinguished gentleman success, good health, and much happiness in the years ahead.

Mr. SIKES. Mr. Chairman, I yield to the distinguished gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, I could not let this opportunity pass without adding my tribute to those already expressed to Congressman HARRY SHEPPARD who has represented the 33d District of California for 28 years. I have had the privilege of serving with him for the last 12 years as a member of the Military Construction Appropriations Subcommittee and the Defense Appropriations Subcommittee. He has always demanded that the United States maintain military strength superior to that of any other nation.

I have grown to respect and honor him as an outstanding legislator, a very hard worker and a man who keeps his word—a man who speaks forcibly and from the heart. There is nothing phoney about the Congressman from the 33d District. He is tough but he is thoughtful.

He is respected—yes, he is admired by the members of our committee. HARRY SHEPPARD is a great American and a fine Member of the Congress. It is with deep regret we have to say goodby to him as a Member of Congress, but we know that in the future we can count on him for advice and assistance as we work on the problems of this Nation. He is now and long has been a leader and he will continue to be a leader in the future.

His lovely wife Kay is from my State of Wisconsin and she and HARRY frequently travel to Wisconsin. I hope that we will see them there often in the future.

Mr. SIKES. I yield to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, every Member of this House regrets that our esteemed friend and colleague, HARRY SHEPPARD, has decided to retire.

Every Member of this House, to the last man and woman, loves HARRY SHEPPARD. He has been a pillar of strength in his committee, in his party, in this House and in this Nation ever since he joined this illustrious body.

He is a strong person. He is a man of firm will. But with that strength of personality he has kindness, gentility, and consideration for others.

He has been a pillar of strength in working for the defense of the country in his committee and on the floor, as he has presented year after year this vital appropriation bill, which always carries his name.

He has been a pillar of strength in the effort to conserve the fiscal responsibility of his committee and of the Congress.

He has been hard when hardness was required, but he has been gentle when human values were at stake. He is truly a great American, one of the greatest I have ever known.

I hope that after his retirement he will see fit to come back and exercise his floor privileges and visit with us frequently.

Above all, I hope that he and his charming lady may enjoy long and useful lives in their well-earned retirement and may have the blessings of the Almighty through the years.

Mr. SIKES. Mr. Chairman, I yield to the distinguished gentleman from California [Mr. KING].

Mr. KING of California. I thank the gentleman from Florida.

Mr. Chairman, I should like to appropriate the kind and most appropriate remarks which have been made about our friend, HARRY SHEPPARD today. I agree that in the many years I have been privileged to serve in this House there have been few men who have left House service who will be missed and whose services were missed as much as will be the services of HARRY SHEPPARD.

To be more particular, I ask all Members how we from California and in the delegation from California must feel concerning the loss of this man, who has been dean of our delegation for so many years and who will not be with us next session.

Those who are close to HARRY SHEPPARD know how we will miss him and how the State and State officials will miss him.

I, too, wish to say that I have not known a man whom I will miss any more than the man who has been my dean and friend for 22 years. I wish only the best of happiness and health for him and his charming wife in the years in which they will enjoy retirement.

Mr. SIKES. Mr. Chairman, I yield to the distinguished gentleman from South Carolina, the ranking member of the Committee on Armed Services.

Mr. RIVERS of South Carolina. Mr. Chairman, I have served here just about a fourth of a century. Along with the distinguished gentleman from Florida, who will succeed the gentleman from California [Mr. SHEPPARD] as chairman of this important subcommittee, when I came here, one of the first and most gracious Members of this House it was my good fortune to meet was HARRY SHEPPARD. He is a kind friend, a diligent and dedicated American.

As has been said—and I cannot say it as well or even approximate what has been said—he is a man of firmness; he requires a day's work and he does it. He leads by example. Some may think HARRY SHEPPARD is hard. Those of us who know him find he is not hard; he is not only exacting to himself, he is exacting to all men. His word is as good as gold and it never varies; it is as reliable as the sun in its eternal journeys.

HARRY SHEPPARD came to Congress with that generation of Americans who are vanishing, the pioneers who built the greatest nation on the face of the earth. His monuments to the security of America dot the landscapes of the world. His work in defense of freedom and of freemen will live as long as freemen endure.

It was Cliff Woodrum, Mr. Chairman, who used to remind us of our colleagues with whom he came to Congress and served and how they were leaving us. He used to delight in recalling some very touching verse which I have tried to remember and which I would like to remind you of today. HARRY SHEPPARD served with Cliff Woodrum, who was a giant, also, in his time, and these words of his go something like this:

> Where is now that happy party I remember years ago, dancing round the happy fireside, cheered by its ruddy glow, or on summer's balmy evening in the fields upon the hay. They are all dispersed and wandered far away. Some have gone to lands far distant and with strangers made their home, or upon the fields and waters all their lives were forced to roam. Some have gone from us forever, longer here they would not stay, but they found a fairer region, far away.

HARRY SHEPPARD is leaving on his own. It is good for him to hear these encomiums which come from the heart, and it is good to hear his colleagues say: "HARRY, we will miss you. We hope you and your charming bride will have many more years, because you are entitled to them."

I thank the gentleman from Florida very much for yielding to me at this time.

Mr. SIKES. Mr. Chairman, I yield to the distinguished gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman, I came here 27 years ago with HARRY SHEPPARD. During that long period of time we have been very closely associated. His family and my family are friends. They are great people. They are intensely human. They have a host of friends, and they have that happy faculty of making friends wherever they go. To HARRY and his lovely wife, Kay, Lera joins me in wishing them many, many happy years to come and great success in everything they undertake. After all, HARRY is a very young man. He is good for at least 20 to 25 more useful years. His mind is keen and sharp. As the years come and go his mind gets keener and brighter.

Mr. Chairman, HARRY SHEPPARD will leave a void in this House. He will leave a void in the committee that he has worked so long, faithfully, and hard with and for. It is going to be hard to replace him on the committee and it will be hard to replace him on the floor. In that great district in California that he so ably represented all these many years—and with all the redistricting that has happened in California, "SHEP" represented practically all of the State at one time or another—those people will lose one of the great assets that they have had in the last 30 years.

HARRY, Lord bless you, and I wish for you the best of everything. I hope that your constituents are able to get somebody who will come within shooting distance of you when it comes to delivering the merchandise and mail back home. You deserve it, and they are going to miss you, as we will all miss you.

Mr. SIKES. Mr. Chairman, I yield to the distinguished gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, it has been said many times that it is those Members we can least afford to give up who retire voluntarily. And that certainly applies in this case. I know that each of us in our lifetime find a few people who have great influence on us for good. When I first came to Congress, when I was assigned to the Committee on Appropriations, it was January 1943, and it was my privilege to be assigned to the subcommittee of which the gentleman from California, HARRY SHEPPARD, was chairman. I know that it had great influence for good on me to see the ability, the concentration, and the effort that went into his handling of that subcommittee. Whatever he may have done or whatever he may do in the future, the example of sitting below HARRY on subcommittees almost constantly since that day in January 1943, caused me to apply myself, as it has other Members, a little more diligently, so that I tried to be a little more effective.

HARRY SHEPPARD has been a great Congressman. He is a great American. One of the finest tributes I can pay HARRY is that no one has worked harder and, as a member of the Committee on Appropriations, no one has had more occasions when he could not do everything that his friends and colleagues may have wished him to do, and, having served this long time in this capacity, to know that out of 435 Members there is not 1 who does not respect his integrity, his sincerity, his fairness and who does not appreciate the fine record that he leaves here.

Mr. Chairman, I join with my friends here in wishing you, HARRY, and Kay many, many happy years and trust you will be around to give us the benefit of your counsel when it suits your pleasure.

Mr. SIKES. Mr. Chairman, I yield to the distinguished gentleman from California [Mr. LIPSCOMB].

Mr. LIPSCOMB. Mr. Chairman, I would like to join my colleagues, on this occasion of his last presentation of the military construction bill to the House, in commending HARRY SHEPPARD for the fine work he has done. We in California know the imprint that HARRY SHEPPARD has left upon the great growth of our State.

I would like to mention also, as chairman of the California Republicans in Congress, that HARRY SHEPPARD has always treated us in the fairest manner, has always given us the opportunity to be heard. We respect his leadership as chairman of the whole California delegation.

Mr. Chairman, I hope for HARRY and his wife, Kay, great joy and happiness in the years to come. I know that they will continue to add to California's future, as they have in the past.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Virginia.

Mr. HARDY. Mr. Chairman, I would like to join my colleagues in these tributes to our good friend, HARRY SHEPPARD. So many very fine things have been said about him to which I subscribe but I shall not repeat them. I could compliment him in so many ways about the splendid service he has performed for the Congress and for the country, but from a very personal viewpoint as I extend best wishes to HARRY I would like to say it has been a great thing to have him as my friend.

Mr. SIKES. Mr. Chairman, I yield to the gentleman from California [Mr. McFALL].

Mr. McFALL. Mr. Chairman, I shall not repeat here the wonderful and well-deserved phrases that have been uttered about HARRY SHEPPARD. But as a fellow Californian on the subcommittee I want to say that the committee and the Nation will miss HARRY SHEPPARD.

The bill we have before us today will serve as a monument to his work in this House for many years to come. It is a multimillion-dollar bill. The only reason it is presented to the House in the workmanlike and understandable fashion that it is, is because of HARRY SHEPPARD's hard work over the years in analyzing it, organizing it, and doing the work throughout the country, the inspection work that is necessary, the hard work, to learn the actual details that are behind this bill.

HARRY is an example of how seniority is good for this House. There has been lots of criticism of seniority. But we are going to miss his work, his ability, his dedication to his country, and his desire to do his job well.

Mr. Chairman, in my opinion HARRY SHEPPARD is a shining example of what a man can do for his country, if he has the will to do it.

Mr. BENNETT of Florida. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to my distinguished colleague the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Chairman, we will all greatly miss our beloved colleague HARRY SHEPPARD. Our country is stronger and the free world is stronger because of his dedicated public service. His success in business was outstanding before he came to Congress in 1937; and the businesslike conduct of our Government was enhanced at all times since then by his able and thoughtful approach to our national problems. Yes, Mr. Chairman, we will all of us in America miss in Congress this great man who is leaving us this year. We in Congress will all the more miss him because of our personal affection for him, which he has richly earned together with our respect and lasting admiration.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I hope the gentleman from Florida will ask unanimous consent that all of our colleagues be permitted to extend their remarks at this point in the RECORD. I know that some of the California Members are absent from the floor of the House at this time because they did not know that we were going to have the opportunity to say a few words in praise of our colleague.

Mr. SIKES. Mr. Chairman, I ask unanimous consent that all Members be permitted to extend their remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ASPINALL. Mr. Chairman, one of the most priceless and treasured values of all benefits that come from being a Member of this great body is the opportunity to form friendly associations with men and women from all parts of the Nation and all walks of life.

I have personally enjoyed every moment that it has been my good fortune to be in the company, either in work or in play, of my valued colleague and good friend, Harry R. Sheppard, longtime Congressman from California. His cheery and genial personality has always been a lift to me and his understanding and cooperativeness on all matters, especially those having to do with legislation affecting our national welfare, has been an inspiration to me. I am sorry to see him retire from Congress. However, if anyone has the right to make that decision with the feeling that his service has a right to be drawn to a close, most certainly Harry Sheppard has such right. I shall miss his presence very much. I shall look forward with pleasure to his return to the Hill for greetings with all of his friends. I wish for him and his family the best of life's fortune in the years ahead.

Mr. JENSEN. Mr. Chairman, it is with mixed emotions that I rise to pay tribute to our good colleague and friend the Honorable Harry Sheppard. I am happy for Harry and his wonderful wife, knowing they will enjoy retirement especially because of their great love for each other, and knowing they have served their district, State, and Nation ably and honorably and deserve a well-earned rest. Yet Mr. Chairman, I am sorry that Harry will not be in our midst to give of his talents to our Appropriations Committee and to Congress.

Mr. Chairman, I could go on and on eulogizing this great and good man, but will only wish Harry and his good wife many, many years of happiness and contentment under God's protecting care.

Mr. KEOGH. Mr. Chairman, when I arrived in Washington on January 5, 1937, as a freshmen Member from New York, I found myself in the excellent company of the gentleman from California, the Honorable Harry R. Sheppard, who also had just arrived. Today it is a source of the deepest personal pleasure to me to have this opportunity of joining with my colleagues in paying this well-deserved tribute and expressing our friendship and regard for him.

Harry Sheppard has taken a keen interest and has become expert in a field that is complex and difficult—with its complexity matched only by its national and international importance—that of military construction. His vast knowledge and understanding of this subject has been a boon to our military posts throughout the world and has been a great service to the American people.

I have enjoyed my friendship and association with the genial gentleman from California and along with his other colleagues shall miss him when he retires from this body. I wish him many more years of health and happiness and all the good things he desires.

Mr. ROOSEVELT. Mr. Chairman, I wish to join my distinguished colleague from Los Angeles in what he has said about the chairman of our delegation, the Honorable Harry R. Sheppard. He truly speaks for all of us, and I want to add just a word of my own to say that when I came to Congress almost 10 years go, it was Harry Sheppard who gave of his time, his patient advice, and his warm friendship to make it possible for me to begin serving my constituents in a far more effective manner than would otherwise have been possible without his help. There are few of us, I am sure, who have not benefited from his generous interest. We have, as well, admired his effective guidance of the delegation as it has grown in size and importance in the work of this House.

We shall miss both him and his good lady in so many ways, and I want to join in wishing him a long number of happy years ahead, with the hope that his wise counsel will still be available to us as we continue to labor in the vineyard which he has so well plowed.

Mr. CHENOWETH. Mr. Chairman, I wish to join in paying tribute to the outstanding service of Harry Sheppard. I was indeed sorry when he decided to retire at the end of this term. It has been a great privilege to serve in this body with Harry and I have greatly enjoyed and valued our friendship.

Harry Sheppard has been a leader in the House for many years. I recall that Harry had a prominent place on the House Appropriations Committee when I came to Congress. He has always commanded the respect and good will of his colleagues on both sides of the aisle.

For several years Harry and Mrs. Sheppard were our neighbors in Washington. I rode to work with Harry every morning and we always had a delightful visit. This gave me the opportunity to get better acquainted with Harry and to appreciate his sterling qualities.

It is a great loss to the House, and to the Nation, to lose a man like Harry Sheppard. I hope he enjoys his retirement for many years to come. Harry is a great American and has made a most valuable contribution to the development of our country, and particularly our military strength. Harry has been in a key position to build up our national defense and he deserves much of the credit for making the United States the most powerful military nation in the world today.

Mrs. Chenoweth joins me in extending our very best wishes to Harry and Mrs. Sheppard. We hope they enjoy good health and much happiness for a long time. We shall always treasure their friendship.

Mr. HOLIFIELD. Mr. Chairman, 22 years ago, in January 1943, I came to the Congress as a new Member. My first trip to a fellow Member was to the office of Congressman Harry Sheppard. He had preceded me and had 6 years of service at that time.

Mr. Chairman, I well remember that day, because I said to Harry, "I am a novice." I said, "I am not back here to change the course of the world." I said, "I am back here to learn how to be a Congressman, if I can, and I ask you one question: Can I come to you for advice?"

Of course, Mr. Chairman, as he has done with so many of the Members of this House, he graciously granted me that privilege. Many has been the time during the past 22 years that I have discussed matters of concern in our respective congressional districts and the State of California as well as in the Nation with my good friend Harry Sheppard. We of the California delegation not only respect Harry Sheppard for the tremendous work which he has done in the Congress, for the representation which he has given not only to his district but to the State of California, but we respect him as an individual and as a person. We love him and we love his wife Kay. They have been gracious to all of us.

The CHAIRMAN. The time of the gentleman from Florida has again expired.

Mr. McFALL. Mr. Chairman, I yield 5 additional minutes to the gentleman from Florida.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield further?

Mr. SIKES. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, Harry and his wife have been gracious to every Member of the California delegation. They have indeed served as the dean of our delegation and the dean's wife with great dignity. They have won the respect of all the Members of that delegation.

We are going to miss Harry Sheppard in the State of California, we are going to miss his presence on this great Committee on Appropriations, we are going to miss him on representation because any man, however good he may be, who comes to this Congress to take his place will have to serve a long time to bring to the art of legislation, and the art of representation of his State, and his district, the degree of skill and the expertise that Harry Sheppard has brought.

We look upon him as a great legislator, a great personal friend, and a fine American. We wish him and Kay the very best that life has to give them for the remainder of their period of life on this earth. And we hope, although he is leaving the Congress, that he will stay here in Washington where we can see him on many occasions.

The CHAIRMAN. The Chair recognizes the distinguished gentleman from North Carolina [Mr. Jonas].

Mr. JONAS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as the distinguished chairman of the Subcommittee on Military Construction has just stated, this will be the last time he will handle a military construction appropriation bill in the House of Representatives. This results from his decision, announced earlier this year, to retire voluntarily at the end of this term.

While I can appreciate Harry Sheppard's desire to retire from the frustrations and responsibilities under which we work here in Congress while he is still physically and mentally vigorous so that he may have the opportunity of living for himself and his family again, nevertheless I cannot help but express regret that the country is losing the services of such a valuable public servant.

It has been my privilege to serve as ranking minority member on the subcommittee presided over by our distinguished colleague for a number of years and during this association I have formed a high regard for his ability, his devotion to duty, and for the fairness with which he conducted the hearings and presided over the deliberations of the subcommittee.

I can say without hesitation that he was always generous and considerate in his treatment of me as ranking minority member of the subcommittee. I cannot recall any cross words we ever exchanged, nor can I recall any cavalier treatment he ever accorded me. It has been a genuine pleasure to serve under his leadership and to cooperate with him in the efforts to provide the armed services with all of the facilities required to maintain our strength and security, and at the same time to act with prudence with respect to the peoples' money and to insist that their dollars be spent wisely.

Mr. Chairman, since this will be the last military construction bill to be considered under the leadership of the distinguished gentleman from California, because of his voluntary retirement at the end of this year, I could not resist the temptation to say these few words in tribute to him, to express my personal appreciation to him for the many courtesies extended to me over the years while we served together on this important assignment, and to express my best wishes to him for a long life of health and happiness in retirement. It is my hope that he will find retirement actually to be as satisfying as he now thinks it will be, but I hazard the guess that there will be many times during the course of the years to follow when he will wonder what is transpiring here in the Halls of Congress where he served so long and so faithfully and perhaps may regret that he no longer is a part of the legislative process. Even though these thoughts do occur to him, I am sure he will derive a great deal of satisfaction over the knowledge that the friendships he formed here are lasting ones and that he is remembered by his colleagues with whom he served.

I would like to say a word also about the distinguished gentleman from Florida who in the natural course of events will succeed to the chairmanship of this important subcommittee if his party controls the next Congress. It has been a real source of pleasure for me to have served on the subcommittee with Bob Sikes, and if it should transpire that he will be chairman of this subcommittee next year, I can assure the membership that he will be a worthy successor of the great chairman who is retiring voluntarily, and that the work of the committee will be in good and expert hands. Should it happen that I am here again next year and am assigned to serve under the leadership of the gentleman from Florida, I can state on the basis of our past relationships that it will be a pleasure to serve with him again.

Of course I would not wish these remarks to be construed as predicting that he will have the opportunity of serving as chairman of this subcommittee next year because there is an intervening election coming up and instead of being chairman he might be ranking minority member; but in whatever capacity he serves I am sure the country will receive a full measure of loyal service from him as it has received from our departing chairman.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I am happy to yield to my distinguished colleague from Michigan, who serves with me on this subcommittee.

Mr. CEDERBERG. I join my colleague in expressing regret that our chairman will be leaving us. He will be leaving voluntarily. I suppose that, when we leave the Congress, most of us want to leave voluntarily. We do not always have that opportunity.

I wish to say that my associations with Harry Sheppard have been of the highest type. He has been a very fine leader for our committee. He has treated me, as the junior member of that committee, in a very courteous fashion. Over the years I have had an opportunity of knowing Harry Sheppard, and I can say he is the kind of gentleman we all like to know, the kind of man of whom we can be proud for having served so many years in the service of his country in the Congress.

I join all of his colleagues in wishing him well in his retirement. We certainly hope, Harry, that the future years will be as good to you as the past years have been. We hope, as was stated many times, that you will not leave us but that you will stay around and come back to see us from time to time, because it has been a real pleasure to have had the opportunity of knowing you.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I am glad to yield to the gentleman from Iowa.

Mr. KYL. The gentleman from Florida [Mr. Sikes] brought up a matter a short time ago which causes me some concern. I refer to housing serving military bases.

Of course, the members of this subcommittee have an experience far greater than that which I hold in this regard, but I have visited one such military installation, during the past weekend. The Government has provided fine residential units, though not a sufficient number. But there are roads which are not completed and there are no sidewalks, and therefore the children must play in the street. As a matter of fact, there has been a child casualty in a traffic accident recently.

The thing which concerned me most about this was that when I asked why the work had not been completed according to an obvious plan the answer given was that they did not know whether this base was slated to be closed or not, and therefore the Government did not want to spend more money in providing housing.

I wonder how extensive this situation is. We can have no firm program of knowing which bases will stay in operation and which will not. When we change our minds so frequently the building of housing becomes a serious problem.

Mr. JONAS. May I ask the gentleman from Iowa whether this was new or old housing?

Mr. KYL. Both types of housing were involved at this installation at Bangor, Maine, the Dow Air Force Base, a Strategic Air Command base. Some of the housing was completed a long time ago, and there are many new units.

Mr. JONAS. The committee is familiar with the situation at Dow. They had a new housing project going there a year or so ago, and due to faulty construction or the failure to recognize some of the problems that were involved, all of the basements became wet and we had to engage in a rehabilitation program.

I can say this with respect to the question of the gentleman from Iowa: There is not one dollar in this bill for housing or military construction of any sort, at any base, where the witnesses for the service even intimated there was a plan to close it or did not affirm to the committee that there was no plan known to them to close that particular base. The committee is just as concerned over that matter as the gentleman from Iowa is.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JONAS. Mr. Chairman, I yield myself 5 additional minutes.

We have been very careful to elicit answers to specific questions from the witnesses and particularly from the witnesses for the Department of Defense as to whether there are any current plans to close any of the bases where construction is being funded in this bill. I can assure the gentleman that if we had any idea that any base was even under consideration with respect to being closed, we would have eliminated the item until that question had been cleared up.

Mr. KYL. Mr. Chairman, will the gentleman yield further?

Mr. JONAS. Yes. I will be glad to yield.

Mr. KYL. Of course, this brings up the other problem: If a base is under consideration for closing, we still have people stationed at that base and we do not know whether it is for a year or 5 years or 10 years, and the housing problem there is not met. It does make a great problem, but I think that there should be an understanding as to why you cannot proceed with big housing plans at these bases.

Mr. JONAS. May I respond to the gentleman thus: I do not know with whom the gentleman discussed this situation or from whom he got his information, but there is a substantial amount of money in this bill for repair and rehabilitation of existing housing. There is no reason why conditions such as those described at Dow should continue. I do not understand why this should exist. Money is available to build sidewalks and do the things the gentleman says he finds needed there.

Mr. KYL. Mr. Chairman, will the gentleman yield further?

Mr. JONAS. Yes. I will be glad to yield to the gentleman.

Mr. KYL. Of course, in the last comments I made I was not referring specifically to this base but to anyone where there might be a prospect of its closing. Did I understand the gentleman to say that there was money in this bill for maintenance and repair?

Mr. JONAS. Yes.

Mr. KYL. And for additional construction?

Mr. JONAS. Yes. There is a substantial amount of money for improvements to existing quarters—$3 million, to be exact, for the Air Force alone. And a substantial amount of money is available to the Department of the Army and the Department of the Navy for similar improvements.

Mr. KYL. Would this repair go on bases where there was contemplation of their closing just as well as on those where there is not?

Mr. JONAS. I do not think so. If there is any prospect that the base will be closed, I would not think any additional money should be spent there except to keep facilities that might be disposable from deteriorating.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman.

Mr. PIRNIE. I have noted in the earlier debate that it was stated to be the plan under which the committee was operating that no sum would be recommended for military construction where facilities existed in any of these closed installations that would provide for missions or other purposes to be accomplished.

Mr. JONAS. That is one of the principles on which the committee acted.

Mr. PIRNIE. That is an effort of the committee?

Mr. JONAS. It is the definite effort of the committee not to provide any facilities at any base where existing facilities are available or can be rehabilitated, or made available for the purpose of the mission.

Mr. PIRNIE. At any installation?

Mr. JONAS. At any installation.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Iowa.

Mr. GROSS. That leads to the question of what is going to take place out at Bolling and Anacostia? I thought those two bases were to be closed, and yet I believe there is construction money for Bolling in this bill if not for Anacostia—or is there construction money?

Mr. JONAS. The only money for construction at Bolling is for housing for enlisted men in the Washington area.

Mr. SHEPPARD. If the gentleman will yield, there are no funds in the bill at all for Bolling of any type or character.

Mr. GROSS. Is Bolling to be closed?

Mr. JONAS. Until that issue is fully decided this committee is not going to provide any money there.

Mr. GROSS. Or is it to be continued to be used as a Presidential helicopter base?

Mr. JONAS. I think it is expected to be closed ultimately, but our committee does not pass on that. All we pass on is military construction. While there is any question about the closing of a base the committee is not going to permit any new construction to be built there.

Mr. Chairman, I shall not take additional time discussing the contents of the bill. We have a very voluminous report on file, of some 39 or 40 pages, which sets forth in complete detail the actions of the subcommittee as approved by the full Committee on Appropriations.

I call your attention to pages 4 and 5 where are listed five criteria the committee followed generally in marking up this bill. Also I call your attention to the line item discussions which follow on pages 7, 8, 9, and subsequently, dealing with the construction program for the Army, Navy, and Air Force. There is a table in the report which shows by States all projects that are funded in this bill and any Member who is interested in a facility in his own State can obtain complete information as to what is involved by consulting that table. I recommend that that be done. If there are any questions we will be glad to provide the answers if the information is available.

Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. McClory].

Mr. McCLORY. Mr. Chairman, when I asked for this time I was not aware of the fact that I was going to be appearing on such a historic day.

Mr. Chairman, I certainly wish to join with those Members who have known the chairman of this subcommittee, the gentleman from California [Mr. Sheppard], so well and so long over the years in the praise directed to the gentleman from California. I do want to say further that in my brief experience with the gentleman I have found him most cordial, most helpful, and most gracious. I am convinced that he has been completely objective and conscientious in the work which he has directed on this important subject of military construction.

Mr. Chairman, in commenting on the military construction appropriations bill for the fiscal year 1965, I also want to emphasize my complete faith in the sincerity and objectivity of the members of the Subcommittee on Military Construction, as well as the full Appropriations Committee which brought to the House today H.R. 11369 with a detailed committee report explaining their recommended appropriations for the various military bases of the United States and overseas.

Both the Great Lakes Naval Training Center, the largest center in the world for training naval personnel, and Fort Sheridan, the historic Army post situated about 30 miles north of Chicago, are located in the 12th Congressional District of Illinois which I have the privilege of serving in this House of Representatives. With complete satisfaction I note that the Committee on Appropriations has recognized substantial needs at Great Lakes including the naval hospital and additional military housing. I note, also, that at Fort Sheridan the committee has sought to provide for improvements consistent with the plans which have been developed carefully and systematically in continuing this Army post. However, my comments are directed primarily to that portion of the report relating to the elimination of funds requested for a transfer of the 5th Army Headquarters to Fort Sheridan which the Armed Services Committee recommended and which the House authorized earlier this year.

I am convinced of the wisdom of this plan of the Department of Defense to establish the 5th Army Headquarters at Fort Sheridan. This move would appear to require a one-time expenditure of $3.5 million and would, according to the Defense Department, save $1.5 million annually. In addition, the Department of Defense estimates that the sum of $2.7 million will be realized from the sale of the old Chicago Beach Hotel, the unneeded garage and other headquarters buildings to be vacated by the relocation.

In considering the subject of the proposed transfer, it is well for the Members of Congress to realize that the 5th Army Command is unique in this respect: It is the only Army which does not have its headquarters at an Army post. I am satisfied from the committee report that the committee recognizes the need to move the 5th Army Headquarters from its present location. I note their suggestion that the Department of Defense appears not to have given adequate consideration to "locations outside of the Chicago-Fort Sheridan, Ill., area." I would like to speak to that point. Briefly, in this respect, there are three busloads of military personnel who are transported each day from Fort Sheridan to the 5th Army Headquarters at the old Chicago Beach Hotel on the South Side of Chicago. Housed at Fort Sheridan, about 150 military personnel must make the 2- or 3-hour round trip daily from their quarters to their offices 35 or 40 miles away. Other key personnel among the higher ranking officers of the 5th Army are transported by plane. This transportation is appropriate and vitally necessary in order to operate the 5th Army; but it is neither efficient nor economical, and should be discontinued through a joining of the 5th Army Headquarters and the location of its key personnel at Fort Sheridan.

The decision of the Department of Defense earlier this year to transfer the 5th Army Headquarters to Fort Sheridan is logical and realistic in every way. This is the 75th anniversary of the first permanent structures at Fort Sheridan authorized by the Congress in 1889. During this period, Fort Sheridan has served the Army and the Nation with distinction and with great flexibility. Following the sinking of the battleship *Maine*, Fort Sheridan played a key role in the training of combat troops and medical personnel during the Spanish-American War both in Cuba and in the subsequent activities in the Philippines and in China. In 1913, Fort Sheridan responded to the conflict along the Mexican border; and became in 1915 an officers' training center, patterned after the Plattsburg plan. In World War I, it was the most active officers' training camp in the country. Later, it served the needs of more than 60,000 patients at the general hospital in the closing years of World War I.

Shortly before the outbreak of World War II, Fort Sheridan became a training center for recruits. Later it was used for training antiaircraft and other combat units of World War II. During the postwar demobilization, it served as a separation center and processed more than 1,500 servicemen daily.

Since World War II Fort Sheridan has been assigned new missions in the modern U.S. Army and it has become the hub of logistical support for a network of Nike missile-launching sites. By 1961 Fort Sheridan's logistical support for the air defense support lines extended to Minneapolis, Milwaukee, Chicago, and Gary. The logistical support of Detroit area Nike sites has been assigned to Fort Sheridan effective July 1, 1964. The Nike sites so supported out of Fort Sheridan will protect over one-fourth of the population and industry of the United States. Fort Sheridan was also given the responsibility for other support missions in various technical and administrative fields to each of the 13 Midwest States comprising the 5th U.S. Army. This extensive area support is being administered by the commanding general, 5th Region, U.S. Air Defense Command, through the installation at Fort Sheridan and several satellite subposts in Illinois, Wisconsin, and Minnesota.

The recommendation of the Secretary of Defense to move the 5th Army Headquarters to Fort Sheridan is consistent with a more economical and efficient operation of the U.S. Army.

The construction of new headquarters facilities for these purposes at Fort Sheridan is a one-time expense. The advantages from this move are manifold, both in terms of economy of manpower and taxpayers' dollars.

It is quite appropriate that the committee has considered the subject of housing for civilian workers and military personnel in and around Fort Sheridan. Accordingly, I want to address myself to this subject, briefly but factually. In the first place, we should understand exactly how many military and civilian personnel are involved. I take my information directly from the fact sheet of the Installations Management Division of the Department of Defense. It is reported that there are presently 1,039 military personnel and 811 civilian personnel employed at the 5th Army Headquarters in Chicago. Following the relocation there will be a reduction in military personnel to the extent of 61 and a reduction of 196 civilian personnel. In other words the maximum number of personnel required to be accommodated will be 615 civilians and 978 military personnel when the 5th Army and various components move to Fort Sheridan.

However, I am informed that the headquarters recruiting personnel consisting of 53 military and 20 civilians, a total of 73, will not be moved to Fort Sheridan. Also, the dispensary personnel—29 military and 12 civilians—for a total of 41 will not be moved, as well as 7 military and 5 civilian personnel in the veterinarian's services, 5 civilians and 34 military in the industrial security unit, plus an additional 56 military and 27 civilians who will be retained in the Chicago area for other duties. None of these are to be transferred under the present plan. This total of 179 military and 80 civilians reduces the total projected 5th Army population at Fort Sheridan to less than 800 military personnel and to only 535 civilians. As I indicated earlier, more than 150 5th Army military personnel are already at Fort Sheridan consisting of 100 officers and 50 enlisted families which leaves less than 700 officers and men now being housed in the Chicago area who would have to be housed at Fort Sheridan about 30 miles north of Chicago's loop. Only a little over half of these officers and men are married, so, in effect, there will be only about 450 military families who will be seeking residences near Fort Sheridan.

Large increases of personnel at Fort Sheridan and, for that matter, at the Great Lakes Naval Training Center are not a new experience for us in Lake County, Ill.

Bear in mind that we are discussing the accommodation of only about 450 military families and I assume that we have at least a year, or more than likely 2 years, to plan for this added population.

In 1940 and 1941 Fort Sheridan accommodated additional military personnel ranging from 3,500 to 7,500, when the Illinois, Wisconsin, and Michigan National Guards were assigned there, as well as the 3d Field Artillery, the 16th Infantry Company and the 14th Cavalry Troop. The population at Fort Sheridan rose to more than 20,000 during the years 1944 to 1946 when it became a principal reception and separation center.

As recently as this year, Fort Sheridan has accommodated itself to additional military personnel numbering between 3,000 and 4,000 to serve as headquarters for the 5th Region Radcom as well as the 578th Ordnance Company and the 204th Military Police Company.

During the last 2 days, I have received communications from Mayor John Frantonius of the city of Highwood, and Mayor Fred Gieser of the city of Highland Park, both of which communities adjoin Fort Sheridan, attesting to the availability of rental units which will be more than sufficient to accommodate the additional military and civilian personnel which will eventually be moved to Fort Sheridan.

According to a survey just completed, there are more than 300 rental units, averaging from $110 to $170 per month, available to military personnel. In addition there are more than 400 homes available at prices within the $20,000 to $30,000 category.

Mayor Gieser reports that there are two additional developments being planned at the present time containing 240 living units.

Mayor Frantonius writes that there are 60 units of housing that will be available to either military or civilians within 2 blocks of the post.

At the conclusion of my remarks I will attach copies of these communications, as well as other information for the benefit of the members of the committee and of the House.

And if there be any question as to availability of rental housing for Negro personnel, let me allay fears in this regard. More than 40 Negroes assigned to Fort Sheridan have been accommodated within the immediate area during the past 6 months. Military and civilian personnel at Fort Sheridan who may be assigned there by reason of the transfer of the 5th Army Headquarters will all be received graciously and hospitably. We have had large experience in adjusting to the needs of great military establishments. Our Navy League units, as well as our local association of the U.S. Army, serve as efficient liaison betwen the Military Establishment and the civilian community.

We like the Army and Navy in our midst. We want the 5th Army Headquarters at Fort Sheridan because we agree with the Department of Defense that this is the logical and right place for it to be located. We welcome the 5th Army Headquarters and we will cooperate in every possible way in providing the necessary housing and other conveniences which this move will entail.

It is my understanding that at such time as Congress votes funds in support of this move, a committee of leading citizens will be organized to work directly with the military authorities.

I concur with the committee that this subject warrants full and careful study, and I am considering that the omission of funds for the construction of the new headquarters at Fort Sheridan is a temporary decision and that the facts which I have endeavored to set forth here, as well as further studies which will be made, will result in the necessary support by the subcommittee as well as by the full Committee on Appropriations for recommendation to this House.

Assessment of impact on adjacent civilian communities bordering Fort Sheridan for the past 20 years

Years	Varying military and civilian population on post	Major units or activities
1940-41	3,500- 7,500	Illinois, Wisconsin, Michigan National Guard. 3d Field Artillery. 16th Infantry Company. 14th Cavalry Troop.
1942-44	8,000-12,000	Kentucky National Guard. Women's Army Corps Company.
1944-46	12,000-23,000	Reception and separation center.
1947-50	6,000-12,000	Separation center.
1950-52	4,000- 9,000	Reception center. XI Corps Headquarters. 5th Artillery Battalion.
1953-55	4,000- 5,000	Engineer Topographic Battalion.
1956-61	4,000- 5,000	Headquarters, 5th Region Radcom. 486th Signal Company. 204th Military Police Battalion.
1961-64	3,000- 4,000	Headquarters, 5th Region Radcom. 578th Ordnance Company. 204th Military Police Company.

CURRENT ADJACENT COMMUNITY HOUSING ASSETS

Rentals: In the $110 to $170 per month category, over 300 units are available to the military.

Sales: In the $20,000 to $30,000 category for homes, over 400 are available to the military.

By calendar year 1965, it can be expected that there will be a 20-percent increase of assets of civilian housing available to the military.

CITY OF HIGHLAND PARK,
Lake County, Ill., May 22, 1964.
Hon. ROBERT MCCLORY,
U.S. Representative, 12th District,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN MCCLORY: We were exceedingly distressed to learn of the action of the House Appropriations Subcommittee in deleting the appropriation for the transfer of the 5th Army Headquarters from Chicago to Fort Sheridan.

I wanted you to know that this community, along with our neighbors, have planned for and looked forward to that event. You have personal knowledge of our desire to cooperate in every way possible by affording physical facilities, utilities, and housing to the maintenance of the military reservation and its personnel.

You will be interested to learn that, in the last 12-month period, 383 housing units have been constructed in this community alone. There have been more multiple-family rental units built in Highland Park this year than in any year since World War II, and these are available at moderate rentals. There are 2 additional developments being planned with a total of 240 living units.

I strongly urge you to impress upon the membership of the Appropriations Subcommittee our earnest desire to facilitate the transfer of the 5th Army Headquarters to our area and that we would welcome its personnel to our community.

Respectfully,
FRED E. GIESER,
Mayor.

CITY OF HIGHWOOD,
Lake County, Ill., May 22, 1964.
Hon. ROBERT C. MCCLORY,
House of Representatives,
Washington, D.C.

DEAR MR. MCCLORY: In regard to housing the 5th Army in the Fort Sheridan area, the city of Highwood has a construction program in progress of 60 units of housing which is within 2 blocks of the base.

As the land across from the west gate of Fort Sheridan becomes available from the North Shore & Milwaukee Railroad Co., local financing will be available for more housing.

We feel that with all the building going on in the Highland Park and Lake Forest area, housing facilities will be adequate before the 5th Army move is complete.

Should there be any further questions in regard to the above, please feel free to contact me.

Very truly yours,
JOHN FRANTONIUS, *Mayor.*

WAUKEGAN-LAKE COUNTY
BOARD OF REALTORS,
May 23, 1964.
Hon. ROBERT MCCLORY,
House Office Building,
Washington, D.C.

DEAR MR. MCCLORY: Our real estate board has been advised that there is in committee discussion relative to moving the 5th Army Headquarters from Chicago to Fort Sheridan.

It is the opinion of the board that there is sufficient housing available in the area to take care of any individuals that may be transferred.

It is further the opinion of the board that a headquarters such as 5th Army Headquarters should be on some military installation, and we believe that Fort Sheridan is ideal.

Very truly yours,
CHARLES J. CERMAK,
President.

HIGHLAND PARK, ILL.,
May 25, 1964.
Hon. ROBERT MCCLORY,
Member of Congress,
New House Office Building,
Washington, D.C.

The Highland Park Chamber of Commerce has discussed the proposed moving of the 5th Army Headquarters to Fort Sheridan with many residents of Highland Park and the surrounding areas. I assure you that the citizens would welcome the Army personnel to these communities. Let me also assure you that there is ample housing within a few miles of the fort to meet the needs of all the families that would be brought in here.

DR. WILLIAM BRADFORD,
President.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I am delighted to yield to the gentleman.

Mr. ARENDS. I want to commend the gentleman for his very clear and concise statement that he has made relative to the transfer of the 5th Army Headquarters from South Chicago to Fort Sheridan. I was pleased when our committee authorized this transfer because I believe in the long run it is a matter of economy. On occasion one must spend money to save money. I think it would fit this case in particular. The gentleman has presented here some facts which should be called to the attention of each and every Member of the House. I am impressed by the facts the gentleman has laid before this House. On the basis of this presentation as well as the report of the House Armed Services Committee I am hopeful that funds will be provided at this session so that the transfer of the 5th Army Headquarters to Fort Sheridan can be carried out. In addition, I want to point out that the appropriations committee in its report agrees that the 5th Army Headquarters should be moved from its present location in the old Chicago Beach Hotel. Again I commend the gentleman for his real interest and his endeavors in this respect.

Mr. McCLORY. I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Chairman, I thank the gentleman from North Carolina for yielding a few minutes to me to point out a situation which exists in respect to a facility located in my district, about which I believe the committee may not have had all of the facts. I refer to the Newark Air Force station, which is located at Newark, Ohio, which is now the central agency for calibrating and cleaning all of the inertial guidance systems of the rocket arsenal possessed by this country. At the present time they take care of such facilities as the SM-80 Minuteman, the SM-68 Titan, and the SM-65 Atlas. They will be increasing their capacity, to take care of the F-46 guidance system, and also the Wing-6 Minuteman.

The request was made for $3,269,000, of which the committee, in its wisdom, saw fit to approve approximately $2,405,000.

The part which is deleted is referred to on page 17 of the report, as follows:

> Air Force Logistics Command.—The amount of $25,571,000 is approved for the Air Force Logistics Command, a reduction of $4,941,000 below the program estimates. The committee has denied the requests for the alteration of a permanent dormitory at Kelly Air Force Base, Tex.; and for administrative facilities at Kelly Air Force Base, Tex.; Newark Air Force Station, Ohio; Hill Air Force Base, Utah; and Wright-Patterson Air Force Base, Ohio. These requirements should be restudied and more adequate utilization made of existing facilities.

I merely point out to the committee that the Newark Air Force Station, of which I am speaking, is a relatively new base. It is a base which was brought into active use only a few years ago. The physical plant was part of the old Air Force program of the early 1950's, which was junked. It was used for this vital work because of the extreme seismic stability of the particular area, and therefore it was brought back into use by the U.S. Air Force as a calibration laboratory and calibration center.

At the present time one of the basic difficulties on this particular base is the administrative facilities, the precise area which has been cut out of this appropriation.

The Newark Air Force Station has approximately 3 years under its belt. I know the management. I have known Colonel Lawton and the work he has done. I know of the effort he has put forth and the problems he has faced, bringing people in from all over the country, as well the problem of morale and the problem of having administration divided up all over the city of Newark.

I hope the committee will take a good second look at the Newark Air Force Station situation. I know that everyone tends to say that his case is different, but I believe with respect to this particular project it will be found that one of the differences is that it does not have facilities which can be more properly used in the manner suggested in the report.

I know the situation at Kelly Air Force Base and even at Wright-Patterson Air Force Base. I have had an opportunity to visit numerous times. At least at those bases there are existing facilities which can be more adequately used.

Since Newark Air Force Station went into operation only a couple of years ago, frankly, there are not existing facilities which can be used in this manner.

I certainly strongly suggest to the members of the subcommittee that they at least give strong consideration to the request for administrative facilities which was made by the Air Force, and particularly with respect to the Newark Air Force Station.

Mr. LIBONATI. Mr. Chairman, H.R. 11369, the military construction appropriation bill, has for its purpose also family housing totaling $1,599,014,500, an increase of $13,134,500 over 1964. The funds made available for these obligations are $1,378,480,000 for the Regular forces and $59,971,000 for the Reserve forces; for family housing, $650,358,000;

military construction, for defense agencies, $12,656,000; Air Force, $346 million; Navy, $247 million; Army, $301 million.

Thus the subcommittee under the leadership of its chairman, HARRY RICHARD SHEPPARD, has accomplished a superlative work in bringing this legislation to the floor. The many requests in the budget estimates must be determined. Many witnesses are heard and the committee then, after laborious work, sifts out the chaff and unnecessary cost expansion programs—finally in agreement—draws the sums necessary as approved. The committee reduced the budget requests by $279,985,500.

Mr. Chairman, the presentment of the military construction bill for 1965, H.R. 11369, by the distinguished Congressman HARRY RICHARD SHEPPARD, chairman of the Subcommittee on Appropriations closes the career of a practical legislator whose deep knowledge of business management and operation contributed much to solution of the many problems confronting his committee through the years.

He served 13 terms in the Congress having been elected first to the 75th Congress in 1934. His employments previous to his election were in the fields of railroad transportation—Santa Fe—mining—Alaska copper industry—and several business interests—president and general manager of King's Beverage and King's Laboratories Corp. of California. His interests carried him into several continents on a competitive scale.

Congressman SHEPPARD is a quiet, understanding individual who earned by hard work his way through life. Under great handicaps he prepared himself for the law. His study of human nature in his business travels did not destroy his confidence in human beings. His experience made him a realistic opponent or friend. His greatest strength of character is his steadfast determination to weigh the facts carefully—then as a tough fighter stand by his decision. He is kind and considerate in his dealings with his fellow man. His high sense of integrity has never been questioned.

His darling wife Kay is the joy of his family life. Although he regrets leaving the House of Representatives—his decision rests upon a desire to enjoy the remaining years in retirement with his precious lady in travel and recreation. No one can deny that he and his mate have earned a respite from the heavy duties of governmental affairs.

HARRY SHEPPARD will be missed in the Congress of the United States. His work has not gone unnoticed. His valuable services to his State and Nation are reflected in the powerful assignments to which he was appointed by the Speakers of the House through the years. May God light his way to great happiness with a restive spirit of peaceful enjoyment of his remaining years with his loyal mate Kay by his side.

We will long remember this great man who lived to serve others so that in their lives life's problems would be lessened. May God bless him and Lady Kay forever.

Mr. ALGER. Mr. Chairman, as a matter of principle I cannot approve an increase in spending over last year while we are deficit financing. We should not spend more and borrow and charge it to the future.

The increase of $13 million over last year's level raises this year's total to $1,599 million while there are still $472 million on hand unobligated, as a carryover amount from last year.

Mr. O'HARA of Illinois. Mr. Chairman, in the district on the south side of Chicago that for many years I have represented, the names of Chairman HARRY R. SHEPPARD and all the members of his great subcommittee—Congressmen ROBERT SIKES, JOHN MCFALL, CHARLES JONAS and ELFORD CEDERBERG—will long be remembered. To them, and all the members of the full Committee on Appropriations, and to all my colleagues on both sides of the aisle who today are voting for this bill of appropriation, unamended and unchanged as it came to us from the committee, I extend expression of deep appreciation not only by all the members of the Chicago delegation but also by Mayor Richard J. Daley and the people generally of the city of Chicago.

The removal of the 5th Army headquarters from its present location in Hyde Park, within 10 or 15 minutes traveling time from Chicago's loop and the centers of railway transportation, to Fort Sheridan would have been a tragic event, frightful in its repercussions on military efficiency and economy. It would have entailed an ultimate expenditure of at least $13 million and in all likelihood would have increased operation expenses materially.

The Chicago Beach Hotel was one of the finest hotel properties erected adjacent to the shoreline of Lake Michigan. Chicago was justly very proud of the Chicago Beach Hotel and it was the residence of many of our distinguished citizens, including Judge Kenesaw Landis of national fame as a Federal jurist and later as a high commissioner of baseball.

In 1941 the U.S. Army purchased the hotel for $3,168,000 to be used as an Army hospital. It was a time when our country was at war and the people of Hyde Park and of Chicago like all other Americans were willing to make the sacrifices demanded by the conditions of war.

In 1946 the hotel was converted for office use. At that time its resoration as a hotel would best have served the interests of the community but the Army after a long and exhaustive study determined that its retention as the headquarters of the 5th Army was vital to the interests of the Army and of the Nation. Again, the people of Hyde Park and of Chicago cooperated with the Army in a fine expression of deep and sincere patriotism.

Later the Twin Towers were erected as Wherry housing to furnish 253 apartments for officers and their families.

From time to time studies have been made by the Army as to the advisability of moving the 5th Army Headquarters from their present location. These studies have been in depth. All have ended with the recommendation that the 5th Army Headquarters remain at their present location. The cost of providing space for the headquarters and living quarters for service and civilian personnel has been found prohibitive. These studies, moreover, have emphasized the importance of the headquarters being within easy traveling distance of transportation bringing visiting officers from the many States serviced by the 5th Army Headquarters. Hyde Park is less than 15 minutes travel from the Loop of Chicago.

The recommendation of General Shuler that the headquarters be removed to Fort Sheridan came as a complete and shocking surprise to the people of Hyde Park and Chicago, who at the least were entitled to a fair and impartial hearing on all the facts on a matter so close to their interest and in a situation they had contributed to bring about by their sacrifice of community self-interest in the spirit of true patriotism.

As a Member of the Congress, who has represented for nearly 14 years the district in which the 5th Army Headquarters is located, I was entitled to the respect of being notified in order that an opportunity might be given the people of my district to present the facts at a fair and impartial hearing.

I cannot explain to my constituents. There is no explanation acceptable to the people of my district who take seriously their constitutional right to be heard on all matters of interest to them through their representative and spokesman elected every 2 years.

The 5th Army Headquarters employs about 2,000 civilian workers. There is no civilian housing available in the Fort Sheridan area—absolutely none. There is no available labor supply—absolutely none. It will be necessary either to transport 2,000 civilian workers at Government expense great distances or to erect housing for them at Government expense.

The most conservative estimates place the cost of the removal of the 5th Army Headquarters to Fort Sheridan at between $12 and $13 million. That to me is the wildest and most reckless sort of spending—the kind of thing the great Committee on Appropriations, with a peerless record as the stanch guardian of the taxpayers' money, can never condone.

Further, Mr. Chairman, I am informed that before Fort Sheridan could be prepared for the 5th Army Headquarters, another million dollars or more would have to be spent on reconditioned and enlarged water, sewage, and other facilities.

The claim that the removal to Fort Sheridan would result in operational savings is largely nonsense. The stronger likelihood is that operation at Fort Sheridan would be much greater than at Hyde Park, but if there were a saving resulting from the removal it would be at maximum only a small fraction of the interest in the construction costs.

Mr. Chairman, the subcommittee has acted with prudence and wisdom, as has the full committee, in calling a halt on this unjustified and wholly reckless spending by refusing the cash to begin the orgy. I am sure the subcommittee, the full subcommittee and the House itself will have the approval and applause of the Nation in practicing in this manner the finest kind of economy and the most enduring sort of efficiency.

I heartily join with my distinguished and beloved colleague the gentleman from Illinois [Mr. McClory] in extending 75th birthday anniversary greetings to Fort Sheridan. I happen to have had some connection with the Spanish-American War, mentioned by my colleague, and Fort Sheridan in a way is my alma mater, since I was a graduate of the Fort Sheridan Officers School in World War I. But throwing away some $12 million or more in new and unneeded buildings at Fort Sheridan, and at a time when the practice of wise economy is the first demand of good statesmanship, is carrying sentiment a bit too far.

Mr. Chairman, however we in this Chamber may disagree on many political and philosophical matters, on one proposition I am sure we all are in agreement. That is in our evaluation of Harry Sheppard, who today is bringing before us for the last time a bill of his subcommittee, as one of the all-time greats of the greatest legislative body in the world. The every good wish of all the Members of this body will accompany him and his sweet and noble lady all the days and all the years ahead.

Mr. SIKES. Mr. Chairman, there are no further requests for time on this side. May I inquire whether there are any on the minority side?

Mr. JONAS. There are none on this side.

Mr. SIKES. Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 3, line 3:

MILITARY CONSTRUCTION, DEFENSE AGENCIES

For acquisition, construction, installation and equipment of temporary or permanent public works, installations and facilities for activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense), as currently authorized in military public works or military construction acts, and in sections 2673 and 2675 of title 10, United States Code, $12,656,000, to remain available until expended; and, in addition, not to exceed $20,000,000 to be derived by transfer from the appropriation "Research, development, test, and evaluation, Defense Agencies" as determined by the Secretary of Defense: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction as he may designate.

Mr. GROSS. Mr. Chairman, I move to strike out the necessary number of words.

Mr. Chairman, I note this bill is some $13 million above the spending for the same general purposes for last year. I do not quite understand why, with the closing of the bases and installations across the country, this Government should be spending $13 million more than last year or a total of $1.5 billion on new construction.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Of course. I will be glad to yield.

Mr. SIKES. The significant thing to keep in mind is that the bill is $280 million below the budget estimate. This certainly indicates that the committee took a long, careful, and effective look at it. It is $130 million below the authorization. There are some areas in which there are increases. There is an increase in family housing, which continues to be a problem at many military bases. We have had to spend a lot of money on such things as missile sites and Polaris facilities. These are new programs and require a new type of facility which we have not had before. A lot of money has been required to do that.

This bill largely wraps up that type of request.

There is money in here for the replacement of World War II facilities that have been used for 20 years or more. These facilities have gone just about as long as they can without undue and expensive maintenance.

Those are the principal items of increase, but the important thing to keep in mind is in a bill approximating $1.5 billion we have come to you $280 million below the budget level.

Mr. GROSS. Of course, the budget figure is the asking price. I would say to the gentleman I am never very much impressed with that because it seems to be fashionable around here for the bureaucrats to ask for a good deal more than they expect to get. So the thing that always concerns me is how much are we above what was spent for the same purposes in the preceding year.

I would like to ask the gentleman, is it true that you are appropriating money in this bill to buy some 60,000 acres of land in Kansas for some purpose, perhaps to expand Fort Riley?

Mr. SIKES. Will the gentleman yield to me at that point?

Mr. GROSS. Yes. Of course I will.

Mr. SIKES. I shall answer the gentleman's question in just a moment. First let me say that I think we are getting tighter budgets from the Department of Defense than we have ever had. The Secretary of Defense and his staff are riding herd on expenditures in a very tightfisted way, and the occupant of the White House is skilled in these matters. After the Department of Defense had completed its estimates for spending for fiscal 1965 further reductions were made upon orders from the White House. I think we are getting a tighter bill than possibly we have ever had from the Department of Defense. So I do not think that this represents an asking price with the expectation that it would be pared down. We are getting good budget estimates from Defense. Even so we made substantial reductions in it.

Now the answer to the gentleman's question is "Yes," we are buying land at Fort Riley in Kansas. The reason is simply that modern methods of warfare, newer weapons and the like require additional space for proper use. This means that we must have more land than is now available at Fort Riley. Then the question arises, why do we not use land the Government already owns? The reason is that we have $90 million worth of good, usable facilities at Fort Riley. It is cheaper to spend $15 million for 50,000 acres of additional land, even though it is valuable farmland, than to replace $90 million worth of construction at another base.

I can assure the gentleman—and he knows that I value his counsel and I have great appreciation for his effective efforts to save money in the House. I consider him to be one of the most valuable Members of the House. However, I can assure him that this committee looked very carefully into the Fort Riley land acquisition matter. We do not relish the idea of buying additional land. Yet, without it an adequate training program for present day warfare cannot be carried on. It is a case of moving Fort Riley or buying land. If we are going to do the training job properly, it is cheaper to buy the land than it is to move Fort Riley.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. Gross] has expired.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Is Fort Sill still active? Is it still the artillery training center? Is it still being used for that purpose?

Mr. SIKES. Fort Sill is still active. It is used as the artillery training center. It is being used to saturation. There simply is not enough room to carry on additional training there.

Mr. GROSS. Are you going to have to expand Fort Sill to accommodate these new field weapons?

Mr. SIKES. That was considered 2 or 3 years ago. The idea was given up. It would have been a costly expansion and it was found that accommodations could be had elsewhere, that the work could be carried on partly at Fort Sill and partly at Fort Bliss.

Mr. GROSS. Mr. Chairman, I recall that the agriculture appropriation bill was cut $1 billion the other day, a little more than $1 billion. It had been my hope that this committee could come to the floor today with a bill that was cut below the spending for the same purposes last year. It is my understanding that we are going to have a bill presented to us soon to increase the debt ceiling to $324 billion.

Mr. SIKES. Mr. Chairman, if the gentleman will yield, I suspect that our percentage cut here is as high in this bill as in any bill we have had this year. I have not checked it, but I think this would be the case.

Mr. GROSS. Mr. Chairman, I am always impressed with this bill because it does very well by Texas, California, South Carolina, and, yes, even Florida, as well as a few other States.

Mr. SIKES. I am glad the gentleman did not overlook Florida.

Mr. GROSS. There must be some 60 to 65 percent of this money going to a handful of States. I guess the State of Iowa got $1.94 or was it $194,000, I do not remember which. I note the distinguished gentleman from Georgia [Mr. Vinson] on the floor, which reminds me that I did not include Georgia in the list of States that do very well in this bill year in and year out. It also gets millions upon millions of dollars. I would like to suggest that if you are going to go on with this sort of thing, maybe you ought to spread the good things in life around the country a little more instead of confining them to California, Texas, Georgia, Florida, and a few others.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. JONAS. Mr. Chairman, I asked the gentleman to yield to respond to his original question. I join in expressing disappointment that we could not cut this bill below last year's expenditures. We did cut it substantially.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GROSS] has again expired.

Mr. JONAS. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa [Mr. GROSS] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Chairman, we did make a substantial cut under what was requested. It is true that that is the asking price, but it is not always easy to cut $279 million out of a military construction bill.

Mr. GROSS. It ought to be easy with the President campaigning the country and talking economy, frugality and poverty; it ought to be easy to cut his figures.

Mr. JONAS. The gentleman anticipated what I was going to say next. There has not been as much action as words on closing military bases. I have not noticed any big military bases or installations that have been closed. Those that have been closed were relatively minor or unimportant. Those that are programed to be closed are programed for the future. I do not know of many that have been closed so far. All I can say is that the committee was careful not to put any money in this bill to build anything at any base that was scheduled to be closed, according to the best information we were able to get.

Mr. GROSS. I suppose I can be thankful that the bill is only $13 million above the spending for the same general purposes last year. I suppose I should be thankful for small favors. But if we are ever going to get spending down to the point where we can handle it instead of continually increasing the debt ceiling, instead of continually plunging deeper in debt at the end of every fiscal year, someone is going to have to do some cutting around here; this, in addition to cutting Federal tax revenues by $11.5 billion.

Mr. Chairman, if this Government is to be saved from inflation and bankruptcy these spending bills must be pared to the bone, not increased. For this and other reasons I cannot support this bill.

Mr. JONAS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I certainly concur in the remarks of the gentleman from Iowa [Mr. GROSS]. I do not know of anyone who has tried harder to cut or who perhaps has voted "no" on more bills than has the gentleman now speaking.

Mr. Chairman, I will say with respect to the bill now under consideration, we eliminated most of the requests for expanded administrative facilities. You will not find any expensive extensions to officers' clubs or recreational facilities funded in this bill. There is not any gingerbread in it. The programs funded in this bill were justified to us by the spokesmen for the various services as being absolutely necessary in order to modernize existing facilities, or to provide new facilities on which to bring these more sophisticated weapons systems into use.

Mr. Chairman, we have a military establishment housed in facilities many of which were constructed of World War II type materials. Many are beyond feasible state of repair. It is, therefore, more economical to replace them with permanent facilities than to continue to spend large sums of money in rehabilitation and repair.

So I would say that in the main, while this bill is $13 million above the figure of last year, it is $279 million below what the administration requested and below the budget.

Mr. Chairman, while we perhaps did not go as far as the gentleman from Iowa would like for us to have gone in going below the figure of last year, I am sure the gentleman would give us a small pat on the back for reducing the budget by nearly $300 million.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Iowa.

Mr. GROSS. I tried to do that, and I hope the committee got the message across to the military services that it will not tolerate any more silk wallpaper at a military headquarters office, or any more $18.79-per-square-yard carpeting for the same office.

Mr. JONAS. If the gentleman will read the hearings, I think he will conclude that the committee did its best to get that message across.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. SHEPPARD. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. RIVERS of South Carolina, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11369) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. SHEPPARD. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes had it.

Mr. WICKERSHAM. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 340, nays 5, not voting 66, as follows:

[Roll No. 136]

YEAS—340

Abbitt
Abele
Abernethy
Adair
Addabbo
Albert
Anderson
Andrews, N. Dak.
Ashbrook
Ashley
Aspinall
Auchincloss
Ayres
Baker
Baldwin
Baring
Barry
Bates
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Berry
Betts
Blatnik
Boland
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Brock
Bromwell
Brooks
Broomfield
Brotzman
Broyhill, N.C.
Broyhill, Va.
Burke
Burkhalter
Burleson
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Carey
Casey
Cederberg
Celler
Chamberlain
Chenoweth
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Conte
Corbett
Corman
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Denton
Derounian
Derwinski
Devine
Dingell
Dole
Donohue
Dowdy
Downing
Duncan
Dwyer
Ellsworth
Everett
Evins
Fallon
Fascell
Feighan
Findley
Finnegan
Fino
Flood
Flynt
Fogarty
Ford
Foreman
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Gathings
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Goodling
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hanna
Hansen
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Healey
Hébert
Hechler
Henderson
Hoeven
Hoffman
Holifield
Holland
Horan
Horton
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Jensen
Joelson
Johansen
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Knox
Kornegay
Kunkel
Laird
Langen
Lankford
Latta
Lennon
Lesinski
Libonati
Lindsay
Lipscomb
Long, Md.
McClory
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
McMillan
Macdonald
MacGregor
Madden
Mahon

Mailliard
Marsh
Martin, Calif.
Mathias
Matthews
Michel
Milliken
Mills
Minish
Minshall
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Poff
Powell
Price

Pucinski
Quie
Quillen
Rains
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Rumsfeld
Ryan, Mich
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Senner
Sheppard
Short
Sibal
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.

Smith, Va.
Springer
Staebler
Stafford
Staggers
Steed
Stephens
Stinson
Stratton
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Tollefson
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Utt
Vanik
Vinson
Waggonner
Wallhauser
Weaver
Weltner
Westland
Whalley
Wharton
Whitener
Whitten
Wickersham
Widnall
Williams
Wilson, Bob
Wilson, Ind.
Wydler
Wyman
Young
Younger
Zablocki

NAYS—5

Alger
Gross

King, N.Y.
Kyl

Pirnie

NOT VOTING—66

Andrews, Ala.
Arends
Ashmore
Avery
Barrett
Bass
Bennett, Mich.
Boggs
Bolling
Bray
Brown, Calif.
Brown, Ohio
Bruce
Buckley
Burton, Calif.
Burton, Utah
Chelf
Clawson, Del
Colmer
Cooley
Cramer
Curtis
Dent
Diggs
Dorn
Dulski
Edmondson
Edwards
Elliott

Farbstein
Fisher
Forrester
Grant
Gurney
Harding
Hays
Herlong
Huddleston
Johnson, Wis.
Jones, Ala.
Kee
Kilburn
Landrum
Leggett
Lloyd
Long, La.
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Meader
Miller, Calif.
Miller, N.Y.
Morrison
Olsen, Mont.
Patten
Pelly
Pilcher

Pillion
Pool
Purcell
Randall
Riehlman
Roberts, Ala.
Roybal
Scott
Secrest
Selden
Shipley
Shriver
Siler
Smith, Iowa
Snyder
Stubblefield
Teague, Tex.
Thompson, La.
Toll
Van Deerlin
Van Pelt
Watson
Watts
White
Willis
Wilson, Charles H.
Winstead
Wright

So the bill was passed.

The Clerk announced the following pairs:

Mr. Colmer with Mr. Avery.

Mr. Matsunaga with Mr. Siler.

Mr. Morrison with Mr. Cramer.

Mr. Toll with Mr. Burton of Utah.

Mr. Barrett with Mrs. May.

Mr. Harding with Mr. Martin of Nebraska.

Mr. Dent with Mr. Pelly.

Mr. Hays with Mr. Bennett of Michigan.

Mr. Leggett with Mr. Snyder.

Mr. Roybal with Mr. Del Clawson.

Mr. Miller of California with Mr. Gurney.

Mr. Johnson of Wisconsin with Mr. Riehlman.

Mr. Stubblefield with Mr. Brown of Ohio.

Mr. White with Mr. Van Pelt.

Mr. Olsen of Montana with Mr. Pillion.

Mr. Charles H. Wilson with Mr. Meader.

Mr. Shipley with Mr. Bray.

Mr. Herlong with Mr. Kilburn.

Mr. Fisher with Mr. Shriver.

Mr. Dorn with Mr. Curtis.

Mr. Chelf with Mr. Martin of Massachusetts.

Mr. Ashmore with Mr. Bruce.

Mr. Andrews of Alabama with Mr. Miller of New York.

Mr. Elliott with Mr. Patten.

Mr. Willis with Mr. Buckley.

Mr. Teague of Texas with Mrs. Kee.

Mr. Cooley with Mr. Farbstein.

Mr. Jones of Alabama with Mr. Secrest.

Mr. Winstead with Mr. Thompson of Louisiana.

Mr. Watts with Mr. Dulski.

Mr. Edmondson with Mr. Burton of California.

Mr. Huddleston with Mr. Long of Louisiana.

Mr. Landrum with Mr. Van Deerlin.

Mr. Edwards with Mr. Diggs.

Mr. Selden with Mr. Brown of California.

Mr. Roberts of Alabama with Mr. Watson.

Mr. Wright with Mr. Grant.

Mr. Randall with Mr. Scott.

Mr. Pilcher with Mr. Smith of Iowa.

Mr. Purcell with Mr. Forrester.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SIKES. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERMISSION TO COMMITTEE ON WAYS AND MEANS TO FILE CERTAIN REPORTS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Thursday night, June 4, 1964, to file a report on H.R. 11375.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Also, Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Thursday night, June 4, 1964, to file a report on H.R. 11376.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. HALLECK. Mr. Speaker, reserving the right to object, will the gentleman from Arkansas tell us what those bills are? We do not know them by number.

Mr. MILLS. The first one has to do with the temporary debt ceiling. The second one has to do with the extension of certain excise taxes, generally referred to as the Korean excise taxes. These requests were agreed to in the committee, and include permission to file any minority or separate views.

Mr. HALLECK. I thank the gentleman. Can he tell us when those matters might come up on the floor for consideration?

Mr. MILLS. I have not consulted with the leadership on this side, and I have no idea. They will not come up in the first week of June because the request is that we have until midnight, Thursday, June 4, to file reports.

Mr. HALLECK. Might they come up the next week?

Mr. MILLS. I would hope that one or both of them might be scheduled for the following week.

Mr. HALLECK. I make that inquiry because while I realize that we are not clearing for primaries or conventions, we do have a State convention on our side out in the State of Indiana on June 8 and 9. I would trust that these matters would not come up until after June 9, although if they are to come up before that date those of us who would otherwise be out in Indiana would have to be here.

Mr. MILLS. It would be my thought, at least, that we apply for a rule, closed rules in both instances, perhaps, on Tuesday, June 9, if the Rules Committee can conveniently hear us on that day. It would mean if they were scheduled that week they would have to be scheduled some time after the 9th of June.

Mr. HALLECK. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. MILLS].

There was no objection.

RECLAMATION IN PERSPECTIVE—A FORCE FOR PROGRESS AND AGRICULTURAL EFFICIENCY

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I want to take the opportunity today to straighten out the record on a matter which I know to be of interest and importance to every Member of this distinguished body and indeed to every citizen old enough to think and vote. The matter at issue deals with our agricultural abundance and a vague, though persistent, notion that somehow this current abundance of food and fiber will render unnecessary the continued orderly and prudent development of the Nation's water resources. I refer particularly to the sometimes-heard assertion that the reclamation program, as carried on in the arid and semiarid western half of our Nation, is responsible for the costly crop surpluses which characterize this national setting of abundance. I refer also to the companion proposition which asserts that the reclamation program should be halted or deferred, presumably until crop surpluses no longer exist.

In the harsh light of the facts confronting us, I find that these positions are neither tenable nor even plausible, and that those who espouse them will bring upon their heads the reproach of generations yet unborn. I say this, realizing full well that my esteemed colleagues and friends know me to be a man ever mindful of the taxpayers' hard-earned money and frugal in its disposition.

A SELF-SUPPORTING AND PROFITABLE INVESTMENT

To begin with, the multipurpose reclamation program carried on through the Department of the Interior's Bureau of Reclamation is the principal instrument through which the Federal Government, guided by the Congress, seeks to develop the water and related land resources of the arid and semiarid western lands. The dry West comprises more than one-half of our Nation's total land area. It is the most rapidly growing sector of our economy and ranks as the best and most important customer, client, branch office, and factory of the long-established business and industrial community of the Eastern States.

The continued well-being and growth of the West—and with it, the East—depends in large measure on the successful development and wise use of a single natural resource. That resource is water. To the dry West, water is a grossly maldistributed commodity in short and finite supply. Sometimes still viewed as a "free" resource in the Nation's more fortunate humid parts, water to the West is a basic economic good which requires and justifies large but profitable investments to render it fully productive in the service of our economy.

From the turn of the century, the reclamation program has invested in the future of the West and of America. In the lineup of public efforts to increase the Nation's stature on all fronts, the reclamation program occupies a separate and unique place. Its program is virtually self-supporting, because the beneficiaries of project services repay directly to the Treasury more than 90 cents of every dollar invested. I know my colleagues on both sides of the aisle will agree when I say that few endeavors in the public sector can make this claim.

Modern multipurpose reclamation projects embrace the range of beneficial uses of the water resource, and provide the optimum number of services consistent with present and anticipated future needs of the local areas, regions, and river basins. Among these services are the provision of needed water supplies to agricultural lands suitable for sustained irrigation; generation of low-cost hydroelectric power; conservation of water to fill domestic, municipal, and industrial needs; control of floods and prevention of flood damages; enhancement of recreation and fish and wildlife resources; prevention and abatement of water pollution; regulation of riverflow, and other services.

RECLAMATION CROPS ARE COMPETITIVE—NOT SURPLUS

The accomplishments of the reclamation program to date attest to its success as a potent force for progress on the national economic scene. On the agricultural front, we should remember, it is only through irrigation that many parts of the West can have any agriculture at all. Through water supplies stored and conserved by reclamation project facilities constructed or rehabilitated since 1902, western farmers may now irrigate about 8.6 million acres of highly productive agricultural lands.

It is this latter facet of multipurpose reclamation water resource development which has led some to believe that crop production on reclamation projects was responsible for costly crop surpluses. Nothing could be more remote from the truth of the matter. A review of the most recent census data alone will dispel 99.9 percent of the argument. To put the matter in perspective, the 48-State U.S. acreage of cropland, pasture, and range in 1959 totaled 1.287 billion acres, of which only 33 million acres, or 2.6 percent, were irrigated. While the 17 Western States accounted for almost 93 percent of the acreage irrigated nationally, reclamation projects provided water to irrigate roughly one-fourth of these lands, or five-tenths of 1 percent of all irrigated and nonirrigated cropland and pasture reported for the Nation in 1959. With respect to cropland alone, the Department of Agriculture states that nonirrigated crops account for roughly 80 percent of the total value of crops produced in the United States. By simple deduction, these relationships imply that our irrigated lands produce about one-fifth of the total value of our crops on a much smaller fraction of our total cropland. To any straight-forward thinker this means that irrigable lands are really our most valuable and efficient lands, and that we should do all in our power to preserve them and add to them when and where possible to provide the needs of our growth.

In this context, Mr. Speaker, it seems curious that the reclamation program should be made to enter an arena which is dominated by the long shadows of other public endeavors. I have little doubt that the flood control program of the Corps of Engineers and the research, soil, and watershed programs of the Department of Agriculture enjoy all economic justifications claimed for them. But I am also convinced that their combined real and potential effects, as they relate to intermittent surplus crop production on the nationwide scale, are larger by far than the effects attributable to the agricultural phase of the western reclamation effort. For the long run, to be sure, it is important that our national policies continue to stress the abundance of food and fiber as a necessity basic to the success of all other economic and social goals and that we view intermittent crop surpluses not as a dilemma but as a basis for optimism. For the present, however, it is equally important that we retain our perspective and do not single out for unwarranted criticism the reclamation program which makes every effort to achieve true multiple-purpose development, utilization and conservation of the West's limited water and related land resources.

IRRIGATION FARMING IS EFFICIENT AGRICULTURE

The Department of Agriculture tells us that we now have some 74 million acres of cropland in land capability classes IV through VIII. Lands in these capability classes are not suitable for cultivation or have severe limitations which render them very marginal at best. If we are to retire these lands from production—as we should because they are real or potential pockets of poverty and do not yield an adequate livelihood for those who still work them—we will need our good irrigable lands more than ever before. Moreover, in its projections to the year 1980, the Department of Agriculture prescribes that we need to irrigate 8.7 million acres of additional lands to accomplish such a goal. This is roughly equal to the total reclamation acreage developed in the past 60-odd years. The target date is fast approaching, so we must redouble our efforts to meet this goal.

We will need to carry forward our private and public irrigation programs for other reasons as well. These reasons go to the heart of our crop surplus problem. Nearly three-fourths of the cultivated lands from which crops are harvested are in feed grains, wheat, soybeans, and cotton. These are the great interdependent crops where reductions in the acreage and output of one crop have shown up as excessive production and excessive carryovers or low prices for another crop. The root cause of this interdependence lies with the inflexible cropping patterns found exclusively on nonirrigated lands. These dry-farmed lands which cannot help but produce surpluses year after year, vary their production volume and respective proportional composition only in response to costly Government programs of price supports, commodity loans, and acreage restrictions.

It is precisely through irrigation of the semiarid and arid lands of the West that the inflexibilities of geography, climate, and soil are relieved. Irrigation offers an alternative to surplus crop production by offering the farmer an opportunity to grow high-value crops for the competitive market. In this fashion, the irrigated West has won its reputation as the highly efficient producer of an astonishing variety and range of the food, feed, and fiber needed to satisfy a large part of our wants and needs. In this fashion, also, more than 150 different types of crops are found to be grown on the lands which receive full or supplemental irrigation water supplies through reclamation project facilities.

RECLAMATION CROPS FOR HEALTHFUL NATIONAL DIET

Altogether too few people realize the important contribution which irrigated western crop production makes to a healthful year-round national diet. According to a recent Department of Agriculture study, the West grows all of the Nation's apricots, lemons, figs, walnuts, almonds, filberts, olives, and hops; 90 to 100 percent of the pears, prunes, and plums; and from 50 to 90 percent of the grapes, avocados, nectarines, cherries, and strawberries. In the vegetable line, the West grows from 50 to 100 percent of the Nation's artichokes, garlic, cantaloup and honeydew melons, lettuce, celery and carrots.

Within this framework, the production of more than 150 different crops on reclamation project lands makes increasingly important contributions. In 1962 alone, the gross crop value of crops produced on lands receiving full or supplemental irrigation water supplies through reclamation project facilities was $1.22 billion. More than one-half of this production, or $626 million, was accounted for by vegetables, nursery and seed crops, fruits, nuts, and sugarbeets. Vegetables alone accounted for $253 million, or one-fifth the value of total crop production, yielding $575 per harvested acre, or better than 1½ times the national average. Trends are emerging to show that an increasingly larger share of reclamation-irrigated acreage is being devoted to these important crops.

By the same token, reclamation-produced wheat and feed grains accounted for less than 1 percent of U.S. carryover stocks in recent years. Because of geographic location, many projects cannot satisfy even the narrowly restricted local demand and, in fact, constitute markets for the surplus production of principal dry-farmed areas. Under assumptions purposely most unfavorable to reclamation, the 1962 reclamation cotton under loan support would account for no more than 5.4 percent of the 1962 U.S. cotton crop entering loan support channels. In all probability it is much less than that. A letter from the Administrator of the Agricultural Stabilization and Conservation Service to the distinguished senior Senator from Mississippi, printed in the CONGRESSIONAL RECORD of March 3, 1964, points to the fact that: "historically, the amount of cotton acquired by the CCC from these areas is relatively small, the majority of this cotton moving freely in market channels." I would further point out that soybeans and tobacco, which are the principal remaining crops presently in surplus, are not grown at all on reclamation projects.

In the face of these hard facts, Mr. Speaker, I want to highlight once more the principal tenet which underlies the reclamation program. I do so because this tenet in its real-life execution has done well by America, and merits the wholehearted, undivided, and continuing support of this Congress. The basic aim of Congress and the Reclamation Act goes to make western lands and water yield an adequate living for the optimum number of those who would put these resources to work. The rapid economic and population growth of the West in no small part attests to the degree to which individual enterprise has grasped the opportunities so presented. While the parallel forces of urbanization have now put a severe strain on the available western water resources, modern multipurpose reclamation projects rise to the occasion by creating stable, strong, and viable local and regional economies which pay their own way and contribute in large measure to the economic and social stability of our Nation.

ECONOMIC STABILITY AND PROGRESS

On the farm, reclamation projects provide adequate living for the optimum number of family farmers who choose to irrigate their fertile soils. In areas beset with declining employment opportunities, outmigration and a general flight to the city, irrigation farming has acted as the major stabilizing force. Research done by the University of Kansas, for example, showed that in a general setting of declining population in western Kansas in the decade 1950 to 1960, the expansion of farm irrigation and the more intensive agriculture in southwest Kansas was largely responsible for a net increase in the area's population. Numerous examples of the stabilizing influence of irrigated agriculture could be cited for reclamation project areas from North Dakota to the Pacific coast. An article appearing in the Lincoln Journal of July 31, 1963, describes the North Platte Valley in Nebraska's wide-open panhandle, site of the North Platte reclamation project, as:

> A thriving area with rapidly increasing population, lush farms and plenty of agriculture-connected industry. Mr. Val Kuska, a longtime resident formerly serving as agricultural development agent for the Burlington Railroad, observes that "the remarkable growth of consumer markets in the valley is largely the result of irrigation. Sugar factories, creameries, packing plants and other food processing plants have flourished.

The same article quotes Glen Avery, chairman of the Scotts Bluff Chamber of Commerce:

> Irrigation just naturally gears and sets up its own particular kind of economy. The main reason is because it is dependable. Farmers now are assured of a pretty steady income with the question mark of rain eliminated. Irrigation and ranching go hand in hand. There is much more fattening of livestock in the area now, resulting in the establishment of packing plants and additional jobs.

Mr. Speaker, I submit that reclamation program accomplishments such as these are a potent force for stability and progress on our agricultural economic scene. Such accomplishments are not only far removed from raising the specter of crop surpluses, they actually serve to lessen the total burden borne by the taxpayer. As an example, the Garrison diversion unit in North Dakota, a project that is now before the Congress for consideration, when completed will actually result in taking land out of wheat and putting that land into more diversified farming and the growing of crops for which there is a strong demand. While no one in the Bureau of Reclamation to my knowledge has ever tried to dictate to the nearly 130,000 project farmers and their families which crops they ought to grow, it is a tribute to free enterprise and the spirit of the individual, independent reclamation farmer for me to be able to say that these hardworking people prefer to grow crops which are destined for the competitive marketplace instead of a Government-financed warehouse or grain elevator. Given adequate water supplies and a choice, I would also say that all farmers in the dry West would prefer it this way.

SAVE OUR BEST FARMLANDS

But the choice is not there, unfortunately. In many parts of the West, our remaining developable water supplies grow shorter with the passing of each day. And each day, other uses will stake a claim on what remains. Already, the reclamation projects in operation provide needed municipal, domestic and industrial water supplies to more than 200 communities, industrial users, and large commercial enterprises for service to some 10 million water users in 14 States. In some sections of the West, the pressures to provide sufficient water to satisfy these rapidly growing municipal and industrial needs threaten to curtail seriously any further expansion of the agricultural sector.

In areas where urban pressures are most intense, large chunks of our most valuable irrigated cropland and orchard land continue to be lost to subdivisions, highways, airports, and other nonfarm uses. While cities and subdividers are very grateful to find that the water supplies originally developed for irrigation now make it possible for urban life to exist on these lands, I submit as a matter of commonsense, Mr. Speaker, that these developments are another important reason why the irrigation program must go forward for the good of the Nation. As our most valuable and diversified croplands are lost in this fashion, lower quality croplands must fill the gap, requiring considerable capital investment to make them equally productive. This becomes especially important when we consider that American agriculture must have an efficient plant if it is to meet the demands of the next 40 years with little or no net increase in the total acreage farmed.

In that respect, also, continued irrigation development is bound inseparably to the working economic principle and law which states that land will move toward its most intensive, competitive use. While this law is operative in all sectors of the economy, its force is felt in the agricultural sector especially. For agricultural land in the West, and increasingly also for farmlands in many Eastern States, irrigation represents this most intensive, competitive use. The measure of its success shows up in two ways: First, irrigation farming supports the maximum number of people per unit of farmland; and second, irrigation farming affords the maximum number of people an adequate livelihood per unit of farmland.

RECLAMATION IS TRULY MULTIPURPOSE

Mr. Speaker, the evidence is incontrovertible. The diseconomy of crop surpluses is far removed from the sphere of reclamation's tasks. The irrigation phase of the reclamation program relies on sound economic principles and is accomplishing the economic and financial goals we have set for it. If we hesitate in giving our continued support to this program, we will not only be courting inefficiency, but we will also act against our own best interest, now and in the future.

Mr. Speaker, time does not permit me but to touch upon the many other constructive and important facets of reclamation's multipurpose water resource development program. Suffice it to say that low-cost hydroelectric power generation through reclamation project facilities benefits countless villages, towns, cities, and regions of rural and Main Street America; that reclamation facilities for prevention of property damage and loss of human lives from ravishing floods have paid for themselves over and over again; and that the enhancement of fish and wildlife and outdoor recreation resources on reclamation projects has been such that 27 million visitor-days of recreational use of reclamation facilities were recorded in 1962 alone.

It should also be remembered that reclamation project construction activities create jobs and income for workers and business throughout the Nation. Recent preliminary studies for a large concrete dam revealed that for each job opportunity created at the site of construction, at least an equal amount of work is required in the widely distributed areas, regions, and States from which the construction contractor buys the materials and equipment necessary for the job. For the specific facility analyzed, these materials and equipment were manufactured, assembled, and transported from 47 different States of the Union. Nor have I mentioned thus far that some $300 to $400 million of additional Federal income tax revenues are taken in by the Treasury each year as a result of the increased economic activity which stems from reclamation project areas.

I submit, Mr. Speaker, that this kind of record speaks for itself. I would add only that, dollar for dollar, the reclamation effort in multipurpose water resource development is a program for the present and a program for the future. It is a positive and prudent program, designed to yield maximum dividends on a national scale. Its stock is blue chip, protected and backed by more than 60 years of experience and an impressive array of lasting contributions to America's well-being.

MIDAS TOUCH IN POLITICS

Mr. **ALGER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **ALGER.** Mr. Speaker, just so my colleagues and the people may know just how petty the present administration can be in turning everything it touches into a political gimmick to win votes for the President and the Democrats, I call attention to the present handling of White House tours.

Under previous administrations the special White House tours for guests of Members of Congress were entirely nonpartisan. Under both Presidents Eisenhower and Kennedy it was possible to call the White House and make arrangements for the tours with the full knowledge that a reasonable number of your requests would be granted. This has not been true since the Johnson administration has taken over the White House. It is apparent that these special White House tours are now being used for political purposes only.

Although I have the privilege to represent the largest congressional district in the Nation, the fifth Texas District with over a million people, I have been able to get only five people through the White House on the special tours since January. Two were arranged in the usual manner of calling the White House tour office. The other three were arranged through the congressional liaison office after my assistant had asked pointblank if the Dallas Representative was on a blacklist. Since that date not a single Dallas visitor has been permitted to take the White House tour as a guest of this Representative.

My staff has called almost daily, being very careful to observe the 30-day rule which the White House requires. That is, tours must be arranged exactly 30 days in advance of the date desired. You may be interested in some of our experiences.

In February we asked for visitor privileges for five people. The tour office said all tours were filled. Five minutes later, a colleague was able to secure the tour for my constituents with no difficulty. On several occasions we were told the tours were filled for at least 6 weeks although we have never been able to apply more than 30 days in advance. We have been told the tour office opens at 10 a.m. Yesterday morning my assistant placed a call at 9:58 to get a busy signal. He called every 30 seconds until 10:32 when he finally was able to get through to ask for permission for two Dallas residents to visit the White House on June 25. He was told the tour was completely filled. Last week we asked for tours over a period of 4 or 5 days in the middle of June. We were told the earliest possible date would be June 23 and that we could not call before Monday—yesterday. Again, a colleague checked and was told there were vacancies on the 17th, 18th, and 19th of June.

While it has now become quite evident that political reprisal against the Representative of Dallas County is being carried to this extreme because the people of Dallas cannot be bought, bribed or coerced into selecting a handpicked White House candidate for Congress, I have learned that Republican Members generally are now experiencing difficulty in getting White House tours for their constituents. A number of them do arrange the tours through Democratic colleagues who always seem to be taken care of within minutes after a Republican Member has been turned down.

Now, of course, Mr. Speaker, this could be called a petty issue, but to the extent it is called petty it shows clearly the lengths to which this administration will go to remain in office. No tradition is sacred to it. The fact that the White House belongs to all of the people, even those from the Fifth District of Texas, means nothing if the visitors can be regulated so as to mean Democrat votes in November and assuring a victory for the President.

I resent the dictatorial attitude of a Chief Executive who believes he has the power to give or take away from the people when he is content or when he is displeased with some action on their part. I resent this, not because of any political effect the administration hopes this may have for me, but I resent it because it is an insult to the people of the Fifth District of Texas. It is a mean and small thing to do to the children of Dallas County who come to Washington filled with patriotism and pride in their national shrines, including the White House, only to be told that unless their parents vote right, privileges allowed other citizens are not for them.

In spite of such actions by the administration, the people of Dallas County and this Representative will continue to vote our convictions. We will support administration policies when we believe they are in the best interests of our country and we will oppose them when we believe those policies to be wrong. While the people of Dallas County may not be able to visit the White House on the special tours, I am advising them of the regular public tours and will continue to give them every assistance in visiting the galleries of both Houses of Congress and other places of interest in the Nation's Capital. We shall continue our pride in our country and its great institutions. Our patriotism will not be sapped by the machinations of little men who use any and all means to win votes to perpetuate themselves and their cronies in office.

MANLIO BROSIO

Mr. **LIBONATI.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **LIBONATI.** Mr. Speaker, a most brilliant and talented gentleman of noble characteristics has been named to the high office of Secretary General of NATO—Manlio Brosio.

During his appointment in Washington, as Ambassador, he and his gentle mate, Mrs. Clotilde, enjoyed the most popular encomiums of both his fellow diplomats and the Members of the Congress, as well as the leaders in Government, including President Dwight D. Eisenhower, and our late lamented, martyred President, John F. Kennedy. His official and social contacts with President Lyndon B. Johnson, as majority leader of the Senate and as Vice President, have cemented between them a solid understanding of the mutual loyalties and common interests of the United States and Italy.

His present ambassadorial services to France have gained for him the complete confidence of President Charles de Gaulle, who readily endorsed him for the secretarial appointment.

He will wield great influence in Italy in uniting the divisive political parties behind NATO.

The Honorable Manlio Brosio is a true example of the courageous and heroic men who served as leaders in the Italian underground movement. This great leader, of judicious temperament and as a carrier of freedom's torch, is well equipped to carry out, successfully, the heavy responsibilities of his appointment. His specialties in training, received in his diplomatic duties in London, Russia, the United States, and France, gave him exceptional insight into the solution of nationalistic problems and the divergence of viewpoints of their several governments.

He will be honest and conscientious in his attitude toward any nation's proposals to NATO—his concept of fairness will guide NATO in its present most needed reorganization proposals. Under his strong and rigid control great progress will result to solidify the strength of NATO as a valuable and determining influence in keeping the peace and advancing the economies of nations of the world to a better life. The Congress is proud of his appointment and will look forward to the successful accomplishment of his stewardship in the most important position ever given to an executive, to further the financial growth and happiness of humankind.

Ambassador Sergio Fenoaltea, his charming wife, Mrs. Bruna Fenoaltea, and the Italian ambassadorial staff are elated over his appointment. Ambassador Fenoaltea succeeded Manlio Brosio as the Italian Ambassador to the United States, and is held in high esteem among the diplomats, executives, and Members of the Congress for his splendid efforts, presentments, and contributions to the solidarity of the nations of the free world. He, also, is a dedicated servant to his nation and the mutual interests of the United States.

[From the Washington (D.C.) Post, May 14, 14, 1964]

BROSIO GIVEN STRONG SUPPORT EVEN BY FRANCE IN NATO JOB

(By Robert Estabrook)

THE HAGUE, May 13.—NATO's new Secretary General, Manlio Brosio, enjoys the unusual qualification of being as strongly supported by France for his new post as by other members of the Western alliance.

Italian Ambassador in Paris since 1961, the 67-year-old Brosio is his country's most distinguished diplomat. He is the only man in modern history to have been Italy's envoy successively to the Soviet Union, Britain, the United States and France. He served in Washington from 1955 to 1961.

ROOT OF CRITICISM

French support was based partly on the assumption that, in the words of one official, Brosio "does not have an inflated notion of what the Secretary General must do."

Herein lies the root of some of the criticism amid the praise of outgoing Secretary General Dirk U. Stikker—that he is an unflagging believer in integration in the alliance and has sought to make his office serve that purpose. He was sometimes accused of not paying enough deference to the permanent NATO representatives.

But the courtly, blue-eyed Brosio is no automatic follower of French wishes. He makes clear his disagreement with many of President de Gaulle's attitudes toward NATO and Europe and he is a strong advocate of the concept of Atlantic partnership between equals. He also personally supports the multilateral nuclear force, although for domestic political reasons Italian participation is not yet assured.

Over the long run—and this may bring him somewhat closer to De Gaulle's thinking—Brosio believes that the multilateral force might become the nucleus of a European nuclear force closely alined with the American deterrent. He also is sympathetic to the idea that NATO needs some structural overhauling.

A diplomat as popular in Paris as he was in Washington, Brosio is described as a hard worker, intelligent, with a quizzical approach and a pigeonhole type mind.

APPROACHES INDISCRETION

"At a cocktail party," said a colleague, "he seems to list in advance just whom he wants to ask what. He presses it almost to the point of indiscretion, but is saved by his manners."

Brosio was known in the past for rigid views about the cold war dating from his tour in the Soviet Union at the time of Stalin. He now believes that the East-West atmosphere is changing slowly but would approach detente cautiously, advising a "firm and reasonable" Western policy.

On trade with Cuba, he occupies a middle position. He concedes that Britain may be legally right in conducting nonstrategic trade, but nonetheless views this as a disruptive factor in the alliance.

Brosio is a lawyer by training and had a notable record as an anti-Fascist in the Mussolini era. He was an official of the Italian Liberal Party (conservative), but is now without political affiliation.

He will take office August 1, when Stikker's retirement is effective. Stikker, whose intention to retire for health reasons was made known last fall, has recuperated well from a serious operation, but still tires easily.

[From the Il Popolo Italiano, May 21, 1964]

MANLIO BROSIO TO BE NEW SECRETARY GENERAL OF NATO

Manlio Brosio, the man who will succeed Dirk U. Stikker as Secretary General of the North Atlantic Treaty Organization, is a man with a razor-sharp mind whose diplomatic talents have kept him from his first love—the practice of law.

The 66-year-old diplomat has had 18 years of assignments abroad and will now succeed Stikker who is resigning because of ill health.

Brosio is rated as Italy's star postwar envoy and has served as Ambassador to Moscow, London, Washington, and Paris. Noted for his openness and warmth, the diplomat will soon be called upon to guide NATO through a difficult period of reorganization.

While a university student in the years before Mussolini, Brosio entered the world of politics. He was a major contributor to a magazine of moderate political views during that period and was anti-Fascist from the start.

Brosio quit the political scene when Mussolini tightened his grip on Italy. He practiced as a lawyer in Turin and when the partisan warfare flared in northern Italy in 1943, he joined the resistance movement and fought both the Nazis and the Fascists.

When Rome was liberated in 1944 he became secretary of the small, conservative Liberal Party. Two years later he switched to the Republican Party, which is a coalition partner in Italy's center-left government along with the Christian Democrats and Socialists.

By 1946 Brosio had served in three governments. His last cabinet post was Defense Minister under Premier Alcide de Gasperi. Following that he was chosen as Ambassador to Moscow and he served in the Soviet capital for 5 years.

The distinguished envoy went to London in 1951 and 3 years later he moved to Washington. He represented his country in the United States for more than 6 years and in 1961 he was appointed as Ambassador to Paris.

The situation which the new Secretary General faces is a serious one which deeply affects the world situation. Charles de Gaulle is interested in changing NATO and Belgian Foreign Minister Paul-Henri Spaak has criticized De Gaulle on at least three points—the international organization of the alliance, relations between the United States and Europe, and De Gaulle's policy in southeast Asia.

Brosio was one of the few men President de Gaulle was willing to accept as the new Secretary General. The Italian will assume his duties on August 1.

ADDRESS OF JUSTICE GOLDBERG AT ANNIVERSARY DINNER HONORING RABBI AND MRS. JACOB J. WEINSTEIN

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an address made by Associate Justice Goldberg of the Supreme Court.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent, I am extending my remarks to include the full text of the address by Justice Arthur J. Goldberg of the Supreme Court of the United States at the 25th anniversary dinner in honor of Rabbi and Mrs. Jacob J. Weinstein of KAM Temple in the grand ballroom of the Palmer House in Chicago, May 24, 1964:

Mr. Chairman, I deem it a privilege to participate in the 25th anniversary dinner celebration for Rabbi and Mrs. Jacob Weinstein. My wife and I are proud to be included among their intimate friends and to join in this happy and festive occasion. It is fitting and proper that we should honor our beloved rabbi "when his fame and honor [are] at their height, while he [is] young in heart and eager to run yet another course in the battle."

Although a profound student of history and tradition Rabbi Weinstein is not a slave to it. His faith is built upon the conviction that though the present is not to be divorced from the past, both past and present are to be built upon to make a better future.

On this 25th anniversary celebration honoring Jacob and Janet Weinstein let us rededicate ourselves to the great causes which they so nobly serve. First and foremost among them is the concept that if religion is a sanctum for the individual, a refuge and a shelter, it is equally an instrument with which to change the world, to seek justice and righteousness.

Today more than 30 million Americans are living substandard lives; 10 million children are being raised in poverty. There is not enough work, in a generally rich and productive economy, for the unskilled. The numbers of the long-termed unemployed grow; the tragedy is that among them are millions of young people who enter their adult lives without any experience of the promise of American life.

Many of our citizens are denied solely because of race or color equal protection of the laws; many others are denied the equal justice under law guaranteed by our Constitution to the rich and poor alike. I would make note, also, that in a nation of religious tradition and commitment, our public face is often profane and secular, with serious moral problems apparent in the conduct of our enterprises. We see it in business and in labor unions and sometimes we see it in government also.

Now many of these problems are the proper concern of the political leadership we have entrusted with the conduct of government. Others are the proper concern of the judicial system. In neither of these areas is it appropriate for me to comment. But all of these problems are the proper concern of religion. They are a part of the ancient evils that have burdened man; it is religion's part to confront them.

The failure of religion to do so is compounded by the fact that here it is free to do so. There is a neutralism between church and state in our country, but there can be no neutralism between our churches and the problems around them. The concept of religious liberty and toleration is a vote of confidence in the ability of religions to lead active, useful, even determinative roles in the making of a better world.

The new heritage of religion, here in the New World, is a return to the old heritage of involvement in the temporal condition as well as the eternal destiny of man. Ministers and rabbis and priests and the laity who stand aloof from the problems that grip individuals today are asking those individuals to stand aloof from religion.

Rabbi Weinstein, from the inception of his ministry, has never stayed aloof from the problems of a troubled world. From the beginning he has had a deep sense of commitment, a willingness, even more an eagerness to "plunge * * * deep in the stream of life * * * to share its passion, its battles, its despair, its triumphs." He always has understood that the greatest menace to both religion and freedom "is an inert people."

In 1949 William Faulkner brought honor to himself and to the United States when he was awarded the Nobel Prize for literature. In his acceptance speech he stated a conviction that Rabbi Weinstein's life and career exemplifies, and that motivates men of good will the world over.

"I decline," he said, "to accept the end of man. It is easy enough to say that man is immortal simply because he will endure * * * I refuse to accept this. I believe that man will not merely endure; he will prevail."

The triumph of man, Jacob Weinstein tells us, is uniquely in the keeping of religion—the informing of his spirit, the firing of his conscience, the awakening of his soul to the fact that in observing the spirit of the Lord he is exercising the only true freedom.

But these need not be slogans on banners nor messages on wreaths laid at the feet of monuments to past and meaningless events. They need not be so incarcerated into history as to be beyond the reach of living men.

In one of the great passages of Homer, Ajax, surrounded by darkness and facing his foes, prays for light "that we may see our fate, and die at least, if such thy will, in the open light of day." He does not pray for victory; he does not pray to live; he prays for light, that he may stand to the full height of a man and face his fate.

Today, we also seek light. We also seek it—not to avoid our problems but to face them as true men. We do not seek religion to remove our trials, to tranquilize our problems—but for light, for illumination, for the true meaning of moral and ethical imperatives.

Over 63 percent of our population are members of churches. Over 114 million persons of all faiths, testifying to a greater Power, and practicing religion in their own way. Perhaps a greater number of them do not realize the stakes in the world, unless they read of the recent suppressions and persecutions of Jews in the Soviet Union, unless they hear of the closing of Catholic churches behind the Iron Curtain, unless they read of the arrest and conviction of Protestant missionaries.

Religious tolerance has become a touchstone of freedom. Where tolerance is found, there also free men dwell. Religious intolerance has become a touchstone of totalitarianism, as Hitler and Stalin demonstrated, and as Khrushchev is demonstrating now.

The history of our churches, through all ages, has demonstrated that religion must recognize its obligations as well as its rights to preach and practice moral values, or fail in its mission. This is the light that illuminates a real democratic political system. Involvement for the churches and synagogues, we have learned from Rabbi Weinstein, is necessary for society—and for the churches and synagogues themselves if they are to maintain their vitality as living forces in a society whose fate will be decided by the pressing social problems of a modern age.

Socially minded churches and synagogues are guarantees that religion will be an ally, not an enemy, of democracy.

In our blessed land, religion is free to speak. Indeed, the constitutional protections of religious tolerance were designed for a pluralistic society that had seen enough, and knew enough, of the devisive influence of censorship of belief in the Old World. While we share the common heritage of our beliefs, we do not give up the right to practice in the light of our own doctrines, and we accept the challenge to example that nonbelief offers.

If we are, each of us, members of an ancient unity of belief, then I believe there is one aspect of that unity and heritage which we are bound to implement—together as men and women who share the heritage, and separately as those subscribing to different doctrine. If there is unity of religious belief in America, there is also isolation of that belief, and of its practice, from the presiding problems of contemporary life.

Last June, I spoke at the commencement exercises at Amherst College, and I commented there upon the isolation of the educated man and woman from the boiling and difficult currents of life around us today. I think the same is all too true of our churches and synagogues which likewise often are isolated from the moral and ethical issues of our times.

Certainly, at the root of the moral and ethical doctrines of both the Old and the New Testaments is the instruction to seek justice and righteousness, to act as a person of God. All of the great prophets were deeply involved in the society of their time. Christ's sermon on the mount brought comfort to the poor and sorrowful. Can we, in good conscience, do otherwise?

Rabbi Weinstein in the pulpit and in practice has taught us that there is no possibility of noninvolvement in a world in which salvation of the human race is at stake and that there can be no disengagement from the responsibility which the free religious man must accept as a part of his birthright. He again and again has demonstrated his conviction that the measure of true religious faith is what believers will do to make the fruits of our life available to the poor, to victims of discrimination and prejudice, to those whose highest reach out of the slums does not touch the bottom rung of our economic ladder.

The problem seems to be that the commitment of his type of leadership does not always penetrate to the membership of churches and synagogues—to laymen or, to put it another way, to you and to me. Yet if commitment does not penetrate, it fails to reach our lives.

Bringing religion to bear upon moral and ethical problems means helping this Nation go forward here at home—realizing the just society, defending the rights of all citizens to full citizenship, commending and supporting good legislation, speaking out on important matters, leading in the fields of equality of opportunity for all and an economic chance for every man.

And it means helping this Nation to realize its objective abroad—peace in freedom for all who seek it.

I believe with Jacob Weinstein that the fate of free religion in the world is part and parcel of the fate of our own Nation. The survival and success of our political ideal is crucial to the survival and success of the free religions that flourish within our borders.

Not only Judaism and democracy, not only Christianity and democracy, but religion itself and democracy have a mutual interest in this troubled world. When communism comes—whether to a Buddhist or a Moslem or a Hindu or a Christian or any other nation, religion goes.

President Kennedy described the path to freedom as a lonely one. We have no illusions about the difficulty of the road or the perils that lie along it.

But under the great inspiration and leadership of Rabbi Weinstein and other clergymen sharing his philosophy, we will make that journey in good spirit. While preserving the separation of church and state in our country, we proudly assert the right of all religious groups, all churches and synagogues, to preach what is good, and what is more important—if a layman may say so—to practice what is good.

Jacob Weinstein is a great and distinguished rabbi. He has achieved preeminence among rabbis because he has always understood that "every calling is great when greatly pursued" and that the greatest of all callings is to take part not as merely witnesses, but as bold participants in the age-old struggle for justice and righteousness. We can learn from him that it is far better to have it said of all of us at life's end that we "lived well, worked hard and died poor."

Hotspur put it another way: "gentlemen" he says in the play, "the time of life is short. To spend that shortness basely were too long if life did ride upon a dial's point, still ending at the arrival of an hour."

I am sure that Rabbi Weinstein would have me say to you tonight that time is short and there is much to be done. In their lives and by their works, Jacob and Janet Weinstein have imparted to all of us the vision of a just and compassionate society. Let us join hands tonight to help perfect it. This will be our great tribute to these dear friends.

SCHOOL PRAYER LEGISLATION

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, I noticed on the ticker tape of May 21 the chairman of the Committee on the Judiciary made this statement, and I hope it is not true:

> CELLER called outrageous BECKER's claim that the committee refused to hear witnesses recommended by BECKER. He said every such witnesss had been scheduled.

The latter part is true, because I asked for only 5 witnesses, believing the hearings would last only 2 weeks when they were originally scheduled. I never requested from the gentleman from New York [Mr. CELLER] any witnesses other than those five, and I never made any statements that I had done otherwise. As to the question of the "committee dragging its feet," I never referred to the committee in that regard, but to the gentleman from New York [Mr. CELLER], the chairman of the Judiciary Committee, holding hearings only 3 and 2 days a week.

Second, Mr. Speaker, I want to include in the RECORD today two articles appearing on succeeding days, in the Long Island Press—and the Long Island Press publishes facts—just what is happening in our country. I am going to include two articles. One is entitled "Student 'Prayer Rebellion' Sweeps Through High School." This happened right next to my district, in Hicksville, Long Island. Four hundred pupils stood up voluntarily to say a prayer without any leadership except by one of the students. The next day they were warned "over the school loudspeaker by the school principal twice yesterday not to repeat the prayer aloud as they did Friday morning."

I am going to include herewith the statement in the second article and the reasons given by the commissioner of education of the State of New York referring to the Supreme Court decision that, Mr. Speaker, not even a student can stand up and give a voluntary prayer in school. This is contrary to the statements of many of the opposition witnesses appearing before the Committee on the Judiciary. They have claimed at times that there was no prohibition in the Supreme Court decisions that would prevent students, on their own, from praying or offering prayers.

I also notice on the ticker on May 22, 1964, that Chairman CELLER stated "the tide has turned," "sober judgment is starting to make itself felt," referred to as follows:

> I would like to call my colleagues' attention to the fact that the people of this country have not changed their minds, and that the overwhelming quantity of mail coming to my office from all over the country is coming in today 10 to 1 in favor of returning prayer and Bible reading to the public schools and that a prayer amendment should be adopted and submitted to the various States for action by the State legislatures. The people should have the right to express themselves through their State legislatures. That is all that I am asking.

The articles referred to are as follows:

STUDENT "PRAYER REBELLION" SWEEPS THROUGH HIGH SCHOOL

(By Ann McCallum)

The words of the regents school prayer sounded through Hicksville High School yesterday for the first time since it was banned by the Supreme Court 2 years ago.

A group of 50 students, described by a spokesman as the "responsible" leaders and scholars in the school, started the recitation in their homerooms during the prescribed moment of silent meditation in daily opening exercises.

During a series of meetings in the past week, the leaders decided to recite the prayer "to protest the prohibition against praying in schools," their spokesman said.

Other students—estimates ranged from 400 to 1,500, which is half the school's enrollment—joined in.

"As soon as the leaders started, the rest, who had been used to reciting it since the third grade, took it up. It created quite a stir," the spokesman said.

The incident, which is reportedly scheduled for a repeat performance Monday morning, was also a reaction to the recent refusal of a group of Wheatley High School students to recite the Pledge of Allegiance, the spokesman said.

It was also tied in with the current congressional hearings on a constitutional amendment to specifically allow prayers in the schools.

The amendment is sponsored by Representative FRANK BECKER, Lynbrook Republican.

Meanwhile, officials of the district faced the problem of how to handle the incident and how to enforce any ruling they might make.

The district was one of the few to try to substitute something besides silence for the banned prayer. In the wake of the 1962 Supreme Court decision, the board voted to have students recite a portion of the national anthem ending "In God is our trust" as a prayer.

Conservative Minority Trustee William A. Bruno, Jr., indicated last night that he still considers it "illegal."

"The commissioner had no right to make that decision—we ought to take him to court," he said.

"However, until the Supreme Court's ruling on the regents prayer is overturned, it should be followed," Bruno said.

The students' spokesman felt that teachers were chafing under the superintendent's handling of a grievance and might be reluctant to enforce a ruling against the students. The Hicksville Classroom Teachers Association has a suit pending against the district over grievance procedures.

District Superintendent Donald Abt said last night that he heard of the incident late in the day and planned to "look into it." High School Principal Leon Galloway tended to minimize the possibility of a recurrence, terming it "just talk."

But the student spokesman insisted the school authorities are worried.

"Either way the administration is over a barrel. The kids prayed voluntarily and the community isn't going to like it if the administration rules it's a violation of district policy," the spokesman said.

STUDENTS BOW TO SCHOOL AUTHORITY, REFRAIN FROM PRAYER RECITATION

The Hicksville High School students who led recitation of the banned Regents prayer abided by school officials' request yesterday to refrain from saying the prayer during opening exercises.

But two girls disregarded the high school principal's directive against the prayer and were warned if they said the prayer again today, they would be suspended from school.

The two were described by a spokesman for the prayer leaders as not part of the group that originated the recitation idea.

The prayer leaders when asked why they had not prayed yesterday, said their "difference is with higher State authorities who have misconstrued certain court decisions and in so doing prohibited voluntary recitation of prayer in the public schools."

Although the students declined to elaborate, their reference to "higher State authorities" was taken to mean State Education Commissioner James E. Allen Jr., and the "certain decisions," the decisions of the Supreme Court in the Regents prayer case.

The Supreme Court ruled that the Regents prayer was State sponsored and therefore a violation of the Constitution. Allen in a subsequent directive to local districts ruled out voluntary prayer.

High school principal Leon Galloway took to the loudspeaker twice yesterday morning to warn students not to repeat the prayer aloud as they did Friday morning. He said the school board adopted a policy, based on Allen's ruling which was based on the Supreme Court's ruling calling for a moment of silent meditation in place of the banned prayer.

He noted also that if the students felt that the rule was unfair, the democratic way to correct it was by legislation, not violation.

The students said last night that since their action was not a protest against the board nor the administration, they didn't plan to recite the prayer today.

DEMOCRATS STEAMROLLER POVERTY BILL

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, today the Democratic majority of the House Education and Labor Committee voted unanimously to approve a greatly expanded version of the Landrum-Powell poverty package. The final vote by the Democrats was in keeping with the consistently highhanded approach which they have pursued ever since the introduction of the legislation at President Johnson's behest 2 months ago.

After several weeks of hearings, during which the questioning of witnesses was drastically curtailed, the Democrats on the committee held 2 weeks of closed sessions. The executive sessions on the bill which began on May 12 were marked by a virtual absence of meaningful debate and discussion, the indiscriminate invoking of the previous question, the one-sided rejection of all substantive Republican amendments, and the equally one-sided approval of numerous Democratic amendments. The whole performance of the committee from beginning to end has been marked by extreme and ill-considered partisanship on the part of the chairman of the committee and his Democratic majority.

Mr. Speaker, I deeply regret that the Democratic majority by its words and by its deeds has thus seen fit to make this matter a strictly party line issue.

Why, Mr. Speaker? I have always believed that legislation should be considered solely on its merits, and not on the basis of membership in one political party or another. There are major flaws in the pending proposal, and Democrats should not blind themselves to that fact, even if the bill in question is on the President's "must" list. The Republicans have tried in every reasonable way to improve this bill; our major suggestions have been completely ignored.

Mr. Speaker, Republican concern about the merits of the proposals contained in this poverty package is very real. We have expressed our reservations repeatedly. We have made numerous constructive proposals. We have offered reasonable alternatives. To all these efforts, unfortunately, the Democrats have turned a deaf ear. True, they have corrected some of the deficiencies in the original Powell-Landrum bill; with these few constructive changes which have been made, we Republicans agree. Unhappily, however, they have corrected none of the bill's major deficiencies, and many amendments added by the Democrats have not improved the bill but have actually made it worse.

Typical of the highhanded procedure followed by the committee Democrats in the consideration of this bill was their astounding refusal to authorize the preparation of a committee print of the amended bill showing, in accordance with the Ramseyer rule, the changes wrought by the committee in the original bill. Since almost 100 amendments have been made in the text of the original bill—many of them six pages or longer—this latest move makes it impossible for any member of the committee, much less any Member of the Congress, to say with certainty how and in what manner the original bill has been altered. In all my years in Congress this is the first committee action of this type that I have ever witnessed.

As matters stand now, Mr. Speaker, those of us who recognize the bill's many weaknesses and deficiencies have no alternative but to point them out. We shall, of course, do this in our minority report on the bill. We hope, also, to discuss the whole question on the floor some time next week. If this discussion is to be helpful, we shall need to have comments, and even criticism, from the Democrats on the committee. This bill is most important. We hope that those who approve it will undertake at that time to explain and defend it. Our criticism will be pointed, but it will be constructive. In that way, perhaps, we can contribute to a meaningful analysis and evaluation of this so-called poverty package.

LOU HARRIS POLL

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, a great many people wondered last week about the lack of any published report of the "Lou Harris Poll," regarding that analyst's prediction of the outcome of the Wallace-Brewster race in Maryland's Democrat primary.

The Washington Post which, previous to every other major primary this year, always carried the Harris poll shortly before the election, carried no Harris prediction regarding the Maryland Democrat primary election between Governor Wallace and Senator Brewster, acting as a stand-in for President Johnson.

No one takes issue with the fact that the Maryland results were somewhat embarrassing to the National Democrat Administration. Therefore, it is no surprise to me that Mr. Harris, whose affinity for Democrat Party causes are well known to all, would "soft-peddle" any storm warnings arising from his Maryland samplings. In checking with Mr. Harris' office in New York, my office was advised that indeed there were no published reports of the Harris findings in Maryland.

Thus Maryland Democrats suffered the indignity of voting in their important primary without any guidance from Mr. Harris as to how they were going to vote.

What a surprise it is then, to note in this week's issue of Newsweek magazine that Mr. Harris really knew all along how Maryland was going to vote, but just declined to publish his findings until after the election was over.

According to Newsweek:

> On the eve of the first demonstration, 8 days before the election, the Harris poll gave Wallace 33 percent of the Maryland vote. Afterward, his stock soared about a point a day, to 35 percent at mid-week, 38 percent the Friday before the primary, and 42 percent election day.

Now Mr. Speaker, there, I suggest, is the answer to the difficulties that professional pollsters have been having in predicting elections this year. Just follow the Harris procedure in Maryand. Let a periodical print your predictions after the election. Mr. Harris is really much too modest. Why admit you missed the final result by a single percentage point? Why not claim 100 percent absolute accuracy by predicting the result exactly as it came out. Of such stuff sales are made.

This procedure has all kind of possibilities. For example, I note the Johnson administration, in keeping with New Frontier habit, has now admitted that it missed the boat by almost a billion dollars, insofar as its predictions of this year's expected deficit. Why not make no prediction at all, and then predict the deficit after the sad facts are in?

I foresee a whole new trend in poll taking. Pollsters will take careful samplings leading up to important elections. If the samplings coincide with the pollsters own political leanings, publish them widely. Indeed, I never saw a pollster take a sampling quite as rapidly as Mr. Harris did in California the day after the Oregon primary. We have the new concept of "instant polling." Overnight, the Harris pollsters found a switch from Goldwater to Rockefeller. How odd that Mr. Harris could publish results so swiftly in California but was confronted with such enormous problems in Maryland that his predictions never made it before the deadline.

Still another evaluation of Mr. Harris' ability can be found in the May 24 issue of the New York Herald Tribune. The question I raise, and which I tried to substantiate over the past 2 weeks in my dialog with CBS News, is not so much over Mr. Harris' ability as his ethics.

The New York Herald Tribune story follows:

POLITICAL POLLS INCLINE, BUT DON'T COMPEL

(By Richard Dougherty)

WASHINGTON.—This presidential election year has already turned out to be a cruelly nonvintage one for the public opinion polltakers.

Not since 1948 when Harry Truman raised hob with their predictions have they, to steal a show business phrase, wound up with quite so much "egg on their face" as they did in the Oregon primary.

There it was Ambassador Henry Cabot Lodge leading the field by a wide margin, according to every sampling. Just 4 days before the election, the Lou Harris poll gave Mr. Lodge 40 percent of the Republican vote and Gov. Rockefeller 19 percent. Another poll, by The Portland Oregonian, gave the Ambassador 36 percent and the Governor 22 percent.

Both polls reflected gains by the hard-driving Governor and losses by the absentee front-runner. Mr. Harris and another respected practitioner, Samuel Lubell, took pains to point out that there was a significant upturn in the Rockefeller rating.

Nevertheless, here is how the Harris Poll measured voter sentiment at the time:

	Percent
Henry Cabot Lodge	40
Richard M. Nixon	22
Nelson Rockefeller	19
Barry Goldwater	14
William W. Scranton	3
Margaret Chase Smith	2

Here is how things turned out:

	Percent
Rockefeller (up 14 percent)	33
Lodge (down 13 percent)	27
Goldwater (up 4 percent)	18
Nixon (down 5 percent)	17
Smith (up 1 percent)	3
Scranton (down 1 percent)	2

Mr. Nixon, whom Mr. Harris had seen, along with Gov. Rockefeller, as showing "definite signs of gaining favor among rank-and-file voters," was down five percentage points to occupy fourth rather than second place.

Senator GOLDWATER, who, in Mr. Harris' words had seemed "destined to receive his most severe setback in Oregon," was up four percentage points to third rather than fourth place.

The voters refused to be cooperative even about Maine's Senator SMITH and Pennsylvania's Governor Scranton. Those two switched positions in the cellar.

In an apologia published in Newsweek magazine early last week, Mr. Harris commented on the surprising victory of Governor Rockefeller "in the maverick country of Oregon." He attributed the New Yorker's success to an awakening of support among professional and executive groups where there was "growing apprehension that BARRY GOLDWATER seemed certain of nomination."

He did not comment on the Senator's failure to suffer "his most severe setback." Neither was there an explanation offered as to what had happened to Mr. Nixon's "definite signs" of gaining favor.

POLLS NOT DEAD

Mr. Harris did observe that Oregon revealed "glaringly and searchingly that polling is still much of an art and far from a science with consistent and predictable accuracy." But this did not mean, he said, that "polls will be written off in the days and months ahead."

That is a prediction—however unsupported by interview sheets—that few would take exception to. But it is reasonable to wonder if the polls are now going to carry anywhere near the weight they had seemed to do before Oregon.

There, it appears in retrospect, they became not just scientifically determined samples of voter opinion but themselves a factor in the forming of opinion. All the polls told the mavericks in Oregon that Nelson Rockefeller didn't have a chance. Yet there was the Governor bouncing from supermarket to supermarket and fighting right down to the line. The Oregon Republicans liked that. They voted for him.

At the end of last week's campaigning in California, as he was about to return to New York for the weekend, the Oregon winner was asked to comment on a recent poll which showed him leading Senator GOLDWATER in California, 55 to 45 percent.

With an authority which no one would question, he said: "Let's not go overboard on the basis of polls."

LAOS, SOUTH VIETNAM AND OTHER AREAS OF SOUTHEAST ASIA

Mr. LIPSCOMB. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, we must stop allowing the Communists to call the shots in Laos, South Vietnam, and other tension areas of southeast Asia and adopt a policy calling for victory.

History has shown that no aggressor can be defeated or no victory achieved by purely defensive measures in which you respond to the enemy's attacks wherever and whenever he chooses. Our policies in southeast Asia have lacked initiative. Our leadership has been found wanting. It appears we have not had the will to face up to the responsibilities we have assumed and for which we have obligated ourselves. Even though we furnish money and materials to these countries necessary for their struggle, unless other conditions are corrected we will be increasing the risk of a larger war and ultimate defeat. The greater the delay in making these decisions the more difficult will be the road to correct them.

I am certain that Members of Congress appreciate fully the seriousness of the situation. The Department of Defense has been urged to take steps more compatible with the nature and gravity of the situation. Lately, however, instead of strong verbal attack against Communists, it seems the strongest words were directed against Congress by the Secretary of Defense alleging that Congress did not give him sufficient funds in the military assistance and aid programs. What he neglected to say is that there is a means whereby the Department of Defense can have additional funds, by submitting and justifying an emergency request. The first request for additional funds came within the past few days, after the situation had been allowed to deteriorate for a number of months.

Nor, of course, will additional funds and material alone help this situation. More importantly, what must change is the indecisiveness and misguided thinking of the administration on the question of Communist activity in southeast Asia, whether it be Peiping, Hanoi, Moscow, or any other. It is difficult to see how the present posture of the administration, the Department of Defense, and the State Department can possibly give the southeast Asian people and the free world a victory when it persists in such distorted thinking as: we are fighting a war that is not war; we are fighting an enemy that we cannot call an enemy; we are adhering to rules while the other side is not, even though it causes increased death and destruction; our boys are advisers and not combat troops, yet they are found in battle and being shot at and killed. The administration's major effort in recent weeks seems to be asking the Soviet Union to ask their puppets to desist in their aggression.

If this reasoning of the administration has been lost in a maze of words and sugarcoated for the consumption of the American people, it has been recognized for what it is by other countries in that area. In Laos, the administration's forceful move to prevent the recent rightwing coup appears to have been interpreted by the Communists as a sign of weakness and prompted the recent major attacks. Thailand has announced that she is being forced to take a more neutralist position due to the U.S. administration's action. Cambodia made her move even earlier to become friendly with the Communists.

Once again we are learning the hard way that the only things the Communists respect are authority and force. They will honor agreements only so long as and only as far as they believe such action will be to their advantage. How many times must this lesson be repeated before it is understood?

FROM OUT OF THE PAST COMES BOBBY AND LYNDON

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it has been an extraordinary experience to observe the way that President Johnson has shrugged his shoulders at the Bobby Baker episode and has taken the position that he hardly knew the man, much less sponsored him as his protege. On March 25, 1964, I inserted in the CONGRESSIONAL RECORD some of the past pronouncements by the President and his colleagues in the other body. This information appears on page 6333 of the CONGRESSIONAL RECORD of that date.

A little inquiry brings some interesting newspaper accounts to light. The September 13, 1958, issue of the Greenville News carried a homey story about Bobby Baker and the honors he received at the 18th Annual Pickens County good-will supper. In his congratulatory telegram, the then Senator Johnson wired the following:

> The Members of the Senate lean on him heavily and he should be considered as one of the outstanding Americans.

When candidate Johnson went back to Bobby's bailiwick in the 1960 presidential campaign he threw a few more orchids in the direction of his protege. According to the Greenville Piedmont:

> He praised all the southern Congressmen and especially Robert G. Baker of Pickens County whom he referred to "as my strong right arm."

A newspaper article which told of the opening of the Carousel Motor Inn, near Ocean City, Md., pointed out the connection of the former page boy and the Vice President. The article is as follows:

FORMER PAGE BOY ATTAINS BOTH INFLUENCE, AFFLUENCE

(EDITOR'S NOTE.—Washington, like most national capitals, is a city noted for its almost daily sensations and the spectacular rises and falls of those who go there in search of political fame and fortune. Few have succeeded so rapidly as has young Bobby Baker, a native of Pickens where his father was for years postmaster. Mr. Baker went to Washington as a page boy and received his education in the Capital. In less time than it takes most professional men to attain their law or medical degrees and start practicing, the young man from Pickens has achieved both influence and affluence. As secretary of the Senate majority since 1955, he has been active in the innermost counsels of the leaders of the U.S. Senate and was at the right hand of Vice President Johnson during the political manuevers before and during the Democratic National Convention and the election campaign. A week ago he opened a plush motel and beach resort on the Maryland shore. The following is an account of that event.)

(By Winzola McLendon)

WASHINGTON.—Former Senate Page Boy Bobby Baker doesn't hail from the Lone Star State. But as secretary of the Senate majority since 1955, he's been near Vice President Lyndon B. Johnson long enough to learn how to throw a Texas-sized party.

Maybe even an Alaska-sized party. Because yesterday Bob Baker went into the hotel business with a 50-State splash that opened his Carousel Motor Inn, 6 miles north of Ocean City, Md.

An avowed "high-style hideaway for the advise-and-consent set," the caravansary aims at nothing less than making Ocean City an official Washington-by-the-sea.

It certainly looked that way Sunday with Capital VIP's, headed by the Vice President and his wife, Lady Bird, motoring to the shore in air-conditioned buses and limousines.

Yes, Mr. Speaker, from out of the past comes Bobby and Lyndon. Return with us now to these affluent days of yesteryear when the Senate majority leader and his faithful protege Bobby were riding over the plains. Some memories are very short.

The newspaper articles referred to are included at this point:

[From the Greenville (S.C.) News, Sept. 13, 1958]

NATIVE SON—PICKENS HONORS BAKER

(By Roger Yike)

ROCKY BOTTOM.—Governmental, industrial and agricultural leaders from throughout the State gathered at Rocky Bottom in upper Pickens County Friday night for the 18th annual Pickens County good-will supper.

In welcoming the nearly 600 guests to the 18th annual supper, which honored Bobby Baker, U.S. Senate majority secretary, and Pickens native, Senator Earle Morris, Jr., said the gathering was "a nonpartisan nonpolitical, Democratic gathering and all were welcome."

Senator GEORGE SMATHERS, Democrat, of Florida, was the principal speaker for the occasion. In his remarks, Senator SMATHERS said, "On all sides and on every front we are being challenged by the Soviet Union. And the hard truth is we are not meeting the challenge."

"Our people have tried to close their eyes to the harsh realities of our foreign and domestic problems. Today we all want more money, more leisure, more security. We would like to have much less trouble, much less work, and much less responsibility."

Charging that Americans wanted a "perfect defense," SMATHERS said, "While we were stockpiling H-bombs—and putting chrome on our cars—the Russians went out and built ballistic missiles and took the lead away from us."

Senator SMATHERS, in his speech, also added his praise to the many already bestowed on young Baker. He complimented him for his excellent work during his many years in the Senate and said the people of Pickens County could be proud of his contributions in Government.

The Florida Senator concluded:

"I think we are on the threshold of either real greatness or a start toward complete failure as a nation, and I don't think we have a lot of time to determine which way we are going."

A plaque in appreciation of the fine work he has accomplished during his stay in the Senate was presented to Mr. Baker by Charles F. Daniel, former Senator and head of Daniel Construction Co. In his remarks, Mr. Daniel said that Baker was considered as the third Senator from South Carolina and the people would do well to make him a permanent one at the first opportunity.

Baker is currently Secretary of the Senate majority and floor manager for Democratic Majority Leader Lyndon Johnson. He received an appointment as page in the Senate at the age of 14 from the late Senator Burnet Maybank and has served 19 years in the Senate, the youngest officer in Senate history.

Congratulatory telegrams from former Senator Earl C. Clements of Kentucky, and Senator Johnson were read by Mr. Daniel. In his telegram Senator Johnson said "the Members of the Senate lean on him heavily and he should be considered as one of the outstanding Americans."

Mr. Baker, in receiving the plaque, said, "I am very, very grateful for this honor, and am proud of you and what you have done for me. A man is not better than the people he came from and I am proud I came from Pickens County."

T. A. Bowen, longtime county agent in Pickens County, now retired, who initiated the good will suppers, gave a short talk on the purpose and history of the association.

John T. Gentry and Harold D. Breazeale, representatives from Pickens County, introduced the leaders, distinguished visitors present including: Congressmen Robert Ashmore, W. J. Bryan Dorn, and John Riley; U.S. Circuit Judge Clement Haynesworth, Associate State Supreme Court Justices Claude A. Taylor and Dewey Oxner; Lt. Gov.-nominate Burnet Maybank; Attorney General-nominate Daniel McLeod; Adj. Gen. Frank Pinckney; and Hugh Agnew, president of the State Farm Bureau.

[From the Greenville (S.C.) Piedmont, Oct. 12, 1960]

Johnson Talks, Jokes at Rocky Bottom Meet

(By Al Ballard)

ROCKY BOTTOM.—A tired Senator Lyndon B. Johnson wended his way around the sinuous roads which led to a place called Rocky Bottom, last night.

Over a mountain, down into a valley, and up a bumpy road to a huge revival tent came some 1,600 persons to hear the Democratic vice-presidential nominee speak to "my people."

It may have been Senator Johnson's most classic performance and he may have found himself in his own element, talking and joking informally to a delighted crowd of influential persons from throughout the State.

The talk was dominated by jokes, laughter, and words for the common man and what the common man had raised "from this sand."

It was "down to earth," one man said. "He got close to you."

The nominee expertly injected the ordinary phrases such as "Do unto others * * *" and "Love thy fellow man."

He was a hit at the outset and he explained that he had little time and that, "You just don't know how much I'd enjoy sitting down here and whittling with you awhile * * * if you know what I mean."

He referred to the crowd as "pretty good hill-country folks."

His phrases were for the working man when he spoke of "pulling a man up by his bootstraps," and "He's a pretty good fellow to go to the well with."

He praised all the Southern Congressmen and especially Robert G. Baker of Pickens County, whom he referred to "as my strong right arm."

It was his 18th speech in 2 days.

"I'm told," he said, "That Pickens County had contributed more winners of the Congressional Medal of Honor than any other county in the country."

"That's the kind of men they produce here out of this soil."

He said he saw a great future for South Carolina under the leadership of Gov. Ernest F. Hollings.

Then he launched his attack on the Republican Party.

He claimed it to be a party which thrives on fear, on smears, on "frightening folks," on questioning men's patriotism, and which is "doing Mr. Khrushchev's job for him."

"We are outnumbered in this world 18 to 1," he said. "We are outnumbered by those who don't believe in God, by those who are a different color, by those who cannot read and write, and by those who go to bed hungry at night.

"They want what we got and they are out to get it," he said.

Again, he returned to the Golden Rule, to speaking of love rather than hate, and concluded with the moral of a joke which was, "If I ain't cher friend, it's because I ain't got sense enough."

The band was playing "Hail, Hail the Gang's All Here" when Senator Johnson departed.

AMERICA'S HEROINES IN THE CIVIL WAR

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, much has been said about the great valor and heroism of American men in the tragic War Between the States. But little is known about the impressive contribution made by the American women in this determined struggle to preserve our Nation.

As we approach Memorial Day and make plans to pay tribute to Americans who have made the great sacrifice for the preservation of freedom in America, I am very pleased today to call the attention of my colleagues to an excellent study prepared by the Illinois Department, Daughters of the Union Veterans of the Civil War, 1861–65, Inc.

I am pleased to note here that one of my constitutents, Mrs. Alexander J. Levy, of 2600 Berwyn Avenue in Chicago, was instrumental in helping compile and edit this excellent research. Mrs. Levy is a past president of the Illinois Department, Daughters of Union Veterans of the Civil War; she was department chairman of the Civil War Centennial Committee and also serves as representative of the national organization on the women's division of the National Civil War Centennial Commission.

This study of the contribution of American women in the Civil War was compiled as a Civil War Centennial project. It is dedicated to the women of the Civil War days.

I am pleased to include the names of all the other fine ladies who have contributed a great deal toward this study.

I am, indeed, proud that I can claim Mrs. Levy as a constituent. I believe she and all of the fine ladies who worked with her have made a most significant contribution toward giving Americans a better insight into the indomitable spirit of American women. It would be my hope that the brave spirit displayed by these women during the Civil War would serve as an inspiration to all women of America today.

It is fitting, Mr. Speaker, that the Daughters of Union Veterans of the Civil War, 1861–65, Inc., have adopted a custom of naming their respective units which are called "tents" in honor of the great women who served in the Civil War.

Many of these "tents" have been named in honor of the women in the study to which I have referred. I should like at this point to include in my remarks excerpts from this excellent research project compiled by Mrs. Levy and printed in booklet form.

Excerpts from Mrs. Levy's rewarding booklet follows:

America's Heroines in the Civil War

As a Civil War Centennial project the Illinois Department, Daughters of Union Veterans of the Civil War, 1861–65, Inc., dedicates this booklet to the "Women of Civil War Days."

Without the assistance of the following members this publication could not have been undertaken.

Jessie M. Anson, past department president.

Minnie Duncan, past president, tent 53.

Zealea Elliott, past president, tent 87.

Mary Elliott, secretary, tent 95.

Marguerite Frank, past department president.

Harriette Gould, past department president.

Ruth Miller Hayes, past national president.

Edna Hoevel, past president, tent 92.

Lida Jane Hunt, past president, tent 93.

Hazel Kurtz, department senior vice president.

Mary Law, past department president.

Gladys Olson, past president, tent 57, and a member of the department, Civil War Centennial Committee.

Lillian Pombert, past department president.

Julia Phillips, past national president.

Hazel Riley, past national president.

Lucille Sarver, past president, tent 57.

Ada Scott, past department president.

Phyllis Turpin, past department president.

Ella Vorwald, past president, tent 96, and a member of the department, Civil War Centennial Committee.

Mildred Watts, past president, tent 68.

Compiled and edited by: Eleanor Meyer Levy, past president Illinois department, Daughters of Union Veterans of the Civil War, 1861–65, Inc.; department chairman Civil War Centennial Committee; representative of the national organization on the women's division of the National Civil War Centennial Commission.

FOREWORD

The Civil War produced figures of gallantry and courage, but for the most part the courageous women of that period have been overlooked. The women of that era should be classed as "heroines," for by their devotion, sacrifice, and service they made a memorable contribution to the country.

On the Union side heroines came from every class. There were many of these noble women, who had never worked outside their own homes, who devoted many long hours to nursing duties on the battlefields and in the field hospitals. There were many who spent innumerable hours working for the sanitary commissions.

The records kept by these courageous "Women of Civil War Days," in the hospitals and on the battlefields, enabled the U.S. Government in later years to set up a pension system for the veterans of the Civil War.

In this booklet we have endeavored to give you some of the highlights covering the lives of many of the women for whom our tents are named. We hope you will enjoy reading some of the unusual little known facts about these wonderful women, who, in a way were responsible for our own organization, the Daughters of Union Veterans of the Civil War, 1861–65, Inc.

AUNT LIZZIE AIKEN

Aunt Lizzie Aiken was born Eliza N. Atherton on March 24, 1817, in Auburn, N.Y. Shortly thereafter her parents moved to Cavendish, Vt., where she lived until her marriage in May of 1837 to Cyrus Aiken.

After their marriage the couple moved to the then far west (Illinois). Their means of travel was by old-fashioned stage, the Erie Canal and sailing vessels of the Great Lakes to Chicago. They remained in Chicago a short time before departing for Grand De Tour on the Rock River in Illinois.

There were many hardships and privations for the pioneers. As a young bride, one of her first disappointments was the loss of all housekeeping articles, including china, silverware, and furniture, an inheritance from her grandmother. These were lost when the sailing vessel transporting them went to the bottom of Lake Erie.

She was further grieved by the loss of all four sons in their childhood. After this the couple moved to Brimfield, Ill.

Mrs. Aiken was a very religious woman, never forgetting the teachings of her maternal grandfather, John Ward, who was a Deacon in the Baptist Church in Auburn, N.Y. If there was no church where she lived she organized the neighborhood into a weekly prayer meeting and a church was always the result. She was known as Little Mrs. Aiken, weighing only 90 pounds.

Her home in Brimfield was struck by lightning and burned to the ground, after which they moved to Peoria. In 1856 Mr. Aiken was taken seriously ill and never recovered his mental faculties. He had been successful, as success was counted in pioneer days. In 1861 Mrs. Aiken, fired with the spirit of her revolutionary sires, offered her services as a nurse to Major Niglas, of Peoria, who was head surgeon of the 6th Illinois Cavalry. In November 1861 the regiment was ordered to Shawneetown and Mrs. Aiken accompanied it. It was here she acquired the name of "Aunt Lizzie."

In January 1862 the nurses were sworn into the U.S. service.

Mrs. Aiken later worked in the hospitals at Memphis, Tenn., and Paducah, Ky. She performed not only nursing care for the wounded, but offered prayers that saved the souls of many a wounded man.

Major Niglas, head surgeon, complimented "Aunt Lizzie," stating she had saved the lives of more than 400 men. She was very modest, stating she didn't deserve the compliment. Generals Grant and Sherman paid the hospital at Shawneetown a visit while she was there. They stated the nurses excelled those in other hospitals in their attention to the sick and also that the hospital was cleaner than the others they had visited.

Hers was a name that alleviated suffering and words that banished the fear of death among the wounded during the Civil War. She was one of the most famous nurses in the Northern Armies. She served through all the terrible years of strife in the hospitals at Paducah and Memphis, with hardly a break. She had no special training when she offered her services to the Government in 1861, but became so proficient she saved more lives than the surgeons and was known for her patriotism and devotion to duty.

Following the close of the Civil War "Aunt Lizzie" moved to Chicago to the home of a very dear Peoria friend, Mrs. Elizabeth Vaughn. After a period of rest she became affiliated with the work of the Erring Woman's Refuge and in September 1867 became missionary of the Second Baptist Church, which position she held until the time of her death, January 17, 1906, almost 89 years of age, retaining her faculties to the end.

Funeral services were held in the Second Baptist Church in Chicago on January 20 and the large auditorium was filled to capacity. The casket was draped with a U.S. flag. There were innumerable floral tributes from the posts of the Grand Army of the Republic. Services were conducted by several well known ministers. Several young pastors were active pallbearers along with a notable list of judges, merchants and editors as honorary pallbearers. Many members of the Grand Army of the Republic escorted the hearse to Graceland Cemetery, where she was laid to rest on the Atherton family plot.

When tent 28 was organized in Peoria in 1914 by past national president, Drusilla Ingalls Thayer, the charter members honored Aunt Lizzie Aiken by having the tent named for her.

LOUISA MAY ALCOTT

Louisa May Alcott was born in November 1832, in Germantown, Pa. Much of her early life was spent in Concord, Mass. Her father was a distinguished lecturer and teacher. At the age of 16 Louisa became a teacher. A few years later, tiring of the teaching profession, she accepted a position as a companion and left home with a wardrobe of three dresses (all she owned), a few aprons, and $5 in cash. As a companion she had to sweep, chop wood, shovel snow, and rake ashes. She left at the end of 7 weeks, receiving $4, which she returned.

Her first novel was begun in 1860 and completed in 1864, under the title of "Moods."

When the Civil War broke out she worked for the Soldiers Aid Society. In 1862 she applied for a place as a nurse in the Government Hospital in Washington, D.C., and was accepted.

Letters she had written to her family from the hospital in Georgetown, a suburb of Washington, were published in the Commonwealth under the title of "Hospital Sketches" and in book form a few years later. She was one of the best loved nurses in the Georgetown Hospital.

Following the close of the war she became editor of Merry's Museum, a magazine for children, at the same time continuing to write books. In 1868 the first volume of "Little Women" was published and in 1869 the second volume. She then worked with the blind and needy and made a trip to Europe as a companion to an invalid.

She passed away on March 7, 1888, in Boston, Mass. In her will she directed all unfinished manuscripts and letters be burned unread.

Tent No. 85 at Olney is named for this famous author.

CLARA BARTON

Clara Barton was born in North Oxford, Mass., December 25, 1821. At the age of 11 she became a nurse to an injured brother and for the next 2 years did little else. She later returned to school and went on to become a schoolteacher. In 1854 she left the teaching profession to become a clerk in the Patent Office in Washington, D.C.

In July 1865, with others, she went to Andersonville to register graves of deceased Civil War veterans.

After a visit to Switzerland in 1869 Clara became interested in the Red Cross. Through her continued efforts the United States ratified the Treaty of Geneva. This earned her the title "The Founder of the Red Cross in the United States." She served as its first president.

During the Spanish-American War Clara represented the American Red Cross in Cuba. She also published the "History of the Red Cross."

Clara Barton passed away April 12, 1912 at her home in Glen Echo, Md.

Tent 83, organized in Chester, Ill., in 1929 was named for this famous nurse.

MOTHER BICKERDYKE

"Mother Bickerdyke," one of the best known of "Lincoln's daughters of mercy," was born Mary Ann Ball in Knox County, Ohio. After her marriage to Robert Bickerdyke they moved to Galesburg, Ill., in the early 1850's. In 1861 Mary Ann was a widow, with no domestic ties. She volunteered her services to the Army Hospital at Cairo, Ill. to care for the wounded of the 22d Illinois Volunteers. She had the ability and wisdom to know what was needed to keep up the morale of the wounded. She was not afraid to exercise good judgment in calling for what she wanted whether it be a surgeon or a lemon.

Mother Bickerdyke was well known for the delicious soups she prepared for the sick and wounded as they were carried in from the battlefields. Three days after the Battle of Shiloh a Yankee surgeon was making the rounds of the hospital tents when he spotted a woman in an overcoat and slouch hat. He saw she was dispensing soup to the wounded and approached her demanding: "Under whose authority are you working?" She replied, without looking up from her work, "I have received my authority from the Lord God Almighty. Have you any higher authority? Stand aside." She left the medical officer gaping in astonishment.

General Sherman and Mary Ann Bickerdyke quarrelled many times when he did not approve of the manner in which she was having supplies shipped in for her boys. Also, over the fact she felt the sick and wounded should have the delicacies furnished by the sanitary commission instead of the officers enjoying all of them.

Many times she incurred the wrath of the officers because of her firmness, but in the end gained their admiration. She was as tender to the weak and suffering as she was rough with the conceited and officious. In spite of the many quarrels she had with General Sherman, he became fond of her. When the grand review of his army was held in Washington he offered her a post of honor at Mrs. Sherman's side. In characteristic fashion, she refused and rode into the city with the troops, mounted on a saddle horse wearing the simple calico dress and shaker bonnet for which she was famous.

In 1886 a pension was granted Mary Ann Bickerdyke by a special act of Congress, through the efforts of Generals Grant, Sherman, Logan, and many who were instrumental in organizing the sanitary commission in Illinois.

She was living in Russell, Kans., in 1893, at which time she was active in the Women's Suffrage Movement. She asked the newspapers to print an article addressed to the "Heroes of 1861–65" to assist the women who had cared for them during the war to make it possible for them to have the right to vote. She spent much time and effort on this movement, but passed away in 1901, 18 years before the 19th amendment was enacted, giving women the right to vote.

When tent No. 47 was organized in Canton in 1920 it was named for Mother Bickerdyke.

MARY JANE BRAINARD

Mary Jane Conger was a native of Franklin County, N.Y., whose family moved to Rockford, Ill., in the 1850's, as did Jared Brainard, a native of Connecticut.

Mary Jane Conger and Jared Brainard were married in Rockford in 1856. When Jared enlisted as a private in Company D of the 74th Illinois Volunteers, on August 9, 1862, Mary Jane went along as an army nurse. She traveled with the 74th when it left Rockford in late September en route to Kentucky. Shortly after arriving in Kentucky she became head matron of the hospital at Lebanon, not far from Perryville, where the 74th was in its first battle. During the battle in Perryville there were 2,831 Union men wounded. Many more succumbed to exposure and disease as the Blue began chasing the Grey back into Tennessee. It was the grim side of war Mary Jane saw day and night.

Mary Jane was one of a number of women nurses enlisted, particularly by western regiments, in the early part of the war. The War Department did not approve of the idea. The plain fact was there was no machinery in existence to care for the ill and wounded. After Dorothea Dix was made Superintendent of Nurses by the War Department these women were officially recognized.

In the spring of 1863 Mary Jane was assigned to the hospital at Louisville, Ky., as head nurse and matron. Her husband was assigned to hospital duty about this time, due to poor health. They worked in the same hospital for a while. Jared Brainard was discharged in September 1863 due to poor health.

Overwork and strain undermined Mary Jane's health and after she had malaria, she resigned her post and returned to Rockford.

After the war Jared Brainard followed his trade as a molder. Mary Jane was in charge of the children's department of the Golden Censer, a nondenominational religious family weekly published in Rockford. She was fond of children and served many years as superintendent of the primary department of the Court Street Methodist Church's Sunday school.

Mary Jane wrote many poems—three volumes of which are available at the Rockford Public Library. Impressions she received during long nights of watching over dying soldiers are occasionally reflected in the poems. All the horror a nurse could feel at hearing the cries of the wounded during the Battle of the Wilderness is conveyed in part of one poem "Counting the Cost."

When the Rockford tent was organized in 1923 by past national president, Hazel L. Riley, the charter members decided to honor the former nurse by naming it after her.

AMERICA CARTER

America Carter was born February 28, 1843, in Danville, Ill., the daughter of Dr. and Mrs. E. H. Madden.

She moved to Clinton in 1848 and married Stephen K. Carter April 9, 1867. Her husband had served his country throughout the Civil War. He was wounded at the Battle of Shiloh, April 6, 1862, and discharged at Camp Butler in Illinois, September 21, 1866.

During the days of the Civil War, along with other young friends, America Madden made American flags, which were presented to their brothers and sweethearts as they left for the Army. She also helped provide knitted articles requested by the Sanitary Commission, having learned to knit when a youngster, sitting on a large rock with other friends. This rock was still on the John Fuller property on West Main Street in Clinton, Ill., as late as 1919.

America Carter often spoke of the recollections of the early 1860's when De Witt County boys enlisted in the Union Army. She was admired and loved by many citizens in Clinton, as well as in De Witt County.

America Carter was well remembered for her good deeds during the Civil War. Tent No. 53 at Clinton, Ill., is named for her.

She passed away in April 1919 at her home located at 410 North Center Street, Clinton, Ill.

ELIZABETH CHAPMAN

Elizabeth Chapman was born in 1833. At the outbreak of the Civil War she volunteered her services to the nursing staff of the Union Forces. She served throughout the 4 years of the war with distinction and loyalty. She was mustered out of service with an honorable discharge at Leighton Hall, Keokuk, Iowa, at the close of the war.

Following the Civil War, Elizabeth Chapman led a quiet family life in East St. Louis, Ill. She was the mother of two sons, but there is no record of her husband's name, profession, nor of her maiden name, nor where she was born.

Elizabeth Chapman passed away March 14, 1921, at the age of 88 years. She is buried in Mount Hope Cemetery, East St. Louis, Ill. Mrs. Edith Tritely, a granddaughter of Elizabeth Chapman, was a charter member of tent No. 68, East St. Louis, Ill., named for this Civil War nurse.

DOROTHEA DIX

Dorothea Dix was born in Hampden, Maine, April 4, 1802. Her father passed away when she was 10 years old and she went to Boston to live with her maternal grandparents. Her grandfather was a wealthy physician. At the age of 14 she started to teach school (in those days a college degree wasn't needed in order to teach in the country schools). In 1821, at the age of 19, she opened a girls' school in Boston called the Dix Mansion. After a few years her health broke and she had to give up the school, during which time she spent writing children's stories.

Dorothea became interested in the treatment of the insane and spent most of her remaining years endeavoring to interest others in improving conditions for these mentally disturbed citizens. She was instrumental in establishing the first State institutions for the unfortunate members of society. During the Civil War she was superintendent of Women Nurses for the Army.

Dorothea Dix passed away in 1887.

MRS. ELLSWORTH

Phoebe Denton Ellsworth, the mother of Col. Elmer E. Ellsworth, was the daughter of an English father and a Scotch Presbyterian mother. She was a small woman with dark brown eyes and a bright loving disposition.

Phoebe Ellsworth's husband was a tailor, but with the depression of 1837 he had very little work and they were forced to do without many necessities.

Phoebe and Ephraim Ellsworth were married in Malta, N.Y., in 1836. They moved from Malta to Mechanicsville, N.Y., where they were living when Col. Elmer E. Ellsworth was shot to death by a southern sympathizer.

Colonel Ellsworth's mother had been afflicted with palsy several years before the Civil War and therefore, unable to correspond with her son for many years. Col. Elmer E. Ellsworth was only 24 years of age at the time of his untimely death.

Due to the fact that Col. Elmer E. Ellsworth was so closely associated with Chicago, just prior to the Civil War and his close association with President Abraham Lincoln, the charter members of tent No. 5, Chicago, decided to honor his mother when they were organized in 1894 by naming their tent Mrs. Ellsworth.

ANNIE ETHERIDGE

There is no record of just when Annie Etheridge was born, nor where. When the 2d Michigan Volunteers started for the seat of war in 1861 Annie Etheridge, a young woman just out of her teens, volunteered as daughter of the regiment.

Dressed in a long sidesaddle skirt with two revolvers thrust through her belt she rode a horse. She carried saddlebags filled with lint and bandages, for it was not her mission to fight, but to give first aid to the wounded where they fell on the battlefields. She displayed a reckless indifference to danger. When a charge was over Annie dismounted and, under heavy fire, unpacked saddlebags and set about caring for the wounded.

Her purity of character, combined with her patriotism and bravery during 4 years of service, made her respected and loved. Annie gained every fighting man's admiration by sharing his privations. She performed many heroic deeds, riding up to the front lines in the thick of battle. Our young heroine was called "Gentle Annie" and "That brave little sergeant in petticoats."

General Kearney presented Annie with the Kearney Badge for her devotion to the wounded at the Battle of Fair Oaks.

Could it be said that this young Annie of the 1860's was the inspiration for the song "Annie Get Your Gun" of the 20th century?

LUCRETIA R. GARFIELD

Lucretia R. Garfield was born in 1832 in Garretsville, Ohio. Her father was one of the founders of Hiram Institute. Her mother was a descendant of Nathanael Greene of Revolutionary War fame.

Lucretia was a rather shy girl and loved books. Her ambition was to be a teacher. While a student at Hiram Institute she met James Garfield, who was working his way through college. While still in college the couple became engaged to marry. While James was completing his studies at Williams College, Lucretia taught school in Cleveland, Ohio.

Lucretia and James were married November 11, 1858. Their first home was a small cottage on the campus of Hiram College where James taught Greek and Latin. Later he became president of the school.

When the Civil War broke out James Garfield answered Lincoln's call for volunteers, rising to the rank of major general before long.

In 1863, while still in the Army, James Garfield was elected to the House of Representatives and Lucretia divided her time between their Ohio and Washington homes.

When James was nominated for the Presidency of the United States, Lucretia spent many hours working for his election.

James Garfield had been President of the United States a short time when he was shot by an assassin in a Washington railroad station. The sum of $350,000 was raised by public subscription for his widow and seven children following his death.

Lucretia Garfield passed away in Pasadena, Calif., at the age of 85.

When tent No. 22 was organized in Moline, Ill., the charter members selected the name of President Garfield's wife for their tent.

HELEN LOUISE GILSON

Helen Louise Gilson was born in Boston, Mass. During her early childhood she moved to Chelsea, Mass. She was a niece of the Honorable Frank B. Fay, mayor of Chelsea, and was his ward.

She took an active interest in the welfare of the soldiers from the outbreak of the Civil War. During the first 2 years her uncle devoted much of his time, wealth, and personal efforts to the welfare of the wounded. In the winter of 1863–64 he laid his plans for an auxiliary relief corps before the Sanitary Commission in the eastern part of the country. His plans were immediately adopted and he was made the head of the Sanitary Commission.

Influenced by her uncle's example of self-sacrificing patriotism and her own love of country, Helen Louise Gilson devoted her time to the work of caring for the wounded, first at home and then in the field. She worked directly under the Sanitary Commission. They followed the Army of the Potomac and were present, or near, most every great battle in the East, except for the first "Battle of Bull Run."

During the latter part of the war Helen Louise Gilson devoted herself to the work of creating a model hospital for the colored soldiers. She explained to these now-freemen they had hard work before them, much privation, many struggles; that they had everything to learn—the new industries of the North; their changed social condition, and how to accept their new responsibilities; that they must do right and live right.

Helen Louise Gilson was on the battlefields, or in the hospitals during the 7 days conflict on the peninsula. The campaign of Antietam, Fredericksburg, Chancellorsville, and Gettysburg, and the fierce and undecided battles fought for the possession of Richmond and Petersburg.

This courageous woman had remarkable executive ability and could bring order out of chaos. Under her direction special diet was prepared for the wounded. With efficiency Helen Gilson could prepare food for 1,000 men and assist in feeding them herself. She would move amongst the flying bullets upon the field to help the wounded.

Helen Louise Gilson was small, delicately proportioned, with lovely features; her voice was low and soft, her speech gentle and deliberate and her movements corresponded with her voice and speech.

As was the case with most of the women who entered the services at the seat of the Civil War, Helen Louise Gilson suffered from attacks of malaria and passed away in 1867, a young woman still in her twenties.

The name of Helen Louise Gilson was chosen by the charter members of Tent No. 96 at Edwardsville when it was organized in April 1940, and these members are very proud of their name.

JULIA DENT GRANT

Julia Dent Grant, the wife of famous Gen. Ulysses S. Grant, was born January 26, 1826, in St. Louis, Mo. Her father, Judge Frederick Dent, was the son of a Revolutionary War officer.

Julia met Ulysses S. Grant when she visited her brother, who was his classmate at West Point.

The couple were married in 1848, in spite of the misgivings of Julia's father, who did not believe a poorly paid young Army officer could support his daughter. Julia had been brought up as the daughter of a well-to-do father, with servants to relieve her of all work. However, she cheerfully did the cooking, sewing, and other household tasks in the farm home after she became the wife of Ulysses S. Grant; besides caring for their four young children, without any help whatsoever. After Grant resigned his Army commission, in the early 1850's, they were living in the St. Louis area. In the late 1850's they moved to Galena, Ill. It was from there that Ulysses S. Grant reentered the U.S. Army, shortly after the outbreak of the Civil War.

During the Civil War, whenever possible, Julia spent much time with the general, regardless of the danger involved and did much to encourage him when the going looked rough.

Julia Dent Grant was an admirable hostess during President Grant's 8 years as President of the United States. Following his two terms in the White House she accompanied him on a world tour that lasted 3 years.

Their grandson, Gen. U. S. Grant III, has kept alive the family patriotism, as an active member of the Sons of Union Veterans of the Civil War, and by serving as their commander in chief in 1954–55.

The charter members of tent No. 12, Chicago, honored Julia Dent Grant by naming it after her when they were organized in January 1908.

LUCY WEBB HAYES

Lucy Webb Hayes was born in Chillicothe, Ohio, August 28, 1831, to James and Marie Cook Webb. Her father was a physician. Her maternal grandfather was one of the first settlers of Chillicothe, Ohio.

Lucy Webb was the first college graduate to become a First Lady in the White House. She graduated from Wesleyan Female College in Cincinnati in 1852. In December she married Rutherford Hayes, a rising young lawyer, she met at a summer resort during a school vacation.

Lucy was interested in literature and the arts, as well as reform movements, which were sweeping the country at the time. She believed in woman suffrage, worked to improve the condition of the underprivileged, and supported the Women's Christian Temperance Union.

Neither President Hayes nor his First Lady believed in imbibing liquor. Consequently none was served in the White House during his tenure of office.

Lucy Webb Hayes was a popular and successful White House hostess. She enjoyed giving parties, especially for young guests. When Congress discontinued the annual Easter egg hunt on the Capitol Grounds, she invited the youngsters of Washington, D.C., to have the party on the White House Grounds, where it has been held most every year since.

In 1881 Lucy and her husband returned to Ohio and led a happy and active life. She devoted much time to matters of social welfare. Lucy Webb Hayes passed away June 25, 1889, in Fremont, Ohio, where they were then residing.

The charter members of tent 9, Aurora, Ill., selected the name of Lucy Webb Hayes for their tent when they were organized in 1905.

SUSAN A. HARDING

Susan A. Ickes Harding was born July 28, 1815, in Perry County, Pa., to Dr. Jonas and Mary Duncan Ickes.

She was married in Bloomfield, Pa., June 30, 1835, to Gen. Abner Clark Harding. The couple moved to Monmouth, Ill., in June of 1838.

Little is known of her life, except that she did whatever she could to bring cheer to the men in Monmouth who volunteered their services to the Union during the Civil War. She helped their families while they were in service, whenever it was possible for her to do so.

Susan A. Harding passed away in Monmouth, Ill., April 10, 1901.

Tent 49 of Monmouth, Ill., was named for this general's wife.

NANCY KETURAH HOOVER

Nancy Keturah Hoover was born August 4, 1848, on a farm near New Hope in the southern part of the State of Ohio. She was the daughter of Margaret and Benjamin Homan and the granddaughter of a hero of the Revolutionary War.

In order to obtain better schooling for their daughter, in 1856 the family moved to Eaton, Ohio, where there were many southern sympathizers, in spite of their loyalty to the North.

When the Civil War broke out Keturah, as the family called her, was a serious, industrious and courageous girl. She trained, with other teenagers, to use a gun to protect their homes from the Morgan Raiders of Kentucky. It was necessary that everyone be on the alert and Keturah kept her eyes and ears open. When on an errand one day she noticed a stack of boxes on the porch of a house near the home of a friend. She asked her friend if she knew where the boxes came from and what they contained. The friend did not know, but the curious girls decided to investigate, in view of the fact that it had been said southern sympathizers from a nearby town, had placed the boxes on the porch. They found, to their surprise, that the boxes contained guns and ammunition. They were placed in the particular spot as it was convenient to the newspaper office, which the southern sympathizers planned to destroy. The paper, the Register, was sympathetic to the New Hope Farm, a station of the runaway underground, which aided slaves escaping to Canada.

Keturah hastened home and reported the news to her father, who lost no time in alerting the vigilantes, who rose as one man to save the Register. Our young heroine deserved the credit and honor accorded her for being alert and inquisitive.

In 1872, Keturah Homan married Jacob G. Hoover. The had one child, Clara, who subscribed to the Eaton Register Herald, up to the time of her death in April 1948.

Nancy Keturah Hoover remained active in patriotic work until a few years prior to her death, October 26, 1926, at the Maywood Home for Soldiers' Widows in Maywood, Ill.

In 1905, when tent No. 10 was organized in Chicago, Ill., the charter members named it for Keturah Hoover. Her only daughter, Clara, who was a charter member of Mrs. Ellsworth Tent No. 5 of Chicago, transferred her membership to Keturah Hoover Tent No. 10 due to the honor accorded her mother.

Clara Hoover, the only child of Nancy Keturah and Jacob Hoover, served the Illinois department as president in 1905–06 and the national organization as president in 1907–08. She also served the Department of Illinois, Grand Army of the Republic, as secretary for many years, which post she held at the time of her death, April 1948.

She was chairman of the national legislative committee for a great number of years and no doubt did more than any other member in the entire organization of the Daughters of Union Veterans of the Civil War to assist in the enactment of legislation by the Congress of the United States of America to increase pensions for widows of Union veterans of the Civil War, whereby they would have more comforts in their last years.

JULIA WARD HOWE

Julia Ward Howe was born in New York City. Her father was a wealthy banker and her mother an author. Julia married Dr. Samuel Howe, who was several years older than she. After a trip to Europe the couple settled in Boston and were leaders in social affairs. About this time Julia started writing books of poems.

While on a visit to Washington, D.C., in November of 1861, Julia spent an afternoon with a group of friends viewing the troops stationed around the Nation's Capital. The story goes they were caught in a "traffic jam" and soldiers marching along the road were singing "John Brown's Body," when an officer riding past their carriage suggested to Julia she write more fitting words for the stirring music.

Julia returned to her rooms at the Willard Hotel. As she awoke at dawn the following morning she heard the sound of marching feet. The words of "The Battle Hymn of the Republic" started forming in her mind. She went to the desk and wrote the verses of the hymn on a piece of stationery of the sanitary commission.

The words of this famous hymn first appeared anonymously in the Atlantic Monthly, the following year. Before long, however, the real author was known. It is said Julia received special recognition from President Abraham Lincoln for the inspiring words she set to music.

When tent No. 37 was organized in Bloomington, Ill. in 1916 the charter members honored Julia Ward Howe by naming it for her.

MARY C. KEEBLE

Mary C. Keeble was a youngster during the days of the Civil War, living with her family in Ostrander, Ohio. Her family was active in the underground movement.

Mary's husband, Ashley Keeble, was commander of Whipple Post of the Grand Army of the Republic in Kankakee, Ill. several times. He had three brothers, who were casualties of the Civil War, all serving in the

Union Army. He was the only survivor in his family.

Due to the activities of both Mary and Ashley Keeble's families for the preservation of the Union, the charter members of tent No. 59, Kankakee, Ill. decided to honor Mrs. Keeble by naming their tent for her when they were organized in 1923. Mary Keeble's daughter, R. Elizabeth Love, was a charter member of the tent and served as president.

ELIZABETH KIPP

Elizabeth Kipp was the wife of Daniel Kipp, who served as a private in Company A of the 12th Illinois Cavalry from December 11, 1861, to May 25, 1865. Daniel Kipp received an honorable discharge at the close of the war.

During the days of the Civil War, Elizabeth Kipp was active in caring for wounded military men when they returned from the battlefields. She also rendered care to the families of the fighting men when help was needed.

Elizabeth Kipp was a charter member of Nevius Woman's Relief Corps of Rockford, Ill.

Elizabeth Kipp was the mother of Lulu M. Carlin, who served as president of Keturah Hoover Tent No. 10; as president of the Illinois department in 1909–10 and national president in 1914.

Mrs. Carlin assisted in the organization of Mrs. Elizabeth Kipp Tent No. 16, which was instituted on July 19, 1909, in Chicago, Ill., and named for her mother.

SUSAN LEMMON

Susan Lemmon was born on a farm near Springfield, Ill. Her sons served in the Union Army. One son, John, suffered the loss of a leg and was in Andersonville Prison. He later finished college and became an ordained minister.

Her children, as well as many of her grandchildren, were teachers, ministers, and doctors.

Susan Lemmon was active in the services for the wounded veterans of the Civil War and their families. She and her family were well acquainted with Abraham Lincoln.

Susan Lemmon was the grandmother of Elvira Strand, a charter member of tent No. 51, of Chicago Heights. In 1921, when this tent was organized, the members honored Susan Lemmon by naming their tent for her.

MARY TODD LINCOLN

Mary Todd was born in 1824 in Lexington, Ky. Her father was a wealthy man. A very stern stepmother ruled the six children and one by one they left the family home in Kentucky.

Mary Todd met Abraham Lincoln while residing in the home of an older sister, Elizabeth, who was the wife of Ninian Edwards, one time the Governor of the State of Illinois. On December 16, 1839, Mary Todd met Lincoln at a party and dance. The story goes she decided then and there she was going to capture the heart of the immortal Lincoln.

Mary was a very good dancer and very popular. She sized Lincoln against Stephen Douglas, who was also a guest at the same party. She decided Abraham Lincoln would go further than Douglas. Crude power was nearer to the heart of America than cultivated splendor during those days. Though Mary Todd's mind was shallow her instinct was sound. She chose Lincoln as the most likely candidate for supreme honors. Much to the chagrin of Stephen Douglas, Mary Todd gave her hand to Abraham Lincoln. To be more exact it is said she took Abraham Lincoln's reluctant hand into her own and led him to the altar. They were married in the Edwards Home on November 4, 1842, by the Reverend Dresser. Mary was 24 years of age and Abraham Lincoln 33 at the time of their marriage.

Three sons were born to the couple. Nineteen years after their marriage Lincoln was elected President of the United States. Mary was happy to leave Springfield for the White House, where she anticipated the many receptions and parties to be held there. This dream was short lived, as before many days the country was divided and during the first 4 years little entertaining was done by the residents of the White House. Abraham Lincoln was reelected and Mary felt they would now be able to entertain royally, with the end of the Civil War. The dream for the second time, was short lived. On April 15, 1865, Abraham Lincoln's life was cut short by an assassin's bullet, while they were attending a performance of "My American Cousin" in the Ford Theater in Washington, D.C.

Mrs. Lincoln's health was not good and it steadily grew worse after this great tragedy. She passed away in Chicago in July 1882 and is buried in the Lincoln Tomb in Oak Ridge Cemetery, Springfield, Ill.

The charter members of tent No. 48 at Springfield, Ill., honored Mary Todd Lincoln when they selected her name for their tent when it was organized in 1920.

MARY CUNNINGHAM LOGAN

Mary Cunningham was born in 1837 in Marion, Ill., the daughter of Mary and Capt. John M. Cunningham. Mary was 8 years of age at the time she met John Alexander Logan.

In 1845 our country was engaged in war with Mexico. Mary's father was recruiting a volunteer regiment of soldiers in southern Illinois. John Logan, the son of a country doctor, then 20 years of age, journeyed from his home near Benton, to enlist in Captain Cunningham's volunteer regiment. Much to his disappointment he found the ranks filled upon his arrival in Marion. As the return journey, by horseback, was quite a hazardous one in those pioneer days, Captain Cunningham invited John Alexander Logan to remain in his home for the night.

After supper the family and their guest sat before an open fire. The captain's small daughter, 8-year-old Mary, was entranced with the tales of hunting, escapades with pirates on the river boats, and other fascinating stories related by their guest. She flattered Logan with her interest in him. When John Alexander Logan asked Mary who her sweetheart was, she replied: "I'll be yours if you will wait for me."

Later John Logan was successful in joining a company of volunteers in Murphysboro. During the Mexican War he and Captain Cunningham became close friends. Many times John Logan jokingly reminded Captain Cunninghom of his small daughter's promise to be his sweetheart. The matter was still a jest when Captain Cunningham said she could keep the promise when the time came, as far as he was concerned.

Mary was at a convent in Kentucky and graduated in June of 1855. John Logan returned to Marion that summer and courted the dark regal beauty. Later that summer he asked her to marry him. Your guess is correct—although Mary had many suitors of her own age and John Logan was 12 years her senior—she readily gave him her answer in the affirmative. The wedding was held in Marion, in November 1855, and the couple drove 35 miles by horse and buggy to the town of Benton, where they set up housekeeping.

John Logan entered politics and was elected to Congress, where he was when the Civil War broke out. He left his office in Washington, and the couple returned to Illinois, where John Logan recruited the first companies of the Illinois 31st Regiment. Later, as colonel, he led the regiment into action on the Northern side. Mary's brothers fought with the South, but Mary stood by her husband.

During the days of the Civil War, while her husband was away on the battlefields, Mary Logan performed nursing duties in the Army hospital at Cairo, Ill. She also begged clothing and food for the sick and wounded. John Logan rose to command the Army of the Tennessee at the Battle of Atlanta.

After the war Mary Logan took as deep an interest in her husband's political work as she did during the war in his military career. By her presence with the general at a large number of military reunions, she became a great favorite of the old soldiers.

After Gen. John A. Logan passed away Mary wrote a book entitled "Reminiscences of a Soldier's Wife," recalling with pride that although there had been differences of opinion as to who founded Memorial Day she knew the circumstances, it was "The man who waited for me to grow up and by whom I always stood that founded Memorial Day—May 30—none other than Gen. John A. Logan," when he was commander in chief of the Grand Army of the Republic, by his now famous General Orders No. 11.

In 1891 the charter members of tent No. 2, Chicago, honored this famous general's wife by selecting the name of "Mrs. John A. Logan," for their tent.

IDA M'KINLEY

Ida Saxton McKinley was born June 8, 1847, in Canton, Ohio, the daughter of James and Catherine DeWalt Saxton. Her father was a leading banker in the town. Ida received a good education followed by a tour of Europe. Upon her return she started to work in her father's bank as a clerk. In 3 years she became assistant to her father. About this time William McKinley completed his law studies and arrived in Canton to start his career. He met Ida and they fell in love at first sight and were married January 25, 1871.

During the first 5 years of their married life they endured much tragedy; the loss of two children in their infancy and the loss of Ida's mother. This broke Ida's health, but she traveled about the State of Ohio with her husband when he became active in politics.

After William became President of the United States he kept activities in the White House, as far as social affairs were concerned, as simple as possible, in order to avoid strain on Ida's health. She attended official dinners and receptions, but most other entertaining was taken care of by other members of the family. She was confined to a wheelchair most of the time and devoted herself to needlework for charity.

Ida was at the home of friends in Buffalo, N.Y., when President William McKinley was shot down by an assassin at the Pan American Exposition in Buffalo, while addressing a gathering. She lived 6 years after this and passed away at the age of 59.

Tent No. 1 of Massillon, Ohio, was named for this brilliant woman, Ida McKinley, as a courtesy to her husband, who, as Major McKinley, rendered valuable advice and assistance to the five original members of the Daughters of Union Veterans of the Civil War, in obtaining incorporation papers for the organization originally known as National Alliance Daughters of Veterans.

The charter members of tent No. 21, Chicago, also selected this brilliant woman's name for their tent when it was organized.

ELIZA C. PORTER

Eliza Porter was the wife of a Presbyterian minister, who enlisted in the Army Chaplaincy Corps at the outbreak of the Civil War.

Eliza Porter served throughout the Civil War as a nurse in the Army Hospital at Cairo, Ill.

When tent No. 66 was organized in 1924 in Danville, Ill., the charter members selected the name of Eliza Chappell Porter for their tent in honor of this Civil War nurse from their locality.

POLLY REED

Polly Reed was born in Chester County, Pa. Little is known of her early life, nor the year in which she was born, except that her maiden name was Yarnall and the Yarnall family settled in the New Hemisphere in 1684 upon their arrival from England along with William Penn.

Polly married Frank Reed, a captain in the Regular U.S. Army. Captain Reed was killed on the battlefield during the Civil War.

Members of the Reed family have lived in Tuscola, Ill., for some years, and several were charter members of tent No. 93.

Frank Reed Post No. 409 of the Grand Army of the Republic was named for this brave captain.

When Tent No. 93 was organized in Tuscola in 1939 by Kathryn Cameron the charter members selected the name of Polly Reed for their tent.

ALICE CAREY RISLEY

Alice Carey Farmer was born in Ohio and raised on the Bayou Teche, La. Her father was loyal to the Union and opposed to slavery. He left his family in Louisiana in the early days of the Civil War, due to pressures brought on him because of his loyalty to the North. He went to New Orleans, where he could live unknown.

The southerners accused his wife and daughter of being spies for the North and made life unbearable for them, even threatening to hang them. They made preparations to leave the South when they felt their lives were in danger. Orders had been issued to allow no one through the lines without a pass. General Butler had captured New Orleans. Mrs. Farmer and her daughter made two attempts to get out on transports that came after food, but a mob gathered each time making threats of hanging the "Yankee spy." In August 1862, aided by friends, they were smuggled onto a boat, locked in a stateroom and taken to Brashear City.

Bill Parker, a friend from southern Indiana, persuaded an old fisherman to take them across the lakes and from there by oxcart to Donaldsonville, which had been bombarded only a few days previously. They stood on the banks of the Mississippi River in the rain, wondering how to cross the river, which was dangerous. But there was more danger from the southern cavalry in the rear. After several hours a man consented to take them across in a skiff. A French family on the other side took them in, gave them dry clothes, fed them and put them to bed for the night. The following day they succeeded in hiring a man to take them up the river in a skiff at a dollar a mile. They were on the river 3 days and 2 nights, having only one potato each. On the morning of the third day they reached the Union picket lines. After being plied with questions the Union officers decided to allow them to proceed.

On August 20, 1862, they reached St. Louis more dead than alive from hunger and exposure. After being fed and rested Mrs. Farmer went to the hospital and found many men from the 26th Massachusetts, many she had known as a girl back in Massachusetts.

From September 1862 until the close of the war, Mrs. Farmer and her daughter, Alice Carey, worked in the hospitals in St. Louis caring for the wounded Union soldiers.

Following the close of the war Alice Carey married Mr. Risley, a veteran of the U.S. Signal Corps, Department of the Gulf, and they resided in Jefferson City, Mo. the rest of their lives.

In February 1932 Tent No. 87 was organized in Bushnell, Ill. and the charter members honored this loyal woman by naming their tent Alice Carey Risley.

MRS. PHIL SHERIDAN

Irene Rucker Sheridan, born in 1850 at Fort Union, where her father, Gen. Daniel Henry Rucker, was stationed at the time, spent the first 3 years of her life at that frontier fort, amid the alarms of Indian wars. When she was 4 years of age her father was transferred to Detroit and then to Washington, D.C. At the outbreak of the Civil War, Irene and a younger sister were placed in the Georgetown Academy of Visitation, where they remained until the close of the war. General Rucker was transferred to Philadelphia and Irene and her sister were then enrolled in the convent of the Sisters of the Holy Child in Philadelphia. General Rucker was transferred to Chicago, but his daughters remained in the convent in Philadelphia until they graduated.

Irene Rucker and Gen. Phil Sheridan met at an Army wedding at which Irene was a bridesmaid. They were married in 1874, with the ceremony conducted by Bishop Foley of Detroit, whose brother performed the funeral services of Gen. Phil Sheridan when he passed away in 1888. Irene Rucker was 24 years of age and the general 43 years at the time of their marriage.

Before their marriage Irene was known as "Pretty Miss Rucker." After her marriage to the famous general she was called "The lovely Mrs. Sheridan." She was petite in stature, with fine features, which were regular and refined. She had masses of dark brown hair rolled up on the back of her head.

Four children were born to the couple; Mary, Phil Sheridan, Jr., and twins, Irene and Louise.

Mrs. Sheridan was a leader in charitable enterprises in Washington. As the wife of a famous general she gave regular receptions to the public. Some days there were as many as 300 callers. The general was reticent and although much in demand seldom went out. The family was devoted to one another and they were often seen driving together.

Irene Sheridan was noted for her good sense. She resolved, early in life, that she would always think before she spoke and if she had nothing worthwhile to say would remain silent.

Mrs. Phil Sheridan's grandfather, two brothers, as well as her husband, and father were all distinguished officers in the U.S. Army.

Tent No. 4, Chicago, organized in 1894, was named for "Mrs. Phil Sheridan."

ELLA EWING SHERMAN

Little information can be found about Ella Ewing Sherman, the wife of Gen. Tecumseh Sherman.

General Sherman was an officer in the Regular Army and had resigned his commission a few short years before the outbreak of the Civil War. At the time of the firing on Fort Sumter Sherman was practicing law in St. Louis Mo., with a cousin of Ella Ewing Sherman. General Sherman reentered the Army immediately after Civil War broke out.

Ella Ewing Sherman worked in the hospital at Cairo, Ill., that was staffed by the Sisters of the Holy Cross, directly under Mother Angela, mother superior of the hospital.

When Ella wrote the general that she wanted to assist at the Sanitary Commission Fair to be held in St. Louis he wrote to his wife as follows: "I do not approve of ladies selling things at a table. So far as superintending the management of such things I do not object, but it merely is unbecoming for a lady to stand behind a table to sell articles of any description. Still do as you please." No records are available as to just what Ella Sherman did in this respect.

When tent No. 97 was organized in Paris, Ill., in the spring of 1940 the charter members selected the name of Ella Ewing Sherman for their tent.

DR. MARY HARRIS THOMPSON

The founder of the Mary Thompson Hospital, located at 140 North Ashland Avenue, Chicago, Ill., Dr. Mary Harris Thompson, was born in 1829 in Washington County, N.Y. She had a year of service with the New York Infirmary for Women, before arriving in Chicago on July 3, 1863, the first day of the Battle of Gettysburg.

The only hospitals in Chicago at the time were the Marine Hospital and Mercy Hospital. The Marine Hospital took care of the military and the Mercy Hospital admitted citizens of the Catholic faith. Chicago was jammed with refugees and dependents of Civil War veterans, who were in need of medical and nursing care.

Dr. Mary Thompson saw the dire need of another institution for the care of the civilian population, especially the women and children. In spite of the disapproval and disbelief of male doctors, she established within 2 years, the first hospital staffed entirely by women doctors, principally to care for women and other dependents of Union veterans of the Civil War; to provide a free dispensary and train competent nurses.

Dr. Mary Thompson was the epitome of the dynamic woman of her day; she was a soft-voiced gentlewoman with a will of steel.

Although the founding of the hospital, formerly known as the Women's and Children's Hospital, was her greatest work, she was instrumental in establishing the Women's Medical College. Her hospital served as the first training center for women physicians and nurses in the Midwest. At one time she stated the hospital was one of the indirect results of the Civil War. Its need, however, was developed many years previous to its opening, when the War between the North and the South had made its evil effect felt throughout the land.

The Mary Thompson Hospital is endorsed by the Chicago Association of Commerce and Industry; they are members of the American Hospital Association; the Illinois Hospital Association, and the Chicago Hospital Council.

This hospital has been in continuous operation for almost 100 years and stands as a vital proof of one woman's courage, ability, and foresight.

MARY WINEGARDNER

Mary Winegardner was born in 1845. During the Civil War she performed nursing duties.

Mary Winegardner was married to Capt. Samuel L. Winegardner, who served in Company K of the 41st Illinois Infantry. She is buried in Greenwood Cemetery, Decatur, Ill., having passed away at the age of 90 years.

When tent No. 95 was instituted in December of 1939 the charter members selected the name of Mary Winegardner for their tent.

AUNT BECKY YOUNG

Aunt Becky Young was born Sarah A. Graham, in Ithaca, N.Y., in the year 1842. Shortly after the Civil War broke out she married a Mr. Palmer. When he volunteered his services to the Union she gained consent to be a regimental nurse and joined the 109th New York Infantry.

She was called Mother by the men she nursed in the Army camps and field hospitals. Only a slip of a girl she felt this title was too much for one of her tender years. Dr. French of the Hospital Corps said he would settle it definitely and dubbed her Aunt Becky, a name which stuck and followed her throughout the rest of her life.

Mr. Palmer died during the days of the Civil War and in 1867 she married David D. Young in Ithaca, N.Y. In 1868 the couple moved to Des Moines, Iowa, and two daughters were born to them.

Aunt Becky's interest in caring for the wounded soldiers did not die with the end of the Civil War. When the Spanish-American War broke out she helped to sponsor dinners, the receipts of which were used to provide bandages and other items the soldiers needed in camp and in the hospitals.

Aunt Becky Young wrote a biography of her war experiences. She was a charter member of the Women's Relief Corps.

Aunt Becky Young passed away in Des Moines, Iowa, April 6, 1908, the anniversary of her marriage and that of the Battle of Shiloh, as well as the anniversary of the founding of the Grand Army of the Republic.

Many beautiful tributes were paid her by the Union Veterans of the Civil War.

When Tent No. 92 was organized in April 1939 in Granite City, Ill., the charter members honored Aunt Becky Young by naming it for her.

MARY M. BRIGGS

Mary M. Daskan was born in Geneva, N.Y., July 26, 1821, to John and Rebecca Brooks Daskan. With her parents she moved to Elgin, Ill., in the 1840's.

There is no record of the year Mary became the bride of Daniel Briggs. After their marriage the couple moved to the State of Wisconsin where they were living when the Civil War broke out. Daniel Briggs enlisted in the Union Army. Mary joined the Army Nurse Corps. She served in Government hospitals in the St. Louis area until 1862 when she transferred to the newly established Harvey Hospital at Madison, Wis. Mary remained at the Harvey Hospital until the end of the war.

When Mary's husband, Daniel Briggs, passed away in 1866 of wounds received in the Civil War she returned to Elgin, Ill. She assisted in organizing the Women's Relief Corps in Elgin, Ill.

At the time of her death, June 19, 1912, she was one of the oldest members of the National Association of Civil War Nurses.

In September 1916, tent No. 36 was organized in Elgin and the charter members honored this war nurse by naming it after her.

MARILLA PLUMB

Marilla Borden was born in New England of Puritan stock. There is no record of the year of her birth, nor of her parents' names.

Marilla married Col. Ralph Plumb in 1838.

She was active in civic affairs in Streator, Ill., where the couple resided for many years.

Marilla Plumb passed away February 12, 1904, and is buried in Streator, Ill.

When tent No. 63 was organized in Streator in May of 1924 the charter members honored the wife of Col. Ralph Plumb by selecting the name of Marilla Plumb for their tent.

RUSSIA'S THREAT

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the Nation should be completely shocked at the weekend pronouncement of President Johnson that he would adopt a policy directly aiding the Communist governments of Eastern Europe.

This policy declaration is a logical climax to the developments toward accommodation and acceptance of Communist control of Eastern Europe. The Nation should be shocked at the thought of a President so naive in the field of foreign affairs or so brainwashed by naive and dangerous advisers that he would publicly admit to such a policy.

Fortunately, our press is active in passing on observations of profound truth and wisdom to the American public, and fortunately, we still have a Government that is ultimately controlled by the people and not operated as a dictatorship from the White House.

Therefore, Mr. Speaker, I place into the RECORD, and direct the attention of the Members, and voice a special hope that it will be read and reread in the White House, an editorial in the Sunday, May 24, edition of the Chicago Sun-Times which is timely and logical. It is timely enough and devastating enough in its logic to merit thorough review by the executive branch and produce a denial of the President's dangerous and mistaken foreign policy statement made at the dedication of the Marshall Library over the weekend.

The editorial follows:

RUSSIA'S THREAT

Prof. Hans J. Morgenthau, of the University of Chicago, a distinguished authority in the field of foreign affairs, said in a recent speech:

"Russia had to change its tactics to prove to the rest of the Communist world that its policy was more likely to bring results than China's. But it may change tactics again if that policy does not bring more concessions from the Western nations. Any talk of communism losing its basic aggressiveness is an illusion."

This is a simple fact that too many persons in this country, in places both high and low, seem to have forgotten. The thesis is continually put forth that "Russia is less communistic than she used to be," or "Russia is getting more like us every day." Or, as Senator J. W. FULBRIGHT, Democrat, of Arkansas, remarked in his speech on the "myths of foreign policy" in March, "The Soviet Union, though still a most formidable adversary, has ceased to be totally and implacably hostile to the West."

Not only is communism hostile to the West, Russia is hostile to the West.

Russia is an imperialistic nation. It reaches for territory and power continually. Since the Bolshevist revolution in 1917 Russia has not only regained the empire of the czars, it has added great areas of land and influence in Europe and the Middle East that go beyond the dreams of the ancient rulers of Russia.

Russia's program of conquest is often overlooked because of concern over the threat of communism. Professor Morgenthau took note of this in an article that appeared in the Sun-Times on November 3, 1957, the occasion of the 40th anniversary of the Bolshevist revolution. At that time, almost 7 years ago, Morgenthau wrote:

"Those who cling to the hope that the Soviet Union would be less of a menace to the West if she became less Communist confound the actual and the mythological meaning of the Bolshevist revolution; for what the Soviet Union is today and what she portends for the West, she owes primarily not to the Communist myth of the revolution but to its reality: that it has made Russia a powerful part of the modern world. Communism may have strengthened that power, but it has not created it. What the West is threatened with as the fifth decade of the Soviet Union begins is not primarily the Communist myth but the power of Russia."

In less than half a century Russia has risen from the ashes to become the second most powerful nation in the world. The desire for dominance was always there. Communism, with its ruthless doctrine of political power, has been the means of this phenomenal rise. Under Premier Nikita Khrushchev Russia is determined to continue her progress until she rules the world.

To attain this goal Khrushchev is willing to negotiate, to concede, to adopt any stance to further the cause of Russia. Khrushchev says over and over, that war is unthinkable, that he wants peace.

In this he is truthful. Khrushchev does advocate peace. The peace of the dead for those who stand in Russia's way.

NORTHEAST AIRLINES AND GOVERNMENT CREATED MONOPOLY—A SOLUTION

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, last August I introduced H.R. 8468 which would allow the Attorney General authority to intervene in or to appeal cases before Federal regulatory agencies involving antitrust issues. Cases before Federal agencies, such as that of Northeast Airlines before the CAB, often involve the issue of monopoly yet the Attorney General was prevented from appealing the CAB ruling or even making his views known to the CAB.

The recent decision of the U.S. Court of Appeals for the First Circuit which overruled the CAB's decision to cut off the Florida routes of Northeast Airlines in the Northeast Airlines case lends strong support to my bill. My bill, H.R. 8468, would permit the Attorney General to raise antitrust issues before Federal administrative bodies or agencies at any stage in the proceeding. The bill would also permit him to appeal from a final order rendered by an agency.

CIRCUIT COURT CRITICAL OF CAB

In the Northeast Airlines case the court was sharply critical of the Civil Aeronautics Board's handling of the issues of carrier competition. Although the Board's decision concerned the fate of Northeast Airlines and of air travel between New England and Florida, its conclusion and its findings of fact, as noted by the court, were sadly lacking in elucidation of many aspects of the problems involved, particularly those relating to competition.

The Board has refused to allow the Attorney General to present his position on the reargument of the Board's initial decision. I cannot believe but that if the Board had been willing to listen to the Attorney General's views, its decision would not have been so wanting in its treatment of basic problems which the Northeast Airlines case raised.

Passage of H.R. 8468 would insure that the Attorney General's views on antitrust issues would be received by the Government agency concerned with, or which should be concerned with, such issues. The bill would also provide that when the Attorney General thought it important that such issues be resolved by the courts, he would be in a position to insure such consideration by having the right to appeal from a decision by a Federal agency in which such issues might be crucial.

CAB REDUCED COMPETITION

The welfare of Northeast Airlines has been of continuing concern to me ever since the Civil Aeronautics Board made its ill-considered decision to cut off the vital Philadelphia, Washington, and Florida routes of Northeast. Such a move would have been a bonanza for Northeast's competitors, Eastern and National, but it would have eliminated the most profitable run from New England's only major airline and left heavily traveled routes in the sole possession of only two airlines. Over the past 10 months I have time and again voiced my protest over this unfair decision. I am glad to see that the courts have recognized that to strip Northeast of its southern routes would impair competition.

The public is fortunate so far in the way the Northeast Airlines case has turned out, but passage of my bill is necessary to prevent a repetition of this ridiculous situation. One agency of the Federal Government should not be able to destroy competition while another agency, explicitly charged with preventing monopolies, is prevented from entering the case. Allowing such a confused condition to exist impairs confidence in good government.

PACIFIC SOUTHWEST'S WATER PROBLEMS

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, it has become clear that a regional approach to the solution of the Pacific Southwest's water problems has the general support of the Department of the Interior and all of the Lower Colorado River Basin States. However, there is as yet no consensus as to the specific form such a regional plan should take. In an effort to get some specific proposals before the Congress so that we may be able to make a beginning toward solving the region's water crisis, the six public agencies in California who own the Colorado River water rights upon which 9 million southern Californians depend, have proposed the regional plan which I introduce today.

The plan is patterned generally after the Interior Department's proposal of January 1964. However, it contains several significant modifications which I think are essential to any sound regional plan. First, it broadens the area of investigation for sources of water that may be imported into the Colorado River Basin, while making provision for full protection of the interests of the areas of origin of such imported water. Second, it protects existing uses in my home district of San Diego and the States of California, Arizona, and Nevada against impairment by the new projects authorized in the plan until such time as imported water is actually available to remove the threat of water shortages in those three States.

DR. FRANKLIN H. LITTELL, OF CHICAGO THEOLOGICAL SEMINARY, PROVIDES HISTORICAL PROSPECTIVE ON SCHOOL PRAYER CONTROVERSY

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. Senner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SENNER. Mr. Speaker, Dr. Franklin Hamlin Littell, of the Chicago Theological Seminary, an eminent authority on church history, has furnished the Committee on the Judiciary with a brilliant historical exposition of the way in which religion has flourished in the United States under the first amendment over the past 173 years.

Dr. Littell's statement, it seems to me, is directly relevant to the many pending proposals to amend the Constitution to authorize prayers and Bible reading in the public schools and religious observances throughout our public life.

Under unanimous consent, I include Dr. Littell's able historical analysis in the Congressional Record:

Testimony of Dr. Franklin H. Littell, Professor of Church History, Chicago Theological Seminary, Before the Committee on the Judiciary of the House of Representatives, United States; May 8, 1964, at Washington, D.C.

Mr. Chairman and members of committee, I am Franklin Hamlin Littell, a minister in the Methodist Church and a seminary professor. I teach church history at Chicago Theological Seminary. I am a member of the department on religious liberty of the National Council of Churches, a consultant to the National Conference of Christians and Jews, and this fall I shall serve as an official observer at the Ecumenical Council, Vatican II. I am on the editorial boards of a number of magazines devoted to religious liberty and to the cultivation of interreligious dialog, and I have written six books and several dozen articles and chapters of books in the field. I am grateful for the opportunity to appear before this honorable committee to testify on the proposed prayer amendments to the Federal Constitution.

A proper awareness of our right to religious liberty as Americans require some reference to the condition of peoples less fortunately placed, in the past and in the present. During many centuries it was generally assumed that the peoples of Europe were either Christian or being made so. They were Christianized according to the methods then chiefly obtaining—by cultural impingement and by military conquest. The Middle Ages was the period of the Christianization of the Germanic tribes. The 16th century Reformation did nothing to disturb the parochial and territorial patterns: If anything, they gained increased authority as the various kings and princes came to function as lay bishops in the Lutheran, Reformed, and Anglican Churches which had severed their ties with Rome. During the dreadful wars of religion of the 17th century, the various parties continued to use their claims to universal authority to justify the utmost savagery in the name of religion. With the coming of the enlightenment and modern ideas of toleration, the status of the nonconformist or dissenter was reluctantly established at law. But the facade of "Christendom" was perpetuated by various forms of establishment, most of them continuing to the present day.

The established churches of Europe have proved increasingly incapable of serving the religious needs of the various peoples and nations, being utterly out of tune with modern views of liberty and with the realities of industrial civilization. They have lost the two most important elements in modern society—the intellectuals and the working classes—and they have proved too feeble to prevent the rise of the most effectively anti-Christian ideologies in many centuries: Nazism and communism. After two world wars, two types of totalitarianism, two depressions (Europe suffered an acute depression in the years 1921–24), they confront us with a situation which their ablest young theologians call post-Christian.

In France, for example, a traditionally Catholic people has become a prime example of baptized heathenism. A few years ago the Archbishop of Paris had the situation surveyed, and the figures released showed that only 16 percent of the population in metropolitan France, men and women, kept the minimal requirements set by the Fourth Lateran Council (A.D. 1215): one confession and one communion a year. In Italy, a survey authorized by the Cardinal Archbishop of Milan showed only 11 percent of Italian men performing the same minimal exercises. In other words, 84 percent of the population of greater Paris and 89 percent of the men of Italy—vaunted by some as bulwarks against atheistic communism—are by definition excommunicate.

In the Protestant north the case is no better. Of the people of Sweden, 98 percent are reckoned communicants of the Lutheran state church; the situation in Denmark is roughly the same, and by such procedures Denmark contributes over 4.5 million Lutherans to the rolls and Sweden 7 million. Behind the facade, however, their own official surveys show 3.6 and 3.4 percent of the populations in effective relationship. In England, according to another survey, church affiliation is 15 percent effective, 30 percent friendly, 40 percent indifferent, and 15 percent hostile to organized religion.

On the very face of it, let alone when one probes the ethical and moral and spiritual situation, the whole pretense of Christian nations and Christian civilization is today an open fraud. Worst of all, it stands as a barrier across the path of a thoroughgoing renewal and recovery of the church. From a soundly religious point of view, the only way to view the Christian West today has been expressed by a great Dutch theologian:

"The Christian church, religiously speaking, in the West as well as the East, is standing in a pagan, non-Christian world, and has again to consider the whole world its mission field, not in the rhetorical but in the literal sense of the word." [1]

TWENTIETH CENTURY TOTALITARIANISM

When we regard the record of the state churches in respect to the totalitarian creeds and systems, the fundamental sickness of Christendom becomes even more plain to see. For the real tragedy of the ages has not been the persecution of the church, as widespread and savage as that has been. The tragic fact of the 20th century, the fact which led the martyr Dietrich Bonhoeffer to see in this age the awful face of the anti-Christ, has been the wholesale apostasy of millions of the baptized.

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[1] Kraemer, Hendrick, "The Christian Message in a Non-Christian World" (N.Y. & London: Harper & Bros., 1938), pp. 16–17.

The attack of the totalitarians on the church, which is implicit in the unity of dogma of the Nazi and Communist creeds, became violent when rock bottom was reached. Communism has been more openly anti-Christian, although such governments have not been above the exploitation of associations of progressive Christians and Marxist-Christian institutes. At first, fascism claimed to be a defense of religion and morality against the threat of atheistic communism. Many fell for this line, including Catholic and Protestant churchmen in high position. Many of the baptized then betrayed their calling and reverted to their prebaptismal status as gentiles. But finally a hard core of resistance was revealed among a small minority—often passive, largely hidden, but persistent. The church then entered the arena of the church struggle.

The church struggle has not been a clean-cut spiritual battle between avowed Christians and avowed anti-Christians. For many of the corruptions of the established churches have deserved criticism and attack: e.g., their misuse of state power and coercion against other faith groups, their resistance to land reform, their identification with the privileged classes rather than with the common folk. Moreover, the style and method of the totalitarian movements has been infiltration and subversion, and many sincerely committed Christian leaders have been slow to discern the spirits and isolate those who were using Christian slogans and inspirations for essentially unbaptized purposes. Thus the church struggle has been most of all "a struggle of the church against itself for itself,"[2] and its most heartrending quality has not been the persecution of the faithful minority but the wholesale apostasy of the majority of so-called Christians.

Communism came to power in Russia in good part through the degeneracy of Eastern Orthodoxy. Mussolini and Hitler were assisted to power by a corrupt and faithless type of established Catholicism and Protestantism. Even in America, the attacks of the political underworld on our constitutional institutions and our liberties are assisted by the skillful misuse of Christian slogans and by corrupt alliances of vicious politics and lowgrade culture-religion.

The totalitarian style in the religious field is worthy of studied attention, for it can readily be seen that the positive religion (positives Christentum) of the Nazis and the progressive religion of the Communists have their counterpart in the "nonsectarian religion" which some seek to establish at law, here. Churches and creeds are to be manipulated or used to further the people's state, or the German way of life (das deutsche Volkswesen), or the American way of life, or perhaps the southern way of life. Article 24 of the NSDAP program is clear enough:

"We demand freedom for all religious sects in the state insofar as they do not endanger the state or work against the custom and morals of the German race. The party as such represents the point of view of a positive Christianity (positives Christentum) without binding itself to any particular confession."[3]

The statement that these presently proposed prayer amendments involve only nonsectarian prayers, nonsectarian religious observances, nondenominational religious observance, nonsectarian or nondenominational prayers is doubtless meant to be reassuring. But to those who have studied the rise of modern totalitarian movements and systems it has precisely the opposite effect. To the actual practitioner, prayer and other religious observances cannot be divorced from real communities of faith and actual historical commitments. Religion in general is offensive to any believing person, be he Jew or Catholic or Protestant. Nor is the watering down of the several faiths to create a new common core for the public liturgy as harmless, indeed banal, as it at first seems: it is part and parcel of the rebellion and apostasy of this age, of the very widespread effort to misuse the outward forms of religion for other than truly consecrated ends.

The totalitarian misuse of cultic practices commonly features two catchwords: in the public arena: nonsectarian religion, in the private world: spirituality (Geistigkeit). In the recently published Nazi program for a final solution to the Christian problem, Nationalsozialismus und evangelische Kirchen im Warthegau,[4] and in the new legal code governing religion in Communist East Germany (the D.D.R.),[5] the same two-pronged subversion of high religion is put into effect:

1. Religion is to bless and serve, in a nonsectarian and positive way, the interests and values of the society at large;

2. The churches as historic communities are increasingly to withdraw to individual and familial affairs, to concentrate on the pigmy world of private piety.

Thus, while in the name of religion a public cultus of doubtful orientation is established, the actual communities of faith are to be driven out of public life. It will not have escaped the attention of this committee, I am sure, that many of the forces rallied behind this proposed outward display of public piety are equally vociferous in condemning the churches and their leaders when they proclaim the Crown rights of the King in all spheres of our social existence. "Why don't the preachers stay out of politics?" is the question asked constantly in the Communists' Neues Deutschland, the Nazis' Volkische Beobachter, and in Carl McIntire's New Reformation Newsletter. The real purpose of the totalitarians, behind the facade of an inexpensive outward display, is to drive the churches into a purely privatized domain.

Faced by such attractive and insinuating betrayal of historic faith commitments and disciplined obedience, the faithful church can only answer as did the Confessing Church of Barmen in the declaration of 1934:

"We repudiate the false teaching that there are areas of our life in which we belong not to Jesus Christ, but another lord, areas in which we do not need justification and sanctification through Him.

"We repudiate the false teaching that the church can turn over the forms of her message and ordinances at will or according to some dominant ideological and political conviction."[6]

The exact theological significance of religion in general and vague spirituality has been given by a competent student of totalitarianism:

"The claim of the National Socialists that there had not been in Germany so much spirituality for many years as for instance as in the year 1933 or during the war is not false; yet it was a faith which had in every respect lost its integrity, a false faith in content, purpose and style."[7]

If we reflect wisely upon the lessons of recent decades, we shall be very skeptical of expressions of religion in general, expressions which may be appealing on the surface but reflect no deep commitment to known traditions of discipline. The phraseological approach to religion is one of the foremost indications of the sickness of Christendom. The honest man does not easily verbalize a position which he is not prepared to make a matter of disciplined commitment.

THE AMERICAN EXPERIMENT IN LIBERTY

The question naturally arises how, if the door to totalitarianism was opened in part by corrupt establishments of religion, such movements have gained a following here. To answer this query requires a brief excursion into American church history. In sum, it can be asserted that those elements most prone to fall into pretotalitarian ways of thinking and acting are those which have not yet mastered the meaning of the American standard of religious liberty and separation.

During the first period of American church history, of course, our church life was patterned after the Christendom of the Old World. More precisely, our colonial state-churches used the same methods of coercion and persecution as obtained in Britain. Until 1820, 85 percent of the U.S. population was of British descent and—officially—Protestant. Eight colonies had state churches, four more had established religions, and the solitary exception—Rhode Island—was not able to moderate the overall practices until she took her stubborn stand for a religious liberty guarantee during the ratification of the Federal Constitution (1789–91). And even though the standard of liberty was raised at the time of the founding of the Republic, state-church practices continued in New Hampshire until 1817, Connecticut until 1819, and Massachusetts until 1834. Discrimination against religious minorities continued at law for much longer, and it is only in the modern period that in many areas the old Protestant hegemony has begun to yield in the public liturgy. We did not, in short, in spite of the myth so carefully cultivated in some circles, achieve religious liberty all at once. Much rather, it is a standard to which we have only slowly and painfully been learning to repair.

Contrary to the opposite myth, also widely held, our fathers did not successfully establish a "Christian" Nation. That they tried to, during some two centuries of law and administrative decree, is I think not subject to historical dispute. But they failed, as every state church fails when men achieve enough literacy and love of liberty to make their own choices. The only religious communication suitable for men who love liberty is that persuasive conviction attested by persons with names and faces, who speak to others with the open face of truth. As Mr. Justice Black said in *Engel* v. *Vitale*, "a union of government and religion tends to destroy government and to degrade religion." That the colonial state churches achieved—like the European state churches, if honest statistics were used—the spiritual alienation of the people has been attested by the late dean of American church historians, William Warren Sweet:

"At the end of the colonial period there were undoubtedly more unchurched people in North America, in proportion to the population, than were to be found in any other land in Christendom."[8]

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[2] Cochrane, Arthur C., "The Church's Confession Under Hitler" (Philadelphia: Westminster Press, 1962), p. 19.

[3] Littell, Franklin H., "The German Phoenix" (N.Y.: Doubleday & Co., 1960), p. 3.

[4] Gürtler, Paul, "Nationalsozialismus und evangelische Kirchen im Warthegau" (Göttingen: Vanderhoech & Ruprecht, 1958), Appendix, Document 8. The Warthegau was the resettled section of Poland in which, under direct authority of Martin Borman, the Nazis experimented with those measures which were to be used against the churches in the homeland once the war was won.

[5] "Die Kirchen in der Deutschen Demokratischam Republik," in Bechmann, Joachim, ed., "Kirchliches Jahrbuch" 1958 (Gütersloh: Gütersloher Verlagshous Gerd Mohn, 1959), p. 199.

[6] cf. "The German Phoenix," Appendix B.

[7] Buchheim, Hans, "Glaubens Krise im Dritten Reich" (Stuttgart: Deutsche Verlags-Anstalt, 1953), p. 17.

When the second State constitutional convention was held in Georgia, in 1786, out of 80,000 persons less than 500 were on all the church rolls put together. Across the new Nation, when the people had their choice, they exited the establishments, en masse. Church membership fell to less than 10 percent of the population, and Catholic and Protestant missionary societies in Halle, Paris, London and elsewhere began to discuss the religious situation in North America in the same bulletins and even in the same paragraphs as that in China and India and Africa. And they began that great work, of sending missionaries and literature and other supplies, which continued well past the middle of the 19th century. America, at the end of two centuries of formal establishment of religion, was needy missionary territory.

The men who won the battle for disestablishment, and who raised the great standard of religious liberty, had come to believe however that religion could be made viable on another basis: on the basis of voluntary commitment and support. It was above all the experience with the great awakening, that first national movement in the Americas, which convinced the founders of the Virginia Bill of Religious Freedom and the first amendment that noncoerced religion would work, and that it would produce a better quality of church membership and a more stable commonwealth in the process.

We can scarcely praise too highly their courage in risking such a departure from the ancient order of religious coercion, a departure which has for long spared America from the twin evils of the state-church and the militant and persuasive anticlericalism which the state-church produces. Because religious liberty was secured by men of faith, we have not—until recently, as the churches have begun to cool off in their sense of mission, in their universalism—suffered the vicious style of ideological politics which has so debilitated even the healthiest countries of Europe. Our style has been enthusiastic and voluntary religion combined with pedestrian and problemsolving politics, contrasting very sharply with the combination of apocalyptic politics and deadly religion which has characterized European Christendom in decline.

Nor should we underestimate the risk which our fathers took when they determined that:

"No man shall be compelled to frequent or support any religious worship, place or ministry, whatsoever, nor shall suffer on account of his religious opinions or belief; opinion in matters of religion shall in no wise diminish, enlarge or affect civil capacities. The rights hereby asserted are of the natural rights of mankind."[9]

The reference to natural rights is important, for it shows the context of religious liberty. That liberty, they declared, was neither created nor granted by government: it was prior (logically, not chronologically) to the frame of government itself. Much of the present discussion is wrongly conceived and wrongly directed, for it presupposes a history of toleration rather than an affirmation of liberty. In fact, the whole discussion of religious liberty ends as wrongly as it begins if the political question is primary: i.e., with the political benefits to be derived from efficient use of religion. Most of the so-called prayer amendments are set within the context of toleration rather than liberty, as the repetition of the demurrer reveals: "Nothing in this article shall constitute an establishment of religion." The same misapprehension would seem to lie back of the apology for arrangements in the Prayer cases, which generously provide that dissenters may remain silent or be excused from the room. This is not the atmosphere of liberty, but rather the style of toleration.

Our enjoyment of religious freedom in America does not now depend upon a tolerating frame of government: the whole area of religious concern and obedience is removed from political control, and placed under the protection of the courts. According to the constitutional rule here established, if the Constitution should be amended to establish or partially establish a church or a religion, such amendment would be unconstitutional even though the outward forms of due process were observed. For by this act of self-abnegation, which many authorities consider the major American contribution to constitutional theory, it was declared that religion is forever removed from the authority of Government either to persecute or to tolerate or to assist. Religious liberty is beyond the reach of any constitutional enactment whatsoever, and those who highly regard the American Constitution and the quality of that religious service which is voluntary and uncoerced will not allow deference to outward formalities to divert them from the heart and core of the matter. In the words of Mr. Justice Jackson, in *West Virginia Board of Education* v. *Barrette:*

"One's right to—freedom of worship—and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections.

It is important to insist that these rights were not created by the Bill of Rights: the bill simply declared truths which were already true, recognized rights which were already given by the author of our liberties himself.

Our early fathers did not succeed in creating a Christian people by legislation: that goal cannot be reached in that way, even though for centuries well-meaning men have attempted it. Nor did our fathers of the Constitutional Conventions establish religious liberty once and for all. What they did was to separate the two covenants—the political from the religious. What they dared was a dramatic proposition: That men could be good fellow citizens even though they went to different churches. The true religious implication of the standard they raised has been summarized by the great church historian, Philip Schaff:

"The glory of America is a free Christianity, independent of the secular government, and supported by the voluntary contributions of a free people. This is one of the greatest facts in modern history."[10]

James Madison and his allies had seen enough of the coerced kind, with the show of outward piety which scarcely conceals inward spiritual alienation. Madison put the argument against such low-grade religion succinctly:

"During almost 15 centuries, has the legal establishment of Christianity been on trial. What have been its fruits? More or less in all places, pride and indolence in the clergy; ignorance and servility in the laity; in both, superstitution, bigotry, and persecution."[11]

To many, the risk seemed very great, for religion and religious observances had always been used as a kind of social cement, as the mysterious means for holding a people together. In all of the pre-Bible religions, the function of the gods was to serve men's purposes—to bless and sustain the values and norms, and even the political and military purposes of the society. The cultic practices were devices to compel, or sometimes even trick, the gods into performing well for the desired human ends. With the Biblical covenant, a new level was reached: Israel's "leap in being" came when the God who is truly God created for Himself and for His own purposes, out of many peoples and tribes, a servant people.[12] That was Israel's charter of existence, and Christians believe it was confirmed as the charter of the new Israel. But human rebellion is such, and the material the God of history has had to work with has been so refractory, that again and again—in the Christian era too—the baptized have reverted to unregenerate ways of manipulating religion.

A low-grade Canaanite religion has often replaced the life of obedience in the covenant, and all too often unscrupulous political forces have attempted to use an outward show of religion for the achievement of essentially unbaptized purposes. Even in the American setting, where liberty and voluntaryism are our heritage, where churches have tended to settle back to the level of a comfortable culture-religion, they have sometimes forgetfully attempted to use religion in the old way—rather than to maintain the high and vigorous effort of sustaining a voluntary covenant. Religious liberty is not, in short, something we have "had": it is something to be gone out after.

The fathers of our religious liberty made it possible, at least, for the church to be truly the church, and for true religion to serve those high ends to which it is rightly called. And it was the great accomplishment of the second period of American church history that, beginning with an unchurched people, our fathers in faith invented "new methods" which made religious voluntaryism a viable practice. Our constitutional fathers opened the way for voluntary membership, attendance, and support. Our church fathers made the voluntary system work—against all the gloomy predictions of most European churchmen and many American state-church men as well. The last 150 years have seen voluntary church membership brought from 7 percent to nearly 70 percent of the population, with 96 percent of all Americans 14 years of age and older claiming affiliation.[13] Seldom, if ever, in 2,000 years of church history have there been such mass accessions to the Christian faith—and never before on a willing basis. The confidence of Mr. Justice Bradley in our forefathers' judgment has been more than justified—their judgment "that religion should be left to the free and voluntary action of the people themselves." He wrote further:

"I do not regard it as manifesting any hostility to religion, but as showing a fixed determination to leave the people entirely free on the subject.

"And it seems to me that our fathers were wise; that the great voluntary system of this country is quite as favorable to the promotion of real religion as the systems of governmental protection and patronage have been in other countries."[14]

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[8] Sweet, William Warren, "The Churches as Moral Courts of the Frontier," II "Church History" (1933) 1:3.

[9] cf. Hunt, Gaillard, "James Madison and Religious Liberty," annual report of the American Historical Association (1901) I, 427–28.

[10] Schaff, Philip, "Germany: Its Universities, Theology and Religion" (Philadelphia and New York, Lindsay and Blakiston/Sheldon, Blakeman and Company, 1857), p. 105.

[11] II "Writings of Madison," 187.

[12] Voegelin, Eric, "Order and History, I: Israel and Revelation" (Baton Rouge: Louisiana State University Press, 1956), p. 123.

[13] Littell, Franklin H., "From State Church to Pluralism" (N.Y.: Anchor Books, 1962), pp. 31–32; also, the March 1957 Current Population Survey (CPS) of the U.S. Bureau of Census: "Religion Reported by the Civilian Population of the United States: March, 1957," "Current Population Reports," series p. 20, No. 79 (Feb. 2, 1958).

Now, nearly 100 years later, we can only say that his judgment on the merits of the American voluntary system was overly restrained: the merits of the voluntary system are far greater and the evils of coercion and patronage far worse, than he then noted.

The Protestant "new methods" ranged from field preaching, the camp meeting, the Sunday school movement and Chautauqua to radio and TV preaching and house-to-house visitation. Of the old British background, the Baptists and Methodists and Disciples or Christians were the most successful revival churches. The newer immigrations, after a few years in which they lost heavily to the dominant religious culture, also developed "new methods"—unique to the American setting—adequate to hold their own and to gain ground. The Catholics developed teaching and missionary orders and a splendid system of parochial schools. The Jews established major cultural institutions and a great network of charitable and community service organizations. At the end of the second period of American church history, the period during which voluntaryism was made a viable alternative to coercion, all three of the major traditions are better attended on, better supported, and more potential for good than was any American church in 1810, or 1710, or 1610. This must be stated bluntly as rejoinder to those who long for the "good old days" of "Christian America"—an imagery which is at best a mythical construct and at its worst a backdrop to a nasty Protestant nativism. The "golden age" of religion in America is not in the past at all, contrary to the doom sayers: it lies, potentially at least, in the generation directly before us.

During the transition to religious liberty and voluntaryism, the actual identity of the American churches ceased to be welded to the old coercive establishment of Christendom, and shifted to that of the other younger churches of Asia, Africa, and the islands of the sea. The American churches were in fact the bright morningstar of the "Great Century of Christian Missions" (K. S. Latourette), the century which has seen the Bible and basic Christian literature translated into a larger number of languages and converts won among a larger variety of peoples than in any other period of church history. Our true story is that we are children of the mission.

The self-image of American churches is still confused, however, and this has been and still is a fertile source of the dangerous tendency of some church people to revert to measures more in line with the persecutions of the first period than with the voluntaryism of the second period of our religious history, more in line with the European Christendom of the past than with the world Christianity of the future.

THE AGE OF DIALOGUE

The third period of American church is termed by sociologists, "the period of pluralism." That is, it is the time when we must work out the implications of the fact that our society consists of persons of the most varied cultural, and racial, and religious backgrounds. Many of the customs which were adequate when the society was essentially monochromatic, when the vast majority of "entitled" citizens was white, Anglo-Saxon and (officially) Protestant, are no longer equitable nor just. The genius of Mr. Justice Brennan's concurring opinion in *Abington* v. *Schempp* seems to me to lie precisely in his comprehensive and judicious grasp of the fact that "our religious composition makes us a vastly more diverse people than were our forefathers." Avoiding the temptation to sloganize and indulge in nonhistorical dogmatics, and holding to the spirit of the common law, he has insisted that "our interpretation of the first amendment must necessarily be responsive to the much more highly charged nature of religious questions in contemporary society." This brings the discussion down to the level where it belongs: to the level where most questions of initial disagreement can be resolved, if neighbors will deal with each other in the spirit of a maximum of good will and a minimum of dogmatics. There is ample evidence in the murderous years of the 20th century that the worst kind of politics is ideological politics—whether religion or antireligion is the form of it.

Our confusion as to the proper role of religion in public life has been polarized and poisoned by two mythical constructs: (1) The notion that sometime in the past America was made a Christian nation, and that the right kind of governmental action can keep it such; (2) the notion that sometime in the past religion and public life were utterly separated, with a "wall" placed between them, and that religion is therefore a purely private matter. What we must do as churchmen—Jews, Catholics, Protestants, and others—is to work out the positive meaning of our liberty in a way to do honor to our voluntary religious communities and thereby also to strengthen the texture of our civil liberties. And we must remember to be on guard against the tendency, all too natural and traditional, to seek to misuse political power to enforce our own religious opinions or preferences.

The proper role of a church where commitment and discipline is voluntary is quite different from that of an establishment. The leaders of an establishment profess to speak for the whole of a citizenry, and they urge directly upon the government such political measures as best serve their interests. The style of free churches is first to attain a measure of internal consensus and discipline, and then to take their recommendations as a group testimony to the society at large. The free church in a free society is forbidden the art of conspiracy and secret influence which was customary in state church situations: If convinced of the importance of a piece of legislation, after having tested it and validated it by internal discussion and discipline, it must then bring the argument into the public forum on the basis of its general social merits. To define the negative limits: the free church in the free society is not acting in good faith if its leaders seek to attain by political legislation what they have failed to reach by internal discipline; nor is it acting in good faith if the arguments used in the public forum are those only appropriate to the community of faith itself. Most of the arguments advanced for the so-called "prayer amendments" in fact fall under the latter condemnation.

This argument might bear development, for it is precisely at this point that in their pressing for public legislation—in regard to Prohibition, or the antievolution Laws of the 1920's, or in restricting the dissemination of birth control legislation—our churches have followed familiar paths of establishment politics rather than develop approaches appropriate to free churches in a free society. This was natural enough, in view of the long centuries of close identity between church and state, but it has more than once sacrificed the liberty of minorities to the mistaken zeal of those who controlled a righteous majority. Our burden as churches is to cut new trails, finding new ways to further respect and strengthen right relations between our religious communities, and to base the public policy on a much higher expression of religious concern than mere coercion or intimidation. When religious initiative descends to such level, it is both unworthy of highgrade and responsible religion and it it is also subversive of that public policy which reflects judicious decisions after full, free, and informed discussion.

It is perhaps worth noting that the pressure which brought laws making Bible reading or morning prayer obligatory in a considerable number of states came precisely at that time (1910) when internal discipline was breaking down in the larger denominations. There is more than external evidence that the effort to legislate a formal kind of piety reflects the settling of major religious bodies into the mindset and habits of establishments.

The creative potential of the present age is best expressed under the rubric, "the age of dialog." For it is the steady growth of interdenominational cooperation, coupled with the emergence of the Catholic-Protestant and Christian-Jewish dialogs, which creates the powerful energy toward religious and civic good. Until the political and religious covenants were separated, true dialog between persons of different faith commitments was impossible. No real dialog can be held between persons, one of whom has a sword in his hand and the other of whom has a noose around his neck. There is a noble reference in the encyclical, "Pacem in Terris," by Pope John XXIII of blessed memory:

"Every human being has the right to honor God according to the dictates of an upright conscience, and therefore the right to worship God privately and publicly." (par. 14.)

It is this natural right to an upright conscience, which many (officially) Catholic and Protestant and Orthodox nations have not yet recognized, which is guaranteed Americans by the first amendment. And it is this which makes honest and open discussion possible in regard to the finer matters of faith and practice.

The point can be illustrated by reference to an apocryphal story of the University of Paris during the high Middle Ages. On this occasion a committee of the Holy Office visited on a professor rumored to be guilty of heretical opinions. He was asked if he were prepared to confess the threefold God of the Holy Trinity. He is said to have replied that rather than be put on the rack he would gladly confess a fourfold god.

Our religious liberty, worthy of the most zealous defiance against all who would tamper with it, guarantees us the probability that when a fellow citizen of different background and persuasion brings forward his question or concern it is a genuine one. We can assume that he really means what he says, and then we can speak and listen to each other with mutual dignity and respect.

Theoretically, complete indifference to religious issues might be an alternative to controversy. In human history, however, there have been but two ways of resolving fundamental differences: Violence and coercion (by far the most frequently used method) and concerned discussion. The alternative to the dialog is, in short, the knife. And even after the standard of religious liberty had been raised our churches have frequently fallen back into the old style of coercion, particularly when confronted by the anxiety-producing need for rapid change and adjustment. This is the situation now, when the last remnants of an earlier Protestant domination of the public liturgy are steadily being removed from the public schools.

The most violent resistance, and the most ardent defense of the old customs of coercive establishment, have in America usually come from Protestants. During the three decades before the Civil War, the old settlers organized the American Protective Association, the Order of the Star Spangled Banner, and other coercive instruments to resist the influence of the Catholics. The "Know Nothings," at their peak, controlled Governors, State legislatures, and were a political power in 35 States. Catholic buildings were burned and laws were proposed which would limit the franchise to persons resident for at least 21 years and forbid public office to all Roman Catholics in perpetuum. In the view of many historians, only the emerging sectional conflict forestalled major civil conflict on confessional lines.

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[14] Miscellaneous Writings of Joseph P. Bradley (1901), 358.

In the 1928 election, religious bigotry again became a major political force, and even in 1960 some Protestant primitives organized or regrouped on politicoreligious lines. In terms of our religious history, the victory of a presidential candidate who was also a Catholic layman in 1960 gave Protestants a chance to rethink their self-image and their image of America. Some have become nastier and meaner as a result of frustration, and have alined themselves with racists, radical rightists, and other subversives in a frontal attack on the Supreme Court, the Constitution, and the Bill of Rights. For most Protestants, however, this has been a time to remember that our most glorious heritage is not the memory of the early state churches when we persecuted others, but the period when the voluntary principle was made operative.

In these years of rethinking our role in American life, the Protestant underworld has continued to spawn a number of viciously anti-Catholic and anti-Semitic groups. The major and responsible churches, however, assisted in the interreligious dialogue by the National Council of Churches and the National Conference of Christians and Jews, and realizing the opportunities opened up by our American system of religious liberty, have moved ahead more consciously to affirm the principle of voluntary obedience to religious commitments. And this is, for American Protestants, the watershed choice: (1) Whether to perpetuate a self-image as America's dominant tradition, regardless of the facts of life, and to cling desperately to those residual privileges left over from an earlier age, or (2) to accept the voluntary principle as a God-given opportunity to build a new kind of church action—more evangelical, more mobile, better disciplined, and more devoted to service of the least brother.

It is worthy of note that the major burden of this choice rests with the people of the southeastern section of the United States. In spite of high population mobility during and since World War II, the culture in that area is still predominantly Protestant and traditional. And today, as a result of Communist conquest in eastern Germany, it has become the largest single bloc of intact Protestant culture left in the world. Moreover, it is in this area that major solutions to the race issue—the "moment of truth" for all our churches—must be worked out. Four out of 5 Negro Christians are Baptists; 1 of 6 is a Methodist; 1 out of 30 is anything else.

The crisis has produced on the one hand a great upsurge of anxiety, expressed in an unholy alliance of political and religious reaction. The characteristic style of this alliance is a massive assault on the civil order, upon due process of law, and upon our most hallowed American institutions; the assault itself is but partially masked by the misuse of an outward show of religion, by the repetition of pious phrases, by the affrontery of the big lie: that our constitutional tradition of separation of the two covenants is "secularistic," "antireligion," or even "communistic." The most direct parallel to the combination of lowgrade spiritual forces which helped to bring Nazism to power in Germany is most striking.

The texts which cover this alliance of pious hypocrisy and public wickedness are found at Matthew 23:24–28.

"Ye blind guides, which strain at a gnat, and swallow a camel.

"Woe unto you—for ye make clean the outside of the cup and of the platter, but within they are full of extortion and excess.

"Ye are like unto whited sepulchres, which indeed appear beautiful outward, but are within full of dead men's bones, and of all uncleanness.

"Even so ye also outwardly appear righteous unto men, but within ye are full of hypocrisy and iniquity."

There is yet ground for cautious hope that our American churches, and particularly the Baptists and Methodists with their tradition of religious liberty, may resist the pressures to reduce them to a lowgrade tribalistic religion, and come forth with a new burst of devotion to the universal Lord of the universal church.

Certainly it is the responsibility of this committee, and of this Congress, to defend and strengthen the purpose of our fathers that high-grade, voluntary religious commitment should have an area of liberty within which it could grow and flourish. As Claus Felbinger, one of the earliest martyrs to religious liberty, put it:

"God wants no compulsory service. On the contrary, he loves a free, willing heart that serves Him with a joyful soul and does joyfully what is right."[15]

None of us, citizen or representative, has the right to play to the crowd and to leave to the Supreme Court the burden of the defense of our liberties.

We are meeting at a time when wicked men are mounting a major assault on our Constitution and on our Bill of Rights. We read daily reports of how 10 percent of our citizens are brutalized, intimidated, kept insecure in life and person. We must watch trial by jury, which is the form of law, misused to subvert justice, which is the substance of it. If we really want to know and do the will of God for these times, the answer to the "prayer amendments" has been given in Amos 5:22–24:

"Though ye offer me burnt offerings and your meat offerings, I will not accept them: neither will I regard the peace offerings of your fat beasts.

"Take thou away from me the noise of thy songs; for I will not hear the melody of thy viols.

"But let judgment run down as waters, and righteousness as a mighty stream."

"The spiritual heritage of our Nation," for which Mr. Justice Stewart expressed anxious concern in his dissent in Engel against Vitale, will not be served by the ritualistic invocation of so-called "nonsectarian" phrases. "Be not deceived; God is not mocked * * *." (Galatians 6:7.) For it is "righteousness that exalteth a nation; but sin is a reproach to any people." (Proverbs 14:34.) The responsibility of this committee is, of course, a constitutional one. But let me add my assurance that in defending the first amendment, which has protected our religious liberty for over 170 years, you are also protecting high level, voluntary religion as well.

May I respectfully urge that the members of committee bury these amendments, which are contrary to the letter and the spirit of the American constitutional and religious development, and get on with the proper business of American legislative bodies. That proper business is not religion at all, but justice.

MINUTEMEN

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, for months, ever since the assassination of President John F. Kennedy, I have been trying to warn the American people and Government officials of a dangerous and threatening rightwing organization that calls itself the "Minutemen." Last week, on May 21, I stated in the Congressional Record that this is not only an extremist rightwing group, it is an armed extremist rightwing group. I now have evidence that the Minutemen, a self-styled armed guerrilla organization, is in part supported, subsidized, and encouraged by the Federal Government. The numbers and strength of the Minutemen is unknown. But I have evidence that at this time approximately 400,000 persons are receiving free of charge and at the taxpayers' expense ammunition and weapons from the Department of Defense through a little-known program called the National Board for the Promotion of Rifle Practice, and through its implementing agent, the Office of the Director of Civilian Marksmanship. Further, there is strong evidence that through the surplus weapons program and scrap material program of the Department of Defense extremist rightwing organizations such as the Minutemen and known criminal offenders are able to obtain in great quantities at a nominal cost automatic weapons including submachineguns and tripod-mounted machineguns, flamethrowers, aerial bombs, mortars, and other instruments of war.

On May 21 I inserted in the Congressional Record a news story from the Baltimore Sun relating the arrest of a "former" leader of the Minutemen and the seizure of a large stockpile of weapons. According to the news story, the weapons had been purchased as "scrap" and reconditioned. This illustrates the uses to which scrap, not to speak of surplus weapons, may be put by unscrupulous persons. And it raises certain questions in my mind as to how the Defense Department disposes of so-called surplus weapons and scrap. I would like to know what, if any, safeguards surround this program. I would like to know whether the Defense Department puts weapons into the hands of anyone who comes along, or whether it investigates the individuals who seek to purchase these materials—perhaps I should say materiel. I would like to know how weapons are declared surplus and scrap and how much they are sold for. I have not yet been able to learn the answers to these questions for there seems to be same reluctance on the part of the knowledgeable persons to discuss these matters over the telephone. But I have written to the Secretary of the Department of Defense and I am confident my questions on these points will be answered within a reasonable amount of time.

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[15] Quoted in Estep, William R., "The Anabaptist Story" (Nashville: Broadman Press, 1963), p. 143.

But equally disturbing is the implementation of the civilian marksmanship program. As I have said, under this program free ammunition and free weapons are provided to approximately 400,000 persons throughout the United States. This program dates back to 1903 when the National Board for the Promotion of Rifle Practice was established. Since that time Congress has passed a series of statutes which have as their objective the encouragement of marksmanship training with military arms by civilian citizens. There are two points about this program which I would like to discuss briefly.

First, the persons who receive free guns and ammunition from the Director of Civilian Marksmanship. The statutes governing this program are contained in title 10, sections 4307 through 4313 of the United States Code. In accordance with the statutes, the Secretary of the Army provides rifles and small arms and ammunition, as well as targets and other supplies, to members of the National Rifle Association. I understand that there are approximately 700,000 members of the NRA. Of these, about 400,000 belong to NRA clubs which have been authorized by the Director of Civilian Marksmanship to receive ammunition and weapons.

To receive these free supplies a group may follow these procedures: At least 10 persons form a club and become affiliated with the NRA. It then applies to the Director of Civilian Marksmanship for guns and ammunition. Technically, the Adjutant General of the State where the club is located and the NRA office of that State is supposed to investigate the club. After this investigation it is certified to the Director of Civilian Marksmanship and is then authorized to receive guns and ammunition.

I would now like to insert in the Record two interesting items. The first is a newsletter from an organization calling itself "Paul Revere Associated Yeoman, Inc.," dated March 22, 1964. Among the warnings and recommendations which this extremist group offers are the following: "Join the National Rifle Association; join the Minutemen."

The newsletter follows:

Paul Revere Associated Yeomen, Inc., New Orleans, La.

Urgent—alert—urgent. To all patriots and conservatives:

Conservatives will sweep the November elections—nationwide. The liberals will J astounded. They won't know what hit them

Constitutionalists will once again control the Senate—by about 51 to 49—by the defeat of the following six ultraliberal leftwing Senators: Muskie of Maine; Cannon of Nevada; Burdick of North Dakota; Pastore of Rhode Island; Moss of Utah; McGee of Wyoming.

Other Senators will then see the light and switch to the conservative side.

In the House, conservatives will replace more liberals, to become much more right of center.

In spite of Wall Street—Internationalist Banker all-out opposition, it is entirely possible that a Goldwater-Nixon team might be nominated by the Republicans—by popular demand—which would defeat the Democrats by a 60 to 40 vote in the election.

Then, such a conservative alinement—White House, Senate, and House—would have no difficulty in replacing six anticonstitutionalists now occupying the Supreme Court.

Once again, American would become a powerful Republic.

But what happens immediately after the November elections?

The diehard liberals and Reds, who have controlled our Government for 31 years, would certainly not accept this defeat lying down.

Their program of retaliation would most likely be:

1. An immediate demand by their foreign dollar holders for gold—instead of dollar credits. This would break our Treasury twice over.

2. An immediate and complete crash of the stock market. It would drop from 800 to 100.

3. Nationwide strikes and turmoil, led by one worlders such as Walter Reuther, Harry Bridges, etc.

4. Widespread race riots, rape, and murder—led by agitators such as Martin Luther King, Farmer, Wilkins, etc.

5. Thirty to forty million unemployed—as a result of above subversive activities.

6. Demonstrations, sit-ins, lie-ins, nationwide agitation and insurrection.

7. Seizure of the TV and radio stations, powerplants, waterworks, city halls, State capitols; by Communist revolutionaries—trained for years—for such an eventuality.

What should we do now to prepare ourselves to forestall these events?

We suggest, immediately:

1. Join the National Rifle Association, 1600 Rhode Island Avenue NW., Washington, D.C., which already has some 750,000 members, we understand.

2. Absolutely refuse to register or give up your arms—under any circumstances.

3. Stock up on rifles, shotguns, pistols—all of standard make; with lots of standard ammunition. Arm every member of your family who can shoot a gun.

4. Join "The Minutemen," Post Office Box 68, Norborne, Mo., for detailed survival instructions.

5. Consult with your next door neighbors on how best to protect your family and home. Arrange to wear certain kinds of caps or shirts for identification; so you won't be firing at one another in the confusion. Do not organize the whole block in your neighborhood, as 10 percent of the people are probably on the other side—trained for leadership of such neighborhood groups, to sell you into do-nothing surrender. Be your own leader of your own household and make it an armed arsenal.

6. Prepare yourself and your sons to fight in the streets, in the alleys, in the parks, in public buildings, around the waterworks, powerplants, city hall, TV and radio stations; while your wife and daughters protect their lives and your home with gasmasks, shotguns, rifles, and pistols.

Remember. The Communists cannot subdue an armed citizenry.

This revolution-insurrection by the Communists would last perhaps only a few days—until the Government forces—under martial 'aw—would quell these riots. The Army, Navy, Marines, State, and city police will win out—after a few days of bloodshed.

But be sure you have a 2-week supply of food and water on hand. If not, you'll wish you had.

But don't wait until November. The Reds would certainly beat us to the punch, when they see a certain conservative win coming next November. They most probably expect it already.

Begin now. Accumulate a 2-week supply of canned goods, soft drinks, beer, and bottles of water. Change the supply of water weekly if necessary.

Forewarned is forearmed. An ounce of prevention is now worth—the lives of your family. Act now. It's bound to come, this year.

N. S. Riecke, Jr.,
Founder.

Second, I would like to insert an article from the New York Times, dated May 13, 1964, entitled "12,000 Rifle Cartridges Seized From Harlem Gun Club Officers." This article illustrates in my judgment how the Government program can be, has been, and is being abused.

Twelve Thousand Rifle Cartridges Seized From Harlem Gun Club Officers

(By Thomas Buckley)

The seizure of more than 12,000 rounds of ammunition in the residences of two officers of a Harlem rifle club was reported yesterday by the police. At least part of the ammunition was provided free of charge by the Office of Civilian Marksmanship of the Department of the Army.

Assistant District Attorney Karl Grebow said there was no evidence linking the club or its members to any antiwhite groups, but that an investigation was continuing.

The two men, Cecil Chisolm, 28 years old, of 2146 Fifth Avenue, the president of the Tripod Rifle Club, and Thomas Barnes, 49, of 269 West 140th Street, received summonses for a violation of the Administrative Code. A special permit is required for the storage of more than 200 rounds of ammunition in a residence.

Supreme Court Judge Gerald P. Culkin, who issued the search warrant that led to the seizure, which took place Monday, said that while he approved of rifle clubs in principle, the police department should be given supervision of the storing of large quantities of ammunition and firearms.

TIP LED TO SEIZURE

Detective Leo Kitchman of the West 135th Street station said the seizure had been made on the basis of confidential information. He said that 646 rounds of the .30-caliber ammunition had been found in Mr. Barnes' residence and about 12,000 rounds, weighing 300 pounds, in Mr. Chisolm's.

Mr. Chisolm, an electrician at the West 59th Street power station of Consolidated Edison, indicated later he believed the club had been singled out for police attention because of its Negro membership.

He said that 4,200 rounds had been shipped to him 3 days earlier from a Government arsenal and that he had bought the rest from other sources.

Mr. Chisolm said he had received an honorable discharge from the National Guard as a staff sergeant last year after 10 years of service. He denied membership in any extremist group, and said he was personally acquainted with all 30 members of the Tripod Club.

WEEKLY TARGET PRACTICE

The group held target practice almost weekly, he said, either at West Point or the Brooklyn Army Terminal, and engaged in frequent matches with other rifle clubs.

In Washington, Frank Daniel, secretary of the National Rifle Association, which has 11,000 member clubs, said the Tripod Club had been affiliated with it since 1959, and was thereby eligible to receive the free ammunition and small arms from Government stocks.

Mr. Daniel said that any investigation of a rifle club or its members was conducted by its State rifle association and by the State adjutant general. The NRA and the Department of the Army makes no independent inquiry.

In Albany, Maj. Gen. A. C. O'Hara, chief of the State division of military and naval affairs, criticized what he termed inadequate investigation of rifle club members.

He said that it was impossible to fingerprint those who became officers or members of clubs, and that therefore he had returned the lists of applicants forwarded to him by the National Rifle Association without approval or disapproval.

Next, I would like to outline some of the costs of this program. In fiscal year 1963 the following rounds of ammunition were given away by the Federal Government: .22 caliber, 45,681,850 rounds; .30 M72 caliber, 1,382,476 rounds; .30 M2 caliber, 9,268,445 rounds; .45 caliber, 3,381,616 rounds; a total of more than 60 million rounds of ammunition. These figures do not include rounds provided free of charge for national matches. The cost of this ammunition to the Federal Government in fiscal year 1963 was $1,627,442.

I would like to emphasize that it is not my intent to attack or discredit in any way the National Rifle Association or its members. But I am trying to warn the American people and my colleagues in the House of a dangerous situation and a potentially explosive one.

When I wrote to the Attorney General's Office several months ago about the Minutemen I was assured in comforting tones that the Federal Government knew about the Minutemen and that they would "continue to study the matter." This was not a satisfactory answer, for the Justice Department could be still studying the matter when the shooting begins. Apparently the Government is subsidizing a private Army and a private Defense Department.

I expect to speak out further and at length on this subject, particularly on the armed extremists who call themselves the Minutemen. For now, I would like to ask one additional question: Where is the private Pentagon?

TOAST TO AMERICA

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, recently I have come across a very stirring message in the May 23, 1964, issue of America magazine. The author of the address entitled "Toast to America," is Msgr. Josiah G. Chatham, pastor of St. Richard's Parish in Jackson, Miss. He is a native of the Deep South and was a military chaplain during World War II. Monsignor Chatham's toast to our country was delivered on May 13 in New Orleans to an assemblage of the priest alumni of the North American College in Rome. The following is his address:

TOAST TO AMERICA

(By Msgr. Josiah G. Chatham, pastor of St. Richard's Parish in Jackson, Miss.)

Men, fellow Americans, brother priests, when a people write their history, there is a temptation to purge it of ugliness and to hand on a pleasant stereotype that departs, when convenient, from the harsh realities of the past. It has been so in our beloved America, to which I wish to propose a toast this evening.

Our political forefathers came to these shores from a Europe torn by religious strife and civil oppression. Christians were in a state of confusion. Europe was sick of soul. A fortunate few managed to find their way to America.

The adventurers spoke and wrote a great deal about religious freedom. In practice they often denied this freedom to their fellow colonists. But in spite of human weaknesses, contradictions and difficulties, the Founding Fathers hammered out a spirit and a way of life that became synonymous with freedom in the minds of many and in the imagination of the world. I doubt seriously that even a handful of North American College alumni, in all the years of the existence of our college, have been flesh-and-blood descendants of those who came first to these shores, of those who wrote the first chapters of the American dream. We spring rather from those brought here by war and famine of a later time. We are marked as heirs rather than as progenitors. The marvelously multiplied descendants of the *Mayflower* band would look upon us only as the beneficiaries of American freedom.

Though America was conceived as the land of the free and the home of the brave, the freedom and bravery have been laced with self-deception. Millions of Americans have gone to their graves without even dreaming that for most of America's history, two large segments of her population have been excluded from the benefits of freedom: the Indians from who the continent was wrested, and the Negroes, whose ancestors were brought to this land in chains. In large measure, our wars, our social tensions and the dangers we now endure as a nation are the harvest of the lipservice we have paid to Christianity.

Early in their history, the colonists began to traffic in human life. The coasts of Africa were raided by the Christian maritime nations of Europe; prisoners were taken by the tens of thousands, transported like cattle to the land of the Pilgrims and Thomas Jefferson—and sold. But America had erected a monument of burning words to taunt her own conscience: "We hold these truths to be self-evident; that all men are created equal." Every wind blew the hot breath of the Declaration of Independence right back into the face of America. The result was inevitable. The Emancipation Proclamation broke the chains of slavery forever. After almost 250 years of hypocrisy, all men in America became theoretically free. Since 1863 the Negro has struggled to make his paper freedom a reality.

Though American Negroes, with remarkable unanimity, embraced Christianity, the greatest obstacle to real freedom for the Negro has been the hardness of heart of his fellow American Christians whom the providence of God created white. By a certain cruel irony, the very Christian groups to whom the Negro flocked in greatest numbers have showed themselves most adamant and most opposed to the full enjoyment of American civil rights by these Christian American Negroes.

If things are bad today, imagine what they were in 1908. That was the year when the "New Colossus" poem by Emma Lazarus was fixed to the pedestal of the statue of "Liberty Enlightening the World"—that proud lady facing Europe from New York harbor, whose silent presence, for generations, made us returning Romans weep:

"Not like the brazen giant of Greek fame,
With conquering limbs astride from land
to land;
Here at our sea-washed, sunset gates shall
stand
A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon-hand
Glows world-wide welcome; her mild eyes
command
The air-bridged harbor that twin cities
frame.
'Keep, ancient lands, your storied pomp!'
cries she
With silent lips. 'Give me your tired, your
poor,
Your huddled masses yearning to breathe
free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tos'd to
me,
I lift my lamp beside the golden door!' "

Such is man's perversity that the things he desires most for himself, he most stubbornly refuses to others whose desires are just as great. Thus freedom and liberty, desired by every man and every community of men, have been allowed by men to prosper or even to exist in few times and few places in the history of the world. But America is supposed to be different. No other nation has a Declaration of Independence such as ours as the first chapter of its national history. No other nation has made so much of equality. The shores of no other nation are guarded by a Statue of Liberty.

As Americans, it is our duty to exercise the freedoms guaranteed by our Constitution. It is our duty, as Americans, to insist that all Americans exercise these same freedoms.

How strange it is in 1964, a hundred and one years after the Emancipation Proclamation, that the exercise of civil rights should be the object of debate in the Congress of America. Strange that the eloquent efforts of a Catholic President of the United States should have inspired hatred in so many hearts in so many places

On November 22, 1963, at Tougaloo College, in Mississippi, Elizabeth Sewell, an English Catholic poet, in bitter tears wrote a poem called "The Omens":

"The cry that drowned the death news,
That strange and mortal yell,
That was not Southern Negro,
But Troy and Israel
When they breached the final rampart
And the great city fell.

That was not women's weeping,
Men's groaning prayer,
But a flock of birds rose screaming
Through the suddenly thickened air,
Circled once, dark, above us,
Then took off God knows where.

Maybe that life goes onward
And all can be restored,
But instinct's premonitions
Are not to be ignored:
The city is fallen, fallen,
And black wings are abroad."

Men, fellow Americans, brother priests. We, who are beneficiaries of the American Dream, have all too often remained strangely silent. As Christians we recognize all men as members of the same human family, as descendants of the same Adam, brothers of the same Christ. Through sin and blood and tears, Divine Providence has assembled representatives of every segment of the human family here in America, and us among them, to give glory to God and hope to man. America is the place where Christians are being asked by God and man whether they will accept God's word concerning Christ's mystical body at its face value.

We, Roman priests, heirs of American freedom, are being given the chance to be progenitors. The world waits for our voices. We are heralds. God wills it. I give you America.

MIGRANT FARM WORKERS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, those of us who labored against the extension of Public Law 78 in the last session of this Congress were not under any illusion that the end of this odious law would solve all the problems facing migrant farm workers in this country. Nor, indeed were there illusions that the end of Public Law 78 would eliminate the floodtide of imported workers. More remains to be done if we are to eliminate all the abuses of farm labor.

Father John Wagner, for whom I have a great respect, recently pointed this out when he wrote:

MECCA OF CHEAP LABOR

(By Father John A. Wagner)

So much has been said in the last few years on the bracero program under which Mexican nationals come to the United States to work under the provisions of Public Law 78 than an even more vicious racket has remained undercover for too long.

I am referring to Public Law 414 under which Mexican nationals are permitted to come to the United States as green cardholders to whom we have given the title of "viseros." Once this visa is obtained by a Mexican national and he reports to his patron in the United States he can move anywhere in the States and engage in any kind of work that he chooses.

He also has the privilege of living in the United States or in Mexico, depending on where he finds it most convenient. Usually he works in the United States to earn American dollars and then in the off season he goes back to Mexico to live comfortably on his Mexican pesos while some U.S. citizen must swallow his pride as he lives on charity because of the job taken away from him at a cheaper wage rate by a foreigner.

ONLY REGISTER

All a Mexican national has to do to maintain this privilege is to register once a year during alien registration in January.

Up until about a year ago an employer could get up to 25 workers at a time without mentioning this to the Department of Labor. In an effort to curb this ever-increasing influx of cheap labor from Mexico, minus any of the controls which are a part of the bracero program, form ES-320 was introduced by which each individual worker would have to be requested by each individual employer.

MORE CONFUSION

I do not think that any form in the history of the United States has caused more confusion, uncertainty, and irritation than ES-320. To verify this, ask any of the employment service personnel from Texas to California and you will quickly get a violent reaction.

Why isn't more of the energy which has been or is being expended to operate the various programs concerned with the Mexican nationals, especially in the area of farm labor, used to develop the human resources of domestic workers? No wonder the economy of San Antonio and south Texas is what it is.

The way things have shaped up it is evident that several thousand Mexican immigrants brought into Texas for agricultural work and other kinds of employment have left their sponsors and have gone to other States where wage rates are higher and working conditions more attractive. Something must be done soon, otherwise Texas will become a port of entry to alien workers at wages which depress earnings in the United States and create unemployment in States where these workers are not needed.

VICIOUS PROGRAM

For years I have been speaking and writing against this vicious program. In an article published in Magnificat in 1962, I wrote:

"Agricultural employers and others, particularly in the Southwest, are 'sponsoring' increasing numbers of Mexican workers as immigrants under the McCarran-Walter Act. Technically, these workers could eventually bring their families with them and go into any employment they chose and become U.S. citizens if they wished.

"This program often becomes corrupt. Workers are treated very much like braceros but without the bracero contractual protections. Families are almost invariably left in Mexico.

"In Texas and other border States the visero program undermines all efforts to improve the living and working conditions of citizens. The importation of many thousands of viseros every year is one of the chief causes of prolonged and serious unemployment and underemployment among unskilled domestic workers. This, in turn, puts a strain on local agencies which must alleviate the needs of the jobless and their families."

CIRCUMVENT END

At the present time, with the end of the bracero program hopefully in sight, I feel that the flow of Mexican workers may well be an attempt to circumvent the scheduled December 31, 1964, termination.

BIGOTRY ENTERS THE PICTURE

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, an ugly fact has become apparent recently in the current debate on the so-called Becker amendment. The forces of bigotry have entered the fray and I think all Members should take note of it. I therefore commend to the attention of our colleagues the following article from the May 12, 1964, edition of the New York Herald Tribune by Rowland Evans and Robert Novak.

The article follows:

INSIDE REPORT: THE PRAYER AMENDMENT

(By Rowland Evans and Robert Novak)

WASHINGTON.—Although members of the House Judiciary Committee do not know it, the Citizens Congressional Committee now flooding Capitol Hill with mail backing the prayer amendment is operated, financed, and directed by Gerald L. K. Smith, notorious promoter of extreme rightwing causes.

Smith's backstage maneuvering is the best evidence to date that neo-Fascist hate groups have infiltrated the high-pressure campaign to change the Bill of Rights for the first time in history in order to legalize prayers in the public schools.

The campaign is beginning to encounter serious opposition from church leaders. What seemed a sure thing several weeks ago is anything but a sure thing today. And one of the major reasons for this fortunate change is the growing awareness that Smith's Christian National Crusade and other extremist organizations on the far right are so deeply involved in it.

Republican Representative FRANK BECKER, of New York, chief congressional advocate of the amendment, wrote the House Judiciary Committee on March 23 asking that Charles W. Winegarner be heard.

BECKER identified Winegarner only as the legislative secretary of the Citizens Congressional Committee. What BECKER did not tell (or did not know) was that Winegarner is also Gerald L. K. Smith's nephew. He also did not mention that the May 1964, issue of Smith's publication, the Cross and the Flag, described the Citizens Committee as "an auxiliary, financed and directed by the Cross and the Flag."

That same issue also had this to say about Representative EMANUEL CELLER, of New York:

"The bill has been held up by the Jew, EMANUEL CELLER, who is chairman of the Judiciary Committee."

On receiving BECKER's request, CELLER invited Winegarner to testify. His testimony was filled with anti-Semitic overtones, such as this thinly veiled reference to the Hebraic tablets of law:

"Gentlemen, need I remind you that the right to pray and conduct devotions in our public institutions has been written on the hearts of our people, and those who deal in tables of stone must not be permitted to repeal or erase this law of the heart."

Winegarner gave the committee a photograph (taken on the U.S. Capitol steps) showing members of his "Citizens Committee" unfurling a petition with 100,000 signatures backing the constitutional amendment. What Winegarner didn't say was that the same picture had already been published as the cover of the December 1963 issue of Smith's the Cross and the Flag.

Winegarner also neglected to tell the committee that he has held a regular job with the Cross and the Flag (though he's not listed on the masthead). On page 3 of the December 1962 issue of Smith's anti-Semitic organ are printed the pictures of the magazine's staff. Winegarner is depicted as one of the research assistants.

Within the Judiciary Committee, the fate of the Becker amendment is in the hands of half a dozen members. The other members have all but made up their minds, with the balance slightly tipped in favor of reporting the amendment. But the fact that almost all church leaders are now testifying against it is beginning to sway the undecided and buttress those opposed to the amendment.

These churchmen include the Episcopal Bishop of Washington, Bishop William Creighton; Dr. Edwin H. Tuller of the American Baptist Convention and Charles H. Tuttle, counsel for the National Council of Churches. Two Catholic publications—America and Commonweal—have both come out against any change in the Bill of Rights.

And testimony from Dr. Franklin H. Littell, a Methodist theologian from Chicago, warned about the far right using the prayer amendment as a Trojan horse:

"At first, fascism claimed to be a defense of religion and morality against the threat of atheistic communism * * * may I respectfully urge the committee to bury these amendments, which are contrary to the letter and spirit of the American Constitution and religious development."

AUSTRALIA PLEASED WITH MEAT AGREEMENT WITH UNITED STATES

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MORRIS. Mr. Speaker, a recent report by Reuters Agency, Ltd., indicates that the Australian grazers and meat industry representatives were extremely pleased with the meat import agreement concluded with the United States on February 17.

I understand the Sidney Daily Telegram called the agreement a "victory" and pointed out that if their negotiators had not been prepared to accept a voluntary cut in exports Australia would probably have been faced with "an arbitrary, unilateral import restriction."

It is quite obvious to me that our team of negotiators were not brought up in the world of hard bargaining as we in the West are so familiar with. It would appear to me that Australia was ready to accept a much more restrictive agreement on their part.

The Sidney Daily Telegram continued:

> Most of the relatively small cut—$15,680,000 out of last year's $179,200,000 exports to the United States—should be recouped through the 3.7 percent increase allowed for in 1965 and 1966. In any case, experts are confident Australia can sell "lost" meat elsewhere—probably at a higher price.

PROTESTS AGAINST EXHIBIT AT THE JORDANIAN PAVILION AT NEW YORK WORLD'S FAIR

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I read with great shock of the arrest yesterday of 12 persons at the New York World's Fair who had engaged in a direct protest against the prejudiced and propagandistic exhibit at the Jordanian Pavilion.

A noted clergyman, Rabbi Joachim Prinz, who is also president of the American Jewish Congress, was among those engaged in peaceful picketing and subsequently booked by the police. Rabbi Prinz has a long and courageous record of protest against untruth and injustice. That record goes back to the horrible days of Nazi Germany.

It is ironic but true that the fair's spokesmen, if they had acted firmly at first to enforce contractual arrangements, could have prevented this outburst of public indignation.

The Jordanian exhibition is injurious and insulting to the interests of another people. Fair officials had all the authority they needed to eliminate the irritating source of this dispute. The bylaws of the Fair Corp., whose purposes are to "spread the lessons of freedom * * * and advance the cause of world peace" is sufficiently applicable. At the same time, article XVI of the corporation's rules and regulations specifically disapproves concessions or exhibits which cast discredit upon other countries.

Rabbi Prinz, along with the many others who have protested this offensive exhibit has been motivated by the very theme of the fair, which is "Peace Through Understanding," and an abhorrence of untruth and injustice.

I trust that this unhappy incident, the arrest of these public-spirited persons, will result in a new look at the tremendous significance of the matter.

Robert Moses, president of the fair, and Charles Poletti, its vice president for international exhibits, must reconsider their decision. The mural violates the fair's own rules and regulations. These are sufficient reasons for its elimination.

It is significant that the fair's officials disapproved other exhibits on the basis of their failure to meet the fair's high standards. What more distinct standard could there be than the fair's own theme?

The Jordanians have outrageously violated this theme by their repugnant display and by the literature distributed at this pavilion.

This defiance of the fair's theme and outright distortion of truth was bound to stir indignation and provoke such demonstrations as occurred yesterday.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. Matsunaga of Hawaii (at the request of Mr. Albert) for today through May 28 on account of official business.

To Mr. Bow (at the request of Mr. Halleck) on May 27 on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Lindsay on Monday, June 1, for 1 hour.

Mr. Morse (at the request of Mr. Kunkel) for 1 hour on June 3.

Mrs. Dwyer (at the request of Mr. Kunkel) for 10 minutes on May 27.

Mr. Halpern (at the request of Mr. Kunkel) for 5 minutes today, May 26.

Mr. Feighan (at the request of Mr. Jarman) for 15 minutes, May 26.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Saylor and to include extraneous matter.

(The following Members (at the request of Mr. Kunkel) and to include extraneous matter:)

Mr. Morse.

Mr. Schneebeli.

Mr. Bates.

Mr. Horton.

Mr. Bell in two instances.

(The following Members (at the request of Mr. Jarman) and to include extraneous matter:)

Mr. Beckworth.

Mr. Healey.

Mr. Downing.

Mr. Pucinski.

Mr. St. Onge in two instances.

Mr. Addabbo in two instances.

Mr. Fraser.

Mr. Ashley.

ADJOURNMENT

Mr. JARMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 30 minutes p.m.) the House adjourned until tomorrow, Wednesday, May 27, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2115. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the July 1963–March 1964 report on Department of Defense procurement from small and other business firms, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

2116. A letter from the Comptroller General of the United States, transmitting a report on an examination of overstated cost estimates included in the initial target prices of incentive contracts AF 33(600)-36319 and AF 33(600)-38098 with the Boeing Co., Seattle, Wash., for the Bomarc A weapon system, Department of the Air Force; to the Committee on Government Operations.

2117. A letter from the Comptroller General of the United States, transmitting a report on a review of unnecessary costs incurred in transporting first-class mail by air, Post Office Department; to the Committee on Government Operations.

2118. A letter from the Comptroller General of the United States, transmitting a report on a review of additional costs resulting from failure to consolidate certain Federal communications services in the Washington, D.C., area, General Services Administration; to the Committee on Government Operations.

2119. A letter from the Archivist of the United States, GSA, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

2120. A letter from the Assistant Secretary of the Air Force (Installations and Logistics), transmitting a draft of a proposed bill entitled "A bill for the relief of Chief M. Sgt. Robert J. Becker, U.S. Air Force"; to the Committee on the Judiciary.

2121. A letter from the Postmaster General, transmitting a draft of a proposed bill entitled "A bill to amend title 39, United States Code, to authorize the Postmaster General to relieve postmasters and other employees for losses resulting from illegal, improper, or incorrect payments, and for other purposes"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORRIS: Committee on Interior and Insular Affairs. H.R. 5886. A bill relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes; with amendment (Rept. No. 1426). Referred to the

Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 736. Resolution waiving points of order against H.R. 11369. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes; without amendment (Rept. No. 1427). Referred to the House Calendar.

Mr. KING of New York: Committee on the Judiciary. H.R. 11255. A bill to validate certain payments of per diem allowances made to members of the Coast Guard; without amendment (Rept. No. 1431). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LIBONATI: Committee on the Judiciary. H.R. 7823. A bill granting jurisdiction to the Court of Claims to render judgment on certain claims of N. M. Bentley against the United States; without amendment (Rept. No. 1428). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 8184. A bill for the relief of Mr. and Mrs. Blanton Darbro; with amendment (Rept. No. 1429). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 8746. A bill for the relief of Roger A. Ross; without amendment (Rept. No. 1430). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 10407. A bill for the relief of Keith Hills; without amendment (Rept. No. 1432). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 11375. A bill to provide, for the period ending June 30, 1965, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act; to the Committee on Ways and Means.

H.R. 11376. A bill to provide a 1-year extension of certain excise tax rates; to the Committee on Ways and Means.

By Mr. LANDRUM:

H.R. 11377. A bill to mobilize the human and financial resources of the Nation to combat poverty in the United States; to the Committee on Education and Labor.

By Mr. McDADE:

H.R. 11378. A bill to extend to volunteer fire companies the rates of postage on second class and third class bulk mailings applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

By Mr. McMILLAN:

H.R. 11379. A bill to amend the Fire and Casualty Act of the District of Columbia and to supplement the Motor Vehicle Safety Responsibility Act of the District of Columbia in order to provide for the indemnification of persons sustaining injuries or damages as a result of the operation of motor vehicles by financially irresponsible persons, and for other purposes; to the Committee on the District of Columbia.

By Mr. MORGAN:

H.R. 11380. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ABBITT:

H.R. 11381. A bill to provide that district courts of the United States shall not have jurisdiction of any civil action to compel a State or any taxing authority under the jurisdiction of any State to impose or collect any tax, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 11382. A bill to further implement the constitutional right to bail by permitting persons admitted to bail to make a cash deposit with the court in lieu of providing securities or other collateral security; to the Committee on the Judiciary.

H.R. 11383. A bill to assure that all persons convicted of offenses against the United States will receive credit toward service of their sentences for time spent, prior to sentencing, in custody for lack of bail; to the Committee on the Judiciary.

H.R. 11384. A bill to assure that no person charged with an offense against the United States, or with an offense triable in the criminal division of the District of Columbia court of general sessions, shall be denied bail solely because of his financial inability to give bond or provide collateral security, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 11385. A bill to establish a U.S. mint in Lake or Cook County, Ill.; to the Committee on Public Works.

By Mr. DAGUE:

H.R. 11386. A bill relating to the status of volunteer fire companies for purposes of liability for Federal income taxes and for certain Federal excise taxes; to the Committee on Ways and Means.

By Mr. FEIGHAN:

H.R. 11387. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. GATHINGS:

H.R. 11388. A bill to designate as the "Graham Burke pumping station" the pumping plant being constructed in the State of Arkansas as part of the White River backwater unit of the lower Mississippi River flood control project; to the Committee on Public Works.

By Mr. JOELSON:

H.R. 11389. A bill to amend section 152 of the Internal Revenue Code of 1954 to remove the residence requirements applied in determining whether an individual who is not a citizen of the United States qualifies as a dependent for income tax purposes; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 11390. A bill to consent to an agreement between the State of Minnesota and the Province of Manitoba, Canada, providing for an access highway to the Northwest Angle in the State of Minnesota, and to authorize the Secretary of Commerce to pay Minnesota's share of the cost of such highway; to the Committee on Foreign Affairs.

By Mr. ROBERTS of Alabama:

H.R. 11391. A bill to relieve physicians of liability for negligent medical treatment at the scene of an accident in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ST GERMAIN:

H.R. 11392. A bill to amend title II of the Social Security Act to extend the time within which certain Federal-State agreements may be modified to give noncovered State and local employees under the divided retirement system procedure an additional opportunity to elect coverage; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 11393. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

H.R. 11394. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least 20 quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 11395. A bill to authorize the coordinated development of the water resources of the Pacific Southwest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHALLEY:

H.R. 11396. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus personal property to State agencies for use by volunteer firefighting organizations; to the Committee on Government Operations.

By Mr. BOB WILSON:

H.R. 11397. A bill to authorize the coordinated development of the water resources of the Pacific Southwest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HAGEN of California:

H.R. 11398. A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; to the Committee on Merchant Marine and Fisheries.

By Mr. LIPSCOMB:

H.R. 11399. A bill to authorize the coordinated development of the water resources of the Pacific Southwest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CAREY:

H.J. Res. 1036. Joint resolution proposing an amendment to the Constitution of the United States to provide that parents shall not be denied the right to have their children participate in voluntary religious exercises in public school or the right to financial support for the education of their children at schools of their (the parents') choice; to the Committee on the Judiciary.

By Mr. CELLER:

H. Con. Res. 308. Concurrent resolution to provide for the printing of 10,000 additional copies of "Preliminary Staff Study, Proposed Amendments to the Constitution Relating to School Prayers, Bible Reading, etc."; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 11400. A bill for the relief of John Crook; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 11401. A bill for the relief of Mrs. Kim Thin Gaw; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 11402. A bill for the relief of Uri and Gila Grad; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 11403. A bill for the relief of Antonio Salati; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

906. The SPEAKER presented a petition of Jerry Voorhis, secretary, Group Health Association of America, Inc., Washington, D.C. supporting H.R. 10440, known as the antipoverty bill, which was referred to the Committee on Education and Labor.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

> (b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the fourth calendar quarter of 1963 were received too late to be included in the published reports for that quarter:

A. Active-Retired Lighthouse Service Employees Association, P.O. Box 2169, South Portland, Maine.

D. (6) $26.72. E. (9) $45.90.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.

D. (6) $4,376.38. E. (9) $4,376.38.

A. Nicholas E. Allen & Merrill Armour, 1001 15th Street NW., Washington, D.C.

B. Music Operators of America, Inc., 128 East 14th Street, Oakland, Calif., and 228 North LaSalle Street, Chicago, Ill.

D. (6) $1,300. E. (9) $53.56.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Cancer Society, 219 East 42d Street, New York, N.Y.

E. (9) $7,428.03.

A. American Civil Liberties Union, Inc., 156 Fifth Avenue, New York, N.Y.

D. (6) $2,161.16. E. (9) $6,736.69.

A. American Dental Association, 222 East Superior Street, Chicago, Ill.

D. (6) $13,430.28. E. (9) $13,430.28.

A. American Gas Asociation, Inc., 605 Third Avenue, New York, N.Y.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.

D. (6) $5,129.46. (9) $5,129.46.

A. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

D. (6) $782.02. E. (9) $89.05.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N.Y.

E. (9) $1,234.20.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.

D. (6) $32,873.46. E. (9) $5,454.62.

A. American Podiatry Association, 3301 16th Street NW., Washington, D.C.

E. (9) $119.23.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.

D. (6) $1,350. E. (9) $900.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $10,290.06. E. (9) $13,749.01.

A. American Veterinary Medical Association, 600 South Michigan Avenue, Chicago, Ill.

E. (9) $814.86.

A. Robert E. Ansheles, 1028 Connecticut Avenue, Washington, D.C.

B. Consolidated International Trading Corp., Empire State Building, New York, N.Y.

D. (6) $625. E. (9) $125.73.

A. David Apter, 1145 19th Street NW., Washington, D.C.

B. E.G. & A. International, Inc., 640 Fifth Avenue, New York, N.Y.

D. (6) $150. E. (9) $93.15.

A. Arkansas Railroad Committee, 1100 Boyle Building, Little Rock, Ark.

B. Class one railroads operating in State of Arkansas.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.

B. Commissioner of Baseball, 30 Rockefeller Plaza, New York, N.Y.

D. (6) $7,750. E. (9) $2.08.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.

B. Lever Brothers Co., 390 Park Avenue, New York, N.Y.

D. (6) $2,640. E. (9) $8.36.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

D. (6) $3,181.25. E. (9) $9.60.

A. Edward Atkins, 51 East 42d Street, New York, N.Y.

B. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N.Y.

E. (9) $1,800.

A. A. V. Atkinson, 1925 K Street NW., Washington, D.C.

B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

E. (9) $3,548.63.

A. Atlanta Committee for DRIVE, 2540 Lakewood Avenue NW., Atlanta, Ga.

D. (6) $4,358.42. E. (9) $10,127.66.

A. Automotive Trade Association National Capital Area, 1026 17th Street NW., Washington, D.C.

A. Douglas B. Bagnell, Post Office Box 1286, Fairhope, Ala.

B. Maine Potato Council, Presque Isle, Maine.

D. (6) $75.

A. Frank Baird-Smith, 1616 P Street NW., Washington, D.C.

B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. William G. Barr, 711 14th Street NW., Washington, D.C.

B. National Parking Association, Inc., 711 14th Street NW., Washington, D.C.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

D. (6) $874.99.

A. Lowell R. Beck, 1120 Connecticut Avenue NW., Washington, D.C.

B. American Bar Association, 1120 Connecticut Avenue NW., Washington, D.C.

A. Helen Berthelot, 1925 K Street NW., Washington, D.C.

B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

E. (9) $3,389.70.

A. Bigham, Englar, Jones & Houston, 99 John Street, New York, N.Y., and 839 Shoreham building, Washington, D.C.

B. American Institute of Marine Underwriters, 99 John Street, New York, N.Y.

E. (9) $202.42.

A. C. B. Blankenship, 1925 K Street NW., Washington, D.C.

B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

E. (9) $2,952.18.

A. J. Wiley Bowers, 537 Cherry Street, Chattanooga, Tenn.

B. Tennessee Valley Public Power Association, 537 Cherry Street, Chattanooga, Tenn.

A. Chas. B. Bowling, 1616 H Street NW., Washington, D.C.

B. National Grange, 1616 H Street NW., Washington, D.C.

D. (6) $600.

A. Sam Boyce, Bowie & Boyce, 414 Second Street, Newport, Ark.

B. American Taxicab Association, Inc., 4415 North California Avenue, Chicago, Ill., and National Association of Taxicab Owners, 803 Leader Building, Cleveland, Ohio.

D. (6) $1,600. E. (9) $1,400.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.

B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.

D. (6) $3,432.73. E. (9) $3.

A. Broseco Corp., 718 Mercantile Trust Building, Baltimore, Md.

E. (9) $3,454.96.

A. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.

B. American Society of Composers, Authors & Publishers, 575 Madison Avenue, New York, N.Y.

D. (6) $2,810. E. (9) $2,810.

A. Charles H. Brown, 1701 K Street NW., Washington, D.C.

B. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.

D. (6) $898.50.

A. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $937.50. E. (9) $937.50.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.

B. American Institute of CPA's, 666 Fifth Avenue, New York, N.Y.

E. (9) $16.32.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. The Canal Authority of the State of Florida, 803 Rosselle Street, Jacksonville, Fla.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.

A. John J. Burke, Finlen Hotel, Butte, Mont.
B. Pacific Northwest Power Co., Post Office Box 1445, Spokane, Wash.
E. (9) $315.

A. George B. Burnham, 132 Third Street SE., Washington, D.C.
B. Numerous stockholders of the Burnham Chemical Co., 132 Third Street SE., Washington, D.C.
D. (6) $190. E. (9) $190.

A. Charles S. Burns, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $584.50. E. (9) $83.48.

A. Canal Authority of the State of Florida, 803 Rosselle Street, Jacksonville, Fla.

A. Canal Zone Central Labor Union-Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.
D. (6) $2,602.85. E. (9) $368.69.

A. Carretta & Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Bicycle Manufacturers Association of America, 122 East 42d Street, New York, N.Y.

A. Casey, Lane & Mittendorf, 26 Broadway, New York, N.Y.
B. South African Sugar Association, 704 London Assurance House, 321 Smith Street, Box 507, Durban, South Africa.

A. Donald E. Channell, 1120 Connecticut Avenue, Washington, D.C.
B. American Bar Association, 1120 Connecticut Avenue, Washington, D.C.
D. (6) $75. E. (9) $12.

A. Hal M. Christensen, 808 17th Street NW., Washington, D.C.
B. American Dental Association, 808 17th Street NW., Washington, D.C.
D. (6) $3,250.

A. Alexander K. Christie, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $2,551.59. E. (9) $300.

A. Citizens Committee on Natural Resources, 712 Dupont Circle Building, Washington, D.C.
D. (6) $9,005.60. E. (9) $8,908.80.

A. Henry J. Clay, 120 Broadway, New York, N.Y.
B. The Realty Committee on Taxation, care of Hurd & Co., Inc, 660 Madison Avenue, New York, N.Y.

A. Paul C. Collins, 730 15th Street NW., Washington, D.C.
B. The American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $125.

A. The Committee for Competitive Prices, 130 East 59th Street, New York, N.Y.
D. (6) $47,068.13. E. (9) $32,853.69.

A. Bernard J. Conway, 222 East Superior Street, Chicago, Ill.
B. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $4,750.

A. Council of State Chambers of Commerce, 1025 Connecticut Avenue, Washington, D.C.
D. (6) $216.12. E. (9) $216.12.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. American Corn Millers' Federation, 1000 Connecticut Avenue, Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. A. Harry Crane, 303 New England Building, Topeka, Kans.
B. Southern Railway System, Washington, D.C.

A. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $1,121.85. E. (9) $1,121.85.

A. Joseph M. Creed, 1317 F Street NW., Washington, D.C.
B. American Bakers Association, 1317 F Street NW., Washington, D.C.
E. (9) $12.

A. Michael P. Daniels, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $100.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. D.C. Transit System, Inc., 36th and M Streets NW., Washington, D.C.
D. (6) $2,800.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Hilton Hotels Corp., Chicago, Ill.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Committee on Consumer Finance Companies, 731 Washington Building, Washington, D.C.
D. (6) $2,100.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Laundry Dry Cleaning Association of D.C., 2300 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Virgin Islands Gift & Fashion Shop Association, Inc., St. Thomas, V.I.

A. Dawson, Nagel, Sherman & Howard, 1900 First National Bank Building, Denver, Colo.
B. Downtown Denver Improvement Association, Guaranty Bank Building, Denver, Colo.
E. (9) $507.56.

A. S. P. Deas, 520 National Bank of Commerce Building, New Orleans, La.
E. (9) $322.22.

A. Merritt S. Deitz.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. James J. Delaney, Jr., 220 Central Building, Anchorage, Alaska.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Ronald W. De Lucien, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $250. E. (9) $102.

A. Leslie E. Dennis, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $420.

A Mary S. Deuel, 3006 Cambridge Place NW., Washington, D.C.
B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.
D. (6) $1,102.50.

A. Joe T. Dickerson, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Sacramento Municipal Utility District, 6201 South Street, Sacramento, Calif.
D. (6) $2,953.84. E. (9) $328.84.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Thurman & Wright, 1208 Latham Square Building, Oakland, Calif.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Tulelake Irrigation District, Post Office Box 787, Tulelake, Calif.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Westlands Water District, Post Office Box 4006, Fresno, Calif.
D. (6) $1,871.41. E. (9) $71.41.

A. Division of Federal Relations, National Education Association, 1201 16th Street NW., Washington, D.C.
E. (9) $15,498.08.

A. James L. Donnelly, 200 South Michigan Avenue, Chicago, Ill.
B. Illinois Manufacturers' Association, 200 South Michigan Avenue, Chicago, Ill.

A. Henry I. Dworshak, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $553.14. E. (9) $17.55.

A. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington D.C.
E. (9) $32.81.

A. Harold E. Edwards, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,304.85. E. (9) $300.

A. E.G. & A. International, Inc., 640 Fifth Avenue, New York, N.Y.
B. Council of the Forest Industries of British Columbia, 550 Burrard Street, Vancouver, British Columbia.
D. (6) $3,000. E. (9) $5,593.23.

A. Warren G. Elliott, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $375. E. (9) $54.55.

A. Otis H. Ellis, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Oil Jobbers Council, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $9,000.

A. John W. Emeigh, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $592.38. E. (9) $22.15.

A. Myles W. English, 966 National Press Building, Washington, D.C.
B. National Highway Users Conference, Inc., 966 National Press Building, Washington, D.C.

A. Arthur S. Fefferman, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

A. Mello G. Fish, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $2,625. E. (9) $300.

A. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.

A. Forest Farmers Association Cooperative, P.O. Box 7284, Station C, Atlanta, Ga.

A. James F. Fort, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $750. E. (9) $137.20.

A. Milton Fricke, Papillion, Nebr.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Henry T. Gage, 1100 National Press Building, Washington, D.C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Warner W. Gardner, 734 15th Street NW., Washington, D.C.
B. Western Geothermal, Inc., International Building, San Francisco, Calif.
D. (6) $2,000. E. (9) $45.68.

A. Mary Condon Gereau, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,179.85. E. (9) $84.25.

A. Glen Alden Corp., 1740 Broadway, New York, N.Y.
E. (9) $1,500.

A. Glenn F. Glezen, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Harry L. Graham, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,000.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Dale Greenwood, 302 Hoge Building, Seattle, Wash.
B. Washington Railroad Association, 302 Hoge Building, Seattle, Wash.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. CIT Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Committee on Consumer Finance Companies, Washington Building, Washington, D.C.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Mutual Benefit Health & Accident Association, Omaha, Nebr.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. John F. Griner, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $4,271.40. E. (9) $427.14.

A. Albert A. Grorud, 816 E Street NE., Washington, D.C.
B. Colville Indian Association, Coulee Dam, Wash.
E. (9) $32.25.

A. Albert A. Grorud, 816 E Street NE., Washington, D.C.
B. Yakima Indian Association of Washington State, 3121 Wilton Lane, East, Tacoma, Wash.
E. (9) $35.80.

A. William B. Harman, Jr., 1701 K Street NW., Washington, D.C.
B. American Life Convention, 230 Michigan Avenue, Chicago, Ill.
D. (6) $144.

A. L. James Harmanson, Jr., 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $4,750.02 E. (9) $200.07.

A. Walter A. Hasty, Jr., 1575 Sherman Street, Denver, Colo.
B. Farmers' Educational & Cooperative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.
D. (6) $2,215.29. E. (9) $154.50.

A. Kit H. Haynes, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $875. E. (9) $607.45.

A. Noel Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $50.

A. David W. Herrmann, 551 Fifth Avenue, New York, N.Y.
E. (9) $1,955.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. Boston Wool Trade Association, 263 Summer Street, Boston, Mass.
D. (6) $600. E. (9) $52.45.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Association of Wool Manufacturers, 386 Fourth Avenue, New York, N.Y.
D. (6) $1,000.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
E. (9) $16.23.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Wool Trade Association, 263 Summer Street, Boston, Mass.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. New York Wool Trade Association, 155 West 44th Street, New York, N.Y.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. Philadelphia Wool & Textile Association, Post Office Box 472, Station S, Philadelphia, Pa.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. United States Brewers Association, 535 Fifth Avenue, New York, N.Y.
D. (6) $5,000. E. (9) $100.04.

A. Ralph D. Hodges, Jr.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW Washington, D.C.
E. (9) $40.75.

A. Frank N. Hoffmann, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa
D. (6) $4,000. E. (9) $1,000.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. American Institute of Laundering, Joliet, Ill.
D. (6) $2,649.99.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. National Automatic Merchandising Association, Mills Building, Washington, D.C.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. The Outdoor Power Equipment Institute, Inc., Mills Building, Washington, D.C.

A. Floyd E. Huffman, 1040 Warner Building, Washington, D.C.
B. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $592.38. E. (9) $19.60.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
E. (9) $289.

A. International Association of Machinists, Machinists Building, Washington, D.C.
E. (9) $2,033.35.

A. Chas. E. Jackson, 715 Ring Building, Washington, D.C.
D. (6) $506.63. E. (9) $14.59.

A. Chas. B. Jennings, 1712 I Street NW., Washington, D.C.
B. American Stockyards Association, 1712 I Street NW., Washington, D.C.
D. (6) $400.

A. Glendon E. Johnson, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $525.52. E. (9) $75.30.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Lyle W. Jones, 3206 Ferndale Street, Kensington, Md.
B. Illinois Association of Consulting Engineers, Post Office Box 1202, Springfield, Ill.

A. Max H. Jordan, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $592.38. E. (9) $27.45.

A. Sheldon Z. Kaplan, 1616 H Street NW., Washington, D.C.
B. Guatemala Sugar Producers Association, Guatemala City, Guatemala.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,125.

A. Howard B. Keck, 550 South Flower Street, Los Angeles, Calif.
B. The Superior Oil Co., 550 South Flower Street, Los Angeles, Calif.
E. (9) $300.

A. Charles C. Keeble, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $42.28.

A. Ken Kendrick, 1411 K Street NW., Washington, D.C.
B. National Association of Wheat Growers, 1411 K Street NW., Washington, D.C.
D. (6) $1,948.60. E. (9) $1,948.60.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, 1022 Transportation Center, Philadelphia, Pa.

A. Edward C. Kienle, 1130 17th Street NW., Washington, D.C.
B. The National Waterways Conference.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $12.50.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.
B. National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $246.25.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $155.25. E. (9) $1.67.

A. Joseph T. King, 1028 Connecticut Avenue NW., Washington, D.C.
B. Associated Equipment Distributors & Sprinkler Irrigation Association.
E. (9) $544.03.

A. William L. Kohler, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $365.85.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Marine Transport Lines, Inc., 11 Broadway, New York, N.Y.

A. Kominers & Fort, 529 Towers Building, Washington, D.C.
B. Wall Street Traders, Inc., 60 East 42d Street, New York, N.Y.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $1,875. E. (9) $2,520.78.

A. Lloyd R. Kuhn, 1725 DeSales Street NW., Washington, D.C.
B. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $3,756. E. (9) $620.38.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $475.

A. Dillard B. Lasseter, Post Office Box 381, Washington, D.C.
B. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $450. E. (9) $125.

A. Latham & Watkins.
B. Rossmoor Corp., Post Office Box 125, Seal Beach, Calif.
D. (6) $700. E. (9) $60.

A. Legislative Committee, International Economic Policy Association, 1625 I Street NW., Washington, D.C.
E. (9) $3,682.

A. Donald Lerch, Jr., Inc., 1025 Connecticut Avenue NW., Washington, D.C.
B. Shell Chemical Co., 110 West 51st Street, New York, N.Y.
D. (6) $258.75. E. (9) $92.95.

A. Paul H. Long, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $405.89.

A. John M. Lumley, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,316.28. E. (9) $594.37.

A. LeRoy E. Lyon, Jr., 11th & L Building, Sacramento, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.
D. (6) $2,340. E. (9) $749.65.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. J. A. McCallam, 1597 M Street NW., Washington, D.C.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C.
B. Government Employees' Council, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,365.56.

A. McClure & Trotter, 1710 H Street NW., Washington, D.C.
B. The Coca-Cola Export Corp., 515 Madison Avenue, New York, N.Y.

A. Stanley J. McCutcheon, 315 Fourth Avenue, Anchorage, Alaska.
B. Marathon Oil Co.

A. Albert L. McDermott, 777 14th Street NW.. Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.
D. (6) $350.

A. Angus H. McDonald.
B. The Farmers' Educational & Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.
D. (6) $2,446.08. E. (9) $262.

A. Joseph J. McDonald, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,304.85. E. (9) $300.

A. William J. McDonald, 3005 Fernside Boulevard, Alameda, Calif.
B. National Council of Naval Air Stations Employee Organizations, 3005 Fernside Boulevard, Alameda, Calif.

A. Joseph T. McDonnell, 425 13th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont.
B. The Montana Power Co., Butte, Mont.
E. (9) $1,263.96.

A. John W. MacKay, 509 14th Street NW., Washington, D.C.
B. National Postal Union, 509 14th Street NW., Washington, D.C.
D. (6) $1,750. E. (9) $100.

A. William F. McKenna, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $136. E. (9) $4.80.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,208.34. E.(9) $25.37.

A. Patrick H. McLaughlin, 4573 Indian Rock Terrace, Washington, D.C.
B. Ruder & Finn, Inc., Washington, D.C.
D. (6) 1,200.

A. William N. McLeod, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. Household Finance Corp., Prudential Plaza, Chicago, Ill.
D. (6) $1,200.

A. William N. McLeod, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. Republican Statehood Party of Puerto Rico, San Juan, P.R.

A. William H. McLin, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $3,203.72. E. (9) $161.22.

A. W. H. McMains, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. C. W. McMillan, 801 East 17th Avenue, Denver, Colo.

B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $4,249.88. E. (9) $845.36.

A. Clarence M. McMillan, 1343 L Street NW., Washington, D.C.

B. National Candy Wholesalers Association, Inc., 1343 L Street NW., Washington, D.C.

A. Ralph J. McNair, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $202.50. E. (9) $5.91.

A. Charles R. McNeill, 730 15th Street NW., Washington, D.C.
B. The American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $1,000. E. (9) $403.20.

A. Don Mahon, Box 959, Ben Franklin Station, Washington, D.C.
E. (9) $1,266.10.

A. James D. Mann, 839 17th Street NW., Washington, D.C.
B. National Association of Motor Bus Owners, 839 17th Street NW., Washington, D.C.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Meat Cutters & Butcher Workmen of North America, 2800 North Sheridan Road, Chicago, Ill.
D. (6) $1,530. E. (9) $364.

A. Robert A. Means, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. M. Barry Meyer, 1616 P Street NW., Washington, D.C.
B. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $750. E. (9) $808.30.

A. Clarence R. Miles, 1625 I Street NW., Washington, D.C.
B. Legislative Committee, International Economic Policy Association, 1625 I Street NW., Washington, D.C.
D. (6) $3,600. E. (9) $82.

A. Miller Associates, Inc., 1701 K Street NW., Washington, D.C.
B. American Society of Composers, Authors & Publishers, 575 Madison Avenue, New York, N.Y.
D. (6) $1,800. E. (9) $90.

A. Miller Associates, Inc., 1701 K Street NW., Washington, D.C.
B. The Associated Cooperage Industries of America, Inc., 408 Olive Street, St. Louis, Mo.
D. (6) $1,800. E. (9) $90.

A. Miller Associates, Inc., 1701 K Street NW., Washington, D.C.
B. The League of New York Theaters, Inc., The National Association of the Legitimate Theater, Inc., 137 West 48th Street, New York, N.Y.
D. (6) $1,125. E. (9) $190.80.

A. Luman G. Miller, 424 Henry Building, Portland, Oreg.
B. Oregon Railroad Association, 424 Henry Building, Portland, Oreg.

A. Clarence Mitchell, 100 Massachusetts Avenue NW., Washington, D.C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
E. (9) $2,175.83.

A. M. D. Mobley, 1010 Vermont Avenue NW., Washington, D.C.
B. American Vocational Association, 1010 Vermont Avenue NW., Washington, D.C.

A. Harry L. Moffett, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,537.50. E. (9) $3.50.

A. Joseph E. Moody, 1000 16th Street NW., Washington, D.C.
D. (6) $625.

A. Curtis Morris, 1725 I Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Bernard R. Mullady, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers.
D. (6) $2,730.

A. John J. Murphy, Jr., 815 15th Street NW., Washington, D.C.
B. Bricklayers, Masons, & Plasterers International Union, 815 15th Street NW., Washington, D.C.
D. (6) $1,400. E. (9) $269.10.

A. J. Walter Myers, Jr., Post Office Box 7284, Station C, Atlanta, Ga.
B. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.

A. Kenneth D. Naden, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $6,249.96. E. (9) $326.70.

A. Raymond Nathan, Ruder & Finn, Inc., 1812 K Street NW., Washington, D.C.
B. Glen Alden Corp., 1740 Broadway, New York, N.Y.
D. (6) $1,500. E. (9) $1,200.

A. National Associated Businessmen, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $435.90. E. (9) $680.52.

A. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. National Association of Agricultural Stabilization and Conservation County Office Employees.
D. (6) $14,850. E. (9) $2,825.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $53,514. E. (9) $8,316.90.

A. National Association of Postmasters of the United States.
D. (6) $62,933.75. E. (9) $1,710.

A. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.
E. (9) $8,600.83.

A. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N.Y.
D. (6) $14,450.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y., and 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $450.

A. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $2,452.50. E. (9) $2,601.28.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $562,568.59. E. (9) $7,158.27.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $5,170.16.

A. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $5,325. E. (9) $3,200.

A. National Council Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
E. (9) $160.

A. National Council of Naval Air Stations Employee Organizations, 3005 Fernside Boulevard, Alameda, Calif.
E. (9) $5.

A. National Creative Arts Committee for Better Copyright Laws, 1701 K Street NW., Washington, D.C.
E. (9) $390.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $58,489.20. E. (9) $2,988.62.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $80,018.43. E. (9) $11,750.56.

A. National Grange, 1616 H Street NW., Washington, D.C.
E. (9) $8,850.

A. National Housing Conference, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $9,474.79. E. (9) $13,631.13.

A. National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $612.74. E. (9) $1,776.62.

A. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $2,698.61. E. (9) $6,394.17.

A. National Parking Association, 711 14th Street NW., Washington, D.C.

A. National Postal Union, 509 14th Street NW., Washington, D.C.
D. (6) $45,000. E. (9) $19,650.

A. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $7,454. E. (9) $10,868.71.

A. National Rehabilitation Association, Inc., 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $7,923.20. E. (9) $841.16.

A. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $8,111.88. E. (9) $10,604.93.

A. National Tax Equality Association, 1000 Connecticut Avenue Building, Washington, D.C.
D. (6) $20,355.21. E. (9) $10,280.86.

A. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $1,088.45. E. (9) $1,309.21.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,999.98. E. (9) $2,977.45.

A. George R. Nelson, Machinists Building, Washington, D.C.

B. International Association of Machinists, Machinists Building, Washington, D.C.
D. (6) $1,500. E. (9) $533.35.

A. Herschel D. Newsom, 1616 H Street NW., Washington, D.C.
B. National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,750.

A. New York & New Jersey Dry Dock Association, 161 William Street, New York, N.Y.
D. (6) $1,450.04. E. (9) $1,530.70.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Walter O. Noreen, 509 14th Street NW., Washington, D.C.
B. National Postal Union, 509 14th Street NW., Washington, D.C.
D. (6) $1,500. E. (9) $100.

A. North Carolina Cotton Promotion Association, Box 5425, Raleigh, N.C.
E. (9) $327.46.

A. Graham T. Northup, 1001 15th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,500. E. (9) $2,695.75.

A. Seward P. Nyman, 3301 16th Street NW., Washington, D.C.
B. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
D. (6) $650. E. (9) $134.98.

A. Richard T. O'Connell, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $3,779.98. E. (9) $69.77.

A. O'Connor, Green, Thomas & Walters, 508 Federal Bar Building, Washington, D.C.
B. Union Texas Petroleum, 811 Rusk Avenue, Houston, Tex.
D. (6) $2,500. E. (9) $985.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Order of Railway Conductors & Brakemen, O.R.C. & B. Building, Cedar Rapids, Iowa.
E. (9) $5,366.41.

A. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $1,983.95. E. (9) $910.73.

A. J. Allen Overton, Jr., 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,500.

A. Vaux Owen, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $4,307.73. E. (9) $4.50.

A. Raymond S. Page, Jr., Mill Creek Terrace, Gladwyne, Pa.
B. Campbell Soup Co., 375 Memorial Avenue, Camden, N.J.
E. (9) $125.56.

A. Leonard H. Pasqualicchio, 724 Ninth Street NW., Washington, D.C.

A. Andrew A. Pettis, 100 Indiana Avenue NW., Washington, D.C.
B. Industrial Union of Marine and Shipbuilding Workers of America, 534 Cooper Street, Camden, N.J.
D. (6) $4,040. E. (9) $2,383.32.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $75.35.

A. J. Francis Pohlhaus, 100 Massachusetts Avenue NW., Washington, D.C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. Purcell & Nelson, 910 17th Street NW., Washington, D.C.
B. Nicaragua Sugar Estates, Ltd., Managua, Nicaragua.
D. (6) $1,250. E. (9) $25.80.

A. Felix M. Putterman, 1712 New Hampshire Avenue NW., Washington, D.C.
B. Jewish War Veterans of the United States of America, 1712 New Hampshire Avenue NW., Washington, D.C.
D. (6) $3,375. E. (9) $446.75.

A. Cushman S. Radebaugh, Box 1928, Orlando, Fla.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
E. (9) $106.54.

A. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,500.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Grant Sherman Ray, 114 Huron Drive, Washington, D.C.

A. Sydney C. Reagan, 3840 Greenbrier Drive, Dallas, Tex.
B. Southwestern Peanut Shellers Association, Drawer 747, Durant, Okla.
D. (6) $932.28. E. (9) $782.28.

A. Realty Committee on Taxation, 660 Madison Avenue, New York, N.Y.
D. (6) $8,750. E. (9) $3,127.18.

A. Stanley Rector, 520 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. Lawrence D. Reedy, 200 Park Avenue, New York, N.Y.
B. American Association of Advertising Agencies, Inc., 200 Park Avenue, New York, N.Y.

A. Geo. L. Reid, Jr., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $799.98. E. (9) $222.65.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Committee of Consumer Finance Companies, Washington Building, Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Entertainment Law Committee, 731 Washington Building, Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Mutual Benefit Health & Accident Association, Omaha, Nebr.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. State Farm Mutual Automobile Insurance Co., 112 East Washington Street, Bloomington, Ill.

A. John Rippey, 20 E Street NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $359.61. E. (9) $52.25.

A. William Neale Roach, 1616 P Street, Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $337.96.

A. Royall, Koegel & Rogers, 1730 K Street NW., Washington, D.C.
B. Pinkerton's National Detective Agency, Inc., 154 Nassau Street, New York, N.Y.
E. (9) $151.92.

A. Ruder & Finn, Inc., 130 East 59th Street, New York, N.Y., and 1812 K Street NW., Washington, D.C.
B. The Committee for Competitive Prices, 130 East 59th Street, New York, N.Y.
D. (6) $15,000. E. (9) $13,640.47.

A. J. T. Rutherford, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,100.01. E. (9) $135.74.

A. J. T. Rutherford & Associates, 1701 K Street NW., Washington, D.C.
B. National Creative Arts Committee for Better Copyright Laws, 1701 K Street NW., Washington, D.C.
D. (6) $390. E. (9) $390.

A. Kermit B. Rykken, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Francis J. Ryley, 519 Title & Trust Building, Phoenix, Ariz.
B. Standard Oil Co. of California, San Francisco, Calif., et al.

A. Robert A. Saltzstein, 508 Wyatt Building, Washington, D.C.
B. The Associated Business Publications, 205 East 42d Street, New York, N.Y.
D. (6) $1,000. E. (9) $400.27.

A. Jacques T. Schlenger, 1409 Mercantile Trust Building, Baltimore, Md.
B. Broseco Corp., 718 Mercantile Trust Building, Baltimore, Md.
D. (6) $3,300. E. (9) $154.96.

A. James D. Secrest, 1721 DeSales Street NW., Washington, D.C.
B. Electronic Industries Association, 1721 DeSales Street NW., Washington, D.C.

A. Clayton A. Seeber, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,260.40. E. (9) $479.85.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D.C.
B. Imported Hardwood Plywood Association, Inc., World Trade Center, Ferry Building, San Francisco, Calif.
D. (6) $300. E. (9) $300.

A. John J. Sheehan, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,000. E. (9) $300.

A. Laurence P. Sherfy, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $575.

A. Richard L. Shook, 940 Federal Bar Building, Washington, D.C.
B. Mr. and Mrs. Herschal Day, Edgerton, Ohio.

A. David Silvergleid, 509 14th Street NW., Washington, D.C.
B. National Postal Union, 509 14th Street NW., Washington, D.C.
D. (6) $1,750. E. (9) $100.

A. Byron Skelton, 203 First National Building, Temple, Tex.
B. Brazos River Authority, 4400 Cobbs Drive, Waco, Tex.
D. (6) $3,400. E. (9) $417.92.

A. W. A. Smallwood, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

A. Carleton D. Smith, RCA Building, Washington, D.C.
B. Radio Corp. of America, 30 Rockefeller Plaza, New York, N.Y.

A. Gordon Smith, 1145 19th Street NW., Washington, D.C.
B. E.G. & A. International, Inc., 640 Fifth Avenue, New York, N.Y.
E. (9) $86.95.

A. Milan D. Smith, 1133 20th Street NW., Washington, D.C.
B. National Canners Asociation, 1133 20th Street NW., Washington, D.C.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources, 712 Dupont Circle Building, Washington, D.C.
D. (6) $2,724.99. E. (9) $2,082.39.

A. Marvin J. Sonosky, 1225 19th Street NW., Washington, D.C.

A. W. Byron Sorrell, 1100 New Hampshire Avenue NW., Washington, D.C.
B. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
D. (6) $2,025. E. (9) $150.83.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $1,192.50. E. (9) $4,698.97.

A. Southwestern Peanut Shellers' Association, Drawer 747, Durant, Okla.
E. (9) $762.28.

A. John M. Sprague, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $60.25.

A. Chester S. Stackpole, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Nelson A. Stitt, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $50.

A. Sam S. Studebaker, Tipp City, Ohio.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. C. Austin Sutherland, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.
B. National Tuberculosis Association, 1790 Broadway, New York, N.Y.
D. (6) $250. E. (9) $191.06.

A. Dwight D. Taylor, 918 16th Street NW., Washington, D.C.
B. American Airlines, Inc., 918 16th Street NW., Washington, D.C.
E. (9) $10.

A. Tobacco Associates, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,044.

A. J. Woodrow Thomas, 1000 16th Street NW., Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.
E. (9) $182.15.

A. Julia C. Thompson, 711 14th Street NW., Washington, D.C.
B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $2,529.66.

A. Eugene M. Thore, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $750. E. (9) $15.21.

A. Mrs. Phillip Thorson, 7001 MacArthur Boulevard, Washington, D.C.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. Wm. H. Tolbert, Post Office Box 191, Santa Paula, Calif.
B. Ventura County Citrus Growers Committee, P.O. Box 191, Santa Paula, Calif.
E. (9) $8,182.35.

A. Transportation Association of America, 1710 H Street NW., Washington, D.C.
E. (9) $28.

A. Mrs. Hattie B. Trazenfeld, 2012 Massachusetts Avenue NW., Washington, D.C.
B. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.

A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. John W. Turner, 400 First Street NW., Washington, D.C.
B. Brotherhood of Locomotive Engineers, B. of L. E. Building, Cleveland, Ohio.

A. United Cerebral Palsy Associations, 321 West 44th Street, New York, N.Y.
E. (9) $1,335.64.

A. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $225. E. (9) $225.

A. Arvin E. Upton and James A. Greer II, 1821 Jefferson Place NW., Washington, D.C.
B. National Committee on Radiation Protection and Measurements, U.S. Department of Commerce, National Bureau of Standards, Washington, D.C.
D. (6) $1,200. E. (9) $46.81.

A. W. M. Vaughey, Post Office Box 4268, Jackson, Miss.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

A. Venable, Baetjer & Howard, 1409 Mercantile Trust Building, Baltimore, Md.
B. Broseco Corp., 718 Mercantile Trust Building, Baltimore, Md.
D. (6) $3,300. E. (9) $154.96.

A. Richard E. Vernor, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 230 Michigan Avenue, Chicago, Ill.
D. (6) $112.50. E. (9) $15.55.

A. Veterans, World War I, USA, Inc., 40 G Street NE., Washington, D.C.

A. Harold S. Walker, Jr., 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Paul H. Walker, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $127.50. E. (9) $2.60.

A. T. M. Walters, 400 First Street NW., Washington, D.C.
B. Order of Railway Conductors & Brakemen, ORC & B Building, Cedar Rapids, Iowa.

A. Watters & Donovan, 161 William Street, New York, N.Y.
B. New York & New Jersey Dry Dock Association, 161 William Street, New York, N.Y.
D. (6) $1,250.

A. David Weinberg, 20 E Street NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $649.99. E. (9) $60.

A. Wm. E. Welsh, 897 Press Building, Washington, D.C.
B. National Reclamation Association, 897 National Press Building, Washington, D.C.
E. (9) $419.38.

A. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
D. (6) $12,263.14. E. (9) $40.

A. Don White, 1201 Spring Street, Fairfax, Va.
B. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $924.99. E. (9) $2,604.20.

A. Donald Francis White, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.
D. (6) $2,212.50.

A. John C. White, 838 Transportation Building, Washington, D.C.
D. (6) $1,125. E. (9) $420.45.

A. Donald S. Whyte, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $487.50. E. (9) $33.95.

A. John J. Wicker, Jr., 706 Mutual Building, Richmond, Va.
B. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
D. (6) $600. E. (9) $600.

A. Kenneth Williamson, 1 Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $519.32. E. (9) $128.38.

A. Linda Bell Zimmer, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $25.

QUARTERLY REPORTS

The following quarterly reports were submitted for the first calendar quarter 1964:

(NOTE.—The form used for reports is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◀

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place an "X" in the box at the left, so that this Office will no longer expect to receive Reports. ☐

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◀

AFFIDAVIT

[Omitted in printing]

PAGE 1◀

NOTE ON ITEM "D."—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $________Dues and assessments
2. $________Gifts of money or anything of value
3. $________Printed or duplicated matter received as a gift
4. $________Receipts from sale of printed or duplicated matter
5. $________Received for services (e.g., salary, fee, etc.)

6. $________TOTAL for this Quarter (Add items "1" through "5")
7. $________Received during previous Quarters of calendar year

8. $________TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $________TOTAL now owed to others on account of loans
10. $________Borrowed from others during this Quarter
11. $________Repaid to others during this Quarter

12. $________"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": ________

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through __________________, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $________Public relations and advertising services
2. $________Wages, salaries, fees, commissions (other than item "1")
3. $________Gifts or contributions made during Quarter
4. $________Printed or duplicated matter, including distribution cost
5. $________Office overhead (rent, supplies, utilities, etc.)
6. $________Telephone and telegraph
7. $________Travel, food, lodging, and entertainment
8. $________All other expenditures

9. $________TOTAL for this Quarter (Add "1" through "8")
10. $________Expended during previous Quarters of calendar year

11. $________TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $________TOTAL now owed to person filing
13. $________Lent to others during this Quarter
14. $________Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

A. Charles D. Ablard, 1629 K Street NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y.
D. (6) $2,083. E. (9) $756.13.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $500. E. (9) $35.25.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $4,551.96. E. (9) $4,551.96.

A. Air Traffic Control Association, Inc., 528 Barr Building, Washington, D.C.
D. (6) $800. E. (9) $500.

A. Aircraft Owners & Pilots Association, 4650 East-West Highway, Bethesda, Md.
E. (9) $111.75.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $4,537.14. E. (9) $4,537.14.

A. George Venable Allen, 4370 Quebec Street NW., Washington, D.C.
B. The Tobacco Institute, 808 17th Street NW., Washington, D.C.

A. Louis J. Allen, 1121 Nashville Trust Building, Nashville, Tenn.
B. Class I railroads in Tennessee.

A. Amalgamated Association of Street, Electric Railway & Motor Coach Employes of America, 5025 Wisconsin Avenue NW., Washington, D.C.
E. (9) $3.75.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Cancer Society, 219 East 42d Street, New York, N.Y.
E. (9) $7,529.22.

A. American Coalition of Patriotic Societies, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $20,000. E. (9) $8,738.51.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., and 425 13th Street NW., Washington, D.C.
D. (6) $27,545. E. (9) $27,545.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
E. (9) $34,731.66.

A. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $18,939.50. E. (9) $15,628.74.

A. American Federation of Musicians, 425 Park Avenue, New York, N.Y.
E. (9) $6,223.21.

A. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

A. American Humane Association, 896 Pennsylvania Street, Denver, Colo.
E. (9) $2,500.

A. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.
D. (6) $420.73. E. (9) $406.91.

A. American Justice Association, Defense Highway, Gambrills, Md.
D. (6) $2. E. (9) $2.

A. American Maritime Association, 17 Battery Place, New York, N.Y., and 1725 K Street NW., Washington, D.C.
D. (6) $700.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $19,765.86.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N.Y.
E. (9) $1,891.46.

A. American Optometric Association, 21 Bank Street, Lebanon, N.H.
D. (6) $5,650.30. E. (9) $5,650.30.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $753.40. E. (9) $753.40.

A. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and 52 Vanderbilt Avenue, New York, N.Y.
D. (6) $1,309.51. E. (9) $478.46.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $32,283. E. (9) $12,498.

A. American Pulpwood Association, 220 East 42d Street, New York, N.Y.
E. (9) $400.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $3,303.06. E. (9) $3,303.06.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $900.

A. American Taxpayers Association, Inc., 411 Munsey Building, Washington, D.C.
D. (6) $145. E. (9) $1,147.50.

A. American Textile Machinery Association, Westfield, Mass.
D. (6) $169.28.

A. American Textile Manufacturers Institute, Inc., 1501 Johnson Building, Charlotte, N.C.
D. (6) $11,947.51. E. (9) $11,947.51.

A. American Vocational Association, Inc., 1010 Vermont Avenue NW., Washington, D.C.

A. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. Hotel and Restaurant Employees and Bartenders International Union, 6 East Fourth Street, Cincinnati, Ohio.
D. (6) $2,499.99.

A. Jerry L. Anderson, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $125. E. (9) $82.90.

A. Anti-Monopoly Transportation Conference, 1130 17th Street NW., Washington, D.C.

A. George W. Apperson, 900 F Street NW., Washington, D.C.
B. Division 689, Amalgamated Association of Street, Electric Railway & Motor Coach Employes of America, 900 F Street NW., Washington, D.C.

A. David Apter, 1145 19th Street NW., Washington, D.C.
B. Council of the Forest Industries of British Columbia, 550 Burrard Street, Vancouver, B.C.
D. (6) $3,050. E. (9) $424.78.

A. W. B. Ardery, Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Arkansas Railroad Committee, 1100 Boyle Building, Little Rock, Ark.
B. Class I railroads operating in State of Arkansas.
D. (6) $266.60. E. (9) $626.80.

A. Carl F. Arnold, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $2,750. E. (9) $2,240.82.

A. Arthritis and Rheumatism Foundation, 10 Columbus Circle, New York, N.Y.
E. (9) $1,220.28.

A. Associated General Contractors, Inc., 1957 E Street NW., Washington, D.C.

A. Associated Railroads of New Jersey, Pennsylvania Station, Newark, N.J.

A. Associated Third Class Mail Users, 100 Indiana Avenue NW., Washington, D.C.

A. Association of American Physicians & Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.
D. (6) $525. E. (9) $525.

A. Association of American Railroads, 929 Transportation Building, Washington, D.C.
D. (6) $7,210.93. E. (9) $7,210.93.

A. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.
E. (9) $8.38.

A. Association of Casualty & Surety Cos., 110 William Street, New York, N.Y.
D. (6) $2,512.85. E. (9) $2,512.85.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street, New York, N.Y.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.

A. Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $625. E. (9) $625.

A. A. V. Atkinson, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $3,294.79.

A. Atlanta Committee for Democratic Republican Independent Voter Education, 2540 Lakewood Avenue SW., Atlanta, Ga.
D. (6) $1,645.39. E. (9) $265.08.

A. Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.
E. (9) $300.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.

B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $100. E. (9) $20.

A. Automotive Trade Association National Capital Area, 1026 17th Street NW., Washington D.C.

A. Richard W. Averill, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C.

A. Michael H. Bader, 1735 DeSales Street, Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.
D. (6) $75.

A. Harry S. Baer, Jr., 1725 DeSales Street NW., Washington, D.C.
B. National Aerospace Services Association, 1725 DeSales Street NW., Washington, D.C.
E. (9) $105.40.

A. Charles B. Bailey, Sr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.
D. (6) $2,568.55. E. (9) $75.20.

A. Donald Baldwin, 1619 Massachusetts Avenue NW., Washington, D.C.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $323.20.

A. Richard B. Barker and Jay W. Glasmann, 306 Southern Building, Washington, D.C.
B. Eastman Kodak Co., Rochester, N.Y.
D. (6) $500. E. (9) $1.

A. Richard B. Barker and Jay W. Glasmann, 306 Southern Building, Washington, D.C.
B. Xerox Corp., Rochester, N.Y.

A. Arthur R. Barnett, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Co., 1200 18th Street NW., Washington, D.C.
D. (6) $600. E. (9) $590.27.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $3,600.

A. A. Wesley Barthelmes, 1701 K Street NW., Washington, D.C.
B. Insurance Company of North America and Life Insurance Co. of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $433. E. (9) $135.35.

A. Laurie C. Battle, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 2 East 48th Street, New York, N.Y.

A. Roy Battles, 532 Shoreham Building, Washington, D.C.
B. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. J. D. Bearden, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway and Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $1,093.74.

A. Lowell R. Beck, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Bar Association, 1120 Connecticut Avenue NW., Washington, D.C.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile Aerospace & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $2,569. E. (9) $933.61.

A. John H. Beidler, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,640. E. (9) $326.19.

A. James F. Bell, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, Munsey Building, Washington, D.C.
D. (6) $500. E. (9) $6.52.

A. Ernest H. Benson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $5,250.

A. Helen Berthelot, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $3,405.12.

A. Charles C. Bevis, Jr., 1741 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.
E. (9) $7.25.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $5,660. E. (9) $268.50.

A. Walter J. Bierwagen, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington. D.C.

A. Bigham, Englar, Jones & Houston, 99 John Street, New York, N.Y., and 839 Shoreham Building, Washington, D.C.
B. American Institute of Marine Underwriters, 99 John Street, New York, N.Y.
E. (9) $258.27.

A. Sterling Bigler, 2310 Girard Trust Building, Philadelphia, Pa.
B. National Association of Building Owners and Managers, 134 South LaSalle Street, Chicago, Ill.

A. Leon G. Billings, 919 18th Street NW., Washington. D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $225.

A. Robert J. Bird, 1000 Connecticut Avenue, Washington, D.C.
B. Lloyd Corp., Ltd., 9441 Olympic Boulevard, Beverly Hills, Calif.

A. Robert J. Bird, 1000 Connecticut Avenue, Washington, D.C.
B. Occidental Life Insurance Co. of California, 1151 South Broadway, Los Angeles, Calif.

A. Henry J. Bison, Jr., 1317 F Street NW., Washington, D.C.
B. National Association of Retail Grocers, 360 North Michigan Avenue, Chicago, Ill.
D. (6) $1,600. E. $842.40.

A. John H. Bivins, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $605. E. (9) $63.10.

A. James C. Black, 1025 Connecticut Avenue NW., Washington, D.C.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio.
D. (6) $600. E. (9) $500.

A. Richard W. Blake, 1113 10th Avenue, Greeley, Colo.
B. National Beet Growers Federation, Greeley, Colo.
D. (6) $390.

A. Wm. Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $2,298.21. E. (9) $371.86.

A. C. B. Blankenship, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $3,089.06.

A. W. G. Blewett, 301 Olive Street, St. Louis, Mo.
B. Peabody Coal Co., 301 Olive Street, St. Louis, Mo.

A. William Blum, Jr., 1200 Federal Bar Building, Washington, D.C.
B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $7,580. E. (9) $924.70.

A. Blumberg, Singer, Ross & Gordon, 350 Fifth Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

A. Fred F. Bockmon, 405 Luhrs Building, Phoenix, Ariz.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif., and the Atchison, Topeka & Santa Fe Railway, 121 East Sixth Street, Los Angeles, Calif.
D. (6) $100. E. (9) $15.69.

A. Maurice G. Boehl, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 2 East 48th Street, New York, N.Y.

A. Eugene F. Bogan, 1108 16th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $375.

A. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. Joseph L. Borda, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 2 East 48th Street, New York, N.Y.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $625.

A. Robert T. Borth, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,500. E. (9) $378.87.

A. G. Stewart Boswell, 1025 Connecticut Avenue, Washington, D.C.
B. Cotton Producers Legislative Committee, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,000. E. (9) $27.37.

A. G. Stewart Boswell, Ring Building, Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $100. E. (9) $2.26.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph E. Brady, 122 Sheraton Gibson Hotel, Cincinnati, Ohio.
B. National Coordinating Committee of the Beverage Industry, 122 Sheraton Gibson Hotel, Cincinnati, Ohio.

A. W. Kenneth Brew, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. Parke C. Brinkley, 1145 19th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.
D. (6) $25. E. (9) $3.70.

A. W. S. Bromley, 220 East 42d Street, New York, N.Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. Milton E. Brooding, 215 Fremont Street, San Francisco, Calif.
B. California Packing Corp., 215 Fremont Street, San Francisco, Calif.
D. (6) $750. E. (9) $100.

A. Derek Brooks, 1028 Connecticut Avenue NW., Washington, D.C.
B. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.
D. (6) $600. E. (9) $659.55.

A. Broseco Corp., 718 Mercantile Trust Building, Baltimore, Md.
E. (9) $768.59.

A. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,112.41. E. (9) $3,112.41.

A. J. D. Brown, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $150.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $1,500. E. (9) $1,453.38.

A. Robert J. Brown, 1735 K Street NW., Washington, D.C.
B. National Telephone Cooperative Association, 1735 K Street NW., Washington, D.C.
D. (6) $67.

A. Robert W. Bruce, 140 New Montgomery Street, San Francisco, Calif.
B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.
D. (6) $340. E. (9) $405.

A. George S. Buck, Jr., 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn.
D. (6) $120. E. (9) $5.62.

A. Norman D. Burch, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $51.46.

A. John J. Burke, Finlen Hotel, Butte, Mont.
B. Pacific Northwest Power Co., P.O. Box 1445, Spokane, Wash.
E. (9) $155.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $12,273.23. E. (9) $456.30.

A. Gustave Burmeister, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,375. E. (9) $7.93.

A. David Burpee, Fordhook Farms, Doylestown, Pa.
E. (9) $61.66.

A. Orrin A. Burrows, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.
D. (6) $4,000.03.

A. Hollis W. Burt, 1212 Munsey Building, Washington, D.C.
B. National Association of Supervisors of State Banks, 1212 Munsey Building, Washington, D.C.
D. (6) $55.

A. Business Committee for Tax Reduction, 1000 Vermont Avenue NW., Washington, D.C.
D. (6) $885. E. (9) $12,874.59.

A. Robert B. Byrnes, 1703 Rhode Island Avenue NW., Washington, D.C.
B. National Railroad Pension Forum, Inc., 2403 East 75th Street, Chicago, Ill.
D. (6) $300. E. (9) $71.16.

A. C. G. Caffrey, 1120 Connecticut Avenue NW., Washington, D.C.
B. Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $760.20. E. (9) $65.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $500. E. (9) $524.37.

A. Carl C. Campbell, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.
D. (6) $138.46.

A. Canal Zone Central Labor Union-Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.
D. (6) $8,230.68. E. (9) $6,159.14.

A. Ronald A. Capone, 505 Farragut Building, Washington, D.C.
B. Committee of European Shipowners, 3–6 Bury Court, St. Mary Axe, London, E.C. 3.
D. (6) $2,500. E. (9) $359.86.

A. James R. Carnes, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,500.

A. Braxton B. Carr, 1025 Connecticut Avenue, Washington, D.C.
B. The American Waterways Operators, Inc., 1025 Connecticut Avenue, Washington, D.C.
D. (6) $1,400. E. (9) $291.27.

A. Carretta & Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Bicycle Manufacturers Association of America, 122 East 42d Street, New York, N.Y.

A. H. Allen Carroll, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $245.

A. Albert E. Carter, Mayflower Hotel, Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $1,500. E. (9) $3,610.42.

A. Eugene C. Carusi, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Channing Service Corp., 85 Broad Street, New York, N.Y.
E. (9) $376.15.

A. Alger B. Chapman, Jr., 11 Wall Street, New York, N.Y.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. American Taxicab Association, Inc., 4415 North California Avenue, Chicago, Ill.
D. (6) $1,000. E. (9) $27.66.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Hawaiian Botanical Gardens Foundation Inc., 1527 Keeaumoku Street, Honolulu, Hawaii.
D. (6) $5,000. E. (9) $15.52.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Jeppesen & Co., 8025 East 40th Avenue, Denver, Colo.
E. (9) $17.41.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Strohmeyer & Arpe Co., 139–141 Franklin Street, New York, N.Y.
D. (6) $625. E. (9) $36.36.

A. Chapman & Friedman, 425 13th Street NW., Washington, D.C.
B. Union Nacional de Productores de Azucar, S.A. de C.V., Balderas 36, Primer Piso, Mexico, D. F., Mexico.
D. (6) $8,125. E. (9) $879.97.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.
B. Western Geothermal, Inc., International Building, St. Mary's Square, San Francisco, Calif.
D. (6) $5,000. E. (9) $25.02.

A. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.
E. (9) $1,079.56.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.
E. (9) $175.

A. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $2,514.11. E. (9) $2,514.11.

A. Alexander K. Christie, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $2,766. E. (9) $300.

A. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $149.53. E. (9) $149.53.

A. Citizens Committee on American Policy in the Near East, Box 368, McLean, Va.
D. (6) $2,820.50. E. (9) $2,334.19.

A. Citizens Committee for a National Service Corps, 412 Albee Building, Washington, D.C.
D. (6) $2,131. E. (9) $3,588.10.

A. Citizens Committee on Natural Resources, 1346 Connecticut Avenue, Washington, D.C.
D. (6) $8,408.51. E. (9) $10,912.99.

A. Citizens Foreign Aid Committee, 1001 Connecticut Avenue NW., Washington, D.C.
E. (9) $7,852.82.

A. Earl W. Clark, 100 Indiana Avenue NW., Washington, D.C.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $954. E. (9) $74.96.

A. Robert M. Clark, 1710 H Street NW., Washington, D.C.
B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Clay Pipe Industry Depletion Committee, 410 Woodward Building, Washington, D.C.

A. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C., and 11 Broadway, New York, N.Y.
D. (6) $875. E. (9) $65.45.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. The American Tobacco Co.
D. (6) $388.88. E. (9) $193.12.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Brown & Williamson Tobacco Corp.
D. (6) $388.88. E. (9) $193.12.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Liggett & Myers Tobacco Co.
D. (6) $388.88. E. (9) $193.12.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. P. Lorillard Co.
D. (6) $388.88. E. (9) $193.12.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Philip Morris, Inc.
D. (6) $388.88. E. (9) $193.12.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co.
D. (6) $388.88. E. (9) $193.12.

A. Washington I. Cleveland, 1712 G Street NW., Washington, D.C.
B. District of Columbia, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph Coakley, 900 16th Street NW., Washington, D.C.
B. Building Service Employees International Union, 900 17th Street NW., Washington, D.C.
D. (6) $3,000.

A. Junius E. Cobean, Sr., 1706 Old Stage Road, Alexandria, Va.
B. Brotherhood of Railway and Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $500.

A. Edwin S. Cohen, 26 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $250. E. (9) $15.

A. Joseph Cohen, National Press Building, Washington, D.C.
B. The National Association of Retail Druggists, 1 East Wacker Drive, Chicago, Ill.
D. (6) $500.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tanker Owners, Inc., 1 Chase Manhattan Plaza, New York, N.Y.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Pacific Navigation System, Inc., 9 First Street, San Francisco, Calif.
E. (9) $4.50.

A. J. I. Collier, Jr., 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $175.

A. Collier & Shannon, 1625 I Street NW., Washington, D.C.
B. National Shoe Manufacturers Association, 342 Madison Avenue, New York, N.Y.
D. (6) $750. E. (9) $103.50.

A. Collier & Shannon, 1625 I Street NW., Washington, D.C.
B. Tool & Stainless Steel Industry Committee, c/o Carpenter Steel Co., Reading, Pa.
D. (6) $500. E. (9) $80.30.

A. Colorado Railroad Association, 840 Equitable Building, Denver, Colo.
E. (9) $1,347.21.

A. Committee for Broadening Commercial Bank Participation in Public Financing, 50 South LaSalle Street, Chicago, Ill.

A. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $62,730. E. (9) $21,228.19.

A. Committee for Time Uniformity, 1710 H Street N.W., Washington, D.C.

A. R. T. Compton, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Paul B. Comstock, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. John C. Cone, 815 15th Street NW., Washington, D.C.
B. Pan American World Airways, 815 15th Street NW., Washington, D.C.

A. Raymond F. Conkling, 135 East 42d Street, New York, N.Y.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $200. E. (9) $20.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Edward Cooper.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C.

A. J. Milton Cooper, 15th Street and New York Avenue NW., Washington, D.C.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. J. Milton Cooper, 15th Street and New York Avenue NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co., Winston-Salem, N.C.

A. John Shepherd Cooper, 1725 K Street NW., Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $1,560. E. (9) $2,299.52.

A. Mitchell J. Cooper, 1625 K Street NW., Washington, D.C.
B. Council of Forest Industries, 550 Burrard Street, Vancouver, B.C.
D. (6) $4,000.

A. Coordinating Committee for Fundamental American Freedoms, Inc., 301 First Street NE., Washington, D.C.
D. (6) $192,950.14. E. (9) $191,528.16.

A. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Edward M. Corneaby, 25 Louisiana Avenue NW., Washington, DC.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.

A. Cotton Producers Legislative Committee, 1025 Connecticut Avenue, Washington, D.C.
D. (6) $14,239. E. (9) $7,159.22.

A. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.

A. Council of Mechanical Specialty Contracting Industries, Inc., 610 Ring Building, Washington, D.C.

A. Council of Profit Sharing Industries, Munsey Building, Washington, D.C.
D. (6) $843.41. E. (9) $843.41.

A. Council of State Chambers of Commerce, 1025 Connecticut Avenue, Washington, D.C.
D. (6) $1,404.78. E. (9) $1,404.78.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. American Corn Millers' Federation, 1000 Connecticut Avenue, Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio

A. Edsall Lee Couplin, 441 East Jefferson Avenue, Detroit, Mich.

B. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.

D. (6) $1,500. E. (9) $36.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.

B. Allentown Portland Cement Co., et al.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.

B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.

B. A. P. Møller, 8 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 701 Union Trust Building, Washington D.C.

B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.

B. Savings & Loan Bank of the State of New York, 60 East 42d Street, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.

B. The Travelers Insurance Co., Hartford, Conn.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.

B. The Wisconsin Corp., 500 Union Street, Seattle, Wash.

E. (9) $34.49.

A. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $1,240.74. E. (9) $1,240.74.

A. Theodore F. T. Crolius, 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $350. E. (9) $80.

A. William A. Cromartie, 1 North LaSalle Street, Chicago, Ill.

B. Park Sherman Co., 1200 Park Avenue, Murfreesboro, Tenn.

D. (6) $625. E. (9) $67.16.

A. Robert E. Cronin, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. H. C. Crotty, 12050 Woodward Avenue, Detroit, Mich.

A. Leo J. Crowley, 840 Equitable Building, Denver, Colo.

B. Colorado Railway Association, 840 Equitable Building, Denver, Colo.

D. (6) $245. E. (9) $537.96.

A. John Curran, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $3,640. E. (9) $916.10.

A. Bernard Cushman, 5025 Wisconsin Avenue NW., Washington, D.C.

B. Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D.C.

E. (9) $3.75.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.

A. Louis S. Damiani, Box 54, Gatun, C.Z.

B. Canal Zone Central Labor Union & Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.

D. (6) $1,938.99. E. (9) $2,471.

A. F. Gibson Darrison, Jr., 4810 Fort Sumner Drive, Washington, D.C.

B. New York State Association of Railroads, 466 Lexington Avenue, New York, N.Y.

A. John C. Datt, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $787.50. E. (9) $29.41

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.

B. Chicago Bridge & Iron Co., 1305 West 105th Street, Chicago, Ill.

D. (6) $16,177.83. E. (9) $56.70.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.

B. James S. Copley, 7776 Ivanhoe Avenue, La Jolla, Calif.

E. (9) $26.43.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

E. (9) $1,590.52.

A. Lowell Davis, 601 Ross Avenue, Mart, Tex.

D. (6) $133. E. (9) $133.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.

B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.

B. D.C. Transit System, Inc., 36th & M Streets NW., Washington, D.C.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.

B. Hilton Hotels Corp., Chicago, Ill.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.

B. Laundry Dry Cleaning Association of D.C., 2300 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.

B. Variable Annuity Life Insurance Co., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.

B. Variable Annuity Life Insurance Co., Washington, D.C.

D. (6) $1,000.

A. Dawson, Griffin, Pickens, & Riddell, 731 Washington Building, Washington, D.C.

B. Virgin Islands Gift & Fashion Shop Association, Inc., St. Thomas, V.I.

D. (6) $3,000.

A. John F. Dawson, 1735 New York Avenue NW., Washington, D.C.

B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

D. (6) $500.

A. Dawson, Nagel, Sherman & Howard, Denver, Colo.

B. Downtown Denver Improvement Association, Guaranty Bank Building, Denver, Colo.

E. (9) $162.40

A. Tony T. Dechant.

B. The Farmers Educational & Cooperative Union of America, 1575 Sherman Street, Denver Colo.; 1404 New York Avenue NW., Washington, D.C.

A. Ronald W. De Lucien, 1133 20th Street NW., Washington, D.C.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $250. E. (9) $122.

A. Mary S. Deuel, 3006 Cambridge Place NW., Washington, D.C.

B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.

A. Joe T. Dickerson, 1625 K Street NW., Washington, D.C.

B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

D. (6) $260. E. (9) $15.

A. Cecil B. Dickson, 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $1,687.50. E. (9) $275.92.

A. George E. Diethelm.

B. American Sugar Co., 120 Wall Street, New York, N.Y.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Sacramento Municipal Utility District, 6201 South Street, Sacramento, Calif.

D. (6) $1,341.16. E. (9) $291.16.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Thurman & Wright, 1208 Latham Square Building, Oakland, Calif.

A. Timothy V. A. Dillon, 1001 15th Street, NW., Washington, D.C.

B. Tulelake Irrigation District, Post Office Box 787, Tulelake, Calif.

D. (6) $2,240.05. E. (9) $240.05.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Westland Water District, Post Office Box 4006, Fresno, Calif.

D. (6) $740.40. E. (9) $20.40.

A. Disabled American Veterans National Service Headquarters, 1701 18th Street NW., Washington, D.C.

B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.

E. (9) $5,528.04.

A. Robert H. Distelhorst, Jr., 812 Pennsylvania Building, Washington, D.C.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $312.50. E. (9) $7.65.

A. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.

D. (6) $26,629.28. E. (9) $32,785.69.

A. Division 689, Amalgamated Association of Street, Electric Railway & Motor Coach Employes of America, 900 F Street NW., Washington, D.C.

A. Robert C. Dolan, 1200 18th Street NW., Washington, D.C.

B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.

D. (6) $300. E. (9) $243.86.

A. Paul R. M. Donelan, 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $220.

A. James L. Donnelly, 200 South Michigan Avenue, Chicago, Ill.

B. Illinois Manufacturers Association, 200 South Michigan Avenue, Chicago, Ill.

E. (9) $190.69.

A. Ronald D. Doremus, 210 H Street NW., Washington, D.C.

B. National Limestone Institute, Inc., Washington, D.C.

E. (9) $5.

A. J. Dewey Dorsett, 110 William Street, New York, N.Y.

D. (6) $150.

A. Jasper N. Dorsey, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.

D. (6) $2,508.50.

A. C. L. Dorson, 900 F Street NW., Washington, D.C.

B. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.

D. (6) $1,904.91. E. (9) $113.

A. William E. Dunn, 1957 E Street NW., Washington, D.C.

B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.

E. (9) $22.93.

A. Eastern Railroad Presidents Conference, 1 Exchange Place, Jersey City, N.J.

A. Herman Edelsberg, 1640 Rhode Island Avenue NW., Washington, D.C.

B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.Y.

D. (6) $140.

A. Wallace Edgerton, 1762 Church Street NW., Washington, D.C.

D. (6) $3,000.

A. Harold E. Edwards, 1001 Connecticut Avenue NW., Washington, D.C.

B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.

D. (6) $3,304.85. E. (9) $300.

A. Walter A. Edwards, 1700 K Street NW., Washington, D.C.

B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.

D. (6) $250. E. (9) $100.

A. Ehrich, Stock, Valicenti, Leighton & Holland and Richard L. Goldman, 20 Exchange Place, New York, N.Y.

B. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street, New York, N.Y.

A. Ehrich, Stock, Valicenti, Leighton & Holland, and Richard L. Goldman, 20 Exchange Place, New York, N.Y.

B. Channing Service Corp., 85 Broad Street, New York, N.Y.

E. (9) $376.15.

A. James B. Ehrlich, 1000 Connecticut Avenue NW., Washington, D.C.

B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $516.25. E. (9) $88.35.

A. John Doyle Elliott, 808 North Capitol Street, Washington, D.C.

B. Townsend Plan, Inc., 808 North Capitol Street, Washington, D.C.

D. (6) $1,625. E. (9) $303.08.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.

B. Amalgamated Association of Street, Electric Railway & Motor Coach Employes of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Warren G. Elliott, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.

D. (6) $268. E. (9) $19.90.

A. Clyde T. Ellis, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $82.92.

A. Otis H. Ellis, 1001 Connecticut Avenue NW., Washington, D.C.

B. National Oil Jobbers Council, 1001 Connecticut Avenue NW., Washington, D.C.

D. (6) $12,500.

A. Perry R. Ellsworth, 910 17th Street NW., Washington, D.C.

B. Milk Industry Foundation, 910 17th Street NW., Washington, D.C.

A. John H. Elese, 302 Ring Building, Washington, D.C.

B. National Lumber & Building Material Dealers Association, 302 Ring Building, Washington, D.C.

D. (6) $2,000. E. (9) $394.77.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.

B. American Public Power Association, 919 18th Street NW., Washington, D.C.

D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.

B. Coachella Valley County Water District, Coachella, Calif.

D. (6) $1,200.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.

B. Department of Water and Power of the City of Los Angeles, 207 South Broadway, Los Angeles, Calif.

D. (6) $2,400.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.

B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.

D. (6) $1,200.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.

B. Imperial Irrigation District, El Centro, Calif.

D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.

B. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.

D. (6) $4,318.75.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.

B. Taxpayers Association of Leland Township Summer Home Owners, Inc., Box 215, Leland, Mich.

A. Charles P. English, Post Office Box 2154 AMF, Miami, Fla.

B. Luisa Roldan de English, Apartado Aereo No. 14256, Bogotá, Colombia.

A. Myles W. English, 966 National Press Building, Washington, D.C.

B. National Highway Users Conference, Inc., 966 National Press Building, Washington, D.C.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y.

B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.

D. (6) $727.96. E. (9) $79.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C.

B. Veterans of Foreign Wars of the United States.

D. (6) $1,875. E. (9) $33.60.

A. Clinton M. Fair, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $3,640. E. (9) $356.87.

A. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.

E. (9) $841.32.

A. Farmers Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue N.W., Washington. D.C.

D. (6) $68,801.71. E. (9) $21,085.54.

A. Joseph G. Feeney, 1725 I Street NW., Washington. D.C.

B. REA Express, 219 East 42d Street, New York, N.Y.

D. (6) $1,400. E. (9) $300.

A. Bonner Fellers, 1001 Connecticut Avenue NW., Washington, D.C.

B. Citizens Foreign Aid Committee, 1001 Connecticut Avenue NW., Washington, D.C.

A. Maxwell Field, 210 Lincoln Street, Boston, Mass.

B. New England Shoe & Leather Association.

D. (6) $400. E. (9) $66.69.

A. Herbert A. Fierst, 607 Ring Building, Washington. D.C.

B. Council of the Forest Industries of British Columbia, 550 Burrard Street, Vancouver, B.C., Canada.

D. (6) $10,000. E. (9) $548.11.

A. Mello G. Fish, 1001 Connecticut Avenue NW., Washington, D.C.

B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.

D. (6) $2,835. E. (9) $300.

A. William J. Flaherty, 1701 18th Street NW., Washington, D.C.

B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.

D. (6) $2,125.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,225. E. (9) $28.89.

A. Florida Citrus Mutual, Lakeland, Fla.

E. (9) $1,200.

A. Jamed W. Foristel, 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $1,537.20. E. (9) $112.60.

A. Ronald J. Foulis, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.

B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

D. (6) $100.

A. Fowler, Leva, Hawes & Symington, 1701 K Street NW., Washington, D.C.

B. Waterways Bulk Transportation Council, Inc., 10 East 40th Street, New York, N.Y.

A. John G. Fox, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.

B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

D. (6) $565.30.

A. George R. Frankovich, Providence, R.I.

B. Manufacturing Jewelers & Silversmiths of America, Inc., 207-11 Sheraton-Biltmore Hotel, Providence, R.I., and Jewelry Industry Tax Committee, 919 18th Street NW., Washington, D.C.

D. (6) $640. E. (9) $644.87.

A. Robert W. Frase, 1820 Jefferson Place NW., Washington, D.C.

B. American Book Publishers Council, Inc., 58 West 40th Street, New York, N.Y.

D. (6) $2,896.85. E. (9) $2,190.15.

A. James H. French, 1625 K Street NW., Washington, D.C.

B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. James H. French, 1625 K Street NW., Washington, D.C.

B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.

B. The National Tire Dealers and Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $18,947.42. E. (9) $7,603.52.

A. Malcolm H. Frost, 25 West 43d Street, New York, N.Y.

B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York N.Y.

A. David C. Fullarton, 1735 K Street NW., Washington, D.C.

B. National Telephone Cooperative Association, 1735 K Street NW., Washington, D.C.

D. (6) $245.

A. Garrett Fuller, 836 Wyatt Building, Washington, D.C.

B. West Coast Steamship Co., 1210 Standard Plaza, Portland, Oreg.

A. Lawrence H. Gall, 918 16th Street NW., Washington, D.C.

B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

D. (6). $975.

A. M. J. Galvin, 207 Union Depot Building, St. Paul, Minn.

B. Minnesota Railroads.

D. (6) $500. E. (9) $787.99.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $200.

A. Aubrey D. Gates, 535 North Dearborn Street, Chicago, Ill.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $170.

A. J. M. George, 165 Center Street, Winona, Minn.

B. The Inter-State Manufacturer's Association 163-165 Center Street, Winona, Minn.

D. (6) $1,500.

A. J. M. George, 163-165 Center Street, Winona, Minn.

B. National Association of Direct Selling Companies, 163-165 Center Street, Winona, Minn.

D. (6) $3,000.

A. Harry J. Garrity, 907 Washington Building, Washington, D.C.

B. National Association of Building Owners and Managers, 134 South LaSalle Street, Chicago, Ill.

E. (9) $76.30.

A. Ernest Giddings, 1346 Connecticut Avenue NW., Washington, D.C.

B. National Retired Teachers Association and American Association of Retired Persons.

E. (9) $1,211.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio.

B. International Union of United Brewery, Flour, Cereal, Soft Drink & Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

E. (9) $125.47.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.

B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

E. (9) $513.38.

A. Neal P. Gillen, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Jay W. Glasmann, 306 Southern Building, Washington, D.C.

B. H. J. Heinz Co., Pittsburgh, Pa.

D. (6) $250. E. (9) $2.40.

A. Glen Alden Corp., 1740 Broadway, New York, N.Y.

E. (9) $1,500.

A. Philip Goldstein, 410 Woodward Building, Washington, D.C.

B. Clay Pipe Industry Depletion Committee, 410 Woodward Building, Washington, D.C.

A. Don A. Goodall, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C.

A. Lawrence L. Gourley, 1757 K Street NW., Washington, D.C.

B. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.

D. (6) $375.

A. Government Employes' Council, AFL-CIO, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $10,142.10. E (9) $7,949.57.

A. Grain and Feed Dealers National Association, 400 Folger Building, Washington, D.C.

E. (9) $42.50.

A. Grand Lodge of the Brotherhood of Locomotive Firemen and Enginemen, 318-418 Keith Building, Cleveland, Ohio.

D. (6) $4,686.78. E. (9) $4,586.78.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.

B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

D. (6) $156.25. E. (9) $31.16.

A. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho.

B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.

E. (9) $699.55.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. Committee on Consumer Finance Companies, Washington Building, Washington, D.C.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. Mutual Benefit Health and Accident Association, Omaha, Nebr.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. Variable Annuity Life Insurance Co., Washington, D.C.

A. J. S. Grigsby, Jr., 1107 Stahlman Building, Nashville, Tenn.

B. Southern States Industrial Council, 1103-1111 Stahlman Building, Nashville, Tenn.

D. (6) $1,950.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.

B. National Automobile Dealers Association.

D. (6) $4,000. E. (9) $2,300.

A. Robert W. Haack, 1707 H. Street NW., Washington, D.C.

B. National Association of Securities Dealers, Inc.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.

B. AFL-CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $3,000. E. (9) $323.16.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.

B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $954. E. (9) $28.37.

A. Hal H. Hale, 419 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Andrew G. Haley and Haley, Bader & Potts, 1735 De Sales Street NW., Washington, D.C.

B. Association on Broadcasting Standards, Inc., 1741 De Sales Street NW., Washington, D.C.

E. (9) $118.13.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill.

A. J. G. Hall, Detroit, Mich.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Robert A. Hall, 3502 East Kiest, Dallas, Tex.

B. Kingdon Gould, Jr., and D. F. Antonelli, Jr., 1725 DeSales Street NW., Washington, D.C.

D. (6) $5,000. E. (9) $1,001.87.

A. E. C. Hallbeck, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $4,500.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. American Trading & Production Corp., Baltimore, Md.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. The Council of Private Lending Institutions, Inc., 1725 K Street NW., Washington, D.C.
E. (9) $726.54.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. Eastern Airlines, Inc., 10 Rockefeller Plaza, New York, N.Y.
D. (6) $2,500. E. (9) $10.96.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.

A. Hamel, Morgan, Park & Saunders, 808 17th Street, NW., Washington, D.C.
B. Scientific Apparatus Makers Association, 919 18th Street NW., Washington, D.C.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Hamel, Morgan, Park & Saunders, 808 17th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $23,500. E. (9) $2,242.64.

A. W. C. Hammerle, 220 East 42d Street, New York, N.Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. Harold F. Hammond, 1710 H Street NW., Washington, D.C.
B. Transportation Association of America, 1710 H Street NW., Washington, D.C.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Bryce N. Harlow, 1730 K Street NW., Washington, D.C.
B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.
E. (9) $56.

A. Mildred B. Harman, 212 Maryland Avenue NE., Washington, D.C.
B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $720. E. (9) $351.69.

A. L. James Harmanson, Jr., 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $5,249.98. E. (9) $160.76.

A. Herbert E. Harris, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,562.50. E. (9) $25.21.

A. R. A. Harris, 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $2,749.98.

A. W. Gibson Harris, 815 Mutual Building, Richmond, Va.
B. Household Finance Corp., 3220 Prudential Plaza, Chicago, Ill.
D. (6) $5,000. E. (9) $2,670.88.

A. Burr P. Harrison, Graichen Building, Winchester, Va.
B. Allentown Portland Cement Co., 7th Street at Thruway, Allentown, Pa., et al.
D. (6) $4,700. E. (9) $129.19.

A. Burr P. Harrison, Graichen Building, Winchester, Va.
B. Household Finance Corp., 3220 Prudential Plaza, Chicago, Ill.
D. (6) $2,500. E. (9) $68.46.

A. Walter A. Hasty, Jr., 1575 Sherman Street, Denver, Colo.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union) 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.
D. (6) $2,584.51.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $81.25. E. (9) $9.92.

A. Kit H. Haynes, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. Hays & Hays, 920 Warner Building, Washington, D.C.
B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $300. E. (9) $164.80.

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. John C. Hazen, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $100.75.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $757.22. E. (9) $757.22.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300.

A. George J. Hecht, 52 Vanderbilt, Avenue, New York, N.Y., and 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.

A. Kenneth G. Heisler, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $1,000.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N.Y.
D. (6) $2,012.01. E. (9) $887.01.

A. John K. Herbert, 575 Lexington Avenue, New York, N.Y.
B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y.
D. (6) $664.71.

A. Maurice G. Herndon, 801 Warner Building, Washington, D.C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N.Y., and 801 Warner Building, Washington, D.C.

A. David W. Herrmann, 551 Fifth Avenue, New York, N.Y.
E. (9) $278.67.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. Boston Wool Trade Association, 263 Summer Street, Boston, Mass.
D. (6) $600. E. (9) $62.55.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Association of Wool Manufacturers, 386 Fourth Avenue, New York, N.Y.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Wool Trade Association, 263 Summer Street, Boston, Mass.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. New York Wool Trade Association, 155 West 44th Street, New York, N.Y.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. Philadelphia Wool & Textile Association, Post Office Box 472, Station S, Philadelphia, Pa.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. United States Brewers Association, 535 Fifth Avenue, New York, N.Y.
D. (6) $5,000. E. (9) $96.15.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.

A. Robert L. Higgins, 1200 18th Street NW., Washington, D.C.
B. National Electrical Contractors Association, 1200 18th Street NW., Washington, D.C.

A. John W. Hight, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $115.60. E. (9) $20.

A. James A. Hirshfield, 305 Rockefeller Building, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Brig. Gen. J. D. Hittle, U.S. Marine Corps (retired), 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,166.67. E. (9) $40.90.

A. Lawrence S. Hobart, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $200.

A. Claude E. Hobbs, 1625 K Street NW., Washington, D.C.
B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.
D. (6) $900. E. (9) $120.

A. Irvin A. Hoff, 1001 Connecticut Avenue, Washington, D.C.

B. U.S. Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.
E. (9) $38.55.

A. Lawrence J. Hogan, 1012 14th Street NW., Washington, D.C.
B. Joint Committee on Transportation for Metropolitan Washington.

A. Larry Hogan Associates, 1012 14th Street NW., Washington, D.C.
B. National Apartment Owners Association, 1012 14th Street NW., Washington, D.C.
D. (6) $2,925. E. (9) $418.59.

A. Lawrence J. Hogan, 1012 14th Street NW., Washington, D.C.
B. National Council of Specialty Contractors Associations, Inc., 1012 14th Street NW., Washington, D.C.

A. Holland & Hart, 500 Equitable Building, Denver, Colo.
B. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $2,494.94. E. (9) $279.44.

A. Fuller Holloway, 808 17th Street NW., Washington, D.C.
B. The Toilet Goods Association, Inc., 1270 Avenue of the Americas, New York, N.Y.
D. (6) $7,625. E. (9) $233.14.

A. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.
D. (6) $500. E. (9) $1,000.

A. Edwin M. Hood, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Samuel H. Horne, 1145 Munsey Building, Washington, D.C.
B. Park Sherman Co., 1200 Park Avenue, Murfreesboro, Tenn.
D. (6) $625. E. (9) $67.16.

A. Donald E. Horton, 222 West Adams Street, Chicago, Ill.
B. American Warehousemen's Association.

A. Harold A. Houser, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $2,500.

A. Charles L. Huber, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
E. (9) $3,867.04.

A. W. T. Huff, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $275.

A. William J. Hull, 1625 I Street NW., Washington, D.C.
B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 326 Cafritz Building, Washington, D.C.
B. Ohio Valley Improvement Association, Inc.

A. Luther A. Huston, 1000 Vermont Avenue NW., Washington, D.C.
B. Business Committee for Tax Reduction, 1000 Vermont Avenue NW., Washington, D.C.
D. (6) $3,600. E. (9) $56.74.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
D. (6) $5.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. Richard F. Bates, et al.
D. (6) $1. E. (9) $273.

A. Frank N. Ikard, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $1,250.

A. Industrial Union Department, 815 16th Street NW., Washington, D.C.
D. (6) $5,694.21. E. (9) $5,694.21.

A. Inland Steel Co., 30 West Monroe Street, Chicago, Ill.
E. (9) $1,197.99.

A. Iron Ore Lessors Association, Inc., First National Bank Building, St. Paul, Minn.
E. (9) $1,111.31.

A. Institute of Appliance Manufacturers, 2000 K Street NW., Washington, D.C.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300. E. (9) $18.29.

A. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
E. (9) $16,818.41.

A. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
E. (9) $2,150.

A. Inter-State Manufacturer's Association, 163–165 Center Street, Winona, Minn.
D. (6) $2,975. E. (9) $4.52.

A. Investors Diversified Services, Inc., Minneapolis, Minn.
E. (9) $2,914.58.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, Inc., 1501 Johnston Bldg., Charlotte, N.C.
D. (6) $3,750. E. (9) $324.

A. Raymond M. Jacobson, 1815 H Street NW., Washington, D.C.
B. Inter-American Trade and Cultural Center Authority, Post Office Box 59–2294, Miami, Fla.
D. (6) $2,400. E. (9) $232.42.

A. Walter K. Jaenicke, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Japanese-American Citizens League, 1634 Post Street, San Francisco, Calif.
E. (9) $150.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $3,912.51 E. (9) $46.15

A. Philip F. Jehle, National Press Building, Washington, D.C.
B. The National Association of Retail Druggists, 1 East Wacker Drive, Chicago, Ill.
D. (6) $1,000.

A. Joe Jenness, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Chas. B. Jennings, 1712 I Street NW., Washington, D.C.
B. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $400.

A. Robert G. Jeter, Dresden, Tenn.
B. H. C. Spinks Clay Co., Paris, Tenn., et al.
D. (6) $2,609.65. E. (9) $25.87.

A. Peter D. Joers, 810 Whittington Avenue, Hot Springs, Ark.
B. Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark.

A. Gilbert R. Johnson, 1208 Terminal Tower, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Johnson & Manuel, 105 East Holbrook Avenue, Fairfax, Va.
B. American Coalition of Patriotic Societies, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,015. E. (9) $1,132.50

A. Reuben L. Johnson.
B. The Farmers' Educational and Cooperative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.
D. (6) $3,230.98. E. (9) $276.60.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $656. E. (9) $534.31.

A. James E. Jones, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $33.75.

A. Phillip E. Jones, 920 Tower Building, Washington, D.C.
B. United States Beet Sugar Association, 920 Tower Building, Washington, D.C.
D. (6) $250.

A. John E. Kane, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $2,187.50. E. (9) $573.17.

A. Sheldon Z. Kaplan, 1616 H Street NW., Washington, D.C.
B. Guatemala Sugar Producers Association, Guatemala City, Guatemala.

A. Howard B. Keck, 550 South Flower Street, Los Angeles, Calif.
B. The Superior Oil Co., 550 South Flower Street, Los Angeles, Calif.
E. (9) $300.

A. W. M. Keck, Jr., 9864 Wilshire Boulevard, Beverly Hills, Calif.
E. (9) $275.

A. Charles C. Keeble, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $27.85.

A. Eugene A. Keeney, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C.

A. Francis V. Keesling, Jr., 605 Market Street, San Francisco, Calif.
B. West Coast Life Insurance Co., 605 Market Street, San Francisco, Calif.

A. John T. Kelly, 1411 K Street, Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. I. L. Kenen, 1737 H Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C.
B. Marathon Oil Co., Findlay, Ohio.
E. (9) $85.80.

A. Kennon, White & Odom, 233 St. Ferdinand Street, Baton Rouge, La.
B. Connecticut General Life Insurance Co., Hartford, Conn.
D. (6) $1,250. E. (9) $294.75.

A. William J. Kerwin, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $1,000.

A. Ronald M. Ketcham, Post Office Box 351, Los Angeles, Calif.
B. Southern California Edison Co., P.O. Box 351, Los Angeles, Calif.
D. (6) $1,512. E. (9) $1,972.42.

A. Jeff Kibre, 1341 G Street NW., Washington, D.C.
B. International Longshoremen's & Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
D. (6) $2,340. E. (9) $1,834.32.

A. Edward W. Kiley, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $12.50.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.
B. National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $246.25.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $558.25. E. (9) $6.18.

A. Ludlow King, 2139 Wisconsin Avenue NW., Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $750.

A. Clifton Kirkpatrick, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $630. E. (9) $46.61.

A. James F. Kmetz, 1435 K Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $3,546.

A. George W. Koch, 1612 K Street NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Robert M. Koch, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, 210 H Street NW., Washington, D.C.
E. (9) $25.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
E. (9) $3,396.96.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $2,500. E. (9) $1,550.15.

A. Lloyd R. Kuhn, 1725 DeSales Street NW., Washington, D.C.
B. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $3,912. E. (9) $639.96.

A. Labor Bureau of Middle West, 1001 Connecticut Avenue, Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $7,950. E. (9) $6,334.49.

A. Lake Carriers' Association, Cleveland, Ohio.

A. Kenneth C. Landry, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $500.

A. Richard H. Lane, 1511 K Street NW., Washington, D.C.
B. The Committee for Broadening Commercial Bank Participation in Public Financing.

A. J. Austin Latimer, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,900.

A. John V. Lawrence, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $271.25. E. (9) $4.40.

A. Thomas B. Lawrence, 917 15th Street NW., Washington, D.C.
B. National Licensed Beverage Association, 420 Seventh Street, Racine, Wis.
D. (6) $650.

A. Warren Lawrence, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
D. (6) $125. E. (9) $122.50.

A. Robert F. Lederer, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.
D. (6) $35. E. (9) $159.35.

A. Leonard F. Lee, 402 Solar Building, Washington, D.C.
B. Tennessee Gas Transmission Co., Post Office Box 2511, Houston, Tex.
E. (9) $79.60.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,030. E. (9) $164.88.

A. Legislative Committee, International Economic Policy Association, 1625 I Street NW., Washington, D.C.
E. (9) $3,635.40.

A. Geo. Stephen Leonard, 1730 K Street NW., Washington, D.C.
B. Coordinating Committee for Fundamental American Freedoms, Inc., 301 First Street NE., Washington, D.C.
D. (6) $1,600. E. (9) $1,056.65.

A. Roy T. Lester, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $375. E. (9) $17.80.

A. Hal Leyshon, 122 East 42d Street, New York, N.Y.
B. American Federation of Musicians, 425 Park Avenue, New York, N.Y.
D. (6) $4,999.98. E. (9) $1,888.55.

A. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y., and 1701 K Street, NW., Washington, D.C.
D. (6) $4,362.68. E. (9) $4,362.68.

A. L. Blaine Liljenquist, 917 15th Street NW., Washington, D.C.
D. (6) $6,250. E. (9) $13.20.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C.

A. David A. Lindsay, 1 Chase Manhattan Plaza, New York, N.Y.
B. Morgan Guaranty Trust Company of New York, 140 Broadway, New York, N.Y.
D. (6) $500.

A. Charles B. Lipsen, 1741 DeSales Street NW., Washington, D.C.
B. Retail Clerks International Association, 1741 DeSales Street NW., Washington, D.C.
D. (6) $4,163.50. E. (9) $1,878.61.

A. Robert G. Litschert, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $446.25. E. (9) $125.63.

A. Basil R. Littin, 1710 H Street NW., Washington, D.C.

A. Gordon C. Locke, 1725 K Street NW., R.C.A. Building, Washington, D.C.
B. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.

A. John J. Long, 711 14th Street NW., Washington, D.C.
B. International Printing Pressmen and Assistants' Union of North America, Pressmen's Home, Tenn.
D. (6) $1,300. E. (9) $19.45.

A. Paul H. Long, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $15.90.

A. Lord, Day & Lord, 25 Broadway, New York, N.Y.
B. The Metropolitan Museum of Art, Fifth Avenue & 82d Street, New York, N.Y.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $1,500.

A. Otto Lowe, Cape Charles, Va.
B. Norfolk & Western Railway Co., Roanoke, Va.
D. (6) $600.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.
B. Algonquin Investment Co., 6828 Oakland, St. Louis, Mo.
D. (6) $500.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.
B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,000.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $200.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.
B. Western Medical Corp., 415–423 West Pershing Road, Chicago, Ill.
D. (6) $1,000.

A. A. B. Luckey, Jr., 411 Munsey Building, Washington, D.C.
B. American Taxpayers Association, Inc., 411 Munsey Building, Washington, D.C.
D. (6) $750.

A. A. B. Luckey, Jr., 103 G Street SW., Washington, D.C.
B. Menlo Realty Co., 6303 Wilshire Boulevard, Los Angeles, Calif.
D. (6) $1,850. E. (9) $210.57.

A. A. B. Luckey, Jr., 103 G Street SW., Washington, D.C.
B. Union Texas Petroleum Co., 811 Rusk Avenue, Houston, Tex.
E. (9) $658.52.

A. John C. Lynn, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,437.50. E. (9) $39.03.

A. LeRoy E. Lyon, Jr., Eleventh & L Building, Sacramento, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.
D. (6) $2,340. E. (9) $1,281.92.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. William J. McAnallen, 928 Investment Building, Washington, D.C.
B. Harold Hochschild, 1270 Avenue of the Americas, New York, N.Y.
E. (9) $205.43.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C.
B. Government Employes' Council, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,884.56.

A. Albert L. McDermott, 777 14th Street NW., Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.
D. (6) $450. E. (9) $24.

A. Angus H. McDonald.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.
D. (6) $2,853.76. E. (9) $108.45.

A. Joseph J. McDonald, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,304.85. E. (9) $300.

A. Joseph T. McDonnell, 425 13th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont.
B. The Montana Power Co., Butte, Mont.
E. (9) $300.37.

A. William F. McKenna, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $137. E. (9) $11.20.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,250. E. (9) $45.20.

A. Patrick H. McLaughlin, 4563 Indian Rock Terrace NW., Washington, D.C.
B. Glen Alden Coal Co.
D. (6) $1,200. E. (9) $1,200.

A. W. H. McMains, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. Ralph J. McNair, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $311.75. E. (9) $7.61.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., 21 Bank Street, Lebanon, N.H.
D. (6) $3,375. E. (9) $17.65.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. U.S. Plywood Corp., 777 Third Avenue, New York, N.Y.
D. (6) $150. E. (9) $5.41.

A. John G. Macfarlan, 1725 I Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $1,254. E. (9) $324.55.

A. David I. Mackie, 1 Exchange Place, Jersey City, N.J.
B. Eastern Railroad Presidents Conference, 1 Exchange Place, Jersey City, N.J.

A. H. E. Mahlman, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, 21 Bank Street, Lebanon, N.H.
D. (6) $687.50. E. (9) $99.39.

A. Don Mahon, 1127 Warner Building, Washington, D.C.
E. (9) $2,058.46.

A. Carter Manasco, 4201 Chesterbrook Road, McLean, Va.
B. National Coal Association, Coal Building, Washington, D.C.
D. (6) $4,900. E. (9) $123.15.

A. D. L. Manion, 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $564.36.

A. R. R. Manion, 1010 Pennsylvania Building, Washington, D.C.
B. New York Central Railroad Co., 230 Park Avenue, New York, N.Y.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $3,000.

A. Manufacturing Jewelers & Silversmiths of America, Inc., 207–11 Sheraton Biltmore Hotel, Providence, R.I.
D. (6) $22,286.25. E. (9) $4,983.02.

A. James Mark, Jr., 1435 K Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $4,046.

A. Rodney W. Markley, Jr., Wyatt Building, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $101.75. E. (9) $185.78.

A. Raymond E. Marks, 65 Market Street, San Francisco, Calif.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.

A. Robert O. Marritz, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $40.

A. David M. Marsh, 837 Washington Building, Washington, D.C.
B. Association of Casualty and Surety Cos., 110 William Street, New York, N.Y.
D. (6) $200. E. (9) $2.70.

A. Winston W. Marsh.
B. The National Tire Dealers and Retreaders Association, 1343 L Street NW., Washington, D.C.

A. Fred T. Marshall, 1112 19th Street NW., Washington, D.C.
B. The B. F. Goodrich Co., 500 South Main Street, Akron, Ohio.

A. J. Paull Marshall, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $291.78. E. (9) $195.50.

A. Thomas A. Martin, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

A. Thomas A. Martin, 510 Shoreham Building, Washington, D.C.

B. Socony Mobil Oil Co., 150 East 42d Street, New York, N.Y.
D. (6) $935.96. E. (9) $185.96.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $150.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building and Construction Trades Department, 815 16th Street NW., Washington, D.C.
D. (6) $4,759.50. E. (9) $1,772.69.

A. David Mathews, Jr., 345 Fourth Avenue, Pittsburgh, Pa.
B. Pittsburgh Coal Exchange.
E. (9) $298.94.

A. P. H. Mathews, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $724.48. E. (9) $306.80.

A. Charles D. Matthews, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $260. E. (9) $72.24.

A. C. V. & R. V. Maudlin, 1111 E Street NW., Washington, D.C.
B. National Association of Secondary Material Industries, Inc., 271 Madison Avenue, New York, N.Y.

A. George E. Meagher, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $2,746.10. E. (9) $65.35.

A. John S. Mears, 1608 K Street NW., Washington, D.C .
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,916. E. $11.50.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,640.

A. William R. Merriam, 1707 L Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 1707 L Street NW., Washington, D.C.
D. (6) $500. E. (9) $720.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.
E. (9) $1,508.81.

A. Midland Cooperative Dairy Association, Shawano, Wis., and Box 128, Cazenovia, N.Y.

A. Clarence R. Miles, 1625 I Street NW., Washington, D.C.
B. Legislative Committee, 1625 I Street NW., Washington, D.C.
D. (6) $3,600. E. (9) $35.40.

A. John R. Miles, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C.

A. Milk Industry Foundation, 1145 19th Street NW., Washington, D.C.

A. Capt. A. Stanley Miller, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Miller Associates, Inc., 1701 K Street NW., Washington, D.C.
B. American Society of Composers, Authors & Publishers, 575 Madison Avenue, New York, N.Y.
D. (6) $1,800. E. (9) $90.

A. Miller Associates, Inc., 1701 K Street NW., Washington, D.C.
B. The Associated Cooperage Industries of America, Inc., 408 Olive Street, St. Louis, Mo.
D. (6) $1,200. E. (9) $90.

A. Miller Associates, Inc., 1701 K Street NW., Washington, D.C.
B. The League of New York Theatres, Inc., The National Association of the Legitimate Theater, Inc., 137 West 48th Street, N.Y.
D. (6) $1,500. E. (9) $376.55.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D.C.
B. Investors Diversified Services, Inc., Investors Building, Eighth and Marquette, Minneapolis, Minn.
D. (6) $2,500. E. (9) $414.58.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas (Tex.) Chamber of Commerce.
D. (6) $1,500.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Intracoastal Canal Association of Louisiana and Texas, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1004 Farnam Street, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1004 Farnam Street, Omaha, Nebr.
D. (6) $3,215. E. (9) $1,094.27.

A. Lloyd S. Miller, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $535.75.

A. Luman G. Miller, 424 Henry Building, Portland, Oreg.
B. Oregon Railroad Association, 424 Henry Building, Portland, Oreg.
E. (9) $304.81.

A. Joseph A. Millimet, 1838 Elm Street, Manchester, N.H.
B. National Association of Independent Insurers, 30 West Monroe Street, Chicago, Ill.

A. Claude Minard, 215 Market Street, San Francisco, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.

A. Othmer J. Mischo, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Association of Street, Electric Railway & Motor Coach Employes of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Missouri Railroad Committee, 906 Olive Street, St. Louis, Mo.
E. (9) $596.01.

A. M. D. Mobley, 1010 Vermont Avenue NW., Washington, D.C.
B. American Vocational Association, 1010 Vermont Avenue NW., Washington, D.C.

A. Willis C. Moffatt, 536 First Security Building, Boise, Idaho.

A. Marion S. Monk, Jr., Batchelor, La.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. G. Merrill Moody, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $24. E. (9) $54.04.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C.
B. American Humane Association, Post Office Box 1266, Denver, Colo.
D. (6) $1,250. E. (9) $50.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D.C.
B. William S. Beinecke, 114 Fifth Avenue, New York, N.Y.
E. (9) $2.40

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D.C
B. The Sperry & Hutchinson Co., 114 Fifth Avenue, New York, N.Y.

A. Curtis Morris, 1725 I Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $1,200. E. (9) $525.

A. Bernard R. Mullady, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers.
D. (6) $2,370.

A. T. H. Mullen, 711 14th Street NW., Washington, D.C.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. T. H. Mullen, 711 14th Street NW., Washington, D.C.
B. American Pulpwood Association, 220 East 42d Street, New York, N.Y.

A. Ray R. Murdock.
B. American Maritime Association, 17 Battery Place, New York, N.Y., and 1725 K Street NW., Washington, D.C.
D. (6) $700.

A. Dr. Emmett J. Murphy, 5737 13th Street NW., Washington, D.C.
B. National Chiropractic Insurance Co., American Building, Webster City, Iowa.
D. (6) $900. E. (9) $900.

A. John J. Murphy, Jr., 815 15th Street NW., Washington, D.C.
B. Bricklayers, Masons, & Plasterers International Union of America, 815 15th Street NW., Washington, D.C.
D. (6) $2,600. E. (9) $979.59.

A. John J. Murphy, 420 Gardiner Drive, Hillsmere Shores, Annapolis, Md.
B. National Customs Service Association, 420 Gardiner Drive, Hillsmere Shores, Annapolis, Md.

A. Robert F. Murphy, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,397.60. E. (9) $44.95.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Kenneth D. Naden, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $6,666.64. E. (9) $352.74.

A. Augustus Nasmith, Pennsylvania Station, Raymond Plaza, Newark, N.J.
B. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J.

A. Raymond Nathan, Ruder & Finn, Inc., 1812 K Street NW., Washington, D.C.
B. Glen Alden Corp., 1740 Broadway, New York, N.Y.
D. (6) $1,500. E. (9) $1,200.

A. National Agricultural Chemicals Association, 1145 19th Street NW., Washington, D.C.
D. (6) $28.70. E. (9) $28.70.

A. National Associated Businessmen, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $574.50. E. (9) $653.47.

A. National Association of Building Owners and Managers, 134 South LaSalle Street, Chicago, Ill.
E. (9) $76.30.

A. National Association of Direct Selling Cos., 163–165 Center Street, Winona, Minn.
D. (6) $13,750. E. (9) $9.85.

A. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $63,600.92. E. (9) $10,365.20.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $535.25. E. (9) $35.25.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.
D. (6) $3,500. E. (9) $9,394.82.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $2,842.97. E. (9) $2,842.97.

A. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $15,000. E. (9) $7,267.61.

A. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,615.39. E. (9) $3.

A. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N.Y.
D. (6) $26,000. E. (9) $26,000.

A. National Association of Soil & Water Conservation Districts, League City, Tex.

A. National Association of Travel Organizations, 900 17th Street NW., Washington, D.C.
D. (6) $37,226.77. E. (9) $682.50.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D.C.
D. (6) $8,417.06. E. (9) $8,417.06.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Conference of Non-Profit Shipping Associations, Inc., 26 Auburn Avenue, Post Office Box 1736, Atlanta, Ga.
D. (6) $4,675.

A. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $7,299.33. E. (9) $7,299.33.

A. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $3,374. E. (9) $4,259.49.

A. National Council, Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
E. (9) $220.19.

A. National Counsel Associates, 1028 Connecticut Avenue NW., Washington, D.C.
B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $3,000. E. (9) $523.14.

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.

A. National Housing Conference, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $49,672.99. E. (9) $30,322.93.

A. National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,168.85. E. (9) $1,755.20.

A. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
B. Member associations of the league.
D. (6) $430,300.57. E. (9) $2,382.13.

A. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
D. (6) $3,651.18. E. (9) $3,651.18.

A. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $4,473.71. E. (9) $6,221.45.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $4,550.80. E. (9) $4,550.80.

A. National Multiple Sclerosis Society, 257 Park Avenue South, New York, N.Y.
E. (9) $813.51.

A. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $18,335.79. E. (9) $18,335.79.

A. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $7,742.34.

A. National Rivers and Harbors Congress, 1025 Connecticut Avenue, Washington, D.C.
D. (6) $33,792. E. (9) $11,308.41.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $245,622. E. (9) $2,321.

A. National Telephone Cooperative Association, 1735 K Street NW., Washington, D.C.
E. (9) $312.

A. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.

A. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $2,720.26. E. (9) $3,376.81.

A. Robert R. Neal, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
E. (9) $40.75.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,999.98. E. (9) $2,372.33.

A. New England Shoe & Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $466.69. E. (9) $466.69.

A. Sarah H. Newman, 1029 Vermont Avenue NW., Washington, D.C.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. George L. Nichols, 1625 Connecticut Avenue NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,615.39. E. (9) $24.45.

A. Stanley D. Noble, Munsey Building, Washington, D.C.
B. Council of Profit Sharing Industries, Munsey Building, Washington, D.C.
D. (6) $230.76. E. (9) $96.39.

A. Charles M. Noone, 1209 Ring Building, Washington, D.C.
B. National Association of Small Business Investment Cos., 537 Washington Building, Washington, D.C.
D. (6) $1,500. E. (9) $252.19.

A. O. L. Norman, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $375. E. (9) $34.58.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.
E. (9) $456.02.

A. Harry E. Northam, 185 North Wabash Avenue, Chicago, Ill.
B. Association of American Physicians & Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.

A. Graham T. Northup, 1001 15th Street NW., Washington, D.C.

B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,500. E. (9) $2,547.19.

A. E. M. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300. E. (9) $10.

A. Ira H. Nunn, 1012 14th Street, Washington, D.C.
B. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $1,458.32. E. (9) $250.

A. Richard T. O'Connell, 1616 H Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.
D. (6) $3,866.66. E. (9) $64.47.

A. William B. O'Connell, 400 First Street NW., Washington, D.C.
B. The Brotherhood of Railroad Signalmen, 2247 West Lawrence Avenue, Chicago, Ill.

A. O'Connor, Green, Thomas & Walters, 508 Federal Bar Building, Washington, D.C.
B. Upper Mississippi Towing Corp., 3033 Excelsior Boulevard, Minneapolis, Minn.
D. (6) $2,500. E. (9) $159.98.

A. John F. O'Connor, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $4,374.96. E. (9) $219.23.

A. R. E. O'Connor, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. John B. O'Day, 11 East Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill.
D. (6) $27,704.60.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Federation of Sugarcane Planters, Fourth Floor, Gonzaga Building, Manila, Philippines.
D. (6) $1,500.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. Philippine Sugar Association, 409 Davies Building, Manila, Philippines.
D. (6) $4,500. E. (9) $1,171.31.

A. Jane O'Grady, 815 16th Street NW., Washington, D.C.
B. Amalgamated Clothing Workers of America, 15 Union Square, New York, N.Y.
D. (6) $1,625. E. (9) $337.67.

A. Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $2,024.23.

A. Alvin E. Oliver, 400 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 400 Folger Building, Washington, D.C.
D. (6) $19.20. E. (9) $2.

A. Clarence H. Olson, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,888. E. (9) $101.45.

A. Samuel Omasta, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $23.50.

A. Morris E. Osburn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Vaux Owen, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $3,692.34. E. (9) $15.63.

A. Edwin F. Padberg, 1223 Pennsylvania Building, Washington, D.C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Raymond S. Page, Jr., Mill Creek Terrace, Gladwyne, Pa.
B. Campbell Soup Co., 375 Memorial Avenue, Camden, N.J.

A. Walter Page, Box 128, Cazenovia, N.Y.

A. Everett L. Palmer, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
E. (9) $31.89.

A. Lew M. Paramore, Town House Hotel, Kansas City, Kans.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. J. D. Parel, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $156.04. E. (9) $169.

A. Holcombe Parkes, 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $9,750.

A. James D. Parriott, Jr., 539 South Main Street, Findlay, Ohio.
B. Marathon Oil Co., 539 South Main Street, Findlay, Ohio.

A. Robert D. Partridge, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $138.

A. James G. Patton.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.
D. (6) $1,375. E. (9) $445.23.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.
D. (6) $1,000. E. (9) $79.56.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.
D. (6) $800. E. (9) $41.32.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. The Pitcairn Co., 100 West 10th Street, Wilmington, Del.
D. (6) $1,200. E. (9) $31.90.

A. Peter J. Pestillo, 1012 14th Street NW., Washington, D.C.
B. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $1,062.50.

A. Ervin L. Peterson, 910 17th Street NW., Washington, D.C.
B. Milk Industry Foundation, 910 17th Street NW., Washington, D.C.

A. J. Hardin Peterson, Post Office Drawer BS, Lakeland, Fla.
B. Florida Citrus Mutual, Lakeland, Fla.

A. J. Hardin Peterson, Post Office Drawer BS, Lakeland, Fla.
B. Florida Fruit & Vegetable Association, Post Office Box 6787, Orlando, Fla.
E. (9) $45.34.

A. J. Hardin Peterson, Post Office Drawer BS, Lakeland, Fla.
B. West Coast Inland Navigation District, Court House, Bradenton, Fla.
D. (6) $600. E. (9) $21.

A. Pharmaceutical Manufacturers Association, 1411 K Street NW., Washington, D.C.

A. Richard N. Philleo, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,275.30. E. (9) $109.55.

A. Phinney, Hallman & Pulley, 617 First National Bank Building, Dallas, Tex.
B. Kingdon Gould, Jr., and D. F. Antonelli, Jr., 1725 DeSales Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $2,382.01.

A. Tom Pickett, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $333.34.

A. Albert Pike, Jr., 488 Madison Avenue, New York, N.Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $700. E. (9) $1,455.

A. Pitcairn Co., 100 West 10th Street, Wilmington, Del.
E. (9) $1,200.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock, Tex.
D. (6) $161,689.10. E. (9) $1,350.

A. Sanford L. Platt, 723 Investment Building, Washington, D.C.
B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.

A. James K. Polk, 522 Fifth Avenue, New York, N.Y.
B. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y.
D. (6) $202. E. (9) $26.41.

A. Robert R. Poston, 908 Colorado Building, Washington, D.C.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $900. E. (9) $142.51.

A. Ramsay D. Potts, Jr., 910 17th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $4,999.98. E. (9) $125.16.

A. William J. Potts, Jr., 1735 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.
D. (6) $43.13.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C.
B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

A. William I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $22.20.

A. Thomas W. Power, 1815 H Street NW., Washington, D.C.
B. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $5,000. E. (9) $715.50.

A. Graydon R. Powers, Jr., 1735 DeSales Street NW., Washington, D.C.

A. William C. Prather, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $347.50. E. (9) $207.95.

A. William H. Press, 1616 K Street NW., Washington, D.C.
D. (6) $6,500.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Cos., 730 15th Street NW., Washington, D.C.
D. (6) $125. E. (9) $3.

A. Wm. R. Pringle, 23640 Bryden Board, Cleveland, Ohio, and 744 Pennsylvania Building, Washington, D.C.
B. Con-Gas Service Corp., 4 Gateway Center, Pittsburgh, Pa.

A. Purcell & Nelson, 910 17th Street NW., Washington, D.C.
B. Nicaragua Sugar Estates, Ltd., Managua, Nicaragua.
D. (6) $1,250. E. (9) $1.92.

A. Purcell & Nelson, 910 17th Street NW., Washington, D.C.
B. Sugar Sales (Pvt.) Ltd., Throgmorton House.
D. (6) $5,000. E. (9) $15.25.

A. Felix M. Putterman, 1712 New Hampshire Avenue NW., Washington, D.C.
B. Jewish War Veterans of the United States of America, 1712 New Hampshire Avenue N.W., Washington, D.C.
D. (6) $3,375. E. (9) $399.45.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D.C.
B. American Cancer Society, New York, N.Y.
D. (6) $10,999.97. E. (9) $7,101.32.

A. Alex Radin, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $202.

A. Ragan & Mason, Farragut Building, Washington, D.C.
B. Sea-Land Service, Inc., Box 1050, Elizabeth, N.J.
D. (6) $900.

A. Ragan & Mason, Farragut Building, Washington, D.C.
B. Seatrain Lines, Inc., 595 River Road, Edgewater, N.J.
D. (6) $900.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $3,804.08. E. (9) $3,804.08.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Caroline Cullen Ramsay, 1414 34th Street NW., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.

A. Donald J. Ramsey, 1725 K Street NW., Washington, D.C.
B. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $450. E. (9) $59.63.

A. James A. Ransford, 1701 Pennsylvania Avenue NW., Washington, D.C.
B. Tidewater Oil Co., Los Angeles, Calif.

A. C. B. Ray, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $3,686.58.

A. Sydney C. Reagan, 3840 Greenbrier Drive, Dallas, Tex.
B. Southwestern Peanut Shellers Association, Drawer 747, Durant, Okla.
D. (6) $302.50. E. (9) $152.50.

A. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.
B. Committee for Time Uniformity, 1710 H Street NW., Washington, D.C.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.
B. Transportation Association of America, 1710 H Street NW., Washington, D.C.

A. Otie M. Reed, 1107 19th Street NW., Washington, D.C.
D. (6) $2,300.01. E. (9) $3,799.70.

A. W. O. Reed, 6254 Woodland Drive, Dallas, Tex.
B. Texas railroads.
D. (6) $250. E. (9) $164.35.

A. Lawrence D. Reedy, 200 Park Avenue, New York, N.Y.
B. American Association of Advertising Agencies, Inc., 200 Park Avenue, New York, N.Y.
E. (9) $557.21.

A. J. A. Reidelbach, Jr., 1117 Barr Building, Washington, D.C.
B. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.
D. (6) $200.

A. Louis H. Renfrow, 1000 16th Street NW., Washington, D.C.
B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
D. (6) $6,250.

A. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $104,420.77.

A. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.
D. (6) $1,943. E. (9) $5,787.02.

A. F. Marion Rhodes, 60 Beaver Street, New York, N.Y.
B. New York Cotton Exchange, 60 Beaver Street, New York, N.Y.

A. Theron J. Rice, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,133.34. E. (9) $37.50.

A. Dorsey Richardson, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.
B. Louisiana railroads.
D. (6) $42.20. E. (9) $210.93.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. C. I. T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Committee of Consumer Finance Cos., Washington Building, Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Entertainment Law Committee, 731 Washington Building, Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Mutual Benefit Health & Accident Association, Omaha, Nebr.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. State Farm Mutual Automobile Insurance Co., Bloomington, Ill.

A. Richard J. Riddick, 1012 14th Street NW., Washington, D.C.
B. Freight Forwarders Institute, 1012 14th Street NW., Washington, D.C.
D. (6) $3,375. E. (9) $182.71.

A. C. E. Rightor, 3300 Rolling Road, Chevy Chase, Md.
B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $450.00. E. (9) $167.28.

A. Gloria Riordan, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
D. (6) $500.

A. John Rippey, 20 H Street NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $336.29. E. (9) $20.25.

A. **Paul H. Robbins.**
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $250.

A. Clyde F. Roberts, Jr., 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 2 East 48th Street, New York, N.Y.

A. Roberts & Holland, 405 Lexington Avenue, New York, N.Y.
B. I.O.S., Ltd. (S.A.), 119 rue de Lausanne, Geneva, Switzerland.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $178.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Co., 730 15th Street NW., Washington, D.C.
D. (6) $437.50.

A. Frank W. Rogers, 1700 K Street NW., Washington, D.C.
B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $5,260.

A. T. J. Ross & Associates, Inc., 405 Lexington Avenue, New York, N.Y.
B. Committee of American Steamship Lines.
D. (6) $10,751.30. E. (9) $2,691.02.

A. Edmond F. Rovner, 1126 16th Street NW., Washington, D.C.
B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.
D. (6) $1,250.

A. James H. Rowe, Jr., and Richard C. O'Hare, 1120 Investment Building, Washington, D.C.
B. Haytian American Sugar Co., S.A., Port-au-Prince, Haiti.
D. (6) $1,250.

A. Royall, Koegel & Rogers, 1730 K Street NW., Washington, D.C.
B. Pinkerton's National Detective Agency, Inc., 154 Nassau Street, New York, N.Y.
D. (6) $7,500. E. (9) $44.45.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $210. E. (9) $78.08.

A. Oswald Ryan, 528 Barr Building, Washington, D.C.
B. Air Traffic Control Association, Inc., 528 Barr Building, Washington, D.C.
E. (9) $16.

A. William H. Ryan, 400 First Street NW., Washington, D.C.
B. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $2,999.88. E. (9) $60.

A. Kermit B. Rykken, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. John C. Satterfield, Yazoo City, Miss.
B. Coordinating Committee for Fundamental American Freedoms, First and C Street NE., Washington, D.C.
D. (6) $4,000. E. (9) $1,756.28.

A. O. H. Saunders, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $1,950.

A. William H. Scheick, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $400. E. (9) $220.

A. Ernest Schein, 1025 Connecticut Avenue NW., Washington, D.C.
B. Distribuidora de Azucares S.A., Azucareros Independientes LTDA, Compania Azucarera del Valle S.A. Bogotá, Colombia.

A. Jacques T. Schlenger, 1409 Mercantile Trust Building, Baltimore, Md.
B. Broseco Corp., 718 Mercantile Trust Building, Baltimore, Md.
D. (6) $750. E. (9) $18.59.

A. C. Herschel Schooley, 815 15th Street NW., Washington, D.C.
B. Independent Bankers Association, Sauk Centre, Minn.
D. (6) $4,000. E. (9) $2,271.82.

A. Hilliard Schulberg, 1346 Connecticut Avenue NW., Washington, D.C.
B. Washington, D.C., Retail Liquor Dealers Association, Inc., 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $59.25.

A. Durward Seals, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Hollis M. Seavey, 1771 N Street NW., Washington, D.C.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C.

A. William J. Sebald, 1725 DeSales Street NW., Washington, D.C.
B. Leonard G. James, 310 Sansome Street, San Francisco, Calif.

A. Sessions & Caminita, 917 15th Street NW., Washington, D.C.
B. Floyd A. Segel, 215 West Oregon Street, Milwaukee, Wis.
D. (6) $500. E. (9) $80.64.

A. Clifford Setter, 777 Third Avenue, New York, N.Y.
E. (9) $155.41.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,125. E. (9) $280.04.

A. Alvin Shapiro, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C., and 11 Broadway, New York, N.Y.
D. (6) $1,125. E. (9) $178.90.

A. David C. Sharman, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, 21 Bank Street, Lebanon, N.H.
D. (6) $1,000. E. (9) $436.

A. A. Manning Shaw, 1625 I Street NW., Washington, D.C.
B. Brown & Lund, 1625 I Street NW., Washington, D.C., and National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $968.

A. Carroll M. Shaw, 6326 Southcrest Drive, Shreveport, La.
B. Amalgamated Association of Street, Electric Railway & Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Bruce E. Shepherd, 488 Madison Avenue, New York, N.Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.

A. Robert H. Shields, 920 Tower Building, Washington, D.C.
B. United States Beet Sugar Association, 920 Tower Building, Washington, D.C.
D. (6) $1,000.

A. Max Shine, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.
D. (6) $992.50. E. (9) $20.

A. Robert L. Shortle, 306 International Trade Mart, New Orleans, La.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $750.

A. Sidley, Austin, Burgess & Smith, 11 South LaSalle Street, Chicago, Ill., and 1625 I Street NW., Washington, D.C.
B. Inland Steel Co., 30 West Monroe, Chicago, Ill.

A. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $4,662. E. (9) $1,149.11.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $5,700. E. (9) $3,318.75.

A. John T. Skelly, 1730 M Street NW., Washington, D.C.
B. Samuel E. Stavisky & Associates, Inc., 1730 M Street NW., Washington, D.C.
E. (9) $42.50.

A. Harold S. Skinner, Post Office Box 2197, Houston, Tex.
B. Continental Oil Co.

A. Carstens Slack, 1625 I Street NW., Washington, D.C.
B. Phillips Petroleum Co., Bartlesville, Okla.

A. Harold Slater, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,312.50. E. (9) $78.44.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $3,125. E. (9) $14.40.

A. W. A. Smallwood, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $2,938.52.

A. Harold Arden Smith, 605 West Olympic Boulevard, Los Angeles, Calif.
B. Standard Oil Co. of California, 225 Bush Street, San Francisco, Calif.
D. (6) $200. E. (9) $60.

A. James R. Smith, 1060 Omaha National Bank Building, Omaha, Nebr.

B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Lloyd W. Smith, 416 Shoreham Building, Washington, D.C.
B. Chicago, Burlington & Quincy Railroad Co., 547 West Jackson Boulevard, Chicago, Ill., and Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources, 712 Dupont Circle Building, Washington, D.C.
D. (6) $2,607.18. E. (9) $1,593.22.

A. Wallace M. Smith, Pennsylvania Building, 425 13th Street NW., Washington, D.C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

A. Wayne H. Smithey, 1200 Wyatt Building, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $223.05. E. (9) $185.78.

A. Lyle O. Snader, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $153.76. E. (9) $235.

A. Frank B. Snodgrass, 1025 Connecticut Avenue NW., Washington, D.C.
B. Burley and Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $325. E. (9) $131.30.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,644.23.

A. J. R. Snyder, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.

A. Society for Animal Protective Legislation, 745 Fifth Avenue, New York, N.Y.
D. (6) $13,715.66. E. (9) $4,356.45.

A. J. Taylor Soop, 400 First Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.
D. (6) $858.14.

A. Southern States Industrial Council, 1103–1111 Stahlman Building, Nashville, Tenn.
D. (6) $5,230.63. E. (9) $4,692.26.

A. Southwestern Peanut Shellers Association, Drawer 747, Durant, Okla.
E. (9) $455.

A. William W. Spear, 214 Fremont National Bank Building, Fremont, Nebr.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $729.17. E. (9) $9.

A. Chester S. Stackpole, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Marian S. Stafford, 777 14th Street NW., Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.
D. (6) $350.

A. Samuel E. Stavisky & Associates, Inc., 1730 M Street NW., Washington, D.C.
B. International Coffee Agreement, 1312 Park Terrace Drive, Alexandria, Va.
D. (6) $50. E. (9) $50.

A. Samuel E. Stavisky, 1730 M Street NW., Washington, D.C.
B. Samuel E. Stavisky & Associates, Inc., 1730 M Street NW., Washington, D.C.
E. (9) $7.50.

A. Karl Stecher, Munsey Building, Washington, D.C.
B. Mr. and Mrs. Christian Voss, Denison, Iowa.

A. Karl Stecher, Munsey Building, Washington, D.C.
B. Douglas K. Warner, Warner Research Laboratories, 1937 Panama Drive, Sarasota, Fla.

A. Mrs. Nell May F. Stephens, Post Office Box 6234, Northwest Station, Washington, D.C.

A. Russell M. Stephens, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.
D. (6) $240. E. (9) $20.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue, Washington, D.C.
B. Association To Acquire Compensation for Damages Prior to Peace Treaty, Naha, Okinawa; Association of Landowners of Okinawa, Naha, Okinawa.
E. (9) $100.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Japan General Merchandise Exporters Association and Japan Rubber Footwear Manufacturers' Association of Tokyo, Japan; Miscellaneous Goods Division, Japanese Chamber of Commerce of New York, Inc., and Imported Footwear Group, National Council of American Importers, New York.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. New York Merchandise Co., 32 West 23d Street, New York, N.Y., and Japan General Merchandise Exporters Association, care of Japan Trade Center, 393 Fifth Avenue, New York, N.Y.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $2,750. E. (9) $199.25.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Hualapai Tribe of the Hualapai Reservation, Peach Springs, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Laguna Pueblo of New Mexico, Laguna, N. Mex.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Metlakatla Indian Community, P.O. Box 142, Metlakatla, Alaska.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Nez Perce Tribe, Lapwai, Idaho.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Oglala Sioux Tribe of the Pine Ridge Reservation, Pine Ridge, S. Dak.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Salt River Pima-Maricopa Indian Community, Box 907–X, Scottsdale, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The San Carlos Apache Tribe, San Carlos, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Seneca Nation of Indians, 25 Main Street, Salamanca, N.Y.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Tuscarora Nation of Indians, Lewiston, N.Y.

A. Ronnie J. Straw, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.
B. National Association of Mutual Insurance Agents, 827 Investment Building, Washington, D.C.

A. Norman Strunk, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,875.

A. Barry Sullivan, 536 Washington Building, Washington, D.C.
B. National Association of River and Harbor Contractors, 3900 North Charles Street, Baltimore, Md.
D. (6) $750. E. (9) $167.76.

A. Frank L. Sundstrom, 1290 Avenue of the Americas, New York, N.Y.
B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. Surrey, Karasik, Gould & Greene, 1116 Woodward Building, Washington, D.C.
B. South Puerto Rico Sugar Co., 5 Hanover Square, New York, N.Y.

A. John J. Synon, 1301 Park Avenue, Richmond, Va.
B. Coordinating Committee for Fundamental American Freedoms, Inc., First & C Streets NE., Washington, D.C.
D. (6) $6,576.92. E. (9) $1,420.

A. Charles P. Taft, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Glenn J. Talbott.
B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.

A. John I. Taylor, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,500. E. (9) $35.

A. Mrs. Margaret K. Taylor, 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.

A. Richard W. Taylor, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,384.62. E. (9) $32.15.

A. J. B. Thayn, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,468.75. E. (9) $18.10.

A. Oliver A. Thomas, 1 East First Street, Reno, Nev.
B. Nevada Railroad Association, 1 East First Street, Reno, Nev.
D. (6) $175. E. (9) $139.34.

A. Thomas C. Thompson, Jr., 1000 Connecticut Avenue, Washington, D.C.
B. National Life and Accident Insurance Co., Nashville, Tenn.
E. (9) $182.72.

A. Wm. B. Thompson, Jr., 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Eugene M. Thoré, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $698.75. E. (9) $17.55.

A. John N. Thurman, 1625 K Street NW., Washington, D.C.
B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.
D. (6) $1,020. E. (9) $1,234.32.

A. J. R. Timmins & Co., 61 Broadway, New York, N.Y.

A. William H. Tinney, 1223 Pennsylvania Building, Washington, D.C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. M. S. Tisdale, 4200 Cathedral Avenue, Washington, D.C.
B. Armed Services Committee, Chamber of Commerce of Vallejo, Calif.
D. (6) $147.50. E. (9) $140.59.

A. Tobacco Associates, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,361.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $3,125. E. (9) $415.30.

A. Dwight D. Townsend, 1012 14th Street NW., Washington, D.C.
B. Cooperative League of USA, 59 East Van Buren Street, Chicago, Ill.

A. Townsend Plan, Inc., 808 North Capitol Street, Washington, D.C.
D. (6) $9,523.69. E. (9) $1,928.08.

A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,500. E. (9) $105.40.

A. Trade Relations Council of the United States, Inc., 122 East 42d Street, New York, N.Y.

A. Transportation Association of America, 1710 H Street NW., Washington, D.C.
E. (9) $10.

A. Matt Triggs, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,850. E. (9) $25.90.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,875. E. (9) $82.25.

A. Joel B. True, 1800 Connecticut Avenue, Washington, D.C.
B. The Tobacco Institute, Inc., 808 17th Street NW., Washington, D.C.

A. Galen Douglas Trussell, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 2 East 48th Street, New York, N.Y.

A. Dick Tullis, 307 Maple Terrace, Dallas, Tex.
B. Superior Oil Co., Houston, Tex., and Los Angeles, Calif.
D. (6) $500. E. (9) $450.

A. Ernest A. Tupper, 1420 New York Avenue NW., Washington, D.C.
B. American Can Co., 100 Park Avenue, New York, N.Y.
E. (9) $6.

A. John W. Turner, 400 First Street NW., Washington, D.C.
B. Brotherhood of Locomotive Engineers, B. of L.E. Building, Cleveland, Ohio.

A. William S. Tyson, 821 15th Street NW., Washington, D.C.
B. Western Range Association, 375 North Fulton Street, Fresno, Calif.
D. (6) $5,000. E. (9) $29.34.

A. Union Producing Co. and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.
E. (9) $1,017.48.

A. United Cerebral Palsy Associations, 321 West 44th Street, New York, N.Y.
E. (9) $1,355.84.

A. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $419,134.02. E. (9) $30,183.30.

A. United States Beet Sugar Association, 920 Tower Building, Washington, D.C.
E. (9) $2,184.

A. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
E. (9) $37,460.43.

A. Theodore A. Vanderzyde, 400 First Street NW., Washington, D.C.
B. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $2,499.90. E. (9) $15.

A. Venable, Boetjer & Howard, 1409 Mercantile Trust Building, Baltimore, Md.
B. Broseco Corp., 718 Mercantile Trust Building, Baltimore, Md.
D. (6) $750. E. (9) $18.59.

A. Thomas M. Venables, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. John E. Vetter, 635 F Street NW., Washington, D.C.

A. L. T. Vice, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
E. (9) $130.

A. R. K. Vinson, 1400 20th Street NW., Washington, D.C.
B. Machinery Dealers National Association, 1400 20th Street NW., Washington, D.C.

A. B. J. Viviano, 1223 Pennsylvania Building, Washington, D.C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. The Voice of the People in Action, 621 Sheridan Street, Chillum, Md.
B. Dr. Russell Forrest Egner.
D. (6) $238. E. (9) $258.48.

A. Harold S. Walker, Jr., 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.
E. (9) $124.

A. Paul H. Walker, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N.Y.
D. (6) $166.50. E. (9) $5.03.

A. Stephen M. Walter, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $298.75. E. (9) $20.75.

A. William A. Walton, 920 Jackson Street, Topeka, Kans.
B. Kansas Railroad Committee, 920 Jackson Street, Topeka, Kans.

A. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.
D. (6) $1,556.45. E. (9) $2,145.73.

A. Jeremiah C. Waterman, 205 Transportation Building, Washington, D.C.
B. Southern Pacific Co., 205 Transportation Building, Washington, D.C.
D. (6) $500.

A. Waterways Bulk Transportation Council, Inc., 10 East 40th Street, New York, N.Y.
D. (6) $3,125. E. (9) $3,423.35.

A. Weaver & Glassie, 1527 New Hampshire Avenue NW., Washington, D.C.
B. The Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.
D. (6) $300.

A. Weaver & Glassie, 1527 New Hampshire Avenue NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 1320 Massachusetts Avenue NW., Washington, D.C.
D. (6) $5. E. (9) $2.67.

A. Weaver & Glassie, 1527 New Hampshire Avenue NW., Washington, D.C.
B. The National Independent Meat Packers Association, 1620 Massachusetts Avenue NW., Washington, D.C.
D. (6) $150. E. (9) $28.39.

A. Weaver & Glassie, 1527 New Hampshire Avenue NW., Washington, D.C.
B. J. R. Timmins & Co., 61 Broadway, New York, N.Y.

A. William H. Webb, LaSalle Building, Washington, D.C.
B. National Rivers & Harbors Congress, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $2,689.98. E. (9) $759.07.

A. E. E. Webster, 400 First Street NW., Washington, D.C.

B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $2,490.

A. David Weinberg, 20 E Street NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $700. E. (9) $74.20.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Case, Md.
B. The Tobacco Institute, 808 17th Street NW., Washington, D.C.

A. Joseph E. Welch, 1630 Locust Street, Philadelphia, Pa.
B. Wellington Management Co., 1630 Locust Street, Philadelphia, Pa.
E. (9) $3.

A. West Coast Inland Navigation District, Court House, Bradenton, Fla.
E. (9) $601.30.

A. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
D. (6) $12,263.14. E. (9) $40.

A. John C. White, 838 Transportation Building, Washington, D.C.
D. (6) $1,125. E. (9) $215.19.

A. John C. White, 711 14th Street NW., Washington, D.C.
B. Private Truck Council of America, Inc., 711 14th Street NW., Washington, D.C.

A. Marc A. White, 1707 H Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Louis E. Whyte, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. Claude C. Wild, Jr., 1120 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Gulf Building, Pittsburgh, Pa.
D. (6) $1,000. E. (9) $250.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.
E. (9) $64.60.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Arapahoe Indian Tribe, Fort Washakie, Wyo.
E. (9) $1.20.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Quinaielt Tribe of Indians, Taholah, Wash.
E. (9) $5.20.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Frank B. Rowlett, 143 Chatham Road, Ellicott City, Md.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Spokane Indian Tribe, Wellpinit, Wash.

A. Franz O. Willenbucher, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $3,000.

A. Harding deC. Willams, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.; 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,750. E. (9) $47.80.

A. Robert E. Williams, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $950. E. (9) $353.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.; 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $4,000. E. (9) $220.18.

A. Clark L. Wilson, 1145 19th Street NW., Washington, D.C.
B. Consultant to Emergency Lead-Zinc Committee.
D. (6) $2,062.50. E. (9) $925.31.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,446.15.

A. Henry B. Wilson, 1612 K Street NW., Washington, D.C.
B. Standard Oil Co. of New Jersey, 30 Rockefeller Plaza, New York, N.Y.
E. (9) $34.85.

A. Richard W. Wilson, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. W. E. Wilson, 1525 Fairfield Avenue, Shreveport, La.
B. Union Producing Co. and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.
D. (6) $600. E. (9) $417.48.

A. Everett T. Winter, 1978 Railway Exchange Building, St. Louis, Mo.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

A. Richard F. Witherall, 840 Equitable Building, Denver, Colo.
B. Colorado Railroad Association, 840 Equitable Building, Denver, Colo.
D. (6) $185. E. (9) $379.25.

A. Lawton B. Wolfe, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. Venlo Wolfsohn, 1729 H Street NW., Washington, D.C.
B. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300. E. (9) $1.50.

A. Russell J. Woodman, 400 First Street NW., Washington, D.C.
B. The Order of Railroad Telegraphers, 3160 Lindell Boulevard, St. Louis, Mo.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.
B. Support Group for Progressive Banking, 905 16th Street NW., Washington, D.C.
D. (6) $50. E. (9) $5.

A. J. Banks Young, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $612. E. (9) $16.50.

A. Sidney Zagri, 25 Louisiana Avenue NW., Washington, D.C.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.

A. Gordon K. Zimmerman, Washington, D.C.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Zimring, Gromfine & Sternstein, 1001 Connecticut Avenue, Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

REGISTRATIONS

The following registrations were submitted for the first calendar quarter 1964:

(Note.—The form used for registration is reproduced below. In the interest of economy in the Record, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

File One Copy With the Secretary of the Senate and File Two Copies With the Clerk of the House of Representatives:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

Place an "X" Below the Appropriate Letter or Figure in the Box at the Right of the "Report" Heading Below:

"Preliminary" Report ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"Quarterly" Report: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◄

REPORT

Pursuant to Federal Regulation of Lobbying Act

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

Note on Item "A".—(a) In General. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) Separate Reports. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. Organization or Individual Filing:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

Note on Item "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. Employer.—State name, address, and nature of business. If there is no employer, write "None."

Note on Item "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. Legislative Interests, and Publications in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

A. American Coalition of Patriotic Societies, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. American Football League, 609 Fifth Avenue, New York, N.Y.

A. American Surveys, 2000 F Street NW., Washington, D.C.

A. Anti-Monopoly Transportation Conference, 1130 17th Street NW., Washington, D.C.

A. David Apter, 1145 19th Street NW., Washington, D.C.

B. Council of the Forest Industries of British Columbia, 550 Burrard Street, Vancouver, B.C.

A. Michael H. Bader, 1735 DeSales Street NW., Washington, D.C.

B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Robert J. Bird, 1000 Connecticut Avenue, Washington, D.C.

B. Occidental Life Insurance Co. of California, 1151 South Broadway, Los Angeles, Calif.

A. Blue Cross Association, Inc., 840 North Lake Shore Drive, Chicago, Ill.

A. Joseph Borkin, 802 Ring Building, Washington, D.C.

B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. G. Stewart Boswell, 1025 Connecticut Avenue NW., Washington, D.C.

B. Cotton Producers Legislative Committee, 1025 Connecticut Avenue NW., Washington, D.C.

A. Joseph E. Brady, 122 Sheraton Gibson Hotel, Cincinnati, Ohio.

B. National Coordinating Committee of the Beverage Industry, 122 Sheraton Gibson Hotel, Cincinnati, Ohio.

A. Rev. Joseph P. Browne, C.S.C., 4301 Harewood Road NE., Washington, D.C.

B. Catholic Library Association, Haverford, Pa.

A. James E. Bryan, 2000 P Street NW., Washington, D.C.

B. National Association of Blue Shield Plans, 425 North Michigan Avenue, Chicago, Ill.

A. George H. Buschmann, 2000 K Street NW., Washington, D.C.

A. C-E-I-R, Inc., 1 Farragut Square South, Washington, D.C.

A. Chapman, Friedman, Shea, Clubb & Duff.

B. Bruynzeel Fabrieken, Zaandam, Holland, and Bruynzeel Suriname, Paramaribo, Suriname.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.

B. Western Geothermal, Inc., International Building, St. Marys Square, San Francisco, Calif.

A. J. E. Childe, 1 East Wacker Drive, Chicago, Ill.

B. International Great Lakes Shipping Co.

A. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

A. Allen C. K. Clark, 1730 K Street NW., Washington, D.C.

B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.

B. The American Tobacco Co.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.

B. Brown & Williamson Tobacco Corp.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.

B. Liggett & Myers Tobacco Co.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.

B. P. Lorillard Co.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.

B. Philip Morris, Inc.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.

B. R. J. Reynolds Tobacco Co.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.

B. Pacific Navigation System, Inc., 9 First Street, San Francisco, Calif.

A. Cotton Producers Legislative Committee, 1025 Connecticut Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.

B. Ash Grove Lime & Portland Cement Co. et al.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.

B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.

B. Savings & Loan Bank of the State of New York, 60 East 42d Street, New York, N.Y.

A. William A. Cromartie, 1 North LaSalle Street, Chicago, Ill.

B. Park Sherman Co., 1200 Park Avenue, Murfreesboro, Tenn.

A. Louis S. Damiani, Box 54, Gatun, C.Z.

B. Canal Zone Central Labor Union & Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.

A. F. Gibson Darrison, Jr., 4810 Fort Sumner Drive, Washington, D.C.

B. New York State Association of Railroads, 466 Lexington Avenue, New York, N.Y.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.

B. Chicago Bridge & Iron Co., 1305 West 105th Street, Chicago, Ill.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.

B. Virgin Islands Gift & Fashion Shop Association, Inc., St. Thomas, V.I.

A. Dawson, Nagel, Sherman & Howard, 1900 First National Bank Building, Denver, Colo.

B. Downtown Denver Improvement Association, Guaranty Bank Building, Denver, Colo.

A. Debevoise, Plimpton, Lyons & Gates, 320 Park Avenue, New York, N.Y.

B. Edward G. Sparrow, 1 East 66th Street, New York, N.Y.

A. George E. Diethelm.

B. American Sugar Co., 120 Wall Street, New York, N.Y.

A. James M. Earnest, 1000 Woodward Building, Washington, D.C.

B. Shannondale, Inc., and Shannondale Community Club, Inc., Post Office Box 72, Charles Town, W. Va.

A. Wallace Edgerton, 1762 Church Street NW., Washington, D.C.

A. J. C. B. Ehringhaus, Jr., Post Office Box 1776, Raleigh, N.C.

B. Southern Railway System, Post Office Box 1808, Washington, D.C.

A. Malcolm Forbes, 1426 G Street NW., Washington, D.C.

A. Fowler, Leva, Hawes & Symington, 1701 K Street NW., Washington, D.C.

B. Waterways Bulk Transportation Council, Inc., 10 East 40th Street, New York, N.Y.

A. Elizabeth S. Freret, 1 Farragut Square South, Washington, D.C.

B. C-E-I-R, Inc., 1 Farragut Square South, Washington, D.C.

A. Arthur P. Gildea, 2347 Vine Street, Cincinati, Ohio.

B. International Union of United Brewery, Flour, Cereal, Soft Drink and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

A. Neal P. Gillen, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Goodson & Hannam, 6399 Wilshire Boulevard, Los Angeles, Calif.

B. Howard F. Ahmanson, 3701 Wilshire Boulevard, Los Angeles, Calif.

A. Edward Gottlieb & Associates, Ltd., 640 Fifth Avenue, New York, N.Y.

B. Florists' Telegraph Delivery Association, 900 West Lafayette Boulevard, Detroit, Mich.

A. James A. Gray, 1411 K Street NW., Washington, D.C.

B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho.

B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.

A. William R. Gruver II, 9015 Wilshire Boulevard, Beverly Hills, Calif.

A. Harlan V. Hadley, 1710 H Street NW., Washington, D.C.

B. Taxation Committee of Automobile Manufacturers Association, 320 New Center Building, Detroit, Mich.

A. Robert A. Hall, 617 First National Bank Building, Dallas, Tex.

B. Kingdon Gould, Jr. and D. F. Antonelli, Jr., 1725 DeSales Street NW., Washington, D.C.

A. Robert N. Hampton, 1616 H Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1616 H Street NW., Washington, D.C.

A. W. Gibson Harris, 815 Mutual Building, Richmond, Va.

B. Household Finance Corp., 3200 Prudential Plaza, Chicago, Ill.

A. Burr P. Harrison.

B. Ash Grove Lime et al.

A. Burr P. Harrison, 25 East Boscawen Street, Winchester, Va.

B. Household Finance Corp., 3200 Prudential Plaza, Chicago, Ill.

A. Laurance G. Henderson, 1707 H Street NW., Washington, D.C.
B. Urban Passenger Transportation Association, 1707 H Street NW., Washington, D.C.

A. Samuel H. Horne, 1145 Munsey Building, Washington, D.C.
B. Park Sherman Co., 1200 Park Avenue, Murfreesboro, Tenn.

A. Johnson & Manuel, 105 East Holbrook Avenue, Fairfax, Va.
B. American Coalition of Patriotic Societies, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Willis Johnson, 300 New Jersey Avenue SE., Washington, D.C.

A. Kennon, White & Odom, 233 St. Ferdinand Street, Baton Rouge, La.
B. Connecticut General Life Insurance Co., Hartford, Conn.

A. William McM. King, Post Office Box 9203, Metaire, La.
B. Greater New Orleans Expressway Commission.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Board of Commissioners, Port of New Orleans, Post Office Box 60046, New Orleans, La.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.

A. Fred Livingston, 802 Ring Building, Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Lovre & DeVany, 639 Woodward Building, Washington, D.C.
B. American Football League, 605 Fifth Avenue, New York, N.Y.

A. Charles Emmet Lucey, 905 16th Street NW., Washington, D.C.
B. Support Group for Progressive Banking, 905 16th Street NW., Washington, D.C.

A. William J. McAnallen, 928 Investment Building, Washington, D.C.
B. Harold Hochschild, 1270 Avenue of the Americas, New York, N.Y.

A. William F. McManus, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

A. Thomas A. Martin, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

A. Frank D. Martino, 1346 Connecticut Avenue NW., Washington, D.C.
B. International Chemical Workers Union, 1569 West Market Street, Akron, Ohio.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D.C.
B. Blue Cross Association, Inc., 840 North Lake Shore Drive, Chicago, Ill.

A. Joseph A. Millimet, 1838 Elm Street, Manchester, N.H.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Joseph A. Millimet, 1838 Elm Street, Manchester, N.H.
B. National Association of Independent Insurers, 30 West Monroe Street, Chicago, Ill.

A. Clarence W. Moore, 1028 Connecticut Avenue, Washington, D.C.
B. Cuba Claims Association, Inc., 407 Lincoln Road, Miami Beach, Fla.

A. Bernard R. Mullady, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers.

A. National Association of Blue Shield Plans, 425 North Michigan Avenue, Chicago, Ill.

A. National Association of Customs Inspectors, Post Office Box 128, Carle Place, Long Island, N.Y.

A. George P. Nicholas & Associates, Inc., 624 Madison Avenue, New York, N.Y.

A. Julia J. Norrell, 1332 Connecticut Avenue NW., Washington, D.C.
B. Gerald G. Wagner, G.M.I. Associates, 1332 Connecticut Avenue NW., Washington, D.C.

A. Norman Paige, 1001 Grant Street, Gary, Ind.
B. The Anderson Co., 1001 Grant Street, Gary, Ind.

A. J. Hardin Peterson, Post Office Drawer BS, Lakeland, Fla.
B. Florida Fruit & Vegetable Association, Post Office Box 6787, Orlando, Fla.

A. Phinney, Hallman & Pulley, 617 First National Bank Building, Dallas, Tex.
B. Kingdon Gould, Jr., and D. F. Antonelli, Jr., 1725 DeSales Street NW., Washington, D.C.

A. William J. Potts, Jr., 1735 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Purcell & Nelson, 910 17th Street NW., Washington, D.C.
B. Sugar Sales (Pvt.), Ltd., Throgmorton House, Jameson Avenue, Salisbury, Southern Rhodesia.

A. C. B. Ray, 1025 Connecticut Avenue NW., Washington, D.C.
B. Cotton Producers Legislative Committee, 1025 Connecticut Avenue NW., Washington, D.C.

A. Robert H. Reiter, 1311 G Street NW., Washington, D.C.
B. Standard Kollsman Industries, Inc., 2005 North Hawthorne Avenue, Melrose Park, Ill.

A. Research To Prevent Blindness, Inc., 598 Madison Avenue, New York, N.Y.

A. Gordon H. Scherer, 1717 Carew Tower, Cincinnati, Ohio.
B. Research and Public Relations Committee of National Pan-Hellenic Conference, 2245 Grandin Road, Cincinnati, Ohio.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D.C.
B. Plyworld Corp., 924 Sligh Boulevard, Orlando, Calif.

A. Gordon L. Smith, 1145 19th Street NW., Washington, D.C.
B. Edward Gottlieb & Associates, Ltd., 640 Fifth Avenue, New York, N.Y.

A. Lawrence Speiser, 1101 Vermont Avenue NW., Washington, D.C.
B. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.

A. Steptoe & Johnson, 1100 Shoreham Building, Washington, D.C.
B. Hamilton Watch Co., and Elgin National Watch Co.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Vernon Photographic Corp., 114 East Kingsbridge Road, Mount Vernon, N.Y.

A. Russell A. Swindell, Post Office Box 2635, Raleigh, N.C.
B. North Carolina Railroad Association, Post Office Box 2635, Raleigh, N.C.

A. H. William Tanaka, 716 Federal Bar Building, 1815 H Street NW., Washington, D.C.
B. Japan Fishery Society.

A. Bert M. Tollefson, Jr., 1 Farragut Square, South, Washington, D.C.
B. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.

A. Robert P. Will, 1111 Sunset Boulevard, Los Angeles, Calif.
B. The Metropolitan Water District of Southern California, 1111 Sunset Boulevard, Los Angeles, Calif.

EXTENSIONS OF REMARKS

Announcement of Student Composers Awards

EXTENSION OF REMARKS
OF
HON. ALPHONZO BELL
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1964

Mr. BELL. Mr. Speaker, on May 24 Robert J. Burton, president of Broadcast Music, Inc., of New York City, announced completion of the final judging for its annual Student Composers Awards, instituted 13 years go to encourage the composition of concert music in this hemisphere. Two young composers from my district have been selected for cash awards to aid their further musical studies. They are Ellene Susan Levenson, age 9, of Woodland Hills, Calif., a student of Herbert Donaldson, at Westwood Music Center, Los Angeles, Calif., and Fredric Edgar Myrow, age 24, of West Hollywood, Calif., a student of Goffredo Petrassi, at the Accademia Santa Cecilia, Rome.

Miss Levenson was born in 1954 in Santa Monica, Calif., and is in the fourth grade. She started improvising on the piano at the age of 3½ and began her piano studies at 4½ with Caletta Bertrand. Discovery of her absolute pitch was made soon after. Theory and composition studies with Herbert Donaldson were begun when Ellene was 6½. Mario Castelnuovo-Tedesco has been teaching her counterpoint since late last year. Miss Levenson received a letter of recognition, encouragement, and honorable mention from the Student Composers Awards 1962 national judging panel.

Mr. Myrow, an SCA winner for the third time, is currently studying in Rome. He was born in Brooklyn, N.Y., in 1939 and has lived in Los Angeles, Calif., since 1944. Mr. Myrow began piano studies at the age of 6 and composition studies at 13. In 1961 he received a bachelor of music degree from the University of Southern California. Myrow has studied composition with Harold Johnson, 1952–56; Darius Milhaud, Aspen, 1956; and Ingolf Dahl, 1957–61. Also in 1961 he was awarded a $2,000 fellowship for graduate work at Brandeis University, to be fulfilled when time allows, and was given his first Student Composers Awards grant.

Amendment of Federal Bail Laws

EXTENSION OF REMARKS
OF

HON. THOMAS L. ASHLEY

OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1964

Mr. ASHLEY. Mr. Speaker, I am pleased to sponsor three bills to amend the Federal bail laws. These bills would ease the financial burden which the Federal bail laws place on indigent defendants.

The first bill provides that no person shall be denied bail solely because he is financially unable to post bond. Rather, any indigent defendant may be released on a personal guarantee, subject to such conditions as the court or commissioner might reasonably prescribe to assure his appearance—unless there is good cause shown why the indigent defendant should not be released. It is simple justice that indigent persons who are not shown to be likely to violate the conditions of their bond be released pending trial.

The second bill would provide that any convicted defendant who is confined because he is unable to post bail would receive credit toward his sentence for time spent in confinement.

The third bill would allow persons admitted to bail to make a cash deposit with the court instead of having to supply sureties or other collateral security often required by professional bail bondsmen. It would also allow bail to those who could not find a bondsman willing to write a bond for them.

Mr. Speaker, it is unjust that while our law provides an absolute right to bail in other than capital cases, this right can be very easily nullified at the discretion of private persons; for a bondsman is not required to write a bond just because a court has set bail, and the bondsman's decision may not be reviewed by a court no matter how arbitrary his refusal.

Because present bail laws discriminate against the poor, only the defendant who has money can be free before his trial to prepare for his defense. These laws violate the spirit of the sixth amendment to the Constitution which forbids imposition of excessive bail. They contradict our heritage of equal justice under the law.

Mr. Speaker, I feel it is appropriate that these measures guaranteeing equal justice to rich and poor alike be considered by the House as a vital part of the President's war on poverty, and that we should carry this war on poverty to the field of administration of criminal justice.

The Steuben Society of America

EXTENSION OF REMARKS
OF

HON. FRANK J. HORTON

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1964

Mr. HORTON. Mr. Speaker, many Americans of German ancestry recently observed May 21 as the anniversary of German Founders Day of the Steuben Society of America. It is fitting that we join in commemorating this event in honor to an outstanding patriotic and civic organization.

Gen. Frederick von Steuben is well known as one of the leading patriots of the Revolutionary War. He received a great estate and a large award from Congress and the State of New York for his outstanding contributions to the winning of American independence. Along with General Lafayette he was second only to General Washington as a shaper of the Continental Army.

General von Steuben came to America in 1777 to offer his talents to that great cause then being born on this continent. In so doing he set the example for all time for millions of other Americans of German origin, who have contributed untold wealth to their nation.

During the bitter days at Valley Forge, General von Steuben sustained the courage of the men. He drilled and taught them so that when winter subsided the American troops emerged more prepared than ever to engage the best army of the day in equal combat. In that winter also he wrote the "Regulations for the Order and Discipline of the Troops of the United States." In 1781 von Steuben served with Lafayette in the battle against Cornwallis' invasion of Virginia, and at the battle of Yorktown he commanded one of the three divisions of the Continental Army.

This notable example of service to freedom has justly inspired German-Americans for many years. In 1919 a group of leaders in the German-American community gathered in New York to discuss the role of their fellow citizens in American society, especially their lack of political interest and activity. They rightly perceived that individual discussion and participation in the affairs of the nation were the foundations of democracy. These German founders of a new society to further these conditions quickly selected General von Steuben as their patron and gave his name to their group.

Since 1919 the Steuben Society has performed a valuable service in stimulating discussion and service to the Nation among Americans of German origin. The Steuben Society has been a leading nonpartisan patriotic force. Its interests and activities are in the best traditions of American free association. Many of its members served with distinction in three American wars.

It is a pleasure to commemorate Founders' Day of the Steuben Society of America. The Society does honor to the memory of General von Steuben in the interests of all the American people.

Older Worker's Job Performance

EXTENSION OF REMARKS
OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1964

Mr. PUCINSKI. Mr. Speaker, America's most distinguished columnist on economic matters, Miss Sylvia Porter, has performed a very worthwhile public service by calling attention, through her widely syndicated column, to the fact that a most recent survey on the output of American workers shows that older age makes little, if any, difference in the capability of workers in office jobs or in occupations requiring limited physical effort.

Miss Porter quotes the survey as showing conclusively that a worker age 60 performs as well as or even better than one age 30. She points out further that if a worker has superior capabilities, he will turn in a far superior performance at 60 than an average person one-half his age.

It is my hope that the survey being quoted by Miss Porter will help reverse the cruel and mounting inhumane practice in American industry of refusing to hire workers merely because they have exceeded certain age limits.

Throughout this country there are vast numbers of American workers who are unable to obtain employment for no other reason than because they are considered too old by potential employers even though these workers are still in their middle forties or early fifties.

A recent Department of Commerce survey shows that an American worker who has past his 45th birthday has odds of 6 to 1 against him in getting another job similar to one he has previously held if for some reason or other he loses his original employment.

It is my hope that the survey cited by Miss Porter will arouse this Congress to deal with this matter because it is my judgment that there is a serious gap in our present efforts to deal with poverty in America so long as we permit discrimination against workers for no other reason than their age.

It has been my contention for some time, Mr. Speaker, that the only reason employers fail to hire older workers is not because older workers cannot adequately perform their duty but rather because it costs an employer more to hire an older worker for fringe benefits and other health and welfare provisions associated with employment.

As a member of the subcommittee which held hearings on various discriminatory practices in hiring, I had asked employers in New York, Chicago, and California, if indeed there is a cost factor involved and, Mr. Speaker, the record of my committee's proceedings shows that employers do indeed experience an increased cost factor for fringe benefits in hiring older workers.

It appears to me, therefore, that in light of Miss Porter's own observations today and in light of the testimony before my committee establishing the increased cost factor, this Congress should evolve a plan under which an employer would be able to claim as a tax credit any differential in cost between the hiring of a younger worker and an older worker; thus, the employer would not have to bear the additional cost out of profits. If this were to be done, all American workers would then be placed on an equal basis and experience would become the criteria for employment. The additional cost factor would be removed as a consideration. I believe this type of parity would give the older worker a better opportunity at employment.

Mr. Speaker, the full cruelty of this increasing practice of refusing to hire older workers hits with most devasting impact the so-called middle-aged American—that worker between the age of 45 and 55—who in many instances still has a relatively young family to feed, clothe, house and educate.

Mr. Speaker, I have introduced legislation which would permit a tax credit for the differential in the cost of hiring people by age brackets. I am including my proposal following Miss Porter's excellent article which I should like to have appear in the RECORD at this point:

OLDER WORKER'S JOB PERFORMANCE

(By Sylvia Porter)

Age makes little, if any, difference in the output of workers in office jobs or in occupations requiring limited physical effort. A worker age 60 performs as well as or even better than one age 30—and if the worker has superior capabilities, he'll turn in a far superior performance at 60 than an average person half his age.

Sex also makes little, if any, difference in jobs which do not demand major physical strength, and what difference does exist is in favor of women. In office jobs women chalk up better scores than men at all ages and the women who achieve the most favorable comparative scores are in the oldest age groups.

Experience is a basic factor affecting the output of an office worker and the consistency of his (or her) performance. The older the worker, the steadier his rate of output, and the experienced individual of 60-plus turns in a more consistent performance than the individual of under 25.

Again and again, over a long stretch of years, I have been writing reports along the above lines—trying unceasingly to help break down the cruel prejudice against the older worker and to help puncture the unjustified bias against women in the labor force.

SOME SUCCESS

As far as women are concerned, those dedicated to battling prejudice have had some success, but we have been tragic failures in our drive for fair treatment of the older worker in the job market.

In fact, the prejudice today seems more virulent than ever—at a time when a cold, hard headed assessment of the capabilities of the older worker never has been more imperative.

For it is the older worker who is most in danger of losing his job in this era of galloping automation of offices and factories.

It is the older worker with a long and satisfactory record of service who is most in danger of finding himself unemployed at an age when he is too old to be hired and still too young to retire.

It is the older worker whom many firms across the Nation refuse to employ because, say they, he will be unable to meet their production standards.

But now comes a new study of comparative job performance by the Labor Department's Bureau of Labor Statistics which dramatizes once more the points made at the start of this column about age, sex and experience.

The study, made under the direction of the BLS's James F. Walker, covers 6,000 Federal mail sorters—work typical of office jobs—over an 8-week period in 12 selected cities. The BLS figures output per man-hour of workers age 35 to 44 as an index of 100, then measures production of various groups against this index base. It finds:

1. "Differences in output among workers at various age levels are largely insignificant and capability for superior performance abounds in all age groups."

The 25–29 age group's output index was 100.1; the 50–54 age group's output index was 100.9; even the groups of 60–65 and 65 and over had an index of 96.2, an unimportant drop.

WOMEN RATE HIGHER

2. "The average performance for all men studied was a little over 3 percent lower than that for all women included in the survey. The higher performance of women was found in each age group and the difference was greatest in the oldest age groups."

Men mail sorters aged 35–44 scored 99.6, while women sorters in this age group scored 101.9. Men aged 55 and over scored 97, while women aged 55 and over scored 101.1.

3. "A significant finding is the evidence of consistency in performance among older workers, attributable to increasing experience on the job. In some situations this steady growth of consistency with age may compensate for a possible slight decline in productivity rates of older workers."

These findings confirm all previous studies of the job performance of office workers. How can employers justify policies and practices which flagrantly discriminate against a worker because of age or sex in view of them? Questions of decency and equity aside, the discrimination doesn't even make good business sense.

H.R. 3431

A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by redesignating section 38 as section 39 and by adding after section 37 the following new section:

"SEC. 38. CREDIT FOR EMPLOYMENT OF OLDER PERSONS

"(a) IN GENERAL.—In the case of an employer (as defined in section 3401(d)), there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount determined under subsection (b).

"(b) AMOUNT OF CREDIT.—The credit allowed an employer by subsection (a) for any taxable year shall be an amount equal to the increase in his cost of doing business during such year which results from the employment of older persons, as determined under regulations prescribed by the Secretary or his delegate. For purposes of this subsection, any expenditure made by an employer in the conduct of his trade or business (including insurance premiums, contributions to pension funds, contributions to medical costs, contributions to workmen's compensation funds, and any other trade or business expense, including the increased cost of training an older worker and increased cost of maintaining an increased medical and nursing staff necessary where older persons are employed, within the meaning of section 162), whether attributable to an individual employee or to the employees of such employer generally, shall be considered an increase in the cost of doing business which results from the employment of older persons to the extent that it would not have been required or made if the age of each employee involved were the lowest age at which an employee could reasonably (and consistently with the sound operation of the trade or business) be hired to perform substantially the same duties (and no factor other than age were taken into account).

"(c) CREDIT NOT TO CAUSE REFUND OF TAX.—The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by this chapter for the taxable year, reduced by the sum of the credits allowable under the provisions of this part other than this section and sections 31 and 32.

"(d) CREDIT IN ADDITION TO DEDUCTIONS.—The credit allowed by subsection (a) shall be in addition to, and shall not reduce or otherwise affect, any deduction which may be allowable under this chapter."

(b) The table of sections for such part IV is amended by striking out

"Sec. 38. Overpayments of tax."

and inserting in lieu thereof

"Sec. 38. Credit for employment of older persons.

"Sec. 39. Overpayments of tax."

SEC. 2. (a) Section 36 of the Internal Revenue Code of 1954 (relating to disallowance of credits to individuals paying optional tax or taking standard deduction) is amended by striking out "and 35" and inserting in lieu thereof "35, and 38".

(b) Section 37(a) of such Code (relating to retirement income credit) is amended by striking out "and section 35 (relating to partially tax-exempt interest)" and inserting in lieu thereof "section 35 (relating to partially tax-exempt interest), and section 38 (relating to credit for employment of older persons)".

SEC. 3. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

Results of a Poll

EXTENSION OF REMARKS

OF

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. SCHNEEBELI. Mr. Speaker, earlier this spring, my office mailed out 195,000 questionnaires to the registered voters of all parties in my congressional district. To date more than 18,000 returns have been received, indicating further that the people of my district are opposed to the continuing spending program and the increased assumption of Federal authority in the Federal-State-local government area.

The results received from the questionnaires are noted as follows:

	Percent		
	Yes	No	No opinion
FOREIGN AFFAIRS			
1. Do you believe the U.S. Export-Import Bank should guarantee credit for the sale of wheat and other commodities to Soviet Russia?	11	77	12
2. Do you approve of our present foreign policy?	17	58	25
3. Should the United States make further concessions in our Panama Treaty negotiations?	20	63	17
4. Do you believe that the Alliance for Progress in Latin America has been worth its cost of about $600, 000, 000 per year?	21	60	19
5. The current cost of our foreign aid program is about $3,000,000,000 per year. Do you favor—			
(a) Expanding present program?	2	52	46
(b) Maintaining present program?	11	42	47
(c) Creating a smaller more selective program?	76	8	16
SOCIAL			
1. Do you believe that medical problems for the aged should be handled by expanding present Federal-State legislation. such as the Kerr-Mills bill, with the funds to be administered by the respective States and local units of government?	51	31	18
2. Do you favor increasing social security taxes to finance medical care for the aged, regardless of financial need?	20	72	8
3. Are you in favor of a voluntary, private medical plan for the aged, with no Federal involvement?	49	27	24
4. A bill has been proposed that will promote quality and price stabilization very similar to the former Fair Trade Act. Basically the bill would prevent price-cutting on trademarked items. Are you in favor of this type of legislation?	22	60	18
5. Would you vote to establish a Federal domestic National Service Corps like the foreign Peace Corps?	41	40	19
6. Do you believe the Federal Government should help provide the money for cities to modernize their mass transit systems?	15	75	10
7. Should a Department of Urban Affairs be established to supervise housing, transportation, and other problems of big cities?	20	65	15
EDUCATION			
1. Should loans to college students under the National Defense Education Act be expanded?	61	26	13
2. Are you in favor of a moderate income tax allowance for parents with college-enrolled children?	67	27	6
3. Should the Constitution be amended to permit voluntary Bible reading and prayer in the public schools?	88	8	4
FISCAL			
1. Do you believe that we can carry out the administration's proposed extensive program and still reduce the budget?	20	66	14
2. Do you believe the limit on the national debt should continue to be raised to permit the Federal Government to spend more than it receives?	5	89	6
3. Are you in favor of a 1964 salary increase for—			
(a) Postal employees and other Government workers of about 6 percent?	37	53	10
(b) Members of Congress in the amount of $10,000 per year?	10	82	8
FISCAL—continued			
4. A bill is pending before Congress authorizing veterans of World War I to receive a pension of $100 per month, unless they have other income exceeding $2,400 if single or $3,600 with dependents. The estimated cost of this program the 1st year, according to the Veterans' Administration, would be $1,266,247,000. Would you favor this bill?	39	49	12
5. There is a bill in Congress to establish a land and water conservation fund to assist the States and Federal agencies in meeting outdoor recreation needs. Part of the fund would be financed by admission and user fees paid by persons admitted to federally administered areas where recreational facilities or services are provided. Do you favor this proposal?	51	36	13
AGRICULTURE			
1. Do you favor a farm program with mandatory controls and quotas?	13	69	18
2. Do you think the food stamp program should be broadened?	27	45	28
3. Do you favor a voluntary base-surplus 2-price plan for milk?	21	34	45
LABOR			
1. Are you in favor of legislation reducing the standard workweek from 40 to 35 hours?	25	67	8
2. Would you approve a proposal to increase the overtime wage rates above their present level of time and one-half to double time, in order to discourage excessive overtime work, in the hope that some of the presently unemployed workers might be hired instead?	42	49	9
3. Do you favor legislation making labor unions subject to similar antitrust laws now applicable to business?	79	8	13
GENERAL			
1. Do you believe the present law of Presidential succession should be changed?	50	35	15
2. Should the Congress continue to exercise control over the administration's proposed programs?	80	5	15
3. Should the House Committee on Un-American Activities be continued?	69	12	19
4. Do you favor a bill to change immigration requirements so that individuals would be admitted to the United States on the basis of personal skills or relationship to U.S. citizens rather than by quotas allocated according to national origin?	56	25	19
5. Do you think the moon race is worth the effort and the presently projected cost of $40,000,000,000 to $50,000,000,000?	18	73	9
6. Do you approve of—			
(a) Further control of government at the Federal level?	15	66	19
(b) Extension of State and local government responsibility?	73	12	15

The 50th Anniversary Reunion and Banquet of the Class of 1914 of the Boston English High School

EXTENSION OF REMARKS

OF

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. MORSE. Mr. Speaker, on Saturday evening, May 23, it was my distinct pleasure to address the 50th Anniversary Reunion and Banquet of the Class of 1914 of the Boston English High School. The meeting was truly a memorable occasion.

Following the opening prayer by Albert S. Wingersky and a welcoming speech by President Maurice Altshuler of the class of 1914, we enjoyed a fine dinner. Later the group conducted a business meeting and distributed annual membership cards before proceeding to the election of new officers.

The dinner, which was held at the Statler Hilton Hotel in Boston, was a fine example of good fellowship and mutual respect carried over five decades. I was proud to be included in the festivities.

Tribute to Rudolph Friml

EXTENSION OF REMARKS

OF

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. BELL. Mr. Speaker, I would like to pay tribute to the illustrious musical career of Rudolph Friml, a resident of Los Angeles since 1907 and now living at 8782 Appian Way, Hollywood, Calif. An octogenarian, Mr. Friml is the last of the giants from that golden era of American musicals which gave us Victor Herbert, Jerome Kern, George Gershwin, and Otto Harbach.

Born in Prague, Czechoslovakia, Mr. Friml studied at the Prague Conservatory with the distinguished composer Dvorak, and piano with Jiranek. He first came to the United States as a concert pianist. But with his first operetta, "The Firefly," his career was channeled into the field of composition. As a composer his many successful Broadway musicals, including "Rose Marie," "The Vagabond King," "Three Musketeers," and several of the Ziegfeld Follies, have contributed such outstanding songs as "Indian Love Call," "Rose Marie," "March of the Vagabonds," "Only a Rose," "Giannina Mia," "Donkey Serenade," and literally hundreds of others.

This distinguished composer and pianist is a charter member of the American Society of Composers, Authors, and

Publishers, now celebrating the 50th year of its founding. Stanley Adams, ASCAP president, recently wrote of Rudolf Friml:

> His career stands as an inspiration, not only to all his fellow colleagues in ASCAP, but to all Americans who have ever loved a beautiful song.

The United States and Cuban Independence

EXTENSION OF REMARKS

OF

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 26, 1964

Mr. THURMOND. Mr. President, many people who have followed the news announcements relating to Cuba and the efforts of Cubans to overthrow Castro's regime are more than passingly concerned about the identity and past records of some of the Cubans who appear to be in the forefront of the current activity.

In this connection, I ask unanimous consent that my weekly report to the people of May 25, 1964, entitled "United States and Cuban Independence," and an excellent editorial published in the May 20, 1964, edition of the News and Courier of Charleston, S.C., be printed in the RECORD.

There being no objection, the report and editorial were ordered to be printed in the RECORD, as follows:

UNITED STATES AND CUBAN INDEPENDENCE

(Report to the people by Senator STROM THURMOND

On April 19, 1898, the United States knowingly precipitated a war with Spain when Congress passed a joint resolution which stated that "Cuba is and of right ought to be free" and which authorized the President to use the Armed Forces to achieve that end. With this act, the United States voluntarily undertook the role of Cuba's liberator and the guarantor of Cuba's independence.

The depth of the United States commitment to Cuban independence was demonstrated not only by the war with Spain, but also by many events in the years after the war. Following 3½ years of military occupation, the United States proclaimed Cuban independence and transferred executive powers to elected Cuban officials. For 30 years thereafter, however, the United States retained the right by treaty to intervene in Cuba's internal affairs to insure continuance of Cuba's independence.

The influence of the United States on Cuba's freedom has not been confined to military matters. The United States gave to Cuba a favored position for the export of sugar, Cuba's chief crop, to the United States at premium prices. This, together with other types of financial aid from the United States, was a major factor in Cuban political stability.

In addition to these long established commitments to Cuban independence, the United States entered into treaties with all Latin American nations which had the effect of committing the United States to the defense of Cuba's independence.

The United States blindly contributed to the takeover of Cuba by Castro. From this point on, the traditional firmness of United States commitment to Cuban independence wavered, and by 1962, apparently disappeared. Following the "crisis" in the fall of 1962, the United States not only failed to undertake the liberation of Cuba from the yoke of Soviet satellite status, but also took positive action to prevent Cuban refugees from striking military blows against the Communist oppressors in Cuba.

U.S. policy on the independence of Cuba has undergone a radical change, but U.S. influence on the independence of Cuba remains predominant. By undertaking, as a great world power, to make Cuban independence our business, the United States established an influence on Cuba's fate that cannot be erased by a mere change in U.S. policy. U.S. influence is still predominant. In years past, it was a positive influence and, thereby, Cuba was independent; today U.S. influence is negative, and Cuba is enslaved.

We cannot escape our influence on the future of Cuban independence. Because of this, the United States has a deep and continuing responsibility to Cubans. We flout this responsibility when we deny Cubans, in or out of Cuba, their moral right to attempt to overthrow their Communist oppressors. We fail in this responsibility when we withhold moral and material support from Cubans who are attempting to liberate their country and countrymen.

The United States failed to meet its heavy responsibility when Castro's takeover was supported and made possible. It would be an equal failure of U.S. responsibility if U.S. influence was used to replace Castro with a man of identical or similar political attitude who merely had, or could be given, a better image in the United States. The historic commitment of the United States to Cuban independence will not be satisfied by swapping Castro for a Latin "Tito," or as the Cubans call it, a continuation of "Fidelissimo without Fidel."

Cuban independence cannot be obtained without the complete elimination of communism from power in Cuba.

[From the Charleston (S.C.) News and Courier, May 20, 1964]

NO MARXISTS WANTED

While Americans read about the possibility of new anti-Castro raids by Cuban refugees, they know next to nothing about the character of the leaders seeking change in Cuba. It is time the U.S. public be informed by President Johnson of the Cuban leadership this Republic is supporting.

We submit that the United States should not support Cubans in exile who were former partners of Fidel Castro in his crimes against freedom. We are dismayed to find that two of the raider groups are led respectively by Manuel Artime and Manuel Ray, former Castro supporters. Moreover, word comes to us from a patriotic Cuban exile that the U.S. Government is in close touch with Raul Chibas, former head of the kangaroo courts that sent so many Cubans to Castro's firing squads.

Onetime collaborators with Castro have a right to struggle in their country's behalf. If they have learned their lesson, Cuban exiles and the American people can be thankful. But Castro's old lieutenants should not be allowed to head organizations now planning to oust him.

A great nation looks far into the future and bases today's operations on tomorrow's needs. The U.S. aim for Cuba should be a truly free nation, dedicated to liberty and opposed to socialism in every respect. We question whether those who were in Castro's inner circle have lost their Marxist, revolutionary beliefs.

In no circumstance should the U.S. Government recognize any free Cuban leadership or government-in-exile that lacks a constitutional basis. No doubt there are elements in the State Department which would like to handpick a future Cuban Government, selecting those leaders who believe in the so-called social revolution in Latin America.

The U.S. public should not be satisfied with any provisional government unless its members are supporters of the Cuban Constitution which was in effect when the Marxist conspiracy triumphed in Cuba. The only Cubans worthy of support are those who are determined to uphold that Constitution. Such Cuban constitutionalists would be duty-bound to restore the rights of those imprisoned by Castro, and to return property confiscated by the revolutionary government.

Castro's old friends have never fully abandoned his cause. Herbert Matthews of the New York Times, who praised the Cuban tyrant as a Robin Hood, is still at work. Mr. Matthews' new book, entitled "Cuba," maintains that the "Castro revolution has done much for education, housing, health, communications, and industrialization. * * * Whole sections of the population that were neglected and mistreated in the past have become equal or even favored citizens." Thus the pro-Castro propaganda machine continues to operate in the United States of America.

The U.S. Government must make clear that it is utterly opposed to those who in one way or another still subscribe to the Castro revolution. Only by dealing with Cuban constitutionalists can a free, happy, and prosperous Cuba be rebuilt in the years to come. For the United States to deal with former Castroites who haven't shed their Marxism would be a betrayal of the cause of freedom in Cuba and throughout the hemisphere.

Loans for Students of Optometry

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of a statement I submitted today to the Subcommittee on Public Health and Safety, House Committee on Interstate and Foreign Commerce, in connection with its hearings on legislation to provide Federal loans to students of optometry. My statement reads as follows:

STATEMENT BY CONGRESSMAN WILLIAM L. ST. ONGE TO HOUSE INTERSTATE AND FOREIGN COMMERCE COMMITTEE, MAY 26, 1964, ON H.R. 8546

Mr. Chairman and members of the committee, I am delighted to know that your committee has scheduled hearings on the bill, H.R. 8546, by the distinguished gentleman of Alabama, the Honorable KENNETH A. ROBERTS. This bill would amend the Public Health Service Act to make students of optometry eligible for Federal loans.

As you are well aware, the Health Professions Educational Assistance Act passed by Congress last year provided such loans to students of medicine, dentistry, and related professions, but unfortunately students of optometry were omitted. This is unfair and discriminatory against an honorable profession in the field of health, one that is as vital for the care of eyesight as dentistry is for the care of teeth.

Optometry is rendering a very important service in the complex age in which we live, and there is a steadily growing demand for such services. The Connecticut Optometric Society informs me that there is a serious shortage of optometrists in Connecticut and that all help should be given to young people to enter this profession. One of these ways is to provide loan funds to students who are unable to finance their schooling in optometry.

It is estimated that some 100 million people in the United States require some form of vision care, such as correction by glasses, visual training, or other treatment. Our present ratio of available service to the population is 1 optometrist per 9,500 people, which is regarded as being way below the required needs.

The bill under consideration would authorize the use of Federal funds for student loans to schools of optometry on the same basis as such loans are being extended to students of medicine and dentistry. These loans are subsequently to be repaid after the student will have completed the studies and established himself in the profession. The estimated cost is reported to be less than $1 million for the program.

Mr. Chairman, I strongly urge you and the members of your committee to take favorable action on this bill.

Testimony of Congressman James C. Healey on Veterans' Pension Bill, H.R. 10970

EXTENSION OF REMARKS

OF

HON. JAMES C. HEALEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. HEALEY. Mr. Speaker, ever since becoming a Member of Congress I have supported and worked for numerous bills to benefit our veterans.

Our veterans highly merit our best consideration and all the assistance we can give them when we consider the great sacrifice which they have been called upon to make for our Nation. In view of the ever-skyrocketing living costs, high taxes, and increasing costs of medical care, I believe that it is imperative that we recognize the hardships being suffered by our veterans today and that we take appropriate action to liberalize and improve our existing laws which govern veterans' pensions.

I was pleased to have had the opportunity to testify before the House Veterans' Affairs Committee today on my bill, H.R. 10970, and to urge that favorable action be taken by the committee, not only on my bill, but on other bills under consideration which would give our veterans the assistance which is so vitally necessary to them at this time.

My testimony follows:

Testimony of Hon. James C. Healey, of New York, Before the Subcommittee on Compensation and Pensions, of the House Committee on Veterans' Affairs, May 26, 1964

Mr. Chairman and members of the subcommittee, thank you for this opportunity to present my views concerning H.R. 10970 which proposes certain changes and improvements in the non-service-connected pension program for veterans of World War I, World War II, and the Korean conflict.

My approach to this bill is a result of a comprehensive review and study on my part of the pension program which has commanded a great deal of my attention and consideration during this Congress. The liberalizing proposals and changes in my bill will help hundreds of thousands of veterans who are in the greatest need.

What are these changes and improvements? How best can the veterans in the greatest need be helped? First, the income limitations for the minimum and intermediate steps, both for single and married veterans, is much too restrictive. An increase in these limitations, as provided in my bill, will result in a large number of veterans receiving a higher pension payment.

Second, in addition to increasing the income limitations, I am also proposing that all pension rates from the lowest to the highest be increased on the average of $10 to $15 a month. Presently the pension rates range from a low of $40 to a high of $100 a month depending upon the veteran's income and dependency status. My bill will increase the rates in the minimum income steps from a low of $50 a month for a veteran with no dependents to a high of $110 a month for veterans with three or more dependents.

Mr. Chairman and members of the subcommittee, by increasing both the income limitation of those in the greatest need and by increasing the pension payments for all qualifying veterans, the Congress will substantially help the majority of veterans who need the most help.

My bill, however, is not limited to these two liberalizing provisions. I have taken note of the large number of World War I veterans and the increasing number of World War II veterans who have reached 65. Under the terms of my bill the disability requirement for a veteran 65 or over will be eliminated. The veteran who reaches 65 will be presumed to be totally disabled and has met the disability requirement for entitlement to pension.

Another provision takes into account the large number of veterans who served overseas and in combat. During wartime, veterans who served overseas and in certain combat areas were recognized for this greater effort by additional pay. You will recall that the basic pay of all servicemen in World War II was increased by 20 percent for example, while serving overseas. My bill will continue this principle by providing an honorarium for oversea and combat service by increasing all pension rates for qualifying veterans by 10 percent.

Another group of veterans who in my opinion should also receive special recognition are those who are not only totally and permanently disabled but are so helpless that they are unable to take care of themselves or are housebound for the rest of their lives. These veterans who need the aid and attendance of another person or if their disabilities are not quite so severe, nevertheless are cut off from society to be housebound for the rest of their lives would receive under the terms of my bill an additional pension payment. The aid and attendance allowance would be increased by $15 a month from the present $70 to $85 a month. The housebound veterans, of whom there are a small number, would receive an additional $35.

Mr. Chairman, these are the major provisions in my bill which relate to an increase in the pension payments liberalizing the disability and income limitations to provide more money for veterans in the greatest need of larger pension payments. In addition, my bill also includes several provisions which are presently disregarded in determining the income limitations. For example, it seems a great injustice that a veteran who loses his wife or child through death cannot deduct the cost of burial when determining the annual income limitation. A similar inequity is the medical expenses of the veteran and his family which presently are not considered or deducted from the income limitation of the veteran. Likewise, it is a gross inequity to have the earned income of the wife counted as the income of the veteran.

Accordingly, my bill in determining income would exclude the following items:

1. Earned income of the veteran's spouse. This provides relief in the case of the wife who is forced to work, and maintains integrity of the family unit.

2. The amounts equal to the amounts paid by the veteran for the expenses of burial for his wife or child. This recognizes there are unavoidable and unanticipated expenses beyond normal needs of veterans which should be excluded.

3. Any profit realized from the sale or disposition of any real estate other than in the course of a trade or business. Sale of home by veteran is not income but a change in the form of assets.

4. Amounts equal to the amount paid by the veteran or by his wife for medical, dental, or hospital expenses of the veteran, his wife, or children. This expense recognizes the increasing high cost of drugs and medical care for a veteran.

5. Any payments received for discharge of any obligated civic duties such as jury duty.

These, Mr. Chairman, are the major and principle provisions of my bill which, if enacted, will bring about many desirable changes in the Veterans Pension Act of 1959 which is generally called Public Law 86–211, and has been the governing statute respecting veterans' pensions since it went into effect on July 1, 1960. World War I veterans now represent about 90 percent of all veterans receiving pension payments. It naturally follows that under the provisions of my bill the veterans of World War I will be helped more than any other group of veterans. At the same time these provisions would eliminate many of the complaints and inequities which have become manifest since Public Law 86–211 has been in operation.

As I stated in the beginning H.R. 10970 is the end result of a lengthy review on my part of the veteran pension program. It is my earnest hope that the provisions of my bill represent an acceptable solution to the problems of hundreds of thousands of war veterans, especially the older, aging war veteran, which includes a large number of World War I veterans. I respectfully urge this subcommittee, the full committee and the House to give favorable consideration to these views which I am sure all will agree will substantially improve the pension program for these war veterans who did so much to preserve our way of life and keep freedom alive.

Thank you.

Amerigo Vespucci Day

EXTENSION OF REMARKS

OF

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. ADDABBO. Mr. Speaker, On March 9, 1964, Amerigo Vespucci Day, a ceremony was held in Washington at the National Aeronautics and Space Administration Auditorium, spearheaded by the Federation of the Italian-American Democratic Organizations of the State of New York, Inc., an organization of which I am happy to be a member. The occasion was the presentation of the

"Landmark Memorial Tablet" to the National Aeronautics and Space Administration in tribute to President John F. Kennedy. The presentation was made by the Honorable Alfred E. Santangelo, president of the federation and a former Member of this body, to the Honorable James E. Webb, Administrator. The Landmark Memorial Tablet is now at Cape Kennedy and reads, as follows:

> Amerigo Vespucci, was born in Florence, Italy, on March 9, 1451. He outfitted several expeditions to "The New World" from 1497 to 1504. "America," the name bestowed on our continent by historians, is derived from Amerigo Vespucci. He was the first discoverer of the Western Hemisphere mainland. In his third voyage in 1501–1502, Vespucci was the first to sight Cape Canaveral, Fla., renamed in 1963 as Cape Kennedy, in everlasting memory of the 35th President of the United States of America, John Fitzgerald Kennedy.
>
> Presented to the National Aeronautics and Space Administration on behalf of the community of 21 million Americans of Italian origin in observance of the 513th birthday of Amerigo Vespucci on March 9, 1964.

One of the highlights of the ceremony was the reading of a letter from President Lyndon B. Johnson by Hon. Jack Valenti, assistant to the President. The text of the President's letter follows:

> THE WHITE HOUSE,
> *Washington, D.C., March 9, 1964.*
>
> Hon. ALFRED E. SANTANGELO,
> *President, Federation of the Italian-American Democratic Organizations of New York, New York, N.Y.*
>
> MY DEAR MR. SANTANGELO: On behalf of the Nation, I want to thank the Americans of Italian descent for the unique Landmark Memorial Tablet which they have presented to the John F. Kennedy Space Center.
>
> Amerigo Vespucci, whose family name all of us bear in our identity as Americans, was born 509 years before the death of John F. Kennedy.
>
> Yet in spirit and in deed, they were contemporaries. It is right that a memorial tablet should seal their union.
>
> Both were brave and skilled navigators. Both faced and welcomed the challenges of the unknown. Both surmounted great barriers to push the frontiers of knowledge beyond previous limits.
>
> In Vespucci's day, the frontier ran parallel to the earth, and for only a short distance at that. But by the time he sailed his last voyage of discovery and drew his last map, he had made plain a revolutionary truth: That a very new world, and not the coast of Asia, lay due west of Europe.
>
> In John Kennedy's day, the frontier had begun to run perpendicular to the earth, but for only a short distance at that. In the course of his brief Presidency, he gave thrust to the reach of discovery into the far reaches of outer space.
>
> It is fitting that Americans of Italian descent should conceive this linking of the Italian navigator and the American President.
>
> For this land, and all its greatness, owes much to the Italians who came here looking for freedom and opportunity and who brought with them vitality, grace, and strength.
>
> And so today, we offer our gratitude for the Italian immigrants who have peopled this land, for their children who have strengthened this Nation, and for the greatest gift of all: Their contribution to all aspects of American life.
>
> Sincerely,
> LYNDON B. JOHNSON.

Another highlight of the ceremony was the reading of a telegram from the Attorney General of the United States, the Honorable Robert F. Kennedy, as follows:

> WASHINGTON, D.C.,
> *March 9, 1964.*
>
> J. P. SOMMER,
> *NASA Headquarters,*
> *Washington, D.C.:*
>
> Please express my warmest wishes to the Federation of Italian-American Democratic Organizations at this noteworthy ceremony. Your presentation of a Landmark Memorial Tablet to be placed at Cape Kennedy is a reflection of how much America owes to those of Italian descent. An Italian gave our country its name and generations of adopted Italians have worked—and died—to help give that name the meaning it has around the world—liberty. And yet this presentation is more, even, than a reflection of your pride and patriotism. It is a tribute to the pioneering spirit which is common to men of all nations and of all times, whether the 15th century or the 20th. May our new voyages in the oceans of space, like the voyages of Vespucci, which this tablet commemorates, expand the frontiers of freedom for all men.
>
> ROBERT F. KENNEDY,
> *Attorney General.*

This tablet, although given by the Federation of Italian-American Democratic Organizations of the State of New York, Inc., was cosponsored by the following organizations: Alpha Phi Delta Fraternity; American Committee on Italian Migration, Inc.; Amita, Inc.; Citizens Forum of the State and City of New York, Inc.; Columbus Alliance, Inc.; Esca Club, Inc.; Italian Historical Society of America, Inc.; Italian Sons & Daughters of America, Inc.; Italian Big Sisters; Knights of Columbus; Lido Club; Long Island Columbian Association, Inc.; Sons of Italy; Unico, Inc.; United Shoe Workers of America, Inc.

Guest speakers on this occasion were: Hon. Edward D. Re, Chairman, Foreign Claims Settlement Commission; Justice Michael A. Musmanno, Pennsylvania Supreme Court; Hon. George P. Miller, chairman, Committee on Science and Astronautics, House of Representatives; Hon. John O. Pastore, U.S. Senator from Rhode Island; Hon. Angier Biddle Duke, Chief of Protocol, Department of State; Hon. Sergio Fenoaltea, Italian Ambassador to the United States. Many distinguished guests were present from both public and private life.

Residual Oil Relief for New England

EXTENSION OF REMARKS

OF

HON. WILLIAM H. BATES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. BATES. Mr. Speaker, there was a recent news item to the effect that the GAO's Defense Accounting and Auditing Director had brought to the attention of the Secretary of Defense the subject of unnecessary buttonholes in Navy coats. GAO estimated that by 1966 $60,000 will be spent needlessly by the Department of Defense unless it does something about these empty holes.

Sixty thousand dollars, even in this era of the $100 billion budget is a substantial saving, and I certainly hope the Secretary will take action to plug up these holes.

This is of particular interest to me, however, in view of recent communications I have had with the Secretary of Defense with regard to excess costs his Department is incurring as a result of the mandatory oil import program.

My concern with this program and the fact that it has cost the Defense Department over $50 million in excess fuel costs, stems to a large degree from my concern over the economic hardship the people of New England have suffered and are still suffering because of the continuing restrictions on imports of residual fuel oil. This is the fuel we must have in New England to heat our hospitals, schools, and apartment houses, to power our industries and to generate our electricity.

Certain recent developments and particularly a decision by the Secretary of the Interior clearly show the absurdity of continuing this program.

On March 22, 1964, Mr. Bernard L. Boutin, GSA Administrator wrote to the Chairman of the Oil Import Appeals Board pointing out that because of residual import controls, GSA was experiencing extreme difficulty in obtaining sufficient oil to heat Government buildings in the Washington area. Mr. Boutin pointed out that it was costing the Government between $500,000 and $700,000 a year to obtain fuel because GSA had no import quota. The following editorial from the May 4, 1964, Boston Herald I think, very concisely summarizes the ridiculousness of this situation:

> [From the Boston (Mass.) Herald
> May 4, 1964]
>
> GOVERNMENT AGAINST ITSELF
>
> The Federal Government is so big that no one should be surprised that it sometimes catches itself by its own tail. So the incident we are about to relate is not unique and probably isn't very funny, as things go in Washington.
>
> But what has happened is that the Government-instituted pinch on the imports of residual fuel oil is pinching the Government. Non-Government users of this cheap fuel oil, particularly in New England, are also painfully pinched (all for an illusory benefit to the soft coal industry), but they squeal in vain against the powerful coal lobby. Here, now, is an agency of Government squealing.
>
> The General Services Administration provides heating fuels for Government buildings in Washington. It supplies 1.2 million barrels of residual oil annually.
>
> The unjustified import restrictions have hurt the GSA—as they have hurt private users—by increasing the cost of residual and making its orderly purchase difficult.
>
> With the oil in short supply and importers limited, it has become strictly a sellers' market. The GSA can no longer get competing bids from suppliers, and the lack of competition has forced it to pay from $500,000 to $700,000 a year more than it would if it could get competing bids.
>
> The importers who used to supply GSA got import allocations as a result. But they

don't have to sell to the GSA now; they can look for more desirable customers.

The GSA asked for transfer of the import allocations to itself, but got turned down by the Oil Import Administration. It is caught in a preposterous squeeze. But then, so are other residual users all over the east coast.

The contrived shortage of residual oil has hurt consumers, disorganized distribution and injured the economy of Venezuela, the major exporter. It helps nobody but the lucky dealers with import allocations. It does not help employment in the coal mines and it does not help the domestic oil industry, which is discontinuing the production of residual.

Here is Government not only against itself but against a lot outside of Government. The import restrictions must be lifted.

GSA's appeal fell on sympathetic ears and on May 7, 1964, the Secretary of the Interior announced that GSA had been granted an allocation of 1 million barrels of residual fuel oil imports to be used in meeting requirements for Federal Government installations in the Washington, D.C., area. I think the following quote from the Interior Department's announcement of this decision is most revealing:

A Department of the Interior spokesman pointed out that the allocation was made in the public interest to relieve the General Services Administration of the difficulties it has experienced in obtaining supplies of residual fuel oil necessary to discharge its responsibilities in the Washington metropolitan area.

On Monday, May 18, 1964, the Boston Herald seized on the key phrase in the Department's announcement that its decision to grant GSA's appeal was made "in the public interest" and printed the following editorial with a plea to the Secretary of the Interior to further "serve the public interest by removing all import curbs on residual":

[From the Boston (Mass.) Herald, May 18, 1964]

OIL IN THE PUBLIC INTEREST

The Government has decided to stop punishing itself by half a million dollars a year. The Department of the Interior has granted the General Services Administration an import quota for a million barrels of residual oil. This means that GSA can now get several bids for the heavy heating oil needed for Government buildings in Washington and not have to pay what some importer with a quota can exact virtually without competition.

This is the same costly position that utilities, industries and building owners and State and local governments all up and down the Eastern seaboard find themselves in. They are having to pay millions of dollars more for residual oil because the coal interests have unwarrantedly pressured the Government into import restrictions on this inexpensive fuel. But these sufferers have so far cried in vain.

GSA did not cry in vain. Interior decided that "in the public interest" GSA should be able to buy for a competitive price.

"In the public interest."

Why is it not also in the public interest that the Boston Edison and other utilities up here should be able to buy in an open market? It is nice that the tax-consuming GSA can buy oil at a fair price; why wouldn't it be nice if taxpaying users of electricity could enjoy similar beneficial consequences of competitively priced oil?

Not to mention the Defense Department, which has no import allocation either, and uses much more residual oil than GSA. Here the Government is still punishing itself to the tune of $8 or $9 million a year.

Yes, the department that casts a sternly economizing eye on the Navy yard and the Watertown Arsenal, is still overpaying by millions for the residual oil it uses.

In fact Congressman BATES has just reminded Secretary McNamara that the whole oil import control program—crude products and residual—has cost the Department over $50 million in premium prices since its imposition in 1959. Government against itself.

(Residual oil is, however, in a special class, because its importation does not displace domestic production, which is rapidly falling to zero.)

Yes, the Interior Department is correct. A free market in residual oil is in the public interest. Secretary Udall, to whom President Johnson has entrusted the Government's oil policies, can serve the public interest by removing all import curbs on residual.

With this as background, I would like to introduce at this point the full text of my letter to the Secretary of Defense on May 15, 1964:

MAY 15, 1964.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense
Washington, D.C.

DEAR MR. SECRETARY: On February 28, 1964, I wrote to you with regard to excess costs incurred by the Department of Defense as a result of the mandatory oil import program.

I knew that you were most anxious to find ways to reduce operating costs of the Defense Establishment. This would be a saving, I would like to stress, which could be realized without causing the discharge of a single Defense Department employee in contrast to the loss of hundreds of jobs every time a Defense Establishment, such as the arsenal in Watertown, Mass., is closed. That is why I thought you might like to consider this possibility of saving your Department an additional several million dollars every year.

On March 2, 1964, Deputy Assistant Secretary Paul H. Riley wrote to me that although the Defense Department did not agree with all parts of the mandatory oil import control program, it would be impractical to request exemption from controls relating to residual fuel oil.

It is true that my original suggestion to you related only to Defense exemption from residual controls but in light of Mr. Riley's answer and in view of recent information coming to my attention, I think it would be proper for you at this time to review the cost to the Department of Defense of the entire oil import control program.

I have been informed that every year the Defense Establishment under current controls has authorized quotas for the import of approximately 15 million barrels of finished and residual petroleum products. It is my further understanding that the greatest differential between offshore and domestic price is provided by jet fuel, combat motor gasoline and residual fuel oil, and that these are the products imported by the Defense Establishment.

As you are aware, the mandatory oil import control program has been in effect since March 1959. Your own Department estimated in September 1962 that from the program's inception through June 1962 the cost to the military because of inadequate Defense Department quotas under the mandatory oil import control program totaled $26.5 million. It would be reasonable to assume that this figure has at least doubled in the last 2 years.

It is my conviction that the Defense Department, in the interest of national economy, should be exempt from this program.

Ample precedence for such a request can be found, I believe, in a recent decision by the Oil Import Administration of the Interior Department relating to the General Services Administration (GSA).

On March 23, 1964, GSA appealed to the Chairman of the Interior Department's Oil Import Appeals Board for relief from difficulties being experienced as a result of the oil import control program. GSA requested that it be granted its own allocation to import residual fuel oil. In its appeal GSA pointed out that because of restrictions imposed by the control program, it was paying $500,000 to $700,000 in premium prices every year to obtain sufficient residual fuel oil for use in Government buildings in the Washington, D.C., area alone. I believe you will find that corresponding excess costs are being incurred by the Defense Department in its petroleum purchases.

In the interest of national economy, I strongly urge you to look into this situation.

Sincerely yours,

WILLIAM H. BATES.

I certainly agree with the Boston Herald that if relief for GSA was in the public interest, then similar relief for the Defense Department and all other residual oil consumers should be forthcoming immediately. Residual fuel oil import restrictions should be terminated immediately.

National Maritime Day

EXTENSION OF REMARKS
OF

HON. THOMAS N. DOWNING

OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 26, 1964

Mr. DOWNING. Mr. Speaker, traditionally each year May 22, is proclaimed by the President as National Maritime Day in commemoration of that day 145 years ago when the first oceangoing steamship, the SS *Savannah,* set sail on its epoch-making voyage across the Atlantic. National Maritime Day symbolizes the importance of maritime strength to the past, the present, and the future of our country.

It is customary each year for the Propeller Clubs of the United States and other groups interested in our maritime welfare to celebrate the occasion by calling upon those most intimately concerned with the various aspects of national seapower to review our current status, point out shortcomings, and set a course for the future.

One of the outstanding Maritime Day speeches given this year, or any year, was that delivered at the Propeller Club, port of Los Angeles, by the distinguished chairman of the Committee on Merchant Marine and Fisheries, HERBERT C. BONNER. His discussion of our maritime heritage, his review of current problems, and his timely warnings that we are falling dangerously behind in our maritime standing in a troubled world should be read by every Member of the House.

Mr. Speaker, under permission granted, I insert the text of Chairman BONNER's address at this point in the RECORD:

REMARKS OF HON. HERBERT C. BONNER, DEMOCRAT, OF NORTH CAROLINA, CHAIRMAN, COMMITTEE ON MERCHANT MARINE AND FISHERIES, HOUSE OF REPRESENTATIVES, BEFORE THE PROPELLER CLUB, PORT OF LOS ANGELES, ON NATIONAL MARITIME DAY, MAY 22, 1964

Mr. Chairman, members of the Propeller Club of the Port of Los Angeles, honored guests, ladies, and gentlemen, it is indeed an honor and a great pleasure to be here in Los Angeles again on this occasion when we observe National Maritime Day—a day when we commemorate the sailing of the steamship *Savannah* as the first oceangoing steamship—symbol of the dramatic development of the industrial revolution in transportation.

On this day 145 years ago a unique ship—born of American ingenuity—broke with the traditions of the past thousands of years to set sail into a future of inestimable promise. It was a proud day for the enterprise of this youthful nation which had gained its independence and freedom scarcely more than a generation before. The SS *Savannah*, with her coal-burning, 90-horsepower steam engine, her three masts with full set of sails, was a bold and imaginative symbol of the creativeness of the new Republic. Although far in advance of her time, she was the transitional step that foretold the end of the age of sail on the high seas.

Despite the great interest and excitement this revolutionary new ship stirred during her triumphant tour of the ports of Europe, she was deemed a failure by her sponsors. Her fuel supply had been sufficient to run her engine only for a total of 80 hours during the entire 29-day crossing. She was too costly to operate.

Our maritime heritage is filled with many events—outstanding ship designs and historic ships—which might justly have been chosen as the symbol for commemoration each year in recognition of the dependence of our great country upon the sea for its growth and its strength.

Yet I believe selection of the steamship *Savannah* and the sailing date of her maiden voyage across the Atlantic was a particularly happy choice for commemorative purposes. Her history presents in miniature the history of the American merchant marine over the years. An advanced concept—a bold venture—and—a failure to press an advantage gained.

It is therefore, I think most fitting that we should annually confront the memory of the SS *Savannah* as both an inspiration and a warning when we take stock of our seaborne posture and our standing among the nations of the world. It is a world covered 75 percent by the oceans—providing the principal avenues of trade and commerce, vast supplies of food and mineral wealth, and an environment in which the security of this Nation and other nations can be decided.

It is a paradox that even as we turned our back upon the promising technology that applied steam to the SS *Savannah*, our naval architects were designing and our shipyards were building the splendid clipper ships that assured American supremacy on the seas until the end of the Civil War. American shipowners paid little heed to the continuing development of steam vessels by the British. In 1847 an American company built two paddle steamers for transatlantic operation but, unable to raise sufficient capital at home, it had to receive its financing from various German states seeking passenger accommodations and direct postal service for their emigrants to the United States. Another effort to meet the foreign trend toward development of steam was blocked by the Cunard Line in a rate war against the technically advanced experimental steamer, *United States*, of the famous Black Ball Line of sailing packets, which 30 years earlier had ushered in the era of the ocean liner operating on stated schedules.

During this period the largely unchallenged excellence of the designers and builders of our world-roving sailing ships blinded us to the march of the individual revolution. With the finest captains and mates on the seas; the navigational genius of Nathaniel Bowditch; and the pioneering studies of winds and currents by Matthew Fontaine Maury, the "Father of Oceanography," we brought the sailing vessel to unheard of peaks of speed and efficiency—only to find ourselves a third-rate maritime power at the end of the Civil War. The steamship, which we had initiated with the *Savannah*, became the power that drove us from the seas for 50 years until the advent of the frantic, largely futile and costly mass-building effort in World War I.

The pattern has continued to repeat itself.

The past 100 years has repeatedly affirmed the importance to this country of strength at sea—of balanced seapower. Yet we have continually lagged behind our requirements until cataclysmic events have forced us into crash programs to catch up—simply in order to survive.

Fortunately, in the recent past, circumstances have enabled us to generate the seapower necessary to insure our freedom in the two great wars of this century. Happily, our national defense reserve fleet of vessels built during World War II was still available with sufficient numbers of ships "in being" to lift and transport 85 percent of all war materiel during the Korean conflict. The Korean war, following the pattern of the past, jarred us again into construction of 35 of the large, fast Mariner-class vessels. The first Mariner was not delivered into service until October of 1952. And only 10 were completed prior to the formal ending of hostilities in Korea in July of 1953.

We can be thankful that our now aging reserve fleet was still relatively young and in good condition at that time. To meet our needs during those hostilities, our privately owned fleet was augmented by 770 Government-owned ships, withdrawn, repaired, refitted, and put into service at the rate of more than three vessels every 2 days. Let us pray that we are not confronted with a similar emergency anytime soon.

Now, some 13 years later, with our privately owned fleet operating at a median age level of 18 to 19 years, and our existing reserve fleet consisting largely of war-built Liberties and Victories, 90 percent of which border on 20 years of age, it is extremely unlikely that we could so quickly and effectively rise to a similar occasion today.

In 1951, when our reserve fleet was still of large quantity and great value, as demonstrated by the Korean war, we also had a privately owned American-flag fleet of some 1,264 oceangoing vessels of over 15 million deadweight tons.

As of January of this year, our total privately owned merchant fleet had diminished by almost 300 vessels in number, and about 1 million deadweight tons in capacity.

In all fairness, let me point out that those figures alone do not tell the whole story of the past 13 years. During that period we have seen most of the splendid Mariner vessels become absorbed into the privately owned fleet. Since 1958, upward of 100 new, larger and faster cargo liners entered service in the replacement program of the subsidized lines. Several major new passenger and combination ships have been delivered. And American tanker operators, particularly in the coastwise trades, have replaced war-built tonnage with much larger and more efficient ships.

In addition, though somewhat makeshift in character, vessel-exchange legislation has made it possible for nonsubsidized operators in both domestic and offshore trades to trade-in old tonnage and acquire from the Reserve Fleet much better ships for adaptation to their particular services. And, finally, the technique of "jumboizing" vessels, particularly tankers, has been the means of lengthening the life and increasing the efficiency of a number of vessels which otherwise would have had to be swapped or transferred foreign.

In view of these developments it has been said that since 1951 our fleet has actually increased about 2 percent in terms of capability to move cargo.

Thus, if the world had stood still it might seem that we are not in such bad shape.

But a few comparisons are in order, because neither the United States nor the world at large has remained static.

Since 1951:

Our gross national product has doubled—from $329 to $650 billion.

Our dry cargo waterborne foreign trade, exclusive of the military and Canada, has increased from 103 million long tons to over 153 million tons per year.

Our flag participation in our commerce has dropped from around 42 percent to 10 or 11 percent currently.

While the world fleet has increased by 44 percent in number, the U.S. privately owned fleet has decreased by 22 percent.

While the world fleet has increased by 99 percent in deadweight, the U.S. privately owned fleet has decreased by 4 percent.

U.S. freighters show a decrease of 19 percent against an increase of 39 percent for the world as a whole.

The U.S. tanker fleet has decreased by a sizable 33 percent against an increase of 52 percent for the world.

In the bulk carrier, domestic and other nonsubsidized trades, we have been refurbishing old vessels. The foreigners have been building new ships, specially designed for their trades. The average age of the foreign bulk fleets is the lowest of any category in the world.

This situation reminds me of one of the adventures of Alice in Wonderland when she went through the looking glass into a strange and fantastic world where a huge game of chess was being played. While contemplating the limitless panorama of the chess squares, Alice and the Red Queen suddenly found themselves running faster and faster and faster, until, gasping for breath, they stopped to rest, only to find that they were still under the tree from whence their race had started. Alice expressed surprise at their lack of progress and said, "In our country you generally get to somewhere else if you run very fast for a long time, as we have been doing."

"A slow sort of country," said the Queen. "Now here, you see, it takes all the running you can do to keep in the same place. If you want to get somewhere else, you must run at least twice as fast as that."

I think that little adventure contains an important lesson for us as we attempt to play our part in the worldwide game of chess.

I will not recite the figures, but the buildup of the merchant fleets of the maritime nations of the world since 1951 has been astounding. It is useful to bear in mind that a great proportion of the foreign fleets were composed of the more than 1,100 war-built ships which many of those nations purchased from us. So it is clear that the great increases since that time represent new construction. Contrast this with our situation here in numbers of ships. We have fallen well below 1951 totals, and, of our present total fleet, approximately 75 percent are 18 years of age or older.

The figures I have cited are not simply dry statistics. On the contrary, they are flagrant warning signs to all who would maintain our position in the world, and build up our economy at home.

We cannot ignore the figures that show that most of our free world foreign competitors are carrying vastly greater percentages of their own commerce than we are carrying of ours. Relative weakness in relation to those competitors will inevitably leave us at their mercy in world trading.

Since 1951 there has been a steady annual increase in passenger traffic by sea between the United States and foreign countries. With rising income levels and increasing lengths of vacations both here and abroad, we are clearly in a period marking an increasing demand for surface ocean travel. Yet since the entry into service in the early 1950's of the steamships *United States, Independence,* and *Constitution,* only one new ship, the converted Mariner, SS *Atlantic,* has been introduced in the flourishing transatlantic trade under the American flag. In the same period new foreign-flag passenger ships are regularly entering the trans-Atlantic service and cruise service out of American ports.

With an obligation to replace the SS *America,* Congress, in 1958, authorized the construction of a sister ship to the SS *United States.* The legislation was enacted into law, but the Eisenhower and succeeding administrations have refrained from taking any steps to implement it. Despite the clear trend of ocean passenger travel and the proven excellence of the SS *United States,* a recent high-level Government-sponsored report on our merchant shipping requirements, while recommending the development of U.S.-flag passenger ship operations, called for continuing delay while a new study is undertaken. The report makes the absurd observation that, during the time outlay for a sister ship to the SS *United States* is being deferred, interest at the rate of an estimated $3 million per year is being saved.

There has been much public attention called to our efforts with an experimental hydrofoil craft for commercial purposes. At long last the HS *Denison* was delivered, but now, after a series of trial runs during the past year, she is now, following a grounding accident, tied up in the backwaters of a river and the project apparently has been abandoned indefinitely. In the meantime, a current issue of a British shipping journal contains a report of a British hydrofoil ferry which entered service on May 1, for regular commercial operation in the English Channel. Again we are feeling the spray from the wake of our competitors.

In 1951, recognizing the trend toward increased movement of bulk cargoes in our foreign commerce, the Congress amended the 1936 Act to authorize construction subsidy to operators in irregular or nonliner trades. The trend evident at that time has reached major magnitude today, when almost 80 percent of our exports and imports are moving in bulk. With the exception of Government-sponsored cargoes under the 50–50 law moving in war-built ships and a few tankers of recent vintage, the transportation of our vital raw materials is almost entirely in foreign-flag ships.

Not a single deep-sea, dry bulk carrier has been built in the United States since 1946. Notwithstanding overtures and applications by qualified operators, the congressional intent has been consistently avoided as far as true modernization of our bulk fleet is concerned. American operators, with American capital, have been forced to build abroad and operate under foreign flag. While applications for construction subsidy for seven fully modern and efficient bulk carriers have been pending before the Maritime Administration for some 6 months to more than a year, the foreigners are regularly bringing out new ships of the same class to carry our ores and other bulk commerce. If the present American applicants dispair and build abroad, our balance of payments position will be further damaged.

In June 1955, the Virginia and Maryland ports authorities requested the Maritime Administration to make a determination of an essential trade route from Chesapeake Bay and Hampton Roads ports to Europe. Two years later, after appropriate study, the determination of essentiality was made. In 1960 application was filed for operating subsidy on the route. The first public hearing was not held until almost a year later, in September 1961. The years have dragged on through examiners' rulings, oral arguments, a split decision by the Maritime Subsidy Board, appeal to the Secretary of Commerce, remand by the Secretary to the Board, reversal by the Board, and now further study. Nine years have passed since this route, which would serve one of the fastest growing commercial and population areas of the country, was first proposed, and later recognized, as a trade route essential to the United States. In the meantime, foreign-flag operators have been quietly moving in on the growing trade.

On the opposite side of the coin, an item in the New York Times in recent months mentioned a Greek operator, maintaining headquarters in New York, who came out of World War II with only one ship, having lost eight in the war. Today, the line has 29 modern cargo liners, and has just announced the construction of 6 more, all for operation under Greek flag in the foreign commerce of the United States. Unfortunately, both of these situations are much too typical, and perhaps they explain why we are sliding behind—why we must run twice as fast to get somewhere else.

One hundred years ago, and in the years that followed, we licked the wounds of war and set about the opening up of the western two-thirds of our country. Historians frequently use this period of Western expansion as explanation—or excuse—for our maritime lag up to the time of World War I. We were too busy and prospering too well on our own land to be much concerned about oversea trade.

Today the challenge which faces us is far vaster than the winning of the West. Today the race is on to open up the entire world. It can only be done through seapower capability—a fact well known, recognized, and acted upon, not only by the maritime nations of the free world who much of the time we consider to be our friends, but by the increasingly powerful Communist nations. In particular, Soviet Russia, learning that massive land power is not enough, is concentrating heavily on the development of commercial, as well as military, seapower, with the threat to "bury" us.

A look at the Soviet development in recent years is particularly interesting because 1951, the year that marked the beginning of our decline, also marked the beginning of their postwar merchant ship expansion.

Between 1952 and 1964 the Soviet merchant fleet more than doubled, and in the first 5 years of their current 7-year plan the fleet increased by 70 percent. It is estimated that by 1970 it will be three times the tonnage they had at the end of 1958. Their goal is to have a merchant fleet of 20 to 25 million deadweight tons by 1980, not counting their rapidly growing fleet of special service ships, mostly assigned to their fishing fleet.

Any complacency which we might have had in past years should be shattered by the facts as they are widely known today. Russian intervention on behalf of the Communist-Castro regime in Cuba could not have occurred in 1951 before their merchant marine program got seriously underway.

Today a considerable number of their most modern units are continually deployed in support of Cuba.

Today the Soviet merchant fleet operates worldwide. except for calls at United States ports.

Their oversea maritime operations are heaviest in the European area and with the lesser developed countries of the free world, especially the newly independent countries of Asia and Africa.

The Soviet high seas fishing fleet, consisting of between 3,000 and 4,000 vessels, is the largest and most modern fleet of its kind in the world. It operates throughout the world. But of particular importance are its operations in waters adjacent to the United States. A large Soviet fishing fleet operates off our New England coast during the summer months. An equally large fleet conducts fishing operations off the coast of Alaska. And a Cuban-based fishing fleet operates in the Gulf of Mexico and northward to George's Bank off the New England coast.

The large expansion of the Soviet fleet is being pursued in deadly earnest, in realization of a fact we may have forgotten—that when trading with the world, market accessibility is reliant in a very large degree upon a nation's merchant marine. They realize that their merchant fleet which functions as a cold war navy provides them with a powerful political weapon to carry out the objective of converting the lesser developed countries. They have announced their intention to enter the world shipping market for the purpose of making ocean shipping unprofitable for Western tramp and liner operators, as well as to disrupt established ocean shipping patterns. And with the worldwide operations of their fishing fleet they can exploit the principal fishing areas of the world, conducting hydrographic and oceanographic research, and avail themselves of opportunities for the collection of naval and other types of intelligence, particularly in areas contiguous to the United States.

Just 2 years ago President Kennedy called for expanded foreign trade by the United States. He pointed to the importance of trade expansion from the standpoint of our international prosperity, the improvement of our balance of international payments and the maintenance of our position as a world power in rapidly changing times. He struck the keynote when he said, "We must either trade or fade. We must either go forward or backward." Since then our Government has been pressing aggressively to encourage American producers to enter foreign commerce. But relatively little emphasis has been placed upon the value of American shipping services as invisible exports. Yet in recent years the foreign trade earnings of our shipping services have been well over $900 million per year. Shipping now ranks third in the American export industry. Considering the crucial importance which we attach to our balance-of-payments position, it is incomprehensible that there should be so little Government support for building up our merchant marine, rather than somewhat reluctantly being content with something less than maintenance of the status quo of 10 or more years ago.

I do not believe that I have been painting an exaggerated picture of our maritime inadequacies, even though I recognize that there are many bright spots, too.

Such new ships as we are building under the subsidized replacement program are among the finest in the world. One hundred and seventeen out of a total of three hundred have been built since 1958, or are under contract.

Shipboard mechanization is now being extensively applied to our liner fleet with consequent improvement in competitive efficiency and reduced subsidy costs.

A few hardy souls in the domestic trades are exercising imagination and initiative to maintain and build up their services.

Labor and management appear to be working more cooperatively together than they have in many years. This is particularly true here on the west cost where longshore labor and shipping management have faced up to the realities of the times and worked out an agreement consistent with modern cargo handling techniques which is mutually beneficial to both labor and management.

The accord reached between the International Longshoremen's and Warehousemen's Union and the Pacific Maritime Association could well be a model for widespread application in maritime labor-management relations.

A few years ago our passenger shipping situation received a substantial lift as a result of legislation authorizing pleasure cruises by American ships in the off seasons.

More recently, the initiative of one great American steamship line resulted in legislation making possible cooperative efforts by the American shipping industry and the Government to promote export expansion through the use of mobile trade fairs. The possibilities of the mobile trade fairs program are unlimited in their promise to American producers, American shipping lines and improvement of our balance-of-payments position.

Finally, after many trials and tribulations, the NS *Savannah* is again in operation and setting forth on her mission to prove to this country and the world the value of peaceful uses of atomic energy. At times in the recent past it has looked as if the *Savannah* might meet the same fate as the steamship *Savannah*. It has looked as if all that we have learned through her creation would be ignored by our own people while those lessons would be adapted by foreign merchant marines to haunt us in future years.

I have reasons to hope that this will not be the case. Forward looking American steamship lines are currently giving the most serious consideration to building ships in the near future with atomic power.

Thus, all is not dark, but the facts nevertheless remain that our standing in the world today will depend upon our taking the Queen's advice to Alice—to run at least twice as fast as we have been.

Thank you.

Address of Secretary of Defense McNamara on Military Assistance

EXTENSION OF REMARKS

OF

HON. LINDLEY BECKWORTH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. BECKWORTH. Mr. Speaker, under unanimous consent, I include in the CONGRESSIONAL RECORD an excellent address by Secretary of Defense Robert S. McNamara before the National Industrial Conference Board in New York, May 21, 1964. I trust the remarks of the Secretary will be read with great care:

ADDRESS BY SECRETARY OF DEFENSE ROBERT S. MCNAMARA BEFORE THE NATIONAL INDUSTRIAL CONFERENCE BOARD AT THE WALDORF ASTORIA HOTEL, NEW YORK, N.Y., THURSDAY, MAY 21, 1964, 8:00 P.M. (EDT)

For more than 15 years, one of the foundation stones upon which the United States has built its foreign policy has been the program of economic and military assistance to friendly nations. The fact that this policy has held communism in check and has helped many of our allies and other nations of the Free World toward self-sustaining growth is proof of its success.

Yet, this program is under fire.

Many Americans are disturbed because although President after President has requested funds annually to support armed forces and economic development in countries far from our shores, the Congress seems to reduce the requests as a standard practice. Many of the questions raised in the Congress, by the press and among our citizens reveal misunderstanding of the program, including the military assistance part of it.

Last year, for example, the military assistance program submitted to the Congress by President Kennedy called for $1.4 billion in appropriations. The Congress, halfway through the fiscal year in which the money was to be spent, cut that amount to $1 billion. This was a severely disrupting reduction of almost 30 percent. In January this year, President Johnson, after taking account of the mood of the Congress and the public, as well as of the minimum need, requested just $1 billion for the fiscal year beginning July 1.

It is against this background that I would like to talk to you tonight about military assistance. I shall not discuss economic assistance in detail because it does not fall within the area of my immediate responsibility. However, as a citizen and as one who has been close to the issues, I assure you that strong and plentiful plowshares are as important as sharp swords in the complex equation that produces national security. And I assure you further that the President's program for economic aid deserves your full support.

My theme tonight is that the defense of the free world and of the vital interests of the United States are dependent upon the strength of the entire free world and not merely upon the strength of the United States alone. Although the United States is the central power source in the free world struggle for national independence, integrity and economic progress, the United States, by itself, cannot be everywhere at once, doing everything best. Only with stanch friends, well armed and ready, can we provide the integrated balance of forces and the options necessary in a nuclear world.

The military assistance program is designed to help achieve that integrated balance. It helps support military forces that complement our own Armed Forces.

Let me remind you, first, of the past of the military assistance program.

The year 1945 found the American people proud of victory but weary of war. Our men returned to civil life. Our industries shifted to meet demands long denied by war.

While we demobilized the Soviets maintained enough of their wartime strength to pursue an aggressive policy in Europe. The war legacy of poverty, destruction, and political disruption left no European nation or group of European nations capable of resisting the power of the Soviet Union. Thus the Communist system was imposed on Eastern European states occupied by Soviet forces.

In the Far East, the Chinese Communists spread from the base areas they had developed in the war against Japan over all of mainland China. By 1949 they were in physical control.

Communist movements, generally directed from Moscow, were dangerously close to seizing power in Greece, Italy, the Philippines, Malaya, and many feared in scores of other countries. Communist military pressures mounted against those nations on the periphery of the Communist bloc, particularly against Greece, Turkey, and Iran.

The erosion of freedom and independence throughout the world could be stopped effectively only if the United States gave leadership. No other free country then had sufficient resources. Our response was in the American tradition. It was humanitarian and utilitarian.

The Marshall plan provided the basis for the recovery of economic strength in Europe. Both military assistance and economic aid were provided to assist Greece, Turkey, and the Philippines in their struggles against Communists. These programs, and the warning given to the Soviets to withdraw from northern Iran, signaled the beginning of our efforts to meet the rapidly growing Communist threat in all corners of the world.

The United States assumed this leadership in its own self-interest. In a shrinking, increasingly interdependent world, we could no longer wear the Atlantic and Pacific Oceans as blinders.

The Berlin blockade in 1948–49 and the attack on South Korea in 1950 merely confirmed that we were faced in faraway places with major challenges to our security. Our response was to increase our own military strength. At the same time we made appropriations five times as large as today's for programs of military assistance to free nations through the world whose security was vital to the United States and who could not fully support their own requirements.

What was accomplished with these resources?

Most of the funds appropriated during the early 1950's were used as a matter of priority to build the forces of our European allies. Neither the United States alone nor our European allies alone could provide forces enough to meet a Soviet threat in Europe. Furthermore, our European allies could not recover economically and at the same time train and equip the forces they needed. Therefore, a combination of U.S. forces on the one hand and U.S. equipment and training for European forces on the other helped create the needed military strength in Western Europe.

The policy worked.

The Soviets were deterred from moving against this strength. Indeed, by the late fifties, recovery in Europe had advanced markedly, and this crucial focus of allied power became better able to support its own military forces. One of the first steps which President Kennedy took in 1961, therefore, was to direct the closing out of our military assistance programs to the European NATO nations, except for Greece, Turkey, and Portugal. In the case of two other countries, Norway and Denmark, we are completing prior commitments.

During the buildup in Europe, there was a strenuous effort toward buildup in the Pacific as a result of the confrontation with Communist China in Korea. Foremost in our concern were the Republics of Korea and of China, whose combined forces reached more than 1 million men.

Here, too, the program worked.

Communist Chinese aggression against these two outposts has been deterred.

At the peak of our military assistance program during the midfifties, the United States was contributing to the development and equipment of a free world strength of 200 divisions of friendly military forces—forces with some 27,000 aircraft and 2,500 naval vessels.

The great accomplishments of the foreign economic and military assistance programs in the past, particularly in Western Europe, have not by any means eliminated the need for a sizable level of effort to promote free world security in the present and in the future.

The Communist threat that we and our allies continue to face is great, and it is complex. At one end of the spectrum there is the possibility of nuclear war. At the other end, there is the threat of subversion and terrorism. In between the extremes are the threats of major conventional attack, local probes, and logistics and manpower support across borders. This entire spectrum remains relevant, and the threats must be dealt with where they cast their shadow.

Unfortunately, we shall not have time this evening to discuss three of the smaller portions of the President's request for military assistance funds. One of these elements, accounting for 14 percent of the funds requested, provides for the small but very important military assistance programs for the 15 countries in Latin America; the aid for the 3 countries where we have military base rights; the projects for the emerging nations where resistance to the extension of Communist influence is critical to our national interests; and the programs for the 3 countries—Denmark, Norway, and Japan—where our aid is being phased out.

A second of these elements includes the highly inflexible 11 percent of the budget figure which must go to cover administrative and support expenses of the military assistance program.

And the third accounting for 11 percent of the budget includes funds to finance military sales or to cover the U.S. share of the cost of facilities and activities which are essential to effective oversea deployment of U.S. military strength.

Our military assistance program today is oriented mainly toward those countries on the periphery of the major Communist nations where the threats are greatest and in which the indigenous resources are least. In the fiscal year 1965 program now before the Congress, about two-thirds of the total amount is scheduled to go to the 11 nations on the southern and eastern perimeters of the Soviet and Red Chinese blocs. These sentinels of the free world, in a sense, are in double jeopardy from potential military aggression from without and from attempted subversion from within. These countries are under the Red shadow. They face the major threat and they are the ones most affected by the modernization of Communist forces. For this group we requested $745 million in military assistance. They best illustrate the points I want to make.

Imagine a globe, if you will, and on that globe the Sino-Soviet bloc. The bloc is contained at the north by the Arctic. To the west are the revitalized nations of Western Europe. But across the south and to the east you find the "forward defense" nations—Greece, Turkey, Iran, Pakistan, India, Laos, Thailand, South Vietnam, the Philippines, and the Republics of China and Korea. These nations, together with stretches of the Pacific Ocean bearing the U.S. fleet, describe an arc along which the free world draws its front lines of defense.

The front lines are there in the interests of those 11 nations; the lines are there also in the interests of the United States and the rest of the free world. The areas which this 11-nation arc protects are of obvious strategic importance to the United States. More significant, however, is the importance of the arc to the principle that nations have a right to be independent—a right to develop in peace, in freedom, and according to the principle of self-determination. United States support of these rights at the frontiers thickens the blood of the free world family; it strengthens our security at home.

We must recognize, however, that the United States does not have the resources to maintain a credible force by itself along all of this great arc of forward positions. Such a strategy would be unbearably costly to us in both money and human resources. The United States maintains major combat units ashore in forward positions only in Europe and in parts of the Far East. Such deployments are costly and hurt our balance-of-payments position. We do not now contemplate additional semipermanent deployments of forces aboard.

On the other hand, the free world cannot leave long stretches of that arc undefended. The answer to the problem, of course, is a mix of forces—of local forces deployed in their homelands and of United States and other defense treaty forces ready for rapid deployment in the event of attack wherever and whenever it might come.

The United States part of the mix has grown greatly in strength and flexibility:

Since 1961, the United States has made great strides in developing strategic retaliatory forces. These bomber and missile forces, which stand ready at all times, are a powerful deterrent to nuclear war in particular and, indeed, to major war of any sort. They are one of the great U.S. contributions to the free world defense posture.

We are making dramatic increases in strategic airlift.

We have organized the U.S. Strike Command which comprises a powerful array of forces that can be deployed rapidly abroad.

Our improved amphibious lift, together with modernized Marine forces, provide us with the ability to keep forces just over the horizon, so to speak, from any threatened spot, and to commit these forces quickly where and when needed and to support them over a sustained period of time.

No matter how much we spend and no matter what advances are made in military transportation or in the weapons available to the United States to provide the vital and mobile reserve behind the local forces, the requirement for local forces—forces on the spot—as the first line of resistance remains. To make the strategy effective, these forces must both appear to be able, and actually be able, to force external aggression to be unambiguous, to hold vital terrain long enough for reinforcement, and to fight and win in concert with other free world forces. In this mix, it should be noted, local forces sometimes have important advantages over U.S. forces. They are more familiar with local terrain and conditions. In the main, they can get much of their support locally; they are defending their own homelands.

The 11 "forward defense" nations contribute more than 3½ million men to the defense of freedom. Together, they maintain more men under arms than does the United States. A completely fair cost comparison is impossible. But it should be noted that the estimated average annual cost of each U.S. soldier overseas—just for his pay, allowances, subsistence and individual clothing—is almost $4,000. The average cost of the 3½ million men under arms in the 11 "forward defense" countries ranges from $200 to $750 per soldier—a cost fully borne in all but 3 cases by the nation itself. For the United States to replace the contribution in manpower that these countries make would require a completely unacceptable level of conscription in this country. And the cost would be enormous.

Let me come at this point from another direction:

Why do we have a military budget exceeding $50 billion, exclusive of military assistance? We do not need that much to maintain the forces required at this moment in time to defend the territorial limits of the 50 United States. A large fraction of the $50 billion is spent on things designed to insure that aggression is stopped at the outer limits of the free world, far from our territory. Such insurance necessarily implies close cooperation, and allocation of functions, among the nations of the free world.

Just as we do our best to allocate our resources sensibly within the U.S. military budget, so must we allocate our resources sensibly in the larger context. The United States has advantages in technology and wealth over the countries at the frontier. But the nations at the frontier have advantages, too—in manpower, proximity and familiarity with local conditions. If they tried to do for themselves what we can do best, there would be enormous waste and frustration.

Similarly, if we tried to do for ourself what they can do best, the cost in men and other resources could increase by a factor of 5, 10 or 20, if we could do it at all. Therefore, just as a given number of dollars spent on the U.S. Navy would make no sense if disproportionately few dollars were invested in the U.S. Army and U.S. Air Force, so it is that $50 billion spent on the U.S. component of the free world mix of forces makes no sense if disproportionately few resources are invested in the components which our allies and friends can best provide.

It is nonsense to forge a strong horseshoe without strong horseshoe nails.

But how can the local-force element of the mix be achieved? Most of our friends along the Communist periphery are poor—some, very poor. The annual per capita gross national product in these countries ranges from $440 in Greece to $80 in India. By way of comparison, our per capita gross national product is almost $3,000. It is as unrealistic to expect them to equip their own units adequately as it is to expect the United States to provide the manpower. With proper training, their men can use modern equipment well, and they have a profound awareness of the threat they face.

The answer is: They must have U.S. military assistance.

To give you an idea of the situation that now exists in the forward defense countries, I am going to talk about three examples—Vietnam, Greece and Turkey. In two of these there is no major effort being made at subversion. The third—Vietnam—is the country of the forward group which now faces the most serious and direct armed action. Let me say a few words about that special case first.

In Vietnam, as I reported fully after my March trip, we are faced with active and unprovoked externally supplied and directed insurgency. Our military assistance—equipment, training, advice—is vital there not only to answer the call of the South Vietnamese and to help prevent the danger of Communist expansion throughout that part of the world, but also to prove that the free world can cope with wars of liberation as we have been able to cope with Communist aggression at other levels.

I was in Vietnam again last week, as you know. I found some progress in the fight there—progress toward "bottoming out" the difficulties caused by the recent double change in government—but the journey ahead will still be long, difficult and frustrating. We have agreed with the Vietnamese Government that their regular military and paramilitary forces must be increased substantially and soon. We are now strengthening the Vietnamese Air Force with 100 A–1 aircraft and the number of Vietnamese combat pilots is being doubled. The A–1 aircraft are suited to the changed type of war being fought today and to the capabilities of the Vietnamese to fly and maintain them. To meet these and other special requirements, the President this week asked the Congress to add $55 million in military assistance for Vietnam to the 1965 budget request.

Now let me turn to Greece and Turkey.

The Turks and the Greeks cannot forget that their territory has been the target of Russian aggressive intentions that long predate the Communist Revolution. They remember that the Russians asked for territorial concessions from Turkey after the Second World War. The Turks are aware that their control of the Bosporus and the Dardanelles puts them astride a gateway of great strategic importance to Russia. The Greeks well remember the Red-inspired civil war.

Opposing these two countries are the Soviet Union and Bulgaria, which have been modernizing their forces. Improvements in U.S. forces have generally kept pace with the U.S.S.R. and her satellites, but this has not been possible in the case of Greece and Turkey. Equipment of several types is rapidly becoming obsolete. This obsolescence, particularly in the face of modernization on the other side, could create a dangerous feeling of weakness among our allies and could invite adventurous sorties by their Communist neighbors.

Consider what has happened in Bulgaria.

The Bulgarian Army structure since 1959 has changed from one consisting of 10 rifle divisions with limited defensive strength to one consisting of 7 motorized and 3 tank divisions with strong offensive capabilities.

The increased mobility of Bulgarian forces has not been matched by improvements in Greek and Turkish equipment. Bulgarian forces for example, are now equipped with Russian T-54 and T-55 tanks, which are first-line medium tanks equipped with the 100 mm. gun. In addition to the standard military trucks which have been introduced to motorize the infantry divisions, the Bulgarians have received the newest Russian 8-wheeled armored personnel carrier. Bulgaria also possesses relatively large quantities of self-propelled guns, howitzers, and antiaircraft guns, as well as the various communications, maintenance and support equipment required by a modern army.

This impressive record of modernization and improvement has not been matched by equivalent progress in the Greek and Turkish armed forces. In almost all categories of equipment, the Greeks and Turks are either seriously short of equipment or are operating equipment which is so old as to be of marginal usefulness. The Greeks and Turks have the manpower, and they have the will to defend themselves; the problem is that the necessary equipment is missing, and that Greece and Turkey, valiant as they are, are simply too poor to purchase it on their own account.

Now, how did this situation come about?

Improved mobility, firepower and communications for Greek and Turkish forces could not be provided in the fiscal year 1963 military assistance program because of the combined effect of a congressional reduction in the administration request and increased requirements in Vietnam and India which had to be funded within the overall total available. Some of the most vital requirements could have been met within the $1.4 billion request for fiscal year 1964. However, the congressional 29-percent reduction to $1 billion forced cuts of over 20 percent in the programs for both Greece and Turkey. These reductions, for example, meant complete elimination of self-propelled 105-mm. howitzers and machineguns from the programs for these countries, and reductions in the number of rockets and vehicle spares.

It is proper that the total level of military aid has been reduced over the years. The termination of assistance to economically sufficient countries of Europe justifies a reduction. However, the reductions that have taken place go well beyond those warranted by the world situation. As cuts have continued, the executive branch has attempted to trim its planning and its requests to a level which would permit full congressional support and avoid the administrative difficulties, inefficiency and waste that are inevitable when previously planned programs are sharply reduced. The requests for military assistance have been consistently decreasing. President Johnson's request for the fiscal year beginning July 1 is roughly half of President Eisenhower's request for fiscal year 1962. Despite these decreasing requests, congressional budget cutting has continued unabated. The cuts have ranged from 10 percent in 1961 to last year's 29 percent.

The prospects for the future are not bright.

General Taylor, Chairman of the Joint Chiefs of Staff, has characterized the 1965 level for military assistance and the program associated with it as "a holding operation of borderline adequacy." He believes that we cannot operate with that level in the next few years "without a serious loss of military effectiveness in many countries which it is in our interest to support." I agree. But in light of public attitudes toward this program reflected in the reductions made each recent year by the Congress, I was unwilling to recommend that the President request a higher figure.

Past appropriations by the Congress significantly below the level requested by the executive branch have made a shambles out of the military assistance planning process and have caused waste. I would rather request and receive $1 billion than request a substantially higher figure only to have the request sharply cut after months of controversy and well into the year in which the funds are to be committed.

If I am able to leave but one thought with you this evening, it is this: It would be less than wise—indeed, it would be foolhardy—for the United States to spend $50 billion a year to develop and maintain its own forces and at the same time to refuse to help provide training and equipment to the people in the frontlines who must complement our forces and who are the key to successful joint defense. To have a strong U.S. Military Establishment, and at the same time to neglect the allied forces who would fight alongside our own, is a shortsighted and wasteful approach to our national security. As I said earlier, it is nonsense to forge a strong horseshoe without strong horseshoe nails. We must maintain a balance, and that balance can be maintained only by an adequate level of military assistance.

Unwillingness to devote sufficient resources to military assistance will weaken the national forces of our friends and thereby weaken the combined forces of the free world on which we rely for defense and for the credibility needed to prevent Communist miscalculation in showdowns.

The alternatives are clear: If military assistance is cut, the United States either must make up for the reductions with U.S. forces, or must retrench its foreign policy.

The executive branch has stated that military assistance must be kept at the necessary level. The question now rests with you and the Congress of the United States.

Thank you.

Tax Deduction for Educational Expenses of Teachers

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. FRASER. Mr. Speaker, on Thursday of last week I introduced a bill to clarify the deductibility of expenses incurred by teachers in order to improve their professional capabilities. The bill—H.R. 11346—also provides a uniform method of proving entitlement to such deductions.

Most professional people can deduct on their income tax any expenses incurred for improvement of their skills. However, many teachers have been denied this exemption because of conflicting interpretations of the law by the Internal Revenue Service.

Mr. Speaker, it is not fair that businessmen should be allowed to deduct the cost of entertainment, while teachers are prevented from deducting the cost of education which improves their teaching ability. The bill which I have introduced places teachers on a parity with other professional people.

The bill which I have introduced:

First. Provides that a statement from an authorized school official will be acceptable as proof—in the absence of clear proof to the contrary—that such education was appropriate for maintaining or improving skills as a teacher or to meet the express requirements of his employer.

Second. Uniformly defines a teacher as an individual who is employed by a school as a classroom teacher, as a supervisor, administrator, or adviser, or in any other professional capacity related to the instructional program, including guidance counselors and librarians.

Third. Provides for all educational expenses to be deductible in the same manner that travel, meals, and lodging now are, that is, from gross income.

I hope, Mr. Speaker, that the House will give this bill favorable consideration. The relief which it seeks to provide is long overdue. To the extent its passage will encourage those in the teaching profession to supplement their training and experience when opportunity permits, the whole Nation will benefit. The quality of American education is high, and we need to encourage those who seek to maintain or advance these high standards.

The bill in its entirety follows:

H.R. 11346

A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 162 of the Internal Revenue Code of 1954 (relating to deduction for trade or business expenses) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

"(f) EDUCATIONAL EXPENSES OF TEACHERS.—

"(1) IN GENERAL.—The deduction allowed by subsection (a) shall include the ordinary and necessary expenses (including related expenses described in subsection (a)(2)) paid or incurred by a teacher during the taxable year for his education.

"(2) PROOF OF ENTITLEMENT TO DEDUCTION.—A written statement from an authorized school official or school authority, made in such form and manner as the Secretary or his delegate shall prescribe, to the effect that—

"(A) a taxpayer during his taxable year was employed as a teacher for not less than six months, and undertook and completed education (specified in such statement) after becoming so employed; and

"(B) such education was appropriate for maintaining or improving the taxpayer's skills as a teacher, or to meet the express requirements imposed by his employer in connection with his employment as a teacher,

shall (in the absence of clear proof to the contrary) be accepted as proof that the expenses reasonably paid or incurred by the taxpayer in such taxable year for such education (including related expenses described in subsection (a)(2)) were expenses to which paragraph (1) applies. Nothing in this paragraph shall be construed to prevent a taxpayer from utilizing methods otherwise available to him in establishing his entitlement to a deduction under this section.

"(3) DEFINITIONS.—For purposes of this subsection—

"(A) the term 'teacher' means an individual employed by a school as a classroom teacher, or as a supervisor, administrator, or adviser or in any other professional capacity related to the instructional program (including but not limited to guidance counselors and librarians);

"(B) the term 'school' means an educational institution described in section 503 (b)(2); and

"(C) the term 'education' includes any course, travel, or other educational activity which—

"(i) is required by the teacher's employer to meet the express requirements of his employment as a teacher; or

"(ii) is within the area of employment (including the subject area, grade level, or other area) in which the teacher performs his duties as such, or is directly related to such area; or

"(iii) is directly related to the improvement of the teaching, administrative, or other skills of the teacher, including but not limited to courses in education, psychology, sociology, anthropology, English, the language of the students involved where English is a second language, guidance, administration, library science, and audiovisual techniques; or

"(iv) is allowed by the institution of higher education at or by which it is offered or made available as a credit toward an advanced degree in the area in which the teacher is employed.

Such term does not include any course, travel, or other activity if it is undertaken primarily for the purpose of qualifying for a type of employment which is different from that in which the teacher is engaged at the time it is undertaken."

SEC. 2. Paragraph (2) of section 62 of the Internal Revenue Code of 1954 (relating to definition of adjusted gross income) is amended by adding at the end thereof the following new subparagraph:

"(E) EDUCATIONAL EXPENSES OF TEACHERS.—The deduction allowed by section 162 for the educational (and related) expenses of a teacher."

SEC. 3. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

Johnstown Flood, 1889

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. SAYLOR. Mr. Speaker, the coming Saturday will mark the 75th anniversary of one of the most tragic events in America's history. It was on the afternoon of May 31, 1889, that the South Fork Dam, 14 miles up the Conemaugh River from the city of Johnstown, collapsed and opened the way to a disaster that shocked the world.

Johnstown, which had shown steady growth since its settlement a century earlier, rose rapidly as an iron and steel center after the Civil War had ended. Proud of their beautiful mountain setting, residents of the community had undertaken to develop the natural resources with which the area was richly endowed. The surrounding forests offered ample building supplies for homes and business houses. Coal was extracted from vast underground storehouses to convert crude iron into steel. The Pennsylvania Railroad provided a direct connection with markets in Pittsburgh and to the East.

The Johnstown flood transformed a thriving, happy community into a ghastly twisted wreckage in which more than 2,200 men, women, and children perished. Death came swiftly to more than half the victims caught in the avalanche of water that swept through the city. Nearly 1,000 others found temporary refuge on an old stone bridge that held debris and human beings alike against the swirling floodwaters. Then fire moved in to complete the carnage, and only a very few of those persons atop the bridge were able to escape the deadly flames.

Johnstown was a shambles. A stunned and heartbroken people buried victims that included 99 families completely wiped out.

Only the spirit of the survivors remained unbroken. Johnstown had to be rebuilt, and the long job began without hesitation. Contributions began coming in from all over the world. A Red Cross contingent headed by Clara Barton, who served in the Civil War, undertook to aid the battered and distressed people.

Saturday's event in Johnstown will not only honor the victims of the Johnstown flood but also pay tribute to those whose rededicated efforts were responsible for the new Johnstown that was to follow and become a vital part of western Pennsylvania. The few persons who lived through the flood and are still alive will be the special guests of a grateful community.

While a record number of visitors is anticipated for Saturday, the observance will by no means be terminated that day. For anyone who has never had the pleasure of seeing Johnstown, a trip over that way in the weeks ahead will provide an unforgettable experience. Certainly everyone in the Washington area should at some time see the city where tragedy struck quickly and violently, but which would not remain submerged.

The community, the family, the individual suffering seemingly insurmountable reverses needs only to look at the miracle that is Johnstown for hope and inspiration.

The road has not by any means been easy in the years that followed the actual rebuilding of the city. The entire area around Johnstown has often felt the pangs of economic distress, and even today too many within our employable populace are without jobs through no fault of their own. The 1936 flood, which inundated so many parts of western Pennsylvania, caused considerable property damage in the same downtown district that suffered through the fateful afternoon and night in May 1889. This time, however, there was time for people to reach the safety of higher ground and rebuilding began immediately.

Over the years God somehow gave the residents of our community the strength that was needed to carry on, and Johnstown has contributed more than its share of outstanding industrialists, educators, doctors, and men of every profession. Heroes from this district are listed prominently in the annals of our fighting forces, and today the district is well represented in every branch of the service stationed in the far corners of the world.

Join with us, Mr. Speaker, in Saturday's observance of a tragedy to mark the rebirth of an outstanding American community.

Social Security Benefits for the Blind

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. ST. ONGE. Mr. Speaker, I am today introducing two bills, identical in all but one provision, amending the disability insurance cash benefits provisions of title II of the Social Security Act, so that this social insurance program will more adequately meet the disastrous economic consequences of blindness in the lives of our fellow citizens. These bills are H.R. 11393 and H.R. 11394.

We have today some 400,000 persons in the United States who are afflicted with blindness. Of this number, about 10 percent are under 21 years of age and about 50 percent are over 65. In my own State of Connecticut the State board of education reported in March of this year that we had 3,346 blind persons in 1963. During the year, the board reported, 327 new blind clients were registered in the State. About half of all the blind persons in Connecticut were more than 65 years old.

Although training, techniques, and tools are now available to assist a person without sight to function fully and successfully, the loss of sight still remains a severe disability.

This is so, not because of the nature of blindness, but because of the economic consequences which result upon its occurrence.

This was so a thousand years ago—in times we today consider the Dark Ages—but it is still true today in our age of enlightenment.

It is very difficult for a person without sight to earn a decent diving—or to even get the chance to demonstrate his ability to fill a vacant job.

It is very difficult for a blind man with talents and abilities, with education and specialized training, to secure any employment at all; it is even more difficult to obtain a position equal to his qualifications.

Today it is possible for individuals without sight to adjust to the changed, and at first seemingly catastrophic, conditions of a lifetime without sight.

But man is wonderfully adaptable. Adjustments are made. New ways of doing former activities are learned. New and different skills are acquired and developed.

But many is the blind person who has discovered that, however well he may travel alone without sight; however completely and successfully he may have adjusted to the circumstances of blindness—in spite of all this, he discovers when he looks for a job, when he seeks to earn a living—rejecting dependency as the easy way out—too often he finds that he is regarded and treated with a wary sympathy, a kind but aloof interest.

His request for work too often is greeted by equivocations and evasions.

Too often he is told by the company manager that there is nothing he would rather do more than put him to work—but, and too often this is the catch—unfortunately, the company has no jobs the blind can do.

Not only does the trained and qualified applicant for a job not get a job—too often he does not even get the opportunity of demonstrating his qualifications to handle a job.

Too often the experienced worker who loses his sight is believed no longer capable of performing the same work without sight that he did for years with sight. Nor is he believed capable of filling any kind of job in the very field he has worked in, been active in all of his working life.

No, Mr. Speaker, the consequences of blindness no longer need be a terrible tragedy, shattering hope and destroying ambition—but too often it is.

However well trained and qualified they may be to fill positions of productive responsibility in business and industry, blind persons are subjected to economic discriminations which act as barriers in their way. They are limited in their opportunities even today—and this makes blindness still an economic catastrophe.

The bills I have introduced would lessen the economic disadvantages of blindness, would offset the economic losses sustained when blindness occurs in the lives of working people.

The first provision, identical in both bills, would incorporate in the disability insurance cash benefits provisions of the Social Security Act the definition of blindness which is generally used in Federal and State programs which deal with the blind, which is commonly recognized and accepted in work for the blind throughout the Nation.

This definition provides an ophthalmological standard for determining blindness; that is, blindness is central visual acuity of 20/200 or less in the better eye with correcting lenses, or visual acuity greater than 20/200 if accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

A person who meets this definition of blindness, whose visual impairment is such as to constitute blindness and who is otherwise eligible would, according to this first provision of my bills, be entitled to receive cash payments under the disability insurance program and would continue in this entitlement to receive cash payments so long as he remains blind.

Mr. Speaker, this provision of my bills enacted into law would serve to make the disability insurance program truly a program providing cash benefits to offset economic losses sustained, providing regular cash income to replace lost earnings, regular fixed money payments to compensate for lost or diminished earning power.

Conditioning the right to receive disability payments upon proof of the existence of the definable disability of blindness, this proposal as Federal law would grant the blind person seeking work, the blind person already employed, a floor of financial security. Not only would it equalize his disadvantaged economic status, but it would provide him with the money he needs to meet the extra costs incurred as he operates without sight in a sight-dominated world.

Fulfilling his obligations as provider for his family's needs as he is able to pay household bills with disability insurance benefit checks, the workman newly without sight can and will concern himself with rehabilitation; he can and will achieve restoration to normal life and living.

Entitled to draw disability benefits when blindness occurs, the worker, newly without sight, would be assured of minimum income while he learns to live again, as he is re-educated and retrained to work again.

But though rehabilitation may be completed and employment secured, too often the job obtained will be of the lowest paying, most unskilled kind—packaging for special short-term "test runs," simple touch inspection, uncomplicated assembling and the like—"handwork" jobs that everyone knows the blind are capable of doing.

And he may be hired for such work even though he is highly skilled by training and experience to do very much different work, better paying and offering a permanent work future.

So, even after the blind man gets a job, he will still have need for his disability cash benefits payments.

So, even though the newly blind workman is one of the fortunate few who share his disability to be hired for a job, he will still need disability benefits to bridge the gap between his former economic level and the present marginal one. He will still need these benefits to reduce the adverse effects on his diminished earning power.

Mr. Speaker, the second provision, and again it is the same in both of my bills, would abolish the present requirement in the disability insurance law which conditions entitlement to receive cash benefits or to continue to receive such benefits upon the acceptance of vocational rehabilitation services.

I believe that this provision of existing law which conditions the right to receive benefits upon a factor other than the existence of a medically determinable disability is a negation of the whole concept and purpose of the program as a disability insurance program.

This condition of compulsion—this requirement in present law that a disabled person must accept vocational rehabilitation services or forfeit his rightful benefits—"rightful" since he is disabled—is a rejection of the object and spirit of rehabilitation—for rehabilitation is achieved through stimulation and encouragement, not by threats of punishment, not by penalties exacted under coercive provisions of law.

A man newly disabled must not, cannot be frightened into rebuilding his life; he cannot be compelled to hope again. This man needs help and guidance, not hostility and compulsion.

This provision of law, I believe, hinders, rather than helps, the attainment of the goal of rehabilitation. It should be removed from the law.

At this point, Mr. Speaker, my two bills, which would make certain improvements in the disability insurance program, differ, but the difference between them is only in degree, it is not a difference in purpose or intent.

The final provision of H.R. 11393 (first bill) would reduce the length of time blind persons must work in covered employment to establish eligibility for disability cash benefits, from the present requirement of 20 to 6 quarters.

My proposal is an effort to make the disability insurance program cash benefits available to workers who are blind, or to workers who become blind, after they have been employed in work covered by the provisions of the Social Security Act for a year and one-half.

To require that blind persons work only six quarters in covered employment to qualify for disability benefits, is to recognize that the usual kinds of work in industry offered to them is what I would describe as peripheral work—special, short-term jobs, where it is not worthwhile or necessary to add regular workers to the company's work force. Too often, these are the jobs available to blind persons—unskilled, poorly paying jobs, uncertain in duration—these are the jobs they are hired to do, and they are fired when they are over.

A total of six quarters' employment at this kind of work may be spread over a period of several years. It is always uncertain in duration, uncertain of availability, and always pays the lowest possible wages.

Five years, 20 quarters, is much too long a time as an eligibility requirement if the disability insurance program is to be of help to a substantial number of blind persons; some of them will not work this long in covered employment.

I believe that it is extremely important that disability payments be available to a worker when the calamity of blindness occurs, to reduce the corrosive consequences of lost income, lost economic independence, with resultant dependency upon public or private charity.

Mr. Speaker, reducing the required length of time a blind person must be engaged in employment covered by the Social Security Act would be of great assistance at such a time, for working men and women who must learn to live again without sight.

However, Mr. Speaker, should Congress be unwilling to approve such a departure from existing law and disability insurance requirements, then I urge the acceptance of the final provision of my other bill, H.R. 11394.

This provision, as Federal law, would make it possible for a person who is blind, according to the generally accepted and used definition of blindness, who has been employed in work covered by the Social Security Act for the presently prescribed period of time—20 quarters—to establish eligibility for, and receive disability insurance benefits so long as he remains disabled by blindness.

In conclusion, Mr. Speaker, I would say, from my experience with blind people over the years, I am confident that, given the help that adoption of either of my bills would provide, given the minimum financial security that either bill would make available to them, substantial numbers of sightless people would gain renewed hope, would have the heart to work toward and to achieve rehabilitation and economic self-sufficiency.

A blind person—or a sighted person either, for that matter—cannot think and plan and work toward a new, different, and difficult future when he is buried beneath an avalanche of accumulated family debts, when he is pauperized and dependent upon others for his very need, when he is displaced as head of his family and becomes its nonproductive, unemployable member.

Mr. Speaker, thousands of sightless Americans need and merit the help and hope which either of my bills, enacted into law, would give them.

Constitutional Protection of the Human Person

EXTENSION OF REMARKS

OF

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 26, 1964

Mr. ADDABBO. Mr. Speaker, on May 1, 1964, Law Day U.S.A. was observed throughout our Nation. A very inspiring and moving ceremony was held at the World's Fair grounds, New York, under the auspices of the Queens County Bar Association. All who were able to participate in this program or witness it owe a debt of gratitude to this association, especially its very able president, Nat Hentel, Esq.

The main speaker at this event was our distinguished colleague from New York, Hon. JAMES J. DELANEY, and, under leave to extend my remarks, I include the text of his fine address:

CONSTITUTIONAL PROTECTION OF THE HUMAN PERSON

(Address by Congressman JAMES J. DELANEY, Law Day observance, Queens County Bar Association, May 1, 1964)

I feel most honored to join with you in the celebration of Law Day, and am particularly pleased to see so many new citizens present for this occasion. The observance of this day and the interest and enthusiasm it has generated proves once more the truth of Judge Learned Hand's statement, "Liberty lies in the hearts of men."

We, as Americans, have set this day aside to show our appreciation of liberty and to reaffirm our loyalty to the United States of America—a nation ruled by laws and not by men. Law Day is a time of rededication to the ideals of equality and justice—equality and justice under the law.

While America began with a government in which liberty and the law stood hand in hand, I do not believe we could have maintained those high ideals without the constant reinforcement of our moral and spiritual bulwarks by citizens who recognized their value. For liberty does indeed live in the hearts of men and, again quoting Judge Hand, "when it dies there, no court can save it."

America received the necessary reinforcements from many countries. Men and women who sought equality and liberty came to our shores, leaving behind oppression, bigotry, and hunger. To them it was a land of hope and freedom, a land of opportunity. These immigrants, these new Americans, have been the wellspring of renewed patriotism and promoters of freedom in this land.

We pride ourselves in the fact that the newest American stands equal to the oldest in the eyes of the law.

Daniel Webster said, "God grants liberty to those who love it." There are few of us here who respect the rule of law as much, comprehend its magnificence so completely, or understand its meaning so deeply as those who have lived outside its protection.

On this Law Day we owe special thanks to those men and women who, by profession, bear the heaviest burden in supporting the law. Principally, these are the members of the judiciary, practicing attorneys, and law enforcement officers.

Their responsibilities go far beyond the requirements of technical competence, for they are key men in the preservation of individual rights and dignity. To them each problem must be seen as a new problem and each man crossing their paths as a new man, an individual. They cannot fall into routine. They cannot become jaded in their work. For if they become careless with the rights of men, those rights are no longer meaningful. The fact that liberty flourishes across this land is undeniable testament to their continuing success.

The Chief Justice of the United States, Earl Warren, in a speech delivered at Yeshiva University, New York, N.Y., on the 26th day of March 1961 said: "There is a law behind the law." He suggested that the study of Aristotle, Maimonides, and Aquinas would reveal the key to the "law behind the law."

In our Anglo-American jurisprudence the concept of freedom, equality, and dignity of the human person has been the touchstone which has given life to our constitutional history and has, in reality, been the "law behind the law" referred to by the Chief Justice of the United States.

Fortunately for us the civil law of Rome, a totalitarian system of law, never prevailed in England or the United States. Although Anglo-American law, to use Justice Oliver Wendell Holmes' language "Borrowed its modern procedure from the Roman law, it never accepted the substantive law of the Roman code as the law of the realm."

The Judaic Christian tradition and its concept of the dignity of the human person has made its influence felt in Anglo-American law from the 13th century down to and including the present time. Bracton in the first book written on English law under the title of "Law and Customs of the Angles," stated: "The King is under God and the law." In modern terminology this would mean that all government is under God and the law." This is the beginning of the recognition of the primacy of the human person and the limitation of the state in Anglo-American law. Substantially the same language was repeated in the Magna Carta in the 13th century and is also to be found in the writings of Sir John Fortescue in "The Monarchy" which is the first book written in English on the English Constitution. This same principle of exalting the dignity of the human person as against the state or organized society was repeated by Lord Coke, the father of the common law in his great controversy with King James, in the 17th century in which Lord Coke said when he repeated the language of Bracton: "The King is subject not to men, but to God and the law."

Commenting on this Professor Plucknett of Harvard University, in his "Concise History of the Common Law" stated: "In other words, Coke was prepared to revive the age-old dogma that law, in its origin and sanction, is the basis upon which civil society is built, and that this law is supreme above king and people equally." Professor Plucknett also stated in the same work: "It was medievalists in England, armed with Bracton and the yearbooks who ended Stuart statecraft, and the Constitution of the United States was written by men who had Magna Carta and Coke on Littleton before their eyes."

While the English Constitution was unwritten and the right of the human person was protected by tradition the Founding Fathers of the American Republic set forth their philosophy of government in the Declaration of Independence and stated: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed." Shortly thereafter the Founding Fathers of the American Republic, toward the close of the 18th century, caused to be adopted the Constitution of the United States as the fundamental and basic law of our country. For the first time in the history of mankind the fundamental and basic law of a nation limited the power of government. The first 10 amendments, or the Bill of Rights, proclaimed and guaranteed the freedom, equality, and dignity of the human person. Thereafter, in the mid-19th century, after the close of the War Between the States, amendments Nos. 13, 14, and 15 were adopted to the Federal Constitution. These three amendments again had, as their purpose, the freedom, equality, and dignity of the human person. As is well known the 13th amendment prohibited slavery or involuntary servitude. The 14th amendment placed a prohibition against a State depriving any person of life, liberty or property without due process of the law and also guaranteed the equal protection of the laws to all persons. The 15th amendment seeks to guarantee human persons the right to vote as does the 19th, 23d, and 24th amendments.

Lest it is thought that what has been said up to now is merely good history, it is my purpose to examine and discuss all of the controversial constitutional issues which have been decided by the U.S. Supreme Court during its last five terms, 1957 to 1962, and to demonstrate how, in all of these cases, the criterion has been, and is, the freedom, equality, and dignity of the human person as against the State or organized society.

The cases before the U.S. Supreme Court during its last five terms deal with the freedom of religion, expression, and assembly under the 1st amendment, the right of defendants in criminal proceedings, the civil rights of persons under the 14th amendment, the right to vote under the 15th, 19th, 23d, and 24th amendments, the right to travel and the right to citizenship. In all of these instances the basic issue is the freedom, equality, and dignity of the human person.

An examination of these cases will reveal that the issue involved was either freedom of the human person, equality of the human person or the dignity of the human person. The application of these three tests was the deciding issue in all of the controversial constitutional cases passed upon by the U.S. Supreme Court during the last 5 years. It is well to remember that in all of these cases the U.S. Supreme Court is interpreting basic law so as to protect the freedom, equality, and dignity of the human person against the act of any and all human legislators whether State or Federal.

FREEDOM OF RELIGION (1)

The first amendment to the Constitution is really a freedom of the human person amendment. It is usually subdivided into freedom of religion, freedom of expression, and freedom of association.

During the last five terms the leading cases dealing with religious freedom, the U.S. Supreme Court upheld, as constitutional that the Lincoln Square project, which provided land to Fordham University, at substantially less than its cost, did not raise any constitutional issue (*Harris* v. *City of New York*). In *Kissinger* v. *United States*, the Supreme Court refused to hear a claim of a farmer that a Federal statute penalizing him for exceeding his wheat quota violated his religious beliefs. In *Engel* v. *Vitale*, the Court held unconstitutional a State nondenominational regents prayer as constitutionally violative of the first amendment. In *School District of Abington Township* v. *Schempp*, the Supreme Court held that the compulsory recitation of the Lord's Prayer, and the compulsory Bible reading in the public schools is unconstitutional. In *Sherbert* v. *Verner*, the Court held that a Seventh-day Adventist who refused to work on Saturdays because of her religious beliefs could not be deprived of the benefit of unemployment insurance and further directed that a State statute which had this effect would be in violation of the first amendment.

Thus it would be seen that in all of the cases involving religious freedom, under the first amendment, the issue involved was the freedom of the human person to think and practice his religion with complete freedom, free from any coercion by the State.

FREEDOM OF EXPRESSION (2)

It must be remembered that when the Supreme Court restrains governmental action in freedom of expression it does not necessarily approve or justify the expressions uttered but rather merely holds that it is not a matter for human legislation.

In *One, Inc.* v. *Oleson*, *Sunshine Book Co.* v. *Summerfield*, *Times Film Co.* v. *City of Chicago*, and *Smith* v. *California*, which dealt with two Federal statutes and an Illinois statute prohibiting obscenity, the Court held that the publications and expressions complained of did not constitute hard-core obscenity and sustained the right of the individuals to express themselves in the manner in which they did.

In *Talley* v. *California*, a California ordinance made it a crime to distribute handbills unless they carried the name of the author and distributor. The U.S. Supreme Court struck down the statute as unconstitutional as abridging the freedom of expression of the human person.

In *Manual Enterprises* v. *Day*, the U.S. Supreme Court held that the Postmaster General could not bar from the mails certain lascivious photographs. Likewise in *Wood* v. *Georgia*, the Court reversed a contempt conviction of a sheriff in Georgia who published statements critical of grand jury proceedings.

In *Bantam Books, Inc., et al.* v. *Sullivan*, the Supreme Court declared unconstitutional a Rhode Island statute which authorized a State commission to circularize listing of objectionable books and reminding the seller of the commission's duty to recommend prosecution of purveyors of obscenity, as it constituted a governmental censorship prohibited by the first amendment.

In *Edwards* v. *South Carolina*, the Court set aside a conviction of a number of Negro students in the State of South Carolina who were engaged in peaceful demonstrations against segregation. The Court likewise held that this conviction violated the first amendment. Here again we see that the test in all of these freedom of expression cases involved the freedom of the human person to express himself without restraint insofar as governmental action is concerned.

FREEDOM OF ASSEMBLY (3)

In *NAACP* v. *Alabama* the Court set aside a $100,000 fine for contempt of court imposed by the State of Alabama on the National Association for the Advancement of Colored People as unconstitutional. The Court held that the first amendment guaranteed to human persons the freedom to engage in associations.

In *Staub* v. *City of Baxley*, the Court set aside a Georgia ordinance which prohibited solicitation of members for any dues-collecting "organization, union or society" unless application was first made to the city and the city council. The defendant attempted to solicit members for the ILGW Union and was convicted under the ordinance in question. The Court set aside the ordinance as unconstitutional and held that the human person had the right to associate and to assemble with other persons of his own choosing under both the 1st and 14th amendments.

In *Bates* v. *Little Rock*, the U.S. Supreme Court unanimously reversed the conviction of a group of officers of the NAACP for refusing to submit the membership list to the cities of Little Rock and North Little Rock, Ark. Here again the Court held that human persons had the right to assemble and associate with other human persons without any interference by the State.

In *Gibson* v. *Florida Legislative Investigation Committee*, the Court held that absent substantial evidence of a connection between subversive activities and a local NAACP branch, a State investigative committee could not compel the president of the branch to use members lists to refresh his memory as to whether specific individuals were members of the NAACP. Here again the right to assemble guaranteed by the first amendment was involved.

In *NAACP* v. *Button*, the Court held that a Virginia statute which attempted to interfere with the activities of the NAACP on the grounds that the NAACP was engaged in the improper solicitation of legal business was unconstitutional under the first amendment.

In all of these cases it will be seen that the freedom of the human person to assemble and associate with other human persons was placed beyond the power of any human legislature to interfere with.

EQUALITY OF HUMAN PERSONS BEFORE THE LAW (4)

The due process clauses of the 5th and 14th amendments guarantees equality of human persons before the law and also, in substance, provide that in the distribution of taxes, honors or other emoluments, that the principle of distributive justice should apply. A careful examination of the many cases involving civil rights, the right to vote, the furnishing of various facilities by the States and National Government, including the opportunity for an education, when the State provides it, all turn on the principle of equality of the human person before the law.

THE DIGNITY OF THE HUMAN PERSON BEFORE THE LAW (5)

The large number of cases set forth in the footnote involving rights of defendants in criminal cases, including privilege against self-incrimination, wiretapping, entrapment, searches and seizures, double jeopardy, coerced confession and the right to counsel, all stem from the recognition of the dignity of the human person.

Although it might seem to be oversimplification, it is submitted that the recognition of the freedom, equality and dignity of the human person is the rationale behind all of these highly controversial constitutional questions, and that dedication to the freedom, equality, and dignity of the human person is definitely the law behind the law referred to by Chief Justice Warren.

Liberty and the law still stand hand in hand in America. This is the strongest single proof of the rightness of our cause. It will save us from disenchantment in the search for a just and enduring peace.

Law gives the individual security he could obtain in no other way. Law becomes the servant and not the master of men. It is this fact which gives such great virility to our constitutional system.

As we leave here today, let us carry one thought with us. "Liberty and the law do not flourish unattended. They must be understood, cherished, discussed and defended."

I am happy to be observing Law Day with you.

HOUSE OF REPRESENTATIVES

Wednesday, May 27, 1964

The House met at 12 o'clock noon.

Michael A. Guido, director of the Guido Evangelistic Association, Inc., of Metter, Ga., offered the following prayer:

Father, we thank Thee that no prayer is too hard for Thee to answer, no need too great for Thee to supply, and no passion too strong for Thee to subdue. We come to Thee this day for our work and with our wants, casting all our care upon Thee, knowing that Thou dost care for us.

Command Thy blessings in behalf of our President, our Speaker, and our chosen Representatives. Give wisdom for their minds, clearness in their thinking, truth in their speaking, and love in their hearts.

Load their homes, Father, with Thy benefits. Guide and guard the feet of their children, and give Thy peace and protection to their companions.

Keep our country safe and strong, incline our hearts to walk in Thy ways, and bring us, Father, to the evening hour undefeated by Satan and sin. This I ask in the name of Jesus, who loved us and gave himself for us. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Bradley, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 741. An act to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes.

THE LATE JAWAHARLAL NEHRU, PRIME MINISTER OF INDIA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I was shocked to learn this morning, as was the entire world, of the death of India's Prime Minister, Jawaharlal Nehru.

Our good friends in India have lost a great leader. Prime Minister Nehru was a friend of the common man, of all the people he represented. He drew his strength from the Indian masses, and his figure was a tower of decency and firm character for all the world.

All Americans commiserate with the good people of India in this hour of sadness and mourning. We, too, share in the loss of this great man, for Prime Minister Nehru embodied part of our hopes for peace in the world. Backed by the people of India, Prime Minister Nehru was a bulwark of freedom and peace, not only in Asia but in all the world.

We first knew him as a disciple of Mahatma Gandhi and as a commanding figure together with Gandhi in bringing about the independence of India. Prime Minister Nehru's name will live forever, not only in the pages of history but in the hearts of all men of good will.

A GREAT STATESMAN AND WORLD LEADER PASSES

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, the passing of Indian Prime Minister Jawaharlal Nehru is a great and tragic loss to the people of India and to the world.

We extend our deepest sympathy to the Indian people.

Prime Minister Nehru had given unstintingly of himself in leading his people since India received its independence 17 years ago. Although many of his decisions were unpopular or questionable, he always acted in what he believed to be in the best interests of his people.

When the news of Nehru's death was announced to India's millions, one official there said, "The light has gone out." The comment was most appropriate, for Mr. Nehru was the symbol of light and progress in a country plagued by problems of hunger and development, of growth and freedom.

Throughout his years, Prime Minister Nehru was the national symbol of unity to his people. To the rest of the world, he was a man deeply committed to liberty of the individual and the advancement of India as a world power. As such, he played an important role in the struggle for independence and freedom in Asia, a struggle undertaken in the face of staggering odds.

Although Mr. Nehru is gone, the struggle will go on. I am sure that the people of India will carry on in the tradition of its two great national heroes, Mr. Gandhi and Mr. Nehru.

NATIONAL COMMISSION ON FOOD MARKETING

Mr. TRIMBLE, from the Committee on Rules, reported the following privileged resolution (H. Res. 737, Rept. No. 1433) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 977) to establish a National Commission on Food Marketing to study the food industry from the farm to the consumer. After general debate, which shall be confined to the joint resolution and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

POVERTY?

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, President Johnson carried his so-called war on poverty into North Carolina earlier this month and his political stage managers apparently let him down.

The President was taken to the allegedly poverty stricken tobacco and cotton farm of William Marlow near Rocky Mount. There he posed, with the usual fanfare, with members of the family.

But now, according to news service reports, Mrs. Marlow says, "We did not even feel like we were in poverty."

Then she went on to relate how a representative of the North Carolina Extension Service, "the Governor's man," as she described him, "tried to make us look poorer than we are."

This representative, she said, "told me to be sure and have a washing on the line when the President came and also to be sure the children were barefooted when the President arrived."

We still await the day when the President and his retinue visit that pocket of poverty on the Johnson farm in Alabama.

RELATING TO PLACEMENT OF DEPENDENT CHILDREN

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9688), to extend the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 155(b) of the Public Welfare Amendments of 1962 is amended by striking out "June 30, 1964" and inserting in lieu thereof "June 30, 1967".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that I be permitted, along with the gentleman from Wisconsin, and the authors of the bills that do pass today to extend our remarks immediately following the passing of the bills in explanation of them.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 9688 is to extend until June 30, 1967, the provision of the Public Welfare Amendments of 1962—Public Law 87-543—as extended by Public Law 88-48, which permits the responsibility for the placement and foster care of dependent children under the program of aid and services to needy families with children—title IV of the Social Security Act—to be exercised by a public agency other than the agency which regularly administers this program.

Under the permanent provisions of existing law, Federal matching is made available as to certain children placed under foster care pursuant to court order. The 1962 legislation provided an exception to the requirement that the responsibility for placement and care must reside solely with the State or local agency administering the title IV program so as to take care of the situation in a few States where it has been the practice for other public agencies, particularly juvenile courts, to be responsible for arranging the placement and providing for the supervision of children who the courts have decided should live in homes other than those of their own families.

The legislation also required that the Secretary of Health, Education, and Welfare submit to the President, for transmission to the Congress, a full report of the administration of the temporary provision, including the experiences of each of the States in arranging for foster care together with recommendations as to continuation of, and modifications in, the procedure authorized by such provision. The Secretary's report, duly filed with the President and the Congress, indicated that there has still been insufficient experience under the temporary provision to permit an evaluation with respect to its effectiveness or the desirability of modifications.

Therefore, the Committee on Ways and Means unanimously recommends that the provision, which would otherwise expire on June 30, 1964, be extended until June 30, 1967. The Department of Health, Education, and Welfare has no objection to enactment of this legislation, which was introduced by our colleague, the gentleman from California, the Honorable JOHN F. BALDWIN, JR. An Advisory Council on Public Welfare, to be appointed in 1964 under a provision contained in the Public Welfare Amendments of 1962—Public Law 87-543—will have the opportunity to consider this provision along with other provisions scheduled to expire on June 30, 1967, and to give the Congress the benefit of its views well before that date.

Mr. BYRNES of Wisconsin. Mr. Speaker, this bill extends the provision of the Public Welfare Amendments of 1962, which permits placement and foster care of dependent children under the program in the Social Security Act to be made by a public agency other than the agency which regularly administers the program. This provision of the Public Welfare Amendments of 1962 was once before extended earlier in this Congress until June 30, 1964. The bill we are considering today would extend it for an additional 3 years until June 30, 1967.

The 1962 act provides this exception in recognition of the fact that in some States public agencies, other than those administering the program, sometimes place children in foster homes, that is, juvenile courts. Under the 1962 legislation the Secretary of HEW was required to report on this temporary provision and make whatever recommendations might be in order. This report having been completed indicates that there is, as yet, not enough experience to properly evaluate the provision or possible modifications. Therefore, the Ways and Means Committee is again recommending that Congress act to extend the temporary provision to allow proper time to study its effectiveness.

It would make little sense to modify or terminate this provision unless we knew why we were modifying or terminating it. Therefore, until the necessary information can be brought to light, I feel that we ought to extend it as is.

TEMPORARY SUSPENSION OF DUTIES FOR METAL SCRAP

Mr. MILLS. Mr. Speaker I ask unanimous consent for the immediate consideration of the bill (H.R. 10463), to continue until the close of June 30, 1965, the existing suspension of duties for metal scrap, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled, That (a) the matter appearing in the effective period column for items 911.10, 911.11, and 911.12 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 433, Aug. 17, 1963) is amended by striking out "On or before 6/30/64" and inserting in lieu thereof "On or before 6/30/65".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1964.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 10463 is to continue for 1 year, through June 30, 1965, the existing suspension of duties on metal waste and scrap, and so forth, provided by item 911.12 of the tariff schedules of the United States, and the existing reduction of duties on copper waste and scrap, and so forth, provided by items 911.10 and 911.11 of those schedules.

The suspension of duties on certain metal waste and scrap makes free of duty imports of such principal types of metal scrap as iron and steel, aluminum, magnesium, nickel, and nickel alloys. The duties applicable to waste and scrap of lead, lead alloy, zinc, zinc alloy, tungsten, or tungsten alloy, and to articles of lead, lead alloy, zinc, zinc alloy, tungsten, or tungsten alloy would not be affected by this legislation.

The continuation of the temporary reduction of the duties on copper waste and scrap and on articles of copper merely extends the suspension of that portion of such duties which is attributable to the import duties applicable to such articles before the tariff schedules of the United States become effective. There is no suspension of the portion of the duty under the tariff schedules applicable to copper waste and scrap, and to articles of copper, which is derived from the import tax applicable to such articles under former section 4541 of the Internal Revenue Code of 1954.

Scrap of the various nonferrous metals, whether imported or of domestic origin, may be considered for most purposes simply as relatively small components in the total U.S. supplies of the respective metals, although some manufacturers depend wholly on metal scrap as a source of raw material. The relation of iron and steel scrap to the total supplies of iron and steel is somewhat different from that existing with respect to nonferrous metals. This is because the economical production of steel by the open hearth process requires that part of the iron bearing materials used consist of heavy melting scrap. Thus, much iron and steel scrap constitutes a material important to the domestic production of steel. Despite the fact that imports of scrap metals have not in the past few years constituted important components of the total supplies of the various metals, the imports in some cases have represented important sources of the metals for limited numbers of consumers of such metals in some sections of the country.

The interested Federal Departments and agencies have submitted favorable reports on this bill, which was introduced by our colleague on the Committee on Ways and Means, the Honorable MARTHA W. GRIFFITHS, and the committee is unanimous in recommending its enactment.

Mr. BYRNES of Wisconsin. Mr. Speaker, H.R. 10463 continues for an additional 1-year period—from July 1, 1964 to June 30, 1965—a suspension of import duties on metal waste and scrap. The bill is important primarily to those producers of steel and steel products who rely upon imports of scrap and used rails. While imports of this scrap have not constituted an important component of the total supply in recent years, imports do constitute important sources for some users of this metal scrap.

The bill was reported unanimously by the committee, and I urge its favorable consideration by the House.

TEMPORARY SUSPENSION OF DUTY ON CERTAIN SHOE LATHES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10468) to continue until the close of June 30, 1966, the existing suspension of duty on certain copying shoe lathes, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, does this deal with coffee?

Mr. MILLS. No, shoe lathes.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 911.70 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 434, Aug. 17, 1963) is amended by striking out "On or before 8/7/64" and inserting in lieu thereof "On or before 6/30/66".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after August 7, 1964.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of my bill, H.R. 10468, is to continue until the close of June 30, 1966, the existing suspension of duty on copying lathes used for making rough or finished shoe lasts from models of shoe lasts and capable of producing more than one size shoe from a single size model of a shoe last.

Public Law 1012 of the 84th Congress, approved August 6, 1956, transferred such copying lathes from the dutiable to the free list of the Tariff Act for a period of 2 years. The suspension of duty has been in effect continuously since that time, 2-year extensions having been enacted on May 16, 1958—Public Law 85-416—on June 30, 1960—Public Law 86-562—and on August 24, 1962—Public Law 87-607. The suspension provided by Public Law 87-607 has been provided for since August 31, 1963, by item 911.70 of the Tariff Schedules of the United States, which became effective on that date.

The suspension of duty on these copying lathes was initially enacted and has been continued in order to make available to domestic shoe last manufacturers highly specialized and expensive copying lathes which, the Committee on Ways and Means is advised, can only be obtained from foreign sources. The committee is of the opinion that extension of the suspension of duty as provided in H.R. 10468 will continue to benefit the shoe last manufacturing industry in the United States without detriment to domestic equipment producers, and it is unanimous in favorably reporting the bill to the House.

No opposition to this legislation has been made known, and the interested departments and agencies are favorable to its enactment.

Mr. BYRNES of Wisconsin. Mr. Speaker, I urge passage of H.R. 10468. The bill extends for an additional 2 years—or until June 30, 1966—the suspension of duty on certain types of copying shoe lathes. It is understood that these copying lathes are not available in the United States. Suspension of the duty will be of benefit to the domestic shoe industry.

FOSTER CARE IN CHILD-CARE INSTITUTIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10473), to extend the period during which Federal payments may be made for foster care in child-care institutions under the program of aid to families with dependent children under title IV of the Social Security Act, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 135(e) of the Public Welfare Amendments of 1962 is amended by striking out "September 30, 1964" and inserting in lieu thereof "June 30, 1967".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of this bill is to extend until June 30, 1967, the provision of the Public Welfare Amendments of 1962—Public Law 87-543—which permits Federal participation in payments under the program of aid and services to needy families with children—title IV of the Social Security Act—for certain children requiring foster care who are in nonprofit private child-care institutions.

In order to give the States an alternative to leaving children in unsuitable homes or caring for them elsewhere without Federal participation in the costs the Congress in 1961 enacted a temporary provision for Federal participation, under limited circumstances, in the cost of care in foster family homes. This applied to children who had been receiving aid to dependent children but who had been removed by a court from homes found to be contrary to the welfare of the child.

In the Public Welfare Amendments of 1962, the provision for Federal participation in the cost of care in foster family homes was made permanent. The Committee on Ways and Means at that time expressed its belief that it was desirable to extend the provision to include care in nonprofit private child-care institutions so that whatever facility is most appropriate for a particular child may be used. The costs authorized to be paid to an institution were for the same items as if a child were in the foster family home of an individual. The provision of the Public Welfare Amendments of 1962 providing the extension to nonprofit private child-care institutions is temporary, ending on September 30, 1964.

The Department of Health, Education, and Welfare reports that only limited use has been made of the provision. Nine States have modified their plans for aid to families with dependent children so that care in institutions may be provided, and in December 1963, a total of 140 children in 6 States were reported to be actually receiving such care under these plans.

The Department of Health, Education, and Welfare has no objection to the extension of this temporary provision to June 30, 1967, as provided in the pending bill, which was introduced by our colleague on the Committee on Ways and Means, the gentleman from California, the Honorable Cecil R. King. An Advisory Council on Public Welfare, to be appointed in 1964 under a provision contained in the Public Welfare Amendments of 1962, will have the opportunity to consider this provision along with other provisions scheduled to expire on June 30, 1967, and to give the Congress the benefit of its views well before that date.

The Committee on Ways and Means is unanimous in recommending enactment of this legislation.

Mr. BYRNES of Wisconsin. Mr. Speaker, H.R. 10473 provides for an extension until June 30, 1967, of a provision permitting the States to remove children receiving aid from unsuitable homes and to place these children in nonprofit child-care institutions. The purpose is to utilize such institutions where suitable foster homes may not be available. Without this provision, such care will not qualify for Federal participation.

We are advised that nine States have modified their programs for aid to dependent children to authorize institutional foster home care, where necessary. About 140 children in 6 States were actually receiving such care in December 1963.

SUSPENSION OF DUTY ON CERTAIN PERSONAL EFFECTS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10465), to extend for a temporary period the existing provisions of law relating to the free importation of personal and household effects brought into the United States under Government orders, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 915.20 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 434, Aug. 17, 1963) is amended by striking out "On or before 6/30/64" and inserting in lieu thereof "On or before 6/30/66".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1964.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of this legislation is to continue for 2 years, to the close of June 30, 1966, the existing provisions of law relating to the free importation of personal and household effects brought into the United States under Government orders.

Item 915.20 of the Tariff Schedules of the United States provides for the free entry, until the close of June 30, 1964, of personal and household effects of any person returning to the United States under Government orders. This privilege has been in effect continuously since its enactment on June 27, 1942—Public Law 77-633—having been extended by legislative enactment on six occasions.

In view of the continued presence in many parts of the world of members of the Armed Forces of the United States and Government personnel, the Committee on Ways and Means is of the opinion that there is need for continuation of this exemption from duty. It constitutes an important morale factor, and inducement to oversea service. The basic legislation is safeguarded from abuse not only by restrictions contained in the act but also by appropriate regulations issued by the Treasury Department, the Department of State, and within the Department of Defense. In particular, attention is invited to the fact that Public Law 126 of the 84th Congress conferred specific authority upon the Secretary of the Treasury to provide safeguarding regulations with regard to alcoholic beverages and tobacco products.

The Departments of Defense and State recommend passage of this legislation, and the Committee on Ways and Means is unanimous in recommending its enactment.

Mr. BYRNES of Wisconsin. Mr. Speaker, H.R. 10465 extends the free entry privilege for household effects brought into the United States by persons who are traveling under Government orders. This privilege dates back to the act of June 27, 1942—Public Law 633, 77th Congress. Since that time, the Congress has been extending the privilege from time to time.

From time to time, it had come to our attention that there may have been an abuse of the privilege extended to the members of the Armed Forces and Government personnel serving overseas, to bring back personal and household effects exempt of duty. The committee has been assured that the Departments will exercise diligence to insure that the exemption not be abused. As a practical matter, art objects come in duty free in any event. The exemption applies only to other household effects and personal effects which the member of the Armed Forces or of our Government may have acquired during his tour of duty overseas, and may wish to bring back with him on his return to the United States. We have been told that this is an important morale factor. In the light of this, I urge favorable consideration of the bill.

TEMPORARY ASSISTANCE FOR RETURNING U.S. CITIZENS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10466), to amend title XI of the Social Security Act to extend the period during which temporary assistance may be provided for U.S. citizens returned from foreign countries, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1113(d) of the Social Security Act is amended by striking out "June 30, 1964" and inserting in lieu thereof "June 30, 1967".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of this bill is to extend for 3 years, until June 30, 1967, the provisions of the Social Security Act which authorize provision of temporary assistance to U.S. citizens returned from foreign countries under certain circumstances.

Under section 1113 of the Social Security Act, the Secretary of Health, Education, and Welfare is authorized to provide temporary assistance to citizens of the United States and to dependents of citizens of the United States if they are identified by the Department of State as having returned, or having been brought, from a foreign country to the United States because of the destitution of the citizen of the United States or the illness of such citizen or any of his dependents or because of war, threat of war, invasion, or similar crisis, and if they are without available resources.

In 1961, following the enactment of this section, the Federal agencies concerned established a committee to plan for reception, temporary assistance, and related services in the United States for U.S. citizens and their dependents evacuated from foreign countries in emergencies. The committee includes representation from the Departments of State, Justice, and Defense, and has consulted with the Department of Health, Education, and Welfare in the development of materials which provide guidance to State and local agencies in the provision of assistance. Arrangements have been worked out whereby such agencies are notified and the plan developed by the committee put into operation when U.S. citizens and their dependents are arriving from foreign countries in an emergency situation. Persons receiving assistance are placed on notice of the responsibility to repay, to the extent that they are able, all assistance provided. To date actual repayments have been approximately $2,700.

During the fiscal year 1963 a total of $180,116 was expended for the program. A major part of this total was expended for repatriates from Cuba, most of which was expended in Florida. During the fiscal year 1963, 218 new cases of U.S. citizens returned from Cuba were provided assistance in Florida and 28 such cases were provided assistance in other States. The average monthly number of cases returned from Cuba that were receiving assistance for maintenance during the fiscal year was 73. Average monthly assistance for maintenance per case—family or lone individual—was approximately $125.

Despite the numerical preponderance of repatriates from Cuba, a total of 68 cases in fiscal year 1963 came from other countries—45 of these from Europe and the remainder distributed among other continents. Of these 68 cases, 28 received help in planning for their reception in a home community but no financial assistance. The group of returnees from other countries, while small, is a continuing stream.

No assistance is provided under the program until a repatriated U.S. citizen has been identified by the Department of State as having been returned for one of the reasons set forth in section 1113, and such assistance is provided under this act only after the repatriate is actually in the United States. All available resources are applied to reduce the amount and duration of assistance granted. The program is administered entirely through State and local public welfare agencies which are reimbursed for the full cost of assistance and services.

The Department of Health, Education, and Welfare, in recommending a 3-year extension of this provision as provided in the pending bill, pointed out that an Advisory Council on Public Welfare, to be appointed in 1964 under the provisions of Public Law 87-543—the Public Welfare Amendments of 1962—will have the opportunity to consider this provision along with other provisions scheduled to expire on June 30, 1967, and to give the Congress the benefit of its views well before that date.

The Committee on Ways and Means is unanimous in recommending enactment of this legislation.

Mr. BYRNES of Wisconsin. Mr. Speaker, H.R. 10466 extends until June 30, 1967, the provisions of section 113(d) of the Social Security Act which provides for temporary assistance to U.S. citizens returning from foreign countries, such as Cuba, where our citizens have had their property taken from them and have ultimately been forced to leave the country. In many cases, these people return to the United States in destitute circumstances. Although those affected by this legislation are small in number, I think that it is important that we be prepared to extend aid to U.S. citizens whose property has been expropriated and who have been forced to return to the United States. It is a small consideration for the failure of the United States to protect the rights of its citizens abroad.

I urge passage of the bill by the House.

SUSPENSION OF DUTY ON CERTAIN NATURAL GRAPHITE

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10537), to continue for a temporary period the existing suspension of duty on certain natural graphite, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 909.20 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 433, Aug. 17, 1963) is amended by striking out "On or before 6/30/64" and inserting in lieu thereof "On or before 6/30/66".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1964.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 10537 is to continue for 2 years, to July 1, 1966, the existing suspension of duty on certain natural graphite. Imports of natural amorphous graphite and natural amorphous plumbago, crude or refined, valued at $50 per ton or less, are now free of duty under item 909.20 of the Tariff Schedules of the United States, if entered on or before June 30, 1964. In the absence of legislation, such entries will be dutiable after that date at the rate of one-half percent ad valorem.

Natural graphite—plumbago—is a soft, black mineral occurring in disseminated flakes or in scaly, granular, compact, or earthy masses. The mineral has a wide variety of industrial uses; for example, it is utilized for foundry facings and in the manufacture of carbon brushes, drycell batteries, pencils and paints, lubricants, and brush stock for electric motors.

The United States has long been dependent on imports for nearly all of its requirements for natural amorphous graphite despite extensive exploration for suitable domestic deposits. Domestic output supplied only a negligible part of domestic consumption of natural amorphous graphite prior to early 1959, and since that time has ceased.

The Committee on Ways and Means is advised that in recent years Mexico has supplied about 82 percent of the total quantity of natural amorphous graphite imported into the United States, and further that the major part of the Mexican deposits of amorphous graphite is owned and operated by U.S. concerns.

Favorable reports on this legislation, which was introduced by our colleague, the gentleman from Michigan, the Honorable JAMES HARVEY, were received from the Departments of State, Treasury, Commerce, and Labor, as well as an informative report from the U.S. Tariff Commission. The Committee on Ways and Means is unanimous in recommending enactment of the bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, H.R. 10537 would continue for 2 years—to July 1, 1966—the present suspension of duty on natural amorphous graphite, crude and refined, valued at $50 per ton or less. Imports are temporarily free of duty under item 909.20 of the Tariff Schedules of the United States if entered on or before June 30, 1964, and dutiable thereafter at one-half percent ad valorem. The bill makes no change with respect to the duty applicable to artificial graphite, which is 5 percent ad valorem.

Amorphous graphite is a strategic material and has a wide variety of uses in the manufacture of carbon brushes, drycell batteries, pencils and paints, and in electric motors. Mexico presently supplies about 82 percent of the U.S. market.

Favorable reports have been received from the departments and the committee unanimously recommended its enactment. I am glad to join with the chairman in moving for a favorable vote by the House.

FREE IMPORTATION OF INSTANT COFFEE

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 4198) to amend the Tariff Act of 1930 to provide for the free importation of soluble and instant coffee, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, will this in any way have the effect of increasing the price of this coffee to domestic American consumers?

Mr. MILLS. No; it would be hoped that the elimination of this duty, since this coffee comes from outside the United States, would tend to result in a salutary effect on the price. It could not make any contribution, as I see it, to an increase, because now a 3 cents per pound duty is being paid. Under this bill no duty would be paid.

Mr. GROSS. I would say to the gentleman from Arkansas that the International Coffee Agreement has worked in reverse insofar as the American consumers are concerned. We have seen nothing but increasing prices for coffee to consumers.

Mr. MILLS. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman from Arkansas.

Mr. MILLS. I must say in connection with the gentleman's statement that I have been somewhat disappointed in the developments that have occurred since the House did act on this legislation implementing this coffee agreement. The price of coffee has gone up. I do not know to what extent it is attributable to the agreement or to the implementing legislation, but I do know this, that we were told in the committee that the agreement itself could not go into effect until the implementing legislation was passed and I so stated on the floor of the House. But I find, even though the other body has not passed the implementing legislation to this good date, that they are operating, as a practical matter, under the treaty as though the treaty had been implemented.

We can, I believe, commend them to this extent, that on two occasions since the first of the year they have succeeded in obtaining an agreement to increase the quotas on coffee coming into the United States from these agreement countries. Perhaps they have not gone far enough in that direction to offset this tendency in the prices, but they have taken some action to bring in more coffee.

Mr. GROSS. I appreciate the gentleman's explanation and I certainly appreciate his agreement at this time that coffee prices have increased despite the assurance that we got from some quarters earlier that coffee prices would not be increased.

Mr. Speaker, I am not going to object to this particular bill, but I certainly hope that the American consumers are not going to continue to be victimized by these operations of our Government and Congress.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. I would like to say to the gentleman that I too have questioned the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], as to what effect this would have.

Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point a copy of the questions which I put to the gentleman from Arkansas and his answers.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. If the gentleman would yield further, I would like to again ask the chairman of the Ways and Means Committee three short questions on the subject:

Question 1: First, have you any indication—or reason to believe—that the importers will pass this 3 cents a pound along to the consumer? If the duty were going up 3 cents a pound, I am sure it would be reflected quickly in the stores. Has any firm importing soluble coffee indicated it will pass the saving along?

Mr. MILLS. Answer 1: It is unlikely that elimination of the 3-cent-a-pound duty on soluble coffee will materially affect prices since it affects only about 3 percent of the soluble coffee consumed in the United States and represents a saving of less than 1 percent on a 6-ounce jar retailing for more than $1. However, the duty elimination would tend to put soluble coffee on a more competitive basis with green and roasted coffee which, as you know, now comes in duty free. This in turn should tend to have a salutary effect on coffee prices.

Mrs. SULLIVAN. Question 2: What brands or companies usually market the imported soluble coffee which would be affected by this bill? In other words, can we give our consumers some way of knowing which brands have had their production costs reduced 3 cents a pound so that they can check on their own to see if the savings are passed on?

Mr. MILLS. Answer 2: As I indicated in response to your first question, the reduction in duty will affect only about 3 percent of the soluble coffee consumed in the United States. I am advised that some of the importing firms blend this coffee with domestic soluble coffee, so that it is exceedingly difficult to identify the import component or to follow it under brand names to the grocery store shelves. In this situation it would appear to be almost impossible to determine in what measure specific products may enjoy reductions in costs due to the duty reduction. It is also my understanding that the companies which buy this coffee may vary from time to time.

Mrs. SULLIVAN. Question 3: As I gather it, we are doing this—removing the duty—in order to demonstrate our friendship for some of the producing countries in Latin America which produce most of the soluble coffee we import. I believe this includes Nicaragua, Guatemala, El Salvador, and Mexico, with nearly half of this imported soluble coffee coming from Nicaragua alone. Is it not true that except for Mexico, the countries which would benefit most from this were not too anxious last November to do anything to help the coffee consuming countries when there was a big fight in the International Coffee Council over coffee export quotas? Did not Nicaragua, Guatemala, and El Salvador all vote "no" on increasing quotas at that time, and thus helped to provide the one-third vote among exporting nations which had the effect of vetoing our effort to have quotas raised?

I do not say we have to use this bill as a club, but since we are voluntarily giving up the 3-cent duty on instant coffee to show our friendship, whereas the exporting countries all put a tax on the coffee they send to us, should we not make it plain we would appreciate some consideration for our problems as consumers once in a while? I know that the quotas were raised in February, after the price of green coffee had reached 50 or 51 cents a pound, compared to 32½ cents in August, but I sincerely hope our friends in Latin America will recognize that the goodwill has to flow in both directions on this matter of coffee duties, and prices and quotas, and so on.

Mr. MILLS. Answer 3: We believe coffee producers have been responsive to the concerns of consuming countries about the recent increases in price. It is true Central American producers opposed an increase in quotas in the Coffee Council last November. It should be noted, however, that at that time, Central American coffees had not participated in the price rise enjoyed by African and Brazilian coffees and producers feared a quota increase might turn the market around. However, as you state, in February 1964 when it was clear the trend of all coffee prices was strongly upward, Central Americans voted for a 2.3 million bag quota increase. Again in May of this year, they approved Coffee Council actions which will make an additional million bags of coffee available to the market.

Latin American green coffee futures are now down almost 8 cents per pound from their recent highs and shipments coming into the United States are at record highs.

I thank the gentleman for his answers.

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

A bill to amend the Tariff Act of 1930 to provide for the free importation of soluble and instant coffee

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 776 of the Tariff Act of 1930, as amended, is amended by inserting "(except as otherwise provided in paragraph 1654)" immediately after "coffee essences".

SEC. 2. Paragraph 1654 of the Tariff Act of 1930, as amended, is amended by inserting "(including soluble and instant coffee)" immediately after "Coffee".

SEC. 3. The amendments made by sections 1 and 2 of this Act shall apply to articles entered, or withdrawn from warehouse, for consumption, on or after the date of enactment of this Act, and to articles covered by entries or withdrawals which have not been liquidated or the liquidation of which has not become final on such date of enactment.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That (a) title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 59, Aug. 17, 1963) is amended by striking out items 160.20 and 160.21 and inserting in lieu thereof the following:

"'

	Coffee extracts, essences, and concentrates (including soluble or instant coffee):			
160.20	Soluble or instant coffee (containing no admixture of sugar, cereal, or other additive)	Free	Free.	
160.21	Other	3¢ per lb.	3¢ per lb.	
160.22	If products of Cuba	2.4¢ per lb. (s)		

"(b) Headnote 1 for subpart A of part 11 of schedule 1 of such title is amended by striking out 'and 160.21,' and inserting in lieu thereof '160.21, and 160.22,'.

"SEC. 2. The amendments made by the first section of this Act shall apply to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act. Upon request therefor filed with the collector of customs concerned on or before the 120th day after the date of the enactment of this Act, entries and withdrawals of soluble or instant coffee (containing no admixture of sugar, cereal, or other additive) made before the date of the enactment of this Act (whether before, on, or after the effective date of the Tariff Schedules of the United States) which have not been liquidated or the liquidation of which has not become final on such date of enactment shall be liquidated or reliquidated as though such entries and withdrawals had been made on the date of the enactment of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 4198, as reported by the Committee on Ways and Means, is to provide for the free importation of soluble or instant coffee—containing no admixture of sugar, cereal, or other additive.

The soluble coffee—"soluble" coffee and "instant" coffee being synonymous terms—to which this bill applies is the "dried water-soluble solids derived from roasted coffee." Soluble coffee is produced by percolating roasted coffee to obtain a concentrated liquid coffee. The liquid is evaporated, leaving only dry, water-soluble coffee.

The U.S. annual production of soluble coffee has increased substantially in recent years, and increases in imports since 1956 have generally paralleled the rapid increase in domestic production. The principal countries from which the United States imports soluble coffee are El Salvador, Mexico, Guatemala, and Nicaragua. In 1961 Nicaragua first entered the U.S. market, supplying more than one-third of the imports, and more than one-half of the soluble coffee imported into the United States in 1962.

U.S. soluble coffee exports have increased from 3 million pounds in 1956 to 13 million pounds in 1962, the United States having been a net exporter of soluble coffee throughout that entire period.

In view of the expanding market in this country and the rapidly increasing level of U.S. exports of soluble coffee, the Committee on Ways and Means is of the opinion that the current rate of duty on this commodity, 3 cents per pound, is presently of little economic significance. While its free importation as provided by this legislation will have very slight economic significance as far as the domestic soluble coffee industry is concerned, it should prove of particular benefit to the United States internationally, especially with respect to our efforts under the Alliance for Progress to encourage economic growth in Latin America. The Department of State has pointed out that Latin American coffee producers have on numerous occasions complained about the existence of this duty, and that the U.S. soluble coffee industry has indicated it will not object to its removal.

Favorable reports on this legislation were received by the committee from the Departments of State, Treasury, Commerce, and Labor, as well as an informative report from the U.S. Tariff Commission, and the Committee on Ways and Means was unanimous in favorably reporting the bill.

INCREASE IN FEDERAL DEPOSIT AND SAVINGS INSURANCE

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 724 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5130) to amend the Federal Deposit Insurance Act and title IV of the National Housing Act (relating to the insurance of savings and loan accounts) with respect to the maximum amount of insurance which may be provided thereunder. After general debate, which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Banking and Currency now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes of my time to the gentleman from California [Mr. SMITH] pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 724 provides for consideration of H.R. 5130, a bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act—relating to the insurance of savings and loan accounts—with respect to the maximum amount of insurance which may be provided thereunder. The resolution provides an open rule with 2 hours of general debate, making it in order to consider the substitute amendment in the bill.

The purpose of H.R. 5130 is to amend the Federal Deposit Insurance Act and provisions of title IV of the National Housing Act so as to increase the maximum coverage for each depositor of an insured bank and each share account holder of an insured savings and loan association. H.R. 5130, as amended by the Committee on Banking and Currency, would increase such maximum insurance from the present $10,000 maximum to $20,000. The bill was also amended by the committee to provide that the amendments made to existing law by the bill shall apply only to claims accruing after the date of its enactment.

Mr. Speaker, I urge the adoption of House Resolution 724.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Texas stated, House Resolution 724 will provide 2 hours of general debate under an open rule for the consideration of the bill H.R. 5130.

H.R. 5130 will raise the present insurance on accounts in banks and investments in savings and loan associations from $10,000 for each depositor in an insured bank to $20,000, and the same amount, from the present $10,000 to $20,000, for each share account holder of an insured savings and loan association.

Admittedly, Mr. Speaker, this bill is controversial. In view of the fact that the banks and the savings and loan associations have various controversies, and inasmuch as they are in a competing business, the Rules Committee in this particular instance, after hearing that the administration had some opposition to the bill, received a communication from a member of the Treasury Department and a member of the FDIC expressing their objection and asking to be heard. These two gentlemen were heard by the Committee on Rules.

One of them said he would prefer that the Committee on Banking and Currency first hear and consider H.R. 7404, which is a long bill, with many different items in it. Admittedly, that bill is controversial. Both of them asked that that bill be heard. It is pending now before the Committee on Banking and Currency, and I am informed hearings will be held on it.

So far as the present bill is concerned, the two gentlemen were asked about the fund and each of them stated that the present fund would handle satisfactorily the increase to $20,000. The gentlemen from the Treasury Department stated that it was hoped that the increase would be to only $15,000 but that the fund could carry the increase.

I am informed that probably a motion to recommit the bill will be offered with the thought of considering, along with the objections which the administration has offered, H.R. 7040.

I personally have no objection to the bill, but I speak only for myself and for nobody on either side of the aisle. I think the increase is satisfactory.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Who wants this bill? Who feels it is necessary? I have not been informed about that.

CALL OF THE HOUSE

Mr. GARY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 137]

Abernethy
Andrews, Ala.
Ashley
Ashmore
Auchincloss
Avery
Baring
Bass
Blatnik
Bow
Bruce
Buckley
Burton, Utah
Carey
Celler
Chelf
Clausen, Don H.
Clawson, Del
Colmer
Cooley
Cramer
Curtis
Davis, Tenn.
Dorn
Dulski
Edmondson
Elliott
Ellsworth
Evins
Fallon
Farbstein
Fisher
Forrester
Fraser
Fulton, Tenn.
Goodell
Grant
Gray
Hays
Huddleston
Jarman
Johnson, Pa.
Johnson, Wis.
Jones, Ala.
Kee
Kelly
Kilburn
Kirwan
Lankford
Leggett
Lloyd
McClory
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Michel
Miller, Calif.
Miller, N.Y.
Morrison
Olsen, Mont.
Pelly
Pilcher
Pool
Powell
Purcell
Randall
Riehlman
Rivers, S.C.
Roberts, Ala.
Roybal
Scott
Secrest
Selden
Senner
Sheppard
Shriver
Siler
Smith, Iowa
Snyder
Staebler
Steed
Teague, Tex.
Thompson, La.
Toll
Ullman
Utt
Van Deerlin
Van Pelt
White
Whitten
Williams
Willis
Wilson, Charles H.
Winstead
Wright

The SPEAKER. On this rollcall 336 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INCREASE IN FEDERAL DEPOSIT AND SAVINGS INSURANCE

Mr. SMITH of California. Mr. Speaker, at the time of the quorum call the gentleman from Missouri [Mr. JONES] asked me who wanted this legislation. I assume that the legislation has as one of its sponsors the U.S. Savings & Loan League, and I assume anyone who had money on deposit in an insured bank or anyone who had a share account in an insured savings and loan association where the amount which they had on deposit was more than $10,000, that every one of those individuals would appreciate having additional Government insurance.

However, Mr. Speaker, I sometimes wonder whether the present financial status of the U.S. Government, with a national debt of $313 billion, represents a sound insurance program. But, in any event, that is the way the particular law works on this matter.

Mr. Speaker, I know of no objection to the rule and I urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG. Mr. Speaker, I yield 10 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, this is a bill of a great deal of importance. It involves a controversy between the Banking and Currency Committee of the House and the administration, as represented by the FDIC and the Treasury Department. The bill that is before you under this rule will increase the insurance of accounts from $10,000 to $20,000.

The bill was introduced by the chairman of the committee, and subsequently the Treasury and the FDIC were asked for their views. They supported a moderate increase in the insurance, but insisted that along with the sweet must go a little of the bitter. They proposed that the Home Loan Bank Board be given more authority to supervise the operation of certain institutions so that the public and the depositors would be better protected.

Those views were expressed in a bill which the Treasury submitted to the Committee on Banking and Currency and it was introduced by the chairman of that committee, the gentleman from Texas [Mr. PATMAN].

When the committee acted on the bill they discarded the administration bill which carried provision for necessary regulations, what the Treasury and the FDIC considered to be necessary regulations and supervision so that the depositors would have ample protection. The committee did not act upon the bill submitted by the administration, and I am told it was not considered in the committee. Certainly there is no reference to the correspondence of the Secretary of the Treasury and the Administrator of the FDIC in the report.

It seems to me that in a matter of this great importance and involving so many billions of dollars, certain obligations that might fall on the Treasury of the

United States and upon the many depositors of these institutions, at least consideration should be given to the administration's recommendations. That has not been done, and the committee reported the bill which just doubles the amount of insurance of these deposits, and ignored the Treasury and FDIC recommendations.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Texas.

Mr. PATMAN. May I say to the distinguished gentleman from Virginia that consideration was given to the administration bill in executive session. It was not discarded. It was postponed. We are having hearings on some aspect of it now, and will continue to have hearings on it.

Mr. SMITH of Virginia. I am glad to have that explanation, because it does not show in the report on the bill. I am wondering why all this haste about the doubling of the insurance, yet the vital thing in all financial institutions, regulations that protect the public, is postponed indefinitely to some other time?

Under these conditions, as the Committee on Banking and Currency is in direct conflict with the Secretary of the Treasury and with the FDIC, and I understand with the Home Loan Bank Board, all of whom want regulation, it seems to me that the logical thing to do with this bill is to send it back to the committee on a motion to recommit and let the committee consider the bill and come out with what is the logical thing to do.

Why take two bites of this cherry? We have taken one today but we have no assurance that you will ever take the other bite of the cherry.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. JONAS. While I would not want to be considered as being critical of the way committee reports are written, I must confess I am surprised that the report on this bill does not contain the views set out in letter form from the Treasury, Home Loan Bank Board, the FDIC, and the Bureau of the Budget.

Mr. SMITH of Virginia. I would like to say to the gentleman, my time is limited but I do want to read certain sections from these letters that I have.

Mr. JONAS. I would appreciate the gentleman doing so.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that at the conclusion of my remarks that I may insert a letter from the Secretary of the Treasury supporting the administration bill and a letter from the Chairman of the Federal Deposit Insurance Corporation taking the same position. They are opposed to this bill. The administration is opposed to this bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Virginia. I am now going to take the time, if I may, to just read a paragraph from the letter of the Secretary of the Treasury.

The Secretary of the Treasury wrote me this letter and sent Mr. Vockler, his representative, up who appeared before the Committee on Rules and expressed the same views.

The paragraph I would like to read is as follows:

> Essentially, the position of this Department and the administration, as expressed in those letters, is that an increase in insurance coverage should be considered only within a context of complementary action to strengthen the supervisory framework within which the insured institutions operate, and to enable the responsible Federal authorities to oversee more effectively certain practices with important implications for the safety and liquidity of financial institutions.

A similar letter from the Chairman of the FDIC from which I quote as follows:

> On behalf of the Secretary of the Treasury H.R. 7404 was introduced by Congressman PATMAN on July 8, 1963. This proposal would increase from $10,000 to $15,000 the maximum amount of insurance coverage for bank deposits and savings and loan association share accounts.

Now the bill increases it from $15,000 to $20,000 or double the amount.

The letter reads further as follows:

> The bill also prescribes liquidity requirements for member institutions of any Federal Home Loan Bank, provides for standby authority for this Corporation and the Federal Reserve Board to limit the rates of interest which may be paid by banks upon time and savings deposits, provides similar standby authority in the Federal Home Loan Bank Board with respect to the payment of dividends on share accounts, extends statutory noncriminal conflict of interest provisions now applicable to Federal Reserve State member banks to insured nonmember banks and makes certain criminal conflict-of-interest provisions now applicable to insured banks also applicable to institutions which are members of any home loan bank. If enacted into law, the effective date of the statute would be January 1, 1964.

There is a direct quote of the position taken with respect to this.

There is a serious problem that needs to be solved. Mr. Speaker, I think we ought to solve it all at one time. I hope the rule may be adopted so that the House may debate and consider the matter and in the end I trust the House will recommit the bill without instructions to the Committee on Banking and Currency at least for the consideration of the administration proposal before anything is done with respect to increasing deposit insurance.

Mr. Speaker, the letters to which I have referred in part are as follows:

THE SECRETARY OF THE TREASURY,
Washington, February 25, 1964.

Hon. HOWARD W. SMITH,
Chairman, Committee on Rules, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your inquiry concerning the position of this Department with respect to H.R. 5130 to increase the limits for deposit and share account insurance to $20,000 per account.

The question of appropriate deposit and share insurance coverage received intensive consideration within the administration during and following the deliberations of the interagency Committee on Financial Institutions, which reported to President Kennedy on April 9, 1963. The views developed at that time remain relevant today, and were stated in some detail in my letter to the chairman of the House Banking and Currency Committee dated April 25, 1963. This letter was inserted by Chairman PATMAN in the record of the hearings on H.R. 5130, April 23–26, at page 132.

An alternative approach to H.R. 5130 was outlined in my identical letters dated June 26, 1963, to the President of the Senate and the Speaker of the House of Representatives transmitting the proposed Deposit and Share Insurance Act of 1963. This proposal was subsequently introduced in the House by Mr. PATMAN on behalf of the administration as H.R. 7404 and in the Senate by Senator ROBERTSON as S. 1799. I am enclosing copies of my letters of April 25 and June 26, 1963, for your convenience.

Essentially, the position of this Department and the administration, as expressed in those letters, is that an increase in insurance coverage should be considered only within a context of complementary action to strengthen the supervisory framework within which the insured institutions operate, and to enable the responsible Federal authorities to oversee more effectively certain practices with important implications for the safety and liquidity of financial institutions. Moreover, the amount of any increase in insurance coverage should be related to the growth over time in incomes, wealth, average size of deposit or share accounts, and other relevant indicators of need.

Enactment of H.R. 7404 would be consistent with the administration's objectives.

Sincerely yours,

DOUGLAS DILLON.

FEDERAL DEPOSIT INSURANCE CORPORATION,
Washington, February 19, 1964.

Hon. HOWARD W. SMITH,
Chairman, Rules Committee,
House of Representatives,
Washington, D.C.

DEAR JUDGE SMITH: In response to your request of yesterday, I submit the following comments on H.R. 5130. The original version of H.R. 5130 of the current Congress, introduced last session by Hon. WRIGHT PATMAN, chairman of the House Banking and Currency Committee, would have amended the Federal Deposit Insurance Act and title IV of the National Housing Act (relating to the insurance of savings and loan accounts) so as to increase the maximum coverage which each depositor of an insured bank and each share account holder of an insured savings and loan association may have from $10,000 to $25,000.

At the end of the hearings on this bill the chairman of the House Banking and Currency Committee inserted for the record a letter from the Secretary of the Treasury, dated April 25, 1963, on H.R. 5130. This letter, in essence, stated that the Administration believes that legislation to increase insurance coverage for deposits and share accounts should also include provisions for additional safeguards for insured institutions, including adequate requirements governing reserves and liquidity, standby authority over maximum interest and dividend rates, and strengthened conflict-of-interest provisions. These recommendations were based upon similar recommendations contained in conclusion No. 13 of the report of the President's Committee on Financial Institutions forwarded to the President on April 9, 1963, by the committee's chairman, Mr. HELLER, which stated: "The committee, with one member dissenting, believes that an increase in existing insurance coverage is justified in terms of the adequacy and capacity of the insurance funds for meeting foreseeable contingencies. In considering such increases, however, the adequacy of liquidity, competitive practices in attracting funds as they are related to lending standards, and regulatory and supervisory controls and standards among the various affected financial institutions should be fully considered and continually evaluated."

On behalf of the Secretary of the Treasury H.R. 7404 was introduced by Congressman PATMAN on July 8, 1963. This proposal would increase from $10,000 to $15,000 the maximum amount of insurance coverage for bank deposits and savings and loan association share accounts. The bill also prescribes liquidity requirements for member institutions of any Federal Home Loan bank, provides for standby authority for this Corporation and the Federal Reserve Board to limit the rates of interest which may be paid by banks upon time and savings deposits, provides similar standby authority in the Federal Home Loan Bank Board with respect to the payment of dividends on share accounts, extends statutory noncriminal conflict of interest provisions now applicable to Federal Reserve State member banks to insured nonmember banks and makes certain criminal conflict-of-interest provisions now applicable to insured banks also applicable to institutions which are members of any Home Loan bank. If enacted into law, the effective date of the statute would be January 1, 1964. Mr. Erle Cocke, Sr., then Chairman of the Board of Directors of this Corporation, endorsed this proposal, but still favored an increase in insurance coverage to $25,000.

On January 9, 1964, the House Banking and Currency Committee reported favorably on the original proposal, H.R. 5130, with an amendment increasing the maximum insurance for bank deposits and savings and loan shares to $20,000 instead of $25,000. The $20,000 insurance limit of H.R. 5130, as so reported, would increase the percentage of insured deposits from about 59 percent to about 64 percent, whereas the $15,000 insurance limit of H.R. 7404 would increase that percentage to about 61.5 percent, an estimated difference of about $7 billion of insured deposits.

While these proceedings were taking place in Congress I was an official in the Treasury Department and participated in the work of the President's Committee on Financial Institutions, and endorsed its conclusions on this matter. I consider the report of the committee to be an excellent statement of Government policy toward private financial institutions.

You will recognize that the committee followed the precedent established by the Congress in the 1933 legislation of giving depositors and share account holders additional protection with one hand but establishing additional regulatory safeguards with the other. I have always considered this good public policy. For these reasons I support the consideration of H.R. 7404.

The Bureau of the Budget has advised that the enactment of H.R. 7404 would be consistent with the objectives of the administration.

Sincerely yours,

JOSEPH W. BARR,
Chairman.

The **SPEAKER**. The time of the gentleman has expired.

Mr. **YOUNG**. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. ROGERS].

Mr. **ROGERS** of Florida. Mr. Speaker, I ask unanimous consent to speak out of order.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **ROGERS** of Florida. Mr. Speaker, reliable reports indicate that in the early morning hours on Monday, May 25, a plane flew from Florida to Cuba and back undetected. The U.S. Border Patrol advises me that after checking with the Federal Aviation Agency flight service center in Miami, there were no flight plans filed to penetrate the air defense zone of Florida between the hours of 9:45 p.m. on May 24 and 6 a.m. on May 25.

News sources checked with the Navy and Air Force and advised me that knowledge of any such flight was denied by both these services. The Defense Department has verified this to me.

Information indicates that the plane flew approximately 100 feet above the water on its trip to and returning from Cuba. If it is true that this plane did penetrate the air defense zone of the southeastern United States, then there exists an inexcusable gap in the U.S. air defense system. Earlier, as Members well recall, a helicopter from Cuba was flown and landed in Florida only a short time ago without being properly identified by U.S. air defense authorities. Despite assurances that corrective steps were taken and despite the Armed Services Committee's special report urging stronger defenses in the southeastern United States, issued in September 1962, it appears that another aircraft has again penetrated the air defense system of our country without proper identification or detection. I am asking the distinguished chairman of the House Armed Services Committee to initiate a full investigation of this shocking condition in the air defense system of our Nation.

Mr. **YOUNG**. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. MULTER].

Mr. **MULTER**. Mr. Speaker, I do not intend to oppose the adoption of the rule. I shall, however, support a motion to recommit the bill when that motion is offered.

I wish to emphasize what the distinguished chairman of the Rules Committee said a moment ago, and to direct attention to some simple facts.

The hearings on this bill, H.R. 5130, were conducted on April 24, 25, and 26, 1963. At that time the agencies indicated to the committee that there was no Budget Bureau approval of that bill, and they also indicated that the administration desired that any bill to increase the amount of insurance of banks or savings and loan institutions should be considered together with the administration's proposals, which at that time were not yet ready.

The administration's proposals were sent up, as a result of which the distinguished chairman of the Committee on Banking and Currency introduced on July 8, 1963, his bill, H.R. 7404.

I am not prepared to say whether that is the correct way of handling this problem, as to the details. There are some things in that bill which I am not prepared to support. I may support them after hearings. I may support none of them after hearings. But we have had no hearings on that bill.

The letters which have been put in the RECORD by the distinguished chairman of the Committee on Rules are dated February 19, 1964, and February 25, 1964. As of late yesterday, I tell this House, the administration's view was precisely the same as it was when we conducted our hearings in April 1963, and precisely as indicated in the letters of February 19 and February 25, 1964. The administration wants these problems considered together—whether we should increase the insurance, and if so how much; together with a review of the basic statutes to determine what, if any, additional provisions should be put into the law to protect depositors, shareholders, and the public, as well as the stockholders of banks.

Mr. **JONAS**. Mr. Speaker, will the gentleman yield?

Mr. **MULTER**. I yield to the gentleman from North Carolina.

Mr. **JONAS**. I hope the gentleman will tell those of us who do not have the privilege of serving on the great Committee on Banking and Currency why this information does not appear in the report. I am naturally interested, as a nonmember of that committee, in the views of the FDIC about this, as well as the views of the Treasury Department, of the Home Loan Bank Board, and of the Bureau of the Budget. I believe the committee should have assumed that the Members of the House were entitled to that information, and therefore should have included it in the report.

Mr. **MULTER**. Unfortunately, in our Committee on Banking and Currency the practice has been for the chairman to prepare the report and file it. Although it is filed as a committee report, most of us find out what is in it for the first time after the report is filed. If I had my way and the majority of the committee would support me, no report would be filed until every member of the committee had reviewed it and had an opportunity to indicate whether or not it was also in accord with his views.

I know under the rules that we have the right to file supplemental and minority views. Too frequently the reports are filed as committee views before we get an opportunity to formulate individual views. Let me say that the distinguished chairman of the Committee on Banking and Currency, as I heard him say a few minutes ago, stated that these matters of the administration views are under consideration by the committee now and hearings are pending. I have had no notice of such hearings, and I would be very much interested in knowing about them. I assure him that I will attend them if I know that they are being held. As a matter of fact, my recollection is that when we went into executive session on this bill, which solely dealt with increasing the insurance, I raised the question as to whether or not we should consider the other provisions at the same time. I was assured—and I am sure many of the other committee members will agree with me, that we were assured by our distinguished chairman—no rule would be asked for on H.R. 5130 until we had at least concluded the hearings on the administration proposals. If they have been started, I do not know anything about it. In any event in accordance with the statement of the chairman made a moment ago, they certainly have not been concluded. The only way to handle this, I think, is to refer it back by recommittal motion so that the matter can be studied and brought before the House as a whole package.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. MULTER. Yes. I will be glad to yield to the gentleman from California.

Mr. SMITH of California. As the distinguished ranking member of the Committee on Banking and Currency has the floor, I am inquiring as to why we should go through 2 hours of debate here on a controversial bill and place the Members in a difficult position on it. If everybody wants it sent back to the committee, why do we not just defeat the rule on it and let it go back to the committee and the show will be over?

Mr. MULTER. That is a good way of handling it, and I would subscribe to that.

Mr. SMITH of California. I do not know parliamentariwise just how to go about doing that, but if everybody wants it to go back to the committee, I do not know why we should go ahead and talk for 2 hours on it and get ourselves in a difficult position. I just make that statement.

Mr. MULTER. Mr. Speaker, I yield back the balance of my time.

Mr. YOUNG. Mr. Speaker, I yield 10 minutes to the distinguished gentleman from Texas, the chairman of the Committee on Banking and Currency [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I have heard the gentleman from Virginia, the Honorable HOWARD SMITH, and the gentleman from New York, the Honorable ABE MULTER, speak in connection with this bill that is before us. This is a very important bill. The statements made by these gentlemen are not in accordance with what I understand the exact facts to be.

I believe that I have been with this problem as long as or a little bit longer than any of the other Members around here even on the committee, because I have worked more closely with it. The fact is, Mr. Speaker, that we started out 2 or 3 years ago to raise the insurance protection for the savings and loans and for the commercial banks. We did not want to raise it a small amount because it requires time and expense to make a change in the amount of the deposit insurance. For instance, it runs into big money to make the changes on all of the buildings, the stationery, the literature, and the advertising matter. I am naming just a few of the things. Therefore, we decided that we would change it for a substantial amount when we did change it and not do it so frequently.

When we started hearings on the bill in the early part of 1963, the administration suggested that the amount should be $15,000. We considered that, but that was only a $5,000 raise. We wanted to raise it to $25,000. Well, the administration would not hold still for $25,000, and after talking back and forth we agreed in reporting the bill out to make it $20,000, which is half way between the 15 and the 25. Then, when the witnesses appeared before Judge SMITH's committee, representing the FDIC and the Treasury, they testified that the funds were ample in both the Federal Savings and Loan and the Federal Deposit Insurance Corporation to justify $20,000.

They would not oppose it on that account at all. They were not opposed to it. Mr. Barr was frank enough to admit that we should put some of the "sour" in with the "sweet," but the sour was all going to the savings and loans and none of the sour was going to the banks. Of course, I did not want to discriminate against either one of them. We wanted to treat them equally and alike, $20,000 savings and loans, $20,000 banks, and not impose any undue restrictions upon either.

Then, when the bill came up, we finished hearings in the early part of the year, in April, 1963. We held back on account of the administration. We finally got the administration views and saw they decided that it would be a good time to put certain limitations and restrictions on the savings and loans, and also take off the interest rate limitations.

We brought up the bill for consideration in January after waiting over 8 months, after the hearings had been completed. Then, before the committee I said, "Here, gentlemen, we are considering in executive session this bill H.R. 5130. Here are the administration's views on the bill H.R. 7404. I introduced it myself. We must consider that, too."

The committee members looked into it and said, "We have heard about it, we know about it. This is a bill of about 40-some-odd pages. Why wait on the insurance in order to take up all these controversial matters?" And a motion was made to postpone this, and have hearings on it, but meanwhile to go ahead with the bill and allow the insurance to be raised from $10,000 to $20,000. And the committee voted overwhelmingly to report out this bill, H.R. 5130, to raise the insurance from $10 to $20,000, and it was agreed we would have hearings on these other proposals later. And we will have hearings on them.

Now, there are things in this bill I do not believe the Members of the House would want. Nor do I believe the Committee on Banking and Currency would approve them. It will require a lot of time, a great many witnesses, a lot of discussion.

We feel that the time is opportune to raise these deposits now, particularly in view of the fact that the small banks need this added protection. It is true that a man and his wife can get $30,000 as individuals and as a partnership. But you take the funds; you take the local firemen's fund or the local policemen's fund or the retirement benefits of a widow who has gotten $30,000 in insurance; she would be told by a lawyer to put that in the banks outside of town, if she can get only $10,000 in the local community. All these banks need this protection. Many businesses will only put their money in if they have the Government protection. In order to help these local banks and savings and loans, we should give them $20,000 instead of $10,000. It is asking for nothing more than just a few crumbs from the big banks' table. That is all in the world it is. The small banks and the small savings and loans and all of the savings and loans are for this. You can take our hearings and you will find it has been testified that questionnaires have been sent out by the bankers themselves and the State banks in every State overwhelmingly were 3 to 1 to 4 to 1 for this bill. Then you take the Independent Bankers of America. They represent a large number of independent small banks. Over two-thirds of them, including the big banks, voted in favor of this bill.

So, Mr. Speaker, there is tremendous support for this bill. There is no reason why it should be postponed. It is badly needed now.

Mr. Speaker, some have talked about the administration and its position on this bill. Of course, I am glad that the distinguished gentleman from Virginia [Mr. SMITH] is out for the administration on this question. The gentleman, however, is not usually an enthusiastic supporter of all administration measures. That is a privilege of the gentleman and I am not criticizing him for it. But I do not think he has the privilege now of coming in here and relying upon that solely. I say that this legislation is not in opposition to administration policy. I have been an administration man all my life I believe consistently. I do not go with the administration 100 percent all the time as in this case where the administration sends up a bill and we take part of it and we postpone part of it for further consideration. Is that antiadministration? Of course, it is not. We are taking the part that the administration approves and we are postponing for further consideration and study the part that we do not approve right off and believe that it should receive further consideration. This is not antiadministration. It is in accordance with administration policy of helping small business.

Mr. Speaker, the President this week offered a proclamation and the White House has declared this to be Small Business Week. The President of the United States issued a proclamation in favor of small business and designated May 24, 1964 as Small Business Week.

Now, Mr. Speaker, here we are in the middle of Small Business Week. Are we going to start out by stabbing small business in the back? Are we going to tell the President of the United States that we are not going to support this proclamation? What could be more "antiadministration" than that?

Mr. Speaker, I know that we are going to respect this Small Business Week.

We are not going to favor big business and the big banks that want this legislation killed and sent back to the committee. I do not believe we want it said that we went along with them.

Mr. Speaker, this is a small business bill. I have been here in the House of Representatives a long time. The American Bankers Association is 100 years old. I have read about the American Bankers Association during all of my time. If there has ever been a time on the floor of this House when there was an issue between big banks on one side and little banks on the other side, when the American Bankers Association ever took the side of the small banks, I will yield to any Member who knows of it or knows of a case where that is untrue. I will yield to any of the Members of the House. No Member has asked me to yield because the American Bankers Association has always taken this attitude.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Yes; if the gentleman denies what I said.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. If the gentleman denies what I said.

Mr. GROSS. That was not the proposition.

Mr. PATMAN. No. I said there has never been a time on the floor of the House when the big banks were on one side and the little banks were on the other side where the American Bankers Association ever took the side of the little banks.

If the gentleman takes issue with me on that, I yield to him.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. Jonas].

Mr. JONAS. Mr. Speaker, I have asked for this time because there may be a vote on the rule and, frankly, I do not know how I am going to vote. I want to hear both sides of this matter discussed. I have attempted to find out why the report does not contain the views of the proper executive agencies.

Mr. Speaker, I would like to know what the FDIC thinks about this bill. I would like to know what the Treasury Department thinks about it. I would further like to know what the Home Loan Bank Board thinks about it and also what the Bureau of the Budget thinks about it.

Now, Mr. Speaker, I do not mean that I would necessarily vote in accordance with their recommendations. I am not a rubberstamp for anyone. But I am also openminded enough to want to listen to and consider the views of the executive agencies which are close to this situation.

Mr. Speaker, as a Member of the House of Representatives interested in building and loan and savings and loan associations, small banks and their depositors, interested in having their deposits protected to the fullest extent possible, I would like to know what the objections of these agencies are, if they have objections, as has been stated here today. Why are we being asked to legislate in the dark? Why are the views of the administration not revealed to the membership in the committee report? Statements have been read into the Record indicating that the administration opposes this bill, but I will not be able to read the Record until tomorrow and will not be able to consider the reasons for the objections until after the vote is taken on the bill.

I would like to know the basis for these objections, if they have objections. I would like to know the basis on which they approve the legislation, if they approve it. I have not been able to find out why those views are not incorporated in the report. I will ask the distinguished chairman of the committee to tell me, if he will, why those views are not set out in the report so that those of us who did not attend the hearings and who did not listen to the witnesses might know what these executive agencies think about the bill.

Mr. PATMAN. The matters were irrelevant to the raising of the deposit insurance amount. If we had incorporated all of them in here we would be off on a different story entirely. There are 40 pages of it in the administration's bill.

The administration did not object to raising the insurance. We refer to that in our report on page 2. We put everything in this report that relates to the raising of the insurance. We did not put the other material in because we did not have hearings on it.

Mr. JONAS. I thank the gentleman. May I say to him, as one Member who is interested in all of these problems and who is not an expert on the subject, I wish the views had been incorporated in the report, so all of us could have considered them in advance of the debate.

I do not know whether the big banks are in favor of this bill or not. I have received letters from half a dozen small banks in the State of North Carolina, and in my own congressional district, all opposing this bill. They are not big banks. They are smalltown banks. They have all expressed opposition to this bill.

I have received letters from officials of savings and loan associations in my district favoring this bill.

What I am trying to do is to find out how to vote and to find out how the administration feels about the bill, whether it supports this increase, and what the FDIC and the other executive agencies have had to say about it.

As one Member who is not on the committee I can say with all respect that I wish the report had contained this information.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Texas.

Mr. PATMAN. For instance, my dear friend, I invite your attention to the fact a lot of this discussion is about regulation "Q," not involved in this bill at all.

Mr. JONAS. It would only take one sentence from the FDIC to say whether it supports this bill or not; it would take only one sentence from the Treasury Department to say whether it supports or opposes the bill. It would mean only one sentence from the other agencies to express their views, not on the other bill, but on this bill.

Mr. PATMAN. There is no disagreement between the agencies and the administration. The issue was whether it should be $15,000, $20,000, or $25,000.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken, and the Speaker announced that the noes had it.

Mr. YOUNG. Mr. Speaker, I object to the vote on ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 218, nays 115, not voting 98, as follows:

[Roll No. 138]

YEAS—218

Adair
Addabbo
Albert
Ashley
Aspinall
Ayres
Baker
Baldwin
Barrett
Barry
Bates
Becker
Beckworth
Bennett, Mich.
Blatnik
Boggs
Boland
Bolton, Oliver P.
Brademas
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Burkhalter
Burleson
Burton, Calif.
Byrne, Pa.
Cameron
Carey
Casey
Cederberg
Chamberlain
Clark
Cohelan
Collier
Conte
Corman
Cramer
Daddario
Daniels
Davis, Ga.
Delaney
Dent
Denton
Derounian
Derwinski
Dingell
Donohue
Dowdy
Downing
Dwyer
Edwards
Ellsworth
Fallon
Fascell
Feighan
Finnegan
Fino
Flood
Fogarty
Fountain
Friedel
Fuqua
Gallagher
Garmatz
Gary
Giaimo
Gibbons
Gilbert
Gill
Gonzalez
Grabowski
Green, Pa.
Griffin
Griffiths
Grover
Gurney
Hagan, Ga.
Hagen, Calif.
Halpern
Hanna
Harding
Hardy
Harvey, Ind.
Harvey, Mich.
Healey
Hébert
Hechler
Henderson
Herlong
Holifield
Holland
Horton
Hutchinson
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Keith
Keogh
Kilgore
Kluczynski
Knox
Kornegay
Kunkel
Laird
Lesinski
Libonati
Long, La.
Long, Md.
McCulloch
McDowell
McFall
McIntire
McMillan
Macdonald
Madden
Mahon
Marsh
Martin, Calif.
Mathias
Matthews
Meader
Minish
Minshall
Monagan
Montoya
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
Norblad
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olson, Minn.
O'Neill
Osmers
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pillion
Pirnie
Poage
Poff
Price
Pucinski
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Pa.
Rich
Rivers, Alaska
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schweiker
Sibal
Sickles
Sikes
Sisk
Smith, Calif.
Staebler
Stafford
Steed
Stephens
Stratton
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thomas
Thompson, N.J.
Thompson, Tex.
Trimble
Tupper
Udall
Vanik
Waggonner
Watts
Weltner
Wickersham
Widnall
Wilson, Bob
Wydler
Wyman
Young
Younger
Zablocki

NAYS—115

Abbitt
Abele
Alger
Anderson
Andrews, N. Dak.
Arends
Ashbrook
Battin
Beermann
Belcher
Bell
Bennett, Fla.
Berry
Betts
Bolton, Frances P.
Bonner
Bray
Brock
Bromwell
Broyhill, N.C.
Broyhill, Va.
Byrnes, Wis.
Cahill
Celler
Chenoweth
Clancy
Clausen, Don H.
Cleveland
Corbett
Cunningham
Curtin
Dague
Devine
Dole
Duncan
Findley
Flynt
Ford
Foreman
Fulton, Pa.
Gathings
Glenn
Goodling
Gross
Gubser
Haley
Hall
Halleck
Hansen
Harris
Harrison
Harsha
Hoeven
Hoffman
Horan
Hosmer
Hull
Jensen
Johansen
Johnson, Pa.
Jonas
Jones, Mo.
King, N.Y.
Kyl
Landrum
Langen
Latta
Lennon
Lindsay
Lipscomb
McDade
McLoskey
MacGregor
Mailliard
Milliken
Mills
Moore
Morris
Multer
Nelsen
O'Brien, N.Y.
Ostertag
Passman
Pike
Quie
Quillen
Reifel
Rhodes, Ariz.
Rogers, Tex.
Roudebush
Rumsfeld
Schadeberg
Schenck
Schneebeli
Schwengel
Shipley
Short
Skubitz
Slack
Smith, Va.
Springer
Staggers
Stinson
Thomson, Wis.
Tollefson
Tuck
Tuten
Vinson
Watson
Westland
Whalley
Wharton
Whitener
Willis
Wilson, Ind.

NOT VOTING—98

Abernethy
Andrews, Ala.
Ashmore
Auchincloss
Avery
Baring
Bass
Bolling
Bow
Bruce
Buckley
Burke
Burton, Utah
Chelf
Clawson, Del
Colmer
Cooley
Curtis
Davis, Tenn.
Dawson
Diggs
Dorn
Dulski
Edmondson
Elliott
Everett
Evins
Farbstein
Fisher
Forrester
Fraser
Frelinghuysen
Fulton, Tenn.
Goodell
Grant
Gray
Green, Oreg.
Hawkins
Hays
Huddleston
Johnson, Wis.
Jones, Ala.
Kee
Kelly
Kilburn
King, Calif.
Kirwan
Lankford
Leggett
Lloyd
McClory
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Michel
Miller, Calif.
Miller, N.Y.
Morrison
Murray
Olsen, Mont.
Pelly
Pilcher
Pool
Powell
Purcell
Rains
Randall
Riehlman
Rivers, S.C.
Roberts, Ala.
Roybal
Ryan, Mich.
Scott
Secrest
Selden
Senner
Sheppard
Shriver
Siler
Smith, Iowa
Snyder
Stubblefield
Teague, Tex.
Thompson, La.
Toll
Ullman
Utt
Van Deerlin
Van Pelt
Wallhauser
Weaver
White
Whitten
Williams
Wilson, Charles H.
Winstead
Wright

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Matsunaga for, with Mr. Evins against.

Mr. Toll for, with Mr. Fisher against.

Mr. Johnson of Wisconsin for, with Mr. Pelly against.

Mr. Senner for, with Mr. Kilburn against.

Mr. Auchincloss for, with Mr. Weaver against.

Until further notice:

Mrs. Kelly with Mr. Avery.

Mr. Farbstein with Mrs. May.

Mr. Powell with Mr. Miller of New York.

Mr. Buckley with Mr. Goodell.

Mr. Burke with Mr. Bow.

Mr. Olsen of Montana with Mr. Riehlman.

Mr. Rains with Mr. Martin of Nebraska.

Mr. Thompson of Louisiana with Mr. Shriver.

Mr. Cooley with Mr. Frelinghuysen.

Mr. Kirwan with Mr. Michel.

Mr. Chelf with Mr. Snyder.

Mr. Miller of California with Mr. Del Clawson.

Mr. Teague of Texas with Mr. Burton of Utah.

Mr. Stubblefield with Mr. McClory.

Mr. Dorn with Mr. Martin of Massachusetts.

Mr. Winstead with Mr. Curtis of Missouri.

Mr. Ashmore with Mr. Bruce.

Mr. Abernethy with Mr. Siler.

Mr. Whitten with Mr. Van Pelt.

Mr. Williams with Mr. Utt.

Mr. Andrews of Alabama with Mr. Roybal.

Mr. Hays with Mr. Sheppard.

Mr. Ullman with Mrs. Kee.

Mr. Ryan of Michigan with Mr. Dawson.

Mr. Gray with Mr. Hawkins.

Mr. Pilcher with Mr. Lankford.

Mr. Jones of Alabama with Mr. Bass.

Mr. Roberts of Alabama with Mr. Smith of Iowa.

Mr. Elliott with Mr. Dulski.

Mr. Randall with Mr. Diggs.

Messrs. WATTS and OLIVER P. BOLTON changed their vote from "nay" to "yea."

Mr. BELL changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

IN THE COMMITTEE OF THE WHOLE

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5130) to amend the Federal Deposit Insurance Act and title IV of the National Housing Act—relating to the insurance of savings and loan accounts—with respect to the maximum amount of insurance which may be provided thereunder.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5130, with Mr. ZABLOCKI in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

Mr. PATMAN. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the President of the United States a few days ago issued a proclamation designating this Small Business Week.

SMALL BUSINESS WEEK—A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas 9 out of every 10 business enterprises that supply the needs and wants of the American people are small and independently owned and operated; and

Whereas these small businesses provide: About one-third of the Nation's goods and services; a broad source of diversified employment opportunities; an opportunity for expression and growth of personal initiative and judgment; new ideas, new methods, and new products which stimulate our economy; and

Whereas small businesses help to preserve our economic freedom by preserving competition and providing the consumer with a wide choice of products; and

Whereas it is appropriate that we recognize the importance of small business to the maintenance of our free enterprise system and to our continued economic growth:

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby designate the week beginning May 24, 1964, as Small Business Week; and I urge chambers of commerce, boards of trade, and other public and private organizations to participate in ceremonies recognizing the great contribution made by the 4.6 million small businesses of this country to our prosperous society and to the well-being and happiness of our people.

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the city of Washington this thirtieth day of April in the year of our Lord nineteen hundred and sixty-four, and of the independence of the United States of America the one hundred and eighty-eighth.

LYNDON B. JOHNSON.

The WHITE HOUSE.
By the President:

W. AVERELL HARRIMAN,
Acting Secretary of State.

It has the usual ending with the signature of the President of the United States.

Mr. Chairman, I bring this up for the purpose of saying that we are in the middle of Small Business Week right now. This is Wednesday.

It is a good opportunity for all of us to indicate that we are in favor of small business and we are in favor of equal rights and equal opportunities for small business. The bill we have before us could be labeled a small business bill. Over 97 percent of the institutions involved in this legislation could be described as being in the category of small business. It is opposed by a few big banks, and that is all. In view of the statements made here this morning, I think I am justified in saying that the opposition springs from a few large banks—a handful of banks. Do you know, my friends, that 1 percent of the banks of the United States; that is, 135 in number, own and control more than 50 percent of all the banking resources in the entire Nation. In other words, these few banks in a few cities control and own more than half of the banking resources of the entire Nation. So the little banks and savings and loan institutions are struggling for existence against these giant competitors.

Here we have the small business people in the small banks and savings and loans wanting an opportunity that is thoroughly justified, to increase their deposit insurance from $10,000 to $20,000. There is no dispute between the administration and the Committee on Banking and Currency about the desirability of raising this coverage. The administration has admitted that they want the coverage raised from $10,000. They suggested $15,000. Well, the proponents suggested $25,000. We in committee agreed to split the difference and make it $20,000, that raised it from $10,000 to $20,000 instead of from $10,000 to $25,000. We feel that is a fair amount.

The gentleman who came before Judge SMITH's committee, when I was there to ask for the rule, Mr. Barr of the FDIC said:

> Now do not understand me to say that this bill is not justified on the basis of the amount of funds in the trust funds and the insurance accounts of these two great financial institutions. The funds are ample to cover the $20,000.

The Treasury Department, Mr. Volker, the gentleman who represented Secretary Dillion said:

> I agree with Mr. Barr that the trust funds are ample. They are sufficient to justify this $20,000. There is no dispute about that at all.

Now then, what will this $20,000 mean? It means a lot of things to the small businessman and to the small merchant and to the small bank and to the savings and loan institutions. It means a lot for the people who live in small towns and small cities. Take the small businessman. Some of them happen to have more than $10,000 sometimes. Are they going to be restricted when there is just one bank in town? If they have over $10,000, should they have to go to another bank in order to get that coverage?

Consider the local firemen's trust fund for retirement benefits and other purposes. Anything over $10,000—has to be taken over to another bank out of town, or else the trustees can be charged with assuming unnecessary risk.

Consider the policemen's funds. Consider the pension funds of all types. Consider the widow who inherits or who may have an insurance policy in the amount of $20,000 or $30,000 or $40,000. She cannot deposit the full amount of what she may collect on that insurance in her local bank for then she would only be protected to the extent of $10,000. Of course, she has no husband to go with her and make it $30,000. So she is restricted to $10,000.

This bill will allow people like that to have more than $10,000 in protection.

I happen to have a telegram here showing it is not everyone in Virginia who is against this bill. I have a telegram here from the Commonwealth National Bank of Arlington. It reads:

> "The Commonwealth National Bank of Arlington Strongly Supports H.R. 5130—Commonwealth National Bank."

I have another telegram which was delivered to me only a few minutes ago, which says:

> As president of two national banks in Chicago, we support you and your program to raise FDIC insurance from $10,000 to $20,000. We feel that the situation is critical and additional insurance will attract more deposits to small banks.

That is from a bank in the District of Columbia.

I want all Members to send for copies of the hearings, and turn to page 90. There they will find data from every State in the Union on bank support of this bill. The State banking associations have polled every bank in the United States, and, on the poll of the State banks, 70 percent said, "We want that increase."

On the next page, page 91, Members will find a poll by the Independent Bankers Association in all the States. More than two-thirds of them said, "We want that increased insurance," and it was from $10,000 to $25,000 at that time.

In addition to these heavy majorities of banks in favor of this, all the savings and loan institutions are for it.

I can now see how the American Bankers Association got busy on it to try to change some opinions. They are correspondents for all of these little banks. They do favors for them all of the time. Of course, the little banks keep a lot of money with them, in the form of bank deposits. That is very profitable for these big banks.

The big banks roll out the red carpet for those men when they come to the big city. They show them a "big time." Then, when they go back home, they call them up and say, "You had a good time up here in New York City. Don't you think you ought to be a bit helpful to us by wiring your Congressman to vote against that bill? We think that is in our interest and in your interest, and you should oppose it."

It would not be a difficult job to get some smaller bankers to do a little bit of wiring for a big correspondent bank in a big city. But most of the banks are for the bill, I repeat.

I repeat: I have been here for a long time, and I have watched these different votes. I have never known of a vote in this House when the big banks were on the same side as the small banks. The big banks are usually on one side and the small banks are on the other side of an issue when it comes to a vote here, or before the committees. As a matter of fact, I have never known of one time when it was different.

I am going to ask anybody, when I get through with this presentation, to name me one such instance. I have never known of one time that the American Bankers Association, which I know represents the big banks of this Nation, has voted on the same side with the little banks. If there is any Member of this House who can rise from his seat to tell me of an instance about which he knows, on an issue like that, when the American Bankers Association ever supported these little banks, I will yield to him—and I will yield to him right now.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield. Does the gentleman from Missouri know of a case? I do not yield to him, unless he can give a case.

Mr. JONES of Missouri. I am going to cite a case.

Mr. PATMAN. Give me one case.

Mr. JONES of Missouri. The president of the American Bankers Association 2 years ago was Joseph C. Welman, the president of a bank in my hometown, which is a small city.

Mr. PATMAN. I am not yielding for a speech. Just tell me a case.

Mr. JONES of Missouri. I am telling you the case. This gentleman was the president of the American Bankers Association. He represented the small banks.

Mr. PATMAN. I am not yielding further, unless the gentleman can tell me a specific case.

Mr. JONES of Missouri. That is a case. It is a case of a small country banker who was president of the American Bankers Association, and who was representing the small banks of America.

Mr. PATMAN. That is no case.

Mr. JONES of Missouri. That is a case. He was a representative of the small banks.

Mr. PATMAN. Does not the gentleman think that ABA presidents have to do what the big banks tell them to do? They have always done it that way.

Mr. JONES of Missouri. No, he did not. I would challenge the gentleman to show me any man of greater character.

Mr. PATMAN. I am not impugning the gentleman's constituent, of course. I do not know the person, but I am sure that he is a man of excellent character and reputation. I do not yield further to the gentleman, because he has not indicated a case.

Mr. JONES of Missouri. Will the gentleman yield for a question?

Mr. PATMAN. I am not yielding further.

Mr. JONES of Missouri. I do not believe the gentleman wants me to give the facts.

Mr. PATMAN. Certainly if the gentleman cannot tell of one case in 2 minutes then he cannot tell of one at all.

I will yield further to the gentleman, if he can give a case.

Mr. JONES of Missouri. I want to tell the gentleman——

Mr. PATMAN. Now, wait a minute. Can the gentleman give a case on the floor of the House, on an issue in the Congress, when the issue was between the big banks and the little banks, when the American Bankers Association ever has taken the side of the little banks?

Mr. JONES of Missouri. This was a president of the association, who represented the little banks as well as the big banks.

Mr. PATMAN. That is an excuse, and not a specific case.

Mr. JONES of Missouri. That is not an excuse.

Mr. PATMAN. It is not a case such as I requested.

Mr. JONES of Missouri. I am not going to accept that answer.

Mr. PATMAN. I am not here to criticize any individual. But I want to state here that the big bankers use the little bankers as pawns sometimes.

Mr. JONES of Missouri. That is as wrong as can be. I resent that statement, because I know the gentleman. He is a man of the highest character.

Mr. PATMAN. They do not do it all the time. Of course not. I am not denouncing people.

Mr. JONES of Missouri. Yes, you are. You are casting aspersions on the small banker.

Mr. PATMAN. You cannot take up my time. I will not permit you to do it.

Mr. JONES of Missouri. You invited me to answer you a question.

Mr. PATMAN. No; I did not ask you to answer a question for me. I asked you to give me a case.

Mr. JONES of Missouri. All right. Then, you will not let me ask you a question?

Mr. PATMAN. Name me a case in the last 100 years. Name me a case in 100 years, citing history, where there was an issue between big banks and little banks where the American Bankers Association, which is 100 years old, has ever taken the side of the little banks.

Mr. JONES of Missouri. I am telling you for 2 years while this man was president of the American Bankers Association he took the side of the small banks.

Mr. PATMAN. Again I will not yield to the gentleman any further.

Mr. JONES of Missouri. All right.

Mr. PATMAN. H.R. 5130 was reported favorably.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Yes. I yield to the gentleman.

Mr. JONAS. I am not asking you to yield to be critical but for information.

Are the small banks of the country in favor of this legislation?

Mr. PATMAN. They are in favor of this legislation and the polls so indicate.

Mr. JONAS. Where do you get the support for that? I have not seen it.

Mr. PATMAN. It is in the hearings on pages 90 and 91. The printed hearings.

Mr. JONAS. A poll? When was that taken?

Mr. PATMAN. I take the word of the Independent Bankers for it. They are a pretty reliable organization. They took the poll themselves.

Mr. JONAS. When?

Mr. PATMAN. The record shows it. Please read the record, and then if there is any question, I will be glad to yield to the gentleman. Do not ask me to take my time.

Mr. JONAS. When was that?

Mr. PATMAN. Last year; 1963.

Mr. JONAS. Was that on this bill?

Mr. PATMAN. It was on a bill to raise the amount from $10,000 to $25,000. We reduced it to $20,000, and certainly if they are for raising it to $25,000, they will be for raising it to $20,000.

Mr. JONAS. Was that not the administration bill, the other bill?

Mr. PATMAN. No. The administration had no bill at that time. Why is the gentleman so solicitous about the administration? Is he going to vote for bills that come up here that the administration favors? You are opposing this bill because you say the administration is not for it. Are you going to vote for a bill just because the administration is for it? We do not vote against it in our committee because the administration is for it and we do not follow the administration 100 percent, and we did not in this case.

Mr. JONAS. Will the gentleman yield further?

Mr. PATMAN. Yes. I yield to the gentleman.

Mr. JONAS. I would make it clear that I do not support or reject administration bills automatically, but I do like to have the views of the executive agencies involved when considering legislation in their fields and I always consider those views.

Mr. PATMAN. All right. You read those hearings on pages 90–91 of the hearings, please, sir, and I think you will get the information you desire.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PATMAN. Mr. Chairman, I yield myself 5 additional minutes.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Yes. I will yield to the gentleman.

Mr. BONNER. I have received four letters from small banks in my congressional district that say to me that they do not need this bill.

Mr. PATMAN. Yes. I know that.

Mr. BONNER. They are opposed to this bill. You tell me why a small individual bank would be opposed to it.

Mr. PATMAN. They would not be opposed to it unless their correspondent gets ahold of them and says, "Now listen. We are helping you; you help us. We are against this bill. We want you to wire your Congressman against it." You cite only four of them. We have a questionnaire sent to all of them, and some two-thirds to three-fourths of them say that they favor it.

Mr. BONNER. Since you say it is only four, I have not received any banking letters in favor of it.

Mr. PATMAN. That is all right. Some banks do not want to write. It is their privilege not to. I am going to finish this statement, because I cannot yield myself any more time.

This bill will increase the limit of the Federal Deposit Insurance Corporation on the commercial bank deposits to $20,000 and likewise will increase the insurance coverage of the savings and loans to $20,000. This figure is a compromise between $15,000 and $25,000. The administration wants $15,000 and we want $25,000. We increased it to $20,000 on the theory that the administration spokesmen have said the funds were sufficient to justify this $20,000 increase. These insurance programs were created in Congress 30 years ago. The first insurance was for $2,500. This was subsequently raised to $5,000 in 1934 and in 1950, 16 years later, it was raised again to $10,000. Since the last increase the gross national product, personal savings, and family income have all increased. In 1950 annual personal savings were $13 billion, and last year annual personal savings were $29 billion. In 1950 the gross national product was $285 billion, and last year the gross national product was $684 billion. In 1950 the average family income was $4,400. Estimates for 1963 put the family income at $7,300.

Mr. Chairman, it should be pointed out that both of these insuring corporations operate on premiums alone and that the cost of operation is borne by the member institutions. It does not come out of the taxes of the people. The taxes of the people are not called upon for it. No public funds are expended in the operation of these corporations. In other words, they are asking to spend their own money to help themselves and to help the country. There will be no public expense involved.

Second, it should be pointed out that testimony of representatives of both the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation have proven to our satisfaction that the insuring corporations can handle this increase in the insurance ceiling without any financial difficulty whatsoever.

The committee was careful to investigate the effects on insurance funds of this increase, and we are satisfied that they are so small as to be almost negligible. Increasing the insurance ceiling to $20,000 would not even reduce the reserves available for losses by 1 percent. It should be added that the loss ratio of the corporations up to now—the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation—has been very low, well under 1 percent.

At the present time the FDIC reserves are close to $3 billion, and the Federal Savings and Loan Insurance Corporation reserves $1 billion. In each case the reserve represents about 1 percent of deposits. As indicated it has been far more than needed to protect the depositors and shareholders who are the source of these accounts.

It is important to note that although the insurance increase will have a negligible effect upon the insurance reserve over the years ahead, it will within the next decade, give additional insurance coverage to approximately $50 billion over and above what would be insured under the present program.

This bill will mean substantially increased protection for savers and depositors. Remember, this is for savers, too. There are a lot of people in small towns who have more than $10,000 in a savings account upon which they are getting up to 4 percent. Those are not protected now above $10,000. This is to bring that figure up to $20,000. It is the same funds; no increased assessment. The reserve fund is ample. Everbody admits that; nobody denies that to be true. Therefore, this bill should be passed.

Mr. WIDNALL. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. KILBURN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KILBURN. Mr. Chairman, I am opposed to the passage of H.R. 5130, a bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act with respect to the maximum amount of insurance which may be provided thereunder.

This bill was considered by the Committee on Banking and Currency and on January 9, 1964, reported to the House.

It does nothing more than increase the maximum amount of the insured deposit of any depositor in an insured bank or savings and loan association from the present $10,000 to $20,000.

However, on July 8, 1963, at the request of the Secretary of the Treasury, the gentleman from Texas [Mr. PATMAN] introduced H.R. 7404, a bill to provide for an increase in the maximum amount of insurance coverage for bank deposits and savings and loan accounts, to protect further the safety and liquidity of insured institutions, to strengthen safeguards against conflicts of interest, and for other purposes.

Despite a statement in a letter from the Secretary of the Treasury that "Enactment of H.R. 7404 would be consistent with the administration's objectives" no consideration of this bill has been given by the House Committee on Banking and Currency in the intervening months since its introduction.

The Secretary states further in a letter of June 26, 1963:

> This bill is designed to accomplish two interrelated objectives. First, the maximum insurance coverage for deposit accounts—and for share accounts—would be raised from $10,000 to $15,000. At the same time, a number of steps would be taken to protect further the safety and liquidity of those financial institutions whose ability to attract funds from the public would be enhanced by the increase in deposit and share insurance coverage, thus bulwarking the stability of the financial system as a whole. These objectives are fully supported by the conclusions of the Committee on Financial Institutions which reported to the President on April 9, 1963.

The Secretary also states:

> A limit of $15,000 will be ample to take account of any changes in these factors since the insurance limit was last raised from $5,000 to $10,000 in 1950 and will assure maintenance of a level of protection over the foreseeable future clearly adequate by standards of past experience and practice.

It is my opinion that H.R. 5130 should not be enacted at this time. It seems highly desirable that the recommendations of the Secretary of the Treasury as embodied in H.R. 7404, which not only accomplishes the purpose of H.R. 5130 but also provides safeguards to depositors and shareholders, be given prompt and careful consideration.

Mr. WIDNALL. Mr. Chairman, I am going to speak very briefly and I yield myself 3 minutes at this time to speak in favor of this bill.

We only considered H.R. 5130 before the Committee on Banking and Currency, a bill that had been submitted for consideration by our committee, authorizing an increase in the amount of insurance from $10,000 to $25,000 for the banks and for the insured savings and loan associations.

The testimony that was presented at that time indicated that the present insurance funds would more than adequately cover safely any such raise in the limits without requiring any additional contribution on the part of either the banks or the savings and loan associations.

Mr. Chairman, at the time the bill was considered by the Committee on Banking and Currency, I offered an amendment in the committee reducing the amount from $25,000 to $20,000, which amendment was adopted in the committee.

Mr. Chairman, I appeared before the Committee on Rules and supported the bill. I do not believe that this is a question of big banks against small banks or savings and loan associations as against commercial banks, or anything like that. I believe this represents a question of what is adequate coverage today and what can be supported by the insurance funds and what is fiscally sound.

I believe that the bill should be judged on its merits, accordingly. We have had opinions from both large banks and small banks, both for and against the bill. If my office is typical of the average congressional office, this is true. We have also had supporting statements from savings and loan associations.

Mr. Chairman, I do not believe we should become confused in considering this bill through a matter that is actually extraneous to the issues at this time. I am prepared, along with other members of the committee, to consider any amendments that may be offered by the administration, if the administration is fully opposed to the passage of this bill. There has been some indication, by letters, of opposition from the Department of the Treasury opposing increasing the limits, but suggesting certain changes in the law.

Mr. Chairman, I urge adoption of this bill and yield back the balance of my time. I now yield 5 minutes to the gentleman from Tennessee [Mr. BROCK].

Mr. BROCK. Mr. Chairman, I shall not take the full time allotted to me. However, I do wish to point out a couple of things that concern me about this particular legislation.

Mr. Chairman, we have heard that the big banks are against it and the little banks are for it. I would like to point out that on this survey of State banks there are 9,441 State banks and of that number 1,637 out of that number, or less than 20 percent, responded to the poll in favor of it.

Now, Mr. Chairman, with reference to this survey of the Independent Bankers Association which ostensibly represents the small bankers, the percentage of these people responding was not two-thirds, but it was about 55.85 percent. In the words of the president of the Independent Bankers Association who conducted this poll, "the result of the poll was not particularly conclusive."

Mr. Chairman, I would also challenge the contention that the American Bankers Association represents only large banks. That association represents several thousand banks, a number of which are in the small category, and a number of which are located in the congressional district which it is my privilege to represent. They are in no way solely representing the big banks as is implied.

Mr. KYL. Mr. Chairman, will the gentleman yield at that point?

Mr. BROCK. I yield to the gentleman from Iowa.

Mr. KYL. Last year, if my memory serves me correctly, the House considered and passed a piece of legislation which permitted small banks to combine service organizations and make available to small banks machines and operations which were previously available to only large banks and correspondent banks. If my memory further serves me correctly, the American Bankers Association favored this bill in response to a request from the small banks and it certainly did not side with the large banks on that particular issue.

Mr. BROCK. I believe the gentleman is correct.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Iowa.

Mr. GROSS. We have heard a good deal of vocalizing this afternoon from one source about this being a small business bill.

It seems more than passing strange to me that if this is a small business bill there is no support from the administration. There is not a single word of endorsement in the report on this bill from any department or agency. Does this mean the administration is anti-small-business?

Under the circumstances I cannot help but speculate whether this bill will not run into a veto if passed by the House and Senate and sent to the other end of Pennsylvania Avenue?

Mr. BROCK. I would like to cite from the hearings why the administration has not supported this bill. We have the statement of the FDIC in the hearings in which they say:

> We have been advised by the Bureau of the Budget that the administration believes that legislation to increase insurance coverage for deposits and share accounts should also include provisions for additional safeguards for the insuring institutions, including adequate requirements covering reserves and liquidity, standby authority over maximum interest and dividend rates, and strengthened conflict-of-interest provisions. We are further advised that it is hoped that draft legislation incorporating these additional safeguards can be submitted to the Congress by the middle of May.

I would like to add although we have heard the statement that hearings were not held because of time on the alternative administration proposal, this alternative proposal was submitted almost a year ago on July 8, 1963, in the form of H.R. 7404. That bill the FDIC does support.

One of our colleagues, the gentleman from North Carolina, asked for one sentence from an administrative agency, and I will cite one sentence in the testimony of Mr. Barr of the FDIC before the Rules Committee:

> For these reasons—

And I can outline the reasons if you desire—

> I would support consideration by the House of Representatives of H.R. 7404 rather than H.R. 5130.

The reasons are obvious.

This bill has been before the committee almost a full year and could have been considered. Hearings could have been held. None were. But the bill as presented today does not include the provisions of the agency's request.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from North Carolina.

Mr. JONAS. I have been trying, as the gentleman knows, since the debate opened to find out why the committee did not incorporate in this report statements of the agencies; namely, the FDIC, the Home Loan Bank Board, the Bureau of the Budget, and the Treasury Department. If those statements had been incorporated in the report we could have avoided a considerable amount of controversy on the floor.

As a member of the committee, I would appreciate it if the gentleman would inform the Members, if he knows, why these statements do not appear in the report so that we could have the benefit, at least, of the views of the agencies, whether we wished to follow them or not.

Mr. BROCK. I will have to refer the question to the chairman.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman was present at the Rules Committee hearing when Mr. Barr and the gentleman representing the Treasury were there and testified before the Rules Committee. There was no issue about the question of raising the amount. The administration agreed it should be raised. Mr. Barr and this other gentleman representing the Treasury said the funds were adequate; that he had no objection on that account. That is the only issue involved. These other matters are not involved. Therefore, there would be no point in putting them in the report, as I see it.

Mr. BROCK. The gentleman is correct. I, too, support some increase in the amount of insurance, but the issue is whether this bill, in order to be a comprehensive bill and to achieve certain goals that are necessary, should include some changes in administrative procedure and certain additional safeguards. The bill applies only to insurance. The agency wanted to include that among other changes, but the administration bill was not considered by the committee.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. MULTER. I think the point should be made and emphasized and reemphasized that while the administration said that there was no objection to increasing the amount of insurance, the position of the administration is that this increase should take place only, I underline only, along with the enactment of safeguards which the administration has recommended through amendment of the basic statute law so as to protect the depositors, the shareholders and the stockholders.

Mr. BROCK. The gentleman is correct.

Mr. Chairman, I yield back the balance of my time.

Mr. PATMAN. Mr. Chairman, I yield 8 minutes to the gentleman from Alabama [Mr. Rains].

Mr. RAINS. Mr. Chairman, this bill before us today serves the interest of the public and our Nation's financial system. The increase in insurance of accounts from $10,000 to $20,000 serves and protects the individual saver.

All Government programs at one time or another are criticized by some, but I would like to say that the deposit insurance program has been one of the most valuable programs that Congress has ever enacted. It has instilled a faith in our financial institutions which has withstood adverse conditions. At the same time, it has not cost the Federal Government any money, nor does it cost the individual saver who is protected.

This program was initiated in 1933. Periodically since that time the insurance ceiling has been raised in keeping with the normal economic growth of our Nation. Raising the insurance coverage does not take place every 2 or 3 years. As a matter of fact, it is normally about 15 years between increases. All we are doing in this bill is keeping up with our Nation's growth since 1950 and preparing for future years. Some people believe that $15,000 is ample. I do not agree with them, but I think we can all agree that with history as a measure, between now and 1980, $20,000 will not be considered exorbitant under any circumstances. I might add also that the bill originally started out with the ceiling at $25,000 and that our committee cut it to $20,000, a sound and reasonable figure. Our personal savings have doubled since 1950, as has our gross national product. Now this does not mean that we have to double the insurance, but it is a clear indication that there is a need for an increase and that in view of the longtime lapse between increases, $20,000 is quite reasonable.

Another reason why I favor this bill is that it will help the financial institutions in our smaller towns and cities. Some people, because of personal preference or because of legal requirements, will put into financial institutions only the amount that is fully insured. In such cases they seek to go elsewhere other than their local financial institution for their deposit. This bill will eliminate unnecessary redtape in this connection and will provide additional funds for investment, including housing.

Some of our friends in the financial community take the position that increasing the insurance will lessen faith of the public in management. This, of course, is absolutely not true. The insurance program has been a big boost to management and has aided management in becoming much more competent today. All of the examinations and reports on these financial institutions are combined and studied and the experience gained from this procedure gives management many fine guidelines. The extremes can be spotted almost immediately and sound, progressive management can be developed from these examinations. The insurance program has given management confidence in itself.

I say to you that the insurance of accounts program aids and helps to develop sound management and no one can convince me otherwise.

This bill will not substantially increase the risk to the insurance corporations, nor will it have any great effect, or even any significant effect on the reserves of the FDIC or the FSLIC. All of the administration people connected with these agencies, as well as the Treasury Department itself, have flatly stated that both Corporations are well equipped and financially able to handle this $20,000 insurance ceiling. At the same time there is a very substantial increase in the overall risk, the bill would give additional protection to over 2 million of our thrifty citizens and, of course, later on this figure will increase greatly.

Some people say that increasing the insurance will cause a shift in the funds from one financial institution to another. If this is true it is true only to the extent that it will enable the smaller institutions to attract more savings or deposits. A mere increase in insurance will not have any competitive effect at all between financial institutions. The insurance ceiling is the same for both banks and savings and loan associations.

As chairman of the Subcommittee on Housing I am keenly aware of the vital importance of savings and loan associations and banks to homebuilding and homeownership. Savings and loan associations are the largest single source of mortgage capital in the country and the rapid rise of homeownership has been due in large part to their success reflected in their tremendous growth. Our banking system is also a vital source of mortgage funds and it is the growth of the long-term savings deposits in commercial banks that enables them to play such an important role. Adequate mortgage money is a recurrent problem in homebuilding and we have seen the devastating economic effects of shortages of credit for new home construction. The increase in the insurance ceiling will help the growth of savings in these institutions. Certainly under no circumstances should we allow an outdated limitation to be a drag on the accumulation of the tremendous amounts of savings needed to finance a high rate of home building and the continued expansion of homeownership.

Mr. Chairman, we all know that there are those who say that any increase in the insurance ceiling should be accompanied by further controls on savings and loan associations. In my judgment, we must take a long, hard look at these proposals for control and gather more information than we have now before acting. Certainly the highly favorable record compiled under the Federal Savings and Loan Insurance Corporation does not argue for additional controls. The very rapid growth of savings and loan associations attests to the fact that they have won the public confidence through sound management. We all know that once controls are imposed, they are seldom if ever removed and we must not let temporary circumstances or unusual cases mislead us into excessive regulation which could dampen the spirit of private enterprise.

The savings and loan industry—that part of it which belongs to the home loan bank system or has deposit insurance—is already under regulation. I have the greatest confidence in my good friend, Joe McMurray, who is Chairman of the Home Loan Bank Board, and his fellow members, John Horne and John deLaittre. We all know the good work of Joe McMurray over the years in the field of housing, first in the Senate and later in city and State government. John Horne has also distinguished himself by his work in the Senate and as head of the Small Business Administration. John deLaittre is a highly successful mutual savings banker who has won the respect of all. These are men of the highest caliber and as far as I can tell are doing an outstanding job at present. If there is a need to give them additional control powers then I have no doubt the Congress will act, but before we do, I feel further study is needed.

Mr. Chairman, this bill speaks of financial institutions, the banks and the savings and loan associations. Actually the real beneficiaries are the people who put their savings into these institutions and more broadly the entire economy. We all remember the devastating effect of runs on banks in the depression before we had this insurance. The existence of Federal insurance of accounts is a vital guard against such a catastrophe. In fact, the very existence of the insurance helps to guard against having to actually call on that protection for payments. I believe this makes the increase in the ceiling a logical extension of some of the most important economic legislation ever enacted by the Congress. We also remember that in the thirties it was necessary to go in with a crash program—the Home Owners Loan Corporation—to refinance mortgages and to give liquidity to financial institutions confronted with heavy withdrawals. I hope we never see days like that again, but I think it is perfectly clear that in an emergency the Congress will act to help savers and savings institutions as well as homeowners. It is far better to have this protection in the law now than to wait until a crisis has occurred. A strong financial system in which people have confidence is one of our best economic defenses.

We are fortunate to have the opportunity today to vote on a bill which will help our Nation's financial institutions and, in fact, the whole economy, and do this at absolutely no cost to the Government. I urge all of my colleagues to vote for H.R. 5130 as amended by the committee.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. OLIVER P. BOLTON].

Mr. OLIVER P. BOLTON. I thank the gentleman.

I have asked for this time in an effort to make certain things clear, and I should like to direct my questions to the chairman of the committee.

Mr. Chairman, considerable time has passed since our committee considered this bill and the time a rule was granted, and I feel certain, because of your thoroughness, that you have discussed this subject with Members of the other body, to learn what future it has, legislatively. I wonder if you would comment to the House as to what will be the attitude of the other body regarding this legislation.

Mr. PATMAN. I am not in a position to answer the question because I have not discussed it with any member of the Committee on Banking and Currency on the other side. Of course, they have an independent judgment over there and are not obligated to take our bill or to take any other bill, but I have no contact with them.

Mr. OLIVER P. BOLTON. I appreciate that and I appreciate that they must make their own judgment on it. I would like to ask again whether my recollection is correct, namely, that the President's Financial Institutions Committee, which was appointed under President Kennedy, recommended legislation similar to this favorably or not.

Mr. PATMAN. They recommended increasing the guarantee on deposits and investments in the banking and savings and loan associations. They also recommended that certain other things be done. Just as the gentleman from Alabama [Mr. RAINS] said, our committee was not much in a mood for imposing additional regulations on these institutions. We waited for many months to get their recommendations. After canvassing the committee we decided if we were going to get a bill this year, we would have to report this one out and have hearings later on the other recommendations.

Mr. OLIVER P. BOLTON. I ask the question because it is obvious that under President Kennedy the recommendation was that the insurance level be raised provided that raise also included certain regulations. That same recommendation was made by the present Secretary of the Treasury before the Committee on Rules regarding this bill. Am I correct?

Mr. PATMAN. I did not so regard it. I regarded it in two other ways. One is they expected the raise because the funds were justified, and another reason is they would prefer it—the word "preference" was used in some conversation—they would prefer this would be done, but since that time the Federal Home Loan Bank Board has been considering it and they have been involved in a lot of discussion and controversy about it and our committee could not do very much with it right at this time.

Mr. OLIVER P. BOLTON. I appreciate the gentleman's position. I have asked for this time because I wanted to point out to the Members of the House that I think if one looks at this as a bankers bill or if one looks at this as a building and loan bill or if one looks at this bill from any viewpoint except that of further protection of the depositor, he is stepping into a political hole. I say that for this reason: Both the present administration and the former administration have taken the position that they want these raises coupled with further regulations for the building and loans.

The building and loans have taken the position that they want these increased deposit insurances, but they do not want any increased insurance if it means they have to be coupled with further regulation. The banks have taken the position they are willing to go along with increased deposit insurance if it means that there will be further regulation. I submit to you that the course of this legislation when passed will be that it will pass this House without any regulations and that the other body, if it considers any legislation, will refuse to pass it unless it tacks onto it regulations for the building and loans. Therefore, this legislation will return to this floor in a conference report which will contain a raise in insurance, to be sure, but will also contain regulations which we will either have to take along with the insurance or which we will have to turn down without any chance for hearings or detailed examination by our committee. I myself, having had the opportunity of examining the evidence given before our committee of the increase in insurance that can be made with no greater cost, am in favor of seeing this increased insurance granted, but I would say to all of my colleagues, Do not think that this is going to be the last of this matter that we will see. As a practical matter in this political atmosphere, I believe that our committee should consider the proposed regulations along with this increased insurance—examine the whole matter of the regulations and requirements put upon the financial institutions involved—and determine what, if any, changes should be made for the protection of the depositors and the borrower as well as of competition within the financial world, including added insurance of deposits. Thus, I will vote to recommit the bill to the committee so such a study will be made. Should this effort fail, I will vote for the bill—fearful, however, that the other body will do the job we should do and which we will then be prevented from doing because of the way in which conference reports must be considered.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. OLIVER P. BOLTON. I yield to the gentleman from New York.

Mr. MULTER. Mr. Chairman, I think the gentleman has put his finger on a very important procedural matter which is going to affect the merits of the entire controversy. S. 1799 was introduced in the other body by the distinguished gentleman from Virginia [Mr. ROBERTSON], and was identical with H.R. 7404 introduced by our distinguished chairman, the gentleman from Texas [Mr. PATMAN]. These are the administration bills. This is what the administration would like to see enacted as a package, the increase, together with appropriate regulations and safeguards, not for the institutions but for the public, for the shareholders and the depositors.

I am very much afraid that if we pass this bill and send it over to the other body they will write into it the other provisions of S. 1799; it will go to conference. It will come back here without our ever having had hearings on those very important provisions and without having decided what to do to improve the regulations, and what safeguards, if any, to write into the law. We should have hearings in our committee, and then come to the floor after full and complete hearings and sustain or reject the views of the administration as to all of these proposals. We may come up with additional ones or we may take them all or reject them all. But let us have full and complete hearings and do the proper job imposed upon us.

Mr. OLIVER P. BOLTON. And do it openly.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. OLIVER P. BOLTON. I yield to the gentleman from New York.

Mr. LINDSAY. Mr. Chairman, I was very much interested in what the distinguished gentleman from Ohio had to say as I was in the remarks of the gentleman from Tennessee as to hearings. Do I understand that (a) there were no hearings and (b) the point the gentleman just made a moment ago was not considered in the hearings?

Mr. OLIVER P. BOLTON. We had very thorough hearings on the question of insurance, I assure the gentleman. But on the question of regulations, which were also suggested, there were no hearings held on them.

Mr. LINDSAY. The gentleman from Tennessee indicated in his remarks that there were not hearings on the language of this particular bill.

Mr. OLIVER P. BOLTON. The dollar amount in the bill was different from that in the bill when we had hearings.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. OLIVER P. BOLTON. I yield to the gentleman.

Mr. BROCK. I did not mean to give the wrong impression or make the wrong implication. What I meant to say was that there were no hearings on H.R. 7404 which is the bill which incorporates not only the raise in the insurance but also the additional safeguards. There were no hearings on the safeguards.

Mr. LINDSAY. I thank the gentleman.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. OLIVER P. BOLTON. I yield to the chairman.

Mr. PATMAN. Mr. Chairman, I wanted the gentleman to yield to me for a prediction in view of the predictions that were made by the gentleman from New York. I predict that this bill, if and when it goes to the other body, will be considered on its merits and will pass and will be signed by the President of the United States gladly, because it is right down the alley of the administration. As to the other provisions imposing severe regulations which very few of us will agree upon, that will be taken up by each body separately and decided on its merits.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. Fino].

Mr. FINO. Mr. Chairman, as cosponsor of a similar bill, I am very happy to appear here this afternoon and express my support of H.R. 5130 which would, as you know, increase the insurance protection on bank deposits and savings and loan accounts from the present ceiling of $10,000 to $20,000.

History will tell us that originally, in 1933, deposit accounts in insured banks were protected up to $2,500. Then, in 1934, the Congress in its wisdom increased that amount to $5,000. And, in 1950, the Congress again raised the ceiling to its present level of $10,000. This has been in operation for 31 years. During this period of 31 years we have found that this deposit insurance protection has proven very successful.

We have been able to preserve the public confidence in our banks and we have encouraged the savers to rely on our banks for depositing their savings.

Mr. Chairman, in the past 15 years our gross national product, our personal savings, and our family income have all substantially increased. Because of the $10,000 ceiling we have seen individual depositors split their accounts into several banks in order to get the full protection of the insurance under this law.

If it is our intention—and I am certain that it is our intention—to protect depositors, then we should protect them in the one bank without forcing them to divide their savings among several banks. Our deposit insurance protection should keep pace with our expanding economy.

Mr. Chairman, in my opinion—and I am certain the opinion of most of the Members of the House—the increase from $10,000 to $20,000 will add additional protection to the saver without any increase in the risk.

Mr. Chairman, this bill which is now pending before the Committee of the Whole House on the State of the Union will not cost the U.S. Government nor the individual saver any money. This bill will increase, if passed, the protection of each depositor on each account from $10,000 to $20,000, establishing a range of protection that reflects the growing magnitude of savings and of personal income.

Mr. Chairman, I have received some mail in support of this legislation and I have received some mail in opposition to it. I have considered both the pros and cons and the arguments presented both by the proponents and the opponents of this legislation. In my judgment I feel that the proponents have made a better case in substantiating their support of this legislation.

Mr. Chairman, one of the groups which has convinced me that I was on the right track in supporting this legislation in the committee was the U.S. Savings and Loan League which has come out in full support of this legislation.

Therefore, Mr. Chairman, I urge the members of the Committee to seriously consider the merits of this legislation, and to support this bill when it comes to a vote.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. Ashley].

Mr. ASHLEY. Mr. Chairman, I am constrained to vote against the legislation before us and I do so for much the same reasons advanced by the administration when it registered its opposition to the measure when it was being considered by the Banking Committee—and let there be no doubt: The administration is not in favor of H.R. 5130.

Now, it is true that the administration—by which I mean the Treasury Department, the Bureau of the Budget, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board—as well as the Federal Reserve Board, proposed an increase in insurance coverage to $15,000 but only if accompanied by safeguards—strengthening the liquidity requirements, standby controls over dividend rates, and extending and strengthening both civil and criminal conflict of interest laws. None of these safeguards have been written into the legislation which we are considering and since I am not persuaded that a 100-percent increase in deposit and share account insurance is justified, I must vote against the bill.

When we speak of need, Mr. Chairman, I think we must bear in mind that recent figures provided by the Federal Deposit Insurance Corporation indicate that 98.2 percent of all deposit accounts in insured banks have balances of less than $10,000 and are therefore fully protected under the existing $10,000 insurance coverage limit. The figures for saving and loan associations suggest that 95 percent of all accounts are under the $10,000 limit and therefore are presently protected.

By raising the insurance limits to $20,000 as proposed, perhaps an additional 1 percent of all deposit accounts in insured banks and a similar percentage increase in share accounts in saving and loan associations would derive the benefit of insurance protection but this would be achieved, it seems to me, at the cost of healthy competition between established institutions in the lending field. Lending institutions which advertise and pay high dividend rates would capitalize immediately on the increase in insurance coverage in their efforts to attract savings from commercial and other banks and from other savings and loan associations. This shift of funds, in my view, would also cause geographic dislocations because there would certainly tend to be an increased flow from the east coast and Midwest to the high interest rate paying institutions in the West and Southwest.

I am not against an increase in deposit and share account insurance, Mr. Chairman, but I think the bill before us goes further than circumstances and conditions justify, at the same time rejecting the safeguards proposed by the administration. Savings and loan associations have made and are continuing to make an enormous contribution to our economy and they are entitled to the benefit of legislation which will satisfy and serve their legitimate needs. The bill before us overshoots the mark, however, and therefore, in my view, would not serve the interests for which it was designed.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. Younger].

Mr. YOUNGER. Mr. Chairman, I take this time, not with any idea that I am going to change any votes on this question, but to answer a lot of misinformation that has been given to the Committee today.

Let me say in the first place this is not a contest between big and little. In listening to the distinguished chairman of the Committee on Banking and Currency, the gentleman from Texas [Mr. Patman], you would think that this bill came out of the Small Business Committee instead of the Committee on Banking and Currency. I am afraid that he has rather stepped back to the time when he was chairman of the Small Business Committee instead of being chairman of the Committee on Banking and Currency. Let us have that well understood. There is no quarrel because we have savings and loan associations that are certainly not small. They are a large business. We have banks that are large and small.

Now let us understand another thing, and I checked it this morning. The administration is opposed to this bill that you are going to be called upon to vote on today. Personally, I am going to vote for it but I do not want anybody to get the idea on this floor that the administration is for this bill. I checked this morning and they are opposed to this bill that you are going to be called upon to vote upon. So let us understand that.

Let us understand another thing. We are hearing all the time about the poor coverage of $10,000. We all know that that is not the limit of insurance. We all know that you can have an account of $10,000. A wife can have an account of $10,000. You also can have a joint account of $10,000. All three accounts amounting to $30,000 are insured—all three of them. So that takes care of the usual family savings. There is no question about that.

Now why should the additional insurance funds be necessary? Let me tell you the results of the Federal Savings and Loan Insurance experience. Since they were created, they have taken over 47 institutions that have defaulted. Seven of those were handled through a receivership. In order to handle a receivership the Corporation had to pay out every account regardless of the $10,000. Otherwise, they would have had a lot of partners in the liquidation and it is not possible for the Corporation to liquidate if they have 300 or 400 partners in a liquidation who have $100 or $200 or $1,000 interest in the liquidation in addition to their $10,000.

Forty of the forty-seven were handled either by merger in which they merged the defaulted institution with a going institution. The assets of the defaulted institution were appraised and the difference between the appraisal of the assets of the defaulting institution and the liability to the shareholders was given to the new institution in cash by the insurance corporation. So all accounts, regardless of their amount, were transferred to the new institution.

In other cases the corporation bought the assets of the defaulting institution for the amount of the share liability and the defaulting institution immediately paid everybody dollar for dollar.

Then why the increase? It is for this reason and this reason only—as long as the insurance corporation and this applies to the FDIC as well as the FSLIC—from a practical standpoint have to pay every account regardless of the amount, then they should be receiving a premium for that amount. That is the actual reason. Also in the case of trust funds and other such accounts they would not have to move the accounts to so many institutions. These are the only sound reasons for the increase of insurance from $10,000 to $20,000.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HANNA].

Mr. HANNA. Mr. Chairman, I want to thank the chairman of our great committee for allowing me, a freshman on the committee, one of the newer members and I think without question the smallest member, one who, and the evidence is present, found it rather tough going here in the Congress. I appreciate the opportunity to discuss with you what one Beanfield attorney has been able to jell out of the hearings that we have had.

When I was practicing law, we used to have a little coffee shop down from my place, and we would go down and have coffee and doughnuts. On the wall of that shop was this inscription:

> As you go through life, my brother,
>   No matter what your goal,
> Keep your eye upon the doughnut,
>   Not upon the hole.

Now that is a rather simple philosophy but it gets a little difficult to follow. I find it particularly so within the halls of this great Congress. But if I have followed the doughnut in this particular matter, I would be in heavy agreement with the testimony that you have just heard and with the remarks of the gentleman from Alabama [Mr. RAINS]. For we are talking here about insurance and if I understand the law correctly, an insurance contract involves an insuror and an insured and a beneficiary. In this case the insuror are the two agencies of the Federal Government. The insured is the bank. The beneficiary is the depositor.

As we look back into the history of this legislation as to why we are in this business at all, we find that it was because of the smell of money.

In 1934 the smell of money in the United States was exuding the fragrances of wet mattresses and the dusty dank odors of tin cans buried in backyards and other necromantic aromas from dark and secret hiding places. In order to bring those funds out into the dynamic possibilities of our economy, we went into this program, and it has brought forward the great hopes we had for it.

If that policy was any good at that time, it is equally good today. I believe we are, in this legislation, asking for a reaffirmation of the quality of our assertion in 1934 when, in July, we established $5,000 as the basic coverage for the economy we wanted to keep going and growing.

If we look at history, at the present time the fund has been built up to the point it is about 1 percent of the total deposits in the banks and saving and loan institutions. It is 1 percent. The projections indicate that, at the premium rate now present, it will continue to be 1 percent.

So that psychological inducement for people to save their money and to invest in America is going to stay in the same quality. Why should not the coverage, also? Because the amount of deposits doubled from 1950 to 1960, the era about which we are now talking. Therefore, the base upon which we are arguing this coverage has doubled. Why should not the coverage double? It can be doubled, and we can increase the coverage at no extra expense.

When one looks at the quality of insurance, one constantly asks two questions. Am I giving the coverage at a reasonable cost? Am I giving all the coverage I can give under existing circumstances?

Mr. Cocke, who was the head of the FDIC when we heard the bill, firmly and unequivocally testified that we could double the coverage here and that we could not reduce the premium, because we had to keep the 1-percent relationship to total deposits, for the psychological coverage we need in this program, to maintain an inducement for the American people to put their money to work.

The sweet smell of sweat is on the American money now; not the dank dark odor of hiding places. We want to keep it that way. That is the reason for the psychological boost in the coverage and for maintaining a 1-percent relationship to the deposits.

That is the program which got through to me. That is why I support this legislation.

I do not know anything about running battles between the bigs and the littles, between the banks and the savings and loans, between the East and the West, and so on. I have no doubt that there are little skirmishes going on in the background somewhere.

In the actual determining of this legislation, I believe it is predicated on the facts of an insurance contract, and that what we are trying to do with that contract is to protect the depositor and to promote a policy that is beneficial to the United States of America. This bill will do both. I am going to vote for it and I hope all Members will, also.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. McDADE].

Mr. McDADE. Mr. Chairman, I am at this time constrained to rise in opposition to the legislation pending before this body; and I shall, at the appropriate time, offer a motion to recommit the bill.

I shall do so not because I am opposed to increasing insurance on deposits. I shall do so because if we pass this legislation today we shall be putting the cart before the horse. At no time has the Banking and Currency Committee considered the administration's position, which is not necessarily opposed to the insurance provisions of the bill but is, if there is to be an increase in insurance, there must also be a second look taken at the regulations required.

Just how important is this? Let me read you the statement, which does not appear at any place in the record here but was made before the Rules Committee, by the Treasury Department of the U.S. Government.

> The danger in a substantial increase in insurance coverage, taken alone, is that it could encourage competitive and other practices among promotionally minded institutions that would tend to undermine their

> safety and solvency, since more depositors or account holders would be inclined simply to look to the Federal Government for protection in the event difficulties arose, instead of prudently assessing the management and performance of the institution concerned.

Let me ask a question as to whether or not this bill has been presented to you properly and prudently. We had hearings before my committee in April 1963, last year. In June 1963, last year, the Secretary of the Treasury submitted the administration bill to the Speaker of the House of Representatives and on July 8, 1963, the administration bill was introduced by the chairman of my committee into the RECORD.

He indicated at that time as follows, and I would like to quote from the CONGRESSIONAL RECORD of July 8, 1963, roughly 1 year ago. He said:

> I am introducing this bill only because the Secretary of the Treasury has requested its introduction, and I believe the usual protocol calls for the chairman of the committee to whom an executive message is referred to introduce such bills, in order that the administration's request for legislation may be considered and may be a matter of record. While I would not wish to say anything that might be prejudicial to this particular bill, prior to its consideration, I would like to state, however, that this is not a bill which I would introduce on my own behalf.

So we have a question of judgment here, too. The question is whose judgment shall we take? Let us ask ourselves who is opposed to this bill. This bill is opposed by the present administration, just as it was opposed by the late President Kennedy. It was opposed and it is opposed by the President's Committee on Financial Institutions. It is opposed by the Secretary of the Treasury. It is opposed by the chairman of the board of the Federal Deposit Insurance Corporation and it is opposed by the Federal Reserve Board. It seems to me, with all due respect to those who have spoken before me, and knowing that I am a freshman and that many of the men who have spoken before me have been here much longer and for more terms than I, nevertheless I think when we look at the merits of this bill, we must be aware of the people whose judgment we are going to rely upon. If you vote against this bill, you are voting to uphold the opinion of the administration; your are voting to uphold the opinion of the Federal Deposit Insurance Corporation, of the Treasury Department, and of the Board of Governors of the Federal Reserve Board. I say to you under these circumstances the vote is clear; namely, that this bill should be sent back to the Committee on Banking and Currency and at that time there should be considered the question as to whether or not, not just insurance ought to be increased but whether it is necessary to review the situation in terms of the regulations pertaining to the financial institutions that would be benefited by this legislation and decide that in committee before we come before this body to determine as to whether or not the recommendations have merit.

Mr. Chairman, I yield back the balance of my time.

Mr. PATMAN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Chairman, I am not particularly knowledgeable in matters concerning the Committee on Banking and Currency, but as a member of the Committee on Rules I can say we did have the head of the Federal Deposit Insurance Corporation before us, Mr. Joe Barr. Under direct question by myself of Mr. Barr, he frankly admitted that he had no objection to an increase to $15,000 or to $20,000, as this bill calls for, in the deposit insurance. He further quite frankly stated that their position was that they were extending to us a carrot in one hand and a stick in the other. He said in essence, "We have no objection to the increase in deposit insurance, but we want to use this as a lever to attempt to get further restrictions on our savings and loan associations." As one of those people who believe our savings and loan organizations serve a worthwhile purpose I am pretty sure that I would not buy what they would propose in that field. But I do want it clear that Mr. Barr made a very clear statement before the Committee on Rules at the time he testified as having no objection to an increase in Federal deposit insurance.

Mr. PATMAN. Mr. Chairman, I yield 8 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, it is good to come so late in the debate because much of the air has now been cleared. I was happy to hear our distinguished colleague from Alabama [Mr. RAINS] indicate that this is not a quarrel between big banks and small banks or between savings and loans and banks. At the same time I was amused by the analogy to the doughnut, by our distinguished colleague from California [Mr. HANNA]. May I caution that in looking at the doughnut we be sure that we do not go round and round in circles lest we fall into the hole that our distinguished colleague from Ohio [Mr. OLIVER P. BOLTON] referred to? And that is likely to happen.

You cannot make a case here against any increase of the insurance. Nobody has tried to make a case against it. The point is we do not want to do the job piecemeal. This is the point that was made before our committee at the time of the hearings in April 1963, and it is the point that was made before the Rules Committee in the hearing before the Rules Committee, and it is the point in the letters of February 19, 1964, from the Federal Deposit Insurance Corporation and February 25, 1964, from the Secretary of the Treasury, both of which have already been put in the RECORD by our distinguished chairman of the Rules Committee to whom the letters were addressed. I have them in front of me. The point they made is not that we should not increase the insurance at all. I am in favor of increasing the insurance. We all are, but only if at the same time we enact appropriate safeguards to protect all. When we enacted these insurance statutes, at the same time we wrote into them safeguards for the depositors, the shareholders, and the stockholders. Every time we increased the insurance we revised the basic statutes and at those same times we wrote into the statute additional safeguards.

The experiences since the last increase, and particularly most recently, have indicated that additional safeguards are necessary. The administration has taken the position as you have heard so frequently—I heard it last night, and the gentleman from North Carolina [Mr. JONAS] told you a few moments ago that he heard it this morning, it is in the record in writing, it has been given to you orally and it is in the hearings—the administration position is that we need additional safeguards in the basic statute to be enacted at the same time as any increase is enacted. There can be no doubt that that is the position of the administration. The position of the administration is, when you ask them and insist on a categorical answer to the question, "Are you for an increase?" of course, they say we are for an increase, but when you take the whole picture, and do not take it out of context, then the statement is that we are for an increase only as a part of a bill which will give us the additional safeguards that are needed.

Now, I am not going to take the position that everything they recommend is good. Some of the things I think are good. After we hear the testimony I may decide otherwise. Some of the things I personally think are not good. After I have heard the testimony I may decide otherwise. I do know there are things that are not in that bill which may be proposed which may be supported by the hearings.

I have been referring to the administration bill which is H.R. 7404, in this body, and S. 1799 in the other body. The hearings may very well establish other facts that will indicate additional safeguards that are required that are not in these bills, not to protect the institutions per se but to protect the depositors, the shareholders, and the stockholders.

This is the main purpose of the two insuring corporations. Incidentally, they insure the capital, but the main purpose is to insure the public's money, whether they put it into these institutions as shareholders or depositors. This applies to savings banks and commercial banks as well as to savings and loan associations.

Now, Mr. Chairman, just to be sure that I do not leave with the Members of the Committee the illusion that the big banks are opposed to this legislation, permit me to give to the Members of the Committee some facts from the pages of the hearings that were indicated by the chairman of the Committee on Banking and Currency, the gentleman from Texas [Mr. PATMAN]. If the Members of the Committee will refer to pages 90 and 91 they will see a tabulation. If you look at the State of New York as contained in that tabulation you will find 36 banks wanting the increase—47 banks were opposed to the increase. You can count on one hand the really big banks of New York; the really big banks of the whole country you can count on one hand. No one can convince you or anyone else that there are 47 big banks in the State of New York, and that they are opposing this legislation, because they are big.

Mr. Chairman, let us look at the State of Illinois. There are 154 commercial banks opposed to this, with 147 wanting the increase. This poll deals only with the increase.

Mr. Chairman, the point I am trying to make is that while no one can make a case against the increase, if we do not get these safeguards written into the bill, whatever they should be as developed in appropriate hearings, we are not going to get a bill before this House or out of our committee which will deal separately with these safeguards.

Now, Mr. Chairman, the hearings were concluded in April 1963 on H.R. 5130. H.R. 7404 was introduced on July 8, 1963. Thereafter we had the executive committee meeting on H.R. 5130, the bill now pending before us. In that executive committee meeting I thought I got the commitment from our distinguished chairman of the committee, the gentleman from Texas [Mr. PATMAN]—and I know other members of the committee will agree with me that we thought we had a commitment from him—that this bill would not come to the floor of the House, that he would not ask for a rule on this bill, unless and until we completed the hearings on H.R. 7404.

Mr. PATMAN. Mr. Chairman, will the gentleman yield to me at that point?

Mr. MULTER. Yes; I am very happy to yield to the gentleman on that point, but I want to make the additional point that as far as I know there have been no hearings scheduled up to this moment on H.R. 7404.

Mr. PATMAN. I am sure the gentleman is mistaken, because a motion was made to pass it and the gentleman asked the chairman to expedite it in every way possible at that time and to get a rule and get it passed by the House. That was the motion, and if I remember correctly, when the bill was brought up—and I brought up the administration bill of 40 pages—the gentleman was the one who suggested that we could not afford to hear that bill because it would take too long, and I think the gentleman voted for this bill.

Mr. MULTER. May I refresh the gentleman's recollection? I made the motion in executive session of the committee to defer action on H.R. 5130 until we had hearings on H.R. 7404. I withdrew the motion on the representation that this bill, H.R. 5130, would not be called up, even though we voted it out, until we had hearings on H.R. 7404.

Mr. PATMAN. I am sorry that the gentleman from New York misunderstood it, because there is nothing like that involved in the matter at all. We wanted to get it through and that is the reason we were putting the administration's effort about regulations over to another bill. We wanted to get this bill through.

Mr. MULTER. I take the gentleman's statement as he makes it, and I do not impugn his motives. But I say this: The members of the committee voted to report H.R. 5130, believing we had a commitment from the chairman that it would not be called up on the floor of the House and that there would be no rule requested, until we had held hearings on H.R. 7404. That certainly was my understanding of the matter.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I have asked for this time in order to request a little information. I would respectfully direct the inquiry to the distinguished chairman of the Committee on Banking and Currency because I believe the gentleman has the information at hand.

I know he is thoroughly familiar with the entire subject. May I say I am not going to get into a controversy with any other State, but I do understand that we have some States in the Union in which the legal rate of interest is substantially higher today than it is in North Carolina where our legal rate is 6 percent. I understand some States have a legal rate of interest ranging up to 8 or 10 percent. Can the gentleman tell me about that?

Mr. PATMAN. That is true. In some States it is up to 10 percent, but that is an exception rather than the rule.

Mr. JONAS. What is the restriction on the amount of interest that can be paid on savings deposits in banks? That is 4 percent, am I correct?

Mr. PATMAN. Saving deposits, 4 percent, yes.

Mr. JONAS. What is the limit on savings and loan associations?

Mr. PATMAN. There is no limit at this time, but there are certain reserve and other requirements that they must comply with, set by the Federal Home Loan Bank Board, that necessarily restrict the amount of interest they can pay.

Mr. JONAS. I am not an authority on this subject, but my best recollection is that the top rate being paid on savings accounts in savings and loan associations in my State is about 4.25 percent. Is it true that substantially higher rates are being paid in other States on deposits in savings and loan associations?

Mr. PATMAN. The rule is about what the gentleman stated for his State, 4¼ percent. There are some that go up to nearly 5 percent in California.

Mr. JONAS. I had understood that some States pay substantially higher rates of interest on deposits. I have seen advertisements in national magazines and newspapers of institutions from this State seeking to draw capital on the basis of this higher rate of interest.

Is there any evidence, or will the record show, whether there has been any substantial amount of capital flowing to these States that pay this extraordinarily high rate of interest on savings accounts?

Mr. PATMAN. That is one thing that is not understood by people generally. Money does not move to these States where the higher rate of interest is paid. For some unknown reason it does not appear to move from one State to another.

Mr. JONAS. That was the question I wanted to ask: Is there any evidence to prove whether or not there has been an extraordinary amount of capital moving to these States with higher interest rates since the rate has increased?

Mr. PATMAN. I do not know of any evidence or testimony to the effect of any extraordinary movement of capital.

Mr. JONAS. I will say that some people who have discussed this bill with me, and they are small bankers and operators of small savings and loan associations, have expressed a fear if this insurance is increased the result may well be to increase the flow of capital into the States that pay a higher rate of interest. It seems natural for them to suspect that to be so because if I were an investor and had $20,000 to put in a savings and loan association, and I could get nearly 5-percent interest in X State, and could get only 4 percent in my own State, and I wanted to invest my money that way, I would probably, or at least be tempted to, invest that in the other State if the deposit is insured.

Mr. PATMAN. In practice it has not worked out that way.

Mr. JONAS. You do not anticipate there is any reason to fear that sort of result will follow?

Mr. PATMAN. No; I do not. In the case of a man and wife, $30,000 can be deposited and be insured now. There is no evidence that there will be any huge or extraordinary movement of capital if this bill passes.

Mr. JONAS. If this bill passes, that $30,000 would be increased to $60,000.

Mr. PATMAN. That is right.

Mr. JONAS. There are some people who prefer not to invest their money in real estate or in stocks and bonds and who like to have it liquid either in a bank or savings and loan association. It would seem to me it would be a real temptation to send money into the State that pays nearly 5-percent interest and take the money out of an association in a State which only pays 4½-percent interest.

Mr. PATMAN. There is not much difference, I will say to my friend, between the 4¼ percent and the rate, perhaps 5 percent, being paid in another State.

Mr. JONAS. Three-fourths of a percent on $60,000 over a period of years will amount to a pretty sizable sum of money.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman.

Mr. HOLIFIELD. I thank the gentleman for yielding. I know that the gentleman does not have too much time, but since the State of California was brought into this, I would just like to make this comment.

The money flows to the point of need in our Nation across State lines without regard to State lines. There is a great need in California because of the influx of population. We can afford not only to pay more to the depositor but we also have to charge more.

There is nothing in the regulations that I know of at this time that would permit any of the depositories in the

East, let us say, from raising their rate if the traffic demanded it. I might also add that this does not mean that all the capital will flow by any means because only that amount of money will flow that is actually needed for investment in building.

Some of our savings and loan in California, at least many of them, refuse to take any of this eastern money, for two reasons. One reason is that it is subject to very quick recall. It usually comes in $5,000 or $10,000 amounts. The second point is that they cannot use it. They cannot use but a certain amount of money.

Mr. JONAS. I appreciate the information and also am appreciative of the fact that it is 3:30 o'clock and apparently we do not have the time to debate this bill adequately. There is not much information available in the report. I, for one, would like to know more about the ramifications involved because I have some very interested constituents in small banks in my district and in savings and loan associations. They are not together in their thinking on this. What I am trying to do is to find out what the facts are so that I can explain it to them.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I am glad to yield to the gentleman.

Mr. PEPPER. Is the gentleman aware that under existing law, the Federal Home Loan Bank Board is authorized to regulate the savings and loan associations of the country and the Board has issued regulations designed largely against such payments of interest in California to which the gentleman referred.

Mr. JONAS. I did not refer to California. My friend, the gentleman from Texas, mentioned California.

Mr. PEPPER. Is the able gentleman aware that the Board has now imposed reserve regulations which many small savings and loan associations of the country feel are very seriously and dangerously hampering their growth? In other words, is the gentleman aware, that contrary to the statements of some that there is no regulatory authority today over reserves of savings and loan associations, that the Federal Home Loan Board does have very powerful regulatory authority which is now being applied to that industry?

Mr. JONAS. I do know that the savings and loan associations in some States are paying nearly 5 percent interest on deposits in savings accounts. They do not do that in my State. I naturally assume that investors would like to get as much interest as possible, and that such a situation would create a flow of capital into the States in which higher interest is paid.

I merely wanted to get something on the record from the chairman of the committee to indicate whether the fears expressed to me along this line are, in his opinion, groundless, and whether there is any reason for any of us to be concerned.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I take this time to support this legislation as reported by the committee. The purpose of this legislation is to provide increased insurance to the depositor—the depositor in the banks as well as the depositor in the savings and loan associations.

The case for expanded coverage has been thoroughly submitted by our distinguished chairman. The need for extended coverage is especially necessary for the modest family depositors who are unaware of the higher yield investments for their savings which can be made in some stocks and in some bonds and in the tax-free public issues, as well as certain land trusts which maneuver around our tax laws.

It is reprehensible for one industry to endeavor to impose further regulation on its competitor for no more honorable reason than business competition. The need for added regulation of savings and loan associations is not related to the actuarial problem of increased coverage.

The sole issue before us is whether the public interest is served by the increased coverage and whether the extended coverage is actuarially sound.

There may be a case for expanded regulation of savings and loan institutions—but there is an equal and perhaps a greater need for expanded regulation of the commercial banks, which have a lesser degree of liquidity today than they had 20 years ago. We should perhaps try to determine why banks have reduced their holdings of U.S. Government issues and increased their holdings of tax-free municipal issues. We might also determine whether charges made by commercial banks for the conduct of banking functions are reasonable. The commercial banks have not made the slightest effort to pass on to the public—to the consumers—the great benefits of automated account handling. The costs of checking services to the consumers around the country have skyrocketed—although handling charges have been substantially reduced.

When we expand our regulatory power over financial institutions—we should study all institutions to determine their relative liquidity and the relative security of deposits by the public.

The efforts to provide a legislative tie-in—expanded insurance conditioned on further regulatory power against one segment of the financial community—to the advantage of another segment—is a vicious form of political logrolling which this body should repudiate.

I introduced this very bill in the early days of this Congress and the reasons for its support have never changed. I urge the support of this legislation on the basis that it is vitally needed legislation, that it is actuarially sound within the present framework of the insurance systems, and that the suggested expanded regulations of the savings and loan associations are in no way related to the issue at this time.

Mr. Chairman, I yield back the remainder of my time.

Mr. PATMAN. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, one of the great things done by President Franklin D. Roosevelt to inspire the confidence of the country in the banks of this Nation in 1933 was to recommend to the Congress and to secure the enactment of legislation insuring bank deposits.

The amount of deposits insured was $2,500 initially. The insurance was later extended to deposits of $10,000, which is the current figure. Beginning in 1934 insurance was applied to shareholdings in savings and loan associations, and the shareholdings insured in those associations is in the same amount as deposits in banks. The time has come to expand this insurance program to deposits and shareholdings, respectively, to the amount proposed by this bill of $20,000 additional.

I commend our able chairman for bringing this bill to the floor.

Mr. Chairman, I rise in support of H.R 5130, a bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act relating to the maximum amount of insurance that may be provided for deposits in insured banks and accounts in savings and loan associations insured by the Federal Savings and Loan Insurance Corporation. H.R. 5130 would increase this maximum from $10,00 to $20,00 per account.

One of the finest ideas for encouraging public confidence in financial institutions in this country was the introduction of the concept of insurance for savings and demand deposits. Since the depression depths of the early 1930's, both savings and deposits in the financial community have shown tremendous growth. No beneficiary of these insurance plans has lost a penny of deposits or savings to the extent they have been insured under the FDIC and FSLIC programs. Losses to the insurance reserves themselves have been comparatively minor throughout the more than a quarter of a century that the programs have been in effect. Through 1962 such losses to FSLIC amounted to only $8½ million on a total annual average amount of insured savings equal to almost $19 billion and total savings of more than $77 billion during the period from 1934 through 1962.

The Chairman of the Federal Home Loan Bank Board, the agency that supervises operations of the Federal Savings and Loan Insurance Corporation, advised the Committee on Banking and Currency that an increase of the insurance limit even to $25,000, as originally suggested in H.R. 5130, would pose no threat to FSLIC.

Recent slowdowns in the increase in savings in financial institutions in the United States indicate that it would be helpful to give added encouragement to saving by increasing the limit of insurance on savings.

The limit was increased from $5,000 to $10,000 in 1950 for both FDIC and FSLIC, at a time when average family income amounted to $4,440. By 1963, according to a preliminary estimate, this average had jumped by 64 percent to $7,300. Some increase in the insurance limit is clearly called for just to keep pace with the increase in potential savings. The figure of $20,000 seems to be fully justified as a new limit for insurance of savings by any saver in a savings and loan association insured by FSLIC.

Such an increase will also afford more flexibility to the investment of pension funds, welfare funds, and trust funds that increasingly constitute potential sources of savings.

It should be emphasized that both the FDIC and the FSLIC insurance programs use no tax dollars. They are currently fully supported by assessments paid by the institutions respectively insured by these two Federal agencies. It is true there is a contingent opportunity for both agencies to borrow funds from the U.S. Treasury should this ever become necessary. However, all testimony by Federal agency representatives on this bill indicated that there is no likelihood that this stand-by line of credit would be called into play as a result of enactment of this bill.

For all the foregoing reasons, Mr. Chairman, it is highly advisable in the interest of the Nation's potential savers and depositors and in the public interest that H.R. 5130 be enacted during this session of the Congress.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Chairman, certain officials of the Department of the Treasury have asked me to state as clearly as possible the position of the administration on the matter of deposit and share insurance. I believe it is important that Members be fully aware of the administration's position.

The administration is opposed to H.R. 5130 and is in favor of the enactment of an alternate bill to increase insurance coverage, H.R. 7404. H.R. 7404 was introduced after our committee had completed hearings on H.R. 5130.

Even though on the final passage, I expect to vote for H.R. 5130, I would like to express the hope that before an increase in insurance coverage is finally enacted by the Congress these administration proposals will receive a full hearing.

I would vote for the final passage of H.R. 5130 because I am in favor of an increase in insurance coverage, as is the administration.

By preserving public confidence in our banks and savings institutions and preventing panicking "runs," FDIC and FSLIC insurance has come to perform a vital function in our economy. It provides millions of our citizens of moderate means with the assurance that their savings will be fully protected in the event of such failures. And, I believe an increase in the amount of coverage of individual accounts is justified and necessary from time to time if these functions are to continue to be performed effectively.

The administration agrees that an increase is appropriate, and has not questioned the ability of the insurance funds to absorb an increase. It is, however, opposed to H.R. 5130, and favors the alternative bill to increase insurance coverage, H.R. 7404. This administration bill was drafted by an interagency committee consisting of the Treasury and the banking and savings and loan supervisory agencies, and incorporates the recommendations of the Committee on Financial Institutions which reported to President Kennedy last year. Some of the proposals to strengthen our financial system included in this administration bill would, I believe, meet with prompt and general approval. Others may be more controversial among the affected institutions.

A letter to me from the Director of the Bureau of the Budget advises that the statement of Paul Volcker, Deputy Under Secretary of the Treasury before the House Rules Committee on May 13, 1964, regarding H.R. 5130, represents the administration's position in these matters. In that statement, Mr. Volcker said:

> The Treasury and the administration remain of the opinion that an increase in insurance coverage should be contingent upon action of the kind incorporated in H.R. 7404 to further assure the solvency, liquidity, and effective performance of insured institutions. In contrast, H.R. 5130, as approved by the House Banking and Currency Committee, provides only for an increase in insurance coverage, and that increase would be larger than provided for in the administration's alternative approach. Consequently, the administration is opposed to the enactment of H.R. 5130.

The administration is opposed to H.R. 5130 because it believes that an increase in insurance coverage should be contingent upon other action to strengthen the ability of the supervisory authorities to deal with certain practices by financial institutions that tend to undermine the health of our financial system. These actions fall in three general areas:

First. The regulatory authorities would be provided uniform standby powers to limit the interest or dividends on deposits or share accounts. These powers would be intended for use in the event that healthy rate competition degenerated into the kind of excesses that developed in the late 1920's and forced banks and savings institutions to neglect reasonable credit standards in the search for very high returns. Such ceilings are now mandatory for banks, but do not exist for savings and loans.

Second. The powers of the Federal Home Loan Board with respect to holdings of cash and other liquid assets by its member institutions would be clarified and strengthened and special authority would be provided for dealing with problem cases. While the great bulk of savings and loans would not be affected by these changes, these powers would be helpful in protecting against weaknesses in some institutions.

Third. Stronger statutory protection would be provided against conflicts of interest and self-dealing in the management of insured financial institutions. The Federal authorities responsible for supervisory banks and savings and loans would be equipped to deal with situations that cannot effectively be reached today.

These measures are desirable in themselves, and should be considered, in the administration view, whatever is done with insurance coverage. But, in addition, the administration is particularly concerned that a large increase in insurance coverage, whatever its other merits, will tempt weaker institutions to compete more aggressively on the basis of rate alone behind the shield of Federal insurance. Existing incentives to careful and responsible management of the public's funds would be weakened. Consequently, the administration feels that the supervisory authorities will have even more responsibility thrust upon them, by a sizable increase in insurance, and should be better equipped to do their job.

To the same end, the administration believes that the insurance coverage should be confined to $15,000 per account. This would be 50 percent more than the $10,000 limit established in 1951. A 50-percent increase would mean that insurance coverage would be maintained much more closely in line with the rise in prices, average family incomes, average liquid asset holdings, and other measures of growing need. At the same time it would provide coverage of over 99 percent of all bank accounts and a comparable percentage of share accounts and a larger percentage of deposits and share accounts balances than ever before.

Mr. ST GERMAIN. Mr. Chairman, the bill, H.R. 5130, amends the Federal Deposit Insurance Act and title IV of the National Housing Act with respect to the maximum amount of insurance which may be provided for deposits in banks insured by FDIC and for savings accounts in savings and loan associations insured by FSLIC. At present the maximum amount of insurance on a single deposit or savings account is $10,000. This bill would raise that amount to $20,000.

There is one particular point about this bill which I would like to call to your attention. This bill does not grant increased coverage to these accounts based on the same dollar amount which these insured institutions now pay for such insurance. The institutions will have to pay for the increased insurance. The premium which is paid at present is based on the amount insured. For example, a person may hold an account today for $20,000, but such account is only insured for $10,000 and the premium is one-twelfth of 1 percent of the insured amount, $10,000. Under this bill a premium of one-twelfth on 1 percent of $20,000 would be paid by the insured institution. This bill grants nothing to the public other than opportunity—the opportunity to pay an increased amount in dollars for the added protection.

It is true that a person can get insurance on $20,000 by putting $10,000 in one institution and $10,000 in another, but this system tends to hold back local and county development where the number of banks and savings and loan associations are limited. The small town or county with one bank receives a $10,000 deposit from a local saver but the other $10,000 is sent to a distant bank or distant savings and loan association. This bill would encourage the placing of the savings in the local community institution where it could be invested to the advantage of a person's home town or county. By permitting the local institution to pay the added amount of insurance we are giving protection to the public and encouraging local development which benefits the whole Nation.

During the past 30 years, although a person has had $20,000 in an account and was insured for only $10,000, he has been protected to his full amount in almost every instance. This protection has resulted from the primary purpose of both the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation. It is of utmost and paramount importance that these major financial systems continue to function without any threat to their solvency and in the past both insuring institutions, in order to prevent even the semblance of a run on the system, have moved in on institutions in distress and have taken over the assets of the failing institution and paid not only those under the $10,000 limit but those over the insured amount. This has been a very, very successful approach and has been an effective preventive measure. Runs have been made on individual banks and on savings and loan associations, but the insurance corporations have prevented the spread. In a very real sense then, all accounts though not insured have benefited from this insurance. This bill will strengthen our financial system to the extent that the FSLIC and the FDIC will be compensated for the added coverage but at the same time the saver will know that his $20,000 is insured.

It is this knowledge on the part of the saver which could be very important to the whole economy. Insurance of accounts has a definite relationship to the cost of money placed in insured institutions. Were it not for the insurance, banks and savings and loan associations would have to be paying much higher interest or dividend rates in order to obtain savings for investment in our economy. The granting of this privilege to pay for the additional insurance coverage will have as an additional result the checking of the increase in interest and dividend rates. I do not mean to infer that this is going to have a tremendous influence at present, but it could be very important in future years, when more people have more than $10,000 to place in these financial institutions. During the hearing, on the bill, the then Chairman of the Federal Deposit Insurance Corporation, Mr. Erle Cocke, testified, and I quote from page 15 of the hearings:

> In other words, if coverage were increased to $25,000 (the original bill before the Committee on Banking and Currency proposed an increase to $25,000, but the committee cut that figure to $20,000 in the bill before us), if coverage were increased to $25,000 and loss experience were four times as great as that of the past decade, the projected fund would be reduced less than $2 million, from $4,186,770,000 to $4,184,813,000 or a reduction of less than forty-seven one-thousandths of 1 percent.

Mr. Cocke also testified as to the effect of the bill on depositors. He stated:

> Under the present coverage, it is estimated that 98.2 percent of the accounts of all depositors are fully insured, while at $25,000 coverage it is estimated that 99.4 percent of the accounts of all depositors would be fully insured. At $25,000, estimated coverage of the dollar volume of deposits would be increased from 58.93 to 66.82 percent, and an additional $34.5 billion would be added to the insured deposit total by the end of 1971, with proportionate increases during the intervening years.
>
> In addition to the benefits to depositors in general—

Mr. Cocke continued—

> such an increase would be of particular value and convenience to business firms of small and intermediate size. Many of them would be enabled to have their payroll and operating bank accounts carried in one bank rather than to have their accounts split among several banks in order to obtain full protection.

Chairman Joseph McMurray of the Federal Home Loan Bank Board testified as to the effect on the Federal Savings and Loan Insurance Corporation. After testifying as to the development of prior legislation relative to the FSLIC he stated:

> Obviously, any change in the limit poses a question about the effect on the FSLIC. We favor $25,000 as the new limit based upon the performance under the prior limits of $5,000 and $10,000, prospective growth of personal income and saving, and changes in saving patterns. Furthermore, this sum poses no threat to the Insurance Corporation.
>
> In order to submit the reserves of the Insurance Corporation to a severe test, we assumed that we would have about four times the proportion of savings accounts involved in losses during each of the next 10 years as have been involved during an average year in the life of the Insurance Corporation. We have also assumed that the loss ratio per case to the Insurance Corporation would be almost twice as large as in the past.
>
> The effect on the fund would be a reduction of 1.16 percent of what would have been achieved if the insurance limit remained unchanged. This is not a loss which would endanger the Insurance Corporation, prevent its growth, or increase the cost to insured associations.

Chairman McMurray gave three reasons for increasing the insurance coverage.

The growth in income since 1950 and the probable future growth, the changing consumer preference for money or near money assets, and the current size and probable increase in consumer savings accounts. The present ceilings do not provide adequate flexibility for pension funds, welfare funds, and trust funds to utilize time and savings accounts as fully as might be desirable.

During the course of the hearing, Chairman Cocke of the FDIC stated that "there is concern by some bankers that an increase to $25,000 protection may benefit savings and loan associations more than banks" and he replied that from experience "we cannot see how the increase in the limits of insurance protection can give one type of institution an advantage over the other." He further stated "Two avenues are open to the individual, and I recommend both, according to the choice of the individual."

Gentlemen, this bill is a good bill. The agencies of the Federal Government charged with the administration of the insurance program have testified that there is a need for it, that the insurance corporations will not be endangered to any degree, the people will benefit, small communities will be helped, small businessmen will be helped, the cost of money will tend to be lowered, the threat of any financial run will be averted, and finally, the figure of $20,000 compares with the $5,000 figure of 30 years ago and the $10,000 figure of 30 years ago.

Mr. ALGER. Mr. Chairman, certain conclusions are quite obvious for me, after listening to the debate and reading the report. Information is lacking and legislation should never be passed in ignorance or haste.

We do not have the views of the administration in the report; we have learned that hearings were insufficient inasmuch as those in opposition to the bill were not heard. We have heard some speculate that competitive disadvantages could well be encouraged.

These doubts must be resolved before we approve raising the FDIC and FSLIC insurance, no matter how meritorious such a change might appear.

Certainly we must not approve or disapprove legislation by what banks, bankers, savings and loan institutions are for or against.

Our job is to weigh the merits of legislation in terms of solving a problem, as to what is best for all the people, not a privileged few. Most of all, we must have the facts. Is this legislation needed? Are other accompanying regulations necessary? Are insurance rates and cash reserves sufficient? Unless full and frank hearings are held including administration views, such questions cannot accurately be answered and proper legislation result.

Mr. PATMAN. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, facetiously—and we have had little levity in this debate—I would suggest since the administration is getting so much support and the Republicans seem to be so solicitous as to how the administration stands on things before they will vote, and further in view of the fact that our former great President laid down certain requirements that he would like to see a candidate meet in order to be a candidate of the Republican Party, and since President Johnson meets those requirements 100 percent, and I do not know of anyone who meets them better, I would say that maybe the gentlemen on the other side will be interested in nominating Mr. Johnson on their ticket. Then we would not have any problems this fall at all. We would not have any politics in the campaign.

In respect to this bill, the committee undertook to do a serious job on an important matter. We had hearings and heard every person who wanted to be heard. Every one of them. We were glad to get their testimony. After it was all over, the administration submitted the provisions that it would like to have in any bill that was passed. They said that they preferred certain things. They realized there were two subjects: One was to increase the insurance coverage and the other these regulations. I am surprised that so many Members are for strong and rigid regulations for these financial institutions, which is what they are—very strong and rigid regulations. I would not vote for them at all, and I am going to tell you why. Let us take the standby authority in regulation Q. That provides that the Federal Reserve Board can remove this regulation if it wants to. That is where they put the sour in with the sweet, but the sour is against the savings and loans. It is not against the commercial banks. Let me show you how effective that will be. The commercial banks of this country have demand deposits of approximately $125 billion and they have time and savings deposits of $110 billion, or $235 billion total. The savings and loans over across the street, we will say, have an aggregate of $100 billion. Now, if you take the 4 percent limit off the banks, the banks can invade the territory of every savings and loan in the Nation and destroy them. This would be a death sentence for the savings and loans of America. It could not be anything else. That is what they meant by putting in the sour with the sweet, but the sour would be against the savings and loans and the sweet would be the commercial banks, of course, because they would profit so much by it.

Now, I do not believe you want to do that. I do not believe you want to put yourself on record directly or indirectly in favor of rigid technical requirements which in the end would result in giving the commercial banks a distinct selfish advantage and let them take all the investments away from the savings and loans and bring them into the commercial banks. I do not believe the Members of this House want to do that. However, if you follow these regulations to their logical end, that is exactly what will result. And that is just one of the proposals.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. KYL. Does the gentleman mean this is one of the provisions in the administration bill?

Mr. PATMAN. That is exactly right. It is a standby provision.

Mr. KYL. I could not go along with the gentlemen supporting that administration, then.

Mr. PATMAN. I know you could not go along with it, but you know, so many of you on your side have been very solicitous about how the administration stood on this and why they want certain things.

I do not believe the administration would be for the regulation Q revision after it is exposed by adequate hearings, which we expect to have, because it is not the right thing to do. I do not think the Members of this House ought to be put in the position of giving the commercial banks that have $253 billion in deposits as a backlog the opportunity to go in and take the $100 billion away from the savings and loans of America. I do not believe you want to give them that privilege. And yet that is in one of the provisions you would vote for, if you voted to accept the regulations.

Mr. Chairman, we have a very simple bill here. It is just an increase from $10,000 to $20,000 for all these accounts. It will be so convenient for all the people. It will not necessitate an increase of assessment on the banks or savings and loans. It will not cost the Government 1 penny—not 1 penny. Why should we hold back and say that we want some regulations issued by the Federal Home Loan Bank Board, or that we want some regulations issued by the Comptroller of the Currency or the FDIC or some of these other organizations before we will grant something that does not involve public money; yet it will help all the people who are depositors and savers.

Mr. Chairman, I hope the House will pass this good, deserving, worthwhile bill that will help this country at this time to go forward as it should.

The CHAIRMAN. The time of the gentleman from Texas [Mr. PATMAN] has expired. All time has expired.

Pursuant to the rule the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 5130

A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act (relating to the insurance of savings and loan accounts) with respect to the maximum amount of insurance which may be provided thereunder

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 3(m) of the Federal Deposit Insurance Act (12 U.S.C. 1813(m)) is amended by striking out "$10,000" and inserting "$20,000".

Sec. 2. The first sentence of section 7(i) of the Federal Deposit Insurance Act (12 U.S.C. 1817(i)) is amended by striking out "$10,000" and inserting "$20,000".

Sec. 3. (a) The last sentence of subsection (a) of section 11 of the Federal Deposit Insurance Act is amended to read as follows: "The maximum amount of the insured deposit of any depositor shall be $20,000."

(b) The fifth sentence of subsection (i) of such section is amended by striking out "$10,000" and inserting "$20,000".

Sec. 4. Section 401(b) of title IV of the National Housing Act (12 U.S.C. 1724(b)) is amended by striking out "$10,000" each place it appears and inserting "$20,000".

Sec. 5. Section 405(a) of title IV of the National Housing Act (12 U.S.C. 1728(a)) is amended by striking out "$10,000" and inserting "$20,000".

Sec. 6. The amendments made by this Act shall be effective only with respect to claims accruing after the date of enactment of this Act.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, I rise in support of this bill, H.R. 5130, as amended by the Committee on Banking and Currency.

Mr. Chairman, I wish to commend the committee for bringing this matter to the attention of the House for its consideration. I believe that there are justifiable reasons for supporting this bill. I am not here, Mr. Chairman, to fight the big banks or to fight the little banks or to fight the large savings and loan associations or to fight the little savings and loan associations.

Mr. Chairman, the reason I am for this bill is this: I would like to give to the members of the Committee some figures. In the last 14 years there has been quite a change in our country in many ways. A house that cost—and I have these figures from the respective agencies, the FHA, the Bureau of the Census, the Department of Commerce, the SEC, and the Office of Education, and I shall place them in the RECORD at the proper time—a house that cost $8,286 in 1950 today costs $15,200. A house that rented for $42 a month in 1950 now rents for $71, on the average.

The family income in 1950 was $4,969 but that is now $8,151.

The stock prices according to the SEC in 1957 were an average of $89.8 but are today $161.

The cost of education in 1952 was $4,500 for a college education but that cost is now $6,000.

Now, Mr. Chairman, our insurance ceiling started out at $2,500 in 1933. It was raised to $5,000 within the year, in 1934. Then for some 16 years there was no change. It was then changed from $5,000 to $10,000 coverage in 1950.

Now, Mr. Chairman, another 14 years have passed. We seek now to change the insurance coverage from $10,000 to $20,000.

Mr. Chairman, what has been the decrease in the purchasing power of the dollar in that period of time? The figures I have show a decrease percentage of 27 percent. In other words, today you have, roughly speaking, $7,300 worth of insurance coverage in dollar value, whereas in 1950 you had $10,000 in real purchasing power of the dollar.

Mr. Chairman, we are seeking to increase insurance coverage 100 percent which is more than the 27 percent that we are talking about in this decrease in purchasing power. But permit me to call to the attention of the members of the Committee the fact that we are legislating today for possibly another 15-year period. Therefore, we are legislating not just for today the decrease in purchasing power and the increase or the bringing up to the level of the coverage which we had in 1950, but we are legislating for a decade and a half possibly that lies ahead wherein there will be a further decrease in the actual purchasing power of the dollar, if it follows the trend of the last 25 or 30 years.

Mr. Chairman, how has the gross national product of our country changed in this period of time? In 1934 it was $65 billion. In 1950 it had increased to $284 billion. In 1963 we have an estimate of better than $600 billion.

Mr. Chairman, I have already given to the members of the Committee the family income which has increased from approximately $4,969 to $8,151.

The annual personal savings in terms of billions of dollars in 1934 was about $860 million. It increased to $12 billion in 1950.

Mr. Chairman, an amazing thing has happened. From 1950 to 1963 the annual personal savings were $29 billion. Those savings have to have some place to go. Whether this money goes to a savings and loan association or a bank, under our system of insurance, under the system we are now operating, I say, why should we not extend this additional coverage of insurance on the additional amount of savings which we have at this time on the basis of the figures which I have given to you? I believe this is just and reasonable.

Mr. Chairman, I would like to comment a little bit on this difference in savings earning rate in the different States of the Union. In the first place, I want to stand on the principle that the flow of funds in the United States from State to State is a good thing, funds that are needed in any State will be taken care of if funds are available. And, if funds have to flow across a State line, this is nothing new. It has been going on since we started this country. The needs are different at different times in different States of the Union.

Why should not money flow across State lines? There are economic limitations on this flow of money. In the first place, all the money is not going to flow to California or to Florida or to any other State. There is a limit on the appetite for money in these different States, but certainly if a State has a need for additional capital because of the influx of people who want to build homes, and this is occurring in Florida, California, and in other States, then there is a lesser need in other States, are you going to deny your people the right to earn that additional rental on their money which they are entitled to?

If you want to retain it in your own State, and there is a need for it in your own State, then you can provide for an additional amount in your State by offering higher interest rates. If there is not the need, the money should be permitted to flow back and forth between all the States of our Nation.

So I say if we start erecting artificial barriers between our States as to the flow of money, the next thing would be to restrict the flow of goods in commerce, and I think that would be a detriment to the United States as a whole.

I believe I have discussed this in a calm way. I have given you figures to think about. I do not know whether they are convincing or not, but I am perfectly convinced that we should give this additional protection to the individual people who will deposit wherever they deposit, whether in banks or in savings and loan associations. I would not vote for this legislation if it were confined just to savings and loans, or just to the banks. I think we ought to maintain the equal degree of protection which we now have, this $10,000 in the bank and $10,000 in savings and loan. There are differences between banks and savings and loan. I do not have the time to go into that. But they are both legally established institutions, they both have a sphere of service to our people, they are both profitable in most instances. They should be profitable.

We are not doing violence to either when we give them both the same coverage. Let them compete in other ways if they want to, but not in the difference of insurance.

Banks are chartered for the purpose of offering specific types of financial service to the people. They are provided by law with advantages which are not possessed by savings and loan institutions. Their regulations prohibit certain types of service.

On the other hand savings and loan institutions are chartered for the purpose primarily of financing home building of various types. They have certain advantages which banks do not have, but they are prohibited from making commercial and personal loans. Each type of financial institution has its specific function. But in each case the depositor should be given the same insurance protection.

Mr. MULTER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am not going to take much time, because I think the issue is pretty well placed in proper focus. I do not think any Member of this House believes that the only one who will protect and is desirous of protecting the savings and loan institutions and the small people of the country is our distinguished chairman of the Committee on Banking and Currency, the gentleman from Texas [Mr. PATMAN].

No one will believe that opposing him, in those worthy endeavors, are the President of the United States, the members of the Federal Reserve Board, the members of the Federal Deposit Insurance Corporation, and members of the President's Committee on Financial Institutions, as well as most of the Members of this House.

When he talks about regulations in the proposed bill, the administration program, which may be bad for the savings and loan institutions, he is not giving you a very fair picture. The only questions before you now are, "Will you increase the insurance now and never get to consider this program?" or will you do it all together?

If you will take the administration bill page by page, you will find on page 3, section 4, dealing with interest and dividend rates to be regulated by commercial banks. Turning the page, you will find a section under the same title for regulation of interest and dividend rates for the savings and loan associations.

Under the liquidity requirement you have the same provisions for both, giving the supervisory authority the right to be sure that these institutions remain liquid, not so much for the protection of the stockholders but, most importantly, to protect the money of the public.

Turning to the next section, again you will find the identical language to protect commercial bank depositors, stockholders, and the shareholders and depositors, in savings and loan associations, two different sections covering the same problem.

Then you have the title "Conflict of Interest," and the same things that need to be remedied as to conflict of interest apply to both types of institutions.

It should be unnecessary to recall to you the number of commercial institutions and savings and loan associations that had to be taken over in recent years, because there was bad management and conflict of interest that caused heavy losses.

It is our duty to review and determine, what, if anything, we should do as to the conflict of interest of officers, employees, and directors of both types of institutions—thrift institutions and commercial institutions.

Turn to the next section. There again you find the same kind of provisions for both commercial institutions and savings and loan institutions against fraud and embezzlement.

Can anybody stand here and tell you, you are only protecting the big banks and that you are not protecting everybody, big and small alike, when you write into the basic statutes provisions against fraud and embezzlement? The administration, by its bill, is not trying to make it worse for one kind of institution or better for another kind of institution. It seeks identical treatment for all.

I do not want to make the pretense that when the committee completes its hearings on the bill that we are going to go along with any of it or that we are not going to amend it. That may be necessary. What I am saying is, let us not take this one step at a time because you will never reach the second step. If we are going to do this at all, we should review all of this at one time and bring before you a bill that is not only going to increase the insurance coverage but is also going to give all these people and the Government as well, and the Government funds, the protection that they are entitled to and the protection they deserve and the protection that it is our duty as Members of Congress to be sure they get.

I repeat again, the administration wants none of this, so far as the increase is concerned unless and only—and that is their language and their word—the word of the administration—only with proper safeguards being written into the basic statute.

I trust that when the motion to recommit this bill is made you will all support it as I intend to do.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I am happy to yield to the gentleman.

Mr. HALEY. As I understand the gentleman, the administration is perfectly satisfied if they can get the additional control they want. Is that what the gentleman is saying?

Mr. MULTER. It is not control, sir, it is regulation.

Mr. HALEY. Well, that is the same thing.

Mr. MULTER. I am not trying to quibble with you. What the administration is saying, and what we have learned from sad experience in the case of both commercial institutions and thrift institutions is that the basic statute is not strong enough to give the supervisory authority the power to go in and do the kind of regulating that is needed in order to keep these institutions liquid and safe and sound, so that if there is a liquidation, the people will get their money back.

Mr. HALEY. I thank the gentleman.

Mr. QUIE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to have the attention of the chairman of the committee to ask him a question, and to preface this, to go back to the remarks of the gentleman from California [Mr. Younger] in which he indicated that the banks and savings and loan associations now pay premiums on the amount that is in the bank or savings and loan association of less than $10,000. I was reading the tables on pages 90 and 91 of the hearings, and I came across this question of the chairman in the hearings. The question of the chairman addressed to Mr. Babington, the president of the Independent Bankers Association. The chairman asked:

> Now, I would like to ask Mr. Babington this question.
>
> I notice at the end of page 3 of your statement you refer to the fact that banks pay insurance premiums for this protection on all deposits—not just on those that are insured—not just on those accounts of $10,000 or less.

That evidently was taken from Mr. Babington's statement which I found on page 86 of the hearings where he said that another banker contended that because banks pay FDIC premium fees on the basis of their total deposits. He answered "Yes, sir," and the chairman asked him a question: "That is correct?" And he said, "Yes, sir."

I wish we could clear this up because I hear it said by some that if this bill is passed, the banks will have to pay higher premiums. This gentleman's answer to your question indicated they would not since they paid premiums on the total deposits now. I wonder if the gentleman from Texas could clear that up?

Mr. PATMAN. Yes, they have always done that because if a person has a deposit of more than $10,000 he does not get protection above the $10,000. He pays on it all right but he is protected to this extent, that he is protecting the institution as a sounder institution and his money above the $10,000 is more stable and more secure. That has always been the practice.

Mr. QUIE. In other words, if a man had $15,000 invested, the banker is paying a premium on the total.

Mr. PATMAN. That is right.

Mr. QUIE. The banker is paying a premium on the total amount of the investment and not just on the $10,000?

Mr. PATMAN. On the $15,000—that is right.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I mentioned the gentleman's name, so I yield to the gentleman from California.

Mr. YOUNGER. That is the difficulty, as I pointed out a while ago, in this whole situation. Misinformation has come in the hearing. The statement the chairman just made is not true.

The banks take an average to start with. They said that they found, from a survey, that 1 percent of their savings accounts were over $10,000. They found from a survey that 16⅔ percent of their commercial accounts were over $10,000. So from their savings accounts they deduct 1 percent, and they pay the premium on the balance, instead of figuring each account, as they do in the savings and loan associations. From the total of the commercial accounts they deduct 16⅔ percent, and they pay a premium on the balance, instead of having to figure each account, as they do in the savings and loan associations.

The statement in the report that the banks pay a premium on all their deposits is not true. I just checked that with the FDIC.

Mr. QUIE. Would the gentleman answer a question? Does this mean they do not take a survey of each bank, but of all banks?

Mr. YOUNGER. No. Each bank is assessed. Each bank totals up its commercial deposits and deducts the 16⅔ percent. Then the bank pays one-twelfth of 1 percent on the balance. They total the savings accounts and deduct 1 percent, and then pay one-twelfth of 1 percent on the balance.

Mr. QUIE. So the 1 percent and the 16⅔ percent apply to all banks?

Mr. YOUNGER. It applies to every bank, when they are figuring the assessment to the FDIC.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Texas.

Mr. PATMAN. I fear that the gentleman is talking about the reserves. The 16 percent is for the reserves.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. MULTER. May I try to clarify this? It would take an hour or more to fully explain the complicated formulas by which the savings and loan institutions or commercial banks pay the premium. The sum total is that, whether it involves a savings and loan association or a commercial bank, they take the total of deposits and after taking credits pay a premium on the aggregate net amount. No matter what we do with respect to this bill, we will not increase the amount of the premiums.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

(By unanimous consent, Mr. Quie was given permission to proceed for 2 additional minutes.)

Mr. QUIE. I yield further to the gentleman from New York.

Mr. MULTER. The enactment of this bill, either alone or with H.R. 7404, which is the administration bill, will not affect the aggregate amount of premiums which the institutions—commercial, savings, or thrift—will have to pay. We are not touching the formula by which they determine what they will pay. In each instance, whether it be a commercial or thrift institution, the aggregate of all deposits must be taken into account. Then they apply the formula to get the premium which is payable.

Mr. QUIE. Mr. Chairman, I believe I shall support the motion to recommit, to send the bill back to the committee, so that many of the things about which we have questions can be cleared up and so that we can get the necessary answers. After listening to the debate, I believe it would be worthwhile to have some of these things laid out in the report which presently cannot be found there.

I yield back the remainder of my time.

Mr. PATMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as to the motion to recommit, I know the people who are fighting this bill. I have described them. The American Bankers Association is against it.

The American Bankers Association was against the first Federal deposit insurance program. The FDIC has always been fought by the American Bankers Association.

I was here in 1933, and I was one of those who signed a petition that we would not adjourn the Congress until an FDIC bill was passed to protect the banks. The American Bankers Association was against it.

We used to have 31,000 banks in this country, and they kept on going broke and merging until now we have 13,500. We have only 43 banks to every 100 that we used to have. Do you not think that many of these big banks look with great favor on their competitors going out of business? Some of them would. I do not believe they would go against insurance just for that purpose and I am not charging that. But, at the same time, they were against any help to these small banks who were breaking up all over the Nation. They have always been opposed to the FDIC. Therefore, it is not unusual for them to fight this. The American Bankers Association would be very glad for this motion to prevail. Of course, they are not making the motion; a good, sincere, conscientious Member of this House is making it. However, the American Bankers Association would approve of it 100 percent, because they would like for that to happen. Now, suppose you vote to recommit this bill. Why are you doing it? Are you doing it on behalf of these 40 pages of controls and regulations that they want to impose on the savings and loans and some of the banks? Most Members of this House are opposed to these rigid regulations and controls. I think a Member voting to recommit would have to be in a position of saying that he does not want to increase it but does want the committee to take up these regulations and controls and pass them out, too. I think that would be the position of a person voting to recommit this bill. I do not think there can be any other answer to it.

Mr. OSTERTAG. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield briefly, because I do not have much time.

Mr. OSTERTAG. I do not want to disturb the gentleman's train of thought, but earlier in his remarks the gentleman from Texas said that the Federal Deposit

Insurance Corporation was designed to protect the banks. I was under the impression it was designed to protect the depositors.

Mr. PATMAN. Yes. It protects both. When you protect the depositors, you protect the banks, and vice versa. The FDIC is one of the most wonderful things that has ever been passed by this Congress. Here is an effort to improve it without any extra cost, and all of it is justified. Nobody denies the justification for it, and you should not think about sending it back to the committee. I hope the House will not do that, and I respectfully suggest you vote down the motion to recommit and pass the bill.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ZABLOCKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5130) to amend the Federal Deposit Insurance Act and title IV of the National Housing Act—relating to the insurance of savings and loan accounts—with respect to the maximum amount of insurance which may be provided thereunder, pursuant to House Resolution 724, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT

Mr. McDADE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. McDADE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. McDADE moves to recommit the bill H.R. 5130 to the Committee on Banking and Currency.

Mr. PATMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. HALLECK. Mr. Speaker, I demand tellers.

Tellers were ordered and the Speaker appointed as tellers Mr. PATMAN and Mr. HALLECK.

The Committee divided, and the tellers reported that there were—ayes 96, noes 47.

Mr. PATMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 197, nays 142, answered "present" 2, not voting 91, as follows:

[Roll No. 139]

YEAS—197

Abbitt
Abele
Adair
Alger
Anderson
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ayres
Baker
Barry
Bates
Battin
Belcher
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Brademas
Bray
Brock
Bromwell
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burleson
Byrnes, Wis.
Cahill
Cameron
Cederberg
Celler
Chamberlain
Chenoweth
Clausen, Don H.
Cleveland
Conte
Corbett
Cunningham
Curtin
Daddario
Dague
Davis, Tenn.
Derounian
Devine
Dole
Dowdy
Downing
Duncan
Ellsworth
Everett
Fallon
Findley
Flynt
Ford
Foreman
Fountain
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Garmatz
Gary
Gathings
Glenn
Goodling
Griffin
Griffiths
Gross
Gubser
Hagan, Ga.
Haley
Hall
Halleck
Hansen
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Healey
Hechler
Henderson
Hoeven
Hoffman
Horan
Hull
Hutchinson
Jarman
Jennings
Jensen
Johansen
Johnson, Pa.
Jonas
Jones, Mo.
Keith
Kornegay
Kunkel
Kyl
Laird
Landrum
Langen
Lennon
Lesinski
Lindsay
Lipscomb
Long, La.
McCulloch
McDade
McLoskey
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin, Calif.
Mathias
Matthews
Meader
Michel
Miller, N.Y.
Milliken
Mills
Minshall
Moore
Moorhead
Morris
Morse
Morton
Mosher
Multer
Murphy, Ill.
Murray
Nelsen
O'Brien, N.Y.
Olson, Minn.
Osmers
Ostertag
Passman
Pickle
Pike
Pirnie
Poage
Poff
Powell
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rogers, Tex.
Rostenkowski
Roudebush
Rumsfeld
Ryan, Mich.
St. George
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Shipley
Short
Sibal
Sickles
Sikes
Slack
Smith, Va.
Springer
Stafford
Stinson
Taft
Talcott
Taylor
Teague, Calif.
Thompson, N.J.
Thomson, Wis.
Tollefson
Tuck
Tuten
Vinson
Waggonner
Watson
Watts
Westland
Whalley
Whitener
Williams
Willis
Wilson, Bob
Wilson, Ind.
Wyman

NAYS—142

Addabbo
Albert
Aspinall
Baldwin
Barrett
Becker
Beckworth
Bell
Blatnik
Boggs
Boland
Bolling
Brooks
Broomfield
Burkhalter
Burton, Calif.
Byrne, Pa.
Carey
Casey
Clancy
Clark
Cohelan
Collier
Corman
Cramer
Daniels
Davis, Ga.
Delaney
Dent
Denton
Derwinski
Diggs
Dingell
Donohue
Dwyer
Fascell
Feighan
Finnegan
Fino
Flood
Fogarty
Friedel
Fuqua
Gallagher
Giaimo
Gibbons
Gilbert
Gill
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Grover
Gurney
Hagen, Calif.
Halpern
Hanna
Harding
Harvey, Mich.
Hébert
Holifield
Holland
Horton
Hosmer
Ichord
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Keogh
Kilgore
Kirwan
Kluczynski
Knox
Libonati
Long, Md.
McDowell
McFall
McIntire
Macdonald
Minish
Monagan
Montoya
Morgan
Moss
Murphy, N.Y.
Natcher
Nedzi
Nix
Norblad
O'Hara, Ill.
O'Hara, Mich.
O'Konski
O'Neill
Patman
Patten
Pepper
Perkins
Philbin
Pillion
Price
Pucinski
Rains
Reuss
Rhodes, Pa.
Rich
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Roush
Ryan, N.Y.
St Germain
St. Onge
Sisk
Smith, Calif.
Staebler
Staggers
Steed
Stephens
Stratton
Sullivan
Thomas
Thompson, Tex.
Trimble
Tupper
Udall
Ullman
Vanik
Weltner
Wharton
Wickersham
Widnall
Young
Zablocki

ANSWERED "PRESENT"—2

Wydler
Younger

NOT VOTING—91

Abernethy
Andrews, Ala.
Ashmore
Auchincloss
Avery
Baring
Bass
Beermann
Bow
Brown, Calif.
Bruce
Buckley
Burke
Burton, Utah
Chelf
Clawson, Del
Colmer
Cooley
Curtis
Dawson
Dorn
Dulski
Edmondson
Edwards
Elliott
Evins
Farbstein
Fisher
Forrester
Fraser
Goodell
Grant
Hawkins
Hays
Herlong
Huddleston
Johnson, Wis.
Jones, Ala.
Kee
Kelly
Kilburn
King, Calif.
King, N.Y.
Lankford
Latta
Leggett
Lloyd
McClory
Madden
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Miller, Calif.
Morrison
Olsen, Mont.
Pelly
Pilcher
Pool
Purcell
Randall
Riehlman
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Roybal
Scott
Secrest
Selden
Senner
Sheppard
Shriver
Siler
Skubitz
Smith, Iowa
Snyder
Stubblefield
Teague, Tex.
Thompson, La.
Toll
Utt
Van Deerlin
Van Pelt
Wallhauser
Weaver
White
Whitten
Wilson, Charles H.
Winstead
Wright

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Fisher for, with Mr. Toll against.

Mr. Evins for, with Mrs. Kelly against.

Mr. Kilburn for, with Mr. Roberts of Texas against.

Mr. Pelly for, with Mr. Johnson of Wisconsin against.

Mr. Martin of Nebraska for, with Mr. Matsunaga against.

Mr. Shriver for, with Mr. Senner against.

Mr. Utt for, with Mr. Burke against.

Mr. Beermann for, with Mr. Pilcher against.

Mr. Weaver for, with Mr. Olsen of Montana against.

Mr. Auchincloss for, with Mr. Roybal against.

Mr. Riehlman for, with Mr. Cooley against.

Mr. King of New York for, with Mr. Scott against.

Until further notice:

Mr. Morrison with Mr. Avery.

Mr. Whitten with Mr. Bow.

Mr. Winstead with Mr. Siler.

Mr. Colmer with Mr. Bruce.

Mr. Abernethy with Mr. Burton of Utah.

Mr. Dorn with Mr. Martin of Massachusetts.

Mr. Dulski with Mrs. May.

Mr. Farbstein with Mr. Van Pelt.

Mr. Buckley with Mr. King of New York.

Mr. Hays with Mr. Latta.

Mr. Madden with Mr. McClory.

Mr. Miller of California with Mr. Skubitz.

Mr. White with Mr. Goodell.

Mr. Thompson of Louisiana with Mr. Curtis.

Mr. Wright with Mrs. Kee.

Mr. Ashmore with Mr. Dawson.

Mr. Edmondson with Mr. Lankford.

Mr. Elliott with Mr. Bass.

Mr. Randall with Mr. Hawkins.

Mr. Forrester with Mr. Sheppard.

Mr. Herlong with Mr. Secrest.

Mr. Selden with Mr. Fraser.

Mr. Chelf with Mr. Huddleston.

Mr. Andrews of Alabama with Mr. Edwards.

Mr. Charles H. Wilson with Mr. Smith of Iowa.

Mr. Baring with Mr. Teague of Texas.

Mr. Stubblefield with Mr. Roberts of Alabama.

Mr. Grant with Mr. Van Deerlin.

Mr. Jones of Alabama with Mr. Brown of California.

Mr. **HOSMER** changed his vote from "yea" to "nay."

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. **PATMAN**. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on this bill and include therein germane extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

ORCHIDS TO ST. AUGUSTINE

Mr. **MATTHEWS**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include a newspaper article.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **MATTHEWS**. Mr. Speaker, one of the most wonderful communities in America is St. Augustine, Fla., which is located in my Eighth Congressional District. This beautiful and charming city was subjected, in my opinion, to much unjust criticism a few weeks ago, and I am delighted today to insert in the Record a very splendid article which presents St. Augustine in its proper perspective.

It is interesting to note that this article was not written by a St. Augustine citizen, but by Mrs. Lora S. Britt, who is the editor of the Palatka Daily News; an outstanding daily newspaper in a city a few miles away from St. Augustine.

I commend Mrs. Britt on this excellent article, I urge my colleagues to read it, and I congratulate the citizens of St. Augustine, Fla., on the great progress their city is making.

The complete article by Mrs. Britt follows:

[From the Palatka (Fla.) Daily News, May 20, 1964]

ST. AUGUSTINE: MAYOR ANSWERS CITY'S CRITIC

(By Lora S. Britt)

Mayor Joseph Shelley, of St. Augustine, and Earle Newton, director of the quadricentennial commission of that city, brought a nationwide viewing audience another side of the racial picture in the country's oldest city on the "Today Show" this morning.

Shelley, a native Floridian, not only defended St. Augustine's position against verbal attacks April 13 on a "Today Show" by Mrs. Malcolm Peabody, of Boston, Mass., but he took a positive and temperate stand on the racial conditions in his city.

Newton, with the touch of New England, still in his voice, said that he, too, was from Massachusetts, but unlike Mrs. Peabody, had taken "a little more time to look around." He added that he did not think that St. Augustine had been selected as a target of the NAACP for actual conditions in the oldest city, but because of its position, St. Augustine would draw wide attention.

Mrs. Peabody, mother of Massachusetts' Gov. Endicott Peabody, and wife of a retired Episcopal bishop, the wives of two more Episcopal bishops and some 30 other integrationists from Ivy League colleges in New York and New England were jailed in March following demonstrations in St. Augustine.

Mayor Shelley said in answer to Ray Schearer's question of how a grandmother came to be jailed in St. Augustine that the NAACP had made no bones about it, that they were picking St. Augustine, the oldest city, for demonstrations "because it was symbolic."

"We have valid laws," said the mayor. "We have no double standard and when people deliberately break the laws, they must be arrested." The police were called in by the merchants and businessmen when the laws were violated, and the violators were arrested as a last resort, he said.

None of the visiting integrationists in Mrs. Peabody's party contacted city officials in St. Augustine, the mayor reported. "They just took the word of Robert Hayling, a Negro dentist, and no attempt was made to learn about racial conditions here," said Shelley.

Schearer pointed out that the Civil Rights Commission had labeled St. Augustine "the most segregated city." Shelley answered that St. Augustine was the first city in Florida to have Negroes on its police force and that there were 11 sections of the city of Negroes and white residents living together in harmony; public schools were desegregated last year without a court order; no city facilities require segregation (segregation was dropped a year ago); bars were dropped a year ago on the civil service examinations (only police and fire departments come under civil service. No Negroes have applied since the bars were dropped); city commission meetings are open to all and these have been well attended by the Negroes; a policy was issued last June stating that all meetings were desegregated.

Shelley said that the city commission had declined to form a biracial committee because Dr. Robert B. Hayling, Negro leader, had wanted all decisions of the committee to be binding upon the commission. Inquiries from 25 other cities had brought the report that half of them did not have biracial committees, and those that did had made no accomplishments. Only one city reported an effective biracial committee, Shelley said.

The mayor rebutted Mrs. Peabody's remarks on the "Today Show" that Dr. Hayling showed "fine leadership." He read a UPI story of a year ago in which Hayling was quoted as saying that he and others had armed themselves and that they "would shoot first and ask questions later." Shelley also held up a paper, a copy of the Federal court decree issued in Jacksonville, in which St. Augustine was exonerated of charges brought by Hayling. The decree stated that the plaintiff "had not come into court with clean hands," Shelley said, "and that the plaintiff had done a disservice to the citizens of Florida."

"Isn't it true that any Negro leader who upsets the status quo runs into opposition?" asked Schearer.

Shelley cited the Easter parade in St. Augustine when over 40,000 white and Negro citizens watched the annual parade. "We had a 110-piece band from the Negro high school and a band from the St. Augustine High School. The crowd was integrated and there were pickets, but there was no violence and not one single incident," the mayor said.

In response to Schearer's observation that Mrs. Peabody said she had given courage to the Negro people of St. Augustine, Newton replied that the "real tragedy" of the matter was that she had set the city back from 1 to 5 years in its efforts to promote racial harmony. "It has driven the moderates underground and the extremists to the fore," he said.

"Mrs. Peabody said that 'the walls are crumbling' in St. Augustine (as a result of her visit)," said Shelley, "but the truth is that she has done irreparable harm to race relations. It is a disservice not only to St. Augustine but to the Nation."

The mayor said that Mrs. Peabody and her fellow integrationists were jailed because they broke State, not municipal, laws. He cited laws against trespass, undesirable guests, and conspiracy. He said that there is no mention of race in the State laws. He explained the "conspiracy" charge followed because the integrationists were advised by circular before coming to St. Augustine from the northern cities to bring bail money and they were instructed in advance to be ready to go to jail.

In addition to presenting a seldom heard side of racial conditions in the South on a nationwide hookup, the program this morning brought considerable attention to the quadricentennial which St. Augustine will celebrate in 1965.

Newton told of the creation of the Quadricentennial Commission by order of President Kennedy and that the late President had seen it as "a bridge between this country and Latin America." Newton spoke of his visits to Mexico and Spain, when he was the guest of high government officials, in connection with the celebration in which many Hispanic countries will participate. He reported that he had returned recently from South America where more countries are interested in the restoration program of St. Augustine, once part of Spain's empire in this hemisphere.

The Catholic Church, using its own resources, is building a research library and a lighted cross at Nombre de Dios in St. Augustine for the quadricentennial, Newton said, in relating some of the many projects in progress in the oldest city.

Mayor Shelley and Newton appeared on the "Today Show" from NBC's Washington studios. It was one of the few programs that have appeared on national television presenting a sympathetic point of view for the side of a city attempting to bring about peaceful desegregation in court-ordered areas.

FEDERAL APPRENTICESHIP RULES WOULD USURP STATE ROLE

Mr. **ZABLOCKI**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **ZABLOCKI**. Mr. Speaker, it has come to my attention that the President's Committee on Equal Employment Opportunity is considering the adoption of new rules relating to equal employment standards in apprenticeship and training programs of Government contractors and subcontractors.

These rules, as proposed in the May 5, 1964, Federal Register, are being opposed by State officials, labor leaders, and businessmen from my State, Wisconsin. Their opposition is based on the fact that the proposed rules do not appear to give any consideration to existing State apprenticeship laws or our Wisconsin State fair employment practices law.

It is believed that the immediate practical effort of these rules would be the displacement of our Wisconsin Industrial Commission in administering and enforcing Wisconsin's fair and effective opportunity standards for apprenticeship programs.

It is their belief that these rules should not be adopted unless they are amended to recognize and utilize existing State agencies where, as in Wisconsin, adequate laws and effective enforcement machinery exist.

Believing this protest to be valid, I have written Secretary of Labor Wirtz urging the amendment of these rules. At this point I request permission to include in the RECORD my letter to Secretary Wirtz, a letter from Chairman Schimenz of the Wisconsin State Industrial Commission to Secretary Wirtz, and a petition presented to the President's Committee on Equal Employment Opportunity by 16 Wisconsin labor and employer organizations.

I urge my colleagues to give this matter their serious consideration since the effect of the rules will be national and will affect the people of all our districts.

MAY 26, 1964.

Hon. WILLARD WIRTZ,
Office of the Secretary, Department of Labor,
Washington, D.C.

DEAR MR. WIRTZ: It has come to my attention that the President's Committee on Equal Employment Opportunity proposes to adopt new rules relating to equal opportunity standards in apprenticeship and training programs.

These proposed changes are being strongly opposed in their present form by Wisconsin State officials and 16 of Wisconsin's most important labor and employment organizations. It is their belief, which I share, that the new rules will displace our Wisconsin Industrial Commission in administering and enforcing Wisconsin's fair and effective opportunity standards for apprenticeship programs.

In superseding our Wisconsin Industrial Commission, and like agencies in certain other States, the President's Committee is going against the express wishes of Congress, as stated most recently in the pending civil rights bill, that the Federal Government work through State agencies whenever possible.

As you know, there has been much fear that section VII of the civil rights bill will allow a new Federal bureaucracy to run roughshod over business and labor no matter what provisions have been made by the States. I have assured my constituents that it was the will of the House of Representatives in passing the bill that as much be done through the States as possible. If these rules are adopted in their present form, therefore, it would be a most serious matter, with repercussions in Congress.

Therefore, I join these many responsible Wisconsin organizations and officials in urging that the rules be amended to recognize and use existing State agencies.

With best wishes, I am,
Yours sincerely,
CLEMENT J. ZABLOCKI,
Member of Congress.

STATE OF WISCONSIN
INDUSTRIAL COMMISSION,
Madison, Wis., May 22, 1964.

The Honorable W. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

DEAR SIR: I am writing this letter in respect to the proposed rules relating to the apprenticeship and training programs, and a notice which was published in 29 F. R. 5909 (May 5, 1964). These proposed rules are apparently intended to become section 60–80.2, 41 C.F.R., part 60–80.

It appears by these proposed rules that the President's Committee on Equal Employment Opportunity proposes to adopt as part of its rules with respect to the apprenticeship programs involving Government contractors and subcontractors, and federally assisted construction contractors, the standards established by the Secretary of Labor with respect to nondiscrimination in apprenticeship and training programs effective January 17, 1964, titled 29 C.F.R., part 30.

The rules, as proposed, do not appear to give any consideration to existing State apprenticeship laws, or the State fair employment practice law.

In January, of 1964, we submitted to you a State plan whereby the Wisconsin Industrial Commission, and the Bureau of Apprenticeship and Training representatives in the State of Wisconsin, would cooperate in promoting the compliance of all employers and labor unions in making available apprenticeship opportunities for minority groups.

On September 11, 1963, we conveyed to you a letter indicating that our State General Policy and Advisory Committee on Apprenticeship held the unanimous opinion that the Wisconsin fair employment practice law, and the procedures in effect, exceeded those proposed in Circular 64–7. In this same letter, we set forth six policy items for your review, and requested permission to meet with the Bureau of Apprenticeship and Training representatives in Wisconsin.

On December 17, 1963, I received an answer to our September 11 letter from Mr. John Henning, Under Secretary of Labor. He stated: "We have examined the acts and the six policy items mentioned in your letter and feel that they will afford a sound base for the promotion of equal opportunity for all persons without regard to race, creed, color, or national origin in your apprentice program. You and your Committee are to be commended on your strong and forthright stand."

He further stated we would be contacted by the Administrator of the Bureau of Apprenticeship and Training approving a meeting with our local Bureau of Apprenticeship and Training representatives. To date no such contact has been made.

Late in December of 1963, we received copies of title CFR 30 and an invitation to attend a conference with the regional director of the Bureau of Apprenticeship and Training in Chicago. At this conference, and in line with section 30.16 of this document, we promised to resubmit a statement on the policies under which equal opportunities have been assured in the State of Wisconsin.

This was submitted on February 18, 1964, to the Administrator of the Bureau of Apprenticeship and Training. In this plan, we spelled out the steps that have been taken in the State of Wisconsin since our fair employment practice law was passed in 1945. Continued efforts on this part, whether or not recognition has been received from the U.S. Department of Labor, has led to the successful placement of members of minority groups on our State apprenticeship program. In spite of the fact that several States, having State apprenticeship laws and fair employment practice laws, have been informed that the Wisconsin plan has been accepted and has been recommended for adoption by other States, we have yet to receive a reply to our letter of February 18, 1964, or an acknowledgment.

We sincerely urge you to amend the proposed regulation 29 F.R. 5909 (May 5, 1964), to recognize and utilize the existing State agencies such as in Wisconsin where adequate laws and effective enforcement machinery exist.

Very truly yours,
MATHIAS F. SCHIMENZ,
Chairman.

JOINT STATEMENT EXPRESSING ARGUMENTS AND VIEWS WITH RESPECT TO PROPOSED RULES BEFORE THE PRESIDENT'S COMMITTEE ON EQUAL EMPLOYMENT OPPORTUNITY IN THE MATTER OF THE ADOPTION OF PROPOSED RULES, CONTAINING STANDARDS RELATIVE TO NONDISCRIMINATION IN APPRENTICESHIP AND TRAINING BY GOVERNMENT CONTRACTORS AND FEDERALLY ASSISTED CONSTRUCTION CONTRACTORS, PURSUANT TO NOTICE PUBLISHED IN 29 F.R. 5909 (MAY 5, 1964)

This statement of views and arguments is hereby presented to the President's Committee on Equal Employment Opportunity with respect to the adoption of proposed rules relating to nondiscriminatory standards in apprenticeship and training programs, and their enforcement, a notice with respect to which was published in 29 F.R. 5909 (May 5, 1964). These proposed rules are stated to become section 60–80.2, 41 CFR, part 60–80.

PARTIES ON WHOSE BEHALF STATEMENT IS BEING SUBMITTED

This statement is being submitted jointly on behalf of the following organizations:

Wisconsin State AFL–CIO.

Wisconsin Manufacturers Association.

Wisconsin State Chamber of Commerce.

Wisconsin Association of Plumbing Contractors, Inc.

Mechanical Contractors Association of Wisconsin.

Milwaukee Building and Construction Trades Council, AFL–CIO.

Milwaukee Association of Commerce.

Wisconsin Chapter, Associated General Contractors of America, Inc.

General Contractors Association of Greater Milwaukee, Inc.

Allied Construction Employers Association of Milwaukee, Inc.

Milwaukee Plumbing Contractors Association, Inc.

Milwaukee Chapter, National Electrical Contractors Association.

Heating, Piping, and Air-conditioning Contractors, Milwaukee Association.

Mechanical Contractors Association of Madison, Inc.

Sheet Metal Contractors Association of Madison.

Madison Association of Plumbing Contractors.

STATEMENT OF ARGUMENTS AND VIEWS

The President's Committee on Equal Employment Opportunity (hereinafter referred to as the President's Committee) proposes to adopt as part of its rules with respect to employment by Government contractors and subcontractors, and federally assisted construction contractors, the standards established by the Secretary of Labor relative to nondiscrimination in apprenticeship and training, heretofore made effective as of January 17, 1964, as applied to apprenticeship and training programs registered with the Bureau of Apprenticeship and Training of the U.S. Department of Labor (29 CFR pt. 30).

It is the purpose of this statement to request changes in the proposed regulations and to outline the reasons for the requested changes.

At the outset, we wish to state, however, that the organizations on whose behalf this statement is being submitted are fully in accord with selection and employment of apprentices on the basis of qualifications without regard to race, color, creed or national origin.

The proposed rules fail to consider State apprenticeship laws and State agencies administering them

The rules proposed to be adopted by the President's Committee do not give any consideration or accommodation to existing State apprenticeship laws, coupled with Wisconsin's existing fair employment practices law. Consequently, if put into effect without change, there would present themselves serious conflicts and "jurisdictional" problems in the application and administration of apprenticeship programs in Wisconsin and other States, where there are in effect State apprenticeship laws and State fair employment practices statutes which are being actively and effectively administered and enforced.

The State of Wisconsin pioneered when, in 1911, it enacted the first modern apprenticeship law (now ch. 106, Wis. Stats.). In addition, Wisconsin, in 1945, enacted one of the first State fair employment practices laws (now sec. 111.31, et. seq., Wis. Stats.). Both of these laws have been and are being actively administered and enforced by the Industrial Commission of Wisconsin.

The proposed regulations would, in our view, substitute the Secretary of Labor's standards (now applicable only to federally registered programs) for the standards and policies established under Wisconsin apprenticeship and fair employment practices laws, as applied to all Government contractors and subcontractors, including contractors working on federally assisted construction. Furthermore, the compliance and enforcement procedures and sanctions established by the law of Wisconsin, as effectively and diligently administered by the Wisconsin Industrial Commission, would be replaced by those of the President's Committee. Thus the operations and functions of the Wisconsin Industrial Commission would, in the area under discussion, be completely displaced by the Federal Government.

It is manifest that, unless the President's Committee changes its proposed regulations, giving due recognition to and accommodating Wisconsin's and other States apprenticeship and fair employment practice laws and the State agencies administering them, there will arise a conflict of policies and procedures which cannot but have a chaotic effect upon employers, labor organizations and employees in the State of Wisconsin, and in other States similarly situated.

Congressional policy demands that in any matter affecting apprenticeships, in any State having a State apprenticeship law, a Federal agency is required to give due consideration to State apprenticeship laws and the State agency administering them. This policy is expressed in 29 United States Code, section 50, which specifically directs cooperation "with State agencies engaged in the formulation and promotion of standards of apprenticeship."

This has, in fact, been the past and present policy of the Bureau of Apprenticeship and Training which has cooperated with such State agencies, reserving the actual formulation and promotion of standards to State agencies engaged in such activity. Moreover, the standards of the Secretary of Labor, heretofore adopted as of January 17, 1964, specifically were restricted in their application to "apprenticeship and training programs registered with the Bureau of Apprenticeship and Training" (see 29 CFR, pt. 30, secs. 30.1 and 30.3).

The proposed regulations of the President's Committee would, for the first time, preempt the area of apprenticeship regulation historically subject to State administration (in cooperation with the Bureau of Apprenticeship and Training). Thus, in Wisconsin, the diligent and efficient regulation and administration of apprenticeship programs by the Wisconsin Industrial Commission would be replaced, insofar as "equal opportunity" matters are concerned, by that of the President's Committee. We submit that such proposed action clearly is inconsistent with the policy expressed in 29 United States Code, section 50. There can be no doubt that Congress never intended any Federal agency to supersede regulation of apprenticeship programs by States in the manner proposed by the President's Committee.

It is important to note that, with respect to the selection and employment of apprentices, the policies and standards established, administered and enforced by the Wisconsin Industrial Commission are fully in harmony with the policies and objectives contained in the Secretary of Labor's standards (29 CFR, pt. 30) and Wisconsin has provided effective and adequate remedies in the event of the existence of any alleged discriminatory practices or action.

The Wisconsin Industrial Commission has established objective standards with respect to the promotion, selection, employment, and training of apprentices without discrimination as to race, sex, creed, color, or national origin. This involves, inter alia, the objective testing and evaluation of all applicants and the administration of aptitude tests by vocational and other public schools and by the Wisconsin State Employment Service (affiliated with the USES). It is our understanding that the details of the Wisconsin program of insuring equality of opportunity in apprenticeship programs have long since been communicated by the Wisconsin Industrial Commission to the Secretary of Labor.

We are not unmindful of the fact that section 30.16 of the Secretary of Labor's regulations relating to standards of nondiscrimination in apprenticeships (29 CFR, pt. 30) makes some reference to State agencies and provides for consultation regarding methods of cooperation. However, the provisions of section 30.16 are meaningless as well as inoperable when viewed in the light of the enforcement procedures and sanctions provided for under subparts B, C, and D of part III of Executive Order 10925 (26 F.R. 1977). It is our understanding that such enforcement procedures and sanctions would now become applicable in connection with the application of the Secretary of Labor's standards on nondiscrimination in apprenticeships to Wisconsin Government contractors and subcontractors (including contractors working on federally assisted construction).

Clearly, these enforcement procedures and sanctions completely ignore, for example, the Wisconsin apprenticeship and fair employment practices laws and the standards, compliance and enforcement procedures established and administered by the Wisconsin Industrial Commission. We find absolutely no provision whatever for effective and workable cooperation with State agencies.

THE PROPOSED REGULATIONS SHOULD BE CHANGED

We submit that it is imperative, consistent with the policy expressed in title 29, United States Code, section 50, that the President's Committee revise its proposed regulations relating to nondiscrimination in apprenticeship programs of Government contractors, subcontractors, etc., so as to vest primary responsibility for the establishment of equal opportunity standards in apprenticeship programs, and for their enforcement, in existing State agencies, at least in States, such as Wisconsin, where adequate laws and effective enforcement machinery exist.

In this connection, we propose that when the Wisconsin Industrial Commission, and similar State agencies elsewhere, has officially received notice from the President's Committee of the claimed existence of any alleged discriminatory practice or conduct pertaining to the apprenticeship program of any Government contractor, subcontractor or contractor on federally assisted construction, that such industrial commission, or similar State agencies elsewhere, shall be guaranteed a period of at least 6 months within which to make an investigation and, if justified, to commence appropriate compliance and enforcement proceedings. Only if the Wisconsin Industrial Commission, or a similar State agency elsewhere, should fail to make a bona fide investigation and take appropriate action within such 6-month period, should the President's Committee be permitted to invoke its own enforcement procedures and sanctions pursuant to Executive Orders 10925 and 11114.

The instant matter must be considered by the full membership of the President's Committee

The change which would be effected by the proposed regulations of the President's Committee, as published in 29 F.R. 5909 (May 5, 1964) is so vast and sweeping, altering long-established State-Federal relationships in the field of apprenticeship administration, that it should be fully considered by the entire membership of the President's Committee on Equal Employment Opportunity.

Although the executive vice chairman, in the notice published in the Federal Register (29 F.R. 5909), has denominated such proposed regulations as a "ruling and interpretation," issued pursuant to 41 CFR, section 60–1.62, it is clear, upon an analysis of the nature and effect of the proposed regulations, that they represent not a mere "ruling and interpretation," but, rather, constitute substantive rules. See also title 5, United States Code, section 1003.

While the executive vice chairman has been delegated the authority to issue "rulings and interpretations" (41 CFR 60–1.62), we find nothing in the rules and regulations of the President's Committee which delegates to the executive vice chairman the authority to issue substantive rules and regulations. On the contrary, sections 102(e), 306 and 308 of Executive Order 10925 make it clear that only the President's Committee, acting as a body, can adopt substantive rules and regulations of the type now proposed to be put into effect with respect to nondiscriminatory standards and enforcement procedures affecting apprenticeship programs of Government contractors, etc.

There can be no doubt, at least to the extent that the proposed rules would displace existing State "equal opportunity" standards, policies, and enforcement procedures, that the proposed rules are substantive in nature, and are not merely "rulings and interpretations" within the meaning of 41 CFR 60–1.62.

Accordingly, it is hereby formally requested that the entire matter which is the subject of this statement be referred to the full membership of the President's Committee, in plenary session, for consideration.

CONCLUSION

The proposed regulations of the President's Committee completely displace and supersede the long-established and effective administration and enforcement, by the Wisconsin Industrial Commission (and by State agencies elsewhere), of equal opportunity standards in apprenticeship and training programs contrary to express congressional policy.

Such proposed regulations must be changed so as to permit the continued establishment, administration, and enforcement of apprenticeship equal opportunity standards and programs by Wisconsin and other States having adequate and effective laws and compliance procedures. While such laws and compliance procedures are being effectively utilized, there must be no Federal agency preemption in what has been historically a matter for State administration.

In any event, the matter of the adoption of the proposed rules must first be considered by the entire membership of the President's Committee, since such proposed rules are not only substantive in nature, but also would have a most sweeping and unsettling effect upon apprenticeship and training programs.

Dated this 20th day of May 1964.

Respectfully submitted on behalf of the organizations listed below.

LAMFROM & PECK,
By J. L. BERNHEIM.

THREE-QUARTERS OF A BILLION FEDERAL TAX DOLLARS ANNUALLY GO TO SUBSIDIZE SLUMS, AND THE FEDERAL URBAN RENEWAL PROGRAM IS A "COMPLETE FAILURE" IN PROVIDING LOW-INCOME HOUSING FOR SLUM DWELLERS

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. KYL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KYL. Mr. Speaker, the Federal Urban Renewal Commissioner, William L. Slayton, speaking at the annual dinner meeting of the Inter-Church Committee on Urban Renewal of Washington, D.C., held at Calvary Baptist Church on May 19, 1964, acknowledged as a "fact of life" than many Negro families are excluded from renewal areas because they are poor. This was reported in the Washington, D.C., Post of May 20, 1964.

This same newspaper on May 10, 1964, reported that 200 top east coast specialists on city design, attending a 2-day conference at Harvard University earlier this month, termed the low-income housing efforts of the Federal urban renewal program to date a "complete failure."

In the Nation's Capital, in the 500-acre southwest urban renewal project, very few of the 23,000 people who lived there before the project began have been able to return, because they are poor. Their homes were bulldozed down, and the area is now full of highways and superduper glass apartment houses renting up to $350 a month. Seventy-five-to ninety-thousand-dollar townhouses are being built in the area of their former homes.

Chet Huntley, on September 26, 1963, on the NBC television network, discussing "The Negro in Washington," said:

> In the last 5 years 13,000 low-income Negro families have been displaced by renewal, and very few have found decent homes.
>
> Urban renewal for the Negro is really Negro removal, because in every urban renewal project in America there has been almost a total displacement of lower income Negro families. All urban renewal does is redistribute the slum, so that Negro families who were living in slum conditions once they've been cleared out, simply move to either an existing slum in another part of the city or create a new slum in a fringe area. So urban renewal, while it solves one problem, creates another problem in another section of the city.
>
> It will get worse before it gets better. Many more thousands of Negro families will be displaced in the next 4 years. There is a dire shortage of low-income public housing in Washington, and the result is this.
>
> Today Negro housing in Washington is five times more crowded than white. It is also more expensive. Because the white suburbs are closed, the Negro has no choice but the inner city, a polite euphemism for slum. Thus he is at the mercy of the free market. One conservative estimate is that he is overcharged about $5 million in rents a year, in neighborhoods like these. He invariably pays more for less than the white tenant.

NBC's Chet Huntley and David Brinkley are to be commended for their clear-eyed presentation of the real facts about the Federal urban renewal program, facts which many newspapers, including newspapers in the Nation's Capital, have simply not reported. There seems to be almost a conspiracy of silence about these facts and some of the best friends of urban renewal in and out of Congress have become increasingly alarmed by the resistance of the administration to any perfecting amendments which could improve and humanize this program.

Chet Huntley is right when he says that the situation will get worse in urban renewal programs in the Nation's Capital, and elsewhere. Six thousand of the fifteen thousand people now living in the highly publicized Adams-Morgan urban renewal project, consisting of 230 acres, will be displaced. The displacees will be low-income Negro families, and the 150 small businessmen who serve them.

Remaining in the Adams-Morgan urban renewal project area, and scheduled to benefit directly from the $25 million Federal subsidy earmarked by Urban Renewal Administration Commissioner Slayton, is a leading bank; one of the city's highest priced restaurants which caters for the embassies in the Nation's Capital; one of the Nation's flossiest nightclubs; two large chain grocery stores; a gasoline station which is part of a national chain and which was given greatly enlarged space in a residential area with the help of the District Redevelopment Land Agency; and a leading fur store where the rich and poor alike can purchase mink coats costing up to $20,000.

The District Redevelopment Land Agency, which built the luxury housing and prime office space in the Southwest Washington urban renewal project, insists that it has profited by its admitted mistakes in the Southwest urban renewal project and will provide low-income housing in the Adams-Morgan urban renewal project if this project is approved. In view of the findings by the Harvard University conference that the record of the Federal urban renewal program to date in providing low-income housing is a record of "complete failure," more than 15 citizen organizations—which are either integrated or are completely Negro in their membership—have justifiably opposed the present urban renewal plan. These organizations represent the majority of the residents in the project area, both renters and homeowners. The Federal urban renewal program has subsidized the formation of a captive group of block organizations in the project area to give the verisimilitude of citizen support of the project. These block groups have been reliably estimated to consist of 500 citizens of the project area at most, but the newspapers of the Nation's Capital, with the notable exception of the Washington Afro-American, have favored the urban renewal project.

The 15 citizen organizations, led by the Independent Citizens of Adams-Morgan, have pointed to the vast empty spaces remaining in the 500-acre southwest urban renewal project after 13 years and the expenditure of nearly $100 million in Federal tax dollars. These organizations have challenged the Federal and District Government officials in charge of the urban renewal program to provide low-income housing in the southwest project area. They have, in addition, demanded that the Housing Administrator require District government officials to enforce the housing code in the District of Columbia in accordance with the "workable program" requirements of the Housing Act of 1954 before any further urban renewal funds are provided for the District of Columbia. The Housing Administrator, and District government officials, however, have blamed the housing deficiencies on the slum dwellers of the District, and have themselves almost completely abdicated their responsibilities for enforcing the District's housing code.

An urban renewal plan for profitable commercial development and redevelopment in the business area of the District of Columbia is now moving forward with the blessing of President Johnson, Housing Administrator Robert C. Weaver, and URA Commissioner William L. Slayton. This downtown renewal plan will result in the destruction of over 4,000 households, and displace thousands of low-income Negro families. It will also displace 2,200 small businesses. No convincing explanation has been offered as to why the taxpayers of the Nation should be called upon to pay for this boondoggle which will cost them untold hundreds of millions of dollars. Leading hotels, such as the Willard, and the Washington, and the National Press Club, are to be razed to provide a decorative fountain and plaza according to one report on the plan which was published in one of the Nation's leading newspapers.

The newspapers of the Nation's Capital, Commissioner Slayton, and President Johnson himself have referred in glowing terms to this $500 million urban renewal plan for the downtown commercial section of the Nation's Capital. This plan has no more to do with rehousing the slum dwellers of the Nation's Capital than New York City's plan for providing a new home for the New York Stock Exchange by means of the Federal urban renewal program has to do with rehousing the slum dwellers of New York City.

The ranking minority member of the House Special Housing Subcommittee, the distinguished gentleman from New Jersey [Mr. WIDNALL], was critical of New York City's misuse of the Federal urban renewal projects, and he has repeatedly criticized the misdirection of the Federal urban renewal program in the Nation's Capital and in many other cities of the United States. He has charged that here is a paper curtain which is preventing the American people from being told the truth about urban renewal, and the complete lack of interest of the administration in carrying out the national housing policy which was established in 1949 as part of the Housing Act of 1949.

One of the Democratic Senators who has been a leading proponent of the Federal urban renewal program, recently said, in the other body, that:

> I do not deny that we have a lot to learn in redeveloping decaying cities. I do not deny that mistakes have been made—they are bound to happen in any pioneering enterprise of such vast scope and effect.

Now, while the vast scope and effect of this program cannot be denied, it would seem idle to maintain that a Federal program, which has been in effect since 1949, and on which the Federal Government has spent or committed $4 billion is a "pioneering enterprise." To try is to do violence to the facts.

In an article in the March 1964 issue of the Annals of the American Academy of Political and Social Science, William G. Grigsby, associate professor of city planning at the University of Pennsylvania, has documented the true facts about the Federal urban renewal program as it is being carried out by Commissioner William L. Slayton. Professor Grigsby notes that over 25 percent of the communities receiving aid under the Housing Act of 1949, as amended, do not have a single residential reuse project. Another 25 percent of the municipalities receiving assistance have reserved over 50 percent of their renewal acreage for nonresidential purposes. Of the projects begun, roughly 600 were primarily residential prior to renewal, but only 350 will fall under that classification upon completion. He observes that where room is made for residential renewal, it takes the form of housing for higher income families. He adds that:

> On balance, it appears that not over one-fifth of the $3 billion donated to local communities under the Federal renewal program have been earmarked for projects intended to improve the living accommodations of lower income families. The fact remains that until the shelter needs of our lowest income groups are met, urban renewal will never progress beyond the facelifting of downtown, a few industrial districts, and the reclamation of isolated residential neighborhoods for upper income families.

During the hearings held by the House Special Housing Subcommittee on the administration's housing and urban renewal bill for 1964, the chairman said:

> I do not want to have us get any wrong impressions here. This never has been a poor man's bill—and likely it never will be.

He went on to say that in this bill as in others the people who are in the lower income groups "just get the crumbs." In the 1964 administration housing bill, the Democrats are asking that the Government loan program be extended to cover vacation homes. Mr. Brownstein, testifying for the administration, said:

> There is certainly a heavy demand for it. We are rapidly becoming a two-home family. We have already become a two-automobile family.

Our distinguished colleague from New Jersey [Mr. WIDNALL] asked if this was part of the war on poverty.

Mr. Brownstein replied that he did not think the National Housing Act deals per se with poverty. He said the vacation home loans were essential because they "will stimulate the economy as well as provide a mechanism for the more affluent of our society to get some of the better things that are available."

Mr. Speaker, President Johnson has requested the Congress to appropriate $1,400 million to continue the Federal urban renewal program. Before the Congress does so, and, indeed, before it appropriates funds this year to continue this Federal program, it must, I think, make a searching investigation of this program.

It must not continue, as it has in the past, to accept the statements of the Federal administrators of this program at face value, for they have never even attempted to answer the serious critics of this program, of whom there are many. They have shown no concern at all for the people who have been displaced by this Federal-aid program in more than 600 communities from coast to coast.

The national housing policy is clear enough. As set forth in the National Housing Act it is to remedy the serious housing shortage and realize as soon as feasible the goal of a decent home and a suitable living environment for every American family. Despite 15 years of work, and the expenditure of $4 billion, this goal is not being achieved by the Federal urban renewal program.

Under the President's housing and urban renewal bill, with its increased emphasis on profitable commercial development, an emphasis which is being made at the expense of the slum dwellers and the national housing policy, conditions will rapidly worsen. The present misuse of Federal urban renewal funds must not be given the approval of the Congress.

The people in a number of cities are rising in their wrath at the continued betrayal of the promise to end slums, a promise which never has materialized. They have forced Federal and local officials to take a new look at urban renewal projects, and at their failure to enforce housing codes, in such cities as Washington, D.C., New York City, Cleveland, Pittsburgh, and San Francisco. They have accomplished this by their determined refusal to be displaced for luxury apartments and townhouses, shopping plazas, and parking lots which should be built with private funds and never should have a dime of Federal funds.

It is a well recognized fact of life in our Nation today that, despite the billions of dollars spent on urban renewal by the Federal Government, slum dwellers never get out of the slums. They are simply forced to move on to other slums where they pay a larger share of their meager income for slum housing than the great majority of the American people pay for standard housing.

Take the case of the poverty stricken on public welfare who are assisted under the Federal Social Security Act, for example. Their sad and horrible story is told by Edgar May, Pulitzer Prize winner, in his book "The Wasted Americans," published by Harper & Row. Mr. May points out that the landlord usually takes the biggest single slice out of the welfare check, and in most communities this amount ranges from a third to a fourth of the total public assistance budget. In New York City in 1962 an estimated $67 million was spent for rent out of checks totaling $217,290,000.

Mr. May writes:

> Probably more than one billion welfare dollars were paid to the order of landlords in the United States in 1962. This includes the largest unpublicized Government subsidy in the Nation. For, in too many instances, it quietly subsidizes slums. In part it constitutes the premium payments of a national housing shortage that is most acute among the poor.
>
> While America has made gains in the housing field (substandard units in the last decade were reduced from 16.3 to 11 million), the new residential construction surge has skirted the inner cities and, particularly, the shabbier neighborhoods. In many cities new construction has not kept pace with the combination of need and demolition. Census figures show that 1.5 million occupied units were demolished in the last decade. One-fourth of these had been occupied by nonwhites in 1950, and three-fifths of these were in the central cities of this country. For the city relief recipient and the Negro, often the same, this has meant a scramble for fewer and fewer places to live.

It should be noted that welfare funds are directly or indirectly used to pay "finder fees" to locate substandard dwellings which are federally subsidized. In New York City in 1962 the amount paid for these "finder fees" more than doubled over the previous year. A total of $44,370 was paid in 250 cases for an average of $177.48 per "find."

While the housing market has opened up in many parts of the city, it has steadily contracted in the slums. The Federal Government's recent study of aid to dependent children showed that more than half of the families lived in crowded housing and one-fourth of those faced serious overcrowding with 1½ or more persons per room. Among all families in the Nation, about 12 percent had more than 1 person in a room. This was confirmed by Greenleigh Associates in public welfare studies in both Chicago and New York. In both cities, their studies showed that "ADC families live in generally substandard housing at high rentals" in Chicago. In New York City, these studies showed that "the housing of public assistance recipients is generally miserable and inadequate, frequently rat-infested slums."

A housing survey by the New York City Department of Welfare in August 1959 showed 14,057 welfare families—almost one-fifth of the total on relief—lived in single furnished rooms. This literally means families, and does not count one person cases living in a furnished room. Rents for these single rooms averaged

$63.03 a month. But 84 families paid between $180 and $200 a month for their furnished rooms.

Mr. May comments:

> These purveyors of rotting real estate are the leeches of the city. They pay the least taxes on their holdings because their assessments are the lowest. Frequently, the return on their money is the highest in the real estate business. Their annual maintenance and repair bills are the smallest of any landlord, because often they do little or none. They operate quietly in back streets of the slums, with the aid of rent collectors whom they call agents. They are seen occasionally when a newspaper does a series of articles on a tawdry neighborhood, when a baby is chewed by a rat, or when an unvented space heater blows up and two or three youngsters are burned to death. The civil outrage and the inevitable investigations that result are part of the business risks of the slumlord.

As the author points out, the prosecution of slum landlords, even in the few instances where cases have reached the court, has been a failure in most American cities.

> Code enforcement—

He states flatly—

> has been sporadic and prosecution rare.

He cites the city of Buffalo, for example, for more than a decade has received special permission from the State legislature to ignore a multiple-dwelling law. In 1963 at least 7,500 multiple dwellings—many of them housing welfare recipients—had not been inspected to provide even a listing of violations. The Buffalo Evening News editorialized:

> No one should minimize the problem of financing inspections in light of the city's critical budgetary needs, but the welfare of tenants and efforts to halt blight and decay cannot be served by endless State suspensions and a shameful lack of substantial community enforcement.

The Federal Housing Administrator was given the nondelegatable function of enforcing the workable program, established by the Housing Act of 1954 under President Eisenhower, to require the enforcement of local housing codes as prerequisite of Federal subsidies for urban renewal. The record of the Housing Administrator in carrying out the functions assigned him by the Congress in the 1954 Housing Act has been outstanding for its lack of achievement. When challenged for his failure to obtain meaningful code enforcement the Housing Administrator stated:

> It is my position that a good housing code, properly enforced, is basic to any community program of slum elimination and prevention.

The Housing and Home Finance Agency in one of its publications states, regarding the Housing Act of 1954:

> The requirement that Federal housing and renewal aids will be extended only to communities having a workable program in effect is a form of insurance—insurance that Federal funds will be used to help those communities willing to help themselves. In enacting the Housing Act of 1954 Congress established the principle that there is no justification for assistance on any other basis.

Despite these clear acknowledgments of the validity of housing code enforcement as an essential element of municipal efforts to prevent the recurrence and spread of slums the Housing Administrator has continued to ladle out vast Federal urban renewal sums to cities from coast to coast which give no more than lipservice to good housing code enforcement. In explanation of his own lipservice to such housing code enforcement the Housing Administrator recently stated that:

> It would be a mistake to assume that we are satisfied by the progress that has been made in code enforcement. But we have had enough experience to know that housing code enforcement, to be successful, must have community acceptance and support. This has been an issue that has caused a number of communities to drop their plans for urban renewal. It has taught us that even with the cities in the program we must gauge our requirements to what can reasonably be expected or face the prospect of increasing the influence of those opposed to code enforcement, urban renewal and low-rent public housing to the point where they will scuttle the entire community improvement effort.

From this statement by the Housing Administrator it becomes clear that he is engaged in watering down the "workable program," and, indeed, tailoring it to suit those whom Edgar May calls "These purveyors of rotting real estate—who—are the leeches of the city." It is instructive that the Housing Administrator has endorsed an official memorandum of the District of Columbia Government which maintains that it is the fault of the slum dwellers that housing codes are not strictly enforced in the District of Columbia. The memorandum states that the housing violations:

> Are in large measure, if not entirely, due to the living habits of the residents * * * it would appear that lack of sanitary knowledge, apathy, and high turnover among residents in this particular area of Adams-Morgan all contribute to unsatisfactory conditions.

The Housing Administrator subscribes to the notion that slums are the fault of the slums dwellers, and quickly passes over the view held by the Congress that slum dwellers have a right to expect Federal and local government officials, including the Housing Administrator, to fully protect the quality of the housing in which they live as a requirement of Federal urban renewal subsidies.

The Housing Administrator has said with regard to the official memorandum which I have quoted, that:

> The assistant engineer's memorandum is a good exposition of the problems a city faces in stabilizing conditions in slum areas and among slum dwellers pending a decision by the local government on an urban renewal project for clearance and rehabilitation. The memorandum shows that local code officials are aware of conditions in this particular area and are keeping the area under constant surveillance. It is a mistake to assume that it is always possible to use code enforcement alone to bring about major physical and environmental changes in a seriously deteriorated area especially when that area is being considered as part of an urban renewal project.

Mr. Speaker, we have tended to look to the Federal Government for help in renewing our cities, with a great deal of encouragement to do so by the Federal Government and especially by Federal urban renewal and housing officials who have looked the other way in the matter of housing code enforcement. In looking to the Federal Government for help we have neglected to do what we could do at the local level of government. Too many cities have not taken action to renew themselves, too many have failed to enforce housing codes, and in many instances the housing codes they have are terribly inadequate. They have been bound, too, by traditional tax policies which have created slums, and then perpetuated them by making them more profitable than standard real property.

The Joint Economic Committee in its 1964 report, states that it found that:

> State and local governments have failed to make maximum use of the enormous potential inherent in the property tax for either the prevention or the cure of poor housing and other blight conditions. In fact, since the tax is based on the value of land and improvements, those who permit their property to deteriorate, reducing area property values, are rewarded with lower property taxes. Landlords who enhance the value of their property have their assessments raised.
>
> We do not undertake to suggest what would be a proper method for a State or local community to tax the property of its citizens. We do recommend, however, that a model, uniform property tax code be drafted which would encourage, rather than discourage, the best economic uses of land.

It is with these thoughts in mind that I have introduced legislation to amend the Housing Act of 1949 in order to advance the national housing policy of ending slums which represent a major attribute of poverty by providing, among other steps, for the termination of authority to make grants for urban renewal projects involving nonresidential development.

NOTHING IS ETERNAL EXCEPT CHANGE

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MICHEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MICHEL. Mr. Speaker, the distinguished minority leader of the Senate, EVERETT MCKINLEY DIRKSEN, once represented for 16 years the House district which I now have the honor of representing in north central Illinois, and, of course, in 1950 he was elected to the Senate where he has served ever since with such distinction.

Ev DIRKSEN has always been close to the people in Illinois and has made regular radio and television reports to them. On May 18 the topic of his regular report was entitled "Nothing Is Eternal Except Change." I would commend its reading to my colleagues. Surely, you will have to agree it is another eloquent gem so characteristic of the well-read, learned man that he is. The full text of Senator DIRKSEN's report to the people of May 18, 1964, follows:

NOTHING IS ETERNAL EXCEPT CHANGE

(By EVERETT MCKINLEY DIRKSEN)

In the early part of the century there was a professor who, insofar as I know, may have come from Johns Hopkins University, who had isolated and set out what he thought was an absolutely incontrovertible thesis and then his fellow faculty members began to pick it apart. It fairly destroyed him and rendered him into a state of agony and then he fairly shrieked "Is nothing eternal?" And one of his fellow professors said, "Yes, there is one thing eternal and that is change." Nowhere will you find that so true and so well exemplified as in the field of government. And I can give you some examples out of the history book and particularly the legislative history book. Consider for a moment this matter of civil service. Back in 1880 there was just a small group in the country trying to advance this idea of civil service and a merit system in the Federal Establishment. I am advised that on one occasion one of the lecturers showed up in Chicago and had for an audience only seven people. Senator Conkling of New York referred to this group as carpet knights and man milliners. And then lo and behold, in 1881 the shot that felled President Garfield changed it all. Within the space of 2 years, in 1883 the Congress enacted the Pendleton Act which was the beginning of Federal civil service, notwithstanding the fact that there were fulminations all over against it. So you see, here was change and nothing could stop it. That probably was true of the Australian ballot. Our elections were pretty corrupt at one time and we hit upon the idea of the ballot used in Australia which was a secret ballot. Well, in 1888 which was a long time ago, the State of Massachusetts adopted the Australian ballot and then in quick succession other States fell into line. And so all was changed, even though there were fulminations and criticisms about it. I think back to the direct election of Senators.

Senator Robert Marion La Follette, the elder La Follette, stood before the students at the University of Chicago in 1897 and told them that we ought to get back to first principles, get back to the people. Well, there were Members of the Senate who, when they heard him make that speech in the Senate got up and left their seats to show their contempt for the idea. But in 1913 we amended the Constitution to provide for the direct election of Senators and decry it as they would and repudiate it as they would, that change finally came. I think of the income tax. You see, the first act by Congress for a Federal income tax was declared unconstitutional in 1894. When Joseph Choate, the great lawyer, stood before the Supreme Court of the United States and called it communistic, it is the first time I think I ever encountered the word communism in our political lexicon. But at long last the Constitution was amended and, as you painfully well know, there is today a Federal income tax and it has been developed and fortified and implemented from that day on. I think of the 8-hour day. It was early in the century when the New York State Legislature enacted a law delimiting working hours for bakers in bakeries to 10 hours a day. It was actually declared unconstitutional by the Supreme Court of the United States. Well, look today at the general acceptance of the 8-hour day and the 5-day week to show how far we have come in the field of change when it comes to working hours. I think of 1906 when a neighboring Senator, Senator Beveridge, of Indiana, was trying to push through a Pure Food and Drug Act. What a time he had. Senators standing on the floor inveighing against the idea on the ground that it was an intrusion and an invasion not only of State rights but of private rights. But today industry vies one with another for the purity of its products and we add and add to the Pure Food, Drug, and Cosmetic Act nearly every year. So, notwithstanding the editorials, notwithstanding the denouements, it went merrily on its way and found its way on the statute books. It was in 1869, which is 95 years ago, that the first constitutional amendment to provide for women suffrage was introduced in the Congress. Oh the fun they had with it. The scorn that it aroused. But they kept everlastingly at it with their picketings, with their demonstrations, with the ladies going to jail if need be, and finally we put the 19th amendment into the Constitution in 1920, and how generally it is accepted and virtually taken for granted.

When they first tried to do something about child labor at the Federal level, they tried first the interstate commerce clause, then they tried something else. It didn't get anywhere but at long last Congress took the bit in the teeth and used the commerce clause to prevent shipment in interstate commerce of products and commodities made with the sweat of child labor. And who in the whole wide world would take it on. Yet the editorials and the announcements and the commentaries that were made to the effect that here again the Federal Government was intruding either into the State domain or into the right of private property. Now, I mention all this to give point to an observation made by Victor Hugo, great historian and French philosopher, because Hugo as I understand on the night that he died he put a little entry in his diary to this effect—he said, "stronger than all the armies is an idea whose time has come." Now the reason I go back to it and I talk about change is because at the moment we are beset with civil rights and it has been before the Senate for nearly 60 days. But here is an idea whose time has come and the Congress must deal with the challenge that is before us. You may wonder what were the factors or what were the attributes or the conditions which made this incubation possible. Well, I suppose that you would have to go back over the period of 100 years to the force bills during the reconstruction days after the Civil War. But there are other factors as well. Let me point out a few. In World War I we had 4,700,000 young men in uniform. I was one of them, and 470,000 of them were colored. You see, they were diffused into various parts of the earth and there they saw how other countries dealt with the field of civil rights and then they came back. They are old enough now, not merely to have children but grandchildren as well. And I am sure they must have recounted to their children and their grandchildren what they experienced in foreign lands. But let's go to World War II. There we had 16 million in uniform and of that number I presume over 1 million—at least 10 percent, one million six hundred or seven hundred thousand Negroes in uniform. They were scattered to the ends of the earth. And think of the doctrine and the philosophy they picked up. Think of the experiences they had and think of the story and the accounts they gave to their children in subsequent years. There is a factor. But let's look at another factor—education. We have today in the United States 2,500 Negro lawyers. We have 5,000 Negro doctors. We have 4,200 Negro engineers. There are 2,400 Negro dentists. There are 5,900 Negro college professors. There are 90,000 Negro elementary teachers. There are 33,000 Negro teachers in the secondary schools. Put it all together and look at what an educational instrumentality it is and how at long last they come to interpret the organic law of the country for themselves and little by little all this insinuates the spirit and as a result you get a great moving force that will not be denied because here is an idea whose time has come.

So, I just recapitulate: Pure food—it was resisted, it is here; women suffrage—it was resisted on the Senate floor and elsewhere, it is here and accepted as such; the income tax—it was decried and criticized and assailed, today it is on the book and it is taken for granted; child labor—the products of child labor in interstate commerce, the interdiction is in the Federal law; the poll tax—I first voted on a poll tax bill, namely to outlaw it, in 1934, which is 30 years ago, when at long last the 24th amendment became effective some time ago, that was the end of the long struggle and so the poll tax has been outlawed. I think of the tidelands that the various riparian States claimed for themselves—like Texas, Florida, Louisiana, and others—by one stroke of the pen after 100 years of uninterrupted decisions the Supreme Court virtually threw all of those decisions in the ashcan and asserted the Federal interest. I think of rail regulations, the 8-hour day, the Gold Act that forbids any citizen from having more than $100 of gold in his possession. Oh, the argument, the fuss, the demonstration against it. But somehow these are ideas whose time had come and today they are on the books. So with ourselves, I go on the theory there will be a Civil Rights Act. I go on the theory that the House act or the House bill was imperfect and has its deficiencies. I proceed on the further theory that it needed improvement and perfecting and that is the job that we have been trying to do and always in the shadow is the echo from Victor Hugo, great brain and great mind that he was, who on the night he died—so it is said in France—made the statement, "stronger than all the armies is an idea whose time has come." And I fancy this idea's time has come and hence there can be no happiness, there can be no freedom from vexation, until the Congress has met this challenge. It is good to visit with you and thank you so much.

EMPLOYER-OF-THE-YEAR AWARD TO MR. WILLIAM BLACKIE, PRESIDENT OF CATERPILLAR TRACTOR CO.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MICHEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MICHEL. Mr. Speaker, on Thursday, May 21, Secretary of Labor W. Willard Wirtz presented to Mr. William Blackie, president of Caterpillar Tractor Co., the Employer-of-the-Year Award of the President's Committee on Employment of the Handicapped.

The award is sponsored each year by the National Association of Manufacturers, recognizing the employer who has done the most outstanding job of utilizing the abilities of physically or mentally disabled workers.

Of the nearly 34,000 men and women employed by Caterpillar, more than 3,000 are considered to be physically handicapped.

But not one of them is occupationally handicapped. Their jobs run the gamut of jobs in heavy industry—laborer, arc welder, instrument repairman, shop clerk, draftsman, metallurgist, secretary, and executive. Some were disabled at birth; others, as the result of war injuries, accidents, or illness. Of the latter group, many were disabled when hired; others became disabled following employment and were rehabilitated and retrained for other positions within the company.

Caterpillar claims that this extensive utilization of the handicapped is a "policy that secures profits." Turnover rate is lower; attendance record is better. And, according to H. S. Simpson, safety manager, the handicapped employees are more safety conscious than their nondisabled associates. They cannot afford to take chances.

Accompanying Mr. Blackie to the ceremony in the Secretary's Office was a group of 25 top Caterpillar executives and plant managers. William P. McCahill, executive secretary, represented the President's Committee in the absence from the city of Chairman Harold Russell.

The award is a handsome mahagony shield signed by the President.

Mr. Speaker, Caterpillar Tractor Co., is a Peoria firm originated in 1909 when the Holt Manufacturing Co., of Stockton, Calif., purchased the Colean manufacturing plant in East Peoria, Ill. The firm was then called Holt Caterpillar Co. In 1925, Holt combined with C. L. Best Tractor Co., of San Leandro, Calif., to form Caterpillar Tractor Co.

From 40 employees manufacturing one product—the crawler tractor—the company has expanded to where it now employs 37,000 people at 9 United States and 6 foreign manufacturing plants—soon to become 9—4 parts departments, and 13 parts depots. Caterpillar sells the products it makes through a network of 273 independently owned dealers who operate over 786 places of business throughout the world.

Caterpillar machines are sold throughout the free world—helping men with their toughest jobs of earthmoving, construction, land clearing, agriculture, logging, pipelaying, mining, marine travel, and other work. In addition to 139 products, all falling within the general classification of heavy equipment, it also manufactures special products for the Defense Department.

The sales volume is expected to hit a billion dollars this year.

The presentation for Employer of the Year Award starts with these words:

> The story of the Caterpillar Tractor Co. is the story of a product that insures profits by overcoming obstacles—a policy that secures profits by hiring the handicapped.

Because of proper personnel selection and placement, the company's 3,000 handicapped persons function as normal employees. Total work force in the United States is just under 34,000.

In 1962, Secretary of Commerce Luther B. Hodges presented the E for Export Award to Caterpillar for "significant contributions to the Nation's export expansion program."

IMPORTS OF FOREIGN BEEF

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. BERRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BERRY. Mr. Speaker, as this session drags on it becomes increasingly apparent that the leadership in Congress is not going to permit the passage of any legislation which will oppose the philosophy of the State Department and the Department of Agriculture in refusing to limit imports of foreign beef.

Mr. Speaker, since this is true and since doubtless the reason behind such opposition is that the State Department and the Department of Agriculture are opposed to doing anything that would make it appear we are unfriendly toward the importing countries, then it would seem to me they should not oppose my bill H.R. 10157 which simply provides that all retail stores and outlets selling foreign meat must indicate that fact by a sign with large readable letters which simply states "foreign meats sold here."

My bill provides that such signs shall be displayed on or above or adjacent to the meat counter in each meat market, store, or other place of business where foreign meat is sold.

In the case of meat sold by the quarter, the half, or the whole carcass, such meat shall be stamped with a ribbonlike mark which shall state the country of its origin and the date of exportation of such meat in legible type size.

The bill also provides that each canned case or package containing any such meats, either canned, frozen, or cured, shall be labeled on the outside of the containers stating the country of its origin and the date of exportation in legible type size.

The bill also provides a penalty for failure to comply with this law.

My home State of South Dakota passed such a law in the State legislature last January which goes into effect on July 1 of this year. Every meat market in South Dakota will carry such signs prominently displayed and all foreign meats sold within the State shall be marked as imported beef so that the public will know what it is they are eating and can choose domestically produced beef if they so desire.

Mr. Speaker, Secretary of Agriculture Freeman and Secretary of State Dean Rusk should not oppose this legislation. This does not in any way point a finger at the beef exporting countries, all it does is to advise the consumer that the meat he or she is purchasing at the store has not been domestically produced or that it contains meat which has not been domestically produced.

Under the foreign import labeling act a good many of the commodities now being sold in the United States are required to be labeled as imported fabric or imported product. It does not necessarily carry a tinge of being inferior, but it does advise the purchaser that the product he is purchasing has been manufactured or produced by foreign industry, by foreign labor, or by foreign farmers, and as such has adversely affected some industry, many workers, and possibly many engaged in agriculture.

KANGAROO COURT CIVIL RIGHTS

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the Lorain Journal, Lorain, Ohio, has published a series of articles regarding a civil rights case indictment which presents an excellent commentary on the problems facing police officers who are accused of brutality in civil rights charges. This fine independent newspaper is to be commended for the forthright manner in which it told this story to the public.

Law enforcement officers from Cambridge, Md., to Lorain, Ohio, from coast to coast, are confronted with great difficulty in their efforts at honest, conscientious law enforcement. Just as civil rights leaders have used every emotional argument to secure passage of their bill, all too many are inclined to malign law enforcement officers who do not seem to understand their "divine right to break laws" which they deem oppressive or unfair. At the same time, many Negroes have found that charges of police brutality offer a convenient club to swing. Policemen have become a pawn in the civil rights struggle. My observation has always been that the overwhelming majority of officers are trying to do their job in an honest and impartial manner. They are the symbol of law and authority and no one, in any cause, should make them the subject of scorn and obloquy.

The Lorain Journal series of articles points out what can happen when instead of yelling "Wolf," prisoners cry "Civil rights":

[From the Lorain (Ohio) Journal, May 11, 1964]

"Weak Link" Tells Story

(By Jack LaVriha and William E. Scrivo)

(First in a series)

On January 12, 1964, two cars collided on Pearl Road, near Chris' Cafe. It was a minor collision and rated little mention in the news of the day.

But that collision touched off a bizarre chain of events whose repercussions are being heard in Lorain and Cleveland, and may reach national attention before long.

The accident resulted in the arrest of one Angelo Morales, an 18-year-old youth of Mexican descent and an admitted user of narcotics.

Morales, a passenger in a car driven by his brother, became involved in a fight with George Edwards, driver of the other car involved in the accident. Picked up by police after the scuffle, Morales on January 14 accused two police officers of beating him. The beating allegedly occurred before Morales had pleaded guilty to charges of abusing a police officer and disorderly conduct.

His charges came to light in a statement signed by 7 of the 12 prisoners in the Lorain lockup at the same time as Morales. The short, powerfully built youth smuggled the statement out of the cell block in one of his shoes and took it to a priest, who had visited him in jail.

The leading characters in the drama, besides Morales, are Sgt. Richard L. Griffith and Patrolman John Kochan, the vice squad team.

But there are many more players and the plot is quite complex. The Journal, in this series based on its investigation, will attempt to unravel the tangled web in order to put the events that have followed since Morales' accusations into their proper perspective.

The bare fact of the matter is that Morales accused Griffith and Kochan of beating him with a bullwhip while questioning him about his use of narcotics. A Federal grand jury in Cleveland April 22 indicted the two officers for violation of Morales' civil rights, under section 242, title 18, of the United States Code. The United States will bring the officers to trial under this statute.

But there is much that needs to be said about the matter, much more than is evident in the bare language of the indictment.

The tale is one of intrigue and attempted extortion. It is a story of an alleged "kangaroo court" comprised of seven prisoners in the Lorain City jail and their verdict to frame the two officers.

They indicted, tried, and convicted Kochan and Griffith for the offense of performing their duty.

The facts that are to be presented in this series of articles might never have been known except that there was a weak link in the prisoners' chain of conspiracy.

The weak link was, ironically, the instigator of the action and the "jury foreman" at the "trial," Andy Mehallic, convicted of larceny by trick and wanted for issuing two checks to defraud.

Mehallic, 43, of 2638 Caroline Avenue, is a short, thin individual with shifty blue eyes and thinning brown hair. He approached Reporter Jack LaVriha on two occasions—April 17 and April 23—with stories about the kangaroo court and the attempt to extort money from Kochan and Griffith to clear them of the civil rights charges.

Oddly enough, Mehallic was never called by the Federal grand jury which indicted the two officers, even though he admitted that he instigated the trial of the two police officers.

Mehallic, a self-employed carpenter, said he searched the cells in the city jail block three or four times before he found a manila bag which was used for preparing a petition accusing Griffith and Kochan of beating a confession out of Morales.

Asked what he wrote on the bag, Mehallic said, "I, Andy S. Mehallic, or something to that effect, I signed the petition."

Mehallic noted that another prisoner said, "You [the prisoners] have your rights. You have your civil rights."

Mehallic said he asked everyone to sign the petition and that 7 of 12 prisoners did so.

"The signatures came after I explained the petition three, four, five times, maybe more than that," said Mehallic.

He said Morales sneaked the signed petition out of the cell block in his (Morales) shoe and gave it to a priest, who went to city jail to talk with Morales.

Mehallic said he had been in jail for 88 days at the time he authored the petition accusing the two policemen.

Police records show that Mehallic was sentenced to 60 days in city jail and fined $35 and costs on each of two counts of larceny by trick last November 15 in Lorain municipal court.

In succeeding articles, the Journal will identify those who signed the petition against the officers and cite their records. Also exposed will be the facts behind the attempted extortion of Kochan and Griffith and other facts pertinent to the case turned up in the investigation.

[From the Lorain (Ohio) Journal, May 12, 1964]

SEVEN DECIDED TO JUDGE

(By Jack LaVriha and William E. Scrivo)

(Second in a series)

There were 12 men in the Lorain city jail on the 13th day of January.

And 12 were called to sit in judgment on Sgt. Richard L. Griffith and Patrolman John Kochan. Twelve were called, but only seven chose to put their names on a complaint against the officers, the accusation that they had beaten 18-year-old Angelo Morales while questioning him on his narcotics habits.

The "jury" which indicted, tried, and convicted Griffith and Kochan was comprised of Donald Golden Curry, self-appointed "chief justice," and Andy Samuel Mehallic, the "jury foreman," Hubert (Bobby) Steele, John Wesley Wright, John Ingatius Pivacek, Peter Avolas and Vincente Ferrer Perez.

These men were all in jail when they signed a petition accusing the two policemen of beating a confession out of Morales.

They all have police records on a variety of charges ranging from intoxication and drunk driving to carrying concealed weapons and rape.

There were five men who refused to sign the complaint scrawled by Mehallic on a manila bag. An argument ensued in the cell block, but they refused to take part in the proceedings.

The prisoners who refused to go along were George Hayward Lyles, James T. Martin, Virgil Lee Crowe, John Willington and Charles Henry Burke.

Ironically enough, in this complaint arising out of an alleged civil rights violation, all but one of the signers of the "jury's verdict" are Caucasians. Four of the five who refused to sign the complaint were Negroes.

Let us now examine the qualifications of the "jury."

Donald Golden Curry, 34, of 308 Florida Avenue; record since 1954 includes charges of pocket picking, forgery, false police report, driving while intoxicated, leaving the scene of an accident and fighting.

Andy Samuel Mehallic, 43, of 2638 Caroline Avenue, record since 1955 includes larceny by trick, intoxication, and warrants from Vermillion and Ravenna for issuing checks to defraud.

Hubert (Bobby) Steele, 29, of 2850 Lexington Avenue, record since 1954 includes charges of rape, gambling, fornication, assault and battery, reckless driving, leaving the scene of an accident, petty larceny, and involvement in possession of dynamite. He was accused of assault and battery on his wife but she failed to press charges.

John Wesley Wright, 31, of 3618 Clifton Avenue, record since 1954 includes carrying concealed weapons, gambling, reckless driving, leaving the scene of an accident, and disorderly conduct.

John Ignatius Pivacek, 40, of 5438 Liberty Street, Elyria, record since 1955 includes driving while under the influence of intoxicants, reckless driving, and having wrong license plates on motor vehicle.

Peter Avolas, 35, of 1557 East 30th Street, record since 1952 includes driving while intoxicated, auto tampering, intoxication, and disorderly conduct.

Vincente Ferrer Perez, 23, of 1610 West 19th Street, record since 1963 of assault and battery.

This, then, is the jury that passed judgment on two police officers, both of whom have been on the Lorain police force for over 18 years, each without a black mark on his record.

Curry was the man who led the group into framing its charge. In the words of Mehallic:

"Well, this guy Curry, whatever his name is, says, 'You have your rights. You have your civil rights. It comes down to a new section of the law that was passed out in 1946 or 1947.'"

And thus the stage was set, the indictment handed down and the trial went on. The officers were convicted and the verdict smuggled out of the city jail block in Angelo Morales' shoe, to be given to a priest and end up as a Federal indictment for two Lorain police officers.

[From the Lorain (Ohio) Journal, May 13, 1964]

FIVE REFUSED JURY DUTY

(By Jack LaVriha and William E. Scrivo)

(Third in a series)

There were five men who refused to sign the damning document against Lorain Police Sgt. Richard L. Griffith and Patrolman John Kochan.

Statements of two of these men, plus a comment by one of the members of the "kangaroo court" jury indicate strongly that the whole case was concocted to frame Kochan, a policeman hated by the rough-and-tumble element in the city, and Griffith, who had to be brought into the frameup because he worked closely with Kochan.

Sergeant Griffith and Kochan were indicted on civil rights charges April 22 by a Federal grand jury sitting in Cleveland. The two officers, who are now awaiting trial, pleaded innocent at their arraignment in Cleveland Federal court.

The five prisoners who refused to sign the complaint that Griffith and Kochan beat 18-year-old Angelo Morales with a bullwhip while questioning him, along with their records, are:

James T. Martin, 40, of 3709 Wood Avenue, charged since 1953 with assault and battery, hit-skip accident, discharging firearms and fictitious registration of motor vehicle.

George H. Lyles, 36, of 1738 West 21st Street, charged since 1963 with unarmed robbery and no driver's license.

Charles H. Burke, 24, of 3230 Eagle Avenue, charged since 1963 with unarmed robbery and no driver's license.

Virgil L. Crowe, 22, of 1129½ West Erie Avenue, charged since 1958 with assault and battery, intoxication, disorderly conduct, hit-skip accident, reckless operation, and no driver's license.

John Willington, 37, of 304 West 14th Street, charged in 1964 with failure to control and leaving the scene of an accident.

Two of these men, Lyles and Burke, have made statements that they did not take part in the action of the kangaroo court jury because it was a frameup of Griffith and Kochan.

In a statement April 29, Lyles gave the following answers:

Question. Did any of the people who refused to sign say they didn't want to get mixed up in a frame?

Answer (Lyles). Right.

Question. And you yourself did not want to be part of the frame?

Answer (Lyles). Right.

Question. And for that reason you refused to sign?

Answer (Lyles). That is the reason I refused to sign. There was nothing to sign about.

Burke, on May 5, said, "I didn't want to get involved in something that I knew was not right. The signing of the petition looked like a frameup of the two police officers."

Burke and Lyles both said they heard an argument over the complaint against Griffith and Kochan, but neither paid much attention to it.

Lyles, in his statement, also said that he heard no screaming or hollering around the jail while he was there.

Andy Samuel Mehallic, "foreman" of the "kangaroo court" jury had said that the prisoners heard Morales screaming and running around the interrogation room during the questioning by the two police officers in which the alleged beating of Morales took place.

Mehallic said that the prisoners heard Morales begging for mercy.

(The interrogation room, a considerable distance from the jail cell block, is located over the police record-information room in the east end of the police station. The cell block where the prisoners are housed is east of the police record-information room. Over the cell block is the Lorain municipal court-city council room. There are a flight of stairs and three doors, two of them heavy steel, which separate the police station and the jail proper.

(Lyles was in the cell block the entire time when the alleged beating took place and when the "kangaroo court" held its session and issued the complaint.)

None of the five prisoners who refused to sign the complaint against Griffith and Kochan was called to testify before the Federal grand jury which indicted the two officers.

Mehallic, "foreman" of the "kangaroo court" jury, was not called to testify in Cleveland Federal court either.

The grand jury hearing of the two Lorain police officers was held just after a comprehensive investigation by the FBI of Cleveland police officers accused of violating civil rights of those involved in that city's school dispute.

The Justice Department, after reviewing all facts submitted, recommended that the U.S. attorney's office in Cleveland not pursue the case. It was not submitted to the grand jury.

Yet there apparently was no such comprehensive investigation in the Lorain case. Did the Federal Government pursue the case against Griffith and Kochan solely on the verdict handed down by the jury of criminals in Lorain City jail?

[From the Lorain (Ohio) Journal, May 14, 1964]

MORALES—COCKY KID

(By Jack LaVriha, and William E. Scrivo)

(Fourth in a series)

In the South Lorain neighborhood where he was born and raised, Angelo Morales is known as a cocky kid who is always looking for trouble.

Police records show his quest has been successful.

The 18-year-old youth is the accuser of two Lorain policemen, Sgt. Richard L. Griffith and Patrolman John Kochan. Morales claims that they beat a confession out of him while questioning him about his narcotic habits.

Supported by a "kangaroo court" jury of seven prisoners in city jail, the two policemen were indicted April 22 on charges of violating Morales' civil rights by a Federal grand jury in Cleveland.

Morales' first police record lists him as a 14-year-old, standing 5 feet 1 inch tall and weighing 110 pounds. He first came to the attention of the juvenile department on January 14, 1962, when he was released to the custody of his parents.

Just over 2 months later, Morales was in the detention home after investigation of a strongarm robbery.

On July 5, 1963, Morales had his first taste of county jail when he was sent there for parole violation.

With this record behind him, Morales came to the attention of Lorain police when on January 12, 1964, he got into a fight with Patrolmen William J. Fazekas and George E. Ritenauer.

Fazekas and Ritenauer were attempting to take Morales into custody after he was identified by George R. Edwards as the man who had assaulted him.

Edwards was the driver of the car which was involved in a minor accident with a car operated by Morales' brother, Manuel, on Pearl Road, near the Chris Cafe.

According to Edwards' complaint and the statement of at least one witness, Angelo Morales attacked Edwards after the accident, beat him and broke his glasses.

When the two officers went into the Chris Cafe and asked Morales if he was the driver of the car involved in the accident with Edwards' automobile, Morales said, "I stole it."

Asked again, Morales rose from his seat at the bar, and said in an indignant manner, "I told you I stole the ——— car."

Fazekas and Ritenauer said in their report that Morales became violent and had to be restrained. They also reported that they used "force necessary to place handcuffs on Morales without encountering harmful opposition while placing him under arrest."

While the two policemen were taking Morales to jail in the police cruiser, he became so abusive and slanderous that he was considered either mentally ill or a user of narcotics.

The officers reported that the youth "talked of things no one in his right mind would think of" and that there was only a faint odor of intoxicants on his breath.

Thus the stage was set for the entry of Sergeant Griffith, the narcotics expert, and his partner, Officer Kochan.

It was during the questioning on January 14 by these officers that Morales claimed he was beaten with a bullwhip. Morales made a statement that he had taken narcotics since he was 14 and signed the statement.

It is pertinent at this point to cite statements made by a witness to the fight between Morales and Edwards.

Mrs. Ernest Nemeth, who operates the Pearl Road Drive-In at 3701 Pearl Road near the scene of the fight, said she saw a car stopped in the middle of the road on the night of January 12.

Going out to investigate, Mrs Nemeth saw two men, she later recognized as Morales and Edwards, arguing.

She said the two were rolling and fighting together and that Morales' shirt was ripped by Edwards. Mrs. Nemeth pointed out that the pair "rolled quite a bit" and that "there was cinders there, it is all cinders there from the road."

Mrs. Nemeth also stated that the pair were fighting for 10 or 15 minutes, that it appeared that Morales was bleeding and that the fight was terminated when Edwards ran into the nearby Young Men's Hungarian Club.

Thus it is logical to assume that Morales incurred some bruises and scrapes in the scuffle with Edwards. If he attributed his bruises to Kochan and Griffith, where are the signs of the struggle with Edwards?

At any rate, before any charges were drummed up by the prisoners' "kangaroo court," Morales had:

1. Given and signed a statement that he had been taking narcotics since he was 14. He admitted that he had taken two "pills" the evening of his arrest, January 12.

2. Pleaded guilty to disorderly conduct and abusing an officer. On the first charge he was fined $75 and costs and sentenced to 45 days in jail with 35 days withheld pending probation to Inspector Maurice Mumford for 2 years. He was fined $25 on the second charge.

One of the conditions of his probation stated that he is to refrain from the use of intoxicants and from places selling intoxicants.

And yet shortly after the grand jury indictment April 22, Morales was placed in the Chris Cafe and was said by a witness to have struck a barmaid, Phyliss (Misty) Lynn.

[From the Lorain (Ohio) Journal, May 15, 1964]

BRIBE OFFER CALLED OFF

(By Jack LaVriha and William E. Scrivo)

(Fifth in a series)

Andy Samuel Mehallic wasn't called by the Federal grand jury that on April 22 indicted Sgt. Richard L. Griffith and Patrolman John Kochan for allegedly beating Angelo Morales in the process of obtaining a confession from him about his use of narcotics.

But Mehallic was busy on April 22. It was on the very day that the Federal grand jury in Cleveland handed down its indictment that Mehallic was working on another angle—an attempt to extort money from the officers.

Mehallic, who said that he was instructed by a mysterious note writer whose name he would not divulge, offered to clear the officers of the civil rights charge—for a price.

"You fellows are in a lot of trouble," Mehallic told Kochan, "and I can get you out of this for $4,000."

Originally, Mehallic said, he was instructed to start off with $10,000 in his attempt at extortion. But he never brought that figure up to the officers.

The approach was made to Kochan originally. In a meeting at Evans Grille, 126 East 28th Street, the officer met with Mehallic at the latter's request. The two then went to Sergeant Griffith's home.

Here Mehallic offered to cut the payoff down to $3,000—$2,000 from Kochan because he didn't like him, and $1,000 from Griffith.

In return for the money, Mehallic said that he would sign a statement that the officers would prepare, clearing them of the verdict against them in the complaint of the "kangaroo court" jury of prisoners.

The officers were supposed to take the money to Evans Grille at 11:30 a.m. on the following day, April 23. Prior to the appointed time, Mehallic called Griffith and told him the appointment was off, because he (Mehallic) had received another mysterious note telling him to "lay off."

This was the final approach made to extort money from the officers.

In a sworn statement, Mehallic said that "they" were going to "plug" Griffith and Kochan if they tried to back out of the deal. He would not identify who "they" were, but he said, in his statement:

Question. What were you supposed to do with the $4,000?

Answer. (Mehallic) I wasn't to get it. I wasn't supposed to get it.

Question. If the officers handed it in your hand, you would have gotten it then, right?

Answer. Right.

Question. Now what were you supposed to do?

Answer. But they was waiting for them across (at) Sealtest. In case they tried to back out, they were going to plug them, either four, five, or six cops.

(EDITOR'S NOTE.—Sealtest is the Sealtest Foods Ice Cream Division building located across from Evans Grille.)

Question. Who were they going to plug?

Answer. Everybody. They were going to plug everybody. If there was 10 involved they were going to get it all. They were waiting right behind Sealtest. That's no joke.

Question. They were going to plug Officer Kochan?

Answer. Everybody.

Question. They were going to plug Officer Griffith?

Answer. Everybody. Everybody that would be around.

Mehallic said that there was even a man on the roof of the Sealtest building, but he maintained that he didn't know who was going to shoot the officers if they failed to pay off.

Earlier in his statement, Mehallic told how he contacted Reporter Jack LaVriha and told him that he was going to ask the officers for $10,000.

Question. What were you supposed to do with the $10,000?

Answer. Well, I told him, I says, "I could use the money, yes, for nonsupport payments, you know, to my ex-wife, my kid. I says I could use a thousand bucks, you know, get squared away and try to get back with my ex-wife."

Question. Let me ask you this. Were you supposed to clear them of some alleged misdoing on their part?

Answer. Right, right. I was.

Question. How were you going to clear them?

Answer. By signing the statement.

Question. Let me ask you this: Am I right in assuming that for the $10,000 you were going to clear the two officers of the alleged charges against them?

Answer. Right. And it was cut down to $3,000.

Mehallic was the "foreman" of the "kangaroo court" jury and instigated the petition that accused Sergeant Griffith and Officer Kochan of beating Morales.

[From the Lorain (Ohio) Journal, May 16, 1964]

Indictment Strikes Fear

(By Jack LaVriha and William E. Scrivo)

(Sixth in a series)

The law can be a specific thing or it can be a nebulous theory. Most of the law, as we know it, is based on precedent—the way a similar case has been judged before.

Law enforcement officials and many attorneys feel that the conviction of two Lorain police officers would set a dangerous precedent that would contribute to the breakdown of law enforcement throughout the United States.

It is pertinent at this point to air the charges against Sgt. Richard L. Griffith and Patrolman John Kochan and to explain some of the reasons their indictment strikes fear into the hearts of those sworn to uphold the law.

Under the heading "United States of America against Richard Leroy Griffith and John Federick Kochan", the indictment states:

"That on or about the night of January 13, 1964, at Lorain, Ohio, Richard Leroy Griffith and John Frederick Kochan, police officers of the city of Lorain, acting under color of the laws of Ohio, did willfully assault, strike and beat Angelo Morales—with the intent and purpose of imposing summary punishment upon him and of coercing a confession from him, and therefore did willfully deprive Angelo Morales of the right secured and protected by the Constitution and laws of the United States, to wit, not to be deprived of liberty without due process of law.

"In violation of section 242, title 18, United States Code."

Included in a preliminary brief filed, along with a motion for dismissal of the indictment against the two officers, are some points that are worthy of mention in analyzing the case objectively.

The brief states: "The Government is attempting to bring a claimed assault and battery by local Ohio police officers within the defined limits of the Federal Criminal Code. This governmental claim cannot get to first base, which is the legal requirement that the acts with which these officers are charged, must be done under color of Ohio law.

"Federal prosecutions are required to be based on conduct declared by Congress to be criminal. Certainly Congress did not intend to issue a blank check to the Federal courts and Federal prosecutors to bring within the scope of criminal misconduct acts based only upon a series of multifarious retrospective findings that such acts are criminal in character.

"There are some who feel that the Federal Government, to the exclusion of local authorities, should enforce our criminal law.

"They say that local authorities cannot be trusted because they lack courage, they have personal or political motives, they constantly violate their oaths by refusing to prosecute.

"If this be true—then this is indeed an ominous sign. But isn't the cure for that a reinvigoration of the responsibility of the States and their citizens?"

In conclusion, the brief points out:

"If Congress desires to punish specific acts by declaring such to be a criminal act against the United States, then let Congress set forth in traditional specific detail just exactly what it desires to punish.

"Let all the acts now declared by the courts to be a violation of 'due process of law' be submitted to Congress for a determination of whether the elected representatives of the people, when actually confronted with the choice of declaring such criminal, will do so.

"As section 242, title 18, now reads, the Federal Government contends that it can be amended today, tomorrow or a week from Monday—whenever some court decides some act violates due process of law.

"The statute does not set forth an ascertainable standard of guilt; but only a nebulous, foggy notion that requires further judicial legislation each and every time the Federal prosecutors attempt to apply it."

When police officers become fearful of their duty, law enforcement must suffer, it is pointed out by police authorities.

If an officer is to be accused and face a grand jury each time he hauls in a prisoner, rest assured he will bring in no more prisoners.

Be further assured that if prisoners can shout the magic words "civil rights" and escape arrest or prosecution, many will do so.

The Griffith-Kochan case is even more critical, for sworn statements aired in this series point to an indictment and conviction of two police officers by a "jury" of prisoners in a jailhouse "kangaroo court."

[From the Lorain (Ohio) Journal, May 17, 1964]

Who Does She Fear?

(By Jack LaVriha and William E. Scrivo)

(Seventh in a series)

Why is Misty Lynn afraid?

The Lorain woman, a former barmaid at the Chris Cafe and Cavalier Club, both on Pearl Road, has been beaten by Angelo Morales, threatened at least once by him and beaten only last week by one of Morales' friends.

She has asked for police protection, stating that "someone is after me."

And yet she has not pressed charges in any of these cases.

Mrs. Lynn, whose first name is Phyllis, but is best known as Misty, claims not to remember being beaten by Morales on the evening of April 22, the same day she testified before a Federal grand jury in Cleveland which indicted two Lorain police officers on charges of violating Morales' civil rights.

She makes this denial even though the beating at the Chris Cafe was witnessed by others, including a man she says is like a brother to her, one Eddie Howell.

In the most recent incident, early Friday morning, Mrs. Lynn said she was slapped by Joe Galvan while Pete Branca watched. She managed to escape. The Lorain County Sheriff's Department was called, since the incident took place in Sheffield Township and she was escorted to her room.

In a statement, Mrs. Lynn tells of an incident where Morales pulled her hair for no apparent reason.

Question. And what did you do then?

Answer. I took his beer away.

Question. What happened then?

Answer. He tried to get over the bar after me.

Question. Well, did someone prevent him from getting over the bar?

Answer. Mm hmm, there were four people carried him out.

Question. Is Angelo known as a pretty good fighter?

Answer. Well, from what I seen he is.

There is strong evidence that Angelo Morales and some of his associates belong to a local chapter of a gang called "Pachucos." A tattoo on his left arm has been identified by police officers as being the mark worn by the Pachucos.

The dictionary defines a pachuco as "a young, usually underprivileged Mexican-American having a taste for flashy clothes and fast living, speaking a special jargon, usually belonging to a neighborhood gang and often identified by a small tattoo."

The tattoo consists of a cross atop two parallel lines, below which is a bow. The tattoo is also worn between the thumb and index finger and between the index and second fingers.

Police officers know the pachucos, who have been most active in Los Angeles and Detroit, as young terrorists, who hate policemen and deal in many kinds of vice and violence.

An older member of Lorain's Mexican-American colony said that some of the younger members of the colony have formed a pachuco gang here.

He added that the youths frequently grow out of the gang to become good citizens.

Mrs. Lynn admitted that Morales usually traveled with a number of young Mexican-Americans, but refused to dub them a gang or state that Morales was their leader.

(Morales is known to "run around" with a group comprised of his brother, Manuel; Pete Branca, Isaac (Chimps) Galvan and his brothers, Joe and Albert, and Grant Ely, among others.)

She also said that Morales at times became irrational after having one beer.

Question. Now you've also mentioned to me that on occasions where Morales would come into the bar and have one beer his actions became peculiar.

Answer. Mm hmm.

Question. And when you say it became peculiar, what do you mean?

Answer. Well I mean the way he talked to you. It just sounded like somebody that was sick.

Question. Well, can you describe—

Answer. Not rational.

Question. Not rational at all? What did he do; make up things, dream up things—when you say he is not rational?

Answer. No, he didn't make up anything, just by the way he talked about his family and things he wanted to do like that.

Question. What did he want to do?

Answer. He wanted to make something of himself and better himself and his family, but it was—the way he talked, like it was preying on his mind because—the way he was living or something.

Morales had admitted in a statement that he had taken narcotic pills. It was, in fact, this statement he charged Lorain police officers, Sgt. Richard L. Griffith and Patrolman John Kochan, extracted from him by beating him with a bullwhip.

Mrs. Lynn, 27, is married, but separated from her husband. She has five children, one in New York and four in foster homes. She has worked in Lorain at various places as a barmaid.

[From the Lorain (Ohio) Journal,
May 19, 1964]

U.S. ATTORNEY GIVES VIEWS

(By Jack LaVriha and William E. Scrivo)

(Eighth in a series)

The decision to take the civil rights case against two Lorain police officers to a Federal grand jury was made in the Justice Department in Washington.

This was admitted by Merle M. McCurdy, Cleveland, U.S. attorney for the northeastern district of Ohio, in an interview with the writers of this series yesterday afternoon.

McCurdy said that decision to go ahead on all civil rights cases is made in Washington to assure uniformity. He added that this is also the case with such matters as causing a bomb scare on an airliner.

McCurdy and his first assistant, Bernard J. Stuplinski, maintain that a thorough investigation was made into the Angelo Morales case before it went to the Federal grand jury in Cleveland.

Stuplinski said that Lorain police and the FBI both investigated the case after Morales charged that Sgt. Richard L. Griffith and Patrolman John Kochan beat him with a whip to extract a confession from him that he was a narcotics user.

McCurdy added that 20 witnesses were called in for the Federal Government's presentation of the case to the Federal grand jury.

"Normally, from three to nine witnesses are called in for criminal cases before the Federal grand jury," McCurdy said.

Mr. McCurdy said that his office was very much aware of the two police officers' civil rights in the case.

This is the first case in the Cleveland district concerning charges of civil rights involving alleged police brutality, he pointed out.

"We are very cogizant of the problems of police departments," McCurdy said.

Asked why all those involved in the case were not called to testify before the Federal grand jury, McCurdy said that Andy Samuel Mehallic, who reportedly instigated the petition against the officers, was in Trumbull County Jail in Warren when the grand jury was in session April 15, 16, and 17.

(Mehallic called Journal Reporter Jack LaVriha and requested a meeting with him which was held on the afternoon of April 17 at the Hollywood Bar, 604 East 28th Street.)

McCurdy also said his information indicated that Mehallic was a psychopath and that his word could not be trusted.

Questioned about the validity of Mehallic's instigation of the petition against the two officers, McCurdy said that he put little weight on the petition in the overall case.

McCurdy also charged that the Journal was being "one-sided" in the presentation of the case in its series of articles.

The U.S. district attorney, in response to a question asking why State authorities did not handle the case, said that the allegations were brought directly to the Federal Government and it is practice for them to probe such cases under those circumstances.

McCurdy also said that the civil rights charges against the two Lorain policemen had no bearing whatsoever on the Federal Government's probe of alleged Cleveland police brutality in connection with the school dispute in that city.

Following a Federal probe of Cleveland policemen, the Justice Department decided not to bring the matter before the Federal grand jury.

McCurdy said that the U.S. attorney's office was not notified about those who didn't sign the petition against the Lorain officers and thus these men were not called.

He added that his office had tried to be scrupulously fair in the case and had called witnesses from both sides, including seven members of the Lorain police department.

[From the Lorain (Ohio) Journal,
May 20, 1964]

KANGAROO COURT: POLICE DISCOURAGED

(By Jack LaVriha and William E. Scrivo)

(Ninth in a series)

"You're not a police officer any more. You are just a puppet for—the criminal-minded people."

These are the words of a Lorain police officer, Patrolman George Ritenauer, who has been a policeman for 8 years and is president of the Lorain Fraternal Order of Police Lodge 3.

At this point, Ritenauer is thinking of "getting into something else," and small wonder.

In the short span of the past 5 months, he has:

1. Seen two fellow officers charged and indicted for violating the civil rights of a prisoner by allegedly beating a confession out of him on the strength of a petition of a group of prisoners in a "kangaroo court" in Lorain City jail.

2. Been concerned that he himself might be accused of brutality because he had hit a balky youth who grabbed the throat of his fellow officer.

3. Had his family threatened and been subjected to vile insults by the man he and his partner took into custody.

Ritenauer and Patrolman William Fazekas were in on the beginning of the Angelo Morales case, the case which ended with Sgt. Richard L. Griffith and Patrolman John Kochan indicted by a Federal grand jury in Cleveland April 22.

On January 12, 1964, a Sunday, Ritenauer and Fazekas received a call to check an accident in front of Chris Cafe. Arriving there they found a car parked in front of the cafe at 3680 Pearl Road with another car behind it.

Ritenauer said that the driver of one of the cars, later identified as George R. Edwards, approached them and told them that the car was parked in the road without lights and "I hit it."

Edwards told the officers that the driver of the other car "punched me and broke my glasses," according to Ritenauer.

The officer and Edwards went into Chris Cafe and Edwards pointed out Angelo Morales as the man who had hit him.

"So I put my elbow on the bar and talked to him, real close," Ritenauer said. "And it was then he [Morales] looks at me and said, 'I stole the ——— car.'"

Ritenauer continued his report:

"And he raised his hands. With that I moved back and—I seen in his eyes and everything that this was no ordinary man—I figured, oh, oh.

"And then my buddy (Frazekas) grabbed him by the right shoulder and he went off the bar [stool] and then him and my buddy went against this wooden aisleway between the bar seats and the dining room and his hand went up on my buddy's throat. He was just open there so I hit him (Morales) in the stomach and he went down, folded over.

"We grabbed his arms right away and put them behind his back and I got the cuffs and we cuffed him."

Ritenauer said that he suspected Morales was a narcotics user because of his conduct and his eyes.

"His eyes were unlike eyes I have ever seen on a drunk," Ritenauer said.

Ritenauer and Frazekas then placed Morales in the police car where Ritenauer attempted to question him.

Question. What did he say to you?

Answer (Ritenauer). Well, he was just goofy. Every time I tried to talk to him he laughed and screamed and said all kinds of abusive profanity—he was just out of his head."

Ritenauer said that when he and Frazekas were transferring Morales from the police car to the patrol wagon, some 15 minutes later, the youth threatened him, saying, "I'll get even with you."

In the police car on its way to rendezvous with the patrol wagon, Ritenauer said that Morales babbled all different sorts of things, including a statement that he (Morales) was going to "kill my kids."

Ritenauer, who was one of the seven Lorain police officers who testified before the Federal grand jury, said that he was afraid that he too would be indicted for hitting Morales.

But he added that he felt it was his duty to protect his fellow officer and that he was not sorry he hit the youth.

Ritenauer said that he feels that if things like this keep going we won't even be able to make pinches.

"You have to handle them with kid gloves or else you are going to get into trouble any more," he added.

Ritenauer feels that policemen nowadays are "guilty until proven innocent" and he makes a thought-provoking statement:

"I couldn't see how he [Morales] could draw a lot of good people, decent people, in amongst mud and sling it, and make fools out of the police department and men, good men."

PERSONAL EXPLANATION

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WYDLER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WYDLER. Mr. Speaker, on rollcall 139, I voted "present." I did so because I am a stockholder in a bank in my local area. I wish to avoid any possibility of a conflict of interest.

THE JOHN F. KENNEDY LIBRARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PEPPER. Mr. Speaker, on the 29th of this month, the late President John F. Kennedy would have been 47 years of age. In a recent issue of Parade magazine, the editor of Parade made the suggestion that one of the most fitting tributes which could be paid to the late President Kennedy upon what would have been his 47th birthday would be for the boys and girls of America to give a day of their labor and efforts and the money they earned thereby to the John F. Kennedy Library to be built at Harvard.

In last Sunday's Parade, Mrs. John F. Kennedy warmly endorsed this idea in the following words:

> I saw your wonderful letter in last week's magazine and I want to tell you how touched I am by Parade's idea to have the boys and girls of America each give a day to raise money for the John F. Kennedy Library.
>
> The President had such faith in our young people, and I can think of no birthday present which would have pleased him more.

Along with Mrs. Kennedy and Mr. Gorkin, I wish to urge the boys and girls of the Third Congressional District and of all Florida and America to join in this personal gift to honor the memory and the work, particularly for the youth of America, which President Kennedy so nobly did in his lifetime.

Boys and girls should send their contributions to the Kennedy Library Fund, Parade, Box 1640, Grand Central Station, New York, 10017.

I hope there will be a splendid response, particularly in the Third Congressional District.

EDUCATION ABOUT THE RULE OF LAW: A FORMIDABLE WEAPON IN THE COLD WAR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FASCELL. Mr. Speaker, I wish to call attention to the President's Page from the May 1964 issue of the American Bar Association's Journal. I believe that it will prove of considerable interest to all Members of Congress.

In this brief but provocative article, President Walter E. Craig explores the contribution which education about the rule of law is making to the advancement of the free world cause in the cold war. While his remarks are directed primarily to the situation in Latin America, and to the relationships between the U.S. legal community and those in our sister Republics of the Western Hemisphere, his conclusions and recommendations have universal application.

I want to take this opportunity to congratulate President Craig on his penetrating insight into the nature of the Communist ideological challenge which confronts us on the world scene. For the past 2 years, the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, which I have the honor of chairing, has been studying this challenge, and the ways in which we in the United States—our Government and our private citizens—go about meeting it. The eight volumes of our hearings, and our recently published report on "Ideological Operations and Foreign Policy," contain a number of conclusions which parallel President Craig's findings.

Mr. Speaker, I commend President Craig's article to the attention of the membership of this body.

[From the American Bar Association Journal, May 1964]

The President's Page

(By Walter E. Craig)

Education about the rule of law is one of the most formidable weapons in the cold war against international communism. The increased activity of the proponents of the Communist philosophy in the Western Hemisphere during the past several years is readily apparent. On my recent visits to bar organizations, courts and law schools in Puerto Rico and Latin America I inquired about the activity of the organized bar, and particularly the American Bar Association and the Inter-American Bar Association, with respect to the mutual relations between the organized bars of the several nations within the Western Hemisphere.

The bar of Puerto Rico, because of its location and dual language, is a natural liaison between the bar organizations of North American countries and our friends in Central and South America. The Colegio de Abogados de Puerto Rico is probably the oldest organized bar in the Western Hemisphere. Formed in 1840, 38 years before the American Bar Association, it has constantly maintained programs directed toward the welfare of the legal profession and the public in Puerto Rico.

The accomplishments of the colegio, which has a membership of approximately 2,000, should be an inspiration to State and local bar associations in the United States that have 3 or 4 times its membership. Its headquarters facilities, continuing legal education program and publications demonstrate what a small, dedicated bar association can accomplish.

On my recent visit I was impressed by the interest of Latin American bar associations, courts and law schools in the work and programs of the American Bar Association. This interest is primarily the result of the work of the Inter-American Bar Association and its secretary general, William Roy Vallance, who has devoted so many years to the cause of better understanding with our Latin American neighbors.

These efforts have been implemented by American lawyers, ambassadors without portfolio, whose clients have interests in Latin America; for instance, Robert Campbell of Ford Motor Co., and Victor Folsom of United Fruit, both of whom are members of the section of international and comparative law, Mr. Folsom being section delegate, Max Chopnick, the section chairman, and David Cottrell, Jr., chairman of the Committee on Relations with Lawyers of Other Nations, have devoted countless hours with immeasurable success to building good will and better understanding.

But with full recognition of all that has been done, it is apparent that if we are to assist Latin America to withstand the assault of international communism's program of infiltration and ideological deviation, there remains much the organized bar can and should do. We should, for example, give serious consideration to a student exchange program at the law graduate level. New York University, Southern Methodist, and Harvard have proved the value of graduate international legal studies for Latin American students. These programs are of outstanding merit, but a vastly enlarged program should be undertaken.

Through the cooperation of the American Bar Association, the American Bar Association Fund for Public Education, the Section of International and Comparative Law, the Committee on Relations with Lawyers of Other Nations, and the Inter-American Bar Association with its foundation, it is possible that a graduate level exchange program could be developed with 10 to 15 outstanding American law schools participating with a like number of outstanding law schools in Latin America. If each school were to establish a 2-year curriculum for 10 to 15 students there would be developed over a period of 10 years a corps equipped with the necessary intelligence, mutual understanding, and respect to disseminate the philosophy of the rule of law throughout the Western Hemisphere. The program could be expanded to include exchange professorships and lawyer visitations. By this means the organized bar would be making a substantial contribution to maintain the philosophy of the rule of law in the Western Hemisphere and to repel the attempted encroachment of international communism.

In July of this year the International Bar Association will be meeting in Mexico City. The proximity of the location affords the lawyers of the United States the chance to see at first hand the great opportunity we have to meet and make friends in the international field and to encourage the acceptance of the philosophy of the rule of law the world over.

ELIMINATE ASSESSMENT CHARGES AGAINST BLIND VENDORS IN FEDERAL BUILDINGS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. Baring] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BARING. Mr. Speaker, on April 28, 1964, I introduced H.R. 11055, to eliminate the provision of the Randolph-Sheppard Vending Stand Act, which permits the levying of assessment charges against blind persons who operate vending stand businesses in Federal buildings under authority of the act.

The provision of the act, which my bill would remove, section 3(3), provides that amounts collected and set aside from the proceeds of the operation of vending stands shall not "exceed a reasonable amount"—the reasonableness of the amount to be "determined by the Secretary of HEW," and the funds set aside shall only be sufficient for and shall only be used for the following enumerated purposes: First, maintenance and replacement of equipment; second, purchase of new equipment; third, management services; and, fourth, assuring a fair minimum return to operators of vending stands.

Mr. Speaker, I have offered this measure because I am a believer in the American free enterprise system—and I believe its benefits and opportunities should be available to the blind as well as to all others in our society.

I have offered this bill because I am opposed to the collection, by State vending stand agencies, of assessment charges as set-aside funds from the income of blind vending stand operators.

Adoption of my bill would remove this penalizing practice from a program in which there should be no penalties.

By levying assessments against all blind vending stand operators in a program to obtain funds for use in the program, I believe that the efforts of individual program participants, individual blind businessmen, are penalized and burdened to provide funds for the benefit of the less competent operators, for the operators working in stands established in unprofitable locations.

Thus, individual initiative and imaginative enterprise are discouraged: individual efforts toward self-improvement are stifled.

Those operators who prosper because of their exertions, because of their imagination and developed business sense, are penalized; to assist from their vending stand proceeds, their individual earnings, the less able, the less ambitious.

Further, I believe that because these accumulated funds are collected, set aside and available, there is a tendency on the part of State vending stand agencies, to establish stands in doubtful or obviously poor business locations, since money from the set-aside reserves can be employed to provide operators in such uneconomically located stands with income.

Set-aside funds are collected by assessing gross income of vending stands, and usually the rate of charge increases with the increase in the gross business of the stands. Therefore, the more a blind operator works, the harder he tries to improve his vending stand business, the more he is charged, the greater is the penalty for his labors, the greater is the price he must pay for his hard-earned success.

Mr. Speaker, according to information obtained from the report of the Office of Vocational Rehabilitation, Department of Health, Education, and Welfare, as of June 30, 1962, there were 53 vending stand programs being operated under the Randolph-Sheppard Vending Stand Act in our States, territories, and the District of Columbia.

Set-aside funds are not collected in 12 of these programs.

They are collected, however, in the remaining 41 programs.

Of the 41 programs collecting and using set-aside funds, 16 used part of these funds to guarantee a fair minimum return to all operators in the programs.

Twenty-six of these programs levied and accumulated set-aside funds and used a part of the funds collected to cover the cost of management services; 32 for the purchase of new equipment; and all 41 used a portion of the moneys charged and collected for the maintenance, repair, and replacement of vending stand equipment.

The rates of assessment charges varied from State to State—and the percentages ranged from 1 percent to slightly less than 8 percent of the gross sales in the programs administered under the Randolph-Sheppard Act.

I believe, Mr. Speaker, that the continued existence of this equalizing provision in the vending stand program only serves to reduce all blind vending stand operators to a low common denominator, irrespective of individual merit or lack of merit. By this averaging process, individual efforts are subverted, and the very purpose of the Randolph-Sheppard Act, the very objectives intended to be served by it, are blocked from realization.

The Randolph-Sheppard Act states as its purpose, Mr. Speaker, that it was adopted "for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self-supporting."

Mr. Speaker, when blind persons are trained and placed in vending stands being operated in the Randolph-Sheppard program, when they are "stimulated to greater efforts" and develop their businesses, when they strive "to make themselves self-supporting" by their industry and ingenuity, then, Mr. Speaker, if after all this, these blind vending stand operators are subjected to assessments which are collected and used for all stands in a program, are not the purposes of the Randolph-Sheppard Act contravened?

I believe, Mr. Speaker, that this penalty provision should be removed from the vending stand law. It neither serves to promote the purposes of the program, nor is it necessary to provide a source of funds for the continued operation of the program.

Combined Federal-State or State funds alone, which are available under the Vocational Rehabilitation Act—Public Law 83–565—can and should be used to provide operating funds for the State vending stand programs.

Vending stands which prosper should pay for the repairs to their equipment, should provide funds to replace and procure new equipment.

If vending stands do not prosper, if they are situated in unprofitable locations, if their operators are not competent, then public funds should be used to finance the continued operation of these stands—if it seems worthwhile to continue them at all.

If vending stand operators demonstrate their ability to manage their own businesses, if they do not need managerial services or supervision, then they should not be obligated to pay for them, they should not be required to pay for supervision they do not need.

Managerial or supervisory services, if required, should be provided and paid for out of public funds.

And certainly vending stand operators who prosper should not be compelled to share their earnings with others in the program. If it seems worthwhile to retain poor-paying stands in the program, if it seems valuable to provide employment for the less able—and I believe it is—then public funds should be used to assure such person an income, allowing them to realize a living return from their efforts.

Mr. Speaker, blind persons, like any other cross-section of our population, possess great diversity in abilities and aptitudes. Some are very capable, while others, as with sighted people, are lacking in any particular capability.

The Randolph-Sheppard program offers employment opportunities for all who are blind.

Some, after training and initial help, forge ahead and are very successful, while others just plod along—managing—but just about.

There must continue to be opportunities for all in the Randolph-Sheppard vending stand program, but it is neither fair nor just that some should survive in the program at the expense of others.

I believe that all blind persons who operate vending stands should be helped and encouraged toward the goal of functioning as independent, self-dependent businessmen.

In conclusion, Mr. Speaker, I believe it is to the interest—not alone of blind persons—but to the Nation at large, that persons without sight be given the opportunity to earn a decent living, to live productively and independently.

It was in recognition of this, that Congress made the Randolph-Sheppard Act into Federal law.

But the Randolph-Sheppard Act with its present penalizing provision does not permit independence, but perpetuates dependency—it permits suppression of individual effort—it controls all, assesses all; and none, however able, may be free—free to profit fully from their own labors; free to prosper according to expended effort—for all are held back at the pace of the slowest, the least able; all are restrained by the averaging of income, by the averaging of effort, by the equalizing of results.

Mr. Speaker, this "share the wealth" provision of the Randolph-Sheppard Act is a refutation of the very purposes of the act.

It is a mockery of our American pride in individual effort, in individual achievement.

It denies to the blind individual full and fair return from his labors.

I urge that my bill be adopted. I urge that this undesirable practice of assessing charges against blind vending stand operators be removed from the law and from the lives of blind people. I urge this, that these men and women, working without sight, working with much courage and determination, may be allowed to succeed and benefit in the vending stand program, each according to his merit and ability—neither penalizing the able to provide for the less able nor penalizing the less able by loss of employment, but providing for them from the resources of all of us—from public funds.

TO IMPROVE EMPLOYMENT OPPORTUNITIES FOR BLIND PERSONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BARING. Mr. Speaker, today I am introducing a bill to improve employment opportunities for blind persons by making certain changes in the Randolph-Sheppard Vending Stand Act.

First. My bill would establish an Appeals Board, the members of which would be named by the President. It would be the function of this Board to conduct public hearings on issues and controversies growing out of the operation of the State vending stand programs authorized under the provisions of the Randolph-Sheppard Act.

Such a Board would serve as a recourse to which officials of these State programs might appeal when they believe the objectives of the Federal vending stand law are not being carried out by departments and agencies of the Federal Government.

Second. My bill would grant the exclusive assignment of vending machine income to blind vending stand operators.

Mr. Speaker, in 1936, Congress passed the Randolph-Sheppard Vending Stand Act.

This Federal law was adopted to give blind persons the opportunity to earn a living, to provide them with the chance for remunerative employment at a time in our Nation's history when jobs for the physically fit were very scarce, when they were just about totally nonexistent for men and women without sight.

This Federal law was adopted for the purpose of "enlarging the economic opportunities for the blind." It was intended to open up a limitless number of job possibilities for trained and qualified blind people, to expand existing possibilities of employment for these people.

And finally, the Randolph-Sheppard Vending Stand Act was adopted by Congress as an encouragement to blind persons in their efforts to help themselves, for the purpose of "stimulating the blind to greater efforts in striving to make themselves self-supporting."

How were these fine objectives to be accomplished? What does the Randolph-Sheppard Act do to further the employment opportunities of blind persons?

This Federal law provides that "blind persons licensed under the provisions of this Act shall be authorized to operate vending stands on any Federal property where such vending stands may be properly and satisfactorily operated by blind persons."

Adopted by Congress to serve such high purposes, how has the Randolph-Sheppard Act worked over the years?

Are thousands of blind persons engaged in running vending stands in Federal buildings and on Federal property throughout the country? Are all blind persons who want to earn their living given the chance, if they seek such a chance, to operate a vending stand business under this Federal law intended and expected to provide them with such a chance?

An examination of the figures for the past fiscal year will give the answer to these questions.

The report on the operations of the State vending stand programs operated under the Randolph-Sheppard Act issued by the Federal Office of Vocational Rehabilitation, Department of Health, Education, and Welfare, states that as of June 30, 1962, there were only 672 vending stands on Federal property—an increase of only 16 over the previous year.

This report reveals that there are only 721 blind persons operating vending stands on Federal property—an increase of only 14 over the previous year.

Mr. Speaker, I do not imagine there is any one person in the entire United States who could tell us exactly how many Federal buildings there are, how many Federal installations and bases, parks and reservations—but I am sure that all will agree that they must number in the many thousands.

Yet, only 672 suitable locations have been found. After more than 26 years' operations, the Randolph-Sheppard Vending Stand Act gives employment now to only 721 blind persons.

Mr. Speaker, there is no doubt at all in my mind that this program which was expected to achieve so much has become static in terms of new stand locations developed on Federal property, even though the nationwide potential for stand locations has not been approached.

As an illustration of this condition, from 1958 to 1961, only 35 new stands were established on Federal property in contrast to 238 new stands in non-Federal locations.

During this same period of time only 57 new blind operators were placed in stands on Federal property, in contrast to 277 new blind operators placed in stands in non-Federal locations.

I have been advised that the reason that the Randolph-Sheppard Act has failed so utterly to fulfill its great promise, the cause of these very discouraging statistics, is that Federal departments and agencies have refused to accept the purposes of the act, have failed to further these purposes—rather, they have denied the establishment of stands on suitable locations on Federal property; they have cooperated with officials of State licensing agencies by refusing to allow the location of a vending stand in the lobby of a Federal building, but have offered instead a room buried away in the bowels of the building, completely hidden from the sight, knowledge, or convenience of patrons of the building.

When differences or even disputes have arisen between officials in control of Federal property and those in charge of State vending stand programs, the State authorities have had no regularized means available to them to protest against the unreasonable, unwarranted, yes, even unlawful actions of the Federal officials.

Mr. Speaker, I believe there should be a mechanism created to permit the fair and full consideration of issues and disputes which develop in the operations of the Randolph-Sheppard Vending Stand Act.

The first provision of my bill offers such a mechanism. I believe it is important and necessary that a statutory appeals process be established to consider, impartially and objectively, all questions which arise under the Federal Vending Stand Act, and the decisions of such an appeals authority should be binding on all parties with full and equal effect.

The bill I am offering contains such a proposal for such an appeals authority and, I believe, if this proposal is enacted into law, if a Presidentially appointed Appeals Board is created by statute, the Randolph-Sheppard vending stand program would have a growth that would be astonishing.

I believe that such a board would actually not have to conduct many hearings. I am sure its very existence would resolve many differences. For its very existence would serve both as notice and warning to those who would treat Federal law with indifference—it would serve as a stern reminder to those who object to blind persons earning a living in a Federal building over which they exercise supervisory control—and, I think, this warning would result in increased cooperation, and, of overwhelmingly great importance, increased opportunities for trained and qualified blind persons to earn their living.

But creation of a Presidentially appointed Appeals Board would not solve all of the problems besetting the vending stand programs being operated in the States under the Randolph-Sheppard Act.

It would not remove the greatest threat to the livelihood of blind vending stand operators and to the very continued existence of this program as a job-opportunity program for qualified and trained blind persons.

For the greatest danger to this program comes from the rapidly multiplying numbers of mechanical vendors of coffee and sandwiches, of soda and cigarettes.

Yes, Mr. Speaker, the blind too are threatened by the onrush of automation.

I have never believed that the way to protect the livelihood of people from the economic consequences of technological developments was to fight them, to deny the advantages resulting from such developments to the public generally, to outlaw them, to restrict their use and application, to protect and preserve jobs no longer required.

Nor do I suggest this approach to the calamitous challenge of the vending machine to the blind vending stand operator. Rather, I propose that the blind operator be granted the exclusive right to the income from vending machines which reduce the business of his stand, which draw customers—and income—away from him.

The regulations promulgated under authority of the Randolph-Sheppard Act provide "for the assignment to the—blind—operator of the income from vending machines within reasonable proximity to and in direct competition with the vending stand."

This provision of regulations is further explained thus:

> If a vending machine vends articles of a type authorized by the permit (to operate the stand in that location) and is so located that it attracts customers who would otherwise patronize the vending stand, such machines shall be considered to be in reasonable proximity to and in direct competition with the stand.

Too often this provision of the Federal Vending Stand Act regulations is construed narrowly and restrictively by those in supervisory control of Federal property, to the extreme disadvantage of the blind vending stand operator, and results in increasing losses of income, in diminished earnings to the blind operator.

Mr. Speaker, must a vending machine be only a few feet or yards from a vending stand location to be in reasonable proximity to the stand?

Must the vending machine be across the lobby of a Federal building to be in direct competition with the blind-operated vending stand?

Of course, the answer to these questions is "No." Emphatically "No."

A machine which dispenses soda and is located on another floor or a different area of the building is in reasonable proximity and in direct competition if employees working in the building or patrons passing through it would buy their soda from the vending stand if there were no machine in the building available or convenient to satisfy their want.

In fact, Mr. Speaker, any machine located anywhere on the same premises where there is a vending stand takes income away from the blind operator.

When Congress adopted the Randolph-Sheppard Act, more than 26 years ago, it opened up Federal buildings as possible locations for blind-operated vending stands to provide blind persons with the chance to earn a living in premises not previously available as sites for nongovernmental business purposes.

I believe it is the responsibility of Congress to protect the preference it granted to blind persons. I believe Congress should take such statutory action as seems necessary to assure the continuation of this source of employment for trained and qualified sightless men and women.

My bill, enacted into law, would serve to strengthen the Randolph-Sheppard Act—and it needs strengthening very much.

It would serve to give meaning and much-needed effectiveness to its purposes.

Most of all, however, it would make it possible for large numbers of blind people to earn their living, to use their talents, abilities, and training gainfully and productively.

But not only would my bill, as Federal law, provide additional stand locations in Federal buildings for trained blind operators, it would also give more blind operators an opportunity to earn a living.

These sightless men and women—operating vending stands—quickly and correctly selecting an asked-for brand of cigarette from the myriad of brands on the counters and shelves, pouring scalding coffee without damage to themselves or danger to others, handing out change accurately and unhesitatingly—in short, operating their businesses as would any other businessman—these people serve as constant proof of the capabilities of men and women without sight, the ability of such people to function without sight in our world of sight, living and working in cooperation and competition with sighted people.

From such demonstrations will come, eventually, I hope, a time in our society when blind people will not need to live under a constant compulsion to prove themselves; when they will not need special Federal legislation to assure them a fair and equal opportunity to earn a living; a time when blind people will be hired on their merits, according to their qualifications, for work which they are competent to do.

But, Mr. Speaker, until that happy and more hopeful time arrives, it is most urgently necessary that we of Congress protect the Randolph-Sheppard Vending Stand Act which today offers the promise of employment to blind persons, which provides a means by which they may earn a living and support themselves today.

TO INCREASE THE COVERAGE OF FDIC INSURANCE AND FSLIC INSURANCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GRABOWSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GRABOWSKI. Mr. Speaker, the bill H.R. 5130 which our Banking Committee has reported would double—for the third time in 30 years—the maximum insurance on accounts in banks and savings associations. We are actually proposing only to double the $10,000 per account which was intended for deposit insurance after it was put in permanent form. The $10,000 of the 1934 law was postponed from 1935 until 1950, but it did become effective and, like the previous $5,000 limit, has become too small for today's business and personal depositors.

Bank deposits now total about eight times as much as they totaled when insurance against their loss first was provided. Savings association accounts total nearly 20 times as much as they did in the mid-1930's.

During these three decades, the gross national product has been multiplied by nine. It has grown for many reasons, but a fundamental reason has been that people were willing to trust their savings to banks and savings associations which have invested these funds in productive loans to businesses, consumers, homeowners, and governments. The consumers and the businesses of the Nation have trusted the dollar enough to spend in moderation, not to seek frantically for other assets and thus bring on extravagant inflation. They have trusted the banks enough to save there, rather than hoarding cash; thus they have avoided causing economic stagnation.

If the Members of this Congress will think back to the years immediately before 1933 and 1934, they will recall that mistrust of banks was generated by bank failures which numbered from half a thousand up to several thousand each year. The losses aggravated the economic ills that had impoverished some of the farm States, then the whole economy, so that finally the whole banking system toppled. The Congress of that era exercised both courage and wisdom in providing by law that losses from future bank failures would be made good by insurance. Confidence in the Nation's banks was restored, and when the Second World War began, the banks and the whole financial system were so strong that the enormous cost of the war was borne without strain but rather with a gain in strength.

Members who recall the 1930's and World War II also will remember that throughout the depression there were alarmist cries that wild inflation was imminent. During the war, and afterward, similar alarms continued to be sounded. Yet a quadrupling of the Nation's money supply, occurring in part before the war and in part during long years of minimum production of consumers' goods, did not bring more than a moderate inflation of prices. Faith in the safety of savings must be given much of the credit for limiting the degree of inflation that occurred, and thus for the comparatively orderly expansion of industry to meet the needs of war, reconversion, and peace.

On the present occasion, faith in our financial institutions is so firmly established that we now are able to be concerned primarily with present convenience and with the protection of depositors a decade or more from now. As a matter of convenience to depositors, a doubling of the limit of insurance on each account is needed. Individuals and business firms then will not need to establish so large a number of accounts in any bank, or to place their money in an out-of-town bank, in order to get maximum insurance protection. The proposed $20,000 limitation will save effort and costs now, for depositors and for banks and other savings institutions. Further, it will provide more adequate protection for the larger accounts that will characterize the growing economy of the next decade or decade and a half. Income per persons will rise by one-quarter to one-third in another decade, and the checking accounts and savings accounts maintained to manage that income may rise with greater rapidity. For more adequate protection against the rare event of a bank failure, and for more convenience in obtaining protection of the full amount held in banks and savings associations, raising the insurance limit to $20,000 is desirable. We should act to pass H.R. 5130 as quickly as possible.

PERSONAL EXPLANATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DULSKI. Mr. Speaker, due to personal reasons, I was unable to be on the floor yesterday to vote on the military construction appropriation.

Having voted for the authorization, had I been present yesterday, I would have voted "yea" on roll No. 136.

EXTREMIST GROUPS SUBSIDIZED BY GOVERNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, yesterday, May 26, I detailed for the Record some of the facts I have learned about the armed extremist rightwing group that call themselves the Minutemen and the ways and means by which they and others are able to procure free and at the taxpayers' expense arms and ammunition from the Federal Government. It is a strange and little known fact that the Federal Government subsidizes, in effect, a private army of some 400,000 persons. But it is a fact. And who knows how many of these persons are extremists and fanatics who have dedicated themselves to the subversion and the eventual overthrow of our democracy?

It is a fact that as of April 30, 1964, there were in existence in the United States 5,643 gun clubs authorized to receive guns and ammunition from the Federal Government under the civilian marksmanship program. It is a fact that there are about 400,000 persons in these clubs. It is a fact that this program has expanded tremendously in the last few years, and that it is estimated that it will continue to expand at the rate of from 10 to 15 percent per year. It is a fact that in fiscal year 1963 more than 60 million free rounds of ammunition were handed out through this program at a cost of $1,627,442. This figure does not include the cost to the Federal Government of the rifles, pistols, targets, and other supplies handed out under this program.

For the interest and use of my colleagues in the House, I have compiled a list of the number of rifle clubs and schools in each State that are participating in this program. As I have said, the total number is 5,643 as of April 30, 1964. Of this number only 35 were schools. The remaining number are private clubs being subsidized by the Federal Government:

Alabama	19
Alaska	16
Arizona	63
Arkansas	14
California	491
Canal Zone	1
Colorado	94
Connecticut	109
Delaware	18
District of Columbia	23
Florida	78
Georgia	41
Hawaii	17
Idaho	48
Illinois	271
Indiana	98
Iowa	91
Kansas	80
Kentucky	25
Louisiana	33
Maine	52
Maryland	134
Massachusetts	201
Michigan	251
Minnesota	130
Mississippi	13
Missouri	76
Montana	98
Nebraska	60
Nevada	5
New Hampshire	42
New Jersey	225
New Mexico	33
New York	778
North Carolina	54
North Dakota	44
Ohio	270
Oklahoma	65
Oregon	106
Pennsylvania	444
Puerto Rico	2
Rhode Island	39
South Carolina	21
South Dakota	36
Tennessee	33
Texas	187
Utah	49
Vermont	41
Virginia	85
Washington	145
West Virginia	44
Wisconsin	205
Wyoming	41
Grand total	5, 643

Mr. Speaker, I began speaking out about the activities of the Minutemen several months ago. For the tragic events of the assassination of President John F. Kennedy brought to my mind with chilly recollection the monthly newsletter, On Target, dated March 15, 1963, published by the Minutemen. This publication had been forwarded to me by an interested and concerned college student whose fears were quite understandably aroused by the statements made in this publication. The following is a copy, in part, of this issue of On Target:

WORDS WON'T WIN—ACTION WILL

"Like a man on a lonely road that walks in fear and dread—For he knows that close behind a frightful fiend doth tread" (Shelley).

With this quotation the author of "Frankenstein" prefaced her book. Herein is a moral which the Communists and their fellow travelers should take to heart. Decent, normal, moral citizens when driven to it can become just as vicious as their oppressors.

We have studied your Communist Smersh, Mao, Che, Bucharin. We have learned our lessons well and have added a few homegrown Yankee tricks of our own. Before you start your next smear campaign, before you murder again, before you railroad another patriot into a mental institution * * * better think it over.

See the old man at the corner where you buy your papers? He may have a silencer equipped pistol under his coat. That extra fountain pen in the pocket of the insurance salesman that calls on you might be a cyanide gas gun. What about your milk man? Arsenic works slow but sure. Your auto mechanic may stay up nights studying booby traps.

These patriots are not going to let you take their freedom away from them. They have learned the silent knife, the strangler's cord, the target rifle that hits sparrows at 200 yards. Only their leaders restrain them.

Traitors beware. Even now the crosshairs are on the back of your necks.

House Committee on Un-American Activities: In the March 1 issue we began our study of the current Communist drive to abolish the HCUA.

Two years ago, following full page advertisements in many large city newspapers, public rallies and mass picketing, the Communists were able to rally only six votes in Congress against the HCUA. These were from:

James Roosevelt (California): Home: 5309 Knowlton Street, Los Angeles, Calif. Third wife: Mrs. Gladys Irene Owens. Office: 5308 West Adams Boulevard, Los Angeles; House Office Building, Washington, D.C.

William Fitts Ryan (New York): Born 1922. Married Priscilla Marbury. Children: William, Priscilla, and Virginia. Home: 448 Riverside Drive, New York City. Office: 100 West 72d Street, New York City.

Mrs. Edith Green (Oregon): Born 1910, South Dakota. Married Arthur Green, 1933. Children: James and Richard. Delegate to NATO Conference, London, 1950; recipient of B'nai B'rith Brotherhood Award, 1956; member of American Association of Women Voters; Urban League. Home: 2930 Southeast Rex Street, Portland, Oreg.

Robert W. Kastenmeier (Wisconsin): Born 1924. Married Dorothy Chambers. Son: William. Home: 214 North First Street, Watertown, Wis.

Barratt O'Hara (Chicago): 1660 East Hyde Park Boulevard, Chicago, Ill.

Thomas L. Ashley (Ohio): Home: South River Road, Waterville, Ohio.

On February 27, 1963, the existence of the HCUA was again challenged in the House of Representatives. This time 20 Congressmen voted against it. Ryan of New York claimed the HCUA "assaulted the Bill of Rights" while Ashley of Ohio charged "the Bill of Rights could be emasculated as well at home as by agents from abroad." That any loyal American could honestly believe such tripe is beyond our comprehension.

Here then, are the Judases who seem willing not only to sell out their country for 30 pieces of silver but to go on the record and brag about it:

IN MEMORIAM

James Roosevelt, of California.
George E. Brown, Jr., of California.
Don Edwards, of California.
Edward R. Roybal, of California.
William F. Ryan, of New York.
Abraham J. Multer, of New York.
Leonard Farbstein, of New York.
Benjamin S. Rosenthal, of New York.
Mrs. Edith Green, of Oregon.
Robert B. Duncan, of Oregon.
Robert W. Kastenmeier, of Wisconsin.
Barratt O'Hara, of Illinois.
Thomas L. Ashley, of Ohio.
Charles C. Diggs, Jr., of Michigan.
John D. Dingell, of Michigan.
Lucien N. Nedzi, of Michigan.
Neil Staebler, of Michigan.
Donald M. Fraser, of Minnesota.
Henry B. Gonzalez, of Texas.
Thomas P. Gill, of Hawaii.

Mr. Speaker, note the language with which the "patriotic" members of the Minutemen are referred to:

These patriots are not going to let you take their freedom away from them. They have learned the silent knife, the strangler's cord, the target rifle that hits sparrows at 200 yards. Only their leaders restrain them.

Traitors beware. Even now the crosshairs are on the back of your necks.

The listing of 20 Members of Congress surrounded by a black bordered box with the words "In Memoriam" above it leave no doubt about the intent of these threats or the proposed victims. The fact that my name is on the list of future victims is of special interest to me.

In my investigation of this extremist group I have come across even more startling facts. For example, did you know that in 1961 the Minutemen held guerrilla field maneuvers in southern Illinois? That the weapons used on these field maneuvers included automatic rifles, machineguns, mortars, and antitank rifles? That one of the Minutemen leaders seized at this time was Richard Lauchli, the same person who was arrested last week in Illinois in connection with the seizure of a large stockpile of weapons? This is the same Richard Lauchli who was arrested in 1959 and admitted stealing bazookas from the Madison, Ind., proving grounds. These same bazookas were flown to a Latin American country for sale to Castro revolutionaries.

Further, according to Robert DePugh, the national leader of the Minutemen, similar guerrilla field maneuvers have been conducted in my home city, San Antonio, Tex.; Omaha, Nebr.; Philadelphia, Pa.; Columbus, Ohio; Kansas City, Mo.; and Newark, N.J.

So I am intensely interested in these armed extremists.

I want to know how many of them are being subsidized by the Federal Government through the civilian marksmanship program. There are 187 clubs in Texas receiving guns and ammunition under this program. I want to know how many of these clubs are located in San Antonio, how many rounds of ammunition, guns, and other supplies they have received. I want to know more about the guerrilla field maneuvers that were conducted by the Minutemen in San Antonio in 1961, whether any other maneuvers have been conducted in my district since that time. I want to know who participated in those maneuvers and where they obtained their guns and ammunition.

Mr. Speaker, I have in the past supported our foreign aid program including the military assistance features of that program. And I have always been a strong supporter of our defense program and of the armed services. But I was not aware that I was also supporting a program of military assistance to private persons in this country. I was not aware that in voting for military appropriations I was also voting for a program of military assistance to rightwing extremist groups. I was not aware that I was supporting a private army.

CORRECTING AN INJUSTICE IN OUR TAX LAWS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOELSON. Mr. Speaker, I have introduced H.R. 11389 which will allow a taxpayer the right to include as a dependent a close relative supported by him who does not live in the United States.

Under the present law, one cannot list as a dependent a person living abroad unless such dependent is a U.S. citizen.

This injustice was called to my attention by a constituent who supports his 90-year-old blind mother in Italy.

It seems to me to be morally wrong to say to a taxpayer that he cannot claim a deduction for support to his own flesh and blood merely because the dependent is not fortunate enough to live in the United States.

I surely hope that the House Committee on Ways and Means will quickly remedy this cruel and discriminatory provision.

IMPLEMENTATION OF THE EQUAL PAY ACT FOR WOMEN

The SPEAKER. Under previous order of the House, the gentlewoman from New Jersey [Mrs. DWYER] is recognized for 10 minutes.

Mrs. DWYER. Mr. Speaker, on Thursday, June 11, the Equal Pay for Women Act of 1963 will take effect. I have asked for this time to call attention to this historic development and to urge business enterprises as well as those who have fought so long and so hard to obtain this long overdue measure of economic justice to take the necessary steps to acquaint women workers with their rights under the act.

It required 18 years from the time the first equal pay bill was introduced to enact this legislation. When the bill was passed last year, a period of 12 months was provided before the measure could become effective. It would be a pity, therefore, if we lost any more valuable time in putting these protections into effect.

I would be less than candid, Mr. Speaker, if I suggested that the act is everything that supporters of equal pay legislation had hoped it would be. There are a number of weaknesses in the new law which I believe unwisely limit the scope of its application and unnecessarily encumber its enforcement. Nevertheless, the need for the legislation is so great—in recent years, the income gap and wage differentials between men and women employees have been widening rather than contracting—that we can sincerely welcome the prospect of the law taking effect as a genuine and major advance toward greater economic opportunity.

The key fact about the Equal Pay Act is that it is an integral part of the Fair Labor Standards Act, which is also known as the minimum wage law. Thus, the newer law is subject to the same coverage, the same exemptions, enforcement procedures, penalties, and so forth, as the older law. Depending on one's viewpoint, the administration of the equal pay provisions will either benefit or suffer from the long experience of minimum wage administration, the substantial body of regulatory interpretation and court decision which has been accumulated and the framework of understanding between employer, employee and Government which has been developed. The Equal Pay Act, however, will neither extend nor curtail the coverage of the Fair Labor Standards Act but simply apply the new provisions to those employers and employees who are already subject to the minimum wage requirements of the earlier law.

At this point, Mr. Speaker, I would suggest to those who are interested in or responsible for understanding the way the Equal Pay Act will function that they obtain from the Department of Labor a copy of the interpretative bulletin prepared by the Wage and Hour and Public Contracts Division and published in the Federal Register of April 25, 1964, as part 800 of chapter 29 of the Code of Federal Regulations, entitled "Equal Pay for Equal Work Under the Fair Labor Standards Act." This bulletin is a comprehensive and authoritative statement of the general policies and interpretations which will be relied upon by the Department in the administration of the new law. A useful summary of the law has also been prepared by the U.S. Chamber of Commerce.

It has been estimated that approximately 27.5 million employees work for companies which are covered by the Fair Labor Standards Act, and thus by the new equal pay provisions. Basically, the act extends to every employee who is "engaged in commerce or in the production of goods for commerce" and every employee who is "employed in an enterprise engaged in commerce or in the production of goods for commerce" or "by an establishment" qualifying as such an enterprise, as specified and defined in the statute. This general coverage, of course, is reduced by the specific exemptions in the act. These include: executive, administrative, and professional employees and outside salesmen; employees of certain retail or service establishments, certain nonindustrial laundries and drycleaning establishments, small newspapers, urban and interurban transit systems which have less than $1 million in annual gross sales, switchboard operators of independent telephone companies which have fewer than 750 telephones, and employees of a taxicab business, not to mention employees in such occupations as fishing, farming, forestry, and seamen which include very few women.

As a practical matter, however, the precise application of the equal pay provisions is further limited by the fact that the great majority of the 27.5 million covered employees are men. In addition, the very purpose of the Equal Pay Act—the prohibition of wage discrimination based on sex—expressly excludes employment in which both men and women are not working in the same or very similar job classification.

As a result, the industries which are expected to be most affected by the new law are those in which employees of both sexes work side by side. They include banks, electronics manufacturers, insurance companies and department stores.

The basic principle of the equal pay law can be stated very simply. Employers cannot pay women less than men simply because they are women. This principle, however, is subject to several very important qualifications.

The first qualification relates to the equal character of the work being performed by men and women. The law specifically provides that in order to be eligible for equal pay the job in question must be one which requires "equal skill, effort, and responsibility" and must be "performed under similar working conditions" by men and women alike. In interpreting the statutory requirement, the Department of Labor will consider each of these terms as separate tests, each of which must be met in order for the equal pay standard to apply. Differences in the degree of skill, effort, and responsibility, or in working conditions will ordinarily be sufficient to make the equal pay requirement inapplicable if and when the differences are of a magnitude customarily associated with differences in wage levels. The Labor Department's interpretative bulletin makes clear that, while individual determinations must be a matter of practical judgment, the differences in job requirements must be substantial or else the equal pay standard will prevail. Insignificant differences will not be allowed to serve as excuses for continuing wage discrimination. Nor will formal job titles or classifications be determining. It will be the actual requirements and performance of a job which will determine whether the equal pay standard applies.

A second qualification has to do with wage differentials which are based on factors other than sex. The Equal Pay Act specifically provides that such differentials will be permitted when it can be shown that they are based on seniority systems, or merit systems or on systems which measure earnings by the quantity or quality of production. In addition to these specific exceptions, the act also includes a general exception covering any and all factors other than sex.

In applying these exceptions, the burden of proof will be on the employer. Where wages are paid for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, an employer can justify wage differentials only if he shows facts which establish that the particular differentials are in fact based on factors other than sex. In some cases, too, the employer may be called on to show that there is a reasonable relationship between the amount of the differential and the weight properly attributable to the factor, other than sex, which justifies it. The Department has illustrated this point by citing as an example the payment of $90 to male clerks for a 40-hour workweek and $70 to female clerks doing substantially the same work on a 35-hour week basis. The Department contends—justifiably, I believe—that the 5-hour difference in hours worked would not justify a $20 differential in wages, since this would mean that male clerks were being paid at a rate of $2.25 an hour while female clerks received a rate of $2 an hour. Unless the employer in this hypothetical case could show that some other factor was responsible for the size of the wage differential, then the particular differential would not be warranted under the act.

In the case of exceptions for seniority and merit systems and systems for measuring earnings by the quantity or quality of work, such systems, the Department explains, will not be limited to formal plans or plans reduced to writing. Informal or unwritten systems may qualify as exceptions so long as they are in fact based on seniority, merit, or quantity or quality of production and so long as it can be demonstrated that the standards and criteria are applied pursuant to established plans the essential terms and conditions of which have been communicated to the affected employees. The overriding consideration, however, must be that the factor of sex provides no part of the basis for the wage differential. Consequently, any exception, such as a merit system, must be applied equally to men and women whose jobs require equal skill, effort, and so forth.

A case in point, Mr. Speaker, involves the reported practice of some banks which, in preparing for the new equal pay requirements, are paying higher wages to tellers who are heads of households than to other tellers. Since heads of households are usually men, employers adopting this practice presumably would be asked to show that women tellers who were heads of households would also be paid at the higher wage level.

There is a third qualification, Mr. Speaker, to the equal pay principle which may be of some significance. In prohibiting wage discrimination on account of sex, the act uses the term "within any establishment" and thereby serves to distinguish between each physically separate place of business for equal pay purposes. As a result, if an employer has two or more establishments, there would be nothing to prevent him from paying different rates in one establishment than in another—provided, however, there is no differential in wage rates based on sex in any one establishment. On the other hand, the use of the term "within any establishment" was not meant to exclude employees who happen to perform their work away from the physical premises of the establishment in which they are employed. Precedents under the Fair Labor Standards Act and the legislative history of the Equal Pay Act, as interpreted by the Labor Department, clearly include such employees, if they are otherwise qualified, within the protection of the new statute. Obvious examples of such employees, as cited by the Department, are employees engaged in providing shopping services whose work is performed in clients' establishments and employees performing building maintenance services whose employer's establishment may consist of nothing more than an office from which assignments are made, employees are paid, and related operations carried on.

Special emphasis, Mr. Speaker, should be reserved for a provision in the act which I consider of greatest importance. This is the clearly expressed prohibition against correcting wage rate differentials by reducing the wage rates of the higher paid employees. Congress directly confronted this question, which has been in controversy during previous consideration of equal pay legislation, and left no doubt about our intention to raise the wage rates of those who may be unfairly discriminated against rather than reduce the wages of the more fortunate.

In considering the wages actually paid to an employee, the Department will follow the traditional principles and procedures of the Fair Labor Standards Act administration and include all payments made to or on behalf of the employee as remuneration for employment. Where the employer customarily furnishes employees with board, lodging, or other facilities, the reasonable cost, or fair value of such facilities will be counted as wages. In the same way, the term "wage rates" covers all rates no matter how calculated—whether on a time, piece, job, incentive, or other basis—and includes rates of overtime compensation as well as straight time pay. Thus, when men and women are doing equal work within the meaning of the act, employers would be prohibited from differentiating in paying wages by resort to the provision of extra benefits to one group and not the other or by paying one a higher overtime rate than the other.

As an integral part of the Fair Labor Standards Act, the equal pay provisions will be subject to the same enforcement procedures and penalties which are already in force for other Fair Labor Standards Act provisions. These include, briefly, the following:

First, the Secretary of Labor may obtain an injunction from the Federal district court restraining an employer from violating the law. He may also seek a court order to direct the payment of any back wages due. Such an action can be initiated without the consent of the aggrieved employee, in which case the employee is barred from undertaking an independent action.

Second, the employee himself may bring suit to recover wages illegally withheld by his employer, including an additional sum up to the amount of backpay, as liquidated damages, plus attorney's fees and court costs.

Third, the Administrator of the Wage and Hour and Public Contracts Divisions may supervise the payment of back wages to an employee. However, an agreement to accept such payment terminates the rights of an employee to an independent action.

Fourth, under certain circumstances, the Secretary of Labor may, upon written request of an employee, bring suit in district court to recover the backpay claimed by an employee. Such an action also waives the employee's right to an independent action against the employer.

Fifth, willful violations of the act may be prosecuted criminally by the Federal Government and the violator fined up to $10,000. A second conviction for such a violation may result in imprisonment up to 6 months.

For most employers and employees covered by the equal pay provisions, Mr. Speaker, the effective date will be Saturday, June 11. In the case of employees covered by bona fide collective bargaining agreements, however, the act defers the effective date, provided the agreements were in effect on May 11, 1963, and do not terminate until some date after June 11, 1964. In those instances, the equal pay provisions will take effect on the termination date of the agreement or on June 11, 1965, whichever occurs first.

Despite the technical considerations involved in administering any act of this magnitude, Mr. Speaker, it seems to me the purpose and effect of the equal pay law are not only manifestly just but unusually clear and simple of application.

Employers concerned with doing justice to their employees should have no problem in understanding or complying with the new requirements. The Labor Department's Wage and Hour and Public Contracts Divisions, in their interpretative bulletin, have demonstrated their intention to administer the new act according to rules of reason and commonsense, neither applying too harsh standards to employers nor making it too difficult for employees to protect their rights. Both employers and employees should benefit from the administrative skill and surefootedness which have developed from many years of experience with the Fair Labor Standards Act.

What we established last year, Mr. Speaker, and what many of us here will be vitally interested in observing, is a practical system for securing justice in the payment of wages to women workers whose work is equal in every significant respect to the work performed by their male counterparts. To accomplish this, those employers having employees already subject to the minimum wage law have been required to eliminate any wage differentials which are based on sex, and to do so according to a set of criteria and standards which are reasonable, enforcible, and related directly to the law's objective.

I am sure that our colleagues, Mr. Speaker, will be ready to make any changes in the act which the experience we are about to observe indicates are necessary. We are concerned only with assuring justice to those who may have been discriminated against, and who would deny that this is a worthy effort?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BURKE (at the request of Mr. O'NEILL), for an indefinite period, on account of illness in the family.

Mr. ROOSEVELT, for Monday, Tuesday, and Wednesday next, on account of official business.

Mr. ASPINALL, for May 28, 1964, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. FEIGHAN (at the request of Mr. ALBERT), for 15 minutes, on Thursday, May 28, to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. OLIVER P. BOLTON and to include two newspaper articles and a letter to the Attorney General, notwithstanding it will exceed two pages of the RECORD and is estimated by the Public Printer to cost $360.

Mr. KEOGH (at the request of Mr. ALBERT) and to include extraneous matter, notwithstanding it will exceed two pages of the RECORD and is estimated by the Public Printer to cost $225.

(The following Members (at the request of Mr. KUNKEL) and to include extraneous matter:)

Mr. TUPPER.

Mr. MOSHER.

Mr. BATTIN.

Mr. WYMAN.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. MURPHY of New York.

Mrs. SULLIVAN.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 741. An act to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery sporting contests, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Thursday, May 28, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2122. A communication from the President of the United States, transmitting a draft of proposed legislation entitled "A bill to provide assistance to the State of Alaska in providing for the reconstruction of areas damaged by the earthquake of March 1964, and subsequent seismic waves, and for other purposes"; to the Committee on Interior and Insular Affairs.

2123. A letter from the Comptroller General of the United States, transmitting a report on the review of selected right-of-way activities of the Inter-American Highway in the Republic of Costa Rica disclosed that, since 1956, inadequacies in the administration of these activities have resulted in unnecessary costs to the United States and in delays in the construction of the highway, Bureau of Public Roads, Department of Commerce; to the Committee on Government Operations.

2124. A letter from the Assistant Secretary of the Air Force (Installations and Logistics), transmitting a draft of a proposed bill entitled "A bill for the relief of Col. William W. Thomas and Lt. Col. Norman R. Snyder, U.S. Air Force"; to the Committee on the Judiciary.

2125. A letter from the Secretary of the Treasury, transmitting the Annual Report of the Secretary of the Treasury on the State of the Finances for the Fiscal Year Ended June 30, 1963 (H. Doc. No. 253); to the Committee on Ways and Means and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MADDEN: Committee on Rules. House Resolution 737. Resolution for consideration of House Joint Resolution 977, a joint resolution to establish a National Commission on Food Marketing to study the food industry from the farm to the consumer; without amendment (Rept. No. 1433). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KING of New York: Committee on the Judiciary. H.R. 3220. A bill for the relief of Hugh M. Brady; with amendment (Rept. No. 1434). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. H.R. 9764. A bill for the relief of Anne S. Henkel; with amendment (Rept. No. 1435). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 9886. A bill for the relief of W. H. Pickel; with amendment (Rept. No. 1436). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 9901. A bill for the relief of certain individuals; with amendment (Rept. No. 1437). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. H.R. 10066. A bill for the relief of Joe C. Oden; with amendment (Rept. No. 1438). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 11404. A bill to amend section 3 of the Travel Expense Act of 1949, as amended, to provide authority for the payment of per diem for certain travel of employees of the Department of the Navy; to the Committee on Government Operations.

By Mr. GALLAGHER:

H.R. 11405. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mr. GUBSER:

H.R. 11406. A bill to amend section 601(a) of the Federal Aviation Act of 1958 so as to require additional precautionary measures aboard certain aircraft in the interest of the safety of the traveling public; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRIS:

H.R. 11407. A bill to amend the Standard Time Act to provide for daylight saving time during the period from the last Sunday in April to the last Sunday in September of each year; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of California:

H.R. 11408. A bill to authorize the coordinated development of the water resources of the Pacific Southwest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H.R. 11409. A bill to amend the Randolph-Sheppard Vending Stand Act; to the Committee on Education and Labor.

By Mr. BONNER:

H.R. 11410. A bill to equalize certain penalties in the Intercoastal Shipping Act, 1933, and the Shipping Act, 1916; to the Committee on Merchant Marine and Fisheries.

By Mr. BROMWELL:

H.R. 11411. A bill to amend title I of the Internal Security Act of 1950; to the Committee on Un-American Activities.

By Mr. CELLER:

H.R. 11412. A bill to amend provisions of law relating to the settlement of admiralty claims; to the Committee on the Judiciary.

H.R. 11413. A bill to transfer certain functions of the Secretary of the Treasury, and for other purposes; to the Committee on the Judiciary.

H.R. 11414. A bill to authorize the establishment of a Research and Development Center in the Correctional Field; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 11415. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MacGREGOR:

H.R. 11416. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11417. A bill to designate the Veterans' Administration hospital being constructed in the District of Columbia as the Melvin J. Maas Memorial Hospital; to the Committee on Veterans' Affairs.

By Mr. McDADE:

H.R. 11418. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for expenses of higher education; to the Committee on Ways and Means.

By Mr. LENNON:

H.R. 11419. A bill providing for a study of the legal problems of management, use, and control of the natural resources of the oceans and ocean beds; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 11420. A bill for the relief of Nora Isabella Samuelli and Katherine Nabokoff; to the Committee on the Judiciary.

By Mrs. BAKER:

H.R. 11421. A bill for the relief of E. Elmer Mynatt; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 11422. A bill for the relief of Antonio Gigante, his wife Marietta Gigante, and their minor children Mario Guiseppe Gioacchino Gigante, Valentino Gigante, Graziella Gigante; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 11423. A bill to provide for the free entry of a mass spectrometer which was imported during May 1963 for the use of Stanford University, Stanford, Calif.; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 11424. A bill for the relief of Michael Musso; to the Committee on the Judiciary.

By Mr LANGEN:

H.R. 11425. A bill to provide for the conveyance of 10 acres of federally owned land on the White Earth Reservation to the Minnesota Annual Conference of the Methodist Church, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LESINSKI:

H.R. 11426. A bill for the relief of Clifton M. Chippewa; to the Committee on the Judiciary

By Mr. MILLER of New York:

H.R. 11427. A bill for the relief of Dr. Konrad Wicher; to the Committee on the Judiciary

By Mr. O'HARA of Illinois:

H.R. 11428. A bill for the relief of Demetros Kalyvis; to the Committee on the Judiciary.

By Mr. PIRNIE:

H.R. 11429. A bill for the relief of Nabhane M. Nickley (Nabhane M. Karam); to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 11430. A bill for the relief of Rear Adm. William D. Wright, U.S. Navy retired; to the Comimttee on the Judiciary

By Mr. WALLHAUSER:

H.R. 11431. A bill for the relief of Miss Junia Kirton; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 11432. A bill for the relief of Robert W. Johnson, lieutenant commander, U.S. Navy; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

907. The SPEAKER presented a petition of Kihachi Tamai, Tokashiki-son, Okinawa, relative to the problem of pretreaty claims, which was referred to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, MAY 27, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God: Trusting only in Thy mercy, we seek the assurance of Thy face and of Thy guiding hand. Nothing in our hands we bring—our selfish hands, so often grasping fleeting baubles; we wait in contrition for Thy benediction.

As we turn to a noisy world, steel our hearts to meet its tirades and threats with quiet strength and with patience that does not explode into anger. May we face falsehood resolutely with the truth over which at last no weapon can prevail. Even amid a barrage of abuse from those who in their blindness imagine a vain thing, keep our hearts steady, our speech temperate, and our desire for a just peace our ruling passion, knowing that he that keepeth his own heart is greater than he that taketh a city.

In the name of the Prince of Peace we pray. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 26, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 26, 1964, the President had approved and signed the act (S. 2214) to amend the International Development Association Act to authorize the United States to participate in an increase in the resources of the International Development Association.

WITHDRAWAL OF A NOMINATION

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States withdrawing the nomination of Martin J. Harr, Jr., to be a postmaster at Indian Lake, N.Y., sent to the Senate on February 3, 1964.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 10041. An act to improve the public health through revising, consolidating, and improving the hospital and other medical facilities provisions of the Public Health Service Act; and

H.R. 11369. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 741) to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery sporting contests, and for other purposes, and it was signed by the Acting President pro tempore.

The message informed the Senate that, pursuant to the provisions of House Resolution 687, 88th Congress, the Speaker had appointed Mr. POWELL, of New York, and Mr. GRIFFIN, of Michigan, as delegates to the International Labor Organization Conference in Geneva, Switzerland, between June 17, 1964, and July 9, 1964; and that the Speaker had appointed Mr. ROOSEVELT, of California, and Mr. QUIE, of Minnesota, as alternates to attend said conference.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 10041. An act to improve the public health through revising, consolidating, and improving the hospital and other medical facilities provisions of the Public Health Service Act; to the Committee on Labor and Public Welfare.

H.R. 11369. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes; to the Committee on Appropriations.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour, under the usual conditions, and that statements therein be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS TO NOON, THURSDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of today's business, the Senate stand in recess until 12 o'clock noon, on Thursday next.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, it is my understanding that the Executive Calendar has been cleared with both sides, and that the nominations on it are noncontroversial. Therefore, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

William McCormick Blair, Jr., of Illinois, to be Ambassador Extraordinary and Plenipotentiary to the Philippines; and

William Witman II, of Pennsylvania, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Togo.

EXECUTIVE REPORTS OF COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report favorably sundry nominations in the Diplomatic and Foreign Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations ordered to lie on the desk are as follows:

Bernard Rosen, of California, and sundry other persons, for appointment and promotion in the Diplomatic and Foreign Service.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

THE AIR FORCE, THE ARMY, THE MARINE CORPS, AND THE NAVY AND MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Air Force, the Army, the Marine Corps, and the Navy and Marine Corps, which nominations had been placed on the Secretary's desk.

Mr. INOUYE. Mr. President, among the nominations favorably reported are those of the persons scheduled to graduate next week from the Military Academy. The nomination reference of the graduates, as received in the committee, contains the name of John H. Dunmar. Since this nomination was originated, Cadet Dunmar was dismissed from the Academy. Cadet Dunmar is litigating his dismissal; and a Federal court has ordered his reinstatement to the Academy, at least temporarily.

Because the committee considered that a favorable report on his nomination at this time might be construed as a disapproval of the action in dismissing him from the Academy, the name of Cadet Dunmar was deleted from the list of Academy graduates.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion by Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 256 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Cannon
Case
Church
Clark
Cooper
Dirksen
Dominick
Douglas
Ellender
Ervin
Fong
Gruening
Hart
Hartke
Hayden
Hickenlooper
Holland
Humphrey
Inouye
Johnston
Jordan, Idaho
Keating
Lausche
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
Metcalf
Miller
Monroney
Morse
Mundt
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Robertson
Saltonstall
Scott
Smith
Stennis
Symington
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

Mr. HUMPHREY. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. HILL], the Senator from Washington [Mr. JACKSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Wyoming, [Mr. McGEE], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mrs. NEUBERGER], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from West Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Michigan [Mr. MCNAMARA], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. TALMADGE], and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

I further announce that the Senator from California [Mr. ENGLE] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from Delaware [Mr. BOGGS], the Senator from Kansas [Mr. CARLSON], the Senator from New Hampshire [Mr. COTTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Arizona [Mr. GOLDWATER], the Senator from California [Mr. KUCHEL], the Senator from New Mexico [Mr. MECHEM], the Senator from Kentucky [Mr. MORTON], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from New York [Mr. JAVITS] is absent on official business.

The ACTING PRESIDENT pro tempore. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

Assistance to State of Alaska for Reconstruction of Areas Damaged by Earthquake of March 1964

A communication from the President of the United States transmitting a draft of proposed legislation to amend the Alaska Omnibus Act to provide assistance to the State of Alaska for the reconstruction of areas damaged by the earthquake of March 1964 and subsequent seismic waves, and for other purposes (with accompanying papers); to the Committee on Public Works.

Formation of Parliamentary Group on Tourism

A letter from the Secretary of Commerce, quoting for the information of the Senate, a resolution adopted at the Eighth Inter-American Congress, held in Guadalajara, Mexico, in September 1962, relating to the possibility of the United States forming a parliamentary group on tourism; to the Committee on Commerce.

Report of Secretary of the Treasury (H. Doc. No. 253)

A letter from the Secretary of the Treasury, transmitting, pursuant to law, his report on the state of the finances, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Finance.

Report on Unnecessary Costs Resulting From Inadequacies in the Administration of Right-of-Way Activities of Inter-American Highway Program in the Republic of Costa Rica

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs resulting from inadequacies in the administration of right-of-way activities of the Inter-American Highway program in the Republic of Costa Rica, Bureau of Public Roads, Department of Commerce, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate the petition of C. R. Mead, of Westport, Conn., relating to a redress of grievances, which was referred to the Committee on the Judiciary.

BUBBLE BONDAGE: THE FEDERAL EXCISE TAX ON EFFERVESCENT WINES—PETITION

Mr. KEATING. Mr. President, we have often heard it said, by people disgruntled with having to pay Federal excise taxes on sundry items ranging from attaché cases to zithers, that "the next thing you know, they will put a tax on the air you breathe."

About the closest thing we now have to a tax on air is the Federal excise tax on champagne and other effervescent wines. Because this tax is at a much higher rate than that on artificially carbonated and still wines, it amounts to a levy on the carbon dioxide enclosed within the bubbles.

This bubble bondage is the subject of attack by both domestic grape growers and producers and importers of sparkling wines, including the Finger Lakes Wine Growers Association of New York State, representing New York's wine industry.

Mr. President, I present, for appropriate reference, a petition on this bubble tax which I have received from the Sommelier Society of America. I ask unanimous consent that the petition be printed in the RECORD following my remarks; and I express the hope that it will receive careful consideration by the Committee on Finance, in connection with the excise-tax-extension bill which is likely to reach us for action before June 30.

The petition is a very important document; and I hope all members of the committee will study it carefully.

There being no objection, the petition was received, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

A Petition to Congress for the Speedy Reduction of the Senselessly Exorbitant Tax on the Mere Bubbles in Champagne and All Other Sparkling Wines of Both Domestic and Foreign Production Sold in This Country

The record of the excise tax on all champagne and other effervescent wines, prior to and since the Korean war's so-called emergency luxury taxes, is a study in the most amazing abuse of the taxing power of government by taxing the mere bubbles appearing in a table wine actually 20 times more than the regular tax applying on the same wine without bubbles, while containing the exact same alcoholic content. It is thus an arbitrary and senseless tax and tends to defeat all we have been taught about our American way of life and our free enterprise system of government and should be either automatically repealed or realistically reduced. To the extent that this tax has nothing whatever to do with the alcohol content of the wine itself, it seems incomprehensible as a regulatory alcohol tax measure, and is the same as if we were taxing the bubbles in beer or any of a multitude of other nonalcoholic effervescent beverages.

The Federal excise tax on champagne or sparkling wine is now $3.40 per gallon—$3 regular tax and 40 cents per gallon emergency tax levied on November 1, 1951, because of the Korean war crisis.

There is a similar tax—but not as exorbitant—on artificially carbonated sparkling wine of $2.40 per gallon—$2 regular tax and 40 cents per gallon emergency tax levied on November 1, 1951, because of the Korean war crisis.

The Federal excise tax on still wines of the same low alcoholic content (12 to 12½ percent alcohol by volume) is 17 cents per gallon—15 cents regular tax and 2 cents per gallon emergency tax levied on November 1, 1951, because of the Korean war crisis.

No matter how you look at it, the difference—$3.23 per gallon on champagne and $2.23 per gallon on carbonated sparkling wine is a tax on bubbles and we ask, "How much are bubbles worth?"

The Korean war emergency tax has been renewed each year since the crisis was over and the last renewal expires June 30, 1964.

What is the historical significance of the difference in the tax between still wines and sparkling wines of the same alcoholic content?

Under R.S. 3328 (derived from act of July 20, 1868, as amended by act of June 6, 1872) a stamp tax was imposed on "all wines, liquors or compounds known or denominated as wine, and made in imitation of sparkling wine or champagne but not made from grapes, currants, rhubarb or berries grown in the United States—to be sold as wine—of $6 per dozen quart bottles and $3 per dozen pint bottles. Under the 1872 amendment this was reduced to 20 cents per quart bottle and 10 cents per pint bottle. R.S. 3328 was repealed by the act of March 3, 1933 (47 Stat. 1430), but it had not been in effect since 1914.

An act of June 13, 1898, schedule B, imposed a tax of 1 cent per pint bottle or 2 cents per quart bottle on "sparkling or other wines." This tax was repealed in 1902.

The Emergency Revenue Act of 1914, act of October 22, 1914, section 2 (38 Stat. 746), levies wine taxes as follows: (a) still wines, domestic or imported, one-fourth cent per one-fourth pint, or rate of 8 cents per gallon; (b) domestic and imported champagne and other sparkling wine and artifically carbonated wines, 5 cents per one-half pint, or rate of 20 cents per quart.

It is significant to note at this point that on "still wines" the tax was either by the "bottle" or by the "gallon"—the tax on sparkling wines was by the "bottle." What congressional thinking brought about this significant difference in the method of taxation between still and sparkling wines will undoubtedly forever remain a mystery. Certainly it has no justification under present-day excise taxation, either Federal or State.

The truth of the matter is that the legislative historical record of the (1) champagne or sparkling wine tax, (2) carbonated wine tax, and (3) still wines not over 14 percent alcohol volume tax constitute what is perhaps the most amazing, muddled, and vascillating tax thinking in our entire American tax history, and when the day should dawn—which we earnestly pray shall be soon—that this utterly ludicrous and senseless tax on the mere bubbles in wine is realistically reduced all free Americans will rejoice and say: "Today our American wine industry has been released from bubble bondage." Let's take a brief look at this record as follows:

Period	Effervescent wines						Still wine tax (not over 14 percent alcohol by volume), tax basis per wine gallon
	Champagne or sparkling wine			Artifically carbonated wine			
	Tax basis, ½-pint container or fraction thereof	(A) Tax per case (12 ⅘ quart bottles)	(B) Equivalent per wine gallon [1]	Tax basis, ½-pint container or fraction thereof	(C) Tax per case (12 ⅘ quart bottles)	(D) Equivalent per wine gallon [1]	
Oct. 23, 1914, to Sept 8, 1916	$0.05	$2.40	$1.00	$0.02½	$1.20	$0.50	$0.80
Sept. 9, 1916, to Oct. 2, 1917	.03	1.44	.60	.01½	.72	.30	.04
Oct. 3, 1917, to Feb. 24, 1919	.06	2.88	1.20	.03	1.44	.60	.04
Feb. 25, 1919, to Jan. 11, 1934	.12	5.76	2.40	.06	2.88	1.20	.16
Jan. 12, 1934, to June 25, 1936	.05	2.40	1.00	.02½	1.20	.50	.10
June 26, 1936, to June 30, 1940	.02½	1.20	.50	[2] .01¼	.24	.10	.05
July 1, 1940, to Sept. 30, 1941	.03	1.44	.60	.01½	.72	.30	.06
Oct. 1, 1941, to Oct. 31, 1942	.07	3.36	1.40	.03½	1.68	.70	.08
Nov. 1, 1942, to Mar. 31, 1944	.10	4.80	2.00	.05	2.40	1.00	.10
Apr. 1, 1944, to Oct. 31, 1951	.15	7.20	3.00	.10	4.80	2.00	.15
Nov. 1, 1951, to Dec. 31, 1954 [3]	.17	8.16	3.40	.12	5.76	2.40	.17
Jan. 1, 1955, to June 30, 1964 [4]	----------	8.16	3.40	----------	5.76	2.40	.17
July 1, 1964, to indefinitely [5]	----------	7.20	3.00	----------	4.80	2.00	.15

[1] (B-D) "Equivalent per gallon" is the tax converted to a gallonage basis at the rate of 2.4 gallons per case through Dec. 31, 1954. After that, sparkling and carbonated wines were taxed at the per gallon rate regardless of the size of the bottle.

[2] Tax basis: ½-pint container or fraction thereof except period of June 26, 1936, to June 30, 1940, when through error it was taxed on a 1-pint basis.

[3] Additional temporary taxes imposed Nov. 1, 1951, as wartime measures have been continued in effect without interruption since that date. Last year's legislation continuing higher rates in effect provided for the automatic change in July 1, 1964, to the lower rates and refunds in the differences between the rates as to stocks held for sale on the changeover date.

[4] Law revised to "per wine gallon" tax.

[5] Excise tax will revert back to pre-Korean rate of $3, $2, and $0.15 if new continuing legislation is not enacted prior to June 30, 1964.

The effervescence in champagne or sparkling wine comes from the secondary fermentation of the wine in the bottle or in a closed container. This same carbon dioxide gas when, by mechanical means, is injected or saturated into the wine, produces a carbonated wine the same as if it were injected or saturated into water or fruit juice to make a sparkling effervescent beverage.

If we assume an excise tax levied on a product has some relation to its cost of production and market value, then it would be natural to expect there would be proportionately higher taxes on effervescent wines than still wines. Following is an example of how the present tax compares to each other based on relative production costs:

TABLE 1

	Relative production cost per gallon 12 4/5th bottles	Federal and excise tax per gallon	Percent tax to relative cost of product
Effervescent wines (not over 14 percent alcohol):			
Champagne, sparkling wines	$3.65	$3.40	$93.15
Artificially carbonated wines	2.15	2.40	111.63
Light table wine (under 14 percent alcohol)	1.72	.17	9.88
Dessert wines (14 to 21 percent alcohol)	1.89	.67	35.45

If there is to be extra excise tax because a wine has bubbles, it should be realistic.

In the 85th and again in the 86th Congress bills were introduced to correct this grossly unjust tax. The rates called for were as follows:

	Current rate per gallon	Proposed rate per gallon
Effervescent wines (not over 14 percent alcohol):		
(a) Champagne and sparkling wines	$3.40	$1.00
(b) Artificially carbonated wines	2.40	.50

Such a reduction would still place "a percent of tax relative to cost of production" (table 1), on item (a) of 27.50 percent and item (b) 23.26 percent.

We do not agree that so-called luxury products or manufactured goods from the hands of skilled workmen should be unfairly and exorbitantly taxed as such. Should the industries of our Nation be relegated to the production of conventional and mediocre products by various degrees of taxation? Such a system is incomprehensible.

At this point we respectfully refer every member of Congress to the open letter to Secretary of the Treasury, Mr. Douglas Dillon, addressed by Richard Calvert, Sr., wine editor of Beverage Retailer Weekly, as entered recently in the CONGRESSIONAL RECORD by Congressman CHARLES S. GUBSER, of California. Says Mr. Calvert, in part, bearing on this same issue:

"It should be quite obvious to you, my dear Mr. Secretary, as to all members of Congress, that while continuing to stress the political significance of providing ways and means of improving the general lot of our American farmer, in this instance of continuing at the same time in perpetuating a most unrealistic tax on the mere bubbles in wine, which happens to be a grape product, whose greater growth and expansion vitally affects our overall agricultural economy, we are unjustly penalizing this same American farmer by making it more and more—and not less—difficult for him to make a living.

"For this wine-bubbles tax jeopardizes the livelihood of thousands of farmers through discriminatory legislation. Without it, farmers could develop bigger and more profitable grape crops for considerably greater winemaking and wine consumption in this country, which still remains negligible when compared to the normal consumption in all other wine-producing countries of the world, not similarly harassed with such needless taxation.

"The champagne tax means an arbitrary levy of something like $540 per ton of grapes for which the grower receives only $50 to $100 per ton. It is the same as taxing meat processors $1,250 to $2,500 on each steer the farmer sells to them for only $250. It is the same as taxing a mink fur 20 times more than any other kind of fur."

The myth that all champagne and sparkling wines, as such, must of necessity be luxuries—apparently for no more valid reason than because they happen to contain bubbles—is ironically enough fully exploded by the very fact that most lower priced wine, or so-called vin ordinaire, in its country of origin, is generally consumed while young—from 6 months to a year old—and traditionally a goodly portion of this same wine usually develops a slight effervescence as in the case of the well-known crackling wines of Portugal, Spain, and France, and the so-called frizzanti wines of Italy, which all can be bought in these countries for as low as any still wine of similar alcoholic content. It may be observed that this effervescence in the wine, when not the result of natural secondary fermentation, is, as often, artificially created by the addition of carbon dioxide gas in the wine itself.

Were this same vin ordinaire in these other wine-producing countries of Europe to be taxed the utterly incredible tax of $3.40 per gallon or $8.16 for a case of fifths as in this country, it could easily spell the ruination of their wine industry. Taxwise there is absolutely no distinction made in these other wine-producing countries between a regular still wine and a wine which sparkles. As long as these wines come under the same classification of table wines and are all within the same designated limitation of alcoholic content—generally below 14 percent by volume—the tax, if any, remains identical.

The only single exception to this rule of logic seems to have been in West Germany soon after the war, when a similar tax to our own champagne tax was passed and then as summarily reduced from its current rate of roughly 3 marks per bottle to 1 mark per bottle. However, undisputable figures, based on this West German experience in reducing this tax, shows that a similar tax reduction in this country could well achieve a phenomenal increase in the consumption of all types of sparkling wines, with accruing increased greater revenue to the Government to that now being derived from the current higher tax rate.

The wine bubbles tax reduction came into effect in West Germany in November 1952. Now let us note the statistical picture, as a direct result of this tax reduction covering the decade from 1950 to 1959, as follows:

Consumption of all sparkling wine in West Germany by years:

Year:	(*Thousands of bottles*)
1950	6,473
1951	7,328
1952	9,693
1953	15,386
1954	18,946
1955	24,829
1956	32,440
1957	37,944
1958	42,578
1959	51,405

These figures—and we are told figures don't lie—reveal the amazing fact that, during this decade from 1950 to 1959, based on total sales of all alcoholic beverages consumed in West Germany, the consumption of all sparkling wines soared 858 percent in comparison to the much more modest increased consumption of all spirits (or schnapps as the Germans call them) of only 180 percent, beer 278 percent, and still wine a negligible 129 percent. It shows the overwhelming acceptance by the West Germans of all kinds of sparkling wines even above their preference for beer.

The fact remains that the phenomenal rise of these sparkling wines in West Germany has skyrocketed from roughly 6 million bottles sold and consumed in 1950 to over 100 million bottles sold and consumed in 1963, and this is truly a fantastic record as a direct result of such a tax reduction. It can only mean that our own Government will derive a still greater revenue as a direct result of a similar tax cut in this country. Joseph Granville, noted financial writer and at one time leading financial analyst for E. F. Hutton & Co., commenting directly on this same subject in his Daily Market Letter of December 28, 1961, says as follows: "The added revenue to the Bonn Government underscores the fact that increased consumption follows tax reduction and in the end government revenues rose still higher than they would have with an unchanged tax."

If we are to assume champagne is a luxury—the same champagne incidentally which some French doctors have been known to prescribe for years for convalescent mothers in French maternity hospitals—and should continue to be taxed this utterly absurd tax, why stop here? Why not go all the way and similarly tax all other considered luxuries, without which our own accepted American way of life would be meaningless? One of these luxuries could well be the ownership of a fine Cadillac, which most of us might prefer to the ownership of a more humble Chevrolet? In that case, would it not be as consistent to impose a super sales tax—which is no more and no less what this champagne tax amounts to—on all future purchases of Cadillac cars many times over and above the normal tax on a lower priced Chevrolet? If the champagne tax makes any sense at all, surely a similar tax on the purchase of all Cadillacs should make even greater sense to every Member of Congress eager to rectify this blatant tax injustice.

And finally, this petition to Congress for immediate redress of this most unjust tax on the mere bubbles in wine is meant not only for the improvement of our own economy but for the improvement generally of our overall world economy, especially among all the other champagne and sparkling wine producers of the world, who look upon grape growing and winemaking as an integral part of all agricultural economy, which unfortunately we have failed to do to date in this country. It is evident, therefore, that the main beneficiaries of such a tax reduction in this country, along with our own American producers of all sparkling wines, will also be the European producers, whose wine is similarly taxed the moment it reaches our soil and sold in our market, whereas such a tax is nonexistent on their own soil. Thus the plea we are making for reduction of this tax is for the needed improvement and more friendly international relationship between our own country and all the other wine-producing countries of the world.

For all the above-mentioned facts and reasons outlined in this petition, we, the undersigned respectfully importune the serious consideration of the House Committee of Ways and Means, the Senate Finance Committee, and the Members of Congress to this unrealistic and exorbitant "tax on bubbles," so that action will be promptly taken to bring to a speedy end so grossly unjust a tax. Then—and only then—can we say: "Lashed to the wall of hidebound tax thinking for many years, at last the Magna Carta of the American champagne industry was proclaimed today and the un-American tax on bubbles has finally been reduced."

This petition is being wholeheartedly endorsed by the Wine Institute and Wine Advisory Board of California, representing our California wine industry, by the Finger Lake Wine Growers Association, representing our New York State wine industry, and by our National Association of Alcoholic Beverage Importers, representing the imported wine producers—all three segments jointly urging the reduction of this utterly unjust and unreasonable tax on mere wine bubbles.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAYH, from the Committee on the Judiciary, without amendment:

S. 713. A bill for the relief of W. H. Pickel (Rept. No. 1031);

S. 1875. A bill for the relief of Thomas M. Talley (Rept. No. 1032);

S. 2288. A bill for the relief of John J. Feeney (Rept No. 1033);

H.R. 1727. An act for the relief of Richard G. Green, Jr. (Rept. No. 1034);

H.R. 5305. An act for the relief of Dr. Ernest P. Imle (Rept. No. 1035);

H.R. 5571. An act for the relief of Noble Frank Smith and his wife, Viola Smith (Rept. No. 1036);

H.R. 6876. An act for the relief of Capt. Winifred E. Gelinas, U.S. Air Force (Rept. No. 1037);

H.R. 7757. An act for the relief of Jesse I. Ellington (Rept. No. 1038);

H.R. 8201. An act for the relief of Maj. Jack J. Shea, U.S. Air Force (Rept. No. 1039);

H.R. 8222. An act for the relief of Edward J. Maurus (Rept. No. 1040);

H.R. 8348. An act for the relief of Mrs. Faye E. Russell Lopez (Rept. No. 1041);

H.R. 8532. An act for the relief of Ivan D. Beran (Rept. No. 1042).

H.R. 8828. An act for the relief of John T. Cox (Rept. No. 1043);

H.R. 8936. An act for the relief of Leonard M. Dalton (Rept. No. 1044);

H.R. 9475. An act for the relief of Miss Grace Smith, and others (Rept. No. 1045); and

H.R. 10078. An act for the relief of Philip N. Shepherdson (Rept. No. 1046).

By Mr. McCLELLAN, from the Committee on the Judiciary, without amendment:

H.R. 2215. An act for the relief of E. A. Rolfe, Jr. (Rept. No. 1047).

By Mr. PASTORE, from the Committee on Appropriations, with amendments:

H.R. 11201. A bill making deficiency appropriations for the fiscal year ending June 30, 1964, and for other purposes (Rept. No. 1030).

DELAWARE RIVER PORT AUTHORITY COMPACT—REPORT OF A COMMITTEE (S. REPT. NO. 1029)

Mr. JOHNSTON. Mr. President, I send to the desk on behalf of the Senator from Pennsylvania [Mr. Scott] a favorable report from the Judiciary Committee on the bill (H.R. 7332), an act granting the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; and I submit a report thereon.

This bill grants the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Authority, formerly the Delaware River Joint Commission, and for other purposes.

Mr. CLARK. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON. I am glad to yield.

Mr. CLARK. I desire to offer for the Record a statement agreed to by the principal interested parties in connection with the Joint State Compact which the Senator from South Carolina [Mr. Johnston] has just presented to the Senate for its approval.

I ask unanimous consent that the full statement may appear in the text of the Record immediately after the remarks of the Senator from South Carolina.

The PRESIDING OFFICER (Mr. Ribicoff in the chair). The report will be received and the bill will be placed on the calendar; and, without objection, the statement will be printed in the Record.

The statement presented by Mr. Clark is as follows:

On December 10, 1963, the Senate passed S. 1832, an act granting the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority. On December 19, the House of Representatives passed an identical bill except for the addition of a proviso suggested by the Department of Commerce, and concurred in by the sponsor of the bill, Congressman Cahill, and the Delaware River Port Authority.

Article I of the compact sets forth the authorized purposes of the Delaware River Port Authority. This legislation adds to those purposes so as to permit a bridge between Chester, Pa., and Gloucester County, N.J., and also the operation of the ferry and clarifies other purposes consented to by Congress.

The sponsors of the bills, the House Committee on Public Works and the various governmental agencies to which the bill was submitted have agreed on all the provisions thereof except a new paragraph (1) of article I. The proviso added in the House bill was designed to withold the consent of Congress to the new paragraph (1).

The proviso was so worded as to make it clear that it did not affect the purposes of the port authority previously consented to by the Congress but that the reservation of consent applied only to such activities as were authorized solely, and for the first time, by paragraph (1). Likewise, of course, the reservation of consent does not apply to the additions to the port authority's purposes in paragraphs (a) through (k) of article I consented to by this bill.

For example, under paragraph (c) of article I, the authority retains its existing power to construct piers and other port facilities throughout the port district with the consent of the Legislatures of Pennsylvania and New Jersey. On the other hand, under this proviso the port authority can only construct a high-speed transit line to a distance of 35 miles from the city of Camden because that was the limit put on such construction by previous congressional consent. If the proviso had not been added, paragraph (1) would have given the port authority power to construct rail lines for unlimited distances within the port district.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 2873. A bill to confer jurisdiction on U.S. district courts to hear and render judgment on certain claims; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 2874. A bill to authorize the Secretary of the Interior to convey certain land to the city of Anchorage, Alaska; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 2875. A bill for the relief of Dr. Eliseo P. Dejoras; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 2876. A bill for the relief of Mr. and Mrs. J. L. Pigford; to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 2877. A bill to amend the Fire and Casualty Act of the District of Columbia and to supplement the Motor Vehicle Safety Responsibility Act of the District of Columbia in oder to provide for the indemnification of persons sustaining injuries or damages as a result of the operation of motor vehicles by financially irresponsible persons, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 2878. A bill for the relief of Cristina Franco; to the Committee on the Judiciary.

By Mr. PEARSON (for himself and Mr. Carlson):

S. 2879. A bill to authorize the Secretary of the Army to pay fair value for improvements owned by bona fide lessees on land acquired for the Marion Dam and Reservoir project in the State of Kansas; to the Committee on Public Works.

(See the remarks of Mr. Pearson when he introduced the above bill, which appear under a separate heading.)

CONVEYANCE OF CERTAIN LAND TO THE CITY OF ANCHORAGE, ALASKA

Mr. BARTLETT. Mr. President, I introduce for appropriate reference, a bill which would authorize the Secretary of the Interior to convey certain land to the city of Anchorage, Alaska.

In August 1963, the Anchorage City Council expressed an interest in acquiring the land in question, which is now owned by the Alaska Railroad, an agency of the Federal Government. On February 14, 1964, Mayor George Sharrock wrote to me asking for my assistance and requesting that I introduce the necessary legislation to accomplish transfer of title to the city. I ask unanimous consent that Mayor Sharrock's letter be included in the Record, at the conclusion of my remarks, as it clearly states the need for the transfer and indicates the uses to which the property will be put under city ownership.

The Alaska Railroad no longer needs the property in question and in fact has leased it to the city since 1961. Some improvements have been made by the city but it is desired that more permanent improvements can be made and these will require city ownership. The permanent improvements will allow fuller utilization of the high recreational potential of this land.

While the bill does not require payment of any consideration by the city to the Federal Government for the property, there is included, in section 3, language requiring automatic reversion of the land in the event any attempt is made to utilize it for other than recreation or public purposes. There is also protection in the bill against cancellation of a lease held by the Anchorage Curling Club, Inc., for use of a small portion of the property on which they have placed certain valuable improvements.

Mr. President, I believe this bill to have great merit and it is my fervent hope that my colleagues who sit on the committee to which the bill is referred will also see merit in the measure and take it up for consideration at an early date. I ask unanimous consent to have the text of the bill included in the Record along with Mayor Sharrock's letter.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 2874) to authorize the Secretary of the Interior to convey certain land to the city of Anchorage, Alaska, introduced by Mr. Bartlett, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey to the city of Anchorage, Alaska, all the right, title, and interest of the United States in and to the tract described in section 2 of this Act, and the improvements thereon.

Sec. 2. The tract to be conveyed under the first section of this Act is a parcel of land lying within the Alaska Railroad Terminal Reserve at Anchorage, Alaska, adjacent to the North Addition to the Anchorage Townsite and is more specifically described as follows:

Beginning at Corner 7 of United States Survey 3047; thence North 61°11'30" East, 240.73 feet; thence South 28°48'30" East, 91.94 feet; thence South 74°24' East, 86.31 feet; thence South 15°36' West, 384.37 feet; thence South 46°36' West, 161.91 feet; thence South 74°41'35" West, 161.63 feet; thence North 70°31'30" West, 179.23 feet; thence North 19°28'30" East, 431.35 feet; thence North 54°28'30" East, 78.27 feet, more or less, to the point of beginning, containing approximately 4.70 acres.

Sec. 3. The conveyance made under this Act shall be without monetary consideration, but subject to the provision that if at any time after the lands are conveyed by the Secretary of the Interior, the city of Anchorage attempts to transfer title to or control over the tract to another, or the tract is devoted, in whole or in part, to other than recreational or public purposes, without the consent of the Secretary of the Interior, title to the tract automatically shall revert to the United States. The acceptance of any instrument of conveyance under this Act by the city of Anchorage shall constitute an agreement by the city that a determination of the Secretary of the Interior that a breach of the requirements of this section has occurred shall be conclusive with respect to the necessary facts constituting such a breach.

Sec. 4. The acceptance by the city of Anchorage of any instrument of conveyance authorized by this Act shall constitute, until October 30, 1967, a waiver of its authority to cancel the lease granted by such city to the Anchorage Curling Club, Inc., except for breach thereof.

The letter presented by Mr. Bartlett is as follows:

February 14, 1964.

Hon. E. L. Bartlett,
U.S. Senator from Alaska,
Senate Office Building,
Washington, D.C.

Dear Senator Bartlett: Following a review of the need for additional recreation and parks facilities to serve the residents of the north addition to Anchorage (Government Hill area), the city council went on record on August 27, 1963, as desirous of acquiring the property at the site of the former Alaska Railroad Employees Club for such purposes.

A letter was written to the general manager of the railroad on this subject on September 4, 1963, he having indicated to this office that he would be pleased to forward the council's comments "through channels" for consideration in the Department of the Interior. I believe that this was done, and that the city's desires have been made known to the Department. Within the past month the ARR Solicitor here has advised this office that they were submitting further information on the subject to Washington, per request therefrom, so evidently the matter is under consideration.

The property we are speaking of (described on the attached document) is an area of land approximately 4 acres in size located on the left of Loop Road near the top of the Government Hill incline as one approaches the Hollywood Shopping Center from the railroad yards. There are two structures on it: the former ARR Employees Club (an old wooden structure in poor condition), and the new steel building of the Anchorage Curling Club. The city leased the ARR Club Building and related land from the railroad in May 1961. A sublease by the city, approved by the railroad, allowed the Curling Club to construct and operate their rink on the premises.

The city made certain improvements in the area after May 1961 to provide a Little League diamond, lighting on the tennis court, and other minor alterations for the benefit of young people in the neighborhood. Because the city did not have the wherewithal of renovating and operating the ARR Club Building as a municipal facility, we endeavored to sublease it to some civic or other nonprofit organization, but this has not been successful due mostly to the size, age, and condition of the structure. Although the building was secured, it has been vandalized several times, and currently is in very poor shape.

The city would like to provide additional recreational facilities in this location, and make other improvements to the grounds, but feels it inappropriate to spend much more on land that is not ours. Should the propertly become city-owned, the area could be developed with permanent improvements, such as additional tennis courts (that could be used as skating rinks in winter), and a small ski slope for young children would be possible. There is room for a softball diamond and sand boxes. The area could be landscaped, with resulting major improvement in the appearance of the general neighhood. The Curling Rink lease would continue, thus adding to the recreational opportunities in this part of the city.

It is our hope that the Department will initiate and/or endorse, and the Congress approve a bill to transfer title of this property to the city in fee simple for parks and recreation purposes. Anything your office can do to help this along will be greatly appreciated.

Sincerely yours,

George Sharrock,
Mayor.

Parcel described as follows:

A parcel of land lying within the Alaska Railroad terminal reserve at Anchorage, Alaska, adjacent to the north addition to the Anchorage townsite, as shown outlined in "red" on the print attached hereto and made a part of this contract and as more specifically described as follows, to wit:

Beginning at Corner 7 of U.S. Survey 3047; thence N. 61°11'30" E., 240.73 feet; thence S. 28°48'30" E., 91.94 feet; then S. 74°24' E., 86.31 feet; thence S. 15°36' W., 384.37 feet;

thence S. 46°36′ W., 161.91 feet; thence S. 74° 41′35″ W., 161.63 feet; thence N. 70°31′30″ W., 179.23 feet; thence N. 19°28′30″ E., 431.35 feet; thence N. 54°28′30″ E., 78.27 feet, more or less, to the point of beginning.

Parcel as described contains an area of approximately 4.70 acres.

(Above description taken from lease of city of Anchorage with Alaska Railroad, Contract No. 14–25–0003–2079.)

DISTRICT OF COLUMBIA MOTOR VEHICLE UNSATISFIED JUDGMENT FUND ACT

Mr. BIBLE. Mr. President, by request, I introduced, for appropriate reference, legislation to provide for the District of Columbia a Motor Vehicle Indemnification Fund Act and ask unanimous consent that a brief summary thereof be included as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the summary will be printed in the Record.

The bill (S. 2877) to amend the Fire and Casualty Act of the District of Columbia and to supplement the Motor Vehicle Safety Responsibility Act of the District of Columbia in order to provide for the indemnification of persons sustaining injuries or damages as a result of the operation of motor vehicles by financially irresponsible persons, and for other purposes, introduced by Mr. Bible, by request, was received, read twice by its title, and referred to the Committee on the District of Columbia.

The summary presented by Mr. Bible is as follows:

1. Require, by amending Fire and Casualty Act, that each insurance policy covering a District of Columbia registered vehicle include uninsured motorist coverage for bodily injury and property damage, with maximum of $100 deductible.

2. No provision for any rebate to insurers to cover part or all of cost of uninsured motorist coverage endorsement.

3. Uninsured vehicle owners to pay a fee into an unsatisfied judgment fund to pay unsatisfied claims and judgments in favor of District of Columbia residents who do not own a motor vehicle and are not protected under an uninsured motorist endorsement.

4. Statement of policy by Congress to urge careful husbanding of fund, with persons claiming from it, particularly in hit-and-run cases, to be held to strict proof, and administrators of fund under duty to effectuate this policy.

5. Minimum insurance premium on new policies must be at least 25 percent of the total annual premium.

6. Unsatisfied judgment fund to be administered by a nine-member board which shall include the Director of Motor Vehicles, the Superintendent of Insurance, representatives of the insurance industry, including one from—

(a) Stock companies in rating organizations; (b) mutual companies in rating organizations; (c) independent stock companies; (d) independent mutual and other companies; and three members representing the general public, one of whom shall be chairman of the board.

7. The fund board to perform the functions of administering the act, determining the cash requirements of the fund and the amounts, if any, available for investment, and to employ such administrative, clerical, and other personnel as may be necessary to administer the act. Two such employees would be a director and an assistant director for the fund, directly responsible to the board, to serve at its pleasure, neither one of whom shall be a Government employee. Other employees to be furnished by Commissioners, subject to reimbursement of the District from the fund for the cost of providing such employees.

8. England to make all determinations respecting required insurance, keep records relating thereto, collect payments by uninsured motorists to the fund, suspend permits and tags, and, in general, cooperate with the board in carrying out act.

9. Claims against fund not to be made until after act has been in effect 1 full year.

10. Claims against the fund would be allowed only if notice of intent to make a claim is given by the potential claimant within 6 months after the accident, except where notice may not be feasible or possible.

11. Board to assign cases to insurers for investigation and possible defense, in proportion to the amount of premiums of each such insurer.

12. Cost of appeals from court action to be paid out of fund.

13. Certain victims of "hit-and-run" accidents would be entitled to claim against the fund. These cases would be limited to personal injury claims arising only out of accidents in which the claimant can satisfactorily show preliminarily, on application to a court, that there was actual contact with a motor vehicle, plus other definite evidence of a "hit-and-run" accident.

14. Hit-and-run cases and cases in which a defendant defaults would be assigned by the Board to insurers for investigation and defense.

15. The fund to operate on a $100 deductible basis for both personal injury and property damage claims.

16. Payment from the fund would follow application to and hearing before a court, which, if satisfied, would issue an order for the requested payment.

17. Settlement of pending court actions would be on the basis of a petition to the court, which, if satisfied, would issue an order approving the settlement.

18. Insurers assigned claims of less than $2,500 would be authorized to settle same, subject to the approval of the board.

19. Claim based on a default judgment would be allowed only if the claimant, within 6 months after accident and also prior to the entry of judgment, gave notice of his intention to claim against the fund.

20. Uninsured motorists on whose behalf payment from fund is made to be required to reimburse fund before permit and tags are restored.

21. The fund should not be required to pay court costs and fees or give bond or other undertaking, in those cases in which the District of Columbia would be exempt from such costs, fees, or bond.

22. The District of Columbia should specifically not be liable for payments due from the fund.

FAIR VALUE FOR IMPROVEMENTS OWNED BY BONA FIDE LESSEES ON LAND ACQUIRED BY THE CORPS OF ENGINEERS FOR FLOOD CONTROL PROJECTS

Mr. PEARSON. Mr. President, I am today introducing a bill for myself and my colleague, the senior Senator from Kansas [Mr. Carlson] to authorize the Secretary of the Army to pay fair value for improvements owned by bona fide lessees on land acquired by the Corps of Engineers for flood control projects.

This particular bill relates to acquisitions in the vicinity of Marion Reservoir on the Cottonwood River, Kans.

I call this bill to the attention of the Senate, Mr. President, even though it is a special bill because there is involved a question of overall policy regarding the payment of these claims.

Technically speaking, the courts have held that under present laws enacted by Congress, the Federal Government need not compensate lessees for losses of property as a result of Federal purchase or condemnation of land on which their improvements are located. As lessees their improvements are not considered a part of the real estate by virtue of the lease arrangement.

On the other hand, many businesses—and these are increasing in number—find it impossible to purchase land and, consequently, lease arrangements are used. In many instances, businesses have been conducted for many years without any real thought given to lease termination. For all practical purposes there is little distinction in business planning between the lease and actual ownership of the land. Now along comes the Corps of Engineers with a proposal to build a reservoir and, in so doing, acquire the land. The owner of the land is compensated, but the lessee suffers complete loss unless Congress provides relief.

For many years Congress has elected to act on these situations case by case. A short time ago the House Committee on Public Works, recognizing the numerous problems arising from Federal land acquisition, instructed a Select Committee on Land Acquisition to review the total problem including the one I mentioned here.

It is hoped that in due time a better procedure or new policy can be recommended which will resolve many of these troublesome situations. No report is anticipated before late summer of 1964 and if legislation is required no new policy could logically be anticipated to apply before a year from now.

In the interim, these situations continue to arise. Property is being acquired by the Federal Government, people and businesses are being displaced. We have little choice until the policies are revised except to act on precedent. The House Committee on Public Works approved two bills similar to the one I introduce today while the select committee continues its study. These are now pending, along with their companion Senate bills, in the Senate Public Works Committee.

Mr. President, I believe that fairness requires that these bills be promptly considered by the Senate committee and the Senate at the earliest possible date.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2879) to authorize the Secretary of the Army to pay fair value for improvements owned by bona fide lessees on land acquired for the Marion Dam and Reservoir project in the State of Kansas, introduced by Mr. Pearson (for himself and Mr. CARLSON), was received, read twice by its title, and referred to the Committee on Public Works.

ADDITIONAL COSPONSOR OF CERTAIN BILLS CONCERNING BAIL

Mr. ERVIN. Mr. President, on May 14, 1964, I introduced, on behalf of myself, the Senator from Nebraska [Mr. HRUSKA], the Senator from Hawaii [Mr. FONG], the Senator from Indiana [Mr. BAYH], the Senator from New Jersey [Mr. WILLIAMS], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Missouri [Mr. LONG], and the Senator from Massachusetts [Mr. KENNEDY], three bills concerning bail.

These bills bear the designation S. 2838, S. 2839, and S. 2840. The able and distinguished Senator from Illinois [Mr. DOUGLAS] has informed me that he desires to become a cosponsor of those three bills. I ask unanimous consent that he may be made a cosponsor of the bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 27, 1964, he presented to the President of the United States the enrolled bill (S. 741) to amend title 18, United States Code, to probihit schemes in interstate or foreign commerce to influence by bribery sporting contests, and for other purposes.

SOME UNANSWERED QUESTIONS IN THE ROBERT G. BAKER INVESTIGATION

Mr. WILLIAMS of Delaware. Mr. President, today I wish to discuss some of the unanswered questions in the Baker investigation.

In this instance Mr. Baker purchased a block of stock from a lobbyist for certain labor organizations at about $27,000 less than its quoted market value on the date of sale.

This case was briefly touched upon by the Senate Rules Committee but, in reading the testimony of the witnesses who appeared before that committee in connection with the Baker case, I still find certain unanswered questions. For instance:

A lobbyist for the International Brotherhood of Boilermakers, Iron Shipbuilders, Forgers, and Helpers, AFL-CIO, Mr. Maywood Boggs, testified before the Rules Committee on January 24, 1964. He told the committee that upon Mr. Robert Baker's recommendations he had invested $2,300 in MGIC stock in 1959 and that in November 1960 he had sold all of this same stock back to Mr. Baker for $4,600, thus making a 100-percent profit.

On the surface this would appear to be a normal, profitable transaction; however, the case is just not that simple.

There is a $27,000 profit on this transaction that was not even mentioned; nor were any questions asked about this phase.

All that the official record shows is that late in 1959 Mr. Boggs agreed to pay Mr. Baker $2,300 for 4 units representing 128 shares of MGIC stock and 32 shares of GIAI.

This stock, 128 shares MGIC and 32 GIAI, was transferred to Maywood and Edith P. Boggs on March 8, 1960. Upon Mr. Robert Baker's instructions their address on the stock certificate was Room F-80 Senate Office Building. This was Mr. Baker's office in the Senate wing of the Capitol. According to the testimony, in November 1960 Mr. Boggs sold this same stock back to Mr. Baker for $4,600.

What the committee testimony did not develop was that on September 1, 1960, the MGIC stock had been split 10 for 1 and for each share of GIAI stock the holder was given 6 additional shares of MGIC. This meant that in November 1960 Mr. Boggs owned 1,280 shares plus 192, or a total of 1,472 shares MGIC.

Based on SEC records, the trading range for MGIC stock in November 1960 was 23 high and 21½ low.

Using even the lowest quoted market price in November 1960, it means that when Mr. Boggs sold his stock to Mr. Baker it was worth $31,600—1,472 shares at 21½—or $27,000 more than he allegedly charged Mr. Baker for the stock.

Under our tax laws, when a man sells stock at a price below its quoted market value on date of sale the difference is taxable either to the seller as a gift or to the buyer as normal income.

Certainly this situation merits further examination. Either Mr. Baker owes Federal income tax on this $27,000 or Mr. Boggs must treat it as a gift and pay a Federal gift tax.

I cite three very proper but unanswered questions which arise from this transaction:

First. Did either of these two men pay tax on this $27,000?

Second. Why did this lobbyist make this stock available to Mr. Baker at less than 20 percent of its market value on the date of the sale?

Third. What service was Mr. Baker expected to render, or what service had he rendered to the organizations represented by Mr. Boggs in return for this $27,000?

DEATH OF JAWAHARLAL NEHRU, PRIME MINISTER OF INDIA

Mr. COOPER. Mr. President, I am saddened, as I know our countrymen are, by the death of Prime Minister Jawaharlal Nehru. Many have tried to interpret him as a man and as the leader of India, but it is not my purpose to attempt to do so today.

I think it can be said that he was a leader not alone in his own country but one of the few who, since World War II, have influenced the thought and affairs of the world. He was the undoubted leader of his own country. Early in his life, he joined Gandhi in the long fight to bring India to full political independence. When independence came, he knew, as did the early founders of our Republic, that the task was just begun; and, as India's first and only Prime Minister, he devoted his life to establishing the institutions and concrete measures which would assure India of both political and economic independence.

I think it would be well for our country to remember that India, largely as a result of his efforts, has established democratic values in fact, rather than in form. For in India free speech, free press, free elections, the judicial process are taken for granted as they are in our own country. And in all the economic plans which Nehru directed and led, the ultimate purpose was to raise the standards of living of all his people, and not just those of a ruling class. Today, India, with all its problems, is, after Japan, the greatest industrial democracy in the East, and I think it can be said that it maintains better than any other country in Asia, democratic institutions and values.

India's policy of nonalinement has been questioned in our own country; but in Nehru's view, it was a policy which was intended to maintain the independence which India had won. And it was also his hope that as a nonalined country, India would have influence in reducing the issues which cause the confrontation between the Communist world and free countries and thus give hope of ultimate peace.

Aristocratic and intellectual, he was at the same time simple in his life and perfectly at home with the people of his country. He constantly taught them, sometimes with a kind of chastisement, to observe the highest standards in their conduct of life. There is in Indian language and thought a word called "darshan." I cannot explain it accurately, but it is essentially the belief that all can be ennobled by being in association with, and even in the presence of, one who is noble. And, wherever Nehru went, literally hundreds of thousands came to see him and to hear him—to be in his presence, with the belief that it would ennoble them.

The problems between India and America have seemed at times difficult. But, today we can remember that Nehru, an Asian, advocated for his country, when it became independent, a system of government which is essentially ours—one based on law and respect for the individual. He said on one occasion, speaking of the United States and India:

> So this is a strange meeting between India, an ancient country, which is thousands of years old and is a mixture of old virtues and old failings, and America which is a land of new ideas, new vigor, and new power. This meeting of the two can benefit us at least, as also the world.

Prime Minister Nehru was humane, he possessed grace of mind and spirit, he was a man of peace, who sought peace for his country and the world. India and the world have lost a great leader and a great and noble man.

Mr. MANSFIELD. Mr. President, Prime Minister Jawaharlal Nehru, for 17 years Prime Minister of India and world leader for peace among nations, is dead. Nehruji, as he was affectionately known to all Indians, was a man endowed with greatness, a man who dedicated his entire life to India, first to achieve its freedom, then to build a nation in democracy. Economic ills, poverty, and disease, plague India even today, but democracy in India has never wavered, nor was it ever in doubt while Nehru lived.

Few men, Mr. President, have cast so large a luminosity on the world. Few men have more effectively brought discomfiture to friends and foes alike in the name of morality. We did not always agree with Mr. Nehru but that was not necessary in order to recognize his great stature. We need only consider, as the measure of his leadership, that he won every test of confidence, every election he participated in since India's independence—and when the chips were down, all India rallied to his support.

Mr. President, he was the personification of India and of the freedom which he labored to achieve and to preserve. For several years, he refused to groom a successor, believing that democracy would be best served by choosing, through the institutions of representative government, its own leadership from the reservoir of men who functioned in his government. In this, his legacy is the legacy of a democratic tradition.

Mr. President, I join in what I know is the profound sorrow of his people and of the world. Mankind has been greatly diminished by his loss.

Mr. HUMPHREY. Mr. President, I wish to join the majority leader and the distinguished Senator from Kentucky [Mr. COOPER] in paying my respects and tribute to a truly great man, one of the outstanding leaders of the world.

In the death of Prime Minister Nehru, the world has lost a truly great statesman, and India a gifted leader. This gentleman, who led his people and established a great political party of democratic faith, dedicated his life to peace, to understanding, and to democratic progress. The fact that India today is a free nation and has democratic and free institutions is in large measure due to the leadership and dedication of Prime Minister Nehru. I am confident that in the years ahead India will be a bulwark of strength to the free world.

I feel certain that history will record that Mr. Nehru was one of the truly great and strong defenders of the cause of freedom in its most difficult period.

The people of the world have lost a friend, a man of compassion, a decent man, a brilliant man, and one who, with great selflessness, gave of himself to his country and to the building of institutions of peace and justice throughout the world.

The people of America mourn with the people of India the loss of their fine citizen and great statesman.

Mr. YARBOROUGH. Mr. President, Prime Minister Nehru was one of the great apostles of peace of our time.

His passing, at the age of 75, after 16 years as head of a storied land and a great country of close to 400 million people speaking numerous languages, with religious faiths as varied as Hinduism, Buddhism, Mohammedism, Christianity, and many others, is a world loss.

He was a wise and good man, strong-minded as a leader of India would have to be, and a moving force for peace in the world. His dedication to peace often brought him into dispute with other world powers and at times with his own people.

He counseled and practiced peace, and when the Communists stabbed peaceloving Nehru in the back and invaded India in force through the northern mountain passes last year, it broke Nehru's heart. A great apostle of peace is dead, but India and the free world will long treasure his memory.

Once, in 1955 when he was being urged by his advisers to attack Goa because it would be easy, Prime Minister Nehru said, "The fact that a war is a little war doesn't make it less of a war."

Look magazine, in a January, 1963, edition, in an article written by Thomas Morgan, provided a glimpse of Nehru's outlook with the following quotation:

> By and large we are a democratic people, living in a parliamentary democracy, but we also believe in world peace and peace in our own country. If an issue arises between a democracy and some other form that is not democratic, we are all in favor of democracy. But we have been against war because we felt modern war would bring utter destruction to all.

While we may have differed on how to protect the free world, few have differed on his strong desire for a world at peace, and it is by this dream that he will be measured in history.

ANALYSIS BY U.S. CHAMBER OF COMMERCE OF S. 750—TRUTH-IN-LENDING BILL

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD an analysis of S. 750 the truth-in-lending bill, made by the U.S. Chamber of Commerce.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

CONFUSION IN LENDING—THE DOUGLAS CREDIT CONTROL BILL

A Senator's dream—a businessman's nightmare.

This is the so-called truth-in-lending bill (S. 750)—sometimes termed the "confusion-in-lending" bill or, more to the point, the "simple annual rate" credit and lending bill.

Few bills would have a more widespread effect upon business and consumers.

Few bills have been more costly in the legislative process. Subcommittee hearings over a 5-year span have produced some 4,400 pages (or 9½ pounds) of testimony, exhibits, etc. The chairman of the parent Senate Banking and Currency Committee, Senator WILLIS ROBERTSON, Democrat, of Virginia, estimates the hearings have consumed "the largest amount spent on any bill" in the committee's history.

Few bills have been more controversial. Proponents, led by Senator PAUL DOUGLAS, Democrat, of Illinois, have argued the bill is necessary to: (a) promote economic stability, (b) furnish consumers the "truth" about credit and lending costs, and (c) enable consumers to "shop" for credit.

Opponents have refuted these arguments, saying the bill (a) would not promote economic stability, but maybe the opposite (b) would promote less truth, not more, and (c) is not necessary for "shopping" purposes. Opponents stress, too, that:

1. Compliance would be severely burdensome, and create a constant prosecution risk.
2. Consumers are already given truthful expressions of credit costs.
3. State legislatures are demonstrably capable or regulating consumer credit.
4. The bill would discriminate unfairly among business enterprises.

An amended bill gained subcommittee approval on March 16. This measure, plus additional amendments, is expected to be considered by the Senate Banking Committee after the civil rights debate ends.

Thus, there is a need now for business action to encourage rejection of the legislation by the committee, where five members apparently will determine the outcome.

Details of the bill, the arguments, the status, and the action needed are set forth in this special report.

1. WHAT CREDIT IS COVERED?

The bill specifically defines "credit" to mean the following:

"Any loan, mortgage, deed of trust, advance, or discount;

"Any conditional sales contract;

"Any contract to sell, or sale, or contract of sale of property or services, either for present or future delivery, under which part or all of the price is payable subsequent to the making of such sale or contract;

"Any rental-purchase contract;

"Any contract or arrangement for the hire, bailment, or leasing of property;

"Any option, demand, lien, pledge, or other claim against, or for the delivery of, property or money;

"Any purchase, or other acquisition of, or any credit upon the security of, any obligation or claim arising out of any of the foregoing; and

"Any transaction or series of transactions having a similar purpose or effect."

2. WHAT BUSINESSMEN ARE AFFECTED?

Directly affected would be all "creditors." This means any enterprise or individual who is "engaged in the business of extending credit" and who requires, "as an incident to the extension of credit, the payment of a finance charge." Included is anyone who regularly "makes loans or sells or rents property or services on a time, credit, or installment basis, either as principal or as agent."

More specifically, directly subject to the bill's control would be every retail store, bank, finance company and any other enterprise or institution that makes loans or sells on credit—and imposes a finance charge.

The scope of direct coverage is emphasized by the bill's definition of "finance charge"—"the sum of all the charges (including but not limited to interest, fees, service charges, and discounts) which any person to whom credit is extended incurs in connection with, and as an incident to, the extension of such credit."

Still other companies could anticipate indirect effects from enactment of the bill. If, as some say, the bill were to provoke curtailment of credit buying, the slowdown must ultimately be felt by manufacturers and wholesalers, too.

3. WHAT'S REQUIRED OF CREDITORS?

The bill's major requirement is that finance charges in all credit and loan transactions be presented to customers both in terms of actual dollars and cents and as a simple annual percentage rate on the outstanding balance. Under the bill, it would no longer be lawful for a creditor to express finance charges solely as dollars and cents—or as a monthly rate on the outstanding balance. The bill's requirement, however, is stated one way for revolving or open-end credit plans, and another way for installment and other credit and loan arrangements.

4. WHAT DOES THE BILL REQUIRE ON REVOLVING OR OPEN END ACCOUNTS?

Typical of such accounts are the revolving charge account plans of many department stores and the revolving check-credit plans of some banks. The bill imposes two requirements for such credit accounts.

Before any such account is started, the creditor must give the customer a written statement setting forth the "simple monthly or annual percentage rate or rates at which a finance charge will be imposed on the outstanding unpaid balance."

Then, at the end of each monthly period while the account is running, the monthly statement to the customer must show: the outstanding balance in the account at the beginning of the monthly period; the amount of each extension of credit during the period with the date of each and a brief identification of the property or services acquired; the total amount received from, or credited to, the customer during the period; the finance charge, in dollars and cents, required for the period; the outstanding balance at the end of the period; and the simple monthly or annual percentage rate at which the finance charge has been imposed on the outstanding balance to be financed.

Originally, for these accounts, the bill required a simple annual rate; the alternative of a simple monthly rate was added in an amendment by Senator **EDMUND MUSKIE**, Democrat, of Maine. The defect of this amendment is cited under question 7.

5. WHAT'S REQUIRED ON INSTALLMENT AND OTHER CREDIT AND LOAN PLANS?

For all forms of credit, other than revolving plans, the bill requires that the creditor furnish the customer, prior to consummation of the transaction, a written statement setting forth the cash price or delivered price of the property or service to be acquired; the amounts, if any, to be credited as downpayment and/or trade-in; the difference between the two preceding amounts; individually itemized charges paid, or to be paid, by the customer in connection with the transaction, but which are not incident to the extension of credit; the total amount to be financed; the finance charge expressed in terms of dollars and cents; and the percentage that the finance charge bears to the total amount to be financed, expressed as a simple annual rate on the average outstanding unpaid balance of the obligation.

6. ARITHMETICALLY, HOW WOULD THE SIMPLE ANNUAL RATE BE CALCULATED?

This is a major obstacle. The bill provides no mathematical formula. However, several have been discussed in hearings. The actuarial or annuity method allegedly would show the rate most accurately, but this has been termed far too complex and time consuming for sales people to utilize.

Another formula, slightly less complex, is the contant ratio method:

$$r=\frac{P(n+1)}{2\times m\times F}$$

r=simple annual rate.
m=number of payment periods in 1 year.
F=interest or finance charge in dollars.
n=number of payments to discharge debt.
P=total unpaid balance (principal or cash advanced).

But this formula assumes equal monthly payments, which most accounts don't have. Installment accounts, for example, usually have a lower final payment. To allow for that, a variation of the formula is necessary.

$$r=\frac{2\times m\times (P+F)\times F}{P\times n\times (P+F+f)}$$

f = final payment.

But, when a customer adds a new loan or purchase to an installment account that is already running—a so-called add-on transaction—this variation of the formula is inadequate. The variation assumes all payments are equal except the final installment; however, under an add-on transaction, portions of the regular monthly payment that are allocated to the second purchase must differ significantly in order to maintain the previously established payout rate for the initial purchase.

The only practical way to calculate the aggregate simple annual rate in an add-on transaction is to plot the entire account over the full contract period, total the sum of all monthly balances, divide this sum into the finance charge, and multiply by 12.

The complexities of any one of these procedures would make their use extremely time consuming, particularly for the average sales person—and create a constant hazard of inaccurate computation, with the resultant risk of prosecution.

In fact, even if the calculation were made properly, under any one of these procedures, the computed simple annual rate would still be an erroneous expression to the consumer in most cases. The reason is that the formulas assume payments at exact monthly intervals—yet, hardly anyone pays his bills at exactly the same time each month. So, the rate given the customer in advance would become inaccurate as soon as the customer made a payment either early or late—quite possibly the very first payment.

The time factor—the exact period of time in which any given balance is outstanding—is essential to computing an accurate simple annual rate. But, neither creditor nor customer can possibly know—in advance, as the bill requires—the exact period of time a balance will be outstanding. Therefore, from a practical standpoint, it would be impossible to furnish the customer an accurate simple annual rate in advance on an installment account transaction.

And, even if this provision is amended to allow expressing a "simple" monthly rate, as has been proposed, that would be no help. Computing an accurate "simple monthly" rate would be subject to the same difficulties.

7. IS THE CALCULATION ANY EASIER FOR REVOLVING CREDIT ACCOUNTS?

No. It would be impossible to comply with the requirement that the customer be told, before he opens a revolving account, either the simple monthly or simple annual rate he will be expected to pay.

Neither creditor nor purchaser can know, at that time, what amounts will be charged, when they will be charged, the time each amount will be outstanding, or the dates or amounts of payments that will be made. Yet such information is absolutely essential to computing an accurate "simple" monthly or annual rate.

Expressing the rate on each monthly statement, another requirement, would occasion time-consuming computations as follow: Multiply each different balance outstanding during the period by the number of days outstanding, draw the total, divide this into the dollars and cents finance charge, and multiply the result by 365. This reveals the simple annual rate; divide that by 12 to obtain the simple monthly rate.

Ostensibly, the reason for amending this provision to allow expression of a simple monthly rate was to relieve creditors of the burden of calculation; i.e., to permit a retailer who imposes a monthly service charge of 1½ percent on a revolving account balance merely to print this 1½ percent rate on his statements

But, this is not a simple monthly rate; it is only the factor used to determine the dollars and cents service charge. Translating the dollars and cents service into a simple monthly (or annual) rate requires consideration of the time element—and thus necessitates elaborate arithmetical computations.

The difficulty of rate calculation has been well emphasized by Senator **ROMAN HRUSKA**, Republican, of Nebraska. Recalling an incident during hearings when three witnesses attempted to compute a simple annual rate and each got a different answer, the Senator said, "Two of them would have to go to jail or perhaps all three, because the judge might do his own figuring and come up with a fourth answer."

8. HOW WOULD THE LEGISLATION BE ADMINISTERED AND ENFORCED?

The bill gives regulatory and administrative responsibilities to the Board of Governors of the Federal Reserve System.

The agency would be empowered to promulgate rules and regulations governing compliance with the bill's requirements. These rules would include description of the methods to be used in determining the simple annual or monthly percentage rates.

In addition, the agency could exempt credit transactions with business firms or Government agencies where it feels compliance would not be necessary for the bill's purpose.

Under a subcommittee-appointed amendment, the agency would establish an advisory committee of up to nine members "to advise and consult with it in the exercise of its powers." Members appointed should reflect a "fair representation of the interest of sellers of merchandise on credit, lenders, and the public."

Any creditor who fails to disclose the required information to a customer would be liable to that customer in the amount of $100, or in an amount equal to twice the finance charge levied, whichever is greater—except that liability shall not exceed $2,000 on a single transaction. (Recovery would not be allowed for an erroneous computation that resulted in an overstatement of the percentage rate.)

Willful violators would be subject to a fine up to $1,000, or imprisonment up to 30 days, or both.

The Federal Trade Commission may be given responsibility for enforcing the bill. The Federal Reserve Board has repeatedly argued that it should not have this responsibility. Board Chairman William McChesney Martin says: "The regulation of trade disclosure practices would be foreign to the Board's present responsibilities."

Senator **DOUGLAS** has reportedly agreed to a transfer of responsibility to the FTC from the Board and amendments to effect the transfer are pending.

9. WHAT IS THE PURPOSE OF THE BILL?

The bill itself theorizes that consumers are not properly informed about the cost of credit unless they know that cost as a "simple annual rate"—and that, if they are not so informed, they will use their credit in an "untimely" manner which threatens economic stabilization. So, the purpose of the bill is to help promote national economic stability via mandatory expression of finance costs as a simple annual rate.

What this assumes is that a rising or falling rate in the market where businessmen borrow money would cause the consumer's time price charge to rise or fall—that consumers would buy when the charge is low, and hold back when it's high—and that the effect of this would promote a more stable economy.

But, the logic of this purpose has been undermined in hearings. William McChesney Martin, Chairman of the Board of Governors of the Federal Reserve System, testified that "finance charges on consumer installment credit * * * have not shown much fluctuation in response to cyclical changes in the availability of credit during the postwar period. Also, it is hard to find evidence as to consumer responsiveness to the changes in charges that have occurred."

He said changes in general monetary policy are reflected "primarily in the application of more or less restrictive standards or terms, rather than in higher or lower finance charges."

The point is, only a minor part of a time price charge can be considered interest on money borrowed; a major part of the charge is for credit investigation, collection, provision for losses, and other fixed service costs which, as Chairman Martin said, do not show much "cyclical fluctuation."

Therefore, it is not realistic to expect that the rate statement to consumers would show any significant fluctuation in relation to cyclical changes of interest rates charged merchants when they borrow money.

So, there is no reason to anticipate fulfillment of this purpose of the bill.

10. IS THERE TOO MUCH CONSUMER CREDIT?

The Federal Reserve Board, in its 1963 annual report, concludes that consumers are not overextended on their installment credit commitments.

"The proportion of consumer income devoted to repayments on installment debt rose to a new high (during 1963), but there was little evidence of rising delinquencies or of other signs of overcommitment," the report said.

To be sure, the amount of total consumer credit is high by previous standards. For example, last year it amounted to 17.3 percent of disposable personal income; 10 years earlier it was only 12.3 percent.

But, part of this rise is attributable to the growing list of things that can be bought on time—and part attributable to our rising standard of living. As families move higher up the ladder of living standards, they move more into the market for bigger ticket items—color TV, stereo, wall-to-wall carpeting, home freezers, etc. This naturally stimulates the use of credit.

Significantly, consumers are still saving at an average rate of about 7½ percent of their after-tax income—about the same rate since 1951.

11. WOULD THE LEGISLATION HELP CONSUMERS SHOP FOR CREDIT?

This is one of Senator DOUGLAS' major claims. Because credit costs are now expressed differently by different types of establishments, he says consumers have difficulty making comparisons that lead them to the best available credit deal. In his mind, uniform business expression of credit costs as a simple annual rate would give consumers what they need to make comparisons.

This assumes, of course, that present methods of expression are inadequate for consumer needs. However, consumers can make proper comparisons without a simple annual rate.

For example, a customer who wants to purchase a refrigerator can secure from several stores their respective cash price, finance or service charge, total time price, and the amount of monthly payments for a given period of time. He can compare also with the net cots to him of borrowing the money and paying "cash." The important "comparing" element is the net cost to the customer over the contract period that best suits his ability to repay.

Significantly, even a witness favoring the bill told Senator DOUGLAS early in the hearings, "Families are less concerned with the amount and percentage of interest than they are with the size of the weekly or periodic payment."

In the final analysis, a "simple annual" percentage rate alone would not help a customer determine whether to make a credit purchase. It would be meaningful only if he could translate it into dollars and cents. The bill seems to admit this by requiring a dollars-and-cents expression, too. Why both are essential to consumers has yet to be proven.

12. WOULD THE BILL GIVE CONSUMERS MORE TRUTH ABOUT CREDIT COSTS?

Senator DOUGLAS has said repeatedly the bill is intended to give consumers "the truth, the whole truth and nothing but the truth" about interest rates and finance charges. Already, though, the difficulty of calculating an accurate simple rate has prompted amendments in the bill to allow for inaccuracy:

Regulations developed by the administering agency may prescribe "reasonable tolerances of accuracy" with respect to the required credit cost data.

It will be no basis for violation if a rate stated in advance subsequently becomes inaccurate because of prepayment, late payment, or other mutually agreeable adjustment in the credit contract.

Overstatement of the annual rate would be no basis for recovery of penalty.

If an accurate rate calculation is so difficult to make that the bill has to be amended to tolerate inaccurate figures, this seems an admission that the bill would force creditors and lenders to lie to their customers.

Clearly, it proves that "truth-in-lending" is a false and deceptive label on the bill.

It is also further evidence that the simple annual rate would be useless to customers.

For another reason, it is possible that the bill might even result in the consumer getting less information about the actual cost of credit.

This cannot be predicted with certainty, but to the extent the bill focuses attention on a percentage rate, it seems likely that some merchants would attempt to capitalize on this by advertising low rates, even if this necessitates putting some credit costs into the price merchandise. In such cases, a consumer paying too much attention to the rate might be misled into selecting, not the best, but the worst deal available.

13. WOULD THE BILL PROVIDE SOME FIRMS AN ADVANTAGE OVER OTHERS?

Although the bill is drawn so as to have fairly uniform coverage within the business community, in actual practice there would be several elements of potential discrimination.

Consider, for example, the prospect of adding credit costs to merchandise prices so as to quote a low rate of finance charge. A small merchant with limited lines of merchandise would have far less opportunity to do this than a large store carrying many varied product lines. The same would be true of a small appliance dealer handling solely national brands on which a hiked price might be too readily apparent.

As a result, the larger store would have an advantage over smaller stores.

The same situation also could confront banks and finance companies who, unable to conceal credit costs, might find their lending rate less attractive to customers than dealer financing.

Furthermore, if the bill were enacted as approved by the subcommittee—allowing expression of a monthly rate on revolving accounts, but requiring an annual rate on installment accounts—this, too, would be discriminatory. For example, a furniture store using installment credit would have to quote a higher rate than a competing department store using revolving credit. Lending institutions could be placed at the same disadvantage because the bill presently requires them to quote an annual rate, too.

14. WOULD THE BILL HELP THE ECONOMY?

No one can be certain, but there is a reason to believe that passage of the bill could cause a sales decline, at least temporarily.

The potential effect was highlighted by Prof. George Katona, director of the economic behavior program, Survey Research Center, University of Michigan. He testified:

"The most potent argument against the bill consists of the possibility that there would be a shock effect. * * * It has been shown before that many present-day users of installment credit believe that the finance charges amount to 6 percent or even less. If these people were given a document in which a percentage twice or three or even four times as high is shown, they will be surprised, disappointed, and resentful. * * * Whether or not the shock would result in would-be purchasers giving up or postponing some of their discretionary purchases, we do not know * * * however, the possibility must be taken into account that the immediate effect * * * would be unstabilizing."

If the simple annual rate were essential consumer information, enactment of the bill might be worth the economic risk—but without a real need for the annual rate expression, it would seem unwise to take the economic gamble.

15. WILL THE BILL BE FURTHER AMENDED?

This is not certain; however, a number of amendments were presented on April 9 when the Senate Banking Committee met briefly on the bill.

These included several submitted by the Federal Trade Commission which that agency considers necessary in the event it is given administrative responsibility for the measure. The Commission's recommendations include:

Broadening the statement of purpose in the bill, to base it more firmly upon the "commerce" and "money" clauses of the Constitution.

Expanding the definition of "creditor" to assure coverage of businesses now excepted from FTC jurisdiction.

Requiring expression of the simple annual rate on the "unpaid balance of the obligation, or on the declining unpaid balance of the obligation, whichever rate is the higher."

Allowing enforcement as under the FTC Act; i.e., through quasi-judicial procedures and cease-and-desist orders.

Promulgating rules and regulations by FTC procedures, without the advisory committee now called for in the bill.

Prescribing reasonable tolerances of accuracy in the rate calculation only "where necessary," a limitation not now in the bill.

Assuring that an overstatement of the rate, whether intentional or otherwise, will be no basis for criminal action—as the bill already provides with respect to civil action for damages.

Changing some administrative responsibilities to make them discretionary, not mandatory. For example, the bill now specifies what the rules and regulations "shall" provide, that the responsible agency "shall" exempt certain types of credit transactions, and that the agency "shall" request the views of other Federal agencies having credit-related regulatory functions. In each instance, the FTC proposes changing "shall" to "may."

Pending amendments also include four submitted by Senator JACOB JAVITS, Republican, of New York, two of which pertain to revolving credit accounts.

One of these provides that the statement given the customer in advance shall show the percentage finance charge imposed monthly on the outstanding balance—and the minimum dollars and cents charge, if any, or the dollars and cents charge imposed on a schedule of fixed amounts of balances, in which case the statement must set forth the schedule and the basis for computations under the schedule. The second amendment is a similar provision for the statement given the customer at the end of each monthly billing period.

The objective of these two amendments is to make clear the subcommittee's intent that a retailer charging a 1½-percent monthly service or finance charge can show that figure and not have to struggle with computing a "simple" monthly rate—and to permit continued use of charts and schedules such as are authorized by New York State's credit law.

Senator JAVITS' other two amendments provide for:

1. Exemption from the bill's coverage of securities and commodities transactions already subject to Federal regulation, and

2. An improved definition of revolving or open-end credit plans, in line with common business practices.

Senator MUSKIE also has two amendments pending. One relates to loans and credit (other than revolving credit) and proposes that the "simple monthly or annual percentage rate" be given the customer. This is similar to his already approved amendment for revolving credit accounts—and raises the same computing problem because it asks for the "simple" rate. The Senator's other amendment pertains to real property transactions. Basically, it provides that closing costs shall not be considered finance charges, and therefore shall not be included in the simple annual rate computation on home mortgages.

Several additional amendments have been proposed by Senator DOUGLAS. He would give customers 2 years, rather than 1, in which to sue offending creditors—not counting any time consumed in a criminal proceeding by the Government against the creditor, and he would provide that a final judgment of willful violation in a criminal proceeding shall be prima facie evidence against the defendant in any subsequent civil action undertaken by a customer.

16. CAN STATES REGULATE CREDIT ADEQUATELY?

They can, and do. According to Senator WALLACE BENNETT, Republican, of Utah: "All States have laws covering the lending activities of banks. In addition, 49 States have laws requiring the disclosure of credit charges on small loans; 42 States and the District of Columbia regulate automobile installment sales; and 25 States cover installment sales of other types of goods, as well as automobiles. And in the new area of revolving charge accounts, 16 States have already passed laws, while such legislation is under active study in a number of other States."

Walter Malcolm, president of the National Conference on Uniform State Laws, emphasized this at Boston hearings in early 1964:

"Every State of the 50 has at least 4 statutes on the books with respect to consumer credit and some undoubtedly reach up to 8 or 10."

Pointing out the variety and diversity of State laws, Mr. Malcolm said "the great need is to simplify and decrease the present laws—yet the Douglas bill imposes on top of this mass of State legislation, this confusion, another layer of legislation at the Federal level. We do not think Congress should enter this field at this time in any form or manner whatsoever."

The Florida attorney general told the subcommittee in 1961 that his State's law "is sufficiently broad to protect Florida consumers without the necessity of national regulation." He added the belief that Federal legislation "will inevitably result in conflict of administration and deter the State effort to regulate in a field that logically appears to be a responsibility of the State."

With regard to State acceptance of the legislative approach represented by the Douglas bill, Senator BENNETT points out that "17 States have considered bills identical to S. 750, some of them two or three times, but in every case, the States have rejected this approach."

The Senator also has said, more than once, that the credit "abuses" and "horror stories" brought forth in subcommitte hearings would not be corrected by S. 750—but that most of them are already subject to existing laws. In this connection, the attorney in chief of New York City's Legal Aid Society told the subcommittee in testimony last year, "I think some of the stories that you heard this afternoon are cases that called for criminal prosecution * * * under the existing law. Some of these cases suggest grand larceny."

THE GREAT DANGER OF ACCIDENTS WITH ROTARY LAWNMOWERS

Mr. BAYH. Mr. President, every day we read in the paper that so many fellow citizens are involved in accidental injury and death. The loss suffered by the Nation is staggering. During 1963, more than 70,000 Americans were injured in accidents with rotary lawnmowers alone. I myself had such an accident and can therefore personally attest to the serious problem of safety presented by the operation of a rotary lawnmower.

The National Safety Council suggests that a very high percentage of the mower caused injuries, particularly those to fingers, hands, toes, and feet, results from the operator's inability to stop the mower blade quickly enough to avoid mishap. Nearly three-fourths of the accidents last year involved cutting by the blade of the mower.

A manufacturer of engines for rotary mowers has now developed and introduced a device designed to reduce the dangers of operation. The Clinton Engines Corp., of Maquoketa, Iowa, has introduced a revolutionary brake to stop instantly the blade of a rotary mower. The brake is designed to stop a rotary mower blade operating at 3,600 revolutions a minute in less than half a second. It is controlled by a simple hand operation from the handle of the mower, making it possible to stop the blade almost immediately when trouble develops.

I want to commend the Clinton Engines Corp. for taking the lead in the development of this safety device for rotary lawnmowers. This "touch 'n stop" brake is a constructive step forward for safety in the operation of rotary lawnmowers and can be reasonable for reducing the number of accidents caused by mowers.

I hope that this will set a pattern in the industry so that research will go forward to develop additional devices which will provide complete safety to the operators of rotary lawnmowers.

HENRY BANG WILLIAMS

Mr. JOHNSTON. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 538.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 538) for the relief of Henry Bang Williams, which was to strike out line 3, down through and including "fee:" in line 7, and insert "That, for the purposes of sections 203(a) (2) and 205 of the Immigration and Nationality Act, Henry Bang Williams shall be held and considered to be the natural-born alien son of Mr. and Mrs. Arthur Henry Williams, citizens of the United States:".

Mr. JOHNSTON. Mr. President, on June 28, 1963, the Senate passed S. 538, to grant the status of permanent residence in the United States to the 24-year-old adopted son of citizens of the United States.

On September 9, 1963, the House of Representatives passed S. 538, with an amendment to grant second preference status to the beneficiary. Under this amendment, the beneficiary cannot adjust his status to that of a lawful resident until a second preference quota number becomes available. The quota to which the beneficiary is chargeable is oversubscribed only 3 months at this time.

I move, therefore, that the Senate concur in the House amendment to S. 538.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

ROWING THE UNITED STATES BACK INTO THE MAINSTREAM OF INTERNATIONAL COMPETITION

Mr. McINTYRE. Mr. President, I am extremely proud that beginning June 21 my hometown of Laconia, N.H., will be the site of the first experiment of its kind in the United States to restore us to prominence in the Olympic games. For the first time in U.S. collegiate rowing history, a manpower pool project of training eight-oared crews will be attempted for rowing competition. The program is supported by the U.S. Olympic Rowing Committee, the Rowing Coaches Organization of America, and many boat clubs, in addition to the Laconia Rowing Club and civic organizations in the community. It is expected that 30 top oarsmen from outstanding college crews will engage in intensive training after which the top 8 will be selected for the Laconia, N.H., team which will compete in the U.S. Olympic trials at Pelham Bay, Long Island, N.Y., July 5–8.

It is altogether fitting that New Hampshire launch such a model training program since it was back in 1852, on Lake Winnepesaukee, N.H., that Yale and Harvard had their first rowing race which, incidentally, Harvard won. Rowing is one of the oldest Olympic sports. Although I understand that U.S. oarsmen have won an alltime total of 31 gold medals for Olympic rowing, far surpassing the nearest rival who has taken 15, since World War II European nations have been making rapid gains and now present a strong challenge to American oarsmen.

Mr. President, I asks unanimous consent to have printed in the RECORD an article entitled "Training Program at Opechee Hailed by MIT Coach Frailey," written by Earl O. Anderson, which I am sure Senators will find inspiring, which describes remarkable efforts to row the United States back into the mainstream of sports activity in the Olympic games.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRAINING PROGRAM AT OPECHEE HAILED BY MIT COACH FRAILEY

(By Earl O. Anderson)

LACONIA.—"I feel that we will be turning out here on Lake Opechee the fastest eight-oared crew the world has ever seen, and not by a small margin either.

"That is what Laconia will be contributing to the world of international sport through this manpower pool program."

These were the stirring words that 175 rowing enthusiasts heard Saturday night from Jack Frailey, head crew coach at MIT.

Nearly 300 tickets for the $10 a plate All-American rowing banquet were sold to help meet local costs of the unique project to get underway here in 6 weeks.

Briefly, it is this: 8 or 10 major colleges in the East are expected to send approximately 30 of their top oarsmen on June 21 for 2 weeks of intensive training on the calm waters of Lake Opechee.

TRIALS JULY 5–8

From this group will be selected a team of eight men to enter the U.S. Olympic trials at Pelham Bay, Long Island, N.Y., July 5–8. It will be known as the Laconia, N.H., team in all competition.

The 2,000 meter course used the past 2 years for the New England amateur rowing championships will serve as the training ground for these rugged crewmen.

Purpose behind the move, explained Frailey in his talk here, climaxing a program which both thrilled and inspired the rowing devotees, is to restore the United States to its rightful place in eight-oared competition.

Despite fine representation in international competition over the past several years, Frailey said our crews have just not been able to meet the standards set up by other countries.

"My conclusion, after studying results of these events," Frailey declared, "was that we were not meeting manpower with manpower. And I decided that there was only one way to do this.

"Select the very best team that we could, from among our top college crews, and drill it as a single unit.

"This manpower concept has worked well elsewhere, with England and France, and Japan is trying it in 1964, while Russia has always employed the plan."

It will be the first time in U.S. collegiate rowing history, however, that it has been attempted in eight-oared rowing competition.

Frailey was able to "sell" the idea to the Eastern U. C. College Rowing Coaches Association as "well worth a trial."

He is convinced that Lake Opechee this summer can develop a crew capable of achieving a new world's record of 5:45 minutes or better.

This would be 3 seconds faster than that turned in by Germany, he recalled, in winning the European championships 2 years ago. And about 10 seconds better than any previous U.S. performance.

"This kind of sport is won by seconds and inches," Frailey observed.

Sharing the speaking honors here with the MIT coach was Thaddeus Seymour, dean of Dartmouth College, and former coach of the Little Green's crew.

"I do not think anything will equal the enterprise you are having on Lake Opechee this summer," Seymour stated.

"I have every confidence that the results will be a source of pride to all of you here tonight, and those engaged in rowing throughout the whole United States."

PLACE IN SPORTS

Rowing has a place in sports almost unique, the Dartmouth dean pointed out. The crews train from early September to June, he noted and yet the actual season competition is compressed into but a single hour. And of this hour, only 5 minutes is in the noisy atmosphere of cheering crowds.

Most of the effort is solitary work, and requires deep commitment on the part of the oarsman, he added. Rowing takes a quality of perfection, he commented, not known in any other sport, and requires unlimited endurance. The concept of teamwork sets the crew apart, and the self-discipline needed is great, he made clear.

When one considers that a race is often won by inches or seconds, he emphasized, one can realize what a coordinated effect is required, for one slight letup in a single stroke multiplied a few times during the 240 strokes of a race can spell the difference between victory and defeat.

SPECIAL GUESTS

Three members of the U.S. four-oared Olympic team of 1936 were special guests. They were Coach Lawrence Terry, now headmaster of the Middlesex School, Concord, Mass.; Roger W. Cutler, Boston banker; and William Haskins of Concord, a saw company executive. They were presented by Thomas Kudzma of Nashua, secretary of the New England Amateur Rowing Association.

Parker C. Lindberg, president of the Laconia Rowing Club and manager of the Greater Laconia-Weirs Beach Chamber of Commerce, was the toastmaster.

The two organizations sponsored the banquet.

Welcome was extended by Dana S. Beane, Jr., chamber president, and Mayor Hugh H. Bownes.

A high point in the program was a letter from Astronaut Alan B. Shepard—a native of Derry—read by Paul Kinney, general chairman for the banquet and the chamber's participation in the rowing experiment here.

"I completely agree that our failure to achieve rowing victories has degraded our international posture," Shepard wrote to Dan Ford, whose Laconia Coca-Cola Bottling Co. (soft drink firm) is one of the major supporters of rowing revival here.

The astronaut regretted his inability to attend. He was engaged in a geological field trip this weekend.

The 27 oarsmen, 3 coxswains, 2 coaches and a rigger will come to Laconia directly from Syracuse, N.Y., where the International Rowing Association regatta is being held June 19 and 20.

The all-American crew is to be developed here with the cooperation of the Rowing Coaches' Organization of America, and will be headed by two experienced coaches.

PRESIDENT ELVIS J. STAHR SUPPORTS HARTKE EDUCATION BILL

Mr. HARTKE. Mr. President, Indiana University is one of our great State institutions of higher education. Its energetic president and my good friend is a man nationally known not only in education but because of his service to the Nation as a former Secretary of the Army, Elvis J. Stahr. His administration of Indiana University has shown a high degree of foresight and planning. It has grown under his wise leadership in physical facilities, in programs, and in student body in a manner which makes Indiana University a real leader among such institutions.

President Stahr is among those who have written to me concerning S. 2490, the Hartke college student assistance bill. Because of the respect in which I hold his views on matters pertaining to higher education, I should have been disappointed if he were critical of the concept and scope of the bill. But I am pleased that his letter gives, like those of so many other educational leaders, firm support for my bill. In the first paragraph, he refers to the favorable testimony of President Fred Harrington, of the University of Wisconsin, who appeared before the Education Subcommittee on behalf of the Association of State Universities and Land-Grant Colleges on March 10:

> I agree with everything in President Harrington's statement—

He says, and then makes some comments of his own which I should like to share with the cosponsors of this bill and other Senators:

> The best thing about the bill is that it is indeed directed toward helping students—

He says, underlining the word "students"—

> In this it stands in strong contrast to the tax credit bill which was so narrowly defeated last year. I think the scholarship program would help many of the small private institutions improve the breadth of their student mix by helping students who otherwise couldn't consider them for financial reasons. Scholarships currently provided by such institutions could supplement the national scholarships to that end. Also, the proposed payment of $350 to assist an institution with the cost of educating each scholarship winner who elects to attend it might be a useful incentive to some private institutions to permit at least a modest expansion in their enrollments.

Dr. Stahr continues with a paragraph of comment on the proposed student loan program:

> The expansion and strengthening of student loan opportunities is also a most laudable objective. Here in Indiana, I am coming increasingly to believe that a State scholarship program is needed whether or not a Federal program is enacted. The combination of substantially improved opportunities for scholarships with vastly improved opportunities for loans will probably enable the public and private institutions of this State to get the big job done in the next decade, provided they can hold down the fees so as to avoid cancelling out the benefits of scholarships and loans.

As the Senators know, Mr. President, my bill has three major elements in its package concept—scholarships, loans, and a work-study program. On the latter, President Stahr says:

> I rather like the work-study program. We would have great use for it here, where we already have a very large student work payroll, and I should think that, imaginatively used, such a program could be a distinct boon to smaller institutions, providing them, for example, with laboratory assistance, paper graders, library help, undergraduate teaching assistants, in courses like elementary math and foreign languages, and perhaps in other ways as well.

Mr. President, I am most happy to have this addition to the expressions of support for my bill from a man whose opinions are among those I respect so highly.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. HUMPHREY. I commend the Senator upon his consistent initiative in connection with this very important piece of proposed legislation. I am hopeful that the committee will bring this legislation before the Senate. I am confident that there is a majority vote in the Senate for the Senator's bill.

It is the finest piece of proposed aid to education on a student level that has been before Congress. It is better than any of the tax credit proposals.

The Senator's effort in this vital field of education commends him to the entire country. We owe him a great debt of gratitude.

Mr. HARTKE. I thank my distinguished colleague. I shall certainly convey the Senator's message to the proper committee.

GARY STUDENTS WRITE HISTORY BOOK

Mr. HARTKE. Mr. President, I recently received a spiral bound book of some 120 mimeographed pages bearing the title "Freedom's Mosaic," whose 16 chapters set forth the history of American government from the earliest settlement through the ratification of the Constitution and the establishment of the Federal Government.

Such materials frequently reach the desks of all of us, but this one was sufficiently unique that I wish to call it to the attention of the Senate. For this was the cooperative research effort of about 70 students in the American government class at Andrean High School, Gary, Ind., whose principal is the Reverend John A. Burke, C.S.B., and whose teachers are the Reverend Fred H. Sohn, C.S.B., and Rita S. Kalousek.

Teams of four students researched and prepared each of the chapters, with a larger group dividing into pairs to cover the detailed history of constitutional ratification in each of the States. Their combined bibliography runs to a formidable 11 pages of listed reference volumes. The preface states that this is intended as "the first brochure of a trilogy dealing with the political history of the United States and her great documents—this trilogy to be completed in 1966." If this ambitious plan by which students of American government are learning by doing comes to completion, it might well be worthy of publication as a text for others written by their contemporaries. I might add that examination of the footnotes shows that these boys and girls have gone to such original sources as the Federalist Papers, the works of John Locke, and numerous volumes by those generally considered our best historians.

Unfortunately, the work is too large for reprint in the Record, but it is a significant example of the kind of progress in education being made by competent teachers at the secondary level. These students have felt the challenge of scholarly research under guidance; they have learned to compare sources, sometimes conflicting in their views; they have put their findings in their own words. The results of their intensive study of this period of American political history will never be forgotten. I commend all those associated with this project.

CHARLES R. ROSS—DEFENDER OF PUBLIC INTERESTS AND JUSTICE FOR POWER COMPANIES

Mr. PROXMIRE. Mr. President, on September 16, 1961, President Kennedy nominated Mr. Charles R. Ross as one of the two Republicans on the Federal Power Commission. Mr. Ross has served with distinction in that post but his term expires on June 22. To date, no announcement has been forthcoming from the White House concerning Mr. Ross' possible reappointment. Rumors persist that Mr. Ross will not be renominated.

I strongly believe that Mr. Ross should be reappointed for a full 5-year term.

Mr. Ross came to the Federal Power Commission with a superb background. In my judgment, this was one of the excellent appointments made by President Kennedy.

Mr. Ross earned his bachelor's degree at the University of Michigan in 1941 and, following a distinguished service career with the Air Corps during World War II, he returned to the University of Michigan and obtained both a master of business administration and a law degree.

He has taught in the field of business law and government and business regulation at Oregon State College. He has been in private business and in private law practice. He has served on the Vermont Public Service Commission and was for 2 years chairman of that commission. He is also one of the three U.S. members of the International Joint Commission.

But the primary justification for urging this reappointment is not his impressive background in the regulatory field but rather the magnificent record he has established as a member of the Federal Power Commission.

His record, I think, should be judged in terms of the functions which the Congress has assigned to the Federal Power Commission. The Commission from the time of its original establishment by the Federal Water Power Act of June 10, 1920, and from the establishment of the present independent Commission on June 23, 1930, has always had as its primary responsibility the assurance of an abundant supply of electrical energy throughout the United States, with the greatest possible economy and with regard to the proper utilization and conservation of natural resources. It is required to supervise the investigation, planning, construction, operation and maintenance of licensed hydroelectric projects. The Commission is required to prescribe and enforce a uniform system of accounts for privately owned public utilities. Similar functions are given to the Commission with respect to natural gas.

But the primary function of the FPC can be summarized in a single phrase. It is responsible for representing the public interest in dealing with the natural private monopolies in the power field. It is responsible for dealing with the power companies with full justice and competence.

In my view, Mr. Charles R. Ross, as a Republican appointee to the Commission, has served this function brilliantly. In the important area of tax allowances to be included in utility rates, Commissioner Ross has been a leader in limiting such allowances only to those which the utilities are obliged to pay to the Treasury. He has consistently fought against the so-called normalization theory which would increase the rates paid by consumers to the advantage of the utilities. Commissioner Ross has consistently opposed the claims by the major pipelines that a premium return should be allowed for oil and gas exploration and production activities.

Commissioner Ross has been exceptionally effective in keeping down the price of gas sold for interstate consumption.

The importance of retaining Mr. Ross on the Commission can be demonstrated by the fact that almost all of the key decisions in these areas were by narrow 3 to 2 margins.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may be permitted to speak for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. I shall not prolong this statement by describing each of the various cases in which Commissioner Ross played such a leading part. However, I do invite my colleagues to look at a number of recent decisions by the Commission, such as the Cities Service Gas Co. case decided July 15, 1963, the Investment Tax Credit Interim Accounting Order of January 23, 1964, the Alabama-Tennessee Natural Gas Co. case of February 3, 1964, and many others.

Mr. Ross' central role in these cases probably does not come as a surprise to anyone who knows him. For example, Gov. Philip Hoff, the present Democratic Governor of Vermont, has stated that Mr. Ross "not only is a good friend of mine but extremely able. He did the best possible job anyone ever did as head of the Vermont Public Service Commission. He calls the cases as he sees them. He is completely honest. He is consumer minded. He has a strong following among Democrats to a man and among liberal Republicans."

Certainly first consideration should be given to the reappointment of Mr. Ross to the Federal Power Commission and I am hopeful that President Johnson will give Mr. Ross this consideration.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. HUMPHREY. I wish to associate myself openly with the remarks of the Senator. It will be unnecessary for me therefore to place in the Record a statement which I had prepared concerning Mr. Ross.

He is an excellent Commissioner. I hope he is reappointed. I trust that the Record will be read by the President and his officers, so that Mr. Ross may be given this consideration.

Mr. PROXMIRE. Mr. President, I thank the majority whip, and I ask unanimous consent that I may yield to the Senator from Vermont [Mr. Aiken], the Senator from Pennsylvania [Mr. Clark], and the Senator from Michigan [Mr. Hart].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. Mr. President, Charles Ross was appointed by Governor Stafford—now Congressman Stafford—to the Vermont Public Service Commission.

He did an excellent job as chairman of the commission.

He has made an excellent record on the Federal Power Commission. I believe it would be a serious mistake not to have him reappointed. It would be bad for the people of the country.

I certainly hope that no consideration is being given by the President to dumping Charlie Ross or appointing another representative of the gas industry to the Federal Power Commission. They already have two. And if they get one more—a clear majority of the Commission—then, heaven help the public.

Mr. PROXMIRE. I thank the distinguished Senator from Vermont. I now yield to the senior Senator from Pennsylvania.

Mr. CLARK. I endorse what the Senator from Wisconsin and the Senator from Minnesota have just said about Mr. Ross. I hope that the President will reappoint him.

Suggestion has been made to me that I should sponsor the appointment of either of two Pennsylvania individuals to replace Mr. Ross. These gentlemen are fine, eminent citizens, but I find myself in the position where I can conscientiously say, despite the fact that there are two Pennsylvania candidates, that I hope that the President will reappoint Mr. Ross.

Mr. PROXMIRE. I thank the Senator from Pennsylvania. I now yield to the Senator from Michigan.

Mr. HART. Mr. President, very briefly, I knew Mr. Ross as an undergraduate student at the university. I have had opportunity to observe his record on the Commission.

I join in the views expressed by my distinguished colleagues. I hope that Mr. Ross will be reappointed.

SHOULD A FEDERAL CONSTITUTIONAL CONVENTION BE CALLED?

Mr. ERVIN. Mr. President, on March 3, 1964, the Honorable Everett C. McKeage, a member of the Public Utilities Commission of California, made an interesting and illuminating address before a joint meeting of the Los Angeles Transportation Club and the southern California chapter of the Association of Interstate Commerce Commission Practitioners, upon the subject "The Need for Calling a Federal Constitutional Convention."

Commissioner McKeage is one of the Nation's most enlightened citizens in the field of constitutional law, and what he says upon this subject merits the widest possible dissemination. For this reason, I ask unanimous consent that a copy of his address may be printed at this point in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE NEED FOR CALLING A FEDERAL CONSTITUTIONAL CONVENTION

(Address by Everett C. McKeage)

Mr. Chairman, members of the Los Angeles Transportation Club, members of the southern California chapter of the Association of Interstate Commerce Commission Practitioners, ladies and gentlemen, I am honored to have the opportunity of, again, addressing two such distinguished organizations as are here assembled, made up, as they are, of experts in a most important field of commerce.

Usually, addresses before professional organizations take the form of an erudite exposition of a specialized subject, appealing only to experts, and are delivered in an unemotional, polished, and sophisticated manner. While not always completely noncontroversial, such addresses meet the standard of the balanced editorial approach and seek to avoid, as much as reasonably possible, emotional issues. In other words, such an address may be classed as a learned treatise, as that term is understood in the law.

Today, I shall break precedent and present to you a most controversial, not to say emotional, subject on which, I dare say, each person in this room has a most definite and pronounced view. Therefore, I pray that you will reserve judgment until I have spoken my piece, at the close of which questions will be entertained from the floor.

May I caution you that the views or opinions which I shall put forward are to be attributed solely to your speaker.

Let me make it abundantly clear that nothing stated in my views or opinions is to be understood as personal criticism of the incumbent national administration, the current Congress, or of any member or group of members of the Supreme Court or, as for that matter, to be understood as personal criticism of any which has gone before. My criticism, objectively speaking, will be directed to that monolithic national power which has grown up at Washington during the past 100 years, and particularly during the last 30 years, contributed to by all elements of the Federal authority and aided and abetted by the apathy and the lack of resistance and finding spirit of the several States. The present attempt by the national administration and the Congress to discourage, to some extent, this regrettable power buildup at Washington is to be applauded, but fundamental change in our Federal Constitution is necessary to restore this Nation to its Federal duality and the spirit of the Founding Fathers. The national pattern has been so warped and subverted by Federal usurpation of power that only constitutional reform will cure the evil now, unhappily, existing.

All of those here present are interested, either directly or indirectly, in regulation. The matters which I shall discuss involve, among others, the subject of regulation in the frame of reference of conflict between State and Federal jurisdictions. Probably no other subject is so involved in State and Federal conflicts as is regulation.

"The Need for Calling a Federal Constitutional Convention" is the subject which, with your permission, I desire to expound to you.

Why do we need to call a Federal constitutional convention? The answer is: Because such convention is the only feasible, efficient, and effective instrumentality, method and means of reversing and restraining this ever-increasing centripetal and centralizing force in our Federal Government, which is robbing the several States of their lawful authority and depositing such usurped jurisdiction with the Central Government at Washington. A constitutional convention will provide the means whereby this usurped authority of the several States may be recovered and restored to them and future usurpation prohibited. I shall proceed to demonstrate this proposition.

Article V, the amending article of the Constitution of the United States, provides:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress, provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

A reading of article V reveals that there are two methods, and only two, by which the Constitution may be amended: (1) By the Congress proposing amendments, by a two-thirds vote of both Houses of the Congress, and such proposed amendments being ratified by three-fourths of the legislatures of the several States, or by conventions in three-fourths of the several States ratifying such amendments, or (2) by the application of the legislatures of two-thirds of the several States requiring the Congress to call a convention for the purpose of proposing amendments to the Constitution and by three-fourths of the legislatures of the several States ratifying such amendments proposed by such convention, or by conventions in three-fourths of the several States ratifying such amendments.

Both Thomas Jefferson and Abraham Lincoln urged the calling of a constitutional convention for proposing amendments to the Constitution, rather than proposals by the Congress, both believing that the proposals made by such a convention would more nearly represent the wishes of the people than would proposals made by the Congress. Lincoln so stated in his first inaugural address. Jefferson maintained that a constitutional convention should be called at regular intervals for the purpose of revising or amending the Constitution, pointing out that there was nothing sacrosanct about the Constitution and that time and experience might prove it to be like the suit of clothing which fitted a boy of 12 but would hardly be expected to accommodate a man of 25.

What possible argument can be advanced against the calling of a constitutional convention, if we really believe in liberty, democracy and the sovereignty of the American people? If we fear the States in constitutional convention assembled, then Heaven help us. The closer we can bring the people of this Nation to their government, without diluting its Republican and dual form, the better for both the governed and the governor. Unlike Alexander Hamilton, we should not look upon our people as a great beast. Should the citizen conclude that he has no stake in his government, he could become a very dangerous man.

Not since the adoption of the Constitution has there been called a constitutional convention, all amendments thereto having been proposed by the Congress.

One or both of the methods for amending the Constitution may be pursued. However, the first method is presently unrealistic for the purpose of reforming and redressing the current evil deriving from the usurpation by the Federal authority of the jurisdiction of the several States. Why do I say this? Because it would beggar the credulity of a candid mind to believe that the Congress would voluntarily give up this usurped power or take any action to that end by proposing amendments to the Constitution. As a general rule, power once gained, lawfully or usurped, is not voluntarily relinquished, as history so abundantly proves. Naturally enough, the Congress would propose constitutional amendments to restore the usurped rights of the several States, if the people back home effectively demanded such action by electing Senators and Representatives dedicated to such a proposition. However, we should choose the more feasible, efficient and effective method; that is, by two-thirds of the legislatures of the States requiring the Congress to call a convention for the purpose of proposing amendments to the Constitution. This is the clincher. The States have the plenary power to require the calling of a convention. The Congress, the Supreme Court and the Federal executive, all combined, cannot frustrate this power. In this capacity, the States are sovereign and exercise supreme power and control. They have it within their authority to completely change our form of government. In the face of this plenary authority of the States, the Federal power is completely impotent and rightly so, if it be conceded that the people are sovereign and should rule. So, what the legislatures of the several States should do is to robustly assert their authority under article V of the Constitution and force this Federal genie back into its constitutional vessel where it properly belongs and where the Founding Fathers placed it and intended it to remain.

George Mason, author of the Bill of Rights, Gouverneur Morris and Elbridge Gerry successfully insisted upon the inclusion in the Constitution of this power in the several States to call a constitutional convention. These three Founding Fathers wisely contended that the States must exercise ultimate control over the Federal authority and that the convention provision was the instrumentality whereby this control could be exercised. We owe these three men a profound debt of gratitude for their foresight and vigilance.

In the governmental fields of taxation and spending, we have with us, today, the same issue that so cardinally divided Jefferson and Hamilton. The issue has not changed; however, it has become more dynamic and important. Hamilton urged the expansion of Federal jurisdiction through the powers of taxation and appropriation. Jefferson set his face sternly against this heresy, asserting it to be a violation of the spirit of the Constitution. Hamilton held that a public debt is a public blessing, because the powerful of the land would purchase the evidences of indebtedness and thus become chained to the chariot wheel of the Government. Hamilton further held that governments are strong in proportion as they are made profitable to the powerful. Jefferson asserted that any such philosophy could not possibly have anything in common with a free government. Today, we see the powers of taxation and spending exaggerated by the Federal Government almost to the point of fantasy, thus relegating State authority to a minor position in this field and placing State authority almost in the role of a mendicant. Here, we have the most potent and compelling power of the central government. No wonder that Jefferson, the "apostle of liberty" and the author of the Declaration of Independence, made war upon this evil. He clearly saw what it would lead to. His prophecy has come true.

The public debt of the United States has almost become a public joke. The procedure before the Congress, whereby the ceiling of the public debt is established, is in the category of some of the programs of "Amos and Andy." There is no end to the growth of the public debt and these so-called ceilings on it are but improvisations of the most obvious brand. What is needed is an amendment of the Constitution setting definite metes and bounds on the authority of the Congress to tax and spend. The gift of public funds by the Congress or any other agency of the Federal Government should be prohibited, as is the rule with most of the States. Whenever the public interest should require the exceeding of those metes and bounds, the Congress would be required to appeal to the several States for such authority and the consent of two-thirds of the legislatures would be required to grant the authority. Let the Congress prove the need for more fiscal authority. I am fully aware that this would radically humble and cramp the style of the spendthrifts at Washington, but free government, common honesty and fiscal integrity require it. In event of war or other national emergency, the legislatures of the several States could be called in time sufficient to meet any national need for taxing and spending.

Ever remember what Thomas Jefferson said on the subject of unrestricted power:

"In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution."

Truly it may be said that the most patient and tolerant beast of burden known to man is the American taxpayer.

I wish that every American citizen would read the report of the Committee on Appropriations of the House of Representatives (submitted December 14, 1963), concerning foreign aid and the use to which it has been and is being put. It really gives one a feeling of sadness mingled with resentment to realize that our Government engages in such loose and questionable conduct in the name of maintaining our image abroad. The citizen should, also, read the remarks of Congressman Passman, of Louisiana, when he submitted this report to the House. Certainly, Congressman Passman is due a vote of thanks for his painstaking investigation and exposition of this mare's nest, denominated foreign aid. A letter to the Clerk of the House of Representatives will procure a copy of this report.

We are emotionally told that some of this Federal squandermania is necessary to "contain communism" and that these "cold war" expenditures deriving from our grants of foreign aid are necessary to stave off a recession or depression in this country, bearing in mind that 75 to 80 percent of all these foreign aid funds are expended in the United States. What a state of affairs. It may well be assumed that if this "cold war" did not exist, it would be necessary to create it.

"Containing communism" is the fairytale of the century. By our international policy, we are forced into the highly questionable posture of being the good guys and our claimed opponents being the bad guys. Other peoples do not believe this self-serving contention, and we should stop squandering the taxpayers' money on the theory that they do. Of course, other countries will take our money, particularly when we force it upon them or beg them to take it. And what nice people they are: South Vietnam, South Korea, Formosa, Yugoslavia, Spain, and numerous other countries in Europe, Asia, and Africa.

What is our record on containing communism? With rare exception, if at all, communism or worse has dogged our efforts in this field. Call the roll: China, Indonesia, South Korea, Cuba, and, now, South Vietnam. What a record. Instead of making the world safe for democracy, we are, in several instances, supporting both autocracy and hypocrisy. You cannot purchase democracy and freedom with dollars.

Our international strabismus derives directly from what Theodor Momsen, the German historian, said about us, quote: "Your people insist upon committing every mistake the peoples of Europe have committed in the past." We insist upon learning the hard way. Will we learn nothing from history.

Let us not delude ourselves. This fight to restore the rights of the several States will be of herculean proportions. Those who should be with the forces of the States, in many instances, will be against those forces. Any reform, however salutary and noble, will have its powerful enemies who profit by the evil sought to be reformed. There are those who bask in the glamour and headiness of power at Washington who will cling to that power for no other reason than that they are unthinking human beings intoxicated with power. Remember, as Lord Acton so wisely said:

"All power corrupts, but absolute power corrupts absolutely."

By quoting Lord Acton, I do not imply that the Congress, the Supreme Court or the executive is corrupt as that term is generally understood in a venal sense. What I do imply is that the heavy power which is now being exercised by the Congress, the Supreme Court, and the executive tends to corrupt and distort a public official's point of view, discrimination, and discretion, and tends to disable him from giving that type of responsible public service which the citizens of a free society are entitled to expect.

The republican duality of our Government and the local autonomy which it seeks to guarantee constitute the very spiritual soul of our social compact. Without this bulwark of political protection, our people could not possibly be free. Destroy one of these principles and the other will die. They are inseparable. Yet, we see men chosen out of the body of our people who, when ensconced in a powerful Federal office, will act as though the rights of the several States constitute a nuisance and an annoyance in the onward march to Federal absolutism. One would surmise that such a person had never heard of our dual form of government or had never read the Declaration of Independence or the Constitution of the United States. Yes, Gibbon's "Decline and Fall of the Roman Empire" should be required reading by all Federal officials. The history of the British Empire should be the next required reading. It is sad but true that "Those who will not profit from history are doomed to relive it."

We know from sore experience that the three great branches of the Central Government—the legislative, executive, and judicial—have combined over the years to exaggerate, torture and abuse the commerce clause of the Constitution to the point of absolute absurdity, particularly in the regulatory field. It should ever be remembered that lawful and desirable ends may not be achieved by unlawful means. If this be not true, why have laws at all; simply rule by ukase.

The surest way to destroy our republican duality is by concentrating a major part of public authority in the general government. Today, we find ourselves faced with a perverted situation. The Federal power has so overshadowed State jurisdiction that the several States are little better than provinces in a centralized body politic. This very evil is what the Founding Fathers had principally in mind when they wrought this constitutional miracle in government, which is denominated the United States of America.

This persistent tendency of concentrating more and more power in the Central Government was early perceived in our national life. Democratic Presidents, Thomas Jefferson, Andrew Jackson, Grover Cleveland, and Woodrow Wilson, denounced this tendency and sounded the warning of its grave danger to the Republic. Republican Presidents, Calvin Coolidge, Herbert Hoover, and Dwight Eisenhower sounded a similar warning. Abraham Lincoln, a disciple of Thomas Jefferson, firmly believed that "the principles of Jefferson are the definitions and axioms of a free society." Every cardinal principle of government for which Lincoln stood was at war with the consolidationist philosophy. In his first inaugural address, he clearly stated his support of a proposed constitutional amendment submitted to the States by the Congress on March 2, 1861, which prohibited giving to the Congress, by constitutional amendment, "the power to abolish or interfere, within any State, with the domestic institutions thereof." Lincoln stoutly contended that the prohibition contained in the proposed amendment was plainly implied in the other provisions of the Constitution but, to set aside any question, he urged its adoption. The advent of the Civil War rendered this amendment academic. Lincoln was elected on a party platform advocating States rights, which he accepted completely and so stated in his first inaugural address. If one doubts this statement, read this address where the States rights plank of the party platform is quoted by Lincoln verbatim and accepted by him. Were Lincoln living today, there could be slight doubt as to where he would stand on the matter of this unwholesome concentration of power in Washington.

Many Members of the Congress and of the Supreme Court have castigated this centralizing of power in the Federal authority but, sadly, when called to vote upon the subject their actions, with some outstanding exceptions, have supported Federal supremacy. "Consistency, thou art a jewel."

The argument is strenuously made that a pervasive and powerful Central Government is necessary in these times for international prestige and efficiency; that inefficiency cannot be tolerated. Outside of something which may be concealing itself on the dark side of the moon, I can think of no organism that is as inefficient as the Federal Government is today, and has been for many years. Read the reports of congressional investigating committees if you doubt the lack of efficiency in our Washington bureaucracy. High efficiency is not one of the virtues of a free government. Rather, the local autonomy which a free society must have, if it is to remain free, is a virtue and merit in itself which we prefer to totalitarian efficiency. As far as international prestige may be concerned, that quality should be based upon morality, rather than upon power.

I contend that we should gladly put up with some inefficiency in our constitutional dualism in order to preserve the spirit of the Founding Fathers. It is far more important that our people enjoy the blessing of self-determination than that they possess international prestige or be free of inefficiency, error, or even moral obliquity. Without the right of self-determination in its most comprehensive sense, a people can never be free.

To better understand just where we are and whither we are tending, as Abraham Lincoln said, it is well to reacquaint ourselves with the facts of history and particularly our governmental history.

When the Founding Fathers gathered in Philadelphia in 1787 to undertake the tremendous task of writing a Constitution creating a general government for the 13 separate, sovereign, and wholly independent States, they fully realized that an almost miraculous compromise would be necessary. Each of the 13 States was proud and suspicious of the others. A reading of the history of the period immediately following the close of the Revolutionary War and the proceedings of the Constitutional Convention will clearly reveal the fact that neither the States nor the people were in any mood to accept a strong central government, not to say a consolidated or unitary one. In those days, personal liberty and local autonomy were running at high tide. However, public opinion leaned toward some form of Federal Government, it being believed that the then exigencies demanded cooperation among the States rather than the existing conflict.

In this context, the Federal Constitution was framed. It was a compromise. No strong central government was created. Upon ratification by a sufficient number of States in 1788, a federal form of government came into being in 1789. Contrary to what some believe, the Civil War amendments to the Constitution did not alter our form of government. We still have a republic based upon a federal form, although centralization has been adulterating that form by gradual erosion.

The Federal Constitution is a creature of the several States. While some constitutional writers and some decisions of the Supreme Court have implied the contrary, there can be no doubt that the States, as political entities, created the Constitution and have the authority to change it as they see fit. The States, by conventions, severally ratified the Constitution. It would not be lawful for an amendment to the Constitution to be ratified by popular vote. Those who yearn for a consolidated government point to the preamble of the Constitution, where the words "We the people" appear. This phrase is merely hortatory and formalistic. The several States are the constituent stockholders of the United States of America and they have the authority to dissolve the Federal fabric, if they so desire. The very name "United States of America" clearly reveals that our national authority consists of a union of the States.

I agree with Thomas Jefferson that no greater tyranny could be visited upon a people than to subject them to a truly consolidated government. A heavy government is easy for the governors but subversive of the rights of the people. It was never the intention of the Founding Fathers to create a highly efficient general government. As Abraham Lincoln so well said, "Democratic government is better than good government." The core and spirit of a free society must be nourished by local autonomy. The road to centralization and consolidation is the inevitable road to tyranny. A free society could never survive in such a frame of reference.

That State and Federal jurisdictions would conflict was envisioned by such Founding Fathers as Thomas Jefferson and James Madison. These two men realized that the resolution of these State-Federal conflicts would require statesmanship of the first order. They pointed out that there must be a wise accommodation between these two authorities to the end that the true spirit of our governmental polity might be preserved and maintained.

In defending the wholesale usurpation by the Federal authority of the rights of the several States, the shopworn example of the Articles of Confederation as compared to the Federal Constitution is cited. Of course, any issue, however profound, may be oversimplified and ridiculed. The citation of the Articles of Confederation and the condition of the Thirteen Original Colonies immediately following the conclusion of the Revolutionary War is like contending that because an ounce of federalism may be good, that a ton of federalism is just as many times as good.

Are we to suppose that the officials of the governments of the several States are so bereft of patriotism, interest in our national welfare, and understanding of the need for a national purpose that they may not be trusted to think for themselves within the framework of the Federal Constitution? I trust not.

If the Federal authority had the patience, desire or will to respect the rights of the several States, this subject which we are discussing could be easily solved. The will to solve any problem is 90 percent of its solution. As an overall proposition, history abundantly proves that the Federal authority has neither the patience, desire nor will to accord a wise accommodation to State jurisdiction. The thirst for power on behalf of the Federal jurisdiction destroys those much-needed qualities. Federal authority often talks a proper attitude toward States' rights, but, in practice, the performance fails to support the profession of concern for State jurisdiction. A good Federal administrator, like the federalist judge of old, expands his jurisdiction. The rule of Parkinson's law applies with redoubled emphasis in the Federal realm.

One of the many reasons supporting the wise principle of States' rights is that the sovereign State constitutes, within our constitutional system, a political laboratory wherein experiments in government may be safely tried with the smallest hazard; experiments which, if tried out nationally, could prove most dangerous should events prove them unwise. Let us not destroy those important laboratories of political science.

The several States, having become weary of this unconstitutional empire building in Washington, have, at long last, undertaken to do something about this suffocating growth upon the body politic of this Nation. The 16th Biennial General Assembly of the States held at Chicago, Ill., on December 6, 1962, through the Council of State Governments, a national organization composed of representatives of the governments of the several States, proposed three amendments to the Constitution of the United States. Bear in mind that the Council of State Governments is not a regional group; it is one which is drawn from all the States of the Union. The headquarters of this organization is at Chicago, Ill.

A reading of these three proposed amendments demonstrates that they are directed toward simplifying and making more feasible the amendment of the Constitution and, also, that they seek to place a reasonable restraint upon the Federal authority and, particularly, upon the Supreme Court. Specifically, these proposals would (1) permit two-thirds of the legislatures of the several States to propose an amendment or amendments to the Constitution on an equal basis with the Congress, (2) prohibit the Federal authority from exercising jurisdiction over the subject of apportionment of representation in a State legislature, and (3) establish a Court of the Union, composed of the chief justices of the courts of last resort of the States, with authority to annul decisions of the Supreme Court affecting the relationship between State and Federal jurisdictions. These proposed amendments deserve the most careful consideration by the American people.

Apparently, some misunderstanding has arisen with regard to the legal implications involving these proposed amendments. Some are under the impression that, if three-fourths of the legislatures of the several States should approve these amendments, they will become a part of the Constitution. Of course, that is wholly incorrect. These three amendments are being used merely as a vehicle to require the Congress to call a constitutional convention for the purpose of proposing these three amendments along with any other amendments which such convention might propose. As I understand the view of the proponents of these three amendments, they would be satisfied if the Congress itself would propose to the legislatures of the several States these amendments, instead of calling a constitutional convention. At all events, it would be definitely in the public interest to call such a convention whereat these three proposals could be considered along with any other needed revisions or amendments of the Constitution.

As of the present date, a number of the State legislatures, or one or the other houses of such legislatures, have approved of one or more of these proposals put forward by the Council of State Governments. The number of State legislatures supporting these proposals has been of such magnitude that those who wish to perpetuate Federal dominance of the States have become very much alarmed. This is as it should be. These vital matters should be debated nationally for the good and welfare of the American people.

Some of the opponents of these proposals contend that the adoption of these amendments would destroy our federal form of government. Such an objection comes with poor grace from those who approve of a course of conduct which has been insidiously but gradually destroying our Federal duality during the past 100 years. If the Supreme Court is not curbed in power, this Government will cease to be a Republic in fact.

The American Bar Association, of which your speaker has been a member for more than 20 years, has expressed its disapproval, through its house of delegates, of all three of these proposed constitutional amendments. However, its committee on jurisprudence and law reform, which considered these proposals, recommended that the association support the proposed amendment which would have denied any Federal jurisdiction over the subject of apportionment of representation in a State legislature. Nevertheless, the house of delegates did not follow this recommendation of its committee.

As a member of the American Bar Association, I regret that this action on these three proposals was taken because I believe it to be shortsighted and parochial in the extreme. Does the American Bar Association believe that the Supreme Court needs no improvement? Is that association satisfied to let matters affecting that Court remain as they are? If it does, then, it is placing itself in the same smug position as the critics of Roscoe Pound's exposition of judicial shortcoming in his memorable 1906 address before that association at St. Paul, Minn. All now concede that the smug attitude of the American Bar Association concerning Pound's address constituted a monumental blunder. I believe that the present action of the association, of which I complain, will be proven by history to be an even greater blunder than the one of 1906. What the American Bar Association should have done before taking any action on these three proposals would have been to subject them to a solemn referendum of the membership of the association by mail plebiscite. Such action was taken by the association regarding the 18th amendment, a much less important subject.

History reveals that, on several occasions, the American Bar Association has criticized the freewheeling action of the Supreme Court in conducting itself as a superlegislature. For over 100 years, the Supreme Court has engaged in that type of conduct and has been denounced for it by such eminent members of that court as Daniel, Holmes, Edward Douglass White, Brandeis, Stone, Black, Frankfurter, Roberts, Douglas, Jackson, the second Mr. Justice Harlan, and many other members of that Court, holding that the Court renders political and legislative decisions which transcend any lawful jurisdiction which may be thought to have been conferred upon it.

The constant overruling by that Court of its prior constitutional decisions, based upon nothing more than the personal views of its members, reflects no glory upon the Court as a judicial tribunal or upon the judiciary in general. Is it to be supposed that the American people are satisfied with the final judgment of a majority of nine, or, at times, seven men on questions so surcharged with political implications as are the questions over which the Supreme Court is now asserting jurisdiction; questions which that Court has held in the past to be political matters outside its competence? Change the membership of the Supreme Court, even by one Justice, or let one Justice change his mind, and the Constitution means something entirely different, although the same Court had solemnly declared its meaning a few short months ago. The plain truth is that the Federal Constitution has become an instrument which the Supreme Court causes to reflect the extrajudicial views of the prevailing and changing majority of that Court through the means of interpretation and reinterpretation.

If you think my criticism of the decisions of the Supreme Court is harsh, you should read the dissenting opinions of the Justices of that Court. There, you will find bitter criticism.

Two eminent members of that Court, Mr. Justice Brewer and Mr. Justice Frankfurter, have urged more, not less, criticism of the Court's decisions.

These are not times for ivory towers or unrealism. If constitutional amendment is not the proper course to follow in the present situation regarding the Supreme Court, I inquire of the American Bar Association and all those who are opposing these three proposals put forward by the Council of State Governments, what is the proper course to follow?

There are those who piously say that these political decisions must be made and that the Supreme Court is the safest agency of Government to make them. Such a view constitutes utter defeatism. It is a sad admission that Democratic and Republican institutions are a failure and that "papa knows best." To concede that a judicial oligarchy is better than government by the people constitutes a denigration of the fundamental spirit underlying our constitutional system. The Court persists in injecting itself into things purely political; therefore, it should be reformed by a frankly political remedy, a remedy which it cannot interpret away.

The fears herein expressed, concerning the exercise by the Supreme Court of arbitrary power, plainly usurped, are shared by the chief justices of the several States. On August 23, 1958, at Pasadena, Calif., the chief justices, in convention, voted 36 to 8, with 2 members abstaining and 4 not present, to urge the Supreme Court to decide cases by judicial rules and not by what a majority of the Court might, from time to time, deem desirable or undesirable. This was a delicate and diplomatic way which the chief justices of 36 States employed to tell the Supreme Court to conduct itself as a judicial tribunal and refrain from acting as though it were a superlegislature.

The view expressed concerning the legislative and political decisions of the Supreme Court represents the views of Thomas Jefferson, Andrew Jackson, Abraham Lincoln, Theodore Roosevelt, and Woodrow Wilson. It was not mere coincidence that these great characters of history held the same views on this subject; it was because of their experience and wisdom that they perceived this evil.

The Supreme Court has been more responsible than all the other agencies of the Federal Government combined for the massive inroads upon the rights of the several States.

We know that no agency of government is perfect or even approaching that status. We, also, know that the members of the Supreme Court, like most all public officials, are, for the most part, men of average ability, and lay no claim to omniscience. I agree with Justices Holmes, Brandeis, Frankfurter, and many other Justices of that Court, when they, so pertinently, pointed out that few agencies of government are as ill-suited to pass upon these vital and sensitive political and economic issues as is the Supreme Court; yet, that Court hesitates not to assert jurisdiction over them.

Many times, the margin of one vote out of nine, or, at times, out of seven, has determined the meaning of fundamental constitutional provisions even to the overruling of prior decisions of the Court on the subject to reach such determinations. I contend that the history of the Supreme Court will demonstrate that its action in determining fundamental constitutional issues is not unlike the action of a legislature in adopting or rejecting proposed legislation. As, heretofore, pointed out, Holmes and Brandeis thought so, as have many other members of that Court, when in the minority.

The conduct of the Supreme Court belies the principle, "To the end it shall be a government of law and not of men." That wholesome principle has vanished like the snows of yesteryear because the judiciary has persisted in ignoring it. It is unconstitutional and wrong for any agency of government, other than the Supreme Court, to act with unrestrained and unlimited discretion, but it is perfectly lawful for the Supreme Court to engage in that type of conduct because its action is not reviewable.

The late Mr. Justice Jackson said: "The decisions of the Supreme Court are not final because the Court is infallible, but the Court is infallible because its decisions are final." Mr. Justice Douglas, in dissenting in the case of *New York* v. *United States*, 342 U.S. 882–884, said in part:

"Absolute discretion, like corruption, marks the beginning of the end of liberty. * * * But the standard set for men of good will is even more useful to the venal."

I wonder if Justice Douglas ever thought of these principles, as applied to the Supreme Court.

Some of those unfamiliar with the history of the Supreme Court appear to be of the opinion that it has been only during the last 30 years that the Court has engaged in overruling its prior constitutional decisions on fundamental issues. Those who hold such opinion flatter the "radicalism" of the present members of the Court. The Supreme Court has engaged in that type of conduct for more than 100 years. An outstanding example of this sort of thing, which vitally affected the rights of the several States, occurred at the December 1851, term of that Court. I shall refer briefly to that particular litigation.

At the February 1825, term of the Supreme Court, the case of *The Steamboat Thomas Jefferson* (10 Wheat. 428) was decided, wherein the Court interpreted the admiralty and maritime jurisdiction under the Federal Constitution to extend only to the sea or upon waters within the ebb and flow of the tide. Mr. Justice Story delivered the opinion of the Court, and so far as I can ascertain it was a unanimous decision. Thereafter, the Court followed the Jefferson decision in several subsequent cases. At the December 1851, term of the Court, the case of *The Propeller Genesee Chief* v. *Fitzhugh* (12 How. 443, 13 L. ed. 1058) was decided, which reinterpreted the Constitution by holding that the admiralty and maritime jurisdiction of the Constitution is not limited to tidewater but extends to all public navigable lakes and rivers where commerce is carried on between different States or with a foreign nation. The Court was very specific in pointing out that the Constitution itself granted this jurisdiction and that it did not rest upon the power granted to the Congress to regulate commerce. This case clearly overruled the case of the Steamboat Thomas Jefferson. In that case (the Genesee Chief case), Mr. Justice Daniel dissented. A very interesting portion of this dissent is found at pages 1067 to 1068 of the Lawyer's Edition of the report, and reads as follows:

"But the doctrine at present promulgated by this Court, is based upon assumptions still more irregular in my view, still more dangerous than that above adverted to, because it claims for this Court, wholly irrespective either of the Constitution or the legislation of Congress, powers to be assumed and carried into execution by some rule which in the judgment of this Court is to be applied according to its own opinions of convenience or necessity. Thus it is admitted that by the decisions in England, the jurisdiction of the admiralty did not reach infra corpus comitatus, and was limited to the ebb and flow of the tide; and it is admitted that by the previous decisions of this Court the like limitations were imposed on the jurisdiction of the admiralty in this country; and even this limitation, imposed by former decisions of this tribunal, it is obvious, allowed of some encroachment upon the common-law jurisdiction, insofar as the ebb and flow of the tide might bring the asserted power of the Court infra fauces terrae or infra corpus comitatus. But even this encroachment is not sufficient to satisfy the aspirations of the jurisdiction, now for the first time asserted; for now it is insisted that any waters, however they may be within the body of a State or county, are the peculiar province of the admiralty power; and although it is admitted that the power was once clearly understood as being limited to the ebb and flow of the tide, yet now, without there having been engrafted any new provision on the Constitution, without the alteration of one letter of that instrument, designed to be the charter of all Federal power, the jurisdiction of the admiralty is to be measured by miles, and the extent of territory which may have been subsequently acquired; a much less natural standard, surely, than the nature and character of the element to which the admiralty is peculiarly adapted, and to which it owes its origin; that the Constitution may, nay must be altered by the same process, and must be enlarged, not by amendment in the modes provided, but according to the opinions of the judiciary, entertained upon their views of expediency and necessity. My opinions may be deemed to be contracted and antiquated, unsuited to the day in which we live, but they are founded upon deliberate conviction as to the nature and objects of limited government, and by myself at least cannot be disregarded; and I have at least the consolation—no small one it must be admitted—of the support of Marshall, Kent, and Story in any error I may have committed. I cannot construe the Constitution either by mere geographical considerations; cannot stretch nor contract it in order to adapt it to such limits, but must interpret it by my solemn convictions of the meaning of its terms, and by what is believed to have been the understanding of those by whom it has been formed. In the view taken by the Court of the evidence in this case, I entirely concur."

The cited language from the dissent of Mr. Justice Daniel sounds very familiar and very modern, indeed, and clearly indicates that this matter of interpreting the Federal Constitution through the personal views of the individual members of the Supreme Court was well known and understood at the time of the decision in the Genesee Chief case. Here, we have the all too familiar situation of the same Constitution with the same language and the same Court, but with different members on that Court.

I strongly commend to your consideration the reading of the majority opinion of the Court in that case, speaking through Mr. Chief Justice Taney. Doubtless, you will note the labored, and at times apologetic, tone of the opinion and the clear legislative reasoning therein contained. Also, you will note the obvious inconsistencies of the weak and sophistical reasoning employed to reach a predetermined end. The majority opinion admitted that when the Constitution was adopted it was well understood by its framers that the rule followed in the Jefferson case was valid law and reasonable but, later in the opinion, gratuitously and dogmatically stated that the framers of the Constitution, clearly did not intend to be bound by that rule. No proof of that asserted fact was put forward, other than the assertion contained in the majority opinion.

Thus, pursuant to a reinterpretation by the Supreme Court of a fundamental provision of the Constitution, a tremendous area of, theretofore determined, jurisdiction of the several States was brought within the Federal power.

It is interesting to recall that Chief Justice Taney was a colleague of Andrew Jackson, yet he experienced no difficulty in "going Federal" in the Genesee Chief case. How many times have we seen this happen. So, it will be seen that judicial nature in 1851 was no different than it is today.

As Mr. Justice Stone (later Chief Justice) said in the Butler case, "the only restraint that we know is our own sense of self-restraint." So, here we have absolute and unreviewable power wielded by men who hold their offices for life through good behavior. This is not free government. Mr. Justice Roberts' characterization of decisions of the Supreme Court as a restricted railroad ticket, "good for this day and train only," is no exaggeration; neither is Mr. Justice Holmes' description of the limit of the jurisdiction exercised by the Court as "the sky above."

Decisions of the Supreme Court, in effect, modify the Constitution, through interpretation, just as though that document had been amended by the process of amendment therein provided. I ask you to please read "The Supreme Court in the American System of Government," by the late Mr. Justice Jackson of the Supreme Court, and "The Bill of Rights," by the late Judge Learned Hand, former chief judge of the U.S. Court of Appeals, wherein you will find that these two noted jurists concur that the Supreme Court, by its interpretations of the Constitution, in effect, modify that document, particularly where the Court overrules its prior decisions on the subject.

The rule established by the Supreme Court that, under the commerce clause, intrastate commerce may be regulated by the Federal authority, when it becomes necessary or desirable to protect and foster interstate commerce, is nothing but judge-made law. It is based upon mere judicial ipse dixit and violates both the letter and the spirit of the Constitution. Read the debates of the Constitutional Convention and, there, you will find no support for this usurpation. Many of the decisions of the Supreme Court represent nothing more than the exercise of naked power, tolerated by the coordinate departments of government and public opinion.

Not since the days of the Reconstruction immediately following the Civil War, have the Constitution and our dual form of government been placed in such jeopardy as they are today. History teaches us that more governments and social compacts have been destroyed by well-meaning zealots than have ever been destroyed by avowed tyrants.

I love to believe that there is more, much more, to our Federal compact than having a strong Central Government. I devoutly believe that there is a fundamental spiritual quality to that compact, epitomized by the Declaration of Independence and the Bill of Rights. Man does not live by bread alone. Neither is his material welfare measured alone by a strong Central Government, not to say anything of his spiritual welfare.

If I had my way, I would require every agency of the Federal Government to have graven above its entrance these words uttered by the Supreme Court in the celebrated case of *Texas* v. *White* (7 Wall. 700, 725, 19 L. Ed. 227, 237, decided in 1869, following the close of the Civil War and arising out of that conflict):

"The preservation of the States and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government."

Above the entrance to the Supreme Court, these words would be graven in gold leaf, with the added admonition, "Lest we forget."

Neither time nor your patience will permit me to analyze in detail the many decisions of the Supreme Court and other Federal courts which have aggrandized Federal authority over State jurisdiction. Likewise, a review of the inconsistencies of the Supreme Court, as revealed by its decisions and the dissenting opinions of the Justices of that Court, could not be here reviewed because of time limitation.

In closing, let me say that I have been both a Federal official and a State official. I believe that I have had a fair opportunity to observe this evil resulting from Federal aggression against State authority. In my sincere judgment, the only effective way of redressing this unwholesome and regrettable condition is by the States demanding and securing the calling of a Federal constitutional convention whereat necessary revisions may be made in our fundamental law and, in the words of Thomas Jefferson, "bind the Federal authority down from mischief by the chains of the Constitution."

GRASSROOTS APPROVAL OF CIVIL RIGHTS LEGISLATION

Mr. HART. Mr. President, in Washington the civil rights bill supporters are constantly bombarded with reported "evidence" that at the grassroots the people of the United States do not endorse this legislation.

It is with great pleasure, therefore, that I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, a resolution by the Grand Traverse Council of Social Agencies supporting the bill.

This council represents more than 20 organizations working in the field of social welfare and, as such, has a full understanding of the value of the bill. Also, as they are located in the northwest of Michigan's Lower Peninsula, they represent what most observers would describe as truly grassroots America.

The resolution is offered simply as another example of what I am quite sure is the feeling of the majority of thoughtful Americans.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Senate of the United States is now debating the proposed civil rights legislation and.

Whereas passage of this legislation is imperative in attempting to secure equal rights of citizenship to all persons in this Nation and,

Whereas this issue has been sufficiently debated in the past and the rights involved have been too long denied and,

Whereas this council is committed to the principle of equal rights for all persons regardless of race, color, or creed: Now, therefore, be it

Resolved, That the Grand Traverse Council of Social Agencies affirms its complete support of the civil rights legislation, and urges its immediate passage by the Senate of the United States and; be it further

Resolved, That a copy of this resolution be delivered to President Johnson, Senator Hart, Senator McNamara, and Senator Humphrey.

RUTH KULOW,
President, Grand Traverse Council of Social Agencies.

BOSTON CITY HOSPITAL—100TH ANNIVERSARY

Mr. SALTONSTALL. Mr. President, on June 1, 1864, in the midst of the civil strife that shook our Nation, the city of Boston undertook a noble experiment—it opened the Boston City Hospital "for the reception of persons who by misfortune or poverty require relief during temporary sickness." One hundred years later the city, the State, and the Nation can attest to the fact that the experiment was an overwhelming success.

The work carried on at Boston City Hospital over the years has helped to establish and maintain Boston's worldwide reputation for the highest quality and most forward-looking medical services. Three of the Nation's top medical schools—Boston University School of Medicine, Harvard Medical School, and Tufts Medical School—are closely affiliated with the hospital in the care of patients and experimental research. A nationally accredited school of nursing, which attracts candidates of high caliber from all over the New England area trains girls for a variety of nursing activities. Thorndike Memorial Laboratory, the first clinical research unit to be established in a municipal hospital, is one of the finest in the world.

Although persons are admitted to Boston City Hospital regardless of their ability to pay the cost of medical care, there is never any question of their receiving the best treatment which is available, under the direction of world-renowned physicians and surgeons. Because of the high standards of the hospital and the experience it offers in the treatment of a great variety of diseases, it has become one of the most desirable training centers for young doctors anywhere in the country.

Every year thousands of ill persons who might otherwise have no hope of being cured are admitted to Boston City Hospital, and only a small percentage of them fail to respond to treatment. Countless other persons all over the world are saved from dread diseases by the results of experimental research carried on in the labs and the wards of the hospital. It was there that the viruses of the 1955 polio epidemic and the 1958 Asian flu scare were identified.

Tonight Boston City Hospital will commence a week of reunion activities to commemorate its 100th anniversary. Medical men and women from all over the country, noted specialists in their fields, will participate in conferences and panel discussions in an effort to increase the existing body of knowledge in the fields of medicine and surgery. On this memorable occasion I congratulate the administration and staff of the Boston City Hospital for their continuing public service, and I look forward to another 100 years of progressive medical contributions to the city of Boston and the United States.

ARMENIAN INDEPENDENCE DAY

Mr. SALTONSTALL. Mr. President, Thursday, May 28, 1964, marks the 46th anniversary of Armenian Independence Day, a holiday significant not only to the Armenian people but to all people in the free world who are dedicated to the cause of freedom and who are ready and willing to fight to protect their liberty.

The history of the Armenian people is a history of turmoil and bloodshed. They have endured widespread persecution and near annihilation at the hands of foreign despots. They have been called to arms numerous times in defense of their homeland and each time have responded with loyalty, patriotism, and heroism. Toward the end of World War I they seized the opportunity to secure their freedom from the crumbling Ottoman Empire and to establish an independent sovereign state. On May 28, 1918, a free republic was formed with a democratic government patterned along western lines. This was the first such government in the eastern Asia Minor area. For 2 years the people waged a diligent fight against the forces of famine, poverty, and disease. Their will and determination to rebuild their country was their most powerful tool in this fight, and they dedicated themselves wholeheartedly to the task of rehabilitating their nation from the devastation of the war. President Woodrow Wilson championed their cause and with some assistance from other nations, including the United States, the Armenians made remarkable strides toward the solution of their political, economic, and social problems.

However, the provisions of the Treaty of Sevres of August 1920, which recognized the independence of the Armenian Republic, were never enforced and Armenia was suitable prey for both the Turks and the Russians. By August of 1921 a free Armenia was again only a dream in the hearts of her people.

The Armenian community in the United States, numbering more than 150,000, has enriched our country. We are fortunate in Massachusetts to have a notable group of these people who have made many fine contributions to our State.

The loyalty of the Armenian nation to the ideal of freedom and their outstanding courage in the face of adversity is a source of inspiration to all of us. We all hope that freedom will be restored to these enslaved people, and that they may once again join the world community of free nations.

LABOR EDITOR PRAISES PRESIDENT JOHNSON

Mr. HUMPHREY. Mr. President, the labor press has been an important arm of the American labor movement since the 1890's when the great labor leader, Samuel Gompers, envisioned these papers as a way to inform the rank and file.

The number of labor publications has grown to more than 450 with a combined circulation of more than 20 million. They range from mimeographed publications of small locals to expertly edited newspapers and magazines of the AFL–CIO and the large international unions. Every member of a union gets at least one labor publication.

A group of 150 editors of trade union publications, members of the International Labor Press Association, were in Washington on April 27 for a 1-day briefing on national problems arranged by Secretary of Labor W. Willard Wirtz. Later that evening they were invited to the White House by President and Mrs. Johnson and were pleasantly surprised when they were granted a press conference. It was an historical occasion because a President of the United States had never before held a press conference with representatives of the labor press.

Mr. President, I ask unanimous consent that the copy of a letter of appreciation to President Johnson from Leon Stein, president of the International Labor Press Association and editor of Justice, the official publication of the International Ladies' Garment Workers' Union, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I thank you, sir, for the privilege of having spent 2 hours with you and Mrs. Johnson in your home. For my colleagues and myself this visit provided a rare opportunity indeed, to draw close enough to talk with you as friends do.

We labor editors will long remember the warmth with which we were received, the welcomed courtesy of the first Presidential press conference for the labor press, and the intimacy with which you talked with us about the primary problems confronting the vast family we call the United States.

More than ever, as you spoke, it appeared as a family—despite its regional differences, the multitude of ethnic, religious, and racial strains among its people, the frequent clashes of rival self-interests. We have our rich uncles and our poor relations and each have their hopes and frustrations.

In your home you talked with us of millions of other American homes—homes in which the breadwinner is without work or pay, homes where young people are immobilized without hope, without work, without schooling, homes on farm and in city where the aged and infirm are denied the benefits of modern medical science only because they cannot meet its market price.

We listened as you spoke of the home in which a child told you that this was not her day to eat, that for her there was food only every other day in this time when we know how to hurl constructions of matter and power into the heavens. As you pictured for us places where family life sinks back into grubbing for crumbs, we felt your compassion and your anger. But not bitterness.

We sensed no bitterness—only a rising resolve to use the prestige and the power that comes with the house you occupy to balance, once and for all time, the wealth of this Nation and its great dreams. And as you spoke of corporate profits after taxes passing the $30 billion mark this year it was clear that for you poverty in this land is morally inexcusable and economically indefensible.

We are moving into a time when self-directing machines are making much of human labor superfluous. The gap between our ability to produce and the need for human labor grows wide; the burden of work grows lighter. Yet, unless we bridge the gap between profits and poverty, between productivity and human needs, every advance brings us closer to disaster rather than the liberation made possible by science.

You called upon us, the labor editors, "to join the army in our war against poverty" and our answer was evident in the rousing reception with which we received that call. Sir, we are veteran fighters in that army and poverty has been our special enemy through all the generations of trade union history, struggle, and sacrifice in this Nation.

For that reason our spirits were lifted and strengthened by the realization resulting from our visit that the man who now lives in the White House is an ally, that in this time of rising prosperity and profits for many he has his eye on the poor, the sick, the aged, the dispossessed of our society, and those who because of prejudice are denied basic American opportunities.

Our hearts and our hopes are with you.

LEON STEIN,
President, International Labor Press Association and Editor of Justice.

ACTIVITY OF CHURCHES OF AMERICA, ON BEHALF OF PASSAGE OF CIVIL RIGHTS BILL

Mr. HUMPHREY. Mr. President, one of the most important and effective efforts in behalf of the passage of the civil rights bill, H.R. 7152, has been the work of the churches of America. Eloquent and determined, the priests, ministers, and rabbis of the four great faiths in America have stimulated the conscience of our people to the overwhelming support of this legislation.

Typical of the thoughtful and careful presentation of the Christian viewpoint on this legislation is a statement prepared by Prof. Daniel B. Williams, of Union Theological Seminary.

Mr. President, I ask unanimous consent that this statement, forwarded on to me by Dr. Ronald Meredith, senior minister of the First Methodist Church of Wichita, Kans., be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON CIVIL RIGHTS BILL

The civil rights bill now before the Senate of the United States challenges us to decision both as citizens and as professing Christians.

Speaking first as a citizen, I assume that the case for equality and justice in the treatment of all citizens and all persons does not need to be made here. It is one of the deepest and most fundamental values in our American tradition.

The question which confronts us as a nation is how we are to move toward a full and effective realization of the rights of all, and toward the elimination of all discrimination against persons on account of race, or religion, or minority status of any kind.

Assuming that our goal for a democratic America is clear, the question before us is the wisdom and justification of passing the present civil rights bill.

First, it is argued that moves toward fuller justice in this area are better made by voluntary action, by persuasion, and by education, since law cannot change the attitudes of people.

This objection is invalid because nothing is clearer in our political experience than the fact that law can create the conditions in which attitudes change. The law of a community is not only a set of regulations. It is an expression of the values, standards and sense of justice in the common life. The assurance to every citizen by law of the protection of his dignity and equality is one of the most important ways in which the community can establish the values which it holds to be important.

Further, it must be pointed out that a law against discrimination will protect the rights of those who wish to extend equality and justice to their neighbors but who are prevented from doing so by present law or custom which enforces segregation.

One further point about the present bill has to do with the use of the legal resources of the State in enforcing the laws which guarantee basic rights. The bill provides more opportunity for the Federal Government through the Civil Rights Commission and the Attorney General's office to take directly into court the cases in which the rights of citizens are infringed in the matter of voter's registration and in hiring practices and in other ways.

This is of the greatest importance if we are to secure a more just order, for legal recourse, while theoretically available to all, practically is not so, as Justice Goldberg has recently pointed out. Legal action is costly in time, talent, and money. It gives advantages to those who can afford to wait out long delays. It makes the way easy for those who can afford to go to court, and hard for those who cannot.

It is a crying need in the present situation that the representatives of the whole community; that is, the Civil Rights Commission and the Attorney General should be empowered to go directly into court and to use all the resources of the Federal Government to insure that the claims of citizens to constitutional rights shall be fully, quickly, and fairly heard. This gives effective expression to the will of the Nation to protect, secure, and defend the rights of the humblest citizen.

A second objection made to the present bill is that the requirements for nondiscrimination in hiring and in public accommodations violates the rights of individual businessmen and others who wish to exercise their own freedom in deciding whom they will serve.

Unquestionably this is a case where for the sake of the rights of all there must be some limitation on the right of an individual to do what he will with his property. But such limitations are recognized throughout our society in all kinds of restrictions on the use of property.

Consider what is involved in operating a business in an American community. Each business makes use of the people in the entire community. We levy taxes upon all for fire and police protection, for streets, and public buildings. We ask all the members of the community to support the activities which make it livable. We ask all to share in the defense of the Nation, to fight and die for it if need be. All this is involved in establishing the security and well-being of the community without which no individual business could exist.

We have therefore no moral right to exclude from the services we offer in private business those members of the community who differ from others in no respect other than the circumstances of race, or minority status. When we accept the communities' total life and resources in providing the basis for a profitable business, we are unjust and unfair if we deny to some equal access to services which are useful to all.

Our Christian responsibility in the present crisis is clear. Love for the neighbor is meaningless unless it includes the will to secure justice. Christian faith does not tell us what laws to pass, but it tells us that when law can be used for the securing of justice, we are called to use it.

As Christians we must go further than seeking good laws. Our commitment is given not only to a structure of justice in which the rights of all are protected, but to a community of understanding, reconciliation, and human fellowship among all peoples. Law can help in the creation of such a community, but it cannot go all the way.

As Christians we affirm our goals in the struggle for racial justice as going beyond what any law can secure. To say we love our neighbor but that we are unwilling to establish basic justice is sentimentality. But to say we are concerned only with rudimentary justice is to miss the deeper affirmation of our Christian faith that God intends the reconciliation of all mankind. There are profound gulfs between individuals, peoples, and nations. We do not accept them as final or irredeemable. We must give now as a community our effective support to those constitutional and legal guarantees of human rights which are required for the basic equality and dignity of all. But as Christians this is one expression of a deeper and more fundamental commitment to realize our membership with one another in the new humanity disclosed in Jesus Christ and for which he gave his life.

DANIEL D. WILLIAMS,
Union Theological Seminary.

APRIL 2, 1964.

(NOTE.—One curious provision of the present bill, title VII, paragraph (f), says it shall not be unlawful employment practice to refuse to hire any person "because of said person's atheistic practices and beliefs." This is dangerously vague and justifies a kind of religious discrimination. It should be eliminated. Paragraph (e) specifically protects employers in those instances where religion, sex, or national origin is a bona fide occupational qualification.)

THE WAR ON POVERTY—INTENSIVE EDUCATION OF UNDERPRIVILEGED CHILDREN

Mr. HUMPHREY. Mr. President, the Nation is heartened this morning by the favorable action taken by the Education and Labor Committee of the House on the President's program to eliminate poverty in America. The Senator from Minnesota looks forward to the opportunity of helping to bring the antipoverty program to a vote in the Senate this summer. It will be, I confidently predict, a major milestone in the 88th Congress.

As the Congress works on the President's legislative proposals, I am deeply pleased to see the initiative being taken by elements of the Federal Government and by the State and local authorities and private organizations to initiate their own battles in the war on poverty. One of the most significant themes of the war on poverty is the stress on intensive education of underprivileged children. In this morning's New York Times, for example, there appeared a dramatic new proposal for improving and enriching elementary education in New York City's slum areas, with the stress on excellence, on beginning early in the prekindergarten programs for 3- and 4-year-olds, in using the newest techniques of teaching, in short a proposal to make of the schools in the slums not the worst but the best schools. The hope is to make them the most attractive, the most efficient, and the most successful of all schools in America.

I applaud the thinking behind this proposal by the Joint Planning Committee for More Effective Schools appointed by Dr. Calvin E. Gross, Superintendent of Schools in New York City. And I particularly agree with the statement of the committee that "all plans for desegregation and better education must be linked. Successful education is essential to successful integration."

Mr. President, this is a wise statement and needs to be embedded in the thinking of all Americans who are working toward the provision of equal opportunity for every American.

Mr. President, I ask unanimous consent that the article entitled "All-Year System To Help Schools in Slums Is Asked," published in the New York Times of May 27, 1964, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

All-Year System To Help Schools in Slums Is Asked—Smaller Classes and Stress on Prekindergarten Are Key Parts of Proposal—High Costs Conceded—Gross Committee Outlines New Design With 7-Day Week in Some Areas

(By Leonard Buder)

A dramatic plan for improving education in the city's slum areas was made public yesterday by a special committee established by Dr. Calvin E. Gross, the superintendent of schools.

Described as a new design for elementary education, the program would put some schools on an 8 a.m. to 6 p.m., 7-day-a-week, all-year operation. It would require an expenditure more than double the present outlay for schools in underprivileged areas.

Key provisions of the plan called for:

Prekindergarten programs for 3- and 4-year olds, so that education "enrichment and guidance may be available to every child at the most receptive points in his life."

All-day kindergarten classes for 5-year-olds to help "overcome the negative aspects of their environment" and to give them a firm foundation for later learning.

New patterns and techniques of education, including team teaching, education television and "nongraded blocs" that would span two conventional school grades.

Smaller classes on all levels—no more than 15 pupils in prekindergarten classes and 22 in the upper elementary classes.

Intensive professional services, utilizing teachers, psychiatrists, psychologists, guidance workers and others.

School conditions that are so conducive to effective education that teachers and other personnel would want to serve in these schools.

Maximum use of school facilities during the summer and on weekends. (School officials said that the weekend educational and recreational programs could be scheduled to avoid conflict with religious services.)

Because of the magnitude of the plan, the committee recommended that it be initiated in about 10 schools next fall. In the meantime, it said, "a timetable should be developed for its early extension to all the elementary schools" in underprivileged areas.

The committee placed the program's cost at $980,670 for a 1,000-pupil school, which is $533,866 over the present cost of a comparable special-service school in an underprivileged area.

Of the city's 580 elementary schools, 246 are listed as special-service schools because of the special problems they must face—such as the impoverished backgrounds of pupils.

The plan was announced by representatives of the 13-member committee at a press conference in Dr. Gross' office at school headquarters, 110 Livingston Street, Brooklyn.

GROSS FAVORS PLAN

Dr. Gross was not present, but he said later that he liked the committee's proposals very much. He emphasized that the committee had not presented a report "that can be filed and forgotten," but a "plan for action."

He continued: "I am not prepared to say that this is the exact plan I will recommend to the board of education for adoption, but I can promise that it will not collect dust. We are going to move on it—either in its present form or in revised form."

The group that drew up the plan, known as the Joint Planning Committee for More Effective Schools, included administrators, supervisors, psychologists and classroom teachers.

Although Dr. Gross established the committee, he designated only the chairman, Mrs. Elizabeth C. O'Daly, an assistant superintendent, and four members. Four members were named by the United Federation of Teachers, the collective bargaining agent for the city's teachers, and four by the Council of Supervisory Associations, which represents most of the system's supervisors.

The plan was the second to be submitted to Dr. Gross in 2 weeks. He said yesterday that he now "had to mesh the two."

The previous report, which called for measures to improve racial balance in the schools, was made by an advisory committee appointed by Dr. James E. Allen, Jr., the State education commissioner.

Dr. Gross said that the two committees dealt largely with different sides of the educational coin—the State group with the promotion of integration; and the city committee with the attainment of quality education in underprivileged areas.

Both committees called for prekindergarten programs, but the State group urged that primary schools go through the fourth grade, with middle schools to be created for the fifth through eighth grades, replacing junior high schools.

The joint committee, recommended prekindergarten as the "keystone" of an early-childhood program going through the second grade. Grades three to six, the committee said, would constitute a reorganized "middle-grade program" but would still be part of the elementary schools.

LINKING OF TWO GOALS

In this connection, the city committee declared: "All plans for desegregation and better education must be linked. Successful education is essential to successful integration."

Although the city committee recommended an extended school day for some kindergarten and prekindergarten pupils who need extra services, it said that for other youngsters shorter schedules "may be more suitable." Attendance in the longer sessions would be voluntary.

The committee did not spell out details for weekend programs, suggesting that this be the subject of further study. School observers noted that the use of schools on weekends had been urged by Charles H. Silver, a former president of the board of education, and that cultural and recreational programs were now offered in perhaps 50 schools on Saturday and Sunday afternoons.

The improvement plan emphasized the need to assign extra teachers and other personnel to the schools and to relieve teachers of all noninstructional duties, such as hall patrol. The committee said that schools in the program should have 100 professional staff members for every 1,000 pupils, twice the number of such workers now in the schools for that many pupils.

No mention was made of where the system would get the $5 million needed to implement the plan next fall in the 10 schools. However, the committee noted: "We know that the program will be expensive. It is the opinion of the committee that the cost of effective education must be paid if society is to fulfill its obligation to all the children."

ANNOUNCEMENT OF FINAL HEARING OF FEDERAL STUDY ON INTERAGENCY DRUG COORDINATION

Mr. HUMPHREY. Mr. President, I should like to announce that the Subcommittee on Reorganization and International Organizations of the Senate Committee on Government Operations will be concluding its study of Interagency Drug Coordination at a public hearing to be held on Thursday, May 28, 1964, in room 3302, New Senate Office Building.

THREE WITNESSES

At that time, we will hear testimony from—

The Special Assistant to the Secretary of Health, Education, and Welfare, Mr. Boisfeuillet Jones;

The Commissioner of Food and Drugs, Mr. George P. Larrick; and

The Director of the Bureau of Medicine, Joseph Sadusk, M.D.

SENATE COMMITMENTS LIMIT HEARING TO 1 DAY

It had been my hope that we could devote several days to the concluding round of drug hearings.

Unfortunately, that will not be possible during the brief period of time available and in view of other committee duties and the civil rights debate.

BACKGROUND INFORMATION TO BE PRESENTED NOW

I should like to set forth now background information as to—

First. What our drug study has accomplished.

Second. Some of the questions whose answers we will seek at the final hearing and in supplementary letters and statements.

Third. Some of the important needs which have been brought out by our recent drug correspondence.

SOME OF THE ACCOMPLISHMENTS OF THE SENATE REORGANIZATION SUBCOMMITTEE DRUG STUDY

First, I wish to mention that the subcommittee of which I am chairman can note with gratification many significant forward steps which have been taken as a result of our efforts.

These steps include:

Reorganization of the Food and Drug Administration, so as to achieve at least some of the objectives which had also been recommended by the Second Citizens Advisory Committee on FDA;

The establishment of the first governmentwide system for reporting on side effects of drugs through the new Interagency Procurement Advisory Council on Drugs—IPAD;

The at least limited strengthening of FDA's scientific staff and programs;

The establishment of a formal interagency agreement for cooperation between FDA and the National Institutes of Health;

The establishment of a State Department alerting system on worldwide drug reports;

The furtherance of WHO's goal of international cooperation in drugs; and

Remedial action on specific hazardous drugs—for example, the ending of loose oral prescription methods on a dangerous, addicting drug—Percodan; withdrawal from the market of a dangerous diagnostic agent for the gall bladder—Orabilex—which was associated with 17 deaths in 2 cities alone, and active FDA reevaluation of certain other questionable drugs through a tightening of standards.

PROVIDENCE JOURNAL EDITORIAL AND LABOR NEWS ARTICLE

Many fine articles and editorials have appeared in the daily, weekly, and trade press, describing and commending our work.

I have selected two as illustrations: One is an editorial from the noted newspaper, the Providence Journal. It commends our efforts to get to the bottom of the drug fee story.

The second—a news article—is from the independent weekly railroad brotherhood newspaper, Labor. It summarizes my statement in the New Republic. It also cites a separate drug activity by one of the Senate's foremost champions of the consumer, the junior Senator from Michigan [Mr. HART].

I ask unanimous consent that the article and editorial be printed at this point in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From Labor, May 23, 1964]

SENATORS SOUND WARNING ABOUT DRUG COMPANIES

A warning against efforts of drugmakers to weaken Federal regulation was sounded last week by Senator HUBERT HUMPHREY, Democrat, of Minnesota, who heads a subcommittee which has been investigating some phases of the drug industry.

Writing in the May 16 issue of the New Republic magazine, HUMPHREY declared that attacks have mounted on the U.S. Food and Drug Administration ever since it recently embarked on stronger regulatory policies than it practiced in the past.

Critics in the drug industry, he said, are picturing the FDA as "an octopus, grabbing for power" and claiming that firm drug regulation is unnecessary and unfair. He charged they are spreading various myths to support their claim. He listed and refuted some of these myths, as follows:

Myth: "Drugs are as safe as can reasonably be expected."

HUMPHREY answer: "The record says otherwise." He cited deaths and severe body damage caused by some new drugs, which should never have been released without further testing.

Myth: "The Kefauver-Harris law corrected all major drug problems."

Answer: Only the worst abuses were corrected by that law, which increased FDA's authority to rule off the market undesirable or mislabeled drugs and which provided for inclusion of generic names on drugs. What really counts, HUMPHREY added, will be the agency's future willingness to use its authority.

Myth: "Professional organizations cooperate closely with the FDA on drug safety and efficacy."

Answer: "How nice if it were so." But it isn't, HUMPHREY declared.

Myth: "Large-scale misuse and abuse of otherwise useful drugs has been corrected."

Answer: "Not so."

HUMPHREY, in the article, also knocked down other, similar "fictions."

HART RAISES QUESTION

Meantime, Senator PHILIP A. HART, Democrat, of Michigan, chairman of the Senate Antitrust Subcommittee, raised the question of whether doctor-owned drug manufacturing companies are frustrating a main purpose of the Kefauver-Harris drug regulation law passed last year by Congress.

The subcommittee sent subpenas to 12 drug concerns which are owned by doctors, and also sent letters to 100 other such firms. Both the subpenas and letters asked for detailed information about their ownership and business practices. The 12 agreed to comply with the subpenas, but neither they nor the other 100 have yet provided the information.

The issue involved in this situation was described by HART as follows:

A particularly important provision of the Kefauver-Harris Act requires that the generic chemical name of a prescription drug be printed on the label of the package or bottle, along with the brand name of the manufacturer.

CITES EVASION POSSIBILITY

Purpose is to enable doctors to prescribe, and patients to buy, drugs by their chemical names, instead of by their brand names, under which their prices are generally much higher.

However, HART said, such savings for sick people can be frustrated by doctor-owned drug plants and doctor-owned pharmacies. When a doctor owns part of a drug company, it is unreasonable to expect he would prescribe by the generic names, and thus make less profit than he would by prescribing by the company's brand name.

It is the consumer who loses by this conflict of interest on the part of doctors who own drug manufacturing and repackaging concerns and pharmacies which sell their high-priced brand name drugs, HART said.

[From the Providence Journal, Apr. 7, 1964]

THERE SHOULD BE NOTHING TO HIDE ABOUT TESTING DRUGS

The disturbing failure by many drug companies to cooperate with the Food and Drug Administration deserves close attention in a nation where more than 5,000 prescription drugs and drug mixtures are sold in a drug market that is the richest in the world. What particularly worries Senator HUMPHREY whose subcommittee is reviewing cooperation of several Federal agencies on drug policies is this disclosure from FDA Commissioner George P. Larrick: "During a recent investigation involving 2 of the 19 doctors whose work we suspect, we visited about 30 drug companies to which these doctors had submitted clinical data. These firms were asked for details of payment for this work, and more than half of them declined to furnish us with any such information."

The drug companies, of course, are well within their legal rights in refusing to furnish the FDA with details on testing fees. But such refusals, considered with other developments in the drug investigation, only aggravate the public's confusion and anxiety over what is being done to foster excellence in testing and evaluating drugs.

The subcommittee already has heard sworn testimony from doctors admitting fraudulent testing of over-the-counter drugs; moreover, one doctor already has been indicted by a Federal grand jury for allegedly inventing results of tests, and then getting $13,000 a year for his efforts.

It would surely be in the public interest to compile all the facts to see what importance, if any, the size of fees has on the quality and extent of drug testing. Further, it would be interesting to know if it is broad practice among pharmaceutical firms to offer physicians sizable amounts to test pills on patients. At issue is not the safety of the pills but rather the lengths drug firms go to in order to promote the claimed, beneficial effects of drugs. It is no secret that the medical profession itself has been misled by promotional practices of some drug firms. For drug companies, on top of that, to refuse to tell Federal authorities how much they pay doctors who test the companies' products is to miss opportunities to correct drug weaknesses of the past.

BRIEF SAMPLING OF COMMENTS ON DRUG STUDY ACHIEVEMENTS

Mr. HUMPHREY. Mr. President, what has been the reaction of the Nation to our drug study? I am gratified to say it has been a reaction of overwhelming approval. Although our subcommittee consists of laymen, we have been praised by professionals for having achieved a sound approach.

Here are a few such comments.

Harold Aaron, M.D., editor, "The Medical Letter on Drugs and Therapeutics," had this to say about our fourth drug volume:

> I wish that every physician in the United States would take the time to study this material. It would provide him with information indispensable for the understanding of Federal agencies that have a decisive influence on medical and pharmaceutical practice. I hope that * * * your subcommittee will continue its indispensable surveillance of drug problems.

A leading Minnesota psychiatrist wrote within this past week:

> I am enormously impressed with your grasp of the problems related to drugs and psychotropic drugs in particular.

The president of a Hennepin County, Minn., society of medical specialists wrote:

> I must express the appreciation of our group for your exceedingly well informed reply to our letter. Your questionnaire and the informative reports you enclosed with your letter are most reassuring to us in that they indicate that our Central Government includes men like yourself who have the boundless energy, ability, and sense of responsibility to find the time, in a day already overfilled with tasks of tremendous importance, to keep informed on matters that from certain perspectives must seem relatively unimportant.

A leader in the pharmaceutical sciences wrote:

> I think the testimony you are developing in connection with the work of your Subcommittee on Reorganization and International Organizations of the Committee on Government Operations will be invaluable in bringing about a better appreciation on the part of the health professions as to how much more remains to be done in the public interest to assure the protection that is required in prescribing and administration of many of our newer drugs.

* * * * *

> The importance of your hearings will not be appreciated until the transcript becomes available for general distribution, but those who have been through this process of public education on other matters, realize the value of the contribution you are making through this subcommittee to the public health, welfare, and safety.

Many individual medical doctors have commended our work. A letter from St. Paul said:

> Your committee has accomplished a great deal.

From Denver:

> You and your committee made a major contribution to the health of the American people, and in particular to the children of this country.

From Syracuse:

> You have done a remarkable job.

From Pittsburgh:

I give wholehearted support to the efforts you are making and to your tenacity and skill.

From Medical Tribune, a national medical newspaper:

Room 162 of the Old Senate Office Building, across the street from the U.S. Capitol, has become headquarters for a new third force in relations between the Federal Government and the pharmaceutical industry.

ADDITIONAL FORWARD STEPS NEEDED FOR DRUG PROGRESS

Still more progress is needed. Anyone who has the mistaken notion that all the major drug problems of the Food and Drug Administration and of other agencies have been solved or are on their way to solution just does not realize how serious and deep past weaknesses have been.

WE HAVE COMPILED FACTS BY CORRESPONDENCE DURING PERIOD WHEN HEARINGS COULD NOT BE HELD

We have documented these weaknesses. We have done much of this by submission of a great many letters of inquiry to FDA. Thus, during the many months when it has not been possible—because of the Senate's schedule—to hold hearings, we have compiled a great many facts by means of correspondence. These exchanges of letters will be published in our hearing-exhibit volumes.

HEARING TO EMPHASIZE PRESENT AND FUTURE NEEDS

Since we have clarified the record of the past by obtaining answers through many letters, we will now be able to concentrate in the May 28 hearing on current and future needs. Thus, we will focus on the most constructive issues at hand—not merely on the past.

SPECIFIC FUTURE ISSUES TO BE SPOTLIGHTED

We will, thus, endeavor to explore—

First. Future administration of the key efficacy provision of the Kefauver-Harris law which becomes effective in October 1964.

Second. Future plans for better communication of drug information to physicians.

Third. Future plans of the HEW Department to overcome the very serious shortage of skilled pharmacologists.

Fourth. Future plans of FDA to get to the bottom of the serious mystery of very sizable drug testing fees paid to many private clinicians.

I should like to list now a series of 10 specific questions on which the profession, the public and the Congress have a right to expect clarification from the Department.

I ask unanimous consent that a list of these questions be printed at this point.

There being no objection, the questions were ordered to be printed in the RECORD, as follows:

MEMORANDUM BY SENATOR HUBERT H. HUMPHREY ON 10 UNANSWERED QUESTIONS ON FEDERAL DRUG POLICY

These questions concern—

1. FDA evaluation of drug efficacy under Public Law 87-781;
2. raising of drug testing standards;
3. drug testing fees;
4. excellence in drug research;
5. scientific excellence in FDA;
6. an "Iron Curtain" of secrecy about drugs;
7. drug information to practitioners;
8. a National Clearinghouse of Information;
9. improved professional cooperation on drug safety;
10. better consumer representation.

THE 10 QUESTIONS

1. Drug effectiveness: How does FDA propose to make certain that the efficacy provision of the Kefauver-Harris law is applied to the fullest extent?

(Only in this way can the profession and the public be protected from what the Council on Drugs of the American Medical Association and other medical experts, regard as many worthless or unproven drugs.)

In 1962, it should be recalled that the AMA Council on Drugs bluntly concluded that 22 out of 26 new drugs lacked evidence to substantiate one or more claims.

Therefore, what is FDA going to do to implement the final version of its proposed February 1964 regulations on drug records, reports, and effectiveness?

Does FDA agree with some industry sources that only minor relabeling changes will actually result after October 1964?

What, specifically, is FDA going to do about its own scientists' doubts of the efficacy claims of many sustained release drugs?

How is FDA going to allocate its limited manpower so that it can review contested efficacy claims on a priority by priority basis? How long will this review process take?

2. Drug testing standards: What will FDA do to help elevate standards of clinical testing? For years FDA has conceded that it has, in effect, allowed new drug applications to be jammed with worthless, unsubstantiated testimonials. This type of so-called evidence was regarded by FDA's own scientists as a farce. Yet, to this day, FDA has issued no formal guidelines for adequate clinical testing.

It did arrange for the issuance, unofficially, of a compendium on how to test in animals—but not in humans.

3. Investigating suspected drug cases: What is FDA going to do about the pending cases of 19 doctors whose testing it suspects?

Then, too, what will be the future policy of of over 15 companies which have refused to furnish, voluntarily, information about testing fees to FDA?

And what will professional organizations do about the suggestion which several of them have repeatedly advanced in order to resolve widespread concern about subjectivity and bias in drug testing? I refer to the suggestion by Dr Walter Modell and others that a "pool" of drug company research grants be set up—to be used impartially to test groups of drugs. Heretofore, testing has largely been by single clinicians who have tested single drugs for a single company (somtimes, it is suspected, for personal profit).

4. Strengthening drug research: When will FDA take the step which some of its friends have urged upon it for years—request authority for support of an extramural research program similar to that of the National Institutes of Health?

And when will NIH realistically recognize the appalling shortage of clinical investigators by taking such steps as:

(a) substantially increasing the number of training grants for clinical pharmacology;

(b) substantially assisting the now half-starved departments of clinical pharmacology in a score of teaching hospitals by providing unrestricted grants:

(c) substantially enabling additional teaching hospitals to open up much needed new departments of clinical pharmacology.

5. Scientific excellence in FDA: What does FDA propose to do to raise its scientific prestige in the eyes of the professional community?

What does it propose to do to retain its highest caliber of people—many of whom have resigned in disgust over the years because the agency lacked a truly scientific environment and scientific career incentives?

(FDA's problem has not been one of inadequate salaries alone; the fact is that several of FDA's top scientists have quit in order to work for other Federal agencies at the same or even lower salaries.)

6. Ending needless drug secrecy: When will FDA lower the "iron curtain" which it has erected over its files of thousands of released new drug applications?

This "iron curtain" is absolutely contrary to the spirit of scientific freedom and communication. It is contrary to freedom of the press, also. The "iron curtain" has been criticized, in effect, by some of FDA's own scientists, by scientists in the Veterans' Administration and, in principle (in a related field of pesticides), by the President's Science Advisory Committee.

(FDA went so far as to even try to ring the "iron curtain" down on requests for drug information by a House of Representatives committee. FDA has sought to maintain the fiction that the law allegedly requires 100-percent secrecy of drug files. The law requires no such thing. It simply requires that actual manufacturing methods and the like be protected as trade secrets. There is not an iota of evidence in the history of the law, justifying expansion of that provision as allegedly justifying FDA's own "iron curtain."

(Most recently, the Senate unanimously approved Senator RIBICOFF's excellent fight against another attempted "iron curtain" on pesticide applications.)

7. Information to physicians: What will FDA do about a problem which it has frequently referred to but never really come to grips with—communicating to the busy physician more effectively?

How will it enable the overburdened practitioner (who is already deluged with direct mail, with drug warning letters, detail men's brochures and samples, etc.) to get the vital drug information he needs? How will FDA cooperate with professional organizations in the physicians' postgraduate education?

(For how else can medicine deal with the problem of serious abuse, overuse and misuse of many drugs, which has been documented in survey after survey?)

The profession has the fundamental responsibility. Dr. Charles May rightly recalled in testimony before us that, in 1961, the American Medical Association had promised the Kefauver Antitrust Subcommittee to issue a long-hoped-for handbook to help the doctor evaluate drugs. Unfortunately, nothing has been seen or heard of that proposed handbook in 3 years.

8. A drug information network: What does the HEW Department propose to do by way of setting up a Federal and a national clearinghouse on drug information?

That type of system was soundly recommended by (a) F. Ellis Kelsey, Ph. D., Special Assistant to the Surgeon General for Health Communication; (b) by a November 1962 Surgeon General's Conference, and (c) by an October 1963 report to the U.S. Public Health Service.

The idea is still being studied. At the present rate, it may be realized by, perhaps, the year 2000.

But we do not propose to wait that long; nor do we propose to wait that long to see a nationwide system of specialized drug evaluation centers—which have been urgently needed for years.

It is ridiculous that the U.S. supports centers to evaluate metals for space rockets, as well as hundreds of other centers in the physical sciences, yet ignores the need for comparable centers at leading universities for the benefit of biomedical science.

9. Professional cooperation: What will FDA do to strengthen its actual cooperation with professional organizations—with pediatric, cardiovascular, psychiatric, etc., groups?

(It is not enough that FDA appoint a series of ad hoc consultative panels on individual drugs. Professional organizations must have continuing ties with FDA on a broad variety of problems within their specialities. Many professional organizations still do not have active committees on drug safety. That is one of the reasons for a distressing fact, which was reported by FDA in response to one of my earlier questions: The fact that only perhaps four times in many years (perhaps since 1938) did professional organizations ever bother to contact FDA about the safety of a specific drug.

(For 9 years, too, FDA has promised—over and over again—to set up a National Advisory Council and specialized continuing advisory panels. These are still reportedly just around the corner.

(Let me add that some doctors are frankly concerned that when these groups are appointed, they may be "packed with" antiregulatory forces. That must not happen; there must be balanced and expert representation.)

10. Consumer protection: Finally, what will be done further to protect the interests of consumers on prescription and on over-the-counter drugs, in cooperation with the President's Special Adviser on Consumer Affairs, Mrs. Esther Peterson?

Observers have remarked that almost never is a consumer group—or a group health medical group—represented before FDA when new drug regulations are being negotiated. The consumer tends to be the little man who isn't there.

It is small wonder that the consumer has so often been forgotten by FDA when opposite viewpoints in the form of commercial pressures have poured in.

ADDITIONAL "MYTH" ABOUT DRUGS—THAT "DRUG SAFETY HAS BEEN ENTIRELY TAKEN CARE OF"

Mr. **HUMPHREY**. Mr. President, it will be recalled that in my article in the May 16, 1964, issue of the New Republic, I listed certain myths and certain rebuttal facts about Federal drug policies.

I ask unanimous consent that a brief statement about one additional myth—an important myth, widely promoted—be reprinted at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE MYTH THAT BECAUSE ABSOLUTE SAFETY IN DRUGS IS IMPOSSIBLE, THE PROFESSION AND THE PUBLIC "CAN NOW SIT BACK AND RELAX"

One of the most widespread myths is that the profession and the public need have no further cause for concern about drug safety.

The myth is founded on a truth—everyone does rightly realize that absolute—I emphasize, absolute—safety in drugs is not possible. Therefore, "why worry," according to this myth.

The answer to the myth is that there is definitely real reason for continuing concern. The reason is that certain shocking facts have come to light, indicating that conditions have been terribly lax. Therefore, anyone who today views drug safety with apathy is allowing himself to be needlessly tranquilized.

It is a fact that no thinking person believes that it is possible to secure absolute safety in drugs. Every thinking person realizes there will always be some risk in new drugs.

But various sources seem to misuse this argument as a means to condition the public into accepting less than the best standards.

HALF-TRUTHS ABOUT POOR TESTING IN ANIMALS

Neither the Congress, the profession nor the public should allow themselves to be fooled. Those who would try to convince the public otherwise assert, factually, that "no matter how many animals you test a drug on, you cannot predict how human beings will react, particularly how large numbers of people will react."

Those facts are true, but they are only half-truths. The real fact is that some drugs were never tested on animals at all, or so few animals and so few species over so short a period of time—as to be in a certain sense, largely untested.

The public has now received confirmation from no less than the Commissioner of Food and Drugs that there are many drugs now on the market which were never tested at all in animals before being tested in humans. This confirmation was given in hearings of the House Government Operations Subcommittee headed by Congressman L. H. FOUNTAIN.

A further fact is that many drugs have been tested usually over brief periods—in inexpensive laboratory animals like rodents, but have never been tested thoroughly in more expensive animals more closely related physiologically to man—such as primates, including monkeys.

Consider that the MER/29 producer had boasted to FDA that it had tested the drug thoroughly over 19 months in "all of three" monkeys, with no serious side effects. Later it was discovered that even that boast was a fraud. But to test a drug in only 3 monkeys and then to proceed to put it into 400,000 human beings is hardly to be taking adequate advance precautions.

PLEAS OF VIRTUAL GUILT TO CRIMINAL CHARGES

The public has now learned, too, that not just civil laws but criminal laws have been violated by some drug scientists and companies. The drug company which produced MER/29 and three of its former scientists have pleaded nolo contendere to criminal charges on falsification of test evidence on the drug.

A Maryland physician who tested drugs for 25 companies and who received, reportedly, $33,000 for such tests, has also pleaded "nolo contendere" to charges of fabricating certain test reports.

Two other physicians have filed affidavits of falsification on an over-the-counter drug, Regimen.

These instances were not sheer happenstance; they were not isolated "flukes"; they came about because of deep underlying conditions of laxity. Nobody knows how deep these conditions really run. Why? Because FDA has had neither the zeal nor the manpower nor the authority to investigate the underlying conditions thoroughly.

How, then, can we possibly accept the myth "that there is no cause for continuing concern"?

GRIM FACTS WE CANNOT IGNORE

How can we ignore the grim fact that, for years, some drug companies suppressed reports of hundreds of injuries associated with drugs?

How can we ignore the grim fact that no one really knows to this day how safe or unsafe some drugs are, since only perhaps 5 percent or 10 percent of drug injuries are ever published or otherwise reported?

Certainly, there is no cause for hysteria. But there is certainly cause for vigilance and for continued reform.

SEVERAL NEEDS REVEALED BY RECENT CORRESPONDENCE—ON PROTECTING RETARDED CHILDREN, ON IMPROVING RECORDS, AND CONDUCTING CONTROLLED STUDIES

Mr. **HUMPHREY**. Mr. President, earlier, I had mentioned some of the correspondence which I have recently conducted. Let me mention a few of the facts which this correspondence reveals:

(a) The need for a review of the manner in which experimental and other drugs have been given to children in institutions, particularly mentally retarded children. A splendid letter from the excellent voluntary health agency, the National Association for Retarded Children, attests to this need.

(b) The need for FDA to identify—permanently and irrevocably—many dangerous drugs on which the agency's records are hopelessly incomplete.

I cite one hazardous drug which caused paralysis and which was apparently slipped off the market without the company even bothering to inform FDA.

From 1955 to 1963, FDA's record on this drug was a total blank. Yet, the drug had caused many injuries and was never legally suspended or formally withdrawn from the market.

(c) The need for FDA to require controlled clinical studies, as prescribed in Public Law 87–781. One widely used drug—since withdrawn from the market—Parnate, was used by 2 million patients.

Only four controlled studies have ever been reported on it, and not one of these studies was reported before—I emphasize "before"—the drug went on the market.

This omission is not, unfortunately, unusual. FDA has for years ignored the absence of controlled clinical studies.

MY INTEREST IN PHARMACEUTICAL SCIENCE CONTINUES INDEFINITELY

Finally, I should like to make an additional point particularly clear. My own interest in the highest possible standards in pharmaceutical science does not end with the conclusion of our hearings.

I hope no one will be under the misapprehension that because our formal study is ending, that I, for one, will watch idly if administrative reforms in drug policy are stopped, or, what is worse, if someone tries to turn the hands of the clock back.

I hope, to, that some of the organizations from whom the subcommittee has been awaiting replies for some time to our frank questions will not be under the misapprehension that our interest in their answers has ended and that they need not reply.

APPROVAL OF PRESIDENTIAL INABILITY RESOLUTION

Mr. **KEATING**. Mr. President, today the Subcommittee on Constitutional Amendments unanimously approved our consensus proposal to fill vacancies in the Vice Presidency and to set up procedures on Presidential inability. I joined with great satisfaction in that action.

As is true of any consensus, the resolution in its present form—the form in which it will receive further consideration by the full Judiciary Committee—is the product of the give-and-take of compromise, much like the original Constitution itself.

Throughout the many years of my interest in these problems, it was obvious to me that we would get exactly nowhere if everyone insisted on his own brainchild solution. This is no area for pride of authorship or partisan controversy. Much as the water's edge must be the stopping place for partisan politics in the realm of foreign affairs, the President's sickbed is no place for legalistic bickering.

If the same spirit of genuine cooperation and free and frank interchange of ideas that prevailed in our subcommittee follows this resolution through the remaining steps of the constitutional amending process, we can expect final action to come early. A measure designed to avoid a constitutional crisis which would threaten the very foundations of our Government can come none too soon, in my judgment.

At the same time, I remain somewhat leery of freezing into the Constitution a hidebound set of procedures to govern Presidential inability. On this aspect of the subcommittee's consensus, I intend to push for a broader constitutional provision merely authorizing Congress to take action by statute. If a majority of the Senate should agree with me, other subcommittee members have agreed to abide by the result and support this alternative. I am grateful for this pledge of continued cooperation; and, in turn, I can pledge to the other Members my cooperation in supporting to the hilt the final product of our efforts.

TRIBUTE TO SENATOR DIRKSEN'S WORK IN THE FIELD OF CIVIL RIGHTS

Mr. KEATING. Mr. President, many publications have hailed the work done by the distinguished minority leader [Mr. DIRKSEN] in the field of civil rights and the great contribution he has made to this task. Senator DIRKSEN has acted as a national leader and statesman in searching for a workable consensus on the critically important civil rights bill. His efforts have improved the bill in many important respects and won increased bipartisan support and for the principle of equal constitutional rights and for the provisions of this particular bill. The Catholic Standard, published in Washington, D.C., has paid him a very fine and well deserved tribute. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Catholic Standard, Washington, D.C., May 25, 1964]

DIRKSEN'S CIVIL RIGHTS WORK HAILED

A tribute to the role of Senator EVERETT M. DIRKSEN, of Illinois in the current congressional effort to enact civil rights legislation was paid last Friday by Father John F. Cronin, S.S., of the National Catholic Welfare Conference.

"When the Congress passes a strong and just civil rights bill, much of the credit must be given to Senator DIRKSEN," the priest said at a meeting of Catholic Interracial Councils from Washington, Montgomery County and Northern Virginia.

Referring to the Dirksen package amendments to the civil rights bill, the assistant director of the NCWC Social Action Department emphasized the value of the Senator's two main intentions.

"He tried, in the first place, to secure racial justice by good law, rather than by demonstrations and pressures. His second objective was to meet legitimate objections to the bill as passed by the House. In particular, he wanted State laws and commissions to have the first opportunity to settle disputes, provided that they were really seeking such aims."

Father Cronin further asserted: "Senator DIRKSEN has risen above partisan and sectional considerations and has sought the long-range welfare of the entire United States. Such an approach deserves to be called patriotic and statesmanlike. If, on deeper study, we find flaws in his proposals, these do not invalidate the merited tribute to his efforts."

THE WAR IN VIETNAM

Mr. CLARK. Mr. President, two of the most astute and well-informed correspondents presently writing about foreign affairs are Tom and Harle Dammann, who write for the Chicago American. Early this month, they dispatched from Hong Kong an article entitled "Our War in Vietnam—If We Pull the Plug, Reds Could Flood the World."

I ask unanimous consent that the article, which sustains the position of the administration with respect to Vietnam, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR WAR IN VIETNAM—IF WE PULL THE PLUG, REDS COULD FLOOD THE WORLD

(By Tom and Harle Dammann)

HONG KONG—The Communist Chinese have more at stake in the South Vietnamese war than the United States, and that is what makes it vitally important for the United States to persist in its program for the support of South Vietnam.

That is the opinion of experts in this acute listening post.

This is inextricably involved in the Sino-Soviet dispute. The Soviets believe in coexistence and would prefer a negotiated settlement in southeast Asia, particularly in South Vietnam. They want to avoid war and are convinced Communist objectives can be attained without it.

The Chicoms argue that Communists must keep fighting, that they can only spread communism by force. They say to the Soviets that there is no reason to fear a nuclear war because atom bombs would accomplish little in the jungles and rice paddies of South Vietnam except to obliterate the very people the "American imperialists" are supporting, and because, if the Americans were to resort to nuclear weapons, world opinion would turn against them.

If the Chicoms succeed in forcing a U.S. withdrawal, they will not only seriously bloody the American image, they will upset Premier Nikita Khrushchev's policies and set the pattern for Communist aggression in Asia, Africa, and Latin America, over which Moscow and Peiping already quarrel. In short, South Vietnam is the hot spot in the new cold war between the Soviets and Chinese Communists.

For our part, if we withdrew, we would lose what allies we have left in southeast Asia, notably Thailand and Malaysia, questionable nations like Laos would swing into the Peiping orbit, and our influence in Japan and Formosa would diminish.

So Peiping is steadily forcing the issue and almost welcomes the increase of American commitment in South Vietnam on the grounds that the higher we climb the harder we will fall.

In addition to the advantages the stealthy guerrilla has in any war, the Chicoms are banking on the fact that much of the Vietnamese population is fed up with wars, which have plagued it for 20 years almost without interruption.

But there is another side to the coin. As Peiping steps up the pressure in its cold war with Moscow, it places its friends on the spot and even the Communist North Vietnamese are squirming, trying not to commit themselves too deeply to the Chicoms, whom they know have many serious, handicapping internal problems.

It is suggested, too, that recent events in Laos may reflect doubts that the South Vietnamese Communists, the Vietcong, can win against the great efforts of the South Vietnamese Government supported by the United States.

Certainly, when we talked a few days ago in Saigon with senior American diplomats, military officers, and the prime minister, Gen. Nguyen Khanh, we could detect no loss of confidence. Those authorities subscribe to the above analysis, but, as one of the most responsible officials told us privately, "I am guardedly optimistic for the first time.

"The American people must appreciate that this is going to be a long, costly, and deadly process," this official warns. "First off, it is difficult to identify the enemy because Vietnamese are fighting Vietnamese. We ourselves are at a disadvantage, for our troops are white or black, not yellow, which means we can't actually get into the guerrilla fighting and must support our friends in every other way conceivable.

"Another reason for our difficulties is that we have gone through a period of 9 months of disruption by three coups. But now we have General Khanh as prime minister and he is a dedicated citizen trying to make the common folk understand that his government is solidly behind them, and that the war is in the country, not in the bars of Saigon.

"Still another problem is that there is no real sense of unity in this country of diverse religions, ethnic groups, and tribes. The family is the real unity. The army suffers many desertions, but the deserters don't think they are being disloyal to their country for they have merely gone home to see their family, to learn whether they can help with planting or harvesting," the officer continued.

"This war is primarily not a military operation: It is civil and psychological," he emphasized. "We are concentrating on training civil servants so that they can go into the country and take on responsible jobs as we gain security.

"We are impressing the Vietnamese army with necessity of training its troops to meet the civilian population with tact and friendliness and not rob them of their chickens and rice."

As for the 36-year-old Prime Minister, Khanh, who is fluent in French and English, he makes you believe him when he says he is going to bring free elections to his country soon. He has a confidence and sense of public relations which, given the opportunity, can win the people over.

"The average guy here wants to be safe at night, get an education, health, and decent price for his rice," a high-ranking diplomat commented. "If we can provide these, we will win." But, as Ambassador Henry Cabot Lodge has said, "we will have to exercise greater perseverance and patience than we are accustomed to.

"The important thing is that the Communist Chinese have chosen the battleground. If we let them have it, we lose southeast Asia, and their self-confidence will become the most dangerous threat to human life existent. We have to stay and win, for the sake of the entire free world," he concluded.

MESSAGE FROM PRESIDENT JOHNSON, ADDRESS BY MAYOR WILLY BRANDT, AND RESOLUTIONS AT 17TH ANNUAL CONVENTION OF AMERICANS FOR DEMOCRATIC ACTION

Mr. CLARK. Mr. President, last week, Americans for Democratic Action held their 17th annual convention in Washington, D.C. They received from the President of the United States a most cordial message in which he asked for the help of the ADA in connection with his domestic programs and his foreign program. They also heard an inspiring address by Willy Brandt, the mayor of Berlin; and they adopted a number of resolutions dealing with matters of considerable interest to the Congress.

As a member of the national board of directors of the ADA, I ask unanimous consent that the President's message, Mayor Willy Brandt's speech, and the resolutions be printed in the RECORD, in connection with my remarks.

There being no objection, the message, speech, and resolutions were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, D.C.

I welcome the Americans for Democratic Action to Washington.

Your cause has been the cause of liberal democracy. Your creed has been the belief that democratic government exists to serve the needs of all the people. The pursuit of that creed has not been easy. But you have never retreated from commitment to the political struggle as well as the clash of ideas, from carrying the fight both to the public prints, and to the political precincts.

As a result, you have now endured, despite frequent premature burials by your critics, to see many of your ideas become policies, your policies become programs, and your programs become laws.

Your Government today is in the midst of a struggle on many fronts, to extend the blessings of our democracy to the dispossessed in our own country and to the disinherited around the world. As always, our adversaries in this struggle are strong and persuasive. As always, it will require untiring dedication and unyielding commitment if we are to win the battle.

Therefore, I ask you to do for me what you have done for so many of our past leaders—to use your imagination and intellect, your persuasion and power, your work and will; to help the great and crucial programs we now have before Congress.

Help us to pass the war against poverty; to pass our civil rights bill, which is the strongest since the Civil War; to pass a foreign aid bill that will permit us to meet our commitments to the poor of other lands; to pass minimum wage extension, aid to education, and all the other programs designed to give all Americans a full opportunity to develop their capacities.

These programs are your programs. They are the programs of all who believe the cause of Government is the cause of humanity.

I look forward to your support in these battles and in the other struggles that will mark our forward progress in the years to come.

LYNDON B. JOHNSON.

SPEECH BY WILLY BRANDT, GOVERNING MAYOR OF BERLIN, AT 17TH ANNUAL NATIONAL CONVENTION BANQUET, AMERICANS FOR DEMOCRATIC ACTION, WASHINGTON, D.C., MAY 16, 1964

My friends, I cannot address you without first saying a word about the great American with whom we felt so closely linked. John F. Kennedy will not be forgotten. His ideas could not be shot down. His hopes for a peace worthy of the name live on. The assignment he gave to us all remains a solemn obligation.

Today we know better than we did half a year ago how well President Kennedy personified a vision of a better future for a tormented humanity. We know, however, that now there are new as well as old obstacles in the way.

We see with satisfaction that President Johnson with firm determination is continuing and developing further what was begun in the last few years. We not only wish him much success, but in our way we must try to make his task easier at the helm of the leading Western power.

My friends, you have discussed at your meeting here problems which go to the heart of America's strength. I should not and will not express myself specifically on this question. But this much we all know: the inner strength of a nation has a vital influence on its foreign policy.

All true friends of the United States and all true fighters for freedom are watching with deep concern and compassion your struggle for the rights of all citizens of this great country. They hope for a peaceful outcome and for continuing progress.

Anyone who comes from Germany should not try to lecture you in this connection. But since the black night of our existence and the bitter hours of our experience we Germans learned to understand the value of the concept that all men are created equal. Under different circumstances we are still involved in the struggle for the indivisible rights of citizens and nations.

You know what city I work in. And you know how heavy a burden my city has carried and must continue to carry in the East-West conflict. This certainly prevents me from having illusions.

But I see no other way than that of patience, tenacity and constantly renewed efforts to lessen the dangers and reduce tensions. Dangers do not decrease because one fails to notice them or refuses to face them. When it comes to a detente, blind faith and wishful thinking are no great help. And weakness only increases the hazards.

We will achieve a good peace only if we remain sufficiently strong. But strength is not a goal in itself. It makes it safe for us to look for all possible roads and to achieve real security by other means than only arms.

This is the course we follow. I know that for some people the cold war in its old form probably seemed much more simple. But it only abnormally postponed our long-range problems. It could not solve them.

The United States has taken a series of steps in order to reduce tensions. Further attempts will have to follow. But detente is no more a goal in itself than is strength. Detente must not be regarded as if it were some kind of pain killer. Its purpose must be to help cure the causes of the trouble. This means that we must constantly work for the solution of the problems that created tension. This is a tremendous task. It cannot be accomplished in 1 year, nor can it be accomplished in 5 years.

In following this course, we meet and are accompanied by the German problem. And we must talk about it. It serves no purpose to hide our heads in the sand. John F. Kennedy was absolutely right when he said that a real peace in Europe could not be guaranteed as long as every fourth German is deprived of the basic right to free choice. Only a few days ago Secretary of State Rusk emphasized very much the same point.

At every step we take toward detente we must ask whether that step can be tied to another which leads to a solution of the cause of tension. Not that we should hinder a positive development, or block it altogether because it does not go far enough; rather we should make it our business to influence every development in the most positive way we can.

In this connection every single initiative will have to be examined for timeliness and suitability. Hollow demonstrations will do no good. However, we should never forget what distinguishes the world of freedom from the world of totalitarianism: respect for the value and dignity of individuals and their collective self-determination.

The human being is and will always remain for us the center of our philosophy and our political policy. In Berlin we tried to give this principle meaning even under particularly trying circumstances. Through technical arrangements hundreds of thousands of people in the divided city were brought together last Christmas. This was a great human event and thus also a great political event. But it did not come off without controversy. Therefore, I would like to say:

We have not wavered in our principles. Neither did we get caught in a trap by making a gain in the cause of humanitarianism.

Hundreds of thousands of West Berliners brought some of their commitment to freedom—and thus returned it—to a region they had not been allowed to enter for 2½ years. They met with millions of their friends and relatives in the Soviet sector of Berlin. They also met with people who came for this special purpose from the Soviet Zone of Germany.

We know that during these days the people who got together talked to each other as we talk in the West among ourselves, that is, as if they were not in a Communist-controlled area.

This millionfold encounter of people was a great success, because wherever a degree of humaneness can be realized, the hope for greater progress increases. Wherever a bit of humaneness is achieved another stone has been contributed for building a better world.

The subject of self-determination remains on the agenda. It has to remain on the agenda for the sake of peace and freedom. But if we cannot achieve everything we want, that is no reason not to try, or to do nothing. No; we must not be inactive but rather we must continue trying to alleviate, step by step, the harshest effects of the unnatural division. This struggle for every relief that can be achieved, for every possible change in the interest of humanity, will serve peace and will also promote a better political future.

I believe this German experience has meaning beyond the borders of my own country. We cannot be satisfied with general political formulas. The people want to participate in the fight against fear, against want, and against inhumanity and we must let them participate, in little ways and in big ways. Each nation has its burden to bear. But let us never forget that we have learned to stand together, shoulder to shoulder, each in his place, when the question of more freedom and security arises. If we stand firm on the ground of hard realities, yet keep our eye on the future, then we will certainly contribute to the victory of justice and freedom in a world where peace can prevail.

RESOLUTIONS ADOPTED BY AMERICANS FOR DEMOCRATIC ACTION, 17TH ANNUAL NATIONAL CONVENTION, WASHINGTON, D.C., MAY 15, 16, AND 17

FOREIGN POLICY

Preamble

World peace requires a sober readiness to negotiate all differences with other nations, irrespective of ideologies. General war has become an intolerable option in the nuclear age. The obligation rests all the more on the United States to offer concrete and realistic proposals which will promote democratic liberties and lay the foundation for lasting peace.

Support of the principles of the United Nations Charter should be the cornerstone of our foreign policy. But that support does not in itself constitute a foreign policy. We must make full use of the U.N. to weld, as rapidly as possible a community of effort for collective actions broad enough to encompass the ideals and hopes and allay the fears, of all the peoples.

The great challenge to America is now more political and economic than military. In the face of a military stalemate, between East and West, the rift in the Sino-Soviet bloc and the emergence of polycentrism in world communism, a totally new situation confronts us, with new challenges and opportunities.

Our policy toward the Communist nations should embody concepts of defense without provocation and conciliation without the sacrifice of essential principles and interests. Our first priority is the negotiation of agreements on arms control and ultimate disarmament. As the Communist nations evolve into diverse behavior and goals, American policy should be pragmatic and flexible, welcoming and reciprocating any movements in these nations toward normalization of their relations with the non-Communist nations. It is in the interest of the United States and in the interest of peace and freedom in the world to do publicly, explicity, and wholeheartedly what we are already doing halfheartedly and almost surreptitiously—that is, to seek the maximum normalization possible.

The great task of the 20th century is to help the developing nations achieve decent living standards and real human dignity. We welcome this kind of peaceful competition with the Communist nations, so infinitely preferable to a continuation of the arms race, but we should also seek opportunities to cooperate with them in the same great enterprise.

Our ultimate goal is the creation of a world community under law, in which all peoples will have the opportunity to make their contribution to the advancement of human civilization.

FOREIGN POLICY COMMISSION RESOLUTIONS

Latin America

While each country of Latin America has distinct problems that must be viewed separately, there exist certain common features. Among these are language, geography, extreme poverty, underutilized resources, and in many instances undemocratic governments. There is also a common struggle by the people of these countries to move into the industrial and economic environment of the 20th century.

Since existing U.S. policies have not substantially nor effectively aided the economies of Latin American countries or prevented the spread of Communist influence or decreased dictatorships of terror from the right, it is necessary to reexamine those policies.

The failure of the Alliance for Progress to move at a more encouraging pace to implement its objectives is caused by the resistance of governments and other sectors of Latin American life which thus far have been charged with implementing the Alliance, but whose historic, economic, social, and political entrenchments in their countries could be drastically dislocated by the very aims of the Alliance. The insistence of the United States to press its own preconceived ideas about aid and conduct on Latin America is also a serious impediment to the Alliance.

The U.S. Government must show increased awareness of Latin America's revolutionary struggle for essential economic, social, and political reforms. Only by giving realistic support to the aspirations of the people of Latin America will it be possible to halt the growing spread of Communist influence or the rise of dictatorships of the right. Latin American policy presents one of the severest tests of the maturity of the United States and our ability to adapt to a changing world.

The United States should encourage balanced economies in all Latin American countries and lessened dependence on a narrow range of export commodities. The United States must reduce or eliminate the tariffs and quotas which discriminate against imports from Latin America and explore measures to achieve greater stability in the prices of basic commodities. The United States should deal with Latin American States on the basis of sovereign equality.

The Alliance for Progress may have begun a new and more realistic chapter with the recent organization of the Latin American Committee proposed at Sao Paulo, and headed by Dr. Sanz de Santa Maria. We hope that the aim of U.S. policy will now accelerate the political, economic, and social reforms implicit in the Alliance geared, above all, to bring benefits to the masses of people. This policy should be coordinated with enlightened conclusions arrived at in the present Geneva Conference and the Kennedy Round, especially in reference to the stabilization of commodity prices and the encouragement of the Latin American common market communities.

Above all, it is imperative that the United States should develop enlightened orientation toward Latin America. The United States should of course foster democracy where feasible, but any government regardless of its form should be judged on the basis of its performance in economic, social, and educational reform which provides the basis for advanced political democracy.

Asia

Asia is the scene of the most crucial struggle to influence the minds of men. The issue is simply whether variations of the democratic approach, adapted to local conditions and experience, can satisfy the Asian peoples' aspirations or whether the Asian peoples in their frustration and desperation will turn to authoritarianism for solutions. The outcome of the struggle in Asia may well set the pattern for the rest of the world. The future of democracy hinges upon the capacity of the free nations to see to it that freedom can be coupled with economic and social progress in Asia.

The economic-political-military mix which we have been employing in our Asian policy must be reviewed and revised. Our past emphasis has been and continues to be overly military. For example, fixed American bases in populous areas of Asia are becoming increasingly obsolete, due to changes both in the political climate and in military technology. But, more broadly speaking, unless we join battle on the corresponding political, economic and social fronts, all military programing and military aid is precarious indeed, opening the way to humiliating defeats.

Southeast Asia

ADA reemphasizes its profound dissatisfaction with the continuing deterioration of peaceful conditions in southeast Asia. Ongoing military operations and resorts to force to resolve political issues coupled with internal instability of the new states makes the entire area an inviting arena for great power conflict rather than cooperation. Because the area is so unstable and the Communists continue to advance in southeast Asia generally, and in South Vietnam and Laos in particular, a basic reassessment of American policy is required. The goal of the new policy should remain to strengthen those countries which seek to maintain their independence from external aggression and internal subversion. However, pacification by military means alone cannot succeed. ADA particularly opposes proposals to extend combat operations into North Vietnam and other adjoining areas by Vietnamese armed forces. Escalation of the existing conflict can only jeopardize the peace of southeast Asia.

Our policies in South Vietnam and Laos and in all of southeast Asia will succeed only within a framework of political, economic, and social policies that win support from the people for the local governments. No outside force can create such support. Only nationals of the country concerned can do it.

The new American policy should build on the efforts by the independent southeast Asian states to promote bilateral and regional economic and political cooperation. It should help these states avoid military alliances and the crushing burden of military expenditures by actively promoting a major power agreement to guarantee the neutrality, peace, and security of these states. In this respect, ADA approves of the present strong initiatives taken by the administration to maintain the truce in Laos. The position of the International Control Commission must be strengthened to minimize opportunities for the resumption of hostilities and the subsequent breakup of the existing coalition government. The United States should continue cooperating with other interested powers to provide the necessary support to help stabilize the Government of Laos and provide opportunities for the people of Laos to peacefully reconstruct their country. The aid program of the United States must be directed toward realizing these objectives. We do not favor the continuation of aid to regimes that by irresponsible economic policies and repressive social and governmental practices undermine the basis for peace and stability of the area and pave the way for authoritarian rule.

Japan

Japan, employing democratic means, has built a modern industrial society from the ruins of total defeat. The future of its democracy and prosperity, however, will be in doubt unless it has an assured position as one of the major trading nations. If our alliance with Japan is to grow in strength, economic relations must remain healthy and expand. Japan's recent admission to the OECD is a step in the right direction. Contrariwise, the building up of tariff and quota walls against Japan is destructive of our alliance. An enlightened American policy must seek to expand our political and cultural ties with Japan and encourage her, as a partner, to play a greater role of political and economic leadership in the world.

Korea

Because of growing dissatisfaction and political instability, the primary issue in the Republic of Korea remains: meeting the demands of the Korean people for effective government which will provide employment and economic stability while putting an end to corruption. We should give continued support to those forces in Korea who represent economic, social, and political democracy. The unification of Korea under U.N. auspices is a goal which the United States should persistently pursue. We favor steps toward the normalization of relations between North and South Korea which can contribute to the goal of unification.

India

The future of India will determine to a great measure the future of freedom in Asia. All the aspiring peoples of the world are watching this democracy and comparing it with the performance of China. The magnitude of Indian problems and needs is such that there is no possibility of success without massive outside assistance. Therefore, we believe that the United States should continue to strengthen its economic and cultural ties with India. We recognize the need to use both public and private instrumentalities to develop their economy. We deplore the refusal of Congress to grant economic aid to the Indian public program for expansion of her needed steel production. We urge the granting of increased economic assistance, on a long-term basis, to India in order that she may fully develop her human, natural, and industrial resources.

Europe

The European crisis, as seen in the Common Market and in NATO, is not merely a crisis of the whole Western community. It must be seen both as a strategic and, more profoundly, as a cultural and political problem for the West and for America's relation to Europe. That the Atlantic Alliance and the communities of Europe which the Alliance contains and protects do not degenerate into quarrelsome and rival Balkanized States, pursuing special prestigious aims at the expense of others should be a prime objective of Americans and Europeans alike. A healthy and free Europe may well exert a magnetic influence over the Communist bloc furthering its transformation into a society of greater freedom and justice.

As European power and vigor continue to grow, American influence over essentially European events will continue to diminish. Yet at the same time, American responsibilities and commitments to its defense continue unlessened. The wish of some Europeans to take a greater share in their common defense is a natural one. It should be an object of American policy to hospitably respond to such wishes, but such a response should not be one which appeases the nationalist aspirations, represented by De Gaulle, or encourages the diffusion of nuclear weapons, and control and management of them, into the hands of many states.

Alliance stability in the West is directly related to stability between the two blocs in Europe. The present state of Sino-Soviet tensions has had a sobering effect on Russia's own relations with the West. The tendencies toward polycentrism in the Communist bloc facilitate new Western initiatives and opportunities in dealing with individual Communist states, including those of Central and Eastern Europe. The magnetism of Western prosperity and living standards of free societies cannot but fail to reveal the deep flaws in the parochial political and economic systems of the East. This attractive quality of the West should cause the increased cultural affinities of moderate East Europeans to the West, but such affinities will be impeded if European nuclear forces further diffuse, increasing Eastern fears of thermonuclear power in Central Europe controlled in part by Germans.

ADA opposes all policies having as their consequence the further diffusion of nuclear weapons in Europe; we urge opposition not only to independent nuclear capabilities for individual European states, but also to the proposed NATO multi-nation force, which could easily speed up the very diffusion process it ostensibly seeks to avoid. We urge French and Chinese adherence to the partial Nuclear Test Ban Treaty as additional steps to halt the spread of nuclear weapons.

A multination nuclear force may bring about short-range alliance stability, but at the too costly price of sacrificing the possibilities of a workable system of nuclear arms control. The diffusion of weapons would create instability concerning control over the use of nuclear weapons, and, if Germany were allowed to participate in the nuclear force with devices of its own, it would needlessly place new and grave obstacles to improvement of East-West relations.

The American commitment to the short-range goals of West Germany's defense, and that of West Berlin, are legitimate and should continue; also, the long-range commitment to German reunification in freedom. These special goals, however, should not be seen as necessarily incompatible with East-West agreements, either for Central European reductions in military force, for a nuclear arms freeze, or for the creation of thermonuclear-free zones embracing both Central and Eastern Europe so long as these do not radically affect the existing balance of forces. There are democratic forces in the West which share Americans' concerns lest the unity of the West be irretrievably split. Europe needs American reassurance that the American presence will remain; but East-West tensions cannot abate unless tangible and reciprocal arms reductions between blocks take place.

Aid and trade

The $20 billion trade gap which may face the developing countries in 1970, and the accompanying gaps in education, living standards, cultural opportunities, etc., can, should, and must be closed. The United States must make a firm, long-term commitment to do its full part in meeting these needs. A successful war on poverty and prejudice at home and abroad will provide a better climate for a successful and lasting peace. The American response to the clamor for new directions in foreign aid must be "forward"—not sideways, not backward, not downward.

By "forward," the ADA means the provision of assistance to the less developed countries of Africa, Asia, and Latin America:

1. On a scale commensurate with their growing ability to use such assistance productively and our own ever-increasing ability to supply it;

2. With decreasing emphasis on military and increasing emphasis on other forms of aid;

3. In accordance with standards and incentives that maximize the chances for economic, social, educational, and political development along democratic lines;

4. Insofar as feasible, under multilateral arrangements that encourage a true partnership of donors and receivers in the supremely important task of international development;

5. As a supplement to, and not a substitute for, changes in international trade, fiscal, and monetary policies which will enable the less developed countries to earn through trade and unilateral transfers more of the foreign exchange that they require. They need to obtain reasonably equitable terms of trade; to enjoy greater stability in their earnings from international trade; and to be relieved of balance-of-payments crises which may be attributable to the present, inflexible, increasingly obsolete system of reserves for meeting trade needs.

DOMESTIC POLICY COMMISSION RESOLUTIONS

Civil rights

The dramatic civil rights revolution in the last year has placed the American community on notice that all of those who believe in social justice throughout the Nation intend to make equality and dignity a living reality and not an increasingly frustrating dream.

Freedom now must not only expunge racial discrimination but it must provide tangible opportunities for all Americans to lead a complete life of dignity.

Dignity requires the abolition of poverty; it requires the restoration of full employment; it requires integrated and high quality education at all levels; it requires adequate nutrition; it requires excellent medical care for all ages; it requires a decent, safe, and sanitary house in an integrated neighborhood.

We recognize as an enormous, if not insuperable, hurdle to the equality of opportunity inadequacy of public goods and services. Equal employment opportunity, for example, would be easier to achieve if there were not a desperate struggle for an inadequate number of jobs.

Only when all Americans can participate and share equitably in the rights and benefits of a dynamic free society will we attain our cherished goal of freedom and opportunity for all Americans.

But the ultimate achievement of full freedom and opportunity requires American liberals to participate even more actively, energetically and vigorously in the current struggle.

Civil Rights Goals

1. An immediate end to the filibuster in the U.S. Senate and passage of the pending civil rights legislation without weakening amendments. Passage of the legislation in its present form will meet many of the objectives set forth in prior ADA platforms, including enforcement by the Attorney General of school desegregation, the establishment of an enforceable right of equal access to public accommodations, and the establishment of an enforceable right to equal employment opportunity. The adoption of any amendments which would reduce the scope of the legislation, weaken enforcement by shifting the burden from the Government to individuals, or weaken the bill in any other respects, could well be a fatal blow to hopes that racial injustice can be corrected through the legislative process.

2. Vigorous enforcement of the rights guaranteed by the new law: We recognize that enactment of the pending legislation is only the first step toward actually securing rights for American citizens. Passage of the bill should be followed immediately by vigorous court action on the part of the Attorney General to secure the right to nonsegregated public education and to equal access to places of public accommodation. Implementation of the law will require a staff far beyond the present strength of the Civil Rights Division of the Justice Department. The Attorney General should act promptly to secure the personnel necessary to carry out his responsibility. Passage of title VI should remove the last barrier to action assuring the nondiscriminatory expenditure of Federal funds. President Kennedy established this principle and President Johnson reaffirmed it, but Federal departments and agencies—especially the Housing and Home Finance Agency—have been notably weak in translating principle into practice.

In housing, for example, the Federal Government should not only take speedy action to eliminate its past practices of discrimination but should plan its programs affirmatively as instruments to implement residential desegregation.

3. New Federal action to assure the right to vote and equal justice under law: While the pending civil rights bill is designed to guarantee equal justice to Americans wherever they live, it must be recognized that laws are no better than the judges who enforce them. President Johnson has a unique opportunity to remedy the damage caused by the appointment of Federal judges in the Deep South whose known racial prejudices interfere with the performance of their constitutional duties. The present vacancy in the Fifth Circuit Court of Appeals requires the appointment of a judge whose devotion to the 14th amendment is unquestioned. The appointment of a segregationist would be a betrayal of the hard struggle to enact strong and effective civil rights legislation.

Apart from the need for effective enforcement of existing voting rights legislation, it is evident that voting suits by the Attorney General are unlikely to produce adequate results. Thus we will continue to urge Federal administration of the registration system in areas where there is a pattern of voting discrimination. In many of the same areas, local law enforcement has abdicated to the vigilante rule of the Ku Klux Klan or other white supremacists. Negro citizens attempting to exercise constitutional rights are subject to private violence, police brutality, economic retaliation, harassment, and intimidation. There must be new Federal action to reestablish the rule of law in these areas. Such action should include the use of marshals and other Federal officers to protect the physical security of citizens, and civil suits by the Attorney General to prevent the denial of all constitutional rights.

4. Public school desegregation: In recent years the Nation's attention has been focused primarily upon school segregation in the South. The problem is serious in the North and West where segregation is prevalent. Some of the segregation is the result of local governmental action. Recent studies have shown that our large urban centers contain many public schools with nonwhite enrollments ranging from 80 to 90 percent.

Last year we noted the patterns of de facto segregation and their implications. We lament the fact that too little progress has been made in overcoming this condition. We call upon all levels of government and upon private groups to utilize their resources to accelerate the painfully slow process of eliminating these patterns.

ADA urges the State and local authorities to take immediate affirmative action not only to eliminate segregation in the public schools but to act positively to bring about integration in public schools.

5. Federal, State, and local action to eradicate economic and educational deprivation: The oppressed condition of millions of Negro and Puerto Rican citizens in northern cities demonstrates dramatically that merely passing civil rights laws does not guarantee equality of opportunity. Civil rights can only be made meaningful if the conditions for their enjoyment are established through a massive attack upon poverty and an all-out effort to create full employment. This requires a substantial increase in public expenditures at all levels of government to improve the quality of education, and to end economic, cultural, and social deprivation. At the same time we will continue to work for the promulgation of laws and policies which will break down the barriers of housing discrimination, achieve full integration of public schools, and eliminate practices of employment discrimination by both management and labor.

To achieve these urgent goals will require an all-out commitment of our energies and resources. This means stepped-up political and legislative action; it also means increased efforts by ADA members to organize and participate in local campaigns to rid the communities in which we live and work of the last vestiges of racial discrimination.

At the same time we will engage in direct action against institutions which discriminate or segregate, as a form of lawful protest and pressure compatible with democratic action. We will not be inhibited by laws which violate our constitutional rights. We will sit-in and demand services for all. We will engage in picketing and other efforts to persuade the public not to patronize business establishments which follow policies of racial discrimination. We will march to arouse the conscience of the community. These and other forms of peaceful protest against racial discrimination are recognized exercises of free speech, free assembly, and the right to petition for redress of grievances.

As appeals to law, to conscience of the community, and to economic self-interest, these techniques of direct action have already proved an indispensable means for actually securing the rights won by legislation and court action.

Nonviolent direct action must continue in order to achieve further human rights advances through the legislative and administrative processes.

Finally, we applaud the leaders of the major civil rights organizations, not only because of their efforts on behalf of the pending civil rights legislation, but also because they have effectively dramatized the plight of the poor people in this country. Around the civil rights bill there has been built a powerful coalition of civil rights organizations, church groups, labor unions, civic and religious organizations. We trust that when the civil rights bill is enacted, this coalition will not dissolve but will go on to fight for the social and economic legislation to make the guarantee of rights meaningful. Such an effort could be the dawn of a bright new day for all Americans. It will have our full support.

Economic policy

"Never in the history of America has there been a greater and more complete identity between the ideals of social justice and the requirements of economic progress." (Myrdal, Gunnar, "Challenges to Affluence" (New York 1963), p. 64.)

We in the United States have at our command the basic resources to wipe out deprivation, want, and hunger in our country; to offer every citizen a life of human dignity, comfort, and security; and to contribute with compassion and generosity to the advancement of mankind throughout the troubled world.

These goals accord with those ideals of social justice which ADA shares with other responsible citizens. Furthermore, they are practical requirements for basic economic progress.

Our power to meet these goals is reflected in our potential to increase total national output. But that potential can never be realized while two-fifths of our people are prisoners of poverty or deprivation. As long as they are denied their necessary share in the fruits of our economy's output, the economy itself is denied the essential stimulus to growth which their consumption needs would provide; and thus our economy is unable to offer work to all who seek it, or to realize the abundance that would come with full production.

ADA vigorously reaffirms its conviction that the cornerstone of economic policy must be full employment and vigorous economic growth. After full employment is restored, we must sustain a growth rate of at least 5 percent. That rate of growth can be sustained if we have the courage and intelligence in planning to meet our national needs by making sensible use of fiscal and monetary policies and of a positive wage policy that recognizes the role of wages as a source of demand as well as a cost.

Through basic budgetary policy—spending and taxing—and control over the money supply and interest rates, the Federal Government and the Federal Reserve System together, in effect, are largely determining the level of business activity and employment in our economy. But to sustain a 5-percent growth rate and to substantially reduce unemployment requires more coordinated planning directed to the achievement of these national economic goals.

The blind forces of the marketplace cannot be depended on either to achieve full employment and vigorous growth or to direct economic resources in accordance with national priorities. For these purposes we need democratic national economic planning to evaluate our resources and our needs and to develop an order of priorities for the application of resources to the meeting of needs in both the public and the private sectors. We call upon the Government to implement the national commitment expressed in the Employment Act of 1946 by initiating the necessary planning. For this purpose the Council of Economic Advisers should bring together representatives of all major economic groups in our society and qualified technicians to enlist them in the planning process. Governmental tax, budget, and monetary policies and programs, borrowing, lending, subsidies and regulations should be designed to mobilize our resources of capital and labor to accomplish the chosen goals.

The recent tax cut, despite its many inequities and the failure to achieve needed reforms, is providing a needed support to current economic activity. But the current level of Federal spending is grossly inadequate to meet the needs of a growing population. We cannot support a fiscal policy which offers tax reduction at the expense of investment in essential public facilities and public services.

A high rate of sustained growth is an absolute requirement if unemployment is to be brought down to tolerable limits (no greater than 2 to 3 percent) and if any meaningful effort to meet the many-sided problems of poverty is to be successful. And, perhaps most meaningfully of all, sufficient job opportunities for a growing labor force are essential to give real meaning to "equal job opportunity" and thus sustained economic growth becomes a critical factor in one of the most vital areas of civil rights.

While increasing general demand for the goods and services our economy can produce is a necessary condition to substantially reducing unemployment and eliminating the persistent pockets of poverty, it is not a sufficient condition. Along with increased national output we must pursue programs directed specifically to the employment, education, training, and support of those whose skills, age, color, location, or disabilities make them unable to support themselves or restrict their adaptability in an economy of rapid technological advance. Both sets of programs reinforce each other. They must go hand in hand.

In particular:

1. Initiate the war on poverty by passing a broadly based bill as asked for by the President.

2. Substantially increase the social security pensions by providing for Government contributions financed out of taxation as well as employer and employee contributions that presently finance the program.

3. A national program of public assistance with benefit levels adequate to support families in decency and health, and administrative practices to allow them to live in dignity and look forward to rehabilitation.

4. Provide for a nationally insured program for medical care of the aged and a national health care insurance program for all which would insure that no person or family would be pushed into poverty by medical expenses.

5. Government reinsurance of private pension plans which would insure that company pension plans would not fail to protect workers because of company failure, and special early retirement pensions for workers over 55 for whom suitable employment cannot be found.

6. An increase in funds and a strengthening of the Area Redevelopment Act to provide for rehabilitation of distressed communities, including new provisions for Swedish-type investment reserve funds which can be used tax free in redevelopment areas, increasing technical assistance to communities, reducing community investment requirements, and creating jobs for the unemployed.

7. Provide for a national system of employment exchanges with a mandatory listing of job openings by employers and a national system of unemployment benefits so that we may have a national employment policy rather than one oriented to local labor market areas. This program should include provision for relocation allowances to increase the mobility of workers where jobs cannot be brought to the workers. We advocate a revolving loan fund to help unemployed workers meet their installment payments; the Home Owners Loan Corporation should be revived to protect workers' homes from foreclosure.

8. Minimum wage coverage should be widened to include all farm, domestic, retail, hotel and motel, restaurant, factory, laundry, and hospital workers. The minimum wage should be raised to $2 per hour.

9. Farm policy should be redirected. Price support programs should be quickly phased out in favor of income support programs which help the low-income farmer.

10. Aid to education at all levels should be instituted. In particular, financial barriers to higher education for all young people with ability should be removed. Vocational education should be more closely tied to current and future needs and a rational division of responsibility between vocational schools and employers must be worked out. Training programs for the unemployed, for workers disadvantaged by lack of basic education, race, and age must be included. Training allowances under both manpower and area redevelopment programs should be increased sufficiently to support workers with families. Greater efforts to bring the less able into training programs should be made.

11. As a necessary step in a genuine and fully expanded manpower policy, ADA urges that the Manpower Development Training Act be extended beyond July 1965. The failure or inability of many States to provide the necessary matching funds suggests the need for a federally financed manpower and development training program.

12. The Federal Government must use every device to use Government contracts to remedy economic dislocation, to locate new Government facilities in distressed areas, to prevent runaway employers, to provide a comprehensive, adequate, and integrated readjustment program for workers unemployed as a result of Government procurement actions, and to raise minimum wages under Fair Labor Standards and Walsh-Healey Acts.

13. The accelerated public works program should be extended beyond June 1964 and enlarged to $2 billion.

14. The food stamp program should be substantially expanded.

15. The physical and vocational rehabilitation programs should be expanded and made less dependent upon State funds.

16. Every economic and social program improvement desired in the above should be so constructed and administered as to maximize the benefits flowing to the culturally deprived. Particular attention should be paid to disadvantaged pre-school-age children, school dropouts, delinquents, draft rejectees, and other groups whose circumstances prevent or retard their productive use in the economy.

ADA believes that America's goals of economic growth and the elimination of poverty cannot be achieved without planned, progressive policies in the areas of:

1. Economic upgrading and cultural integration of migratory farmworkers.

2. Further liberalizing of foreign trade and tariff policies.

3. Fostering true competition by preventing price fixing—private and statutory.

4. Eliminating our inequitable Federal, State, and local tax structures.

5. Converting defense industry to peace-relevant production.

6. Stimulating private and public research and development activities.

7. A wage policy that recognizes the demand stimulation effect of wages and the relationship between real wage level growth and productivity as a means to maintain the full use of resources.

8. A national collective bargaining policy that positively encourages collective bargaining.

9. General and effective enforcement of antitrust laws.

It is incumbent upon the National Board of ADA to provide for the intensive study and development of comprehensive policies in these areas.

Poverty in America

We wholeheartedly applaud and welcome President Johnson's declaration of unconditional war on poverty. Such a pronouncement embodies a firm commitment to eradicate conditions that submerge and isolate one-fifth of our Nation. Moreover, the administration's leadership has started a much needed dialog that might lead to an important redefinition of America's goals.

However, the mere announcement of war is a far cry from waging an all-out, concerted attack that will, hopefully, bring final victory. The Economic Opportunity Act of 1964 now pending in the Halls of Congress merely represents the first skirmish in a long war. This legislation by itself cannot be expected to eliminate poverty overnight. At best, it can only heal some of its more festering sores.

If poverty is to be eliminated, a much more extensive set of programs is urgently needed. Such programs must adequately deal with the awesome economical and motivational problems raised by the plight of the unemployed, underemployed, underpaid and unemployable.

In this respect, we urge the immediate adoption of the following program as the first major step toward abolishing poverty:

1. Extend coverage and raise the level of the Federal minimum wage: For the approximately 16 million men and women not now covered by this law, employment can and often does result in poverty. Consequently, we must extend coverage and, hence, protection to all farm, domestic, retail, hotel and motel, restaurant, factory, laundry, and hospital workers. Over 12 million of these people earn less than $1.50 an hour. If all were covered by the existing minimum of $1.25 an hour, they would earn $2,500 a year—assuming they were employed on a full-time basis. Since this level of income is woefully inadequate to raise a family, we urgently recommend that the minimum wage be increased to $2 an hour.

2. Public Works and Appalachia: We urge the immediate enactment of, at least, a $2 billion accelerated public works program to create jobs where they are most needed. We also recommend the adoption of a special program for other depressed areas such as Appalachia.

3. Increased transfer payments: Because of the existing patchwork approach to human needs, a progressive and realistic welfare and social insurance program is more myth than reality. Therefore, we strongly recommend that the low benefits presently paid to the aged, disabled, and family survivors under social security be doubled by 1968 by raising the income tax base and by allocating general revenues, and that health insurance financed through social security be adopted to lessen the financial burden of our elder citizens. We recommend that aid to dependent children benefits be extended to families where a male breadwinner is unemployed and that this program be realized at the State level. We urge a realistic Federal insurance program for those temporarily disabled. We ask that unemployment insurance provide at least two-thirds of a worker's wage or salary for as long as he is forced into joblessness. To achieve this end, we recommend Federal standards be adopted and State funds be placed on a solvent basis. We recommend that a Federal general assistance program be adopted which will cover all needy and deserving persons not elsewhere protected.

The ultimate elimination of poverty awaits the relaization of full employment and economic growth—the most important step in the elimination of poverty. Only full employment can relieve the plight of the unemployed and the underpaid because it can provide jobs at decent and fair wages to all able Americans.

The overriding goal of full employment as enunciated in the Employment Act of 1946 has never been more important than today when new labor force entrants, part-year unemployed and the long-term jobless are enlarging this country's "underclass" of deprived and impoverished persons.

There is no longer time nor reason to debate the role of full employment in relation to "other" national objectives. There can be no doubt that full employment is still our top domestic priority, our most pressing economic problem. An effective and active labor market policy can be fully utilized to help achieve full employment, but a manpower program in the present economic milieu is a hollow concept.

A realistic approach to provide every able-bodied American with a decent job and to create much-needed public services necessitates a huge public investment. Federal, State, and local governments should undertake the construction of schools, the building of public housing for low and middle income groups, the rebuilding of our decayed cities, the construction of hospitals and health centers, the creation of a realistic mass transit and highway system, and the full development and preservation of our natural resources.

The poor would benefit twice over from such a program: they would be employed at decent wages on the actual construction of projects designed to fill our unmet social needs and they would receive, more proportionately than others, the services which these institutions would provide. The rest of Americans would benefit enormously because the fulfillment of these public needs would also enrich their lives and would promote further economic growth.

A massive multibillion-dollar commitment of resources is needed to undertake this program in any meaningful manner. The complete realization of this, in turn, rests upon an effective political force not now present—an effective liberal-labor-civil rights coalition.

As each month and year pass, these great unmet needs grow larger. As they increase in number, the costs of fulfillment become greater. So let us all join in making America a better place for all its citizens. Let us begin now.

Health needs of the Nation

It is clearly evident that action to improve the health of the American people is urgently needed on several fronts. National mortality figures for the United States compare unfavorably with many other countries. In addition, there are striking contrasts in health levels within the United States. At present, for example, the United States stands in 11th place in infant mortality rates, and showed less improvement in the prevention of the death of newborn infants than any of the 15 countries for which such statistics are available. The life expectancy of persons over the age of 60 is greater in 10 other countries than it is in the United States.

Over 44 million Americans still have no insurance protection whatsoever against the cost of hospital care, and an even greater number are without protection against the heavy burden of surgical or medical bills. Despite the growth of Blue Cross-Blue Shield and private health insurance programs, more than two-thirds of the costs of consumer medical care costs comes directly out of the pocket of the patient.

The serious defects and deficiencies in health care can only be effectively overcome by developing bold programs that tackle effectively the basic shortages involved. These shortages exist in the area of financing, personnel, and the organization of services. Decisive immediate action to deal with these three fundamental shortages will provide the best experience from which to proceed with further developments leading to a health program for the Nation as a whole—a program which will provide equal opportunity for all to protect and restore their health, based upon fullest use of all the relevant scientific techniques, with the necessary balance between effectiveness and economy.

1. There can be no question that there are important sections of the population which cannot meet the cost of their medical care needs through Blue Cross-Blue Shield and private insurance. Nor can they be met through the implementation of the Kerr-Mills legislation. We especially oppose use of a means test, asking recipients of Kerr-Mills benefits to attest to their poverty. We endorse the use of the Social Security mechanism to provide financing for this essential element of a decent minimum American standard of living. The section of our population which has the most crucial need in this regard is the older population—those over 65. We urge the passage of the King-Anderson bill which implements this financing mechanism. We urge further that this mechanism be used to provide a broader range of services for the older citizens, so as to include preventive comprehensive services which will prevent illness and which will provide the necessary followup after hospitalization in order that persons eligible for these services may obtain maximum benefits. Experience with this method of financing health services will be useful in the broadening of this approach to other sections of the population which may need to participate in it.

2. The great shortage of health services personnel, such as physicians, dentists, nurses, and other comparable groups, is now well recognized. The groundwork has been laid for an increase in the number of such personnel through the legislation that has been passed by Congress this year—legislation which provides Federal financial assistance for physical facilities, for increasing the enrollment in schools, and for scholarship aid. The funds provided for the implementation of this program are, however, extremely small. We therefore urge that financial support for this program be vastly increased.

3. Experience with health services organized in different ways has demonstrated that there is a wide range of performance, in terms both of quality of care and of cost. There are demonstrations of medical care for insured populations which indicate clearly that the complexity of modern medical services requires organization of service, so that comprehensive care can be provided with the full implementation of preventive measures, at the same time taking advantage of the economies that can be effected through such programs as medical group practice. Special attention therefore should be given to the increasing evidence that health services need to be organized so that the funds are used most effectively, consistent with a high standard of care. This standard should incorporate the fullest application of modern knowledge with due emphasis on prevention and on followup.

The grave deficiencies in the structure and function of the health services of our Nation will not be overcome short of the adoption of a comprehensive national health program, which includes a system of health insurance for all our citizens.

Housing and urban renewal

ADA supports the right of all Americans to obtain decent housing in good neighborhoods at sales prices and rentals that they can afford to pay.

Although this is the most affluent nation on the face of the earth, approximately 13 million families and individuals, even today, live in housing that is either substandard, or unfit for human habitation. There are 36 million individuals that are members of families with incomes below $5,000; 14 million families with incomes of less than $4,000, and more than half of these with incomes below $2,500. Yet the median price of new dwelling units being built in this country at the present time is in excess of $17,000, well out of the practical reach of all of these families as well as a substantial segment of the total national population.

Thus, there is a continuing urgent need for additional low income and moderate income housing, especially including housing for the burgeoning aged and retired segment of the Nation's population. Greatly stepped up efforts designed to encourage the rehabilitation and conservation of the existing housing supply are sorely needed to prevent slums and blight from spreading faster than new housing and improved housing is created.

The present annual level of new residential construction is woefully inadequate. Two and a quarter million units a year are needed to meet the minimum shelter needs of the American people. Private enterprise alone cannot meet these basic needs. ADA strongly urges increased Federal, State, and local aids and incentives to private enterprise to help meet this goal.

The Housing Act of 1949 envisioned the building of 810,000 low rent public housing units within a few years following its enactment; yet, 15 years later only 525,000 units of this total have been constructed.

The need for decent, safe, and sanitary relocation housing for low income families displaced by various types of public action, including urban renewal, code enforcement and new highway construction, is expected to increase in the years ahead. The only effective source for standard housing for the majority of these families continues to be the low rent public housing program. This program, while it must be improved, still is the best available resource for adequate housing for those families whose incomes are so low that they cannot afford to enter the private housing market.

The Federal program of loans and grants for urban renewal and development has great potential for enabling local communities to clear slums and blight, renew older but basically sound neighborhoods, and improve housing and living conditions. This potential, however, will be realized only if local programs are "people-oriented" with broadly representative citizen participation, beginning with earliest planning stages and continuing until the programs are finally accomplished.

The elimination of discrimination and segregation in the sale and rental of housing accommodations, both public and private, is essential to any effective attack on the nation's overall housing problem. These twin evils trigger a vicious pattern of exploitation and ghettoization which contributes substantially to the development of many of the serious economic and social problems that increasingly plague our major urban centers, including poor health, juvenile delinquency, major crime and social unrest. It is significant to note that good housing is the only major commodity in the American economy that is not freely available to all American citizens on an equal basis.

In consideration of the foregoing, we recommend the following:

1. Moderate Income Housing

New housing production must be increased to a minimum of at least 2¼ million units per year to meet the still unmet shelter needs of the ever-growing segment of the American people, including the elderly and retired, and those whose incomes are too high to qualify for admission to low rent public housing, but at the same time insufficient to enable them to compete for privately financed housing at current rentals and sales prices.

Housing construction at this annual level is needed over at least the next decade to begin to satisfy the backlog of housing demand, to meet the needs created by future new family formations, and to serve as an alternative for obsolescence, condemnations, and demolitions in the existing housing inventory. Because of the chronic inability of most states and local communities to adequately share these financial responsibilities, Federal assistance in the form of increased loans and grants, lower interest rates and other types of subsidies must be made available. However, these Federal aids and incentives should be directed so as to encourage a closer working partnership between government at the national, state and local levels and to provide the incentive to private enterprise to do a large part of the job.

2. Low Rent Public Housing

The pubic housing program must be enlarged to include the authorization for a minimum of 200,000 units in the next 2-year period. The achievement of this modest goal will not only very belatedly enable the Nation to provide the number of such units envisioned in the Housing Act of 1949, but will represent a necessary source of relocation housing and a meaningful contribution to the developing national antipoverty program.

We recommend that local public agencies be encouraged to engage in appropriate programs of training and community organization, directed toward the preparation of slum families for their movement into standard housing.

We further recommend that additional efforts be undertaken to improve public housing design and to create a variety of means to meet low-income housing needs. Such measures as smaller projects on scattered sites; acquisition of sound used housing which can be renovated and converted for use as public housing; and programs for occupant families to eventually purchase such housing as their incomes reach qualifying levels need to be expanded, and others should be tried.

In line with efforts to expand low-income housing, the Federal Government should encourage better use of code enforcement in local areas through demonstration grants or perhaps through financing of special renewal-oriented enforcement programs. At the least, the Federal Government should insist on comprehensive code enforcement efforts that are more than mere phrases in the "Workable Program."

3. Urban Renewal and Redevelopment

ADA urges Congress to adopt a 10-year program of Federal aids to urban renewal and development including grants of at least $1 billion a year to enable local communities to clear slums and blight and to improve the housing and living conditions of people. This minimal program is urgently needed to begin to rehabilitate and maintain our Nation's cities, towns, and metropolitan areas as wholesome centers for residence, work, recreation, and culture.

We recognize that a reasonable level of Federal financial assistance is needed to help cities to alleviate conditions of blight and obsolescence in their commercial, industrial, and cultural areas, but we emphasize that such financial aid stems from a housing act and that the overriding purpose of urban renewal and redevelopment is still to provide decent housing for all Americans.

The need for communitywide, comprehensive renewal is so great that no artificial restrictions as to the number of redevelopment programs in a given locality ought to be established. Redevelopment in new areas should not await the substantial completion of any earlier project, but instead should be carried forth in concert as much as possible.

We strongly urge that there be no increase in funds for nonresidential purposes at the expense of the already too meager authorizations provided for residential renewal requirements. Instead, where the beneficiaries are commercial enterprises, the funds should be made available, whenever possible, through long-term loans rather than grants.

Additional safeguards are still sorely needed to require local communities to develop sounder and more realistic relocation programs to rehouse families affected by federally aided urban renewal programs in standard accommodations that are within their financial means. We particularly deplore the continued development of so-called luxury housing in areas from which low- and moderate-income families have been moved, without a compensating supply of housing made available for their use in other sections of the community. Nor should any redevelopment area be devoted solely to one class of housing, but should be an integrated design offering facilities to all groups of the community. Redevelopment land costs should not be a bar to the construction of lower rental housing.

We ask the Federal Government to demand evidence, not rhetoric by local agencies, that realistic and humane relocation programs are available to displaced families and that the local supply of decent low-income housing will increase rather than decrease as a result of renewal activities.

We also urge the development of further protective procedures to insure that there be broadly representative citizen participation at all stages in the planning and execution of federally aided urban renewal programs.

The growing and disquieting opposition to the entire urban renewal and redevelopment movement presently evidenced in many areas of the Nation is to a considerable extent due to the fact that grassroots elements in local communities are not being properly advised, consulted, or otherwise being permitted to participate in programs which, though necessary, create real hardship and inconvenience within these groups.

We urge favorable consideration for those sections of the Administration's Housing and Community Development Act now before the Congress, providing FHA mortgage insurance for land development programs which will be utilized for new subdivisions and for entirely new communities. Proper provisions should be made to assure that low and moderate income families and the elderly and retired will be able to obtain housing in such new subdivisions and communities.

4. Equal Housing Opportunity

The elimination of discrimination in the rental or sale of housing both public and private is an essential ingredient to any meaningful attack on the Nation's housing problem. Discrimination continues to force non-whites and other racial minorities regardless of income to live in the most rundown housing in the poorest neighborhoods in the general community. Not only is housing discrimination a prime factor in the development of slums and blight, but it is the greatest deterrent to the development of communication between the races and principal culprit in the current explosive white and non-white imbalance to be found in the Nation's public school systems.

We favor integration in housing and we reject tokenism.

We support the President's Executive order on equal employment opportunity in housing, and strongly urge that this potentially useful tool be broadened in its coverage to include all housing that enjoys any measure of Federal financial support, either direct or indirect. Any programs that receive grants, loans, or other forms of subsidy that are made possible by the dollars of the Nation's taxpayers should be made available equally to all Americans regardless of race, color, creed, or national origin.

We recommend the enactment of fair housing practices legislation both on the State and on the local level and particularly urge our chapters to use their influence and leadership to fight for legislative protection and good administration of equal opportunities in housing.

Education

ADA supports a massive broad-scale Federal program of aid to education to the end that quality education should meet the needs of the student. Such aid should include grants, loans, pledges of Federal credit, and scholarships. It is self-evident that State and local governments and private facilities alone cannot attain our educational goals. Only by a soundly conceived Federal program will the Nation develop its most precious resource—its young people. Through our neglect, comprehensive Federal aid to education remains a critical unmet need. An increased erosion of our human resources is the end product of our failure to provide for our educational needs. The Nation is the permanent loser because we have regularly neglected to develop the talents of our young people. It is high time that we educate all our citizens adequately, facing up to what we must do to implement our national goal—educational opportunity for all.

Support for Federal aid to education is the only effective beginning. Nonsupport for an adequate elementary and secondary school system is one of our great failures. Here lies the root of the problem; the fault is ours. Dropouts increase and flood the job market—unskilled and ill-prepared for our increasingly complex society.

It is necessary to recognize that automation is the fact, subject neither to denial nor rational opposition. What this technical revolution is doing is diminishing greatly the proportion of unskilled jobs available in the economy; on the other hand, the proportion of semiskilled, skilled, technical, and professional jobs will greatly increase. Thus, demands will be placed upon our educational system as never before. When children leave high school because of inadequate facilities, caused by overcrowding or unqualified teachers or inadequate vocational training opportunities, they create an unemployment problem running in excess of 13 percent of youth between the ages of 14 and 19. This high rate of unemployment not only leads to criminal activities but is a frightening waste of human resources.

Since the cost for public education will increase rather than decrease, we must be prepared to invest in our educational needs whether or not the expenditures will unbalance the budget.

1. We favor the use of Federal funds to aid educational development beginning with pre-school-age children and continuing through adult education.

2. We favor the use of Federal funds in those areas of greatest need. This should include areas that have high unemployment rates, low average incomes, and areas that tend to perpetuate unemployment from generation to generation. In such areas particular attention should be given to the preschool child for entrance into primary school. There are few schools in the United States where Negroes and other underprivileged groups receive adequate primary and secondary education.

3. We favor the use of Federal funds to aid benefits for public elementary and secondary teachers. If we want quality education, we must compensate teachers as professionals. We must encourage them to enter and remain in the teaching profession.

4. We favor the use of Federal funds to construct public elementary and secondary education schools.

5. We believe that major improvements must be made in the quality of vocational education. It is scandalous that much of vocational education results in training for jobs that are now nonexistent or will soon be obsolete.

6. We support scholarships covering tuition and, when necessary, subsistence to individual students studying in institutions of higher learning, whether public or nonpublic, where such scholarships are granted solely on the basis of genuine merit and financial need. To supplement an undergraduate scholarship program, we suggest a substantial increase in the number of graduate scholarships awarded under the National Defense Education Act, with an increased share of these scholarships allocated to the social sciences and humanities.

7. We favor the employment of Federal funds to subsidize the educational development of accredited colleges and universities, both public, and private, provided the institutions are nonsectarian.

Higher education should today be the normal expectation of American young people. The increasing educational demands which modern technology places upon all citizens and the rapid multiplication of knowledge mean that 12 years of school is no longer adequate to meet our national need.

It is an encouraging fact that more of our young people than ever before enter institutions of higher education. Yet the growing college age population and mounting costs of higher education are rapidly pricing education beyond the means of low and even middle income families.

ADA has always supported and continues to support a Federal program of scholarships. Yet it is becoming increasingly evident that scholarships help most those young people who have had the greatest educational advantages. Low income and minority group young people are at a severe disadvantage in all scholarship competitions.

The time is ripe to extend the principle of free public education to higher education. Only such an approach is consistent with the needs of our times.

Present methods used for college entrance work to the disadvantage of many qualified students. Those students, denied a good basic education in the elementary and secondary schools, cannot possibly compete with those students who from kindergarten through high school had all the educational advantages.

We therefore urge a special program starting with the secondary level to seek out potential students and to give them the remedial guidance and training they need to meet college entrance requirements.

If we are to make higher education generally available, there is need for increased Federal aid to expand the facilities available in both public and nonpublic institutions of higher education, provided the funds are used for nonsectarian purposes. There is particular need for the development of more community colleges which can further contribute to bringing higher education within easy access of young people from low income families.

Perhaps of all Government programs, education ranks as the most important investment. Certainly it is the most prudent. It is a demonstrable fact that lifetime earnings will be affected by the extent and quality of education, and a quality education encourages more students to not only attend college or receive advanced technical training, but to become the employable and useful citizens of tomorrow.

The harsh fact is that the education program to aid public elementary and secondary education before Congress is incapable of denting our ever-increasing needs. The present $1.5 billion aid to public elementary and secondary education program, calling for a 4-year authorization, and now languishing in the appropriate House and Senate committees, is a pittance when measured against what is needed. This is particularly true since the purpose of the authorization is to phase the program out after 4 years. This is planned folly. Ten billion dollars per year should be spent on aid to public education by the Federal Government on a continuing basis.

POLITICAL POLICY COMMISSION RESOLUTIONS

Congressional reform for January 1965

Since 1938 this Nation has confronted a national legislative system that revels in its apathy, delights in its dilatory tactics, and flaunts its resemblance to a monstrous obstacle course.

The system has torn the flesh from programs of social reform and offered a prop of power to those legislators who find comfort in the mores and customs of the 19th century.

It has thwarted the will of the majority; it has frustrated the men who attempt to truly represents the voters who have chosen them.

The President of the United States is unable to have the substance of his program discussed by the Congress.

The seemingly successful quantitative scorecard for Congress on passing legislation falls far short of meeting the needs of the Nation.

The illness is apparent. The moribund nature of Congress in the last 25 years has demonstrated with increasing clarity the need to change the rules that now bind the U.S. Congress to inactivity, irresponsibility, and inefficiency. Congressional reform must be achieved if this country is to meet and solve its problems.

The most important immediate reforms that must be achieved are those that are decided at the start of the session, in both the House and the Senate. The adoption of the rules of each House and the decisions made in each party caucus at the start of each session are primary means that must be utilized to structure the Congress in a manner to allow it to consider the basic issues of the times.

Abuse of Current Rules

The rules that now govern Congress are man made. They are not found in the heritage of the Founding Fathers or in the prescriptions of the Constitution.

These rules determining the structure of Congress and the committee system have been the tradition of the U. S. Congress. But the rules and committee structure have gagged the national political dialog, and rendered inoperative the democratic process.

Bills have been introduced, but needed legislation now pending before Congress is hopelessly stalled. Major legislative proposals are either crippled in the process of being enacted or never even reach the floor of the House or Senate for approval or rejection. Here are but a few examples of legislation weakened or stymied by this destructive process: Tax reduction and reform, aid to public elementary and secondary education, Federal scholarships, aid to teachers' salaries, protection to migratory workers, civil rights, revised immigration legislation, consumer protection, District of Columbia home rule, foreign aid appropriation, Arms Control and Disarmament Agency appropriation, medicare, social security improvements, and Federal standards for unemployment compensation.

This list runs the gamut of legislation that is designed to meet the needs of the American people. While the country cries out for leadership and searches for solutions to the continuing crises of the 1960's, the Congress of the United States has used its energies and brainpower to perpetuate a program of antilegislation and nonconsideration of major matters. The Congress has proven itself to be powerful enough to devise methods to paralyze action, but to plead impotence when called upon to move.

A Congress that refuses to represent the citizens—refuses to consider the expressed interests of the voters—abandons its functions to the other two branches of the system. By its self-inflicted paralysis, the Congress has corrupted the legislative process which is essential to the constitutional principle of checks and balances.

Congressmen and Senators themselves have created the necessity for the Chief Executive to devise and employ all possible tactics to get legislation considered. A President's program always deserves critical scrutiny, but scrutiny by majority rule and discussion by representative groups of legislators within the committee structure.

ADA applauds Senators CLARK and CASE and Congressmen BOLLING and REUSS for their tremendous efforts in providing the leadership that will help restore integrity and substance to the legislative process.

But unless action is taken to insure rules changes and democratization of the party caucuses when the 89th Congress convenes in January 1965, a system of bondage and irresponsibility with its blind acceptance of feudal seniority rules will continue. Minority rule will be perpetuated.

The ADA national convention calls upon its chapters to give major emphasis to the campaign for congressional reform in the 1964 elections. Only by making congressional reform a major campaign issue can the opportunity exist to make this major fight on democratizing the rules of Congress in January 1965.

House Rules Changes

The ADA convention supports the following rules changes in the House of Representatives:

1. A 21-day rule for reporting legislation. A rule reform should stipulate that after a bill is approved by a committee and sent to the Rules Committee for scheduling of floor debate, the chairman of the bill's parent committee (or the senior committee member favoring the bill if the chairman opposes it) may request that the Rules Committee report out the measure within 21 days. This procedure allows for House consideration of committee-approved measures that otherwise are blocked by the Rules Committee.

2. A 7-day conference report rule: A procedure affecting accommodation between different versions of legislation passed by the House and Senate should give the House Rules Committee a time limit of 7 days to send the bill to the joint conference. If the Rules Committee failed to act, the House by majority vote should be able to order the bill sent to conference. This reform would give both the House and the Senate a legitimate opportunity to resolve differences between their measures.

3. Conference committee membership: Instead of leaving the composition of the conference committee delegation to happenstance, it should be required that the Speaker of the House appoint to the conference committee a majority of the Members who support the particular legislation approved.

4. Discharge petition: Lowering the number of signatures required on a discharge petition from 218 to 150 would give an opportunity, when all other methods are not available, to bring to the floor a measure supported by a substantial number of Congressmen.

5. Committee bill of rights:

(a) Meetings: In the event the chairman of a committee refuses to call a meeting, a procedure should provide a means by which a majority of the committee members can hold a meeting.

(b) Agendas: A majority of the committee members should have the authority to determine the agenda of the committee meetings and the right to determine the items of legislation to be considered and voted upon.

(c) Temporary chairmen: In the event of the disability of the committee chairman, the Speaker should select a temporary chairman to allow continued deliberations of the committee.

(d) Subcommittees: A majority of a committee should determine the various subcommittees to be established and the ground rules under which they would operate.

(e) Staffing: Provision should be made to assure adequate staffing for the minority members of the committee.

(6) Administration proposals: The administration should be given the authority to designate its major proposals out of its entire program. The committees and the Rules Committee should be required to report out these major measures for a vote by the full House within 6 months of their presentation. Still safeguarding the right of the legislature to make a negative judgment about Executive recommendations, this procedure would provide for at least courtesy consideration of the program of the President of the United States.

(7) Conflict of interest and financial disclosure: Congress should adopt strict conflict-of-interest regulations for its Members, starting with a full disclosure of financial holdings and sources of income.

House-Party Caucus Changes

A necessary supplement to rules changes in the House is increasing democratic procedure within the party caucuses of the major parties, particularly the Democratic Party.

The most powerful committees in the House—Ways and Means, Rules, and Appropriations—fail to reflect the liberal majority of the Democratic caucus. Hence the conservative and reactionary Democrats team up with conservative and reactionary Republicans to dominate these committees and perpetuate their outmoded ideas. The following reforms of Democratic Party rule would give the Democratic House Members and their caucus real power in the selection of committee members:

1. Selection of Rules Committee members: Instead of the Democratic members of the House Ways and Means Committee nominating the Democratic members of the Rules Committee, they should be selected by the Speaker, subject to veto by the caucus.

2. Selection of committee chairmen: The caucus should by secret ballot initially nominate three choices for committee chairman, and the Speaker should select one of the three choices. Although the caucus might consider seniority a valid factor in its choice of nominees, a system should alleviate complete reliance on the seniority system and take ability into consideration. Committee chairmen will be more responsive to the party's majority viewpoint.

3. Selection of committee members: Assignment of committee members should be subject to the veto of the caucuses of the parties.

Senate Rules Changes

1. Filibuster: Still safeguarding provisions for adequate debate in the Senate, a change should stipulate that a motion supported by 51 Members of the Senate—a majority—would terminate a filibuster. The proposed modification would maintain the right of extensive debate but would structure the rule to diminish the effect of a threatened filibuster or an actual filibuster.

2. Administration proposals: The administration should be given the authority to designate its major proposals out of its entire program. The committees should be required to report out these major measures for a vote by the full Senate within 6 months of their presentation. Still safeguarding the right of the legislature to make a negative judgment about Executive recommendations, this procedure would provide for at least courtesy consideration of the program of the President of the United States.

3. Committee bill of rights:

(a) Meetings: In the event the chairman of a committee refuses to call a meeting, a procedure should provide a method by which a majority of the committee members can hold a meeting.

(b) Agendas: A majority of the committee members should have the authority to determine the agenda of the committee meetings and the right to determine the items of legislation to be considered and voted upon.

(c) Temporary chairmen: In the event of the disability of the committee chairman, the majority leader should select temporary chairmen to allow continued deliberations of the committee.

(d) Subcommittees: A majority of a committee should determine the various subcommittees to be established and the ground rules under which they would operate.

(e) Staffing: Provision should be made to assure adequate staffing for the minority members of the committees.

Senate-caucus changes

Just as in the House, party rules changes are a necessary supplement to real congressional reform, so party rules in the Senate are a real necessary supplement to effective congressional reform.

The Democratic steering committee and Republican committee on committees—the groups that make committee assignments—are now the legislative bodies that can determine the fate of an entire congressional session.

The Republican committee reflects the Republican composition in the Senate—the party's liberal contingent, though a minority is represented on the committee.

The Democratic committee, however, gives undue influence to the conservatives in the party. The South is overrepresented. All other sections are misrepresented or underrepresented.

There is a real need for a representative steering committee, one that can have its decisions subject to control by the Democratic caucus. Recent decisions by the steering committee have acted to retain conservative control of key committees by denying senior liberal Senators, particularly those who have voted against the establishment on rule XXII, the committee assignments of their choice.

Although the Senate committees of each party should continue to select members of the standing committees, reform should make these improvements:

1. The Democratic steering committee and the Republican committee on committees should reflect the composition of their respective parties.

2. The decisions of the steering committee (and thereby the composition of the standing committee) should be subject to the approval or veto of the party caucus.

Action

If the 89th Congress convening in January 1965 is to be effective and make a break in the tradition of congressional stagnation and inaction, it is necessary to adopt congressional reform as a major program. The ADA convention calls on the ADA chapters to participate fully in this campaign. Such action necessitates that our chapters:

1. Strongly urge both Republican and Democratic nominating conventions to adopt a platform plank supporting specific, comprehensive congressional reforms.

2. Make congressional reform a major campaign issue in every congressional and senatorial race.

To implement this action the ADA national convention directs the chapters and staff to take all appropriate action including, but not to be limited to:

1. Organizing a national committee for congressional reform.

2. Organizing a national and local leadership conference for congressional reform.

3. Holding areawide and statewide conferences supporting congressional reform early in the campaign. Such conferences should be broadly based and include religious, labor, civic, and civil rights organizations.

4. Questioning all candidates for Congress and the Senate, in primaries and general elections, as to their views on congressional reform. ADA chapters should stimulate civic groups to also use questionnaires that include questions on congressional reform.

Equal representation

The democratic premises of our society require not only that all adults shall have the right to vote as a means of choosing who shall govern and as a check on tyranny, but also that each vote shall have equal weight, so far as possible.

These ideals cannot be realized where voters are systematically accorded disproportionate representation through malapportionment of legislative seats among voting districts of grossly unequal population nor where districts are drawn with the design of perpetuating the legislative dominance of one faction.

We deplore the long-continued failure of our State legislatures to act responsibly in the light of these ideals. Traditions of malapportionment and gerrymandering within our States of legislative and congressional seats both belittle our democratic resolve and betray the loyalty and confidence of our people in our representative institutions.

Once again, the internal defense of democracy has been thrust upon the Supreme Court. In *Baker* v. *Carr* and in *Westberry* v. *Sanders*, the justices have promised remedies for malapportionment of legislative and congressional districts if our legislatures do not act promptly.

Judicial defenses against unfair definition of districts by gerrymandering are not as yet available. Although the primary obligation of fair play rests with State legislatures, Congress has the power, under the 14th amendment and under article 1, section 4, of the Constitution, to establish enforceable standards for compact and contiguous districts. We call upon Congress to exercise this power.

Freedom party of Mississippi

The basically undemocratic character of the traditional Democratic Party of Mississippi represented by its denial of participation to many of the citizens of Mississippi because of their race has led to the establishment of the Freedom Democratic Party.

The Democratic Party in Mississippi failed to support the candidates and the platform adopted at the National Democratic Convention in 1960 despite a pledge of party leaders to do so.

The Mississippi Democratic Party has stated in its literature that it is not a part of the national party.

The Freedom Democratic Party has been established and is open to all citizens of Mississippi regardless of race. The party is being sponsored by a coalition of liberals and civil rights organizations called the Council of Federated Organizations. It has decided to aid local citizens in setting up a Democratic Party structure to challenge the existing party and give Negroes an experience in the politics from which they they have been excluded. This party will be open to citizens of both races, will encourage political participation on the part of all, and will conform to the platform and support the candidates of the National Democratic Party. Delegates will be chosen in party meetings, closely paralleling the Mississippi election laws. These delegates will then attend the National Democratic Convention, where they will challenge the credentials of the regular party through the Credentials Committee.

We urge the Democratic National Convention to seat the integrated Freedom Democratic Party delegation and refuse to seat the traditional segregated Democratic Party of Mississippi.

Succession to the Vice-Presidency

ADA calls upon Congress to enact by statute, and not by constitutional amendment, more careful safeguards than now exist to guarantee a line of orderly succession to the Presidency. We, therefore, urge the Congress at this session to pass legislation which would require a President to nominate an acting Vice President within 30 days after the office of Vice President becomes vacant as a result of elevation of the Vice President to the Presidency or at any other time the Office of Vice President becomes vacant. Such an appointment by the President would be for the duration of the then current term and should be subject to the ratification by vote of the full body of both House of Representatives and Senate.

Campaign costs

Some of the most serious problems this country faces originate in the financing and conducting of political campaigns. The cost of waging modern election campaigns, utilizing television, radio, billboards, direct mail, and newspaper advertising, is staggering and ever increasing. The Commission on Campaign Costs appointed by the late President Kennedy reported that expenditures in behalf of all candidates for public office probably reached $165 to $175 million in 1960.

Congress must introduce reforms to curb the dangerous practice in American politics of solicitation by candidates for public office of huge sums of money from private interests to underwrite election campaign costs. The conflict-of-interest situations which confront Members of Congress and candidates for office are enormous. Various proposals have been made, from the encouragement of voluntary bipartisan political activities to tax incentives in varying forms and degree. ADA believes that the tax credit proposal in modest amounts is an excellent device and can serve to stimulate small contributions.

Although tax incentives offer a partial solution to the financial problem, there are collateral problems which require close examination and carefully constructed proposals for solution. Among these are:

1. A plan to control the upper limits of campaign spending;

2. An equitable and workable method of limiting the total campaign time;

3. A way to distribute campaign contestants' basic statements by State and/or Federal means (e.g., franking privileges, FCC guarantees of free and equal radio and television time, etc.);

4. A method for exercising improved controls on campaign procedures and contributions to minimize the advantages of an incumbent officeholder over a contender for the office.

The above set of proposed solutions do not exhaust the needed remedies. These are intended to initiate reforms as a basis upon which improved reforms can be reliably constructed.

Today there prevails widespread cynicism toward regulation of campaign financing. Most of the existing statutory regulations have proved inadequate, impossible to enforce, and honored mainly in the breach.

As political campaigns increase in cost, pressure and conflict in the legislative and executive branches increase in complexity, and the urgency of resolving the campaign problems becomes more serious.

ADA urges prompt action to solve this major political problem at all levels, a drive for Federal legislation and for State legislation for elections at State and local levels.

We recommend at the same time that ADA refer the matter to the national board for further study of methods proposed to meet campaign costs, including a useful one by Senator NEUBERGER to provide matching Federal funds.

The role of the independent liberal in American politics

The election year of 1964 is a crucial one. The accelerating pace of social and economic change has contrasted sharply with the stagnation of American politics. Hanging in the balance now is the resolution of an accumulation of great needs of our society—civil rights and civil liberties, economic growth and the elimination of poverty; education of all; full employment and peaceful labor relations; urban development; social welfare; political reform and the development of a peaceful community of nations devoting human energies to human fulfillment.

What is the role of ADA? It is to identify liberal goals and seek their attainment in the political arena. We seek to energize liberals to press the fight for liberal programs. We believe that whether liberals work as individuals within the parties or outside the party system, the dictate of conscience is the same—an unswerving emphasis on liberal programs, devoid of blind party allegiance or unthinking adherence to any single political figure.

The role of the independent liberal must include the seeking out and supporting of candidates who will unceasingly work for the enactment of liberal programs. It must include stimulating, educating and arousing the electorate to the need for the programs and the candidates who will support them.

There is no shortage of areas of unmet social need. This convention will indicate many of them in detail. We urge all chapters to find and support candidates who will pledge themselves to support our resolutions. We call upon all ADA members and chapters to give their time, their money, and their energy to insure the election of a liberal administration and Congress.

We urge a greater recognition by liberals everywhere of the essential interrelatedness of groups working for racial justice, adequate education for all, an economy of abundance and full employment, and world peace. With a sweeping humanitarianism, a new united American force can generate the power to overcome national inertia and initiate a national revitalization. We welcome this development.

By contrast the assassination of President John F. Kennedy epitomizes the consequences of hate and the totalitarian mentality of political extremes. The emergence of a radical right wing is especially dangerous today. Liberalism must oppose these forces with redoubled vigor.

Direct presidential election

We recognize the evolution of the office of President from presiding officer of the weak central government of a tiny federation to the natural leader of a great nation and its allies. Our electoral college system, a side-product of the great compromise which brought jealous colonies into a single nation, is not appropriate for the selection of the world's chief spokesman for Western concepts of democracy.

As the popular symbol of national unity and as the possessor of previously unimaginable potential for creation of a new world or the destruction of a quarreling civilization, the President should embody our democratic faith that each man has an equal vote. We urge a constitutional amendment to provide for direct popular election of the President.

CIVIL RIGHTS—RESOLUTION

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the 180th annual convention of the Episcopal Church, Diocese of Pennsylvania, meeting at Valley Forge, Pa., on May 5, 1964, relating to civil rights, together with the letter of transmittal from Rev. Arthur C. Barnhart, executive secretary.

There being no objection, the letter and resolution was ordered to be printed in the RECORD, as follows:

THE DIOCESE OF PENNSYLVANIA,
Philadelphia, Pa., May 7, 1964.

Hon. JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CLARK: I am enclosing herewith a copy of the resolution concerning civil rights which was adopted by the 180th annual convention of the Diocese of Pennsylvania meeting at Valley Forge, Pa., on May 5, 1964.

In the light of the current debate in the Senate, it would seem to me that it would be a document that would bear inserting in the CONGRESSIONAL RECORD. We would be much in your debt if you would do this for us.

If you accede to our request, I would welcome it if your office could make 50 copies of this portion of the RECORD available to me for the clergy and lay members of this department.

Perhaps it bears mention that there were 1,200 clergy and laymen of the diocese present at the time this resolution was unanimously adopted.

Sincerely,

ARTHUR C. BARNHART.

RESOLUTION CONCERNING CIVIL RIGHTS

Whereas Bishop DeWitt in his first address to a convention of the Diocese of Pennsylvania has commended to our attention the radical injustice suffered by racial minorities in our midst; and whereas he has charged all churchmen with responsibility to participate actively in endeavors to redress the grievances of these minorities, especially in the light of the manifestly mounting impatience of whites with the growing impatience of Negroes and the implications of potential human tragedy therein; and whereas he has called our attention to the magnitude of the present crisis in Chester, where a number of clergy and other churchmen have become deeply involved, even to the point of going to jail for their convictions; and

Whereas the convocations of west Philadelphia and south Philadelphia, and a committee from the convocation of Chester, have memorialized this convention, asking that it initiate study and action relevant to our local situation in the diocese in pursuit of civil rights and equal opportunity for all men; and

Whereas our general convention has declared (1952) that "we consistently oppose and combat discrimination based on color or race in every form," and (1958) that "we call upon our fellow churchmen by God's grace to cleanse themselves of all spirit of racial discrimination; and then [call] upon all persons, especially the members of our church, to work together in charity and forebearance toward the establishment, without racial discrimination, of full opportunities, in fields such as education, housing, employment, and public accommodations"; and whereas, the house of bishops of our church declared (1963) that "it welcomes the responsible discipleship which impels many of our bishops, clergy and laity to take part in peaceful assemblage and supports them fully (in such a proper expression of Christian witness and obedience)"; and whereas, our presiding bishop on Whitsunday 1963 expressed at length our church's position on racial inclusiveness within its own body and its responsibility for racial justice in society and declared that "present events reveal the possible imminence of a catastrophe; the entire Christian community must pray and act"; and

Whereas the city of Chester in the diocese of Pennsylvania is torn by internal strife centered in the activity of civil rights groups seeking to have their grievances heard; and

Whereas numerous statistics and studies are available, including reports by a special committee convened by Bishop Armstrong, which statistics, studies, and reports indicate the magnitude of the gulf between the Negro and white portions of the city of Chester, as to income, employment opportunities, community representation, housing, and equality of schooling; and

Whereas a situation now exists in which responsible civil authorities and persons who believe themselves aggrieved have inadequate lines of effective communication; and

Whereas there is a grave threat of the miscarriage of justice unless there is highly responsible exercise of power by constituted authority: Therefore be it

Resolved, That this convention gives its prayerful support to the struggle for civil rights and equal opportunities, both in Chester and throughout the Greater Philadelphia area; and that this convention approves of the recent intervention of the Governor and human relations commission of the Commonwealth in the Chester crisis, and urges that persons in high authority make no peace with oppression; and be it further

Resolved, That all churchmen in this diocese be urged to involve themselves personally, through the giving of concern, time and money, in the work of securing civil rights, and of building a more equitable society in which the needs of all for jobs, housing, and good schooling are taken into account; and be it further

Resolved, That all Christian men and women who hold responsible positions in the governmental or industrial structures of our society be urged to utilize their power to correct the injustice done to racial minorities; and be it further

Resolved, That this convention asks the diocesan department of Christian social relations to conduct studies designed to reveal facts concerning the distress of racial minorities, and to identify various principles and strategies pertinent to handling these facts, and to arrange area meetings designed to keep open the necessary lines of communication concerning such matters; and be it further

Resolved, That this convention encourages the participation of this diocese and its people in interfaith and intergroup activities in pursuit of civil rights; and be it further

Resolved, That this convention states its appreciation to Bishop DeWitt for his forthright statement, in his address to convention, on Christian conscience in the matter of racial tensions within the church and society; and be it further

Resolved, That this convention also expresses its appreciation to the presiding bishop, the house of bishops, and the national council of our church, and to the general board of the National Council of Churches of Christ in America for their strong leadership in furthering the cause of civil rights.

TRIBUTE TO THE LATE PRESIDENT KENNEDY

Mr. CLARK. Mr. President, there has come to my attention a very moving letter written by a niece of mine, Miss Marianna Merrill, to the editorial board of Salmagundy, a newspaper published by Miss Porter's school, in Farmington, Conn., in the State of the present distinguished Presiding Officer [Mr. RIBICOFF]. I was so much struck by the keen understanding, expressed in the letter, of the great loss our Nation has suffered through the assassination of the late President Kennedy, that I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

To the EDITOR:

On Friday, November 22, 1963, at 1:30 p.m. President John F. Kennedy was shot. At 2:00 he died. By 2:30, the people of the United States of America were either shocked, stunned, grief stricken, unbelieving, frightened, angered, or just sad. Whatever feelings each individual had, the people of America were suddenly united—thrown together, not in a time of pride and glory, but in a time of humility and tragedy. And what exactly was this tragedy? A young woman who had everything at one moment, and at the next was left with nothing but her two small children, her religion, and her courage? A man in the prime of his life with everything to live and fight for, suddenly shot down by a stranger? A new President upon whom the responsibility of his people, their troubles and fears were thrust? A leading nation of a sudden become a nation to be pitied? These are certainly in themselves tragedies; but I think, when put together, they become something different.

And what is this something? Perhaps it is a warning—a warning to America that there is too much hatred among her people—that there are too many prejudices. Or could it be a symbol—a foreshadowing that just as a President was destroyed, so shall a nation be destroyed?

But whatever it was meant to be, it has served a great purpose. It has opened the eyes of a people—a people in danger of letting their country be run by others instead of running it themselves, and each one doing his best in a democratic government. And what shall these Americans do—now that they have seen reality? Will they unite and become a people at peace among themselves, and striving for peace among others? Will each one do his best for his country, beginning in schools, homes, and communities?

Perhaps, with a great deal of faith and courage, and with the help of God, we may become a truly great nation, respected by others and trusting in God.

ANONYMOUS.

THE CIVIL RIGHTS BILL—LETTER FROM MRS. KARL S. LEWIN

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the RECORD, a letter addressed to me, almost 2 months ago, by Mrs. Karl S. Lewin, of Pittsburgh, Pa. In her letter, she outlines the most encouraging results of a poll which she took of a night school English composition class she teaches at the University of Pittsburgh. Her letter indicates a very heartwarming interest in the civil rights bill by individuals whom one would think might be opposed to the bill, but for their conscience.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PITTSBURGH, PA., *April 15, 1964.*

Hon. JOSEPH CLARK,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CLARK: I teach a night school English composition class at the University of Pittsburgh. A recent class assignment was to write a letter to either you or Senator SCOTT giving the students' views on the civil rights bill. I thought you might be interested in the results.

Out of 45 students involved, 36 wrote letters in support of the bill, 8 were not in favor of it, and 1 neatly straddled the fence. Moreover, of the eight who were against the bill, seven were low C and D students.

It is further interesting to note that these night school students are of a rather different social and economic strata from the average day student. Most of them hold poorly paid jobs during the day, and they are predominantly of lower middle class backgrounds. They are the ones who conceivably might be threatened by a radical change in hiring policies, but still their consciences are apparently operating in favor of the bill.

You may count me as one more strong supporter of the bill.

Sincerely,

LOIS S. LEWIN.

CESSNA'S WORLD TRADE

Mr. PEARSON. Mr. President, last week, I was privileged to participate in the ceremony at which the President of the United States presented an "E" award for excellence in world trade to the Cessna Aircraft Co., of Wichita, Kans.

This was a proud moment for the Cessna Aircraft Co., its officers, and its employees. I am pleased again publicly to congratulate this Kansas company for its aggressive program of foreign market expansion. I ask unanimous consent that an editorial entitled "Cessna's World Trade," which was published in the Wichita Eagle on May 20, 1964, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CESSNA'S WORLD TRADE

Cessna Aircraft Co. reaped another laurel Monday when it was presented an "E" award by President Johnson for excellence in world trade. The firm was one of nine to receive awards for contributions to increasing America's share of foreign markets by expanding the national export program.

Cessna has 100 distributor-dealer franchises located around the globe. The dealers sold 54 percent of all American light airplanes exported in 1962. In 1963, 22.9 percent of its total sales were in foreign markets.

The accomplishment has not been without effort. Cessna has worked energetically to display its products at world trade fairs to increase volume. The company has maintained a cost-price stability so that it could compete in a world market where so often American domestic prices are higher than foreign competitors.

Cessna employees may rightfully take pride in the Presidential award. The impact of their success is immediate to Wichitans who benefit from our thriving aircraft industry. The Presidential award demonstrates the importance of the industry, not only for the city, but for the Nation.

TRIBUTE TO STATE SENATOR LAURIN JONES, OF DODGE CITY, KANS.

Mr. PEARSON. Mr. President, for several years it was my privilege to serve as a member of the Kansas State Senate. Among my colleagues were many men who served their constituents and their State with dignity, sincerity, and diligence. Outstanding among these was Laurin Jones, of Dodge City.

Senator Jones represented his section of the State as both a member of the Kansas House of Representatives and as a member of the Kansas Senate. He attained stature as the State's outstanding legislative authority on education. The steady progress of Kansas education, the quality of the graduates of our Kansas educational system, and the State's low level of illiteracy all testify to the soundness of our State educational program, which has maintained sound, progressive growth under the most trying circumstances. Not the least of the factors which has assured the present educational product has been the sympathetic but cautious support and understanding of Laurin Jones.

Senator Jones has now announced that he will not seek reelection. This decision is a distinct loss to the Kansas Senate and to the people of Kansas. They will lose a fine public servant and an able leader.

In his retirement from this aspect of public service, Laurin Jones can look with pride on his record. The people of his district can look with satisfaction on their support of a man who has contributed much to the welfare of their district and their State. Future generations will remember him for the leadership he provided in strengthening the educational system of the State for their benefit.

I ask unanimous consent that an editorial entitled "Another Veteran Legislator Retires," which was published in the Topeka State Journal of May 20, accompany an editorial from the Wichita Eagle of May 22, be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Topeka State Journal, May 20, 1964]

ANOTHER VETERAN LEGISLATOR RETIRES

Another familiar face will be missing from the Kansas Senate when it assembles next January. Laurin Jones of Dodge City, whose record includes a long string of legislation dealing with education, has announced he will not seek reelection.

Jones has been one of the stalwarts of the Kansas upper body almost from the day he moved over there a dozen years ago from the house. He was a key figure in the school unification plan and the leader in many measures designed for the upgrading of the schools of the State.

Jones served in other capacities but he was best known as an authority on legislation in connection with education. For this he had a solid background from teaching and school administration through long service on the board of education.

The State can ill afford to lose a legislator of the stature of Senator Jones but his desire to retire after a long service is understandable. As for himself, he remains unimpressed as to his importance on the Kansas legislative scene. "Good legislators can and will solve our problems," he said, "along with a well-informed Governor."

The senator, himself notwithstanding, will be missed in legislative halls come next January.

[From the Wichita Eagle, May 22, 1964]

SENATOR JONES RETIRES

The cause of education in Kansas has lost an influential friend with the announcement of Senator Laurin Jones, Republican, of Dodge City, that he will not seek reelection.

During his three terms in the senate, and recently as chairman of that body's education committee, Senator Jones has consistently favored such progressive measures as district unification, foundation financing, and educational television, and has worked hard in their behalf.

With only a few of education's battles won in the legislature, new leadership will have to be provided to take Senator Jones' place.

URGENT NEED FOR THE ESTABLISHMENT OF A GRAIN MARKETING RESEARCH CENTER

Mr. PEARSON. Mr. President, on numerous occasions my colleague, the senior Senator from Kansas and I have called to the attention of the Senate and its appropriate committees the urgent need for the establishment of a Grain Marketing Research Center.

I do not want to repeat at this time the many reasons previously stated which make the establishment of such a research center vital to the future of American agriculture in general and to the vast businesses associated with grain in particular. The record is complete in this respect. For any who may question the importance and value of expanded research in this field I urge a careful study of the record.

All who have objectively studied the proposal to establish such a center have agreed that its logical location is at Kansas State University in Manhattan, Kans. This conclusion is justified. The best evidence of this is the willingness of private industry to invest substantial sums in related fields of research at this great agricultural institution. Last week there was dedicated on the campus of this first land-grant college in the United States—a new baking school. With this addition, Kansas State University now possesses the most comprehensive program of research and instruction in the cereal grains of any place in the entire world.

The three major segments of the grain industry—milling, feed manufacture, and baking—have all designated Kansas State University as their national research center. This center, sponsored and conducted in close cooperation among government, education, research, agriculture, and business interests, will assure that the Federal investment in tht Grain Market Research Center will be multiplied many times over as a result of the ability of participants to quickly utilize the products of the center.

I am pleased to acknowledge the enthusiastic support of the grain marketing research proposal and its location at Kansas State University as recently expressed by both of my colleagues from the State of Missouri. This support is greatly appreciated by all who have had a long interest in this proposition. I am sure, however, that this support represents a sincere conviction concerning the merits of expanded grain marketing research and the capability of Kansas State University to fulfill that function.

Mr. President, the very able president of Kansas State University, James A. McCain, recently addressed a combined meeting of the Millers' National Federation, the Bakers' Ambassador Club, and the Kansas Wheat Improvement Association in Kansas City in advance of the dedication of the new baking school. The summary of his statement as reported by Roderick Turnbull, farm editor of the Kansas City Star, have significant bearing on Senate consideration of the merits of the proposed Grain Marketing Research Center.

I ask unanimous consent that Mr. Turnbull's report of Dr. McCain's comments be printed in the RECORD at this point, along with an editorial from the Topeka State Journal, of May 21, and an editorial from the Wichita Eagle of May 22.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

KANSAS STATE LEADS GRAIN RESEARCH—INAUGURATION OF BAKING SCHOOL CLINCHES ITS WORLD LEADERSHIP—PROGRAM UNEQUALED—PRESIDENT MCCAIN REVIEWS ADVANTAGES TO CEREAL INDUSTRIES

(By Roderick Turnbull)

Kansas State University leads the world in research and instruction in cereal grains, James A. McCain, the university's president said here last night.

President McCain addressed millers and bakers from across the Nation and others interested in wheat production and processing at a dinner at the Kansas City Club.

The dinner preceded the dedication today of a new baking school at the university. The millers and bakers will travel in a special train to Manhattan for the event. The dedication will be held in conjunction with the 20th annual field day of the Kansas Wheat Improvement Association.

INAUGURATED LAST FALL

Kansas State first offered a curriculum in baking management last fall. This coming year an enrollment of 25 students is expected, with an eventual enrollment of 100 anticipated. It had been offering professional degrees in flour milling and feed manufacturing.

The baking management course is being transferred to Kansas State from Florida State University.

With the new curriculum, McCain said, "Kansas State has the most comprehensive program of research and instruction in the cereal grains of any place in the entire world."

All three of the grain industries—flour milling, feed manufacturing and baking—have designated Kansas State as their national research center.

The advantages of having such a concentration of these unique resources at one strategically placed university are substantial, McCain said. He listed some of the advantages:

"The opportunity to assemble data from many separate fields of research and investigations in promoting this economic progress of producers and processors in the cereal grains and seeking solutions to problems in such areas as storage, transportation and production imbalance.

WIDE RANGE IN RESEARCH

"Kansas State, for example, is preeminent among the land-grant universities in wheat and sorghum investigations, and has a comprehensive livestock research program, strong faculty and laboratory resources in human nutrition, and a staff of agricultural economists, including market specialists, second to none in the Nation. These resources are invaluable supplements to the staff of scientists and the $3 million laboratories in flour milling, feed manufacturing, and baking. Less obvious but nonetheless valuable are contributions to the cereal grain complex by other strong colleges and departments of the university, such as business administration, engineering, industrial psychology, and physics.

"An incomparable opportunity to prepare for attractive professional positions in three major national industries, flour milling, formula feeds and bakery management, is afforded youth from Kansas and throughout the Nation. These three industries support a generous program of scholarships for their respective students and offer jobs to graduates at starting salaries and with prospects for advancement excelled by no other occupational fields.

"The resources concentrated at Kansas State in these areas can contribute substantially to the industrial development of Kansas and the Great Plains States. Private corporations in agricultural processing and foods industries should be impressed with the economic advantages in having access to these unique staff and laboratory resources. Because of all these facilities, Kansas State University has been recommended by authorities throughout the Nation as the site for the proposed new $3,500,000 Federal Grain Market Research Center.

"The new bakery management program is a striking example of a rewarding partnership between private industry and a university. Baking companies throughout America have pledged almost a million dollars of support to Kansas State for this new program to endow professorships and student financial aids, including scholarships. The university in turn assures the industry an annual supply of graduates well trained for responsible positions in management, operations, research, and sales.

"Certainly, enormous credit is due the Bakers' Ambassador Club for its farsighted sponsorship of the fund drive to support the Kansas State bakery management program. The Southern Bakers' Association deserves special recognition for its own pioneering support of the Florida State University school and its active participation in development of the new program in Kansas.

"A great industry such as baking, which is so effectively enlisting support and cooperation from a major university, has every reason to anticipate unusual growth and development," McCain concluded.

The dinner was sponsored by the Millers' National Federation, the Bakers' Ambassador Club, and the Kansas Wheat Improvement Association.

The dedication of the baking school will be at 11 o'clock today in the new flour and feed milling technology wing of Waters Hall at Kansas State. This will be followed by a luncheon at which representatives of the baking industry, the wheat improvement association, and the university will speak. The visitors also will tour the university's agronomy farm to see wheat experimental plots.

The special train will return to Kansas City tonight.

[From the Topeka State Journal, May 21, 1964]

KANSAS STATE A GROWING GRAIN CENTER

Research and educational facilities for the cereal grain industry are being concentrated at Kansas State University to such an extent that the university leads the world in this respect. The Nation's millers and bakers now look to the university for the development of new processes and new products just as wheatgrowers for many years have looked to Kansas State for the improvement of their product.

The new baking school on the campus at Manhattan was dedicated yesterday with leaders in the grain industry among those in attendance. Studies in baking management have been moved to Kansas State from Florida State University and professional degrees will be offered for the course. Professional degrees in flour milling and feed manufacturing have been offered at the university for some time.

Three phases of the industry—flour milling, feed manufacturing and baking—have designated Kansas State University as their national research center. This has come about through no haphazard course but through steady development and concentration in years of research and instructional facilities.

This is no simple thing, as Dr. James A. McCain, Kansas State president, points out. It involves many things—supplemental to meeting the needs of the grain industry. These include wheat and sorghum investigations, a comprehensive livestock research program, laboratory resources in human nutrition, a staff of specialists in agricultural economics, market experts and such widely removed departments, but nevertheless important to the grain complex, as business administration, engineering, industrial psychology and physics.

These resources of the institution hold much of importance for Kansas as well as the other Plains States in the matter of economics connected with the grain trade's product all the way from the farms to its use by the consumer.

As explained by Dr. McCain, private corporations in agricultural processing and foods industries should be impressed with the advantages of having access to this unique staff and laboratory resources. Because of all these facilities Kansas State University has been recommended by authorities throughout the Nation as the site for the proposed new $3.5 million Federal Grain Market Research Center.

The comprehensive grain facilities mark a fine example of how closely private industry and a university can work together not only in developing new and improved products but seeking solutions to such problems as storage, transportation, and surplus production.

[From the Wichita Eagle, May 22, 1964]

KANSAS STATE'S BAKERY PROGRAM

While many Kansans have been talking about the need for a closer alliance between education and industry, Kansas State University has without much fanfare been doing something about it.

One of the fruits of the Kansas State alliance is the addition of a new bakery management program which was dedicated Wednesday. It is part of a $3 million complex devoted to the improvement in growth, processing, and use of grain cereals.

The program has its vocational aspects, but Dr. James A. McCain, Kansas State president, has said that its purpose is to educate as well as to train. "The character of the industry will be elevated as progress is achieved," McCain said. This, of course, is one of the highest contributions schools can make in their association with industry.

About half the Kansas State cereal complex is supported with industry funds, amply demonstrating the business world's eagerness to participate in educational programs that are realistically attuned to the practical needs of specific fields.

For a long time Kansas State has had the Nation's outstanding educational program in flour and feed milling. The addition of the bakery management program will round it out, making it more valuable to industry and giving the school added stature.

WORK OF THE NEWARK BUSINESS AND INDUSTRIAL COORDINATING COMMITTEE

Mr. CASE. Mr. President, I wish to have printed in the RECORD an article, published in the Newark News of March 22, 1964, which describes the work of the Newark Business and Industrial Coordinating Committee.

This committee was established to help eliminate discrimination in an area where its effects are most blighting—that of employment. As one who has particular responsibility for title VII—the equal opportunity in employment title—of the civil rights bill, I call the attention of the Senate to the concrete results already achieved, in the few months of the committee's existence, in providing more and better jobs and training for minority groups.

Therefore, Mr. President, I ask unanimous consent to have the article to which I have referred printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INTERRACIAL ACTION—EXPERIMENTAL PARTNERSHIP SEEKS JOBS, NOT PLATITUDES

(By Douglas Eldridge)

After nearly foundering on several occasions, some of Newark's top businessmen and civil rights leaders have set sail together on a unique voyage to find job opportunities for Negroes and Puerto Ricans.

During the last 8 months, a growing band of representatives of the business and Negro communities have been busy building, patching, and trying to keep afloat a new kind of vessel—christened the Business and Industrial Coordinating Committee.

After battening down some procedural hatches, they have cast off once again—this time in the knowledge that the next few months must tell whether their ship is really seaworthy, and whether its crew can master the shifting winds, skirt the hidden shoals, and make real headway through the uncharted waters ahead.

The Business and Industrial Coordinating Committee is a prosaic name for what is believed by many to be one of the most significant efforts ever made in Newark to provide more and better jobs and training for Negroes.

Much is at stake. If this unprecedented partnership succeeds, it could wipe out some persistent pockets of discrimination, relieve joblessness among Negroes, give new hope to potential school dropouts, improve race relations, lead the way to business involvement in other community problems, and set an example for other cities.

But if both sides don't make the most of this opportunity, and the committee fails—or doesn't show marked success by summer—there could be renewed hostility between downtown business and Negro communities; a deeper-than-ever distrust of peaceful, cooperative efforts and demonstrations that might disrupt local economic life.

Success is hard to measure. But most BICC participants agree that their biweekly sessions have provided—for the first time in Newark history—a regular channel of communication between business and Negro leaders, and have dispelled much misunderstanding between them. Moreover, the BICC has speeded the hiring of Negroes by some employers, and has scored breakthroughs in finding jobs for nonwhites—but nobody is sure just how many.

It was reported at the last meeting that 2,604 Negroes and Puerto Ricans had been hired since August 1 by 42 major employers cooperating with the BICC. The nonwhites represented 30 percent of the 8,670 new workers hired by the companies.

However, only 84 Negroes were hired directly through the BICC's own channels during that period, according to the Urban League of Essex County. But employers in the BICC have accounted for 75 percent of the league's placements since last summer, and have supplied more than half the 500 job openings—a new record—now in the league's files.

Most business and civil rights leaders agree that hiring of nonwhites has been on the rise during the last year. But since no comparative figures are available for earlier periods, nobody can say how large any increase has been.

Employers have given the civil rights groups in the BICC first crack at trying to fill a wide variety of openings—188 of them in the last 2 months. There have been jobs for chemists, salesmen, buyers, and bank tellers, as well as for laborers, porters, and messengers.

In recent weeks the BICC has been hammering out agreements on basic goals and procedures. While trying to find and match good jobs and qualified workers now, it hopes also to develop better training—both in schools and on jobs—so more nonwhites will qualify for future opportunities.

Most participants agree that the mere survival of the committee all these months represents a sort of success. And while nearly everyone voices mounting dissatisfaction with the pace of progress so far, nearly everyone insists that the BICC is still the best—and perhaps the only—way for the two sides to approach the basic problems together.

The committee has encountered many setbacks, strains, and false starts. It has few assets, no official status, no budget, no staff. Until recently, it didn't have a single written rule for membership or operations. And it has run into seemingly impenetrable suspicion and apathy in many directions.

But the committee has had one thing: The support of a slowly growing number of key people in business and civil rights. In its 19 regular meetings since last summer, the BICC has drawn the participation of 29 different firms, including all major department stores and banks in Newark, and some of the biggest employers in the area; 9 civil rights organizations, ranging from the most moderate to the most militant; 6 State and city departments; 5 private agencies; and 5 labor unions.

The spectrum of opinion represented in the BICC's dialogs is symbolized by the two cochairmen named by the group last month—former Assemblyman George C. Richardson, a young aggressive Negro leader, and Charles C. Garrison, vice president of Bamberger's.

The committee came into being almost by accident last July when the Newark Coordinating Council, a civil rights group, threatened to demonstrate against downtown stores if they didn't join the protest against alleged discrimination at the Barringer High School construction site. The stores shunned that controversy, but agreed to develop more jobs for Negroes.

None of the participating organizations has made any formal commitment to the

BICC, although there is a tacit understanding that the employers will offer jobs to the committee before putting them on open market, and that the civil rights groups will present their grievances to the committee before demonstrating against an employer.

Since Thanksgiving some 25 or more members of the BICC have met twice a month at Bamberger's and have compiled these achievements:

A jobs available subcommittee, headed until the last meeting by Mrs. Marjorie Geerlofs, personnel manager of Bamberger's, has made countless calls and visits to employers, and persuaded 55 to cooperate with the BICC. Her group also made the racial survey of hiring—believed to be the first of its kind ever undertaken in the Newark area.

A people available subcommittee, headed by James A. Pawley, executive director of the Urban League of Essex County, has distributed monthly lists of jobs in an effort to recruit more applicants. In the last 2 months, the urban league has screened 441 jobseekers, and sent 225 of them to employers—far more than during the entire first half of 1963.

A public relations committee, headed by Arnold Harris, community relations secretary of the Jewish Community Council, has put 2,000 posters in churches, clubs, and stores to notify the Negro community of new opportunities in Newark.

A training subcommittee, headed by Henry Boardman, community relations director for Western Electric Co., has been organizing a speakers' bureau to try to attract more Negro applicants for coming Federal training programs.

An upgrading committee, headed by Eugene Famula, personnel manager of S. Klein on the square, is drawing up plans for inplant training programs to be financed by the Federal Government, and supervised by the Welfare Federation, under the Manpower Redevelopment Act.

BICC members concede that most of their machinery is barely beginning to move, and it is too early to say whether it can keep moving and can produce results. Most of them readily concede that no sets of bylaws and no piles of posters will solve any problems.

But most say they are sure the BICC can make more and faster progress, and they intend to stick with it to see that it does.

RESOLUTION BY EPISCOPAL DIOCESE OF NEWARK, N.J., IN SUPPORT OF THE CIVIL RIGHTS BILL

Mr. CASE. Mr. President, in recent weeks, I am happy to report, there has been a noticeable upturn in my mail in support of prompt enactment of the civil rights bill. I have heard from groups representing all the major religious faiths and from a wide variety of lay organizations.

One such expression of support recently came from the Diocesan Convention of the Episcopal Diocese of Newark, and I ask unanimous consent to insert it in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

DIOCESE OF NEWARK,
Newark, N.J.

Subject: Resolution on civil rights bill.

From: The Diocesan Convention of the Episcopal Diocese of Newark, May 16, 1944.

Place: Trinity Cathedral, Newark, N.J.

To: Hon. CLIFFORD CASE, HARRISON WILLIAMS, MICHAEL MANSFIELD, EVERETT DIRKSEN.

Whereas the civil rights bill is presently before the Senate of the United States of America; and

Whereas the laws incorporated in the bill represent the spirit of freedom and equality for all people in our Nation; and

Whereas it is the Christian church's desire to bear witness to the truth that all men, regardless of the color of their skin, are the children of God and that all inhabitants of this land are entitled to their rights and privileges; and

Whereas these rights and privileges are presently denied in many places across our Nation to the Negro and other minority peoples; and

Whereas this condition denies our Christian heritage of the fatherhood of God and the brotherhood of man: Therefore be it

Resolved, That the 19th Annual Convention of the Diocese of Newark endorse and be in favor of the passage of the present civil rights bill before the Senate of the United States of America; and be it further

Resolved, That this convention urge the U.S. Senators of the State of New Jersey, the Honorable CLIFFORD CASE and the Honorable HARRISON WILLIAMS, and the majority and minority leaders of the Senate, the Honorable MICHAEL MANSFIELD and the Honorable EVERETT DIRKSEN, to vote and to secure passage of a strong civil rights bill without further delay; and be it further

Resolved, That we urge them to vote for cloture if necessary to cut off a filibuster and to vote against further amendments which would weaken the provisions of the present bill; and be it further

Resolved, That a copy of this resolution be forwarded to the Honorable CLIFFORD CASE, HARRISON WILLIAMS, MICHAEL MANSFIELD, and EVERETT DIRKSEN; and be it further

Resolved, That the U.S. Senators of the State of New Jersey be requested to read this resolution into the RECORD of the Senate of the United States of America.

SBA'S NEW "MOM AND POP" LOAN PROGRAM

Mr. PROXMIRE. Mr. President, I am delighted to see that the administration of the Small Business Administration has taken an excellent turn for the better. I have been one of those who have criticized the SBA for concentrating too heavily on the larger of the small businesses.

As chairman of the Small Business Subcommittee of the Banking and Currency Committee I have been particularly conscious of this SBA tendency. For example, 50 percent of all loans made by the SBA are made in amounts of more than $100,000, to only 10 percent of the firms borrowing, whereas 90 percent of the loans are made in amounts of less than $100,000 to small firms which get only half the money.

However, a new program has been established on a pilot basis in Philadelphia and in New York. It has worked extremely well. The loans involved are below $15,000. Indeed, most of them are below $6,000. Since the end of January of this year—in 4 months—about one-quarter of all the loans made by the SBA have been in that category. Some 514 loans have been involved. They are made without the passage of the endless amount of time that SBA loans often take, with the required redtape and demand for collateral. They are based upon good character, a good record of debt repayment, and a promising business. The new SBA loans are made to an area of our economy that I believe has been mostly neglected by all of our agencies. They include loans to "mom and pop" grocery stores, repair shops, laundries, beauty shops, barber shops, and other retail service operations with no more than four employees. The applicants are really independent businessmen, and they represent in many communities the really driving community spirit. So I am delighted to see that the SBA is taking an interest in the problems of such companies.

Of course, caution must be exercised. If the SBA goes into the field to too great an extent, it may compete unfairly with our banking system. That is something we must watch with great care. But my experience has been that the really small businessmen are the people who really need capital. Often they are really in trouble, and they can be helped by the kind of program which has been undertaken, and which seems to be working very well.

I ask unanimous consent that a brief article entitled "Federal Lending Plan to Very Small Firms Disclosed; 541 Loans Already Made as Test," published in the Wall Street Journal, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FEDERAL LENDING PLAN TO VERY SMALL FIRMS DISCLOSED; 514 LOANS ALREADY MADE AS TEST

WASHINGTON.—A Government lending program to very small businesses, disclosed yesterday by President Johnson, has already as a test provided 514 loans totaling $4.5 million, according to officials of the agency that runs it.

Small Business Administration officials said the program has been in effect about 4 months and has accounted for one-fourth of all loans the agency has made during that period.

The loans range up to $15,000 and up to 6 years. The agency's normal interest rates apply: 5½ percent generally and 4 percent for businesses in depressed areas.

An agency spokesman said the program hadn't been widely publicized because it was being conducted as an experiment that might be dropped if it didn't work. But, in fact, he said, it has proved successful.

Mr. Johnson mentioned it in the White House flower garden at a gathering of the SBA's National Advisory Council. The occasion was a ceremony in which the President gave a bronze plaque to Berkley W. Bedell, of Spirit Lake, Iowa, as "small businessman of the year." At an earlier date, the President had designated this is "Small Business Week."

Mr. Bedell is president of Berkley & Co., a Spirit Lake concern that makes fishing lines and leaders, marine cables, cordage, and industrial wire and cable. Since 1960, agency officials reported, that company has received two SBA loans totaling $350,000 to build and expand its present factory, which employs 250 workers.

The new SBA loans were designed for "mom and pop" grocery stores, repair shops, laundries, beauty parlors, barber shops, and other retail or service operations with no more than four employees.

Applicants need not put up collateral in every case if they have good character, a good record of debt repayment, and a promising business.

The SBA will take collateral under this program when it is available, including fixed assets to be acquired with the loan proceeds; but will do so on a simplified basis. It won't, for example, make title searches. The agency normally does require collateral for its loans, with some exceptions when the amounts are small.

WHAT ONE MAN CAN DO

Mr. **PROXMIRE**. Mr. President, an eidtorial written by Perry Swisher, editor and publisher of the Intermountain weekly publication of Pocatello, Idaho, comments on my opposition to the appointment of Joe Dickerson as head of the Office of Oil and Gas. I ask unanimous consent that the editorial, which I consider refreshing, courageous, and highly encouraging, be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHAT ONE MAN CAN DO

Oil was already the great money power in American politics when Lyndon Johnson became President. For a time there it seemed that its power would be quickly enlarged.

No major oil company has run an ad in the Intermountain since its editor tangled with pipeline irregularities, writeoff of fictitious service stations, and avoidance of corporate income taxes several years ago. We are aware of the power of oil, the hard cash advantage it enjoys from its scandalous Federal tax privileges, and the size of its contributions to congressional candidates.

That's why we were so impressed when Senator WILLIAM PROXMIRE, of Wisconsin, had the nerve to challenge the appointment of Joe Dickerson to run the Interior Department's Office of Oil and Gas.

Mr. Dickerson enjoys a $20,000-a-year pension as a former Shell Oil Co. vice president. The pension can be stopped whenever he acts against the company's interests. Since he retired from Shell his job has been to lobby for the petroleum industry.

Interior Secretary Stewart Udall is a dedicated conservationist, yet we have to say he has a record of realizing that oil lubricates the party machinery. He picked Dickerson from a list, and damned if he didn't ask the National Petroleum Council to supply the list.

How about a list acceptable to the public, whom Udall serves? That is the question PROXMIRE asked once he had embarrassed the administration into dropping Dickerson.

So we're grateful there was a PROXMIRE around when that brazen appointment came up. He demonstrated again what one man can do in the face of so much of the stuff that talks.

We are tempted to set aside a nickel for every tank of gas we buy—who's to say PROXMIRE didn't save us at least that much?—for the Senator's next campaign kitty. He'll need it.

FAILURE TO PASS GI BILL IS SLOWING EDUCATION IN A HIGHLY MOTIVATED GROUP OF CITIZENS

Mr. YARBOROUGH. Mr. President, in urging Senators to pass S. 5, the cold war GI bill, I have alluded several times to the fact that these veterans who are being deprived of an education are one of the most highly motivated groups in our Nation. We saw evidence of this under previous GI bills, where veterans demonstrated avid interest, initiative, and drive in pursuing their education, and consequently made a considerable contribution to our colleges and universities.

Recently I received a letter from a young cold war veteran which portrayed in stirring detail the lengths to which these veterans are willing to go in order to develop their potential. This young man is attending college in the home State of the distinguished Senator from Indiana [Mr. BAYH], who is presiding over the Senate at this time. He is attending college under the most trying circumstances, but is willing to endure the hardships, even though it will take him 10 years to obtain his degree. He is now 30 years of age.

He portrays his problem after serving 4 years in the Navy. His wife is unable to work. There is no possible way for him to attend college full time. He is able to attend only 1 night a week. He points out that he will be 40 years of age when he will be able to receive his degree, and that his value to society will thus be lessened.

He tells what it means to return from the cold war and to be cast upon society without having the Government accord him any training in return.

Mr. President, there are 5 million GI cold war veterans of this type. They constitute the most economically deprived group in the Nation. They are one group of veterans whom the Government pulled out of civil life and then returned to civil life without providing any economic opportunities in return. The 43 percent who have served in the cold war will run behind in the battle of life without the benefits of a GI bill. They will never catch up with the 57 percent who have not served and do not serve.

Because this letter graphically illustrates the character of our veterans who need a cold war GI bill, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GARY, IND.,
April 17, 1964.

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: In reading through several issues of the CONGRESSIONAL RECORD, I find your statements in continued support of the cold war GI bill.

I am writing you because I am one of those who would derive benefits from such a bill. Perhaps vital statistics are in order: I served on active duty in the Navy from 1955 to 1959, am 30 years old, married, no children, a high school graduate, and employed as a private secretary to the president of a local manufacturing firm. For the last year I have been attending St. Joseph's College, Calumet Center, 1 night a week beginning my studies toward a degree. Using this method I shall, in all likelihood, be 40 years old before graduation. While this is, of course, not old, the degree's value will have decreased in the business world. At least that is the way I feel about it. Since my wife is unable to work, there is no possible way for me to attend college full time. As you know at present there is no legislation that would enable me to obtain a loan sufficient to finance me through 4 years of college. Certainly passage of this legislation you support would enable me to not only procure a better job but make me more valuable to any prospective employer.

Is there a possibility that Congress will pass this bill?

Yours truly,

DEAN A. ROBINSON.

CIVIL RIGHTS ACT OF 1963

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. LONG] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE] for himself and other Senators, relating to jury trials in criminal contempt cases.

The Chair recognizes the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 257 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Cannon
Case
Church
Clark
Dirksen
Dominick
Douglas
Ellender
Ervin
Fong
Gruening
Hart
Hartke
Hickenlooper
Holland
Humphrey
Inouye
Johnston
Jordan, Idaho
Keating
Lausche
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Mundt
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Russell
Saltonstall
Scott
Smith
Symington
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

The PRESIDING OFFICER. A quorum is present.

UNNECESSARY EXPENDITURES BY DEFENSE DEPARTMENT

Mr. ELLENDER. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Delaware [Mr. WILLIAMS] for an insertion in the RECORD, provided that in doing so I shall not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, today I call the attention of the Senate to two recent Comptroller General reports in which he cites $52 million in unnecessary expenditures by the Defense Department.

In the first instance, the Department of the Navy purchased 1,100 radio transmitters. The Comptroller General states that at the time these purchases were being made the Navy was aware that a radio transceiver with practically equal operational capabilities was available at one-half the cost of the equipment they were buying.

As a result, $29 million was unnecessarily wasted.

I ask unanimous consent to have printed in the RECORD the Comptroller General's letter of May 21, 1964, accompanying this report to the Congress, along with a brief summary of conclusions concerning this particular transaction.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., May 2, 1964.

To the Speaker of the House of Representatives and the President pro tempore of the Senate:

During the period June 1958 to July 1962, the Department of the Navy purchased more than 1,100 militarily developed AN/WRT-2 radio transmitters. Our review disclosed that at the time these purchases were being made, the Navy was aware that a commercially developed AN/URC-32 radio transceiver, with practically equal operational capabilities, was available at less than one-half the cost of the AN/WRT-2 communication system. The same quantity of commercially developed transceivers could have been purchased at about $29 million less than the cost of the militarily developed communication systems. Also, Navy plans include future procurements of 768 additional AN/WRT-2 transmitters which could result in further costs of as much as $20 million more than the cost of a like number of equally capable AN/URC-32 transceivers.

Prior to the first large purchase of the AN/WRT-2 transmitters, Navy engineers recognized the operational similarity between this set and the AN/URC-32 transceiver and recommended that the commercial transceiver be purchased. This recommendation was not accepted.

Our findings were presented to the Department of Defense for comment. In its reply for the Department of Defense, the Navy informed us that military necessity required the more expensive transmitter because its higher power output rating would give reasonable assurance that communications requirements would be met under many adverse conditions whereas a radio with lesser power would be unable to assure communications. Navy tests and fleet experience did not bear out this claim.

We are recommending that the Secretary of Defense appoint a panel of technically qualified personnel to make an independent and objective evaluation of the relative capabilities of the AN/WRT-2 and AN/URC-32 and to determine which of the equipments should be procured.

Also, we are recommending that the Secretary of the Navy establish procedures to insure that directives in which specific equipments are prescribed to meet stated requirements be revised when actual experience in the fleet demonstrates equipment capabilities to be beyond the requirements for the use prescribed. We believe that the adoption of such a policy would have the practical effect of providing more realistic guidance in the selection and procurement of Navy equipment.

Because of the significance of these matters, we are recommending that the contents of this report be widely publicized among personnel engaged in research and technical and contracting operations in the Department of the Navy.

Copies of this report are being sent to the President of the United States, the Secretary of Defense, and the Secretary of the Navy.

JOSEPH CAMPBELL,
Comptroller General
of the United States.

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

PROCUREMENT OF CUSTOM-BUILT COMMUNICATIONS EQUIPMENT COSTING ABOUT $29 MILLION MORE THAN EQUALLY CAPABLE EQUIPMENT AVAILABLE COMMERCIALLY

During the approximately 4-year period from June 1958 to July 1962, the Bureau of Ships purchased about 1,100 militarily developed radio transmitters designated as the AN/WRT-2, although the Bureau knew that a commercially designed radio transceiver, the AN/URC-32 with practically equal operational capabilities, was available at less than half the cost. The 1,100 militarily designed AN/WRT-2 communications systems cost about $29 million more than an equal number of the available commercially designed AN/URC-32 transceivers (receiver and transmitter). The records indicate that the Bureau purchased the militarily designed transmitters because these transmitters had greater power than the commercially designed transceivers. In reaching its decision the Bureau apparently disregarded the results of tests and of actual usage which showed that this advantage was largely theoretical and that, in practice, there was no significant difference in the capabilities of the two units. Also, the Navy plans, which include future procurements of 768 additional transmitters (with separate receivers), if carried out, could result in costs of as much as $20 million more than the costs of procuring a like quantity of AN/URC-32 transceivers.

The more than 1,100 AN/WRT-2 transmitters purchased cost an average of $38,434 a unit for the transmitter, a separate compatible receiver, and installation aboard ship. When these purchases were being made, Navy personnel were aware that the less expensive AN/URC-32 transceivers were available and were being purchased at the same time. The AN/URC-32 transceivers were procured at an average unit purchase cost of $12,429 and could be installed by ship forces with virtually no out-of-pocket expense to the Government. Had the Navy procured and installed transceivers instead of the transmitters with separate receivers, the cost would have averaged $26,005 less for each unit installed. (See p. 8 of this report for a comparison of costs of the two communications systems.)

Before the first production quantities of the AN/WRT-2 or the AN/URC-32 were procured, Bureau engineers indicated that there were no significant differences between the operational capabilities of the two equipments. Later, laboratory tests substantiated the similarity of operational capabilities, and, in addition, our interviews with industry engineers and fleet personnel brought out the lack of significant differences in reliability and maintenance. Fleet communications personnel on a number of ships informed us that they used the two radios interchangeably.

SIGNIFICANT DIFFERENCE IN COST OF AN/WRT-2 TRANSMITTERS AND AN/URC-32 TRANSCEIVERS

From the inception of the program for improvement of fleet communications in 1952 through July 1962, the Bureau of Ships purchased, at varying prices, a total of 1,113 AN/WRT-2 transmitters and 1,631 AN/URC-32 transceivers.

The bulk (1,107) of the AN/WRT-2 transmitters were procured under five production contracts during the period from June 30, 1958, to July 16, 1962. The average unit cost of all AN/WRT-2 procurements was $20,050.

Of the 1,631 AN/URC-32 transceivers procured by the Bureau of Ships, 1,622 were purchased between June 13, 1958, and June 30, 1962, under six contracts for production quantities. The average unit cost of all AN/URC-32 procurements was $10,281.

Mr. WILLIAMS of Delaware. Mr. President, in the second report, dated May 25, 1964, the Comptroller General discloses that on a negotiated contract which the Air Force had with the Boeing Co. for the production of Bomarc A missiles, the company had included proposed costs which were overstated by about $23,034,500.

As a result of the overstatement on this cost-plus contract, Boeing's additional profits would have been $2,303,450.

After the Comptroller General discovered this overcharge, Boeing agreed to reductions of $2,424,500 in its initial target costs, resulting in saving the Government $242,450; however, the Comptroller General still insists that the remaining overstated costs of about $20 million as included in the initial target price should be corrected.

I ask unanimous consent to have printed in the RECORD the Comptroller General's letter of May 25, 1964, accompanying this report, along with a brief summary of conclusions.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, D.C., May 25, 1964.

To the Speaker of the House of Representatives and the President pro tempore of the Senate:

Our examination disclosed that the initial target prices negotiated by the Air Force and the Boeing Co. for the production of Bomarc A missiles under contracts AF 33(600)-36319 and AF 33(600)-38098 included certain proposed costs which were overstated by about $23,034,500. The overstated initial target costs, which made available to Boeing additional profits of at least $2,303,450, were attributable to cost estimates proposed by Boeing that (1) did not incorporate the most accurate, complete, or current cost or pricing data available at the time of negotiations even though Boeing certified that such data were used for contract -38098, (2) were not properly related to contract requirements, (3) were not based on reasonably firm designs and specifications or adequate cost data, and (4) were not adequately evaluated.

We believe that it is unreasonable for the Government to incur increased costs and for contractors to realize increased profits as a result of cost estimates which are unsupported by realistic cost or pricing data or which are based on contract requirements that are not reasonably firm at the time of price negotiations. Where realistic cost data are not available or where contract requirements are unresolved, we believe that pricing action should be deferred until realistic data become available and reasonably firm contract requirements are established.

Boeing has agreed to negotiate certain adjustments with the Air Force under contracts -36319 and -38098 to reduce a portion of the overstated initial target costs discussed in this report. The Office of the Assistant Secretary of Defense (Installations and Logistics) advised us that the Air Force agreed that substantial additional downward adjustments in the overstated initial target prices should be sought from Boeing under these contracts, but that it intended to defer negotiations for this purpose until complete Air Force audits of the contracts had been made and evaluated. We were advised that the negotiations were expected to begin in May 1964. In our opinion it would be unreasonable for the Government to bear increased costs because of any portion of the overstated cost estimates disclosed by our review and for Boeing to benefit by obtaining increased profits because of these overstated cost estimates.

We are recommending that the Secretary of the Air Force take aggressive action to obtain appropriate adjustment of the overstated initial target costs discussed in this report and, in coordination with the Department of Justice before an administrative settlement of contract 38098 is reached, take steps to enforce rights which the Government may have because of the false certificate given by the contractor with respect to making known to the Air Force negotiator all available cost and pricing data for his use in evaluating Boeing's cost proposal.

We are recommending also that the Secretary of Defense establish policies, and have appropriate officials establish criteria and procedures to properly implement such policies, which will provide (1) that, whenever adequate data for the development of realistic estimates of the probable cost of future production for areas of contract cost or performance are lacking, negotiaton of prices be deferred for those areas until such time as sufficient and adequate data for developing realistic prices become available, (2) that, wherever an audit of a contractor's initial price proposal is appropriate, the audit be performed, whenever practicable, prior to negotiating contract prices and that, where it is impracticable to perform the audit before prices are negotiated, the audit be performed as soon as possible after the prices are negotiated, and (3) that, where it is found that prices included in the contract are not based upon the most accurate, complete, and current pricing information or experience available when the contract prices were negotiated, the contracting officer negotiate prompt adjustment of all such prices and initiate action to enforce all rights that vest in the Government because the contractor used cost or pricing data that were inaccurate, incomplete, or not current.

Copies of this report are being sent to the President of the United States, the Secretary of Defense, and the Secretary of the Air Force.

JOSEPH CAMPBELL,
Comptroller General of the United States.

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

INITIAL TARGET COSTS WERE OVERSTATED BECAUSE OF UNREALISTIC BOEING ESTIMATES NEGOTIATED WITH THE AIR FORCE

The initial target prices negotiated by the Air Force and the Boeing Co., for the production of Bomarc A missiles under contracts AF 33(600)-36319 and AF 33(600)-38098 included certain proposed costs which were overstated by about $23,034,500. The overstated initial target costs, which made available to Boeing additional profits of at least $2,303,450, were attributable to cost estimates proposed by Boeing that (1) did not incorporate the most accurate, complete, or current cost or pricing data available at the time of negotiations even though Boeing certified that such data were used for contract 38098 (see exhibit B), (2) were not properly related to contract requirements, (3) were not based on reasonably firm designs and specifications or adequate cost data, and (4) were not adequately evaluated.

After we brought these matters to the attention of the Air Force and the contractor, Boeing agreed to reductions of about $2,424,500 in the initial target costs, resulting in savings of about $242,450 to the Government. Boeing advised us that some further adjustments would be offered the Air Force. However, unless substantial additional reductions are made in the initial target costs, the Government will incur increased costs of about $2,061,000 representing revised target profits on overstated costs of about $20,610,000 included in the initial target price prior to reset, as shown in the following summary [not printed in the RECORD].

Mr. WILLIAMS of Delaware. Mr. President, these are but two glaring examples of gross inefficiency on the part of procurement officers in the Defense Department.

Apparently, the only manner in which Congress can correct this situation is to trim the appropriations down to the point where they will not have this excess money which is being squandered.

On several previous occasions, I have suggested that the Defense Department replace these careless procurement officers with competent men, but for the past several years all that we get from that Department as to corrective methods is lipservice.

SOIL AND WATER CONSERVATION—THE TREND TOWARD ABANDONMENT OF THE PROGRAM

Mr. ELLENDER. Mr. President, I ask unanimous consent that I may yield to the Senator from South Dakota [Mr. MUNDT], provided that in doing so I shall not lose my right to the floor, and that it will not count as a second speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President, I also ask unanimous consent that the rule of germaneness may be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President, during my more than 25 years in the Congress—in the House beginning in 1939 and in the Senate since 1948—one of my major interests has been the conservation and development of our natural resources.

I came to the Congress with this interest. I had long been active in the Izaak Walton League, serving as national vice president in 1937 and I was earlier the president of the South Dakota Izaak Walton League. For more than 6 years I served on the South Dakota Game and Fish Commission.

This was a nonpartisan, bipartisan, nonpaying commission of citizens who had charge of the development of natural resources and recreation in the State of South Dakota.

I was a member of the Izaak Walton National Executive Board when elected to the House. I have written many articles and given many talks on conservation principles and their relationship to successful farming and healthful recreation. I still do. My interest in these programs remains undiminished.

I recite the foregoing merely to indicate that this background in conservation, plus a quarter century of close observation and participation in resource conservation affairs in the Congress, including service on the Committee on Agriculture and Forestry and the Appropriations Subcommittee on Department of Agriculture and Related Agencies, qualify me to speak on this subject with some degree of authority.

When I came into the Congress in 1939 the Soil Conservation Act, which had been passed by the 74th Congress without a dissenting vote, was less than 3 years old. This historic legislation had established soil and water conservation as a national policy and created the Soil Conservation Service in the Department of Agriculture.

The program was just beginning to flower. The first self-governed local soil conservation districts were being organized by farmers and ranchers in several States under State law. A new and dynamic movement was underway.

For 25 years I have watched and helped this program progress from humble beginnings to its present high level of accomplishment. I have consistently supported these efforts, and have been associated intimately with them. For me, no undertaking is more imperative than to protect and improve our soil and water resources. On that depends our future as a Nation. We can prosper and be strong only as we use wisely our natural resources. The soil is our base. The wise utilization of our water is our basic tool in making progress.

Today about 3,000 soil and water conservation districts blanket the Nation. They include more than 97 percent of the farms. Twenty-five States are completely covered by districts, which have nearly 2 million cooperators operating more than 634 million acres of land. More than 15,000 unsalaried local people manage and operate these districts.

Soil conservation districts are firmly established. They have the respect and admiration of informed people who have a genuine interest in soil and water conservation. They constitute the only real organized effort to apply our fund of technical knowledge to the conservation management of land. As no mechanism has heretofore done, they serve as a catalyst to bring together at the local level all available public and private resources in a program designed first to understand what the conservation needs and attendant problems are and, second, to attack those problems and fulfill those needs in an organized, effective, and efficient manner. They are probably our most splendid example of grassroots Americanism in action.

The job of the Congress in supporting the policy it created in 1935 has been to supply needed legislative tools and funds for technical assistance through the Soil Conservation Service.

The Congress has made many contributions to broadening and strengthening our national soil and water conservation program through the years.

I am especially proud that several major advances were made during the Eisenhower years.

The Watershed Protection and Flood Prevention Act, Public Law 566, was enacted in 1954. This enabled the local people to supplement their regular soil conservation work with small dams and other watershed protection measures. This legislation filled such a great need, and proved so popular, that today over 550 watershed projects have been approved for operations and an additional 400 are in the planning stage. In all, more than 2,100 communities have asked for assistance under this act.

Another Eisenhower administration conservation advance was the Great Plains conservation program, Public Law 1021, enacted in 1956. This is a long-range, guaranteed cost-sharing and technical-aid program tailored to the special climatic conditions of the 10 Plains States, including my own South Dakota. Today, 15,000 Great Plains farmers and ranchers operating nearly 32 million acres are droughtproofing their holdings through this program.

The Eisenhower administration in 1955 appointed the first Soil and Water Conservation Advisory Committee in the history of the Department of Agriculture. That Committee, I am happy to note, is still functioning and meets yearly to advise the Department and other conservation agencies on program needs.

The Eisenhower administration contributed to conservation progress also by amending the Water Facilities Act and the internal revenue law. The amendment to the Water Facilities Act extended to residents of all States eligibility for Federal low-cost loans for certain soil and water conservation practices. Eligibility for such loans had been limited to the westernmost States. The internal revenue amendment permitted individuals to deduct from their income taxes expenditures made for installing certain soil and water conservation practices.

I have briefly reviewed these advances in resource conservation under the Eisenhower administration to illustrate the point that this great national soil and water conservation movement is not a partisan issue, nor is it the exclusive property of either party or of any administration. It is a program for Americans—all Americans—and it is deserving of, and for the most part, in the past, has received, the nonpartisan support it deserves.

Mr. President, my major purpose in these remarks is threefold: First, to express my concern that a disturbing trend toward abandonment of adequate support for this great program has developed; second, to show that this administration is much stronger in words than in action on soil and water conservation; third, to suggest one way in which our city people can be shown that they have an enormous stake in this work.

In my opinion, not enough attention is being paid to the soil and water and watershed program at high levels within the executive branch.

I well recall the Democratic pledge made during the last presidential campaign on resource development. This pledge was to appoint a Presidential Advisory Commission on Resources, similar to the President's Council of Economic Advisors.

This was a sound proposal. For the heart of the matter concerning funding and programing of national resource enterprises is how to adequately apportion the Federal dollars on the basis of merit, need, and national interest.

This pledge was not kept by the administration. So far as I know, it is not even being considered at this late date.

As a consequence, we still have a ridiculous situation wherein two employees of the Bureau of the Budget are the only persons who review in detail all the multimillion-dollar proposal from various Government agencies for conservation programs. The conservation parts of the President's budget are made up almost entirely on the basis of decisions made by these two functionaries in the Budget Bureau.

This is a job that no two men—no matter how able—can do, or should be asked to do.

About all they can do is to juggle figures to come out with totals that the administration may have established. To expect logic, wisdom, and equity to emerge from such a situation is expecting far too much.

The Presidential Resources Commission promised by the Democrats would do much to solve this problem. National policies and timetables and priorities could be set. Guidelines could be laid down for orderly year-by-year development of various aspects of our resource programs to eliminate duplication, overlapping, waste, and yes, even projects that may not be worthy of any part of the Federal dollar.

The President's budget for fiscal year 1965, now before the Congress, and manpower ceilings established by the administration, can be offered as additional evidence that our soil and water conservation program is not receiving the support it deserves.

The budget proposal of the administration called for a decrease in technical assistance to soil conservation districts that would have required closing about 60 Soil Conservation Service field offices and a reduction of about 162 man-years in assistance.

I am gratified to note that the House Appropriations Committee, however, recommended that the Soil Conservation Service budget cuts for assistance to soil conservation districts be restored. The House committee also increased the amounts the administration's budget had allowed for watershed planning, flood prevention, and ACP cost sharing.

In this action, the House showed greater wisdom than the administration.

I am confident that the Senate will show its wisdom in this matter also. I shall do my best as a member of the Appropriations Subcommittee on Agriculture to provide the optimum funds required by these highly important programs.

Unfortunately, the Congress can do nothing about the Executive order establishing year-end maximum employment levels. One aspect of this pertaining to the Soil Conservation Service borders on the unbelievable. In effect, it bars the use of non-Federal funds provided by State and local governments to assist in watershed planning and soil surveys because Soil Conservation Service career employees paid from these funds, under present orders, must be counted in the employment ceilings. Currently, some 400 Soil Conservation Service employees are paid from non-Federal funds placed in trust with the Soil Conservation Service by State and local governments.

Federal employees paid from such trust funds should be eliminated from Federal personnel ceilings and employment reports. This is an inequity that can and should be corrected by the administration.

Mr. President, we have developed the mightiest industrial Nation the world has ever known. We have harnessed the atom. We are conquering outer space. A man on the moon is no longer exclusively a science-fiction character.

But the miracles of this age and all our scientific advances have not altered by one iota the single, simple fact that our way of life rests upon an agricultural resource base. Under all is the land. How we manage the land and its resources of soil, water, timber, and wildlife pretty largely will determine what tomorrow will be for us all.

How many Americans realize this?

The answer, I would say, is "not very many." This is so despite the fact that agriculture directly affects every citizen who eats or wears clothing; that it economically affects millions of nonfarm people engaged in processing farm products, in manufacturing and marketing goods from farm-produced raw materials, and in manufacturing products that farmers buy.

There is little general public concern over the growing competition for land and water—far too little concern, Mr. President. Little thought is given to the new demands we are imposing on our resources as our population grows and our economy expands. Too many of us are not particularly worried about the more than a million acres of highly productive land that each year are being gobbled up for nonagricultural purposes.

Public attention is centered more on the terrain of the moon than it is on the land of our own planet. The subject of diminishing productive land in the face of rising needs, when it is discussed at all, too often is dismissed with the comforting thought that science will solve this problem when the need arises.

Science, of course, is wonderful. And by applying all presently known scientific techniques, we can raise food and fiber on the poorest of our land, even in water alone through the science of hydroponics.

But this is to miss the point completely. Although we have plenty of land, and we are not likely to starve, we do have a limited supply of productive land. Food grown on other than our most productive land costs a great deal more to produce and consequently will cost the consumer a considerably larger amount of money to buy.

Our industrial economy is based on a plentiful supply of food available, on the average over the years, at not more than 25 percent of our spendable income, leaving a large part of our spendable income for the nonessentials and luxuries that keep our industrial wheels turning.

The more the cost of food production rises, the less Americans will have to spend for other things. How many automobiles, automatic washers, electric refrigerators, and air conditioners are manufactured and sold in countries where 50 to 90 percent of human effort is devoted to obtaining enough food to stay alive?

To repeat, how many Americans realize these facts of life?

How many realize that what happens or does not happen on a remote upstream watershed, or in a farm pasture or a cultivated field miles from any town or city is linked in a most intimate way to the welfare of us all no matter where we live or what we do? John Donne, the great English poet-philosopher, expressed it well when he wrote:

> No man is an island, entire of itself; every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less, as well as if a promontory were, as well as if a manor of thy friends or of thine own were; any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls; it tolls for thee.

Our national soil and water conservation program has always been of vital concern to all our citizens, whether they realized it or not, but soil and water conservation problems today are of increasing direct concern to urban people as well as rural, for the interests between these two formerly separated groups of our society have become so interrelated in our expanding society that it is difficult to tell where a rural problem ends and an urban problem begins.

But I submit, Mr. President, that these facts are not generally known and appreciated, and are little understood by those who many recognize them.

Our national forests and our national parks and our great reclamation and flood control dams, such as the Hoover Dam and those in the TVA, are accessible to and visited by millions of Americans annually.

But the down-to-earth soil and water conservation work going on on the Nation's farms and ranches and in its small upstream watersheds, which may be far more important in their effect on our economy and our welfare, are little known and seen by relatively few. They are not on the map. No uniformed guides point the way. They are on our private lands, which constitute, happily, three-fourths of all our land.

But there is a way in which this vital soil and water and watershed conservation work could be made available to the general public for its observations.

I suggest, Mr. President, that we should establish, in representative sections of the Nation, demonstration centers for soil and water and watershed conservation where the general public and schoolchildren and writers and researchers could go to see at first hand this story that so few seem to understand, including our present administration.

These demonstration centers would not need to be elaborate. They could encompass, within a few square miles, the major soil and water conservation and watershed protection and flood prevention measures general to the area.

I am sure that there are tailor-made representative areas, say five or six in the Nation as a starter, where the things city people need to see already exist. The only extras required might be a headquarters building and perhaps some parking areas and qualified conservationists to provide information to visiting groups.

Mr. President, I believe a relatively small investment in this educational effort would pay great dividends and I would support such a proposition enthusiastically.

Americans need to become familiar with, and to understand, their stake in the basic conservation program underway in soil and water and watershed conservation on the Nation's private lands.

I am convinced that once they see they will understand. And when they understand we shall no longer have to worry about adequate public support for its policies and practices.

MASS TRANSIT SUBSIDY

Mr. ELLENDER. Mr. President, I yield to the distinguished Senator from Ohio on the same conditions that I yielded to the Senator from South Dakota.

Mr. LAUSCHE. Mr. President, last week the House Rules Committee voted to send the mass transit subsidy bill—H.R. 3881—to the House floor for final action. In my opinion, if this legislation is enacted, it will have a definite impact on the Nation's respective communities. And because of its precedent-setting significance, I again address myself to the program embodied in this proposal.

It is quite apparent that last year this bill did not have sufficient support in the House to be passed by that body—although it was passed by the Senate over a year ago by a 52 to 41 vote. Statements to that effect were made by the House leadership from time to time. Now, however, primarily because this is an election year and because such legislation has political appeal, particularly within the larger urban areas, efforts are being made to muster the needed votes to have it enacted by the House. Regardless of what its outcome may be in the House, I feel compelled to rise on the Senate floor again and voice my views on the dangers inherent in this transit subsidy bill.

THE NATURE OF THE TRANSIT SUBSIDY PROPOSAL

The legislative history of H.R. 3881—and its counterpart in the Senate, S. 6—goes back to 1960 when, as then constituted, it proposed a rather simple approach involving:

First. A program of Federal grants for planning transportation systems in metropolitan area under section 701(a) of the Housing Act of 1954; and,

Second. A public facility loan program of $100 million under section 202 (a) of the Housing Amendments of 1955 to finance the acquisition, construction, and improvement of mass transit facilities and equipment.

Since then, this proposal has undergone some very significant and expansive changes. Before I explain what the present program embraces, however, I ask unanimous consent to include in the Record, following my statement, to be designated as exhibit A, a legislative history of the mass transit subsidy proposal.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit A.)

Mr. LAUSCHE. Mr. President, a reading of the legislative history will provide helpful background to those interested in better understanding the object of my statement today.

THE TRANSIT SUBSIDY PROPOSAL IN THE 88TH CONGRESS

As introduced in 1963, the 1st session of the 88th Congress, the legislation in question—S. 6 and H.R. 3881—briefly described, embodied the following:

First. A long-range program involving an initial 3-year loan and $500 million grant authorizations "to assist States and local public bodies and agencies thereof, and mass transportation companies both public and private, in financing the acquisition, construction, reconstruction, and improvement of facilities and equipment for use in mass transportation service in urban areas."

Second. An emergency program of 3 years' duration during which a Federal subsidy, not to exceed one-half of the net project cost, is made available.

Third. A $30 million, 3-year transit research program.

Fourth. Relocation payments, $200 for families and $3,000 for business concerns, affected by this program.

Fifth. A requirement that the Administrator of the program—from the Housing and Home Finance Agency—consult with the Secretary of Commerce on matters affecting urban transportation.

Sixth. The consent of Congress in advance for interstate compacts to implement comprehensive urban planning.

Seventh. Provisions requiring that the labor standards of the Davis-Bacon Act apply on all projects receiving aid under this program.

Eighth. The requirement that the Secretary of the Department of Health, Education, and Welfare pass judgment on the equipment financed under this program so that it is in accordance with the air pollution criteria established for this purpose.

S. 6 AS PASSED BY THE SENATE

The Senate version of the transit subsidy legislation passed the Senate on April 4, 1964, by a vote of 52 to 41. S. 6 underwent significant changes before it was passed. Here briefly is what it would do. It would:

First. Establish a revenue bond guarantee program by which the Federal Government would guarantee bonds sold by local agencies to develop mass transit facilities to aggregate not more than $375 million.

Second. Provide for direct loans for transit development programs.

Third. Initiate a program of Federal subsidy for local transit development amounting to $375 million for the first 3 years.

Fourth. Establish a transit research, development, and research program totaling $30 million over a 3-year period.

Fifth. Provide for relocation payments for any family or business affected by projects coming under this program—$200 for families and $3,000 for business concerns.

Sixth. Require that the Administrator consult with the Secretary of Commerce and with the Chairman of the Interstate Commerce Commission as to coordinate mass transit responsibilities.

Seventh. Require that the labor standards of the Bacon-Davis Act be met in projects financed under this program.

Eighth. Make it mandatory that all transit employee interests, involved in projects under this program, be protected as determined jointly by the Administrator and the Secretary of Labor.

Ninth. Require that transit facilities affected by this program be equipped to prevent and control air pollution using criteria established by the Secretary of the Department of Health, Education, and Welfare.

H.R. 3881 AS PENDING IN THE RULES COMMITTEE

In reporting out H.R. 3881, the House Banking and Currency Committee made certain changes in the original version I previously outlined. First, the section dealing with compacts was entirely deleted.

Second. Additional labor provisions protecting the interests of transit workers that would be affected by this program were included.

Third. A new section was added which would prevent any one State from getting not more than 12½ percent of the aggregate amount of the subsidy funds authorized under the bill.

ARE FEDERAL DOLLARS REALLY THE ANSWER?

As with much Federal legislation, H.R. 3881 proposes to deal with the mass transit situation largely by an expenditure of taxpayers' dollars. How many dollars is any man's guess, really. That it will run into the billions and will be a permanent program is certain. The bill authorizes a certain sum, but that authorization is merely a foot-in-the-door technique.

Last year I made the point that we do not know enough about the characteristics of mass transportation and the problem of congestion to initiate a new Federal subsidy program to local transit. I said then that congestion in the big cities is something that can only be minimized and not eliminated entirely. Certain Members of the Congress are of the belief that the Federal research programs now going on in the mass transit field should first be completed, reviewed, and analyzed—and related to the urban transportation planning studies simultaneously going on under the Highway Act of 1962 and due to be completed by July 1, 1965—before the Congress approves a permanent Federal subsidy program. Unless we carefully approach this matter, we—the Congress—could very well be guilty of needlessly burdening the American taxpayer with another grandiose giveaway program. Dollars alone—Federal or otherwise—will not eliminate congestion in the big cities. Listen to what a national transportation specialist, Wilfred Owen, of Brookings Institution, said not too long ago on this matter. He stated:

> I was recently looking at the transportation system of Tokyo. And for those who get the idea that transit is going to solve the problem of urban congestion let me reassure you that Tokyo is more and more congested.
>
> It has many subways, and its commuter trains run three abreast, and it has a tremendous amount of bus and streetcar coverage on the surface. It is building a monorail; it is building an expressway system around the city, and down to the south it is building a high-speed railway line.
>
> We do need to concentrate on the supply of transport facilities, but no one seems to be much wedded to the idea that we also have to look at the demand side of our problem.

And here Mr. Owen really underscores the problem, as it concerns us. He says:

> As long as Tokyo is going to have 10, 15, 20 million people concentrated in that Tokyo-Yokohama area, there is going to be congestion, no matter how good a rapid transit system is developed.

Mr. President, with respect to that thought, I point out that the efforts to concentrate populations in metropolitan areas are the cause of this problem. The congestion in connection with the movement of people in the morning rush hour and in the evening rush hour has not been solved anywhere by means of the new roads being built. In my judgment, that is because the cause has not been reached.

In short, for Tokyo we can substitute the names of our largest American centers of population concentration, and much the same answer will apply. The simple lesson is this: The amounts of authorizations and ensuing appropriations that H.R. 3881 would provide, if enacted, would not and could not overcome the mass transit challenge in the Nation's large cities. And it is deceptive to assure our fellow Americans that this bill, or any similar Federal bill on this issue, can bring effective results by any foreseeable expenditure of Federal taxpayers' dollars.

What would be the cost of the fantastic program that has been conceived as one for the national taxpayers to provide in subsidizing the operations of street-railway and bus systems in what are called the metropolitan communities? In the hearings held by the Commerce Committee, the most optimistic expression of the cost was that it would be at least $6 billion. That was an optimistic and conservative opinion.

Of one thing I am certain, and that is that if this program were adopted, it would inevitably be a permanent one; and from the day of its adoption, and forever after, the Federal taxpayers would be providing the funds with which to purchase buses, diesel engines, terminal facilities, parking facilities, and all other equipment in that connection.

My question is this: By what stretch of the imagination does that properly become a Federal Government function?

One can select virtually any sum he wishes as the amount of Federal spending that would be unleashed with passage of H.R. 3881—an amount extending into the billions of dollars—$5 billion, $25 billion, $50 billion. The limit would be the sky and the taxpayers' patience. Congress, by defeating this bill, can save the taxpayers the many, many billions of dollars that would be doled out without a solution of the problem if the bill were passed.

It is admitted by the proponents that the cost of the program could be at least $6 billion. But this figure is based on a study of only 40 cities in the country. It obviously would be higher if all 217 standard metropolitan areas were invited to lay claim to a portion of the subsidies that would be authorized. But let us contemplate the significance of the $6 billion figure only. Just how much is $6 billion in tax money? Six billion is more than the total individual Federal income tax returns from 26 of the 50 States in 1961: Alabama, Alaska, Arizona, Arkansas, Delaware, Hawaii, Idaho, Kansas, Kentucky, Louisiana, Maine, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wyoming.

Six billion dollars in taxes represents to these States the total of their State's individual Federal income-tax payments for quite a few years. For instance, using 1961 as a base year, $6 billion is all of Alabama's share of individual Federal income taxes paid over an 18-year period. It would take Arizona 30 years to pay $6 billion in Federal income taxes. It would take Idaho 60 years; Maine, 42 years; and Nevada, 66 years—just to give an idea of how much $6 billion is in Federal income taxes. These figures are obtained from a chart I have prepared; it is based on data developed by the Secretary of the Treasury. I ask that this chart be printed in the RECORD following my statement, and be designated "Exhibit B."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit B.)

Mr. LAUSCHE. Yet, Mr. President, we speak of $6 billion as if it were inconsequential. In addition, we refer to it even though we know that $6 billion would be merely the beginning of the cost.

I feel irritated at times when I hear some persons say that the $6 billion would be "seed money"—$6 billion seed money to provide for 40 cities—without recognizing that in the country there are 217 metropolitan areas.

When I ponder the amounts involved in this subsidy bill, it galls me to hear some people refer to it as a means for providing "seed money." Seed money, indeed! It is seed money of the Jack-and-the-beanstalk variety; and once the seed is planted, the stalk will grow overnight beyond the wildest of dreams. It, too, like Jack in his classic experience, will bring on—in this case, to the Nation's taxpayers—a formidable giant—

this time, a backbreaking debt fed by irresponsible fiscal policies.

Mr. President, if the Federal Government gives to 217 cities subsidies, by way of gifts, how will the Government avoid giving such subsidies, by way of gifts, to every other area in the country?

A great example of that is immediately before us; I refer to the well-publicized Appalachia program which is before the Senate. In Ohio, 13 counties were originally included; but now I have received petitions from 5 additional counties which want to "get under the umbrella" of "Appalachia." Wisconsin and Minnesota want a so-called Appalachia program for the Mesabi Range; and currently there is word that Arkansas wants, in the Ozark Mountains area, a program similar to the Appalachia program.

Is it not reasonable to assume that once one community is given Federal funds, as a gift, the hearts and the minds of the people of all other communities in the Nation will be stirred to a desire to receive similar largess, so as to be placed on a basis equal to that of those which were to be the original beneficiaries?

TAX CUTS AND FEDERAL SUBSIDY SPENDING

Not many months ago, a majority of Senators voted for a tax-cut bill. As a result, withholding for the Nation's taxpayers—our constituents—has been cut to 14 percent. Are we now going to pass subsidy legislation which will eventually require us to reimpose the taxes recently cut by Congress? Who in Congress is prepared to defend this move to his constituents—particularly in the light of talk in Congress about a further tax cut?

No further tax cut can be prudently and honestly considered if spending bills of the character of the mass transportation subsidy are to be enacted. The stalwart, diligent chairman of the Ways and Means Committee of the House, the distinguished Wilbur D. Mills, is credited largely with authorship of the mode-setting portion of the tax-cut measure recently enacted by this 88th Congress—section 1—from which I now quote:

> It is the sense of Congress that the tax reduction provided by this act through stimulation of the economy, will after a brief transitional period, raise (rather than lower) revenues and that such revenue increases should first be used to eliminate the deficits in the administrative budgets and then to reduce the public debt. To further the objective of obtaining balanced budgets in the near future, Congress, by this action, recognizes the importance of taking all reasonable means to restrain Government spending and urges the President to declare his accord with this objective.

What made that latest cut possible—and the reduction on withholding to 14 percent for America's working men and women? When the tax cut bill was passed restraints on future Government spending were promised and implied. Shall we keep or break the promise which was made to the Nation's taxpayers. The transportation subsidy will be a permanent built-in and inextricable program of Federal spending to provide local communities with buses, terminals, parking facilities, and other transportation equipment. This is not a proper function of the Federal Government.

WHY A FEDERAL SUBSIDY FOR LOCAL TRANSIT?

The proponents of H.R. 3881 say the bill is supposed to help overcome the so-called mass transit problem. First of all, where would this problem likely exist? The mass transit problem is, if anything, an area problem. In this instance, something depends on how you define area. For example, States are areas, as are counties and regionally homogeneous zones. In a sense, mass transit is not even a State problem. In any State of the Union that I can recall, the State of New York, say, or the State of California, does not have, literally speaking, a mass transit problem. In the former, the problem more certainly is that of New York City and environs—the metropolitan area; the far northern and western reaches of the State have no such problem. In California, similarly, the major problem as it currently presents itself involves metropolitan areas as San Francisco and Los Angeles. Up in the redwoods of northern California and the deserts and oases of southeastern California no such counterpart problem exists. In a word, under no circumstances can mass transit be considered a national problem.

As I stated a moment ago, the transportation subsidy bill would provide a permanent, built-in and inextricable program of Federal spending for the benefit of communities to operate their local transportation systems.

Mr. President, for a moment I wish to examine what I believe are the causes of trouble in the mass transportation business.

THE MASS TRANSIT PROBLEM DEFINED

First. There are problems in the mass transit business when unrealistically low fares are set, which city officials maintain because it is the political thing to do. I shall not begin to identify the communities, but the communities to which I refer have never made an attempt to place their mass transportation systems on a self-sustaining basis. Fares have been kept inordinately low—low to the point at which it was obvious that bankruptcy would result unless the general taxpayers contributed by way of subsidies to the operation of the plant.

Several months ago I was told that in Argentina, for less than 3 cents a passenger can travel 60 kilometers. I did not believe it. I had an investigation made, and the report came back that the statement was true. For less than 3 cents a passenger is carried 60 kilometers by governmentally operated transportation systems. The very statement of the proposition demonstrates the fantastic conduct in which public officials can indulge when they try to ingratiate themselves to some at the expense of the many.

Second. There are problems when there is poor transportation planning within an urban area having transit difficulties, although section 9 of the Highway Act of 1962 is helping to minimize this.

Third. There are problems with respect to which there is no local and State tax relief, and when carriers operate under archaic franchises.

We have heard about the Boston & Maine railroad station in Boston. The railroad company wants to give away its depot. It begged the city of Boston to take it. Boston said "No, you will keep the station and pay us taxes." Boston has been one of the very vigorous demanders that subsidies be provided.

There are ways and means of giving tax relief on a local level and on the State level to transit companies for their operation which is far preferable than coming to the Federal Government, which already has a huge debt and a huge budget, to begin subsidy of local operations.

Fourth. There are problems when different political jurisdictions do not get together to work out a mutual transit system and a method to finance improvements.

Fifth. There certainly are problems when people decide not to use the transit service.

In the latter respect, let me quote Mr. Paul Dittmar, chairman of the board of South Suburban Safeway Lines, Inc., of Harvey, Ill., and ex-president of the American Transit Association. He made this statement during hearings on the transit bill which he strongly opposed:

> No serious transit problem exists. Transit has problems, but the public does not have problems with transit.
>
> * * * * *
>
> It is people who have left transit, it is not transit that quit.

To listen to the proponents of the transit bill, however, the uninformed on this issue would get the impression that transit is withering on the vine because of some strange and invidious external force—and that, like the boll weevil, the Federal Government should help exterminate it by subsidization.

When we get to the heart of the matter—the problem is people. People who prefer to travel according to their own likings. And no amount of superficial enticing will get people to use transit even if it is given away free—using their tax money, of course. In fact, in 1962, Dr. Leon N. Moses, director of research of the Northwestern University Transportation Center, testified before the Senate Commerce Committee to the effect that in some instances people could not be enticed to ride transit even if they were paid. Here is a part of what Dr. Moses said in his testimony:

> What I did in this study was make an effort to figure out what kind of price structure—on the use of automobile versus the various modes of private-public transportation—what price structure would serve to divert automobile users to public transportation.
>
> In other words, given what it now takes you to go from your house to your office by car in terms of time, what it costs you in money, what would be the time by the alternative modes, what would be the money cost by the alternative modes, and the wage rate, your income, I was able to figure out a series of prices which I called diversion prices.
>
> I only have such data for Chicago; in fact there is no other data like it in the rest of the country. This is one of the things that bothers me. No one has studied or collected

> this kind of information. But for the Chicago area, suppose you wanted to divert 5 percent of those people who now go to work by car. What would you have to do to reduce the price of the alternative mode that is best for them, or how would you increase the price of the automobile?
>
> The results indicated for this sample of Cook County commuters, that to divert some significant proportion of those people now commuting by car—say a significant portion would be 33 percent—that you would have to have fare reductions which are greater than the present level of fares; in other words, you would have to have negative fares. You would have to in some sense pay a man to get on the bus in order to carry out that level of diversion.

The Government subsidized commuter demonstration project in Boston proved to a considerable extent what Dr. Moses was trying to explain to the Senate Commerce Committee. Under a demonstration project approved by the Housing and Home Finance Agency, the mass transportation commission in Massachusetts was given $1.3 million in subsidy to try to determine if people would return to commuter railroad service in the Boston area. Fares were drastically reduced and service was increased and improved. In spite of this—plus all the publicity given to it—the experiment failed to attract sufficient riders to prove that such an operation could be self-sustaining—at least in the Boston area. The railroads involved, after only 9 months trial, petitioned to abandon their experimental, and in some instances their regular, commuter service.

I ask unanimous consent to have printed in the RECORD following my statement a newspaper article on this subject, and that it be designated exhibit C.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit C.)

Mr. LAUSCHE. The Boston experience proves that it takes more than Federal subsidies and regulations to get adequate transit. And I will show later that where there is a realistic, down-to-earth, locally inspired and supported approach used, success can be achieved where transit or commuter service is necessary. Mr. Ben Heineman of the Chicago & North Western Railway Co., and Mr. Paul Dittmar, past president of the American Transit Association among others, have proven that good efficient and modern-day transit can be provided without a Federal subsidy program.

THE CHALLENGE IS BEING MET WITHOUT FEDERAL SUBSIDY

Mr. President, during the past congressional hearings and debate on the mass transit subsidy bill, we have heard frequent reference to the fact that transit patronage is declining. It is quickly pointed out, however, that this decline is due to poor service, deteriorating equipment and a host of other factors—all of which, it is alleged, can be remedied by the proposed Federal subsidy program. We know also that certain bus transit operations, particularly in the comparatively smaller cities, have had to discontinue operations—as well as certain commuter railroads in the larger cities. My immediate concern is this: If patrons cannot be lured back to commuter service—as was the case in Boston—and the decline in patronage continues unabated notwithstanding the spending of Federal funds to halt this decline, who is going to be left holding the bag if a permanent Federal subsidy program is passed? Obviously there can be but one answer—the good old exploited American taxpayer.

Figures developed by the American Transit Association show that for all cities having transit, and reporting to this organization, there was a 3.59-percent decline in overall transit patronage during 1963. This decline was even higher—about 6 percent—in cities of 50,000 or less in population. I have figures which I would like included in the RECORD at this point showing the decline in transit patronage for the year 1963. Now my question is this: In the light of this continuous yearly decline, is it wise to enact a permanent subsidy program to try to halt declining transit patronage if the trend is going to persist year after year? Is this a realistic approach? There are many that would answer in the negative. I share that view.

What is the approach, then? I would say that instead of shackling the taxpayers around the country with an additional burden—particularly those areas having no need for transit service—let our urban communities work out their own situation to their own likings—and, since they will benefit from it, they should pay the cost involved—and they definitely have the resources to do this. Let me explain this in more detail.

According to the Bureau of the Census, there are 217 so-called standard metropolitan areas in the United States. These are areas having 50,000 or more in population. How many of these have a transit crisis depends on the definition given to the word "crisis." That some of them have transit problems is certain. But how severe are these problems? In certain cases the transit situation may well have reached crisis proportions. Usually this is due largely to the lack of proper attention over the years that should have been given to the transit situation by responsible government and citizenry in the areas. No amount of funds as such will bail those areas out. It will require some hard work by the various elements of the community to come to a realistic solution. It is happening with transit development all over the country. I would like to give a rundown of all 217 standard metropolitan areas if it were possible. Hopefully, the results of the studies going on under the planning provisions of the Highway Act of 1962 will give us a more complete story. These studies will not be completed, however, until July 1, 1965.

But here is a quick rundown of what was done—and is being done—in a selected number of urban areas of various sizes.

SAN FRANCISCO BAY AREA—POPULATION, 3,674,600

Initial construction of the $1 billion 75-mile rail transit system will begin in June of 1964. Three counties are involved: Alameda, Contra Costa, and San Francisco Counties. As proposed, this vast and complex project will be paid for out of fare-box revenues and a property tax assessed against the residents of these three counties. It will be the most modern of automatic transit systems ever devised. The majority of the residents of the three counties wanted this system because over 61 percent of them voted their approval in a referendum. They are to be commended for their decisive action. And even though their system may receive Federal funds under the transit bill now pending in the House—although this would be in contradiction with the Senate passed version (S. 6)—over the long run the residents of this area would be penalized by the burden of additional Federal taxes to cover the cost of the national program. In effect, bay area residents would have to pay not only for their own system but in future decades for those other areas which are now shirking their responsibilities. If I were a resident of the bay area, I would certainly try to influence my Congressman to vote against the bill. I would say we will pay for our own transit system—we have competent people doing a good job. Let the other areas do the same and we will all be better off over the long pull.

LOS ANGELES METROPOLITAN AREA—POPULATION, 7 MILLION

Efforts are underway in the Los Angeles area to construct a 64-mile cross-shaped rail rapid transit network. The cost is estimated at $669 million. It would supplement the existing extensive bus service now provided throughout the area. The suggested method for financing this program would be through the system's revenues and special taxes. The legislation to get this program going was recently passed by the State legislature.

The interesting thing about the Los Angeles transit proposal is that although the area has a population rivalling that of New York City—and that it is considerably more spread out—authorities from the Los Angeles area have repeatedly said before the committees of Congress that the Los Angeles area can pay for developing its own transit system. Coming from the most auto-oriented city in the country—if not the world—this certainly disproves the argument that urban areas cannot pay for their own transit needs.

PHOENIX, ARIZ.—POPULATION, 663,510

The mayor of Phoenix testified last year before the Senate Commerce Committee to the effect that his city had, up until a few years ago, an inadequate and costly municipally-owned transit system which was turned over to a private operator. Operating under a realistic franchise, this operator has not only improved the quality of the service in that area but has extended it to adjacent areas heretofore not served. As Mayor Mardian stated in his testimony: "Each city should determine its own system based upon the ability and willingness of the people to pay for it keeping individual community values and objectives in mind." There is no doubt Phoenix residents are getting the transit service they need.

HOUSTON, TEX.—POPULATION 1,243,158

The Houston Chronicle of December 4, 1963, in an editorial summed up that city's transit achievements. It read in part:

> The marked improvement in Houston's public transit facilities during the last 3 years must be acknowledged as one of the major achievements of Mayor Lewis Cutrer and his administration.

For years Houston's transit system had been on the downgrade. Both equipment and service were atrocious. City officials persuaded Calkins, a successful transit operator in other cities, to try his hand in Houston and assisted him with a franchise which made the Houston investment attractive. With a realistic franchise, Mr. Calkins, in the words of Metropolitan Transportation magazine of October 1961, stated:

> Jerked the old city transit company from the doldrums, rejuvenated the system, modernized the equipment, and expanded the service to increase the revenue on a true, free enterprise basis. * * * Houston riders are enthusiastically celebrating the end of an obsolete system and the beginning of a brand-new one.

OTHER EXAMPLES

Other examples of how the Nation's urban areas are meeting their transit challenge abound throughout the country. The city of Dallas, Tex., just recently took over the privately owned system because of the difficulties it was experiencing. The Dallas city auditor, Mr. E. Lynn Crossley, immediately made the statement:

> I am determined that the public transit operation of Dallas will not be subsidized by the city.

He was quite optimistic about the transit operation paying for itself, which includes meeting the bond issue requirements sold by the city and backed by transit revenues to upgrade the system's service.

I have numerous current articles and reports in my files telling of the great progress being made by those urban areas moving ahead in their transit program. Some examples of the cities involved are: Atlanta, Baltimore, Boston, Chicago, Philadelphia, and Pittsburgh, to name just a few. And although some cities have been sitting back on their haunches waiting for a Federal handout, there has been considerable activity. To illustrate what I mean, I ask unanimous consent to place in the RECORD following my statement four articles on this subject—exhibits D through G—which I heartily recommend to my colleagues.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibits D, E, F, and G.)

Mr. **LAUSCHE**. Mr. President, no matter what the proponents of the transit subsidy say, such articles do not represent the exception. This is clearly shown in one of the recent newsletters, dated February 15, 1964, issued by the Institute for Rapid Transit. The authors of the newsletter made this statement:

> The new era for rapid transit took greater shape during 1963 in the growing metropolitan areas of the United States and Canada.
>
> As of December 31, 1963, a total outlay of $1.594 billion had been committed for new rapid transit facilities either in construction or about to be constructed in major cities of the United States and Canada.
>
> Special attention was focused on San Francisco where detailed engineering began in 1963 on a $1 billion, 75-mile rapid transit system to serve three counties of that metropolitan area. Initial construction of a test line for this new system is scheduled to begin in June of 1964.
>
> In Boston, the State gave its approval to a $31 million rapid transit line extension of the metropolitan transit authority, along with approving studies for additional rapid transit facilities.
>
> New York City and Chicago made history in 1963 in their ordering of rapid transit equipment. New York contracted for 600 new rapid transit cars, which is the largest single order for such equipment ever placed. An order for 180 new air-conditioned rapid transit cars will give Chicago the largest fleet of rapid transit cars so equipped.
>
> Perhaps still more significant, however, was the fact that 1963 marked the beginning of a new movement in transportation planning on a comprehensive, metropolitan basis. For the growing urban centers, the new planning efforts are being aimed at developing balanced transportation systems in which all modes of travel—the automobile, the bus, the commuter railroad, and rapid transit—would be enabled to perform their respective roles in the most efficient manner possible.
>
> In addition to this overall transportation planning, many cities in 1963 undertook or authorized specific studies for improving and extending rapid transit and creating entirely new rapid transit systems.

I particularly submit, therefore; in no American community is the problem not being worked on. This is a fine record for local leadership; let us not spoil it with congressional intrusions, such as H.R. 3881.

When this matter was before the Senate a year ago, I set forth my reasons for opposing the bill. I wish to read from my statement at that time:

BASIC ARGUMENTS AGAINST A FEDERAL TRANSIT SUBSIDY PROGRAM

> Mr. President, on several occasions during the 3 years this transit subsidy proposal has been before the Congress, I have taken the approach that progress in developing adequate transit service can be—and is being—achieved without the passage of a Federal subsidy program. I cannot for the life of me see the wisdom in imposing more of a Federal tax burden on 85 percent of the people to pay for a subsidy program that will benefit the 15 percent who ride transit to and from their work. In addition to the fact that I have consistently stated that each of our urban areas have the resources to pay for what transit service they need (a fact that has been clearly proven), I have from time to time given other reasons why this subsidy proposal is unwarranted. I would like to enumerate these reasons now.
>
> If enacted, the transit subsidy legislation now pending in the House will:
>
> 1. Require the citizens of our Nation living in many communities throughout the 50 States who are capable of fiscally operating their own local transportation systems on a business basis to pay taxes to take care of the city of New York and Newark, Boston, Philadelphia, etc., and other larger communities which have failed to take care of their local transportation systems on a businesslike basis, believing that it was better to indulge in subsidization.
>
> 2. Make available subsidy grants of the Federal Government to those communities of the Nation which showed the least purpose of attempting to solve their mass transportation problems on a local basis.

I do not wish to be vain when I say this, but I say it to show that it has some applicability to the subject before us. I was mayor of Cleveland in 1942. The city acquired the privately owned transportation system, to be operated by the municipality. I went before the voters of Cleveland and urged them to "adopt a charter amendment to make this transit system solvent and self-managing. Do not allow the councilmen of the city of Cleveland to set the fares, to fix the areas that shall be served, and the frequency of the service." I foresaw that, if the councilmen were to fix the fares, at each election time there would be promises of reduced fares.

The citizens of the city of Cleveland adopted the charter amendment. The transportation system has been self-sustaining. My query is, What has been done in other communities in the Nation? Fares, frequency of service, and location of service have been a political football. There has been no thought of making the operation independent and self-amortizing. Cleveland paid off its debt. It had money with which to proceed with expansion of the transportation facilities, but decided not to do so when it was learned that Congress might pass this subsidy bill. I shall get to that subject a little later.

To continue reading from the statement I made, the transit subsidy legislation would:

> 3. Give to the Administrator of the HHFA discretionary powers making him a czar in the assignment eventually of billions of dollars of taxpayers' money to the communities of the Nation.
>
> 4. Create disorder and chaos and political manipulation by the administration in power in making the allocation of the funds that will be immediately available and for which the applications, from the standpoint of the moneys involved, will far exceed the available funds.
>
> 5. Cause the already bloated cost of the Federal Government with its backbreaking taxes to suffer annual fiscal deficits in increased amounts, lessening the ability of the Federal Government to ever again achieve a pay-as-you-go financial basis.

How meaningless is a pay-as-you-go financial basis in Washington and especially in the U.S. Congress. The word is that "Deficits are not wrong. We can continue to accumulate them year after year without the need of fear that some day the piper will have to be paid."

I continue to read from my remarks. The subsidy bill would:

> 6. Increase the already excessive interest-paying burden that the Federal Government has to pay on its more than $300 billion debt.
>
> 7. Aggravate the problem of the administrators of the local transportation systems reaching reasonable agreements on wages, working conditions, and working hours. The labor leaders, knowing that the Federal Government is contributing money by way of subsidization, making ever-increasing demands from their employers.
>
> 8. Entail a cost to the taxpayers incapable of being estimated at this time, but in my opinion running indefinitely at an ultimate cost of many, many billions of dollars.
>
> 9. Debase the integrity and the morality of the administrators of local transportation systems, causing them not to solve their own problems back home but to turn to

Washington, begging for alms on the basis that it will aid in the rendition of local service without any cost to the local taxpayers.

We have an example of what we mean by this last statement. In Cleveland the board in charge of operation of the transit system decided to extend the rapid transit a number of miles. A vote was taken. It passed. Then came word that money would come from the Federal Government by way of gift. A majority of the board decided they would revoke the resolution and wait until the money came from the Federal Treasury.

I conclude reading what I stated previously:

> 10. Give encouragement to the extravagant spenders of the taxpayers' money and discouragement to those citizens—business and professional men, farmers, workers, and merchants—who believe in individual effort, independence, and freedom from undue Federal interference.

In conclusion, I should say that the hour is at hand to take a look at new programs of Federal spending being advocated, and, as we examine them, consider not only the year 1964, but the long-range future, asking ourselves what is to happen when the time comes for paying the debt. We should ask ourselves what is to happen if we become involved in an international conflict and huge sums of money are needed, and we are faced with the fact that in a period of abundance we did not pay off our debt, but increased it—increasing also the tax burden.

I hope, Mr. President, that citizens in Ohio will obtain some knowledge of what I have said on the floor of the Senate today, and that they will call upon Congress to recognize what is being done and put a stop to the idea that Federal tax money is the solution to all problems.

Mr. President, I ask unanimous consent to have printed following my statement a table showing the revenue passengers carried on transit lines of the United States in December 1963, and during the 12 months ending December 31, 1963, distributed by population groups.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit H.)

Mr. **LAUSCHE**. Mr. President, I yield the floor.

Exhibit A

Legislative History of the Mass Transit Subsidy Proposal Before the Congress

THE YEAR 1960, 86TH CONGRESS, 2D SESSION: S. 3278, MASS TRANSPORTATION ACT OF 1960

This bill proposed:

1. A program of Federal grants for planning transportation systems in metropolitan areas under section 701(a) of the Housing Act of 1954.

2. A public facility loan program of $100 million under section 202(a) of the Housing Amendments of 1955 to finance the acquisition, construction and improvement of mass transit facilities and equipment.

Hearings were held in May of 1960 by the Housing Subcommittee of the Senate Banking and Currency Committee whereupon it was reported to the Senate favorably (S. Rept. 1591), amended slightly and passed by a voice vote in the Senate on June 27. 1960. It was then sent to the House and referred to the Committee on Banking and Currency. No action was taken by the House during the remainder of the session.

THE YEAR 1961, 87TH CONGRESS, 1ST SESSION

1. S. 345, Urban Mass Transportation Act of 1961:

This bill proposed:

1. A $75 million program of mass transportation planning and demonstration project grants to help finance comprehensive mass transportation surveys and plans (for which appropriate regulations would have been prescribed by the HHFA Administrator) and research projects.

2. A $250 million loan program to finance the acquisition, construction, reconstruction, and improvement of mass transit facilities and equipment.

Hearings were held on S. 345 by a subcommittee of the Senate Banking and Currency Committee on March 20–22, 1961. The bill was not reported to the floor of the Senate and no further action thereon was taken by either body. However, sections of this bill were included in the Housing Act of 1961.

2. Public Law 87–70, the Housing Act of 1961:

Although embodying provisions primarily concerned with the Federal housing program, this act contained provisions involving a limited program of Federal aid to local transit. This program was patterned on the broader program in S. 345. The transit provisions in this act provided for the following:

1. Contract authority for a $25 million program of grants for demonstration projects to undertake research in mass transit equipment and facilities.

2. A temporary $50 million loan program for mass transit facilities and equipment limited to commitments made on or before December 31, 1962. In appropriating funds for these programs, however, Congress made available only $42.5 million, with $30 million for loans and $12.5 for demonstration grants.

The time limitation under which funds would be available for direct loans for mass transit facilities authorized under the Housing Act of 1961 was extended to June 30, 1963, by the enactment of Public Law 87–809.

THE YEAR 1962, 87TH CONGRESS, 2D SESSION

1. President's transportation message of April 5, 1962: In his 1961 message on housing and community development, President Kennedy directed the Department of Commerce and the Housing and Home Finance Agency jointly to undertake a study of urban transportation and to submit recommendations thereon.

In compliance with this directive, the Institute of Public Administration (New York City) was commissioned "to do a special study involving field investigations in some 40 representative urban communities in various parts of the country." On the basis of this study, the Secretary of Commerce, and the Housing and Home Finance Agency Administrator submitted a report to the President calling for an eight-point program of Federal assistance for urban mass transportation and a five-point program for urban highway programs.[1]

The eight mass transportation recommendations became the basis of a proposed Federal aid program set forth in the President's transportation message of April 5, 1962. Part II of this message dealt exclusively with this program. In turn all of the recommendations in this section were incorporated in a bill introduced shortly after the President's transportation message. In order to avoid repetition, the substance of these Presidential recommendations are outlined in the following treatment of the transit proposal subsequently introduced.

2. S. 3126, S. 3615, and H.R. 1158: The Urban Mass Transportation Act of 1962: Shortly after the President's transportation message of April 5, 1962, a bill proposing a program of Federal aid for local transit development was introduced. Although the program embodied in this bill closely followed the recommendations made by the President, this proposal went beyond the loan program advocated in previous sessions. It provided for the following:

Long-range program

Federal grants: Federal grants would be provided for mass transportation facilities and equipment, with strict planning requirements, including the preparation of an areawide transportation plan as a part of comprehensive planning for the development of the urban area. The grants would be limited to two-thirds of "net project cost"—that portion of project cost which cannot reasonably be financed from revenues. Local grants would be required for the other one-third part of all of which could later be repaid from any surplus revenues if there is a proportional repayment of the Federal grant.

Federal loans: Federal loans would be authorized for projects where loans cannot be obtained privately on reasonable terms, if such loans would make effective mass transportation possible without grant assistance.

Emergency 3-year program

For a 3-year period Federal loans and grants could be made on an emergency basis, with less strict planning requirements but with a one-half rather than two-thirds Federal grant. The remaining one-sixth Federal grant would be available if full planning requirements are met within 3 years from the date of the grant agreement,

Financing for long-range and emergency programs

Authorization would be provided for grant appropriations of $500 million, to be available, over a 3-year period in the following manner: $100 million upon enactment, $200 million on July 1, 1963; and another $200 million on July 1, 1964. The present $50 million loan authority would be retained, but without expiration date.

Research, development, and demonstration program

Research, development, and demonstration program would be authorized, to apply to all phases of urban mass transportation, in place of the present demonstration grant program. This program would be financed through the present $25 million demonstration grant authority, plus up to $30 million of the new $500 million grant authority.

Relocation provisions

An adequate relocation program for families displaced by each project would be required. Federal grants for relocation payments to families, individuals, business concerns, and nonprofit organizations would be authorized similar to those applicable to the Housing Agency's urban renewal program.

Hearings were held:

(i) By a special subcommittee of the Senate Banking and Currency Committee on April 24–27, 1962, whereupon it was reported back to the Senate on August 7, 1962 (S. Rept. 1852) with dissenting views expressed by the chairman of the committee, Senator A. Willis Robertson. Also taking exception to the proposed program was Senator Lausche, a member of the Senate Commerce Committee, who asked to have the bill sent to the Commerce Committee for further hearings. The Senate agreed to the referral and requested that the bill be returned to the Senate by September 24, 1962.

(ii) By Subcommittee No. 3 of the House Banking and Currency Committee on May 1–4, 7–11, 1962, whereupon it was reported back to the full committee for further action (subcommittee print of April 23, 1962).

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[1] Letter of transmittal of Mar. 28, 1963, from the Secretary of Commerce Luther H. Hodges and the Administrator of the Housing and Home Finance Agency, Robert C. Weaver, to the President.

The House version was then reported out of committee on July 3, 1962 (H. Rept. 1961), with dissenting views being expressed. The bill was not scheduled by the House Rules Committee and no floor action was taken in the House where it died upon adjournment.

(iii) By the Senate Commerce Committee, on September 17–20, 1962. Most of the witnesses testifying at this hearing opposed the proposal. In accordance with the instructions of the referral, the bill was reported back to the Senate (S. Rept. 2119) without recommendations. No further action was taken by the Senate on S. 3615.

3. S. 2390, the Transit Revenue Bond Guarantee Act: This bill was to provide an additional method of financing for those communities not wanting direct Federal subsidies but having difficulty in securing bond issues simply on the merits of prospective fare box revenues, as in the case of Los Angeles. This bill would have provided for Federal guarantee of bond issues made by commercial establishments for transit improvement projects.

This bill was referred to the Senate Banking and Currency Committee where it was combined in the hearings on the proposed Urban Mass Transportation Act of 1962, S. 3615. The committee rejected this method of Federal aid as being inadequate and unsound. The bill was not reported out of committee and no subsequent action thereon was taken.

4. S. 3122, to amend section 701 of the Housing Act of 1954 to encourage balanced urban transit development: This bill was introduced by Senator Case, of New Jersey (and cosponsored by Senators Javits, Saltonstall, and Scott).

The bill would have required:

1. That locally initiated land-use plans developed with Federal assistance under section 701 include comprehensive urban transportation plans.

2. The Administrator of the Housing and Home Finance Agency to designate specific urban areas whose transportation needs can only be coordinated with urban highway and mass transportation systems.

3. That after a 3-year period, all Federal financial assistance available for mass transportation purposes and highway construction within an urban area designated by the Administrator be granted only if the Administrator would determine that the purpose of such assistance is consistent with a comprehensive area transportation plan locally developed and approved by the Administrator.[2]

S. 3122 was referred to the Senate Banking and Currency Committee for hearings where it was combined with the proposed Urban Mass Transportation Act of 1962, S. 3615.

No further action was taken on this bill by the Congress.

THE YEAR 1963, 88TH CONGRESS, 1ST SESSION

1. S. 6, S. 917, and H.R. 3881 (and other House bills), Urban Mass Transportation Act of 1963: These bills embody a Federal subsidy program for local transit improvement—identical to that proposed in the 2d session of the 87th Congress (S. 3126 and H.R. 1158). However, certain significant additions to S. 6 and S. 917 provided for: (1) the implementation of the Davis-Bacon Act in contracts receiving Federal aid under the program; and, (2) the authorization for the Secretary of Health, Education, and Welfare, to establish air pollution control standards for transit equipment used in any project receiving aid under the program.

S. 917 was introduced at the request of the administration and differed with S. 6 in that the administration's bill did not contain back-door spending provisions; that is, prior contract authorization.

2. S. 807 and H.R. 4890, Urban Transit Development Act of 1963: Introduced by Senator Frank J. Lausche, of Ohio, on April 14, 1963, and later in the House by Representative Clark MacGregor, of Minnesota, this bill was referred to both the Senate Commerce and the Senate Finance Committees (the House version to the Banking and Currency Committee). This proposal would:

1. Establish a Division of Urban Transportation in the Office of the Under Secretary of Commerce for Transportation. This new Division would: (1) Help develop overall urban transport policy recommendations; (2) achieve greater coordination of Federal urban transportation activities; (3) undertake a program of urban transportation research and planning; and (4) perform other related functions.

2. Provide for the transferring of the existing mass demonstration grant and loan programs from the Housing and Home Finance Agency (authorized in the Housing Act of 1961) to the Department of Commerce (for administration by the Division of Urban Transportation).

3. Require the Secretary of Commerce to evaluate the urban transportation programs transferred to the Department of Commerce from the HHFA to determine the need, if any, for expanding or discontinuing such programs, and to make recommendations thereon to Congress as soon as possible.

4. Provide Federal guarantees of revenue bonds sold to private investors so as to make private money available, at a low rate of interest, for the construction of needed rapid transit projects. The U.S. Government would guarantee payment or repayment of the interest and principal on qualified bonds issued by public transit agencies to construct new rapid transit systems. This bond guarantee program would be administered by the Secretary of Commerce (acting through the Division of Urban Transportation). The Secretary would be responsible for paying the trustee of the trust indenture or supplemental trust indenture under which the guarantee revenue bonds of the local public transit agency were issued. Transit agencies or authorities taking advantage of this program would submit reports to the Secretary of Commerce in accordance with the Secretary's instruction. A Federal Transit Revenue Bond Guarantee Revolving Fund, not to exceed $50 million, would be created for carrying out the program.

5. Amend the Internal Revenue Code of 1964 so that: (1) Local transit carriers could fully benefit from State and local government tax concessions by exempting such tax concessions from Federal income tax when so granted; and (2) urban transit carriers would be allowed to establish a special reserve fund—to be exempt from Federal taxation (and to be distinct and separate from the equipment depreciation allowance provisions permitted by existing tax law)—to be used only for transit equipment and facilities replacement and improvement programs. The annual amount transferred to such fund could not exceed an amount equal to the total taxable income of the urban transit carrier for the taxable year. The aggregate limitation permitted to be set aside in this reserve fund could not exceed the amount required to replace all of the carrier's transit equipment at a given time. Funds set aside under this provision would be subject to tax if not used for the specific purpose intended by the act.

6. Grant the consent of Congress in advance to two or more States to enter into compacts or other agreements for cooperative efforts and mutual assistance specifically for the development and carrying out of urban transit programs.

Hearings were held on S. 6 and S. 917:

(i) By the Subcommittee on Housing of the Senate Banking and Currency Committee on February 28; March 1, 4, 5, 8, and 11, 1963. S. 6, in slightly amended fashion, was reported out of the Senate Banking and Currency Committee favorably (by a 9 to 7 vote) on March 14, 1963 (S. Rept. 82). It was ordered to be on the table until March 28 during which time the Senate Commerce Committee held hearings on it (see iii below).

(ii) Hearings on the House companion bill (H.R. 3881) were held by the House Banking and Currency Committee on February 27, 28; March 1, 4, 5, 6, and 8, 1963. The committee filed its report on this bill passed by the House Rules Committee on May 21, 1964, whereupon it will go to the floor for consideration by the whole House.

(iii) Hearings were held by the Subcommittee on Surface Transportation of the Senate Commerce Committee on all three Senate bills—S. 807, S. 6, and S. 917 on March 19 to 22, 1963.

Because of the limited time available, the subcommittee confined its report (S. Rept. 83) to proposing five amendments to S. 6. These amendments provided for: (a) the substitution of the "back door" spending provisions with language providing for annual appropriations; (b) the requirement that the ICC Chairman and the HHFA Administrator consult on transit projects crossing State lines; (c) the requirement that a schedule of fares, determined by the HHFA Administrator to be economically sound, be submitted with an application for Federal grants under the proposed program; (d) the assurance that State and local governments afforded "every feasible relief" to the local transit system seeking Federal aid (such as tax concessions), (e) the establishment of a loan guarantee program (substantially the same as offered in S. 807) which an applicant for Federal aid must first attempt to implement before approval of any grants. The full Commerce Committee accepted the five amendments offered by the subcommittee and agreed to offer the bill, S. 6, as so amended, as a substitute for that version reported out of the Senate Banking and Currency Committee.

On April 4, 1963, the Senate passed S. 6 by a 52 to 41 vote. The major provisions of the Senate-passed version would:

1. Establish a revenue bond guarantee program by which the Federal Government would guarantee bonds sold by local agencies to develop mass transit facilities to aggregate not more than $375 million.

2. Provide for direct loans for transit development programs.

3. Initiate a program of Federal subsidy for local transit development amounting to $375 million for the first 3 years.

4. Establish a transit research, development and research program totaling $30 million over a 3-year period.

5. Provide for relocation payments for any family or business affected by projects coming under this program ($200 for families and $3,000 for business concerns).

6. Require that the Administrator consult with the Secretary of Commerce and with the Chairman of the Interstate Commerce Commission so as to coordinate mass transit responsibilities.

7. Require that the labor standards of the Bacon-Davis Act be met in projects financed under this program.

8. Make it mandatory that all transit employee interests, involved in projects under this program, be protected as determined

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[2] It should be noted that similar requirement was enacted by the Congress in the "Federal-Aid Highway Act of 1962," (Public Law 87–866, sec. 9(a)), wherein all urban areas of 50,000 or more population must develop a continuing comprehensive transportation planning process (involving all modes of urban transit) before July 1, 1965, or face the loss of Federal financial assistance for urban highways and extensions until a planning process is undertaken by the localities and found acceptable by the Secretary of Commerce.

jointly by the Administrator and the Secretary of Labor.

9. Require that transit facilities affected by this program be equipped to prevent and control air pollution using criteria established by the Secretary of the Department of Health, Education, and Welfare.

EXHIBIT B

Individual Federal income tax payments by States for the year 1961

[In millions of dollars]

United States:	
Alabama	343.5
Alaska	49.4
Arizona	219.9
Arkansas	144.2
California	4,979.8
Colorado	777.5
Connecticut	876.7
Delaware	272.2
Florida	813.2
Georgia	541.1
Hawaii	149.7
Idaho	99.7
Illinois	3,829.5
Indiana	1,133.8
Iowa	419.9
Kansas	371.6
Kentucky	351.5
Louisiana	420.9
Maine	138.4
Maryland and District of Columbia	1,436.7
Massachusetts	1,545.1
Michigan	2,443.3
Minnesota	796.0
Mississippi	133.8
Missouri	1,130.4
Montana	95.8
Nebraska	327.5
Nevada	91.4
New Hampshire	118.5
New Jersey	1,538.4
New Mexico	139.7
New York	8,081.1
North Carolina	510.3
North Dakota	63.3
Ohio	3,003.8
Oklahoma	398.0
Oregon	378.6
Pennsylvania	3,246.3
Rhode Island	214.9
South Carolina	197.2
South Dakota	72.2
Tennessee	442.7
Texas	1,686.3
Utah	155.5
Vermont	53.5
Virginia	593.8
Washington	647.0
West Virginia	192.2
Wisconsin	835.4
Wyoming	55.5
Grand total for the year 1961	[1]46,556.8

[1] The figures on this chart represent the individual income and employment taxes collected as reported in the 1961 Report of the Secretary of the Treasury (T. 18, p. 496), less the contributions for old age, survivors, and disability insurance as reported in Social Security Bulletin, Annual Statistical Supplement (T. 29, p. 31).

EXHIBIT C

[From the Wall Street Journal, Dec. 9, 1963]

STUDY INDICATES RAIL SUBSIDY DID NOT MAKE LINES' BOSTON COMMUTER SERVICE PROFITABLE

BOSTON.—A railroad and a State agency indicated State and local funds to subsidize lower fares and more trains for rail commuters to Boston failed to generate during a year-long experiment enough new passenger traffic to make it possible for commuter railroads to break even.

The low-fare subsidized experiment in Boston was set up to help provide guidelines for proposed Federal aid to cities all over the country faced with commuting problems. Most of the Nation's commuter railroads claim they are losing substantial sums on a declining number of passengers while cities contend with approach roadways that are clogged with growing automobile traffic. A prime objective of the experiment here was to determine whether lower rail fares would attract enough new passengers to end the railroad's red ink and reduce highway congestion or whether it would be cheaper to subsidize railroad commutation than to build new roadways for commuters in autos.

Boston's major commuting railroad, the Boston & Maine, apparently has decided subsidies aren't enough. Over the weekend it said it will file an application early next year to discontinue all its passenger operations in and out of Boston. The application will be filed with the State department of public utilities, which has first jurisdiction over intrastate rail operations. If the department fails to act within a specified time, the railroad can file its application with the Interstate Commerce Commission. Earlier, two other railroads applied to end nearly all their rail commuting service to Boston.

PASSENGER DEFICITS ESTIMATED

Boston & Maine had a passenger deficit during the first 9 months of this year of $2,839,510 despite a government subsidy of $1,370,250.

The New Haven Railroad said it is losing about $1,500,000 yearly on commuter service to Boston. A few days ago it petitioned the State agency for permission to end nearly half of its commuter service to Boston. This half includes all of its passenger service totally within the State. The remaining half involves commuter trains on the New Haven main line, which runs from Boston through Providence, R.I., en route to New York. The New Haven, which also was in the subsidy experiment, seeks to discontinue 32 daily trains. Its 13 trains that run each way between New York and Boston wouldn't be affected by the application.

The Boston & Albany division of the New York Central, which runs from Boston to Albany, N.Y., through Springfield, Mass., has also applied for permission to end its passenger service on the line. The railroad claims its losses, on two trains daily each way exceed $100,000 a year. It didn't participate in the subsidy experiment.

Although the experiment "resulted in a substantially higher volume of railroad use by commuters, the project also demonstrated that the service could not have been provided without a heavy private subsidy from the railroad in addition to the support of the Government grant," said Daniel A. Benson, Boston & Maine president.

AGENCY AGREES WITH RAILROADS

The Mass Transportation Commission, the State agency set up to conduct the experiment, arrived at a conclusion similar to that of the railroads.

"There is no reasonable doubt that the Boston & Maine management must soon petition for immediate discontinuance of all its Boston passenger service unless some form of relief from the net cash drain from the commuter service is quickly obtained," the Mass Transportation Commission says in a report just released.

As an alternative to railroad losses or building additional highways, the commission tentatively recommends the formation of a massive State transportation authority. This authority would be empowered to extend lines of such mass transit facilities as subways, streetcars, and buses and to purchase commuter service from railroads. It proposes a $2.2 million purchase from Boston & Maine in each of the next 5 years.

The commission cites precedents in New Jersey and Philadelphia. In New Jersey the State Highway Department has been supplying about $6 million yearly to help pay for railroad commuter service and recently requested the sum be raised to $8.5 million yearly, the commission says.

SERVICE CUT SET JANUARY 5

The Boston & Maine says it plans to reduce passenger service on January 5, the date its experiment contract with the Mass Transportation Commission ends. But the road says it will maintain most present fares. By reverting to its old schedule the B. & M. will operate 204 trains daily Monday through Friday rather than the 386 it is operating during the experiment.

Although the experiment started out with drastically reduced fares—tickets for one run dropped to 93 cents a round trip from $1.35—peak hour fares were restored to old levels in August. Low fares continued during slack hours.

The low fares and increased service boosted passenger traffic substantially; by August volume was running over 32 percent ahead of a year earlier, the B. & M. says. Revenue, however, increased only about 4 percent, the railroad said, and was insufficient, despite the subsidy, to put the service in the black.

The Department of Public Utilities reacted to the prospect of an end to railroad commuting in Boston cautiously. "We always hear the evidence but we are reluctant to authorize the abandonment of any service unless it can be shown that it must be done," says Norman Mason, department chairman.

STEADY SWITCH IN TRAFFIC

B. & M.'s passenger business has declined steadily during recent years. Last year passengers numbered only about 5.5 million, down from 14.7 million in 1954. Commuter railroads now bring in only about 22,000 passengers daily, down from 80,000 daily in 1949.

Highways have been carrying an increasing number, up to an estimated 100,000 to 150,000 daily, according to the Mass Transportation Commission. During recent years about $600 million has been spent in the Boston area on expressways and other roads used principally during the hours most people either go to work or return home.

The vast majority of Boston commuters, about 300,000 daily, however, ride on subways and street railways operated by the Metropolitan Transit Authority, a State agency providing service to Boston and 13 suburban cities and towns. During 1952 it operated at a deficit of $16.4 million, which was made up by taxes in the towns in which it runs. The Mass Transportation Commission proposes that the new authority take over and extend the lines of the Metropolitan Transit Authority.

EXHIBIT D

HOW TO MAKE MONEY IN THE SMALL BUS FIELD

(By Mel Brdlik)

Who says you can't make money these days as the operator of a small busline? Not South Suburban Safeway Lines in Harvey, Ill.—or at least they say you can make money, with one known (to them) exception.

South Suburban is an operation of 132 buses with 156 drivers, a maintenance crew of 40, and 7 men guiding their managerial functions. They operate as the name suggests, in the south suburban area of Chicago connecting 26 communities with each other, with the South Side of the city and with Chicago's Loop.

In many ways this is a favored position for a busline to be in, given today's suburban sprawl and the greatly improved (if still crowded) expressways headed out to suburbia. But many bus companies in a similar situation have not done as well.

Consider the gains posted by South Suburban since 1958:

Revenue: up 20 percent (1963 compared to 1958).

Income (net): up 32 percent (1963 compared to 1958). This without a fare increase.

What secret seasoning must be cast into the transit brew to produce such savory statistics?

"Our basic philosophy," quotes Bob Thompson, company president, "is that the customer is the most important person in our business and that we are eager to furnish rides for anybody, any time. But the rides must be furnished at a profit." He says it, not like a man divulging a secret family recipe, but as a matter-of-fact business principle set down over 30 years ago by Paul Dittmar, chairman. Dittmar founded the company in 1927 and under his guidance they have prospered and grown to their present size.

In the operations end of the business this philosophy means that South Suburban will never trim service until people—by not riding—make it necessary. On the other hand, they will increase service as loads increase.

What happens if the public—by not riding—makes it necessary to trim back all service until very little is left? The company has had to face this, too. It is the one important exception cited above.

This did not occur in Chicago's south suburbs, but did in Kankakee, Ill., a town of about 100,000, which presently has no busline and little prospect of getting one. South Suburban's connection with Kankakee is that they were asked to come in and operate the city busline in 1961. The story is that one night, the week before, the former operator in this city packed all his worldly possessions in the back of one of his buses and took off for parts unknown, leaving the city without public transportation.

That's when city fathers approached Messrs. Dittmar and Thompson. Their reply: "We'll furnish rides for anybody, wherever a profit is possible." Downtown merchants and others in Kankakee were willing to subsidize South Suburban's efforts to the tune of $10,000 for the first 6 months of operation.

Though South Suburban was willing to furnish rides for anybody in Kankakee, the $10,000 dwindled to nothing in a little short of 6 months and after giving the experiment a couple extra cost-losing months for good measure, South Suburban was forced to discontinue operations for lack of riders.

The nonsuccess of this experiment did not dampen their enthusiasm for experimenting with other services, however, and the company pulled their buses back to Harvey to engage in regular operations plus two or three other diversifications where profit is possible.

As good as it may be, an operating philosophy alone does not explain the "how" behind making a profit. What might better explain it is the driving force behind the philosophy. At South Suburban this force results from:

A careful selection of people, loyal to the company and to whom the company is loyal.

A finger-on-the-pulse type scheduling, quickly responsive to rider demand.

Topnotch maintenance practices.

The inauguration of extremely successful sideline services.

WHAT MAKES PEOPLE LOYAL?

At South Suburban, you're a "pup" when you've been around 20 years—and that includes the management, mechanical, and driving ends of the business. Building a staff of people who know the ropes and have chosen the company as a career, has the obvious advantages of experience and devoted service. Potential kink in this chain—the building of an old and moribund management—has not materialized in this case; as witness the company's willingness to change as opportunities arise.

The value of a good personnel function takes various forms. It may manifest itself in a driver like Roy White, who drives the Western Avenue run and can greet, by name, over half of the people who board his bus. White is no exception. Two-thirds of the drivers at South Suburban can do it.

It may show itself in a 30-year veteran like Tony Dunker, with the unlikely avocation of art, who paints oils which have enshrined the rider as "the most important person in our business." These oils are then displayed at his successful private shows. The result in customer goodwill is priceless.

Any good personnel program begins with choosing the right man for the job and then training him properly. Since there are more applicants than openings in their driver's ranks, South Suburban can afford to be careful to pick the right man for each job. Their qualifications for applicants include:

Over 23, married and showing responsibility.

Good credit rating; no police record; good references from former employers.

Able to pass two mechanical tests—an eye test given with an eye machine and a polygraph test given by a professional technician.

Training includes breaking in on every major route in the book over a 3-week period. After actually riding every route, the trainee, accompanied by his instructor, drives from 2 to 5 days under actual conditions. Then he takes a final examination in which he is quizzed on routes, fares, and transfers. Each man is okayed by his instructor only when he passes these tests.

FINGER-ON-THE-PULSE SCHEDULING

South Suburban claims that scheduling is directly derived from the philosophy of furnishing rides wherever profitable. But in a way this is an oversimplification—much more is involved.

Very much more was involved in the one significant scheduling move—the starting of an express bus service on Chicago's Dan Ryan Expressway—which more than any other single factor, is responsible for the company's increase last year. After 2 years of hearings, litigation, and perusals which proved financial solvency, permission was finally granted in February 1963. It was the first such permission on any of Chicago's expressways. On February 4, this service celebrated its first anniversary by counting a daily ride of 4,000 people with 23 regular buses plying the route. The service began with just five buses.

Use of the expressway is 9 miles or more, depending on the route, resulting in a saving of 15 minutes of running time.

In this expressway service lies much of the company's hope for the future, as well. For if they follow the philosophy of increasing service as riders use it, the number of buses will increase. They will gather riders in a much more concentrated area and head for the expressway sooner. The ultimate will be gathering a busload of riders in each of the small towns served and giving expressway service from that town directly to the loop area. This brand of service will make it foolish for the commuter to drive his car downtown, when he can catch an express bus near his home and sit back and let somebody else do the driving.

As a matter of fact, South Suburban is beginning to see this happen already, especially in new communities which are far from commuter rail transportation. In established communities, near the railroad stations, South Suburban schedules their buses to meet the train schedule and thus make a profitable business of "feeding" the commuter trains.

TOPNOTCH MAINTENANCE

What makes a topnotch maintenance program? Opinions differ. But, Ed Marcinski, shop superintendent of South Suburban, estimates that 95 percent of the bus companies with average (or larger) size fleets have complete shop facilities and do their own automotive repairing and overhauling.

Costs of these operations are variable—depending on many factors. There is no question but that the industry would benefit from standardized cost keeping procedures making comparisons feasible. Yet, even without standardized records, several principles stand out in the experience of shop operations like South Suburban.

There is a maximum cost which Ed Marcinski believes is the limit, beyond which shop costs become unprofitable. He sets maximum costs at 25 man-hours per 1,000 vehicle-miles. These costs include housekeeping man-hours for shop functions, but not rent, light, and heat. With his present staff, costs run between 19 to 21.5 man-hours per 1,000 road-miles.

Every automotive job is done in the shop, except crankshaft grinding and armature winding which are farmed out. All body work is done inside. Reason: Costs run about half of what they would outside. For instance, with their present operation South Suburban can overhaul a diesel engine for $400 inside compared to $800–$900 outside. And there is better control of the components that are used in rebuilding when the job is done in their own shop.

Another well-established principle of South Suburban's shop operation is the rebuilding of parts in advance and pulling them from stock as needed. Engines, too, are rebuilt in advance and stockpiled, but this follows a carefully planned program of prescheduling, knowing in advance from the records, what the normal needs will be.

In Marcinski's thinking, it is a well-trained staff, more than any other factor, which enables South Suburban to keep shop activities profitable.

"But," he emphasizes, "there is no one way. Because we have a good staff of men, we operate on a long-cycle of vehicle replacement. We rebuild bodies and engines. We've operated buses for a million miles—of course it's not the original unit. Everything has been replaced two or three times.

"On the other hand, many operators, without the staff or shop facilities, buy new buses and keep them only until they will begin to need major repairs—about the 200,000 mile mark. Then they trade them in. I've heard plant accountants and bus operating managers make a pretty good case for this, and I'm not so sure but that if I were starting out again, I wouldn't recommend doing it that way."

SIDELINE SERVICES—1964'S BIG SUCCESS

In 1963 South Suburban made headlines with the inauguration of their express bus service on the Dan Ryan. The big advance in 1964 may not make headlines in the newspapers, but it is the front page story in South Suburban's ledger book.

In November, South Suburban became the franchise dealer for a national car rental chain. Results are, in President Bob Thompson's words, "Gratifying. We were looking for profitable ways to diversify and the car rental service ties in well with the bus business. We have the automotive know-how, the garage and shop facilities and a reliable name in the community. These things make car rentals a natural sideline."

Facts thus far seem to back up this optimism. Starting conservatively with five autos in November, five more were added in December, and five in January. They have had 78 percent use. Cars are leased from the manufacturer and turned back after a year. They are secured through a local dealer; any model can be ordered and the dealer takes them back in trade on a predetermined schedule.

The usual advertising media are being used to promote car rentals—direct mail, newspapers, gift premiums, and transit ads.

(These are the only transit ads allowed in South Suburban buses.) But the most effective promotion is the personal call on local businesses and industry by rental service managers—who are women, trained to emphasize personalized service.

Another sideline service which has tied in excellently through the years is the school bus business. The older units of the fleet are used for this service and by working closely with the school district on scheduling, these units do double duty. After the morning commercial runs they pick up the high school students in the same area. In the afternoon, they fall into their regular runs after the pupils have been delivered home. The changeover to the school bus signs and auxiliary equipment is easily made by the driver on his route.

This school bus service is performed under bid contract which provides a fair return to the bus company but is far less than the cost to the school if it were to operate its own transportation system.

In line with the national trend, charter bus service is on the increase at South Suburban. They have enjoyed an increase every year on this sideline service. In 1963, charter business was up $9,000 over the previous year.

A sideline which may not be available to many bus operators, continues to be profitto South Suburban * * * their racetrack service. Washington Park is located in the heart of the suburban area south of Chicago. They schedule a regular service from the city rapid transit terminal to the park. The park itself charters South Suburban buses to carry people from the four corners of the mammoth parking lot to the grandstand.

For the most part buses are required at the track during transit off-hours. Since the racing season is in the summer it fits in nicely, augmenting transit volume which normally falls off then.

How does a small bus operator make money in these pessimistic days? Of course, there is no pat answer. South Suburban, certainly successful in their own bailiwick, could not make the same formula work in an 8-month period in a smaller town which previously had been getting poor transit service over the years. This is but one failure. Surely in the story of their many successes, lie ideas which can be turned into profitable operations for other bus transit operators in other places.

Exhibit E

[From the Chicago (Ill.) Daily News, June 12, 1963]

CTA Has Best Year in History

The Chicago Transit Authority annual report shows 1962 was the best in its 17-year history.

Financially, the year achieved an alltime high, with gross revenues of $137,840,949.

Major plant and equipment improvements, highlighted by elevation of the westernmost 2½ miles of the Lake Street route, brought numerous service improvements.

The year was the eighth in a row showing a reduction in accidents.

The report was made by James R. Quinn, acting CTA board chairman since the death of Virgil E. Gunlock, March 21, 1963.

The 1962 revenue was $7,230,203 over 1961 and permitted meeting not only all fixed charges, but also payment to the city of $401,300 for use of city streets. It was only the fourth time since the CTA began operations October 1, 1947, that such payment was possible.

The report credits the first full year of the 5-cent transfer charge for the financial improvement.

Elevation of the Lake Street rapid transit tracks to the Chicago & North Western Railway embankment eliminated 22 grade crossings, mainly in Oak Park, and permitted broadening of South Boulevard to accommodate traffic demands.

The year also saw first deliveries of 300 new look buses and near completion of plans for 180 modern design rapid transit cars. The rapid transit cars will replace 200 old ones, many of them nearly 50 years old.

The total number of CTA employees at the end of 1962 was 12,932, a decrease of 269 from the end of 1961 and of 10,436 from the 23,368 employees in service when CTA acquired its properties from the predecessor companies.

Exhibit F

[From a GMC advertisement]

Riding Revival in Santa Monica: Up Every Year Since 1954—New GM Equipment, Consistent Advertising, Good Customer Relations, Turn the Tide—Meanwhile, New Bigger Buses Cut Manpower Requirements

Only the buses are blue these days in Santa Monica, Calif.

For Santa Monica Municipal Bus Lines, riding is up and has been up every year since 1955, with 20.8 percent more passengers in 1962 than 7 years ago—an improvement without parallel in recent U.S. transit history.

Hard put to earn a profit in the early 1950's, the operation now rings up a surplus in excess of $100,000 annually. During the past fiscal year, reported after-tax earnings were $154,000 on gross revenue of about $1.9 million.

This rosy financial picture is obviously due to two factors: more passengers and lower costs of operation.

To get more passengers, a major selling job has been done. The public has been wooed with new coaches, better service, courteous drivers, publicity, advertising, and some novel experiments in customer relations.

NEW EQUIPMENT

Purchased in sufficient quantities, new buses have given the system a truthful "modern fleet" theme for promotional purposes. A total of 117 GM units have been bought since 1953.

To further draw attention to the new bus theme, Santa Monica was among the first in the Nation to go to brighter, more colorful interiors.

PUBLICITY

Arrival of new buses has been highly publicized via news releases, radio, and some imaginative publicity stunts.

For example, one such delivery—a driveaway from Pontiac—involved interviews with mayors at daily stopping points across the United States. Dispatches were then sent to the Santa Monica papers, creating high local interest in arrival of the buses.

The first new look models called for a big parade. Museum pieces such as a cable car with rubber tires * * * a horse-drawn stagecoach have been used, along with other antique types of transport. Even street dances have been staged. Movie celebrities have occasionally cooperated in these events.

	Passengers carried
1955	10, 957, 137
1956	11, 437, 354
1957	12, 060, 899
1958	12, 211, 759
1959	12, 510, 030
1960	12, 747, 561
1961	12, 858, 137
1962	13, 254, 621

ADVERTISING

Budgeting one-half of 1 percent of gross revenues, advertising funds have been spent chiefly in local and suburban newspapers, plus some spot radio.

The first theme was "Join the Big Swing to the Big Blue Buses." The current slogan: "Step up to a Big Blue Bus and Go First Class."

The system has deliberately set out to create a better image for bus riding and feels that it has succeeded, since the riding gains have not been restricted to lower economic groups.

DRIVER COURTESY

Through group meetings and individual interviews, management has gained the cooperation of drivers in practicing courtesy.

Unlike many buslines which ban baby strollers, drivers here will help mothers bring them aboard.

Requests for changing big bills often bring permission to ride free and pay double the next time.

To counteract any feeling of regimentation within buses, signs are kept at a minimum, restricted only to those required by law.

CUSTOMER RELATIONS

All known sources of irritation between the company and the public are investigated and if possible, removed. Complaints are handled many times by personal calls of supervisors.

Requests for schedules are often handled by personal delivery in radio-equipped cars, sometimes within minutes after a phone call.

CHARTERS

A nice byproduct of all this favorable publicity has been expanded charter business. With very little promotion, charter business mushroomed from $3,100 in 1954 to more than $46,000 last year.

Purchase of new equipment has brought with it cost savings in transportation * * * fuel (from gasoline power to diesel) * * * and maintenance.

CAPACITY SAVINGS

The first GM buses bought by this company in 1953 were 37-passenger models. Within 2 years the first 45-passenger coaches went into service. These were followed by 48- and 51-passenger models. Capacity gain over the years amounts to 12 seats per bus.

	Average seats per bus
1954	34. 82(35)
1962	46. 84(47)

The system is currently operating 97 buses about 3,400,000 miles annually. This compares with 106 buses operating 3,541,000 miles in 1954.

This means that with bigger buses the system has been able to haul 20 percent more riders while operating fewer vehicles * * * fewer miles.

Yet service has not been cut. With the greater capacity of the present fleet, total seat mileage has been higher—see table below:

	Buses	Drivers	Bus-miles	Seat-miles
1954	106	144	3, 541, 014	123, 298, 107
1962	97	119	3, 335, 466	156, 233, 227

As can also be seen, the job has been done with 25 (or 17 percent) fewer drivers. It should be pointed out, however, that during this entire period, drivers worked a 48-hour week.

WIDE BUSES

Much work was done by this management to secure approval of 102-inch wide, 40-foot coaches for California. With permission to operate this equipment in that State (secured in 1958), other savings were realized.

Thanks to faster passenger circulation in wide models, one bus was saved on the heavy No. 7 Pico Boulevard line.

With a reduction of 10 minutes in trip time, from 120 to 110, 11 wide buses now operate on the same headway that previously required 12 conventional width coaches.

Several expensive trippers on other routes were eliminated through substitution of wide buses.

DEPRECIATION

By spending money on depreciation instead of high operating costs, cash has been retained in the business, and capital gains realized on equipment resale.

Buses are depreciated straight line over 7 years, then sold and new equipment purchased.

EXHIBIT G

[From Railway Age magazine, May 4, 1964]

SUBURBAN INVESTMENT PAYS OFF FOR C. & N.W.—NORTH WESTERN IS ONE OF THOSE RARE ROADS THAT SHOW A PROFIT ON COMMUTERS—ONE REASON: $48 MILLION WORTH OF NEW EQUIPMENT

(By Mr. Ben W. Heineman, chairman of the C. & N.W.; Mr. Clyde Fitzpatrick, president)

One of the few success stories in rail commuter service in recent times has been written by the C. & N.W. In 1963, C. & N.W.'s suburban operations produced $203,000 in net income from revenues of $14,245,000. The $203,000 net was chalked up after interest of $1,372,000 was paid on the $48 million C. & N.W. spent for suburban equipment in its modernization program. Traffic is running ahead of last year and C. & N.W. feels its suburban operations will continue to be self-sustaining unless traffic is reduced by competition subsidized by public funds. Here, Mr. Fitzpatrick gives some details of the success story.

Question. Mr. Fitzpatrick, when the present management arrived at the North Western, what was the condition of its commuter operations?

Answer. To state it bluntly, it was bad. No one was happy about the suburban service—commuters, employees or management. Equipment was old and in need of repair. Much of it was originally designed for intercity rather than suburban service. The commuter fleet as a whole was obsolete. Power was a mixture of steam and a few diesels. To make matters worse, delays were just too frequent.

We corrected the power situation rapidly with the elimination of steam engines, but the condition of the coaches disturbed us greatly. Too many did not have the high capacity required in suburban service.

We saw immediately that the job was not one of repairs but complete replacement for this highly specialized kind of service. But we also recognized the fact that unlike many nonpaying through passenger trains—which were nonpaying because they were not used by the public—that condition did not prevail in our commuter service. In other words, we not only had a market, but a growing one.

In a situation like this, there was no likelihood of abandoning commuter service even if we wanted to. The obvious approach, as we saw it, was to make the best of our commuter situation by building a completely new type of commuter service. We had 16 double-deck cars that were efficient and of high capacity. They came closer than anything else we explored to the answer to our equipment problem. Of course, we also recognized that any major changes we undertook would involve heavy investments of funds.

Question. Did North Western's management make studies of the operating area—to establish what trends were ahead for both the near and long-term future?

Answer. Yes. We had access to reliable projections of population growth in our suburban territory. There was a continuing study on this subject by our own people. We also hired a professional market-research firm—the A. C. Nielsen Co.—to make a thorough survey of our territory. We did not presume we knew all the answers just because the railroad had been in commuter service for a century. The independent research was very helpful to us in many ways. One thing we were sure of: Our suburbs were growing and we were convinced we had to modernize and prepare for even greater patronage in the future if we hoped to be competitive with modern expressways that were then under construction.

Summarizing our activity with respect to equipment, we replaced 417 old cars with 200 modern double-deckers having a greater total seating capacity. Since the abandonment of the North Shore electric line, we expanded our fleet by purchasing 10 more double-deckers. The progress of our suburban service recently has been such that I would not be surprised if we have to buy some more double-deck coaches in the near future.

Question. Was not it at the time you were exploring the equipment situation that you developed the push-pull type of operation?

Answer. Yes it was. Under conventional operations, locomotives coming into our Chicago terminal—which is a stubend terminal—had to be backed out and, particularly with steam engines, turned for movements outbound. The same situation was true at the other end of each suburban train run.

To avoid the need for turning was the reason why the first diesels in our suburban service were the so-called general-purpose type. But this still did not eliminate switching of locomotives at the end of runs. This bothered us—and I could not forget my experiences with Illinois Central's electric commuter trains that can be operated from either end. I was convinced this type of operation could be applied to conventional diesel-powered trains by piping the controls and electricity through the cars and building control cabs in a number of the double-deck coaches.

Our people worked on this project and, with the help of equipment manufacturers, we finally developed the push-pull equipment we have today. I might add that it has worked very well. By going to the push-pull concept, we can provide a much more efficient operation than would be possible under the old methods.

We also have taken full advantage of the diesel locomotives: All those in our suburban service have auxiliary generators providing electric power for lights, heating and air conditioning of the cars. One important result has been elimination of air-conditioning generators under the cars, as well as heavy steam piping. In fact, the complete absence of equipment and gadgets under our cars is quite noticeable. What's more important to us is that this absence of undercar equipment has saved us about 15 tons of dead weight per car.

This also has a direct bearing on maintenance, which is so much less on our double-deckers than on conventional coaches that there is no real comparison. These new cars have very little that requires costly maintenance. The air-conditioning units are inside the cars over the ceiling in the vestibules, and, as I have already pointed out, they have no individual generators. All power comes from the locomotive. Units require no fueling as do cars with conventional air-conditioning equipment.

Again with maintenance costs in mind, we told the manufacturer that what we wanted was a car that would be attractive in appearance, inside and out; have a seating capacity of at least 160 persons per car, but still be comfortable and roomy, and be capable of being cleaned, if necessary, by hosing down the interior. While I'll admit that this seemed quite an order at the time, this is a good thumbnail description of our cars. Windows are large, but of tinted glass. This makes costly window shades unnecessary. There are no painted surfaces inside the cars, even though they are colorful. Such surfaces as walls and ceiling are of textured vinyl permanently bonded on metal. Exposed metal surfaces are either stainless steel or aluminum. Seats have foam-rubber cushions upholstered in attractive but durable vinyls. So durable are these interiors that coaches 3 or 4 years in service still look like new.

Question. What about activities in the nonequipment aspects of your commuter operations—things like ticketing, advertising, marketing?

Answer. While intercity passenger service has been shrinking for many years, our suburban service has been growing in volume of business. Today our annual suburban revenues exceed $14 million, while intercity passenger-train revenues were less than $6 million. With the decrease in intercity service, we have focused increasing attention on the much larger commuter operation where there is a growth potential. While anyone in the area served by our suburban trains is regarded as a potential rider by us, our principal market is the motoring commuter—and much of our merchandising effort is directed at him. For the past several years, for example, we have been wooing motorists with radio commercials beamed at them during the morning and evening rush hours.

Incidentally, while we made major changes in equipment, we also modernized our commuter ticketing. All of our multiple-ride commuter tickets today are of the "flash" type, good for unlimited rides for the period purchased and requiring no punching by the conductor. Passengers place their flash tickets in appropriate holders and are not disturbed while crews check tickets. Since we inaugurated this type of commuter ticket we have also made it available to our customers by mail. Today some 8,200 persons obtain their commuter tickets automatically every month in this manner. I understand there are some other railroads that sell suburban tickets by mail, but I believe we sell more monthly tickets under this plan than any other line in the country.

Question. How about expansion of commuter operations?

Answer. Today we have more suburban service than ever before in the history of the company. In fact, we would welcome logical opportunities for expansion. As a matter of fact—this is a volume service: I'd love to expand it. A recent example of this took place when the North Shore line discontinued its service. We immediately added service, added stops to existing trains and extended some trains to Kenosha. In fact, we even added a couple of experimental trains between Chicago and Milwaukee. We also have provided regular weekend special service for Great Lakes Naval Training Base. And, as I have mentioned, we purchased 10 more double-deck cars at a cost of $1.6 million. All of this was expansion to handle additional commuters. And I hope there's a lot more expansion to come.

Question. Do you feel that sociology is with your commuter service as Chicago gets more congested?

Answer. Yes, I do. When Chicago's expressways were opened we lost a very sizable number of passengers. But Chicago's expressways are already obsolete in that they are handling more traffic than they were designed to handle—and they're not even 5 years old. We feel we have regained some of the business we had lost to the expressways, although it is a little hard to calculate because of the sharp increase in passenger count following the North Shore abandonment. We also definitely notice an increase in riders on off-peak trains.

Question. Has there been a year-by-year pattern of people coming back to the commuter service?

Answer. I think a definite pattern would be discernible except for the fact that there have been factors that have had a disruptive effect. Before the expressways were built we had a pattern of steady growth; this reversed itself as soon as the expressways were opened to the public. Another adverse effect was the 30-day strike in 1962 which caused us to lose more commuters than we could afford. On the other hand, the North Shore abandonment had a strong positive effect on our passenger load, and, of course, we are convinced the quality of our present service is a major factor in bringing new riders to us.

Question. Do you feel that Government's increasing role in metropolitan transportation is justified?

Answer. I think so—where people were not being given adequate service in the beginning.

In our case, however, I do not agree with Government aid to any form of mass transit which would permit expansion into our territory where we are providing adequate service. We think we have some of the finest suburban service in the world and we feel that the Government canont justify establishing competitive service into areas where we are already serving the public.

We also disagree with the efforts of Chicago Transit Authority to secure money to expand in the median strip of the Northwest Expressway into communities that we now provide with what we think is excellent service. We opposed that and we will oppose it again. In the commuter territory served by the North Western we don't think there is any need to provide Government help.

Question. Mr. Fitzpatrick, do you have any suggestions how transportation facilities can be rationalized to prevent duplication and waste in a large metropolitan center like Chicago?

Answer. I am not sure that it can be accomplished—short of establishing an agency charged with the task. We have attempted to work out some coordination with other forms of mass transit in Chicago and into the suburbs. We haven't achieved all we would like in the way of a coordinated operation. We have made many suggestions which, from our point of view, appear practical. Because of the many interests involved—commuter railroads, CTA, buses, highway people and the general public—I think it would take something in the nature of a commission with considerable authority.

EXHIBIT H

Revenue passengers carried on transit lines of the United States in December 1963 and during the 12 months ending Dec. 31, 1963, distributed by population groups

Population group	December 1963		12 months ending Dec. 31, 1963	
	Thousand passengers	Percent change from 1962	Thousand passengers	Percent change from 1962
Cities over 500,000 (total)	379, 101	+0. 86	4, 404, 654	−2. 33
Rapid transit lines	144, 218	+3. 01	1, 660, 624	−2. 55
Surface lines	234, 883	−. 42	2, 744, 030	−2. 20
250,000 to 500,000	64, 704	−5. 13	780, 731	−6. 31
100,000 to 250,000	49, 366	−5. 37	570, 243	−6. 55
50,000 to 100,000	38, 881	−4. 74	468, 660	−5. 60
Less than 50,000	16, 977	−. 59	193, 832	−6. 04
Total, all cities	549, 029	−. 92	6, 418, 120	−3. 57
Suburban and other	39. 877	−. 21	448, 341	−3. 86
Grand total	588, 906	−. 88	6, 866, 461	−3. 59

Source: American Transit Association.

Mr. THURMOND. Mr. President, will the Senator from Ohio yield?

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER (Mr. BAYH in the chair). The Senator from Louisiana has the floor.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may comment on the address just made by the Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I commend the distinguished and able senior Senator from Ohio [Mr. LAUSCHE] for the splendid address he has made, and I desire to associate myself with his remarks.

The Senator, as always, has brought out some very important points concerning the mass transit proposal. There is no constitutional authority to be found which would uphold the mass transit proposals. Certainly, the commerce clause provides no basis, and the general welfare clause of the Constitution can by no means be stretched far enough to include such a bill.

This is a highly extravagant program which our country cannot afford at the present time.

I note, in this regard, that the administration has requested from Congress an increase in the national debt limit from $315 billion to $324 billion. If this mass transit proposal should be enacted, further increases in the national debt limit would be forthcoming. Congress should be waging a war on extravagance and then open a battle aimed at this particular proposal. Many communities have shown that this is a proposal which can and should be coped with on the local level. If Congress decides to enter the field, history has proved that local initiative will falter and eventually die. The local community involved will look to Washington for the solution of its local transit problems.

Experience shows that when the Central Government subsidizes, it also controls. Control in the area of local mass transit could very well expand and lead ultimately to nationalization of other modes of transportation, particularly the railroads.

The proposals now pending in Congress are no more than foot-in-the-door measures. From this first step many more would follow.

The program should be rejected in its infant stage.

Again, I commend the able Senator from Ohio for his address.

Mr. LAUSCHE. I thank the Senator for his comments.

LET US BEGIN TO WAGE PEACE IN SOUTHEAST ASIA AT THE CONFERENCE TABLE

Mr. ELLENDER. Mr. President, I now yield to the Senator from Alaska [Mr. GRUENING] under the same conditions as I yielded to the Senator from Ohio.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, it is still not too late for the United States to wage a determined fight at the conference table for peace in the entire southeast Asia.

Donald Grant, able U.N. correspondent and foreign news analyst for the St. Louis Post-Dispatch, in a thoughtful article published in the May 25 issue of the Nation has blueprinted an "Alternative to Disaster." He, too, agrees that peace and neutralism in Laos, Cambodia, North Vietnam, and South Vietnam must come through the United Nations.

Mr. Grant states:

> The first step is to convene another meeting of the nations involved in the South Vietnam affair, a meeting similar to the one in Geneva in 1954, which ended the Indochina war with France. This time the purpose would be to hammer out an acceptable plan for neutralizing the entire area. * * * And this time there should be no nonsignatories to the agreement, as were the United States and its chosen government in South Vietnam in 1954.

As a second step, Mr. Grant proposes that the neutralization plan worked out be brought to the Security Council of the United Nations for enforcement by that body.

I ask unanimous consent to have Mr. Grant's article printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM: ALTERNATIVE TO DISASTER

(By Donald Grant)

It is not really very difficult to demonstrate that the U.S. involvement in the civil war in South Vietnam is a wasteful and futile exercise. Two correspondents in Saigon have just received a Pulitzer Prize for overcoming that difficulty: the story of ever-mounting casualties and expenditures and of diminishing returns for American policy objectives is on public record. Senator WAYNE MORSE, of Oregon, has assembled the facts and the evidence in a notable speech to his colleagues that is recommended reading.

Senator MORSE concluded that the mess in South Vietnam should be turned over to the United Nations, at the same time acknowledging, in part, the difficulties involved. The United Nations is not a world government; it lacks both the power and the political mechanism to force a peaceful solution to a direct confrontation between major powers.

In the case of South Vietnam, however, the United Nations has real possibilities for usefulness that have not been explored. It is a pity that this unthinkable thought has never been pursued seriously in the State Department since the United States plunged recklessly into Vietnam in 1955.

There are a number of possible explanations for this paralysis of imagination in Washington. How can the United Nations act effectively in a situation that involves, among other nations, the People's Republic of China, North Vietnam, and South Vietnam, none of which is a member of the United Nations? Moreover, as Senator Morse so ably demonstrated, the American position in South Vietnam is legally and morally compromised. Would not exposure of this abominable reality before our enemies and quasi-friends in the U.N. further damage American prestige?

So we go on, spending $1.5 million a day, sending in upward of 15,000 American troops, some of whom return with full honors but quite dead. From time to time, figures are published to show that members of the Communist Vietcong have been killed or captured by the hundreds. And other figures show that the theoretical strength of the Vietcong is just about what it has been right along.

Periodically, we take a nervous glance at the areas surrounding Vietnam. There was an American project a while back to upset the neutrality in Laos, in favor of the right wing; by now we would settle for neutrality in the Souvanna Phouma center, but find it not easy to restore broken eggs to their shells. Cambodia's Prince Norodom Sihanouk seems much too happy when visiting Peiping. The State Department people comfort one another by saying the Cambodian Premier is something of a playboy and does not really mean it. Even Thailand—the headquarters for John Foster Dulles' SEATO was established in Bangkok—is taking a second look at its all-out commitment to the United States. Historically, the Thais have been good judges of political reality; they maintained their independence through the era of colonialism by playing off the greater powers one against the other.

Instead of these rapid and anxious glances, the time has come for Americans to take a long and resolute look at their position in the whole of southeast Asia. Using a minimum of commonsense we could, I think, learn a good deal. For example:

The most useful area to deal with is not a swampy piece of real estate called the Mekong Delta, but the entire area covered by the successor states to the old French Indochina—Cambodia, Laos, North Vietnam, and South Vietnam.

The problem is not chiefly military, but political.

As such, it involves a number of nations, large and small—but no viable solution can be reached without consulting the People's Republic of China.

For reasons exhaustively detailed by Senator Morse—reasons legal, moral, political, and practical—it is highly desirable to achieve a solution through the United Nations.

It is not very helpful to try to internationalize the problem of Vietnam through SEATO, by inducing a few troops from the Philippines to join the battle. NATO could not solve the Cyprus problem, and SEATO is a midget compared to NATO, the wounded giant.

What is required is peace, and the isolation of southeast Asia from the struggles between the great powers. That will not solve all the problems in the area: new nations everywhere are going for some time to have what U.N. Secretary General U Thant has called "teething troubles." But with some foresight these troubles can be prevented from escalating into dangerous confrontations between the large nations. That is what President Charles de Gaulle of France meant when he spoke of neutralizing southeast Asia. It is what Senator Morse had in mind when he urged that the problem of South Vietnam be turned over to the United Nations.

Time is scarce. As Senator Morse noted, even now there is talk of U.S.-led attacks on North Vietnam. He also suggested that Peiping could not be counted on to accept this offensive passively.

"This escalation on both sides," he told the Senate, "can only lead to a disaster for the United States. It can only lead from being bogged down in South Vietnam to being bogged down in North Vietnam and then to being bogged down in China. All the briefings on that subject matter that I have received thus far in my many years in the Senate show that is not the place to pick as a battleground with communism."

If that is where the present course is leading, it may not be so unthinkable, after all, to consider the obvious alternative to disaster. The U.N. must play a role in that alternative, but not an initiating role. The first step—and as soon as possible—is to convene another meeting of the nations involved in the South Vietnam affair, a meeting similar to the one in Geneva in 1954, which ended the Indochinese war with France. This time the purpose would be to hammer out an acceptable plan for neutralizing the entire area—Laos, Cambodia, North Vietnam, and South Vietnam. And this time there should be no nonsignatories to the agreement, as were the United States and its chosen government in South Vietnam in 1954.

The Geneva meeting included Cambodia, North Vietnam, South Vietnam, Laos, France, the Soviet Union, Britain, the People's Republic of China, and the United States. There is no reason why other interested nations should not be invited. The Vietcong, which appears to operate with a considerable degree of autonomy, probably should be represented.

Negotiations designed to neutralize the successor states to the old French Indochina should begin outside the United Nations because key nations, including Communist China, are not members. But the project would not end at such a meeting. A plan, once agreed upon, would be presented to the United Nations Security Council, and the Council would be asked to set up a peacekeeping force to guarantee that neutralization became and remained a fact.

Further, as the United Nations forces entered South Vietnam, U.S. forces would leave. U.N. forces would also be stationed in North Vietnam, Laos, and Cambodia. As an incident to peace, the border dispute between Thailand and Cambodia would have to be settled. The most difficult task, however, would be to achieve an equitable ending to the civil war in South Vietnam.

A longing for peace certainly is not foreign to the people in South Vietnam. More important, it is a perhaps harsh reality of world relations that the representatives of small nations or fractions of nations in southeast Asia would find it extremely difficult to reject the concerted will of the United States, Britain, France, the Soviet Union and the People's Republic of China.

But what do we mean by neutralization? A State Department official recently told me that any neutralization plan for southeast Asia was unrealistic because "no Communist nation ever gives up communism, and North Vietnam would not." The issue, however, is not whether the bus lines in Hanoi are state owned or the property of free, private enterprise. Yugoslavia is a Communist state—and a neutralist one. The essence of neutralization, in this context, is that the state in question must not be used as a pawn by any of the great powers.

Until an attempt is made to find out, it is impossible to know whether Peiping would accept a neutralization plan. But it is not totally unreasonable to assume that Mao Tse-tung would welcome the removal of U.S. forces from the proximity of his southern borders. Advantages for the United States are obvious. North Vietnam would be less subject to pressure from Peiping. The American expenditure of men and money would cease, and the danger of our involvement in a major conflict under the least favorable terms would be avoided.

Since neutralization of southeast Asia is fervently advocated by De Gaulle, one can assume French cooperation. British cooperation is almost as automatic: stabilization of the old Indochina area would ease relations for them in Malaysia and Hong Kong. Soviet Premier Nikita Khrushchev has staked his career on peaceful coexistence and the support of neutralism. This alone does not assure Soviet cooperation, but Moscow now runs the danger of overextended commitments in an area where the power of decision tends to rest with Peiping. This is not in the Soviet interest. Peace could hardly be unwelcome in Laos and Cambodia; both strive for neutralism now, with only partial success. Everything we know about Ho Chi Minh, the North Vietnamese leader, leads one to believe he would be delighted to escape from the role of the little fish ever about to be swallowed by the very large Chinese fish.

This plan for peace and neutralism in Laos, Cambodia, North Vietnam and South Vietnam has been under private discussion within the United Nations. As U.N. diplomats turn it over in their minds some interesting facets appear. Laos and Cambodia are already members of the United Nations. It would be highly desirable, in connection with the neutralization plan, for North Vietnam and South Vietnam also to be admitted. They could come in as separate states, but without prejudice to future integration, as provided in the Geneva agreement of 1954. There are precedents for this in the merger of Egypt and Syria, and their later resumption of separate nationhood, and in the current merger of Tanganyika and Zanzibar. U.N. membership rules and practices readily encompass such developments.

Furthermore, the admission of North Vietnam and South Vietnam would itself be an interesting precedent. How about North Korea and South Korea? How about East Germany and West Germany? How about—for that matter—mainland China and Taiwan? This, to be sure, will also occur to the astute gentlemen in Peiping, but as U Thant noted recently, a few unthinkable thoughts may also be good for people other than Americans—among them the Chinese.

By participating in a conference of nations directly interested in the southeast Asia problem, and by seeing the decisions of that conference underwritten by the United Nations, Communist China would have a chance to test the winds blowing from the East River. The United States and the Soviet Union could test Chinese intentions at close quarters, and a step would have been taken toward including the dragon within the world system.

Policing neutralism in Laos, Cambodia, North Vietnam and South Vietnam would be a tough assignment, and there is reason to believe that U Thant would welcome it. Peace is Thant's business. He also believes the United Nations grows in strength by using its muscles. With advance agreement among the great powers, he could anticipate vigorous and unanimous action by the Security Council, which would help make his task more feasible.

There still remains, of course, the business of the dominoes—the theory that unless the Vietcong is utterly effaced in South Vietnam, all of southeast Asia will fall to communism, piece after piece. The domino metaphor was always dubious; it loses all relevance if neutralism in Laos, Cambodia, North Vietnam and South Vietnam is guaranteed by a United Nations peace force on the spot.

Southeast Asia is a complex of islands and peninsulas inhabited by a variety of human being of several cultures, subcultures, religions and political and socioeconomic systems. None is really suitable as a counter in a parlor game, whether played in Moscow, Peiping or Washington.

Mr. GRUENING. Mr. President, time is running out in southeast Asia. Without active leadership on the part of the United States to bring about peace in that troublesome area, time is on the side of war—not peace.

Already the belligerent voices of those who want to escalate the fighting there are to be heard on all sides. It is indeed frightening to hear those voices advocating the use of atomic weapons in North Vietnam. At a time when weaponry has advanced—if that is the correct term to use—to the point where civilization can literally be wiped off the face of the earth at the press of a button, it is discouraging to hear and read exhortations by those who should know better for the United States deliberately to risk a general nuclear war.

All serious students of the problems besetting southeast Asia are agreed that peace in that area will be achieved only through negotiations at the conference table and not on an ephemeral battleline.

That the so-called limited use of nuclear weapons in southeast Asia is under active discussion—at the Pentagon, at least—was discussed by Hanson W. Baldwin in his article published in the New York Times last Tuesday.

According to Mr. Baldwin, those advocating the limited use of nuclear bombings assert that such bombings would "serve to demonstrate to Hanoi and to Peiping the determination of Washington to carry the war to North Vietnam unless President Ho Chi Minh of Communist North Vietnam halted his aid to the Communist Vietcong operating in the south. The initial targets suggested were powerplants, some key bridges and a few factories, selected to minimize loss of life."

I ask unanimous consent to have Mr. Baldwin's column, published in the New York Times of May 26, printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

A-Warfare in Vietnam—Red's Supply Routes Has Some Support—Goldwater's Advocacy of Interdicting

(By Hanson W. Baldwin)

The utilization both of nuclear and conventional weapons to expose and interdict Communist supply lines to South Vietnam has long been under study in the Pentagon. Senator Barry Goldwater brought some of these discussions into the political forum over the weekend when he suggested—his spokesman said he merely "discussed"—the possible use of nuclear weapons to defoliate the trees over jungle trails and of conventional weapons and to destroy bridges, roads, and railroads in North Vietnam.

The Arizona Republican said he strongly advised that we interdict supply routes, wherever they may be.

Such action has been advocated by some military men as part of contingency plans. The Navy and the Air Force proposed some time ago the utilization of U.S. planes to undertake, in conjunction with a naval blockade, token bombings with conventional weapons of thinly populated areas in North Vietnam.

DEMONSTRATION BOMBINGS

The bombings, it was maintained, would serve to demonstrate to Hanoi and to Peiping the determination of Washington to carry the war to North Vietnam unless President Ho Chi Minh of Communist North Vietnam halted his aid to the Communist Vietcong operating in the south.

The initial targets suggested were powerplants, some key bridges and a few factories, selected to minimize loss of life. If the hint were not taken or the Communist stepped up their war effort still unapproved contingency planning envisaged sea and air blockades of North Vietnam. These would utilize sea mines, naval vessels and the destruction of bridges, roads, and railroads leading from China into Vietnam.

The supplying of the Vietcong guerrillas in the south from North Vietnam does not, however, depend to any large extent on formal communication routes.

Many hard-core Communists filter into the south with new weapons over the so-called Ho Chi Minh trail. This consists of many alternative trails leading over the mountains and through the jungles from North Vietnam and Laos into South Vietnam. Other infiltrators operate out of a secure sanctuary in Cambodia; a few come in by sea.

SOME ATTEMPTS MADE

Various means of checking or cutting these diffuse and hidden supply lines have been suggested. Some methods have been tried and been found wanting. Ambushes along the jungle trails have been only intermittently successful.

Defoliation experiments have been carried out, usually along South Vietnam's main communication routes, in attempts to eliminate the cover that the verdant forests and mangrove swamps provide for Communist ambushes. Chemical herbicides sprayed from aircraft have had localized and limited utility.

The suggestion that nuclear weapons might be used to block routes through mountains, rain forests, valleys, mangrove swamps, or bamboo groves was discussed at length in 1960 in the spring issue of the Air University Quarterly Review. The magazine is described as the professional journal of the Air Force, but neither its authors nor its articles reflect official opinion.

In an article entitled "Nuclear Weapons and Limited War, Gen. Frederic H. Smith, Jr., now retired but then Commander in Chief, U.S. Air Forces in Europe, and later Vice Chief of the Air Staff, cited some of the terrain of southeast Asia in discussing what nuclear weapons might do.

HAPHAZARD USE OPPOSED

He emphasized that such weapons cannot be used haphazardly. "Certain very clear-cut restrictions," he said, "must be placed upon their use—restrictions in targets, in yields, and in character of bursts."

He said new criteria were required in the selection of targets for nuclear weapons in limited war.

General Smith discussed what he called situation-control targets; for example, the use of nuclear weapons to destroy forest cover and "the closing of narrow gorges in mountains by causing extensive landslides." He declared that the airburst of a single nominal-yield (20,000 tons) nuclear weapon would clear a forest area about 8,000 feet in radius.

"To achieve a similar effect with napalm," he said, "would require 8,000 sorties of F-100 (fighter-bomber) aircraft, each carrying four 120-gallon drop tanks. Not only would 32,000 tanks have to be transported to the operating base, but 25 million pounds of napalm would also have to be provided, over and above 8,000 sorties worth of fuel."

The general considered the use of nuclear weapons against a valley defile covered by large trees and groves of bamboo. A nominal-yield weapon, he said, would break branches from trees to an effective diameter of approximately 15,000 feet. He said trees stripped of leaves and stem breakage, would extend out to approximately 22,000 feet.

In his conclusion, General Smith argued for a general acceptance by the United States of the requirement for the use of nuclear weapons in limited war. The United States, he asserted, cannot afford to try to match Asian manpower in conventional warfare on the ground.

Mr. GRUENING. Mr. President, those advocating nuclear bombings in North Vietnam are unrealistic in the extreme. The United States does not endear itself either to the people of North Vietnam or to the people of South Vietnam by laying waste indiscriminately powerplants and factories in North Vietnam and, in the process, atomizing innocent men, women, and children.

The image of the United States has not improved in the world by its napalm bombings of entire villages in South Vietnam. Bad as that is, it would be infinitely worse were we also to use atomic weapons.

The Washington Post and Times Herald is absolutely right in saying that the use of such weapons in the fighting in southeast Asia should cease. I ask unanimous consent that the editorial published in today's Washington Post entitled "Defoliants in Vietnam," be printed in the Record at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Defoliants in Vietnam

The miscalculation that caused the destruction by defoliants of crops in a friendly South Vietnam village has again called into question the wisdom of using such agents at all in this kind of war. This sort of unselective and nondiscriminating warfare, like the use of napalm and similar weaponry, simply is not suited to the pursuit of guerrilla infiltrators. We are burning the barn to get at the rats.

The employment of the devices of chemical warfare even in enemy country where the inevitable hardships fall upon the enemy's civilian population is open to all sorts of ethical doubts. Their employment in a civil war, where the consequences are visited upon a civilian population we are trying to defend is folly compounded.

Their consequences of employment by error and miscalculation are simply terrible. But we can avoid the results of error, in the employment of these weapons, by not using them at all in an environment for which they are totally unsuited.

Mr. GRUENING. Mr. President, Art Buchwald, in his column "Capitol Punishment," published in the Washington

Post and Times Herald on May 26, 1964, entitled "How Are Things in Nonamura," treats the entire subject of escalation of the war in southeast Asia in a semihumorous vein, with an underlying theme of grim seriousness and truth. The article is worth reading in full:

Capitol Punishment—How Things Are in Nonamura

(By Art Buchwald)

When the country of Nonamura in central Africa started having troubles with tribes in the north, it asked the American Ambassador for advice.

The American Ambassador said he didn't know much about military affairs, but perhaps the United States, as a gesture of friendship, would send a military adviser to straighten out the matter.

A U.S. Army sergeant was dispatched from Tripoli. In a few days he wrote his superiors: "I am shocked to find Nonamura soldiers still using poison darts, spears, and World War I rifles. Urge immediate shipment of up-to-date small arms."

The request was approved and the Nonamura army not only received surplus American small arms, but also three advisers, led by a captain, to see that they were used properly.

The captain and advisers distributed the small arms, but realized that if they were to be effective the Nonamura army would need transportation. The captain cabled: "Please send U.S. trucks and weapons carriers with team of specialists at once as war going badly in north."

The transportation specialists, commanded by a major, showed up and after studying the situation the major cabled back: "In order to make use of weapons carriers and trucks I strongly advise immediate dispatch of tanks. Otherwise cannot guarantee Nonamura army victory."

One hundred tanks with 990 tank experts, commanded by a colonel, were shipped in. Unfortunately, while the colonel was setting up the tank school, the rebel tribesmen overran a government position and stole most of the weapons supplied by the United States.

(The rest were sold at bargain prices to the rebels by a corrupt minister of defense.)

The colonel flew back to Washington to make a report. He advised the Pentagon to replenish the stolen weapons and, while they were at it, to include some flamethrowers, rockets, antiaircraft guns, and long-range artillery.

The Pentagon took the colonel's advice and the equipment was sent with a division of advisers from Ft. Benning, Ga., commanded by a major general.

He no more than got settled when he shot off a wire to the Joint Chiefs of Staff: "Impossible make any headway in Nonamura without air support. Strongly advise you send two squadrons of F-105 fighter aircraft plus training personnel. Cannot be responsible for what happens without air cover."

The Joint Chiefs sent two squadrons of jet aircraft and an entire training wing supplied by the Navy and headed by a vice admiral.

Unfortunately, at that moment the Nonamura government was overthrown and replaced by a military junta. The admiral cabled Washington: "Corrupt civilian government replaced by serious Nonamura generals. Strongly urge you recognize at once and give them $50 million loan."

A month later a U.S. Air Force four-star general, who had replaced the admiral, wired the State Department: "Corrupt military junta replaced by pro-West Nonamura colonels. We must back them if we hope to defeat rebels."

By this time Congress and the press were getting interested. We had 200,000 military advisers in Nonamura. The President did the only thing he could do under the circumstances. He sent his Secretary of Defense to give him a firsthand report. The Secretary cabled the President: "War going well but Nonamura needs more military aid and lacks only $124 million."

This was immediately voted by Congress.

In spite of everything, things still aren't going too well in Nonamura. Just the other day the President received a request from the Joint Chiefs of Staffs. All it said was: "Would you have any objection if we lent Nonamura 10 obsolete atomic bombs?"

Mr. President, escalation of the war in southeast Asia will bring no peace to that area. It will only enmesh the United States in fighting there for untold years to come at a cost of untold thousands of American casualties. The road to peace in southeast Asia lies through the conference table. The United States should take the leadership now in bringing about the necessary conferences to neutralize that entire area and in setting up the necessary peacekeeping machinery in the United Nations.

THE WARREN COURT: A TRIBUTE

Mr. GRUENING. Mr. President, the May 25 issue of the Nation prints a thoughtful analysis and estimate of what the Supreme Court of the United States has achieved during the years that Earl Warren has been Chief Justice of the United States. I recommend its reading to those who for one reason or another have been critical of decisions of that tribunal in the last decade. The conclusion of Robert S. Hirshfield, the writer, is worth quoting. He writes:

> The Supreme Court under Earl Warren's leadership has used the judicial policymaking power wisely and well to help realize the goals of our society. It has played a central role in fashioning a "colorblind" Constitution, in protecting freedom of thought and expression, in establishing higher standards for the administration of justice, in maintaining the "wall of separation" between church and state, and in achieving a more representative political system. In sum, it has contributed greatly to the preservation of constitutional rule and to the strengthening of democratic government in the United States, and it has done so under adverse conditions of global and domestic crisis. No court in U.S. history has acted more decisively to guard the Nation's basic law or to remind the American people of their political heritage.

Mr. President, this is a fine appraisal, with which I find myself in accord.

I ask unanimous consent that the article, "The Warren Court," by Robert S. Hirschfield, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Warren Court

(By Robert S. Hirschfield)

The Supreme Court's historic decision on February 17 that congressional districts must be substantially equal in population was only the latest manifestation of the active governmental role which the judicial branch has played during the decade of Earl Warren's chief justiceship. In fact, no Court has assumed a more evident policy-making function than the Warren Court. And none has been more vehemently attacked from so many quarters for involving itself in so wide a range of controversial issues.

As Justice William Brennan noted in an address last fall: "There is sectional opposition because of the desegregation cases; State opposition because of recent decisions involving State powers as they relate to aspects of criminal law; rural opposition because of the reapportionment cases; and church opposition because of the prayer case." He might have added that there is also opposition from ultrapatriots because of the Court's decisions protecting political nonconformity, from hypermoralists because of its rulings against censorship of allegedly obscene books and films, and from archconservatives in general because of its "libertarianism." Still other critics of the Warren Court include the chief justices of the highest State courts, who in 1958 called upon the Supreme Court to exercise greater self-restraint in dealing with Federal-State relations; and the American Bar Association, which adopted a series of resolutions in 1959 expressing concern over the judiciary's decisions on internal security problems.

Collectively, these opponents are formidable, and even though they have remained on the whole scattered and unorganized, they have not been ineffective. For example, after the Court's belated attempt in 1956–57 to reassert the constitutional guarantees trampled on during the McCarthy period, a coalition of civil liberties and civil rights restrictionists introduced Court-curbing legislation in Congress; and with the cry, "They put the Negroes in the schools and now they've driven God out," the coalition reacted to the 1962 prayer-ban decision by proposing several constitutional amendments to nullify that ruling. None of these has been acted on, but they do put pressure on the Court and encourage other attacks.

Thus three anti-Court proposals which would radically alter our existing governmental system are now pending before the State legislatures. Sponsored by the general assembly of the States and designed to strengthen the States in the Federal system, these resolutions request Congress to call a convention for the purpose of amending the Constitution in various respects. The first would add to article V (procedures for amending the Constitution) a provision permitting the direct initiation of proposed amendments by two-thirds of the State legislatures; the second would eliminate Federal judicial authority over the apportionment of State legislatures; and the third would establish a court of the Union, composed of the States chief justices, with authority to review and reverse Supreme Court decisions that relate to the reserve powers of the States.

Criticism of the Court has come, however, not only from those whose oxen have been gored. Suggestions that the Justices desist from formulating unnecessarily broad principles of constitutional law, that they eschew ruling on controversial issues which can be avoided without serious constitutional consequences, that they seek neutral principles on which to base their decisions, and that they refrain from public discussion of pending constitutional problems have also been made by academic and professional friends of the Court.

Most of these suggestions focus on the methods of judicial analysis used by the Warren Court, on its positive attitude toward the Court's function in our society, and on its activist behavior in the exercise of judicial power. But few of the Court's more responsible critics question the essential "rightness" of its major policymaking decisions over the past decade. And herein lies the clue to why its opponents have been unable to curb the Warren Court's authority: During the past 10 years that Court has been a vital instrument in defending and extending the political principles on which the Nation is founded. Racial equality and fair representation, freedom of expression and separation of church and state, due process of law and uniformly high standards of justice—these issues on which the Court has acted are critical tests of America's attachment to its own ideals, and attacks on the Court's decisions are attacks on those ideals.

If it is difficult to argue with the substance of the Court's landmark decisions, however, there is still a valid and serious question regarding its activities: Why is it that the judiciary has acted on so many important national problems, when the political organs of government are supposed to make public policy? This is not a simple matter, but the short answer is that the political branches cannot or will not act on those problems. Congress could not move on civil rights in the 1950's because of southern obstructionism; the rural-dominated State legislatures refused to reapportion themselves for decades on end; criminal defendants do not have a "lobby" to represent their interests; religion is too sensitive an issue for most politicians; and similarly there has been great difficulty in using political means to calm the anti-Communist hysteria generated by cold war tensions.

This inability of the political process to meet basic problems in our society accounts primarily for the Supreme Court's attempts to deal with them. The Court has acted as a catalyst in the movement to secure equal rights for the Negro and fairness in representation for all citizens, and it has stood as a protector of individual liberty against governmental restriction, because the needs of the Nation have required action on these problems, and because the only place in our system of government where that action could be taken has been the Court. It has in this way operated according to a principle of organic compensation—analogous to the functioning of the human body—by which the inefficiency or incapacity of one branch of the body politic demands an increase in the activity of another if the society's health is to be preserved. The Supreme Court has indeed been involved in resolving many of our fundamental national problems, but the most relevant question regarding this judicial activity is: What would the result have been had the Court not acted on those problems?

To be sure, the Court could avoid, or postpone, ruling on some of the explosive issues presented, but it is an inherent and unique characteristic of our system that sooner or later, directly or indirectly, most of the Nation's important political, social, and economic problems become constitutional questions; and that the Supreme Court through its power to interpret the meaning of the Constitution must ultimately play a major role in resolving them. Contrary to the popular view, the Court is a political organ of Government, and policymaking is one of its functions. Moreover, the Court has on the whole—and clearly in recent times—been a responsive instrument of American democracy. Despite its appointive nature, it has often broken the trail for elected representatives intent on carrying out the popular will.

It is certainly legitimate to fear that the indefinite continuation of judicial policymaking in so many vital areas of American life could be dangerous both for the country and for the Court. But the principal responsibility for making such judicial activity unnecessary lies with the political branches, and in any event this fear should not be exaggerated. History demonstrates that the power of the Court will easily be checked whenever it loses touch with the needs and aspirations of the Nation.

The Supreme Court under Earl Warren's leadership has used the judicial policymaking power wisely and well to help realize the goals of our society. It has played a central role in fashioning a "colorblind" Constitution, in protecting freedom of thought and expression, in establishing higher standards for the administration of justice, in maintaining the wall of separation between church and state, and in achieving a more representative political system. In sum, it has contributed greatly to the preservation of constitutional rule and to the strengthening of democratic government in the United States, and it has done so under adverse conditions of global and domestic crisis. No Court in U.S. history has acted more decisively to guard the Nation's basic law or to remind the American people of their political heritage.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from South Carolina under the conditions previously announced.

THE STRONG SHOWING BY GOVERNOR WALLACE IN RECENT PRESIDENTIAL PRIMARIES

Mr. THURMOND. Mr. President, it is well for the Senate to pause and give consideration to the factors behind the strong showing which Alabama Gov. George C. Wallace made in the recent presidential primaries in Wisconsin, Indiana, and Maryland. After all, the views of the people must be considered. According to an excellent analysis of the Wallace vote in the U.S. News & World Report, there seems to be a strong undercurrent of opposition to the pending so-called civil rights legislation in Wisconsin, Indiana, and Maryland and other States outside of the South.

In the June 1, 1964, issue of U.S. News & World Report, there are five articles which deal with this subject. One is an analysis prepared by the staff of the U.S. News & World Report entitled "What Wallace Vote Proved in North." Another contains comments by newspaper editors in Maryland on the Wallace vote; and another consists of an interview with Governor Wallace himself. Also included is an article on the accuracy of polls in the 1964 elections and a brief analysis of the Wallace vote in Indiana.

I ask unanimous consent, Mr. President, that these five articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

WHAT WALLACE VOTE PROVED IN NORTH

Gov. George C. Wallace came out of the Deep South in early April to test voter sentiment in presidential primaries of two Northern States and a border State.

In each of these States, the Alabama Governor came under sharp attack from the press, from the pulpit, and from political leaders in both parties. His own State of Alabama was depicted as a region of race hatred and violence.

After the final tallies had been made from the primaries in Wisconsin on April 7, in Indiana on May 5 and in Maryland on May 19, politicians saw these trends revealed:

1. There is important resistance by voters in the North to an enlargement of Federal powers to police race relations within individual States.

2. Large ethnic groups in and around big cities are aroused over the issues of States' rights that Governor Wallace raised.

3. Suburban areas around the larger cities are sharply divided. Many people in these areas show strong opposition to the intrusion of the Federal Government into local affairs, particularly those affairs affecting neighborhood schools.

Wallace vote in three primaries

WISCONSIN, APRIL 7	
Wallace	266,136
Gov. John W. Reynolds	522,405
Wallace share of total Democratic vote (percent)	33.7
INDIANA, MAY 5	
Wallace	172,646
Gov. Matthew E. Welsh	376,023
Wallace share of total Democratic vote (percent)	29.8
MARYLAND, MAY 19	
Wallace	212,068
Senator DANIEL B. BREWSTER	264,613
Wallace share of total Democratic vote (percent)	42.66

FEARS OF VOTERS

In private, politicians say that the votes that have been rolled up for Mr. Wallace reflect a fear on the part of the voters of what a Federal police force armed with new powers would be able to do to job patterns, property values, schools, and the makeup of neighborhoods.

Smaller businessmen, the reports say, also fear the effect of a grant of power to judges to impose fines and put people in jail without jury trial in enforcing laws in the broad new fields.

Important political leaders in Washington are drawing these conclusions:

A white resentment against Negro demands and Negro demonstrations, disclosed by votes gathered in the North by Governor Wallace, is proving to be very real and is growing.

Racial demonstrations this summer, threatened by Negro leaders for some big cities, could intensify what at present is being interpreted as an incipient revolt by white voters.

Seats in the House of Representatives, now held by Democrats in the North and regarded as safe in the past, are beginning to move into the doubtful area. The view now is that some of these may be hard to hold in November.

LIBERALS JOLTED

The vote in Maryland on May 19 proved a shock for some of the liberal Democrats.

In advance of the election, some of these had predicted that Mr. Wallace would get about 35 percent of the vote. They thought this was a high estimate.

But when the ballots were counted, the Governor emerged with 43 percent of all those cast in the Democratic primary. Senator DANIEL B. BREWSTER, running as a stand-in for President Johnson, got 53 percent. A scattering of votes went to minor candidates.

The Alabama Governor appeared to have received a majority of the votes of all whites in the Democratic primary. He carried 16 of the 23 counties in the State, carried 2 of the 6 legislative districts in the city of Baltimore, swept all 9 counties on the Eastern Shore, an area of southern heritage and with a background of racial strife.

Inside Baltimore, the Alabama Governor ran well in areas populated by voters of foreign descent and in districts that are filled with industrial workers.

Of the 7 counties carried by Senator BREWSTER, 4 are mountain counties along the borders of Pennsylvania and West Virginia and hold few Negroes. Two are counties in the Washington, D.C., suburbs. The seventh, held by only 106 votes, is Baltimore County.

A shift of only 54 votes in Baltimore County would have entitled Mr. Wallace to Maryland's 48 votes in the Democratic National Convention at Atlantic City in August if the primary had been held under the unit rule that formerly controlled Maryland primaries. This rule has been held by the courts to be unconstitutional, although a suit to determine whether the ruling applies to presidential primaries was pending at the time of the election.

With white voters giving a small plurality to Governor Wallace, it was the Negro votes who really saved Senator BREWSTER and held the Maryland delegation for President Johnson.

Even in Baltimore City, where the Democratic Party organization is strong, most of the white precincts went to the Alabama Governor. But, in the same city, Charles Whiteford, of the Baltimore Sun, reported that Negro Democrats gave the most dramatic display of block voting seen in Maryland.

Eighty-six selected precincts in predominantly Negro areas showed how the voting went. In 17 all-Negro polling places, Mr. Wallace did not get a single vote. In 69 other precincts that are predominantly Negro, Mr. Wallace got fewer than 6 votes per precinct. One of these precincts voted 1,516 for Senator BREWSTER and 4 for Mr. Wallace.

The 86 Negro precincts produced about 19,000 votes for Senator BREWSTER and fewer than 500 for Mr. Wallace.

MARYLAND ANALYZED

What happened in Maryland? Why did so many votes go to Mr. Wallace?

A political analyst with official ties and close to day-to-day developments came up with the answer that follows:

"The vote in Maryland confirms the evidence of voting in Indiana and Wisconsin," he said. "All of these votes reveal that a great many people are worried about racial demonstrations.

"Maryland, in many respects, is the United States in miniature. The Eastern Shore of Maryland tends to be southern. The metropolitan areas are more oriented to the North's big cities. The suburbs are fairly typical of suburbs generally. The farm areas are conservative.

"The total Negro population in Maryland in 1960 was 526,770, or 16.7 percent of the whole population. Of these, 284,000 are of voting age.

"An analysis indicates Governor Wallace got a small majority of the white votes. Practically all Negro votes appear to have gone to Mr. BREWSTER. The people who voted for Governor Wallace were, for the most part, voting their dislike of racial demonstrations and their fears of the civil-rights bill.

"Politicians must watch this in the campaign. The signs are very clear that the civil-rights issue weighs heavily on ethnic groups in the North.

"We are getting a powerful kickback in Congress from regions that are heavily unionized and in which people of foreign ancestry live. They fear that they might lose their jobs, that the value of their homes might decrease if Negroes moved in, that the neighborhood school might be broken up.

"Until now, these people have voted with the Democrats. There is fear that the Democrats have lost districts in Indiana that no one thought would go against them. Pennsylvania is threatened in the same way. Maryland is a new sign.

"As of now, there is nothing to indicate a strong tide against the party in power. But if there should be racial violence, or Federal troops should be used, it is hard to tell what the political effect would be in November.

"One thing seems sure: Congress will be under great pressure to get some kind of civil-rights legislation enacted and out of the way as soon as possible."

FILIBUSTER FINISHED?

In Congress, these pressures already are visible. Leaders appeared to be moving rapidly to water down the civil rights bill in such a way as to collect enough northern votes to stop the filibuster and get the bill through.

At the same time, the politicians of both parties were watching carefully for reaction from their home districts.

"If a genuine revolt starts among white voters, it can strike Republican advocates of a civil-rights measure just as hard as Democrats," said one House Member. "This is a two-edged sword."

HOW ACCURATE ARE POLLS IN 1964 ELECTIONS?

All the way through this primary season, the political pollsters have been having a difficult time of it.

Take Oregon, for example:

Before the primary there on May 15, the polls gave Henry Cabot Lodge a clear victory, despite gains late in the campaign by Gov. Nelson Rockefeller.

One leading poll placed Lodge's vote at 35 percent, Rockefeller's at 24.

Another poll said 36 percent for Lodge, 22 for Rockefeller.

Actually, Rockefeller came out on top with 34 percent. Lodge got only 27 percent.

It was in the first primary of the season—New Hampshire, on March 10—that the polls' troubles started.

A New Hampshire poll forecast that Senator GOLDWATER would win with 26 percent, to 24 percent each for Rockefeller and Lodge.

Actually, Lodge won New Hampshire with 35 percent. GOLDWATER was second with 23, Rockefeller third with 20.

In Wisconsin, the Milwuakee Journal conducted a poll prior to the April 7 primary, but did not publish the results.

The reason: So many people refused to tell how they intended to vote that "The Journal" decided a projection of results might be misleading. The editors suspected that many who declined to talk planned to vote for Gov. George Wallace.

The strength of Wallace, and of the white protest reflected by his vote, has been the biggest surprise of the primaries. No poll spotted the trend prior to the Wisconsin primary.

Preprimary forecasts in Wisconsin, including some based on private polls, were that Wallace would be lucky to get 25,000 votes. Actually, he got 266,000.

In Indiana, the polls made probably their best showing of the year. The leading poll came close to forecasting the Wallace vote in the May 5 primary.

WHERE WALLACE WAS STRONG IN INDIANA

INDIANAPOLIS.—Gov. George Wallace got a big vote from white suburban areas in the Indiana primary of May 5.

This was shown in a staff report submitted to the State Civil Rights Commission on May 20.

In the State as a whole, Wallace got 29.8 percent of the total Democratic vote.

In Marion County, which embraces the city of Indianapolis, the vote for Wallace was 30.7 percent of the total.

In the suburban counties surrounding Indianapolis, the Wallace vote was higher: Hamilton, 36.2 percent; Hendricks, 44.8; Johnson, 38; Morgan, 42; Shelby, 32.4; Hancock, 40.3.

THE WALLACE VOTE—MARYLAND'S EDITORS SAY THIS—

(Maryland is a cross section of America—with elements of North and South, of industry and agriculture. Negro population is moderately higher than the national average. The State has just cast a big presidential preference vote for an outsider—Alabama's Gov. George C. Wallace—who ran against a favorite son representing President Johnson. He carried 16 of the 23 counties and won a majority of white votes in some areas. Why? To find out, U.S. News & World Report went to editors in each county to learn what is on the minds of local voters. Analyses by the editors follow.)

Maryland editors found many reasons why voters reacted the way they did on May 19. Civil rights was one big issue. There were other factors that triggered a voter response surprising to many. Here are representative comments of editors just after the election:

Elmer M. Jackson III, managing editor, the Evening Capital, Annapolis, Anne Arundel County:

"Wallace carried this county, including the capital city of Maryland, 19,153 to 10,579. Apparently every precinct went for him. The surprise was the big vote for Wallace in the northern part of the county, which is industrial, North oriented and touching Baltimore.

"It was a protest against Federal Government meddling in people's lives. They went to the polls with big grins on their faces and voted with great relish. I never saw anything like it. They were going to show Uncle Sam that they had had it.

"There's nothing specific that voters were objecting to. They're just protesting against Government encroachment."

George L. Greenwood, general manager, Anne Arundel Star, Glen Burnie, Anne Arundel County:

"Voting was approximately 8 to 5 in favor of Wallace around Glen Burnie.

"To me it reflected fear of the effect of the civil rights bill on small business. The general feeling is that the bill will bring too much Government interference in the selection of employees. It is fear of too much power in the hands of Government, rather than a race question. There also was the home angle. People want to sell their homes to whom they desire, rather than be told, where FHA or GI funds are involved. That seemed to be the touchy problem.

"As far as public accommodations are concerned, the Negroes eat in the restaurants here at the present time.

"If the civil rights bill is passed, I think, definitely, the vote will go against President Johnson."

George Rash, managing editor, Hagerstown Daily Mail, Washington County:

"Wallace got 30.5 percent of the vote in Washington County. People are afraid the civil rights bill will force something down their throats. Labor in particular is afraid it would cause workers to lose seniority rights.

"It's funny because there is no fear—no Negro problem in this county, with only 4 percent Negroes, living in a small area by themselves.

"The feeling among many people is, though, that the Government is trying to force something on them."

Norman W. Harrington, editor, Star-Democrat, Easton, Talbot County:

"Wallace carried our county almost 2 to 1—2,063 for Wallace and 1,116 for Brewster. We are a wealthy retirement area, with much agriculture and a seafood industry. We have good race relations, with a very effective biracial committee. Still, our people voted for Wallace.

"The vote was a protest against Federal encroachment and against Negro demonstrations elsewhere. People were willing to accept integration stage by stage, but they are protesting against the excesses. There is a hardening of sentiment against integration."

Maurice Rimpo, editor, the Daily Banner, Cambridge, Dorchester County:

"The vote in this county was Wallace 4,301, Brewster 965. Wallace took 23 out of 24 precincts. The precinct he lost is an all-Negro ward in which he did not get a single vote.

"Even in the so-called silk stocking ward of Cambridge, where the professional and propertied people live, Wallace got 505 votes to 125 for Brewster.

"There is a white backlash against racial demonstrations in Cambridge. These disturbances have been going on since January 1962. They resumed last week after a lull. This caused people to become pretty well steamed up—not only people believing in segregation, but also liberals and moderates.

"A growing problem is, now, that there are more leaders than followers among local Negroes. There are so many divided leaders that no agreement can be reached or relied upon. Also, the area is overflowing with outsiders. It is quite dangerous. Yet, if Lyndon Johnson's name had been on the ballot, he would have won handily."

T. Donald Shires, managing editor, Cumberland Evening Times, Allegany County:

"My paper opposed Wallace. Allegany County went for Brewster, 5,148 to 1,275. Garrett County, a small county to the west of us, went the same way: Brewster 907, Wallace 219.

"Garrett County has no Negroes. Allegany County, with a population of 83,000, has about 1,300 to 1,500 Negroes. Our schools and hotels are integrated. There is no race problem for us here, but there is no doubt that the Wallace vote here and in Maryland is a white backlash against pressures. Democratic prospects in Maryland in November will not be affected in the slightest by this vote, however."

Oscar Morris, editor, Salisbury Times, Wicomico County:

"The vote in this county was 4,532 for Wallace to 1,630 for Brewster. Even people who had nothing against civil rights voted for Wallace. They were just damned tired of these demonstrations, and their vote was a protest. We've had demonstrations on both sides of us until people are sick and tired of it.

"This county has been integrated for a number of years—schools, motels, hotels, restaurants. We had the State NAACP convention in a hotel here."

Miss Patricia Rosencrantz Ettl, editor, Frederick News, Frederick County:

"Brewster carried Frederick County, 3,863 to 2,428 for Wallace. I was surprised to see how large a vote Wallace got. Many people said they were voting for Wallace because they were afraid of the Federal Government's getting more control over the States and over local affairs.

"This city is fully integrated. If anything will hurt Johnson in this area, I'd say it will be civil rights."

J. E. Byrd, editor, Marylander and Herald, Princess Anne, Somerset County:

"We went 72 percent for Wallace. What would you expect? We've had sit-ins, laydowns, boycotts. We had outside Negroes coming in preaching hate. Grown-up men have been lying down in the streets, blocking traffic.

"This was a solid white vote against lawlessness and against Negro threats of force. White registrants voted almost 100 percent. Negroes voted only about 20 percent, indicating that the turmoil was being caused by outside Negroes.

"It was more a vote against the demonstrations than it was against the Federal Government, but we are a conservative area and there always has been much States rights sentiment.

"Nobody thought for a minute that Wallace would become Democratic nominee, let alone President. The vote was a straight-out protest."

G. Frank Stricklin, editor, Jeffersonian Weekly, Towson, Baltimore County:

"This is a county with a large upper income suburban population, and also a large industrial population, with Bethlehem Steel and Martin Co. both in the county.

"Wallace got 46,529 votes to 46,635 for Brewster.

"I would say that both the upper income voters and the wage-earning population contributed to the big vote for Wallace. If it had not been for the colored vote, Wallace would have carried all of Baltimore County.

"It was States rights people were thinking about. For one thing, we've been trying to get an urban renewal project started here, and it has aroused much opposition. People said it would mean giving the Federal Government more to say about local affairs. Also there is much opposition to the part of the civil rights bill that would give the Federal Government a voice in hiring and firing. Civil rights has lost a lot of ground in this county in the last few months."

Andrew J. Wyvill, coeditor and publisher, Enquirer-Gazette, Upper Marlboro, Prince Georges County:

"Wallace received 23,762, and Brewster, 25,868.

"People were voting not for Wallace but against the civil rights bill as it stands. The extension of Federal power is beginning to bother people.

"Businessmen especially are afraid of the control that the U.S. Attorney General will have if that bill is passed. It took powerful opposition to defeat Wallace.

"The civil rights business may be going too far. The white man apparently is beginning to rebel a little bit.

"This doesn't affect Johnson's chances around here when it comes to November."

George H. Hanst, editor, Oakland Republican, Garrett County:

"The unofficial figures were 907 for Brewster to 219 for Wallace. I was a little surprised that there weren't more votes for Wallace.

"The primary didn't attract much interest or much heat around here. Garrett County is a farming and lumbering community with some coal. It's hard to get a lot of interest in an election. Besides, it was a pretty day and farmers were busy doing their planting.

"There are few Negroes in the county, so there was no element of a protest vote. We just don't have the Negro problem. When Negroes do come, they are served in restaurants and that's the end of it. I do, nevertheless, detect a growing resistance to the pressure of the Federal Government, and that was expressed in the vote Wallace got."

Duane A. Henry, editor, News-Advertiser, Havre de Grace, Harford County:

"In Harford County, the vote was 5,258 for BREWSTER, 5,414 for Wallace. One thing we attribute it to was the way BREWSTER handled his campaign in the final days. He was accusing people of being bigots, and it went against some people's grain.

"Another thing: Our area is where the freedom rides originally began. Bobby Kennedy really started the thing with the Route 40 Association. Part of the vote might be attributed to a reaction to that. Yet our town, Havre de Grace, went for BREWSTER by 69 votes. By the same token, we elected a Negro city councilwoman here on May 2 with the largest single majority in the election.

"It's really hard to figure. The majority of the people who must have voted for Wallace work in installations that are integrated. I never thought Wallace would pick up a vote like this up here."

Emory Dobson, publisher, Denton Journal, Caroline County:

"Of 2,600 Democratic votes cast, Wallace got over 60 percent. There is considerable feeling here about the civil rights bill. People are talking about Federal pressure. They seem to feel that they are gradually losing their individual freedoms. They're Jeffersonian Democrats.

"The Wallace vote was a protest against civil rights. It wasn't necessarily for Wallace. In my own analysis, it was also a protest against the way in which BREWSTER conducted his campaign against Wallace.

"The thing that upset people was the fact that BREWSTER repeatedly called Wallace a racist. He also spoke about Wallace as being a hatemonger and a rabble rouser. And the people here felt that whether one agreed or disagreed with Wallace, he at least should have a right to speak his piece.

"One other factor was the growing feeling against the administration of Governor Tawes. BREWSTER, of course, has always allied himself with the Tawes machine."

William H. Kerbin, editor, Democratic Messenger, Snow Hill, Worcester County:

"Worcester County went for Wallace heavily—2,542 to 537 for BREWSTER. It was the size of Wallace's vote that was a surprise. I expected something closer to 50–50.

"The county is, by tradition, conservative Democratic. It is southern oriented and always has been.

"Worcester County has had no racial violence, but events in Cambridge may have alarmed some people. Certainly, to some extent, the vote was an anti-Negro protest vote.

"Negroes themselves in Worcester County and in Princess Anne, too, are politically apathetic. Most have jobs and there is little unemployment, either white or Negro."

William A. Dryden, publisher, Eastern Shore Times, Berlin, Worcester County:

"All the Eastern Shore counties went 5 to 1 for Wallace. People here are sympathetic to a man who believes in States' rights. There's a lot of resistance among whites against Federal pressure on the civil rights business. This vote is the way it manifests itself.

"I don't know how it will go in November. Even the Democrats here like Goldwater because he's ultra-ultraconservative.

"They don't understand a liberal because they don't even know what he is."

R. Whitney Christian, editor, Cecil Democrat, Elkton, Cecil County:

"Wallace carried Cecil County, 2,292 to 1,620. He won eight out of nine election districts, and lost that one by only two votes.

"In this area, people are getting fed up with the Federal Government getting more and more powerful. They liked Wallace's approach, his calmness. He got to the people.

"Just about everybody in Maryland was opposed to Wallace—the clergymen, the politicians, almost all of the elected officials—and they brought their big guns against him. But he almost won.

"As to November, I wouldn't attempt to tie the Wallace vote to that. They were voting not for Wallace the man, but the principle. Johnson is very popular."

Mrs. Virginia S. Minnick, editor, Democrat Advocate, Westminster, Carroll County:

"Wallace got 2,045 votes and BREWSTER got 1,085 in Carroll County. I more or less credit Wallace's victory to the civil rights issue. It isn't that they like Wallace. Nobody here was working for Wallace. It was just that the people expressed themselves by going to the polls and pulling that little lever down for Wallace. But President Johnson is going to be all right. I've heard people in this office say today and yesterday, 'This isn't a vote against Johnson at all.'"

Edward T. Hall, editor, Calvert Independent, Prince Frederick, Calvert County:

"BREWSTER, 760; George Wallace, 1,622. In my opinion, it was not as much civil rights as it was objection to the existing administration in this State. People are very, very much disturbed over the 33⅓ percent increase in income taxes. That showed up in this election as much as, if not more than, civil rights. We have had no race trouble. Fifty-two percent of the school population is colored, and 48 percent of the adult population. They're very fine people. We're in an agricultural area. The farmers object strenuously to the Federal Government's bringing them under control. You know, they're independent people. They like to work in their own way, and take chances on the free enterprise, open market. But now, of course, the Government controls them on acreage, price supports, and so forth, and they just don't like it."

Jean Hyatt Holmes, editor, Times, Ellicott City, Howard County:

"Wallace took Howard County. **Brewster** was ahead in only two of six election districts.

"I talked with many people who told me they certainly would not want to see Wallace as President, and they wouldn't have voted for him if they felt there was any chance of his becoming President. But they had voted as a protest. They felt that the civil rights bill was moving too fast. And there are many to whom this States' rights idea has great appeal. They felt the Federal Government was becoming too strong, pushing into affairs best decided by the States or individuals, and they resented that interference.

"Some even said they were not opposed to association of Negroes and whites, but rather of the Government forcing this association. Howard County usually votes Democratic in local elections, and often Republican in national elections. So it's difficult to tell what's going to happen in November until we see who the Republicans put up."

Dan H. Tabler, editor, Record-Observer, Centreville, Queen Annes County:

"The unofficial vote: Wallace 1,940, Brewster 1,117.

"This is a predominantly southern area. The people are not at all in favor of the civil rights bill. They voted for Mr. Wallace because he was against the civil rights bill.

"We have had a couple of these demonstrations here in Queen Annes—not as many as they've had in Cambridge, but we've had a couple, and Cambridge is close to us. It's not a protest against Senator **Brewster** or President Johnson. I don't believe there will be any effect in November."

Roger Farquhar, editor, Montgomery County Sentinel, Rockville:

"Wallace won 26 percent of the vote here. I was surprised. I thought he'd pull more than he did—probably 35 or 40 percent.

"Statewide, it was a protest vote, generally, against a lot of things, not just civil rights. I suppose big government was one of them. Anyone who had a grievance against the State Democratic organization, and even the State income taxes—I'm sure there were many, many silent-protest votes.

"I think anti-civil-rights feeling is slightly on the increase here, in large part because of the accelerated drive for fair housing. There's been some adverse reaction to that: fear of Negroes moving into white suburbia."

Allen Q. Collier, Jr., editor, the Enterprise, Lexington Park, St. Marys County:

"Wallace polled, according to our unofficial tally, 2,893 to **Brewster's** 1,623. I think that some of the people probably felt that it was merely a protest vote in a meaningless primary. Possibly there is growing resistance to Federal pressures, especially in the race problem, although we haven't been directly affected here, in the sense that Cambridge has. A great deal of the vote also stems from a personal dissatisfaction with **Brewster**, although he was not running as **Brewster**. He was running as a stand-in."

William B. Usilton, coeditor, Kent County News, Chestertown, Kent County:

"Wallace carried our county by a trifle better than 2 to 1—1,679 to 791 for **Brewster**. It was a protest against the civil rights bill—the violation of individual rights. It goes beyond the racial issue, far beyond.

"For instance, we heard a lot of talk about this trial by jury business—you know, inspectors being able to come in and get you up for contempt of court without a jury trial. I heard more of that talk than I did anything else.

"Another thing that I think is significant in the vote here is the small number of Negro Democrats. Somebody said: 'Why, it looks like the Negroes didn't vote for **Brewster** in the Democratic primary.' Well, after all, there are only 171 Negro Democrats in Kent County, so Negroes didn't have much chance to vote for **Brewster**."

Thomas P. Headen, editor, Charles County Leaf, La Plata, Charles County:

"Wallace carried the county by 2 to 1 over **Brewster**. I expected a heavy vote for Wallace, but I didn't expect any landslide. Wallace, I think, provides sort of a rallying point for people who have both deep-seated race prejudice and who are unhappy with certain provisions of the civil rights bill. They have had no rallying point up to now. All other candidates professed to be for civil rights. Wallace is the first to come along and say he will have no part of it, and they say, 'That's my boy.'

"I think the vote for Wallace is shocking. I don't regard it as a danger signal, however. Wallace provided a relief valve. Now we have taken our hatred to the polls and expressed it and got it out of our system. We come out of the voting place and we've still got the problem and have got to live with it.

"We have had no race trouble. None. In the light of the fact that desegregation is going on smoothly and undramatically and constantly in Charles County with no trouble, this huge Wallace vote—well, these two things don't mix too well. This big Wallace vote would indicate that this would be the place where you could expect an awful lot of race trouble. But we haven't had it. So these things contradict themselves."

THE WALLACE VOTE—THE CANDIDATE'S OWN STORY

(Federal power versus local power—that was the issue that brought him votes, as Governor Wallace sees it. In this exclusive interview, the Alabama Governor discusses the meaning of his 3-State campaign.)

Question. Governor Wallace, what, basically, do you feel that your campaign in the North has proved?

Answer. It has proved that there is a new trend in this country, that there is a heavy undercurrent of resentment among the mass of the people toward the solution of all problems with more Federal force and more takeover of individual liberty and freedom.

Question. Is this a growing trend?

Answer. Ths is a growing trend, as I think everyone can see. With all the bad press that they give me, and all the organizations and forces working against me, we still carried 16 of the 23 counties in Maryland.

Question. Is the issue white versus black?

Answer. Some of the politicians in the militant movement in this country try to bring that into play. However, I don't think that it's a vote against Negro citizens at all, because I am sure that no one voted for me who is anti-Negro. I am not, myself, and I ran no such campaign, nor have I ever run a campaign that was anti-Negro.

Question. Is the issue, then, Federal power versus local power?

Answer. That's right—the issue of Federal power trying to take over and solve social problems instead of leaving the solutions to the local people.

Question. Is there a growing uneasiness among voters?

Answer. Sure there is, when the Governor of Alabama can get that type of vote in the State of Maryland. Naturally, the Negro bloc voted against me, but, when you subtract that from Senator **Brewster's** total, you will see that I defeated him otherwise.

Question. What is this uneasiness about?

Answer. There's concern about the Government's attempt to regulate people's private lives and to take over the control of their homes, businesses, farms, labor unions, and schools and local government bodies under the civil rights bill. They feel that you're really destroying the American concept of government when you do so.

Question. What about jobs?

Answer. Yes; many people know that this type of legislation is designed to, in effect, take jobs away from one group and give them to another, and this doesn't solve problems.

Question. Is there concern over neighborhood schools?

Answer. Many of the people who voted for me are concerned about neighborhood schools, because they know that the attempt is being made to destroy the neighborhood school policy in order to satisfy the social whims of some social engineers. And they object to this very strenuously.

Question. Was this contest between you and Senator **Brewster** a direct referendum, in your judgment, on the civil rights bill pending in Congress?

Answer. Other issues do get involved. But I'd say that it was a pretty good referendum, although there are many people who voted for Senator **Brewster** who are against the civil rights bill. And I'd say that if the civil rights bill had been put to a referendum, it would have been defeated.

Question. What were the issues, other than the civil rights bill?

Answer. Well, that was about the only issue, really. But yet, when I came representing the other side, most of the press—by slanting and distortion—made many good people of Maryland feel that they were voting for a man who believed in everything from murder to mayhem. At lot of good people listened to some of this stuff and probably didn't vote for me on account of that, but still are against the civil rights bill. Then you also have people that just vote, naturally, for their local Senator. You had, too, a big State organization getting out the regular machine vote.

Question. What, in short, do you think that the people who voted for you were saying?

Answer. They were saying to those who develop the trend in both national parties and those who develop the trend in Washington that "we are tired of not being considered."

My support was very strong support—it wasn't any halfway support. It was almost fanatical. The reason for that is they have not had a chance to express themselves, because the politicians in most all States have already just given over to this other minority group. When I say "minority group," I'm talking about the leftwing.

Question. How do you believe people who voted for you in Wisconsin, Indiana, and Maryland will vote in November?

Answer. It's hard for me to say how they're going to vote in November. But I can say that they are to be reckoned with, and I am sure that the candidate who completely ignores them will do so at his own peril.

Question. What do you plan to do next?

Answer. We will have to sort of await developments, but I feel that the people who have voted for me will do our campaigning for a while. In other words, the leaders in both parties are certainly going to think about these people who voted for me.

Question. Might you head up a third party?

Answer. I haven't thought about the third-party movement. In Alabama, we have already elected a slate of unpledged electors, and we feel that there are some other States in the South which will consider this method. I expect, for example, to campaign in Louisiana for an unpledged slate.

Question. Has your campaign left a permanent mark, or will all this soon be forgotten?

Answer. That may be the case as far as I'm concerned. But the attitude of millions of people toward the trends in the country will not be forgotten. Had we known we were going to run this well, we would have heeded the request of many thousands of people to have gotten in the California and Pennsylvania and Illinois and Ohio primaries.

Question. What has impressed you most, as you have campaigned in the North?

Answer. What has impressed me has been the fact that, basically speaking, the people all over the country are the same. They are still for the American system and they are tired of folks sponsored movements to change the concept of American Government for political reasons only. And this civil rights issue is purely political.

TRIBUTE TO GEN. MARK E. BRADLEY, JR.

Mr. THURMOND. Mr. President, in these days of $50 billion defense budgets, we hear many voices raised criticizing the Defense Department for lack of competition and for poor procurement practices. It is indeed refreshing to note that a top Air Force general in a position of trust and responsiiblity is striving to carry out the letter and intent of the law in his procurement practices. Gen. Mark E. Bradley, Jr., commander of the Air Force Logistics Command, is a public servant of the very highest integrity and ability.

During his tour as Deputy Chief of Staff, Systems and Logistics, Headquarters USAF, and his present tour as commander of Air Force Logistics Command, General Bradley has instituted cost reduction programs which have saved the taxpayers several hundred millions of dollars. I believe that his speech before the Aerospace Industries Association entitled, "Competition When It Makes Sense," contains good basic information which all Members of Congress will find helpful. The speech is typical of General Bradley's nature and the way in which he carries out his duties. It is down to earth, easy to understand, and straightforward, and I might add, correct. I believe that all Members of Congress will find the speech of interest, and I urge them to read it carefully.

I ask unanimous consent to have printed in the RECORD an article entitled, "Competition When It Makes Sense," a speech by Gen. Mark E. Bradley, Jr., given before the Aerospace Industries Association on April 8, 1964.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMPETITION—WHEN IT MAKES SENSE

Gentlemen, in your invitation you said you would be honored to have me as your speaker. I want to tell you that it is I who am honored and that I'm very appreciative of this opportunity. If you find my message repetitious, remember that you selected the subject.

The competitive procurement of replenishment spare parts continues to be a very serious logistics problem. Therefore, I agree with you that it is a timely topic. It will continue to be timely, no matter how long we talk about it, until the problem has been solved. I doubt that it will ever be solved to the complete satisfaction of both of us, but certainly we can work at it.

My basic message to you is the same as it has always been: we need each other's cooperation; we need each other's help. We have got to work together to maximize competitive procurement—where it makes sense.

POOR MAN'S APPROACH

The "poor man's approach" to this procurement problem isn't new. It has been the essence of every law that has been written on the subject and every procurement regulation that has been adopted. It's objective is to get competition where it makes sense.

For example, as far back as 1936, Army regulations exempted gages, tools, fixtures, and appliances from competition. The "regs" also exempted parts of apparatus already in use and which can only be furnished by one dealer.

The Comptroller General in 1927, in talking about pneumatic tools, agreed and I quote:

"While the tools of several manufacturers may possess the same general characteristics and produce the same results, each machine is of an individual design and construction. The parts of machines of two or more manufacturers are not interchangeable one with the other nor will one manufacturer undertake to manufacture replacement parts for machinery or tools made by a competitor. Even though the parts may not be patented and if it were possible to describe the material by specification to admit competition there would be no guarantee of satisfactory operation, making it impossible to center responsibility for the failure of a replacement part to function properly."

Gentlemen, that was said more than a generation ago. Perhaps before some of you were born. It was said in an era when the tools of war were relatively simple.

COMPLEXITIES MULTIPLIED

We all know how the complexities have multiplied between then and now. And now we have those who would presume to take your drawings and think that, in all cases, they could produce a satisfactory item. This subject is one on which a lot of missionary and publicity work must be done. And the publicity shouldn't be limited to the "trade" publications. It ought to get through to the general public.

I'll skip over the World War II period. In those days formal advertising was the exception not the rule.

Then the Procurement Act of 1947 was passed. This was, and is, an excellent law. In my opinion, the legislative history was a guidepost which was not followed in implementing the law. The history of this act clearly envisioned the use of sound judgment in evaluating the procurement action. It did not expect, encourage or want awards made only on the basis of lowest initial price. The commonsense approach advocated in this act recognizes that a low price in a particular procurement could be far less important than other factors, such as urgency of need, quality of product, criticality of application, as well as lower ultimate costs which are in the best public interest.

The purpose of the law was to overcome the restrictive methods which resulted from the failure to make it clear that you could consider other factors in the acquisition of material. The law was passed so that "competition" and "other factors" such as "quality" and "ultimate costs" would be placed on an equal footing.

Now I ask you, Are we any better off today than we were 17 years and tens of billions of dollars later? I don't think we are. I think that the emphasis placed on "competition" was out of all proportion. It resulted in the purpose of the law being circumvented.

DRIVE FOR MORE COMPETITION

Be that as it may, we in the Air Force were very responsive to the pressure for more and more competition. Back in 1955, we began to use drawings, which you furnished us, when there may have been no thought of our using them for competitive reprocurement. If nothing was said on the drawings about proprietary rights, we sometimes used them. We consistently "broke-out" more and more spare parts for competitive reprocurement between 1955 and 1957.

In October of 1957 we authorized service tests at San Bernardino and Sacramento which were the forerunners of our now famous AFLC Regulation 57–6 on the subject of procurement of replenishment spare parts. We kept amending this "reg" and demanding more careful screening and buying more and more items that were sometimes, I fear, critical in nature.

We successfully answered GAO criticism in 1961, and came out of the congressional hearing that year relatively unmarked.

But in industry and in the Air Force the question was being asked more and more frequently: "Has the Air Force gone too far?"

There was an exchange of correspondence between the then president of AIA, Orval Cook and both General McKee and myself. This culminated in AIA's 10-page summary of its position in September of 1961.

AIA got a brief answer to its excellent summary from General McKee. The gist of the reply was:

"We have no disagreement on the basic philosophy or interest of the program.

"We fully intend to continue our practice of cooperating with industry in developing and clarifying major policy changes by which it will be affected."

Now the file on the correspondence referred to was very thick. The reason was that your 10-page summary was put through the grinder. Each point you raised was answered in the "traditional" way.

You may wonder why you didn't receive that detailed reply. Well, I wasn't at Wright-Patterson then, but I was instrumental in stopping that proposed answer. And I did this because I found myself in substantial agreement with you then—as I do now.

INDUSTRY MUST PARTICIPATE

I said then, and I say now, that we cannot assure this country that we have reliable weapons, that will work when we need them, unless we have the participation of industry in making the selection of what will be competed; what will be bought from selected source; and what will be bought sole source.

No one feels more keenly his responsibility to this country than I do. I am fully conscious of the fact that it's my job to see to it that all weapons are "go." I know also that it is good business and the will of our Congress that we get competition wherever it makes sense. I am also completely aware that we in the Air Force cannot do the job alone. We need—and must have—your help.

But let me continue the history. The next significant event in this tale happened in the summer of 1962. The AIA came to AFLC headquarters and gave me and the staff there a briefing on what we called the "AIA pitch." I approved it. Industry and Government worked on this for months, but when the detailed words came out I disapproved it, because it was obvious to me that it was 180 degrees from what the AIA proposed. It was also obvious that such detailed screening by industry and detailed review by the Air Force would be very expensive.

The next event was the publication of the LMI report in January of 1963. In this brochure, if we were to have contractor participation, it would be through the procedure which I felt was too expensive. I, therefore, got permission to run some tests. The results of those tests are well known. Using as an example the fiscal year 1964 spare parts buy of about 67,000 items, if we used "the detailed screening and 100-percent verification" it would have cost about $14 million.

If the "poor man's approach" were used it would have cost about $1.3 million.

You can see then why we called our system the "poor man's approach." We wanted your participation but on a sound basis and at a price we could afford.

Now before I briefly describe our "approach" I want to tell you that we recently got another new manager at AFLC headquarters in the person of Maj. Gen. Lee Mundell. In preparing for a briefing to Secretary Morris on this subject in the recent past, he felt that our title should be changed to one with more dignity and which contained some management implications. Naturally, I delegated him the responsibility to come up with such a name. He came up with the title "competition with confidence."

DESCRIPTION OF SYSTEM

How does "competition with confidence" operate? It is as simple as 1, 2, 3. We developed criteria for your engineers who know your product to use to research the items to be bought until you come to a reason why the item should be bought sole source, or selected source. If none applies, the item is put in the third category—open competition.

Then the Air Force will verify your decision in all high-dollar areas (buys of $10,000 and above) when coded for other than open competition. In the lesser dollar areas we will take a statistical sampling. This will be done in such a way as to give us a 90-percent confidence factor. When we arrive at a mutual decision we will stand by it—together. Any evasion of the rules can only have one result—the destruction of confidence and loss of future business—and we will again be placed in the unfortunate position (for both of us) of having to make and follow our own unilateral list. But if we can have mutual confidence and trust both of us will have improved our positions. You have protection for the integrity of your product. We comply to the safe maximum extent with the will of Congress.

Secretary Morris has approved this idea. We have his permission to proceed while his staff studies and develops a system for application on a DOD-wide basis.

During the service test, industry came forward and suggested that the 11 criteria for the airframe industry weren't well suited to the engine and accessory manufacturers. I then adopted the engine criticality criteria as ours, after it had been presented to Secretary Charles. These ideas are now being prepared for publication. However, I have already directed San Antonio Air Materiel Area to adopt this procedure in its dealings with the Navy and Pratt & Whitney. I'm told (about third hand) that the Buweps people have raised the question as to whether the Air Force will second guess them on their decisions. Our answer is "Definitely no."

RELATED AREA: END ITEMS

Now there is another related area that involves end items, often Government furnished to contractors for installation and sometimes furnished by prime contractors as part of end item weapon systems. This is a large field. It covers all the way from sophisticated jet engine controls to most of the cockpit instruments and back up again to constant speed drives and such time-honored troublemakers.

The problem is that over recent years it has become customary to compete these items at each buy. This has often resulted in as many as four or five models of the same gadget—each doing the same job but internally noninterchangeable. You can see the logistics support problem that results. What I am fighting for is standardization and competition only for the start of the item's production. After that the contractor should so conduct his business as to keep up quality and share with the Government the savings resulting from long production runs, learning curves, lack of duplication of engineering, tooling, testing, etc.

This policy would result in more efficient operation for everyone; however, I need the industry's help in getting the old system stopped. Each time I try to get an item standardized some previously disappointed contractor comes forward and says, "You have got to have a competition because I was promised a chance to bid again last time." Well, you can see we can't get there from here.

There is one other feature to competitive procurement which has caused us considerable difficulty in the past. This is the question of competence of new bidders to do the job. I am happy to quote from a recent policy statement by Secretary McNamara.

"In working toward better defense procurement, nothing is more basic to satisfactory procurement than that we deal with responsible prospective contractors. Contract awards to concerns of marginal capabilities can lead only to delays or failures in obtaining delivery of needed items and to increased eventual costs to the Government." End of quotation. And thank you, Mr. Secretary.

This we propose to follow scrupulously—and by so doing, I am certain our procurements will be sounder and our deliveries more timely.

POINTS SUMMARIZED

In summary, I'd like to say that:

1. Your summary of September of 1961 is in consonance with the legislative history of the Procurement Act of 1947.

2. In order to insure reliable weapons and get competition where it makes sense we must cooperate with each other. This means two-way cooperation. We must keep the competition figure high by honest endeavor on both sides. We must have "competition with confidence."

3. We are not deemphasizing "competition" but rather beginning to put emphasis on "other" and, in the words, and surely the intent, of the Procurement Act "perhaps more important factors" such as quality and ultimate costs. I have here for distribution 100 copies of our latest regulation on this subject.

4. We must all do whatever we can to reduce the ultimate costs by standardization and long production runs.

I want to say that the problems I have talked about are extremely difficult and that the suggested solutions are certainly not easy to accomplish. But I am confident that—if we can get wholehearted cooperation between industry and the military—we can make great progress toward our future goal—reducing the ultimate cost of defense.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Mississippi on the conditions previously announced.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, the Senator from Minnesota in a statement on the floor of the Senate on Monday, May 25, pointed out that the debate and explanation of H.R. 7152 has helped the Senators and the public to better understand the provisions and real content of H.R. 7152, the civil rights bill now under discussion in the Senate. He pointed out, as many of the opponents of the bill have said on the floor of the Senate many times, that misleading statements and on occasion rather serious distortions have been made about what the bill really contains and the practical effect it will have upon our society. He very wisely concluded that such misunderstandings "point to the need for a renewed effort to explain this bill in straightforward and uncomplicated language."

Mr. President, the opponents of the civil rights bill have for several days studied the bill very carefully, and even after some several weeks of thorough investigation and study, many heretofore unknown provisions have been discovered. The language of the bill is so broad and the terms are so imprecisely defined that almost any interpretation can be placed upon the words and phrases which have been used to put together this package of bills that actually it is nearly a dozen bills in one. There were, of course, no hearings by Senate committees, no attempt has been made to call witnesses, and the only evidence that the Senators and the public have on which to draw any conclusions as to the effect the bill might have is the study and examination of the statements that are made during the debate on the floor of the Senate.

In the course of this debate, the Senator from Minnesota has made several statements and speeches in favor of the bill. In the most recent memorandum which the Senator from Minnesota has inserted in the RECORD, there is contained a statement relating to title I which is devoted to voting rights. The Senator from Minnesota stated:

> State control over voter qualifications is not impaired, except that those qualifications must apply equally to all citizens regardless of race.

The Senator from Minnesota has apparently attempted with this statement to leave the impression that voter qualifications in the several States will not be affected or, as he says, "not impaired," and that the States will be allowed to hold their own elections without regard to what the Federal Government may prescribe in the way of voter qualifications or the election of Federal officials. This statement is somewhat different from the view that the Senator from Minnesota took on March 30, when he explained on behalf of the proponents of the bill what effect title I would have upon the control of voter registration throughout the Nation. He called attention to the fact that "the States would be free to set up a procedure solely for the election of State officials," but he further said:

> I think that as a practical matter, the States will not establish separate elections.

The opponents of the bill have repeatedly pointed out that title I will, in effect, place constructive control over voter qualifications in the Federal Government and take it from the States where the Constitution intended that it should be and where it has, until recently, rested since the founding of the Nation. No one argues that, under this bill, the States would still have the right to suffer the expense of a separate election for which they must hire separate election officials and underwrite the tremendous expense of holding separate elections. In Mississippi, this would be a very expensive and almost prohibitive procedure. There are nearly 2,000 voting precincts, all of which must be manned by election officials, and the expense of conducting an election is estimated variously from a quarter-million dollars upward. It would impose a great burden on my State, a burden which it should not have to bear simply to preserve for itself that to which it is already entitled. Whether it would be prohibited in Mississippi is uncertain. But the Senator from Minnesota apparently feels that it would be, for, as he said in his speech of March 30, "As a practical matter, the States will not establish separate elections." The conclusion then is inescapable that on March 30 the Senator from Minnesota felt that, "as a practical matter," State elections would not be separate from Federal elections and that the rules and regulations established for the Federal Government with regard to voter qualifications would, under the terms of this bill, H.R. 7152, dictate the qualifications of voters in the various States.

This is in grave conflict with the Senator's statement of May 25, in which he said, "State control of voter qualifications is not impaired." This is typical of the ambiguous and double standards that are found throughout the civil rights bill. Such conflicting statements are the source of much of the misunderstanding and misinterpretation and lack of knowledge about what the bill really contains. The language and the specific letter of the law as laid down by the bill may indicate one thing, but the practical effect of that language may be completely different. The memorandum which the Senator inserted in the RECORD purported to show what H.R. 7152 provides and what it does not provide, but the Senator from Minnesota was not so generous in his explanation as he usually is when he listed some of the things H.R. 7152 provides. For instance, he did not call attention to the fact that under section 302 the Attorney General is given the power to intervene in any action commenced in any court of the United States seeking relief from the denial of equal protection of the laws on account of race, color, religion, or national origin. He neglected to say that this bill places more power in one appointed official than has ever been placed in the hands of one individual, outside the President, in the history of the United States of America. He neglected to point out that a person accused of violating the terms of H.R. 7152 would be denied the right of trial by jury contrary to the provisions of the Constitution. He neglected to point out that in the case of matters concerning voting rights, the Attorney General could "shop" for a three-judge court that would suit his own particular needs and satisfaction without regard to the long-established custom of having matters of a local nature determined by judicial proceedings conducted by local people. He neglected to point out that title VII of this bill would take from the employer the right of managing his own property and conducting his own business affairs so far as the hiring and firing of employees is concerned, and place it in the hands of a bureaucratic equal employment commission of the Federal Government. He neglected to point out the fact that H.R. 7152 would remove from every cafe owner, hotel, and motel, however big or small, or other place of public accommodation that is by the broad terms of this bill remotely engaged in interstate commerce, the right to conduct his business, but place such stringent requirements on him that there is grave doubt he could survive.

The Senator from Minnesota, in discussing title VII, said:

> In fact, the title would prohibit preferential treatment for any particular group, and any person, whether or not a member of any minority group, would be permitted to file a complaint of discriminatory employment practices.

If the real purpose of this bill is to remove all discrimination in employment without regard to whether or not an individual is a member of any minority group, and if any person would be permitted to file a complaint against discriminatory employment practices, why does the bill specifically define an unlawful employment practice under the terms of this bill as an act of discrimination against an individual because of such individual's race, color, religion, sex, or national origin? If the purpose of the bill is to remove all discrimination, why is race, color, religion, sex, or national origin even mentioned? Why does the bill not simply say there shall be no discrimination whatever, thereby removing the explosive, emotional aspects of the race issue from the discussion of this title?

It is clear the divergent and apparently conflicting statements about what H.R. 7152 contains or does not contain do not find their source exclusively in the opponents of this bill, nor are those who express differing opinions to be necessarily criticized for doing so. The ambiguous language, the complicated construction and the subtle and hidden provisions of the bill make it impossible for any individual, proponent or opponent, to determine with any certainty what the legal interpretation or the practical effect of the bill will be if it is enacted. This certainly substantiates what the Senator from Minnesota has advocated, that is, "the need for a renewed effort to explain this bill in straightforward and uncomplicated language." The Senator from Mississippi is happy to state that in the interest of insuring that the terms of the bill are understood, it is his intention to discuss it as frankly as is possible for so long as it is necessary to understand its total effect upon our society and our Government.

McNAMARA'S WAR IN SOUTH VIETNAM

Mr. ELLENDER. Mr. President, under the same terms and conditions, I yield to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, I shall speak again in opposition to McNamara's war in South Vietnam. I shall speak again and again, so long as I think there is any hope of changing the mistaken course of action of my Government, which, if it is not changed within 12 months, is bound to bring death to thousands of American boys in southeast Asia.

I shall speak again and again, here and elsewhere, in protest against a foreign policy of my Government that I believe is indefensible, inexcusable, unconscionable, and morally wrong. I shall speak again and again, here and elsewhere, in an endeavor to change the foreign policy of my Government from one of making war to one of attempting to make peace in the world.

My Government is making war. My Government is killing, unjustifiably, not only American boys, but South Vietnamese; and my Government is acting outside the framework of international law.

The American people need first to know the facts. Once they know the facts, they have the duty to speak out and to hold their Government to an accounting, for, after all, the foreign policy of this country belongs to the American people; and the people of this Republic have both the right and the solemn obligation to make clear to their Government that they want it to stop making war, and that they want it to return to the sacred moral duty of making peace.

Any failure of the United Nations to fulfill in southeast Asia the role for which the United Nations was created would be one of the great tragedies of our time, comparable only to the tragic disinterest of the League of Nations to the pleas of Haile Selassie, in 1935.

There are many differences; but there are very many common characteristics and very many similarities between what is happening today to the United Nations and what happened in 1935 to the League of Nations, when the League of Nations chose not to act in the case of Italy's aggression against Ethiopia. That was the last chance the League had to head off World War II and it washed its hands of it.

The comments of Secretary General U Thant, of the United Nations, in expressing reluctance to see the United Nations take over the Asian crisis, are especially remarkable, since at the same time he deplored the use of nuclear weapons in that area.

Mr. President, just how does the Secretary General of the United Nations think nuclear weapons come to be used? I trust that he is not naive. If he does not know the answer to that question, he should be told that nuclear weapons are used in war; and that a war is going on right now in southeast Asia; and that unless the war now going on in southeast Asia is quickly brought under control, no man can say where it will end, how many nations will be involved, and what kind of weapons will be used.

It is no secret that the United States relies upon weapons superiority to offset the manpower resources of both the Soviet Union and Communist China. Our country relied on atomic weapons in Asia in World War II. Our country came near to using atomic weapons in Korea. Regardless of how dreadful and terrible atomic weapons may be, no American war ever will be fought on the mainland of Asia except with nuclear weapons.

And, Mr. President, we are on the brink of a full-scale war in Asia. I cannot emphasize too much the gravity of this situation. As the American people from coast to coast in this Republic at this hour go about their enjoyable living, few of them know the danger lurking overhead. Apparently, few of them are aware, or want to be aware—for it is more comfortable to be unaware—that a nuclear war is in the offing, unless this war in Asia is stopped. If this war in Asia is escalated into a war in North Vietnam and beyond, put it down as a certainty, Mr. President, that nuclear power will be used. And no one, anywhere in Government—in the United States, in Russia, in Great Britain, in Red China, or elsewhere—knows what the end result of the first use of nuclear power by the United States would lead to.

Mr. President, this is the hour, figuratively speaking, and this is the time, accurately speaking, when the leaders of nations who want to maintain peace should act in the interest of peace, not in the interest of warmaking.

So, Mr. President, here is one Senator who has no intention of remaining silent at this critical hour. Here is one Senator who refuses to "pass the buck," insofar as his constitutional responsibilities are concerned, to the President of the United States, to the Secretary of State, or to the Secretary of Defense, so long as those holding such offices seem bent on making war, for at this hour they are making war in South Vietnam—a war which is an illegal war, an unconstitutional war, and a war outside the framework of the United Nations.

Mr. President, what has happened to us? What has overcome us? What has happened to the American people? Have we forgotten so soon? Have we forgotten the inhumanity in the last war? Have we forgotten the cost of the last war, not only in material things, not only in human blood, but also in human values? I feel that the last war did something terrible psychologically, not only to millions of Americans, but also to millions of people elsewhere in the world. It did something dreadful to what theretofore had been a sensitivity to human values and moral principles.

Is it true that the people of this great religious Nation are willing to "pass the buck," so to speak, in connection with their responsibilities of citizen statesmanship, to warmakers and warmongers? Is it true that the people of this Republic are perfectly willing to sanction unnecessary killing? I say "unnecessary," because no thorough attempt to make peace has yet been made.

Having raised the question, Mr. President, I am going to give my answer, based upon my conviction: It is that the American people have not changed their sense of values. But as this war in southeast Asia continues month after month, and as more and more American boys die there, the demand of the warmongers that that war be escalated into a war in North Vietnam, and that then the use of nuclear power be begun, thus killing men by the thousands, will seem more and more plausible and then the holocaust will be underway.

Mr. President, if ever there was a time when the churches of America should be filled with people on their knees, it is now. If ever there was a time when the religious leaders of this country should be raising their voices to Almighty God, it is now. But that is not happening.

Has life become too easy, that too many are willing to waste it?

Have the joys of easy living become so captivating that the American people have turned their faces away from reality to what they hope will be a dream world of unreality in which they can live? Escalate this war into Asia and start shipping American boys by the thousands into Asia, and then perhaps the American people will come up with a sudden start. But it is so unnecessary. We should not have to travel that road of horror, sacrifice, and blood. We should stop while the chances of reason can prevail, and proceed to use our minds and reason in connection with the procedures that should be followed in Asia today.

That is why I am highly critical of the Secretary General of the United Nations in this speech today. In my judgment, he has evaded his responsibilities. He turned away from his obligations when he indicated to the world—and his statement was unfortunate—that the United Nations at the present time cannot take up this issue. What is the issue? It is the issue that determines the difference between peace and war. Mr. U Thant sits as the Presiding Secretary General over the Organization that was created at San Francisco to preserve peace. Before I finish my speech, I shall quote for the benefit of the Secretary General the Charter of the United Nations, because his unfortunate statement to the world shows that he needs to have the charter over which he presides quoted back to him.

As Secretary General he has a solemn responsibility to use his great office to do everything he can to promote peace and not to throw up his hands hopelessly, as I interpret his remarks, and leave the impression that there is nothing at this time that the United Nations can do; for there is, Mr. President. The member nations of the United Nations must insist that the procedures of the United Nations be brought to bear upon the terrible world crisis which threatens all mankind.

Every nation uses whatever it has that can be used to advantage in time of war. With some countries it is manpower; with us it is nuclear weapons. If the war is escalated into North Vietnam, into Laos, and into Red China, we may or may not use large forces of conventional American manpower. But most certainly we would use nuclear power. Now is the time to stop it. Now is the time to put on the brakes. Now is the time at least to exhaust every peaceful resource to avert what could be the greatest historic tragedy that mankind has ever suffered. The issue toward which Secretary General U Thant should be directing himself is not the madness of nuclear weapons, but the conflict which brings them into use. That is his job. That is the only job he has.

Article 99 of the United Nations Charter specifically authorizes the Secretary General—and I read it for the benefit of the Secretary General:

> To bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

The charter states that he may bring those matters to the attention of the Security Council. It is a great mystery to me how U Thant can express the concern he did over the use of nuclear weapons in southeast Asia and still regard the conflict there as one which the United Nations should ignore. If he is worried about the use of nuclear weapons, why is he not bending every effort to have the United Nations step into the conflict before it reaches the stage of nuclear warfare, instead of making a statement that will be interpreted around the globe as a "throw-up-the-hands" gesture that this conflict is too much for the United Nations? I deny it. Mr. President, no threat to the peace of the world is too much for the United Nations, for, as Stevenson has said in the past—but long before last Thursday—this great charter offers mankind a charter for peacekeeping. I paraphrase him, but do so accurately.

For years the U.S. Ambassador at the United Nations has raised his eloquent voice in pleading for the application of the rule of law instead of the rule of might to the settlement of international disputes that threaten the peace of the world. That is why the speech of Stevenson last Thursday was one of the greatest tragedies of our time. As I said last Thursday, that speech extinguished a light of world statesmanship. That was not the speech of a peacemaker; that was the speech of one who had been drawn in, because of an ambassadorship, to support an unsound American foreign policy. That is why I said then, and repeat today, that he should have sacrificed that ambassadorship before he ever lent his lips to writing into the pages of history through his lips a statement of foreign policy that will rise to plague this Republic for years to come.

I say to the Ambassador, and to the Secretary General who fears the use of nuclear weapons that the only reason I have been pleading with my own Government to put the Vietnam situation before the United Nations is that I know that the possibility and the danger exists, that the war will be escalated to the point of the use of nuclear weapons. The United States has already escalated it from moderate military aid to the saturation point, plus American advisers who fight and American airpower in the skies.

Reports coming out of South Vietnam, one after another, belie the statements of McNamara and Stevenson in regard to American foreign policy in southeast Asia.

The sad fact is that, no matter how much they deny it, the United States is making war in Asia. We cannot justify it, and we ought to stop it. We ought to come back to the framework of international law, and act within it. We ought to come back to the idealism of the Adlai Stevenson of years gone by, and make it again the foreign policy of this Republic.

Anyone, including U Thant, who fears the use of nuclear weapons against Asians or anyone else, should be pleading, too, for the United Nations to take over before it is too late. Whenever the use of atomic weapons is being contemplated, there exists a terrible and immediate threat to international peace. Cannot Mr. Thant see that? He has already heard our U.N. Ambassador say that the United States will "take whatever means are necessary" to help certain nations in Asia.

I repeat that unfortunate quotation of Adlai Stevenson that the United States will "take whatever means are necessary" to help certain nations in Asia.

If the Secretary General and the U.N. as a whole decline to act on what is clearly their responsibility, they can hardly quibble over the steps one of the parties may deem necessary, nuclear or not.

Let me repeat what I said the other day in a speech on the floor of the Senate about the logistics problems that will confront the United States if it escalates the war.

If tens of thousands of American boys were put into the jungles of North Vietnam, is it expected that we would win? Or if it were done in Laos, does anyone think we would win if tens of thousands of American boys were pitted against human tides of millions of Red Chinese sent against them in one human wave after another?

I remind the American people that military experts say that a war cannot be won that way. That is why we would use nuclear weapons. The human sacrifice involved in such a war, on both sides, would be so great that the United States could never rise from the ashes of its destroyed reputation as a peaceful nation.

That is why I say there are great spiritual values involved at this hour. That is why I say today that the church bells of America should be tolling. That is why I say that, in my judgment, every religious person in this country should be in communion with his God. I do not believe our course of action can be reconciled with spiritual values. All the appeals to superpatriotism by waving the flag into tatters cannot change the basic fact that American foreign policy in southeast Asia cannot be squared with spiritual values and with our professings as a religious nation.

Is it not interesting, Mr. President, that in the thinking of some persons, it makes a difference in God's eyes as to what our course of conduct is because Communists are on the other side? They are ignorant, illiterate Communists. Uninformed millions in Red China have not the slightest idea what they are fighting for. That goes for South Vietnam, for North Vietnam, and for Laos, too.

One of the difficulties in American thinking today is that we are proceeding on the assumption that the people involved are of the same development—educationally, intellectually, and politically—as we are. It does not happen to be true. That fact makes it all the more important that we should hold firm to great moral and spiritual values. We cannot justify this killing at all.

The course of conduct this country is following is resulting in the killing of thousands of South Vietnamese, too. They happen to be human beings. It is also resulting in the killing of thousands of Vietcongs. The political philosophy which they possess, as it is alleged, and which their leaders possess, I despise and abhor. But they are flesh and blood. They, too, are the children of God.

I have read nothing, I have heard nothing, even by way of rationalizations and alibis of a McNamara or a Stevenson, that justifies the blackout of moral values that seems to have overcome the policy of this Government in southeast Asia.

As I said before, when I think, not of the possibility, but of the probability, if we continue this course of action, that in a twelvemonth thousands of American boys will lie dead in Asia, I raise my voice again pleading for a halt, pleading for a change of policy, pleading for assuming our responsibilities in the United Nations, to lay the matter before the United Nations, even if the Secretary General may have thrown up his hands in despair—which is my interpretation of his unfortunate statement to the world.

I hope that there is not an ugly fact behind the scenes that would explain the position of the Secretary General of the United Nations, for it never would have prevailed in the thinking of his great predecessor.

His great predecessor did not hesitate to take on Russia before world opinion when Russia threatened to make war in the Congo. That great Swedish leader announced to Russia and to the world that Russia would either get out, or the United Nations would put her out. Russia got out.

Of course, the great Secretary General of the United Nations of that day had strong support. The United States was behind him. Great Britain was also behind him.

Where are they today?

The United States is making war in South Vietnam, and Great Britain is egging us on.

A tragic example of international hypocrisy in recent hours has been the position of Great Britain endorsing U.S. planes over Laos, and endorsing Stevenson's threat to use whatever means are necessary in Asia. As I shall say later in my manuscript, but will say it now because it cannot be said too many times, we do not find any British planes over there; we do not find any British boys dying over there, nor Australian nor New Zealand boys—or planes, either.

They are "egger-oners." But "egger-oners are not allies. They only find it convenient from the standpoint of British interests to have the United States do the fighting and the spending in southeast Asia. Certainly, no one should suffer from a myopia which blinds him to the fact that Great Britain's eyes are on Malaysia—and New Zealand's and Australia's, too.

Great Britain finds U.S. foreign policy in Asia at this hour very helpful to the perpetuation of what should be recognized as bygone British colonial policy in Asia but which is still being maintained in Malaysia. It is doomed. British colonial policy has been doomed elsewhere in the world, and for the most part has fallen elsewhere in the world. We now have the United States and Great Britain embracing each other, but the United States is paying the bills, U.S. boys are doing the dying, and U.S. planes are doing the flying in the war in southeast Asia.

I say to the people of Great Britain, "Your policy will not stand to your credit in the pages of history, just as the policy of my Government, as of this hour, will not stand to its credit in the pages of history."

I have great faith in the public opinion of Great Britain, as I have great faith in the public opinion of the United States. I have great faith that once the British citizen fully comes to understand and comprehend the threat to the peace of the world which U.S. foreign policy is creating in Asia today, British public opinion in the months ahead will hold its government to an accounting.

If the Secretary General and the United Nations as a whole decline to fulfill their clear responsibility, they can hardly quibble over the steps one of the parties may deem necessary, nuclear or not.

I am not interested in hearing all the reasons why it would be unsound for America to use nuclear weapons in Asia, unless those who advance the reasons are ready to fulfill their own international responsibilities to bring the conflict under the jurisdiction of the United Nations.

That is the responsibility of the Secretary General, Mr. U Thant, but not his alone. My criticism of the Secretary General of the United Nations in this speech is not limited to him. My criticism goes to members of the United Nations as well, for, as I shall show in a moment they, too, have not only the power but the clear duty to call this threat to the peace of the world to the attention of the United Nations for the exercise of its jurisdiction under the charter.

I have a word or two to direct to the less developed countries. The less developed countries, no less than the great powers, must always remember that the one, primary reason for the existence of the United Nations is to save succeeding generations from the scourge of war. If it cannot do that, then it is not going to do anything. If it allows a conflict in Asia to go unheeded and unconsidered, all its social and economic developments interests will come to nothing, because once the great powers involve themselves in major conflict, the problems of the undeveloped countries will pale into insignificance.

Secretary General U Thant has many problems on his hands—the Congo, the Middle East, Cyprus. All are difficult, and all are expensive. But if the United Nations does not have the will to cope with the big threats to peace, it will be heading down the same road to oblivion which the League of Nations traveled, and it will take its economic development problems along with it.

Is it to be U Thant's role in history to preside over the demise of the United Nations? His remarks of yesterday would so indicate.

If the United Nations is unable to stop war when there is a threat to the peace of the world through war, the United Nations is finished.

The United Nations cannot survive as a club for powerful nations, at which they meet and divide up the role of international policy among them. The United Nations is finished if Great Britain and the United States can get together and decide to support each other in the policy that presently prevails in Asia. The United Nations is all through if it is not willing to step in and exercise its procedures to the maximum extent possible to maintain peace. The United Nations is not doing it in Asia.

No wonder that I ask again, "Could there be the ugly fact behind the scenes that some nations, such as the United States, Great Britain, Australia, Canada, New Zealand, and others, are too powerful for the United Nations to exercise its jurisdiction when peace is threatened?"

I said the other day, and repeat now, that, in my judgment, the United States will be condemned in history because the course of action that we are following in southeast Asia is the greatest threat to the survival of the United Nations that has occurred since the United Nations was created. For the United States from the very beginning has had a clear obligation and duty to take the issue to the Security Council, and, if necessary, in the face of a Russian veto, to the General Assembly.

By not doing so, Mr. President, I say, for the benefit of Mr. Adlai Stevenson, that the United States is weakening the very charter he has been sent to New York to serve as the U.S. Ambassador. His speech of last Thursday was anything but the fulfillment of a trusteeship. His speech of last Thursday weakened the United Nations as a force for peace in the world.

In that speech, he served notice to the world, in effect—and I paraphrase it, but the meaning is clear—that we would do whatever we wanted to do in South Vietnam. That is it.

That is not the position of a peaceful nation. And that is not the position that my Nation ought to take, with its signature remaining on the United Nations charter.

Article 98 of the charter declares:

> That the Secretary-General shall act in that capacity—

Chief administrative officer—

> in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs.

Note that he "shall perform." He shall perform "such other functions as are entrusted to him by these organs."

The General Assembly, no less than the Security Council, can entrust certain peacekeeping functions to the Secretary General. If the Security Council is unable to do so because of the veto, then the General Assembly should do it, if it cherishes its own future.

The United Nations will not serve the best interests of either the small nations or the big nations if it fails to act in southeast Asia. If it is content to let Communist-led rebels fight against Western interests there, with the increasing likelihood of the introduction of nuclear weapons, it will serve no one's interests. Among the big nations, France does not favor U.N. action because France does not look with favor upon the U.N. at all. It has consistently been contemptuous of the organization and prefers to handle international problems in the old ways, including war. The Soviet Union has little interest in U.N. action when the side it favors seems to be winning. As the guerrillas continue to make progress, the Soviet Union probably will not favor any U.N. action, either. But let that war escalate itself into a full-scale war in Asia, and watch the Russians.

I do not know what we are thinking of, to lay the foundation for a possible rapprochement between the Red Chinese and the Red Russians. If anyone thinks as a result of the so-called negotiations that have been going on between the United States and Russia—and I am all for those negotiations, including the treaty that the President announced today for the exchange of consulates in United States and in the Soviet Union—that if the Western powers start a takeover war in Asia, there will be no rapprochement between Red China and Red Russia, in my judgment, they could not be more mistaken. For neither Russia nor Red China will let the colonial powers of the West control Asia. We must be included among the colonial powers of the West now, for the United States is fighting a colonial war. Colonialism has a variety of definitions.

Mr. President, when we seek to dominate and control, as we are doing with the puppet government that we have set up in South Vietnam, and maintained now through three dictatorships, we are resorting to a form of colonialism. And neither Red China nor Red Russia will ever permit Western colonialism to rule Asia.

So I would have the Secretary General of the United Nations and Mr. Stevenson meditate on article 98 of the United Nations Charter. I would have them meditate on their obligation of trusteeship in regard to the charter. For if they did, I am sure that intellectually they would have to come to the conclusion that they cannot justify U.S. action in South Vietnam.

I have made it clear so many times, in so many speeches, that I hold no brief for violations of the Geneva accords by North Vietnam, by Laos, by Cambodia, by Red China, that I would assume it would be unnecessary to mention it in this speech. But if I did not mention it, someone would point out that I did not, and unfounded conclusions would be drawn from the fact of my not doing so.

I have no doubt that North Vietnam violated the Geneva accord. China probably did, too, as did Cambodia and Laos. The neutral council that was set up by the Geneva accords found in its 1957 report that both North Vietnam and South Vietnam had done so.

As I have said so many times, it was found that South Vietnam had done so in part because of the military aid that the United States had been furnishing her and that she had been accepting.

Because the escalating of the war in South Vietnam, participated in by the United States, violates the Geneva accords of 1954, we stand, as a nation, convicted of violating the Geneva accords. What a hypocritical position we take when we seek to rationalize and alibi. This is McNamara's and Rusk's great alibi for our course of action in South Vietnam. McNamara and Rusk do not like to have anyone say they are acting illegally. They are. Neutral counsel found them violating the Geneva accords by taking military aid, and the U.S. escalating policies in South Vietnam—accords we did not even sign, nor did South Vietnam, by reason of our pressure.

Instead of taking those violations of the other countries to the United Nations, as we should have done, the alibi of Rusk and McNamara is, "We are in there because the Geneva accords of 1954 are being violated."

As an old professor of logic, if a student in my course had ever made that argument, not only would I have flunked him from the course, but I would have despaired that he could ever survive university study.

Rusk and McNamara have brilliant minds. They know better. They have placed themselves in a position in which they are trying to pull through with rationalizations and alibis that cannot be bottomed upon either logic or law. What a glorious opportunity we had—and still have—to prove that the Geneva accords of 1954 are being violated by North Vietnam. I believe they are being violated by Red China, too. Certainly they are being violated by the Pathet Lao in Laos. I am not so sure that Cambodia would come off clean.

Under the sections of the charter which I discussed the other day in my speech on the charter, we ought to file our complaint. Adlai Stevenson, being the brilliant lawyer he is, ought to offer his evidence, instead of sitting in New York, playing the role of judge, prosecutor, and jury in one person.

We have no case, under the Geneva awards, for justifying America's making war in South Vietnam.

Great Britain, Australia, and New Zealand have been perfectly willing to see the United States fight their colonial battle for them. We constantly hear of Britain's fear that Communist success in Vietnam will endanger Malaysia. But you do not see any British boys fighting in Vietnam, or British planes flying there. The same goes for Australia and New Zealand. Despite their alleged concern that Indonesia may be encouraged to move against Malaysia if a Western foothold is not held in Vietnam, you do not see any New Zealanders or Australians helping to keep that foothold.

All are perfectly satisfied merely to endorse what Uncle Sam is doing, to endorse the expenditure of American money and American blood.

So most of the great powers have reasons of one kind or another for preferring to keep the issue out of the United Nations. All have a vested interest in the outcome, and rather than turn over the problem to a more impartial arbiter, they prefer to fight it out despite what history teaches about the end result of such conflicts.

Perhaps Mr. Thant had the great powers in mind when he doubted the competency of the U.N. to undertake any task in southeast Asia. Or perhaps he had the small, undeveloped nations in mind. Their preoccupation with their own economies to the exclusion of their international responsibilities as U.N. members has been a widely discussed shortcoming of the organization.

But the purpose of having the organization is to provide the means whereby small and great powers alike can find a meeting ground. Peace is essential to all of them. That is why we have the U.N., and it is the only basic reason. I predict that there will be no peace in southeast Asia, and that there will be growing conflict there until the United Nations lives up to its charter and intervenes.

I hope that Mr. Thant will wake up to that fact before it is too late, before he finds himself presiding over the liquidation of the United Nations.

Finally, I cannot let pass the press reports of Secretary McNamara's comments yesterday after his testimony to the Senate Armed Services Committee. He said nothing to justify the war he is managing in South Vietnam. He said nothing that puts it on a legal footing. The Constitution still requires a declaration of war or a treaty obligation before American soldiers can be sent into battle, and as the Secretary of Defense knows, American soldiers are now fighting in South Vietnam not under a declaration of war nor in pursuance of a treaty, but on the orders of Mr. McNamara.

That makes our war illegal under the Constitution of the United States.

Under article 1, section 8 of the Constitution, the power to declare war is vested in Congress, not in the President, not in the Secretary of State, not in the Secretary of Defense.

The Secretary of Defense naturally made no mention of the United Nations Charter, to which this country is a signatory. Paragraph 3 of article 2 of the charter reads—

> All members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

Who in this administration wants to defend the proposition that we are doing that in South Vietnam at the very moment I speak? We are not. That statement is irrefutable. It is undeniable. We stand in violation of the charter to which we have put the signature of the United States.

Yet the Secretary of Defense, in justification of McNamara's war, came out of the Committee on Armed Services trying to alibi for his position. I could not quite determine from the press reports whether he had walked out on his press interview of a couple of weeks ago.

It will be recalled that for several weeks, on the floor of the Senate, I have been discussing, with great frequency, McNamara's war in South Vietnam. I pointed out in answer to some of his apologists that he took a little umbrage because I had called it McNamara's war and said that I would continue to call it McNamara's war, because that is exactly what it is, as evidenced by the fact that the Secretary of Defense prepared the blueprint for the war.

So long as the President retains him as Secretary of Defense, it is to be expected that the President will follow the Secretary's blueprint. But the President needs a new blueprint for southeast Asian policy; and in order to get a new blueprint for southeast Asian policy, he needs a new Secretary of Defense. It is as simple as that.

The Secretary of Defense has been silent about the provisions of the United Nations Charter. It is well that he should be, in view of his indefensible position in leading this country into an undeclared McNamara's war in Asia.

Paragraph 4 of article 2 of the United Nations Charter provides:

> All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

We were caught flatfooted. We were caught dead to rights; and that is the posture of the United States in the world today.

Yet an attempt is now being made to steamroller through Congress increased appropriations of millions of dollars for the conduct of McNamara's war in Asia. As I said earlier in this speech, I fear that it will escalate into a nuclear war.

There are many things about that legislative strategy that I abhor. One of them is its indirection. One of them—although it was not very subtle—is what I suspect was designed to be a subtle strategy in order to get Congress "on the hook" by means of an indirect approval of the undeclared war in South Vietnam, through the passage of an appropriation bill which would provide millions of dollars for its prosecution.

Mr. President, I stress my concern about what I consider to be a very unfortunate indirect legislative tactic in an attempt to obtain congressional approval of the undeclared war in South Vietnam. I refer to the attempt to steamroller through the two bodies of Congress appropriations for conducting McNamara's war in South Vietnam. It is not to our credit; it is not the way we should face the issue. As the Congress of the United States, we should vote directly either for or against a declaration of war; and then we should permit the voters to pass their judgment on our votes.

As more and more Americans come to understand the facts involved in McNamara's war, I am satisfied that a growing feeling of resentment is spreading through the United States. Later, Mr. President, I shall request permission to have printed in the RECORD some recent communications I have received in regard to the position I have taken on the war in South Vietnam.

One of them has come from one of the greatest living historians in the United States; he has made perfectly clear his agreement with the position I have taken. All of those communications come from very responsible citizens across this country. I shall have to delete the names of some of the writers of the letters; but, as I have previously stated, their letters will remain on file in my office, available for inspection. Some of them come from members of our armed services in South Vietnam, who have been writing what the correspondents also have been writing from South Vietnam concerning the unsoundness of McNamara's position in regard to his blueprinted war in South Vietnam.

Mr. President, I am satisfied that once the American people come to understand the facts about this uncalled for, unjusified killing of American boys in South Vietnam, that resentment will reach the point of white heat of opposition to those who support it.

I am aware of the Madison Avenue technique and the propaganda support used by a warmongering press. By and large, at this hour the press of this country is a warmongering press. I am aware of the various media of propaganda that are being used in attempts to convince the American people that they must fight, that they must make war, or else the Communists "will get them"—as if the American people were still little children who could still be frightened by scare stories. I know such propaganda tactics can fool many persons for a period of time. But, Mr. President, one must have my faith in people, to follow my course of action; namely, that once the American people understand the spiritual values, the moral principles, and the legal obligations owed by our country to the United Nations and, through it, to the world, they will ultimately approve the course I advocate.

I say to my political colleagues in the Congress that before there is that final recognition of the right, some political losses may be suffered by some. But how insignificant would be such sacrifices on the part of any of us, if they were made in the interest of trying to maintain world peace.

I do not intend to permit anyone who involves himself in this historic debate to overlook the fact that we have one common objective, one compelling obligation—to maintain world peace; for if we do not do so in our generation, we shall not have any heritage of freedom to leave to our grandchildren.

One of the most inexcusable and fallacious bits of propaganda that is being spread by the propagandists of McNamara's war in South Vietnam is the statement that we are engaging in that war in the name of freedom. What nonsense. There is no freedom in South Vietnam. In South Vietnam, as I said yesterday, we are supporting a military dictatorship—a dictatorship that is so scared about its survival that it closed six newspapers and arrested nine of its leading opponents; and in one of those newspapers there was published an article in which it was stated that the little military tyrant we have built up and are supporting in South Vietnam sleeps in a different place every night, because he fears for his life.

If the United States were out of South Vietnam and the United Nations were in, the difference would be a difference between the making of war on the one hand and maintaining the peace on the other. That is quite a difference. We would find a great difference in attitude developing among the South Vietnamese people, too, which would open the way to go in for the next 20 to 25 years—it would take that long—to help build up a system of economic freedom for the people of South Vietnam out of which would grow political freedom for them once they understood.

Clever propaganda is leaving the impression that the people of South Vietnam are enthusiastic democrats with a small "d". Nothing could be more mistaken. They do not know the differences, and they care less about the differences between and among political ideologies. They would understand economic freedom. Once we help to develop a system of economic freedom for them, the political result will be inevitable. There will be political freedom of choice for the individual, for it always grows out of a seedbed of economic freedom. We must establish it first.

Senators must have my faith that the final judgment will be rendered by the American people, once they understand the facts.

We must be willing—as I am willing—to follow a course of action, regretfully though I do, contrary to the present course of action of my Government in the field of foreign policy, hopefully—always hoping, of course—that my Government would change its policy.

There is no question as to where the senior Senator from Oregon will stand if his Government should finally make the colossal blunder of either declaring war or entering into a full-scale war undeclared. Then the issue would be drawn between Red China and Red Russia, on the one hand, and the survival of my country on the other. We shall all be united at that hour in doing what we can to successfully prosecute such an unnecessary and unjustifiable war, but one which at that time would present us with a set of facts that involved the survival of the country, for I would not vote for the war. I shall continue to do what I can to persuade the leaders of my country to reappraise the mistaken course of action which they have followed up to the present moment. That is why I urge again that they reread and meditate upon the sections of the United Nations Charter which Mr. Stevenson had nothing to say about in his most unfortunate speech of the other day, and about which there is not the slightest intimation of knowledge in the unfortunate statement that the Secretary General of the United Nations made in recent hours concerning the relationship between the United Nations and the war in Asia.

Returning to his statement of yesterday, the Secretary of Defense made no reference, either, to article 33 of the charter, which provides—

> The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

We have never invoked that article. We have never attempted to use article 33. We stand convicted before the world of having walked out on our obligations under the United Nations Charter. We signed that commitment at San Francisco. The Senate approved it, and the treaty was ratified. It calls for affirmative action on our part. It calls for affirmative action on the part of Great Britain, our "egger-oner." It calls for affirmative action on the part of the other signatories. But in view of their statements, which I consider to be unfortunate, uncalled for, and inexcusable, it calls for action also on the part of Adlai Stevenson and U Thant.

Most certainly Secretary McNamara did not respond to article 37, which provides—

> Should the parties to a dispute of the nature referred to in article 33 fail to settle it by the means indicated in that article, they shall refer it to the Security Council.

We stand convicted again. We have not lived up to our obligations under one article after another of the United Nations Charter. Is the United States trying to destroy the United Nations? Is that our purpose? This will help to do it, because if we persist in this unlawful course of action vis-a-vis international law, nation after nation, if we ever attempt to hold any other nation responsible for its obligation under the United Nations Charter, will cite our defiance of the United Nations Charter in South Vietnam.

I am sure that most American citizens do not know that. Our leaders are counting on the fact that they do not know it. The Secretary of Defense, Mr. McNamara, the U.S. Ambassador to the United Nations, Adlai Stevenson, and Mr. U Thant, the Secretary General of the United Nations, were very careful not even to allude to those obligations.

The articles of the charter making the war we are fighting in South Vietnam illegal under the United Nations Charter had better be considered by the leaders of my Government who are responsible for the unjustifiable course of action that we are following in South Vietnam, which is leading to the unnecessary killing of American boys.

Secretary McNamara has already presided over a considerable escalation of the war in Vietnam. At the same time, he has presided over a consideration deterioration of our condition there. Unless the countries of the world, functioning through the United Nations, act under the provisions of the charter to take over this dispute, it will be Mr. McNamara's role in history to preside over a large and hopeless American land war in Asia that will undoubtedly see the use, sooner or later, of nuclear weapons. And that means the loss of hundreds of thousands of human beings.

Both Mr. Thant and Mr. McNamara, who seem to have parallel views on the subject, must remember that war has a way of dictating its own means and its own ends. A country gets into a war only because it believes it has interests at stake that justify it. Thereafter, the war sets its own demands upon the methods used, and very often those methods change the objective of the war itself. Sometimes the causes that gave rise to it disappear long before the war comes to a close.

A war also creates its own vested interests. It would be far easier for the United States to make a graceful exit now from our unilateral position in southeast Asia than it would be after we had committed still more troops and air power. The longer this conflict continues and the more intense it becomes, the less chance there is of the United Nations or anyone else heading it off.

I return to the point I raised the other day about face saving. We still read it in the newspapers. It is surprising how many editors start their editorials by deprecating the plight we are in, and criticizing our Government for getting us into this plight. One reads on, thinking the editor at long last is going to make a plea for sanity in American foreign policy, only to find the editor diverting himself with the facesaving argument.

So, in one language form or another, the editors end by saying, "Of course, we cannot get out. That would be a great loss in American prestige and face."

Mr. President, I cannot understand such an attitude. I have heard the old story about throwing out the baby with the bath water, but I never thought anyone would come to suggest that we blow off heads to save face. That is the kind of face saving we are engaged in in South Vietnam today—blowing off the heads of American boys, as well as a large number of South Vietnamese, apparently to save face.

It is nonsense. It does not change the immorality of what we are doing. It does not lessen one whit my earlier criticism in this speech that this country has walked out on our moral values as a religious people by prosecuting this illegal war in southeast Asia.

Nothing said by the Secretary General, Mr. U Thant, the American Ambassador to the United Nations, Mr. Adlai Stevenson, the Secretary of Defense, Mr. McNamara, the Secretary of State, Mr. Rusk, or the President of the United States changes the fact that in South Vietnam the United States is acting outside the framework of its obligations under the United Nations Charter.

That foreign policy should be changed before it is too late. I believe that the world expects more from Mr. U Thant, from Mr. Stevenson, from Mr. McNamara, from Mr. Rusk—yes, and more from the President of the United States.

To seek to rationalize and alibi our foreign policy in South Vietnam, which is undercutting the United Nations, may very well endanger its very survival, in my judgment. It may very well present to the world the sad spectacle of the Secretary General, U Thant, presiding over the liquidation of the United Nations.

If that hour comes, in my judgment, the hope for peace in the world will vanish, and mankind will thrust itself into the holocaust of that destruction.

The world expects more from the Secretary General, the Secretary of Defense, the Ambassador to the United Nations, the Secretary of State, and the President of the United States.

I shall continue to pray tonight that we will get more from these leaders, whose decision can change the course of events in southeast Asia which at the present time jeopardize the peace of the world.

Mr. President, I ask unanimous consent to have printed in the Record certain communications on this subject.

There being no objection, the communications were ordered to be printed in the Record, as follows:

San Antonio, Tex.,
May 25, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Great analysis by a great American. Please continue to promote truth and democracy.

William J. Lytle.

Washington, D.C.,
May 24, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

After today's "Face the Nation," I would say I am not from Oregon but I'm somewhat sorry that I cannot vote for you. I wish I could.

Kenneth H. Jenkins.

Cambridge, Mass.,
May 24, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Thank you for that magnificent talk on television today. I am with you 100 percent.

Helen Peabody.

Detroit, Mich., *May 24, 1964.*

Senator Wayne Morse,
Washington, D.C.:

Just heard you on "Face the Nation." Simply spectacular. Your message desperately needed by the American people. Keep talking. We all bless you.

Mr. and Mrs. Herbert T. Riebling.

St. Louis, Mo., *May 24, 1964.*

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Deeply deeply thankful to have heard your today's much-needed alerting message on "Face the Nation." Hoping you too await and expect again Stevenson's best.

Gratefully yours,

Rose T. Jonas
Mrs. Ernst T. Jonas.

Champaign, Ill., *May 24, 1964.*

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Your performance on "Face the Nation" was masterful.

Thank you.

John J. DeBoer.

Grants Pass, Oreg.,
May 24, 1964.

Hon. Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Congratulations. Your TV interview put into words the very thoughts I have in mind and heart.

Bernice B. Muller.

Hollywood, Calif.,
May 16, 1964.

U.S. Senator Wayne Morse,
Senate Building, Washington, D.C.:

Your recent speech relative to Vietnam on floor of Senate was masterpiece. My brother, Bob Hendrickson, your former colleague and U.S. Senator from New Jersey, briefed me over long-distance telephone and we both say congratulations. Keep up your great work.

Dan Hendrickson.

Quincy, Mich.,
May 25, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Bravo, bravo, bravo on your "Face the Nation" reply to a hostile press, on the Vietnam situation. Run for President and I'll campaign for you.

W. E. Crotty,
Chairman of the Board, Crotty Corp.

To Senator Wayne Morse: Please. Keep on talking. Please. Don't be silent. Speak for those of us who believe you are right and have no way to voice our opinion. Please. Speak out.

It is obvious to anyone who cares to look that we are fighting a war against the Vietnamese people. We have devised a plan, we say, a very good plan; we just don't understand why it doesn't work because there is something keeping the people from cooperating with us. Five planes missing. Unexplained. Two possibly downed by mechanical failure and three others just misplaced. Americans are being killed by their own weapons supposedly fighting for a people who are fighting against them. Could there be greater insanity?

And yet, we march on, without eyes, without vision (and worst) without mind. I suppose I am so pessimistic because it is not only in Vietnam that we are without sight. All of our actions emanate from the same blind vision. To understand our insanity is beyond my ability. That I see the insanity is more than most and that you have spoken out against it is beyond all hope for in this madness, one does not expect to see a light in this most black darkness. You must continue to speak out and I write to help support the burden you have taken upon yourself and to ask what can be done to help.

It seems that once something happens in our Government it is almost impossible to stop it from continuing. People get into positions of power in a situation and are unwilling to give up their power even if they see the situation should come to an end. The situation in Vietnam must come to an end. The United States must remove what never should have been there.

In Frederico Fellini's movie, "8½," an enormous tower is built, which, in the end, is useless and must be dismantled without being used. There are many towers like this in our world today. Vietnam is one. But, in the movie, as in life, there is a tremendous feeling of frustration created by not using this monstrosity. Fellini is most directly symbolizing the bomb, something that we have but must never use, something that we have created that we must discard without using. To do this, to not use the bomb, to remove ourselves from Vietnam, requires something which man so lacks today, restraint, but which man must have if he is going to survive.

So, please, continue to speak out. Keep on talking. Make them take down the tower. It is a very difficult thing to do. People are so proud of their work, even their monstrosities.

Sincerely,

Susan Garlock.

Amherst College,
Department of American Studies,
Amherst, Mass., May 24, 1964.

Dear Senator Morse: Everything you said today on "Face the Nation" made sense. Clearly we are headed for disaster in southeast Asia if we persist in our policy of unilateral action; clearly the way out is to put the whole business before the United Nations. I think you did say that we should welcome De Gaulle's proposal to neutralize the whole area. I did not hear you say what is, I think, equally obvious, that the cooperation of Red China is essential to pacification of this area, and that the price of this is the admission of China to the United Nations. China should be admitted on other grounds as well, but is it not clear that this present crisis is furnishing us the clearest of all possible lessons in what happens when China is not in the U.N. and the strongest of arguments for recognizing that she must be brought in?

Who was the imbecile from the Chicago Daily News who had such difficulty understanding what you were saying? He ought to be returned to Chicago where his capacity for obfuscation would not be so irritating or unusual.

Sincerely yours,

Henry Commager.

Mansfield Center, Conn.,
May 9, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I wish to congratulate you for your gallant efforts concerning our policy toward South Vietnam.

A glance at the situation in South Vietnam illustrates the bankruptcy of our approach to the problems of all of southeast Asia. The struggle for Vietnam has become a bottomless pit for the United States. We have wasted some $5 billion in that region since 1950. Today the bill is running at the rate of $1½ million a day, while more than 15,000 U.S. troops serve as combat "advisers" to the junta of the moment.

What do we have to show for our investment in men and money? Only a bitter harvest of mounting Communist victories, to loss of American life, the increasing disenchantment of the war-weary Vietnamese people, and the hardening of dictatorship in the government of our choice.

Keep up the good work.

Sincerely yours,

Jan Akus.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed in the RECORD a transcript of a television program of last Sunday entitled "Face the Nation," in which I was the person examined by the board of questioners of the press. I discussed in part, on that broadcast, some of the views I have expressed on the floor of the Senate this afternoon, and the communications inserted in the RECORD relate to the views expressed in that broadcast.

There being no objection, the text of the broadcast was ordered to be printed in the RECORD, as follows:

"FACE THE NATION"

(As broadcast over the CBS television network and the CBS radio network, Sunday, May 24, 1964, 12:30 to 1 p.m.)

Guest: The Honorable WAYNE MORSE, U.S. Senate, Democrat, of Oregon.

News correspondents: Paul Niven, CBS News; Peter Lisagor, Chicago Daily News; and Marvin Kalb, CBS News.

Producers: Ellen Wadley and Prentiss Childs.

Director: Robert Vitarelli.

ANNOUNCER. From Washington, D.C., Senator WAYNE MORSE, Democrat, of Oregon, will "Face the Nation," in a live, spontaneous and unrehearsed news interview. Senator Morse will be questioned by CBS News Diplomatic Correspondent Marvin Kalb, Peter Lisagor, Washington bureau chief of the Chicago Daily News.

To lead the questioning, here is CBS News Correspondent Paul Niven.

Mr. NIVEN. Senator MORSE, welcome to "Face the Nation."

In 1952 you left the Republican Party to campaign for Adlai Stevenson for President. The day before yesterday you accused Stevenson of walking out on his past record of statesmanship. The disagreement was over U.S. participation in the war in South Vietnam, and Stevenson's defense thereof in the U.N. speech.

In almost daily speeches on the Senate floor you have been calling the war McNamara's war, describing it as illegal and unconstitutional, and demanding that American troops be pulled out.

We would like to ask you today, Senator, about the situation in southeast Asia, about the civil rights bill, and about the November election.

We will begin the questioning in just 1 minute.

Mr. NIVEN. Senator MORSE, what do you mean when you call our participation in the South Vietnam war unconstitutional and illegal?

Senator MORSE. Well, our Government has no right to send American boys to their death in any battlefield in the absence of a declaration of war, and article I, section 8, of the Constitution vests the prerogative of declaring war in the Congress of the United States, and no war has been declared in southeast Asia, and until a war in declared, it is my position that it is unconstitutional to send American boys to their death in South Vietnam or anywhere else in southeast Asia. And furthermore, it is illegal, in my judgment, under the United Nations Charter. I hope before the program is over I will have time to cite the very sections of the United Nations Charter that make our course of conduct in southeast Asia illegal under the United Nations Charter, and that is why I criticized the great Stevenson in two speeches in the Senate, because he walked out on the great statements he has made of times gone by about the United Nations being the only hope for peace for mankind, and I think that as our Ambassador at the United Nations it is too bad that he permitted his lips to be used to read a speech which apparently most of which was written for him down at the State Department.

As I said on the floor of the Senate, when I think of the sacrifice and the casualties of American boys in South Vietnam, the casualty of a United Nations ambassadorship would have been a small sacrifice for Mr. Stevenson to have paid, and, in my judgment, he should have resigned that ambassadorship before he extinguished his light of world statesmanship which he extinguished, in my opinion, when he delivered that speech.

Mr. LISAGOR. Senator MORSE, we fought, this country fought a war in Korea under the umbrella of the United Nations. Would you advocate that this country turn the whole of the South Vietnamese war over to the United Nations or to a group of United Nations powers in which case the United States could then participate, or do you just advocate that we pull out and leave them to their own devices?

Senator MORSE. First, let me say that we fought the Korean war not under the umbrella of the United Nations, but as a participant to the United Nations in conducting that war. I have never criticized American foreign policy without always offering a substitute of a policy that I think ought to take the place of the policy I am criticizing.

For weeks, on the floor of the Senate, I have been urging our Government to take the southeast Asia issue to the United Nations. We have a clear duty to do it, under the charter, and I am asking that the United Nations be asked to set up a peacekeeping force in southeast Asia to maintain the peace. There is a lot of difference between maintaining peace and making war. The United States is making war in South Vietnam, not maintaining peace.

Mr. KALB. Senator, do you feel that a U.N. peace force can actually maintain peace in as turbulent an area as southeast Asia?

Senator MORSE. Why, if there is any hope for the United Nations to survive, it must. You certainly can't destroy—justify destroying the United Nations the way we are doing now. The purpose of the United Nations is for the signatories thereto to band together and keep the peace, and that is why we are supporting United Nations forces in the Congo, in the Middle East, in Cyprus. Why not in southeast Asia?

Mr. KALB. Well, Senator, there is always a constant battle at the United Nations as to how you set up a peace-keeping force under a United Nations umbrella.

Senator MORSE. Of course——

Mr. KALB. Do you really feel that the Soviet Union, which has already made its position quite clear on this issue, would agree to setting up a United Nations force for southeast Asia?

Senator MORSE. As I have said so many times in my Senate speeches, let's put Russia and Red China on the spot. Let us put Russia on the spot and see if she dares veto such a program in the Security Council, but don't think the Security Council ends the power of the United Nations. If Red Russia vetoes it in the Security Council, then you know what I think my Government ought to do. It ought to call for an extraordinary meeting of the General Assembly of the United Nations, and I was one of your delegates to the General Assembly in 1960 and after that experience I came away more convinced than ever that the only hope for peace in the world is through the United Nations, and we ought to then call for an extraordinary meeting of the General Assembly of the United Nations and let the world speak up, because I am satisfied that the overwhelming majority of the nations of the world would join in insisting that the United Nations move in and maintain the peace.

Now——

Mr. KALB. Senator——

Senator MORSE. If you are not going to do it, what is your alternative? Let me say on this telecast today to the American people the real danger if you don't follow that course of action is escalating the war in southeast Asia and the plans are in preparation for escalating it if our Government decides that is the course it wants to follow, and that will mean the death of thousands and thousands of American boys and you will be bogged down in southeast Asia for a quarter of a century and then you won't win.

Mr. LISAGOR. Senator MORSE——

Senator MORSE. I happen to think we are really on the brink this time and the United States ought to take this issue to the United Nations and go back to its glorious record of using the United Nations as the instrumentality for maintaining peace.

Mr. LISAGOR. Senator MORSE, Communist China is not a member of the United Nations and it is a chief offender in southeast Asia.

Senator MORSE. So what?

Mr. LISAGOR. How do you bring China before the dock in the United Nations? We tried that in the Korean war. It didn't work then. How do you do it in southeast Asia?

Senator MORSE. You won't know until you try it and let me tell you what I think the result will be. If you get the United Nations to recognize that this is a threat to the peace of the world and we may go into a third world war if we don't stop this, and the nations line up in support of that doctrine, watch Red China work for an accommodation because Red China has no intention in my judgment—she wouldn't be that shortsighted to try to take on the world.

Mr. LISAGOR. In specific——

Senator MORSE. But she isn't going to hesitate to take on the United States in Asia.

Mr. LISAGOR. In specific terms, Senator, what would you do about southeast Asia? Do you support the idea that we might be able to neutralize it as General de Gaulle has suggested?

Senator MORSE. Well, I want to say, contrary to Mr. Stevenson's proposal in this very unfortunate and unsound speech of his, we ought to support France's request for a reconvening of the signatories to the Geneva accord of 1954 which, incidentally, we didn't sign and which we persuaded South Vietnam not to sign. The sad fact is, and many Americans don't realize it, neither the United States nor South Vietnam signed the Geneva accord in 1954, and yet we are saying to the world, the Geneva accords are being violated. They sure are being violated. I happen to think they have been violated for some time by North Vietnam, by Red China, by Laos, possibly by Cambodia and certainly by South Vietnam. In fact, the neutral council that was set up in the 1954 accord has found as a matter of official finding that North Vietnam and South Vietnam have both violated the Geneva accord of 1954, and one of the reasons they found that South Vietnam had violated it was because of American military intervention in South Vietnam specifically contrary to the accords of 1954, and what should we have done instead of following that course of action? Should we try to rationalize, as Stevenson does, going into South Vietnam because North Vietnam has violated the accords? We should have taken the issue to the United Nations immediately. We should have filed a complaint. As a nonsigner to the Geneva accords we had no international law or right to unilaterally try to enforce them. The fact is we are outside the charter. We are outside the accord.

Mr. KALB. Senator, there is another Geneva Conference and that was in 1962 and that did reach an agreement to which the United States is a signatory.

Senator MORSE. That is right. Laos.

Mr. KALB. For the neutrality of Laos.

Senator MORSE. That is over Laos.

Mr. KALB. In this particular case, the United States right now is conducting air reconnaissance over the northern part of Laos controlled by the Pathet Lao. First, do you agree that this is a sound policy?

Senator MORSE. Completely unsound. Very interesting that the British are egging us on, but they haven't got any British planes over Laos, you'll notice, and, after all, Britain and Russia have the primary responsibility, as far as the original agreements are concerned, to take the leadership here in trying to get something done about the Geneva accords, but so do we, and we ought to have Laos before the United Nations, too.

I don't know why we think just because we are mighty that we have the right to try to substitute might for right, and that is the American policy in southeast Asia. It is just as unsound when we do it as when Russia does it. And we have no more right in South Vietnam than Russia has in East Germany. They are on a parallel. Russia says the East Germans invited them in and we say the South Vietnamese invited us in, although South Vietnam has been our puppet government ever since it has been created. We ought to get rid of this violating of international law and we ought to keep faith with our idealism and Stevenson ought to start his march back from his retreat of the other day and return to the United Nations and ask the United Nations to take jurisdiction.

Mr. NIVEN. Sir, you said repeatedly that the U.N. jurisdiction ought to extend to all four of the states of Indochina. Can you imagine the Communists accepting the U.N. presence in North Vietnam?

Senator MORSE. Well, we know what happened when we made our objections in other places of the world to the Communists, but the fact is that in a good many instances they reconciled themselves to the realities. Look at Russia first in the Congo. Why, you had threats from Russia that she was going to invade the Congo and she was set to invade the Congo, but the fact is——

Mr. NIVEN. But the Congo——

Senator MORSE. But the fact is Russia withdrew from those intentions, and you never know—you see, I say respectfully that so many people are thinking in terms of hypotheticals. "Do you think this would happen, Senator?" "Do you think that will happen?"

You will never know until you go back to the framework of the United Nations, and we are outside the framework of the United Nations.

We have even got the Secretary of State now standing up before the American Law Institute rattling America's saber, threatening that if we don't have our way in southeast Asia we are going in with expanded action. I think that is a sad, dark day in American foreign relations history.

Mr. LISAGOR. Senator, it seems easy enough to criticize what we are doing, but what I don't understand is, what specifically would you prescribe for the area? Is it neutralization? Is it that we abandon the whole area to their own devices? Or what do you see as being possible in southeast Asia today if American force is withdrawn from it?

Senator MORSE. No. 1, abandon unilateral U.S. action in southeast Asia.

Mr. LISAGOR. Under those circumstances, does that not mean abandoning southeast Asia?

Senator MORSE. Not at all. You didn't let me get to my second point.

We announce to the world that we are going to abandon unilateral American military action, but we are going to support and we will help supply forces to the United Nations to maintain a peace-keeping corps of whatever size is necessary in this trouble spot of the world to maintain peace, because if you don't maintain peace over there, you have no assurance that this cannot escalate itself into a nuclear war, because let me say, as a member of the Foreign Relations Committee, that I am satisfied that if we escalate this war into North Vietnam, nuclear weapons will be used.

Now, does anyone think for a moment that the first nuclear weapon the United States uses in North Vietnam, if we come to that, that Red China is going to send us bouquets?

Mr. LISAGOR. Are you suggesting that Red China has nuclear weapons now, Senator?

Senator MORSE. I am suggesting that she has got millions and millions of manpower that she can pour into Laos and overrun, or North Vietnam, and overrun any Western army you want to put in there.

Mr. KALB. Senator, you are saying that part of the American escalation plan as you see it for North Vietnam is the use of nuclear weapons?

Senator MORSE. If we go into North Vietnam with an escalated war, I am satisfied we will use nuclear weapons.

Mr. KALB. Do you feel that if the United States——

Senator MORSE. What do you think, we will put an army in North Vietnam, in the jungles of North Vietnam? Do you think you could support an American army in North Vietnam? Why, they wouldn't have a chance. Find me the military officials, will you, that know anything about Asiatic warfare that will tell you that American ground forces can win a ground war in Asia. That is not the place to let the Communists pick up our battlefield for us. I don't propose to let the Communists pick our battlefield for us, and the great danger is we are going to let the Communists pick a battlefield for us in Asia.

I think it is just inexcusable from many angles, and may I take a minute, because I want to get to your next question very quickly, but I think the questions that you have raised entitle this audience to know the basis of my foreign policy philosophy because I am a disciple of the greatest Republican in my judgment in foreign policy that has served in the Senate during my 20 years there, the great Arthur Vandenberg, at one time the greatest isolationist in the Senate, to become the leading internationalist in the Senate. And after he became briefed on the oncoming atomic bomb, he turned from an isolationist to an internationalist and he left with us this tenet. I want to recommend it once more to Adlai Stevenson. I thought he had accepted it for years, but he walked out on it the other day. I want to recommend it to Dean Rusk because he certainly isn't following it. Neither is McNamara down in the Defense Establishment. And here it is.

There is no hope for permanent peace in the world until all of the nations of the world, not just those we like, but until all the nations of the world are willing to set up a system of international justice through law, through the procedures of which would be submitted each and every issue that threatens the peace of the world, to be enforced by an international organization such as the United Nations. And I want to say it is mankind's best hope for peace. There is no hope for mankind if we continue to use jungle law of military might which the United States is using in South Vietnam today to try to win a peace, for no longer in history can you win a peace through war.

Mr. NIVEN. Senator, can we look at this politically for a moment? Wouldn't President Johnson or any President who abandoned any Communist war in an election year open himself to charges of surrender or appeasement from his political opposition?

Senator MORSE. I think it is a ghastly suggestion. I just think it is untenable that the United States should adopt a foreign policy that would be geared to political expediency rather than to right, and I want to say that my President I am convinced—and he and I disagree on this matter of foreign policy—but my President is a thoroughly honest man of principle and I am satisfied he would not adopt an argument of expediency. If he thought it was the proper course of action to follow what I am recommending, he would follow it. But I want to say now in direct answer to your question, I completely reject the idea that American foreign policy ought to be related to political expediency because the right is always a course of action that the American people will follow once they get the facts supporting the right policy.

Mr. LISAGOR. Senator, the Constitution gives to the President of the United States the sole responsibility for the conduct of foreign policy, does it not?

Senator MORSE. You couldn't be more wrong. You couldn't make a more unsound legal statement than the one you have just made. This is the promulgation of an old fallacy that foreign policy belongs to the President of the United States.

Mr. LISAGOR. To whom does it belong, then Senator?

Senator MORSE. It belongs to the American people.

Mr. LISAGOR. All right. Then how can you——

Senator MORSE. The constitutional fathers made it very very clear.

Mr. LISAGOR. Then how can you say that Adlai Stevenson or Secretary of State Rusk or Secretary McNamara, have three separate foreign policies which they are promulgating in the U.N., the State Department and the Defense Department? Where does the President fit into this——

Senator MORSE. What I am saying is——

Mr. LISAGOR. On the responsibility scale?

Senator MORSE. What I am saying is under our Constitution all the President is is the administrator of the people's foreign policy. Those are his prerogatives and I am pleading that the American people be given the facts about foreign policy.

Mr. LISAGOR. You know that the American people cannot formulate and execute foreign policy.

Senator MORSE. Why do you say that? You are a man of little faith in democracy if you make that kind of statement. I have complete faith in the ability of the American people to follow the facts if you will give them to them.

Mr. LISAGOR. It isn't a lack of faith.

Senator MORSE. And my charge against my Government is we are not giving the American people the facts. Are we giving the American people the facts about our obligations under the United Nations? Are we giving the American people the facts about the Geneva accord? Have we given them a rundown on what the facts are with regard to southeast Asia? Read the letters I have put into the RECORD from a good many servicemen over there. They will tell you we are not getting the facts.

No. I reject completely that unsound argument.

Mr. NIVEN. I hate to interrupt this fascinating colloquy but we have some questions also on civil rights and politics, and we will come to them in just 1 minute.

Senator, if you have to choose between the civil rights package incorporating the Dirksen amendments and no bill at all, what will your decision be?

Senator MORSE. First, I am going to vote for cloture. We have got to get cloture adopted, and then I will do the best I can to try to improve the amendments when we come to the debate on the amendments.

I am going to vote for the best civil rights bill that we can get passed, and then if it is not good enough to meet some of the problems that confront us, keep right on working for improvements in Congress session after session.

Mr. NIVEN. In other words, in whatever shape the bill ends up, you expect to vote for it?

Senator MORSE. Well, I wouldn't say in whatever shape, but I can't imagine it ending up in such shape that I couldn't vote for it, because the issue here is a simple one. The time has come to deliver for the first time in our history the Constitution to the Negroes of America. They have never had the Constitution delivered to them since the Emancipation Proclamation. So I keep my eyes on one question. The provisions of this bill proceed to deliver the Constitution to the Negroes.

Now, we may fall short in some particular, but I am going to vote for the best bill I can get, unless it ends up in such a mishmash that I feel it would cause more harm than good, but I don't expect it to end up in that kind of a condition.

Mr. LISAGOR. Senator, do you foresee as a result of the vote in some Northern States for Governor Wallace, of Alabama, the fact that the race issue may be a political factor in the November presidential election?

Senator MORSE. It is bound to be a political factor. It has been a political factor in our elections for quite some time, and I think perhaps more so this time than any other. But, here again, I think we have got to get the facts out to the American people as to what the Negroes are entiled to, because basically, you know, the American people have a dedicated faith in government by law, and once they understand that what we are passing in the Senate constitutes implementing the constitutional rights of the Negroes, they will support it, but let me very quickly say, remember, the Constitution is not self-executing. The Supreme Court in 1954 declared the constitutional rights of Negroes in regard to desegregated schools. But if you are going to guarantee that right to them, you have got to implement it with the civil rights bill, and that is one of the titles in this bill, and I could go right down the line and show that what this bill is doing is seeking to implement the decisions of that great Court, for that Court has been so far ahead of the Congress and the White House for so many years that it is about time we catch up, and I am glad, and may I very quickly say, I am glad that my President, when he was Vice President, last Memorial Day, at Gettysburg, delivered the greatest speech since Lincoln's message on the Emancipation Proclamation on civil rights in this country, and he just told me a few days ago in a conversation with him he has no intention to support watering it down by denying the Negroes their constitutional rights.

Mr. KALB. Senator, do you feel that the recent showing of Governor Wallace in primaries will cut into the President's strength in the South?

Senator MORSE. I doubt it very much. I think the South is going to support the President, but who knows? There isn't any question that there is a very strong anti-civil-rights feeling among millions of Americans, but here again it is because we have failed to get a clear understanding of what the facts are in regard to constitutional rights to those Americans, and once you have a great debate in this campaign, and I think we will, you will be able to change a good many of those points of view.

Mr. NIVEN. Senator MORSE, you are the only Member of the Senate with extensive experience in both political parties. Drawing on that expertise, could you tell us who Mr. Johnson's running mate will be, who the Republican nominee will be, and what will happen in November?

Senator MORSE. The first part of your question, I shall go to the convention as a delegate supporting the President's nominee because I think the President is entitled to pick his running mate unless he picks somebody——

Mr. NIVEN. What about Mr. McNamara?

Senator MORSE. Unless he picks someone—the only caveat I utter, unless he picks someone that I think is completely unqualified for the position.

Mr. NIVEN. What about McNamara?

Senator MORSE. I wouldn't support McNamara.

Mr. NIVEN. You will bolt the party if McNamara——

Senator MORSE. Of course I wouldn't bolt the party. I just wouldn't support his nomination at the convention. If he was nominated and that was the choice of the party, I would support the ticket, of course, but I wouldn't support him as a vice-presidential candidate at the convention.

Now, the second part of your question, about the Republicans, you know, it would be presumptuous of me to advise Republicans, and my respect for my old friends is such that I wouldn't want to advise them as to what they could do. It wouldn't make any difference anyway. No matter what they do they are going to get beat just about as bad as Roosevelt beat Landon in 1936.

Mr. NIVEN. Do you think with any vice-presidential nominee Mr. Johnson——

Senator MORSE. With any vice-presidential nominee—the President is going to have a good one and I think he is going to have a Democrat.

Mr. NIVEN. Senator, thank you very much for being our guest on "Face the Nation."

Mr. MORSE. I now thank the Senator from Louisiana [Mr. ELLENDER] for his courtesy in yielding to me; and I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. ELLENDER. I wish to say to my good friend from Oregon, as well as to our other colleagues, that I was very happy to yield to them.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. ELLENDER. Mr. President, the long-awaited compromise package was submitted to the Senate yesterday. I have not had time to examine this document very carefully, but I had occasion to glance over it. I can well see why it is that the distinguished minority leader [Mr. DIRKSEN] is now willing to sign a cloture motion so that the substitute bill can be acted upon. I can well see why it is that quite a number of other Senators on his side of the aisle will be prompted to sign a cloture motion when the time comes.

Mr. President (Mr. MCINTYRE in the chair), this substitute makes the bill sectional. It is directed at the South, and the South only. The title which the distinguished Senator from Illinois [Mr. DIRKSEN] opposed the most was title VII, dealing with equal employment opportunity. The amendment that is now proposed by him would make it impossible for the Commission which would be created by the bill to exercise its authority in any State which already has an FEPC law. A reasonable time must be allowed before the Federal Government could go in, and that reasonable time is described as being not less than 60 days.

It has been well demonstrated on the floor of the Senate on many occasions that in as many as 30 States which have so-called FEPC laws, the law has not worked or it has not been enforced in most of them.

I have obtained figures from the Bureau of the Census, taken in 1960, which indicated more unemployment among Negroes in States which had an FEPC law than in States which did not.

As I have pointed out before, the State of Pennsylvania has had an FEPC law for quite some time. The total number, percentagewise of unemployed in the State of Pennsylvania was 6.2 percent, 5.8 percent of those were white, but 11.3 percent were colored. Yet Pennsylvania already has an FEPC law.

In the State of Michigan, which has had an FEPC law for 15 or 20 years, the total number of unemployed in Michigan was 6.9 percent. Six percent were white, and 16.3 percent were colored.

Yet that State, too, already has an FEPC law.

It is readily demonstrated that there is no greater employment of Negroes in States which have FEPC laws, but on the contrary there is less than in the South.

Under the proposed amendment, the FEPC which would be created by the bill cannot assume jurisdiction until a reasonable time has elapsed after the complaint shall have been made, but not less than 60 days.

There was another provision in the bill which was violently opposed by the Senator from Illinois, the architect of this package deal, and that was in regard to schools.

When the bill was first presented to the Senate by the House, some believed that Representative CELLER, of New York, had sufficiently protected the nonbusing of schoolchildren from one neighborhood to another, in order to prevent imbalance. But the Senator from Illinois went a step further. Not only can they not transport children by bus from one neighborhood to another, but the courts, under the bill, are prevented from taking any action.

Let me read from subsection (2) of section 407(a) of the proposed amendment:

> *Provided*, That nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance.

Mr. President, that means to me that the only section of the United States which will be affected by this pernicious bill will be the South.

We have said that all along, but now it is written in black and white, that it will not be operative on most of the States in the North, in fact, all of them except two or three that do have public accommodations laws as well as FEPC laws, which are not enforced.

Those two sections, as all Senators know, are the ones which were opposed mostly by the Senator from Illinois. I cannot understand how he was able to get the Attorney General to agree to that language.

I am wondering what attitude the Negro leaders will take as to the provision I have just read. Racial imbalance is one of the main causes of demonstrations in the North.

We in the South have been open and aboveboard with respect to segregation. Everyone knows where we stand. But the same kind and form of segregation was practiced in the North, and no one paid any attention to it—until recently.

I predict that if the Negro leaders look into this matter and realize they have been sold out, I doubt that they will follow those who advocate this procedure.

I wish to read again from this subsection (2) of section 407(a), because, as I said, it was the most repugnant title in the bill so far as the Senator from Illinois was concerned.

> *Provided*, That nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school requiring transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance.

That situation, Mr. President, has existed for years in the large cities of the North, where they have practiced segregation as much as it was practiced in the South.

They have even changed title I—the voting qualifications. I presume that was done in order to satisfy someone and thus impose cloture on the southerners. It reads in part:

> That the Attorney General may enter into agreements with appropriate State or local authorities that preparation, conduct, and maintenance of such tests in accordance with the provisions of applicable State or local law * * * meet the purposes of this subparagraph and constitute compliance therewith.

In other words, the Attorney General—not the courts—would be empowered to enter into an agreement with the attorney general of any State that certain rules and regulations may be applicable wherever the literacy test is effective.

Mr. President, this is merely another loophole which is created in order to obtain votes from the northern Senators. There are 16 or 18 Northern States that have literacy tests. Under this language, the U.S. Attorney General, through the attorney general of a State, could excuse the State from the operation of this law if he saw fit.

With reference to those three titles—which, in my opinion, were the ones that were most violently opposed, particularly titles II and VII, by the distinguished Senator from Illinois [Mr. DIRKSEN] and others—they have been so changed and modified that they would not be effective at all in the Northern States. They are directed solely at the South.

I am in hopes of being able in the near future to point to many other instances in which the bill has been so changed that it would not be effective in places where it ought to be applicable.

If the bill is passed, and the Negro leaders of the North find out that even the courts cannot interfere and have children moved from one area to another so as to balance the schools, as was intended by the Supreme Court.

As I have indicated in previous speeches, the contempt powers of the Federal court are extremely broad and the Congress should give some thought to restricting this power, which is summary in nature and often arbitrarily exercised. There is adequate precedent for the Congress to take such action.

An early case referred to as the Peck case, arising in 1826, illustrates how great the abuse of the contempt power can be. The facts of this case arose out of a suit in the Federal court of Missouri in which title to certain lands in the Upper Louisiana Purchase Territory was in dispute. Judge Peck was a presiding judge in the case of the heirs of Antoine Soulard, and there was a dispute between the U.S. Government and certain persons claiming title to this land under French and Spanish territorial grants. Lawless had acted as counsel for some of the claimants in the Soulard case and Judge Peck decided it in favor of the United States, adopting a position which narrowly construed Spanish land grants.

Judge Peck's opinion was printed in a local newspaper and shortly thereafter an article appeared which criticized the Judge's opinion and respectfully pointed out a number of errors of law and fact which the Judge had committed. The newspaper article was signed only as "A Citizen." Judge Peck had the printer attached for contempt and then it was discovered that Lawless, the counsel for the heirs, had actually written the article. He was cited for contempt of court and ordered imprisoned for 24 hours and suspended from practicing law for 18 months. At Lawless' request, an impeachment proceeding was originated in the House of Representatives setting forth the charges against Judge Peck and after a delay of several years, the House voted 123 to 49 to impeach Peck, and then the matter was turned over to the Senate for trial.

The impeachment proceedings in the Senate began on March 4, 1830, and lasted almost a year and finally ended in an acquittal of Judge Peck. The vote was 21 to 22, but the impact of the case was such that the Congress agreed on remedial legislation to curb the powers of the Federal court.

Judge Peck had acted under the provisions of chapter 20, section 17, of the Judiciary Act of 1789 which provided that—

> All the said courts shall have power to * * * punish by fine and imprisonment at the discretion of said courts all contempts of authority in any cause or hearing before the same.

Because of the injustice committed under this provision of the old law, Congress passed the restrictive legislation referred to as the act of March 2, 1831. The act of March 2, 1831, provided that—

> The power of the several courts of the United States to issue attachments and inflict summary punishment for contempts of court, shall not be construed to extend to any cases except the misbehavior of any person or persons in the presence of the said courts or so near thereto as to obstruct the administration of justice, the misbehavior of any of the officers of the said courts in their official transactions and the disobedience or resistance of any officer of the said courts, party, juror, witness, or any other person or persons, to any lawful writ, process, order, decree, or command of said courts.
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> * * * * *
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> *And be it further enacted*, That if any person or persons shall corruptly or by threats or force, endeavor to influence or intimidate any juror, witness or officer of any court of the United States in the discharge of his duty, or shall corruptly or by threats or force obstruct or impede the due administration of justice therein, every person or persons so offending shall be liable to prosecution therefor by indictment, and shall, on conviction thereof, be punished by fine not to exceed $500, or by imprisonment not to exceed three months, or both, according to the nature and aggravation of the offense.

The second part of this act which I have just cited was interpreted by the Supreme Court to offer an alternative method of treating contempt cases—that is, by indictment and regular trial. This was decided even in the face of Buchanan's statement concerning the act. Buchanan, who was later to become President, was at the time, the drafter and manager of this bill through the House. His statement concerning the act of March 2, 1831, restricting the contempt powers of the Federal courts, said:

> I thought it monstrous that a judge without the intervention of a jury, under highly excited feelings, should be permitted to try and punish libels committed against him according to his will and pleasure. * * * A few days after the acquittal of this judge, the Senate, without one dissenting voice, passed a bill, not to create a new law, but declaratory of the old law, or rather what the Constitution was under which no Federal judge will ever again dare to punish a libel as a contempt. The constitutional provision in favor of liberty of the press was thus redeemed from judicial construction.

The "joker" in the Federal act was the use of the wording "or so near thereto as to obstruct the administration of justice." This wording was seized upon by the courts to cover any case of contempt which they considered as an obstruction to the administration of justice.

I mention this old law and the reason for its existence arising out of the celebrated Peck case, to point up the necessity to have the right of trial by jury in all contempt cases if for no other reason than the jealously with which the judiciary guards its contempt powers. Many of the old decisions were of the same type as the Peck case in which judicial interference with newspapers abridged the constitutional right of freedom of the press. In spite of the old act of Congress attempting to set the limits of the contempt power of the courts, the courts continued to punish newspaper editors for printing derogatory remarks about the court. It would appear that today, after many years of controversy in this field, that newspapers are at liberty to criticize the person of the judge, but not to derogate the authority of the court itself.

I submit that if the Congress had insisted on jury trials in all criminal contempt cases in the beginning that much of the controversy which we have over the abuse of the contempt power would have been avoided.

The thing that disturbs me most about the contempt power of the Federal courts, especially in the absence of jury trial provisions, is its great breadth and scope and the far-reaching effects of its exercise. It must be remembered that all of the usual safeguards which are available in ordinary criminal procedure are denied accused persons in contempt proceedings. There is no indictment, no bill of particulars, no confrontation of witnesses, no regular trial procedure and no specified penalty prescribed.

Judicial discretion is the salient feature of the contempt power.

This fact is clearly illustrated in the case of ***Bullock* v. *United States***, 265 Fed. (2d) 683 (1959). This case arose out of the forced integration of the Clinton High School in Clinton, Tenn., in 1956. The district court had issued an injunction against one John Kasper and others who had been demonstrating near the high school in an effort to prevent its integration. The injunction was issued against Kasper and others, enjoining them, "their agents, servants, representatives, attorneys, and all other persons who are acting or may act in concert with them from further hindering, obstructing or in any wise interfering with the carrying out of the aforesaid order of this court—the integration order the court had issued on January 4, 1956—or from picketing Clinton High School either by words or acts or otherwise."

This injunction had been issued on August 29, 1956, initially as a temporary restraining order and was made permanent on September 6 of that year.

Bullock was not named in the injunction and was not served with a copy of it, which specified the prohibited conduct. He was arrested on December 5, 1956, for violating the injunction after he had participated in a demonstration near the school grounds. The court held that because of the wide newspaper and television publication of the integration incident and the injunction, that Bullock had sufficient notice of the injunction to be held in contempt of court for its violation. He was prosecuted under rule 42(b) of the Federal Rules of Criminal Procedure which I have already described.

I cite this case for the purpose of showing the complete lack of procedural safeguards in contempt proceedings, except those provided in rule 42(b), and the great latitude which courts have in prosecuting what they consider affronts to their authority. In any criminal proceeding in which the rules are so obscure, and the broad construction given equity proceedings as opposed to the rigid construction of common law crimes, there should be a right to trial by jury for the protection of fundamental American rights.

As in the Clinton case, persons within the category defined in that decree as "all other persons," none of them had an opportunity to present their case before the injunction issued. Yet, they were bound by that injunction. Four of them were convicted of contempt.

If such a blanket order were issued under the various titles in this bill, and there is every indication that the injunctions authorized under titles II, III, IV, and perhaps title VII, would be blanket injunctions, persons who had never been inside the Federal courtroom, much less actually parties to the original proceeding for an injunction, could be convicted and jailed without trial by jury.

Of course, a contempt conviction can be appealed, but on appeal the issue would be precisely the same as the issue determined during the trial for contempt—that is, whether the injunctions had been violated. There can be no collateral attack upon an injunction in a proceeding for contempt.

Mr. ERVIN. Mr. President, will the Senator from Louisiana yield for a question on that precise point?

Mr. ELLENDER. I yield.

Mr. ERVIN. Does not the Senator from Louisiana agree with the Senator from North Carolina that the only chance an appellant who has been adjudged guilty of criminal contempt in a trial by a judge without a jury would have to obtain relief on appeal would be to have the appellate court find that there had been a gross abuse of discretion on the part of the hearing judge?

Mr. ELLENDER. No doubt.

Mr. ERVIN. Does not the Senator from Louisiana agree with the Senator from North Carolina that it is much easier to drive a herd of camels through the eye of a needle than it is to get an appellate court to adjudge that a trial court has been guilty of gross abuse of discretion?

Mr. ELLENDER. That is a good comparison.

Mr. ERVIN. Does not the Senator from Louisiana agree with the Senator from North Carolina that it is virtually impossible for an appellant who has been convicted of criminal contempt by a trial judge without a jury to get any relief by appealing?

Mr. ELLENDER. The Senator is absolutely correct. That is why we have been so insistent on the right of trial by jury.

Thus, Mr. President, as to persons not parties to the original injunction proceeding the right of appeal from a contempt conviction is at best a limited right, if not an illusory one. They cannot appeal the issuance of the injunction at that point. All they can appeal is a finding that they were in contempt.

In this connection, Mr. President, the Clinton case demonstrates the same fallacy which I have discussed earlier, namely, that the injunctive authority now sought does not place a new weapon in the Government's hands, but merely adds another method of coercion.

In the Clinton, Tenn., case, the judge instructed the jury that in order to find the defendants guilty, they had to find that the Government had proven three things.

First, that the defendants had actual knowledge of the injunction alleged to have been violated.

Second, that the alleged overt act or acts were committed in concert with John Kasper.

Third, that the overt act or acts allegedly committed by them had the operative effect of hindering, obstructing, or interfering with integration in Clinton High School.

Before turning to a discussion of the second element of the required proof, I would like to remind the Senate that the Clinton defendants were entitled to a jury trial only because the Federal Government had not been a party to the original suit.

It is important to note that in discussing the requirement that the defendants had to be found to be acting in concert with Kasper, the judge in the Clinton case stated:

> Concert of action presupposes a conspiracy.

In other words, Mr. President, for the jury to convict, it had to find a conspiracy. If this requirement is imposed upon the authority sought in this bill—and it no doubt will be—the court, acting without a jury, would have to find a conspiracy to interfere with civil rights in order to convict of contempt.

Yet, title 18, section 241 of the United States Code specifically makes it a crime for persons to conspire to "injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right secured to him by the Constitution."

Here, again, it becomes obvious that as to persons not parties to the proceeding for an injunction, they would have to be found to be acting in concert with the named persons in order to be convicted of contempt. If "acting in concert" presupposes a conspiracy, as the Clinton, Tenn., judge said it does, then, as a practical matter, the court would mete out contempt punishment for the same act which would be an indictable criminal offense under title 18, section 241 of the United States Code.

What this again demonstrates is that the injunctive authority is sought to be superimposed upon an area which is already covered by a network of criminal statutes. In effect, a violation of an injunction in this area would involve the performance of acts which are also crimes.

I am sure, Mr. President, that the sincere and conscientious proponents of this measure have not pondered upon the issues I have outlined, for if they had, they would have reached the same conclusion I reached some time ago.

I am convinced that the purpose of this bill is not merely to further protect the civil rights of citizens, as some would have us believe. That purpose is purely coincidental. The real motive behind this measure is to ease the lot of Federal prosecutors who must now run the gamut of constitutional safeguards erected around persons accused of crime.

The most important of these, of course, is the right to trial by jury.

If the extraordinary power of injunction, which some have declared to be so efficacious in the area of civil rights, is stretched to its probable limits, it could be applied to the commission of all crimes.

If we extend contempt proceedings, without jury trial, to the lengths set out in this bill, we shall have created a precedent which will return to haunt us.

How long will it be before we are being asked to provide parallel equitable remedies for crimes such as forgery or embezzlement?

If we deny jury trial here, why not apply equity proceedings to murder cases? Is the right to life any less important than the right to vote?

I shall have no part of this distortion of the Constitution. I do not believe in subterfuge, and I am not going to become an accessory to the subterfuge sought to be imposed upon Congress in the guise of a civil rights bill.

In the famous case of *In re Debs*, 158 U.S. 564 (1895), the facts were: The employees of the Pullman Palace Car Co., known as the American Railway Union, went on strike against that company in the Chicago area. Other employees of railroads were encouraged to strike, also, to make the effort a success. As a result of these strikes the railroads were completely immobilized, and the U.S. Government sought an injunction in the Federal court to end the strike. Debs and the other union leaders were named in the injunction although it applied to all employees. The grounds for issuance of the injunction were that the strike interfered with the free flow of interstate commerce and the delivery of the mails.

Widescale disobedience to the injunction developed, and the Army was used to suppress the strike. Acts of violence had arisen, and there was some destruction of property, which constituted common law crimes.

The court justified the use of military force to enforce the injunction and the use of the injunction itself to enjoin the commission of crimes.

At this point I should like to refer to a few excerpts from the Debs case:

> Again, it is objected that it is outside of the jurisdiction of a court of equity to enjoin the commission of crimes. This, as a general proposition, is unquestioned. A chancellor has no criminal jurisdiction. Something more than the threatened commission of an offense against the laws of the land is necessary to call into exercise the injunctive powers of the court. There must be some interferences, actual or threatened, with property or rights of a pecuniary nature, but when such interferences appear the jurisdiction of a court of equity arises, and is not destroyed by the fact that they are accompanied by or are themselves violations of the criminal law. Thus, in *Cranford* v. *Tyrrell*, 128 N.Y. 341, an injunction to restrain the defendant from keeping a house of ill fame was sustained, the court saying, on page 344: "That the perpetrator of the nuisance is amenable to the provisions and penalties of the criminal law is not an answer to an action against him by a private person to recover for injury sustained, and for an injunction against the continued use of his premises in such a manner." And in *Mobile* v. *Louisville & Nashville Railroad*, 84 Alabama 115, 126, is a similar declaration in these words: "The mere fact that an act is criminal does not divest the jurisdiction of equity to prevent it by injunction, if it be also a violation of property rights, and the party aggrieved has no other adequate remedy for the prevention of the irreparable injury which will result from the failure or inability of a court of law to redress such rights."
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> The law is full of instances in which the same act may give rise to a civil action and a criminal prosecution. An assault with intent to kill may be punished criminally, under an indictment thereof, or will support a civil action for damages, and the same is true of all other offenses which cause injury to person or property. In such cases the jurisdiction of the civil court is invoked, not to enforce the criminal law and punish the wrongdoer, but to compensate the injured party for the damages which he or his property has suffered, and it is no defense to the civil action that the same act by the defendant exposes him also to indictment and punishment in a court of criminal jurisdiction. So here, the acts of the defendants may or may not have been violations of the criminal law. If they were, that matter is for inquiry in other proceedings. The complaint made against them in this is of disobedience to an order of a civil court, made for the protection of property and the security of rights. If any criminal prosecution be brought against them for the criminal offenses alleged in the bill of complaint, of derailing and wrecking engines and trains, assaulting and disabling employees of the railroad companies, it will be no defense to such prosecution that they disobeyed the orders of injunction served upon them and have been punished for such disobedience.
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> Nor is there in this any invasion of the constitutional right of trial by jury. We fully agree with counsel that "it matters not what form the attempt to deny constitutional right may take. It is vain and ineffectual, and must be so declared by the courts," and we reaffirm the declaration made for the Court by Mr. Justice Bradley in *Boyd* v. *United States*, 116 U.S. 616, 635, that "it is the duty of courts to be watchful for the constitutional rights of the citizen, and against any stealthy encroachments thereon. Their motto should be obsta principiis." But the power of a court to make an order carries with it the equal power to punish for a disobedience of that order, and the inquiry as to the question of disobedience has been, from time immemorial, the special function of the court. And this is no technical rule. In order that a court may compel obedience to its orders it must have the right to inquire whether there has been any disobedience thereof. To submit the question of disobedience to another tribunal, be it a jury or another court, would operate to deprive the proceeding of half its efficiency. In the case of Yates, 4 Johns, 314, 369, Chancellor Kent, then chief justice of the Supreme Court of the State of New York, said: "In the case of the Earl of Shaftesbury, 2 St. trials, 615; S.C. 1 Mod. 144, who was imprisoned by the House of Lords for 'high contempts committed against it,' and brought into the King's Bench, the court held that they had no authority to judge of the contempt, and remanded the prisoner. The court, in that case, seem to have laid down a principle from which they never have departed, and which is essential to the due administration of justice. This principle that every court, at least of the superior kind, in which great confidence is placed, must be the sole judge, in the last resort, of contempts arising therein, is more explicitly defined and more emphatically enforced in the two subsequent cases of the *Queen* v. *Paty and others*, and of the *King* v. *Crosby*." And again, on page 371, "Mr. Justice Blackstone pursued the same train of observation, and declared that all courts, by which he meant to include the two houses of Parliament, and the courts of Westminster Hall, could have no control in matters of contempt. That the sole adjudication of contempts, and the punishments thereof belonged exclusively, and without interfering, to each respective court." In *Watson* v. *Williams*, 36 Mississippi, 331, 341, it was said: "The power to fine and imprison for contempt, from the earliest history of jurisprudence, has been regarded as a necessary incident and attribute of a court, without which it could no more exist than without a judge. It is a power inherent in all courts of record, and coexisting with them by the wise provisions of the common law. A court without the power effectually to protect itself against the assaults of the lawless, or to enforce its orders, judgments, or decrees against the recusant parties before it, would be a disgrace to the legislation, and a stigma upon the age which invented it."
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> In *Cartwright's* case, 114 Mass. 230, 238, we find this language: "The summary power to commit and punish for contempts tending to obstruct or degrade the administration of justice is inherent in courts of chancery and other superior courts, as essential to the execution of their powers and to the maintenance of their authority, and is part of the law of the land, within the meaning of Magna Charta and of the twelfth article of our Declaration of Rights." See also *United States* v. *Hudson*, 7 Cranch, 32; *Anderson* v. *Dunn*, 6 Wheat. 204; *Ex parte Robinson*, 19 Wall. 505; *Mugler* v. *Kansas*, 123 U.S. 623, 672; *Ex parte Terry*, 128 U.S. 289; *Eilenbecker* v. *Plymouth County*, 134 U.S. 31, 36, in which Mr. Justice Miller observed: "If it has ever been understood that proceedings according to the common law for contempt of court have been subject to the right of trial by jury, we have been unable to find any instance of it"; *Interstate Commerce Commission* v. *Brimson*, 154 U.S. 447, 488. In this last case it was said "surely it cannot be supposed that the question of contempt of the authority of a court of the United States, committed by a disobedience of its orders, is triable, of right, by a jury."
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> In brief, a court, enforcing obedience to its orders by proceedings for contempt, is not executing the criminal laws of the land, but only securing to suitors the rights which it has adjudged them entitled to.
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> Further, it is said by counsel in their brief:
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> "No case can be cited where such a bill in behalf of the sovereign has been entertained against riot and mob violence, though occurring on the highway. It is not such fitful and temporary obstruction that constitutes a nuisance. The strong hand of executive power is required to deal with such lawless demonstrations.
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> "The courts should stand aloof from them and not invade executive prerogative, nor even at the behest or request of the executive travel out of the beaten path of well-settled judicial authority. A mob cannot be suppressed by injunction; nor can its leaders be tried, convicted, and sentenced in equity.
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> "It is too great a strain upon the judicial branch of the Government to impose this essentially executive and military power upon courts of chancery."
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> We do not perceive that this argument questions the jurisdiction of the court, but only the expediency of the action of the Government in applying for its process. It surely cannot be seriously contended that the court has jurisdiction to enjoin the obstruction of a highway by one person, but that its jurisdiction ceases when the obstruction is by a hundred persons. It may be true, as suggested, that in the excitement of passion a mob will pay little heed to processes issued from the courts, and it may be, as said by counsel in argument, that it would savor somewhat of the puerile and ridiculous to have read a writ of injunction to Lee's army during the late Civil War. It is doubtless true that inter arma leges silent, and in the throes of rebellion or revolution the processes of civil courts are of little avail, for the power of the courts rests on the gen-

> eral support of the people and their recognition of the fact that peaceful remedies are the true resort for the correction of wrongs. But does not counsel's argument imply too much? Is it to be assumed that these defendants were conducting a rebellion or inaugurating a revolution, and that they and their associates were thus placing themselves beyond the reach of the civil process of the courts? We find in the opinion of the circuit court a quotation from the testimony given by one of the defendants before the U.S. Strike Commission, which is sufficient answer to this suggestion:
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> "As soon as the employees found that we were arrested, and taken from the scene of action, they became demoralized, and that ended the strike. It was not the soldiers that ended the strike. It was not the old brotherhoods that ended the strike. It was simply the U.S. courts that ended the strike. Our men were in a position that never would have been shaken, under any circumstances, if we had been permitted to remain upon the field among them. Once we were taken from the scene of action, and restrained from sending telegrams or issuing orders or answering questions, then the minions of the corporations would be put to work.
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> "Our headquarters were temporarily demoralized and abandoned, and we could not answer any messages. The men went back to work, and the ranks were broken, and the strike was broken up * * * not by the army, and not by any other power, but simply and solely by the action of the U.S. courts in restraining us from discharging our duties as officers and representatives of our employees."
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> Whatever any single individual may have thought or planned, the great body of those who were engaged in these transactions contemplated neither rebellion nor revolution, and when in the due order of legal proceedings the question of right and wrong was submitted to the courts, and by them decided, they unhesitatingly yielded to their decisions. The outcome, by the very testimony of the defendants, attests the wisdom of the course pursued by the Government, and that it was well not to oppose force simply by force, but to invoke the jurisdiction and judgment of those tribunals to whom by the Constitution and in accordance with the settled conviction of all citizens is committed the determination of questions of right and wrong between individuals, masses, and States.
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> It must be borne in mind that this bill was not simply to enjoin a mob and mob violence. It was not a bill to command a keeping of the peace; much less was its purport to restrain the defendants from abandoning whatever employment they were engaged in. The right of any laborer, or any number of laborers, to quit work was not challenged. The scope and purpose of the bill was only to restrain forcible obstructions of the highways along which interstate commerce travels and the mails are carried. And the facts set forth at length are only those facts which tended to show that the defendants were engaged in such obstructions.
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> A most earnest and eloquent appeal was made to us in eulogy of the heroic spirit of those who threw up their employment, and gave up their means of earning a livelihood, not in defense of their own rights, but in sympathy for and to assist others whom they believed to be wronged. We yield to none in our admiration of any act of heroism or self-sacrifice, but we may be permitted to add that it is a lesson which cannot be learned too soon or too thoroughly that under this Government of and by the people the means of redress of all wrongs are through the courts and at the ballot box, and that no wrong, real or fancied, carries with it legal warrant to invite as a means of redress the cooperation of a mob, with its accompanying acts of violence.
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> We have given to this case the most careful and anxious attention, for we realize that it touches closely questions of supreme importance to the people of this country. Summing up our conclusions, we hold that the Government of the United States is one having jurisdiction over every foot of soil within its territory, and acting directly upon each citizen; that while it is a government of enumerated powers, it has within the limits of those powers all the attributes of sovereignty; that to it is committed power over interstate commerce and the transmission of the mail; that the powers thus conferred upon the National Government are not dormant, but have been assumed and put into practical exercise by the legislation of Congress; that in the exercise of those powers it is competent for the Nation to remove all obstructions upon highways, natural or artificial, to the passage of interstate commerce or the carrying of the mail; that while it may be competent for the Government (through the executive branch and in the use of the entire executive power of the Nation) to forcibly remove all such obstructions, it is equally within its competency to appeal to the civil courts for an inquiry and determination as to the existence and character of any alleged obstructions, and if such are found to exist, or threaten to occur, to invoke the powers of those courts to remove or restrain such obstructions; that the jurisdiction of courts to interfere in such matters by injunction is one recognized from ancient times and by indubitable authority; that such jurisdiction is not ousted by the fact that the obstructions are accompanied by or consist of acts in themselves violations of the criminal law; that the proceeding by injunction is of a civil character, and may be enforced by proceedings in contempt; that such proceedings are not in execution of the criminal laws of the land; that the penalty for a violation of injunction is no substitute for and no defense to a prosecution for any criminal offenses committed in the course of such violation; that the complaint filed in this case clearly showed an existing obstruction of artificial highways for the passage of interstate commerce and the transmission of the mail—an obstruction not only temporarily existing, but threatening to continue; that under such complaint the circuit court had power to issue its process of injunction; that it having been issued and served on these defendants, the circuit court had authority to inquire whether its orders had been disobeyed, and when it found that they had been, then to proceed under section 725, Revised Statutes, which grants power "to punish, by fine or imprisonment, * * * disobedience, * * * by any party * * * or other person, to any lawful writ, process, order, rule, decree or command," and enter the order of punishment complained of; and, finally, that the circuit court, having full jurisdiction in the premises, its finding of the fact of disobedience is not open to review on habeas corpus in this or any other court. *Ex parte Watkins*, 3 Pet. 193; *Ex parte Yarbrough*, 110 U.S. 651; *Ex parte Terry*, 128 U.S. 289, 305; *In re Swan*, 150 U.S. 637; *United States* v. *Pridgeon*, 153 U.S. 48.
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> We enter into no examination of the act of July 2, 1890, c. 647, 26 Stat. 209, upon which the circuit court relied mainly to sustain its jurisdiction. It must not be understood from this that we dissent from the conclusions of that court in reference to the scope of the act, but simply that we prefer to rest our judgment on the broader ground which has been discussed in this opinion, believing it of importance that the principles underlying it should be fully stated and affirmed.

Mr. President, I remind the Senate that my fear of abuse in substituting equity power for criminal proceedings, with their accompanying right of trial by jury, is not a new fear. As long ago as the turn of the century, shortly after the Pullman strike, Edwin S. Mack wrote an article for the April 1903 issue of the Harvard Law Review in which he warned against the Government taking the "easy way" to criminal convictions by substituting criminal equity for criminal law proceedings. He pointed out that criminal equity—that is, using the injunction as a means of outlawing crime—began in England in the reign of Richard II, and reached its high-water mark in the Court of Star Chamber—a court so arbitrary, tyrannical, and odious that it was abolished by statute in 1645. Here is what Mr. Mack wrote in 1903:

> An injunction of a court of equity does not in itself physically prevent an unlawful act. It is merely a mandate of the court forbidding the act. In every one of these cases (referring to past injunctions against acts which were also crimes) the same prohibition had already come from the legislature.
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> Justice Brewer quotes the leaders of the (Pullman) strike at Chicago as saying that the strike was broken "not by the Army and not by any other power but simply and solely by the action of the U.S. courts in restraining us." Yet, these injunctions were disobeyed; and it was not until troops were marshaled and rioters were apprehended by force that order was restored. True, the courts inflicted summary punishment for contempt, but fear of that punishment did not become a deterrent from crime till it had behind it the strength of the Army. It was really martial law that restored the peace at Chicago. The injunctions were effective only because they furnished a method of summary trial. The same result could have been attained through court-martial.
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> We prohibit courts-martial, and guarantee to those accused of crime, trial by jury under constitutional safeguards because our history has proved that the dangers of abuse of authority through methods of summary trial are evils that cannot be compensated for by the greater efficiency the system produces. Summary trials based on injunctions to prevent crime have been effective in maintaining the peace in the same way that the criminal jurisdiction of the Court of Chancery was effective in the reign of Richard II; and the jurisdiction is arousing the same opposition that the Court of Chancery had to contend with well into the 18th century. It is doubtless true that many leaders of labor unions oppose injunctions because the prevention of violence frequently terminates strikes, but the public at large who have been aroused by these injunctions are not actuated by any desire to destroy the peace. They themselves do not analyze the grounds of their opposition, but it really is a vague feeling that traditional safeguards are being encroached upon, and with this there is a growing apprehension of one-man power.
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> The people do not discriminate between the procedure of courts of law and courts of equity—they feel only that the Government is punishing unlawful acts by methods contrary to the traditional law. We can find a reason for this in the original charters of liberty. They make no distinction as to procedure but they guarantee that "no freeman shall be taken or imprisoned * * * or any ways destroyed, nor will we pass upon him nor will we send upon him unless by the lawful judgment of his peers or by the law of the land." (Citing Magna Carta, sec. 39.)
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> It is true that in the cases involving monopolies, the public has welcomed this jurisdiction because it has been effective in coping with offenders too powerful or influential to be reached by the criminal courts;

> but sooner or later the exercise of such jurisdiction leads to abuse and eventually it must weaken the influence of the court just as it did in the 15th century (16 Harvard Law Review, 402, 403) (1903).

In this so-called civil rights bill, the authority which destroys trial by jury and subverts the sixth amendment is the vehicle which would be used to carry masses of our people from the courtroom to the jail.

Trial by jury is a guarantee that is deeply embedded not only in our Constitution, but also in our national history. The Declaration of Independence recites the Crown's denial of trial by jury as one of the chief complaints of the colonists against King George III.

The right of trial by jury, Mr. President, was one of the basic rights for which our people fought the Revolution in 1776.

The bill now before us would deny that right by extending the equity powers of Federal courts. We are being asked to tear apart the system of guarantees which now stands between the liberty of our people and the growing, grasping greed of individuals who thirst for power, and who would quench that thirst at the well of political expediency.

I, for one, refuse to barter freedom for partisan advantage, as this will would have the Senate do.

It is time for those zealous advocates to cease talking in glittering generalities, and to begin pondering the price they ask the Nation to pay for easing the burden our Constitution places upon Federal prosecutors.

I do not question the motives of those who support this bill. I credit all of them with being sincere in their convictions. However, there comes a time, Mr. President, when convictions collide with basic rights.

I do not believe that the impact of that collision should be muted behind the insulation of glossy platitudes, which always accompany civil rights bills.

Now we have heard that because some of our States do not require trial by jury in contempt cases, the Federal Government should not be compelled to do so either.

It has also been emphasized that the injunctive authority contained in the bill would work no hardship because persons who might be bound by an injunction issued under that authority would have had their day in court before the injunction became effective. This statement is doubtful at best, as I shall emphasize in a moment.

Mr. President, the only reason why the Attorney General wants this extra authority, the only reason he desires power to obtain a civil prohibition against the infringement of so-called civil rights—existing criminal prohibitions—is to bypass the sixth amendment to our Constitution, which guarantees a trial by jury in all criminal prosecutions.

The Dirksen-Mansfield amendment is billed as a compromise. It is nothing less than a compromise of the rights of English-speaking peoples and the sixth amendment to the Constitution.

The Dirksen amendment merely pays lipservice to the sacred right to trial by jury, while in effect leaving it to the judges to coerce compliance. To a law-abiding citizen who has never been in trouble with the law, 30 days in jail would seem like a long time. I know it would be a long time for you and me, as well, Mr. President.

Senators must remember that this bill is far reaching in its import. Thousands of people will be affected. Shopkeepers, barbers, small motel owners, and countless others will come within the scope and authority of this bill. In a bill calling for great changes as this one does, mass compliance by citizens should depend in some small measure upon citizen participation in its enforcement. This can only be achieved by insisting on jury trials in all cases arising under the bill.

Senators should note the subterfuge which has been adopted to achieve this objective. If the suit for injunction were brought by an individual, to enforce his own rights—as can now be done—trial by jury would be preserved in a proceeding for contempt. But by empowering the United States to bring the action in its own name, the guarantee of a jury trial for violation of a court decree would no longer be applicable.

Thus, Mr. President, it is obvious to me that it is not the purpose of this bill to increase the protections erected around the right of our citizens, but the real purpose is to make it easier for Federal prosecutors to obtain convictions, by abolishing trial by jury.

Those of us who oppose this monstrous proposition have stated repeatedly that it is morally corrupt to rob all of our people of a great, basic civil right—trial by jury—in order to ease the burdens imposed by our Constitution upon the Federal prosecutors who would descend upon our people.

Turning to another point, Mr. President, a number of Senators have taken the position that because some States do not guarantee trial by jury in criminal contempt cases, the Federal Government should not be required to do so either. This is an attractive statement; but, like so many attractive statements, it is oversimplified.

There is no requirement in our Federal Constitution that States guarantee trial by jury, even in strictly criminal prosecutions. The sixth amendment, which guarantees trial by jury in criminal prosecutions, is not binding upon the States. It is, however, a restriction upon the Federal Government.

I remind the Senate that the bill now before us provides for proceedings before a Federal tribunal; the right this measure is allegedly designed to protect is a Federal right. Thus, in the area of Federal action, the sixth amendment is binding.

Mr. President, the entire Bill of Rights was adopted to protect individuals against arbitrary Federal action. Our citizens in 1789 were afraid of vesting great and unlimited powers in the Federal Government. They knew that they could protect themselves from State abuses of authority, but they had no desire to permit the Central Government to traffic in the currency of despotism.

Thus, the basic safeguards we find in the Bill of Rights were designed to contain and limit the powers granted to the Federal Government. Such has been the repeated holding of the Supreme Court. "The Constitution of the United States," annotated version, prepared by the Legislative Reference Service, Library of Congress, 1952 edition, Senate Document No. 170, states, at page 751:

> The contention that the first 10 amendments were applicable to the States was repeatedly pressed upon the Supreme Court. By a long series of decisions, beginning with the opinion of Chief Justice Marshall in *Barron* v. *Baltimore* (7 Peters 243) in 1833, the argument was consistently rejected.

In the light of this, I would remind those who so blithely seek to equate State and Federal procedures in criminal contempt cases that the jury trial guarantee of amendment 6 of the Federal Constitution binds the Federal Government, but it does not bind the States. Hence, the Federal Government is compelled to provide jury trials where States are not. Once this is understood, the futility of attempts to equate State and Federal contempt procedures becomes obvious.

I turn now to the second issue which has been raised. As I stated earlier, it has been said that the granting of injunctive authority to Federal courts in civil rights cases would work no hardship, because every individual charged with the violation of such an injunction would have his day in court.

This may or may not be correct, depending upon the situation at the time the injunction was issued, and depending, also, upon the wording of that injunction.

If the act sought to be restrained was about to be committed by specific individuals, and if those individuals appeared, presented their case, and were specifically named in the decree that issued, then they would have been afforded an opportunity to present their case on the merits.

However, we have no guarantee that the injunctions this bill would authorize would be issued against only specifically named persons. Federal courts could issue what have been described as blanket injunctions.

Mr. President, I hold in my hand an article which I shall not take the time to read.

Mr. ERVIN. Mr. President, I should like to ask the Senator a question along the line which he was discussing. Does not the Senator know that in the Prince Edward County case the Supreme Court stated that a district judge could bring in other people who had had no opportunity to contest the validity of the previous trials and order them to comply with the judgment entered in the case in which they had no hearing and no opportunity to be heard?

Mr. ELLENDER. That is correct. The holding was identical with that in the Clinton case.

Mr. ERVIN. Exactly.

Mr. ELLENDER. Mr. President, the article to which I referred was written by Mr. Eberhard P. Deutsch, of the Louisiana bar, and involves a contempt case entitled "The United States against Major General Andrew Jackson."

The case was a very celebrated one, I point out to my good friend from North Carolina. In my opinion, the judge in that case acted arbitrarily and imposed a fine of $1,000 against Andrew Jackson, who claimed he was acting within his authority, but the judge did not think so. After Andrew Jackson became President, the Congress passed a bill remitting the $1,000 fine that he had previously paid. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE UNITED STATES VERSUS MAJOR GENERAL ANDREW JACKSON

(By Eberhard P. Deutsch, of the Louisiana bar (New Orleans))

On December 16, 1814, "Maj. Gen. Andrew Jackson, commanding the 7th Military District, declared the city and environs of New Orleans under strict martial law."[1]

Shortly before Jackson's arrival in the city to defend it against the British, Gov. William C. C. Claiborne, of Louisiana, had advised the general that the local troops had actually resisted his orders, "being encouraged in this disobedience by the legislature of the State then in session."

Not long after his arrival on December 2, 1814, Jackson asked the legislature to suspend the writ of habeas corpus to render it possible to impress seamen for the armed vessels *Carolina* and *Louisiana*, but the legislature refused and instead offered a bounty of $24 per month to sailors who would engage voluntarily in the public service.

During the early engagements, a committee of the legislature waited upon General Jackson and asked him as to the course he intended to pursue if he found it necessary to retreat; to which the general replied: "Say to your honorable body that if disaster does overtake me * * * they may expect a very warm session."

Rumors were rife, and on December 28, Jackson was told that the legislature was contemplating surrender of the city to the enemy.

The General immediately wrote a hasty note to Governor Claiborne, directing him to watch the movements of the legislature closely and to place a guard at the door of its hall the moment any sign of surrender appeared.

The Governor, only too willing to hold the legislature in check, placed a guard at the door of its chamber before the houses met, and thus, instead of locking them in, he shut the members out.

On January 8, 1815, in a brief but decisive engagement, the British were ignominiously defeated in the Battle of New Orleans, at Chalmette just below the city, with over 2,000 casualties against less than 100 for Jackson's forces, and the British withdrew and abandoned their expedition.

Actually, 15 days prior to this last engagement of the War of 1812, the treaty of peace bringing the war to a close had been signed at Ghent on Christmas Eve, 1814.

By the middle of February, unofficial reports of the peace began reaching New Orleans.[2] This intelligence had so demoralizing an effect on Jackson's forces and created so intense a feeling among the populace that on February 20 Jackson found it necessary to issue a warning proclamation.

"We must not be thrown into false security by hopes that may be delusive," he said. "To put you off your guard and attack you by surprise, is the natural expedient of one who, having experienced the superiority of your arms, still hopes to overcome you by stratagem * * * Peace, whenever it shall be established on fair and honorable terms, is an event in which both nations ought to rejoice; but * * * in the meantime, every motive that can operate on men who love their country, and are determined not to lose it, calls upon us for increased vigilance and exertion."[3]

This proclamation again aroused the ire of the legislature, whose members were by now convinced that peace had actually been concluded. Still angered at their forcible exclusion from their chamber, they adopted a resolution of thanks to all of the officers of Jackson's staff, except the general in chief himself.

TOO MANY TAKE FRENCH LEAVE

The French, who had volunteered for service with the American force and had contributed brilliantly to the defense of the city, satisfied that their services were no longer needed, now asserted their right to leave the ranks as freely as they had entered them.

Many of these obtained from the French consul at New Orleans certificates of their nationality, and were promptly released from service; but so many of these certificates appeared that Jackson began to suspect, undoubtedly with considerable cause, that they were being issued indiscriminately to all who applied for them.

Jackson thereupon issued a general order commanding all French subjects to retire, within 3 days, to a distance from New Orleans not nearer than Baton Rouge.

On March 3, 1815, there appeared in the Louisiana Courier, an article bitterly critical of Jackson's order expelling the French. It was written by Louis Louallier, a Frenchman who had become a naturalized American citizen and who was a member of the Louisiana Legislature.

The article began with the statement that "to remain silent on the last general orders, directing all the Frenchmen who now reside in New Orleans, to leave within 3 days, and to keep at a distance of 120 miles from it, would be an act of cowardice which ought not to be expected from a citizen of a free country."

"Are we," it asked, "to restrain our indignation when we remember that these very Frenchmen who are now exiled, have so powerfully contributed to the preservation of Louisiana—and when those brave men ask no other reward than to be permitted peaceably to enjoy among us the rights secured to them by treaties and the laws of America?"

"Could it be possible," the article continued, "that the Constitution and laws of our country should have left in the power of the several commanders of military districts, to dissolve all at once the ties of friendship which unite America and the nations of Europe?

"The President alone has, by law, the right to adopt, against alien enemies, such measures as a state of war may render necessary. * * * We do not know any law authorizing General Jackson to apply to alien friends, a measure which the President himself has only the right to adopt against alien enemies."

In a really brilliant assertion of civil rights, the article concluded "that it is high time the laws should resume their empire; that the citizens of the state should return to the enjoyment of their rights; that, in acknowledging that we are indebted to General Jackson for the preservation of our city and the defeat of the British, we do not feel much inclined, through gratitude, to sacrifice any of our privileges, and less than any other, that of expressing our opinion about the acts of his administration * * * and that, having done enough for glory, the time for moderation has arrived; and finally, that the acts of authority which the invasion of our country and our safety may have rendered necessary, are, since the evacuation of it by the enemy, no longer compatible with our dignity and our oath of making the Constitution respected."[4]

LOUALLIER ARRESTED BY JACKSON'S ORDER

Jackson immediately ordered Louallier's arrest, strangely enough, under the Second Article of War, imposing the penalty of death on "all persons not citizens of, or owing allegiance to, the United States of America, who shall (in time of war) be found lurking, as spies, in or about the fortifications or encampments of the United States."

At noon on Sunday, March 5, 1815, while Louallier was walking along the banquette opposite the Exchange Coffee House, he was arrested by a detachment of soldiers. One P. L. Morel, a lawyer who saw the arrest from the coffee house, rushed over to Louallier and was immediately retained to effect his release.

Morel promptly presented a petition for habeas corpus to U.S. District Judge Dominick Augustine Hall, who, on condition that Morel would advise General Jackson with regard to the matter before having formal service effected upon him, endorsed the petition in his own hand as follows: "Let the prayer of the petition be granted, and the petitioner be brought before me at 11 o'clock tomorrow morning.

"DOM. A. HALL.

"MARCH 6, 15."[5]

Pursuant to the judge's instructions, Morel immediately wrote "To his excellency Major General Jackson," that he had "made application to his honor Dom. A. Hall, judge of the District Court of the United States, for a writ of habeas corpus in behalf of Mr. Louallier, who conceived that he was illegally arrested by order of your excellency; and that the said writ has been awarded, and is returnable tomorrow, 6th instant, at 11 o'clock a.m.

"I have the honor to be your excellency's most humble and obedient servant.

"P. L. MOREL,
"Counselor at Law."

On receipt of this communication, Jackson flew into a violent rage against Judge Hall, and immediately (Mar. 5, 1815—7 p.m.)

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[1] 2 Parton, "Life of Andrew Jackson" (Houghton, Mifflin & Co., Cambridge, 1860), 60.

[2] One of these was brought by a commission sent to the British fleet, to arrange an exchange of prisoners, and recovery of slaves who had fled to the enemy vessels. Two members of this commission were Capt. Maunsel White, ancestor of Chief Justice Edward Douglass White; and Edward Livingston, compiler of the Louisiana Codes, and volunteer aid to Jackson. See footnote 10, post.

[3] 4 Gayarré, "History of Louisiana" (F. I. Hansell & Bro., Ltd., New Orleans, 1903) 57–79. Excerpts from official documents, throughout this article, are quoted, unless otherwise noted, from standard histories and biographies.

[4] Compare the argument of Jeremiah Black in *Ex parte Milligan*, 71 U.S. (4 Wall) 2, 75–76 (1866): "It is precisely in a time of war and civil commotion that we should double the guards upon the Constitution. In peaceable and quiet times, our legal rights are in little danger of being overborne; but when the wave of power lashes itself into violence and rage, and goes surging up against the barriers which were made to confine it, then we need the whole strength of an unbroken Constitution to save us from destruction."

[5] This date was later corrected to "5th", and the correction became peculiarly significant in subsequent developments, as will be noted hereunder.

addressed Col. Mathew Arbuckle of his staff as follows:

"Having received proof that Dominick A. Hall has been aiding and abetting and exciting mutiny within my camp, you will forthwith order a detachment to arrest and confine him, and report to me as soon as arrested. You will be vigilant; the agents of our enemy are more numerous than we expected. You will be guarded against escapes.

"A. JACKSON,
"Major General, Commanding."

At about 9 o'clock on the evening of Sunday, March 5, 1815, Judge Hall was arrested.

Having confined the judge in the guardhouse, the General sent an aid to obtain from Richard Claiborne, clerk of the U.S. district court, Morel's original petition bearing the judge's order for issuance of the writ of habeas corpus.

Claiborne refused to surrender the document, but was persuaded to accompany the officer bringing the petition with him. At his request, Jackson was permitted to see the petition and order and then refused to return it, saying that it was needed to convict the judge of forgery, for changing the date of the order from the 5th to the 6th.

On the next morning, John Dick, U.S. attorney for the district of Louisiana, applied to Seth Lewis, a Louisiana State district judge (and a volunteer officer in one of the companies under Jackson's command) for a writ of habeas corpus for release of Judge Hall.

Lewis instantly issued the writ—and Jackson immediately ordered the arrest of District Attorney Dick, who was thereupon confined with Hall and Louallier in the guardhouse at the barracks.

LOUALLIER FREED BY THE COURT

On March 9, 1815, on Jackson's orders, Louallier was tried by general court-martial on seven charges: (1) mutiny; (2) inciting mutiny; (3) general misconduct; (4) being a spy; (5) illegal and improper conduct and disobedience of orders; (6) writing a willful and corrupt libel; (7) unsoldierlike behavior and violations of the proclamation of martial law.

All of the charges rested on the single publication of March 3 in the Louisiana Courier; and Morel pleaded that the military court had no jurisdiction to try Louallier on the charges against him.

The court sustained Morel's plea as to all of the charges except that of being a spy, and it promptly acquitted Louallier on that charge.[6]

Jackson nevertheless refused to accept the verdict of the court. He issued a general order, justifying martial law as warranting the temporary suspension of civil liberties and processes for their permanent preservation, and Louallier remained a prisoner.

Realizing, from the collapse of the court-martial of Louallier what the outcome of a trial of Judge Hall on charges of exciting mutiny in the camp would be, Jackson, finding himself embarrassed by his 6 days' imprisonment of the judge, had him escorted out of the city on March 11 with directions to "remain without the lines of my sentinels until the ratification is regularly announced, or until the British shall have left the southern coast."[7]

Fortunately, the judge was not forced to remain long in exile. On Monday morning, March 13, a courier arrived from Washington with the long-awaited official news of the ratification of the Treaty of Ghent; Jackson was instructed by the President to pardon all military offenders; and Judge Hall resumed his place on the bench.

On March 21, 1815, John Dick, the U.S. attorney, appeared in open court before Judge Hall, and gave a full oral recitation of events before and after Jackson's issuance of his proclamation of martial law.

The district attorney then adduced the testimony of Richard Claiborne, clerk of the court, in part as follows:

"In this case, on Sunday, the 5th of March, 1815, the Honorable Dominick A. Hall gave an order on the original petition of Louallier * * * dating the said order on the 6th of the month. * * * Upon my suggesting the mistake to the judge, he changed the figure 'six' to 'five.' On the evening of the said 5th, I met with Major Chotard, one of General Jackson's aides, who * * * showed me a written paper which he said was an order from the general requiring me to give up the original of the order of the judge aforesaid. I told Major Chotard that there was an order of Judge Hall's court that the clerk should deliver no original paper out of the office—but that I * * * would go with it myself to the general * * * and we went together. Mr. P. L. B. Duplessis (the U.S. marshal) with us. * * * The general asked me for the original order of Judge Hall as before mentioned * * * and I handed the general the paper. The general read the order and also the affidavit of Mr. Morel * * * and observed to me that the date of both the order and the affidavit had been altered, and asked me what was all the juggling about. I assured him there was no juggle, and that the reason of the alteration of the date was as I have stated above. The general mentioned to me that he should keep the paper in his own possession. I observed to him that there was an order of court that no original paper should be delivered out of the office. The general said he should keep it under his own responsibility; that it should be safely preserved and that he would give me a certified copy of it, which he did."

On the following day (March 22), the depositions of a number of other witnesses were taken in open court.[8]

U.S. Marshal Duplessis testified that "on or about 9 o'clock of the night of the 5th of March last * * * he went to General Jackson's headquarters * * * the general observed he had shopped the judge * * * [and] that as long as martial law continued, he would acknowledge no other authority than that of the military * * * that he believed it a concerted plan between the judge and Louis Louallier that the writ should issue * * * that from the whole tenor of the conversation * * * with the general * * * a disposition was manifest by him to disregard the writ of habeas corpus * * * This deponent served the writ upon the general agreeably to the return which is made upon it. * * *."

Colonel Arbuckle deposed that on Sunday, March 5, as commander of the garrison of New Orleans, he received from General Jackson, an order for the arrest of Judge Hall, pursuant to which he "sent out a detachment of about 60 men under the charge of Major Butler of the 3d Regiment, who returned in a short time with Judge Hall, who was confined agreeably to the above order, and who was detained in the custody of the deponent until the following Sunday."[9]

Louallier's attorney, P. L. Morel, testified to the relevant facts within his knowledge as hereinabove recited, as did Capt. Peter V. Ogden who had carried out the general's order to escort Judge Hall out of New Orleans on March 12.

Louis Louallier himself merely deposed "that he had never had any conversation or understanding, directly or indirectly, with Judge Hall, on the subject of an article published in the Louisiana Courier the 3d of March instant."

There was one further witness: Maj. William O. Winston, who testified that the original writ of habeas corpus was handed to him for use in the court-martial of Louallier when he was "detailed by General Jackson as judge advocate of the court aforesaid, of which he was informed by General Jackson before breakfast on the 6th of March instant—that in a conversation with General Jackson, he expressed doubts as to Louallier's being tried by a court-martial, but * * * General Jackson said that he was enabled to be tried by court-martial by virtue of a general order issued by him, declaring martial law to invest the city of New Orleans * * *. This deponent expressed a doubt as to the extent and effect, and legal operation, of the order declaring martial law. * * * This deponent inferred from the general tenor of General Jackson's conversation * * * that he did not intend or conceive it proper to pay any attention to the writ of habeas corpus for Louallier, or any other writ issued within the limits of his camp."

JACKSON CALLED TO ANSWER CONTEMPT CHARGE

On the basis of the foregoing testimony, District Attorney Dick moved for a rule to show cause why process of attachment should not issue against Maj. Gen. Andrew Jackson for contempt of court. The motion was granted, and Jackson was ordered to appear on Friday, March 24, to make his return to the rule.

On Thursday, the 23d, Abner L. Duncan, a prominent member of the Louisiana bar, appeared in court in behalf of General Jackson and obtained a continuance of the return date of the rule until Saturday, the 25th.

But on the 25th, Edward Livingston, a veritable giant in Louisiana legal history, appeared in the general's behalf, and, with the consent of District Attorney Dick, obtained another continuance—this time until 10 o'clock on Monday morning, March 27, 1815.

At the latter date and hour, Maj. Gen. Andrew Jackson appeared in court with both Messrs. Livingston and Duncan as his advocates, and, by way of return to the rule, filed an elaborate, lengthy written plea unquestionably drafted in Edward Livingston's distinctive legal style.[10]

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[6] "In some parts of the country, during the War of 1812, our officers made arbitrary arrests and, by military tribunals, tried citizens who were not in the military service. These arrests and trials, when brought to the notice of the courts, were uniformly condemned as illegal." *Ex parte Milligan,* 71 U.S. (4 Wall) 2, 128–129 (1866). See *Smith* v. *Shaw,* 12 Johns. (N.Y.) 257 (1815).

[7] In his "Life of Andrew Jackson" (Samuel F. Bradford, Philadelphia, 1824) 426–427, Senator John H. Eaton says that "Judge Hall was not imprisoned: it was simply an arrest. * * * On his arrest, he was simply sent to a distance and placed at liberty."

[8] Excerpts from, and accounts of, the court proceedings, are taken from the original records: "*Louallier* v. *Andrew Jackson,* commanding general of the 7th Military District (Mar. 5, 1815—never formally docketed by number); and *United States* v. *Major General Andrew Jackson,*" No. 791, U.S. District Court, District of Louisiana. Some of the original documents are missing from the records in court, but photostatic copies of practically all of the original documents in the record, are to be found in the archives of the Louisiana State Museum Library. The clerk of court apparently wrote some of the depositions as given, in narrative form, with references to the witness in the third person, but the depositions are all signed by the deponents.

[9] See footnote 7, supra.

[10] Livingston had been a Member of Congress from New York, his native State, U.S. Attorney for New York, and mayor of New York City. During his illness in the yellow fever epidemic of 1803, a subordinate embezzled funds of the United States for which Livingston was responsible. Livingston resigned as U.S. attorney, gave his note (which

The plea begins with 10 exceptions, principal among which were want of due process under the fifth amendment; a claim of right of trial by jury under the sixth; and one to the jurisdiction of the court.[11]

The document then set forth, in great detail, the circumstances leading up to the facts constituting the alleged contempt. Jackson described the warnings given him by Governor Claiborne as to disaffection in New Orleans, and stated that, on his arrival in the city, "the same ideas were expressed, and he was advised * * * to proclaim martial law, as the only means of producing union * * * detecting treason and calling forth the energies of the country."

Jackson's plea then stated expressly: "This measure was discussed and recommended to the respondent, as he well recollects, in the presence of the judge of this honorable court, who not only made no objection, but seemed, by his gestures and silence, to approve of its being adopted."

Jackson painted a very vivid picture of the military situation with which he found himself confronted at New Orleans: "A disciplined and powerful army was on our coast, commanded by officers of tried valour and consummate skill; their fleet had already destroyed the feeble defense on which alone we could rely to prevent their landing on our shores. Their point of attack was uncertain—a hundred miles were to be guarded, by a force not sufficient in number for one. * * * Treason lurked among us, and only waited the moment of expected defeat to show itself openly.

"The physical force of every individual," the General continued, "his moral faculties, his property, and the energy of his example, were to be called into * * * instant action. No delay—no hesitation—no inquiry about right, or all was lost; and everything dear to man * * * his country, its constitution and laws were swept away by the avowed principles, the open practice, of the enemy with whom we had to contend.

"In this crisis," Jackson went on, "and under a firm persuasion that none of those objects could be effected by the exercise of the ordinary powers confided to him—under a solemn conviction that the country committed to his care could be saved by that measure only from utter ruin—under a religious belief, that he was performing the most important and sacred duty, the respondent proclaimed martial law."

Jackson conceded that "he intended, by that measure, to supercede such civil powers as, in their operation, interfered with those he was obliged to exercise. He thought, in such a moment, constitutional forms must be suspended, for the permanent preservation of constitutional rights, and that there could be no question, whether it were best to depart for a moment, from the enjoyment of our dearest privileges, or have them wrested from us forever.

"Personal liberty cannot exist," he insisted, "at a time when every man is required to become a soldier * * *. Unlimited liberty of speech is incompatible with the discipline of a camp; and that of the press more dangerous still, when made the vehicle of conveying intelligence to the enemy, or exciting mutiny among the troops."

There followed then an ingenious defense—unquestionably the brainchild of the combined geniuses of Livingston and Jackson. They submitted that "If the proclamation of martial law were a measure of necessity—a measure without the exercise of which the country must unquestionably have been conquered, then does it form a complete justification for the act." But—

"If it does not," they asked, "in what manner will the proceeding by attachment for contempt be justified? It is undoubtedly and strictly a criminal prosecution; and the constitution declares, that in all criminal prosecutions, the accused shall have the benefit of a trial by jury; yet a prosecution is even now going on in this court, where no such benefit is allowed. Why? From the alleged necessity of the case, because courts could not, it is said, subsist without a power to punish promptly by their own act, and without the intervention of a jury." And so—

The General submitted that if necessity "may, in some cases, justify a departure from the constitution: and if, in the doubtful case of avoiding confusion in a court, shall it be denied in the serious one of preserving a country from conquest and ruin?"

MARTIAL LAW WAS A NECESSITY

Returning to his principal argument, Jackson continued: "The respondent, therefore, believes he has established the necessity of proclaiming martial law. * * * It only remains to prove, in answer to the rule, that the power assumed from necessity, was not abused in its exercise, nor improperly protracted in its duration."

"All the acts mentioned in the rule," the General conceded, "took place after the enemy had retired from the position they had at first assumed—after they had met with a signal defeat, and after an unofficial announcement had been received of the signature of a treaty of peace."

But, he insisted, "if, trusting to an uncertain peace, the respondent had revoked his proclamation, or ceased to act under it, the fatal security by which we were lulled, might have destroyed all discipline, have dissolved all his force, and left him without any means of defending the country against an enemy, instructed by the traitors within our own bosom, of the time and place at which he might safely make his attack."

At about this time, Jackson went on, "the consul of France, who appears, by Governor Claiborne's letter, to have embarrassed the first drafts, by his claims in favor of pretended subjects of his king, renewed his interference; his certificates were given to men in the ranks of the army; to some who had never applied, and to others who wished to use them as the means of obtaining an inglorious exemption from danger and fatigue.

"Under these circumstances," he explained, "to remove the force of an example which had already occasioned such dangerous consequences, and to punish those who were so unwilling to defend what they were so ready to enjoy, the respondent issued a general order, directing those French subjects, who had availed themselves of the consul's certificates, to remove out of the lines of defense, and far enough to avoid any temptation of intercourse with our enemy, whom they were so scrupulous of opposing."

This general order, Jackson conceded, "created some sensation * * *. Aliens and strangers became the most violent advocates of constitutional rights, and native Americans were taught the value of their privileges, by those who formerly disavowed any title to their enjoyment. The order was particularly opposed in an anonymous publication. In this the author * * * closes by calling upon all Frenchmen to flock to the standard of their consul—thus advising and producing an act of mutiny and insubordination, and publishing the evidence of our weakness and discord to the enemy, who were still in our vicinity.

"To have silently looked upon such an offense," Jackson submitted, "without making any attempt to punish it, would have been a formal surrender of all discipline * * * and public safety. This could not be done; and the respondent immediately ordered the arrest of the offender. A writ of habeas corpus was directed to issue for his enlargement."

And then Jackson bared the sharp barbs on the hooks of his defense: "The very case which had been foreseen," he said, "the very contingency on which martial law was intended to operate, had now occurred. The civil magistrate seemed to think it his duty to enforce the enjoyment of civil rights, although the consequences which have been described, would probably have resulted."

And now, the frank explanation of General Jackson's arrest of Judge Hall: "No other course remained," the general submitted, "than to enforce the principles which he had laid down as his guide, and to suspend the exercise of this judicial power, wherever it interfered with the necessary means of defense. The only way effectually to do this, was to place the judge in a situation in which his interference could not counteract the measures of defense, or give countenance to the mutinous disposition that had shown itself in so alarming a degree.

"Merely to have disregarded the writ," Jackson went on candidly, "would but have increased the evil, and to have obeyed it was wholly repugnant to the respondent's ideas of the public safety and to his own sense of duty. The judge was therefore confined, and removed beyond the lines of defense."

And so, finally, in his return to the rule to show cause why a writ of attachment for contempt should not issue against him, the general summed up: "This was the conduct of respondent, and these the motives which prompted it. They have been fairly and openly exposed to this tribunal, and to the world; and would not have been accompanied by an exception to the jurisdiction, if it had been deemed expedient to give him that species of trial, to which he thinks himself entitled, by the Constitution of his country."

At the very end of his dissertation, in his two concluding sentences, Jackson apparently could not refrain from calling attention to his military victory, as sanctioning his usurpation of civil authority: "The powers which the exigency of the times forced him to assume, have been exercised exclusively for the public good; and, by the blessing of God, they have been attended with unparalleled success. They have saved the country; and whatever may be the opinion of that country, or the decrees of its courts, in relation to the means he has used, he can never regret that he employed them.

"ANDREW JACKSON."

During the reading of the foregoing return to the rule, District Attorney Dick raised various objections to admissibility of parts of the document and these were renewed at the conclusion of the reading, when the court, having expressed itself as willing to hear any relevant matter, took the rule under advisement.

On the following morning (March 28, 1815), Judge Hall took the bench, and stated: "The court has taken time to consider the propriety of admitting the answer that was offered yesterday. It was proper to do so . . . If the court be convinced that the attachment may legally issue, it goes to bring the party into

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he later paid) for the missing funds, and moved to Louisiana. He drafted codes for Louisiana, based on the Code Napoleon, and later a "System of Penal Law" which won him international fame, although the system was never actually adopted anywhere. Sir Henry Maine referred to Livingston as "the first legal genius of modern times." He became a Member of Congress, and later Senator from Louisiana; and on Jackson's accession to the Presidency, was appointed Secretary of State and later Minister to France.

[11] This document is missing from the record in court. The within excerpts have been taken from volume 5 of the "Louisiana Historical Quarterly." The document is also reproduced in its entirety in Senator Eaton's "Life of Andrew Jackson" (see footnote 7, ante), 450–466; and, in Goodwin, Philo A., "Biography of Andrew Jackson" (Silas Andrus & Son, Hartford, 1850), 179–189.

court, and then interrogatories are propounded to him.'

The court then heard further argument, and, on the next morning, the 29th, entered the following order: "The Court being of opinion that sufficient cause had not been shown why an attachment should not issue: It is ordered that an attachment do issue against the defendant, Maj. Gen. Andrew Jackson, returnable on Friday, the 31st of March instant."

On the 31st of March, at the appointed hour, Jackson appeared in court in the dress of a private citizen. Nineteen interrogatories having been filed with the Clerk by the District Attorney, Judge Hall ordered them read and presented to General Jackson, to be answered by him in accordance with law.

The interrogatories, generally, covered the facts as charged, and were directed as proving the contempt as made out in the testimony theretofore adduced. Thus, the sixth asked: "Did you not, in conversation with the Marshal on the 5th and 6th of March instant, say to him that you had no intention of obeying the said writ of habeas corpus, or language to that effect?"

The 13th and 14th interrogatories asked Jackson to admit or deny that he caused a court martial to convene to try Louallier "upon charges which jeopardize his life"; and that Louallier was, "at the time, a member of the Legislature of the State of Louisiana."

And the 16th and 17th interrogatories asked Jackson whether he had not, upon learning of the Judge's signing of an order for the writ of habeas corpus, sent "a detachment of soldiers to arrest the said judge"; and was he not "arrested accordingly on the night of the 5th of March instant, and detained as a prisoner * * * until Sunday, the 12th of March instant?"[12]

JACKSON HELD IN CONTEMPT

At the conclusion of the reading of the interrogatories, they were tendered to Jackson, who simply refused to receive them or to make any answers thereto; whereupon Judge Hall found General Jackson guilty of contempt, and sentenced him forthwith to pay a fine of $1,000 to the United States.

While there are conflicting accounts as to when the fine was paid, that given by the eminent Louisiana historian, Charles Gayarré, to the effect that the fine "was instantly discharged," is undoubtedly correct.[13]

There are also conflicting stories, most if not all, apocryphal, as to reimbursement of the general's fine by public subscription. One of these is credited to an officer named Nolte on Jackson's staff. He is stated to have made oath that such an effort was made, but that, after raising, with difficulty, $160, the campaign was quietly given up.[14]

While Jackson was unquestionably the popular hero of the Battle of New Orleans, the humiliation of his conviction for contempt nevertheless rankled within him.

Taking advantage of his popularity, he arranged for publication in newspapers throughout the country of his exhaustive return to the rule to show cause why an attachment should not issue against him, as the most eloquent means of telling his side of the story.

And then followed a strange circumstance indeed: A long and detailed "Note to General Jackson's Answer" by Judge Hall himself, published in the Louisiana Gazette of April 15, 1815.

The introductory sentence to this "note" gives the key to the entire article: "Judge Hall has seen in a late paper, a publication called 'Answer of Major General Jackson,' and has observed much art exists to divert the public attention from the outrage which he committed against the laws * * *."

From that time on, however, for more than a quarter of a century, the incident remained a closed one; and in 1829, Maj. Gen. Andrew Jackson became President of the United States.

And at the conclusion of his second term as President, the hero of New Orleans returned to the Hermitage, his home in Nashville.

At the Hermitage, Jackson continued to brood bitterly over his fine for contempt of court in New Orleans on March 31, 1815, which he felt to be a dark blemish on his otherwise gleaming escutcheon.

On March 14, 1842, General Jackson addressed Senator Linn, of Missouri, with a plea in his own behalf: "When I declared martial law, Judge Hall was in the city * * * Judging from his action, he appeared to approve it * * * Ought not Congress to interpose and return a fine imposed, as mine was, for the performance of an act which was indispensible to the safety of the country?

"Can it be expected," the general continued, "that a general will take [such] a high and necessary responsibility * * * if he is insulted, fined, or imprisoned by a mistaken or vindictive judge, whose fiat, under an erroneous view of what is due to the forms of law, cannot be changed by legislative power?"[15]

Senator Linn introduced a bill for refund of the fine, and spoke in its behalf: "The question is * * * Was the declaration of martial law necessary to aid in saving the 'booty and beauty' of New Orleans? The ladies of the city have said it was * * * and you are now called upon to do an act of sheer justice to an individual who was punished for doing his country a service never to be forgotten."

The debate became a long and bitter one. Senator Conrad, of Louisiana, who had been a member of the Louisiana Legislature, insisted that the question was one of principle and that after the lapse of a quarter of a century, Congress should not reverse the judgment of a competent tribunal on the ground of its illegality. He accordingly opposed Senator Linn's bill.[16]

The question as to whether the fine of General Jackson for contempt of the Federal court at New Orleans should be refunded became a national issue. Many States, by acts of their legislatures, instructed their congressional delegations to vote for the refund.

Finally, in the spring of 1843, came such an enactment from the Legislature of Louisiana itself. This body, in the recollection of its feud with General Jackson, who, in 1815, had posted guards at its doors to exclude the members of the Louisiana Legislature from their own hall, had, up to this time, stood firmly opposed to the refund.

But when the Legislature of Louisiana did finally act, it went further than that of any other State. After "requesting" its congressional delegation "to use its best endeavors to procure the passage of a law to restore [the fine] to Gen. Andrew Jackson," the statute went on to say, "that in case a law shall not be passed by the next session of Congress, the legislature of this State will direct * * * [refund of] the fine imposed on General Jackson by Judge Hall."[17]

This ultimate capitulation of Louisiana, and Jackson's deteriorating physical condition, combined to bring about the enactment, on February 16, 1844, of an act of Congress, directing "that the sum of $1,000, paid by Gen. Andrew Jackson, as a fine imposed on him at New Orleans, the 31st day of March, A.D. 1815, be repaid to him, together with the interest, at the rate of 6 percent a year since then. * * *"[18]

At last, Andrew Jackson received the vindication on which his heart had so long been set; the final chapter in that episode had been written; and on the 8th of June in the following year, the book of his eventful life was closed.

VISIT OF ATTORNEY GENERAL KENNEDY TO WEST GEORGIA COLLEGE CAMPUS

Mr. PROXMIRE. Mr. President, before we recess for the evening I should like to call to the attention of the Senate a very interesting article which was published in today's issue of the New York Times. We in Wisconsin, as well as people in Indiana and Maryland in particular, are aware of the fact that many people supported Governor Wallace when he came into our States and made his campaign for the presidency.

I invite attention to the fact that the man most clearly identified in America with the civil rights bill is the Attorney General of the United States, Robert Kennedy. Attorney General Robert Kennedy spoke in Georgia yesterday. He spoke on a white campus. This morning's issue of the New York Times reported the reception that Attorney General Robert Kennedy received when he spoke on the civil rights bill on a white campus, which is in western Georgia near the Alabama border.

I quote from the article as follows:

> Attorney General Robert F. Kennedy received a thunderous ovation from several hundred white college students today after making a plea for passage of the civil rights bill.
>
> The ovation was one of several he received during a 4-hour visit to West Georgia College, a small State-supported institution 60 miles west of Atlanta and 15 miles from the Alabama line.

Then skipping down:

> The Attorney General said that six American Negroes had been killed in service in South Vietnam. He said one had been buried in Arlington Cemetery. But when his widow returned from Arlington, Mr. Kennedy said, she did not know what restaurants and what motels would serve her.
>
> "This is a continuous insult," Mr. Kennedy said. "That part of the legislation is long overdue. Yet some States won't deal with it. Mississippi and Alabama are not going to do it. Therefore they [Negroes] are entitled to have the Federal Government do it."
>
> At this point the audience broke into loud applause that lasted almost 8 minutes. During the questions that followed, the same warmth prevailed and Mr. Kennedy was almost mobbed when he left the building to return by plane to Washington.

This was a remarkable demonstration. I doubt that Attorney General Kennedy, as popular and beloved as he is, could have received that kind of ovation anywhere in New York. It is remarkable and amazing to me because it indicates a strong feeling for the civil rights bill in the Deep South, as there is in the North. Of course, there is a great deal of sentiment against it.

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[12] See footnote 7, supra.

[13] 4 History of Louisiana, op. cit., note 3, supra at 625.

[14] 2 Parton, Life of Andrew Jackson, op. cit., note 1, page 320.

[15] 1 Congressional Globe, 2d sess., 27th Cong., 1841–42, page 364.

[16] Interestingly, Senator Conrad, who later became President Fillmore's Secretary of War, had studied law in the office of Abner L. Duncan, who, with Edward Livingston, had been Jackson's counsel, at his trial before Judge Hall.

[17] J. Res. 115 (Apr. 3, 1843), Louisiana Acts of 1843, p. 80.

[18] Act of Feb. 16, 1844, C. 1.

In the concluding paragraph the article states:

> West Georgia College is hardly a political barometer of the South, for the students are from various backgrounds. But their rapport with Mr. Kennedy today was interpreted as evidence that the Attorney General may not be so politically unpopular in the South as some have said.

I ask unanimous consent that the article by John Herbers entitled "Georgia Campus Cheers Kennedy" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GEORGIA CAMPUS CHEERS KENNEDY—HE PLEADS FOR RIGHTS ACTION IN TALK TO WHITE STUDENTS

(By John Herbers)

CARROLLTON, GA., May 26.—Attorney General Robert F. Kennedy received a thunderous ovation from several hundred white college students today after making a plea for passage of the civil rights bill.

The ovation was one of several he received during a 4-hour visit to West Georgia College, a small State-supported institution 60 miles west of Atlanta and 15 miles from the Alabama line.

Mr. Kennedy dedicated an interfaith chapel that has been named for his brother, President Kennedy. Afterward, he spent 40 minutes answering questions from students in the school auditorium. More than 1,000 crowded in to hear him.

PROPERTY-RIGHTS QUESTION

One of the first questions, put by a male student, was: "In what way will the public accommodations section of the civil rights bill affect property rights?"

"If it did what Gov. George Wallace [of Alabama] describes I would be against the bill," Mr. Kennedy answered. "It means if a place is open to the general public it has to treat all of the public equally."

The Attorney General said that six American Negroes had been killed in service in South Vietnam. He said one had been buried in Arlington Cemetery. But when his widow returned from Arlington, Mr. Kennedy said, she did not know what restaurants and what motels would serve her.

"This is a continuous insult," Mr. Kennedy said. "That part of the legislation is long overdue. Yet some States won't deal with it. Mississippi and Alabama are not going to do it. Therefore they [Negroes] are entitled to have the Federal Government do it."

At this point the audience broke into loud applause that lasted almost 8 minutes. During the questions that followed, the same warmth prevailed and Mr. Kennedy was almost mobbed when he left the building to return by plane to Washington.

A SIGNIFICANT RAPPORT

It was the Attorney General's first trip South since President Kennedy's assassination in Dallas November 22.

West Georgia College is hardly a political barometer of the South, for the students are from various backgrounds. But their rapport with Mr. Kennedy today was interpreted as evidence that the Attorney General may not be so politically unpopular in the South as some have said.

RECESS TO TOMORROW, AT NOON

Mr. PROXMIRE. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate now stand in recess, under the order previously entered, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Thursday, May 28, 1964, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 27 (legislative day of March 30), 1964:

DEPARTMENT OF JUSTICE

John H. Kamlowsky, of West Virginia, to be U.S. attorney for the northern district of West Virginia for the term of 4 years.

Eugene A. Gordon, of North Carolina, to be U.S. district judge for the middle district of North Carolina.

U.S. AIR FORCE

To be lieutenant generals

Maj. Gen. Joseph R. Holzapple 1897A, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade indicated, under the provisions of section 8066, title 10 of the United States Code.

Maj. Gen. Leighton I. Davis 1111A, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade indicated under the provisions of section 8066, title 10, of the United States Code.

To be generals

Gen. William F. McKee 467A (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade indicated, under the provisions of section 8962, title 10, of the United States Code.

Lt. Gen. Hunter Harris, Jr., 624A (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President in the rank indicated, under the provisions of section 8066, title 10, of the United States Code.

U.S. ARMY

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as indicated:

To be lieutenant general

Maj. Gen. Jean Evans Engler O19198, U.S. Army.

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as indicated:

To be general

Lt. Gen. Frank Shaffer Besson, Jr., O18662, Army of the United States (major general, U.S. Army).

The following-named officer to be placed on the retired list in grade indicated, under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Carl Henry Jark O17556, Army of the United States (major general, U.S. Army).

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as indicated:

To be lieutenant general

Maj. Gen. Lawrence Joseph Lincoln, O18968, U.S. Army.

The following-named officer to be placed on the retired list, in grade indicated, under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Paul Wyatt Caraway O17659, Army of the United States (major general, U.S. Army).

The following-named officers to be placed on the retired list, in the grade indicated, under the provisions of title 10, United States Code, section 3962:

To be lieutenant generals

Lt. Gen. Andrew Thomas McNamara O17324, Army of the United States (major general, U.S. Army).

Lt. Gen. John Southworth Upham, Jr., O17178, Army of the United States (major general, U.S. Army).

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as indicated:

To be lieutenant generals

Major Gen. William Frew Train O18415, U.S. Army.

Maj. Gen. Charles Wythe Gleaves Rich O19910, U.S. Army.

U.S. MARINE CORPS

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade indicated, subject to qualification therefor as provided by law:

To be major generals

George E. Tomlinson

John L. Winston

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade indicated, subject to qualification therefor as provided by law:

To be brigadier generals

Russell A. Bowen.

Douglas J. Peacher

To be lieutenant general

Maj. Gen. John C. Munn

U.S. Marine Corps, for appointment to the grade indicated on the retired list, in accordance with the provisions of title 10, United States Code, section 5233, effective from the date of his retirement.

U.S. NAVY

To be vice admiral

Rear Adm. Alexander S. Hayward, Jr., U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

To be admiral

Adm. Harry D. Felt, U.S. Navy, to be placed on the retired list in the grade indicated, under the provisions of title 10, United States Code, section 5233.

To be vice admiral

Rear Adm. Joseph M. Lyle, Supply Corps, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

To be lieutenant commander

Anthony A. Mitchell, U.S. Navy, for appointment to the grade indicated in the Navy while serving as leader of the U.S. Navy Band.

To be admiral

Vice Adm. Thomas H. Moorer, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

To be vice admiral

Rear Adm. Bernard A. Clarey, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

The following-named officers for appointment to the grade indicated on the retired list, in accordance with title 10, United States Code, section 5233:

To be vice admirals

Vice Adm. Bernard L. Austin, U.S. Navy.

Rear Adm. Laurence H. Frost, U.S. Navy.

Rear Adm. William E. Ellis, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

Rear Adm. Robert T. S. Keith, U.S. Navy, for appointment to the grade indicated on the retired list, in accordance with title 10, United States Code, section 5233.

Rear Adm. Allen M. Shinn, U.S. Navy, to the position indicated, to be Chief of the Bureau of Naval Weapons in the Department of the Navy for a term of 4 years.

Rear Adm. Kleber S. Masterson, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

Vice Adm. Roy A. Gano, U.S. Navy, for appointment to the grade indicated on the retired list, pursuant to title 10, United States Code, section 5233.

Capt. John K. Leydon, U.S. Navy, to the position indicated, to be Chief of Naval Research in the Department of the Navy for a term of 3 years with rank of rear admiral.

To be rear admiral

Capt. Robert H. Hare, U.S. Navy, for temporary promotion to the grade indicated, pursuant to title 10, United States Code, section 5787, while serving as Deputy and Assistant Judge Advocate General of the Navy.

To be vice admirals

Vice Adm. Elton W. Grenfell, U.S. Navy, for appointment to the grade indicated on the retired list, pursuant to title 10, United States Code, section 5233.

Rear Adm. Vernon L. Lowrance, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

In the Air Force

The nominations beginning John W. New, to be major and ending Robert C. Zimmer to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on March 11, 1964; and

The nominations beginning William B. Abbott, Jr., to be second lieutenant, and ending Lyle H. Wright, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on March 23, 1964; and

The nominations beginning Duane A. Adams to be second lieutenant, and ending Peter B. Zimmer to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 1964; and

The nominations beginning Ritchie P. Stimpson to be colonel, and ending James Leroy Williams to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 1964.

In the Army

The nominations beginning Edwin R. Cooley to be colonel, and ending Richard N. Zweig to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on March 11, 1964; and

The nominations beginning Richard F. Burns to be major, and ending Juan A. Zapata to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on April 16, 1964; and

The nominations beginning Russell S. Hesse to be captain, and ending Robert L. Reeves to be second lieutenant, with the exception of John H. Dunmar to be second lieutenant, which nominations were received by the Senate and apeared in the Congressional Record on May 12, 1964.

In the Marine Corps

The nominations beginning Howard F. Stevenson to be colonel, and ending Bernard K. Severin to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 25, 1964; and

The nominations beginning Fred W. Anthes to be second lieutenant, and ending Donald E. Kent to be commissioned warrant officer (CWO-2), which nominations were received by the Senate and appeared in the Congressional Record on February 25, 1964; and

The nominations beginning Richard D. Barba to be second lieutenant, and ending Ronald S. Neubauer to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 1964.

In the Navy and Marine Corps

The nominations beginning David C. Aabye to be ensign in the Navy, and ending Calvin Kossiver to be second lieutenant in the Marine Corps, which nominations were received by the Senate and appeared in the Congressional Record on April 24, 1964; and

The nominations beginning Vincent T. Canale to be ensign in the Navy, and ending Francis Zavacki to be second lieutenant in the Marine Corps, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 1964.

WITHDRAWAL

Executive nomination withdrawn from the Senate May 27 (legislative day of March 30), 1964:

The nomination sent to the Senate on February 3, 1964, of Martin J. Harr, Jr., to be postmaster at Indian Lake, in the State of New York.

EXTENSIONS OF REMARKS

Address of Representative John M. Murphy to Italy-America Foundation, Inc., May 24, 1964

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 27, 1964

Mr. MURPHY of New York. Mr. Speaker, on Sunday, May 24, 1964, I had the pleasure of addressing the Italy-America Foundation, Inc., dinner dance at the Commodore Hotel. The event was in honor of the Catholic University of the Sacred Heart of Milan and Rome, Italy. His Excellency, the Most Reverend Joseph M. Pernicone, auxiliary bishop of New York, presided; Mr. Salvatore Esposito, president of the foundation was present; and the toastmaster was former New York Congressman Alfred E. Santangelo.

The main purposes of the Italy-America Foundation is to perpetuate the cultural and charitable traditions of Italy and America by the encouragement and promotion of education through voluntary grants, by scholarships or otherwise, to individuals, institutions, and organizations and by the encouragement and promotion of scientific research through grants to individuals, institutions, and organizations.

Mr. Speaker, under leave to extend my remarks in the Record, I include my address:

Address of Hon. John M. Murphy, of New York

At a gathering not long ago, I was approached by an elderly gentleman who inquired, "You went to West Point, didn't you?" I told him yes, that I was a graduate of the Military Academy. "Government paid for your education, eh?" Again, I said yes, that was correct. "You're in Congress now?" he prodded. I nodded. "Government paying your salary, eh?" I told him that was not quite correct; the taxpayers were paying my salary, since the Government can't really pay anybody. "About time you got out on your own, isn't it?" he observed. I mention this only because his phrase, "on your own," put me to thinking.

Now, I am one among many who were fortunate enough to have been selected to attend the Military Academy, which ranges across the whole spectrum of American life to choose its student body—regardless, as we all know, of race, creed, color or financial status. In my own case, it would have been possible for me to attend another university. But what if I had been, in the elderly gentleman's words, "on my own?" Lacking funds or the training to enable me to work my way through college, what would have been my prospects in our increasingly competitive and technical society? I can give you the answer in a word: "dismaying." To be without education in the modern world is to be armless; in other words, helpless and hopeless.

We all know, or think we do, the value of an education. From childhood, we are inculcated with the idea that if we study diligently the door of opportunity will swing open when we are ready to pass through it. In fact, we have all been inculcated with this idea to such a degree that it has become a platitude. But how many of us here really know what it is like to be deprived of an education, to be totally without schooling? What happens when the opportunity for education, something we take for granted, suddenly is taken away?

To persons familiar with the tragic events in Italy from 1942 to 1945, where homeless, motherless, fatherless, religionless, educationless children were left to drift by themselves, we can see the totality in ruined lives. However, here in our civilized United States is a story. It is a grim and shocking story—and all too tragically true. To the south of us, in Prince Edward County, Va., the issue of civil rights is a bitter one. So bitter, in fact, that, in 1959, the county closed its schools—padlocked them—rather than bow to a Supreme Court order to integrate them. One day, the schools were open; the next, public education stopped for almost 3,000 children. In a matter of weeks, stopgap schools—in church basements, libraries, fraternal halls, anywhere there was room—opened for the white children. These, of course, were privately financed. In time, a whole new private school system, with its own buildings, libraries, and other facilities, was provided for the white children in a massive community effort. But what about the Negro children, the vast majority of whom come from grindingly poor families?

Appallingly, all but a few of the 1,650 Negro children in Prince Edward County went totally untaught for 4 long years. Until this year, when a group of public-spirited men and women put their time, talent, and money to work, there were no classes at all for Negroes. The new schools for them opened with high optimism—but not even the educators realized the damage that this 4-year blank had wrought.

Consider this * * * for hundreds of Negro children who entered school for the first time this year the loss was complete. An 11-year-old girl had to be shown how to hold a pencil. A 10-year-old clapped his hands to his sides and tearfully refused to touch a library book because, as he said, "I can't read." First graders couldn't or wouldn't say their own names * * * those of high school age had forgotten how to read or do grade-school arithmetic * * * their speech was almost unintelligible * * * some of the young people, in the 18- to 22-age bracket, mind you, tried to take up their high school work again but found the pace too fast and quit * * * many have dropped out, permanently lost to themselves and to a society that simply cannot afford this waste of human resources.

All these children suffered the stultifying effects of living in complete social isolation for 4 years. Extremely quiet and withdrawn, they would slink down the halls with their faces to the wall and refuse to look at their teachers when they spoke.

As a shocked teacher commented, "We noticed that coming into assembly the children acted as though they were coming into church. Then it occurred to us that church was the only place they had ever assembled."

This is what can happen when you are "on your own"—poor, on the bottom of the heap and deprived of the opportunity for even a basic education through circumstances over which you have no control. A moment ago, I noted the tragic waste of human resources that inevitably results when we abdicate our responsibilities to education * * * now let me give you a classic example, again from Prince Edward County. Among the Negro children who had never attended school was an 8-year-old boy named Beauregard Lee * * * Beauregard was no different from the rest—timid and fearful. But when he took the general IQ test his teachers were astounded; Beauregard came up with an IQ of 153 percent, which means he has more brainpower than 99 percent of all Americans. Now he is already solving algebraic equations. We discovered Beauregard Lee; the door to opportunity will swing open for him. But how many others like him will be forever undiscovered simply because those of us who are in a position to help, indifferently turn aside? It was Benjamin Franklin, a canny man, who said that "An investment in knowledge pays the best interest." Think of the interest that someone's small investment in Beauregard Lee will pay.

Another wise and prophetic man, H. G. Wells, once observed that "Human history becomes more and more a race between education and catastrophe." We would do well to ponder his words. The cold war has been defined as a struggle for men's minds, and, unfortunately, our enemies became aware of this earlier than did we. Their weapon in this conflict is indoctrination, massive and total, and it is being employed with vigor and skill in those areas of the world where education is the privilege of the select few. In the emerging nations of Africa and southeast Asia there is a hunger for learning almost beyond our comprehension, any sort of learning. To these people the Communists bring indoctrination, not education, and, lacking knowledge of any other philosophy of government, the people are converted to this tyrannical system. Ignorance is the ideal seedbed for communism; to bring this point home, let me cite the cases of the misguided few among our soldiers who, taken prisoner in the Korean war, were brainwashed into defecting to Red China. These men were of diverse background and from widely scattered areas in our country. But each had one thing in common: an education that had not gone beyond the early grammar grades, if that. Thus they were putty in the hands of cunning Communist indoctrinators. In their cases, someone—parents, educators, the community—had turned aside. The result? Ruined lives for the men involved, a blot on our country's military record and a propaganda coup of incalculable value to our enemies.

At this critical point in our history, as we strive on the one hand to build a better society for ourselves and the rest of the free world, and on the other to defend what we build from the onslaughts of a clever and resourceful enemy, only through education can we succeed. First, we must see to it that every child is prepared to take his place in an economy that is growing more complex every day; that the Beauregard Lees are discovered and developed to their full potential, and that the day comes soon when "dropout" is a forgotten term. And we must widen our horizons; this is not a single battle, it is a war that is being fought in every emerging nation. We must see to it that education—not indoctrination—is available to Africans and southeast Asians. In this historical struggle our freedom will depend, inevitably, on their freedom, and their freedom depends on education. They look to us to keep alight the spirit of liberty which Judge Learned Hand so eloquently defined in these words:

"The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the minds of other men and women; the spirit of liberty is the spirit which weighs their interests alongside its own without bias; the spirit of liberty is the spirit of Him who, nearly 2,000 years ago, taught mankind that lesson it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest."

The bedrock of liberty is enlightenment through education. Make this fine cause your own, foster it with your money, your time, and your talent. Do not turn aside. Lend your assistance to Prof. Adolfo Volta; lend your assistance to the Catholic University of the Sacred Heart of Milan and Rome, Italy. Thank you.

Democratic Raise Program Ad Cost

EXTENSION OF REMARKS
OF

HON. OLIVER P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 27, 1964

Mr. OLIVER P. BOLTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to bring to my colleagues' attention the full contents of a letter recently sent to the Attorney General of the United States regarding what I consider to be a clear violation of the U.S. Criminal Code on the part of the Democratic National Committee. I refer to the attempt on the part of the Democratic Convention Program Committee to raise several million dollars through sale of this year's convention program.

It may be recalled that I first discussed this matter on April 18 last. On April 29 I again brought the details of the scheme to the attention of the House, pages 9457–9458 of the CONGRESSIONAL RECORD for April 29, 1964.

Because there has been absolutely no indication by any of the parties involved to heed what I consider to be either the letter or the spirit of the law, I have addressed the following letter to Attorney General Kennedy requesting appropriate action. In addition, I am inserting an article from the New York Times of May 27, 1964, and a Scripps Howard editorial from the May 25, 1964 edition of the Washington Daily News.

The material follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 25, 1964.

HON. ROBERT F. KENNEDY,
Attorney General of the United States,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: The enforcement of 18 United States Code 608(b) is obviously the duty of the Department of Justice. I believe that the Department has a concomitant obligation to warn against serious, potential violations of this provision in order to insure, as much as possible, the purity of the Federal electoral process, and to protect numerous citizens and business organizations against committing violations of the Federal criminal law.

In this regard I wish to direct your attention to the plans announced by the National Democratic Chairman, Mr. John Bailey, as set forth in the April 6, 1964, edition of the Democratic National Committee's publication, "The Democrat," to utilize the 1964 national convention program of the party to gross several million dollars in revenue.

Mr. Bailey is reported to have said that the plan for the distribution of the program, which will be dedicated to the memory of the late President, John F. Kennedy, "marks the first time that the publication will be distributed outside a convention, where it was available previously only to delegates and other registered officials."

Mr. Bailey is reported initially to have estimated that several hundred thousand copies of the program will be available for distribution at $10 a copy by State central committees, Democratic women's groups, and Young Democrat Clubs.

It had previously been reported that advertising in the program would run to $15,000 per page as compared to a high of $5,000 per page for previous convention programs. It has been reported that businessmen who have been approached to purchase advertising in the program have stated that they have been advised that the party's goal was to sell 200 pages of advertising.

Based on these announced goals and figures, the apparent, estimated return of revenue from such sales of the program and of advertising therein would be about $5 million.

In the past, receipts from advertising in national convention programs have been remitted to the local, nonpartisan convention committees in each host city as a part of their bids for attracting the conventions.

The proceeds have not inured to the benefit of candidates for Federal office or to political committees interested therein.

Furthermore, national convention costs have usually not exceeded $1 million.

Although Mr. Bailey reiterated on April 19, 1964, that all proceeds from the sale of the book and advertising would be used to underwrite costs of the national convention, on the same day the Ohio Press Service reported that Mr. William Coleman, Democratic State Chairman of Ohio was quoted as saying: "For each $10 program sale made in Ohio, the State committee would receive $4."

It has subsequently been reported that the Democratic National Committee has announced that it plans to have the programs sold by individual members of the party who will receive a 40-percent commission on each sale while remitting 60 percent to the national committee. The individuals might retain the 40 percent, or they could presumably contribute some or all of it as a campaign contribution.

Such announcements and statements contain patent contradictions and, in the aggregate, result in a far-from-clear declaration as to the intended use of the funds.

They do raise such questions as: Are the revenues to be used by the Democratic National Committee only for convention costs or are some of them to be apportioned to the Democratic State committees? If they are to be used only for convention costs what is the significance of the fact that the estimated revenues will exceed by at least four to five times the normal, usual costs of a convention? If some of the funds are to be apportioned to State commiteees for alleged "political education" purposes as stated by Mr. Coleman, will such a use constitute an "indirect benefit" to candidates for Federal office or to political committees or organizations interested in such candidacies, in violation of the prohibitions of 18 U.S.C. 608 (b); is the planned sale by individuals with a remission of funds to the national committee and/or States or local committees and the possibility that such funds could be used to benefit candidates for Federal office, any different in principle from the planned sale of similar programs in 1940 by State and local committees, a plan deplored by Attorney General Robert Jackson and by Senator Carl Hatch?

It is submitted that this lack of clarification is a matter of serious concern because the intent and purpose of section 608 (b) and the strict prohibitions thereof militate against such indefiniteness. The public policy embodied in the provision is directed against any use of such revenues whether direct or indirect in aid of the election of any candidate to Federal office or by any political committee or organization interested therein. It might be noted that the term "political committee" in the law is not restricted solely to national committees or branches thereof such as is applicable to other provisions of the Corrupt Practices and Hatch Acts (see 18 U.S.C. 608 (b), 591; 2 U.S.C. 241).

It might also be noted that section 608(b) does not define or list "seller." Its interdiction is against the purchase (and thus, correlatively, the sale), of goods, advertising, etc., by any person, organization, etc., from any person, organization, etc., where all or any portion of the proceeds inures to the benefit, directly or indirectly, of a candidate for Federal office or a political committee interested therein. The thrust of the provision, in good part, is at any purchase from any source, the proceeds of which contribute to political coffers in Federal election campaigns. The "who" of the sale is not the important factor. It is the use of the proceeds that is.

It is therefore respectfully suggested that the magnitude of the deviation from normal practices respecting national convention programs and their distribution, and the absence of a statement by the Democratic National Committee respecting an explicit nonpolitical use of these funds, constitute strong reasons for the Department of Justice to take the following steps, at this time, in the public interest:

1. Investigate the intended use of these funds and secure from the Democratic National Committee a clear and detailed statement as to the intended nonpolitical use thereof;

2. In the event such a response does not satisfy the standards and spirit of section 608(b), issue a warning against the use of such funds and consequently against the sale of such programs.

Section 608(b) of title 18 United States Code (54 Stat. 770–771, July 19, 1940) is generally referred to as section 13(b) of the Hatch Act and reads as follows:

"(b) Whoever purchases or buys any goods, commodities, advertising, or articles of any kind of description, the proceeds of which, or any portion thereof, directly or indirectly inures to the benefit of or for any candidate for an elective Federal office including the offices of President of the United States, and Presidential and Vice Presidential electors or any political committee or other political organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for such office or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than 5 years or both.

"This subsection shall not interfere with the usual and known business, trade or profession of any candidate."

There seems to be no doubt as to why this subsection was written into the Hatch Act when it was amended by an act of July 19, 1940 (54 Stat. 767, 770). The House Committee on the Judiciary inserted the provision as an amendment to S. 3046 (amending the Hatch Act) thinking that it would serve to prevent an individual, etc., from avoiding the $5,000 limitation on contributions. The committee in reporting S. 3046 on June 4, 1940, stated (H. Rept. 2376, 76th Cong., p. 11):

"This amendment was made by the Committee on the Judiciary to make more effective the prohibition against excessive contributions. Under the amendment it would not be possible for a person, organization, or group of persons to subvert the prohibition against excessive financial aid by purchasing goods, commodities, advertising, or articles where the proceeds would inure to the benefit of a candidate for an elective Federal office or a political committee or organization."

The above amendment as recommended by the House Judiciary Committee was adopted by the House on July 10, 1940 and concurred in by the Senate on July 11, 1940. Congressional Record vol. 86, pp. 9463, 9497; 54 Stat. 770–771, ch. 640, Sec. 13 [Public No. 753, July 19, 1940].

What actually prompted the House Judiciary Committee to write this prohibition into S. 3046 was the manner in which the major parties had financed their 1935 presidential campaigns.

The Democratic National Committee published and sold thousands of copies of a book entitled "The Democratic National Convention 1936."

The Democratic National Committee not only sold advertising space in the convention book to corporations having Government contracts but also engaged in selling thousands of copies of the book to corporations and individuals doing business with the Government. Various appointive Federal officers such as ambassadors were obligated to buy the book. Deluxe editions autographed by the President were sold at premium prices. The Special Senate Committee Investigating Campaign Expenditures of Presidential, Vice Presidential, and Senatorial Candidates in 1936 reported that the Democratic National Committee had total receipts of $5,183,157.52 during 1936 and of that amount $385,525 had been collected for advertising in this single publication and $401,487.64 had been collected for sales of the book. The Senate Committee made this observation (S. Rept. 151, 75th Cong., pp. 18, 24, 137):

"During the campaign complaint was made that certain corporations, forbidden by the law to make contributions, were actually contributing under the guise of advertising. If it is desired to completely prohibit advertising on the part of corporations, the same would be done by more clearly defining the word contributions in the present Corrupt Practices Act."

During the same 1936 campaign the Senate Committee found that the receipts totalling $7,370,323.73 of the Republican National Committee during 1936 had even exceeded those of the Democratic National Committee. In addition the Republican Party had set up a separate organization locally created in Cleveland which published a Republican Convention book for which advertising was also solicited and sold but the funds were not channeled through the national committee (S. Rept. 151, 75th Cong. (1937), pp. 18, 23).

The publicity given to this type of party financing was not heeded by those having proper political responsibility. Starting the off-election year 1937 with a deficit of $445,258.12 and hoping to build up a surplus to finance the 1938 congressional elections and the 1940 presidential election, the Democratic Party again launched a book advertising campaign, this time through sale of the Democratic Congressional Register. In addition businessmen furnishing material to or having contracts with the WPA and other Government agencies were solicited to buy copies of the "Democratic Handbook" autographed by the President as the price of $250 apiece. (See Congressional Record, vol. 81, pp. 6429–6430, 9141–9143, and Appendix pp. 1981, 2008, 2141–2142, 2161–2162, 2199, 2506–2512 (1937)). The Republican minority leader of the House of Representatives, Mr. Bertrand N. Snell, on July 10, 1937, demanded an investigation. When the Rules Committee refused to recommend an investigation Mr. Snell on August 13, 1937 placed the matter before Attorney General Homer S. Cummings. Although no indictments were had, the Attorney General did recommend (Ex. Comm. 903) to the Congress on January 11, 1938 certain amendments to the Corrupt Practices Act. (See Congressional Record, vol. 81 Appendix pp. 2508–2512 (1937) and vol. 83, p. 359 (1938)).

The Senate Campaign Expenditures Committee appointed to investigate the 1938 campaign reported (S. Rept. 1, 76th Cong.) on January 3, 1939 but its time seems to have been consumed in investigating specific complaints involving senatorial contests in 18 States. The committee did recommend that a limitation be placed upon contributions by individuals and that section 313 of the Corrupt Practices Act prohibiting contributions by federally chartered corporations be amended to prohibit contributions by any corporation engaged in interstate or foreign commerce and that the prohibition apply to primaries as well as the general election (S. Rept. 1, 76th Cong. (1939) pp. 40, 41). The committee report was silent on the question of sale of political advertising and did not go into the finances of the national committees of the parties.

The Special House Committees appointed to investigate the campaigns of 1936 and 1938 limited their investigations to the election of Representatives. The committees did not assume jurisdiction over primaries. Neither of these two committees filed a formal report. For the 1936 committee see House Resolution 347, 74th Congress, agreed to August 23, 1935 and Congressional Record, volume 79, pages 13758, 14121, 14215, 14382, 14820 (1935). For the 1938 committee see House Resolution 291, agreed to June 2, 1938 and Congressional Record, volume 81, page 7916 (1937) and volume 83, pages 7883, 7912, 8022–8023 (1938).

At the time S. 3046 (amending the Hatch Act) came up for debate in the Senate on March 5, 1940, it contained no provisions limiting contributions by individuals and no provisions limiting contributions to and expenditures by the national committees. Much publicity had been given to the excessive expenditures by the national committees, the huge sums contributed by wealthy families to both parties, the exorbitant prices ranging up to $1,000 for tickets to political dinners, the granting of free time by radio stations (dependent upon the Government in power for their licenses) to certain candidates, and generally the questionable manner in which campaign funds were raised. These factors probably prompted the Senate to adopt an amendment offered by Senator Bankhead to limit individual contributions to $5,000. Congressional Record, volume 86, pages 2636, 2720–2721, 2767, 2790, 2852, 9495–9497 (1940).

The same factors presumably caused the House Judiciary Committee to further amend the bill to place a $3 million limitation on the national committees. The House Judiciary Committee further sought to strengthen the Bankhead amendment so that the individual limitation could not be avoided indirectly by giving $5,000 in cash and turning around and buying $5,000 worth of advertising or tickets to a political rally. (See H. Rept. 2376, 76th Cong. (1940) and Congressional Record vol. 86, pp. 9360–9380, 9426–9432, 9434–9463 (1940).)

Immediately following the enactment of section 608(b) there was some indication that it might be violated in the 1940 campaign, but these fears were alleviated following warnings by Attorney General Robert H. Jackson and Senator Hatch.

On August 5, 1940, Senator Hatch had a conference with the Attorney General concerning announced plans of both the Democratic and Republican National Committees to evade the law (Congressional Record vol. 86, p. 9909, and Appendix p. 5205 (1940)).

As a result of this conference on August 6, 1940, Attorney General Jackson by letter asked Senator Hatch to revise that provision just enacted which prohibited the buying of books or advertising. He advised the Senator:

"Another difficulty exists in connection with the provisions forbidding the sale of campaign books, advertising space, etc. While the act provides penalties for those why buy books or advertising we find no penalty for those who sell them.

"It is the seller who systematically plans such devices and brings pressure on buyers to subscribe. If we are to be successful in going before juries to punish those who buy, we must also be authorized to include in the proceedings those who sell." (Congressional Record vol. 86, p. 9910 (1940)).

On August 9, 1940, Edward J. Flynn, chairman designate of the Democratic National Committee, through Charles Nicholson announced the intended sale of a campaign book for 25 cents a copy. It was reported that $140,000 in advertising in the book had been sold (New York Times, Aug. 10, 1940, p. 20, col. 5). Oliver A. Quayle, treasurer of the Democratic National Committee explained, however, that the advertising had been sold prior to enactment of the amendment, further that no books would be sold. Distribution, he explained would be through the State and local committees (New York Times, Aug. 11, 1940, p. 2, col. 2).

Attorney General Jackson on August 12, 1940, warned the Democratic National Committee that its plan to distribute the Democratic book of 1940 through local committees at a cost of 25 cents each for handling would violate the amendment. The Attorney General referring to Mr. Quayle's plan said:

"There has been brought to my attention the statement issued by Oliver A. Quayle, Jr., treasurer of the Democratic National Committee, concerning the Democratic book of 1940. Mr. Quayle is reported to have said that the plan for the distribution of this publication is to send it to the various State and county organizations for redistribution. According to his statement, 'the price of 25 cents appears on the cover so that any State or local organization, which might be permitted by its own laws to sell such a book, cannot charge more than 25 cents, which covers the cost of the handling and postage.'

"Since this statement may be interpreted by others to mean that State laws could make permissible that which a Federal law prohibits, I think it only fair to point out that no such view has been accepted or approved by the Department of Justice." (New York Times, Aug. 13, 1940, p. 1, col. 4.)

On the same day, Senator Hatch made a statement in the Senate to the effect that while the sale of the advertisng prior to the amendment of the Hatch Act on July 19, was probably legal, the sale of the book would be contrary to the spirit of the law. He advised that the only thing to do would be to discontinue the sales of the book. (Congressional Record, vol. 86, pp. 10121–10122 (Aug. 12, 1940).)

Senator Hatch stated:

"A week ago today I took the floor to criticize and condemn what I thought was, and what I characterized as, an open, flagrant violation, or rather evasion of the bill Congress recently passed, as well as the one it passed last year, relating to political activities. In that instance I criticized and condemned a flagrant evasion of the terms of the bill relating to campaign contributions as laid down and expressed in the opinion of Mr. Fletcher, general counsel for the Republican National Committee. I did not hesitate to say that I thought the scheme was vicious, and bad, and was destructive of the principle and intent of the law. I am of the same opinion today.

"But, Mr. President, over the weekend there has developed another situation. In fairness I feel compelled today to take the same attitude I took 1 week ago today, except that on this occasion my criticism goes to the actions of the committees of my own party, the Democratic National Committee, with reference to the so-called convention book.

"I had heard about that book for some time. I knew about the instance of the last campaign, in 1936. I had hoped that would not be repeated in this campaign. I read in the press the statements made by members of the committee as to the reasons for the publication and sale of the campaign book this year; and I say now, Mr. President, that I think what the national committee of my own party is doing today, or proposing to do, with the publication and sale of the convention book, amounts to just as much of an evasion of the law, an evasion of its principle and purpose, as the plan which Mr. Fletcher conceived, and which I denounced last week.

"Every word I used in denunciation of the plan proposed by Mr. Fletcher I use today in connection with the Democratic convention book. I wish to point out, Mr. President, exactly where the vice in the sale of the convention book lies.

"I think probably it is entirely correct, from the standpoint of strict legal construction that advertising which had been contracted for and paid for before the book was published is probably not a technical violation of the act. The contracts having been made before the act became effective, and being completed transactions, a law reaching backward would probably be in the nature of an ex post facto law. So, technically, that contention may be correct. So far as the so-called Hatch Act is concerned, such advertising may not be a violation of the provisions of that particular law. However, last week I said that I did not care about the technical construction placed upon the act by Mr. Fletcher and his committee. This week I do not care about the technical construction placed upon the act by members of my own party. If it is bad in the one case, it is bad in the other. Even though the advertising in the convention may be technically legal under the so-called Hatch Act, in my opinion it clearly amounts to an evasion, if not a violation, of the Corrupt Practices Act, insofar as advertising was solicited from corporations, and corporations paid for advertising in the convention book.

"I know the terms of the Corrupt Practices Act. I have it before me. I know that it relates only to contributions. Corporations are forbidden to make contributions to campaigns; and, again, technically there may be no violation of that law, because the corportation buys advertising space. But I say, as I said about Mr Fletcher's plan, that it is an evasion of the law, because no corporation will buy advertising space in a campaign book for its value from an advertising standpoint. In my judgment, it amounts to at least an indirect contribution to the campaign fund and an evasion of the Corrupt Practices Act. So much for that.

"I do not wish to talk long on this occasion. I merely wish to make clear and definite the fact that I do not apply to the Republican Party a rule which I do not also apply to the Democratic Party. However, at this time I wish to mention particularly the exact conditions of the sale or distribution of the book.

"It was said that the national committee proposes to sell the book for 25 cents a copy. The proceeds of the sale naturally—it could not be otherwise—would inure to the benefit of the Democratic National Committee and the candidates on the Democratic ticket. As Attorney General Jackson pointed out, unfortunately the sale is not prohibited; but the buying is prohibited, whether the sale is made directly by the Democratic National Committee, or indirectly, through State and local committees, as is suggested in one news dispatch on my desk, wherein it said the national committee does not propose to sell the books itself, but to send them to State and county committees and let them sell them for a price not to exceed 25 cents.

Possibly, so far as the selling agency is concerned, such a transaction would be strictly legal. However, every person who bought the book would be violating a criminal statute enacted by the Congress.

"The Corrupt Practices Act provides that:

"'It is further declared to be pernicious political activity, and it shall hereafter be unlawful for any person, individual, partnership, committee, association, corporation, and any other organization or group of persons, to purchase or buy any goods, commodities, advertising, or articles of any kind or description where the proceeds of such a purchase, or any portion thereof, shall directly or indirectly inure to the benefit of or for any candidate for any elective Federal office (including the offices of President of the United States and presidential and vice presidential electors) or any political committee or other political organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party: Provided, That nothing in this sentence shall be construed to interfere with the usual and known business, trade or profession of any candidate.'

"So I say, Mr. President, that whether a sale is made by the national committee, by a State committee, or by a local or county committee, every person who buys one of the books is violating that provision of the law. I do not think the national committee of my party or any other party wants to sponsor sales which subject the purchasers to penalties consisting of fines of as much as $5,000 or 5 years in the penitentiary.

"There is but one thing to do about the convention book, Mr. President. Regardless of what the cost may be, or what effect it may have, it should be discontinued at once. Last week I said to the Republican National Committee, 'Obey the spirit as well as the letter of the law.' This week I say to the Democratic National Committee, 'Obey the spirit as well as the letter of the law.'"

On August 17, 1940, Mr. Quayle ended the controversy by announcing that the Democratic Campaign Book would be distributed free to party workers, that the advertising campaign had ended, and all advertising had been paid for (New York Times, Aug. 18, 1940, p. 34, col. 4).

The similarity of this occurrence to the situation set forth at the beginning of this letter is obvious. There is the same contemplated sale of advertising in convention programs which in turn are to be sold, at a price; there is the same type of plan for the remission of all or part of the proceeds from the sale of the programs to the Democratic National Committee; there is the same apparent purpose on the part of the Democratic National Committee to retain all or a great percentage of the advertising proceeds.

What factors are apparently different in the present situation are (1) the announcement that a sum of money, several times the normal cost of a national convention, is to be used to pay for such purpose; (2) the announcement by a State chairman that some portion of the proceeds from the sale of the programs might be used in the State for very ambiguous purpose labeled "political education"; and, (3) the announcement that sales of the programs might not be through State or local committees but through individuals.

It is respectfully submitted that these current announcements do not, in themselves, contribute sufficient definiteness of nonpolitical purpose in the intended expenditure of the funds to remove the proposal from the principle laid down by Attorney General Jackson and Senator Hatch in 1940. The contradictions in the statements as to the national and/or State use of the funds, the fact that the estimated receipts far exceed the known, usual costs of a national convention, and the ambiguity about "political education" by an organized State party political committee, are factors which contribute to uncertainty about the intended expenditure of the funds. For it is this latter which is the nub of the problem. It is not important how sales are conducted or by whom. It is the use of the proceeds which is the central prohibition of the statute and the central principle with which the 1940 opinions were concerned.

The factors noted certainly, do not, without more, exempt the contemplated procedure from the application of the strict standards of section 608(b).

I, therefore, respectfully suggest that, in view of the legislative history of the enactment of 18 U.S.C. 608(b) and the principle in the 1940 precedent, that the Department of Justice conduct an investigation into the proceedings, and, if it is found necessary, issue an appropriate warning as was done in 1940.

Such would clearly be consonant with the public interest.

Respectfully submitted.

OLIVER P. BOLTON,
Member of Congress.

[From the New York Times, May 27, 1964]

DEMOCRATS RAISE PROGRAM AD COST—PRICE IN CONVENTION ISSUE IS TRIPLED TO $15,000 A PAGE

WASHINGTON, May 26.—The Democratic National Committee is offering advertising space in its convention program at $15,000 a page. The old rate was $5,000.

The program will go on sale at $10 a copy around the end of July. Individual salesmen, if they wish, can keep a commission of $4 a copy.

Sam Brightman, deputy national chairman, explaining the new advertising rate, said:

"We held the line for years and finally had to recognize the increase in costs.

"Besides it's a bigger page and will have a greater circulation than in former years. It's going to be a real good program that people will be proud to keep."

The page size is 13 by 10.

Professional writers have contracted to write articles for the program, but Mr. Brightman would not say what their fees were.

The net income from the program will be used to pay expenses of the national convention, which opens August 24 in Atlantic City.

Mr. Brightman guessed there would be 100 pages in the program.

Salesmen are being recruited through the Democratic Party structure. Mr. Brightman said it was not true, as some reports have said, that commissions on sales would go to Democratic State committees and clubs.

Representative OLIVER P. BOLTON, Republican, of Ohio, has raised a question of the legality about the project.

Mr. Brightman explained, however, that corporations have a right to contribute funds, for example, to help New Jersey bring the convention to that State, either for the direct profit that the corporation might receive through sales of some product or service to the convention participants, or to enhance their standing and goodwill in the community.

Corporations, he conceded, cannot legally contribute to a political candidate or campaign, but the program revenue is to defray convention expenses.

[From the Washington Daily News, May 25, 1964]

THE SLUGGERS

We know it costs a heap of money to stage a national political campaign—in 1960, the Democratic Party spent nearly $10 million, and ended up $3.8 million in debt.

We know there are many ways to raise this money, and both major parties have used all methods. And that all along there have been good legal questions about some of these schemes.

Corporations are barred by law from making political contributions. But at the national conventions they regularly are pressured to buy program advertising, more or less worthless.

This has been condoned because both parties have been doing it, and because, technically at least, the money has gone to local committees to finance the expenses of the convention—not to the general campaign.

It is one thing to solicit a convention city businessman for a program ad on the ground he may reap extra business from the convention delegates. It is something else to badger corporations around the country who could not possibly profit from the delegate visitation.

The Democratic National Committee now has a new gimmick. It has taken over the program for the July convention in Atlantic City and boosted the ad prices—$15,000 for a full page, for instance, as against $5,000 in 1960. Hundreds of companies, far away from Atlantic City, have been solicited. Many of these firms do business with the Government or are otherwise involved with Government agencies: They are subject to agency regulation, or are liable to antitrust prosecution.

In addition to tripling the advertising fees, the Democratic National Committee proposes to sell souvenir copies of the program for $10 each, all around the country. It hopes to raise some $5 million this way, many times the normal cost of staging a convention.

Similar schemes in the past have been condemned as illegal by such authorities as the late Supreme Court Justice Robert H. Jackson and Senator Carl Hatch, author of the 1939 "pernicious political activities" law. In addition to this serious legal question, it is wrong, anyway it is looked at, for a party in power to put the slug on companies which can be hurt or favored by direct Government action.

The School Prayer Controversy

EXTENSION OF REMARKS
OF
HON. STANLEY R. TUPPER
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 27, 1964

Mr. TUPPER. Mr. Speaker, I believe that a speech delivered recently by the distinguished gentleman from Georgia [Mr. STEPHENS] in reference to the school prayer controversy, deserves the attention of all Members, regardless of their personal views.

Congressman STEPHENS came to Congress with an outstanding reputation as a member of the Georgia bar and as a political scientist of note. His comments and suggestions follow, together with an editorial from the Atlanta Constitution.

ADDRESS OF HON. ROBERT G. STEPHENS, JR., OF GEORGIA

So much emotion has been generated about proposals to amend the Constitution and change the first amendment to include school prayers that it is difficult for reason to be heard.

There has arisen a type of hysteria which is based upon the most prominent proposal made by Congressman BECKER of New York. This amendment to the Constitution has the effect of trying to define freedom of religion as contained in the first amendment to the Constitution. This amendment is part of that great American inheritance, the Bill of Rights, adopted in 1791.

It reads, in part: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

Many times when a law is passed, it is necessary to show the full intent of the legislative body by defining words and terminology employed in the act. When the intent is so defined, it almost always operates to restrict the meaning of the law. This is exactly what the proposed Becker amendment would do. It seeks to spell out certain exceptions to the words of the first amendment. Freedom of religion, like the other freedoms in the first amendment such as freedom of speech, freedom of the press, the right of the people peaceably to assemble, and the right to petition the Government for redress of grievances, will only be effective when they are not restricted.

If we seek to define freedom of religion, we will also find emotions engendered for defining freedom of the press, freedom of speech, and the other rights which we have.

To illustrate the dangers in being too detailed, I give this experience: Before coming to Congress, I was general counsel for the Georgia Press Association. While serving in that capacity, I was one of the attorneys who represented the association when it opposed rules that had been announced by one of the judges of a superior court. In his rules of court, he defined what would be considered contempt of court by press photographers and newspapermen, saying specifically that no witness, attorney, nor spectator attending his court could be photographed in the courtroom, court corridors, the courthouse, or on the sidewalks adjacent to the courthouse.

The chief complaint made by the newspaper editors was that this group of rules abridged the freedom of the press. The objection actually was that the judge was defining freedom of the press. They did not believe that there should be this definition because it restricted the language of the Constitution. There is no difference in the proposal involved in restricting the freedom of religion by adding a definition.

The Supreme Court of the United States, in all its decisions on prayer, has said only one basic thing:

> No governmental authority shall make laws or rules requiring a specific prayer or directing religious exercises in a school supported by public funds.

I feel, too, that people who have written to me do not fully understand that this is what the decisions say. If they understood this, they would certainly agree with me that we do not want to be told by anyone, except by our religious leaders, how to pray, when to pray, and if we do pray, what we will say.

Reflection upon this will show the reason why. If such power in government were legal, then it would be possible for an order to be issued requiring that only the Old Testament be used or only the New Testament be read; or an order issued that Buddism be taught, or that some godless and pagan religious philosophy be read. Surely, this is not what is desired.

People who have written to me about the Becker amendment do not realize the problems created when he uses the language "Biblical Scriptures." I would like to ask anyone to tell me what is meant by the words "Biblical Scriptures?" Does it mean the Catholic translation of the Bible known as the Vulgate? Is it the King James version of the Bible we find so beautiful and well known? Does it mean the Moffett or Phillips translations of the Bible? Does it mean the standard revised version of the Bible published and widely used in the last few years? It could be possible to interpret that "Biblical Scriptures" means parts of the history of the Hebrew race known as the "Maccabees" that were not made a part of the Christian Bible but which, nevertheless, were Scriptures of the same era as the latter part of the Old Testament. To the Mormon believer, the term is associated with the revelations of Gabriel to Joseph Smith. To the Moslem, it would be Koran.

People who have written to me about the Becker amendment are not aware of the significance of the terminology "God or a Supreme Being." Do they think there is among Christians any difference? The amendment implies there is. Do they know that the use of the term "Supreme Being" is not good Christian philosophy but is the term used by Deist who think that the Holy Trinity of the Christian faith is not the true religious belief and that Jesus Christ is not recognized as divine? Surely, the people who have written me would not want me to support an amendment to the Constitution that does not recognize the trinity of the Godhead and the divinity of Jesus Christ as in the Apostles' Creed.

Does it become clear now how impossible it is to improve on the simple language of amendment 1?

I do not wish anyone anywhere to think by these statements that I am opposed to having prayer in public schools. I am not. But I am opposed to having any form of government tell me and my children that we do not have freedom to worship God according to the dictates of our own consciences and without governmental direction.

I have been asked how prayer can be carried on in our public schools as a result of the decisions by the Supreme Court. The answer to this important question constitutes a challenge to all ministers and parents. I have proposed a plan which requires no legislation. The plan I propose to the National Congress of Parents and Teachers and to the Georgia Parents and Teachers Association and which I propose to every local parent and teacher association in Georgia and in the United States is as follows:

The Supreme Court has said that no govenmental agency may require or direct religious exercise in a public school. However, the Supreme Court has not said, and I do not believe will ever say, that worship cannot be carried on by private groups on a voluntary basis in a public school. I ask that the parent and teachers associations, by resolution, at every level, request school authorities to establish during every schoolday a period of free time. No mention in such resolution shall be made that this free time will be used for religious purposes. However, during the period of free time the grade mothers, mothers, dad-presidents, the schoolteachers, the ministers and Sunday school teachers, and many other devoted Christians, could hold a Bible reading for children in the classroom and allow the children voluntarily to attend on their free time. There is no governmental action in this method of bringing prayer back to the school and it does not contradict any of the decisions of the Supreme Court. It will fit in with the tradition of service requiring Christians to make a sacrifice because it will take an effort on the part of the mothers, fathers, and ministers to staff such an undertaking. If such a great challenge is not met then it is apparent that we are asking the schools to take over. We would be throwing religious instruction into the public school system and not keeping it in the churches where it belongs. The Supreme Court in a decision about 90 years ago said this:

"True Christianity asks no aid from the sword of civil authority. It began without the sword, and wherever it has taken the sword it has perished by the sword. To depend on civil authority for its enforcement is to acknowledge its own weakness, which it can never afford to do. It is able to fight its own battles. Its weapons are moral and spiritual. Armed with these, and these alone, it is not afraid nor ashamed to be compared with other religions, and to withstand them singlehanded. And the very reason why it is not so afraid or ashamed is that it is not the power of man but the power of God on which it depends. True Christianity never shields itself behind majorities. * * * and it was only when it attempted itself to enforce religion by the arm of authority that it began to wane. A form of religion that cannot live under equal and impartial laws ought to die, and sooner or later must die."

No legislation of any kind with this constructive proposal will be necessary. There will be no need to confuse the people of America with definitions which restrict the freedom of religion rather than enlarge it. We will keep America as the land where people have the wonderful exercise of complete freedom of religion which, among many other reasons, was a chief one for settlement of this country.

When I am sick, I consult a doctor. If I need drugs, I buy from a druggist. If I need building plans, I advise with an architect. If I have a legal problem, I hire a lawyer. And so, in religious matters, I should give great weight to professionals in the realm of theology.

The issue before the Congress now is a legal one and a religious one. What do the experts say? The American Bar Association opposes any change in the first amendment. The leaders of the Southern Baptist Church, the Methodist Church, the Presbyterian Church, the Christian Church, the Episcopal Church, and the Jewish synagogues all oppose any change in the freedom of religion clause of the Constitution. If history is consulted, you will discover that these entities have always been in the forefront of the fight for preservation of the separation of church and state. I do not believe we will go wrong if we follow their guidance in opposing the Becker amendment and the many other proposals which would do serious damage to the freedom of religion. Let the PTA, as a nongovernment organization, pick up the challenge offered and bring religious exercises to the schools on a voluntary basis and hold inviolate the principles of our inheritance.

I know that the people who have written to me are perfectly devoted Christians and completely sincere in their concern. I hope my comments will also be considered in the same spirit of Christian forbearance. They are expressed with the same sincere feelings of what is the best for Christians, as are the feelings of those who advocate the changes in the Bill of Rights.

[From the Atlanta Constitution, May 26, 1964]

FACTS GAINING IN CHURCH-STATE DEBATE, AND REPRESENTATIVE STEPHENS IS DOING HIS PART

It takes courage for a Congressman to stand against the emotional tide that threatens to sweep away the basic American principle of church-state separation.

Representative ROBERT G. STEPHENS, JR., of Athens proved his courage the other day when he addressed the 10th district rural mail carriers in Hephzibah.

Representative STEPHENS came out against the Becker school prayer proposal. The first amendment, he asserted, ought to be left alone.

"So much emotion has been generated about proposals to amend the Constitution and change the first amendment to include school prayers that it is difficult for reason to be heard," said Representative STEPHENS.

How true. But gradually the facts are showing above the emotional flood. The first amendment was written to guarantee religious freedom by forbidding government sponsorship or interference. By upholding the first amendment, the Supreme Court was protecting freedom of religion—not attacking it. And if the Bill of Rights is now altered to authorize government involvement in religion, individual freedom in America will be diminished rather than increased.

When emotionalists run short of facts, they resort to name calling. Representative STEPHENS evidently was bracing himself when he said:

"I do not wish anyone anywhere to think by these statements that I am opposed to having prayer in public schools. I am not.

"But I am opposed to having any form of government tell me and my children that we do not have freedom to worship God according to the dictates of our own consciences and without governmental direction."

The Athens Congressman suggests that free-time periods be set aside for voluntary religious exercises.

As Representative STEPHENS points out, both legal and religious leaders are warning against leap-before-you-look efforts to undercut church-state separation.

Russian People "Go Wild" in Applauding Great American Choir From Oberlin College

EXTENSION OF REMARKS

OF

HON. CHARLES A. MOSHER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 27, 1964

Mr. MOSHER. Mr. Speaker, the Oberlin College Choir, under the exceptionally able direction of Prof. Robert Fountain, recently concluded a 2-month tour of the Soviet Union. The Oberlin Choir's seventh annual concert appearance before a capacity audience in New York City's Town Hall suitably marked their return to these shores. The New York critics gave the singers superlative notices.

This 73-member ensemble was the first American group of performing artists to tour the Soviet Union officially under the new 2-year U.S.A.-U.S.S.R. cultural exchange agreement. In many of the Russian cities, they were the first Americans ever to perform. They presented 33 concerts in 12 Russian communities, as well as three additional concerts in Rumania.

Mr. Speaker, it is with much personal pride and pleasure that I bring this wonderfully talented group of young people to your attention, and to the attention of our colleagues in the U.S. House of Representatives. I speak not only as Representative from the 13th Congressional District, in which the college is located, but as a proud alumnus and trustee of that college and resident of the Oberlin community.

Everywhere the students traveled, as representatives of the American people, they were received with unprecedented warmth and enthusiasm by the Russian people. I am told, Mr. Speaker, that no other American musical group performing abroad has so successfully represented America as has the Oberlin College Choir.

For example, in Leningrad's Philharmonic Hall on the opening concert of their tour, it was reported that by intermission time, the capacity audience of 2,000 was clapping in a steady rhythmic beat, considered a very special mark of tribute and admiration. In their final Moscow concert, even standing room had been sold out. In Kiev, it was reported that crowds of admirers were lined from the backstage dressing room to the exit to applaud the Oberlin singers following their performance. Everywhere throughout the entire tour their programs were received with ovations far beyond anything that could have been anticipated. And, perhaps most significant of all, in their informal, person-to-person contacts with the Soviet people at all levels, the Oberlin students obviously made a most favorable impression, representing the lively, free spirit of America at its very best.

A member of our Embassy staff in Moscow reports that the Oberlin College Choir is "one of the greatest things that ever happened to the cultural life of the Soviet Union." He described the group's opening night audience at the great hall of the Moscow Conservatory as a sophisticated one, and which "absolutely went wild over those college kids from Ohio. I've never felt better about being an American than I did sitting there among several thousand cheering, wildly applauding Soviets."

Mr. Speaker, I believe it appropriate, not only because of the significance of the choir's tour, and their performance, but also in recognition of the truly outstanding job they did in projecting a most favorable image of America, to include here some of the glowing words of praise accorded the group by the Soviet press.

[From Tass, Mar. 13, 1964]

The 4-day guest performances of the Choir of the American Oberlin College which ended in Moscow today were a source of great pleasure to music lovers.

The art of the young ensemble has been praised in glowing terms by such exacting connoisseurs as Rudolf Barshai and Zara Dolukhanova. Moscow critics note the wonderful tradition of the Oberlin Choir, its culture and broad range. The vast and very complex repertoire enabled the ensemble to reveal both the perfectness of its academic training and fine feelings for style.

[From Litaratura Mastatstva, Mar. 17, 1964]

Young choristers, students of Oberlin College of the distant State of Ohio of the United States of America came to visit our country in order to demonstrate their artistry. At present their choir, considered to be one of the best university choirs of the United States of America, performs in Minsk, in the Byelorussian Philharmony Hall.

Their quivering and fresh sentimentality, their ability to express the wealth of human experience with extremely fine sensitivity and feeling—this is what struck the Minsk audience in the choir's performance. Fine, inspired musicality and soft, exquisite painting of details distinguish Prof. Robert Fountain's interpretation. The youthful choir's performance attracts by its great professional mastery, by the purity and accuracy of its a cappella singing.

[From Sovetskaya Byelorussia, Mar. 17, 1964]

A good song will always find its way into the heart of man; it excites and gives joy. And if such a song is performed by a gifted singer or by a talented group, this is doubly true. It is this feeling that one experiences when listening to the songs performed by the Oberlin College Choir which last Sunday began its tour in Minsk.

The repertoire of our guests is great and varied. It includes many choral works created during the last five centuries. The choir's composition is youthful—they are students. The boys and girls who are members of the choir directed by the experienced conductor, Robert Fountain, represent the youth of 20 different States from the United States of America, including even Alaska.

[From Sovetskaya Kultura, Mar. 21, 1964]

The supreme level of performance which—to mention a foreign chorus—has been reached by the Robert Shaw Chorale, is still to be attained by the Oberlin Chorus, but there can be no doubt that it will achieve it. We have assurance of this in the great gifts of the director, Robert Fountain, and the enthusiasm of the members of the chorus. Once having heard how unselfconsciously they sing, how soft and unusually beautiful their voices are, the listener is himself infected with that love for music and for beauty which literally permeates the art of the Oberlin College Chorale. * * * The remarkable evenness and harmony of the chorus' sound yielded some overwhelming effects. At times it seemed as though an organ was playing. The soft power of the sounds pouring into the hall filled it completely as far as the ear could reach, becoming in a sense eternal. * * * Robert Fountain and his chorus are guided by strict and painstaking taste and by a thorough understanding of music. In their performance of the compositions of great composers the Soviet listeners found satisfaction, beauty and inspiration.

[From Sovetskaya Moldsviva, Apr. 7, 1964]

The members of the Oberlin College Chorus are not professionals. These are students. But they sing in a completely professional manner. * * * What was so attractive about this chorus? Their directness, for one. The young men and women sing enthusiastically and capably, and behave simply and modestly on the stage. * * * To be noted is the fact that all selections were performed in their language of composition. We hear Bach, Mozart, and Brahms in German; Palestrina and Lotti in Latin; Debussy in French, and Tchaikovsky and Chesnokov in Russian. The diction of the Oberlin students is irreproachable. This made the performance more expressive.

Mr. Speaker, those are but a few of the many, many favorable reviews printed in the Soviet press. Following is a review by Howard Klein in the New York Times for Friday, May 1, concerning the Oberlin Choir's seventh annual appearance at the Town Hall. I believe it, too, is worthy of special note, and therefore, I respectfully request that it be printed in full.

[From the New York Times, May 1, 1964]

The Oberlin College Choir gave its seventh annual Town Hall concert last night. The 73 young men and women of whom it consists should have looked or at least sounded less than fresh, for they have just returned from a 2-month tour of the Soviet Union during which a concert was given about every other day.

But the vitality and warmth of the singing showed no strain and, in fact, the program turned out to be the richest of musical experiences.

The program was traditionally arranged, beginning with works by Palestrina, Lotti, Morley, and other 16th-century composers. And in them the choir showed the most refined group sound this listener has ever heard, from collegiate or professional ensembles. The balances, the diction, the accentuations and rhythms were immaculately coordinated.

But never was the effect studied or machinelike. Rather, the music flowed with supple ease, making the salient points strongly and the details finely chiseled. In short, it sounded natural, which is extremely rare.

Bach's Cantata No. 150, "Nach dir, Herr," closed the first half and the performance throbbed with warmth. The arias were taken by the entire sections, and because the voices were so on-pitch, the many sounded as one. And for this 10 members stepped out of the choir to furnish the eight string, bassoon and harpsichord parts.

Robert Fountain, the director of the choir since 1948, has molded his group with dedication and understanding that goes beyond mere choral expertise. For though the oneness of the group is extraordinary, the individuals act like soloists, moving independently of one another in response to their lines. The group resembled a field of grass through which the wind blows. And the joy they expressed by their singing gave a breath of life to each phrase.

Many Oberlin alumni must have been in the capacity audience but the sustained applause was not mere partisanship. This is a choir to hear.—Howard Klein.

In conclusion, Mr. Speaker, I know that I may speak for all of us in congratulating Robert Fountain and the Oberlin College Choir for a job exceedingly well done. Our Oberlin singers are a credit to their school, to the Department of State's cultural exchange program, to their respective home communities, American youth everywhere, and the privilege of Americans to express themselves in complete freedom, without fear of governmental intervention. They are deserving of praise far beyond that I have expressed here.

Mr. Speaker, on behalf of my colleagues in the U.S. Congress, I salute the Oberlin College Choir, now in their 35th year of existence, for their tremendously successful tour of the Soviet Union. I hope they may have other future opportunities to represent America in other parts of the world.

The message they spread about our Nation is most effective because in the most universal of all languages, joyful song.

Prayer in Public Schools

EXTENSION OF REMARKS

OF

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 27, 1964

Mr. WYMAN. Mr. Speaker, often unsound viewpoints are allowed to achieve status merely for lack of challenge. Lest this be the case with those of Dr. F. A. Schiotz, president of the American Lutheran Church, on the subject of prayer in the public schools, under unanimous consent I insert in the RECORD at this point an excellent reply to Dr. Schiotz by Herbert A. Philbrick, of Rye, N.H.

I cannot understand why U.S. citizens, whether or not connected with a church, oppose allowing children to hear or recite a prayer or to decline to do so, on an optional basis, in the public schools of our land. It makes no difference whether the prayer is the simple one to Almighty God composed by the New York Board of Regents, a series of Hail Mary's, or anything else. The point to the whole problem is that we must remain humble before a Supreme Being. It is wise to encourage our young people to believe in a Supreme Being—from whatever perspective.

Without such a belief—without the genuine humility it develops—the restrictions of conscience on human behavior can fall by the wayside for belief in God strengthens conscience.

No policy that encourages disbelief or denies exposure to belief on a voluntary basis is good for America. Language such as in my resolution proposed in June of 1963—House Joint Resolution 603—provides:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE—

"SECTION 1. Notwithstanding any other provision of this Constitution it shall be the right of all persons attending or otherwise participating in public schools, in public institutions, and in other public places, throughout the United States, its territories and possessions, to participate or to decline to participate in prayers, prayerful meditation or the reading of sacred scriptures or the Holy Bible and the right to decline to participate shall include the right, upon request, to be excused from the presence of participants.

"SEC. 2. Notwithstanding any other provision of this Constitution reference to belief in or reliance upon God or a divine being may be made in any governmental or public document, proceeding, ceremony, or institution, or upon any coinage, currency, or obligation of the United States: *Provided, however*, That no citizen of the United States may be required, upon objection, to give oath or affirmation of such belief or reliance as a condition to entitlement to Federal or State rights, privileges, or public office.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

Mr. Philbrick's letter to Dr. Schiotz reads as follows:

MAY 26, 1964.

Dr. FREDRIK A. SCHIOTZ,
President, American Lutheran Church,
Minneapolis, Minn.

DEAR DR. SCHIOTZ: I noticed your testimony before the House Judiciary Committee, as reported in the daily CONGRESSIONAL RECORD, May 7, 1964, p. A2372, by Hon. DONALD M. FRASER, of Minnesota.

Your plea was to allow the Constitution to remain the way it is, and to reject the Becker amendment on prayer in public schools.

May I submit that the purpose of the Becker amendment is to do precisely that; and to correct the gross misinterpretation of the Constitution by the Supreme Court.

I enclose herewith a copy of "Foundations of American Constitutionalism," a series of lectures by Prof. Andrew C. McLaughlin, printed by Fawcett Publications. I respectfully call to your attention the many passages which point to the fact that our Government was founded, not only upon mere belief in God or acceptance of God; our Constitution was made in compact with God.

The whole Constitution was considered a contract, in which men agreed to live together in conformity with the laws of God, the laws of nature, the laws of the universe. Within this framework, God Himself was considered to be the supreme constitutional monarch. Thus it is no more unnatural to salute God, or praise God, or pray to God, than it is to salute the flag; in fact, the first is even more natural than the second.

The Supreme Court ruling, therefore, was a grotesque distortion of the meaning of the words of the first amendment. Hence it is the Supreme Court which refuses to allow the Constitution to remain as it is. Because within the context and meaning of the Constitution, Congress, which also means the Supreme Court, is specifically denied any power to restrict, or prohibit, or deny the right of the people to pray to God, our Supreme Monarch who rules our land and the world in accord with His promises and in accordance with divine justice.

Justice Douglas was technically correct, in his concurring opinion, that if it is "right and proper" that we deny the Lord of our land in the classroom, we must also do so in the pledge of allegiance, the mention of God on our coins, the employment of chaplains in the armed services, the exemption of church property from taxes, and in all other matters. To paraphrase a popular song, "you can't do away with one without the other."

We cannot logically disavow God in one area, particularly among children in public schools, and still pledge allegiance to God in other areas of public life.

I further submit that the principle of separation of church and state specifically prohibits the unconstitutional and illegal practice of the National Council of Churches and other church establishments to lobby in favor or against various legislative matters in Washington. No church, whether Lutheran, Baptist, or any other, has any legal right under the Constitution to act in favor or against Government rules and regulations. Christians, as individuals, have the right to do so; but not organized church pressure and power groups. This, the Founding Fathers greatly feared.

I beg of you to read carefully the series of lectures by Professor McLaughlin; and restudy the early documents (which may take some time, since most of them have been purged from our modern history books); and I believe that having done so, you will wish to change your testimony.

May the Lord be with each of us, as we seek His way.

Yours in Christ,

HERBERT A. PHILBRICK.

(Copy to Congressman Donald Fraser, Congressman Frank J. Becker, Congressman Louis C. Wyman, Dr. Daniel Poling, Dr. J. D. Bales, Mr. J. Howard Pew, and Mr. John Loehnert.)

Seafarers Not Fooled by Reds

EXTENSION OF REMARKS

OF

HON. JAMES F. BATTIN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 27, 1964

Mr. BATTIN. Mr. Speaker, among the many publications delivered to my office is a biweekly newspaper, the Seafarers Log, which is the official organ of the Seafarers International Union, headed by Mr. Paul Hall. In addition to the type of organization news one is accustomed to seeing in most such publications, the Seafarers Log also carries general maritime news, pictures, and descriptions of new U.S. merchant ships, and some good feature stories. It is a lively, interesting, and well-edited and well-printed newspaper.

Among the articles carried in its May 1 issue was one by Seafarer Charles E. Rawlings about his voyage on one of the U.S. merchant ships which carried wheat we sold the Soviet Union into the port of Odessa. I was impressed with Seafarer Rawlings' most enlightening account of his visit ashore and his impressions of the Soviet system as he saw it.

I had been less impressed a few weeks before by the remarks of one Dr. John McKay, president emeritus of the Theological Seminary of Princeton University following Dr. McKay's visit to Cuba. As a comparison, I used Seafarer Rawlings' article as the subject of my next newsletter and sent the editor of Seafarers Log a copy. In the next issue of the newspaper, they published my newsletter and then I received a letter from Seafarer Rawlings. His letter to me exemplified our fight against communism and is more impressive because it comes from a man unlettered by college degrees but endowed with true wisdom, commonsense, devotion and loyalty to his family and country, and faith in God.

I include both the newsletter, as published in Seafarers Log, and Seafarer Charles E. Rawlings' letter in the Record:

Seafarers Not Fooled by Reds

(Congressman James F. Battin, of Montana, noted the by-lined story in the last Log by Seafarer Charles E. Rawlings, describing some of his reactions on a trip to Odessa, Russia, with American grain. He contrasts Rawlings' firsthand impression and report on the "inside" of communism with others in the following report from Washington to his constituents in the Second District of Montana.)

Recently I mentioned some remarks made by Dr. John McKay, president emeritus of Princeton Theological Seminary, before a student group at American University here in Washington. Dr. McKay in a lecture gave his impressions of his visit to Cuba and was reported as "tearing down some popular myths about Cuba" and crediting Castro with many worthwhile accomplishments and reforms.

This week another report on the "inside" of communism came to my attention through an article carried in the May 1 issue of Seafarers Log, the official organ of the Seafarers Union, which has waged a battle with the administration over the use of U.S.-flag ships in transporting wheat to Russia.

Seafarer Charles E. Rawlings, one of the crewmen of the U.S. tanker *Transerie,* which was one of the few American-flag vessels chartered, wrote his account of the Odessa trip. He said he had always wanted to visit the Soviet Union, not for any particular political reason, but to see for myself, to get a firsthand impression of a certain way of life. Rawlings is a numismatist and also wanted to complete a set of Russian coins.

After a stormy voyage and arrival at the Russian port of Odessa which Rawlings described as one long, drawn-out mess of redtape, he and several other crewman ventured into the town. Rawlings narrated his experiences in locating the bank where he completed his own coin set and, to the amazement of the woman who assisted him, bought several sets for friends. "And you are just going to give these people these sets of coins?" she asked.

Next, Rawlings visited one of the general stores which. he said, handles anything from candy to booze. Here he found that the clerk in the store handles no money at all. First, one must go to the state cashier, make his purchase, then carry the ticket or receipt to the clerk for the item purchased. He said the procedure was so confusing that he bought six candy bars so that he would not have to go through the same procedure again.

Next, Rawlings visited the Seamen's Club where other crewmen of his ship were departing for a ballet performance which was free. He, however, decided to just look around. At the club, Rawlings was approached by one of the hostesses who, he learned, was a local schoolteacher and also a devout believer in the Soviet system.

From here I will quote from Rawlings' story:

"All through the ancient palace there was Communist propaganda and literature, from the Moscow News to the complete works of Lenin.

" 'Here is some interesting matter,' she said, handing me a pamphlet. It was entitled 'The Rights of the Factory (Office) Trade Union Committee in the U.S.S.R.,' by V. Nikitinsky [sic]. Another booklet she handed me was called 'Grievance Procedures in the U.S.S.R.,' which, I feel, must have been written by the firing squad boys in some back alley.

"Another booklet she handed to me was entitled, 'How Labor Disputes Are Settled in the Soviet Union,' by N. Khrushchev himself. All of the booklets mentioned were available free.

"This procedure went on for what seemed like hours and hours, and was getting duller by the minute. 'Don't you have any twist—dance records?' I asked her. She looked at me as though I was crazy.

"By this time, an old acquaintance of mine from Baltimore came into the library. Mel is the chief pumpman on the *Transbay,* and that ship had come in about the same time we hit Odessa. We greeted each other and fell into a nonchalant conversation.

"She asked Mel his opinion of the J.F.K., Oswald, and Ruby incident.

"Naturally, Mel thought that Oswald must have been some sort of psycho case and said so; then he said the same of Ruby. Then, this chick pops in with: 'Your country must be run by lunatics.'

"Now Mel really tuned in. He told her that he didn't believe that old line and, pausing a moment, said: 'At least we don't run around the country shooting our opposition by the thousands or disposing of them via the salt mines.'

"Angrily, the gal came back: 'And where is that done?'

" 'Why here in Russia, where else?'

" 'Our government never does things like that,' she answered quickly.

"Then Mel came in and said, 'No? Then tell me what happened to Beria and his gang of mobsters when they tried to beat Krushy to the prize seat?'

" 'I think you are all liars,' she said hotly, 'and furthermore, Beria was an enemy of the people. He's around someplace.'

"Then she departed.

"Now here we have a paradox. A Princeton professor, a doctor of theology, visiting Cuba in spite of a State Department ban on travel by Americans to Cuba, and his praise of a system which is the antithesis of Christianity compared with the impressions of two seamen who, I will presume, would not be classed in the same academic league with Dr. McKay but who were not fooled by misrepresentations of communism. This seems to be a common weakness of many of our so-called intelligentsia.

"Possibly we need some seafarers like Charles E. Rawlings and his good commonsense appraisal of communism in some of our colleges and universities."

The Angelica Diaz,
High Point, N.C., May 22, 1964.

Hon. Jim Battin,
Congress of the United States of America,
Washington, D.C.

Dear Sir: It is quite difficult for me to find the appropriate words befitting such an outstanding Congressman as yourself nor, do I dare waste any of your valuable time with any ravings on my behalf but, while resting here at home, away from the high-seas, tilling my vegetable garden, tinkering with the car, taking language courses from my wife or, just figuring out new arrangements for my coin collection among other chores, had been my daily way of life. But, today I received from the president of my union Mr. Paul Hall, a copy of your newsletter. How delightfully kind of you to speak so highly of this lowly seafaring man. I would believe with no doubt that you must be a close friend of Dale Carnegie.

Your last paragraph: Possibly we need some seafarers like Charles E. Rawlings and his good commonsense appraisal of communism in some of our colleges and universities. How deeply I agree with you. As a child in Baltimore, I had always dreamed of such a position but, not in that particular field of education unless, it was via the arts of the motion picture industry. I recall picturing myself as another Raul Walsh or, Cecil B. DeMille. I'd even settle for half the greatness of that delightful Milton Carter. But, various happenings in the past 23 years has faded away such dreams of becoming another great in that particular field. So, I now settle for second best. I hardly miss a good movie, and often sit in the theater and absorb the techniques instead of the story that the producer is attempting to portray. I must admit that the last of the great spenders from the West, are destroying a great educational medium. The flop entitled "Cleopatra" is a perfect example. Claudette Colbert in the thirties did a much greater performance of the same flick.

This Princeton professor, a doctor of theology, perhaps he's getting old and disagreeable. How could one with brains so to speak, develop any praise for this foul form of man's inhumanity toward man called communism?

I am certainly a far cry from a college graduate and, I am by no means a journalist nor a politician but I am certainly not all stupid and believe me, this fellow who's so brainy there at Princeton would sure have to get up early in the morning to pull the wool over my eyes and convince me that communism is good for me. When that day comes, when the United States falls along the wayside by some misfortune, and the populace as a whole falls under that spell of communism which lurks about every corner—yes, on that day—I shall again shoulder a weapon and head to the hills and however long I live, that's how long I'd fight and I am willing to bet all that I possess in worldly goods, to include by coin collection that, I'd not be in those hills alone.

Confiding in one is quite difficult at times and this is one of those times. But, when I returned home here from the Soviet Union. I took a long good look at my family. My wife is Puerto Rican. She's very lovely. We have two boys and two girls. One boy and one girl are teenagers. I walked about my $20,000 home here in the Greenwood section. I looked at the art in its construction with a different pride. I admired it deeply. I rubbed my hand across the hood of my new XL–500 Ford tenderly. Even the blooms from my small vegetable garden seemed to wave at me as they swayed in the soft breeze that crosses my land. I greeted my neighbors with a wider smile and a more heartier handshake and when I went to the Lexington Avenue Baptist Church the following Sunday, Preacher Robbins almost fainted and showed me out, but good. (Haven't been attending too often.) Yes, on that particular day, I prayed that there is such a place as the United States in our world. I was most grateful. With all my worries and debts, I am still grateful because I can remember those in the Soviet Union who are much worse off than I.

Now, sir, like I've previously mentioned, I am far from being a journalist so, you will have to pardon my grade school approach. In regards to the coins in mentioning (Russian). If perhaps, you happen to see President Lyndon Johnson in one of his leisure periods which I am sure, are but few. Would you please ask him if he has received the set of Russian coins that I posted on to him? I would like to know his views on this thing as I am hoping to do an article for the Seafarer's Log as well as for the American Numismatic Association's publication entitled "Numismatist." I also sent a set of the coins to the executive secretary Mr. Don Shorer (ANA). He was pleased no end, advising me to stay clear of those "salt mines."

Again sir, I'd like to thank you for your kind reproduction of my tale to the Log about my journey to the Soviet Union. It has all my friends and neighbors here somewhat flabbergasted but, no more than myself as it was really a nice surprise to me too. Again, my hearty thanks to you. May God be with you and yours daily. I remain,

Respectfully yours,

CHARLES E. RAWLINGS.

The Case for the World War I Veteran—Statement by the Honorable Winfield K. Denton

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 27, 1964

Mrs. SULLIVAN. Mr. Speaker it is always popular to speak of proposed legislation to aid World War I veterans as a pension grab, with the implication that these older veterans are anxious to raid the Federal Treasury for undeserved handouts. Members of Congress who support legislation of this nature are often attacked as political opportunists willing to bankrupt the Treasury and destroy the Nation's solvency in an attempt to curry favor with a pressure group and attract votes on election day.

If that were the true situation, it is inconceivable that many of the most responsible and levelheaded Members of Congress—who do not hesitate to stand up and be counted on extremely controversial issues regardless of which pressure groups or lobbies are involved—would be willing to continue to support legislation for the World War I veterans. So there must be more to the story than would appear from some of the attacks we read against Members who have signed the discharge petitions for World War I veterans' pension bills.

Mr. Speaker, one of the truly outstanding Members of this House is the gentleman from Indiana [Mr. DENTON] who is the sponsor of the discharge petition to bring World War I pension legislation before the House. Recently, he testified before a subcommittee of the House Committee on Veterans' Affairs on his bill on this subject. His statement is well worth reading, as follows:

STATEMENT OF THE HONORABLE WINFIELD K. DENTON, MEMBER OF CONGRESS, EIGHTH DISTRICT OF INDIANA, AT A HEARING ON H.R. 2332, BEFORE THE COMMITTEE ON VETERANS' AFFAIRS, MAY 19, 1964

Mr. Chairman and members of the committee, I'd like to take this opportunity to thank you gentlemen for two things. First, let me thank you for holding a hearing on this bill, H.R. 2332, and, secondly, let me thank you for the opportunity to appear before you in behalf of the measure.

This bill, as you know, is an attempt to provide for the veterans of World War I and their widows pensions of $100 and $75 per month, respectively. And, in the case of those veterans who need constant care and attention, an additional $70 per month. These pensions would be based on need, with a means test of income not in excess of $2,400 per year for single veterans and $3,600 per year for married veterans. In addition, this bill would allow the veterans or their widows to receive up to $1,200 per year from social security, railroad retirement, or other prepaid annuities.

I look at the bill, however, in much broader terms. I look at it as an attempt to bring the benefits of the veterans of World War I—the first of our major global conflicts—in line with the benefits enjoyed by the veterans of other wars.

At the present time there are two laws applicable to pensions for veterans of World War I. One is section 3 of the Economy Act, under which veterans over 65 years of age with a 10-percent disability receive a pension of $78.75 monthly. The other is Public Law 86–211, which provides pensions varying between $40 and $85 monthly for veterans without dependents and $45 to $100 monthly for veterans with three or more dependents. The same age and disability requirements hold for both laws.

The widows of veterans of World War I, under the Economy Act, section 3, are entitled to $50.40 monthly and under Public Law 86–211 their pensions vary from $26 to $60 for a widow without children and from $50 to $75 monthly for a widow with one child.

World War I ended nearly 46 years ago and I feel it is time that proper compensation is afforded its veterans.

It was George Washington who first proposed the pension—for the veterans of the Revolutionary War as a reward for their services.

In regard to pensions, Abraham Lincoln said, "it is the duty of all of us to provide for those who bore the brunt of battle."

And Theodore Roosevelt said, "No other citizen deserves so well of the Republic as the veteran. They did the one deed which if left undone, would have meant that all else in our history went for nothing. But for their steadfast promise all our annals would be meaningless and our great experiment in popular freedom and self-government a gloomy failure."

The platform of the Democratic Party, in 1960, contained the following statement:

"Veterans of World War I, whose Federal benefits have not matched those of subsequent service, will receive the special attention of the Democratic Party looking toward equitable adjustments."

It is now 1964. Let us put that promise behind us.

I am a veteran of both World War I and World War II and am fully cognizant of the disparity of benefits afforded veterans of the two conflicts. The veterans of World War II received mustering out pay immediately on being discharged from service. It took 18 years for the veterans of World War I to obtain mustering out payments.

In addition, veterans of World War II received unemployment insurance for 6 months after their separation, or until they were able to find employment on their return to civilian life; pay for terminal leave accrued before separation; social security credits for the time they were in service, and perhaps most important of all, the benefits from the GI bill of rights. The GI bill gave World War II veterans assistance in obtaining an academic education leading to a college degree, or vocational, on-the-job training which would prepare them for a civilian occupation. It provided guaranteed loans for homes, businesses, or farms, and provided protection and guarantees of the jobs the veterans left to enter the service.

The veterans of the Korean war received similar, although not quite as great, benefits.

The amount of money expended on veterans of World War II has been 30 times as great as that expended on the veterans of World War I. The number of veterans of World War II is much greater, of course, than that of World War I, but even so the per capita expenditure for World War II veterans has been four times that for World War I veterans.

I am confident that the promise of the Democratic platform did not mean that there should be on-the-job training; college training, or even guaranteed home loans for these World War I veterans, now of an average age of 70. The only adjustment that could have been meant for persons of that age group would be some form of pension or annuity.

There are currently statutes providing for pensions for World War I veterans, therefore the only way to meet this promise of equitable treatment would be for an increase in those pensions. This is what my bill proposes.

My bill provides for bringing the benefits of these veterans into line with current modes of living.

Using consumer prices of the years 1957–59 as a base of 100, let us analyze the pension status of World War I veterans. In 1933 a means clause was placed in the World War I pension law which allowed a single veteran a maximum of $1,000 annual income and a married veteran a maximum of $2,500 annual income to qualify for the pensions. In that year (using our agreed standards) 45 cents bought a dollar's worth of goods. Today it takes $1.07 to buy that same dollar's worth of goods, indicating a shrinkage in the buying power of the dollar of 138 percent.

This loss of buying power, coupled with the fact that greater productivity in this country has brought about a higher standard of living, has caused many other changes in the laws of our country. It is now time to consider the World War I pensions.

Since 1939 when the first minimum wage law was enacted it has become necessary to increase that rate from 25 cents to $1.25 per hour—an increase of 400 percent.

In 1933 the jurisdictional amount for cases in the Federal courts, based on the diversity of citizenship, was a minimum of $3,000. Today it is $10,000—an increase of 233 percent.

Since that time the salary of the Chief Justice of the Supreme Court has risen 73 percent; Associate Justices salaries have risen 75 percent, and Cabinet members' salaries have risen 66⅔ percent.

Similar increases have been granted our servicemen; other Federal employees; in retirement allowances; public assistance payments, and most all civilian salary schedules.

For example: In 1932 a private entering the Army received $21 per month. Today he receives $78—an increase of 271 percent.

A civil servant in the equivalent grade of GS-2 made $1,440 annually in 1932. Today the salary is $3,560—an increase of 147 percent. In 1940 the average monthly benefit for a retired worker under the old-age and survivors insurance program was $22.10. Today it is $76.19—an increase of 244 percent. Under public assistance programs average monthly payments for old-age assistance in 1936 were $16.31. Today they are $77.89—an increase of 377 percent. Aid to dependent children payments were $8.13 in 1936. Today they are $31.24—an increase of 284 percent. Aid to the blind payments then were $21.42. Today they are $81.72—an increase of 281 percent. Railroad retirement benefits have risen from an average of $26.47 in 1945 to $91.44 today—a 245 percent increase.

The term applied to the reasons for these necessary increases is "the cost of living." The cost of living for veterans of World War I has not remained magically stationary. It too has increased.

The income limitation on which a veteran of World War I's pension qualification is based was raised in 1952 to $1,400 for single veterans and $2,700 for married veterans, under section 3 of the Economy Act. Under Public Law 86-211 there are various limits—the highest being $1,800 for a single veteran and $3,000 for a married veteran.

Therefore the highest family income which a veteran may now receive and still be eligible for a pension is $3,000.

Mr. Walter Heller, Chairman of the President's Council of Economic Advisers, last year at Kansas City, said "a family with an income below $3,000 a year is living in a poverty status."

And in hearings before the Subcommittee of the Appropriations Committee dealing with labor, health, education, and welfare this $3,000 income standard has been used a number of times to establish a level of need.

Certainly a veteran of World War I should not have to be in a poverty status to be eligible for a pension. The country owes a greater obligation than this to its veterans.

My bill would increase the maximum income a veteran could have to $2,400 and $3,600, respectively, for single and married veterans. At the same time it would allow them a maximum of $1,200 in additional income from public or private pensions or annuities before making them ineligible for pensions. I feel that the pensions or annuities that these men have paid for outside their service to the United States should not be held against their claim for just compensation for their service. The $1,200 limit in my bill is a compromise measure.

This proposed increase in allowances and pensions does not begin to equal those granted in other cases and is definitely justified by the increase in the cost of living.

It is true that World War I was of rather short duration. But that was because it was necessary to throw American troops into action before they were adequately trained and equipped, causing their casualties to be extremely high compared with other conflicts. By helping to bring that war to a speedy conclusion they saved the Federal Government many times the amount of money it would require to pay them a just compensation.

Now, turning to the cost of my bill. Whenever the question of just compensation for these veterans is raised, we always hear the cost estimated in astronomical figures. For some reason an estimate is always made through the year 2000, or 36 years from now. If we were to forecast our national defense cost, our farm program costs, or our foreign aid expenditures for a period of 36 years they would be astounding.

No one knows what the condition of the country will be during the next 36 years—how conditions will affect the number of veterans eligible for the pension—or the number who will claim the pension. Further, no one knows what legislation might be enacted by future Congresses. Nor does anyone know for a certainty how long the remaining veterans of World War I will remain alive.

Three years ago I introduced a similar pension bill, H.R. 3745. The income limitation in that bill was more liberal than in this bill. In both bills the means test was $3,600 for a married veteran and $2,400 for a single veteran. But, under H.R. 3745, a veteran would have been permitted to receive any sum from public or private annuities.

Under H.R. 2332, the sum is limited to $1,200 from pensions or annuities. Nevertheless the Veterans' Administration estimates that there will be more veterans drawing compensation under this bill, H.R. 2332, than under the former bill, H.R. 3745.

In addition to this fact, the pension is not as liberal under this bill as it was proposed under the previous bill, H.R. 3745. However, the Veterans' Administration estimates that this bill, H.R. 2332, with a more strict means test and lower payments, will cost nearly twice as much as they estimated for H.R. 3745.

It is true that the present bill provides for increased pensions for the widows of veterans of World War I, but by the Veterans' Administration's own figures this sum would not nearly account for this great discrepancy. It should be quite obvious that these figures set out by the Veterans' Administration do not even qualify for the title of a good "educated guess."

The Veterans' Administration estimates that the first year's cost of the program, for the veterans themselves, under H.R. 2332, would be $993,490,000. Naturally the amount would decline each year as death claims more and more of the veterans.

The Government is now paying out $5,300 million in veterans payments each year. With this law it would be raised to about $6,300 million for the first year.

In 1947 the Government paid out $8,300 million to veterans. In that year the gross national product of this country was $234,300 million. The latest gross national product for 1963 was in excess of $600 billion. Certainly if the Government could afford to pay $8,300 million in 1947 it can afford to pay $6,300 million now, out of a more than doubled gross national product.

As I said, the average age of veterans of World War I is 70 years. It is estimated that the greatest number of deaths among those now surviving will occur in the next 6½ years. Figures given say there will be 840,000 World War I veterans die between 1964 and 1970. That gives us an average of more than 328 veterans dying each day over the next 6½ years.

Also, as I said before, World War I ended nearly 46 years ago. General pensions for Revolutionary War veterans were provided 35 years after the end of that conflict; pensions were provided 39 years after the Mexican War; between 26 and 53 years after various campaigns of the Indian wars; 24 years after the Civil War, and 18 years after the Spanish-American War. There was a need clause in two instances—the Revolutionary War and the Mexican War—but, in both cases it was removed. In all cases, pensions have not been considered as a charity, but as a delayed payment for services rendered.

That is what the veterans of World War I are asking—delayed payment, not charity.

The Department of Commerce has estimated that an annual income of $3,600 for a single person and $4,000 for a married couple is necessary to maintain the average standard of living in this country. Those figures include all people and do not make allowances for the higher medical expenses of people whose average age is that of the veterans of World War I.

If we are ever going to equalize the benefits received by the veterans of World War I with those paid to veterans of other wars, now is the time.

If we fail to do it now there will be few veterans living to receive the promised equitable benefit adjustments.

President Johnson has launched an all-out war on poverty. If we can eliminate the poverty status among the veterans of World War I we can chalk up a victory in one of the many battles we will have to fight in the President's war on poverty.

Hon. Emil N. Baar

EXTENSION OF REMARKS

OF

HON. EUGENE J. KEOGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 27, 1964

Mr. KEOGH. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following proceedings in connection with the presentation of the annual gold medal of the Downtown Brooklyn Association to Hon. Emil N. Baar at a luncheon held at the Towers Hotel in Brooklyn on January 27, 1964:

PRESENTATION OF THE ANNUAL GOLD MEDAL OF THE DOWNTOWN BROOKLYN ASSOCIATION TO HON. EMIL N. BAAR

(Proceedings of the Downtown Brooklyn Association's luncheon, held at the Towers Hotel, January 27, 1964, By Mr. Wilbur A. Levin, president)

The national anthem will be led by Henry Middendorf accompanied by C. Wesley Meytrott.

Thank you. You may be interested in knowing that when not occupied with our national anthem, Hank Middendorf spends his surplus time as dean of Polytechnic Institute of Brooklyn and Wes Meytrott whiles away his spare hours as vice president of Consolidated Edison Co. of New York.

Enjoy your lunch.

Ladies and gentlemen, please continue with your luncheon and to the capable staff, please serve those tables that have not yet finished. However, in keeping with our cherished tradition for promptness, may I respectfully request that you direct your attention to the Chair.

It is my privilege to once again welcome you to an annual meeting of the Downtown Brooklyn Association—the 35th. I extend my appreciation for your attendance on behalf of the members, directors, and officers.

We are fortunate in having with us two past presidents of the association—Robert E. Blum and Andrew S. Roscoe—whom I shall have the pleasure of presenting to you shortly, and I should like to acknowledge the heavy debt owed to the late Henry Joralemon Davenport, the founder and longtime head of our association and the late Dr. Harry Rogers who, as president of Polytechnic Institute of Brooklyn, presided over our affairs so significantly and wisely. We are the poorer for the passing this year of our esteemed vice president, Edmund Madden, who served with such distinction. I have the feeling that you may wish to learn the identities of the somewhat familiar faces to my left and right. In honoring your questioning glances, may I request that you withhold your applause until all have been introduced and then let it ring out loud and long.

On the upper dais, all past recipients of the Downtown Brooklyn Association's Gold Medal Award, from your left to right:

Dr. Paul D. Shafer, gold medal recipient, 1961; president, Packer Collegiate Institute of Brooklyn, a distinguished educator whose communal labors run the gamut of that which keeps us healthy and wise.

Hon. Miles F. McDonald, gold medal recipient, 1954; justice of the Supreme Court, State of New York; a constant constructive force for the good, while being a prudent proficient proponent of the law.

Louis C. Wills, gold medal recipient, 1937; who plays his role as one of our community's most respected elder statesmen but with increased vigor each year.

Robert E. Blum, gold medal recipient, 1956; vice president, Abraham & Straus, former president, DBA; an unusual man without whose support, invariably forthcoming, no worthy endeavor in our great city is initiated.

Andrew S. Roscoe, gold medal recipient, 1962; president, Equitable Savings & Loan Association; immediate past president DBA; a special sort of man is Andy—strong, sagacious, sophisticated, seeking suitable opportunities to render service.

In the same order on the lower dais:

Charles Bugeja, president, Brooklyn Civic Council; who is utterly devoted to that which is best for our borough.

Clarence M. Ernst, president, Brooklyn Real Estate Board; a distinguished realtor who radiates warmth and a complete command of his subject.

Hon. John F. Hayes, deputy borough president; capable, conscientious, cooperative, constantly coping calmly, candidly, clairvoyantly yet with cogency.

Hon. HUGH L. CAREY, Member of Congress from our 15th District; he works hard and produces the desired results for his constituency; equally admired in the Halls of Congress and the byways of Brooklyn.

Richard B. Loomis, president, South Brooklyn Savings Bank; chairman, gold medal committee of awards; a leader who exemplifies the best that the business community has to offer.

Hon. John R. Crews, commissioner of elections, chairman of the Kings County Republican Committee whose tenure of office is a tribute to the wisdom of his colleagues; forthright, frank, and faithful to the best interests of Brooklyn. May I also bow to his charming coleader, Mrs. Marguerite Bergen Kuhn, who is one of our honored guests.

Hon. Abe Stark, president, Borough of Brooklyn; first in the hearts of his countrymen, a leader whose sincerity is matched only by his ability to perform.

I should like to skip the gentlemen on my right and on my left but promise to divulge their identities shortly.

Hon. Abraham D. Beame, comptroller of the city of New York; a diligent wise public official who has given his high office even greater stature by his meaningful stewardship.

Hon. EUGENE J. KEOGH, Member of Congress, 11th Congressional District, whose winning ways in Washington and Brooklyn are richly deserved; one whose friendship and support our association holds in highest regard.

Hon. Edward J. Quigley, postmaster, Brooklyn; a man whose charm and wit are exceeded only by the efficient manner in which he discharges his vast responsibilities.

Next—our arm of the law—the county's definitely adroit devastator of disorder, the Honorable Edward Silver, district attorney.

Walter R. Miller, president, East Brooklyn Savings Bank; president, Brooklyn Chamber of Commerce; a tireless responsible citizen whose close cooperation is a source of constant satisfaction.

Hon. Charles A. Riedel, consulting engineer, Borough of Brooklyn; that rare sort of a planner who sees to it that his well-conceived ideas rise from the drawing board.

The Downtown Brooklyn Association has a very active and enthusiastic board of directors. I have yet to make a request for time, guidance, or material that has gone unanswered. With this sort of support, the job of president becomes particularly pleasurable. To one and all, I should like to express my most sincere gratitude. May I present to you, our officers. Will they please stand when called upon.

Robert M. Burke, vice president, Downtown Brooklyn Association; vice president, New York Telephone Co.; a pillar of strength to me. I would like to make special mention of the outstanding job he is doing at this moment as a member of the borough president's committee for equal opportunity.

Frank X. Kissane, treasurer, Downtown Brooklyn Association; vice president, Chase Manhattan Bank; a mainstay in assuring our solvency.

Hon. George C. Wildermuth, our distinguished counsel whose sound advice has guided us safely for these many years.

And may I present to you also, Fred J. Zeitz, president, Martin's, former vice president of this association and a founder; one of the downtown area's most respected citizens, whose special relationship has served me in good stead.

A friend of mine is wont to offer these words of wisdom: "Consider the postage stamp. Its usefulness consists in the ability to stick to one thing till it gets there."

Would that we could heed his advice and proceed directly to our honored guests. However, this is a regularly constituted meeting of the association and I have been advised by our learned counsel that our bylaws require that there be a rollcall, reading of minutes, reports of officers, reports of committees, election of directors, unfinished business and new business.

A motion was made that the regular order of business be dispensed with, but that the report of the nominating committee concerning election of directors be read to the assembled members.

Do I hear the motion seconded?

All those in favor?

Motion carried.

The work of an association such as ours is a daily activity and its affairs are conducted by its staff headed by our able executive vice president. The success or failure of our efforts depend almost entirely on his execution of the policies as set by the board. We are most fortunate in having as this officer, a man whose diligence, integrity, and knowledge enable us to gather here today in such force. May I call upon this talented gentleman, Grover M. Moscowitz, for his report:

(Mr. Grover M. Moscowitz, the executive vice president, read the report of the nominating committee which renominated to the board the following:)

Edgar A. Baum, president, Arebec Corp.

Robert M. Burke, vice president, New York Telephone Co.

Paul F. Ely, president, the Brooklyn Savings Bank.

Joseph D. Farrell, vice president, the First National City Bank of New York.

J. Victor Herd, chairman of the boards, the Continental Insurance Co.

George C. Johnson, chairman and president, the Dime Savings Bank of Brooklyn.

Wilbur A. Levin, vice president, Martin's.

Richard B. Loomis, president, South Brooklyn Savings Bank.

Milton T. Vander Veer, president, Lafayette National Bank of Brooklyn.

All to serve as directors of the Downtown Brooklyn Association for a period of 3 years, their terms to begin February 1, 1964.

The committee also nominated Philip H. Milner, senior vice president, Manufacturers Hanover Trust Co. as a member of the board of directors to fill an unexpired term beginning February 1, 1964, which will terminate on January 31, 1965.

You have heard the report of the nominating committee. All in favor say, "Aye."

The "ayes" have it.

I declare the report approved as submitted.

I trust Senator KEATING will take note of this example of "democracy in action" and make what use of it he will.

"A man wrapped up in himself makes a mighty small package." Emil Baar, whom we are gathered here today to honor, has intertwined himself in the affairs of his community and nation since the First World War when he served his country with distinction in France. By any standard, he is a big man. Despite his many positions of trust and honor, he retains the humility and gentleness that have been his hallmark these many years. When I called at his office to notify him of his selection for this award, his obviously sincere reaction was one of incredulity. "Why me?" was his response. We welcome you into Brooklyn's Legion of Honor today, not only for your notable list of communal accomplishments, but also for the manner in which they were performed. Sir, you are the classic example of Webster's definition of a gentleman—"A well-bred man of fine feelings."

I have selected at random some of your activities, which are too numerous to mention in their entirety:

In the field of philanthropy and civic affairs: Chairman of board of trustees, Union of American Hebrew Congregation, 1959–63; trustee of Brooklyn Institute of Arts & Sciences; president of Union Temple of Brooklyn, 1941–49 and currently honorary president; trustee, United Hospital Fund of New York; president, 1948–54, Jewish Hospital of Brooklyn, now honorary chairman of the board; trustee, Men's League of Brooklyn; governing committee of both the Brooklyn Museum and the Children's Museum; trustee and former vice president of the Federation of Jewish Philanthropies; past county commander, Kings County American Legion.

In your profession and the field of finance: Member of law firm Baar, Bennett & Fullen since 1926; member of the Bar Associations of Brooklyn, the city of New York, and New York State; Republican candidate for borough president, 1940; justice of the supreme court, 1951; trustee, Brevoort Savings Bank; advisory board manufacturers, Hanover Trust Co., Borough Hall branch.

Awards are no novelty to you, having been honored by the Men's League of Brooklyn, the American Legion, Union of American Hebrew Congregations, to mention a few.

Just as surely as you merit this award, so does your charming wife well earn the moment of pride she must feel at seeing the community pause to do you homage. Her active cooperation and understanding have been the indispensable requisite upon which your activities have been based.

Brooklyn's Legion of Honor well deserves your addition to its ranks and I take great pleasure in reading the scroll that accompanies this beautiful gold medal.

"The Downtown Brooklyn Association awards for the year 1963 the association's gold medal for the most distinguished services to Brooklyn to Emil N. Baar, in recognition of his inspiring leadership in humanitarian causes and cultural institutions and his devoted interest in important communal and civic activities."

REMARKS BY MR. BAAR

Mr. President, Senator Keating, Comptroller Beame, Borough President Stark, members of the Downtown Brooklyn Association, and friends, perhaps the best way to express my feelings at this moment is to echo the statement made by Yogi Berra, the new manager of the New York Yankees, at a dinner tendered to him in honor of his being so designated. He said, "I thank all those that made this function necessary."

I am overwhelmed by this gathering of my partners, friends, and associates in several of our community organizations, and am deeply touched by this tribute. This is so particularly when I scan the list of the great citizens of Brooklyn who were the previous recipients of this award. It is a great compliment to be included with such a distinguished group.

If there has been any accomplishment on my part, I must pay tribute to three sources of inspiration. Firstly, this great and beloved country with its lofty traditions of democracy making available to immigrants the golden opportunity of the individual's right to "life, liberty, and the pursuit of happiness." Secondly, the teachings of my faith as so beautifully expressed by one of our martyred patriarchs of ancient days, the Prophet Hillel, who said:

"If I am not for myself, who am I;
If I am for myself only, what am I;
If not now, when."

Thirdly, my family. My parents who had the forethought to emigrate to this country with my four other brothers and sisters, and at the summit my wife from whom each day I draw new inspiration and without whose understanding and forbearance I could have accomplished nothing. The tribute is due her at least equally as it is to me because while I have been out attending as best I could to matters involving communal welfare, it was she who was alone, and in this respect made a sacrifice of the companionship which husband and wife should have.

Our great President, if not the greatest, Abraham Lincoln, said: "It is good to see a man proud of the place in which he lives, and so lives that his place is proud of him." This occasion, therefore, when your neighbors give you a pat on the back, has special virtue and significance for me. Yes, I am proud of Brooklyn where I live and so happy that my neighbors today have thus recognized me. In accepting the award, I am mindful of the lines written by some wag which run as follows:

"Sometime, when you are feeling important,
Sometime when your ego is in bloom,
Sometime when you take it for granted,
You're the best qualified in the room;

"Sometime when you feel that your going
Would leave an unfillable hole,
Just follow these simple instructions
And see how it humbles your soul.

"Take a bucket and fill it with water,
Stick your hand in up to your wrist,
Pull it out and the hole that's remaining
Could be the measure of how little you're missed."

I hope I have deserved this honor and pray that the future will vindicate your judgment. Thank you for this cherished moment so happy for my wife and myself and thanks, too, for coming here to share this joyful occasion with us.

REMARKS BY THE PRESIDENT

It is the tradition of our association to call attention at its meetings to any member of the board who has been honored. In that spirit, may I congratulate George Gray on his elevation to the presidency of the Kings County Trust Co.

How does one introduce a U.S. Senator—particularly one who looks like a Senator, acts like a Senator, and whose conduct in this high office has made him one of the most respected Members of this august forum. My solution is to say simply, but most sincerely, that I am privileged to present to you a man who has so very ably represented our State in the Halls of Congress for 18 years, and whose address, I feel certain, will be Capitol Hill for many years to come: the Honorable KENNETH B. KEATING.

REMARKS OF HON. KENNETH B. KEATING

Mr. Wilbur Levin, members of the Downtown Brooklyn Association, I am delighted to attend this luncheon honoring Judge Baar by presenting him with your association's gold medal for—and I quote—"Outstanding service to the community."

"Outstanding" Judge Barr's service has been. The wide range of his community activities is almost unbelievable. It seems to me that a famous saying of Winston Churchill could be adapted to describe Judge Baar's career—"Seldom before has one man done so much good for so many."

I am tempted to ask "How many lifetimes has Judge Baar lived?"

With citizens such as Judge Baar, no wonder Brooklyn is called the bustling borough. No wonder Brooklynites have the know-how, the skills, the business genius, and the manpower to turn out anything from a roll of adhesive tape to one of the world's biggest aircraft carriers. No wonder that the list of Brooklyn's companies reads like a "who's who" of the business world.

If population were the sole standard for statehood, Brooklyn wouldn't be a borough, it would be "the State of Brooklyn." It exceeds in population 26 existing States.

I would like to take this opportunity to congratulate the Downtown Brooklyn Association on the magnificent job it is doing for Brooklyn's shopping and business districts. I am told that on a busy day, your downtown stores serve as many as a quarter of a million people and do half a billion dollars a year in retail sales.

What I consider Brooklyn's outstanding attribute is the wonderful way Brooklynites get along together. Yours is a complex borough, made up of all kinds of people. Of course, Brooklyn has its problems, but organizations such as this are a model of what dedicated citizens can do when they work together in harmony.

You have shown how astonishingly adaptable mankind can be to differences in race and religion. In fact, you have shown, by your tolerance and your understanding, how necessary adaptability is in this the jet age.

Frankly, I am sometimes astounded at the incredible adaptability of the human race. Think of it, in one generation we have—without turning a hair—bridged the gap between the tin lizzie and the space capsule.

Of course, women are more adaptable than men. They have to be. They have to cram 50 years of progress and technological advancement into 35—or is it 39?

With the Moon within touching distance and Mars only a short arms length out of reach, I would like, today, to look into the future and examine with you the wonders it will bring.

But supposing we first compare briefly the year 1929 with the year 1964—a time gap of 35 years.

For the ladies a mere 20 years. The changes have been phenomenal; the accomplishments, out of this world.

For one thing, the life expectancy of the average man or woman has been extended 20 years.

Astronauts have seen, from outer space, the glorious panorama of the world turning. Nuclear-powered submarines have mapped out a world-encircling, underwater route from Maine to California.

All this, the human race has taken in its stride, with a cool nonchalance that astounds.

I assure you, it will need all its flexibility, all its adaptability to absorb the wonders that the next 35 years will bring.

I honestly believe—if the leaders of our country have the courage and spiritual wisdom to avoid the threatened holocaust—America can, in 35 years, come very close to being a utopia.

In passing, may I give you a thumbnail sketch of what utopia is? It is a mythical country whose citizens enjoy 1964 wages, 1932 prices, and 1910 taxes.

I don't foresee quite that. But I do foresee unbelievable changes.

The inscription on the National Archives Building puts it far more beautifully than I can. It reads: "What Is Past Is Prologue," which a District of Columbia cabdriver is supposed to have explained to a fare as "Government language" meaning—"you ain't seen nothing yet."

All my life, I have tried to be forward looking. I have tried to live as though the future was something I shall exist to see and to enjoy. My staff say that they are sure I shall pass the century mark, I'm so interested in what lies ahead. They also think—I wouldn't be a bit surprised—that I'm ornery enough to reach my hundredth year just so that I can say "I told you so." A psychiatrist friend of mine once told me that a lively interest in the future, was the best way to stay young. So supposing today we take a dose of youth preservative and look into the future.

By the year 2000, the population of the United States will have almost doubled. It will be close to 333 million people. These millions of Americans will earn more, spend more and—hold on to your seats as I say this—will probably pay less taxes.

A recent report indicates that the average family income in A.D. 2000, will be about $14,750—after taxes and in 1959 dollars.

I heard a remark recently that by the year 2000 may be "no joke." A man was asked by a friend "Where are you going on your vacation this year?" He replied, "I want to take a trip around the world, but my wife, as usual, wants to go someplace else."

Two cars in every garage will have come true by the turn of the century. And what cars they will be. One may well be called the family local, the other the family express.

The family local may well be a wheelless vehicle riding a foot above the ground on cushions of air. Think of it, no chains, no snow tires, no punctures, no skidding, and capable of crossing fields and lakes and swamps. The family express may be a jet-powered, 5-passenger sedan capable of flying at speeds up to 500 miles an hour and able to rise and land vertically. A representative of one of our aircraft manufacturers has stated that any grandmother who can drive a conventional automobile, will be able to fly this jet sedan.

All these coming wonders will, of course, bring with them added problems—civic problems. It is absolutely essential therefore that cities and communities look ahead and that the Federal Government look ahead with them. It is absolutely essential, in my opinion, that a Presidential commission be established to draw up a series of comprehensive reports on the needs and challenges that our urban centers face. They should, I think, be a series of 5-year reports outlining what must be accomplished every 5 years between now and the turn of the century.

Perhaps the first thing to do is to draw up a master plan for the ideal city. It should have parks and playgrounds and recreation centers. Its buildings should be modern and beautiful. Its living quarters should be efficient and comfortable. And, above all, its traffic facilities must be so planned that it will flow smoothly and without interruption.

Our present slums are the direct result of lack of planning. They are the rotten fruit of stopgap methods. If these are to be eliminated, as they must be, careful, comprehensive plans must be made. A building or rebuilding schedule must be set up and strictly adhered to. America the beautiful, must be beautiful all over. It must not be fitted with unsightly spots and scarred with streaks of rottenness.

Hand in hand with this city planning, must go a master plan for our young people.

It is estimated that by the year 2000, America's labor forces will reach the 135 million mark. And with every passing year, this labor force will have to become more and more skilled. A high school diploma will become a must. Any youngster who fails to graduate from high school will automatically join the ranks of the unemployed and the unemployable.

It is estimated that—if the present trend continues, if we ignore our educational dropouts—by the year 1970 more than 8 million young Americans will not receive a high school diploma.

This is the age of experimental daring. I say we should dare to experiment in every kind of worker training program. Of what use is a beautiful city if a large percentage of its inhabitants are unemployable dropouts?

The book of the future holds many chapters. The chapter on science will be full of astonishing brilliance and newly acquired wisdom. The chapter on medicine will be breathtaking for its achievements. The chapter on exploration may well be the most fabulous of all. Let us see that the chapter on the humanities does not fall short of the others. Let us dare for the happiness of the individual as greatly as we have dared for the preservation of the Nation. What we build toward, the young will inherit. Let us see to it that they are worthy of their inheritance.

REMARKS BY THE PRESIDENT

Thank you Senator KEATING.

The Chair declares the 35th annual luncheon meeting of the Downtown Brooklyn Association adjourned.

SENATE

THURSDAY, MAY 28, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore (Mr. HAYDEN).

Rev. Edward Gardiner Latch, D.D., minister, Metropolitan Memorial Methodist Church, Washington, D.C., offered the following prayer:

O God, who art the source of light and life and whose glory is in all the world, in the quiet of this moment we lift our hearts unto Thee in prayer. Strengthen Thou our faith in Thee. Our shortcomings have been real to us—our passions and our pride have crowded into the center of our consciousness, and to do their bidding we have spent our time. Brush Thou the ashes from the hidden flame within us and let the fire of Thy spirit be rekindled in our hearts this day. Make real to us the higher virtues—unselfishness and generosity, good will and kindliness, whatever is worthy of praise and is of good report—lift them up within us and make them real in our hearts.

Come, O Lord, like morning sunlight,
Making all life new and free;
For the daily task and challenge
May we rise renewed in Thee.

Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 27, 1964, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4198. An act to amend the Tariff Act of 1930 to provide for the free importation of soluble and instant coffee;

H.R. 9688. An act to extend the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan;

H.R. 10463. An act to continue until the close of June 30, 1965, the existing suspension of duties for metal scrap;

H.R. 10465. An act to extend for a temporary period the existing provisions of law relating to the free importation of personal and household effects brought into the United States under Government orders;

H.R. 10466. An act to amend title XI of the Social Security Act to extend the period during which temporary assistance may be provided for U.S. citizens returned from foreign countries;

H.R. 10468. An act to continue until the close of June 30, 1966, the existing suspension of duty on certain copying shoe lathes;

H.R. 10473. An act to extend the period during which Federal payments may be made for foster care in child-care institutions under the program of aid to families with dependent children under title IV of the Social Security Act; and

H.R. 10537. An act to continue for a temporary period the existing suspension of duty on certain natural graphite.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Finance:

H.R. 4198. An act to amend the Tariff Act of 1930 to provide for the free importation of soluble and instant coffee;

H.R. 9688. An act to extend the period during which responsibility for the placement and foster care of dependent children, under the program of aid to families with dependent children under title IV of the Social Security Act, may be exercised by a public agency other than the agency administering such aid under the State plan;

H.R. 10463. An act to continue until the close of June 30, 1965, the existing suspension of duties for metal scrap;

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H.R. 10466. An act to amend title XI of the Social Security Act to extend the period during which temporary assistance may be provided for U.S. citizens returned from foreign countries;

H.R. 10468. An act to continue until the close of June 30, 1966, the existing suspension of duty on certain copying shoe lathes;

H.R. 10473. An act to extend the period during which Federal payments may be made for foster care in child-care institutions under the program of aid to families with dependent children under title IV of the Social Security Act; and

H.R. 10537. An act to continue for a temporary period the existing suspension of duty on certain natural graphite.

ORDER FOR RECESS TO NOON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of today's business, the Senate stand in recess until 12 o'clock noon on Monday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business for consideration of nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Robert J. Ryan, of Massachusetts, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Niger, which was referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

AMBASSADORS

The legislative clerk proceeded to read sundry nominations of ambassadors.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, the nominations are confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be notified immediately of the nominations confirmed today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request by Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

DEFICIENCY APPROPRIATIONS, 1964

Mr. MANSFIELD. Mr. President, I have cleared this request with all concerned. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 989, H.R. 11201, a bill making deficiency appropriations for the fiscal year ending June 30, 1964, and for other purposes, which I understand can be disposed of in a few minutes.

Mr. PASTORE. Mr. President, that is correct.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The bill will be read by title.

The LEGISLATIVE CLERK. A bill (H.R. 11201) making deficiency appropriations for the fiscal year ending June 30, 1964, and for other purposes.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 11201) making deficiency appropriations for the fiscal year ending June 30, 1964, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. PASTORE. Mr. President, the Deficiency Appropriation Act for 1964 was reported to the House on May 8 and was passed by the House of Representatives on May 11. The hearings before the Subcommittee on Deficiencies and Supplementals of the Senate Committee on Appropriations were begun on May 12 and concluded on May 21.

Briefly, the House bill, as referred to this committee, was "limited to budget requests resting on circumstances meeting the exceptions to the prohibitions in the antideficiency statute against accelerated, or deficiency spending rates." Of the total $1,264,913,689 allowed by the House, $1,162,800,000—about 92 percent—was for military pay costs and public assistance matching grants. The balance was practically and exclusively for wage board increases effective in fiscal 1964.

During the subcommittee review of the estimates, certain necessitous and emergent situations requiring provisions of funds for the period ending June 30, 1964, were presented and the following were deemed appropriate for inclusion in a bill of this character:

The sum of $46,570,000 for items relating to Alaskan earthquake damage. This group of nine recommendations includes funds for the Forest Service for repair and replacement of damaged facilities; funds for the Bureau of Indian Affairs and Public Health Service Indian health facilities for natives of six demolished native villages now in temporary housing; repair and rehabilitation of Bureau of Commercial Fisheries and Bureau of Sports Fisheries and Wildlife facilities and equipment replacement; rebuilding and rehabilitating the Alaska Railroad which suffered extensive damage to roadbed, track, bridges, marine facilities, and buildings essential to railroad operations; extension of transitional grants to Alaska to assist the State in recovering from the earthquake effects; funds for the necessary expenses of the Federal Reconstruction and Development Planning Commission for Alaska; and funds for the Coast and Geodetic Survey for expenses of special hydrographic, photogrammetric, and geodetic surveys on the physical deformations, preparation of new charts, and to obtain precise seismological information on the earthquake's aftershock activity. The committee was informed that it is imperative that funding be provided at this time "in order to take full advantage of Alaska's limited construction season."

The sum of $24,300,000 for manpower development and training activities of the Department of Labor. The committee was advised that of a requested $55 million the amount of $24,300,000 would cover the total costs of training and allowance payments to be paid trainees in the current fiscal year.

The sum of $6 million for payments to air carriers, Civil Aeronautics Board. Currently available funds are estimated to be insufficient to meet June requirements.

The sum of $5 million for emergency conservation measures to provide additional funds necessary to carry out emergency conservation measures to repair farm and rangelands damaged by excessive drought, flood, and other natural disasters. Urgent needs exist in Illinois, Indiana, Kentucky, Missouri, New York, Ohio, Pennsylvania, and West Virginia.

The sum of $150,000 for the special milk program.

The committee amendments also include provision of $10,000 for "folding documents" and $25,000 for wage board costs for Senate office buildings wage board employees.

In addition, certain claims and judgments, forwarded after the bill was passed by the House, have been included as committee amendments.

In conclusion, the committee has made reductions amounting to $568,100 in District of Columbia items from the House bill. In the case of certain Coast Guard items, the committee amendments reduce the appropriation of new funds required by $1,300,000 by providing language authorizing the transfer of existing funds.

The committee recommendations total $1,349,637,143, which is $86,540,600 less than the budget estimates considered, and $84,723,454 over the House bill.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Without objection, the committee amendments are agreed to en bloc.

The amendments agreed to en bloc are as follows:

On page 2, after line 2, to insert:

"Agricultural Marketing Service

"Special milk program

"For an additional amount for expenses necessary to carry out the 'special milk program', as authorized by the Act of August 8, 1961 (7 U.S.C. 1446 note), $150,000."

On page 2, after line 13, to insert:

"Emergency conservation measures

"For an additional amount for 'Emergency conservation measures' to be used for the same purposes and subject to the same conditions as funds appropriated under this head in the Third Supplemental Appropriation Act, 1957, the Supplemental Appropriation Act, 1958, and the Supplemental Appropriation Act, 1962, $5,000,000, to remain available until expended."

On page 5, after line 10, to strike out:

"For an additional amount for 'Health and welfare', $248,500."

On page 5, after line 12, to insert:

"The inpatient rate and outpatient rate authorized in the District of Columbia Appropriation Act, 1964, is hereby increased for Children's Hospital from $34 per diem to $40 per diem and from $5.75 to $6.75 per visit for the period July 1, 1963, through June 30, 1964."

On page 6, at the beginning of line 2, to strike out "$485,900" and insert "$166,300", and in the same line, after the amendment just above stated, to strike out the comma and "of which $35,600 shall be payable from the highway fund, $53,100 from the water fund, $33,040 from the sanitary sewage works fund, and $160 from the metropolitan area sanitary sewage works fund".

On page 7, after line 2, to insert:

"CIVIL AERONAUTICS BOARD

"Payments to Air Carriers (Liquidation of Contract Authorization)

"For an additional amount for 'Payments to air carriers (liquidation of contract authorization)', $6,000,000, to remain available until expended."

On page 7, line 12, to strike out "$2,238,000" and insert "$2,938,000".

On page 8, after line 14, to insert:

"Forest protection and utilization

"For an additional amount for 'Forest protection and utilization', for 'Forest land management', $650,000, to remain available until June 30, 1965."

On page 9, after line 7, to insert:

"Construction

"For an additional amount for 'Construction', $1,000,000, to remain available until expended."

On page 9, after line 19, to insert:

"FISH AND WILDLIFE SERVICE"

On page 9, after line 20, to insert:

"Bureau of Commercial Fisheries

"Construction

"For an additional amount for 'Construction', $650,000, to remain available until expended."

At the top of page 10, to insert:

"Bureau of Sport Fisheries and Wildlife

"Construction

"For an additional amount for 'Construction', $50,000, to remain available until June 30, 1965."

On page 10, after line 4, to insert:

"The Alaska Railroad

"Payment to the Alaska Railroad revolving fund

"For payment to the Alaska Railroad revolving fund for authorized work of the Alaska Railroad, including repair, reconstruction, rehabilitation, or replacement of facilities, including equipment, damaged or destroyed as a result of the Alaska earthquake, to remain available until expended, $25,200,000, of which $7,800,000 may be made available to the Corps of Engineers for reconstruction of the Seward dock facilities."

On page 10, after line 14, to insert:

"Funds appropriated to the President

"Transitional grants to Alaska

"For an additional amount for 'Transitional grants to Alaska,' as authorized by section 44 of the Alaska Omnibus Act (75 Stat. 151), as amended, $17,000,000, to remain available until June 30, 1965."

At the top of page 11, to insert:

"DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

"Public Health Service

"Construction of Indian health facilities

"For an additional amount for 'Construction of Indian Health Facilities', $750,000, to remain available until expended."

On page 11, after line 7, to insert:

"INDEPENDENT OFFICES

"Federal Reconstruction and Development Planning Commission for Alaska

"Salaries and expenses

"For necessary expenses of the Federal Reconstruction and Development Planning Commission for Alaska, established by Executive Order 11150 of April 2, 1964, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $75 per diem, $150,000, to remain available until June 30, 1965."

On page 12, after line 10, to insert:

"Manpower administration

"Manpower development and training activities

"For an additional amount for 'Manpower Development and Training Activities', $24,300,000, to be available without regard to the provisions of section 301 of the Act: *Provided*, That these funds shall be used only for training programs and State and local related costs under title II."

On page 15, after line 2, to insert:

"Senate"

On page 15, after line 3, to insert:

"Contingent expenses of the Senate

"Folding documents

"For an additional amount for 'Folding Documents', $10,000."

On page 15, after line 17, to insert:

"For payment to Ida W. Cannon, widow of Clarence Cannon, late a Representative from the State of Missouri, $22,500."

On page 16, after line 11, to insert:

"Senate office buildings

"For an additional amount for 'Senate office buildings', $25,000."

On page 18, after line 9, to insert:

"DEPARTMENT OF COMMERCE

"Coast and Geodetic Survey

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', to remain available until June 30, 1965, $1,720,000, of which $600,000 shall be derived by transfer from the appropriation to the Department of Commerce for 'Participation in Century 21 Exposition'."

On page 19, line 18, after "$10,800,000", to insert "of which $500,000 is to be derived by transfer from the appropriation for 'Salaries and expenses, Office of the Treasurer', fiscal year 1964".

On page 20, line 2, after "$800,000", to insert a comma and "to be derived by transfer from the appropriations for 'Salaries and expenses, Office of the Treasurer', fiscal year 1964".

On page 20, line 16, after the word "Senate", to strike out "Document" and insert "Documents"; in the same line, after the numeral "50", to insert a comma and "74, and 75"; and in line 18, after the word "Congress", to strike out "$9,585,489" and insert "$12,831,443".

The bill is open to further amendment.

Mr. PASTORE. Mr. President, I move to amend the committee amendment by inserting on page 6, line 2, following "$166,300": ", of which $24,300 shall be payable from the water fund."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 11201) was read the third time, and passed.

Mr. PASTORE. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. PASTORE, Mr. HAYDEN, Mr. HOLLAND, Mr. HILL, Mr. MONRONEY, Mr. PROXMIRE, Mr. BARTLETT, Mr. YOUNG of North Dakota, Mr. SALTONSTALL, and Mr. MUNDT conferees on the part of the Senate.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate returns from the joint meeting in the Hall of the House of Representatives, there be a morning hour under the usual conditions, and that statements therein be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS FROM MONDAY, JUNE 2, 1964, TO TUESDAY, JUNE 3, 1964, AT 9 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday next, it stands in recess until 9 o'clock on Tuesday morning next.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIME MINISTER JAWAHARLAL NEHRU OF INDIA—IN MEMORIAM

Mr. JAVITS. Mr. President, the news of the death of Jawaharlal Nehru, Prime Minister of India, came with great sadness to all the peace-loving peoples of the world. The feeling is one of deep loss not only for the people of India, who he had led in attaining it and in their first years of independence, but for all who admired his courage and his unparalleled devotion to his country.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the cablegram I sent to His Excellency, Sarvepalli Radhakrishnan, President of India, on learning of Prime Minister Nehru's death.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

> All join with you and with all people of India in mourning the loss of the great world leader for freedom, justice, and human dignity, Prime Minister Nehru. All in the world who love spiritual and temporal justice have lost a friend. We must rededicate ourselves anew to the improvement of mankind's condition in Nehru's name. Please accept my sincerest condolences, in which I am sure the people of my State of New York join fully.

REPUBLICAN CITIZENS COMMITTEE'S CRITICAL ISSUES COUNCIL—AMERICA'S SPACE PROGRAM—AN APPRAISAL

Mr. JAVITS. Mr. President, the Republican Citizens Committee's Critical Issues Council today asked that the deadline of putting a man on the moon by 1970 be dropped to permit "the achievement of a sounder program for manned lunar exploration at annual expenditure rates lower than those now committed or proposed."

The council, which is headed by Dr. Milton S. Eisenhower, said in a paper examining America's military and civilian space program:

> The manned lunar landing program represents a challenge, to be sure, but we do not believe that the hoped-for psychological or propaganda advantages call for the present efforts to meet a publicized deadline, currently stated as prior to 1970. We find no reason to believe that putting a man on the moon could contribute to our military strength. We see no evidence that urgent defense objectives warrant a crash program or that a meeting of deadlines such as 1970 serves any significant national objective.

As for the military space effort, the council asserted:

> We are aware of no compelling argument thus far for the development and deploying of weapons in space. Today and in the foreseeable future there seems to be no military need for putting nuclear weapons in orbit.

The Republican policy group said:

> The exploration of our universe is a goal too vast, too hazardous, too costly, and too important to all mankind to be financed and conducted by one country alone, and least of all in an atmosphere of unfriendly competition.

Under present world conditions, the council said it strongly supports continuing military space activities, including the development of manned orbiting laboratories. But with respect to the civilian space effort, the council stated:

> We would urge a reexamination of objectives and of the pace at which various elements of this program are carried forward.

The prestige the United States has acquired among nations by its space research "has a considerably higher value than we have apparently realized," the paper said. But there is a risk of losing "our present leadership in scientific discovery and knowledge" unless further space research is given the "highest priority."

The council declared:

> The present lunar program is not regarded as primarily scientific in its objective. Admittedly, a project of considerable human interest, it is chiefly a prestige item, intended to win the man-to-moon race. Indeed, if this race is not won, or if a premature attempt involves a loss of life, its prestige value largely vanishes.
>
> This fact, coupled with the setting of a deadline date, necessarily gives the lunar

landing project the character of a crash program. This is increasingly true when the schedule slips, as is bound to happen in an undertaking of this novelty and complexity. Crash programs are notoriously expensive, wasteful, and prone to premature execution.

In calling for a replanning of the present civilian program "to provide for a more orderly, yet aggressively pursued, step-by-step program," the council suggested the following five steps:

First. Continued development of launch vehicle systems necessary to meet the revised program objectives.

Second. Detailed instrumented exploration of the lunar surface.

Third. Sufficient study of the space and lunar environment to permit manned flights to the vicinity of the moon and ultimately to the surface of the moon with confidence in their safety.

Fourth. Collaboration in civilian and military programs to launch manned orbiting laboratories.

Fifth. Further negotiation with other nations for cooperative space exploration.

The council believes that new techniques and processes expected from the lunar program "have been much exaggerated." A more orderly program should produce "as much and probably more in the way of byproducts" than a crash effort.

The council said:

> Finally, we stress the need to count the cost in manpower when making decisions about great space programs which require thousands of skilled personnel, especially scientists, engineers, and technicians, all in short supply. By attracting too much of our best innovating talent into one field * * * we are likely to rob other areas of * * * the high-level talent they need.

I ask unanimous consent that the full text of the council's report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

AMERICA'S SPACE PROGRAM: AN APPRAISAL

(Critical issues paper No. 7 of the Critical Issues Council)

The basic objective of the U.S. space program should be the exploration and, ultimately, the utilization of space for peaceful purposes. Our program should seek to add to man's knowledge and understanding, to extend his mastery of nature, and to put this knowledge, understanding and mastery to work for the benefit of mankind.

In pursuing this objective we should take every opportunity to enlist the cooperation and participation of other nations, in accordance with their degrees of interest, technical competence and resources. The exploration of our universe is a goal too vast, too hazardous, too costly, and too important to all mankind to be financed and conducted by one country alone, and least of all in an atmosphere of unfriendly competition.

Today, however, we must also be fully responsive to those military needs which can be served best by the development of capabilities in space. Under present world conditions we must be certain that we avail ourselves of opportunities to strengthen our military capabilities whenever this can be done by appropriate applications of space technology.

These two areas of activity within our national space program are recognized clearly in the Space Act of 1958. Our continuing task is to coordinate these civilian and military activities in space so that there is achieved an effective and economical national program in which both elements are strong and mutually supporting.

Soundly conceived military space programs must be based on the expectation of accomplishing military objectives most effectively by utilizing the space environment. Their future, like that for nonmilitary purposes, is dependent upon scientific research and analysis of observational space missions. We strongly support the continuing development of space systems for military reconnaissance, communications, meteorology, and navigational aids. Vigorous programs are necessary also to explore the potentialities of satellite inspection and ballistic missile defense. In certain of these activities and for other future military requirements, the need exists for determining man's ability to operate effectively, performing important and useful tasks over extended periods of time, in the harsh environment of space. To achieve this objective, the development of manned orbiting laboratories should be pursued.

We are aware of no compelling argument thus far for the development and deploying of weapons in space. It is important to recognize that the significance of developments in weapons technology, as in other fields, seldom can be anticipated. But, for example, today and in the foreseeable future there seems to be no military need for putting nuclear weapons in orbit.

With respect to the civilian space effort we would urge a reexamination of objectives and of the pace at which various elements of this program are carried forward.

By a series of intelligently conceived and brilliantly engineered experimental and observational devices this country has attained leadership in the scope and detail of its fundamental scientific findings and analyses concerning the outer atmosphere and the space environment of the earth. The prestige thus acquired among nations has a considerably higher value than we have apparently realized.

Of special significance is the fact that this accumulating knowledge and understanding is bound to lead to identification of facts and phenomena to exploit for both civilian and military uses, many times in ways which we cannot yet predict. Moreover, such a background is invaluable for the attainment of maximum capability in the conception and performance of space vehicles, their instrumentation, and the protection and effectiveness of their passengers.

For these reasons it is our considered opinion that research directed toward knowledge and understanding of our space environment and man's capabilities in its pursuit should have highest priority. Therefore, determined and continuing emphasis upon the scientific and engineering aspects of space exploration is of paramount importance. If we fail to follow this course, we run a serious risk of losing our present leadership in scientific discovery and knowledge, and with it the initiative for the exploration of space and its useful exploitation.

The present lunar program is not regarded as primarily scientific in its objective. Admittedly a project of considerable human interest, it is chiefly a prestige item, intended to win the man-to-moon race. Indeed, if this race is not won, or if a premature attempt involves loss of life, its prestige value largely vanishes.

This fact, coupled with the setting of a deadline date, necessarily gives the lunar landing project the character of a crash program. This is increasingly true when the schedule slips, as is bound to happen in an undertaking of this novelty and complexity. Crash programs are notoriously expensive, wasteful, and prone to premature execution.

Thus, the manned lunar landing project represents a challenge, to be sure, but we do not believe that the hoped-for psychological or propaganda advantages call for the present efforts to meet a publicized deadline, currently stated as prior to 1970. We find no reason to believe that putting men on the moon could contribute to our military strength. We see no evidence that urgent defense objectives warrant a crash program or that a meeting of deadlines such as 1970 serves any significant national objective. We urge, therefore, that such a deadline be dropped. Also, the lunar program should not be allowed to divert funds from fundamental scientific research in the environment of space.

We do believe in the value of a manned lunar landing as an essential experimental step in consideration of possible future plans for landing on a neighboring planet. Such a prospect would be of extraordinary scientific and human interest.

Accordingly, we recommend a replanning of the present program to provide for a more orderly, yet aggressively pursued, step-by-step development. Such a program would include:

1. After careful appraisal of existing programs, the continued development of launch vehicle systems necessary to meet the revised program objectives;
2. Instrumented exploration of the lunar surface and the acquisition of detailed knowledge of the immediate lunar environment;
3. The acquisition of sufficient knowledge about the environment of space, and particularly of cislunar space, to permit, with confidence, the undertaking of manned flight to the vicinity of the moon and ultimately manned lunar landings;
4. Joint collaboration between the civilian and military programs in the use of manned orbiting laboratories in an exhaustive effort to study the capabilities of man in space; and
5. Continued negotiations with other nations toward cooperation and participation in a worldwide collaborative effort in space exploration and its exploitation for the benefit of all mankind.

We stress the importance of the United States continuing to maintain its present superiority in instrumented space exploration. The decisive leadership which we have in this area should be extended to the lunar program. We believe that our investment in space will not realize an adequate return if the Soviet Union achieves a succession of successful, instrumented flights, or a manned scientific orbiting laboratory, which, at the time, are beyond our capabilities. We emphasize further that such instrumented flights are necessary not only to provide valuable scientific information but also data vitally important to the undertaking of manned flight in a successful lunar program. To be more specific, we are concerned lest the United States may find itself in a position where only the Soviet Union has available, as a result of its instrumented or other flight programs, the information essential to the prosecution of a successful program of manned lunar exploration.

Much has been said of the importance of the space program to civilian industry through the "spinoff" of new techniques and new processes which may result in the development of new or improved products and, in some instances, new industries. We believe that such benefits have been much exaggerated. Certainly, "spinoff" or industrial "fallout" will not be greater because the space program is paced by a manned lunar landing objective arbitrarily established for political, psychological, or propaganda purposes. Indeed, a more orderly and moderately paced program should produce as much and probably more in the way of byproducts as more opportunity becomes available for the exercise of sound management and the making of decisions based in many instances on the availability of more complete data.

An orderly progression, pursued aggressively but without undue haste, would permit the achievement of a sounder program for manned lunar exploration at annual expenditure rates lower than those now committed or proposed. We believe it is urgent that such reorientation and replanning be done now before irrevocable commitments are made to a less soundly conceived and more costly program than is necessary.

Efforts should be continued to encourage cooperative programs with other nations, including the Soviet Union, with as free and complete interchange of scientific and technological data as is practicable. Realism suggests that true joint operation of highly complex, costly, and technologically intricate programs may be difficult of accomplishment, but continuing emphasis upon progress in this direction should well repay the effort.

Finally we stress the need to count the cost in manpower when making decisions about great space programs which require thousands of skilled personnel, especially scientists, engineers, and technicians, all in short supply. By attracting too much of our best inovating talent into one field such as space exploration, we are likely to rob other areas of industry, science, and education of the high-level talent they need.

AID TO EDUCATION—PROGRAM OF UNITED STATES STEEL FOUNDATION

Mr. JAVITS. Mr. President, our security and progress as a Nation are heavily dependent upon our progress in education, and the Federal assistance which has been voted so far this year is a small, though essential, step toward meeting the urgent needs of our colleges and universities. We are far behind in meeting the need for classrooms, equipment and modern facilities. Moreover, to meet the shortage of skilled and professional manpower, our educational system should be of the very best quality and conform to the highest standards. It is in this area that private philanthropy with its historic tradition of aid to education is turning with increased interest.

The United States Steel Foundation has announced a very important program in this regard, and it will have a very significant impact on a very wide area of the higher education field. I ask unanimous consent to have printed in the RECORD the announcement of the United States Steel Foundation, released May 21.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

AID TO EDUCATION

A $2,550,000 program of aid to education, with grants to 760 liberal arts colleges, universities, and institutes, and to 22 organizations dedicated to raising the quality of teaching and learning in America, was announced today by Roger M. Blough, chairman of the board of trustees of United States Steel Foundation, Inc.

"This program marks the beginning of the foundation's second decade of such assistance," said Mr. Blough. "Through it, the trustees have sought to aid those institutions of higher education significantly serving American education, to strengthen conditions conducive to individual excellence, and to enhance the overall quality of education."

The foundation's 1964 grants fall into four major categories: (1) about 32 percent of the total, $820,000, is for unrestricted operating grants to colleges, universities, and institutes; (2) about 46 percent, $1,165,000, is for major-purpose or capital grants; (3) about 10 percent, $240,000, is for aid to organizations and projects for improvement of educational methods and administration; and (4) the balance of about 12 percent, $325,000, is for fellowships.

Operating grants, $820,000: Operating aid in the amount of $482,000 is afforded to all 464 accredited 4-year institutional members of all the 40 State and regional liberal arts college associations. The program also provides $121,000 of operating assistance to nongroup institutions, $92,000 for the current operating needs of selected universities, science and engineering institutes not otherwise assisted, and $85,000 to the National Fund for Medical Education toward the general operating needs of its 86 member institutions. It is anticipated by the trustees that the institutions will apply most of the unrestricted operating funds to faculty and staff salary needs and to improved educational offerings.

Additionally, $40,000 of operating aid goes to predominantly Negro colleges, including all members of the United Negro College Fund (UNCF), bringing the 11-year total of such aid to about $400,000. In addition, for capital, project, and other needs, $218,000 has been made available for Negro education during the same period. This year a further commitment of up to $200,000 is also made, the bulk of which goes to the UNCF $50 million capital campaign (see detail following). Current and past aid for Negro education aggregates more than three-quarters of a million dollars. In this connection, Mr. Blough commented: "It is timely to note that United States Steel has long tried to carry a just share of responsibility for advancing the role of the Negro in American life. Through more than a score of organizations and institutions, aid has gone for projects ranging from the self-help vocational training programs of the board for fundamental education to Negro study at the doctoral level. An experimental program is being conducted in conjunction with the Columbia University School of General Studies and the Woodrow Wilson National Fellowship Foundation relating to the academically able, but educationally disadvantaged, Negro. Under this program Negro students are provided a period of special education intended to remedy any undergraduate educational gap which remains from undergraduate years so as to permit advanced study in major graduate schools. Many of these students will then return to their alma maters to strengthen teaching and make other contributions to the training of future generations. By various means, United States Steel Foundation seeks to further, in a practical, action-based manner, this vital segment of American life."

Major purpose or capital grants $1,165,000:After designating $485,000 for installments on prior commitments, the foundation is making new major purpose or capital grants amounting to $680,000. One-time grants—totaling $400,000 and ranging in amount from $10,000 to $20,000—go to the following liberal arts and science colleges, women's colleges, regional colleges, and universities: Bethany College (West Virginia), Bridgewater College (Virginia), Carson-Newman College (Tennessee), Cedar Crest College (Pennsylvania), University of Dayton (Ohio), Franklin College (Indiana), Friends University (Kansas), Hanover College (Indiana), Hartwick College (New York), Hillsdale College (Michigan), Illinois College, Illinois Wesleyan College, Loma Linda University (California), Manhattan College (New York), Marquette University (Wisconsin), Mount Union College (Ohio), St. Johns University (New York), St. Mary's College (Minnesota), St. Vincent College (Pennsylvania), Seton Hill College (Pennsylvania), University of Tulsa (Oklahoma), Washington & Jefferson College (Pennsylvania), Westminster College (Missouri), Willamette University (Oregon), Wilmington College (Ohio). With the inclusion of these grants, 233 liberal arts and science institutions will have been aided since 1954 for a total of $5.2 million. Included in this total are 30 women's institutions, which have received an aggregate of $625,000 in capital grants.

Of the $280,000 balance, $200,000 covers grants of $20,000 each to 10 private institutions—Caltech, Catholic, Cornell, Duke, Harvard, Johns Hopkins, MIT, Pennsylvania, Rochester, and Washington (Mo.)—as participants under the leadership institution aid plan. Although no post-1964 commitments are made to these institutions, it is hoped that similar support may be possible in future years. The other current university participants in the plan, to whom payments of $20,000 will be made on earlier commitments, are Brown, Chicago, Columbia, New York U., Northwestern, Princeton, Stanford, Tulane, Vanderbilt, and Yale. The leadership institution aid plan replaces, with respect to the participating institutions, consideration of the separate requirements of school, department, division, and institute needs for particular capital or other major-purpose outlays, by providing, in lieu thereof, unrestricted sums for recipient use determination and best allocation. Such a plan of assistance, inaugurated in 1957, is consonant with the approach currently urged by the National Committee for Corporate Support of American Universities.

The remaining $80,000 is the initial installment of a new commitment of up to $200,000 for Negro education; a major portion of this sum is allocated to the United Negro College Fund toward its $50 million fund-raising campaign. This and other development assistance grants are designed to afford special help to once-in-a-generation development programs of selected institutions. Participants in this part of the program, to whom payments will be made on earlier commitments are: Denver, MIT, Princeton, Yale, Lehigh, Notre Dame, Duquesne, Southern California, and Stanford.

Organization support and educational research, $130,000: Renewed support is given to the American Alumni Council for its general program and the foundation-initiated alumni-giving incentive award plan, which is open to participation by hundreds of private and public educational institutions and recognizes successful operation of alumni-support programs. Since 1959 nearly $320,000 has been made available for such stimulation of alumni giving, chiefly through awards ranging up to $5,000 to more than 170 different institutions. Such stimulation of alumni support supplements related aid resulting from the various types of alumni fund-raising plans. Coupled with the foundation's annual operating-aid support of virtually all key 4-year liberal arts colleges and selected other institutions, assistance is thus provided in a balanced way to the alma maters of the majority of American collegiate alumni. The foundation's alumni-giving incentive award plan thus is complementary to the widely adopted so-called matching gift plan. Grants are again provided the Independent College Funds of America—the national body for the liberal arts college State associations—the Council for Financial Aid to Education, the American Association of Junior Colleges, the American Association of University Women, the American College Public Relations Association, the American Council of Learned Societies, the American Council on Education, the American Personnel and Guidance Association, the Association of American Colleges, the Association of State Universities and Land-Grant Colleges, the Board for Fundamental Education, the Council for Independent School Aid, and the National Science Teachers Association toward its Future Scientists of America program.

Academic and educational quality aid, $110,000: Support is again provided toward improved library service and bettered facilities through a further grant to the Association of College and Research Libraries. Since the start of this foundation's program in 1955, about $330,000 has been provided for the needs of college libraries through such grants. Grants are continued to the Council for Advancement of Small Colleges, the Inter-University Committee on the Superior Student, and United Student Aid Funds. A grant to the National Commission on Accrediting will assist the work of the new Federation of Regional Accrediting Commissions of Higher Education. This year grants are also made to the Center for the Study of Liberal Education for Adults, which is concerned with the expansion and improvement of programs of liberal education to extend the intellectual horizons of adults, to assist the center to evolve from a regional to a national agency; the College Student Personnel Institute, toward establishment of a national information service for college student personnel work; the fine arts program of the association of American Colleges, which provides colleges and universities the opportunity to bring to the campus outstanding performing artists; and the Laboratory of Clinical Engineering at Harvey Mudd College, an experiment for providing increasing responsibility for service to the undergraduate engineering student as he moves toward professional status.

Fellowships, $325,000: The foundation's doctoral-level graduate-study fellowship plan is maintained at the established level of 80, with the current renewal of 45 such fellowships. Dispersed among 37 States, the fellowships are about evenly divided between private and public institutions. Each carries a maximum benefit of $7,200, inclusive of marital supplement allotment and institutional cost-gap grant, over the 2-year study period. The fellowships are administered and awarded by the respective institutions, with 42 percent placed in the physical and natural sciences and engineering, 42 percent in the social sciences, and 16 percent in the humanities. Thus far, the foundation has provided about $2 million for graduate-study fellowships, aiding more than 300 gifted persons.

Other grants: Beyond the foregoing program, the foundation annually has assisted education through grants in its other programs. For example, funds have been provided for oceanographic, polar, and other resource investigations, frontier work in varied disciplines comprehending mathematics, biology, psychology, and other natural, physical, and social sciences. Research scholars, often identified with universities, have benefited through such grants as those made to the New England Institute for Medical Research, the Menninger Foundation, the Institute for Medical Communication, and the Sloan-Kettering Institute. Academic centers and authorities also have benefited from foundation grants for seminars, conferences on world peace and diplomacy, on conservation of human and natural resources, international exchange, and similar undertakings. Other grants have been related to the publication of teaching materials, films, recordings, and aid to the frontier field of information retrieval.

In announcing the 1964 aid-to-education program, it was noted that various aspects of the program are now under intensive review and that future foundation aid to education could reflect some basic changes stemming from such study.

No additional 1964 grants by the foundation in the field of institutional aid are contemplated, and formal notification will be given shortly to all participants.

NEW YORK REALTORS SUPPORT CIVIL RIGHTS

Mr. JAVITS. Mr. President, one of the most difficult myths to dispel about the pending civil rights measure is that it has some effect upon sales or rental of housing. It does not have any effect on these, which are already governed by the Executive order against discrimination in housing financed with Federal guarantees or loans. The Real Estate Board of the Bronx recently recognized, most commendably, both the moral imperative embodied in the bill and the fact that the bill does not even yet approach in effect the existing New York law against discrimination. I ask unanimous consent that an editorial from the June 1964 issue of Bronx Real Estate & Building News be printed in the RECORD at this point in my remarks, along with an editorial broadcast by station WMCA commending the Real Estate Board of New York for its similar stand.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

A DISSENTING OPINION

(By Edward P. Stachnik, president, Metropolitan Association of Real Estate Boards, president, Real Estate Board of the Bronx)

I have only the greatest personal and professional respect for President Ed Mendenhall, of the National Association of Real Estate Boards, and I know from my own personal experience the thoughtful consideration given by NAREB's directors to prospective policy statements and positions on pending legislation. Nevertheless I must register a respectful but firm dissent and disassociate myself, both as a citizen and as a realtor, from the NAREB recommendation that the civil rights bill (H.R. 7152) be defeated by the U.S. Senate; and I am certain that there are many within the NAREB membership of 77,000 who will associate themselves with my dissent.

The Real Estate Board of the Bronx functions in perhaps the most truly integrated county in the Nation. It functions under a New York State law far more stringent in its application than the provisions of the Federal civil rights bill now before the Senate. Despite the real and increasing pressures by minority groups to secure housing in previously nonintegrated sections of our community, and despite the availability of both State and municipal enforcement machinery well known to the able and aggressive leaders of the minority groups, there have been only two charges of discrimination lodged against real estate brokers in our county; and in neither case has the charge been confirmed.

Certainly laws designed to eliminate discrimination should be written clearly; certainly, too, no one group (e.g., realtors) should be singled out for especial limitation or punitive threats; certainly Federal intervention should not be encouraged where States are honestly striving to insure that all citizens, irrespective of race, creed, country of origin, or color of skin, enjoy the rights guaranteed to them by the United States Constitution. Perhaps amendments to, and clarifications of, the proposed Federal Civil Rights Act are both desirable and necessary. NAREB most certainly would be within its rights and serve to protect its members by pointing out such weaknesses and proposing new wording or amended sections. The wholesale condemnation of the entire civil rights bill, however, makes a mockery of Mr. Mendenhall's assurance that "NAREB is not opposed to civil rights" and tends to aline the realtors of this Nation, at least in the eyes of the public, with the ultraconservatives of the so-called "radical right" and the southern segregationist forces in the U.S. Senate.

Recognizing full well that even passage of this legislation will not end bias, prejudice, and discrimination, and accepting the need for specific clarifications and amendments, I register my endorsement of the Federal civil rights bill and urge Senators JAVITS and KEATING, of New York State, to vote for its adoption.

(Donal E. J. MacNamara, executive vice president, is proud to endorse the above statement by President Stachnik. It is a courageous and intelligent recognition of the realities of the 20th century living in a plural society and an affirmation of a truly ethical, moral, and professional approach to a conflict between human and property rights.)

[Editorial by WMCA]

CIVIL RIGHTS AND REAL ESTATE

The National Association of Real Estate Boards is fighting the civil rights bill on the grounds that it threatens the right of property owners to use property as they see fit.

Besides being shameful, this argument is sheer claptrap.

It's shameful, because in effect the national real estate men are defending the widespread practice of refusing public accommodations to Negroes.

It's claptrap, because the right to use property is not a limitless right.

Local real estate men apparently see it this way and thus differ from their national colleagues.

WMCA, therefore, congratulates the Real Estate Board of New York, with its 3,000 members, for declining to support the prejudices of the national real estate association.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT MEETING OF THE TWO HOUSES—ADDRESS BY PRESIDENT EAMON DE VALERA OF IRELAND

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess subject to the call of the Chair, and that the Senate now proceed to the Hall of the House of Representatives for the purpose of hearing an address to be delivered by President Eamon de Valera.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Thereupon (at 12 o'clock and 15 minutes p.m.), the Senate, preceded by its Deputy Sergeant at Arms (Robert G. Dunphy) the Chief Clerk (Emery L. Frazier), and the President pro tempore, the Senator from Arizona (Mr. HAYDEN), proceeded to the Hall of the House of Representatives for the purpose of hearing an address to be delivered by President Eamon de Valera, of Ireland.

(For the address delivered today by the President of Ireland at the joint meeting of the two Houses, see House proceedings of today, pp. 12215–12217.)

The joint meeting having been dissolved, the Senate, at 1 o'clock and 9 minutes p.m., returned to its Chamber and was called to order by the President pro tempore.

REPORT OF CIVIL AIR PATROL

The PRESIDENT pro tempore laid before the Senate a letter from the national commander, Civil Air Patrol, Inc., Ellington Air Force Base, Tex., transmitting, pursuant to law, a report of that patrol, for the calendar year 1963, which, with the accompanying paper, was referred to the Committee on Armed Services.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

The petition of C. R. Mead, of Westport, Conn., relating to his claim for a redress of grievances; to the Committee on the Judiciary.

A resolution adopted by the 184th convention of the Diocese of New York of the Protestant Episcopal Church, New York, N.Y., favoring the enactment of H.R. 7152, the so-called civil rights bill; ordered to lie on the table.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN (for himself and Mr. Cooper):

S. 2880. A bill to authorize the acquisition of certain property in square 724 in the District of Columbia for the purpose of extension of the site of the additional office building for the U.S. Senate or for the purpose of addition to the U.S. Capitol Grounds; to the Committee on Public Works.

By Mr. BARTLETT (for himself, Mr. Jackson, Mr. Magnuson, and Mr. Gruening):

S. 2881. A bill to amend the Alaska Omnibus Act to provide assistance to the State of Alaska for the reconstruction of areas damaged by the earthquake of March 1964 and subsequent seismic waves, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

EXPRESSION OF REGRET ON DEATH OF JAWAHARLAL NEHRU OF INDIA

Mr. HUMPHREY (for himself, Mr. Mansfield, Mr. Dirksen, and Mr. Cooper) submitted a resolution (S. Res. 333) expressing regret on the death of Jawaharlal Nehru of India, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Humphrey, which appears under a separate heading.)

THE 1964 AMENDMENTS TO THE ALASKA OMNIBUS ACT

Mr. BARTLETT. Mr. President, the administration and the Congress have given magnificent support and inspiration to Alaskans stricken by the devastating Good Friday earthquake in Alaska through passage of legislation and appropriation of funds which will go a long way in rebuilding Alaska's economy.

In that connection I note that a few minutes ago the Senate passed a deficiency bill which contains an appropriation of more than $40 million for Alaska's reconstruction effort.

President Johnson has described what has been done in a letter sent to the House and Senate today in submitting a draft of legislation to give additional special assistance through Federal agencies. The legislation relates to highways, urban renewal, Small Business Administration loans, small boat harbors, debt adjustments, and marketing of State of Alaska bonds.

The Federal Reconstruction and Development Planning Commission for Alaska, appointed by President Johnson and headed by the distinguished senior Senator from New Mexico [Mr. Anderson] has studied the Alaska situation exhaustively, and this legislation, suggested by the Commission and endorsed by the President, represents the result of many meetings and discussions.

Mr. President, in the absence on official business of the able chairman of the Interior and Insular Affairs Committee [Mr. Jackson], I introduce, for appropriate reference, a bill to amend the Alaska Omnibus Act to provide assistance to the State of Alaska for the reconstruction of areas damaged by the earthquake of March 1964 and subsequent seismic waves, and for other purposes, in behalf of myself and Senators Jackson, Magnuson, and Gruening. I ask unanimous consent that President Johnson's letter to the President of the Senate dated May 27, 1964, be made a part of the Record at this point, together with the letter dated May 23, 1964, addressed to the President by Senator Anderson as chairman of the Commission, a section-by-section analysis of the bill, and the bill itself.

The message from the President submitting the draft of legislation was referred to the Public Works Committee. However, since the bill does amend the Alaska Omnibus Act which has been held a subject proper for consideration by the Interior and Insular Affairs Committee, I ask unanimous consent that the bill I introduce today be referred to the Interior and Insular Affairs Committee. This request has been cleared with the chairman of the Public Works Committee [Mr. McNamara].

It goes almost without saying that all Senators, including the sponsors, will want to examine the bill carefully and that amendatory language may be offered. But what I want to emphasize is that there is now before the Senate another example of President Johnson's continuing and deep concern with the Alaska situation.

The PRESIDING OFFICER (Mr. Pell in the chair). The bill will be received and appropriately referred, and, without objection, the letters, the section-by-section analysis of the bill, and the bill will be printed in the Record, as requested by the Senator from Alaska.

The bill (S. 2881) to amend the Alaska Omnibus Act to provide assistance to the State of Alaska for the reconstruction of areas damaged by the earthquake of March 1964 and subsequent seismic waves, and for other purposes, introduced by Mr. Bartlett (for himself and other Senators) was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "1964 Amendments to the Alaska Omnibus Act".

Sec. 2. The Congress hereby recognizes that the State of Alaska has experienced extensive property loss and damage as a result of the earthquake of March 27, 1964, and subsequent seismic waves, and declares the need for special measures designed to aid and accelerate the State's efforts in providing for the reconstruction of the areas in the State devastated by this natural disaster.

Sec. 3. Section 21 of the Alaska Omnibus Act (73 Stat. 145) is amended by adding a new subsection (f) to read as follows:

"(f) Notwithstanding the limitation contained in subsection (f) of section 120 of title 23, United States Code, the Secretary of Commerce is authorized to make expenditures from the emergency fund under section 125 of such title for the repair or reconstruction of highways on the Federal-aid highway systems of Alaska which have been damaged or destroyed by the 1964 earthquake and subsequent seismic waves, in accordance with the Federal share payable under subsection (a) of section 120 of such title. The increase in expenditures resulting from the difference between the Federal share authorized by this subsection and that authorized by subsection (f) of section 120 of such title shall be reimbursed to the emergency fund by an appropriation from the general fund of the Treasury: *Provided,* That such increase in expenditures shall not exceed $15 million in the aggregate."

Sec. 4. The Alaska Omnibus Act (73 Stat. 141) is amended by adding the following new sections at the end of section 50 thereof:

"NEW FEDERAL LOAN ADJUSTMENTS

"Sec. 51. (a) The Secretary of Agriculture is authorized to compromise or release such portion of a borrower's indebtedness under programs administered by the Farmers Home Administration in Alaska as he finds necessary because of loss resulting from the 1964 earthquake and subsequent seismic waves, and he may refinance outstanding indebtedness of applicants in Alaska for loans under section 502 of the Housing Act of 1949 for the repair, reconstruction, or replacement of dwellings or farm buildings lost, destroyed, or damaged by such causes and securing such outstanding indebtedness. Such loans may also provide for the purchase of building sites, when the original sites cannot be utilized.

"(b) The Secretary of Agriculture is authorized to compromise or release such portion of a borrower's indebtedness under programs administered by the Rural Electrification Administration in Alaska as he finds necessary because of loss, destruction, or damage of property resulting from the 1964 earthquake and subsequent seismic waves.

"Sec. 52. The Housing and Home Finance Administrator is authorized to compromise or release such portion of any note or other obligation held by him with respect to property in Alaska pursuant to title II of the Housing Amendments of 1955 or included within the revolving fund for liquidating programs established by the Independent Offices Appropriation Act of 1955, as he finds necessary because of loss, destruction, or damage to facilities securing such obligations by the 1964 earthquake and subsequent seismic waves.

"URBAN RENEWAL

"SEC. 53. The Housing and Home Finance Administrator is authorized to enter into contracts for grants not exceeding $25 million for urban renewal projects in Alaska, including open land projects, under section 111 of the Housing Act of 1949, which he determines will aid the communities in which they are located in reconstruction and redevelopment made necessary by the 1964 earthquake and subsequent seismic waves. Such authorization shall be in addition to and separate from any grant authorization contained in section 103(b) of said Act.

"EXTENSION OF TERM OF HOME DISASTER LOANS

"SEC. 54. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (72 Stat. 387), as amended (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in Alaska damaged or destroyed by the 1964 earthquake and subsequent seismic waves, may have a maturity of up to thirty years: *Provided*, That the provisions of section 7(c) of said Act shall not be applicable to such loans.

"MODIFICATION OF CIVIL WORKS PROJECTS

"SEC. 55. The Chief of Engineers, under the direction of the Secretary of the Army, is hereby authorized to make such modifications to previously authorized civil works projects in Alaska adversely affected by the 1964 earthquake and subsequent seismic waves as he finds necessary to meet changed conditions and to provide for current and reasonably prospective requirements of the communities they serve, at an estimated cost of $10 million.

"PURCHASE OF ALASKA STATE BONDS

"SEC. 56. The Housing and Home Finance Administrator is authorized to purchase, in accordance with the provisions of sections 202(b), 203, and 204 of title II of the Housing Amendments of 1955, the securities and obligations of, or make loans to, the State of Alaska to finance any part of the programs needed to carry out the reconstruction activities in Alaska related to the 1964 earthquake, and subsequent seismic waves: *Provided*, That the aggregate amount of such purchase or loan shall not exceed $25 million."

APPROPRIATION AUTHORIZATION

SEC. 5. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, which shall be available for obligation until June 30, 1967. There is also authorized to be appropriated such sums as may be necessary for the expenses of such advisory commissions or committees as the President may establish in connection with the reconstruction and development planning of the State of Alaska.

TERMINATION DATE

SEC. 6. The authority contained in this Act shall expire on June 30, 1967, except that such expiration shall not affect the payment of expenditures for any obligation or commitment entered into under this Act prior to June 30, 1967.

The letters and analysis presented by Mr. BARTLETT are as follows:

THE WHITE HOUSE,
May 27, 1964.

DEAR MR. PRESIDENT: The State of Alaska and the people of Alaska, aided by voluntary agencies and the Federal Government, have begun to rebuild from the ruins of the devastating earthquake of March 27. But new legislative authority is urgently needed to provide the additional special assistance essential to their reconstruction efforts. I am today, therefore, sending to the Congress draft legislation to provide this authority.

Immediately following the earthquake, we moved quickly to assist Alaska and its people. Under existing programs and new authorities proposed in this draft bill, the Federal Government is estimated to spend over $275 million in Alaska in the course of the earthquake reconstruction program.

Major items in this estimate include $80 million of grants under the existing authority of the Office of Emergency Planning for restoring public facilities and debris clearance; over $75 million for restoration of Federal facilities; over $60 million in grants for highway repair; and up to $45 million in grants for urban renewal projects. Also, legislation has already been approved by the Congress—which I will sign into law today—authorizing $23.5 million in grants to the State to make up losses of State and local tax revenues and to insure continuity of government.

In addition, under existing law, various outstanding Federal loans are being adjusted. Federal tax refunds and reductions will be based on casualty losses, and various Federal agencies are extending credit on liberal terms. The Small Business Administration, for example, will make disaster loans on very favorable terms to assist homeowners and businesses in reconstruction.

The legislation which I am proposing—based on recommendations of the Federal Reconstruction and Development Planning Commission for Alaska—will provide greater flexibility in Federal programs to cope with the extraordinary circumstances arising out of the earthquake. Included among the programs involved are highways, urban renewal, housing, and harbor improvements.

The enclosed letter from the Chairman of the Commission, Senator CLINTON P. ANDERSON, describes the principal features of the draft bill.

Concern for our fellow citizens alone compels prompt action on this proposal. But practical considerations are also most important. The construction season in Alaska is about to begin and is of short duration. The sooner Alaska can complete its reconstruction efforts, the sooner it can begin again to devote its efforts toward the further development of the State's resources.

Accordingly, I urge the Congress to take prompt action on the proposed legislation to facilitate Alaskan planning and reconstruction efforts during this summer's construction season.

Sincerely,

LYNDON B. JOHNSON.

FEDERAL RECONSTRUCTION AND DEVELOPMENT PLANNING COMMISSION FOR ALASKA,
Washington, D.C., May 23, 1964.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am enclosing a draft of a bill "To provide assistance to the State of Alaska in providing for the reconstruction of areas damaged by the earthquake of March 1964, and subsequent seismic waves, and for other purposes," and a section-by-section analysis.

This legislation is an outgrowth of the considerations of this Commission since the Alaskan earthquake of March 1964. Its purpose is to provide needed special assistance to the State and its people in their reconstruction efforts. The Commission has found that special Federal assistance in the form of legislation is needed now for highways, urban renewal, harbors, housing, and State finances. Areas requiring additional legislation may become apparent at a later time and may be proposed then.

The draft legislation amends the Alaska Omnibus Act and is limited in scope to Alaska and the disaster area. It recognizes (1) that the recent disaster caused extensive property loss and damage in the private and public sector; and (2) that this damage has severely restricted and drained the State's resources.

HIGHWAYS

To provide the special assistance needed to repair and reconstruct the nonforest, Federal-aid highways damaged by the earthquake, the draft legislation would authorize an increase in the Federal share of the cost of reconstruction from the present 50 percent to 94.9 percent as provided in the bill, and an appropriation not to exceed $15 million to cover the increase. The higher percentage is now applicable to new Federal-aid highway construction in Alaska.

Current estimates indicate that up to $36 million will be required to reconstruct these highways in the disaster area. Under existing law, the State's share of this estimated cost would be one-half this amount. Even with the enactment of pending legislation making transitional grants available to the State, Alaska could not pay its share of highway reconstruction and carry out its other disaster-oriented programs.

DEBT ADJUSTMENTS

A preliminary private real property survey indicates that the private loss, as a result of the recent earthquake and subsequent seismic waves, is about $77 million. The Department of Agriculture, through the Farmers Home Administration and the Rural Electrification Administration, would be authorized by this draft bill to adjust the indebtedness of some of their borrowers to enable them to overcome losses suffered from the earthquake. It would also authorize the refinancing of the outstanding indebtedness of these and other farmers and rural residents similarly damaged. This draft legislation would provide similar debt adjustment authority to the Housing and Home Finance Administrator. These provisions place the programs of the Department of Agriculture and the HHFA on the same general footing as other Federal loan programs which now are authorized to adjust their borrowers' indebtedness under disaster conditions.

URBAN RENEWAL

A number of communities in the disaster area of Alaska are considering or have made applications for urban renewal projects. These are: Anchorage, Homer, Kodiak, Seldovia, Seward, and Valdez. Currently available, but very preliminary, estimates indicate that the total cost of these projects may be as high as $59 million. The Federal share of this cost would be about $45 million. This share is made up of 75 percent of the project costs plus 100 percent of relocation costs, which is the usual formula for cities of this size.

The Commission gave very serious consideration to the question of whether the Federal grant share should be increased above 75 percent for projects directly related to the earthquake. While recognizing the straitened circumstances of the communities themselves, I believe this increase was not justified on the basis of the available estimates of costs and resources. The preliminary cost figures, admittedly highly tentative, raise substantial questions as to whether the magnitude of the proposed projects is necessary to effect recovery from the effects of the earthquake. At the same time, it seems reasonable to expect the State to provide substantial assistance to the communities in meeting their local share. The draft bill authorizes the purchase by the Federal Government of $25 million of State bonds for this purpose among others.

The bill would authorize the Housing and Home Finance Administrator to enter into contracts for urban renewal projects in Alaska up to a maximum of $25 million. The recent disaster makes it essential that this additional contract authority be requested for use in Alaska at this time. To the extent that additional grant funds may be needed to carry out these projects, they would be made available from regular urban renewal grant authorizations.

LOANS

As indicated above, a number of homes in Alaska were damaged or destroyed or in some cases even lost. The Small Business Administration now has authority to make disaster loans to the homeowners with a maximum maturity of 20 years. Since these loans may include some portion of the existing indebtedness on damaged or destroyed homes, as well as the cost of rebuilding these homes, the draft bill would authorize the making of such loans for a maximum period of 30 years.

HARBORS

The draft legislation would authorize the Corps of Engineers to make modifications in previously authorized civil works projects in Alaska, where it is found that such modifications are nececsary to overcome the adverse effects of the earthquake. These modifications would include such reasonable expansions in the harbors that may be economically feasible to meet the prospective needs of the communities. The estimated cost is $10 million.

STATE FINANCES

The State legislature has authorized a $50 million bond issue to help finance capital projects related to reconstruction from the earthquake. It is expected that for the next 2 years the State will be faced with high capital investment requirements which will add to the State's financial burden.

While the Commission does not expect that all of the $50 million would be needed now, it appears that one-half or more may be required to supplement the State's revenues and the extended transition grants in order to meet the Federal assistance for major reconstruction and rehabilitation projects over the next 2 years. The draft bill provides Federal assistance in marketing up to $25 million of these State of Alaska bonds. The Housing and Home Finance Administrator would purchase these bonds with funds now available in the public facility loan revolving fund. The bonds would be sold in the private market, or refunded in the private market by the State, as soon as its regular credit is restored. The State would receive from HHFA the more favorable interest rate for public bodies in redevelopment areas (currently 3⅝ percent), and principal repayment might be deferred for a few years from the date of the loan or purchase of the bonds.

The agencies represented by the Commission have devoted considerable time and effort in developing this draft bill. There is an urgent need for this legislation. The short construction season requires the initiation of construction as soon as possible in order to permit Alaska to prepare for next winter. It is the belief of the Commission that the bill proposes fiscally responsible means of providing special assistance to the State's reconstruction efforts which must proceed as rapidly as possible. The proposed bill has been reviewed by the interested departments and agencies and the Bureau of the Budget has received their concurrence. Pursuant to the meetings of May 8 and 22, 1964, of the Commission, it is recommended that this legislation be submitted to the Congress for early action.

Respectfully yours,

CLINTON P. ANDERSON,
Chairman.

SECTION-BY-SECTION ANALYSIS OF THE 1964 AMENDMENTS TO THE ALASKA OMNIBUS ACT

SECTION 1

The short title of the proposed bill is the "1964 Amendments to the Alaska Omnibus Act."

SECTION 2

This section recognizes the national concern over the 1964 Alaskan earthquake and the resultant damage. It also recognizes that there is an urgent need to provide special assistance to the State in carrying out its own efforts toward reconstruction and rehabilitation.

SECTION 3

This section amends section 21 of the Alaska Omnibus Act by adding at the end thereof a new subsection (f).

It is currently estimated that the repair or reconstruction of highways in Alaska damaged by the recent earthquake may cost up to $65 million. These highways are essential to the economic well-being of the State.

Some of the highways affected are forest highways. The cost of repair and reconstruction of these highways may run to $29 million and can be accomplished under existing authority with 100 percent Federal funds.

It is estimated that up to $36 million will be required to repair or reconstruct the Federal-aid highways in the disaster area of the State. Under existing law the cost of repair or reconstruction of Federal-aid highways is shared on a 50–50 basis by the Federal and State Governments. Thus, Alaska's share of the highway reconstruction cost would be $18 million. If this were new construction, the Federal share would be 94.9 percent because of the so-called sliding scale provisions applicable to Federal-aid highways located in States wherein the unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceed 5 percent of the total area of all lands therein (1961 statistics show the total acreage of Alaska to be 365,481,600 acres of which 337,497,545 acres are part of the public domain or about 90 percent of the total acreage in the State).

This new subsection is designed to increase the Federal share of reconstruction from 50 percent to 94.9 percent of the total cost by making the sliding scale provisions of section 120(a) of title 23 applicable to these Federal-aid highways in Alaska. It limits the increase in the Federal share to not more than $15 million in the aggregate and provides that the amount of the increase shall be reimbursed to the highway emergency fund by an appropriation from the general fund of the Treasury. The initial 50 percent of the Federal share would continue to be financed in the presently authorized manner.

In view of the dimensions of the recent disaster in Alaska and the resulting drain on the State's resources, it seems appropriate to increase the Federal share in the manner proposed in this case.

SECTION 4

This section of the proposed bill amends the Alaska Omnibus Act by adding six new sections to the existing provisions of that act.

Federal loan adjustments

Section 51(a) would authorize the Secretary of Agriculture to make adjustments in indebtedness of farmers and rural residents who are borrowers of the Farmers Home Administration to enable them to have a reasonable opportunity to overcome losses suffered from the earthquake and become reestablished on a sound basis. It would also provide authority for refinancing these and other farmers and rural residents similarly damaged. This authority is intended to apply to communities of 2,500 persons or less, as the Small Business Administration will handle such refinancing in larger communities.

When geological surveys determine the original building site to be unusable, Farmers Home Administration would be authorized to include funds in the loans for purchase of a replacement building site.

The Farmers Home Administration has loans outstanding with 200 families in Alaska, totaling approximately $4 million. These families could not obtain credit from other sources at the time they received their loans. Therefore, such families who suffered damage or loss to their real or chattel property and partial or total loss of income for an indefinite period ordinarily would be unable to recover from their losses without an adjustment in their debts. Special assistance of the type provided in this section of the proposed bill would be necessary for some of these families to recover from this disaster.

Section 51(b) would authorize the Secretary of Agriculture to adjust indebtedness of borrowers in Alaska from the Rural Electrification Administration as he finds necessary because of property loss directly resulting from the earthquake. It is intended that such adjustments would not take into account loss of revenue.

The Rural Electrification Administration has loans outstanding in Alaska to nine electric cooperatives aggregating $76,362,468, and to two public bodies aggregating $2,479,000. There is also one loan outstanding to a telephone cooperative in the amount of $1,863,000. Preliminary reports indicate that substantial damage has been sustained by two electric cooperatives—Chugach Electric Association, Anchorage, with a loan commitment in the amount of $47,494,000, and Kodiak Electric Association, Kodiak, with a loan commitment in the amount of $1,555,000. Funds actually advanced to these two systems total $31,957,436, and the outstanding balance of principal and accumulated interest owed by them is $29,322,611.

An appraisal of the damage is now underway as is a determination of their ability to repay the outstanding balances of their loans and to carry the additional debt which will be required to finance the reestablishment of their systems on an economically feasible basis. Special assistance of the type provided in this proposal in an amount not yet determined may be necessary to facilitate the restoration and repair of facilities damaged or destroyed as a result of the earthquake.

It is intended that the authorities in section 51 would be used despite any restrictive provisions of existing law relating to compromises, settlements, or adjustments of borrower's indebtedness under these programs.

Section 52 would authorize the Housing and Home Finance Administrator to compromise or release such portion of any obligations which he holds in Alaska under the public facility loan program or under the revolving fund for liquidating programs, to the extent he finds that such relief is necessary because the facilities securing these obligations have been substantially damaged by the recent earthquake. Presently, the Administrator has no authority to provide any relief in situations such as this, beyond the rescheduling of required loan payments.

Under the revolving fund for liquidating programs, the Housing Administrator holds obligations received in three programs which are now no longer operative: The Alaska housing loan program, the public agency loan program (RFC), and the prefabricated housing loan program. There has been extensive damage, estimated to total about $1.5 million, to two projects financed under the Alaska housing loan program. These are the McKinley Apartments and the "1200 L" Apartments, high-rise projects in downtown Anchorage. The mortgages on these properties are pledged by the Alaska State Housing Authority to the Administrator as part of the security for the Federal loan it received under the Alaska housing loan program for the financing of these apartments. It is not yet certain whether the damage to these properties will prevent the authority from making full payment of its Federal obligation.

The effect of sections 51 and 52 will be to place these programs in Alaska on the same general footing as other Federal loan programs which presently adjust their borrowers' indebtedness under disaster conditions.

It should be noted that the disaster relief authority of the Office of Emergency Planning may be able to accomplish some of the objectives of sections 51(b) and 52 and section 53 below. It is expected that such authority would be used to the maximum extent possible in such cases.

Urban renewal

Section 53 would authorize the Housing and Home Finance Administrator to enter into contracts for urban renewal projects in Alaska up to a maximum of $25 million under title I of the Housing Act of 1949. This authorization would be available only in connection with projects which he finds will directly aid in the reconstruction and redevelopment of the areas in Alaska that were substantially damaged or destroyed by the recent disaster. While housing legislation pending in the Congress provides for an increase in existing urban renewal grant authority, the recent disaster makes it essential that some additional contract authority be requested for use in Alaska in advance of the enactment of the pending legislation.

A number of communities in the disaster area of Alaska are considering or have made applications for urban renewal projects. These are Anchorage, Homer, Kodiak, Seldovia, Deward, and Valdez. Currently available estimates indicate that the total cost of these projects may be $59 million. The Federal share of this cost would be about $45 million. This share is made up of 75 percent of the project costs plus 100 percent of relocation costs, which is the usual formula for cities of this size.

Since planning of all these projects is still underway by the local communities, the estimates of costs are highly tentative and may be revised substantially downward. In any event the $25 million additional grant authority proposed in the bill would be sufficient to proceed on a timely basis and to take advantage of the forthcoming construction season which in Alaska is extremely short. To the extent that additional grant funds may be needed to carry out these projects, they would be made available from regular urban renewal grant authorizations.

While it is recognized that these communities may lack sufficient funds as a result of the earthquake to meet the local share, it is expected that the State will assist these communities in meeting their share through the marketing of its bonds. In this connection, provision is made in section 56 of this bill for the Housing and Home Finance Administrator to purchase up to $25 million of Alaska State bonds or to make loans in that amount to assist the State's reconstruction effort.

The earthquake has created exceptional circumstances which may make it necessary to relocate the town of Valdez on open land some distance from the present site. Existing urban renewal law does not authorize the making of grants for projects consisting of open land, since it was anticipated that such projects, not involving any demolition of structures, could be carried out without cost. It is possible, however, that grants may be required if Valdez is relocated.

Section 53 would therefore authorize the Administrator to make grants for urban renewal projects consisting of open land in the disaster area. It is expected that the use of this authority will be limited to the possible relocation of Valdez.

Extension of term of home disaster loans

Section 54 would authorize the Administrator of the Small Business Administration to make loans, in accordance with the provisions of section 7(b)(1) of the Small Business Act, for the repair or reconstruction of homes destroyed or damaged in Alaska by the recent earthquake for a maximum period of 30 years. In making such loans, however, the Administrator could not extend the maturity date, as provided in section 7(c) of the act, for an additional 10 years. Presently, all loans made under section 7(b)(1) of the act must mature in 20 years or less; section 7(c) authorizes an extension for an additional 10 years or less for the orderly liquidation of the loan, if needed.

Modifications of civil works projects

Section 55 would authorize the Secretary of the Army through the Chief of Engineers to modify existing civil works projects in Alaska to meet the changed conditions brought about by the recent earthquake and the current and prospective needs of the communities affected by these projects. Existing projects may be expanded where economically feasible and if the most economic method for construction of the expansion is concurrent with, or in lieu of, replacement of the damaged installation.

Purchase of State bonds

Section 56 would authorize the Housing and Home Finance Administrator to purchase, in accordance with the applicable provisions of the existing public facility loan program and from funds available in the public facility loan revolving fund, up to $25 million of State of Alaska bonds issued to finance the State's share of earthquake reconstruction projects. Alternatively, the Administrator could make a loan to the State for this purpose.

These bonds would have a maximum maturity of 40 years. It is contemplated that the State would receive the more favorable interest rate available to public bodies in redevelopment areas from HHFA (currently 3⅝ percent), and that the State would be able to improve on this rate in the private market within 2 years. It is further contemplated that the first principal repayment might be deferred for a few years after the granting of the loan or the purchase of the bonds. The exact repayment schedule would be determined by the Administrator, taking into account the probable future capacity of Alaska to meet these principal repayments. As soon as the State's regular credit standing is restored, the bonds would either be sold in the private market by the Federal Government, or refunded in the private market by the State.

Shortly after the Alaskan earthquake, the State legislature authorized a $50 million bond issue to help finance reconstruction, recovery, and some other capital projects. Since this action, the State authorities have tended to the view that the authorized bonds are unmarketable except at prohibitive interest costs.

There is no question that the State of Alaska—even with the favorable proposals for Federal assistance—will be faced in the next 2 years with abnormally high capital investment requirements, but with a temporary decline in investor interest in the State's obligations. The result, without further assistance, would be to require the State to pay high interest rates which cannot be justified over the long run and which would add to the State's financial burdens.

While it is not expected that all of the $50 million would have to be offered in connection with the present disaster, it appears that one-half or more may be required to supplement the State's revenues and extended transition grants in order to carry out its share of major reconstruction and rehabilitation projects, such as highways and urban renewal. It is expected that up to $14 million of the bonds would be used by the State to assist the local communities in meeting their share of urban renewal projects contemplated in the disaster area. Federal assistance in marketing this portion of the $50 million seems warranted to insure the success of other Federal proposals to aid the State's reconstruction efforts.

If the bonds are bought by the Federal Government as proposed in this bill, it should be possible within a reasonably short time for them to be resold or refinanced in the private market. As a result:

(a) Alaska's temporary needs would be met;

(b) No penalty interest costs would be involved; and

(c) The Federal Government's cost could be recovered as soon as it was no longer needed.

SECTION 5

This section authorizes the appropriation of necessary funds to the various agencies to carry out the provisions of this bill. The appropriations would be made available for obligation until June 30, 1967. This should provide sufficient time for the State to take advantage of the special Federal assistance made available by this bill.

Section 5 would also authorize appropriations for such advisory commissions or committees as the President may establish in connection with Alaskan reconstruction and development planning. It is intended that this authority would be available for the expenses of the existing Federal Reconstruction and Development Planning Commission for Alaska.

SECTION 6

This section provides for the termination on June 30, 1967, of the authorities contained in this bill. It is recognized, however, that certain projects may not be completed then, and provision is made for expenditures on approved projects beyond that date.

CIVIL RIGHTS — AMENDMENTS — (AMENDMENTS NOS. 657 THROUGH 676)

Mr. SPARKMAN. Mr. President, I send to the desk sundry amendments to the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes, and ask that they be printed, lie on the table, and be considered read for all purposes in connection with the bill.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The amendments are as follows:

Amendment No. 657

On page 9, line 20, immediately after the word "instituted", insert a comma and the following: "upon the execution and filing by the plantiff of proper bond to assure the defendant against loss or damage by reason of any injunction or order improvidently granted,".

Amendment No. 658

On page 9, line 24, strike out the words "this title,", and insert in lieu thereof the words "subsection (a),".

On page 10, after line 24, insert the following new subsection:

"(f) Whenever any action has been instituted under subsection (a) by or on behalf of any person who has made complaint alleging a violation or threatened violation of section 203 by the defendant therein, and final judgment in such action has been entered in favor of the defendant, such defendant shall be entitled to recover from such person, by action instituted in any State or United States court of competent jurisdiction, the amount of any damages sustained by such defendant by reason of the institution and prosecution of such action under subsection (a). If, in any action for the recovery of damages under this subsection, it is determined that the defendant therein instituted or caused to be instituted such action under subsection (a) with malice and with intent to injure the defendant in such action in his business, profession, or occupation, the plaintiff in such action under this subsection for the recovery of damages shall be entitled to recover threefold the amount of the damages so sustained by him and reasonable attorney's fee."

Amendment No. 659

On page 9, line 14, immediately after the period, insert the following new sentence: "No lawful action taken by any person to protect, defend, or enforce any right, privilege, or remedy conferred upon him or secured by the Constitution or any statute of the United States or by valid law of any State or political subdivision thereof shall be held to be in violation of this section."

Amendment No. 660

On page 8, line 17, immediately after the period, insert the following new sentence: "Nothing contained in this title shall prevent any person from seeking, or any State or political subdivision from providing, police protection for (1) the life, safety, or property of any person, or (2) the prevention or suppression of any riot, rebellion, or other disturbance of the peace."

Amendment No. 661

On page 8, line 9, immediately after the period, insert the following new sentence: "Such term does not include any activity or transaction which is wholly intrastate in character."

Amendment No. 662

On page 6, line 22, immediately after the word "facility", insert the words "not situated within the residence of the operator or proprietor thereof, if such facility is".

Amendment No. 663

On page 43, strike out all in lines 3–7, inclusive and insert in lieu thereof the following:

"(g) Nothing contained in this Act shall confer upon any court any jurisdiction with respect to any subject or matter withdrawn from the jurisdiction of that court by any provision of the Act entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932 (29 U.S.C. 101–115), commonly known as the Norris-La Guardia Act."

Amendment No. 664

One page 11, line 22, immediately after the word "being", insert the word "unlawfully".

Amendment No. 665

On page 18, after line 23, insert the following new section:

"Sec. 410. The expulsion or exclusion of any individual or group of individuals from any public school or public college, or any class within any such school or college, for any of the reasons listed hereinafter shall not for any purpose be deemed to constitute a failure to achieve desegregation or a denial of equal educational opportunity by reason of race, color, religion, or national origin—

"(1) failure to attain or maintain the minimum standard of academic achievement required of other individuals and groups for admission or continuance as students in such school, college, or class;

"(2) failure to conform to the standards of conduct and self-discipline imposed by such school, college, or class with respect to other individuals and groups who are students therein;

"(3) commission or threatened commission of acts of violence against or upon other students or teachers or administrators of such school, college, or class;

"(4) commission of criminal offenses, or engaging in conduct prejudicial to the maintenance of high moral standards within such school, college, or class; or

"(5) participation in any riot, insurrection, strike, boycott, or other physical disturbance or sanction directed at the administration, personnel, or policies of such school, college, or class or of any school board administering or supervising such school, college, or class."

Amendment No. 666

On page 18, line 3, immediately after the period, insert the following: "No action under this section may be instituted against any school board within any State until (1) there has been transmitted to the Attorney General or chief legal officer of that State a written notice containing a full and complete statement of the facts and circumstances upon which the Attorney General of the United States relies in support of his claim for relief against such board, and (2) such chief legal officer of that State has been accorded reasonable opportunity to procure compliance by such board with the requirements of law with respect to the complaint made against such board. In any action so instituted against any such board of any State, the Attorney General or chief legal officer of such State shall be entitled as of right to intervene as an interested party."

Amendment No. 667

Beginning with the word "in" in line 20, page 17, strike out all to and including the word "and" in line 21, page 17, and insert in lieu thereof the words "against the school board as to which complaint was made in the district court of the United States for the judicial district in which such board has its principal office".

Amendment No. 668

On page 12, line 1, immediately after the word "managed", insert "for use by the general public".

Amendment No. 669

On page 6, line 8, immediately after the word "segregation", insert the words "based exclusively".

Amendment No. 670

Beginning with line 12, page 7, strike out all to and including the period in line 2, page 8, and insert in lieu thereof the following:

"(c) The operations of an establishment affect commerce within the meaning of this title if such operations have a direct and substantial effect upon commerce."

Amendment No. 671

On page 11, line 17, immediately preceding the period, insert a comma and the words "except that any person accused of criminal contempt shall be entitled upon his request to a trial by a jury upon the question of his guilt".

Amendment No. 672

On page 14, line 2, immediately after the period, insert the following new sentence: "As used in this title, the term 'desegregation' shall not be construed to require the admission as a student to equal educational opportunity at any level in any public school or public college of any individual (1) who is not mentally or educationally qualified for admission to educational opportunity at such level or in such school or college, (2) who possesses traits of character, behavior, or deportment which would disrupt or threaten to disrupt the orderly course of educational activities at such level or in such school or college, or (3) whose record of criminal or immoral conduct renders him an unsuitable associate for other students.".

Amendment No. 673

On page 8, between lines 23 and 24, insert the following new subsection:

"(f) No. (1) church, synagogue, temple, mosque, or other place of religious worship or devotion, (2) seminary or other religious educational institution, or (3) camp, retreat facility, hospital, sanitarium, rest home, facility for the care of the aged, or other establishment operated principally for the benefit of members of any church, religious denomination, religious faith, or religious association shall be deemed to be a place of public accommodation within the meaning of this title or otherwise subject to the provisions of this title."

Amendment No. 674

On page 5, line 24, strike out the closing quotation marks.

On page 5, after line 24, insert the following new paragraph:

"Nothing contained in this section shall (1) require any proceeding under this section to be given priority in hearing or determination over any other action or proceeding which is required by any statute enacted before the date of enactment of this subsection to be given expedited hearing and determination, or (2) deprive any person accused of any criminal offense of his right to a speedy trial, or to a prompt review of his conviction of any criminal offense."

Amendment No. 675

On page 5, line 24, strike out the closing quotation marks.

On page 5, after line 24, insert the following:

"No action may be instituted under this section against any person within any State until (1) there has been transmitted to the Attorney General or other chief legal officer of that State a written notice containing a full and complete statement of the facts and circumstances upon which claim for relief in such action is based, including the name and address of each individual who is a prospective defendant, the official capacity, if any, of each such individual, and the alleged acts or omissions of such individual which are believed to provide a basis for action against him, and (2) such chief legal officer of that State has been accorded reasonable opportunity to procure compliance by each prospective defendant with the requirements of law which are alleged to have been violated by such prospective defendant."

Amendment No. 676

On page 8, between lines 23 and 24, insert the following new subsection:

"(f) No establishment of any of the following categories shall be deemed to be a place of public accommodation within the meaning of this title:

"(1) church or other place of religious worship;

"(2) seminary or other institution devoted to the teaching or propagation of any religious faith;

"(3) mortuary or cemetery;

"(4) privately owned and operated hospital, clinic, sanitarium, or home or other domiciliary facility for the care of the aged;

"(5) office or establishment for the rendition of medical, psychiatric, opthalmological, optometric, dental, osteopathic, chiropractic, or prosthetic service, or for the practice of any other healing art, including the services of any Christian Science practitioner; or

"(6) office or establishment for the rendition of legal or other personal professional services."

CIVIL RIGHTS — AMENDMENTS — (AMENDMENTS NOS. 677 THROUGH 724)

Mr. HILL. Mr. President, I send to the desk certain amendments to the bill (H.R. 7152), and I ask unanimous consent that they be printed and that they may lie on the table, available to be called up for action by the Senate at the appropriate time.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HUMPHREY. Does the Senator wish to have the amendments qualified as presented and read?

Mr. HILL. As presented and read; yes.

Mr. HUMPHREY. The Senator was gracious enough the other day to permit those of us who presented a substitute to have that done also.

Mr. HILL. Yes; presented and read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

Amendment No. 677

On page 6, beginning with line 1, strike out all through line 17, on page 11 (title II of the bill).

Amendment No. 678

On page 11, line 3, beginning with "and shall", strike out all through "law" in line 5.

On page 11, line 5, after the period, insert the following: "No action may be instituted under section 204 unless the aggrieved person has exhausted all administrative and other remedies that may be provided by law. If an alleged violation of section 203 takes place in a State, county, city, or other political subdivision which has a legally established Human Rights Commission or similar body, no action may be instituted under section 204 with respect to such alleged violation by the Attorney General before the expiration of thirty days after he has given notice of such alleged violation to such Commission or similar body."

Amendment No. 679

On page 7, line 16, after "(b)," insert "it has more than five employees and".

Amendment No. 680

On page 9, line 5, after "thereof." insert the following: "This section shall not apply to homes, churches, cemeteries, or private clubs of any kind, or to fraternities or organizations of any kind membership in which is selective."

Amendment No. 681

On page 12, line 1, strike out "owned, operated, or managed" and in lieu thereof insert "owned or operated".

Amendment No. 682

On page 13, strike out lines 4 through 10.

On page 13, line 11, strike out "303" and insert "302".

On page 13, line 14, strike out "304" and insert "303".

Amendment No. 683

On page 13, line 4, after "action" insert "by an individual".

On page 13, line 7, after "origin" insert "by being denied access to or full and complete utilization of any public facility within the meaning of section 301".

Amendment No. 684

On page 11, line 24, strike out "or national origin" and insert "national origin, sex, or any other reason".

On page 13, line 7, strike out "or national origin" and insert "national origin, sex, or any other reason".

Amendment No. 685

On page 13, after line 16, insert the following new section:

"Sec. 305. Proceedings for contempt arising under the provisions of this title shall be subject to the provisions of section 151 of the Civil Rights Act of 1957 (71 Stat. 638)."

Amendment No. 686

On page 13, after line 16, insert the following new section:

"Sec. 305. There is hereby authorized to be appropriated for each fiscal year for the administration of this title such sums, not exceeding $312,530 in the aggregate for any fiscal year, as may be necessary."

Amendment No. 687

On page 11, beginning with line 18, strike out all through line 16, on page 13 (title III of the bill).

Amendment No. 688

On page 13, lines 1 and 2, strike out "or might result in injury or economic damage to" and insert "or might reasonably result in physical injury to".

Amendment No. 689

On page 13, line 4, strike out "Whenever" and insert "Subject to the conditions set forth in section 301, whenever".

Amendment No. 690

On page 14, line 20, after "religion," insert "sex,".

On page 17, line 12, after "religion," insert "sex,".

Amendment No. 691

On page 16, after line 24, insert the following new section:

"TERMINATION OF TECHNICAL ASSISTANCE, TRAINING INSTITUTES, AND GRANTS

"Sec. 407. The provisions of sections 403, 404, and 405 shall not apply on or after January 1, 1970. The Commissioner is authorized to terminate any of the activities or functions under such sections before January 1, 1970."

On page 17, line 2, strike out "407" and insert "408".

On page 18, line 17, strike out "408" and insert "409".

On page 18, line 20, strike out "409" and insert "410".

Amendment No. 692

On page 16, after line 9, insert the following new sentence: "The Commissioner shall not make any grant under this subsection to pay any part of the cost of employing an individual to advise in problems incident to desegregation if such individual has, within the preceding five year period, been employed by, or served as an officer of, any organization which has been responsible for inciting a riot, which has advocated or organized any demonstration in connection with a boycott of any public school, or which has advocated or organized any other demonstration which has had the effect of disrupting the normal operations of any public school."

Amendment No. 693

On page 15, lines 22, 23, and 24, strike out ", including allowances for dependents and including allowances for travel to attend such institute".

Amendment No. 694

On page 13, beginning with line 17, strike out all through line 23, on page 18 (title IV of the bill) and in lieu thereof insert the following:

"TITLE IV—SURVEY AND REPORT OF EDUCATIONAL OPPORTUNITIES

"Sec. 401. The Commissioner of Education shall conduct a survey and make a report to the President and the Congress, within two years of the enactment of this title, concerning the lack of availability of equal educational opportunities for individuals by reason of race, color, religion, or national origin in public educational institutions at all levels in the United States, its territories and possessions, and the District of Columbia."

Amendment No. 695

On page 18, after line 23, insert the following new section:

"Sec. 410. There is hereby authorized to be appropriated for each fiscal year to carry out the provisions of this title such sums, not exceeding $10,752,580 in the aggregate for any fiscal year, as may be necessary."

Amendment No. 696

On page 24, line 4, after "private club" insert ", any civic organization,".

Amendment No. 697

On page 23, line 2, after "origin" insert ", or that the vote of certain citizens is being diluted or augmented by the casting and counting of votes of other than living, eligible voters".

Amendment No. 698

On page 23, line 1, after "religion," insert "sex,".

AMENDMENT No. 699

On page 25, after line 17, insert the following new section:

"SEC. 508. Title I of the Civil Rights Act of 1957 (42 U.S.C. 1975–1975e; 71 Stat. 634) is amended by adding at the end thereof the following new section:

" 'SEC. 107. (a) (1) The Commission is authorized, upon application therefor to grant a relocation loan in accordance with this section to any Negro living in any State in which racial segregation is practiced, to enable such Negro to move to any State in which racial segregation is not practiced.' "

" '(2) Each applicant for a relocation loan shall specify in his application the State, and the town, city, or other location in that State, to which he desires to move, the names of the members of his immediate family who will move with him, the amount of furniture, household effects, and other personal property which he plans to have moved to that location, and such other information as the Commission may require.

" '(3) After an application has been approved, the Commission shall consult with the applicant with a view to ascertaining the expenses that he will incur in moving to the new location and for which he may obtain a relocation loan. The expenses for which an applicant may obtain a relocation loan shall be limited to the expenses of transportation of the applicant and his immediate family, the expenses of moving furniture, household effects, and other personal property, and a reasonable amount for immediate living expenses of the applicant and his family after the applicant has moved to the new location. The Commission shall determine the total of the expenses referred to in the preceding sentence that will be so involved in moving to the new location and shall grant the applicant a relocation loan to pay such expenses. No relocation loan shall be made to any applicant in an amount in excess of $1,000.

" '(4) No applicant may receive a relocation loan under this section unless he establishes to the satisfaction of the Commission that he has a general reputation in the community in which he resides for working.

" '(b) (1) Each relocation loan may be made available to the applicant in a lump sum or, if the Commission determines that the loan will not be needed by the applicant in a lump sum, the loan may be made available to the applicant from time to time in amounts as needed.

" '(2) Relocation loans made under this section shall not be assignable, shall be exempt from the claims of creditors, and shall not be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the payee.

" '(3) If any applicant for a relocation loan under this section who has received any portion of such loan, spends all or any part of such portion for any purpose other than a purpose for which such loan was made, he shall be fined not more than $1,000 or imprisoned not more than six months, or both.

" '(c) (1) Each relocation loan made under this section shall be repaid in monthly installments, in amounts prescribed by the Commission at the time payment of such loan is first made to the applicant. Such loans shall bear interest at the rate of 2½ per centum per annum, compounded annually.

" '(2) Each relocation loan made under this section in the amount of $500 or less shall be repaid to the Commission in not less than ten years; each such loan made in an amount in excess of $500 shall be repaid to the Commission in not less than twenty years.

" '(d) As used in this section the term "State" means each of the several States and the District of Columbia.' "

AMENDMENT No. 700

On page 25, beginning with line 18, strike out all through line 20, on page 27 (title VI of the bill).

AMENDMENT No. 701

On page 25, beginning with line 20, strike out all through line 20, on page 27, and in lieu thereof insert the following:

"SEC. 601. Notwithstanding any provision to the contrary in any law of the United States providing or authorizing direct or indirect financial assistance for or in connection with any program or activity by way of grant, contract, loan, insurance, guaranty, or otherwise, no such law shall be interpreted as requiring that such financial assistance shall be furnished in circumstances under which individuals participating in or benefiting from the program or activity are discriminated against on the ground of race, color, religion, or national origin or are denied participation or benefits therein on the ground of race, color, religion, or national origin. All contracts made in connection with any such program or activity shall contain such provisions as the President may prescribe for the purpose of assuring that there shall be no discrimination in employment by any contractor or subcontractor on the ground of race, color, religion, or national origin."

AMENDMENT No. 702

On page 26, line 12, after "hearing" insert "conducted in conformity with the provisions of the Administrative Procedure Law".

AMENDMENT No. 703

On page 27, line 18, after "Act," insert "except that such action shall be sustained only as supported by a preponderance of the evidence,".

AMENDMENT No. 704

On page 25, line 25, after "assistance" insert the following: "; except that no State, no county, parish, or other political subdivision of a State, and no section of the United States shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance on the ground of the race, color, or national origin of some of its citizens or on the ground of the political actions of some of its citizens".

AMENDMENT No. 705

On page 36, line 17, before "religion" insert "race, color,".

On page 36, line 18, before "religion" insert "race, color,".

AMENDMENT No. 706

On page 25, line 22, after "color," insert "religion,".

AMENDMENT No. 707

On page 25, line 22, after "color," insert "geographical region,".

On page 27, after line 20, insert the following new section:

"SEC. 604. Notwithstanding any other provision of this title, the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

AMENDMENT No. 708

On page 27, after line 20, insert the following new section:

"SEC. 604. No Government transportation shall be furnished by any Federal department or agency to any individual or individuals, other than to officers and employees of the United States, except on official business."

AMENDMENT No. 709

On page 25, line 21, after "law," insert "no citizen of the United States and"

AMENDMENT No. 710

On page 34, line 2, strike out "or".

On page 34, line 5, strike out the period and insert "; or".

On page 34, after line 5, insert the following:

"(4) to give preference to one applicant for membership over another applicant for reasons other than job qualifications and for reasons which may have the indirect effect of causing discrimination because of race, color, religion, sex, or national origin."

On page 34, line 13, before the period insert the following: "; or to give preference to one applicant over another applicant in admission to, or employment in, any such program for reasons other than job qualifications and for reasons which may have the indirect effect of causing discrimination because of race, color, religion, sex, or national origin".

AMENDMENT No. 711

On page 32, line 19, after "RELIGION," insert "SEX, AGE,".

On page 33, line 2, after "sex," insert "age,".

On page 33, line 8, after "sex," insert "age,".

On page 33, line 13, after "sex, insert "age,".

On page 33, line 15, after "sex," insert "age,".

On page 33, line 20, after "sex," insert "age,".

On page 34, line 2, after "sex," insert "age,".

On page 34, line 11, after "sex," insert "age,".

On page 34, line 17, after "sex," insert "age,".

On page 34, line 18, after "sex," insert "age,".

On page 36, line 15, after "sex," insert "age,".

On page 36, line 17, after "sex," insert "age,".

On page 36, line 18, after "sex," insert "age,".

On page 42, line 16, after "religion," insert "sex, age,".

On page 49, line 23, after "for" insert "additional".

AMENDMENT No. 712

On page 27, beginning with line 21, strike out all through line 25, on page 50 (title VII of the bill).

AMENDMENT No. 713

On page 51, after line 16, insert the following new section:

"SEC. 802. The authority contained in section 801 to conduct surveys and compile statistics shall remain in effect only until the effective date of legislation enacted by the Congress providing for middecade censuses of population and providing for the inclusion, in each middecade and decennial census of population, of the registration and voting statistics and other information required by section 801."

AMENDMENT No. 714

On page 51, strike out lines 17 through 25 (title IX of the bill).

AMENDMENT No. 715

On page 54, line 19, beginning with "unless", strike out all through line 21 and insert the following: "which would be valid in the absence of such Act, except to the extent that there is a direct and positive conflict between such provisions so that the two cannot be reconciled or consistently stand together."

AMENDMENT No. 716

On page 54, line 23, before "such sums" insert "from and after January 1, 1966".

AMENDMENT No. 717

On page 54, beginning with line 25, strike out all through line 4, on page 55, and in lieu thereof insert the following:

"SEC. 1104. If any provision of this Act is held invalid, the remainder of the Act shall not be affected thereby."

AMENDMENT No. 718

On page 54, after line 21, insert the following new section:

"SEC. 1103. Nothing in this Act shall be construed to require an individual to render labor or service without his consent; nor shall any court issue any process under this Act to compel the performance by an individual of any labor or service without his consent."

On page 54, line 22, strike out "1103" and insert "1104".

On page 54, line 25, strike out "1104" and insert "1105".

AMENDMENT No. 719

On page 55, after line 4, insert the following new sections:

"SEC. 1105. In order to provide for the expeditious enforcement of this Act, the President is authorized to appoint 500 judges of the United States district courts, which judges shall be in addition to those now authorized to be appointed. The President is further authorized to appoint such additional United States attorneys, United States marshals, investigators, and jailors as he deems necessary.

"SEC. 1106. In addition to the sums otherwise authorized to be appropriated by this Act, there are authorized to be appropriated such sums as the Attorney General deems advisable, but not to exceed $100,000,000, for the erection of appropriate jails, prisons, and compounds for the incarceration of persons found guilty of violating any provision of this Act. The Attorney General is authorized to provide for the erection of such jails, prisons, and compounds without regard to the provisions of title VI of this Act providing for the withholding of Federal funds in areas where discrimination is practiced."

AMENDMENT No. 720

On page 55, after line 4, insert the following new section:

"SEC. 1105. All evidence received in any proceeding under any title of this Act shall be subject to, and in conformity with, rule 43 of the Federal Rules of Civil Procedure, or rule 26 of the Federal Rules of Criminal Procedure, as the case may be."

AMENDMENT No. 721

On page 54, strike out lines 22, 23, and 24.

On page 54, line 25, strike out "1104" and insert "1103".

AMENDMENT No. 722

On page 55, after line 4, insert the following new section:

"SEC. 1105. Notwithstanding any other provision of this Act, this Act shall not become effective until it has been approved by a majority vote a national referendum."

AMENDMENT No. 723

On page 54, line 23, strike out "such sums" and insert "for each fiscal year such sums, not exceeding $15,500,000 in the aggregate for any fiscal year,".

AMENDMENT No. 724

On page 50, line 5, strike out "of its enactment" and insert in lieu thereof "this Act becomes effective as provided in section 1201".

On page 50, line 8, immediately after "immediately" insert "upon the effective date of this Act as provided in section 1201".

On page 50, line 10, strike out "enactment of this title" and insert in lieu thereof "the effective date of this title as provided in subsection (a)".

At the end of the bill insert the following:

"TITLE XII—EFFECTIVE DATE

"SEC. 1201. The first eleven titles of this Act shall take effect only if the qualified voters of the several States signify their approval of this Act in the national referendum provided by title XIII. If the qualified voters of the several States signify their approval in such referendum, the first eleven titles of this Act shall become effective on the day on which the results of such referendum are declared under section 1311 of this Act.

"TITLE XIII—NATIONAL REFERENDUM

"SEC. 1301. (a) Each State is requested to conduct a referendum for the purpose of ascertaining whether the qualified voters of such State approve the provisions of the first eleven titles of this Act. Such referendum shall be conducted by each State consenting to do so at the general election to be held in such State in 1964 for the purpose of electing its Representative or Representatives in the House of Representatives of the United States.

"(b)(1) As used in the remaining sections of this title, the term 'referendum', when used in reference to any State, means the national referendum referred to in section 1201 insofar as it is conducted within the jurisdiction of such State.

"(2) As used in sections 1302, 1303, and 1304, the term 'State' means only a State which consents to conduct the referendum within its jurisdiction.

"SEC. 1302. Each State shall be entitled to reimbursement for the expenses incurred by it in conducting the referendum. Reimbursement shall be made in the manner provided by section 1311.

"SEC. 1303. Except as otherwise specifically provided in this title, the referendum shall be conducted in each State according to the election laws and regulations of such State. Any State the constitution or laws of which authorize the submission of State laws to the voters of such State for their approval or disapproval may conduct such referendum in the same manner as referendums conducted with respect to its State laws. Each State, through its legislature or the proper State officers, shall be the sole judge of the manner of conduct of the referendum within its jurisdiction.

"SEC. 1304. The qualified voters in the referendum in each State shall be the persons who are qualified to vote for Representative in the House of Representatives of the United States in the election at which the referendum is conducted.

"SEC. 1305. (a) The Governor of each State which consents to conduct the referendum shall so notify the President before September 1, 1964. The President shall provide for the conduct of the referendum, in the manner provided in this section, in any State which does not consent, or is unable, to conduct the referendum. The referendum shall be held in any such State on the same day on which it would be held under section 1301 if it were conducted by such State.

"(b) The President may provide for the conduct of the referendum in any State or States under this section—

"(1) by any department or agency of the Federal Government, or

"(2) by a commission established for such purpose under the authority of subsection (c).

Subject to the provisions of subsection (e), the referendum conducted in any State under this section shall be conducted pursuant to such rules and regulations as the President may prescribe.

"(c) The President is authorized to establish a commission to conduct the referendum in any State or States which do not consent, or are unable, to conduct it. Any commission established pursuant to this subsection shall be composed of an even number of members and not more than one-half of the members shall be of the same political party. The President shall designate one of the members as chairman of the commission.

"(d) The President shall have such powers as may be necessary to enable him to carry out the duties and functions imposed on him by this section, including the power—

"(1) to appoint such experts, consultants, and other employees as may be necessary, and

"(2) to make such expenditures as may be necessary.

The President is authorized to delegate any of the powers conferred upon him by this subsection to any department or agency designated by him to conduct the referendum in any State, or to any commission established under subsection (c).

"(e) Except as otherwise specifically provided in this title, the referendum conducted in any State under this section shall be conducted, insofar as possible, in conformity with the election laws and regulations, and the referendum laws and regulations, if any, of such State. The qualified voters in the referendum in any such State shall be the persons who would be qualified voters if the referendum were conducted by such State. Such State is requested to furnish lists of such qualified voters to the President, and shall be entitled to reimbursement, out of funds appropriated to the President under section 1312, for expenses incurred in furnishing such lists. If such State refuses, or is unable, to furnish lists of such qualified voters, the determination as to the qualifications of any person to vote in the referendum in such State shall be made pursuant to rules and regulations prescribed by the President.

"SEC. 1306. (a) The Joint Committee on Printing shall have printed by the Government Printing Office copies of this Act, and copies of provisions of any laws amended by the first eleven titles of this Act in which the amendments thereto shall be indicated in boldface type. Such copies shall be in such form and style as to be suitable for exhibition at the polling places in the States for the information of the persons voting in the referendum.

"(b) The Joint Committee on Printing shall furnish to each State which conducts the referendum such number of the copies of this Act and of provisions of any laws amended by the first eleven titles of this Act printed pursuant to subsection (a) as each State may request. The Joint Committee shall furnish to the President, for use in any State or States in which the referendum is conducted under section 1305, such number of such copies as the President may request.

"(c) Each State which conducts the referendum is requested to exhibit, in conformity with the laws of such State, at the polling places at which voting in the referendum is conducted such number of the copies of this Act and of provisions of any laws amended by the first eleven titles of this Act printed pursuant to subsection (a) as may be necessary for the information of the persons voting in the referendum.

"SEC. 1307. The form of the question to be presented at the referendum shall be substantially as follows:

"'The Congress of the United States has enacted a law known as "The Civil Rights Act of 1964", which is divided into thirteen titles, the last two of which relate to this referendum. This law provides that the first eleven titles shall take effect only if approved by the qualified voters of the several States in this referendum. Indicate by making a cross (X) in the proper square (or by pulling the proper lever) whether you approve or disapprove of these titles.

" 'Approve________________________ [X]
" 'Disapprove_____________________ [X]'

"Sec. 1308. (a) At the request of the Governor of any State, the Attorney General shall assign agents or employees of the Federal Bureau of Investigation to such of the polling places in such State as the Governor thereof may designate.

"(b) In any case in which the President deems it necessary or advisable, the Attorney General shall assign agents or employees of the Federal Bureau of Investigation to such of the polling places in any State as the President my designate.

"(c) It shall be the duty of any agent or employee of the Federal Bureau of Investigation assigned to any polling place under subsection (a) or (b)—

"(1) to observe the conduct of the referendum at such polling place,

"(2) to observe the counting and tabulation of the votes cast in the referendum at such polling place, and

"(3) to submit a report to the Attorney General with respect to the duties imposed on him by paragraphs (1) and (2).

"(d) Each agent or employee of the Federal Bureau of Investigation assigned to any polling place under subsection (a) or (b) shall be given access to such polling place and the place where votes cast in the referendum at such polling place are counted and tabulated in order that he may carry out the duties imposed on him by paragraphs (1) and (2) of subsection (c); but no such agent or employee shall interefere in the conduct of the referendum, or of the election in conjunction with which such referendum is held, by the State officials, or in the counting and tabulating by such officials of the votes cast in the referendum.

"(e) The Attorney General shall furnish to the Governor of any State in which agents or employees of the Federal Bureau of Investigation are assigned under subsection (a) or (b) a copy of the reports submitted to him under subsection (c)(3) by the agents or employees assigned in such State.

"(f) The Attorney General is authorized, for the purpose of carrying out the duties imposed on him by subsections (a) and (b), to appoint, without regard to the civil service laws and regulations, such temporary employees as may be necessary, and to fix their compensation in accordance with the Classification Act of 1949, except that the rate of compensation of such number of such temporary employees as he determines necessary may be fixed at rates not in excess of $75 per day.

"(g) The Attorney General shall, before January 10, 1965, submit a report to the Congress with respect to the duties imposed on him by this section, which shall contain a summary of the reports submitted to him pursuant to subsection (c)(3).

"Sec. 1309. (a) The Governor of each State which conducts the referendum shall certify the results of the referendum conducted in his State to the President of the Senate before January 10, 1965.

"(b) The President shall certify the results of the referendum conducted in any State or States under section 1305 to the President of the Senate before January 10, 1965.

"Sec. 1310. (a) The Senate and the House of Representatives shall assemble in a joint meeting in the Hall of the House of Representatives on January 15, 1965 (or as soon thereafter as possible), at which the certificates from the Governors of the States, and from the President, shall be opened, read, and the results thereof tabulated. The President of the Senate and the Speaker of the House of Representatives, acting jointly, shall declare the results of the referendum.

"(b) If a majority of the votes cast in the referendum approve of the first eleven titles of this Act, such titles shall become effective, except with respect to title VII which shall be subject to section 718, on the date on which the declaration of the President of the Senate and the Speaker of the House of Representatives is made.

"(c) If a majority of the votes cast in the referendum disapprove of the first eleven titles of this Act, such titles shall not become effective.

"Sec. 1311. Each State which conducts the referendum may, through its proper State officer, request reimbursement of the expenses incurred by it in conducting the referendum by submitting a statement of such expenses to the chairman of the Committees on Appropriations of the Senate and the House of Representatives. Such requests shall be reviewed and allowed by the Committees on Appropriations of the Senate and the House of Representatives, acting jointly, and shall be certified by the chairman of the two committees, acting jointly, to the Secretary of the Treasury for payment out of moneys appropriated therefor pursuant to section 1312.

"Sec. 1312. There are authorized to be appropriated to the President such sums as may be necessary to enable him to carry out the duties and functions imposed on him by section 1305. There are authorized to be appropriated to the Joint Committee on Printing such sums as may be necessary to enable it to carry out the provisions of section 1306, including such sums as may be necessary to reimburse the Government Printing Office for expenses incurred by it under such sections. There are authorized to be appropriated to the Attorney General such sums as may be necessary to enable him to carry out the provisions of section 1308. There are authorized to be appropriated to the Secretary of the Treasury such sums as may be necessary to reimburse the States pursuant to section 1311 for expenses incurred in conducting the referendum."

NOTICE OF MEETING OF BANKING AND CURRENCY COMMITTEE

Mr. ROBERTSON. Mr. President, in view of the fact that the distinguished Senator from Illinois [Mr. Douglas], who is a cosponsor of the bill S. 750, has a speaking engagement in his home State which, if he keeps it, will make it impossible for him to be at our committee meeting in Washington, at 8:30 next Monday morning, and in view of the fact that other members of the committee find it quite inconvenient to be present at that time, I announce that the meeting of the Banking and Currency Committee scheduled for 8:30 a.m. Monday, June 1, to consider S. 750, has been postponed to Wednesday, June 3, at 10 o'clock a.m.

In addition to S. 750, the truth in lending bill, the committee will consider the resolution of the Senator from Florida [Mr. Holland], House Joint Resolution 889, relating to a galvano for the Pensacola Naval Air Station; the forest tract bill, S. 2259 and H.R. 8230; and the credit union bill, H.R. 8459.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DIRKSEN. I am sorry to be so obtuse and to display my ignorance in public, but pray tell, what is a galvano?

Mr. ROBERTSON. A galvano is an emblem, somewhat bigger than the clock on the wall, but smaller than the eagles around it. It will be made and hung up in recognition of the 50th anniversary of the great Naval Air Station at Pensacola, Fla. It is not made of gold or any other precious metal, but it will be designed by an expert designer at the mint and it will have an appropriate design to honor the Naval Air Station. The two Senators from Florida would like to make the proposed small tribute. The people in Florida will pay all the expenses.

Mr. DIRKSEN. So it is bigger than a dime——

Mr. ROBERTSON. It is bigger than a dime.

Mr. DIRKSEN. And it is smaller than the moon coming up over Virginia Beach.

Mr. ROBERTSON. The Senator is correct.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 28, 1964, he presented to the President of the United States the enrolled bill (S. 538) for the relief of Henry Bang Williams.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 538) for the relief of Henry Bang Williams, and it was signed by the President pro tempore.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. RANDOLPH:

Text of citation presented the Honorable Stuart Symington together with his remarks to American War Mothers on May 10 at Arlington National Cemetery.

By Mr. KEATING:

On behalf of Mr. Scott, statement and articles on centennial birthday of Father Joseph Murgas observed by Slovak-Americans.

OUR COMMITMENT IN VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the Record a column by Walter Lippmann in the Washington Post of this morning, entitled "Our Commitment in Vietnam."

There being no objection, the article was ordered to be printed in the Record, as follows:

Our Commitment in Vietnam

(By Walter Lippmann)

It is fair enough to say, as Senator Dirksen did this week, that our policy in southeast Asia has been indecisive. Indeed it has been. The reason for this indecision, which has existed under three Presidents, Eisenhower, Kennedy, and Johnson, is not that all three Presidents have been weak and wavering men. It is that since we allowed ourselves to become entangled in southeast Asia, there has been no good solution available which any of the three Presidents felt he could be decisive about.

After the French were defeated in 1954, our cardinal mistake in southeast Asia was the decision of Secretary Dulles to treat South Vietnam, which is an artificial creation and not really a national state at all, as an American protectorate and as an outpost of the West. The Eisenhower administration, directed in this matter by Secretary Dulles, did not oppose, but it refused to support, the settlement of Vietnam which was worked out at the first Geneva conference in 1954. The U.S. Government helped to pick Diem as chief of South Vietnam and, until the coup of last autumn, Diem and his family were supported by us as the rulers of South Vietnam and they became the clients of the United States.

This put us in an inherently untenable position. It committed the United States to a struggle on the land and in the jungles near the frontiers of the largest nation in Asia. In spite of the endless official assurances of how the struggle was being won, there has never been a time when a military victory, or anything like a military victory, has been possible. Even if one of the Presidents had been willing to intervene with an American army on the scale of Korea, even if he had unleashed the Air Force, no acceptable or tolerable outcome was visible. For once the American troops were engaged, there would be no way of withdrawing. The territory they had occupied would be reoccupied by the Asian multitude who would be more fiercely determined than ever to do away with the presence of the Western white man.

There has never been any other way out of the dead-end street in southeast Asia except to make a political agreement, to construct international machinery, and to exert what influence we can by underwriting them. President Kennedy made a fragmentary attempt to do this. He tried it in Laos, but he allowed himself to remain entangled in South Vietnam, and he was drawn into an ever enlarging, continually unsuccessful, military struggle which has no visible end.

To those who think, as I do, that the military commitment in southeast Asia has been a mistake, the question now is how to discharge the commitment honorably and to disengage safely. The basic principle is, I think, quite clear. We must look for a solution, not by expanding the war but, by taking it to the conference table, whether to a reconvened Geneva conference or to the United Nations or both. The proposal to expand the war by bombing North Vietnam and China requires, if we stop pretending that the South Vietnamese pilots are capable of carrying out such an attack, a declaration of war against North Vietnam and China by the Congress of the United States. We cannot make war on North Vietnam by Executive order.

No man living can possibly know what such a war would precipitate, or what the Soviet Union would do since it is still the ally of China. But what we can be sure of is that to go to war with China about South Vietnam would be so reckless an act as to damage deeply our influence throughout the world. It would be no less unpopular in the United States.

It is not easy for any country to repair its mistakes, especially those in which it has invested lives, money, and moral judgments. But the original mistake in southeast Asia has to be repaired. The way to do this is to go to a conference. The chances of its being successful are not brilliant. But at least we shall not be alone and, even if the prospects of a conference are not brilliant, the military outlook in South Vietnam is dismal beyond words.

I have been asked whether a negotiated settlement for southeast Asia means that as soon as our troops are withdrawn from Saigon, the North Vietnamese and the Chinese will move in. The honest answer to this question is, I believe, that if this can be prevented for a few years, then there will be a chance that it will not happen at all.

Although I realize that in the long run southeast Asia is bound to lie within the Chinese sphere of influence—as Chiang Kai-shek has always insisted—I think it may be possible to prevent any sudden and overt occupation of southeast Asia. It may be feasible to make it too dangerous, and not worthwhile in comparison with the prospects of access to the economic resources of southeast Asia and beyond.

I think, moreover, that if an international structure can be created, one which is guaranteed by the Soviet Union, the United States, France, Great Britain, and China, that North Vietnam will tend to go Titoist, that is to say to remain Communist but not Chinese. What will do most for our real interests in southeast Asia is not to bomb Hanoi but to create a visible guarantee which makes it safe for Hanoi not to be, as it has always striven not to be, a Chinese satellite.

Mr. MORSE. Mr. President, as a friend and a great admirer of Walter Lippmann, I have been waiting for a long time—and I am sure he will appreciate this good-natured comment of mine—for him to catch up on his reading. This column shows that he has caught up on his reading. He has found that the research which the Senator from Alaska [Mr. Gruening] and the senior Senator from Oregon have done in the field of international law relative to our policy in Vietnam stands up.

In his column this morning, Mr. Lippmann laid out in concise and condensed form the position the Senator from Alaska and the senior Senator from Oregon have taken these many weeks as we have spoken on the floor of the Senate in opposition to the U.S. foreign policy in South Vietnam. We have been pointing out the history of that unfortunate conflict. We have pointed out that it stems from the great mistake of John Foster Dulles in 1954, when he led the United States away from signing the Geneva accords. In 1954 John Foster Dulles succeeded in pressuring South Vietnam not to sign the Geneva accords, and thereby laid the basis for the great crisis that faces not only the United States, but also the world today in respect to the danger of a nuclear war breaking out in southeast Asia. Such a war will cost us, if it occurs, thousands and thousands of American lives. I wish to quote only one paragraph from this excellent statement of Walter Lippmann in his column today:

> After the French were defeated in 1954, our cardinal mistake in southeast Asia was the decision of Secretary Dulles to treat South Vietnam, which is an artificial creation and not really a national state at all, as an American protectorate—

Which I have been saying in speech after speech on the floor of the Senate for weeks—

> and as an outpost of the West. The Eisenhower administration directed in this matter by Secretary Dulles, did not oppose, but it refused to support, the settlement of Vietnam which was worked out at the first Geneva Conference in 1954. The U.S. Government helped to pick Diem as the chief of South Vietnam and, until the coup of last autumn, Diem and his family were supported by us as the rulers of South Vietnam and they became the clients of the United States.

Later in the column, this keen writer on American foreign policy raises the United Nations issue, as the senior Senator from Oregon and the Senator from Alaska have done for weeks on the floor of the Senate.

One cannot read the Lippmann column without recognizing that the responsibility and obligation is ours to resort to the rule of law. As Lippmann says "We must look for a solution, not by expanding the war but by taking it to the conference table, whether to a reconvened Geneva conference or to the United Nations or both." Yet Stevenson in his unfortunate speech of last Thursday in the Security Council rejected the conference table and rejected the United Nations except for an inadequate proposal that the United Nations consider maintaining a border patrol along the Cambodia border. I am satisfied that Stevenson knew when he made the border patrol proposal that it was unacceptable. The United States should not resort to such diversionary and face-saving diplomatic tactics.

The only way out of our horrendous mistaken policy in southeast Asia is to resort to the rule of law for a settlement of this unjustifiable war. We are wrong, dead wrong, and the best way to save face is to admit our mistake.

We have just listened to the President of Ireland pay his homage to the abstract principle of the use of the rule of law for the settlement of international disputes. I am pleased to insert in the Record the Lippmann column, for the Lippmann column in its abstract principles and in its specifics sustains the position that the senior Senator from Oregon has taken in regard to the South Vietnam crisis.

Mr. President, this is the last time that I shall have an opportunity to speak on the subject before Memorial Day, but it is appropriate that my comments should be made before Memorial Day. As I have said previously on the floor of the Senate, if the United States does not retrace its steps, if the United States does not abandon the rationalization that we must stay in in order to save face we may well be the cause of a major war in Asia. It will kill thousands and thousands of American boys.

The PRESIDING OFFICER (Mr. Pell in the chair). The time of the Senator has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. As I said yesterday, Mr. President, I have heard about throwing out the baby with the bath water, but I have never before heard that we ought to blow off heads to save face. What we are doing is figuratively and literally blowing off the heads of increasing numbers of American boys in an unjustifiable, unconstitutional war in an attempt to save face in Vietnam. In my judgment, we are engaged in an illegal killing of those boys in South Vietnam. Before Memorial Day we ought to go to our knees again and pray to Almighty God that there will be the strength of statesmanship in our Republic to bring to an end the unconscionable war that we are conducting in South Vietnam. We should pray to Almighty God for strength and courage to live up to our obligations under the United Nations Charter by making it clear to all the nations of the world that we are now willing to lay the issue before the United Nations for a determination in accordance with the procedures of that charter. We should keep faith with our obligations, to resort to the rule of law instead of the rule of jungle law for the settlement of the Vietnam crisis. We end the unsound foreign policy the United States is following today of substituting American military might for the right.

That is the call and challenge of statesmanship that faces my Government today. I hope that throughout Memorial Day, as we honor the fallen dead of our military of the past, who saved our Union, we will recognize that we have a moral obligation to see to it that we do not continue to follow a course of action that would lead to an escalation of the war in South Vietnam, which, if it should come about within the 12 months, would result in the sacrifice of tens of thousands of American boys in an unnecessary and unjustifiable war.

INCOME DISCLOSURE BY SENATORS

Mr. CHURCH. Mr. President, on May 18 I made a voluntary disclosure of my financial holdings. During those remarks I mentioned, with approval, the names of Senators who had already made personal disclosures of their incomes. It has come to my attention that I inadvertently omitted the names of two of my colleagues—GALE McGEE, Democrat, from Wyoming, and FRANK E. MOSS, Democrat, from Utah—who have made similar disclosures.

The disclosure of the Senator from Wyoming [Mr. McGEE] was made in a statement which appeared in the April 4, 1963, edition of the Rocky Mountain News of Denver. The Senator noted that his income—and this seems to be a frequent condition of younger Senators—consists of his salary and such honorariums as he receives from speaking engagements outside the Senate. Many of these honorariums were often no more than a plane ticket which would give the Senator from Wyoming [Mr. McGEE] a chance to stop in Wyoming to discuss problems with constituents.

Mr. President, I ask unanimous consent that the newspaper account of the disclosure statement of the Senator from Wyoming [Mr. McGEE] be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Senator McGee Reveals Outside Financial Interests

(By Gene Wortsman)

WASHINGTON, APRIL 3.—Senator GALE W. McGEE, Democrat, of Wyoming, Wednesday stood alone among his Wyoming colleagues in complying with a request to make public his outside financial holdings.

McGEE did so with a statement that such revelation is "a demonstration of responsibility toward both (a Congressman's) constituents and the Nation."

The Rocky Mountain News asked the three Congressmen if they would publicize through this newspaper their outside financial interests. U.S. Senators demand that Cabinet appointees not only make their holdings public but dispose of some of them if they would constitute a conflict of interest.

TO WRITE BANK

Senator MILWARD SIMPSON, Republican, of Wyoming, at first said he "will write back to my bank at Cody for my financial statement and release it to you later."

However, SIMPSON now has declined to do so. A spokesman said he may announce it later.

Representative WILLIAM HENRY HARRISON, Republican, of Wyoming, said "when Congress passes a bill (requiring such publication), I will be glad to comply with it."

Otherwise, he added, he did not wish to comment on the request.

McGEE said that since his election to the Senate he has received his salary as a Senator plus "such occasional honorariums as I receive for the limited number of speeches that I make outside the Senate.

HONORARIUMS

"I would add that these honorariums are often travel expenses or less. They enable me to purchase airplane tickets to Wyoming since as a Member of the Senate I am entitled to only two trips a year to my home State. I have found it necessary to locate extra income to pay for the 46 trips made beyond the allowance to Wyoming during the 4 years I have been here in Washington.

"That," McGEE added, "is the sum total of my income. This Member of the Senate obviously is in the position of having no interests to conflict."

McGEE said it is only just that Americans go to great lengths to avoid conflicts of interest in government.

"History has shown that nothing so erodes a citizen's trust and faith in his Government as evidence of graft and corruption.

"And as we in the Congress assume the responsibility for eliminating conflicts of interest in those on the Federal payroll we ourselves should, of course, be similarly free from such conflicts.

"Several Members of the Congress already have made public their financial holdings in the belief that such disclosures contribute to effective public service. I believe that this is indeed a demonstration of responsibility toward both their constituents and the Nation," he declared.

POWER COMPANY PROPAGANDA

Mr. CHURCH. Mr. President, more than 30 years ago, a highly respected editor of the Portland, Maine, Evening News, distilled an investigation by the Federal Trade Commission on the propaganda techniques of the private power companies into a remarkable book, "The Public Pays—A Study of Power Propaganda." Today that editor is the distinguished Senator from Alaska, ERNEST GRUENING, and this month I am pleased to see that his book has been updated and reissued under the title, "The Public Pays—and Still Pays."

If the book were addressed to the contemporary scene, it would contain a whole chapter on the current campaign of the Idaho Power Co. and the Utah Power & Light Co. to block the construction of a public transmission line into southern Idaho.

Massive injections of propaganda are being administered to the people of Idaho. They are being told that the Bonneville Power Administration, despite its proven benefit to every other part of the Northwest, is a system of sinister socialism. The private power monopoly in southern Idaho, despite its high rates and total lack of competition, is euphemistically described as "free enterprise." The people are warned that their schools and local governments will soon be deprived of tax support from the utility companies if the BPA transmission line is built, even though private utility companies have flourished and grown elsewhere in the Northwest in areas long served by Bonneville power.

We ask nothing more than equal treatment for southern Idaho, which is part of the Columbia-Snake River Basin, and entitled to the same benefit from the Federal system as flows to every other part of the basin. This is why the Johnson administration seeks a $1 million appropriation in this year's budget to initiate planning and designs for a BPA transmission line into southern Idaho, if the private companies continue to refuse to wheel the power. What is asked is plain justice.

Yet, to make it appear some kind of dangerous conspiracy, power company spokesmen in Idaho have talked to nearly every service club, handbills have been distributed door to door, a massive advertising campaign has been waged in the newspapers and over the air, and immense pressures are being brought to bear in Congress.

The very lobby, the beginnings of which the Senator from Alaska [Mr. GRUENING] describes so well in his book, is now focused on preventing justice from being done in southern Idaho. So I commend Senator GRUENING's book to my colleagues. Those who cannot remember the twenties and thirties will learn from it that today's power propaganda is but a more expensive and elaborate version of what has gone before.

Mr. President, I ask that an excellent commentary by Ron Ross on Senator GRUENING'S book, "The Public Pays—And Still Pays" be printed in the RECORD.

There being no objection, the commentary was ordered to be printed in the RECORD, as follows:

New Edition of Senator Gruening's Study of Power Propaganda Shows "The Public Still Pays"

(By Ron Ross)

More than 30 years ago, a well-known editor and writer distilled the massive hearings of the Federal Trade Commission's investigation of power company propaganda into a concise, readable volume entitled, "The Public Pays—A Study of Power Propaganda."

The author, ERNEST GRUENING, later entered into a distinguished career of public service, and now is a U.S. Senator from Alaska. The book, long out of print, is being reissued this month—not because of Senator GRUENING's position or the undoubted historic merit of the book, but because, as the cover of the new paperback edition notes: "The Public Pays—And Still Pays."

Although originally published in 1931, 3 years before the Federal Trade Commission issued the summary report to its investigation of the companies propaganda campaigns of the twenties, "The Public Pays" concerns a menace perhaps more threatening in 1964.

Today's power company propagandists have the benefits of some 30 more years of research into how to mold public opinion. And they have new methods of influencing the public. The book recalls how the shocked Judge Robert E. Healey, counsel for FTC at the hearings, asked the National Electric Light Association's director of public information whether the companies had neglected any form of publicity in their efforts to win favor for the companies. The answer was, "Only one and that is skywriting."

But back in the twenties, the full potential of radio broadcasting had not been realized, and TV was a laboratory dream. Recently it was reported that the electric companies advertising program (ECAP) was studying a plan for power company sponsorship of a multimillion-dollar TV series based on the life of the late Gen. Douglas MacArthur. Such ventures make it clear that the public not only is "still paying," but is paying sums undreamed of by even the most ambitious of the comparatively primitive power company public relations experts of the twenties.

In an introduction of the new edition of "The Public Pays," Senator GRUENING writes that the book is being reissued "to remind the American people about the proverb of the leopard and his unchangeable spots; to recall to them the immortal dictum of our forefathers that 'eternal vigilance is the price of liberty'; and to point out that 'The Public Still Pays.'"

To illustrate his point, Senator GRUENING had added reproductions of nine ECAP advertisements, including the infamous Berlin Wall ad. This ad published just a year ago was assailed as "a particularly ugly advertising campaign" by the late President Kennedy.

Other ECAP ads include one featuring baby pictures from several years ago, and the one showing a youngster with a Bible, key, pencil and ballot—seeking to equate private power with "symbols of freedom."

Also added to the new edition is the text of the February 1941, opinion (No. 59) of the Federal Power Commission, under the chairmanship of the late Leland Olds, describing the political activities of Northwest power companies in fighting local public power. Of more than $1 million expended by the companies between 1935 and 1940 for "political and legislative interests and to influence public opinion," half was charged to the companies' consumers.

But the main substance of the book is the original text of the study of the electric power companies' efforts to control public opinion. The story begins with the proposal in 1927 of the late Senator Thomas J. Walsh, of Montana, for an investigation of the electric utility industry, and how opponents of the investigation, led by the late Senator Walter F. George of Georgia, succeeded in diverting the investigation to the Federal Trade Commission, where it was assumed it would largely wither.

Credit for starting the companies' massive efforts to curry favor is given to Samuel Insull, who in 1919 ordered the creation of an "Illinois Committee on Public Utility Information." This was "the progenitor of a nationwide movement."

"Although it deals with propaganda," wrote author GRUENING in the introduction to the first edition, "this volume is not propaganda on either side of the controversial issue involved—as that issue was envisaged by the strategists in the power propaganda campaign. The material is as far as possible extracted verbatim from the Federal Trade Commission's reports and exhibits, so that the propaganda's purpose, as nearly as may be, is revealed 'out of the mouths' of its proponents."

In the following chapters, the words of the "proponents" are frequently used to spell out how the power companies sought to corrupt education, win the support of women and children, control the press and even bar Chautauqua platforms to public ownership advocates.

Chapters on the power company campaign in the universities and colleges may seem remote, but are they? It was less than 2 years ago—not in the twenties—that a Columbia University press release referred to "the continuous inroads of the tax-free public ownership" in promoting a utility management workshop.

Just last month, the American Power Conference, held in Chicago under the sponsorship of the Illinois Institute of Technology in association with leading universities, provided, as it frequently has in the past, a forum for power company spokesmen to attack public power.

Many of the techniques employed by the power companies in the twenties will be familiar to those who have opposed the contemporary company propagandists. Nor have the names even changed in all cases.

The first edition of this book reported on the Federal Trade Commission's disclosure of the "canned" editorial propaganda mill was operated by E. Hofer & Sons. Free editorials were provided to newspapers by the service which was financed by the privately owned electric utilities and other industries. And they still are, as Senator GRUENING notes in his new introduction.

"Although exposed 30 years ago by the Federal Trade Commission, the practice of thus subverting public opinion continues," he comments, quoting the text of a recent Hofer editorial to demonstrate "the similarity in the line taken by the Hofer editorial and the contemporary advertising of the utility companies."

"The Public Pays" shows that in the twenties, as today, the company propagandists were seeking to discredit municipal electric utilities. And, then as now, they were frustrated by successful operations.

"The sad part of the story is that it is true," wrote a spokesman for the companies' Oklahoma Utilities Information Committee in 1927 to a colleague in New England when asked about a story praising the Ponca City municipal system which had appeared in the Christian Science Monitor.

Similarly, a Michigan leader reported, "The less said about Holland the better," when asked about the Holland, Mich., system. "It is a successful municipally owned plant, and there is no use denying the fact."

A Missouri propagandist complained of the low rates of the Hannibal, Mo., system and advised a coworker, "It is extremely desirable that the Hannibal plant should be removed from the field of comparison in Missouri." And an Illinois committee official confidentially reported the failure of efforts to find discrepancies in the accounts of the Springfield system.

The title, "The Public Pays," no doubt came from the advice given a public relations section of the National Electric Light Association by the association's managing director, the late M. H. Aylesworth, in 1924: "Don't be afraid of the expense. The public pays the expenses."

That was 40 years ago, but as Senator GRUENING points out, the public is still paying. And it's likely that the public will continue to pay for its own brainwashing until it awakens to the facts about this long, continuing propaganda war of the companies.

Widespread distribution of this timely new edition of Senator GRUENING's book can make an important contribution to this awakening.

THE STATE DEPARTMENT'S DOUBLE STANDARD IN THE MIDDLE EAST IS SHOWING

Mr. KEATING. Mr. President, in what I consider a shocking display of determined wrongheadedness, the Department of State has rammed through the International Monetary Fund a massive loan to Egypt. In complete violation of standard and very important monetary fund regulations, Nasser is to receive a $40 million loan even though his government has not undertaken the internal reform and austerity measures which the IMF requires.

Mr. President, this loan is in every way contrary to the best interests of the United States. It will undermine the effectiveness of IMF pressure for financial reform throughout the world. It will weaken American influence among our European allies who strongly oppose such favoritism to the government of President Nasser. It will undermine support for the Alliance for Progress and other aid programs in which assistance is conditioned on financial reform.

Most conspicuously, Mr. President, this action on the part of our own State Department which I understand was opposed by Treasury Department officials, brings out into the open the double standard which our Government is applying to Middle Eastern problems. President Nasser has just exhibited during Khrushchev's tour of Egypt his complete disregard for the objectives which we seek in the Middle East. He has blatently revealed that he will take funds and support from any nation that will enable him to pursue his own objectives of Arab imperialism and aggression against Israel. Economic development is not Nasser's primary objective. Military aggrandizement and personal power are Nasser's goal for Egypt. Khrushchev was willing to assist Nasser's grandiose plans to the extent of $227 million. Now the United States is bidding the hard-earned dollars of American and European taxpayers in an effort to counterbalance Khrushchev's offer.

Mr. President, the eagerness of the Department of State to pour money into Nasser's hands, money which we know is being used right this moment in warfare against Yemen, in development of rockets by Nazi scientists, and in preparation of nuclear weapons to menace Israel—this eagerness is appalling. It contrasts very markedly with the reluctance of the Department of State to assist Israel in any way to counterbalance Nasser's military buildup.

More than 3 weeks ago, Mr. President, I contacted the Secretary of State and pointed out the growing military buildup on the part of the United Arab Republic. I suggested that an increased and more effective aid program to Israel would counterbalance continuing Soviet aid and weapons sales to the Arab States and would forcibly demonstrate U.S. determination to block Arab aggression against Israel. The State Department has made no reply whatsoever to that letter.

Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER (Mr. PELL in the chair). Without objection, it is so ordered.

Mr. KEATING. Instead, Mr. President, it has run roughshod over the wishes of our allies and the principles of the IMF in order to provide President Nasser with the funds he wants to finance his aggressive activities within the Arab world and to build up his forces for the long-threatened attack on Israel.

Mr. President, the contrast between our own Government's desperate haste to appease Nasser and its reluctance even to consider assistance to Israel to meet the growing Arab threat is fully revealed through this action. Coming just before Israel Prime Minister Eshkol's visit to the United States, it constitutes a slap at Israel and a virtual endorsement of Nasser's policies in the Middle East. The State Department's double standard in the Middle East is thus revealed, and unless it is overruled and reconsidered at a higher level, we will reap a bitter harvest in the Middle East and throughout the world by promoting financial assistance which we well know is being used to promote aggression and belligerence.

EAMON DE VALERA: WORLD STATESMAN AND WARM FRIEND OF THE UNITED STATES

Mr. KEATING. Mr. President, this son of County Wexford, albeit two generations removed, takes special pride today in joining in the welcome for President Eamon de Valera of Ireland. This elder statesman of the world, an immortal figure in the struggle for freedom and warm friend of the United States, comes to us as a living legend and contemporary giant.

President de Valera's indomitable courage and devotion to high ideals has made his place in history secure and has insured for him a warm spot in the hearts of all who believe in human dignity and national individuality.

Throughout his long years of struggle for Irish independence, our visitor today stood in the forefront of battle, never daunted by reverses, his eyes ever lifted to lofty goals. More than any other man, he is responsible for the respected place Ireland occupies today in the family of free nations. He is the architect of Ireland's foreign policy, which plays a responsible and valuable role on the world scene.

President de Valera's visit symbolizes the continuing bonds of friendship between two great nations. Our national life has been enriched beyond measure by the Irish who have chosen to settle here, where they have contributed so much of their unique talents and attributes.

My home city of Rochester, N.Y., feels a special warmth for Eamon de Valera, because his mother lived there for many years and died there in 1932. She is buried in Holy Sepulchre Cemetery in that city.

I well remember the joy with which Rochester welcomed President de Valera at Christmastime in 1929, when he visited his mother and toured the city.

Thus, Mr. President, I greet President de Valera with joy, admiration, and reverence on this visit to Washington. I salute him for his lifetime of selfless dedication to the Irish people and for the shining example he has provided for men of good will everywhere who believe in freedom of the soul and freedom of the individual.

Eamon de Valera's deeds have linked him irrevocably with the bright destiny which surely will be Ireland's.

ARMENIAN INDEPENDENCE DAY

Mr. KEATING. Mr. President, on May 28, 1918, the people of Armenia declared their independence after 600 years of Ottoman rule. Although the independence of the people of Armenia was short lived, because Armenia became one of the first victims of the aggressive onslaughts of the Red army, the image and ideal of freedom lives on in the hearts of Armenians throughout the world.

Mr. President, last Sunday I was honored to receive the Freedom Award of the American Committee for the Independence of Armenia. I was deeply touched by this award and by the continuing evidence of the vitality and concern which Americans of Armenian extraction feel toward their beloved homeland.

Mr. President, I ask unanimous consent to include in the RECORD the text of my remarks on accepting this deeply meaningful award.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Forty-six years ago freedom was awarded to the people of Armenia after centuries of despotic Turkish rule. Yet today those freedom-loving people are scattered around the globe and their ancient land, which gave birth to a civilization more than 4,000 years ago, doesn't even bear the name for which so many millions were martyred.
>
> Last month we commemorated Armenian Memorial Day. On that day of mourning we paid silent tribute to the memories of 3 million Armenians murdered for the crime of being Armenian and Christian. Travelers in the desert on the road between Aleppo and Der-Zor can still see the bleached bones of the Armenian women and children murdered by the Turks. In 1915 the world used only the word "crime" to describe these massacres. Today we know this crime as genocide.
>
> In 1915 the Turks sought the final solution of the Armenian problem and covered the plains of Ararat with the blood of patriots. Sixty percent of the Armenian people were martyred, and the lives taken in 1915 denied life to unborn generations. If life had been allowed to proceed in the natural order, there would be 10 million Armenians alive today. In reality, there are only 4 million.
>
> The monstrous act of extinction perpetrated by one people against another has been repeated in our lifetimes. But the world recognized it for what it was, condemned the perpetrator and attempted retribution. It did not reward the criminals with the homeland of their victims.
>
> The infant Republic of Armenia which struggled for life in 1918 was an early victim of the Communist aggression we have come to know so well. Troops of the Red army overran Armenia bringing an end to freedom and self-government. Today Armenia does not exist without a prefix except in the hearts and minds of her scattered countrymen.
>
> Those who send up the cry of self-determination for all people deny the right to people shackled under their own rule.
>
> I have heard it said by some that it is time we come to see the world as it is, accept harsh realities, forget old myths which prevent us from taking effective action.
>
> Under this view the Armenian question has been resolved, history has sealed the fate of these unhappy people and nothing can be done. They do not realize that only when the last voice of protest has been silenced does evil triumph. When humanity becomes calloused and hardened to the inhumanity which surrounds us, progress becomes impossible.
>
> It is right for us to gather to celebrate the independence of Armenia even though today independence and freedom only exist in our hearts. A return to reason and freedom will come about only if we continue to demand it and remain unsatisfied with the world as it is.
>
> This, then, is our task: to work toward the ideal, to remember that our martyred brethren did not die in vain, to seek justice where now only the ruins caused by injustice exist, and to bring to this planet the prize of peace and freedom for which the human race has suffered so long.
>
> As the stern visage of Mount Ararat symbolizes the independence of Armenia, Armenia's unrealized independence symbolizes the frustrated hopes of all suppressed people. In continuing to work for a free Armenia, you labor in a cause of humanity. The just resolution of your cause will mean that the world has taken a giant stride toward the ideal we seek.
>
> It is for this reason that the American Committee for the Independence of Armenia, serves not only the Armenians, but mankind and I am deeply honored that you believe me worthy of your recognition.

WELCOME TO THE "NATION'S SUMMER CAPITAL"

Mr. BOGGS. Mr. President, this coming weekend is generally regarded as the official opening of the vacation season at the "Nation's summer capital," Rehoboth Beach, Del.

The citizens of nearby Rehoboth are proud to have their community designated as the "summer capital," and I know they are looking forward to welcoming residents of the "winter capital" for a day or the whole summer. Many visitors have already taken advantage of the resort's fine weather and improved facilities.

All the communities along Delaware's coastline are ready for a heavy tide of Washingtonians looking for relief from the "winter capital's" heat.

Rehoboth traces its name back to the Holy Bible, and its ancient counterpart was described as a place of wide open spaces and sweet water. This accurately describes Rehoboth today.

One thing the summer capital can promise is that one will never hear a quorum call there. I hope that all of my colleagues will be able to take advantage of this change of pace.

THE A-11 AIRPLANE

Mr. ALLOTT. Mr. President, several times this spring I have spoken briefly about the facts and circumstances of the development of the A-11. So far my remarks have been directed chiefly to the proposition that more than two or three, or a handful of those in the Senate and the House, need to know the developments that are taking place in this country. I believe we have a right to an answer to the question of how $500 million of development work on an airplane can be hidden in the budget while the Defense Department and others contend that they are presenting to us a bone-tight budget which has no room for expansion.

There is no question that the senior members of the Armed Services Committee, on both sides of the aisle, and one or two senior members on the Subcommittee for Defense Appropriations, knew of the existence of this project; but the fact is, those committees are also composed of many other Senators, each of whom has a responsibility to the people of his State and to the people of the United States; and they had no knowledge of the development work going on.

We discussed for many long weeks the development of the RS-70; and in light of what has taken place in secret in the Government works, much of that discussion was futile and almost silly.

There is another aspect of this question which has now come to light and which the administration should consider.

I hold in my hand an article published in the London Daily Express of Friday, May 8, 1964. It shows a picture of the British TSR-2, the revolutionary British bomber. It also shows a picture of the A-11. The headline is entitled, "All Take and No Give—Must America Handle the A-11 This Way?"

The article states:

> Under a general agreement on the exchange of secrets, the United States has been given full information about the TSR-2, the RAF's new supersonic bomber, and all its revolutionary radar.
>
> But no such details of the American A-11 plane which cruises at 2,000 miles an hour have been made available to Great Britain. The British defense authorities did not know of its existence until President Johnson revealed it 2 months ago.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. I read further:

> The U.S. air and electronic firms are already being helped by the facts about the TSR-2.
>
> Though it seems certain that the A-11 was originally produced as a reconnaissance spy plane to replace the U-2, the Pentagon claims that it is now being developed as an interceptor fighter.
>
> And since the Government announced that it would make no more interceptor-fighters 6 years ago, the Americans are simply saying: "You don't need to know."

Mr. President, the policy in the American Government of secrecy—secrecy from Members of the House of Representatives and Members of the Senate who not only have a right to know but have a need to know—has now been extended to Britain.

As the article well points out, it is this same policy with respect to France—"You don't need to know"—which has to a great extent induced De Gaulle to embark upon his own nuclear program.

Mr. President, I ask unanimous consent to have printed in the Record the article to which I have referred.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the London (England) Daily Express, May 8, 1964]

All Take and No Give—Must America Handle the A-11 This Way?

(By Chapman Pincher)

Under a general agreement on the exchange of secrets, the United States has been given full information about the TSR-2, the RAF's new supersonic bomber, and all its revolutionary radar.

But no such details of the American A-11 plane which cruises at 2,000 miles an hour have been made available to Britain. The British defense authorities did not know of its existence until President Johnson revealed it 2 months ago.

The aviation industry would greatly benefit from information about the A-11, as the U.S. air and electronic firms are already being helped by the facts about the TSR-2.

Why has this information been withheld in view of the general agreement?

The Americans interpret the agreement strictly on a "need-to-know" basis. For security reasons, only those who really need to know U.S. secrets for their day-to-day defense work are told.

ONE SIDED

Though it seems certain that the A-11 was originally produced as a reconnaissance spy-plane to replace the U-2, the Pentagon claims that it is now being developed as an interceptor-fighter.

And since the Government announced that it would make no more interceptor-fighters 6 years ago, the Americans are simply saying: "You don't need to know."

The acceptance of this guideline by the Government has led to an extremely one-sided arrangement. The United States is in everything—fighters, bombers, rockets, submarines and all other military developments in which Britain is ever likely to work. So they genuinely need to know everything the British are doing.

But since Britain has also officially withdrawn from military missiles, battlefield nuclear rockets, and heavy bombers, her "need to know" is being severely restricted.

OVERLAP

For reasons which are sometimes concerned with security but are often political or commercial, the Americans have consistently discouraged Britain from having "need to know" ever since the end of the war.

"Leave the deterrent to us," they advised. "Why bother with big missiles?" "Let us bear the burden of space research."

The inequality would not be so serious if only military equipment were involved, but there is a heavy overlap from military into civil fields.

The secrets of the A-11 are of great interest to the British designers of faster-than-sound airliners. The technical details of the big U.S. missiles are important to scientists planning chains of space satellites for transmitting telephone talks and TV.

There are two immediate lessons to be learned from this situation.

The first, which Mr. Harold Wilson should understand, is that if Britain gives up nuclear weapons, as he proposes, she will immediately cease to have a need to know about them.

DEVELOPMENT

We shall rapidly lose our own knowledge, and, as the Americans will refuse to give us any, we shall be unable ever to start up a nuclear weapon industry again.

Lesson No. 2 is the urgent need to develop a "need to know" in space. The Americans are fighting hard to induce Britain to leave the job of putting up telephone satellites to them.

The moment we agree to rent circuits from them we cease to qualify for any of the technical information which would enable us to enter this lucrative field later.

President de Gaulle has realized this. That is why he is determined to have his own nuclear weapons, his own planes and a French space program.

In such a highly technical age no nation can pretend to be great without "needs to know." A nation as dependent on exports as Britain, needs to know everything.

DEATH OF PRIME MINISTER NEHRU

Mr. HUMPHREY. Mr. President, I have a resolution at the desk which has been cleared by the majority and minority leaders and the chairman of the Committee on Foreign Relations. I ask unanimous consent that the resolution be read, and I ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The legislative clerk read the resolution (S. Res. 333), as follows:

> Whereas, with the death of Jawaharlal Nehru, India has lost a great leader who labored with Mohandas Gandhi in behalf of their country's independence; and
>
> Whereas the people of India elected Jawaharlal Nehru to the position of Prime Minister upon the achievement of India's independence and retained him in this position until his death; and
>
> Whereas Jawaharlal Nehru devoted his life to bringing the democratic system of government to India and sought to instill a faith in representative government among the people of India; and
>
> Whereas Jawaharlal Nehru laid the foundations for a richer and more enlightened life for the people of his country; and
>
> Whereas, with the death of Jawaharlal Nehru, the United States of America loses a friend dedicated to the objective of a more peaceful world; and
>
> Whereas the people and Government of the United States hold India and its people in high regard and esteem, and wish the President of India, Sarvepalli Radhakrishnan, and the Government of India well as they face their high tasks: Now, therefore, be it
>
> *Resolved by the Senate,* That the President of India, Sarvepalli Radhakrishnan, and the Government and people of India be told of the heartfelt sympathy of the Senate of the United States in this hour of their great loss.
>
> Sec. 2. The Secretary of State is requested to convey this resolution to the President of India, Sarvepalli Radhakrishnan, and the Government of India.

Mr. HUMPHREY. Mr. President, this resolution was submitted on behalf of myself, the Senator from Montana [Mr. Mansfield], the Senator from Illinois [Mr. Dirksen], and the Senator from Kentucky [Mr. Cooper].

I am sure that it represents the thoughts, the sympathy, and condolences of every Member of the U.S. Senate.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

The preamble was agreed to.

Mr. **HUMPHREY**. Mr. President, I also ask unanimous consent that an editorial published in the New York Times this morning, entitled "The Heart of a Nation," relating to the late Prime Minister Nehru and his great service to his people, to his nation, and to the world, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, May 28, 1964]

The Heart of a Nation

Jawaharlal Nehru and India bore great love for each other; and it was India's love for this man, this man who could be so demanding, so tender, so impatient, so involved, so aloof, so merry, so brooding, that gave him the greatest of all powers—the power to rule through the heart of a nation.

Lesser leaders have used the love of their people wantonly, to master their people. But Nehru refused to turn power into despotism. Dictatorship was within his grasp and at times India seemed to be thrusting it upon him. He refused. The insistence upon an India free in independence was his gift, born out of love, for his country.

Who was Nehru and what sort of man was he and what did he believe in? There is a particular poignancy in the fact that until the day he died and left his beloved India bereft and weeping, the world asked these questions in puzzlement.

Part of the fault lies in the nature of Nehru and in the nature of India. He was given to the resounding vagueness, the pensive posture, and there were times when history moved too quickly and caught him frozen and awkward. Strangely, though, Nehru was more of a man of action than of philosophy. He dipped into a variety of systems of thought, including Marxism, and was attracted by them, but wanted to get on quickly with India's problems—a malfunctioning water system in Delhi one moment, a malfunctioning national economy the next. He moved quickly through life, reaching out toward India.

A large part of the failure to understand Nehru lies in the world's insistence upon seeing him reflected in foreign mirrors—the mirrors of Algeria, or SEATO, or Hungary or whatever—instead of interpreting him squarely and directly for the two things he was. Jawaharlal Nehru was an Indian and he was a revolutionary.

He was an Indian. He was educated abroad and he traveled widely, but only on the soil of India was he happy and at home and did life have purpose. What he did, he did for India. He was a sensitive man who knew India could not live isolated, protected by mountains and seas. He knew the glories of India and her moments of tranquillity and he knew her wretchedness and despair and he could not separate himself, ever, from any of them, nor wished to.

A disciple of Gandhi, he was a revolutionary. He was in revolution against foreign rule, and everybody remembers it. But what is so often forgotten was that he was in revolution for things as well as against them—for a reassessment by every man and nation of the kind of world in which men starve and go cold and are aching with disease. Within his own society he was a revolutionary, constantly haranguing his own people about their own superstitions and encrustments. He was a revolutionary in international councils, and a successful one, in that he was the first to prove that a nation without military might could and would be heard by the militarily mighty.

The records, the books, and the newspapers of the past few decades are dotted with great events and conferences in which Nehru played a role. But none of these played a larger part in the character and formation of Nehru than a passing incident that took place 44 years ago—a visit by Nehru to an Indian village. He saw there what he had not seen often before—the anguished peasant face of India—and he wrote:

"They showered their affection on us and looked on us with loving and hopeful eyes, as if we were the bearers of good tidings, the guides who were to lead them to the promised land. * * * A new picture of India seemed to rise before me, naked, starving, crushed, and utterly miserable. And their faith in us, casual visitors from the distant city, embarrassed me and filled me with a new responsibility that frightened me."

Jawaharlal Nehru, whom India called her jewel, never laid down that frightening responsibility. He loved India and he died beloved by her.

Mr. **HUMPHREY**. Mr. President, I also ask unanimous consent that the lead editorial published in this morning's Washington Post, relating to the life, work, deeds, faith, and philosophy of the late Prime Minister of India, Mr. Nehru, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, May 28, 1964]

Jawaharlal Nehru

India has lost a great leader whose name will be inscribed in history alongside those of the mightiest figures in the history of the subcontinent. Many will dispute his philosophy, his policies, his politics and his day-to-day decisions, but few will dispute his rightful claim to a place alongside such giants as Akbar among the rules who struggled to bring order and unity and a common culture to the assorted peoples living south of the Himalayas.

Not in the sense that he was a military commander, but in the sense of being both a creator and the first administrator of a new state, he was at once India's Garibaldi and its Cavour. His country, until his death, knew no other ruler.

What was constant in his character was his total identification with India. What was uniform in his purpose was the creation of a nation with a common devotion to political freedom, a universal respect for differing faiths, a dedication to the uplifting of the illiterate and disadvantaged masses. It was his unremitting purpose to unite the diverse cultures and groups that countless invasions and conquests had left tenants in the vast subcontinent. It can be said of him as he said of Akbar, that he "deliberately placed the ideal of a common Indian nationhood above the claims of a separatist religion." And history alone will disclose whether we must say of him as he said of the great 16th century Moghul ruler: "He did not wholly succeed in his attempt. But it is amazing how far he did go and what great success attended his efforts."

All of his day-to-day policies have to be examined against the realization that this was his larger purpose. In his economic thinking, he moved from a doctrinaire Marxist position to that of a pragmatic planner. In June 1932, he had decided that: "Only in one country can it be said that economic freedom has been won by the people generally, and that is Russia, or rather the Soviet Union." In a letter to his daughter in 1932, he wrote: "As you perhaps know, advanced political thought now considers that private property is an evil and should, as far as possible, be abolished." But by 1960 he had long since modified this view of private property. He said, in an interview in that year: "Our notions of what should be in the public sector are pragmatic and not doctrinaire or ideological. The public area, basically, is in strategic industries such as steel. This is mainly because private funds are not available in required amounts. As the economy develops, the number of firms in the private sector will greatly increase." There was little left of the doctrinaire Socialist of 1932.

The foreign policy which Nehru espoused had as its central purpose the protection of India. Its primary object was to shape the political environment in the world, and in Asia, so that India, in peace, might pursue those great objects of internal development and economic growth essential to its national survival. Like the founders of the American republic, he longed for a few generations of isolation from the quarrels of the great powers. And because this wish was so strong in his heart, he was prepared to overlook with his mind policies of others that were inconsistent with this purpose. He clung to peace with China, even when Tibet was crushed and when there were countless intrusions on the Indian border. Not until there was an invasion that no amount of wishfulness could obscure did he abandon the vision of peace. He tried to wish into being the environment that India needed. Even this rude intrusion of hostile reality did not shake the central theory of his policy—nonalinement in the quarrels between the Communist and the non-Communist world. But in his last years, he found himself confronted with the inexorable choice that has confronted many rulers before him—to arm his own country, to ask for and receive help from others, or to accept defeat. At what point the degree of foreign assistance becomes equivalent to an alliance is an unanswered question.

His foreign policy was embarrassed throughout by his relations with the other great nation that emerged from partition. There is not much doubt that he came, in the end, to feel the same regrets than Gandhi had felt over the fact of partition. He did not succeed, partly because of the Kashmir crisis, in perfecting an accommodation with Pakistan. The moderation of his recent conferences with Sheikh Abdullah suggest an increasing awareness of the importance of peace with Pakistan and settlement of the Kashmir issue.

He was the first architect of India's economic plans. Three 5-year plans had not yet put India into the takeoff stage of economic growth but the infrastructure of a modern economic society was being put in place at the time of his death. Much had been accomplished. Under his leadership India had laid the foundations for economic change that ought to mean a richer and fuller life for the teeming millions of a land in which for thousands of years the lot of the ordinary man and woman was mean and filled with anguish and despair.

The tasks which Nehru set for himself were all incompleted when he died. National unity had not yet triumphed over communal diversity; India's frontiers were invested by hostile Chinese forces; the domestic economy was only in the first stages of development. It will be the lot of his successors to carry India's great objectives forward. If they succeed, and the free world must more than ever hope that they will succeed, Indians a thousand years from now still will remember the beginnings of nationhood made under the inspired leadership of Jawaharlal Nehru. And even if they fail, he will be remembered. In either case, it will be impossible to make a distinction between him and his generation, so thorough was his identification with his country. And any final estimate of him will profit by his own estimate of his great Moghul predecessor:

"No man can succeed in great tasks unless the time is ripe and the atmosphere is favorable. A great man often forces the pace and creates his own atmosphere. But the great man himself is a product of the times and of the prevailing atmosphere. So Akbar also was the product of the times in India." And so was Nehru.

Mr. HUMPHREY. Mr. President, a fine article has been written by A. M. Rosenthal, and published in the New York Times this morning entitled, "His Life Was India's"; also an article describing the public life of this distinguished leader of a friendly people and a friendly nation, entitled "Nehru, A 'Queer Mixture of East and West,' Led the Struggle for a Modern India."

I commend these articles to the attention of Senators. I know that these particular selections from the press of America indicate the profound respect that the American people have for Mr. Nehru and the sincere spirit of friendship which the people of the United States hold for the people of India. It is our sincere hope that India may continue to live on as a free nation, as a bastion of democracy in Asia, and that her economy may grow and develop. We hope that her people may prosper and give leadership to Asia—which, indeed, both Asia and the world need—in the cause of a just and enduring peace. In doing these things, they will be acting on the foundations laid by Mr. Nehru.

India and the world have lost the services of one of this century's great men—a great democrat and a great defender of freedom. It is most appropriate that the Senate has seen fit to pass this resolution of sympathy and condolence in memory of this great departed world leader.

I ask unanimous consent to have the two articles just referred to printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From New York Times, May 28, 1964]

His Life Was India's—Nehru's Aim To Salve His Nation's Wounds Dominates a Garland of Lasting Legacies

(By A. M. Rosenthal)

(The following assessment of Prime Minister Nehru is by the metropolitan editor of the New York Times, who was this newspaper's correspondent in India for 4 years.)

The saddest thing ever said about Jawaharlal Nehru was that India, his dearly beloved India, was wasting his lifetime.

Panditji would not have liked that remark. He would have run his hands four or five times over his thinning hair in irritation, or he would have stared grumpily out the window.

If he had heard it on one of those days, which came so often in his life, when all India seemed to be pressing in on this one man, demanding of him his soul and his brain and his life's energies, crying shrilly to him for answer and for succor, and when the weight of India was too great for any man, even this man, to bear in peace, he might have exploded in anger and snapped, "A foolish thing—let me be."

He would not have liked the remark because, although he was given to great generalities, he did not like them made about himself and tried to shrug them off, as he constantly tried to shrug off the sticky wreaths of marigolds Indians were forever tenderly draping about his tired shoulders.

A QUEST FOR TRUTH

And yet he probably would have returned later in his mind in his talk to that remark, walking around it, examining it for what truth lay in it, for this was also his way.

That day in New Delhi when the terribly sad remark was made, it needed no explanation for those who heard it. The capital was full of talk about the latest bit of nastiness between Pakistan and India and on the fringes of the city's political life there were those who were awakening fear, the fear of Hindu for Moslem and Moslem for Hindu, the dread fears that lie at the base of Indian life, never quite forgotten.

"We are wasting his lifetime," someone said, and others nodded. They knew what was meant—that although Mr. Nehru was often full of resentment toward Pakistan, he had no hatred in him for the Moslems, despised those who used Hindu fears to stir prejudice, and longed to discover a salve for wounds.

He did not, in his lifetime, because he could not cut free from the awful possibility that if India were to give way on the great issue—the desire of a predominantly Moslem Kashmir for self-determination of some kind—the cost would be the blood of other Moslems in India. The fear that Indian Hindus might take vengeance on Indian Moslems for the loss of Kashmir was one of the reasons Mr. Nehru clung so desperately so long to Kashmir and it clouded the last decade and a half of his life.

"We are wasting his lifetime." It meant that if India's fears and prejudices, and Pakistan's, were so great that peace could not be achieved during the life of a man free of hatred, could it be achieved when he was gone?

A LEGACY IN KASHMIR

Toward the end, Mr. Nehru, who must have known the end was coming, seemed to be wrestling with himself, trying harder to move toward a discovery of the healing salve. He set free Sheik Mohammed Abdullah, once his comrade in the struggle for Indian independence and for more than 10 years his prisoner in a Kashmiri prison.

The sheik's crime, for which Mr. Nehru could never really bring himself to fury, was that he came to stand for Kashmiri self-determination. Just before Mr. Nehru died, the sheik, who looks a bit like a husky giraffe but is known as the Lion, talked with Panditji in New Dehli and then went on to Karachi to talk with Pakistani leaders. If the sheik succeeds, and a solution is found, this will be in large part Mr. Nehru's last gift to India.

It was not his only legacy. All India knows this. There were those in India who were irritated by Mr. Nehru, or felt that he did not fulfill every last duty placed on him properly—the duty, for instance, of preparing young leadership to follow him—but there are few in India who have any doubt about what he meant to his country.

But abroad there is a strange distortion about Mr. Nehru and his place in history. He is called a "mystery." He is called an "enigma."

For all the decades of his leadership in India, the rest of the world has been puzzling about him. The sorrowful thing is that the West, to which he had strong ties of emotion and philosophy, had a querulous, questioning relationship with Mr. Nehru.

In part, this was Mr. Nehru's doing. He received large amounts of Western aid but did not shout "thank you"—not because he was ungrateful but because he did not want Indians to believe they could not live without it. He knew they could not, but he wanted Indians to believe they could, believe in themselves. For so many centuries they had not truly believed in their own worth.

Mr. Nehru had a way of saying sharp things about the West and then being hurt when the West reacted. Rather optimistically, he believed that the West would, after all, understand, although he never did say exactly what they should understand.

In part, the fault was the West's habit of thinking about Mr. Nehru as if he existed in a vacuum as a pronouncer of foreign affairs statements rather than as a leader of an anguished nation. The concentration was what he said about Vietnam rather than what he did about Indian agriculture, and this was a distortion.

Mr. Nehru relished his part in world affairs and he made it a substantial one. He was a leader of a country militarily impotent in modern terms, a country struggling to achieve the barest level of economic decency, a country that in other times and with lesser leadership would have been unheard in the councils of the world.

India, because of Mr. Nehru's personality and political magnetism, was heard—at the United Nations, in Geneva, in every major capital. He became a kind of copyright owner of "nonalinement" and in Africa and Asia leaders of the new nations paid him homage.

But the great irony of his role in world affairs was that so many of the Asian and African leaders who fawned on him seemed to miss the point of his life. That point, most simply, was that it was possible for a country economically degraded to raise itself, give its people rice and a roof and a book, and still maintain political freedom at home.

WHAT IF HE HAD NOT BEEN?

It is in two things—Mr. Nehru's role in India herself, and his belief in political democracy—that those who admired him, even when they were irritated by him, believe the truth about him lies.

As children sometimes torture themselves by "what if" stories—"what if I saw a great monster and he said he was going to eat me"—so Indians sometimes think about what their national life would have been like without Nehru. "What if we had not had him?" they say sometimes, with horror.

For all the failures and errors and misjudgments, the catalog of Mr. Nehru's contribution to India is as long as his years in the service of his country. In the fight for independence, he supplied a kind of idealistic pragmatism midway between Gandhi's spiritualism and Sardar Patel's indispensable hard-handedness.

He took leadership of a country emotionally torn by Gandhi's death, by hideous Hindu-Moslem riots, by partition. As political heritage he had a crazy-quilt of princely and princeling states. As economic heritage, he had hunger.

India is a wrackingly poor country, but it is a country. He gave it a sense of identity and purpose. He did not make pure water flow in the sour gullies of the Indian cities and he did not make the deserts of Rajasthan bloom.

But he worked and he gave of himself to create the beginnings of a decent society and no man has done more than that, in all of India's centuries. All India knows this.

And what Mr. Nehru accomplished in India he accomplished under a free, parliamentary system. He was not above the use of detention laws in the name of internal security. But this was just about his only lapse in his determination to keep India politically free.

THE HARD FIST ABJURED

It was not an easy thing to do. All over the world, the newly independent nations were deliberately choosing the hard-fist method of progress. Mr. Nehru could have done the same at home. He chose not to, and those who respected and loved him feel this was his contribution not only to his own country but to every other.

When all this is said about India, something still remains to be said. India is a vast country—a whole world of peoples and languages and religions, mountains, seas, deserts, cities, and there is no one clue to it, no one Indian personality.

And yet, when Mr. Nehru moved in India and talked with Indians, it was a strange thing—it was as if one person were talking to just one other person. Sometimes he talked angrily to his India and sometimes he shrieked at it and denounced and said it was just impossible, impossible. Sometimes he courted his India, laughed with it, and was merry and delicate and understanding. But it was always as if Jawaharlal Nehru was looking into the eyes of India and India was just one soul.

[From the New York Times, May 28, 1964]

NEHRU, A "QUEER MIXTURE OF EAST AND WEST," LED THE STRUGGLE FOR A MODERN INDIA—BRITAIN'S OUSTER FOCUS OF ENERGY—BLENDED SKILL IN POLITICS WITH THE SPIRITUALISM OF HIS MENTOR, GANDHI

The story of Jawaharlal Nehru is the story of contemporary India, which he in large part has shaped. Mr. Nehru will be remembered also as the foremost exponent of the political doctrine of nonalinement, which influenced the foreign policy of India and many other nations emerging from colonialism.

Mr. Nehru was an accomplished politician, orator, and author whose contemplative books on Indian affairs are widely read. He was best known outside his own country as a statesman with far-reaching influence in international councils. His principal role on the world scene was that of peacemaker, although he did not shrink from use of arms when he considered the integrity of India threatened.

Students of Indian affairs knew Mr. Nehru as a complex person, embodying the clash of eastern and western cultures that has complicated the attempts of countries like India to leap centuries in an effort to catch up with more advanced nations.

On August 15, 1947, when India became independent of Britain, Mr. Nehru began exercising firm personal control over every aspect of the nation's government. He made minor ones.

He was simultaneously Prime Minister and Foreign Minister, sometimes Defense Minister, and chairman of the top-level committees on economic planning and scientific development. He was also the chief architect of movements for far-ranging social reforms, such as the removal of untouchability and liberalization of laws concerning family relationships.

Untouchability is a form of social segregation applying to those born into the lowest rung of the Hindu caste structure, who traditionally have been condemned to work in demeaning occupations such as collecting refuse. The English term came into use from the ancient belief that physical contact with these unfortunates was defiling to a Hindu of higher caste.

The practice, which is known to a lesser extent in some other societies but is most commonly associated with India, is outlawed under the Indian Constitution. It has not been eradicated.

SERVED AS PARTY LEADER

Mr. Nehru was also de facto leader, if not always titular head, of the ruling party, the Indian National Congress. Despite his other duties, he found time to keep a firm hand on all party affairs. He personally arbitrated political feuds, letting practically nothing of importance escape his attention.

To carry out his numerous functions and also to keep in touch with the varied peoples of his vast and disparate country, he embarked on frequent travels to all corners of India. In addition, frequent tours abroad took him to many countries. As at home, he was invariably greeted by huge crowds wherever he went.

Thus Mr. Nehru's death has removed a public figure of extraordinary dimensions, who probably was seen personally by more people than any other individual of his time as he moved tirelessly from city to city and village to village in his own and other lands. His most lasting impression, however, may be the imprint he has left upon India, the world's second most populous country.

Mr. Nehru furnished much of the political skill that implemented the popular spiritual appeal of Mohandas K. Gandhi to bring India's struggle for freedom to a successful conclusion. When Gandhi died from an assassin's bullet in January 1948, Mr. Nehru was the only Indian leader to possess his mentor's mantle of near sanctity in the eyes of the Indian masses.

Until growing political maturity produced its inevitable quota of skeptics and critics, most Indians seemed content to leave every crisis to Mr. Nehru's exclusive judgment.

"Panditji knows best," was a common saying. Learned members of the Brahmin caste, to which Mr. Nehru belonged, were commonly addressed as "Pandit," from which the English word pundit, or sage, is derived; "ji" is a suffix conveying affection and respect.

FATHER WAS A LAWYER

The future leader of free India was born November 14, 1889, in Allahabad, a large city on the sacred Ganges River in the state of Uttar Pradesh (formerly the United Provinces). His father, Motilal Nehru, was a vigorous, shrewd and highly successful lawyer who lived in the manner of a wealthy English gentleman and brought up his children in Western fashion. Nevertheless, the elder Nehru was a passionate nationalist who went to prison for his opposition to the British—and, according to some accounts, occasionally had champagne parties with his jailers in his cell.

Swarup Rani Nehru, Jawaharlal's mother and Motilal's second wife, was once severely beaten as she took part in an anti-British demonstration. Tiny and exquisite, she was married when she was 15 years old.

Jawaharlal Nehru had two sisters. The elder, Mrs. Vijaya Lakshmi Pandit, served as Indian High Commissioner in London, Ambassador to the Soviet Union and the United States, delegate to the United Nations and President of the United Nations General Assembly. An attractive woman, she is the widow of Ranjit Pandit, a distinguished lawyer and Sanskrit scholar.

The younger sister, Mrs. Krishna Hutheesing, was active in the independence struggle but left politics after India had gained freedom. She is the wife of G. P. Hutheesing, a politician, journalist, and scion of an industrial family.

In March 1916 Jawaharlal Nehru married 17-year-old Kamala of the aristocratic Kaul family, which, like that of Mr. Nehru, had migrated from Kashmir many generations before. Slender and tall, Kamala had a natural sweetness of temperament. She died in a Swiss sanatorium in 1936.

THEY HAD ONE DAUGHTER

They had one daughter, Indira, whom they called Priyadarshina, meaning "dear to the sight." She frequently acted as her father's hostess after she had completed her university education. She is the widow of Pheroze Gandhi, who was not related to Mohandas K. Gandhi, and has two sons. In 1959 Indira Gandhi was president of the Congress Party.

When she constituted her working committee, she dropped her father from that highest executive body of the party, with which he had been associated for more than 30 years. This was done at his request.

With thousands of other Indian women, the women in Mr. Nehru's family formed the hard core of many mass demonstrations in the years before India's freedom and nearly all the Nehru women served jail terms in connection with the independence movement.

CALLED HIMSELF AGNOSTIC

Jawaharlal Nehru's education, until he was 16, was entrusted to tutors. One, a part-Irish teacher named Ferdinand T. Brooks, interested the young Nehru in theosophy, a religious philosophy holding that ultimate knowledge of God is achieved by inspiration induced through intense contemplation. One of theosophy's leading exponents was Mrs. Annie Besant, an early agitator for Indian independence.

At 16 Jawaharlal entered Harrow, one of England's most prominent public schools. In England a "public" school is what Americans would call "private." Although he was not an exceptional scholar, the youth was unusually well informed on current events and history. He liked the sophisticated life of London, where he was accepted in upper social circles as a young gentleman of means with an aristocratic background.

The young Nehru, who was a student of all religions, chose to call himself an agnostic. He once wrote:

"Religion, as I saw it practiced, and accepted even by thinking minds, whether it was Hinduism or Islam or Buddhism or Christianity, did not attract me. It seemed to be closely associated with superstitious practices and dogmatic beliefs, and behind it lay a method of approach to life's problems which was certainly not that of science. * * * Essentially I am interested in this world, in this life, not in some other world or a future life."

Politically, he became deeply interested in the Fabian socialism of George Bernard Shaw and Sidney and Beatrice Webb. He was also significantly influenced by the writings of Karl Marx, but he rejected communism, he said later, as "too narrow a creed" that did not "resolve our basic doubt."

"Much in the Marxist philosophical outlook I could accept without difficulty: Its monism and nonduality of mind and matter, the dynamics of matter and the dialectic of continuous change by evolution as well as leap, through action and interaction, cause and effect, thesis, antithesis, and synthesis," he wrote in his book "The Discovery of India."

However, he wrote in the same passage that Marxism "did not satisfy me completely, nor did it answer all the questions in my mind." Many years later he was to tell his Communist critics in the Indian Parliament that Marxism had become out of date in the rapidly changing world of the 20th century. He described himself as "a Republican and a Socialist."

In October 1907, when he was nearly 18, Mr. Nehru entered Trinity College, Cambridge, where he majored in chemistry, geology, and botany, without particularly distinguishing himself. But he read widely in politics, economics, history, and literature. It was a time of intellectual stirring.

WAS ADMITTED TO BAR

After Cambridge, Mr. Nehru studied law in the Inner Temple in 1911 and 1912 and was admitted to the British bar. He never practiced law for a living, however. India's fight for freedom was to be his full-time occupation until independence was achieved, after which his career was in politics, government, and international statesmanship.

Persons who recall the Nehru of Cambridge and law school remember a rather tense and well-mannered young man with a slightly supercilious expression, which some presume he assumed to mask considerable shyness and aloofness. With a generous allowance from his father, he became a connoisseur of expensive clothes, good food, wine, and cigars.

By his return to India, Mr. Nehru had become so anglicized in speech that his clipped, public school English was unintelligible to many of his countrymen. His command of his mother tongue, Hindi, was unsure until late in life.

Mr. Nehru's education gave him a marked ambivalence, "I have become a queer mixture of East and West, out of place everywhere, at home nowhere," he once said.

CULTURE ATTRACTED HIM

India's untidiness and superstition annoyed Mr. Nehru all his life. He would fly into a rage when Indians tried to touch his feet in a traditional gesture of respect. The esoteric rituals of Hinduism repelled him, sometimes beyond endurance.

At the same time he believed in the greatness of Indian culture. He preferred Indian food and habitually wore the garb of his part of the country—jodhpurs and a long coat with tight collar. Sometimes he appeared in a modification of the attire seen in Kashmir, the land of his ancestors. The original Kashmiri name of his family was Kaul; it was changed to Nehru, which means "canal," when the family moved to Delhi and lived beside a manmade waterway.

As long as he was physically able, Mr. Nehru began each day by standing on his head for a few minutes, an exercise in Yoga that he deemed mentally and physically beneficial.

"It is difficult to worry about one's troubles when seeing the world upside down," he once said.

Mr. Nehru spent about 13 years in prison for his activities on behalf of Indian independence. Study and reading made the time behind bars more bearable. In later years he often said, only partly in jest, that he could do with another prison term to catch up on his reading.

Enduring friendship, formed in prison enabled Mr. Nehru and other Indian leaders to rise above frequent differences in policy. In a sense they belonged to a fraternity in which the memory of hardships suffered together was a stronger influence than disagreements of the moment.

Mr. Nehru was imprisoned for the first of nine times in December 1921 when he was accused falsely of being in contact with certain Afghans considered undesirable by the British. His last and longest term in prison, 1,041 days, ended June 15, 1945. Two years later he was Prime Minister of independent India.

Although the rigors of confinement varied with the prison, Mr. Nehru was usually accorded the privileged status of respected political prisoners.

Normally he was allowed books and writing materials. He never complained that the British had subjected him to onerous treatment.

MET GANDHI IN 1916

Mr. Nehru and Gandhi met for the first time in December 1916 in Lucknow, Gandhi, a tiny, toothless scrap of a man in a loin cloth, had come to wield vast power through noncooperation and massive civil disobedience. He was 20 years older than Mr. Nehru, and in their relationship Mr. Nehru played the stumbling and anguished role of disciple under the serene and self-assured patience of Gandhi.

"Personally I am not a very detached person," Mr. Nehru once said of himself. "I get excited."

Mr. Nehru's biographers agree that, while Gandhi exerted tremendous influence with India's impoverished masses, Mr. Nehru brought to the independence movement the impoverished masses, support of the middle classes. Anup Singh, an Indian writer, has compared the two men:

"Gandhi is profoundly religious; Nehru an agnostic. Gandhi looks back to ancient Indian ways for inspiration; Nehru is a thorough modern, influenced by modern thought. * * * Gandhi's politics have a touch of metaphysics * * * Nehru divests politics of religion and emphasizes politics. Gandhi longs for a simple peasant India. Nehru strives for the thorough industrialization and urbanization of India."

Under Gandhi's usually benevolent tutelage Mr. Nehru became a political leader of the independence movement. In 1918 he joined the All-India Congress Committee, which, until Indian independence, was the principal semiofficial consultative group under the British Crown. He was general secretary of the Congress in 1928 and served as its president on various occasions after 1930.

STRUGGLES FOR INDEPENDENCE

Mr. Nehru and other determined independence movement leaders ignored, bypassed, or otherwise made ineffectual, various plans, British and Indian, to hold India under British rule. The efforts of Mr. Nehru and his associates constitute a story of mass demonstrations, sitdown strikes, hunger strikes, quarrels among themselves, and some violence and assassination.

These latter manifestations Mr. Nehru deeply deplored. In his struggle for a free India he never departed from the Gandhian tenet that good ends must have good means, although this tenet was not always followed later.

When British rule ended in India it was apparent that many of the problems posed by the withdrawal of the British were greater than those that had been posed by their presence.

Mr. Nehru was 58 years old when India attained broad dominion status. He had spent about 27 years in arduous and often dangerous political struggle and years in British jails. At midnight on August 14, 1947, amid the roll of drums before the Indian Parliament in Delhi, freedom was proclaimed.

HIS SENSE OF HISTORY

When Mr. Nehru rose to speak the great crowd saw the tense, familiar figure wearing the long, buttoned coat and handwoven visorless cloth cap. There were dark circles under his eyes and he looked tired. In his brief address, the international socialist spoke as well as the triumphant nationalist. He said:

"It is fitting that at this solemn moment we take the pledge of dedication to the service of India and her people and to the still larger cause of humanity."

India became a sovereign republic within the British Commonwealth on January 26, 1950.

Of Nehru, at this moment of his achievement, Frank Moraes, an Indian journalist, wrote that there was a "sense of history and hustle about him." Mr. Moraes added that "Nehru's face reflects the bundle of contradictory emotions that he is and betrays both masculine and feminine traits which constitute his character."

The first great test of Mr. Nehru's leadership came in the religious disturbances that accompanied and followed the 1947 partition of the Indian subcontinent into a Hindu-dominated India and Moslem-dominated Pakistan. Amid flame and carnage, as many as 11 million people were on the march between Pakistan and India in one of history's most gigantic shifts of population.

Some authorities have estimated that at least a million persons died in the great migration, either in the fierce strife that accompanied displacement or from hunger, disease or exposure. Only a few officials in New Delhi realized how close the Nehru Government came to falling in those dark and bloody days.

In the same year, 1947, Moslem tribesmen from Pakistan invated the disputed state of Jammu and Kashmir to establish Pakistan's possession. Prime Minister Nehru sent troops to hold the predominantly Moslem state, at the request of its Hindu maharaja who had acceded to India. The United Nations established a cease-fire January 1, 1949, but the dispute dragged on through the years. Critics of Mr. Nehru charged that he allowed sentimental ancestral ties to Kashmir to override counselors who advised a settlement with Pakistan through a plebiscite or partition of the territory.

Mr. Nehru gained an international reputation for being friendly to Communist powers abroad but an implacable enemy of Communist's at home. At one time he had hundreds of Indian Communists in jail. After some hesitation he invoked emergency powers to unseat a Communist government in the southern state of Kerala.

The spread of communism in Asia necessitated some nimble diplomacy on Mr. Nehru's part. In the United Nations he had India join in condemning North Korea for the aggression that began the Korean war but he declined to censure Communist China for its entry into the conflict. Later he dispatched Indian troops, at the request of the United Nations, to carry out the exchange of prisoners between the two sides.

India was one of the first countries to recognize Communist China and consistently advocated its admission to the United Nations. Relations between New Delhi and Peiping began to cool, however, when Communist China occupied Tibet in 1950.

The Delai Lama, the Tibetan god-king, was forced to flee to India in March 1959. Prime Minister Nehru gave asylum to the Tibetan ruler and thousands of his followers but declined to recognize the Delai Lama as head of a government-in-exile.

Mr. Nehru's disillusionment with Communist China became complete in 1962, when Chinese troops occupied part of Ladakh Province in the Indian-held portion of Kashmir and penetrated into the disputed border area of the North-East Frontier Agency.

While still holding to his policy of nonalinement with the Communist and Western power blocs, Mr. Nehru asked the United States and Britain for assistance in preparing India's forces to resist further Chinese advances. Both countries responded immediately.

HE RETAINED ALOOFNESS

The conflict with Communist China did not appear to affect Mr. Nehru's doctrine of official aloofness in the cold war between the Communist and non-Communist worlds.

The Indian Prime Minister objected to the common description of his policy as "neutralism." He said India was never neutral on questions of right and wrong but his government would determine its stand on international issues according to the merits of each case. Many Asian and African states adopted the same policy as they became independent.

India's relations with the United States under Mr. Nehru had been marked by decided ups and downs. He was offended by U.S. military aid to Pakistan, saying that neighboring Pakistan was more likely to use that aid against India than to employ it to defend herself against Communist aggression. At the same time India benefited from massive U.S. economic assistance which disturbed Pakistan.

The situation was reversed when India received U.S. military aid following the crisis with Communist China. It then became Pakistan's turn to charge that India would use American arms against her neighbor.

VISITED UNITED STATES IN 1949

Mr. Nehru visited the United States for the first time in October 1949, during President Harry S. Truman's administration. The visit was not returned by an American head of state until 1960, when President Dwight D. Eisenhower included New Delhi on his Asian tour.

Like many Indian intellectuals, Mr. Nehru had been critical of the "materialistic" American way of life. His impression of Americans as a nation devoted to accumulating worldly goods seemed to him to be confirmed, according to accounts at the time, when he was presented to a group of industrialists at a luncheon.

"Mr. Prime Minister," the chairman said, "there is a billion dollars represented around this table."

Mr. Nehru was said to have shown annoyance in referring to the incident later.

Mr. Nehru's "neutralist" diplomacy particularly annoyed the United States during the period when he leaned heavily for advice in foreign affairs upon V. K. Krishna Menon, idol of the left wing of the Congress Party. Mr. Nehru was forced to dismiss Mr. Menon from the Cabinet, in which he held the post of Defense Minister, when Indian troops were routed by attacking Chinese along the border in the fall of 1962. After weeks of fighting the Chinese ordered a cease-fire and pulled back their troops.

Many of Mr. Nehru's associates, including members of his immediate family, professed to be baffled by the extent of Mr. Menon's influence upon the Prime Minister. Mr. Nehru was said to respect his adviser's intellectual capacities. Their friendship began when Mr. Menon represented the independence movement abroad with headquarters in London.

JUDGMENT CHALLENGED

After the Chinese affair, Mr. Nehru's judgment began to be challenged openly by conservative and pro-Western elements, including some in his own party. As the Prime Minister aged, speculation grew as to who would be his successor. Mr. Nehru found many ways to avoid answering frequent questions as to who might follow him at the helm of government and he never appeared to favor one person over another as his political heir.

Several times, when he encountered opposition within the Congress Party, Mr. Nehru offered to resign from the government. The gesture was always sufficient to silence his critics, who would unanimously beg him to remain.

As early as 1937, Mr. Nehru recognized in himself an unwillingness to delegate authority that disturbed some of his critics later.

"Men like Jawaharlal Nehru, with their capacity for great and good work, are unsafe in a democracy" said a sketch of him that appeared in Indian newspapers at that time. "A little twist, and Jawaharlal might turn into a dictator, sweeping aside the paraphernalia of a slow-moving democracy."

The article appealed to the Congress Party not to elect Mr. Nehru president for a third consecutive term, on the ground that "he must imagine that he is indispensable, and no man must be allowed to think so."

Only later did it become generally known that Mr. Nehru had written the unsigned article himself. He was not elected to the third term.

Mr. Nehru's image as a peacemaker was tarnished in the view of many when he sent his army into the Portuguese enclaves of Goa, Daman and Diu in December 1961, and forcibly incorporated these territories into the Republic of India. Portugal, which had held these possessions for about 450 years, had consistently refused to negotiate their transfer to India. Earlier, France had turned over Pondicherry and several other small colonies without conflict.

PREVIOUS USE OF TROOPS

The Prime Minister had departed previously from the Gandhian doctrine of nonviolent settlement of disputes when he sent Indian troops into Kashmir. He had also used force to take over Hyderabad and Junagadh when the rulers of these two states temporized over joining the Indian union.

One of Prime Minister Nehru's most pressing problems was the population explosion. The increase in India's population threatened to nullify all of the efforts of Mr. Nehru and his associates to raise the standard of living. Attempts to promote birth control were only partly successful.

Another pressing problem was that of maintaining national unity. Mr. Nehru struggled to marshall Indian opinion against divisive forces of religion, caste, language and provincialism. He felt that without unity—without a will to work together for the common good—Indians could never achieve economic development.

To promote Indian unity, Mr. Nehru appeared on platforms all over the country. Underscoring the diversity of the peoples in whom he was trying to instill a sense of common nationality, Mr. Nehru often stood before his massive audiences in clothing strange to them and had to speak in a language that few he addressed understood. On such occasions he usually chose to speak in English, the second language of all educated Indians.

For years one threat to unity was the disaffection of Naga tribesmen in northeastern India, who wished to secede from the union. Mr. Nehru met force with force, and eventually the leading Nagas settled for the demarcation of their area as a separate state within the republic. Earlier, Mr. Nehru had had to submit unwillingly to other demands by linguistic groups for separate states, a principle of which he disapproved on the ground that it encouraged provincialism at the expense of national unity. He strove without much success to cool the separatist ardor of members of the Sikh religion concentrated in the Punjab state.

As chairman of the planning commission, Mr. Nehru was the mastermind of a series of 5-year plans to improve the country's economy. He favored what he called a mixed economy, with nationalization of key industries, but a significant role for private enterprise. After 15 years of independence a foreign critic remarked that India had "achieved a remarkable synthesis of all the weaknesses of socialism and capitalism, with none of the advantages of either."

The successive 5-year plans consistently failed to meet targets in raising the level of living, despite energetic construction of hydroelectric projects, steel mills, cement plants, chemical factories, and even an experimental plant for power through atomic energy. A village improvement program reached into rural areas of all states. Yet the average annual per capita income remained nearly static at around $60 a year, and millions of Indians continued to live in hunger and squalor.

However, Mr. Nehru contended—with the support of many foreign economists who studied the country—that India's rate of economic growth far exceeded the accomplishments of Communist China. It became popular in Western circles to compare the two countries, which both have enormous populations and similar problems in agriculture and industry. The comparison was generally to India's advantage.

The democratic electoral system was highly developed in India under Mr. Nehru's leadership. Every adult in India is eligible to vote, regardless of literacy or property qualifications. In successive elections the percentage of eligible voters who have gone to the polls, often traveling long distances in snow or rain, in extreme heat or extreme cold, through jungles infested with venomous snakes and dangerous animals, has been equal to or better than the standards of advanced Western countries.

In July 1956, A. M. Rosenthal, then the New York Times correspondent in India, wrote of Mr. Nehru: "His personality is a great stimulant, but it is also a great weight upon India. Mr. Nehru is the leader of the Government, the leader of the majority (the Congress Party) * * * the chief economic planner, the chief social reformer, the foreign affairs analyst, the chief military thinker, the man who decides everything."

LITTLE TIME FOR RELAXING

Under the pressure of his work, Mr. Nehru had little time for relaxation in his later years. Occasionally perhaps once a year, he would spend a few days in Kashmir, where he would explore the countryside on horseback and play badminton. At his official residence in New Delhi he reserved a few minutes each morning to visit the small menagerie of animals that had been presented to him. His favorites were a pair of Himalayan pandas.

At official parties, Mr. Nehru would sometimes be seen standing alone and frowning, apparently so engrossed in his own thoughts that no one cared to interrupt him. At such gatherings he was always most animated in the company of women, with whom he liked to make casual conversation, although he was impatient with small talk in contacts with men.

Throughout his active life, Mr. Nehru had known little of serious illness until he suffered a mild paralytic stroke in January 1964, while attending a meeting of the Congress Party in Bhubaneswar, capital of Orissa state. For the first time since taking office he appointed deputies to handle some of the duties he had insisted upon carrying himself. Even then he returned to New Delhi against the advice of his physicians.

Mr. COOPER. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I am glad to yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, yesterday, I spoke briefly upon the death of Prime Minister Jawaharlal Nehru. Today, I am pleased, and believe it is appropriate, that the Senate should adopt this resolution expressing its sorrow on the death of Prime Minister Nehru, and conveying to the people of India and its officials our deepest sympathy and sense of loss, and our best wishes for the future of India.

Yesterday, I did not consider it appropriate to speak of any personal reminiscences in my own association with Prime Minister Nehru.

Today, I would be remiss if I did not say that the opportunity I had to know him and to talk with him many times during 1955 and 1956, when I had the honor to represent this country in India, and to talk to him and to know him since that time was one of the great experiences of my life.

He was a man of great intellectual quality, a man with very human and humane instincts, a man of grace of mind and spirit. I shall always remember his boundless courtesy.

He was a man who sought peace—peace in the world and peace in his own country. History will record him as one of the great world leaders of our time and as one of the great leaders in the history of the world.

THE DISTINGUISHED SERVICE OF MR. N. BATTLE HALES

Mr. WILLIAMS of Delaware. Mr. President, recently I commented on the fact that the Department of Agriculture had named Mr. Horace D. Godfrey as the recipient of the Government's Distinguished Service Award. Mr. Godfrey was the head of the department which was primarily responsible for the attempted coverup of the Billie Sol Estes scandal.

On the other hand Mr. N. Battle Hales, the Government employee who contributed most toward exposing and bringing Mr. Estes to justice, has been boxed in by the Department of Agriculture where he apparently is to get no further promotions or recognitions.

This is comparable to the treatment which the State Department gave Mr. Otto Otepka, a security official who committed the unforgiveable sin of giving Congress some information about skullduggery in his Department.

Mr. Richard Wilson, in his Washington Evening Star article yesterday, commented on this dangerous pattern, and at this point I ask unanimous consent that his article entitled "The Cover-Up—A New Morality" be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Evening Star, May 27, 1964]

The Cover Up—A New Morality—Record Shows Federal Officials Who Expose Shady Deals Get Bounced

(By Richard Wilson)

The handwriting on the wall has been written large here: Don't buck the system. This truth is freshly proved by a Government distinguished service award to an obscure official named Horace D. Godfrey. Mr. Godfrey is the Administrator of the Agricultural Stabilization and Conservation Service under Agriculture Secretary Freeman.

It is charged in the House of Representatives that Mr. Godfrey was given this award, although in his branch of the Federal service obviously a coverup was attempted in the entire Billie Sol Estes case. The evidence in the Billie Sol Estes investigation showed, it is charged, incredible confusion, mismanagement, lack of records, duplication, and woeful lack of management and knowledge of what was going on in the Estes case.

Mr. Freeman so values Mr. Godfrey today, however, that he confers upon him the highest accolade of his Department as an example to others.

But what of the man who testified and supplied records to show that the bigtime Texas promoter now under prison sentence for fraud was shown favoritism in Mr. Freeman's Department as early as November 1961? This man, N. Battle Hales, has been denied an automatic in-grade promotion which would ordinarily have come to him in the course of his Federal service. Thus the accuser languishes, and the accused flourishes, although the record seems clear that Billie Sol enjoyed a favored position in the Department of Agriculture.

Mr. Freeman has no monopoly on this technique. One Jerry Jackis, who revealed to Congress the use of foreign aid funds in Cambodia for a Communist-sponsored hospital, was fired while the State Department official who made a record against him was promoted.

Otto Otepka, State Department security official, who committed the unforgivable sin of peaching on his superiors and telling Congress what is wrong with the internal security system in the State Department, is in limbo. But William J. Crockett, Deputy Under Secretary, who was in charge of the Otepka matter for Secretary Rusk, is up for promotion to career minister, a better job. The Senate Foreign Relations Committee is looking into this, because the record shows wiretapping, general harassment, and attempts to degrade Mr. Otepka after he helped the Senate Internal Security Committee to expose some of the weaknesses of the State Department security system.

It is worth noting, also, that Gen. Curtis LeMay has been given an extension, at least until after the election, of his tenure as Air Chief of Staff. General LeMay protested against the multibillion-dollar award of the TFX contract for what he thought was a second best fighter plane to be used by both the Navy and Air Force. The Navy commander, Admiral Anderson, who also objected openly before Congress, has long since vanished from the Washington scene. But General LeMay was pointedly given only a 1-year reappointment, instead of the usual 2, and this has now been extended. But it looks as if General LeMay's service is rapidly coming to a close.

The pattern set in these several cases is shocking. The lesson taught to Federal officials is that if they see mismanagement, wrongdoing, or bad judgment, they would be wise to keep their mouths shut if they wish to maintain or improve their job status.

Their worst sin would be to tell their story to Congress, although it is the clear and imperative responsibility of Congress to inquire into the operation of Federal executive departments funded solely by the votes of Congress. Congress controls absolutely the appropriation of money to operate the Federal Government and of taxation to provide these funds. This is its exclusive power, and Congress has the right to know how the funds are spent.

Some kind of a new morality seems to have gotten lodged in official Washington. It is the morality of blind loyalty to superior authority and complete obeisance to the word from on high. It is the morality of coverup in the Billie Sol Estes case and whitewash in the Baker case. And it is not a very healthy atmosphere for the prudent conduct of the public's business.

THE HOWARD FOUNDRY CO. AND MR. FRED BLACK

Mr. WILLIAMS of Delaware. Mr. President, on May 15, 1964, I made a statement outlining how the Howard Foundry Co., of Chicago, had paid $150,000 to Mr. Fred Black, a Washington influence peddler, in return for his help in the company's obtaining special consideration in the Government's $2.7 million World War II excess profits claim.

In this same report I called attention not only to the fact that this company owed the Government $3 million in excess profits claim but also to the fact that over the past several years the president of the company and the company itself had been delinquent in income taxes to a substantial degree.

Yesterday the Justice Department filed a suit in the Chicago Federal Court against the Howard Foundry Co., claiming $4.3 million in delinquent corporate taxes dating back to 1943. This makes a grand total of $7 million owed the Government by this company upon which not a payment has been made for the past 5 years.

The question which still must be answered is: Who in these Government agencies were such special friends of Mr. Black that this company was able to obtain such unusual lenient treatment? The time is long past due when the Government should take action to protect the American taxpayers. Mr. President, I ask unanimous consent to include an article pertaining to this subject.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, May 28, 1964]

Court Asked To Appoint Receiver—United States Sues Firm Black Represents for $7 Million Excess Profits, Taxes

(By Jack C. Landau)

The Justice Department has filed a law suit in a Chicago Federal court against the Howard Foundry Co. seeking to collect a $2.7 million World War II excess profits claim and $4.3 million in delinquent corporate taxes dating back to 1943.

Attorney General Robert F. Kennedy asked that a receiver be appointed by the U.S. district court "to help insure that Howard continues in business and to seek to protect the jobs of its more than 1,300 employees."

The company manufactures castings for jet aircraft and, the Attorney General said, is "deemed important to the national defense."

The firm's financial problems with Government came to light last month in the $91,000 tax evasion trial of Washington public relations man, Fred B. Black, Jr., in the U.S. district court here.

Frank C. Howard, Sr., the board chairman, testified that he had agreed in 1956 to pay Black $150,000 after Black successfully intervened to have the Air Force take a claim over from the Justice Department, which was threatening collection action.

The Air Force did take over the claim in 1956 because, the Defense Department explained last month, Howard was an important source to Air Force contractors.

By 1959, Howard had paid $2.4 million, including back interest. Since 1959, it has paid nothing and the debt is now $2.7 million.

The suit also asked for $1.7 million in taxes for the years 1943 to 1945 and $2.6 million for the years 1947 to 1954, not including accrued interest.

"For several years," a Justice Department statement said, "the Internal Revenue Service, assisted since 1962 by the Department of Justice, and in consultation with the Air Force, has been attempting to collect these amounts under conditions which would also permit the company to continue as a supplier of defense materials."

The Attorney General said the appointment of a receiver may aid in assuring recovery of the debts while keeping Howard in the defense business.

BIPARTISAN CIVIL RIGHTS NEWSLETTERS

Mr. HUMPHREY. Mr. President, the bipartisan floor leaders of the civil rights bill make a practice of placing our daily newsletters in the Record at periodic intervals. I ask unanimous consent that Newsletters Nos. 57 through 65 be printed at this point in the Record.

There being no objection, the newsletters were ordered to be printed in the Record, as follows:

Bipartisan Civil Rights Newsletter No. 57, May 18, 1964, 41st Day of Debate on H.R. 7152, 58th Day of Debate on Civil Rights

(The bipartisan Senate leadership supporting the civil rights bill, H.R. 7152, headed by Senators Hubert H. Humphrey and Thomas Kuchel, will distribute this newsletter to the offices of the Senators who support the legislation. This newsletter will help to keep Senators and their staffs fully informed on the civil rights bill. It will be distributed whenever circumstances warrant, daily, if necessary.)

1. Quorum scorebord: On Saturday, May 16, Senators met two quorum calls within the allotted time.

2. Schedule for Monday: The Senate will convene at 10 a.m. and will remain in session until late evening. Quorum calls can be expected at any time.

Floor captains for Monday:

Democrats: Bartlett (10–1), Bayh (1–4), Symington (4–7), Inouye (7–close); Republicans: Case (all day), Boggs (all day).

3. Thus spake "Daddy Warbucks": Yesterday's Washington Post (p. A24) contains a series of 15 false charges by Governor Wallace against the civil rights bill, and rebuttals to each by Post staff reporters. We salute the good work of James E. Clayton and Robert E. L. Baker, and we point out a few of Wallace's gems just to get the week off to a proper start:

"Under the provisions of this section (title II) of the act, the lawyer, doctor, beautician or barber, plumber, public secretary-stenographer would no longer be free to choose their clientele.

"An employer can lose his right to hire whomever he might choose—this power being vested in a Federal inspector, who under an allegation of racial imbalance, can establish a quota system whereby a certain percentage of a certain ethnic group must be employed as supervisors, skilled and common labor.

"Union seniority systems will be abrogated under the unlimited power granted to Federal inspectors to regulate hiring, firing, promoting and demoting.

"It will take white men's jobs and turn them over to Negroes.

"The U.S. Commissioner of Education would be empowered to enter a school and transfer children from one school to another to accomplish either racial or religious balance. In other words, your child could be transferred across town in order to meet the Government's requirement that a Protestant child be admitted for the sake of assuring that there are exactly the same number of Protestants, Catholics and Jewish children enrolled.

"I state unequivocally that the jury system is on the verge of destruction."

Bipartisan Civil Rights Newsletter No. 58, May 19, 1964, 42d Day of Debate on H.R. 7152, 59th Day of Debate on Civil Rights

(The bipartisan Senate leadership supporting the civil rights bill, H.R. 7152, headed by Senator Hubert H. Humphrey and Senator Thomas Kuchel, will distribute this newsletter to the offices of the Senators who support the legislation. This newsletter will help to keep Senators and their staffs fully informed on the civil rights bill. It will be distributed whenever circumstances warrant, daily, if necessary.)

1. Quorum scoreboard: No trouble with quorums on Monday.

2. Tuesday's schedule: At 10 a.m. the Democratic conference will meet in the Old Supreme Court Chamber and the Republican conference will meet in the new Senate Conference Room, S–207. The subject of both meetings will be the package of amendments intended to be presented by Senator Dirksen with the concurrence of the bipartisan managers of the bill.

The Senate will convene at 12 noon and will stay in session until well into the evening.

The floor captains for Tuesday:

Democrats: Kennedy (12–3), Hartke (3–6), Proxmire (6–9), Hart (9–close); Republicans: Carlson (all day), Scott (all day).

3. The parliamentary situation: The pending business is still the Smathers amendment to the Talmadge jury trial amendment. The bipartisan civil rights leadership is opposed to both of these proposals and supports the Mansfield-Dirksen substitute amendment on jury trials. The package of amendments mentioned in paragraph 2, above, does not include any of these jury trial amendments.

4. Slow learners: The National Association of Real Estate Boards, speaking through a North Carolina realtor, has denounced the civil rights bill because it allegedly threatens property owners' rights to use, rent, and dispose of property as they see fit.

Anyone who has read the bill knows that this is a preposterous statement. In the first place, there is nothing in the bill that has anything to do with the sale or rental of real estate. Furthermore, Federal mortgage insurance programs are excluded from the provisions of title VI.

The public accommodations title of the bill does not restrict any owner's use of his property except in that it prohibits him from refusing to serve a customer because of race or religion. Since such laws are already in effect in more than 30 States and have been approved by the Supreme Court, it does not appear that this is an unconstitutional restriction on private property rights.

Finally, the realtors, or their southern spokesman, should remember that owners of places of public accommodation already have their property rights impaired by a variety of laws, such as those pertaining to health and safety, hours of operation, women and child labor, combinations in restraint of trade, and numerous other subjects. Should we follow the logic of the realtors and repeal all these laws?

As we reported some weeks ago, the real estate boards in Appleton, Neenah, and Menasha, Wis., made the same mistake that their national organization has. When the truth was pointed out to the Wisconsin realtors, they retracted their charges. We hope that the national association will be as ethical.

Bipartisan Civil Rights Newsletter No. 59, May 20, 1964, 43d Day of Debate on H.R. 7152, 60th Day of Debate on Civil Rights

(The bipartisan Senate leadership supporting the civil rights bill, H.R. 7152, headed by Senator Hubert H. Humphrey and Senator Thomas Kuchel, will distribute this newsletter to the offices of the Senators who support the legislation. This newsletter will help to keep Senators and their staffs fully informed on the civil rights bill. It will be distributed whenever circumstances warrant, daily, if necessary.)

1. Quorum scoreboard: 3 for 20 on Tuesday.

2. Wednesday's schedule: The Republican conference will meet at 9:15 in the new Senate Conference Room, S–207, to continue discussion of the package of amendments.

The Senate will convene at 12 noon and will stay in session until evening. The bill's opponents will continue to filibuster on jury trial amendments.

Floor captains for Wednesday:

Democrats: Ribicoff (12–3), Burdick (3–6), Gruening (6–close); Republicans: Javits (all day), Morton (all day).

3. A rare discovery from Alabama: Most Senators and their staffs get their day-to-day news about the South from Washington and New York newspapers. This has the effect of depriving us of the true flavor of the State of civil rights in the South. In an effort to correct this deficiency and provide our readers with a more authentic picture of conditions in Alabama, we will present over the next few days selections from the Birmingham News. Today's selection is several years old, and may throw some light on the outlook for local, voluntary action in Alabama. It comes from the July 21, 1955 issue of the Birmingham News:

"A legislative committee hearing brought to light today an officially reported threat to fire any Negro teacher in Macon County who supports a demand for nonsegregated schools.

"The disclosure came from Senator Sam Englehardt, who represented that county and who himself is an outspoken defender of the separate school system which the Supreme Court has said must end. He has introduced legislation to preserve classroom segregation despite the Supreme Court ruling.

"Reminding the Senate Education Committee that a petition has already been presented to the school board chairman in his county demanding admission of Negroes to white schools, Englehardt said: 'I got a call from the school board last Friday after the petition was presented. We've got 190 colored teachers in Macon County and the board tells me they'll fire every one of them that takes part in this agitation.'

"In Tuskegee, Supt. C. A. Pruitt declined to comment. He pointed out that the board itself hasn't received the petition—only the chairman—and the board isn't scheduled to meet again until September.

"Englehardt's remarks came in support of a bill by Senator Albert Davis, of Pickens County, which would let local school boards by unanimous vote fire any teacher for cause regardless of his standing under Alabama's tenure law.

"Davis, like Englehardt, a fiery advocate of white supremacy, omitted any mention of racial problems in explaining his bill. He said it would merely give school authorities a way to get rid of 'incompetent' teachers whose jobs are protected now by the tenure law.

"He said the board in his county had to close one school because they couldn't fire the teacher.

"Englehardt disclosed that he plans to introduce a similar measure applying only to Macon County, where Negroes outnumber white residents four to one and where famed Tuskegee Institute is located.

"Davis' bill was sent to a subcommittee for further study."

Bipartisan Civil Rights Newsletter No. 60, May 21, 1964, 44th Day of Debate on H.R. 7152, 61st Day of Debate on Civil Rights

(The bipartisan Senate leadership supporting the civil rights bill, H.R. 7152, headed by Senator Hubert H. Humphrey and Senator Thomas Kuchel, will distribute this newsletter to the offices of the Senators who support the legislation. This newsletter will help to keep Senators and their staffs fully informed on the civil rights bill. It will be distributed whenever circumstances warrant, daily, if necessary.)

1. Quorum scoreboard: Another 3 for 20.

2. Thursday's schedule: The Senate will convene at noon and will stay in session until early evening. The bill's opponents will continue to filibuster on jury trial amendments.

Floor captains for Thursday:

Democrats: McGee (12–3), Jackson (3–6), Long of Missouri (6–close); Republicans: Cooper (all day), Jordan of Idaho (all day).

3. Separate but equal in Alabama: The following is from the December 4, 1963, issue of the Birmingham News:

"A ban continues for Alabama Negro high schools seeking full membership accreditation in the Southern Association of Colleges and Schools.

"The organization has adopted a resolution opening the way for such recognition to Negro schools, but the Alabama State Committee turned thumbs down on full membership status for Negro schools in the State."

4. More selections from Birmingham newspapers: In order to help evaluate current southern claims about the benevolence and calm of race relations in the Old Confederacy, we are presenting a series of articles from Alabama newspapers. These articles, all of which appeared since the historic Supreme Court decision, make clear the need for Federal intervention in civil rights.

The first article revealed that Alabama State legislators proposed to override tenure regulations and fire any Negro schoolteacher who favored desegregation. This must have been quite an example of free speech for Alabama schoolchildren. The second article quoted below exposes a proposal to retaliate against an entire Negro college if there was any desegregation of white colleges. This article is from the Birmingham News for February 22, 1956:

"A veteran black belt legislator proposed today that the State cancel a $375,000 a year grant to Tuskegee Institute if a Negro student is allowed to remain permanently at an all-white college.

"Representative W. L. (Doc) Martin, of Greene County, made his suggestion during a legislative subcommittee session on school finance problems.

"He first asked Dr. A. R. Meadows, State school superintendent, if he would be willing to terminate a State contract with Tuskegee should such a situation develop, then proposed to offer a bill in the legislature to require it.

"Dr. Meadows said he wasn't prepared to answer the question at this time.

"The State has for many years entered into a contract with Tuskegee Institute to provide instruction in certain fields for Alabama students who can't get it at State-supported Negro colleges.

"Representative Martin, who represents a county in which Negroes outnumber whites about 5 to 1, told his colleagues he plans to offer a bill in an impending session of legislature to make the Tuskegee appropriation conditional on Negroes not breaking the color line at white institutions of higher learning."

Bipartisan Civil Rights Newsletter No. 61, May 22, 1964, 45th Day of Debate on H.R. 7152, 62d Day of Debate on Civil Rights

(The bipartisan Senate leadership supporting the civil rights bill, H.R. 7152, headed by Senator Hubert Humphrey and Senator Thomas Kuchel, will distribute this newsletter to the offices of the Senators who support the legislation. This newsletter will help to keep Senators and their staffs fully informed on the civil rights bill. It will be distributed whenever circumstances warrant, daily, if necessary.)

1. Quorum scoreboard: Another 3 for 20.

2. Friday's schedule: The Senate will convene at noon and will stay in session until early evening. The bill's opponents, having refused a unanimous agreement to vote on the pending jury trial amendments, will continue to filibuster on this issue.

Floor captains for Friday.

Democrats: Church (12–3), McGovern (3–6), McNamara (6–close); Republicans: Keating (all day), Pearson (all day).

3. Quote without comment:

"The Alabama Federation of Labor has directed attention to a serious need in the State when it calls for establishment of State parks and recreational opportunities for Negroes. The State's lack in this regard has long been conspicuous.

"Alabama has 10 major parks. They are all for white people. It has seven minor parks. Negroes are not admitted to them, either. There are three public fishing lakes and many historical sites and recreational areas, but not one is open to Negroes. And yet Negroes comprise about one-third of the State's population.

"The situation is a crying injustice and a shame upon the State.

"The State government cannot excuse itself on the grounds that the oversight has not been called to its attention. This is not the first time the Alabama Federation of Labor has urged action. Other citizens, white and Negro, have pointed to the need. Officials of the department of conservation have acknowledged the need.

"A detailed exploration of the subject was made in Public Recreation in Alabama, published by the Alabama State Planning Board in 1948. The board recommended four State parks for Negroes, one in Jefferson County, one in the central Black Belt, one in the Tennessee Valley, and one in the Mobile area. In some cases it went so far as to suggest specific sites.

"The need for Negro State parks in these areas is obvious. Parks should be relatively close to large numbers of people who might use them. That accounts for the proposed parks near Birmingham and Mobile. A State park for Negroes in the Black Belt would take care of the heavy Negro population in that area. And a park in the Tennessee Valley would serve the Negroes of north Alabama.

"In establishing a park in the Tennessee Valley (a site near Florence is proposed) the State could probably get help from the Tennessee Valley Authority. In its 1951 report the authority noted that during the year Kentucky opened a State park for Negroes on TVA reservoir lands, being the third State to do this. Counties within the TVA territory in 1951 were developing 15 park areas, including two for Negroes. The TVA has cooperated with Alabama in opening up and developing the new State park (for whites) near Guntersville.

"Public recreation has become an important concern of Government in encouraging a better citizenship. Alabama cannot afford to continue to neglect this obligation respecting one-third of its population." (Birmingham News, Jan. 23, 1952.)

Bipartisan Civil Rights Newsletter No. 62, May 25, 1964, 46th Day of Debate on H.R. 7152, 63d Day of Debate on Civil Rights

(The bipartisan Senate leadership supporting the civil rights bill, H.R. 7152, headed by Senator Hubert H. Humphrey and Senator Thomas Kuchel, will distribute this newsletter to the offices of the Senators who support the legislation. This newsletter will help to keep Senators and their staffs fully informed on the civil rights bill. It will be distributed whenever circumstances warrant, daily, if necessary.)

1. Quorum scoreboard: Two quorums in 20 minutes each on Friday.

2. Monday's schedule: The Senate will convene at noon and will stay in session until early evening. The bill's opponents continue to filibuster on jury trial amendments.

Floor captains for Monday:

Democrats: Bartlett (12–3), Bayh (3–6), Symington (6–9); Republicans: Keating (all day), Miller (all day).

3. The schedule for this week: The Senate will convene at noon Monday through Thursday and will go out fairly early each evening. There will be a recess from Thursday evening until Monday, June 1.

4. More news from Alabama: The news and editorial columns of the Birmingham News are an almost inexhaustible source of information about the systematic denial of equal rights to Alabama Negroes. The selections we have quoted in the past few days show that in Alabama there is little willingness to work out voluntary local solutions to racial problems, and all too much eagerness to suppress any protest by Negroes.

Today's installment from the Birmingham News reveals a new form of discrimination: 11 Negroes who tried to run for office in their local Democratic Party were not allowed to do so. The following is from an editorial in the March 12, 1962, issue:

"Eleven Negroes attempted to qualify in election of members of the Jefferson County Democratic executive committee.

"They have been refused qualification by the county committee. Papers had been sent to the committee as required, along with a $15 qualification fee. All were returned by the committee.

"But the committee approved qualification of one Negro for the county board of education. The committee was not unwilling to bar any or all Negroes from any or all offices. But the office for which a Negro was approved was a formal post of government itself—an agency governing county schools. Offices for which candidacies were refused were places on the party committee.

"Refusal of the 11 seeking county committee posts, according to a reason given to a news reporter, was that the Negroes did not subscribe to tenets of the party. This was, apparently, a county committee judgment about State party principles and beliefs.

"Meat of this reason lies in the statement printed in the ballot that the Alabama Democratic Party is founded on white supremacy. It is an interesting question, obviously, whether Negro would-be candidates would endorse or wink at such label. More to the point is whether they had to endorse it in any way or degree in order to become candidates.

"There is no doubt that at least some, perhaps all, of the Negro candidates are as qualified as many whites. One turned down is the most prominent Negro attorney in the city, for example.

"There may be argument that though courts have dealt with the white primary, they have never directly addressed themselves to the issue of Negroes' rights to party office as might be distinct from offices of government itself. But such party office selection is in the primary.

"Drawing a line obviously is difficult and possibly impossible in logic. Party, the State and nonparty offices are wholly tied up each with the others.

"This issue appears to be involved with now ancient legal dispute over the white primary. It may be said that in this instance disqualified candidates are not being denied right to participate, as voters, in the primary, but merely as being denied an opportunity to become part of the party's administrative machinery.

"White primary cases decided in the courts turned on Negro efforts to vote—not to become candidates of a party proclaiming white supremacy—and certainly not party officers. But voting is merely one side of the coin. Candidacies for which one may vote in the primary is the other side.

"Every lawyer in Birmingham knows these things. Jefferson County executive committee action is illogical, possibly illegal, and is bad strategy, playing into hands of those who want to charge willful denial of the simplest rights to Negroes. No cause is thus served except that of deliberate futility."

Bipartisan Civil Rights Newsletter No. 63, May 26, 1964, 47th Day of Debate on H.R. 7152, 64th Day of Debate on Civil Rights

(The bipartisan Senate leadership supporting the civil rights bill, H.R. 7152, headed by Senator Hubert H. Humphrey and Senator THOMAS KUCHEL, will distribute this newsletter to the offices of the Senators who support the legislation. This newsletter will help to keep Senators and their staffs fully informed on the civil rights bill. It will be distributed whenever circumstances warrant, daily, if necessary.)

1. Quorum scoreboard: Another good day for our side.

2. Tuesday's schedule: The Senate will convene at noon and will stay in session until early evening.

Floor captains for Tuesday.

Democrats: YOUNG of Ohio (12-3), BREWSTER (3-6), DOUGLAS (6-9); Republicans: CARLSON (all day), JAVITS (all day).

3. Parliamentary inquiry: The following colloquy took place in the Senate yesterday: "Mr. HUMPHREY. I merely wish to summarize the situation which will exist in the event such amendments—as the proposed package—are offered to the bill, and thereby become the pending business, and if cloture is ordered.

"Is it correct that the substitute can be amended in two degrees, if the amendments have previously been offered and read?

"The PRESIDING OFFICER. That is correct.

"Mr. HUMPHREY. Second, is it correct that amendments already presented and read—such as those referred to by the Senator from Arkansas, applying to House bill 7152 can be offered to the substitute, as well?

"The PRESIDING OFFICER. That is the opinion and the ruling of the present occupant of the chair."

4. More news from Alabama: The following article is from February 27, 1964, issue of the Birmingham News:

"The chairman of the Jefferson County Board of Registrars has charged that Gov. George C. Wallace is attempting to remove him from the board because he registered Negro voters.

"M. L. Bearden made the accusation in a deposition taken last week by U.S. Justice Department attorneys. His testimony was filed in U.S. district court today.

"Bearden and other members of the board were questioned February 13 in connection with a Government voter registration suit pending against the board and the State of Alabama.

"He and the other registrars, Mrs. Nell Hunter and Wellington M. Gewin, were recalled for deposition taking today but newsmen were barred at the request of Justice Department attorneys.

"The earlier session was also closed to the press at the Government's insistence.

"In Bearden's deposition, he charges that Governor Wallace last December called on State Auditor Bettye Frink in an effort to persuade her to fire Bearden from the board.

"According to the testimony, Mrs. Frink appointed Bearden to the board last October. Mrs. Hunter was appointed by Governor Wallace and Gewin by State Agriculture Director A. W. Todd.

"'I was contacted by Mrs. Frink and told that the Governor had called her to his office to fire me for registering Negroes,' said Bearden * * * 'that his appointee (Mrs. Hunter) had registered no Negroes and I had turned the board over to the NAACP (National Association for the Advancement of Colored People).'

"'She told you this?' Bearden was asked.

"'Yes, sir, and he [Governor Wallace] was trying to get her to go along with him to fire me. I told her that was ridiculous,' Bearden said.

"He quoted Mrs. Frink as saying, 'Well, we have got to get together and come up with some kind of understanding. They are putting a tremendous amount of pressure on me.'

"To this Bearden said he replied, 'I would rather you just fire me rather than bring any pressure on you.'

"He said he invited Mrs. Frink to come to his office and she did on December 20 along with her husband, Bill Frink, Irondale radio station owner, and two Wallace aids.

"Mrs. Hunter's deposition, filed along with Bearden's, identified the two aids as Hunter Phillips 'from the Governor's office' and Robert Millsap, 'a representative of Governor from Jefferson County.' Mrs. Hunter said she did not know whether Millsap held an official position in the State government and did not know Phillips prior to the meeting.

"Bearden said that after being contacted by Mrs. Frink he discussed the matter with Circuit Solicitor Emmett Perry. He quoted Perry as saying, 'If you need me, call me and I will be in your corner.'

"Bearden said he told the Governor's aid that when they arrived that Perry would 'conduct this investigation.' But, he said, Phillips replied that he had not come for an investigation, but only 'to have a friendly talk," Bearden said he agreed to talk.

"As the conversation got underway, Bearden said, Millsap asked to see records of voter applications which had been turned down since the chairman took office on October 1.

"Bearden said he got the records and they were separated into three stacks. One stack included applications turned down by Bearden and the other two contained applications rejected by Mrs. Hunter and Gewin.

"Bearden said that each stack was then counted and that Millsap and Phillips both took notes. He said he could not see if any of the notes taken showed the race of the applicant.

"Bearden also said that at the meeting 'they were very much disturbed' because the board had reverted to a policy of allowing rejected applicants to refile after 60 days instead of waiting for a year.

"Asked why, Bearden replied, 'Well, they said it was given them [the applicants] too much leeway to come back too quick.'

"Bearden explained that since the meeting with State officers the board adopted a new policy requiring all three of the registrars to sign rejected applications. Under earlier policy only one signature was needed.

"Well after this came up and so much pressure got on me, I told them I wasn't going to be a 'monkey hanging on a limb,' Bearden said.

"He said he told the board, "What we do we are going to do it as a board and then nobody could bring pressure to bear on me or the appointing officer.'

"Bearden confirmed that after December 20 the rejection of Negro applicants in Jefferson County rose from about 9 percent to about 26 percent and that the rejection of white people had not changed substantially.

"When asked if he had ever been contacted by State officials since the December meeting, Bearden said he was contacted by Mrs. Frink 'and she told me that they still wanted to get rid of me, and I wasn't going to change my way of doing. Evidently, I wasn't doing to suit them.'

"In addition to Bearden and the other registrars, government attorneys subpenaed Millsap for the deposition taking here today.

"Mrs. Frink and Phillips have been subpenaed for deposition questioning Friday in Montgomery. Others to be questioned there include A. W. Todd and secretary of state, Mrs. Agnes Baggett. The session will be closed.

"At one point Bearden said that during October and November the board 'a lot of times' pointed out minor mistakes to applicants 'if we felt like it was a misunderstanding or an honest error and they meant good.' But he said this is no longer done."

"Asked if the change of policy was a result of the meeting with the Governor's aids, he asserted, I will have to say 'Yes.'

Bearden said that on the day of the meeting, the board adopted the policy of making the rejected applicants wait for a year before reapplying instead of 60 days.

"Under examination by Assistant Circuit Solicitor Burgin Hawkins, Bearden pointed out that he had discussed the question of giving assistance to applicants with the solicitor's office and he agreed that it was then he was told no assistance could be given applicants for fear of a discrimination suit.

"However, Bearden pointed out that the board had never given assistance, and he said he did not consider pointing out minor errors as giving assistance."

BIPARTISAN CIVIL RIGHTS NEWSLETTER No. 64, MAY 27, 1964, 48TH DAY OF DEBATE ON H.R. 7152, 65TH DAY OF DEBATE ON CIVIL RIGHTS

(The bipartisan Senate leadership supporting the civil rights bill, H.R. 7152, headed by Senators HUBERT H. HUMPHREY and THOMAS KUCHEL, will distribute this newsletter to the offices of the Senators who support the legislation. This newsletter will help to keep Senators and their staffs fully informed on the civil rights bill. It will be distributed whenever circumstances warrant, daily, if necessary.)

1. Wednesday's schedule: The Senate will convene at noon and will stay in session until early evening.

Floor captains for Wednesday:

Democrats: ANDERSON (12-3), BREWSTER (3-6), MCNAMARA (6-9); Republicans: BENNETT (all day), CASE (all day).

2. Too much deliberation and not enough speed: The following are excerpts from the opinion of the Supreme Court in the Prince Edward County School case delivered for the Court by Mr. Justice Black on Monday:

"This litigation began in 1951 when a group of Negro school children living in Prince Edward County, Va., filed a complaint in the U.S. District Court for the Eastern District of Virginia alleging that they had been denied admission to public schools attended by white children and charging that Virginia laws requiring such school segregation denied complainants equal protection of the laws in violation of the 14th amendment. On May 17, 1954, 10 years ago, we held that the Virginia segregation laws did deny equal protection, *Brown* v. *Board of Education*. On May 31, 1955, after reargument on the nature of relief, we remanded the case, along with others heard with it, to the district courts to enter such orders as 'necessary and proper to admit (complainants) to public schools on a racially nondiscriminatory basis with all deliberate speed.'

"We hold that the issues here imperatively call for decision now. The case has been delayed since 1951 by resistance at the State and county level, by legislation, and by lawsuits. The original plaintiffs have doubtless all passed high school age. There has been entirely too much deliberation and not enough speed in enforcing the constitutional rights which we held in *Brown* v. *Board of Education* had been denied Prince Edward County Negro children.

"The time for mere 'deliberate speed' has run out, and that phrase can no longer justify denying these Prince Edward County schoolchildren their constitutional rights to an education equal to that afforded by the public schools in the other parts of Virginia."

3. Bipartisan leadership introduces omnibus substitute amendment: Senator DIRKSEN yesterday introduced for himself, for the majority leader, and for the majority and minority whips, amendment No. 656 in the nature of a substitute to H.R. 7152. The amendment has been sent to the desk, printed and ordered to lie on the table, and will be considered as having been read in order that it may be called up after cloture is invoked. Senator DIRKSEN indicated that he intends to speak at some length next week in support of the amendment. It was also

indicated that Senators would be given an ample opportunity to study the proposal before resort is had to a cloture motion. The presentation of this amendment, it was stressed, does not foreclose Senators from seeking consideration for amendments to it.

BIPARTISAN CIVIL RIGHTS NEWSLETTER No. 65, MAY 28, 1964, 49TH DAY OF DEBATE ON H.R. 7152, 66TH DAY OF DEBATE ON CIVIL RIGHTS

(The bipartisan Senate leadership supporting the civil rights bill, H.R. 7152, headed by Senators HUBERT H. HUMPHREY and THOMAS KUCHEL, will distribute this newsletter to the offices of the Senators who support the legislation. This newsletter will help to keep Senators and their staffs fully informed on the civil rights bill. It will be distributed whenever circumstances warrant, daily, if necessary.)

1. Thursday's schedule: The Senate will convene at noon. At 12:15 the Senators will go over to the House for a joint session to hear an address by President DeValera of Ireland. The Senate will then be in session until midafternoon and will recess until Monday.

Floor captains for Thursday:

Democrats: MCGOVERN (12-3), CHURCH (3-6); Republicans: ALLOTT (all day), BOGGS (all day).

2. The quality of integrated education: The following is an excerpt from an address by Dr. Benjamin Spock entitled "Children and Discrimination," delivered to the Church Assembly on Civil Rights on May 2, 1964:

"Actual studies of the effects of integration of schools, in Louisville and Washington, show academic improvement for the Negroes and no academic disadvantage for the white children. The improvement in the Negroes was anticipated, because a great majority of Negro schools in the past have been inferior—in equipment, in the level of training of their teachers, in the morale of teachers and pupils, as well as in the readiness of the pupils to learn. So integration provided better teaching and also new hope.

"As to why the school program of the white children was not slowed there are reasonable explanation:

"Since the work of the Negro children improved, the difference between them and the white children was minimized.

"Since the neighborhoods where Negroes of limited educational background live are usually nearest to neighborhoods where whites of limited educational backgrounds live, the Negro children who are less advanced scholastically will usually be integrated into nearby schools where the white children are also less advanced.

"Even when children with widely different aptitudes do go to the same school, as is true for instance of the single high school in small cities, they will usually become separated into more advanced classes.

"In other words the quicker children and the slower children—either Negro or white—will rarely be combined in the same classrooms."

WANTED: MEN OVER 65

Mr. WILLIAMS of New Jersey. Mr. President, on the orange and white posters that proclaim May Senior Citizens Month, this quotation appears:

> Let us make this month outstanding in our continuing effort to keep in the mainstream of our national life all those who have lived so long and contributed so generously.

That statement, of course, is from President Johnson's proclamation on Senior Citizens Month; and it elaborates upon the overall theme: "Opportunities for Older Americans."

Much the same viewpoint is apparent in program established by the New Jersey Highway Authority. An article in the New York Times of May 22 describes this program and makes the point that wise use can be made of the talents of elderly Americans when a little creative imagination is applied.

The commissioners of the authority and Executive Director D. Louis Tonti should be congratulated for their example. I ask unanimous consent to have the article reprinted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEN 65 AND OVER WANTED IN JERSEY AS TOLL COLLECTORS

TRENTON, May 22.—The State Highway Authority, operator of the Garden State Parkway, will hire 50 part-time toll collectors in the next 3 weeks. But don't apply unless you are at least 65 years old.

The hirings are part of a program begun in 1960 to obtain responsible collectors and at the same time help people who have to supplement their social security benefits. The project began with the employment of 12 men. By last summer, the number had increased to 19.

The move to take on 50 more is a tribute to the success of the program. The older people work 4 to 6 hours a day during peak traffic periods and are paid up to $2,300 a year.

Louis Tonti, executive director of the authority, said today that the project had been even more successful than he had anticipated when he originated it. He said that the men appeared to enjoy their work and, in many instances, asked for opportunities to work extra hours.

"When it is feasible to provide them with extra time and consequently with extra pay, we try to accommodate them," Mr. Tonti said.

The oldest part-time employee is 74 and has held his job for 3½ years. However, at the request of the employee, Mr. Tonti did not identify him by name.

EAST ORANGE AND ITS SENIOR CITIZENS

Mr. WILLIAMS of New Jersey. Mr. President, Senior Citizens Month is a good time of year to ask whether older citizens in our communities are becoming estranged from others in their neighborhoods, or whether they are still very much a part of the life of those around them.

Young groups have a selfish interest in asking those questions; no group can afford to be cut from the wisdom and the energies of its older citizens. We are poor indeed if we cannot draw from the perspective of those who can remember more and see farther than we can.

For these reasons, an article that appeared in the April 26 issue of the Newark Evening News is of special interest. It describes a citywide effort in East Orange, N.J., to make life for senior citizens interesting and lively. It is significant, I think, that the headquarters for this activity is the first public housing project of East Orange. Tenants there are benefiting from a superior building, excellent management, and a comprehensive social, health, and recreation program.

Mr. President, the city of East Orange, thanks to Mayor James W. Kelly and his hard-working Council on Senior Citizens, has established an outstanding program. I ask unanimous consent to have the article reprinted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIVELY DOINGS FOR ELDERLY: EAST ORANGE PLANS PROGRAMS FOR SENIOR CITIZENS

(By Don Dust)

A concerted, citywide effort is in progress in East Orange to make life for its senior citizens interesting and lively.

An exceptional combination of volunteer talent and city agencies, centered on the first floor of Concord Towers at 210 Grove Street is working at a four-point program of recreation, education, health and information.

Concord Towers is a sleek, new, 64-unit, 9-story building where 82 older people pay moderate rents for the specially designed housing. The main floor of the building, however, is devoted to the use of the entire senior citizen population, 11,063, or 14.3 percent of the entire city population.

The day center, as it is called, is under the sponsorship of the mayor's council on senior citizens, which handles funds for the center's financial support.

IMPROVED OUTLOOK

Mrs. Peter E. Ollendorf, council-chairman, said the active atmosphere prevailing at the center has improved not only the outlook of the people using it, but, in some cases, their health. The people who are making use of the center are encouraging their friends to drop by, she said.

On Mondays, Thursdays and Fridays, the floor buzzes with activity. Within the octagonal building there are groups playing cards, or other games, watching television, reading or taking lessons in cooking, attending weekly film programs and, when weather permits, outdoor games of shuffleboard and croquet.

The set up is complex, with eight agencies and 75 aids gearing their activities toward the city's senior citizens.

The city council paid $6,900 for part of the furnishings of the center. The health department has given influenza shots, and conducted diabetes tests there. The recreation commission, under the supervision of Mrs. DelRey Coleman, handles the activity programs and the library has donated 500 books and makes films, slides and records available.

OTHER SUPPORT

Members of the Junior League of the Oranges and Short Hills are paying Stanley S. Moss, the center's acting director for this year, a $2,000 stipend. The league also has five members staffing a counseling and referral service.

The service is designed to direct senior citizens with problems to agencies and people who can help them. The problems include social security questions, and health and welfare problems. The United Community Service is training the junior leaguers for this service.

Meals on Wheels, an organization which delivers prepared meals to people unable to cook for themselves, uses the kitchen in the center to cook and package the food. The Red Cross sends a representative once a week to teach methods of cooking for one and two people, economically and with limited facilities. This is geared mainly to people who live outside the project.

A "get-well cupboard" makes available for modest rentals, wheelchairs, special beds and all kinds of other equipment for recuperating elderly people. The cupboard is run and financed by the United Churchwomen of the city.

George R. Genung, executive director of the city's housing authority termed the abundance of activity and interest "unique." The authority is responsible for constructing and tenanting the building. Genung is quite pleased that while most public housing developments suffer from a lack of community interest, this one is enjoying success.

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is closed.

CIVIL RIGHTS ACT OF 1963

The **PRESIDING OFFICER**. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

ORDER OF BUSINESS—RECESS TO MONDAY

Mr. **HUMPHREY**. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator will state it.

Mr. **HUMPHREY**. Am I correct in my understanding that the majority leader propounded a unanimous-consent request that when the Senate completes its business today it stand in recess until Monday at noon?

The **PRESIDING OFFICER**. That is the understanding of the Chair.

Mr. **HUMPHREY**. And that the Senate meet at 9 a.m. on Tuesday?

The **PRESIDING OFFICER**. At 9 a.m.

Mr. **HUMPHREY**. If that is the case, and because there will undoubtedly be a very interesting, inspiring, perspiring, and exciting forthcoming week on the pending business, I believe that the moment is at hand to take advantage of the motion of the Senator from Montana; and I therefore move, in accordance with the previous order, that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 1 o'clock and 45 minutes p.m.) the Senate took a recess, under the previous order, until Monday, June 1, 1964, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate May 28 (legislative day of March 30), 1964:

DIPLOMATIC AND FOREIGN SERVICE

Robert J. Ryan, of Massachusetts, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Niger.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 28 (legislative day of March 30), 1964:

DIPLOMATIC AND FOREIGN SERVICE

AMBASSADORS

William McCormick Blair, Jr., of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Philippines.

William Whitman II, of Pennsylvania, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Togo.

The nominations beginning Bernard Rosen to be a Foreign Service officer of class 1, consul general and secretary in the diplomatic service of the United States of America, and ending Harry V. Scott to be a consul of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 16, 1964.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 28, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

The tribute to Moses, Hebrews 11: 27: *He endured as seeing Him who is invisible.*

Almighty God, in all the hours of this day, may we eagerly seek and willingly accept the overtures of Thy divine counsel and companionship.

We penitently confess that we so frequently allow the windows of our souls to become opaque and the vision of life's higher values to become distorted and obscured.

Inspire and sustain us with the conviction that there are no crises, which we cannot face, and no hardships, which we cannot endure, when our minds are stayed on Thee.

Bless the President of Ireland, the great Irish revolutionary and political leader, whom we are welcoming today in a joint meeting of the Congress.

Our hearts are filled with sadness as we mourn the passing from among us of the beloved Prime Minister of India whose heart was filled with a passion for peace and good will among men.

Bestow upon a sorrowing world the consolation of Thy grace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 538. An act for the relief of Henry Bang Williams.

RECESS

The **SPEAKER**. The House will stand in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 3 minutes p.m.) the House stood in recess subject to the call of the Chair.

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY THE PRESIDENT OF THE IRISH REPUBLIC, EAMON DE VALERA

The **SPEAKER** of the House presided.

The Doorkeeper announced the President pro tempore and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the President pro tempore taking the chair at the left of the Speaker, and the Members of the Senate the seats reserved for them.

The **SPEAKER**. The Chair appoints as members of the committee to conduct the President of the Irish Republic into the Chamber the gentleman from Oklahoma, Mr. ALBERT; the gentleman from Louisiana, Mr. BOGGS; the gentleman from Indiana, Mr. HALLECK; the gentleman from Illinois, Mr. ARENDS; the gentleman from Pennsylvania, Mr. MORGAN; and the gentleman from Indiana, Mr. ADAIR.

The **PRESIDENT** pro tempore. On the part of the Senate, the Chair appoints as members of the committee of escort the Senator from Montana, Mr. MANSFIELD; the Senator from Minnesota, Mr. HUMPHREY; the Senator from Alabama, Mr. SPARKMAN; the Senator from Florida, Mr. SMATHERS; the Senator from Rhode Island, Mr. PASTORE; the Senator from Illinois, Mr. DIRKSEN; the Senator from Vermont, Mr. AIKEN; the Senator from Iowa, Mr. HICKENLOOPER; the Senator from North Dakota, Mr. YOUNG; the Senator from South Dakota, Mr. MUNDT; and the Senator from Hawaii, Mr. INOUYE.

The Doorkeeper announced the Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 30 minutes p.m., the Doorkeeper announced the President of the Irish Republic.

The President of the Irish Republic, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk. [Applause, the Members rising.]

The **SPEAKER**. Members of the Congress, it is my great privilege and I deem it a high honor and a personal privilege to present to you an outstanding leader not only of his people but throughout the world and one of the great statesmen of this trying era of the world's history, his Excellency, Eamon de Valera, President of Ireland. [Applause, Members rising.]

President DE VALERA. Mr. Speaker, Mr. President pro tempore of the Senate, Members of the Congress of the United States, my first word to you must be to thank you from my heart for the great privilege you have granted me in permitting me to appear before you and to address you.

I was here some 45 years ago and I toured throughout this great country. You may remember that on the 21st of January 1919 the National Assembly of Ireland—Dail Eireann—declared Ireland independent and a republic, just as the Second Continental Congress here declared the independence of America.

President Wilson during the First World War had put the rights of people to self-determination as a fundamental basis for peace. We in Ireland took advantage of the fact that that principle had been enunciated by the head of this great Nation. There was a general election due at the time, and we took advantage of that election to make it clear that the people wanted independence. The elections were held under British law and therefore there could be no suggestion of any interference in our favor. The results of the elections were such that it would be impossible for anyone to deny what was the status of the nation and what was the form of government that the Irish people desired.

I was sent here some months later—in June of 1919. I have told you that our Declaration of Independence was made on the 21st of January 1919. That is our Independence Day, as July 4 is yours.

I was sent here to the United States with a threefold mission. First, to ask for official recognition of the independence, and the Republic that had been declared in Ireland in full accordance with the principles of self-determination. I was sent here also to try to float an external loan for the uses of that Republic. And, finally, I was asked to plead with the American people so that if the covenant of the League of Nations and the Treaty of Versailles, which were under discussion, were to be ratified, the United States would make it clear that notwithstanding article X of that covenant the United States was not pledging itself to maintain Ireland as an integral part of British territory.

Some weeks after we had declared our independence—I think it was on March 4—the House of Representatives here passed a resolution, by something like 216 votes to 41, asking the peace conference that was sitting in Paris and passing judgment upon the rights of nations to favorably consider Ireland's right to self-determination.

A few months later, on June 6, your Senate here passed a resolution earnestly requesting the American Peace Commissioners, then in Paris, to endeavor to secure that the representatives who had been chosen in Ireland for the purpose, would get a hearing at the peace conference in order that they might present Ireland's case.

But the Senate went further. Nearly a year later, when the ratification of the Treaty of Versailles was under discussion, it passed a resolution which was intended to be a reservation to the treaty, if adopted, reaffirming its adherence to the principles of self-determination and its previous vote of sympathy with the aspirations of the Irish people for a government of their own choice, and went further and expressed the earnest hope that once Ireland had got self-government it would be promptly admitted as a member of the League of Nations.

You know that on account of articles in the covenant and circumstances of the day the treaty was not ratified.

But the resolutions here in Congress, supported as they were, and mirroring as they did the attitude of the American people as a whole were made manifest by immense demonstrations in all the principal cities throughout the United States. Recognition was given by the mayors of your principal cities, by the governors and legislatures of many of your States, so that Congress here was expressing accurately the will of the American people in regard to Ireland.

It is not necessary for me to tell you how heartened our people were by these expressions of sympathy and friendship. We were in a very difficult struggle, facing very great odds. And it was a comfort and an earnest of ultimate success that this great freedom-loving nation of America and its people were behind our efforts.

What was the gratitude of the Irish people was clearly evident to anyone who saw the reception that was given to your late President, President Kennedy. He was welcomed not merely because he was of Irish blood, not merely because of his personal charm and his great qualities of heart and mind, nor even because of the great leadership which he was giving to the world in critical moments; but he was honored because he was regarded by our people as the symbol of this great Nation, because he was the elected President of this great people. [Applause.]

In honoring him they felt that they were in some small measure expressing their gratitude to the people of the United States for the aid that had been given to them.

The United States since the Declaration of Independence has been looked upon by all freedom-loving peoples as the champion of human liberty, the liberty of nations, and the liberty of individuals. We in Ireland have constantly looked to you as such a champion.

We all know that the former League of Nations came into being as the result of American initiative—although, as I said, for reasons which seemed good at the time to the American people they did not ratify the treaty or become members of the League. But the idea came from America, in modern times, anyhow.

And the successor of the League—the United Nations Organization—also came into being as the result of American influence.

Most thinking people will admit that if we are to look forward to peace, to anything like a lasting peace in this world, it can only be secured by the working of such an organization—an organization that will purposely devote itself to bringing about the rule of law and, where other means have failed, judicial determination of international disputes, and enforcement of peace when that becomes necessary. [Applause.]

Now, you all know that we are far from being at that goal at present. But there is no one who has read the speeches of President Kennedy or the speeches of President Johnson or the speeches and statements of your Secretary of State or of the chairman of your Foreign Relations Committee, but must be satisfied that American leaders are thinking at the highest level and that they are facing realistically the complicated situations that confront them and also the social evils that have to be remedied.

It is a great comfort to know that a nation like yours is thinking at that level. And we have the hope that as long as there is thinking at that level and as long as this Nation is guided by the Divine Spirit that ultimately the peace and the conditions which we all wish for will be realized. [Applause.]

But freedom and peace are but the foundations. They are the necessary foundations.

The United States as a great nation and ours as one of the smaller nations, working in our complementary ways, are endeavoring to build, to secure that these foundations will be well laid.

But that is not all, of course. An Irish poet thinking some 120 years ago of the role he would wish his nation to play addressed us in these words:

> Oh, Ireland, be it thy high duty to teach the world the might of moral beauty and stamp God's image truly on the struggling soul.

President Kennedy in his address at Amherst College, thinking of the future that he would wish and that he foresaw for America, said he wished an America whose military strength would be matched by its moral strength, the moral strength of its people; its wealth by their wisdom; its power by their purpose—an America that would not be afraid of grace and beauty.

In short, he said, an America that would win respect not merely because of its strength but because of its culture. I am sure that is the America that ultimately you would want, as it is the Ireland that we would want.

But these things can only be secured by undeviating pursuit of the foundations that I have mentioned and pursuit, ultimately, of the higher ideals that mean the mental life, the full life of the people.

Mr. Speaker, I would like to confess and confess freely that this is an outstanding day in my own life, to see recognized, as I have here in full, the recognition of the rights of the Irish people and the independence of the Irish people in a way that was not at all possible 45 years ago. [Applause.]

I have longed to come back and say this to you and through you to the people as a whole.

I would, indeed, be fully happy today were there not one serious setback that had occurred in these 45 years.

When I was addressing you here in 1919 and 1920 our ancient nation, our ancient Ireland, was undivided. Since then it has been divided by a cruel partition.

As my predecessor, Mr. Sean T. O'Kelly, when he was addressing you here said, partition is one of our serious problems but, please God, that, too, will be solved.

And I salute here, in prospect, the representative of Ireland who may be permitted to address you as I have been permitted, and who will be able with full heart joyfully to announce to you that our severed country has been reunited and that the last source of enmity between the British and Irish peoples has disappeared and that at last we can be truly friends. [Applause.]

And now, Mr. Speaker, I would like to renew to you and to the Members of Congress my thanks for this great privilege—and, of course, to the President of the United States, without whose generous invitation I could not be here. I am deeply grateful. I hope that the close ties which have kept our countries together for centuries will continue into the future. [Applause.]

And that representatives of Ireland may be able to talk to the American people as close friends, and representatives of the United States to talk to the people of Ireland as their close friends.

May I pray in our own language, the Irish language, that this may be so:

> Go dtuga Dia gur mar sin a bheas, agus go stiúra an Spiorad Naomh na daoine a bheas mar thereoraithe ar ár ndá thír, agus taoisigh an domhain fré chéile, ar bhealach na síochána agus leasa an chine dhaonna.

(*English Translation:*)

> God grant that it be so, and may the Holy Spirit guide the leaders of our two countries, and those of the whole world, on the way of peace and human betterment.

At 12 o'clock and 58 minutes p.m., the President of the Irish Republic, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order: The members of the President's Cabinet, the Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

The SPEAKER. The joint meeting of the two Houses is hereby dissolved.

Accordingly, at 1 o'clock p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

RECESS

The SPEAKER. The House will stand in recess until 1:45 p.m.

Accordingly, at 1 o'clock and 1 minute p.m., the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore, the gentleman from Oklahoma [Mr. ALBERT] at 1 o'clock and 45 minutes p.m.

PROCEEDINGS DURING THE RECESS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

LEGISLATIVE PROGRAM FOR WEEK OF JUNE 1, 1964

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, I have asked for this time in order to make inquiry of the distinguished majority whip concerning the program for next week.

Mr. BOGGS. Mr. Speaker, in response to the inquiry of the distinguished gentleman from Ohio the program for the week of June 1, 1964, is as follows:

On Monday, we have the Consent Calendar.

No bills are scheduled to be taken up under suspension of the rules.

On Tuesday we have the Private Calendar and the following:

House Resolution 648, authorizing additional policemen on the Capitol Police force.

House Resolution 653, providing an additional $150,000 for the Committee on the Judiciary.

House Resolution 658, providing an additional $175,000 for the Committee on Science and Astronautics.

House Resolution 735, providing an additional $125,000 for the Committee on Banking and Currency.

Senate Concurrent Resolution 73, authorizing printing of 2,000 additional copies each of parts II and III of Joint Committee on Atomic Energy's hearings on AEC authorizing legislation for fiscal year 1965.

S. 2, establish water resources research centers. That will come up under an open rule with 2 hours of general debate.

On Wednesday, H.R. 10503, Federal-Aid Highway Act of 1964. This has an open rule with 2 hours of general debate.

H.R. 10392, authorizing the District of Columbia Commissioners to locate a portion of a vehicular tunnel under parts of the U.S. Capitol Grounds and the U.S. Botanic Garden grounds. This has an open rule with 2 hours of general debate.

On Thursday and the balance of the week, House Joint Resolution 977—National Commission on Food Marketing. This has an open rule with 2 hours of general debate.

Of course, conference reports may be brought up at any time and any further program will be announced later.

Mr. BOW. Mr. Speaker, I thank the gentleman.

ADJOURNMENT OVER TO MONDAY, JUNE 1, 1964

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Mr. Speaker, reserving the right to object—and I shall not object—I wonder if we could have some idea of when the congressional pay increase bill is going to come up.

Mr. BOGGS. There is a variety of bills reported by the Committee on Rules that are being scheduled, but at this time I am not in a position to give any specific date for that bill. There are many primaries pending all over the country. There is a very hotly contested primary in California on June 2. There are other primaries. In order to accommodate Members on both sides of the aisle we have sought not to schedule controversial legislation.

Mr. GROSS. Mr. Speaker, I will say to the gentleman that if it never comes up it will be too soon as far as I am concerned; but I would like to be assured that it will not come up next week.

Mr. BOGGS. I will say to my distinguished friend from Iowa that it will not come up next week and that he will receive ample notice before it does come up.

Mr. GROSS. Will it come up before the bill increasing the Federal debt limit?

Mr. BOGGS. I am in no position to say when that bill, or the mass transit bill, or ARA, or a host of others, will come up specifically. We have many bills before us.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY NEXT WEEK

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

COMMITTEE ON RULES

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight to file certain privileged reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

FOREIGN AID—WHY THE CONTROVERSY

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, in an effort to create a better understanding of the complexities of our foreign policy I have sponsored, in cooperation with the Foreign Policy Association and the Reform Democratic Clubs on Manhattan's west side, a series of forums for the benefit of my constituents. The forums have not only been informative but have stimulated enlightened discussion. I want to take this occasion to commend Mrs. Susan Cohn, the coordinator of the series, and also Daniel J. Nelson, who worked closely with her in organizing the meetings. Their committee has made a valuable contribution to public awareness of foreign policy issues.

On April 23, 1964, we sponsored an important forum on foreign aid entitled "Foreign Aid—Why the Controversy." The meeting was addressed by Paul G. Hoffman, Director, United Nations Special Fund and William D. Rogers, Deputy U.S. Coordinator, Alliance for Progress. Mrs Reginia. Andrews, librarian, Washington Heights Branch Public Library spoke for the Foreign Policy Association, and Henry Krisch of the Barnard College faculty chaired the meeting.

Mr. Speaker, William D. Rogers, Deputy U.S. Coordinator, Alliance for Progress, reviewed the performance of the Alliance for Progress and commented upon its promise for the future. He pointed out:

> In Latin America, the Alliance for Progress is our chief hope for a better hemisphere and a better world. We cannot let it fail.

I include at this point in the RECORD the remarks of Mr. Rogers.

SPEECH OF THE HONORABLE WILLIAM D. ROGERS, DEPUTY U.S. COORDINATOR, ALLIANCE FOR PROGRESS FOREIGN POLICY ASSOCIATION DISCUSSION GROUP, NEW YORK CITY, APRIL 23, 1964

Congressman RYAN, Mr. Hoffman, fellow citizens, I deeply appreciate this opportunity to speak before you. I am all the more pleased that the invitation came through BILL RYAN, who so ably represents you in Washington.

The subject of this meeting, I understand, is "Foreign Aid—Why the Controversy."

Now, frankly, all my own experience with foreign aid has been with Latin America, once the stepchild of our programs, and now, under the Alliance for Progress, one of its brightest features.

So, with your permission, my talk will concentrate on Latin America.

I must confess that I was puzzled over the question posed for me.

This is because I am so firm in my own mind that our aid programs in support of Latin America's own efforts are so clearly in our national interest that I have trouble understanding the reasons for any controversy.

Our aid to Latin America is helping the nations there to maintain themselves free and independent, sharing with us the ideals of representative democracy and free enterprise. It is bringing them closer to the time when they will be stable, self-supporting, and self-respecting.

Our aid to Latin America, it again is clear in my own mind, is helping to achieve, maintain and expand the sales of U.S. goods—and to satisfy the "consumption explosion" that is occurring in almost every country of the region.

Our aid to Latin America, I can show you, is no giveaway program. Eighty percent of it is in the form of loans. And Latin Americans already have repaid around 30 percent of all that they have borrowed, with repayment records the same as you would expect at your neighborhood bank.

Our aid to Latin America, I can assure you, is being used effectively. It is zeroed in on vital targets for Latin American development, in line with the best thinking that the Latin Americans and we can give for its utilization. It is extended to those nations which are doing most to help themselves.

II

All of this is being done as the Charter of Punta del Este, which established the Alliance for Progress, prescribed.

This charter, as you know, was drafted at Punta del Este, Uruguay, in August 1961, and was signed by all of the American Republics, with the exception of Cuba.

The United States had asked for the convocation of the meeting, in compliance with President John F. Kennedy's speech of March 13, 1961, in which he called for the establishment of an Alliance for Progress—a vast cooperative effort of the American Republics for a democratic decade of development.

It should aim, he said, at providing schools, homes, work, and land for Latin Americans. In this, he caught the spirit of the "revolution of rising expectations" in Latin America. The Alliance for Progress meant that the United States was fully ready to meet the demand for change.

Nevertheless, as both President Kennedy and the charter made clear, the basic responsibility for fulfilling the objectives of the Alliance rested with the Latin Americans themselves.

As President Kennedy said:

"Only the most determined efforts of the American nations themselves can bring success to this effort. They, and they alone, can mobilize their resources, enlist the energies of their people, and modify their social patterns so that all, and not just a privileged few, share in the fruits of growth. If this effort is made, then outside assistance will give a vital impetus to progress; without it, no amount of help will advance the welfare of the people."

Although the Alliance has been likened in Latin America to the Marshall plan, there is little in common except that both are truly massive efforts. The Marshall plan sought the reconstruction of a wartorn Europe. The Alliance for Progress seeks the economic and social development of Latin America—a far more difficult task, since more people have to be trained and more institutions created.

For this, too, our total assistance will be less than the Marshall plan, and spread over a longer period of years—10 as against 4. You simply cannot move as swiftly when you are starting from a lower level of development.

The total external needs for achieving the goals of Alliance for Progress, the Charter of Punta del Este estimates, are $20 billion. Of this, the United States is to provide a major share—or roughly $1 billion a year.

This money comes from a variety of sources—from my own Agency for International Development, in the form of loans and technical assistance—from loans by the Export-Import Bank, other loans and grants from the Social Progress Trust Fund of the Inter-American Development Bank, from sales of surplus U.S. farm commodities, and even from the Peace Corps.

All this amounts to less than one-third of 1 percent of our total annual income—and which is to be spread among 20 nations with a population nearly 25 million more than our own, some 220 million people.

I don't believe I have to dwell on the importance of Latin America to us, and to the free world. It is an area for which we of the United States have long felt a special relationship—because our revolution spurred their revolutions; because they, too, had been colonial peoples; because we together were a part of the New World; because we have worked together, through the Pan American Union and the Organization of American States, in peace and in war.

But more than that, Latin America is an area which is "committed" to the West, and identified with the West. Any further infiltration of the region by international communism would constitute a defeat for the West in the cold war.

The Alliance for Progress, by bringing progress without tyranny, prevents the spread of tyranny.

III

The Alliance for Progress, as I have indicated, is a 10-year program. Only 3 years have elapsed since President Kennedy issued the call for the meeting which was to draft the Charter of Punta del Este. Only 2½ years have passed since the charter itself was signed. Only 2 years have gone by since the machinery required for the Alliance—in the international sphere, in Latin America, and in the United States—was in order.

Yet these 2 years have seen very substantial progress—both visible and invisible, tangible and intangible.

As far as U.S. assistance under the Alliance is concerned, we estimate that by next June 30, our aid will have helped Latin Americans: Erect 220,000 houses, build 23,400 school classrooms, produce nearly 7 million textbooks, construct over 1,000 well and water supply systems, extend over 200,000 agricultural credit loans, and provide health service through over 500 hospitals, health centers, and mobile health units.

These totals, frankly, are small, when compared with the needs. But the fact that this much has been done, in so short a space of time, is indicative of the vigor of the new institutions for growth and development which are being created, and of the total ferment which is going on in Latin America.

Latin Americans, contrary to what some of you may have read, are shouldering an increased share of the burden necessary for development. They are changing their land and tax systems, they are mobilizing their own savings, through rapidly increasing numbers of credit unions and savings and loan associations; they are spending more of their national budgets—proportionately—on education; they are earmarking more of their own money for water and sewerage systems; and they are drawing up and abiding by national plans for development.

For instance, in the crucial field of taxation, the record indicates that 16 countries have brought about improvement in administration and legislation in the last year, and seven countries have begun major reform programs. The revenue producing effects of the reforms will show up even more dramatically in the future.

In the field of land reform, there has been more activity than in any similar period since the wars of independence. Since 1960, 12 nations have passed agrarian reform legislation and 12 have created new land reform institutions. The emphasis is not solely on dividing up land, but on the equally as complicated problems of improving productivity and marketing.

In mobilizing domestic savings, 400 credit unions have been established, and 70 savings and loan associations established, with savings and loan legislation enacted in nine Latin American countries.

The budgets for education have increased by 13 percent a year and 5 million more children went to school in 1962 over 1960.

The total capital investment for water and sewage projects, stimulated by the Alliance for Progress, was the equivalent of over $300 million in 1962.

Nine countries have prepared national development plans, and eight have been submitted for review by the Organization of American States.

IV

The more important development, however, has been the least tangible. This is the rising spirit in support of development, the desire for development, the training for development, the willingness to participate actively in development.

It is not by accident that the political parties of Latin America, more and more, are basing their programs on development—on what they can do to bring progress to their people, on the best ways and means of advancing development.

From thousands of hustings in Latin America, over the radios, over the television stations, this debate is going on. And, mark this well, is going on in a context of freedom. There is the assumption that development must take place in freedom, with liberty.

Those who advocate totalitarian methods are in the minority throughout Latin America.

All of this, this economic, social, and political ferment, is producing and will produce still more adherence to the Alliance for Progress, still more visible fruits of the Alliance.

V

So why the controversy over foreign aid? The program already has achieved much, in an area vital to the United States, and at a cost which is relatively little.

I have a few tentative conclusions—on the basis of my experience in Latin America.

Too frequently we receive only negative accounts of what is happening, perhaps on the theory that good news is no news. Reporting from abroad, and from Latin America in particlular, tends to concentrate on the troubles, the coups, the revolutions, the occasional failures of the nations there.

Only rarely do we see the positive stories of the better life that is beckoning more and more—although still an inadequate number—of the people.

We should not let our own judgments—the judgments of a majority of our people—be swayed by the cheaply sensational, the surface accounting, the cynical viewpoint.

In Latin America, the Alliance for Progress is our chief hope for a better hemisphere and a better world. We cannot let it fail.

APPEASEMENT OF NASSER MUST CEASE

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, I was dismayed to read in today's New York Times that:

> The United States, over the objections of its Western European allies, has virtually forced through the International Monetary Fund a $40 million loan to the United Arab Republic that sets precedents in its liberal terms.

The article goes on to say that the loan was opposed by the U.S. Treasury. Among the 102 member nations in the International Monetary Fund the United States has the overwhelmingly largest individual vote—26.4 percent. Because the United States has contributed $4.1 billion out of the $15 billion fund, the United States can control the decisions of the Fund. Power, however, must be accompanied by responsibility.

According to the New York Times, the Nasser loan broke a long-standing rule of the Fund that a country will receive loans "only if it adopts austere internal financial policies to strengthen its currency, halt inflation, and improve its international balance of payments." The United Arab Republic did not meet these qualifications. When Latin America and other countries attempt to receive International Monetary Fund loans, they are held to the strict standards of the Fund. Why the exception for Nasser?

In my opinion the loan represents another step in the appeasement policy of the United States toward Nasser and the United Arab Republic. It is no accident that this loan was approved within 1 week of Khrushchev's visit to Egypt. Egypt should not be allowed to use its relations with the Soviet Union as blackmail against the United States. The appeasement represented by this loan contradicts the policy of the Foreign Aid Act passed by Congress, which states that foreign aid should be terminated to any country which is planning aggression against any other country receiving U.S. foreign aid. The legislative history makes it clear that Congress intended this section to apply to Egypt.

At a time when Egypt is engaged in an arms buildup with the avowed purpose of destroying the democracy of Israel, I am informed by the International Monetary Fund, that this $40 million loan is to be used for imports, and under the terms of the loan Nasser can use the loan to import military material.

Mr. Speaker, I have protested to the State Department and asked for a full explanation of this scandalous transaction.

IMMIGRATION AND NATIONALITY ACT AMENDMENTS OF 1964

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today a comprehensive revision of our immigration laws. Our present immigration policy—based on national origins—is seriously discriminatory. Our quota system is sadly out of date; 44 years out of date. It is still figured on the census of 1920.

It discriminates flagrantly in favor of northern and western Europeans and against southern Europeans. Is there any justice in the fact that Italy, with 51 million people, has a quota of only 5,666 a year while Great Britain, with 53 million, has a quota of 65,000? Is there any logical reason why Greece with 8,500,000 people is allowed only 308 immigrants per year while Sweden, with less than 7,500,000, has 3,300—10 times as many?

Nor is that the end of the unfair differences of treatment. An American who has a Swiss brother can get him admitted at once. But his neighbor, whose sister is Italian, may have to wait years to get her a quota number—under our regular immigration law. Both are Americans and both have the American sense of fairness, and both, therefore, would be equally offended by such unequal and inequitable treatment.

We make a fetish out of the quota system, yet the facts show we ignore it about as often as we use it.

In the last 10 years, one million immigrants came here under quotas which would have allowed 1,500,000 to enter—which means one-third of those quotas were wasted on countries which did not use them.

In the same period 1,500,000 other immigrants came in outside the quotas—under special and temporary legislation and exceptions, such as were needed, for example, to give asylum to the gallant freedom fighters of Hungary.

That means that 3 out of every 5 immigrants during that decade came in outside the quotas.

Since we wanted them to come, it seems clear that they should have been able to come within the basic law rather than as exceptions to it. I submit that when three-fifths of a law's results are exceptions to it, it is high time to change the law.

Mr. Speaker, this bill embodies some principles and suggestions first put forward by former President Eisenhower more than 7 years ago. The major provisions in the bill include:

First. A fundamental revision of the National Origins Quota System. A concept of racial or ethnic origin for orientals is abolished. This is the so-called Asia-Pacific triangle concept. A person's nationality under this bill would be determined by the place of his birth. A person of Chinese ancestry born in Brazil would be treated as a Brazilian rather than as a Chinese for purposes of immigration.

An approximate doubling of the present 155,000 quota numbers to 300,000 annually; and the basing of future quotas upon one-sixth of 1 percent of the total number of people in the United States as determined by any future U.S. census. A quota figure thus obtained would be distributed among the various nations in proportion to actual immigration and proven desire to enter the United States between 1924 and 1964. The actual increase in those coming to the United States would be negligible as special legislation regularly admits about 150,000 per year outside the official quota numbers.

Second. Unused quotas in any given year would be redistributed from countries which do not use them—the United Kingdom— to countries which need them but do not have enough quota numbers—Italy. This redistribution would only be within each of four major regions: Europe, Asia, Africa, and Australasia—not between any of the four.

Third. Quota preferences are broadened and parents of U.S. citizens are made nonquota and would be promptly admitted. The uniting of families is important to this country and should be made a reality for many who are now tragically separated.

Fourth. Minimum quotas shall be doubled to 200—this includes dependent territories.

Fifth. Provision is made for annual parole of refugees and escapees into the United States up to a number of 15,000—or up to any number if the President decides an emergency exists. Such refugees may be given immigration status after 2 years in numbers up to 25,000 per year.

Sixth. Second-class citizenship as between native-born and naturalized Americans is abolished. This places in legislation that principle which the Supreme Court has recently affirmed.

Seventh. A fourth preference is established for brothers, sisters, married sons and daughters of U.S. citizens, thus doubling the number of visas available to them under former provisions, and parents of resident aliens are added to the preference list. Unused numbers are made available to persons willing to work at jobs for which a shortage of willing workers exists in the United States.

Eighth. Quotas are abolished for all independent countries and islands in the Americas.

Ninth. Provisions for naturalizing persons who have served honorably in our Armed Forces are liberalized.

Mr. Speaker, we are truly a nation of immigrants. If we would honor our heritage we must put an end—here and now—to discriminatory national origins quotas, second-class citizenship, and divided families.

H.R. 11437

A bill to amend titles I, II, and III of the Immigration and Nationality Act and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Immigration and Nationality Act Amendments of 1964."

Section 201 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1151) is amended to read as follows:

"NUMERICAL LIMITATIONS; ANNUAL QUOTA BASED UPON NATIONAL ORIGIN; MINIMUM QUOTAS

"SEC. 201. (a) (1) The annual quota shall be a number equal to one-sixth of 1 per centum of the number of inhabitants in the United States, as determined by the latest official United States census.

"(2) The annual quota shall be distributed in the following manner:

"(A) Each quota area shall first be allocated the same quota it received under the law in existence prior to the enactment of this Act;

"(B) The quota for each minimum quota area as heretofore determined under the law in existence prior to the enactment of the Act shall be increased by one hundred numbers, and any other quota shall be increased as required so that no quota area has less than two hundred and the total of such increases shall be deducted from the remainder of the annual quota;

"(C) The rest of the annual quota shall then be distributed among the several quota areas in proportion to the actual immigration into the United States of immigrants attributed to each such quota area between July 1, 1924, and July 1, 1963, regardless of whether such immigration was quota of nonquota; except no country in a quota area shall have its quota increased which has a quota in excess of one thousand per year, and which has had unused quota numbers in a majority of the years July 1, 1950, to July 1, 1963.

"(b) The determination of the annual quota of any quota area shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly. Such officials shall, jointly, report to the President the quota of each quota area, and the Secretary of State shall prescribe by regulation and make known the quotas so reported. Such determination and report shall be made and such regulation shall be issued as soon as practicable after the date of enactment of this amendment.

Quotas prescribed therein shall take effect on the first day of the fiscal year or the next fiscal half year, next following the expiration of six months after the date of the regulation, and until such date, the existing quotas prescribed under this Act shall remain in effect. After the making of a regulation the quotas prescribed therein shall continue with the same effect as if specially stated herein and shall be final and conclusive for every purpose, except (1) insofar as it is made to appear to the satisfaction of such officials and prescribed by the Secretary of State, that an error of fact has occurred in such determination or in such regulation, or (2) in the case provided for in section 202(e).

"(c) Except as otherwise provided in subsection (e) there shall be issued to quota immigrants chargeable to any quota (1) no more immigrant visas in any fiscal year than the quota for such year, and (2) in any calendar month of any fiscal year, no more immigrant visas than 10 percent of the quota for such year; except that during the last two months of any fiscal year immigrant visas may be issued without regard to the 10 per centum limitation contained herein.

"(d) Nothing in this Act shall prevent the issuance (without increasing the total number of quota immigrant visas which may be issued) of an immigrant visa to an immigrant as a quota immigrant even though he is a nonquota immigrant.

"(e) (1) There shall be established a quota pool for each of four geographical regions, that is, Europe, Asia, Africa, and Australasia. For purposes of this section, the Secretary of State shall have the discretion to fix the boundaries of the areas within each region. The boundaries of the areas within each region as determined by the Secretary of State shall be reported to the Congress yearly.

"(2) Quota numbers of all quota areas within a region authorized under the provisions of subsection (a), which have not been issued at the termination of a fiscal year, shall be assigned to the pool of the region within which the respective quota areas are situated.

"(3) The Secretary of State shall, at the end of each fiscal year, determine the amount of quota numbers in each regional quota pool. He shall prescribe the number thereof on or before October 1 following the end of each fiscal year. The quota numbers so determined and prescribed by the Secretary of State shall be available for use in the following manner, during the ensuing twelve-month period, beginning October 1, and ending September 30 of the following year:

"(A) the quota numbers in each regional pool shall be issued to qualified quota immigrants from any quota area in the respective region;

"(B) the exceptions to the determination of the quota to which an immigrant is chargeable, specified in section 202(a) in respect to quota areas, shall apply in determining the region to which an immigrant is chargeable under this subsection;

"(C) there shall be issued to qualified quota immigrants under this subsection immigrant visas in the manner and to the preference classes specified in section 203 (a); except that an eligible immigrant shall be entitled to receive such a visa only if there is not immediately available to him an immigrant visa under the quota specified in subsection (a);

"(D) quota immigrant visas issued to aliens under this subsection shall be issued in the order specified in subsections (b) and (c) of section 203;

"(E) there shall be issued to quota immigrants eligible to receive immigrant visas from any regional quota pool under this subsection in any calendar year of the twelve-month period specified in this paragraph no more immigrant visas than 10 per centum of the regional quota pool for such twelve-month period, except that during the last two months of such twelve-month period immigrant visas may be issued without regard to such limitation;

"(F) quota numbers not used during the twelve-month period specified in this paragraph shall not be available for use at any other time."

SEC. 2. Section 202 (c) of the Immigration and Nationality Act (66 Stat. 177; 8 U.S.C. 1152 (c)) is amended to read as follows:

"(c) Any immigrant born in a colony or other component or dependent area of a governing country for which no separate or specific quota has been determined, unless a nonquota immigrant as provided in section 101(a) (27) of this Act, shall be chargeable to the quota of the governing country, except that not more than two hundred persons born in any one such colony or other dependent or component area overseas from the governing country in any one year shall be so chargeable. A number not exceeding two hundred immigrant visas authorized in any one year under the provisions of subsection (e) of section 201 respecting regional quota pools shall be available to persons born in any colony or other component or dependent area described in this subsection. Such visas shall come from the regional quota pool of the region in which the governing country is a quota area."

SEC. 3. Section 202(a) (5) and 202(b) of the Immigration and Nationality Act (66 Stat. 177; 8 U.S.C. 1152 (a) (5)) are repealed.

SEC. 4. Section 203 of the Immigration and Nationality Act (66 Stat. 176; 8 U.S.C. 1153) is amended to read as follows:

"ALLOCATION OF IMMIGRANT VISAS WITHIN QUOTA AREAS

"SEC. 203. (a) Immigrant visas to quota immigrants shall be allocated in each fiscal year as follows:

"(1) The first 50 per centum of the quota of each quota area for such year, plus any portion of such quota not required for the issuance of immigration visas to the classes specified in paragraphs (2) and (3) shall be made available for the issuance of immigrant visas (A) to qualified quota immigrants whose services are determined by the Attorney General to be especially advantageous to the United States because of the high education, technical training, specialized experience, or exceptional ability of such immigrants and to be substantially beneficial prospectively to the national economy, cultural interests, or welfare of the United States, and (B) to any qualified quota immigrant who is the spouse or child of any immigrant described in clause (A) if accompanying or following to join him.

"(2) The next 20 per centum of the quota for each quota area for such year, plus any portion of such quota not required for the issuance of immigrant visas to the classes specified in paragraphs (1) and (3), shall be made available for the issuance of immigrant visas to qualified quota immigrants who are the unmarried sons or daughters of citizens of the United States.

"(3) The next 20 per centum of the quota for each quota area for such year, plus any portion of such quota not required for the issuance of immigrant visas to the classes specified in paragraphs (1) and (2) shall be made available for the issuance of immigrant visas to qualified quota immigrants who are the spouses or the unmarried sons or daughters of aliens lawfully admitted for permanent residence.

"(4) The remaining 10 per centum of the quota for each quota area for such year, plus any portion of such quota not required for the issuance of immigrant visas to the classes specified in paragraphs (1), (2), and (3) shall be made available for the issuance of immigrant visas to qualified quota immigrants who are (A) the brothers, sisters, married sons or married daughters of citizens of the United States (such citizens being at least twenty-one years of age) or parents of aliens lawfully admitted for permanent residence, and (B) the spouse and children of any immigrant described in clause (A) if accompanying or following to join him. Qualified quota immigrants capable of performing specified functions for which a shortage of employable and willing persons exists in the United States shall be entitled to a preference not to exceed 50 per centum of the immigrant visas remaining available for issuance under this paragraph after the preference to the named relatives of the United States citizens and resident aliens is satisfied or exhausted.

"(5) Any portion of the quota for each quota area for such year not required for the issuance of immigrant visas to the classes specified in paragraphs (1), (2), (3), and (4) shall be made available for issuance of immigrant visas to other qualified quota immigrants chargeable to such quota.

"(b) Quota immigrant visas issued pursuant to paragraph (1) of subsection (a) shall, in the case of each quota area, be issued to eligible quota immigrants in the order in which a petition on behalf of each such immigrant is filed with the Attorney General as provided in section 204 and shall be issued in the first calendar month after receipt of notice of approval of such petition on which a quota number is available for an immigrant chargeable to such quota area.

"(c) Quota immigrant visas issued to aliens in the classes designated in paragraphs (2), (3), (4), and (5) of subsection (a) shall, in the case of each quota, be issued to qualified quota immigrants strictly in the chronological order in which such immigrants are registered in each class on quota waiting lists which shall be maintained for each quota in accordance with regulations prescribed by the Secretary of State.

"(d) In determining the order for consideration of applications for quota immigrant visas under subsection (a) consideration shall be given first to applications under paragraph (1), second to applications under paragraph (2), third to applications under paragraph (3), fourth to applications under paragraph (4) and fifth to applications under paragraph (5).

"(e) Every immigrant shall be presumed to be a quota immigrant until he establishes to the satisfaction of the consular officer, at the time of application for a visa, and to the immigration officers, at the time of application for admission, that he is a nonquota immigrant. Every quota immigrant shall be presumed to be a nonpreference quota immigrant until he establishes to the satisfaction of the consular officer and the immigration officers that he is entitled to a preference quota status under paragraphs (1), (2), (3), or (4) of subsection (a)."

SEC. 5. (a) Paragraph (5) of subsection (d) of section 212 of the Immigration and Nationality Act (61 Stat. 188; 8 U.S.C. 1182 (d) (5)), is amended (1) by inserting "(A)" immediately after "(5)", and (2) by adding at the end thereof the following new paragraphs:

"(B) (i) As used in this subparagraph, the term 'escapee' means any alien (A) who because of persecution or fear of persecution on account of race, religion, or political opinion has fled or shall flee from any Communist, Communist-dominated or Communist-occupied area, or from any country within the general area of the Middle East, and who cannot return to such area or country on account of race, religion, or political opinion, or (B) who is out of his usual place of abode because of a natural calamity, military operations, or political upheaval, and who is in a country or area which is neither Communist nor Communist dominated, and (C) who has not firmly resettled and is in urgent need of assistance for the essentials of life."

"(ii) Whenever the President shall feel that a situation has arisen causing the creation of a class or classes of aliens and escapees and that it would be in the interest of the United States to permit their prompt entry into the United States, he may by proclamation direct the Attorney General to parole into the United States escapees selected by the Secretary of State. The Attorney General is authorized, in the absence of any such proclamation by the President, to parole into the United States escapees selected by the Secretary of State, and the spouse and children of such escapees if accompanying or following to join him, except that the total number of aliens paroled into the United States under this provision in any fiscal year shall not exceed fifteen thousand."

(b) Subsection (d) of section 212 of the Immigration and Nationality Act (66 Stat. 188; 8 U.S.C. 1182 (d)) is hereby amended by adding at the end thereof the following new paragraphs:

"(9) (A) Notwithstanding any other provision of this Act or any other law, any alien who is or has been paroled in the United States by the Attorney General under the authority of paragraph (5) of this subsection and has not otherwise acquired permanent residence status in the United States may apply to the Attorney General for adjustment of his status to that of an alien lawfully admitted for permanent residence.

"(B) If it shall appear to the satisfaction of the Attorney General that the alien has remained in the United States for at least two years, is a person of good moral character, and that such action would not be contrary to the national welfare, safety, or security, the Attorney General, in his discretion, may record the alien's lawful admission for permanent residence as of the date of the alien's last arrival in the United States. A complete and detailed statement of the facts and pertinent provisions of the law in the case shall be reported to the Congress with the reasons for such adjustment of status. Such reports shall be submitted on the first and fifteenth day of each calendar month in which Congress is in session. If, during the session of Congress at which a case is reported, or prior to the close of the session of Congress next following the session at which a case is reported, either the Senate or House of Representatives passes a resolution stating in substance that it does not favor the adjustment of status of such alien, the Attorney General shall thereupon require the departure of such alien in the manner provided by law. If neither the Senate nor the House of Representatives passes such a resolution within the time above specified, the alien shall be regarded as lawfully admitted to the United States for permanent residence as of the date of the alien's last arrival in the United States.

"(10) The number of aliens who may be granted the status of aliens lawfully admitted for permanent residence pursuant to paragraph (9) of this subsection, shall not, unless otherwise provided specifically by a joint resolution of the Congress, exceed twenty-five thousand in any fiscal year."

SEC. 6. Section 245(a) of the Immigration and Nationality Act (8 U.S.C. 1255 (a)) is amended by striking out "or paroled into the United States" and inserting in lieu thereof "into the United States (other than under section 212(d) (5))".

SEC. 7. Notwithstanding the provisions of the Immigration and Nationality Act (66 Stat. 163) or any other law, an alien who—

(1) has served honorably in an active duty status in the military, air, or naval forces of the United States in time of war or during a period declared by the President to be a period of national emergency, or who, if separated from such service, was separated under honorable conditions; or

(2) is the spouse, child, parent, brother, sister, unmarried son or daughter (including stepsons and stepdaughters and legally adopted sons or daughters) or a citizen of the United States or of an alien lawfully admitted for permanent residence, or an alien who has been issued an immigrant visa; or

(3) is authorized to perform the ministerial or priestly functions of a recognized religious denomination, or who is engaged by a recognized religious denomination or by an interdenominational mission organization having a bona fide organization in the United States as a missionary, brother, nun, or sister;

and who is applying for an immigrant visa and is known or believed by the consular officer to be ineligible for such visa under any provision of said Act (other than paragraph (13), (14), (15), (22), (23), (27), or (29) of section 212 (a)) may, after approval by the Attorney General of a recommendation by the Secretary of State or by the consular officer that the alien be admitted, be granted a visa and admitted into the United States in the discretion of the Attorney General; or who is inadmissible under any provision of such Act (other than section 212 (a) (13), (14), (15), (22), (23), (27), or (29)), but who is in possession of appropriate documents or is granted a waiver thereof and is seeking admission, may be admitted into the United States in the discretion of the Attorney General, if the Attorney General is of the opinion that such action with respect to such alien would not be contrary to the national interest, safety, or security. Admission to the United States under the provisions of this section shall be in accordance with such terms, conditions, and controls, if any, including the giving of a bond, as the Attorney General, in his discretion, and after consultation with the Surgeon General of the United States Public Health Service, in cases involving medical and public health considerations, may by regulations prescribe. The Secretary of State shall, with respect to each alien granted a visa under this section, reduce by one the quota of the quota area to which the alien is chargeable for the fiscal year then current or the next following fiscal year in which a quota is available, but no quota shall be so reduced by more than 50 per centum in any fiscal year.

SEC. 8. Notwithstanding the provisions of the Immigration and Nationality Act (66 Stat. 163), or any other law, the Attorney General is authorized, in his discretion, to suspend deportation and adjust the status to that of an alien lawfully admitted for permanent residence in the case of any alien within the United States who is deportable under any law of the United States and who—

(1) has served honorably in an active duty status in the military, air, or naval forces of the United States in time of war or during a period declared by the President to be a period of national emergency, or who, if separated from such service, was separated under honorable conditions; or

(2) is the spouse, child, parent, sister, unmarried son or daughter (including stepsons and stepdaughters and legally adopted sons or daughters) of a citizen of the United States or of an alien lawfully admitted for permanent residence; or

(3) is authorized to perform the ministerial or priestly functions of a recognized

religious denomination or who is engaged by a recognized religious denomination or by an interdenominational mission organization in the United States as a missionary brother, sister, or nun;

if the Attorney General is of the opinion that such action would not be contrary to the national interest, safety, or security. The Secretary of State shall, if the alien was not classified as a quota immigrant at the time of entry, reduce by one the quota of the quota area to which the alien is chargeable for the fiscal year then current or the next following fiscal year in which a quota is available, but no quota shall be reduced by more than 50 per centum in any fiscal year.

SEC. 9. The definitions contained in sections 101 (a) and (b) of the Immigration and Nationality Act (66 Stat. 166, 171) shall be applicable in the administration of sections 5 and 6.

SEC. 10. The number of aliens who shall be granted the status of aliens lawfully admitted for permanent residence in any fiscal year, pursuant to sections 5 and 6 shall not exceed five thousand.

SEC. 11. Paragraph (27)(A) of section 101 (a) of the Immigration and Nationality Act (66 Stat. 169; 8 U.S.C. 1101(a)(27)(A)) is amended to read as follows:

"(A) an immigrant who is the child, spouse, or parent of a citizen of the United States;".

SEC. 12. Paragraph (27)(C) of section 101 (a) of the Immigration and Nationality Act (66 Stat. 169; 8 U.S.C. 1101(a)(27)(C)) is amended to read as follows:

"(C) an immigrant who was born in any independent foreign country of North, Central or South America or in any independent island country adjacent thereto or in the Canal Zone and the spouse and children of any such immigrant if accompanying or following to join him;".

SEC. 13. The proviso to section 223(b) or the Immigration and Nationality Act (66 Stat. 194; 8 U.S.C. 1203(b)) is amended to read as follows:

"*Provided*, That the Attorney General may in his discretion extend the validity of the permit for a period or periods not exceeding one year in the aggregate: *Provided further*, That the Attorney General may in his discretion extend the validity of the permit of a spouse or child of a member of the armed services of the United States stationed abroad pursuant to official orders for such period or periods as the Attorney General shall deem appropriate. The permit shall be in such form as shall be by regulations prescribed for the complete identification of the alien."

SEC. 14. (a) Section 316 of the Immigration and Nationality Act (66 Stat. 242; 8 U.S.C. 1427) is amended by adding at the end thereof the following new subsection:

"(g) The provisions of subsections (b) and (c) of this section shall be available to the spouse and children of a person engaged or employed as specified therein if their absence is for the purpose of residing with such person abroad, except that such benefits shall not be available to such children after their marriage or after they attain the age of twenty-three years."

(b) Subsection (a) of section 316 of the Immigration and Nationality Act (66 Stat. 177; 8 U.S.C. 1427(a)) is amended by inserting immediately before the period at the end thereof the following: "except that no period of State residence shall be required for persons who are in active service in the Armed Forces of the United States".

SEC. 15. (a) Section 328 of the Immigration and Nationality Act (66 Stat. 249; 8 U.S.C. 1439) is amended to read as follows:

"NATURALIZATION THROUGH SERVICE IN THE ARMED FORCES OF THE UNITED STATES

"SEC. 328. (a) Notwithstanding the provisions of section 310(d) and 318 of the Immigration and Nationality Act, a person who has served honorably at any time in the Armed Forces of the United States for a period or periods aggregating three years, and who if separated from such service, has never been separated except under honorable conditions, may be naturalized upon compliance with all the requirements of the Immigration and Nationality Act, except that—

"(1) he may be naturalized regardless of age;

"(2) no period of residence or specified period of physical presence within the United States or any State shall be required, but there shall be included in the petition the affidavits of at least two credible witnesses, citizens of the United States, stating that each such witness personally knows the petitioner to be a person of good moral character, attached to the principles of the Constitution of the United States and happiness of the United States;

"(3) the petition for naturalization may be filed in any court having naturalization jurisdiction regardless of the residence of the petitioner;

"(4) notwithstanding section 336(c) of the Immigration and Nationality Act, the petitioner may be naturalized immediately if prior to the filing of the petition, the petitioner and the witnesses shall have appeared before and been examined by a representative of the Service; and

"(5) no fee, except that which may be required by State law, shall be charged or collected for making, filing, or docketing the petition for naturalization or for the final hearing thereon, or for the certificate of naturalization, if issued.

"(b) In case such petitioner's service was not continuous, the petitioner's residence in the United States and State, good moral character, attachment to the principles of the Constitution of the United States, and favorable disposition toward the good order and happiness of the United States, during any period within five years immediately preceding the date of filing such petition between the periods of petitioner's service in the Armed Forces, shall be alleged in the petition filed under the provisions of subsection (a) of this section, and proved at the final hearing thereon. Such allegation and proof shall also be made as to any period between the termination of petitioner's service and the filing of the petition for naturalization.

"(c) The petitioner shall comply with the requirements of section 316(a) of this title, except that he shall not be required to establish lawful admission for permanent residence, if the termination of such service has been more than one year preceding the date of filing the petition for naturalization except that such service within five years immediately preceding the date of filing shall be considered as residence and physical presence within the United States.

"(d) Any such period or periods of service under honorable conditions and good moral conduct, attachment to the principles of the Constitution of the United States, and favorable disposition toward the good order and happiness of the United States, during such service, shall be proved by duly authenticated copies of the records of the executive departments having custody of the records of such service, and such authenticated copies of records shall be accepted in lieu of compliance with the provisions of section 316(a).

"(e) The provisions of subsection (a) of this section shall be applicable to a person who has been separated from the armed services of the United States under honorable conditions notwithstanding that he served less than three years if such separation was caused by disability resulting from personal injury sustained or disease contracted or suffered in line of duty or by aggravation of a preexisting injury of disease contracted or suffered in line of duty, or by any other disability resulting from reasons beyond the control of such person.

"(f) The provisions of subsection (a) of this section shall be applicable to any person who, notwithstanding the length of this service, has served honorably in an active duty status in the Armed Forces of the United States during any of the following periods, all dates inclusive:

"(1) from April 21, 1898, to August 12, 1898;

"(2) from April 6, 1917, to November 11, 1918;

"(3) from September 1, 1939, to December 31, 1946;

"(4) from June 24, 1950, to July 1, 1955; and who is separated under honorable conditions.

"(g) No person separated from the Armed Forces of the United States on account of alienage, or who was a conscientious objector who performed no military, air, or naval duty whatever or refused to wear the uniform, shall be regarded as having served honorably or having been separated under honorable conditions for the purpose of this section. No period of service in such Armed Forces shall be made the basis of a petition for naturalization under this section if the applicant has previously been naturalized on the basis of the same period of service.

"(h) Citizenship acquired under this section may be revoked in accordance with section 340 of this title if at any time subsequent to naturalization the person is separated from the Armed Forces of the United States under a discharge not under honorable conditions and such ground for revocation shall be in addition to any other provided by law. The fact that the naturalized person was separated from the service under a discharge not under honorable conditions shall be proved by a duly authenticated certification from the executive department under which the person was serving at the time of separation."

(b) Section 329 of the Immigration and Nationality Act is repealed.

(c) Section 340(f) of the Immigration and Nationality Act (66 Stat. 261; 8 U.S.C. 1459(f)) is amended by inserting, immediately following the language "section 329(c) of this title", the following: "as it existed prior to its repeal or under section 328(h) of this title." Section 328 as amended shall apply to all persons who qualify under this section and who have any form of naturalization proceeding pending at the time of enactment of this section.

SEC. 16. Sections 352, 353, and 354 (8 U.S.C. 1484–86) are repealed.

HORTON BILL PROVIDES COMPREHENSIVE REVISION OF U.S. IMMIGRATION LAWS

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I have introduced today H.R. 11436, the Immigration and Nationality Act Amendments of 1964. My purpose is to set in legislative motion a badly needed revision of our national immigration policy.

In proposing this legislation, I am pleased to join with the distinguished gentleman from New York [Mr. REID] with whom I have worked for many months on this matter. My colleague and I are convinced that this measure represents the most extensive and equitable immigration proposal to be presented in this 88th Congress.

There are 14 principal provisions in H.R. 11436:

First. Country-by-country immigrant quotas are liberalized, including the establishment of four major quota regions: Europe, Asia, Africa, and Australasia. Quote figures for each region would be distributed in proportion to actual immigration to the United States as recorded in the 40-year period from 1924 to 1964. Unused quotas in any given year would be redistributed within a region from countries not using them to countries needing them. This assignment would be according to usual priorities of preference category and date of application. There would be no transfer of quotas among regions.

Second. There would be an approximate doubling of the present 157,000 annual quota numbers. The overall immigration quota would be one-sixth of 1 percent of the total U.S. population, as determined by the latest decennial census. In practice, this would not result in any marked increase in immigration, since in the last 10 years, there has been an average annual entry of 150,000 immigrants outside the quotas. Special and temporary legislation or Executive exceptions account for this situation.

Third. In addition to revising national origin quotas, the concept of racial or ethnic origin for orientals—Asia-Pacific triangle—is abolished.

Fourth. Minimum quotas are doubled to 200—this includes dependent territories.

Fifth. Quotas are abolished for all independent countries and islands of the Americas.

Sixth. Parents of U.S. citizens are accorded nonquota status. This would permit their prompt admittance to this country and end the tragic separation of families which is now so prevalent.

Seventh. A fourth preference category is established for brothers, sisters, and married sons and daughters of U.S. citizens, thus doubling the number of visas available to them under present provisions. Further, parents of resident aliens are added to the new preference list.

Eighth. Because parents of U.S. citizens no longer would have to wait in a second preference quota category, by virtue of the nonquota status they are to receive, this category is reduced from its present 30-percent level to 20 percent.

Ninth. First preference visa standards are broadened to "especially advantageous" from "needed urgently."

Tenth. Unused quota numbers are made available to persons willing to work in the United States at jobs for which a shortage of willing workers exists in our labor market.

Eleventh. Political refugees or escapees may be admitted to the United States up to a number of 15,000 annually or higher where the President proclaims an emergency. After 2 years, these refugees may be given immigration status in numbers up to 25,000 per year.

Twelfth. Requirements for foreign-born persons who have had honorable service in our Armed Forces are liberalized.

Thirteenth. No distinction between native-born and naturalized citizens with respect to foreign residence shall exist. This carries out the principle of citizenship equality recently affirmed by the Supreme Court.

Fourteenth. For relatives of U.S. citizens or resident aliens and for persons with service in our Armed Forces, the Attorney General is authorized to waive those provisions prohibiting entry of persons with mental disorders, criminal records, or other technical disabilities. However, the Attorney General would have to find that such action was not contrary to the national interest, safety, or security.

Mr. Speaker, a modernization of our Nation's immigration laws is long overdue. The basic statutory limitation of the entrance of foreign-born persons to this country was enacted in 1924. Its national origin quotas are based on the ancestry percentages of our 1920 population. Since its birth in the Declaration of Independence, the American ideal has been a magnetic attraction to the peoples of the world. Lady Liberty's lamp has guided millions to our shores from their foreign homelands.

Now, we find that changes in the world are making our controls on immigration discriminatory, the cause of personal hardship to tens of thousands of our fellow citizens, and inconsistent with the fundamental tenets of this democracy.

Therefore, it is for us, the elected Representatives of this Nation, to move with passionate regard for the proud history of immigration which has made America a superior society and correct the deficiencies dotting our immigration statutes.

Let us give new meaning to those words of Emma Lazarus inscribed on the Statue of Liberty:

> Give me your tired, your poor,
> Your huddled masses, yearning to breathe
>   free,
> The wretched refuse of your teeming shore,
> Send these, the homeless, tempest-tossed,
>   to me:
> I lift my lamp beside the golden door.

Mr. Speaker, it is our duty not only to preserve the luster of that "door," but also to see that it is never locked.

COORDINATED DEVELOPMENT OF WATER RESOURCES OF THE PACIFIC SOUTHWEST

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, I have read with interest H.R. 11395, introduced by the gentleman from California [Mr. Utt]. This bill, entitled "To authorize the coordinated development of the water resources of the Pacific Southwest and for other purposes" according to the gentleman from California, is intended to implement portions of the Pacific Southwest water plan, which was prepared by the Department of the Interior at the suggestion of the distinguished chairman of the Interior and Insular Affairs Committee, the gentleman from Colorado [Mr. Aspinall].

I am sure no Californian really expects the State of Arizona, or any Representative of that State, to take this bill very seriously, since its real purpose is to nullify the decision of the Supreme Court in the case of Arizona against California.

In that case, Arizona was awarded the beneficial consumptive use of 2.8 million acre-feet of water annually from the mainstream of the Colorado River. The decree of the Court placed the award to Arizona on the same plane and with the same priority as the award to California of beneficial consumptive use of 4.4 million acre-feet of water.

However, under the provisions of the Utt bill, diversions of water by Arizona for the proposed central Arizona project would be made junior to uses of water in the State of California.

I doubt that there has been a time during the last 50 years in which Arizona could not have settled its differences with California on the basis proposed in the Utt bill. However, the State of Arizona has refused to accept the role of a second class citizen of the Colorado River Basin, and she still refuses.

To my colleague from California, I give much credit for a nice try. I am sure he knew when he introduced this bill that no Arizonan would fall for it. Even so, it is heartening to have Representatives from the State of California actually introducing legislation aimed at bringing water into Arizona under any circumstances. With such an indication of a recognition that the water problems of the States of the Pacific Southwest are almost identical, perhaps these two States which have fought each other for so long can find a basis for agreement. However, may I again say to my colleague from California that such basis will not and cannot be abject surrender of rights won in the Supreme Court after a long, hard battle.

LANDRUM-POWELL-JOHNSON POVERTY BILL

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Frelinghuysen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, on Wednesday of this week, the Landrum-Powell-Johnson poverty package was unanimously approved by the Democratic majority of the House Education and Labor Committee. However, the bill which was approved by the committee, H.R. 11377, is a far different bill from the original poverty proposal, H.R. 10440.

As a result of the hearings held on the original bill and after numerous political skull sessions on the part of the Democratic members of the committee, the original bill, H.R. 10440, was subjected to nearly 100 amendments in executive session. The nature and extent of these amendments are nowhere in evidence, because the committee did not see fit to report an amended bill. It simply voted to introduce and act upon a new bill. That new bill is H.R. 11377.

Mr. Speaker, toward the close of the committee deliberations on H.R. 10440, a request was made that a committee print be prepared, showing in appropriate style the amendments which had been made in the original bill. This request, to preserve this important aspect of the bill's legislative history, was preemptorily denied by the chairman, supported by the Democratic majority. Because of this shortsighted action of the majority, it is impossible for any member of the committee or the Congress to state with any degree of certainty what changes have been made in the original bill.

Mr. Speaker, in view of these developments, the minority staff of the Education and Labor Committee has prepared a composite print of H.R. 10440 and H.R. 11377, showing in appropriate style the amendments made by the committee in the original poverty bill.

When this work was completed by the minority staff, I telephoned the distinguished chairman of the Education and Labor Committee, the gentleman from New York [Mr. POWELL], and requested him to authorize the printing of this material for the use of committee members. The chairman promised to call me right back. Unfortunately, however, I have heard nothing from him up to this hour, so I have no alternative but to assume that my request has been or is being denied sub silentio.

Mr. Speaker, time is of the essence in our consideration of this legislation. I can wait no longer for a reply from the chairman of the committee. The material contained in this document is not only essential to a proper legislative record, it is vitally necessary to the preparation of reports and as a factual groundwork for debate on the pending proposal. Accordingly, I insist the document referred to, "A Comparative Analysis of H.R. 10440 as Amended by H.R. 11377," be inserted at this point in the RECORD.

A COMPARATIVE ANALYSIS OF H.R. 10440 AS AMENDED BY H.R. 11377

(New matter added to H.R. 10440 by H.R. 11377 is shown in italics. Old matter deleted from H.R. 10440 by H.R. 11377 is shown in black brackets.)

H.R. [10440] *11377*

[88th Cong., 2d sess.]

In the House of Representatives May 26, 1964; Mr. LANDRUM introduced the following bill; which was referred to the Committee on Education and Labor.

A bill to mobilize the human and financial resources of the Nation to combat poverty in the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Act of 1964".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. Although the economic well-being and prosperity of the United States have progressed to a level surpassing any achieved in world history, and although these benefits are widely shared throughout the Nation, poverty continues to be the lot of a substantial number of our people. The United States can achieve its full economic and social potential as a nation only if every individual has the opportunity to contribute to the full extent of his capabilities and to participate in the workings of our society. It is, therefore, the policy of the United States to eliminate the paradox of poverty in the midst of plenty in this Nation by opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity. It is the purpose of this Act to strengthen, supplement, and coordinate efforts in furtherance of that policy.

TITLE I—YOUTH PROGRAMS

PART A—JOB CORPS

STATEMENT OF PURPOSE

SEC. 101. The purpose of this part is to prepare for the responsibilities of citizenship and to increase the employability of [youths] *young men and young women* aged sixteen through twenty-one by providing them in rural and urban residential centers with education, vocational training, useful work experience, including work directed toward the conservation of natural resources, and other appropriate activities.

ESTABLISHMENT OF JOB CORPS

SEC. 102. In order to carry out the purposes of this part, there is hereby established within the Office of Economic Opportunity (hereinafter referred to as the "Office"), established by title VI, a Job Corps (hereinafter referred to as the "Corps").

JOB CORPS PROGRAM

SEC. 103. The Director of the Office (hereinafter referred to as the "Director") is authorized to—

(a) enter into agreements with any Federal, State, or local agency or private organization *for the establishment and operation, in rural and urban areas, of conservation camps and training centers and for the provision of such facilities and services as in his judgment are needed to carry out the purposes of this part, including agreements with agencies charged with the responsibility of conserving, developing, and managing the public natural resources of the Nation and of developing, managing, and protecting public recreational areas, whereby the enrollees of the Corps may be utilized by such agencies in carrying out, under the immediate supervision of such agencies, programs planned and designed by such agencies to fulfill such responsibility, and including agreements for a botanical survey program involving surveys and maps of existing vegetation and investigations of the plants, soils, and environments of natural and disturbed plant communities;*

[(b) provide education and vocational training to enrollees in the Corps, or, where appropriate, arrange for the provision thereof by another Federal agency or by State or local public educational agencies;]

(*b*) *arrange for the provision of education and vocational training of enrollees in the Corps: Provided, That, where practicable, such programs may be provided through local public educational agencies or by private vocational educational institutions or technical institutes where such institutions or institutes can provide substantially equivalent training with reduced Federal expenditures;*

(c) provide or arrange for the provision of programs of useful work experience and other appropriate activities for enrollees;

(d) establish standards of safety and health for enrollees, and furnish or arrange for the furnishing of health services; and

(e) prescribe such rules and regulations and make such arrangements as he deems necessary to provide for the selection of enrollees and to govern their conduct after enrollment, including appropriate regulations as to the circumstances under which enrollment may be terminated.

COMPOSITION OF THE CORPS

SEC. 104. (a) The Corps shall be composed of [male individuals] *young men and young women* who are permanent residents of the United States, who have attained age sixteen but have not attained age twenty-two at the time of enrollment, and who meet the standards for enrollment prescribed by the Director. Participation in the Corps shall not relieve any enrollee of obligations under the Universal Military Training and Service Act (50 U.S.C. App. 451 et seq.). *Only in exceptional cases shall enrollees in the Corps be graduates of an accredited high school, and no person shall be accepted for enrollment in the Corps unless the local school authorities have concluded that further school attendance by such person in any regular academic, vocational, or training program, is not practicable.*

(b) In order to enroll as a member of the Corps, an individual must agree to comply with rules and regulations promulgated by the Director for the government of the Corps.

(c) The total enrollment of any individual in the Corps shall not exceed two years except as the Director may determine in special cases.

ALLOWANCE AND MAINTENANCE

SEC. 105. (a) Enrollees may be provided with such living, travel, and leave allowances, and such quarters, subsistence, transportation, equipment, clothing, recreational services, medical, dental, hospital, and other health services, and other expenses as the Director may deem necessary or appropriate for their needs. Transportation and travel allowances may also be provided, in such circumstances as the Director may determine, for applicants for enrollment to or from places of enrollment and for former enrollees from places of termination to their homes.

(b) Upon termination of his *or her* enrollment in the Corps, each enrollee shall be entitled to receive a readjustment allowance at a rate not to exceed $50 for each month of satisfactory participation therein as determined by the Director: *Provided, however,* That under such circumstances as the Director may determine, a portion of the readjustment allowance of an enrollee not exceeding $25 for each month of satisfactory service may be paid during the period of service of the enrollee directly to a [dependent (as that term is defined in section 401 of title 37, United States Code)] *member of his or her family* (*as defined in section 608*(*c*)) and any sum so paid shall be supplemented by the payment of an equal amount to the dependent by the Director. In the event of the enrollee's death during the period of his *or her* service, the amount of any unpaid readjustment allowance shall be paid in accordance with the provisions of section 1 of the Act of August 3, 1950 (5 U.S.C. 61f).

APPLICATION OF PROVISIONS OF FEDERAL LAW

SEC. 106. (a) Except as otherwise specifically provided in this part, an enrollee shall be deemed not to be a Federal employee and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(b) Enrollees shall be deemed to be employees of the United States for the purposes of the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) and of title II of the social Security Act (42 U.S.C. 401 et seq.), and any service performed by an individual as an enrollee shall be deemed for such purposes to be performed in the employ of the United States.

(c) (1) Enrollees under this part shall, for the purposes of the administration of the Federal Employees' Compensation Act (5 U.S.C. 751 et seq.), be deemed to be civil employees of the United States within the meaning of the term "employee" as defined in section 40 of such Act (5 U.S.C. 790) and the provisions thereof shall apply except as hereinafter provided.

(2) For purposes of this subsection:

(A) The term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of an enrollee—

(i) while [he is] on authorized leave or pass; or

(ii) while [he is] absent from his or *her* assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Corps.

(B) In computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of an enrollee shall be deemed to be $150, except that with respect to compensation for disability accruing after the individual concerned reaches the age of twenty-one, such monthly pay shall be deemed to be that received under the entrance salary for GS–2 under the Classification Act of 1949 (5 U.S.C. 1071 et seq.), *and section 6 (d) (1) of the latter Act shall apply to enrollees.*

[(C) The term "injury" as defined in section 40 of the Federal Employees' Compensation Act (5 U. S.C. 790) shall include disease, illness, or injury if it arises out of service in the Corps.]

(C) Compensation for disability [including medical care,] shall not begin to accrue until the day folowing the date on which the enrollment of the injured enrollee is terminated.

(d) An enrollee shall be deemed to be an employee of the Government for the purposes of the Federal tort claims [Act (28 U.S.C. 2671 et seq.)] *provisions of title 28, United States Code.*

(e) Personnel of the uniformed services who are detailed or assigned to duty in the performance of agreements made by the Director for the support of the Corps shall not be counted in computing strengths under any law limiting the strength of such services or in computing the percentage authorized by law for any grade therein.

PART B—WORK-TRAINING PROGRAMS

STATEMENT OF PURPOSE

SEC. 111. The purpose of this part is to provide useful work experience opportunities for unemployed [youths] *young men and young women,* through participation in State and community work-training programs, so that their employability may be increased or their education resumed or continued and so that public agencies and private nonprofit organizations will be enabled to carry out programs which will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided, or will contribute to the conservation and development of natural resources and recreational areas.

DEVELOPMENT OF PROGRAMS

SEC. 112. In order to carry out the purposes of this part, the Director shall assist and cooperate with State and local agencies and private nonprofit organizations in developing programs for the employment of young people in State and community activities hereinafter authorized, which, whenever appropriate, shall be coordinated with programs of training and education provided by local public educational agencies.

FINANCIAL ASSISTANCE

SEC. 113. (a) The Director is authorized to enter into agreements providing for the payment by him of part or all of the cost of a State or local program submitted hereunder if he determines, in accordance with such regulations as he may prescribe, that—

(1) enrollees in the program will be employed either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations, other than projects involving the construction, operation, or maintenance of any facility used or to be used *solely* for sectarian instruction or as a place for religious worship;

(2) the program will increase the employability of the enrollees by providing work experience and training in occupational skills or pursuits in classifications in which the Director finds there is a reasonable expectation of employment, or will enable student enrollees to resume or to maintain school attendance;

(3) the program will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided, or will contribute to the conservation, development, or management of the natural resources of the State or community or to the development, management, or protection of State or community recreational areas;

(4) the program will not result in the displacement of employed workers or impair existing contracts for services;

(5) the rates of pay and other conditions of employment will be appropriate and reasonable in the light of such factors as the type of work performed, geographical region, and proficiency of the employee;

(6) to the maximum extent feasible, the program will be coordinated with vocational training and educational services adapted to the special needs of enrollees in such program and sponsored by State or local public educational agencies: *Provided, however,* That where such services are inadequate or unavailable, the program may make provision for the enlargement, improvement, development, and coordination of such services with the cooperation of, or where appropriate pursuant to agreement with, the Secretary of Health, Education, and Welfare; and

(7) the program includes standards and procedures for the selection of applicants, including provisions assuring full coordination and cooperation with local and other authorities to encourage students to resume or maintain school attendance.

(b) In approving projects under this part, the Director shall give priority to projects with high training potential.

ENROLLEES IN PROGRAMS

SEC. 114. (a) Participation in programs under this part shall be limited to young men and women who are permanent residents of the United States, who have attained age sixteen but have not attained age twenty-two, and whose participation in such programs will be consistent with the purposes of this part.

(b) Enrollees shall be deemed not to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(c) Where appropriate to carry out the purposes of this Act, the Director may provide for testing, counseling, job development, and referral services to youths through public agencies or private nonprofit organizations.

LIMITATIONS ON FEDERAL ASSISTANCE

SEC. 115. Federal assistance to any program pursuant to this part paid for the period ending two years after the date of enactment of this Act, or June 30, 1966, whichever is later, shall not exceed 90 per centum of the costs of such program, including costs of administration, and such assistance paid for periods thereafter shall not exceed 50 per centum of such costs, unless the Director determines, pursuant to regulations adopted and promulgated by him establishing objective criteria for such determinations, that assistance in excess of such percentages is required in furtherance of the purposes of this part. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. 116. The Director shall establish criteria designed to achieve an equitable distribution of assistance under this part among the States. In developing such criteria, he shall consider among other relevant factors the ratios of population, unemployment, and family income levels. Not more than 12½ per centum of the sums appropriated or allocated for any fiscal year to carry out the purposes of this part shall be used within any one State.

PART C—WORK-STUDY PROGRAMS

STATEMENT OF PURPOSE

SEC. 121. The purpose of this part is to stimulate and promote the part-time employment of students in institutions of higher education who are from low-income families and are in need of the earnings from such employment to pursue courses of study at such institutions.

Allotments to States

Sec. 122. (a) From the sums appropriated to carry out this title for a fiscal year, the Director shall reserve the amount needed for making grants under section 123. Not to exceed 2 per centum of the amount so reserved shall be allotted by the Director among Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under this part. The remainder of the sums so reserved shall be allotted among the States as provided in subsection (b).

(b) Of the sums being allotted under this subsection—

(1) one-third shall be allotted by the Director among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of persons enrolled on a full-time basis in institutions of higher education in such State bears to the total number of persons enrolled on a full-time basis in institutions of higher education in all the States,

(2) one-third shall be allotted by the Director among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of high school graduates (as defined in section 103(d)(3) of the Higher Education Facilities Act of 1963) of such State bears to the total number of such high school graduates of all the States, and

(3) one-third shall be allotted by him among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of related children under eighteen years of age living in families with annual incomes of less than $3,000 in such State bears to the number of related children under eighteen years of age living in families with annual incomes of less than $3,000 in all the States.

(c) The amount of any State's allotment which has not been granted to an institution of higher education under section 123 at the end of the fiscal year for which appropriated shall be reallotted by the Director, in such manner as he determines will best assist in achieving the purposes of this Act. Amounts reallotted under this subsection shall be available for making grants under section 123 until the close of the fiscal year

next succeeding the fiscal year for which appropriated.

(*d*) *For purposes of this section, the term "State" does not include Puerto Rico, Guam, American Samoa, and the Virgin Islands.*

Grants for work-study programs

Sec. 123. The Director is authorized to enter into agreements with institutions of higher education (as defined by section 103 of the National Defense Education Act of 1958 (20 U.S.C. 403)) under which the Director will make grants to such institutions to assist in the operation of work-study programs as hereinafter provided.

CONDITIONS OF AGREEMENTS

SEC. 124. An agreement entered into pursuant to section 122 shall—

(a) provide for the operation by the institution of a program for the part-time employment of its students in work—

(1) for the institution itself, or

[(2) under arrangements satisfactory to the Director, for public agencies or private nonprofit organizations whose activities contribute to the objectives of this Act: *Provided, however,* That no such work shall involve the construction, operation, or maintenance of any facility used or to be used for sectarian instruction or as a place for religious worship.]

(2) *for a public or private nonprofit organization when the position is obtained through an arrangement between the institution and such an organization and—*

(*A*) *the work is related to the student's educational objective, or*

(*B*) *such work* (*i*) *will be in the public interest and is work which would not otherwise be provided,* (*ii*) *will not result in the displacement of employed workers or impair existing contracts for services, and* (*iii*) *will be governed by such conditions of employment as will be appropriate and reasonable in light of such factors as the type of work performed, geographical region, and proficiency of the employee:*

Provided, however, That no such work shall involve the construction, operation, or maintenance of any facility used or to be used solely for sectarian instruction or as a place for religious worship;

(*b*) *provide that funds granted an institution of higher education, pursuant to section 123 may be used only to make payments to students participating in work-study programs, except that an institution may use a portion of the sums granted to it to meet administrative expenses, but the amount so used may not exceed 5 per centum of the payments made by the Director to such institution for that part of the work-study program in which students are working for public or nonprofit organizations other than the institution itself;*

[(b)] (*c*) provide that employment under such work-study program shall be furnished only to a student who (1) is from a low-income family, (2) is in need of the earnings from such employment in order to pursue a course of study at such institution, (3) is capable, in the opinion of the institution, of maintaining good standing in such course of study while employed under the program covered by the agreement, and (4) has been accepted for enrollment as a full-time student at the institution or, in the case of a student already enrolled in and attending the institution, is in good standing and in full-time attendance there either as an undergraduate, graduate, or professional student;

[(c)] (*d*) provide that no student shall be employed under such work-study program for more than fifteen hours in any week in which classes in which he is enrolled are in session;

[(d)] (*e*) provide that in each fiscal year during which the agreement remains in effect, the institution shall expend (from sources other than payments under this part) for the employment of its students (whether or not employment eligible for assistance under this part) an amount that is not less than its average annual expenditure for such employment during the three fiscal years preceding the fiscal year in which the agreement is entered into;

[(e) provide for payment by the Director of a portion of the compensation of each student employed under such work-study program in accordance with the agreement, but not to exceed 90 per centum of such compensation for work performed during the period ending two years after the date of enactment of this Act, or June 30, 1966, whichever is later, and 75 per centum thereafter;]

(*f*) *provide that the compensation of students employed in the work-study program in accordance with the agreement will not exceed* (*1*) *in the case of work for the institution itself, 90 per centum of such compensation for work performed during the period ending two years after the date of enactment of this Act, or June 30, 1966, whichever is later, and 75 per centum thereafter;* or (2) *in the case of work for public agencies* or *private nonprofit organizations, 50 per centum of such compensation.*

[(f) provide, subject to section 124, that the institution undertakes to act, if so requested by the Director, as his agent for the payment of the Director's share of the student's compensation;]

(g) include provisions designed to make employment under such work-study program, or equivalent employment offered or arranged for by the institution, reasonably available (to the extent of available funds) to all eligible students in the institution in need thereof; and

(h) include such other provisions as the Director shall deem necessary or appropriate to carry out the purposes of this part.

[PAYMENTS TO STUDENTS

[SEC. 124. (a) The Director's share of the compensation of a student employed under a work-study program covered by an agreement under this part may be paid directly by him to the student; or it may be paid through the employing institution as paying agent for the Director. If the institution is utilized as paying agent, the Director's share may be paid to the institution in advance or by way of reimbursement, in accordance with regulations prescribed by the Director, and the Director may authorize the institution to combine the Director's share and the remainder of the student's compensation in a single payment to the student.

[(b) Regardless of the method of payment under this section, students employed under a work-study program covered by an agreement under this part shall be deemed not to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

[(c) Nothing in this part shall be construed as restricting the source (other than this part) from which the institution may pay its share of the compensation of a student employed under a work-study program covered by an agreement under this part.]

Sources of matching funds

SEC. 125. [(*c*)] Nothing in this part shall be construed as restricting the source (other than this part) from which the institution may pay its share of the compensation of a student employed under a work-study program covered by an agreement under this part.

Equitable distribution of assistance

[SEC. 125. The Director shall establish criteria designed to achieve an equitable distribution of assistance under this part among the States and among institutions of higher education within each State. In developing such criteria, he shall consider among other relevant factors the ratios of full-time students in institutions of higher education, unemployment, and family income levels. Not more than 12½ per centum of the sums appropriated or allocated for any fiscal year to carry out the purposes of this part shall be used within any one State.]

Sec. 126. The Director shall establish criteria designed to achieve such distribution of assistance under this part among institutions of higher education within a State as will most effectively carry out the purposes of this Act.

Part D—Authorization of appropriations

Sec. 131. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1965, and the two succeeding fiscal years. For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $412,500,000 for the fiscal year ending June 30, 1965; and for the fiscal year ending June 30, 1966, and the fiscal year ending June 30, 1967, such sums may be appropriated as the Congress may hereafter authorize by law.

TITLE II—URBAN AND RURAL COMMUNITY ACTION PROGRAMS

Part A—General Community Action Programs

STATEMENT OF PURPOSE

[SEC. 201. The purpose of this title is to provide stimulation and incentive for urban and rural communities to mobilize their resources, public and private, to combat poverty through community action programs.]

Sec. 201. The purpose of this part is to provide stimulation and incentive for urban and rural communities to mobilize their resources to combat poverty through community action programs.

COMMUNITY ACTION PROGRAMS

SEC. 202. (a) The term "community action program" means a program—

(1) which mobilizes and utilizes [, in an attack on poverty, public and private resources] *resources,* public or private, of any urban or rural, or combined urban and rural, geographical area (referred to in this part as a "community"), including but not limited to a State, metropolitan area, county, city, town, multicity unit, or multicounty unit *in an attack on poverty;*

(2) which provides services, assistance, and other activities of sufficient [variety] scope and size to give promise of progress toward elimination of poverty *or a cause or causes of poverty* through developing employment opportunities, improving human performance, motivation, and productivity, [and] *or* bettering the conditions under which people live, learn, and work;

(3) which is developed, conducted, and administered with the maximum feasible participation of residents of the areas and members of the groups referred to in section 204(a); and

(4) which is conducted, administered, or coordinated by a public or private nonprofit agency [(referred to in this title as a "community action organization") which is broadly representative of the community.], *or a combination thereof.*

(b) The Director is authorized to prescribe such additional criteria for [community action] programs *carried on under this part* as he shall deem appropriate.

Allotments to States

Sec. 203. (*a*) *From the sums appropriated to carry out this title for a fiscal year, the Director shall reserve the amount needed for carrying out sections 204 and 205. Not to exceed 2 per centum of the amount so reserved shall be allotted by the Director among Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under this* *part. Twenty per centum of the amount so reserved shall be allotted among the States as the Director shall determine. The remainder of the sums so reserved shall be allotted among the States as provided in subsection (b).*

(b) Of the sums being allotted under this subsection—

(1) one-third shall be allotted by the Director among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of public assistance recipients in such State bears to the total number of public assistance recipients in all the States;

(2) one-third shall be allotted by him among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the annual average number of persons unemployed in such State bears to the annual average number of persons unemployed in all the States; and

(3) the remaining one-third shall be allotted by him among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of related children under 18 years of age living in families with incomes of less than $1,000 in such State bears to the number of related children under 18 years of age living in families with incomes of less than $1,000 in all the States.

(c) The portion of any State's allotment under subsection (a) for a fiscal year which the Director determines will not be required, for such fiscal year for carrying out this part shall be available for reallotment from time to time, on such dates during such year as the Director may fix, to other States in proportion to their original allotments for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Director estimates such State needs and will be able to use for such year for carrying out this part; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

(d) For the purposes of this section, the term "State" does not include Puerto Rico, Guam, American Samoa, and the Virgin Islands.

FINANCIAL ASSISTANCE FOR DEVELOPMENT OF COMMUNITY ACTION PROGRAMS

[SEC. 203. The Director is authorized to make grants to, or to contract with, community action organizations, or, if he deems it necessary to effectuate the purposes of this title, other appropriate public agencies or private nonprofit organizations, to pay part or all of the costs of development of community action programs.]

Sec. 204. The Director is authorized to make grants, to or to contract with, appropriate public or private nonprofit agencies, or combinations thereof, to pay part or all of the costs of development of community action programs.

FINANCIAL ASSISTANCE FOR CONDUCT AND ADMINISTRATION OF COMMUNITY ACTION PROGRAMS

[SEC. 204. (a) The Director is authorized to make grants to, or to contract with, community action organizations or other appropriate public agencies or private nonprofit organizations to pay part or all of the costs of community action programs which have been approved by him pursuant to this title, including the cost of carrying out programs which are components of a community action program and which are designed to achieve the purposes of this title. Such component programs shall be focused upon the needs of low income individuals and families and shall provide, in particular areas or to particular groups in a community, expanded and improved services, assistance, and other activities, and facilities necessary in connection therewith, in the fields of education, employment, job training and counseling, health, vocational rehabilitation, housing, home management, welfare, and other fields which fall within the purposes of this title.

[(b) Any elementary or secondary school education program assisted under this section shall be administered by the public educational agency or agencies principally responsible for providing public elementary and secondary education in the area involved. No child shall be denied the benefit of such a program because he is not regularly enrolled in the public schools.

[(c) Assistance under this section may be extended for a limited period, even though a community has not completed and put into effect its community action program, if the Director determines that there is a representative group engaged in developing such a program in the community, and that extension of such assistance will further the purposes of this title with respect to such community and will not impede the development and carrying out of a community action program. After June 30, 1965, expenditures under this subsection in any fiscal year shall not exceed 20 per centum of the sums appropriated or allocated for such year to carry out the purposes of this title.]

Sec. 205. (a) The Director is authorized to make grants to, or to contract with, public or private nonprofit agencies, or combinations thereof, to pay part or all of the costs of community action programs which have been approved by him pursuant to this part, including the cost of carrying out programs which are components of a community action program and which are designed to achieve the purposes of this part. Such component programs shall be focused upon the needs of low-income individuals and families and shall provide expanded and improved services, assistance, and other activities, and facilities necessary in connection therewith. Such programs shall be conducted in those fields which fall within the purposes of this part including employment, job training and counseling, health, vocational rehabilitation, housing, home management, welfare, and special remedial and other noncurricular educational assistance for the benefit of low-income individuals and families.

(b) No grant or contract authorized under this part may provide for general aid to elementary or secondary education in any school or school system.

[(d)] *(c)* In determining whether to extend assistance under this section the Director shall consider among other relevant factors the incidence of poverty within the community and within the areas or groups to be affected by the specific program or programs, and the extent to which the applicant is in a position to utilize efficiently and expeditiously the assistance for which application is made. In determining the incidence of poverty the Director shall consider information available with respect to such factors as: the concentration of low-income families, particularly those with children; the extent of persistent unemployment and underemployment; the number and proportion of persons receiving cash or other assistance on a needs basis from public agencies or private organizations; the number of migrant or transient low-income families; school dropout rates, military service rejection rates, and other evidences of low educational attainment; the incidence of disease, disability, and infant mortality; housing conditions; adequacy of community facilities and services; and the incidence of crime and juvenile delinquency.

[(e)] *(d)* In extending assistance under this section the Director shall give special consideration to programs which give promise of effecting a permanent increase in the capacity of individuals, groups, and communities to deal with their problems without further assistance.

TECHNICAL ASSISTANCE

SEC. [205] *206*. The Director is authorized to provide, either directly or through grants or other arrangements, [(a)] *(1)* technical assistance to communities in developing, conducting, and administering community action programs, and [(b)] *(2)* training for specialized personnel needed to develop, conduct, or administer such programs or to provide services or other assistance thereunder.

RESEARCH, TRAINING, AND DEMONSTRATIONS

SEC. [206] *207*. The Director is authorized to conduct, or to make grants to or enter into contracts with institutions of higher education or other appropriate public agencies or private nonprofit organizations for the conduct of, research, training, and demonstrations pertaining to the purposes of this [title] *part*. Expenditures under this section in any fiscal year shall not exceed 15 per centum of the sums appropriated or allocated for such year to carry out the purposes of this [title] *part*.

LIMITATIONS ON FEDERAL ASSISTANCE

SEC. [207] *208*. (a) Assistance pursuant to sections [203] *204* and [204] *205* paid for the period ending two years after the date of enactment of this Act, or June 30, 1966, whichever is later, shall not exceed 90 per centum of the costs referred to in those sections, respectively, and thereafter shall not exceed [75] *50* per centum of such costs, unless the Director determines, pursuant to regulations adopted and promulgated by him establishing objective criteria for such determinations, that assistance in excess of such percentages is required in furtherance of the purposes of this [title] *part*. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

(b) The expenditures or contributions made from non-Federal sources for a community action program or component thereof shall be in addition to the aggregate expenditures or contributions from non-Federal sources which were being made for similar purposes prior to the extension of Federal assistance.

PARTICIPATION OF STATE AGENCIES

SEC. [208] *209*. (a) The Director shall establish procedures which will facilitate effective participation of the States in community action programs. Such procedures shall include provision for the referral of applications for assistance under this [title] *part* to the Governor of each State affected, or his designee, for such comments as he may deem appropriate.

(b) The Director is authorized to make grants to, or to contract with, appropriate State agencies for the payment of the expenses of such agencies in providing technical assistance to communities in developing, conducting, and administering community action programs.

EQUITABLE DISTRIBUTION OF ASSISTANCE

SEC. [209] *210*. The Director shall establish criteria designed to achieve an equitable distribution of assistance under this part within the States between urban and rural areas. In developing such criteria, he shall consider the relative numbers in the States or areas therein of: [(a)] *(1)* low-income families, particularly those with children; [(b)] *(2)* unemployed persons; [(e)] *(3)* persons receiving cash or other assistance on a needs basis from public agencies or private organizations; [(d)] *(4)* school dropouts;

[(e)] *(5)* adults with less than an eighth-grade education; and **[(f)]** *(6)* persons rejected for military service. Not more than 12½ per centum of the sums appropriated or allocated for any fiscal year to carry out the purposes of this title shall be used for grants or contracts pursuant to sections 203 and 204 within any one State.

PREFERENCE FOR COMPONENTS OF APPROVED PROGRAMS

SEC. [210] *211.* In determining whether to extend assistance under any other title of this Act, the Director shall, to the extent feasible, give preference to programs and projects which are components of a community action program approved pursuant to this **[**title**]** *part.*

Part B—Adult Basic Education Programs

Declaration of purpose

Sec. 212. It is the purpose of this part to initiate programs of instruction for adults whose inability to read and write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, so as to help eliminate such inability and raise the level of education of such adults with a view to making them less likely to become dependent on others, improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and making them better able to meet their adult responsibilities.

Grants to States

Sec. 213. (a) From the sums appropriated to carry out this title, the Director shall make grants to States which have State plans approved by him under this section.

(b) Grants under subsection (a) may be used, in accordance with regulations of the Director, to—

(1) assist in establishment of pilot projects by local educational agencies, relating to instruction in public schools, or other facilities used for the purpose by such agencies, of adults described in section 211, to (A) demonstrate, test, or develop modifications, or adaptations in the light of local needs, of special materials or methods for instruction of such adults, (B) stimulate the development of local educational agency programs for instruction of such adults in such schools or other facilities, and (C) acquire additional information concerning the materials or methods needed for an effective program for raising adult basic educational skills;

(2) assist in meeting the cost of local educational agency programs for instruction of such adults in such schools or other facilities; and

(3) assist in development or improvement of technical or supervisory services by the State educational agency relating to adult basic education programs.

State plans

Sec. 214. (a) The Director shall approve for purposes of this part the plan of a State which—

(1) provides for administration thereof by the State educational agency;

(2) provides that such agency will make such reports to the Director, in such form and containing such information, as may reasonably be necessary to enable the Director to perform his duties under this part and will keep such records and afford such access thereto as the Director finds necessary to assure the correctness and verification of such reports;

(3) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this part (including such funds paid by the State to local eduactional agencies);

(4) provides for cooperative arrangements between the State educational agency and the State health authority looking toward provision of such health information and services for adults described in section 211 as may be available from such agencies and as may reasonably be necessary to enable them to benefit from the instruction provided under programs conducted pursuant to grants under this part; and

(5) sets forth a program for use, in accordance with section 212(b), of grants under this part which affords assurance of substantial progress, within a reasonable period and with respect to all segments of the population and all areas of the State, toward elimination of the inability of adults to read and write English and toward substantially raising the level of education of adults described in section 211.

(b) The Director shall not finally disapprove any State plan submitted under this part, or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

Allotments

Sec. 215. (a) From the sums allocated for grants to States under section 212 for any fiscal year, the Director shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine, and shall allot such amount among Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under this part. The remainder of the sums so allocated for a fiscal year shall be allotted by the Director on the basis of the relative number of adults in each State who have completed not more than five grades of school or have not achieved an equivalent level of education, as determined by the Director on the basis of the best and most recent information available to him, including any relevant data furnished to him by the Department of Commerce. The amount allotted to any State under the preceding sentence for any fiscal year which is less than $50,000 shall be increased to that amount, the total thereby required being derived by proportionately reducing the amount allotted to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than $50,000. For the purposes of this subsection, the term "State" shall not include Puerto Rico, Guam, American Samoa, and the Virgin Islands.

(b) The portion of any State's allotment under subsection (a) for fiscal year which the Director determines will not be required, for the period such allotment is available, for carrying out the State plan (if any) approved under this part shall be available for reallotment from time to time, on such dates during such period as the Director may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Director estimates such State needs and will be able to use for such period for carrying out its State plan approved under this part; and the total of such reductions shall be similarily reallotted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

(c) The allotment of any State under subsection (a) for the fiscal year ending June 30, 1965, shall, except to the extent reallotted under subsection (b), remain available until June 30, 1966, for obligation by such State for carrying out its State plan approved under this part.

Payments

Sec. 216. (a) From a State's allotment available for the purpose, the Federal share of expenditures, under its State plan, for the purposes sct forth in section 212(b) shall be paid to such State. Such payments shall be made in advance on the basis of estimates by the Director; and may be made in such installments as the Director may determine, after making appropriate adjustments to take account of previously made overpayments or underpayments; except that no such payments shall be made for any fiscal year unless the Director finds that the amount available for expenditures for adult basic educational programs and services from State sources for such year will be not less than the amount expended for such purposes from such sources during the preceding fiscal year.

(b) For the fiscal year ending June 30, 1965, and the fiscal year ending June 30, 1966, the Federal share for each State shall be 90 per centum. For the succeeding fiscal year the Federal share for any State shall be 50 per centum.

Operation of State plans; hearings and judicial review

Sec. 217. (a) Whenever the Director, after reasonable notice and opportunity for hearing to the State educational agency administering a State plan approved under this part, finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of section 213, or

(2) in the administration of the plan there is a failure to comply substantially with any such provision, the Director shall notify such State agency that no further payments will be made to the State under this part (or in his discretion, that further payments to the State will be limited to programs under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments may be made to such State under this part (or payments shall be limited to programs under or portions of the Stae plan not affected by such failure).

(b) A State educational agency dissatisfied with a final action of the Director under section 213 or subsection (a) of this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Director, or any officer designated by him for that purpose. The Director thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Director or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Director may modify or set aside his order. The findings of the Director as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Director to take further evidence, and the Director may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Director shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceeding under this subsection shall not, unless so specifically

ordered by the court, operate as a stay of the Director's action.

Miscellaneous

Sec. 218. For purposes of this part—

(1) the term "adult" means any individual who has attained the age of twenty-two;

(2) the term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if different, the agency or officer primarily responsible for supervision of adult basic education in public schools, whichever may be designated by the Governor or by State law, or, if there is no such agency, or officer, an agency or officer designated by the Governor or by State law;

(3) the term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, except that if there is a separate board or other legally constituted local authority having administrative control and direction of adult basic education in public schools therein, it means such other board or authority.

Part C—Authorization of Appropriations

Sec. 221. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1965, and the two succeeding fiscal years. For the purpose of carrying out this title, there are hereby authorized to be appropriated the sum of $340,000,000 for the fiscal year ending June 30, 1965; and for the fiscal year ending June 30, 1966, and the fiscal year ending June 30, 1967, such sums as may be appropriated as the Congress may hereafter authorize by law.

TITLE III—SPECIAL PROGRAMS TO COMBAT POVERTY IN RURAL AREAS

STATEMENT OF PURPOSE

SEC. 301. It is the purpose of this title to meet some of the special problems of rural poverty and thereby to raise and maintain the income and living standards of low-income rural families *and migrant agricultural employees and their families.*

PART A—AUTHORITY TO MAKE GRANTS AND LOANS

SEC. 302. (a) The Director is authorized to make—

(1) grants of not to exceed $1,500 to low-income rural families where, in the judgment of the Director, such grants have a reasonable possibility of effecting a permanent increase in the income of such families by assisting or permitting them to—

(A) acquire or improve real estate or reduce encumbrances or erect improvements thereon,

(B) operate or improve the operation of farms not larger than family sized, *including but not limited to the purchase of feed, seed, fertilizer, livestock, poultry, and equipment,*

(C) participate in cooperative associations, or

(D) finance nonagricultural enterprises which will enable such families to supplement their income; and

(2) loans to such families, having a maximum maturity of fifteen years and in amounts not exceeding $2,500 in the aggregate to any family at any one time, for the purpose set forth in subparagraph (a) (1) (D) of this section.

(b) Grants under this section shall be made only if the family is not qualified to obtain such funds by loan under other Federal programs: *Provided, however,* That nothing herein shall be construed to prevent the making of grants where appropriate in combination with or as supplements to loans made under this program or other Federal programs.

FAMILY FARM DEVELOPMENT CORPORATIONS[S]

SEC. 303. (a) The Director is authorized to cooperate with, furnish technical assistance to, and otherwise assist in the organization of public or private nonprofit corporations having as their objective the improvement of the productivity and income of low-income farmers. Such corporations shall be eligible for assistance under this section if they are organized for the purpose of and have the power to acquire real property or any interest therein in rural areas, to develop or reconstitute such real property into units not larger than family farms, including necessary fences, farm buildings, land and water development, and related facilities, and to sell the farms so developed or reconstituted to low-income farm families at prices equal to their appraised value when used for agricultural purposes and in a manner that the Director determines will further the purposes of this title: *Provided, however, That such sales shall be subject to the condition that, for twenty years from the date of sale by the corporation, upon any resale of the farm, the resale proceeds in excess of such appraised value up to the corporation's investment in the property (less the then value as determined by the corporation of any improvements placed on the farm by the purchaser from the corporation or his heirs, successors, or assigns), shall be payable to the corporation; and there is hereby created a first lien on such property running to the corporation and to the United States to secure the payment of such amounts.*

(b) The Director may prescribe such rules and regulations regarding the organization, financial resources, operations, and activities of such corporations as he deems appropriate.

(c) The Director is authorized to purchase the obligations of, or make loans to, such corporations upon such terms and conditions as he may determine subject to the limitations of sections 305 and 306.

(d) The Director is authorized to make grants to such corporations in amounts sufficient to make up the deficiency between the cost of the farms developed or reconstituted by them and the net proceeds received from the sale of such farms at the prices specified in subsection (a).

COOPERATIVE ASSOCIATIONS

SEC. 304. The Director is authorized to make loans to local cooperative associations furnishing essential [production] processing, purchasing, or marketing services, supplies, or facilities predominantly to low-income rural families.

LIMITATIONS ON ASSISTANCE

SEC. 305. No financial or other assistance shall be provided under this [title] *part* unless the Director determines that—

(a) the providing of such assistance will materially further the purposes of this [title] *part*, and

(b) in the case of assistance provided pursuant to sections 303 and 304, the applicant is fulfilling or will fulfill a need for services, facilities, or activities which is not otherwise being met.

LOAN TERMS AND CONDITIONS

SEC. 306. Loans made pursuant to sections 302, 303, and 304 (including obligations purchased pursuant to section 303) shall have such terms and conditions as the Director shall determine, subject to the following limitations:

(a) there is reasonable assurance of repayment of the loan;

(b) the credit is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

(c) the amount of the loan, together with other funds available, is adequate to assure completion of the project or achievement of the purposes for which the loan is made;

(d) the loan bears interest at a rate not less than (1) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (2) such additional charge, if any, toward covering other costs of the program as the Director may determine to be consistent with its purposes; [and]

(e) with respect to loans made pursuant to sections 303 and 304, the loan is repayable within not more than thirty years; and

(f) no financial or other assistance shall be provided under this part to or in connection with any corporation or cooperative organization for the production of agricultural commodities or for manufacturing purposes.

Part B—Assistance for Migrant Agricultural Employees and Their Families

Sec. 311. The Director shall develop and implement as soon as practicable a program to assist the States, political subdivisions of States, public and nonprofit agencies, institutions, organizations, farm associations, or individuals in establishing and operating programs of assistance for migrant agricultural employees and their families which programs shall be limited to housing, sanitation, education, and day care of children. Institutions, organizations, farm associations, or individuals shall be limited to direct loans.

Part C—Authorization of Appropriations

Sec. 321. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1965, and the two succeeding fiscal years. For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $50,000,000 for the fiscal year ending June 30, 1965; and for the fiscal year ending June 30, 1966, and the fiscal year ending June 30, 1967, such sums may be appropriated as the Congress may hereafter authorize by law. Not to exceed $15,000,000 of the funds appropriated under this Act for the fiscal year ending June 30, 1965, may be utilized for the purposes of part B of this title.

TITLE IV—EMPLOYMENT AND INVESTMENT INCENTIVES

STATEMENT OF PURPOSE

[SEC. 401. It is the purpose of this title to provide new training and employment opportunities for long-term unemployed persons; to assist in the establishment, preservation, and strengthening of small business concerns and improve the managerial skills employed in such enterprises; and to mobilize for these objectives private as well as public managerial skills and resources.]

Sec. 401. It is the purpose of this title to assist in the establishment, preservation, and strengthening of small business concerns and improve the managerial skills employed in such enterprises; and to mobilize for these objectives private as well as public managerial skills and resources.

[PART A—INCENTIVES FOR EMPLOYMENT OF LONG-TERM UNEMPLOYED PERSONS

[LOANS, PARTICIPATIONS, AND GUARANTIES

[SEC. 411. (a) The Director is authorized to make, participate (on an immediate basis) in, or guarantee loans to private borrowers, repayable in not more than twenty-five years, when he determines that such financial assistance will result in stable employment for persons not already employed by the borrower, a majority of whom will be recruited from among the long-term unemployed and members of low-income families.

[(b) The amount of any loan, participation, or guaranty made hereunder shall not exceed an amount equal to $10,000 multiplied by the number of persons to be employed by the borrower as a result of the financial assistance.

[LIMITATIONS ON FINANCIAL ASSISTANCE

[SEC. 412. No financial assistance shall be extended pursuant to this part unless—

[(a) the Director determines that the assistance will not be used in relocating establishments from one area to another; and

[(b) the assistance is extended in accordance with and as part of a community action program approved pursuant to title II of this Act.

[PROVISION FOR LOSSES ON GUARANTIES

[SEC. 413. The Director shall make a reasonable provision for possible losses with respect to guarantees under this part, but such provision shall be not less than 15 per centum of the guarantees in force at any time. The amounts so provided and set aside within appropriations shall be considered to constitute obligations for purposes of section 1311 of the Supplemental Appropriation Act, 1955 (31 U.S.C. 200).]

Loans, participations, and guarantees

Sec. 402. The Director is authorized to make, participate (on an immediate basis) in, or guarantee loans, repayable in not more than fifteen years, to any small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632) and regulations issued thereunder), or to any qualified person seeking to establish such a concern, when he determines that such loans will assist in carrying out the purposes of this title, with particular emphasis on employment of the long-term unemployed: Provided, however, That no such loans shall be made, participated in, or guaranteed if the total of such Federal assistance to a single borrower outstanding at any one time would exceed $15,000. The Director may defer payments on the principal of such loans for a grace period and use such other methods as he deems necessary and appropriate to assure the successful establishment and operation of such concern. The Director may, in his discretion, as a condition of such financial assistance, require that the borrower take steps to improve his management skills by participating in a management training program approved by the Director. The Director shall encourage, as far as possible, the participation of the private business community in the program of assistance to such concerns.

COORDINATION WITH COMMUNITY ACTION PROGRAMS

SEC. [422] *403*. No financial assistance shall be provided under section [421] *402* in any community for which the Director has approved a community action program pursuant to title II of this Act unless such financial assistance is determined by him to be consistent with such program.

FINANCING UNDER SMALL BUSINESS ACT

SEC. [423] *404*. Such lending and guaranty functions under this part as may be delegated to the Small Business Administration may be financed with funds appropriated to the revolving fund established by section 4(c) of the Small Business Act (15 U.S.C. 633(c)) for the purposes of sections 7(a), 7(b), and 8(a) of that Act (15 U.S.C. 636(a), 636(b), 637(a)).

LOAN TERMS AND CONDITIONS

SEC. [424] *405*. Loans made pursuant to section 402 (including immediate participations in and guaranties of such loans) shall have such terms and conditions as the Director shall determine, subject to the [limitations set forth in paragraphs (a) through (e) of section 414.] *following limitations—*

(a) there is reasonable assurance of repayment of the loan;

(b) the financial assistance is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

(c) the amount of the loan, together with other funds available, is adequate to assure completion of the project or achievement of the purposes for which the loan is made;

(d) the loan bears interest at a rate not less than (1) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (2) such additional charge, if any, toward covering other costs of the program as the Director may determine to be consistent with its purposes: Provided, however, That the rate of interest charged on loans made in redevelopment areas designated under the Area Redevelopment Act (42 U.S.C. 2501 et seq.) shall not exceed the rate currently applicable to new loans made under section 6 of that Act (42 U.S.C. 2505); and

(e) fees not in excess of amounts necessary to cover administrative expenses and probable losses may be required on loan guaranties.

Duration of program

Sec. 406. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1965, and the two succeeding fiscal years.

[TITLE V—FAMILY UNITY THROUGH JOBS

[STATEMENT OF PURPOSE

[SEC. 501. It is the purpose of this title to expand the opportunities for constructive work experience and other needed training or basic education available to persons who are unable to support or care for their families.]

TITLE V—WORK EXPERIENCE PROGRAMS

Statement of purpose

Sec. 501. It is the purpose of this title to expand the opportunities for constructive work experience and other needed training available to persons who are unable to support or care for themselves or their families. In carrying out this purpose, the Director shall make maximum use of the programs available under the Manpower Development and Training Act of 1963 and Vocational Education Act of 1963.

PAYMENTS FOR EXPERIMENTAL, PILOT, AND DEMONSTRATION PROJECTS

SEC. 502. In order to stimulate the adoption [by States] of programs designed to help unemployed fathers and other [members of needy families with children] *needy persons* to secure and retain employment or to attain or retain capability for self-support or personal independence, the Director is authorized to transfer funds appropriated or allocated to carry out the purposes of this title to the Secretary of Health, Education, and Welfare to enable him to make payments for experimental, pilot, or demonstration projects under section 1115 of the Social Security Act (42 U.S.C. 1315), *subject to the limitations contained in section 409(a)(1) to (6), inclusive, of such Act (42 U.S.C. 609(a)(1)–(6))*, in addition to the sums otherwise available pursuant thereto. The costs of such projects to the United States for the fiscal year ending June 30, 1965, shall, notwithstanding the provisions of such Act, be met entirely from funds appropriated or allocated to carry out the purposes of this title.

Authorization of appropriations

Sec. 503. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1965, and the two succeeding fiscal years. For the purpose of carrying out this title, there is hereby authorized to be appropriated the sum of $150,000,000 for the fiscal year ending June 30, 1964; and for the fiscal year ending June 30, 1965, and the fiscal year ending June 30, 1966, such sums may be appropriate as the Congress may hereafter authorize by law.

TITLE IV—ADMINISTRATION AND COORDINATION

PART A—ADMINISTRATION

OFFICE OF ECONOMIC OPPORTUNITY

SEC. 601. (a) There is hereby established in the Executive Office of the President the Office of Economic Opportunity. The Office shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate. There shall also be in the Office four Deputy Directors who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Directors shall perform such functions as the Director may from time to time prescribe.

(b) Notwithstanding the provisions of section 5(b) of the Reorganization Act of 1949 (5 U.S.C. 133z–3(b)), at any time after one year from the date of enactment hereof the President may, by complying with the procedures established by that Act, provide for the transfer of the Office from the Executive Office of the President and for its establishment elsewhere in the executive branch as he deems appropriate.

(c) Section 103(a) of the Federal Executive Pay Act of 1956 (5 U.S.C. 2202(a)) is amended by adding the following clause thereto:

"(6) Director of the Office of Economic Opportunity."

(d) Section 105 of the Federal Executive Pay Act of 1956 (5 U.S.C. 2204) is amended by adding the following clause thereto:

"(32) Deputy Director of the Office of Economic Opportunity."

(e) Section 106(a) of the Federal Executive Pay Act of 1956 (5 U.S.C. 2205(a)) is amended by adding the following clause thereto:

"(52) Deputy Directors of the Office of Economic Opportunity (3)."

AUTHORITY OF DIRECTOR

SEC. 602. In addition to the authority conferred upon him by other sections of this Act, the Director is authorized, in carrying out his functions under this Act, to—

(a) appoint in accordance with the civil service laws such personnel as may be necessary to enable the Office to carry out its functions, and, except as otherwise provided herein, fix their compensation in accordance with the Classification Act of 1949 (5 U.S.C. 1071 et seq.);

(b) employ experts and consultants or organizations thereof as authorized by section 15 of the [Act of August 2, 1946] *Administrative Expenses Act of 1946* (5 U.S.C. 55a), compensate individuals so employed at rates not in excess of $100 per diem, including travel time, and allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by [law] *section 5 of such Act* (5 U.S.C. 73b–2) for persons in the Government service employed intermittently, while so employed: *Provided, however*, That contracts for such employment [shall] *may* be renewed annually;

(c) appoint, without regard to the civil service laws, one or more advisory committees composed of such private citizens and officials of the Federal, State, and local governments as he deems desirable to advise him with respect to his functions under this Act; and members of such committees (including the National Advisory Council established in section 605), other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Director, shall be entitled to receive compensation and travel expenses as provided in subsection (b) with respect to experts and consultants;

(d) with the approval of the President, arrange with and reimburse the heads of other Federal agencies for the performance of any his functions under this Act and, as necessary or appropriate, delegate any of his powers under this Act and authorize the redelegation thereof;

(e) utilize, with their consent, the services and facilities of Federal agencies without reimbursement, and, with the consent of any State or a political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivision without reimbursement;

(f) accept in the name of the Office, and employ or dispose of in furtherance of the purposes of this Act, or of any title thereof, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise;

(g) accept voluntary and uncompensated services, notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b));

(h) allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under this Act as he deems necessary to carry out the provisions hereof, including (without regard to the provisions of section 4774(d) of title 10, United States Code) expenditures for construction, repairs, and capital improvements;

(i) disseminate, without regard to the provisions of section [321n] *4154* of title 39, United States Code, data and information, in such form as he shall deem appropriate, to public agencies, private organizations, and the general public;

(j) adopt an official seal, which shall be judicially noticed;

(k) notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real or personal property by the United States, deal with, complete, rent, renovate, modernize, or sell for cash or credit at his discretion any properties acquired by him in connection with loans, participations, and guarantees made by him pursuant to titles III and IV of this Act;

(l) collect or compromise all obligations to or held by him and all legal or equitable rights accruing to him in connection with the payment of obligations until such time as such obligations may be referred to the Attorney General for suit or collection; and

(m) establish such policies, standards, criteria, and procedures, prescribe such rules and regulations, enter into such contracts and agreements with public agencies and private organizations and persons, make such payments (in lump sum or installments, and in advance or by way of reimbursement, and in the case of grants, with necessary adjustments on account of overpayments or underpayments), and generally perform such functions and take such steps as he may deem to be necessary or appropriate to carry out the provisions of this Act.

Volunteers [For] *in Service to* America

SEC. 603. (a) The Director is authorized to recruit, select, train, and—

[(1) upon request, refer volunteers to perform duties in furtherance of programs of assistance at a State or local level; and

[(2) in cooperation with other Federal, State, or local agencies involved, assign volunteers to work (A) in meeting the health and education needs of Indians living on reservations, of migratory workers and their families, or of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands; (B) in the care and rehabilitation of the mentally ill and mentally retarded under treatment at nonprofit mental health and mental retardation facilities assisted in their construction or operation by Federal funds; and (C) in furtherance of federally operated programs or activities authorized by titles I and II of this Act.]

(1) upon request of State or local agencies or private nonprofit organizations, refer volunteers to perform duties in furtherance of programs combating poverty at a State or local level; and

(2) in cooperation with other Federal, State, or local agencies involved, assign volunteers to work (A) in meeting the health, education, welfare, or related needs of Indians living on reservations, of migratory workers and their families, or of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands; (B) in the care and rehabilitation of the mentally ill or mentally retarded under treatment at nonprofit mental health or mental retardation facilities assisted in their construction or operation by Federal funds; and (C) in furtherance of programs or activities authorized or supported under title I or II of this Act.

(b) The referral or assignment of volunteers shall be on such terms and conditions as the Director may determine, but volunteers shall not be referred or assigned to duties or work in any State without the consent of the Governor.

(c) The Director is authorized to provide to all volunteers during training and to volunteers assigned pursuant to subsection (a) (2) such stipend, not to exceed $50 per month, such living, travel, and leave allowances, and such housing, transportation (including travel to and from the place of training), supplies, equipment, subsistence, clothing, and health and dental care as the Director may deem necessary or appropriate for their needs.

(d) Volunteers shall be deemed not to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that all volunteers during training and such volunteers as are assigned pursuant to subsection (a)(2) shall be deemed Federal employees to the same extent as enrollees of the Corps under section [107] *106* (b), (c), and (d) of this Act.

ECONOMIC OPPORTUNITY COUNCIL

SEC. 604. (a) There is hereby established an Economic Opportunity Council, which shall consult with and advise the Director in carrying out his functions, including the coordination of antipoverty efforts by all segments of the Federal Government.

(b) The Council shall include the Director, who shall be Chairman, the Secretary of Defense, the Attorney General, the Secretaries of the Interior, Agriculture, Commerce, Labor, and Health, Education, and Welfare, the Housing and Home Finance Administrator, the Administrator of the Small Business Administration, the Chairman of the Council of Economic Advisers, the Director of Selective Service, and such other agency heads as the President may designate, or delegates thereof.

NATIONAL ADVISORY COUNCIL

SEC. 605. There is hereby established in the Office a National Advisory Council. The Council shall be composed of the Director, who shall be Chairman, and not more than fourteen additional members appointed by the President, without regard to the civil service laws, who shall be representative of the public in general and appropriate fields of endeavor related to the purposes of this Act. Upon the request of the Director, the Council shall review the operations and activities of the Office, and shall make such recommendations with respect thereto as are appropriate. The Council shall meet at least once each year and at such other times as the Director may request.

REVOLVING FUND

SEC. 606. (a) To carrry out the lending and guaranty functions authorized under titles III and IV of this Act, there is authorized to be established a revolving fund. The capital of the fund shall consist of such amounts as may be advanced to it by the Director from funds appropriated pursuant to section [701] *307* and shall remain available until expended.

(b) The Director shall pay into miscellaneous receipts of the Treasury, at the close of each fiscal year, interest on the capital of the fund at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity during the last month of the preceding fiscal year. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest.

(c) Whenever any capital in the fund is determined by the Director to be in excess of current needs, such capital shall be credited to the appropriation from which advanced, were it shall be held for future advances.

(d) Receipts from any lending and guaranty operations under this Act (except operations under [part B of] title IV carried on by the Small Business Administration) shall be credited to the fund. The fund shall be available for the payment of all expenditures of the Director for loans, participations, and guaranties authorized under titles III and IV of this Act.

Labor standards

Sec. 607. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating of projects, building and works which are federally assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 27—6a–276a–5). The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133—313z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

REPORTS

SEC. [607] *608.* Not later than one hundred and twenty days after the close of each fiscal year, the Director shall prepare and submit to the President for transmittal to the Congress a full and complete report on the activities of the Office during such year.

DEFINITIONS

SEC. [608] *609.* As used in this Act:

(a) The term "State" means a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, or the Virgin Islands, and the term "United States", when used in a geographical sense, includes the foregoing and all other places, continental or insular, including the Trust Territory of the Pacific Islands, subject to the jurisdiction of the United States.

(b) The term "agency", unless the context requires otherwise, means department, agency, or other component of a Federal, State, or local governmental entity.

(c) The term "family" means—

(1) the spouse or child of an enrollee, and

(2) any other relative who draws substantial support from the enrollee.

PART B—COORDINATION OF ANTIPOVERTY PROGRAMS

COORDINATION

SEC. 611. In order to insure that all Federal programs related to the purposes of this Act are carried out in a coordinated manner—

(a) the Director is authorized to call upon other Federal agencies to supply such statistical data, program reports, and other materials as he deems necessary to discharge his responsibilities under this Act, and to assist the President in coordinating the antipoverty efforts of all Federal agencies;

(b) Federal agencies which are engaged in administering programs related to the purposes of this Act, or which otherwise perform functions relating thereto, shall—

(1) cooperate with the Director in carrying out his duties and responsibilities under this Act; and

(2) carry out their programs and exercise their functions in such manner as will, to the maximum extent permitted by other applicable law, assist in carrying out the purposes of this Act; and

(c) the President may direct that particular programs and functions, including the expenditure of funds, of the Federal agencies referred to in subsection (b) shall be carried out, to the extent not inconsistent with other applicable law, in conjunction with or in support of programs authorized under this Act.

(d) *In order to insure that all existing Federal agencies are utilized to the maximum extent possible in carrying out the purposes of this Act, no funds appropriated to carry out this Act shall be used to establish any new department or office when the intended function is being performed by an existing department or office.*

PREFERENCE TO COMMUNITY ACTION PROGRAMS

Sec. 612. To the extent feasible and consistent with the provisions of law governing any Federal program and with the purposes of this Act, the head of each Federal agency administering any Federal program is directed to give preference to any application for assistance or benefits which is made pursuant to or in connection with a community action program approved pursuant to title II of this Act.

INFORMATION CENTER

Sec. 613. In order to insure that all Federal programs related to the purposes of this Act are utilized to the maximum extent possible, and to insure that information concerning such programs and other relevant information is readily available in one place to public officials and other interested persons, the Director is authorized as he deems appropriate to collect, prepare, analyze, correlate, and distribute such information, either free of charge or by sale at cost (any funds so received to be deposited to the Director's account as an offset to such cost), and make arrangements and pay for any printing and binding without regard to the provisions of any other law or regulation.

Federal control

Sec. 614. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

Authorization of appropriations

Sec. 615. The Director shall carry out the programs provided for in this title during the fiscal year ending June 30, 1965, and the two succeeding fiscal years. For the purpose of carrying out this title (other than for purposes of making credits to the revolving fund established by section 606(a)), there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1964; and for the fiscal year ending June 30, 1965, and the fiscal year ending June 30, 1966, such sums may be appropriated as the Congress may hereafter authorize by law.

[TITLE VII—AUTHORIZATION OF APPROPRIATIONS

[Sec. 701. For the purpose of carrying out the provisions of this Act, there are hereby authorized to be appropriated to the Director for the fiscal year ending June 30, 1965, the sum of $962,500,000, and thereafter such sums as are necessary to carry out this Act, to be available until expended.]

TITLE VII—TREATMENT OF INCOME FOR CERTAIN PUBLIC ASSISTANCE PURPOSES

Sec. 701. (a) Notwithstanding the provisions of titles I, IV, X, XIV, and XVI of the Social Security Act, a State plan approved under any such title shall provide that—

(1) the first $85 plus one-half of the excess over $85 of payments made to or on behalf of any person for or with respect to any month under title I or II of this Act or any program assisted under such title shall not be regarded (A) as income or resources of such person in determining his need under such approved State plan, or (B) as income or resources of any other individual in determining the need of such other individual under such approved State plan;

(2) no payments made to or on behalf of any person for or with respect to any month under such title or any such program shall be regarded as income or resources of any other individual in determining the need of such other individual under such approved State plan except to the extent made available to or for the benefit of such other individual; and

(3) no grant made to any family under title III of this Act shall be regarded as income or resources of such family in determining the need of any member thereof under such approved State plan.

(b) No funds to which a State is otherwise entitled under title I, IV, X, XIV, or XVI of the Social Security Act for any period before July 1, 1965, shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of subsection (a).

FISSIONABLE MATERIALS CUTBACK

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Pillion] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. PILLION. Mr. Speaker, the interlocking announcements of April 20 by President Johnson and Premier Khrushchev relative to cutbacks in the production of fissionable materials have been subject to comment by our colleague from California [Mr. Hosmer]. In turn, the Richmond (Va.) Times Dispatch has editorially reviewed Mr. Hosmer's comments as follows:

Does It Add Up to Anything?

A Congressman's analysis of the simultaneous announcements from Washington and Moscow on April 20 that production of nuclear fission materials is being curtailed by both governments, leaves one wondering if the American public has been duped.

Representative Craig Hosmer, California Republican and ranking minority member of the Joint Committee on Atomic Energy, asks in Washington Report, published by the American Security Council, if the sort of secret negotiations which precede such an announcement, do not provide an excellent means whereby we can "lose our shirt."

He points out, however, that these particular cutbacks by us are in reality economy moves which would have been made anyway, irrespective of what action the Soviets might take, since we have overproduction of nuclear fission materials. Henry J. Taylor has shown in column after column that this country has been producing vastly more of these materials and weapons than could possibly be needed.

On the other hand, as Representative Hosmer points out, the "substance of the Johnson-Khrushchev unwritten pact" is as follows:

1. A 20-percent cutback in U.S. plutonium production in return for a zero percent U.S.S.R. cutback—with no limits on an actual increase by the latter.
2. A 40-percent cutback in U.S. enriched uranium production in return for what may be no more than a 15-percent U.S.S.R. cutback to begin "sometime."

The specific character of the Johnson cutbacks contrasts with the completely vague pronouncements from Khrushchev. The latter merely stated that the U.S.S.R. will not complete two reactors for the production of plutonium.

Whether other reactors are under construction—he didn't say. Then, too, there may be increases in production from already existent Soviet reactors. He didn't mention that either.

With respect to enriched uranium, the Soviet leader made it known that he plans, but does not promise, a "substantial" cutback over a period of "several years." This fuzzy and largely meaningless declaration amounts to little or nothing.

And on top of all else, there are no provisions whatever for policing or inspecting what the Russians are doing in this, or any other, area. We have to take all this—such as it is—on faith.

So nothing much emerges from an analysis of the loudly trumpeted announcements by Messrs. Johnson and Khrushchev on April 20 except that the United States is cutting back its production of fissionable materials heavily, whereas the Soviets may be cutting theirs, or they may not.

It's fortunate that our Federal authorities think we ought to make the cuts irrespective of what Moscow does. The slashes can hardly be justified on any other basis.

And the U.S. public ought to be clear on all this, and not imagine that the U.S.S.R. has made any real concessions. It hasn't.

PROTECTION OF THE AMERICAN CATTLE INDUSTRY

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. Short] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SHORT. Mr. Speaker, the beef marketing mission that visited several European countries the second week of May returned convinced that there was a potential market for high grade American beef in Europe and the United Kingdom. The European economy is booming and spending is at a high level. The cost of American Choice beef would not necessarily prohibit its consumption in the European countries.

The greatest problem is to promote with the people a desire for grain fed American beef. Strange as it may seem to us, there is little or no grain fed beef available for consumption anywhere in the world outside the United States. Europeans not only eat less beef per capita, but almost all is grass fed. The supply imported from countries such as Argentina, Australia, and New Zealand, is not grain fed beef.

If our American cattle industry is to benefit from expanded marketing in Europe it would seem it must be in the area of grain finished beef. Our farm economy, as well as our livestock economy, is now geared to producing this grade of beef. Ranchers are producing more calves than ever before in history. Pasture costs prohibit to a major extent the growing out of mature grass cattle. The farmer is producing, or has a potential to produce, more feed grains than ever. The only major use for these feed grains is livestock feed. We have reached the point, however, where we are producing more of this high quality product than our domestic market will absorb at prices returning a fair margin of profit for the producer and feeder.

With the high degree of prosperity in Europe it seems obvious that there should be a market for high grade beef just as there is here. We must keep in mind, however, that Europeans just are not very familiar with the beefsteaks and roasts to which we are so accustomed.

There is good reason to believe that the agreement signed by the American Meat Institute and the Department of Agriculture, on May 26, 1964, may lead to benefits to the U.S. livestock industry by promoting export sales of beef to Europe. The project is to be jointly financed, with USDA contributions coming from U.S. Public Law 480 market development funds.

It is difficult to understand why our meat processing and marketing people did not move more aggressively into the European market if there is a real potential for the sale of American beef. Perhaps the reaction of European countries in sharply increasing import levies on poultry, and more recently pork products, when Americans developed a market for those products in Europe is one good reason. European countries have traditionally had no reluctance to protect their own markets for their own producers. The United States seems to adopt almost the exact opposite policy in regard to protecting domestic industry.

The key to this whole possibility of selling beef in Europe rests on the attitude of the various European nations regarding import levies on American beef. Another major factor is ocean freight costs from the United States to Europe. Presently eastbound ocean freight rates are about $3.33 per hundred pounds on dressed beef, compared to $1.73 per hundred westbound from Europe to the United States. This possibly explains why Ireland sells beef to the United States instead of Europe. The higher eastbound ocean freight rate would obviously make it more feasible for the United States to export high grade, higher priced beef. The transportation cost would be no more, for example, on Choice dressed beef worth 35 cents per pound than on Commercial grade beef worth around 25 cents per pound.

This proposition of beef sales to Europe is going to be used as another reason why legislation, to restrict imports when our prices are depressed, is unnecessary. Beef sales to Europe would help, but it should be remembered that it has only been since prices have dropped to present levels that European prices have looked attractive.

It seems to me we have only asked for reasonable protection from excessive imports when our prices were depressed. We have not suggested that imports should be cut off entirely. We have not suggested that tariffs should be raised. We have only asked that the American cattle producing and feeding industry be given a fair opportunity to supply our domestic beef market without undue competition from other countries where labor and operating conditions would be contrary to wage and hour laws in the United States.

The possibility of legislation to restrict beef imports being passed by Congress is remote. No hearings have been scheduled by the House Ways and Means Committee. There is a possibility of a face-saving bill being passed by the Senate, but the President has recently told cattlemen that he would veto any beef import reduction legislation passed by Congress.

JOE D. WAGGONNER, JR., REPORTS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, the recent Supreme Court decisions concerning prayer in our public schools has created as much confusion among the people as any set of decisions in modern times.

A growing misunderstanding of the issues involved prompted me to devote my periodic newsletter to this subject this month.

My views on this vital subject are spelled out in detail and I present it now for printing in the RECORD.

THE SUPREME COURT'S ATTACK ON THE FIRST AMENDMENT TO THE CONSTITUTION

The Supreme Court decision has created as much confusion among the people as any set of decisions in modern times. Many well-meaning churchmen, church groups, ministers, and laymen are being misled into thinking the current controversy concerns only prayers in public schools and that the action proposed in Congress is motivated only by the prayer decisions. This is not the case at all.

These same churchmen, church groups, ministers, and laymen are being misled into thinking that Congress is attempting to destroy the protection of the first amendment to the Constitution. This is not the case at all.

The truth is: The Supreme Court has already laid the groundwork with which that protection will ultimately be destroyed. What Congress is attempting to do is restore that protection.

The truth is: By itself, the prayers-in-public-schools issue is important because it signals the further attack on religion in the United States.

I know of no Member of the Congress who wants to tamper with the pure perfection of the first amendment to the Constitution. Certainly, I do not. This is what the first amendment says on the subject of religion: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

I know of no way religious freedom could be given the people in clearer language. I know of few other instances in all history when so few words guaranteed so much to so many.

But, the Supreme Court has jeopardized the protection of this amendment and some action must be taken to reinstate it. It is not enough to say: "Hands off. Do not tamper with the first amendment." The first amendment has already been tampered with by the Supreme Court—and this is only the beginning.

Let us examine the Supreme Court case which, for the first time, took the Nation on a sharp turn to the left as far as religion is concerned. It is not the 1962 prayer in public schools case in *Engel* v. *Vitale*, but in the case of *Everson* v. *Board of Education* in 1947. The philosophy expressed during this case is the heart of the controversy, not in the recent prayer cases.

I have emphasized with single quotation marks the portions of the majority opinion which changed the interpretation of the first amendment from what it had always been and added a new dimension to it that the framers of the Constitution and the authors of the first amendment never dreamed of. Pay particular attention to the emphasized words in this statement by the Supreme Court: "The establishment-of-religion clause of the first amendment means at least this: Neither a State nor the Federal Government can set up a church.

" 'Neither can pass laws which' aid one religion, 'aid all religions,' or prefer one religion over another.

" 'No tax in any amount, large or small can be levied to support any religious activities' " (330 U.S. at 15–16).

Even in the dissenting opinion, this same philosophy was repeated by Mr. Justice Rutledge when he described his concept of the first amendment in these words: "It was to create a complete and permanent separation of the spheres of religious and civil authority by comprehensively forbidding every form of public aid or support for religion." And, further on in his opinion: "the amendment forbids any appropriation, large or small, from public funds to aid or support any and all religious exercises."

Prior to the Everson case in 1947, it was understood by all that the first amendment meant that the U.S. Government could not establish a Federal or national religion or select one particular denomination as the Federal or national religion of the country. It was understood to mean that the Federal Government could not aid one particular denomination or prefer one over the other. It was also understood by all that the Federal Government could not prohibit the free exercise of religion.

It was with this understanding that the people went their separate ways, each worshipping in the way he chose, or not worshipping if he so chose, while the Federal Government gave aid and protection to all religions with complete impartiality. This was an interpretation of the first amendment which no one doubted and to which all adhered.

With the Everson case, the Supreme Court destroyed this interpretation of the first amendment by stating that the Federal Government could not aid all religions impartially * * * could not take any step whatsoever, no matter how small, which would further religion in the United States.

This is the philosophy which is the direct cause of the current controversy and it is this philosophy which I and others in the Congress feel must be changed if the first amendment is to be restored to its former meaning.

Under the Everson philosophy that the Federal Government could not aid all religions impartially or spend any tax funds which would promote religion, it brings into serious doubt if any of these traditional activities of the Government, among others, are any longer constitutional: The employment of chaplains in the military service, the motto of the United States, "In God We Trust," the words, "under God" in the Pledge of Allegiance, the tax exemptions enjoyed by all churches, tax deductible contributions by anyone to any church, the prayer room in the House of Representatives, fire and police protection for church property, Thanksgiving Day as a national holiday, baccalaureate services in public schools, observance of Christmas and Easter in public institutions, prayers during ceremonies or meetings of any public body.

These are but a few ways in which the Federal Government aids all religions and religion itself. There are many, many more. If the Everson philosophy is followed, each of these practices must and will fall when a case involving them finally comes before the Supreme Court.

The handwriting is already on the wall. Mr. Justice Brennan has said: "The regular use of public school property for religious activities" such as the erection of a nativity scene, may be unconstitutional (374 U.S. at 298). In fact, Justice Brennan's assertion "that morning devotional exercises in any form are constitutionally invalid" compels the conclusion that schoolchildren cannot even think a prayer unless the period of silent thought is called something other than "devotional."

Mr. Justice Brennan has also said that the reference to God in the Pledge of Allegiance may merely recognize the historical fact that our Nation was believed to have been founded "under God" (347 U.S. at 222). He similarly dismisses any idea that the Nation's motto, "In God We Trust" has any religious meaning. This, to me, says that as long as we are paying homage to old superstitions and traditions, it is constitutionally permitted. If, however, we take it seriously, then it would be unconstitutional.

Mr. Justice Douglas says: "A fastidious atheist or agnostic could even object to the supplication with which the Court opens each session: 'God save the United States and this honorable Court.'" (343 U.S. 312–313.)

At the present time, several cases are on their way to the Supreme Court in which some of the practices listed above are involved. For example, the American Civil Liberties Union has a suit pendiing to erase the words "under God" from the Pledge of Allegiance.

I do not believe the people of the United States, no matter what their particular denomination, want this Nation to carry its official position of "no position" to this extreme. Any man who has reduced his mind to the point where he has "no position" on any subject, is little more than a vegetable. A nation is no different. A godless nation is not a neutral nation. It is one which has taken a position against God and, I submit, this is the wrong decision. It is one we must not take.

Any person or group which takes the position today that Congress should no nothing to reestablish the first amendment will have no cause to complain when any or all of the practices listed on page 2 are systematically struck down one by one by the Supreme Court. The Everson philosophy underlies the prayers-in-schools decision and it will be the same philosophy the Court will use when they make all future decisions.

This, then, is what the controversy is all about; not whether or not children can be permitted to join in voluntary prayers in school, but the question of the Federal Government's attitude toward the existence of a Supreme Being. The Supreme Court has not taken the view of the believer who says, "Yes, there is a Supreme Being." It has not taken the view of the atheist who says, "No, there is not." It has not even taken the position of the agnostic who says, "I don't know."

The Supreme Court has said that the official position of this country is one of suspended judgment on the question of His existence.

It has been held by some that Congress need only to withdraw from the Supreme Court its appellate jurisdiction in cases involving religion. This, they claim, will take away from the Supreme Court the right to rule in religious cases and thus, no amendment would be needed. This is a possible solution but as a practical matter, I doubt that it can be done. The principal arguments against such action are (1) although this would hamstring the Supreme Court it would not stop lower courts from making the same decisions and (2) it would not strike down the Everson decision and others already made.

There are also some who want to take no action to stop the Court in the hope that it will abandon the Everson philosophy when it is seen how unpopular it is. I can find nothing in the record of the present Court to indicate it is likely to change. As a matter of fact, the Everson philosophy is in perfect accord with the Court's social ideologies and its general trend toward socialism. I believe the Court went to great lengths to establish firmly the Everson philosophy for the sole purpose of using its language as a springboard for all future decisions on any cases involving religion.

There are those who say that Congress is concerned over what the Supreme Court did in the prayer cases because of pressure from religious fanatics and those who do not understand what the Court has done. This is a totally unfair statement. Few Americans would want Congress to be unconcerned over so grave an issue. It would be far easier, from a political point of view, for Members of Congress to ignore the controversy and take no part in it. Those of us who are concerned are reacting to only one pressure: our consciences. Evangelist Billy Graham spoke of his concern recently when he said: "What we have seen is only the beginning of what we face. If there is a movement by a small minority to remove the idea of God completely from our national life, I think it extremely dangerous. I back the Becker amendment." His Eminence Francis Cardinal Spellman has taken substantially the same position. I do not believe it can be argued that men like Billy Graham and His Eminence Francis Cardinal Spellman can be accused of reacting because of pressure. Certainly, I am not.

A group of us in the Congress feel that the Everson philosophy paves the way for total removal of God from all public life in which government at all levels has a part. We are searching for the most effective way possibe to restore the first amendment to its previous meaning. There is no intent to weaken the amendment, only to strengthen it.

The suggestion now receiving the most attention in the press is the so-called Becker amendment which states:

"Section 1. Nothing in this Constitution shall be deemed to prohibit the offering, reading from, or listening to prayers or Biblical Scripture, if participation therein is on a voluntary basis, in any governmental or public school, institution, or place.

"Sec. 2. Nothing in this Constitution shall be deemed to prohibit making reference to belief in, reliance upon or invoking the aid of God or a Supreme Being in any governmental or public document, proceeding, activity, ceremony, school, institution, or place, or upon any coinage, currency, or obligation of the United States.

"Sec. 3. Nothing in this article shall constitute an establishment of religion."

I do not take the position that this amendment is perfect in its wordage. I do not take the attitude that this is the only idea worth considering. I am championing a cause, not a bill. This amendment was offered as a starting point.

Hearings are now being held by the House Committee on the Judiciary on the Becker amendment and other proposals. Indications are that the committee will not report a bill out for vote by Congress. When any bill is thus bottled up in committee, it is possible for a majority of the Members to sign a discharge petition and take the bill away from the committee. This has been done in this case with discharge petition No. 3. So far, 167 Members have signed it out of the total of 218 needed. The rules of the House prohibit my telling you who has signed the petition and who has not.

The seeds of Godlessness were planted by the Everson philosophy. It has sprouted a poisonous vine, only one branch of which is the school-prayer case. In my opinion, the only solution is to uproot the vine (the Everson philosophy) and, by so doing, kill all the branches which will, sooner or later, choke out religion in every form as far as government at all levels is concerned.

The Supreme Court and some Members of the Congress are counting on public apathy to kill this entire issue. They hope to confuse enough people into thinking that nothing has been done except to prohibit prescribed prayers in public schools. The public has not been told the true implications of the Everson philosophy.

In my opinion, there are four alternatives open to us:

1. A resolution by the Congress declaring it to be the opinion and the philosophy of the Congress that voluntary nondenominational prayers in public schools should be permitted and that the Court should not take any steps or declare any philosophy which would, in any way dilute the guarantees of freedom in the first amendment. This course could be the most direct step, if it is effective.
2. Have the Judiciary Committee, composed entirely of attorneys, write acceptable language to clarify the issue and pass it as a constitutional amendment.
3. Obtain additional signatures on the discharge petition to consider the Becker amendment on the floor of the House.
4. Do nothing and let the Everson philosophy become the official view of government at all levels in the United States.

I have taken an active part in this issue because, in my meditations, I have asked myself a number of questions. I return always to a single question, however: What is the will of God? It would be easier, politically, to avoid the issue but that would be cowardly and a sin of omission. Sins of omission are, in my mind, often greater than sins of commission.

If this issue is choked off and is allowed to die when Congress adjourns, I believe the battle is lost, and this Nation, with its priceless heritage of religious freedom under the first amendment, will be launched on a sea of godlessness for an endless voyage into darkness.

DR. WALTER COURTENAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I have just had an opportunity to read a copy of a recent sermon delivered by Dr. Walter Courtenay of the First Presbyterian Church of Nashville, Tenn. It is one of the most provocative messages on the subject of maintaining our equilibrium that I have ever read.

Dr. Courtenay, twice winner of Freedoms Foundation Awards, took the title "The Problem of Equilibrium."

The Nashville Banner carried his sermon and a brief introduction of it on the front page of their paper earlier this month.

It is a message I commend to the attention of every Member and I ask unanimous consent that it be printed here in the RECORD.

FORCE MEASURES WILL NOT RESTORE NATION'S EQUILIBRIUM

A plea for a moratorium on the efforts of Congress and paid race leaders to force a majority of U.S. citizens into a police state for the benefit of a minority was made by Dr. Walter Courtenay in a sermon yesterday.

The minister of the First Presbyterian Church, who has won two Freedoms Foundation Awards, the last this year for a sermon, "The Problems of Equality," Sunday decried "sit-ins, sit-downs, lie-downs, kneel-downs" and demonstrations that create fear and hate—"make a mockery of law and order."

As in the case of Dr. Courtenay's second award-winning sermon, the Banner herewith reproduces in full, yesterday's message, titled, "The Problem of Equilibrium." Here is a summary preceding the text.

The minister made these points among many others:

"Let no modern group try to bolster their cause by saying they are doing what their forefathers did—The American Revolution was a revolution of big men against littleness in government.

"Church leaders now say anyone who does not wholeheartedly support total integration is un-American and pagan. * * * They would compress all Christians into their mold or destroy them."

The FEPC section of the civil rights bill "would force employers to hire people they neither want nor need; force others to serve people they do not want to serve; force others to work with people they do not want to work with. The Nation would be turned into a police state for the benefit of a minority of citizens.

"I find little of the spirit of Jesus in most of what has been said and done. The methods used are hate and fear builders—a shotgun held at the community's or businessman's stomach.

"Let no one doubt that our colored friends and fellow citizens have reasonable grievances that call for justice." But "one injustice is not excused for concocting others.

"The present imbalance cannot be solved by fired-up Negro leaders paid to stoke fires, nor by those whites whose minds are closed to just complaints of the black men. Nor can it be solved by white men whose primary aim is votes."

The need? "A moratorium on racial pressures—a cooling off period. We need a cessation of the effort to compel white people by threat of force to meet both the fair and the unfair demands of the colored leaders. Such a moratorium would do more to restore national equilibrium than all the laws Congress can pass in the next 4 years."

Complete sermon text follows:

"Keeping life in balance, living in a state of near equilibrium becomes increasingly difficult. Equilibrium, 'the state of balance between two opposing forces or actions' is America's greatest need today, and one that is almost impossible to achieve. Everything we believe in, everything that gave stability to our yesterday now seems to be in a state of indecision, alteration, or disintegration. Life for many of us lurches, lunges, falls off stride, and lacks a reassuring sense of sane direction. Our very streets heave and pulsate with waves of emotionalism. We are like landlubbers trying to stand upright on the dark deck of a storm-tossed sailing ship.

"Standing still is impossible, but so are sensible steps of progress. We are like people taking their first ride on a roller coaster. They climb, twist, plunge, swing, and climb again. Their bodies stiffen. The air is forced from their lungs. Apprehension grips them. They wonder what stupidity motivated them to buy a ticket in the first place. They have no control over the car. They can neither decrease acceleration nor apply brakes. All they can do is to hold on and hope for the best.

"One reason for this roller coaster feeling is the fact that we are living in a hinge period of history, or an unhinged period of history. Since 1917 ushered us into World War I nothing has been quite the same. That war ushered in the start of the world's disintegration, and we Americans, unintentionally perhaps, have helped hasten it. We were the ones who ridiculed colonialism. We were the ones who pressed for the self-determination of peoples whether they were ready or not. We were the ones who urged Britain, France, and others to relinquish their foreign possessions, and we were the ones who encouraged colonial people to clamor for home rule. We assigned ourselves the task of reshaping the world to suit our ideals of independence. Not that our ideas were clear cut. Not that they were free of fuzziness and mirage outlines. Seeing what we had made out of our own revolution we had the strange belief that other peoples, given a chance, could do as well.

"SPECIAL BACKGROUND

"In our adolescent self-assurance and idealism we forgot that our situation in the 18th century was a special one. We were a special kind of people, with a special background, special reasons for revolt, and a special objective in mind. Our forefathers were not ignorant, uncultured, exploited, bitter people. They were educated and cultured, people endowed with abilities and talents, and steeped in history, love of freedom and the blessings of self-government. Those giants of our freedom-seeking years were men of social status, substance, and honor. They were not 'nobodies' trying to become 'somebodies.' They were not 'have-nots' trying to grow rich off the 'haves.' They were not failures hoping to become successful through revolution. They were not social pirates sailing forth to possess someone else's property. They were not beatniks expressing dissatisfaction with a way of life not to their liking. They were not anarchists resolved to destroy the old order. No, they were honest, honorable, hardworking men, asking only for the privilege of owning what they owned, to have a large voice in governmental affairs, the right to conduct their businesses without government interference, to elect their own representatives to legislative bodies, and the right to worship without fear of parliamentary acts of conformity. They were Britishers asking only for the rights their history had taught them to expect, and their argument was against a king, and not against their own kin, the British people.

"AMERICAN REVOLUTION

"Let no modern group try to bolster up their cause by saying that they are only doing what our forefathers did. Let them face the fact that the American Revolution has never been duplicated either before or since. Our Founding Fathers were the very opposite of revolutionaries. They were farmers, merchants, bakers, bankers, publishers, silversmiths, teachers, preachers, shipbuilders, hunters, fishermen. They owned their own businesses, their own land, and under God had hopes of growing in affluence and influence. They were no ordinary people voicing ordinary complaints. The men who fought under Washington were not a nameless, impoverished people. Little men and big men they placed in jeopardy their lands, their businesses, their loved ones and their lives. They were England's finest Englishmen, and were never so truly English as in their hour of revolution. This was no revolution of little men filled with big hates. This was a revolution of big men who hated littleness in government and were resolved to put an end to it. It was their ambition to bring to a new state of equilibrium their unbalanced land and their own lives.

"I am interested in these matters because what once seemed stable to me is now unstable, and I find it difficult to live happily in a state of imbalance. Nature, in placing three semicircular canals within my inner ear, intended me to be a balanced person, and to know when things are out of balance. I am sensitive to imbalance within myself and within my environment. I did not have to live long to learn that a man can easily know whether he is standing on his head or his feet.

"Because of this I am a little seasick or airsick or heartsick when equilibrium is lost in myself, my community, or my Nation. Peace, progress, and prosperity are evidences of things in balance. War, depression, and civil strife are always evidences of imbalance. In times of peace, prosperity, and progress we are happiest, feel well adjusted, and in place. We are unhappiest when society loses its highflying flags denoting that all is well.

"In my years I have known happy times of equilibrium in my life, my home, my community, and my Nation. Many of my growing and my mature years have been rich in equilibrium's blessings, and I have also known their opposites.

"One lesson time has taught me: equilibrium is never a permanent state of existence, and in my years I have known both the heaven and the hell sides of equilibrium. The balanced times were wonderful. They healed and re-created. They straightened and strengthened. They cleansed and corrected. Their opposites, the times of imbalance, were opposites indeed.

"LIFE AND BALANCE

"Life seems to dislike a permanent state of balance. She seems determined to force us out of such a state and into one that endangers all that we hold precious. Our times of balance are therefore infrequent times. They are visitors; they are never residents. No one can live on earth in a permanent state of happy equilibrium. Health is a state of physical equilibrium, but illness and accidents destroy it. Peace of mind is a state of mental equilibrium, but worry disturbs it. Self-assurance is a state of social and economic equilibrium, but a loss of funds or friends can alter that. Faith is a state of spiritual equilibrium, but doubts, poor health, disappointments, and strength-draining sorrow can change us rapidly.

"We seek to acquire education, culture, wealth, health, religion, and character, hoping that these will support us in our search for balanced lives. We instinctively feel that they should help keep life level and in good order, sustain us in our times of imbalance, and restore us to equilibrium without undue delay. We all count on them to help us live balanced, useful lives, even though they often let us down.

"We need no special lessons in this field. Who has not used love, patience, tolerance, good will, forgiveness, and hope as aids to equilibrium? We all feel our need of such to sustain balance within ourselves and between ourselves and other people, and in their use who has not been blessed.

"NEED FOR STABILITY

"Yet, I am a realist. Society can no more gain and retain a state of equilibrium than can an individual. Some periods are more tranquil than others, but only by comparison. Society has never known a time of pure justice and never will. Only he who habitually looks through rose-colored glasses can think otherwise. Times are again and again out of joint, in a state of unbalancedness, and such is the time in which we live today.

"In this racially disturbed community and land I long for stability and peace. The strife that tortures Nashville and other American cities serves no good purpose in a world reeling and rocking with interracial antipathies. The world that once seemed sane and stable to me, as stable as a Navy pier, now rolls and tosses like a small boat off Cape Horn. To one who likes balanced living and things in their place I find little happiness in the events of my day.

"Again I stand to decry sit-ins, lie-downs, kneel-downs, and the demonstrations that create fear, block traffic, rob merchants of essential business, and make a mockery of law and order. I decry those who incite such actions, even as I decry their opposites who meet unreasonableness with unreasonableness. I decry so-called nonviolent marches that create feelings of violence in others and fuse every day with danger.

"I find little of the spirit of Jesus in most of what has been said and done, to date and with all too little justification. The methods used are hate and fear builders, and are in fact a shotgun held at a community's or businessman's stomach and such actions are as reprehensible as the action of a gun-wielding robber.

"FORCE MEASURE

"So unbalanced are we in much of our current thinking that we now propose to pass laws forcing employers to hire people they neither want nor need, to force others to serve people they do not want to serve; to force others to work with people they do not want to work with, and to threaten honest citizens with fines, jail sentences, and the loss of their livelihoods for enjoying what they have been trained to believe are the privileges of our American democratic, free enterprise system. We now propose to reshape the life of the entire Nation to suit the needs of one minority group and at the cost of depriving other groups of just rights under our Constitution.

"So unbalanced are the times in which we live, and so fuzzy our thinking, that church leaders now say that anyone who does not wholeheartedly support the total integration of the Nation is un-American and pagan. They go on to state that anyone who leaves a white church because of integration should be excluded from all churches and cast into outer darkness. These people assume that God Almighty is on their side and that there is no other side. They would compress all Christians into their mold or destroy them.

"One can only conclude that many people are living in a tailspin of confusion. If all the integrationist schemes now extant were enacted into law we would create a Federal power freemen could not long endure. We would turn this land into a police state for the benefit of a minority of favored citizens. Men and women, who, by hard work and frugality, have built profitable businesses would lose all privileges if they declined to meet the social conditions passed for the benefit of this group. We would create chaos in our streets, fear in our hearts, and alter irretrievably everything that has been American in the past.

"CALL FOR JUSTICE

"Let no one doubt but that our colored friends and fellow citizens have reasonable grievances that call for justice. No one argues that fact. More jobs ought to be open to qualified Negroes and steps need to be taken to make it easier for them to work their way into positions of responsibility and leadership. We must differentiate between those who by personal initiative and hard work have won for themselves significant distinction and those who by education, culture, and social outlook are quite otherwise. In this whole area there is need for realistic study by down-to-earth interracial groups who seek paths of progress and do not demand overnight capitulation to minority opinion. But many do argue, and with justification, that the method of remedying the grievances merely creates new grievances. One injustice is no excuse for concocting others.

"And let it be clearly held in mind that it was the white man's intelligence and money that built our schools, churches, public buildings, and created our governmental system. Only a very small portion of the colored man's money went into the creation of modern America. This was not his fault. If he had had more he would have contributed more, but the fact remains that most of what exists, exists because of the white man's mind, and money.

"Somewhere along the racial line we need practicality and realism. It is unrealistic to expect that people long accustomed to one way of life, and one view of life, will suddenly alter their ways and views. It is foolish to assume that people can be forced to do by law what they will not do by honest conviction. It is absurd for leaders whose invectives burn the ears of their opponents to assume that they will be loved in return. Coercion creates resentment, and resentment under pressure rapidly becomes resistance. It cannot be otherwise.

"Only a very small percentage of our Nashville colored people are supporters of what is being said and done in our community. The vast majority of them resent their children being prevented from attending school, made to carry placards and march, and resent, too, those Negroes who are apparently paid to parade and picket.

"SMALL PERCENTAGE

"Only a small percentage of our white people are hysterical over the colored man's plea for justice in our democracy, but this group is resolved, regardless of expense, to fasten the black man in the stocks of outmoded, un-American Jim Crowism. The vast majority of white people are out of patience with the extremists on both sides of the issues of progress sans fiery agitation and bitterness.

"Experience suggests that we need a long-range program of advance, a program that will give people time to adjust and gain understanding, a program that will slowly but surely bring about a rectification of injustices, a program that will be Christian in spirit and method, a program that will not increase racial tensions, but decrease them.

"One thing seems clear to me as a white American: if the erosion of the private rights of responsible, honorable citizens, continues for the next 10 years, if the federalization of communities and States is accelerated, our American dream will never be fulfilled, and all citizens, and the entire world will suffer in consequence.

"The imbalance existing now cannot be solved by fired-up Negro leaders who are hired to stoke fires and keep pots boiling. Nor can it be solved by those whites whose minds are closed to the just complaints of black men. Nor can it be solved by politicians whose primary aim is votes. Nor by the so-called civil rights bill in Washington with its undefined and undefinable phrases. What we need and need desperately, is a moratorium on racial pressures. We need a cooling-off period. We need a cessation of the effort to compel white people by threat of force to meet both the fair and unfair demands of colored leaders. We need a prolonged period of interracial planning in depth, in an atmosphere free of coercion. Such a moratorium would do more to restore national equilibrium than all the laws Congress can pass in the next 4 years.

"NEW APPROACH

"Will it happen? I doubt it. It seems wishful thinking to expect paid leaders to give up paychecks and the national spotlight in order to find paths of peace in this area of our national life. Yet, with all my heart I hope. Pure justice we cannot have, and in a sense it is the last thing we want, but we all want a new atmosphere and a new approach to an old problem.

Under present conditions non-Christian attitudes are redolent on all sides. As long as the battle continues in its current form we will reach no good solutions. The dust and smoke of our warfare blinds us to possibilities now unseen. We need an end to hostilities in order to locate ourselves and others, to listen to the wounded, and care for the dead.

"We need time for the dust to settle, for the smoke to drift away, in order that we may bring to an end our wasteful ways and begin the task of building better racial roads into our future.

"Paul, caught up in the backwash of Christianity's original surge against established shorelines, felt many times as we do. But he was neither helpless nor hopeless nor did he curse the sky, and beat the air with his fists. He surveyed the terrain, the problem confronting him, and quietly said, 'We are afflicted—but not crushed; perplexed, but not driven to despair; persecuted, but not forsaken; struck down, but not destroyed. So we do not lose heart. For this momentary affliction is preparing for us an eternal weight of glory beyond comparison, because we look not to the things that are seen, but to the things that are unseen; for the things that are seen are transient, but the things that are unseen are eternal'."

ADMIRAL HALSEY AND GENERAL MacARTHUR

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. DORN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DORN. Mr. Speaker, we are grateful to Maj. Gen. Julius Klein for releasing a magnificent and historic letter from Adm. William F. Halsey to Gen. Douglas MacArthur, written in longhand, on April 14, 1951.

Mr. Speaker, I highly recommend to the Congress and the country General Klein's press release of April 6, 1964, and Admiral Halsey's letter:

SECRET LETTER OF TRIBUTE FROM ADMIRAL HALSEY TO GENERAL MACARTHUR REVEALED FOR THE FIRST TIME

(Maj. Gen. Julius Klein (U.S. Army, retired), of the 33d Infantry Division of Chicago, was a combat commander in the Pacific during World War II under Gen. Douglas MacArthur and Adm. W. F. Halsey. In 1951 General Klein refused to remain silent over the dismissal of General MacArthur from his position as commander in chief of

Allied Forces in the Pacific, with the result that General Klein was relieved of his own command with the 109th AAA Brigade in Chicago, and put on the inactive list. After President Eisenhower took office Klein was reinstated. He retired from the Army Reserve in 1960 when he reached the statutory retirement age.)

WASHINGTON, D.C.—The greatest tribute Gen. Douglas MacArthur ever received in life—or in death—was sent to him secretly by Adm. William F. Halsey immediately following the general's dismissal from his post as commander in chief of Allied Forces in the Pacific 13 years ago. It is a tribute that may now be revealed for the first time.

Maj. Gen. Julius Klein, a mutual friend of the two great military leaders under whom he served in World War II, was entrusted by Admiral Halsey to deliver a letter to General MacArthur as soon as his plane touched down in San Francisco when he returned to the United States following his dismissal from his Korean command.

Admiral Halsey's letter of April 14, 1951, told General MacArthur:

"I am thoroughly aroused at the events that have transpired in the past few days—I only regret that I cannot join openly in expressing my righteous indignation.

"You are beloved and revered by millions of good, solid citizens. They and I would rally to your banners if you would take on the stupendous task of leading us out of the fog of frustration now surrounding us."

General Klein, who was once a Hearst newspaperman and who is a lifelong citizen-soldier, suggested to Halsey it would be advisable to make copies of the letter since, with all the thousands of people at the airport, General MacArthur might misplace it.

"I took the letter down to police headquarters in San Francisco," General Klein recalls, "to have it photostated by a trusted Pacific veteran in order to insure discretion; I made three copies. One I handed to General MacArthur with the original letter, another I mailed to his New York apartment, and the third one I kept—with the approval of Halsey and MacArthur—for the memoirs I told Halsey I'd be writing one of these days."

Klein recalls he first met MacArthur in 1918 when he was a warrant officer and translator for General Harris of General Pershing's staff. He met him again in Washington when, as Army Chief of Staff under Herbert Hoover, MacArthur was ordered to disperse the "bonus army" that had descended on Washington and settled on the shore of the Anacostia River.

"It was a job calling for a colonel at most, certainly not a four-star Army Chief of Staff," Klein recalls. "But MacArthur said, 'I wouldn't give this dirty job to a subordinate,' and took upon himself full responsibility for an action that he knew would be strongly criticized in the future."

Klein, at the direction of his immediate Army commander, the late Gen. Robert C. Richardson, played a major role in the Army-Navy rivalry for the appointment of the supreme commander to conduct the final phase of the war against Japan. President Roosevelt was planning to relieve MacArthur in the Philippines and turn over supreme command of the Japanese attack to a naval commander, or to Gen. George C. Marshall.

General Richardson, a West Point junior classman of MacArthur's, reported in his memoirs which have been prepared for publication:

"Colonel, later general, Klein felt that when General MacArthur captured Manila the news would be so tremendous throughout the world that he should let people know that he was going to press forward and retain the initiative. After the capture of Manila, the battle cry in the United States must be—'On to Tokyo—With MacArthur' Klein recommended."

General Richardson concurred and made the recommendation to MacArthur.

MacArthur did use the "On to Tokyo" phrase after the liberation of Manila and it swept the United States and the Halls of Congress. President Roosevelt and others opposing MacArthur, upon seeing the rising public sentiment in favor of MacArthur, dropped their opposition.

When MacArthur was fired by President Truman in 1951, Klein was one of the most vocal opponents of the act. Reviewing the events of that spring, Senator BARRY GOLDWATER told the Senate on the 10th anniversary of the dismissal:

"After General MacArthur was fired by former President Truman, General Klein also was fired as commanding general of his Illinois National Guard unit by the then Governor of Illinois, Adlai Stevenson, for defending MacArthur.

"The unit he commanded was liquidated and General Klein was then put on the inactive list as punishment for speaking out against the shameful treatment given General MacArthur."

Klein's unit was reactivated 2 years later, as reported by Time magazine of February 12, 1953:

"Gov. William G. Stratton's action in ordering reactivation of the 109th Antiaircraft Artillery Brigade of the Illinois National Guard, and the appointment of Brig. Gen. Julius Klein as commander of the 109th, rights a wrong that was committed in 1951."

During the past few days General Klein kept the long vigil in Washington with the scores of comrades who had fought under MacArthur, praying their old chief would win his gallant fight.

Upon General MacArthur's death, General Klein said:

"The death of Gen. Douglas MacArthur is a tragic loss to defenders of freedom all over the world, and the death of my former commander in chief and close friend is a deep personal loss.

"Not since George Washington has America produced such a soldier-statesman: great in war and great in peace. He died as he lived: fighting against insurmountable odds far longer than anyone could ask. His spirit never broke, his heart never surrendered, neither in life nor in death.

"In his historic farewell speech to Congress he concluded with the lines of his favorite West Point ballad: 'Old soldiers never die, they just fade away.' To millions of Americans and fighters for freedom the world over, his body may fade away, but the old soldier will live on as an American legend and inspiration forever."

THE AMBASSADOR,
New York, April 14, 1951.

DEAR GENERAL MACARTHUR: Through the thoughtfulness and kindness of our mutual friend, Julius Klein, I am hoping this letter may reach you.

I am proud to have served with and under you in World War II. I am very proud, as an American citizen, of the splendid record you have made in the Orient, since the termination of hostilities; joining untold millions of American citizens, I am thoroughly aroused by the events that have transpired in the past few days. I only regret that I cannot join openly in expressing my righteous indignation.

Like other good Americans, I am not only resentful of the very shabby treatment you have received personally, but far beyond that I am appalled at the implications and consequences that may affect our beloved country because of this act.

You have weathered many storms and crises in your long and exceptionally brilliant career, and have always come out on top. I feel that your leadership has just brought us through one great crisis, and that unfortunately you were not left to complete the job. I feel leadership in our country, at the moment, is at a very low ebb. You are beloved and revered by millions of good, solid American citizens. These same citizens are hoping for someone to lead them out of the depths of despair, uncertainty, and frustrations under which they now labor. Like them, I feel you know more about the Orient and orientals than any man in this country. Mayhaps the crisis we face at home is greater than the present crisis in the Orient. They and I would rally to your banners, if you would take on the stupendous task of leading us out of the fog of frustration now surrounding us. I trust you will consider it very carefully. I have talked to many able and stable citizens, and without exception they have the same hope.

The whole situation so completely parallels the early days in the Pacific, where in spite of all our pleadings we were getting practically nothing, although the only American forces fighting, that the present situation is extremely vivid to me.

I wanted you to know how right I think you are, and how proud I am to be your friend. I know you will never stop fighting when you think you are right, and I am so sure that you are 100-percent right. I am also sure that the opposition, or whatever you choose to call them (I am coming to the choice of "appeasers"), are 100-percent wrong.

I do hope I shall have the opportunity of seeing you personally when you reach New York.

This carries with it my respect, admiration, and very deep affection.

My very best to Mrs. MacArthur and you always.

One hundred percent and cordially yours,
W. F. HALSEY.

MORE AID FOR NASSER: A TRAGIC POLICY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, I rise once again to underscore the duplicity and shortsightedness of American policy toward the Middle East, and specifically in this case, with regard to the recent news that the United States was the prime mover in securing for Egypt a $40 million loan from the International Monetary Fund.

The Soviet Premier has just returned to Moscow from a lengthy visit with Colonel Nasser, confident that he has already made considerable gains in winning the adherence of the Arab camp. The Soviet Union has granted a loan worth around $227 million. This will further enhance Nasser's ability to divert his internal resources toward the establishment of an awesome weaponry.

This military buildup can only serve to endanger the already dim prospects for stability and peace in the area. The subversive intent of Nasser's objectives have been the prime cause of the instability in the entire region.

It is a legitimate policy to assist the less-developed countries in their drive toward higher living standards and reasonable economic self-sufficiency. But it is ludicrous to assist nations which insist upon allocating vast quantities of their own resources toward military development, especially when that development is unjustified in rational terms and constitutes a continuing source of tension.

This is the unsatisfactory basis upon which the United States has seen fit to grant economic aid to the United Arab Republic. This assistance is serving to underwrite the Egyptian arms establishment, whereas it seems clear all the while that this weaponry is in fact defeating our long-range objective of peace in the Middle East.

The International Monetary Fund loan which was formally approved this week had the energetic and instrumental backing of the United States. It is my understanding that several of our allies, members of the IMF, opposed the move, and that it would not have been sanctioned if the United States had not thrown its weighted vote in support of the proposal.

Borrowings from the IMF are governed by the most stringent financial rules. I am informed that some of these regulations were broken in this case. Drawings from the fund are subject to approval by the Board of Directors when the recipient nation demonstrates that it is economically and fiscally capable of fulfilling the intent of the loan.

Partially in question here is the country's willingness to adopt sound internal policies for bolstering its currency, and its capacity for improving its international payments position and for combating harmful inflation.

Evidently, as far as the United Arab Republic is concerned, these were relative factors. Not very long ago, when the IMF had given preliminary approval of its participation in a scheme to assist Indonesia, the whole proposition was shelved when President Sukarno and his government clearly indicated that Indonesia was not prepared to adopt certain necessary, mature financial policies.

The American support of the IMF loan was unmistakably a political move in part. This is ironical and doubly mischievous.

I think everyone will agree that in giving material support to the economic development of poorer countries, we should not insist upon their full political adherence in international affairs. We do not wish to intervene in the internal affairs of another state. Economic aid will fail if we make it purely a purchase price for political purposes.

We could genuinely support economic assistance to Egypt if we knew their Government was intent upon social and economic goals; if we knew that their own resources were not being used for an absurd military growth; and if we knew that their leaders were firm in their desire to enact sound fiscal policies.

Our policy of bolstering Nasser's position is failing on both political and economic grounds. The U.S. support for the IMF loan is a shocking indication that this failure goes unrecognized in the high councils of policy formation.

Mr. Speaker, this whole area is in need of a thorough review. I, for one, cannot let the matter rest, and I intend to pursue it further with regard to the recent action of the International Monetary Fund.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HAGEN of California (at the request of Mr. BOGGS), for 60 minutes, on June 8, and to revise and extend his remarks and include extraneous matter.

Mr. HALPERN (at the request of Mr. BOW), for 10 minutes, today, and to revise and extend his remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FULTON of Pennsylvania.

(The following Members (at the request of Mr. BOW) and to include extraneous matter:)

Mr. MCLOSKEY.

Mr. JENSEN.

Mr. DOLE.

Mr. BARRY.

Mr. CLEVELAND.

(The following Members (at the request of Mr. BOGGS) and to include extraneous matter:)

Mr. PURCELL.

Mr. CORMAN.

Mr. BENNETT of Florida.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 538. An act for the relief of Henry Bang Williams.

ADJOURNMENT

Mr. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until Monday, June 1, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2126. A communication from the President of the United States, transmitting amendments to the request for appropriations transmitted in the budget for 1965 as follows: A proposed language provision and an amendment in the amount of $314,000 for the Panama Canal; decreases of $1,969,000 for the Department of the Interior; and a proposed redistribution of funds for the Corps of Engineers (H. Doc. No. 309); to the Committee on Appropriations and ordered to be printed.

2127. A letter from the Assistant Secretary, Export-Import Bank of Washington, transmitting a report that the Export-Import Bank of Washington on May 22, 1964, issued its guarantees with respect to certain transactions with Hungary, pursuant to title III of the Foreign Aid and Related Agencies Appropriation Act of 1964, and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

2128. A letter from the executive director, the Military Chaplains Association of the United States of America, transmitting the annual report of the financial statement for the year 1963 for the Military Chaplains Association of the United States of America; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'NEILL: Committee on Rules. House Resolution 738. Resolution for consideration of H.R. 3846, a bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes; without amendment (Rept. No. 1439). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 739. Resolution for consideration of H.R. 10392, a bill authorizing the Commissioners of the District of Columbia to locate a portion of a vehicular tunnel under parts of the U.S. Capitol Grounds and the U.S. Botanic Garden grounds, and for other purposes; without amendment (Rept. No. 1440). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 740. Resolution for consideration of H.R. 10503, a bill to authorize appropriations for the fiscal years 1966 and 1967 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes; without amendment (Rept. No. 1441). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON:

H.R. 11433. A bill to provide that the refusal of nonprofit blood banks and of physicians to obtain blood and blood plasma from other blood banks, and other activities, shall not be deemed to be acts in restraint of trade under the laws of the United States; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 11434. A bill to amend the Internal Revenue Code of 1954 to provide deductions for persons engaged in trade or business who provide new jobs for the skilled and for all persons who provide new jobs for domestics and the unskilled; to the Committee on Ways and Means.

By Mr. HEALEY:

H.R. 11435. A bill to provide that tips received by an employee in the course of his employment shall be included as part of his wages for old-age, survivors, and disability insurance purposes and for purposes of income tax withholding; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 11436. A bill to amend titles I, II, III of the Immigration and Nationality Act and for other purposes; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 11437. A bill to amend titles I, II, III of the Immigration and Nationality Act and for other purposes; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H.R. 11438. A bill to amend the Alaska Omnibus Act to provide assistance to the State of Alaska for the reconstruction of areas damaged by the earthquake of March 1964 and subsequent seismic waves, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RYAN of New York:

H.R. 11439. A bill to amend section 128 of title 23 of the United States Code to require at least 30 days' notice before any public hearing is held under that section, and for other purposes; to the Committee on Public Works.

By Mr. TALCOTT:

H.R. 11440. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H.R. 11441. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. HEALEY:

H.J. Res. 1037. Joint resolution condemning persecution by the Soviet Union of persons because of their religion; to the Committee on Foreign Affairs.

By Mr. RYAN of Michigan:

H.J. Res. 1038. Joint resolution to establish a Tercentenary Commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHADEBERG:

H. Con. Res. 309. Concurrent resolution authorizing and requesting the President to take such steps as may be necessary to have placed on the agenda of the General Assembly of the United Nations at the next regular session the issue of self-determination for all nations enslaved by Communist imperialism; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 11442. A bill for the relief of Giuseppe Iccari; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11443. A bill for the relief of Salvatore Giallombardo; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 11444. A bill for the relief of Przemyslaw Marianski; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Distinguished Service Citation Awarded to Senator Stuart Symington in American War Mothers Ceremony

EXTENSION OF REMARKS

OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 28, 1964

Mr. RANDOLPH. Mr. President, perhaps no statement of the dedicated American spirit will ever surpass in simple eloquence those words spoken by the late President John F. Kennedy in his inaugural address when he said, "Ask not what your country can do for you—ask what you can do for your country."

The American War Mothers represent the highest order of service and sacrifice to American ideals; and their annual ceremony on Mother's Day at Arlington National Cemetery is one of the most moving hours of patriotic devotion any citizen can experience.

On Mother's Day this year, May 10, it was my privilege to be present at the ceremony and hear an eloquent brief address by the senior Senator from Missouri. I believe he stated with great insight the essence of America's present and future challenge, in pressing toward that ultimate world order in which freedom and peace will surely endure.

It was fitting also that this distinguished American, STUART SYMINGTON, who has served this Nation well not only as a Member of the Senate, but as first Secretary of the Air Force and in other positions of highest trust related to the security of this Nation, was honored on that occasion with a citation presented on behalf of the American War Mothers by their national president, Mrs. Louis H. Breuer. I ask that the text of that citation be inserted at this point in the RECORD.

I also ask that Senator SYMINGTON'S address, as principal speaker on this occasion, also be included in the RECORD.

There being no objection, the citation and address were ordered to be printed in the RECORD, as follows:

The American War Mothers, in their 40th annual Mother's Day program at Arlington National Cemetery, present this citation to the Honorable STUART SYMINGTON, of Missouri, in recognition of his leadership in business, as a member of the executive branch of the Federal Government and as a U.S. Senator in the continuing effort to keep our country strong in order that we may remain free.

We honor him not only for his work and support of the armed services of our beloved country but also for his dedication and devotion to the cause of keeping our country strong economically and, above all, for his public service in furtherance of our cherished American ideals.

Done this 10th day of May 1964.

Mrs. LOUIS H. BREUER,
National President.

"THE GOAL OF PEACE WITH HONOR AND JUSTICE"—ADDRESS BY SENATOR STUART SYMINGTON, AMERICAN WAR MOTHERS' ANNUAL MOTHER'S DAY CEREMONY, ARLINGTON NATIONAL CEMETERY, MAY 10, 1964

It is a rare privilege and honor to be here today as we commemorate all that this great organization, the American War Mothers, stands for.

And that pleasure is emphasized by the fact that Mary Breuer, from my State, is your president.

No nation in world history is more proud of its tradition of freedom than is the United States.

Today as we gather here in memory of those who gave their lives to make that freedom possible, we realize the depths of sacrifice that constitutes our heritage; a sacrifice expressed by white crosses, both in our own country, and in countless lands across the sea.

This inheritance not only comes from our forefathers, but also from those who only yesterday constituted our youth. It is a trust, first established, and then preserved through self-sacrifice and devotion to a cause these heroes considered more meaningful and worthy than life itself.

Today it is for us, the living, to dedicate ourselves to the preservation of liberty, both in our time and for those future generations of Americans we know could only be happy as free men and free women.

In this resting place among our honored dead, therefore, as we also honor the memory of all mothers, let us again this Sunday afternoon reaffirm our pledge to do whatever is necessary so as to maintain the principles and ideals for which they died.

Now a new generation comes forth, to assume responsibilities in a time of potential danger never before experienced by mankind; and as we both reach across the corridors of time to touch hands for a moment of spiritual communion with our heroic dead, this generation knows also that there is no alternative to peace.

War is no longer "the thin red line of our sons." In any possible future general conflict, our homes, our cities, every man, woman, and child will be part of that line; and our way of life, possibly civilization itself, could well be ended.

But we will not flinch. Those we revere today did not flinch. Strong in our faith, determined to remain strong so as to remain free, we will carry out the gentle warning in the phrase "lest we forget."

The people of this Nation will never forget.

And if they could speak, I believe that those who lie here in eternal peace would have this message for us: "Do whatever is necessary to carry on the traditions for which we gave our lives; and with that premise, strive mightily in this nuclear space age to preserve the peace, with honor and justice."

We accept these words. We know that true honor can only be ours if it is associated with justice; therefore world peace under world law should be the goal in our effort to carry out this message. For it is only under law that liberty can endure.

Results of 1964 Legislative Questionnaire

EXTENSION OF REMARKS

OF

HON. ROBERT T. McLOSKEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 28, 1964

Mr. McLOSKEY. Mr. Speaker, earlier this year my office mailed out 113,000 questionnaires—reaching every home in my congressional district.

The return was 18,367, or 16.2 percent, which is far above the national average for similar surveys.

On most questions, whether dealing with domestic issues or foreign affairs, a definite pattern emerged. My constituents were either definitely for or decidely against a given program. About the closest thing to a standoff came on the question:

> Do you favor Federal aid to education for construction of public schools?

On that particular question, the favorable responses totaled 42.2 percent compared with 50.9 percent for the opposition. Only 6.9 percent were undecided or had no opinion.

With respect to whether or not our foreign aid program was effective, 69.9 percent or a better than four-to-one margin answered in the negative.

The complete results of the questionnaires are as follows:

Results of 1964 legislative questionnaire

	Percent		
	Yes	No	No opinion
Domestic issues:			
1. With regard to medical care for the elderly do you favor—			
(a) Increasing social security taxes to finance hospital and nursing home costs for those over 65?	24.3	62.7	13.0
(b) A tax credit or Federal financing to enable individuals to purchase private insurance for both medical and hospital care?	31.9	46.2	21.9
(c) Federal participation in any area in this field?	21.9	54.0	24.1
2. Do you favor Federal aid to education for—			
(a) The construction of public schools?	42.2	50.9	6.9
(b) Paying teachers' salaries?	16.2	72.8	11.0
(c) Private and/or parochial schools?	11.1	78.0	10.9
3. Do you believe a constitutional amendment should be passed to permit prayers in public schools on an optional and nonsectarian basis?	64.8	28.6	6.6
4. Do you believe a Federal budget in excess of $100,000,000,000 is justified during peacetime?	12.9	74.2	12.9
5. Do you believe we should start a Domestic Youth Conservation Corps?	37.9	39.5	22.6
6 Do you favor the creation of a Federal Department of Urban Affairs?	14.6	65.4	20.0
7. Do you believe we are spending too much in space exploration?	61.5	27.7	10.8
8. Do you favor legislation to establish a $375,000,000 Federal program to assist in mass transportation?	13.4	68.0	18.6
9. Do you support a plan which would provide for gradual withdrawal by the Government from farm programs?	83.3	10.2	6.5
10. Do you feel the Federal Government is usurping the powers of State and local governments?	70.5	19.4	10.1
Foreign affairs:			
1. Do you favor admission of Red China to the United Nations?	9.3	82.4	8.3
2. Do you feel more effective steps should be taken to eliminate the Communist threat in Cuba and Latin America?	88.1	6.1	5.8
3. With regard to foreign aid do you feel—			
(a) It is effective?	15.5	69.9	14.6
(b) Economic aid to other nations should be continued?	37.0	43.6	19.4
(c) Military aid to other nations should be continued?	41.0	37.8	21.2
4. Should the President have authority to extend credit to communistic nations for purchase of agricultural commodities?	13.3	80.9	5.8

Bette Davis-Joan Crawford Day

EXTENSION OF REMARKS
OF
HON. JAMES C. CORMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 28, 1964

Mr. CORMAN. Mr. Speaker, on June 15, 1964, the city of Los Angeles will honor, through a proclamation by its mayor, Actresses Joan Crawford and Bette Davis on the occasion of the start of their second costarring motion picture. They are being honored not only by the city, but by the State of California and their fellow workers in the motion picture industry, many of whom reside in my district.

Misses Davis and Crawford have, through the years, helped to create the glamour that is Hollywood and have, by their much acclaimed talent, won recognition throughout the world for our country's cultural achievements as well as for their own personal success.

Both of these great ladies have not only contributed much honor to our motion picture industry and to their profession, but have also contributed immeasuraby to the welfare and advancement of our society.

Miss Davis, the only woman to have served as president of the Academy of Motion Picture Arts and Sciences, was the cofounder of the Hollywood Canteen during World War II and is the permanent president of the canteen, which now exists to provide funds to the Motion Picture Relief Fund and charitable activities of the Variety Clubs International. A Los Angeles Times "Woman of the Year," Miss Davis is also well known for her articles on mentally retarded children, with reference to her retarded adopted daughter, which have aided important research in this field. She is president of the Tailwaggers, an organization dedicated to all dog lovers. Nominated 10 times for an Academy Award and one of the few to have won 2 Academy Awards, Miss Davis takes her obligations as a citizen with as much seriousness and pride as she does her professional career. Her other philanthropies include time given to the WAIFS, service as a good will ambassadress, and cooperating with numerous worldwide charitable organizations.

Miss Crawford's efforts on behalf of our country and society are conspicuous by their unending number. She is chairwoman of the Stars for Mental Health of the National Association for Mental Health, ambassadress at large for CARE, member of the board of directors of the USO in New York, member of the board of directors of the World Rehabilitation Fund and serves as a sponsor for New York's Tuberculosis and Health Association Christmas Seals Campaign. The actress, also an Academy Award winner, helped to establish free theater for the public in the annual Shakespeare Festival in New York's Central Park and she has helped to raise funds for the American Cancer Society, Muscular Dystrophy, Salvation Army, Young Women's Christian Association, New York Herald Tribune Fresh Air Fund, and many other worthwhile causes.

Along with the many constituents in my district who will be honoring Joan Crawford and Bette Davis at 20th Century-Fox Studios on the day named in their honor, I wish to publicly acknowledge and commend their contributions to the welfare of our society as well as their great talents which have done so much to make our motion picture industry the greatest in the world.

Armenian Independence Day

EXTENSION OF REMARKS
OF
HON. JAMES C. CLEVELAND
OF NEW HAMPSHIRE
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 28, 1964

Mr. CLEVELAND. Mr. Speaker, among the many subject people of the Soviet Union is the ancient nation of Armenia. May 28 is celebrated by many Armenians as their national independence day. We should say a few words in the way of a tribute to the bravery of past Armenian patriots, and a reminder of the cruel oppression which still denies Armenians their rightful independence.

It is noteworthy that for many centuries Armenia was closely related to Europe. In about A.D. 300 Armenia became the first Christian nation. In the Middle Ages, arts and letters flourished in Armenia. Indeed, much of the renowned church art of east Europe can be traced to Armenia origins.

Despite its significant cultural and national accomplishments, however, Armenia was often attacked and decimated by expansive neighbors, the Turks, the Persians, the Russians, the Mongols. As is so true of many other crossroads nations, Armenia struggled just to maintain its national identity.

In the 15th century Armenian independence was once destroyed. Numerous times after that Armenians tried to regain freedom. Most of Armenia was divided between Russia and Turkey. This subject position resulted in terrible massacres of Armenians in 1895 and again in 1915, when the nation in Turkey was almost completely eliminated and 600,000 Armenians were killed.

This sad state of affairs was rejected by the people, when, in 1918, they declared their independence. For 2 hopeful years they were able to live as free people, ruled by a popular government. Unfortunately, as soon as the Bolsheviks won the Russian civil war, they attacked Armenia and destroyed once again Armenian independence. Soon free Armenia became the Communist-ruled puppet state, the Armenian Soviet Socialist Republic, which exists today.

We must take this opportunity to join our Armenian friends in protesting the deplorable condition of Armenia. The Armenian people have the right to the free exercise of their national religion and the full development of their unique nation. They have no similarity to Russians, and no love for Communists. The only reason for Armenia's vassal condition today is Russian imperialism. On this anniversary of Armenian independence we appeal to Armenia's conquerors to be humane, to allow Armenia to go free. And we remind Armenians of the dedication of their many martyred forebears, who found it necessary to fight for what they believed in.

A Planned Decrease in Unemployment Through Tax Reduction

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 28, 1964

Mr. BENNETT of Florida. Mr. Speaker, the greatest immediate manpower challenge before us today, as pointed out by President Johnson in the 1964 manpower report of the President, is overcoming unemployment.

Our gross national product was boosted by $30 billion to a record $600 billion a year in 1963, and employment increased by almost a million, going over the 70 million mark. However, during an average week in 1963, 4.2 million Americans seeking work were unemployed due in part to the increasing number of persons coming into the labor market as a result of the population explosion. This was 5.7 percent of our labor force. Another 2.6 million persons seeking full-time work were employed only part time.

Annual increases in the labor force are expected to reach 1.4 million per year between now and 1970. Labor force growth and productivity increases, including technological advances and automation, will require creation of the equivalent of 3.3 to 3.7 million new jobs per year between now and 1970 to prevent unemployment from rising.

The largest increases in the labor force are occuring among those under age 25 and among married women. Unskilled jobs are declining in importance as far as employer demand is concerned. Demand is expanding most in professional and technical, clerical, and service occupations. There are still almost 50 percent of the labor force, as analyzed recently in a study from the new Census Congressional Data Book, engaged in those type jobs described as "blue collar." This category includes all craftsmen, foremen, operatives, service workers, private household workers, and laborers—except farm laborers. White-collar workers make up 44 percent of the work force. And farmworkers constitute a relatively small 7 percent of the work force.

Requirements for education and training for employment are increasing steadily. The skilled and well-educated worker in general continues to do well in the Nation's labor market, but for the relatively uneducated and unskilled portion of the labor force employment opportunities are deteriorating. Unskilled occupations, except private household work, had unemployment rates in 1963 above the national average of 5.7 percent, ranging up to 12.1 percent for nonfarm laborers. The President's Manpower Report said that current trends, if not sharply altered, indicate that as many as 30 percent of the young people beginning work in the 1960's—7½ million out of the expected decade total of 26 million new entrants—may not even have completed high school.

Training the unemployed does not create jobs. Some vacancies do exist which can be filled by fitting the unemployed worker to the job, either by retraining or relocation but the problem of unemployment cannot be entirely solved in those ways. The jobs looking for workers balance no more than a minor percentage of the workers looking for jobs, according to a recent extensive survey by the Senate Subcommittee on Employment and Manpower. It is difficult then, to develop the abilities of our people, create jobs, and match people and jobs—the active manpower policy of the country—when so many of our people are incapable of learning new skills. We have many Government programs now in operation that are aimed at training the unskilled for better paying, skilled jobs and at creating jobs for unskilled workers, for example, the Area Redevelopment Act, the Manpower Development and Training Act, the labor adjustment provisions of the Trade Expansion Act, the Vocational Education Acts and the Juvenile Delinquency and Youth Offenses Control Act. However, for the most part, these programs have not been very productive in creating jobs.

Let us look at ARA, for example. The original Area Redevelopment Administration authorization bill was signed into law on May 1, 1961. This measure authorized a 4-year $451 million area redevelopment program. In 1963, amendments to the act requested an authorization of $455 million more. At that time, only $42 million of industrial loans had been approved out of the existing authorization of $200 million. ARA apparently couldn't spend the money it had, but still asserted it needed $455 million more. Recently, the ARA reported that $235 million of Federal funds had been obligated. This left a balance of some $215 million from the original authorization. The ARA further stated that 104,000 workers "directly or indirectly" would have jobs when all these approved projects and businesses are "fully operational," but there have been outspoken doubts raised even as to these modest claims. During the recent hearings on ARA before the House Appropriations Committee, William L. Batt, Jr., the ARA Administrator, said that his agency was the only agency of the Federal Government whose primary function is to create jobs. The greatest benefits to the Nation in solving the unemployment problem as a whole, however, Administrator Batt said, "come from programs like the tax cut, and also from the general improvement in the economy."

The tax reduction measure passed in 1964 was proposed to solve problems of the Nation's growth in several fields, that is, to step up the growth and vigor of the national economy, to increase job and investment opportunities and to improve our productivity. This was the largest Federal tax cut—in dollar terms, $11 billion—in the Nation's history. And it was the third major reduction in income taxes in the postwar period. The 1948 cut amounted to $4.7 billion and the 1954 cut reduced Federal revenue by some $6.1 billion and lowered personal and corporate income taxes, while upping the social security tax. This second cut was a planned decrease in the personal income tax which had been increased to provide funds for a strong defense during the Korean war. There is evidence that the economy continued to rise after these tax cuts. However, the unemployment picture was not greatly changed. The 1964 tax cut was not tied directly to creating jobs, and neither were the two previous reductions. Now, there is talk of another tax cut in the near future. It seems to me that the next tax cut, if we are to have one, must be tied directly to creating jobs, for we will need 4 million more jobs annually after 1970.

In the meantime, considering that training the unemployed does not create jobs, we must take steps to provide new jobs for both skilled and unskilled workers.

Basically, jobs have to be produced by employers, and I am delighted to see what the local chambers of commerce are doing to help solve the unemployment problem in their own backyards. A recent publication from the Chamber of Commerce of the United States, "Target: Employment" presents 36 examples of how business, government, and education are cooperating to solve employment. I call attention to this booklet, and congratulate the members of the chamber of commerce for splendid efforts.

Mr. Speaker, today I have introduced legislation which I believe will help fill the gap in the unemployment ranks of our country. If enacted, it would be an immediate aid in cutting down on unemployment, a challenge to us all, which I class in importance with the education crisis now facing many of our local communities.

My bill would amend the Internal Revenue Code of 1954 to provide deductions for persons engaged in trade or business who provide new jobs for the skilled and for all persons who provide new jobs for domestics and the unskilled. I have included a copy of the bill in my remarks and hope it will be an inspiration for creative thinking in this field. I have brought the general idea to the attention of Secretary of Labor, W. Willard Wirtz, and he recently wrote to me: "There is much that is appealing in the part of the proposal dealing with encouragement of the hiring of unemployed workers by special tax relief for the employer." I agree with those learned scholars in the field of employment and taxation that this is not an easy problem to solve. But no hard problems with difficult solutions have ever been solved by ignoring the problem altogether.

Sea Trials of U.S.S. "Ulysses S. Grant"

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 28, 1964

Mr. FULTON of Pennsylvania. Mr. Speaker, it is an honor and privilege to include a letter which I have received from Adm. Hyman G. Rickover, whom I highly admire for his outstanding achievements.

My letter acknowledging recognition of Admiral Rickover's dedication, perseverance, and amazing successes represents my hearty congratulations and high esteem to the "Father of the nuclear propulsion submarine" and his fine staff.

The letter follows:

U.S.S. "Ulysses S. Grant" (SSBN 631)
Care of Fleet Post Office, New York, N.Y.
(*At sea, North Atlantic, May 25, 1964.*)

Hon. James G. Fulton,
House of Representatives.

Dear Mr. Fulton: The U.S.S. *Ulysses S. Grant*, our 22d Polaris submarine, has just completed sea trials. With the *Grant* we now have in operation a total of 42 nuclear powered Polaris and attack submarines.

This ship is named for the illustrious American of whom President Lincoln said: "He is the quietest fellow you ever saw. The only evidence that he is in any place is that he makes things go. Wherever he is they move."

As soldier and as President, General Grant "trod unswervingly the pathway of duty, undeterred by doubts, single-minded and straightforward." Conscious of the heavy responsibilities which had devolved upon him during and after the Civil War, he wrote:

"He who undertakes to conduct the affairs of a great government as a faithful public servant, if sustained by the approval of his own conscience, may rely with confidence upon the candor and intelligence of a free people * * * and can bear with patience the censure of disappointed men."

Summarizing his many years of service, he said:

"Successful men owe more to their perseverance than to their natural powers, or their friends, or favorable circumstances. Talent is desirable, but perseverance is more so; for it will strengthen the mental powers and intensify their energy."

Respectfully,

H. G. Rickover.

House of Representatives,
Washington, D.C., May 27, 1964.

Vice Adm. Hyman G. Rickover,
Navy Department,
Washington, D.C.

Dear Admiral Rickover: I am writing to congratulate you on the success of the sea trials for the U.S.S. *Ulysses S. Grant*, which is cheering and heart-warming news.

America should be forever grateful to you and your fine staff, as well as the technicians and workingmen for this tremendous progress in our U.S. defense.

Hearty congratulations on our 22d Polaris submarine, as I believe the 42 nuclear powered Polaris and attack submarines of the U.S. Navy are our greatest defense and security in these difficult times.

As one American citizen and friend, I want to thank you sincerely for your dedication, perseverance and amazing successes.

Personal regards,

Sincerely,

Jim Fulton.

A Success in Foreign Aid: 4-K Clubs in Kenya

EXTENSION OF REMARKS

OF

HON. ROBERT R. BARRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 28, 1964

Mr. BARRY. Mr. Speaker, one of the most vital resources in any nation is its youth, and in a basically agricultural country the economic future can well depend upon the skill of its future farmers.

The Agency for International Development, through technical cooperation development assistance, provides agricultural extension services similar to those in the United States which have helped our country achieve agricultural progress. Today, AID's extension farm youth movement thrives in 62 different countries, including Kenya.

In Kenya farming has long been considered the work of girls and women. However, as cash crops have increased in importance, more men have taken an interest in the land, but the young ones must be shown the attractiveness and worthiness of agricultural production. With only 10 percent of their secondary school age children attending school and with only a small number of youth agricultural technical stations, Kenya needed a widespread grassroots program in agriculture and home economics through which boys and girls could learn by actual experience and discover at the same time the joy of creating with their own hands.

For their inspiration, U.S. AID and Kenyan Department of Agriculture officials turned to the extension farm youth movement, using our own 4-H Clubs as an example. They chose the name 4-K Clubs, the K's standing for three Swahili words meaning to "unite," to "work" with one's hands and to "help" oneself, one's community, and Kenya.

Government Agriculture extension staff members were trained to assist and advise local 4-K Clubs. In April 1963 actual organization began. Staff members first approached the local community leaders, then informal leaders, progressive farmers, and the parents to enlist their support, explaining that they would be needed as unpaid volunteer leaders and to help the youngsters buy garden seed. Finally, the children themselves were approached. Interest here was already high because of discussion with their parents. The children formed their own club in which they democratically elected officers and made plans for projects. They were divided into two groups: 8- to 15- and 16- to 22-year-olds.

Each youth, given his or her own project, raises rabbits, poultry, or other livestock or grows vegetables or other field crops, usually on his family's plot of land. All outlay is at his own expenses and produce grown is often sold on the market which teaches the boys and girls techniques of selling. Participants visit each other's plots and enter different shows where their produce is judged in competition.

The whole project has cost little. No dues are collected, volunteers lead groups and suitable—usually informal—meeting places are chosen. AID and the Kenyan Department of Agriculture jointly provide money to run the organization and to assist in training leaders.

The movement, belonging to the people, is growing rapidly. Already there are over 75 clubs who boast a combined membership of more than 1,800.

Thus, the 4-K Clubs are training Kenya's farmers of the future in more scientific ways and are inculcating an understanding and appreciation of the value of farming. At the same time the youth are obtaining experience in democratic methods at a local level and the thrill of individual initiative and achievement.

Report From Congress

EXTENSION OF REMARKS

OF

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 28, 1964

Mr. PURCELL. Mr. Speaker, under leave to extend my remarks in the Record, I include the following report to my constituents in the 13th District of Texas:

Report From Congress

Dear Friend: Another Texan has recently been thrust by fate into a position of awesome responsibility. Like President Johnson, this Texan is most capable of dealing with his new position of responsibility. I am speaking of Congressman George Mahon of Lubbock, the new chairman of the House Committee on Appropriations.

The recent death of long-time Member of Congress Clarence Cannon, of Missouri, who served as chairman of the Committee on Appropriations for more than two decades, elevated Congressman Mahon to his new position. This committee is charged with writing the legislation which appropriates all the funds of our national budget, more than $100 billion per year.

Congressman Mahon is well prepared. He came to Congress in 1934, and has served on the Committee on Appropriations since 1939. For many years he has been chairman of the Defense Appropriations Subcommittee, which is responsible for the defense expenditures of our Federal Government, involving over half the budget. George Mahon is a respected and responsible Member of Congress. We can be certain that the operation of this most powerful committee of the Congress is in good hands. Altogether the 23 Texas Congressmen in the House have a combined total of almost 300 years in congressional experience. In addition to Congressman MAHON, three of our Members hold important committee chairmanships, and several are chairmen of important subcommittees.

Congressman WRIGHT PATMAN of Texarkana, chairman of the Committee on Banking and Currency, has served in Congress since 1928, longer than any other Texan. Mr. PATMAN is one of the most respected Members of Congress.

Congressman OLIN E. TEAGUE of College Station has risen to the chairmanship of the Committee on Veterans' Affairs. "TIGER" TEAGUE was one of the most decorated heroes of World War II. He has been honored by almost every veterans' organization in the Nation for his work in Congress on their behalf. His committee supervises the third largest expenditure in the Federal budget.

Congressman OMAR BURLESON, of Anson, is chairman of the Committee on House Administration. Mr. BURLESON started his life of public service long before his election to Congress 18 years ago. He is a former FBI agent, a county attorney, and he served in the Navy during World War II.

Another Texan with large responsibilities is Congressman BOB POAGE, of Waco, who serves as vice chairman of the Committee on Agriculture. To my knowledge, this is the only committee which formerly elects a vice chairman. The honor is paid to BOB POAGE because of his dedication, hard work, and unsurpassed knowledge of the field of agricultural legislation.

There are two other Texas Congressmen that will never be forgotten. They are "Mr. Sam" Rayburn and John Nance Garner. Both of these men rendered distinguished service as Speaker of the House of Representatives. I think there is no doubt that "Mr. Sam" lived to become the most respected Member of Congress in our time. He had an unblemished reputation of fairness and honesty in dealing with Members of the House. He was loved and he is still missed by all who knew him.

Members of the Texas delegation work very closely together. Each Wednesday we meet during our noon hour to discuss matters of mutual interest. We have been pleased and fortunate that President Johnson has continued to meet with us when his demanding schedule permits.

In almost every instance, the citizens of Texas have had the wisdom to elect good men to Congress, and to keep them there long enough for them to be effective. It takes a lot of experience and knowledge to be an effective Member of Congress. Texas has every right to be proud of its representation in our Nation's Capitol, for its Members are respected, honored, and often consulted in Congress.

Cordially,

GRAHAM PURCELL.

Lest We Forget

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 28, 1964

Mr. JENSEN. Mr. Speaker, day after tomorrow is the day we set aside each year at which time we pause in reverent memory of our loved ones who have gone to their reward. It is the day we stand silently and with prayer in our hearts, decorate their last resting place. It is the day we pay tribute to our brave Nation's defenders who served under the Stars and Stripes, that we who followed them, might continue to be free.

Because they had beat their plows into swords, most of them at much sacrifice, a grateful people have generally shown their appreciation, by proper deeds, as well as by words.

Mr. Speaker, there is one glaring exception to that national virtue. Many of our returning World War I veterans found themselves and their families in a nearly destitute condition, hence shortly after that war, a law was enacted by Congress, giving them a monthly pension of from $8 to $20, that they might be kept out of the breadlines, and live as best they could like respectable American citizens, but lest we forget, that meager pension was taken from them early in 1933 by a new administration who had just come into power, by promising to reduce the cost of Government by at least 25 percent. Those veterans were then required to take a pauper's oath, before they could again be placed on the pension rolls, which most of them refused to do out of self-respect for themselves and their families. Most of them controlled their feelings for a time, and until the new administration began piling on the Federal payroll, thousands of their political henchmen at high salaries, costing hundreds of times more than the small pensions that had been paid our veterans.

It was this disgraceful act that triggered the memorable bonus march on Washington, D.C. Those marchers were driven out of town by military forces demanded from 1600 Pennsylvania Avenue. Yes, lest we forget.

Need I say more, Mr. Speaker, in defense of those many needy World War I veterans living today, whose average age is now over 70, and who are pleading with Members of Congress and the President to grant them a $100 per month pension?

Here is my recent statement to the House Veterans' Affairs Committee in support of the many bills that have been introduced providing for the above:

STATEMENT BY CONGRESSMAN BEN F. JENSEN, OF IOWA, BEFORE THE HOUSE VETERANS' AFFAIRS COMMITTEE, TUESDAY, MAY 19, 1964

Mr. Chairman and members, I appreciate this opportunity to state my position on my bill, H.R. 4536, and other similar bills that provide a hundred dollars per month for our aging World War I veterans. I sincerely hope and pray that this committee will act favorably, and report our bill out of committee very soon, so it can get to the floor of the House and Senate during this session.

Mr. Chairman, if our bill can be considered by the House and Senate, I am confident it will pass both bodies by a large majority, for I know most every Member wants Uncle Sam to be fair and just to our World War I vets, their wives, and widows, by extending to them equal treatment with Civil War and Spanish War vets, their wives, and widows.

The average age of the World War I veteran is now over 70, and they are going down the valley fast, one by one. In 10 more years, only a relatively few of them will be with us. Let us make the remaining years of their lives just a little more happy by the passage of our bill.

Yes, I am a conservative, Mr. Chairman, but I will never have it on my conscience, nor will I be guilty of economizing on those who served and fought under Old Glory, that you and I might be privileged to enjoy the blessings of freemen.

In conclusion, I must say that I hope my bill, which provides for no means test, will be approved by this committee. No means test was imposed on our Civil War and Spanish War veterans, and I am sure, my colleagues, that few well-to-do World War I vets will make application for this pension. To ask a veteran of any of our wars to in effect, sign a pauper's oath, to me does not square with our American tradition toward our Nation's defenders. Also from a dollar standpoint, it would require only a few people to mail out the checks if no means test is provided, while if a means test is provided, it will require thousands of additional Federal employees to check carefully each and every applicant's financial worth, and in addition will cause considerable embarrassment to many veterans, their wives, and families.

I trust you will very soon report a bill out, and preferably without a means test.

Thank you.

In closing, please Mr. Speaker, and my colleagues, indulge me long enough to recite a poem, "The Unknown Soldier," in honor and memory of those who gave their all that we might be free. This poem was composed by an unknown author during those trying days after the above-mentioned pensions had been taken from our needy veterans and their families.

"THE UNKNOWN SOLDIER

"There's a graveyard near the White House, where the Unknown Soldier lies,
And the flowers there are sprinkled, by the tears from mothers' eyes.
I stood there not so long ago, with flowers for the brave,
When suddenly I heard a voice, it sprang out from the grave.
I am the Unknown Soldier, the spirit voice began, and
Have a few questions I must ask, man to man.
Are my buddies taken care of, was their victory complete,
Or is the big reward you promised, selling pencils on the street?
Did we really win that victory we struggled to achieve,
And do you still respect that Croix de Guerre, above that empty sleeve?
And that babe who sang, Hello Central, give me No Man's Land,
Can you replace her daddy with a military band?
Does a Gold Star in the window now mean anything at all?
I wonder how my old girl feels when she hears a bugle call.
I wonder if the profiteers have satisfied their greed?
I wonder if a soldier's mother ever is in need?
Yes, I am the Unknown Soldier, maybe I died in vain,
But if I were alive and my country called, I'd do it all over again."

Centennial Birthday of Father Joseph Murgas Observed by Slovak-Americans

EXTENSION OF REMARKS

OF

HON. KENNETH B. KEATING

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, May 28, 1964

Mr. KEATING. Mr. President, on behalf of the distinguished Senator from

Pennsylvania [Mr. SCOTT], I ask unanimous consent to include in the CONGRESSIONAL RECORD certain remarks of his with respect to the centennial birthday of Father Joseph Murgas, together with articles.

There being no objection, the statement and articles were ordered to be printed in the RECORD, as follows:

CENTENNIAL BIRTHDAY OF FATHER JOSEPH MURGAS OBSERVED BY SLOVAK-AMERICANS—STATEMENT BY SENATOR SCOTT

Slovaks and Americans of Slovak descent are commemorating this year the centennial birthday of the Reverend Joseph Murgas, noted priest and scientist, and founder of the Slovak Catholic Federation of America. Father Murgas also was one of the founding fathers of the First Republic of Czechoslovakia.

This month marks the 35th anniversary of his death and two respected journalists have commented extensively on Father Murgas' accomplishments.

John C. Sciranka, an American-Slovak writer who knew Father Murgas, has noted that even the Communists in Czechoslovakia paid the priest tribute by publishing his picture and biography in the Ceskoslovensky Svet (Czechoslovak World).

Harrison H. Smith, of the Wilkes-Barre (Pa.) Times-Leader, has said that Wilkes-Barre was almost the "birthplace of radio" because of Father Murgas' inventions. Mr. Smith has had two articles on the Reverend Murgas reprinted in the Dobry Pastier (Good Shepherd).

[From the Good Shepherd]

CENTENNIAL BIRTHDAY: REV. JOSEPH MURGAS, FOUNDER OF THE SLOVAK CATHOLIC FEDERATION OF AMERICA RECOGNIZED AS THE FATHER OF WIRELESS—CITY OF WILKES-BARRE, PA., WAS ALMOST THE BIRTHPLACE OF RADIO THROUGH HIS INVENTIONS, WRITES HARRISON H. SMITH OF WILKES-BARRE TIMES-LEADER

Shortly after the dawn of the 20th century, the eyes of the entire communications world were drawn to Wilkes-Barre as the result of studies conducted by Rev. Father Murgas, one of the pioneers in the perfection of wireless telegraphy.

Rev. Father Murgas served as pastor of Sacred Heart Slovak Church of Wilkes-Barre for nearly 35 years before his death in 1929.

MAINTAINED LABORATORY

In a small homemade laboratory in rear of the parish house, he devised a transmission system of radio signals by means of two musical tones differing in pitch, one tone forming the dot and the other, the dash, in common with the Morse code.

In 1904, his first patent for the "Murgas System of Rapid Wireless Telegraphy" was sold to the Universal Aether Co. of Philadelphia.

For the purposes of a public test of Father Murgas' system, $18,000 was appropriated to erect a 200-foot transmitting tower in north Wilkes-Barre and a similar one in Scranton, 19 miles away, the first of its type ever erected.

First test of the tower was made in September 1905, which was witnessed by several prominent men of the community, as well as by a Lieutenant Robinson, of the U.S. Navy, representing naval communications.

On November 23, 1905, was to occur a series of tests which brought this city into the national limelight as site of a unique scientific experiment, attracting representatives of the U.S. Government, scientists, the press, and many interested citizens of Wilkes-Barre and Scranton.

The first test included messages exchanged between Mayor Fred C. Kirkendall of Wilkes-Barre and Mayor Alexander R. Connell of Scranton, and the system of communication between the two experimental towers was considered successful in every way.

A CREATIVE GENIUS

A scientific report rendered after Father Murgas filed his first patents, called him "a man of great creative genius" and cited him prominently for his original and valuable contributions to the development of "the remarkable innovation of transmission by wireless telegraphy."

The report stated: "The second patent letter describes a new method of wireless communication, the so-called tone system. The invention consists of the construction in proper relation of the units of the so-called oscillatory circuit apparatus in the sending station, comprising the condensers, inductances, the spark gap and by a given electrical energy adjusting the same permanently in such a way that they emit a musical tone of a certain pitch.

"By selecting properly the units of the mentioned closed circuit in the sending station, it is possible to obtain at will several tones of different pitch, of which can be formed the alphabet replacing the Morse signals, the dot with one tone and the dash with another one of different pitch.

"Because the tones thus obtained to form the Morse code do not depend upon time duration, the musical tones emitted are all of short duration, but differ in pitch, thus making it possible to send and receive signals with greater ease and certainty.

"PERFECT RECEPTION

"However, this property of utilizing tones is not the only factor in establishing Father Murgas' system as superior to all rivals, as one of the greatest advantages in the perfect reception of signals from long distances. By negotiating a common sender in a sending station, the spark emitted from the spark gap has irregular crackling noises, and in receiving the same from a distance, the noise is similar to the ever-present static interfering therefore with the clear reading of the signals.

"On the other hand, in signals employing the musical tones, the pitch of the tone is clearly distinguished from the static noises, thus making possible direct messages between points of greater remoteness."

Following the unique experiment on November 23, 1905, of interchanging wireless messages from the towers in Wilkes-Barre to another in Scranton, 19 miles distance, Rev. Father Joseph Murgas journeyed to New York to meet with two other inventors in radio communication who had newly arrived in America—the now-famous Marconi and his associate, Professor Fessenden.

DESTROYED BY GALE

Meanwhile, a quirk of fate was destined to prevent continuation of the Wilkes-Barre to Scranton tower experiments, when the Scranton station was destroyed by a gale.

Shortly thereafter, two prominent members of the Universal Aether Co., which had been formed to test the Murgas system, died and with this withdrawal of financial support, all work on the local project was abandoned.

MARCONI USED SYSTEM

Both Marconi and Professor Fessenden had already known of the Murgas inventions before arriving in America, and had made what they termed "improvements" to his tested procedures which they called the sonorous system.

Undaunted by the abandonment of his wireless projects here in Wilkes-Barre, and by the fact that others were claiming part of his inventions as their own, Rev. Father Murgas continued his research here, perfecting 12 additional patents in the field of wireless telegraphy invention.

It has been felt by biographers that it was only through a technicality that due credit had never been given the Slovak clergyman as the foremost inventor of wireless telegraphy, the predecessor of radio.

RECEIVED SOME HONORS

Rev. Father Murgas, however, was to receive honors before his death, including the highest award of achievement from his native Slovakia, which was also to issue a commemorative postage stamp in his honor; the distinction of having a Liberty ship named after him; also his appointment by President Coolidge as a member of the National Radio Commission, to mention a few.

Even today, Father Murgas' inventions are difficult to comprehend, so far ahead were they of the times. The Universal Aether Co., which could have been the A.T. & T. Co. of that era, had great plans to erect a whole system of towers nationwide—all similar to the ones erected on an experimental basis here in Wilkes-Barre and in Scranton back at the turn of the century, and which were far ahead of the times.

Call it what you wish, fate, misfortune, misadventure—Rev. Father Murgas never really received the public acclaim to which he was entitled and as a result, Wilkes-Barre never fully shared in the limelight as the site of the first telegrapher's tower ever erected in this country.

While the innovation of wireless telegraphy did not occur until shortly after the turn of the century, Wilkes-Barre had been one of the earliest communities outside of eastern metropolitan centers to be linked up with a major network of telegraph lines.

On November 15, 1848, this notice appeared under a headline in the Wilkes-Barre Advocate:

"A gentleman from Washington visited the village the early part of the week for the purpose of inquiring into the practicability of establishing a magnetic telegraph line to connect with Philadelphia. In order to get the line, $4,500 worth of stock must be subscribed for."

A year later, the Philadelphia & Wilkes-Barre Telegraph Co. was formed, with H. M. Fuller of Wilkes-Barre as a director, and the line began supply service to way points, from an office in the store of S. B. Collins, until the line was finally completed to Philadelphia in 1863. First telegraph operator here was J. L. Mingle and the first message which came over the wire was that announcing the death of President Zachary Taylor.

Just 100 years ago, on July 9, 1863, the office was moved to Seth Tuck's drugstore on Public Square, where a competing line, called the Susquehanna West & North Branch Co., also supplied telegraph service. Later, after all these smaller competing lines had been absorbed by Western Union Telegraph Co., the merged offices were relocated for a time in the Wilkes-Barre Record Building.

An Example of "the Kansas Spirit"

EXTENSION OF REMARKS

OF

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 28, 1964

Mr. DOLE. Mr. Speaker, on November 24, 1963, I was scheduled to participate in dedication ceremonies of the

Natoma, Kans., Medical Center, but did not because of the tragic assassination of President John F. Kennedy on November 22.

In reviewing the remarks prepared, I felt they might be of interest to my colleagues because of the ever-growing dependence upon the Federal Government for solutions to community problems and an ever-increasing number of appeals to Washington for aid, of one kind or another. The building of the Natoma clinic illustrates what can be done in a community, what was done in Natoma, Kans., and also the important role of the Sears, Roebuck Foundation community medical assistance program. This achievement is symbolic of "the Kansas spirit" and the invaluable efforts being made by the Sears, Roebuck Foundation in helping communities help themselves.

The remarks follow:

Ladies and gentlemen, I am very pleased to be here today to take part in the formal opening of your new clinic and to join with you in welcoming Dr. and Mrs. Datillo to Natoma. I am especially delighted to participate for I know many of you and how long and tirelessly you have worked to make this day possible.

The pride and satisfaction you feel in seeing a community goal achieved, however, is more than equaled by my pride and admiration for the splendid manner in which you provided Natoma with medical treatment facilities and found a doctor to locate here. The second task proved more difficult than the first—and I will say more about that in a moment—the job of planning, building, and equipping a clinic of this type is a big one. Modern medical equipment for taking X-rays, electrocardiograms, and laboratory tests is costly, as you discovered. Nevertheless, once the need was determined nearly everyone contributed generously. I understand civic organizations and the Public Service Co. through its donation of part of the labor helped make the clinic a reality but that it was built principally through the efforts of many individual, public-spirited citizens from Natoma and the surrounding area.

It is certainly impressive—that your community has built a $33,000 clinic, complete with all the necessary medical equipment. Such an example of initiative, enterprise, and perseverance—qualities we associate with the growth and strength of this Nation—should make us proud to be Americans and Kansans. Carl Becker made an accurate appraisal of the people of this State when he wrote, "The Kansas spirit is the American spirit double distilled. It is a * * * product of American individualism and American idealism * * *." At any rate, whether we call it the Kansas spirit or the American spirit, all of you here today possess it in abundance. It is that spirit of independence and industrial responsibility which led to finding a way to solve your community problem without appealing to Washington for aid, as is habit—usually done these days.

In the face of your example of what can be done by a small community, one can question the necessity of some of the Federal programs. I firmly believe in the proposition the Federal Government should not do those things which communities can and should do for themselves, and feel certain many other communities and cities throughout the country can, as you have overcome the growing tendency of asking for aid before even trying to do the job alone. As a child never learns to climb the stairs if always carried, we do not learn to assume our rightful responsibilities if the Government is always standing by. It is sad, too, that just as the fond and anxious parent denies the toddler the exhilaration of having reached the top alone, an over indulgent Government precludes many communities from experiencing the pride and satisfaction you feel today.

I do not suggest, of course, that communities must be totally self-reliant and that there is no legitimate sphere in which local, State, and Federal Governments can properly assist. Your difficulties in planning a clinic and locating a doctor are evidence that expert assistance is sometimes needed. You found, however, a private foundation to give the guidance needed, and where this is available, it is certainly preferred, I believe.

The Sears-Roebuck Foundation community medical assistance program is extremely interesting, and appears to be a particularly valuable kind of philanthropy. Over the years wealthy individuals and successful business corporations have built museums, libraries, and hospitals. They have endowed colleges, supported social welfare programs, and medical research foundations—to name just a few of the many forms American philanthropy has taken. Moreover, it would be difficult to overestimate the importance of these contributions to the improvement of social conditions in our country and to the enrichment of our intellectual and cultural life.

Now let us contrast this approach to the one taken by the Sears-Roebuck Foundation in its medical assistance program.

Here we do not find the foundation building or endowing schools, libraries, or museums. Here we do not even find the foundation putting up funds and requiring that they be matched by the recipient of the funds.

Yet we see, just the same, a foundation which is rendering a great service. And it is doing so by helping the community to help itself.

Instead of making awards or grants, the foundation, under this program, supplies expert advice during all stages of a small community's efforts to build a clinic and find a doctor to practice there.

This assistance includes a survey of the area to determine the ability of the population to support a clinic or hospital, counseling in how to form a nonprofit organization to raise and administer funds, and finally help in obtaining suitable blueprints for the building. In the meanwhile the foundation is constantly looking for doctors interested in smalltown practice and acts as a sort of clearinghouse for information on vacancies and applicants.

According to an article which appeared in Business Week magazine about 2 years ago, the foundation spends approximately $7,000 for each town it helps in this way. However, the value to the community of this assistance is not accurately reflected by that figure, I am sure. Each community receives not only $7,000 worth of an expert's time spent in making surveys and drawing blueprints but also the incalculable benefits and savings which can be obtained by taking advantage of the foundation's knowledge and experience. Most important of all, of course, is the fact that in many cases small communities would probably not be successful in raising sufficient funds and attracting doctors without the guidance of the foundation's knowledge and experience. Monetary value cannot be assigned to show the value to a community in having its own doctor and adequate treatment facilities. Your hard work and financial sacrifices best indicate how important you think it is; therefore, I speak for all of you in thanking the Sears, Roebuck Foundation for helping make today's dedication possible.

This ceremony has aroused varied thoughts and feelings on my part. As stated I am proud to see the initiative and perseverance of the people of this community, and grateful to the Sears-Roebuck Foundation for its contribution, and know your frustration that this clinic has been unused for 4 years while you tried to locate a doctor. In persuading Dr. Dattilo to come, you have a man not only with fine academic credentials but one born and raised in Kansas. As you know, his wife, a trained nurse, serves as his assistant in the clinic, so it is really a family affair.

While I share in your satisfaction in having a doctor of osteopathy in Natoma, I am concerned about the growing shortage of physicians and osteopaths throughout the country, especially among general or family practitioners and especially in our rural areas. There are many reasons for failure to train enough doctors of all types today, but even more numerous and complex are the reasons more and more young doctors are choosing to specialize rather than enter general practice. I will not presume to say what may be done about these trends since a number of medical educators who participated in a recent AMA symposium on family practice failed to reach any conclusion on these points but it is extremely important an answer be found. The general practitioner has traditionally played a very important role in the health care of Americans, and there is every reason to believe that he can and should continue.

We must have specialists too, of course, but the general physician serves a unique function in preventive medicine and in family counseling. At the present time only about 22 percent of each year's graduating M.D.'s enter general practice as compared to 70 percent 30 years ago. This is of particular concern to us as a rural population since we can only hope to draw our community doctors from among these general practitioners. As this group grows smaller, we will have increasing difficulties. The ratio of doctors to the population which is now 79 per 100,000 in semirural counties and 46 per 100,000 in isolated rural counties (as compared to 146 per 100,000 in metropolitan areas) will probably become even more unfavorable.

Although the number of general practitioners is declining, this does not suggest that the public does not want them and prefers to use specialists exclusively. In a paper presented before the 1963 Annual Congress on Medical Education, Mr. Mac F. Cahal of Kansas City, who is executive director and general counsel of the American Academy of General Practice, reported the results of a recent poll made by the Opinion Research Corp. of Princeton, N.J. The poll showed clearly that the public relies quite heavily upon general practitioners and that 75 percent call the general practitioners first when they need help. The poll further revealed that among all doctors—and far surpassing the profession as a whole—the general practitioner has the most favorable image and greatest reputation asset of any profession. Perhaps this study and others, as well as the increasing emphasis by the medical schools and the AMA upon family practice, will convince many young doctors of the valuable role they can perform as general physicians and that we will soon see an increase in the number choosing this field.

I have enjoyed being with you today to join in the long-awaited dedication of your clinic. May I congratulate you all once again on this remarkable achievement and wish you success in all future community projects.

HOUSE OF REPRESENTATIVES

Monday, June 1, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Thessalonians 5: 21: *Prove all things; hold fast that which is good.*

Almighty God, in all simplicity and sincerity we are thanking Thee for the gift of life and the blessings which Thou art daily bestowing us.

Fill us with a passion to heal our heartbroken and fear-ridden world of the malady of hatred and war.

We humbly acknowledge that there are many in our day and generation who are taking a very cynical view of life and are living without God and without hope.

They feel that the battle for freedom is growing fiercer; that the tensions between classes are tightening; that the chasms between the rich and poor are widening; that only the fit and the strong can survive in the social order which we are building.

Grant that we may cleave with increasing tenacity of faith to all that is good; in the dignity of human personalities; in the permanence of the home; in the sanctity of property; and in the perpetuity of free institutions and our solemn responsibility to support and sustain them.

In Christ's name we offer unto Thee our prayers. **Amen.**

THE JOURNAL

The Journal of the proceedings of Thursday, May 28, 1964, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11201. An act making deficiency appropriations for the fiscal year ending June 30, 1964, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. HAYDEN, Mr. HOLLAND, Mr. HILL, Mr. MONRONEY, Mr. PROXMIRE, Mr. BARTLETT, Mr. YOUNG of North Dakota, Mr. SALTONSTALL, and Mr. MUNDT to be the conferees on the part of the Senate.

THE LATE DR. LEO SZILARD

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, 16 years ago I met in my office in Chicago for the first time Dr. Leo Szilard. He then at 50 was in the prime of life, and his fame was worldwide as a nuclear physicist who, with the late Enrico Fermi, and others, working under the grandstands at Stagg Field at the University of Chicago campus, achieved the first atomic chain reaction.

On Saturday last Dr. Szilard at 66 died in his sleep at his home in La Jolla, Calif. Eleven years after my first meeting with him, when he impressed me with the robustness of his health, he was stricken with cancer, took his chances with a new radiation treatment, and refused surgery because he did not wish his studies and his work to be interrupted even temporarily.

Dr. Szilard was born in Hungary in 1898, early in his career taught at the University of Berlin but fled Germany in 1933 on the advent of Hitler. He started his work in the field of nuclear physics in England in 1934.

It was in 1939 that he performed an experiment that revealed the then unheard of power of the atom. He thereupon joined in convincing Albert Einstein to talk with President Roosevelt about the necessity of entering the atomic weapon race with Germany. Had the United States held back, or delayed, it is likely the history of the world would have taken a different course with Hitler first in possession of the atomic weapon.

Dr. Szilard joined the staff of the University of Chicago in 1946. His death is mourned by his many friends in the university community, and generally by the people of the city of Chicago and of the Nation. He is survived by his devoted wife, a physician, and to her goes the sympathy of Chicago and of the Nation he served so well.

I have always been mindful of the contribution of the atomic scientists at the University of Chicago, including Dr. Szilard, to my upset election to the Congress in 1948 from a then strongly Republican district.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

ACQUISITION OF PROPERTY IN SQUARE 758 IN THE DISTRICT OF COLUMBIA

The Clerk called the bill (S. 254) to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SAINT-GAUDENS NATIONAL HISTORIC SITE, N.H.

The Clerk called the bill (H.R. 4018) to authorize establishment of the Saint-Gaudens National Historic Site, N.H., and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be stricken from the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PROVIDING FOR ADDITIONAL COMMISSIONERS OF THE U.S. COURT OF CLAIMS

The Clerk called the bill (S. 102) to provide for additional commissioners of the U.S. Court of Claims.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ESTABLISHING THE JOHN MUIR NATIONAL HISTORIC SITE, CALIF.

The Clerk called the bill (H.R. 439) to provide for the establishment of the John Muir National Monument.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be stricken from the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ESTABLISHING THE FORT BOWIE NATIONAL HISTORIC SITE, ARIZ.

The Clerk called the bill (H.R. 946) to authorize the establishment of the Fort Bowie National Historic Site in the State of Arizona, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be stricken from the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RELOCATION OF ANIMAL QUARANTINE STATION

The Clerk called the bill (H.R. 1642) to provide for the sale of the U.S. Animal Quarantine Station, Clifton, N.J., to the city of Clifton to provide for the establishment of a new station and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask someone who is knowledgeable with respect to the bill, if it is proposed to sell this land at 75 percent of the appraised fair market value.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Certainly, I am glad to yield to the gentleman.

Mr. JOELSON. I am pleased to inform the gentleman that under this bill, the city of Clifton must pay the full appraised value. The city has been so notified and so understands.

Mr. GROSS. So that the report with respect to the sale of previous land involved in this quarantine station will not hold in the future sale of land. It will be the full and fair market appraised value.

Mr. **JOELSON**. That is correct.

Mr. **GROSS**. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture, hereinafter called the Secretary, is authorized at such site as he shall select in the New York-New Jersey port and airport area to establish, equip, and maintain a quarantine station for animals and birds imported into the United States.
>
> SEC. 2. The Secretary is authorized to remove the quarantine functions now being conducted at the United States Animal Quarantine Station, Clifton, New Jersey, to the new station provided for in this Act.
>
> SEC. 3. The Secretary is authorized to enter into an agreement with the city of Clifton, New Jersey, providing for the sale of the lands, buildings, facilities, and improvements as determined by the Secretary comprising and known as the United States Animal Quarantine Station, Clifton, New Jersey. The agreement shall require that the city of Clifton pay to the Secretary the appraised value of such property as determined by the Secretary, and that upon the establishment of the new quarantine station provided for in this Act, the quarantine functions performed at the existing station shall be removed to said new station and the Secretary shall then convey to the city of Clifton by quitclaim deed for public purposes all the right, title, and interest of the United States in and to the lands, buildings, facilities, and improvements covered by the contract and comprising and known as the United States Animal Quarantine Station, Clifton, New Jersey: *Provided,* That the Secretary shall not be required to vacate and surrender the existing station until the new station shall be equipped and ready for operation and the quarantine functions removed to the new station.
>
> SEC. 4. If the city of Clifton uses or conveys any part of the land covered by this Act for other than public purposes, all the right, title, and interest in and to the land conveyed under this Act shall revert to and become the property of the United States, which shall have the immediate right of entry thereon. The cost of any survey required in connection with conveyance of the Clifton property covered by this Act shall be at the expense of the city of Clifton.
>
> SEC. 5. In carrying out this Act, the Secretary is authorized to acquire land and interests therein, including leasehold interests, construct or alter such buildings and other public improvements on any of such land or interests therein as may be necessary, cooperate with public and private organizations and individuals and remove any property from the existing quarantine station at Clifton, New Jersey. The Secretary is also authorized to acquire by long-term lease necessary improved and unimproved real property and pay therefor on an annual basis.
>
> SEC. 6. Proceeds received from the sale of the animal quarantine station at Clifton, New Jersey, shall be available to the Secretary until expended for carrying out this Act. There are authorized to be appropriated such additional funds as may be necessary to carry out this Act.

With the following committee amendment:

> Page 1, line 5, strike out the comma following the word "area" and insert "after coming into agreement with the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROTECTION OF NATIONAL FORESTS AND NATIONAL GRASSLANDS

The Clerk called the bill (H.R. 7588) to provide for enforcement of rules and regulations for the protection, development, and administration of the national forests and national grasslands, and for other purposes.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **FORD**. Mr. Speaker, reserving the right to object, at the last call of the Consent Calendar I made several inquiries concerning the method of compensation for the U.S. Commissioners who will try these cases. The gentleman from California [Mr. JOHNSON] had some research done and according to information supplied to me by him, it indicates that under section 633, title 28, United States Code, the following is true and I quote:

> U.S. Commissioners in each judicial district except National Park Commissioners shall receive the following fees only for all services rendered not to exceed $10,500 for any one calendar year.

A list of fees is then set forth, with paragraph 8 being the pertinent one, and I quote paragraph 8:

> For each defendant tried or sentenced by him for a petty offense in lieu of all other fees provided in this section, a fee graduated according to the aggregate number of cases in each quarterly accounting period in the sum of $16 for each of the first 25 cases; and $12 for each additional case.

I would gather from this that the fines and assessments made by the commissioners upon conviction of defendants are sent directly to the Treasury. I am informed it is estimated that the fines and so forth would exceed substantially the fees and that there will be a net return to the Federal Government. It would appear to be a gain and not a shortage.

I still have several questions which I would like answered and I hope the gentleman from California will be patient until the next call of the Consent Calendar.

Mr. Speaker, I withdraw my reservation and ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan?

There was no objection.

GOLD MEDAL FOR HENRY J. KAISER

The Clerk called the joint resolution (H.J. Res. 1020) authorizing the expression of appreciation and the issuance of a gold medal to Henry J. Kaiser.

The **SPEAKER**. Is there objection to the present consideration of the resolution?

Mr. **GROSS**. Mr. Speaker, I ask unanimous consent that the joint resolution be stricken from the calendar.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ADJUSTMENT OF LEGISLATIVE JURISDICTION

The Clerk called the bill (H.R. 10736) to authorize the Secretary of the Navy to adjust the legislative jurisdiction exercised by the United States over lands comprising the U.S. Naval Hospital, Portsmouth, Va.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, the Secretary of the Navy may, at such times as he may deem desirable, relinquish to the State of Virginia all, or such portion as he may deem desirable for relinquishment, of the jurisdiction heretofore acquired by the United States over any lands comprising the United States naval hospital, Portsmouth, Virginia, reserving to the United States such concurrent or partial jurisdiction as he may deem necessary. Relinquishment of jurisdiction under the authority of this Act may be made by filing with the Governor of the State of Virginia a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Virginia in such manner as its laws may prescribe.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING EXTENSION OF NAVAL VESSEL LOANS

The Clerk called the bill (H.R. 11035) to authorize the extension of certain naval vessel loans now in existence.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding section 7307 of title 10, United States Code, or any other law, the President may extend on such terms and under such conditions as he deems appropriate the loan of ships, previously authorized as indicated, as follows: (1) Argentina, two submarines (Act of July 18, 1958 (72 Stat. 376)); (2) Brazil, two destroyers (Act of July 18, 1958 (72 Stat. 376)); (3) China, four destroyers (Act of August 5, 1953 (67 Stat. 363), as amended); (4) Germany, five destroyers (Act of July 18, 1958 (72 Stat. 376)); (5) Greece, four destroyers (Act of July 18, 1958 (72 Stat. 376)); (6) Italy, three submarines (Act of August 5, 1953 (67 Stat. 363), as amended, and Act of July 18, 1958 (72 Stat. 376)); (7) Japan, one submarine (Act of August 5, 1953 (67 Stat. 363)), four destroyers (Act of August 5, 1953 (67 Stat. 363) and Act of July 18, 1958 (72 Stat. 376)), and two destroyer escorts (Act of August 5, 1953 (67 Stat. 363)); (8) Netherlands, two submarines (Act of July 11, 1952 (66 Stat. 587), as amended); (9) Peru, one destroyer (Act of July 18, 1958 (72 Stat. 376)); (10) Spain, one submarine and three destroyers (Act of July 18, 1958 (72 Stat. 376)); (11) Thailand, one destroyer escort (Act of July 18, 1958 (72 Stat. 376)); and (12) Turkey, five submarines (Act of August 7, 1953 (67 Stat. 471), as amended, and Act of July 18, 1958 (72 Stat. 376)).

Sec. 2. All loan extensions executed under this Act shall be for periods not exceeding five years, but the President may in his discretion extend such loans for an additional period of not more than five years. They shall be made on the condition that they may be terminated at an earlier date if necessitated by the defense requirements of the United States.

Sec. 3. No loan may be extended under this Act unless the Secretary of Defense, after consultation with the Joint Chiefs of Staff, determines that such extension is in the best interest of the United States. The Secretary of Defense shall keep the Congress currently advised of all extensions made under authority of this Act.

Sec. 4. The President may promulgate such rules and regulations as he deems necessary to carry out the provisions of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDITH NOURSE ROGERS MEMORIAL HOSPITAL

The Clerk called the bill (H.R. 10926) to designate a Veterans' Administration Hospital in Bedford, Mass., as the Edith Nourse Rogers Memorial Veterans' Hospital.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TEAGUE of Texas. Mr. Speaker, reserving the right to object, there are three bills on the calendar to name hospitals after three very distinguished former Members of Congress. I have learned that a request will be made that one of the bills go over.

Inasmuch as that request is going to be made, I ask unanimous consent that H.R. 10926 be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SAM RAYBURN MEMORIAL HOSPITAL

The Clerk called the bill (H.R. 10936) to designate the Veterans' Administration Center at Bonham, Tex., as the Sam Rayburn Memorial Veterans' Center.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

JOHN ELLIOTT RANKIN MEMORIAL HOSPITAL

The Clerk called the bill (H.R. 146) to designate the Veterans' Administration Hospital at Jackson, Miss., as the John Elliott Rankin Memorial Veterans' Hospital.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McFALL. Mr. Speaker, at the request of a Member who cannot be present, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MEDAL OF HONOR PENSION

The Clerk called the bill (H.R. 2434) to amend section 560 of title 38, United States Code, to permit the payment of special pension to holders of the Congressional Medal of Honor awarded such medal for actions not involving conflict with an enemy, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 560(b) of title 38, United States Code, is amended by (*1*) striking out ", who has attained the age of fifty years," and "in action involving actual conflict with an enemy".

With the following committee amendment:

On page 1, line 5, strike out "in action involving actual conflict with an enemy.", and insert in lieu thereof "(2) by striking out "beyond the call of duty" and all that follows through the end thereof and inserting in lieu thereof "beyond the call of duty while so serving."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OUTPATIENT DENTAL SERVICES

The Clerk called the bill (H.R. 8251) to amend section 612, title 38, United States Code, to authorize dental services and treatment in cases where discharges were corrected by competent authority from dishonorable to conditions other than dishonorable.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 612(b)(2), title 38, United States Code, is amended by striking the semicolon at the end thereof and adding the following: ", however, if the discharge or release is under conditions determined to be dishonorable and it is subsequently corrected by competent authority to one under conditions other than dishonorable, if application for treatment is made within one year from whichever last occurs, the date of correction of the discharge or the date of enactment of this amendment;".

With the following committee amendment:

Beginning after the colon on page 1, line 5, strike through line 2, page 2, and insert in lieu thereof the following: ", except that if a disqualifying discharge or release has been corrected by competent authority application may be made within one year after the date of correction or the date of enactment of this exception, whichever is later;".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROTECTION OF COMPENSATION RATINGS IN EFFECT FOR 20 OR MORE CONTINUOUS YEARS

The Clerk called the bill (H.R. 8925) to amend title 38 of the United States Code in order to provide that a disability which has been rated at or above a certain percentage for 20 or more years may not thereafter be reduced below such percentage.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 110 of title 38, United States Code, is amended by inserting immediately after the first sentence thereof the following new sentence: "A disability which has been continuously rated at or above any percentage for twenty or more years for compensation or pension purposes under laws administered by the Veterans' Administration shall not thereafter be rated at less than such percentage, except upon a showing that such rating was based on fraud."

(b) The side heading of such section 110 is amended by striking out "total".

(c) The table of sections of chapter 1 of title 38, United States Code, is amended by striking out "Preservation of total" and inserting in lieu thereof "Preservation of".

With the following committee amendment:

On page 1, line 7, strike out "or pension".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF LAND TO McKINNEY, TEX.

The Clerk called the bill (H.R. 10610) to provide for the conveyance of certain real property under the control of the Administrator of Veterans' Affairs.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, reserving the right to object, and I shall not object, I would like to have the gentleman from Texas, if he will, explain to us why the property is to be conveyed at only 50 percent of its appraised value.

Mr. TEAGUE of Texas. Mr. Speaker, if the gentleman will yield, it is my understanding that in our draft are the words that the land is to be used for park purposes, and that is the proper value.

Mr. ASPINALL. Is all of this land to be used for park purposes?

Mr. TEAGUE of Texas. That is right.

Mr. ASPINALL. Is there a reservation in the deed of conveyance that if the land is not used for park purposes, it will be returned to the Federal Government?

Mr. TEAGUE of Texas. Yes, there is.

Mr. ASPINALL. Mr. Speaker, I withdraw my reservation.

Mr. FORD. Mr. Speaker, reserving the right to object, I was not familiar with any such practice or procedure whereby there would be a sale to a local governing body for 50 percent of the appraised value.

Mr. TEAGUE of Texas. We just recently passed a land transfer bill for Hazard Park in Los Angeles, Calif., where this same formula was used. It was my understanding when it came before the committee that if the land would be used for park purposes, it would be at 50 percent of the appraised value.

Mr. FORD. I am not familiar with the general practice in that regard. I do vaguely recall the bill to which the gentleman refers, but I certainly thought there were certain extenuating circumstances in that particular case. Either the community or the school district had originally bought the land, donated it or sold it to the Federal Government at a very minimal price. Those facts I think contributed to the sale by the Federal Government to the local governing body at a reduced price.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FORD. Yes. I yield to the gentleman from Iowa.

Mr. GROSS. The report shows some 270 acres of land originally was purchased by the Government apparently from private owners and/or from the city of McKinney, Tex. I join with the gentleman in being unable to comprehend why this land is now going back to this municipality for only 50 percent of its appraised value.

Mr. FORD. I think the report also indicates—and I do not recall just when—that the Federal Government gave McKinney, Tex., 10 acres.

Mr. TEAGUE of Texas. That is correct. In July 1958, 10 acres of the 140-acre tract were conveyed to the McKinney Independent School District by the Department of Health, Education, and Welfare.

Mr. FORD. I cannot rationalize a 50-percent purchase price in this case. I suggest that we put it over and do some research to determine what the basis of the 50-percent cost of the appraised value is.

Mr. Speaker, I withdraw my reservation and I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TRANSFER OF SEWAGE TREATMENT PLANT TO McKINNEY, TEX.

The Clerk called the bill (H.R. 10611) to provide for the conveyance of certain real property under the control of the Administrator of Veterans' Affairs.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I do not find in this bill any provision that after 10 years the town or the city of McKinney, Tex., must provide the Veterans' Administration Hospital with sewage disposal or treatment at the rate charged to the citizens of McKinney, Tex. It is suggested in the report such a provision be written in the law, but it is not to be found in the bill that is proposed to be passed here. Can the gentleman help me on that?

Mr. TEAGUE of Texas. Section 2 of the bill reads:

> Any deed of conveyance made pursuant to this Act shall contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

I should think that would take care of it.

Mr. GROSS. I do not think that takes care of it at all. I say to the gentleman I think a mandatory provision should be written in the bill. If we mean what we say and say what we mean, let us put a provision in the bill stating that McKinney, Tex., must provide for sewage treatment or disposal or whatever it is at the rate charged to citizens of the municipality.

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EXTENDING PERIOD FOR PAYMENT IN LIEU OF TAXES BY RFC

The Clerk called the bill (H.R. 9964) to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 703 of the Federal Property and Administrative Services Act of 1949 (69 Stat. 722) is amended by striking out the figures "1965", and inserting in lieu thereof the figures "1967".
>
> (b) Section 704 of such Act (69 Stat. 723) is amended by striking out the figures "1964", and inserting in lieu thereof the figures "1966".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUDITS OF FEDERAL HOME LOAN BANKS

The Clerk called the bill (H.R. 10705) to amend the Government Corporation Control Act to change the General Accounting Office audit to a calendar year basis in the case of the Federal home loan banks and the Federal Savings and Loan Insurance Corporation.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 202 of the Government Corporation Control Act (31 U.S.C. 857) is amended by adding at the end thereof the following new sentence: "The audit of the Federal home loan banks shall be conducted on a calendar year basis."
>
> (b) The first sentence of section 203 of such Act (31 U.S.C. 858) is amended to read as follows: "A report of each such audit for a fiscal year shall be made by the Comptroller General to the Congress not later than January 15 following the close of such fiscal year (and a report of each such audit for a calendar year shall be made by the Comptroller General to the Congress not later than July 15 following the close of such calendar year)."
>
> SEC. 2. (a) Section 105 of the Government Corporation Control Act (31 U.S.C. 850) is amended by adding at the end thereof the following new sentence: "The audit of the Federal Savings and Loan Insurance Corporation shall be conducted on a calendar year basis."
>
> (b) The first sentence of section 106 of such Act (31 U.S.C. 851) is amended to read as follows: "A report of each such audit for a fiscal year shall be made by the Comptroller General to the Congress not later than January 15 following the close of such fiscal year (and a report of each audit for a calendar year shall be made by the Comptroller General to the Congress not later than July 15 following the close of such calendar year)."
>
> SEC. 3. The amendments made by this Act shall apply with respect to calendar years beginning on or after January 1, 1964; except that the General Accounting Office, in conducting its audits of the Federal home loan banks and the Federal Savings and Loan Insurance Corporation for the calendar year 1964, shall include the period from July 1, 1963, through December 31, 1963.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHMENT OF CONCESSION POLICIES

The Clerk called the bill (H.R. 5886) relating to the establishment of concession policies in the areas administered by the National Park Service and for other purposes.

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

VALIDATING PER DIEM ALLOWANCES TO THE COAST GUARD

The Clerk called the bill (H.R. 11255) to validate certain payments of per diem allowances made to members of the Coast Guard.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all duly authorized payments of per diem allowances made to members of the Coast Guard who served in the precommissioning detail for the Coast Guard Reserve Training Center, Yorktown, Virginia, from March 8, 1959, to July 2, 1959, are validated. Any member or former member who has made a repayment to the United States of any amount authorized and so paid to him as a per diem allowance is entitled to have refunded to him the amount so repaid. No person who received per diem payments referred to in this section is entitled to receive quarters or subsistence allowance in addition to the validated per diem payments for the same period.
>
> SEC. 2. The Comptroller General of the United States, or his designee, shall relieve authorized certifying officers of the Coast Guard from accountability or responsibility for any duly authorized payments described

in section 1 of this Act, and shall allow credits in settlement of the accounts of those officers for duly authorized payments which are found to be free from fraud and collusion.

SEC. 3. Appropriations available to the Coast Guard for operating expenses are available for payments under this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the eligible bills on the Consent Calendar.

FEDERAL PARTICIPATION IN URBAN RENEWAL

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks to include the statement by the Chicago Association of Commerce and Industry regarding Federal participation in urban renewal. It reflects the differences in attitude and position of the U.S. Chamber of Commerce and the local chambers that are close to the local scene and acquainted with the conditions and needs in our cities.

The fact that the Chicago Association of Commerce and Industry, foremost among local chambers of commerce, so strongly takes issue with the Chamber of Commerce of the United States is most significant. I urge the closest and most thoughtful reading by my colleagues of the statement of the Chicago Chamber, which is based upon the principle that "what is good for the community is good for business" and that urban blight, if unchecked, would "stifle the commercial and industrial vitality of communities."

The statement follows:

STATEMENT BY THE CHICAGO ASSOCIATION OF COMMERCE AND INDUSTRY REGARDING FEDERAL PARTICIPATION IN URBAN RENEWAL

The Chicago Associaion of Commerce and Industry opposes at this time the stand taken by the Chamber of Commerce of the United Sttaes in urging action by member companies and associations to bring about the termination of Federal parctipiation in urban renewal and public housing programs.

While agreeing with the long-range ideal of restoring to States and local communities responsibility for urban renewal, it is felt that such action is premature until means are devised for restoring to local governments the financial resources for carrying out urgent and continuing programs of redevelopment without disruption. The fact is that Federal invasion of the tax field has diminished local taxing sources to a point where continuation of Federal grants today are essential until such time as a major realinement of taxing powers is accomplished.

As the business voice of the Metropolitan Chicago area, the Chicago Association of Commerec and Industry recognizes a dual responsibility to the community:

1. For promoting commercial and industrial growth of the area, and

2. For helping create a better community for all who live and work in the area.

These are viewed as inseparable because what is good for business is good for the community, and what is good for the community is good for business. It is recognized that Chicago's problems are fundamentally the same as those facing virtually every one of our Nation's 212 metropolitan areas which today contain over two-thirds of America's population.

Since World War II, despite high levels of economic activity, no problem facing the American city has presented a greater challenge than neighborhood deterioration and encroachment of blight, directly or indirectly afflicting the vast majority of our citizenry. If unchecked, urban blight stifles the commercial and industrial vitality of communities. It impedes flow of private funds and expansion of free enterprise by depressing the optimism and confidence required for continued capital investment. It demoralizes civic pride of urban residents and creates breeding grounds for crime and juvenile delinquency. It compounds the staggering burden of increasing costs of municipal services while at the same time diminishing local government's financial resources by reducing assesed property valuations and the local tax base.

On the other hand, money spent on urban renewal is a proven catalyst which stimulates private enterprise and attracts further investment by private sector of the economy, contributing toward winning the war on poverty and increasing total employment. The largest percentage of the urban renewal dollar, public and private, goes into labor.

Chicago was a pioneering city which, through positive business and civic leadership working in harmony with government, developed effective legislative tools and workable programs to arrest the ravages of urban decay. No one can question the dedication of the philosophy of free enterprise by Chicago's outstanding leaders of commerce, industry and finance such as Remick McDowell, chairman of the Peoples Gas Light & Coke Co., and the late Holman D. Pettibone, longtime director of the U.S. Chamber, former president of the Chicago Association of Commerce & Industry and chairman of the board, Chicago Title & Trust Co., who labored tirelessly to develop practical approaches toward solving the threat of neighborhood blight to America's accelerating urbanization. It was through their keen judgment, businesslike realism, and facing of facts rather than idealistic delusions that there emerged workable, rather than theoretical, devices such as land clearance and community conservation laws which today are rejuvenating Chicago and over 600 other cities in America. Passing over sociological benefits and speaking from purely a dollars and cents standpoint, the mere economic value of urban redevelopment has justified itself many times over. In Chicago, for example, tax yields from recent projects have more than doubled. Chicago's redevelopment program already has added over a hundred million dollars in new assessed valuation, broadening the tax base while improving living conditions and spurring economic growth.

Citing but one of many case studies, which have been duplicated in cities throughout the land, Chicago's Hyde Park-Kenwood community conservation program, the Nation's first such comprehensive plan of urban renewal, is costing $36,700,000 in Federal and local public funds. This program, however, will result in a total private investment of nearly $200 million by property owners and institutions in renovation of existing properties and new construction. A bleak picture of slum envelopment 10 years ago has been dramatically transformed through clearance of pockets of blight, redevelopment, and citizen participation in creating a wholesome environment that will preserve most of the private properties through remodeling and rehabilitation. A recent survey by Chicago Mortgage Bankers Association showed that sales prices of older homes in this neighborhood have risen an average of more than 25 percent in the past 6 years.

Had termination of Federal participation in urban renewal prevailed without provision for alternative methods of generating the "seed money" necessary to attract private investment, this striking success story never could have been achieved.

The Chicago Association of Commerce & Industry is not unmindful of the obligation of States and local governments for carrying their share of responsibility for financing urban renewal. It is hoped that local governments will eventually be able to assume full responsibility.

The Chicago Association of Commerce & Industry's position on urban renewal does favor:

(a) Continuation of the present Federal sharing of local urban renewal costs at this time.

(b) Such Federal grants only where these are part of a comprehensive urban renewal plan and of an overall plan for the city.

(c) Plans which encourage private enterprise to invest in the redevelopment of cleared lands.

(d) Plans which stimulate the entire community to upgrade living standards through private development and private financing.

(e) Continued Federal provisions for low-rent housing for families displaced by public works projects, code enforcement, and other public actions.

U.S. MILITARY SITUATION IN SOUTHEAST ASIA

Mr. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FORD. Mr. Speaker, over the weekend I read and heard the news accounts of the deteriorating U.S. military situation in southeast Asia. We on the Defense Appropriations Subcommittee have been concerned about these serious problems for a long time and have been urging the executive branch to develop firmer policies and strategies for that area of the world and our national security. I therefore was first encouraged upon hearing of the meeting in Honolulu of the heads of the Department of Defense and Department of State for the purpose of developing future plans. Then I noticed a headline in the Washington Post on Saturday which read, "United States Is Attracted by Poland's Plan for Laos Parley," which I find extremely disturbing.

The article went on to say that Poland proposed a six-nation conference made up of Britain, the Soviet Union, Poland, India, Canada, and representatives of the leftist, neutralist, and rightist factions in Laos' coalition government. It went on to say the United States and Communist China would be excluded.

Mr. Speaker, first of all, history has shown a plan offered by a Communist nation must be treated with gravest suspicion, in this case particularly, since the chief culprit who brought about the critical condition in Laos was Poland. Our U.N. representative, Mr. Stevenson, clearly stated this as recently as last week in a speech before that body when he said: "This machinery—the Geneva accords—has been persistently sabotaged by the Communist member of the International Control Commission, who has succeeded by misuse of the so-called veto power in paralyzing the machinery designed to protect the peace in that area and thereby undermining support of the Souvanna government." In view of the past behavior of Poland how can we not seriously question the intent of any proposal from that quarter?

Secondly, by our Government not being a member of this Conference, we would not be in a position to present and defend our proposals. We would subsequently be under extreme pressure to accept any solutions which such a conference would develop. Considering the makeup of the conferees we would run a grave risk that the solutions would not be in the best interests of the United States or at best so weak that they would only serve to deter us from taking proper action in a timely manner until it would probably be too late.

I also strongly object to the inference that is implied by the condition that the United States and Communist China are to be excluded from the Conference. Is it the Johnson administration's policy to equate our country with Communist China in our position and role in southeast Asia? Leaving us both out of the Conference apparently is supposed to even things up. The administration has been weak, ineffectual, and misguided in many areas of our foreign policies, but if President Johnson were to accept this condition, it would be a new low in diplomacy from the U.S. point of view.

Thirdly, in view of the promises and commitments to the Laotian people and the world, we must not allow ourselves to be maneuvered into an impossible position. President Johnson on April 20 of this year made a speech relative to southeast Asia in which he stated:

> To fail to respond to these realities would reflect on our honor as a nation, would undermine worldwide confidence in our courage, would convince every nation in south Asia that it must now bow to Communist terms to survive.

I agree with the statement and strongly submit that we cannot run away from our obligations and hide behind some synthetic or superficial solution which would presume to relieve us from the responsibility of making a difficult and possibly unpalatable decision.

Mr. Speaker, Congress must exert every effort to urge the Executive to seek a just and honorable solution for southeast Asia and give our assurance that we will back up any decision based upon just and honorable terms, no matter how difficult they may be.

TO REFORM THE IMMIGRATION, NATURALIZATION, AND REFUGEE LAWS OF THE UNITED STATES

The **SPEAKER**. Under previous order of the House, the gentleman from New York [Mr. LINDSAY] is recognized for 60 minutes.

Mr. **LINDSAY**. Mr. Speaker, I and several of the Members of the House are today introducing a comprehensive revision of our immigration, naturalization, and refugee laws. For too long America's immigration and naturalization laws have, sadly and unnecessarily, conflicted with our national ideals. American history is an impressive testament to the 40 million men, women, and children who, crossing the oceans in search of a better life, helped transform an empty continent into a powerful bastion of democracy and opportunity. All aspects of our national life—politics, religion, commerce, and the arts—have been molded by this, the greatest folk migration in history. America has done much for the immigrant; the immigrant has done even more for America.

Yet our immigration policies reflect both a xenophobia and an unnecessary rigidity which are neither sensible nor becoming. The trouble has little to do with the total volume of quota numbers—the volume of immigration into the United States. This is not the issue. The problem will not be solved by vast numbers of new admissions. But the problem has everything to do with basic concepts. As long as the quota system is based on national origins it will be a source of pain and of shame. And it takes on an element of the ridiculous when one considers how easily it can be corrected.

As to the specific allocation of the quota between countries, the law does not make much sense. A high proportion of those who most want to come to America and who would be of most benefit to us are ineligible. A very few countries are given high quotas which they do not use. Other countries with vastly larger populations and whose people have much to offer the United States are given tiny quotas. The comparison right away puts in question the honesty of the quotas.

The law does illogical things like granting only conditional citizenship to naturalized citizens. This works enormous and illogical hardships, sometimes quite by accident.

The law makes no provision for emergency world refugee problems, such as that which followed on the heels of the October 1956 revolt in Hungary.

Now let us examine briefly the history of the present law, the McCarran-Walter Act. The general lines of present American policy were laid down in the years just after 1918. Prior to World War I all laws restricting immigration into the United States were qualitative in character; that is, they excluded only persons who failed to pass certain minimal tests of health, literacy, and good conduct. Thus the quota law of 1921 and more importantly the Johnson-Reed Immigration Act of 1924 represented a drastic change in American policy.

The Johnson-Reed Act limited the total number of immigrants who could enter in the United States in any one year to 150,000 and also established the national-origins quota system. This system provided that the annual quota for any nationality should bear the same ratio to 150,000 as the number of inhabitants of the United States in 1920 of that nationality bore to the total number of "inhabitants of the United States in 1920." The purpose of the act was to freeze the then-existing national structure of the American population. It went further and defined "inhabitants of the United States in 1920" so as to exclude "descendents of slave immigrants; that is, almost the entire Negro population. The Johnson-Reed Act, with its built-in bias against the southern and eastern Europeans and nonwhites from Asia and Africa, remains to this day the basic American immigration statute.

The law has, however, been amended and modified from time to time. The most important of these changes took place in June 1952 with the passage, over President Truman's veto, of the Immigration and Nationality Act of 1952, generally known as the McCarran-Walter Act. This act codified in one comprehensive statute the multitude of immigration and nationality laws which had been passed by 1952. It generally retained and perpetuated the features of earlier statutes which fixed nationality quotas and limited annual immigration. Most importantly, and most unfortunately, it retained the national origins system intact as the basis for quotas. The 1952 act made slight adjustments in the ban against Asian and Pacific peoples, eliminated discrimination between the sexes, and gave quota preferences to skilled aliens.

The Johnson-Reed Act, as modified by McCarran-Walter, still governs American immigration law. The chief errors, fallacies, and weaknesses of the early laws remain on the statute books. They are mainly errors in concepts and attitudes. The total quota figure is not so important; no country's problems, neither the sending country's nor the receiving country's, are going to be solved by vast new numbers. But even here weaknesses are apparent because law and reality have drifted apart. During the past 10 years about 1,500,000 people could have entered the United States under the national quota system. In fact, 2,500,000 persons entered the country. Of these only about 1 million came in under the regular quotas. All of the remaining 1,500,000 entered under a variety of special regulations, arrangements, and legislative enactments. The fact that these special arrangements have been made implies deep dissatisfaction with the existing law; the fact that they have been necessary suggests that the time is ripe for reform.

In their 1960 platforms both parties pledged the adoption of positive immigration programs aimed at rectifying inadequacies in our present policy. Senator Kennedy, campaigning for President in 1960, repeatedly referred to immigration as a top priority issue. His suggestions for change, as President Eisenhower's before him, have largely gone unheeded.

Congress has been content to tinker with the immigration laws. The edges have been touched up from time to time, but nothing has ever been done to the center. The reason, I think, is indifference. But this may be changing as more Americans become aware of the injustice of the national origins system and of its deleterious effect on foreign policy. It must be remembered that immigration policies and procedures are often the first and only personal contact that peoples of other countries have with the United States.

Finally, Members of Congress themselves are growing weary of having to cope with an ever-increasing volume of private immigration legislation.

In devising reforms in our quota system, it should be recognized that a return to the wide open, unrestricted policy of pre-World War I is out of the question. American immigration policy cannot solve the problem of world overpopulation. When our Nation was young and underpopulated we could absorb an unlimited number of immigrants. This is not the case today. Our rate of economic growth lags behind the rate of growth of our population. Chronic unemployment would be aggravated by a return to the immigration policies of a less complicated age.

But there are certain basic changes in the law that can and should be made. In these remarks I would like to discuss the principal ones that are contained in this omnibus bill. They fall into four broad categories:

First. Revision of the national origins quota system.

Second. Preference for parents of U.S. citizens.

Third. Repeal of the expatriation provisions for naturalized citizens.

Fourth. Provision for relief of world refugee and Communist escapee problems.

There are other provisions of this bill but they are more technical and I will not take up the time of the House in discussing them. They will be included in a section-by-section analysis I have prepared and which I will insert in the RECORD following these remarks.

I. REVISION OF THE NATIONAL ORIGINS QUOTA SYSTEM

Without reopening the doors of the United States to massive immigration, or threatening job security, the first reform should be an overhaul of the national origins quota system, which bluntly discriminates against southern and eastern Europeans and nonwhites from Asia and Africa.

I propose that this built-in irritant be removed, first, by rewriting the formula to establish instead an annual total quota computed on the basis of the total U.S. population, according to the 1960 census, not just the white population. This would result in an annual quota of about 300,000. The change in actual numbers coming to the United States would be relatively small—about 50,000 more—since the present quota of 150,000 is actually exceeded by 100,000 through special legislation. But the change would greatly reduce hardships and uncertainties by eliminating the irrational and capricious combination of the present quota system and the special measures necessary to circumvent it.

In the projected quota expansion, the additional numbers would be distributed among the several quota areas in proportion to the actual immigration into the United States chargeable to each area between July 1, 1920, and the date of enactment of this act. Thus, quota distributions would more accurately reflect actual patterns of immigration since 1920. This moderate adjustment would cause no hardship for the foreign beneficiaries of the present law, since the big quota countries for years have not used their assigned quotas.

Second. Unused quota numbers should be pooled and used on a first-apply, first-served basis, subject, of course, to the usual preference categories: Blood relationship, skills needed in the United States, and so forth. An annual average of about 50,000 available quota numbers are unused. These are quotas primarily allocated to the United Kingdom, Ireland, Sweden, and other northern European countries. Almost 35 percent of the available quota numbers for these countries are unused. This must be compared to countries like Greece and Italy, which have over 100,000 pending visa applications for quotas numbering 308 and 5,660 respectively. The situation is equally difficult for countries like Israel and Japan.

To rectify this imbalance, the unused annual quota numbers should be placed in a general quota pool which will be available for allocation on a first-apply, first-served basis. This would be a very major step toward the total elimination of the national origins system. Admittedly, this part of my proposed revision could result in a substantial number of new immigration numbers. If thought too high, the Congress may, of course, place a limit—not in excess of X number. This does not present a difficult problem. The main point is to establish a general quota and thus to get away from the national origins system and the national quota. A pooling of unused quotas would be a substantial move in this direction.

Third. Minimum quotas under this bill would be raised from 100 to 200.

II. PREFERENCE FOR PARENTS OF U.S. CITIZENS

My bill would include in the nonquota category parents of U.S. citizens. This nonquota status is now accorded to a child or spouse of a citizen. The family relationship is the most important standard of all in this problem of priorities in immigration, and parents of U.S. citizens should be included in the high priority list.

III. REPEAL OF THE EXPATRIATION PROVISIONS FOR NATURALIZED CITIZENS

Mr. Speaker, until the Supreme Court spoke a week ago the effective law provided that naturalized citizens could be deprived of their citizenship because of sustained residence abroad in excess of 3 years in their country of origin and 5 years elsewhere. Naturalized citizens should not be encumbered by penalties which make them second-class citizens of the United States. Simply by a change of abode for a period of time, a naturalized citizen is conclusively presumed to have renounced his allegiance to the United States. This provision should be repealed. It is neither desirable nor necessary. It is argued by some that the provision is needed to control the case of the alien who seeks U.S. citizenship that he may use it abroad to further personal business or other adventures that could in fact be detrimental to the United States. But this is the rare case which can be controlled by other provisions of the law. What the expatriation provision does do, besides perpetually hanging heavy over every naturalized citizen's head, is to penalize the little person who is a proud U.S. citizen, is innocently abroad because of employment or family obligations, and cannot afford to run home to reestablish the time period. It does not catch the "jet-set" wheeler-dealer operator. He is too well financed. The wheeler-dealer case can be caught, in fact, under section 340(d) of the Immigration and Naturalization Act. This section establishes a procedure, with full court review, for revocation of naturalization where it is discovered that there was, in effect, "fraud ab initio"—fraud in the inception. This section can, and has been, used to catch the hard-core case of the manipulator. Furthermore, it provides proper and fair procedures, which the expatriation provisions do not. The matter is now settled, however, as the Supreme Court has held this particular section unconstitutional.

There is another provision in the present law which any citizen, born or naturalized, may run afoul of even accidentally. The law provides that if a citizen votes in a foreign election there is an automatic loss of citizenship. Extenuating circumstances are not considered. Why should this be? A case recently came to my attention, for example, where a born American citizen was notified that our Government was commencing proceedings for loss of citizenship because she voted in a minor Australian election. This person was the wife of an Australian who for a long time suffered a lingering sickness and finally died. Under Australian law, property owners are required to vote—there is a penalty for not voting. The lady held their house in her name because of her husband's illness. By casting a ballot in a local election she was complying with Australian law. She had no intent to declare allegiance to Australia, nor to deny U.S. citizenship and, in fact, had no knowledge of this provision in the U.S. immigration and naturalization law. My bill provides that a person's intent shall be considered. The State Department, I am glad to say, on final review ruled in the lady's favor, perhaps assisted in part by my intervention. The proposed change in the law will make it easier to adjust a case of this kind.

IV. PROVISION FOR RELIEF OF WORLD REFUGEE AND COMMUNIST ESCAPEE PROBLEMS

Of all immigration questions, the most explosive and the most tragic is the unsolved world refugee problem.

According to the most reliable evidence available, there are up to 10 million unsettled persons outside the Iron Curtain. In the years since World War II over 40 million human beings have been involuntarily uprooted from their homes and have crossed frontiers, artificial or traditional, in search of asylum. The tragic proliferation of refugees all over the world is one of the legacies of an era of global wars, revolutions, civil conflicts, and surging nationalist movements. Refugees are both the product of political tensions and the cause of new unrest. Wherever there is an unsolved refugee problem, there is both a tragic human situation and a potentially explosive political situation. When refugee problems are neglected—as they all too often have been—human misery abounds and political tensions are aggravated.

In the autumn of 1956, I served as the representative of the Attorney General of the United States in Austria and West Germany for the purpose of setting up the machinery under which almost 40,000 refugees from Communist tyranny in Hungary were brought into the United States. Many an early dawn I stood on the Austrian side of the bridge at Andau, walked the Hungarian border, and saw courageous freedom fighters, women and children, come over the freezing swamps and canals. It was a sight and experience that I shall never forget. Anyone who has witnessed the chaos, the fear, the suffering of human beings in mass flight from their homeland can never again think of the plight of uprooted peoples as anything less than an urgent and compelling demand on individual conscience and human compassion.

In the autumn of 1960, I had the opportunity in the course of a world tour of refugee camps to study the living history of four significant concentrations of refugees; Arab refugees in the territories around Israel, Tibetans in India, both Moslem and Hindu refugees in India and Pakistan, and Chinese in Hong Kong.

There in wretched camps—in bitterness and often in deprivation—crowded individuals, children and adults, exist without hope in a world they cannot understand, without the conditions of human dignity which we Americans have come to accept as a basic part of our birthright.

To any refugee problem, there are three possible solutions: repatriation in the country of origin, integration in the country of asylum, or resettlement elsewhere. Some combination of integration, resettlement, and repatriation is essential in meeting all refugee problems.

In suggesting lines of action to alleviate the world refugee problem, we should, wherever possible, encourage programs of relief and rehabilitation under the auspices of the United Nations and through the machinery and resources of the International Committee on European Migration—ICEM—which has done excellent work with European migration problems. The United Nations and ICEM should expand their mandates to encompass all world refugee problems instead of limiting themselves to the declining problem of Europe.

I would like to pay credit to the remarkable work that has been done by voluntary agencies in each of these areas. They have accomplished miracles in the distribution of food and supplies, transportation and relocation.

The enactment of Public Law 87-510 in 1962 enabled the United States to continue its participation in certain refugee programs to provide assistance to refugees after they have arrived in the United States. It authorized the President to use up to $10 million of funds to meet unexpected refugee developments which are outside the scope of regular appropriations.

This was helpful legislation but again, as in the case of stopgap immigration measures, piecemeal temporary solutions are being sought for permanent, festering problems. The refugee problem should be considered as an integral and essential facet of overall immigration policy.

To make some headway toward meeting this tragic and tension-ridden world problem, my proposed legislation moves away from the piecemeal approaches of the past. The legislation first tackles the knotty problem of definition. It defines "refugee" to mean any alien who because of persecution or fear of persecution on account of race, religion, or political opinion has fled or shall flee from any Communist territory or from a country of the Middle East. The definition also includes persons who are victims of war, political upheaval, or natural calamity who are unable to return to their former homes.

The bill then empowers the President in emergencies such as the Hungarian revolt, declared so by proclamation, to paroie into the United States 10,000 refugees. After a period of time, these persons would become eligible to apply for permanent residence. Congress at all times would receive detailed reports and would retain veto power over all admissions.

Apart from emergency situations, 20,000 special refugee visas would be authorized for a 2-year period in order to relieve some of the pressure on existing unsolved refugee concentrations. Up to 10,000 of these special visas would be available for unsettled hard-core refugees now in refugee camps under the auspices of the United Nations High Commissioner for Refugees. Finally, the bill authorizes the Secretary of State to make limited grants to public and private agencies in the United States for the purpose of financing the resettlement of these refugees in the United States. Our country can scarcely press other countries for meaningful solutions to world refugee problems without offering to accept a fair share itself. Some of these unsolved refugee concentrations are explosive and it is to our own interest to remove the fuse. We have an obligation, in advancing an overall resettlement plan, to participate in such a plan by offering refuge within our own country to a reasonable number of refugees. By so doing, we will let the world know of our desire to bring this problem closer to a solution and we will be giving notice that America's belief in freedom and humanity remain enduring tenets of our democratic credo.

Mr. Speaker, I belive that this omnibus legislation that I and other Members introduce today is the best omnibus reform of the McCarran-Walter Act that has yet been offered. It is comprehensive, progressive, and reasonable; it should command wide support; and it can pass. I commend it to all of my colleagues and especially to the Subcommittee on Immigration of the House Judiciary Committee. I am not a member of the subcommittee but I am of the full Judiciary Committee and I pledge my full and complete cooperation and support toward a result.

Mr. Speaker, if America is to live up to her ideal of freedom and justice we should move ahead in this vital area. We must correct our deficiencies, and strengthen the things in our heritage that have made us great. We must hold ourselves out to the world as a proud and unafraid people who care deeply about basic liberties and stand for justice and reason so far as these noble goals are attainable in this troubled world.

Mr. Speaker, to save Members the trouble perhaps of reading a lengthy and complicated bill, I ask unanimous consent to insert at this point in the RECORD a detailed section-by-section analysis of this bill, which will explain as simply as possible each provision of the legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

SECTION-BY-SECTION ANALYSIS OF H.R. 11446, A BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT, AND FOR OTHER PURPOSES

The first section of the bill provides that the act may be cited by its short title (the "Immigration and Nationality Act Amendments of 1964").

The remainder of the bill is divided into eight titles, as follows:

Title I—General.

Title II—Quota system.

Title III—Changes liberalizing visa requirements for nonimmigrant visitors to the United States.

Title IV—The admission of persecuted peoples.

Title V—Changes in provisions relating to ineligibility to receive visas and exclusion from admission.

Title VI—Provisions relating to entry and exclusion; deportation; adjustment of status.

Title VII—Loss of nationality.

Title VIII—Miscellaneous.

TITLE I—GENERAL

Section 101—Definitions: Section 101(a) of the bill amends section 101(a)(27)(A) of the Immigration and Nationality Act (hereinafter, the act), which grants nonquota status to spouses and children of U.S. citizens, to extend nonquota status to parents of U.S. citizens as well

Section 101(b) of the bill amends section 101(a)(27)(C) of the act to extend nonquota status to all natives of independent Western Hemisphere countries.

Section 101(c) of the bill amends section 101(a)(33) of the act, by deleting language governing the meaning of the term "residence" as it is used in sections 350 and 352 of the act. This is a conforming amendment to section 701(a) of the bill which repeals section 350 and 352 of the act.

Section 102—Powers and duties of the Secretary of State: This section of the bill amends section 104(a)(1) of the act, relating to the powers and duties of the Secretary of State in administering the act and all other immigration laws. Under existing law the Secretary's authority extends to the powers, duties, and functions of diplomatic and consular officers of the United States, but not to the granting or refusal of visas. This section of the bill would extend the Secretary's authority to cover the powers, duties, and functions of consular officers relating to the granting or refusal of visas.

TITLE II—QUOTA SYSTEM

Section 201—Determination and allocation of annual quota: Section 201(a) of the bill revises the language of section 201 of the act, making the following changes in the law.

The annual quotas of quota areas would be equal to one-sixth of 1 percent of the entire 1960 population of the United States, rather than one-sixth of 1 percent of the white population of continental United States in 1920 as under existing law. This would change the size of the aggregate annual quotas, which are currently set at 156,987 to approximately 300,000. The minimum quotas would be raised from 100 to 200.

Each quota area would continue to receive the quota numbers it receives under existing law. The additional quota numbers created by the bill, after deducting those necessary to increase the minimum quotas from 100 to 200, would be distributed among the several quota areas in proportion to the actual immigration of immigrants chargeable to each quota area between July 1, 1920, and July 1, 1960.

The Secretary of Labor would be added to the list of officials (Secretary of State, Secretary of Commerce, and Attorney General) who are responsible for determining annual quotas for quota areas. The new quotas would be determined as soon as practicable after enactment of the bill and would take effect on the first day of the fiscal year, or next half fiscal year, following the expiration of 6 months after the date they are proclaimed by the President.

Section 201(e) of the act would be amended to reflect the effect of section 10 of the act of September 11, 1957, which terminated the reductions in annual quotas under the Displaced Persons Act of 1948.

The bill would add a new subsection (f) to section 201 of the act providing for the pooling and redistribution among oversubscribed quota areas of quota numbers unused at the end of a fiscal year. The pool would be on a worldwide basis, no distinction being made on an area or country basis, and would be allocated on a first-apply, first-considered basis. In other words, immigrants with the earliest registration date on quota waiting lists would be the first to receive immigrant visas from the worldwide quota pool. The preferences would apply to those issued from the pool. Quota numbers from the pool which are not used within a year after they are proclaimed would lapse.

Section 201(b) of the bill amends the heading for section 201 in the table of contents of the act.

Section 202—Determination of quota to which an immigrant is chargeable: This section of the bill abolishes the Asia-Pacific triangle provisions of the act and eliminates the maximum limitation of 100 which applies to subquota areas.

Sections 202(a)(5) and 202(b) of the act contain provisions regarding the quota chargeability of aliens who are attributable by one-half ancestry to peoples indigenous to the Asia-Pacific triangle. These provisions would be abolished by section 202 (a) and (b) of the bill. In addition section 202 (a) of the bill amends the language contained in 202(c) of the act, relating to the quota chargeability of aliens born in a colony or dependent area, and places it in 202(a) (5). As amended, the existing provision limiting the number of persons chargeable from colony or dependent area to 100 a year would be eliminated, thus making the entire quota of a governing country available to persons chargeable to its subquota areas.

Section 202(c) of the bill contains conforming amendments.

Section 203 eliminates parents of citizens of the United States from the second preference category. This change conforms the act to the amendment made by section 101 of the bill making parents of such citizens nonquota immigrants.

TITLE III—CHANGES LIBERALIZING VISA REQUIREMENTS FOR NONIMMIGRANT VISITORS TO THE UNITED STATES

Section 301—Nonimmigrant visas: Section 301(a) of the bill amends section 212(d)(4) of the act to authorize the Attorney General and Secretary of State, acting jointly and on the basis of reciprocity, to allow nonimmigrants to visit the United States temporarily for business or pleasure without the necessity of having in their possession a nonimmigrant visa or border crossing identification card.

Section 301(b) would authorize medical officers of the Public Health Service and immigration officers to serve at consular posts overseas in order to examine and inspect aliens seeking to visit the United States temporarily for business or pleasure for whom the requirement of a visa or border crossing identification card had been waived.

Section 301(c) repeals a provision in section 214(b) of the act creating a presumption that every alien applying for a visa or for admission is an immigrant until he proves that he is entitled to nonimmigrant status.

TITLE IV—THE ADMISSION OF PERSECUTED PEOPLES

Section 401—Refugee relief: Section 401 (a) of the bill amends section 212(d)(5) of the act (which grants the Attorney General authority to parole aliens into the United States) by adding a new subparagraph (B) which defines the term "refugee" as used therein, and authorizes the President, whenever he finds that a situation has arisen creating a class of refugees, to direct the Attorney General by proclamation to parole into the United States such refugees selected by the Secretary of State. The Attorney General is further authorized in the absence of a Presidential proclamation to parole up to 10,000 such refugees into the United States in a fiscal year upon selection by the Secretary of State.

Section 402—Adjustment of status of certain aliens: Section 402(a) of the bill adds a new paragraph (9)(A) to section 212(d) of the act, authorizing the Attorney General, upon application of an alien paroled into the United States under section 212(d)(5), to adjust his status to that of an alien lawfully admitted for permanent residence. If the Attorney General is satisfied that the alien has remained in the United States for at least 2 years, is a person of good moral character, and that such action is not contrary to the national welfare, safety, or security, he may record the alien's admission for permanent residence as of the date of the alien's last arrival. The Attorney General must submit a complete report to Congress in the case of each alien whose status is adjusted. Either the Senate or the House of Representatives may pass a resolution disapproving the adjustment of status prior to the close of the following session of Congress, in which case the alien will be required to leave the United States in the manner provided by law. If neither House of Congress passes such a resolution within that time the alien's status will be adjusted as of the date of his last arrival.

Section 402(b) of the bill authorizes the issuance of 20,000 special nonquota immigrant visas to refugees during the 2-year period July 1, 1964, to June 30, 1966. These admissions are to be in addition to the admission of refugees on parole under section 212(d)(5) and under the refugee fair share law provisions of Public Law 86-648.

Section 402(c) of the bill provides especially for the admission of up to 10,000 "hard-core" refugees (as determined by the U.N. High Commissioner for Refugees) as nonquota immigrants including those who are afflicted with tuberculosis. Such refugees must be otherwise admissible and their admission is to be subject to such terms, conditions, and controls, excluding the giving of a bond, as the Attorney General may prescribe in consultation with the Surgeon General of the U.S. Public Health Service.

Section 402(d) provides that, except as provided in subsection (c), an alien must meet all eligibility requirements of the act in order to be admitted as a refugee under this section of the bill.

Section 403—Issuance of visas: This section states that any special nonquota immigrant visas issued under the bill, with the exception of those issued under section 402(c), must follow the requirements of section 221 of the act which sets forth the general procedures to be followed in issuing visas.

Section 404—Resettlement of refugees: Section 404(a) authorizes the Secretary of State to make grants to public or private agencies in the United States to assist them in resettling within the United States needy hard-core refugees admitted under section 402(c) of the bill, including the furnishing of care and rehabilitation services. Section 404(b) authorizes the appropriation of up to $2,500,000 for this purpose.

Section 405—Immigration and Nationality Act definitions: This section applies the definitions contained in section 101 (a) and (b) of the act to the administration of title IV of the bill.

TITLE V—CHANGES IN PROVISIONS RELATING TO INELIGIBILITY TO RECEIVE VISAS AND EXCLUSION FROM ADMISSION

Section 501—Pardon for crimes: This section of the bill amends paragraphs (9) and (10) of section 212(a) of the act (which declare aliens who have been convicted of or who admit having committed certain crimes ineligible to receive visas and excluded from admission) to provide that an alien shall not be so ineligible or excluded on the basis of a crime for which he has received a pardon.

Section 502—Other excludable aliens: Subsections (a), (b), and (c) of this section eliminate existing language in the act which gives controlling effect to the opinion of a consular officer or the Attorney General in determining the excludability of certain aliens.

Section 502(a) amends section 212(a)(15) of the act (which declares excludable aliens who in the opinion of the consular officer at the time of application for a visa or the Attorney General at the time of application for admission, are likely to become public charges) by eliminating language referring to the opinion of the consular officer or the Attorney General.

Section 502(b) similarly amends section 212(a)(27) of the act relating to the excludability of aliens who might be seeking entrance to the United States to engage in activities which would be prejudicial to the public interest or endanger the welfare, safety, or security of the United States.

Section 502(c) similarly amends section 212(a)(29) of the act relating to the excludability of aliens who might engage in espionage, seek to overthrow our Government by unconstitutional means, or participate in the activities of certain subversive organizations.

TITLE VI—PROVISIONS RELATING TO ENTRY AND EXCLUSION; DEPORTATION; ADJUSTMENT OF STATUS

Section 601—Inspection and deportation: Section 601(a) repeals section 235(c) of the act, which vests in the Attorney General special authority to exclude aliens for security reasons under paragraphs (27), (28), and (29) of section 212(a), on the basis of confidential information and without inquiry by a special inquiry officer.

Section 601(b) contains a conforming amendment to section 235(b) of the act, deleting a reference to section 235(c).

Section 601(c) of the bill amends section 241(a)(8) of the act (which provides for the deportation of aliens who, in the opinion of the Attorney General, have become public charges within 5 years after entry), by striking out the words "in the opinion of the Attorney General."

Section 601(d) repeals section 241(d) of the act, which applies the grounds for deportation contained in section 241 retroactively to aliens who entered the United States prior to the date of enactment of the act to events that occurred prior to such date.

Section 602—Grounds for deportation; record of admission: Section 602(a) amends section 244(a)(2) of the act (which authorizes the Attorney General to suspend deportation and grant permanent resident status to aliens who are deportable for certain of the more serious grounds specified in section 241 of the act and who have been in the United States continuously for 10 years and prove good moral character during that time), by changing the test supplied by the Attorney General in determining the effect of deportation on the alien or his family from one of "exceptional and extremely unusual hardship" to one of "extreme hardship." This amendment would apply the same test to the aliens affected as is applied to other aliens deportable on less serious grounds.

Section 602(b) repeals section 244(f) of the act which prohibits certain classes of aliens (crewmen, exchange students and professors, and natives of contiguous countries or adjacent islands) from having their deportation suspended and status adjusted under section 244 of the act.

Section 602(c) amends section 249(a) of the act (which authorizes the Attorney General to create a record of admission for permanent residence for certain aliens who entered the United States prior to June 28, 1940) by extending its applications to those who entered prior to December 24, 1952 (the effective date of the Immigration and Nationality Act).

TITLE VII—LOSS OF NATIONALITY

Section 701—Loss of citizenship; special proceedings: Section 701(a) of the bill relating to loss of nationality by a citizen of the United States for voting in a foreign election is amended to add the proviso: "if such voting in a political election or such participation in an election or plebiscite is done with the intent to renounce U.S. nationality or to acquire the nationality of a foreign state.

Section 701(b) of the bill repeals sections 350, 352, 353, 354 and 355 of the act, which provide for or relate to the loss of nationality by dual nationals and naturalized U.S. citizens and nationals.

Section 701(c) would make several changes in section 360(a) of the act, which provides for declaratory judgment proceedings for a person claiming U.S. nationality. The existing provision applies only to persons who are within the United States; as amended by the bill it is not so limited. Existing law applies only to persons who are denied a right or privilege as a U.S. national by a department, agency or official of the Government; under the bill the denial is not limited to such a Federal source. The provision presently provides only for the initiation of a declaratory judgment proceeding; as amended by the bill, judicial review under the Administrative Procedure Act would also be made available. The bill would eliminate provisions in the existing section stating that no action may be instituted if the issue of the person's nationality arose out of or is in issue in an exclusion proceeding. Finally, the existing 5-year period of limitation within which suit must be brought would be eliminated.

Section 701(d) amends section 360(c) of the act by striking out the second sentence (which provides that a final determination by the Attorney General that a person who has applied for a declaration of nationality is not entitled to admission to the United States may be reviewed judicially only in habeas corpus proceedings and not in any other manner).

TITLE VIII—MISCELLANEOUS

Section 801—Powers of immigration officers: This section amends section 287(a)(1) of the act which empowers authorized officers and employees of the Immigration and Nationality Service, without warrant, to interrogate any alien or person believed to be an alien as to his right to be or remain in the United States. As amended by the bill, the interrogation of a person believed to be an alien would have to be based on probable cause.

Section 802(a)—Statute of limitation: This section of the bill would add a new section 293 to the act providing a statute of limitation for deportation proceedings, whereby no alien could be deported by reason of conduct occurring more than 10 years prior to the institution of proceedings.

Section 802(b) contains a conforming amendment to the table of contents to reflect the addition of the new section 293 by subsection (a) of this section.

Mr. MORSE. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Massachusetts.

Mr. MORSE. Mr. Speaker, it has been 12 years since the Congress has undertaken a comprehensive revision of our immigration laws. As the gentleman from New York [Mr. LINDSAY] pointed out, we are still using population figures of 44 years ago in determining our national origins quotas. It is high time that we brought immigration laws up to date.

I have today introduced legislation identical to that filed by the gentleman from New York [Mr. LINDSAY], which would bring about the comprehensive revision we need. I want to commend my colleague from New York [Mr. LINDSAY] for the extraordinary work he has done in this field. It was his leadership and careful study that has produced the Immigration and Nationality Act Amendments of 1964.

The legislation involves an across-the-board approach which will adjust quotas to current realities, liberalize our refugee admission standards, and provide preference status for the parents of U.S. citizens. This preference status is already provided for the spouse or child of a citizen.

The gentleman from New York [Mr. LINDSAY] has presented a detailed statement of what the legislation involves. I merely want to point out the beneficial effect this bill would have on existing quotas.

Instead of gearing the quota to the 1920 census, the quota would be based on the 1960 population figures. The system would follow closely a system recommended in 1960 by former President Eisenhower. The impact on the total annual immigration would be almost to double it. Three hundred thousand people could come to our shores each year. In addition, unused quotas could be pooled and allocated on a first-come, first-served basis, subject to the usual preferences.

This will eliminate the present situation where some quotas are oversubscribed by as much as 100,000 names while others remain unused.

At the present time the United States is pursuing—as it has been for some years—a rigid policy which deprives our Nation of needed skills and talents. The omnibus legislation I am introducing today will not do away with the desirable features of existing law. The usual preference categories will remain intact. What this bill will do however, is make our immigration law reflect the realities of the 1960's.

Mr. Speaker, American history is replete with examples of the important contributions made to our freedom, our culture, and our technology by those who have come to our shores. We need the skills, the talents, and the energies of immigrants no less today. In reopening the gates to those who would come to America we serve our highest traditions and elevate the quality of our civilization.

REVISION OF IMMIGRATION LAWS

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, there is a need for a revision and review of our immigration laws. The McCarran-Walter Act of 1952, which made modifications in the Johnson-Reed Act of 1924, is now outdated in some respects. Many potentially good citizens who most want to come to America are now cruelly barred from entry. Parents of U.S. citizens often find it impossible to enter the United States and join their families. Under our unrealistic quota policy of admitting aliens on the basis of national origin, some countries never fill their quotas, while others with small quotas have long waiting lists of people who want to enter the United States, often to join close relatives or to supply badly needed skills.

I applaud the efforts of Representatives JOHN LINDSAY, OGDEN REID, and others in introducing legislation to correct inequities in the current immigration laws. Let us hope that speedy and thorough consideration can be given by the Judiciary Committee to the subject of revision of our immigration laws.

As a Congressman I have been impressed by many commendable requests for admission into the United States by persons now virtually denied such an opportunity. Some means should be established for judging each case on its merits. While the United States cannot in this day and age return to a pattern of unlimited immigration, some liberalization in existing restrictions is called for. Close relatives of U.S. citizens should be given special preference. Our immigration law should not create and perpetuate the separation of families.

Persons possessing needed technological skills should be given priority regardless of their national origin. Unfilled quotas of nations sending few persons to the United States could thus be utilized.

We should also establish a policy of allowing a certain number of the world's refugees to enter the United States. Such a move would dramatize our concern for the world's refugee problem as did our acceptance of Hungarian refugees.

Through the years America has benefited from immigration. In fact, America is the story of immigration and the vital contributions of those who came to our shores and made the United States into the strong, dynamic Nation she is today. A review of our immigration and naturalization laws is urgently needed.

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may extend their remarks on this subject at this point in the Record.

The SPEAKER pro tempore (Mr. Libonati). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I wish to express my appreciation to the distinguished gentleman from Massachusetts [Mr. Morse] for the excellent contribution that he has made to this important subject.

THE USE OF RED VETO IN SOUTHEAST ASIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. Laird], is recognized for 30 minutes.

Mr. LAIRD. Mr. Speaker, in July 1962, when the declaration and protocol on neutrality in Laos was signed, I sent a letter to Secretary of State Dean Rusk in which I raised very serious questions about the wisdom of entering into an agreement under the terms contained in that document. On April 13, 1963, I stood in the well of the House and reiterated my concern when the situation was obviously deteriorating and no action or change of policy was evidenced. Now almost 2 years from my original act the evidence overwhelmingly substantiates the validity of my concern and the accuracy of my prediction.

As I stated before, Mr. Speaker, I do not ascribe to myself the faculty of prescience or foreknowledge, but the use of logic with a sprinkling of comon sense. Nor am I unique in my judgment on this matter as I know that many share these same concerns and conclusions on both sides of the aisle.

You may ask, if these thoughts are correct and so common among the legislative branch, why is it that the executive does not reach the same conclusions. This is the crux of the problem and the answer is relatively simple. The basic premises upon which the executive branch bases its decisions are different from those generally possessed by the legislative. Examples which may be cited are:

The executive believes you can negotiate in good faith with the Communists without providing for safeguards—the legislative does not.

The executive believes we must not exert more than a bare minimum level of military force in fear of escalation—the legislative does not.

The executive believes political and economic means will almost exclusively solve problems of aggression—the legislative does not.

The executive believes the force of world opinion generally, and particularly as expressed in the U.N., will provide sufficient leverage to deter Communist aggression—the legislative does not.

Lastly, the executive believed up until this past week that the problems of Laos, Vietnam, and Cambodia, are individual problems with little or no relation to one another—the legislative did not and does not.

Until the above premises are changed, the solutions arrived at by the executive will always be in danger of serious error. We should not expect anything different.

An important item which I raised in my original memorandum will further illustrate why these problems develop.

In my letter to the Secretary of State, I stated that:

> The provisions of article 14 of the Declaration and Protocol appear to confer veto power on Communist Poland over the policies of the United States and all other signatory powers in relation to Laos. This I regard as a nullification of the promises of the agreement.

Assistant Secretary of State W. Averell Harriman responded for Secretary Rusk as follows:

> The general rule prescribed in that article [article 14] in the second sentence of the second paragraph is that decisions of the Commission shall be made by majority vote.

He then cited a few exceptions but indicated that:

> The Commission shall submit reports on its investigations in which differences of view may be expressed thus enabling publications of minority and majority opinions.

In brief, I was told this is not an area of concern.

On May 21 of this year, just last week, our representative to the United Nations, Ambassador Stevenson, in a speech before that body stated:

> This machinery (the Geneva accords) has been persistently sabotaged by the Communist member of the International Control Commission (Poland) who has succeeded by misuse of the so-called veto power in paralyzing the machinery designed to protect the peace in that area.

Mr. Speaker, why has it taken the Executive, or more specifically, the State Department, over 2 years to recognize that the earlier agreement with the Communists would be treated the way it has been? I can only go back to the earlier charges I have made that the basic premises relative to the problem of communism and southeast Asia are in error. What more concrete illustration can there be than yesterday's decision by Souphanouvong to withdraw his Communist Pathet Lao from the troika, thus wrecking whatever vestiges were left of a coalition Government in Laos? This proves conclusively that Communists adhere to agreements only so long as such agreements serve their advantage.

Another glaring error or rather omission by the remarks of our Executive and State Department spokesmen is relative to the role of the Soviet Union in today's situation. In the memorandum by Assistant Secretary Harriman mentioned above, he also included a paragraph which stated:

> As one of the cochairmen of the Geneva Conference, the Soviet Union bears a particular responsibility to see that the Geneva agreements are properly implemented. It is written into the agreements that "the cochairmen shall exercise supervision over the observance of this protocol and the declaration on the neutrality of Laos." (Article 8 of the protocol.) In effect this means that the Soviet Union is responsible to see that the Communist countries, particularly Communist China and North Vietnam, live up to the agreements.

Mr. Speaker, in the above-mentioned speech by Ambassador Stevenson and other recent announcements by the State Department, I find no significant and strong references to this understanding as stated by Secretary Harriman. Why? Again, are we backing off from taking a firm position because of the fear of upsetting something the administration is striving for called parity or accommodation?

The view of the southeast Asian area which is also shared by the executive states that the loss of South Vietnam will mean the loss of all southeast Asia to Communism. Further, such a loss will have grave effects upon the security of the United States and the free world. In view of these conclusions, we cannot afford a continuation of current policies; nor can we agree to another full conference as presently being suggested by France and the Soviet Union for it would only be repeating the farce which brought us to this present condition.

I would also like to recall for my colleagues the statement made by President Johnson in February of this year in which he used the phrase "deeply dangerous game." This was considered to be a dire warning to the Communists if they continued their aggression against South Vietnam. You may remember the press corps were called and instructed about the significance and extreme importance of the words "deeply dangerous." This major offensive thrust by the administration was heard by the Communists and they responded: they stepped up their attacks; increased the number of casualties; reinstituted large-scale attacks in Laos; and made Thailand consider a more "neutral" position. What further evidence do we need to show the impotence of this administration's policies?

The meeting currently being held in Honolulu is a good first step in developing a solution to this grave situation. However, these meetings will be unproductive unless the representatives of the executive have discarded the false premises I mentioned earlier which have been a major cause of our ineffectual policies to date.

Mr. Speaker, I sincerely hope that the administration's representatives gave serious reconsideration to the premises on which our policies have been based before entering into discussions in Honolulu.

Mr. Speaker, I ask unanimous consent to include in the RECORD the letters I referred to.

The letters follow:

JULY 24, 1962.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

MY DEAR MR. SECRETARY: It is, of course, no secret that grave doubts and deep concern are being expressed in many quarters over the present Lao situation. I, too, as a member of the Defense Appropriations Subcommittee, am deeply troubled. I have been for many, many months.

On the basis of information recently made public concerning the declaration and protocol on neutrality in Laos, the only possible conclusion one could draw is that Laos is being surrendered to the Communists, as Poland was at Yalta 17 years ago.

The oft-expressed fear, now apparently a fact, that Communist forces are being replaced in Laos to carry on the fight in South Vietnam in which 8,000 American troops are now deeply involved should be sufficient to shake administration complacency. Obviously it is not.

I strongly believe that the net effect of this agreement on Laos will be the intensification of war in southeast Asia and a weakening of the confidence of free Asians in the value of close cooperation with the United States.

The provisions of article 14 of the declaration and protocol appear to confer a veto power on Communist Poland over the policies of the United States and all other signatory powers in relation to Laos. This, I regard as a nullification of the promises of the agreement.

I gravely disapprove of the procedure, presently being followed, which fails to submit the declaration and protocol to the U.S. Senate for ratification as a treaty.

The Congress and the country deserves a full and frank report from you on future American policy toward Laos. You will recall that President Kennedy, on March 23, 1961, told the American people, "If the Communists were to move in and dominate this country, it would endanger the security of all, and the peace of all southeast Asia, that quite obviously affects the security of the United States."

I would be interested in receiving from you a plausible explanation of what makes today any different from March 23, 1961.

Other specific questions to which I would respectfully request detailed replies would include the following:

1. On what tangible facts do you base the expectation, expressed in the declaration and protocol, that this agreement will "assist peaceful democratic development of the Kingdom of Laos" and "the strengthening of peace and security in southeast Asia"?

2. What provisions, contained in the declaration, prevent complete domination of Laos by the Communists?

3. Does the treaty specifically prohibit Communist troops presently in Laos from moving into South Vietnam?

4. How would the United States regard a veto by Poland? Would it be looked upon as a barrier to action by the non-Communist signatories of the declaration? Would it be a barrier to action in the event of a Communist takeover in Laos? Would it prevent action if the practice of dispatching Communist troops through Laos to Vietnam were continued?

5. What action would the Government of the United States take in the event of a violation of the treaty and in the face of a Polish veto on action?

It is my profound hope that you will draft an early reply to this letter, a reply that I and the American people can only hope will allay our fears about the present direction of administration policy in southeast Asia.

Sincerely yours,

——— ——— ———.

AUGUST 10, 1962.

Hon. MELVIN R. LAIRD,
House of Representatives.

DEAR CONGRESSMAN LAIRD: The Secretary has asked me to reply to your letter of July 24 which raises a number of important questions about the recently concluded Geneva agreements. I am glad to have this additional opportunity to clarify our policy toward Laos and to answer your specific questions on the Geneva agreements.

We have considered, in close consultation with the congressional leadership of both parties, the various possible approaches to a settlement of the Laos question. Certainly the course of action that has been adopted is not without risk, but we believe that our present policy is the one most likely to further the national interest of the United States. That policy is to assure the maintenance of a peaceful, independent, and neutral Laos within the framework of the 1962 Geneva agreements.

I am enclosing a copy of the full texts of the agreements which were signed at Geneva. I think you will see upon a careful reading of them that, far from surrendering Laos to the Communists, the effect of these agreements is to prevent that from occurring. All the signatories at Geneva, including the Communists, have agreed to respect the sovereignty, independence, unity, neutrality, and territorial integrity of Laos. For its part, the United States fully intends to abide by its commitments under the agreements and to assist the Royal Government of Laos to maintain its independence. We will, of course, expect the other signatories likewise to live up to their undertakings. The latter aspect will be the real test of Communist intentions. If contrary to their commitments the Communists were, as President Kennedy said on March 23, 1961, "to move in and dominate this country, it would endanger the security of all, and the peace of all southeast Asia * * * that quite obviously affects the security of the United States." We continue to hold this view.

As one of the cochairmen of the Geneva Conference, the Soviet Union bears a particular responsibility to see that the Geneva agreements are properly implemented. It is written into the agreements that, "The cochairmen shall exercise supervision over the observance of this protocol and the declaration on the neutrality of Laos" (art. 8 of the protocol). In effect this means that the Soviet Union is responsible to see that the Communist countries, particularly Communist China and North Vietnam, live up to the agreements.

The Geneva agreements were concluded by the United States as an executive agreement. The President has adequate authority under the Constitution, by virtue of his power to conduct the foreign relations of the United States and as Commander in Chief, to enter into an executive agreement of this kind. No obligations created by the Geneva agreements on Laos in any way impinge on the constitutional powers or prerogatives of the Congress or of the States. While the formal advice and consent of the Senate has thus not been sought for these agreements this administration has as I stated earlier fully consulted with appropriate congressional committees and leaders on all aspects of the Lao situation.

With respect to the provisions of the agreements themselves, you raise in your letter the question of the interpretation of article 14 of the protocol relating to voting procedures of the International Control Commission. The general rule prescribed in that article in the second sentence of the second paragraph, is that decisions of the Commission shall be made by majority vote. To this general rule, specified exceptions are made in the first sentence of that paragraph to which the rule of unanimity applies: (a) "decisions" on questions relating to violations of certain articles, (b) "conclusions" on those major questions which are sent to the cochairmen, which it is felt, will be very limited in number; and (c) "recommendations" of the Commission. These exceptions should be viewed in the light of the provisions of article 15 of the protocol. That article provides that all decisions of the International Commission on initiation and carrying out of investigations shall be made by majority vote and that the Commission shall submit reports on its investigations in which differences of view may be expressed, thus enabling publications of minority and majority opinions.

On the five other specific questions you raise I would comment as follows:

1. The preamble to the declaration on the neutrality of Laos expresses the view that "the independence and neutrality" of Laos "will assist the peaceful domestic development" of Laos and "the achievement of national accord and unity in that country as well as the strengthening of peace and security in southeast Asia." After years of hostilities and factional strife largely fomented from without, the independence and neutrality of Laos and the termination of foreign interference in the internal affairs of Laos should permit the restoration of peace in that country and give to the people of Laos an opportunity to develop their democratic institutions. The cessation of hostilities in Laos, the maintenance of that country's independence and neutrality, and the prevention of the use of Lao territory for interference in the internal affairs of other countries will contribute to the peace and security of southeast Asia. In this connection I think it is significant that Thailand, Vietnam, Burma, and Cambodia—all southeast Asian countries concerned with the peace and security of the area—fully participated in the negotiation of the Geneva agreements and are signatories of them.

2. There are a number of important provisions of the Geneva agreements designed to prevent Communist or other foreign domination of Laos. There is, for example, the undertaking by all the signatories to respect and observe in every way the independence and neutrality of Laos and not to commit or participate "in any way in any act" which might "directly or indirectly" impair that independence or neutrality. There is a specific undertaking to refrain from all direct or indirect interference in the internal affairs of Laos and not to use the territory of any country for such interference. There are obligations on all parties to withdraw all foreign military personnel from Laos and not to introduce such personnel into that country. The agreements establish an International Control Commission with important supervisory, investigatory, and reporting functions. These and other provisions of the agreement are designed to help safeguard the sovereignty, independence, neutrality, unity, and territorial integrity of Laos.

3. The agreements do specifically prohibit Communist troops presently in Laos from moving into Vietnam.

The Communist signatories to the agreements have agreed "not to use the territory of the Kingdom of Laos for interference in the internal affairs of other countries," and Laos, in its statement of neutrality, has undertaken not to allow its territory to be used for such purposes. These provisions were specifically designed to prevent North Vietnamese troops from being introduced into South Vietnam from or through Laos. In addition, article 3 of the protocol specifies that all foreign troops are to be withdrawn from Laos "only along such routes and through such points as shall be determined by the Royal Government of Laos in consultation with the [International] Commission." Under article 10 of the protocol the Commission "shall supervise and control" this withdrawal.

4. As I indicated earlier, the veto power of the members of the International Commission is very limited. The Commission cannot be prevented by a veto from initiating or carrying out investigations if it or the Government of Laos believe a violation has occurred. A majority or minority of the Commission cannot be prevented by a veto from immediately reporting on investigations to all parties to the agreements. In the event of a Communist takeover in Laos or if Communist troops continue to be dispatched through Laos to Vietnam, the signatories to the agreements are in no manner bound to inaction by a veto in the Commission. Indeed, should there be a violation of the agreements, the signatories are bound by paragraph 4 of the declaration to consider measures to be taken to insure observance of the agreements, regardless of the decisions or recommendations of the Commission itself.

5. As pointed out above, there is no veto which can prevent action in the event of a violation of the Geneva agreements. Should such a violation occur, the U.S. Government would take whatever action is necessary and appropriate in the circumstances.

The new 14-nation Geneva agreements cannot end the struggle for power among the various factions in Laos. The agreements do, however, shift the struggle from the military arena to the political and economic arena. If the non-Communist elements in Laos are to be successful in this competition it is essential that they be supported by the United States and other free world powers. To insure his success we must assist Prince Souvanna Phouma and his government of national union during this critical period. We laid the groundwork for this cooperation during Prince Souvanna's visit in Washington last week. We hope for continued bipartisan support for this policy, which is the only peaceful possibility for a non-Communist Laos.

Sincerely yours,

W. Averell Harriman.

(Enclosure: Text of the Geneva agreements, 1962.)

Congress of the United States,
House of Representatives,
Washington, D.C., August 23, 1962.
Hon. W. Averell Harriman,
Assistant Secretary of State, Department of State, Washington, D.C.

My Dear Mr. Harriman: Thank you for your letter of August 10 responding to certain questions I had raised about the Lao peace treaty.

In candor, I must state that your letter has heightened the fears which led me to write to Secretary Rusk in the first place. I agree with the perceptive reporter, Richard Starnes, that "the administration's justification of the agreement of July 23 on Laos is another fable * * * added to the dangerous mythology that is the foundation for much of what passes for American policy in southeast Asia." I think that Mr. Starnes is right in saying, "To believe the Communist world means to keep the peace in a neutral Laos, one must first believe Communist policy has undergone a sharp and total reversal since the disgraceful rout of the U.S.-backed royal Laos Army at Nam Tha in May. This was the final disaster for the West in Laos, the ultimate proof of the bankruptcy of our policy, and it was a Communist victory as decisive as Diem Bien Phu."

Your letter assures me that "the Communists have agreed to respect the sovereignty, independence, unity, neutrality, and territorial integrity of Laos." I find this flat assurance incredible in one who had direct personal experience with the Communists at Yalta. Have we not learned from this experience and many others since World War II that promises of this type made by the Communists are valueless?

The declaration and protocol on neutrality in Laos establishes a troika composed of Communist Poland, neutralist India, and Canada to supervise the execution of the agreements. When the Soviet Union proposed the establishment of a troika to handle the duties of the Secretary General of the United Nations, President Kennedy quite properly said: "To install a triumvirate in the United Nations administrative offices would replace order with chaos, action with paralysis, and confidence with gross confusion." It seems to me that the same results, against which the President warned, can be expected from the installation of a triumvirate to supervise the execution of the Geneva agreements.

Further, the troika which is responsible for supervising the execution of the declaration and protocol is the same one which failed in the performance of a similar responsibility with respect to the Geneva agreement of 1954. If this three-member International Control Commission had done its job after 1954, there would have been no Communist aggression in Laos or Vietnam—and no need for new agreements in 1963.

You write that the "general rule (applying to the work of the International Control Commission) * * * is that decisions of the Commission are made by majority vote." But article 14 of the protocol clearly states that "decisions of the Commission on questions relating to violations of articles 2, 3, 4, and 6 of this protocol or of the cease-fire referred to in article 9, conclusions on major questions sent to the Cochairman and all recommendations by the Commission shall be adopted unanimously." The articles of the protocol specified in this sentence cover the entire range of the authority granted to the International Control Commission—the withdrawal of foreign troops from Laos, the prohibition of the introduction of more foreign troops and of arms, and the maintenance of a cease-fire in Laos.

It is true that the Commission may by majority vote undertake investigations, but article 15 of the protocol clearly declares, "The conclusions and recommendations of the Commission resulting from investigations shall be adopted unanimously."

Consequently, I cannot accept your statement that the general rule is that the Commission will act by majority vote. On the contrary, the general rule is that the Commission can act only by unanimous vote, including the vote of Communist Poland.

In fact, the veto is stitched into every part of the fabric of the incredible Geneva agreements. It is given to Communist Poland as a member of the International Control Commission. It is given to Prince Souphanouvong, the Communist representative in the troika which rules Laos, without whose concurrence the Control Commission cannot exercise any of its functions.

I am hardly reassured by your statement that a vote on the part of one of the members of the International Control Commission is not final since the 14 signatory nations can "consider measures to be taken to insure observance of the agreements, regardless of the decisions or recommendations of the Commission itself." I find it hard to believe that the Soviet Union, Communist China, North Vietnam, Poland—and all signatories of the agreements—can be expected to take corrective action when a violation of the agreements by the Communists occurs. Indeed, press reports indicate that the agreements have already been violated by the movement of Communist forces from Laos into South Vietnam. Yesterday noon the deadline on agreeing to exit routes for foreign troops to get out of Laos expired. Already the treaty will be violated.

The negotiations at Geneva were an unbroken retreat by the United States from positions which our President, our Secretary of State, and our Government had taken over the past 12 months. President Kennedy in March 1961 said that he would not permit Communist aggression to succeed in Laos. Secretary Rusk said that he would not sit down to negotiate in Geneva until there was an effective cease-fire in Laos. Mr. Rusk and the Lao control body "should not be paralyzed by a vote." You yourself sought to include in the protocol a provision requiring the integration of the three armies in Laos. This was not included. You sought to include a provision prohibiting reprisals against the Lao who fought against the Communists at the urging of the United States. This was not included. The fate which these Lao allies of ours now face can be judged from the reports that the recently freed American prisoners give of their treatment by Communist captors.

The disappointment which our Nation experienced at Geneva is understandable. But when responsible spokesmen for our Nation return from Geneva to tell us that this defeat is really a victory, to assert that peace has thereby been made more secure, to profess confidence that the Communist aggressors will keep their promises, their behavior is so like that of Neville Chamberlain at the time of Munich that it should send cold chills down the spine of all whose memories go back to the 1930's.

Prime Minister Chamberlain said of Hitler at the time of Munich "* * * here was a man who could be relied on when he had given his word." The Washington Post of July 26, 1962, reported "W. Averell Harriman, former Ambassador to Moscow, says he trusts Soviet Premier Nikita S. Khrushchev to keep his word in carrying out the Geneva agreement guaranteeing the independence of Laos."

Every effort is made by me to support our foreign policy on a bipartisan basis. To ask me or the members of my party to support your actions regarding Laos which were directly opposite to the pronouncements of our President and our Secretary of State is most difficult to understand.

With best wishes and kindest personal regards, I am,

Sincerely yours,

Melvin R. Laird,
Member of Congress.

ARMENIAN INDEPENDENCE DAY

Mr. MacGREGOR. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, 46 years ago on May 28, 1918, the people of Armenia proclaimed their independence from Turkish and Soviet Russian domination and heroically organized forces in an attempt to create a new Armenia. The overwhelming manpower of their two attackers, the indifference of major world powers prevented the Armenian people from achieving their goal of freedom and self-determination.

Mr. Speaker, it is a tragic fact that the Armenian people are suffering under as great oppression today under Soviet misrule as they have at any time in their centuries of subjugation by various foreign conquerors.

In its brief years of existence the Armenian Republic made great strides through the development of a popular government based on grassroots support of its people. The prospects for economic growth and development were sound when the oppressive Communist forces descended on the Armenian nation and deprived it of its independence. The country was overrun by the Reds in the 1920's and since that time has remained under harsh Communist rule.

We must again recognize, Mr. Speaker, the effective voices of leadership which Americans of Armenian extraction give to the cause of restoration of freedom to the land of their forefathers.

I commend the American-Armenian community for its stalwart support of our American institutions and its interest in seeing that the people of Armenia and the other captives of communism achieve a deserving restoration of their independence.

On the occasion of this 46th anniversary of the independence of Armenia, I encourage their efforts and voice the hope that their patience will soon be rewarded and the forces of tyranny throughout the world will be crushed forever.

GENERAL ACCOUNTING OFFICE AUDIT ON A CALENDAR YEAR BASIS

Mr. MacGregor. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Anderson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ANDERSON. Mr. Speaker, I rise in support of H.R. 10705, which proposes to change the General Accounting Office audit to a calendar year basis in the case of the Federal home loan banks and the Federal Savings and Loan Insurance Corporation.

I am fully prepared to accept the recommendations of the General Accounting Office that this action be taken. This is an area where some economy can be effectuated and after all, with the rising cost of the Federal Government, with each Federal budget becoming larger, when we receive such a proposal as meritorious as this one, which promises to result in economy in Government, this is an area which we should be prepared to support.

We have been told by the General Accounting Office that in complying with the auditing and reporting requirements of the Government Corporation Control Act, the GAO must reconstruct the calendar year based operating statements of the banks and convert them to reflect fiscal year operations. These financial statements form the normal basis starting point of the GAO audits but because the General Accounting Office is required to audit and make its report on a fiscal year basis, it must first convert some 600 items which make up the banks' statements, from a calendar year to a fiscal year basis. This chore is estimated as requiring at least 2 weeks work by one man.

This bill will permit the GAO to make its audits of the Federal home loan banks, the Federal Savings and Loan Insurance Corporation, and the Federal Home Loan Bank Board at one time, with one auditing group and probably in one place.

Despite the fact that unlike the banks, the regular fiscal year of the FSLIC ends on June 30, that difference, according to the Federal Home Loan Bank Board, does not require a different conclusion on the desirability of the legislation. The Corporation prepares financial statements on a calendar year basis for the purpose of making its annual report to the Congress. It is these calendar year statements which form the basic starting points of the General Accounting Office audits of the Federal Savings and Loan Insurance Corporation.

A vote for this bill is a vote in favor of increased efficiency and economy in Government. I think the committee is to be commended for bringing this bill to the floor, as well as the General Accounting Office for its proposal, and the affected agencies for concurring with the GAO that this economy promoting measure ought to be enacted.

RESIDUAL OIL—NEW ENGLAND GOVERNORS UNANIMOUSLY OPPOSE QUOTAS

Mr. MacGregor. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, residual oil quotas impose an unfair burden on New England consumers and the New England economy. Many of my colleagues from New England and the Atlantic seaboard have criticized these quotas during the past years. Thus, it is encouraging that the New England Governors' Conference at its meeting in Manchester, N.H., on May 18 adopted a resolution which called for in clear and unqualified language for the removal of all existing restrictions on the importation of residual oil. This resolution graphically states the case against the quotas. It points out clearly how unfair they are to New England. I hope that the Governors of the other seaboard States will join in this bipartisan expression of opposition to these immensely unfair quotas that are doing so much harm to the consumers and the economy of Atlantic seaboard States and New England:

The New England Governors' Conference,
Manchester, N.H., May 18, 1964

RESOLUTION ON RESIDUAL OIL

Whereas the New England States require large amounts of fossil fuel for industrial and private home consumption and have not been endowed by nature with such fuels within their boundaries; and

Whereas the availability of such fuels at reasonable, competitive prices is essential to the maintenance and growth of the region's industries; and

Whereas a large portion of New England's people and industries are located adjacent to excellent deep water ports to which residual oil could be conveniently delivered; and

Whereas the Department of the Interior regulates the importation of residual oil by a quota system; and

Whereas the cost of fuel is one of the larger items of expense in the generation of electric power and manufacturing in New England; and

Whereas the New England economy has traditionally been and must continue to be on an expanded basis one of the major contributors to this Nation's effort to hold and develop its share of world markets through New England's readily accessible location and excellent ports, built largely on the spirit and principle of foreign trade, and thereby making a major contribution toward reversing the present trend of depleting gold reserves; and

Whereas under the present policies of the Congress as administered by the Department of the Interior the New England region is being forced to pay artificially high prices for fuel and electric power; and

Whereas the import of unlimited amounts of residual oil would not jeopardize the national security but, on the contrary, would by increased supplies strengthen the ability of the industrial East to support the national security, together with a significant improvement in the welfare and ability of one of the most highly industrialized sections of the Nation to make its contribution to the country's needed economic growth and development of world trade: Now, therefore, be it

Resolved, That the New England Governors' Conference hereby gives its unqualified support to the removal of existing restrictions on the importation of residual oil which are part of the mandatory oil import program, and a copy of this resolution be forwarded to members of the congressional delegation, and to the Secretary of the Interior, urging their support and prompt remedial action in this matter.

PRESIDENT JOHNSON'S ADDRESS AT JOHNSON CITY HIGH SCHOOL

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record and include a commencement address made by the President of the United States to the graduating class of the Johnson City (Tex.) High School.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. McCORMACK. Mr. Speaker, on Friday last, President Johnson delivered the commencement address to the graduating students of the Johnson City (Tex.) High School, a stimulating address not only for the students of this particular high school, but to the graduating students of all high schools, and all young Americans throughout the country. In my remarks, I include the address delivered by President Johnson:

Text of Johnson's Talk to Texas Class

(Following is the prepared text of President Johnson's commencement address at Johnson City (Tex.) High School last night:)

I am very happy to be here tonight—almost as happy—and surprised—as I was to attend my own graduation on May 25, 1924.

I only wish the people could be here now who thought then that it would take me 40 years to get my diploma.

Although I was president of the senior class, no one—least of all I—expected that the road from this school would lead to the White House.

I remember so well that night in May 1924, when my five classmates and I sat—much as you sit now—hoping the speaker would quit so we could get out and see what the world was all about.

WORLD NOT THE SAME

Forty years later—40 years and many miles—the world of 1964 is not the world of 1924.

The number of nations in the world has almost doubled since then—from 67 to 122. There are 75 million more people in this country now than in 1924.

Six times as many of our young people go on to earn college degrees.

More than four times as many Americans own cars today.

The number of public schools with one teacher—the kind of school I attended right here in Johnson City—has dropped from 170,000 to only 13,000.

And while tuberculosis claimed the lives of 88 out of every 100,000 Americans in 1924, only 5 need fear it today.

The year I graduated, four U.S. Army pilots completed a flight around the world. The trip took 175 days and was called "the one remaining accomplishment to complete the conquest of the air." It was not the final conquest, for in our time, one Marine colonel circled the globe in 88 minutes and 2 seconds before I picked him up at Grand Turk Island—and that seems only the beginning.

No one can know what changes will take place over the next 40 years but we do know there will be changes—greater and even more startling changes than since I left this school.

BRIGHT VIEW OF FUTURE

Many of you will live to see the day, perhaps 50 years from now, when there will be 400 million Americans. Four-fifths of them will live in huge urban areas. In the remainder of this century, we will have to build homes, highways and classrooms equal to all those built since this country was first settled.

Who knows what role you will play in shaping those changes? For the lesson of the last 40 years is that Johnson City is very much a part of the world. What happens in strange and distant places affects all of us who live right here. Above all, we now know that you young people who walk out of here after this ceremony will build—for better or worse—the world your children will one day inherit.

For some things have not changed in 40 years. America was in 1924—and is in 1964—a young society. Our people are young, our hearts are young—and we are always pushing on for the dreams and hopes and beliefs of youth.

This remains the land of the great experiment, for the American story in the history of life on this planet is really just beginning. Something new and better is waiting.

I do not believe the building of this new world should be left only to men. You young ladies in this class may not choose to take the course "Ma" Ferguson did in the year I graduated—the year she became the first woman Governor of Texas. I suspect, in fact, that most of you intend to marry and raise a family. You can still help shape the world of tomorrow.

I know—from personal experience—that the abiding values and the abundant visions are learned in the homes of our people. Teach your children to believe in the brotherhood of men—and you have taught them the first requirement of a just nation in a peaceful world.

Forty years ago, almost to this very night, I left my high school diploma at home and headed west to seek the fame and fortune I knew America offered.

THE PLACE TO BEGIN

A few months later, I came back with empty hands and empty pockets. I came back because I realized that the place to begin was the place I had been all the time.

I have come back tonight from another journey—a journey that in the province of Almighty has led from the friendly hills of our country to the first house of our country. I have come to say to you young people that whatever your aspirations, whatever your dreams, whatever your talents, this is the place to begin.

For here, in this place, at this time, is the starting point of the path that leads to the future—your own, and your country's. I cannot tell you what the future will be, any more than I could have predicted, when I sat in your place, that I would be standing here some day.

But I know what it can be.

It can be a place where you will raise your families free from the dark shadow of war and suspicion among nations.

It can be a place where your children, and every child, will grow up knowing that success in life depends only on ability and not on the color of skin or the circumstances of birth.

It can be a place where America is growing not only richer and stronger, but happier and wiser.

It will be a place in which, in a thousand towns like Johnson City, a boy, young in years but deep in dreams, can hope to come forth and take his place among the leaders of the world.

This is the kind of future we can have if all of you, each in his own way, help to build it.

You have been blessed by being born in a land of abundant promise and ample liberty. I know all of you will strengthen and preserve that same blessing for those who are to come.

Because of that faith, as I travel to far lands and talk with the great men of this earth, I will always be honored to claim that I, too, came from Johnson City.

Thank you, and God bless you all.

THE LUMBER SIZE STANDARD CONTROVERSY—DRY OR GREEN—BOTH SIDES SHOULD BE HEARD

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Roosevelt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, recently the National Lumber Manufacturers Association passed a resolution for an inquiry by NLMA to decide whether the U.S. Department of Commerce and/or the Federal Housing Authority have discriminated unfairly on the 1½-inch lumber controversy. The Board of the National Lumber Manufacturers Association passed the resolution launching the inquiry following an address by Mr. A. J. Agather, chairman, of the American Lumber Standards Committee, who in private life heads the Libby, Mont., division of the St. Regis Paper Co.

At this point, I ask unanimous consent to insert in the Congressional Record the story covering Mr. Agather's address, taken from the May 1964, issue of Western Timber Industry, immediately following these remarks.

It is to be noted that the main thrust of Mr. Agather's remarks is that he objects to the alleged fact that the Department of Commerce has "tended to bend over backward" to give all interests maximum opportunity to be heard. Mr. Agather finds objectionable both the enlargement of the acceptor list, and the extension of time to permit the minority members of the standards committee to prepare and file a statement opposing the standard.

Of course, I disagree with Mr. Agather when he implies that it is bad for a Department of the Federal Government to give the fullest possible consideration to the spokesmen for all interests affected by a proposal such as the new size standard. Indeed, it seems to me that there is an affirmative duty for the Department to take all possible steps to see that no one is precluded from an opportunity to present his views for consideration. Mr. Agather also suggested that, if the new proposal is not approved and promulgated by the Department of Commerce, the National Lumber Manufacturers Association might adopt the 1½-inch dry standard as a national standard and market lumber under it.

This is a most disturbing statement since, as Mr. Agather himself points out, "no other industry permits conflicting standards." If two sets of standards were allowed, it would impose an undue hardship upon wholesalers and retailers. Builders, who typically buy from a variety of sources, would find themselves frequently confronted with sizes of lumber which are incompatible. Members of the public, not realizing that a 2 by 4 may measure 1½ or 1⅝ inches, could understandably become confused and find themselves with two ostensible 2 by 4's which would not fit together.

One final point of disagreement between myself and Mr. Agather is that I do not feel that objections to the standard have come, as he alleges, "from selfish interests wanting regional advantages." Rather, it is my belief that both sides of this controversy are expressing perfectly legitimate points of view. I think that both Mr. Agather and the National Lumber Manufacturers Association who support the new standard, as well as those who object to it, are entirely sincere in their positions.

It must be remembered that this is not a question which will affect only the production sector of the industry. It also affects the consuming public as well as many other interests such as those who manufacture various commodities from lumber. As an example: Although Mr. Agather cited their inclusion on the acceptor list as a "delay" by the Department of Commerce, I feel that clothespin producers have been properly included. These firms are largely using wood as the material from which they manufacture their products. As a result, they have a clear right to be heard as to what affect, if any, the standard would have upon them. Lumber interests would do well to bear in mind that these firms, and others, may always turn to plastics or other substitute materials for use in their factories, if they are to be excluded from consultation in matters pertaining to the standard size of lumber.

As a further example, I would cite my home area of southern California, the largest single lumber market in the country. It appears from statements received by my subcommittee that this area is well satisfied with the present size standard, that the home builders, wholesalers, retailers, and carpenters of the area are opposed to the changes proposed by the National Lumber Manufacturers Association. Surely, no one could logically dispute their right to be included on the acceptor list or, as spokesmen for the Nation's largest market, to be heard before a decision is made on whether to promulgate the new proposed standard.

It seems to me that Secretary Hodges, Assistant Secretary Hollomon, and the staff of the Department of Commerce should be commended for the steps which they have taken to insure that all factions have an opportunity to express their point of view.

Mr. Agather, chairman, of the American Lumber Standards Committee, has imputed delaying tactics and a "stacked deck" approach to the Department of Commerce in this matter. Interestingly enough, my subcommittee's experience has been that objections to procedural deficiency and lack of objectivity have been directed to the American Lumber Standards Committee, not to the Department of Commerce.

However, since Mr. Agather has indicated that he has objections to the manner in which this matter has been handled by the Department of Commerce, I have today written him inviting him to appear and testify before my subcommittee, setting forth whatever objections he may have concerning the treatment of the size standards proposal. Both sides of the controversy are equally entitled to submit to the subcommittee any relevant material which they feel is germane to the controversy.

Discrimination Against 1½ by Commerce, FHA To Be Investigated by NLMA

Portland.—National Lumber Manufacturers Association plans an inquiry to decide whether the U.S. Department of Commerce and/or the Federal housing authority have discriminated unfairly on the 1½-inch lumber controversy.

The NLMA board passed a resolution to launch the inquiry after A. J. Agather, chairman of the American Lumber Standards Committee, had charged that proponents of 1½-inch dry had met a "stacked deck" in attempting to gain its adoption.

Agather, who is St. Regis Paper Co.'s J. Neils Division, Libby, Mont., charged "the entire manner in which the standards question has been handled by the Department of Commerce has tended to nullify" efforts to gain adoption.

Agather recommended to the NLMA's spring meeting in Portland, that, if 1½ is not promulgated by Commerce as an American lumber standard, NLMA considers stamping it as a national lumber standard.

Agather told the NLMA delegates that they must face "the likelihood that our best efforts (to get 1½ dry adopted) could be defeated. Commerce may elect to take no action. "If so," he asked, "what is to prevent our national association from adopting these size standards as national standards?"

Agather pointed out that no other industry permits conflicting standards.

Charging that opposition to the standard has come from selfish interests wanting regional advantages, he reviewed how the "various attempts to resolve the size-moisture content problem have been frustrated."

Since the ALS recommendation of 1½ dry was submitted to the Commerce Department last August, its presentation to the accepter list "has been subjected to interminable delays due to the influence of the minority opposition."

"It appears," he added, "that every decision made or action taken by the Commerce Department has tended to bend over backwards to make certain that those who are seeking to defeat the new standard would not accuse the Department of unfairness. Even in the format of the acceptor ballot, it would appear that every handicap has been placed in the way of securing an affirmative vote.

"Consequently," Agather charged, "a minority of two on the ALS committee, speaking for a pressure group of green lumber producers, has been able to neutralize the best efforts of 14 ALS members representing consumers, distributors, specifiers, and designers who voted in favor of the proposed changes.

Agather cited these delays:

1. Proposals returned to ALS asking that they be put into proper form.
2. One month's delay to allow the two-member minority on ALS to prepare its statement for transmittal with the ballot.
3. Opening of the acceptor list for inclusion of such groups as the broom handle and clothes pin producers.

Agather compared the 21,000 acceptor list finally queried with the 1,000-ballot list consulted on the last previous ALS revision. "Even more interesting is the fact that a careful count of all names on hand at the Department of Commerce reveals only slightly more than 12,000 names," he added.

Yet, Agather complained, "our industry has never been able to obtain from the Department of Commerce any indication of what constitutes a majority acceptance vote." Thus, he said, "regardless of the validity and the weighing of the acceptor vote, the decision whether or not to promulgate the new standard rests entirely with the Department of Commerce and is still subject to political influence."

The NLMA directors referred to a committee the proposal that a separate stamp be used to designate lumber manufactured by firms which support wood promotion programs. This stamp—referred to in NLMA statements as a quality mark, but intended to designate contributors to promotion programs—had been recommended by Mark Townsend, NLMA president, at talks this spring to Western Pine Association in San Francisco and to West Coast Lumbermen's Association in Portland. The committee will be called the "product preference seal" committee.

MAJ. GEN. RALPH R. MACE, COMMANDING GENERAL, FORT SAM HOUSTON

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, Fort Sam Houston is among the most cherished of all Army posts, and assignment there is much sought after. The commanders of this distinguished post are invariably men of distinction, and the present commander, Maj. Gen. Ralph R. Mace, is no exception. General Mace will retire this weekend from his post as commanding general, Fort Sam Houston, and deputy commander, 4th U.S. Army.

General Mace was born in Chillicothe, Ohio, and has always maintained his official address there. I am proud to note that he will live in San Antonio after his retirement.

General Mace graduated from West Point with the class of 1929 and has served with distinction in both combat and staff assignments. He has served in posts from Oklahoma to Korea, from Europe to Washington. He had a distinguished record as an artillery commander in Italy during World War II.

It is not possible for me to weigh the value of a man's life, but I know that General Mace has served both ably and well, and that he has contributed mightily to the strength and well-being of his country. For it is men like General Mace, who serve willingly and well in peace and in war, who serve as our shield against our enemies.

It is fitting that a man like him should have been accorded the honor of commanding at Fort Sam Houston. He measures well against past commanders and past officers who have served there. I think that my colleagues will understand my pride in General Mace when they have had an opportunity to read his official biography, which I am inserting into today's Record:

Maj. Gen. Ralph Robert Mace

Ralph R. Mace was born in Chillicothe, Ohio, on September 30, 1904 and has maintained that city as his official home address throughout his more than 30 years' service in the Army. He graduated from the U.S. Military Academy in 1929 and entered the Army as a second lieutenant of field artillery. Through the years, General Mace's service has been devoted mostly to field artillery command and staff assignments. Those assignments have taken him to Italy, Germany, Hawaii, Philippines, Korea, and may areas of the United States.

General Mace served four tours of duty with the faculty at the Field Artillery School, Fort Sill, Okla., for a total of twelve and a half years as an instructor in communication and as director of the communication department. He was closely associated with the development of field artillery communication procedures and equipment at the beginning of World War II, and takes considerable pride in the overwhelming success of field artillery communication during that conflict.

General Mace entered combat in Italy in April 1944 and had more than a year of continuous, successful combat operations throughout the Italian pensinsula, first as executive officer, IV Corps Artillery, and later as commanding officer, 424th Field Artillery Group. During those combat operations, he was awarded the Bronze Star Medal and the Legion of Merit by the United States, the Medal of Valor and the Order of the Crown of Italy by the Italian Government, and the Medalia de Guerra by the Brazilian Government.

Since World War II, General Mace has served in four oversea command assignments: As executive officer and commanding officer, 1st Infantry Division Artillery in Germany; as commanding general, 7th Infantry Division Artillery in Korea; as commanding general, VII Corps Artillery in Germany; and as commanding general, Northern Area Command, also in Germany. While serving as commanding general, 7th Infantry Division Artillery in Korea, General Mace also served as U.S. Army member of the United Nations Armistice Commission.

Between these overseas assignments, General Mace has had several interesting assignments in the United States. He attended the Industrial College of the Armed Forces in 1949–1950; served as deputy assistant chief of staff for development at headquarters, Continental Army Command, in 1953–54; and as deputy commanding general and later as commanding general of the U.S. Army Training Center at Fort Chaffee, Ark., 1956–58.

In October 1960, when General Mace returned from Europe where he was commanding general, Northern Area Command in Frankfurt, Germany, he became senior Army member of the Weapons Systems Evaluation Group in the Office of the Secretary of Defense. In October 1962, he was assigned to Fort Sam Houston as deputy commanding general of the 4th U.S. Army and commanding general of Fort Sam Houston.

DON'T WAIT, BUY A GUN NOW!

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, it is time for this Congress to learn more of the armed extremist rightwing group that calls itself the "Minutemen." It is time for Congress to instruct the Department of Justice to fully investigate the Minutemen, to explore the possibility of prosecution for violation of Federal laws, and to report back to Congress. It is time for Congress to devise ways to put a halt to Department of Defense policies which are making it easy for such extremist groups to arm themselves with light and heavy arms and ammunition at the taxpayers' expense.

For the past 2 weeks I have been inserting in the CONGRESSIONAL RECORD the facts and documents I have obtained in connection with these matters. The current issue of the magazine, New Republic, contains an article entitled "Don't Wait, Buy a Gun Now" which reviews many of the details that I have related in my speeches, and which adds some new ones. It is more than interesting, for example, to note the assertions that the 23 members of the National Board for the Promotion of Rifle Practice contains 11 representatives of the National Rifle Association, and that the Minutemen has been urging its people to form clubs, affiliate with the NRA and thereby qualify for free ammunition.

The article, written by James Ridgeway, follows:

DON'T WAIT, BUY A GUN NOW!

(By James Ridgeway)

Each year the Defense Department gives away upward of 60 million rounds of ammunition to rifle clubs affiliated with the National Rifle Association, as part of a program to encourage good marksmanship. (Through the Office of Civilian Marksmanship, the Department also on occasion sells cheaply rifles and pistols to members of the NRA, and it sometimes loans rifles to clubs for target practice.) Ostensibly clubs must be approved by States before the Federal Government will give them either ammunition or arms, but in both New York and California—the two States that have the greatest numbers of rifle clubs—officials have paid little attention to them. Maj. A. C. O'Hara, chief of the New York State division of military and naval affairs, is critical of inadequate investigation of club members. But because he finds it impossible to fingerprint members and officers of clubs, he returns lists of applicants sent to him by the NRA without either approving or disapproving them. In New York City the police recently found 12,000 rounds of 30-caliber ammunition belonging to a Harlem rifle club stored in violation of fire department regulations in the basements of members' homes. Part of this supply had been received recently from a Government arsenal. And there was some question whether 12,000 rounds was not more than ample ammunition for target shooting by 30 members.

In California the State adjutant general approves gun clubs without any check into their membership lists; he doesn't even bother to keep a list of the approved clubs. This has become a problem for Mr. Stanley Mosk, the State attorney general. He fears some of the Government's free ammunition may be falling into the hands of extremists who are forming their own private armies in fear of imminent Communist takeover. "We know that leaders of these groups have urged membership in the NRA and have discussed the possibilities of forming clubs to obtain free arms and ammunition from the Army," Mosk says. He is asking Governor Brown to tighten regulations concerning formation of clubs, and he has sought, without success, to get from the Office of Civilian Marksmanship the names of clubs receiving ammunition in California.

The Minutemen, a rightwing guerrilla outfit, is one group, California officials say, that has been urging people to form clubs, affiliate themselves with the NRA and thereby qualify for free ammunition. The Minutemen's publication, "On Target," has it from reliable Communist sources that President Johnson will be elected this fall, at which time the Communists will break into the open. Already the Communist conspirators have rendered the U.S. Army impotent by closing up military establishments, and providing some units with ammunition that does not fit their weapons. As if this were not bad enough, the civil rights bill appears likely to pass, thus giving the Government the powers of a police state. And leftwing legislators are determined to get antigun laws passed before loyal Americans can buy the guns and ammunition they need for their own defense. "If you are ever going to buy a gun buy it now," says "On Target." It lists suitable weapons, down to semiautomatic .22 rifles for the children.

PAUL REVERE YEOMEN, INC.

H. S. Riecke, Jr., of New Orleans, founder of Paul Revere Associated Yeomen, Inc., another militant rightwing group, also feels disaster is imminent this fall, but for opposite reasons: Conservatives will sweep all elections, but "the diehard liberals and Reds," won't take this lying down. They will trigger a run on gold supplies, a stock market crash, strikes, race riots, rapes and murders. What should the Yeomen do to forestall these events? (1) Join the National Rifle Association. (2) Absolutely refuse to register or give up your arms. (3) Stock up on rifles, shotguns, pistols with lots of ammunition. Arm every member of your family. (4) Join the Minutemen. (5) Consult with neighbors on how best to protect your family and home. Wear certain kinds of caps and shirts for identification, so you won't be firing at one another in the confusion.

Riecke suggests laying in a 2-week supply now of canned goods, soft drinks, beer and bottles of water before November. And he says if his warning is not heeded, "we are all destined for Communist slavery. And your wives and daughters will be chattels in Mongolian and African brothels."

There probably are not very many of these people about, but ever so often one does surface with his gun collection. In late May, Treasury agents arrested Richard Lauchli at Clinton, Ill. Mr. Lauchli used to be a leader of the Minutemen, but he is said to have left that group in despair at its tame methods, and begun something called the Counter-Insurgency Council. Posing as agents of a foreign government interested in buying weapons, the Treasury men found in Lauchli's possession: 100 submachine guns, 5 50-caliber machineguns, a flamethrower, a 75-millimeter recoilless cannon, several 25-pound aerial bombs, mortars with shells, automatic pistols and rifles and a large quantity of ammunition. U.S. authorities say the weapons were purchased as scrap from the Defense Department, then restored to use by Lauchli. The Defense Department is supposed to cut up automatic weapons so they cannot be used before selling them, but members of Senator DODD's subcommittee on juvenile delinquency, who have been looking into this business find that in practice the Department is slack on the job. In one case a man bought up a lot of submachine guns from the Navy at Norfolk, took them to his farm in North Carolina where he assembled them, hid them in hay barns, and then launched a mail-order business.

Whether or not ammunition or arms provided to NRA members by the Office of Civilian Marksmanship ever do reach extremists, the Defense Department policy looks stupid. The Office of Civilian Marksmanship is governed by a 23-member National Board for the Promotion of Rifle Practice. Eleven of its members are representatives of the NRA; the others come from the armed services. The NRA generally opposes restrictions on the sale or use of firearms. And yet it is in a position practically to control a vast mail-order business, the same sort of business the Justice Department has been trying to restrict through legislation. The NRA has opposed this legislation in Congress.

Both the NRA and the military always stress safety in the handling of firearms and ammunition. But is it safe to dole out ammunition for safekeeping in the basements of tenements in New York City? Since most of the Government's free ammunition is used on military ranges, why shouldn't the range officer disperse this ammunition to the rifle club members there, not in their homes? And if the Government must sell pistols and rifles to NRA members, surely it should require a local police check. Anyone can join the NRA. And does it make sense to have a private organization handing out to its members, in the name of the Government, 60 million rounds of ammunition paid for by taxpayers at a cost of $1.6 million?

Let us look a little closer at the Minutemen publication On Target from which Mr. Ridgeway quotes. It will be recalled that last week I inserted in the RECORD an excerpt from the March 15, 1963, issue of this newsletter carrying an express threat to assassinate 20 Members of Congress, myself included.

The April 1, 1964, issue of On Target makes some dire predictions such as the election of Lyndon Johnson as President this fall and the passage of the civil rights bill and states:

> As these things happen, millions of loyal Americans will finally decide to buy guns and ammunition for their own defense. Leftwing legislators seem determined to get anti-gun laws passed before this happens. * * *

And concludes:

> If you are ever going to buy a gun buy it now.
>
> The time may come that almost any gun in any caliber will be worth its weight in gold. Still, your life may depend on it, so why not get the best you can possibly afford? We especially recommend the following: Adult males: 30–06 Garands, 7.62 NATO FN's, 30–06 bolt action Springfields or Enfields, high-caliber sporting rifles as desired, 12-gage double-barrel, pump or semiautomatic shotguns. Adult females: Winchester model 100 in .308 caliber, Remington model 742 in 30–06 caliber or .30 caliber military carbines. Older children: Sporting rifles in 6 millimeter, .243, .270, .222 calibers. Younger children: Semiautomatic .22 rifles.
>
> For each gun stockpile at least 300 rounds of ammunition plus 200 rounds or more to practice with. To purchase extra ammunition now is the best investment you can make. The price of military surplus has jumped 600 percent in the last 10 years.

But the May 1, 1964, issue of On Target is perhaps the most revealing and significant of all. For this issue declares that "representatives of nine of the major patriotic organizations met this month to take a first major step toward greater cooperation." It goes on to say:

> This first step consists of a mutually operated and financed "clearinghouse" for the exchange of information. A patriot who prefers to remain anonymous has donated the very expensive microfilm equipment and we are already busy duplicating the names and documentation of nearly 65,000 names of Communists and fellow travelers from our own files. Similar material from other organizations will be combined, indexed and cross-indexed.

In this connection I would like to remind you that the Minutemen is a self-styled guerrilla organization. In fact, I have in my possession a copy of a manual written and distributed by this armed extremist group for the instruction of its members in the "Principles of Guerrilla Warfare," and a copy of an application for membership in the Minutemen in which prospective members are told that "Every member will be expected to buy his own gun, ammunition, and other equipment."

That is why it is cause for alarm when the Department of Defense makes available to extremists at the taxpayers' expense guns and ammunition. And that is why it is cause for alarm when the Department of Justice can say to me only that it will "continue to study the matter."

The statements of the Minutemen that I have quoted should not be taken lightly. Adolph Hitler was disregarded and dismissed by many and the outline of his campaign strategy for the establishment of his world empire, "Mein Kampf" was ignored. Thoughtful men will forever regret that underestimation of this demon who would have destroyed the world along with himself if he could have. In my judgment the only difference between the leader of the Nazis and the leader of the Minutemen is the lack of power which the latter possesses. What were the circumstances surrounding Hitler's rise to power? Could they be duplicated in this country?

HIGHLIGHTS OF NASA COMMUNICATIONS AND ELECTRONICS PROGRAMS

Mr. WELTNER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MILLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MILLER of California. Mr. Speaker, on May 20, the Honorable James E. Webb, Administrator of the National Aeronautics and Space Administration, gave a brilliant address, outlining the highlights of the NASA communications and electronics program, before the Armed Forces Communications and Electronics Association.

I am pleased to have the opportunity to place this highly enlightening speech in the CONGRESSIONAL RECORD, for I believe it sets forth the vision and creativeness of NASA in meeting the challenge of the future in the fields of communications and electronics.

The speech follows:

HIGHLIGHTS OF NASA COMMUNICATIONS AND ELECTRONICS PROGRAMS

(Address by James E. Webb, Administrator, National Aeronautics and Space Administration, before the Armed Forces Communications and Electronics Association, Washington, D.C., May 20, 1964)

With the most advanced commercial system on earth, the United States is exchanging greater numbers of commodities, in terms both of products and of ideas, than any nation in history—and it is exchanging these products and ideas in virtually every corner of the world. As a measure of our specialization and division of work, we spend more than $100 billion a year—or more than a fifth of our gross national product—on transportation alone.

Also of central importance to our Nation's commercial activity, and to the efficiency and progress of our economic life, our national defense, and other Government activities, is communications.

Since 1950, private and Federal expenditures for communications of all types have more than doubled—from $4.5 billion in 1950 to $11.5 billion in 1962, the most recent year for which figures are available. As our economy grows and changes, efficient resource allocation and use makes for an increasing proportion of GNP devoted to communications. New processes, new markets, new products and increased turnover rates of both inventories and working capital require this.

At the National Aeronautics and Space Administration, it has been estimated that about 40 percent of our booster costs, 70 percent of our major spacecraft dollars, and 90 percent of our tracking and data acquisition funds go into electronics. Unfortunately, as Dr. Albert Kelley—known to all of you—recently pointed out in this same context, a vast majority of our flight failures, not to mention flight delays, arise from electronic failures. Success in this area is obviously a major factor in overall mission accomplishment.

NASA's principal commodity is knowledge, and the know-how in the use of knowledge which we sometimes call technology. We use this knowledge through a vast network of contracts with industry to develop and use space systems. However, the agency also performs a service to U.S. commercial activity by communicating knowledge, and by developing improved ways of increasing the utilization of space technology generally.

NASA has established programs to make available useful scientific and technological knowledge from both its earth laboratories and its space exploration experiments as rapidly as possible to interested segments of the economy.

All of us here today are closely concerned with the problems of communications. The broad outline of our progress in space electronics during the past five and a half years, particularly in the areas of miniaturization and improved reliability, is thoroughly familiar to you. However, I think it will be worthwhile to look briefly at the space program and the role that information systems, and specifically, electronic systems, play.

To begin with, launch vehicles and spacecraft are controlled, stabilized, guided, and tracked electronically. The spacecraft, once in orbit, perform their missions with electronic devices that may be likened to the brains, nerves, and senses of living creatures. They gather scientific information, process it, and transmit it back to earth by electronic means. Our ground stations receive the information, record it, and analyze it, again electronically.

It can be truthfully said that our present space program could not possibly have been accomplished without electronics.

The satellite is the first truly unlimited tool in the history of mankind. In the past, there have always been limitations of one kind or another: Air, water, national boundaries, fuel capacities, and a host of others. With the scientific or weather or communications satellite, all these boundaries and limitations disappear. One of the great tasks ahead is to find ways to use this too to serve mankind and provide stable conditions for economic, social, and political growth.

Already, we are harvesting many benefits from space technology, this new ability to move outward from the earth, and from laboratory science to exploratory science. As our spacecraft continue to take literally thousands of synoptic measurements of various phenomena in space, patterns are beginning to emerge that have previously been unobtainable and unmeasurable.

For example, we have been doing much research on the energy system of the sun, and are constantly increasing our knowledge about the energy system of the earth's atmosphere and possible interrelations. As Dr. Homer Newell, Associate Administrator for NASA's Office of Space Sciences and Applications, has pointed out, "The artificial earth satellite not only is able to extend the observations of the earth's atmosphere to its outer edges and beyond, but also permits measurements to be made over long periods of time and over a wide range of geographical positions * * * the satellite is an excellent platform for detailed study of the geomagnetic field and related phenomena such as the radiation belt, the aurora, the influence of solar activity on the earth, hydromagnetic waves, and the ionosphere."

With devices such as our Orbiting Solar Observatories, our investigators are learning to observe the electromagnetic and particle spectra of the sun, to measure the energy content therein, to determine the altitudes at which different wavelength bands are absorbed in the atmosphere, and to study the manner in which different particle components interact with the radiation belt. In this way we are determining the driving forces that give rise to various weather phenomena, atmospheric circulations, variations in upper atmospheric structure, ionospheric and magnetic field activity, auroral displays, and radio disturbances.

In space activity the United States is now at the midpoint of a 10-year program. It might be said, in a sense not entirely figurative, that we have reached the "mid-course maneuver point." Just as the Mariner II Venus flyby mission would have missed by almost a quarter of a million miles instead of coming within the 22,000-mile target area, we can fail to achieve our full potential if we do not seize every opportunity to correct our course as we go along.

It is particularly important to avoid the kind of mistake typified by the early manufacturers of automobiles during the period when they were still called horseless carriages. These revolutionary vehicles continued to be equipped with whip sockets long after there had ceased to be a practical need for buggy whips.

As one specific example, I might mention the continuing need to reexamine our traditional complex circuitry and closely scrutinize the underlying logic. In the rapidly evolving new technology of solid-state physics and electronics, we must take care that we are not being hindered by self-imposed limitations of old circuit theory and wiring diagrams.

We are all well aware that available electronics equipment is marginal or inadequate for many current and future space programs. The reasons for this are not hard to find. Most of the equipment available today stems from commercial or military technology. The requirements for which they were designed, difficult as they were and are, seem mild in comparison with those demanded for long-time reliable operation in the severe environment of space.

Instead of the electronics components developed in accordance with present military specifications which will operate with reliability at temperatures up to 165° Fahrenheit, we need research to get components for future space missions to withstand temperatures of even thousands of degrees.

The field of space electronics is still very new. We have no off-the-shelf supply of proven components, techniques, and practices that can be used to build increasingly complex operational systems. Further, there is small chance that they will be developed in a natural evolutionary process. Electronic components and systems designed for space represent a limited market. There is often no driving incentive for industrial firms to make the heavy investment in research and development that is required to provide them.

Missions now planned will require trouble-free operation for periods of 2 years or longer in the hostile space environment. There is need for research into the basic mechanism of electronic failure, in order to develop more reliable, longer lived parts. Also required is across-the-board research to qualify and standardize electronic components for use in present and future space systems.

To help meet the needs and demands of the increasingly difficult space missions of the future, NASA is taking steps to establish an Electronics Research Center in greater Boston, to which Congress gave its approval in March. This Center will be responsible for the important and difficult task of coordinating electronics research—as it now exists in Government, universities, and industry—and drawing upon this existing base, by dealing with technical societies, with universities and nonprofit organizations, with industry, and with the Department of Defense.

The Center will provide a focal point for expanding efforts of university and nonprofit research organizations to get some of the best brains in the Nation working on space electronics. It will also make use of outstanding individuals throughout the Nation to plan its program, and of local universities for consulting work and to broaden the base of education of its scientists and engineers.

Center-industry relationships will be established to help plan and make research requirements known, and it is expected that industrial contracts will be let for much of the research program, so that the Center's in-house facilities will not have to be unduly large.

There will be day-to-day communication with DOD and other laboratories doing electronics work, to make common use of specialized facilities and to avoid duplication of effort.

A highly important aspect of the Electronics Research Center will be its ability to furnish consultative services, on request, to the ongoing projects. As the Center grows in facilities and personnel, it will undoubtedly place more and more emphasis on electronic problem areas. The buildup of the Center will take place at the most rapid rate consistent with the development of a competent, well-organized staff and effective relationships with those having research competence, in universities, in industry and in other organizations. We estimate that it will take 4 to 5 years to reach our present goal of 2,100 people. Of these, about 700 will be in the professional group of scientists and engineers.

If our emerging capabilities in space, and the university and industry base on which they are built, are to yield the greatest benefits for our Nation and for the world, it is essential to make a breakthrough in the electronics area. At the same time, we must keep constantly before us the fact that the research and development programs of Government—as specialized as some parts of it are—constitutes a great storehouse of fresh scientific knowledge and technological know-how.

Both are a national resource, paid for by the public. Both must be put to the fullest possible economic use.

The space program, operating as it must at the leading edge of technology, offers unique opportunities for a broader utilization of new devices and processes, and for overcoming the traditional lag in the application of such advances. It is the rule, rather than the exception, that some advances, either in products or in general technological skill, are found in almost every aspect of the NASA program. But whether arising from the space effort or from other research efforts, the technological revolution of our time is the touchstone of continuing national progress and the door to a future for America that I believe will dwarf anything this country has ever before experienced.

Ralph Cordiner, who retired as chairman of the board of General Electric last December, saw the portent and the promise of the new technology to the industrial community quite clearly, at a time when our present fast-moving space program was—quite literally—scarcely off the ground. In a speech delivered at the University of California in Los Angeles 4 years ago (May 4, 1960), Mr. Cordiner said, and I quote:

"The space frontier will inevitably increase the scale of thinking and risk taking by business. When we are dealing with space, we are dealing with a technology that requires a planetary scale to stage it, decades of time to develop it, and much bigger investments to get across the threshold of economic return than is customary in business today. Business must now think in international terms and in terms of the next business generation. It must step up to the big risks with the same vision that enabled an earlier generation of builders to push railroad tracks out across the wilderness and lay the foundations of our modern economy."

This is the challenge we face. The prospect of pushing forward the frontiers of scientific discovery, and the conversion of the knowledge gained to practical use, touches not only our progress in space but every aspect of our national life. The wisdom with which we take the necessary steps to develop and use our scientific and technical resources may well determine our ability to survive and prosper and lead.

In a call to action and achievement in space, President Johnson said not long ago:

"We are reaping a bountiful harvest from the vision of those who urged that America move forward with vigor in the exploration of space. Because of them we shall live in a new and wonderous world. Our purpose in space is both realistic and responsible—just as it is also peaceful. I call today for our leading space scientists and engineers to rededicate their efforts to this national purpose."

The President's call was to all of us, in business, industry, Government, the university community, and all others who are participating, directly or indirectly, in the national space effort.

In NASA we are doing all we can to respond with vision, creativeness, and enthusiasm. At this mid-course maneuver point of the present 10-year program, electronic advances are clearly the keys to the doors of the future. In the early days of the space age, propulsion problems were at the center of the stage. The spotlight is now and will be for some time to come on the area which you have chosen for your own—electronics. I know the performance will be outstanding.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. Dwyer (at the request of Mr. Halleck), for the balance of the week on account of serious illness in family.

Mr. Burton of California (at the request of Mr. Albert), for today through June 3, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Laird, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter, including two letters from Secretary Rusk and two letters from Secretary Harriman.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Alger.

Mr. O'Hara of Illinois.

Mr. Burkhalter and to include extraneous matter.

(The following Member (at the request of Mr. MacGregor) and to include extraneous matter:)

Mr. Morse.

(The following Members (at the request of Mr. Weltner) and to include extraneous matter:)

Mr. Powell.

Mr. Staebler.

Mr. White.

ADJOURNMENT

Mr. WELTNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 58 minutes p.m.) the House adjourned until tomorrow, Tuesday, June 2, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2129. A letter from the Administrator, General Services Administration, transmitting a report on the progress of the liquidation activities of the national defense, war and reconversion activities of Reconstruction Finance Corporation, Public Law 163, 83th Congress, as amended, and with Reorganization Plan No. 1 of 1957 (22 F.R. 4633); to the Committee on Banking and Currency.

2130. A letter from the chairman, Board of Trustees, Legal Aid Agency for the District of Columbia, transmitting the Fourth Annual Report of the Board of Trustees of the Legal Aid Agency for the District of Columbia for the period June 1, 1963 to May 31, 1964, pursuant to section 10 of the act approved June 27, 1960 (District of Columbia Code, title 2, sec. 2209); to the Committee on the District of Columbia.

2131. A letter from the Assistant Secretary of the Interior, relative to determinations relating to deferment of certain construction payments due the United States from the Mirage Flats Irrigation District, Mirage Flats project, Nebraska, pursuant to 73 Stat. 584; to the Committee on Interior and Insular Affairs.

2132. A letter from the Assistant Secretary of the Air Force (Installations and Logistics), transmitting a draft of a proposed bill entitled "A bill for the relief of Col. Thomas O. Lawton, Jr., U.S. Air Force"; to the Committee on the Judiciary.

2133. A letter from the Assistant Secretary of the Air Force (Installations and Logistics), transmitting a draft of a proposed bill entitled "A bill for the relief of Lt. Col. Claude E. Tabor, Jr., U.S. Air Force"; to the Committee on the Judiciary.

2134. A letter from the Assistant Secretary of State, transmitting the annual report of tort claims paid by the Department of State during the calendar year 1963, pursuant to the Federal Tort Claims Act (28 U.S.C. 2673); to the Committee on the Judiciary.

2135. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of a proposed bill entitled "A bill to provide for the establishment of a research and development center in the correctional field"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. KELLY: Committee on Foreign Affairs. Report on recent developments in the Soviet bloc (Rept. No. 1442). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 11380. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; without amendment (Rept. No. 1443). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 11445. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 11446. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. McINTIRE:

H.R. 11447. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 11448. A bill to provide for a flat fee for services performed in connection with the arrival in, or departure from, the United States of a private aircraft or private vessel, and for other purposes; to the Committee on Ways and Means.

By Mr. WESTLAND:

H.R. 11449. A bill to provide for a flat fee for services performed in connection with the arrival in, or departure from, the United States of a private aircraft or private vessel, and for other purposes; to the Committee on Ways and Means.

By Mr. MONTOYA:

H.R. 11450. A bill to amend the Federal Employees' Group Life Insurance Act of 1954 to provide for the granting of insurance thereunder to certain employees of States whose positions are financed from Federal funds, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MORSE:

H.R. 11451. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 11452. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.J. Res. 1039. Joint resolution authorizing the President to proclaim the first full week of June 1964 as PBX Operators Week; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to requesting Congress to withhold action on legislation relating to certain activities of officers and shareholders of insurance companies; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of California memorializing the President and the Congress of the United States relative to anadromous fish; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 11453. A bill to provide for the presentation of a medal to the family of the late Patrick Rose, in recognition of his valor in saving the lives of fellow fishermen; to the Committee on Banking and Currency.

By Mr. BELL:

H.R. 11454. A bill for the relief of Gruja Apostolovic and his spouse, Desanka Apostolovic; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 11455. A bill for the relief of Dr. Eric J. Larazo; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 11456. A bill for the relief of Mrs. Marija Oterbajn (Mary Otterbine); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

908. By the SPEAKER: Petition of Joseph E. Camp, Adelanto, Calif., relative to condemning the United Nations for its vacillation in dealing with certain world crisis, and for allowing the war to continue in Vietnam; to the Committee on Foreign Affairs.

909. Also, petition of Ramon Bantasan and other officers of the Municipal Board, Ormoc City, Philippines, petitioning consideration of their resolution with reference to expressing their heartfelt sorrow over the passing away of the great American general statesman, and above all, illustrious husband and father, Gen. Douglas MacArthur; to the Committee on House Administration.

910. Also, petition of Henry Stoner, Avon Park, Fla., relative to radio and TV automobile advertisements; to the Committee on Interstate and Foreign Commerce.

911. Also, petition of Henry Stoner, Avon Park, Fla., relative to requesting the correct publishing of State textbooks as they relate to the U.S. Constitution; to the Committee on the Judiciary.

912. Also, petition of Henry Stoner, Avon Park, Fla., relative to discrimination and the status of the United States relating to world prestige; to the Committee on the Judiciary.

SENATE

MONDAY, JUNE 1, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

Rev. David T. Gleason, rector, St. Matthew's Episcopal Church, Seat Pleasant, Md., offered the following prayer:

Almighty God, the great Author of the universe, who dost behold all the dwellers upon earth: We ask Thy blessing upon the people of this land, and especially upon the Senate here assembled. May Thy presence be known and Thy spirit rule as we move upon the threshold of a new week. Direct and prosper all the consultations to the advancement of Thy glory and the safety, welfare, and honor of all the people. Grant that all things that come up for consideration may be so ordered and settled upon the surest and best foundations, that truth, justice, and mercy may be established among us for all generations. For these things and whatsoever else Thou shalt see necessary for us, we ask Thy light to be our guide on each day's journey. All this we ask in the name of Him who has promised to be with us always. Amen.

THE JOURNAL

On request by Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 28, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On May 27, 1964:

S. 2772. An act to amend the Alaska Omnibus Act.

On May 28, 1964:

S. 920. An act to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by United States amateurs on a reciprocal basis;

S. 980. An act to provide for holding terms of the U.S. District Court for the District of Vermont at Montpelier and St. Johnsbury;

S. 1584. An act to approve a contract negotiated with the Newton Water Users' Association, Utah, to authorize its execution, and for other purposes; and

S. 1687. An act to approve the January 1963 reclassification of land of the Big Flat unit of the Missoula Valley project, Montana, and to authorize the modification of the repayment contract with the Big Flat Irrigation District.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of a quorum call, there be a morning hour, under the usual conditions, and with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS TO 9 A.M., TOMORROW

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Montana will state it.

Mr. MANSFIELD. Has there been entered an order for the Senate to stand in recess, at the completion of its business today, until 9 o'clock tomorrow morning?

The ACTING PRESIDENT pro tempore. That is correct; such an order has been entered.

CONSIDERATION OF CERTAIN CALENDAR MEASURES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of certain measures on the calendar, beginning with Calendar No. 969, for the passage of those to which there is no objection.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered; and the measures on the calendar, commencing with Calendar No. 969, will be stated.

DIRECTOR AND DEPUTY DIRECTOR OF COAST AND GEODETIC SURVEY

The bill (S. 1004) to authorize apportionment of the Director and Deputy Director of the Coast and Geodetic Survey from civilian life, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of June 4, 1920 (41 Stat. 825), as amended (33 U.S.C. 852), insofar as it relates to the Director of the Coast and Geodetic Survey, is amended to read as follows: "The Director of the Coast and Geodetic Survey shall be appointed by the President, by and with the advice and consent of the Senate."

Sec. 2. Section 5 of the Act of February 16, 1929 (45 Stat. 1187), as amended (33 U.S.C. 852a), is amended to read as follows:

"Sec. 5. The Director of the Coast and Geodetic Survey, when appointed from the list of commissioned officers of the Coast and Geodetic Survey, and while holding said office, shall have the rank, pay, and allowances of a Chief of Bureau of the Navy Department. His appointment shall create a vacancy. The Director of the Coast and Geodetic Survey, when appointed from outside the list of commissioned officers of the Coast and Geodetic Survey, shall receive compensation in accordance with the Classification Act of 1949, as amended."

Sec. 3. Section 8 of the Act of January 19, 1942 (56 Stat. 8), as amended (33 U.S.S. 852b), is amended to read as follows:

"Sec. 8. (a) The Deputy Director of the Coast and Geodetic Survey shall be appointed by the Secretary of Commerce and without regard to any other provisions of law shall serve at the pleasure of the Secretary of Commerce. The Deputy Director, when appointed from the list of commissioned officers of the Coast and Geodetic Survey, and while holding said office, shall have the rank, pay, and allowances of a rear admiral (lower half) and his appointment shall create a vacancy. The Deputy Director, when appointed from outside the list of commissioned officers of the Coast and Geodetic Survey, shall receive compensation in accordance with the Classification Act of 1949, as amended.

"(b) To the extent he deems appropriate, the Secretary of Commerce shall, when the Director is appointed from the list of commissioned officers of the Coast and Geodetic Survey, appoint the Deputy Director from outside such list, and when the Director is appointed from outside the list of commissioned officers of the Coast and Geodetic Survey, appoint the Deputy Director from such list.

"(c) Any commissioned officer of the Coast and Geodetic Survey who may be retired while serving as Director or Deputy Director, or who is retired while serving in a lower rank or grade after having served as Director or Deputy Director, shall be retired with the rank and pay authorized by law for the highest rank or grade held by him as Director or Deputy Director: *Provided,* That any such officer, upon termination of his appointment as Director or Deputy Director, shall, unless reappointed, revert to the grade and number that he would have occupied had he not served as Director or Deputy Director and such officer shall be an extra number in his grade."

Sec. 4. Nothing in this Act shall be deemed to require reappointment or other change in the employment status of any person serving under an appointment made prior to the date of enactment of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1024), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to permit the selection of the best possible candidates for Director and Deputy Director of the Coast and Geodetic Survey by making available for appointment both commissioned officers of the Survey and civilians.

Under the present law, the President of the United States appoints the Director and Deputy Director of the Coast and Geodetic Survey from the list of commissioned officers of the Survey not below the rank of commander for a term of 4 years. The change suggested in this bill was originally proposed in a report to the Secretary of Commerce by a Special Advisory Committee of the National Academy of Sciences in 1960. The Committee was appointed in late 1958 to evaluate the functions and operations of the Department of Commerce to insure that it was fulfilling its responsibilities in the interest of science and technological progress. Dr. Mervin J. Kelly was appointed Chairman of the 10-member Committee.

In considering the personnel problems of the Coast and Geodetic Survey, the Committee pointed out: "It is the panel's further opinion, however, that it would be a mistake to continue to fill all top administrative positions solely through the officer corps. * * * It is important to the future development of the Survey that the best available man be chosen for each key position. All administrative positions, including division chiefs and the position of Director, should be open to both civilians and officers. * * * Further, it is recommended that the positions of Director and Deputy Director be open to both civilians and officers, with the only restriction being that both positions not be filled simultaneously by either officers or civilians."

Both civilians and commissioned officers of the Survey are assigned key positions of responsibility immediately under the Director and Deputy Director at the present time. Of the five Assistant Directors, three are officers and two are civilians. There are 17 division chiefs, of which 10 are civilians and 7 are officers. The enactment of this legislation would permit the Office of the Director and Deputy Director of the Survey also to be open for the appointment of either a commissioned officer or civilian and thereby help assure the best man is available to be appointed to these important positions.

BACKGROUND

S. 1004 was submitted for introduction by the Secretary of Commerce. The bill amends several sections of the basic statutes relating to the organizational structure of the Coast and Geodetic Survey. The background of the proposed legislation was described in the letter addressed to the President of the Senate by the Secretary of Commerce as follows:

"The purpose of this legislation is to authorize the appointment of the Director and Deputy Director of the Coast and Geodetic Survey from civilian life.

"Under existing law the Director and Deputy Director are required to be appointed by the President, by and with the advice and consent of the Senate, for terms of 4 years, from the active list of commissioned officers of the Coast and Geodetic Survey not below the rank of commander (sec. 1, act of June 4, 1920, 41 Stat. 825, as amended (33 U.S.C. 852), and sec. 8, act of Jan. 19, 1942, 56 Stat. 8, as amended (33 U.S.C. 852b)).

"In 1960 a Special Advisory Committee of the National Academy of Sciences-National Research Council, chaired by Dr. Mervin J. Kelly, submitted to the Secretary of Commerce a comprehensive report entitled 'The Role of the Department of Commerce in Science and Technology.'

"The Committee made two recommendations concerning the Survey which required legislative action. The first of these recommendations was that the act of August 6, 1947 (61 Stat. 787; 33 U.S.C. 883a, Public Law 373, 80th Cong.), be amended to remove the geographical restrictions imposed on operations of the Survey. The act of April 5, 1960 (74 Stat. 16; Public Law 86–409), enacted this recommendation into law.

"The second recommendation was that the positions of Director and Deputy Director be open to both civilians and officers, with the only restriction being that both positions not be filled simultaneously by either officers or civilians.

"The proposed legislation would implement this recommendation of the committee. In addition to opening these positions up to civilians as well as to commissioned officers of the Coast and Geodetic Survey, the bill would provide that the Director shall serve at the pleasure of the President, rather than for a term of 4 years. This change is in conformity with existing practice in the appointment of the heads of other important bureaus in the Department of Commerce, including the National Bureau of Standards, the Weather Bureau, the Patent Office, the Bureau of the Census, the Maritime Administration, the Bureau of Public Roads, the Area Redevelopment Administration, and the U.S. Travel Service.

"The bill would further provide that the Deputy Director shall be appointed by the Secretary of Commerce and shall serve at his pleasure, rather than be appointed by the President, by and with the advice and consent of the Senate. This change is in accord with common practice in filling positions at the deputy chief level in civilian Government bureaus. In addition, it represents a return to the practice long followed prior to 1942. (See act of June 5, 1920, 41 Stat. 929.)

"The proposed legislation would provide increased flexibility in appointment of the two top officials of the Coast and Geodetic Survey. It would greatly broaden the sources from which selections may be made for the two most important positions in the bureau. It would provide a better balance in the background, skills, and orientation of the officials responsible for directing the work of the bureau by providing for a team of commissioned officer and civilian scientific and engineering personnel. Finally, it would tend to strengthen the capacity of the Coast and Geodetic Survey to recruit and retain outstanding civilian professional and technical personnel for its important programs in oceanography, aeronautical charting, geodetic and geophysical survey work, and research in related fields, by providing improved career opportunities for civilians in the Coast and Geodetic Survey.

"Appropriate provision has been made for the compensation of the Director and Deputy Director, when appointed from civilian life.

"The recommendation of the Kelly Committee that both positions should not be filled simultaneously by either officers or civilians is provided in the form of a directive to the Secretary of Commerce to follow such a policy to the extent he deems appropriate. It is believed unwise arbitrarily to specify such a requirement since flexibility should be reserved under which the Secretary may make whatever selection may appear to be in the best interests of the Department under various circumstances; e.g., a period of national emergency, nonavailability of a well-qualified commissioned officer, nonavailability of a well-qualified individual from civilian life, and the like.

"Various other minor changes of a technical or editorial nature are included in the bill.

"Provision is made in the bill that it shall not be deemed to require reappointment or other changes in the employment status of any person serving as Director or Depupty Director under an appointment made prior to the date of enactment of the bill."

Particular attention should be given to section 3 of the bill which includes that portion of the recommendation by the Kelly Committee that the positions of Director and Deputy Director of the Coast and Geodetic Survey should not be filled at the same time by either civilians or commissioned officers. This is thought to be an important element in the recommendation made and the Secretary should carry out this general policy except in those exceptional cases in which national emergency or national security require otherwise.

COST OF LEGISLATION

There will be no increase in cost incurred by the enactment of this legislation.

BILL PASSED OVER

The bill (S. 2272) to insure the availability of certain critical materials during a war or national emergency by providing for a reserve of such materials, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

DISPOSAL OF CADMIUM FROM NATIONAL AND SUPPLEMENTAL STOCKPILES

The bill (H.R. 10774) to authorize the disposal, without regard to the prescribed 6-month waiting period, of cadmium from the national stockpile and the supplemental stockpile, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1026), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill would (1) grant congressional approval for the disposal of 5 million pounds of cadmium now held in the national stockpile and the supplemental stockpile, and (2) waive the 6-month waiting period ordinarily required before disposals of strategic and critical materials may be made from the national stockpile.

BASIC LAW

National stockpile

Under section 2 of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98a, the Director of the Office of Emergency Planning is authorized and directed to determine which materials are strategic and critical under the provisions of the act and the quality and quantities of such materials which shall be stockpiled under the act.

Section 3(e) authorizes General Services Administration, at the direction of the Director of the Office of Emergency Planning, to dispose of any materials held pursuant to the act which are no longer needed because of any revised determination made pursuant to section 2. Notice of any proposed disposition must be published in the Federal Register and transmitted to the Congress and to the Armed Services Committee of each House thereof. The plan and date of disposition must be fixed with due regard to the protection of the United States against avoidable loss on the sale or transfer of material to be released, and the protection of producers, processors, and consumers against disruption of their usual markets. The express approval of the Congress of any proposed disposition is required unless the revised determination, referred to above, is by reason of obsolescence of the material to be disposed of. Dispositions may not begin until 6 months after the date of publication and transmission of the notice of the proposed disposition as outlined above.

Supplemental stockpile

The supplemental stockpile was established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954. That section, as amended (7 U.S.C. 1704(b)), reads as follows:

"SEC. 104. Notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law, the President may use or enter into agreements with friendly nations or organizations of nations to use the foreign currencies, including principal and interest from loan repayments, which accrue under this subchapter for one or more of the following purposes:

"(b) To purchase or contact to purchase, in such amounts as may be specified from time to time in appropriation acts, strategic or other materials for a supplemental U.S. stockpile of such materials as the President may determine from time to time. Such strategic or other materials acquired under this subsection shall be placed in the above-named supplemental stockpile and shall be released therefrom only under the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act."

DISPOSITIONS FROM THE NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

As indicated in the statutes cited above, congressional approval is required for the disposal of materials in both the national stockpile and the supplemental stockpile except in those instances where the proposed disposal action is based on a determination that the material has become obsolescent for use during time of war.

Since the proposed disposal of cadmium is not based on obsolescence but is solely based upon a determination that the amount of cadmium in the national and supplemental stockpiles is excess to stockpile requirements, the proposed disposal requires the express approval of the Congress.

DISPOSAL OF CADMIUM FROM THE NATIONAL STOCKPILE

In addition, the bill would waive the waiting period of 6 months ordinarily required of disposals from the stockpile after publication required of disposals from the stockpile after publication of notice in the Federal Register. Thus, this waiver will permit the immediate disposal of cadmium upon enactment of H.R. 10774.

CADMIUM

Description

Cadmium is a soft, bluish, silver-white metal, derived chiefly as a byproduct of zinc smelting and refining. It is obtained in the treatment of flue dust and fumes from the roasting of zinc ores. Hence, the production of cadmium in the United States is dependent primarily upon activity in the zinc industry and the cadmium content of the ores treated. Zinc concentrates rarely contain more than 0.5-percent cadmium.

Uses

The largest use of cadmium is in the electroplating industry. Cadmium plating is denser than zinc and harder than tin. A relatively thin coating is adequate to provide protection against corrosion. It is rapidly and uniformly deposited through electroplating processes. Because the metal is self-lubricating to a high degree and tends to conform well to bearing surfaces, it finds an important use in cadmium alloy bearings, which are highly efficient in engines operating at high speeds and temperatures. It is used in pigments, solders, and as an alloy material to harden other metals such as copper, gold, and silver. It also has some use in the manufacture of chemical compounds.

There is a continuing critical shortage of cadmium in the domestic market. The electroplating industry is the chief user of cadmium.

Cost of cadmium

The committee was informed that the average acquisition cost of cadmium in the national stockpiles was $1.96. The previous disposal action approved by the Congress in Public Law 88-8 resulted in an average return to the Government of $2.66 per pound.

Current market prices for cadmium are approximately $3.45 per pound. It seems reasonable to expect that the price of cadmium will continue to remain favorable during the period of the proposed disposal action.

Stockpile requirements for cadmium

The current stockpile objective for cadmium, which was established on February 28, 1964, is 5.1 million pounds. On March 31, 1964, the total inventory was 15.2 million pounds, 10.1 million pounds in excess of the objective.

The total inventory is composed of quantities in the national stockpile and the supplemental stockpile. To permit retention of cadmium in the most desirable storage locations and to preserve the quantities of cadmium that are in forms most desirable, for possible mobilization use, the bill authorizes disposal of cadmium from both the national stockpile and the supplemental stockpile.

PROPOSED PLAN OF DISPOSAL

The plan involves the disposal of cadmium as a shelf item instead of as a result of competitive bidding. Under the shelf-item system the sales would be made at prices determined by the General Services Administration as representing fair market value based on current market research and reference to trade publications. This system is proposed for use to achieve the disposal with a minimum disruption of the market, while also providing the Federal Government with a favorable return for the sale of these materials.

The following information supplied by the General Services Administration describes more specifically the procedure to be followed:

"Cadmium would be disposed of at a rate not to exceed 2,400,000 pounds per year. It would be offered at a maximum rate of 600,000 pounds per calendar quarter. There will be no carryover of unsold balances from one quarter to the next.

"All sales will be made on a shelf-item basis. Price for the material during any quarter would be fixed by GSA as representing fair market value based on the results of current market research and reference to trade publications. Orders would be accepted by telegraph or mail. All sales would be made on a first-come, first-served basis, as long as material within the quarterly quantity limitation is available.

"Sales during the first 2 months of each calendar quarter would be restricted to holders of legitimate defense rated orders. Holders of rated orders would be permitted to buy during the 2-month period quantities up to but not in excess of amounts covered by the rated order. The entire 600,000 pounds available during the quarter would be available to fulfill rated orders.

"During the third month of the calendar quarter, any unsold portion of the 600,000 pounds would be offered on an unrestricted basis except that buyers would be required to certify that material being purchased is for domestic consumption only. Sales to individual customers under the unrestricted portion of this program would be limited to a maximum of 10,000 pounds per customer in any one quarter. Sales will be made in increments as low as 100 pounds. Producers and distributors making purchases would be required to certify within 60 days that the material purchased or its equivalent quantity had been resold to domestic customers. Consumers making purchases under this program would be required to certify that the material purchased would be consumed in their own production.

"GSA would issue a press release fully describing the sale procedure to be followed. Trade journals such as the American Metal Market and the E. & M.J. would normally carry such press release in complete text. The cadmium associations would make distribution of the press release to its members. GSA would make distribution of the press release as well as our sales catalog to our cadmium mailing list consisting of some 1,100 cadmium firms. This would completely describe the sale procedure to be used by GSA in disposing of cadmium.

"Only written orders for cadmium would be received by GSA. These would be directed to the Project Manager, Metals, Materials Division. Each order would be time stamped when received in GSA. In every instance a recommendation of award is made by the project manager and is reviewed and approved by the Director, Materials Division, Assistant Commissioner, Office of Materials Management, the Deputy Commissioner, and the Commissioner, Defense Materials Service, to insure that all prospective purchasers receive fair and equitable treatment.

"GSA has followed the foregoing procedure in selling nickel on a shelf-item basis. Via this method GSA has sold substantial quantities of nickel having a sales value of many millions of dollars and has not received a single protest nor has a question been raised regarding fair and equitable treatment."

The committee understands that any substantial deviation from the proposed disposal plan would be the subject of consultation with the appropriate committees of the Congress.

SUPPLEMENTAL COMPACT BETWEEN STATE OF NEW JERSEY AND COMMONWEALTH OF PENNSYLVANIA

The bill (H.R. 7332) granting the consent of Congress to a further supplemental compact between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority was considered, ordered to a third reading, read the third time, and passed.

W. H. PICKEL

The bill (S. 718) for the relief of W. H. Pickel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay out of any moneys in the Treasury not otherwise appropriated, to W. H. Pickel, of Greeneville, Tennessee, the sum of $385.25, in full satisfaction of his claim against the United States for refund of an overpayment of the tax imposed by section 3301 of the Internal Revenue Code of 1954 (the Federal unemployment tax) for the calendar year 1956: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

THOMAS M. TALLEY

The bill (S. 1875) for the relief of Thomas M. Talley was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Thomas M. Talley of Pineview, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $1,601.19, representing overpayments of salary which he received as an employee of the Department of the Air Force at Warner Robins Air Force Base, Georgia, such overpayments having been made as a result of administrative error in establishing his salary rate when he was promoted from the position of stock handler to the position of stock control clerk, effective July 19, 1959. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secrtary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Thomas M. Talley, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

JOHN J. FEENEY

The bill (S. 2288) for the relief of John J. Feeney was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John J. Feeney, of Watertown, Massachusetts, the sum of $528, in full satisfaction of all his claims against the United States for reimbursement of payments made by him in satisfying a judgment entered against him on December 13, 1962, in the United States District Court, District of Massachusetts (civil action numbered 62-182-S), arising out of an accident involving an automobile owned by the United

States and driven by the said John J. Feeney while acting within the scope of his employment as an employee of the Agricultural Research Service, United States Department of Agriculture, the United States not having been a party to said action: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

RICHARD G. GREEN, JR.

The bill (H.R. 1727) for the relief of Richard G. Green, Jr., was considered, ordered to a third reading, read the third time, and passed.

DR. ERNEST P. IMLE

The bill (H.R. 5305) for the relief of Dr. Ernest P. Imle was considered, ordered to a third reading, read the third time, and passed.

NOBLE FRANK SMITH

The bill (H.R. 5571) for the relief of Noble Frank Smith and his wife, Viola Smith, was considered, ordered to a third reading, read the third time, and passed.

CAPT. WILFRID E. GELINAS

The bill (H.R. 6876) for the relief of Capt. Wilfrid E. Gelinas, U.S. Air Force, was considered, ordered to a third reading, read the third time, and passed.

JESSE I. ELLINGTON

The bill (H.R. 7757) for the relief of Jesse I. Ellington was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 8201) for the relief of Maj. Jack J. Thea, U.S. Air Force, was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

EDWARD J. MAURUS

The bill (H.R. 8222) for the relief of Edward J. Maurus was considered, ordered to a third reading, read the third time, and passed.

MRS. FAYE E. RUSSELL LOPEZ

The bill (H.R. 8348) for the relief of Mrs. Faye E. Russell Lopez was considered, ordered to a third reading, read the third time, and passed.

IVAN D. BERAN

The bill (H.R. 8532) for the relief of Ivan D. Beran was considered, ordered to a third reading, read the third time, and passed.

JOHN T. COX

The bill (H.R. 8828) for the relief of John T. Cox was considered, ordered to a third reading, read the third time, and passed.

LEONARD M. DALTON

The bill (H.R. 8936) for the relief of Leonard M. Dalton was considered, ordered to a third reading, read the third time, and passed.

MISS GRACE SMITH

The bill (H.R. 9475) for the relief of Miss Grace Smith and others was considered, ordered to a third reading, read the third time, and passed.

PHILIP N. SHEPHERDSON

The bill (H.R. 10078) for the relief of Philip N. Shepherdson was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 2215) for the relief of E. A. Rolfe, Jr., was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

Mr. MANSFIELD. Mr. President, that concludes the items on the calendar to be called at this time.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 258 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Carlson
Case
Church
Clark
Cooper
Dirksen
Dodd
Dominick
Gruening
Hart
Hartke
Hayden
Hickenlooper
Holland
Inouye
Jackson
Johnston
Jordan, Idaho
Keating
Lausche
Long, La.
Mansfield
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Moss
Mundt
Muskie
Neuberger
Pearson
Proxmire
Ribicoff
Robertson
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Walters
Williams, N.J.
Williams, Del.
Yarborough

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Indiana [Mr. Hartke], the Senator from Minnesota [Mr. Humphrey], the Senator from North Carolina [Mr. Jordan], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Rhode Island [Mr. Pastore], the Senator from Georgia [Mr. Russell], and the Senator from Ohio [Mr. Young] are absent on official business.

I also announce that the Senator from West Virginia [Mr. Byrd], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Oklahoma [Mr. Edmondson], the Senator from North Carolina [Mr. Ervin], the Senator from Tennessee [Mr. Gore], the Senator from Alabama [Mr. Hill], the Senator from Washington [Mr. Magnuson], the Senator from Wisconsin [Mr. Nelson], the Senator from Rhode Island [Mr. Pell], the Senator from West Virginia [Mr. Randolph], the Senator from Florida [Mr. Smathers], and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

I further announce that the Senator from California [Mr. Engle] and the Senator from Oregon [Mr. Morse] are absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. Cotton], the Senator from Arizona [Mr. Goldwater], and the Senator from Vermont [Mr. Prouty] are detained on official business.

The Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Pennsylvania [Mr. Scott], and the Senator from North Dakota [Mr. Young] are absent on official business.

The Senator from Hawaii [Mr. Fong], the Senator from New York [Mr. Javits], the Senator from California [Mr. Kuchel], the Senator from New Mexico [Mr. Mecham], the Senator from Kentucky [Mr. Morton], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from Texas [Mr. Tower] are necessarily absent.

The ACTING PRESIDENT pro tempore. A quorum is present.

Morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Maintenance of Space Tracking and Data Acquisition Network in Support of National Space Effort

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the maintenance of a space tracking and data acquisition network in support of the national space effort; to the Committee on Aeronautical and Space Sciences.

Report on a Hot Gas Radiation Research Facility, Langley Research Center, Hampton, Va.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the hot gas radiation research facility for the Langley Research Center, Hampton, Va.; to the Committee on Aeronautical and Space Sciences.

Repeal of Certain Acts Relating to Agricultural Produce

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to repeal certain acts relating to containers for fruits and vegetables, exportation of tobacco plants and seed, standards for grains, naval stores and wool, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report on Guarantees Issued by Export-Import Bank of Washington

A letter from the Asssistant Secretary, Export-Import Bank of Washington, D.C., reporting, pursuant to law, on guarantees issued by that Bank, relating to the exportation of dry milk to Hungary; to the Committee on Appropriations.

Report on Liquidation of Reconstruction Finance Corporation

A letter from the Administrator, General Services Administration, Washington, D.C., reporting, pursuant to law, on the progress of the liquidation activities of the national defense, war and reconversion activities of the Reconstruction Finance Corporation, for the quarter ended March 31, 1964; to the Committee on Banking and Currency.

Report of Board of Trustees of Legal Aid Agency, District of Columbia

A letter from the Chairman, Board of Trustees, Legal Aid Agency for the District of Columbia, transmitting, pursuant to law, a report of that Board for the period June 1, 1963–May 31, 1964 (with an accompanying report); to the Committee on the District of Columbia.

Report on Delinquent Accounts Receivable Due the Panama Canal Company and the Canal Zone Government by the Republic of Panama

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on delinquent accounts receivable due the Panama Canal Company and the Canal Zone Government by the Republic of Panama at November 30, 1963, the report being dated May 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Determinations Relating to Deferment of Certain Construction Payments From Mirage Flats Irrigation District, Mirage Flats Project, Nebraska

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, his determinations relating to deferment of certain construction payments due the United States from the Mirage Flats Irrigation District, Mirage Flats project, Nebraska; to the Committee on Interior and Insular Affairs.

Report on Tort Claims Paid by Department of State

A letter from the Assistant Secretary of State, transmitting, pursuant to law, a report on tort claims paid by that Department, during the calendar year 1963 (with an accompanying report); to the Committee on the Judiciary.

Col. Thomas O. Lawton, Jr.

A letter from the Assistant Secretary of the Air Force (Installations and Logistics), transmitting a draft of proposed legislation for the relief of Col. Thomas O. Lawton, Jr., U.S. Air Force (with an accompanying paper); to the Committee on the Judiciary.

Lt. Col. Claude E. Tabor, Jr.

A letter from the Assistant Secretary of the Air Force (Installations and Logistics), transmitting a draft of proposed legislation for the relief of Lt. Col. Claude E. Tabor, Jr., U.S. Air Force (with accompanying paper); to the Committee on the Judiciary.

Establishment of a Research and Development Center in the Correctional Field

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to provide for the establishment of a research and development center in the correctional field (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc, were laid before the Senate, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

The petition of C. R. Mead, of Westport, Conn., praying for a redress of grievances; to the Committee on the Judiciary.

The petition of Henry Stoner, of Avon Park, Fla., praying for the enactment of Senate bill 2642, the so-called antipoverty bill; to the Committee on Labor and Public Welfare.

The memorial of Henry Stoner, of Avon Park, Fla., remonstrating against the enactment of House bill 7152, the so-called civil rights bill; ordered to lie on the table.

INCREASE IN AMOUNT AUTHORIZED TO BE APPROPRIATED TO CARRY OUT THE PROVISIONS OF THE PUBLIC WORKS ACCELERATION ACT—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1052)

Mr. RANDOLPH. Mr. President, from the Committee on Public Works, I report favorably, with an amendment, the bill (S. 1856) to increase the amount authorized to be appropriated to carry out the provisions of the Public Works Acceleration Act, and I submit a report thereon. I ask that the report be printed, together with the individual views of the Senator from Kentucky [Mr. Cooper].

The PRESIDING OFFICER (Mr. Inouye in the chair). The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from West Virginia.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McNAMARA, from the Committee on Public Works, without amendment:

H.R. 9720. An act authorizing a study of dust control measures at Long Island, Port Isabel, Tex. (Rept. No. 1051); and

H.R. 9934. An act to authorize the construction of a dam on the Saint Louis River, Minn. (Rept. No. 1048).

By Mr. McNAMARA, from the Committee on Public Works, with an amendment:

H.R. 9653. An act to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes (Rept. No. 1049); and

H. Con. Res. 189. Concurrent resolution expressing the sense of Congress that the Southwest regional water laboratory should be known as the Robert S. Kerr Water Research Center (Rept. No. 1050).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports were submitted:

By Mr. BARTLETT (for Mr. Magnuson), from the Committee on Commerce:

James Milford Sharpe, Jr., to be a permanent commissioned officer in the Regular Coast Guard.

By Mr. SPARKMAN, from the Committee on Foreign Relations, without reservation:

Executive B, 88th Congress, 2d session; Protocol to the International Convention for the Northwest Atlantic Fisheries, signed at Washington under date of February 8, 1949, which protocol relates to harp and hood seals and was signed July 15, 1963 (Ex. Rept. No. 8); and

Executive A, 88th Congress, 2d session; Protocol between the United States of America and Greece, signed at Athens on February 12, 1964, modifying and supplementing the convention of February 20, 1950, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons (Ex. Rept. No. 9).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MUSKIE:

S. 2882. A bill authorizing the repayment of certain required contributions by local interests toward the construction cost of improvements of rivers and harbors and other waterways, in the interest of navigation, flood control, hurricane protection, beach erosion control and other water uses; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 2883. A bill to permit the establishment and operation of certain branch offices by the Michigan National Bank, Lansing, Mich.; to the Committee on Banking and Currency.

REPAYMENT OF CERTAIN REQUIRED CONTRIBUTIONS BY LOCAL INTERESTS TOWARD CONSTRUCTION COST OF FLOOD CONTROL PROJECTS

Mr. MUSKIE. Mr. President, I introduce a bill to permit, in redevelopment areas, payment over the life of the project certain required local contributions toward the cost of improvements of rivers and harbors and other waterways, in the interest of navigation, flood control, hurricane protection, beach erosion control and other important water uses.

The Congress has adopted in recent years several acts, the purpose of which was to improve the economic development potential of areas described as distressed or in need of redevelopment.

We have found, in the Area Redevelopment Act and in the Accelerated Public Works Act, that the investment of Federal funds generates private investment and economic growth in areas that were literally starving for capital investment. I believe the lessons we have learned in area redevelopment and accelerated public works can be applied profitably in our rivers and harbors program.

At the present time, especially in low income areas, economically feasible harbor dredging, flood control or other navigation projects cannot be implemented because the local community does not have the lump sum payment available for its required contribution to the project. The bill which has been introduced would remedy that situation.

The bill provides that where a project was found to be feasible and economically beneficial, areas designated as eligible for redevelopment would be allowed to pay their share of project over the life of the project rather than in a single total payment in advance of completion.

Such a law would cost the Nation nothing. In fact the interest requirements would give the Federal Government a cost advantage. The additional personal and corporate income generated by these projects would give the Federal Government a cost advantage. The additional personal and corporate income generated by these projects would further increase the revenue of the Government, thus reducing our welfare loads. I hope the Senate will approve this proposal.

The **PRESIDING OFFICER** (Mr. Inouye in the chair). The bill will be received and appropriately referred.

The bill (S. 2882) authorizing the repayment of certain required contributions by local interests toward the construction cost of improvements of rivers and harbors and other waterways, in the interest of navigation, flood control, hurricane protection, beach erosion control and other water uses, introduced by Mr. Muskie, was received, read twice by its title, and referred to the Committee on Public Works.

CHANGE OF REFERENCE

Mr. JACKSON. Mr. President, on May 27 the President of the United States sent a message to the President of the Senate relating to the Alaska earthquake and reconstruction. The message from the President and the proposed draft legislation were inadvertently sent to the Committee on Public Works.

A subsequent bill covering this subject was introduced and referred to the Committee on Interior and Insular Affairs.

I ask unanimous consent that the message be rereferred from the Committee on Public Works to the Senate Committee on Interior and Insular Affairs.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

SUPPLEMENTARY CONVENTION TO THE EXTRADITION CONVENTION WITH BELGIUM—REMOVAL OF INJUNCTION OF SECRECY

Mr. LAUSCHE. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Supplementary Extradition Convention With Belgium—(Executive C, 88th Congress, 2d session—transmitted to the Senate today by the President, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the Record.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a supplementary convention to the extradition convention of October 26, 1901, and the supplementary convention of June 20, 1935, between the United States of America and Belgium, which supplementary convention was signed at Brussels on November 14, 1963.

I transmit also, for the information of the Senate, the report by the Secretary of State with respect to the supplementary convention.

LYNDON B. JOHNSON.

FACILITATION OF MANAGEMENT, USE, AND PUBLIC BENEFITS FROM THE APPALACHIAN TRAIL—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of May 20, 1964, the name of Mr. McIntyre was added as a cosponsor of the bill (S. 2862) to facilitate the management, use, and public benefits from the Appalachian Trail, a scenic trail designed primarily for foot travel through natural or primitive areas, and extending generally from Maine to Georgia; to facilitate and promote Federal, State, local, and private cooperation and assistance for the promotion of the trail, and for other purposes, introduced by Mr. Nelson (for himself and Mr. Williams of New Jersey) on May 20, 1964.

ANNOUNCEMENT OF HEARINGS ON AMENDMENTS TO ALASKA OMNIBUS BILL

Mr. JACKSON. Mr. President, for the information of the Members of the Senate, I wish to announce that the Committee on Interior and Insular Affairs has scheduled an open hearing for Wednesday, June 3, on S. 2881, the bill submitted by President Johnson to amend the Alaska Omnibus Act by authorizing additional authority to Federal agencies and additional funds to assist in Alaska's recovery from the disastrous earthquake of March 27.

In accordance with the schedule of the Senate, this hearing will begin promptly at 8:30 a.m. It will be held in the committee hearing room, room 3110 of the New Senate Office Building.

Mr. President, legislation for the relief and rehabilitation of Alaska is emergency legislation. The construction season in our 49th State is short as a result of natural climatic conditions there, and already it is well advanced in terms of its duration. The Interior Committee will endeavor to move this legislation as rapidly as possible so that the relief afforded will have a real and present meaning.

The committee will welcome the views and comments of any Members of the Senate on S. 2881 at Wednesday's hearing.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By **Mr. RANDOLPH:**

Address delivered by the Secretary of Agriculture at 91st Shepherd College commencement.

COMMUNISM AND THE MYTH MAKERS

Mr. SIMPSON. Mr. President, few of the replies elicited by the March 25 foreign policy speech of the junior Senator from Arkansas [Mr. Fulbright] have been as articulate and salient as the three-part series on "Communism and the Myth Makers," written by Eugene Lyons.

Mr. Lyons, senior editor of the Reader's Digest, and author of several excellent books on communism, rebutted the postulates of the Senator from Arkansas, in a discourse that was released last month through the North America Newspaper Alliance.

Mr. Lyons quite deftly refutes the thesis that communism and Cuba are but a "nuisance" and that the "Soviet Union has ceased to be totally and implacably hostile to the West."

I find myself in almost complete agreement with the views propounded by Mr. Lyons, and I believe his excellent trio of statements should receive the broadest possible distribution throughout the country. I request unanimous consent, therefore, that the articles be published in the body of the Congressional Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

(Note.—Senator Fulbright's speech may well be a major issue during this presidential election year. The core of Senator Fulbright's speech was that changing conditions in world communism demands a reappraisal of U.S. cold war policies. In the following article, the first of three, pioneer anti-Communist Eugene Lyons dissects the views of Fulbright and warns of the continuing aggressiveness of communism. Lyons, now a senior editor of the Reader's Digest, is the author of "Assignment in Utopia," "The Red Decade," and other books. He was editor of the American Mercury during the war years, and before that served 6 years in Moscow as correspondent for United Press International.)

(By Eugene Lyons)

New York, May 2.—Cold war problems and policies are certain to hold the center of the stage in the coming presidential campaign. Doubts on this score have been erased by the excitement which Senator J. William Fulbright churned up with his recent foreign policy address.

Speaking to a nearly empty Chamber, the chairman of the Senate Foreign Relations Committee laid down guidelines for American conduct in the world arena. It touched off storms of praise and attack. To some it seemed a bold program for peace in our time, to others a timorous blueprint for something close to appeasement of world communism.

The continuing vigor of the reaction indicates the country's sensitivity and worry on the cold war. The agitated response is the more remarkable because very little in the speech is really new. The Senator has merely restated, in his own pontifical manner, the set of assumptions and hopes embraced by the peaceful coexistence slogans. Most of it Fulbright has expounded in the past and its key tenets are quite familiar to any regular reader of Walter Lippmann's columns.

The essential Fulbright philosophy and most of his specific proposals have long been the stock in trade of the ADA (Americans for Democratic Action), the political lobby that describes itself as the "non-Communist left." A large number of its members are deployed through the administration and find its climate thoroughly congenial.

In the name of "realism," FULBRIGHT has asked that we ignore the cold war—most of which he considers a congeries of "myths" anyhow—and accommodate ourselves to a world permanently half free and half totalitarian. Communism, as he sees it, has declined from a danger to a "nuisance." Soviet Russia, "though still a formidable enemy, has ceased to be totally and implacably hostile to the West."

None of which, right or wrong, is at all novel. The Fulbright views are variations on standard administration themes, as played for years by Secretary of State Rusk, his chief policy planner, Dr. Walt Rostow, and other official spokesmen. Essentially, though not in detail, they are views shared by Arthur Schlesinger, Jr., and Ted Sorenson, both ardent ADA'ers and until recently the principal White House speechwriters.

FULBRIGHT is blunter, less tactful, than the administration has been. His coexistence counsel on Cuba and Red China is more drastic than the White House or State Department has as yet openly sponsored. But despite differences in degree, at the core there is the same downgrading of the menace of world communism, the same renunciation of the need or intention to fight and win the cold war.

IT'S THE TIMING

Why, then, the agitation over the Fulbright rehearsal of the well-known Rusk-Rostow program? The answers, of course, are in the timing.

His address comes at a juncture when the advent of a new President raises speculation about how resolutely he is committed to his predecessor's line, vis-a-vis communism. FULBRIGHT is not the only one who recalls that Lyndon Johnson, as a Senator, was rated among the "hard" rather than the "soft" contingents on the cold war. At that time the Texan was frequently singled out by the ADA for attack. He repeatedly stated that the only way to prevent a hot war was to win the cold war.

True, as President he quickly conformed to what Republicans dubbed the "no-win" line of the administration. Yet the self-styled "non-Communist left" is apprehensive that, if elected President in his own right, Johnson may jettison inherited foreign policy advisers and turn more "anti-Communist." FULBRIGHT's purpose, whether conscious or instinctive, appears to be to commit the administration as solidly as possible to present policies.

Moreover, the presidential campaign looms at a time when the conciliatory coexistence approach has been opened to grave doubts by stepped-up Communist activities and by intensified anti-American activities clear around the globe.

Despite optimistic noises in high places, the American people are restive and confused. They are worried by the near collapse of American prestige evident in growing Communist-inspired and often Communist-led violence against U.S. embassies, citizens, and property.

COMMUNIST ACTIONS

They are disturbed by Soviet harassments on the German Autobahn before the ink was dry on the partial nuclear test ban treaty, by the shooting down of unarmed American planes even while we are delivering grain to Soviet Russia, and especially by the surge of organized Red violence in Venezuela, Colombia, Panama, and other countries south of the Rio Grande.

A bloody war against Communist guerrillas is underway in South Vietnam. The ramshackle neutralist regime we imposed on Laos is in collapse. Cambodia is well inside the Red orbit. With Indonesia and Ghana more and more overtly Soviet oriented, with Zanzibar shaping up as a Red Cuba off the African coast, with Moscow exploiting the Cyprus bloodletting for its own power purposes, with the Soviets defaulting on their obligations in Laos, with communism now the strongest single force in Italy—to mention just a few distressing recent events—it becomes more difficult to wish away the overall Communist challenge as an outlived myth.

It is not easy to reconcile the news of the day with theories of "accommodation" and coexistence. Rockbottom questions of relations with the Communist bloc can be expected to dominate the campaign. Those who believe that the cold war can be ended by good will and an exchange of dance teams—or that it is already ended—will be on the defensive.

The Fulbright speech, and others like it sure to come, reflect the old precept that the best defense is a strong offensive. The Senator, we may surmise, aims to alert realists like himself not to be diverted from the soft, appeasing line by popular sentiment and Communist outrages. Not only is American policy on the right track, they must insist, but Washington is not moving far enough and fast enough in divesting itself of the myth that a serious Communist challenge exists.

MAJOR MISCONCEPTION

The Senator's more charitable critics give him good marks for stimulating a useful debate. The debate, however, will only confound the confusions unless a major misconception about his speech is ruled out. It is to the effect that FULBRIGHT is attacking administration policy. The Government is now under fire, several prominent publicists have written, not only from outside by Republicans but from within by men like FULBRIGHT. So far as the Arkansas Democrat is concerned, this simply is not the fact.

The division between "hards" and "softs" on communism has always cut across party lines. There were Republicans like BARRY GOLDWATER and KARL MUNDT who opposed Eisenhower's eager search for a settlement with the Soviets when their party was in power. There are influential Democrats like Senators THOMAS DODD, PAUL DOUGLAS, and FRANK LAUSCHE who dissent vigorously from the even more conciliatory policies of the present administration.

But FULBRIGHT is decidedly not to be equated with a DODD or DOUGLAS. These men believe that American policy has been disastrously soft—FULBRIGHT argues that they have not been soft enough. He not only approves the trend to soft answers and concessions—which others unkindly call appeasement—but wants it accelerated and pursued more openly. Far from denying the no-win label, he insists that this is the only realistic policy open to us.

"At all levels of the State Department," a Christian Science Monitor correspondent, Robert R. Brunn, reported, "quiet cheers could be heard after the Fulbright speech." He estimated that "about half the Fulbright speech is already administration policy." The estimate is surely too low.

Secretary Rusk and others for the administration have taken exception to specific Fulbright suggestions, in particular with regard to Cuba. But not one of them has objected to the basic Fulbright dream of calling off the cold war, since that has long been their own fondest illusion.

KENNEDY SPEECH

On June 10, 1963, the late President Kennedy made his most important foreign policy address, at the American University. In a crude and exaggerated fashion, FULBRIGHT espouses substantially the same thesis. The gist of it is that a live-and-let-live settlement with Soviet Russia and eventually all Communist regimes is not only desirable but possible.

Mr. Kennedy had voiced his faith that Communist countries would in due time join us in "service to all mankind" and in maintaining a peaceful world. Accordingly he urged the American people to reexamine their hostilities to communism and thus facilitate what Rusk has described as the "search for means of drawing Communist nations into a global community" of law and order.

This, only more so, is the Fulbright thesis now. We can afford to forget the world Communist movement, he claims, and turn more of our resources and energies inward. To most longtime students of Communist history, this writer among them, this seems more like wishful-thinking fantasy than a new "realism."

No doubt we would have more to spend on schools and other internal needs if we ceased to be "preoccupied" with the cold war. But unhappily a one-sided decision of this sort would merely surrender the world to communism by default.

NEW ISOLATIONISM

Especially his most liberal and leftist supporters are embarrassed by FULBRIGHT's emergence, in this speech, as an isolationist, frankly disinterested in the fate of other peoples unless American material interests are directly involved. "Insofar as a nation is content to practice its doctrines within its own frontiers," he summed it up, "that nation, however repugnant its ideology, is one with which we have no quarrel."

Since the Communist bloc is massively engaged in extending its power beyond its own frontiers—as far as our own hemisphere—that doctrine is irrelevant. But most of those who are isolationist when Communist regimes are on the agenda turn passionately interventionist when South Africa or Franco Spain is involved. Their isolationism being so carefully selective, they can hardly apply the Fulbright formula across the board.

(NOTE.—Following is the second of three articles by a pioneer anti-Communist on some of the myths about communism that are being generated these days.)

(By Eugene Lyons)

NEW YORK, May 3.—In his controversial March 25 address on foreign policy, Senator J. W. FULBRIGHT, of Arkansas, warned that with respect to communism "we are clinging to old myths in the face of new realities." But one man's myth is another's reality.

The test is in the facts, not the arbitrary label.

Virtually all the things the Senator consigns to the limbo of mythology others believe to be the essence of current reality. In a changing world, as he says, constant reappraisal of policy is indispensable. This truism, however, does not automatically cancel out stubborn long-term problems such as the Communist assault on our civilization.

In this area, it happens, we have repeatedly mistaken changes in Kremlin tactics for a fundamental change in strategic objectives. Millions of people have paid with their freedom for that mistake.

FULBRIGHT blandly assumes that the Communists have junked their central commitment—the drive for world dominion. To those who see the cold war as a continuing fact of life, despite outward changes, this is pure mythology. Calling it realism doesn't make it so.

ORGIES OF OPTIMISM

Communist behavior has always swung sharply between seeming moderation and fierce intransigence, depending on new internal and world conditions. Often the toughest Soviet gambits have been prepared and executed precisely when we were plunged in one of our periodic orgies of optimism. Witness the Kremlin's secret installation of nuclear missiles on our doorstep while we were busy "relaxing tensions."

Some 30 years ago, when Stalin was buying time and Western technology for his first 5-year plan, he played down the world revolution. Taken in by his slogan of "socialism in one country," most of the free world jubilantly hailed the end of the Communist menace.

After Stalin's death his heirs were too embroiled in their murderous leadership struggle to risk foreign adventures. The result was "smiling diplomacy" and improved diplomatic manners. This triggered euphoria in our world, dramatized in the spectacle of futility at the Geneva summit.

Today, deep internal economic troubles and Mao Tse-tung's bid for primacy in world communism have again forced Khrushchev, at least outwardly, to soft-pedal his world revolutionary zeal.

But no one has yet adduced persuasive evidence that Marxist-Leninists have given up their strategic goal for one Communist world. Certainly FULBRIGHT offers no such evidence. He merely asserts it as his ex-cathedra judgment.

EXPANDING ACTIVITIES

Far from dismantling their global apparatus of infiltration, subversion, guerrilla formations and the rest, the Red leaders are expanding it. At this very moment, in Moscow and Prague, in Peiping and Havana, thousands from other countries are being trained in subversion and guerrilla techniques.

To assume, as the Senator does, that this time the Kremlin blandishments are more than the familiar tactic—to buy time, deploy forces, reduce our vigilance and erode our unity—is an exercise in mythmaking. Forty-odd years of sad experience put the burden of proof squarely on the Fulbrights.

Throughout, the Senator is similarly strong on rhetoric and deficient on facts. On the slender and unproved basis of the test ban treaty, he says that both sides are now "prepared to forgo any bid for a decisive military and political breakthrough." The assumption defies commonsense. Communists would cease to be Communists if they stopped working for such breakthroughs. On our side, we cannot believe that there is no search for at least a political breakthrough.

The "master myth," FULBRIGHT declares, is that the Red governments are "organized conspiracies * * * all equally resolute and implacable in their determination to destroy the free world." Much of his speech is directed against this straw man. Actually no one ever contended that the puppet regimes in Rumania or Tibet are as resolute one-worlders as Red Russia or Red China.

The crucial fact is that at the centers of power, Moscow and Peiping, commitment to the ultimate demotion of our civilization is as implacable as ever. The crux of their quarrel, indeed, is how best to achieve that goal and which of them will command the noble enterprise. Whatever their differences, they remain a monolith in what matters most to us.

OTHERS WERE FOOLED, TOO

People like FULBRIGHT have never believed that Communists mean what they say, just as their counterparts a generation ago couldn't believe what Hitler said. They are always surprised when Communists behave like Communists.

President Roosevelt was deeply aggrieved, in the months before his death, because Stalin reverted to his old predatory self once victory was assured. President Eisenhower was startled to learn that Khrushchev, so amiable at the summit, had used the conference as a cover for a new power drive in the Middle East. President Kennedy was caught unaware by the sneak missile operation in the midst of supposed "improved relations."

Senator FULBRIGHT, again without benefit of evidence, announces "the implicit repudiation by both sides of a policy of 'total victory'" Unfortunately he is only half right. American policy has repudiated any interest in victory, while the Kremlin and even more so China continue to attest in word and act that they will settle for nothing less.

Any tyro in the study of Communist doctrine and strategy knows that they seek to avoid a showdown by force. Their primary weapons have been political and psychological. It was incumbent on FULBRIGHT, logically, to prove that those weapons have been discarded. Moscow constantly declares that it supports and will continue to support "wars of liberation" in our world. At the very least the Senator should have proved that this is empty verbiage. His failure to do so amounts to fabricating a soporific, wishful-hoping myth.

GOOD AND EVIL

"Americans," he complains, "are disposed to regard a conflict as a clash between good and evil rather than simply a clash between conflicting interests." He would be hard put to it to identify those interests and unhappily doesn't try. What national Russian interests, for instance, aside from the spread of communism, would prompt the Kremlin to invest a million dollars a day in a far-off, economically worthless Cuba?

The Communist drive for world hegemony has imperialist aspects, but it is not old-fashioned colonialism. It has messianic motivations. FULBRIGHT's view that only national interests are at stake in the struggle with communism seems to confirm the Communist charge that American concern, under cover of a zeal for freedom, is just crass capitalist imperialism. No wonder that the Moscow press, Khrushchev and Castro voiced approval of the Senator's address.

Moral issues and ideals cannot be ruled out. They do exist. Trite as it may sound, those who accept the cynical Fulbright line should be reminded that Chamberlain thought himself a supreme realist when he submitted to Hitler in Munich. It was under the shabby banner of realism that Eastern Europe, half of Germany, Manchuria, and North Korea—now the very fountainheads of our troubles and dangers—were surrendered to Stalin.

The champions of coldblooded realism may be more romantic than the moralists whom FULBRIGHT despises.

(NOTE.—Following is the last in a series on some of the myths about communism that have been adopted of late, by pioneer anti-Communist Eugene Lyons.)

(By Eugene Lyons)

NEW YORK, May 4.—The irony of Senator FULBRIGHT's crusade against foreign policy myths is that it is geared to an assumption so palpably false that myth is too mild a word for it. The premise of his March 25 speech is that American policies on communism have been too inflexibly tough, and he asks us to relax, unflex, be more yielding and accommodating.

But the chairman of the Senate Foreign Relations Committee, of all people, surely knows that Washington has been laboring for many years, Republican as well as Democratic years, for a live-and-let-live accommodation with the Communist rulers. It has made endless concessions and piecemeal surrenders, always hoping for a deal that would relieve us of the burdens of the cold war.

Eisenhower reached out continually for what he called a modus vivendi and repeatedly had his fingers burned. The Geneva summit show, Khrushchev's tour of the United States as guest of the White House, our paralyzed passivity in the Hungarian uprising, all tell part of the story.

SOFT LINE GONE MUSHY

Since 1961, what was already a soft line has gone mushy. The administration is earnestly looking for limited areas of overlapping interest with the Communist regimes as prelude to peaceable Communist cooperation in a world of diversity.

The last teeth have been drawn from our official and semiofficial broadcasts to the Communist-captive peoples. Any word or gesture that might hurt the sensibilities of those flexibly dedicated to our burial have been outlawed. As for our old pledges of freedom for the peoples in Eastern Europe, even lipservice to the hope have been dropped.

On the cold historic record, from Yalta to date, the Senator's belief that we are being rigidly uncompromising seems bizarre. The spirit of Yalta, the spirit of Geneva, the spirit of Camp David, most recently the spirit of Moscow, are milestones of illusion and disillusionment. Short of full surrender, it is hard to imagine American policies more anxiously accommodating than those already being followed.

Striking a heroic pose, FULBRIGHT tells Americans to think "unthinkable thoughts" as bravely as he does. What are some of these supposedly forbidden thoughts?

That the Kremlin is no longer implacably hostile to the West; that we should trade with the Red regimes; that we should treat different Communist nations differently; that we must leave an "open door" to normalized relations with Red China; that we accept the finality of a Communist Cuba; that we should take no initiative which carries the slightest risk and may alarm or annoy Moscow.

FULBRIGHT A CONFORMIST

But with the sole exception of the item on Cuba, these propositions, far from being unthinkable, are being voiced, supported and some of them acted upon by our Government. Most of them have become the cliches of official policy papers. FULBRIGHT is acting the conformist, not the myth-smashing knight in armor he would have us suppose.

There are plenty of ideas treated as "unthinkable" at policymaking levels. It takes true daring in those quarters to demand that we mount a political counteroffensive against the Communists; that we renew our commitment to ultimate freedom for the captive peoples; that we confront the enemy with "crises" on his side of the dividing curtains instead of waiting in jitters for the next crisis on our side; that we exploit weaknesses and vulnerabilities in the Communist orbit as boldly as Communists exploit such opportunity in our world.

Speaking for the majority as if you represented a weak, embattled minority is an ancient polemic device. Myriad editorials, and even news headlines, described the Fulbright address, mostly the commonplaces of prevailing policy, as somehow "daring."

But his whole premise of a tough America held rigid by a tyranny of forbidden thoughts is mythical. It scarcely jibes with Under Secretary of State George Ball's talk (May 9, 1962) of "resolving our differences with those who would destroy us." The chief difference is precisely in their determination to destroy us and our reluctance to be destroyed. How can that be resolved—by agreeing to half destruction? But no thought on the cold war is now "unthinkable," provided it fits into the "no-win" mood.

PAST "FULBRIGHTISMS"

FULBRIGHT's own tolerance of communism is hardly a recent phenomenon. Even 18 years ago he was arguing that, in the light of the American Revolution, it is "strange that we should be so harsh toward Russia." The Soviet experiment, he wrote in 1946, is "scarcely more radical" than the Declaration of Independence.

Thus he equated Lenin and Stalin with Washington and Jefferson, the American bid for freedom from oversea controls with Marxist class terror, liquidation of God, and the totalitarian police state. Coming from a Rhodes scholar, such historical absurdity is astonishing. The American and the Russian Communist revolutions have only the word "revolution" in common. By the Fulbright logic, we should not have been so harsh to the Nazi revolution either.

On the Senate floor, on June 29, 1961, FULBRIGHT warned against "peripheral struggles" in places like Laos. His advice was heeded, with the result that we soon had to fight a harder war in South Vietnam.

A month later, he was asked on a TV program whether he recommends concessions to shut off the West Berlin escape hatch for refugees from East Germany. "That might certainly be a negotiable point," he replied. "I don't understand why the East Germans don't close it, because I think they have the right to close it."

Amazingly, the chairman of the Foreign Relations Committee did not know that free circulation of people in all of Berlin is guaranteed in solemn agreements with Soviet Russia. The Communists had no legal right to close the escape hatch. Doubtless it was a coincidence, but exactly 2 weeks after FULBRIGHT erroneously conceded that right, the obscene Berlin wall went up.

MEMO TO M'NAMARA

In a secret memorandum to Secretary of Defense McNamara which became exceedingly public, in the summer of 1961, the Senator asked for the muzzling of military men on the Communist issue and a halt to anti-Communist education in the armed services. He ridiculed the idea of seeking victory in the cold war: "We can do little more than mitigate our problems and learn to live with them."

Neither then nor ever has FULBRIGHT made a secret of his distrust of the general public. He told McNamara that he considered the American people dangerously hostile to communism. "The principal task of leadership will be, if it is not already," he wrote, "to restrain the desire of the American people to hit communism with all we've got, especially if there are more Cubas and Laoses."

Unfortunately there have been more, and the situations in Laos and Cuba themselves have deteriorated. The need to mollify and "restrain" the American people is thus, from his elite vantage point, even more urgent. His foreign policy speech may fairly be viewed as his assertion of that "task of leadership." His method is to indict as outworn myths the facts which the people cannot overlook, and to put in their place a mythology of his own.

RT. REV. MSGR. DENIS P. MEADE, PASTOR, ST. ANTHONY'S CHURCH, MISSOULA, MONT.

Mr. MANSFIELD. Mr. President, an editorial honoring a great American and a great Montanan appeared last week in the Missoulian, of Missoula, Mont. The Right Reverend Monsignor Denis P. Meade, pastor of St. Anthony's Church, in Missoula, was justly praised for his devotion to duty, sense of humor, perseverance, and, most important, his genuine and abiding concern for the spiritual well-being of his flock.

I should like to emphasize the sentiments expressed in the editorial, because for many years Monsignor Meade has been a friend and counselor to Mrs Mansfield and me.

Therefore, I ask unanimous consent that this editorial about our friend and our beloved pastor be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Missoula (Mont.) Missoulian, May 26, 1964]

A GOOD MAN IS HONORED TODAY

In the moil and toil of a torn world and the hurly-burly of an election year, it is pleasant to pause briefly and pay tribute to a man who has served mankind well—the Right Reverend Monsignor Denis P. Meade, V.G., P.A., pastor of St. Anthony's Church.

Today, Monsignor Meade will celebrate his golden jubilee at the same time he and his parishioners dedicate a new $750,000 church. It was not quite 50 years ago (it was June 14, 1914, as a matter of fact) that Monsignor Meade was ordained to the priesthood.

The ordination ceremony took place in Ireland, where Monsignor Meade was born and raised.

In more than 40 years at St. Anthony's he has guided the parish to become the largest in the Catholic diocese of Helena. During those years Monsignor Meade has demonstrated outstanding qualities.

His friends know what those qualities are. Among other things, he works hard, sets a shining example of devotion to duty, has a sense of humor, is prudent and persevering. Perhaps above all he has lived a life dedicated to the spiritual well-being of his flock.

His philosophy is simple and direct, like his preaching, without rhetoric. Upon numerous occasions he has told his people: "You are here to save your souls. It is as simple as that."

In numerous ways, Monsignor Meade has contributed a great deal to the common good of this community but has asked very little for himself in return.

It is a pleasure to pay tribute to this man who has served his God and his fellow man so well. May he continue to serve for many years to come.

LEGISLATIVE PROGRAM—CLOTURE

Mr. DIRKSEN. Mr. President, while the majority leader has the floor, I should like to ask him whether he has contemplated a possible day on which to file a cloture petition and a day for voting on it.

I may add that I am aware of the difficulties that presently confront us, because so many Members of the Senate have commencement speeches to make and other affairs of importance, and it is not easy to arrange the schedule. We have been comparing notes. I wonder whether the Senator from Montana has come to any conclusion.

Mr. MANSFIELD. In response to the question raised by the distinguished minority leader, let me say we discussed the matter this morning, and we thought it best to lay it on the table, so to speak, so the Senate could be aware of our thoughts on the question of making a motion for cloture.

We should like, if possible, to file a motion for cloture this coming Saturday. That would mean that the Senate would go over 1 calendar day, which would be Monday. We could come in at a reasonably early hour on Tuesday; and 1 hour after we convene on Tuesday we would, under the rule, be prepared to vote on the question of invoking cloture.

Seventy days is a long time to spend on one bill. I would hope that, regardless of its outcome, at least the Senate would give its membership the right to face up to this proposal.

The question now is not so much one of civil rights as of cloture. The question of cloture, of course, determines whether the Senate will have an opportunity to vote on a civil rights bill. So I would hope that Senators who are "on the fence," so to speak, as to whether they favor or oppose cloture, and even some of those who in the past, and for good reason, have opposed cloture, would at least do a little rethinking in their own minds, so that it might be possible for the Senate as a whole to face up to this most important piece of proposed legislation and to permit the Senate to make its decision one way or the other on the bill's merits.

That is the best information I can give at this time to my distinguished friend.

To repeat: If it is possible, we should like to file on Saturday the motion for cloture. There would be 1 calendar day ensuing, which would be Monday; and 1 hour after the Senate convenes on Tuesday, we would vote on the question of cloture.

Mr. McCLELLAN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. McCLELLAN. Do I correctly understand, from the distinguished Senator's announcement, that there will be no votes, so far as he knows, during this week?

Mr. MANSFIELD. So far as I know, I know of no votes.

Mr. McCLELLAN. None is contemplated?

Mr. MANSFIELD. Not so far as I know.

Mr. McCLELLAN. Therefore, those of us who have made engagements to make commencement addresses and to fill other speaking engagements in our respective States will be reasonably safe in doing so, and would not risk missing the cloture vote if they were absent?

Mr. MANSFIELD. That would be my best judgment as of now. I know of no votes being contemplated as of the moment; nor do I know of any votes contemplated during the rest of this week.

Mr. McCLELLAN. Other Senators have the same interest that I do in knowing, so far as we can, ahead of time. I realize this is a legislative body, and that something could develop to bring about an unexpected vote; but so far as the leaders know, no vote is planned or contemplated this week?

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. I thank the Senator from Montana.

Mr. DIRKSEN. Mr. President, just to clarify this matter, I assume the majority leader will wish to convene the Senate every morning at 9 o'clock, after today, and that would continue to Tuesday, June 9, which would be the day for the cloture vote. So if we convene at 9 o'clock, a quorum call will be mandatory, and of course thereafter would come the vote, without any further difficulty. So there would be a vote before noon.

Mr. MANSFIELD. The Senator is correct—in all probability, there will be a vote long before noon. The Senate would be on notice in plenty of time; and it would be the responsibility of each individual Senator to be present in the Chamber.

Mr. McCLELLAN. Mr. President, will the Senator from Montana yield further?

Mr. MANSFIELD. I yield.

Mr. McCLELLAN. Do I correctly understand that we are going to meet at 9 o'clock each morning this week?

Mr. DIRKSEN. That is my understanding.

Mr. MANSFIELD. That is correct.

Mr. McCLELLAN. In view of that, I shall cancel the scheduled Appropriations Subcommittee hearing, for I do not propose to hold a hearing at 8 o'clock in the morning.

Mr. MANSFIELD. We understand that this schedule will create a hardship for the chairmen of the committees and for the committees themselves; but we have reached an impasse. We cannot avoide this issue much longer. If this schedule means that other proposed legislation will be retarded that much more, we cannot help that; we shall just have to live with it.

Mr. MILLER. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. MILLER. Do I correctly understand that the main reason for the time interval on this package of amendments is to develop any possible flaws that are in this package, and also—and equally important—to develop the legislative history which will be necessary?

Mr. MANSFIELD. The Senator is correct.

Mr. MILLER. I understand that this is because the "package" has not received the benefit of any committee hearings, and a report on the legislative history will have to be developed on the floor of the Senate.

I should like to ask whether it is the intention of the leadership to see to it that between now and the time when the cloture vote is taken, an adequate amount of explanation is given regarding the intentions behind the various components of this package, so that that legislative history will be developed.

Mr. MANSFIELD. That is the intention.

Mr. DIRKSEN. If the Senator from Montana will yield to me——

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. First, let me say, in connection with my earlier remarks, that there will be an annotated copy of the House version of the bill, showing all the amendments, modifications, and that sort of thing. That has been done with respect to the substitute. Therefore, we shall have a package that will be crystal clear, with brackets and underscoring to show precisely what it is.

Second, I propose to include in the RECORD, title by title, an explanation of the modifications that have been made. That will be carefully and accurately done; and for purposes of court interpretation, that would, of course, suffice.

Mr. MILLER. Let me say to the distinguished Senator from Illinois that I recognize that is very important and essential; but there is something beyond that which I believe is necessary. For example, statements of the intentions behind the amendments, after they are explained in the fashion which has been described, will be vital, to enable the courts to determine what Congress intended.

It is essential that the leaders somehow or other encourage the making of explanations of the amendments, so as to make clear not only what the package is and how it departs from the House version of the bill, but also what are the intentions in regard to, or the meanings of, these amendments, preferably with illustrations and examples, such as a committee report might contain.

I am quite sure that without benefit of a committee report, it will be more important than ever to make on the floor of the Senate a record which will provide the legislative history which is so necessary for proper court interpretation.

I suggest that the time being contemplated here is going to be very, very short. I would hope the leadership would bend every effort to see to it that that task is performed, because if we do not perform it, the interpretation will be open, contrary to the intentions of Congress.

Mr. MANSFIELD. I appreciate what the distinguished Senator from Iowa has just said. The time is getting short in more ways than one. So far as the leadership is concerned, it will do its best to explain, wherever possible with illustrations. I would point out that some explaining has been done in the Democratic caucus; and I would assume that a good deal more has been done in the Republican conferences, because the Republicans have met four or five times, and these amendments have been discussed—again, I am assuming—in some detail.

Mr. MILLER. Mr. President, will the Senator from Montana yield further?

Mr. MANSFIELD. I yield.

Mr. MILLER. I recognize the validity of what has been said; but that is not the point. What has been said in the Democratic conferences and in the Republican conferences is not a matter of record in the CONGRESSIONAL RECORD for a court to consider as the basis of its interpretation of the intentions behind the bill.

Mr. MANSFIELD. I understand. But at least we shall have that foundation to build upon. It will not be coming out fresh and cold.

Mr. MILLER. That is correct. But I would think it would be essential for the leaders to have these amendments laid out, not only as the Senator from Illinois has pointed out will be done, but also to have explanations, preferably accompanied by illustrations or examples, so that in future litigation—which is bound to occur—on this bill, a court will know what the intention of Congress was.

Mr. MANSFIELD. I am sure the explanations will be given by Senators who favor the bill and those who oppose it.

Mr. KEATING. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. KEATING. When the Senator from Montana responded to the question of the distinguished Senator from Arkansas [Mr. MCCLELLAN] with regard to possible voting this week, I assume the Senator from Montana was speaking as a pragmatist, and was not necessarily explaining his own wishes.

If we could have some votes this week on the jury-trial amendments and on other amendments, I assume that would be desirable from the point of view of the leadership.

Mr. MANSFIELD. I assume that the distinguished senior Senator from Arkansas asked us for our best opinion at the moment. If there are to be any votes this week, which I do not anticipate, I hope sufficient notice will be given, so that all Members may be informed and prepared. To the best of my knowledge, no votes are being contemplated for this week, at least, no votes that I know of.

Mr. KEATING. In other words, those of us who wish to vote this week—and I do not exclude from that category the distinguished majority leader—will be prevented from voting all of this week. Is that correct?

Mr. MANSFIELD. That would be my assumption. I have heard no Senator indicate that he wished to vote on a particular amendment. Of course, any Senator could have a vote if he so desired. However, I would hope that Senators would keep in mind the colloquy between the leadership and the distinguished senior Senator from Arkansas. If any Senator has any idea of having any votes taken this week, I hope he will give the Senate as a whole ample notice.

Mr. KEATING. I would agree with the Senator. I would be glad to join the leadership on votes on some amendments this week. I am sure there are other Senators who would wish to do likewise.

Mr. MANSFIELD. If the Senate votes cloture, there will be plenty of amendments to vote on.

Mr. KEATING. It would be less satisfactory to wait until then. Voting on amendments prior to cloture gives more opportunity to discuss the amendments.

Mr. MANSFIELD. Not necessarily. It is better to get cloture. If we get cloture, we can get down to the nub of the problem, instead of taking up bits and pieces here and there.

Mr. KEATING. I do not disagree with the Senator that we must get cloture, so that we may get on with the business of the Senate. However, I do disagree with him that it is undesirable to have some votes on some amendments to the bill this week. If that is the position of the Senator from Montana, I must respectfully disagree.

Mr. MANSFIELD. The Senator cannot put words in my mouth. He can express his own view, and he has a right to do that.

Mr. DIRKSEN. I say to the Senator from New York that the problem is twofold: First, how do we develop enough time for a discussion of the amendment in the nature of a substitute; second, how can we make time available to Senators who will be making commencement day addresses, and will, therefore, be away from the Senate, on business that is important, and will keep them away for a given period?

Mr. KEATING. Does the Senator refer to this week or next week?

Mr. DIRKSEN. Where do we fit all of it in? We would have to fit it in next week, because Sunday does not count as a calendar day. Therefore, if we were to file the cloture motion on Saturday, the vote would not come until Tuesday, the 9th of June. That would be the earliest.

Mr. KEATING. I agree. My only point is that if we could terminate the debate, for instance, on an amendment and could vote on it this week, that would be highly desirable. The same would apply to any other amendment. Such voting would not interfere with the vote on the chief amendment, which is in the nature of a substitute. That is my only point.

Mr. DIRKSEN. I am willing, if any Senator wishes to call up an amendment.

Mr. KEATING. I cannot call up an amendment or push for any vote until every Senator is ready to vote, under the unusual and inexplicable rules of the Senate.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. COOPER. A few moments ago, the Senator from Iowa [Mr. Miller] raised a question with respect to providing some legislative interpretation of the substitute amendment. It is my understanding, based on our knowledge so far, that the Senator from Illinois, as the author in chief of most of the amendments, will provide us—as he did in caucus—with an explanation of the purpose of the amendment he has proposed, which is widely supported. As the author of the amendment, such an explanation would provide a legislative interpretation.

Mr. DIRKSEN. I expect to detain the Senate at some length this week.

THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

Mr. DIRKSEN. Mr. President, on May 21, the Secretary of Labor, the Honorable W. Willard Wirtz, presented to Mr. W. Blackie, president of the Caterpillar Tractor Co., of Peoria, Ill., an award as the "Employer of the Year" in the employment of handicapped persons. A release has been issued by the President's Committee on the Employment of the Handicapped, and some background data on the Caterpillar Co., are also available. I am proud indeed to ask that they be included with my remarks in the Record.

There being no objection, the release and the data were ordered to be printed in the Record, as follows:

The President's Committee on
Employment of the Handicapped,
Washington, D.C., May 21, 1964.

Secretary of Labor W. Willard Wirtz today presented to W. Blackie, president of the Caterpillar Tractor Co., the Employer of the Year Award of the President's Committee on Employment of the Handicapped.

Sponsored by the National Association of Manufacturers, the award each year recognizes the employer who has done the most outstanding job of utilizing the abilities of physically or mentally disabled workers.

Of the nearly 34,000 men and women employed by Caterpillar, more than 3,000 are considered to be physically handicapped.

But not one of them is occupationally handicapped. Their jobs run the gamut of jobs in heavy industry—laborer, arc welder, instrument repairman, shop clerk, draftsman, metallurgist, secretary, and executive. Some were disabled at birth; others, as the result of war injuries, accidents, or illness. Of the latter group, many were disabled when hired; others became disabled following employment and were rehabilitated and retrained for other positions within the company.

Caterpillar claims that this extensive utilization of the handicapped is a "policy that secures profits." Turnover rate is lower; attendance record is better. And, according to H. S. Simpson, safety manager, the handicapped employees are more safety conscious than their nondisabled associates. They can't afford to take chances.

Accompanying Mr. Blackie to the ceremony in the Secretary's office was a group of 25 top Caterpillar executives and plant managers. William P. McCahill, executive secretary, represented the President's Committee in the absence from the city of Chairman Harold Russell.

The award is a handsome mahogany shield signed by the President.

Background on Caterpillar Tractor Co.

Peoria firm originated in 1909 when the Holt Manufacturing Co. of Stockton, Calif., purchased the Colean manufacturing plant in East Peoria, Ill. Firm then called Holt Caterpillar Co. In 1925, Holt combined with C. L. Best Tractor Co., of San Leandro, Calif. to form Caterpillar Tractor Co.

From 40 employees manufacturing 1 product—crawler tractor—the company has expanded to where it now employs 37,000 people at 9 U.S. and 6 foreign manufacturing plants (soon to become 9), 4 parts departments, and 13 parts depots. Caterpillar sells the products it makes through a network of 273 independently owned dealers who operate over 786 places of business throughout the world.

Caterpillar machines are sold throughout the free world—helping men with their toughest jobs of earthmoving, construction, land clearing, agriculture, logging, pipelaying, mining, marine travel, and other work; 139 products—all falling within the general classification of heavy equipment. Also manufactures special products for Defense Department.

Sales volume is expected to hit a billion dollars this year.

Presentation for Employer of the Year Award starts with these words:

"The story of the Caterpillar Tractor Co. is the story of a product that insures profits by overcoming obstacles—a policy that secures profits by hiring the handicapped."

Because of proper personnel selection and placement, the company's 3,000 handicapped persons function as normal employees. Total work force in United States is just under 34,000.

In 1962, Secretary of Commerce Luther H. Hodges presented the E-for-Export Award to Caterpillar for significant contributions to the Nation's export expansion program.

REAFFIRMING THE PRINCIPLES OF AMERICAN LIFE

Mr. BARTLETT. Mr. President, Miss Lulu M. Fairbanks, of Seattle, Wash., who recently has been honored by the American Pen Women as Pen Woman of the Year, has made available to me an essay by Elizabeth S. Lamb, of New York City, which was selected by the National League of American Pen Women as this year's winning essay. I have found the essay most interesting. So I am happy to have it reproduced in the Record, in order that others may have the pleasure of reading it.

There being no objection, the essay was ordered to be printed in the Record, as follows:

Reaffirming the Principles of American Life

(By Elizabeth S. Lamb)

I am an American.

I say this in pride and in humility, pointing to strengths and acknowledging weaknesses, affirming my faith in a unique way of life, and rededicating my life to that faith.

As an American, what are my obligations? I owe my country my own development into an increasingly aware citizen, cognizant of problems, openminded in seeking solutions, serving where I can, expressing my opinions, voting in every election without fail.

I owe my country reasoned thinking in which I make up my own mind about problems and policies after listening to all sides and all opinions. I owe my country a firm personal stand against radicalism and fanaticism wherever I find it—and it is distressingly easy to find. It is, perhaps, no more widespread today than in the past, but mass communication media have brought it into radio, TV network, and into print as never before, and from there it is reflected in many unthinking minds of young and old alike. If I owe my country steadfastness in standing for the basic truths of democracy, I also owe it a healthy skepticism into the roots of prapaganda, whatever its source.

I most assuredly do owe my country steadfastness in my faith in the American mystique, in my faith in the basic ideals of democracy. Yet I must not equate democracy with the past. No land has maintained even a status quo, let alone risen to new heights in a vain attempt to turn back the clock. Time is a one-way street. Therefore, I, as an American, must seek to foster forward growth and achievement, weighing solutions against problems in the context of today's total world picture. The pendulum of popular opinion always swings in a wide arc; I would stand firm in the center to help give balance and continuity to American thinking and action.

Yes, I would be a centered American, centered in the ideal that here all men have equal rights, equal opportunities, and working to make that ideal truth into the solid and practical fact of reality.

I must move to present the real image of America—and Americans—not the Hollywood version to the men, women and children of our own 50 States; to the foreign visitors, from the exchange student to the highest diplomat; and to foreigners in their own homes as I have opportunity through travel, be it for business or study, through their own lands in this inexorably shrinking world of the 20th century.

I affirm my faith in democracy. I think and speak and act in accordance with that faith. I pray that I may add some small measure of worth to America through that faith. So, in pride and in humility, pointing to strengths and acknowledging weaknesses, I rededicate my life to my country.

I am an American.

UNITED STATES IS LAUDED IN UNITED NATIONS ON TRUST ISLANDS

Mr. BARTLETT. Mr. President, the New York Times of yesterday published an article entitled "United States lauded in U.N. on Trust Islands." The article refers to a report submitted to the United Nations by the members of a delegation from the U.N. which was sent to investigate what the United States was doing in the trust territory in the far Pacific. The mission was composed of members from New Zealand, Liberia, Britain, and China. The report submitted by this group lauds the efforts and accomplishments of the United States in many developments in these islands during the last several years.

Many of us have an interest in what is happening there; and I know that the Senate will be delighted to hear that—for the first time, I believe—the United Nations has praised the efforts and the accomplishments of the United States in this area of the world.

I am particularly glad because a prominent Alaskan, Mr. M. Wilfred Goding, is the High Commissioner of the Trust Territory. He went there during the early days of the Kennedy administration, and has done a superlative job in bringing our way of life and helpful benefits to the people of those distant islands.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, May 31, 1964]

UNITED STATES LAUDED IN U.N. ON TRUST ISLANDS—MISSION PRAISES GAINS FROM RISE IN AID TO PACIFIC AREA

(By Kathleen Teltsch)

United Nations, N.Y., May 30.—A four-member visiting mission has praised the U.S. liberalized policy toward its Pacific islands trust territory.

The mission, which has returned from a 5-week inspection, said in a report that the great change of policy begun by President Kennedy and continued by the Johnson administration, was yielding the first fruits.

In essence, the change involved raising the annual subsidy for the Micronesian Islands in the Western Pacific from $6 to $15 million. President Johnson has recommended that it be lifted to $17.5 million.

Much of the increase was pumped into a vast improvement of educational facilities, expansion of medical services, and acceleration of economic development.

The mission, whose members represent New Zealand, Liberia, Britain, and China, also applauded the evidence of political development in the islands since the last visit in 1961. It spoke of the political freedom that prevailed and the amicable relations between the American administrator and the islanders.

Such reports are not common here where debates about trust or colonial territories evoke familiar charges of exploitation.

A NEW SENSE OF UNITY

The strongest impression carried away by the mission was of a new sense of unity among the island people. They called it a "Micronesian self." This is no small achievement, the mission's report emphasized, in a trust territory consisting of 2,000 islands scattered across 3 million square miles of ocean.

The members tempered their praise with the remark that it was unfortunate that the policy change had been so belated and that the United States was now resorting to a crash program to acheive its goals. But they said the mission's "sense of disappointment was balanced by appreciation of the energy and drive now being applied."

Reporting on the condition on the Rongelap and Uterik Atoll people who were accidentally exposed to nuclear radiation during the 1954 bomb tests, the mission approved the continuing physical care being given the islanders. But it deplored Washington's delay in acting on the islanders' 10-year-old compensation claims. A bill covering the claims is before the Senate.

Mr. GRUENING. Mr. President, I wish to associate myself with the remarks of my colleague from Alaska on the subject of the trust territories. I join unqualifiedly in praising the fine work of the High Commissioner there, Mr. M. Wilfred Goding. He has done a magnificent job, and he deserves the highest commendation. I am glad my colleague from Alaska has brought this matter to the attention of the Senate.

AREA REDEVELOPMENT

Mr. LAUSCHE. Mr. President, by the yardstick of the Federal Government, a family of four, regardless of the cost of living in the particular area where the family lives, having an annual income of less than $3,000, lives a state of poverty; and by a similar inflated yardstick of the Area Redevelopment Administration, another creation of Congress, proud communities, willing and able to help themselves, are labeled as depressed areas.

I have received a letter from Mr. T. A. Livingston, of Cleveland, Ohio, who states his understanding of the condition in Rice County, Kans., where the Federal Government is insisting upon sending money, although the community is thriving. It is doing so upon the theory that the county is a depressed area. Mr. Livingston writes:

> I grew up in Rice County and it is and has always been one of the most prosperous wheat and beef areas in the country. I have two brothers and four brothers-in-law who are farmers and ranchers in the area and I'm sure their average income exceeds mine. They are extremely embarrassed by this designation.
>
> In addition to the thriving agricultural economy, Rice County has a highly productive oil pool. Around Geneseo, Kans., in northern Rice County, there are probably 250 to 300 good producing oil wells.
>
> Rice County has a population of 14,000 people with savings in excess of $30 million in local savings and loan institutions. According to the editor of the Lyons, Kans., newspaper—a Mr. Jones—nearly everyone in the county who wants a job has one and this opinion is shared by my relatives who probably know, or know of, everyone in the county.

Mr. President, in the face of that prosperous, thriving economy, the Federal Government, through its Area Redevelopment Administration, is sending money into Rice County, Kans. I have discussed this subject today because on my desk I have a letter from an Ohio city alleging that an industry was to have settled in that city and arrangements for it to do so had practically been made. But a representative of a city in a depressed area approached the industrialist and, with Federal money, induced him not to settle in Ohio but to settle in a depressed area of another State. Under the act, that will continue to happen often.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may have an additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Regardless of the cost-of-living factor in the area where the person lives, it is stated by the Federal Government that a family of four having an income of $3,000 or less is living in poverty. Yet the same Federal Government, using a similar inflated yardstick, has declared as depressed areas regions of the country that are bountiful in wealth, in which everyone is working, and in which the banks and businesses are thriving. Yet out of Washington comes the word, "Your area is depressed. Take our financial aid."

WELCOME TO PRIME MINISTER ESHKOL, OF ISRAEL

Mr. KEATING. Mr. President, this week we welcome to Washington a leading world figure and friend of the United States, Prime Minister Levi Eshkol, of Israel. On this, his first trip outside Israel since becoming Premier, he will tour a number of cities, and will engage in high-level discussions with Government officials.

Mr. Eshkol's goodwill visit is quite a contrast to that of King Hussein, of Jordan, who throughout his tour of the United States dispensed the Arab League line of enmity and negativeness. It is also significant that the Israeli Prime Minister comes to us so soon after Premier Khrushchev warmly embraced Colonel Nasser, of Egypt, and endorsed his expansionist designs on Israel.

I am hopeful that Mr. Eshkol's visit will dramatize the close bonds of friendship between Israel and the United States, and will result in renewed American pledges of loyalty to and concern for the brave people of the Jewish homeland. Specifically, it is to be hoped that the Prime Minister will return to Israel with fresh assurances that we will protect the security and freedom of his nation and will assist in Israel's pioneering work in the use of nuclear energy to desalinate seawater.

Although he is a veteran Zionist leader with a distinguished career in government service, Mr. Eshkol has heretofore been little known outside Israel. I therefore commend to wide attention an article written by my former executive assistant, Stephen May, and published in the Jewish Ledger, of Rochester, N.Y. Mr. May, who has spent considerable time traveling in the Middle East and studying developments there, provides fresh insights into the background and mission of the Israeli Prime Minister.

I ask unanimous consent that the article be printed at this point in the RECORD:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEVI ESHKOL: PRAGMATIC OPTIMIST GUIDES ISRAEL'S FUTURE

(By Stephen May)

Emerging from the expansive shadow of his colorful predecessor, Prime Minister Levi Eshkol arrives in this country Sunday as a full-fledged world statesman. His standing reflects not only Israel's prestige in the family of nations, but the impact of his own personality and policies at home and abroad.

He will be carefully scrutinized by an American public long accustomed to the bristling pugnaciousness and activist leadership of Israel's pioneering chieftain, David Ben-Gurion. They will find in Levi Eshkol the master of compromise and negotiation, popular with friend and foe alike, a man of quick insight, infinite patience, effervescent optimism, and ready humor.

It is a measure of the man that he faced a minimum of opposition when he became Premier in spite of the fact he had previously served as Finance Minister. In that unpromising post he managed to achieve broad popularity in a country where taxes are heavy and economic problems are chronic.

When Eshkol assumed the duties of rosh hamemshalah a little less than a year ago, many skeptics believed he was merely acting as a caretaker until the "old man in the desert" decided to return to office. Within a few months, however, it became clear that the new Premier would be his own man and he is today firmly in the saddle.

All of this is eloquent testimonial to Levi Eshkol's unique abilities and distinguished career, which began 68 years ago in a Ukrainian village near Kiev. The family name was Shkolnik, but he changed it to Eshkol, which means "cluster of grapes."

His family was reasonably well off, but the programs which plagued the Ukraine at the turn of the century impelled him to the Zionist cause and in 1914 he emigrated to Palestine. Setting out from Jaffa on foot, he joined a kibbutz, where his capacity for physical labor and ability to get along with others soon led to positions of leadership.

During World War I Eshkol served 2 years in the Jewish Legion, where he met Ben-Gurion for the first time. Thereafter he helped establish Degania Beth, a communal farm in the Jordan movement, a forerunner of the Mapai Party, and in 1921 participated in the founding convention of Histadrut. He soon was called on by Zionist leaders to undertake important missions, including a stint from 1933 to 1936 as head of the Settlement Department of the Palestine Office in Berlin, where he helped victims of Hitler's oppression to escape.

He also served as secretary of the Tel Aviv Labor Council and for many years was active in the high command of the Haganah. When the State of Israel was proclaimed, Eshkol was named Director-General of the Ministry of Defense. He was instrumental in founding Israel's ordnance and arms industry.

In 1949 he became head of the Jewish Agency's Agricultural Settlement Department and helped establish over 400 agricultural villages for newcomers to Israel. As Finance Minister for a decade following 1952, Eshkol was known not only as the man who levied taxes, but as the brilliant architect of Israel's dynamic economy, skilled at adapting the country's policies to changing circumstances.

His passion for more and more taxes led to numerous anecdotes, many of which he probably fathered himself. It is said that on one occasion his host asked him whether he preferred coffee or tea. "Coffee," he replied, "I get more taxes out of coffee."

As a second man in the Government, Eshkol acted as Premier when Ben-Gurion was abroad and presided over Cabinet meetings when his chief could not attend. He was the ace troubleshooter for his volatile but aloof predecessor, who had become increasingly frustrated by the incessant haggling of Israel's coalition politics.

Ben-Gurion's last government was, in fact, the creation of Eshkol's shrewd and patient bargaining when he took over negotiations after the Prime Minister had given up.

Eshkol has gained wide popularity through his interest in personal contact and his opposition to redtape. When he undertook the difficult task of Secretary of the Tel Aviv Labor Council in 1944, he decided that the best way to deal with city workers would be through the direct, personal approach. He realized that bureaucratic methods would spell failure.

Thus, on his first day in office when his secretary brought him a huge stack of files—a dreary legacy from his predecessor—Eshkol shouted: "Cart them right outside and burn them."

"But why?" she protested. "There's a tremendous amount of important material in there you should brief yourself in."

"Brief myself," responded Eshkol, "for that I don't need files. Why look for headaches—they'll soon come knocking at the door."

This dislike of bureaucratic details, a habit nurtured by many years' experience in a pioneering society, also manifests itself in his approach to speechmaking. As Finance Minister, he found it difficult to recite the carefully prepared texts supposedly required by his high office.

More often than not, he would discard them and, with his long arms sweeping vigorously, would speak with rhetorical improvisation peppered with homey Yiddish expressions.

He still favors this gruff, humorous—heimish—style, although as Prime Minister he must stick more closely to his text, much to his reported annoyance.

On March 3, 1964, the new Premier, a widower with four daughters, married Miriam Zelikovitch, senior librarian of the Knesset and longtime friend of the Eshkol family. He speaks English, Russian, and German, as well as Hebrew and Yiddish.

The essential elements in Eshkol's foreign policy have not differed appreciably, largely because they are dictated by the continuing hatred of the Arabs. However, there appears to be a greater emphasis on flexibility in diplomacy and perhaps something of a more sympathetic ear to talks on the Arab refugee problem—or indeed for any move from any quarter which might promote normalization of Arab-Israeli relations.

Eshkol's unshakeable optimism expresses itself even with regard to the frustrating task of dealing with the Arabs. He has said he feels that as the years go by and "the fact of Israel's existence penetrates the consciousness of the Arab peoples and their leaders" that they "will realize that they can only benefit by establishing good, neighborly relations with Israel."

He has patiently reiterated Ben-Gurion's theme: "Our willingness to talk peace is public knowledge. We have been carrying on a monolog about peace for the last 15 years and before. I wish it were in our power to turn it into a dialog."

It is interesting to speculate on the outcome of the face-to-face meetings between this master conciliator and hostile Arab leaders.

While his friendliness and reasonableness must never be mistaken for weakness, one cannot help but think that the Eshkol touch could turn such potentially heated talks into constructive channels which would advance the cause of peace in the Middle East.

It must be emphasized, however, that the Prime Minister clearly recognizes that Israel can embark on a policy of patient discussion of long-term security and political problems only as long as her independent military might is maintained. He knows that Israel's peace policy must still be based on the solid foundation of her deterrent strength.

It is expected that Israel's security, the political situation in the Middle East, and seawater desalination will be high on Eshkol's agenda in his forthcoming talks in Washington.

It is understood he will urge that any agreement between the United States and the Soviet Union for a relaxation of world tensions include the Arab-Israel dispute. This subject has been the subject of fruitless discussion at the highest levels between American and Israel leaders for some time.

Ben-Gurion sought in vain a Washington initiative for a joint appeal with the Kremlin for peace in the Near East, combined with a guarantee of existing borders. In the alternative, the former Premier suggested a public U.S. guarantee of Israel's security.

Although rebuffed on previous attempts, Israeli officials feel changing world conditions have brightened chances for East-West agreements, and accordingly Eshkol will urge that any such understandings cover the Israel-Arab conflict.

Of more immediate urgency, however, will be the Prime Minister's effort to obtain help in reducing Egypt's superiority over Israel in some categories of modern weapons.

It is anticipated Eshkol will point out that Egypt is engaged in a feverish arms race with the support of the Communist bloc and will emphasize Israel's conviction that an arms balance in the Middle East—based on a strong and well-equipped Israel military establishment—is the best deterrent to an Arab attempt to liquidate his country.

Finally, the Prime Minister is expected to place great emphasis on the need for assistance in establishing a nuclear reactor in Israel to combine generation of electricity with the desalting of sea water. Even a completed Jordan River project will contribute only a small fraction of the water needed for the thirsty nation whose population Eshkol estimates will eventually total 5 million.

Completely new sources are required and the use of nuclear power to produce sweet water appears to be the answer, although Israel will necessarily be a junior partner in such a venture, Eshkol will undoubtedly point out that the resultant reactor can serve as a model for other nations with similar problems and as a center for applied research in this vital field.

It is to be hoped that Israel's case will receive the sympathetic hearing it deserves in Washington.

Mr. Khrushchev's recent tour as guest of Colonel Nasser has emphasized that Israel remains our only true friend in the Middle East, and that America's best interests will be served by steadfast support of Israel's security and independence.

It is significant that Levi Eshkol has chosen to visit the United States on his first trip outside Israel since becoming Prime Minister.

It symbolizes the continuing bonds of friendship between the two nations, each dedicated to peace, justice, and human dignity—and underscores the need for enduring American concern for the fate of this bastion of freedom in the Middle East.

BELLIGERENT ARAB ACTIVITIES IN THE MIDDLE EAST

Mr. KEATING. Mr. President, the Brooklyn Jewish Community Council, which represents more than 800 organizations in the largest Jewish community in the United States, is seriously alarmed over the continuing buildup among the Arab nations in the Middle East.

Mr. President, while the United States continues to offer economic assistance, monetary stabilization funds, and surplus food to President Nasser, Egypt's own resources, assisted by Nazi scientists and Soviet weapons, are consistently diverted into belligerent or wartime activities.

Mr. President, in the Middle East there is, as a result, an increasing arms imbalance which undoubtedly will tempt Nasser into more and more aggressive military adventures.

The Brooklyn Jewish Community Council calls upon our Government to reverse its longtime policy of appeasing Nasser. It urges an end to U.S. aid for Nasser until he ceases his aggressive actions and calls for a treaty of mutual defense and support with Israel, such as those the United States already has with other nations in NATO, CENTO, and SEATO.

Mr. President, I ask unanimous consent to have printed in the RECORD the resolution unanimously adopted on May 5, 1964, by the Brooklyn Jewish Community Council.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> The Brooklyn Jewish Community Council duly assembled at its silver jubilee anniversary meeting held at the Brooklyn Jewish Center on May 5, 1964, unanimously passed the following resolution:
>
> "Whereas for more than a decade the very existence of the State of Israel has been threatened with extinction by the repeated public declarations and preparations of the ruler of Egypt, Gamal Abdel Nasser;
>
> "Whereas since he came to power President Nasser has constantly declared over his radio and in public his determination and that of his associated Arab states to drive the Israelis into the sea;
>
> "Whereas he has in recent years, in pursuance and preparations of such threats and declarations of policy built up a formidable armament of jet planes, submarines, tanks and more recently offensive missiles, in the building of which he has been aided by former Nazis who have found refuge in Egypt from prosecution in Germany;
>
> "Whereas for a year and a half he has kept an army of Egyptian troops in Yemen which were transported there by Russian planes and supplied by Russian arms;
>
> "Whereas contrary to his repeated promises, he has not only not withdrawn his troops but has increased their number so that they now reportedly number 40,000 and, through rotation, has used the war in Yemen to battle train his entire army;
>
> "Whereas the United States has consistently supported Nasser with generous gifts of foreign aid in an amount now approaching nearly a billion dollars;
>
> "Whereas this policy encourages the aggressive tactics and purposes of Egypt's dictator;
>
> "Whereas the United States has repeatedly declared its interest in the preservation of peace in the Middle East and elsewhere and the development of the economy and well-being of nations recipient of U.S. aid:
>
> "Whereas the actions of the United States in supporting Nasser are wholly inconsistent with U.S. declarations of policy;
>
> "Whereas there is imminent danger that Egypt shortly will be in a position to destroy Israel overnight by the rocketry and sophisticated weapons which Nasser is accumulating, supported by his now battle trained army;
>
> "Whereas, although the Congress of the United States provided by law that U.S. economic aid should not be given to any nation preparing for aggression against any other country aided by the United States, the administration has not acted to stop aid to Egypt; and
>
> "Whereas President Nasser has admitted openly that Egypt is preparing for an aggressive war against Israel and is actively carrying on aggression elsewhere;
>
> "Whereas Nasser has alined himself with the Communist bloc in their efforts to control the African nations: Now, therefore, be it
>
> "*Resolved,* That the administration should immediately reverse its longtime policy of appeasing Nasser;
>
> "That the United States take a firm stand before all the world on behalf of the peacefully intentioned, liberty loving, democratic, and free people of Israel to ward off its destruction; and
>
> "That to prevent this catastrophe the United States should (a) withdraw aid from Nasser as long as that aid is used for aggressive purposes and (b) announce its readiness to enter into a treaty of mutual defense and support with Israel as it has with other nations."

THE KREMLIN'S PERSECUTION OF RELIGION AND THE STATUS OF SOVIET JEWRY

Mr. HART. Mr. President, it is a matter of record that religion in the Soviet Union is under new assaults by the Communist government. Never before has the power of a state been so consistently employed to eliminate religion from the public mind. At every opportunity, administrative controls and other restraints are systematically imposed by the Soviet Government. Continual erosion of their positions is the lot of Russia's religious communities. The same situation generally holds true throughout the Communist orbit.

It is a sad state of affairs when a powerful country, which glories in its society, a self-proclaimed paradise, at the same time and without apology denies its people a most elemental right—the freedom of religion.

Apparently nothing more can be expected from the Soviet regime. For nearly 47 years it has been battling religion. It is dedicated to the destruction of spiritual freedom and its byproducts. Numerous articles in the Soviet press and official documents of the Government and party record the attitude of the Communist leadership. Good examples appear in translation in the March 25, 1964, issue of the Current Digest of the Soviet Press, published weekly at Ann Arbor, Mich., by the Joint Committee on Slavic Studies. To emphasize the new assaults against the religious freedom of the Soviet people, I ask unanimous consent that excerpts from this material be printed in the RECORD at the conclusion of my remarks, as well as passages from a publication—issued several months ago by the Radio Liberty Committee in New York—entitled "The Beleaguered Fortress: A Survey of the Present Status of Religion in the U.S.S.R."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1–A and 1–B.)

SOVIET JEWRY

Mr. HART. Mr. President, as all of us know well, Soviet Jewry is being singled out in the general Soviet assault on religion. The situation is spiritual and cultural genocide of the first order—blatant anti-Semitism, a shameful and scandalous affair.

As Columnist Rowland Evans, Jr., put it some time ago:

> The technique being used is strikingly different from the historical methods of bloodbath, extermination and violence, methods that have been used in one country after another back almost to the genesis of time. The new method is infinitely subtle and varied, but its object is clear: To put an end to all the special qualities that, like a kind of cement, have bound the Jews together through the most rapacious persecutions in all history.

Mr. President, in the current Yearbook of the Central Conference of American Rabbis—CCAR—there appears a report on "Jews and Judaism in the Soviet Orbit," by the very respected rabbi of Temple Beth El, in Detroit, Dr. Richard C. Hertz. Excerpts from the report by Dr. Hertz, who has served for 2 years as chairman of the committee on Jews in the Soviet orbit for the CCAR, are printed in a recent bulletin of Temple Beth El. I commend this excellent report to my colleagues.

Another fine article on the status of Soviet Jews appeared in the January 1963 issue of Foreign Affairs. The points made by its author, Moshe Decter, are even more relevant today.

Mr. President, I ask unanimous consent that the report by Dr. Hertz and the article by Mr. Decter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 2–A and 2–B.)

Mr. HART. Mr. President, freedom's encounter with communism and totalitarianism is in part on the intellectual and spiritual level, on the level of human relationships, of human rights. One of the greatest challenges for America is the kind of example in human rights we set within our own society. But our leadership for human rights throughout the world, our response to persecution, is also important. The least the Senate can do for the cause of religious freedom in the Soviet Union is to adopt Senate Resolution 204, which expresses the deep belief of Americans in freedom of religion and our opposition to its infringement anywhere in the world.

EXHIBIT 1–A

[From the Current Digest of the Soviet Press, Mar. 25, 1964]

NEW MEASURES TO COMBAT RELIGIOUS SURVIVALS OUTLINED

From the Ideological Commission of the CPSU Central Committee: "On Measures for Intensifying the Atheistic Indoctrination of the Population." (Partiinaya zhizn, No. 2, January, pp. 22–26. Complete text): The Ideological Commission of the CPSU Central Committee has worked out "Measures for Intensifying the Atheistic Indoctrination of the Population." The CPSU Central Committee, having approved these measures, has instructed the Central Committees of the Communist Parties of the Union republics and the territory and province party committees, taking local conditions into account, to work out and implement concrete steps aimed at a radical improvement in atheistic work.

The measures for intensifying the atheistic indoctrination of the population may be summarized as follows:

The scientific elaboration of the problems of atheism and the training of antireligious specialists: It has been decided to set up an Institute of Scientific Atheism in the CPSU Central Committee's Academy of Social Sciences. The institute is charged with guiding and coordinating all scientific work in the sphere of atheism carried on by the institute of the U.S.S.R. Academy of Sciences, higher educational institutions and institutions of the U.S.S.R. Ministry of Culture; the preparation of highly skilled cadres; the organization of the integrated elaboration of pressing problems of scientific atheism; and the holding of all union scientific conferences and creative seminars. The Learned Council of the Institute of Scientific Atheism is to be composed of representatives of the CPSU Central Committee's Ideological Department and of central scientific and ideological institutions, and also of public organizations. * * *

The atheistic training of cadres: Beginning with the 1964–65 academic year, a required course (with examinations) in the principles of scientific atheism will be introduced in the universities and higher medical, agricultural and pedagogical schools, and an elective course will be offered at other institutions of higher education. The principles of scientific atheism will also be taught in medical, pedagogical, and cultural-enlightment academies. Programs and textbooks for the course are being prepared that take into account the different forms of instruction. Study plans and programs envisage a required course of seminar studies, the preparation of course work, and credit for practical atheistic work. The atheistic orientation of courses in the natural sciences and the humanities will be intensified. * * *

Party and YCL committees are instructed to make active use of the political-enlightenment system for the atheistic training of cadres. For this purpose it has been decided to set up in all areas—especially in regions where there is a relatively high incidence of religious belief among the population—seminars, schools, and circles for the study of atheism, combining the instruction of students with atheistic work. In conformity with contemporary requirements, programs on atheism will be improved and appropriate materials on atheism for the political-enlightenment network will be prepared for publication by the beginning of the 1964–65 academic year.

It is recommended that seminars on questions of atheistic indoctrination be put into effect for party, Soviet, YCL and trade union workers and activists, teachers, physicians, Young Pioneer group leaders and workers in children's preschool institutions, instructors in vocational and technical academies and schools, cultural-enlightenment workers, journalists, administrative workers, chairmen, and members of women's councils, apartment house committees and pensioners' councils.

The utilization in atheistic indoctrination of all means of ideological influence: The All-Union Knowledge Society, together with the YCL Central Committee, the All-Union Central Council of Trade Unions, and the U.S.S.R. Ministry of Culture, will hold a conference on questions of improving the organization and content of scientific-atheism propaganda lectures.

Party committees are instructed to examine the question of the more active enlistment in atheistic lecture propaganda of scientists, instructors, teachers, physicians, writers, journalists, and students at higher educational insitutions in the humanities, agriculture, and medicine. The people's universities will be utilized actively for atheistic indoctrination.

The U.S.S.R. Council of Ministers' State Committee for Cinematography envisages the release each year of feature films, popular science films, newsreel-documentaries, and antimated cartoons on atheistic themes.

The collegiums of the U.S.S.R. Ministry of Culture and the U.S.S.R. Council of Ministers' State Committee for Cinematography and the secretariats of the boards of the artistic unions will discuss at a joint meeting the question of enhancing the role of literature and art in atheistic indoctrination. The holding of competitions (with incentive prizes) for the best artistic works on atheistic themes (in the fields of literature, drama, films, and painting) is envisaged. The question of improving the atheistic repertoire for amateur performing groups will be examined.

Measures are planned for stepping up the publication of atheistic literature, broadening its subject matter, utilizing varied genres, and raising its ideological-political and publicistic level.

In the interests of strengthening the presentation of atheistic themes by newspapers, magazines, and publishing houses, and on radio and television, it is recommended that the U.S.S.R. Council of Ministers' State Committees for the Press and for Radio and Television and the Union of Soviet Journalists, and their organs in the republics and provinces, conduct regular creative seminars for journalists specializing in questions of atheistic indoctrination, work out in practice methodological recommendations on these questions, strive for greater attention on the part of the press to the unmasking of religious ideology and the generalization of practical work in atheistic indoctrination, and draw specialists more actively into the work of the press.

The All-Union radio and central television, and also republic and province radio and television studios, are called upon to broadcast regular atheistic programs on radio and television for various categories of listeners and viewers (especially lecture cycles and public events series, roundtable discussions, and question-and-answer sessions), to enlist the best propagandists of atheism and scientists in this work, and to produce television films on atheistic themes.

It is recommended that the All-Union Central Council of Trade Unions, the U.S.S.R. Ministry of Culture and the knowledge society strengthen the material and technical base for lecture and cultural-enlightenment atheistic work, enliven the atheistic activity of museums, especially historical and regional-lore museums, planetariums, traveling exhibits, and mobile clubs [avtokluby], increase the production of slide-projector films, etc.

It is planned to heighten the role of medical workers in atheistic indoctrination, to set up permanent courses on atheism for medical workers at medical institutes, and also to organize atheistic work in houses of health education, hospitals, maternity homes, and women's and children's consultation clinics.

In order to introduce nonreligious holidays and rituals more actively in the everyday life of Soviet people, a conference of party, Soviet YCL, and trade union workers, ethnographers, propagandists, and registry officeworkers will be held on this question; local Soviets will provide for the construction of palaces of happiness in plans for urban and settlement construction and for the active utilization of houses of culture for these purposes and will establish ceremonial forms (taking specific local features into account) for official participation in the registration of births and marriages, the issuing of passports, and other important events in the lives of Soviet people.

Seminar conferences will be held for the purpose of generalizing experience and working out recommendations for work with believers. The staff of propagandists and discussion leaders on atheistic themes will be strengthened, and atheist groups will be assigned to organize individual work with believers in each community. Believers will be drawn into general-education circles and schools.

The atheistic upbringing of children and adolescents: The antireligious trend in school programs, especially in the social sciences, is gaining strength. Methodological textbooks for antireligious education in schools will be issued to teachers. The widespread utilization in the atheistic indoctrination of schoolchildren of various forms of extracurricular and after-school work (young atheists' clubs and corners, lectures, discussions, evening meetings, excursions, cultural trips to the movies and the theater, etc.) is directed. * * * People's universities of pedagogy and schools for mothers will be actively utilized for the atheistic instruction of parents.

Control over the observance of Soviet legislation on cults: In order to put a stop to illegal activities on the part of clergymen, groups of believers and individual believers, control is being strengthened over the protection of children and adolescents from the influence of churchgoers and from parental coercion of children to perform religious rites. * * *

The organization of atheistic work: Local party organizations are obliged to select Communists who will be responsible for the organization of atheistic work and who will unite around themselves groups of public-spirited people engaged in the propaganda and organization of atheistic work at enterprises and construction projects, on collective and state farms, in institutions, schools, young pioneer organization, etc., and to strengthen control over the fulfillment by Communists of the statutes' requirements for participation in the struggle against religious survivals. * * *

Certain workers in the ideological departments of the party committees should specialize in questions of atheism, especially in those territories, provinces, cities, and districts where the incidence of religious belief among the population is relatively high. * * *

"Actively Conduct Atheistic Indoctrination" (Pravda, Mar. 2, p. 2; 2,100 words). [This article summarizes briefly the provisions of the central committee resolution described in the article from Partiinaya zhizn translated above; it concludes:] No matter in what detail the measures for atheistic indoctrination are elaborated, their success depends above all on the practical work of party organizations. The June plenary session of the CPSU central committee called on the party to mount an offensive on all sectors of the ideological front. This demand by the plenary session directly concerns the struggle against religious survivals. All party organizations are called upon to take up an active offensive against religious ideology, to forge a scientific world view, a scientific ideology in all Soviety people.

The discussion in the ideological commission of the question of atheistic work brought out that as yet, unfortunately, not all party organizations are waging a struggle against religious prejudices. In a number of cases there is complacency and unconcern; no account is taken of the fact that in our country religion is an ideological opponent that openly preaches an ideology alien to science and to the Communist world view and that is detrimental to our society. Sometimes party organizations even tolerate the observance of religious rites by Communists. They look with indifference on violations of Soviet laws by some clergymen, although life demands the organization of effective control over the observance of the legislation on religious cults. Weakness and passivity in atheistic work in fact promote the dissemination of religious ideology and clear the way for the activity of clergymen and sect members.

To conduct scientific-atheistic work extensively and systematically, to struggle persistently for the emancipation of the consciousness of every believer from the narcotic of religion, and to use all ideological means of these ends—this is the urgent task of party organizations.

"Atheistic Indoctrination Is the Concern of the Entire Party." (By I. Brazhnik. Partiinaya zhizn, No. 24, December 1963, pp. 21–26. 2,800 words. Condensed text:) The party program has set the task of forming a scientific world view in all members of Soviet society, of fully emancipating their consciousness from survivals of the past, including religious prejudices. This is a prerequisite for the building of communism. * * *

As was noted at the June plenary session of the CPSU Central Committee, the imperialist bourgeoisie in its struggle against us is now placing its hopes chiefly in ideological subversion. It is counting on religion to further the penetration of bourgeois ideology into our midst * * *

In recent times, the scientific and ideological-political level of atheistic work has risen significantly; it is becoming more and more diverse in form. Many people have broken with religion and become atheists, hundreds and thousands of religious communities have disintegrated. But many of our people are still held captive by religious ideology. In this connection, the decisions of the June (1963) plenary session of the CPSU Central Committee pointed out anew the necessity of furthering by all possible means the intensification of work on forming a scientific world view and on the atheistic indoctrination of working people. * * *

If the struggle against religion is to be waged successfully, it is necessary to have a clear view of the extent and character of the religious beliefs of the population in every specific area of the country, every community, collective, house and apartment, to know each believer, his views and attitudes and the reasons for his beliefs. Furthermore, it is important to arm our cadres (by teaching the principles of atheism in higher educational institutions and technicums, through the political-enlightenment network and schools for agitators, etc.) with the ability to expose contemporary religion, to work concretely and effectively with believers, encompassing all strata and groups of the population. * * *

The inability to do battle against religion is manifested on the one hand by a complacement attitude toward it and on the other by the impatient desire of some zealous administrators to be done with religion as quickly as possible, to be rid of the believers. * * *

It is hard to say which of these extremes is worse. One thing is certain: Both of them are inadmissible. But they also are indicative of something else. Not everyone sees that no alterations of church policies in specific conditions, no trimming of religious ideas, has ever changed or can change their antiscientific character, which is alien to communism. The letter of church sermons and even canons can and does change, but their spirit, basic content and objective meaning remain in opposition to a scientific world view, and religion as a whole is a component part of the hostile bourgeois ideology.

Truly militant atheism presupposes irreconcilability toward religious ideology and a considerable attitude toward its victims, the believers.

Work with people is a complex matter. And it is more so with believers, whose consciousnesses are entangled and clouded by the narcotic of religion and who are already biased against the atheist, mistrusting his words and deeds. Therefore it is not only and not so much a knowledge of biblical dogma that is required of everyone who works with believers but a profound understanding of life and strong spiritual qualities. We have a whole army of such Communists, to whom different people come with open hearts to talk about their thoughts and deeds. Chiefly because of their prejudices, believers do not always or easily find their way to such Communists. Our duty is to find the way to the believers ourselves, striving so that each of them will go with an open heart to the representatives of the party, which has not only interpreted but is transforming the world, society and mankind. It is important to be able to understand the believer, not to refuse him friendly support but to win his confidence and then his spiritual world.

This is the only true path for our atheism. Therefore individual work with believers is the basic and most effective form of atheistic indoctrination. It allows taking into consideration the believer's age and level of general education, his occupational interests, the reasons for his belief in God and many other factors. * * *

It is necessary that local party organizations first of all determine what workers in the collective or local residents are under the influence of religion and to what degree, how this influence is manifested and what means are best for winning over the believers. Taking these requirements into account, agitators must be assigned to personal work with individual believers and to plan the organization of their instruction. All Communists are called upon to be militant atheists. Strict exactingness must be shown toward those party members and candidate members who exhibit passivity in this matter and who at times even participate themselves in religious rites. If a party member has his child baptized, he is no longer a Communist but a philistine. Every collective must be concerned with the creation of a public atmosphere in which every confirmed atheist considers it his duty to expose religious prejudices and in which all possible support is given to antireligious activity as a noble action aimed at the spiritual emancipation of believers.

The party statutes oblige the Communist to be a stanch fighter against survivals of the past, including religious prejudices. This, of course, does not mean that everyone is obliged to be an antireligious lecturer or counselor. But in practice many Communists can and should display their attitude toward religion in the specific conditions of their work, thereby mounting an offensive on a broad front against religious ideology. If, for example, a Communist who is an instructor in science has an attitude of indifference toward the question of religion and fails to draw philosophical, atheistic conclusions from his research, by his neutrality he plays into the hands of religion and fails to fulfill the requirements of the statutes.

EXHIBIT 1–B

THE BELEAGUERED FORTRESS: A SURVEY OF THE PRESENT STATUS OF RELIGION IN THE U.S.S.R.

(Radio Liberty Committee, 30 East 42d Street, New York, N.Y.)

What the Soviet Government intends to be a battle to the death against religion has recently begun. For 45 years, using every means at its disposal, the Kremlin has been striving to eliminate belief in God from the lives of its 200 million Christians, Jews, Moslems, and believers of other faiths. The pressure on faith in God has fluctuated with changes in the political situation, or the prevailing policy line of the Communist Party. But like the constant drive to achieve Communist domination of the globe, the intent to wipe out all religions has never faltered.

Before World War II Stalin had practically broken up all religious organizations in the U.S.S.R.; then, to assure the wartime loyalty of the people, antireligious pressure was relaxed. Most religious groups were enabled to reorganize with certain recognized rights such as limited autonomy and still more limited publishing privileges. Since the war, however, pressure has steadily risen, and now Khrushchev has evidently decided that the task of exterminating religious faith is to be pushed to completion, with a resort of violence comparable only to that of the years just following the revolution.

NEW PRESSURES ON RELIGION

The reason for this suddenly increased atheistic activity is evident from the Soviet press. In recent months, not only the official antireligious magazines, but what pass for ordinary newspapers, have been sounding the alarm because all too many or not a few young adults and teenagers are discovered attending church services. In estimating total church attendance, Science and Religion, official atheist monthly, says, "Among the city's population there are hundreds of thousands, and in the country many more." This was confirmed at the 14th Congress of the Komsomol (Communist Youth Organization) in April 1962, when this powerful organization was spurred to renewed battle against religion. "Without realizing it, young people fall into the web spun by the clergy." And the clergy report growing attendance. Priests from two suburban churches—one near Moscow and one near Odessa—report a weekly average of four to five young adults who come into the Orthodox Church, and the Baptist state that the number of their members (only baptized adults are counted) is steadily growing.

This is a direct contradiction of the Communists' claim that only old people have any interest in that "holdover from the past," religion. Science and Religion states that, unfortunately, even some of the Soviet intelligentsia "have become infected with religious views," and notes the case of a young woman, "a product of the history department of the university," who recently resigned from membership in the Komsomol, giving as her reason, "I am a Christian." The article continues, "Such 'idiots for Christ' are the result of insufficient atheistic education in the middle school." What the story does not dwell on is the almost incredible bravery required to make such a declaration. To be expelled from the Komsomol is to become a social outcast, probably to lose one's job. When a university graduate takes this step, it is not idiocy, but courage of the highest order.

What is happening now is a reversion to earlier methods of suppression. In the first years after the revolution the rudest tactics prevailed. Churches and mosques were defiled, or closed, or turned into cinemas or storehouses; the clergy were declared outside the law, with no civic rights, not even food-ration cards. Hundreds of bishops and priests, as well as clergy of other faiths, were murdered or died in Siberian camps. The government-organized Union of Militant Godless claimed 3 million members, and its widespread publications carried abusive and blasphemous propaganda against the church, its clergy and its faithful people. All these vicious methods are now being revived.

In addition, quasi-legal methods, new interpretations of earlier laws or new ones especially decreed, have been employed to close churches and monasteries or to hinder clergy of all faiths from normal activity. In literally thousands of books, periodicals, films and TV programs, as well as thousands of public lectures, the battle has been advanced. The atheist press (there is at least one militant godless periodical in every Soviet republic) is constantly urging all these mass media to heightened zeal and activity on "the godless front." * * *

DIFFERENT FAITHS UNDER ATHEIST PRESSURE

An information bulletin of the National Council of Churches (January 1963) gives the following data:

"The major Christian groupings in the U.S.S.R., in order of the number of their adherents, are the Orthodox, the Armenians, the Roman Catholics, the Lutherans, the Union of Evangelical-Christian Baptists, and the Reformed. These are registered, legalized bodies. In addition, there are groups of people who gather for prayer or worship secretly, generally refusing to register because some aspects of their religious practices conflict with Soviet law, or because they are of the type of sect which rejects any form of civil government. Among the latter are adherents of such sects as Jehova's Witnesses and extreme forms of Pentecostals. The total number of Christians may be 30 million. There are about 20 million Moslems and over 2 million Jews, some of whom, however, may have rejected religious belief. This would bring up a total of about 50 million believers in God, which is a quarter of the population of the country."

(Because no census statistics on religion are available in the U.S.S.R., estimates by different authorities given in this booklet differ considerably.)

Further comparative figures appear in the January 1963, issue of Foreign Affairs: For the 40 million Russian Orthodox there are some 20,000 churches and 35,000 priests—one place of worship for every 2,000 believers. For the 3 million Baptists—there are roughly 6,000 parishes and pastors—1 minister for every 500 believers. The Lutherans of Latvia and Estonia have 100 churches and 150 pastors for about 350,000 communicants—approximately 1 church for every 3,500 believers and 1 minister for every 2,300. * * * There are 60 or 70 synagogues and rabbis for the nearly 1 million Jewish faithful—1 synagogue and 1 rabbi for every 15,000 to 16,000 Jewish believers. No data are available for the Moslems, but their situation in this respect is known to be no better than that of the Jews. No figures are given for the Roman Catholics, third largest Christian communion. Other sources report 1,470 priests in Lithuania where most Soviet Catholics are living.

Pressure on these different groups is applied unevenly. As the largest Christian body, the Orthodox Church has received the quantitatively heaviest attack, while on the other hand, evidently with the intent of using the church to make a good impression abroad, it has enjoyed certain privileges, such as extensive foreign travel and a monopoly of the manufacture of candles. * * *

The Armenian-Gregorian Church is in a special position. Instead of being under the control of Moscow, it is responsible to the government of the Armenian Republic. Government relations are maintained through a Council for the Affairs of the Armenian Church related to the Council of Ministers of the Armenian Republic, paralleling similar councils in Moscow. And since Armenians in general appear to be less infected with atheism than some other Soviet people, the church under the Armenian Republic apparently has less difficulty than the churches and other religious bodies in other parts of the U.S.S.R. Again in contrast to the other churches, the Armenian Church maintains fairly normal relations with Armenian churches abroad.

Of the Roman Catholics in Lithuania, little is known outside the U.S.S.R., but the following official statistics from March 1, 1963, are revealing:

	1914	1962
Bishops	13	[1] 3
Priests	1,293	680
Seminaries	4	1
Convents	129	0

[1] 2 of them in jail.

Churches closed since 1940: 319.

Government authorities threatened to close the one remaining seminary because the bishop refused to ordain two candiates for the priesthood, presented by the government.

Another body of Catholics of the Byzantine rite (Uniates) in the Ukraine has recently occupied headlines. After 18 years of imprisonment, Archbishop Josyf Slipyi, of Lvov, was released and permitted to go to Rome. In 1945, at the time of the politically engineered mass transition of Ukrainian Uniates to the Russian Orthodox Church, Archbishop Slipyi and other prelates opposed the move. He and six other bishops were arrested and accused of political crimes under German occupation. All received sentences of 5 to 10 years' imprisonment. Archbishop Slipyi was later retried and resentenced, and is the only one of the seven surviving. His release was reported due to papal intervention with the Russian Orthodox observers at the Vatican Council.

Lutheran churches in the Soviet Union are almost all in the Estonian and Latvian Republics. Here, again, little information is available, but in these generally more cultured areas antireligious activity appears to have avoided violence, up to this time. Zealous efforts in these two Republics to discover and apply Communist substitutes for church rites and holidays are enthusiastically recounted in the Soviet press—wedding and christening ceremonies are claimed to be almost as attractive as those of the church, and Easter is supplanted by a festival of spring, while Christmas was merged with the New Year holiday. As is the case with the Orthodox Church, Lutheran clergy, almost always the same persons, travel abroad with churchmen of other confessions.

Since groups of the "Union of Evangelical Christian Baptists" are almost all within the central and Asiatic parts of the U.S.S.R., and since they are very active, more news of them appears in the Soviet press. Moscow Radio recently announced that the Baptists were gaining adherents, and charged them with deliberately hindering the "building of communism." The work of Baptist preachers results in "capturing those who are weak in spirit" and turning them into "creatures of despair and indifference to all worldly things."

Science and Religion (December 1962) reports on the Baptist group in Tashkent where the congregation raised 85,000 rubles for building a new house of prayer. "Before it was built, the pastor took 18,000 and disappeared. Other leaders of the group appropriated about 6,000 for their own use, and with the remainder the chapel was built." In slanderous attacks on religion, the Soviet authorities make no distinction among religious faiths.

Reformed churches exist only in those portions of Czechoslovakia and Hungary occupied by the Soviets after World War II. In respect to information, these areas are as uncommunicative as Catholic Lithuania. They appear to have little contact with their fellow Reformed brethren on the other side of the present boundaries. There is no evidence that these areas are much different from the Reformed churches in the satellite countries to the west of them, which have generally conformed to collaboration with their Communist governments. In Czechoslovakia and Hungary the churches are supported by the state.

Smaller sects the most defenseless

Russia has always proliferated small, often very persistent sects. Many such exist today. Whereas most other religious bodies—Christian, Moslem, or Jewish—are recognized by the Soviet Government, and thus have a certain standing, emphasized by the fact that they have coreligionists abroad, these often "fanatic" religious groups have no one to defend them and there are more reports of repression against them in the Soviet press. Incidentally, sectarians suffered special persecution under the czars as well, and for some of the same reasons: nonconformity or refusal to collaborate with the government (refusal to carry arms, for instance). Many of the sects, such as Jehovah's Witnesses, a recent importation into the U.S.S.R., have been declared illegal. Consequently, groups such as the "Witnesses," the Seventh-day Adventists, and the Pentecostals, are viciously attacked.

Some of these assaults are on purely legal grounds. These sects encourage their young men to refuse military service or they refuse to send their children to a "godless" school. The shocking story of the 32 Siberian members of one of these sects who traveled 4 days and 2,000 miles to Moscow and sought asylum from religious persecution in the American Embassy, is only one better publicized of many similar instances. The sectarians demanded permission to leave the U.S.S.R., protesting that if they were turned back to the Soviet Government they would be shot. Some of them had already had their children taken away from them for education in state schools, on the charge that the parents "discouraged their children from participation in the life of society." No word of this revolting incident was mentioned in the Soviet press, but because it was reported in many foreign papers, the Government evidently felt compelled to issue an official explanation. This statement to foreign journalists alleged that the sectarians had "crippled their children, mentally. Their parents kept them away from all children's games and from school, forbade them to read books, and dragged them into meetings * * * beat them to make them keep the faith." The official statement admitted that many children of such families had been taken from their parents and sent to state homes and schools, and the parents given prison sentences. * * *

Distrust of "Nationalism" in religion

The two leading non-Christian faiths in the U.S.S.R. are distrusted by the government for the same two reasons. In both cases the problem is the double one of religion and nationality, or national culture. Ethnic Jews, whether or not they are religious, are accused of being Zionists. Moslem religious observances and traditions are so much a part of their folk culture as to be often indistinguishable. This causes them to be accused of Pan-Arabism and sympathy with a foreign government. This aspect of both Judaism and Islam stands in the way of the strong denationalization pressures the government has been exerting for decades. The Soviet Academy of Sciences points this out: "This combination of the national with the religious is no accident. It should be recognized as one of the important vestiges of nationalism concealed under a religious camouflage."

In line with this, it is notable that throughout Soviet history every time a new campaign against the Jews has been launched, it has been paralleled by similar action against Moslem institutions. During the Stalin purges on charges of "bourgeois nationalism" both groups were equally affected. Another item these two groups have in common, and one which increasingly conditions their treatment by the government, is that the majority of these national-social bodies live outside the borders of the Soviet Union. "Because the Soviet Jewish majority has traditional ties * * * with Jewish communities in the world outside the Communist orbit, it is subject to even greater suspicion." This remark from Foreign Affairs (January 1963) applies equally well to Moslems.

Anti-Semitism is nothing new in Russia. As in imperial Rome, Tsarist Russia often made the Jew the scapegoat in times of internal difficulty. The Bolshevik revolution grandly abolished all racial discrimination, and Soviet law guarantees all nationality groups full rights of religious and cultural freedom. As with most other sections of the constitution, this guarantee is merely a scrap of paper, particularly in the case of the Jews. Jews in the Soviet Union are recognized as a "nationality," but in certain aspects they are denied ethnic-cultural rights still enjoyed by other Soviet nationalities. Competent authorities estimate the number of Jews at 2,500,000 to 3 million, scattered throughout the Soviet Union. Unlike the Moslems, Jews have no national organization, which fact increases their vulnerability to attack. This has been the situation for years, with government pressure varying from easy tolerance in the early years to the open and violent attacks under Stalin. Now a new, savage assault has begun. * * *

Heavy handicaps for Judaism

From the religious aspect, Jews are under even more cruel discrimination. Whereas all the major Christian groups have their central organizations, nothing of the sort is permitted the Jews. This is the case, also, in the matter of publications. In 1957 the Orthodox Church put out a 50,000-copy edition of its 100-year-old Bible. A year later the Baptists issued 10,000 copies of the same scriptures, but in modern orthography. The same year three very small editions of the Koran appeared in the U.S.S.R. No Hebrew Bible has been published in Russia since 1917.

Similar discrimination applies to the number of houses of worship open for various religious groupings. The distinction appears again in regard to theological education. The Russian Orthodox Church, at last reports, operated five seminaries and two academies. The Moslems have two "madrasehs"—the equivalent of the theological seminary. Until 1957 the Jews had no theological school, but in that year a rabbinical academy was permitted to function as an adjunct of the great synagogue of Moscow. This school never had more than 14 students. In 1962 this number was reduced to four, by refusing residence permits in Moscow to students from Georgia and Daghestan.

The stepped-up antireligious furor in 1962 did not spare the Jews. For the first time in Russian history the public baking of matzos, unleavened bread indispensable for the Passover observance, was forbidden. It was again forbidden for Passover in 1963. Even under the highest anti-Semitic pressures of the Czarist regime, this never occurred. Using "legal" pretexts similar to those applied for closing Christian churches, the few synagogues remaining in the Soviet Union are already shut or threatened with closure. Following the arrest of some young Jews during the celebration of the "Rejoicing Over the Law" (October 20, 1962), in the only remaining synagogue in Leningrad, articles in the press denounced the synagogue as "a smugglers' center." A year earlier, a prominent leader in the Leningrad Jewish community was imprisoned for "consorting with foreign agents." This Leningrad story is part of an all-Union conspiracy of slander and police action against Jews. Foreign Affairs (January 1963) summarizes the widespread charges, some of them inherited from days of the Empire, some of recent appearance. "Jews are money-worshippers. Worst among these are the rabbis," portrayed as extorting money from the faithful. "The synagogue is the place where blackmarket deals are made, where illegal sums of money are hidden." Traditional Jewish religious practices are derided. Drunkenness and brawling in the synagogue, usually in connection with sharing the profits of "speculation," are often reported.

For lack of synagogues, like Christians deprived of churches, Jews have taken to forgathering for prayers in private homes. Such gatherings are illegal and have often been dispersed by the police. The names of persons found attending such home prayer meetings are published, together with comments such as: "The traditions bolstered by the synagogue are doubly harmful. First, they contribute to perpetrating a false religious world outlook. Secondly, they serve as an instrument for the propagation of bourgeois political views which are alien to us."

As part of this general but unadmitted anti-Jewish campaign now proceeding in the Soviet Union, the impression is spread abroad that Jews are disproportionately responsible for the formidable economic crimes that characterize Soviet life today. These are so prevalent and so costly that speculation in foreign currency, embezzlement, and similar economic offenses are now punishable by death. Of 70 persons so sentenced in recent trials, at least 42 were Jews. This fact is consciously emphasized in the press accounts. Recent news reports, from various parts of the Soviet Union, often use identical wording. In February 1962, where in one city eight Jews were tried for economic crimes, the city's entire population was urged to attend "the Jew show trial," spreading a wave of terror among all the Jews of the region.

"Soviet policy as a whole then amounts to spiritual strangulation—the deprivation of Soviet Jewry's natural right to revere the Jewish past, and to participate in the Jewish present. And without a past and a present the future is precarious indeed" (Foreign Affairs, January 1963).

On December 7, 1962, the New York Herald Tribune and other papers across the United States published the text of a protest cable sent Premier Khrushchev by a score of prominent American religious leaders urging the lifting of the "official policy of oppression against its Jewish citizens." The message protested that the almost 3 million Jews in the Soviet Union were "denied minimal rights conceded to adherents of other creeds."

"Hard pressed as they are by blanket restraints," the message added, "none of the other major religions of the Soviet people, neither the Orthodox, Armenian, Catholic, nor Protestant churches, neither Buddhism nor Islam, have been subjected to the extraordinary disabilities inflicted on Judaism and its followers."

The protest listed the following repressive measures against Soviet Jews: "Legally constituted Jewish congregations are isolated from one another. They are forbidden to organize a central body. They are allowed no contact with Jewish religious groups in other countries. Their leaders are singled out for abuse."

Since June 1961, the message continued, the presidents of synagogues in six Soviet cities "have been arbitrarily removed from office; Jewish communal leaders in Leningrad and Moscow have been sentenced to prison for the alleged crime of meeting with foreign visitors to the synagogues." No better summary of the situation of Jews in the Soviet Union today could be devised.

Camouflaged persecution of Islam

The situation of Moslems is in many ways similar to that of the Jews. One difference is that while there has been little attempt to disguise the Soviet Government's anti-Semitism, elaborate efforts are made to persuade the Moslem peoples outside the U.S.S.R. that their coreligionists enjoy complete religious freedom in the Soviet Union. For years, no Soviet Moslem was permitted a pilgrimage to Mecca, while under the Tsar, 40,000 Islamic faithful made the journey every year from Turkestan alone. Since 1954 a handful of pilgrims per year, these being carefully screened individuals, are given exit visas. These men are required to spread propaganda among their fellow Moslems abroad, in line with the Soviet Government's foreign policies. One such official pilgrim is now living in New York because he decided not to lie about life in the U.S.S.R. and hence could not return home from Mecca. When Nasser made his state visit to the Soviet Union a few years ago, it was learned that he was bringing some fine rugs as gifts to Soviet mosques. Two of the Soviet Union's best known mosques were hastily readied for the Egyptian visit, and Nasser probably never knew that until that time they had been antireligious museums.

NEW TACTICS IN PERSECUTION

Besides intensified application of all the old methods in fighting religion, the Soviet Government has begun using several quite new approaches. To arrive at the goal set in the new party program, "the complete liquidation of religion in every believer," all methods are permissible. A recent atheist booklet for use in universities explains that "while methods of persuasion are of course basic in the struggle against religious prejudices, compulsion is not excluded * * * particularly against the sects whose activity is fanatic, antisocial, or anti-Soviet in nature."

Not all the new tactics involve compulsion. For instance, the new use of apostates, those who have publicly renounced their religious faith. The most prominent figure in this picture is the renegade priest Ossipoff who left his post as professor in the Leningrad theological academy, announcing that he knew all along that Christianity was false. Books, articles, and "letters to the editor" explain why these individuals gave up their faith. Science and Religion, for instance, prints a long exchange of letters between Ossipoff and a young man who was planning to become a priest. Ossipoff convinced him that he could "build his life without God."

Similar statements in articles signed by Jews contain renunciations of their faith. A formerly prominent Moslem leader, in renouncing Islam, brands a number of his fellow mullahs as "parasites, adventurers, idlers, and profligates—men without honor or conscience."

Another tactic, now constantly recommended by atheist leaders, is just the opposite of violence. It is kindness. The Communists have discovered that men and women are often won to church membership through the attention and sympathy shown them by religious people. The atheists argue that the same approach should be effective in the reverse direction. "Religious people often utilize some special situation in a man's personal or family life, a temporary moral or material difficulty," to win new converts: "we must do the same." A Komsomol writer cites frequent cases of this approach: "That's their game * * * with thousands of feelers the Baptists attract young people; at the home of a friend, at the workbench, at their meetings." And he continues: "There should be more of this in Communist life, instead of the dry, boring Komsomol programs," where there are "no openhearted conversations about life" (Science and Religion, November 1962). "The Communist Party holds that (creating conditions that assure the easy transition of believers over to the atheist position) is a decisive means to success in its propaganda." Practice in this new tactic may show some difference between kindness inspired by Christian love, and kindness directed by the atheist party.

A further new strategy now being urged upon all atheists is akin to neighborly attention. It is work with individuals. This is not only recommended, but ordered by Communist journals. "In many cases only the individual approach to believers is effective. * * * There are believers who, because of their type of work, cannot attend mass atheistic undertakings, or are under the spell of religious folk-tendencies" (Contemporary Sectarianism, Moscow, 1962). The writer then proceeds with detailed instruction on how "individual work" must be carried out. "First the agitator (an 'agitator' is a recognized profession in the U.S.S.R.) must establish contact with the believer, with his family and surroundings. * * * Once contact is established, the agitator should take the second step—in the course of conversation drop a word to start doubt in the believer's mind about the truth of religious dogmas, open his eyes to the contradictions and falsehoods in the Bible. * * * But this is still not enough. Every atheist agitator has a maximum program. This is to steer the believer away from his religious organization, isolate him from religious propaganda. After this, the believer often * * * breaks with religion. It is very advantageous if then the former believer becomes a militant atheist." * * *

This use of force has now become widespread in the U.S.S.R., particularly in the new and perhaps the most vicious campaign yet, the drive against children.

The newest departure has been in preparation for 2 years or more. The Young Communist (Nov. 10, 1959) published an article, "Look at the Religious Families," which contains this significant quote: "It is no secret that the number of believers is growing. This is doubtless because of believing families. This means that neither the school nor the Pioneers nor the Komsomol has been able to tear young people away from the influence of religious-minded families."

Official action to follow this line was announced by S. P. Pavlov, First Secretary of the Komsomol, at its XIV congress (April 1962). One section of his 2½-hour speech was entitled "Protect Children of Religious Parents." Pavlov declared that "freedom of conscience applies to adults. We cannot permit anyone to cripple a child, spiritually." One Western commentator thinks this heralds a formal revision of the paragraph in the Soviet constitution guaranteeing freedom of conscience.

Regardless of the text of the constitution, Soviet newspapers during the past year have increasingly reported reprisals against parents who taught religion to their children:

"Parents are responsible for their children before the people. They are bound to educate them in conjunction with the school, and they are in conscience bound to help the school to form children in the spirit of Marxism-Leninism, and of the moral principles of communism" (Selskaya Zhizn ("Rural Life"), Dec. 19, 1962).

The Siberian peasants who sought asylum in the American Embassy in Moscow brought their particular case of religious persecution into the foreign press, but from all parts of the Soviet Union similar instances are reported: children are taken from believing parents to be educated in state institutions. In many cases the offending parents have been sentenced to imprisonment, usually convicted of "antistate activity." In one case a father was jailed for refusing to permit his child to join the Pioneers, thus "refusing to join in our splendid way of life."

A new wave of repression seems to be directed particularly at religious groups not officially recognized by the government. In mid-January 1962, a court in Shelyabinsk tried four "leaders and active participants in an illegal Baptist sect" for "enticing minors into their sect, and discriminatory instruction" among the citizenry. Two of the four were sentenced to 5 years exile in far-distant parts of the Soviet Union, and the confiscation of their property.

No mention of the Siberian peasant case involving the American Embassy has appeared in Soviet papers, but in the belated explanation to foreign journalists the Foreign Office called the peasants "clandestine fanatics," and accused them of "harming their children, in savage violation of human rights." The fate of these God-fearing parents, after the American Embassy—helpless to do anything else—turned them over to Soviet authorities, is unknown.

We live in a period like that of Nero, when religious martyrdom has become an everyday commonplace. The outcasts from forcibly closed monasteries, beaten to death; the mullahs deported to the frozen north and then lost from sight; the Protestant parents, risking death to save their children from godlessness, imprisoned on trumped-up charges of some crime other than belief in God, or those pitiful old believers, hunted down in the Siberian forests like wild beasts—these are as truly martyrs as any who died in the Roman arena.

In launching this new battle to the death against religion, Soviet authorities seem to forget the results of similar procedures in earlier times—"The blood of the martyrs is the seed of the church." After nearly half a century of persecution, different religious bodies in the Soviet Union report that their ranks are increasing. Trud cries out against "the evil influence of Buddhist lamas and their increasing and spreading mysteries." The agitator reports a resurgence of religion in the Republic of Kazakhstan, admitting that "the Baptist society has doubled its membership in the past 5 years, under the very nose of party and Komsomol organizations." Official reports to Baptist friends in the outside world indicate that not in one republic alone, but across the whole Soviet Union, their numbers are steadily increasing. For several years Soviet authorities have complained of the steady influx of young people into the Orthodox Church. All forms of pressure, forced education or violence have not yet smothered religion.

EXHIBIT 2-A

[From the Bulletin of Temple Beth El, Apr. 24, 1964]

JEWS AND JUDAISM IN THE SOVIET ORBIT

(By Rabbi Richard C. Hertz)

THE GENERAL SITUATION THIS YEAR

Ten years have passed since Stalin's death. For the Jews of the U.S.S.R. who constitute nearly one-fourth of the total surviving Jewish population of the world, Stalin's death removed the fear of widespread deportations and violent reprisals. Actually, however, Soviet policy toward Jews and Judaism has remained essentially the same since 1948, except that the terror is gone.

Jews occupy a dual status. As Jews they are members of a minority nationality group. Every Jew must carry the mark of his Jewishness stamped on his identification passport—"Jew." Yet Jews are also a religious group, something that makes their status difficult in the antireligious structure of Soviet society.

While the terror of Stalin's black years has been removed along with the general relaxation of Krushchev's de-Stalinization program, Jews, and Judaism suffer from restrictions and discriminations which have wreaked havoc with their security and their future. Their situation has steadily deteriorated. During the past year, we note five particular areas:

1. Khrushchev's reply to Lord Bertrand Russell on March 1, 1963, describing allegations of anti-Semitism in Russia as a "crude falsehood" and denying the existence of anti-Semitism in the U.S.S.R., conceded the Western World's interest in the situation of Soviet Jewry. It has long been recognized that the highest Soviet authorities are sensitive to Western criticism of the U.S.S.R.'s policy of anti-Semitism. Constant repetition of concern for the Jews of the U.S.S.R. at last brought this subject to the open level of public discussion by the chief of state. However, Khrushchev's reply to Lord Russell was the first time that Khrushchev agreed even to discuss the Jewish question. Previously he has insisted on remaining officially silent, though he has not bothered to conceal his own private expressions of anti-Semitism in the past, nor to talk of other sins of Stalin.

2. The execution of Jews for "economic crimes" has been stepped up in the past year. Over 60 percent of those executed have been Jews, though Jews constitute but 1.09 percent of the total population, according to the last census done in 1959. It is difficult to avoid the conclusion that Jews are being used once again as political scapegoats for ingrained, deep-rooted prejudice against Jews. The Russian press deliberately highlighted the stereotype Jewishness of these "economic criminals." The enormously disproportionate number of Jews sentenced to death for currency offenses, speculation, or embezzlement suggest that a camouflage smokescreen has been put up to use the Jews for political purposes. Russian leaders since the days of the czars have found the Jews a convenient scapegoat for diverting the people's attention from their grim standard of living and their rightful grievances.

3. As in 1962, Passover 1963 found no matzoth baked in Government bakeries for Soviet Jews, except in far-off Georgia. Rabbi Leib Levin at Central Synagogue, Moscow, told his people that they must bake their matzoth at home. Efforts of American Jews to secure permission to fly matzoth as a "Bundles for Russia" program met with no success. The ban on matzoth was one more Government effort to whittle away at the ties that bind the Jews of the U.S.S.R. to their ancient religious faith. Since Passover traditionally emphasizes the national group's redemption from slavery and the story of the freedom march to the Promised Land, Passover is becoming the particular butt of Soviet attack linking Jews and Judaism with subversion and disloyalty. The Kremlin's propaganda stresses an umbilical cord of Jewish chauvinism that ties the religious leaders of Judaism in the U.S.S.R. to the Jewish homeland of Israel, and therefore makes Jews and Judaism suspect, Israel being considered by the Kremlin as a tool of Western capitalist imperialism.

Official antireligious propaganda affects all religious groups. Only against the Jews is the lack of patriotism injected into the propaganda. Prohibiting matzoth at Passover was the culmination to date of the discriminatory pressures against Judaism.

4. Synagogues are the one remaining institution permitted to Jews in the U.S.S.R. Yet even these are being closed up one by one as a means of fragmentizing and atomizing Soviet Jewry, isolating Jews both from their past and from each other as well as from their brethren in other parts of the world. Since June 1961, synagogue presidents in six cities have been arbitrarily removed from office. Jewish communal leaders in Leningrad and Moscow have been sentenced to prison for such alleged crimes as meeting with foreign visitors at the synagogue.

Synagogues are never opened or rebuilt, only closed. This steady policy of closing up synagogues one by one is part of the general antireligious policy in the U.S.S.R. Yet against the Jews such a policy has been particularly discriminatory. While communism regards Christianity and Islam as "opiates of the masses," the Kremlin treats Judaism as if it were poison gas. Christian and Russian Orthodox groups are permitted national federations and central organizations; no such communication is permitted between the synagogues of the U.S.S.R. No publishing facilities or theological seminaries, such as Protestant and Russian Orthodox have, are permitted to Jews. The major religions are authorized to produce whatever ceremonial objects are needed—candles, crucifixes, icons, beads. For Jews, neither talesim nor tefillin can be produced. Not even prayerbooks nor Bibles can be published for Jews. Hebrew is forbidden. The yeshivah in Moscow in which Rabbi Leib Levin took such pride, located in his Central Synagogue, went down to four students and now has been officially closed, according to Archbishop Nikkodin, who visited the United States in March 1963, on an official delegation. No such Jewish religious delegation has ever been permitted to visit outside the U.S.S.R., nor to have any contacts whatsoever with any other Jewish religious or national bodies inside or outside the U.S.S.R.

The Government's policy, then, is clear: cultural genocide for the Jews, spiritual strangulation for the Jews, group isolation from all other Jews, total assimilation enforced upon the Jews.

5. Cancellation of a lecture tour to the United States of the prominent non-Jewish poet Yevgeny Yevtushenko, one of the most popular young Soviet poets, focused renewed attention upon his controversial poem "Babi Yar," written in September 1961, in the literary organ of the Soviety Writers' Union. The poem was a protest against the slaughter by the Nazis of the thousands of Jewish martyrs who lie in nameless graves in a gully outside Kiev. Yevtushenko has been disciplined for writing nonconformist ideas; yet the more the Soviet authorities seek to censure him for deviating from the party line the more attention is focused upon the Jewish martyrs to terror and tyranny for whom no monument rises in Babi Yar.

It seems clear Soviet policy to play down the martyrdom of Soviet Jews during the Nazi invasion. Even the Eichmann trial found scant notice in the Soviet press.

THE FUTURE

The plight of the Jews in the U.S.S.R. is no longer the world's best kept secret. Little by little their story is being told in the mass media, such as the New York Times and Saturday Evening Post, both of which should be commended for their articles this past year. Moshe Decter's article on "The Status of the Jews in the Soviet Union" in Foreign Affairs, January 1963, summed up the best capsule review to appear in print so far. While far from being a "White Paper" documenting the exact status of Jews and Judaism in the U.S.S.R., the Decter piece should be read by every one seeking reliable background for his grim subject. In a full-page advertisement in the New York Times and other newspapers, the American Jewish Committee published a long cable to Nikita S. Khrushchev demanding to know "When will synagogues and Jewish seminaries be reestablished, imprisoned synagogue leaders set free, the ban on unleavened bread rescinded, ritual articles and Jewish prayerbooks made available. * * * The world awaits your response. By deeds alone can your Government confirm that the Soviet Union in truth upholds the rights of minorities and the equal dignity of man" (Dec. 7, 1962).

What should be done to help our brethren in the U.S.S.R.? Obviously Soviet Jews cannot defend themselves. It is for those in the free world to raise their voices in protest.

The CCAR, as a member of the Synagogue Council of America, has joined in making certain representations of common concern to the Soviet Embassy in Washington.

As individual rabbis, we can help mobilize public opinion and present before our congregations and communities the truth behind the news.

As private citizens, we can reassure the U.S. State Department of the need for a high priority of U.S. attention to be given this concern of American Jews, and for the need within the context of American foreign policy to press for the exposure of the situation of Jews and Judaism behind the Iron Curtain before the international arena of the United Nations. The CCAR should know that at present the U.S. State Department believes that any direct U.S. intervention or representations on behalf of Soviet Jews would only backfire and do more harm than good to Soviet Jews because of the tension already between the United States of America and the U.S.S.R., and therefore become a further pretext for the Kremlin to link Soviet Jews with disloyalty and subversion.

On the other hand, the rabbi's greatest tool—molders of public conscience—can surely be used to cry out against the net of spiritual strangulation being drawn against the Jews of the U.S.S.R. By public resolution and by individual protest, this committee urges the executive board to bring the full influence of the Central Conference of American Rabbis to this exposure of the truth. After losing 6 million Jews to the Nazi juggernaut, no more pressing tragedy than the plight of another 3 million Jews held prisoners in Red Russia challenges the survival of the Jewish people today.

Exhibit 2–B

[From Foreign Affairs, January 1963]

The Status of the Jews in the Soviet Union

(By Moshe Decter)

During the past quarter century, enlightened public opinion throughout the world has become keenly sensitive to the treatment of minorities as a barometer of moral decency and social sanity. The awesome experiences of this period have drawn particular attention to the symbolic and actual position of the Jewish minority. In this light, the status of the Jews in the Soviet Union warrants special concern.

The situation of Soviet Jews can be comprehended primarily within the framework of Soviet nationalities policy. That policy, as reflected in Communist Party directives, the Soviet Constitution and public law, is based on the ideological acceptance of the concept of national self-determination and on the legal recognition of the right of all nationalities within Soviet borders to cultural freedom. Actual Soviet policy toward the Jews clearly violates these principles. It is tantamount to a policy of discrimination for it denies to the Jews such ethnic-cultural rights as are generally accorded all other Soviet nationalities.

The Soviet Union officially recognizes Jews as a nationality. In the personal identification papers which all Soviet citizens carry (the internal "passport"), Jews must list their nationality as "Jewish" (Yevrei) just as other nationalities—such as Russians, Ukrainians, Georgians and others—must list theirs. Thus, in the official Soviet census returns of 1959, published in Pravda on February 4, 1960, Jews are listed among the official nationalities. In all previous censuses, citizens were required to provide proof, in the form of their continued passports, of their claim to belong to one or another nationality. In 1959, for the first time, they were allowed to volunteer, without proof, the nationality with which they chose to be identified. Despite the possibility thus provided for Jews to "pass," 2,268,000 people specified their nationality as Jewish (there are reasons to believe that the total number more closely approximates 3 million).

Soviet Jews constitute 1.09 percent of the population, but they occupy a far more significant place than this figure suggests. Of the considerably more than 100 diverse Soviet nationalities, the Jews are 11th numerically. The great majority of them live in the three most populous Union Republics: 38 percent in the Russian Republic, 37 percent in the Ukraine, 7 percent in White Russia; but there is no republic of the U.S.S.R., where Jewish communities may not be found. And an important reflection of their sense of identification after several decades of direct and indirect forcible assimilation is that 472,000 (20.8 percent) gave Yiddish, which is the traditional language of speech and literature of East European Jews, as their mother tongue.

The Jews are also regarded, secondarily, as a religious group. This complicates their status and makes it even more precarious. For though their unique dual character is a natural outgrowth of Jewish history and tradition, it creates unusual difficulties for them under Soviet conditions. An assault upon the Jewish religion, for example, will inevitably be taken, by Jews and non-Jews alike, as an attack upon the Jewish nationality as a whole—upon Jews as such. And they have come increasingly to be considered an alien group in a land where they have resided for more than a thousand years.

Their vulnerability is increased by the fact that, unlike most other Soviet nationalities, which have their own geographic territories, the Jews are widely dispersed throughout the country. They are also the only Soviet nationality a majority of whose total world population lives outside the U.S.S.R. Because the Soviet Jewish minority has historic and traditional ties of culture, religion, and family with Jewish communities throughout the world outside the Communist bloc, it is subject to even greater suspicion.

Soviet Jews are especially sensitive to their vulnerable condition because their memory of what they themselves call the black years—the last 5 years of Stalin's rule, when his terror assumed a viciously and openly anti-Semitic form—has not been erased. One reason they have not forgotten is that Soviet policy toward Jews and Judaism has remained essentially the same since 1948—with the vitally important exception, of course, that the terror is gone. And they are not less keenly cognizant of the fact that, of all the crimes of Stalin cataloged by Premier Khrushchev and his colleagues at the 20th and 22d Congresses of the CPSU, his crimes against the Jews were passed over in utter silence.

The significance of Soviet policy toward the Jews was dramatically highlighted in September 1961 by the publication of a poem, "Babi Yar," in the Literary Gazette, organ of the Soviet Writers Union. This poem by a loyal Communist, Yevgeny Yevtushenko—one of the most popular young Soviet poets—caused a sensation. It is a searing indictment of anti-Semitism both historically and as a facet of contemporary Soviet society. In his opening line, the poet protests that there is still no monument to the scores of thousands of Jewish martyrs slaughtered by the Nazis in 1941 at Babi Yar, a vale on the outskirts of Kiev. This is a pointed reflection of the fact that Soviet authorities have been consistently silent about the nature, dimensions and even the very existence of the unique Jewish tragedy during the Second World War. Though not himself a Jew, Yevtushenko identifies himself in his poem with persecuted Jewry throughout history. He thus points up the existence of a historic Jewish people, which Soviet doctrine denies—and of Jewish history, which Soviet policy prevents Jews from learning.

Yevtushenko is not alone in mirroring the mood and sensibility of the literate younger Soviet generation. There is a whole "underground" literature that passes from hand to hand among the university and literary youth, and one of its frequent leitmotifs is isolated, disadvantaged Soviet Jewry. In this, as in their general quest for a purified idealism, Yevtushenko and his confreres are in the mainstream of the honorable tradition of the liberal Russian intelligentsia from Pushkin to Tolstoy and Gorky.

II

The Jews are the only nationality which is deprived of the basic cultural rights accorded to all others in the U.S.S.R. These rights have recently been reaffirmed by no less an authoritative source than the new party program adopted by the 22d Congress in October 1961: "The Communist Party guarantees the complete freedom of each citizen of the U.S.S.R. to speak and to rear and educate his children in any language—ruling out all privileges, restrictions, or compulsion in the use of this or that language."

Until 1948 the Jews were permitted a cultural life in their own language, Yiddish (though Hebrew was forbidden), on a large scale: newspapers, publishing houses, thousands of books, a variety of literary journals, professional repertory theaters and dramatic schools, literary and cultural research institutes, a network of schools, and other means of perpetuating Jewish cultural values, albeit in a Communist form. In 1948 (and in some cases during the purges of 1937–39), the whole vast array of institutions was forcibly closed.

No basic change in this policy of cultural deprivation occurred, despite Stalin's death and the gradual easing of the tyranny, until 1959. Since then, a grand total of six Yiddish books has been published—by writers long dead. (None has been published in 1962 as of November.) They were put out in editions of 30,000 each, mostly for foreign consumption, but those copies that were available to Jews inside the U.S.S.R. were eagerly and quickly snapped up.

This total of six books is to be compared with the facilities made available to many ethnic groups far smaller than that of the Soviet Jews, and which do not possess as ancient, continuous and rich a culture. Two striking examples are in order. The Maris and Yakuts are two tiny primitive Asian groups which number 504,000 and 236,000, respectively. In 1961 alone, Soviet printing presses produced 62 books for the Maris and 144 for the Yakuts, in their own languages.

The Soviet Yiddish theater was once considered one of the prides of Soviet artistic achievement. Today there is only a handful of amateur theatrical groups, made up of Jewish workers banded together after working hours, existing on a marginal basis; there is not even such a group in Moscow or Leningrad, the two major centers of Soviet Jewry, together totaling nearly 1 million.

In the autumn of 1961, for the first time since 1948, a Yiddish literary journal, Sovietish Heimland, began publication as a bimonthly. Welcome though this is, it is no more than the exception proving the rule. But it does represent, along with the meager half-dozen Yiddish books (and the "concerts" of Yiddish dramatic readings and folksongs which have been permitted and which have been attended by millions of Jews in recent years), a tacit repudiation of the oft-repeated Soviet assertion that Soviet Jews have lost interest in their culture. This state of affairs is again to be contrasted with the press available to the Maris and Yakuts. The former have 17 newspapers, the latter 28.

A frequent Soviet rationalization for the absence of cultural institutions for the Jews is that the Jews are so widely dispersed. This is invalidated, however, by the fact that tiny minorities like the Chechens (418,000), Ossetians (410,000) and Komis (431,000), which do not have their own territories, yet have their own newspapers and literatures in their own languages, and schools where their languages are taught. The Tadjik minority in Uzbekistan (312,000 out of a total Republic population of 8,106,000) has similar rights and institutions, as have the Poles in White Russia (539,000 out of 8,055,000).

It is not just schools that are forbidden to the Jews.[1] They are not even allowed classes in Yiddish or Hebrew in the general schools; nor, for that matter, classes in the Russian language (comparable to Sunday school education in the United States) on Jewish history and culture. Nor are Soviet Jews permitted to have contact on purely Jewish cultural matters with Jewish institutions abroad.

III

All religions in the U.S.S.R. exist very precariously within a context of official antireligious ideology and propaganda. In a variety of fundamental respects, however, Judaism is subjected to unique discrimination. Jewish congregations are permitted no variant of the right enjoyed by the others to maintain nationwide federations or other central organizations through which religious functions are governed, religious needs serviced, religious belief bolstered and communication between congregations strengthened. Rabbis and synagogue leaders have nothing at all comparable to the Holy Synod of the Russian Orthodox Church, the All-Union Council of Evangelical Christians-Baptists, the National Ecclesiastical Assembly of the Armenian Church, the Lutheran Churches of Latvia and Estonia or the Moslem Board for Central Asia and Kazakhstan.

These churches are permitted a wide range of religious publishing facilities, publishing houses, and paper supplies. Thus, the Russian Orthodox version of the Bible was reprinted in 1957 in an edition of 50,000. In 1958, 10,000 copies of a Russian-language Protestant Bible were published by the Baptists. The same year the Moslem Directorates in Ufa and Tashkent produced editions of 4,000 and 5,000 copies, respectively, of the Koran. And in May 1962 the Moslem Board for Central Asia issued still another new edition. It should be noted that these editions of the Koran are in Arabic, a language not spoken by Soviet Moslems, but used for religious study and other religious functions. This is comparable to what the status of Hebrew might be there.

Judaism is permitted no publication facilities and no publications. No Hebrew Bible has been published for Jews since 1917. (Nor has a Russian translation of the Jewish version of the Old Testament been allowed.) The study of Hebrew has been outlawed, even for religious purposes. Not a single Jewish religious book of any other kind has appeared in print since the early 1920's. In contrast, prayerbooks are available to other denominations in relatively ample supply: the Baptists were authorized in 1956 to publish 25,000 hymnals; the Lutheran Church of Latvia has produced 1,500 copies of a psalter and is now preparing a new edition of its 1954 hymnal. Religious calendars, indispensable guides for religious holidays and observances, are freely available. Other types of religious publications are also permitted. The Russian Orthodox Church publishes the Journal of the Moscow Patriarchate, its official monthly organ. It has also published collections of sermons and several annuals. The All-Union Council of Baptists pass out a bimonthly, the Fraternal Review.

No such prerogatives have been vouchsafed to the Jews. Until 1958, no siddur (Sabbath prayerbook in Hebrew) was printed. In that year, an edition of 3,000 copies of prerevolutionary siddur was provided by photo-offset—a ridiculously small figure for the hundreds of thousands of religious Jews whose prayerbooks are tattered and worn. No edition at all has been allowed of special prayerbooks which Jews use on their high holidays and major festivals. As for calendars, the Jews have had to depend on photographed copies of handwritten ones, surreptitiously circulated from hand to hand.

A subtler but harsher form of discrimination has resulted from the ban on Hebrew. The Russian Orthodox, Baptist, Lutheran, Georgian, or Armenian believer is not handicapped in his participation in religious services, for they are conducted in his native spoken tongue. But the half-century-old ban on Hebrew has made it impossible for Jews educated under the Soviet regime to make sense of their synagogue services. Thousands come—and must stand mute and dumb.

The other major ecclesiastical bodies are authorized to produce a variety of religious articles—ritual objects such as church vessels, vestments, candles, beads, crucifixes, and ikons. The mass sale of such articles, especially candles, is an important source of church income. But the production of such indispensable religious objects as the tallis (prayer shawl) and tefillin (phylacteries) is prohibited to Jews.

A brief statistical examination illuminates the extent to which the faithful are served by churches and priests, synagogues and rabbis. For the 40 million Russian Orthodox there are some 20,000 churches and 35,000 priests (quite apart from those in the 69 monasteries and convents). This comes to 1 place of worship for each 2,000 believers and 1 priest for each 1,100 believers. For the 3 million Baptists (including women and children who are affiliated through family membership) there are roughly 6,000 parishes and pastors, which amounts to 1 place of worship and 1 minister for each 500 believers. The Lutheran Churches of Latvia and Estonia have 100 churches and 150 pastors for about 350,000 communicants—approximately 1 church for each 3,500 believers and 1 minister for each 2,300. By contrast, there are some 60 or 70 synagogues and rabbis for the nearly 1 million Jewish believers—which amounts to 1 synagogue and 1 rabbi for each 15,000 to 16,000 Jewish believers.

Most religious groups also maintain educational institutions to prepare men for the priesthood. The Russian Orthodox have two academies and five seminaries; the Moslems have a madrassa where their mullahs are trained. In addition, quite a few Moslem clerical students have been permitted to advance their studies at the theological seminary in Cairo. Young Baptist seminarians have attended theological schools in Great Britain and Canada. Such programs serve the twofold function of maintaining spiritual contacts with coreligionists abroad and of enhancing the quality of religious education at home.

Until 1957, religious Jews had no institution to train rabbis. In that year, a yeshiva (rabbinical academy) was established as an adjunct of the great Synagogue in Moscow. Since then, precisely two men have been ordained as rabbis, neither of whom has functioned as a synagogue leader. Of the 13 students at the yeshiva until April 1962, 11 were over 40—which means that very little provision was made for replacing the rabbis now serving in the U.S.S.R., all of whom are in their seventies and eighties. This is to be contrasted with the "accent on youth" for Russian Orthodox seminarians. The Jewish community is thus being deprived of needed religious leadership.

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[1] Though Soviet law permits any 10 parents who request it to organize instruction for their children in their own language, Jewish parents have been understandably loath to take advantage of this provision.

A most serious restriction was imposed on the yeshiva in April 1962, when a majority of the students, who came from the oriental Jewish communities of Georgia and Daghestan, were forbidden to resume their studies in Moscow, on the ground that they lacked the necessary residence permits for the capital city which is suffering from a housing shortage. This left just four students in an institution that has been transformed into a virtually empty shell. Nor has any Jewish seminarian in the last 5 years been allowed to advance his studies at institutions of Jewish learning abroad.

In addition to their prerogatives at home, other Soviet ecclesiastical bodies have enjoyed the privilege of regular and permanent ties with coreligionists abroad, an incalculably important boost to their moral. Since 1956 there have been innumerable exchange visits of religious delegations—Russian Orthodox, Baptists, and Moslems—between the U.S.S.R. and Western Europe, the United States and the Middle East. The Soviet Moslems have for years been associated with a World Congress of Moslems. At the end of October 1962 a national conference of Moslem leaders, meeting in Tashkent, was authorized to establish a permanent department for international relations, with headquarters in Moscow, which would speak for all Moslem Boards in the country. And within the past year, the World Council of Churches (Protestant) accepted the full-fledged membership of the Russian Orthodox Church and of five other major Soviet ecclesiastical bodies: the Georgian and Armenian Churches, the Baptists, and the Lutheran Churches of Latvia and Estonia.

No Jewish religious delegation from the U.S.S.R. has ever been permitted to visit religious institutions abroad. Nor are synagogues in the Soviet Union allowed to have any kind of official contact, permanent ties, or institutional relations with Jewish religious, congregational, or rabbinic bodies outside their country.

The process of attrition and pressure against Judaism and Jewish religious institutions and practitioners has been systematically stepped up since the middle of 1961. In June and July of that year, the synagogue presidents in six major provincial cities were deposed. In the same period, six lay religious leaders in Moscow and Leningrad were secretly arrested. In September 1961, on the occasion of the Jewish High Holy Days, the authorities ordered the construction of a special loge in the Moscow Great Synagogue to seat the Israel Embassy officials who came to attend services—the better to cut off the thousands of Jews who came to the synagogue from their fellow Jews from abroad. In October 1961, the Moscow and Leningrad leaders were secretly tried and convicted of alleged espionage, and sentenced to lengthy prison terms. In January 1962, Trud, the central trade union paper, published a notorious article that portrayed these devout religious Jews as agents of Israeli spies who, in turn, were described as tools of American intelligence.

On March 17, 1962, Rabbi Judah Leib Levin of the Moscow synagogue announced that the public baking and sale of matzoth (the unleavened bread indispensable to the observance of the Passover) would be forbidden. This was the first time in Soviet history that a total ban on matzoth was enforced throughout the country. The ban was actually part of the larger official attempt to destroy the bonds between Soviet Jewry and the traditional roots of Judaism that have a national historical significance. Since Passover is the ancient feast that commemorates the liberation of the Hebrews from Egyptian slavery and their establishment as a religious people, this holiday is subjected to especially virulent assault in the Soviet press. It is linked with "Zionist ideology," the State of Israel, chauvinism and so forth. The propaganda goes so far as to brand Jewish religious holidays, and Passover in particular, as subversive. "Judaism kills love for the Soviet motherland"—this is a slogan from a typical press article.

All this adds up to a systematic policy of attrition against religious Jews and their religious practices. The synagogues are the only remaining institutions in the U.S.S.R. which still embody the residues of traditional Jewish values and where Jews may still foregather formally as Jews. The objective of this policy is clearly to intimidate and atomize Soviet Jewry, to isolate it both from its past and from it brethren in other parts of the world, to destroy its specifically Jewish spirit.

IV

This policy of cultural religious repression is conducted within the charged atmosphere of a virulent press campaign against Judaism. From it the image of the Jew emerges in traditional anti-Semitic stereotypes. The majority of the articles appear in the provincial press—in the larger cities, frequently the capitals, of the various republics, primarily the Russian Republic, the Ukraine and White Russia. These are the regions where the bulk of Soviet Jewry lives and where popular anti-Semitism is still widespread and endemic.

A study of a dozen such publications reveals that the following themes recur repeatedly:

1. The stereotype that emerges most blatantly is that of Jews as money worshipers. Rabbis and lay leaders of the synagogues are consistently portrayed as extorting money from the faithful for ostensibly religious purposes, their object in fact being to feather their own nests. Thus, whether it is the religious service itself or some ancient rite, it is all presided over by religious figures who are in reality moneygrubbing thieves.

2. Judaism is constantly denigrated. All its rites are mocked in a manner which contrasts harshly with the Soviet Union's boasts of religious toleration. Circumcision, for example, is denounced in the crudest terms as a barbarous and unhealthful ritual: "The priests of the synagogue offer the regular sacrifice to their God Jehovah."

3. Drunkenness in the synagogue is another favorite theme. The scandalous rogues who pocket the money innocently contributed by the believers are shown as devoted to drink—guzzlers who confuse their prayers under the influence of alcohol. The leader of a synagogue burial society is quoted as saying: "In booze—I believe; in God—I don't."

4. Brawling is alleged to occur frequently in the synagogue, invariably over the division of the ill-gotten profits from religious speculation. The newspapers name the names of the religious misleaders allegedly involved and frequently give their addresses and public positions, if any.

5. In these articles Jews often are used to inform on fellow Jews and to denounce Judaism. Many articles are signed by Jews; some contain recantations, usually by elderly men, of their religious faith.

6. A favorite device is for the writer to single out for special attention the adult children of elderly religious Jews. They are usually named and their public positions (teacher, engineer, nurse, etc.) noted, as well as their places of work and, where relevant, their party membership. Thus not only the parents but the presumably loyal, nonreligious Communist children are held up to public obloquy, in a not very subtle effort to exert social blackmail on them.

7. Propaganda assaults on private prayer meetings are also frequent. Since many synagogues throughout the country are closed, Jews have taken to foregathering in each other's homes for prayers. Such gatherings are frowned upon, indeed unauthorized, and have regularly been dispersed, and their members warned and even punished. Articles list those who organize and attend such prayer meetings.

8. Perhaps the most ominous of all the themes is the consistent portrayal of the tenets and practitioners of traditional Judaism as potentially or actually subversive. The following references are typical: 'The Jewish clericals and bourgeois nationalists provide grist for the mills of our class enemies, distract workers from their class and Communist interests, and weaken their consciousness with chauvinist poison." "The traditions bolstered by the synagogue are doubly harmful. First of all, they contribute to the perpetuation of the false religious world outlook. Secondly, they serve as an instrument for the propagation of bourgeois political views which are alien to us."

This must be contrasted with the resolution of the Central Committee of the Communist Party, signed by Premier Khrushchev on November 10, 1954, and reechoed in Pravda on August 21, 1959: "It must not be forgotten that there are citizens who, though actively participating in the country's life and faithfully fulfilling their civic duty, still remain under the influence of various religious beliefs. Toward these the party has already demanded, and will always demand, a tactful, considerate attitude. It is especially stupid to put these under political suspicion because of their religious convictions."

These standards have been clearly violated where Jews and Judaism are concerned. In the Soviet Union official atheism affects all religious groups; but it is only with regard to Jews and Judaism that the theme of lack of patriotism, disloyalty and subversion is injected into the propaganda. When the religion of the Russian Orthodox, the Armenian Orthodox, the Georgian Orthodox, the Baptist, or the Moslem is attacked in the press he does not thereby come under political suspicion, nor does he feel his loyalty impugned either as a member of a given nationality or as a Soviet citizen. By the same token, the mass of nonbelieving Russians, Armenians, Georgians, or Uzbeks do not feel that they are involved when the religious members of their nationality see their religion attacked in the official propaganda.

But with the Jews it is different. Because of the persistence of "popular" anti-Semitism, subtly encouraged from above, an attack upon the religious Jew and the portrayal of the Jewish image in traditional anti-semitic stereotypes is felt even by the nonreligious Jew as somehow involving him too. And he is not far wrong in feeling that many of his non-Jewish neighbors understand it in the same way. Small wonder then, that—in the absence of a consistent educational campaign against anti-Semitism, such as was conducted in Lenin's time—an assault upon the Jewish religion will be sensed, by Jews and non-Jews alike, as an assault upon the entire Jewish group.

V

In such an atmosphere, it is hardly surprising that Jews should be subject to a subtle policy of discrimination in employment, education, and other sectors of public life. That policy may be summarized in the phrase attributed, perhaps apocryphally but nonetheless aptly, to a top-level Soviet leader: "Don't hire, don't fire, don't promote."

A few especially gifted or brilliant Jewish individuals can still be found within the Soviet leadership. Many occupy positions in the middle ranks of professional, cultural and economic life. But virtually all face potent discriminatory measures in key "security sensitive" areas of public life. The instrumentality for this exclusion, carried out quietly and informally, is the nationality listing on the internal passport. Thus, Jews have virtually disappeared from positions of major responsibility in the diplomatic service and, with rare exceptions, in the armed forces. This contrasts sharply with the situation that prevailed from 1917 to the late 1930's. The proportion in higher education, science, the professions and political life has also been declining for many years. The key to the decrease is the system of nationality quotas in university admissions. A considerable body of evidence points to the existence of a "numerus clausus" for Jews in the universities and, in some cases, or a "numerus nullus." This explains the decline of Jewish representation in important activities.

The extent of the decline in higher education is reflected in the fact that Jews today represent 3.1 percent of all students in higher education, as contrasted with 13.5 percent in 1935. During this 27-year period, the Jewish proportion of the population decreased merely from 1.6 to 1.1 percent. There is no way of accounting for this drastic decline in a country with an expanding economy and growing opportunities—except by discrimination.

Even the present 3.1 percent is a skewed figure, for it fails to take account of two decisive factors. In the first place, the category "higher education," as given in Soviet statistics, lumps together both universities and many other types of specialized academies such as teacher training schools, music conservatories and journalism institutes. Jews have a strong position in the latter types, and this fact artificially raises the total by balancing out the much lower proportion of Jews in the universities as such. Secondly, it is estimated that 90 percent of Soviet Jews are urbanized. Most universities are located in the larger cities and recruit their student bodies from the children of the urban intelligentsia, in which the Jews have traditionally occupied a leading position. To get a more accurate measure of Jewish representation in higher education in proportion to the population, the Jewish proportion would have to be compared not with the percentage of Jews in the total population of a given republic, but with the percentage of Jews in an urban university area.

As for the professions, the declining proportion of Jews has been as much as admitted by Premier Khrushchev and Culture Minister Furtseva themselves as a matter of policy. (In making such admissions, they have referred to the necessity of making room for "our own intelligentsia"—clearly giving away their feeling that the Jews are not truly indigenous.) In general, the proportion of non-Jewish nationalities among professionals has been rising at a very rapid rate, but that of the Jews at a much slower rate. For example, since 1955 the number of Russians and Ukrainians in science has increased by 40 percent, that of the Jews by 25 percent. In 1955, Jews constituted 11 percent of Soviet scientists; the figure was 10.2 percent by 1958 and 9.8 percent by 1960. Even this figure is deceptively high, for it includes a substantial number of an older generation who had far freer access to the universities and the professions in the twenties and thirties. It is obviously the Jewish youths who are hardest hit by the declining rate; they have to be very good indeed even to get into the universities, and they find it increasingly difficult to enter the professions.

The disappearance of Jews from leadership positions in political life has been striking and dramatic. Soviet spokesmen have tried to counter this fact by noting recently that 7,623 Jews were elected to local soviets all over the country. This seems impressive until it is realized that, as of 1960, more than 1,800,000 such local deputies were elected. The "large" number of Jews thus comes to less than one-half of 1 percent. Moreover, in all but one of the Supreme Soviets of the 15 republics, the number of Jews is far below their proportion of the population.

When this pattern of discrimination is linked to other facets of Soviet policy toward the Jews, it becomes clear that they are considered a security risk group—suspected of actual or potential disloyalty, of essential alienness.

VI

Many nuances of the same pattern of hostility have been revealed in the massive campaign waged with increasing severity in the past few years against the widespread economic abuses that characterize so much of Soviet life. A series of decrees, beginning in May 1961, called for capital punishment for such offenses as embezzlement of state property, currency speculation, and bribery. The authorities have made no attempt to conceal their concern over these activities or the fact that vast numbers of the population engage in them. Major pronouncements by leading officials have, indeed, given a picture of a country shot through with corruption—ironically, of a "capitalist" sort. All organs of the party, the Komsomol, the state, the press, and other major institutions have been pressed into service in the campaign against it. The secret police, one of the last strongholds of Stalinism, plays a key role. And the public at large has been strenuously urged on to be vigilant, with all the overtones of vigilanteeism.

Though the campaign's objective may not be anti-Jewish, there is little doubt that it has had anti-Jewish implications and consequences, of which the authorities—and the secret police—cannot but be aware.

Thus the Soviet press has especially featured those trials that have resulted in death sentences (frequency accompanied by the denial of the right of appeal). To date, 36 such trials have been reported in 26 different cities. In these trials, death sentences have been meted out to 70 individuals—of whom 42 (and possibly 45) are Jews. In a number of cases, the Jewish religious affiliation of some of the culprits was made explicit: the synagogue was portrayed as the locus of illegal transactions, religious Jews were mockingly described as money worshippers, the rabbi was shown as their accomplice, their family connections in Israel and the United States were pointed out. In general, the Jews are presented as people "whose only God is gold," who flit through the interstices of the economy, cunningly manipulate naive non-Jewish officials, prey upon honest Soviet workers, and cheat them of their patrimony. They are portrayed as the initiators and masterminds of the criminal plots; the non-Jews are depicted primarily as the recipients of bribes and as accomplices.

The ominous significance of this publicity is clear. It informs the conditioned Soviet reader that the Government thinks the tiny community of Jews, which constitute little more than 1 percent of the population, is responsible for nearly two-thirds—and in some areas 100 percent—of the economic crimes which warrant capital punishment. Anti-Semitic feelings are exacerbated. From many cities come reports of grumbling on the food queues: "The Jews are responsible for the shortages." Western travelers who were in Vilna during and immediately after a major economic trial in February 1962—where all eight accused were Jews, four of them receiving capital punishment and four lengthy prison terms—reported that the authorities mobilized the entire population to attend what was universally called the Jewish show trial. The atmosphere of fright in the Jewish communities may be imagined.

VII

In sum, Soviet policy places the Jews in an inextricable vise. They are allowed neither to assimilate, nor live a full Jewish life, nor to emigrate (as many would wish) to Israel or any other place where they might live freely as Jews. The policy stems, in turn, from doctrinal contradictions abetted by traditional anti-Jewish sentiments. On the one hand, the authorities want the Jews to assimilate; on the other hand, they irrationally fear the full penetration of Soviet life which assimilation implies. So the Jews are formally recognized as a nationality, as a religious group, as equal citizens—but are at the same time deprived of their national and religious rights as a group, and of full equality as individuals.

Though the Jews are considered a Soviet nationality, official doctrine has consistently denied the existence of a historic Jewish people as an entity, and official practice has always sought to discourage Soviet Jews from feeling themselves members of that entity throughout the world.

Soviet policy as a whole, then, amounts to spiritual strangulation—the deprivation of Soviet Jewry's natural right to know the Jewish past and to participate in the Jewish present. And without a past and a present, the future is precarious indeed.

EFFORTS TO AMEND SECTION 22 OF THE INTERSTATE COMMERCE ACT TO REMOVE INEQUITIES INVOLVED IN GOVERNMENT TRANSPORTATION RATES

Mr. HART. Mr. President, for some time I have been concerned with the problem of insuring that transportation rates established for the Federal agencies under section 22 of the Interstate Commerce Act do not work to the disadvantage of any region of the country.

Recent hearings held by a special subcommittee of the Senate Commerce Committee on Great-Lakes-St. Lawrence Seaway shipping have made even clearer the need for a revised policy to remove inequities which now operate against certain of our Midwestern States and Great Lakes ports.

It is now time to ask who is trying to cover up preferential, prejudicial, and discriminatory Government section 22 rate deals.

On August 23, 1963, I introduced S. 2075, which does not repeal section 22, but only subjects these rate deals to limited Interstate Commerce Commission review to determine if Government traffic is moving under discriminatory, preferential, or prejudicial rates.

The Interstate Commerce Commission may now grant relief to citizens and areas that are being unreasonably prejudiced or unduly disadvantaged by unfair rates except rates under which the Nation's largest shipper, the U.S. Government, moves its traffic.

The Government witnesses who appeared and testified at recent hearings before the Surface Transportation Subcommittee admitted that Government shipping agencies are neither competent nor appropriately staffed to weed out unfair section 22 rates, and stated that they had no objection in principle to S. 2075.

Despite this, other representatives of the same Government agencies informed me 10 days later that these agencies were now opposed to Interstate Commerce Commission review to determine if section 22 rate deals are preferential or prejudicial.

Because of complaints received from many areas and groups, the Subcommittee on Surface Transportation of the Senate Committee on Commerce on May 8 and 11, 1964, held hearings on S. 2075, which would allow localities, ports, port districts, gateways, regions, districts, and territories to apply to the Interstate Commerce Commission for relief from discriminatory, preferential, or prejudicial rates accepted or negotiated by Government shipping agencies.

Mr. Charles R. Seal, general counsel, Virginia State Ports Authority, appeared at these hearings on behalf of the American Association of Port Authorities, and on behalf of the North Atlantic Ports Association which represents the ports from Portland, Maine, to Hampton Roads, inclusive. He testified:

> Legislation such as proposed by bill S. 2075 is urgently needed to overcome the present unfair competitive rate practices inherent in section 22 rates.

Mr. Sam Rice, Jr., president, Grain and Feed Dealers National Association, appeared on behalf of that organization which has 2,150 direct memberships, held by individual grain and feed firms in 46 States, plus 53 affiliated State and regional grain and feed associations that represent approximately another 16,000 grain and feed firms. He testified:

> This national association believes that S. 2075 is a step in the right direction in that it would prohibit carriers from making tenders under section 22 which would subject any particular area to unjust discrimination or to undue prejudice or disadvantage, and would empower the Interstate Commerce Commission to hold hearings on complaints of such discrimination.

The committee also received testimony supporting the need for passage of S. 2075 from Abe McGregor Goff, Chairman, Interstate Commerce Commission, and James F. Fort, counsel, public affairs, American Trucking Association.

The committee received statements in support of the bill from Louis C. Purdy, general manager, Toledo-Lucas County Port Authority; A. C. Ingersoll, Jr., chairman of the executive committee, the Common Carrier Conference of Domestic Water Carriers; Terrance J. Hall, president, Colorado Grain and Feed Dealers; Harold W. Barton, chairman of the board, Central Soya; and Fred H. Tolan, freight traffic consultant, Seattle, Wash., on behalf of several hundred shippers in the Pacific Northwest.

In addition, the committee received statements favoring outright repeal of peacetime section 22 rates from S. G. Tipton, president, Air Transport Association; Austin L. Roberts, Jr., general solicitor, National Association of Railroad and Utilities Commissioners; L. James Harmanson, general counsel, National Council of Farm Cooperatives; and the Transportation Association of America.

Even the Government witnesses who appeared at the hearings did not oppose S. 2075, which would not repeal section 22, but rather subject these Government deals to ICC review to assure that they are free from undue preference and prejudice.

Maj. Gen. Rush B. Lincoln, Jr., commander, Defense Traffic Management Service, Department of Defense, testified:

> Therefore, as a practical matter, the Department of Defense has no objection to appropriate provisions with proper procedural remedy to provide that Government rates shall not produce undue geographical discrimination.

He conceded that the Department of Defense is not "functionally competent nor appropriately staffed to make determinations with respect to geographical freight-rate discrimination" in deciding whether to accept or reject a section 22 rate.

Mr. Robert B. Conrad, Commissioner, Transportation and Communications Service, General Services Administration, testified:

> As far as this particular portion of the legislation is concerned (ICC review of rates for discrimination) we would have no strong objection to this particular portion of the act.

He also conceded that the only review that GSA makes as a user of transportation is as to the level of the rate, and no review is made for undue preference or prejudice as far as marketing or shipping areas.

Mr. Edwin W. Cimokowski, Assistant General Counsel, General Accounting Office, testified:

> We have no basic objection to this type of legislation in principle.

Since the Government witnesses who testified had no opposition in principle to S. 2075, I urged them to meet with the ICC to iron out technical objections to certain 15-day notice provisions in the bill. A meeting was held, and a few days later the Commerce Committee staff was notified that the agencies were ready to make a report.

Mr. President, I do not know who determined that there should be a shift in Government policy, but between the close of the hearings on May 11 and the meeting on May 20, there appears to me to have been a definite shift. The Government agencies who could not defend preferential, prejudicial and discriminatory rates at a public hearing were very much in favor of such section 22 deals—at least, they opposed the limited ICC review—at the meeting in which the press was not present.

Mr. V. F. Caputo, Director for Transportation and Warehousing Policy, Department of Defense, advised at the meeting that Defense was now opposed to the bill in principle. Mr. Caputo did not disavow General Lincoln's public testimony or explain why there had been a shift in policy. He stated that if certain citizens believed that Government section 22 rail deals were discriminatory, preferential, or prejudicial, they should raise the problem with the railroads.

Mr. President, who is afraid of having the complaints of the American Association of Port Authorities, and the National Feed and Grain Dealers submitted to impartial scrutiny by the ICC?

Mr. Frank Barton, Deputy Under Secretary for Transportation—Operations—Department of Commerce, who submitted a statement but did not testify at the hearings, advised at the meeting that the Department of Commerce was now opposed to S. 2075. Mr. Barton did not disavow the written statement of Mr. Lawrence Jones, Acting General Counsel, submitted to the Commerce Commission on December 23, 1963, supporting S. 2075:

> The principal purpose of the bill appears to be to bring clearly within the purview of the Interstate Commerce Commission any unjust discriminations or undue or unreasonable prejudices or disadvantages to any locality or region which might arise from the quotation of special rates to the Government under section 22 of the Interstate Commerce Act. The Department of Commerce supports this objective and agrees that the Interstate Commerce Commission should have clear authority to correct such discriminations by investigations and orders provided in section 13 of the act.

Mr. Barton started at the meeting on May 20 that any bill to remove section 22 rate discrimination should await disposition of H.R. 9903. It was his view that all deregulated rail rates under H.R. 9903—not only Government rates—will soon be freed from ICC regulation as to discrimination, preference, and prejudice.

In his transportation message to the Congress, President Kennedy called for a transportation system that means "equality of opportunity for all forms of transportation and their users and undue preference to none."

When Mr. Barton spoke before the Great Lakes Shipowners Association in Elkhart Lake, Wis., on July 8, 1961, he stated that:

> Elimination of a favored position in transportation should provide both the carriers and Government transportation officers with the opportunity further to improve traffic management. With such a change in section 22, the Government would expect all transportation services to be performed more efficiently with benefits spreading throughout the common carrier sector of our transportation system and in turn to the entire economy.

Mr. President, I submit that Mr. Barton's 1961 statement is correct and sound, and that the time has come to submit these privileged Government rates to scrutiny.

Another participant at the meeting on May 20 who did not testify at the hearings was Mr. Gordon Murray, Bureau of the Budget. Mr. Murray summed up the position of the executive agencies as follows: S. 2075 would be an unnecessary harassment of the Government because freight rate discrimination is not a problem any more. Mr. Murray said the Government agencies would not even set up a committee to hear complaints.

The time has come to end this section 22 skulduggery. S. 2075 is a limited bill designed to end such indefensible conduct. S. 2075 would not repeal section 22. It only allows areas of this country to get the ICC for review of unfair section 22 rate deals—a review job which the Government shipping agencies concede they are not equipped to perform.

There is an obligation on the part of the Government shipping agencies to move Government traffic on rates that are not discriminatory, preferential, or prejudicial. In public, the Government agencies admit that they are not competent or staffed to protect the public from unfair section 22 deals and agree to ICC review. In private, these same Government agencies are adamant in seeking to retain a privileged status for their section 22 rate deals.

Who ordered this switch in policy on the part of the executive agencies? Who is trying to cover up preferential, prejudicial, and discriminatory Government freight rate deals? I call upon the officials of the executive agencies to reconsider their private statements and to adhere to their public testimony.

Mr. President, there will be further hearings on these section 22 rates. If these Government agencies remain adamant on such limited ICC review, this Congress may have to give consideration to subjecting all Government traffic, except emergency or secret shipments, to full and complete Interstate Commerce Commission review.

THE RISING GROUND SWELL AGAINST U.S. FINANCING OF EGYPT'S AGGRESSIONS

Mr. GRUENING. Mr. President, today there is growing throughout the United States a strong resistance on the part of the taxpayers to the continued pouring of our dollars into Egypt, for use in planning an aggressive war against Israel.

We have sustained President Nasser in power in Egypt with our dollars, and at the added cost of straining our friendship with our traditional ally, Great Britain.

Peace-loving people in the United States are becoming increasingly fearful of the image which the United States presents to the world by its irrational actions in the Middle East because of our constant appeasement of President Nasser.

Mr. Emil N. Baar, acting president, Brooklyn Jewish Community Council, has written me saying:

> In view of the fact that the U.S. Government has and is still giving economic aid to Nasser's Arab countries, the Brooklyn Jewish Community Council, with its 800 affiliated organizations, representing almost 1 million Jews residing in Brooklyn, has taken a strong stand in this situation, unless the Arab policy is changed into one of peace.

I predict, Mr. President, that, unless the U.S. policy toward Egypt is drastically changed shortly, we shall see the petition of protest against our current policies adopted by the Brooklyn Jewish Community Council adopted by Christians and Jews alike in every section of the country.

I ask unanimous consent that the letter of Acting President Emil N. Baar, as well as the petition, unanimously adopted by this council, be printed in the RECORD.

There being no objection, the letter and the petition were ordered to be printed in the RECORD, as follows:

BROOKLYN JEWISH
COMMUNITY COUNCIL,
Brooklyn N.Y., May 22, 1964.

Hon. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRUENING: The Brooklyn Jewish Community Council, representing more than 800 organizations in the largest Jewish community in America, is deeply concerned and troubled over the repeated threats by President Nasser to annihilate Israel.

In view of the fact that the U.S. Government has and is still giving economic aid to Nasser's Arab countries, the council, with its 800 affiliated organizations, representing almost 1 million Jews residing in Brooklyn, has taken a strong stand in this situation, unless the Arab policy is changed into one of peace.

At a mass meeting sponsored by the council, held at the Brooklyn Jewish Center on May 5, the attached resolution was unanimously adopted with the request that the matter be called to the attention of the President, to the Secretary of State, and to all Members of Congress.

Respectfully yours,
EMIL N. BAAR,
Acting President.

Whereas for more than a decade the very existence of the State of Israel has been threatened with extinction by the repeated public declarations and preparations of the ruler of Egypt, Gamal Abdel Nasser; and

Whereas since he came to power President Nasser has constantly declared over his radio and in public his determination and that of his associated Arab States to drive the Israelis into the sea; and

Whereas he has in recent years, in pursuance and preparations of such threats and declarations of policy built up a formidable armament of jet planes, submarines, tanks, and more recently offensive missiles, in the building of which he has been aided by former Nazis who have found refuge in Egypt from prosecution in Germany; and

Whereas for a year and a half he has kept an army of Egyptian troops in Yemen which were transported there by Russian planes and supplied by Russian arms; and

Whereas contrary to his repeated promises, he has not only not withdrawn his troops but has increased their number so that they now reportedly number 40,000 and, through rotation, has used the war in Yemen to battle train his entire army; and

Whereas the United States has consistently supported Nasser with generous gifts of foreign aid in an amount now approaching nearly a billion dollars; and

Whereas this policy encourages the aggressive tactics and purposes of Egypt's dictator; and

Whereas the United States has repeatedly declared its interest in the preservation of peace in the Middle East and elsewhere and the development of the economy and well-being of nations recipient of U.S. aid; and

Whereas the actions of the United States in supporting Nasser are wholly inconsistent with U.S. declarations of policy; and

Whereas there is imminent danger that Egypt shortly will be in a position to destroy Israel overnight by the rocketry and sophisticated weapons which Nasser is accumulating, supported by his now battle-trained army; and

Whereas although the Congress of the United States provided by law that U.S. economic aid should not be given to any nation preparing for aggression against any other country aided by the United States, the administration has not acted to stop aid to Egypt; and

Whereas President Nasser has admitted openly that Egypt is preparing for an aggressive war against Israel and is actively carrying on aggression elsewhere; and

Whereas Nasser has alined himself with the Communist bloc in their efforts to control the African nations: Now, therefore, be it

Resolved, That the administration should immediately reverse its longtime policy of appeasing Nasser; and be it further

Resolved, That the United States take a firm stand before all the world on behalf of the peacefully intentioned, liberty loving, democratic, and free people of Israel to ward off its destruction; and be it further

Resolved, That to prevent this catastrophe the United States should (a) withdraw aid from Nasser as long as that aid is used for aggressive purposes, and (b) announce its readiness to enter into a treaty of mutual defense and support with Israel as it has with other nations.

U.S. APPEASEMENT OF PRESIDENT NASSER NOW ENDANGERS INTERNATIONAL MONETARY FUND

Mr. GRUENING. Mr. President, the news columns of last Thursday's New York Times carried a special item, by Edwin E. Dale, Jr., under a Washington dateline of March 27, describing our State Department's latest folly in its long history of appeasing President Nasser, at the expense of our friends and allies.

In 1956, when President Nasser, in violation of his solemn treaty obligations, seized the Suez Canal, thus cutting the military and commercial lifelines of Great Britain, France, and Israel, and forcing those countries, after they had exhausted all methods of peaceful negotiation, to move militarily, the United States joined Communist Russia in threats of reprisals and in obtaining their condemnation in the United Nations. In addition the United States unilaterally imposed its own sanctions on our allies, Great Britain and France.

In 1962, when Nasser airlifted his troops with Russian planes, to take part in a civil war which he had fomented in Yemen, under the strange policies pursued by the State Department we fell all over ourselves to recognize the Nasser Yemeni puppet, so-called republican regime—recognition with Great Britain, much more cognizant of the facts of life in the Middle East, has to this day not given. Result—not alone resentment of our policies by Great Britain, but also a steady buildup of Russian-armed Egyptian troops in Yemen. That war has to date cost Nasser over $200 million. So while the United States, through its foreign aid program, has been pouring American dollars into Egypt to help its poor and sick, Nasser has been squandering our help in aggressive war and in building up a fantastic arsenal of missiles, jet planes, submarines, and tanks for the purpose of waging war on Israel, whose destruction he has never ceased to preach and to promise.

More recently, as President Nasser has made aggressive moves against Aden, with these Russian-supplied weapons, in what looks like an attempt to wrest control of the oil-rich Middle East for his ally, Communist Russia, we took no restraining action, but continued to pour U.S. dollars and U.S. food into Egypt to enable that country to carry on its aggressions in Yemen and Aden and prepared for an all-out assault against another one of our allies, Israel. In addition to Russian-supplied arms, the Nazi war criminals to whom Nasser has given refuge are assisting in further weaponry development.

Is it any wonder that hitherto Western-oriented King Hussein of Jordan has been making overtures to Communist Russia and echoing President Nasser's aggressive threats? Half of Jordan's budget is also supplied by U.S. AID.

U.S. action last week in the International Monetary Fund is on a par with our past appeasement of President Nasser, but it goes further in antagonizing other friendly nations.

The United States action, as described in the New York Times story, brings into jeopardy the value of the continued existence of the International Monetary Fund as an independent international banking agency which theoretically makes loans in accordance with sound banking principles.

The New York Times story states:

> The United States, over the objections of its Western European allies, has virtually forced through the International Monetary Fund a $40 million loan to the United Arab Republic that sets precedents in its liberal terms.

The terms certainly are liberal—the interest rate is one-half of 1 percent every 6 months.

The New York Times story also reveals a sharp division of policy within our own Government with the Treasury Department, which insisted that the rules be followed, being overruled by the State Department carrying into the International Monetary Fund its continuing appeasement of President Nasser.

Reading between the lines of the New York Times story, it seems obvious that the State Department's thinking was that the United States must without delay further appease President Nasser because last week he had been promised additional aid by Khrushchev and because the Prime Minister of Israel is making a formal visit to the United States this week.

President Nasser apparently must be shown—if one can decipher State Department thinking—that the United States still cares. So we must rush this $40 million loan through the International Monetary Fund even though it means breaking the long-established and long-followed Fund rule that "a nation can draw upon its full borrowing quota only if it adopts austere internal financial policies to strengthen its currency"—even though it means alienating our allies in Europe—even though it means alienating our allies in Latin America against which the Fund's rule has been strictly enforced.

Thus in order further to appease President Nasser, the United States has placed the future of the Fund in jeopardy. As Edwin Dale states in his report in the New York Times:

> This week's action, it is understood, may gravely jeopardize United States proposals to increase the resources of the Fund as a keystone of a plan to preserve the stability of the international financial system.

It will ever be a source of amazement to me as well as to an increasing number of Americans to see the lengths to which our State Department will go in its efforts to appease Nasser while, supported by U.S. tax dollars, he continues to unset the uneasy peace in the Middle East and wage aggressive war there.

I ask unanimous consent that the article in the New York Times be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, a followup story by Mr. Dale in yesterday's New York Times sets forth the background of the International Monetary Fund, its functions, and how the U.S. power play on behalf of this $40 million loan to Nasser comes at a most crucial time in the Fund's history. The State Department's follies are getting the United States in deeper and deeper. I ask unanimous consent that Mr. Dale's second article also be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

[From the New York Times, May 28, 1964]

U.S. VEXES ALLIES ON LOANS TO UNITED ARAB REPUBLIC—$40 MILLION FROM WORLD FUND ON LIBERAL TERMS PUSHED THROUGH BY WASHINGTON

(By Edwin L. Dale, Jr.)

WASHINGTON, May 27.—The United States, over the objections of its Western European allies, has virtually forced through the International Monetary Fund a $40 million loan to the United Arab Republic that sets precedents in its liberal terms.

The loan, formally approved earlier this week, came just after Premier Khrushchev's triumphant reception in the United Arab Republic on the occasion of the dedication of the Aswan High Dam. Mr. Khrushchev pledged additional economic aid to Cairo.

Approval of the loan also came just before a visit to Washington next week by the Israeli Premier, Levi Eshkol. This visit has aroused sharp concern in the Arab countries.

European resentment of what is viewed as political use of the Monetary Fund is deep. This week's action, it is understood, may gravely jeopardize U.S. proposals to increase the resources of the Fund as a keystone of a plan to preserve the stability of the international financial system.

The State Department, according to reliable sources, insisted on U.S. backing for the Monetary Fund loan over the objections of the Treasury. Under the weighted voting rules of the 102-nation Monetary Fund, the U.S. position on any question is decisive, and U.S. support of the loan pushed it through.

The objections of the European nations and, it is reported, of the U.S. Treasury were not based on political opinions of President Gamal Abdel Nasser's regime. Rather they arose from the fact that this loan broke a longstanding rule of the Monetary Fund.

Essentially, this rule is that a nation can draw upon its full borrowing quota in the Fund only if it adopts austere internal financial policies to strengthen its currency, halt inflation and improve its international balance of payments. The balance is the relationship between payments to foreigners and receipts from foreigners.

The Monetary Fund rule has been enforced consistently in the case of Latin American countries and others.

In the view of those who opposed the loan, including almost all of the industrial countries that dominate the Fund's Board of Directors, the United Arab Republic did not meet these conditions. Thus they regarded the loan as essentially political.

The international management of the Fund, headed by its Managing Director, Pierre-Paul Schweitzer, supported the loan. Rightly or wrongly, many Europeans believe that the Fund's management is dominated by an American point of view even though its Chief is French.

The Egyptian incident is thus crucial in the current secret negotiations among the 10 leading industrial nations looking toward strengthening and improvement of the International Monetary System. The United States is known to be backing an increase in each member's payment into the Fund, and hence its drawing quota, as a major element in strengthening the system.

The Fund has been a quiet but major prop behind postwar international prosperity, ready to provide foreign exchange reserves for nations temporarily pinched.

A major objection by the nations of continental Europe, led by France, to giving an expanding role to the Monetary Fund is that its voting system and its management are believed to give the United States a predominant role. Given the current financial strength of the European countries, this situation is not believed to reflect the real balance of financial power.

Thus the loan to the United Arab Republic is bound to increase European reluctance to augment the role of the Fund, in the view of authoritative sources today.

The State Department's basic policy has been to preserve U.S. links with President Nasser's regime. In the view of officials, Mr. Khrushchev did not win complete support for Soviet foreign policy in his Egyptian tour earlier this month.

The Monetary Fund loan was thus important evidence that the United States is continuing its policy of assisting Mr. Nasser despite his statements that seem to back Soviet policy in part and despite his open hostility to Israel. In the State Department view, Mr. Nasser's policy has been responsible on the whole.

Some European financial officials view the loan to Cairo as an example of how less-developed countries can play off the Soviet Union against the United States to their own benefit.

It is known that the U.S. Treasury will fight hard to keep the present incident an isolated one and to preserve the basic financial rules of the Fund.

The Monetary Fund has available more than $15 billion in gold and national currencies for quick international credit. By the fall of 1963 it had provided more than $7 billion in short-term financial assistance to 48 of its members. The Fund was founded by 44 nations at the Bretton Woods Conference of July 1944.

EXHIBIT 2

[From the New York Times, May 31, 1964]

MONETARY FUND IS RUNNING SHORT—SIMULTANEOUS DEFICITS FOR LEADING LANDS PAYMENTS BRING DIP IN CURRENCIES—PROBLEM IS WORRISOME—BUT IT IS NOT CONSIDERED A CRISIS—UNITED STATES DRAWS ON FRANCS AND MARKS

(By Edwin L. Dale, Jr.)

WASHINGTON, May 30.—The International Monetary Fund, the main source of help for nations in need of bolstering their foreign exchange reserves, has begun to run short of the currencies it can use to provide help. While the situation is not a crisis, it is regarded as worrisome at a time when Britain, the Fund's second most important member, may want to call for assistance.

The problem has arisen because of a situation unforeseen by the founding fathers of the Monetary Fund, which has been a quiet but major prop behind the general prosperity of the industrial world since World War II.

This unforeseen situation is the simultaneous existence of deficits in the international payments of the United States, Britain and several other leading industrial nations. Normally the Fund lends to a member in difficulty only the currencies of nations with payments surpluses. But it is precisely those currencies that are now running short, particularly French francs and German marks.

The United States illustrated the problem this week by drawing $125 million worth of these two currencies under a technical arrangement. The United States uses these currencies to sell for dollars to other Fund members making regular repayments. The Fund cannot accept dollars in repayments now because its dollar holdings are at the permissible maximum.

LENDABLE CURRENCIES

For practical purposes, the Fund has about a dozen lendable currencies. A look at the condition of the key nations reveals why the present pinch has occurred.

With a continuing, though reduced, payments deficit, the United States prefers that the Fund not lend dollars. Loans of dollars would just add to a surplus of dollars in the world. In addition, the United States, as noted, is now a drawer from the Fund.

With Britain a potential drawer of currencies under a $1 billion standby agreement, the pound is obviously not usable. Britain may have to draw, both because her balance of payments has recently weakened and because the impending election might bring a speculative attack on the pound.

Japan and Italy are two similar cases. Both have payments deficits and are either in debt to the Fund or have standby agreements permitting future drawings. Their currencies are not considered usable.

MAJOR AGREEMENTS

Counting all the major outstanding standby agreements, there is a potential call upon the Fund of $1.97 billion. To meet this potential call, it has only $1.7 billion in usable currencies, including French francs, Germany marks, and smaller supplies of such currencies as Dutch guilders, Belgian francs, Austrian schillings, Swedish kroner, and Spanish pesetas.

The Fund has run short of these other currencies because it has been lending them to members—including numerous small loans to less developed countries—rather than lend dollars or pounds.

The Fund would not be in desperate straits even if Britain should ask for the full $1 billion she is entitled to under her standby credit.

The Fund could, if necessary, sell some of its $3.1 billion of gold to get marks or francs or other currencies to be loaned to Britain. But neither the fund nor its members want to dip too deeply into its supply of gold.

The existence of standby reserves in the Monetary Fund has enabled nations, such as Britain in 1961 and Italy this year, to tide over a balance-of-payments crisis without imposing restrictions on imports or otherwise acting to curb the free flow of goods and money. This is how it has bolstered international prosperity—by bolstering international liquidity or credit.

Thus the present scarcity of usable currencies in the Fund is a major motive behind those members, including the United States, who now want to see a sizable increase in all the members' quotas. Such an increase would require each member to pay into the Fund a new supply of its currency.

The quota increase would entitle each member to larger drawings in case of need, thus augmenting the total supply of international liquidity. But even more urgent, in the view of advocates of larger quotas, is the question of making sure the Fund has the right kind of money to lend.

This week's disclosure that the United States used its massive voting power in the Fund to push through a staff-supported drawing by the United Arab Republic over European opposition may set back U.S. hopes for an increase in quotas. The European countries, whose currencies are most needed, have long felt that the Fund was weighted against them and was dominated by the United States, or at least the United States and Britain.

But without a quota increase, the Fund might soon find itself in a serious pinch for available currencies to lend.

THE CONTINUED ACCELERATED PUBLIC WORKS PROGRAM IS NEEDED

Mr. GRUENING. Mr. President, the greatest nation in the world has more than 4 million unemployed in its seasonally adjusted civilian labor force. Percentagewise, the figure is 5.4 percent.

Too many Americans are unemployed. Too many Americans find it impossible properly to feed, clothe, and house their families. Too many members of our affluent society are not affluent.

Therefore, I commend the chairman of the Senate Public Works Committee, the senior Senator from Michigan [Mr. McNamara] for shepherding his committee forward along the positive path toward full employment. The committee in executive session this past Thursday favorably reported S. 1856, a bill authorizing $1.5 billion to carry out the provisions of the Public Works Acceleration Act. This action followed extensive hearings held by an ad hoc committee, ably chaired by the senior Senator from West Virginia [Mr. Randolph]. No one in the Congress has been more keenly aware of the tragedy of unemployment and has sought more actively to promote remedial legislation. These hearings developed a great volume of valuable testimony from State, municipal, and county officials, by representatives of chambers of commerce, and of labor unions which clearly demonstrated both the value of and the need for the accelerated public works program. In my judgment it is an essential concomitant to President Johnson's war on poverty if this war is to be waged successfully. Jobs are needed now. The accelerated public works program will supply them.

The committee action did not come immediately, for there was a minority effort to trim the amount authorized. This proposal was effectively opposed, and S. 1856 will have its place on the Senate calendar and will, I trust, be considered before July.

Facts before the committee indicated that at this time $717 million worth of worthwhile accelerated public works projects have been presented and approved by the appropriate State and Federal agencies and are ready to go. Thus nearly half the amount to be authorized by S. 1856 is already committed, and I am advised that projected applications still flow in from the States at the rate of several million dollars each month.

Less than 1 month ago, on May 3, President Johnson told a group of labor leaders meeting in Washington, D.C., that if private enterprise, aided by the tax cut, failed to bring about full employment, the Federal Government would step up its programs of public works.

Since the President's promise, the reported number of seasonally adjusted unemployed has risen slightly.

Since the President's warning, the Veterans' Administration has reported a decline in appraisal request for housing.

Since the President's speech of May 3, applications for financing new housing starts which have been received by the Federal Housing Administration have declined.

Thus, the action of the Senate Committee on Public Works is more important than ever. Congress 2 years ago did approve the Accelerated Public Works Act authorizing $900 million for the program and in subsequent months Congress did appropriate nearly the full amount, but that sum was grievously inadequate and this particular domestic aid program ran dry more than 12 months ago.

Many of us in this Chamber have urged that Congress provide an equivalent for accelerated public works at home to match the work this country supports under its foreign aid program. I introduced such a bill in March 1963.

I shall support the bill reported by my committee chairman which authorizes $1.5 billion to carry out provisions of the Public Works Acceleration Act. My only regret is that the amount authorized is not higher, for I am painfully aware of the lack of funds available to carry out the proposed public works around this land.

The disaster and tragedy of unemployment in this Nation must, at the very least, be substantially diminished.

VIOLENCE IN BROOKLYN, N.Y.

Mr. RUSSELL. Mr. President, the entire Nation has been concerned about the wave of crime that is occurring in many of our large cities. The fact that the hasidic Jews have found it necessary to organize patrols to protect their people in a large area of Brooklyn, N.Y., has called for considerable editorial comment.

I shall read a line or two from one such editorial which appeared in the Evening Star of Saturday, May 30, 1964. The editorial refers to the new group of Maccabees, as the patrols are called, who bear the name of heroes of ancient Judaism. The editorial reads in part:

> The Maccabees, as far as one can learn from news accounts, are not to be confused with the old-style vigilantes, who combined the functions of police, judge, jury, and executioner. The Maccabees are not armed and are seeking only a protection from the violence, which should be the right of all citizens, and which the police in their part of New York have been unable to provide.
>
> The existence of such a group may be deplored. But the thing really to be deplored is not that citizens wish to organize their own defense, but that they have to.

Mr. President, I ask unanimous consent that the entire editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Evening Star, Washington, D.C., May 30, 1964]

The Maccabees

In the wide spectrum of Judaism, the Hasidim are generally considered to have made the least effort to change with changing times. They wear sidecurls and beards, long black coats, and black, broadbrimmed hats. The Hasidic sect worships with song and dance and the telling of wry, ironic stories embodying the wisdom of past rabbis.

In Brooklyn now, the Hasidim have suddenly moved all the way into our times of urban violence. Their Lubavitcher Yeshiva School has organized a four-car radio patrol to cover the Crown Heights district at night and protect citizens from burglary, rape, muggings, and other crimes which have been taking place. Members of the patrol are armed only with flashlights and whistles and are directed from a central switchboard where the threatened may phone for speedy help. The group calls itself the Maccabees, after the Jewish defenders of Palestine against Syrians and Greeks more than 2,000 years ago.

The group has been denounced by city authorities, who feel it slights the police, and by Negro groups, who feel it is anti-Negro. The State legislature has started an investigation and many outsiders have deplored the return of vigilantes to our life.

The Maccabees, as far as one can learn from news accounts, are not to be confused with the old-style vigilantes, who combined the functions of police, judge, jury, and executioner. The Maccabees are not armed and are seeking only a protection from the violence which should be the right of all citizens and which the police in their part of New York have been unable to provide.

The existence of such a group may be deplored. But the thing really to be deplored is not that citizens wish to organize their own defense, but that they have to.

A great deal of rhetoric has already been spent and more is in the offing on the problems of youthful criminals and how they can be dealt with if only we care enough. No doubt they can, but in the meantime the example of the Maccabees will probably spread unless and until the regular police are able to contain the violence which stalks the streets, not only of Brooklyn, but of many other communities.

Mr. RUSSELL. Mr. President, as part of the history of this action, I ask unanimous consent that an article from the New York Times of Wednesday, April 22, 1964, entitled "Negroes Attack Jewish Students," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Negroes Attack Jewish Students—Three Children and Rabbi Hurt at School in Brooklyn

A group of 50 Negro boys and girls armed with sticks, bottles, tire chains and garbage can covers attacked 150 students at a Jewish parochial school in Brooklyn yesterday.

At least three students were injured and a rabbi was knocked down and kicked. The attackers apparently did not use their weapons.

Students and teachers said the Negroes yelled "You don't belong in this country" during the attack, which was described as unprovoked.

The police said the fight broke out during a lunch break at the United Lubovitcher Yeshivoth, 1352 Bedford Avenue, about 12:30. There was fighting in the street and on the school ground.

A fifth-grade teacher, Rabbi Abraham Barnetsky, 46 years old, was beaten to the ground and kicked when he tried to break up the fighting. He suffered a nose injury.

The fighting stopped when police sirens were heard, about 12:45 p.m.

FIGHT IS RENEWED

About 3 p.m., the police said, a group of 10 Negroes returned to the school—about 10 blocks from Brooklyn police headquarters—and renewed the battle.

One of the attacking youths, a 15-year-old boy, was arrested during the first fight. He was held for the police by Leo Berkman, a building department inspector, of 3301 Nostrand Avenue, who was driving past.

Mr. Berkman said that when he identified himself as a peace officer, he was clouted with a belt buckle by the youth. His glasses were broken.

Observers said the students, all boys wearing skullcaps, fought their attackers with their fists. Rabbi Isadore Kolodny, another teacher, tried to halt the fighting and was struck in the stomach.

The three injured students were Aaron Chitrick, 10, of 518 Crown Street, Joshua Gordon, 9, of 577 Montgomery Street and Samuel Lisker, 10, of 1454 President Street. Young Gordon was kicked in the eye and was treated by a private physician. The two others were treated for cuts at Swedish Hospital.

Rabbi Barnetsky said that one of the youths had thrown a whisky bottle at him.

"We got into a battle," he said, "and I tried to fight them off. I was fighting with as many as five of them."

The police said the 50 attackers were apparently coming from a wake when they came on the Jewish students.

Mr. RUSSELL. Mr. President, I ask unanimous consent that an article which appeared in the New York Times on Thursday, April 23, 1964, entitled "Two Ghetto Worlds Meet in Brooklyn," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Two Ghetto Worlds Meet in Brooklyn—Jews Attacked at School Are a Minority, but Still a Focus of Negroes' Hate—Neighborhood Is Tense—"We Are Not Wanted," Rabbi Says After Outbreak in Bedford-Stuyvesant

(By David Halberstam)

The children of the Lubavitcher Yeshivoth are Orthodox Jews and do not look like other American children. They wear skullcaps and have the fuzzy beginnings of beards and there is to them a look of the Old World and of the ghetto.

They do, in fact, go to school in a ghetto. It is not the ghetto of the Old World, but a ghetto of the new, the black ghetto of Bedford-Stuyvesant.

In that black world that one Negro referred to yesterday as "the bottom of the bottom" they represent a curious focus of hatred. They are white, yet they are a minority, and in the eyes of the Negroes, a weak and defenseless minority. For about a decade trouble has been simmering.

Tuesday the tension erupted in a brief explosion, when a gang of older Negro youths shouting anti-Semitic slogans attacked the Jews. Several of the students and two rabbis were injured.

Yesterday the police kept a close watch on the school and promised a round-the-clock guard for an indefinite period. The Jews were shaken, more emotionally than physically, and during the day there was a long series of visitors of all faiths and colors, come to assure them that the incident was unfortunate.

WE ARE NOT WANTED

Yet in the eyes of the school's officials it was more inevitable than unfortunate.

"It's been building up for several years," said Rabbi Samuel Schrage. "We are desperate to get out of here.

"We are not wanted here, we are not liked here, and we do not have the respect of our neighbors."

At almost the same time a police official, a Negro was saying: "It has all the makings of trouble. This is a very tough area. You don't have to be a genius or a sociologist to spot the dangers."

Another police officer added: "The Negroes are simply doing to the Jews what the Irish used to do to the Jews."

Rabbi Schrage disputed this. The yeshiva had trouble with the Irish, he said, "but the Negroes are more flagrant, more audacious." He smiled and added: "They have more chutzpa." Chutzpa is a Hebrew word that means, among other things, that a person has gall.

Tuesday's incident, because of its radical and anti-Semitic nature, overshadowed an event of far greater violence that initiated it.

This was a stabbing on Saturday night that took the life of a 14-year-old Negro boy named Major Jones. The attack took place in a dispute among a group of Negro youths. According to the police, young Jones, was probably not a member of a gang, and so technically he did not die in a gang fight.

MANY SOBBED AT WAKE

On Tuesday a wake was held for him at the Brown & Mitchell funeral home, which is only a block and a half from the yeshiva. Many of the youth's friends were at the wake. The mood was highly emotional. Many of the young Negroes sobbed.

After the wake, a group of Negroes—not an organized gang—passed the yeshiva as the students were having a lunchtime break. Some of the Negroes, shouting epithets, tried to shake down the Jewish children. One or two rabbis went to the aid of the students, and soon there was a fight. The Negroes reportedly were armed with knives, bottles, chains and sticks.

"It was like watching a movie from Africa, one of those rebellions where the Africans attack the whites," Rabbi Schrage said.

A crowd of about 50 persons, almost all of them Negroes, gathered to watch. They made no move to stop the fight.

Finally a white man, Leo Berman, grabbed one of the Negroes, and the others fled.

SCHOOL BOUGHT AT AUCTION

The neighborhood was not always Negro. Twenty years ago, when the yeshiva opened, it was primarily Irish. The school building, bought at an auction, had once housed the old Unity Republican Club.

The 150-year-old Lubavitcher group, made up of Hasidic Jews, takes its name from the Russian. A rabbi is regarded as a saint, and his decisions are seen as spiritually guided.

In the early days on Bedford Avenue the Jews with their skull caps and the older students with their beards were frequently taunted by the Irish.

"They had beards, and people with beards are different, and so people threw water on them," Rabbi Schrage related. "But with the Irish kids it was mostly a case of yelling a curse and running. And some of the parents would come by the school and apologize. That doesn't happen now."

Other, less orthodox Jews in the neighborhood at that time began to move partly because the neighborhood was changing and partly because the anti-Semitism that went with the Yeshiva also affected them.

The Irish, too, moved away, and about 10 years ago the neighborhood became predominantly Negro—and then finally altogether Negro.

At the same time, ironically, the Yeshiva flourished as orthodox families all over the city sent their children there. Many of the fathers of the current students are rabbis. Many work in the garment, diamond, or pearl industries. More than a third of the students, according to Rabbi Schrage, will become rabbis.

CONTRAST IS SHARP

They could hardly offer a sharper contrast with the young Negroes in the area. They know nothing of fighting, nothing of gangs. In many of their homes television is not permitted because there is too much violence on it.

"These kids don't know dancing or dating," said Rabbi Schrage. "For them a big treat is if someone reads a Bible story."

"They can't protect themselves, and the Negroes know this. So the Negroes would sooner go after them than some white kid who might fight back."

The shakedown of the Jews began almost immediately after the neighborhood became a Negro one. "It was always anti-Semitic," he said. "It was always: 'Give me a dime, Jew,' not 'Give me a dime, boy.' "

The students, he said, were regularly shaken down for small change, and frequently lost hats, coats, and briefcases. The transit all city school children get were specially stamped "Good on Sunday" because the Yeshiva students go to school on Sunday, and the Negroes covet these, too, Rabbi Schrage said.

The Negro youths' world, in contrast, is a violent one. It is a world of gangs, of absenteeism from school, of early sexual experience, and sometimes of early death.

To the Negroes, the Jews are white, richer, different. They are also obviously weaker. In addition, said a rabbi, an undercurrent of anti-Semitism is frequently evident in the meetings and teachings of the Black Muslims.

All this, added to what one police official called "the overpowering feeling of frustration in that area," led to the conflict.

Rabbi Schrage says the situation has been getting worse and deteriorating. "It will be worse in the spring and summer, of course," he added. "That's when it's more restless here, and they can sit around and throw beer cans at us."

Three years ago, a policeman was assigned to the school. He goes to work at 3 p.m., just before school lets out. On Tuesday, the fight took place before he arrived.

FEELINGS ARE MIXED

The incident has complicated the feeling of the Jews toward the Negroes. "They used to read about these things in Alabama and they were very upset and wanted to help the Negroes," Rabbi Schrage said. "Now I don't know."

A 13-year-old older brother of one of the students who was injured, walked into the rabbi's office. Asked how he felt about Negroes, he said: "They don't belong here. You read about them wanting to go to school with white people, but they're not fit to."

Moments later however, the editor of the school's high school division paper came in. He said he sympathized with the problems of the Negroes. The trouble was not their fault, he said.

In any case, the Jews have had enough.

"We want to get out of here as quickly as we can," Rabbi Schrage said. "A school should serve its community. We don't serve this community."

Mr. RUSSELL. Mr. President, I ask unanimous consent that an article dealing with the so-called vigilantes published in the New York Times on Wednesday, May 27, 1964, entitled "Hasidic Jews Using Radio Cars To Foil Brooklyn Negro Toughs," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HASIDIC JEWS USING RADIO CARS TO FOIL BROOKLYN NEGRO TOUGHS

(By Douglas Robinson)

The Hasidic Jews of Brooklyn, weary of turning the other cheek, have decided to fight back.

Usually, the men can be seen on the sidewalks of the Crown Heights section in their traditional Old World garb of long black coats and wide-brimmed, black hats. This week, they have shifted to radio patrol cars in an effort to protect members of the group from marauders.

The decision to patrol the community was made after a number of muggings and beatings of men and women on the street. Recently, children at a Yeshiva near the border between Crown Heights and Bedford-Stuyvesant were attacked by a group of Negroes.

The Jewish leaders say the marauders come from Bedford-Stuyvesant, a Negro district.

Rabbi Samuel Schrage, administrator of the United Lubavitcher Yeshivoth, the school where the attack occurred, said yesterday that the radio patrol cars were used primarily to prevent trouble.

Each car, he said, is manned by six young men, all over 21 years of age. They are not armed, but are "all strong," the rabbi explained.

"In case of trouble," Rabbi Schrage said, "our people try to overwhelm the attackers by sheer weight of numbers. If it is beyond their capacity, they call us on the radio and we call the police."

The new mobile force is called the Maccabees of the Community, a name chosen from Jewish history. In the second century B.C., the Maccabees, a distinguished Jewish family, led a fight for religious freedom when the King of Syria attempted to force Hellenism upon Judea.

"We do not want to be classified as vigilantes or a military patrol," Rabbi Schrage said. "However, we will take such steps as are necessary to protect our people at night."

The cars he said, operate from sundown to dawn each night. They make regular radio reports back to headquarters on Albany Avenue. At least 20 non-Jews—12 whites and 8 Negroes—have volunteered to work the patrol on Friday night, the Orthodox Sabbath.

The telephone number of the headquarters is being circulated throughout the community so that Jewish residents who must be on the street at night can call for protection.

Rabbi Schrage said the community had been virtually housebound by fear in recent weeks. Appeals to the police, he said, have led to conferences and the assignment of an extra police squad to the area.

The Hasidic leaders feel, however, that the extra protection is not enough.

"The police know what we are doing," the rabbi said. "We didn't ask them if we could do because we didn't expect them to sanction it."

A police spokesmen said that the setup did not have the department's blessing but that there was nothing illegal about a group of citizens organizing for self-protection.

Jewish leaders feel that most of the attacks have been carried out by marauding bands of Negro youths from Bedford-Stuyvesant.

The two-way radios were donated by the owner of a taxi business. The patrol, Rabbi Schrage said, started on May 17.

MACCABEES LED FIGHT

The Maccabees, a distinguished Jewish family in Jerusalem in the second century B.C., led the fight for religious freedom when the King of Syria, Antiochus IV, attempted to force Hellenism upon Judea.

Matthias, an aged priest, together with his five sons, took to the mountains and led the rebellion against Antiochus. They were joined by other groups, including the Hasidim, who had constituted themselves as champions of the law. The aim of the rebellion was to revive Judaism and uproot Paganism.

In 166 Matthias died, after charging his sons to give their lives, if necessary, for Judaism. He designated Judas Maccabaeus as their leader.

In quick succession he overthrew the Syrian generals Apollonius, Seron, and Gorgias. However, when Lysias, the Syrian regent, returned with a large force, Judas fell back and escaped defeat only because the Syrian leader had been forced to rush back to Antioch to prevent a rival from seizing the regency.

Under these circumstances Lysias unexpectedly guaranteed the Jews their religious freedom.

Mr. RUSSELL. Mr. President, another very sad and lamentable news article appeared in the Evening Star of Saturday, May 30, 1964. It is entitled "New York Teacher Is Slain in Area Under Civilian Patrol." I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW YORK TEACHER IS SLAIN IN AREA UNDER CIVILIAN PATROL

NEW YORK, May 30.—A schoolteacher, badly beaten and stabbed, was found dying in the elevator of her Brooklyn apartment building early today. The building is in Crown Heights, where Hasidic Jews have organized a citizen radio car patrol to try to combat nighttime terrorism.

Police identified the victim as Charlotte Lipsik, 38. She died in Kings County Hospital at 3:30 a.m., 3 hours after another tenant and a youth found her in the self-service elevator.

Police said her clothes were in disarray but further examination was needed to determine if she had been raped.

FIFTY PROBE KILLING

The city's chief of detectives, Philip Walsh, took personal charge of the homicide investigation by some 50 detectives. He said Miss Lipsik's money was missing from her handbag and that he believes robbery was the principal motive.

Scores of persons gathered outside the apartment building today. Many expressed bitterness over the neighborhood crime situation that has been highlighted recently by the formation of the citizen patrol force and complaints of inadequate police protection.

Miss Lipsik, who taught at P.S. 284 in Brownsville, Brooklyn, had attended a Times Square movie theater last night with a woman friend, Mr. Walsh said. They went home by subway, separating at one point, and Miss Lipsik walked the six blocks from her station to her building, he said.

Police described Miss Lipsik as a slender, attractive dark-haired woman who was wearing a sweater over a print dress when she was attacked.

FOUND BY TWO

Peter Baden, 26, a tenant in the building, and a 15-year-old boy discovered the woman and notified police. She was suffering from multiple stab wounds, officers said.

Miss Lipsik lived with her semi-invalid mother, Jean Lipsik.

Within the last week, a four-car radio patrol was organized by Rabbi Samuel Schrage, a spiritual leader of the ultra-orthodox Hasidic branch of Judaism in Crown Heights, to try to combat nighttime violence in the area.

Crown Heights is adjacent to the Bedford-Stuyvesant section, a predominantly Negro area.

Rabbi Schrage has denied that his citizen patrol force, known as the Maccabees, is a vigilante group directed against Negroes.

FORMED AFTER VIOLENCE

The group was formed after a series of muggings and beatings in Crown Heights and after one rabbi's wife was dragged from her home and raped.

The Maccabees, named after followers of a Biblical hero, patrol Crown Heights from dusk to dawn in cars occupied by six unarmed men. If one car spots trouble, it alerts the Maccabee headquarters by radio and other Maccabee patrols converge on the scene.

Rabbi Schrage, who normally acts as the headquarters dispatcher, also notifies police when trouble is reported.

Last night—the start of the Jewish Sabbath—was the first in which an all-Gentile Maccabee force was on patrol. Jews are forbidden to ride on their Sabbath by tradition.

TWO-CAR PATROL

Rabbi Schrage's place as dispatcher was taken over by an Episcopalian minister. The rabbi said yesterday that only two of the Maccabees' four cars would be out last night.

Rabbi Schrage could not be reached for comment today regarding the death of Miss Lipsik.

He said yesterday that the Maccabees would not disband unless they received assurances of stepped-up police activity in the area and that they could be absorbed into the police department's civilian uniformed auxiliary.

Mr. RUSSELL. Mr. President, I ask unanimous consent that another article, dealing with the same tragedy, be printed in the Record. It appeared in the Sunday Star of Sunday, May 31, 1964, and is entitled "Teacher Slain in Brooklyn Despite Patrol."

There being no objection, the article was ordered to be printed in the Record, as follows:

Teacher Slain in Brooklyn Despite Patrol

New York, May 30.—A woman school teacher was raped, beaten and stabbed seven times early today in a slaying that further horrified a Brooklyn neighborhood that has its own mobile anticrime patrol.

The killing of slender, attractive Charlotte Lipsik, 38, occurred only about eight blocks from the headquarters of the citizen radiocar patrol force. The patrol leader, Rabbi Samuel Schrage, calls his 100-man force the "Maccabees," after the followers of a Jewish patriot of Biblical days.

The organization was formed during the last week after a series of muggings, beatings and the rape of a rabbi's wife in Brooklyn's Crown Heights section.

CLOSE TO NEGRO AREA

The Maccabees, who normally patrol the area in four radioequipped cars from dusk to dawn, say their action is based on inadequate police protection, and they shun the tag, "vigilantes."

Last night, because it was the start of the Jewish Sabbath, only two cars were in use, and they were manned by Gentiles. Jews, who make up a large portion of Crown Heights, are forbidden to ride on the Sabbath.

Crown Heights is adjacent to the Bedford-Stuyvesant section, a predominantly Negro area.

The attack on Miss Lipsik occurred in the self-service elevator of her apartment building.

Assistant Chief Police Inspector James Knott said Miss Lipsik was knifed once in the forehead, twice in the neck and four times in the abdomen. Her nose and jaw had been broken, an attempt had been made at strangulation and a medical examination showed she had been raped, Inspector Knott said.

NO ONE REPORTS SCREAMS

Nobody reported hearing any screams although Miss Lipsik apparently tried desperately to fight off her assailant.

Two young men returning from a movie—as had Miss Lipsik—opened the elevator door and discovered Miss Lipsik lying in the car, still breathing. Her print dress was disarrayed, and her handbag contents were scattered. She died in a hospital less than 3 hours later.

Inspector Knott said one motive apparently was robbery, since no money was found in her purse. He declined to say whether the death weapon or fingerprints had been found.

NOT ENOUGH POLICE

"Our problem is that we need more police," Rabbi Schrage said. "The (police) commissioner's problem is that he doesn't have enough police."

The rabbi and other community leaders are scheduled to confer Monday with Police Commissioner Michael J. Murphy.

The rabbi said "we want to get out of this (patrol) business."

But he said he first wants assurances of additional police protective measures and an opportunity for his men to join the uniformed police auxiliary before the Maccabees disband.

The Protestant minister who took Rabbi Schrage's place last night as radiocar dispatcher in Maccabee headquarters said today that because of the teacher's killing, "I would not think there would be any thought of disbanding now."

"This incident obviously points up the need for something like the patrol force," added the Reverend Bryan Griswold, rector of a predominantly Negro Episcopalian church.

Mr. RUSSELL. Mr. President, I ask unanimous consent that an article published in the New York Herald Tribune of today, June 1, 1964, entitled "Horror in Subway; An Indignant City," be printed in the Record. The article contains two stories. One is entitled "Cries of Outrage." The other is entitled "Brooklyn Train." I also ask unanimous consent that another article, from the same paper, concerning the very sad story of an individual who was attacked, be printed in the Record. It is entitled "A Subway Car Full of People, but Nobody Helped Me."

There being no objection, the articles were ordered to be printed in the Record, as follows:

Horror in Subway; An Indignant City—Brooklyn Train

(By Fred Ferretti)

A band of about 25 Negro teenagers terrorized a Brooklyn subway train for 15 minutes in yesterday's predawn hours, threatening, beating and robbing white passengers and wrecking the interiors of 3 subway cars.

The guerrilla-type hit-and-run raid spilled over into the street when the teenagers left the train, and for a tense moment threatened to erupt into a racial clash.

Police arrested 12 Negro youths for rioting, robbery, burglary and malicious mischief as a felony charge. Another 15 teenagers escaped in the darkness and confusion that followed the horror of the train ride.

OTHER VIOLENCE

Yesterday's terror climaxed a weekend of violence in lower Brooklyn and Manhattan.

On Friday night Miss Charlotte Lipsik, a schoolteacher, was raped, fatally stabbed in the self-service elevator of her Crown Heights apartment, a scant three blocks from the headquarters of the radio patrols set up last week by the "anticrime Maccabees" of the Hasidic Jews.

On Saturday a policeman was mobbed by 11 Negro youths under the boardwalk at Stillwell Avenue, when he tried to intervene in a fight between a white man and a group of Negro youths.

Yesterday, just a half hour after the subway raid, 4 Negro youths armed with a meat cleaver threatened 40 passengers in a Brighton Line subway train in Crown Heights.

And earlier yesterday about 25 Negro youths ranging in age from 15 to 17, were released by police after a woman concessionaire on the Staten Island Ferry refused to press a robbery complaint against them. Police said that the youths harassed the women on a ride from Staten Island to lower Manhattan, stealing candy and $90 in cash. But, police said, the woman became frightened, refused to even come off the ferry to identify the boys, and so the youths were released.

Arrie Debose, the conductor on the Independent "D" train, was riding between the train's six cars when the Coney Island run began from Stillwell Avenue. "I heard noise, but I've been on this run 7 months and you just learn to ignore kids yelling coming home from Coney Island."

When the train reached West Eighth Street, he said, "I saw some kids holding the doors open. But a transit cop stopped them." The policeman was stationed on the platform, he said.

WENT HAYWIRE

At Van Sicklen Street and Avenue X the doors were held again, but each time the boys let them close. Apparently it was between X and U Street stops that the group of youths who smelled of alcohol, according to police, began their raid of terror. "Most of them were half-stoned. They started acting up and then went haywire," Detective Ray Sherrin of the 61st precinct said yesterday.

They smashed 200 light bulbs—all of the bulbs in the first three cars of the train. They ripped out seats, and those they couldn't rip, they slashed 14 of them. Advertising placards were torn to shreds. Youths jumped on the seats and kicked out 11 train windows.

There were few passengers on the train, but all of them were either threatened, beaten or robbed. Some passengers suffered all three. Howard Weiner, 16, 1812 East Fourth Street was hit across the face with a bottle, knocked unconscious and hospitalized. He required stitches to close his cheek. Another passenger, Nicholas Philipides, 54, of 1834 East Second Street, required two stiches in his lip and suffered other cuts and two black eyes. The third injured passenger, Harvey Vine, 26, of 5120 19th Avenue was punched and kicked in the face and upper body.

In addition, young Weiner was robbed of his watch and $3. Mr. Philipides had $97 taken, and a trouser leg ripped off.

BEATEN TO FLOOR

According to Mr. Philipides' wife, her husband tried to get off the train at the next stop, Avenue U, but was dragged back on by the screaming youths and beaten to the floor. Mrs. Philipides said her husband told her he was bleeding, his head was bashed in, his lip and cheek were cut. Finally the conductor came in and helped him up.

Mr. Debose substantiated Mrs. Philipides' story. "I saw this guy on the floor near me," he said. "He was bleeding from the mouth. I helped him into a seat."

At this point, the train pulled into the Kings Highway station, "just as I was going to pull the emergency cord," Mr. Debose said. But somebody else pulled the cord and the train stopped a third of the way into the station that overlooks Kings Highway at its intersection with McDonald Avenue.

As the train's motorman ran to call police, the youthful gang fled the train. Young Weiner stumbled out after them seeking help. He stumbled on the second walkway below the train platform, just before reaching the steps, and he was stomped on, kicked and punched again, police said.

GARBAGE CANS HURLED

The youths raced down the stairs. The first store they saw was Marie's Beauty Salon, at 480 Kings Highway. Police said they hurled garbage cans and bricks through the window. Some ran inside. One scooped up a roll of quarters and ran into the street. Next door was the Mayfair Restaurant. Two of its windows were knocked out by flying bricks.

Then the police arrived.

The first call reached the 61st precinct at 2:35 a.m.—minutes after train No. 1363 had begun its run from Coney Island, 10 minutes after the three passengers were severely beaten, scant minutes after the gang of young hoods had begun to smash windows.

The fire department also sent an engine company in response to a pulled alarm box.

Eight police cars converged on the Kings Highway-McDonald Street intersection. In a matter of seconds, 16 patrolmen and 4 detectives had surrounded 12 of the youths. They all might have escaped, according to Detective Sheerin, if those who were caught had not tarried to assist a buddy who cut his leg badly while kicking in train windows.

The 12 captured youths stood panting in the middle of the street, as a crowd of men, women, teenagers and children, awakened by the smashing windows, the sirens, the flashing lights of the radio cars, converged on the scene.

THE SURGING CROWD

Then the crowd saw the two policemen carrying young Weiner down from the subway platform on a stretcher. The white youth was unconscious, his face a bloody pulp. The crowd leaned forward toward the Negroes.

"Let us have them," a man screamed. "Leave 'em to us."

The crowd surged forward.

The police closed ranks. The crowd froze. The 12 prisoners were immediately taken to the precinct in the various cars. "We didn't wait for the wagons," Detective Sheerin said. "They never came at them. We had control. But it would have been the worst thing possible that could have happened."

Yesterday, a teenager who had been in the angry crowd said, "There would have been some colored guys killed if we could have got them."

Less than a half hour after the Kings Highway incident, 4 other Negro youths invaded a BMT Franklin Avenue to Prospect Park shuttle and threatened the motorman and 40 passengers.

The motorman, George Dauenheimer, was pulling into the second stop—Dean Street—on the five-stop run when one of the youths threw a bottle against his cab. When the doors opened, one of the boys opened Mr. Dauenheimer's compartment, held a meat cleaver to his neck and asked, "Are you black or white?"

"I'm white," said the motorman.

MACABRE JEST

"I'm just going to cut your head off," said the youth.

The youth laughed and then the four began to harass passengers. At the Prospect Park station, where passengers transfer to trains bound for Coney Island, the four ran from the first train, crossed over the tracks, and jumped on a Brighton Beach train. They kept taking people's hats off their heads and trying them on. Any attempt at resistance brought a wave of the cleaver.

When the Brighton train reached the Parkside station, a passenger pulled the emergency cord, and raced for help. The station agent locked himself in the token booth and called for police as the four youths with the cleaver tried to get into the booth. The four were captured on the platform by police.

Mr. Dauenheimer said yesterday his shuttle run is a shooting gallery. "When I'm elevated they shoot at the trains with BB guns. When I'm under the ground, I run into coke machines and garbage cans on the tracks." He said that early Saturday morning one of his trains was vandalized. Seats were slashed, windows broken, and bulbs smashed.

Brooklyn Criminal Court Judge Harry Serper held the 4 in $1,000 bail each before hearing the 11 brought before him from the Kings Highway roundup.

There were only 11, because Clarence Blackman, 17, was under police guard at Coney Island Hospital—the same hospital where young Weiner is in serious condition—with severe cuts on his right leg, suffered, police said, when he kicked out windows.

The 11 stood before Judge Serper in open-neck shirts, jackets, and sweaters. They carried short-brim straw hats.

They stood impassively as the court clerk read the complaint—"rioting, smashing windows, beating one Howard Weiner."

Judge Serper looked at the yellow complaint sheets.

"All you boys out at 2:30 in the morning. Very nice. Are your parents here? Relatives? Anyone?"

Several adults standing behind the line of boys raised their hands.

"Very nice. You must be proud. Nice boys," said the judge. He looked again. "Which one is Milt Jones?"

A boy raised his hand.

"What about that attempted extortion on your sheet here?"

"I'm on probation," said the boy.

"Martin? Which one is Norman Martin?" asked the judge.

"Me," said a tall youth in a black, white, and gray striped sweater.

"That knife charge in January. What about it?"

"I'm out on bail," said the boy.

"Not any more."

Judge Serper held five youths in $5,000 bail each on riot and malicious mischief charges; three in $6,000 bail on the same charges; and three without bail for malicious mischief, assault, and robbery. All will have hearings Wednesday in criminal court.

A transit authority spokesman estimated yesterday's vandalism at about $1,100. While the damaged cars were being refurbished at the authority's concourse yard in the Bronx, the spokesman said that as many of our policemen as can be spared will be stationed in the Coney Island-South Brooklyn areas.

The TA presently has a force of 972 men. In accordance with Mayor Wagner's recommendations, the spokesman said, the total TA police force will be increased to about 1,200 by late October or early November.

Deputy Police Commissioner Walter Arm said, "We have already sent more than 1,000 men from other areas in the city to beaches, parks, and playgrounds. This includes Coney Island and Prospect Park.

"Although we can't tell where these things are going to break out next, we'll give this area of Brooklyn all the attention we can."

Cries of Outrage

(By Bill Whitworth)

On a nice middle-class block in Brooklyn yesterday afternoon, a man stood in front of his two-family house, leaning on his fence and talking to some people from across the street, and said: "We've got every nationality here—this is the real America, this neighborhood."

The plausibility of the characterization was more unsettling than stirring. Because a lot of people in this real America had gone to bed liberals Saturday night and got up Sunday morning something very like racists.

The change had been wrought by events a block away, at the Kings Highway subway station, between 2:30 and 3 yesterday morning. The people in the neighborhood had been awakened by shouts, sirens, and the sound of breaking glass. When they went out to see what was happening, they found that several dozen Negroes had beaten up some whites on an IND train, apparently just for kicks.

A hundred or more whites gathered at the intersection of Kings Highway and McDonald Avenue to watch the police arrest some of the Negroes, and to see a white teenager carried out of the station on a stretcher.

CROWD GATHERS

Those who didn't stay and holler for revenge went home angry and scared.

All day yesterday, men, women, and children walked by the intersection to look at the Mayfair Restaurant and Mme. Marie's Beauty Salon. The Negroes had kicked and smashed out the windows of these and other small businesses nearby.

In the afternoon, neighborhood people drifted up in two's and three's, to discuss the incident and its meaning. There were occasional arguments.

A chubby, middle-aged woman in slacks and a jacket shook her head and frowned. "They're animals, vicious animals," she said over and over. She meant Negroes in general, not just the ones who had broken the Mayfair window.

"They don't even fight like people," she went on. "They always have knives. And they talk about civil rights."

"Oh, now, I'm for civil rights," said the woman with her. "But this, this kind of thing is terrible."

A man disagreed with them. "You don't judge all of them for this," he said. "They're hitting back because of what's been done to them."

The women went away unconvinced, one still talking about animals and the other obviously having second thoughts about civil rights.

On East Second Street, a block from the Mayfair, families stood in little clusters in front of their homes, talking about the same thing.

"Yesterday, I would have told you that this isn't a prejudiced neighborhood," a man said. "We've got every nationality and religion here—Jews, Germans, Italians, Norwegians, Syrians, everything—and we get along wonderfully. Today, I don't know. There's a lot of bad feeling toward the colored people, no question about it."

A Subway Car Full of People "but Nobody Helped Me"

(By Larry Klein)

His right eye was black and blue, his face was swollen and two flesh-colored bandages covered cuts on his lip and cheek.

"I am still dizzy and I cannot breathe right and my whole body hurts, but I am lucky I am alive," stocky, gray-haired Nicholas Philipides, 54, said yesterday. He lay in bed at his home, 1934 East Second Street, Flatbush.

Some distance away, 16-year-old Howard Weiner lay in Coney Island Hospital with a cerebral concussion and face cuts.

Mr. Philipides and young Weiner, of 1812A East Fourth Street, Flatbush, victims of separate attacks by the gang of teenagers who ran wild early yesterday morning at the King's Highway station of the IND subway line.

Like Mr. Philipides, a third victim, 26-year-old Harvey Vine, of 5120 19th Avenue, Brooklyn, was treated for cuts and bruises at the hospital and released. He could not be located yesterday.

SAVED BY NEGRO

Young Weiner was saved from further injuries, his parents said, because a passer-by came to his aid. "An 18-year-old Negro boy (not one of the terror gang), yelled, 'Beat it, the cops are coming,' and they ran away," said Mrs. Pearl Weiner. "Howard did not even know him, but that boy was a hero." Police have withheld his name.

Young Weiner, a 120-pound freshman at Staten Island Community College, had his wristwatch and $3 stolen. He was returning home after spending the day at the World's Fair with a friend and two other young couples.

Mr. Philipides, a restaurant counterman, was returning home after helping a friend run a hotdog stand at Coney Island. No one came to his aid from what he described as a nearly full subway car.

"Everybody saw but nobody helped me," he said.

"Right away after the train moved from Coney Island," explained Mr. Philipides in broken English, "the kids—20 or 25 of them, all Negro, maybe 15 to 20 years old—started running up and down the first three cars. Sure, I am afraid, but I am thinking I will come out of the train, go down the stairs and be free."

As Mr. Philipides, 5 feet 7 and 200 pounds, stood and waited for the doors to open at his stop, King's Highway, he was assaulted.

PULLED BACK

"One guy grabbed me from the front and the other guy from the back, and another one punched me and broke my glasses," he said. "I run myself outside, but one guy grabbed me by the belt and pulled me back in the car. At the same time, they went for my wallet and tore down all my pants and stole $97."

"I tried to come out again, and they knocked me down on the platform and kicked with their feet on my back. I was so scared I did not get up. I think if I try to do something to them, they kill me."

After his attackers stopped stomping on him, Mr. Philipides got to his feet and walked slowly away from the train. The conductor accompanied him down the stairs of the Avenue S exit to avoid the gang further.

The **PRESIDING OFFICER**. The time of the Senator from Georgia has expired.

Mr. **RUSSELL**. Mr. President, I ask unanimous consent that I may be permitted to speak for 2 additional minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **RUSSELL**. Mr. President, these various articles reveal a very deplorable state of affairs in our Nation's largest city. The Evening Star said that the police in Brooklyn, N.Y., are unable to protect these people, and therefore the organization of the Maccabees is justified. I, too, think it is justified. The right of self-defense is the right to protect one's family and one's relatives. It is, I suppose, the oldest right known to man. What is happening to these people is not of their own making. They have every right to defend themselves and their families.

It is ironic and tragic that while innocent people in New York City are forced to go to such lengths to protect themselves from street gangs, the Senate is considering a misnamed civil rights bill that actually would destroy some of the oldest rights known to the human family, including the right to a trial by jury.

I do not know whether the New York police are improperly trained, or whether there are not enough of them. I do think that possibly the general attitude which is taken toward the policemen of today has a great deal to do with the deplorable breakdown of law and order and the brutality which is being inflicted in our largest city.

In addition, policemen are reluctant to make arrests. In the new dispensation of dealing with lawbreakers, they must handle juveniles and members of minority groups with extreme tenderness, even though the juvenile may be built like a professional football tackle and strong enough to break most adults in half. The policeman has to run the risk of finding himself charged with police brutality before the culprit he has arrested is charged with the offense committed.

The upsurge in crime and violence is not confined to New York, alone; it is prevalent throughout the country. It seems to me that instead of dealing with some of the abstract questions which, for political reasons, occupy our time in the Senate, some of our representative citizens and some of our great national leaders might concern themselves with the sordid crime which is rampant in the city of New York.

TRIBUTES TO LEO SZILARD

Mr. **CLARK**. Mr. President, over the weekend, the scientific community and many ordinary American citizens were saddened by the death of Dr. Leo Szilard.

In 1939, Dr. Szilard played a key role in connection with the development—indeed, the invention—of the atomic bomb. Since that time, moved by a conscience which was as high as that of any citizen in the world, he devoted his entire life to people. He was a strong advocate of even complete disarmament under world law. He was one of the organizers of the Council for a Living World, so unjustly attacked by a certain lady representing a right-wing group—an attack which the Senator from South Dakota [Mr. McGovern] and I had occasion to rebut in the Senate Chamber, a week or so ago.

For some time before his death, Dr. Szilard suffered from an incurable form of cancer. Despite his increasing disability, he never ceased in his efforts to bring about world peace. He traveled extensively to Russia, to the Continent, and came to many meetings in the United States. I should say that shortly before he made his great contribution to the development of the bomb, he had been received in our country as a refugee from totalitarianism.

I am sure many Senators will join me in expressing publicly their deep sense of loss and deep sense of sympathy for his surviving widow.

Mr. President, I ask unanimous consent that an editorial eulogizing Dr. Szilard, which appeared this morning in the New York Times, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Leo Szilard

In 1939 Dr. Leo Szilard played a key role among those who opened the Pandora's box from which emerged the nuclear weapons that have created the present "peace of mutual terror." But in these past two decades he dedicated his great heart and brilliant mind to the task of closing that box, of seeing to it that no human community ever again suffers the fate that destroyed Hiroshima and Nagasaki. His great contribution to posterity is not only the legacy of scientific discoveries he leaves behind, but the example he personally set of the responsible scientist deeply concerned that the fruits of research be used to benefit, not harm, humanity.

His genius transcended any one field and was as apparent in his political ingenuity and his fiction as in his physics, but beyond his purely intellectual gifts was his compassion for all mankind and his courage, which enabled him to continue his crusade for peace even while he struggled against cancer. The United States that gave him refuge received more than full measure of gratitude and service from him.

LEO SZILARD, SCIENTIST AND HUMANITARIAN

Mr. **McGOVERN**. Mr. President, the untimely death on Memorial Day of Dr. Leo Szilard has deprived America of a great defender in war and peace.

Dr. Szilard, who fled Hitler's Germany, played a leading role in persuading President Roosevelt of the need to develop the atomic bomb, and, along with Dr. Enrico Fermi, produced the first sustained nuclear chain reaction. In his later years, Dr. Szilard worked tirelessly to create international conditions that would assure against the use of the weapon he helped make possible.

With his constantly searching mind, Dr. Szilard was a never-ending source of ideas, not only in physics, but also in every area of human concern. Some of these ideas went wide of the mark, others were right on the target, but always they stimulated, always they challenged the minds around him.

The Council for a Livable World was one of Dr. Szilard's ideas, and it was one that is in the interest of a better America. As a professor at the University of Berlin from 1922 to 1932, Dr. Szilard saw Hitler come to power in a vacuum created by citizen apathy toward the operation of government. He was determined to prevent such apathy and indifference in the political life of his adopted country, America. The Council for a Livable World became an instrument through which citizens could express their concern for responsible government. Members of the council, among them many of this Nation's leading scientists and thinkers, pledge a percentage of their income to be used in support of candidates deemed to have the best interest of the Nation at heart.

The mounting costs of political campaigning in this country has made it necessary for many candidates of moderate means to accept funds from special interest groups. The council's membership has made campaign funds available to candidates including myself, from citizens whose only interest is good government. For this important contribution to American political life, Dr. Szilard will be long remembered.

He will also be remembered for his compassion for his fellow man. Although he had a reputation for the vigor of his views, even on controversial subjects, those of us who knew him saw the humility of the scientist before nature. He was always interested in everyone he met, and listened with great avidity to new ideas.

To speak with him was ever an exhilerating experience, in which the mind was constantly challenged to reach new heights. With his ever probing mind, he attempted to find new solutions to the age-old problems that trouble mankind, problems made more dangerous today by the innovations in science of men such as Dr. Szilard. He understood, better than most of us, the horrors of nuclear warfare, and he knew his responsibility as a citizen and as a scientist. We are all the beneficiaries of his life and his work.

Mr. President, I ask unanimous consent that an account of Dr. Szilard's life and death, as published yesterday in the New York Times, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEO SZILARD DIES; A-BOMB PHYSICIST

LA JOLLA, CALIF., May 30.—Dr. Leo Szilard, one of the world's leading nuclear physicists, died today at his home here, apparently of a heart attack. He was 66 years old.

Dr. Szilard was one of the men who helped convince Dr. Albert Einstein in 1939 that he should talk to President Franklin D. Roosevelt about atomic weapons. Einstein wrote the President, and the United States began development of an atomic bomb.

In 1942, Dr. Szilard and Dr. Enrico Fermi created the first chain reaction in a laboratory of the University of Chicago.

The physicist, who later became a molecular biologist and a tireless campaigner in the search for peace, came here last month from Chicago to join the Salk Institute for Biological Studies.

He is survived by his widow, Dr. Gertrud Weiss Szilard, a physican formerly with the University of Colorado Medical School, whom he married in 1951.

FLED FROM NAZIS

After coming to the United States as a refugee from Nazi Germany, Dr. Szilard helped to develop the atomic bomb that could have won the war for Hitler.

Dr. Szilard—whose name was pronounced ZIL-ard—played a leading part in convincing the Government of the military importance of nuclear energy.

After the bombs he had helped to produce were dropped on Hiroshima and Nagasaki, ending the war with Japan, Dr. Szilard devoted the rest of his life to promoting peaceful uses of nuclear power. He urged the need of international control and agreement between the United States and the Soviet Union to prevent the destruction of mankind in a nuclear war.

Dr. Szilard was born in Budapest on February 11, 1898. He was the son of a construction engineer and first studied engineering but later shifted to theoretical physics.

After receiving a Ph. D. degree from the University of Berlin in 1922, he was appointed an assistant at the university's Institute of Theoretical Physics. For the next 10 years, he did research at the university's laboratories and the Kaiser Wilhelm Institute.

When Hitler came to power in 1933, Dr. Szilard left for Vienna and later that year for London. He began his work in nuclear physics in 1934 on the staff of the physics department at St. Bartholomew's Hospital in London. There he evolved a new principle of isotopic separation of artificially radioactive elements.

RESEARCH AT OXFORD

He continued his research in nuclear physics at the Clarendon Laboratory of Oxford University from 1935 to 1938, when he left for the United States. He later became an American citizen and explained he had left Britain because he believed it had betrayed Czechoslovakia in the Munich pact with Hitler.

Dr. Szilard and Dr. Walter H. Zinn, working as research guests in the Pupin Building at Columbia University on March 3, 1939, performed an experiment that indicated that neutrons were emitted in the fission of uranium. That meant that the liberation of atomic energy was in sight.

Telling how they had watched a television screen for flashes of light that would signify the success of the experiment, Dr. Szilard wrote:

"We turned the switch, we saw the flashes, we watched them for about 10 minutes—and then we switched everything off and went home. That night I knew the world was headed for sorrow."

In 1939 Dr. Szilard helped impress the significance of atomic energy on President Roosevelt. He took part in drafting a letter signed by Einstein, urging research on the development of an atomic bomb. The first contract for this project was let to Columbia University in 1940 for a project headed by Dr. Szilard and Dr. Fermi.

Early in 1942, the Szilard-Fermi team was transferred to the University of Chicago. There, on December 2, 1942, the atomic bomb was made possible by man's first sustained nuclear chain reaction. This was brought about in an atomic pile composed of uranium and graphite, under the now demolished west stands of Stagg Field. The system was also used in the manufacture of plutonium at Hanford, Wash.

Dr. Szilard later told a congressional committee that the United States would have had the atomic bomb 18 months sooner than it did except for military restrictions on free scientific research. He said the scientists had to break security regulations to produce the bomb as soon as they did.

In March 1945, 5 months before atomic bombs were dropped on Hiroshima and Nagasaki, Dr. Szilard and other atomic scientists began working for international control of atomic energy. After the bombs dropped he redoubled these efforts.

He helped to organize the Emergency Committee of Atomic Scientists. In the February 1960 issue of the Bulletin of the Atomic Scientists, he published an article predicting a power stalemate between the United States and the Soviet Union. Dr. Szilard proposed that they adopt a mutual security system, keeping their bombs and rockets but imposing restraints to prevent all-out war. This was feasible, he said, because each would have one overriding interest in common—the desire to live with the bomb without fear of mutual annihilation.

Dr. Szilard joined the faculty of the University of Chicago in 1946 as a professor of biophysics. He went on leave in 1955 to work on a public health grant in New York.

On April 5, 1960, Dr. Szilard and Dr. Eugene Wigner received 1959 Atoms for Peace awards for their part in the development of nuclear reactors.

Dr. Szilard and Dr. Fermi had received a patent in 1955 for the first nuclear reactor or atomic pile.

NOTRE DAME ACADEMY'S TRIBUTE TO JOHN F. KENNEDY

Mr. McGOVERN. Mr. President, recently, Notre Dame Academy, of Mitchell, S. Dak., my hometown, published a stirring tribute to the late President Kennedy.

On the cover of the publication is an imaginative, moving painting by Lana Kurtenbach and Lois Koch, eighth-grade students at Notre Dame.

The body of the tribute is written by various students.

I think it is an excellent compilation of creative writing by younger students, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

NOTRE DAME'S TRIBUTE TO JOHN FITZGERALD KENNEDY

"Let the word go forth from this time and place, to friend and foe alike, that the torch has been passed to a new generation of Americans—born in this century, tempered by war, disciplined by a hard and bitter peace, proud of our ancient heritage." (John F. Kennedy, inaugural address, Jan. 20, 1961.)

In our struggle for personal perfection there is a contemporary model whose inspiration will long live in our minds, John Fitzgerald Kennedy. We, the NDHS journalism staff, offer this endeavor in our field, creative writing, in his memory. We offer it in thanks for the example he has afforded the American youth—Catholic youth—by his dedicated life, and death.

NOTHING IS IMPOSSIBLE TO THOSE WHO WILL AND TO THOSE WHO LOVE

This quotation fits well John Fitzgerald Kennedy, 35th President of the United States. From the beginning it was easy to see that John Kennedy had a will. Because his parents were among the wealthiest of this country it would have been easy for him to lead a life of ease and luxury. However, this was not the way Kennedy chose to live.

After graduation from Harvard, he volunteered to serve his country in time of war. While serving in the Navy he almost lost his life when his PT boat was rammed by an enemy destroyer. Through Lieutenant Kennedy's leadership and bravery, he brought his crew and himself through the ordeal.

With dignity and honor he continued serving his country in politics. He did his job in such a way that he was respected and loved throughout the world. And so the whole world was shocked when he was assassinated, November 22, 1963.

Because of his example of willing and loving, the people of the world have come to love and respect him.—DAN TAFT, 10.

John F. Kennedy was a man willing to give his life for his country. This he did, after he proved that nothing is impossible to those who will and to those who love. Right now he could probably still be living on the Riviera doing nothing but leading a soft life. Some people thought, when Kennedy was running for President, that he was just trying to use his money to make a big name for himself. Kennedy wasn't like this. He wanted to serve his country in the best way he knew. He was an intelligent man and could be a good President. His being a Catholic made it more difficult, but this is what he wanted—what he willed. It looked impossible, but John Fitzgerald Kennedy became the 35th President of the United States.

> Once this man was behind the reins, he began serving with a new zest. He was young—in the summer of his years. He had great victories; he also knew setbacks, but they didn't stop him from starting again. He was a cheerful, handsome President and the people loved him for it.
>
> Then came that tour, to his own people, and he was dead.
>
> The world experienced a new kind of feeling. It was as though everyone knew him—everyone's friend. Now all his hopes, all his aims were finished. The man who proved so much by becoming President, who could prove so much more by still being President, was dead.
>
> Although his death was felt by all, none so much as his own family. His wife, Jacqueline, was beside him when he was killed. She knew the stains of his blood. And the world was amazed at her self-control. She stated simply, "He would like it that way."
>
> Even though history books will tell of this great man, the students will not realize the promise he held for so many, especially the poor. It was the poor, the Negroes, the underprivileged who cried for this man. This man of wealth—this man who cared.—FRANK BOYLE, 10.

AID TO MASS TRANSPORTATION

Mr. LAUSCHE. Mr. President, the Congress is discussing the advisability of passing a bill which would provide aid to the mass transportation industry. The proponents have admitted that the measure would cost at least $6 billion of Federal taxpayers' money.

In my judgment, if that bill is passed, mass transportation will become a permanent operation of the Federal Government. Unendingly the Federal Government will have to pass out money to buy buses, terminal facilities, equipment, and parking facilities for governmentally operated mass transportation systems.

I have received a copy of a letter written by Mr. W. W. Owen, who is in charge of the City Transit Co., of Dayton, Ohio. In his letter, Mr. Owen states:

> I have just received a bulletin from the American Municipal Association urging support for the urban mass transportation bill. This gives me an opportunity to write you. However, I urge its defeat, because I feel that there is much more at stake than the problems of local transit, serious as they are.
>
> I think it must be first decided if the Federal Government should take over these problems or refer them back to the local people, where they belong. For example, New York spent more than $26 million last year subsidizing its transit system and 15-cent fare.

Certainly with a 15-cent fare subsidies are necessary. But if the Congress passes the mass transportation bill, we shall, according to Mr. Owen, the writer of the letter, finally be required to pass subsidy bills which would make up the deficits resulting from the inadequacy of the fares which are charged.

Mr. Owen further stated:

> Should this gradually be taken over by Washington—

He refers to the subsidization of fares—

> with the start being the passing of the present urban mass transportation bill? I know this is not spelled out as the intent of the present bill, but it will be later on.

He further stated:

> From what I have learned this whole thing is just another means of passing the responsibility (and of course control) to Washington. I think it is a shortsighted expedient because people no longer have the fiber to solve their own problems. Such fiber might be renewed if it were made clear that Washington is not going to pull local chestnuts out of the fire—otherwise, why not let George do it?
>
> We are still working on the free enterprise (free opportunity) primer I mentioned to you some time ago. This transit bill is, of course, another proposal in the opposite direction.

The other day I stated that the primary cause of the inability of local transportation systems to succeed is the interference to which they are subjected by local governmental units; second, the tax burden and other charges that are made against them.

The problem can be solved back home. It will be solved, as is evidenced in a number of communities that are making the effort, especially Los Angeles and San Francisco.

Yet in Congress, following the pattern that has generally been adopted, we are impliedly making the statement to those back home:

> Quit worrying about your problems. The Federal Government will give you the money. It has the money overflowing its Treasury. You need not worry.

Those words are false. They are causing trouble throughout the country, and it is time that the citizenry and the Congress awaken to the grave danger.

PROPOSED INCREASE IN SALARIES OF MEMBERS OF CONGRESS AND FEDERAL JUDGES

Mr. LAUSCHE. Mr. President, several days ago I voiced my opposition to the pay increase bill which would give to Congressmen a salary of $30,000, which would be an amount $7,500 above the present salary, and would give to district judges a salary of $30,000, which would also be an amount $7,500 above the present salary.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may have an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. At that time I made the statement that I did not know of any lawyer who had declined to take an appointment to a Federal judgeship. When I made the statement I did an injustice to my friend Carl D. Friebolin of Cleveland, Ohio, who is presently a referee in bankruptcy. Mr. Friebolin was tendered a judgeship by President Franklin D. Roosevelt. He turned it down. He is still today a referee in bankruptcy, although he has reached an age beyond 80 years.

I make this statement in apology to Mr. Friebolin. He is one of the rare individuals in our Nation. While I was Governor, I offered him an appointment to a judgeship on the appellate court, which likewise he turned down. With due deference to Mr. Friebolin's character, I wish to say that if he had taken the appointment offered to him by President Roosevelt in the 1930's he would today be allowed to go on the inactive list. He would receive $22,500 a year without doing a bit of work. Instead, he is laboring vigorously trying to fulfill—and fulfilling—the functions of the office of referee in bankruptcy which he holds.

Others may be in a similar position, but I do wish to repeat the statement that, so far as Federal judgeships are concerned, a Federal judge who is 60 years of age and who has had 15 years of service has the right to retire with full pay for the remainder of his life. A Federal judge who is 65 years of age and who has had 10 years of service has a similar right to retire and receive full pay for life without any work being required of him. That is a real largesse. It is a remuneration that one cannot throw over his shoulder. I yield the floor.

PROPOSED CHANGE IN TAX LAWS

Mr. LONG of Louisiana. Mr. President, this morning's issue of the Washington Post carries a front-page story concerning the retirement of Mortimer Caplin, former Collector of Internal Revenue. Mr. Caplin, in discussing the desirability of the reform of our Federal tax structure, strongly endorses a proposal I made, as a member of the Finance Committee, on the basis that to have a simplified tax structure with a low tax rate, we should have an alternate way of paying taxes, so that those who do not care to claim the many deductions otherwise available in the law could weigh the benefit of those many deductions and tax exemptions, and could pay their taxes at a much lower rate than would otherwise be available to them.

Mr. Caplin has not been known as one of the supporters of the proposal I had made, although that proposal had been supported by the Secretary of the Treasury and the Under Secretary of the Treasury, Mr. Fowler; and it had been supported by Mr. Surrey, who has spoken for the Treasury with regard to various amendments to the tax bill.

I am pleased to see that Mr. Caplin's experience in this regard indicates that it would be desirable to have a simple form for paying taxes for those with incomes above $10,000, in order that the Government could, on a fair and equitable basis, collect taxes at a low rate from those who elect to fill out a simplified form and waive the benefits of the many deductions, exemptions, and credits which otherwise would be available under the tax law.

In the judgment of the Senator from Louisiana, the only way we shall ever get a simplified tax structure and make order out of chaos is to proceed on a basis that would not deny various industrial groups and various industries, as well as various individuals, the many deductions, incentives, and advantages personally available to them, but simply would proceed to provide for those who are not benefiting from all of the tax advantages and tax laws enacted to meet their particular problems the opportunity to pay a lower rate, by waiving the benefits which otherwise would be available to them or to other groups.

I ask unanimous consent to have printed at this point in the RECORD the article to which I previously referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 1, 1964]

RETIRING TAX CHIEF WOULD DROP DEDUCTIONS AND REDUCE RATES

(By Frank C. Porter)

The Nation's retiring tax collector feels individual income tax returns could be made fairer and radically simpler by trading off deductions and exclusions for lower rates.

But so great are the interests vested in the present complex law, Mortimer M. Caplin says, that such major reform could never come through frontal attack on the tax structure.

It would be most likely gained by a flanking movement, by an alternative to existing provisions which would gradually win popular acceptance, he suggests.

LEADING TAX THEORIST

Caplin, who will return to private life July 10, has brought such a flair and elan to the traditionally colorless job of Commissioner of Internal Revenue that it is often forgotten he was one of the country's top tax theorists before coming to Washington 40 months ago.

Recently he consented to step briefly out of his activist role as an administrator and discuss his philosophy of tax legislation.

He finds the reforms in the Revenue Act of 1964 "very disappointing," Caplin said, even though they are the most significant in 25 years.

"The only realistic approach" to major reform, he feels, lies along the lines of an unsuccessful amendment to the 1964 act offered by Senator RUSSELL B. LONG, Democrat, of Louisiana.

It provided an alternative means of computation whereby high-income taxpayers would pay a top rate of 50 percent (against the regular maximum of 70 percent) if they waived nearly all deductions and exclusions.

By extending this alternative to all income brackets, the tax base would be greatly broadened and rates could be sharply reduced.

"In the proper setting, this alternative could be made so attractive that the majority would elect to use it," Caplin said.

SIMPLICITY SOUGHT

The wholesale elimination of deductions, exclusions, and various tax gadgets and gimmicks would permit a radical simplification of tax returns. A longtime foe of the complexities that riddle our tax structure, Caplin noted that the standard form 1040 would be a relatively painless document to fill out without itemized deductions, sick pay, and dividend exclusions, retirement income credit, and capital gains.

An old aphorism suggests that if a tax concession benefits the other fellow, it's a loophole; but if it benefits you, it's a tax incentive. Loophole or incentive, "once it gets into tax law, it doesn't come out," Caplin observed.

"This is the difficulty of using tax law to cure our economic and social ills. We've gone a little overboard in using it for nontax purposes. We need to be much more selective."

Caplin didn't cite any examples of nontax purposes. But would-be reformers tirelessly point out a score or more including tax breaks for the savings and loan industry legislated when it was a struggling infant, for oil operators at a time when it was believed exploration needed special incentives, for those who derive the bulk of their income from dividends, and for charitable groups whose benefactors are often able to escape most taxation through their largess.

Some of these concessions have already been tightened or modified. And for this reason, Caplin feels the 1964 tax measure was "a good start," disappointing as it may have been.

As for the simplified, alternative tax envisioned by Caplin, it may have a fighting chance for inclusion in the next broad tax reduction bill tentatively planned by President Johnson for several years hence.

POWER IN SENATE

Senator LONG, who proposed the limited amendment last year, is the No. 2 Democrat on the powerful Senate Finance Committee and undoubtedly will have a lot to say about the next bill.

And Caplin's espousal of the tax alternative will do it no harm. Testifying before the House Ways and Means Committee in 1958, the then University of Virginia law professor recommended a 12-point program of tax reform. It could hardly have been pure coincidence that 10 of these found their way into the tax bill draft offered by President Kennedy early in 1963.

Great as his accomplishments as a tax theoretician have been, Caplin is likely to be remembered largely as the administrator who gave the Internal Revenue Service "a new direction."

EMPHASIS CHANGED

By shifting emphasis from enforcement to voluntary compliance, Caplin has changed the Service's image from that of dour policemen to a kind of fiscal chaplain.

The emphasis on compliance makes good sense, Caplin believes, because 97 percent of the record $105.9 billion collected last year came from self-reporting, self-assessment, and withholding.

But enforcement has not been neglected and Caplin has been far from soft hearted in rooting out dishonest employees.

Voluntary compliance will be greatly aided, he believes, by the installation of nationwide electronic computer system.

"These have been wonderful years in terms of satisfaction," Caplin reflected the other day. "I've taken more from the job than I've been able to give.

"One thing I've gotten in particular has been a full view of how democracy works. You don't get it out of books. And it does work, despite all its warts and defects."

CRUSADE FOR WORLD PEACE

Mr. INOUYE. Mr. President, last week, I had the good fortune to receive a letter from Dr. Takuo Matsumoto, of Japan, leader of the World Peace Study Mission. Dr. Matsumoto is presently in this country, carrying on his crusade for world peace.

Because I desire to share his words of wisdom with my colleagues, I ask unanimous consent that Dr. Matsumoto's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW YORK, N.Y., *May 28, 1964.*

Senator DANIEL INOUYE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR INOUYE: We survivors of the atomic explosions at Hiroshima and Nagasaki have followed the dramatic Senate civil rights debate with profound interest. We know that so long as barriers exist between men, whether on an individual, national, cultural, or economic level—so long is a truly peaceful world impossible. That world may be far in the future, but we must continue to exert all our energies to achieve it.

Our journey here to the United States has been a long one, long as the miles are measured, but more infinite as the mind measures. To arrive here we have crossed barriers built by a terrible war between our peoples, barriers built by different cultures, barriers of race, barriers of language. Now after spending more than a month in this great land we realize in retrospect that none of those barriers are as formidable as they once appeared. This country's magnificent welcome to us is proof that the invisible walls that men build between themselves are invincible only if we will them so, but if we will that they be torn down, then no past war, no nuclear threat, no racial difference, no words can bolster them.

And that is the reason why we are here—to demonstrate that good will and a desire for peace can conquer prejudices and fears—that we must focus our vision on the future of the world and not be overcome by terrible memories of the past.

The battle for peace, the battle for civil rights is all part of the battle for human rights.

With esteemed best wishes.

Sincerely,

DR. TAKUO MATSUMOTO,
Leader, World Peace Study Mission.

VETERAN OF COLD WAR PLEADS CASE OF VETERANS FOR A GI BILL AND AN OPPORTUNITY FOR EDUCATION

Mr. YARBOROUGH. Mr. President, I am always moved by the letters which I receive from our cold war veterans which illustrate the desires of these young men to further their education. The willingness with which these men struggle through financial hardship and the diligence with which they pursue knowledge continually reaffirms my opinion of this group of Americans as being most deserving of legislation which would assist them in their efforts to become valuable citizens through education, the highway to full participating citizenship.

It is in reference to these veterans that I urge this Senate to enact the cold war GI bill, S. 5.

The present occupant of the chair, the distinguished Senator from Hawaii [Mr. INOUYE], is one of the coauthors of the bill.

I have received a letter from Mr. Stanley Wayne Barnes, who is a cold war veteran dedicated to the objective of attaining a college degree. Because of financial hardship, this effort will take several years; yet this young man is willing to sacrifice and delay the raising of a family until he achieves this noble goal.

Because this letter is illustrative of many of our young people who are having to make great sacrifices because of their service to the people and because of the failure of the Congress to enact the cold war GI bill, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DALLAS, TEX., *February 4, 1964.*

DEAR SENATOR YARBOROUGH: I would like to thank you for your great effort concerning the cold war veterans bill. I hope you will continue this effort in getting this vital bill passed. However, even though I look to this bill with great optimism and hope that it will be passed in the near future, I still must continue my education.

I am married, 23 years of age, and a night student at Arlington State College. I am a "B" and "C" student and very dedicated toward getting my degree. I am sure you are aware that going to school at night is a very slow process in obtaining a degree. I am a sophomore now, this means that I will be in my late twenties when I graduate, and probably in my early thirties before I am able to raise a family.

I would like very much to enroll full time in the coming fall term, but I am financially unable. There is no one else I can turn to for financial assistance. Therefore, I ask you and my Government for help.

As you might know it is very difficult to get a loan through a college unless you are an exceptional student. I am not one of these students, although I could become one if given the chance. I ask for the Government to grant me an educational loan and give me this chance.

I have given to my country 3 years of my life, which I served with great pride in the 101st Airborne Division as a paratrooper. I was honorably discharged as an E-4 in 1960 at Fort Campbell, Ky.

I ask you sir with all sincerity, is my request for help unreasonable?

Yours very truly,

Stanley Wayne Barnes.

THE 46TH NATIONAL CONVENTION OF AMERICAN LEGION TO BE HELD IN DALLAS, TEX.

Mr. YARBOROUGH. Mr. President, the American Legion magazine, in its June 1964, edition, published an article by Robert B. Pitkin, describing Dallas, Tex., as "probably the finest convention city in the land that the Legion has not yet visited en masse."

Mr. Pitkin, who is editor of American Legion magazine, pointed out that the 46th National Convention of the American Legion will be held in Dallas, September 18–24, this year, and that the conventiongoing veterans and their families have a wonderfully pleasant trip ahead.

As one who grew up on the perimeter of Metropolitan Dallas and who has known the city through all its years of fantastic growth and progress, I am much pleased that my fellow Legionnaires, many of whom are colleagues in the Senate, who will visit Dallas to attend the great national convention, will have an opportunity to see the fabulous tourist attractions that my State offers—and it offers many that are unknown to persons who live in other parts of the country. They compare favorably with attractions that are offered in the State represented, in part, by the distinguished Senator from Hawaii [Mr. Inouye], who is now presiding over the Senate; the State of California, and others, including those offered by the State of the distinguished Senator from Maine [Mr. Muskie], who is in the Chamber.

We frequently hear of the attractions and beauties of other parts of the country. But I hope that when the tens of thousands of my buddies of the American Legion visit Dallas this fall, they will also take time to visit the fabulous tourist attractions of Texas.

Mr. President, I ask unanimous consent that the article entitled "A Look at Dallas, Tex.," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Look at Dallas, Tex.

(By Robert B. Pitkin)

The 46th national convention of the American Legion will be held in Dallas, Tex., next September 18–24. It will be the first Legion national conclave in Texas since the 1928 convention in San Antonio—when the late Paul V. McNutt, of Indiana, was elected national commander and the convention explicitly predicted Pearl Harbor and the Second World War if the United States persisted in its disarmament policies of that time—which it did.

Dallas is probably the finest convention city in the land that the Legion has not yet visited en masse. Its accommodations for the comfort, enjoyment, and convenience of visitors—rooms, entertainment, good eating, centralization of facilities, convention hall—rank in caliber and class with those of the big resort cities, such as Las Vegas and Miami Beach, and in some respects outranks them though Dallas is a white-collar business city, not a resort.

Dallas has been in the news in an unfavorable light since President Kennedy was assassinated there last November 22. Since then every journalistic Monday morning quarterback seems to have been busy finding all 1,300,000 people in the Dallas metropolitan area guilty by association of the acts of Lee Harvey Oswald and Jack Ruby—neither of whom were natives of Dallas. Some have even called for the Legion to punish the city by pulling its convention out.

Yet my friend, George Cornelius, Jr., the Indianapolis printer, had told my best girl: "Don't fail to go to the Dallas convention with your husband. You'll have a ball in Dallas."

Never having seen much of Dallas, I flew out of New York in April to see what sort of a place it is for convention goers.

I put up at the fantastic new Cabana motor hotel, which is right next to the fantastic new Marriott motor hotel on the Stemmons Freeway, in the very shadow of Dallas' downtown center of modern skyscrapers.

You might get more, somewhere, in the way of a motor hotel, but I doubt it. Later I visited the Marriott next door, the Executive Inn out at the airport, took a peek at construction on the new Howard Johnson's on Stemmons Freeway and at the Holiday Inn, farther over in town. I eyed the Ramada Inn at the airport and other motels, driving by in my rented car (of which Dallas offers many). I investigated the older hotels in the midtown area, such as the Adolphus and the Baker, and the big, new hotels, such as the Sheraton Dallas that's attached to the Southland Center luxury skyscraper, and the new Statler Hilton with its massive, curved front. I looked at the large, bright, comfortable, air-conditioned Memorial Auditorium which will hold the Legion convention sessions (only a short stroll from the dead center of town). I sampled more good food and more beverages and more entertainment in more establishments for genteel human enjoyment than my doctor would approve.

I came away agreeing with George Cornelius, Jr. A convention-goer who doesn't have a ball in Dallas has to bring his own misery with him. What Dallas provides for visitors is—in addition to being very comfortable—fantastic, sumptuous, extravagant and moderate in price.

The Cabana, where I put up on a warm night after a jet trip, ranks with the Marriott as the 1964 climax of the U.S. motor hotel concept. It has a Greco-Roman motif added in 1964 modernity. My room lay deep in red carpetry, with white Roman and Greek statuettes for lighting fixtures; a bed so broad I could stretch my 6-foot-4 length almost crosswise on it; one whole wall mirrored; air conditioning or heat adjustable to the fingertip; the furnishings all white and marble-patterned with spaciousness between, and enough dresser drawer space to do well if I moved in for keeps. The closet was a furnished anteroom to the bath. The bath was roomy, had a white extension telephone. The tub was enclosed in a glass shower stall, and the hot water ran furiously and hot immediately. The Cabana is about as expensive as they come in Dallas, and I was living like a millionaire on $14 a night, single, in accommodations for two.

Down in the Bon Vivant dining room live entertainers were regaling the diners. In the nearby Nero's Nook cocktail lounge "club" a three-man combo played. I joined the "club" by showing my room key to the desk clerk. I had two Bloody Mary's in Nero's Nook served by quiet, good-looking hostesses in imitation white-and-gold ancient Roman getup. I chatted with Bill Pauli, Cabana sales manager—a Korea vet who had worked at the Plaza in New York. From him I learned that Doris Day is a part owner of the Cabana and Jimmy Hoffa is not. I sauntered to the swimming pool. There I sat in a warm breeze as colored lights played on gushing fountains, and I stared at the Dallas skyline, so close I felt I could almost touch the midtown Southland Center tower as traffic whizzed by on the freeway below into the heart of the city. It was a good end to a day for a weary traveling man and I went to bed early. The next day I made the mistake of visiting the Marriott motor hotel, in company with Mike Barns of the chamber of commerce. Mike is a transplanted young Iowan, who kept praising Dallas long after we were on such intimate terms that he knew me for a hard-bitten journalist who only believes what he sees. The trouble with the Marriott is that it is easily as sumptuous in its own way as the Cabana. If this kept up I'd need an encyclopedia to describe Dallas extravaganza of visitors' comforts. Oh, those special Spanish Empire duplex apartments in the Marriott. (They are more costly than the Marriott's more ordinary richly appointed quarters for common folk.) One thing the Marriott has that the Cabana hasn't is a convention hall of its own that'll hold 1,100 people. Talk about tourist cabins. But I'll just have to let the Cabana and Marriott folks fight it out among themselves as to which is best at turning a poor man into an emperor while he's there.

The competition for my honest praise didn't let up in Dallas. It got out of hand. The hotels are "class" too, and the eating places and the good entertainment spots. The Ports o' Call Restaurant on the 37th floor of the Southland Center is, believe me, elegant in its mere furnishings and motif, let alone the food you get and what you pay for it. I don't see how it's going to hold the Legionnaires who will want to eat in this richly appointed, exotic-atmosphered dining spot that gazes down on the whole northeast Texas plain and the buzzing city of Dallas.

The menu prices in the quality eating places in Dallas are surprising. Dinners at the best eating places were mostly in the $2.25 to $2.75 range. These are meals which range from $3 to $5 in New York, Chicago, San Francisco, Miami Beach, Los Angeles. In one of the very best restaurants I ran my eye down the menu price column and found only one dinner over $3, none over $4. About five top eating spots hit the $4–$5 range. There are spots in Dallas where you can pour money out like water—like the world famous Nieman-Marcus department store, which advertises nationally and whose six floors of shopping area maintain an atmosphere, a presence, and a line of goods as if they were expecting the Queen of England in 10 minutes. You want to know where Texas oil money goes? The husbands reinvest their share in new enterprises and the wives spend theirs at Nieman-Marcus. Lesser women finagle Nieman-Marcus shopping bags for status, then sneak out to the other good stores on Elm, Main, and Commerce Streets to fill them. My Emily had threatened punishment if I didn't bring her something that was exclusively Nieman-Marcus. Before I left home I added what was in my piggy bank to my winter's bowling winnings and in Dallas I blew it on a half-ounce of Nieman-Marcus perfume—$15 plus tax. I got kissed when I got home, ugly as I am. You can't get NM perfume anywhere except Nieman-Marcus, Dallas.

Now about food. I did my best, and didn't put on too much, honest, Doc. Mike Barns had bragged to me about the beef at the Beefeaters Inn. As I recall, he said you didn't need gums to chew it and it was as sweet to a man as candy is to a baby. "Show me," said I. Arthur and Mary Lee run the Beefeaters (evening meals only). It's small and comfortable. Mary wasn't there. Mike took Arthur aside and said, "Look, I've got this magazine writer here. He'll write for millions about the food. Quick, Arthur, what's the best thing on the menu tonight? The very best?" Arthur Lee said: "Anything. Let him order anything on the menu." "Please, Arthur, the best," Mike implored. "Anything on the menu," said Arthur, growing stern.

I ordered a prime rib dinner (this was about $4.25). The meat was rich, red, juicy, and about yea thick. You scarcely needed gums to chew it and it was as sweet to a man as candy is to a baby. I don't see how the Legionnaires who will want to eat at the Beefeaters will ever get in the place. It's small and comfortable.

Oh, well. Right downtown is the Copper Cow with barbecued ribs, chicken, ham or beef at $2.85, with seconds on the house; and a couple of Cattlemen's Restaurants with hostesses in 6-gun western outfits; and the Steak House Unique; and the Town and County Restaurant which specializes in beef as well as Chinese dishes—and they all go in for elegance and atmosphere.

Now then, you like exotic food, seafood, pancakes in style, or just good wholesome barnyard eating? Ports o' Call (the skyscraper restaurant) offers food in the style of Papeete, Singapore, Saigon, and Macao. The Ramada Inn, at the airport, specializes in pancakes and pastries, with all the syrup and molasses, butter, bacon and sausage that go with a pancake house and a "plantation atmosphere," and has more different kinds of sirup than you ever heard of—coconut, boysenberry, right down the line. The Chateaubriand boasts continental and French New Orleans cooking, and takes pride in its wine cellar. The Golden Nuggett, last I heard, is decked out in pure haute monde Texas atmosphere with the smell of raw leather and a catchall menu including beefsteak, seafood, Italian and Mexican cuisine. La Vielle Varsovie, also known as "Old Warsaw," is French; there are four El Fenix Restaurants (Mexican); Dominique is French and Italian; The Torch is Greek; Yee's, near the airport, is Chinese—indeed Cantonese.

We've tossed in a photo of La Tunisia with this story so you can see what I mean about "sumptuous," "extravagant," and "richly appointed." The details are peculiar to La Tunisia, but the general flavor is what I've been talking about in oodles of Dallas spots. La Tunisia, in Exchange Park, decks itself and its help out like the mysterious East, and offers North African food as well as Texas steaks. Maybe its 7-foot turbaned doorman will be there when you stop by. Good German food is found at Rheinischerhof, with imported German brew on tap. Probably the best seafood spot is Zuider Zee, which serves giant crabs and brings fresh Maine lobsters and halfshell oysters in by air every day.

As for barnyard eating, Lucas' B & B Restaurant offers a down-on-the-farm cuisine of fresh eggs, rich milk, good meat, and sweet vegetables and a coffee shop that never closes; while three Youngbloods Restaurants all specialize in chicken dinners raised from the egg to your plate by Youngbloods. Meanwhile, restaurants in the better hotels are of one piece or more so with what we've been talking about along the avenues.

The pattern of evening social life in Dallas is molded by the Texas liquor laws. There are no bars open to the general public in Texas, but restaurants, lounges, clubs may serve wines, champagne, and beer at tables to the general public (not mixed drinks).

In addition, Dallas abounds in "supper clubs," and restaurants which are open to the public, and which may serve the "mixings" if the customers bring their own liquor. So it's a common sight to see Texans heading out for a social evening in style with paper bags under their arms holding bottles legally purchased at any of the numerous "package stores." Arriving at a public supper club, such as the Empire Room of the Statler Hilton, the customer puts his bottle on the table, orders the setups and mixes his own cocktails at the table, while enjoying the live entertainment, dancing, genteel atmosphere, and dinner in style.

Places like the Empire Room come under the heading of public supper clubs, and there are quite a few of them attached to hotels and motels which book good entertainment—such as the Century Room at the Adolphus Hotel and the Mayfair Room at the Executive Inn motor hotel. Others, such as Chez La Combe on Lemmon Avenue, are independent of hotels.

Texas law does permit the serving of mixed drinks in private clubs, and Dallas abounds in private clubs, which, except for the membership requirement, are identical with the better public cocktail lounges and night clubs, with or without food, in most large cities. Some of these clubs are private private clubs, open only to a restricted membership on an annual basis or to guests of regular members. Such a one, where I was an awed guest, is the magnificent Chaparral Club on the 36th floor of the Southland Center. It was another of the sumptuous, extravagant, richly appointed places. But membership is available to transients in numerous private cocktail lounges. Nearly all the better hotels and motels have them—such as the Cabana's Nero's Nook, which I have reported that I joined by showing my Cabana room key.

Many of the better restaurants also have private club cocktail lounges with membership available to transients, such as Town & Country Restaurant's Marquis Club. And there are such clubs operating independently, such as the Club Montmartre between the Baker and Statler Hilton Hotels; the Haunted House, rigged up like a Chas Addams nightmare as a spoof; the Skyknight Club, the Music Box, etc.

Private clubs at hotels include the Kings Club at the Adolphus; the Court Club at the Statler Hilton; the London Club at the Sheraton-Dallas. Those at motels also include the Black Garter at the Executive Inn, the Jet Stream at the Ramada Inn, and the Sirloin and Saddle at the Marriott. Virtually all of these I rate from good to high class to sumptuous.

A transient usually can join the club at his own hotel or motel free, on a daily reissue basis, by applying as a guest. Transient membership in others runs from nothing to $3 for 4 days or so, with $1 the most common membership fee. A member can bring his own guests. Early Legion convention plans anticipate making transient memberships in many of them available at or near the convention registration booths. I would stress that the places I'm talking about are not deep, dark dens of iniquity, which the stories in the press of Jack Ruby's place may have summoned up. They are quality establishments for pleasant socializing of convivial people. I went to no joints or burlesque houses, nor did any thrust their presence on me.

All night spots have to close at midnight, except 1 a.m. Sunday morning. Package stores in Dallas are open 9 a.m. to 10 p.m. except Sundays, when they are closed. Beer is not sold on Sunday before 1 p.m.

Before going into many things that Dallas offers in the way of sightseeing, a little city history will make it clearer why a business city on the northeast Texas cotton plain offers hospitality on a par with the top resort spots in the land.

Dallas is a self-made city, one of the best managed in the country. There was originally very little reason for its existence as anything but a moderate-sized local trading center, and it would well have developed into a strictly local "cowtown" where strangers would feel ill at ease. But decades ago ambitious and enterprising town fathers set out to make it a white-collar trading and financial center. They correctly understood that they would have to attract outsiders. Unlike many cities which seek to impress outsiders with mere claims, they also correctly understood that they would really attract outsiders by really pleasing them.

Dallas was after business, not tourists, and its leaders divined that its attractions would have to be so real as to be permanently pleasing. When other Texas towns in the vicinity were rejecting railroads because trains in those days were noisy and smoky, Dallas persuaded the railroads to go out of their way a bit to run through its premises. In nothing flat it became a transportation hub and a natural trade mart ("natural" only after the rails went through, unnatural before then). The same foresight that the city used to become a transport center it applied to almost every other aspect of luring investments and people from elsewhere. Incidental among these was a drive to attract business conventions—which meant not only making it profitable for businesses to move to Dallas, but also making its personal accommodations for business executives so pleasing that they would come and look at the city in the first place, and go away liking it.

The results from the start were fantastic. Every 20 years since 1880 Dallas has at least doubled in size, more than once tripling or quadrupling in 2 decades. It is already a city of modern skyscrapers with good clean air between them, and new modern towers are presently springing up all over town, to a maximum of 50 stories. It is a smokeless city—burning natural gas chiefly. It has virtually no heavy industry and is essentially an insurance, banking, financial, sales, shopping, and educational center. Texas is a "Southwestern" State, and Dallas is more in the South than the Southwest. But it is a cosmopolitan city, filled chiefly with the hustle and bustle of people from South, West, East, and North who are enterprising, ambitious, and sophisticated—not to mention hospitable. With Dallas' background, nobody is made to feel like a stranger. It has been in the vanguard of everything that is modern. When air conditioning was a novelty over much of the country, Dallas' public accomodations and offices were already nearly totally air conditioned. Dallas is "culture-conscious"; when it decided to have a civic theater it got Frank Lloyd Wright to design it—the only theater he ever designed. When Texas decided it would have a permanent State fair grounds, Dallas bullied its way to the fore, outbid all others for the State fair, built grounds for it, and on them established museums, an acquarium, a marvelous Texas Hall of State, the Cotton Bowl, zoological gardens, a music hall, and other cultural and exhibit centers for all-year-round use. When the "freeway concept" came in, Dallas was again in the fore, with freeways and expressways pouring into the midtown area somewhat like the spokes of a wheel, and a peripheral belt highway system (not an expressway) circling the town. On the Dallas-Fort Worth Freeway, about midway between the two cities (which are a little over 30 miles apart) is the new Six Flags Over Texas, a so-called amusement park which deserves a better name—as it is really a sort of Disneyland of the history of the Southwest, based on the six different cultures that have ruled over Texas: Spain, France, Mexico, Republic of Texas, Confederate States, and United States. It's a class place to take the family, and not the honkey-tonk that amusement park suggests. You pay one admission price at the gate and nothing more, except for what you eat or drink, to explore its acres of reconstructed Southwest history and culture, with rides on land and water to move you along, and local college students from Southern Methodist University and other seats of higher learning to greet and guide you.

The photos of the Memorial Auditorium with this article should give readers an idea of the accommodations for the Legion convention business meetings. Jim Carter, assistant auditorium director, took me all through the hall, and the side meeting rooms, and the big exhibit hall downstairs, and the theater where the Legion's memorial services will be held, and even up to the overhead catwalks where all the ropes and wires and stuff are. It was like the hotels and motels and clubs in its sparkling modernity and don't-spare-the-horses equippage. Air conditioned, bright, with upholstered seats, the auditorium can pack in more than 10,000 people—and can hold the 3,000 Legion delegates on the main floor without putting a soul in the plush arena and balcony seats—though I don't say that that's how it'll be done. I sat in some of the arena and balcony seats and they were mighty comfortable. Jim turned the normal lights on for me, and I shot elegant black-and-white trial photos on the convention floor, without flash, setting my camera at f4 at 1/50th, using Tri-X film rated at ASA 1200 for normal development in Acufine. Legion camera bugs take note.

The parking lot can hold about 1,100 cars, and the Memorial Auditorium, as I recall, is exactly 2 blocks (maybe 2½) from the Adolphus Hotel, which is just about midtown on Commerce Street—one of the three parallel main drags. Bill Miller, the Legion's long suffering national convention director, who moves his family to a different city every year to set up the national convention, told me he was getting top cooperation from the leading citizens of Dallas in setting up this convention. I sat in on a meeting of the Convention Corp.—whose president is Alvin Owsley, a Dallasite who was national commander in 1922–23; whose chairman is Ben H. Wooten, board chairman of the Dallas Federal Savings & Loan Association; and whose other members make up a goodly chunk of Dallas' leading citizens and businessmen.

The meeting was with the military, to plan participation of the Armed Forces in the Legion's big parade on Monday, September 21. It was cooperation with a capital C. The parade will go right down the busiest part of Main Street, than which there is no mainer. None of this shunting it around side streets. The military will shoot the works to make its part of the parade a whopper.

The idea that the whole city of Dallas should become a national villain after the events of last November 22—and especially that the Legion should punish it by pulling its convention out—is a bit of self-righteousness that has already been answered effectively by two well-qualified people, as well as by my friend, the adventurous journalist Charley Wiley. Charley said if that's what we should do, then we'd better blow Washington, D.C., off the map for the assassinations of Lincoln and Garfield and the attempts on the lives of Truman and Andy Jackson there, and throw Buffalo, N.Y., under Niagara Falls for the shooting of McKinley there. Charley disapproved any of these procedures.

Legion National Commander Daniel F. Foley, of Minnesota, said he wouldn't consider leveling guilt-by-association charges at the whole city, and the convention would stay in Dallas. Then Robert Gladwin, commander of the late President Kennedy's American Legion Post 281 in Boston, said that it wasn't like President Kennedy and isn't like the Legion to kick people when they are down. "Now is the time," Gladwin told the Boston press last December 11, "for all Legionnaires to come to the aid of their comrades in Dallas * * * and do everything we can to make the 1964 convention a fitting tribute to President Kennedy." Gladwin, who is general counsel for the Massachusetts General Hospital, added: "We can best do that by giving full support to our new Commander in Chief, Lyndon B. Johnson, and our continued support to his home State."

But you don't need to go to Dallas just to be fair to a badly wounded city. As George Cornelius, Jr., said, you can have a ball in Dallas.

PRESENTATION OF PRESIDENTIAL MEDAL OF FREEDOM TO E. B. WHITE, ESSAYIST, POET, AND NOVELIST

Mr. MUSKIE. Mr. President, last Friday, May 29, I had the pleasure of presenting the Presidential Medal of Freedom to Mr. E. B. White, distinguished essayist, poet, and novelist. The presentation was made in Maine on behalf of President Johnson.

Mr. White was one of several outstanding Americans selected for this honor by President Kennedy before his assassination. As I gave the medal and citation to Mr. White on President Kennedy's birthday, I was struck once more with the rare qualities our late President possessed. He was a man of action who valued contemplation. He was a man of style and wit whose understanding of the gravity of his responsibility never wavered.

In a sensitive review of "The Burden and the Glory," a collection of President Kennedy's speeches, John Kenneth Galbraith has highlighted those qualities which made John Kennedy greater than we knew. I ask unanimous consent that the review by Mr. Galbraith, published in the May 31, 1964, edition of Book Week, be printed at this point in the Record.

There being no objection, the review was ordered to be printed in the Record, as follows:

Deeds To Match His Gestures—Literate but Never Liturgical, Kennedy's Speeches Precisely Mirrored His Personality

(By John Kenneth Galbraith)

"The Burden and the Glory," by John F. Kennedy, edited by Allan Nevins.

We can understand the life and death of John F. Kennedy only if we realize that, at the moment of his murder, most people had but recently changed their minds about him or just then discovered that all evidence required such a change. This was true both at home and over the world.

We are naturally and no doubt wisely reluctant, disregarding always the hyperbole of the political speech, to believe that we have great men among us. Like Milton and Shakespeare, they have occurred in the past; they presumably will happen in the future; but they do not belong to this humdrum age of painkiller commercials, supermarket campaigning, and Charlie Halleck.

When John F. Kennedy came to office, almost everyone was sorry he wasn't someone else. Republicans wished he might have been Nixon (or Eisenhower or John W. Bricker). Liberal Democrats wished he might have been Adlai Stevenson. A great many diligent Protestants wished he might have been almost any Methodist, Baptist, Presbyterian, or Holy Roller. The fiction that the office is seeking the man only works in our Republic for those over 60. Younger office-seekers risk seeming brash and ambitious. So quite a few people who were in favor of youth in principle had grave doubts about its practical manifestation in John F. Kennedy.

The death of the President touched those whose affection was direct and uncomplicated, and they were many. It touched even more those who were in the full blush of personal discovery. And it touched, most deeply of all, those who only half accepted the idea that a very great man was in our midst and now sadly realized that they had denied themselves the pleasure of this knowledge.

The book covers the presidential messages (including the two State of the Union messages) and the speeches of the second and third years of the Kennedy administration. There is a useful annotation by Allan Nevins and the more casual addresses have been skillfully edited. In the years ahead, there will be many efforts to explain the quality of John F. Kennedy and some of them, no doubt, will be very good. But anyone who is truly concerned should begin with this primary source. It is better than the two volumes that preceded it ("The Strategy of Peace" covering the preelection speeches and "To Turn the Tide" incorporating the speeches and messages of the first year) because it shows Kennedy in confident mastery of his position and with the new dimensions of knowledge and experience which were the result of his almost visible capacity for assimilation and growth.

I have noted our reluctance to believe that great men are among us; this is related to our unwillingness to recognize great achievements until they are long in the past. A great many liberals and a number of liberal journals did not credit Franklin Roosevelt with anything more important than capacious oratory until at least his third term. Only after his death did they make him a deity. It is admirably consistent with this political misanthropy that Mr. Carey McWilliams, the distinguished editor of the Nation, should say in the May 3 issue of Book Week that the achievements of Kennedy's "3 brief years in office were minimal." If one measures progress by number of bills passed—minimum wage increase, postal deficit, control of drug prices, authorization of anti-stream-pollution week—this might be concluded. But Government is not a game; only the refugees from the sport pages settle such matters by the box score. The proper test is the progress that is made on the truly decisive things—on dealing with those grievances and reversing those trends which otherwise could destroy us.

When Kennedy came to office, there was one such grievance and one such trend—the domestic race crisis and the movement toward nuclear confrontation. Both were dangerous, the second infinitely so. The inevitability of nuclear destruction was well on the way to acceptance; the generals and the belligerent professors were collaborating in the calculation of the acceptable level of civilian casualities. Pentagon speeches regularly advised the Russians that we could destroy them and our people that we would win even though we would not necessarily survive. The foreign policy experts dissented in silence; one must not compromise one's influence by seeming to be soft on communism, and force has always been the final arbiter as any sufficiently toughminded authority must know. Senator BARRY GOLDWATER clarion call of the current season to shoot when you see the whites of any available eyes, but with tactical atomic weapons, seems more archaic and juvenile than alarming today. But the reverse would have been true a mere 4 years ago.

This book shows the skill and energy that John F. Kennedy invested in this change. There is a little of it in almost every message and speech—sometimes a plea for reason, sometimes an injunction to hope, sometimes a demand for reexamination of our own premises and prejudices, most often a warning of the new dimension of terror and destruction that the new weapons invite. And always this was accompanied by an affirmation of our own commitment to the liberty which he loved because he used it so joyously himself.

"The world was not meant to be a prison in which man awaits his execution," he told the Congress at the beginning of 1962. "Too many of us think peace is impossible * * * that is a dangerous, defeatist belief. It leads to the conclusion that * * * mankind is doomed, that we are gripped by forces we cannot control," he told his American University audience in June 1963. In Maine a month before his death, he said, "* * * If this planet is ever ravaged by nuclear war, if 300 million Americans and Russians and Europeans are wiped out by a 60-minute nuclear exchange, if the pitiable survivors of that devastation can then endure the ensuing fire, poison, chaos, and catastrophe, I do not want one of those survivors to ask another, 'How did it all happen?' "

The lessened tension with Russia, the partial test ban and the opened door to negotiated solutions did not make the world safe for nuclear fission and fusion. And President Kennedy did not solve the problem of racial equality for which this volume also makes eloquent appeal. We shall have to contend for some time yet with the more durable tendencies of our foreign policy leadership which include the dithering fear of rightwing attack and the nostalgia for past error. (There is also the still lurking conviction that nothing so shows a man is a confident planner attuned well to high strategy as the willingness to send in the Marines or bomb Hanoi.) Those who have no other ground for believing themselves superior will continue to set store by the color, however unremarkable, of their own skin. But President Kennedy set a firm course and established a new mood. And nothing in the future will be as difficult as the reversal of trend that this required.

There is much more of President Kennedy in this volume than a rational foreign policy or a concern for racial equality. One sees, for example, his mistrust of political rhetoric: the Kennedy speeches are literate but never liturgical. There are few wasted words; there is an extraordinary component of hard information. This is a precise mirror of personality. President Kennedy was an extraordinarily tolerant man; the nearest he came to intolerance was with empty garrulity.

But one or two of the speeches also show Kennedy as a political craftsman who knew the virtues of minor extravagance. Speaking to a joint session of the Irish Dail and Seanad Eireann in June 1963, he accomplished the considerable feat for one speech of referring to O'Connell, Emmett, Parnell, Joyce, Yeats, De Valera, John Boyle O'Reilly, George Bernard Shaw, Brigadier Thomas F. Meagher, Capt. Richard McGee, Lord Edward Fitzgerald, and the Battle of the Boyne. The omission of St. Patrick and Mr. Dooley is inexplicable.

Inevitably reviewers will show their knowledge of modern government and their immunity to being fooled by pointing out that a ghostwriter had a hand in these speeches. That is true; no President could be without such help. And there could scarcely be a fact of smaller importance. President Kennedy knew what he wanted to say; he also knew what he was saying. It would have been unimaginable that anyone could put words into his mouth. His aids were his servants, not his masters.

There is another point. A man of great intelligence can make use of intelligent help. A man without ability cannot be propped up without that fact being so painfully evident that he had better be let fall to his own level.

The PRESIDING OFFICER. Is there further morning business?

If not, morning business is closed.

The Chair lays before the Senate the unfinished business.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. LONG] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE], for himself and other Senators, relating to jury trials in criminal contempt cases.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 259 Leg.]

Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Carlson
Case
Church
Clark
Dodd
Dominick
Ellender
Gruening
Hart
Hayden
Hickenlooper
Holland
Inouye
Jackson
Johnston
Jordan, Idaho
Keating
Lausche
Long, La.
Mansfield
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Moss
Mundt
Muskie
Neuberger
Proxmire
Russell
Simpson
Smith
Sparkman
Symington
Talmadge
Walters
Williams, N.J.
Williams, Del.
Yarborough

The PRESIDING OFFICER. A quorum is present.

Mr. LONG of Louisiana. Mr. President, on the question of agreeing to my amendments to the Talmadge amendments, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were not ordered.

Mr. LONG of Louisiana. Mr. President, every Senator present had his hand raised.

Obviously, a quorum is not present. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk well call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, on the question of agreeing to my amendments to the Talmadge amendments, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, it seems to me that far too many proponents of the forced integration bill act as though they do not trust the people to govern themselves.

The present plan to deny defendants under this bill a right to jury trial says very plainly that juries of average American citizens cannot really be trusted to arrive at just decisions in our courts.

This is the same sort of tyrannical attitude which has prevented the "Integration Act" from being sent to a proper committee for study. When the bill first came to the Senate it was decreed by proponents that even the members of a Senate committee, a clear majority of whom publicly favored the bill, could not really be trusted to study and render a verdict on its provisions.

This Senator would like to recall to his colleagues one of the definitions of democratic government left us by Abraham Lincoln. He was the one who indicated that, to be truly democratic, a government must be of the people, by the people, and for the people. Proponents, however, seem intent on remaking this government into one which will in theory continue to govern for the people but which will be less and less a government by the people.

Last week, the Court ruled that local governmental units may now be declared incompetent to handle their own matters of local taxation and local education. Next week, the Congress threatens to rule that local juridical units are to be considered incompetent to render their own decisions in our courts of law.

Precedents such as these can and will do great harm to our system of government by the people. It will most certainly emasculate and undermine many of our fundamental freedoms. For these reasons, it seems that the crucial time has come for all Americans to take stock of this dangerous situation and register their protests with those Senators who support the forced integration bill.

Mr. President, on Tuesday of last week we witnessed the repetition of a spectacle which had occurred once before in these debates—a spectacle which makes this forced integration bill even more objectionable than it was before.

I speak, of course, of the fact that we have been asked to consider a new substitute bill in place of the one the Senate has been debating for the past several weeks. For the first time, this Senator really appreciates the feelings of anger and resentment that the minority of the House Judiciary Committee must have felt when they were faced with having to vote on a bill on which they had never debated—a substitute bill that was being railroaded through without the benefit of committee hearings.

That bill went to the floor of the House, where it was amended no less than 34 times. Then it came to the Senate, and was most unwisely denied committee hearings here. To Senators whose States would be most directly affected, this was an outrage in itself; but now the leadership of both parties have gone even farther. They have had a few private huddles with the Attorney General and have come up with about 70 additional amendments, amounting in all to about one-fourth of the total text of this bill. On none of these amendments has there been anything remotely resembling a committee hearing. Adding the 34 amendments adopted by the House, this means that the proposal now before the Senate has been amended over a hundred times, Mr. President—all without benefit of hearings by a committee qualified to interpret the import of these numerous changes.

Even the original bill which came from the House Judiciary Committee did not have the benefit of hearings, and now we are faced with nothing more than a heap of legislative confusion. Senators should not want to have their names associated with such legislative tactics as have been used to railroad this bill through the Congress. The only thing that continues to hold the bill together at the seams is the great wealth of soft-sell propaganda that the press and the proponents continue to turn out about it. The fact that its supporters have consistently refused to subject H.R. 7152 to the scrutiny of a qualified committee is conclusive proof of their fear that it could not survive such scrutiny in any form remotely resembling its present wording.

It is this Senator's prediction that, as historians study the procedure by which this bill has been handled in the Congress, both House and Senate will fall heir to a great deal of justified criticism. It will be judged that what really controls the majority of these bodies is the rule which says that the end justifies the means. How else could the leadership possibly resort to such illegal means of ramming this bill through without the benefit of committee hearings?

It was bad enough to have before us a bill which had had no House committee hearings and no Senate committee hearings. But now even this bill, with its 34 House amendments, has been dismantled and its provisions reshuffled by a few of our colleagues in cooperation with the Attorney General. At a few private meetings with the father of the antijury crusade, a very small minority of our membership has decided that the bill we have been discussing for the past several weeks is not the right one after all. So they have pulled yet another one out of the magician's hat and are calling this bill the one to end all bills.

What we have here, Mr. President, is a reenactment of the sorry situation which transpired in the House Committee on the Judiciary. That committee, after discussing a bill for several weeks, suddenly and with no opportunity for debate adopted a completely new bill in the form of a substitute. This procedure was criticized and lamented by several Senators who now side with the proponents; and this Senator wonders whether he will have the displeasure of watching these same colleagues of his sit idly by while the same shameful procedure takes place here in the Senate. Will they allow this substitute bill to sneak in through the back door? Will they allow a handful of their colleagues to slip one bill out and slip another one in, without ever referring the scores and hundreds of resultant legal and legislative questions to study by a proper committee?

This Senator has called such procedure a legislative lynching party, and today he reiterates that claim. In fact, the lynching party now takes on the aspect of double jeopardy. Because we who oppose the bill seemed to be surviving the lynching party on the first version of the bill which had been denied proper hearings, the leadership of both parties have decided to enter still another bill. The method by which this is done resembles still another legislative lynching party. But none of this seems to bother the majority. None of this seems to give the majority much concern for the fact that this is the way that tyranny is born into a democratic society. They fail to see the obvious parallel, for instance, between denying a bill like this one a proper hearing before a committee and denying a defendant a proper hearing before a jury. Each procedure takes too much time; each group of jurors might thwart the working of justice.

What proponents are really saying, and what they have been saying for months, is that the people cannot really be trusted to govern themselves. This was the undeniable theme of the arguments which denied the bill a committee hearing. Proponents contended that the Senators who sit on that committee could not really be trusted to do their duty—despite the fact that a clear majority of those Senators publicly favored the bill. So it is not so surprising that the leadership would fail to trust the members of a jury, for they fail even to trust their own colleagues.

In each instance, we find a philosophy of Government which makes the growth of tyranny in this country a real possibility. This is so whenever the Government itself follows a plan of action which in any important way assumes that the people themselves are not really capable of handling the dispensation of justice through the established legal and legislative institutions.

Mr. President, during the debates of the past few weeks on the subject of trial by jury, my colleagues and I have many times asserted that to diminish or to undermine this fundamental right is to open the door to tyranny. This theory has been voiced by many of our greatest statesmen and jurists throughout the history of the country. Similar support has been given the jury system by the best legal and government leaders of the British system, and one of the comments which this Senator has found most revealing is that of Sir Patrick Devlin. In his book "Trial by Jury," this distinguished British judge examines very closely the legal institution of the right to trial by jury. He comes to the same conclusion as virtually all other great jurists and democratic statesmen. He says, in effect, that the jury system is our best and surest protection against tyrants. He explains the matter this way. He says:

> Each jury is a little parliament. The jury sense is the parliamentary sense. I cannot see the one dying and the other surviving. The first object of any tyrant * * * would be to make Parliament utterly subservient to his will; and next to overthrow or diminish trial by jury, for no tyrant could afford to leave a subject's freedom in the hands of 12 of his countrymen. So that trial by jury is more than an instrument of justice and more than one wheel of the constitution; it is the lamp that shows that freedom lives.

Mr. President, this Senator contends that, by refusing to leave our American citizens' freedoms in the hands of 12 of their countrymen, proponents are playing the infamous role of tyrants. Look at what Sir Devlin says: "No tyrant could afford to leave a subject's freedom in the hands of 12 of his countrymen."

Mr. President, this is precisely the course of action which will lead to tyranny, for it is an attempt to darken the lamp that shows that freedom lives.

In his book Devlin refers to the words of the Magna Carta guaranteeing trial by jury to the citizens of England many hundreds of years ago. Then he quotes an eloquent passage from the Commentaries of Blackstone on this vital legal institution. Blackstone says the following:

> So that the liberties of England cannot but subsist so long as this palladium remains sacred and inviolate; not only from all open attacks (which none will be so hardy as to make), but also from all secret machinations, which may sap and undermine it; by introducing new and arbitrary methods of trial; by justices of the peace, commissioners of the revenue, and courts of conscience. And however convenient these may appear at first (as doubtless all arbitrary powers, well executed, are the most convenient), yet let it be again remembered, that delays and little inconveniences in the forms of justice, are the price that all free nations must pay for their liberty in more substantial matters; that these inroads upon this sacred bulwark of the Nation are fundamentally opposite to the spirit of our Constitution; and that, though begun in trifles, the precedent may gradually increase and spread, to the utter disuse of juries in questions of the most momentous concern.

Another distinguished British jurist, Sir Holdsworth, emphasizes, in his "History of English Law" the great value of the common touch which the jury system brings to the decisionmaking process. His comments support the assertions that this Senator has made to the effect that a good system of justice—like a good system of government—must be not only "for" the people; it must be "of and by" the people as well. In other words, he suggests that, to be acceptable, a system of justice must be one in which the people themselves participate to the fullest. Otherwise, the law will lose touch with the people and will soon become an instrument of tyranny.

Permit me, then, to quote a brief passage from Sir Holdsworth's commentary on this most important attribute of the institution of trial by jury. He says:

> The defects of the jury system are obvious. They are 12 ordinary men—"a group just large enough to destroy even the appearance of individual responsibility." They give no reasons for their verdict, which is perhaps apt, and it is apt, in times of political excitement, to reflect the popular prejudice of the day. Experience shows that they are capable of intimidation. It is said that they are always biased when a pretty woman or a railway company happen to be litigants. Though a good special jury is admitted to be a very competent tribunal, the common jury may be composed of persons who have neither the desire nor the capacity to weigh the evidence, or to arrive at a conclusion upon the facts in issue. But in spite of these obvious defects, distinguished judges, who have spent many years working with juries, have combined to praise the jury system. Fortescue, Coke, Hale, Blackstone, and Stephen are witnesses whose evidence should be conclusive. We may add to these names that of Chalmers, whose experience in the new county courts led him to the same conclusion. In fact the jury system works well from the point of view of the litigant, the judge, the jury itself, and the law.
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> The litigant gets a body of persons who bring average commonsense to bear upon the facts of his case. "A jury," says Chalmers, "is a far better tribunal than a judge for dealing with questions of fact. The more I see of juries the higher is the respect I have for their decisions * * *. They have a marvelous faculty for scenting out a fraud." Their findings create no precedent; and thus they can decide hard cases equitably without making bad law. Litigants are generally contented with the measure of justice which they mete out; and this is no small gain to a legal system.
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> Judges have, as we have seen, from the earliest times appreciated the relief from responsibility which the jury system affords to them. Both Hale and Stephen emphasize this fact. And not only does the collaboration of the jury relieve the judge from the responsibility of deciding simply upon his own opinion, it also helps him to take, as the adviser, and director of the jury, a more truly judicial attitude. Thus it helps to preserve the dignity of the bench; for, if the judge preserves this judicial attitude, no odium can attach to him whatever be the verdict of the jury. And so, as De Tocqueville has said, "the jury which seems to diminish the power of the magistrate really gives it its preeminent authority."
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> The jury itself is educated by the part which it is required to take in the administration of justice. The jury system teaches the members of the jury to cultivate a judicial habit of mind. It helps to create in them a respect for law and order. It makes them feel that they owe duties to society, and that they have a share in its government. It is this education of the members of the jury that De Tocqueville regarded as the most valuable consequence of the system. "We should regard it as a school which gives instruction gratuitously and continuously. Where each juryman can learn his rights, where he mixes day by day with the best educated and most enlightened of the upper classes, where the law is taught to him in the most practical way, and is explained in a manner which he can understand by the efforts of the bar, by the direction of the judge, and even by the passions of the parties."
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> The effects of the jury system upon the law are no less remarkable and no less beneficial. It tends to make the law intelligible by keeping it in touch with the common facts of life. The reasons why and the manner in which it thus affects the law are somewhat as follows: If a clever man is left to decide by himself disputed questions of fact he is usually not content to decide each case as it arises. He constructs theories for the decision of analogous cases. These theories are discussed, doubted, or developed by other clever men when such cases come before them. The interest is apt to center, not in the dry task of deciding the case before the court, but rather in the construction of new theories, the reconciliation of conflicting cases, the demolition or criticism of older views. The result is a series of carefully constructed, and periodically considered rules, which merely retard the attainment of a conclusion without assisting in its formation. It is only the philosopher, or possibly the professor of general jurisprudence, who can pursue indefinitely these interesting processes. Rules of law must struggle for existence in the strong air of practical life. Rules which are so refined that they bear but a small relation to the world of sense will sooner or later be swept away. Sooner, if like the criminal law or the commercial law, they touch nearly men's habits and conduct; later, if like the law of real property, they affect a smaller class, and affect them less nearly. The jury system has for some hundreds of years been constantly bringing the rules of law to the touchstone of contemporary commonsense. The beneficial effects of this process can be best illustrated by a comparison with some of the rules evolved by the court of chancery which never worked with a jury. "One finds oneself," says Chalmers, "in a rarified atmosphere of morality and respectability in which life is hardly possible."

Of course, to whatever degree we abandon the institution of trial by jury, we shall necessarily have to resort to a corresponding degree to the institution of government by injunction. Removing the right to trial by jury from certain areas will create a vacuum which must be filled by something else. That something else will be the contempt power, which this Senator believes can easily be used as a vehicle to bring tyranny to this Nation.

Mr. President, there is a proper place for the contempt power. It has its proper usages. Indeed, our courts would be somewhat hamstrung in many of their activities if they were completely denied the use of the contempt power. But at the same time this power must be kept within proper bounds so that it will not be subject to abuse by tyrannical judges or a tyrannical executive branch. What this bill does is to extend the power beyond its proper limitations.

Mr. President, concerning both the need for and the necessary limitations on the contempt power, I should like to quote briefly from Mr. Ronald Goldfarb. At page 299 of his book "The Contempt Power" he says:

> Abolition of the contempt power is not the answer, no matter how compelling one may view the criticisms that can be validly made of certain of its aspects. Moreover, to suggest complete extinction, even if one wished such a change, would be naive. Those in whom the contempt power resides would have to agree to implement such a change, and the chance of that happening is infinitesimal. Second, whatever may be wrong with the contempt power is certainly not so wrong as to be likely to provoke great enough popular demands for absolute change to force the officials of government to act against their own interests and intuitions in this regard. I also feel that change in so broad an area of the law should come gradually and be tested for workability. Alternatives should be tried before complete abandonment. Finally, there is a need for control of certain contemptuous conduct.
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> Some contempt power is necessary for courts in a democratic government under law, operating with an adversary trial system. Legislatures might well do without a contempt power, though there are some limited situations where some power like contempt, but carefully guarded procedurally, is sensible and quite necessary. Administrative agencies could function with a contempt power limited as I suggested in the conclusion of chapter 3. Executive officers have rarely had such a power, and in view of the minor values to be added by a grant of the power compared to the gamut of problems which would be likely to arise if it was added (one need only recall the issues caused by the courts and Congress use of the power), affairs might then better be left unchanged. However, to cover some peculiar situations where certain officials act in executive or quasi-executive capacities and reasonably require a power analogous to that granted to other governmental officers, some special and limited application could be provided for.
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> The treatment of these wrongs should not continue in the present form and manner. There is much disagreement about which acts before which bodies constitute contempts. Many provisions for punishment are indefinite; some unlimited. Summary procedures prevail. These aspects of the present contempt power should be changed.
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> The generality and breadth of contempt law is open to legal criticism. This quality, which leaves undefined to potential wrongdoers both the acts which are forbidden and the punishment which may be exacted for their commission, violates a basic accepted legal principle. In criminal law, it is the statute, not the later specific accusation under it, that prescribes the rule to govern conduct and warn against transgression. Enunciating this law, the Supreme Court has noted its underlying democratic policy which directs that no one be required at the risk of his life, liberty, or property to speculate about the meaning of penal statutes. One is entitled to be clearly informed of what a criminal statute commands and forbids. A step in this direction was taken with the passage of the current contempt of Congress statute. But contempt-of-court practice is not so clear and not so consistent with settled law and attitudes of fairplay in this respect. We have reached in fact, though not in practical recognition, the point where contempt is a crime. It is punished as a social wrong. Yet, we often treat this criminal in a more sweeping, unguarded manner than all others. The catchall description of the proscribed act and punishment is another of the peculiar qualities, which, along with the denial of general rights of criminal procedure, makes contempt law so peculiar.

Mr. President, this Senator sees woven throughout Mr. Goldfarb's remarks a basic distrust of the contempt power and the abuses to which it is subject. The doubt and distrust he holds for the contempt power is perhaps best indicated in a question he poses on page 4 of his work. It is the very same question that we opponents of the bill have asked and have answered in the negative. He asks:

> Even assuming the political propriety of the contempt power, is the summary contempt procedure by which the contemnor is tried, sometimes by the offended party, often without jury and counsel, and ordinary appeal, either right or reasonable? Is this scheme of governmental power consistent with our constitutional principles of jury trial, self-incrimination, nonexcessive punishments, free press and speech, double jeopardy, and fair trial?

Mr. President, we think not. We believe that we should turn to a contraction rather than an expansion of the contempt power—particularly where it comes into conflict with our fundamental, constitutional rights to trial by jury. This conflict between the contempt power and the right to trial by jury should always be resolved in favor of the latter, for in essence it involves a basic conflict between government for the people on the one hand and government by the people on the other. Even a despot can be said to govern "for the people." But, under him, there is no government by the people, and this latter ingredient is the essential one in a democratic society. Only if the government is by the people can it be generally assumed that it will also be for the people. What we who oppose this bill are fighting for is a government which is not only for the people but which is by them. Denying the people vital parts of their system of jury trial undermines this noble goal.

Mr. President, I should like to refer to one of the most basic points of contention on this question of the right to trial by jury in "all criminal prosecutions" and for "all crimes." As I have suggested in other addresses on this subject, there is but one way for proponents to give their proposals even the slightest aura of constitutionality. This is by arguing the point that a criminal contempt proceeding involves neither the trial of a "crime" under article III of the Constitution nor does it constitute a "criminal prosecution" under article IV of the Bill of Rights.

Whatever variance of opinion there might be on the constitutional issue, one of the basic rules we must keep in mind is that we are not engaged in a race to pass any and all provisions simply because they might happen to be constitutional. There is also the large question of whether a proposal is wise, whether it is prudent, and whether it sets the right sort of precedent for the future development of our law.

Senators know that in my remarks on previous occasions I have expressed great concern over this element of precedent and what a step in the wrong direction might lead to in years to come and in other areas of the law. Proponents would do well to join me in my concern in this matter.

I know that the distinguished Senator from the State of Arkansas [Mr. McClellan] shares my grave concern in this regard. In fact, during the 1957 debates he visualized how the concept of justice employed by this bill might appropriately be expanded into the field of national security. Here is how he explained the extension and the analogy by which this cancerous growth might spread to a secondary area of our law, and then to another and another. He said:

> If the device of this bill, and the radical procedures it proposes, are sound, practical, and justified for punitive purposes against the white race in the South, then such procedures are 1,000-fold justified in fighting the Communist conspiracy, which threatens the destruction of our system of government and the destruction of the liberties of all our people.
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> If it be said that what I propose would violate the constitutional rights of Communists, then must not he who makes such charges concede that without this amendment the pending bill would violate the constitutional rights of those against whom it is intended to be applied? If the proposed subterfuge of substituting contempt proceedings for established criminal jurisprudence is to be applied in the civil rights field so as to deprive the accused of the right to a trial by jury, then let us invoke the same subterfuge and proceedings against the Communists, the arch enemies of everything America stands for.
>
> If the proponents of the bill insist upon vesting powers in the President to delegate authority to some person to call out the Armed Forces of our country to enforce decrees of injunction and contempt against alleged violators of civil rights statutes, then let us provide the same power and authority in the President to use the Armed Forces of this country to enforce injunctions and contempt proceedings against those who teach, and conspire to bring about, the overthrow of our Government by force and violence in violation of the Smith Act.
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> I can see no reason, and no justification whatsoever, for permitting a less effective procedural remedy to stand against the Communist conspiracy than that which it is proposed to invoke against one who might violate a civil rights statute. If we want to provide for anticipatory injunctions against expected crimes, let us begin with this practice against the avowed enemies of our Government, and not discriminate in their favor. I submit that if one is guilty, or about to become guilty, of an offense under the Smith Act, that is a far more serious crime than a civil rights violation, and at least equally effective remedies should be applied against it.
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> If anticipatory remedies are to be used when quick action is demanded, it is more important to have quick action under the Smith Act than under civil rights statutes. The contrast is that the violators of the Smith Act are enemies of all of our people, and this is certainly a greater crime than the alleged temporary disenfranchisement of one voter:
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> I submit, Mr. President, that if there is any one place where an exception to public policy against criminal equity is called for, it is in the field of national security.
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> If the Federal Government is now ready to resort to the expedient procedure proposed in this bill, it should begin where threats to our national security are involved and not invoke it in some minor area of law violations and exclude the category of crimes which strike at the very security and survival of our country.

Mr. President, in a previous speech on this subject of the right to jury trial, the junior Senator from Louisiana referred to the matter of burden of proof under the civil rights bill. He pointed out the dangerous precedent set by the McPhaul case, which, in effect, placed much of the burden of proof on the defendant in a criminal contempt proceeding. He quoted a lengthy passage from Mr. Ronald Goldfarb's book, "The Contempt Power," which concluded the following concerning the McPhaul case:

> The case, though turning on what appears to be a narrow question of statutory interpretation, really underscores the very basic implication of the contempt power—that is, the constant tug between governmental power and individual freedom, a philosophical and political problem recurring again and again in the garb of legal decisions about the contempt power.
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> The case above deviates from past Federal court treatment of this problem. As far back as 1894 one Federal judge wrote: "Accusations for contempt must be supported by evidence sufficient to convince the mind of the trior, beyond a reasonable doubt, of the actual guilt of the accused, and every element of the offense.

Mr. President, it seems to this Senator that it is the 1894 ruling which should continue to control in this matter rather than the sort of bad law and bad precedent set forth in the McPhaul case. However, the McPhaul case is the latest indication there is of the trend that is taking place in criminal contempt cases; and, if this bill is passed without an absolute guarantee of trial by jury, it can only be accepted that the courts will follow the preposterous precedent of the McPhaul case. The defendant will inherit the burden of proof from his accuser and will thereby lose forever the general presumption that a man is innocent until proven guilty. Under the provisions of this bill, the defendant will have to prove himself innocent rather than having the prosecution prove him guilty. Where the nature of the offense —"discrimination"—is so ill defined and so undefined, this will often amount to an impossible task for the defendant, especially when he has no jury to which to make his plea.

Absent the jury, the person against whom or toward whom the defendant would have to support his burden of proof is the very judge whose injunction the defendant is alleged to have violated. What sort of due process of the law will this ridiculous situation result in, Mr. President?

Mr. Goldfarb studies this factor also in his excellent book. He prefaces his remarks on the subject by quoting a rule from the case *In re Oliver* (333 U.S. 257), which says that "a fair trial in a fair tribunal is a basic requirement of due process. Fairness, of course, requires an absence of actual bias."

Mr. President, from this basic thesis, Mr. Goldfarb proceeds with his expert analysis of the shortcomings of trial without the right to have one's case heard by a jury. He says:

> Another aspect of contempt procedures which would seem to conflict with due process is that whereby the judge in a summary proceeding acts as judge, prosecutor, jury, and sentencer. Often he was personally the subject of the contempt. This anomalous procedure derives from old English practices which were not, and still are not, looked at askance. We have seen that some of the practices have been proved to be based upon shaky historical foundations. Strictly a product of the common-law system, this procedure is astonishing to subjects of the civil law tradition. It is astonishing to some common-law lawyers, too. Justice Black wrote in the Green case:

"When the responsibilities of lawmaker, prosecutor, judge, jury, and disciplinarian are thrust upon a judge he is obviously incapable of holding the scales of justice perfectly fair and true and reflecting impartially on the guilt or innocence of the accused. He truly becomes the judge of his own cause. The defendant charged with criminal contempt is thus denied * * * an indispensable element of the due process of law."

Now, the Federal Rules of Criminal Procedure provide that: "If the contempt charged involves disrespect to or criticism of a judge, that judge is disqualified from presiding at the trial or hearing except with the defendant's consent." A similar requirement was included in the Clayton Act. But in some existing contempt situations the judge is still not disqualified.

These provisions, though they apply only to indirect, criminal contempts, are eminently proper so far as they go. Federal rule 42 was based on the observations of Chief Justice Taft in the Cooke case. There, he noted the delicate balance which individual judges must strike in these cases between any impulse toward reprisal and such leniency as would injure the authority of the court. He suggested substitution of another judge wherever possible. Obviously concerned with this problem, Chief Justice Taft in an earlier opinion had offered this inequity as another ground for extending the pardon power to cover contempt convictions.

The Supreme Court has often noted the human qualities of judges, by which they, as others, are subject to such fallibilities and frailties as anger, petulance, and even vengeance. Whether judges are made of sterner stuff than other men and are consequently better able to withstand the natural evocations of human emotion, has been debated many times and in many contexts. Though variant opinions abound, and the problem may never be adequately resolved, it is not too heretical to suggest that a shift in personnel is more calculated to insure fairness in the trial of contempt cases, and that the mere donning of judicial robes and the consciousness of an oath long ago taken may succumb to more immediate emotional demands. In a case in which he discussed this issue, Justice Frankfurter wrote: "These are subtle matters, for they concern the ingredients of what constitutes justice. Therefore, justice must satisfy the appearance of justice."

Mr. SMATHERS. Mr. President, will the Senator from Louisiana yield for a question?

Mr. LONG of Louisiana. I yield for a question.

Mr. SMATHERS. I know the Senator is a lawyer and has had some experience at law. Has not it been the Senator's experience that many judges, being human, have a great tendency, as time goes on, and as they grow older, after serving on the bench for some time, to clothe themselves with greater and greater authority, to imagine that they have greater and greater prerogatives, and, in fact, to become more and more dictatorial and arbitrary?

Mr. LONG of Louisiana. The Senator from Florida, somewhat like the Senator from Louisiana, has had occasion to recommend the appointment of judges, and to support judges in his State when they sought election to office.

I am sure the Senator has had occasion to campaign for judges when they had run for election to the bench, and also to recommend to the executive branch certain persons whom he thought should be appointed to the Federal bench, as well as to support the confirmation of their nominations. I believe the Senator has had the experience, similar to the experience of the junior Senator from Louisiana, of having gone to law school with some of those who later were appointed judges; and he knows that notwithstanding the fact that some of them like to look upon themselves as being almost deities, they are only human beings. They, too, are made of flesh and blood, as are the Senator from Florida; the Senator from New York [Mr. KEATING], who also is a distinguished lawyer; and the Senator from Louisiana. He also knows, I am sure, that whereas these men proceeded toward careers on the bench, some of us went into Government. In other words, judges are human beings, and are motivated by the same elements that in general motivate the rest of us. They are angered by the same types of things that anger us.

Has not the Senator noticed that when people begin to praise him for his fine work, hoping that he will support their bill, hoping that he will help them get a project in their State in the future, or hoping that he will help them to get industry into their State, over a period of time it makes the Senator feel that he is more powerful and more correct in his judgment than the other fellow is? But then has not the Senator found that when he has to stand for re-election from time to time, he is made cognizant that he is no different from the other fellow?

Mr. SMATHERS. I hasten to agree with the Senator. If we did not, from time to time, have to face the people—the ones who, after all, put us in our jobs in the first instance, and who are responsible for keeping us there—it would be easy for us to believe that all power and all resources are reposed in ourselves. Even if we made a practice of listening only to that which is good, and turned a deaf ear to that which is bad, we would soon be disillusioned at the polls.

I am sure the Senator from Louisiana will agree that the difference between ourselves and the judiciary is that in the Federal judiciary, once a judge has been appointed, he holds the office for life. He cannot be removed from his position, short of impeachment.

Federal judges hold office year after year, generation after generation. They become fixed in their opinions, not only with respect to the law, but also with respect to their own power. When someone goes counter to the fixed opinion of a judge with respect to how his court should be conducted, the judge can, in fact, become arbitrary and dictatorial. In some instances, judges trespass on the rights of individual citizens. That is why, in the first instance, the founders of our government wanted to provide for every individual the right of trial by jury, even in criminal contempt cases. They did not want to permit a judge to be the prosecutor and the punisher and to have almighty authority, so to speak, to do with individuals what he wanted.

Mr. LONG of Louisiana. The Senator from Florida is 100 percent correct. I agree with him. As a matter of personal experience, I have known judges who were, in my opinion, arbitrary and unreasonable. The most arbitrary, tyrannical, crochety and irate judge I have had occasion to observe was a man who was as docile and congenial as any man I had ever met prior to his elevation to a lifetime job as a Federal judge. Everyone regarded him as one of the kindest, most considerate persons who had come into their lives. However, once he was appointed to the Federal judiciary and had life tenure, he changed drastically in his attitude toward those who had no recourse. That man was in office for life. Those who had to appear before him, particularly lawyers, complained bitterly. One could hardly imagine such a complete change in personality as that which took place when that man, who never before then had authority at any time in his life, was elevated to a position in which he held practically life-or-death authority over people. Imagine the situation when such a person, who all his life must have yearned in vain to have great power and authority, was appointed to a lifetime position. I doubt whether he could even get along with his own household. My guess is that his wife found ways to prevail over him on occasion, at least in their home. But once he was appointed to the bench, that man became a tyrant.

That is what confronts a defendant when he has no right of trial by jury. The judge is the one who holds control over him. The judge can say, "I gave you an order; but you violated the order. So you will go to jail for 30 days, and will pay the Government a fine of $300." In such an instance, how can a person defend himself?

Mr. SMATHERS. As I understand, the Senator from Louisiana does not recommend that Federal judges be required to run for office every 4 years; but in order to protect individual citizens who must appear before Federal judges from the exercise of arbitrary authority on the part of judges, the Senator recommends that individual citizens be guaranteed the right of trial by jury in criminal contempt cases.

Mr. LONG of Louisiana. Exactly. A Federal judge has a right, in some instances, to cite a person for contempt. He may say he will bear down on a person for shooting ducks out of season. Perhaps one hunter might have four ducks in his possession, instead of three; or five, instead of four. Some judges might send such a person to jail for 30 days, for having one duck too many in his possession. If the hunter had no right to be tried before a jury, there would be no limit to the kind of mischief that could occur when he might merely be the victim of circumstances. He might not have shot too many ducks; he might only have somebody else's duck in his possession.

So the right of a man to be tried before an impartial jury is a right that cannot be stressed too often.

Mr. President, I now continue with the quotation to which I had referred:

Though one can never know the mental processes by which a judge has acted, it seems more reasonable to conclude that the impersonal authority of law is better guarded and applied by one who is not himself personally involved in a given conflict.

Mr. President, think what a terrible predicament a defendant under this bill would be in.

First. He will in all probability have to support the burden of proof. In other words, he will be presumed guilty until he can prove himself innocent.

Second. He will have to prove this innocence to a judge who is personally involved in the case.

Third. The "crime" of which he must prove himself innocent is completely undefined and, in effect, will be subject to whatever definition the judge conjures up.

Fourth. In many instances, he will not have the right to cross-examine his accusers, for usually the judge himself will be the accuser.

Fifth. He will have practically no right for appeal, for, as any lawyer knows, appeal on questions of fact is very much more narrowly restricted than appeals on questions of law.

Truly, Mr. President, the defendant is thrown at the mercy of the court and, as long as the court is merciful and reasonable, he may survive the ordeal. But we all know that all courts are not reasonable and that we must continue to protect our legal system as much as we can from control by the whims of men rather than by the rule of law.

After all, it is for precisely this reason that we have the jury trial system to begin with. It is for the defendant's protection against the possibility of arbitrary charges and arbitrary courtroom procedures, both of which will be not only possible but probable under the provisions of this bill as it is now worded.

Mr. President, it is the sort of attitude that we find incorporated into the jury trial provisions of this bill which has produced such an uprising of public opinion against H.R. 7152. This was proven beyond doubt in the recent Maryland primary in which Governor Wallace overcame fantastic political obstacles to register a majority of the white vote. Let that never be forgotten or minimized in importance, Mr. President. While Governor Wallace lost the election by a slight margin, he actually won the support of the majority of white voters in Maryland.

Mr. President, it seems to this Senator that there is absolutely no question that the national trend has been running very much against the forced integration bill now before the Senate. The reason for this trend is, of course, the highhanded manner in which the bill attempts to undermine many of our fundamental constitutional rights—among them the right to trial by jury, now under consideration here in the Senate.

As this trend concerns the proposed legislation, this Senator is very highly pleased about it. The trend, after all, indicates that, as more and more people study the intricacies of the bill, more of them come to the same conclusion on the matter as we the opponents do. In a very real sense of the word, the national trend is serving to vindicate and to buttress the arguments that we have been making for the past several weeks.

But, in another sense, the national trend bothers and concerns the junior Senator from Louisiana. It concerns him for the simple reason that the people of the United States are in a state of opposition to the party line of the Democratic Party. As a Democrat, it is always disheartening to note the sudden growth of public opposition to the party's program on a national issue. The point which concerns me, Mr. President, is that the unbending, uncompromising, power-grabbing philosophy which has been incorporated into H.R. 7152 is alienating millions of voters from the Democratic Party. For the sake of the party in the coming election, it seems to this Senator that some of our leaders should begin to think about backing off from the hard-line policy found in this bill—lest they succeed in losing the presidential election for us.

For example, the matter of our people's rights to trial by jury in criminal prosecutions is sure to be made a campaign issue this fall. This Senator feels that it should be and must be, because this is the way he reads the U.S. Constitution. It seems to him that any intelligent Republican campaign strategy will take full advantage of this situation and capitalize on the sad failure of the Democratic Party to abandon its indefensible party line, which seeks to emasculate our constitutional rights to trial by jury.

So, while this unreasonable position on the part of the leadership has actually assisted us in gaining the support of many millions of people all across the country, it is certainly discouraging to see my Democratic colleagues create such a topsy-turvy political climate by their unwillingness to open their minds to substantial compromises. Their actions at the present time will be made a very large campaign issue, particularly if either Mr. GOLDWATER or Mr. Nixon receives the Republican nomination. Each of these gentlemen has a much more moderate attitude on this issue of forced integration, and each of them has more than enough political acumen to take full advantage of the heavy voter reaction to the extremists' positions being argued by my own party's leadership on the forced-integration bill.

It seems therefore that as a matter of political survival, the leadership of my party should decide to follow a vastly different tack in the balance of these debates. If they do not, the Democratic Party is certain to feel the full impact of a gigantic blacklash which will build up by election day in November.

On Friday, May 15, Mr. President, I happened to read a very interesting commentary on this very subject by a Mr. David S. Broder, a staff writer for the Washington Star. The article was entitled "Rights Is Topsy-Turvy Issue." It expresses the political factors to which I have been referring. It analyzes the situation in such an excellent manner that I should like to quote it for the benefit of my colleagues who are here on the floor. I am only sorry that more of them are not present. Perhaps those who are not—particularly the party's leadership—will read the text of this interpretive report by Mr. Broder when it appears in the CONGRESSIONAL RECORD tomorrow morning. The article states:

> In Atlanta last Friday, President Johnson defended his civil rights program to Georgia State legislators by remarking that "democratic order rests on faithfulness to law. Those who deny the protection of the Constitution to others imperil the safety of their own liberty."
>
> In New York City Tuesday night, Senator GOLDWATER explained his opposition to key sections of the Johnson civil rights bill by citing "the oldest law of all: You cannot pass a law that will make me like you—or you like me."
>
> The spectacle of a Democratic President urging civil rights laws in Atlanta while the leading Republican presidential candidate tells a New York audience, "There are too many of the old laws which aren't even working," indicates something of the topsy-turvy way in which racial politics may enter the 1964 campaign.
>
> A GOLDWATER nomination would guarantee a civil rights debate in the coming election, no matter what kind of bipartisan agreement is reached in Congress over the terms of the pending bill.
>
> Senator GOLDWATER has made it plain he will not vote for the bill with its present provisions on public accommodations and fair employment practices. He has said repeatedly he will not vote to invoke cloture on a southern filibuster under any circumstances.
>
> Moreover, the applause and cheers he has received from northern audiences for his criticisms of the demonstrations and violence that have occurred under a Democratic administration indicate that votes can be made with his kind of appeal.
>
> In fact, many Republicans who are not in Senator GOLDWATER's corner are willing to concede privately that his position on civil rights could become his major asset if this summer sees a rash of racial demonstrations in the northern cities.
>
> The "white backlash" that is evidenced by Gov. George Wallace's ability to draw more than one-quarter of the Democratic primary votes in Wisconsin and Indiana might grow into a serious problem for President Johnson by November, if Negro militants carry their campaign into the streets.
>
> Senator GOLDWATER's appeal to the disappointed whites is more subtle than Governor Wallace's, but there are some similarities.
>
> In the sanitized segregationism Governor Wallace has been preaching up north, he says he has no objection to integrated schools, neighborhoods or businesses as long as that is what the local people want. His fight, he says, is against integration ordered by the "social engineers" in Washington.
>
> Senator GOLDWATER sincerely favors equal opportunity for all citizens. But he insists it can be achieved, not by law, but only by "the meeting of minds and the opening of hearts." He invokes the "Republican principle of getting things done at the local level before calling out the Federal programs—or the Federal troops."
>
> In effect, both men are saying that Negroes can achieve only as much equality as the white majority in an area will grant them.
>
> Personal circumstances, however, give Senator GOLDWATER's version of this argument far greater appeal. Where Governor Wallace is a symbol of diehard resistance to integration and defiance of Federal law, the Senator is a man of unquestioned tolerance, whose personal record includes major contributions to the voluntary desegregation of public and private facilities in his home State.
>
> When Senator GOLDWATER says the voluntary way is the only way, he is talking about a course of action he has followed himself—not rejected, as Governor Wallace has.
>
> This makes his message all the more appealing to northern whites who are willing

> to concede that Negroes have rights but object to being "crowded" or "pressured" into immediate integration.
>
> The chance of wooing those whites to his cause appears to offer the Senator his main hope for victory if he is nominated. Just how real that hope is can be debated. The returns on the Wallace races in Indiana and Wisconsin indicate his greatest appeal is to the low-income, blue-collar worker whose job and home are in readiest reach of the ambitious Negro.
>
> Those voters may like Senator GOLDWATER's civil rights stand, but his argument for right-to-work laws and "voluntary" social security are not likely to hold much attraction for union members and low-income families.
>
> Also, Republicans must calculate the possible cost to the party of adopting the Goldwater position on the race issue. Some white Republicans undoubtedly would be offended by anything that struck them as a bid for segregationist support. The clergy in Indiana rallied strongly against Governor Wallace and he ran poorly in the small towns, where the preachers have influence and a lot of Republican votes can normally be found.
>
> Certainly a GOLDWATER nomination would deprive the GOP of virtually all the Negro support it now has. That support is not heavy—the Gallup poll said Richard M. Nixon received only 32 percent of the votes of Negroes in 1960—but it spells the difference between victory and defeat in some States.
>
> In Atlanta, where Mr. Nixon carried the Negro precincts in 1960, the takeover of the GOP by Goldwater backers 2 weeks ago caused one of the ousted party officials to say, "The Negro has been read out of the Republican Party here today."
>
> At the Michigan Republican convention last weekend in Grand Rapids, a Negro delegate told this reporter. "If we nominate GOLDWATER, I've served notice on my county chairman that I will distribute literature urging a vote for (President) Johnson and (Gov. George) Romney."
>
> Virtually no Negroes attended Tuesday's Goldwater rally in Madison Square Garden. But the whites who filled the place to overflowing cheered loud and long when the Senator said, "You cannot pass a law that will make me like you—or you like me."

Mr. President, it seems that this article tells a very accurate story. It appears also that the story would apply to the candidacy of Mr. Nixon as well as to that of Mr. GOLDWATER. The former Vice President has several times indicated his belief that the bill itself goes too far and that the militancy of some of the groups behind it is a danger to the American way of life. Since he will not stand to receive much of the Negro vote nor much of the ultra-liberal pro-civil rights vote anyway, he would be certain to make a substantial campaign issue of the "power grabbing" philosophy which has been incorporated into the bill now before us.

Therefore, it seems to this Senator that it might be a wise and indeed an expedient move for the party leadership to begin building for themselves, a new image. The image they now enjoy is one of extremists who are prepared, for instance, to abandon our established and proved rights of trial by jury for a new, pseudoright to trial by judge. This Senator sees no constitutional right in the Constitution to "trial by judge." The phrase he recalls is that for "crimes" and in "criminal prosecutions" defendants shall enjoy the right to trial by jury. Politically speaking, this will be the recollection of the great majority of American citizens when this question is made a national campaign issue. At that time, the people will have to identify their own feelings with those of one of the two parties. It is rather doubtful that the "Trial by Judge Party" will find many sympathizers among redblooded Americans who appreciate the need to preserve our fundamental constitutional rights and freedoms—among them, the freedom from courtroom tyranny and the freedom from an all-powerful Federal bureaucracy.

As it now stands, Mr. GOLDWATER has a much firmer ground on which to stand than do the leaders of my own party. A few minutes ago, Senators heard me read from an editorial report concerning some of the sensible, moderate views held by Senator GOLDWATER. In this same vein, I should like to quote several excerpts from a speech made by Mr. Nixon in Cincinnati, Ohio, on February 12 of this year. Although Mr. Nixon supports the expansion of civil rights, as does Mr. GOLDWATER, his remarks indicate that he does not pursue the matter to the extreme position advocated by word and deed by our own party leaders. Here is part of what Mr. Nixon had to say. Here is part of what he most certainly will be saying again in an attempt to take advantage of the undeniable reaction among whites, should he become the Republican nominee:

> In this election year Republicans will be urged by some to out promise the Johnson administration on civil rights in the hope of political gain. I am completely opposed to this kind of political demagoguery. Making promises that cannot be kept—raising hopes that cannot be realized—are the cruelest hoaxes that can be perpetrated upon a minority group that has suffered from such tactics for a hundred years.
>
> I think that the Republican Party should stand forthrightly on these principles:
>
> 1. We are proud of our record from the time of Abraham Lincoln to the passage of the first civil rights legislation in 100 years under President Eisenhower.
>
> 2. We shall continue to lead the fight for equality under the law for all Americans, including not only our Negro citizens but other minorities who because their numbers are less are sometimes overlooked—the Puerto Ricans, the eastern and southern Europeans, the Central and South Americans, the Mexicans, and our American Indians.
>
> 3. But we are a party that was founded on the principle of the rule of law. Abraham Lincoln led the Nation to war to maintain the rule of law in our land.
>
> 4. The encouragement of disrespect for law through mass demonstrations, boycotts, and violation of property rights, in the long run, harms rather than helps the cause of civil rights. Some justify such tactics on the ground that they may hasten the passage of laws. But, at the same time, these tactics destroy the will of the people to obey those laws.
>
> 5. We disapprove the spectacle of public officials lending the prestige of their office to extra-legal pressures on the part of any minority or majority group. This encouragement of disregard for law and for the rights of other people and other minorities will plague the cause of better understanding among the American people for years to come. It negates or makes suspect the right of petition, the right of peaceful assembly, and the orderly process of law.
>
> 6. We stand for the rule of law and reject mob rule.
>
> 7. The only rights worth having are the rights created in the law, by lawful means, and which exist for all Americans equally and equitably.
>
> 8. We reject the idea that the way to reduce high Negro unemployment is to increase white unemployment. We stand for a program that will increase job opportunities for all Americans.
>
> 9. We oppose segregation in our schools either by law or in fact. But this problem must be dealt with in an orderly transition. We believe it is detrimental to both Negro and white children to uproot them from their communities and to haul them from one school to another in order to force integration in an artificial and unworkable manner.
>
> 10. Now that a new civil rights law will soon become a reality, we need a national program which will increase understanding among our people, the will to obey that law and other laws, and which will reduce the hate fomented by professional extremists and political demagogs.
>
> A law is only as good as the will of people to keep it. The hate engendered by demonstrations and boycotts have set Americans against Americans and have created an atmosphere of hate and distrust which, if it continues to grow, will make the new law a law in name only.
>
> It is time for responsible civil rights leaders to take over from the extremists.

I suspect, Mr. President, that most of the proponents could easily endorse such a list of standards by which this controversy should be handled. They could endorse these standards, but in fact they have not. For example, current attitudes among proponents on the jury trial issue constitute the best possible proof of this. It is proof that many do not wish to turn their minds toward reasonable solutions but prefer, instead, to remain servants to the militant mobs and to the extremist political pressures from radical minority groups. In doing so, they are participating in the sort of legislative extremism which will spell trouble in the elections this fall.

Mr. President, this Senator must agree with Mr. Nixon concerning his condemnation of extremists in the so-called civil rights movement. He agrees with the position being taken by the Senator from Arizona. In effect, the junior Senator from Louisiana feels that the extremist attitudes of some of his own party leaders are beginning to sell the Democratic Party down the river. The people do not want the civil rights commodity that the Democratic Party is attempting to shove down their throats. It is obvious that there is a growing counterreaction to forced racial integration—both as it appears in this bill and otherwise.

In practically each one of this Senator's previous speeches he has indicated examples of what he feels to represent the mounting trend against the forced integration bill and against coerced integration in general. A little bit later in these remarks, I shall summarize these incidents and developments in the form of a brief listing—which may be of interest to Senators.

But, at the moment I should like to mention still another development which demonstrates the growing opposition to the proposals found in the 56 pages of H.R. 7152. I should like to call attention to this recent development by quoting a news article from the May 18 issue of the Washington Post. It is entitled "Rights Bill Draws Fire of Realtors." It is written by Mr. Robert Barkdoll, of the United Press International. I now read from it:

> A powerful segment of the real estate lobby came out formally against the civil rights bill yesterday and called on its 77,000 members to petition their Senators to vote against it.
>
> The National Association of Real Estate Boards, representing most of the Nation's real estate agents, opposed the bill now before the Senate on grounds that it threatens the right of property owners to "use, rent, and dispose of property as they see fit."
>
> Members of the association have been speaking out against the House-passed bill for months. The national organization took a formal stand in a resolution adopted last week and in a followup statement yesterday by Association President Ed Mendenhall of High Point, N.C.
>
> Mendenhall said the association was not opposed to civil rights, but that the bill "would result in an unlimited extension of Federal power into the civil liberties of every citizen." He urged association members to contact their Senators in opposition to it.
>
> Under the public accommodations section of the bill, discrimination would be barred in hotels, motels, and other places providing lodging for transients, except homes—occupied by the owner—which do not rent more than five rooms.
>
> Also affected would be restaurants, gasoline stations and amusement centers that serve interstate travelers or that handle goods moving in interstate commerce.
>
> A spokesman for the National Association of Home Builders, an organization representing housing constructors, said his organization did not intend to become involved in the civil rights battle and would take no stand on the bill.
>
> Both the home builders and the real estate association opposed the late President John F. Kennedy's 1962 order prohibiting discrimination in federally assisted housing. Since then, the homebuilders have pretty much lived with the order, while the real estate organization has continued to speak out on the issue.
>
> Mendenhall noted in his statement that the real estate association had not previously taken a stand on the bill, although many local boards and associations had been fighting similar laws at the local and State level.
>
> He said recent Senate debate had shown a wide range of opinion among Members of that body on the bill's effect in many areas, including real estate. The real estate chief also referred to the bill's "broad-brush intent to interject the Federal Government into the everyday life of most segments of our economy."
>
> Mendenhall said there had been "a dramatic turn in public opinion" against laws that he described as threatening property rights "under the guise of creating a new right for individuals of minority groups."

So, Mr. President, having read through this article, I should now like to make a brief listing of the several indications of a trend against this bill and against forced integration in general.

First. The above-mentioned resolution by the National Association of Real Estate Boards.

Second. Defeat of an "open-housing" ordinance in Berkeley, Calif.

Third. Defeat of an "open-housing" ordinance in Seattle, Wash., by a vote of more than 2 to 1.

Fourth. Defeat of an "open-housing" ordinance in Tacoma, Wash., by a vote of about 3 to 1.

Fifth. Defeat of an "open-housing" ordinance by the Baltimore City Council by a vote 7 to 2.

Sixth. Defeat of an "open-housing" bill in the Rhode Island State Legislature by a vote of 61 to 32.

Seventh. Narrow victory of public accommodations ordinance in Kansas City, Mo., where an analysis of the voting statistics shows that white voters were opposed to the measure almost 2 to 1.

Eighth. Governor Wallace's 33 percent of the primary vote in Wisconsin.

Ninth. Governor Wallace's 30 percent of the vote in the Indiana primary.

Tenth. Governor Wallace's 43 percent of the vote in the Maryland primary.

Once again, Mr. President, it is interesting to note that in the Maryland primary, Governor Wallace received a majority of the white vote. He did it notwithstanding the overwhelming backing that Senator BREWSTER received on television, and in all the Washington newspapers, with their three editorials every day against Governor Wallace. This was true particularly in Montgomery County, which provided the margin of victory to Senator BREWSTER. Governor Wallace would have been victorious, had it not been for the vote in certain areas where there is no problem of this sort. In areas where the problems exists, the white vote was overwhelmingly in favor of Governor Wallace, by margins such as 90 percent, as in Dorchester County, where disturbances had occurred in Cambridge.

Eleventh. Senator ROBERT BYRD's overwhelming victory in West Virginia. Senator BYRD had indicated that he did not expect to vote for the bill, contrary to the vote that other Senators from that State had cast in other years, and notwithstanding the demonstrations and other activities put on by Negroes. When the issue was frankly presented to the people: "What do you think? Do you want to beat BOB BYRD? Do you want to take him out of the Senate?" The vote was 86 percent for BOB BYRD.

That is a very impressive victory in a border State, with Negro mobs doing their demonstrating and demanding that this man be taken out of the Senate.

My opinion is that Senator BYRD's victory in the coming election will be every bit as impressive.

It is somewhat amazing to me that the press has not grasped the significance of the victory achieved by Senator ROBERT BYRD in West Virginia, a State which historically has been sending to the Senate Senators who have voted for this kind of legislation. It is significant that a Senator who stands up and says he will not vote for the bill, but expects to vote against it, should get 86 percent of the vote. My feeling is that many Republicans will vote for him.

All of these factors and many others like them indicate to this Senator that, while the majority of Senators seem to be moving in one direction, the majority of Americans are moving in an opposite direction. Of course, the time at which this situation will be straightened out will be on election day when Senators will have to face their electorate. It is at that time that Senators will find themselves face to face with the practical and the political aspects of this matter. It is at that time that they will finally realize what a dilemma they are creating for themselves and for this whole Nation by the position they take on this radical bill.

Mr. HART. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HART. Is the Senator suggesting that we should weigh our letters from home and then decide whether we will win or lose in an election, before we make up our minds what is right or wrong?

Mr. LONG of Louisiana. Let me put it this way. We are here in a representative capacity. Whether the Senator agrees or not, I believe the record shows that, in a large measure, Senators and Members of Congress, in general, tend to vote for or against a measure depending upon whether they think their position will be approved by their constituents. In my years here, I have known Senators—and sometimes I have done it myself—who voted their convictions, fearing that by doing so they were defeating themselves at the next election. Even so, I hold to the general philosophy that we are here representing the people of our State, and that when we fail to represent them, we are, in general, tending to take ourselves out of this body.

Mr. HART. Let us suppose someone believes with deep conviction that it is wrong to judge a man 50 feet away, while he is entering a restaurant to buy a cup of coffee. Some 50 percent of the people feel that is the way he should be judged—while he is 50 feet away. Must a man suspend his own conscience because 50 percent of the people have beliefs that are opposed to his? That oversimplifies my point, but that is how I feel about this matter.

Mr. LONG of Louisiana. The Senator may feel that way. I personally feel that the bill is a bad one and should not be passed.

Mr. HART. That is the reason why the Senator should vote against it—not because people are likely to vote him out of office if he does not.

Mr. LONG of Louisiana. I believe it is a bad bill for both reasons. I do not criticize the man I am about to speak about in this matter, but in 1949 I fought the FEPC bill as vigorously as I could. I was running for reelection at the same time. One of the strongest opponents of the bill in the same debate was the then junior Senator from Texas, Mr. Johnson, who made a strong, eloquent speech against the bill, saying, "If the Government has a right to tell an employer he must hire a certain person, then it also has the right to make a man work for someone whom he may not want to work for." It was a good speech against the FEPC bill, which was the same sort of measure that is included in the present bill, which the present President of the United States is advocating.

I have undertaken to explain the difference in his point of view on the basis that in 1949 Mr. Johnson was a Senator from Texas; now he is President of the

United States and, as such, represents the Nation as a whole. He may now feel it appropriate for him to take a different view today from that which he took as a Senator from Texas.

On the whole, Senators can judge for themselves. I am of the view that most Senators who favor a bill do so believing the preponderance of their electorate would want them to vote for it. I do not believe the majority would vote that way if they did not so believe.

If the Senator from Michigan thinks he is voting contrary to the views of the majority of the people of his State, he can still vote for the bill. Perhaps he feels he should vote for the bill even though it is contrary to what the people of his State think. Generally speaking, it has been my feeling that if one thinks he is right about something, and the people of his State are wrong, he might still believe that he can persuade them that they are wrong and that he is right, if in fact they are wrong.

But if the people of one's State are convinced that they are right, and they will not be convinced that they are wrong and the Senator is right about the matter, then I would advise the Senator to represent what the people of his State would recommend.

Mr. HART. In effect, that would be, saying that one should vote for what he believes is wrong. The Senator starts by saying that if the majority believe a thing is right, but I think it is wrong, I should vote as the people of my State believe—which, in the Senator's judgment, is the wrong way.

Mr. LONG of Louisiana. Perhaps I am prejudging the point. Am I to understand that the Senator believes the people of Michigan are against the bill?

Mr. HART. I have no idea. I question whether any Member of this body knows how to get the answer to that question. Perhaps the easiest way to get it would be to weigh one's mail. But that would give a very sketchy summary of the views of 8 million people, in the case of Michigan, and of the views of 18 million, in the case of New York. That is why I rose. The Senator from Louisiana was lecturing us on the strong indication that a vote for civil rights would be bad political medicine; therefore, we had better be careful.

I ask, What difference does it make, if we believe this is the way America should respond to this critical domestic problem? Let Senators argue the basic proposition of whether a title II is prudent or imprudent; that would be a contribution to the debate. But do not tell us that we will be in trouble if we vote for the bill.

I repeat: I have not the faintest idea what the people of Michigan would want me to do, in terms of 2.4 million for the bill and 2.5 million against it. We are not sent here as agents; that is not the concept of this body, and it never has been from its inception. We are here, thanks to the kindness of the people at home, to exercise our judgment in their behalf. Every 6 years they can clobber us if they do not like what we have done. That is the purpose of this body; and that is the reason why I rose to comment.

Mr. LONG of Louisiana. The Senator can have that view, if he wants it. Generally speaking, Senators who have been here for more than one term are Senators who regard themselves as representing their States and the people of their States, rather than themselves.

Mr. HART. I do not preempt from any person in Michigan the right to judge me. The people of Michigan have that right. But I have an obligation in conscience to represent those people and to vote as I believe the demands of history compel us. As I see it, the demand is clear, and the obligation to support the bill is clear. I hope that view will conform with the wishes of the majority of the people of Michigan. But if it does not, they can get a new agent, and undoubtedly will.

This is the role of the Senate. We are not here to try to make a telephone roundup 5 minutes before every rollcall, to find out how the people at home feel about what we are voting on.

Probably we are the only ones who have had the benefit of reading the debates and of studying the proposed amendments. It is our obligation, as the representatives of the people, to do what we feel is in the best interests of society, and to hope that in history's long measure we shall be adjudged correct.

That is our obligation, as I see it.

That is why I rose to say that the argument the Senator is making—that we may be in trouble if we vote for the bill—is irrelevant.

Mr. LONG of Louisiana. I do not know of any argument that is more relevant to politicians than my general definition that a statesman is a retired politician; because in my judgment, so long as a person represents the people of his State, he has a function somewhat different from that which the Senator from Michigan has spelled out. In my opinion, the Senator has a perfect right, under the Constitution, to vote completely contrary to the desires of the people of his State. Generally speaking, most Senators feel an obligation to vote in accordance with what the people of their States want.

The original institution of the Senate, under the old Articles of Confederation, was according to the concept that a Senator was an ambassador from his State; that a State legislature could bring him home any time it desired to do so.

While we no longer operate according to the concept that the Senate, under the Constitution, was established on the basis that Senators would be elected by the legislature, instead of by the electorate itself, each State has two Senators; each State has two representatives in this body; for the reason that each State is expected to have equal representation, the thought being that Senators represent the States, rather than their own individual points of view.

Mr. HART. A large amount of money could be saved by installing somewhere in this Chamber an electric computer, and letting everyone at home push buttons. Then we would not even have to come here. That is the ultimate of what the Senator is proposing. It makes no sense—if I am not in violation of any rule in saying so. If I am, I am sorry.

Mr. LONG of Louisiana. The Senator violates no rule whatsoever. I do not view it as being any offense to me. I hope the Senator from Michigan would not regard it as any offense to him that I do not agree with him on this subject. I do not agree with him on the merits of the bill. I do not agree with him as to how the American people view the bill. I do not agree with him as to the ultimate decision. We simply do not agree on the matter. I think there is one thing that we can agree on, and that is the very fact that we do not agree on the bill.

Mr. McNAMARA. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield to the senior Senator from Michigan for a question.

Mr. McNAMARA. I appreciate the willingness of the Senator from Louisiana to yield to me.

I completely agree with my colleague from Michigan [Mr. HART] that he and I are for the bill on the basis of the substance of the bill and the moral issue involved. I do not go quite so far as he does in stating that the people at home might have other ideas. In my humble judgment, the people of Michigan are for the bill. They are for it because it is morally right. My mail reflects an overwhelming sentiment, increasing from week to week, in favor of the bill. The people of the State of Michigan strongly favor the bill.

I completely agree with my colleague; but I point out, further, that I am convinced that the people of Michigan want the bill passed in the form in which it is now before the Senate.

Mr. LONG of Louisiana. I would be curious to know whether the senior Senator from Michigan agrees with the junior Senator from Michigan that he ought to vote for the bill even though the majority of the people of his State may not be for the bill.

Mr. McNAMARA. I do not believe we need to get "iffy" about that point, because it seems to me that the people of Michigan are for the bill, and they are for it for the same reason that the junior Senator from Michigan says he is for the bill. It involves a great moral issue. It is time we decided the question.

Mr. LONG of Louisiana. In the view of the senior Senator from Michigan, the argument I have been making is entirely relevant; namely, whether the people of a State are for the bill. From his standpoint, that is an important, relevant fact. I do not always feel that my mail is a good indication. I can recall some bad bills for which I received a tremendous amount of mail in support. I have seen some good bills that had very little mail to support them.

Generally speaking, this Senator finds ways in which to judge public opinion, by talking to people and explaining the issue. After explaining the issue and letting the people state what they think, I am frank to tell the Senator I honestly believe that people who have never heard the bill discussed will give the correct assessment of the issue after they have heard both sides explained. Frankly, the man's opinion is of little value unless he has heard both sides of the argument.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. McNAMARA. I am in constant contact with my people back home on this bill and on other matters that are important to them, as the Senator is with his people.

I do not rely merely on the mail. I visit with the people. I do not visit with them as frequently as my colleague does; he gets back much more frequently than I do. But everywhere I go in the State of Michigan, I talk to people individually and in groups. The great preponderance of them say: "Vote for the civil rights bill."

Mr. LONG of Louisiana. Although the Senators from Michigan totally disagree with the argument I was making, I thank them for their questions. It shows they were listening. That is more than I can say for Senators who are not present.

Mr. President, there is one principal argument upon which proponents are basing their refusal to permit the absolute right of trial by jury in these cases. That argument, with which this Senator disagrees most heartily, suggests that many juries cannot be trusted to convict alleged "discriminators" under this bill. It implies by its very nature that in the field of civil rights the ends justify the means—even if the means involve a gross deviation from the standards set forth in the Constitution and in the Bill of Rights.

This Senator has spent several hours speaking on the floor of this great Chamber—often to empty seats—attempting to point out the dangers and the fallacies of following such a line of reasoning. He has pointed out that such action constitutes an illegal usurpation of powers under the Constitution of the United States. He has quoted great statesmen, great jurists and great legal minds on the subject. He has done all in his power to open the minds of his colleagues as to the extremely thin ice upon which they are walking when they speak of emasculating the fundamental right of all Americans to trial by jury in all "criminal prosecutions."

Despite the fact that none of these pleas and none of these warnings have seemed to produce the desired effect, this Senator will try even another argument in an attempt to make his overanxious colleagues see the light on this point. Admitting for the purpose of argument that on occasion a jury will be prone to "fly off the handle," so to speak, and not react as a judge might have reacted, we must nevertheless realize that such a jury is not totally its own boss. In a theoretical sense, it holds the verdict in its own hands; but, in a practical sense, the judge retains a considerable amount of control over those 12 individuals sitting in the jury box. The judge has a number of tools at his disposal, to be used for the administration of justice. These tools can be used in many cases to guide the jury toward a certain verdict or even to overrule the jury if it has not ruled in accordance with the obvious facts of the case.

This general subject, which this Senator does not recall as having yet been raised in the course of these debates, is commented on by Mr. Burke Shartel in his work, "Our Legal System and How It Works." I should like to quote a brief passage from his excellent study. He says:

> From what has already been said you will realize that the judge exercises a substantial control over the jury. Indeed, he controls the jury's performance of its functions in several important ways. First, he determines what evidence is to be admitted for the jury's consideration. He passes on the admissibility of this evidence, bit by bit, as it is presented. Second, he instructs the jury regarding its own functions and procedures, and regarding the law of the case where a general verdict is to be found. Third, the trial judge in the common law practice was accustomed to comment on the weight of the evidence; he gave the jury the benefit of his opinion and advice in relation to the facts of the case. This practice is still followed in the Federal courts, and in a substantial number of State courts. However, in the majority of States this practice is no longer permitted; the judge is prohibited from indicating his opinion on the evidence in any way. Fourth, he is empowered to scrutinize the evidence and if the evidence on one side is altogether insufficient to support a verdict, he must direct the jury to find a verdict for the other side. As a recent writer says:
>
> "In present-day practice a directed verdict is a device for taking the case from the jury when there is no issue of fact for the jury to decide. The jury brings in a verdict, but it is clearly recognized that the act of the jury is merely a matter of form. This practice must be carefully distinguished from (1) instruction on the law, and (2) advice on the facts."
>
> Fifth, the judge may set aside the jury's verdict if he concludes that it is contrary to the great weight of evidence, or is supported by insufficient evidence. Thus, if a jury has found "D" guilty of a crime, the judge may set this verdict aside if he finds that the verdict is based on insufficient evidence to justify a finding of guilt beyond a reasonable doubt.

So, Mr. President, is it not evident that the jury cannot really be as independent as proponents fear it might? Is it not evident that in most cases the judge has powers which may easily and effectively be used as a counterbalance against some supposed reluctance on the part of the jury to convict? Is it not evident that the judge is normally able to supervise and check the jury's factfinding process in not one but five different and distinct ways?

Certainly, then, this is at least a partial answer to those who would fear that juries will not convict. The rest of that answer lies, of course, in the extreme dangers involved in undermining the jury system as such. In other words, what small part of proponents' argument that remains intact after we have considered the power of the judge over the jury is simply not equal to the risk involved in following that line of reasoning.

The risk I mention is, of course, the risk of our slipping slowly into a system of laws and law enforcement in which the individual is allowed to play an ever-diminishing role. The risk would be to take the basic roots of law enforcement and decisionmaking out of the hands of the people—with the result that the Government would no longer be "of and by the people." The risk would be to remove the grassroots power from the hands of the many and to place it in the hands of the few. When such a thing comes to pass, the likelihood is that freedom will no longer flourish in these United States.

Blackstone comments in a most perceptive manner on just this point in volume III of his "Commentaries on the Laws of England." After describing some of the basic attributes of the institution of trial by jury, he says:

> Upon these accounts the trial by jury ever has been, and I trust ever will be, looked upon as the glory of English law. And if it has so great an advantage over others in regulating civil property, how much must that advantage be heightened when it is applied to criminal cases? But this we must refer to the ensuing book of these commentaries; only observing, for the present, that it is the most transcendent privilege which any subject can enjoy or wish for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of 12 of his neighbors and equals. A constitution, I may venture to affirm has, under Providence, secured the just liberties of this nation for a long succession of ages. And, therefore, a celebrated French writer, who concludes that because Rome, Sparta, and Carthage have lost their liberties, therefore those of England in time must perish, should have recollected that Rome, Sparta, and Carthage, at the time when their liberties were lost, were strangers to the trial by jury.
>
> Great as this eulogium may seem, it is no more than this admirable Constitution, when traced to its principles, will be found in sober reason to deserve. The impartial administration of justice, which secures both our persons and our properties, is the great end of civil society. But if that be entirely intrusted to the magistrates, a select body of men, and those generally selected by the prince or such as enjoy the highest offices in the state, their decisions, in spite of their own natural integrity, will have frequently an involuntary bias toward those of their own rank and dignity: it is not to be expected from human nature that the few should be always attentive to the interests and good of the many.

Indeed, Mr. President, one of the things most effectively accomplished by the forced integration bill is its shifting of the responsibility of government from the hands of the many to the hands of the few. This is what is meant when we, the opponents, charge that H.R. 7152 is a "power grab." This is what we seek to prevent when we quote such persons as George Washington when he said:

> Let there be no change by usurpation, for though this, may in one instance be the instrument of good, it is the customary weapon by which free governments are destroyed.

No doubt, Mr. President, the proponents feel that the usurpation in which they are engaged is great instrument of good; but what they fail to realize is that this instrument bears the seed by which this free Government may eventually be destroyed. According to Blackstone, this has happened on several previous occasions in history; and if history does in fact repeat itself—as this Senator believes it does—then it behooves us to take a lesson from history. Blackstone makes the following observation, from which we might learn a valuable lesson. He says:

> The feudal system, which, for the sake of military subordination, pursued an aristocratical plan in all of its arrangements of property, had been intolerable in times of peace, had it not been wisely counterpoised by that privilege, so universally diffused through every part of it, the trial by the feodal peers. And in every country on the continent, as the trial by the peers has been gradually disused, so the nobles have increased in power, until the state has been torn to pieces by rival factions, and oligarchy, in effect, has been established, though under the shadow of federal government, unless where the miserable commons have taken shelter under absolute monarchy, as the lighter evil of the two. And, particularly, it is a circumstance well worth an Englishman's observation, that in Sweden the trial by jury, that bulwark of northern liberty, which continued in its full vigor so lately as the middle of the last century, is now fallen into disuse; and that there, though the regal power is in no country so closely limited, yet the liberties of the commons are extinguished, and the government is degenerated into a mere aristocracy. It is, therefore, upon the whole, a duty which every man owes to his country, his friends, his posterity, and himself, to maintain to the utmost of his power this valuable constitution in all its rights; to restore it to its ancient dignity, if at all impaired by the different value of property, or otherwise deviated from its first institution; to amend it wherever it is defective; and, above all, to guard with the most jealous circumspection against the introduction of new and arbitrary methods of trial, which, under a variety of plausible pretenses, may in time imperceptibly undermine this best preservative of English liberty.

One of the warnings implied both by Blackstone and by all the other statesmen and jurists who have written on the subject is that we should never allow the call of expediency to tempt us away from the institution of trial by jury. It may be slower at times than we would like it to be. It may at times allow a guilty man to go free. But whatever its faults and shortcomings, they are not to compare with the dangers and the faults of that system which will replace the jury—government by judge and by injunction.

There have been many instances in the past in which there has been a temptation to lay the right to trial by jury on the shelf. But we did not succumb to those temptations. Had we done so, Mr. President, we might not today have any such institution as trial by jury to be quibbling over.

For instance, it must have been obvious that prohibition could have been enforced much more expeditiously and much more efficiently if the courts had not had to bother about indictments and trials by jury. There would have been many more convictions among the gangster elements of New York, Chicago, and other northern cities if the law enforcement agencies could have tried everyone they picked up by summary procedure. But no one came forward to suggest any such thing. This was the way the Communists and the Nazis tried alleged criminals; this was not worthy of the American way of life. But here comes the so-called civil rights bill, and overnight the proponents of forced racial integration are preaching the abolition of the jury trial system. What a pitiful spectacle it is, Mr. President, to watch our fundamental freedoms being dragged down by such a wretched concept of government. The real tragedy is that so many well-intentioned Senators have gotten tangled in this spider's web and do not know how to extricate themselves from it. They do not know how to back off a bit and admit that certain provisions in this bill go beyond the limits of reason, beyond the limits of enforceability, and beyond the limits of constitutionality. Even on a question so fundamental as the right to trial by jury, they maintain an uncompromising position which, in a political sense, has been brought and paid for by the militant minority groups which conceived this radical proposal in the first place.

What proponents should do is to realize that their political survival is not so closely tied to their support of this bill as they might have supposed, as I have stated just a little while ago. This Senator feels quite certain that it is this political pressure which has clouded many minds concerning the constitutional and practical aspects of this bill. But now the Wallace victory in Maryland, the smashing victory won by the Senator from West Virginia [Mr. BYRD], the numerous defeats of open-housing ordinances and bills in all sections of the country, and many other events, should serve to free Senators of much of their political uneasiness. It should demonstrate to them that just about as many of their constituents are opposed to this bill as those who support it. For instance, let me quote to Senators a brief editorial comment concerning the victory of the Senator from West Virginia [Mr. BYRD] in an election in which his opposition to the forced integration bill was the central issue. The article is taken from the Sunset, La., News-Observer of May 15; and it reads as follows:

> It is our opinion that politicians who are supporting the civil rights bill in the belief that it will help them win elections would be well advised to disabuse themselves of that idea. The exact reverse could be true. The reaction that has set in against civil rights excesses, even among those who have always sympathized with the Negroes' struggle for equal opportunities—as this newspaper has—could defeat instead of reelect those who are wilting under the pressures to give Negroes what Senator ROBERT C. BYRD describes as "preferential" treatment.
>
> The Senator's own political stock is an excellent case in point. We noted recently in this column that Cooper P. Benedict—the Republican who is opposing BYRD for reelection—made the stupid statement a week or so ago that BYRD lacks political courage, that he is in effect a "yes-man" to the Johnson administration. We commented at some length on Mr. Benedict's absurdity.
>
> The voters have now commented additionally. In Tuesday's primary election BYRD rolled up a resounding quarter of a million votes for renomination in West Virginia, and in Mercer County racked up far and away the highest total of any candidate with or without opposition. Against his opponent's 1,475 votes he garnered an astonishing 14,759—more than the combined total of 14,614 cast for all three of the candidates in the race for the Democratic nomination for sheriff. He did this while losing three of Bluefield's predominantly Negro precincts, tying the fourth, and winning the fifth by only one vote.
>
> BYRD is against the present misnamed civil rights bill—a fact most voters know by now. He took this position, unequivocally, in the middle of the primary election campaign. Many another Member of Congress would have straddled or kept his mouth shut, believing that to show down on so touchy an issue would surely mean the loss of votes. Our guess is that BYRD gained votes. Tuesday's results would seem to bear this out.
>
> Most certainly Negroes should have opportunities equal to those available to any other Americans, especially in education which can help them to help themselves better their economic status. But superior opportunities and preferential treatment secured by the destruction of the rights of other citizens is another matter entirely.
>
> BYRD makes this clear in the series of special articles on the civil rights issue, the first of which appeared in this paper yesterday. We hope our readers took note of his sound and reasoned analysis. It is the best thing we have seen on the subject.
>
> As the Senator points out, many who have emotionally embraced the civil rights cause, especially among the clergy and church groups (BYRD is a Baptist churchman of note), have not read the bill, nor do they have the foggiest understanding of it, nor any idea of the Federal interference in personal and private matters it could bring.
>
> This newspaper is indebted to Senator BYRD for the articles, the second of which will appear next Thursday. We think if other public figures would follow his example of courage and honesty they would be indebted to him, too. There has been much too much hypocrisy and demagoguery and sentimentality clouding this very important issue of "rights."

So, Mr. President, here we have a living example of the fact that the militant minority groups simply do not have the practical political power with which they threaten anyone in the Senate who would dare to retract his support of the forced integration bill. Unfortunately, this lesson has been too much obscured by the press and by the leadership for it to have made any great impression on the minds of the proponents. Thus, many Senators continue to worship a political god which does not exist.

Mr. President, it has always been this Senator's contention that the reason we are in such a dilemma over these problems and the reason that the proponents have assumed such an uncompromising attitude is because of these extreme pressures which have been put on them by the extremist Negro leaders and the extremist racial groups who threaten even more violent demonstrations if the bill is modified in any way. What my colleagues should realize is that those voices which cry out most vehemently and those people who react most violently are not in the majority even among people of their own race, which in itself consists of a small minority of Americans. In other words, the persons primarily responsible for the uncompromising attitude being exhibited by some of my colleagues represent an infinitesimal proportion of our total population. This Senator believes that the average Negro citizen has yet to be heard on the various proposals which have been incorporated into this bill. This average Negro, were he informed of the facts, would not want to see the institution of trial by jury abridged any more than I do. He would not want to see the institution of free enterprise undermined any more than I do. He wants his property rights and his rights to privacy and freedom of association left untouched. Probably his reaction would be quite similar to that of the average white citizen in any part of the Nation, assuming that each group had an equal understanding of the various legal, constitutional, and practical questions involved.

However, it is painfully evident that the radical Negroes who lead the integrationist movement have not given their people a real opportunity to take an objective look at the questions which are posed by a bill of this sort. Instead, these professional integrationists keep their people in a high state of emotionalism, with the result that the great proportion of the colored people go unheard in relation to the debates now taking place in the Senate.

Mr. President, I have asked considerable numbers of colored persons in my State whether they want to achieve forced integration at the expense of the fundamental right to jury trial or at the expense of the good will of their white neighbors upon whom they depend so fundamentally in so many ways. I have asked them whether they wished to see their children forced into integrated schools and whether they wish to see members of their race forced upon white employers and upon white businessmen. I must report that the almost unanimous answer given me by these persons with whom I have talked is that they do not want forced integration. They would like to be accepted by their white neighbors, but realize that forced integration will produce consequences far more costly to them than the small gains which might come to them by forced integration.

Many of them have told me that they might favor this sort of thing if they could do like the Martin Luther Kings, the James Farmers, and the other outsiders who can pack up their bags and leave town anytime the going gets difficult. Unlike these professional integrationists, the average Negro in the South cannot pack up his fancy suitcase and pull out after the big show is over, leaving the consequences of his actions behind him. The Negroes whom I know and to whom I have talked realize that they and their children and their children's children will have to live with the situation that is being created from the conflict which is now going on.

I think it would be good for the radical Negro leaders of this country to learn some of the facts of life which face the Negroes whose cause they claim to champion. They should face the fact that both today and for generations to come, the southern Negro will have to look to the southern whites for their employment and for their livelihood. And most southern Negroes are beginning to wake up to the fact each time a carpetbagger Negro from outside antagonizes and infuriates the white citizenry, he also makes it doubly difficult for the local Negroes to prosper in a community whose financial resources are owned by the white population.

The Negroes who cannot escape from the situation being created around them would much rather the whole violent, painful affair be dropped and that they be allowed to follow a more moderate course of their own. But what happens when anyone suggests a more moderate course? What happens when anyone suggests an end to the street violence and the mass demonstrations which daily endanger the lives of men, women, and children, in a hundred communities each day, and which keep fanning the fires of hate and distrust? What happens when a Negro leader preaches sanity and moderation to his own people?

Mr. President, I will tell you what happens. He is shouted down and booed and jeered. He hears cries from his own people of "Kill him! Kill him!" This is exactly what happened some months ago in the great city of Chicago, where a moderate Negro clergyman, Dr. Joseph Jackson, rose to speak to a convention of the NAACP, one of several organizations which have been taken over by the most radical of the extremists.

I hold in my hand a newspaper account of the incident which shows why perhaps many more Negroes who would prefer moderation have not spoken out more readily and why they have good cause to fear for their very lives if they speak like "Uncle Toms," as the saying now has it.

The article reads as follows:

> CHICAGO, July 4.—An unruly, militant crowd today jeered Mayor Richard J. Daley and a Negro church leader off a speaker's platform during a mass rally staged in downtown Grant Park.
>
> The Reverend Dr. Joseph H. Jackson, president of a 6-million-member Negro Baptist body, was nearly mobbed by some 100 persons before he could get away in an unmarked police car.
>
> Cries of "Uncle Tom" and "Kill him! Kill him!" met Dr. Jackson as NAACP aids, wearing arm bands, escorted him from the stage to the rear of the concert band shell.
>
> The uproar climaxed a "freedom march" through the Chicago Loop by some 20,000 persons led by Daley and officials of the NAACP.
>
> No sooner had Daley stepped to the platform than he was greeted with shouts of "Daley must go * * *. Why should Mayor Daley lead a freedom march? * * * We don't need Daley ghettoes."
>
> Only a few in the estimated audience of 25,000 shouted at first.
>
> Then some 300 persons, mostly teenagers and about one-third of them white, rushed down the center aisle screaming and waving signs they had carried in the parade.
>
> A dozen police officers held back the crowd at the center aisle, and several NAACP officials scurried about trying to hush the noise.
>
> After about 15 minutes, Daley stalked from the speaker's stand.
>
> Alderman Leon Despres, of the fifth ward, told this reporter that the jeering was directly caused by the mayor's Monday night statement that there are Negro ghettos in this city.
>
> Daley had made the remark when he greeted the estimated 2,000 delegates at the opening of the NAACP's 54th annual convention. He was criticized for the remarks at the same session by the president of the Illinois chapter of the NAACP.
>
> When Dr. Jackson rose to bring greetings, he had no better luck than the mayor.
>
> The NAACP had been apprehensive about letting Dr. Jackson appear because in his sermon here last Sunday he said he supported President Kennedy's appeal for a moratorium on demonstrations until after Congress acts on the administration's civil rights proposals.
>
> Roy Wilkins, executive secretary of the NAACP, had no comment about either outburst except to say the people who interrupted the rally were not members of the NAACP.
>
> Douglas was cheered wildly when he promised that liberal Senators intend to fight for passage of the Kennedy proposals "if it takes all summer, all fall, all winter."
>
> Edward Marciniak, executive director of the Chicago Commission on Human Relations, identified the leaders of the hecklers as members of the Chicago Chapter of the Student Nonviolent Coordinating Committee.
>
> Others in the throng said they were supporters of CORE. Both organizations seek greater militant direct action than does the NAACP.

And, Mr. President, at about this same time, in fact 1 day later, another Negro—actually one of the leaders to that point—dared to preach a small amount of moderation. This man was none other than James Meredith, and as we all know, he suffered the same fate as did the good Reverend Jackson.

Also at Chicago, he rose to champion a more sensible course of action, knowing what insoluble problems the extremists were beginning to create. But he bit the dust, Mr. President. He was hooted down as a heretic. Another news article tells the sad and frightening story of the "mistake" he made in pleading the cause of moderation. His appeal to reason was shouted down as treasonous. Keep in mind that is the same James Meredith who precipitated the tragic events which occurred at Oxford, Miss., when he insisted on enrolling as the first Negro student there.

I read from the article:

> CHICAGO.—James H. Meredith, a hero to his race only a year ago, wept "my first tears since I was a child Saturday" over the "intolerance and bigotry" he said he found at the convention of the National Association for the Advancement of Colored People (NAACP).
>
> Meredith, the Air Force veteran who integrated the University of Mississippi in the midst of a bloody riot, could not sleep following the tongue lashing he received for the moderate views he expressed at an NAACP youth meeting Friday night.
>
> "I shed my first tears early this morning since I was a child," Meredith said, as he sat on the edge of his rumpled bed and talked to a United Press International reporter.
>
> "Throughout all of the other ordeals I have encountered, I was able to maintain my composure. However, the discourtesy shown me last night by the group before which I had been invited to speak overwhelmed me. My makeup cannot endure this kind of intolerance and stand to be so dishonored by my own people," Meredith said.
>
> Meredith charged that "intolerance and bigotry" among the leaders of his own people may doom the civil rights movement.

That is what Mr. Meredith had to say about his own law violators and riot organizers.

Continuing to read from the article:

> The spirit which he found at the NAACP convention, Meredith warned, endangers the entire civil rights movement.
>
> Roy C. Wilkins, NAACP executive secretary, had no sympathy for Meredith. Instead, he attacked the Ole Miss Negro for using the phrase "burr heads" in his speech before the youth freedom fund banquet.
>
> A UPI reporter encountered Wilkins outside Meredith's small room in the Morrison Hotel and told him of what the Mississippian had said:
>
> "Did he say that he was responsible for the treatment he received?" Wilkins snapped.

> "Did he say that he was criticized because he called the audience 'burr heads' or did he otherwise tell why he was treated as he was?
>
> "The NAACP is not going to issue an apology to Mr. Meredith," Wilkins said. "If anybody is going to do any apologizing, it should be him for making such statements."
>
> Meredith's humiliation symbolized a widening rift between civil rights leaders which has been mountingly evident during the NAACP's stormy, weeklong convention.
>
> The rift is between the moderate wing of the civil rights movement and the direct action advocates of a mass march on Washington to put pressure on Congress to pass an equal rights program even more sweeping than that proposed by President Kennedy.
>
> The struggle among the ranks of the integrationist leaders erupted on Independence Day in an uproarious demonstration which drove Chicago's Mayor Richard J. Daley and the Reverend James H. Jackson, prominent civil rights campaigner and leader of 5 million Negro Baptists from the speaker's stand at a mass rally in Chicago's Grant Park.
>
> Before Meredith spoke Friday, hundreds of NAACP delegates walked out on a Detroit civil rights leader who had criticized his local NAACP chapter for "dragging its feet."
>
> In Chicago, rumors swept the NAACP Convention Friday night that Meredith would be booed off the speaker's platform in the same manner as Daley and Jackson. NAACP leaders were incensed by Meredith. Reference to the "low quality and ineffectiveness of our Negro youth leaders." Wilkins and other NAACP leaders did not appear particularly concerned in advance about Meredith's statement that:
>
> "Anyone of you burr heads out there could be the owner or manager of a large department store, president of a corporation, or even mayor of the city of Chicago. Only believe, all things are possible, if you only believe."
>
> COOL RECEPTION
>
> Instead of boos, Meredith got a cool reception and a few polite handclaps from the crowd of 600. He had left the room when James P. Davis, 22-year-old Rutgers University prelaw student from East Orange, N.J., and head of the NAACP's college and university division, arose and said:
>
> "I am sorry to have to do this." The throng came to its feet with shouts and cheers as Davis ripped into Meredith, charging he was a man who had strayed from the feelings of Negro youth and saying "I am extremely sorry anyone would come before you and tell you "only believe."
>
> Meredith returned to the hall after Davis' speech, but did not know what had happened until reporters told him about it after the meeting had broken up.
>
> Meredith was dressed in shorts and T-shirt and his wife was still in bed when a UPI reporter visited him Saturday morning.
>
> "I don't intend to subject myself to such treatment as I received last night from any group, black, white, or colored or otherwise anywhere, any time," he said.
>
> "I haven't been able to sleep for worrying," he said. "The ordeals I have encountered include my parents and relatives being shot at and one of my best friends (Jackson, Miss., NAACP field secretary Medgar Evers) being murdered.
>
> "Somehow I was able to keep my composure. But this thing that happened last night was too much.
>
> "If we are to take on the same characteristics of our oppressors and our enemies—intolerance, bigotry, and allowing no voice to speak but those that say what we want to hear—I feel that certainly our cause may well be at a news conference later."
>
> Meredith said he was "shocked that any would take offense" at his use of the words "burr heads."
>
> " 'Burr heads' was an appropriate expression to use," he said, "Nobody has more respect of my people than I have."
>
> Meredith, who paid $500 for a life membership in the NAACP Friday night, said he wanted to get away from the NAACP convention.
>
> "I will get my wife out of here and go back to school," he said.

So I ask, Mr. President, what chance does the average Negro have to speak his mind about this wretched matter when he sees what happened even to those of his leaders who dare to step out of line and to assume the role of the moderate rather than that of the extremist?

This extremism which so effectively frightens off moderate Negro leaders also has frightened and coerced many of my colleagues into taking a wholly indefensible position on this bill. Why else would we find good, hard-working, conscientious Senators arguing for emasculation of our right to trial by jury, our system of free enterprise, our institutions of privacy and property?

Time and time again those of us who oppose this outrageous legislation have been called prejudiced and bigoted, but it seems to this Senator that these terms apply much more accurately to those who would cram H.R. 7152 down the throats of Americans without really understanding its whole meaning. Here is a case of prejudice. Here is a case in which many men—and I do not ascribe this to all proponents by any means—have prejudged a bad piece of legislation and will not now back away from their erroneous judgment. Many of them would like to. Many of them would much prefer to be fighting for the preservation of the right to jury trial. But, of course, that is one of the prices of prejudice. That is one of the prices to be paid when people in high places allow themselves to be stampeded into making prejudgments and into lending their honorable names to any piece of legislation which happens to bear the title "civil rights."

The dilemma is all traceable directly to the extremism being shown by the militant minority groups and by the political fear this pressure has invoked in a number of the proponents of the forced integration bill. So this Senator asks his colleagues to keep these matters very much in mind as we proceed with these deliberations. The junior Senator from Louisiana charges and asserts that the mass of American Negroes are hardly freer to speak out against their extremist leaders than are the masses of Russia to speak out against the leaders of communism. They are forced into conformity by a well-planned and well-executed system of coercion.

These leaders, Mr. President, are preaching false theories of forced integration. They are pushing and clamoring for things which can but bring hardship to the Negro race and a worsening of race relations for both white and colored.

In the Shreveport, La., Times of May 12, this Senator happened to read an interesting commentary on the harm that is being done the Negro cause by their own extremist leadership. It is written by Mr. William Buckley, and merits the attention of my colleagues. It reads in part as follows:

> As I sat there and listened to Mr. McKissick describe life in this country for the American Negro as though it were life in Auschwitz, my blood began to boil; not in outrage against the outrageous behavior of so many white people against so many Negroes, but against the sickly defamation upon our society, the lurid distortions of Mr. McKissick—whose invitation to his audience amounted, in effect, to an invitation to hate America. There are 17 million Negroes in this country. I am for them. There are 170 million white people in this country. I am for them, too.
>
> What brought Mr. McKissick the greatest cheers was a statement about a 7-year-old Negro girl entered in a white school after 3 years' exertion by the legal arm of a civil rights organization. When asked by the teacher to join the rest of the class in singing, "My Country 'Tis of Thee, Sweet Land of Liberty," the little girl stubbornly declined to do so. Why? Because, Mr. McKissick told the audience, even at the age of 7 the little Negro girl could not participate in such an act of arrant hypocrisy as to call this land of liberty.
>
> All right, granted; there is no land of liberty, anywhere and never will be, anywhere, if by liberty is understood true liberty for everyone under every circumstance. But the little girl lives in a land where the Federal judiciary spends a large proportion of its time hearing the complaints of Negroes and trying to act on them; where the white oppressors spend hundreds of millions of dollars agitating for improvements in Negro conditions and contributing to those improvements; where both major political parties exhort the public to acts of racial harmony and generosity; where the churches are increasingly urgent in their moral strictures for racial reconciliation; where the average member of the lower class of Negroes enjoys a standard of living higher than that of the average member of the upper class of Negroes in the typical African state; where the average Negro wields more political influence, locally and nationally, than the average Negro does in any state run by Negroes.
>
> There are reasons for the 7-year-old, and her parents, and the gentlemen of CORE, to continue to agitate, to continue to engage our frequently deficient consciences; but there are many reasons why they should, every time they lacerate the white community, pause also to acknowledge that in America great efforts are being made. Of course it is easy to shatter such generalizations, as Mr. McKissick does, by pointing out to one or another act of brutality against one or another Negro. But where do such discussions lead? In the 3 days preceding Mr. McKissick's speech three white people were brutally killed in New York City by young Negroes on a wanton racist binge of violence directed against white people in Harlem. What do we have to gain by trading off statistics of this kind? Nothing at all, I suggest. The point is: The whites must struggle to overcome prejudices which are, in the majority of them, innate. And the leaders of the Negro movement must encourage them to do so not by defamatory, genocidal assaults on the white community, but by appeals to charity, reason, mercy, love. The Negro people in this country have one great weapon, alongside which all their Supreme Court decisions, all their sit-ins and stall-ins are like peashooters; and that is the general good nature of the American majority. If Mr. McKissick is an an example of what CORE has to offer, I offer it as my opinion that he is a burden to his race, more de-

structive of the prospects for Negro liberty than the Ku Klux Klan.

Of course, Mr. President, if Mr. McKissick had been denied his rights to jury trial or his rights to privacy, property, and free enterprise, he would have cause to complain. Tnat is what this Senator is complaining about today. But what he wants is to be made equal to, to be forced into a status of equality which does not exist and never will. What these extremists want is even more than equality. What they are agitating and demonstrating for is preferential treatment, at the expense of some of our most fundamental American institutions—one of which is the institution of trial by jury now under discussion here in the Senate. Another is our system of private enterprise, where there have been considerable numbers of demonstrations for a system of job quotas, which would necessarily imply forced-hiring practices.

Still another area of attack is on neighborhood school systems on grounds of de facto segregation. Quotas are demanded here, too, by many of the extremists groups, with the result that once-sympathetic whites in the northern States are now up in arms against the Negro leadership. We all recall how only a few short weeks ago some 15,000 white parents came out in the cold and snow to protest the possibility that their children might be bused across town to achieve racial balance in the schools.

Some months ago I read in the New York Herald Tribune a very interesting commentary on the matter of segregation in the New York City school system. This article may be of interest to Senators. It indicated that the concept of forced integration at the expense of many of our traditional American institutions may not be such a wonderful thing after all.

The article reads as follows:

For a long time now, many people in the South have been saying that the newspapers of the North do not understand the "segregation" problem. But something has happened recently which indicates that prominent newspapers in the North—the New York Times and the New York Herald Tribune—are beginning to understand that "integration" is not as simple as it has appeared to be.

"Equal rights," for instance, are being found to be impractical if they are literally applied in education. Even the viewpoint of the Supreme Court of the United States—that a Negro child cannot get as good an education in a segregated as in a desegregated school—is turning out to be more theoretical than practical.

Perhaps the most realistic editorial that has been written on the impracticality of racial equality in the public schools appeared on yesterday in the New York Times. The full text is as follows:

"New York City is doing some hard and needed thinking these days about how to give the Negro his equal opportunity in every way—education, jobs, housing, everything. That is good. But the Negro, equally with the white man, should be wary of easy solutions, quick remedies that seem to promise instant success. One of these is inherently unjust and inhumane. It is the quota system.

"It has the temptation of surface plausibility. If the population of the city is 15 percent Negro, why should not the Negro have 15 percent of the jobs? If the population of Manhattan is 25 percent Negro, then he should have 25 percent of the jobs in Manhattan. Easy, isn't it? But go on from there.

"If this reasoning were valid, the quota should be immediately applied in every business, in every industry, and on every level—whether there were qualified applicants or not. And it would apply to religions, nationalities—and how many other kinds of divisions? Every floor in every office building would have to have its quotaed shade of color, race, or whatnot. To state the proposition is to show its absurdity and also its inherent evil.

"Now let us look at the public schools. With the best will in the world how, in Manhattan, can quota be achieved even if it were desirable to do so? Negro and Puerto Rican children in that borough total 76.5 percent of elementary school enrollment and 71.6 percent junior high school enrollment. Citywide, there are 117 elementary schools whose pupils are Negro or Puerto Rican by 90 percent or more. These schools cannot be made white. A satisfactory percentage of integration can be achieved neither by bussing, nor by zoning, nor by governmental fiat, nor by magician's wand.

"What is possible in this impossible situation? The board of education can do its best with the fullest use of the tried previous methods, which include the open enrollment policy of moving some Negro children to under-utilized schools in 'white' or mixed districts. New schools can and must be built in fringe areas. But the best thing it can do for the Negro now is to bring him the best school that can be bought, with money and talent.

"Joseph P. Lyford, staff member of the Center for the Study of Democratic Institutions and author of a study being made for the Fund for the Republic, for nearly a year has been working in a 40-block area of the upper west side of Manhattan. The other day he said:

" 'In my interviews over the past 10 months with low-income Negro and Puerto Rican parents in the area, never once has the question of racial percentages been raised as a concern. The parents' interests have been in the type of teachers the children have * * * and the various facilities the school has to offer. All this leads me to feel that there is a considerable gap between the concerns of the low-income Negro families in my area and the avowed aims of various organizational leaders who presume to speak for them.'

"The novel idea was thus presented that parents are more interested in good teachers and good teaching for their children than in color quotas. It is to their credit that they are. The best thing the city can do for the Negro is to make the schools better."

The New York Herald Tribune just a week earlier—on July 11—said in an editorial:

"True equality doesn't lie in mathematical formulas, in the careful maintenance of a nice balance, or in a reverse racism that seeks to boost the Negro through preferential hiring or arbitrary advancement. Racial quotas are as un-American as discrimination itself. They separate, they categorize, they label; they inherently contradict the ideal of equal opportunity, because they establish separate ladders of opportunity."

But what becomes of the view that Negro leaders have been expounding—namely, that equality should mean equality, that for all jobs held by white men there must be a certain percentage of Negroes working alongside them, and that the same rule applies in the schools? Also, what happens to the views of those moderates in the South who have felt token integration to be adequate?

Anybody who has insisted heretofore that the practicality of the problem rather than theoretical equality must be taken into account has found himself classed as "racist" or a "Negro hater." In the end, it will be discovered that the best friends of the Negro are those who want to see such changes made as will truly benefit and not injure him or his opportunuity to enjoy "life, liberty, and the pursuit of happiness."

Mr. President, this is the factor that seems so often to be missing from Negro leadership today. There is no thought of the practical side of the matter, and that practical side concerns the all-important subject of basic face-to-face racial attitudes. It is not a matter of constitutional or statutory law, what resides in a man's heart as he faces another man in day-to-day relationships. And it seems to me that the great tragedy about this whole matter is that men's and women's and children's hearts are being hardened.

In a comment on the matter of the so-called freedom riders of 1961, written by Columnist David Lawrence, I see a story which unfortunately tells a very accurate story of what is going on in the hearts of men and women, both white and colored, because of the extremes that are being forced on them.

What he says about the so-called freedom riders of 2 or 3 years ago applies equally well to any member of the extremist groups which are agitating and demonstrating in our streets today. His article tells the story of normal human reactions to a certain type of harassment from a certain type of distasteful pressure group.

I now read the article:

The tragedy of the so-called freedom riders is not written in the headlines or in the news dispatches about the riots in the South or in the television presentations in which Negro preachers utter slogans of defiance and southern officials insist on the law as they see it.

The real story is in the hearts of men and women—Negroes and whites—as a profound change takes place in normal relations between the two groups.

Letters from people in the South tell of the sad results of agitation—the steady attrition of the good feeling that has hitherto prevailed and the sudden rise of antagonism and hostility.

It is all very well to theorize about the decades of discrimination involved in segregation practices, but attempts to change social customs by incitement to violence cannot but leave a regrettable imprint on the lives of people who must continue to live in those same communities.

Oddly enough, the country is witnessing the curious behavior of some demonstrators who happen to be studying for the ministry or are already ordained ministers. They move in the forefront of the freedom rider activities or declaim in nearby pulpits. In terms of bitterness they exhort the Negro populace to take so-called measures of nonviolence. It is strange to hear the vocabulary of combat and coercion being used by men who, it might be thought, would be teaching by example the doctrines of love and reconciliation which Jesus sought to convey in the plea: "Love thine enemy."

The New York Times, in an editorial, touches on a phase of the same paradox. After declaring that the freedom riders have won a victory which most Americans will applaud, the editorial adds significantly:

"All the same, it looks as if this victory can be diminished, or nullified, if the agitators press on through an inflamed atmosphere. They are challenging not only long held customs, but passionately held feelings.

Nonviolence that deliberately provokes violence is a logical contradiction."

What is the nonviolence tactic that produces outbursts of violence? One elderly woman, who is a keen observer, writes from Atlanta, Ga., to this correspondent as follows:

"I shan't attempt to argue the merits or demerits of segregation. What has been upsetting me is what is happening to us. Take me—and I am only one of hundreds of thousands of southerners—and we are all alike. I was brought up to feel quite deeply that courtesy to others was an obligation to myself, and the fact that some of those others might not be so fortunate as I only deepened the obligation.

"The sort of thing which is heralded now as racial prejudice simply never occurred to us. A black face was the face of a friend, and if the friend stood in need of help—it was our responsibilitty to offer that help.

"A black face today, however, is not what it was a few years ago. It is the face of a stranger—and behind it who knows what is going on? We have learned what furious, impotent rage is, and the miracle is that the South has exercised, and still is exercising, the control that it has.

"The best method of learning is the trolley. There you can quickly learn just how angry a human being can get—and although you are not yourself the sort of person who goes berserk, you can understand the one who does.

"There are many other places, and times, but let me try to make you see what is a daily, hourly occurrence. You wait at the stop for the trolley. As it slows, Negroes—with only the barest difference between a push and a shove—brush you aside in clumsy haste to show their equality by getting on ahead of you. When you get on, there is a Negro on each seat, all down both sides, and every Negro bursting with zeal, their eyes glimmering, a grin on each face as they wait for your move. You stand—after all, it's a free country and the law which says they can sit by you hasn't yet said that you have to sit by them. Then it starts. The snickers, the snide remarks across the aisle or to the opposite end of the car. And every one of them aimed at you. On and on and on. How much of it can you take?

"Various provocative remarks are made—they are common enough—and also: 'We showed them in Congolia. We're gonna show them here. We're gonna have a Congolia of our own right here. They'll learn.'

"I am horrified myself at the gradual change which has taken place in myself but it has been brought about by these 'demonstrators' and the continual nagging of the northern press, radio, and TV. I do not condone violence, but I have learned to understand it, and that is knowledge I would give anything not to have."

These words emphasize the dilemma of the hour, irrespective of the constitutional issues involved in the controversy.

Mr. President, this is not the sort of "life, liberty, and happiness" for which the Negro is searching. He is not searching for the ill will of his white neighbor, and yet that is precisely what his own leaders are handing to him.

Anyone who even begins to understand the political, social, and economic situation in the South, or in any other area heavily populated by Negroes, must be quickly forced to the inescapable conclusion that little can be done for the welfare of the colored minority without the cooperation and assistance of the white majority. As a white southerner, I have seen the tremendous progress made by the Negro people of my State. It has been progress that has accelerated from year to year. The progress of the colored man all over the South was continuing to pick up speed until the unfortunate decision of the Supreme Court ordering an end to segregation in public schools. Subsequent events, particularly the demonstrations of last year and this year, have threatened to bring that progress to a halt—not only for the present generation but for generations to come.

What is so often so short-sightedly forgotten is that after this crisis is over—whatever its results—the Negro must still live with the white people who constitute 90 percent of this Nation. Militancy and violence have a very natural tendency to make lifelong enemies for the Negro, where there were no real enemies before.

AMENDMENTS NOS. 725 THROUGH 765

Mr. President, I have a number of amendments. I ask unanimous consent that these amendments be printed, that they lie at the desk, and that they be considered as read, for all the purposes under the rules.

The PRESIDING OFFICER (Mr. McNamara in the chair). Without objection, the amendments will be received, printed, and considered as read for all purposes under the rules.

The amendments are as follows:

Amendment No. 725

On page 11, between lines 17 and 18, insert the following new section:

"Sec. 206. Nothing contained in this title shall be construed to require any place of public accommodation to accord to any person of any race, color, religion, or national origin any preference, priority, or advantage over any person of any other race, color, religion, or national origin with respect to access to or use of any facility or service of such place of public accommodation or any article or commodity available for sale or use therein."

Amendment No. 726

On page 8, line 25, strike out the words "establishment or place", and insert in lieu thereof "place of public accommodation".

Amendment No. 727

On page 9, line 5, immediately after the word "thereof", insert a comma and the following: "and such discrimination accomplishes or would accomplish substantial deprivation of any right secured by this title".

Amendment No. 728

On page 9, line 5, immediately after the period, insert the following new sentence: "Nothing contained in this title shall affect or impair the right of any individual or any group of individuals to exercise freely the right to discriminate or segregate on the basis of race, color, religion, or national origin in any social relationship or in any transaction or association which is not related to the operation of a place of public accommodation."

Amendment No. 729

On page 9, line 6, immediately after the word "shall", insert the word "willfully".

Amendment No. 730

On page 9, line 20, immediately after the word "instituted", insert a comma and the following: "upon a showing of good cause therefor,".

On page 9, line 22, immediately after the word "himself", insert a comma and the words "and certifies to the court the basis for his belief,".

Amendment No. 731

On page 9, line 23, immediately after the period, insert the following new sentence: "No such injunction or order may be granted in any such action by any person other than the Attorney General unless such person shows that such action was instituted by the plaintiff in good faith to secure for himself a right conferred upon him by section 201 or section 202 of this Act."

Amendment No. 732

On page 9, line 24, strike out the words "this title,", and insert in lieu thereof the words "subsection (a),".

On page 10, after line 24, insert the following new subsection:

"(f) It shall be unlawful for any person to institute or cause to be instituted, to attempt to institute or cause to be instituted, to make any threat to institute or cause to be instituted, or to combine or conspire with any other person to institute or cause to be instituted, any action under subsection (a) without just cause for the purpose of injuring any person in his business, profession, or occupation. The district courts of the United States shall have jurisdiction to prevent and restrain violations and threatened violations of this subsection, and to enter such restraining orders and such temporary and permanent injunctions as may be required to prevent and restrain such violations. It shall be the duty of the several United States district attorneys, in their respective districts, to institute proceedings to prevent and restrain violations and threatened violations of this subsection."

Amendment No. 733

On page 10, line 8, strike out the word "notify", and insert in lieu thereof the following: "cause to be conducted an appropriate investigation to determine whether probable cause exists for belief that such alleged violation has occurred or is threatened. Upon a determination by the Attorney General, upon the basis of such investigation, that such probable cause does exist, he shall transmit a true and correct copy of the report of such investigation to".

On page 10, lines 8 and 9, strike out the words "and, upon request, afford", and insert in lieu thereof the words "and shall accord to".

Amendment No. 734

Beginning with the word "may" in line 14, page 10, strike out all to and including the period in line 17, page 10, and insert in lieu thereof the following: "shall cause to be conducted a full and complete investigation to determine whether probable cause exists for belief that such alleged violation has occurred or is threatened. Upon a determination by the Attorney General, upon the basis of such investigation, that such probable cause does exist, he shall transmit a true and correct copy of the report of such investigation to the appropriate State or local officer with request that an attempt be made by such officer to secure compliance with the provisions of this title by voluntary procedures. If such officer declines to make such attempt, or if such attempt has not been made successfully within a reasonable period of time, the Attorney General may institute action pursuant to the provisions of this section."

Amendment No. 735

On page 10, line 14, strike out the word "may", and insert in lieu thereof the word "shall".

On page 10, line 15, immediately after the word "instrumentality", insert a comma and the words "with the consent of the principal executive officer of such agency or instrumentality,".

On page 10, line 17, immediately after the period, insert the following new sentence: "The Attorney General shall reimburse any such State or local agency or instrumentality for all expenses incurred by such agency or instrumentality in attempting to secure such compliance."

Amendment No. 736

On page 10, line 22, strike out the word "interests", and insert in lieu thereof the words "national security".

On page 10, strike out all in lines 23 and 24, and insert in lieu thereof the following: "or that in the particular case application has been made to the appropriate State or local official, and that such official has declined to take action in that case under State or local laws or regulations."

Amendment No. 737

On page 10, after line 24, insert the following new subsection:

"(f) It shall be unlawful for any person other than a duly authorized law enforcement officer (1) to engage in the practice of soliciting other persons to make complaints concerning alleged violations of sections 201, 202, or 203, or (2) to induce or to attempt to induce other persons to institute, attempt to institute, or threaten to institute, actions under section 204(a) for or on account of such alleged violations. Whoever violates, attempts to violate, or combines or conspires with any other person to violate any prohibition contained in this subsection shall be fined not more than $5,000, or imprisoned not more than one year, or both. The district courts of the United States shall have jurisdiction to prevent and restrain violations and threatened violations of this subsection, and to enter such restraining orders and such temporary and permanent injunctions as may be required to prevent and restrain violations and threatened violations of this subsection. It shall be the duty of the several United States district attorneys, in their respective districts, to institute proceedings to prevent and restrain violations and threatened violations of this subsection. Whenever any such violation occurs or is threatened within any State, the Attorney General thereof or his designee may institute in any State or United States court of competent jurisdiction proceedings under this subsection to prevent and restrain such violations or threatened violation. As used in this subsection, the term 'person' means any individual and any partnership, corporation, association, or other legal entity."

Admendment No. 738

On page 10, after line 24, insert the following new subsection:

"(f) It shall be unlawful for any person other than a duly authorized law enforcement officer (1) to engage in the practice of soliciting other persons to make complaints concerning alleged violations of sections 201, 202, or 203, or (2) to induce or attempt to induce other persons to institute, attempt to institute, or threaten to institute actions under section 204(a) for or on account of such alleged violations. Whenever any person is injured in his business, profession, or occupation by reason of the violation of this subsection by any other person, the person so injured shall be entitled to recover from such other person threefold the amount of the damages so sustained and a reasonable attorney's fee. The district courts of the United States shall have jurisdiction to hear and determine actions instituted under this section without regard to the amount in controversy. Process of the district court for any judicial district in any action under this subsection may be served in any other judicial district of the United States by the United States marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States. As used in this subsection, the term 'person' means any individual and any partnership, corporation, association, or other legal entity."

Amendment No. 739

On page 11, line 1, immediately after the words "United States", insert the words "and the courts of the several States".

On page 11, line 2, immediately after the words "shall have", insert the word "concurrent".

Amendment No. 740

On page 11, lines 3 and 4, strike out the words "without regard to whether", and insert in lieu thereof the word "after".

Amendment No. 741

On page 11, line 12, immediately after the word "accommodations", insert the words "or any statute or ordinance for the preservation of the peace or for protection of the life, safety, and property of individuals or organizations".

Amendment No. 742

On page 11, line 14, immediately after the period, insert the following new sentence: "Nothing contained in this title shall be construed to amend, modify, supersede, or repeal, or to impair the administration and enforcement of, or to deprive any person of any right or remedy under or with respect to, any provision contained in any statute of the United States heretofore enacted (1) for the regulation or protection of the trade or commerce of the United States, or (2) to prevent unlawful restraints upon, or unfair methods of competition or acts or practices in, such trade or commerce."

Amendment No. 743

On page 11, line 15, strike out the word "Proceedings", and insert in lieu thereof the words "Notwithstanding any provision contained in section 402, title 18, United States Code, proceedings".

On page 11, strike out all in line 17, and insert in lieu thereof the following: "3691 of title 18, United States Code".

Amendment No. 744

On page 8, line 23, immediately after the period, insert the following new sentence: "Nothing contained in this title shall require any establishment engaged in the preparation or sale of food to prepare, sell, or offer for sale or consumption, any food of a kind, or prepared in a manner, required for (1) the observance of any dietary rule or observance of any religious faith, or (2) conformity to the dietary customs or preferences of persons of any race, color, or national origin."

Amendment No. 745

On page 8, line 21, immediately after the word "available", insert the words "in the regular course of a business conducted for profit".

Amendment No. 746

On page 8, line 1, immediately after the words "of which", insert the word "substantially".

Amendment No. 747

On page 7, line 21, immediately after the word "entertainment", insert the words "a substantial proportion of".

Amendment No. 748

On page 7, line 14, immediately after the words "of subsection (b)", insert the words "and its operations substantially affect commerce".

Amendment No. 749

On page 7, line 14, immediately after the words "of subsection (b)", insert the words "and a substantial portion of its patronage is provided by individuals who are interstate travelers".

Amendment No. 750

On page 7, line 14, immediately after the words "subsection (b)", insert the words "which serves or offers to serve interstate travelers".

Amendment No. 751

Beginning with line 12, page 7, strike out all to and including the period in line 2, page 8, and insert in lieu thereof the following:

"(c) The operations of an establishment affect commerce within the meaning of this title if such operations substantially affect commerce directly or indirectly."

Amendment No. 752

On page 7, line 10, immediately after the word "serving", insert the words "in the regular course of the conduct of a business for profit".

Amendment No. 753

On page 7, line 7, immediately after the words "premises of", insert the words "and in close proximity to".

On page 7, line 9, immediately after the words "physically located", insert the words "and in close proximity to".

Amendment No. 754

Beginning with line 6, page 7, strike out all to and including line 11, page 7, and insert in lieu thereof the following:

"(4) any other establishment, if free access to the facilities, goods, or services thereof is necessary for the use of, or free access to, the facilities, goods, or services of an establishment of a kind described in paragraph (1), (2), or (3) of this subsection."

Amendment No. 755

On page 7, lines 4 and 5, immediately after the word "entertainment", insert the words "not situated within the residence of the operator or proprietor thereof".

Amendment No. 756

On page 7, lines 4 and 5, immediately after the word "entertainment", insert a comma and the following: "if such place is situated (A) within the structure occupied by any establishment described in paragraph (1), or (B) in close proximity to any such establishment or to any facility regularly used for or in connection with the transportation of persons or property in commerce".

Amendment No. 757

Beginning with line 24, page 6, strike out all to and including line 2, page 7, and insert in lieu the following: "if such facility is situated (A) within the structure occupied by any establishment described in paragraph (1), or (B) in close proximity to any facility regularly used for or in connection with the transportation of persons or property in commerce;".

Amendment No. 758

Beginning with line 15, page 6, strike out all to and including line 20, page 6, and insert in lieu thereof the following:

"(1) any inn, hotel, motel, or other establishment regularly engaged in the business of providing to the general public lodging facilities for transient guests, if such establishment contains more than five rooms for rent or hire;".

AMENDMENT No. 759

On page 6, line 13, immediately after the words "by it", insert the words "on the ground of race, color, religion, or national origin".

AMENDMENT No. 760

Beginning with the comma in line 12, page 6, strike out all to and including the word "action" in line 14, page 6.

Beginning with line 10, page 8, strike out all to and including line 17, page 8.

Beginning with line 24, page 8, strike out all to and including line 5, page 9.

On page 9, lines 8 and 9, strike out the words "or 202".

On page 9, line 12, strike out the words "or 202".

On page 9, line 14, strike out the words "or 202".

AMENDMENT No. 761

On page 6, line 10, strike out the word "serves", and insert in lieu thereof the words "is regularly engaged for profit in the business of serving".

AMENDMENT No. 762

On page 6, lines 10 and 11, strike out the words "serves the public", and insert in lieu thereof the words "is engaged in business for profit and holds itself out as serving patrons without restriction or limitation".

AMENDMENT No. 763

On page 6, line 9, immediately after the period, insert the following new sentence: "No right, privilege, or remedy conferred by this title to or upon any person may be exercised or enforced in derogation of any right, privilege, or remedy of any other person conferred or secured by the Constitution or any statute of the United States or by valid law of any State or political subdivision thereof."

AMENDMENT No. 764

On page 6, line 9, immediately after the period, insert the following new sentence: "As used in this title, the phrase 'discrimination or segregation on the ground of race, color, religion, or national origin' means any arbitrary and unreasonable differentiation in the treatment regularly and habitually accorded to members of differing races, colors, religions, or national origins which is based solely upon race, color, religion, or national origin."

AMENDMENT No. 765

Beginning with line 1, page 6, strike out all to and including line 17, page 11.

TITLE VI

Mr. BYRD of West Virginia. Mr. President, title VI of the bill declares it to be the policy of the United States that discrimination because of race, color, or national origin shall not occur in the United States in programs receiving Federal financial assistance. Note that there is no prohibition against discrimination because of religion. Each Federal department and agency empowered to extend Federal financial assistance by way of a grant, loan, or contract, other than a contract of insurance or guarantee, is directed to promulgate regulations and orders to carry out the provisions of title VI. After a hearing, compliance with any agency requirement adopted pursuant to title VI may be effected by first, termination of or refusal to grant assistance under such program or activity; or second by any other means authorized by law.

The casual reader of title VI may fail to grasp the full portent of its provisions. While the stated objective of title VI is meritorious, the depth of this title is almost beyond description. It cannot be clearly delineated. It cannot be said that it goes so far and no farther. It has open-end provisions that virtually give it whatever depth and intensity a Federal bureaucrat may read into it. The title, as now drafted, is potentially dangerous from the standpoint of its effect upon the principle of separation of powers.

Power is given to anonymous Federal agency heads, who are not required to stand for election by the people, to cut off all Federal assistance from any recipient, and not only is it uncertain what programs would be covered, but it is also unclear as to what phases of covered programs would be reached in the practical application of the law. Additionally, action to deny or discontinue Federal assistance can be taken not only when the agency finds that a person has been "excluded from participation in" or "denied the benefits of" any program or activity receiving Federal financial assistance, but such action can also be taken when an individual has been "subjected to discrimination" under such program. Assuming, for the sake of argument, that the first two phrases are clear enough, as to meaning, what does the phrase "subjected to discrimination" mean if it embraces more than the first two phrases? There is no definition of "discrimination" anywhere in the act although the word and its derivatives appear 31 times. Nor are any standards prescribed to guide those who would administer the law. There is great disagreement among Senators as to precisely what and how Federal programs would be affected and it is quite possible, if not likely, that there would be a similar lack of unanimity among those who would administer the law.

For example, can Federal highway funds be withheld if the Federal Highway Administrator finds that some person was "subjected to discrimination" when he applied to the contractor or his subcontractor for a job or for promotion? Can funds for the construction of a hospital addition under the Hill-Burton Act be denied because no Negroes are found in administrative positions in a certain facility or because Negro orderlies claim that they have not been promoted because of discrimination based on race or color? If school milk benefits are extended to private schools, can the Department of Agriculture cut off such assistance under title VI? Could the Department of Defense award a contract to a higher bidder on the grounds that the low bidder was not a responsible bidder because he had discriminated on account of race or color? These and scores of other questions are readily apparent to the thoughtful reader of title VI. And they will be decided in the final analysis, if this bill becomes law as written, by Federal department heads who will not only promulgate their own rules, orders, and regulations covering the granting or termination of Federal aid, but who will, in each case, also act as prosecutor, judge, jury, and policeman in enforcing title VI.

The enactment of title VI will, at one fell swoop, amend provisions in many Federal statutes dealing with Federal assistance. Additionally, one must consider whether it is wise to place authority in the hands of some Federal official who can terminate Federal assistance to a person, State, or county which practices some form of discrimination. For example, would it be wise to cut off Federal assistance to the school lunch program in a county which practices school segregation, when the majority of the students benefited by that school lunch program may be Negroes? Should Federal assistance, the greater percentage of which may be benefiting Negro welfare recipients, be terminated in a certain State or county simply because Negro caseworkers are not employed in or promoted to administrative positions? To do so would be to cut off one's nose to spite one's face, because Negroes as well as whites would be deprived of assistance.

I wish to call particular attention to the clause which states that compliance with "any requirement adopted pursuant to this section" may be secured by the refusal to grant or continue assistance under such program. The words "any requirement adopted" are virtually without limitation. They place a State or county or individual at the mercy of some Federal bureaucrat in the administration of Federal assistance. For instance, what is to prevent the U.S. Office of Education from adopting a requirement that school districts shall take steps to remedy racial imbalance in the schools? What assurance is there that under title VI, Federal assistance could not be withdrawn from school districts which do not transport schoolchildren from one end of the community to the other in order to remedy racial imbalance?

Under H.R. 7152, as now written, farmers, fruitgrowers, cattle raisers, and so forth, could be denied Federal assistance in soil conservation, price support, and other agricultural programs if they did not meet "any requirement adopted" by Federal officials in the Department of Agriculture concerning discrimination in the hiring, firing, and promotion of individuals.

Admittedly, the bill provides for judicial review of agency actions upon the demand of aggrieved persons. However, the agency action will already have been taken, the funds will have been cut off, and the State and its citizens will already have been injured before judicial review can be had. Why should not the judicial determination come first? It should be pointed out that judicial review under title VI is largely keyed to section 10 of the Administrative Procedure Act and, therefore, is to be distinguished from an original judicial proceeding. Under the Administrative Procedure Act the review is ordinarily conducted, not by a district trial court but by a circuit court of appeals. The proceeding is a review rather than a trial. Moreover, the APA requires the circuit court to uphold the agency findings if they are supported by substantial evidence. Substantial evidence does not mean a preponderance of the evidence, but means only a reasonable quantum of evidence in support of the agency's action. Therefore, if the circuit court determines that "substantial" evidence exists, the agency is upheld and the State is out of court without ever having had its full day in court. Thus, the rights of States, counties, or other recipients of Federal aid charged with racial discrimination in the administration of Federal assistance programs and activities are not adequately protected.

Title VI will constitute a tool whereby the Federal Government can force whatever sociological concepts may strike the fancy of those in power upon areas of the country which, by custom, and tradition, do not wish to conform with such concepts. It would even be possible for a national administration to use Federal funds, under title VI, to benefit favored candidates for office.

In its April 1963 report, the Civil Rights Commission recommended that the President seek power to cancel or suspend Federal aid funds to States which failed to comply with the Constitution and laws of the United States. At his April 17, 1963, press conference, the late President John F. Kennedy was asked to comment on that recommendation. In response, he said:

> I do not have the power to cut off aid in a general way as was proposed by the Civil Rights Commission, and I would think it would probably be unwise to give the President of the United States that kind of power.

Title VI of this bill gives Federal department heads that kind of power. I share the late President's feelings that it would be unwise to give a President that kind of power, and I feel that it is equally unwise to repose such power in scores of anonymous Federal officials in the executive branch.

LAW DAY ADDRESS BY ARTHUR KROCK AT UNIVERSITY OF VIRGINIA

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered to a large audience on the occasion of Law Day, May 1, at the University of Virginia, by the distinguished and able columnist, Mr. Arthur Krock.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY ARTHUR KROCK, AT THE DOHERTY LECTURE, UNIVERSITY OF VIRGINIA, LAW DAY, MAY 1, 1964

Thank you, Governor Harrison, if my modesty were capable of being strained, this would have been the occasion. [Laughter.]

Mr. Chairman, Governor Harrison, Mrs. Harrison, Dean Dillard, Mr. and Mrs. Chamberlain, alumni of the law schools, guests, ladies and gentlemen, I first heard of the law school in what I am sure was a most inappropriate setting. The generation before me—like those before them—attended it, but it was known to us only (and I think still to you) as the university.

And when I was about 5 years old, this particular uncle brought home a picture of himself as toastmaster—of his graduating class at the law school, or Sigma Chi fraternity, or something—at any rate, it showed him in the first dress suit I ever saw and gave the toast to which he responded, which was this: "Man being reasonable must get drunk." [Laughter.] "The best of life is but intoxication."

It's also perhaps inappropriate to this occasion and this institution that the quotation was from Byron's "Don Juan." My uncle lived up as well as any man could to this maxim that he himself had (last word of sentence drowned in laughter) * * * toasted.

I have known many of the alumni of the law school and I can think of none who was more faithful to that pledge than he (again, last word of sentence drowned in laughter) (followed by applause).

When I was tendered the great honor of delivering the Doherty Foundation Lecture for 1964, I dallied briefly with the dream, the dream that my legal dissertations in the New York Times had brought me this invitation. Should my subject be "Blackstone's Commentaries as Perfected by Black? [laughter] [applause] or perhaps, "Warren upon Coke upon Lyttleton." [Laughter.] A very heavy burden, indeed, I not being a lawyer.

But after all, though many lawyers write to me in the paper and indict me as a legal ignoramus, at least I can frequently resort for defense to the dissenting opinions of four Justices of the U.S. Supreme Court.

My dream that this event was my recognition as the solon of the curbstoners was very short-lived. It was courteously indicated to me by Dean Dillard that though I was free to choose any subject, the one perhaps I was least incompetent to discuss was "Presidential Prospects of 1964," so this will be that. [Laughter.]

But the title somehow projected into the forefront of my mind a stanza in Thomas Gray's poem evoked by a distant view of the playing fields of Eton. I was obliged to reread this verse to realize that its connection was in my subconscious, with the state of the Republican Party at the present stage of the presidential year. This is thé stanza:

> "Alas, regardless of their doom
> The little victims play,
> Yet see how all around them wait
> The ministers of human fate
> And black misfortune's baleful train."

The misfortune of the Republicans, however, is not a train, nor is it black. It's a pearl-gray Stetson hat. And at this moment that hat so dominates the political scene that I must climb over it for a view of anything else in the presidential prospects of 1964. Even then I cannot hope for the insight of the motorman on an Indiana interurban trolley with whom the late Senator Kern, a Virginian one generation removed, was riding on a stygian night. As they sped through the darkness which nature seeks vainly to make as impenetrable as American politics, there was a bump. "Senator," the motorman said, "we just hit a ca-ow." "Allow me, sir," Kern replied, "to congratulate you on the keenness of sight which, on a night like this, could determine not only the species but the sex of that unfortunate animal." [Laughter.]

I don't know why my mind is dwelling particularly on Indiana because we Kentuckians rarely cross the Ohio River to visit it, but it's this same State, Virginia's stepchild also, that gave birth to Jim Watson, the author of an immortal commentary on American politics. "We'll beat 'em," he once replied to an inquiring reporter—then he thought for a moment and said, "if they don't buy us."

For the time being I agree that all other presidential hopefuls are obscured by that pearl-gray Stetson hat. The activities of its wearer suggest the fish fries and camp meetings conducted by tireless revivalists that were familiar to me in my Kentucky youth. But this camp meeting is continuous. The congregation is piously scourged to the mourners' bench six times a day and seven on Sundays, but with the assurance that this will require no dietary sacrifice of the fruits of ever-mounting luxury and ease. It is not strange that the mourners' bench of this great revivalist, the greatest since Billy Sunday, offers facilities larger than the Temple of Karnak. Or that he offers the same guarantees of heaven on earth to the wealthy, the industrious, the devotees to what long was supposed to be the Constitution, and also to the unsuccessful, the indolent, and the poor.

Looking about him, President Johnson must be wondering how he could possibly lose the election [laughter] but he knows he could. Political history shows that the voting majority frequently does not love a politician in November as it does in May. No prudent political bookmaker—and I am one—would venture to calculate the election odds until the results of oncoming Republican preference primaries and conventions in key States are known, the Republicans have adopted their platform, and nominated their ticket, and the President has chosen his running mate.

After the national conventions have made their decisions, James Aloysius Farley's law usually applies. Then, according to Farley's law, the voters make up their minds, and only certain unforeseen events of a major character can change them. Such events can depress the domestic economy or expose a costly blunder in foreign relations, or both. Serious inflation and rising unemployment could reverse in October the rosy prospects of July. Developments of the Cuban mess could weight the election scales either way. The wary but bloody military adventure of the United States in Vietnam could prove so inconclusive and unpopular that a promise by the Republican candidate for President to "go to Vietnam" if elected and settle the whole dreary business with whatever boldness force required, might have the same public appeal as General Eisenhower's promise in 1952 to go to Korea and put an end to the Korean war in person. What a contribution to the cult of political cynicism it would be if that Republican promiser were Mr. Johnson's own Ambassador to Saigon, Henry Cabot Lodge. [Laughter.]

An impressive example of unforeseen windfalls was John F. Kennedy's telephone call to Dr. Martin Luther King in 1960. Whoever conceived that gesture of aid to the imprisoned Negro leader, and the claim has been made for Mayor Hartfield, of Atlanta, may have been primarily responsible for Mr. Kennedy's narrow popular majority. Though far be it from me to denigrate the mathematical miracle passed by Mayor Daley's computer machine in registering almost that precise majority in the tally of the votes on the South Side of Chicago.

The same claim of credit for Mr. Kennedy's election could perhaps be made by those who persuaded Vice President Nixon to build up his lesser-known opponent by consenting to the television debates in which the Democratic nominee brilliantly put Mr. Nixon on the defensive with those fatal repetitions of "I agree with Senator KENNEDY." And then there was the man who made up Mr. Nixon's face for the first debate. [Laughter.]

There also is latent explosive in the Bobby Baker case that could be detonated with damage to the Democratic national position as a whole.

President Truman was only the victim of the scandals and influence peddling in his administration. But the Republicans exploited them effectively in the campaign of 1952. The levitation of Bobby Baker into the millionaire bracket from chief bell-hop to the Senate majority may prove a serious campaign embarrassment to President Johnson's merger of the Democratic Party with the Prophet Isaiah. But I doubt it. I doubt it because Republicans also are hiding in Bobby Baker's boxwood. [Laughter.] He knows the sources of the campaign funds collected to elect Democratic Senators, but also those of a few Republican Senators as well.

I also doubt the development of the Baker case into a damaging issue because the Democrats have the gift of laughing off their minor troubles, an endowment that seems sometimes to have begun and ended in the Republic Party with Abraham Lincoln. An example is a tale credited to James K. Vardaman of St. Louis. He said (so the probably apocryphal story goes) that he was a reserve lieutenant commander in the Navy, stationed on Okinawa and pitying himself plenty, when suddenly he got a message from President Truman inviting him to come to Washington to become the White House naval aide.

"I broke all records getting to Washington," said Vardaman, "to be met by a beaming President who proposed that we celebrate my new assignment in the appropriate manner. "I don't drink, Mr. President," I said. Mr. Truman's countenance descended a few notches, then he brightened up and said, "Well, then, tonight some of the boys and I are having a friendly poker game. Sit in and I'll introduce you to the team." "Mr. President, I'm sorry, but I don't gamble." Less than 2 months afterwards, according to this plausible fable, Vardaman was appointed to a 14-year term on the Federal Reserve Board which is located half a mile from the White House. "And this," he is credited with saying (as the tale is told), "is the only instance when clean living got you a promotion in the Truman administration." [Laughter.]

Whether developments on any of these fronts will alter the present prospect of an easy victory for President Johnson is a matter of pure guesswork. But the view will be clearer after the Indiana and Maryland Democratic primaries broaden the test of the attitude of the unorganized national white majority toward the Federal compulsions of saturated integration that are proposed in the draft of the equal rights bill the President long insisted—for the record—had to be legislated without even textual change.

However, what degree of popular resentment there may be to these compulsions, and especially to the organized civil disobedience and threats and acts of bloody violence by which Negro leaders deliver their orders to the Senate, may not find a vehicle of national political expression. Only one of the Republican aspirants to the nomination is advocating fundamental changes in the bill—Senator GOLDWATER, of Arizona. And hence one must await the outcome of the California Republican primary and (if GOLDWATER carries that emphatically) the trend of the San Francisco convention, to come to any conclusion on that point.

But meanwhile it is pertinent to note that the Republican convention would have to repudiate the history of the party since the assassination of Lincoln to offer to the voters a philosophy opposed to that embodied in the administration's equal rights bill. This philosophy is that Federal compulsions and penal sentences for their violation are the best processes to effect racial integration in what President Kennedy once described as "all forms of community life." It is the philosophy of the Reconstruction laws of the 1860's and 1870's, enacted by Congress under vindicative overwhelming Republican control. This also was the philosophy of the force bill, in the 1890's, proposed by the senior Henry Cabot Lodge to suppress self-government in the South that failed only because the Democratic opposition had acquired sufficient strength from the American people to defeat it.

The pending Senate measure reached that body only because the House Republican leadership provided the votes which compensated the split on the bill among the large Democratic majority. And just a few days ago the Republican Critical Issues Council, whose chairman is Milton Eisenhower, proposed amendments which would substitute even harsher compulsions of interracial association for the few clauses in the administration bill that give a little time for so-called voluntary submission.

From 1940 to this date the Republican effort has been to get the votes of what my learned newspaper colleagues refer to as "the center." Since the voting majority is assumed to dwell in this center, I confess I don't understand the definition. For the fact is that the virtually solid support of a national ticket by the special interests and other minority groups in eight large States can determine where their electors go, and the sum of these electors is the majority which chooses the President of the United States. How, then, can the center be a term for what it implies: the unorganized majority of voters who stand between the right and the left, concerned with the common and not any special interest?

But among the objectives of the President and the controlling faction of the Democratic party is the solid support of Negro voters on an issue on which the center is obviously divided, in some percentage yet to be revealed. Statistical details disclose what this solid Negro support would mean in terms of winning the national election.

In the eight States of New York, New Jersey, Pennsylvania, Ohio, Illinois, Indiana, Michigan (or Minnesota), and California, Negro bloc voting could swing the balance to the candidate who proposes to infringe the rights of other groups to the special benefit of Negroes, provided the white majority splits as usual on this and other issues, and on party lines. This power has recently been reflected in local elections in Detroit and St. Louis, and more narrowly in Kansas City. The migration of Negroes to the key States has already risen to a range of from 15 to 30 percent. By 1990, according to the demographers, there will be nonwhite majorities in seven of the great cities that determine which party shall get the electoral bloc of the State where they are located.

According to the same authorities these majorities will arrive 10 years later in New York City, Los Angeles, and Houston. Meanwhile the annual Negro birth rate is 35 percent as contrasted with 24 percent among the white population. And this tide of northbound Negro migration has crept into the suburbs where the Republican Party preference has generally been strong.

It seems to me that this migratory movement, barring the accidents I have mentioned, forecasts a coast-to-coast popular and electoral sweep for President Johnson unless the Republicans, in reasonable, durable, and most unlikely unity, offer specific contrasts in major policy positions in their platform and in the philosophies of their national candidates. Except by employing different words from the Democrats for the same platitudes and the same political philosophy, the Republicans have not supplied these contrasts since 1936. And two presidential elections they won in that period were not Republican victories at all: they were popular responses to the nomination of a national war hero, Dwight D. Eisenhower, who is a party man orally, not in his gizzard. [Laughter.] And this year there is no national war hero, Democrat or Republican.

The President, moreover, is riding a cresting national economy. If this wave breaks short of the shore, that is not likely to register until after the election is long past. His personality is the most dynamic in sight; he has made his own the attitudes on which the Republicans depended for their principal issues, and he is being most persuasive in portraying himself as the ideal administrator of defense and foreign policy, the type Theodore Roosevelt (somewhat paraphrased) described as speaking softly but firmly, and carrying a big stick. Nor can it be known for more than a year whether the Johnson fiscal program will materialize in a durably sound and stabilized economy, whether the reputed slackening of the cold war is a superficial development, or a reality by which his cutbacks of nuclear material can be justified.

The President of the United States also commands the great asset of public exposure, now made more dazzling by the electronic medium, that no Republican can hope to match. He has exploited this to the full, leaving only the peril of overexposure, or haranguing the people too frequently and too long. He has already discovered that just because a President may have the Republican and the Soviet bears by the tail, he'd better not pull his beagle off the ground by the ears. [Laughter.] Your guess of the hazards of such exuberance is as good as mine. But Mr. Johnson is counting also on our high national tolerance of political corn, provided the crop is professional—and it is. Another example of his political genius is his open wooing of the women voters of America, and there are 4 million more females in this country—or voters, I am not sure—than there are males.

The votes of women may be the real center wherein resides the majority at the polls. I recall how this was borne in on me on the night of the 1940 presidential election. When the returns showed that the traditional late stone age Republican areas of central Pennsylvania were being carried (those areas) by President Roosevelt, I telephoned the political oracles in that State for the reason why. It was that Republican women generally were voting for the Commander in Chief of their sons, husbands, and brothers who were already in uniform, and would be augmented by millions of others if and when the emergency that engendered the draft developed into war, as soon it did.

This is the presidential prospect for 1964 as I see it. It can be fundamentally altered by events. One of these events would, in my judgment, be stimulated by a Republican platform and presidential candidate that would provide the unorganized voting mass, the mass unaffiliated with special interest groups, with clear choices. And unless the nomination falls to GOLDWATER, or Nixon, with GOLDWATER as kingmaker, I do not think this will occur.

A clear choice for the voters of 1964 would be provided only if the Republican platform and presidential candidate supplied a list of specifications how they would undo the practices and conditions, and reverse the trends, which as usual will be their targets of attack. This would require them to propose, not only that the Federal Government be decentralized, but how. Not only that functions long exercised by the States be returned to them but what functions, and with which of the protections from the Supreme Court that the Constitution makes available to Congress in article II, section 2-2.

A clear choice would require the Republican platform and presidential candidate to demand, not only that Government remove the tightening shackles of bureaucracy on the individual, but also to enumerate the bureaucratic restraints from which it will set him free. And not only to recognize in platitudes that the mere existence of sumptuary law cannot transform human nature overnight, or enforce conformity by legislative or judicial mandate, or Executive order, but also to repudiate by name the mandates and Executive orders by which these abridgments of individual freedom and free enterprise are imposed.

The Republicans would need to look no further for an example than the laws of New York State that incorporate more compulsions that are proposed in the pending Federal equal rights bill. These laws prohibit and harshly penalize racial discrimination in employment, in access to public accommodations and in the lending and leasing of housing. But they have actually generated the violent obstructions to the common right of society, the pressure for legislation by riot, that Negro leaders have been able to organize because of the glaring truth exposed in practice that such laws exceed the reasonable bounds of enforcibility.

The Republicans might find a good long-term investment in these truths, paying immediate dividends of seats in Congress, in a candidate who would assert them. For even though the compulsory clauses in the equal rights bill owe their survival in the House to Minority Leader Halleck and Representative McCulloch, of Ohio—McCulloch by reason of his strategic post on the Judiciary Committee—and in the Senate to Senate Minority Leader Dirksen, I don't believe this will draw any considerable percentage of the Negro vote away from President Johnson. As in most other sectors of the interparty contest he has taken over the command position.

The Republicans prepared for the campaign of 1964 with high hopes of voter recognition as the old, reliable and proved champions of economy and frugality in Government. They lost this issue to Mr. Johnson before the bell rang for the preliminaries. They were all ready to blame the President for letting the railroad labor-management controversy drift into a general strike which would paralyze the national economy while it lasted and compel him to sponsor compulsory arbitration to start the trains running again. He kept them running—incidentally, with the 1919 work rules intact—by one of the boldest uses ever made of the power and prestige of the Presidency, and by the magnetism of an extraordinary personality.

With the same magic Mr. Johnson has mesmerized—though this will wear off—those members of the business community not presently under criminal antitrust indictment [laughter]. He has dismissed as merely a contemporary report Matthew, chapter 26: 11: "The poor ye always have with you." Not so, says Mr. Johnson—not so any more. He has monopolized all the communications media with a presence more constant, and a flow of words more profuse, than any predecessor; coaxed and coerced the hostile Democratic factions in Congress to unite on the legislation which divides them and they denied to President Kennedy. And now he is denaturing the foreign policy issue, on which the Republicans depended, by inviting their presidential aspirants to become his consultants, by cutting down the production of ammunition for nuclear war in at least superficial concert with the U.S.S.R., by talking tough to Castro and by nourishing his Republican hostages in Saigon against the event the opposition tries to make partisan profit out of the war in Vietnam.

But though these protean and voluble performances will probably prove adequate to the objective of election in his own right, time is sure to catch up with President Johnson. This is the future on which the Republicans, beginning at San Francisco, could build toward victory in 1968, possibly even in the congressional elections of 1966. But to do this they must take the venture of a platform which challenges policies that infringe the rights of the unorganized many to make privileged classes of the organized minorities and other pressure groups. And they must dare to nominate a presidential candidate with the courage, the consistent record, and the articulate ability (Goldwater's great defect) to make this challenge loud, strong, and clear.

No aspirant has all these talents. Senator Goldwater and Mr. Nixon have more than any other disclosed. But the Republican convention prospect, as I see it through the dimness of statewide preferences as yet undisclosed, is this:

If Senator Goldwater can get approximately 500 delegates and, failing to win on the first ballot, can deliver them in substantial measure to another candidate, that candidate will be Nixon, and Nixon will be nominated. Otherwise I expect a break to Governor Scranton, of Pennsylvania (assisted late or early by Governor Rockefeller, of New York) that would give Scranton a majority on ballot 3 or 4, unless General Eisenhower comes into the open at that strategic moment for the nominee I think he has favored all along, Ambassador Lodge.

I am confident we could count on the American Broadcasting Co. to excuse the general that long from his obligation as a news broadcaster. [Laughter.]

I realize the provisions and "ifs"—I recall I mentioned "boxwood" a while ago—and this is really hedging, indeed.

President Johnson's own estimate of his election prospect may be measurable by his choice of his running mate. If this falls on Attorney General Kennedy it will be taken by many as an implicit concession of irretrievable defection among southern Democrats. And if the slates of uncommitted Democratic electors are the winners in Alabama, Mississippi, and Louisiana, the total will be 27—17 without Louisiana—enough to swing a close election against Mr. Johnson, or transfer the presidential contest to the House.

There would be no such suggestion of unease about the Democratic South in the selection by the President of Secretary McNamara, Sargent Shriver, Senator Humphrey, or Ambassador Stevenson. The only special hazard Humphrey as a running mate would involve is that he, like President Johnson, is a compulsive talker of unlimited duration. [Laughter.] A surfeit of oratory every day might turn a power of voters away.

I would like—just before showing that I'm not as profuse as Senator Humphrey—to make this comment. The consciousness of this country is now in one man more than any other, President Johnson. He has only been President for a few months. It is pitiful commentary on politics, on human nature, on history, that there is no thought at the moment, no trace, no sign, hardly any remembrance, of that brilliant, gallant, wonderful young man who was assassinated in Dallas. In Washington—though, of course, some of the people who worked with him are still there and talk about him occasionally—all eyes are on Johnson. It is completely the Johnson administration, as if Mr. Kennedy had never lived.

So in just making that reference, that explanation, I want to say that whenever I think of this, and I do often, I think of those lines in Milton's "Lycidas," in which he says:

> "Fame is no plant that grows on mortal soil,
> Nor in the glistering foil
> Set off to the world, nor in broad rumor lies:
> But lives and spreads aloft by those pure eyes
> And perfect witness of all-judging Jove;
> As he pronounces lastly on each deed,
> Of so much fame in heaven expect thy meed."

Thank you. [Applause.]

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. CASE. Mr. President, the public is not showing any willingness to forget the Bobby Baker case or to ignore the blot put upon the reputation of the entire Senate by that case. This contention is borne out by the steady flow of editorial and other press comment which continues to arrive in my office, and only a part of which I have inserted in the Record in the past 2 weeks.

I call attention to the fact that these editorials point to a way out of our situation, and that is by passage of a financial disclosure requirement. We might have avoided the Bobby Baker case if we had enacted such a requirement some time ago. My own disclosure bill, S. 1261, was first proposed in 1958. There is still time to avoid future Bobby Baker cases. S. 1261, with the cosponsorship of the junior Senator from Oregon [Mrs. Neuberger], the senior Senator from Pennsylvania [Mr. Clark], and the junior Senator from Michigan [Mr. Hart], is now before the Senate Rules Committee.

At this point, I ask unanimous consent that additional editorials urging prompt Senate action on this matter be inserted in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Hopkinsville (Ky.) New Era, May 14, 1964]

It's an Old Story

While admitting thre is a strong aroma of politics in the current pressure for a more thorough investigation of Bobby Baker's Washington activities, the general public cannot escape the idea the scandal is getting a fine coat of whitewash.

Since Baker, the one-time page boy, was secretary to the Senate's Democratic majority when he allegedly used his capital influence to amass a fortune, the Republicans are naturally the ones who want to see the whole affair given a good airing.

And because some red faces are certain to come out of any such airing, the Democratic leaders of the Rules Committee investigation are just as determined the so-called probe is going to be kept within narrow limits during a presidential election year.

It was ever thus, not only in Washington circles but at any other political level. The "out" party wants to embarrass the "in" party, which can't see any reason for so much fuss over what everybody admits has always gone on from time to time—if not all the time.

To say that the Baker probe has been kept in narrow limits up till now is the understatement of the year. The committee reluctantly got Baker before the hearing after some delay, but he refused to answer any questions or surrender subpenaed records.

Baker could easily be cited for contempt, punishable by a $1,000 fine and a year in jail. Others have been cited for much less flouting of Congress. Yet Committee Chairman B. Everett Jordan, a Democrat from North Carolina, says it is "unlikely" that Baker will be cited.

Why? Well, until proved otherwise, the assumption will have to be that the probers don't really want Baker to answer too many questions or turn over too many records on his activity.

In the face of a proposal that the committee question Senators about their relations with Baker, Chairman Jordan was highly indignant this week. Naturally, the proposal was submitted by a Republican, Senator Clifford Case, of New Jersey.

Jordan told newsmen that "I think it would be an insult to Senators" for the committee to ask them the questions proposed by Case.

This would call for a very natural answer. A lot of other witnesses have also been "insulted" by the questions which congressional committees have asked them down through the years. The average citizen feels equally insulted at some of the things Government agents and bureaus ask them almost daily.

The whole idea of complete congressional immunity appears to be a vastly overworked hiding place—almost as much as the celebrated fifth amendment.

If the fact this is an election year is the chief objection to getting at the bottom of the Baker manipulations, why not wait until after November and then go at the affair from the nub, letting the chips fall where they may?

It won't happen, of course. Some of the Senate powers that be seem more interested in protecting one another than in protecting the public.

[From the Glens Falls (N.Y.) Post-Star, May 14, 1964]

Where Does He Think He Is?

Senator Clifford Case, the New Jersey Republican, is not a member of that inner circle of Senators who run the most exclusive club on earth. If he were, he could not possibly have made the speech he delivered Tuesday to the committee investigating the affairs of Bobby Baker, former secretary of the Senate majority. Senator Case demanded an investigation of the Senators' relations with Baker.

Senator Case, we think, has expressed the views of the general public: What Senators had dealings with Baker? But that is not the question the committee undertook to examine. Its appointed task was to examine the records of Senate employees to see who had been using his position for personal gain. When Senator B. Everett Jordan, the chairman, denounced the accusation that the committee's proceedings had been a whitewash, he was more or less correct. Baker's name made a lot of headlines and it was demonstrated that Baker made a lot of money.

Many persons have been taking Senator Case's attitude that more has been hidden than was exposed. Republican voices have joined in jabbing at the committee. But how many Republican Senators have actually worked themselves into a lather worthy of Senator Case?

At Tuesday's hearing the New Jersey Senator demanded that the committee cease treating the Senators as a privileged group. He wanted the whole 100 of them to step forward and testify as to the relations of each with Baker. Where does he think he is? In New Jersey?

As has been noted before, the U.S. Senate is a curious institution. It cherishes its right to talk at length. But more than that it cherishes the opinion that its Members can do no wong. Harken to the testimony of Senator Hugh Scott, Republican, of Pennsylvania, at Tuesday's committee session. He said that every witness who suggested that the committee seek the truth is "immediately put on trial himself." Senator Thruston Morton, of Kentucky, another Republican, said the committee had the authority to hear evidence linking Baker with Senators. Of course it has. But he did not say the committee should publicize it and he did not say the Senators should come in and confess all.

It can be put down as fact that there would be bipartisan horror in the Senate if the committee gave the least sign of planning to expose senatorial relations with Baker. This is the way of the Senate. Senator Case will be lucky if he retains a foothold in the outer circle of "the club."

[From the Adrian (Mich.) Telegram, May 14, 1964]

Senator Case Speaks Sharply

Senator Clifford Case, Republican, of New Jersey, had some sharp words Tuesday for the Senate Rules Committee, which has been investigating Bobby Baker and seems disposed to break off the inquiry as soon as possible.

He told the committee, and did it in a public session after repeated demands for such a forum:

"When I hear of an employee of the Senate boasting he has 10 Members of this body in the palm of his hand, I do a slow burn."

With that off his chest, he told the committee of "its responsibility as an agency of the Senate" to get at the truth or falsity of "Bobby Baker's dealings in committee assignments" and to investigate reports "of Bobby Baker's offering $5,000 to Senators or candidates for campaign purposes, and attaching strings in the form of commitments to vote for or against oil depletion allowances or amendments" to the filibuster rule.

Senator Case wants Senators questioned about any dealings with Bobby Baker and he remarked "it has not been reassuring to be told that the committee is not investigating Senators." He was referring to a statement by the committee chairman, Senator Everett Jordan, Democrat, of North Carolina, that Senators would not be investigated.

"Every Member of the Senate," Case said, "has his good name, his reputation diminished by the Bobby Baker case. As an individual I resent Bobby Baker's ability to blacken me."

Certainly an investigation would not be complete until it shows how Bobby Baker managed to amass a fortune of $2 million in his career as secretary of the Senate majority. It would not be complete until it shows whether or not he used his influence for personal gain. Baker has refused to testify, taking the fifth amendment. Some Senators have the critical information. The committee should seek it.

Senator Case makes an important point when he says the Senate's integrity is at stake. It is far more important than anything that may befall Bobby Baker and his pals.

[From the Charlotte (N.C.) News, May 14, 1964]

On With the Show

We're for Senator Williams' resolution to extend the full range of the Baker investigation to Members of the Senate. This is what Senator Williams intended in his original resolution and we should be happy to see any confusion on this score cleared up. The Rules Committee's investigation ought to be continued until September 1—by the way—to give the fuse time to burn down.

It is curious how this misunderstanding developed. Senator Williams, a refreshingly unclubby Member of the Senate club, gave the Rules Committee authority in his original resolution to look into the business affairs of employees of the Senate. He has stoutly maintained all along that Senators, themselves, are aptly described as employees, offering his salary check as proof of his status.

But Maj. L. P. McLendon, the committee counsel, has argued that—sad to relate—the committee had no authority to look into the affairs of Senators themselves, but only of the employees, as it were, of Senators. Committee Chairman Everett B. Jordan has seen the situation in the same way, Senator Williams' protests to the contrary notwithstanding.

The Baker inquiry might have fizzled out on this note of anomaly if it had not been for Senator Williams' persistence and the cutting edge of Senator Case's tongue. The latter brought the matter to a head the other day by proposing that Senators be asked if they had received campaign contributions from Baker or had business dealings with him. Senator Jordan said that these questions would insult the individual Senators and impugn the Senate as a body. Then Senator Williams introduced his resolution.

We are sympathetic with Senator Jordan up to a point: He has a right to be suspicious of partisanship on the part of his Republican taunters, and he has the further right to recent tactics designed to keep the inquiry rolling far beyond the bounds of usefulness.

But the fact is that Senator Jordan hasn't done the job his committee was empowered to do. The ghost of Bobby Baker still walks. The cloud over the Senate persists. Rather than being insulted, Senators ought to welcome the opportunity to show how far above Baker's influence they stood—if they can.

And if they can't—well, we'll all find out about that when the fuse burns down.

[From the Portsmouth (N.H.) Herald, May 15, 1964]

Voice of Inquiry Silenced

Senator Clifford Case, of New Jersey, was gaveled into silence yesterday as he sought recognition on the floor of the Senate to make demands for a full and open exploration of the Bobby Baker scandal.

Senate Democratic Leader Mike Mansfield had control of the floor at the time. As Senator Case tried repeatedly, and with considerable vehemence, to rise to a point of personal privilege, Mansfield stood adamantly against him. "I do not yield," cried Mansfield. "I do not yield for any purpose."

With Senator Edward M. Kennedy, of Massachusetts, presiding, the Democrats had their way. Senator Kennedy ordered Case to take his seat. Thus the door of disclosure was slammed shut on the Baker matter.

Senator Case, of course, is a Republican. As such, he obviously was motivated by some partisan interest in wanting the Baker investigation opened up. But on the other hand, Democratic Members were surely as partisan-minded in their insistence that the case be hushed.

In affairs of this kind, partisanship is entirely out of place. The Baker business has aroused widespread suspicion and speculation which the public has a right to know about. Those rumors will not be stilled by political coverup. Neither will Senate Democrats enhance their position by resorting to such tactics.

Whatever fears these Democrats have about political repercussions from disclosure of the facts in the Baker case can be no more ominous than their refusal to let the chips fall where they may. Public reaction to such refusal, rather, is apt to find greater intensity.

Political involvements aside, Senator Case was wholly correct in seeking to have the record show whether any Members of the Senate ever engaged in financial or business dealings with the discredited Bobby Baker. Only by such questioning can the public be satisfied that the Baker mess is any less sordid than it has been made to appear.

[From the Utica (N.Y.) Observer-Dispatch, May 15, 1964]

Baker Case Mystery

Senator Clifford P. Case, Republican, of New Jersey, got nowhere in a rather dramatic plea to the Senate Rules Committee to start taking the wraps off the Bobby Baker investigation.

The Senator perhaps overdid it when he wanted every Senator to appear before the committee and tell about his dealings, if any, with the ex-aid of the Senate who appeared to run parts of it rather than work for the Government. But he had to do something to try to shock the Democratic majority of the committee into action.

He seems to have been given the brushoff. Committee Chairman B. EVERETT JORDAN, Democrat, of North Carolina, drew the mantle of Senate dignity about him and called the Jersey Senator's appeals "the height of demagogery." This rejection of a plea to break through the mystery of Mr. Baker's power for exceeding his regular position is entitled to some name calling, too. It amounts to brazen effrontery.

There is no reason why a Senator should not tell all about his contacts with the wheeler-dealer, onetime presidential friend. Surely most if not all Senators have nothing to hide. So why not put themselves on record to that effect?

But this is a politics-tinted affair in an election year. From the start of the hearings it was forced to undertake, the Rules Committee majority has acted as though Republican Senators who questioned its actions formed the target, not the fast-money-making Mr. Baker.

Obvious leads to high places were left dangling with little apparent interest in pursuing them along lines that might—just might—turn up ammunition for the GOP in the campaign.

But as long as the Senate majority bottles up all the facts in the Baker case the nimble Bobby can laugh at investigators. Worse, suspicion about others will not be dissipated by telling the whole truth.

[From the Passaic (N.J.) Herald-News, May 16, 1964]

REFLECTS ON U.S. SENATE

It was not surprising that the Democratic majority in the U.S. Senate scuttled the attempt of New Jersey's Senator CASE, and Delaware's Senator WILLIAMS to widen the scope of the Bobby Baker probe to include the activities of Senators who had dealings with Baker. The Senate has power to investigate anything it desires but it draws the line when it comes to questioning its own Members.

For months now, the Democrats in the Senate have been trying to bury the Bobby Baker scandal because of the fear that a full-scale investigation might involve some Senators to a degree that could have an effect on the presidential election. A few diehard Republicans, including New Jersey's Senator, have managed to keep the case alive. Senator CASE's motives are not entirely political for he sees in statements made by Baker himself serious reflection on the reputation of every Member of the U.S. Senate. Baker, during the time he served as clerk to the Democratic majority in the Senate, was reported to have made $2 million in certain enterprises. When called before the Senate Rules Committee for interrogation, he took the fifth amendment.

Appearing before the same committee on Tuesday of this week, Senator CASE suggested that the committee ask two questions of every Member of the Senate. They were:

"1. Did you ever have any business or financial dealings with Bobby Baker, directly or indirectly. If so, what were they?

"2. Did Bobby Baker ever give you, get for you, offer you or offer to get for you: any campaign contributions; any help in making up campaign deficits by gifts, purchase of tickets or otherwise; any retainer or employment; any preferment in committee assignment or otherwise; anything of value?"

Because of archaic "courtesy" rules the questions will not be asked. The big majority of Senators who could truthfully answer in the negative will not embarrass the few of their colleagues whose answers might involve them in serious difficulties.

What is disturbing about their refusal is that scandals such as the Baker case shake the people's faith in the men chosen to guide their national destiny. All the Senators are tarred by the brush of suspicion. Senator CASE's concern is justified.

[From the Sheridan (Wyo.) Press, May 16, 1964]

PROBABLY THE END OF B.B.

Because it has become a matter of obvious political connivery, we doubt if the American citizenry will ever hear more of the case of Bobby Baker.

Because the U.S. Senate has gone on record as opposing reopening of and broadening of the Baker inquiry, the Senate may have robbed itself of material it might use in matters of Senate reform.

It would have been better if the Baker case could have been conducted in a more nonpartisan light. The fact that it was held behind closed doors with tight security as far as public information is concerned, put the Democrats in a bad light. The fact that the Republican majority is trying to reopen the investigation makes it appear as if the GOP is attempting to draw nothing more than political blood, which may well be the case.

But at least one Republican Senator was not looking at it this way. He is Senator CLIFFORD P. CASE who this week appeared before the Senate Rules Committee to plead for further study.

CASE said that every Member of the Senate has had his reputation, and his good name diminished by the Bobby Baker case. "As an individual, I resent Bobby Baker's ability to blacken me," he said.

Told that if he had any charges to make against any Senator, the committee would investigate, CASE replied, "This committee has the sacred duty of going and getting the facts." He said the committee cannot sit and wait for the facts to come in.

"It is intolerable that we leave the matter in this sorry state," he said.

The Senator was making a plea for clearing the name of the U.S. Senate, for it was Baker who was quoted as saying that he dealt with Senators as if they were pawns in the palm of his hand.

We would think the U.S. Senate would want to erase the smell of this kind of declaration. We would think they would want to investigate the truth of the matter. We would think the Senate would want to use what they found, if anything, as a means of straightening up their own house, if it needs straightening.

The U.S. Senate and House have mounted investigations in the past based on suspicions rather than specific charges, and many of them have turned out to be quite worthwhile. The food cost study which President Johnson has asked, and the investigation involving grocery chains which Senator GALE MCGEE started arose not from specific charges against specific groups or individuals, but from general indications that studies were needed in these areas.

Neither the President nor Senator MCGEE have chosen to wait for the facts to come to them. They have set out to get the facts.

The same attitude should prevail in the Bobby Baker case. Political involvement, however, has changed the attitude.

And we suspect that Senators on both sides of the aisle are just as happy. At this moment no Senator would want to even admit he had coffee with Bobby Baker.

[From the Abilene (Tex.) Reporter News, May 17, 1964]

DOUBT REMAINS IF SENATE ESCAPES BAKER PROBE

The fireworks in the Senate last week came not from the marathon civil rights debate, but from the odorous Bobby Baker case.

The angry battle covered 3 days and generally followed party lines at each step.

It erupted first on Tuesday in the Senate Rules Committee when Republican Senator CLIFFORD CASE, of New Jersey, urged the probers to investigate the relations of Senators with Bobby Baker.

Almost committing heresy in the Senate "club," CASE demanded the committee "get to the bottom" of the Baker case and not treat Members of the Senate as "a privileged class."

He urged that each Senator be asked if he ever had any business or financial dealings with Baker or had received campaign contributions or anything else of value from him.

Senator EVERETT JORDAN, of North Carolina, Democrat, and chairman of the Rules Committee, dismissed CASE's request as "the height of demagoguery."

Wednesday the Delaware investigator, GOP Senator JOHN WILLIAMS, tossed a bombshell on the Senate floor when he offered a resolution to bring the Senators specifically within the scope of the probe.

Thursday, the Senate defeated the resolution 42 to 33, with 24 Republicans and 9 Democrats voting on the losing side.

Senator MIKE MANSFIELD, of Montana, the Democratic majority leader, led the drive to kill the resolution. He insisted it would "impugn the integrity" of every Senator. MANSFIELD accused the Republicans of "thinly veiled innuendos" and demanded that they come forward with specific charges and allegations if they have any evidence against any Senator.

This may or may not close the Bobby Baker episode.

But it does not answer some gnawing questions which linger in the minds of the people, who may not be as enchanted with the sanctity of the Senate as the Senators are themselves.

Any layman attempting to evaluate this mess should, of course, bear in mind that both sides unquestionably have been motivated in part by partisan considerations.

But acknowledging that, it still can be fairly said that the Baker investigation was pursued with something less than steamrolling vigor, especially when it gave any promise of leading to some sensitive places.

Senator CASE's demand may have been too all inclusive. But it is difficult to see how the Baker manipulations can be fully investigated if the probing does not go into the Senate itself, for there is where he worked and operated.

[From the Hanford (Calif.) Sentinel, May 18, 1964]

TO THE BITTER END

Partisan politics may be lurking in the wings as Senator CASE, of New Jersey, occupies the stage with his demands that all Senators be questioned about any dealings they may have had with Bobby Baker. CASE is a Republican. Because Baker was close to high Democratic figures and was secretary to the Senate majority before resigning under fire, the scandal is an embarrassment to Democrats.

Partisan or not, Senator CASE is right in his insistence that the Senate has an obligation to pursue this matter to its quite possibly bitter end. Reason given in his testimony before the Senate Rules Committee—at his request, and at a public hearing even though a majority of the committee at first sought to keep the hearing secret—are most persuasive.

CASE wants the Rules Committee to ask all Members of the Senate whether they had any business or financial dealings with Baker, and whether they received anything of value from him. He correctly believes that this is the only way the Senate can get to the bottom of a sordid matter, and that until this is done the public will not be satisfied and the Senate's image will be badly stained.

There have been persistent rumors about Baker's hold on certain Senators. CASE referred to them thus: "When I hear of an employee of the Senate boasting that he has 10 Members of this body in the palm of his hand, I do a slow burn. It is difficult for me to contain my anger when I hear the talk, which everyone has heard, of Bobby Baker's dealings in committee assignments—granting or withholding his favor to persons elected by sovereign States to the greatest deliberative body in the world * * *." He went into even greater detail, but this is enough to suggest that such rumors cannot be ignored. The Senate would be wise to follow CASE's advice.

[From the Rapid City (S. Dak.) Journal, May 18, 1964]

FOLLOW CASE'S ADVICE

Partisan politics may be lurking in the wings as Senator CASE, of New Jersey, occupies the stage with his demands that all Senators be questioned about any dealings they may have had with Bobby Baker. CASE is a Republican. Because Baker was close to high Democratic figures and was secretary to the Senate majority before resigning under fire, the scandal is an embarrassment to Democrats.

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[From the Asbury Park (N.J.) Press, May 18, 1964]

SENATE IN A CLOUD

The U.S. Senate sank another degree in public confidence when its majority voted against reopening and extending the Bobby Baker investigation. There is considerable support for the suspicion that Members of the Senate were associated with Baker in financial dealings. And until this suspicion is run down it reflects against many Senators who probably had no business association with Baker. These Senators deserve the protection against groundless criticism that a thorough inquiry would accord them, just as those who may have been involved with Baker deserve that criticism be directed solely at them.

Senator CASE attempted to clarify the murky atmosphere that hovers over the Senate when he urged the Rules Committee to reopen its inquiry and ask each Senator whether he had business deals with Baker. Senator JOHN J. WILLIAMS of Delaware, who like Mr. CASE is a Republican, introduced a resolution to expand the Baker investigation. The Democratic majority rejected it, but Democratic Senator HARRISON A. WILLIAMS of New Jersey, bucked his party and voted for the resolution. He had been accused of being silent on the Baker case and thus became the object of criticism by innuendo. Obviously, Mr. WILLIAMS felt that an exhaustive inquiry would protect him and other Senators against unfair criticism and direct public disapproval only at those, if any, who deserved it.

Unfortunately, the Senate majority preferred to remain in the cloud that will engulf it until Bobby Baker's tactics as secretary to the Senate majority are fully explored.

[From the Newport News (Va.) Times-Herald, May 19, 1964]

BAKER MESS NEEDS CLEANING UP

More power to those Senators who are pressing for a full probe of the financial highjinks of former Democratic Senate Secretary Bobby Baker. The latest to insist on a full and free investigation embracing all of the full 100 Senators to determine their connections with Baker, if any, is Senator CASE, senior Member from his State of New Jersey. The question he would ask of all the Senators is: "Did you ever have any business or financial dealings with Bobby Baker, directly or indirectly? If so, what were they?"

"Did Bobby Baker ever give you, get for you or offer to get for you any campaign contributions; any help in making up campaign deficits by gifts, purchase of tickets or otherwise, any retainer or employment; any preferment in committee assignments or otherwise, anything of value?"

Certainly, it would seem that no Senator would have any reticence in saying whether he had any dealings with Baker. After all, there is some reflection in the public mind on those Members of the Senate who dealt with him at all, even though he has not been convicted of unlawful acts. But Senator CASE cites reports that the former Democratic Senate secretary boasted about having 10 Senators "in the palm of his hand," that he influenced assignments of Senators to committees and offered them campaign gifts for their votes which would do such things as changing the oil depletion allowance or to amend the rule on filibusters.

Senator CASE does not claim that these reports are true, nor that the leadership of the Rules Committee, with its majority of Democrats, is trying to hide facts, a theory held by many, but rather would have the committee dig to the bottom of the situation. He says that the integrity of the Senate has been challenged and that the seeming intention of the committee majority to do nothing in the hope that the public's interest in integrity and reform will wane, is likely to backfire. Mr. CASE alleges that the affair has "blackened" the Senate and it thus is the duty of every Senator to do all he can to change that image.

"If anything short of the direct sale of Senators' votes could constitute desecration of the institution of the U.S. Senate or foul the pure stream of democracy in our country, surely it is such conduct as has been reported in the Baker case."

Senator CASE has made out a good case in his plea for all of the facts in the Baker affair. The time is overdue for protests by the voters, of whatever political complexion, to demand the truth. For this is a nonpartisan question with high potential for scandal if reports are true.

[From the Paris (Tex.) News, May 20, 1964]

DOUBT REMAINS IF BAKER PROBE DROPPED

The fireworks in the Senate last week came not from the marathon civil rights debate, but from the odorous Bobby Baker case.

The angry battle covered 3 days and generally followed party lines at each step.

It erupted first on Tuesday in the Senate Rules Committee when Republican Senator CLIFFORD CASE, of New Jersey, urged the probers to investigate the relations of Senators with Bobby Baker.

Almost committing heresy in the Senate "club," CASE demanded the committee "get to the bottom" of the Baker case and not treat Members of the Senate as "a privileged class."

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Thursday, the Senate defeated the resolution 42 to 33, with 24 Republicans and 9 Democrats voting on the losing side.

Senator MIKE MANSFIELD, of Montana, the Democratic majority leader, led the drive to kill the resolution. He insisted it would "impugn the integrity" of every Senator. MANSFIELD accused the Republicans of "thinly veiled innuendos" and demanded that they come forward with specific charges and allegations if they have any evidence against any Senator.

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But it does not answer some gnawing questions which linger in the minds of the people, who may not be as enchanted with the sanctity of the Senate as the Senators are themselves.

Any layman attempting to evaluate this mess should of course bear in mind that both sides unquestionably have been motivated in part by partisan considerations.

But acknowledging that, it still can be fairly said that the Baker investigation was pursued with something less than steamrolling vigor, especially when it gave any promise of leading to some sensitive places.

Senator CASE's demand may have been too all inclusive. But it is difficult to see how the Baker manipulations can be fully investigated if the probing does not go into the Senate itself, for there is where he worked and operated.

[From the Bismarck (N. Dak.) Tribune, May 21, 1964]

MANSFIELD'S DISGRACEFUL CONDUCT

Only a reading of the CONGRESSIONAL RECORD verbatim report of the exchange last Thursday between Senator MANSFIELD, of Montana, and Senator CASE, of New Jersey, can reveal the degree to which MANSFIELD disgraced himself and the Senate.

The majority leader refused to permit the Senate to abide by its own rules in riding roughshod over the rights of an individual Senator with whom he disagreed.

By his action, MANSFIELD virtually convicted the Senate of a share in the affair of Bobby Baker, who used the Senate as his base of operations while bragging that he moved Senators around like pawns.

What Senator CASE was asking was that the Senate be as diligent in investigating reports of misconduct by Senators as it is in probing into reports of misconduct by Government people who are not Senators.

The New Jersey Senator displayed a concern for the Senate's reputation which was not shared by the majority leader from Montana. Instead of defending the Senate, he attacked the man who tried to defend it.

Certainly this is not a partisan matter, despite MANSFIELD's efforts to make it such. It is the integrity of the Senate which has been besmirched, not that of either political party represented there. If MANSFIELD doesn't think the Bobby Baker affair has smeared the Senate, he doesn't know how the country has reacted to the disclosures of the past year.

Of all persons, MANSFIELD should be most vigilant and diligent against attacks upon the good name of the body whose majority he leads. What disgraces it, disgraces him.

[From the Billings (Mont.) Gazette, May 24, 1964]

CASE CRIED "COME CLEAN" IN 1958

(By Kenneth Scheibel)

WASHINGTON.—The last man in Washington today who is saying, "I told you so," is mild-mannered, easygoing Senator CLIFFORD CASE, Republican, of New Jersey.

But had the U.S. Senate in 1958 heeded the liberal Republican's advice, the Bobby Baker case, with its nightmarish aspects for Democrats, probably never would have happened.

CASE had a celebrated row with another easygoing Senator—Montana's MIKE MANSFIELD, Senate majority leader. It will go down as one of the most bitter in Senate debate. It will be a long time before feelings are soothed.

This bitter episode and the many others preceding it, could have been avoided.

For 5 years, starting in 1958, CASE has been hammering at Senators to virtually turn their pockets inside out and make full disclosure of their interests.

It is only now that—because of the Bobby Baker case—that a Senate committee has finally been advised such a code should be adopted. The Rules Committee counsel, L. P. McLendon, is the author of the recommendation.

There are 435 Representatives and 100 Senators, a total of 535 elected officials in Congress. So far, only 31 have made public disclosure of their private wealth. It's not likely many of them will list assets unless required to do so.

If the ties Baker had with Senators were a matter of public record, or had everyone known full disclosure was required by a law, the issue of campaign contributions, or other financial involvement, would have been academic.

But it didn't work that way. So today many Americans take a jaundiced view of the whole messy affair, which obviously can't be swept under the rug.

As CASE says, in his usual scholarly, thoughtful style, "there is no looking away from published reports that Bobby Baker dealt in campaign funds for Senators, dealt in committee assignments for Senators, and bragged that he had 10 Members of this body in the palm of his hand."

Here in the East, editorial opinion is bitter.

"Mr. CASE is right," says one powerful New Jersey paper. "The Bobby Baker coverup," says the Richmond Times-Dispatch. "Demagoguery," said the Baltimore Sun of the closed-off investigation. "The Baker Affair—Still," sighed the New York Times sadly. And of the Senate as a body, the Washington Star opined resignedly, 'The Untouchables." The liberal Washington Post editorialized, "The Senate takes the fifth."

CASE plainly has become an admirable figure to Americans aroused over the derelictions of the Senate's handling of the Baker case. He is no doubt less than admirable to some of his colleagues.

It is true that Baker himself is no longer important. He has been discredited and exposed. But what remains is the fact that Baker could never have done what he did without power—power given by the Senate and used for personal gain. How did he do it? Who were the Senators involved? And why are Senators afraid to talk?

That's why CASE keeps knocking on the door—both at the Senate Rules Committee, and at the conscience of the Senate itself. For 5 years he's said: "Come clean." For 5 years he's been ignored. The result is that the good name of the Senate has been sullied.

CASE was accused of making a "blanket indictment" of all Senators. Not so. The "blanket indictment" of all Senators came when the Senate Rules Committee failed to clear the Senators, or to clear those who deserved to be cleared. The committee outsmarted itself, and as public opinion seems to suggest, it was a shoddy thing to do. A lot of innocent men are sullied. The guilty ones go scot free.

The Senate Rules Committee staff has made some surprisingly tough recommendations. If put into effect, they would do a lot to insure against future Bobby Bakers.

But the recommendations are at the mercy of the Rules Committee itself—then the Senate itself.

"A snowball in July has a better chance of survival," said one newspaper editorially.

It is the hope of many here in the Capital that the Baker issue can be kept alive. CASE and others are trying to do that.

Maybe some day the truth will come out and the blame assessed. Republicans hope to make a campaign issue. But so far they haven't seemed effective at all.

Baker's conniving was bad enough. But what is even worse is that the truth has been hushed up and the people have been betrayed.

[From the Elizabeth (N.J.) Daily Journal, May 25, 1964]

THE VIEW FROM WASHINGTON: SENATORS WON'T YIELD SPECIAL PRIVILEGES

(By James Marlow)

WASHINGTON.—Congress is distinguished by its grim determination to yield none of its privileges. It has two rules of conduct: One for itself and a different one for other people.

It is supposed to be the symbol of democratic government, but for years some of its Members, mostly liberal Senators have urged Congress to do to itself what it requires others to do.

Now it's being urged anew as a result of the Bobby Baker case—but once again, embarrassed though it is, it will probably do nothing. This is what is meant:

Congress years ago passed a law, and later tightened and broadened it, to prevent conflict of interest among employees of the executive branch of government. Conflict of interest means mixing a Government job with personal gain.

RULES FOR EXECUTIVE

For example: Men appointed by the President to high position are required to get rid of stock they hold in companies dealing with the Government. But this does not apply to Members of Congress or its employees.

Liberal Senators have proposed Congress pass similar legislation on itself, its own code of ethics to prevent conflict of interest. Congress has ignored them.

But from last November until March the Senate Rules Committee investigated the financial doings of Baker who, as secretary of the Democratic majority in the Senate, earned $19,600 a year.

The investigation disclosed that while he held this job he had accumulated a business fortune of about $2 million. He was called to testify but refused to.

NO SENATOR QUIZ

While the full Senate authorized the committee to examine the financial or business interests or activities of any Senate employee, it did not authorize the investigation of any Senator who might have been involved with Baker.

Baker was a fantastic wheeler and dealer. A report prepared by the committee staff last week, while attaching no criminal blame to him, accused him of "gross improprieties" in getting his job mixed up with private business.

But the report was harsh on the Senate saying: "No amount of sophistry can relieve the Senate of the public criticism now directed against it."

The report suggested that to protect its name the Senate should write a code of ethics for itself. And it proposed the Senate and its employees be compelled to disclose publicly their outside income and its sources.

DIRKSEN OPPOSED

The Senate Republican leader, EVERETT M. DIRKSEN, of Illinois, opposed this suggestion as he had similar ones in the past. He said: "I have never been in favor of making class B citizens out of Senators."

Another proposal in the committee report ran into broad opposition in the Senate: This would forbid a Senator to intercede with any Government agency on behalf of a corporation doing business with the Government.

In a place like the Senate, where each Member has tremendous power and is jealous of it, there is enormous resistance to changing any rules or diminishing any privileges. This is truly a club, and a very exclusive one.

The disclosures in the Baker case—the spectacle of this nimble young man, so close to many Senators, becoming a millionaire while working for the Senate—was a shock to all 100 Members.

It raises a natural question: If all this could happen with just one young man, what else is going on there? If the Senators voted to disclose their outside income, the public would have both a check and an insight.

But the Senate, shocked though it is, has been through other unpleasant moments in its long history and will probably do nothing as it sighs and waits for this storm to pass away, thinking, perhaps, in time all things pass away.

[From the Philadelphia (Pa.) Bulletin, May 26, 1964]

BOBBY BAKER'S GHOST: IT COULD OUT-BANQUO BANQUO

(By Inez Robb)

WASHINGTON.—Some 3½ months ago I wrote, "I have been tempted to write a 'Dear Virginia' letter, asking 'Is there a Bobby Baker?' Or perhaps the question should be 'Whatever became of Bobby Baker, the Senate sibling?' For all the public knows, Bobby can be myth or good, gray, ectoplasm."

To the public, the Senate's own Bobby may still be a mystery inside a riddle wrapped in an enigma. But his status has been greatly clarified since February. Time has turned Bobby into a ghost as lively as Banquo's, that old banquet spoil sport. (And what better way for the Senate and Baker to help in the worldwide observance of Will Shakespeare's 400th birthday anniversary?)

CREATED BY SENATE

Unless he is exorcised by the Senate majority, Bobby could well be a banquet wrecker on a par with Banquo. The Baker spook, created by the Senate majority, is going to haunt the coming presidential campaign. That haunt, handed to the GOP on a silver platter by the Democrats, is going to be one of the liveliest issues in the campaign.

Experience has taught a good many persons that it is unwise to hand the enemy a rope with which to start a lynching bee. Surely, the truth about Baker and his relationships, financial and otherwise, with Senators on both sides of the aisle cannot be half as damaging to the Senate in general and the Democrats in particular as the proliferating rumor about hocus-pocus in the Congress's upper chamber.

In recent weeks I have heard rumors, with no proved basis in fact, of Bobby's hanky-panky within the Senate that would curl the stuffing in a hair mattress. These make him out a combination Ponzi, Good-Time Charlie, and Midget Machiavelli. The truth about his operations could not be half to Brobdingnagian or injurious.

CLOSED RANKS

As the Baker matter drags along, what Bobby did or didn't do isn't half so interesting or so crucial as what the Senate is doing. The Baker case has given the Senate a splendid opportunity to demonstrate once more how it closes ranks and protects its own. The Senate "establishment" or gentlemen's club is "jus doin' what comes naturally" when it turns not so much a deaf as an indignant ear to the very suggestion that its own Members are vulnerable to investigation or should be subject to inquiry.

The "establishment" has once more voted down any move to expand or reopen the Baker investigation, much less to probe any wheeling-dealings that individual Senators may have had with Baker. Despite the fact that 24 Republicans and 9 Democrats recently voted to broaden the inquiry and subject fellow Senators to investigation, the whole proposition was resolutely voted down by their fellows.

GOOD FIGHTERS

The good fight to force Members of the Senate to tell of any dealings with Baker has been led by four Senators, John J. Williams, Republican, of Delaware; Clifford Case, Republican, of New Jersey; Hugh Scott, Republican, of Pennsylvania; and Joseph S. Clark, Democrat, of Pennsylvania. But they have been unable to budge the "establishment" against the popular declaration of Senator B. Everett Jordan, Democrat, of North Carolina, that his committee (looking into the Baker matter) "is not investigating Senators."

Jordan has consistently declared that to ask any Senator for a rundown of his dealings with Baker would be "an insult to a Senator." This exquisite regard for the tender feelings of fellow Senators is, after all, a characteristic of the lofty regard of Senators for each other and for nonpartisan senatorial privilege.

[From the Hackensack (N.J.) Record, May 26, 1964]

The Senate's Verdict on the Senate

Being drawn to its ceremonious close is the not sufficiently mysterious case of Bobby Baker and the 10 U.S. Senators he held in the palm of his hand and used so well that he's a millionaire twice over. The case is closed. Still Senator Case, Republican, of New Jersey, keeps going on the air and, as he is doing today, on the committee witness stand to denounce the Rules Committee's refusal to examine the evidence. Mr. Case runs the risk of offending his colleagues and boring his constituents; yet he must be encouraged to keep needling, prodding, trying to make the Senate understand the enormity of what its majority is hastening so untidily to do. The Baker case is a test. Its nature cannot be altered by any code of ethics or catalog of rules that might be set up hereafter. No other test can be substituted for the Baker test. What matters here is not what Clifford P. Case thinks of the U.S. Senate; it is what the Senate thinks of itself. What matters is not what the people expect of the Senate; it is what the Senate expects of itself, the value it sets on itself, the Senate's own attitude toward such things as honesty and self-discipline and integrity. The Senate is establishing now its ethical standards. The prospect for tomorrow is not reassuring.

[From the Newark (N.J.) Evening News, May 27, 1964]

The Issue

Senator Case was before the Rules Committee again yesterday, pursuing his effort to persuade the Senate to improve its ethical standards and its reputation.

Mr. Case told the Rules Committee it had not done its job in the Bobby Baker investigation. And the job would not be done until all Senators had been asked whether they had any financial dealings with the man who was able to accumulate a fortune while serving as secretary of the Democratic Senate majority.

Beside insisting again on a thorough exploration of the Baker scandal, Mr. Case reiterated proposals that would lessen future opportunities for another Baker. He wants Members of Congress and their employees to submit annual reports on their finances, and he wants a public record kept of all, Members of Congress included, who approach any Federal regulatory agency in regard to matters before it.

What Mr. Case said yesterday he had said before, but this time there was a difference. This time he spoke with the knowledge that the Rules Committee's own counsel and staff agreed with him and, in fact, recommend much the same remedies that he and his associates have offered.

Only a few Members of Congress have had the courage to join Mr. Case in his demand that Congress impose on itself the same ethical standards it imposes on the executive branch. But as his mail shows, he is getting widespread public support.

Contemplating the favorable auguries, complacent Democrats in the Senate may feel the Baker case cannot become a significant issue in the November election. But, there are more important things than winning elections, among them the possession of public confidence and an honorable name.

If it condones the Rules Committee's coverup, the Senate risks the loss of both.

[From the Washington (D.C.) Post, May 28, 1964]

New Code of Ethics?

Talk about a new code of ethics for Congress in the light of the Bobby Baker case has a familiar ring. Whenever a sorry situation on Capitol Hill is exposed, the demand for a code of ethics mounts and Congress is sometimes responsive, providing the code is mild enough. Experience has shown, however, that this is usually a way of smoothing over a scandal without correcting any of the weaknesses or maladjustments that produced it.

At the Senate Rules Commitee hearings this week on how to prevent future episodes of the Baker type, Senator Case reminded his colleagues that Congress adopted a "Code of Ethics for Government Service" in 1958. It was intended to apply to all persons in the Federal service. It forbade the dispensing of special favors and the acceptance of pay or benefits that might influence a Government employee in the performance of his official duties. It proclaimed public office to be a public trust. But the proclamation of these excellent principles didn't go very far in stopping the exploiters and special-favor boys.

What is now needed is some positive legislation with automatic enforcement features. History has proved that the Senate and House will sit in judgment on their own Members only in the most flagrant cases. The best hope for dealing with conflicts of interest and the improper use of influence seems to lie in compulsory disclosure of annual income, of assets held by Members of Congress, and of communications with regulatory agencies.

There will be a strong temptation for the Rules Committee to wind up its Baker investigation with a call for a mild and meaningless code of ethics or a call for further congressional study of the subject. The temptation should be resisted. We think the country is eager for a stiff disclosure law, which could, of course, be a part of a code of ethics. But the recommendation of a code without practical means of making it effective would be everywhere interpreted as just another round of the runaround.

TRIBUTE TO DR. HOWARD ZAHNISER

Mr. McGOVERN. Mr. President, Dr. Irston R. Barnes, chairman of the Audubon Naturalist Society in this area, has written a fine tribute to Dr. Howard Zahniser, long the leader of the movement to establish a wilderness preservation system.

I ask unanimous consent that Dr. Barnes' article, which appeared in the Washington Post on Sunday, May 24, be printed in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, May 24, 1964]

In Memoriam: Howard Zahniser

(By Irston R. Barnes, chairman, Audubon Naturalist Society)

The death of Howard Zahniser on May 5 has deprived the conservation movement of one of its most reasonable and perceptive leaders. As executive director of the Wilderness Society since 1945, he was the spokesman for those enduring natural values which find their highest expression in wilderness areas. He was the true heir of those who, from earliest times, have found truth and beauty in the works of nature.

Howard Zahniser was a distinctively American phenomenon, the epitome of that leadership which creates its own cause and its own following.

Under Howard Zahniser's leadership, the Wilderness Society has grown from a membership of 2,000, primarily concerned with the then little understood goal of preserving samples of unspoiled wilderness, to an alert, lively membership of 27,000, devoted to preserving wilderness as part of a broadly conceived program for all natural resources.

The transformation reflects the special strengths and the inspiring integrity of Howard Zahniser. He was never satisfied to advocate wilderness or any conservation goal for emotional reasons alone. He felt a strong personal responsibility to understand all aspects of the matter—more specifically, to see the role of wilderness in terms of the total needs of a good society.

Howard Zahniser was ever the most helpful of men. When the Audubon Society was striving to safeguard local natural areas and to keep highways out of the parks, he became a member of our conservation committee and served, from 1950 to 1953, on the board of directors.

He gave similarly of himself to State and regional organizations throughout the country. In the course of public hearings on national legislation, he met and encouraged local leaders in virtually every State. And he kept in touch with them thereafter.

For the past decade, he devoted a major part of his energies to promoting public support for the wilderness bill, of which he was one of the principal architects. It was his word that other conservationists sought when they wanted to know which amendments and compromises were just and which were not.

Howard Zahniser was one of the most literate and articulate of conservation leaders, as befits a former journalist. But this quality stemmed less from his newspaper experience than from his habit of critically examining his own premises. He read eagerly, seeking understanding of the importance the natural world has for different sorts of men.

His writings were many, from his thoughtful book reviews in Nature magazine and his regular contributions to the Living Wilderness, of which he was for many years the editor, to chapters, prefaces, and magazine, and encyclopedia articles.

He was especially interested in promoting cooperation among conservation groups of all sorts, while encouraging each to make its own distinctive contribution to society. He played an obvious and leading role in the Citizens' Committee on Natural Resources, but his influence was equally far reaching in other organizations where his name was not on the masthead.

Howard Zahniser was the authentic leader of the movement to preserve wilderness values because he knew and understood so well what needs modern man has, and will have increasingly, for such sanctuaries for renewal of spirit, for seeing himself as part of the natural world, for scientific study.

If we succeed in preserving this heritage for future generations, we and they will have Howard Zahniser to thank for inspiring us to action before it was too late, for preserving those unique wilderness values which, once destroyed, no government or society can recreate.

Mr. McGOVERN. Mr. President, I would like to add to Dr. Barnes' tribute to Howard Zahniser a statement of my own sense of loss at his passing.

During my service as Food for Peace Director under President Kennedy, Howard Zahniser frequently came to me with suggestions, and revealed an intense interest in the food for peace movement.

Mr. Zahniser is sometimes erroneously identified as a man who wished to preserve our natural environment solely for the sake of preservation. This is a wholly inaccurate conclusion. Howard Zahniser was a humanist who enjoyed the wilderness, and wanted it preserved for the benefit of mankind. His motivation, as I was privileged to see it, was always primary human welfare; and his interest in movements which would benefit mankind was broad, encompassing many social, political, and economic movements which he felt would improve the lot of the human inhabitants of our planet.

I hope that we will pass a wilderness preservation bill in this Congress. It would be a fitting memorial to the man who for the last 15 or 20 years gave much of his time to the development of wilderness legislation; but it should be a matter of record that this cultured and kindly associate of ours was fundamentally interested in creating a better life for citizens of America and the world for all time to come.

THE CHILDHOOD OF SENATOR HUMPHREY AND JAMES BALDWIN

Mr. McGOVERN. Mr. President, one of the most stirring and truly remarkable television productions that I have witnessed is the film by Metropolitan Broadcasting Television, entitled, "My Childhood."

Developed under the direction of the company's president, Bennet Korn, the film dramatizes the childhood years of Senator Hubert Humphrey and the distinguished writer, James Baldwin. The film was produced by Mr. Arthur Barron, and was directed by Don Horan.

Mr. President, those of us who viewed the special showing of this brilliant film noted the painful contrast and yet the remarkable parallel in the lives of Senator Humphrey and Mr. Baldwin. The film traces the happy boyhood days of Hubert Humphrey in South Dakota and especially his schooldays in Doland, where his father was a druggist and a leading citizen. The film gives a keen insight into the Senator's compassion for humankind and his understanding of fundamental political, economic, and social questions.

The film of Mr. Baldwin's childhood days, by contrast, depicts the bitter, cruel struggles of a boy born into the ghetto of Harlem. As one watches this film unfold, he is impressed with the way in which destiny has spelled out Senator Humphrey's role as a leader in the effort to redeem those Americans who did not have the unique capacity of a James Baldwin to triumph in spite of adversity and discrimination.

James Baldwin has turned his pen into a sword to cut through the bonds that now grip America's Negro minority. Hubert Humphrey has for many years given his brilliant mind, his eloquent voice, and his great heart to this just cause.

How strange are the ways of history that these two men should have been linked together in a television production at the very moment when events have joined them in a common national effort that has its focus in the Senate of the United States.

Members of the Senate and other Americans will have the opportunity to view this hour-long film, "My Childhood," on WTTG–TV channel 5, Washington, D.C., today, June 1, from 8:30 to 9:30 p.m., with a repeat showing scheduled Sunday, June 7, from 8:30 to 9:30 p.m. I strongly urge my colleagues in the Congress and my fellow citizens to see this splendid film.

Mr. President, I ask unanimous consent that a press release relative to the film prepared by the Metropolitan Broadcasting Television Co. be printed at this point in the Record.

There being no objection, the release was ordered to be printed in the Record, as follows:

"My Childhood"—Senator Hubert Humphrey's South Dakota; James Baldwin's Harlem To Be Telecast on WTTG–TV—Channel 5—Monday, June 1

The magnificently joyful and ineffably sad reminiscence of youth is vividly articulated in WTTG–TV's "My Childhood," a poignant and authentically autobiographical story of two great Americans, Senator Hubert Humphrey and author James Baldwin.

The hour-long program will be telecast Monday, June 1, from 8:30 to 9:30 p.m. and repeated Sunday, June 7, from 8:30 to 9:30 p.m. and will also be seen on all Metropolitan Broadcasting Television stations.

The program represents almost a complete and radical departure in style, format, and technique from conventional production. Mr. Baldwin recalls how it was to be a kid—a frightened, confused, and ugly child—in the ghetto of Harlem. And as he speaks cameras sharply focus on the sordid and inherent naked brutality of that region of total despair.

The emergence of Mr. Baldwin as a major novelist is foretold in a heartbreaking Harlem library sequence * * * the world of Dickens and Dostoevsky opened the young boy's eyes and heart to an exciting universe that forever tumbled the hidden walls of his private ghetto.

The sharp, blithe, bittersweet remembrance of Senator Humphrey's things past is in utter contrast. This first half hour of the program is early Americana—in the far regions of Doland, S. Dak. Here the wide vistas, the plains, and the farmlands of apple pie, U.S.A. Here too, the whistle train, harbinger of young dreams. And the child's father, of stern stuff and no nonsense who cast a spell of love and veneration over a happy and wondrous household.

But these were the early years and in that time there came a depression and pestilence and so there was a sadness, but none so great as the time the house had to be sold and a childhood ended. And a career, a great career began.

"My Childhood" is a very special presentation of Metropolitan Broadcasting Television, a division of Metromedia, Inc. Arthur Barron was the producer. The program was directed by Don Horan.

COMMENCEMENT ADDRESS BY SENATOR McGOVERN AT BERESFORD AND PHILIP HIGH SCHOOLS, SOUTH DAKOTA

Mr. McGOVERN. Mr. President, it was my privilege on May 25 to give the commencement address to the graduating seniors of Beresford High School. On the following Friday, May 29, I had the privilege of addressing the graduating seniors at Philip High School.

I always come away from an experience of this kind with a new respect and appreciation for our high school youth. It seems to me that each year the intellectual, social, and moral qualities of our youth are improving.

I was also most impressed this year by the contributions to the commencement exercises made by the students. The salutatory and valedictory addresses in both Beresford and Philip indicated a maturity of thought that was inspiring. The musical talent was of the highest quality.

Mr. President, I ask unanimous consent that the address which I delivered to these two graduating classes be printed at this point in the Record, followed by the commencement program and the list of graduating seniors of the two schools.

There being no objection, the address, programs, and lists were ordered to be printed in the Record, as follows:

Commencement Address by Senator George McGovern, of South Dakota

It was just 24 years ago that I graduated from Mitchell High School, and I cannot remember who the commencement speaker was. I dare say that you won't remember 24 years from now who your commencement speaker was. But you will never forget this evening. Nothing I or anyone else can say tonight can compare with your achievement in graduating from high school.

It is always difficult for one generation to communicate with another. I have the feeling that my freshman daughter at the University of South Dakota doesn't think I'm very cool any more. She would enjoy the story of the exasperated father who said to his easygoing son: "Do you know that by the time George Washington was your age, he was a surveyor?" Whereupon the boy replied: "Dad, do you know that by the time he was your age he was President of the United States?"

It is hard for your parents, your teachers, or for me to fully appreciate your feelings and your thoughts upon graduating from high school. Each graduating class goes into the world with a different background of knowledge and experience.

My generation grew up in the great depression and matured during the Second World War. It is difficult for us to realize that you graduates never heard the fireside chats of Franklin D. Roosevelt urging this country to shake off its fears and move into a new era.

It is easy for us to forget that you never thrilled to the voice of Winston Churchill summoning the democracies to victory over the Axis Powers.

When we wonder why you sometimes seem a little more frivolous than we think we were, we forget that you did not see South Dakota when it was a part of the dustbowl, when its farms and banks and stores were in bankruptcy, its rural homes devoid of light and electric power. You did not witness the transformation of this great State of ours from seeming defeat, depression, and apathy to the vibrant economy and society of today.

These were the things your parents experienced. These were the things that molded their lives and their philosophies. They have something you cannot fully appreciate. At the same time, you have things which our generation cannot quite understand. I, for one, don't quite dig the Beatles.

For those who remember when there were more horses than cars, it is difficult to imagine that in our lifetime, daily trips to the moon may become commonplace. The wonders of science can mean for you longer lives, better health, more travel, improved communications, and a rising standard of life.

Indeed, it would seem that yours is one of the generations of which it can be said: "To some generations, much is given." While it might be said of your parents: "From other generations, much is expected."

But the division is not quite so neat.

You know that much is expected of you. Neither fear and defeat, nor responsibility and greatness, are the property of any generation or any year.

There will be times when you will fear. There will be times when you will meet defeat. And there will be calls issued to you to leave fear and defeat behind and move on to victory.

My friends, you are being summoned to responsibility. You are being summoned to greatness. Now, tonight, and from now on through your entire lives. You find that more and more life is a struggle with yourself—between your lesser, meaner self and your finer, better self. You will always be your own most dangerous enemy because only you can keep you from a life devoted to high ideals. You will also be your own greatest strength because God has given you the stewardship of your own mind and body.

When you file out of this auditorium, you will be leaving childhood behind. You are walking into the joys as well as the cares of responsibility and of citizenship and—let us hope—of greatness.

It is natural that you are privately worried about leaving this school and the society and friendships you have built within it. The future is dimly seen. The years seem to stretch uncertainly ahead.

Bob Hope recently told a graduating class: "I have a word of advice to you graduates about to go out into the world: 'Don't go.' I was out there last week and it's in a mess."

In all due respect to Bob Hope's sparkling humor, the world is not quite that bad.

You will find that the years ahead will seem to pass quickly. The 17, 18, or 19 years you've so far passed seem a long time, perhaps. The next 10 years, 20 years, 30 years, will find each year and each decade becoming shorter and shorter. You will have to seize your opportunities quickly.

There is no reason for regret or anxiety. As the late Senator Kefauver put it to a graduating class in Tennessee shortly before he died: "The joys of citizenship, of adulthood, of parenthood, in short, the joys of responsibility—are every bit as sweet as the pleasures of childhood, of youth, and of school. These are to be your joys, your responsibility, from now on."

Part of that responsibility is to prepare yourself for it. Preparation does not end here in high school. I hope that many of you will go on to college or to a vocational trade school.

A recent Census Bureau report gave a very practical reason for going on to college. It showed that the average annual income for families headed by a college graduate is about 50 percent more than for the noncollege graduate.

More fundamental than monetary reward is the fact that as we grow up and assume family responsibilities, we realize how much our children's education takes place right in the home. So we want to be as well equipped as we can to help them learn about the world in which they live and bring up their own families someday.

Education is the gateway to a fuller, richer life all around. Coupled with experience, it opens new worlds of understanding, satisfaction, and joy.

Education, however, does not end when the school door closes. It is a lifetime process. And personal achievement and the contribution each of us makes to our community and to the world depend primarily on our own courage and effort. Abraham Lincoln and Harry Truman had very little formal education, but they had in common a determination to give their best to whatever they put their hand.

So while I urge you to continue your formal education, I ask you never to stop learning—to always be a student in the sense that you will bring to your responsibilities in every area—to your home, to your job, to your community—a desire to keep on growing in wisdom and compassion and understanding.

A vital responsibility is that of civic awareness and participation. It is up to you to inform yourselves about what is going on in your community, your State, Nation, and the world. It is up to you to speak out, to vote, and if possible to offer yourself for community service. "Politics" is not a nasty word so long as good people, like you, are paying attention to it and helping to make it work.

I think that the most enduring phrase the late President Kennedy ever uttered was his stirring call: "Ask not what your country can do for you—ask what you can do for your country." Even those who disagreed with President Kennedy politically admired the way in which he devoted his every energy and talent to his country. He was a rich man's son who could easily have lived the life of a playboy. As the Bible tells us, rich men face hazards that the rest of us do not know. But instead, in both peace and war he gave his best; indeed, he gave his all, and he did it with a special grace, a sparkling humor, and a quiet courage that inspires us all.

So much for philosophy on this beautiful evening.

It remains to remind you of something which you surely know: Your parents are mighty proud of you, both for having successfully reached this milestone and for the determination with which you will go forward to the milestones of the future.

I hope that you are proud of your parents. This community certainly is. It has not been easy to give you these 12 years of school.

I hope that you are proud of the faculty of this school system—the teachers you have had. The community is proud of them. A teacher gives a part of himself to the student, and acquires a part of the student in return. This is one reason why teaching is a valued, honored profession. Wherever you may go now, you will take a part of this school and its teachers with you. No matter how far you go, a part of you will stay here.

Finally, I hope you are proud of this community—as proud of it as it is of you.

It has been at considerable expense that your community has provided this education for you—an expense which no one has stinted and which no one regrets. This is one of society's investments in you which you have an obligation to repay in useful service. One way you can repay it is by providing generously for the cost of education of those who are coming behind you.

Abraham Lincoln was John Kennedy's political hero and he frequently quoted these words which Lincoln wrote to a friend in 1860: "I know there is a God and that He hates injustice. I see the storm coming and I know His hand is in it. But if He has a place and a part for me, I believe that I am ready."

In the grand design of the Father of us all, there is a place and a part for every graduate of this class. I believe that thanks to your families, your teachers, your community, and yourselves that you will be ready to play that part.

Now then; this is your time. These times are your challenge. Responsibility is yours. Wear it well. Wear it proudly.

If you do, greatness will also be yours.

COMMENCEMENT, BERESFORD, S. DAK., HIGH SCHOOL, MONDAY, MAY 25, 1964, 7:30 P.M., SCHOOL AUDITORIUM

Processional: band.

Invocation: Rev. Charles Allen.

Covaledictory: Mary Muhlenkort.

"Finale From Symphony No. 1," Kalinnikov: high school band.

Commencement address: Hon. GEORGE MCGOVERN, U.S. Senator.

"Salutation to the Dawn," Mueller: mixed chorus.

Covaledictory: Jack Remien.

Presentation of class: Principal H. H. Pruitt.

Presentation of diplomas: Louis VanderLaan, chairman of board of education.

Benediction: Rev. Charles Allen.

Recessional: band.

SENIOR CLASS ROLL

Carol Jean Bickett, Alan Clark Bonine, Russell Lee Bonine, Nancy Joan Briggle, Ronald Dean Christensen, Darrel Eugene Clay, Sandra Marie Crissey, Carol Ann Dahlin, Don Karl Ewoldt, Rodney Craig Goodwin, Gary Lee Hedeen, Vicki Lynn Hogen,[1] Thomas George Houlton, Sheila Maye Johnson, Thomas Clare Johnson, Russell Vernon Jurgensen, Donald Allen Larson,[1] Gerald Paul Larson, Thomas Francis Lass, Jr.,[1] Glenn Alan Lawrenson.

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[1] Honor students.

Candice Joan Lerseth,[1] Katherine Marie Lietzke, Connie Kay Lindstrom,[2] Patricia Marie McGill,[1] Gayle Ann Merriman, James Robert Miller, Calvin David Milliken, Mary Lee Muhlenkort,[3] Shirley Ann O'Connor,[1] Janice Kay O'Connor, John Carl Remien II,[3] Ann Marie Scheuring, Sharon Bernice Shogren, Mary Lou Shum, Alan Roy Sternquist, Robert Lee Stoltz, Tracy Mark St. Pierre, Diane Marie Thompson,[1] Kenneth James Walsh.[1]

Class colors: Blue and white.

Class flower: Chrysanthemum.

Class motto: "To Strive, To Seek, To Find And Not To Yield."

Class officers: Thomas Lass, president; Jack Remien, vice president; Tracy St. Pierre, secretary-treasurer; Ken Walsh, student council; Pat McGill, student council.

Class advisers: Mr. H. H. Pruitt; Mrs. Minna Smith.

GRADUATION, PHILIP (S. DAK.) HIGH SCHOOL, 1964

BACCALAUREATE SERVICES, HIGH SCHOOL AUDITORIUM, SUNDAY, MAY 24, 1964, 8 P.M.

Prelude: (will start at 7:45), Linda Hall.

Processional: [4] Linda Hall.

Invocation: [4] Rev. James Vos.

"Christ Be With Me": Donna Martin.

Sermon: Rev. James Vos.

Vocal selection: Boys' quartet.

Benediction: [4] Rev. James Vos.

Music for services under direction of Glenn Siverson.

COMMENCEMENT EXERCISES, HIGH SCHOOL AUDITORIUM, FRIDAY, MAY 29, 1964, 8 P.M.

Prelude: Linda Hall.

Processional, "Pomp and Circumstance": [4] High school band.

Invocation: Rev. Norval Hegland.

Salutatorian: Joan Hamill.

Valedictorian: Paula O'Connor.

"From Sea to Shining Sea": Mixed chorus.

"The Lord's Prayer": Mixed chorus.

Presentation of Speaker: Supt. Edward Thompson.

Commencement address: U.S. Senator GEORGE MCGOVERN.

Presentation of senior class: Principal Frank Ochsner.

Presentation of high school diplomas: Dr. G. J. Mangulis.

Benediction: [4] Rev. Norval Hegland.

Recessional march: [4] High school band.

MEMBERS OF THE SENIOR CLASS, 1964

John Ralph Amsden, Jeannine June Anderson, William Bernard Buls, Kayleen Burns, Raymond Lee Crowser, Grant Earl Dorothy, James Jay Engleson, Floren F. Falzone, Ralph Dale Fiedler, Patricia Eileen Flesner, Janet Irene Fortune, Charles F. Gittings, Joan Faye Hamill, Marion R. Hansen, Sharon Rae Hansen, Thomas L. Harty, Allen Hovland, David R. Keehn, Kirby Gene Keyser, Bryan Charles Lobdell, Dennis Duane Lurz, Richard Dwain Lytle, Donna Mae Martin, Betty Ann McIlravy, Kenneth C. McIlravy, Mick Mortellaro, Gary Nixon, Beth Etta Nelson, Donna Jean O'Connell, Paula Ann O'Connor, John Robert Oldenberg, Roger James Peterson, Sam W. Peterson, Richard L. Reedy, Vincent E. Schofield, Violet Marie Schofield, Robert Schuler, Linda Kay Sorensen, Sandra Marie Swift, Linda Rae Turpen, and Virgil V. Williams.

FARMERS OVERWHELMINGLY APPROVE NEW WHEAT PROGRAM

Mr. McGOVERN. Mr. President, the Department of Agriculture has advised me that 83 percent of the regular 49.5-million-acre wheat allotment, or 76 percent of the effective allotted wheat acreage, including growers of 15 acres and under, is signed up for cooperation in the voluntary certificate program approved by Congress last month. Cooperating farmers have agreed to divert more than 5.3 million acres out of grain production.

Mr. President, this is the wheat producers' own answer to those who said farmers did not want this program. This is the answer I was sure we would get when this program was explained to the growers. It was argued when this proposal was before us that farmers had already rejected the plan. The figures just released show that those who made this argument were out of touch with the producers of the bulk of our wheat supply.

This high voluntary signup a few weeks after passage of the enabling legislation is a tribute to the program and to the able staff work of the Agricultural Stabilization and Conservation Service which is responsible for administering the Department of Agriculture's commodity programs.

Now that we see how wrong some people have been about farmer acceptance of the voluntary wheat program, it may not be too much of a surprise to learn that the opponents of this program were also 100 percent wrong about its having an adverse effect on the Midwest feed grain and livestock producers.

Except for this voluntary wheat program, wheat producers would have planted most of the 5.3 million diverted acres either to wheat or feed grains in 1964. Well-informed technicians in the Department of Agriculture and the Legislative Reference Service of the Library of Congress advise me that this signup and diversion under the voluntary feed grain program means that there will be 100 to 150 million fewer bushels of grain harvested this fall than would have been harvested in the absence of the program. In view of the current stocks of wheat, an extra 100 million bushels of grain would have to be either fed to livestock or added to surplus stocks in the coming marketing year, except for this voluntary wheat program.

Midwest farmers have been greatly misinformed by the opponents of the wheat program. This voluntary wheat program is diverting sufficient land from feed production in 1964 to equal in effectiveness the feed grain diversion program in the great corn producing State of Iowa.

My own State of South Dakota is an important feed grain producing State. Yet the grain production diverted by the voluntary wheat program is almost three times that diverted by the feed grain program in South Dakota. Taking into account the acre yields in the different States, acreage diversion under the voluntary wheat program makes almost as much a contribution in bringing feed grains into balance with market outlets as the 1964 feed grain program did in the two States of Indiana and Illinois; as much or more than the feed grain program in the three States of Missouri, Kentucky, and Tennessee; as much as the feed grain program in the State of Texas; and almost as much as in the two States of North Dakota and Minnesota.

The comparisons I have used have assumed that the producers would have stayed within their wheat allotments without a new program. Actually, without the voluntary certificate plan, there would have been a great deal of overplanting and wheat output might have risen above the yield from a 53-million-acre effective allotment very considerably. The voluntary certificate plan may very well have held production down 250 million bushels. Without a new program, it would have been on the feed grain market.

While I am talking about the voluntary wheat program's contribution to the improvement of the feed grain situation, I would like to relate it directly to our currently depressed beef cattle prices. I continue to receive mail from beef cattle producers who are suffering losses from depressed cattle prices. I am greatly concerned about the low prices for beef cattle which have continued far too long. I hope Federal purchases and market stimulation will help to improve these prices soon. I also hope they will be successful in reducing imports of both dressed beef and feeder cattle without adverse effects on our large volume of exports of both farm and non-farm products. I hope President Johnson, Secretary Freeman, and the Department of State will be able to find export markets for more of our choice beef.

The point I want to make at this time is that the grain production diverted by the voluntary wheat program is sufficient—if it were harvested and fed to beef cattle—to produce almost as much beef as is produced in the entire State of South Dakota, fifth among all States in beef production. The potential grain production diverted by this program, if fed to beef cattle would increase market supplies by about 1 billion pounds.

In a very real sense this voluntary wheat program may contribute as much toward avoiding future excessive marketings of beef cattle as if somehow the entire beef cattle production of the State of Oklahoma were diverted from commercial markets.

Missouri and Minnesota are two other important beef producing States, yet the potential grain production on the diverted acres under the voluntary wheat program is sufficient to produce almost as much tonnage of beef as was produced in either of these States last year.

The potential grain production on the diverted acres is sufficient to produce as large a tonnage of beef as was produced last year in the two States of Montana and Idaho; the two States of Colorado and New Mexico; the four States of Wyoming, Arizona, Utah, and Nevada; and almost as much as was produced in the six Southeastern States of Virginia, West Virginia, the Carolinas, Georgia, and Florida.

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[2] Salutatorian.

[3] Covaledictorians.

[4] Audience will please stand.

Let me make another comparison: I am one of the supporters of the Mansfield bill, S. 2525, which with amendments would limit beef imports to the average level of imports in the years 1958–62. Under such a bill, beef imports would be more than 500 million pounds less than they were in 1963. This, everyone agrees, is a lot of beef.

But, the Members of the Senate who are for import limitations, and who voted against the cotton-wheat bill, should realize that the potential grain production diverted this year by the voluntary wheat program is sufficient, if produced and fed to beef cattle, to more than equal the reduction in imports which would be achieved by cutting imports to the 1958–62 level.

Let me conclude: The voluntary signup in the new wheat program will put several hundred million more dollars in wheat producers' pockets. It will contribute as much to balancing supplies of feed grains as the feed grain acres diverted in the great corn producing State of Iowa. And, indirectly, in the longer run, it contributes as much to balancing supplies of beef cattle as would a limitation of beef imports to 1958–62 levels.

President Johnson showed courageous farm leadership in recommending this legislation in view of the opposition to it by some farm leaders and processors.

I am proud to have had a part in the enactment of this legislation, and I take a great deal of satisfaction in being able to announce to the Senate the high rate of voluntary compliance.

I ask unanimous consent to have the Department of Agriculture's report and analysis of the producer signup under the new wheat program printed in the RECORD.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

1964 wheat program—Enrollment report, cumulative through May 22, 1964

State	Number of farms			Regular allotment on all wheat farms [2]	Effective allotment on—			Intended diversion					Diversion payments	
	All wheat farms [1]	Enrolled farms			All wheat farms	Enrolled farms [3]		Total diversion		Mandatory diversion	Voluntary diversion		Amount	Average rate per acre
		Farms	Portion of total farms			Acreage	Portion of total	Acreage	Portion of effective allotment on enrolled farms		Acreage	Portion of total diversion		
	Number	*Number*	*Percent*	*Acres*	*Acres*	*Acres*	*Percent*	*Acres*	*Percent*	*Acres*	*Acres*	*Percent*	*Dollars*	*Dollars*
Alabama	6,741	1,021	15	45,058	61,392	18,069	29	5,734	32	2,002	3,732	65	40,139	7.00
Arizona	1,172	237	20	37,298	39,130	17,566	45	3,813	22	1,952	1,861	49	41,714	10.94
Arkansas	14,498	381	3	63,538	140,481	14,583	10	2,224	15	1,618	606	27	16,551	7.44
California	5,901	1,497	25	376,509	284,232	243,413	63	43,954	18	27,039	16,915	38	275,768	6.27
Colorado	22,358	13,862	62	2,383,653	2,403,888	2,112,355	88	308,605	15	234,704	73,901	24	1,772,906	5.74
Connecticut	78	4	5	216	311	18	6	2	11	2	0	0	17	8.50
Delaware	1,512	339	26	25,557	27,218	11,841	44	1,393	12	1,315	78	6	12,342	8.86
Florida	1,228	174	14	14,416	16,671	3,292	20	1,245	38	363	882	71	7,598	6.10
Georgia	19,942	7,209	36	95,315	129,372	63,959	49	32,551	51	7,086	25,465	78	225,437	6.93
Idaho	28,725	12,346	43	1,069,130	1,117,560	893,944	80	111,645	12	99,143	12,502	11	886,495	7.94
Illinois	132,937	24,217	18	1,249,418	1,700,719	553,708	33	65,511	12	61,581	3,930	6	638,431	9.75
Indiana	119,211	18,572	16	946,720	1,309,718	359,454	27	48,349	13	39,916	8,433	17	421,745	8.72
Iowa	13,564	2,001	15	99,219	140,202	56,290	40	6,754	12	6,251	503	7	50,500	7.48
Kansas	147,085	100,395	68	9,728,179	9,921,693	8,959,601	90	1,134,434	13	996,443	137,991	12	7,596,440	6.70
Kentucky	22,974	3,945	17	178,510	218,236	74,961	34	15,764	21	8,319	7,445	47	112,743	7.15
Louisiana	1,340	142	11	35,080	37,507	11,355	30	1,409	12	1,260	149	11	10,563	7.50
Maine	30	11	37	233	233	116	50	34	29	13	21	62	260	7.65
Maryland	13,326	1,626	12	144,567	165,874	41,875	25	6,313	15	4,632	1,681	27	52,139	8.26
Massachusetts	24	5	21	190	190	60	32	20	33	7	13	65	187	9.35
Michigan	113,407	25,888	23	818,666	1,129,638	394,994	35	98,935	25	43,873	55,062	56	840,004	8.49
Minnesota	64,614	20,966	32	636,953	951,541	587,434	62	73,074	12	65,231	7,843	11	553,176	7.57
Mississippi	3,184	227	7	47,354	55,128	13,652	25	1,868	14	1,514	354	19	13,574	7.27
Missouri	127,506	31,985	25	1,172,620	1,569,462	665,749	42	110,303	17	73,862	36,441	33	862,640	7.82
Montana	23,378	16,391	70	3,637,704	3,650,629	3,311,326	91	390,911	12	368,009	22,902	6	1,847,578	4.73
Nebraska	78,324	53,186	68	2,846,324	2,967,489	2,609,768	88	314,299	12	289,960	24,339	8	2,166,241	6.89
Nevada	471	98	21	15,863	16,091	9,369	58	1,819	19	1,038	781	43	16,356	8.99
New Jersey	4,335	878	20	42,782	50,575	20,342	40	4,230	21	2,252	1,978	47	40,749	9.63
New Mexico	4,710	1,497	32	424,376	430,251	295,590	69	46,679	16	32,843	13,836	30	253,541	5.43
New York	33,819	11,007	33	273,851	318,803	163,030	51	52,515	32	18,107	34,408	66	487,741	9.29
North Carolina	81,612	17,948	22	241,670	411,594	127,641	31	61,521	48	14,277	47,244	77	428,405	6.96
North Dakota	71,325	60,740	85	6,786,242	6,804,255	6,204,160	91	711,145	11	688,996	22,149	3	3,760,048	5.29
Ohio	136,171	29,987	22	1,287,754	1,553,120	544,191	35	86,076	16	60,309	25,767	30	677,454	7.87
Oklahoma	78,501	47,856	61	4,453,359	4,594,559	3,942,427	86	498,325	13	438,021	60,304	12	2,888,860	5.80
Oregon	16,818	5,122	30	763,334	792,830	677,685	85	85,648	13	75,306	10,342	12	814,490	9.51
Pennsylvania	73,026	11,671	16	455,756	569,362	135,062	24	36,903	27	14,981	21,922	59	290,192	7.86
Rhode Island	12	0	--------	120	188	0	--------	0	--------	0	0	--------	0	0
South Carolina	35,283	8,605	24	121,274	183,868	66,260	36	34,424	52	7,344	27,080	79	225,767	6.56
South Dakota	43,902	24,702	56	2,478,503	2,578,759	2,177,317	84	271,558	12	236,908	34,650	13	1,418,016	5.22
Tennessee	28,903	4,348	15	158,159	201,370	58,742	29	16,780	29	6,505	10,275	61	105,613	6.29
Texas	68,320	26,657	39	3,636,200	3,817,584	3,091,115	81	384,404	12	335,708	48,696	13	2,124,219	5.53
Utah	10,861	3,373	31	268,240	280,947	179,832	64	27,687	15	19,978	7,709	28	143,580	5.19
Vermont	61	1	2	310	437	23	5	8	35	3	5	62	69	8.63
Virginia	43,403	9,022	21	205,403	278,871	93,476	34	28,775	31	10,431	18,344	64	206,885	7.19
Washington	16,792	7,986	48	1,836,831	1,864,955	1,657,222	89	190,334	11	183,384	6,950	4	1,748,809	9.19
West Virginia	4,551	611	13	27,702	30,264	7,011	23	1,828	26	781	1,047	57	11,372	6.22
Wisconsin	10,399	1,266	12	30,544	56,791	12,097	21	3,358	28	1,343	2,015	60	30,362	9.04
Wyoming	3,530	1,667	47	250,750	258,015	200,444	78	26,215	13	22,260	3,955	15	158,462	6.04
Total	1,729,864	611,728	35	49,411,450	53,232,003	40,682,419	76	5,349,376	13	4,506,870	842,506	16	34,276,178	6.41

[1] Includes all CR farms with a wheat allotment.

[2] Issued on basis of national allotment of 49,500,000 acres.

[3] Regular allotment adjusted for 15-acre provision.

THE MEAT MARKET PROMOTION AGREEMENT

Mr. McGOVERN. Mr. President, I would like to call the Senate's attention to the very constructive steps which have been taken by President Lyndon Johnson and Secretary of Agriculture Orville Freeman to assist in meeting the problems of the livestock and meat industry.

Some of us are advocating a restriction on imports of beef into the United States. I continue to feel that such limitations should be enacted to force the surplus meat production of Australia, New Zealand, Ireland, and other nations toward countries short of high protein foods, instead of the United States, but the administration is entitled to praise for guiding the meat industry toward a market expansion program, and the development of export markets.

About a month ago, President Johnson recognized the possibility of markets for U.S. beef in Europe, where income is rising, tourism is increasing, and meat supplies are limited. He asked the Department of Agriculture and the meat industry to send a small party to Europe to investigate the possibility of market development. They returned with encouraging reports.

On Tuesday, Secretary of Agriculture Orville Freeman signed a cooperative market development agreement with the American Meat Institute, acting on behalf of the livestock and meat industry, under which market development in Western Europe and the United Kingdom will be undertaken.

I ask unanimous consent, Mr. President, to have copies of the Department of Agriculture announcement of this agreement and Secretary of Agriculture Freeman's statement in regard to it printed in the RECORD.

There being no objection, the announcement and the statement were ordered to be printed in the RECORD, as follows:

EXPORT PROMOTION PROJECT TO SEEK BEEF MARKETS IN EUROPE

Secretary of Agriculture Orville L. Freeman today signed a cooperative market development agreement with the American Meat Institute, acting on behalf of the entire U.S. livestock and meat industry, aimed at building sales of U.S. livestock products, beef, and other meat and meat products in Western Europe and the United Kingdom. Dr. Herrell DeGraff, president, American Meat Institute, signed the project agreement on behalf of the cooperator.

The new project is part of the program of export market development carried out through joint financing by the U.S. Department of Agriculture and U.S. agricultural and trade groups, with USDA's contribution coming from Public Law 480 market development funds. A National Advisory Committee on Cattle, meeting here last week, had recommended to the Secretary that industry cooperate with the Foreign Agricultural Service—and had endorsed the AMI as cooperator, American agriculture are enjoying export on behalf of the entire industry—in promoting commercial sale of U.S. cattle and beef overseas, using available market development funds.

Countries where developmental activity will take place include the United Kingdom, West Germany, France, Italy, Belgium, Switzerland, the Netherlands, and Spain. In each of these countries, meat supplies currently are lower than normal and prices to consumers are unusually high. A special mission recently sent by the President to study U.S. beef marketing prospects in Europe concluded that prospects are good for some export sales to the area in the months ahead.

The market development agreement authorizes a wide range of activities on the part of the cooperator and associated U.S. livestock and meat groups, among them:

Make market investigations to locate potential markets for U.S. livestock products;

Provide both U.S. suppliers and foreign buyers with marketing information;

Arrange visits to the United States of teams of potential buyers;

Conduct U.S. meat exhibits and trade conferences at international trade fairs, specifically in Hamburg, Germany, August 14–23, and Paris, France, November 8–16;

And carry out other related promotions, including distribution of promotional materials abroad and obtaining the cooperation of foreign meat trade and industry interests.

STATEMENT BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN AT SIGNING OF MARKET DEVELOPMENT PROJECT WITH AMERICAN MEAT INSTITUTE, MAY 26, 1964, WASHINGTON, D.C.

At this time when so many segments of activity are unparalleled in our history, it gives me great satisfaction to sign a document aimed at helping our livestock and meat industries join this rewarding parade.

We are signing here an agreement of cooperation between the U.S. Department of Agriculture and the American Meat Institute the purpose of which is to benefit the entire U.S. livestock and meat industry by promoting export sales to Europe of our beef, other meats and meat products, and livestock products generally.

This is a jointly financed project and, on our part, we think it represents an especially timely and worthwhile use of market development funds from the Public Law 480 program.

I know that the President is pleased at our joint progress in setting up this project. His beef market mission that went to Europe earlier this month and its findings helped prepare the way for this promotion. Also, the National Advisory Committee on Cattle which met here last week gave this type of project its highest recommendation.

American agriculture is a heavy supplier of world trade in a number of livestock products, including variety meats, tallow, lard, and hides and skins—but it has been many years since we have been a substantial exporter of beef or other red meats. Today, however, we have an unusual opportunity to get back into the stream of world trade. Beef particularly is in short supply in Europe, prices have been rising, and prosperous consumers want more beef. We have the supplies to sell them, provided we can get together on prices and other conditions. The purpose of this project is to service this good market in such a way that we do get together and sales are made.

It is not easy to enter a new market—or in this case, to reenter a former market where trade contacts have to be entirely rebuilt. But we are putting together, in this agreement, the best knowledge and experience available in the United States and I am hopeful of good results.

We are grateful to the American Meat Institute for its support and participation in this endeavor. The American Meat Institute as cooperator in this program is acting explicitly on behalf of the entire livestock and meat industry of this Nation. The agreement is framed to that end. We believe also that this cooperation will benefit all Americans and it will set a pattern of useful collaboration between these industries and our Government.

Mr. McGOVERN. Mr. President, American wheatgrowers have done a tremendous job of market promotion under a similar agreement with the Federal Government. United States wheat exports have risen steadily for several years as our trade promotions parties have visited foreign countries and promotion offices have been opened abroad.

These markets are not developed overnight. We cannot look for an end to the meat animal price crisis within a few weeks as a result of export sales. But I am sure that over a period of a very few years, the basic, long-term demand for U.S. meat will have been considerably increased through the effort which has just been launched and markets will have been opened which will provide an outlet, not just for a great deal more of our meat products, but for the feed grains which go into meat animals.

The President and the Secretary of Agriculture are entitled to our congratulations and praise for taking the lead in this constructive arrangement.

An outside view and report on the President's beef sales promotion activities was contained in last week's issue of the Washington Farmletter. I ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

L.B.J. again demonstrated his political and business astuteness in sending a beef export study mission to Europe. It came back reporting "there's a hole there" for some U.S. meat. Members say L.B.J. was right, and that his political timing was perfect.

The President laid it on the line to the cattle industry in salty language in discussing the trip with the mission. He said it's up to the industry to get positive instead of being negative, that he isn't going to wreck U.S. foreign trade for a bunch of cowpokes, and that if Congress passes a beef import restriction bill he'll veto it.

L.B.J. instructed Assistant Secretary Mehren who headed the mission to see that the Government does all it properly can to sell more beef abroad.

American Meat Institute is asked to set up a trade development committee to cooperate with USDA in opening up promising European market.

There's a "drastic shortage" of meat in Europe, the mission says. Consumer incomes are rising. Tourist trade is thriving. European trade is eager to talk of buying. Traditional supplies are short.

Even the French were gracious to the mission—they need meat. In London Mehren was impressed that beef in chainstores is higher than in the United States allowing for comparable quality—true elsewhere.

The outlet for U.S. beef in Europe may not be big, and it won't by itself solve U.S. cattle price problems, but it's worth looking into, Mehren says. Europeans told the mission that Australia and New Zealand are short on carcass meat, and that it will take Argentina 18 months to get back to something like normal on its beef exports.

The immediate European demand in U.S. terms is for two-way cattle—grass cattle. This is the kind they're used to and they're short of now. Four shiploads of beef are reported to be already en route to Europe.

For the long pull, it's a question whether Europe will buy high grade U.S. beef (Choice grade). They aren't used to it—neither were we a generation ago. They have the money to buy—will they develop the taste for Choice sirloin steaks as we have? It will take time and U.S. promotion effort, but there's a market potential there.

This is background for report of USDA's Cattle Advisory Committee this week on how to strengthen the price-depressed cattle industry.

Committee proposals: Sell more beef abroad. Try to get other countries to reduce shipments to the United States to the maximum extent possible. Legislation to permit FHA loans to distressed cattlemen who can't get local credit. Resume dual grading of beef on an optional basis.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may be permitted to yield momentarily to my distinguished colleague, the Senator from Florida [Mr. Smathers], without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, I thank my distinguished senior colleague for his usual courtesy.

INSIDE OF CUBA

Mr. SMATHERS. Mr. President, an editorial entitled "Hope for Exiles—From Raul?" appeared this morning in the Miami Herald. The editorial quoted a statement made by Raul Castro with respect to what is now happening inside Cuba, and particularly with respect to his attempt and Fidel Castro's attempt to eliminate the middle class of people in Cuba. I believe the editorial deserves the attention of Members of Congress, and I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Hope for Exiles—From Raul?

Cuba's No. 2 bully boy, Raul Castro, delivered a speech in Santiago the other day that, considering its significance, attracted far too little attention.

The little brother announced seven officials of Oriente Province had been arrested as saboteurs of the revolution or, as the Castroites usually put it, as CIA agents.

These seven trusted officials had been working with such efficiency to undermine the Communist regime, said Raul, that the people of an entire area of the province had been eating only macaroni and rice for the past 2 years.

But the junior leader went further to say these men were typical of a growing number within the Government who work against the revolution.

"When the (Communist) party tries to intervene," he complained, "some Government agency comes out protesting that the party is interfering in state affairs. The party will investigate deeply these and all Provincial organizations."

Raul said the middle classes of Cuba were able to impede the revolution because "the workers, sunk in ignorance by capitalism, have not yet reached the educational level needed to exercise many key Government and economic positions."

All Government officials with "bourgeois backgrounds" are suspect by the Communist bosses, he proclaimed.

Not often do Reds admit so frankly the technique of liquidating the educated middle class and installing the ignorant in their place. The fact that Cuba, before Castro, had a strong middle class with living standards far above the average in Latin America, illustrates the size of the Communist problem.

The speech encourages exile hopes that growing internal dissatisfaction may yet reach the point of explosion.

It also shows that the Castro regime, a danger to the hemisphere, is also becoming a threat to the Cuban people themselves.

Mr. MANSFIELD. Mr. President, will the Senator from Florida yield without losing his right to the floor?

Mr. HOLLAND. Mr. President, under the same conditions, I am glad to yield to the Senator from Montana.

The PRESIDING OFFICER. Without objection, it is so ordered.

A GIFT ETERNAL—JOHN F. KENNEDY

Mr. MANSFIELD. Mr. President, each year on Memorial Day this Nation pays tribute to the memory of loved ones who have given their lives, that America might live in freedom.

On Saturday, May 30, Memorial Day 1964, the intensity of sorrow was heightened by the memory, still fresh, of the death of John F. Kennedy, who lived, who fought, who presided over the Nation, and who died in that cause.

Mr. President, a measure of the depth of our remembrance is the poignancy of the tribute. A great tribute to the memories of all Americans who have died in defense of freedom was published in the Billings Gazette on Friday, May 29, 1964. I ask unanimous consent that this tribute, entitled "When Lilacs Last in the Dooryard Bloom'd," written by Addison R. Bragg, one of the Northwest's leading columnist, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

When Lilacs Last in the Dooryard Bloom'd

(By Addison R. Bragg)

He was a husband, he was a son.

He was a brother—and he was a father.

The uniform he wore doesn't matter, any more than does the war he fought in or the way he died.

What matters, on this Memorial Day, 1964, is that he be remembered.

And what matters even more is that he be remembered as much for the things that might have been as he is for the things that are.

A wife can whisper a prayer to fill the loneliness in her heart as she places flowers on a grave.

A mother can touch the cool whiteness of a stone with a hand that long ago smoothed a blanket over a sleeping child—and a father remembering too, listens again for a cry that came in the night but hears only the sound of wind in the trees.

A sister can smile a little at the ghostly echo of his laugh.

And a child can feel the sun on his face and the grass under his feet and know in them, yet not know how he knows, the strength of the man of whose life he is a part.

These are the things that are, on this Memorial Day, 1964.

The things that might have been but for the fact of one green mound and one remembered life are important too.

But some are not as pleasant.

A tall, gaunt man long, long ago called one of them a country, divided against itself.

Far away and much later, a man looked out from a window in London and spoke of lights going out all over the world.

There were the dark Decembers and the bleak Octobers and there were the days shadows moved over the land where he now lies.

But because of the man you remember a country stands today and lights, however feeble, burn today and the moving shapes of gray are being swallowed by the greater light which he and others like him carried until the time came for it to be passed on.

You know his name.

You know it because it belongs to you who were his wife, his mother, his sister, and his son.

You know his name as you knew his life, a gift eternal as the flame which burns today over a hero's grave.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States, to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. HOLLAND. Mr. President, on May 21, I barely got started in my delivery of a further address on the troublesome educational title—title IV—of the pending so-called civil rights bill. I had to terminate my remarks that day, before proceeding very far, because of my yielding to two distinguished Senators who had rather extensive remarks to make; and at that time I received the permission of the Senate to continue my remarks when I could be recognized by the Presiding Officer. I wish to make clear, therefore, that my remarks today are for the purpose of continuing and completing my remarks of May 21, and should not, therefore, be charged as a separate speech.

In my remarks of May 21, I quoted at some length from an able speech made by Mr. Don Warden, president of the Afro-American Association, of Oakland, Calif., who is an aggressive young Negro attorney.

In speaking recently before a large Republican convention, a meeting of the United Republicans of California, Mr. Warden eloquently stated his feelings that the Negroes must advance their own race largely by their own efforts, as a matter of showing pride in their history and in the accomplishments of the Negro race.

The remarks of Mr. Warden were highly impressive, and showed a pride in his race's accomplishments, a willingness to stand on his own feet, and a desire that his people stand on their own feet—all to such a degree that I quoted at considerable length from his remarks.

I think all Americans, of every race, color, creed, or religion, should feel proud of the utterances of Don Warden and the fact that this young, educated, professional Negro is dedicating himself to the advancement of his own race by their own efforts and as a matter of showing pride in their own history and in the accomplishments of the Negro people.

I was particularly impressed by the fact that Mr. Warden's comments and remarks made abundantly clear that he was willing to be an "Uncle Tom" because he felt he was on the right track; and as the head of the Afro-American Association, he was willing to speak for others of that group who agreed that they should do so, and made clear that they wanted to stand on their own feet and help other members of their race stand on their own feet to obtain better education, better jobs, and better housing, and, in general, take a full place as American citizens on their own merit.

Returning to the subject of Negro education in the north, particularly as it relates to de facto segregation in all of the large northern cities, I think it is timely to note from the city press of New York, Chicago, and other cities, the repercussions which have followed the recent report and recommendations of the Advisory Committee of the State Education Commissioner of New York State, which committee was headed by Dr. Fischer, the president of the Teachers College of Columbia University. An editorial from the Chicago Tribune entitled "Integration Problems in Big Cities" dealt with this subject rather cynically, and I shall now read this editorial into the RECORD, as a part of my remarks. I quote from the Chicago Tribune:

> A report on New York City's school integration problems has been made by a special advisory committee headed by the president of Teachers College of Columbia University. Several findings and recommendations of the committee parallel those made for Chicago schools by a panel of educators headed by Prof. Philip Hauser of the University of Chicago.

Here, I should like to state that the committee serving in New York, while headed by Dr. Fischer, president of Teachers College of Columbia University, also had on its membership Dr. Clark, professor of psychology at the College of the City of New York, a Negro. A distinguished Jewish rabbi was also a member.

I continue to read the editorial in the Chicago Tribune:

> Both committees found that complete desegregation is an impossible goal for the foreseeable future. Both warned against measures that would drive white families to the suburbs or to private schools. Both found that long-distance busing of elementary school pupils would be impractical.
>
> Both committees called for vastly increased expenditures for "compensatory" education for "deprived" children and for various changes in the school system. The New York committee indicated that at least $250 million a year would be needed for its program. Estimates of the cost of the Chicago program have been placed at $100 million a year.
>
> Both committees conceded that local tax resources were inadequate and called for help from State and Federal tax funds.

I interpolate again to state that the amounts mentioned—$250 million a year for New York City, and $100 million for Chicago—were in addition to this year's budget in both places, and were stated as only the beginning of a program for dealing with de facto segregation. In neither case was it estimated that that would be the amount needed in subsequent years, although it was clear that a larger amount would be required, at least for some time, in both places.

I continue the quotation:

> The Chicago report recommended enlarged school attendance areas, within which pupils would be permitted to attend the school of their choice, if there was room for them. The New York plan goes much farther, urging a reorganization of the school system into 4 years of elementary, 4 years of middle, and 4 years of high school education.
>
> The plan also would have vast educational parks, in which as many as 15,000 children ranging in age from 6 to 15 years would be concentrated and racially mixed. The New York Times notes that this scheme would involve the daily receiving and dispatching of the equivalent of an army division, and suggests that the idea sounds like a cross between a pipedream and nightmare.
>
> Both the New York and Chicago reports will be studied in all the northern cities which are under pressure from "civil rights" groups to rectify immediately injustices which have been in the making for a 100 years. It is helpful to face the fact, as the New York report did, that "neither planning nor pressure" can bring about total desegregation.
>
> Wherever housing practices and geography make integration of the schools unattainable, the boards of education can only do their best to give every pupil in every school the greatest possible opportunity for an education.

So ends the editorial of the Chicago Tribune. I think it fair to say that editorial and all the other recent statements from the press of Chicago and New York, from study commissions, and from other learned sources, indicate that what I said at the beginning of this debate is recognized by each and every one of them; namely, that better education, rather than integrated education, is what is needed.

I believe that perhaps the outstanding comments made in the editorial which I have just quoted are, first, that both the New York and the Chicago committees found "that complete desegregation is an impossible goal for the foreseeable future" and they both found that "long distance busing of elementary school pupils would be impractical." The editorial noted that both committees had also warned against extreme measures which would drive white families to the suburbs or to place their children in private schools.

Evidently they are learning from what has happened in Washington, D.C., where already so many white families have left the District, or have put their children in private schools, that today 84 percent of the children in the District of Columbia public schools are Negroes.

The editorial also calls clear attention to the fact that vast amounts of money were mentioned by both committees as being required for desegregation in their respective areas—namely, $250 million for the first year in New York, and $100 million for the first year in Chicago. Both committees also called for help from Federal tax funds.

The editorial quoted the New York Times as suggesting that the huge amount of transportation of New York children that was involved was equivalent to the daily movement of an army division and that the plan "sounds like a cross between a pipedream and nightmare." The concluding paragraph of the editorial reads:

> Whenever housing practices and geography make integration of the schools unattainable, the boards of education can only do their best to give every pupil in every school the greatest possible opportunity for an education.

This makes it very clear that the editorial writer suggests the same idea which I have several times suggested during the course of this debate—namely, that a better education, rather than integration of the Negro children with the whites, must be the desired goal.

The editorials published in the New York Times and the New York Herald Tribune were almost equally critical and skeptical, but I believe that the best statement on this subject from the New York Times, was contained in an article written by Fred M. Hechinger on May 17, under the headlines "No Last Stop?—Urban Schools Aggravate Crisis by Shrinking From Decision." This article is so informative and gives such a clear picture of the details and implications of the 47-page report of the advisory committee of the State education commissioner, entitled "Desegregating the Public Schools of New York City," that I believe it should appear in the RECORD in full; and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 17, 1964]

NO LAST STOP?—URBAN SCHOOLS AGGRAVATE CRISIS BY SHRINKING FROM DECISIONS

(By Fred M. Hechinger)

When Harry S. Truman was President, he had a printed sign on his desk in the White House which read "The Buck Stops Here." A central problem of public education is that it has no point where the buck stops and where decisions must be made.

Under normal conditions, this may not be a fatal flaw. But in view of the big-city crisis of educational deterioration and demands for greater integration, the paralysis of decisionmaking is serious. Last week, this was underlined by a 47-page report on "Desegregating the Public Schools of New York City," prepared by an advisory committee to the State education commissioner.

The report made some important recommendations—among them abolition of the junior high schools and reorganization of the system into 4 years each of elementary, middle, and high school, preceded by extensive preschool care and training for slum children.

Elementary schooling would continue to take place in the children's immediate neighborhood, even if this meant segregation. But beginning with middle school, an attempt would be made, through the establishment of "complexes" or clusters of schools, to feed youngsters from both white and Negro neighborhoods into these larger, campus-type institutions. Somewhere in the undefined, distant future, there would be giant "educational parks," each containing enough school units (of about 500 pupils each) to accommodate as many as 15,000 integrated youngsters.

The issue of northern big-city school integration is in itself an example of buck passing by the communities. A combination of the mass migration into the northern cities and the confinement of the migrants in ghettos, as a consequence of the urban politicoeconomic power structure, has created school segregation. Between 1910 and 1960, the number of Negroes in the United States has doubled; in the New York urban area their number has multiplied 10 times.

BEGAN YEAR AGO

Yet, the buck is increasingly being passed to the school—to end segregation.

Within New York State's educational structure, the buckpassing began a year ago,

> when the State education commissioner warned that any school with a nonwhite enrollment of more than 50 percent is in danger of becoming totally segregated. In the city, the attempt to comply with State appeals for better integration and demands of civil rights groups to eliminate segregation, led in rapid succession to:
>
> 1. An interim report by the superintendent outlining certain steps, including stepped-up voluntary transfer of Negro students out of ghetto schools; pairing (Princeton plan) of Negro and white schools; and educational improvement.
> 2. An appeal by the lay board of education to Dr. Calvin E. Gross, the superintendent, to move faster, specifically in the matter of pairing.
> 3. A report by the board which said 40 or more schools would be paired in a 3-year period; "feeder patterns" into junior high schools would be changed; "educational parks" would be explored; school improvement, including preschool instruction in the slums, stepped up.
> 4. Under mounting pressure, Dr. James E. Allen, Jr., the State commissioner, was asked for help; last week's report by his advisory committee was the result.
>
> At each end of the four steps, when the issuing agencies of the reports—superintendent, board, advisory committee—found specific recommendations challenged, they replied that headquarters or other professional research staffs were responsible for the facts. These staffs then passed the buck back to local neighborhood field personnel and eventually to parents representing local school boards. As the buck went down the line, the paper proposals were termed impractical.
>
> In last week's discussion of the latest proposals at a press conference, reporters were told not to hold the committee to too many details. Yet, it has been on details of implementation that each plan has been declared vulnerable and passed back down the line.
>
> Typical of education routine, the buck passed among superintendent, board, field staff and finally State authority and back.
>
> Even more important are these specific areas in which the State report documents the buckpassing problem:
>
> Finances: The report calls for $250 million, in addition to the $800 million budget, to bring about many of the changes. The appeal is directed at city, State, and Federal Government. Yet, the mayor has just cut the board's regular budget request; the Governor has turned down an appeal by Dr. Allen for a mere $10 million for improved integration; and Federal money under the war on poverty program is highly speculative.
>
> ### SEEKING SUBSTITUTES
>
> New institutions: With the schools fighting a losing battle in trying to teach children, crippled by slum living, segregation, and often fatherless homes, current experimentation tries to find substitutes for home and ordinary school. Specially designed nurseries, beginning at age 3, are expected to take over. But these new institutions, though impressively simple in reports, will require specially trained staffs, carefully prepared materials, suitable facilities and much daily time and annual money. Without all this, the recommendation is just another form of passing the buck, out of the realm of the regular school organization.
>
> Training: The report, which somewhat arbitrarily charged that the New York system had done and proposed nothing to reduce segregation, said that "the majority of [teacher] training institutions should not be devoted as consistently as they have been to the preparation of teachers for suburbia." Observers pointed out this was an odd statement coming from a committee whose chairman was Dr. John H. Fischer, president of Teachers College, Columbia University—an institution that has exerted greater leadership in training teachers not only for suburbia but for underdeveloped Africa than for underprivileged America. Here, the committee chairman is found passing the buck to the institutions of which he is also a leading spokesman.
>
> ### LARGELY VISIONARY
>
> Long-range visions: These are the buckpassers' delight. For example, the school "complexes" and educational parks would require, aside from financing, the cooperation and approval of so wide a variety of interests and agencies—city planning, transportation, real estate, in addition to education—as to appear virtually immune to decision and action. Yet, the most sweeping promises on de facto segregation are based on such long-range visions. Reporters who ask about details of implementation are told, in effect, to come back later when the school system, not the committee, faces the hard, reality-confined facts.
>
> Paradoxically, buckpassing has its useful side. The State report's admission that desegregation of all schools in New York is impossible and that even the best efforts will merely slow the "spread of segregation" would have been violently attacked by civil rights leaders, had it come from the local school system. Even more vulnerable would have been the proposal that the elementary grades remain neighborhoodbound, even in the ghetto. Often what is said is less important than who says it.
>
> Even then, the danger remains that, after an agency that is not responsible for implementation returns the buck to the local authorities, difficulties in translating paper plans into action may sharpen frustrations and conflict—and put off final decisions for another round of reports.

Mr. HOLLAND. Mr. President, it will be noted that the writer of this fine article emphasizes the point that "passing the buck" on this important public school problem of New York City has become the well-established rule among the various school officials from top to bottom, and that point is developed in devastating detail. Perhaps the best résumé of the buckpassing is contained in the following paragraphs:

> Typical of education routine, the buck passed among superintendent, board, field staff and finally State authority and back.
>
> Even more important are these specific areas in which the State report documents the buckpassing problem.
>
> Finances: The report calls for $250 million, in addition to the $800 million budget, to bring about many of the changes. The appeal is directed at city, State, and Federal Government. Yet, the mayor has just cut the board's regular budget request; the Governor has turned down an appeal by Dr. Allen—

He is the State commissioner of education—

> for a mere $10 million for improved integration; and Federal money under the war-on-poverty program is highly speculative.

I believe that the completely skeptical and critical attitude of the reporter, Mr. Hechinger, is well stated in his concluding paragraphs, which, under the subhead "Largely Visionary," contain the following remarks:

> Long-range visions: These are the buckpassers' delight. For example, the school "complexes" and education parks would require, aside from financing, the cooperation and approval of so wide a variety of interests and agencies—city planning, transportation, real estate, in addition to education—as to appear virtually immune to decision and action. Yet, the most sweeping promises on de facto segregation are based on such long-range visions. Reporters who ask about details of implementation are told, in effect, to come back later when the school system, not the committee, faces the hard, reality-confined facts.
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> Paradoxically, buckpassing has its useful side. The State report's admission that desegregation of all schools in New York is impossible and that even the best efforts will merely slow the "spread of segregation" would have been violently attacked by civil rights leaders, had it come from the local school system. Even more vulnerable would have been the proposal that the elementary grades remain neighborhoodbound, even in the ghetto. Often what is said is less important than who says it.

Mr. Hechinger makes very clear that the report, which comes from a source so high, so impartial, and so unquestioned as to its ability, merely invites attention to facts which are known to everyone who knows anything about the huge de facto segregated schools in New York City and in other large cities. This report comes from such an unquestioned authority that it is not complained about, not even by "civil rights" leaders.

I read further from his article:

> Even then, the danger remains that, after an agency that is not responsible for implementation returns the buck to the local authorities, difficulties in translating paper plans into action may sharpen frustrations and conflict—and put off final decisions for another round of reports.

After considering the just-mentioned editorial comments from the Chicago Tribune, the news article written by Mr. Hechinger published in the New York Times, along with the earlier articles from both those papers and the New York Herald Tribune which I placed in the RECORD during my last remarks on this subject on May 14, I believe that it should be increasingly clear that the problem of de facto segregation in our large northern cities has become so vast in its size and so unsolvable in its complexities, as well as so expensive, that the school authorities cannot consider it except in terms of launching massive financial raids on the Federal Treasury.

I do not regard it as necessary to spend a longer time now in discussing the tragic problem presented by the hundreds of thousands of Negro children who are now receiving inadequate educations in the de facto segregated schools of the huge slums of northern cities where, because of residential patterns, the Negroes and Puerto Ricans, but particularly Negroes, live under conditions which are turning out hoodlums and criminals by the countless thousands. That there is nothing in the pending legislation to even approach this largest part of the segregated school problem is quite evident, except for the open-ended authorization of appropriations out of the Federal Treasury to apply in unknown amounts and in unpredictable ways in attempts to solve these problems along lines which the official commissions, both in New York and in Chicago, have frankly said are, in many cases, completely incapable of bringing about any solution.

It is high time that those who are pushing the pending bill, and particularly title IV which deals with desegregation of the public schools, should realize that the problem in the large northern cities is not adequately attacked under the pending bill and, in my judgment, it is not even effectively approached in any way. It is wrong to continue to give the impression that this bill does include remedies for the segregated school situation in large northern cities; and I hope that Senators will wake up to the fact before it is too late. It is beyond my power to state the disappointment and frustration which would result from the discovery by the affected millions of people, after the passage of such a bill as this, that it contains no real help for them and will allow their problem to simply smolder on—increasing in size, complexity, and seriousness.

In the meantime, there are some evidences that powerful forces in the North are beginning to discourage radical and militant demonstrations, and to adopt a more moderate point of view. For instance, the New York Times of Tuesday, May 19, published an editorial entitled "The Civil Rights Rally," which I read into the RECORD as follows:

> The civil rights rally in City Hall Plaza yesterday failed to attract anywhere near the crowd of "15,000 and One" that had been set as their goal by its sponsors. Nor were the so-called study-ins of Negro youngsters in five predominantly white schools very successful. The result justified the board of education's policy of welcoming the study-ins. We hope it can show equally wise and conciliatory attitudes toward the many other thorny problems that are bound to arise in connection with school integration.

Mr. LONG of Louisiana. Mr. President, at this point, will the Senator from Florida yield for a question?

Mr. HOLLAND. I am glad to yield to the Senator from Louisiana, under the usual conditions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Did the Senator from Florida notice that in Dorchester County, where the Cambridge episodes have occurred, Governor Wallace received approximately 80 percent of the total vote in that county when he offered himself in the Presidential Democratic primary?

Mr. HOLLAND. Not only did I note it, but I also noted a statement in the Baltimore Sun, or perhaps it was in the Baltimore Post—one of the two—that it was very evident that Governor Wallace had received almost the entire vote of the white population of that area, and had lost almost the entire Negro vote of that area. There was even an additional or supplemental statement to the effect that in certain precincts which were entirely Negro, Governor Wallace did not receive a single vote.

Mr. LONG of Louisiana. Does not that election fairly well indicate that when racial demonstrations are resorted to, in an effort to compel the whites to bow down to the views of these extremists, although the demonstrators may terrify some white politicians, they do not make the white people vote the way the demonstrators would like to have them vote?

Mr. HOLLAND. Yes, that is true of these demonstrations and also of many other demonstrations. The most terrible thing that confronts the Nation in connection with the whole series of terrible problems connected with this issue is that apparently the Negro leaders do not understand that fact, and do not realize the fact that if and when the white population becomes completely aroused about this situation, they can deal with it adequately, by force, if necessary, and that the white people have shown an enormous amount of patience in not following any course of action based on violence.

Very shortly I shall read into the RECORD a statement printed in one of the New York newspapers today, indicating that because of some of the terrible things that have been done by Negro hoodlums in New York yesterday and the day before, some people who went to bed "liberals," as the paper put it, woke up "racists," because they were so offended by the misconduct of Negro hoodlums in their community, who had performed all kinds of enormities, as the New York newspapers relate. I would rather have their words in the RECORD with respect to what was done than to have me describe what happened.

Mr. LONG of Louisiana. Does not that fairly well demonstrate that the way for a colored man to make the best progress would be for him to do what others have done? Does not it demonstrate that Negroes would make more progress if they would seek to improve themselves by getting a better education and by working a little harder? I do not mean to suggest that the average colored man has not done that, because most of them have made great progress. However, would not that be the better way to go about it? Would they not achieve more progress by gathering friendly support and conducting themselves in ways which would be calculated to make the white men want to help them? Is it not true that where there is a large Negro population, such as in Dorchester County, Md., the overwhelming majority of the white men want to help the colored men advance themselves, and want to help the colored people achieve that goal, which could be achieved if they would get the kind of cooperation and understanding and sympathy they would like to have from those whom they are trying to help?

Mr. HOLLAND. I do not know the population figures of Dorchester County well enough to give an answer to the Senator's question, but I do know of similar areas in various parts of the South—in my State, in my county, and in various other counties, as well as in Georgia, where I went to Emory College, and in North Carolina, where I spent a great deal of time, and I also know something about the great State of the Senator from Louisiana—and I am sure it is true that in any area I know anything about there are large numbers of white people—ordinary white people, not the ones who are preaching reform and revolution—who want to help and who are willing to do everything they can, but who are getting more and more aroused by the violence and demonstrations that are occurring.

I thank the Senator from Louisiana. I believe he has put his finger on a point which is too often overlooked, and that is that the great majority of the white people—and I believe this is also true of the Negro people—that the great majority of people of both races wish to get along with each other. They want to see the other race get along well, just as they wish to better conditions for themselves. They can work together well if they only get the chance to do so. All the demonstrations and all the agitation, brought on by people who apparently are living well removed from the effects of them, are making it very hard for the moderates, whether colored moderates or white moderates, to continue with the course of cordial living together and cordial, mutual service of one race to another.

Mr. LONG of Louisiana. When these demonstrations first started—I believe it was Dr. King who helped stir them up in the beginning—was not that impressed on some persons, to the extent that even President Kennedy indicated, in his message advocating this sort of legislation, that he had changed his mind from what it had been at the time when he had made a statement to the effect that no such legislation was necessary, and that these demonstrations had led him to believe that these controversies should be taken out of the streets and, as he put it, should be "put into the courts"? Would it not be correct to say that the proper answer to the kind of lawlessness we see now would be to say to these people, "You will achieve nothing with that kind of action. We will discuss your proper aspirations and your claims and demands when you quit following a course of action that shows that law and the Constitution do not mean anything to you. We will tell you 'No,' until you conduct yourselves as persons who are properly petitioning for an adjustment of claimed wrongs."

Mr. HOLLAND. The Senator is correct. By coercion and compulsion no one can force people into giving up something they have, or bring better values to those who are employing coercive tactics. It is so psychologically wrong to do it that I do not see how anyone for a moment can ever lose sight of the fact, as the Senator has suggested, that more comes in the way of settlement from persuasion and mutual good will, so far as both white and colored are concerned, than can possibly be achieved through coercion.

Americans, whether white or black will not yield to coercion. That is a very good thing. It is good that we are built that way. It is wrong from a psychological standpoint for people to think that they can force friendship and force understanding upon people of any race when we know so very well that nothing of that kind can come out of coercion or can be achieved in that way.

Mr. LONG of Louisiana. Is it not also true that when any group of people, instead of trying to improve their situation by their own efforts and by their own merit, undertake to force themselves upon others, they have more or less abandoned the voluntary acceptance which would otherwise be available to them?

Mr. HOLLAND. Of course, that is correct. I thoroughly approve of the suggestions made by the Senator from Louisiana.

To continue my quotation from the editorial published in the New York Times:

> We do not believe for one moment that the small turnout yesterday was any indication of lack of mass support for civil rights in New York City, or showed any lack of interest in improving the quality of education here. But we hope that it means that intelligent New Yorkers, regardless of their color, are becoming more and more understanding of the tremendous difficulties that must be overcome to achieve lasting results. Moderation will bring fewer headlines than militancy, but in the long run it will achieve more for better community relations.

Mr. President, I repeat the last sentence in the editorial:

> Moderation will bring fewer headlines than militancy, but in the long run it will achieve more for better community relations.

The last two sentences of this editorial indicate the coming of more moderate thinking at least into the New York school situation and probably the entire civil rights group of questions in New York.

One of the great difficulties in this whole tangled can of worms—the group of civil rights problems—has been the fact that there has been too little moderation and an over supply of aggressive radicalism. In the South the extremists on both sides are leaving little room for moderates to express their points of view. It is encouraging to note that in New York City even the New York Times is now expressing the hope that moderation is at last coming into the picture, along with the opinion that in the long run moderation will achieve more for better community relations.

Unfortunately, I realize that this is only a single expression in a vast multitude of continued urging for pressure and more pressure. For instance, in the Christian Science Monitor of Monday, May 18, in the third of several articles on what civil rights groups plan to do this summer, the staff correspondent, Emilie Tavel, states the view of Mr. James Farmer, national director of CORE, in the article which is entitled "Negro Leaders 'Rights' Pressure Due." I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RIGHTS PRESSURE DUE

(By Emilie Tavel)

NEW YORK.—"I think we help him by keeping up the pressure."

James Farmer, national director of the Congress of Racial Equality, was referring to President Johnson. His comment explains why civil rights leaders are forecasting "a long hot summer" of racial activities.

Mr. Farmer and other Negro leaders say that President Johnson is "accessible" to them, that he is easy to get to. Some say he is even easier to reach than President Kennedy was.

In fact, they say, the Texan with the long telephone arm is just as apt to pick up the phone and dial them as they are to call him.

AMAZEMENT EXPRESSED

Negro leaders say he has given his word to help them in their civil rights struggle, and that they believe "he is going to deliver." Some say they are amazed at what he has been able to do already in behind-the-scenes maneuvering.

Mr. Farmer's comment is that he thinks the President is "trying. He has good will and is pressing with the civil rights bill. He is a good politician. He weighs pressures. Pressure on him from the other side will be tremendous. We cannot let up one bit of our pressure."

This pressure is taking various forms. Civil rights groups will be acting both independently and in concert this summer to keep their cause before the public.

ACTIVITIES PLANNED

There will be rallies and demonstrations at the two political conventions; picketing of construction sites; school protests and study-ins; efforts to block the seating of white-controlled delegations to the Democratic convention from Alabama, Mississippi, and Louisiana.

The protest movement appears to be picking up strength and momentum.

There will be more demonstrations than last summer "involving larger numbers of people in city after city in both North and South," Mr. Farmer says.

"Our chapters have grown greatly since last summer. Membership in our national organization has more than doubled. We have stronger roots in Negro ghettos through our rent strikes in New York, Chicago, Philadelphia, Cleveland, San Francisco, and Los Angeles."

Among points of friction, Chester, Pa., ranks high in priority with CORE. In recent months scores of demonstrators protesting segregation and poor school conditions there have been injured, and hundreds arrested.

Mr. Farmer charges that police brutality in Chester is the worst he has heard of anywhere. "And it is documented," he says. "I was not there but have seen a mass of still and motion pictures which defy the imagination.

MOVIE DESCRIBED

Mr. Farmer says one movie he saw showed Negroes being herded into a bus. He maintains that State troopers were "almost fighting to get on. Then the door closed, and all you could see was troopers swinging their sticks and beating people."

"Nowhere in the country have civil rights demonstrators received such severe jail sentences as in Chester," Mr. Farmer says. One 16-year-old boy was given 16 months in jail. Other teenagers have received sentences ranging from 6 months to a year.

CORE is responding with plans to bring to public attention details of police activity there. "We plan to send into Chester a commission of inquiry into charges of police brutality," Mr. Farmer says. The commission is to be comprised of distinguished Americans—lawyers, judges, and others.

HEARINGS PROPOSED

Unofficial in nature, the commission would hold public hearings at which witnesses would be invited to testify voluntarily as to what they have experienced or witnessed in the way of beatings.

"We will present doctors' certificates, hospital reports, and photographs," Mr. Farmer says. "We will publish the results and turn them over to the Department of Justice."

He says he has not contacted President Johnson on the Chester situation. "I am holding that as a last resort," he says.

CORE is sending trained personnel to Chester to assist the protest group there. It has alerted all CORE groups on the eastern seaboard to stand in readiness to help Chester with personnel or future demonstrations.

Mr. Farmer says the issue is simply "decent schools and newer than 1941 vintage." He says there is no running water in one elementary school. In another there is just one toilet.

TENSION MOUNTS

Mr. Farmer says he regards 1964 as a crucial summer for several reasons. "Negro leaders would be derelict in their duty if they did not make use of the political leverage we have in a political year," he says.

Frustration and anger have been mounting during the past year in the Negro community, he says. Tempers are shorter in hot weather. Most race riots, he says, occur in summer months.

CORE lawyers are already drawing up briefs to challenge the seating of delegations from Mississippi to the Democratic convention on grounds that Negroes are excluded from participation in the party in that State.

Mr. Farmer says his group will demand that its own freedom Democratic Party delegation be seated instead.

CORE will also seek to deny Democratic committee chairmanships to southern Dixiecrats.

Other demands:

The Democrats include in their platform a plank from majority rule in the Senate and against the filibuster.

That northern Republicans end their old alliance with southern Democrats to defeat civil rights legislation.

That both parties favor full and fair employment—"massive public works and retraining," and "a $2 minimum wage."

What if the civil rights bill does not pass? "I never predict violence because it becomes a self-fulfilling prophecy," Mr. Farmer says. "But I will say that it makes our job as a nonviolent organization much more difficult."

Mr. HOLLAND. Mr. President, Mr. Farmer is quoted generously in that article in support of more public demonstrations during the summer which lies ahead. His idea is stressed in the following words:

> There will be rallies and demonstrations at the two political conventions; picketing of construction sites; school protests and study-ins; efforts to block the seating of white-controlled delegations to the Democratic convention from Alabama, Mississippi, and Louisiana.

Again, this statement appears:

> There will be more demonstrations than last summer "involving larger numbers of people in city after city in both North and South," Mr. Farmer says.

It is interesting to note that Mr. Farmer says that the worst brutality by police of which he has heard occurred in Chester, Pa. This item is covered in the following words:

> Mr. Farmer charges that police brutality in Chester is the worst he has heard of anywhere. "And it is documented," he says. "I was not there but have seen a mass of still and motion pictures which defy the imagination."

Mr. Farmer says that the issue in Chester is simply "decent schools and newer than 1941 vintage." He says there is not running water in one elementary school and in another just one toilet. Mr. Farmer is coming around to the point of view which I have been expressing throughout this debate to the effect that what is needed is better schools rather than more integration.

Among the various demands which Farmer says will be encouraged by CORE at the two political conventions is this expensive program:

> That both parties favor full and fair employment—"massive public works and retraining," and "a $2 minimum wage."

It is too bad that the moderate thinking which is beginning to prevail in sounder quarters in the North, as already indicated in the editorial from the New York Times which I have quoted, has not begun to seep into the leadership of the Negro pressure groups.

It is of the greatest interest, however, to note that there are sounder thinkers whose voices are now being heard who make it clear that the legalistic side of the civil rights question is of small consequence as compared with the practical difficulties which lie ahead. For instance, in the editorial entitled "Decade of Desegregation," published in the New York Times of May 17, appears a much clearer understanding of the fact that the greater difficulties are not in the legal field, but in the field of practical enlargement of the educational opportunities of the Negro children. After discussing the legislative questions now pending and after expressing its hope that the pending civil rights bill may be passed—in which I do not join—this editorial includes the following statements:

> After that (passage of the bill) will come the infinitely more complex task of white and Negro adjustment to translating legal equality into the day-to-day practices of community life. The history of school desegregation makes plain how difficult this adjustment is likely to be. In the decade since the Supreme Court struck down legally enforced racial separation, official desegregation has taken place in only 423 of the 2,256 Southern school districts with Negro and white children. And even this exaggerates the extent of integration. A survey by the Southern Education Reporting Service indicates that only 34,110 of the South's 2,900,000 Negro pupils actually attend school with white children.
>
> In the North, where Negro ghettos produce a racial separation almost as rigid as any in the South, community conflict over methods of speeding integration has taken on an increasingly ugly aspect in many large cities. Education is the key to full emancipation for the Negro; its importance is vastly enhanced in this period when automation is taking its heaviest toll in the unskilled and semiskilled jobs that have up to now been the Negro's primary economic reliance.
>
> Making available enormously improved facilities for overcoming the educational handicaps of children reared in the slums is an urgent part of the job of building truly open communities, in which there will be no second-class citizens.

The editorialist could not have made it clearer that the real test of solving the Negroes' educational problems must be based on whether much better schools are made available to the Negro youngsters rather than the mere question of whether greater desegregation is accomplished.

The column of Mr. James Reston in the New York Times of May 15 likewise makes it clear that better education rather than accomplished desegregation is going to be the challenge in the field of Negro education. I ask unanimous consent that the entire column of Mr. Reston be printed at this point in my remarks.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair.) Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE IRONIES OF HISTORY AND THE AMERICAN NEGRO

(By James Reston)

WASHINGTON, May 14.—On the 10th anniversary of the Supreme Court's public school integration decision, the paradox and the tragedy of the American Negro are fairly clear.

He is gaining legally but falling behind economically. He is slowly getting the rights but not the skills of a modern computerized society. He is getting a better chance at unskilled jobs, but unskilled jobs are being wiped out by the new bossman, the machine.

No doubt this ironical situation will pass in time. Already it has passed for many of the better educated Negroes who have moved into the middle class. But even in those limited areas where the Negro revolution is advancing "with all deliberate speed," the scientific revolution is bounding forward with reckless speed.

HISTORY THE ENEMY

This is the problem. History is both the Negro's friend and his enemy. In the public schools the Negro is no longer wholly separate but he is still not equal. Even in the North he has often been integrated racially in the public schools only to be segregated intellectually. In short, 10 years of progress scholastically and socially have not been enough to wipe out 100 years of deprivation or to keep pace with the educational and scientific advances of the last decade.

Nobody recognizes this more than the best friends of the Negro. As Whitney Young, Jr., executive director of the National Urban League, sees it:

"There are forces at work, such as automation, urbanization, and a host of others, that, on the surface, are indifferent to race. Unless we identify these problems, and take steps to meet them, we will find the masses of Negroes 5 years from today with a mouthful of rights, living in hovels with empty stomachs."

Basil O'Connor, chairman of the board of trustees of Tuskegee Institute, makes the same point: "As the formal barriers of prejudice and discrimination collapse," he says, "American Negroes will find themselves face to face with even more difficult and frustrating obstacles. The chief of these will be their collective educational deficit."

Fortune magazine's study of the problem reaches the same conclusion: "Negroes are on the verge of a major economic crisis, for the gap is widening between Negro education and training on the one hand, and the requirements of the labor market, on the other."

All the current agitation in Washington over the civil rights bill will not deal with this deeper problem. Nor will the present efforts of the Federal, State and municipal vocational retraining efforts, or the educational programs of the great foundations.

No doubt all these things are necessary, but they are not enough to make up for a hundred years of poverty, neglect and persecution.

After 10 years of the Supreme Court's supervision less than 10 percent of the Negro students in public elementary and high schools in the South and border States are now attending school with the whites. In the 11 Southern States, only 1 percent of Negro students are now in biracial schools.

THE DANGERS OF WAITING

It will not do to wait for total racial integration to make substantial improvements in the schools still predominantly Negro. In the South, most Negro children will probably remain in segregated schools for at least another decade. In the North, because of segregated housing, most Negroes will still be segregated in their own community schools even if they are legally eligible to attend white schools.

Therefore, a vast and expensive new effort will probably have to be made to make the predominantly Negro schools "equal" even if they are still largely "separate." This is opposed by some Negro leaders in the belief that making the predominantly separate Negro schools "equal" will weaken the fight against keeping them "separate."

Yet it is fairly clear from the history of the last 10 years that the fight for legal equality is insufficient. Educational equality must go with it, or at the end of another 10 years we shall have a Negro generation with equal rights to jobs but few jobs, free access to restaurants and housing but no means to enjoy them, equal opportunity to vote but little understanding of the purpose of voting.

The progress of these last 10 years in public school integration is obvious, but the progress of science is even more obvious. The Negro has moved forward but he has also moved into the modern urbanized world where the demands for progress are greater than the progress he has made.

One of the tragedies of the "abolitionists" 100 years ago is that they spent all their energies on the legal abolition of slavery and did little to plan for the realities of victory.

Ten years after the "integration" decision, the same ironical problem exists. The integrationists are winning, ever so slowly, but neither they, nor the country, nor the Negroes are prepared for the responsibilities of legal equality.

Mr. HOLLAND. Madam President, the first two paragraphs of Mr. Reston's column emphasize the question in the following words:

> On the 10th anniversary of the Supreme Court's public school integration decision, the paradox and the tragedy of the American Negro are fairly clear.
>
> He is gaining legally but falling behind economically. He is slowly getting the rights but not the skills of a modern computerized society. He is getting a better chance at unskilled jobs, but unskilled jobs are being wiped out by the new bossman, the machine.

Mr. Reston quotes Mr. Whitney Young, Jr., executive director of the National Urban League. As I have heretofore said in the debate, the National Urban League is, in my opinion, the safest and soundest of the leaders of the groups which are trying to bring about better conditions for our Negro citizens. Mr. Young said:

> There are forces at work, such as automation, urbanization, and a host of others, that, on the surface, are indifferent to race. Unless we identify these problems, and take steps to meet them, we will find the masses of Negroes 5 years from today with a mouthful of rights, living in hovels with empty stomachs.

Mr. Reston also quotes Mr. Basil O'Connor, chairman of the board of trustees of Tuskegee Institute, in the following words:

> As the formal barriers of prejudice and discrimination collapse, American Negroes will find themselves face to face with even more difficult and frustrating obstacles. The chief of these will be their collective educational deficit. * * *

Mr. Reston also quotes Fortune magazine's conclusion on this same subject in the following words:

> Negroes are on the verge of a major economic crisis, for the gap is widening between Negro education and training on the one hand, and the requirements of the labor market, on the other.

The total inadequacy of the pending so-called civil rights bill to come to grips with this real problem could not be better stated than in the words of Mr. Reston, which read as follows:

> All the current agitation in Washington over the civil rights bill will not deal with this deeper problem. Nor will the present efforts of the Federal, State, and municipal vocational retraining efforts, or the educational programs of the great foundations.

Mr. Reston's conclusion is well stated, as follows:

> Therefore, a vast and expensive new effort will probably have to be made to make the predominantly Negro schools "equal" even if they are still largely "separate." This is opposed by some Negro leaders in the belief that making the predominantly separate Negro schools "equal" will weaken the fight against keeping them "separate." Yet it is fairly clear from the history of the last 10 years that the fight for legal equality is insufficient. Educational equality must go with it, or at the end of another 10 years we shall have a Negro generation with equal rights to jobs but few jobs, free access to restaurants and housing but no means to enjoy them, equal opportunity to vote but little understanding of the purpose of voting.

Looking back on the beginning of the century since Emancipation Day, Mr. Reston remarks:

> One of the tragedies of the "abolitionists" 100 years ago is that they spent all their energies on the legal abolition of slavery and did little to plan for the realities of victory.
>
> Ten years after the "integration" decision, the same ironical problem exists. The integrationists are winning, ever so slowly, but neither they, nor the country, nor the Negroes are prepared for the responsibilities of legal equality.

Unfortunately the tone of the Negro demonstrations continues to grow more violent in many parts of the country and this is increasing the skepticism of many moderate white people who would like to be helpful in solving the civil rights problems of the Negroes as to whether the effort can possibly succeed under the present leadership. The Washington World in its editorial of May 18, after commenting that the rank and file of white Americans, whom it terms a great middle group, would like to be helpful, concludes with the following skeptical statement about the great "backlash" which is developing among the moderate whites:

> This great middle group finally came to realize that civil rights are right and civil wrongs are wrong and it, alone, can provide the momentum that will result in meaningful legislation to assure full citizenship to all citizens. The pro-civil-rights extremists cannot achieve it and the anti-civil-rights extremists cannot prevent it. This is the group now beginning to generate the "backlash" that perils the program. * * * It is those people who are being alienated by spectacles of demonstrators lying before bulldozers building a school, by indiscriminate picketing and sit-ins, and by attempts to immobilize a great enterprise like the World's Fair which had done nothing to justify an attack upon it. Temperate espousal of a just cause is bound to prevail; reckless advocacy of it is likely to fail.

The same idea is voiced in a different way in the column, "Inside Report," by Rowland Evans and Robert Novak in the Washington Post of May 14, 1964, entitled "Long, Hard Summer," and I ask that the said column be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INSIDE REPORT: LONG, HARD SUMMER

(By Rowland Evans and Robert Novak)

CAMBRIDGE, MD.—If there is any doubt about the growing revolutionary tone in the Negro rights movement, a study of the events in this unhappy little town last Monday night will quickly remove it.

It was not so much what happened here—the bayonets, the searing tear gas, the routed freedom marchers—but what was said here that sets the trenchant tone for the long, hot summer ahead.

The transformation of the civil rights movement is now an undeniable fact. Once a cause largely directed by moderate Negro organizations, it is now coming close to open rebellion under the generalship of toughly articulate, highly trained militants.

Many of these new-style Negro leaders who came from out of town to whip up the crowd in the shabbly little Negro Elks Hall were veterans of Birmingham, of the Chicago and New York school crises, and of countless other racial battles.

But the fiery oratory of these leaders surpassed expectations. Lawrence Landry, chairman of the aggressive new rights group called ACT, struck the dominant note: Expect nothing from the white man voluntarily.

"The black man has come to the very wholesome conclusion," he said, "that the white power structure has given the black man all it's going to give him." Landry then offered the following litmus test to distinguish the "radical" new leaders from the moderate old-line leadership (which he called the Black Establishment):

"The radicals seek a showdown, the moderates seek an accommodation; the radicals demand, the moderates resolve; the radicals denounce, the moderates negotiate."

Following Landry to the microphone on the rickety stage of the Elks Club was another new militant, Stokeley Carmichael, of the Student Nonviolent Coordinating Committee (SNCC). It is simply unimaginable that "the white power structure" will ever voluntarily give the American Negro his due. Accordingly, the Negro must reach out and take it.

Why is this so? Because, said Carmichael, "racism is American" and it is beyond the capacity of the whites to think in objective, nonracist terms.

There is, of course, much truth in that simple assertion. But until now, the Negro leaders have not emphasized it. Instead, they have talked hopefully—about the new civil rights bill, about more jobs, about faster desegregation.

John Lewis, the head of SNCC, continued and embroidered the new theme. With exquisite irony, he noted that "100 men in Washington (the U.S. Senate) are now deciding the fate of 20 million blacks."

Most sobering of all was Lonnie 3X Cross, the Washington leader of the Black Muslims. The mere inclusion of a member of the racist Muslims on the speaking platform with Christian Negroes was surprising. Lonnie 3X charged that the Negro has been "robbed deaf, dumb, and blind" in "the North American wilderness" for more than 400 years, the victims "of some of the worst treatment human beings have ever received."

In view of this sort of talk—not far, indeed, from inciting to revolt—it was surprising how calmly the 300 Negroes in the audience reacted.

In this as in any other revolution, the leaders march far in front of the rank-and-file. Docile as they were, however, the Cambridge Negroes were finally prodded into the streets Monday night by out-of-town activists and ended up sniffing tear gas.

John Lewis may have been guilty of understatement Monday night when he told the Elks Hall Negroes that "what we do here tonight could be the start of a long, hot, and discontented summer"—both "down South and up South."

Mr. HOLLAND. Madam President, the column quotes various civil rights leaders in their "fiery oratory" at the meeting in Cambridge, Md., last Monday night on the eve of the Maryland election—a week from Monday. The column says that the civil rights movement "once a cause largely directed by moderate Negro organizations is now coming close to open rebellion under the generalship of toughly articulate, highly trained militants," whose speeches were "not far, indeed, from inciting to revolt." This false leadership in the Negro organizations has resulted in the disillusionment of so many white people of kindly feeling and friendly motives that it is rather clear that the majority of the white citizens of Maryland voted in protest for Governor Wallace, of Alabama, in the presdential perference primary of Maryland on Tuesday, May 19. If there is any chance at all of the passage of a reasonable civil rights law and its acceptance by the people of the States which are most vitally affected by racial problems, that chance will be destroyed by the overaggressive leadership of the militant Negro leaders.

I have in my remarks today mentioned the greater moderation which is beginning to appear in some parts of the country and which is so completely necessary to any permanent solution of the race problem and at the same time I have mentioned the growing militancy and aggressiveness which is developing among some of the Negro leaders. There are many who think the real problem is coming to a head in the Senate shortly by determination of whether or not cloture is to be invoked on the pending civil rights bill. It is my feeling, however, that the real crisis in this matter is on the question of whether or not moderation is to prevail in the country or instead the violence now promoted by the militant Negro leaders is to become so general and so obnoxious to the vast number of peace-loving and moderate citizens as to destroy any hope of solution. The real acid test of this question is not here in the Senate, but in the attitude of the great majority of American citizens who must decide whether they are going to insist upon a moderate approach to this knotty problem, or, instead, are going to allow a few violent Negro leaders to destroy the chance of reaching any useful and acceptable compromise and settlement of the problem.

Madam President, I have been greatly impressed by the moderation displayed by a Senator who is in favor of the civil rights bill, but who has come forward to say that he sees many things in the bill that are not seen by most of the advocates of the bill. I ask that the remarks of the Senator from Connecticut [Mr. RIBICOFF], made in the Senate Chamber on May 20, 1964, be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

STATEMENTS MADE BY SENATOR RIBICOFF ON MAY 20, 1964, APPEARING IN THE CONGRESSIONAL RECORD

But the fact is Governor Wallace scored a big victory, and we should not try to gloss it over.

Governor Wallace has proved something. I think he has proved that there are many Americans in the North as well as the South who do not believe in civil rights.

* * * * *

As I have said time and time again on the floor and time and time again in private, it will not be easy to solve the problem of civil rights. It will require cooperation from people in the southern as well as the northern part of the Nation.

* * * * *

I predict that the future turmoil in the field of civil rights will not be just in the South, but primarily in the North. There has been a great shift of population in the United States. During the past decade a million and a half Negroes have moved to Northern States. There is a constant shift from the South to the North. Today 1,100,000 Negroes are tenant farmers or laborers in the agricultural areas of the South. They are being displaced in great part by mechanization. Those Negroes are moving to the northern part of the United States.

After the civil rights bill is passed, the problem of civil rights will be basically an urban, northern problem, which must be dealt with in part by the President's antipoverty measure, by efforts in the field of education, and by efforts to raise living standards and supply jobs.

* * * * *

Let me point out that while Governor Wallace stated his position, the Senator from Maryland [Mr. BREWSTER] stated his position. In my memory in the field of politics, which goes back to 1933—and it has been an active political life—I do not recall a single issue facing the Nation which has been as fully reported by the press of the United States as the civil rights bill. The press of the United States has devoted page after page, day in and day out, to what is in the bill. The television networks have opened up their nationwide facilities to let men of the North as well as men of the South discuss it. Many analyses have been made, and many magazine articles have been written.

The fact that people are against the civil rights bill, in many instances, does not mean that the press has failed, or that the President has failed. It is a fact that there are people in this country who are against civil rights. I believe that we would be better off if we acknowledged that fact. * * *

* * * * *

The point I wish to make is this: I believe that one of the great tragedies in the civil rights debate is the impression which has been created that once the bill is passed, we shall have solved the problems of the civil rights issues.

I say to the Senate that once the bill is passed, the next 20 years will be years of strife and turmoil in the field of civil rights.

* * * * *

One of the great duties of men in public life is to face reality, to avoid illusions. The illusion is that we will solve the problems of civil rights with the passage of this bill. The reality is that the bill, much as it is needed, will not solve all the problems.

* * * * *

I have said time and time again that what bothers me most is that people can always see problems 1,500 miles away. In the cities of the North, including the one I came from, mass meetings are held concerning the problems in Mississippi and Alabama, and yet those very same people who complain of what is happening in Mississippi and Alabama refuse to walk six blocks from where they live to straighten out their own problems around the corner.

The problems are northern problems as well as southern problems. It will require a great deal of effort on the part of northern Senators and northern Governors, as well as southern Senators and southern Governors, to help solve the problems.

What I am pleading for is a realistic appraisal of one of the great social and economic issues which face this Nation.

This is only the beginning. In the days ahead, after the bill has been enacted into law, every responsible man in public office will have a job to do.

* * * * *

This is a long and tough job; and all of us had better get ready for the next two decades to try to solve the great problems which will face us.

Mr. HOLLAND. I think two or three of the quotations are worthy of repetition. They read as follows:

I predict that the future turmoil in the field of civil rights will not be just in the South, but primarily in the North. There has been a great shift of population in the United States. During the past decade a million and a half Negroes have moved to Northern States. There is a constant shift from the South to the North. Today, 1,100,000 Negroes are tenant farmers or laborers in the agricultural areas of the South. They are being displaced in great part by mechanization. Those Negroes are moving to the northern part of the United States.

After the civil rights bill is passed, the problem of civil rights will be basically an urban, northern problem, which must be dealt with in part by the President's antipoverty measure, by efforts in the field of education, and by efforts to raise living standards and supply jobs.

There is much more of the same. I ask Senators to study carefully the moderate remarks of Senator RIBICOFF. He makes it so clear that what he is pleading for is a realistic appraisal of the great issues which face the Nation, and particularly face the North at this time.

Senator RIBICOFF said:

This is only the beginning. In the days ahead, after the bill has been enacted into law, every responsible man in public office will have a job to do.

* * * * *

This is a long and tough job; and all of us had better get ready for the next two decades to try to solve the great problems which will face us.

In paying tribute to our distinguished colleague, the Senator from Connecticut [Mr. RIBICOFF], I want to make it clear that while he has recognized the difficulty of the situation, I do not think he has begun to realize the enormous complications and the time involved. I suggest that instead of two decades, the Senator will have to state a much longer period in order to accurately encompass the time during which this problem will rise to a crisis even more serious than that which exists now.

Madam President, in an earlier address, I remarked that the integration of the schools had ousted a great many Negro teachers in the South and in the border States. I note that the Christian Science Monitor of Friday, May 22, has much to say on the subject.

I ask unanimous consent that an article by Mr. Bicknell Eubanks, published in the Christian Science Monitor of Friday, May 22, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BARRED FROM MIXED CLASSES—INTEGRATION OUSTS NEGRO TEACHERS

(By Bicknell Eubanks)

DALLAS.—While the integration of teachers was not a specific issue in the original school segregation cases, it is becoming more important and a major problem in itself.

The segregation of Negro and white teachers and administrative personnel is strict in seven States—Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina. A few school systems in Florida, Tennessee, Texas, and Virginia have both Negroes and whites teaching students of another race.

An early trend when Negro teachers felt a heavy economic loss appears to be slowing. But the trend continues. As classrooms become more integrated, they are put more under white teachers. The disappearance of many all-Negro classrooms has left Negro teachers out in the cold. Negro teachers are looking to Federal courts for aid. No firm judicial decisions have developed yet.

COURT DECISIONS

However, a Federal district court in Florida said in 1962 in reference to teacher desegregation:

"The plaintiffs possess the right, arising under the due process and equal protection clauses of the 14th amendment, with respect to the public school system of which they are a part, to have that system operated on a nonracial basis. This includes * * * assignment of teachers, principals, and supervising and supporting personnel on a nonracial basis.

"There may be no determinations based upon race or color, in whole or in part, with respect to the operation of the public school system, or any of its components. The Brown case is misread and misapplied when it is construed simply to confer upon Negro pupils the right to be considered for admission to a white school."

Teacher designation has become a major issue in school suits in recent years. Federal district courts have ordered teachers assigned on a racially nondiscriminatory basis in two districts in Florida, four in Kentucky, and one in Oklahoma.

ORDER UPHELD

The Fifth U.S. Circuit Court of Appeals in New Orleans has upheld an order to end teacher segregation in Duval County, Fla. The appellate court holds that the case comes under the 1954 school-segregation decision.

Another suit involving teacher segregation in Atlanta has reached the Supreme Court of the United States. The lower court withheld ruling directly. It retained jurisdiction, however.

Segregation is breaking down in professional organizations of teachers and school administrators. The Florida Education Association has voted to end racial segregation.

The annual FEA convention voted at its annual meeting in Miami Beach to remove the word "white" from its charter. This leaves membership open to all qualified personnel, regardless of race. The FEA is the first State teacher group in the Deep South to take such action. The action came after significant legal points were raised.

TEACHERS' SPOKESMAN

Ed Henderson, executive secretary, explained that the FEA is recognized officially by the Florida Legislature as the teachers' professional spokesman. As such it is charged with setting standards. Mr. Henderson explained that if the FEA were not opened to all qualified persons, its position might be subject to court challenge.

As the FEA action was taken, the Florida State Teachers Association, a Negro group, met only a few miles away in Miami. Many members expect it to be the final annual meeting of the FSTA.

As the second decade of school desegregation begins, the Southern Education Reporting Service has taken stock of its effect on Negro teachers during the first 10 years. Many teachers lost jobs in the early stages in Missouri, Oklahoma, Texas, and West Virginia as districts begin to combine dual school systems. In other instances, the number of Negro teachers increased.

RURAL IMPACT

The Missouri Advisory Committee on Civil Rights estimated in September 1961, that 125 to 150 Negro teachers had lost jobs in Missouri because of desegregation. This occurred mostly in rural school districts.

Since then St. Louis and Kansas City have hired an increasing number of Negro teachers. Many had been dismissed elsewhere because of desegregation.

Oklahoma reported the largest number of Negroes who lost jobs because of desegregation—396. Many teaching jobs were abolished by desegregation of Texas districts. Rising enrollment in public schools, however, has brought more employment for teachers in both races. In West Virginia, a survey in 1960 showed desegregation had displaced 58 Negro teachers.

Kentucky has had considerable desegregation of teachers. In the current school term, some 507 Negroes teach in desegregated schools. About 995 teach in all-Negro schools. While biracial faculties are increasing in Kentucky, however, the outlook is not bright for Negro teachers.

Mr. HOLLAND. Madam President, it is true that the desegregation of the southern school is not integration in its real sense. It will not be integration unless and until there is social acceptance of the Negro children. And that is a long way off. I do not know whether it will ever come. I do not like to predict. As I look ahead, I simply know that it will be a long time in becoming a practicality at all. While we have desegregation that is far short of integration in the public schools of the South, I want to make it very clear that I think this situation will continue, and that the thousands of Negro teachers who have already been displaced in those schools that had been desegregated will be joined by thousands of others who likewise will be displaced.

It is a pitiful thing. I particularly call attention again to the article by Dr. Fine in the New York Times, which I caused to be printed in the Record several days ago, in which he stated that about a thousand teachers had come to New York City upon the invitation of the school board. They had been displaced in the early years following 1954. They had not found positions in the New York schools, and had not been accepted. They were a homeless, weary, and disillusioned lot.

Rather than to weary Senators with more discussion of the school integration system, I shall now take up briefly the terrible things that have been happening in New York City alone. And there have been similar things happening in other cities. We have heard about the troubles in Cleveland. We have heard about the troubles in Cambridge. We have heard about the troubles in Chester. We have heard about the troubles in Philadelphia. We have heard about the troubles in Chicago. We have heard about the troubles in San Francisco.

I shall place in the Record now a few of the things that have to do with the troubles that have been experienced in the last 4 or 5 days in the city of New York. They indicate what an enormously complex problem we face when we make any effort to bring about an end of the violence that has become almost a matter of expectation in the New York demonstrations these days.

The distinguished Senator from Georgia [Mr. Russell] has already placed in the Record today the editorial from the Washington Star of Saturday dealing with the Maccabees. I shall not ask that it be printed again; but I wish to call attention to the fact that in an area of New York City there live about 65,000 people, most of whom belong to a group of Jews who are known as Hasidic Jews. They have found it necessary to recruit a group of patrols who are on duty all night long, and who have called themselves the Maccabees. They reached back to the days that followed the life of Christ to get that name. They are now patrolling, and are making use of all of the benefits of radio, fast transportation, headquarters, and contact with the police department, but are not armed, in an effort to protect citizens from a terrible amount of violence, most of it coming from Negroes in a close-by area.

Incidentally, one of the articles states that that close-by area has now reached over into the particular area involved, so that about 25 percent of the citizens there are now Negroes.

Therefore, as I said, I shall not read that particular editorial; but I shall ask to have printed in the Record two articles which were published in the New York Times of last Thursday having to do with the particular effort to which I have referred.

The first article is by Mr. Bernard Weinraub. It is entitled "Nightwatch in Crown Heights: Hasidic Patrols Search Shadows; 'Maccabee Youths in Radio Cars Check 100-Block Area in Constant Alert, Armed Only With Whistles.' "

It is a most interesting article. I am sorry that I lack the time to read it, but it makes clear that those courageous, fine young Jews who are members of this particular sect have volunteered for that service, and that four patrols cars are out at all hours of the night. I do not mean that the same men are on duty all night, but there are always four patrol cars in that area and there is constant contact with headquarters and with the police. The article is a very informative one as to what these young, unarmed Jewish men are doing to help protect their people from the outrages which have been taking place in that area of New York.

I ask unanimous consent that that article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, May 28, 1964]

Night Watch in Crown Heights: Hasidic Patrols Search Shadows—"Maccabee" Youths in Radio Cars Check 100-Block Area in Constant Alert, Armed Only With Whistles

(By Bernard Weinraub)

The stocky, bearded man locked the front door of the store at dawn yesterday, washed and walked to a synagogue where he softly prayed.

Rabbi Samuel Schrage, exhausted after his all-night job of commanding a group of youths who patrol the Crown Heights section of Brooklyn, said quietly: "There's just too much crime here. We've got to stop it. It's a matter of self-defense and self-preservation."

The volunteer patrol, called the Maccabees of the Community, was formed by the Hasidic Jews of Brooklyn. Every night four radio-equipped cars, each manned by six young men, roam the 100 square blocks of the community in the heart of Brooklyn.

"The only equipment we have are police whistles and flashlights," said Rabbi Schrage, the short, volatile administrator of the United Lubavitcher Yeshivoth. "If we spot any trouble the first thing we do is call the police."

As the leader of the patrol, Rabbi Schrage paces nervously about the tiny headquarters of the force at 459 Albany Avenue, dispensing orders with the precision of a military commander.

THE NIGHT BEGINS

At 7:55 Tuesday night the rabbi stepped from the anteroom of a former interior decorating shop and shouted to two dozen youths, "OK, let's get organized.

"Shepsie, you're in car 44. Come to base every 10 minutes and say hello. Give me a short horn. Sidney, you're on Kingston, Brooklyn, N.Y., and President. Now there's a critical area—President between Nostrand and Rogers. Be careful. Give me a check every 10 minutes. My number is 3–2–1–0. What'll your number be?"

"Give me 33," said Sidney Gordon, a 19-year-old rabbinical student.

"Give me a cigarette," said Rabbi Schrage.

"Right," said the youth.

"Who's driving?"

"Harold," said Sidney.

"Keep your radio on, but don't overuse it," said the Rabbi, "Who else is going? We need a couple of guys. Mendelson, where's Mendelson?"

PATROL SETS OUT

The youths moved out quickly to parked cars in front of the store. Most of them wore yarmulkes; some had beards. A half-dozen elderly Hasidim, with long black coats and wide-brimmed hats, peered intently from the street.

Rabbi Schrage, tapping a flashlight on his wrist, walked over to a black and white 1958 car and spoke to the four young men seated inside.

"Now you have your area," he said, "and if you see any suspicious-looking characters watch them, keep an eye on them and let them know that you have an eye on them.

"Look into back alleys, look into driveways," he said. "Look for guys with sneakers who are wandering around and look for guys on bikes. And be careful."

The car sped off.

Ten minutes after the car began cruising the quiet, tree-lined streets around Eastern Parkway, the patrol spotted a tall, shabbily dressed youth, wearing sneakers, on Rogers Avenue and Montgomery Street.

The youth walked slowly. As the driver, Harold Furst, slowed down the youth turned, stared at the car and trotted across the street. The car picked up speed.

Sidney Gordon switched on the two-way radio.

UNIT 33 CHECKS IN

"Unit 33 to base, Unit 33 to base, come in please."

"This is three two one zero," crackled the voice of Rabbi Schrage, "Give us your location."

"Unit 33's location is Rogers Avenue and the corner of Union Street."

"Roger, continue with your patrol."

Mr. Furst, a 23-year-old handbag salesman, pointed to a tavern on the corner of President Street and Nostrand Avenue. "That's a real hangout," he said, "you have a lot of trouble there."

The car slowly wheeled into President Street. "This is the most dangerous street here," Mr. Furst observed, "Last week three guys offered to take a blind man home from the subway and mugged him right in a hallway on President."

The patrol continued. Rabbi Schrage asked the young men to check on a suspicious car doubleparked in front of 573 Montgomery Street. The car belonged to a doctor on call.

They checked two reports, one on a knifing on Union Street and the other on a prowler near Eastern Parkway. Both reports were false.

I SHOULD KILL THE GUY

At 11:40 p.m., two of the four young men stopped to buy sandwiches in a delicatessen, whose bearded proprietor wore a yarmulke. Just as they began ordering, Mr. Furst rushed in.

"There's a prowler at 573 Montgomery," he shouted.

"It's my house," said Mr. Gordon, a heavyset bearded youth.

They reached the house in less than a minute and poured out of the car as Mrs. Gordon stepped outside.

"In back," she cried. "In back."

They ran to the darkened backyard.

Mrs. Gordon, standing in the doorway of the red-brick, two-family house, shook her head.

"I can't take it any more," she said. "It's been going on for weeks. There's a prowler. I saw him."

"I'm alone, I'm nervous," she continued. "I can't go on like this. I'm just going to pack up and leave. So help me God, I want to leave."

The patrol returned and said that the prowler had fled. Mr. Gordon comforted his mother, "I should shoot the guy. I should kill the guy," he said.

At 1:15 a.m., a woman on Eastern Parkway called Maccabee headquarters and told of a 10-year-old girl in her apartment building who was attacked last week in a hallway. The girl's parents were mutes and too frightened to go to the police.

"If they have this trouble again tell them to call and tell them to scream three times, I'll know who it is," the rabbi told the caller. "In the meantime, we'll watch that building."

Rabbi Schrage turned to a visitor and said, "You don't get that kind of service from the police, do you?"

The phone rang and Rabbi Schrage answered with his usual one-word greeting, "Zilbshutz" or self-protection.

"In Europe," he observed later, "Jews used to set up their own police force for self-protection. Well, we want our protection here. We are not violent. We are very peaceful. But once they step on our feet we have to react. We have to."

Mr. HOLLAND. The second article, from the New York Times of that same day, has to do with the hostile reaction of the Negroes and the police to the setting up of these patrols, and is entitled "Negroes and Police Decry Hasidic Radio Car Patrols." The article is written by Mr. Charles Grutzner. It is a very informative article. It makes clear that the Negroes regard these young unarmed Jews as vigilantes; and the Negroes protest against the action of these Jews in protecting their own people. The answer of the police department and the answers of the attorneys for the city of New York is that, so long as these young Jews and these patrols are unarmed, and so long as they behave themselves, there is no legitimate objection to their maintaining the patrols.

Madam President, I ask unanimous consent that that article be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

NEGROES AND POLICE DECRY HASIDIC RADIO CAR PATROLS

(By Charles Grutzner)

The private radio car patrols of the Hasidic Jews in the Crown Heights section of Brooklyn were denounced yesterday by Negro leaders of the neighboring Bedford-Stuyvesant district as "vigilante" action.

Police officials in both neighborhoods took a disapproving view of the unofficial patrols but said they could not stop the operation so long as the volunteers remained unarmed, unless their actions led to a riot or other trouble.

The Bedford-Stuyvesant Business and Professional Men's Club, which is predominantly Negro, adopted unanimously a resolution condemning vigilante groups after several of its members voiced fear that any mistake by untrained members of the Hasidic patrols might lead to bloodshed.

Police Capt. Eli Lazarus of the Empire Boulevard Station in Crown Heights, said he had told the Hasidic group 2 weeks ago that there was no need for "vigilantes." He invited its members to join the police department's civilian auxiliary, but gained only one recruit, he said.

The police auxiliary is composed of male civilians who, after a period of training, are attached to their home precincts for emergency duty. They carry nightsticks.

OPPOSED TO VIGILANTES

The precinct force has been augmented by the assignment since May 19 of 40 members of the tactical patrol unit, who have made several arrests and have had a deterrent effect by halting cars on suspicion and questioning occupants.

A police summons was put on one of the unofficial patrol cars of the Hasidim at 3:30 a.m. yesterday for double parking.

Capt. Edward Jenkins, of the Gates Avenue station in Bedford-Stuyvesant, said the police cooperated with all civic or taxpayer groups on specific problems, but added that "we are not by any means cooperating with this group or any other vigilantes."

"There is no redress for errors that untrained volunteers may make," Captain Jenkins said. "The police department trains a recruit for 9 months, in techniques and in the rights of civilians—and even we make mistakes sometimes."

Rabbi Samuel Schrage, spokesman for the Hasidic enclave in Crown Heights, denied that the patrols were vigilantes or that they were directed against any racial group. He said they served chiefly as "crime spotters" for the police and as an escort service for members of the sect.

"Only when it is imperative to act promptly do our patrols take the legal action of making citizen arrests," he added.

A BEARDED SECT

The Hasidim, an ultra-Orthodox sect, are conspicuous by their long black coats and wide-brimmed black hats. The men wear beards and many of the men and boys wear long side curls.

There have been several assaults on members of the sect, including the knifing and attempted rape of a rabbi's wife and attacks on children attending Yeshivah of which Rabbi Schrage is administrator.

The Crown Heights section, once almost solidly Jewish, has had an influx of Negroes in recent years from the teeming Bedford-Stuyvesant area. It now has about 25 percent Negro population, including many professional and business people. The Hasidim have, for the most part, remained aloof from other Jews.

One of the criticisms yesterday was that it was difficult for leaders of other groups to seek joint solutions to sociological problems, including the increase in crime, because of this aloofness.

Dr. Oliver Harper, one of the Negro leaders, said that some meetings had been held with Rabbi Schrage, but that "he gave the impression he was General Custer surrounded by hostile Indians" or a Jew encircled by Arabs.

"Dr. Harper is not aware of the purposes of our patrols," said the rabbi. "We are fighting crime and criminals, without distinction as to color or creed. We are trying to protect ourselves because there is not adequate police protection."

OTHER NEEDS NOTED

There was agreement in both areas that more policemen were needed. The Negro leaders said that more police would not of themselves solve the problem, since the area also needed better recreational facilities, more employment opportunities and better education.

Police Commissioner Michael J. Murphy received a request yesterday from the mayor's committee of religious leaders for the assignment of additional police to the Crown Heights area.

The committee, after consulting with the Brooklyn Jewish Community Council and the Central Brooklyn Co-ordinating Council, reported "an unhealthy increase of attacks made daily upon Jewish members of the Crown Heights community [in which] adults as well as children have been attacked, threatened, robbed, and molested."

The letter, sent by Rabbi Alfred L. Friedman of Union Temple of Brooklyn, declared that "fear is walking the streets." It said the three groups were also exploring ways "whereby we can ameliorate the situation with greater education, recreation, and conciliation." The letter was made public by Emil N. Baar, head of the Brooklyn Jewish Community Council.

A State investigation into the need for better police protection in areas of this city was promised by Anthony P. Savarese, Jr., chairman of the Assembly Committee on the Affairs of New York City.

Assemblyman Savarese, a Queens Republican, said he was aroused by the reports of the patrols organized by the Hasidic Jews. He said he feared that the Crown Heights action might be emulated in other neighborhoods and lead to dangerous situations.

"If it has reached the point where citizens need to take the law into their own hands," he said, "we must give them the protection we need and get these people off the roads."

The Crown Heights situation led the Bedford-Stuyvesant Business & Professional Men's Club to call a conference at the Bedford YMCA in advance of its regular luncheon meeting. Milton Mollen, chairman of the housing and development board, the luncheon speaker, outlined plans for the proposed Fulton Park urban redevelopment.

Edward C. Maxwell, club president, said the Negro leader had been surprised by the formation of the unofficial patrols.

"We have been meeting with Rabbi Schrage for the last 6 weeks," he said. "We have formed a street block association around the Yeshivah to bring better cooperation and good will between our groups. We are definitely opposed to a vigilante group."

Mr. Maxwell, who is superintendent of registry in the Brooklyn post office, said he had received calls from Assemblyman Stanley Steingut, Brooklyn Democratic leader, and other white leaders "who are standing by to discuss this matter."

Assemblyman Thomas R. Jones, Brooklyn Democrat, said he was disturbed because "wherever a vigilante group has been formed it has inspired terror" because vigilantes "take upon themselves the determination of who is a criminal and who is abroad for mischief."

Darwin Bolden, executive director of the Bedford-Stuyvesant youth-in-action project, said the Crown Heights situation was "a series of incidents blown out of proportion as racial incidents." He echoed the call for more police protection.

The club resolution directed the executive committee to prepare a course of immediate action.

Mr. HOLLAND. Madam President, I understand that the distinguished senior Senator from New York [Mr. JAVITS] wishes me to yield to him for an insertion in the RECORD or for some other purpose. I am glad to do so provided that I shall not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I am grateful to the senior Senator from Florida. I happened to come into the Chamber as the Senator from Florida was speaking about the terrible events, in terms of public disorder, in New York.

The young people who have been engaged in the patrols have been invited to join the auxiliary police force which we have in New York. They certainly are evidencing a kind of civic responsibility which is very creditable to them and is very much occasioned by the situation.

I believe we have gone so often over the ground of the relationship between what is happening in New York and the subject under debate here, that I shall not do so again, except to state that there is a very real and grave problem in our city. We are moving heaven and earth to deal with it. One of our newspapers the other day recommended more police protection and more police. I, myself, feel that a great call must go out to the morale of the people of the city and to the civic responsibility of the great bulk of the people of the city, both the Negro people and the white people, whose safety could very well be further endangered in this way. I believe we face a civic problem of major importance, at a time when the country is being shaken by the tremendous struggle in respect to equal opportunity.

I would only express one hope, Madam President, and that is that the Senate will, as soon as possible, do its part in resolving the problem by passing a civil rights bill, for I believe that will have a very important stabilizing effect upon the country at large, and I believe it will also have a very important effect in my own city of New York.

In making that statement at this point, it is not my purpose to do so in connection with every item of the civil rights bill, in which I believe very thoroughly; but I only express my sincere opinion as to what I believe Congress can do to be helpful to the situation generally, and specifically in New York to deal with a problem which has its origin in the aspects of a feeling of denial of opportunity beyond civil rights themselves. The situation is grounded in problems of housing, in problems of education, and in problems of training, which go back for a considerable number of years, but which I believe in our case are a step ahead of the rather primary problems of the enforcement of civil rights which are inherent in law which we find in other parts of the country, notably in the South.

But, as I said a minute ago, it is my judgment—and I state it very sincerely to the Senator from Florida—that the passage of the bill will have a very material effect on presenting New York and the rest of the country with a more stable situation under law. I am also very hopeful—and, again, I am not trying in any way to argue, either pro or con, the merits—that this may be possible before the onset of summer. It has been my view that the problems of public order and tranquility in the large cities, including New York, will be even more gravely complicated if Congress does not pass the proposed legislation before the onset of summer, which will soon arrive. That is the fact as I see it. As I have said, I do not make the statement in any oppositional or controversial sense. I am expressing my deep feelings as a child of New York, having lived there all my life. I am living there now with my wife and my young children, and I feel very close to the problem and to the seat of the difficulty.

Mr. HOLLAND. Madam President, before the Senator from New York departs from the Chamber, I want to say that I appreciate his tolerant and moderate remarks about the situation, which undoubtedly causes him great sorrow, as it does me, and every other sensitive American, in relation to what is happening in the city of which he is proud and of which all Americans are proud. Yet, in spite of the fact that the State of New York has all that is provided for in the bill before the Senate, and a great deal more—it has FEPC, it has school desegregation, housing, public accommodations, and laws on all other such subjects that are in this bill, plus many that are not—what is the situation there? And I believe it not to be different from the situation found in other great northern cities. The situation there is so terrible right now that no one can feel other than grief about it.

I am putting these items into the RECORD not to castigate or to attempt to castigate any great city or great people, but to make it abundantly clear that all the provisions in the pending bill that are designed to bring solutions are already available under the State laws of New York—and more than is provided in this bill. Yet the gravest problems exist there, rather than in the southern part of the country.

Again, I recognize, as I have in earlier colloquies with the distinguished Senator, that we do not claim anything even approaching the perfection or anything even approaching complete solution of troublesome racial problems in the South. But I believe anyone looking at the picture will see that our southern racial tolerance, moderation, and ability to live together compare favorably, to say the least, with what is going on in the great urban cities of the North.

The percentage of Negro population in every Southern State is greater than the percentage of Negro people in New York. It happens that New York has more colored people now than does any other State, as I understand, but the number there—and it is somewhere between 1 and 2 million—does not compare in proportion with the 900,000 in my own State of Florida. Yet while we are having troubles, they do not begin to compare, in disturbance of the public, in violence, in loss of life, and in complete violation of all the decencies—as I think we shall show in a moment from the quotations of the New York Herald Tribune of today, and from the U.S. News & World Report of the next issue, June 8—with those that are found in our great northern cities.

I regret that is the case, but it seems to me not only is it true, but it points the way to the clear principle that the mere existence on the lawbooks of legislation—FEPC, desegregation of schools, and all the others—does not solve the problem. To the contrary, the problems are heavier, they bear down more heavily, and with greater disturbance and violence, in the northern cities than they do in our part of the country.

Mr. JAVITS. Madam President, will the Senator from Florida yield?

Mr. HOLLAND. I yield under the same conditions under which I have heretofore yielded.

Mr. JAVITS. May I say to the Senator, because we sometimes unexpectedly get an element of truth—although it is rather late in the evening, and the world is not particularly listening to what we are saying—that this points up in a very real way the real issue in this debate. To assume that antisegregation laws will settle the total ferment in the Negro community in the United States is to assume too much. I believe that we are now expiating a century of both abuse and neglect. I believe those two words express the difficult situations we face.

I would not attempt—I cannot join the Senator in attempting—to evaluate the intensity of the disorders, the grief, and the tragedy of the riots, the deaths and the destruction in Jacksonville, Fla., or in Jackson, Miss., or in Montgomery or in Birmingham, Ala., or in Cambridge, Md., as contrasted with or compared with the situation in New York. Like the Senator from Florida, I feel deep grief in my heart for every American. Neither do I compare the situation in New York with the inhumanity of the bombing of churches or of the killing of Negro children. No American

can rest content in the face of that situation.

But I think the nubbin of the difference between us in this debate—I do not say necessarily with the Senator from Florida, but in this debate—is that persons like myself feel that the substratum must be dealt with. A calculated social order of segregation founded on law is gradually being dismantled because it is unconstitutional. That is the bedrock on which this essential revolt is founded. The totality of the revolt comes also from the fact that there has been a retardation of opportunity in various fields, such as housing, jobs, and education, even in areas where there is antisegregation law.

We must start by trying to deal with the situation, not only in upgrading these people in terms of their education, training, and opportunity, but even beyond the aspects that law will compel. People such as myself feel that this is the very basis for the tremendous turmoil in dealing with problems in connection with which the Constitution, in our judgment, is being violated and flouted.

The built-in social order which is the basis for all of this revolt just cannot persist in the face of modern times and the deep protests of millions of people who no longer will be subjected to that kind of social order.

Thus, without exculpating New York in any way for all the things it should be doing and has not done, I do not believe there is any excuse for a situation in which the social order flies in the face of the Constitution. The basic revolt started where oppression is, in the eyes of Negroes, the worst. It is based not only upon the result of 100 years of neglect, but also upon abuse. The Negroes will not tolerate it any longer. This vast earthquake is affecting the whole Nation; all Americans suffering because of it.

So I said what I did without trying in any way to derogate the sincerity and the philosophy of southern Senators. Certainly the Senator from Florida is as eloquent, as able, and as fine a human being as there is in the Senate. I feel very deeply that the sooner we as a nation give to all Americans the basic guarantees of the Constitution, the sooner shall we be, as it were, ending the earthquake and providing greater hope that the situation will have a bedrock of stability upon which we in the northern cities, which already have a network of laws—although there are still grave problems beyond the laws—may work and build.

If the Senator from Florida will allow me to do so, let me say I was speaking more as a witness than as an advocate, based upon by own profound knowledge. I do not say that arrogantly, but from my own lifetime of experience with the situation. I feel that we are facing a very grave threat to order and tranquility in the country. I feel very strongly that we need this body of Federal law, in order to start on the road back.

The conditions of quiet and order which Senators from the South have described were shattered in the South by the sheer march of time, when Negroes who listened to their radios and watched on the television and saw the kinds of opportunities available to citizens elsewhere in the land, would no longer allow themselves to be kept as a separate class of people, to be the drawers of water and the hewers of wood. This is the end of that kind of life for them. They found a way in which to revolt. They call it the sit-in. It began in Greensboro, N.C.; and that movement is sweeping the country.

We as legislators must honestly and sincerely try to find what to do about it. I believe, and many other Senators also believe, that the first essential should be the enactment of some form of national guarantee for these basic rights, which in many States, including my own, have already obtained.

The Senator from Florida will tell me, "Well, you have your disorders and your difficulties." Yes, we do; but at least we have a reasonable answer to them, and we are trying extremely hard to work the problems out. I believe that, on the whole, the majority of the people are with us in this very trying time.

I shudder to think of what could happen if the "lid were to continue to be kept on"—although it will not be—in the Southern States. Then there really could be a very dire situation. Each of us is responsible only for his own views; and that is all I am trying to do. I assure the Senator from Florida that although I do not just use the word "humility," I feel it very deeply in so profound, serious, and dangerous a situation as the one I believe all of us find ourselves in.

Mr. HOLLAND. I thank the distinguished Senator from New York. Again I recognize both his sincerity and his moderation.

However, I believe he has misread the Negro mind. I am now 71 years old. I have been raised with Negroes. I have been Governor of my State. I have occupied nearly every kind of official position, whether it be in the school, judge of a court, State senator, Governor, or now as a Senator.

I have been closely—sometimes almost intimately—associated with Negroes during every year of my life. I believe that the basic mistake which my dear friend the Senator from New York is making is that he believes that passage of a law by Congress, setting up national standards, would help the situation.

In my judgment, it will not help the situation. To the contrary, when the Negroes find out that there is nothing new in it for them, that there is nothing in it that deals with the handling of integration of de facto segregated schools, that there is nothing in it which creates new jobs, that there is nothing in it which varies from the New York State FEPC law, that in fact it does not go so far as that law goes, that it does not deal with the housing situation, and on public accommodations that it does not add a word to what New York State law has already provided for a long time, I believe there will be vast disappointments and vast frustrations, that what will really happen will be a worsening instead of a bettering of the situation.

God grant that I may be wrong in that conclusion, but it is a sincere one.

I believe that when we pass a bill in the Senate which is really aimed at a part of the country which is having the least trouble in this situation, expecting it to make a great impression upon the Negro mind in that part of the country where all the violence is erupting—and there is going to be more of it, I fear—I believe I do not make a mistake if I come to that conclusion, because I believe I have lived long enough in an atmosphere, part white and part colored, and have served long enough in it, to know something about the workings of the white mind and something about the workings of the colored mind.

I believe that my distinguished friend the Senator from New York is making a mistake in feeling that passage of a law, which really means so little—so really nothing insofar as it adds to the present law in that part of the country from which the Senator from New York comes—that one could hardly put one's finger upon anything that means something practically. I believe that there is a basis laid for disappointment, for frustration which will worsen the picture in his own area.

I hope that I am just as wrong as I can be. I am satisfied that I am right.

Mr. JAVITS. Madam President, will the Senator from Florida yield further? I wish to say one word more, and then I shall desist.

Mr. HOLLAND. I am glad to yield.

Mr. JAVITS. The Senator from Florida has pointed out, as I have, that I cannot possibly persuade him. I am sure he knows, too, that he cannot possibly persuade me. But I also believe that sometimes, in a colloquy of this character, we can state concretely and very understandably our respective positions. I am satisfied that I have stated my position. I believe the Senator from Florida is satisfied that he has stated his.

I thank the Senator from Florida for yielding to me.

Mr. HOLLAND. The Senator is very welcome.

Madam President, I shall try to bring my remarks to a close.

In the first place, I wish to have printed in the RECORD for the information of the Senate and the country a very disturbing article, published in the U.S. News & World Report of June 8, entitled "New York City in Trouble—Story of a Rising Fear."

Madam President, I ask unanimous consent that the whole text of this article be printed in the RECORD as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW YORK CITY IN TROUBLE—STORY OF A RISING FEAR

NEW YORK CITY.—This is the fear that is troubling officials of the Nation's biggest city:

Such an eruption in Harlem—where more than 230,000 people, nearly 95 percent of them Negroes, are packed into an area of 3½ square miles—could dwarf anything ever seen in the South or elsewhere in the United States.

The Negro ghetto of Harlem suddenly is seething with hatred of whites. A racial outbreak with violence and bloodshed of major proportions could erupt at any time, authorities believe.

Negro leaders confirm that alarming rise of racial hatred in Harlem, but insist they cannot control it. Police, braced for battle, are ready to throw thousands of men into action.

First accounts of the new mood of violence among the Negroes of Harlem appeared in "The New York Times." This newspaper reported the existence of a gang of young Negroes organized to prey on whites—to maim and kill.

Later, on May 29, the "Times" said that antiwhite gangs expanded after a riot on April 17, when police clashed with 75 Negro children who wrecked a fruit stand.

Since that riot, the newspaper said, gang members "have intensified their training in karate and judo fighting methods, peaceful Harlem residents have become worried and the police department has detailed some of its best men to concentrate on the central Harlem area."

Law-enforcement officials are convinced that four recent slayings of whites in Harlem—a woman social worker, a woman shopkeeper, a missionary and a fruit peddler—were racial murders, plotted and executed by a gang trained to kill white dogs and blue-eyed devils.

Undercover agents have supplied the police with definite information on the operation of one suspected murder gang—described by investigators as a rat pack of 20 to 30 Negro youths, most of them incorrigibles with criminal records.

Links to other gangs are being found. The rat packs call themselves by such names as "Blood Brothers" and "Disciples." One veteran investigator described some of the gang members as wild, psychotic, murderous young animals. They are believed to number in the hundreds.

Recruiting operations for the gangs, information indicates, are being carried on by dissident Black Muslims, fanatics for whom the white-hating doctrines preached by Black Muslim leaders are not violent enough.

As gang terrorism increases, officials fear, tensions in Harlem will mount higher and higher—and police action against the gangs could spark wholesale violence.

From a man who knows the ins and outs of Harlem comes this account of how young terrorists are recruited:

"Any Negro kid who has had trouble with the police is a likely prospect. Such prospective gang members are to be found on almost any street corner in Harlem, where, night after night, rabblerousers roar about 'white dogs' and 'white devils.'

"The word is passed, 'Do you want to hit Whitey?' That is a term of contempt for the whole white race.

"A kid who responds is taken to a gang hideout. Usually, it's a tenement rooftop. There, he is looked over, questioned, and trained in the use of gang weapons."

STICKS AND BLADES

One crude weapon used by the gangs is a sharpened stick that fits into the fist, with the point protruding. Another is a razor blade holder, about 3 inches long. The blade can be extended half an inch—"enough to do terrible damage to a victim."

Some of the instruction in judo and karate takes place in the rooftop hidaways. Investigators say that the purpose is to train a "black commando" force to fight police.

The bond that unites the "Blood Brothers" and the "Disciples" is a deep-seated hatred for whites. Gang operations now are believed to center in one area of Harlem, the neighborhood from 129th to 135th Streets, near Lenox Avenue.

Most of the youths are former members of juvenile gangs which, in other years, used to battle each other with knives and zip-guns for control of a piece of turf—territory to which one gang or another had staked claim.

The gangs no longer fight each other. Now, they have a common enemy—the white man.

Leadership in the hate gangs, informants say, usually is won by an act of bravado, such as robbing, beating and kicking a white man, or wrecking a white-owned store.

In separate incidents on May 22 and 23, two professors from Columbia University, which abuts on Harlem, were attacked and robbed by bands of Negro youths. One of the victims, L. Carroll Adams, a professor of physical education, was clubbed, knocked to the ground, kicked and beaten. He was quoted as saying: "It was definitely a racial incident. They came at me screaming, 'White man, we're going to get you. White man, we're going to kill you.' "

POLICE PROBLEMS

Police—symbol of the white man's authority—are targets for much of the ferment of hatred in Harlem. Every arrest of an offender in Harlem stirs cries of police brutality.

Police Commissioner Michael J. Murphy calls the charges a campaign of mass libel intended to "damage the police reputation and to dilute the effectiveness of the police department."

The worsening crisis in Harlem is not confined to the killer gangs. Police are gravely disturbed by reports that large supplies of arms and ammunition are being stockpiled by adults.

Just recently, acting on confidential information, police raided homes of two Harlem Negroes and seized more than 12,000 rounds of ammunition. The Negroes protested that the ammunition was obtained for a legitimate rifle club. Some of it was furnished by the U.S. Government—the Office of Civilian Marksmanship, an Army agency which makes surplus ammunition available to rifle clubs.

WHERE MARIHUANA COMES FROM

Narcotics—particularly marihuana—play a sinister part in the developing mood of hatred and violence. Said one Negro: "One of the worst things in Harlem these days is that it is so easy for kids to get marihuana. The kids in these hate gangs find that when they join up with the 'Blood Brothers' or the 'Disciples' or whatever they call themselves, that they can get all the 'reefers'—marihuana—they want.

"I'd like to know where it's coming from. The Muslims preach against it. But I suspect that some of these ex-Muslim cats who really want to see 'blue-eyed devils' killed are pushing it because they know what it will do.

"The thing is that marihuana kicks these kids into a murderous mood, so they are not afraid of anything.

"You get a state of mind like that and a feeling deep in your heart that if you kill 'Whitey' you're proving yourself to be a real brave black man, then it just looks like some white is going to get sliced up in pieces.

"The way I hear it, the gangs concentrate on marihuana. Why? Because it sets them crazy. Heroin is different. It tranquilizes. But, man, these cats that want to see whites killed off, they don't want tranquillity."

This man added: "I used to live in Harlem, but I moved to Queens a couple of months ago, because I figured that sooner or later Lenox Avenue's going to be a river of blood." Most of Harlem's small businesses—groceries, haberdasheries, drugstores, and the like—are operated by white persons. As the situation seems to be moving closer and closer to the explosion point, many of these merchants say they have a feeling that borders on terror. Some say they feel trapped and helpless.

Acts of vandalism are on the rise. Windows of stores owned by whites are smashed. Stores are broken into and wrecked. Some storekeepers have installed heavy woven-wire barriers across their doors and windows, but sometimes this proves to be inadequate protection against nighttime vandalism.

A reporter who talks with white businessmen along 125th Street or Lenox Avenue hears comments such as these:

The owner of a delicatessen shop: "Mister, I'm scared to death. All of a sudden, hatred seems to be all around me. After that white woman storekeeper was murdered and her husband slashed almost to death, I began to wonder if I'd be next. If I could sell out, I'd do it. But who would buy the place?"

A drugstore proprietor: "I used to kid with these Negroes, but I don't dare do it any more. I just say 'Yes, sir' and 'Yes, ma'am.' The mood they're in, one wrong word, and I've had it."

Another storekeeper: "I don't know of a white businessman in Harlem who wouldn't sell out if he could. The whole place has become just one big powder keg. One of these hot nights, it's going to blow up."

TENSION AT NIGHT

A white stranger, walking along Harlem's jammed streets at night, feels the tension. On many street corners, extremist speakers are orating, sometimes Black Muslims, sometimes racists even more militant than the Black Muslims. Sizable crowds surround the speakers.

From the street-corner propagandists, a stream of denunciation of the white race pours forth. "The black revolution is here," one man shouts, "the black man is going to be the master, the white man is going to be the slave." No one argues. In Harlem, it seems, it might be dangerous to raise a voice in defense of the white race.

Outside a bookstore on 125th Street, a sign reads: "The God Dam White Man." The sign is an advertisement for a book which bears that title—a book about the racial situation in South Africa. But the blunt words seem symbolic of Harlem's state of mind.

The stranger, a reporter, is conscious of being jostled, stared at, of feeling like a trespasser.

Two Negro policemen stand near a call box. One of them motions to the white reporter and says, "What are you doing up here, man? If you've got no business here, you'd better go back downtown."

Once, Harlem's night clubs attracted many white patrons. That is true no longer.

"The word seems to be around all over the city," a taxi driver said, "that Harlem is a dangerous place for whites after the sun goes down."

A NEGRO LEADER'S COMMENT

For those who fear a violent racial outbreak in Harlem, no comfort is to be found in the words of Negro leaders.

For example, Bayard Rustin, the Negro organizer who directed last summer's March on Washington, said recently that he had found this:

"All sorts of people in Harlem—in bars and on buses and in the subways—say to me, 'I agree, Mr. Rustin, with what you're doing. But don't you know that the white people won't pay any attention to us as long as we just make demands—until we hurt some white people and tear up 125th Street?'

"There are such intense pressures building up." Mr. Rustin said, "that an effort to arrest a prostitute or an AWOL soldier or to give someone a parking ticket—things as insignificant as that—would be like putting a match to dynamite. It could end up in wholesale rioting."

Whitney M. Young, Jr., executive director of the National Urban League, said that he had been talking with youths in Harlem. Mr. Young declared:

"The impression I received was not that there was any organized conspiracy by a tightly woven gang of 'Blood Brothers' to maim and kill white persons.

"My impression was worse. It was that anger had erupted simultaneously in a hundred hearts, and that abstract promises of jobs and bread are worthless if they cannot be translated instantly into reality.

"As the fears of insecure white persons begin to overwhelm them in this hour of passion, I do not know of any city or civic official who would claim that killings and beatings will not occur."

Writing in the Washington Post on May 17, Louis E. Lomax, Negro author and lecturer, made this statement:

"The recent disclosures of antiwhite Negro gangs in Harlem are but a minor leak of a major development in the mass Negro community. It has been common knowledge among Negro reporters and social critics that the black masses of New York, Chicago, and other cities are arming themselves. More than a year ago, I wrote that the Negro masses had lost faith in the basic integrity of white people; that they were on the verge of taking matters into their own violent hands."

A man who is quoted frequently by militant Negroes in Harlem is the area's Representative in Congress, the Reverend ADAM CLAYTON POWELL. Mr. POWELL, a Negro, has said repeatedly that the Negroes in the United States have the whites on the run and should keep them there.

FINEST HOUR

One recent speech of Mr. POWELL's which is quoted by Harlem's racists included these words:

"This is the black man's finest hour. Across the broad earth's seething and surging breast, black men are on the march today—in Africa, in Asia, in the islands of the Pacific, and here in the United States of America.

"People say it's against the law. What law, and who made them? I say that when we are part of a system where we had no share in the making of laws, then they are not our laws until we do have a part in making them."

Leaders of the civil rights movement in New York admit privately that there seems to be nothing they can do to stem the rising tide of hatred in Harlem. One Negro leader said: "Of course, we can't control it. We just don't have anything to control it with."

Another leader called attention to a recent statement by Ernest Cooper, head of the Urban League in Cleveland, a city which has witnessed violent racial demonstrations. Mr. Cooper said:

"Negro leadership has a gun at its head. The black masses are about convinced that we cannot produce. They are ready to destroy us along with the white man."

"That," the New York Negro organizer said, "just about sums up the situation in Harlem."

TIGER ON THE LOOSE

A young Negro social worker in Harlem put it this way:

"There's a raging tiger on the loose up here, and the big cats in the civil rights movement can't ride it and can't tame it."

Another Negro social worker said:

"You know that pressures are building up dangerously, but you can't do anything about it. Negroes in Harlem just don't trust outsiders, white or black. They wouldn't give me the time of day, most of them. You hear lots of talk about 'turning loose on the g— d— white man,' but when you try to reason with them they sneer at you."

As the Harlem crisis causes increasing concern, a new study of social problems in the area is drawing attention.

The 614-page study—entitled "Youth in the Ghetto"—is a report on 18 months of research in central Harlem. The report, financed by the Federal and city governments, was prepared by Harlem Youth Opportunities Unlimited, an agency commonly known as HARYOU.

Chairman of the HARYOU board of directors and chief consultant on the research project is Dr. Kenneth B. Clark, a Negro, who is professor of psychology at the City College of New York.

The HARYOU report tells of ferment, resentment, stagnation and potentially explosive reactions to powerlessness and continued abuse.

HARYOU urges a program, with Federal backing, to combat the problems of Harlem's youth with better educational opportunities, efforts to stabilize family life, and an improved "community climate."

HARLEM VOICES ON TAPE

An idea of the almost obsessive hatred of whites that is found among many Negroes in Harlem, and of the area's potential for violence is given in one section of the HARYOU report. This section contains excerpts from tape-recorded interviews with dozens of Harlem Negroes.

Some examples of the tape-recorded comments—

Man, age 26: "They say that up North the black man can get a break. That's a lie. No one gets a break up here but 'Whitey.' Regardless of where you go in this world, no one gets a break but the white man—all over the world."

Man, age about 35: "I think we should all get together—everybody—and every time one [a policeman] draws his stick to do something to us, or hits one of us on the head, take the stick and hit him on his head, so he'll know how it feel to be hit on the head, or kill him, if necessary. Yes, kill him, if necessary. That's how I feel."

Woman, age 30: "We don't want any bloodshed if we can help it, but if there has to be a little bloodletting, well and good."

Man, age about 35: "The flag here in America is for the white man. The blue is for justice; the 50 white stars you see in the blue are for the 50 white States; and the white you see in it is for the White House. It represents white folks. The red in it is the white man's blood—he doesn't even respect your blood, and that's why he will lynch you, hang you, barbecue you, and fry you."

Man, also about 35: "The Honorable Elijah Muhammad (leader of the Black Muslims) teaches, but the only thing is, some of our people don't take that old, blue-eyed, hook-nosed picture of Christ off their wall—take it down and step on it. These people have been exploiting us for years."

Man, age 30: "Yes, when the time comes, it will be too late. Everything will explode, because the people, they live under tension now; they're going to a point where they can't stand it no more; when they get to that point—"

Man, age 28: "The conditions here are the way they are because of white domination of this community, and when that changes, as is being attempted here by these nationalists, or by the Muslims, when they can unite and * * * change the white domination for black domination, the conditions will change."

Man, age about 33: "The white cops, they have a damn sadistic nature. * * * They start more violence than any other people start."

Girl, age 15: "You have maggots and flies breeding in the basement and rats running all over the building. One woman said the rats had chewed the clothes off her baby."

Man, age 21: "In Harlem, the youths don't have anything, the older folks don't show them anything. So the only way he can get ahead financially is by selling dope, running numbers, and other illegitimate things which really don't advance him further in life."

Man, age about 35: "Our leaders are trying to clear things down South, but it's right here they should try to do something. They should come right here, right here, it's terrible. It's terrible. It's like a jungle out here, a jungle."

Youth, age 19: "I say we need the Muslims in America to let the white man know there are some Negroes who will fight for their rights, and that you can't step on all Negroes and he's going to keep turning his cheek."

Drug addict, 26: "I was just born black, poor, and uneducated. And you only need three strikes all over the world to be out, and I have nothing to live for but this shot of dope."

HARYOU's recommendations for improving the situation described in "Youth in the Ghetto" are long-range plans.

But it is the immediate future that worries city authorities—the hot weeks of summer when, each night, sweltering tenements disgorge masses of restless people into Harlem's hate-filled streets.

Should a racial explosion be triggered by a killer gang's attack, or by a minor incident, the police are ready.

Commissioner Murphy's plans are secret. But the commissioner, who commands a force of 26,000, is set to flood Harlem with the biggest show of police strength in history.

Said one city official:

"To say that the Harlem situation is loaded with dynamite is something of an understatement. At best, it's going to be a tense and worrisome summer. At worst—well you have all the potentials for terrible trouble."

And another official said: "I hope it doesn't happen—but more Americans may be killed in Harlem this summer than in Vietnam."

A GHETTO IS ALWAYS A VOLCANO

A warning from Dr. Kenneth B. Clark, professor of psychology at the City College of New York, a Negro who devotes much of his time to working with Negro youth in Harlem—

"The police have every reason to be worried about the situation in Harlem. A ghetto is always a volcano—and Harlem is the biggest ghetto in the world."

Dr. Clark said that he had heard reports of hate gangs of youths in Harlem, formed to prey on whites, but that he had seen no specific evidence of the existence of such gangs.

The psychologist said, however, that many young Negroes in Harlem are withdrawing from the community at large because of complex social and economic factors.

As chairman of Harlem Youth Opportunities Unlimited—HARYOU—Dr. Clark is urging Federal backing for a 3-year, $100 million program to aid the district's 71,000 youths by improving educational, employment, and cultural opportunities.

Mr. HOLLAND. Madam President, without trying to read more than just a little of the article, here is the first paragraph:

> This is the fear that is troubling officials of the Nation's biggest city:
>
> The Negro "ghetto" of Harlem suddenly is seething with hatred of whites. A racial outbreak with violence and bloodshed of major proportions could erupt anytime, authorities believe.
>
> Such an eruption in Harlem—where more than 230,000 people, nearly 95 percent of them Negroes, are packed into an area of 3½ square miles—could dwarf anything ever seen in the South or elsewhere in the United States.

Mr. HOLLAND. And many more paragraphs of the same kind, Madam President.

It tells about the dope trouble there. It tells about the gangs roaming the streets. It tells about the killings. It tells about the multilations. It tells about attacks upon white people, many of them their own friends.

For instance, here is a story of an attack upon two white professors of Columbia University at different times, May 22 and May 23:

> In separate incidents on May 22 and 23, two professors from Columbia University, which abuts on Harlem, were attacked and robbed by bands of Negro youths. One of the victims, L. Carroll Adams, a professor of physical education, was clubbed, knocked to the ground, kicked and beaten. He was quoted as saying: "It was definitely a racial incident. They came at me screaming, 'White man, we're going to get you. White man, we're going to kill you.'"

Madam President, there are more of those distressing recitals in the article. I just wish Senators would stop, look, and listen.

Here is an excerpt from some of the voices of young Negroes which were tape recorded, their names being deleted. The tape contains the recordings of a large number of young Negro citizens of Harlem.

> Man, age 26: "They say that up North the black man can get a break. That's a lie. No one gets a break up here but 'Whitey.' Regardless of where you go in this world, no one gets a break but the white man—all over the world."
>
> Man, age about 35: "The flag here in America is for the white man. The blue is for justice; the 50 white stars you see in the blue are for the 50 white States; and the white you see in it is for the White House. It represents white folks. The red in it is the white man's blood—he doesn't even respect your blood, and that's why he will lynch you, hang you, barbecue you, and fry you."
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> Man, age 28: "The conditions here are the way they are because of white domination of this community, and when that changes, as is being attempted here by these nationalists, or by the Muslims, when they can unite and * * * change the white domination for black domination, the conditions will change."

There are many other such statements, but I shall not read them.

Madam President, the article shows that Harlem is not only a cesspool but is seething with hatred, which is manifesting itself every night and every day with more and more of the young Negroes going into groups of hoodlums, which are formed for one main purpose, as the article says, to attack white people.

It is a saddening article; yet I believe it should appear in the RECORD, because I am sure it is a factual article.

Madam President, I also wish to have appear in the RECORD an editorial published in the New York Herald Tribune entitled "Make the City Safe."

It states, in part:

> What sort of city do we live in? Quite obviously it is one where citizens all too often have reason to fear for life and safety.
>
> Over the weekend there was the shocking murder of Miss Charlotte Lipsik, the schoolteacher slain in the self-service elevator of her Crown Heights home.

Madam President, this happened in the area where these young Jews are patrolling regularly, and it happened within three blocks of their headquarters.

> Then there was the outrageous subway riot, also in Brooklyn, by a gang of teenage hoodlums who assaulted, wrecked and robbed and came close to inciting something even worse.
>
> It is useless to speculate whether these crimes could have been prevented. But they are certainly appalling instances of the intolerable. The problem is nothing less than an emergency, calling for emergency measures. Whatever the cost, the city must be made safe.

Madam President, the original inspiration for that editorial, I take it, was the things which occurred in New York City over the weekend. The young teacher was slain in her own apartment house. I have already said that it happened close to the headquarters of the Maccabees, who are patroling there every night in their effort to make safe this part of the city.

I shall now read from the New York Herald Tribune news columns of today. The article is entitled "Brooklyn Train." It was written by Fred Ferretti, and reads, in part, as follows:

BROOKLYN TRAIN

(By Fred Ferretti)

> A band of about 25 Negro teenagers terrorized a Brooklyn subway train for 15 minutes in yesterday's predawn hours, threatening, beating, and robbing white passengers and wrecking the interiors of 3 subway cars.
>
> The guerrilla-type hit-and-run raid spilled over into the street when the teenagers left the train, and for a tense moment threatened to erupt into a racial clash.
>
> Police arrested 12 Negro youths for rioting, robbery, burglary, and malicious mischief as a felony charge. Another 15 teenagers escaped in the darkness and confusion that followed the horror of the train ride.

OTHER VIOLENCE

> Yesterday's terror climaxed a weekend of violence in lower Brooklyn and Manhattan.
>
> On Friday night Miss Charlotte Lipsik, a schoolteacher, was raped, fatally stabbed in the self-service elevator of her Crown Heights apartment, a scant three blocks from the headquarters of the radio patrols set up last week by the "anticrime Maccabees" of the Hasidic Jews.
>
> On Saturday a policeman was mobbed by 11 Negro youths under the boardwalk at Stillwell Avenue, when he tried to intervene in a fight between a white man and a group of Negro youths.
>
> Yesterday, just a half hour after the subway raid, 4 Negro youths armed with a meat cleaver threatened 40 passengers in a Brighton Line subway train in Crown Heights.
>
> And earlier yesterday about 25 Negro youths ranging in age from 15 to 17, were released by police after a woman concessionaire on the Staten Island Ferry refused to press a robbery complaint against them. Police said that the youths harassed the woman on a ride from Staten Island to lower Manhattan, stealing candy and $90 in cash. But, police said, the woman became frightened, refused to even come off the ferry to identify the boys, and so the youths were released.

I ask unanimous consent that the whole article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

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>
> Arrie Debose, the conductor on the Independent "D" train was riding between the train's six cars when the Coney Island run began from Stillwell Avenue. "I heard noise, but I've been on this run 7 months and you just learn to ignore kids yelling coming home from Coney Island."
>
> When the train reached West 8th Street, he said, "I saw some kids holding the doors open. But a transit cop stopped them." The policeman was stationed on the platform, he said.

WENT HAYWIRE

> At Van Sicklen Street and Avenue X the doors were held again, but each time the boys let them close. Apparently it was between X and U Street stops that the group of youths "who smelled of alcohol," according to police, began their raid of terror. "Most of them were half stoned. They started acting up and then went haywire," Detective Ray Sheerin of the 61st Precinct said yesterday.
>
> They smashed 200 light bulbs—all of the bulbs in the first three cars of the train. They ripped out seats, and those they couldn't rip, they slashed 14 of them. Advertising placards were torn to shreds. Youths jumped on the seats and kicked out 11 train windows.
>
> There were few passengers on the train, but all of them were either threatened, beaten, or robbed. Some passengers suffered all three. Howard Weiner, 16, 1812 East Fourth Street, was hit across the face with a bottle, knocked unconscious and hospitalized. He required stitches to close his cheek. Another passenger, Nicholas Philipides, 54, of 1834 East Second Street, required two stitches in his lip and suffered other cuts and two black eyes. The third injured passenger, Harvey Vine, 26, of 5120 19th Avenue, was punched and kicked in his face and upper body.
>
> In addition, young Weiner was robbed of his watch and $3, Mr. Philipides had $97 taken, and a trouser leg ripped off.

BEATEN TO FLOOR

> According to Mr. Philipides' wife, her husband tried to get off the train at the next stop, Avenue U, but was dragged back on by the screaming youths and beaten to the floor. Mrs. Philipides said her husband told her "he was bleeding, his head was bashed in, his lip and cheek were cut. Finally the conductor came in and helped him up."

Mr. Debose substantiated Mrs. Philipides' story. "I saw this guy on the floor near me," he said. "He was bleeding from the mouth. I helped him into a seat."

At this point, the train pulled into the Kings Highway station, "just as I was going to pull the emergency cord," Mr. Debose said. But somebody else pulled the cord and the train stopped a third of the way into the station that overlooks Kings Highway at its intersection with McDonald Avenue.

As the train's motorman ran to call police, the youthful gang fled the train. Young Wiener stumbled out after them seeking help. He stumbled on the second walkway below the train platform, just before reaching the steps, and he was stomped on, kicked, and punched again, police said.

GARBAGE CANS HURLED

The youths raced down the stairs. The first store they saw was Marie's Beauty Salon, at 480 Kings Highway. Police said they hurled garbage cans and bricks through the window. Some ran inside. One scooped up a roll of quarters and ran into the street. Next door was the Mayfair Restaurant. Two of its windows were knocked out by flying bricks.

Then the police arrived.

The first call reached the 61st precinct at 2:35 a.m.—minutes after train No. 1363 had begun its run from Coney Island, 10 minutes after the three passengers were severely beaten, scant minutes after the gang of young hoods had begun to smash windows.

The fire department also sent an engine company in response to a pulled alarm box.

Eight police cars converged on the Kings Highway-McDonald Street intersection. In a matter of seconds, 16 patrolmen and 4 detectives had surrounded 12 of the youths. They all might have escaped, according to Detective Sheerin, if those who were caught had not tarried to assist a buddy who cut his leg badly while kicking in train windows.

The 12 captured youths stood panting in the middle of the street, as a crowd of men, women, teenagers, and children, awakened by the smashing windows, the sirens, the flashing lights of the radio cars, converged on the scene.

THE SURGING CROWD

Then the crowd saw the two policemen carrying young Weiner down from the subway platform on a stretcher. The white youth was unconscious, his face a bloody pulp. The crowd leaned forward toward the Negroes.

"Let us have them," a man screamed. "Leave 'em to us."

The crowd surged forward.

The police closed ranks. The crowd froze. The 12 prisoners were immediately taken to the precinct in the various cars. "We didn't wait for the wagons," Detective Sheerin said. "They never came at them. We had control. But it would have been the worst thing possible that could have happened."

Yesterday, a teenager who had been in the angry crowd said, "There would have been some colored guys killed if we could have got them."

Less than a half-hour after the Kings Highway incident, 4 other Negro youths invaded a BMT Franklin Avenue-to-Prospect Park shuttle and threatened the motorman and 40 passengers.

The motorman, George Dauenheimer, was pulling into the second stop—Dean Street—on the five-stop run when one of the youths threw a bottle against his cab. When the doors opened, one of the boys opened Mr. Dauenheimer's compartment, held a meat cleaver to his neck and asked, "Are you black or white?"

"I'm white," said the motorman.

MACABRE JEST

"I'm just going to cut your head off," said the youth.

The youth laughed and then the four began to harass passengers. At the Prospect Park Station, where passengers transfer to trains bound for Coney Island, the four ran from the first train, crossed over the tracks, and jumped on a Brighton Beach train. They kept taking people's hats off their heads and trying them on. Any attempt at resistance brought a wave of the cleaver.

When the Brighton train reached the Parkside station, a passenger pulled the emergency cord, and raced for help. The station agent locked himself in the token booth and called for police as the four youths with the cleaver tried to get into the booth. The four were captured on the platform by police.

Mr. Dauenheimer said yesterday his shuttle run is a "shooting gallery. When I'm elevated they shoot at the trains with beebee guns. When I'm under the ground, I run into coke machines and garbage cans on the tracks." He said that early Saturday morning one of his trains was vandalized. Seats were slashed, windows broken, and bulbs smashed.

Brooklyn Criminal Court Judge Harry Serper held the four in $1,000 bail each before hearing the 11 brought before him from the Kings Highway roundup.

There were only 11, because Clarence Blackman, 17, was under police guard at Coney Island Hospital—the same hospital where young Weiner is in serious condition—with severe cuts on his right leg, suffered, police said, when he kicked out windows.

The 11 stood before Judge Serper in open-neck shirts, jackets and sweaters. They carried short-brim straw hats.

They stood impassively as the court clerk read the complaint "* * * rioting, smashing windows, beating one Howard Weiner * * *."

Judge Serper looked at the yellow complaint sheets.

"All you boys out at 2:30 in the morning. Very nice. Are your parents here? Relatives? Anyone?"

Several adults standing behind the line of boys raised their hands.

"Very nice. You must be proud. Nice boys," said the judge. He looked again. "Which one is Milt Jones?"

A boy raised his hand.

"What about that attempted extortion on your sheet here?"

"I'm on probation," said the boy.

"Martin? Which one is Norman Martin?" asked the judge.

"Me," said a tall youth in a black, white and gray striped sweater.

"That knife charge in January. What about it?"

"I'm out on bail," said the boy.

"Not any more."

Judge Serper held five youths in $5,000 bail each on riot and malicious mischief charges; three in $6,000 bail on the same charges; and three without bail for malicious mischief, assault and robbery. All will have hearings Wednesday in Criminal Court.

A Transit Authority spokesman estimated yesterday's vandalism at about $1,100. While the damaged cars were being refurbished at the Authority's Concourse Yard in the Bronx, the spokesman said that "as many of our policemen as can be spared" will be stationed in the Coney Island-South Brooklyn areas.

The TA presently has a force of 972 men. In accordance with Mayor Wagner's recommendations, the spokesman said, the total TA police force will be increased to about 1,200 by "late October or early November."

Deputy Police Commissioner Walter Arm said "we have already sent more than 1,000 men from other areas in the city to beaches, parks and playgrounds. This includes Coney Island and Prospect Park.

"Although we can't tell where these things are going to break out next, we'll give this area of Brooklyn all the attention we can."

Mr. HOLLAND. Madam President, the other news article, appearing in a parallel column in the Herald Tribune of today, is entitled "Cries of Outrage," written by Bill Whitworth. It reads, in part, as follows:

CRIES OF OUTRAGE

(By Bill Whitworth)

On a nice middle-class block in Brooklyn yesterday afternoon, a man stood in front of his two-family house, leaning on his fence and talking to some people from across the street, and said: "We've got every nationality here—this is the real America, this neighborhood."

The plausibility of the characterization was more unsettling than stirring. Because a lot of people in this real America had gone to bed liberals Saturday night and got up Sunday morning something very like racists.

The change had been wrought by events a block away, at the Kings Highway subway station, between 2:30 and 3 yesterday morning. The people in the neighborhood had been awakened by shouts, sirens, and the sound of breaking glass. When they went out to see what was happening, they found that several dozen Negroes had beaten up some whites on an IND train, apparently just for kicks.

A crowd of 100 or more whites gathered at the intersection of Kings Highway and McDonald Avenue to watch the police arrest some of the Negroes, and to see a white teenager carried out of the station on a stretcher.

CROWD GATHERS

Those who didn't stay and holler for revenge went home angry and scared.

All day yesterday, men, women, and children walked by the intersection to look at the Mayfair Restaurant and Mme. Marie's Beauty Salon. The Negroes had kicked and smashed out the windows of these and other small businesses nearby.

And so on, with much more of the same disturbing and distressing information about what happened that night.

I ask unanimous consent that the whole article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CRIES OF OUTRAGE

(By Bill Whitworth)

On a nice middle-class block in Brooklyn yesterday afternoon, a man stood in front of his two-family house, leaning on his fence and talking to some people from across the street, and said: "We've got every nationality here—this is the real America, this neighborhood."

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CROWD GATHERS

Those who didn't stay and holler for revenge went home angry and scared.

All day yesterday, men, women and children walked by the intersection to look at the Mayfair Restaurant and Mme. Marie's Beauty Salon. The Negroes had kicked and smashed out the windows of these and other small businesses nearby.

In the afternoon, neighborhood people drifted up in two's and three's, to discuss the incident and its meaning. There were occasional arguments.

A chubby, middle-aged woman in slacks and a jacket shook her head and frowned. "They're animals, vicious animals," she said over and over. She meant Negroes in general, not just the ones who had broken the Mayfair window.

"They don't even fight like people," she went on. "They always have knives. And they talk about civil rights."

"Oh, now, I'm for civil rights," said the woman with her. "But this, this kind of thing is terrible."

A man disagreed with them. "You don't judge all of them for this," he said. "They're hitting back because of what's been done to them."

The women went away unconvinced, one still talking about animals and the other obviously having second thoughts about civil rights.

On East Second Street, a block from the Mayfair, families stood in little clusters in front of their homes, talking about the same thing.

"Yesterday, I would have told you that this isn't a prejudiced neighborhood," a man said. "We've got every nationality and religion here—Jews, Germans, Italians, Norwegians, Syrians, everything—and we get along wonderfully. Today, I don't know. There's a lot of bad feeling toward the colored people, no question about it."

Mr. HOLLAND. Madam President, I note that my assistant has handed me an item from the Associated Press ticker news report, which has just come in. It reads, in part:

> New York residents voiced concern today that a weekend series of late-night Negro attacks on whites could spread throughout the city.
>
> One vigilant group has been set up to combat the recent series of Negro assaults on whites, and another is in the planning stage.
>
> Police say they won't allow the city to be turned into a battleground but already blood has been spilled.
>
> In the last 48 hours, bands of Negro marauders terrorized passengers on four separate subway trains and a Staten Island ferryboat.
>
> The City Commission on Human Rights said today the incidents are "not organized, are not part of a plot." The commissioner said they were spontaneous reactions to discontent by the Negro people over poverty, unemployment, housing, and schooling—

None of these items, Madam President, are dealt with effectively by the pending bill—

> State Assemblywoman Aileen B. Ryan, Democrat, of the Bronx, urged a 2,000-man increase in the transit police force to "prevent subway nightmares for passengers."

Madam President, I ask unanimous consent that the whole ticker report from Associated Press be printed in the RECORD at this point in my remarks.

There being no objection, the news report was ordered to be printed in the RECORD, as follows:

> New York residents voiced concern today that a weekend series of late-night Negro attacks on whites could spread throughout the city.
>
> One vigilante group has been set up to combat the recent series of Negro assaults on whites, and another is in the planning stage.
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> Police say they won't allow the city to be turned into a battleground, but already blood has been spilled.
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>
> State Assemblywoman Aileen B. Ryan, Democrat, of the Bronx, urged a 2,000-man increase in the transit police force to "prevent subway nightmares for passengers."
>
> She said she will sponsor a bill "to require massive police protection aboard trains to stop hoods, perverts, and robbers."
>
> Brooklyn District Attorney Edward Silver suggested installing some sort of alarm system on subway trains.
>
> Mayor Robert F. Wagner indicated action is forthcoming. He said he will meet tomorrow with Police Commissioner Michael J. Murphy and Joseph E. O'Grady, transit authority chairman, to get all the facts."

Mr. HOLLAND. Madam President, this is rather horrible. I dislike to be the one whose voice has read into the RECORD and recounted for its readers throughout the Nation, including all who may read the RECORD during the remaining time this Nation exists—and I hope it will be for hundreds, nay, thousands, of years—the report of what has happened in our greatest city as the result of the activities of a group of incorrigible, violent, young Negroes—and they were largely young—who, in the ways I have read into the RECORD, are already showing their hatred for the white people and their willingness to follow the unsound leadership which they are following, and are presenting a grave hazard to all of us.

I wish to read from a statement by Representative POWELL, of New York. It is something that ought to be stated in the RECORD, and I read it with apologies to the other body. It is no reflection upon them, although it is a decided reflection upon one of its Members. It comes from the news pages of U.S. News & World Report and is as follows:

> FINEST HOUR
>
> One recent speech of Mr. POWELL's which is quoted by Harlem's racists included these words:
>
> "This is the black man's finest hour. Across the broad earth's seething and surging breast, black men are on the march today—in Africa, in Asia, in the islands of the Pacific, and here in the United States of America.
>
> "People say it's against the law. What law and who made them? * * * I say that when we are part of a system where we had no share in the making of laws, then they are not our laws until we do have a part in making them."

Madam President, it seems completely clear that this particular Negro leader is one who has counseled violence and is in part responsible for the wicked demonstrations of horrible acts of violence, which will surely bring retribution if they are not quickly halted.

I close by reminding the Senate and also the leaders of the Negro people who are counseling violence and are supporting the pending bill, although they know perfectly well that there is nothing in it that applies adequately at all in the part of the country where they live, that this situation does exist, and that if there be no change in the type of leadership which they are giving, we can expect terrible days ahead of us.

I remind them that when it comes down to brass tacks, there are about 10 white men in this country for every Negro. The white people will be patient only so long. When the point is reached that they cannot any longer endure such almost unendurable things as occurred to the people in Brooklyn, about whom I read from the articles a moment ago, there will be terrible days in this country. I hope they will remember just that—that the white people are unafraid and can deal with them. But they insist upon patience.

The better white people—and I believe that includes much more than 90 percent of them—want to do anything we can to help solve this problem. But we do not want to be dragged down into such a maelstrom as that which is occurring in the streets and sidewalks of New York. All the events that took place over the weekend did not occur in Harlem. They happened outside Harlem, in other parts of Greater New York City.

Madam President, I yield the floor.

VISIT OF ISRAEL'S PRIME MINISTER ESHKOL

Mr. JAVITS. Madam President, the arrival of Prime Minister Levi Eshkol of Israel for an official visit to the United States is an event of special significance for many Americans. It is for one thing, the first official visit of an Israel government leader in the 16 years of that nation's independence. It is also a visit which we hope will lead to a further strengthening of the already very friendly ties which have existed between the United States and Israel and the beginning of a new era of cooperation between the two countries. Peace is the most important objective of our policy in the Middle East and U.S. policy in bringing about direct negotiations between the Arab States and Israel is essential for the success of that effort.

In welcoming Prime Minister Eshkol to these shores, we have an opportunity to appreciate also the importance of having a strong viable democracy that has demonstrated its success in establishing a firm united nation under the most difficult natural and man-made conditions. We are glad to have Prime Minister Eshkol as our visitor and we know that he will take back with him the good wishes and warm friendship of the Government and people of the United States.

A very real friendship exists between the two countries. Israel is a very important bastion of the free world's defense in the Eastern Mediterranean. I think this visit should be marked very especially, as Israel's destiny and purpose in the world have so many millions of friends in the United States.

I ask unanimous consent to have printed in the RECORD an editorial entitled "Overdue and Welcome," from the Washington Post.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OVERDUE AND WELCCME

It is surprising, and somewhat disturbing, that 16 years had to pass before an American President felt politically able to invite an Israeli Prime Minister for an official state visit. It is appropriate, however, that President Lyndon Johnson should have invited Prime Minister Levi Eshkol, who arrives here today. Like his host, Mr. Eshkol has a humble and rural background, a folksy touch to match, long experience at the center of his nation's life, and a reputation for softening and healing disputes among his countrymen. Like President Johnson too, Mr. Eshkol succeeded a towering figure, and quickly and decisively established himself as a leader in his own right.

The Israeli official's trip was arranged last January, and he brings no imminent crisis or crash entreaty with him. This is well. The talks between the two leaders should permit a reflective review of the complicated relations between Israel, whose natural and primary interest is its security, and the United States, which is concerned with the stability and development of the Middle East as a whole. We trust that the Prime Minister's visit will put a new sheen of mutual understanding on the old friendship of the United States and Israel, and that Washington will not have to wait another 16 years for the next trip.

RESOLUTION OF CONVENTION OF PROTESTANT EPISCOPAL DIOCESE OF NEW YORK IN SUPPORT OF CIVIL RIGHTS BILL

Mr. JAVITS. Madam President, one of the most encouraging aspects of the current effort to enact the pending civil rights legislation has been the great support for the moral principle behind it which has been provided by organized religion throughout the Nation. Typical of this support is the resolution adopted on May 12, 1964, by the 184th convention of the diocese of New York of the Protestant Episcopal Church, and I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE DIOCESE OF NEW YORK, CONVENTION OF 1964, ON FEDERAL CIVIL RIGHTS BILL

Whereas the bishop of New York has called for adoption of the Federal civil rights bill now before the Senate of the United States, and

Whereas other religious leaders and church people of all political persuasions have united in support of this measure, identifying it as a moral issue transcending any political considerations: Be it, therefore,

Resolved, That the 184th convention of the diocese of New York records its support of this legislation and urges the Senate of the United States to adopt the measure without further delay; and be it further

Resolved, That this resolution be communicated to the Senators from this State and to Senate leaders of both parties.

Adopted May 12, 1964.

THE INTERNATIONAL MONETARY FUND IS RUNNING SHORT

Mr. JAVITS. Madam President, I call to the attention of the Senate an article which appeared in the financial section of the New York Times this Sunday regarding a very important problem which has confronted the International Monetary Fund.

Due to the simultaneous existence of balance-of-payments deficits in the United States, the United Kingdom, Italy, and Japan, the Fund has begun to run short of the currencies it can loan to countries experiencing temporary balance-of-payments deficits. Since it normally lends only the currencies of nations with payments surpluses, the Fund cannot use the two most important international reserve currencies: the U.S. dollar and the British pound. This places increasing demands on the German mark, the French franc, Dutch guilders, and Belgian francs, which are available only in limited supply. In fact, the current problem has arisen because the Fund has run short of these other currencies.

There is no crisis yet. But this new and unforeseen development underscores once again the need to take a new look at our international monetary system and to undertake reforms necessitated by the fundamental changes which have occurred in the non-Communist world since the end of World War II, when the present world monetary structure was erected.

Both the 10 "Paris Club" nations and the International Monetary Fund have been at work since last October in studying the so-called liquidity problem—the problem involving the adequacy of international credit that could be made available to countries in balance-of-payments difficulties. The problem now facing the IMF makes it imperative that both studies concentrate their attention on the adequacy of international credit—now and in the foreseeable future—and on the need for structural reforms in existing international financial institutions. Such ideas as increasing the quotas of IMF members—a move that would increase the availability of international monetary reserves gradually; the far-reaching proposals advanced recently by Pierre-Paul Schweitzer, managing director of the Fund, which would make possible the acceptance by the Fund of deposits and the introduction of investments at the initiative of the Fund; the idea of creating a new composite international reserve unit, reportedly under consideration by the "Paris Club" which would place a greater burden on the currencies of other industrialized countries, must be thoroughly explored, and those which are most workable implemented, even if they entail certain risks.

I sincerely hope that the United States takes the leadership in the effort to reform the international monetary system. The present lull in the cold war, the recent improvement in the U.S. balance of payments, favorable economic conditions existing in most industrialized nations should be fully utilized to strengthen the strongest asset of the free world—its economic strength. Without a dynamic international monetary system this economic strength will not be used to its fullest capacity.

I ask unanimous consent that the article entitled "Monetary Fund Is Running Short," written by Edwin Dale, and published in the New York Times of May 31, 1964, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MONETARY FUND IS RUNNING SHORT—SIMULTANEOUS DEFICITS FOR LEADING LANDS' PAYMENTS BRING DIP IN CURRENCIES—PROBLEM IS WORRISOME—BUT IT IS NOT CONSIDERED A CRISIS—U.S. DRAWS ON FRANCS AND MARKS

(By Edwin L. Dale, Jr.)

WASHINGTON, May 30.—The International Monetary Fund, the main source of help for nations in need of bolstering their foreign exchange reserves, has begun to run short of the currencies it can use to provide help. While the situation is not a crisis, it is regarded as worrisome at a time when Britain, the Fund's second most important member, may want to call for assistance.

The problem has arisen because of a situation unforeseen by the founding fathers of the Monetary Fund, which has been a quiet but major prop behind the general prosperity of the industrial world since World War II.

This unforeseen situation is the simultaneous existence of deficits in the international payments of the United States, Britain, and several other leading industrial nations. Normally the Fund lends to a member in difficulty only the currencies of nations with payments surpluses. But it is precisely those currencies that are now running short, particularly French francs and German marks.

The United States illustrated the problem this week by drawing $125 million worth of these two currencies under a technical arrangement. The United States uses these currencies to sell for dollars to other fund members making regular repayments. The Fund cannot accept dollars in repayments now because its dollar holdings are at the permissible maximum.

LENDABLE CURRENCIES

For practical purposes, the Fund has about a dozen lendable currencies. A look at the condition of the key nations reveals why the present pinch has occurred.

With a continuing, though reduced payments deficit, the United States prefers that the Fund not lend dollars. Loans of dollars would just add to a surplus of dollars in the world. In addition, the United States as noted, is now a drawer from the Fund.

With Britain a potential drawer of currencies under a $1 billion standby agreement, the pound is obviously not usable. Britain may have to draw, both because her balance of payments has recently weakened and because the impending election might bring a speculative attack on the pound.

Japan and Italy are two similar cases. Both have payments deficits and are either in debt to the Fund or have standby agreements permitting future drawings. Their currencies are not considered usable.

MAJOR AGREEMENTS

Counting all the major outstanding standby agreements, there is a potential call upon the Fund of $1.97 billion. To meet this potential call, it has only $1.7 billion in usable currencies, including French francs, German marks and smaller supplies of such currencies, Dutch guilders, Belgian francs, Austrian schillings, Swedish kroner, and Spanish pesetas.

The Fund has run short of these other currencies because it has been lending them to members—including numerous small loans to less developed countries—rather than lend dollars or pounds.

The Fund would not be in desperate straits even if Britain should ask for the full $1 billion she is entitled to under her standby credit.

The Fund could, if necessary, sell some of its $3.1 billion of gold to get marks or francs or other currencies to be loaned to Britain. But neither the Fund nor its members want to dip too deeply into its supply of gold.

The existence of standby reserves in the Monetary Fund has enabled nations, such as Britain in 1961 and Italy this year, to tide over a balance of payments crisis without imposing restrictions on imports or otherwise acting to curb the free flow of goods and money. This is how it has bolstered international prosperity—by bolstering international liquidity or credit.

Thus the present scarcity of usable currencies in the Fund is a major motive behind those members, including the United States, who now want to see a sizable increase in all the members' quotas. Such an increase would require each member to pay into the Fund a new supply of its currency.

The quota increase would entitle each member to larger drawings in case of need, thus augmenting the total supply of international liquidity. But even more urgent, in the view of advocates of larger quotas, is the question of making sure the Fund has the right kind of money to lend.

This week's disclosure that the United States used its massive voting power in the Fund to push through a staff-supported drawing by the United Arab Republic over European opposition may set back United States hopes for an increase in quotas. The European countries, whose currencies are most needed, have long felt that the Fund was weighted against them and was dominated by the United States, or at least the United States and Britain.

But without a quota increase, the Fund might soon find itself in a serious pinch for available currencies to lend.

SINCE THE SCHOOL DECREE: 10 YEARS OF RACIAL FOMENT

Mr. JAVITS. Madam President, I ask unanimous consent to have printed in the RECORD a fine story, from the New York Times, summing up the results on the 10th anniversary of the Supreme Court decision in the so-called school desegregation case.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SINCE THE SCHOOL DECREE: 10 YEARS OF RACIAL FOMENT

(By Claude Sitton)

ATLANTA, May 17.—New and complex pressures for social change beset the Nation on the 10th anniversary of the Supreme Court decision against public school segregation. Widespread progress has been made. But there is no end in sight to the sweeping revolution in racial codes and customs generated by the nine Justices' unanimous ruling in *Oliver Brown et al.* v. *Board of Education of Topeka*.

Further, the psychological effects of the ruling have been immense. Negroes frequently observe that, while the Emancipation Proclamation freed them physically, the Supreme Court decision freed them mentally.

Ironically, perhaps the smallest quantitative change accomplished by the decision lies in the very practice at which it was aimed—public school segregation.

Still, observers generally agree that the forces unloosed by the Supreme Court are shaping an America that will differ sharply from the one that existed May 17, 1954.

Significant, if sometimes token, adjustments have been made in the South in public education, public accommodations, voter registration practices, employment, and the administration of justice. Other adjustments are expected to follow enactment of the civil rights bill now before the Senate.

Less tangible gains are evident on the individual level, particularly in the relations of the younger white and Negro southerners of the middle class.

Other developments raise problems of unforeseen depth and intensity.

The conflict's spread beyond the 17 southern and border States directly affected by the Brown decision has brought increasing emphasis on demands that cannot be met easily or quickly—jobs for unemployed Negroes with low levels of skill, improved housing for those who cannot pay for it, racially balanced schools in neighborhoods where no whites live.

These demands have been pressed with an aggressiveness that at times has become nihilistic. One consequence has been a white backlash, with adverse political and social implications for the civil rights struggle.

Rising racism is apparent in the resurgence of the Ku Klux Klan in the South and the growth of extremism in the North, in the popularity enjoyed by the Black Muslims and in the rejection and distrust white liberals are beginning to encounter in more militant civil rights circles.

PROBLEMS INTENSIFYING

Leslie W. Dunbar, the executive director of the Southern Regional Council, an organization of white and Negro leaders that has worked in race relations for two decades, was asked to assess the broad impact of the Brown decision.

"We are living with the paradox that during the past decade the American system has worked spectacularly well, and yet the strain on it mounts," he said. "We have accomplished and absorbed tremendous change but the result is that the problems have become more intense."

One explanation, in Mr. Dunbar's view, is the "rising expectations" of Negroes. Another is that the change has not been balanced.

"Specifically, Negroes have not progressed economically in relation to whites," he said. "And until economic imbalance is drastically reduced, we will have a severe racial problem."

"The pending civil rights bill is important chiefly for symbolic reasons, because it will affirm dignity and will finally put Congress squarely into the picture," he declared.

"But what is basically important is that our economy grow sturdily enough to bring in the deprived groups, and that we make rapid progress in democratizing our politics through greater voter participation and legislative reapportionment."

The minimal extent of public school desegregation is indicated by a Southern Education Reporting Service survey. The organization was established in Nashville in 1954 to provide factual data on reaction to the Brown decision.

It is supervised by Reed Sarratt, executive director, and a biracial board of southern newspaper editors, and educators, and is financed by the Ford Foundation.

The survey, made under Jim Leeson, director of information and research, measured desegregation 9 years after the Supreme Court implemented the Brown decision by ordering integration to begin with all deliberate speed.

The study shows that 90 percent of the 3,408,688 Negro students in the 17 Southern and border States and the District of Columbia still attend segregated schools.

Most of the progress took place in the District and the six border States—Delaware, Kentucky, Maryland, Missouri, Oklahoma, and West Virginia—immediately after the rulings. Most of it was voluntary; school officials, following accepted legal practice, did not wait for a suit but complied with the Brown precedent.

TOKENISM IN THE SOUTH

Now, 281,731 Negro students in those States—54.8 percent of the total—attend classes with whites.

But in the 11 States of the former Confederacy, where the pattern has been tokenism or defiance, only 34,110, or 1.18 percent, of the 2,894,563 Negroes are in desegregated classes. One State, Mississippi, has yet to take its first step toward school desegregation.

Texas, where 18,000, or 5.52 percent of the State's 326,409 Negro students are enrolled with whites, is the only Southern State with appreciable desegregation.

With the exception of the District of Columbia and the border area, faculty desegregation has hardly begun.

In the field of higher education, where integration began under a Supreme Court decision handed down before the Brown case, all public colleges and universities in the border States are desegregated.

A total of 102 of the 170 public white institutions of higher learning in the Southern States have Negroes enrolled, while 15 of the 42 Negro colleges and universities have white students.

Protests and violence connected with school desegregation have taken place in every school year of the decade, except 1961–62, according to Southern School News, the monthly publication of the reporting service.

The incidents which touched all the affected States and the District of Columbia, began July 18, 1954.

That day, seven pistol slugs and two shotgun blasts struck the empty home of the Sulphur Springs, Tex., chairman of the National Association for the Advancement of Colored People. The association had petitioned the school board the week before, urging a start of desegregation.

The early and middle years of the first decade under the Brown decision brought turmoil and violence to Clinton and Nashville, Tenn.; Little Rock, Ark., and New Orleans. Riots flared at the University of Alabama, the University of Georgia, and the University of Mississippi.

In September 1957, President Eisenhower dispatched Federal airborne troops to Little Rock to enforce a Court order arising from the Brown decision.

President Kennedy took similar action to put down bloody riots at the University of Mississippi and in adjacent Oxford on September 30 and October 1, 1962, which left two whites dead.

VIOLENCE HAS GROWN

But from the standpoint of violence connected with classroom desegregation, the current school term has been the worst yet. Generally, in the South the trouble has come from white opposition to change. In the North, it has grown out of Negro protests over de facto segregation—segregation in fact, but not by law.

Medgar W. Evers, Mississippi State field secretary of the NAACP, was assassinated outside his Jackson home by a sniper, June 12, 1963. He was a plaintiff in the suit that since has resulted in a Court order directing Jackson to submit a plan for beginning desegregation next fall. His funeral was followed by a riot.

Rioting and martial law enforced by the National Guard grew out of Negro protests in Cambridge, Md., last summer. The protests involved, among other issues, demands for full school desegregation.

Rioting, bombing, and arson accompanied the admission of Negroes to previously white public schools in Alabama. Four Negro girls were killed and 23 persons were injured in the dynamiting of a Birmingham church last September 15. Two Negro boys died by gunfire in the disorder that followed.

The Birmingham home of a Negro lawyer who had been active in school desegregation cases was bombed twice within 15 days, touching off violence in which a Negro man was shot and killed.

A desegregated high school at Notasulga burned under suspicious circumstances last April.

Crises involving complaints of de facto segregation plagued New York, Chicago, Philadelphia and other Northern and Middle Western cities.

Riotous outbursts forced Chester, Pa., to close its public schools temporarily last month, and a white minister was killed in Cleveland when he threw himself under a bulldozer during a school segregation protest.

Despite the violence, many communities have accepted the beginning of school desegregation peacefully, or with only minor trouble. This has been true throughout Virginia, North Carolina, South Carolina, and Georgia. However, all these States have had serious disturbances growing out of other racial disputes.

NORTH CAROLINA LED

This pattern of orderly, if reluctant, compliance in the South was set by North Carolina in 1957 under Gov. Luther H. Hodges, now the Secretary of Commerce. Although Tennessee's record was marred by the Clinton violence, Gov. Frank G. Clement refused segregationist demands that he defy the courts and used highway patrolmen and the National Guard to quell violence.

Until recently, however, southern political leaders have been noted chiefly for their defiance, some carrying it to the verge of inciting to riot. Their opposition has been responsible for the Federal-State conflict that dominated much of the decade and reached heights unparalleled since the Civil War in the University of Mississippi crisis.

Gov. Paul B. Johnson of Mississippi and former Gov. Ross R. Barnett still face trial before the U.S. Court of Appeals for the Fifth Circuit on criminal contempt charges. The charges arise from their flouting of orders directing the admission of James H. Meredith, a Negro, to the university.

But the Federal-State dispute has been largely resolved through court rulings that clearly establish Federal authority to enforce the Brown decision. In the process, most of the 450 acts and resolutions passed by the 11 southern legislatures to slow down, evade or defy desegregation have been nullified.

With the exceptions of Mississippi, Alabama and rural areas of the Deep South, the chief concern in the region today is over the question of speed. The Supreme Court is expected to deal with this shortly in a case involving the Atlanta school system.

Many lawyers think its ruling will reflect the view expressed by Justice Arthur J. Goldberg in a Memphis park desegregation decision a year ago. He said:

"'Brown' never contemplated that the concept of 'deliberate speed' would countenance indefinite delay in elimination of racial barriers in schools."

Observers believe compliance will now come with relative rapidity in southern cities, but much more slowly in rural areas, where Negroes generally lack the militancy or freedom from economic pressure to press the issue.

They predict that the problem of the future in southern cities will be the one now confronting the North—de facto segregation resulting from a white exodus to the suburbs.

Southern School News reports that many desegregated schools in southern and border cities already have reversed their original racial predominance, "with the incoming minority race becoming the large majority."

The Supreme Court has declined to rule on the constitutionality of de facto segregation that results from population shifts rather than from the gerrymandering of school districts or other schemes to maintain segregation.

Legal experts point out that the Court has not gone beyond the limits described by Judge John J. Parker of the U.S. Court of Appeals for the Fourth Circuit. In an opinion written in 1955, now known as the "Parker dictum," he said of the Brown decision:

"It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation."

In retrospect, the picture presented by public education during the decade seems almost static in comparison with the swiftly moving events in other phases of the civil rights struggle. However, there has been an apparent interrelationship.

Participants in the Montgomery, Ala., bus boycott of 1955–56, the first mass demonstration of direct action to attract national attention, have said they were influenced by the promise of the Brown decision.

And among the heroes of the four Negro college students who initiated the sit-in movement against lunch counter desegregation in Greensboro, N.C., in 1960, were "The Little Rock Nine." These were the Negro students turned away from Central High School by Arkansas guardsmen called out by Gov. Orval E. Faubus.

The sit-ins swept across the South on a rising tide of Negro militancy. The southern protests encouraged Negroes elsewhere to take action against racial inequities in their own communities.

New organizations, such as the Student Nonviolent Coordinating Committee, were formed. More importantly, the policies of those already on the scene were altered. The NAACP turned increasingly from court action to more direct forms of protest. The Congress of Racial Equality gained strength. The National Urban League found new support for its nonactivist program.

Any doubts that the problem was national in scope were erased by the March on Washington for Freedom and Jobs. Any complacency was drowned by the firehoses that turned back Negro demonstrators in the streets of Birmingham.

The decade began with a relatively narrow-gage ruling by nine men that Southern public schools must make a start toward admitting Negroes to white classrooms. It ends with one-tenth of the Nation's citizens demanding equality, on all levels, in its fullest sense, and now.

TWO SYSTEMS IN 1954 CASE STILL REJECT INTEGRATION

The Supreme Court's school desegregation decision in 1954 was based on five separate cases. Two of the five school boards involved have yet to comply with the decision.

The cases came from Clarendon County, S.C., Prince Edward County, Va., Topeka, Kans., New Castle County, Del., and the District of Columbia. They were combined for argument under the Kansas case.

On May 31, 1955, the Supreme Court ordered "all deliberate speed" in obeying its earlier decision. The school boards involved in the Kansas, Delaware, and District of Columbia cases complied immediately.

But in 1959, Prince Edward County closed its schools to avoid compliance. Its schools are still closed and the case is still in the courts.

Clarendon County still is running a segregated public school system. The original plaintiffs no longer attend the school. A new suit was filed in 1960 and it is still before the Federal court.

EXTENT OF DESEGREGATION

The following table shows the extent of desegregation in the public schools of the Southern and border States:

SOUTH

	Enrollment		Number of Negroes in desegregated schools	Percentage of Negroes in desegregated schools
	White	Negro		
Alabama	[1] 539,996	[1] 287,414	21	0.007
Arkansas	[2] 328,023	[2] 112,012	366	.327
Florida	[1] 964,241	[1] 237,871	3,650	1.53
Georgia	689,323	337,534	177	.052
Louisiana	[2] 460,589	[2] 301,433	1,814	.602
Mississippi	304,226	291,971	0	0
North Carolina	820,900	[1] 347,065	1,865	.537
South Carolina	[1] 368,496	[1] 258,955	10	.004
Tennessee	[1] 687,902	[1] 164,940	4,486	2.72
Texas	2,045,499	[1] 326,409	[1] 18,000	5.52
Virginia	710,176	228,961	3,721	1.63
Total	7,919,371	2,894,563	34,110	1.18

BORDER

	White	Negro	Number of Negroes in desegregated schools	Percentage of Negroes in desegregated schools
Delaware	78,730	18,066	10,209	56.5
District of Columbia	19,803	117,915	98,813	83.8
Kentucky	[1] 611,126	[1] 54,874	29,855	54.4
Maryland	540,667	160,946	76,906	47.8
Missouri	[1] 793,000	[1] 95,000	40,000	42.1
Oklahoma	[1] 541,125	[1] 43,875	12,289	28.0
West Virginia	[1] 417,595	[1] 23,449	[1] 13,659	58.2
Total	3,002,046	514,125	281,731	54.8
Region total	10,921,417	3,408,688	315,841	9.3

[1] Estimated total.

[2] 1962–63.

RECESS TO 9 A.M. TOMORROW

Mr. BAYH. Madam President, pursuant to the order already entered, I move that the Senate stand in recess until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 55 minutes p.m.) the Senate took a recess, in accordance with the previous order, until tomorrow, Tuesday, June 2, 1964, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 1 (legislative day of March 30), 1964:

NAVY DEPARTMENT

Robert Warren Morse, of Rhode Island, to be Assistant Secretary of the Navy, vice James H. Wakelin, Jr., resigned.

IN THE NAVY

The following-named officers of the line of the Navy for temporary promotion to the grade of rear admiral, subject to qualifications therefor as provided by law:

William C. Abhau
Walter V. Combs, Jr.
Earl R. Crawford
Walter F. Schlech, Jr.
Thomas S. King, Jr.
Ed R. King
Richard L. Fowler
John J. Lynch
John P. Sager
David B. Bell
Emery A. Grantham
Donald M. White
Roger W. Mehle
Frederick H. Schneider, Jr.
Ralph W. Cousins
Donald G. Baer
Richard G. Colbert
Walter L. Curtis, Jr.
John E. Dacey
Woodrow W. McCrory
Nathan Sonenshein
Philip A. Beshany
Robert W. McNitt
Raymond F. Dubois
Ralph Weymouth
Evan P. Aurand
Vincent P. de Poix
Thomas J. Walker III
Frederic A. Bardshar
Lawrence R. Geis
Clarence E. Bell, Jr.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

LINE OF THE AIR FORCE

Major to lieutenant colonel

Abbott, Charles W., 15243A.
Abbott, Edgar L., 34547A.
Abbott, Fred, Jr., 35062A.
Abendhoff, Gerhard R., 22628A.
Acheson, Charles N., 34930A.
Adams, Eugene F., 51838A.
Adams, Fay G., 50400A.
Adams, John A., 16445A.
Adams, Marvin L., 16144A.
Adams, William L., 49181A.
Adams, William V., 34502A.
Adelman, Frederick J., 32705A.
Adkisson, Marsene E., 34673A.
Akin, John A., 49171A.
Albright, John S., 24703A.
Albright, Ralph N., 49229A.
Alden, William A., 22658A.
Alder, Louis O., 16280A.
Aldrich, Thomas A., 16418A.
Alexander, James C., 15372A.
Algermissen, Robert L., 15846A.
Allen, Arthur E., 50375A.
Allen, Charles S., 16305A.
Allen, Paul D., 34787A.
Allen, Richard L., 49188A.
Allen, Roy L., 15981A.
Allison, Thomas I., 17713A.
Allman, Conrad S., 15984A.
Allran, Braxton E., 16128A.
Almon, Sam L., 34802A.
Almouist, Peter W., 18073A.
Altman, Roger G., 14101A.
Ames, Thomas E., 35041A.
Amundson, Ray K., 15367A.
Amy, Robert H., 32616A.
Anania, August R., 16352A.
Andersen, David J., 49237A.
Anderson, Arthur, 16216A.
Anderson, Carmon M., 50348A.
Anderson, Charles K., 20616A.
Anderson, Delane E., 20693A.
Anderson, George R., 23653A.
Anderson, Julian P., 16137A.
Anderson, Kenneth W., 49276A.
Anderson, Robert S., 15199A.
Anderson, Thomas J., 34703A.
Anderson, William C., 50391A.
Anderson, William F., 34480A.
Anderson, Winston P., 15848A.
Anding, Marvin E., 16026A.
Andrews, George A., 15103A.
Angel, Angel J., 34497A.
Angel, Ralph W., 49235A.
Angert, Russell R., Jr., 49177A.
Angus, Ralph H., 13968A.
Anthony, William H., 22993A.
Antosz, Leo J., 15197A.
Arabinko, Nicholas, 34822A.
Arant, Albert F., 34682A.
Archbold, William E., 16020A.
Archer, William E., Jr., 49150A.
Ard, William G., 34731A.
Ardoin, Louis G., 34963A.
Argersinger, James B., 16404A.
Armistead, Thomas H., Jr., 34667A.
Armstrong, Luther E., Jr., 15854A.
Armstrong, Robert B., 34670A.
Armstrong, Robert H., 15899A.
Armstrong, Stephen D., 51054A.
Armstrong, William P., 16471A.
Arnold, Gene G., 15569A.
Arsenault, James F., 34921A.
Asbury, Joseph L., Jr., 34767A.
Ashby, Ralph H., 34924A.
Athas, William C., 49221A.
Auer, John R., 14360A.
Auger, Gerald F., 16009A.
Austin, Noel D., 15825A.
Austin, Warren F., 34913A.
Avance, Donald E., 16441A.
Averill, Joseph P., 51870A.
Awbrey, Thomas P., 34788A.
Azzolina, Mario S., 34661A.
Babb, James W., 22606A.
Bacon, Edwin D., Jr., 34779A.
Badger, William D., Jr., 16004A.
Baggaley, Thaddeus S., 15466A.
Bahls, Roy A., 15878A.
Bahr, Gail L., 49271A.
Baier, Marion M., 34989A.
Bailey, Bernard L., 34561A.
Bailey, Edwin L., Jr., 34659A.
Bailey, Gayle, 34966A.
Bailey, James A., 49199A.
Bailey, James W., 16293A.
Bailey, Robert A., 15574A.
Bailey, Wallis T., 34836A.
Baker, Kemper W., 15791A.
Baker, Murray W., 51106A.
Baker, William H., 15261A.
Bales, George C., 51050A.
Bales, Glenn E., 15055A.
Bales, William B., 16197A.
Ball, Claude L., 32624A.
Ballengee, Chester K., 34866A.
Ballentine, Wilbur A., 16185A.
Bandy, James R., Jr., 15874A.
Banister, Richard G., 32653A.
Barchard, Charles N., 34476A.
Barker, Dorsey G., 16151A.
Barker, Max L., 34881A.
Barnes, Clarence E., Jr., 16169A.
Barnes, Roy A., Jr., 16423A.
Barnett, Lloyd, Jr., 15873A.
Barnett, Willard, 15729A.
Barnhart, Harley E., 15488A.
Barrett, Burton S., 15589A.
Barrett, Donald L., 50345A.
Barrett, Edward C., 49260A.
Barry, Learned W., 15627A.
Bartek, Joe J., 15211A.
Barth, John C., 15152A.
Bartholomew, Gabriel P., 22659A.
Bartlett, Holly W., 35033A.
Barto, Rodney R., 50422A.
Basham, Hal J., 51088A.
Bates, Thomas L., 15404A.
Bates, Vergil H., 51085A.
Bauer, Charles L., III., 50959A.
Baxter, James M., 15301A.
Baynes, Hugh L., 49233A.
Bean, James E., 35014A.
Bean, John R., 50326A.
Beard, Charles E., Jr., 16143A.
Beardsley, Orville D., 34690A.
Beasley, Roland C., 15293A.
Becker, Edgar J., 35104A.
Becker, Marvin J., 15798A.
Beckham, Ross A., Jr., 34974A.
Becklund, William B., 35091A.
Bedell, William I., 35068A.
Beekman, Frederick W., 35069A.
Beeson, Ellwood H., 34653A.
Behan, Frank J., 34483A.
Beisner, Gerald J., 18251A.
Beitman, Jesse H., 15711A.
Bell, Joseph W., 50385A.
Bell, Robert M., 18145A.
Bell, Roland L., 50338A.
Belles, Harold A., 34851A.
Benefiel, Robert E., 34478A.
Benham, Harold N., 15249A.
Benkoski, Stanley J., 15723A.
Bennett, Edgar, 51057A.
Bennett, George W., 49213A.
Bennett, John J., 16218A.
Bennett, Robert A., 15312A.
Benshoff, James J., 16029A.
Benson, Karl Y., Jr., 50294A.
Benson, Richard E., 34626A.
Bentley, Henry D., 34472A.
Benton, James E., 49261A.
Bernhoff, Oscar A., 34608A.
Bernier, Norman W., 15480A.
Berry, George R., 15806A.
Berry, James P., 34813A.
Berryman, Delbert Q., 15514A.
Bersanti, Norman P., 16464A.
Bertin, Alfred, 34763A.
Beschen, Darrell A., 34452A.
Betterton, Robert A., 16469A.
Betts, Howard M., 34619A.
Bevacqua, Eugene A., 16054A.
Beveridge, Richard F., 15352A.
Biagini, Arthur T., 16456A.
Bice, John W., 15498A.
Bickley, Gerold E., 34891A.
Bierbaum, Henry G., 34991A.
Bierman, Clarence E., 16045A.
Biesiot, Robert M., 51072A.
Biggs, David H., 26469A.
Biles, Howard K., 15426A.
Billingsley, T. G., Jr., 32733A.
Binge, Maynard Y., 34955A.
Bingham, Melvin E., 16031A.
Bingham, William L., 15914A.
Bird, Donald D., 34438A.
Bird, Raymond C., 15256A.
Bishop, Lloyd A., 49295A.
Bjerkelund, Walter A., 34865A.
Bjoring, Donell E., 49264A.
Bjorum, Carl H., 51064A.
Blackburn, James L., 50300A.
Blake, David, 15922A.
Blake, Earl G., 15303A.
Blake, John E., 23671A.
Blake, Rulon D., 51099A.
Blakelock, John H., 50427A.
Blanchard, Jack D., 51922A.
Blankenship, Jack F., 16463A.
Blase, Frank A., 50330A.
Bledsoe, Willis H., 48734A.
Blevins, Mack A., 15533A.
Blizzard, Alpheus W., Jr., 15290A.
Blomberg, Jules M., 16096A.
Blum, Arthur S., Jr., 35038A.
Blumenstock, John H., 34445A.
Boblitt, Wallace T., 32672A.
Bogert, Joseph C., 50410A.
Bohn, Elroy A., 34532A.
Bohn, Harold O., 35077A.
Bohn, John W., Jr., 51044A.
Boillotat, Eugene L., 34837A.
Bolen, George O., Jr., 15453A.
Boley, Maurice C., 16129A.
Boline, Laurel E., 34509A.
Bollwerk, Val W., 49272A.
Bolnick, Ralph 34848A.
Bolton, Robert Y., 16048A.
Bond, Byron F., 15434A.
Boning, John, 15955A.
Boomgaard, Norman C., 51078A.
Boone, Warren W., 17708A.
Boone, Willis D., 32706A.
Boorman, Harry G., 32643A.
Boothe, Marvin R., 15741A.
Booton, Glen E., 24335A.
Borbe, Alfred T., 15050A.
Borders, John E., 16290A.
Boren, Stanley J., 50310A.
Borgen, Dale E., 15752A.

Borookin, Marvin, 15626A.
Bostick, Arthur W., 18239A.
Bosworth, Richard A., 15330A.
Bottomly, Heath, 15893A.
Bouldin, Frank H., 34453A.
Boutwell, Harold K., 15958A.
Bowers, Bernice O., 16049A.
Bowers, Hal G., 14969A.
Bowers, James B., 15707A.
Bowman, Aaron J., 34569A.
Boyd, Clifton L., 15635A.
Boyd, Darrell C., 49210A.
Boyd, Raymond A., 15295A.
Boyle, William T., 49277A.
Bradbury, Julian W., 32654A.
Bradshaw, Harry C., Jr., 15734A.
Brady, Leo F., Jr., 49215A.
Brady, Wendell D., 15396A.
Braeunig, Ewald C., 22597A.
Brazelton, Leslie F., 15214A.
Breakfield, Charles V., 34784A.
Breslin, Francis J., 15538A.
Brewer, Sidney W., 49274A.
Bridston, John W., 49238A.
Briggs, Alan D., 50406A.
Bright, Robert P., 15966A.
Brill, Glenn L., 34573A.
Briscoe, Francis J., 34721A.
Britt, Toon L., 34976A.
Brock, Arthur W., 15173A.
Brockman, Robert O., 26760A.
Broderick, Richard H., 34560A.
Broe, Thomas P., 15613A.
Brooks, Herbert V., 35075A.
Brooks, Robert O., 16163A.
Broome, William G., 49282A.
Brotherton, Robert G., 15909A.
Broughton, Roy J., Jr., 27677A.
Brouns, Robert C., 15811A.
Brown, Albert J., 15246A.
Brown, Carl J., 35105A.
Brown, Frederick W., Jr., 49208A.
Brown, George A., 15892A.
Brown, Henry W., 15225A.
Brown, Raymond, Jr., 16375A.
Brown, Richard A., 20713A.
Brown, Stacy E., 34798A.
Brown, Uleces L., 12236A.
Browne, Roy W., 51916A.
Brundin, Robert H., 15844A.
Brunner, Bertram G., 35088A.
Brunner, Louie K., 34236A.
Bruss, Robert E., 32619A.
Bryan, Frank T., 34143A.
Bryan, James T., 23009A.
Bryan, Raymond J., 16453A.
Bryan, Warren L., 15109A.
Brymer, Raymond C., 35054A.
Bryson, John W., 26425A.
Buchanan, Jack, 15804A.
Buchholz, Donald G., 34936A.
Buckley, Harold D., 34818A.
Buckley, Louis B., 16157A.
Buckwalter, Charles Q., 15515A.
Buehler, Roger G., 15736A.
Buie, James C., 15442A.
Bundy, Wayne M., 49293A.
Bundy, Wendell D., 34857A.
Burch, George E., 34967A.
Burcham, William E., 34550A.
Burchfield, Dariel L., 49168A.
Burdick, Joseph B., 16328A.
Burke, John T., 15181A.
Burkhalter, William V., 35086A.
Burkhart, James M., 18230A.
Burleson, Aaron C., 15581A.
Burlingame, William G., 34912A.
Burnham, Perry H., 48748A.
Burrell, Gordon E., 15891A.
Burton, Charles R., 23184A.
Burton, Marcellus W., 34835A.
Butler, John B., 15308A.
Butler, Ralph J., 15142A.
Butler, Wesley F., Jr., 16626A.
Butt, Oscar A., 15346A.
Byers, Edgar M., Jr., 50366A.
Byrd, Lloyd B., 34774A.
Byrom, William L., 50428A.
Cairnes, Oliver W., 15411A.
Caldwell, George P., 15006A.
Calhoun, John D., 15836A.
Calkins, Radford C., 14640A.
Callaghan, Eugene F., 15950A.
Callaway, William K., 49207A.
Cameron, George E., 15693A.
Campbell, Charles G., 50433A.
Campbell, Donald L., 34651A.
Campbell, James M., 15519A.
Campbell, John C., 34701A.
Campbell, John F., 16130A.
Campbell, John F., Jr., 16269A.
Campbell, Leslie J., Jr., 16397A.
Campbell, Richard A., 32639A.
Campbell, Robert W., 34518A.
Campbell, Warren F., 15418A.
Canant, Orion P. D., 15464A.
Cannon, Edgar A., 35024A.
Cantrell, Tilmon B., 50367A.
Cardin, Philip G., 15257A.
Carkin, Vernon E., 14094A.
Carlley, Charles P., 34286A.
Carlstrom, Robert D., 15098A.
Carr, Herbert M., Jr., 16249A.
Carr, James A., Jr., 16155A.
Carrington, Richard T., Jr., 15384A.
Carroll, Norman F., 21447A.
Carruthers, Douglas H., 32646A.
Carruthers, George C., 34882A.
Carson, Robert, 49212A.
Carter, Robert I., 34757A.
Carter, Thomas B., 49258A.
Cartwright, William J., Jr., 34660A.
Carty, Douglas F., 34996A.
Castleberry, Marvin H., 32689A.
Catallo, Albert L., 16400A.
Catlin, Benjamin S., III, 16304A.
Caton, Edward H., 15681A.
Cavanaugh, Charles E., 15200A.
Caylor, William R., 23665A.
Cazares, Gabriel, 51877A.
Celotto, Robert O., 49263A.
Centers, Charles D., 50302A.
Ceraolo, Nunzio B., 51090A.
Cerasale, Anthony G., 16019A.
Chadbourne, Arthur R., Jr., 34776A.
Chance, James H., 15355A.
Chapman, Charles E., 32724A.
Chapman, Roy M., Jr., 16225A.
Chappas, Walter J., 49292A.
Charlson, William E., 15932A.
Chattin, Frank H., 35009A.
Chauret, Colin J. N., 15218A.
Cheadle, Geoffrey, 15830A.
Chealander, Allan B., 51893A.
Chell, Paul L., 15597A.
Cherry, James S., 50429A.
Chester, George R., 34795A.
Childress, James B., 15527A.
Childs, Charles W., 16281A.
Chmura, Edward, 15077A.
Chrisiansen, E. W., Jr., 34947A.
Christensen, James E., 34605A.
Christenson, John M., 16021A.
Christian, Harold W., Jr., 15462A.
Christopher, Richard S., 16406A.
Christopulos, James L., 34615A.
Church, Irvan J., 51089A.
Clague, Charles E., Jr., 34829A.
Clancy, John W., 26445A.
Clark, Dennis J., 49149A.
Clark, Francis B., 34915A.
Clark, John J., 34812A.
Clark, Kenneth B., 22625A.
Clark, Leo J., 50363A.
Clark, Lester E., 15425A.
Clark, Roy E., 16166A.
Clarke, Robert E., 16448A.
Clayton, Lawrence L., Jr., 15952A.
Cleland, Enos L., Jr., 51073A.
Clements, Ben H., 17733A.
Clifford, Paul V., 15678A.
Cline, Leo E., 15788A.
Cloppas, P. J., 16431A.
Clugston, Gerald M., 51104A.
Cobery, Francis F., 14494A.
Cocherell, Robert, Jr., 35040A.
Coe, Dewey E., 25784A.
Coggins, David R., 15987A.
Cole, Earle M., 51051A.
Cole, Ray M., 15568A.
Coleman, Fred, 15119A.
Coleman, Jack W., 15721A.
Coleman, James E., 16195A.
Coleman, Kenneth, 15737A.
Coleman, Walter V., Jr., 16480A.
Coletti, Victor P., 22609A.
Collington, Frederick, 20663A.
Collins, Alvin J., 15539A.
Collins, Burt H., 16284A.
Collins, Fred A., Jr., 15374A.
Collins, Greenlaw M., 49157A.
Collins, Richard V., 15380A.
Collins, Robert S., 34946A.
Collins, Wallace A., Jr., 51911A.
Collinson, Newton B., Jr., 14019A.
Coloney, William G., 15687A.
Conder, William T., 16180A.
Connelly, David W., 34606A.
Connolly, John W., 15816A.
Connor, George W., 16023A.
Connors, Charles J., Jr., 34823A.
Constant, Stephen, 34628A.
Converse, Stanton D., 32747A.
Conway, Jack M., 15124A.
Cooch, Robert L., 16229A.
Cook, Archie L., 22695A.
Cook, Harvey A., Jr., 15382A.
Cook, Maurice E., 32649A.
Cook, William J., 34753A.
Cooke, Robert R., Jr., 35016A.
Cooley, Gipson R., 34554A.
Coombs, Merle G., 34828A.
Cooney, Jack B., 20657A.
Coons, Richard L., 16039A
Cooper, Millard V. C., 12753A.
Cooper, William H., 50394A.
Copley, John O., 32715A.
Copsey, Harry J., 34702A.
Corbett, Frank W., 35070A.
Corbin, Zane E., 15082A.
Cormier, Joseph R. A., 15679A.
Corn, James T., 34470A.
Corrigan, Joseph F., 26671A.
Corrigan, Robert A., 50380A.
Cortez, Joseph D., 34437A.
Cotman, Henry J., 55844A.
Cottingham, William O., Jr., 34562A.
Couch, Clarence M., 35106A.
Courtney, William T., 15948A.
Coury, Robert A., 49191A.
Covey, Frank S., 15606A.
Cowan, Harold G., 50304A.
Cowee, James O., 15901A.
Cowin, Robert J., 34906A.
Cowsert, John L., 34181A.
Cox, Frank L., Jr., 15509A.
Cox, George P., 34586A.
Cox, Hannibal M., Jr., 15621A.
Cox, Harold D., 15068A.
Cox, Harold D., 32645A.
Cox, Otis J., 32621A.
Cox, William H., 51037A.
Crabtree, David M., Jr., 50382A.
Cracken, Louis W., 34920A.
Craig, Robert J., 32752A.
Craig, William L., 16319A.
Crain, Franklin C., 34819A.
Cram, Victor E., Jr., 34599A.
Crandall, Max E., 49193A.
Crane, Stephen, 15994A.
Cranford, Earl C., 16465A.
Craun, Leonard D., 25491A.
Craw, John I., 32753A.
Creech, William T., 16310A.
Creed, Leon V., 34926A.
Criscuolo, Antonio T., 34844A.
Crispi, Harold L., 50381A.
Critchlow, David M., 16011A.
Croft, William H., 34878A.
Crognale, George S., 34593A.
Cron, Rodney L., 15483A.
Croner, Charles R., 50359A.
Cross, Jim M., 16111A.
Crowder, Charles E., Jr., 16299A.
Crowley, John M., 18217A.
Crowley, Raymond K., 51937A.
Crowley, Robert E., 34642A.
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Ryan, James G., Jr., 34863A.
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Seadler, Walter S., 15603A.
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Secino, Joseph C., 50298A.
See, Harold W., 16234A.
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Snead, Vernon O., 50426A.
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Stark, Robert F., 51880A.
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Williams, Marshall G., 22763A.
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Wilson, William C., Jr., 34917A.
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Winn, Earl H., 15157A.
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Wintersole, Tom J., 15722A.
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Wolffe, Harlan D., 51914A.
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Wood, Thomas B., 22686A.
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Woolley, John J., Jr., 32702A.
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Wright, Albert W., 14560A.
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Wurschinger, Frank P., 35030A.
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Zimmerman, William F., 34741A.
Zirilli, Frank L., 35092A.
Zukowski, George A., 51892A.
Zwarych, Peter P., 50331A.

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Major to lieutenant colonel

Berry, Margaret V., 21352W.
Jones, Lois C., 21399W.

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Adams, Robert H., 22960A.
Alfred, Harry C., 21908A.
Archdeacon, John R., 23068A.
Auld, David, 20540A.
Berger, Walter J., Jr., 23168A.
Beyer, David H., 20846A.
Booth, Latimer H., 27489A.
Borman, James G., 20836A.
Bryan, Richard S., 24664A.
Clark, Ernest J., 20059A.

Claro, Joseph J., 23593A.
Cox, Charles L., Jr., 27493A.
Cutler, Kay R., 26631A.
Day, Richard T., 29860A.
Donnell, Alonzo M., Jr., 22957A.
Douglas, William K., 19967A.
Flanagan, Brian P., 24649A.
Greene, John R., 27608A.
Haerle, Henry S., 51563A.
Hartman, Harold F., 24221A.
Hennessen, John A., Jr., 20013A.
McCann, John P., 20528A.
McClain, Roland E., 21691A.
McElvain, Wilbert H., 24662A.
McKeen, Charles L., 23591A.
McLin, Leonard D., 19835A.
Meyers, John C., 19915A.
Moritz, Henry C., Jr., 24652A.
Morrissey, Robert W., 24193A.
Musgrave, Paul W., 26355A.
Neely, Samuel E., 21767A.
Pfrommer, John R., 29473A.
Pierce, Leroy C., 21596A.
Pollock, Clifford R., 21689A.
Puglisi, Anthony J., 19612A.
Relyea, William V., 23121A.
Ritzinger, Frederick R., Jr., 25721A.
Robbins, Jack H., 27492A.
Roth, Charles W., 19929A.
Rountree, William C., 20016A.
Sanford, William G., 23107A.
Shepard, Kenneth S., 70875A.

DENTAL CORPS

Major to lieutenant colonel

Baird, Ernest M., II, 24415A.
Decker, James W., 32568A.
Detamore, Robert J., 19624A.
Gosselin, Carlton F., 25730A.
Grant, Ambrose G., 24675A.
Gruber, Haskell, 55771A.
Jordan, David R., 21742A.
Logan, Franz W., 25482A.
Louis, John D., 20058A.
Mueller, Roy L., 21428A.
Ryan, Robert L., 20061A.
Sherman, John R., Jr., 19842A.
Smith, Richard A., 25665A.
Speiser, Warren H., 27983A.
Sundberg, Paul V., Jr., 19846A.
Szmyd, Lucian, 19621A.

VETERINARY CORPS

Major to lieutenant colonel

Greer, Russell F., 21867A.
Rehkemper, Jack A., 51120A.

MEDICAL SERVICE CORPS

Major to lieutenant colonel

Allen, Wallace B., 15390A.
Allinson, John N., 21626A.
Bines, William H., 19526A.
Bolls, Downing A., Sr., 48923A.
Byassee, Wilmer C., 48918A.
Carney, Pierce F., 48921A.
Cochran, Harold H., 48907A.
Collins, Leo J., 32526A.
Connolly, Owen F., 21868A.
Conrad, Michael M., 48908A.
Cooper, Nathan, 19521A.
Cornils, Verne W., 21635A.
Cramer, Roger L., 19529A.
Creech, Jack A., 19528A.
Darling, Kenneth P., 19523A.
Davis, Franklin L., Jr., 23221A.
Dykstra, John J., 21634A.
Eakle, Avis K., Jr., 48922A.
Edmonds, Clarence W., 19524A.
Ewing, James E., 50964A.
Foster, Ralph W., 48925A.
Goings, Charles E., Jr., 19522A.
Goodyear, David R., 48919A.
Hodge, Joseph E., 24233A.
Hodgkins, Harold C., 24234A.
Holliday, Robert L., 21633A.
Hunter, John H., 19530A.
Kelemen, George S., 48916A.
Keller, Paul C., 48930A.
Lewis, Fred T., 48929A.
Lubrant, Anthony J., 21627A.
Martinez, Alfonzo A., 48931A.
McDermaid, Richard, 19575A.
Nolan, Joseph D., 48914A.
Robinson, Elvin, Jr., 51111A.
Rochford, Edmund B., Sr., 48927A.
Roftis, Robert J., 21623A.
Ruffing, Donald J., 21621A.
Ryan, Francis J., 55325A.
Salvo, Joseph P., 22391A.
Shepherd, Wilbur W., 48928A.
Smith, Frank K., 19525A.
Stefka, Charles J., 50965A.
Sterzinger, Morris M., 19594A.
Swimmer, Adolph H., 24233A.
Taylor, John H., 48915A.
Templeton, Robert C., 48926A.
Thomas, Lloyd G., 48924A.
Tucker, Adolph, 48909A.
Weiss, Earl, 23222A.
Westort, Stanley B., 50963A.
Whitt, Orbin R., 21625A.
Winkelblech, Donald R., 21624A.
Young, Bernard, 48913A.

NURSE CORPS

Major to lieutenant colonel

Beakes, Marjorie E., 22045W.
Bernick, Eleanor E., 22018W.
Carson, Barbara H., 22052W.
Cochran, Eleanor B., 21988W.
Fussell, Ruth E., 21108W.
Gregg, Anne M., 22043W.
Gunning, Edith J., 22014W.
Lewis, Helen B., 22027W.
Merritt, Olive J. B., 21133W.
Russell, Georgean E., 21132W.
Schadt, Sophia M., 21130W.
Soppa, Eleanore M., 21125W.

MEDICAL SPECIALIST CORPS

Major to lieutenant colonel

Madget, Mary E., 27972W.
Thompson, Lois R., 21193W.

CHAPLAIN

Major to lieutenant colonel

Arnold, Frank M., Jr., 51107A.
Casey, Joseph P., 48586A.
Chilton, Claude L., 55109A.
Dickson, Lawrence A., Jr., 48585A.
Donnelly, John T., 70894A.
Engell, Arthur T., 70980A.
Fletcher, Luther D., 55108A.
Goebel, Luther C., 71110A.
Jameson, Ashley D., 48588A.
Lanford, Conway B., 48584A.
Morris, Marlin B., 55105A.
Morse, Bradley T., 48587A.
Noll, Frank H., 50961A.
Pace, Ralph R., 70981A.
Pullen, Oden M., 21859A.
Shoemaker, Harold D., 27660A.
Stein, Martin J., 50960A.
Trent, B. C., 26649A.
Unger, Orvil T., 55107A.
Woodruff, James R., 27659A.

Regular Air Force officers for promotion to regular first lieutenant:

LINE

Agosti, Kenneth, R., 63510A.
Anderson, David K., 63506A.
Barrett, Donald L., 74367A.
Baushke, James L., 63683A.
Benjamin, William D., Jr., 63511A.
Bertram, David G., 63519A.
Bishop, Max E., Jr., 76206A.
Blume, Roger C., 63502A.
Boisvert, Raymond G., 63497A.
Boright, Arthur L., 63610A.
Bowers, Francis L., 75792A.
Bowersox, Robert L., 63526A.
Bradley, Donald L., 74406A.
Briesacher, Herbert Al., 74413A.
Brooks, Sonny J., 74419A.
Brown, Robert C., 63542A.
Busch, Francis N., 63520A.
Caldwell, Eldon G., 72844A.
Campbell, Dwight S., 63516A.
Carroll, James H., 74449A.
Casciato, Richard F., 74454A.
Cech, Paul F., 74462A.
Ceruti, Franklin D., 74463A.
Cetola, Robert T., 63505A.
Clack, Charles G., 71590A.
Clapp, Roger C., 63503A.
Conrad, Robert E., 63508A.
Cooper, Marcus F., Jr., 63514A.
Cotton, Charles E., 63527A.
Croft, Stephen L., 63517A.
Crow, Ralph R., Jr., 63500A.
Culp, Larry F., 74504A
Cunningham, Donald C., 74505A.
Daniels, Joel F., 63533A.
Dechant, William A., 74521A.
Dempsey, Everett D., 63531A.
Dishner, Jimmy G., 76136A.
Doerge, Donald W., 63545A.
Doyle, William R., 71360A.
Duff, Dennis K., 63680A.
Duffie, Boyd T., III, 63538A.
Dunn, Prince H., II, 74556A.
Durham, Louis D., 74557A.
Edwards, Norman B., 63512A.
Elle, John M., 63546A.
Ellis, David A., 74568A.
Even, Robert H. C., 75793A.
Finnerty, Chester C., 74589A.
Fisher, Robert W., 63528A.
Floyd, Aaron B., 74595A.
Floyd, Edwin R., 63539A.
Flynn, Brian J., 74596A.
Fried, Richard E., Jr., 69531A.
Galluscio, Eugene H., 73879A.
Gatling, Wade S., 74618A.
Goldberg, Marshall, 71821A.
Graham, Richie W., 63684A.
Gray, William R., Jr., 63494A.
Greer, Clifford G., Jr., 73888A.
Grenier, Daniel R., 73277A.
Grewe, Charles J., Jr., 74649A.
Haap, Frederick, III, 69529A.
Haass, Bruce R., 63687A.
Harley, Lee D., 63681A.
Hebert, Kenneth C., 64162A.
Hersman, Walter C., 63529A.
Higgins, Billy D., 74706A.
Hill, Edward A., 76207A.
Howell, Marvin W., 63525A.
Hudson, Jack I., 63521A.
Hulme, Richard O., 74738A.
Jagusch, James T., 63560A.
Jimmenez, Carlos M., 74753A.
Johnson, Linwod C., 63507A.
Jones, Freddy H., 63664A.
Jones, Glenn A., 69532A.
Jones, Stanley R., 63504A.
Kain, Reece A., Jr., 74773A.
Kaiser, Guenther W., 63499A.
Kempton, Jimmy D., 69625A.
Koch, Dale H., 74798A.
Kronz, Ronald L., 63495A.
Langille, David M., 63492A.
Lee, Richard E., 63686A.
Lewis, Richard J. A., 63493A.
Livingston, Dalton H., Jr., 74831A.
Lockett, Stephen W., 63523A.
Long, William B., 74835A.
Loucka, William M., 72883A.
Luiken, Richard C., 74841A.
Malone, John E., 74851A.
Maneri, Gerald T., 74853A.
Mangold, David D., Jr., 64164A.
Martin, James A., 63544A.
Martin, Leonard D., Jr., 63540A.
Martin, Richard T., 63498A.
Martin, Robert B., 74859A.
Martindale, Charles A., 63564A.
McCannon, Jerry D., 63501A.
McDonald, Emmett R., 74874A.
McGuinness, Richard J., Jr., 74879A.
McInnis, Reuben L., 63682A.
McWilliams, Rhea A., Jr., 74889A.
Meadows, Bobby L., 63530A.
Meiggs, William B., 74893A.
Merucci, Donald R., 63515A.
Meyer, Gerald J., 72709A.
Miller, David M., 74901A.
Missell, Richard W., 74910A.
Moore, Philip E., 63685A.
Nelson, Gary M., 74942A.
Newell, William E., 71432A.
Nicoletta, Gerald P., 63541A.
November, Peter C., 76220A.
Owen, Robert R., 63535A.
Parker, William D., 73988A.

Parrish, William E., Jr., 74979A.
Patria, Louis, Jr., 74983A.
Patterson, John G., Jr., 74985A.
Pennywell, Clarence S., II, 76221A.
Petersen, Carl D., 63513A.
Phillips, Willard R., 63611A.
Pierce, Max R., 63532A.
Pierpont, Peter F., 63563A.
Piles, Robert E., 69530A.
Powell, Richard M., 63534A.
Price, Robert E., 75019A.
Prine, Lavelle, 63562A.
Puerta, Richard L., 64161A.
Quinn, Randall P., 75023A.
Rankin, James P., 75028A.
Remely, Barry E., 73997A.
Renick, Joseph D., 75036A.
Reutter, Joseph C., 75038A.
Rhodes, Michael P., 73998A.
Rider, James W., 63496A.
Roberson, Frank E., 64163A.
Rutherford, Robert L., 63537A.
Ryan, Raymond S., 63612A.
Sather, James M., 69528A.
Seals, William F., 69666A.
Smith, Jack H., 63524A.
Sparks, Fred E., 63522A.
Speir, Donald W., 75135A.
Steffenson, Keith R., 75145A.
Stephenson, Howard D., 72745A.
Straub, Peter G., 75156A.
Stuart, Robert G., 63518A.
Swick, Joseph G., 63543A.
Szupel, Edward G., 72934A.
Takeuchi, John F., 72746A.
Thomas, Johnie D., 75741A.
Tompkins, William P., 75187A.
Troncin, William J., 75193A.
Trudeau, Howard D., Jr., 75194A.
Turey, Thomas H., 75195A.
Wertz, Ronald G., 76222A.
West, Miller F., 75235A.
White, Lee B., 63561A.
Willard, Charles F., Jr., 63679A.
Williams, Jay F., 63547A.
Williams, Ronald D., Jr., 75252A.
Wilmans, Norman A., 69533A.
Winchell, Larry R., 63663A.
Womack, Joseph E., 73464A.
Wood, James M., 75262A.
Woodbury, George S., 75264A.
Zilinsky, Anthony J., Jr., 75278A.
Zimmerman, John E., 63509A.
Zink, Arthur E., 75279A.

EXTENSIONS OF REMARKS

Independence Day of Tunisia

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 1, 1964

Mr. POWELL. Mr. Speaker, the Republic of Tunisia today celebrates the 18th anniversary of her independence. On this great occasion, we take pleasure in extending warm felicitations to His Excellency the President of the Republic of Tunisia, Habib Bourguiba; and His Excellency the Tunisian Ambassador to the United States, Rachid Driss.

Tunisia, situated on the divide between the western and eastern Mediterranean basins, has long been famous in world history. The Phoenicians of the ancient world settled on its coastline thousands of years ago. Later Carthage fought the Punic Wars with its rival, Rome, for control of the Mediterranean world. During Roman ascendancy, famous Tunisians—Tertullian, St. Augustine and others—made lasting contributions to world civilization. This Christian society was swept away by the Arab invasion which overpowered the local Berber inhabitants. During the following centuries Tunisia played its role in Muslim power struggles and at the end of the Middle Ages became an important base in the naval clash between the Spanish kings and the Turkish sultans. Later, Europeans struggled for favored positions in Tunisia until the French obtained control in the 1880's.

Mr. Bourguiba played a major role in Tunisia's independence movement which finally obtained its objective on March 20, 1956. A year later Tunisia was proclaimed a republic.

Tunisia, under the guidance of Mr. Bourguiba and his party, the Neo-Destour, has made remarkable progress toward building a modern, viable state. Their approach has been one of moderation and pragmatism, now sprinkled with a touch of Neo-Destour socialism. A list of some of their accomplishments shows how far they have gone. Since independence, a concerted school construction and enrollment program has resulted in the literacy rate doubling to 30 percent. Agricultural projects and land reform have increased production and provided a living for more Tunisians. Through joint endeavors, the Government is encouraging private initiative in the industrial field. Cities have been modernized. At the same time social change is gathering momentum and many women are now living a new life. With one of the best development plans, leaders have come from neighboring countries to explore the Tunisian road to progress.

Tunisia, on the whole, has been careful to maintain good relations with the United States and the rest of the Western World. They have been grateful for the aid that they have received from these sources.

We congratulate Tunisia on the progress that it has made so far and look forward to seeing it do even more in the future.

Armenian Independence Day

EXTENSION OF REMARKS
OF
HON. F. BRADFORD MORSE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 1, 1964

Mr. MORSE. Mr. Speaker, among the valiant peoples now subjected to cruel Soviet oppression are the Armenians. On May 28 we marked the day thought of by the Armenian people as their independence day. In 1918 after the brutal massacres of the World War I period, Armenia declared her independence. But free government was to exist for only 2 promising years; in 1920 the Bolsheviks, having won the Russian civil war that followed the overthrow of the Czarist regime, attacked Armenia and destroyed that independence. Armenia became a puppet state, the Armenian Soviet Socialist puppet state.

The Soviets were not the first to assault Armenian liberty. For centuries, Armenian patriots fought to preserve their national identity against the onslaughts of Persians, Turks, Mongols, and Russians whose expansionist desires led across Armenian soil.

But against these overwhelming odds, the Armenian people have remained true to their love of liberty and have fought time and again to regain their independence.

On the occasion of Armenian Independence Day we should pay tribute to their gallantry and assure the Armenian people that we are not indifferent to their struggle.

Armenian Independence Day

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 1, 1964

Mr. O'HARA of Illinois. Mr. Speaker, it had been my hope on Sunday to have joined with the Chicago, Waukegan, and West Pullman Committee of the Armenian Revolutionary Federation and the Chicago chapter of the Armenian Youth Federation in their joint celebration of the 46th anniversary of the May 28 independence day. While my congressional duties kept me in Washington, my thoughts were of the brave people of Armenia and their long fight to regain the freedom that is their right and which cannot for long be denied them. I have great admiration for the people of Armenia and among my close friends have been many Americans of Armenian birth or descent.

May 28, 1918, is one of the greatest dates in the history of the Armenian nation. It is the date on which the Armenian people successfully arose against their oppressors and declared their country a free and independent nation.

In religion, in arts and letters, in cultural and national accomplishments, the history of the Armenian people is a proud history.

In A.D. 300 Armenia was a Christian nation, and the renowned church art of Europe can be traced to Armenian origins.

But despite all of her moral and cultural strength Armenia was at the crossroads often under attack by powerful neighbors, the Turks, the Persians, the Russians, the Mongols.

In the 15th century Armenian independence was destroyed. Numerous times after that Armenians tried to regain freedom. Most of Armenia was divided between Russia and Turkey. This resulted in terrible massacres of Armenians in 1895 and again in 1915, when the nation in Turkey was almost completely eliminated and 600,000 Armenians were killed.

In 1918 the people arose and declared their independence. For 2 hopeful years they were able to live as free people, ruled by a popular government. Unfortunately, as soon as the Bolsheviks won the Russian civil war, they attacked Armenia and destroyed once again Armenian independence. Soon free Armenia became the Communist-ruled puppet state, the Armenian Soviet Socialist Republic, which exists today.

On this anniversary of Armenian independence it is fitting that all Americans of all origins should join with all Americans of Armenian blood in the pledge that together we shall stand by in eternal determination until the foot of the Russian oppressor has been lifted and again Armenia is free.

Jawaharlal Nehru

EXTENSION OF REMARKS

OF

HON. NEIL STAEBLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 1964

Mr. STAEBLER. Mr. Speaker, I wish to pay tribute today to Mr. Nehru as a great source of inspiration to India and, through India, to the world. His part in the struggle for Indian independence showed his great strength of character and his concern for liberty.

Imprisoned for his beliefs, he was yet a tower of strength and moderation during the early, perilous years of independence. He saw democracy as a method of directing and implementing progress. His thoughts and actions stressed not only the significance of political machinery but also an emphasis on democratic objectives; upon broad development of all phases of Indian life and culture; upon education as well as economic growth; upon light industry as well as heavy; upon concern for the individual as a person as well as great problems of the nation; upon the development of local self-government as well as strengthening the bonds uniting all Indians; upon the participation of women as well as men in political life; upon uplifting the submerged castes; and, above all, upon the infusion of rationality into areas previously governed by blind tradition or untrammeled emotion.

Pandit Nehru never lost his longtime optimism for mankind's future in the midst of struggles to solve immediate problems.

He managed always to maintain the long perspective of a statesman. This sometimes expressed itself in puzzling forms, but Nehru never gave ground in his essential faith in the ability of diverse people to understand each other and in man's ultimate capacity to work out international and interpersonal relations on a level of mutual respect rather than unilateral force.

The loss of so powerful and so pervasive a figure as Nehru has naturally raised the question of the ability of the Congress Party to reach agreement on a successor and to give such a successor sufficient support to continue the policy laid down by Pandit Nehru.

Firsthand observation leads me to complete confidence that the Indian Congress Party will have no more difficulty in finding continuous leadership than any other major political party in a democracy. Indeed, it may have considerable less than U.S. political parties on some occasions. There is every reason to believe that the great wealth of leadership in the Indian states and the strong experience and sense of purpose which that leadership enjoys will give India a continuation of Congress programs.

India is a great democracy. The death of its leader has come as a shock to us all but the system and its values which Pandit Nehru so nobly served will go on.

Terms and Eligibility for Office of Senator and Representative

EXTENSION OF REMARKS

OF

HON. EVERETT G. BURKHALTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 1964

Mr. BURKHALTER. Mr. Speaker, on May 20, I introduced a piece of legislation that I feel is of interest to each and every Member of the Congress. It deals with a subject that is timidly accepted as too difficult for study and docilely regarded as too delicate for open discussion. It would lead to a reorganization and modernization of the structure of the Congress.

It is a House joint resolution which would require that no person over the age of 70 years would be eligible for election to the Congress; the terms of office for Senators would be limited to three of the present 6-year terms; Members of the House of Representatives would be limited to five terms in office, but the term of office would be extended from the present 2-year term to a 4-year term.

The subject of age of Members of Congress and the seniority system is seldom discussed in the open in Washington. Under the present system of seniority it is necessary only for a Member of Congress to continue to gain reelection and to live to a ripe old age. Merit and ability are of little consequence in committee assignments, chairmanships, or subcommittee chairmanships. As a result we often find in the Congress a ruling clique of men from a relatively one-party region. These men, having served several decades in Congress, have little interest or understanding of the needs of our growing metropolitan areas and are often totally unresponsive to the needs of our modern age.

The seniority system has been a problem for decades. I have studied writings published over 30 years ago lamenting the same conditions that exist in the Congress today. The situation in Congress has reached such proportions that the Congress cannot effectively legislate as was intended in its creation by the Constitution—to serve the needs and interests of the Nation and the American people as outlined in the Preamble of the Constitution.

An age 70 limitation would assure that Members whose thinking is not in accord to the needs of our modern and dynamic society would be retired to make way for younger men who are aware of the modern needs of the people, that is, mass transportation, urban renewal, revision of our Military Establishment, air pollution problems, medicare, and the many other areas that need legislation introduced and enacted to serve the health, welfare, and development of the full capabilities of our society. Another point to consider is that a younger man entering the Congress will feel that he will be able to accomplish some of the goals which he stated in his campaigning, and not have to wait 20 to 25 years before he would be able to accomplish anything of really great importance to the good of the country.

The 4-year term system proposed here would relieve Members of the House from having to be "continually running for office." Under the present system, a man is hardly in office before he must start campaigning again for reelection. This places an excessive burden on the individual legislator and does not leave him sufficient or adequate time to prepare and study legislation as he would wish.

As far as limiting the number of terms a Member may serve, I believe that this would help break up the encrusted seniority system as it now exists. A limitation on the number of terms a man may serve in Congress would assure that there would be a relatively frequent rotation in committee chairmanships and subcommittee chairmanships because Members would no longer be permitted to remain in Congress for an indefinite period. Under the present system, a person may remain in Congress an unlimited length of time and accrues to his committee and personal office a high degree of power and influence. Power to kill a bill without even a cursory hearing—influence to such an extent that one man can frustrate the entire Congress by blocking a bill in the legislative process. One of my suggestions to help select committee chairmanships in the future would be the use of a secret ballot for selection of chairman in the event that several of the ranking members of a committee are tied in seniority. Another suggestion would be the rotation of chairmanship among ranking members of a committee who have equal time in Congress. This proposal would call for many revisions, if not outright abolishment of some of the existing Rules of the House of Representatives. I feel that it is about time the Congress did something to modernize itself, to bring its operation and ability to legislate in line with the needs of our modern, nuclear age.

One of the more notable effects of a limitation on tenure of office in Congress would be that there would be a periodic rotation of the membership and eventually, with every election, about one-fifth of the House membership would be of new and younger men. Men who would know what the current needs and desires of the people really are. By causing a more frequent change in the Membership of the Congress we would bring involvement and responsibility for government to more people. We would relieve ourselves of the situations in which one man may dominate a particular area of governmental policy for several decades. I feel that by bringing more people into active participation of government we would be spreading democracy among the people in the true sense of the democratic spirit. The problem of keeping as many people involved in the activities of government as possible has been in existence for thousands of years. History records that even prior to 300 B.C. laws were passed that certain magistrates and officials of the Roman and Athenian governments were limited to only one term of office. The reasoning behind this was that it was good for the state as well as the citizen to have an active part in the affairs of the state.

It is doubtful that I, as one man, will accomplish any of the almost imperative sweeping reforms needed in the Congress today. However, I intend to keep the issue alive by keeping the people and, hopefully, the other Members of Congress aware of the problem. The only way this problem may possibly be resolved is by "mail from home." I feel that if the people are interested in seeing the Congress reform itself, if the people were to contact their own Representative and Senator, if they write to their State legislators urging support for the amendment I have introduced, perhaps we can get something done. Reform in government is accomplished only when the people demand it and let their voices be heard. In this essential and very important problem I hope all of the people will make their concern known to their elected representatives in Congress and in their State legislatures. Only then will the Congress attempt to put its house in order.

Because of the importance of the resolution I introduced, I place the entirety of it to be published in the RECORD following these remarks.

I hope each Member of this House and the Senate will study this measure with an eye toward constructive comment and encouragement to move it forward in the legislative processes, or constructive criticism of the resolution which would justify the present system of things in the Congress. Mr. Speaker, it is my hope that the examination of the ideas embodied in my proposal will serve only to help this great legislative body meet the needs and demands of our modern age more effectively, and to regain some of our lost stature as the representative body of the American people.

The resolution follows:

H.J. RES. 1025

Joint resolution proposing an amendment to the Constitution of the United States relating to the terms and eligibility for office of Senators and Representatives

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by Congress:

"ARTICLE —

"SECTION 1. No person may be elected or appointed to the office of Senator or Representative who, at the time of his election or appointment, has attained to the age of seventy years.

"SEC. 2. Representatives shall be chosen in the year in which this article becomes effective and in every fourth year thereafter.

"SEC. 3. No person may serve as Senator for more than three terms, nor as Representative for more than five terms. A Senator or Representative shall be deemed to have served for a full term under this section only if he was elected or appointed to such term after the date this article becomes effective and has served for more than half of such term.

"SEC. 4. This article shall become effective after its ratification on January 4 in the first year in which electors of the President are chosen."

Secretary of Agriculture Orville L. Freeman Addresses 91st and Best Attended Shepherd College Commencement in West Virginia

EXTENSION OF REMARKS
OF
HON. JENNINGS RANDOLPH
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Monday, June 1, 1964

Mr. RANDOLPH. Mr. President, the 1964 graduating class at Shepherd College, Shepherdstown, W. Va., this morning heard the distinguished U.S. Secretary of Agriculture, the Honorable Orville L. Freeman, discuss "The Third Revolution—the Revolution of Abundance," which he said, is:

> The most unique and far reaching of all, for it is an entirely new dimension to human experience.

Secretary Freeman, whom I was privileged to introduce to the 174 graduating seniors and their guests at the 91st annual—and the best attended—Shepherd College commencement, emphasized that:

> Throughout the agricultural and industrial revolutions, our institutions and our attitudes were fixed by the conditions of scarcity * * * of not quite enough of everything for everybody * * *. The new dimension in our third productive revolution is the potential for abundance that science and technology have made possible in today's world—it is that we can produce enough to go around.

In summarizing his discussion of the three revolutions of the human society, Secretary Freeman recalled that:

> The agricultural revolution led to the golden age of Greece and the foundations of western culture * * * and to the terror of the Middle Ages. The industrial revolution led to the rise of middle-class democracy * * * and with Hitler to the ravages of civilized man gone mad. The revolution of abundance can lead to new dimensions of a life and society greater than ever before * * * or to the end of civilization; we can reach out to new planets * * * or we can destroy this planet. This is the challenge of abundance. These are the decisions which your generation will make. Never before have so many people had so great a voice in so massive an opportunity.

The invocation for the commencement was by Rev. George H. V. Hunter, Jr., minister of the Shepherdstown Presbyterian Church. Music was by the Shepherd College Brass Ensemble under direction of Joseph Labuta, and included a trombone solo by Jay Wiles, with Jane Specht as pianist. Hon. Herbert K. Baer, secretary of the West Virginia State Board of Education, expressed greetings for that body.

Dean A. G. Slonaker presented the graduates and Dr. Oliver S. Ikenberry, the very outstanding educator and the president of Shepherd College, conferred the degrees. Thomas Bowman, president of the senior class, presented the class memorial, and the acceptance was by Dr. Raymond O. Waldkoetter, dean of students, of this institution which now has more than a thousand students each year.

Rev. Conan Gallagher, M.S.Ss.T., of Holy Trinity Mission Seminary, Winchester, Va., pronounced the benediction.

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD following my remarks the text of the thought-provoking and challenging address of Secretary of Agriculture Freeman.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

"THE THIRD REVOLUTION"—ADDRESS BY SECRETARY OF AGRICULTURE FREEMAN

Commencement is a happy time for young people and a proud time for their families. It is therefore a special honor to be entrusted with a place on this program. And it is a special pleasure to be on such an attractive campus in the picturesque hills of West Virginia.

Many people visit West Virginia both for its beauty and to get away from the heat in Washington. Today such is not my purpose, although it is true that the Secretary of Agriculture does experience "heat"—more I suspect than most Washington residents.

Many people say that the Secretary of Agriculture has the worst job in Washington—some even say in the world. But—after almost 3½ years on the job—I cannot agree.

On the other hand, it is true that my job has its frustrations.

It is frustrating to realize that American farmers are the most accomplished providers in the history of the world—yet rural America remains the scene of almost half of our Nation's poverty.

It is frustrating to realize that net income per farm has risen 16 percent since 1960—yet the average income of people in farming is still only 60 percent of that received by individuals who are not farmers.

It is frustrating to see agriculture labeled as a "problem" when it is first and foremost a tremendous success—providing Americans with such plenty, with much quality, at such a low real cost, that we take it for granted and complain accordingly.

Yet I am not a frustrated man. But I am a man with a challenge. I am perhaps challenged beyond the limits of any one man to deliver. Yet I find the struggle tremendously exciting and I want to share with you, if I can, some of the excitement, some of the suspense, some of the thrill, of working in the vanguard of a major economic and social revolution.

It is a story that affects each of you personally because your generation, like mine, will be called on to deal with it—and to build your lives in its turbulence.

In something like a million years of human existence, mankind has been through only two major productive revolutions.

For more than 99 percent of the time he has been on earth, man existed by finding food. He gathered it, picked it, fished for it, or hunted it with primitive weapons. But it never occurred to him to plant crops and look after them. It never occurred to him to domesticate animals and use them for food.

When it did occur to him, he had a revolution on his hands.

And this was not so long ago—perhaps 8,000 years. Look at it this way: If you assume that man has been on earth for a total of 24 hours—then the agricultural revolution is only 12 minutes old.

It brought far-reaching changes. A settled agriculture made civilization possible. It enabled some societies to produce a surplus above subsistence. It permitted the development of a small intellectual elite. It is quite possible that the full-time intellectuals in the extraordinary age of Pericles were a group not much larger than this graduating class. Yet their contribution to civilizations, including ours, is enormous.

The second great productive revolution came much more rapidly.

Put man's existence on a 24-hour clock once again, and the industrial revolution began about a half minute ago. Yet in the less than 200 years of this revolution, the substitution of power for muscle has had an impact on virtually the entire human community. It created the industrial era which we are now leaving.

We are only beginning to grasp the implications of the third productive revolution now in process. It manifests itself in different ways. We talk about it in different terms, depending on our chief interests.

Some call it a cybernation revolution.

Certainly, there is an enormous portent in the building of electronic machines of such enormous complexity that in many ways they can be substituted for the human brain—in fact for the entire nervous system. We not only have electronic brains, we have electronic brains with a high school education.

My colleague in the Cabinet, Secretary of Labor W. Willard Wirtz, points out further that some machines even have college and postgraduate educations. And the striking thing is that the performance levels of these machines are rising more rapidly than the educational attainments of human beings.

The third revolution is called by some an automation revolution.

One machine takes over the job of boring and machining the engine block for an automobile or tractor—and an entire production line can be closed down. Inspection is performed automatically, and the human hands and eyes thus freed can be devoted to more productive and satisfying assignments—we hope.

An automobile manufacturer once asked a great American labor leader, Walter Reuther, president of the United Auto Workers: "Where are you going to look for jobs when machines take over the work of making cars?" The reply was quick: "The same place you'll be looking for new car customers when our people no longer have jobs."

Then there are some who say we are in a communications revolution.

Certainly, the high-speed transmission of business data can revolutionize management. Immediate market decisions can be made by executives thousands of miles away. New kinds of visual aids widen the dimensions of business decisionmaking as well as of education and the arts.

Examples: The cartridge inserted television set which plays programs like a phonograph is already being field tested. The pocket projector will follow. These are some of the less spectacular developments that are in the minds of the communications people. The sky is not even the limit.

Or you might call this an information revolution. Of all the scientific information available in the world, over half has been produced in the past 10 to 20 years. And we can expect a doubling in output each decade for at least the 20th century. The job of assembling, storing, and communicating this information is a major concern in scientific circles.

Each of these is a revolution of a kind. Each is related one to the other. Each is a part of the third great productive revolution, which I choose to call the revolution of abundance.

So as we take a quick look at the history of man, we find the agricultural revolution * * * the industrial revolution * * * and now the revolution of abundance.

And the third revolution is the most unique and far reaching of all * * * for it is an entirely new dimension to human experience.

Throughout the agricultural and industrial revolutions, our institutions and our attitudes were fixed by the conditions of scarcity * * * of not quite enough of everything for everybody. The goal was clear and simple, even though the means might be complex—it was to produce more because there wasn't enough to go around.

The new dimension in our third productive revolution is the potential for abundance that science and technology have made possible in today's world—it is that we can produce enough to go around.

For the first time in history we know that is is physically possible to produce plenty, not just for a few but for everyone on earth. It is physically possible to produce this abundance with fewer farmers, fewer workers, and more machines. This is the potential of automation, technology, and mechanization in the new world of potential abundance.

You are coming to your majority as this Nation begins to explore the potential for the great society which abundance can provide. This is the challenge which spurs me on as Secretary of Agriculture, for agriculture has progressed further beyond the abundance barrier than any other segment of our economy.

Some people tell me that agriculture is out of step with the rest of the economy. They are right in what they sense, but their analysis is wrong. Agriculture has been dealing with the challenge of abundance for more than a decade, a challenge that only now is beginning to be felt more generally throughout the rest of the economy. Agriculture has not been out of step, it has been a pace ahead of the rest of our economy.

It is your opportunity to explore this new dimension * * * this new frontier of abundance as it will increasingly affect all areas of our national life in the days ahead. What we make of it will largely depend on how well you and the thousands of others who are graduated today and in the years ahead from colleges and universities have prepared for it and how well you continue to study and learn as you experience the impact of the revolution of abundance.

President Johnson, speaking on the University of Michigan campus last month, described the challenge in these words:

"The challenge of the next half century is whether we have the wisdom to use the wealth to enrich and elevate our national life—and to advance the quality of American civilization."

This will require that you and all of us break the mold which presently tends to restrict the boundaries of our thinking to dimensions of scarcity rather than of abundance.

There is nothing in history, except the record of man's creative ability, which tells us how we are to meet this new challenge of abundance.

The potential is enormous. We know that by 1975:

There will be 8 million more families than there are today, and 8 million more students in college—twice the present number;

The gross national product will be almost a trillion dollars a year;

There will be 93 million people in the work force;

Per capita income will be 50 percent greater than it was in 1960.

This is a future of great promise; a future which should excite and stimulate all people.

Yet we know there is fear and great uncertainty in the minds of many people as to what the future holds in store. Some are farmers who have seen the neighboring farm disappear as production soared and prices dropped. They fear that they are next. Others are the workers who have seen machines replace jobs at the next bench or in nearby shops. They fear that they are next. Some are people who have known only discrimination, and the poverty and deprivation it brings. They fear it will never end. Some are people who know only that their children, like their parents before them, are cut off from prosperity. They fear there is no escape.

These fears are real for just one reason—the failure of our generation, thus far, to take full advantage of the greatest opportunity mankind has even seen.

The revolution of abundance has released hundreds of millions of man-hours of talent and effort which are no longer needed for the sheer physical production of the necessities of life.

Now that machines have taken over the drudgery, what is left for human brains and human hands?

What we must achieve is a revolutionary reallocation of human energy that corresponds in magnitude to the technological revolutions we are passing through.

Because we have failed in that reallocation, the released man-hours are reflected in unemployment, and underemployment, and frustration, and privation—when they ought to be employed in other ways.

You may ask: How can they be used, if we need fewer and fewer people to produce our food, clothing, and shelter?

The answer is: They must be used to help create what President Johnson has called the great society.

Look all around us. There is work to be done—endless work. It is a different kind of work—that is all. And it is far more creative, far more challenging, far more inspiring than the kind of work to which the rigors of existence compelled our forefathers to devote their time.

To serve the American ideal of giving every child an equal opportunity to develop his talents to the fullest, we should be using—over the next few years—fully a million more people in the field of education. Here is America's great growth industry. The finest private schools don't figure in terms of 30 or 35 or 40 pupils per teacher; they figure in terms of 15 or 20. Is there any reason why our public school system, all over America, should not be elevated to the kinds of standards that only the rich have been able to enjoy? The answer is no. For the first time in history, the resources of talent and manpower are freed for these kinds of purposes.

If the health needs of our people were to be fully met, from the cradle to the grave, in every region and in every home, hundreds of thousands more people would be employed.

Look at our urban and rural slums. If we can redirect the liberated energies of our people into the rebuilding and revitalizing of sick and dying communities, the manpower that can be used will be almost limitless.

We must rescue our countryside from misuse, and begin the greatest conservation movement in all history. We must clear our rivers and streams from pollution and cleanse the air of the waste that now befouls it. We must develop new parks and playgrounds and, at the same time, recognize that farmland can produce recreation as well as food and fiber for an income crop.

We must preserve the green areas and open spaces which sustain the spirit and give true meaning to life.

All this requires manpower—and womanpower.

This massive reallocation of America's resources is not just idle daydreaming. It is grim necessity, too. Because the alternative to utilizing our resources of manpower for the great, constructive jobs that demand attention is not to use them at all. And our society cannot rest upon a base of idle, unemployed, despairing people—without, sooner or later, the kinds of explosions that have wrecked other societies in similar circumstances in the long course of history.

It is a happy choice to make. But it is not an easy one to carry out.

The first requirement is that we adjust our minds and attitudes to the new era of abundance. The empty shibboleths that have carried over from earlier centuries, before the revolutions of our time, must be swept aside.

After that, there are many other requirements: Our educational institutions must make the adjustments necessary to turn out young people for the growth occupations of the future. For some of these occupations—like the lieutenants, captains, and majors in the war on poverty—nobody has yet developed hardly any curricula at all.

The relations between Federal, State, and local governments must be further adjusted, in directions in which we are already clearly moving, to permit a pooling of resources and a concert of effort.

The distribution of resources between the private and the public sectors of the economy must be reconsidered.

The notions and concepts of planning—which for a time were considered subversive in many circles—must be brought the rest of the way back into good repute.

We must somehow bring about a revival of conscience and of the old tradition of neighborliness—the realization that racial discrimination is intolerable, that denial of adequate hospital care is an indecent penalty on old age, that poverty is an infection that weakens and demeans a proud and prosperous people, that ignorance and lack of education can be removed from the American spirit.

There is no blueprint, no grand design which tells us how best to respond to the challenge. Perhaps there never will be. Instead, we must work our way step by step, learning as we go, how to creatively shape our new world of abundance.

Our attitudes will be guided by our understanding that the material wealth to create the great society is at our disposal, and that the larger task is to mobilize the power for good that lies in people's essential willingness and desire to assume responsibility for something more than their own personal condition.

Your generation has shown formidable signs of this wisdom, as reflected in young America's response to the Peace Corp.

It is within our power to make the decisions to use this wealth to serve the good of all men. If history will not provide the blueprint we seek, it will show us how man responded to the other two revolutions, and we can learn from this.

The agricultural revolution led to the golden age of Greece and the foundations of Western culture, and to the terror of the Middle Ages.

The industrial revolution led to the rise of middle class democracy, and with Hitler to the ravages of civilized man gone mad.

The revolution of abundance can lead to new dimensions of a life and society greater than ever before, or to the end of civilization; we can reach out to new planets, or we can destroy this planet.

This is the challenge of abundance. These are the decisions which you will make. Never before have so many people had so great a voice in so massive an opportunity.

It is a tremendously exciting time to be alive, especially for young people like yourself who arrive on the scene better prepared than any of use who speak here today. Be sure you make the most of it. As the popular saying goes "Live it up."

I congratulate you on your success and wish you Godspeed.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 1964

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of May 30, 1964:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, May 30, 1964)

SPENDING GOES UP AND UP AND UP

It's going to cost you $13 million more for military construction this year than it did last year. The House approved the military construction appropriation bill, H.R. 11369, which is up $13 million over what we spent last year and brings this year's total to $1.5 billion with $472 million unobligated as a carryover from last year. In debate on the bill I said:

"As a matter of principle I cannot approve an increase in spending over last year while we are deficit financing. We should not spend more and borrow and charge it to the future."

This appropriation bill is typical of most we are passing. The President's request in the budget was set high, we cut the amount appropriated below the budget figures and this gives us an opportunity to say we are saving money. The truth is we are approving higher spending over last year in practically every appropriation bill that has passed the House. The President is getting away with one of the most complete brainwashing jobs in history with the cooperation of most of the news media. This is why the President demanded a $9 billion increase in the debt ceiling from $315 to $324 billion.

An editorial in the Chicago Tribune this week states: "The Johnson budget for 1965 is so loaded with juggled figures, bookkeeping tricks, and horrible examples of budgetary deception that it is almost impossible to penetrate the fiscal jungle."

The Tribune editorial was based on a report by Senator HARRY BYRD, chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures. The Byrd committee took 2 month longer than usual trying to decipher the Johnson budget. The editorial continues: "The Senator ignored appeals from the White House to go easy on it. Instead he said it could and should be cut by $6.5 billion. He urged postponing the billion dollar item for fighting poverty until it was made clear just how the administration proposes to start eliminating poverty."

THAT POVERTY BILL

What about that poverty bill? Columnist Jenkin Lloyd Jones, in the Washington Evening Star, described it best: "Tolstoy's 'War and Peace' is a classic that everybody talks about but that not many people have read. The same goes for House Resolution 10440, the bill under which President Johnson intends to wage his much-heralded 'war on poverty.' The bill occupies 47 pages and like Venus it is surrounded by thick clouds of vapor and shines brightly."

The bill calls for an additional billion in Federal spending. Another example of Johnson economy.

STAGE-MANAGED POVERTY

No trick is overlooked by the President in selling the Nation on poverty and himself as the messiah to lead all the faithful to the promised land of something for nothing for everybody. An Associated Press story from Rocky Mount, N.C., tells us about the President's visit to a "poverty stricken" family, the William David Marlow family.

The Marlows, a sharecropper family, say they didn't know they were in poverty until the President's visit. * * *

"We didn't invite the President. He invited himself." * * * Marlow said he expects to gross about $4,000 from his 9 acres of tobacco and 11½ acres of cotton this year and perhaps have $1,500 clear with which to start the next year. This would be much more than the $1,500 the President suggested during their conversation. * * * Mrs. Marlow said, "We didn't even feel like we were in poverty. We thought we were on our feet for the first time in 4 years. And along come the word that we're the poorest folks in the country." * * * Mrs. Marlow said her five children have always had plenty to eat and plenty of loving. * * * Mrs. Marlow said, "The Governor's man tried to make us look poorer than we are. He told me to be sure and have a washing on the line when the President came and also be sure the children were barefooted when the President arrived."

Such tactics not only rob our people of self-respect for political purposes, but set a dangerous precedent for going far beyond news management to deliberately creating propaganda through the use of the news media.

The President and the First Lady are introducing an entirely new philosophy to replace our Judeo-Christian belief of charity through individual effort, highly motivated. The new idea is that only the Government should direct charity and on a political basis. It is apparent they believe the individual landowner should wait for the Government to take care of those in need and that no individual responsibility is involved. This new philosophy is what is on trial in this election year. Which philosophy do you choose?

FEDERAL DEPOSIT INSURANCE BILL

The House recommitted H.R. 5130, to raise the Federal deposit insurance, 197 to 147. It was a protest against the Banking and Currency Committee's incomplete presentation and lack of opposition views.

The Democratic Party

EXTENSION OF REMARKS

OF

HON. COMPTON I. WHITE, JR.

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 1, 1964

Mr. WHITE. Mr. Speaker, a few weeks ago the Honorable WAYNE N. ASPINALL, distinguished chairman of the Interior and Insular Affairs Committee, honored me by his appearance at a testimonial dinner in my district. Chairman ASPINALL spoke of the Democratic Party and of the enlightened and effective service which it has provided in the interest of all of the people of our Nation. He expressed his own pride in being a member of the Democratic Party and gave his thoughts as to what it means to be a member of our great party.

Mr. Speaker, this address was enthusiastically received in my district and I have had many requests for copies. I am sure that my colleagues in the House would also find it of great interest and therefore I am including extracts from Mr. ASPINALL's speech in the RECORD with these remarks:

EXTRACTS FROM THE ADDRESS OF THE HONORABLE WAYNE N. ASPINALL, OF COLORADO, BEFORE THE TESTIMONIAL DINNER FOR CONGRESSMAN COMPTON I. WHITE, JR., LEWISTON, IDAHO, MAY 23, 1964

I am glad to be in this beautiful part of our Nation at this time. I am glad to be in the company tonight of one of the outstanding sons of Idaho serving in the administrative branch of our Federal Government today, Assistant Secretary of Interior, John A. Carver. I am glad to be meeting with friends, supporters, and neighbors of Hon. COMPTON I. WHITE. To put it quite plainly, I am just very glad to be here.

It is seldom that I am requested to go outside of my own State of Colorado to make what may be termed a "party" talk, but may I say that when I am invited by a distinguished son of a very distinguished father, who was a member of the same committee on which I served during my first term in Congress—and when the invitation comes from a most able and effective member of the committee which I now chairman—I just cannot say no even if I wanted to do so, and most certainly I would not want to say no. Particularly am I glad to be speaking for Mr. WHITE because I believe that it is in the interest of this particular congressional district—as well as the State and Nation—to continue this new colleague of mine in office.

I am a Democrat by choice. I honestly believe that by far the greater amount of good, honest, and efficient public service has been and will be rendered by Democrats holding public office. When I speak publicly, I call attention to those good services, and I speak with pride of those Democrats so honored and so serving. This has been a practice of mine throughout the years. Even in my campaigning, I have never referred to my opponent by name, and for that matter, seldom have I taken note of the fact that there has been opposition. It is too late to change now even if I wanted to.

It is my sincere belief that Democrats should spend their time building up qualified Democrats and working for worthwhile issues. I think that there is altogether too much time spent in criticizing members of the other party, what they have done or are doing, and whether or not members of the other party have been or are qualified for the positions which they hold or to which they aspire. It has always been my thought that if we Democrats present well qualified candidates—candidates who, if you please, have started in minor positions of public service and worked their way into places of greater responsibility, qualifying themselves for every change in status which comes their way—and if, at the same time, we work for those programs and projects which serve the people generally and protect the individual and the minority as the programs are being formulated and executed, then the general public itself will be able to evaluate the services of their public officeholders and that by and large their decisions will be fair and equitable and generally in support of Democrats.

Now, inherent to what I have said, I wish to speak for a few minutes on the two-party system which is as necessary to our form of Government in my opinion as the air is to the continuance of life on this planet. Just so long as we have a vital two-party system, we will be able to determine the wishes of the majority which is primary to the effective operation of a representative form of Government. A one-party system is, of course, necessarily a base for a dictatorship. A multiple system, that is more than two parties, all too often provides for Government by coalition which means that minorities in most instances determine action programs for the people. Again I contend that the welfare of our Government depends upon a virile and effective two-party system.

It is not my responsibility or purpose here this evening to trace the development of the opposition party. I leave that for its own adherents to undertake. I am interested in the welfare of the Democratic Party. I am interested in the enlightened leadership of the Democratic Party. I am interested in the intelligent fellowership as well as leadership of the Democratic Party. It is not because of the age of our party that I delight in my membership in it although it happens to be the oldest of all political parties ever formulated in our Nation. It was in May, 1792, that our party came into existence. It was conceived in adversity and it was brought forth in those early days when its members were ridiculed and criticized. In its first days, it was more or less of an opposition party, an antiparty, but if I interpret history correctly, it was not an antiparty because of personalities. It was an antiparty because of its opposition to the approach that the governing party had to many of the problems of that early day. This antiparty developed within a few years into the Democratic-Republican Party, and a few decades later into the Democratic Party as we now know it. It is because of the enlightened and effective service in the interests of the people generally that I am proud of my membership in and my service for the Democratic Party.

I shall mention at this time two groups of those national and world leaders of the Democratic Party who served the Nation and the party so well. Both groups are composed of the names of four individuals. The first group is composed of Jefferson, Jackson, Andrew Johnson, and Cleveland. Each of these leaders believed in the popular control of government, the wide extension of the suffrage, the fullest possible degree of personal liberty and a strict construction of the Constitution which would preserve the rights of individuals and at the same time maintain government as close to the people as possible. Each leader had his own method of effectuating these beliefs. Each of these leaders was criticized and pilloried by the people who were possessed of position and wealth. Suffice it to say that under each one of these leaders just named, the Nation progressed. It reacted to the necessary change in spite of those who would have held it in the status quo or sent it reeling backward.

The next group of our Democratic Presidents and leaders includes the names of Wilson, Roosevelt, Truman, and Kennedy. Woodrow Wilson reaffirmed the Democratic faith in the rights of every man. It was he who became the first President of the United States to be acclaimed throughout the world as a world leader. His expression of interest in the world leaders, in the individual rights of people, made him the philosophical spokesman for peace and justice, and it was his efforts that brought forth the world forum in which to air international disputes.

Franklin Delano Roosevelt, responding to the need for change but at the same time restraining those radical elements that were seeking far-reaching structural changes, employed startling innovations to preserve the free enterprise system. Besides giving to the Nation the confidence that it needed so badly, he enunciated the famous "four freedoms" as basic rights for all men: freedom of speech, freedom of religion, freedom from want, and freedom from fear. Again, he instituted the good neighbor policy which joined the Western Hemisphere as it had never been before. Following Wilson's lead, he gave impetus to a world organization dedicated to peace; that is, the United Nations, which is so misunderstood by so many even today.

It is perhaps too early as yet to evaluate the services of Harry S. Truman and John F. Kennedy. Each, in his own way, followed fearlessly and effectively in the footsteps of his Democratic predecessors and at the same time contributed to the perpetuation of the high ideals which have always motivated the people of this country. It is not my intention nor my desire to try further to evaluate these two leaders with whom I have been so closely associated. But I can advise you, my fellow Democrats, that their decisions were always in the interest, as they understood the problems, of the security of our Nation and its people and of the furtherance of the inherent rights of the individual citizens—equal rights and justice for all.

I have named eight of our presidential leaders. I have divided them into two groups of four each. Now I shall name the first of the next group. We were fortunate indeed that following the tragic death of our beloved President and Party leader, John F. Kennedy, this Nation and the free world had ready and able a man of President Lyndon B. Johnson's experience—his knowledge of government, his dedication to freedom and the private enterprise system, his recognized leadership to protect the rights of the individual, and the people collectively—in position to head the ship of state in its time of distress. Upon his shoulders fell the greatest burden with the greatest number of problems ever placed upon any man in such a situation during the history of mankind. He was trained under the leadership of the matchless Franklin Delano Roosevelt; he worked closely with President Truman; and he became the leader of the U.S. Senate for the many years preceding his advancement to the Vice Presidency. It is said that President Johnson has considered Franklin Delano Roosevelt as his second father. He picked a good one. We all know that President Johnson was picked by President Kenedy to be his running mate. President Kennedy picked a good one. President Johnson showed his loyalty to his party and his Nation in his willingness to accept the designation for the office of Vice President. His success to date with the problems with which he has been confronted has been most outstanding. His decisiveness, his willingness, and his unbounding energy is giving new life to this Nation. I predict that he will be elected President in his own right by one of the great majorities of all time.

And, now may I ask you—what has it meant and what does it mean to be a Democrat or to be a member of the Democratic Party?

In the words of my most esteemed colleague from South Carolina, WILLIAM JENNINGS BRYAN DORN—whose name should bring to our minds the only party to which he could belong—I bring you the following:

"The Democratic Party is not the party of the right or the left. It is the party of all people. Even our dynamic, vibrant, growing Democratic Party cannot move forward if it is in the ditch on the left-hand side of the road; nor can it move forward to its destiny if it is in the ditch on the right-hand side of the road. We can and we shall move forward in the middle of the road with the time-honored principles and ideals around which all of the Democrats in our great party can unite. There is room in the middle of the road for liberals, moderates, conservatives and all sincere, honest elements who wish to move forward with the party of the future. The Democratic Party has been and is today the party of the people. We know no class, creed, nor 'border, nor breed, nor birth.' The ingredients of our party, as Kipling said, come from the 'ends of the earth.'

"I am proud of the great traditions of our Democratic Party. We have championed the cause of the underprivileged and carried the banner of the typical American. We appeal to the elderly, yet we challenge the imagination of youth. In every section of our great land—the North, the South, the East and the West—we have welcomed conservatives, liberals, moderates; and out of this melting pot we have fashioned our contribution to good government and leadership in these United States. Democrats have led our Nation on the road to higher standards, to prosperity, unprecedented wages, and benefits for those who labor in the vineyard. In time of war, we furnished that leadership and courage which eliminated forever the ambitions of the Kaiser, the raving Hitler, and the rampaging Axis warlords. Yes, we will move forward with this modern, dynamic philosophy of the Democratic Party. What is this philosophy? What have we done? What are our plans for the future? Upon what and around whom can we unite?"

I am sure that all of us here tonight would agree that being a member of our party carries with it no high social status. It is not necessarily the fashionable thing to do to belong to the Democratic Party. Again, I am sure that all of us would agree that the Democratic Party is not necessarily a well-run, smooth-functioning organization taking its orders from above. Time and time again, throughout the years, I have been made aware of the iron discipline of the opposition party. Democrats, may I say, and I speak affectionately of each and every one of them, are a brawling and balky group. There is little discipline. As a rule, we have no hesitancy to speak our minds and at times refuse to follow our leadership. This may or may not be a happy situation for party discipline but nevertheless, it is true and it is only our willingness to unite in the final moments of a hard-fought campaign that as a rule we present such united strength to assure us success. On the other hand, the mere fact that we are made up of people who are not only willing but are allowed to state their own opinions and make their own choices known helps assure us the confidence of the voting public.

I doubt if there is anyone present tonight who would care to assume the position for arguing that a member of our party belongs because of the opportunity for personal wealth. We do have wealthy men, and we have had wealthy men as our national leaders, but it is not the personal wealth nor the aspirations for wealth that builds our party.

Neither does our party provide a sure and easy way to public office. Seldom, if ever, do we pick candidates because of status or position gained in some other activity of life. Usually it is the member of the party who has worked from the grassroots in his early party service that is tapped to run for public office. Usually it is the experienced public servant of our party who received the request to run for higher office. In other words, no one can play in the Democratic Party and be successful. He may be assured that there is a rough road if he desires to be honored and trusted by election to public office.

As another colleague of mine, the Honorable CHARLES LONGSTREET WELTNER, a new young Member from the State of Georgia—that one State in all of the Union that has never failed to vote for a Democratic candidate for the Presidency—remarked in a recent address:

"Are all Democrats alike? You know the answer to that. Here are some of my Democratic colleagues in the House—MATSUNAGA, a Japanese-American; GONZALES, a Mexican-American. All of the Negroes in the Congress are Democrats. Then there is PUCINSKI, LESINSKI, and KLUCZYNSKI. There is O'HARA, O'BRIEN, and O'NEILL. There is ROSENTHAL, FARBSTEIN, and CELLER. There is SMITH, JONES, and BROWN. There is even RAINS, RIVERS, FLOOD, and FOUNTAIN. No, it is not a common race, nor creed, nor birth."

With the exception, as I stated in the beginning, that Democrats invariably stand for the rights of the individual, united together in national strength, it is most difficult to figure a clear, concise, and compelling political doctrine running throughout the history of our party.

Congressman WELTNER continued when he said: "Just what kind of a party is this. I'll tell you what kind—it's a great party. In this century, it has won two World Wars, and led the way out of a crushing depression. It has fashioned every piece of legislation since 1900. It has made the United States the most powerful nation on the globe, and the undisputed leader of the free world. It is a party of accomplishment, and of success.

"What, then, is its appeal to you—to me—to the millions of Democrats in America. The answer is very simple. The answer is immediately at hand. The Democratic Party is a great party because it is a democratic party. It's democratic because its concern is people. It has room enough for all—for all shades of opinion—for all ethnic and religious groups—for all men of all stations of life. Within our party is a place for everyone, and something of value for everyone."

Now, then, to another question—when do Democrats win and when do Democrats lose? It is axiomatic Democrats win when they have the confidence of the electorate. They have the confidence of the electorate when they present fiercely and militantly those programs which serve the people and those candidates who are willing to work for the people.

And yet another question: why is it that today so many of our citizens are willing to take a free ride and not give their membership to either of the great parties? To this question I shall give but a short answer. I honestly think that there are too many people in this Nation of ours who, because of good economic conditions, because of the lure of many pleasures that are available to practically all, are willing to take a free ride and are willing to live, without giving anything in return, in the house after it is built by someone else. Yes, even when it is maintained by their fellow citizens. In short, they are willing to partake of the benefits of liberty and freedom, won by others, and which, by the way, must be ever defended and furthered. They are willing to let the other fellow do the hard work while they look for the easy task or no task at all.

The success of a representative form of government has always depended upon all citizens working together—each citizen giving unselfishly of the talents with which nature has endowed him and which have been developed in the political, social, and religious atmosphere which is guaranteed to him by his own government. Only so long as each citizen accepts this individual responsibility is his government secure. It is indeed a tragedy of human history that people can unite together in times of great physical danger to themselves and to their loved ones, but that they are unable to unite for the building of a better world in good and peaceful times.

Finally, what then is our challenge as Democrats? I believe that from what I have said, it must be eternal vigilance and industry on our part to work, first, in the interest of our fellow citizens; and, second, in the interest of our party. It must be to dedicate ourselves to the idea that the interests of our fellow citizens and the interest of our party are synonomous. Personal and collective ambition for such service have their place, but they must never be overriding. If they are, we lose the confidence of the general electorate. This we cannot do if we wish to put into being our ideas and our programs. This we cannot do if we wish to taste the sweet fruits of political victory. I see for no segment of our party, or for no individual of our party, or for no officeseeker of our party, an easy way to success.

As I close, I pay my personal tribute to those dedicated men and women, those youth and the girls and boys of our party who are motivated by their loyalty to the principles of our party and who work year after year in order to see that our programs serving the people are made possible and that our candidates receive the support of the electorate so that such officeholders may bring into existence those programs serving the people generally.

I take my last thought from the speech that was never given—words that received no life from that eloquent voice which was silenced so quickly and so completely by the dasdardly assassin who gave only of himself to ruin and destroy that which was so good in his fellow human beings.

These are the closing words of the speech that was prepared for delivery by our late President John F. Kennedy in Austin, Tex., on the night of November 22, 1963:

"And our duty as a party is not to our party alone, but to the Nation, and, indeed, to all mankind. Our duty is not merely the preservation of political power but the preservation of peace and freedom.

"So let us not be petty when our cause is so great. Let us not quarrel amongst ourselves when the Nation's future is at stake. Let us stand together with renewed confidence in our cause—united in our heritage of the past and our hopes for the future—and determined that this land we love shall lead all mankind into new frontiers of peace and abundance."

SENATE

TUESDAY, JUNE 2, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear God and Father of mankind, Thou art our refuge and strength, a very present help in trouble. We bow in recognition of our complete dependence upon Thee. Look Thou with understanding upon these Thy servants, this day, as they debate the great issues concerning these United States of America, the Nation we love the most.

Thou art a God of power. Give righteous power in debate, thinking, and decision. Thou art a God of love. Bestow love for God and all mankind in these hearts today.

Thou art a God of wisdom and light. Send that light and wisdom to dispel darkness, doubt, and indecision in this high place of Government.

For forgiveness of our sins nationally, internationally, and personally, we pray. Cleanse us as a nation and people from our feverish ways.

Look Thou with tender compassion upon our neighbors throughout the world. Help us, with them, to be Thy servants in making this world better for all people.

We pray in the name of Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. INOUYE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 1, 1964, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 1382) for the relief of John Gatzopi Overbeck and Mary Gatzopoulos Overbeck.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11201) making deficiency appropriations for the fiscal year ending June 30, 1964, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. THOMAS, Mr. KIRWAN, Mr. WHITTEN, Mr. JENSEN, Mr. HORAN, and Mr. FORD were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 73) authorizing the printing of additional copies of parts 2 and 3 of the 1964 hearings of the Joint Committee on Atomic Energy on Atomic Energy Commission authorizing legislation, fiscal year 1965.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1642. An act to provide for the sale of the U.S. Animal Quarantine Station, Clifton, N.J., to the city of Clifton to provide for the establishment of a new station, and for other purposes;

H.R. 2434. An act to amend section 560 of title 38, United States Code, to permit the payment of special pension to holders of the Congressional Medal of Honor awarded such medal for actions not involving conflict with an enemy, and for other purposes;

H.R. 8251. An act to amend section 612, title 38, United States Code, to authorize dental services and treatment in cases where discharges were corrected by competent authority from dishonorable to conditions other than dishonorable;

H.R. 8925. An act to amend title 38 of the United States Code in order to provide that a disability which has been rated at or above a certain percentage for 20 or more years may not thereafter be reduced below such percentage;

H.R. 9964. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments;

H.R. 10705. An act to amend the Government Corporation Control Act to change the General Accounting Office audit to a calendar year basis in the case of the Federal home loan banks and the Federal Savings and Loan Insurance Corporation;

H.R. 10736. An act to authorize the Secretary of the Navy to adjust the legislative jurisdiction exercised by the United States over lands comprising the U.S. Naval Hospital, Portsmouth, Va.;

H.R. 11035. An act to authorize the extension of certain naval vessel loans now in existence; and

H.R. 11255. An act to validate certain payments of per diem allowances made to members of the Coast Guard.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H.R. 1727. An act for the relief of Richard G. Green, Jr.;

H.R. 5305. An act for the relief of Dr. Ernest P. Imle;

H.R. 5571. An act for the relief of Noble Frank Smith and his wife, Viola Smith;

H.R. 6876. An act for the relief of Capt. Wilfrid E. Gelinas, U.S. Air Force;

H.R. 7757. An act for the relief of Jesse I. Ellington;

H.R. 8222. An act for the relief of Edward J. Maurus;

H.R. 8348. An act for the relief of Mrs. Faye E. Russell Lopez;

H.R. 8532. An act for the relief of Ivan D. Beran;

H.R. 8828. An act for the relief of John T. Cox;

H.R. 8936. An act for the relief of Leonard M. Dalton;

H.R. 9475. An act for the relief of Miss Grace Smith, and others;

H.R. 10078. An act for the relief of Philip N. Shepherdson; and

H.R. 10774. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of cadmium from the national stockpile and the supplemental stockpile.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 1642. An act to provide for the sale of the U.S. Animal Quarantine Station, Clifton, N.J., to the city of Clifton to provide for the establishment of a new station, and for other purposes; to the Committee on Agriculture and Forestry.

H.R. 2434. An act to amend section 560 of title 38, United States Code, to permit the payment of special pension to holders of the Congressional Medal of Honor awarded such medal for actions not involving conflict with an enemy, and for other purposes; and

H.R. 8925. An act to amend title 38 of the United States Code in order to provide that a disability which has been rated at or above a certain percentage for 20 or more years may not thereafter be reduced below such percentage; to the Committee on Finance.

H.R. 8251. An act to amend section 612, title 38, United States Code, to authorize dental services and treatment in cases where discharges were corrected by competent authority from dishonorable to conditions other than dishonorable; to the Committee on Labor and Public Welfare.

H.R. 9964. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; and

H.R. 10705. An act to amend the Government Corporation Control Act to change the General Accounting Office audit to a calendar year basis in the case of the Federal home loan banks and the Federal Savings and Loan Insurance Corporation; to the Committee on Government Operations.

H.R. 10736. An act to authorize the Secretary of the Navy to adjust the legislative jurisdiction exercised by the United States over lands comprising the U.S. Naval Hospital, Portsmouth, Va.; and

H.R. 11035. An act to authorize the extension of certain naval vessel loans now in existence; to the Committee on Armed Services.

H.R. 11255. An act to validate certain payments of per diem allowances made to members of the Coast Guard; to the Committee on the Judiciary.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. INOUYE. Mr. President, I ask unanimous consent that at the conclusion of a quorum call, there be a morning hour, under the usual conditions, and with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS TO 9 A.M. ON WEDNESDAY

Mr. INOUYE. Mr. President, I ask unanimous consent that at the conclusion of the business of the Senate today, the Senate stand in recess until 9 o'clock a.m., Wednesday, June 3.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll; and the following Senators answered to their names:

[No. 260 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Carlson
Case
Church
Clark
Cotton
Dirksen
Dodd
Gruening
Hart
Hartke
Hickenlooper
Holland
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Lausche
McClellan
McGovern
McIntyre
Metcalf
Miller
Monroney
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pearson
Proxmire
Ribicoff
Robertson
Saltonstall
Simpson
Smith
Stennis
Thurmond
Walters
Williams, N.J.
Williams, Del.
Yarborough

Mr. INOUYE. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Georgia [Mr. RUSSELL], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from West Virginia [Mr. BYRD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from North Carolina [Mr. ERVIN], the Senator from Tennessee [Mr. GORE], the Senator from Washington [Mr. MAGNUSON], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PELL], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I further announce that the Senator from California [Mr. ENGLE] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from Kentucky [Mr. COOPER], the Senator from Colorado [Mr. DOMINICK], and the Senator from Vermont [Mr. PROUTY] are detained on official business.

The Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from Hawaii [Mr. FONG], the Senator from Arizona [Mr. GOLDWATER], the Senator from California [Mr. KUCHEL], the Senator from New Mexico [Mr. MECHEM], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The ACTING PRESIDENT pro tempore. A quorum is present.

Morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON UNECONOMICAL PRACTICES RELATING TO BRAND NAME PROCUREMENTS, FEDERAL SUPPLY SERVICE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on uneconomical practices relating to brand name procurements, Federal Supply Service, General Services Administration, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

REPORT ON ILLEGAL AWARD OF ADVERTISED CONSTRUCTION CONTRACT AND EXCESSIVE COSTS FOR CONTRACT MODIFICATIONS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the illegal award of advertised construction contract and excessive costs for contract modifications, Departments of the Army and Air Force, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

REPORT ON UNNECESSARY COSTS TO THE GOVERNMENT FOR UNREASONABLE DELAY BY COLLINS RADIO CO., CEDAR RAPIDS, IOWA, IN RELEASING SPECIAL TOOLING

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs to the Government for unreasonable delay by Collins Radio Co., Cedar Rapids, Iowa, in releasing special tooling, Department of the Army, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SYMINGTON, from the Committee on Aeronautical and Space Sciences, with amendments;

H.R. 10456. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes (Rept. No. 1054).

By Mr. YARBOROUGH, from the Committee on Commerce, with an amendment:

H.R. 8462. An act to authorize the conveyance of certain real property of the United States heretofore granted to the city of Grand Prairie, Tex., for public airport purposes, contingent upon approval by the Administrator of the Federal Aviation Agency, and to provide for the conveyance to the United States of certain real property now used by such city for public airport purposes (Rept. No. 1055).

PREVENTION OF INJURY TO FISH AND WILDLIFE FROM THE USE OF INSECTICIDES, HERBICIDES, AND PESTICIDES—REPORT OF A COMMITTEE (S. REPT. NO. 1053)

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably, with amendments, Senate bill 1251, which amends the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife by the use of insecticides, herbicides, fungicides, and pesticides; and I submit thereon a report.

The bill was originally introduced by the distinguished junior Senator from Oregon [Mrs. NEUBERGER], on behalf of herself, the Senator from Illinois [Mr. DOUGLAS], the Senator from Missouri [Mr. LONG], and the Senator from New Hampshire [Mr. MCINTYRE]; but the bill has been considerably amended. However, that fact does not detract at all from the objectives of the authors of the original bill.

The bill now being reported turns out to be more or less a committee bill, as the report on it will show; but I want the RECORD to show that these Senators have long been advocates of this inquiry, in hopes we can do something about the increasing injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The report will be received and the bill will be placed on the calendar.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated May 25, 1964, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER (by request):

S. 2884. A bill to repeal certain acts relating to exportation of tobacco plants and seed, standards for grains, naval stores and wool, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CARLSON:

S. 2885. A bill for the relief of Vladimir Gasparovic and Dragica Rendulic Gasparovic; to the Committee on the Judiciary.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, what is the pending business?

The PRESIDING OFFICER. If there is no morning business——

Mr. STENNIS. Is the Senate in the morning hour?

The PRESIDING OFFICER. Yes. Morning business is in order.

Mr. STENNIS. I think the Senator from Vermont [Mr. AIKEN] has a matter to present.

Mr. AIKEN. Mr. President, I have a statement which will take about 5 minutes. If it is agreeable to the Senate to give me extra time over and above my 3-minute allotment, I shall be glad to deliver my statement now.

The PRESIDING OFFICER. Is there objection? Without objection, it is so **ordered.**

SOUTHEAST ASIA

Mr. AIKEN. Mr. President, according to news reports some 30 topflight Government officials and their aids are meeting in Honolulu to consider our future course of action in southeast Asia.

I assume that one proposal which will receive consideration is the possible extension of hostilities outside the borders of South Vietnam—also the stationing of U.S. troops in Thailand and the more extensive use of our Air Force over Laos and possibly other areas.

A few years ago, units of our Armed Forces went into South Vietnam at the request of a friendly government—that of Ngo Dinh Diem. We went in there to help check and eradicate a few small scattered groups of rebels or bandits which were carrying out hit and run raids against the Government.

For the first 2 or 3 years conditions appeared to be more or less static. Thanks to our economic aid, there was some increase in the living standards of some of the people. Public works were improved—the people remained friendly to the United States.

Under our supervision, the Vietnamese Army received instructions in the use of military equipment, including planes.

A little over 2 years ago disturbing reports began to come from South Vietnam. People who had been in that country—some of them for a long time—brought back reports of a growing lack of cooperation among the Vietnamese people, of instances of graft in government contracts, of a growing inability to deal with rebel bands, of the buildup of a class of idle rich and a general worsening of conditions, militarily as well as otherwise.

Late last summer, the Comptroller General reported to Congress that there was no record of large shipments of grain and food destined to South Vietnam ever having been received there. Where these commodities went, no one seems to know.

During this same period of time, officials of the executive branch were appearing before committees of Congress assuring us that all was going well, and while it might take a little time, success was just around the corner. The Secretary of Defense even talked optimistically of withdrawing most of our forces at an early date.

It was not until last fall that officials of the administration appeared before the Foreign Relations Committee and told us what we all had known for some time—conditions were worse, not better. The assassination of President Diem made any further assumption that all was going well a futile pretense.

The whole world now knows of our predicament, and in the eyes of the world the United States will always be held largely responsible for the death of President Diem, who was without doubt a friend of the Western Nations and a foe of communism.

Now, our problem has become compounded. Not only have we assumed the responsibility for maintaining a stable government in South Vietnam; not only are we concerned with the possible loss of large markets for American commodities in southeast Asia; and not only are we disturbed by increasing dissension among our friends and allies, particularly France, but for some there is the problem of making things look better for those same people who only last year were telling us that all was going well.

There are those who advocate an early withdrawal of our forces in South Vietnam. There are others who advocate an expansion of military operations to other countries, particularly North Vietnam, and even China itself. These people seem to have short memories, far shorter than the French, who learned much at Dien Bien Phu.

If the Chinese or North Vietnamese would only fight with planes or tanks or something modern, we could knock them right out of the sky, bomb their roads, bridges, and fuel supply depots, and win without too much difficulty.

However, like the Vietcong, who are now giving us so much trouble to the south of Saigon, the Chinese would probably insist on using foot soldiers.

We had some experience with them in North Korea. If we are now having so much difficulty in coping with 25,000 to 30,000 Vietcong rebels, would we find it easier to deal with possibly a couple million better trained troops from the north?

I know the answer that some will give to this question—blast their cities and supply depots with nuclear bombs if necessary. I agree that such a procedure would bring results—results which I do not like to contemplate.

An expansion of military operations leading to a general war in southeast Asia will not have my support. I would not object to stationing detachments of reasonable numbers in Thailand for defensive purposes if the government of that country requests it and if the government and people of Thailand are willing to defend their own country with full force, and if such action is not a prelude to a wide expansion of the war.

Neither would I withdraw precipitately from South Vietnam. It will be necessary to render both military and economic assistance to that country for some time—maintaining a stalemate with the rebels for the time being if that is the best we can do.

Officials of the United States should not hesitate to meet with representatives of other countries to discuss problems relative to Cambodia, Laos, or any other country where an international conference promises a degree of hope for the people concerned and a lessening of the chance of war.

The facilities of the United Nations should be used to the fullest feasible extent. The United States cannot afford to go it alone when the security of the Nation and of the world is threatened.

Where does the responsibility rest for deciding what course our country should follow relative to the southeast Asia problems? Well, not with Secretary McNamara, not with Secretary Rusk, not with Ambassador Lodge, even though these three may play important roles as advisers.

The responsibility rests squarely and heavily on the shoulders of the President of the United States, and the correctness of his decision will determine his place in history, provided, of course, that there is a history.

WYOMING SPACE AGE CONFERENCE AND EXPOSITION

Mr. SIMPSON. Mr. President, an event of singular importance to the State of Wyoming opens at Riverton Thursday. The second annual Wyoming Space Age Conference and Exposition will feature addresses by Air Force Chief of Staff Gen. Curtis LeMay and leading figures in the military and space industries.

To better explain the event, its importance to Wyoming and to the Nation, I ask unanimous consent to have printed in the Record three press releases alluding to the speakers and program of Wyoming's Space Age Conference and Exposition.

There being no objection, the press releases were ordered to be printed in the Record, as follows:

Wyoming Space Age Conference and Exposition—Gen. Curtis E. LeMay Keynotes Conference

Riverton.—Gen. Curtis E. LeMay, who will keynote Wyoming's second Space Age Conference and Exposition in Riverton June 4, has a distinguished record of service for his country.

General LeMay will speak at a noon banquet Thursday, June 4, following dedication of the exposition Thursday morning.

E. B. Fitzgerald, president of Cutler-Hammer, Inc., speaks to an evening banquet climaxing the daylong conference.

Theme of the Thursday afternoon conference is "The Technological Revolution." It features four leaders from the university, industry, and the Air Force.

"General LeMay is a military leader of unquestionable stature and integrity," stated Senator Milward L. Simpson in announcing that the famed flying general would come to Riverton. "His leadership and vision have helped mold an Air Force second to none in the world. His concern for our national security and his lifetime of experience serving his country in war and peace make him preeminently qualified to speak to Wyomingites on the space age to which America's future is so inextricably bound."

The 57-year-old LeMay is an active, jet-qualified pilot and usually flies his own plane. He is a native of Columbus, Ohio, and graduated from Ohio State with a civil engineering degree.

General LeMay has been at the cornerstone of many of the Air Force's greatest achievements. He participated in the first mass flight of B-17's to South America in 1939; he led the famed Regensburg shuttle bombing mission from England to Africa; he organized B-29's in the Pacific; he set a nonstop flight record from Hokkaido, Japan, to Chicago in 1946; he was the Air Force's first Deputy Chief of Air Staff for Research and Development; he organized the Berlin airlift; in 1948 he returned to the United States as the first leader of the Strategic Air Command (SAC) at Offutt Air Force Base, Nebr., a command he held for nearly 10 years. SAC became the nerve center of a worldwide bomber-missile striking force.

During his command of SAC he built, from the remnants of World War II, an all-jet bomber force, manned and supported by professional airmen dedicated to the preservation of peace.

Under General LeMay's leadership and supervision, plans were laid for the development and integration of an intercontinental ballistic missile (ICBM) capability.

In July 1957 General LeMay was appointed Vice Chief of Staff of the U.S. Air Force and served in that capacity until July 1961, at which time he was appointed Air Force Chief of Staff, the post he now holds.

General LeMay has many of the world's highest military decorations including the American Distinguished Service Cross, the British Distinguished Flying Cross, and the French Legion of Honor.

General LeMay's distinguished record in war and peace has been recognized by many colleges and universities who have awarded him honorary doctorate degrees—among them Ohio State, University of Southern California, Creighton, Case Institute of Technology, John Carroll, Kenyon College, the University of Akron, Tufts, and the University of Virginia.

General LeMay will be present at the Air Force Academy commencement exercises June 3 and will fly into Riverton the morning of June 4.

President Lyndon B. Johnson recently reappointed General LeMay as Air Force Chief of Staff. The general will complete 35 years of service in February 1965.

Wyoming Space Age Conference and Exposition—Cutler-Hammer President Will Speak

Riverton.—E. B. Fitzgerald, president of Cutler-Hammer, Inc., will be the main banquet speaker at the second Wyoming Space Age Conference and Exposition here June 4, it was announced by Gov. Clifford P. Hansen.

Gen. Curtis E. LeMay, Air Force Chief of Staff, will provide the keynote address for the conference at a noon banquet.

A space-science conference with the theme "The Technological Revolution" will feature four leading industrial experts during the afternoon conference sponsored by the Wyoming Natural Resource Board.

Cutler-Hammer is the world's largest manufacturer of electrical controls. Cutler's Airborne Instruments Laboratory Division at Deer Park, Long Island, is a leader in research and manufacturing in electronic products with particular emphasis on complete aerospace systems and subsystems.

Cutler-Hammer is headquartered in Milwaukee.

Mr. Fitzgerald was elected president of Cutler-Hammer on November 18, 1963, and took office January 1, 1964, following the retirement of Philip Ryan.

Fitzgerald, 38, joined C–H in 1946 after receiving a degree in electrical engineering from the University of Michigan.

The young president worked in the development engineering, purchasing, sales and engineering departments before, in 1959, becoming vice president of engineering, a position he held until named administrative vice president in 1961. He was elected to the board of directors in 1962.

Wyoming Space Age Conference and Exposition

Riverton.—A full-scale solid propellant Minuteman, latest in the family of U.S. intercontinental ballistic missiles, will be on display here June 3–7 as the heart of the second Wyoming Space Age Conference and Exposition.

The 100-foot high ICBM will be located outdoors in front of the Space Age Exposition hall at the Fremont County Fair Grounds.

Big day of the 5-day conference and exposition is Thursday, June 4, dubbed "Wyoming Day." The exposition will be dedicated at 11 a.m., Gen. Curtis E. LeMay of the U.S. Air Force will keynote the conference at a noon banquet. Four leading experts will discuss "The Technological Revolution" during the afternoon conference, and E. B. Fitzgerald, president of Cutler-Hammer, Inc., will be the principal evening banquet speaker.

There will be many other Air Force and industry exhibits displayed in the exposition hall throughout the 5 days.

The Wyoming Air National Guard will have a giant Constellation C–121–G transport plane in static display at the Riverton airport Thursday and Friday. The public will be allowed to inspect the giant craft inside and out.

Other Air Force exhibits indoors are an actual YLR–99 rocket engine, the powerplant for the X–15 aerospacecraft; an Atlas ICBM exhibit; a Titan ICBM exhibit; a Mercury capsule spacecraft exhibit; a B–52 bomber, F–104 fighter, X–15 aerospacecraft exhibit; and a series of Air Force films.

Other companies exhibiting at the exposition, free to the public, include United States Steel, Bionomics Corp., Electric Information Co., Western Instruments Corp., IBM, Thiokol Chemical Corp., and Martin Co. of Denver.

ONONDAGA CHURCHES WORK FOR CIVIL RIGHTS BILL

Mr. KEATING. Mr. President, yesterday, Rev. and Mrs. Gary Hakes, of the Woodlawn Methodist Church in Syracuse, N.Y., came to Washington to present approximately 1,000 postcards in support of the civil rights bill to their Senators from New York. These cards had been gathered by Onondaga County, N.Y., teenagers of all faiths who went from door to door in their own neighborhoods for 2 hours on the night of May 27. About 500 youngsters, sponsored by their church youth groups, participated, and almost 5,000 cards were collected, 4,000 of which will be sent to Washington later this week. After reading a fact sheet distributed by the teenagers, citizens were asked to indicate their support or their disapproval of the bill. Of the 1,000 messages I received yesterday, 4 opposed the bill, 996 favored it. This was an unusual sampling of opinion in another respect. People were asked to write whatever they wished on the cards and it was not a case of signing some stereotyped message to which we are so often subjected in Congress.

Mr. President, I commend the churches and the young people of Onondaga County for their magnificent effort to indicate support for this bill. Their work is a testament to the moral commitment of America's younger generation to this cause. I want to assure them that the large majority of U.S. Senators are on their side, and are working to pass this bill and will support the bill when it comes to a vote.

ON-THE-JOB DIRECTOR OF ARIZONA, MR. SPENCER THOMPSON, CALLS FOR GI BILL TO UTILIZE VETERANS' ENERGY

Mr. YARBOROUGH. Mr. President, Mr. Spencer Thompson, director of the Governor's Council for Veterans' Institutional and On-the-Job Training of Arizona, has written an article for the October edition of the service letter of the National Association of State Approval Agencies. In his article, entitled "Energy and the Cold War Veteran," Mr. Thompson discusses the necessity of providing our cold war veterans with the means of pursuing the education and training which can enable them to employ their mental potential in constructive uses in our fast-changing technological world. Mr. Thompson also warns us of the irreplaceable losses which will be suffered by the individual and the Nation if this readjustment assistance is not provided.

Mr. President, the 1960 Democratic National Convention in Los Angeles recognized the responsibility of providing readjustment assistance to our cold war veterans by including the following plank in its platform:

> We shall continue the veterans home loan guarantee and direct loan guarantee programs and educational benefits patterned after the GI bill of rights.

The cold war GI bill, S. 5, is the embodiment of this plank in the official platform of the Democratic Party; and I urge the leadership of the Senate to schedule the cold war GI bill for Senate consideration at the earliest opportunity in order that this pledge to the people of the United States can be fulfilled.

Mr. Spencer Thompson, in his fine article entitled "Energy and the Cold War Veteran" in describing energy of all types, says:

> Energy, when properly controlled, can work for man toward a better way of life. Energy which is not controlled cannot only be lost, but it can lead to death and destruction.
>
> One source of energy is that developed by an atomic reactor; however, the characteristics of the components used to generate the energy must be controlled by a stabilizer. The resultant effect is usable energy and prevention of overgeneration, which would not only be lost but which could cause destruction of the reactor.
>
> Another source of energy, more important than that generated by a reactor, is the energy represented by the combined mental potential of the cold war veterans.

Mr. Thompson points out that without a readjustment act, this energy is lost. That is what the cold war bill involves. It is not a bonus. It is a readjustment measure. The World War II GI bill, passed in 1944, was a readjustment act to teach veterans to readjust to civilian life and be reproducing elements of our society, rather than forming—as in the case of today's veterans—the highest percentage of unemployed of any group.

I ask unanimous consent that the article by Spencer Thompson, entitled "Energy and the Cold War Veteran," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Energy and Cold War Veteran

(By Spencer Thompson)

Energy when properly controlled can work for man toward a better way of life. Energy which is not controlled cannot only be lost but it can lead to death and destruction.

One source of energy is that developed by an atomic reactor, however, the characteristics of the components used to generate the energy must be controlled by a stabilizer. The resultant effect is usable energy and prevention of overgeneration which would not only be lost but which could cause destruction of the reactor.

Another source of energy, more important than that generated by a reactor is the energy represented by the combined mental potential of the cold war veterans.

This energy also needs a stabilizer, particularly, one that influences the transition from military to civilian life, by providing, through education and training, the needed tools so the energy can be put to constructive use.

Past experience dictates that education and training, such as was available to World War II and Korean veterans, is the stabilizer proven best to accomplish this purpose. It was more than a stabilizer, it was also a stimulator which resulted in dividends far greater than were expected and there is no foreseeable end to those dividends.

In the fast changing technological world of today, in which nations continue to be torn with internal as well as external strife, the energy of those men who were put in uniform and taught to use the weapons of destruction in defense of the country, although we were not fighting a declared war, must be transited to civilian activities. To accomplish this, each man must be helped to full development of his talents and capabilities. Then, his energy can be used for the continued defense of this Nation, rather than being wasted.

This Nation cannot ignore its need for trained men any more than it can ignore the fact that jobs exist which cannot be filled. Neither can it ignore the fact that there is a vast amount of potential energy in our cold war veterans which must be trained before it is usable.

To ignore these factors is to invite irreplaceable losses to the individual and to the Nation. Some losses cannot be equated in dollars and cents, others such as buying power and taxes, can be. The losses to the Nation can never be recouped, neither can the losses to the individual, and they, by far, will be the greater.

ELECTRONICS RESEARCH CENTER IN BOSTON, MASS.

Mr. LAUSCHE. Mr. President, with reference to the contemplated building of the Electronic Research Center in Boston, Mass., opinions have been expressed to the effect that the study and review that was made of the advisability of building that institution in Boston was a mere front to an already formulated decision.

When the decision was made to build the center in Boston, considerable protest was raised by Members of Congress. NASA then announced that in view of the various sites suggested, it would afford an opportunity for the individual States to present their testimony, and then after a reasonable time, would decide what was to be done. From the very beginning, I was of the view that that was a mere front. The decision was made. It was not intended to be changed, and it was not changed.

In the House of Representatives, Representative JOHN W. WYDLER asked NASA for its files, containing the documents showing the studies that were made of the place where the site should be located. NASA refused to reveal to Representative WYDLER any of the documentary information contained in its files.

One would think that the information was of strategic importance, and therefore should not be revealed. But, manifestly there is nothing confidential or strategic about it. A site had to be chosen. Many States made application for it, including Ohio. Yet, NASA declines to reveal the contents of the documents in its files.

My attention has been called to an advertisement in the Sunday, May 3 issue of the New York Times, signed by Endicott Peabody, Governor of Massachusetts.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, may I have 3 more minutes?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, the advertisement reads as follows:

> Congress made it official in mid-March—the NASA Electronics Research Center will be located in Massachusetts, and henceforth this area is the space center of the world.
>
> A permanent installation, the Center will direct and coordinate all the research and manufacturing programs bearing on the fundamental and critical aspect of our Nation's space effort—electronic systems and components.
>
> The NASA decision to come to Massachusetts was painstakingly researched.

Mr. President, I pause here in the reading of the advertisement to ask, if it was painstakingly researched, and if the documentary proof in the files establishes that fact, why are these documents not released?

I quote further from the advertisement:

> And it was assisted by a remarkable team effort of the Commonwealth's labor, management, and government. The compelling advantages that NASA discovered, and the assistance encountered, are waiting for others. Our department of commerce has a wealth of material covering every aspect of every community in the Commonwealth from industrial parks to public schools, from railroad sidings to ski tows, from water tables to marinas. All of this is yours for the asking—in complete confidence—as is every other assistance you may require.
>
> Remember, Massachusetts means progress.
>
> ENDICOTT PEABODY,
> *Governor.*

Mr. KEATING. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. KEATING. This matter was reviewed before the Committee on Aeronautical and Space Sciences. A very unsatisfactory presentation was made, in my judgment, for this center being placed in Massachusetts. I agree with the Senator. The administration had already made the selection, and the review was meaningless. I believe that New York, Ohio, and a number of other States, including particularly New Jersey, did not receive proper consideration in connection with this subject.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. I ask for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. CASE. I am in accord with what Senators have said. There is no question about the truth of the suggestions which have been made. New Jersey's case, of course, is one of primus inter pares, and it suffered from a misuse of governmental power.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. JAVITS. I am satisfied that our representatives on the Aeronautical and Space Sciences Committee, the Senator from New Jersey and the Senator from New York, have borne out what has been alleged. Our position has usually been misrepresented, as trying to get things away from other States without regard to the fact that we are trying to economize in defense.

Here was an example of a totally new installation and a totally new expenditure. All we wanted and all we asked for was a fair and evenhanded consideration, based on our resources and our capacity to perform.

I with my colleagues in the Senate support the position taken by the Senator from Ohio.

Mr. LAUSCHE. Mr. President, speaking for Ohio, we do not want what we are not entitled to, but we do not want political efforts operating against us and in favor of places that are supposed to be more important along political lines.

Recently, a study was made in the Midwest section of our country concerning the number of scientists and engineers that are being produced by the Midwestern States. The statistics show that a great majority of the scientists and engineers are being graduated in Midwestern States. If we include New York, New Jersey, and other places, that number becomes overwhelming.

Unfortunately, the fact is that this research center, which will cost $60 million to build and $60 million in payroll to operate, has been awarded to Boston. Other centers are being built in Texas, and still others in California.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. I ask for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. This is being done at the expense of other States. This matter is not concluded. It is before the Appropriations Committee. I believe it ought to take a good look at it, and that the members of the committee should bring before them the papers which are in the files of NASA, in order to determine actually what took place in the investigation which was made and upon which the decision was based prior to the alleged and pretended review.

CIVIL DISTURBANCES IN NEW YORK CITY

Mr. JAVITS. Mr. President, I rise to say a word about a subject of great delicacy. I say this as an ardent supporter of the civil rights legislation which is under consideration in the Senate. I speak of the wave of terrorism, hoodlumism, and vandalism on subway and elevated trains and the Staten Island Ferry that struck New York City over the weekend, perpetrated, according to the news accounts, largely by young Negroes.

I believe it is essential that all of us who support strongly a civil rights bill make our position clear.

First, public order and tranquillity must be maintained. Though we deeply understand the frustration and near despair which assails many Negroes, especially the young people, who suffer from a rate of unemployment which is three or four times the normal rate, and while this situation commands our deepest sympathy and strong determination to endeavor to correct it, it cannot deflect us from our primary duty to the community, which is to maintain public order and tranquillity.

It is my deep conviction that what is occurring is the repercussion from the fact that Negroes have for so many decades been denied fundamental and equal opportunity, especially in the southern part of the United States. And let us not forget that there has been an enormous migration of Negroes from the South, to New York City, to Newark, N.J., Detroit, Chicago, Boston, and other areas of the North. Therefore, Mr. President, we in the North have had our own backlash from the denial of opportunity and the denial of justice suffered by the Negroes for many decades in the South.

In addition to the many civil rights laws which the Northern States have enacted, much remains to be done in this field. The problem goes beyond civil rights laws, but civil rights laws are basic and should be a national standard to which the whole country should be required to repair. Therefore, it seems to me that one of the duties of Congress is to furnish the necessary element of stability to the whole effort; to deal with the problem and to give a just answer to the cries of deep frustration and despair, which are based upon so much denial. Public order and stability can then be maintained very much better with an answer; namely, the civil rights bill, than without an answer. We must give such an answer at least to the great majority of the Negro community of the country, for their support is absolutely essential if public order is to be maintained.

I was glad to observe that two outstanding Negro leaders, Dr. Kenneth Clark, a noted professor at one of the great colleges in New York and a leading Negro spokesman, and James Farmer, of the Congress on Racial Equality, have already cried out and denounced the aimless and reckless rioting. I hope that other Negro leaders will do the same. If the Negro community has any confidence in people like myself, I urge that community to support its leaders.

What is important is that there is a job for all of us. There is a job for the Senate, at long last, after well over 2 months of debate, to provide this minimal national standard of justice for the Negro and for other minorities in the country, so that there may be a just answer to a deep-rooted and just complaint. It is also up to the leaders of the Negro community in the United States to strike a note of responsibility and to point out that precipitate rioting can lead only to disaster.

I have great confidence in the clear-sightedness and intelligence of the American people, who will be able to distinguish between a social order which has denied elementary justice to the Negro in the South for a hundred years, and the vigorous efforts, made in the best of good faith and good will, to deal with the problems which go beyond the laws, in terms of education, in terms of job opportunity, in terms of greater opportunity in other fields, which could result in the North.

It is essential that the hands of the leaders and the great majority of the law-abiding Negro community be held up in such critical times, especially as we approach summer, when this crisis could become greater, not less.

I close with something I said on the civil rights measure more than 60 days ago. There is a timetable—an urgent, stringent, dangerous timetable. It is reflected by what struck New York over the weekend. A just answer cannot be denied the American people, especially those who have suffered so deeply from frustration and despair. The civil rights bill before the Senate is one answer. We need that answer. Armed with that answer, I deeply believe that the overwhelming majority of the community will see to it that public order and tranquility are maintained, that justice is upheld, and that the whole cause is ennobled as a result.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "A Double Responsibility," published in the New York Times of today, June 2, 1964.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A DOUBLE RESPONSIBILITY

The wave of terrorism, hoodlumism, and vandalism on subway and elevated trains and the Staten Island ferry that struck New York City over the weekend, perpetrated largely by young Negroes, is a setback to the cause of civil rights. It should frankly be recognized as such by Negro and other civil rights leaders with widespread condemnation before more destructive violence occurs.

We are glad to note that two outstanding Negro spokesmen, Dr. Kenneth B. Clark and James Farmer, have already denounced this kind of aimless, reckless rioting that in one instance almost led to that most ominous of all forms of civil strife: pitched battle between the races. We hope other leaders will have the courage to follow suit.

The City Commission on Human Rights came up with a particularly unhelpful appraisal of the subway incidents, which it was applied also to the ferry violence. It blandly observed that the weekend's events were "spontaneous reflections of a widespread malaise" and it called upon all groups with "responsibility in this area" to combine to alleviate the "socioeconomic causes at the root of this No. 1 urban problem." Of course all this is true; but the import of the statement was to come close to condoning illegitimate, unacceptable actions of enormous potential danger.

There is certainly a deep responsibility on the part of the white majority to hasten justice for the Negro. But the Negro leadership has its responsibility too, a responsibility to speak out with vigor for order, for decency, for nonviolence—for the good of our common cause, if for no other reason. Such outbursts as took place last weekend can only aggravate the prejudice, the bigotry, the enmities that all decent people, white and black, are trying so hard to combat. Such senseless acts as have occurred can only endanger the encouraging progress toward better relations already made.

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that a series of editorials commenting on the recent action of the Senate in curtailing the Bobby Baker investigation be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the St. Louis (Mo.) Globe-Democrat, May 16–17, 1964]

BRAZEN BAKER WHITEWASH

With 42 of the Democratic Senators voting against any further inquiry into the scandalous Bobby Baker affair, the American people have now been treated to perhaps the most brazen whitewashing job in their political history.

How the erstwhile secretary of the Senate Democratic majority amassed about $2 million in 9 years on a salary that never exceeded $19,600 is to remain, for the most part, a deep, dark secret.

Why he kept "frighteningly" large sums in $100 bills in his Senate office will not be disclosed.

And the Democratic Senators, voting down the specific proposal that Senators be included within the scope of the inquiry, have done their best to make sure no light is thrown on the 10 of their number whom their onetime secretary claims he held "in the palm of his hand."

What may puzzle many people—remembering the great to-do made over mink coats and freezers during the Truman administration and the hue and cry raised against Sherman Adams for accepting a vicuna coat during the Eisenhower administration—is how the Senate could bury a scandal right on its own doorstep.

The method was simplicity itself. The Senate turned the problem over to its Rules Committee, clubbiest in the Chamber, which then gave a classic performance of how to investigate without finding out anything.

"We are not investigating Senators," Chairman B. EVERETT JORDAN announced in the beginning, which was the tipoff on what wasn't coming. The committee might as well have shut up shop right then.

How could it be remotely possible to find out if the secretary of the Democratic majority had misused his authority without even looking in the direction of the Senators from whom he derived the authority?

The committee went through the motions, did some shadowboxing. But when Bobby, who had threatened earlier to "write a book," took the stand and took the fifth and didn't say a mumbling word, it quickly became apparent that the "investigation" had come to a dead end.

The Democratic members didn't want to ask any questions that might be embarrassing. The Republican members weren't allowed to summon any witnesses.

Even when a direct conflict in testimony developed between what Don B. Reynolds, the insurance man, said and what Walter Jenkins, President Johnson's assistant, said, the two men couldn't be called back to try to get at the truth.

On that sorry note, the Bobby Baker inquiry comes to an end where the Senate Democrats voted to chop it off.

According to what Bobby is quoted as having said, 10 of them could have a personal disinterest in getting at the truth. If his count is right, the disinterest of the others may be purely political.

With a presidential election coming up and the Democrats campaigning against poverty, it might divert attention of the voters from a major issue if they were still trying to find out how that Democratic Senate secretary pyramided his $19,600 salary into a cool $2 million.

[From the St. Louis Post Dispatch, May 21, 1964]

Ethics in the Senate

The "secret" report of the Senate Rules Committee staff proposing a stiff code of ethics for the Senate and its employees could hardly serve any purpose other than that of a second coat of whitewash for the Bobby Baker case. Even if the code should be adopted it would be a wholly insufficient substitute for a genuine investigation of the former Senate Democratic majority secretary's frenzied influence peddling and for corrective legislation to prevent a repetition of the disgraceful affair. Its authors furthermore ought to know that it is unadoptable as well as unworkable and unenforcible.

A deep and ugly stain has been left on Congress and even on the Presidency itself by the partisan, defensive and shallow work of the Senate Rules Committee. As a result it may never be known how deeply some Senators were involved in Mr. Baker's abuse of his official position or the nature and extent of Mr. Baker's involvement with President Johnson and with the Johnson family's Austin television monopoly, elsewhere under attack. Congress and the executive branch have sustained a loss in standing which would now seem irretrievable.

What legislation could do to prevent further erosions of respect and confidence in the future is at best debatable. Members of Congress operate at levels on which there is nothing that really can compensate for deficiency in a personal discipline of accountability. The least Congress can do in good conscience, however, it seems to us, is to apply to itself and its employees, including the staffs of Members, as fair and practical a law against conflict of interest as it has already applied to the executive branch.

Beyond that, it could work wonders in public esteem by taking a more serious view than it usually takes of its responsibilities to judge the qualifications of its own Members. But there again we come back to the question of self-discipline rather than lawmaking. Perhaps Congress deserves the comedown it has taken in the Baker case, as a true reflection of its quality. We do not like to think so.

[From the St. Louis Globe-Democrat, May 29, 1964]

Bobby Baker's Threat

Publication in the Congressional Record of the text of a broadcast made last month by Don Reynolds, insurance man, about the Bobby Baker affair throws interesting new light on what the Senate Rules Committee didn't want to investigate.

When the scandal broke, Reynolds said, Bobby warned him to get out of town and not talk to Senator John J. Williams, who had called for an investigation, lest he "get you and the rest of us into jail."

Who was in danger of going to jail and why they were in danger wasn't disclosed; but if Baker was quoted correctly, one of the things the Democrats on the committee may have wanted to avoid like the plague was discovering the identity of "the rest of us."

For that matter, there wasn't an item in the catalog of Reynolds' disclosures which wouldn't have embarrassed one Democrat or another.

President Johnson, he said, helped Billie Sol Estes and got money from him.

Walter Jenkins, now the President's aid, he said, shook him down to buy time on the Johnson's TV station he didn't want and couldn't use.

George Reedy, now the President's press secretary, he said, told him to keep his mouth shut about the insurance he had sold to Mr. Johnson.

"Ladies of leisure," he said, were used to influence the award of defense contracts.

As far as Reynolds was concerned, Bobby Baker's threat apparently was wasted. Reynolds remained in town, talked with Senator Williams, appeared before the Senate committee to answer questions.

Nonetheless, the threat may have served its purpose as first the Democrats on the committee balked at delving below the surface in the Bobby Baker affair and then most of the Democrats in the Senate voted to shut off the inquiry altogether.

[From the St. Louis Globe-Democrat, May 25, 1964]

Can't Bury Baker Scandal

If the American people still have any concern with political morality—and they do—Democrats from President Johnson on down won't be able to bury the Bobby Baker affair in this fall's presidential campaign.

They are going to discover that the scandal smells all the worse because of the layer upon layer of whitewash the Democrats have applied to it.

The Nation has just been witness to the most brazen coverup in the history of Capitol Hill. Certainly in modern annals. This investigation, which did not investigate, was an insult to public intelligence, a repulsive blot on the reputation of the Senate.

If there have been uglier messes in Washington, offhand they don't occur to us. But never before has there been a mess that came so close to so many high places, men who shut their eyes and held their noses and pretended it didn't exist.

Baker had so many contacts at top levels of Government and of his party, the great mystery of the affair became who was covering up for whom. Democrats of the Rules Committee refused to probe, and Democrats in the Senate voted to quash the phony inquiry.

Was it the White House itself and the President's election chances the six Democrats on the Rules Committee were concerned with when they flatly refused to call Walter Jenkins, a presidential aid, as a witness?

In his one and only statement with which he sought to brush off the Baker affair, Mr. Johnson touched on but one of two questions about his connection with it.

Admitting he had received a $584 stereo set as a gift while he was a Senator, the President said it had come from the Bakers with whom the Johnsons exchanged "family gifts."

He did not go into the claim of Don B. Reynolds, the insurance man, that Reynolds had paid for it. Nor did he mention Mr. Reynolds' further testimony that he (Reynolds) had bought $1,208 in advertising time on the Johnson's TV station at Mr. Jenkins' suggestion.

Here was a direct conflict in testimony. In an affidavit Mr. Jenkins had denied making any such suggestion. That is the sort of thing courts and investigating committees usually take most seriously. Somebody apparently was committing perjury.

Why didn't the committee want to know whether that could be Mr. Reynolds or Mr. Jenkins, a top presidential aid still serving in the White House?

Another thing Democrats on the Rules Committee appeared loath to investigate was Bobby Baker's dealings with Matthew McCloskey, bigtime contractor, former Democratic party treasurer, perhaps best known as a great "party fund raiser."

Bobby and Reynolds and McCloskey arranged the deal whereby the contractor would compensate the other two for their help in putting a D.C. stadium bill through Congress, for which McCloskey wanted, and got, the contract.

Was the connection between Federal projects and party funds, with legman Baker trotting back and forth, one of the important things Senate Democrats wanted to hide?

Bobby is said to have boasted that he held 10 Senators "in the palm of his hand." Certainly he had political dealings with all the Democrats he served as secretary. Admittedly, he had business connections with some of them.

With the ramifications of this colossal mess making the Profumo scandal look like a tempest in a teapot, no one can tell which of the Democrats, who blocked the investigation, were trying to save their own skins and which were coming to the aid of their party.

The very fact that the American people don't know who is guilty or how far the scandal reached is going to make it impossible for the Democrats to send the Bobby Baker affair to a campaign boothill.

When this scandal broke in Washington Democratic Senators, with a few notable exceptions, preferred to conceal the skulduggery rather than militantly uphold honesty and integrity in government.

Among the exceptions was Senator Douglas, Democrat, of Illinois, who voted not to kill the inquiry, as did Senator Dirksen along with the other Republicans. Democratic Senators Long and Symington did not vote on the issue. They were in Missouri attending the funeral of Representative Clarence Cannon that day.

DEAN DARLOW RETIRES

Mr. MONRONEY. Mr. President, before Oklahoma became a State, an estimated 10 million cattle were driven up the Chisholm Trail to northern railheads. From the rangy, skinny cattle associated with the wild west, Oklahoma livestock growers have moved forward to build great herds of Herefords, Shorthorns, and Angus cattle, among others, which compare favorably with the finest in the world.

One of the men who has done most for the State's cattle industry and who is known as "Mr. Livestock" to many, is Dr. A. E. Darlow, dean of agriculture and vice president of Oklahoma State University at Stillwater. He is retiring July 1 after 38 years of service to the school. I ask unanimous consent to insert in the Record a news story from the Tulsa Tribune, which tells something of his valuable service to cattle breeding, cattle judging, and agriculture generally.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Tulsa Tribune, May 26, 1964]

Al Darlow, Mr. Livestock to Many, Ending Oklahoma State University Career

(By Mac Bartlett)

Out in the show ring where they separate champions from the herds, Dr. A. E. (Al) Darlow has won international acclaim as a beef cattle judge. The list of shows he has judged, dozens of them, touches several continents.

The Oklahoma State University dean of agriculture and vice president is ending 38 years of service to his school July 1. This retirement, at age 65, in no way will retard his interest in cattle. For the man known to many Oklahomans as "Mr. Livestock" will be packing his bags for his next assignment—judge of the Australian National Polled Hereford Show beginning August 6 at Brisbane.

Dean Darlow has no immediate plans beyond the Australian trip. He has his own farm, 6 miles northeast of Stillwater, including 160 acres which his parents claimed in 1893 and where he was born in 1899.

In Tulsa the other day, the slender, 6-foot dean spoke modestly of his long career and discussed a variety of cattle topics, but merely smiled when asked about his favorite breed. He has judged Herefords, Shorthorns, and Angus alike.

Well, what kind of cattle do you have on your own place, he was asked.

"I have no herd there now," he replied.

Dr. Darlow, graduate of a prep school at Stillwater, received his college degree from OSU (then A. & M.) in 1919 when he joined the faculty. Six years later—in the great Chicago arena where he has since judged so many international livestock shows—Professor Darlow's judging team won an intercollegiate title for the first time.

The pressure of judging must be terrific in the highly competitive beef cattle world, but Dr. Darlow doesn't admit it.

Edd Lemons, head of Agricultural Information Services at OSU, recalled a story told about Darlow.

After a champion steer was selected in competition several years ago, the mother of the boy who finished second challenged the judge on his choice.

"That boy over there," said the dean as he pointed toward the winner, "is responsible. He fed and cared for the champion. I just confirmed his effort."

Dr. Darlow's portrait hangs on the walls of the Saddle and Sirloin Club in Chicago. Placed there in 1958, it means the Oklahoman is recognized as one of the men who have distinguished themselves in advancing the world's animal husbandry.

The cattle expert is not among those who think a fine herd can be built only by money.

"Pick out acceptable herd bloodlines and good individuals," he suggested. "You don't have to spend a fortune. They (good animals) can be found."

As to type and conformation in all beef breeds, the dean has observed mainly one change since 1935: "We are picking larger cattle."

Dr. Darlow recognizes the impact of imports, saying the increasing shipments of beef from abroad "have adversely affected purebred prices."

One Oklahoma breeder commented that the dean, who is equally at ease in the classroom and the feedlot, has established himself as a fine afterdinner speaker, adding: "He has an unexcelled sense of humor."

Except for 7 years—those being spent at the University of Wisconsin (1935–42) where he earned his doctor's degree and served on the faculty—the dean has devoted his career to the growth of Oklahoma State University, its and the State's agricultural development.

In addition, there were livestock shows, from coast to coast; at Perth, Scotland; in Canada, Ecuador, and Australia, to keep him on the go. He helped establish the Imperial Agricultural College in Ethiopia in 1952. He also made one trip to India in 1959 as a consultant on the nation's agriculture.

Dr. Darlow's wife, who frequently accompanied him on foreign trips, died in 1961. He has two married daughters, Mrs. Kathleen Winslow, 2221 East 25th Street, and Mrs. Jane Shapiro, of Stillwater, and three grandchildren.

HOW OTHERS SEE DARLOW

These are the comments of Oklahomans on the distinguished career of Dr. A. E. Darlow, retiring dean of agriculture and vice president of Oklahoma State University:

Dr. Paul Keesee, Poteau, manager of Kermac Angus Ranch:

"His influence on cattle has been outstanding in this State over a long period of time. His ability to get people to follow his thinking has helped a lot."

Otha H. Grimes, Tulsa, Polled Hereford breeder and owner of Ogeechee Farms, Fairland:

"He has been a tremendous asset to better beef in Oklahoma as well as to the entire Nation. He is a recognized authority in agriculture."

K. O. Dixon, Grove, Honey Creek Ranch operator and president of the Oklahoma Hereford Association:

"Dr. Darlow, strictly in Oklahoma, has been great—he's been very helpful to Hereford breeders. It is sad to all breeders to note that he is retiring from Oklahoma State University."

Sam Fullerton III, Miami, Okla., immediate past president of Oklahoma Aberdeen Angus Association, and one of Sunbeam Farms' owners:

"I don't think there has been any man who has done more for the cattle industry in Oklahoma. The Fullerton family has always had a lot of respect for him."

PEOPLE-TO-PEOPLE PROGRAM IN DENTISTRY

Mr. BEALL. Mr. President, this year the Southern Maryland Dental Society initiated a good will program for foreign doctors. One dentist, a Dr. Sergio Castellon Barreto of Nicaragua was selected to come to our country for a 10-week stay. During his stay, he observed the modern advancements in American dentistry. Each week the doctor resided in a different American dentist's home. The Voice of America thought so much of this program that Dr. Barreto was interviewed by them and his remarks were broadcast back to his country. From his remarks it is apparent that the United States now has a native good will ambassador in Nicaragua. This is the type of people-to-people program which will help foster a better understanding of the American way of life. I compliment the Southern Maryland Dental Society for their public service.

Mr. President, I ask unanimous consent that the article from the Suburban Record and the article from the Maryland News, together with the program of the society, be printed in the RECORD.

There being no objection, the articles and program were ordered to be printed in the RECORD, as follows:

[From the Montgomery County Suburban Record]

NICARAGUA DENTIST DELIGHTED WITH 10-WEEK STAY HERE

(By John Benedict)

Dr. Sergio Castellon Barreto, a dental surgeon from Nicaragua, last week wound up an extraordinarily successful 10-week stay in the United States as the guest of the Southern Maryland Dental Society.

During his visit Dr. Castellon received certificates of completion of the society's graduate study program and a 1-week course of instruction given by the U.S. Naval Dental School. He was the only civilian participating in the naval course.

Dr. Castellon observed activities in the dental schools at Howard and Georgetown Universities and the University of Maryland's branch in Baltimore. He also visited the Cleft Palate Clinic in Lancaster, Pa., the National Institutes of Health, and the Walter Reed Army Medical Center. He even took part in a national dental convention held in Washington, D.C., during the early part of his visit.

The groundwork for Dr. Castellon's coming to the United States was begun by the Southern Maryland Dental Society nearly 2 years ago when the organization decided to make a meaningful contribution to improvement of relations between this country and Central American States and particularly among dentists in the two areas. The society further decided that the best way to achieve this goal would be to sponsor visits of Latin American dentists to the United States.

SIX RESPOND

Early in 1963 the society sent questionnaires and application forms for such a visit to all dental schools in Central America. The dental school at the University of Nicaragua at Leon was the only one to respond. Six applications were received from that school, including one completed by Dr. Castellon who teaches part time at the University of Nicaragua and practices dentistry the remaining time.

The society reviewed the applications in the summer of 1963 and selected the one submitted by Dr. Castellon. He was notified in November 1963.

Dr. Castellon arrived here on February 22, and spent the first week in the Burtonsville home of Dr. Herbert Bricken, chairman of the society's visitation program.

During the next 9 weeks, Dr. Castellon stayed in one dentist's home after another, until the last week when he again stayed with the Bricken family.

The Central American guest visited the offices of each of the dentists with whom he stayed and observed the American methods of practice. One of the most basic things he discovered, inasmuch as he had never heard of it in Nicaragua, was that dentists here work by appointment. In his own country, Dr. Castellon told the Record, patients come and wait sometimes many hours before receiving attention. He said he was going to try to introduce the appointment system gradually when he returned home.

SIGHTSEEING

In addition to being kept on the go during the working hours by his host dentists, Dr. Castellon was busy sightseeing and participating in local community activities. He visited the National Art Gallery, the Smithsonian, the Wax Museum, the Capitol, the Washington Monument, the White House, and the zoo.

He was even taken on a fast trip to the World's Fair by one of his hosts.

Mrs. Bricken told the Record that Dr. Castellon is a gifted singer and talented guitar and harmonica player. When these talents were discovered by the son of one of the dentists with whom he stayed, Dr. Castellon was hustled off to a teen club to which the son belonged where he played and sang for the club's members.

LIKED BY EVERYONE

Mrs. Bricken said that Dr. Castellon was greatly liked by young people and adults everywhere he went during his 10 weeks in the United States.

Dr. Castellon did not speak a word of English when he arrived in this country. Within just a matter of days, Mrs. Bricken said, he had mastered our language well enough to converse on many subjects.

Dentists with whom Dr. Castellon stayed while here were Joseph Applebaum, Marvin Sheldon, Jerome Bernstein, N. William Ditzler, C. P. Chaconas, Marvin Nattel, John Droten, Daniel Placido, Frank Trotts, Richard Messer, and Dr. Bricken.

EMBASSY PLEASED

Dr. Messer was the host who took Dr. Castellon to the World's Fair. Dr. Messer also held a party for his guest and invited members of the Nicaraguan Embassy to attend. One diplomat who came said it was the first time he had ever been asked to come to a private home in this country.

While staying at Dr. Ditzler's home, Dr. Castellon was taken to Bethesda-Chevy Chase High School on an afternoon's visit by Dr. Ditzler's son. Dr. Castellon said he was completely amazed at the efficiency and seriousness of purpose exhibited by the student government at B–CC.

Dr. Castellon said he was deeply grateful for all of the advanced technical information he had acquired in the United States, but that he was equally grateful at having had the opportunity to visit in American homes. He said that no ordinary tourist to the United States could ever gain the same wonderful impression of the people in this country that he was able to by such an intimate association with them.

VOICE OF AMERICA

In March Dr. Castellon was interviewed by the Voice of America and his remarks were broadcast back to Nicaragua. He appeared to have been greatly pleased at having the opportunity to tell his own people so many good things about the United States.

Because of his wonderful experience here, Dr. Castellon said, he is certain the Southern Maryland Dental Society will have many, many applicants when it sponsors another visit to this country by a Central American dentist 2 years from now.

[From the Maryland News, May 7, 1964]

DENTISTS SPONSOR UNIQUE VISIT

Thanks to a number of local dentists and their families, a young Nicaraguan dentist flew back to his homeland Tuesday night wiser in the ways of his profession, as well as his North American neighbors.

Dr. Sergio Castellon Barreto had been here since February as a guest of the Southern Maryland Dental Society. His trip was a unique one; and he was an unusual visitor.

Three years ago when the late President Kennedy said his immortal "Ask not what your country can do for you, etc.," Dr. Herbert Bricken, Silver Spring dentist, decided upon his own way to answer the President's call. His idea to bring a foreign dentist to this country for graduate study was adopted as a project by the Southern Maryland Dental Society and Dr. Bricken, as chairman of the program, spent several years arranging for the first guest to come.

Eleven local dentists and their families entertained Dr. Castellon as their house guest during his 10-week stay here, and countless dental institutions opened their doors for his further enlightenment. He went home singing praises and left his hosts with impressions of a "perfect guest."

The 27-year-old bachelor from Nicaragua's second largest city, Leon, has been on the faculty of the National University School of Dentistry there for the past 5 years—teaching part time and carrying on a general practice as well. His selection to take part in the Dental Society graduate study program for a foreign dentist climaxed a 2-year period during which the committee gathered the names of all dental colleges in Central America, corresponded with their deans, and discussed the project with World Health Organization representatives and embassy officials.

Coming from an area where the temperature is normally 60 degrees and up, the young dentist arrived during one of our stormiest winters. His hosts kept looking at the snow—the first he'd ever seen—saying, "Oh this will soon melt away," and it did, but only briefly.

Dr. Castellon had rare opportunities. He observed private practices here in Montgomery County, describing them as "more advanced," than those in his country. He spent 3 days in the National Institute of Dental Research and visited Walter Reed Army Medical Center. One week he took a special crown and bridge course at Bethesda Naval Hospital, and was the only civilian enrolled. The doctor visited dental schools at Georgetown and Howard Universities here, and the University of Maryland in Baltimore. He saw the Lancaster, Pa., Cleft Palate Clinic and observed surgery at Holy Cross and Suburban Hospitals in Montgomery County.

"I gained a better impression with the opportunity to live here," Dr. Castellon decided, speaking English remarkably well. A high school course and a smattering of preparation at the U.S. Embassy's cultural school in his country were his only introduction to the language.

"Living in houses with families and friends is so much better than staying in a hotel like a tourist," he continued. "The people are very amiable, friendly. The education of the people is wonderful. It has been a real honor."

Among the Montgomery County dentists who had him as their houseguest are Joseph Applebaum, Marvin Scheldon, Jerome Bernstein, C. P. Chaconas, N. William Ditzler, Marvin Nattel, and Herbert Bricken. He spent his first and last weeks with the Brickens and the Richard Messers of Prince Georges County escorted him to New York City for 4 days at the World's Fair.

Dr. Castellon, Mrs. Bricken revealed, had gained certain impressions from the American films he saw in Nicaragua. "He thought everybody here was divorced," she said, "and teenagers did a lot of drinking. He attended a teen party here and found out they don't."

His American friends are going to miss his love of music. He sings beautifully, Mrs. Bricken commented, and knows all the Latin American dances. He played guitar for our entertainment, she went on, and the piano, xylophone, and harmonica, too.

A performance of the National Symphony at Constitution Hall was Dr. Castellon's favorite cultural experience here, he said, but he also enjoyed touring the National Gallery of Art and the Smithsonian. "I like all kinds of music," he declared, "from the best to the Beatles."

A high point of the visit was a radio interview over the Voice of America that was taped and transmitted to Central America.

Dr. Castellon went back home with a store of "many new things" he had learned, and plans to "make many changes" in his classes. His notebooks include new words and new people. His dental school will have new equipment as a result of his trip, too.

The Southern Maryland Dental Society provided round trip transportation and the homes in which he stayed. "It has been very satisfying for all concerned from the standpoint of doing something for our country and for the plain enjoyment involved in meeting and entertaining such a fine visitor," concluded the local dentists. "We urge other component dental societies and other professional societies to consider instituting similar programs."

INVITATION AND STUDY PLAN FOR FOREIGN GRADUATE DENTIST, SPONSORED BY THE SOUTHERN MARYLAND DENTAL SOCIETY

OBJECTIVES

1. To permit a foreign graduate dentist the opportunity of observing dental practices in the United States as the guest of the sponsoring dental society.

2. To aid in our national objective of achieving improved international relations, through planned dental society action.

METHODS OF RECRUITMENT OF CANDIDATES

1. All members of the Southern Maryland Dental Society having contact with foreign classmates may write these classmates for suggested candidates. An application form will be forwarded upon notifying committee chairman of interested foreign dentist's name and address.

2. Dr. Mario Chavez, Regional Dental Consultant, Pan American Sanitary Bureau, Washington, D.C., will cooperate by supplying the names of South American Dental Societies that have members expressing an interest in applying. Application forms will be forwarded to the appropriate dental societies.

3. Deans of a number of South American and Central American dental schools will be informed of our program and their aid enlisted in selection of candidates.

4. Application forms will be forwarded to the international dental organizations for the proper routing to potential foreign candidates.

5. All applications will be reviewed by the committee. After selecting several most suitable candidates, these will be screened through the U.S. Department and the candidates' respective embassies. The resulting group of candidates will be presented to the Southern Maryland Dental Society membership for final selection.

EDUCATION FACILITIES AVAILABLE IN SOUTHERN MARYLAND AND WASHINGTON, D.C., AREA

1. The directors of the various Federal dental services have commended the plan and will cooperate in meeting the educational desires of the guest dentist.

2. The deans of the area dental schools have expressed interest and support.

3. A number of practicing dentists have offered to have the visiting dentist spend time with them in their offices.

4. When the final candidate is selected and his wishes are ascertained a definite 3-month schedule will be outlined.

LENGTH OF VISIT AND LIVING ACCOMMODATIONS

1. The length of stay will be 3 months.

2. The society's guest will be housed in the homes of volunteers of the Southern Maryland Dental Society for 1 or 2 weeks. The schedule of volunteer hosts will be backed up by an alternate host list.

EXPENSES

1. All expenses, except incidental personal expenses, will be borne by the Southern Maryland Dental Society and its members.

MOTHER WRITES ABOUT STUDENT AID

Mr. HARTKE. Mr. President, I have received many letters over the past few months about the Hartke college student assistance bill, on which hearings were recently completed by the Education Subcommittee. A good many such letters have come from students or parents. One of the more recent is from a South Bend mother whose daughter is just now graduating from high school. It points up the need for the kind of comprehensive assistance, including the provision of aid for the average student, which my bill will give.

There are those, including Members of the Congress, who would prefer to put the entire burden of loans upon an expanded NDEA program. My bill provides for expansion of that assistance, but because of the mushrooming need for funds and the necessity for aiding all those with the capacity to benefit from college, it would make available also a Federal guarantee of private loans to students much as does the Federal Housing Administration for home loans.

The letter from Mrs. Ball to which I have referred makes clear the fact that NDEA cannot do the job adequately in dealing with the average, as compared with the high-ranking student. She writes that her daughter has been accepted at Ball State Teachers College, but that when she applied for a loan under NDEA she was told that her SAT score was too low. Mrs. Ball's letter continues:

> Here is where I disagree with this act. * * * There are many students who are not A students or even B students, but an average C student (give me the average student any time) except in their chosen field of endeavor in which they are interested. She, for instance, is an average student in everything except the sciences, which she gets good grades in but does not care for, and music.
>
> Music is her chosen profession, and she is entering college to become a music major and wants to be an instrumental music teacher. She plays bassoon, saxophone, piano and organ. Naturally she has been a member of both band and orchestra all the way through school and is a straight A student in this. So I ask, Why should a student with a chosen profession be denied aid for education, and they say they need teachers, just because he or she is not a genius in other areas of education? (I wonder how many of these geniuses get up at 6 o'clock in the morning to get to school to practice for marching, concerts, etc. 5 days a week for 4 years?)

Mrs. Ball continues to express her agreement with my own views, which I have repeatedly stated, that the goal should be "further education for anyone, regardless of whether it be a trade school, technical school, and so forth. This is as it should be." She further agreed with me that "there should be no restrictions as to need as long as the loans must be repaid anyway, because I don't think anyone would apply for such a loan, knowing it must be paid back with interest, if they did not need to."

Mrs. Ball concludes with this paragraph:

> My husband and I are 55 and 48 and I will have to work to help her (this I will gladly do). Having helped our parents on both sides for many years, we are just now buying our first home, so you can see at our age it is not going to be easy. Especially, when the time is coming when we should be laying something aside for our retirement years, so that we do not have to depend on our children to help us.

Mr. President, S. 2490 is needed. The existing arrangements for aid to college students is inadequate, as this letter so clearly demonstrates. I hope that when this bill comes before the Senate it will be adopted as an answer to the need for funds to aid not only the academically outstanding but the average student to achieve the kind of education needed today.

EIGHTEENTH ANNIVERSARY OF FOUNDING OF ITALIAN REPUBLIC

Mr. SALTONSTALL. Mr. President, today marks the 18th anniversary of the founding of the Italian Republic. On June 2, 1946, the people of Italy voted to abolish their constitutional monarchy and to establish a Republic, the guiding principles of which were to be consistent with the ideologies of the other western democracies. That was indeed a meaningful occasion for the people of Italy and for all people of Italian ancestry. The observance of this holiday provides an appropriate occasion for free people everywhere to pay tribute to the remarkable progress made by this young Republic in its 18 years of existence and to express our appreciation for the many contributions which people of Italian heritage have made to the enrichment of our lives.

The Italian Republic of 1946 was faced with many difficult problems attributable to the war and its aftermath. Homes and lands had been destroyed. Inflation was growing, and unemployment was dangerously high. But the courage, determination, and ingenuity of the valiant Italian people proved successful in replacing devastation with growth and development, poverty with industrial and agricultural expansion, and political instability with a government committed to the democratic principles which all free men cherish. Italy today has become a full partner in the activities of the free world, and is an important member of the NATO alliance, the United Nations, and the European Common Market.

Italian immigrants have made important contributions throughout the years to our American way of life. Many Italians have settled in my home State of Massachusetts and have assumed important positions of trust and responsibility in our Commonwealth. Within the past decade two men of Italian ancestry have served as Governor of Massachusetts.

On this holiday we commend the people of Italy for the remarkable strides they have made over the past 18 years in rebuilding their native land. We take this opportunity to wish them continued success in their endeavors to bolster Italy's economy and strengthen her political foundations.

INTERNATIONAL WILDLIFE CONSERVATION CONGRESS SUPPORTED BY STATE DEPARTMENT

Mr. YARBOROUGH. Mr. President, last year I introduced Senate Concurrent Resolution 60, calling on the executive branch of the Government to sponsor an international conference encouraging cooperative action by the nations of the world in behalf of wildlife conservation.

In that resolution and in my accompanying remarks I pointed out that many species of wildlife were threatened with extinction. Less than 200 living examples of a number of species of the largest animals living in the world today are in existence.

Such a conference would be of particular interest to the less developed countries where the bulk of the world's remaining wildlife populations are to be found. Conservation can bring rewards to these nations aside from its intrinsic value and its effects on tourism; wildlife as a source of meat is being given increasing recognition in planning the food resources available for increasing populations.

Those familiar with conditions in Africa have stated that proper game management can be many times more profitable than cattle raising, and wild game is not so injurious to the land.

That was pointed out in the remarks accompanying the original joint resolution.

The importance of the conservation of the wild game will increase, and the United States should provide leadership in securing international recognition and cooperation for conservation programs.

I am pleased by the communications I have received from conservationists expressing support for the goals of Senate Concurrent Resolution 60. One such letter of support comes from Mr. Frank Oatman, Jr., president of the Travis County, Tex., Audubon Society; I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. YARBOROUGH. Mr. President, in that letter the Travis Audubon Society states that it takes an active interest in conservation in Austin, Tex.; in Travis County; adjoining counties in the State of Texas; the whole United States, and every other country in the world. That activity shows the worldwide interest that conservationists have, however local the unit may be.

Recently, under date of May 6, 1964, the Department of State submitted its report on Senate Concurrent Resolution 60 to the Senate Commerce Committee. I am pleased by this Department's recognition of the need for this type of action. The Department of State also makes constructive suggestions as to the possible mechanics of setting up such a conference, and suggests that a preliminary study be made on such a conference. The Department's reasoning has merit and I am carefully considering the adoption of their recommendations in the resolution I am sponsoring. I ask unanimous consent that the report of the State Department be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

> DEPARTMENT OF STATE,
> *Washington, May 6, 1964.*
>
> Hon. WARREN G. MAGNUSON,
> *Chairman, Committee on Interstate and Foreign Commerce, U.S. Senate*
>
> DEAR MR. CHAIRMAN: Your letter of October 4, 1963, requested comments on Senate Concurrent Resolution 60, a concurrent resolution expressing the sense of the Congress with respect to the convening by the Secretary of the Interior, in consultation with the Secretary of State, of an international conference to initiate cooperative action to further conservation of wild animals on a worldwide basis. The conference would consider, among other things, action controlling imports of commodities chiefly derived from wild animals, assistance in establishing training schools and conservation departments, and assistance by the United States through use of local currency accruing to the United States under Public Law 480 of the 83d Congress.
>
> It is the policy of this Department to encourage the conservation of wildlife resources through any sound and practicable means. For example, conservation of wild-

life resources is of particular concern in Africa at present, and our diplomatic and consular officers have been requested, in appropriate situations, to render such assistance as they can in educating the officials and populace in the necessity and methods of maintaining their irreplaceable natural resources and to render any practicable assistance to the local government in this field.

Conservation of wildlife resources is important for three principal reasons: esthetic, protein food, and tourism. The existence of wildlife populations in their natural habitat has an intrinsic worth which is considerable. However, it is felt that in less developed countries the other two reasons will be more persuasive.

The proposed conference might lead to positive action for the preservation of the endangered wildlife resources of the world. For one thing, it might impress upon some nations which possess endangered wildlife population that such matters are of concern to people everywhere, and that the preservation of wildlife population is a matter of international prestige. But important as this may be, the major impact of such a conference might well be to clearly point out to the nations with endangered wildlife populations that it is clearly to their own economic advantage to conserve their wildlife populations.

The Department would support the conference if convinced that it has a reasonable prospect of accomplishing the objectives set out above. At present the Department has several reservations in this regard. These reservations are concerned with the amount of interest that there would be in the subject. Would it be possible to obtain sufficient representations from the countries where most of the products are marketed and from the countries where most of the products are produced to provide the basis for agreement on a treaty that would be effective in world traffic in animals and in animal products? It would be highly desirable to obtain some evaluation of these matters before proposing such a conference. Accordingly, the Department recommends that a study be made of the specific objectives of the proposed conference, how these objectives might best be realized and the likelihood of success of such a conference before any final action is taken on the resolution. Perhaps the first step should be a resolution calling for a study by a competent body of the problems facing world wildlife and whether these problems might best be met through such a conference or through other means.

Such a study as proposed by the Department might consider, inter alia:

1. Sponsorship: Wildlife knows no national borders, nor are conservation problems limited to any one area. The United Nations might, therefore, be considered to be the most appropriate body to convene such a conference on this worldwide problem. The United States would, however, be a most suitable site for such a conference. Holding a conference of this type at one of our great national parks would give a clear picture to the participants of conservation in action and the benefits which accrue therefrom.

2. Timing: The Department believes that holding such a conference within a year's time, as envisaged in the resolution, is not practical. A good deal of time would be necessary for the preparatory work. Another consideration is that an international conference on this subject was held in Nairobi, Kenya, September 21–23, 1963, sponsored by the International Union for the Conservation of Nature and Natural Resources. If a world conference were to be called either by the United Nations or the United States too soon after this conference, it would lose a good deal of its impact. Therefore, it is suggested that the fall of 1965, or even some date in 1966, might be the earliest practicable time for holding such a conference.

3. Funding: It is noted that no provisions are included in the resolution for funding such a conference. If the conference were to be held in the United States, even under United Nations auspices, certain expenditures would be required by the United States as host government.

In conclusion, the Department is favorably inclined toward the idea of such a conference, but feels that a suitable study should be made to determine its practicability and chances of success before any further steps are taken toward the convening of any such meeting. The committee may wish to consider redrafting the resolution to provide for such a study.

The Bureau of the Budget advises that from the standpoint of the administration's program there is no objection to the submission of this report.

Sincerely yours,
FREDERICK G. DUTTON,
Assistant Secretary.

Mr. YARBOROUGH. In that report the State Department says:

> It is the policy of this Department to encourage the conservation of wildlife resources through any sound and practicable means. For example, conservation of wildlife resources is of particular concern in Africa at present, and our diplomatic and consular officers have been requested, in appropriate situations, to render such assistance as they can in educating the officials and populace in the necessity and methods of maintaining their irreplaceable natural resources and to render any practicable assistance to the local government in this field.

The State Department further states that the interest in wildlife knows no national boundaries, and that conservation problems are not limited to any one area. They suggest that the United Nations might be an appropriate body through which to make the study. But the State Department recommends that the conference be held in the United States, possibly in one of our great national parks, where a clear picture could be given to the participants of conservation in action and the benefits which accrue therefrom.

On the subject of timing, my joint resolution, which was introduced last year, called for a conference within a year. The State Department points out that there is not sufficient time to have such a conference. It recognizes that the conference should be held, but recommends that it be held in 1965. I am pleased and grateful that the State Department has given much thought to the conservation of wildlife and the irreplaceable natural resources all around the world.

The Department is working with advice now. It recommends that the idea of an international conference be carried out and that plans be made looking forward to a conference, possibly in 1965, which would be the earliest possible practicable date for the conference, and perhaps even in 1966.

I feel that with such support the conference will be held and that we shall make strides to save the species of great animals threatened with extinction, and that we shall also make progress toward utilization of those portions of the earth where there are living large natural wild animals which could produce more meat per square mile than if the trees were bulldozed away and domestic animals were put there.

EXHIBIT 1

TRAVIS AUDUBON SOCIETY,
Austin, Tex., April 6, 1964.

Senator RALPH YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: The Board of Directors of Travis Audubon Society, in regular meeting Thursday, April 2, voted to support your resolution calling on the United States to take the lead in convening an international conference to discuss ways of conserving the world's wildlife.

Travis Audubon Society takes an active interest in conservation in Austin, Tex., in Travis County and adjoining counties, in the State of Texas, the whole United States and in every country of the world.

We have appreciated the many conservation measures that you have initiated and worked for. You have had and will continue to have our strong support on all matters of conservation.

Very sincerely yours,
FRANK OATMAN, Jr.,
President.

The PRESIDING OFFICER. Is there further morning bnsiness? If not, morning business is closed.

CIVIL RIGHTS ACT OF 1963

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. LONG] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. TALMADGE], for himself and other Senators, relating to jury trials in criminal contempt cases.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 261 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bible
Boggs
Brewster
Burdick
Carlson
Case
Church
Clark
Cotton
Dodd
Dominick
Gruening
Hart
Hartke
Hickenlooper
Holland
Hruska
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Lausche
McGovern
McIntyre
Metcalf
Miller
Monroney
Morton
Mundt
Muskie
Nelson
Neuberger
Pearson
Proxmire
Ribicoff
Saltonstall
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Walters
Williams, N.J.
Williams, Del.
Yarborough

The ACTING PRESIDENT pro tempore. A quorum is present.

Mr. THURMOND obtained the floor.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may speak this morning from the desk of the senior Senator from Arkansas [Mr. McCLELLAN].

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, the procedural situation with respect to the issue of jury trials and H.R. 7152 presents an illustrative example of the weakness of the entire civil rights bill. The unprecedented tactics and procedures being followed to secure its passage at all costs and irrespective of its lack of merit conflict with long-established principles of justice.

The leadership has advised the Senate that on Saturday of this week, a petition for cloture under the provisions of rule XXII will be filed, and will, therefore, be the subject of a Senate vote 1 week from today. From the press accounts of the numbers and identities of Senators who are shouting that it is time to vote, it is conceivable that those voting in the affirmative on cloture would be a sufficient number to end debate. I do not personally believe this to be the case, but from press reports, one might be able to so conclude.

It is significant, Mr. President, that with reference to the jury trial, it is not the jury trial provision of the 1957 Civil Rights Act which the leadership actually intends to have written into the bill which they hope will be passed by the Senate. This is evidenced by the jury trial provision contained in the proposed substitute bill.

Mr. President, the procedure with reference to the jury trial issue illustrates clearly that the proponents of legislation in this field have learned that their proposals cannot stand the dissection of extensive debate and that their only hope is to enact provisions which will be precluded from extensive debate by the imposition of the gag rule on the Senate of the United States.

The debate on the jury trial provisions previously offered has gone on at some length and it would be useful to review the issues and the various proposals offered at this time.

Through the advent of a combination of unfortunate circumstances, a practice gained a foothold, and has now grown to awesome proportions, by which the courts of the United States and of many States have proceeded to punish persons charged with a variety of types of contempt of court without affording to them the historical rights of procedural and substantive due process, including jury trials. The practices of the courts have all too often been countenanced and even endorsed by the Congress.

The practice of denying a jury trial to a defendant in contempt cases, even in cases of indirect criminal contempt, stemmed from a real or apparent misunderstanding by the Founding Fathers and their immediate successors of the status of the common law of England with respect to those contempt cases in which jury trials were and were not afforded. In the early days of our Nation, the practice of denying jury trials to defendants in all manner of contempt proceedings was not of great and national moment, for the simple reason that contempt proceedings were relatively rare and involved matters of slight import, with negligible punishments.

Out of this inauspicious beginning, the practice of denying jury trials in all types of contempt cases has grown into a hideous monster, involving matters of great seriousness with correspondingly high penalties and which occur with great and increasing frequency. The complexity has been confounded by the disposition of the Congress to resort to the expediency of the contempt process or the enforcement of administrative law, except in those cases, of course, where the political repercussions of such a course are decidedly disadvantageous. The exception has occurred almost exclusively in laws passed with regard to labor unions, and the Congress has seen fit to provide that both labor unions and members of labor unions shall have the advantage of jury trials even where remedies provided by law involve injunctive proceedings.

The anachronism of denying a defendant a jury trial, even in cases of indirect criminal contempt, has been the divisive subject of two recent Supreme Court decisions. The first in point of time was Green, et al., against United States, decided in 1958, and United States against Barnett, et al., the decision in which was handed down on April 6 of this year. Both of these cases resulted in 5 to 4 split decisions by the U.S. Supreme Court. From the standpoint of consistency of procedural and substantive due process, the Congress should long ago have eliminated the star chamber summary proceedings which have flourished like a thistle on the surface of an otherwise cultured lawn of laws to protect the rights of individuals.

Mr. President, the confusion which exists in the state of the law on the subject of criminal contempts could have been avoided by a simple enactment of Congress at any time in the past. As a matter of historical fact, as early as 1896, the Senate recognized the need for legislation in this area. On April 30, 1896, the Committee on the Judiciary of the U.S. Senate reported favorably on S. 2984, a bill in relation to contempts of court. This bill reads as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That contempts of court are divided into two classes, direct and indirect, and shall be proceeded against only as hereinafter prescribed.
>
> SEC. 2. That contempts committed during the sitting of the court, or of a judge at chambers, in its or his presence or so near thereto as to obstruct the administration of justice, are direct contempts. All other are indirect contempts.
>
> SEC. 3. That a direct contempt may be punished summarily without written accusation against the person arraigned, but if the court shall adjudge him guilty thereof a judgment shall be entered of record in which shall be specified the conduct constituting such contempt, with a statement of whatever defense of extenuation the accused offered thereto and the sentence of the court thereon.
>
> SEC. 4. That upon the return of an officer on process or an affidavit duly filed, showing any person guilty of indirect contempt, a writ of attachment or other lawful process may issue, and such person be arrested and brought before the court; and thereupon a written accusation, setting forth succintly and clearly the facts alleged to constitute such contempt, shall be filed and the accused required to answer the same, by an order which shall fix the time therefor, and also the time and place for hearing the matter; and the court may, on proper showing, extend the time so as to give the accussed a reasonable opportunity to purge himself of such contempt. After the answer of the accused, or if he refuse or fail to answer, the court may proceed at the time so fixed to hear and determine such accusation upon such testimony as shall be produced. If the accused answer, the trial shall proceed upon testimony produced as in criminal cases, and the accused shall be entitled to be confronted with the witnesses against him; but such trial shall be by the court, or, in its discretion, upon application of the accused, a trial by jury may be had as in any criminal case. If the accused be found guilty judgment shall be entered accordingly, prescribing the punishment.
>
> SEC. 5. That the testimony taken on the trial of any accusation of indirect contempt may be preserved by bill of exceptions, and any judgment of conviction therefor may be reviewed upon direct appeal to or by writ of error from the Supreme Court, and affirmed, reversed, or modified, as justice may require. Upon allowance of an appeal or writ of error execution of the judgment shall be stayed, upon the giving of such bond as may be required by the court or judge thereof, or by any Justice of the Supreme Court.
>
> SEC. 6. That the provisions of the Act shall apply to all proceedings for contempt in all courts of the United States except the Supreme Court; but this Act shall not affect any proceedings for contempt pending at the time of the passage thereof.

This bill drew the distinction between direct and indirect contempts and allowed for summary punishment for direct contempts, without a jury trial. However, in cases of indirect contempts, it provided for the normal safeguards which accrue to a defendant in any criminal procedure, including a trial by jury upon application of the accused.

There was considerable debate on this subject on the Senate floor before this measure was finally passed by the Senate. It was passed, however, Mr. President, and in due course, the Committee on the Judiciary of the House of Representatives acted on the measure. Instead of approving the measure which the Senate passed, however, the Judiciary Committee of the House of Representatives reported an amendment in the nature of a substitute for the Senate-passed bill. This substitute, although different in some degree, contained the same procedural and substantive safeguards, including the right to a trial by jury for indirect contempts, as did the Senate-approved bill.

Due to the controversy which arose as a result of the House Judiciary Committee's actions, and the lateness of the session, no final action was taken on this measure before the 54th session of Congress adjourned, sine die.

Had the controversy never arisen over matters which were purely form rather than substance, the law on this subject today would be clear and unmistakable.

Mr. President, although it is similar in nature, the issues as to the denial of jury trials which derive by virtue of the provisions of H.R. 7152 far exceed in magnitude that which has grown up in judicial practice since its beginning with an obscure and largely misunderstood conception of the English common law. The provisions of H.R. 7152 bring to bear additional factors which make the inclusion of a provision for jury trials even more essential in order to achieve harmony with the constitutional concept of due process.

H.R. 7152 attempts to create new rights for certain citizens. Most of the rights which the bill attempts to create, and particularly those in the so-called public accommodations field and the employment field, had they existed at all in common law, would have fallen into the category of implied contract rights, for they are of this nature. Relations between merchant and customer, and between employer and employee are contractual, although the contract may be implied, rather than specific.

The situation would be bad enough if the bill only attempted to create such rights, and went no further. If that were the case, the so-called rights created by the bill would be enforceable by means of private, or civil, litigation.

Enforcement of the so-called new rights would be at the instance of the person aggrieved by his commencing a civil action against the person who he believed violated his rights and caused him damage.

The bill goes much further, however, than just attempting to create new rights and new contractual responsibilities. The bill provides that the new class of so-called rights which it creates shall be enforced, not by civil actions as is normally the method of enforcing contractual rights, but by the United States through injunctive procedure.

The effect, Mr. President, is to convert what would rationally be a matter for civil remedy into a new class of criminal prosecutions which utilize the summary proceeding of the star chamber. It should be emphasized that the abridgement of the so-called rights attempted to be created by the bill is not specifically made into a crime, but a procedure is prescribed which will result in criminal sanctions to enforce something in the nature of a contractual right without providing the safeguards of due process, including trial by jury, to those accused of abridging the so-called rights created under the bill.

Mr. President, the fact that H.R. 7152 provides that the enforcement of the so-called rights created by the bill will be in actions in which the United States may bring the suit has special significance. The fact that the suits will be prosecuted by the United States operates to circumvent the existing statutory provision for jury trials in indirect contempt proceedings. The two statutory requirements as to jury trials are 18 U.S.C. 402 and 18 U.S.C. 3691.

In both statutes, an exception is made to the requirement for a jury trial in cases where the suit or action is brought or prosecuted in the name of the United States.

Thus, Mr. President, the obvious effect of H.R. 7152 is to create a new type of action, which employs star chamber proceedings for the enforcement of so-called rights which, if they can exist at all, are in the nature of contractual rights.

It was because of this situation that the Senator from Georgia [Mr. TALMADGE], who was joined by several of us as cosponsors, offered to the bill amendment No. 513. This amendment would provide for a jury trial for the defendant in all cases of indirect criminal contempt, including those arising from H.R. 7152, without disturbing the well-settled authority of the court to deal summarily with cases of direct criminal contempt and valid cases of civil contempt.

The line of distinction between the types of contempt is well established. It is explained clearly in a memorandum placed in the RECORD by the Senator from Georgia on April 21. That memorandum states, in part:

> The contempt can be direct (arising out of acts committed in the physical presence of the court) or constructive (arising out of acts committed out of the physical presence of the court).
>
> There are two types of contempt proceedings—civil and criminal. The distinction is based on the character and purpose of the suit. If remedial, it is civil contempt. If punitive, it is criminal contempt. The following rules generally apply:
>
> Criminal: (1) Punitive punishment; (2) plaintiff is U.S. Government; (3) imprisonment for fixed period; (4) fine paid into court; (5) proved guilty beyond a reasonable doubt; (6) defendant cannot be compelled to testify against himself; (7) case cannot be settled out of court.
>
> Civil: (1) Remedial; (2) plaintiff is the original plaintiff in the injunction suit; (3) imprisonment only to coerce; (4) fine is paid to plaintiff; (5) proved guilty by a preponderance of the evidence; (6) case can be settled out of court.

Mr. President, the language of the amendment No. 513 also adheres strictly to the established distinction evolved in the case law between direct and indirect criminal contempts. A direct contempt, the trial of which the amendment excepts from the jury trial requirement, is one committed in the "presence" of the court. The language of the amendment includes the three distinct and separate definitions of presence, which are: First. actual presence, which means in the sight or hearing of the court, under such circumstances that the facts are known to the judge without confession or collateral inquiry; second, such presence that includes any place where court or grand jury sessions are held, including hallways and rooms for witnesses and jurors; and third, such presence that is sufficiently near to the court to obstruct the administration of justice, which means within hearing distance of the court, but not necessarily under such circumstances that the judge knows from firsthand evidence who is responsible for the contempt. The exempted direct criminal contempt also includes that feature of contempt found by Sir John Fox to have a firm basis in the common law for which summary proceedings were applicable; namely, the disobedience of any officer of the court of the writ or process of court, regardless of the geographical location of the act of disobedience in relation to the physical presence of the court.

The initial jury trial amendment, therefore, is the conservative minimum consistent with traditional constitutional concepts of due process. It is designed in such a way as to create no problems with enforcement for application, for it is based on a well established and historically recognized distinction as to types of contempt.

Faced with the forthright approach of amendment No. 513, the proponents of H.R. 7152 in the person of the majority and minority leaders then offered amendment No. 516 as a substitute for amendment No. 513.

This substitute is still pending before the Senate.

In essence, amendment No. 516, offered by the leadership, is patterned on the atrocious split-level jury trial provision incorporated by what was termed a compromise in the 1957 civil rights bill.

The 1957 jury trial provision fixed the right to a jury trial on the amount of severity of the punishment involved. In 1957, the compromise of the jury trial was based on a punishment level of a $300 fine or 45 days imprisonment. For sentences to be imposed in excess of this level of severity, the defendant was required to be afforded a jury trial. He was given no right to a jury trial when the punishment imposed was of a lesser severity. Amendment No. 516, the original Dirksen-Mansfield jury trial amendment, adhered to the split-level design but changed the applicable punishment level from $300 fine and 45 days imprisonment to a $300 fine or 30 days imprisonment.

This substitute has also been the subject of debate since it was offered on April 24, 1964. In this debate, it has been pointed out in some detail, and not refuted, that like the 1957 jury trial provision, the Dirksen-Mansfield substitute contained in amendment No. 516 is not merely a compromise of penalties, but indeed is a compromise of fundamental principles. It is a compromise of traditional and just standards of due process of law and the rights of individuals.

There is no logical basis for making the right to a jury trial contingent on the severity of the punishment inflicted. Conviction and punishment are entirely two different matters. The stigma of conviction is not mitigated by a light sentence, and an unjust conviction is no less unjust because the sentence of the court is mild.

If it is unjust for a judge in cases of indirect criminal contempt to be vested with the power to act as prosecutor, judge, and jury, then it is unjust in all cases, whatever the sentence of the court.

The pending substitute amendment, or compromise, as it is called, is well named, for it is completely compromising. The very fact that the amendment has been offered is an admission that it is wrong, unjust, and out of harmony with the Constitution for a person to be denied a jury trial when charged with indirect criminal contempt. The rationale of the compromise, however, is that a little bit of wrong is all right; that a little bit of injustice is permissible; that it is all right if just a little bit of one's constitutional rights are denied.

Yes, Mr. President, compromise is the correct and descriptive label for the pending substitute amendment. It is not a just compromise of the level of punishment at which a jury trial will be denied; it is a compromise of a fundamental principle of justice.

Judges should either have star chamber powers or they should not have such powers. Judges should either have the power in indirect criminal contempts to charge a man with a crime, prosecute him for it, conduct his trial, find him guilty and impose the sentence, or they should not have such power. Justice either requires that a man be given a jury trial in cases of indirect criminal contempt or it does not so require.

There is no such thing as confining justice to the flagrant cases, and permitting injustice in the minor cases. If the Senate departs from the principle of justice in any case, it commits an injustice.

After amendment No. 516 had been offered by the minority and the majority leadership as a substitute for the Talmadge amendment No. 513, amendment No. 577 was offered as an amendment to the Talmadge amendment No. 513. Procedurally, it was offered as a perfecting amendment to the Talmadge amendment, taking priority of consideration over the substitute offered by the minority and the majority leadership. Amendment No. 577, which is the pending business before the Senate, while it maintains and preserves the fundamental right to a trial by jury in cases of indirect criminal contempt, as provided in the Talmadge amendment, severely mitigates the minimum provisions of the Talmadge amendment by permitting a defendant to demand a jury trial only at the risk of being subjected to a more severe sentence.

I, personally, could not support amendment No. 577, for I believe the Talmadge amendment, which I cosponsored, to be the minimum consistent with justice and the demands of the constitutional concept of due process. Nevertheless, I can fully understand the factors which prompted the action of both the author of amendment No. 577, the Senator from Florida, and the Senator from Louisiana who offered the amendment. I am sure that both the Senator from Florida and the Senator from Louisiana would prefer the absolute jury trial guarantee in cases of indirect criminal contempt, as proposed by the Talmadge amendment to the provisions contained in amendment No. 577. From a practical standpoint, one cannot overlook the fact that any proposal jointly submitted by the minority and the majority leaders of the Senate has a distinct advantage, from the standpoint of garnering votes, over an amendment offered by several southern Senators to a civil rights bill, irrespective of the comparative substantive merits of the two amendments. When faced with such a situation, I can understand the offering of amendment No. 577 to weaken the Talmadge amendment in the hope that in its modified form at least the basic right of a defendant to a jury trial in cases of indirect contempt arising under the provisions of H.R. 7152 might be secured.

The Smathers amendment, No. 577, provides, as I have said, that in proceedings for indirect criminal contempt, the accused shall, upon demand, have the right of a trial by jury. This amendment also provides, however, that if the defendant does not demand a trial by jury, the sentence of the court upon his conviction shall not exceed a fine of $300 and 30 days. If, however, the accused in such a case demands a trial by jury and if he is convicted, he subjects himself, by his demand for a jury trial, to a sentence of as much as a $1,000 fine and imprisonment of up to 6 months.

Under this amendment, Mr. President, the defendant at least has the option of demanding a jury trial, albeit, at the risk of subjecting himself to much more severe penalty in the event he is convicted.

Mr. President, within the last week, the Senate has been put on notice of the intention of the minority and the majority leaders, together with the whips of the minority and the majority, to abandon the so-called Dirksen-Mansfield substitute embodied in amendment No. 516, which is pending before the Senate, in favor of what might be referred to loosely as a jury-trial provision, embodied as a part of a package substitute bill printed as amendment No. 656. The Senate has not been advised as to precisely when it is the intention of the minority or the majority leadership to call up this substitute bill containing this new so-called jury-trial provision; but it is quite apparent that this substitute will be called up after, rather than before, a gag is placed on the Senate, in the form of cloture under rule XXII.

Mr. President, from what is reported in the news media, one would be led to believe that the substitute package contained in amendment No. 656, intended to be proposed by the majority and the minority leaders, is a compromise bill which has eliminated the most objectionable and oppressive features of the House version of the bill. This masterpiece of compromise, according to the news media, has been accomplished by the minority leader, with the consent of the leadership of the majority in the Senate, and more important, with the consent and acquiescence of the nearly all powerful—and, if this bill is passed, soon to be more powerful—Attorney General of the United States.

This latest jury trial proposal is contained in section 1101 of title XI of the substitute bill intended to be proposed by the leadership of the Senate. This section well illustrates the type of compromise with which the Senate is faced, for it deprecates the right of trial by jury even worse than did the split-level jury trial provision of the 1957 act.

In this latest proposal, it is the judge who in his discretion would have the option of determining whether or not the defendant shall be given a jury trial. The accused would have no option in the matter whatsoever. Indeed, he would have no right to an opinion on whether he will or will not receive a jury trial. The judge would have the option of whether he will give the accused a jury trial and, therefore, subject him to a higher penalty of as much as a $1,000 fine and 6 months or whether he will try the accused himself without a jury, and thereby limit the possible sentence to a maximum under this provision of $300 fine and 30 days imprisonment.

Conceivably such a provision might put a Federal judge in something of a quandary. Should he risk an acquittal of the accused in order to have the option of giving him a more severe penalty, or should he try the accused without a jury, eliminating the risk of acquittal, and thereby be satisfied with imposing the less severe sentence upon the accused?

Mr. President, the leadership's latest proposal on jury trial is not just a compromise; it is a sham. It completely ignores the demands of justice and the constitutional concept of due process. As far as individual rights are concerned, it goes backward as compared to what has been previously proposed—not forward. From the standpoint of potential oppression of individual rights, the latest proposal does take a great stride forward.

In essence, the latest proposal by the leadership on jury trials would give the judge the option to provide a jury, and thereby a stiffer sentence in those cases which he believed were strong enough to get a conviction by a jury. In those cases which the judge thought too weak to sustain a conviction by a jury, he could try the accused himself, find him guilty, and punish him less severely. Mr. President, no sense of justice plagues the concept of this proposal.

Mr. President, this is typical of the compromises contained in the leadership's substitute bill in the form of amendment No. 656 to be called up after cloture is imposed and its iniquitious provisions thereby shielded from the bright light of extensive analytical debate. This substitute will be called up at a time when it will be shielded not only from the light of debate which would inform Senators, but from the light of debate which would also inform the American public of the travesties on justice which it contains.

Mr. President (Mr. Bayh in the chair), the jury trial issue is but one of innumerable issues of great import to the liberties of individuals in the Nation. It has received more debate in this body than possibly any other issue in the bill. Nevertheless, it is clear from the announcement of the intention of the leadership of its latest proposal that this issue of jury trials has itself not been debated sufficiently. It would be a sad day for America if cloture were invoked and debate limited even on this most discussed issue of jury trials. It is my sincere hope that the Senate will continue to engage in debate on this issue as well as the numerous other issues which have hardly been touched in debate.

Mr. President, the Michigan Law Review, volume 61, No. 2, published in December 1962, contains an article entitled

"The Constitution and Contempt of Court." In this article, the author, Mr. Ronald Goldfarb, discusses the present state of the law with regard to contempts of court. The author draws the conclusion that "the legal treatment of the judicial contempt power has created a constitutional maze. Peculiar handling of a frequently implemented power has resulted in a unique body of law." Mr. Goldfarb has gone to great lengths in gathering material from which this conclusion is drawn, and I believe this article is worthy of the consideration of the Senate. I quote:

THE CONSTITUTION AND CONTEMPT OF COURT

(By Ronald Goldfarb)

I. INTRODUCTION

The contempt power of American courts is as old as our judiciary itself and, while derived from historical common law practices, is peculiar both to and within American law. It is peculiar to American law in that other legal systems (not based on the English) have no such power of the nature or proportions of ours. It is peculiar within our system in that no other of our legal powers is comparable to contempt in pervasiveness or indefiniteness. Nor does any analogy come to mind of a legal power with the inherent constitutional anomalies characteristic of contempt. The contempt power of American courts is truly "sui generis," to adopt a favorite cliche of our judiciary.

Few legal devices find conflict within the lines of our Constitution with the ubiquity of the contempt power. These conflicts involve issues concerning the governmental power structure such as the separation of powers and the delicate balancing of Federal-State relations. In addition, there are civil rights issues attributable to the conflict between the use of the contempt power and such vital procedural protections as the right to trial by jury, freedom from self-incrimination, double jeopardy, and indictment—to name only the most recurrent and controversial examples. Aside from these problems, there are other civil liberties issues, such as those involving freedom of speech, association, and religion, arising out of the exercise of the contempt power. The purpose of this article is to present an extensive review of the constitutional problems provoked by the use of the contempt power by American courts.

Most of the constitutional issues concerning the courts' contempt power arise from both its procedural authorization and practical implementation. A brief outline of contempt procedures should assist the review which follows:

While the congressional contempt power is presently governed by a single clear statute, the judicial contempt power is procedurally more intricate, confused, and troublesome. The power of courts to punish contempts early became a settled precedent in English common law, though the extent of its application, historically, is open to question. After a brief colonial use of contempt powers, claimed to be inherent in the common law, and the formal establishment of the power by some State legislatures, the first Federal statute concerning contempt of court was passed in 1789. This statute gave Federal courts the discretionary power to punish contempts as defined by the common law, expressly covering misconduct of officers of the court, disobedience of process, and misbehavior in the presence of the court. The contemnor was provided with no procedural rights and a judge was limited in sentencing only by his conscience. This enactment was followed in 1821 by a second Federal statute authorizing a summary, virtually unrestricted power, albeit with certain specific limitations, encompassing the same categories of conduct as the prior legislation, except that the controversial words "or so near thereto as to obstruct the administration of justice" were added with reference to the offense of misbehavior in the presence of the court. A court's sentencing power is in many ways unlimited, and the procedures are often summary. Through the years some fear has been expressed about the unlimited nature of the power. Though few have advocated abolishing the contempt power itself, there have been some restrictions in its use by both limiting legislation and judicial interpretation.

The Clayton Act of 1914 included a provision guaranteeing the right to a jury trial in all criminal contempt cases arising out of willful disobedience of any lawful writs or orders of the district courts. Further conditions required that the contemptuous act must be one listed as a Federal or State criminal offense in order to fall within this provision, and that direct contempts and contempts arising out of suits brought by the United States be excluded from the statute's coverage. These qualifying conditions sobered hopes that the new law would be labor's Magna Carta by so circumscribing the scope of jury rights as to prevent the useful and available employment of the jury which it was hoped might be accomplished.

In the next decade, numerous bills were presented to Congress calling for liberalization of the harsh summary contempt procedures, and finally in 1932 the Norris-La Guardia Act was signed into law by President Hoover. This statute provided for trial by jury in indirect contempt cases arising out of labor disputes, and disqualification of judges personally involved in contempt actions. When the Supreme Court ruled that legislation such as this did not violate the separation of powers doctrine, several of the States followed with similar legislation ameliorating some of their more stringent contempt procedures. Rule 42 of the Federal Rules of Criminal Procedure further refined the accompanying procedures for prosecution of all direct and indirect criminal contempts in matters of notice and hearing.

In 1957, the Civil Rights Act which was passed included certain contempt provisions. This act, the first major Federal attempt to deal with civil rights since post-Civil War times, gave injunctive protection to voting rights, enforceable through criminal contempt proceedings. Use of the contempt power was a pivotal issue in passage of the act, providing as it did an effective means for governmental protection of rights already existing but lacking enforceability. Contemptuous misconduct under this statute might arise out of disobedience to subpenas issued by the Civil Rights Commission or interference with voting rights. The statute grants contemnors the right to demand a jury trial de novo when their sentence exceeds $300 or 45 days' imprisonment. Otherwise the right to trial by jury is permissive and in the court's discretion.

The courts have also shown some self-consciousness about the exercise of the summary contempt power, and at times have limited some of its harshnesses through judicial interpretation. Though less direct than legislation, this technique has often been as effective. For example, it has been noted that a strong policy against judicial control of the press provoked the Supreme Court to interpret the "so near thereto as to obstruct the administration of justice" clause of the Federal contempt statute in a way which all but precludes most constructive contempt convictions. This attitude, the antithesis of the English treatment, results probably as much from distaste for summary procedures as from attitudes about the contempt power itself. Another example of judicial conservatism with the applicability of contempt procedures may well be evidenced by their interpretation of the Federal statute's words "officer of the court" not to include attorneys. By such an interpretation contempt sanctions are given one less subject, though in other contexts attorneys are considered officers of the court. Further, courts have created mystic distinctions between civil and criminal, direct and indirect contempts, often to avoid or apply specific procedural protections attaching to those various kinds of contempts, if in disregard of all other legal symmetry. Many of the tenuous judicial classifications of contempt appear to have been prompted, at least in part, by a desire to avoid the summary procedures typical of certain types of contempt. In other more isolated instances, courts have gone far to interpret statutes and situations in order to arrive at more just results, where the contempt power, strictly construed, might not have clearly directed such results. Thus one can note in the present body of contempt law a trend toward limiting in specific instances the harshness of certain procedures customarily used in trying contemnors.

Beyond the statutory scheme within which the contempt power is now operative, the greater, more taxing and more vital issues concerning limitations of the contempt power lie in the Constitution. As with so many important legal issues, it is necessary, in this case, to examine those parts of the Constitution which in a number of ways would appear to curb and qualify the contempt power.

II. TRIAL BY JURY

The most apparent abridgement of civil liberties resulting from current contempt practices is the denial of the right of an accused to have a trial by jury. Originally, few contempts in this country were tried by a jury. Gradually, American courts and legislatures, while relentlessly adhering to other vestigal common law characteristics of the contempt power, have discernibly, if sketchily, retreated from an absolute denial of the right to a jury trial. Now, all contempts of Congress are tried by a jury; so are indirect criminal contempts of court if they arise out of certain labor disputes, if the act constitutes another State or Federal crime, or if it arises under the Civil Rights Acts. But all direct criminal contempts, the remaining indirect criminal contempts, and all civil contempts continue to be punished summarily.

A recent decision, *Green* v. *United States*, clearly underscored both the problems with respect to the right to trial by jury in criminal contempt cases, and a political dilemma which arises out of the judicial dispositions of Supreme Court members, affecting the law in general, and contempt law more particularly. The case involved two of the men who had been convicted in the celebrated New York Smith Act trial for conspiring to teach and advocate the violent overthrow of the Government of the United States. They were sentenced to 5-year imprisonments and $10,000 fines. They were released on bail, but the court ordered them to appear on a set date for execution of their sentences. On that date it was discovered that they had absconded. They remained fugitives until their voluntary surrender 4½ years later. At that time the United States brought criminal contempt charges against them for willful disobedience of the surrender order. This action was tried by the district court without a jury; they were found guilty and were sentenced to an additional term of 3-years' imprisonment. The Supreme Court upheld this conviction and sentence, finding no reasons of law, history, or policy which would mitigate the egregious offense of the defendants.

No one would seriously suggest that the defendant's tardiness ought to have gone unsanctioned. The issue which the Green decision raised was the extent to which the constitutional safeguard of trial by jury is applicable to criminal contempts. Mr. Justice Harlan, who wrote the majority opinion, disposed of issues regarding the applicability and extent of the contempt power by resort to the accepted history and precedent surrounding the exercise of this power. Conflicting constitutional safeguards were dismissed as being inapplicable. An existing bail jumping statute, under which defendants might have been tried, was deemed irrelevant.

Mr. Justice Black, in a strong dissent, criticized the summary nature of the contempt power as "an anomaly in the law," ripe for "fundamental and searching reconsideration." He called for judicial action which would reconcile the existence of a contempt power with what he conceived to be basic principles of the American form of government and our Constitution. His principal complaint was that the manner in which the contempt power is administered denies the accused's traditional right to trial by jury, in his words, the "birthplace of free men."

This sharp divergence in attitude emphasizes the vital importance of the membership of the Supreme Court in the resolution of legal, political, and even philosophical problems. Statement of such a conclusion unfortunately comes more easily than accurate and thorough description of the precise sources of the difference. As well as any single legal issue, the review of contempt practices crystallizes the existing differences in attitude within the recent Court.

The majority disposition is best attributed to Mr. Justice Frankfurter's philosophy concerning the nature of judicial power. In 1924, while a member of the faculty at Harvard Law School, Professor Frankfurter and a colleague published an article which unearthed much of the academic misconception about the summary use of the contempt power. The clear import of the article was one of criticism. In fact, in his attack upon the historical support for the summariness of contempt procedures, Mr. Justice Black alluded to this article, and noted that the myth of immemorial usage as a justification for continuance of the practice had been exploded by recent scholarship. Yet, Mr. Justice Frankfurter concurred in the majority opinion in the Green case, which upheld the contempt conviction, for reasons which he has typically urged. Change, he argued, must come, if at all, from the legislature. Courts are inhibited in this respect, notwithstanding their impressions concerning the merits of the existing law. He stated that "the fact that scholarship has shown that historical assumptions regarding the procedure for punishment of contempt of court were ill-founded, hardly wipes out a century and a half of the legislative and judicial history of Federal law based on such assumptions." Calling a roll of Supreme Court Justices and lower Federal court judges who for 150 years approved of the summary use of the criminal contempt power, and admonishing that the Court is not a third branch of the legislature, Mr. Justice Frankfurter refused "to fashion a wholly novel constutional doctrine * * * in the teeth of an unbroken legislative and judicial history. Citing former Mr. Chief Justice Hughes' words—"we do not write on a blank sheet"—and never mentioning the merits or demerits of the doctrine at issue, he cast the vote which made his views the substance of the majority decision.

When Mr. Justice Black's attitude about those matters deemed crucial by Mr. Justice Frankfurter is compared, their differences become apparent. After stating his fear of the political dangers of the summary contempt power arising out of their conflict with the Bill of Rights, he urged that the precedents mentioned by Mr. Justice Frankfurter should be rejected because they were wrong. Though sound policy directs adherence to prior decisions, this practice should not be so inflexible as to preclude correction of obvious errors. Mr. Justice Black suggested that the prime responsibility of the courts lies precisely in the exercise of this power to reappraise when valued parts of the Constitution are jeopardized.

Mr. Justice Black is usually characterized as the leader of that school of Supreme Court personnel loosely labeled as liberals or judicial activists. Speaking often in dissent, this group has been chiefly concerned with the substantial effect of any law upon the rights and liberties of individuals guaranteed by the Constitution in the Bill of Rights. The attitudinal conflict within the Court, which often reappears in the garb of legal rationales, has had an enormous impact upon contemporary American law and society in general, and often lies at the heart of the contempt decisions of American courts.

There has been, in the past quarter of a century, an increasing inclination to alleviate some of the procedural harshness of standard contempt procedures. Extension of the right to trial by jury has been a foremost example of this trend. This trend is at least in part reflective of generally changing attitudes toward the value of the jury method of trial. As with more mundane fashions, the vogue toward the value of the jury system has had periods of rising and falling favor. Critics of the jury system in general have been as frequent and as vociferous as have been its advocates. Rather than digressing to enumerate the arguments, it should be only briefly noted that summary contempt procedures are most obnoxious to those who place faith and importance in the libertarian nature of trials by jury.

It could well be suggested that, most peculiarly in contempt cases, the jury has a valuable role. First, it permits public participation in a dispute which is usually of an official, governmental character. Public enlightenment, even if only through jury representation, has been characterized as an "indispensable element in the popular vindication of the criminal law." This hopefully encourages popular understanding and acceptance of the administration of justice. Second, the jury may serve as an insulation between the alleged offender and the offended party (who is sometimes his judge and sentencer), allowing the jury, in an otherwise unlimited, uncontrolled situation, to function as a wall against possible abuses by governmental powerholders upon individuals. The general public may look with skepticism upon a judicial process which allows one man to be victim, prosecutor, judge, and jury, while, as Mr. Justice Black has aptly observed, there is inclined to be less false martyrdom where a jury convicts. Third, there are subtle subversive potentialities in summary criminal proceedings other than the direct issues concerning who should be the decisionmaker and why. The lack of external restraints over the vices of summary proceedings was also scored by Mr. Justice Black in his dissent to the Green decision. The detached review of a contempt decision by an appellate court whose members are sometimes sympathetic to their brethren of the lower trial courts, and are often hesitant to reverse in absence of clear and serious error, is to some viewers an impotent or idle ceremony. Therefore, the original denial of a jury trial is not only dangerous in itself, but this danger is compounded by being carried up through appellate levels in the form of an often "cold," unreviewable record. Judicial self-restraint, as that voiced by Mr. Justice Frankfurter in the Green decision, induces lethargy in appellate judicial scrutiny. This has provoked Mr. Justice Black to comment that this offense, which is inordinately vague and sweeping in substantive scope, is now punished by the harshest procedures known to law and is subject only to token review.

For better or worse American law has adopted the practice of summarily trying contempt cases. How, then, can this practice be justified in light of our most basic legal directives—those found in the Constitution? With respect to the right to trial by jury, article III, section 2 of the Constitution provides: "The trial of all crimes, except in cases of impeachment, shall be by jury." This particular section was included within the early substance of the Constitution as a reflection of the strong feelings at the time of our Nation's birth that the right to trial by jury was coequal with, and essential to, a government under law free from tyrannical abuse. The deprivation of this right was one of the serious grievances which the American settlers held against the King. Specific exceptions to this guarantee were included in the Constitution, so that it can be argued that the intent was not to exclude contempt from this coverage since it is not one of those exceptions. This argument is strengthened by the fact that contempt is not listed as a special judicial or legislative power in the enumeration of the granted powers of those governmental branches. Any other conclusion respecting this aspect of the contempt power is interpretive, and based on less evidence. In the Green case, again, Mr. Justice Black noted that, although called upon to present any available evidence of intent on the part of the authors of the Constitution or expressed at the original State conventions, the Government attorneys in that case could find no corroboration for the use of summary contempt proceedings. The cases during this period do not illuminate this uncertainty

The Bill of Rights twice reaffirmed the importance to the people of the right to trial by jury. The fifth amendment directs that "No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury." And the sixth amendment follows, declaring: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury." The import of this latter constitutional provision was applied to the contempt situation in these compelling words:

"The history which gave rise to the constitutional provisions guaranteeing the right of trial by jury 'is succinctly summarized in the Declaration of Independence in which complaint was made that the Colonies were deprived "in many cases, of the benefits of trial by jury."'

"The Constitution provides, 'The trial of all crimes * * * shall be by jury.' But those fresh from experiences with tyranny were not content with this general guarantee, and amendments 6 and 7 were promptly adopted, the former providing: 'In all [criminal prosecutions], the accused shall enjoy the right to a speedy and public trial, by an impartial jury.' The concept of a criminal 'prosecution' is broader than a 'trial' and the addition of the more inclusive term indicates a determination to afford the right of trial by jury to those subjected to prosecution of any sort which might result in fine or imprisonment. The selection of the language of the sixth amendment is hardly explainable upon any other postulate."

Nonetheless, contemptuous conduct has been excluded from these constitutional protections and those who have disputed the clear meaning of these words have, for the most part, prevailed in their unique constitutional interpretations.

The right to jury trial is initially dependent upon an ability to classify the contemptuous act as criminal. Writers, judges, and lawmakers have peremptorily brushed aside any argument about juries for civil contempts with declarations that such procedural provisions simply do not apply to the ordinary contempt situation. Interestingly, even Mr. Justice Black has found no fault with summary procedures for civil contempts, although he has suggested that all criminal contempts be tried by a jury. In this former respect, he is not in a minority. Since civil contempts most often arise out of equity proceedings, the seventh amendment's guarantee of jury trials in civil matters would by its own terms—"in suits at common law"—be inapplicable. So, civil contemnors are between two rules. One allows jury trial in civil matters arising out of other than equity actions. The other guarantees jury trial in criminal cases, a category from which civil contempts have been exempted, though many characteristics of criminal treatment attach in those cases.

With these constitutional provisions in mind, as well as the judicial and legislative fiats concerning contemporary contempt practice, an analysis of the propriety of jury trial would seem appropriate. Is contempt a crime? Is it an infamous crime? Are there any valid reasons for applying variant nonjury procedures in this situation?

The fifth amendment speaks of "infamous crimes." Like the eighth amendment's prohibition of "cruel and unusual" punishments, this phrase is subject to changing interpretations. In 1885 the Supreme Court, drawing upon Lord Auckland's "Principles of Penal Law," attempted to impart substance into the words "infamous crime." Ruling that no U.S. court had jurisdiction over infamous crimes unless the fifth amendment's conditions precedent of indictment and grand jury were fulfilled, the Court set up two criteria of "infamy." The first entailed an inquiry into whether a conviction for that particular crime would result in impeaching the credibility of the criminal in the future. This is based on an old rule of evidence which impugns the credibility of testimony given by one who has committed a crime involving moral turpitude or bearing on veracity. This test for infamy may become circuitous when one presses for definitions of moral turpitude. This legal term of art is often applied as an ingredient or characteristic of more infamous crimes, the type which would reasonably connote some questionable trait bearing on the probable truthfulness of the criminal. Reasonable as this rule may be, in the present context it leaves one with a formula stating that infamous crimes bear on credibility, and crimes bearing on credibility are infamous. It leaves indeterminant which crimes are by their nature infamous, or which aspects of criminal behavior bear either upon the infamy of the crime or the credibility of the criminal.

The second criterion, which the Court adopted as a guide to determine the infamous nature of a crime, involved the mode of punishment authorized for the particular crime. Here again there is less insight afforded before the fact to establish the nature of a crime than reflection after the crime has been characterized or classified. Since in contempt cases, where no constitutional or statutory maximums exist, the potential extent of the punishment is unlimited, and therefore unknown until it is announced, one cannot determine at the time of indictment whether the crime is infamous or not. This phenomenon accounts for the inadequacy of the mode of punishment test in classifying criminal contempts as infamous.

The Court has also mentioned that the nature of the crime, independent of its punishment, determined its characterization as infamous. Therefore precedent is only partly helpful in determining whether contempt, or any crime, is infamous and warrants the protection of the fifth amendment. What was infamous early in English history may not have been so during the period of American colonialism, and in turn may or may not be so at the present time. Generally, the decisions have held that the possibility that grave punishment could be inflicted is the test for an infamous crime, and the test of grave punishment is the possibility of being sentenced to hard labor or imprisonment. This tautological logic consists of little more than holding that an infamous crime is infamous, and that infamous crimes are treated with punishments worthy of infamy. This is of little assistance in cases where there is question as to whether a crime has been committed, and what the sentence will ultimately be.

Later decisions appear to have adopted the mode-of-punishment test. If a crime can be punished by a sentence including imprisonment or hard labor, it is infamous. Again, a contemnor often does not know that he has committed what a court may later decide was a criminal contempt, or what his sentence will be even if he has some notion of his contemptibility. It is suggested that without employing further semantic niceties, it can be fairly concluded that contempt qualifies as an infamous crime by any reasonable standard which considers either the nature of the wrong or the usual gravity of the sentence. Contemporary America can concern herself with the procedural protection of her people who commit acts for which serious and unlimited prison sentences can be exacted, and which are as socially grave as rationales for the contempt power imply. The right to an indictment and a grand jury hearing has already been recognized in limited contempt situations by legislation. Those areas which are not now embraced by this protection, other than civil contempts, should be. Society is apt to lose less by the minor delays and insignificant expenses of jury trials than it may from the insecurity which flows from arbitrary treatment of its citizens. Inexpensive, fast, or easy convictions are the aim of neither the Constitution nor the Bill of Rights, and in fact are a trifling economy in view of the inequities likely to result from such unrestrained governmental tactics. This conclusion is strengthened by reference to the statutory definition of a felony as any offense punishable by death or imprisonment for a term exceeding 1 year. Contempt frequently qualifies under this criterion, as well as having all other characteristics commonly attributed to crimes.

The other pertinent constitutional jury provisions allow even less latitude. That there shall be no trial without jury admits of little interpretation. But the courts have ignored this constitutional admonition or disregarded it as inapplicable to contempt.

The distinction between civil and criminal contempt has often entailed no more than a matter of retrospective classification of charatceristics. The courts are as inconsistent in their conclusions as they are in deciding upon which characteristics to base their classification. So, while the Supreme Court was saying at one time: "These contempts are infractions of law visited with the punishment as such. If such acts are not criminal we are in error as to the most fundamental characteristic of crimes as that word has been understood in English speech. So truly are they crimes that it seems to be proved that in the early laws they were punished only by the usual procedure * * * and that at least in England it seems that they may be and preferable are tried in that way."

At another time it was asserting with equal authority and vigor: "If it has ever been understood that proceedings according to the common law for contempt of court have been subject to the right of trial by jury we have been unable to find any instance of it. It has always been one of the attributes—one of the powers necessarily incident to a court of justice—that it should have this power of vindicating its dignity, or enforcing its orders, of protecting itself from insult, without the necessity of calling upon a jury to assist it in the exercise of this power."

And a still more judicious, if not more perplexed Court, was saying about the dichotomic difference between criminal and civil contempts that "it may not always be easy to classify a particular act as belonging to either one of these two classes. It may partake of the characteristics of both."

The decision last quoted from held that contempt was sui generis, possessing the qualities of both civil and criminal wrongs. Indeed it does. On the authority of precedent alone, that Court said that although contempt is criminal in nature, it is not criminal in the sense that the sixth amendment envisions. So concluding, it denied the right to a jury trial. This inconsistent, illogical judicial treatment is not unusual in contempt cases. Courts are wont to justify their decisions on grounds that contempt is peculiar and subject to novel treatment. Therefore it may be considered a crime for the purposes of the statute of limitations and the pardon power, but not for the purpose of applying the venue guarantees of the sixth amendment. Such ad hoc treatment is all too typical. Courts have selectively held that contempt is what the Constitution meant by a crime in one clause, but not what it envisioned in another. All this is done with vision bordering on the clairvoyant, since the constitutional authors left no evidence of their intent in this respect.

Strong statements like those of Mr. Justice Black, if not prevailing as judicial policy, have had some liberalizing effect on the courts. Mr. Justice Jackson has written that summary punishments must always and rightly should be regarded with disfavor. In another case, a court wrote:

"It is abhorrent to Anglo-Saxon justice as applied in this country that a man, however lofty his station or venerated his vestments, should have the power of taking another man's liberty from him.

"Society has always permitted one exception—a limited right of courts to punish for contempts. But that right has been grudgingly granted, and has been held down uniformly to the 'least possible power adequate to the end proposed.'"

Mr. Justice Murphy expressed this hesitancy in these words:

"The contempt power is an extraordinary remedy, an exception to our tradition of fair and complete hearings. Its use should be carefully restricted."

And more recently, a Federal court reiterated: "The grant of summary contempt power * * * is to be grudgingly construed so that instances where there is no right to a jury trial will be narrowly restricted to the bedrock cases where concession of this drastic power to the courts is necessary to enable them to preserve * * * authority * * * order * * * decorum."

These three values—authority, order, and decorum—are currently tipping the scales away from constitutional protection accorded criminal defendants, though not without the aid of some judges' thumbs. These are the overriding interests which courts consider to eclipse the established right to jury trial—these and the reverence of prevailing majorities of the Supreme Court for steady, respected precedent.

This subject was treated long ago by Edward Livingston in his famous work on the penal system of New Orleans. In discussing the contempt power, he noted that all the rationales giving courts broad and indefinite contempt powers are based upon necessity. This is so even though the power itself is repugnant to all the fundamental principles of criminal justice applicable to other criminal acts. He pointedly asked what sort of conduct would secure a man against a vain or vindictive judge. The necessity for promoting regard and respect for the judiciary which Blackstone offered as a justification for the contempt power—the need for order and respect which courts now rely upon as authority for this power—can be gained only by impeccable judicial conduct, and not always by that. In response to the claims of necessity, he wrote: "Not one of the oppressive prerogatives of which the crown has been successfully stripped, in England, but was in its day befended on the plea of necessity. Not one of the attempts to destroy them, but was deemed a hazardous innovation."

Mr. Justice Black emphasized this same point in his Green dissent, pointing out that "necessary" has come to mean expedient rather than indispensable, and is applied too loosely to warrant derogation of fundamental constitutional rights. Quoting with agreement the suggestion of Mr. Justice Holmes that, where there is no absolute need for immediate action, contempts should be dealt with like other breaches of law, he added that there is actually more of a need in the contempt situation for delay to prepare and prove a case than an urgency to try it immediately.

Livingston suggested that although courts may have a right of self-defense, only society as a whole has the right to punish offenses. Once the interruption to the court's proceeding ceases, the sovereign should be the only one to punish, and then only according to the procedures set out in the Constitution. It is not for the individual, or for the incorporeal body that is wronged, to punish. The sovereign which permits such retribution is radically defective because this gives a single party the right to punish. The necessity ends, he pointed out, with its own self-defense. The punishment should be by law alone. Though a governmental body has the power of self-defense, the power to punish should be exclusively vested in society as a whole, and not in its individual departments. He compared the practices in contempt cases with the right of individuals to defend themselves against assault. Certainly an individual may defend himself. But once having defended himself, he cannot punish his assailant other than through the orderly processes of law. Livingston concluded that contempt is less a necessity for the exercise of a legal power than an engine for its abuse; and though courts should have the right to dispel interference with the performance of their functions, that power should go no farther.

Still others have argued that the summariness of contempt proceedings is necessary because it speeds prosecutions, deters misconduct, avoids delay in the judicial process, and promotes the dignity of the court. True as these observations may be, it is questionable whether in our democratic society these expediencies—and this is all that they are—are sufficient grounds to ignore important procedural safeguards, such as the right to jury trial, which are so imbedded in the democratic way of life and our system of justice. And as long ago as 1874 the Supreme Court held that contempt of court is a specific criminal offense, and the fine therefor is a criminal judgment. Yet, arguments continued, opinions varied and exceptions were made, so that now there is no clear answer to gain from history.

The Constitution is specific and clear. Criminal contempt should be tried as other crimes are—with all procedural guarantees protecting the accused. There should be the right to a jury trial of the charged contempt. The confusion wrought from vague and misleading distinctions between civil and criminal contempts, and the stronger policies of protecting individual liberty underscore this logical conclusion.

The argument that contempt is of a sui generis nature because it has customarily been treated peculiarly, and that it is treated this way because it is sui generis is of questionable appeal. Clearer views, such as Mr. Justice Black's comment in the Sacher case that "these contempt proceedings are 'criminal prosecutions' brought to avenge an alleged public wrong" are more directly reasoned, if not preferable in substance.

There are instances where an act of contempt simultaneously constitutes another crime. There, by statute, the defendant is entitled to a jury trial. Such laws were probably enacted to avoid the circumvention of the right to a jury trial by hasty or angry judges, who might treat an ambivalent act as a contempt instead of whatever other crime it was, in order to apply the stricter contempt procedures. How, it could be asked, can an act be a crime for so many purposes—perjury, bribery, etc.—and sui generis for another—contempt?

When a man is deprived of his property or liberty as punishment for commission or omission of an act which is proscribed by society, for whatever reason, he is treated as a criminal. In contempt cases there are no reasons strong enough to override the long and well-established policies guaranteeing the right to be tried by a jury, after indictment, and in the ordinary course of the law. The Constitution is quite clear in its directives in this respect. The policies involved go to support, at least in comparative value, the Constitution's implications.

In the Green case, Mr. Justice Black in his dissent carefully articulated the argument for reinstatement of jury protections in criminal contempt cases. With a directness and clarity that should be the standard of all who would follow this view in the future, he wrote:

"The power of the judge to inflict punishment for criminal contempt by means of a summary proceeding stands as an anomaly in the law. In my judgment the time has come for a fundamental and searching reconsideration of the validity of this power which has aptly been characterized by a State supreme court as 'perhaps, nearest akin to despotic power of any power existing under our form of government.' Even though this extraordinary authority has slipped into the law as a very limited and insignificant thing, it has relentlessly swollen, at the hands of not unwilling judges, until it has become a drastic and pervasive mode of administering criminal justice usurping our regular constitutional methods of trying those charged with offenses against society. Therefore to me this case involves basic questions of the highest importance far transcending its particular facts. But the specific facts do provide a striking example of how the procedural safeguards erected by the Bill of Rights are now easily evaded by the ever-ready and boundless expedients of a judicial decree and a summary contempt proceeding.

"I would reject those precedents which have held that the Federal courts can punish an alleged violation outside the courtroom of their decrees by means of a summary trial, at least as long as they can punish by severe prison sentences or fines as they now can and do. I would hold that the defendants here were entitled to be tried by a jury after indictment by a grand jury and in full accordance with all the procedural safeguards required by the Constitution for 'all criminal prosecutions.' I am convinced that the previous cases to the contrary are wrong—wholly wrong."

III. THE FIRST AMENDMENT

Some indirect ramifications of the exercise of the contempt power raise questions relating to provisions of the first amendment. All contempts are in the form of speech, writings, expressive acts, or inaction. The first amendment reads:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of people peaceably to assemble, and to petition the Government for a redress of grievances."

A. Problems involving freedom of religion

A freedom of religion issue arises only in a limited number of contempt situations. The Supreme Court of Pennsylvania in 1793 reported that in a case which was tried on a Saturday "the defendant offered Jonas Phillips, a Jew, as a witness; but he refused to be sworn, because it was his Sabbath. The court, therefore, fined him 10£; but the defendant, afterward, waiving the benefit of his testimony, he was discharged from the fine." In a similar case, the supreme court, while recognizing an excuse from swearing for Quakers, denied it to a Jew, and found him in contempt for refusing to be sworn. This type of problem is now somewhat obsolete since affirmation has been generally accepted as a substitute for the court oath.

Another area of conflict, though not yet of serious proportions, has recently been before the courts. The Supreme Court of Iowa in 1956 dealt with the following situation. A Protestant woman and a Catholic man had married, and had had a child. They were later divorced, agreeing that the mother would have custody of the child and would rear him as a Roman Catholic. Years later the father sought to have the mother punished for contempt because she was rearing the child as a Protestant. The trial court held the mother in contempt, but suspended her sentence, giving her an opportunity to purge the contempt by rearing the child as a Catholic. This was a civil contempt proceeding to coerce her to act. She appealed to the State supreme court on the ground that this treatment violated her right to the free exercise of religion guaranteed by the 1st and 14th amendments. The court reversed the contempt conviction, but on the ground that the decree which she had disobeyed was too vague and uncertain to warrant a contempt citation for its breach, thus avoiding the constitutional issue raised by the first amendment.

There is some analogous, though indirect, precedent to support this first amendment defense. Rearing a child in a particular faith has been held to be the exercise of a religious act by the parent. And the right of custody includes the right to dictate the religious teachings which one's child will receive. Parental agreements concerning the religious education of a child are not so binding, in this context, that they cannot be altered by one of the parties free from legal censure. Those moral inhibitions of personal conscience which may flow from such an agreement have not been considered to be within the control of the law. Such a judicial attitude involves a proper and natural application of the principle of governmental noninterference with first amendment rights by the courts—applicable to the States through the operation of the 14th amendment.

Precedent such as this does not and ought not leave the offended person without a remedy; the critical issue is with the nature of that remedy. Penal sanctions, such as those implicit in the civil contempt power, are not proper. The frustrated father may still seek the strictly civil, supervisory aid of the courts to protect his rights in ways less drastic than imprisonment of his spouse, or former spouse. Only the gravest social necessities should be deemed sufficient to warrant governmental curtailment of rights of religious activity. Even then it is questionable whether the contempt power is the most suitable vehicle of control.

The issue which this problem raises could, under the present unpredictable status of the contempt power, fission into several tangential problems. The matrimonial, surrogate, and juvenile courts are often called upon to deal with situations involving questions of religious freedom. Although there are numerous instances in which these courts might feel compelled to exercise their contempt power, there is no clear-cut resolution of the problems raised by the first amendment's guarantee of religious liberty by the contempt cases to date. Better reason would suggest judicial abstinence in this area, at least insofar as the exercise of the contempt power is concerned.

B. Problems involving freedom of speech and of the press

The free speech and press decisions in which the judicial contempt power has been questioned might, by analogy, offer a solution to the religious liberty problem. In these cases, the courts have adopted a strictly construed "clear and present danger" test for balancing the exercise of first amendment rights with other interests which are often augmented by the sanction of the contempt power.

This doctrine gradually evolved from the protracted controversy within the Supreme Court concerning contempt by press publications in this country. Both the United States and England have long wrestled with the problem of maintaining a free press consonant with a system of fair trials. Often, the two goals have conflicted and, presently, both countries resolve the conflict by resorting, or not resorting, to the same contempt power.

In this country, the contempt by publication problem began as one of interpretation of the Federal contempt statute. Courts were given the power to punish contempts in their presence "or so near thereto as to obstruct the administration of justice." This clause was first applied in its causal connotation. The application of the contempt sanction was left to the discretion of the judge, who could punish accordingly if a publication's commentary had a reasonable tendency to obstruct justice. This approach was abandoned in 1941, when the Supreme Court decided that the quoted words from the Federal statute should be interpreted in a physical, rather than causal, context. Since most press publication occurs neither in the presence of the court nor "near thereto" geographically, the power to punish contemptuous publications was made ineffectual. Soon thereafter, the Court acknowledged the presence of the first amendment issues by adopting and applying Mr. Justice Holmes' clear-and-present-danger test to press comments about pending cases. This approach has been held applicable to the contempt powers of both the Federal and State courts. Mr. Justice Black has referred to the clear-and-present-danger test as "a working principle that the substantive evil must be extremely serious and the degree of imminence extremely high before utterances can be punished."

The evils envisioned in the contempt by publication decisions are disrespect to the judiciary and interference with the administration of justice. Through the years the Supreme Court has not allowed the exercise of the contempt power in the former instance. The rationale has been that judges should be above personal attack, and that popular respect for the judiciary is less apt to be gained from exercise of the contempt power than from exemplary judicial conduct subject to open criticism. "The assumption," Mr. Justice Black noted, "that respect for the judiciary can be won by shielding judges from published criticism wrongly appraises the character of American public opinion."

Though recognizing the possibility of contempt treatment in the second category of presumed evils resulting from press comments—interference with the administration of justice—courts have been chary to find the instance where the need to protect the fairness of trials overrode the value to be gained from permitting free discussion. The decisions indicate that the courts have been more concerned with the conflict between the rights to fair trial and freedom of the press than with developing a consistent doctrine with respect to the power to punish contempts by publication on theories implicit in the contempt power itself. The Supreme Court's formula seems to grant the press a virtual immunity from contempt rather than resolve its historic struggle with the courts. Nevertheless, the actual scope of the immunity continues to be uncertain.

Though the majority of the Supreme Court has limited contempt as used against the press, a minority of the Court has consistently sought a broadening of the scope of the contempt power. However, the Court has recognized press abuse only under the due process clause, where press commentary has made a fair trial impossible. Moreover, the clear-and-present-danger test has been somewhat extended in decisions other than those involving the contempt power by emphasizing the magnitude of the danger of the evil as an aspect of its imminence. A change in personnel on the Court might tip the balance in favor of the minority which has been disposed toward extension of the contempt power in these cases in emulation of the English courts.

Individuals, on the whole, have not fared as well as the institutionalized press in avoiding contempt convictions for what might otherwise be characterized as an exercise of first amendment rights. In one decision the Supreme Court upheld the contempt conviction of an attorney who disobeyed a trial court's admonition to be silent about a certain matter in his summation to the jury. Mr. Justice Black, for a four-man minority, wrote in his dissent to this decision: "Fisher having been stopped at one point tried another strategy. He was acting the role of a resourceful lawyer. The decision which penalizes him for that zeal sanctions censorship inside a courtroom where the ideals of freedom of speech should flourish."

Another attorney was fined $1,000 and imprisoned by a State court for 6 months for a contempt which had consisted of a series of critical letters and articles about the State judiciary. A television announcer was found in contempt for comments made over the air concerning parties to a pending divorce proceeding in response to personal claims made against him in the divorce action. The trial court exercised its contempt power on the ground that the administration of justice had been impaired. A single letter to a judge was considered contemptuous, while an advertisement by an insurance company concerning excessive verdicts and their economic effect was held not to present a clear and present danger to the administration of justice. A more recent case dealt with an avid segregationist who made a rousing speech to 1,500 people urging disobedience of Federal court orders relating to the integration of Tennessee public schools. He spoke in violation of an injunction against interference with the court's integration order. The court upheld a contempt conviction, and ruled that the conduct of the contemnor was not protected by the first amendment. Since the right of free speech is not absolute, it can be subordinated to legitimate and overriding governmental objectives. He had created a clear and present danger of public disorder, and it was held that the first amendment did not give him the right to incite others to violence.

The cases in this area are too numerous to list comprehensively. Since most disobedience which would constitute a contempt is involved in some act which might well come within the protection of the first amendment, the possibilities of conflict are myriadal. One can examine any contempt case, and the probabilities are high that it involves some form of speech when silence was appropriate, or silence when speech was demanded.

This problem is most vexing with respect to the conduct of lawyers in the course of trials. At what point does the proper zeal of advocacy end and contumacy commence? Although, on the one hand, attorneys should be given the broadest margin to advocate their clients' causes effectively, on the other they are representatives of the court with a professional interest in the fair and respectful administration of justice.

There is no satisfactory answer to this dilemma, and courts have treated these situations in an ad hoc fashion. Recently, the Supreme Court disposed of two such cases. In re McConnell dealt with an attorney who violated a court order to discontinue an offer of proof which the attorney felt in good faith was required by the Federal Rules of Criminal Procedure. The court summarily found him in contempt for obstructing the administration of justice. The Supreme Court reversed the conviction, stating that a lawyer's arguments for his client do not amount to contempt of court unless they so exceed the line of duty as to constitute an obstruction of the performance of judicial duties. Surely this line of demarcation is so vague and subjective as to provide little if any reasonable and foreseeable standard or guide. The second case, In re Green, dealt with an attorney who advised a union client to test the validity of a State court injunction because only the NLRB had jurisdiction to issue the requested order. The court found the attorney in contempt without a hearing. The Supreme Court reversed this conviction on the ground that it violated the due process clause of the 14th amendment, and did not reach the 1st amendment issue.

The status of the individual who claims that the first amendment shields him from the contempt power of the courts is less certain than is that of the identical person who writes the same comments in a newspaper or magazine. In such situations the clear-and-present-danger test will usually be applied, but with less certain expectation of sympathetic judicial reaction. There are no clear policies, doctrines, or trends. Analogy with the press cases would indicate a liberal predisposition since the dangers of interference with proceedings by the press are greater than those which might be caused by individuals. The courts leniency in the press cases has been consistent. The lower courts have taken a case-by-case approach in nonpress cases, and no cause celebre or precedent-setting decision has reached the Supreme Court which might hint of an established attitude. Nevertheless, although the degree of interference with the administration of justice by an individual would, in most cases, be less than that of the ubiquitous press, the individual's greater susceptibility to contempt conviction is indicated by a study of court decisions. Possibly this is explained by the fact that many cases of contempt by individuals arise out of personal incidents involving direct affrontery to the judiciary. There is a danger that these convictions may in fact be more the result of governmental power being exercised for personal or emotional reasons than a desire to foster the efficient administration of justice. It may, as well, be a manifestation of the long-inculcated American attitude favoring the judicial power and the necessity for contempt law.

Acceptance of what is now a minority view—that first amendment rights are absolute—would clearly resolve these issues. The wisdom as well as the popularity of such an attitude is open to question which it is not the purpose of this article to include or evaluate, except insofar as it affects the present subject. In the contempt context, it is not unreasonable to suggest a complete first amendment protection of the press. Since judges may be left to private actions for defamatory criticism by the press, and ought to be able to withstand nondefamatory criticism, the principal reason for the contempt power is to protect the fairness of the trial itself. This can be accomplished in ways calculated to interfere less with vital constitutional rights such as freedom of the press. In nonpress cases it could be argued that the contempt power should be changed in this respect too.

Some distinction between press-published comment and other verbal activity might be developed, recognizing the right of press or individual editorializing or opinion venturing, while outlawing speech which is really no more than verbal misconduct of a slanderous or clearly obstructive nature. This, too, provides only a vague standard.

The thinking and words of Mr. Justice Brandeis, as expressed in his famous concurrence in *Whitney* v. *California*, echo eloquently over this issue, as they have over others in the intervening years since they were uttered. Authority must be reconciled with freedom; order should not be exalted over liberty. "Order cannot be secured merely through fear of punishment for its infraction * * * it is hazardous to discourage thought, hope, and imagination * * * fear breeds repression * * * repression breeds hate * * * hate menaces stable government * * * and the path of safety lies in the opportunity to discuss freely."

IV. THE FOURTH AMENDMENT

The fourth amendment provides that the people have the right to be secure in their persons, houses, papers, and effects from unreasonable searches and seizures, and that search warrants shall not issue except upon probable cause and with sufficient particularity. Fourth amendment defenses have been raised indirectly and infrequently in contempt of court cases, although such assertions in congressional contempt cases indicate the existence of some analogies.

The moving spirit of this constitutional provision was the protection of individual privacy from governmental trespass, or as one court put it, to protect against autocratic and despotic action under the color of national authority. The amendment was adopted in response to an unhappy English and colonial experience with general warrants and writs of assistance, and was specifically aimed at protecting the interests of individual liberty from governmental overbearing. In words peculiarly applicable to the contempt situation, though not so intended, one Federal court interpreted the policy of this amendment to mean that expediency in law enforcement must yield to the necessity of observing individual freedom.

It is now settled that Congress and the courts may compel unwilling witnesses to disclose facts essential to proper governmental inquiry and, to that end, may enforce the attendance of witnesses and the disclosure of evidence through their subpena and contempt powers. In this, they are limited only by the general rules of procedure and the Constitution. Where an individual asserts his prerogative not to cooperate, these governmental bodies may exercise their contempt powers to punish him, or to try to coerce his cooperation. A fourth amendment issue may arise where an individual claims that compulsion of his testimony or securance of his property amounts to a search or invasion of privacy which the Constitution prohibits.

Critical to the issues raised by fourth amendment contempt of Congress cases is the question whether the amendment's protection encompasses only physical, trespass-like interferences, or whether the scope of this provision is broad enough to cover indirect psychological interferences; such as those claimed in first amendment defenses to congressional contempt convictions. In this sense, the inquiry is directed beyond questions relevant to the procedural application of the contempt power, and is addressed more to the substantive effect of its use upon rights of privacy in general. Is the amendment aimed at physical searches and seizures only or, it could be asked, is it broader, encompassing an intangible right of personal security—some privacy of person and property?

In contempt of court cases where direct physical interference is involved, the applicability of fourth amendment defenses is clear, whether or not tenable under the circumstances. For example, a contempt of court conviction by which judges and clerks concerned with a State election were punished for misbehavior in office was upheld by the Illinois courts over the objection that the trial court violated defendant's fourth amendment rights by opening ballot boxes and examining tally sheets which were used as evidence against them. Here, the assertion of the fourth amendment defense is obvious. The Government physically took things which were used as evidence against a defendant. Though the court did not uphold the defense, its assertion was appropriate, and typical of search-and-seizure cases in general.

The more indirect effects of the contempt power upon fourth amendment rights are more obscure, and the issues less clearly defined. A recent Federal case, though it dealt with a congressional contempt situation, is exemplary of the problem. There the defendant argued that the threat of the contempt power nullified the voluntariness of his submission of incriminating evidence. Called before a Senate investigating committee, defendant was threatened and led to believe that he must testify and incriminate himself, or be convicted of contempt for his refusal. The defendant surrendered a drawer full of papers and books and was thereafter convicted of violation of the lottery laws, the conviction being based at least in part upon the evidence he submitted. On appeal, the defendant claimed that he did not understand his alternatives, and therefore his presentation of the incriminating evidence was really involuntary, and thus was a violation of his fourth amendment rights. On appeal, the court of appeals ruled that his "freedom of choice had been dissolved in a brooding omnipresence of compulsion. The committee threatened prosecution for contempt if he refused to answer, for perjury if he lied, and for gambling activities if he told the truth." The court went on to say: "Courts and committees rightly require answers to questions. But neither may exert this power to extort assent to invasions of homes and to seizures of private papers. Assent so extorted is no substitute for lawful process." Concluding that the evidence was illegally seized in violation of the fourth amendment, the court reversed the conviction. The dissenting judge believed that the situation was one of proper compulsion, a sound feature of the judicial process, and not an illegal coercion, and that this did not violate the fourth amendment.

The most profound issue raised—thus far unsuccessfully—concerns judicial determination of the outermost reaches of the fourth amendment, and the extent of the amendment's protection of the right of privacy. Does the fourth amendment protect against infringements of a physical nature alone, or does it go further to protect people against invasions of personal thoughts, associations, and property, and from public scrutiny and exposure? The defense that use of the contempt power violates the right of privacy, guaranteed implicitly by the fourth amendment, has not thus far met with success.

So far this issue has been dealt with by the courts only in the context of congressional contempt defenses. In these situations the courts have consistently held that forced disclosure through contempt of Congress convictions is not protected by any right of privacy which might be implicit in the policy of the fourth amendment. Investigations prompted by national needs can then constitutionally invade an individual's right of privacy, at least insofar as the fourth amendment is concerned. The decisions to date have consistently held that, while the fourth amendment includes a right of personal security from physical attack and inspection and guarantees some element of personal sanctity and privacy, a proper legislative investigation is not preempted thereby.

The Federal Rules of Civil and Criminal Procedure provide for contempt proceedings in case of failure to obey subpenas. It is conceivable that the thinking expressed in fourth amendment defenses raised in congressional contempt cases might prompt the assertion of a similar defense to a contempt of court conviction. The congressional contempt decisions portend similar disposition of possible contempt of court defenses alleging that forced disclosure or surrender of evidence violates a right of privacy protected by the fourth amendment.

In the recent flood of congressional contempt cases, where all constitutional defenses have been raised in defense to committee exposure tactics, the lower Federal courts have consistently followed this approach. The mere fact that an individual's private affairs are subjected to the public gaze has not been considered sufficiently serious to bar an otherwise proper legislative inquiry. Still there has been no clear-cut decision by the Supreme Court dealing specifically and solely with the fourth amendment defense to a contempt conviction arising out of a congressional investigation. This defense is often made along with the gamut of other constitutional defenses which have been typically raised in these cases. The Federal courts have usually either denied the defenses in toto, or upheld the defense on narrow procedural grounds or on the basis of limited interpretations of a specific amendment other than the fourth.

The applicability of the fourth amendment defense to congressional investigations is closely linked with arguments about the "exposure" function of legislatures, and the general rights of individuals to resist inquiry into personal matters, exposure of which would subject them to unofficial public condemnation. To this extent the defense has been thrown into what at times has been a hodgepodge of constitutional arguments, all amounting to the position that "you can't do this to me" or "there must be some constitutional provision to protect me." This has caused some uncertainty as to the scope of the fourth amendment's provisions. Though the argument, in general, against legislative infringement of conscience or intellectual privacy is compelling, the legal rationale is less clearly attached to fourth amendment principles than revelant to first amendment protections of privacy. Rights of privacy implicit in the fourth amendment differ from those guarded by the first. In the former, the invaded privacy is one deriving from a trespass of subtle though physical means, such as secretly wiretapping or televising speech or conduct. However, that right of privacy which properly protects persons from public ventilation of their spiritual or intellectual ideas is more suitably derived from first amendment freedoms of speech and association. To this extent, it would seem that right of privacy defenses in these fourth amendment cases have been ill advised.

V. THE FIFTH AMENDMENT

The fifth amendment provides:

"No person shall be held to answer for a capital, or other infamous crime, unless on a presentment or indictment of a grand jury * * * nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law."

A. Indictment by grand jury

The first clause of the fifth amendment, requiring a presentment or indictment by a grand jury prior to trial for criminal offenses, has been mentioned briefly in connection with the discussion of the right to trial by jury. The guarantee has been long established; it is based upon the idea that one should not be put on trial until a body of his peers finds probable cause.

Mr. Justice Gray, while a member of the Supreme Court, elaborated on the purposes of the Constitution's grand jury requirement, though not with specific reference to the contempt situation. He said that "whether a man shall be put upon trial for crime without a presentment or indictment by a grand jury of his fellow citizens depends upon the consequences to himself if he shall be found guilty." By this standard, contempt would certainly qualify for grand jury protection, since the consequences of contempt convictions could be, and often are, grave. Mr. Justice Gray went further, stating that no congressional declaration could defeat this safeguard. Broadly considered, the purpose of the clause was to limit the legislature as well as prosecuting officers. Of course, the grand jury provision of the fifth amendment applies only to the Federal Government, and not to the States. However, most States have similar requirements in their own laws.

The Constitution specifically excludes certain classes of cases from the protection of the grand jury provision. If contempt was meant to be excluded, it is conspicuously absent from any manifestation of historical intent—in the Constitution or elsewhere.

Surprisingly, although intermittent volleys of criticism have been fired at most other contempt procedures, the denial of the right to a grand jury hearing has provoked little attention or comment. This may be because the broad criticisms made of other contempt procedures implicitly include this argument. For example, if a right to trial by jury were allowed, indictments of some kind would probably follow a fortiori. If not, some of the dangers of its absence would be rectified by the jury trial itself. Sui generis rationales which are used in answer to other, often stronger, complaints about summary contempt procedures would undoubtedly be offered in response to arguments that the contemnor should be indicted by a grand jury.

In contempt cases arising out of disobedience to orders of a court, it is not an unusual procedure for the action to be commenced by an order to show cause. Some courts have held that the particularity required of an indictment is not necessary for a contempt charge, and that technical accuracy is not required. In one case of contempt, which arose out of the carelessness of a sheriff in permitting the escape of his prisoners, the contemnor argued that the charge was not sufficiently made out in the information against him. The court, applying an exception to the general rule requiring particularity of indictments, denied the defense, and approved a fair notice standard for the indictment requirement. But even so, such cases allowing a casual treatment of indictments impliedly conform procedurally to the constitutional directive that there be some form of indictment or information.

No case has specifically challenged the constitutionality of the practice, in direct contempt cases, of deeming the personal knowledge and action of the offended judge sufficient satisfaction of the indictment-by-grand-jury requirement. In certain cases of indirect contempt, and with a contempt of Congress, no problem is presented because the customary grand jury procedure is required by statute. But in cases of direct contempt, and in those cases of indirect contempt where the proceedings are commenced by the court sua sponte, by an order to show cause or similar procedural means, there may be a proper constitutional objection. Of course, civil contempts are excluded from many fifth amendment protections because they are not crimes. Civil contempts arise almost spontaneously, and are part of the original action out of which they developed.

The contemnor may well be apprised of the proceedings against him, even where summary procedures are applied. Under the present Federal Rules of Criminal Procedure indirect criminal contempts are prosecuted by an order to show cause or an arrest order, and notice and hearing are guaranteed. However, pleadings may be based on information and belief, and direct criminal contempts are prosecuted on a certified order of the judge.

On the other hand, that policy of the fifth amendment's indictment clause which aims at insulating the individual from his Government by interposition of a popular group of his peers is ignored. This right was adopted from the common law and is a mandatory rule in normal Federal prosecutions, intended as a substantial safeguard against oppressive or arbitrary proceedings. The contempt situation involves exactly the kind of summary punishing power which this provision should cure. It is one of the few situations where our Government has been so brash as to act in violence of this constitutional provision. To allow this clear constitutional mandate to be circumvented on grounds of expediency is to condone the abrogation of an important mandate of the Bill of Rights. There is no counterbalancing governmental necessity warranting the circumvention of this constitutional right, except that which would call for expeditious litigation. Hurried justice may be no justice at all.

B. Double jeopardy

The policy of the double jeopardy clause of the fifth amendment may conflict with the contempt power to cause any one of several difficult, somewhat mathematical problems. The double jeopardy problem can arise in two situations—the crossfire and the reiterated contempt.

The crossfire situation is presented where one act constitutes both contempt and another crime, either in the same or another jurisdiction. For example, in the case of attempted bribery of a witness, the briber could be found guilty of contempt and/or subordination of perjury, or perjury if he was successful in his attempt. One wrongful act could then be punished twice. This problem is compounded in a case where the act of contempt is not a crime in the jurisdiction where it is committed, but constitutes a separate crime in another jurisdiction. From this possibility of crossfire of prosecutions arise problems involving dual sovereignty, immunity, and double jeopardy.

The second situation is one of multiplied pressures, in which the contemnor is forced to reiterate his act of contempt after he has been punished for the first act; or where one contempt is multiplied by reiteration of the same or a similar situation as resulted in the first contempt, and the separate punishment of each repeated contempt is immediately sought. The first situation could occur where an individual refuses to testify before a court, is sentenced for contempt and, after serving his sentence, is recalled before the same court, again asked the same question, and again sentenced for his second refusal. The other situation arises where a witness is asked a series of related questions, refuses to answer any, and is punished separately for each contemptuous refusal. In such cases a persistent inquisitor could punish a persistent contemnor indefinitely.

In considering the applicability of the double jeopardy clause to contempt practices, it should be noted that the constitutional provision is worded in terms of "offenses"—"nor shall any person be subject for the same offense to be twice put in jeopardy." Though verbally gymnastic critics have sidestepped or passed over other constitutional protections in contempt cases, no one has gone so far as to suggest that the unique act of contempt is not an offense. In fact, "offense" is the word usually used to describe contempt. Overcoming that hurdle, one can proceed to the substance of the clause.

C. The crossfire of prosecutions

Mr. Justice Brandeis dealt with the crossfire situation in a case in which a convicted contemnor argued that his conviction for contempt of Congress was improper because the same act of contumacy was made a crime by a special Federal statute. The offense in that case could have been punished twice—once for contempt and again under the statute which made refusing to answer questions or produce papers before either House a misdemeanor. Mr. Justice Brandeis dismissed the argument that the defendant was immune from one punishment because of the existence of another. He wrote, "Punishment, purely as such, through contempt proceedings, legislative or judicial, is not precluded because punishment may also be inflicted for the same act as a statutory offense."

An earlier Court, certain that this power would not be used cumulatively, had previously upheld a conviction under a Federal statute which made refusal to testify before a Senate committee a statutory misdemeanor even though the contemnor was subject to punishment for contempt of Congress as well. At that time Mr. Chief Justice Fuller wrote:

"It is quite clear that the contumacious witness is not subject to jeopardy twice for the same offense, since the same act may be an offense against one jurisdiction and also an offense against another; and indictable statutory offenses may be punished as such, while the offenders may likewise be subjected to punishment for the same acts as contempts, the two being diverso intuitu and capable of standing together."

The theoretical ground for this practice, which seems to circumvent precisely those results which the double jeopardy clause sought to prevent, is quite well settled. Where one act is both a contempt and substantive crime, it is an offense against judicial authority on the one hand, and against the State in general on the other. One punishment then is for an offense against the judiciary, and the other for violation of the law created by the legislature.

Another judicial attitude, by which double jeopardy objections are avoided, was enunciated in *United States* v. *United Mine Workers* in 1946. There the Supreme Court avoided charges of duplicity by classifying one contempt as criminal and another as civil. The rationale for this approach was stated, though not in a contempt case, in 1955. Congress may impose both a criminal and civil sanction in respect to the same act or omission, since the double jeopardy clause prohibits merely punishing twice, or attempting a second time to punish criminally, for the same offense. So again, by its power to classify contempts, a court may avoid double jeopardy problems by characterizing one of the contempts as civil, though in effect treating it as an offense.

The more difficult State-Federal jurisdictional problem also arises in the context of contempt and double jeopardy. Early authorities held that one criminal conviction would not bar later prosecution for the same offense in another jurisdiction. Similarly, contempt actions are not precluded merely because the same act constitutes a crime such as perjury, bribery, or insubordination in a second jurisdiction. Here the individual is subject to double punishment for his one act. The misconduct is single; the offense to society is single; but the sanction is multiple. Recent statutes have, however, granted the right to a jury trial in some instances where one act is both a contempt and another crime. These statutes, while preventing a conviction-minded court from circumventing a jury trial by treating an otherwise ordinary crime as a contempt, do not satisfactorily alleviate the double jeopardy problem. One rationale for allowing double punishments in these cases is that the social interest which warrants legal protection is different in contempt cases from that which might justify such action in the case of another crime. Even though the wrongful act is singular, the antisocial elements may be several. Contempt sanctions are aimed at misconduct which interferes with governmental activity. While kidnaping a witness, for example, is misconduct toward the person of an individual, it may also involve an interference with Government processes, and therefore constitute a contempt. The wrongful act is the same, but the interests to be protected are different and, it is sometimes argued, warrant separate treatment. The usual explanation for allowing separate prosecutions in separate jurisdictions is, however, that the classic thought behind the double jeopardy clause was to prevent one sovereign from twice punishing the same act. It never was meant, so the argument goes, to preclude a second action by a second sovereign. So, one State may prosecute although the Federal or another State government has already prosecuted.

D. The reiterated contempt

The second area of difficulty involves the so-called reiterated contempt. Assuming that all other elements were presented in a given contempt situation, could the punished contemnor be repunished if adamant in his disobedience to the same, though later, order? If the underlying justification for contempt convictions is the punishment of affronts to judicial authority, then a second contempt is a separate offense to that authority, although predicated on exactly similar facts. However, if the reason for using the contempt power is to coerce cooperation or deter interference with government bodies, then a repeated incident comes closer to the double jeopardy prohibition. Although it might be argued that continuous punishments for interference would tend to increase the coercive or deterrent force of the particular governmental body, the second punishment borders on the overbearing power which the Constitution proscribes in the double jeopardy clause.

The reiterated contempt situation directs attention, perhaps more clearly than any of the others involving contempt procedures, to the political and philosophical implications of this power. A court may want information. An individual may desire privacy. The conflict of the two desires may and often does cause, social friction of substantial political consequence. How far can and should government go in pressing its collective will against the uncooperative, free-willed individual? Even assuming that government can punish an individual's obstructiveness, should it be able to repunish for persistence of individual adamancy when that individual has already been once punished for that same characteristic? If so, when, if ever, is the government curtailed in its insistence? The issue is one of policy which should be reflected in the manner in which it is resolved by the law.

By the preponderance of judicial authority, the power of a prosecutor initially to multiply contempts by reiterating similar questions has been limited. In *Yates* v. *United States*, the defendant was charged with violation of the Smith Act. After waiving her privilege against self-incrimination, she refused to answer 11 questions put to her on cross-examination. The trial court treated each refusal as a separate contempt and sentenced her to 1 year in prison for each. Under such a system, the only thing insulating the defendant from a 100-year sentence is the limited stamina of the prosecutor. Fortunately, our system of justice is based on sounder principles. The Supreme Court held that her refusals constituted only one contempt. Refusal to answer many questions within one area of refusal, it stated, constitutes but a single offense. This concept has been applied in some State court decisions, but ignored in others. Although lower Federal court decisions had similarly divided on this issue, presumably this decision of the Supreme Court has resolved the matter. Where separate questions seek to establish one fact, or relate to a single subject of inquiry, only one penalty for contempt may be imposed for refusal to answer all.

The recent decision of *Uphaus* v. *Wyman* involved another facet of the same problem. Even though acknowledging that the Government may not cause repeated contempt citations by reiterating its questions, may the frustrated Government officer await the fulfillment of sentence for the first contempt by the contemnor, and then greet him with the same question, threatening another contempt conviction if he persists in his refusal? The cases have not answered this perplexing question. In the Wyman case, the defendant refused to answer certain questions before a one-man State investigating committee. He was committed to jail for 1 year. As the anniversary of his imprisonment approached, the contemnor and the contemned both indicated that they would repeat the incident. An onlooker could only hope that one would relent. Neither did, and as his final act in office, the attorney general moved for the unlimited confinement of the contemnor. Judge Grant, who ordered the first commitment, denied the motion, and Uphaus went free. Interestingly, the contempt of Uphaus was termed civil throughout all of the proceedings, and it arose out of a legislative investigation by an executive officer who, upon encountering the contemnor's refusal, went to the court for an order, which resulted in a contempt of court conviction.

Analogy with past rationales would probably have supported the second conviction. Good reason and mercy would not. Once having suffered the punishment for his strong and sincere convictions, the individual ought not to be sacrificed again to overbearing officialdom. The Yates decision adds weight to this latter attitude.

The double jeopardy problems indicated herein can be readily resolved either by liberal construction of the policy of the double jeopardy clause, or by the adoption of a statute covering the contempt problem as a whole, thus treating contempt no better, and no worse, than other crimes.

E. The privilege against self-incrimination in the contempt context

The fifth amendment directs that no one shall be forced to testify against himself if his testimony would subject him to a criminal prosecution. Though this privilege relates solely to Federal actions, all States have adopted it by their constitution, statutes, or judicial decisions. In the contempt context, problems may arise in one of two ways. First, an individual charged with commission of a contempt may refuse to testify on the issue of his contempt at the contempt proceeding. Secondly, one may refuse to testify about some criminal, noncontempt matter, and this refusal itself may be considered a contempt. This would include situations where the refusal would subject him to criminal action either in the local or in another, foreign jurisdiction, and is akin to the crossfire situation discussed in the double jeopardy section. The first class of cases deals with the assertion of the privilege against self-incrimination in contempt cases. The second category concerns the convertibility into a contempt of the invocation of the privilege against self-incrimination in a noncontempt case.

The fifth amendment's proscriptions are phrased in terms of a "criminal case." Enough has been written about the important ramifications of a judicial classification of a given contempt as criminal or civil to warrant only its briefest mention again here. Better reasoning dictates agreement with Wigmore that the policy of the privilege against self-incrimination should apply to the contempt situation. The possible legal consequences in the form of punishments of fine or imprisonment are reason enough to afford this constitutional protection. Wigmore concluded (and, it is suggested, correctly) that distinctions between civil and criminal contempts should not be the criteria for allowing the assertion of the privilege in cases of such basic importance. The applicability of the privilege would better rest on its own policies and logic.

Most States have held the State-established privilege applicable to contempt cases. One California court stated that "it is fundamental that requiring a defendant in a criminal case to testify violates his constitutional privilege against self-incrimination," and that "it is likewise a violation of this privilege to compel a defendant to testify in a contempt proceeding." The court resolved the classification problem in this manner:

> "Contempt of court is a specific criminal offense * * * punished sometimes by indictment and sometimes in a summary proceeding. In either mode * * * the adjudication * * * is a conviction. The proceeding to punish * * * is in the nature of a criminal prosecution. Its purpose is * * * to vindicate the dignity and authority of the court. It is a special proceeding, criminal in character."

In *Gompers* v. *Bucks Stove & Range Co.*, the Supreme Court ruled, in a Federal criminal contempt case, that the alleged contemnor is entitled to the protection of the privilege, but it avoided approval or rejection of the applicability of privilege to civil contemnors. At least one writer has concluded that "a defendant in a contempt case, either civil or criminal, is entitled to claim the privilege against self-incrimination, and to require that the contempt be proven against him by other witnesses."

In the category of cases where testimony would subject the individual to incrimination for another crime in the same jurisdiction, the courts have allowed claims of the constitutional protection with respect to defense to charges of both contempt of court and Congress.

With the tremendous increase in legislative investigations and the adamant response of individuals in recent times to congressional exposure tactics, the fifth amendment's self-incrimination clause has been invoked by many individuals as a shield from committee harassment. Since the contempt power was then subject to judicial review, the Federal courts' interpretation of the fifth amendment was crucial to the resolution of this individual-legislative committee conflict. Originally, these cases turned on procedural points such as whether the privilege was properly asserted, whether it was waived, what is incriminating, and whether the witness was apprised of his rights or the committee's purpose. The Supreme Court went far to extend the applicability of the fifth amendment in such cases, reflecting a policy sympathetic to the protection of individuals. Still, Professor Beck, in his study of the congressional contempt power, concluded that the vitality of the fifth amendment in congressional contempt cases was, as a practical matter, limited. Its broad application, he concluded, did not "presage any significant substantive limitations on the investigatory power," and its application carried "an aura of skepticism toward the innocence of the persons who sought recourse to its protections." Perhaps this provoked the gradual turn to the first amendment as a surer protection from exposure and harassment, as suggested in the section on that subject. In any event, a review of some of the leading fifth amendment contempt cases is appropriate in understanding the background of the more recent first amendment era.

The general rules of immunity and waiver were held to apply to contempt cases as well as to any other offense. The rule allowing assertion of the privilege where the testimony sought would only indirectly tend to incriminate has also been applied in contempt cases. The same rule applies to contempt cases arising from the assertion of the privilege before grand juries. The breadth of the protection of the privilege in these cases has been liberally extended by the Supreme Court. Not only will the privilege against self-incrimination protect against answers that would in themselves support a conviction, but also to those which would furnish a link in the chain of evidence needed to prosecute the claimant for a crime. Any language reasonably indicating that the privilege is raised will be sufficient to invoke its protection, and committees must clearly apprise individuals about the risk of possible prosecution for contempt if they do not cooperate, in order to be able later to secure a contempt conviction.

Susceptibility to a noncontempt criminal prosecution in another jurisdiction has not been accepted as a basis for protection under the privilege. Therefore, refusal to answer questions, on the ground that the answer would subject the witness to prosecution for a crime in another jurisdiction, would constitute a contempt.

In 1892, the Supreme Court in broad language ruled that the self-incrimination clause of the fifth amendment precluded forced incrimination in any criminal proceeding. "This provision," the Court said, "must have a broad construction in favor of the right which it was intended to secure." The Court held that the object of the self-incrimination clause was to insure that a person could not be compelled to be a witness in any investigation where his testimony tended to show that he had committed a crime. Immunity legislation cannot circumvent this constitutional privilege unless it is so broad as to have the same extent in scope and effect as the privilege. The Court stated that "no statute which leaves the party * * * subject to prosecution after he answers the incriminating question put to him, can have the effect of supplanting the privilege conferred by the Constitution." The Court held that only a grant of absolute immunity would suffice to preempt this constitutional privilege. This decision could have been literally construed to mean that immunity must be absolute in order to do away with the self-incrimination privilege. However, the quoted language has been restrictively interpreted, by resort to its peculiar facts, to apply only within one sovereignty, and not to preclude later prosecution in a different jurisdiction. Decisions since that time have limited the immunity rule to apply only to prevent later prosecuton in the granting jurisdiction. In one case a man was punished for contempt of a Federal immigration inspector. He based his refusal to respond to questions on the grounds that his answers would expose him to Federal and State prosecutions. The court of appeals remanded, and instructed the lower Federal court to advise the witness which of his answers would incriminate him under Federal law, and then to allow him to refuse to answer these, free from contempt sanctions. However, those answers which would subject him to possible prosecution under State laws were not covered by the privilege, and unless he purged his offense in this respect, he could be punished for contempt. This holding is consistent with a long-noted and recently accented trend to reduce the circumferential protection of the privilege in deference to the independence of sister sovereigns in matters of criminal justice. This policy was thoroughly treated in a recent article, where the author properly concluded that such a restrictive policy cannot avoid "enervating the principle embodied in the privilege." However, the policy is not without respectable and persistent authority.

The problem of self-incrimination, immunity, and the contempt power, as affected by the dual sovereignty concept, was recently before the Supreme Court. A prisoner was called before a Federal grand jury and offered immunity with respect to questions which the Federal Government wanted him to answer. He refused, urging that his answers would subject him to State criminal prosecution. The district court found him in contempt of court, sentenced him to 2 years imprisonment, and included a 60-day purge clause. Both the district court and the court of appeals justified the contempt conviction on the ground that Federal immunity need extend only to susceptibility to Federal prosecution, and this it did in the case before it. The Supreme Court was faced with the contention that older precedent, to the effect that the immunity extended only to the granting sovereign, should be broadened to cover any later prosecution for the particular crime in question by any sovereign. The Court avoided the broad issue, and decided the case on the ground that the particular immunity statute under scrutiny should be interpreted as covering both State and Federal prosecution. A dissent noted the admixture of civil and criminal aspects in the lower court's contempt citation and the absence of criminal procedural safeguards.

In another case, which questioned a State court's contempt conviction based on the defendant's claim that State immunity did not protect him against later Federal prosecution, the Supreme Court adhered to the concept of federalist division between State and National Governments, and upheld the conviction. A dissent criticized the uncertain posture in which Supreme Court decisions had left the matter, noting that the current status of the self-incrimination clause was such that "a person can be whipsawed into incriminating himself under both State and Federal law even though there is a privilege against self-incrimination in the Constitution of each. A related problem involves the hazardous situation of a witness who is called before a State or Federal agency, and ordered to testify. He can testify himself into the jail of another sovereign, commit perjury, or remain silent and run the risk of imprisonment by the immediate sovereign for contempt.

This view has been vigorously attacked, and has often prevailed only by a one-man majority of the Supreme Court. The theory that the immediate and potential evils of compulsory self-disclosure transcend any difficulties that the exercise of the privilege may impose on society in the detection and prosecution of crime seems more compelling than historical or academic arguments about the original intent of this clause.

This State-Federal dichotomy is sometimes presented in situations where the work of one governmental agency invades the province of another. Such a problem arose in a typical case involving a Senate investigation of organized crime. Senator Kefauver's committee questioned the defendant about his alleged violations of State laws. The defendant's refusal to cooperate was based on the fifth amendment's self-incrimination clause. He was adjudged in contempt. A Federal district court ruled that the defendant was entitled to immunity against disclosures that might incriminate him under State or Federal laws, and, in addition, that the fifth amendment precluded a Federal contempt conviction where the Federal investigation overlapped into matters of State concern.

The conclusion from these cases may be thus summarized. In a contempt case, the privilege may be raised as a defense to testifying where the testimony would subject the individual to a criminal contempt citation. It would seem that the privilege may be successfully raised in refusing to testify in order to avoid a civil contempt charge as well. An individual may also refuse to testify about matters which would subject him to a noncontempt criminal prosecution in the same jurisdiction, and this refusal will not be deemed a contempt. However, where testimony would subject him to noncontempt criminal prosecution in another jurisdiction, his refusal on self-incrimination grounds will be held contemptuous. Yet, where one inquiry solicits testimony relating to incriminating incidents in two jurisdictions, defendant may refuse to testify about any of the incidents, or demand absolute immunity from later prosecution in either jurisdiction.

The essence of the self-incrimination clause is that forcing incriminatory evidence from an individual is unconscionable, generally resulting in unreliable testimony, and that he should therefore be constitutionally protected. This policy seems to be dissipated by that trend of cases which allows prosecutions in a second jurisdiction, based on evidence which would be unconstitutional if admitted in the jurisdiction wherein it was secured. This kind of judicial reasoning allows individual rights to be subjected to circuitous prosecution tactics. If the self-incrimination clause is to be given more than ceremonious effect, the rule in contempt cases should be brought in line with the rule which prevails within each separate jurisdiction. Otherwise, intergovernmental cooperation could emasculate the potency of this constitutional protection.

As with the double jeopardy situation, the self-incrimination problem is aggravated in contempt cases. The problem of cross-fire of prosecutions, as arising in search and seizure, double jeopardy and self-incrimination cases, is presently one of the most litigated and argued about problems concerning constitutional law and political power. The interjection of the contempt power adds another pressure to an already explosive situation, by aiming punishment at the individual who, not knowing which way to turn, elects to stand still.

F. Due process of law: Proof

"Summary punishment of contempt is concededly an exception to the requirements of due process. Necessity dictates the departure."

The due process clause is one which is doubly difficult to define. It is as uncertain semantically as it is as a direction of legal consequence. Its history has been one of redefinition according to the dictates of changing times and attitudes. Generally, if vaguely, it is a requirement for some minimum standard of comportment in governmental proceedings equivalent with contemporary concepts of fairness and justness. The discussion of the requirements of notice, hearing, and representation, in the sixth amendment section to follow, establishes that many of the specific procedural guarantees in that amendment have been deemed applicable to the contempt situation, but under due process rationales.

In *Cooke* v. *United States,* the Court wrote: "Due process of law, therefore, in the prosecution of contempt, except of that committed in open court, requires that the accused should be advised of the charges and have a reasonable opportunity to meet them. This includes the assistance of counsel * * * and the right to call witnesses." Indeed, several of these rights are now incorporated in the Federal Rules of Criminal Procedure, should there be any uncertainty in constitutional interpretation with respect to the contempt situation. However, there are other aspects of contempt procedures which still raise serious due process questions.

One of these problems is the requirement of a certain quantum of proof of a contempt. Civil wrongs are characteristically proved by a preponderance of evidence, while crimes demand proof beyond a reasonable doubt. However, the Supreme Court has again applied a variant formula to contempt cases, and, likening civil contempt to fraud, has called for a requirement of clear and convincing evidence—exceeding a mere preponderance, but something less than the beyond a reasonable doubt test of criminal cases. In the case of criminal contempts, proof beyond a reasonable doubt is required. These two criteria have occasionally been applied by Federal courts, which have been astute about the rules but hopelessly confused about the proper classification of the contempt. Again, classification of a contempt is the key to an appropriate decision.

In a recent case, *McPhaul* v. *United States,* the Supreme Court dealt with this problem. The Court was called upon to review a conviction for contempt of a congressional committee. The defendant asserted that there was insufficient proof that subpenaed records of the Civil Rights Congress (an organization alleged to be subversive) were relevant to the committee's inquiry, in existence or in his possession and control. The trial court refused to instruct the jury that they must find these three facts to be proved beyond a reasonable doubt. Instead, the court instructed the jury to ignore these facts because if the defendant had legitimate reasons for failing to produce the records he should have stated the reason for noncompliance with the subpena, thus giving the defendant the responsibility of coming forward with exculpatory evidence. On certiorari, the majority of the Supreme Court, following certain past decisions, upheld the contempt conviction. Relying on analogous precedent that records kept in a representative rather than a personal capacity are not subject to the personal privilege against self-incrimination, as well as the primacy of the House of Representatives' committee work, Mr. Justice Whittaker, for the majority, agreed that the defendant should have proved part of the Government's case against himself by cooperating in the gathering of evidence for his own future conviction. The Chief Justice and Justices Black, Douglas, and Brennan dissented on the ground that the majority's decision "marks such a departure from the accepted procedure designed to protect accused people from public passion and overbearing officials." The presumption of innocence is shifted by giving such a defendant the burden of proof on the issue of the willfulness of his refusal.

This point had been recognized in an earlier Federal case. Dealing with similar facts, the second circuit overruled a contempt conviction pointing out that "the defendant can here legally be jailed only for a contempt in failing to produce the sought-after books when they are fairly shown to be presently within his power and control. He cannot legally be jailed for contempt for invoking his constitutionally protected privilege not to be a witness against himself. Admonishing that this case was a step backward, the minority in the McPhaul case warned: "When it comes to criminal prosecutions, the Government must turn square corners. If Congress desires to have the judiciary adjudge a man guilty for failure to produce documents, the prosecution should be required to prove that the man * * * had the power to produce them."

The McPhaul case, though turning on what appears to be a narrow question of statutory interpretation, underscored a very basic concomitant of the exercise of the contempt power: the constant tug between governmental power and individual freedom, a philosophical and political problem recurring again and again in the garb of legal decisions in contempt cases. Also, the case above deviates from the past Federal court treatment of this problem. As far back as 1894 one Federal judge wrote: "Accusations for contempt must be supported by evidence sufficient to convince the mind of the trior, beyond a reasonable doubt, of the actual guilt of the accused, and every element of the offense. * * *"

Yet, where a direct criminal contempt is committed, the defendant may be convicted upon the sworn statement of the judge alone. That statement, it was held, "imports absolute verity." The import and gravity of this procedure is compounded by the fact that the appellate courts have no record upon which to base any review and therefore usually uphold the trial court's discretionary conduct.

All congressional contempts are now prosecuted pursuant to a Federal criminal statute, and as such require proof beyond a reasonable doubt, as with all other crimes. The general civil-criminal distinction is made concerning proof of contempts of court. However, these otherwise clear situations are muddied by interpretations such as that in the McPhaul case, and by odd classifications of contempts, as well as the special way of proving direct and civil contempts.

G. Due process of law: The judge

"A fair trial in a fair tribunal is a basic requirement of due process. Fairness of course requires an absence of actual bias."

Another element of contempt procedures which would seem to conflict with the due process protection is that whereby the judge in a summary proceeding acts as judge, prosecutor, jury, and sentencer. Often he was personally the subject of the contempt. This anomalous procedure derives from old English practices which were not, and still are not, looked at askance. We have seen that some of these practices have been proved to be based upon shaky historical foundations. Strictly a product of the common law system, this procedure is astonishing to those of the civil law tradition. It is astonishing to some common law lawyers, as well. Mr. Justice Black wrote in the Green case:

"When the responsibilities of lawmaker, prosecutor, judge, jury, and disciplinarian are thrust upon a judge he is obviously incapable of holding the scales of justice perfectly fair and true and reflecting impartially on the guilt or innocence of the accused. He truly becomes the judge of his own cause. The defendant charged with criminal contempt is thus denied * * * an indispensable element of the due process of law."

The Federal Rules of Criminal Procedure provide: "If the contempt charged involves disrespect to or criticism of a judge, that judge is disqualified from presiding at the trial or hearing except with the defendant's consent." A similar requirement was included in the Clayton Act, but in some existing contempt situations the judge is still not disqualified.

These provisions, though they apply only to indirect criminal contempts, are eminently proper as far as they go. Federal rule 42 was based on the observations of Mr. Chief Justice Taft in *Cooke* v. *United States.* There he noted the delicate balance which individual judges must strike in these cases between any impulse toward reprisal, and such leniency as would injure the authority of the court. He suggested substitution of another judge wherever possible. Obviously concerned with this problem, Mr. Chief Justice Taft in an earlier opinion had suggested this inequity as another ground for extending the pardon power to cover contempt convictions.

The Supreme Court has often noted the human qualities of judges by which they, as others, are subject to fallibilities and frailties such as anger, petulance, and even vengeance. Whether judges are made of sterner stuff than other men, and are consequently better able to withstand the natural evocations of human emotion, has been debated many times and in many contexts. Although variant opinions abound, and the problem may never be adequately resolved, it is not too heretical to suggest that a shift in personnel is more calculated to insure fairness in the trial of contempt cases, and that the mere donning of judicial robes, and the consciousness of an oath taken long ago, may succumb to more immediate emotional demands. In a case in which he discussed this issue, Mr. Justice Frankfurter wrote: "These are subtle matters, for they concern the ingredients of what constitutes justice. Therefore, justice must satisfy the appearance of justice."

Although one can never know the mental processes by which a judge has acted, it seems more reasonable to conclude that the impersonal authority of law is better guarded and applied by one who is not himself personally involved in a given conflict. Perhaps the most striking example of this problem involves the New York Communist trials in 1949. There, Judge Medina and counsel for the defense wrangled and fought for 9 months during a heated, protracted trial in a celebrated political atmosphere. At the conclusion of the trial, Judge Medina summarily sentenced his contemnors to 6 months imprisonment. The Supreme Court upheld the conviction, but Mr. Justice Frankfurter wrote a dissent in which he deplored the trial judge's conduct. He included in his opinion an appendix of quotations from the trial record which indicated the open hostility and distaste which the judge and contemnors had for one another. It would have taken godliness in that case for the judge to have acted impartially and with proper detachment. Several of Mr. Justice Frankfurter's brethren felt that Judge Medina had shown somewhat less than that.

Greater expansion on the demerits of judging a cause in which one is personally interested begs the very obvious. The axiom that no man should judge his own cause was one early accepted in American law, and with good reason. This was later applied so that a direct, pecuniary interest would preclude judicial action. Professor Cahn recently noted the anomalous position which would have a wealthy judge disqualified on the basis of a minor or remote pecuniary interest in a cause before his court, while allowing him to decide a case which involved matters of the deepest, most profound effect on his emotional attachments. Not only would his interest be likely to affect the issue of innocence or guilt of the contemnor, but it might also bear on the sentence exacted as punishment for the contempt. The due process inhibition on judges who are interested in proceedings applies to State officers as well, by application of the 14th amendment.

Still the Supreme Court has not gone as far as it could. It has not ruled that as a matter of due process of law a judge cannot sit in a case in which he is personally affected. It intimated so in *Offutt* v. *United States,* but that decision was based on the Court's supervisory authority over the administration of criminal justice in the Federal courts—not on due process grounds.

This leaves those judges who are so disposed to distinguish what could have established a correct rule.

The Supreme Court has upheld a summary conviction for a direct contempt which arose out of an altercation between a trial judge and defense counsel in a case before that judge. Recognizing the difficulty appellate courts have in reviewing such cases, yet upholding the conviction, the majority of the Court agreed: "In a case of this type the transcript of the record cannot convey to us the complete picture of the courtroom scene. It does not depict such elements of misbehavior as expression, manner of speaking, bearing, and attitude." Mr. Justice Douglas felt that the majority opinion deprived the defendant of his constitutional right of freedom of speech; Justices Rutledge and Murphy dissented as well, but on due process grounds.

Of all the complaints about the summariness of contempt procedures, the argument against having an insulted or at least interested judge preside over the proceedings which adjudge and punish the misconduct requires the least support. Its moral and reasonable sense should not be open to legal distinction. Contempt is the only instance where such an anomalous practice occurs, though there is less reason there than in any other case. This injustice is already recognized in judicial decisions and by legislation. To the extent that this view does not presently prevail, relief should be afforded.

VI. THE SIXTH AMENDMENT

The jury trial guarantee of the sixth amendment is not the only aspect of that constitutional provision which is pertinent to a review of contempt practices. The full text of the sixth amendment reads:

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted by the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

A. Venue

In addition to the issue of whether contempt proceedings are criminal prosecutions and as such merit jury trials (which has already been discussed), the following section of the sixth amendment, raising problems of venue, is also noteworthy. Before determining where the crime was committed the decision-maker is initially belabored with the recurrent problem of whether contempt is a crime, as envisioned by that section. If it is not, of course, there is no sixth amendment venue issue. Assuming that it is, as good sense and reason would dictate, the venue problem may, in a given case, be one of constitutional magnitude.

In 1924 the Supreme Court addressed itself to the problem of ascertaining the proper venue for a contempt proceeding. The defendants had violated a court decree of one district court by contumacious conduct in another district. At the trial, an objection to the contempt jurisdiction of the first court was made on the ground of the sixth amendment's direction that crimes be tried in the district where they are committed. The Court held that contempts as sui generis, not criminal prosecutions within the sixth amendment, and that the defendants' conviction was therefore proper. This authority has been followed on the theory that the court whose order was disobeyed would not have the power to punish the offense if a contempt had to be tried where the act was committed. Federal statutes provide that civil actions will be tried only in a judicial district where all defendants reside, subject to certain qualifications not important to this discussion. The venue provision of the sixth amendment is now embodied in the Federal Rules of Criminal Procedure, as well. These are logical rules since in both civil and criminal contempts the wrong which is committed is directly or indirectly one to the court controlling the main action. In cases of contempt by publication these rules could become awkward. Take, for example, the hypothetical case of a California newspaper which publishes a contemptuous article about a pending New York proceeding. The New York court, having plenary jurisdiction over the subject matter, must have the controlling power elsewhere as well. The contempt is to the New York court, although it might seem that the offensive act really took place in California. This problem has arisen most often in cases involving injunctions, where court orders were violated in different districts from that of the court which issued the order. The decisions have uniformly upheld the power of the first court to deal with the contempt. It was stated in *Dunham* v. *United States:*

"A proceeding for contempt springs out of a litigation instituted in a particular court. Its principal object is to secure obedience to the orders of that court, by punishing as a contempt disobedience thereof. It is the court whose judgment or order has been defied which must try the contempt and pronounce judgment. If the place of the trial for a criminal contempt must be in the district where the acts constituting it were committed, then where such acts were committed in a different district than that of the court whose order has been contemned, such court would be powerless to deal punitively with the violation of its injunctive orders, and the trial and punishment of such contempt would have to be by a different court than that whose order had been defied. This would clearly be an alteration of the entire idea of a contempt, and in derogation of the power of a court to deal with violators of its orders."

The principal policy of the venue section of the sixth amendment is to guarantee that a person charged with the commission of a crime will be tried by his neighbors who are familiar with the factual setting, rather than by strangers unappreciative of local problems, customs, and values. This central idea is maintained in the contempt venue situation, though for slightly different reasons. Since a contempt conviction is designed to punish an act's ramifications (like judicial indignity or inconvenience) rather than the act itself (such as writing a letter to a judge, or failing to produce a book), it is sensible to conclude that the wrong took place where the particular ramification resulted, and not where the act which initiated that result was committed. A jury composed of residents of the area in which the affected court presided would be attuned to the problems presented by the case, and aware of the effect of the offense.

B. Speedy trial

The first section of the sixth amendment also speaks about the right to a "speedy trial." Is there some statute of limitations governing the contempt action? This problem was dealt with in *Gompers* v. *United States,* in which Mr. Justice Holmes wrote an opinion which discussed the time limitations for contempt actions. Gompers defended himself on the ground that a general statutory 3-year time limitation for all noncapital offenses implicitly barred his conviction for contempt. Mr. Justice Holmes ruled that this statutory period was appropriate, and that formal or rigid legal formulas for statutory interpretation were to be avoided in such vital proceedings. Dismissing an attempt to avoid the application of the statute or the Constitution by classifying contempt as a sui generis "offense" not quite within the terms of either, he wrote:

"[P]rovisions of the Constitution are not mathematical formulas having their essence in their form; they are organic living institutions transplanted from English soil. Their significance is vital not formal; it is to be gathered not simply by taking the words and a dictionary, but by considering their origin and the line of their growth.

"Indeed," he continued, "the punishment of these offenses peculiarly needs to be speedy if it is to occur." He said by way of dictum that it was well that some rule be set out dealing with the punishment of this crime, by the courts if not by the legislature.

"The power to punish for contempt must have some limit in time, and in defining that limit we should have regard to what has been the policy of the law from the foundation of the Government. By analogy if not by enactment the limit is 3 years."

Central to Holmes' thinking was his conviction that allowing an action to be commenced at any time "would be utterly repugnant to the genius of our laws."

In a later contempt case, Mr. Justice Douglas applied the 3-year statute of limitations held applicable by Mr. Justice Holmes, and refined the holding by ruling that the statute began to run from the time of the contemptuous act, and not from the time of the last act by which the misbehavior was consummated. A 5-year period of limitations for the commencement of criminal contempt actions is now guaranteed by a Federal statute. A sister statute limits this time to 1 year in cases where the contemptuous act also constitutes another crime.

A civil contempt, by its very nature, becomes extinguished at the termination of the action from which it arose. One court has said that a district court which issues a compensation-oriented civil contempt order may, as part of that remedial process, later commit to prison where the order is not obeyed. However, acts violative of a decree, and thereby contemptuous, but occurring after the date of the final decree, can be punished as a contempt only so far as they violate terms of that final decree. Another court has gone farther and held that it is "within the power of the court to order punishment for such [civil] contempts whenever the proof was brought to its attention * * * whenever it learns of acts which constitute such contempts." This language seems unduly broad. Suppose the court learned of the contemptuous conduct long after it was committed, and after the main action from which it arose was completed. A civil contempt citation would not only violate the policy against the revitalization of stale claims, but also would have no relation to the purpose of civil contempt—coercing a certain lawful result. In fact, this would seem to constitute a criminal contempt sanction.

C. Notice and hearing

The general trial procedures which govern contempt proceedings are less than uniform, and depend again upon a prior classification of the particular contemptuous act—here, as direct or indirect. This distinction was drawn by the Supreme Court in 1888 in a case which involved a determination of the proper procedures for a contempt committed in the presence of the court. The Court first stated the proposition that proceedings without notice and hearing are not judicial, or worthy of respect. It then expounded a special rule "of almost immemorial antiquity, and universally acknowledged"—that notice and hearing are not required, and imprisonment may immediately follow—vital to personal liberty and ordered society, and applicable to direct contempts. The Court adopted this rule, which it felt was based on precedent and necessity.

"[I]t is a settled doctrine in the jurisprudence both of England and of this country, never supposed to be in conflict with the liberty of the citizen, that for direct contempts committed in the face of the court, * * * the offender may, in its discretion, be instantly apprehended and immediately imprisoned, without trial or issue, and without other proof. * * * [S]uch power, although arbitrary in nature and liable to abuse, is absolutely essential."

In a later case that same term, the Court articulated the rule for indirect contempts. Citing the earlier opinion and its rule for direct contempts, the Court distinguished indirect contempts, holding that "whereas, in cases of misbehavior of which the judge cannot have such personal knowledge, and is [only] informed thereof * * * the proper practice is * * * to require the offender to appear and show cause why he should not be punished." At this proceeding, the Court held, the accused should be given notice of the charges made, and an opportunity for explanation and defense. The particular manner of the proceeding, though, is a matter for judicial regulation, so long as "it be without oppressiveness or unfairness." Thirty-six years later, the Supreme Court ruled that these sixth amendment procedural rights were equally protected by the due process clause of the fifth amendment.

"Due process of law, therefore, in the prosecution of contempt, except of that committed in open court, requires that the accused should be advised of the charges and have a reasonable opportunity to meet them by way of defense or explanation. We think this includes the assistance of counsel, if requested, and the right to call witnesses to give testimony."

And so the sixth amendment's rights of notice, hearing, and counsel were held applicable to indirect contempts, though direct contempts were still permitted to be treated summarily, in order to avoid a feared demoralization of the Court's authority. The balance again was judicially tipped in favor of judicial security and efficiency over personal liberty and procedural safeguards.

The problem arose again in 1947. The Supreme Court was called upon to review a contempt conviction arising out of a secret one-man grand jury proceeding held pursuant to a Michigan statute. The Court reversed the conviction on the grounds that the 14th amendment's due process protection included such procedural rights as public trial, hearing, notice of charges, examination of witnesses, and representation by counsel. Although the Court was divided in its decision, the majority held that these procedural rights bound the States as well as the Federal Government, even in criminal contempt cases.

These rights are now covered by Federal statute in most situations. For any contempt of Congress the accused is allowed all rights guaranteed by the sixth amendment. A similar situation also exists with respect to an indirect criminal contempt of court. For direct criminal contempt of court, or civil contempt of court, exceptions to the otherwise general rule are made. It is suggested that these exceptions are, as a matter of policy, unnecessary, and, as a matter of law, unconstitutional. The reasons advanced in support of these exceptional deprivations of procedural rights are precedent, judicial self-defense and respect, and efficiency. Any legal proceeding, in which an individual may be imprisoned (whether for a specified and limited time, or more especially where the duration is unlimited), or deprived of his property in a penal sense, as is the case in all present contempt situations, should be treated as a criminal prosecution as contemplated by the sixth amendment. All rights warranted by that constitutional provision should be available to the accused contemnor. Any loss to society through judicial embarrassment, inconvenience, or delay would be far outweighed in social values by the added dignity of individual freedom and the greater respect which would derive from a system which consistently recognized these constitutional liberties. This is the liberal essence of our constitutional Government, of our philosophy of the relation between men and law and government.

VII. THE EIGHTH AMENDMENT

The eighth amendment provides that "excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

Mr. Justice Black's sweeping condemnation of contempt practices in the Green case also included an attack upon the open-end sentencing procedure available in many contempt situations. He wrote:

"[A]s the law now stands there are no limits on the punishment a judge can impose on a defendant whom he finds guilty of contempt except for whatever remote restrictions exist in the eighth amendment's prohibition against cruel and unusual punishments or in the nebulous requirements of 'reasonableness' now promulgated by the majority."

And later in that opinion he noted:

"[I]ts subversive potential * * * appears to be virtually unlimited. All the while the sentences imposed on those found guilty of contempt have steadily mounted, until now they are even imprisoned for years."

This constitutional provision has been infrequently applied and strangely interpreted. The phrase "cruel and unusual punishment" first appeared in the English Bill of Rights in 1688. Thereafter, it appeared in early legal declarations in the United States, and finally was adopted as a part of the eighth amendment to the Constitution. All States have similar constitutional languages. Courts, though infrequently visited with eighth amendment issues, have not always agreed upon its true meaning or application. Although there is common agreement that the original purpose of this clause was to allay fears of excessive governmental intrusion upon personal liberties by providing a constitutional check, modern courts are less than clear about its interpretation, specifically regarding questions such as what is cruel, what is unusual, what constitutes punishment, and whether civil sentences are covered. The predominant view is that the clause is aimed only at preventing barbaric, torturous punishments. Modern interpretations have occasionally gone further, holding that it could be used to relieve sentences whose durations were cruel in proportion to the wrongful act, as well as in the mode or nature of the punishment itself.

The eighth amendment promises little shelter to the contemnor who feels that his sentence is onerous. First of all, there is serious question about its applicability in civil contempt cases. The clause speaks of punishments, and the argument can be made that civil contempt sentences are remedial devices, not punitive sanctions. In a legal sense, punishments are imposed for the commission of crimes. In a literal sense, punishment is a penalty, retributive suffering, pain or loss. Civil contempt sentences are punishments in the latter sense, but not necessarily in the former.

Occasionally the point has been litigated. In a New York case, a husband was imprisoned for failing to pay alimony to his wife. He had suffered financially from the depression, and his wife was childless and earning her own living. After 2 years and 7 months in jail, he applied for discharge from imprisonment. The court, facetiously nominating him "the senior inmate of the sheriff's alimony colony," released the contemnor, noting that the State's cruel and unusual punishment provision need not be limited to "barbarities," but should be construed as a "forward-looking and progressive declaration of principle." Critical of the rule which would confine the merciful application of the clause to criminal contempts while denying it in harsher civil contempt cases, the court wrote:

"Under these sections if an intruder disturbs the serenity of a courtroom * * * the limits of judicial displeasure are circumscribed by statute. * * * However, let a waspish woman pluck the sleeve of the judicial gown * * * and this temperate restraint is immediately cast aside, and the delinquent spouse faces the possibility of unending imprisonment. * * * This carries the supposed rights of women to absurd * * * lengths. [T]here are those who doubt the expediency of its extension into a form of petticoat justice."

The good sense of this reasoning has not prevailed. The cruel and unusual punishment provision has generally been held relevant only to situations arising out of the more traditional criminal punishments, and civil contempts have consistently been differentiated from this class of cases.

The New York newspapers have reported, with proper indignation, the confinement of an 80-year-old woman for civil contempt of a surrogate court. She had languished in prison for over 3 years before the same judge who committed her ordered her release. At the time of this writing she is still in contempt of that court, and conceivably could be sent back to prison. Her contempt resulted more from her naivete and ignorance of probate proceedings than it involved any corruption of the administration of justice. The severity of the law of contempt upon little old ladies has been dramatically frustrating to the courts of England, too. In 1886, a woman, unsuccessful in attempts to get legal title to some houses and property to which she claimed ownership, had to be enjoined from forcibly possessing them. When her endeavors were not deterred, she was incarcerated for contempt until she would conform to the court's order. She remained adamant, though in jail. Two years later, an embarrassed court discharged her from custody, lamenting their position and hopefully ordering her cooperation. In its opinion, the court voiced regret that this annoying, though not serious, offense was punishable by imprisonment at all.

Mr. Justice Rutledge defined what he thought to be the mandate of the eighth amendment, in his dissent to *United Mine Workers* v. *United States*. There, he wrote:

"The law has fixed standards for each remedy, and they are * * * for damages in civil contempt the amount of injury proven and no more * * * for coercion, what may be required to bring obedience and not more, whether by way of imprisonment or fine; for punishment, what is not cruel and unusual or, in the case of a fine, excessive within the eighth amendment's prohibition."

The realities have not always coincided with his articulation of policy.

In civil contempt cases there is often no relation between the sentence and the coercion necessary to compel obedience. In cases where the contemnor does not cooperate on grounds of moral indignation or principle, or impossibility (as in some alimony cases), there is no calculable relation between the punishment and the goal sought. Unfortunately, this often results in harsh waiting-out periods, with the prisoner remaining in jail indefinitely. Moreover, civil contempts are in fact sometimes civil in name only, entailing, in reality, criminal punishments.

There is equal question about the realism of the Rutledge formula in criminal contempt cases. Most criminal contempt sentences are something short of cruel or unusual, though they may at times be viewed as harsh, more than necessary, or overly strict.

In the Green case the convicted Smith Act defendants were given an additional sentence of 3 years' imprisonment for "jumping bail" in contempt of a Federal court order to appear for sentencing. The maximum sentence under the bail-jumping statute was 5 years. But indictment under that statute would have guaranteed a jury trial before a disinterested judge. Such a severe sentence (and at that the judge was limited only by his conscience) is not unusual in contempt cases.

Another Smith Act defendant was found guilty of criminal contempt and sentenced to imprisonment for 4 years. He failed to obey a district court order to surrender, and was apprehended 2 years later. The second circuit considered this sentence "well within a reasonable exercise of discretion by the trial judge, obviously * * * not violating the eighth amendment."

In *United States* v. *Toledo Newspaper Co.* the publishers and editor of a local newspaper were fined $7,500 for their constructive contempt of a pending judicial proceeding. Their offensive conduct consisted of no more than editorializing about a disputed street railway franchise in the city of Toledo. Far more vitriolic comments have gone unpunished since then because of the Supreme Court's reluctance to include press comments within the wording of the Federal contempt statute.

In the sensational *United States* v. *United Mineworkers* case, John L. Lewis, the famous union leader of the mineworkers, was fined $10,000 and his union was fined $3,500,000 for contempt. Their contempt involved disobedience of a court order restraining interference by the mineworkers with temporary governmental operation of the mines during conciliation of a labor-management dispute. The Supreme Court upheld Lewis' fine, but reduced the union's to $700,000, conditioned upon its subsequent compliance with the same order. In a separate opinion, Justices Black and Douglas criticized the excessive sentence. They pointed out that the same interference during wartime would have been governed by a $5,000 maximum fine under the War Labor Disputes Act. The equities in that case were compounded by the fact that the defendants believed, in good faith, that they were acting within their legal rights. Lawyers and legal scholars have differed in their interpretations of many laws similar to the one which gave rise to the contempt in the *United Mineworkers* case, and of the sweepingly broad language of the contempt statute itself. Even the Supreme Court has been unable to clarify this muddled area of the law.

Regardless of how onerous sentences for contempt may become, present indications point to little solace from the eighth amendment's protections. This amendment was originally included in the Constitution to protect citizens against those horrid and barbarous punishments which the history of man had seen inflicted, and which shock the conscience of civilized society. However, American courts have restrictively construed this potentially merciful legal vehicle to the point where its utility is minimal. Capital punishment by gas, hanging, and electrocution have been considered neither cruel nor unusual. Prolonged imprisonments, and sometimes capital punishments have been imposed by less progressive states for relatively insignificant crimes. A $3½ million fine for contempt was based upon a persistent but mistaken interpretation of the law. When John Kaspar, an extremist racist, flaunted a court order and attempted to provoke interference with the Supreme Court's segregation decision at Clinton High School in Tennessee, he was sentenced to 1 year's imprisonment. The Federal court which reviewed that contempt conviction disposed of the defense that the sentence violated the eighth amendment. Punishments are cruel and unusual, the court held only where they are "so greatly disproportionate to the offense committed as to be completely arbitrary and shocking to the sense of justice." What criteria, or what sense of justice, the court did not indicate.

Another Federal court has held that the words "cruel and unusual" are to be considered in light of developing civilization, not what was so in the 18th century. But courts have given little attention to this constitutional problem, even philosophically. In a California case where policemen pumped a man's stomach to retrieve evidence later to be used against him at trial, the Supreme Court could not muster approval. They reversed the conviction because these tactics were too close to the rack and screw for American justice to tolerate. In discussing the meaning of due process, the Court has spoken of those fundamental rights basic to fair play upon which our concepts of justice are founded. And in 1959, the second circuit, while recognizing that the unlimited contempt power exists, remanded a case for redetermination because, among other things, a contempt sentence was so inordinately harsh as to be onerous. There, a defendant was fined $1,500 and sentenced to imprisonment for 6 months. He had been summoned in California to appear before a New York grand jury. He sought a temporary adjournment but was refused. Though he failed to appear on the date required, he did appear voluntarily soon thereafter. He offered to purge his contempt and testify before the grand jury, but the government officials refused, and prosecuted the contempt instead. However, such sporadic decisions have not coalesced to form a definite eighth amendment philosophy.

On another occasion the Supreme Court offered a vague formula for considering the cruel or unusual quality of punishments, which sought to strike some balance in the relation between the crime and the punishment. In discussing the cruel and unusual punishment provision, one State court judge wrote:

"It is regarded as primarily relating to the kind and character or method of punishment, referring to inhumane or barbarous treatment or punishment unknown to the common law or which has become obsolete with the progress of humanitarianism, rather than to the severity in the amount or duration. But it would seem that most of the courts hold it covers that too."

The examples presented in this section would indicate either that the last sentence of this opinion is inaccurate, or that one individual's concept of what is excessive in amount is at odds with that prevailing among many present authorities.

In a recent contempt case, a Federal court sustained a 15-month sentence on the ground that it was reasonable when viewed in the light of other similar convictions of 18 months, or 3 and 4 years, and the Supreme Court upheld the decision. The lower Federal courts have "considerable latitude" in sentencing for contempt. Compounded by the minimal trial record in contempt proceedings, and the reluctance of appellate courts to overturn the decisions of lower courts, this discretion is tantamount to total license. In the case above, an aggressive district attorney asked the judge to mete out a substantial sentence, to omit a standard clause by which the contemnor might purge his offense, and to deny bail. The judge, in his discretion, did all three.

In summary, for contempt of Congress there is a 1-year maximum sentence; the eighth amendment would not prohibit this severity, but might possibly apply in cases where successive convictions were sought for the same but repeated act of contumacy. For certain specific contempts of Federal courts, there are statutory limitations. Many situations find the courts with unlimited powers. Only three States have no statutory maximum on the quantum of punishment permitted incident to an exercise of the contempt power. Sixteen have a maximum for contempts committed outside of court, but none for direct contempts. Twenty-nine have overall maximums. Nine have maximums of 6 months; one has a 3-month maximum; and the rest have 30-day limitations.

The cruel and unusual punishment provision of the Constitution, though indicative of a policy against excessive sentencing practices, in actuality operates only against barbarous, Draconian punishments. While contempt sentencing practices do not fall into this category, they may be viewed as more harsh, more extensive, and aimed less at purposeful, judicious goals than they might be. Some alleviation, at least, is deserved. The chances would appear to be better that this relief will be arrived at through avenues other than the eighth amendment. Courts may someday decide that current contempt practices improperly result in cruel punishments, and the versatility of the Constitution, through the elastic powers of judicial review, will then be brought into play.

Beyond this possibility, some trend can be sensed in recent years in which contempt sentences have been increasingly limited by statute. These legislative maximums have been realistic, and are the best answer to this problem—for two reasons. A statutory maximum sentence apprises the potential contemnor of the likely consequences of his wrongful conduct before he acts. It would also limit the power of judges to exaggerate the gravity of punishments in cases where they might otherwise be so inclined. This is a far clearer method of controlling sentencing powers than the vague, varying, and often unusable protections of the eighth amendment, or the equally impractical recourse to judicial interpretations of excessiveness or unreasonableness.

VIII. THE 10TH AMENDMENT: FEDERAL-STATE RELATIONS

The 10th amendment to the Constitution reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." The powers of the Federal Government were early interpreted to include all those necessarily inferable from specific constitutional grants as well as the powers which were expressly enumerated. These so-called implied powers have been the source of heated political and social conflicts from earliest times. One of the most volatile parts of the Constitution, touching sensitive areas of local chauvinism and power, the 10th amendment has caused debate both concerning the respective content of State and Federal powers, and relating to conflicts between those same powers. Which powers are to be left solely to the control of the States, and which to the National Government? And how does one determine which should prevail where both, properly asserted, conflict? Into this struggle the contempt power enters only indirectly and infrequently. When it does, it provokes deep and difficult basic problems with respect to the balance of Government powers.

In re Comingore illustrates the basic problem. In that case a collector of internal revenue for the Federal Government was questioned as a witness in a State civil proceeding. He refused to provide certain information attempted to be elicited from him, on the ground that a regulation of the Treasury Department forbade such disclosure. He was fined and imprisoned for contempt, and brought habeas corpus proceedings. The Federal district court held that the State had no authority over property or archives of the U.S. Government. The State imposition through the medium of a contempt proceeding was therefore improper. The court further held that though this might not be the case with respect to the Federal Government's access to public records of States, or vice versa, there was no corresponding right to demand information about nonpublic matters. If the latter pertained to internal governmental conduct which policy demanded be kept from the public, no right of inspection would exist. "The State has neither occasion nor right to call upon the United States nor her officers for reports made under the administration of its laws in order to enforce the collection of State revenue. Nor would the United States have the right to call upon the State."

Occasionally, the issue has recurred in the context of congressional contempt cases. In *United States* v. *Owlett* the power of a State committee to investigate intrastate work of the Federal Works Progress Administration in that State was questioned. The United States objected on the ground that this interference would obstruct proper governmental functions. The Federal court enjoined the disputed investigation, holding that it was beyond the jurisdiction of the State, and an interference with the established immunity of Federal agencies from State control. Since this was not a proper area for State legislative action, an injunction against the State was issued.

The recent conflict between the New York-New Jersey Port Authority and the Celler House Judiciary Subcommittee gave to the problem some added notoriety. An officer of the port authority, an interstate municipal agency created by a compact between the two States, was subpenaed to produce a voluminous amount of the authority's records before the House subcommittee. In obedience to orders of the Governors of New York and New Jersey he refused, and Congress cited him for contempt. One of his defenses to the congressional contempt citation was that Federal investigations into areas of State concern unconstitutionally interfere with the Federal system of government as exemplified by the reservation clause of the 10th amendment. It had been suggested that "the theory that State documents are sacrosanct when dealing with wholly internal matters was recently rejected." The district court found Tobin guilty of contempt. The court of appeals reversed. The port authority case is now being appealed by the Government. The 10th amendment issue was left unanswered by the court of appeals decision. In the lower court opinion in this case, Judge Youngdahl did attempt to reach this constitutional issue. He wrote:

"If possible, attempt should be made to accommodate conflicting powers which overlap before it is decided that one must yield absolutely to the other. * * * Honest and vigilant administration of the balancing test by the courts can accomplish this result. The Federal system is itself the product of accommodation between the need for central direction of affairs affecting the entire Nation and the desire to prevent overcentralization."

As a final example, the contempt situation which arose from the recent dispute in Mississippi between the Governor of that State and the Federal courts and executive glaringly exemplifies the emotional content of 10th amendment conflicts. Such cases show both the versatility of the amendment, its adaptability to thwart any Federal action with which a State may disagree, as well as the deep-felt and incendiary nature of the issue which the amendment raises.

The assertion of States rights arguments to uphold civil liberties is itself interesting. Lately, a States rights approach has been frequently argued in defense of conservative causes, and in conflict with certain libertarian objectives. Yet, it may be that contempt convictions, arising out of Federal interference with State governmental bodies or agents, violate the 10th amendment, and that the reverse might well be true unless some broader province is given to the powers of the National Government in conflicts arising out of a federal system. The final decision should be doubly interesting, as most issues arising from use of the contempt power involve the rights of government versus individuals. Here, the case is one of two sovereigns disputing powers, and attempting to utilize the coercive contempt tool to prevail.

IX. CONCLUSION

The matters which have been herein discussed indicate that the legal treatment of the judicial contempt power has created a constitutional maze. Peculiar handling of a frequently implemented power has resulted in a unique body of law. The purpose of this article was merely to point out some of the constitutional ramifications and anomalies incident to the utilization of this unusual legal device. Answers or attitudes about particular problems have been suggested or hinted at along the way. No complete analysis was intended. Even so, selective consideration of the major constitutional problems suggests that some new and deep-cutting changes should be wrought.

Mr. President, one point which deserves further treatment and which has not been discussed to any length so far in this debate is the role of the U.S. Government in the contempt proceedings which would arise under this bill.

As to the contempt proceeding itself, it is generally accepted that in the case of a criminal contempt the Government is the real party in interest, whether it arises out of an action to which the Government was originally a party or one between private litigants. The purpose of the proceeding is to vindicate the court's authority; this is true even though the court may appoint the attorney for the party who sought the relief to prosecute the case and the proceeding be styled as if between the original parties. Normally, the Government may intervene to prosecute the contempt proceedings in its own name. Michaelson against United States ex rel Chicago, St. P., M & O Ry., states that this prosecution is a new and independent proceeding and no part of the original cause. It would seem that ordinarily the character of the original suit, and not that of the contempt proceeding, is controlling on the question of the right to have a jury trial. Hill against United States ex rel. Weiner holds specifically that an exception contained in the Clayton Act was designed to limit the jury trial provision to prosecutions for contempt arising out of cases instituted by private litigants. If the original suit is not controlling, a question of the propriety of allowing the Government to intervene arises. Normally, it is said that the Government should not be allowed to intervene in a case in which the intervention will unduly delay or prejudice the adjudication of the rights of the original parties; the right to a trial by jury is a substantial right, which might be said to have accrued to the defendants at this stage of the proceedings.

The last question under this aspect of the problem is whether the Government should be allowed to become a party to the original suit, so as to defeat any future defendant's right to a trial by jury. Section 2403 of the civil code permits the Government to intervene in suits in which the constitutionality of a statute is drawn into question. It may also intervene if it has a "proprietary interest" in the suit. Rule 24(b) of the Federal Rules of Civil Procedure grants a permissive right to any party to intervene whenever there is a statute granting that right, or when the parties have a common question of law or fact in two separate claims or defenses. While the United States may prosecute criminal acts which deprive parties of their civil rights under the Civil Rights Act, there does not seem to be any provision or precedent for enjoining threatened deprivations of the type we are considering, aside from specific statutory provisions.

FOREIGN POLICY IN VIETNAM

Mr. MORSE. Mr. President, in one of its more insipid editorials on foreign policy, the Washington Post yesterday endorsed a continuation of the war in Vietnam as a mistaken commitment that "must be upheld."

What a futile, shaky, and hopeless basis for the expenditure of more money and men in South Vietnam. What makes the Washington Post editorial writers, or Washington policymakers, think the American people are going to support for long a war effort that is merely an upholding of a mistake?

How many Americans are willing to spend and die for that? Not many. It is a degrading and shameful basis for any American policy, much less for a war effort.

This newspaper's endorsement of the present policy in Vietnam ignores the most important consideration: The attitude of the local population toward perpetual fighting and unrest. It may be within the toleration of the American people to continue supporting the South Vietnam Government's war against the rebels. We do not live there. We only send military and aid people over there on a rotation plan.

But the local population has been living in the middle of war ever since the Japanese occupation. How is the American promise of more of the same indefinitely going to build what the Post calls "confidence in non-Communist rule"?

The only hope we can offer to the people of South Vietnam who are not part of the ruling clique that is living so well off the war, is eternal conflict and devastation. The question is not only how long the American people will sustain such a war, but more important, how long will the common people of Vietnam put up with it?

A boy from Oregon who had served over there visited me over the weekend. He pointed out that the article in the U.S. News & World Report written by Mr. Moore that I commented on in one of my speeches some days ago is absolutely correct. He agreed that the mercenary officers of the South Vietnamese Army have an allergy as far as battlefronts are concerned. They live in high luxury in Saigon. They have no desire to fight a war. But as he said, it is the "poor devils" down in the lower echelons that are being pushed into a war in regard to which they have no heart.

The only worse disaster for the United States than the continuation of the status quo in South Vietnam would be expansion of the war into North Vietnam. What a disgusting spectacle the United States is presenting to the world and to our own people with the current meeting in Honolulu which seems to be little more than a war council.

What is being done there is the planning of an American war in Asia, at least against North Vietnam and eventually against China, unless our bidding is followed in South Vietnam. It will be interesting to see whether this, too, is going to be McNamara's war, or whether a declaration of war will be asked of Congress.

An attack on North Vietnam cannot by any stretch of the imagination be regarded as a defensive measure by the United States. And it no longer can be considered a defensive measure in the South Vietnamese civil war. The Government of South Vietnam is being threatened by its own people, and they are fighting with weapons and materials they are capturing from government forces or making on the spot.

The military jargon about interdiction of Communist supply lines is essentially a "cover story." If there is in fact an attack upon North Vietnam it will not have a military purpose, but a political purpose: to induce Ho Chi Minh to stop giving leadership and advice to the rebels. What the Honolulu conference is doing is making plans, virtually in public, for a bombardment of North Vietnam. Undoubtedly the information being given out about this planning is designed to intimidate the Asian Communists and perhaps cause them to retreat before the mere threat of attack.

But if the threat alone fails, the publicity itself will have created heavy pressure on this country. Having discussed so openly and at such high levels a possible attack upon North Vietnam, the American military commanders and their chief, Secretary McNamara, will feel even more obliged to carry out the attack than before the Honolulu meeting.

That is the danger of what is going on there.

But there are many other dangers. The planning of a unilateral war in South Vietnam is bad enough, without our planning a unilateral aggression against North Vietnam. Bombardment by air and sea is pure and simple aggression. Of all the fatuousness that has gone into American policy in that part of the world, the most fatuous contention yet made is that air and sea bombardment, without the participation of troops, is not an aggression. That is pure nonsense. It is worse than that. It is lying to the American people.

One may as well say that the Japanese attack on Pearl Harbor and the Philippines on December 7, 1941, was not aggression against the United States because no Japanese troops were landed then, either. Clearly, what the Japanese had in mind was merely to intimidate the United States to keep out of her way as she conducted her unilateral, self-serving policy in Asia, and perhaps, to "interdict" by knocking out the Pacific Fleet of the United States.

So Pearl Harbor was a nice, neat air attack, with no messy ground fighting. How similar to what the American military is discussing for North Vietnam. And the consequences could be similarly disastrous for American people, too, unless they demand that their military and political leadership come back into the framework of American moral and legal standards. One does not have to extend the parallel with Pearl Harbor very far to know that international outlaws have a way of coming to a bad end, both for themselves and their countries.

What is being done in Honolulu is outlawry. It must be stopped by the American people before it is too late.

In the one enlightenment of the editorial section of the Washington Post, one finds today that Walter Lippmann is again calling for the only legal and responsible handling of our policy in Vietnam. It is that we legitimatize our presence in southeast Asia.

We must do that either through the United Nations or through an international conference that will give the United States legal standing in Asia and that will give its people some hope of a future other than perpetual war.

Mr. President, I ask unanimous consent that the Lippmann article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post]

THE ASIAN BALANCE OF POWER

(By Walter Lippmann)

The death of Nehru has come at a time of great uncertainty and change in the Asian balance of power. It compounds the uncertainty. For what happens in India, or more exactly in the Indian subcontinent which includes Pakistan, will affect the future of Asia as a whole.

At the worst, India will, as so often in the past, become fragmented. Nehru was not only a national hero but also, as the direct heir of Mahatma Gandhi, an anointed man. Lacking such a ruler there could be a great disorder among the many tribes, clans, castes, and sects which comprise Indian society.

At the best, which we may dare to think is possible, India under Nehru's successor will not only consolidate itself but will also go on with the task, which Nehru had just begun before his death, of making peace with Pakistan, turning what is hostile coexistence into some kind of collaboration.

The inherent strength of India-Pakistan cannot be measured in terms of army divisions, tanks, and air squadrons. The crucial fact about the great subcontinent is that it has shown itself highly immune to the kind of pressure and propaganda and infiltration which has been causing so much of southeast Asia to crumble.

If India is to be conquered by China, it will have to be by direct and overt military aggression, by the kind of aggression which is unmistakable and is indubitably a casus belli under international law and the Charter of the United Nations. This point is critically important in any evaluation of our own foreign policy in Asia. For it would justify, it seems to me, a firm commitment to go to the defense of India-Pakistan if the Chinese attacked them.

The other strong position in South Asia is held by the United States, and it consists of our sea and air forces. The presence of these forces in the South Pacific and, increasingly, in the Indian Ocean is our real contribution to the eventual stabilization of southern Asia and of the islands of the South Pacific. In the foreseeable future China is quite incapable of challenging this great force, and the central business of a serious assessment and planning of U.S. policy is to come to an understanding of the nature of our own power.

The essential problem arises from the fact that our forces are infinitely more destructive than any other forces in the region, including the Chinese forces. The American power is so overwhelmingly great that it cannot be used at will. It cannot be used, for example, as fellow travelers of Senator GOLDWATER have been proposing, to intimidate North Vietnam and China by bombing them "coolly yet massively," while we "stop our ears to a fearful worldwide clamor until the job is done."

This is as foolish as it is immoral. It is foolish because for the United States to intervene with such savage cruelty in an Asian country would be to show a wanton disrespect for the opinion of mankind. Such disrespect does not go unpunished because we stop our ears. It would be our day of infamy if we used our superior power to "destroy the entire military, industrial and economic infrastructure" of a country with which we are not at war. This would be the way to destroy our influence in Asia, not to preserve and consolidate the American presence in the Pacific and in Asia.

The fundamental principle to which we must subject ourselves is that American sea and air power can be used only if and when the United States is acting, as it did in the Korean war, under an international sanction. What we do not have and what we need now in southeast Asia is a treaty guaranteeing the independence of the countries of southeast Asia, a treaty which is signed and ratified by all the great powers that are concerned—namely, China, the Soviet Union, India, and Pakistan, the United States, Britain, and France.

The foreboding that we are on the verge of being expelled from Asia and the western Pacific is quite unreal. American sea and air power command the whole Pacific Ocean, and there is no serious rival sea and air power on these waters, as there was when Japan had a great navy. Our problem in the Pacific is not how to make our power credible, how to make ourselves feared, perhaps by coolly yet massively destroying a country. Our problem is to legitimatize our presence in Asia and in the Pacific as the possessor of this monopoly of enormous force.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD in my remarks an article published in the Manchester Guardian of May 28, 1964, entitled "The 20 Years' War," written by David Holden.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Manchester Guardian Weekly, May 28, 1964]

THE 20 YEARS' WAR

(By David Holden)

In 10 days in South Vietnam I have talked to dozens of people—Vietnamese, Americans, British, French, and others—and except in General Nguyen Khanh and a few members of his government who must needs put the best face on things I have nowhere met more than anxious hope or desperate determination about the outcome of the present struggle against Communist subversion and the attacks of the Vietcong. Of optimism there is none and of confidence little; of black pessimism a great deal.

In theory, the chance of victory is still there. But it needs an even bigger effort than the United States has made so far, and a far greater and more imaginative effort from the Vietnamese leaders to turn it into reality. Any comparison with the Malayan emergency—which was never very valid anyway—has long ago been left behind.

There were never more than 10,000 hard-core Communist guerrillas in Malaya, yet for the best part of 12 years they tied up 60,000 to 80,000 British and other troops and as many police and special reservists in a ratio of 1 guerrilla to 12 or more of the security forces. In Vietnam there are 25,000 to 30,000 "hardhats," as the Americans call them, and probably another 100,000 local guerrillas or sympathizers who are ready to turn out for the Vietcong. Against them are more than 200,000 regular soldiers of the Vietnamese Army, with 16,000 American "advisers" and another 200,000 men in various auxiliary forces—a ratio of 1 to less than 4.

In Malaya the Communists were all Chinese, easily recognizable, and easily divided from the Malayan peasant base. In Vietnam the Communists and their supporters are Vietnamese and can easily vanish into any village. And, of course, in Malaya there was no open frontier beyond which the Communists could take refuge or across which they could receive supplies and reinforcements.

To the Americans and to the present and previous Vietnamese Governments, the open borders and the resulting infiltration of Communist Vietminh from the north, have always seemed the crucial weakness of the south's position. It is pretty widely agreed, for instance, that from 1959 to 1963 at least 12,000 hard-core fighters and instructors moved in from the north. The pattern of subversion and guerrilla warfare suggests strong central control from north of the border and the repeated capture of Chinese, Russian, and Czech weapons by the Government forces reveals plainly enough the source of material support for the Vietcong.

But this is only part of the story. The rest lies with history. With the inadequate administrative legacy of the French. With the arbitrary dictatorship of the Ngo Dinh Diem regime. With the failure of the Vietminh—in breach of the 1954 Geneva agreements—to withdraw all their units from the south, leaving many behind to organize the new underground movement. And with the failure of the Americans and the Vietnamese Government to realize, until too late, what sort of a war was being forced upon them.

The Vietnamese Army has been trained to fight a soldier's war, like the French Army before it, when its opponents are fighting a revolutionary war. The big battalions have rarely been able to bring the other side to battle, because the enemy is not concerned with killing soldiers so much as with paralyzing institutions and undermining popular confidence.

This elementary fact does not seem to have been properly grasped by the Americans until some 2 years ago, when it led to the strategic hamlet program, designed to bring security and administration to a countryside by then in chaos. But it was not then, and I think still is not now, fully understood by the Vietnamese leaders, who still sometimes seem to think that winning territory is more important than winning people. In fact, without the latter the former is meaningless.

Nor do the Americans follow through by withholding support from some of the more wasteful forms of military operation. Napalm and high explosives, for instance, are still being used by American aircraft in full-scale assaults on supposed Vietcong strongholds. These sometimes flatten whole settlements and kill hundreds of people, whose bodies may then appear (on the flimsiest evidence) in the published lists of Vietcong casualties.

The villagers can scarcely be blamed thereafter if they prefer the Vietcong's usually selective killing and intimidation to this sort of wholesale slaughter. Yet the Americans are in the difficult position of often having their advice rejected or ignored, while still being blamed whenever anything goes wrong.

Like the British in the Persian Gulf, they suffer all the odium of colonialism with little of its real authority. Ultimately, however, their biggest difficulty is simply that they are foreigners, and the North Vietnamese, whatever unpleasant things they may bring in their train, are not. To ask the Americans to win the confidence of the Vietnamese peasants where the South Vietnamese leaders themselves have failed, is simply crying for the moon.

To the United States, blamed, reproached, and frustrated at every turn, and anxious also to prove to the Chinese that her power is no "paper tiger," the temptation to seek victory at all costs by throwing in fighting troops and carrying the war to the north, must be tremendous. But the dangers are tremendous, too: a clear breach of the Geneva agreements, an acknowledgment of political bankruptcy, a major diplomatic defeat, and a real risk of war with China. And in the end this course would surely be self-defeating, whether China entered the war or not; for even after Hanoi had been bombed and Dien Bien Phu recaptured the Vietcong and the Vietminh would still be there. The military solution would remain as mythical as ever, and the political solution would have retreated into infinity.

The only alternative short of withdrawal seems to be a slow crawl toward stability within South Vietnam. A piecemeal recovery of people and territory, village by village, providing security and administration simultaneously, and demonstrating through at least local self-government that the Communists do not have all the answers. This implies a resolute (and very un-American) refusal to believe in any quick solution. Indeed, if the Malayan experience is any guide, no one should think of success in less than 10 to 20 years.

But there is the most savage dilemma of all. As a wise, old Vietnamese observed when I put this to him: "If you prolong the war, you will lose it." After 20 years of fighting already, this may well be true; and it reduces the chance of victory to no more than a glint in Washington's eye.

Mr. MORSE. Mr. President, Mr. Holden, a leading British correspondent, has been for some time in North Vietnam and also in Malaysia. He writes, in this article on South Vietnam, about the hopelessness of the situation if we follow the course of action that the United States is presently following.

Mr. President, at the close of my remarks today I ask unanimous consent that certain correspondence which I have received in support of the position that I have taken for weeks on the floor of the Senate against this U.S. illegal war in South Vietnam be printed in the RECORD. Also, I ask that a recent column by Jack Anderson dealing with the basic lack of will on the part of the South Vietnamese to fight be inserted in the RECORD. He points out how our military pay and aid is really corrupting men in the South Vietnam army.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, I wish to reiterate something which I believe is particularly appropriate, in view of the fact that American warmongers are meeting in Honolulu, planning their various schemes and programs of indirection for getting around the Constitution of the United States and making war without a declaration of war.

It is particularly fitting that once more on the floor of the Senate I offer again the substitute proposal which I have offered for many weeks in connection with McNamara's war in South Vietnam.

I repeat my challenge to Mr. McNamara or Mr. Rusk or to anyone else in the administration to come forward with a single principle of international law which justifies American unilateral military action in South Vietnam.

The sad, ugly fact is that the United States is standing today outside the framework of international law. The sad, shocking fact is that the United States today stands before the world in violation of the United Nations Charter. The sad fact is that the United States today, with its illegal course of action in South Vietnam, is becoming an outlaw nation with respect to international law.

Mr. President, we ought to be big enough to recognize our mistake. We ought to seek, as Walter Lippmann points out in his column this morning, international approval of a course of action in Asia by keeping peace in southeast Asia under the United Nations Charter procedures. The rule of law not the rule of American military might should be used to meet the crisis in Asia.

I call upon our Ambassador to the United Nations to start his long march back into the area of international statesmanship. Adlai Stevenson, when he made his sad and shocking speech before the Security Council a few days ago, in which, in effect, he beat his breast and said to the world that we intend to do what we want to do in South Vietnam, turned himself into a humpty-dumpty.

Adlai Stevenson knows that all the king's horses and all the king's men cannot put a fallen egg back together again, even though it is an egghead.

Mr. President, the fact remains that the United States is following a course of action in South Vietnam which violates the Geneva accords of 1954.

My country, the United States, in open violation of the Geneva accords of 1954, has the audacity to try to alibi to the American people and to the people of the world that we are justified in our action because North Vietnam and Red China are violating the Geneva accords of 1954. So they are. I have no doubt about it. I have no doubt about North Vietnam and Laos and Red China violating the Geneva accords of 1954 which, I repeat, the United States never signed, and which, by reason of pressure by John Foster Dulles, South Vietnam did not sign. We seek to alibi justification for murdering American boys in South Vietnam on the ground that North Vietnam and other countries are violating the Geneva accords of 1954. In the absence of a declaration of war, the killing of every American boy means, in my judgment, a murder. I am opposed to it. I would rather walk out of the Senate than give support to this illegal course of action of the United States in South Vietnam. Our top warmongers in Honolulu are trying to find some way of alibiing a way in which they can present a case for escalating the war in southeast Asia.

What we ought to be calling for is United Nations consideration of the violation of the Geneva accords, before the Security Council of the United Nations.

I suspect that Red Russia would veto it. Let us prove to the world who it is that, in the last analysis, is seeking war, not peace.

Of course, Red Russia welcomes our weakening ourselves and our losing world prestige, which we are rapidly losing because of this illegal and unconstitutional course of action in South Vietnam.

I want to put Red Russia on the spot, and I want to have my Government live up to its signature under the U.N. Charter. I have quoted in past speeches, and incorporate in my speech today by reference, articles 33, 37, and 51 of the U.N. Charter, which we are not following by not bringing our complaint as to the violation of the Geneva accords of 1954 to the United Nations for determination.

If and when Red Russia—if she does—and we shall not know until we try to find out—vetoes the proposal to have the Security Council take jurisdiction, the next step for the United States to take would be to ask for the calling of an extraordinary meeting of the General Assembly of the United Nations. There let the nations of the world exercise what jurisdiction they have through the procedures of the General Assembly of the United Nations in trying to bring the war in southeast Asia under the canopy of the United Nations, as we support similar peacekeeping procedures of the United Nations, at the moment I speak, in the Congo, in the Middle East, and on Cyprus.

I wish to forewarn the American people, once more from my desk, that we are at a crossroads in American foreign policy. We have run out on our moral and spiritual obligations that we owe to peace. We are not trying to keep the peace. We are making war. We should give support to a United Nations peacekeeping corps in South Vietnam. As I have said many times, and repeat today, I would support a substantial number of American military personnel to help make up that peacekeeping corps, but it would not be a fighting corps; it would not be a killing corps; it would not be a warmaking corps; but it would be a peacekeeping corps. There is quite a difference between supporting a peacekeeping corps and the course of action we are following today. The United Nations Charter calls for such a function on the part of the members of the United Nations.

I ask Senators to read again the Lippmann article of today and to read again the Lippmann article of the other day, which I placed in the RECORD. There is no answer to the principle that Lippmann lays down. The sad thing is that the United States is compromising its principles in the field of international obligation as a signatory to the United Nations Charter.

I say to the warmongers meeting in Honolulu that I know what their position is, because they have expressed it many times in this country, and they do not make it any better by the coverup from Honolulu. The responsibility for following peaceful procedures rests squarely at the White House.

I continue to pray to my God that the President will see his responsibility before it is too late and that an international conference will be called, and called quickly, under the aegis and auspices of the United Nations, to see what can be done to bring the killing to an end and to bring stability in Laos, stability in North Vietnam, stability in South Vietnam, and stability in Cambodia. We cannot plan to escalate this war into North Vietnam without leading to the great danger of a nuclear conflagration.

It is interesting to see the hedging in all the statements that Rusk and McNamara have made to date concerning the possibility of expanding and escalating the war across the borders of North Vietnam into Laos and possibly elsewhere. That adds up to one ugly word—aggression. My voice will be raised in a plea, up to the last moment, to stop my country from becoming an aggressor nation in Asia.

As I said the other day—and I repeat it—if our country makes the horrendous mistake of deciding on a course of war, and formally declares war, we must all rally behind our country until that war is successfully prosecuted—if we can successfully prosecute it. But as individual Senators, we have a responsibility to try to prevent our country from going into an unnecessary war. We have a responsibility, under our oaths as individual Senators, in accordance with our sights, to raise our voices in a plea for peace, not war, because I am satisfied that nothing can be gained through war, but that much will be lost.

No one knows at this hour where an expansion of the war in South Vietnam will lead, so far as future events around the world are concerned. Do we want to continue what we are doing at this hour—undermining and undercutting the United Nations? We have a clear moral obligation to try to make the United Nations work, and we are not trying. To the contrary, acting in Asia outside the framework of the United Nations, without ever having filed a complaint before the United Nations vis-a-vis North Vietnam, Red China, Laos, and Cambodia, we are in no position to allege that we stand for peace at this hour, for we do not. At this hour the United States is writing a sorry and sad chapter on warmaking in southeast Asia.

I close with a prayerful plea on my lips: It is important that the United States exhaust every possible procedure available to it to try to settle the war in Asia by resorting to the peaceful procedures of the United Nations Charter, not by continuing to ignore them. So I ask my President: "When will your voice be raised in support of resorting to the procedures of the United Nations as the most honorable recourse for this Republic to follow in seeking to end war in Asia within the framework of international law?"

EXHIBIT 1

MAY 27, 1964.

Senator WAYNE MORSE,
Old Senate Office Building,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: Let me add this to the pile of letters you will receive in support of your position on Vietnam. Please continue to fight for a sane approach to this problem. It is hard to believe that some Americans call for use of tactical nuclear weapons. The United States has no business in Vietnam, and what's more, southeast Asia is not worth fighting for. Your suggestion to pull out and use the machinery of the United Nations is the only solution. Americans must accept the fact that the United States cannot "liberate" anyone, much less people in this part of the world who have no inkling of democracy. If democracy is to win in southeast Asia, it must be won by the people themselves in their hearts.

I object, however, to your attacks on Secretaries Rusk and McNamara. You know who is responsible for our foreign policy. Your indirect approach is only confusing an already confused public. The President cannot pick the middle ground on every issue that crosses his desk. Three Presidents have already tried to half-fight and half-negotiate in southeast Asia to no avail. Keep pushing for your solution, but carry it to the White House. If it fails today, try again after the November elections. And Senator, ask this one question of the "hawks": What happens after we drive off the Vietcong, Pathet Lao, etc., from southeast Asia? Will there be a millenium of peace and democracy? Will democracy be instantaneous? Will America pull back its troops and money?

Please save some energy, Senator, for defeating the omnibus bill for the District of Columbia. I know you will. I know the usual course of correspondence to Congressmen, but in your case and because I am not a constituent (although a great admirer) of yours, I hope this will be fuel to add to your fire. Keep it up.

Sincerely,

ROBERT A. GIANNASI.

MAY 26, 1964.

Hon. WAYNE MORSE,
The Senate,
Washington, D.C.

MY DEAR SENATOR: We had occasion to watch and listen to the "Meet the Press" last Sunday and I must commend you for the tremendous verbal and clear explanation of our troubles in Asia. You were quite forceful.

It is literally an undeclared war and only Congress has that authority to declare it and not by back door methods.

Furthermore, its a matter for the United Nations in every conceivable way. We either make the United Nations a "living force for peace" or else lets get out of it. I'm beginning to believe that our unilateral action there and at times elsewhere in the world, is a slap at the United Nations and looks like we're acting like "bullies" because we're strong.

Because of our military strength we should show more "humility" and cooperation with United Nations; even if we have to take up the "tab," at least we have the sanction of the United Nations members.

With best wishes to your health,

Very truly yours,

GEORGE M. BURKHART.

SAN DIEGO, CALIF., *May 25, 1964.*

Hon. WAYNE MORSE,
U.S. Senator,
Senate Building, Washington, D.C.

DEAR SENATOR MORSE: Let me express to you my deep appreciation for the courageous and enlightened stand you took on the TV program "Face the Nation" in regard to foreign policy and civil rights.

Your righteous views have my enthusiastic support.

Only recently I wrote a letter to Ambassador Adlai Stevenson, expressing my gratitude for the peace establishing activities of the United Nations in various parts of the world, and urging the United Nations to intervene in and stop the senseless war in South Vietnam. There is no excuse to delaying such action any further.

In these troublesome times, while the civil rights bill is before the U.S. Senate for deliberation, I recommend that the press, the movie industry, the theater, and the public media of television and radio contribute to a growing understanding between the white man and the Negro by enhancing in their articles, shows, and programs, the moral and spiritual qualities of both American citizens, thus fostering friendly feelings, good will, respect, and compassion.

I further recommend that the best and most convincing TV plays, dealing with the harmonious intercourse of both races, be transmitted by satellite to other nations in order to promote peace and moral progress. If the U.S. Congress succeeds in passing just and equitable civil rights laws, this will be a shining example for South Africa and further the improvement of race relations in that country.

Last, but not least, I recommend that each public school, from kindergarten to university, introduce a special course on "The Moral Duties of the Individual," given by teachers of highest moral integrity, with a view to raising law-abiding citizens and wiping out crime. This basic moral school education is indispensable in view of the fact that many parents are neglecting their duty to give their children a sound moral education, and many children are deprived of the blessings of a church Sunday school.

With my best wishes, I am,

Very sincerely,

LILY F. ZELL.

MAY 24, 1964.

Hon. WAYNE MORSE: I have just listened to you being interviewed on our present policy in southeast Asia. I am 100 percent in accord with your thinking. I thank God for you and men like you who have the guts to speak up and give the people facts. Honesty and truth will never be defeated.

Sincerely yours,

GEORGE M. SPARKS,
Pomona, Calif.

LOS ANGELES, CALIF., *May 25, 1964.*

Senator WAYNE B. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I heard your Sunday telecast in which you questioned the constitutionality of our sending troops to Vietnam.

From what I have read, I have for some time felt as you do. The question is what is the most effective step a citizen can take to express his views where it may do some good. I am certain that not only the Senate Foreign Relations Committee is aware of your point of view, but also the entire Senate.

So far as I know, I have recourse only to my district's Congressman and Senator KUCHEL. Have you any other suggestions?

Yours sincerely,

WILLIAM C. WAGNER.

STOCKTON, CALIF., *May 24, 1964.*

DEAR SENATOR WAYNE MORSE: In regard to the program "Face the Nation" when you were interviewed on Sunday, May 24, 1964, Mrs. Batt and I agree with you that the United States has no business in Vietnam fighting a war by ourselves. We feel the U.N. should send a peacekeeping force there. Keep up the good work. We also favor your stand on civil rights, that it is about time the Negro is given his constitutional rights. It's about time the American Negro is treated as a first-class citizen.

Sincerely,

PETER E. BATT,
PAULINE BATT.

MAY 24, 1964.

Mr. WAYNE MORSE,
Washington, D.C.

DEAR SIR: I just heard your talk on "Face the Nation" and I think you were glorious. Your view coincides with mine on this matter perfectly. I think it would be a good thing if someone like you would stump the country and wake the people up to what is going on as there seems to be an apathy on the part of the people on this whole thing. They are spending billions of dollars on this cold war which should be used for the benefit of poor people instead of armament. It seems to me if communism is good for these people you can't stop it anyway and if it isn't, it won't succeed. I am glad that at last someone is coming out against this whole program.

Yours sincerely,

W. MINCHERHONT.

SANTA MONICA, CALIF.

MAY 25, 1964.

Senator WAYNE B. MORSE,
Senate Office Building,
Washington, D.C.

DEAR MR. MORSE: Congratulations from a Californian who wishes you were from this State, but who considers it lucky that you are in the Senate no matter what State you are from.

I wish I could vote for you. I wish I could be of some help to you. However, you seem to get along fine, and I hope you stay in the Senate forever. The greatest embarrassment in my life is that in a country as big and as rich as this one is, there are only you and a couple of others in the whole Senate who are brave enough, smart enough, and humane enough to speak and act intelligently.

Thank you very much for serving in the Senate. The next time you are campaigning, my husband and I wish to contribute to your campaign. Please keep our address and let us know where your campaign headquarters will be in Oregon.

Sincerely,

MRS. MEGAN CLARK.

PHOENIX, ARIZ., *May 24, 1964.*

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: Have just watched, as I always do, "Face the Nation." Thank you for giving voice to the opinions I have long held, both as to our southeastern policy, and the civil rights issue. I firmly believe in every word you uttered. I am glad there is one American in public life with the wisdom to form such opinions, and the strength to express them. Keep up the good work. My son was a casualty of World War II. I believe the United Nations is the hope of the world. But how can it function if the world's most powerful Nation wages war on its own initiative?

God bless you, Senator.

Yours truly,

FRANCES DIX.

MAY 24, 1964.

DEAR SENATOR: I heard your talk on the radio program, "Face the Nation." I agree with you in what you said Sunday evening, May 24, 1964. Thank you. The United Nations is our only hope.

THOMAS A. FRANCIS.

P.S.—May God bless and protect you in a special way.

MAY 24, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Your recent interview on the CBS television program revealed your outstanding faith and knowledge of the American people. I want to add my support to your views regarding the mess in South Vietnam. I also hope that the United Nations will be able to restore peace. This war is dirty and will lead to the use of atomic weapons unless something is done. I hope that we can avoid this escalation of the conflict.

Once again I am proud of your stand and hope we can have other Senators with your courage and ability. Thank you.

Sincerely yours,

HARLEY L. ROSS.

ANAHEIM, CALIF.

MAY 24, 1964.

Mr. WAYNE MORSE,
Senator, U.S. Senate,
Washington, D.C.

DEAR SENATOR: Three cheers for your stand vis-a-vis our insane foreign policy in southeast Asia. Mr. Stevenson's address before the U.N., last week, was a national disgrace. What a flagrant disregard for truth. What blatant propaganda. Since Caryl Chessman's execution, since Dallas, I have never been so ashamed of my country.

If we cannot count on rationality or protest from the Stevensons, Rusks, and McNamaras, who must we turn to for sane leadership? I hope the death of President Kennedy isn't going to cost us more than we are now realizing.

Shades of the Weimar Republic.

EDWARD F. NASH,
Los Angeles, Calif.

P.S.—Your appearance on "Face the Nation" (May 24) was most inspiring.

CHATTANOOGA, TENN., *May 25, 1964.*

Senator WAYNE MORSE,
Congress,
Washington, D.C.

DEAR SENATOR: Permit me to congratulate you having the courage to speak out, and frankly, about the present foreign policy as it concerns South Vietnam. The question is being frequently advanced as to whether the administration really has any desire to bring the war in that unhappy country to a close. Of course, you should be aware that your questioning attitude to this situation may well cost your seat in the Senate. Just how may other Senators, other than Senator FULBRIGHT, would have the courage and honesty to assume the position that you have in open criticism of this wholly useless war?

We do not have to surrender one iota of our interest and honor in order to bring peace in all southeast Asia; we have absolutely no moral right to force any form of government upon that land or that people or any other land or any other people, that the people concerned do not wish to have; we do not have any moral right either to force any religion upon the people there or any other place or country that the people of that country do not wish to have. I realize that it is harsh but it is all too true that America is reflecting the ugly shadow of Hitler across the whole world. A long delayed reaction of disgust and remorse is slowly taking form here at home.

There is absolutely no indication that a change in political control in Washington would generate a sense of responsibility in our dealings with other countries; but it is entirely possible that the Congress may have to assert its authority over control of the "silent government"; that is the CIA, in order for us to live at peace with any government.

Respectfully,

C. C. OAKES.

Los Angeles, Calif.,
May 24, 1964.

Senator Wayne Morse,
Democrat of Oregon,
Washington, D.C.

Dear Sir: After seeing and hearing you on TV today in "Face the Nation" I am compelled to let you know how appreciative I am of your foreign policy views, and I sincerely hope that you will speak many times on TV to the people.

It has long been my thinking that we should not be in Asia fighting this useless war which will never end, but I never knew until hearing you that there were legal reasons as well as moral reasons we should not be there.

Hoping that you will continue your fight in this regard, knowing that all of the people are with you, I am

Yours respectfully,
Mrs. Margaret S. Barrett.

P.S.—You are my choice for Vice President.

May 26, 1964.

Dear Senator Morse: We applaud the stand taken by you and Senator Gruening on Vietnam, also on Cuba and Laos. Our foreign policy leaves much to be desired. The more our Government talks peace the more it prepares for war and sends American boys off to do the killing and to be killed.

We believe nations must select their own governments and not have them forced upon them by outside interests. We believe only the people can decide their own destiny. We cannot police the whole world and threaten the world with extinction if it is composed of peoples and nations who want a different way of life than our own. The U.N. exists to settle differences, to promote peace. Why is the United States so reluctant to bring these matters before that body of nations?

Mr. and Mrs. Curcio.

Los Angeles, Calif., *May 24, 1964.*

Senator Wayne Morse,
Washington, D.C.

Dear Sir: Thank you, sir, for your outspoken opposition to our Government's dangerous foreign policy. Not only is it dangerous but so immoral. My heart goes out to those poor little people who are suffering so terribly as a result of our policy.

It's like a breath of fresh air to hear you and Senator Fulbright and others speak out against this dangerous and immoral policy.

May I have some copies of your speeches?

Deepest regards.
Mrs. Billie Scott.

Los Angeles, Calif.,
May 23, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Your recent statement that the newspapers are not telling the American people the situation in Vietnam is, unhappily, but too true. Suppression by the press and other mass media of the discussion of the policy of the United States in Vietnam which has gone on in the Senate is a grave state of things, especially the blackout of your speeches and those of Senator Gruening. I urge you to take every means to tell the people the facts and to rouse their opposition to the present dangerous and irresponsible involvement.

Yours truly,
Juliet Green.

San Jose, Calif.,
May 23, 1964.

Dear Senator Morse: Thank you for your opposition to the Vietnam war. I hope that that area can be neutralized with the help of the United Nations.

Sincerely yours,
George L. Collins.

Minneapolis, Minn.,
May 26, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Bravo. Bravo. Bravo. I refer to your courageous stand on the Vietnam situation. Sometimes it may seem futile, but you are making a considerable dent on public opinion.

Sometimes I get so disgusted with our foreign policy in southeast Asia I honestly want to leave the country, but when I read your words I decide to stay. I could move to Oregon instead. It must be full of sane, wise people, to elect the likes of you.

Sincerely,
Margaret Bates.

Bronx, N.Y., *May 25, 1964.*

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Despite the irresponsible lack of reporting by the New York press, some aspects of your views of the tragic political and military developments in and among the states of Indochina have come through. The superficial reporting makes them sound wonderful, and when occasionally your ideas are reported in some depth they are absolutely brilliant. I hope that you and your several colleagues in the Senate will continue to present your strongly reasoned views on the failure of American policy in southeast Asia to achieve a responsible political settlement there to which all of our allies can adhere. Certainly, further unilateral American actions in that area without the complete and equal participation of Great Britain and France would be incredibly foolhardy and a threat to world peace.

Recalling that the Democratic Party was able to revive its political fortunes and reverse the public opinion that it was the dangerous war party which resulted from the intervention on the continent of Asia in 1950 when in 1954 Senators Johnson, Kennedy and Mansfield strongly opposed the attempts of many Republicans to stampede President Eisenhower into an Indochina war, I am sure that the present Democratic leadership will not permit the present Democratic administration from being frightened into a war on the continent of Asia by Republican critics. I think that Senator Lyndon Johnson's words during the April 1954 crisis are even more applicable today. He declared that he was "against sending American GI's into the mud and muck of Indochina on a bloodletting spree to perpetuate colonialism and white man's exploitation in Asia."

Considering the poor reporting of your speeches, I would appreciate it if you could send me a copy of each of the speeches which you have made this year on the Indochina problem.

Thank you very much, again, for the important work in which you are engaged in foreign affairs.

Sincerely,
Leonard P. Liggio.

Brooklyn, N.Y., *May 26, 1964.*

Dear Senator: I wish to congratulate and thank you for your clear, convincing, and courageous statements on the war in Vietnam. I heard you on TV on Sunday and was very much impressed. I find myself in 100 percent agreement with what you said. The United States has no right to be taking unilateral action in Vietnam. This situation should be handed over to the U.N.

Would you please send me a copy of one of your speeches on Vietnam? I should like to use it in a social studies class.

Thank you very much.

Sincerely yours,
Helen V. Schmitt.

Oroville, Calif., *May 24, 1964.*

Dear Senator Morse: We listened to your presentation on southeast Asia—Vietnam, etc., on the program "Face the Nation." We agree with your faith in the ability of the American people to formulate foreign policy if given the facts. We appreciate your giving us such a factual account of this serious problem. We agree that this serious situation should be taken to the United Nations and that we should not take unilateral action. We are appalled that our American troops are again dying by the thousands in a war we cannot win because it is undeclared and unsupported by the U.N. Stevenson's speech caused us concern.

Mr. and Mrs. W. J. Dunn.

May 24, 1964.

Dear Senator Wayne Morse: I heartily agree with your position on Vietnam over the CBS interview this Sunday morning.

Thank you for making the issue so clearcut and unequivocal. The peace of the world is at stake, and as you say, "might does not make right," and let us live by international law, and not risk nuclear war. Let us keep nuclear war outlawed.

I am a good Democrat. We need your clear-cut and forceful position on basic issues.

Very sincerely,
Mr. and Mrs. Max Kagan.

Old Lyme, Conn., *May 22, 1964.*

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: My family and I wish to thank you for "speaking up" for the American people and not for our military. You spoke eloquently on the "Face the Nation" program and we hope you will continue to be our rather lonely voice in the Senate.

Respectfully,
Eva R. Schmitt and Family.

Cambridge, Mass., *May 28, 1964.*

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Mr. Morse: We were very disturbed to read that some Pentagon personnel were considering the use of atomic weapons in South Vietnam. We feel that this would be an incredible folly.

We strongly support your stand on Vietnam and are personally in favor of an immediate negotiated settlement with the Vietcong or an immediate and complete withdrawal of American troops and weapons from South Vietnam.

Sincerely,
Mr. and Mrs. Ronald Jansen.

Cambridge, Mass., *May 28, 1964.*

Dear Senator Morse: As an engineer I am delighted to see that you are against dropping atom bombs to reduce foliage (and "peopliage") in Vietnam. Our scrap in Vietnam is highly illegal, and unless we can come to a peaceable agreement shortly we should get out of Vietnam.

Sincerely,
Miss Frances M. Hickey.

My Dear Senator Wayne Morse: On Sunday, I've listened to you on "Face the Nation," especially on the subject of the war in South Vietnam. I think your voice was an echo of some of our great Americans of yesteryear. The facts you have revealed, that the United States is conducting an unwarranted war in South Vietnam, your emphasis on informing the people of the United States of all the facts, that if the war is extended to the north it will inevitably escalate to a nuclear war. I think we have reached a crucial point. The war must be stopped now. I agree with your recommendation that the U.N. be given the mandate as the only authority to administer a strong military peace force in southeast Asia to enforce peace instead of war. My congratulations to you for speaking up so truthfully on behalf of us—the people.

More power to you.

Yours for a peaceful policy,
MRS. L. ROSENTHAL.
CULVER CITY, CALIF.

LOS ANGELES, *May 24, 1964*.

The Honorable Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SIR: Both my sons were in the last war, and I hope my grandsons will not have to fight in the jungles of South Vietnam. I therefore commend you for the stand you take to neutralize that part of the world, and I wish you every success.

Respectfully yours,
MRS. SARAH GURAVICH.

MAY 24, 1964.

Hon. Senator WAYNE MORSE,
Washington, D.C.

SIR: I was so happy to hear your remarks on television this morning, Sunday, May 24, 1964, regarding the situation and the stand this Government has taken in the war in Vietnam and the Far East generally. I must say I was shocked when I heard Mr. Stevenson's stand the other day. I have been quite an admirer of Governor Stevenson and usually can agree with his ideas but after hearing him the other day I began to think perhaps I was "crazy" for I disagree with his ideas as broadcast this week. After hearing your remarks this morning I was so happy to know there are others who take exception to my Government's stand and intentions.

This is the second letter I have written to you. The other was when you were still a registered Republican and I am a Democrat but I do agree and commend your stand on so many ideas and thoughts. Please keep up the good work and God bless and keep you.

MRS. ESTHER ROHDE.
LA MESA, SAN DIEGO CO., CALIF.

DENBEIGH, VA., *May 26, 1964*.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Although I live far from the State which you represent, I want to tell you how much I enjoyed the interview you gave over the radio last Sunday evening.

Your views coincide with mine exactly. I am glad to know that we have a man of your calibre and courage representing all of us in the U.S. Senate.

Wishing you good health and success,

Sincerely,
FRED SMITH.

ERWIN, TENN., *May 25, 1964*.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I wish to congratulate you for speaking out so forthrightly in the cause of humanity and political decency. Every American is indebted to you and the men in our Armed Forces must be greatly relieved to have even one man stand up for minding our own business.

It is almost unbelievable to hear any American having the daring to speak his mind these days; there have been so many obscene political lies such as those on Cuba and Brazil and Guatemala that to have anyone show unflinching courage is a cause for great rejoicing.

I wrote to the President myself about pulling out of South Vietnam, but my letter was at once referred to the State Department to send me a lot of diplomatic doubletalk.

So hooray for the people of Oregon for electing a great Senator.

Very sincerely,
ELIZABETH SEEMAN.

VINELAND, N.J., *May 26, 1964*.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I listened to your answers on the program "Face the Nation." I agree with you that we shouldn't be in South Vietnam with men even if we are only training their men, I think this should be a U.N. program with our support. The way I look at it, we are not getting support of the Communists in Laos because we are engaging in war against them in South Vietnam.

As Gen. Smedley Butler told us here in Vineland about 35 years ago, to never try to fight the Chinese in land fighting as they could send men through our lines just as they proved in the Korean war. President L.B.J. is doing a good job but his advisers are giving him the wrong tips.

Keep up your good work.

If I can help in any way please let me know.

Yours truly,
J. LEWIS HADSELL.

BROOKLYN, N.Y.,
May 25, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I want to thank you for your speech yesterday on TV, "Face the Nation." I believe your speech and answers may have saved this Nation and the world from an atom war in south Asia and a third world war. Your speech was a warning in the 11th hour and I hope the Presidential advisers—who in this case look like teenagers in kneepants—will be sent back to school.

Please, sing out again when necessary.

Sincerely,
GUNNAR L. BERNTSEN.

BIG SPRING, TEX.,
May 24, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: I have just listened to you "Face the Nation" and how much I did enjoy you. Do wish we had more Representatives who shared your view in Washington to represent us. We are represented by too many people who can't think for themselves and are just "yes" men. Thank God for having you, a man who does think, and who isn't afraid to express an opinion. I just had to tell you. American people are entitled to know the truth, but do they know it? I don't think so, and I think as taxpayers, we are entitled to the truth.

I had rather have a wrong opinion, than have no opinion at all.

Keep up the good fight and I am so glad you faced the Nation.

Most sincerely,
CLEO I. GUY.

P.S.—Do you put out a newsletter—if so, how could I obtain copies?

LOS ANGELES,
May 25, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: I wish to applaud your TV presentation last Sunday. I agree with your views, especially on Vietnam, and admire your forthrightness and courage. You speak for numberless Americans who seek a peaceful solution to our international difficulties. Keep up the good work.

Yours truly,
GERTRUDE REED.

OSKALOOSA, IOWA,
May 25, 1964.

DEAR SENATOR MORSE: We heard your television talk against our sending troops to southeast Asia. My husband and I have often talked about this. Why our boys should be sent over there to die in an undeclared war (as you said) is a sad mystery to us.

God bless you for speaking out.

Sincerely,
MRS. C. W. GILDERBLOOM.

This should be done through the United Nations.

LOS ANGELES, CALIF.,
May 24, 1964.

DEAR SENATOR MORSE: I just came home from church and turned on NBC and your interview, Face the Nation, was on.

It is the most intelligent information that has been given to the American people. The President should take heed and make this information his own, as only God could use you, Mr. MORSE, to deliver this message now. Mr. Johnson speaks of God so often if he will just let God direct him in carrying out such most important intelligent God-directed information then the American people as you say will go along.

I am a registered Republican and have been all my full experience here in the world, but my God-given intelligence directs my way when it comes to voting. Now, if Mr. Johnson will put God first and let Him direct his way, God also directs the American people.

When it comes to voting, the American people as a whole, vote for the lesser of the two evils. Mr. MORSE, I have been God-directed to write this message, as I am an Austrian scientist the past 30 years. I know one must be God-directed.

I thank the Father and you for that most important message and let us see it take roots by the grace of God, so be it.

Sincerely,
J. G. WAGNER.

FALMOUTH, MASS.,
May 24, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: Would that we had more Congressmen with the vision, intelligence and courage which you showed in the broadcast of "Face the Nation" today. My name will mean nothing to you but I hope you receive thousands of letters like mine, supporting your views on the present U.S. foreign policy and the United Nations.

Sincerely yours,
ALICE F. MITCHELL.

Republican voter in Florida but really an independent as suiting ideas of candidates.

MILFORD, MASS.,
May 22, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: Please stick to the statement you made about not sending American boys to fight in a war we should not be in.

None of our boys should be subjected to such miseries.

When we are not at war those boys go through many hardships and then they are just peacetime veterans and cannot receive any of the GI benefits.

Wishing you well and many years in the Senate.

Sincerely yours,
MRS. MARGARET MORSE.

OKLAHOMA CITY, OKLA,
May 26, 1964.

Hon. WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: You spoke the minds of millions of U.S. citizens.

We have no legal excuse for sending our soldiers to Vietnam to be killed or to kill.

Too much of foreign troubles are in the interest of some private business or corporation.

We do not have the facts on that, and other things as well.

I was glad to see you stand and be counted—on Vietnam, and civil rights—today.

Sincerely,

J. B. Mitchell.

Maspeth, N.Y.,
May 26, 1964.

Dear Senator Wayne Morse: We have just finished looking at the TV program "Face the Nation" in which you participated. We wholeheartedly agree with your views on the whole Vietnam mess. It is a willful waste of human life to send our boys over there. Certainly it is a matter for the United Nations to act upon. We applaud you for bringing this before the public and I hope we will be hearing and seeing more of you on TV. I have just finished writing to Senator Javits, President Johnson, and Senator Fulbright in regard to this very important matter.

Sincerely,

Irene Malmberg
Mrs. E. Walter Malmberg.

Hollywood, Calif., *May 24, 1964.*

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: Thank God. Thank God. Your "Face the Nation" appearance gave us Americans the first full feeling of listening to an American of judgment, wisdom, and courage in the area of foreign policy we have had in years.

You filled us with hope that the truth, the facts, the peril, and the American alternative may yet reach our fellow citizens.

How absurd you made all the martial airs of McNamara, Rusk, and their satellite Stevenson sound against the clarion ring of your clarity and sanity.

Hold fast—you give us our opportunity to make our desires heard, felt, and followed.

With profound gratitude,

Herbert Siberman.

Silver Spring, Md.,
May 24, 1964.

Hon. Wayne Morse,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I thought your talk on "Face the Nation" today was excellent and I agreed with every word that you said concerning South Vietnam.

I am from Michigan and have always had a very high regard for Secretary McNamara and still do for that matter. However, if he is to become the symbol for what we are doing in South Vietnam, and I guess he is, then you are absolutely right in your decision to oppose him for the vice presidential nomination.

Congratulations and please keep up the good work. I would be very happy to help in any way that I was able.

Sincerely,

James H. Inglis.

Zion, Ill.,
May 25, 1964.

Hon. Wayne Morse,
Washington, D.C.

Dear Senator: Yesterday afternoon I happened to have on TV and heard your statement in regard to our involvement in the war in Vietnam and the cost it will take in American lives.

All I know is what I hear and read in the newspapers and see and hear on TV but being a veteran of World War I and a member of the VFW I can reach my own opinions.

I say let McNamara fight his own war. If the French couldn't win it how can we? The natives over there do not react like we Americans do; and you cannot change the spots on a leopard.

What is the purpose of the U.N. nowadays? I never did think much of its ultimate success and today we are the biggest sucker in the world. I pray that God gives us statesmen who will put our country in its right place; that they have the guts to stand up and be counted.

I compliment you on your guts to come out and make your stand on Vietnam. I hope millions heard your statement and it should be broadcast from coast to coast. Maybe the people will wake up. They need a good jarring.

Respectfully,

Robert S. Lee.

Reading, Pa.,
May 24, 1964.

Dear Senator: I sure was glad to hear a voice that says what he thinks on "Face the Nation."

Trouble as I see it, Mr. Senator, our news media have the people educated; it pays more financially to be for a war program than for a peace program.

What I think our leaders should point out to the people that after every war we get more communism, so war is not the answer to solve our problems.

It seems as though the owners of industry think they have nothing to gain with a democratic plan for all industry.

How about Sweden?

Nowadays people have no time or I should say fear to talk politics and economics.

A job is so precious that most people fear to talk about controversial matters.

My wife and I struggled in a small grocery store for the last 40 years. Enjoying good health we were able to educate our three children. Two teachers and one businessman.

With civil rights and unemployment there sure is plenty for our leaders to fight for.

Hope to take a trip to the State of Oregon soon.

Kindly answer.

Paul E. Rickenbach.

P.S.—Voters need encouragement, too.

Pomona, Calif.,
May 25, 1964.

Dear Senator Wayne Morse: Thank you for your appearance on television today. Never miss an opportunity to present your views to the American people. You can clarify our thinking.

E. Wamel.

South Norwalk, Conn.,
May 24, 1964.

My Dear Senator Morse: Congratulations on your TV interview today in "Face the Nation." It was wonderful to hear your point of view on southeast Asia expressed so forcefully. Thank you.

Very gratefully,

Anita Wilcox.

New York, N.Y.,
May 25, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Having heard you express your views on the program "Face the Nation," I am writing you again to express my appreciation for the courageous fight you are waging against our disastrous policy in South Vietnam and Laos.

I am in complete accord with your opinion that if we continue taking unilateral action in southeast Asia, it will only result in a holocaust for all concerned.

Thank you for doing your utmost to influence our administration to change their policy, and to work for a peaceful solution.

Respectfully yours,

Helen Lemberg.

Flemington, N.J.,
May 24, 1964.

Hon. Wayne Morse,
Washington, D.C.

Dear Senator: God bless you for the contribution to peace that you are making with your courageous stand in these troubled times. We need men like you to give leadership to a world gone mad.

Keep up your fight for peace. You have the millions who want peace behind you. You are a man of high principles. May you keep well and lead us to sanity and peace and civil rights.

Sincerely yours,

Alma Szatmory.

Ithaca, N.Y.,
May 24, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I am a 16-year-old student in high school. Recently, we have been studying the two World Wars. I have become rather alarmed, especially after starting to read "The Guns of August," by Barbara Tuchman, at the striking similarities, if not in some cases parallels, between the situations of 1900–1914, 1933–39, and 1947–64. Actually, I see many reasons to be optimistic now; international, especially Russo-American, good will seems to be, at least at times, sincerely meant and well thought out. At other times, however, our Nation's policies seem guided by a desire to "conquer nations for democracy" as immoral as the Communist desire to bring countries under their influence which we condemn so strongly in all our words and actions.

The present Vietnam, or southeast Asian, situation, is one such case. Tonight, on CBS radio, I heard you speak in what I found an intelligent and sincere manner on this crisis. I was very encouraged to realize that there are men who hold such realistic and nonmilitaristic or chauvinistic views somewhere in our Government. I find your proposal of a U.N. peacekeeping force in Vietnam sound and necessary, and I certainly hope that you can use your influence to change our country's foreign policy on this matter, for Vietnam is undoubtedly one of the most sensitive triggers in the world today. I am glad you have faith in the American people, as an American citizen. I wholeheartedly support you on this issue.

Sincerely yours,

Humphrey Morris.

May 25, 1964.

"Face the Nation," CBS,
New York City.

Dear Sirs: Congratulations on giving the American people a chance to hear the views of Senator Wayne Morse. The suppression of his views by the press is one of the more disquieting aspects of the whole Vietnamese situation.

If the Russian delegate to the United Nations had not quoted from Senator Morse's speech on the Senate floor, many Americans would not have known the opposition exists. If you had not allowed the Senator to "face the Nation" the American people would not have been able to hear the Senator expound his total position. It is absurd for them to get only that part which the Russian delegate thinks suits his case.

Yours sincerely,

Clark Foreman,
Director.

Jersey City, N.J., *May 24, 1964.*

Dear Senator Morse: You spoke out real good on TV today. So when you get together with L.B.J., it will be a forward step for the U.S.A.

Sincerely yours.

Mrs. M. Carney.

P.S.—Our President is a brave, courageous man. He needs your kind of Senator.

Claremont, N.H., *May 24, 1964.*

Hon. Wayne Morse,
The Senate,
Washington, D.C.

Dear Senator: A million "thank you's" for the magnificent delivery of commonsense which you so ably gave to the Nation today. Last night a worried group met to discuss many of the truths you so courageously exposed today. My fear was that so few Americans would know about the machinations in high places. Now, I hope millions have been enlightened, thanks to a great wise Senator.

Very truly yours,

Ruth Hamilton.

New York, N.Y.,
May 25, 1964.

Dear Senator Morse: I was amazed and flabbergasted to find that the late city edition of today's New York Times (May 25, 1964) didn't carry a single line about your TV interview that took place yesterday.

I expected it to be page-oned since it is the most important contribution I've heard to sanity on the question of South Vietnam, etc.

I've written to the New York Times editor expressing my indignation. I should think an inquiry by your office may be in order.

Best wishes,
Sincerely,

Abe Weisburd.

Chicago, Ill.,
May 24, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: We heard your wonderful talk over television on Vietnam and Laos. We agree with everything you said and hope you will keep up the good fight.

We think it would be a good idea to show to President Johnson and Secretary of State Rusk, the letters you get commending your stand, so they will know that the people here want peace and not war in Vietnam.

Very truly yours,

Mr. and Mrs. Edwin Albrecht.

COPY OF TELEGRAM SENT TO PRESIDENT JOHNSON

Heard Senator Wayne Morse on television give his views on securing peace in Vietnam and Laos. Urge that you give most earnest consideration to his suggestions.

W. Albrecht.

Reba Place Fellowship,
Evanston, Ill., May 24, 1964.

Senator Wayne Morse,
Senate Building,
Washington, D.C.

Dear Senator Morse: I simply want to express my deep gratitude for your position on the war in Vietnam.

I saw and heard you today on "Face the Nation" and felt a burden lifting, knowing that someone in public office had the courage and wisdom to say the things you did.

I am praying that God will give you strength to continue bringing this message with clarity and force. It will be a dark day ahead for our Nation, I fear, if we continue the policies we have, both toward Vietnam and Cuba.

Sincerely,

John Miller.

Alameda, Calif.,
May 24, 1964.

Senator Morse: I heard you this morning on "Face the Nation." Congratulations. I hope President Johnson was listening in. The only way to get results with the United Nations is to follow the rules—and the nations that do not pay their way—expel them.

G. Morris.

New York, N.Y.,
May 24, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Congratulations—words cannot express how welcome were your courageous and sensible thoughts expressed on the TV program this afternoon.

I hope everyone you mentioned on the air viewed the program—and I wonder if even you realize how many of the women of the Nation agree with you wholeheartedly.

Please continue to use every opportunity to so forthrightly and forcefully express your ideas—as well as whatever else you can to bring about a change in the present unhappy course of events.

Sincerely,

Isabelle Joyce.

Mill Valley, Calif.,
May 24, 1964.

Senator Wayne Morse.

Dear Sir: We have just heard your speech on television this morning on southeast Asia and our military participation in that area. Your talk made it very clear to me that we should let the United Nations handle this situation.

I think the legal aspects are not made clear to the American people.

If you have any literature on this question I would appreciate very much being on your mailing list.

Sincerely,

Mrs. W. W. Blume.

Philadelphia, Pa.,
May 24, 1964.

Dear Sir: Once again I must warmly applaud you, on your talk appearing on "Face the Nation," this Sunday (May 24). It takes great courage to speak the truth as you have and particularly point out the mistakes of some of our topmen specifically in reference to our policy in Vietnam. Please maintain your health so you may continue to speak out for peace through the United Nations, as against an ultimate war that we might be catapulted into with this reckless policy of a unilateral action by the Armed Forces of the United States. God speed to you, sir, and we pray for you every night. I am a veteran of World Wars I and II.

Sincerely,

Dave Lipner.

P.S.—Please try to influence Senator Clark as I and others seemingly cannot.

Thank you.

Atlanta, Ga.,
May 24, 1964.

Dear Senator: I am an insignificant student from India. But allow me to express my admiration and respect for your wise and courageous stand on the issues you discussed on the TV program today.

More men like you, sir, and we could be sure of a world where peace and sanity would preside.

Sincerely,

David Yeeda.

Dear Sir: I am a college student and I had the pleasure of seeing you on the CBS program, "Face the Nation."

My family and I want to commend you for your straightforward opinions and answers. It is an inspiring sight, indeed, to see someone speak the forbidden and think the unthinkable. There is too much to lose if the American people believe and practice the "one side coin" that all too many public officials are handing their constituents. I hope that there are many people thinking as you are talking. Perhaps, now that free discussion is not only legal but also respectable, more and more people will say what they think.

I agree with your colleague, Senator J. William Fulbright, in his statement that we are living with "old myths in the face of new realities." It is a shame that it takes great courage to speak the words and beliefs of our Founding Fathers.

Walter Lippmann once wrote, "there has been a benevolent and patriotic conspiracy throughout our public life to pretend that there is only one answer, and that the right answer can be had any day from the official spokesman of the State Department." I am happy to know that there are such courageous leaders as yourself in the U.S. Senate to give us another answer.

My address: John Hamilton; 271 North Fifth Avenue, Canton, Ill.

Very respectfully yours,

John Hamilton.

Santa Monica, Calif.,
May 24, 1964.

Hon. Hubert H. Humphrey,
U.S. Senate,
Washington, D.C.

Dear Hubert: You may or may not have heard Senator Wayne Morse's indictment of the current handling of the U.S. conduct of affairs in southeast Asia on the CBS television "Face the Nation" program today.

I think, and many others must think, it urgent that the Congress, the President, and his Cabinet should consider his criticisms and proposals very seriously.

This situation might easily become even more disastrous than the Korean one did. I know you have your hands full managing the civil rights bill—and doing an excellent job at it—but I hope you will use your potent influence, and at once, in this extremely important Asian affair.

With personal regards.

Roy G. Blakey.

Dear Senator Morse: I knew you slightly when on the University of Minnesota staff some years ago, though I would not expect you to remember me. I hope you will succeed in securing a better and successful procedure in Asia.

Roy G. Blakey.

New York, N.Y.,
May 24, 1964.

Dear Senator Morse: How refreshing and heartwarming it was to hear the facts on Vietnam instead of empty rhetoric which is Mr. Stevenson's forte. Would that more Senators would be less arrogant and more truthful.

Also if we were above suspicion in Laos, why didn't we disapprove of the rightists and the moderates combining? Wasn't it reasonable to expect that the Pathet Lao wouldn't be happy about this? It's supposed to be a coalition government, isn't it?

Thank you and thank you. Keep up your good work.

Cordially,

Paula Klinghoffer.

Hanover, Pa.,
May 24, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I was delighted to hear your forthright views on our foreign policy in southeast Asia on the Face the Nation program today on TV. We need more people who will courageously speak those views. I am glad you shared with the Nation your views. We certainly have bypassed the United Nations in this situation. I too was disappointed in Ambassador Stevenson's speech to the U.N. You are so right that right actions should not depend on politics or political expediency.

Your views on the civil rights issue were equally appealing to me. I do hope we do not water down the bill, and if it doesn't have all we want for equal rights for the Negroes, I hope you do plug away until the Congress does pass the necessary legislation to give the Negroes their constitutional rights.

Inpedendent thinking of conviction is a refreshing breeze; keep up the good work.

Sincerely yours,

Beatrice M. Myers.

Washington, D.C., *May 24, 1964.*

Hon. Wayne Morse,
Senator from Oregon,
Washington, D.C.

Dear Sir: My wife and I were fortunate enough to hear you on the program "Face the Nation" today.

I may say that seldom have we been so stirred. What you said was what millions of Americans want to hear. You are absolutely right, Sir, you can trust the informed American people, who are a little tired of being uninformed!

At the end of the program, my wife said "If only we had him for President"—a sentiment that I, and I feel certain, millions of other Americans, echo. Please keep up the good work, in the secure knowledge that the people are behind you. Believe me.

Yours very truly,

A. C. Brookes.

Norwich, Conn.,
May 24, 1964.

Senator Wayne Morse.

Dear Sir: May a far easterner say thanks to a far westerner for a very enlightening TV session. I don't even know the name of the program (tuned in late), but it was good. Was it "Face the Nation" with Marvin Kolb, etc.? You spoke of the Vietnam situation and gave us little folk food for thought. You said what you thought was wrong and gave your reasons for it.

The thing I liked most was your obvious respect for those in whom you disagreed. No snide remarks, no political hoorah, just your own honest opinion. I hope Mr. Stevenson weighs your opinion seriously.

I liked your TV visit today and I hope you will again speak over the networks, and often. When "we, the people" hear only one side of any given undertaking, we have very little to evaluate the situation, place, or thing. I like your remarks in regards to the United Nations. We can be a mighty Nation only as long as we are a just Nation. That goes for "at home" as well as abroad.

Sincerely,

Venalda Chapman.

Brooklyn, N.Y.,
May 24, 1964.

Hon. Wayne Morse,
The Senate, Washington.

My Dear Senator Morse: I wish that every voter in the country were compelled to read, or have read to him, your comments on "Face the Nation" today. Never have I agreed with any position more completely.

Yours truly,

Henry L. Wood.

P.S.—Save time and money by not sending the usual acknowledgement of this note.

May 24, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: "Wayne for President"—wish it were possible. I was simply delighted with you and your opinions as expressed on "Face the Nation" today.

I also share your disappointment with Ambassador Stevenson. He has chosen to articulate the Government's views, rather than his own deep convictions. I am convinced his views are actually close to your own as expressed on the air May 24.

My admiration for you dates back to 1952. I share your hope that Mr. Stevenson returns to his former greatness.

Most sincerely,

A. Kriegel.

Inglewood, Calif.

Urbana, Ill.,
May 24, 1964.

Senator Wayne Morse: Your remarks on "Face the Nation" had logic and adherence to our previous commitments and were very stimulating. I hope we will admit our errors, set a wonderful example by getting out of all places where we do not belong and call all nations to guard peace through the United Nations.

I haven't yet left the Republicans.

Cordially,

W. G. Kammlode,
Retired, University of Illinois.

P.S.—No reply please, you have too much to do.

New York, N.Y.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: I support your courageous stand on southeast Asia. However, in attacking foreign authoritarianism, one might consider whether the American citizen has had a chance to express his views on foreign policy at any time since the last war, in view of our "humpty-dumpty" two-party system.

Your truly,

William F. Garber.

May 24, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: Your position relative to our involvement in South Vietnam is the most sensible that I've heard expounded.

I recently completed a tour of duty in that country and have retired from active service in sheer disgust with our asinine efforts to assist a people who will not assist themselves.

We have not only overequipped and oversupplied them, but now seem imbued with the idea of going all out in doing their fighting for them.

May God give you the strength to prevail in getting the U.N. into South Vietnam and the United States out.

Yours truly,

F. W. Loyhendall.

Falls Church, Va.

Law Offices of George C. Vournas,
Investment Building,
Washington, D.C., May 25, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator: I listened to your remarks on television yesterday, and—better still—I read your speech in the Congressional Record regarding the same subject matter. Of course, you are right.

Permit me, however, to state to you that as long as the U.S. Government permits either governmental or private agencies to poison the atmosphere 24 hours a day, how do you expect the ordinary citizen to understand the implications of your arguments? The ordinary citizen, who is supposed to be the ultimate source of authority in our Republic, has been and is being poisoned every hour with appeals by Radio Free Europe and other agencies, to the extent that he feels that we are at war. It has been said that "All is fair in love and war." Therefore, whatever the Government does in South Vietnam is absolutely proper.

It occurs to me that if the President of the United States—who desires to build more bridges between East and West—and the U.S. Senate want to discharge their constitutional duties and obligations, they must first eliminate all these governmental and private busybodies who, like poison ivy, pollute the atmosphere. A good start would be with CIA and all its manifold activities, and then Radio Free Europe, etc. When that is done, then the voice of those who have constitutional responsibility in promulgating policy will be heard and evaluated by the ordinary citizens. Unless that is done, the voice of the White House and that of the U.S. Senate are voices in the wilderness.

As ever, yours,

George C. Vournas.

New York, N.Y.,
May 24, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Thank you very much for your excellent exposition of the foreign policy that we, as a Nation, must adopt both on legal and moral grounds. I am happy that you didn't permit the not-so-friendly reporters divert you from the main issue, which was to inform the American public.

I have also written to "Face the Nation," and President Johnson to express my support of all you said.

Very truly yours,

Mrs. Gertrude Ettenson.

New York, N.Y.,
May 24, 1964.

Dear Senator Morse: As a stanch supporter of Adlai Stevenson when he was running for President in 1952 and 1956, I must agree with your adverse criticism of him as expressed on today's "Face the Nation" television program and I have written him to tell him so.

Of course he may have his own reasons for saying what he does in the U.N., including—God forbid—that he believes it. But I can't really think that. Is there anything you can think of, beyond what you said today, for prevailing on him to be what I hope is still himself—the self we all so admired and respected in 1948, 1952, 1956, and even 1960? If so, will you let me know what it is? And would it be possible to have a copy of today's television program? I think you did us a yeoman service in saying what you did. I'm all for it. More power to you.

Sincerely,

Mrs. Corinna Marsh.

Huntington Park, Calif.,
May 24, 1964.

To U.S. Senator Wayne Morse of Oregon.

Dear Sir: I heard you today on "Face the Nation." I am mighty pleased to learn that men like you do exist in this country in which I put my last hopes and the only ones to save the justice and freedom of this planet.

Because I feel like you, I put my whole life and future at stake and disregarded all the advices of friendly people and preferred self-sacrifice in order to be able to come to this country and to help the cause of law and righteousness before the violent people destroy them completely. It took me 10 years to come here and only 4 years to lose hope and faith in my ideals and to get almost completely discouraged and stopped on my way of search for the law of truth and justice.

Listening to you today a spark of hope lit in my heart and I want you, sir, to know that I do support your views on the law, and also the way to preserve the reputation and everything that forefathers of this country sacrificed for that reputation of sincerity, truthfulness, peace, and justice in and for the United States of America and made it a symbol and a leader of peace, justice, and freedom for the rest of the world that lost most of these great gifts our Father Almighty presented to all of us equally.

I hope, sir, this letter may give you additional strength in your struggle for defense of good rules that Jesus Christ, Mohammed, Buddha, and other great leaders recommended to mankind for their happiness and their salvation.

Very truly yours,

PETER BASIC.

WAYNE, PA.,
May 25, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

SENATOR: My thanks to you for the ideas expressed on television today, and for the fight you are making in the Senate for a wiser foreign policy.

I am one American who feels that our foreign policy has been largely negative, even stupid, for a long time. By his handling of the Cuban revolution, President Eisenhower forced Cuba into the arms of Russia, then we complain because Cuba embraces communism.

We have kept mainland China out of the United Nations, when it was very important for her to be there, so that there would be a world tribunal to which she was responsible. It would be a very different story today if China were a member of the United Nations and had to answer to that body for her actions in Laos and Vietnam.

And it looks as if we are preparing the way to get nuclear weapons into the hands of West Germany, still largely influenced, if not dominated by Nazis. How can we ever hope to get peace with Russia, if we insist on making Germany the strongest power in Western Europe? And we talk of the "free world" and our devotion to democracy, yet it is our power that keeps the unspeakable Franco in his position of dictator over the tortured Spanish people.

I agree with you—there can never be world peace unless we build up a world under law, we've made a beginning in the United Nations; we should strengthen it by using it, and not ignoring it, using our power to go off on unilateral expeditions just because we have the power. To me, that is cowardly.

Respectfully yours,

REBECCA P. ELLIOTT.

DEAR SENATOR MORSE: Just finished watching and listening to you on TV. I am in 100 percent agreement with you on one main issue. The American people are not getting the facts. This has been a sad 15 years for the American people. I have been believing this line for the last 13 years, ever since I came from Korea. Why is that press don't not give the people the facts about our international situation? As I am stating in my speech tomorrow, I think if the American people were really told how they have been swindled the last 15 years. I would go as for to say there would be the greatest uprising this country has ever seen. I have read "The Ugly American" and "Nation of Sheep," and I have been in the Orient and around the world. I know for a fact we are being led around like a bunch of sheep. The money we have poured into Asia is beyond belief. What has it got us, nothing.

We are almost banging in the jungles of southeast Asia. Latin America, they are not being told about. I hope in God's name that you and the President and a few of the politicians that God some good commonsense. Will go after the press and make one thing clear. Get the facts to the people.

I think that something should be done to account for our money in Asia, too. Korea—$35 billion, Formosa—about $10 billion or more. We have $50 billion in Asia. And we are where we were in 1950. Only we are now being readied to get the boot, if we don't do something fast. I hope that you get a bill in Congress and see that every damn dollar of this money is accounted. I just got my income tax return back for audit and I wrote and told maybe they would like to keep it so they could buy a few more rotten B-26's. Captain Shank's letters which were published in Life and other magazines is what really burnt me up. I know because I fired duds in Korea, a good many of them. Give them hell, Senator MORSE. If we had a few more people like you the American people would get up off their fat cans. If they had the facts.

Thanking you.

Sincerely,

GENE LANSING,
Disabled Veteran of Korea, July 1950 to September 1951.

MAY 24, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I first want to congratulate you on your stand on foreign policy expressed on the CBS television program, "Face the Nation," on the 24th of May. I want to say that I completely agree with you and that I am appalled at the situation in southeast Asia in general, and in South Vietnam in particular. Specifically, what I am writing to you about is this: You stated that the American people are not being informed of the true facts abroad. I would like to know, from you, what I as an individual can do to help inform our people of the truth. I would deeply appreciate any advice you can give me on what I can do.

Yours truly,

HARVEY SANDERS.

ALBION, MICH.,
May 26, 1964.

Hon. WAYNE MORSE,
Senator from Oregon,
U.S. Senate,
Washington, D.C.:

Congratulations on your attempt to prevent a global war in Vietnam.

ARTHUR W. MUNK, PH. D.

CHICAGO, ILL.,
May 24, 1964.

DEAR SENATOR MORSE: I was one of your interested listeners on "Face the Nation" today. Thank you for clearly telling us (one and all) just what's going on in this our beloved land, which we all love and want to preserve. How I wish you could have been on for an hour or two. Hope you are successful in convincing your fellow constituents how really right you are.

Yours truly,

Mrs. NORA BOSSMAN.

PHILADELPHIA, PA.

DEAR SENATOR: May I compliment you proudly on the forthright stand and explanation you gave us on "Face the Nation." If the United Nations fail, lose their ethical value, we are lost.

Mrs. SCHATZ.

PHILADELPHIA, PA.,
May 24, 1964.

DEAR SENATOR MORSE: I endorse wholeheartedly your support of the U.N. and of the wisdom of taking the issue of South Vietnam to the Security Council and if necessary of bringing it before the General Assembly. I oppose strongly our unilateral action there (Vietnam).

Sincerely,

MARION M. MALLERY.

LOS ANGELES, CALIF.,
May 22, 1964.

DEAR SENATOR MORSE: Again my thanks and gratitude for your consistent, courageous, and timely efforts for peace and a more realistic approach to our very dangerous foreign policies. It is good to know you now have help in this noble task from your coworkers GRUENING and MANSFIELD. The world now knows we, the common people, have voices (even) in the U.S. Senate that want and work for peace.

Respectfully and cordially,

G. J. RINDLER.

CLEARWATER, FLA.,
May 24, 1964.

DEAR SENATOR WAYNE MORSE: I agree with you that the undeclared war we are waging against the people of Vietnam is unconstitutional, and also illegal under the charter of the United Nations—as you stated on the "Face the Nation" program today. We should cease our unilateral action there at once and turn the whole southeastern Asia problem over to the United Nations.

I am very disappointed in Adlai S.

Sincerely,

LILLIAN C. MCFARLAND.

Hon. Senator WAYNE MORSE.

DEAR SIR: After listening to you on "Face the Nation" on Sunday May 24, I agree that the United States should take the Vietnam issue to the United Nations, and withdraw our troops. I am against the United States helping militarily.

Sincerely,

Mrs. MARY E. FITZGERALD.

NEW YORK CITY.

MAY 24, 1964.

DEAR SENATOR MORSE: I happened to catch your TV interview by sheer chance. I want to tell you, I was both delighted and amazed to hear some straight talk for a change on the southeastern situation.

I meant to write to you later during the week. But when I heard the radio announcement that Senator GOLDWATER advocates using atomic weapons, I was horrified, and I'm writing to you at once. For God's sake Senator, for humanity's sake, don't let up a moment in your fight for a commonsense and a realistic approach to the southeastern crisis. I fear to think of what could happen if the United Nations doesn't act soon.

I am writing to Senators KEATING and JAVITS who are the Senators from my State urging them to support your program.

Sincerely yours,

JOSEPH EDWARDS.

LOS ANGELES, CALIF.,
May 23, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I support vigorously your statements concerning southeast Asia and Vietnam. Events of the past week have stirred me to write and urge that you intensify your courageous and straightforward opposition to recent administration statements concerning this area. The futility of our present policy is evident to any student of history, and to increase force is sheer folly. If the purpose is to demonstrate that the American way is best for Asians, then our means better be changed or they will find other ways.

Thank you for your attention.

Very truly yours,

RICHARD J. HUNTER,
Member Los Angeles County Democratic Central Committee.

GREENBRIER MILITARY SCHOOL,
Lewisburg, W. Va., May 23, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: It was my pleasure to see and hear you on the press conference TV program just completed.

You did a superb job. I enjoyed all of it.

I only wish you had had a chance to comment on Senator GOLDWATER's candidacy and a few other matters of importance.

Sincerely,

J. W. BENJAMIN.

PRINCETON, N.J.,
May 25, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR MR. SENATOR: The undersigned wish to tell you that they heard the opinions you expressed on the television program on May 24 on our foreign policy, and to congratulate you on your courageous outspokenness. We agree with your opinions wholeheartedly.

Yours respectfully,

Miss MARGARET R. LAW.
MARY ROZICH.
CATHERINE ———
NATALIE ALEXANDER.

WEST HAVEN, CONN.,
May 24, 1964.

DEAR SENATOR MORSE: Congratulations on that excellent interview that you had on television today. If you see anything I can do to help make our Vietnam policy more intelligent please let me know.

I wish you would write the President urging him to have Senator HUMPHREY as his Vice Presidential candidate.

Cordially yours,

JEROME DAVIS, LL.D., D. LIT.

FOREST HILLS, LONG ISLAND, N.Y.
May 24, 1964.

Hon. WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: How right you are about the American people not being informed about what is going on in South Vietnam (from your statements on the TV "Face the Nation" program). To confirm the truth of your statement and my sincere agreement with you, I am sending to you a copy of a letter I have written to the editor of my union paper the RWDSU Record just a few days ago.

Sincerely yours,

Mrs. KATIA SPELOTTI.

FOREST HILLS, LONG ISLAND, N.Y.
May 21, 1964.

The RWDSU RECORD,
Editor of Letters.

DEAR EDITOR: To someone who is in the dark (myself) and needs enlightenment, please explain: Who started the war in South Vietnam? Who is fighting whom, and what for? And if our country is not at war with them, why are our boys there, and so many of them have given their lives, for what? I seek a truthful answer and hope to get it from you. Thank you.

Sincerely yours,

Mrs. KATIA SPELOTTI,
Stern Local 5.

SOUTH BOSTON, MASS.,
May 24, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: Congratulations on your frank discussion during "Face the Nation." Please keep us informed. The majority of Americans want to do what is right.

As soon as I finish this letter, I am writing to the President, asking him to bring the situation in South Vietnam before the United Nations.

God bless you.

Sincerely yours,

Miss MARY LYDO.

MANHATTAN, KANS.,
May 24, 1964.

DEAR SENATOR MORSE: Congratulations on a very fine showing today on "Face the Nation." I agree with and fully support everything you said. Keep up the good work.

I am deeply disturbed—have been for some time—that we Americans do not seem to be getting the full truth about what is going on in such places as southeast Asia. How can we get the facts?

Respectfully yours,

WAYNE AMOS.

GRAFTON, MASS.,
May 25, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Last night my wife and I heard "Face the Nation"—an interview with you. Fine.

We couldn't agree more with the views you so eloquently expressed—regarding Vietnam especially and foreign policy in general.

Could we have a copy of the interview to share with friends?

Gratefully yours,

REGINALD ANDERSON.

URBANA, ILL.,
May 26, 1964.

Hon. WAYNE MORSE,
Senator from Oregon, U.S. Senate,
Washington, D.C.

DEAR SIR: Thank you for your words on "Face the Nation," which came over our local station here at the University of Illinois on May 24.

We must certainly utilize the gift we have in the United Nations. Idealism is thought highly of us as graduate students. I and my colleagues are sometimes criticized in being "idealists" but we are at a point in foreign relations where peace is absolutely necessary. We must remain idealists and use the United Nations. We must communicate with other nations—via the U.N.

Continue to speak. Thank you.

Sincerely,

HOWARD THORSHEIM.

MAY 24, 1964.

Hon. WAYNE L. MORSE,
Senator, State of Oregon,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: My confidence in the Democratic Party and my faith that our Nation is in the hands of some responsible leaders has been renewed tonight after hearing your remarks on CBS' "Face the Nation."

Your plea that we must strive for international peace through international law accepted by all nations under the guidance of the United Nations is most timely, though grounded in a timeless philosophy. Thrasymachus in the "Dialogues" was wrong when he believed that justice was in the interest of the stronger, yet it would seem, as you pointed out, that our presence in Vietnam is rooted in such a notion. The verbal struggle, even over procedure, in the United Nations is a far more satisfactory alternative than an arms struggle continually threatening our very existence.

Needless to say, your desire to "give the Constitution to the Negro" via a strong (and sternly enforced) civil rights bill is admirable. More power to you and to leadership like yours which will bring our Nation to a position of being the rightest in the world, rather than the strongest.

Sincerely,

JAMES K. L. LAWRENCE,
Vice President, Young Democrats,
The Ohio State University Law School.

RACINE, WIS.,
May 26, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SIR: I am writing to you as a father whose sons are in the armed services and who is, I hope, a loyal American. I agree with your stand on sending our boys into a mess the French, with their Legionnaires, could not cope with, what business is it of ours anyway; don't we recognize the United Nations any more, or are we so smug in our belief that we should run the whole world? Our sons are too precious to us to be at the beck and call of any politician or small nation hollering for help, let some of these people do their own fighting. If I had the means I would challenge the legality of sending our men into undeclared wars.

We are a sorry mess as a Nation when we sit back, do nothing, and let our State Department experts condemn our sons to death, the last mess like this took a presidential election to get us out of. I sure pray it doesn't go that far this time. Please Senator continue your fight in the Senate and if needed call on the parents of the servicemen to pitch in and help you convince these nonbelievers of American family life.

Sincerely,

LEONARD DAVIS.

WEST TOPSHAM, VT.,
May 24, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SIR: Heard your television talk today and we heartily agree with all you said. As we have heard before there won't be an end to fighting in Vietnam in view of what is going on now. What can be done to make the President and others in authority change their views and do what is right instead of employing might? Hammer at them until they take notice and end this foolish waste of money and men. We are just dairy farmers but this senseless war touches all our lives.

I never believed in the Democrats foreign policy and the party is too socialistic to suit me. We hear some people say, "I believe in getting all we can out of the Government." People lose their independence and pride after too many handouts. I love our country, have always been a Republican, but do think a lot of President Johnson. I believe he is a good, honest, and sincere man. Pardon the long letter.

Yours truly,

Mr. and Mrs. K. A. BATTEN.

NEW YORK, N.Y.,
May 24, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I listened to your "Face the Nation" today and could not agree with you more. You are right on all points.

Sincerely,

WINNIFRED WYGAL.

SANTA CRUZ., CALIF.,
May 24, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: Having just listened to the broadcast of "Face the Nation" this morning, in which you expressed your views on our war in Vietnam, I wish you to know that I am completely in accord with everything you had to say. My hope is that your stand on this aspect of our foreign policy can be more widely brought to the attention of the American people.

Is it possible to obtain a transcript of this interview of which I write? I am participating on June 12, in Santa Cruz, in a public discussion of our southeast Asia policy. Therefore I am anxious to obtain any pertinent material including speeches you may have made recently. The time is short, but I am hopeful that I may be able to receive from you before this meeting any printed matter that can be used at this discussion. Thank you.

Sincerely yours,

Ethel E. Anderson
Mrs. Frank A. Anderson.

Monroe, Ga.,
May 26, 1964.

Senator Wayne Morse,
Senator From Oregon,
Washington, D.C.

Dear Sir: Your television appearance of May 24 was received here yesterday. While not in complete agreement with your philosophy it was rare and refreshing to hear one clearly defined. How nice it would be if more of your colleagues (nationwide) would put courage behind their convictions and give the American public a clear picture and thus a clear choice.

Thank you for your message.

Sincerely,

Dorothy (Mrs. J. L.) Mathews.

Vergennes, Vt.,
May 25, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Heard you on "Face the Nation." That's telling 'em, Senator. Best I've heard in a long while. More power to you.

Woodburn Harris,
Retired Farmer.

Urbana, Ill.,
May 24, 1964.

Dear Senator Morse: Just heard you on "Face the Nation" and must tell you how completely I agree with you—decision by an honestly informed public. We have altogether too much government by edict from Washington which bypasses Congress.

More power to you. The things you said need to be said.

Sincerely,

W. E. Carroll.

Milwaukee, Wis.,
May 25, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: Please accept my compliments for your honesty, courage, and straightforwardness on "Face the Nation" yesterday, May 23.

It is reassuring to see and hear a U.S. Senator who speaks his opinions boldly, clearly, and fearlessly and has a realistic grasp of foreign affairs.

No doubt the administration and Mr. Stevenson are dismayed that you cut through and exposed the entire phony basis of our activities in the Far East. And many Americans must have been startled. As you said; We do not know all that is going on—and half of what we read and hear is distilled or "administered." Certainly the nations of the world know we are not being honest with them nor with ourselves. Please continue to speak up. There are still many Americans who believe in integrity.

Thomas Saielli.

Eastchester, N.Y.,
May 24, 1964.

Dear Senator Morse: This is to support your position on South Vietnam as expressed on "Face the Nation" yesterday.

We have had an almost continuous "brink of war" atmosphere since 1946 now, and there are strong pressures to continue this—apparently indefinitely. Republicans and Democrats seem to compete in war cries. I am grateful that there are such admirable exceptions as yourself.

I question the intelligence and integrity of the CIA. I am shocked to see pictures of tortures by our Allies in South Vietnam in the press—almost routine by now.

With best wishes for success,

Sincerely,

L. Pach.

Panama, Ill.,
May 25, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Honorable Sir: I sure humbly thank God for having you, Senator, in the Senate.

I do fully subscribe to your standing, that you do not want our young men in military services to fight and to die in places where the United Nations Forces should be employed.

Honorable Senator, I served in World War I for 3 years in France and Germany.

My son served in World War II for 6 years in Pacific and Asiatic war operation with the 1st Division of Marines. Now thousands of our young men are fighting and dying where all free nations men ought to be with them.

God bless you, dear Senator. Protect you and yours.

Respectfully,

Joseph Safranek.

Pasadena, Calif.,
May 4, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I have just turned off the "Face the Nation" program after the end of your part in the program. Often I have wondered why we are in South Vietnam, and why it was not in the province of the U.N. instead of the United States.

As I understand it our involvement goes back to the policy of Foster Dulles in the Eisenhower days, and I suppose a change is difficult.

But I agree heartily with your argument today and what you think should be done. Why should a civilized world have to fight to make things go right?

From brief reports I gather that Senator Fulbright and Senator Mansfield also do not agree with what we are doing to southeast Asia. Let us hope more voices will be raised for a change—and not to nuclear means, but a way of peace.

Sincerely,

Edna K. Neugebauer.

Kew Gardens, N.Y.,
May 25, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I listened to your interview on "Face the Nation" May 24 on channel 2. Many thanks for your sincerity and outspokenness with regard to our position in southeast Asia. I agree this crucial matter should be handled by the United Nations.

I hope the news media will publicize this interview and also give us the true facts, as you suggest.

Respectfully,

Lee M. Rosenstein.

Bellevue, Wash.,
May 24, 1964.

Hon. Wayne Morse,
Senate Building,
Washington, D.C.

Dear Sir: After hearing you on "Face the Nation" I can only say that I wish I lived in Oregon so I could support you. It might be worth moving to Oregon just for that privilege. You expressed by own thoughts in a way I am incapable of.

Thank you.

Josephine McCormick.

May 25, 1964.

Dear Senator Morse: Yesterday, Sunday May 24, I saw and heard you on a TV program. I would like to thank you for what you said and for what you are trying to do.

I do not write letters to Senators very often but I felt in this case I had to. I'm sure that your office will be flooded with mail from all "way out" nuts calling you all kinds of names and saying you are a sellout, etc, etc. Let me say this to you now: There are many hundreds of thousands of our people who are with you and for you but they just don't write. They are like me.

But if you continue to state your case often enough the people will grasp onto the problems you spoke of and they will demand that something be done about them.

Please go on talking and asking and showing the way as you have been doing. Perhaps you will give some courage to other Members of the Senate to speak out the way you have.

May your tribe increase.

Very truly yours,

Raymond E. Drapkin.

New York City,
May 25, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: You may be interested in seeing the enclosed letter I just addressed to the President. I hope it may contribute one mite in support of the valiant work you are doing on the issue involved, not merely in representing the conscience of millions of concerned Americans, but in pressing our Government toward a policy of peace and reason.

Sincerely yours,

Irving Kaplan.

May 25, 1964.

President Lyndon B. Johnson,
The White House,
Washington, D.C.

Dear Mr. President: Friday morning, May 22, I read the statement of your Ambassador to the United Nations, Adlai Stevenson, presenting the U.S. position on the current problems in Indochina. That same Friday, in the evening, I could not overlook the enclosed AP wirephoto in the New York Post. You will see that according to the accompanying text, it is not the Vietcong as anyone following Ambassador Stevenson would unquestionably expect, but the South Vietnam soldiers, advised, guided, and paid by us, who are responsible for the scene depicted.

How long, Mr. President, can we continue to rely on the cry of aggression to cover the crimes of perfidious governments our own representatives establish and our own Government supports in distant southeast Asia? How long will our own fate be hopelessly bound to the endless mistakes initiated by John Foster Dulles in 1954 and the ensuing horrors for which we must bear responsibility in that unfortunate land.

I find just one ray of hope in Ambassador Stevenson's statement: That we are prepared to go back to the 1954 agreement. This, of course, is the agreement which Mr.

Dulles and Mr. Nixon tried to avoid even at the risk of world conflagration; the agreement which Mr. Dulles, with his unmatched genius for legalisms and mastery of the self-righteous pose, had us, as Secretary of State, on the one hand agree to without signing, and on the other hand circumvent by unilateral intervention; it is the agreement which otherwise would long ago have terminated all traffic in armaments and military personnel throughout Indochina and reunited North and South Vietnam after democratic elections. I hope, Mr. President, you will direct our policy vigorously toward this end.

Sincerely yours,

——— ———.

University of Connecticut,
Storrs, Conn., May 25, 1964.

U.S. Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Can I take only a minute of your time to tell you of my admiration of your continuing criticism of American foreign policy with respect to Vietnam?

You are apparently one of the few men in the higher echelons of the Government that has the integrity to stand up and fearlessly state extraordinarily simple and elementary facts. The continuation of our policy in Vietnam has no goal in sight—the myth of establishing freedom there is at best a question of freedom for a few and at worst is simply absurd. Nor do any of the alternatives mentioned, save for U.N. intervention, offer even the slightest hope of constructive action. The fact of the matter is that Vietnam has a long future of dichotomized, dictatorial politics before it, and the question of who is going to perform the administration of these politics is largely an unimportant and uninteresting one, except insofar as one answer to the question involves the senseless killing of Americans and Vietnamese alike and the perpetuation of the tendency toward "the garrison state" here at home.

All of this is not to advocate a complete abandonment of American involvement and interest in southeast Asia. Rather, only our present, unsuccessful, and senseless policy must go. And since you are one of the few who seem to recognize this, perhaps it may mean something to you if I testify that the support for your position here in the hinterlands of Connecticut is not inconsiderable. In short, keep up the good work. There is a larger number of people behind you than you might think.

Sincerely yours,

John C. Higley.

Modesto, Calif.,
May 25, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: Yesterday we listened to your comments on "Face the Nation," re our international relations and the U.N.

We agree with you 100 percent. We sincerely hope your remarks together with those of Senator Fulbright, will bear much fruit. You gave some constructive suggestions for our foreign policy. Keep it up.

Sincerely yours,

Dr. Thos. Isheran Illick.

Westmont, N.J.,
May 24, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Congratulations on your speech on Vietnam of May 24. It was a masterpiece. Please keep it up.

Charles R. Morry.

Evansville, Ind.,
May 24, 1964.

Dear Senator Morse: Your efforts to convince the President that war in Vietnam should not be enlarged are appreciated. France learned that Vietnam was a lost cause. Our country should waste no more men or materials in that country. Keep on with your good work.

Sincerely yours,

Mr. and Mrs. George Hessenauer.

Shreveport, La.,
May 24, 1964.

Senator Wayne Morse,
U.S. Senate Building,
Washington, D.C.

Dear Sir: This is to assure you that you have wholehearted and whole-minded support in your position, concerning U.S. foreign policy in Vietnam and on the civil rights question in our domestic policy.

The expression of your position in the press conference on TV this morning echoes the feelings and thoughts and fears I may add of many people who regard our present course as highly unrealistic.

I thank you for giving expression to these thoughts and I wish you to be assured that you have wide support.

Sincerely yours,

Mrs. Cornelia M. Paustian.

Miami, Fla.,
May 27, 1964.

Hon. Wayne Morse: I admire the stand you have taken on Vietnam. Why does the United States take on the responsibility of this war alone? What is the United Nations for? Our supposed "allies" don't even offer to help and we are not informed of the true situation in Vietnam by our returning representatives. We can forget about Communism in Cuba apparently, but send our men thousands of miles to fight a losing war.

Do we still have a Congress?

J.P.

Renton, Wash.,
May 24, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: I wish to express approval of your views on Vietnam as stated on "Face the Nation" on Sunday, May 24.

It is interesting to note that on a news broadcast immediately following your interview it was stated that Senator Goldwater advocates the use of low yield atomic blasts along the border between North and South Vietnam.

The need to work incessantly for a legal means for keeping order between nations is increasingly apparent.

Thank you for your courageous expression of your views.

Very truly yours,

Rachel L. Bowen.

Kellogg, Idaho,
May 25, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

My Dear Senator Morse: I consider I would be remiss in my duty as a citizen if I didn't write to as many Senators as possible, to go on record as being violently opposed to our present operation in Vietnam.

We should not become involved in that part of the world, in any action which would require the presence of our servicemen, or any loss of life on their part.

The time to have taken a stand in Asia, I feel, was during Truman's war in Korea, when we were already actively committed there, also had a very able man, General of the Army Douglas MacArthur, who could have won for us a victory over communism in that part of the world, had he not been prevented from doing so by a less intelligent and far-seeing man.

Besides, if we didn't have the will, or ability, to fight communism in Cuba, at the Bay of Pigs, 90 miles off our shore, why should we go 7,000 miles around the earth looking for a fight which should, in my estimation, be placed under the United Nations, an institution which was supposedly set up to handle these so-called limited wars. It's an institution to which we contribute heavily financially.

Hoping you will use all the power of your office to prevent another tragic mistake like Korea, with its wanton waste of the lives of American youth.

Thanking you.

Sincerely,

M. MacMillan.

Pacific Grove, Calif.,
May 24, 1964.

Hon. Wayne B. Morse,
U.S. Senator,
Washington, D.C.

Dear Senator Morse: My wife and I were strongly impressed with your position on "Face the Nation" this morning in regard to our present embroilment in South Vietnam.

We wish to thank you for your courage, and the clarity with which you stated your views, which we strongly endorse.

Sincerely yours,

William H. Bliss.

Tampa, Fla., *May 25, 1964.*

Hon. Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: I was fortunate to have caught your interview on television, Sunday, May 24, so that I heard all of your views on Vietnam and civil rights instead of the sparse words as reported in our Tampa Tribune.

My opinion has changed about you over the years as I matured in knowledge of our foreign and domestic affairs. In our history, many great statesmen have echoed the simple truths which set the rules for freemen. They can't be reiterated too often: "Our foreign policy should be set by the wishes of an informed American public who can well decide what is right." Thomas Jefferson stated in similar words "When the people are properly informed, their judgment is better than that of a few."

Yes, our foreign policy should reflect what the average American thinks, who looks for high ideals in his local and National Government. We should be a Nation which reflects right, not might. I have stated that many times in "letters to the editors," etc.

* * * * *

As to the United Nations, it has been the most successful, in representation and effort, in really keeping peace in the world, of any other entente or organization, previously.

Best wishes,

Louis Fritze.

P.S.—Civil rights—Our country is growing in attaining government for freemen.

Sharon, Mass.,
May 25, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I want you to know that I strongly support your efforts to limit and end our military involvement in Vietnam.

Your courageous leadership on this most crucial of issues is an inspiration.

I would appreciate being sent the text of your speech(es) bearing on this.

Sincerely yours,

Alfred J. Kutzik.

SANTA BARBARA, CALIF.,
May 25, 1964.

Re Vietnam and the U.N.

DEAR SENATOR MORSE: I wish to commend your statements heard yesterday on TV on the "Capital Cloakroom" program relative to the role that the United Nations should be asked to play in the Vietnam crisis.

I heartily agree with your contention that this whole matter should be referred to the United Nations and that our Government should support a U.N. peacekeeping operation there.

It seems to me that we cannot win a war on the mainland of Asia, as we learned during the Korean war, and that this is a typical case where the good offices of the U.N. Secretary-General and a U.N. force should be utilized.

Too often we do not call in the U.N. or request the U.N. to act until it is too late or until matters have deteriorated to such an extent that the U.N. position is almost unsolvable.

Respectfully yours,
CONSTANCE DE SANTILLANA.

GLENDORA, CALIF.,
May 24, 1964.

DEAR MR. SENATOR: On "Face the Nation" today, you have outfaced the petty and pettifogging politicians with the acid bite of principled truth.

It was a most statesmanlike performance and should serve to alert such a fallen idol as Adlai Stevenson that one can always escape the web of circumstance by an act of conscience.

It was sickening to those of us who held him in high esteem, to watch him read, schoolboy fashion, a statement of foreign policy that diminished both himself and the American people. I like your confidence in us.

Latterly I have felt like "The Ugly American," "The Unlawful American," and "The Oppressive American." All this guilt is being wished on us, and the perpetrators dress policy up in phony labels which fool only the gullible and the immature.

It gave me back some faith to hear you speak out for right against might, for law against expediency, and for peace above everything.

Respectfully,
STELLA FALK.

LOCKPORT, N.Y., *May 29, 1964.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

I notice that you and several other Senators have been brave enough to oppose extension of the war in South Vietnam.

It is a war, yet undeclared and unapproved by either Congress or the American public.

Government officials should take note of the fact that some of us don't appreciate half of our tax going to support the military and their war that appears to be a flagrant violation of the so-called police powers of the executive department.

Some of us are also opposed to it because it obviously violates the 1954 Geneva agreement.

Then there is the consideration that our support of Diem and now Khanh is hardly popular with the South Vietnam people—in view of the number of deserters, the constant proddings of U.S. advisers needed to keep the war in motion.

Idealists are also squeamish about the use of experimental techniques of warfare, such as chemical sprays in forests and rice paddies that often maim innocents.

With over $3 billion spent (according to MIKE MANSFIELD), with more than $1.5 million a day needed to continue the war, with all the majesty and might of the U.S. military, which prides itself as the most powerful force in the world, the war has still continued to swing to the side of the Vietcong.

We are entitled to ask why. And the answer must be that the effort is not popular; that victory can only come with massive onslaught, an open declaration of war, military occupation, the threat of a frightful engagement with North Vietnam and China.

Because of the latter's numerical superiority, that kind of total war would have to boomerang into a nuclear conflagration of East and West that would make Armageddon look like kid stuff.

The rightwing coup in Laos, probably abetted by CIA agents, and formation of a neutralist government with heavy rightwing support, and the subsequent struggle there accompanied by overtones of U.S. promises to aid the people poses a further threat to the peace of Asia.

I think if Americans were honestly presented the facts, they would not support a war that cannot possibly be won short of horrifying casualties.

Presented the facts of the Geneva agreement, American citizens would question the legality of the American role in South Vietnam—certainly as flagrant an act of aggression as the Soviet repression of the Hungarian revolt.

We must call for immediate withdrawal of American forces from the area, and reconvene the Geneva Conference with all interested parties, including representatives of the Vietcong. The solution in these countries is up to the people there, and all foreign intervention must be arrested. Consider the fate of the American Revolution if France and Spain had joined Britain against the tiny band of men led by George Washington.

ALFRED S. HOPKINS.

P.S. I am not a Communist and the views here expressed are strictly my own, as guaranteed by our Constitution that, incidentally, was born in blood and sweat.

P.P.S. Please send a copy of your recent talk on this subject and bill me if there is a charge.

MEDFORD, MASS., *May 24, 1964.*

DEAR SENATOR MORSE: After listening to your views as expressed on "Face the Nation" today, I sort of felt obliged to write you and let you know just how I and I know hundreds of thousands of Americans feel about your commonsense logic.

We certainly have some queer thinking going on in our Government. It is indeed refreshing to hear common horsesense as you made things clear today.

I trust that you will give some thought to accepting the Vice Presidency if President Johnson should offer it to you. I am writing him tonight, suggesting that he do so. I shall get as many others as I possibly can to do the same. You are needed in a higher position in Government.

Sincerely yours,
ARTHUR M. SMITH.

LOS ANGELES, CALIF.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Bravo. Bravo. Bravo. I heard your remarks on CBS radio Sunday, May 24. It was like a breath of fresh air breaking through the dense foul fog that has enveloped all of our country's airwaves. If only we had a few more voices like yours.

Might I suggest a TV nationwide hookup? I feel confident that some such group can be organized to secure funds for such endeavor. It is a must if we want to save humanity from nuclear holocaust.

Keep on this great effort of yours and all of America will be grateful to you.

Respectfully,
SIDNEY EHRLICH.

MOUNT VERNON, N.Y.

DEAR SENATOR MORSE: Both my wife and I heard your interview with newsmen about the war in South Vietnam. We would like you to know that we approve completely of what you said. We thank you for having the courage to speak out for reason and good sense. Both here and in the city I have yet to meet anyone who has wanted us to continue our involvement in the Vietnamese massacre. People here are shocked at the suggestion of expanding the war. But our Representatives in Congress do not represent us. God knows whom they do represent. We count on you to make our lost voices heard in the sea of congressional irresponsibility and Pentagon warmongering. Keep up the good work.

WILLIAM DUELL.

TUJUNGA, CALIF.,
May 25, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR MR. MORSE: Your remarks on the TV interview this Sunday afternoon in regard to the war in Vietnam were wonderful to hear.

We agree with you that we are violating international law in southeast Asia and that the problem is one for the U.N.

Keep up the fight for a peaceful world.

IVER AXELSON.

LINCOLN PARK, MICH.,
May 24, 1964.

DEAR SENATOR MORSE: We heartily agree with you about our role in Vietnam and about what should be the role of the U.N.

We appreciate your forthright remarks about the civil rights bill.

We wish we had more Senators like you.

Most sincerely yours,
D. SPEER.

SENATOR MORSE: Please be advised that I agree with you wholeheartedly on your stand on the whole Far Eastern mess.

Why can't we put this in the United Nations' lap before another Korea develops.

Sincerely,
IVAN F. WARD.

LARKSPUR, CALIF.,
May 25, 1964.

Hon. WAYNE MORSE,
Senator from Oregon.

DEAR SENATOR MORSE: My respect and gratitude for your statements before the "Face the Nation" broadcast Sunday, May 24. Your courageous statements were a sane voice in our unfortunate situations in southeast Asia. You gave me hope and confidence again.

Sincerely,
ELIZABETH BRAY.

SAN DIEGO, CALIF.,
May 24, 1964.

Hon. Senator W. MORSE,
Washington, D.C.

DEAR SENATOR MORSE: Just a brief note to say I support your efforts to seek a political solution to the war in Vietnam.

A photograph published May 23 in the San Diego Union shows preparation of a Vietcong prisoner for torture to secure intelligence. I am fearful if this war continues we will find ourselves justifying such torture, and the American character will be seriously corrupted.

I cannot see how this war in Vietnam can be regarded as a just war—again, my thanks to you and to Senator MANSFIELD for your efforts to halt it.

A. L. FLICK.

Berkeley, Calif.,
May 24, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: We listened to you this morning on "Face the Nation" and as a family we commend you highly.

I do believe the people are very much confused and curious as to what is going on in South Vietnam. At least all who are interested in anything. There are those who amble on through life following the leader—fair or foul, sad to say.

We believe in the U.N. and you.

Congratulations.

Ella Kittredge.

Ballwin, Mo.,
May 26, 1964.

Hon. Wayne Morse,
U.S. Senator, Oregon,
Washington, D.C.

Honorable Dear Sir: I listened to your remarks last Sunday, May 24, on television program "Face the Nation."

I heartily agree with your remarks and your opinions.

Four of my sons have served their tours of duty as commissioned officers in the Army Reserve. Three of them served in Korea in a so-called police action. My fifth and last son will be commissioned a Second Lieutenant in the Army Reserve upon his graduation from college next month, and I certainly do not want him sent to Vietnam, Laos, etc.

If the people of these nations are not interested in defending their freedoms I am certainly opposed to sending American troops, some of them sacrificing their lives, defending it for them.

Yours respectfully,

Daniel A. McCarthy.

P.S. I served 6 months as an enlisted man in World War I.

Bellevue, Wash.,
May 27, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am a former resident of Oregon. While there I voted for you several times, for I was proud of the stand you took on important issues. Although I cannot vote for you now I am very much impressed by your courage and good sense.

In my opinion you are definitely correct in regard to the position you have taken about the war in Vietnam.

Thank you and good wishes.

Sincerely,

Alida J. Michael.

Senator Wayne Morse.

Dear Senator: I think you ought to know that a great many of us here in Wisconsin thoroughly agree with your stand on southeast Asia. * * * Somewhere along the line someone had to tell the truth and keep telling the truth. I am glad and grateful that it was you.

You owe it to the American people to persist until all the facts are known. I, too, think, as you, that once the public has facts, it can act with great wisdom.

Sincerely,

Sol Bensman.

P.S.—Would appreciate a copy of your Senate speech on southeast Asia.

Harrisburg, Pa.,
May 27, 1964.

Dear Senator Wayne Morse: It did us good to hear your voice ringing out against our terrible actions in Asia when the whole world is against us especially in Vietnam.

Hoping that you can get your friends to keep us out of further losses.

Sincerely,

Bonnie and Manuel Segal.

Temple City, Calif.,
May 26, 1964.

Hon. Wayne Morse.

Dear Senator: I have not always agreed with you on the stand you took in the past.

As is often the case it is easier to throw rocks than roses and often we agree with a person but fail to let them know of our support. Both myself and a number of friends are taking this opportunity to thank and congratulating you for your talk on "Face the Nation" Sunday, May 24. What a pity we do not have more stalwarts who express themselves so forcefully.

Sincerely,

Grace M. Clarkston.

Brooklyn, N.Y.,
May 30, 1964.

Dear Senator Morse: We just wrote President Johnson supporting your courageous stand against our South Vietnam policy of continuing and escalating this "dirty" war. We are against military solution to all world problems, instead of the use of more diplomacy.

We are indeed grateful to have a few dissenting voices in the Senate such as yourself, who represent the popular feeling of the United States. The U.S. public we feel has not really been well informed on the matter. If the fact were brought out more perhaps there would be greater pressure by the people toward stopping this useless war.

We are glad that you are doing your utmost to stop this unnecessary taking of life.

We again support your policies toward a peaceful world. It is with regret that we do not live in your State so that we could vote for you.

Sincerely,

Mr. and Mrs. Bernard Weintraub.

State University of New York,
Long Island, N.Y., *May 30, 1964.*

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: This is to express my strongest support for your courageous and realistic stand against continued U.S. involvement in the civil war now taking place is South Vietnam, and against U.S. intervention in other parts of southeast Asia, such as Laos and Cambodia, not to speak of invasion of North Vietnam.

If sanity prevails in our Government's policies and a third world war is avoided, it will be due to men like yourself who have the vision and courage to protest against the prevailing militaristic hysteria which grips our Nation. If men like yourself sat in the White House this would be a better country to live in.

Yours very sincerely,

George W. Rose,
Instructor.

Detroit, Mich.,
May 30, 1964.

Hon. Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am one of the millions of people in the United States who admire your vision and moral standards in regard to the most shameful war waged for 10 years on small nations which want to get rid of colonial and imperial domination, in order to build up a dignified human existence, as they see fit.

Deep-felt thanks for your consistency and courage. Like the prophets of old, you call the rulers of this country to their senses and therewith save the rest of esteem and appreciation still left for America the Beautiful.

If your advice is snubbed and disregarded, then woe to the United States of America.

I would be very grateful if you could send me, if possible, five copies or more of your most outspoken speeches, and including the one I heard over the radio "Face the Nation" on Sunday, May 24.

I will do my best to make your message known to as many people as possible.

Gratefully yours,

Alice Herz.

San Francisco, Calif.,
May 28, 1964.

President Johnson,
The White House.

Dear Sir: I have just heard Senator Morse's speeches in the Senate on the crisis in southeast Asia, and particularly Vietnam.

I humbly believe that his appraisal of the situation should be given careful consideration.

I believe that if the American people were to have these facts the majority would be in agreement.

The alternative, as Senator Morse and many other able statesmen and scholars have warned may lead to an escalation of the war to uncontrollable limits.

Respectfully,

Mathilda Seliger.

San Francisco, Calif.,
May 27, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I was privileged this evening to hear, on KPFA, Pacifica Radio in Berkeley, Calif., a program of excerpts from your various Senate speeches since March on the subject of our country's activities in Vietnam.

I agree with your position on the illegality and immorality of our efforts in Vietnam, and I can only hope that your voice will be heard more. Finding, among my acquaintances, very little regard for the Government's position in Vietnam, and a general feeling that we are wasting time, lives, and money on corruption, it is a relief to find a voice in the Senate speaking on this subject, and speaking in such a manner.

I am not one of your constitutents, but you do, in a sense, represent the entire country as well as your State. I am writing my Senator, Thomas Kuchel, to commend your stand to him.

Incidentally, although I am not aware of your position concerning our actions toward Cuba, I trust you have thought about the legality and morality of these actions.

Sincerely,

Thomas Lee.

Modesto, Calif., *May 26, 1964.*

Dear Senator: I agree with you that the war in Vietnam is a costly and illegal war and one in which we cannot expect to win. If any action is to be taken in Vietnam it should be a force sent by the U.N..

Sincerely,

R. H. French.

San Francisco, Calif., *May 28, 1964.*

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: May I take this opportunity to applaud your stand on the situation in southeast Asia and particularly in South Vietnam.

I wholeheartedly agree with the various points you have made regarding the fact that we are in South Vietnam illegally and unconstitutionally, that Congress has been too cowardly to declare war, and that the entire problem should be given to the United Nations. We are not only, as you state, a colonial power in this situation; but our use of airplanes, napalm bombing, and chemical spraying is actually terroristic since they are often directed against the civilian population.

Thank you again for your unique effort on behalf of ending our military participation in southeast Asia.

Sincerely yours,

Eugene Eagle, O.D.

Brooklyn, N.Y.,
May 30, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Keep up the fight to move our troops out of Vietnam. I listened with admiration and thankfulness to your talk on "Face the Nation" last week. I agree that we must repudiate the policy enunciated by Adlai Stevenson in the Security Council. I could feel him crawl.

I am writing to my own Senators, telling them how much I admired your stand, and urging them and the President of the United States to negotiate on the Vietnam question.

Cordially yours,

Lillian Rubin.

San Francisco, Calif.,
May 25, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: Listening to the television program "Face the Nation" last Sunday, I was delighted to hear you giving your views about the war in South Vietnam, and I share these views with you.

Yes, we should make an end with this fighting war and give it over entirely to the United Nations for the purpose of the establishment of peace.

It was good to hear you on this program speaking up for what is the right thing to do, the real right thing and the only right thing; that, what God would want us to do too, even if it does not always mean a victory for us.

I hope you will continue to speak up and defend the truth in the world and keep your wonderful courage and your high ideals in the ultimate righteousness of all things.

May God bless you and guide you in your work as a Senator and in the part you have as a leader in our Government.

Sincerely,

Gertrud Browne.

Forest Hills, N.Y.,
May 25, 1694.

Dear Senator Morse: I was greatly impressed and horrified by your description of the Vietnam and Laos situation, and wish to commend you on your forthrightness.

I too would like to see the U.N. handling the situation there as I fear this talk of escalating the war. Your mention of our possible use of atomic weapons worried me and when Senator Goldwater later in the afternoon mentioned it also, I felt panicky.

I am writing to my two New York Senators to ask them to support you in solving the Vietnam and Laos situation by putting it in the hands of the United Nations.

Thank you for your courage.

Sincerely yours,

Betty Edwards.

Berkeley, Calif.,
May 27, 1964.

Senator Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Morse: My husband and I have just listened to a program on Pacifica Radio, KPFA, concerning Vietnam. The program dealt with speeches by you and others in the Senate on American involvement in South Vietnam. In these days of cliches and meaningless statements of patriotism, your candid analysis of this situation is both refreshing and frightening.

To our knowledge, unfortunately, your comments have not gone far beyond the Congressional Record. Such a critical analysis of American foreign policy deserves a wider audience.

Would you consider forwarding to us any future statements you may make on this issue?

We encourage you to continue your efforts in insisting that American foreign policy be stripped of its myths and analyzed within the framework of the rule of law.

We are most anxious to help you in your valiant efforts in any way we can.

Sincerely,

Lois Patsey.
Richard Patsey.

Detroit, Mich.,
May 30, 1964.

Senator Philip A. Hart,
Senate Office Building,
Washington, D.C.

Dear Senator Hart: I wish to communicate to you the fact that my feelings regarding U.S. military intervention in South Vietnam coincide with those of your colleague from Oregon, Senator Morse.

I agree with him when he said on the floor of the Senate, "* * * this illegal and unilateral course of action of the United States in South Vietnam could lead to a third world war." I agree with him the war should not be extended to the North. I agree with him that the United States should pull its troops out of South Vietnam and a neutral Vietnam be established.

Proposals contrary to the above would seem to constitute grave dangers to world peace and I would be unable to support an advocate of them.

Yours for peace,

Peter Werbe.

Belen, N. Mex.,
May 28, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator: As an American, I wish to compliment you on your daring exposure of the McNamara war in the nation of Vietnam. Indeed, someone must make such, and I want to thank you for doing so. Commonsense tells Americans the war being waged there on our part has no semblance of constitutionality. May I ask, How long will dirty politicians seek to abridge and diminish our constitution and usurp power unto themselves—under the disguise of executive authority?

I can tell you, Senator, there are some in our land who seem bent on bringing about another revolution in America by reason of their insistence on assuming personal power. A people finally tire of such—and the case in point here abounds with just that type of material.

May I say thanks again.

Sincerely,

Wm. T. Walker.

Phoenix, Ariz.,
May 28, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I commend you for telling the American people the truth about the war in Vietnam.

I have just written to Senator Goldwater concerning his policy of using atomic weapons in Asia and am going to get others to write him our opposition to his foreign policy.

Sincerely,

Dorothy Jacob.

San Francisco, Calif.,
May 26, 1964.

Senator Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Morse: If a fellow does wrong, give him hell. Likewise, if he does right, give him a pat on the back.

I listened with great interest to your "Face the Nation" program last Sunday and just wish to say "Bravo." I agree with every word you said. God help our country when there are not a few men in Congress who are not afraid to speak out the truth. There are very few.

Sincerely,

Marian S. Phillips.

May 25, 1964.

Dear Mr. Morse: I should have written to you sooner, but have been so busy writing other authorities in and out of government about yours and Senator Gruening's incredibly patriotic stand for the prevention of nuclear war and getting our boys out of that mess in South Vietnam.

I say "incredible," because "the Establishment" and all the rest of the people making these military decisions for our country seem not to give a damn about our lives or whether we all get blown up in a nuclear war.

It looks like the "pretensions of the Pentagon," as you so well put it, have everyone being pulled around by the nose.

Thank goodness—not you and the dozen or so others—who have had the courage to stand up to the maniacal militarists; not all the military people—but too many of them.

McNamara was on CBS–TV last Thursday in that report to the press. He was very emotional about this South Vietnam involvement, his eyes blazing as he expounded his desires for escalating this war.

It was horrifying to see this lack of sobriety and responsibility in the Secretary of Defense. He positively looked unstable—reminding one of Forrestal.

Well, Rockefeller and Goldwater have toned down their bluster for nuclear bombs and going into North Vietnam. But we'd like some assurance from President Johnson.

The American people will ever be grateful to you for your wisdom and true faithfulness to the welfare of our country.

Gratefully,

Mrs. M. Siegel.

P.S.—Your explanation on "Face the Nation" Sunday, will encourage millions of Americans to stand up for their lives. Stupendous, Mr. Morse.

Venice, Calif.,
May 26, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I applaud your courageous and patriotic efforts to get us out of the South Vietnam mess. Do we have to make the same mistakes—and worse—of the French who used ex-Nazi soldiers and criminals to stamp out independence in South Vietnam? Why can't the South Vitenamese have their day in court—the U.N. with all foreign troops pulled out of their country and allowed to vote their own officials into power?

As you know, the present situation is a disgrace. We can "save face" and show the world we still believe in democracy by acting like democrats (small "d") instead of "world conquerors." (Shades of Hitler.)

Thanks again for your noble efforts. I only hope you can get our Government to act sensibly before we get involved into another Korea and worse.

Respectfully yours,

Geo. Perman.

Mount Vernon, N.Y.,
May 27, 1964.

Senator Wayne B. Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Allow me to express my appreciation for the remarks which you have made from time to time in criticism of the policy which we have been following in Vietnam and now in Laos. I would urge that you continue this pressure up to the State Department and the President to the end that we shall withdraw our forces and extricate ourselves from this war for which there is neither moral nor political justification.

Very truly yours,
Warren P. Sheen.

Salt Lake City, Utah,
May 27, 1964.

Dear Senator Morse: We are in complete agreement with your statement on U.S. involvement in the South Vietnam civil war as expounded on "Face the Nation."

We have allowed ourselves, little by little, to be drawn into an untenable position where we have no support from SEATO, Australia, or our Western allies. We do not believe military victory is possible in this guerrilla war or that we can in the long run maintain pro-Western Governments on China's border. Therefore we favor seeking a negotiated settlement of the conflict now.

Respectfully,
R. D. Baumbacher,
Marian M. Baumbacher.

Columbus, Ohio,
May 28, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: The administration is obviously planning to compound the folly of its Asian policy by extending the undeclared war in South Vietnam to Laos and North Vietnam. The American people and their Congress are being disregarded, as usual, by the hotheads who are willing to risk war with China.

Would it be possible to suspend the business now before Congress in order to clear the way for unlimited debate concerning the southeast Asia crisis? Certainly there is no issue more important than this one, as it brings us face to face with the question of human survival. Civil rights, unemployment, education, and other issues are extremely important, but an international crisis which carries with it the danger of war with China—and the terrible threat of nuclear holocaust—should be first on the agenda for the time being.

Sincerely,
Marcus A. Bowen.

Muskegon, Mich.,
May 27, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I was much impressed by your television talk Sunday, May 24. Keep up the good work by letting people know that our boys are fighting an illegal war in the Far East.

The people of America are not aggressive. They desire peace. It is certain influential people with money invested in Asia that want us involved. American boys should not be asked to fight for them.

Sincerely,
Ernestine Wall.

New York, N.Y.,
May 28, 1964.

Hon. Senator Wayne Morse,
U.S. Senate Building,
Washington, D.C.

Dear Senator Morse: I fully back and support your views about the U.S. position in South Vietnam and neighboring areas. I am ever more deeply worried and I notice the same among the students, and people of all walks of life who are not articulate enough to express their profound anxieties and who have neither newspapers nor public relations offices on their side. All of us thus rely on the courageous men like you who may still be able to prevent even graver mistakes from being committed and even worse horrors being perpetrated; and who, instead, will veer the course toward constructive solutions which are in the true interest of the United States of America.

If I can be of any assistance to you in my field, which is international law, I shall be honored and glad to do so.

Respectfully,
John H. E. Fried, Ph. D., LL.D.,
Visiting professor of political science, City College of the City University of New York; formerly, expert, Judge Advocate General's Office, U.S. Department of the Army; special legal consultant, U.S. military tribunals, Nuernberg; member of the Secretariat of the United Nations.

Palo Alto, Calif.

Senator Wayne Morse,

Dear Sir: Today when seemingly there is little hope for the world, may I say, sir, that people like yourself offer a promise of hope. It is too bad there are not more like you. It certainly would make your job easier.

This last Sunday I saw you on "Face the Nation". Although I am a Negro I was not only impressed with your statements on civil rights but also on your comments of the U.N. Getting the facts to the people cannot be overemphasized.

I plan to travel through the State of Oregon on my vacation. And I shall certainly tell my children about you.

Thanks so very much.
George Lampkin,

Whitefish Bay, Wis.,
May 27, 1964.

My Dear Senator: I was so pleased to hear your opinion on the Vietnam situation. The neutralization policy seems the most intelligent projected thus far, if it can be done.

My friends and I would be most willing to make a supreme effort for supporting any move in this direction.

Sincerely yours,
Gladys Schoenike Bohr.

Dear Senator Morse: I applaud your fine speech on the South Vietnam situation. It was wonderful to hear you—and you are a brave and courageous Senator—as you always have been.

You are not my Senator. I am visiting here from Chicago, where I live.

I was fortunate to hear you, and I noticed those in the gallery were enraptured too.

This I know—we must join with that lone voice. Yours is like a voice crying in the wilderness. But it will catch hold and others will stand up and be counted.

I just could not leave Washington without telling you how wonderful you were today, and I am a good Democrat, usually.

Sincerely yours,
Ida Rose Silverman.

New York, N.Y.,
May 28, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I just want to tell you how much I appreciate your recent Senate speeches, opposing the war in Vietnam. Every morning when my husband and I read the Times we get quite depressed, until we are lucky enough to find an excerpt from one of your speeches, which gives us a little hope that somebody in the Senate may listen to you and start thinking a little.

So thank you very much, both for thinking and for speaking your thoughts. I know that many people support you in your efforts—probably the majority of the people in the whole world. I hope that your constituents appreciate you as much as we do.

Sincerely yours,
Joan Lester.

P.S.—It was particularly your May 20 speech which prompted this letter. It was excellent, and quite frightening.

Jackson, Miss.,
May 28, 1964.

Senator Wayne Morse,
Washington, District of Corruption.

Dear Senator Morse: How long will Congress allow our boys to be murdered in Vietnam without modern weapons? We have no business there in the first place. Why didn't the aid we have given these countries make them want to help themselves?

Under McNamara the no-win-kill-our-boys policy will wreck this Nation, but Congress has sold out to the State Department, the Justice Department, and the President.

Yours very truly,
Jno C. Batte.

Santa Ana, Calif.,
May 26, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: We as parents, of a young marine stationed in Vietnam, wish to express our thanks, for your honest, sincere, and uphill stand on our position in Vietnam. May your faithful work and enduring wisdom, be rewarded by our Creator. Your views are shared by me and my wife. Yes, we are Democrats, but have voted twice for a Republican when we thought he was the best choice for our President. As small, humble Americans and parents of a marine in Vietnam, we want you to know, that there are many who share your views on the above matter.

Sincerely yours,
Mr. and Mrs. John T. Hunasky.

Royal Oak, Mich.,
May 28, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: You made me proud to be an American. History will vindicate your stand on this aggression of ours in southeast Asia. There should be a world court of justice similar to the one after World War II. The Nazis were no more guilty than are these scoundrels of ours in South Vietnam with napalm bombs and all the other crimes we commit.

Congratulations on your courageous, forthright vocal stand on our shameful and shameless crimes. You have lots of friends who agree with you.

Sincerely,
Walter Allmendinger.

May 28, 1964.

Dear Senator Morse: I was in the visitor's gallery of the Senate yesterday May 27, 1964, when you attacked the administration's policy in Vietnam. I was very much impressed by your attack on this senseless slaughter of U.S. forces. The one question I have been left with is, What can the average man on the street do to alert his fellow citizens? Would your office send me a copy of your speech on the Senate floor May 27, 1964, and any other material exposing "McNamara's War."

Respectfully yours,
William Zahn.

Addendum to Senator Morse: Thank you, sir, for your timely warning to the American people. I only hope they will heed the voice of reason.

For my Ph. D. dissertation I studied very carefully the process of military intervention (based on military modes of thinking) in the process of foreign policy making.[1] To my distress, I find the same patterns operating to some extent here.[2] At a conference some years ago I heard a speech by a colonel who had just come back from Vietnam where he had recommended military assistance as the remedy to be applied. As you say, it was a mistake. But we keep throwing in good money after bad, in an effort to "save face" just as the Japanese did during the thirties.

And when we get in just a little too deep then the Chinese will come along and finish us off—as they did the Japanese eventually, and as they practically did to us in Korea.

I think you are absolutely right to go back to first principles: our treaty commitments and moral commitments under the U.N. Charter. I am attempting to get the tapes of the dramatization of your Senate remarks (and those of Senators Fulbright, Javits, et al), and intend to play them for my classes.

If you have extra copies, I would be delighted to have them.

Sincerely yours,

Yale Maxon.

Oakland City College,
Oakland, Calif., May 26, 1964.

Dear Mr. President: The writer is a Naval Reserve officer (retired) with 5 year's residence in the Far East and a Ph. D. in international relations—Far East. I have been listening to Senator Morse's recent speeches in the Senate on our involvement in Vietnam. I urge you to heed his advice.

I was in Japan in the late thirties and saw the Japanese get sucked into, and then bogged down in, illegal war with China. Casualties mounted, and the mirage of "victory" retreated into the indefinite future, but the Japanese "had a tiger by the tail and could not let go."

The Japanese were an obedient and docile people compared to the Americans. The latter will not support a full-scale war in Vietnam. They are profoundly uneasy over even our present degree of involvement.

If we follow Mr. McNamara's advice and get any more committed than we already are, sooner or later it will be proposed that we employ nuclear weapons to "win." It will be argued that "American prestige" is at stake. Yet the use of nuclear weapons is clearly genocide, against which the civilized world recoils. If we were to use them we would be branded (and rightly) as the world's worst murderers—if, indeed, we did not in the process bring on Armageddon. We must not blunder into this fatal sequence of events.

We must realize that Asia cannot be "protected from communism" or "made democratic" by illegal military support of tyrannical regimes carried out in direct violation of our obligations under the U.N. Charter.

We would be far better off in the long run to try to get the U.N. to handle this—or even to accept the good offices of the French to neutralize the area—than to follow the McNamara policy of expanding the war. This is a time for cool judgment and honest facing of facts. I urge you to reject the McNamara advice which, in an effort to "save face," can only make things a great deal worse than they already are.

The Japanese—who are Orientals and share a common culture with the Chinese—could not subdue China although they mounted a total effort over a period of many years. How much less can the Americans—babes in the wood, comparatively speaking, with a different culture, and vastly further separated in space from China—hope to dominate southeast Asia by means of either half-hearted efforts or full-scale efforts. This thing can become a quicksand—let us avoid it while there is time.

If we intervene, why shouldn't China? This is what happened in Korea, and I believe it would happen here.

Sincerely,

Yale Maxon,
Instructor, Asian Civilization.

Milwaukee, Wis.,
May 28, 1964.

Dear Senator Morse: Thank you for your speech on Vietnam. I am not proud of the way our Government has interfered there. I realize this administration inherited an unfortunate policy from previous ones, but when a method fails, more of the same is not the answer. Since Laos has also erupted we should go to the conference table and seek a solution to southeast Asia by neutralization or U.N. supervised elections. Do we want to confront militarily China's vast hordes? I'm glad my Senator Nelson also spoke up.

Sincerely,

Evelyn C. Knapp.

Old Forge, Pa.,
May 29, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Just a brief note to compliment you on your splendid performance on "Face the Nation" on May 24, 1964.

I agree with all of your views.

Keep up the good work.

Very truly yours,

Nick Ermolovich.

Leominster, Mass., *May 26, 1964.*

Dear Senator Morse: We listened to you on radio Sunday and think you were great. We agree with every word you said. We were wondering for a long time already why America is doing everything and not the United Nations.

It is too bad that there are not more men like you in Washington.

Sincerely yours,

Mrs. Gustav Fricke.
Walter Linderer.

Media, Pa., *May 28, 1964.*

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Last Sunday evening I heard you speak on the radio as you were being interviewed by members of the press.

I was most favorably impressed by your point of view that the United States should deal with the Far East through the United Nations, and that we should not take matters in our own hands claiming (since it suits us here) that might is right.

Your arguments were well thought out, based on a good fund of facts and relying always on the fundamental principle of the rightness of international law.

I agree with you that this is absolutely the only course of action that the United States should take. I thank you for taking this stand and wish you well in your crusade, and sincerely hope that you can win over many in Washington to your point of view.

Sincerely,

Mary P. Engle.

Brooklyn, N.Y., *May 28, 1964.*

Dear Senator: My hope for the future of my country rests in men like you, and those of your Senate colleagues who share your humane viewpoint.

I have today sent the President the following message:

"Dear Mr. President: If, in our policy of containment, we march our troops up to the border of China, we march ourselves up to the edge of nuclear war. For God's sake, Mr. President, never lose sight of the fact that we live in a nuclear age. If we must not 'lose face' there must, I repeat, must be other alternatives to nuclear holocaust. New York newspapers print the news that you are ready to embark on a 'hard sell' to the American people of the need of sending our troops. Must the Democratic Party always be the war party?"

Very truly yours,

Mrs. Betty Traun.

Berkeley, Calif., *May 27, 1964.*

Dear Senator Morse: Thank you for your statements on U.S. involvement in Vietnam.

You represent completely my feelings on that subject.

Sincerely,

Lillian Elliott.

Bayside, N.Y., *May 29, 1964.*

Dear Senator Morse: Congratulations on your speech of May 21 commenting on Mr. Stevenson's U.N. speech, which, at best, was a disgrace.

Could I please have a copy of your speech?

Thanks,

Barbara A. Zeluck.

San Diego, Calif., *May 27, 1964.*

Senator Wayne Morse,
Capitol Building,
Washington, D.C.

Dear Sir: We commend you on your idea that the United Nations keep the peace in Vietnam. It takes courage to speak out like this. We are glad that you have the combination of this courage and clear thinking. Keep it up.

Sincerely,

Roberta Heyer.
Warren Heyer.

Modesto, Calif., *May 27, 1964.*

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: I wish to comment on your appearance on "Face the Nation" last Sunday. It was, in my mind, the greatest statement made of our foreign policy since Senator Fulbright's Senate speech, on the floor of the Senate.

It is now clear that Ambassador Stevenson is no longer a man with ideas of his own, but rather a "tool of the State Department." If he came up with something new it would be a novelty indeed.

What kind of war is it where the higher rank's have their wives and children with them and it takes a large number of troops just to guard them?

If it is to be a military operation, let it be one, or get out. Man for man, and gun for gun, we could never hope to win.

I can only say that if there should be more Senators like yourself and Senator Fulbright perhaps something would be forthcoming.

Sincerely yours,

Delmer Morris.

Lakeside, Calif.,
May 24, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: I appreciate the great effort you are making to stop the criminal war in Asia.

I hope a great many Americans heard your message this month on "Face the Nation."

I should like to receive some of your speeches you have delivered in Congress concerning the U.S. participation in this conflict.

Yours truly,

Lillian Allen.

Redwood City, Calif.,
May 28, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I would like to express my thanks for your continuing fight regarding southeast Asia. I have kept myself fully informed about the problem, and am convinced that we must withdraw immediately; our presence there is intolerable.

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[1] "Control of Japanese Foreign Policy: A Study of Civil-Military Rivalry, 1930–1945," University of California Press, 1957.

[2] See Cook, Fred, "The Warfare State."

It is equally amazing to me that the State Department can print such drivel and pass it off as "fact sheets" and/or blue books. They must have a very low opinion of the American intelligence, which, I must say, seems to be continually verified, since we continue to send money, and more money, and more murder to South Vietnam.

Can you tell me who else to write (besides L.B.J., Kuchel, Engel, Gruening) to regarding this issue?

Most sincerely yours,

Edward Applebaum.

York, Pa., *May 27, 1964.*

Senator Wayne Morse.

Dear Sir: Last Sunday I heard you on TV and I do agree; and hope something can be done to keep our boys from going to Vietnam.

I am sure there are a lot of people who do not think it necessary for us to get mixed up over there, to the extent of sacrificing our young men. Hope you can convince others in Washington to keep our young men out of that war.

Please do what you can, and I will be grateful.

Thank you,

Mrs. Stein.

May 24, 1964.

Dear Senator Wayne Morse: I seen and heard you on "Face the Nation" program this morning.

So herewith wish to compliment you on your Christian attitude and convictions as to foreign policy through League of Nations. May God bless you.

Gratefully yours,

Wm. R. Moritz.

Corona Del Mar, Calif., *May 27, 1964.*

Dear Senator Morse: We got in on your TV session last Sunday and have to congratulate you on the ideas which you set forth on the Vietnam picture. In our estimation both you and Senator Fulbright are on the right side of the fence. We have the utmost respect for the President and Mr. McNamara but it seems to us that they are fearful to let go of the tiger's tail right now due to the conditions existing in the political arena.

If a few more Democrats would get behind you fellows we believe that there would be quite a change in the Vietnam picture.

Yours very truly,

Warren S. Loud.

P.S.—Your work on civil rights is also appreciated.

Palo Alto, Calif., *May 24, 1964.*

The Honorable Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for saying officially what I as a private citizen was thinking. I cannot understand why a country with our democratic tradition must continue to support the military adventure going on in former Indochina, caring nothing for the poor nameless peasants who bear the brunt of the napalm and lesser hurts. Now that a United Nations organization exists, I believe it should be respected.

Further, I think we should support the French proposal for a reconvention of the guaranteeing powers of southeast Asia. Surely a way can be found to reduce and discontinue our military operations there, despite this being an election year.

Although I am a California voter, I strongly support your position as stated this past week.

Very truly yours,

Mrs. Jane Taylor Goraj.

New York, N.Y., *May 29, 1964.*

Senator Wayne Morse:
Senate Office Chambers,
Washington, D.C.

Dear Senator Morse: Last night on the television news program, the announcer spoke of a speech you had made on the Vietnam southeast Asian crisis, critical of the Government stand. However, a thorough search of today's New York Times fails to disclose any mention of it.

I am very seriously concerned with the growing crisis in southeast Asia, and dissatisfied with the position taken by Rusk and Adlai Stevenson. It seems to me we are throwing good money after bad, trying to prop up the military dictatorship in South Vietnam; and even more seriously, we are losing American lives, and are in grave danger of losing many more. Today's announcement that Premier Khanh wants to reunify Vietnam under a non-Communist government sounds very dangerous—a man who can't control the major part of his own country wants to undertake to conquer another. Actually, the original Geneva agreements called for such reunification on the basis of elections, but that was never carried out, and I'm afraid "elections" is a dirty word to Khanh.

What I wanted to say was, that I am very thankful that there is a voice in the Senate opposing further involvement in this war, calling for negotiation not escalation, but I would like to know just what you are saying. When even the New York Times, whose own news reports of the war are what made me so dubious, prints only one side of the matter, it seems as if the American people may be pushed into a very dangerous situation, possibly even a world war, while only hearing one side of the question.

So could you possibly send me a copy of your speech yesterday, as well as those made last week, and also just mentioned in Sunday's Times editorial summary, and any other pertinent material you may have?

Thank you very much.

Sincerely,

Mrs. Isabel Maues.

May 25, 1964.

Senator Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Sir: Congratulations on your honest and forthright stand on U.S. policy in Vietnam as expressed on "Face the Nation." We hope you will be able to convince our California Senators. Please continue to bring your arguments to the American public.

Mr. and Mrs. Dave Landy.

Tarzana, Calif.,
May 24, 1964.

Dear Senator Morse: We just finished listening to "Issues and Answers" as we do every Sunday at this time. You were superb.

It is such a refreshing experience to listen to a man with such a realistic (and yet idealistic) outlook on our world problems. I only hope you are right in your faith in the American people. No doubt you can see the broader picture, but from this end of our country, the "kooks" (extremists from either right or left) seem to be the most vocal—make the most noise—one almost can believe the whole country is truly "way out."

My husband and I had the pleasure of a fleeting introduction to you some years back.

I didn't want this to turn into a "fan letter" (although we are all your most ardent admirers), but for some reason it is a known fact that the extremists are more vocal, and take to pen more often, and these communications are constantly being referred to as the "voice of the people," that I decided to add my little letter to your pile of "bouquets." (God knows our "public servants" receive enough undeserved "brickbats.")

With all good wishes to you and yours and may God give you many long years of good health and a long, long life. We need more men like you.

Sincerely,

Mrs. (Paul) Ann M. Herzog.

Dear Senator Morse: I want you to know that I support you in your stand against the administrator's policies on Vietnam. To face and speak the truth can be painful and it takes courage; I respect you for this. Enclosed is a letter I have sent to a number of our representatives concerning my attitude toward our policies in Vietnam. I thought you would appreciate a copy at this time. How is the mail running toward Vietnam?

Sincerely yours,

Ronald C. Conant.

Boston, Mass.,
May 25, 1964.

Senator Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Morse: While my letter may have little effect upon our precarious and deplorable policies in Vietnam I find that my conscience and beliefs as an American force me to write this letter at this time, realizing that this statement is long overdue. Not only are we losing a war in Vietnam, but more important, we are losing American lives in a war that can only be detrimental to whatever is left of our image as a Nation founded on, and believing in, the rights of the popular majority to govern itself.

In the past we have supported such men as Batista, Chiang Kai-shek, Syngman Rhee, Diem, and presently Franco and the military leaders in Vietnam under General Khanh. Our support of these men has been based upon their statements that they were against communism. But what were they for? None of them have been for political, educational, social, and reforms of freedom upon which our Nation has been established. Time and truth have exposed these men and their regimes for what they were. The same will certainly be true in Spain and Vietnam. Instead of aiding and supporting the people, we have allowed injustices to continue as long as the countries remained anti-Communist.

What has happened? Without any hope from the United States of pressuring these governments into beginning social reforms, the people have instead turned to the Communists for aid in their plight. Surely we can learn this lesson before it is too late in Vietnam. The Diem regime has been exposed for what it was. The strategic hamlets have been more like concentration camps and have fallen one after another to the national liberation front. The Saigon government lacks the popular support of the people, and can hardly maintain itself outside of that city while the Vietcong roams unmolested with aid from many villages. Raiding Cambodian villages (at the rate of 263 incursions in 1½ years) and killing their women and children is unpardonable. As is bombing Vietnamese villages of no military importance such as Ben Cau and then under the personal supervision of Ambassador Cabot Lodge and Gen. Paul Harkins offering the villagers a few thousand piastres for their dead is reminiscent of the senseless, sadistic, bombing raids of the Nazi Germans on helpless Spanish towns during the Spanish Civil War.

Increasing aid to the Saigon government would not only magnify our defeat when the end comes for Vietnam, but also heighten the possibilities of a nuclear holocaust once China enters the war, which she will certainly do if we further our participation. Our U.S. Army military advisers admit that the morale of the Vietnamese is very low and that they are terrified of the Vietcong. In other words, our soldiers cannot rely upon the Vietnamese to stand up to the national liberation front and fight their own war. The result has been increased loss of Vietnamese and American lives and victories for the Vietcong. How can we carry the war to North Vietnam if we cannot control Saigon, never mind South Vietnam? Bombing North Vietnam would not kill the rebels, but helpless civilians, resulting in further world opinion, including that of our allies, being lodged against us.

Committing American troops to this country has been another proposal offered as a solution to this crisis. This would be folly. The national liberation front is well trained in guerrilla and jungle warfare, while only a very small contingent of American troops, those in special forces, are. In order to win this war our troops would have to occupy every bit of soil in Vietnam since concealment is very easy in the jungles. This of course, would be an impossibility.

Neutralization of Vietnam with a United Nations peace-keeping force is the only solution to the problem with the eventual holding of free elections. Since we have become deeply involved in this country, this move would allow us to withdraw while losing as little prestige as is possible at this late date. Perhaps more important, we would be strengthening the United Nations by showing the world that we have faith in its potential for handling a difficult situation. I have attempted to be realistic and objective as is possible in my evaluation of Vietnam.

Further, we can learn a lesson from our policies in Vietnam, which we should have learned a long time ago throughout South America, Cuba, China, Laos, and Korea. We have given billions to dictators, but not a thought to the people. Man has always lived in hope of something better, and as we have moved to the present period of history, man the world over has become more critical of his situation. If we do not begin having faith in the will of the people to overcome all adversities, both natural and human, which attempt to stifle his right to better his life we might just as well plunge into a grave and cover ourselves over with our shame.

I look back on our revolutionary heritage with pride and hope for the future, but our present policies in places like Spain and Vietnam fill me with anger and disillusion. We must develop a humanitarian foreign policy rather than feeding a money and life consuming military-industrial complex for no other reason than that of Machiavellian self-preservation even if we remain devoid of human responsibility. Certainly the Peace Corps and the United Nations are a beginning and not the end.

If we took all the money we gave and are still giving to these dictators and started aiding the people we would have nothing to fear from the Communists. You may say that this is not "as easy as all that, to give money and other aid to the people while bypassing the leaders," well, all I can say is that these people will then turn to the Communist world for aid in overthrowing their leaders, which has been continually done in the past, leaving us with the dictators without countries to dictate.

I await your reply.

Sincerely yours,

RONALD C. CONANT.

NEW HAVEN, CONN.,
May 24, 1964.

The Honorable WAYNE MORSE,
U.S. Senator from Oregon,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: My wife and I applaud your stand on foreign issues as reflected in your discussion with reporters on "Face the Nation" today.

I sincerely hope that ways will soon be made available to implement your recommendations, especially as these take good advantage of the presence of the United Nations.

We know that it requires a great deal of courage to speak as you do.

Sincerely yours,

WALTER H. CAPPS.

POMONA COLLEGE,
DEPARTMENT OF SOCIOLOGY AND ANTHROPOLOGY,
Claremont, Calif., May 24, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: This is to convey my heartfelt thanks for your fine performance on "Face the Nation" today.

It is time that we had some forthright speaking on the mess in Vietnam, and it was both heartening and inspiring to hear you talk as you did. Everything you said was absolutely true.

With all good wishes,

Yours sincerely,

JOHN E. OWEN.

MINNEAPOLIS, MINN.,
May 31, 1964.

To Senators HUMPHREY and MORSE.

MY DEAREST FRIENDS: After a long meeting and discussion with the members of my union here, we all agree in one position in common, "we do not want any further involvement in southeast Asia."

Our members here agree with the position taken by Mr. WAYNE MORSE that we spill no more American blood over there.

Some of our members took the position (and I partially agreed) that many of our reasons for fighting on foreign soil are the same reasoning used by the Germans under Hitler.

Personally I think that some of our leaders are just stupid enough to think that the rift between Russia and China is so great that neither would come to the aid of the other if we get an immoral hot war going with China.

We as a nation have no right to allow a handful of warmongers to decide our destiny and possibly the destiny of the world. I'm sure there is a handful of leaders in the Pentagon who would prefer to burn up the earth rather than give it to the people.

Gentlemen, I am very frightened by our immoral attacks on other countries, including Cuba. I'm convinced that history will prove that "while we were denazifying Germany, we caught the disease."

Gentlemen, I beg you to face up to this plot going on in the meeting in Hawaii. Expose the warmongers. I have a lot of living I want to enjoy.

With best personal regards to both of you, I remain

Your dear friend

ELVIS E. SWAN,
International Representative, RWDSU, AFL–CIO.

[From the Washington Post, May 29, 1964]

WHERE DOLLARS PROVE HARMFUL

(By Jack Anderson)

Though it isn't mentioned in the appeals to Congress for more aid, one cause of our setbacks in southeast Asia has been the distressing fact that American aid has often corrupted and weakened the men it was supposed to build up.

The United States has poured millions into the jungle kingdoms of South Vietnam, Laos, and Thailand. This was supposed to make them bulwarks against the spreading Red tide, which threatens to engulf all Asia.

Youths were taken out of the rice paddies, put into American-made uniforms, and elevated to sudden affluence. With their U.S.-guaranteed paychecks, they were able to buy luxuries they had never known existed: wrist watches, transistor radios, fun in town.

Now there often seems to be more fun than fight in them. They dislike giving up their new living standards for the dangers and discomforts of jungle combat.

The taste of luxury has also corrupted many of their officers. They like to have orderlies serve them tea in bed in the mornings. They prefer to ride in jeeps on their patrol missions; they disdain the thought of slogging through the jungle in pursuit of guerrillas.

A few have found they can increase their comforts merely by accumulating more of those wonderful dollars. By failing to report casualties and deserters, for example, officers discovered they could pocket the missing men's pay. Others sell U.S. supplies on the black market in the happy conviction that there's more where those came from.

HOW TO GET RICH

The generals and politicians who have handled American aid have also had a dismaying habit of growing rich in their jobs. The new South Vietnamese leader, Gen. Nguyen Khanh, has found it necessary to shoot embezzlers.

Yet he has been remarkably fortunate in his own finances; indeed, he has boasted that he is worth $10 million.

In Laos, the Central Intelligence Agency's protege, Gen. Phoumi Nosavan, has been unsurpassed in his opposition to communism. But he has also partaken generously of the fruits of the capitalism he upholds.

When the United States withdrew military assistance, he found it hard to break old habits. He was appointed minister of finance in the new coalition government. Immediately, he founded a private bank which has benefited from his financial policies.

His former U.S.-paid army has fared worse. Deprived of dollars, Phoumi resorted to the printing press to produce the salaries for his soldiers. Result: An outbreak of inflation.

Now he is leading the cry for renewed military aid for Laos.

Though U.S. arms are needed to fight off the Reds, those who bear them somehow must be taught to put principles ahead of profits.

IOU NO. 25—TURN ON THE LIGHTS IN TEXAS

Mr. METCALF. Mr. President, there is competition in the electric power industry. IOU's—investor-owned utilities—in Montana and Texas vigorously compete for several titles. They are the top contenders for the "light overcharge" championship of the United States.

They vie for preeminence in use and abuse of the restricted stock option, by which company insiders dilute the equity of ordinary investors and obtain millions of dollars worth of tax-free profit from stock purchased at a small fraction of its cost to the ordinary stockholders.

They provide cash contributions and leadership for organizations which would maim, if not kill, the income tax, the United Nations, civil rights legislation, and the companies' competitors, and which view UNICEF as a sinister Communist plot.

Power companies in Texas and Montana represent the industry's leadership in yet another way. W. W. Lynch, president of Texas Power & Light, and J. E. Corette, president of Montana Power, each served recently as president of Edison Electric Institute, the trade association of the electric power companies, which constitute the largest industry in the Nation.

This giant industry spends millions of dollars each year questioning the motives of its critics, attacking its competitors—the rural electric and municipal power systems—and berating the Federal Government, which has nevertheless favored the industry with nine tax cuts since World War II. These tax reductions, in many instances, have not been passed on to the consumers who paid those taxes for and to the company.

Mr. President, I am all for President Johnson's exemplary attitude toward economy, in the matter of turning off lights. But more meaningful reduction of costs to the electrical consumer requires illumination of some of the dark recesses of power company operations. We need to turn the spotlight of publicity on these companies.

MONTANA, TEXAS RATES MOST EXORBITANT

I shall first report on the extent of overcharges by Texas IOU's. The January 3, 1963, issue of Public Utilities Fortnightly, an industry publication, carries an analysis of rate of return of electric utilities in 1960. The analysis was presented to the New York Society of Security Analysts by Frank D. Chutter, utility analyst for Massachusetts Investors Trust. It is the biggest mutual fund in the country, with more than a quarter of a billion dollars invested in electric utilities.

Mr. Chutter reported that Montana provided the highest rate of return of any of the 48 continental States—8.7 percent; Texas was next, with 7.4 percent.

Arnold H. Hirsch, a Washington, D.C., utility consultant, analyzed the rate of return for the 3-year period, 1958–60, for the major electric utility in each State. He computed the rates of return by two methods. First, he based the rate of return on Federal income taxes actually paid. Montana was again the highest in the Nation, with 9.3 percent; Texas was second, with 9.1 percent.

Then he computed rate of return based on normalization of Federal income taxes. Montana was again highest in the Nation, with 8.9 percent; Texas was again second, with 8.5 percent. Tables showing rate of return in all States appear on pages 9930–9931 of the CONGRESSIONAL RECORD for May 4, 1964.

THE $84 MILLION ANNUAL OVERCHARGE IN TEXAS

During the 5-year period 1956–60, the annual rate of return for Texas electric utilities rose as high as:

Utility	Percent	Amount
Texas Electric Service	10.1	($80,667,000)
El Paso Electric Co	9.6	(16,975,000)
Texas Power & Light	9.5	(60,594,000)
West Texas Utility Co	8.9	(20,810,000)
Community Public Service	8.5	(6,993,000)
Central Power & Light	8.3	(38,513,000)
Dallas Power & Light	8.2	(33,221,000)
Southwestern Electric Power	8.1	(27,448,000)
Gulf State Utility	7.8	(26,287,000)
Southwestern Public Service	7.6	(26,486,000)
Southwestern Electric Service	7.4	(1,133,000)

In parentheses, in the above tabulation I have placed the overcharges to consumers during the 5-year period. By overcharge, I mean profit to the company over and above a 6-percent rate of return, which is considered reasonable by most regulatory commissions and utility experts.

The average rate of return for Houston Lighting & Power, during the 5-year period, was 8.4 percent, which permitted the company to collect $80,160,000 in overcharges.

The average rate of return for Montana Power—still the light overcharge champion, although hard pressed by Texas companies—was 9.4 percent over the 5-year period, which resulted in an overcharge of $39,391,000. The total overcharge, over the 5-year period, by the 12 Texas companies, was $419,287,000; from analyses of company reports compiled by National Rural Electric Cooperative Association, based on taxes actually paid, using data and accounting procedures of the Federal Power Commission.

BIGGER GIVEAWAY THAN DIXON-YATES

Mr. President, to realize the magnitude of these overcharges, to put them in perspective, it is useful to recall that one of the reasons for congressional concern over the Dixon-Yates contract, 10 years ago, was its provision of a 9-percent rate of return for the utility combine. But in Montana, in Texas, and in some other States, the permitted rate of return is frequently or regularly, over a period of years, greater than that which was properly denied the Dixon-Yates group.

The question arises: Why does not the Texas regulatory commission do something about these overcharges? The answer is, there is not any. Texas is one of the few States without a State agency with jurisdiction over electric power rates. Some major Texas electric companies also deny that they come under the jurisdiction of the Federal Power Commission. In its 1963 report to the Securities and Exchange Commission, Texas Utilities, a holding company whose subsidiaries are Texas Electric Service, Texas Power & Light, and Dallas Power & Light, reported:

> Each (subsidiary) utility believes that it is not a public utility as defined in the Power Act and has been advised by its counsel that it is not subject to regulation by the (Federal Power) Commission under such act.

Nevertheless, Texas Power & Light blandly tells the public, through its advertisements, that it is "regulated." I may add that this denial of Federal jurisdiction is made despite the fact that Texas Utilities receives power via high voltage interconnections with the Southwestern Power Authority and Lower Colorado River Authority, which are not Texas intrastate institutions. The electric power companies of this Nation—as the maps in their national advertisements show—are well along on the way toward interconnections that extend far beyond one State's borders. The current president of Edison Electric Institute, Walter Bouldin, said this year that by 1966 "all the major operating groups in the industry will be capable of operating interconnected as a nationwide interregional grid."

But as part of the hokum that attends the electric power industry, the companies tell the regulators one thing, and the public another.

HOW THE RESTRICTED STOCK OPTION WORKS

Key officials of several Texas power companies profit handsomely—and secretly—from use of the restricted stock option. It works this way:

The board of directors grants to selected company insiders options to purchase stock. The option price is slightly below the market price at the time of the option. The market price of Texas utility stocks, as those in many other electric companies, has been skyrocketing for several years. For example, the market value of stock in Texas Utilities has increased more than eightfold since 1950, Southwestern Public Service more than fivefold. Both have had two 2-for-1 stock splits during this period.

The utility executive with options to buy stocks at a previous, much lower price, is going to encourage the inflation in the market value of the stock, so that he can reap an even greater windfall profit, at the expense of the ordinary stockholder and the ratepayer. This, Mr. President, is exactly what is happening in Texas, in Montana, and in other States.

Unlike depletion allowances, no risk whatsoever is involved in the restricted stock option. It is pure gravy. For example, brother officers of the company granted executive A an option on 5,000 shares of stock back in the fifties, when it was worth $10 per share. He exercises his option now, when the stock is worth $50 per share. Bingo, he has made a paper profit of $40 per share, or $200,000. He can convert that to hard cash, and can pay capital gains—a maximum of 25 percent, but frequently much less—on the $200,000. But if he is smart, as most utility officials are, he gives the stock away, to his wife, his sons—in one Texas case, to a "prospective daughter-in-law," to a family foundation, or to his favorite charity.

In these cases he does not pay any tax at all. Furthermore, in many cases the full, inflated market value of the stock can be deducted from his own personal income tax.

His family is happy; his favorite charity is happy; he becomes known as a great philanthropist, viewed with reverence and respect even by the ordinary stockholders and ratepayers, who are unaware that it was their money which he gave away, tax free.

A $350,000 WINDFALL FOR ONE IOU EXECUTIVE

Since 1957, the president of Texas Utilities, G. L. MacGregor, of Dallas, has received approximately $350,000 in windfall profits under the stock option gimmick. This is in addition to his annual remuneration of $92,150. His retirement benefits will amount to $42,438 annually.

W. W. Lynch, president of Texas Power & Light, a subsidiary of Texas Utilities, has received approximately $200,000 in windfall profits via the stock option during the same period. This is in addition to his annual remuneration of $71,000 and retirement benefits estimated at $33,397 annually.

C. A. Tatum, Jr., president of Dallas Power & Light, another subsidiary of Texas Utilities, has received approximately $100,000 in windfall profits.

through the use of restricted stock options, during this period. This is in addition to his annual remuneration of $70,950. His annual retirement benefits amount to $30,282.

Through the restricted stock option device, many utility executives pay less than a quarter for stock which costs ordinary stockholders a dollar. For example, on July 12, 1962, Beeman Fisher, president of Texas Electric, bought 204 shares of stock. The market price that day was $43.50 a share. He paid $9.72 a share. His annual remuneration is $70,800 a year; his annual retirement benefits, $12,123.

The IOU's mentioned above, which comprise Texas Utilities, serve 75,000 square miles in northern, eastern, and western parts of Texas, including Dallas, Fort Worth, Wichita Falls, Waco, Odessa, Midland, and Tyler. But ratepayers in the Texas and Oklahoma Panhandle and in New Mexico also help subsidize utility officials who gouge customers and ordinary stockholders, through use of the restricted stock option. This is accomplished by Southwestern Public Service, which has its headquarters in Dallas.

The chairman of the board of Southwestern Public Service—H. L. Nichols—has made a windfall profit of approximately $200,000, through use of the restricted stock option since 1957. This in addition to his $60,000 annual salary and $12,900 in annual retirement benefits.

A. R. Watson, president of the Southwestern Public Service, has received approximately $180,000 in windfall profits from exercise of restricted stock options since 1957. This is in addition to his $55,000 annual remuneration, and $23,180 in annual retirement benefits.

OPTION WINDFALLS NOT CONSIDERED IN RATE CASES

Mr. President, there are at least five principal adverse effects of utility executive use of the restricted stock option.

First. Little is known, even by regulators and utility consultants, about the profit afforded IOU insiders through the device. It follows that the income from options, in at least some if not all cases, is not considered in rate cases. Hidden income—just as a padded rate base—adds to the consumer overcharge.

Second. Issuance of this cheap stock to company insiders dilutes the equity of ordinary stockholders.

Third. It reduces the company's capital, in that a share of stock sold on the regular market would bring in two, three, four, and sometimes five or six times as much capital.

Fourth. Prospective investors—including the mutual funds and insurance companies which invest heavily in electric utilities—are unable to determine the extent to which stock in a company has been watered, or inflation encouraged, by the restricted stock option. I previously reported to the Senate—on May 13—that insiders held options on approximately 10 percent of the stock—750,000 shares—of the Montana Power Co. The insiders have already acquired close to 500,000 shares in that company.

Fifth. Availability of option stock encourages company officials to forgo rate reductions and make ever greater profit, thus increasing the market value of the stock, so the windfall profit will be ever greater when they exercise their options.

OPTIONS ENCOURAGE STOCK INFLATION

Southwestern Public Service affords an excellent example of the latter point. The Value Line Investment Survey, in its February 21, 1964, analysis of the electric utility industry, cautions investors that the present market for Southwestern Public Service "is out of line with historical norms and a correction is easily possible." The stock is now selling at approximately $37, after reaching about $40 early this year.

However, as of the end of last year, company insiders held options, due to expire September 27, 1965, on some 5,500 shares of stock, at the option price of only $12.71. They also held options, due to expire September 25, 1966, on about 10,000 additional shares, also at the option prices of only $12.71.

This means, simply, that it is in the interest of the people who run the company to keep the market value of the stock bloated, so they can make as big a killing as possible before they have to exercise their option. This is good business for the insiders. But it is unfortunate for electric consumers east, west, and north of the Pecos.

Southwestern Public Service insiders have already received 114,160 shares of stock through the option gimmick. Options have been granted to insiders on an additional 139,840 shares.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a summary of the Southwestern Public Service Co.'s restricted stock option plan.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

ITEM NO. 4.—*Common stock options granted to officers and key employees under the company's restricted stock option plan*

[Annual report of Southwestern Public Service Co., year ended Dec. 31, 1963]

	Shares granted under plan [1]	Shares exercised to Dec. 31, 1963 [1]	Price per share [2]	Options expire
H. L. Nichols, chairman of board	8,000	8,000	12.70625	Sept. 27, 1965
	2,000	1,600	12.70625	Sept. 25, 1966
	6,000	4,800	14.36875	Sept. 24, 1967
A. R. Watson, president	6,000	6,000	12.70625	Sept. 27, 1965
	2,000	1,600	12.70625	Sept. 25, 1966
	6,000	4,800	14.36875	Sept. 24, 1967
	2,000	1,200	16.50625	Sept. 23, 1968
	5,000	----------	28,2625	Sept. 24, 1972
Don D. Loden, vice president and secretary.	4,000	3,200	12.70625	Sept. 27, 1965
	2,000	1,600	12.70625	Sept. 25, 1966
	4,000	2,400	14.36875	Sept. 24, 1967
	2,000	1,200	16.50625	Sept. 23, 1968
	1,160	----------	19.5344	Sept. 21, 1969
	1,000	----------	26.3625	Sept. 26, 1970
	1,000	----------	29.45	Sept. 25, 1971
	2,500	----------	28.2625	Sept. 24, 1972
H.O. Hodson, vice president	4,000	3,200	12.70625	Sept. 27, 1965
	2,000	1,200	12.70625	Sept. 25, 1966
	4,000	2,400	14.36875	Sept. 24, 1967
	2,000	800	16.50625	Sept. 23, 1968
	1,000	400	19.5344	Sept. 21, 1969
	1,000	----------	26.3625	Sept. 26, 1970
	1,000	----------	29.45	Sept. 25, 1971
	2,500	----------	28.2625	Sept. 24, 1972
Roy Tolk, vice president	3,000	2,400	12.70625	Sept. 27, 1965
	2,000	1,600	12.70625	Sept. 25, 1966
	3,000	1,800	14.36875	Sept. 24, 1967
	2,000	1,200	16.50625	Sept. 23, 1968
	1,000	400	19.5344	Sept. 21, 1969
	1,000	----------	26.3625	Sept. 26, 1970
	1,000	----------	29.45	Sept. 25, 1971
	2,000	----------	28.2625	Sept. 24, 1972
	500	----------	34.31875	Sept. 23, 1973
W. L. Pearson, vice president	2,000	1,600	12.70625	Sept. 27, 1965
	2,000	1,200	12.70625	Sept. 25, 1966
	2,000	1,200	14,36875	Sept. 24, 1967
	2,000	800	16.50625	Sept. 23, 1968
	1,000	400	19.5344	Sept. 21, 1969
	1,000	100	26.3625	Sept. 26, 1970
	1,000	----------	29.45	Sept. 25, 1971
	2,000	----------	28.2625	Sept. 24, 1972
	500	----------	34.31875	Sept. 23, 1973
George Dupree, vice president	1,200	960	12.70625	Sept. 25, 1966
	800	480	16.50625	Sept. 23, 1968
	1,000	----------	26.3625	Sept. 26, 1970
	2,000	----------	29.45	Sept. 25, 1971
	1,200	----------	28.2625	Sept. 24, 1972
	1,000	----------	34.31875	Sept. 23, 1973
J. T. Bradley, treasurer and assistant secretary.	2,000	1,600	12.70625	Sept. 25, 1966
	1,000	600	16.50625	Sept. 23, 1968
	2,000	1,200	19.5344	Sept. 21, 1969
	1,000	----------	26.3625	Sept. 26, 1970
	1,000	----------	29.45	Sept. 25, 1971
	1,500	----------	28.2625	Sept. 24, 1972
	500	----------	34.31875	Sept. 23, 1973
A. D. Sebastian, assistant secretary and assistant treasurer.	1,000	600	14.36875	Sept. 24, 1967
	800	480	16.50625	Sept. 23, 1968
	600	----------	26.3625	Sept. 26, 1970
	600	----------	29.45	Sept. 25, 1971
	1,000	----------	28.2625	Sept. 24, 1972
	600	----------	34.31875	Sept. 23, 1973
L. S. Cotter, assistant secretary	2,000	1,600	12.70625	Sept. 25, 1966
	800	480	16.50625	Sept. 23, 1968
	800	----------	26.3625	Sept. 26, 1970
	900	----------	29.45	Sept. 25, 1971
	1,000	----------	28.2625	Sept. 24, 1972
	540	----------	34.31875	Sept. 23, 1973
Other key employees (8)	21,000	18,100	12.70625	Sept. 27, 1965
Other key employees (18)	22,440	16,780	12.70625	Sept. 25, 1966
Other key employees (8)	12,200	7,600	14.36875	Sept. 24, 1967
Other key employees (16)	11,000	5,540	16.50625	Sept. 23, 1968
Other key employees (28)	15,260	940	26.3625	Sept. 26, 1970
Other key employees (27)	16,800	----------	29.45	Sept. 25, 1971
Other key employees (28)	21,300	100	28.2625	Sept. 24, 1972
Other key employees (28)	12,000	----------	34.31875	Sept. 23, 1973
Total options granted to Dec. 31, 1963	260,000	114,160	----------	
Total shares available under plan	260,000	----------	----------	
Less shares canceled during 1961 due to retirements	6,000	----------	----------	
Maximum shares issuable under plan	254,000	----------	----------	

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[1] After adjusting for 2-for-1 common stock split effective Mar. 1, 1960.

[2] Option price per share is 95 percent of closing market price on day option was granted.

SOUTHWESTERN PUBLIC SERVICE CO. NOTES TO FINANCIAL STATEMENTS, AUGUST 31, 1963

There are in effect stock option plans under which 260,000 shares of the company's unissued common stock have been made available for option to officers and other key employees. Options are exercisable 20 percent every 2 years over a 10-year period at prices equal to 95 percent of the market price of the shares on the date the options were granted. At August 31, 1963, options to purchase 238,360 shares had been granted, and 6,000 shares had been canceled, leaving 15,640 unoptioned shares available for the plans. At the beginning of the fiscal year 55,640 shares were available for option.

At the beginning of the fiscal year options were outstanding for 105,740 shares; during the fiscal year options were granted to purchase 40,000 shares at $28.26 per share, and options were exercised to purchase 12,600 shares at prices ranging from $12.71 to $28.26 per share, leaving options for 133,140 shares outstanding at August 31, 1963.

The amount received for the shares sold to optionees totaled $193,442. The excess of this amount over the par value of the shares, $180,842, was credited to premium on common stock.

Mr. METCALF. In its prospectus of March 24, 1964, Texas Utilities provides some information on its restricted stock option plan. As of January 31, 1964, 369 persons were entitled to exercise 74,704 options. Options on about 70,000 shares have been exercised since 1961. The prospectus does not include information on exercise of options prior to 1961, although reports to the SEC indicate substantial transactions in prior years. The company declared it was going to suspend and evaluate the granting—but not the exercise—of options. Texas Utilities also reported that, except with respect to the fund by which credit is provided for purchase of stock, "no accounting is made by the companies since the plan is administered by a stock purchase plan committee and said committee and the aforesaid trustee, jointly, maintain all accounting records relating thereto."

Mr. President, I ask unanimous consent to have printed at this point in the RECORD pertinent portions of the March 24, 1964, Texas Utilities prospectus.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

The remuneration directly paid by the company and its subsidiary companies to the directors and officers of the company named hereunder, while acting as such during the year 1963, was as follows:

Name of individual or identity of group	Capacities in which remuneration was received	Aggregate direct remuneration
G. L. MacGregor	President and director of the company and director of the subsidiary operating companies.	[1] $92,150
Beeman Fisher	Director and vice president of the company and president and director of Texas Electric.	[1] [2] 70,800
W. W. Lynch	Director and vice president of the company and president and director of Texas Power.	[1] [2] 71,000
C. A. Tatum, Jr	Director and vice president of the company and president and director of Dallas Power.	[1] [2] 70,950
Directors and officers as a group (including those named above).	Directors and officers of the company and its subsidiaries	426,545

[1] The estimated annual benefits payable to Messrs. MacGregor, Fisher, Lynch, and Tatum in event of retirement at normal retirement dates and on the basis of present salary rates amount to $25,000, $9,297, $25,000, and $23,301, respectively. Reference is made to statements under "Employee Relations," concerning proposed amendments to the employee retirement plans which, if adopted, would cause the foregoing annual benefits to be $42,438, $12,123, $33,397, and $30,282, respectively.

[2] Consists principally of salary from subsidiary operating company.

As of February 14, 1964, the directors and officers of the company owned beneficially an aggregate of 67,983 shares of the common stock of the company, a portion of which was held in community with their wives, and 7 shares of preferred stock of Texas Electric. In addition thereto, approximately 171,923 shares of common stock of the company were owned by members of families of directors and officers and by individuals, corporations, estates, institutions and others with which the directors and officers were associated.

Options to purchase securities:[1] Under a stock option and purchase plan, which met the requirements for "restricted stock options" under section 421 of the Internal Revenue Code of 1954 prior to its amendment by the Revenue Act of 1964, officers and other supervisory employees of the company and its subsidiaries could purchase shares of common stock of the company having an aggregate market value at the time of granting of options of not to exceed twice the employee's annual salary. Payment is made by means of an initial payment and salary deductions over a period of years, such stock being acquired for such purpose in the market by a trustee. The price to be paid by an employee for such stock shall be the market value (defined in the plan as market price plus brokerage and taxes) at the time of the granting of an option less a discount approximately equal to interest at 4 percent per annum on the partial payments to the trustee, a maximum discount of 15 percent of the market value at date of granting being attainable after 8 years of continuous employee payments.

Options generally are exercisable fully in 8 years from date of granting but are exercisable in part beginning 4 years from date of granting and, in the event of death, retirement or permanent disability of a holder, are exercisable in part or in full after 2 years from date of granting. Option prices generally range from 95.8 percent of the market value at the date the options were granted as to those options exercised after 4 years to 85 percent thereof as to those options exercised at the end of 8 years.

Inasmuch as options issued under the plan subsequent to December 31, 1963, will no longer constitute "restricted stock options" and will not meet the new requirements of a "qualified stock option" under the Internal Revenue Code as amended by the Revenue Act of 1964, the company has given notice of the suspension of the granting of options, effective April 6, 1964, pending an evaluation of the changes or modifications (including termination) which may be made in the plan as a result of the new act.

At January 31, 1964, there were 855 options outstanding, entitling 369 holders thereof to purchase 74,704 shares having an aggregate option price at dates the options were granted (before deduction of an indeterminable amount of discount based on the period elapsed between dates options were granted and dates they were first exercised in whole, or in part) of $3,088,768, or an average of $41.35 per share. The aforesaid shares on January 31, 1964, had an aggregate value (based on closing market price on that date of $58.375 per share) of $4,360,846 and for which options became or will become exercisable, generally, as follows:

Dates options granted	Shares under option	Dates options partially to fully exercisable	Option prices per share (range) [1]
1955-56	2,854	1964-65	$17.88-$17.81
1957-58	12,288	1964-67	21.30- 21.07
1959-60	13,944	1964-69	35.25- 32.59
1961-62	34,432	1965-70	45.43- 40.31
1963-64	11,186	1967-72	52.28- 46.39

[1] Average.

Included in the above tabulation for the account of the officers (some of whom were also directors) of the company (including officers who were also officers of the subsidiaries) are the following options pertaining to stock having an aggregate value of $246,926 [2]:

	Shares under option	Dates options granted	Dates options partially to fully exercisable	Option prices per share (range)
G. L. MacGregor	482	1957	1964-65	$18.99-$17.70
Beeman Fisher	400	1961	1965-69	48.63- 43.15
W. W. Lynch	36	1955	1964	17.11
	396	1957	1964-66	22.71
	1,056	1961-62	1965-70	[1] 45.83- 40.66
	1,078	1963	1967-71	[1] 52.09- 46.21
C. A. Tatum, Jr	600	1957	1964-66	19.22
All officers as a group (including those named above)	116	1955	1964	[1] 17.44
	1,378	1957	1964-66	[1] 20.10- 19.65
	1,058	1961	1965-69	[1] 48.53- 43.06
	500	1962	1966-70	42.58- 37.78
	1,178	1963	1967-71	[1] 52.34- 46.44

[1] Average.

Reference is made to "Options to purchase securities" under the heading "Management" for description of employee stock option and purchase plan (all statements concerning which are in terms of the common stock of the company outstanding after giving effect to the 2-for-1 stock splits in 1955 and 1962).

Pursuant to said plan, options were outstanding at December 31, 1963, entitling holders thereof to purchase 75,632 shares of common stock of the company. These shares had aggregate market values (market prices at dates options were granted plus brokerage and taxes) and option prices (before deduction for ultimate discount based on the period elapsed between dates options were granted and dates they were first exercised, in whole or in part) of $3,078,418 with per share values ranging from $59.22 to $17.36, with ultimate option prices not being determinable at dates options were granted. However, option prices generally range from 95.8 percent of the market value at the date granted to 85 percent, depending upon the life of the option at the date of first exercise. At December 31, 1963, and based on the status of the individual options as of that date, option prices of the aforesaid 75,632 shares ranged from $56.73 to $16.63 and aggregated a maximum of $2,946,499 and a minimum of $2,668,375. Such options became or will become exercisable generally in the year or years shown hereunder:

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[1] All references herein to stock options are in terms of the common stock of the company outstanding after giving effect to the 2-for-1 stock splits in 1955 and 1962.

[2] Based on the closing market price on Jan. 31, 1964, of $58⅜ per share.

Dates options granted	Shares under option	Dates options partially to fully exercisable
1955–56	3, 158	1964–65
1957–58	13, 396	1964–67
1959–60	14, 374	1964–68
1961–62	34, 532	1965–70
1963	10, 172	1967–71

Options becoming exercisable and options exercised during the 3 years ended December 31, 1963, were as follows:

	Number of shares	Option price	
		Per share (range)	Total
Options becoming exercisable:			
1961	33, 016	$30. 56–$8. 63	$529, 000
1962	26, 788	37. 67– 9. 09	443, 000
1963	16, 698	50. 03–11. 01	400, 000
Options exercised:			
1961	31, 286	30. 56– 8. 63	496, 000
1962	23, 510	37. 67– 9. 09	384, 000
1963	15, 448	50. 03–11. 01	363, 000

	Number of shares	Market price	
		Per share (range)	Total
Options becoming exercisable:			
1961	33, 016	$57. 38–$40. 50	$1, 686, 000
1962	26, 788	54. 50– 39. 88	1, 220, 000
1963	16, 698	58. 75– 51. 00	899, 000
Options exercised:			
1961	31, 286	57. 38– 40. 50	1, 599, 000
1962	23, 510	54. 50– 39. 88	1, 051, 000
1963	15, 448	58. 75– 51. 00	828, 000

To provide credit resources by means of which the trustee under the plan purchased stock in the market without recourse to the company or its subsidiaries, a net amount of $1,693,491, deposited by the subsidiaries, was held at December 31, 1963, in a fund by the trustee. Except with respect to such fund, no accounting is made by the companies since the plan is administered by a stock purchase plan committee and said committee and the aforesaid trustee, jointly, maintain all accounting records relating thereto, including those concerning the issuance and exercise of options which, under the plan, are granted by the trustee. Further amounts may be deposited with the trustee in connection with any additional options, and in the course of the operations of the trustee under the plan, funds so deposited may be lost in whole or in part or may be refunded to the companies in whole or in part. The operation of the plan has not necessitated any charge to income to date.

Mr. METCALF. Mr. President, before I am accused of frightening investors from one particular company or State let me add that the inflation of electric company stock is not peculiar to Texas and Montana. It is a characteristic of the industry, according to independent utility consultants.

One of them, David A. Kosh, wrote last fall in Public Utilities Fortnightly, an industry publication that "the cost of capital has been declining during the past few years," and "utilities are earning substantially in excess of the cost of capital required by the market."

Continued Mr. Kosh:

> When 75 percent of all electric utilities are selling at two times book value the market is signaling that earnings are high and possibly too high. Excessive earnings, which lead to stock prices out of all reasonable relationship to rate base values, pose a real threat to the continuation of private ownership of our public utilities.

FEW QUESTIONS ASKED, FEWER ANSWERED

Much pertinent information concerning options is not available. The questions asked utilities, concerning stock options, have been insufficient. The replies provided, by some utility officials, are grossly inadequate. Were an ordinary ratepayer to disregard his light bill, the way some IOU executives disregard reports on the restricted stock option, his lights would have been cut off long ago.

For example, in 1956 the Securities and Exchange Commission asked officers and directors of companies which report to SEC to advise the Commission—beginning in 1957—of stock which they acquired by exercise of options, and to report the exercise price per share. Companies were given timely notice. Yet, late in 1959 an officer of Southwestern Public Service told SEC he had not been "aware of the requirement for filing the report." The reports on exercise of options, filed by the president of Southwestern Public Service, in his form 4 report to the Securities and Exchange Commission, do not conform with the company's proxy solicitation material, sent out prior to annual meetings. Likewise the form 4 reports filed by the chairman of the board of Southwestern Public Service do not conform with the proxy solicitation material. They presumably neglected to report that certain of their stock acquisition was acquired through exercise of options.

I am sure the omission was not willful. They are busy men, and have not had an opportunity in recent years to review the delinquency of their reports, as the president of Texas Power & Light, W. W. Lynch, finally did, whereupon he wrote SEC, on May 6, 1964, as follows:

> In addition to the error on the October report (which SEC had called to his attention) it also develops that form 4 reports were not made in 1963 on a gift by me of 100 shares in June, the exercise by me of options on 40 shares in July, and 136 shares in December and a further gift by me of 67 shares in January 1964.

Tardy, erroneous reports by these leaders of the Nation's largest industry simply add to the workload of the small Securities and Exchange Commission staff, and reduce the amount of time available for providing investors, regulators, and Congress with what scant information can be collected on the basis of existing, insufficient reports.

In the early 1950's the staff in the SEC section of ownership reports totaled 14. It was slashed in half, to seven. It has now been supplemented by two persons, for a total of nine. Yet because of the expansion in business organizations the staff has twice as many ownership reports to review as it had when the staff was almost twice as large. Similarly, the staff of the Federal Power Commission was drastically reduced during the 1950's and has not been sufficiently revived.

SOUTHERN STATES INDUSTRIAL COUNCIL

Mr. President, if the captains of the Nation's largest industry tended to their own business instead of peeking under beds, ordinary stockholders and ratepayers would both benefit. But if one scratches almost any of the noisy outfits which saturate the airwaves and newspapers with fear and hate, he frequently uncovers a whole nestful of IOU executives.

One of their favorites is the Southern States Industrial Council. This organization—as most of the others which attract IOU leaders, sends a column to hundreds of daily and weekly newspapers. SSIC—according to its 1963 and 1964 policy statements and its regular letters to those of us who serve in Congress—is against the United Nations, the progressive income tax, the civil rights bill, public housing—which is particularly popular in Southern States—the Youth Conservation Corps, truth in lending, and a substantial number of other programs which have won rather broad and bipartisan support since enunciation of the Monroe Doctrine, which the council reasserts and firmly supports and in which era the council still lives.

But the Southern States Industrial Council reserves its harshest words for UNICEF, the United Nations International Children's Emergency Fund. "UNICEF is in fact a powerful propaganda agency for the worldwide Communist conspiracy," according to the council's 1963 summary of its policies.

Mr. President, I ask unanimous consent to insert at this point in my remarks the declaration of policy on UNICEF which was adopted by the board of directors of the Southern States Industrial Council at its annual meeting, the Homestead, Hot Springs, Va., May 20–22, 1963.

There being no objection, the article was ordered to be printed in the RECORD as follows:

UNICEF

> Another U.N. special agency about which the American people know all too little is UNICEF—the United Nations International Children's Fund. Created in 1946 as an adjunct of UNRRA, it has always been and is now completely Communist dominated.
>
> Ostensibly working for the relief of needy children in the underdeveloped lands. UNICEF is in fact a powerful propaganda agency for the worldwide Communist conspiracy.
>
> The council calls upon its members and the general public thoroughly to familiarize themselves with the anti-American objectives and operating methods of these organizations to the end that they may combat them more effectively.

Mr. METCALF. Mr. President, it is easy to see how the gullible are misled when statements such as that appear in publications adorned by the names of key officers of the Nation's largest industry. Presidents of the United States have helped UNICEF. The churches of America support it magnificently. The one man who has probably done most for UNICEF in all the world is the inimitable Danny Kaye. What the Southern States Industrial Council says about UNICEF is no less despicable than the statement of Robert Welch, founder of the John Birch Society, that President Eisenhower was "consciously serving the Communist conspiracy for all of his adult life."

The directors of Southern States Industrial Council include A. R. Watson, president of Southwestern Public Service, the gentleman I referred to earlier who was so busy raking in windfall profits from the restricted stock option that he still has not properly reported his insider transactions during the 1950's. Other directors of Southern States Industrial Council are William M. Shepherd, vice president of Arkansas Power & Light, William H. Skinner, vice president of Kentucky Utilities, and Louis V. Sutton, president of Carolina Power & Light.

R. Baxter Wilson, president of Mississippi Power & Light is a vice president of Southern States Industrial Council. So is D. S. Kennedy, president of Oklahoma Gas & Electric, and P. A. Feringa, assistant to the board chairman of New Orleans Public Service.

The Southern States Industrial Council draws financial support from IOU's from the Far West as well as within the Deep South. For example, for years the council has received an annual $250 contribution from the Idaho Power Co.

MANION FORUM

W. P. Bomar and J. L. Latimer, serve together not only as directors of Texas Utilities but also on the committee of endorsers of the Manion Forum. Clarence Manion founded his forum after former President Eisenhower fired him for advocating sale of the Tennessee Valley Authority. Manion—a member of the national council of the John Birch Society—fights the income tax, public power, Federal aid to education, and the union shop by the usual newsletters, pamphlets, and tracts, and over some 250 stations which carry his weekly program.

One of Mr. Manion's radio programs and newsletters in April consisted of his interview with the head of the IOU trade association, headlined as follows:

> Invest-Owned Power Companies Prime Target of Socialist Planners, by Edwin Vennard, managing director, Edison Electric Institute.

Mr. President, I ask unanimous consent to insert in the RECORD the text of the Manion-Vennard interview at this point.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

[From Manion Forum, Apr. 26, 1964]

INVESTOR-OWNED POWER COMPANIES PRIME TARGET OF SOCIALIST PLANNERS

(By Edwin Vennard, managing director, Edison Electric Institute)

Dean MANION. The privately owned, taxpaying electric power business is the bull's eye on the big target of private property and private enterprise that Karl Marx said must be destroyed by the forces of socialism and communism.

Many years ago, the Tennessee Valley Authority was set up as pattern for the socialization—public ownership, so-called—of the electric power business in this country. Since that time an ever-growing segment of the electric generating facilities in the United States has gone into public ownership.

In the wake of this drive into the socialization of electric power, billions of dollars worth of other privately operated business enterprises have been swept into the Federal domain. As a result, the shrinking segment of privately owned property finds itself groaning under an intolerable burden of ever-increasing taxes assessed against it in order to support its tax-free, publicly owned competitors.

With me here today is one of the country's top authorities on the subject of electric power. Mr. Edwin Vennard is the managing director of the Edison Electric Institute, the trade association of the Nation's investor-owned electric light and power companies. He is the author of informative books on the American economic system in general and on the electric power business in particular.

People who wish to fight against the advance of socialism must know more about the present plight of those who are on the Socialist gunner's "bull's eye," namely, investor-owned electric power companies. I am convinced that we have the country's best authority here to tell us about it. Mr. Vennard, welcome to the Manion Forum.

Mr. VENNARD. Thank you, Dean Manion. It is an honor to speak on the Manion Forum.

I should like to spend the next few minutes talking with you about the electric power industry, and how it is related to the central issue facing the world today: that is, whether man will depend upon government for his welfare, or whether he will depend upon himself.

The choice is that simple, and people have been faced with it for centuries. Adam Smith and Karl Marx both recognized it, and chose different paths. The founders of this Nation recognized it, and made their choice.

Down through the ages every society and every nation has had to face this decision. In most cases, people have chosen the philosophy of "government-take-care-of-me." The names of the governments formed to carry out this philosophy have differed, but they all had this in common: in order to provide for the people, governments had to control the people. The people became subservient to government. They were not free.

In a few instances, groups of people have decided to organize themselves so that they will not need to be dependent upon government. They have preferred to depend on themselves. Because they were not dependent upon government, they did not become subservient to it. They were free from government and its force.

For many years, America has been the leading example of this kind of free society.

Philosophically, there seems to be no middle ground between the two kinds of society. Either a person is free, or he is not. But history tells us that societies do not remain constant. They swing from one form to another.

Looking at Russia today we can see the pendulum beginning to move from complete government control of the economy toward a degree of freedom. At the same time, looking at our own Nation objectively, many thoughtful people conclude that we are moving toward a Government-planned economy.

The electric power industry is an important part of this problem of gravitation toward Government control. Students of history will recall that people who advocate government planning always call for government ownership or control of key industries. The electric power industry is frequently the first step.

Why is this so?

I suppose the reason is that electricity has become the lifeblood of modern society. It has made possible the mechanization of industry, commerce, agriculture, and the home. It has multiplied productivity, helped raise standards of living, and led to technological advances in many fields. It is one of the important building-blocks of economic progress.

Naturally, the advocates of Government control of the economy see electric power as essential to their plans.

PRIVATE POWER COMPANIES CAN ADEQUATELY SUPPLY ALL NEED

We in America can be proud of our electric power system. It is the greatest and most advanced on earth. We have more electric power capacity than the next five-ranking countries in the world combined—and 2½ times the capacity of the Soviet Union.

In searching for greater efficiency of operation and ways to provide better service and lower costs, power companies have installed larger and larger generating units and learned how to transmit power at higher and higher voltages.

These developments, combined with increased use of electricity and good Government regulation, have kept the cost per kilowatt-hour of electricity down. In fact, while the cost of living has about tripled since World War I, the cost of electricity to the residential customer is less than two-thirds of what it was then.

Today, the investor-owned electric utility industry is the largest of all American industries, and represents about 12 percent of all capital invested in business in this country. About 80 percent of the Nation's electric power customers are served by these investor-owned companies, operating under Government regulation. The remaining 20 percent are served by Government-owned and Government-financed agencies of various kinds.

We have tried to analyze why some people in this country believe Government should be in the power business. In doing so, we found that most advocates of Government power are not Socialists. They are good, loyal people—with some serious misunderstandings of a few important facts.

For example, when we ask why people advocate Government power, one answer we get most frequently is: "Providing power is such a big job, only Government can handle it. The free market just can't take it."

But the investor-owned companies spent $3.3 billion in 1963 to provide new facilities for 80 percent of the Nation's electric customers, and there is nothing to indicate that all power facilities could not be financed in the free market.

America has an ample supply of electric power, and our power-producing capacity has always kept ahead of demand. The investor-owned power companies stand ready, willing, and able to meet all the future power needs of the Nation.

Another answer we get from people who advocate Government power is this: "Government needs money to carry on worthwhile projects like flood control and navigation. Producing electric power brings income to help cover the cost of these activities."

That sounds logical, but it just is not so. Government could gain greater income if it sold its falling water to taxpaying, investor-owned companies. By doing this, Government would make an immediate saving of the large investment needed to build power-producing facilities.

Moreover, the taxes it could collect from the investor-owned company licensed to provide the power facilities, and the payments the company would make for the use of the falling water, would provide more income than could be gained by selling power directly. Thus, Government—and the American taxpayer—would gain three ways.

We sometimes hear that Government power serves as a yardstick to measure the operations of investor-owned companies. But the fact is that the whole difference in price between a Government power agency and investor-owned power can be traced to subsidies in taxes and in the cost of money.

Let me illustrate this, based on analyses of Government power operations we have made. In one study we analyzed 23 large generating and transmission cooperatives financed by the Rural Electrification Administration. These cooperatives borrow money from the REA at 2 percent interest and are excused from paying Federal income taxes, and some other taxes as well. We found that if these cooperatives were required to pay the true cost of money and to pay taxes on the same basis as investor-owned companies, they would have to raise their rates about 40 percent in order to break even.

RATES OF PUBLIC-OWNED FACILITIES ARE FALSE YARDSTICK

We analyzed the Bonneville Power Administration, a large Government power agency in the northwestern part of the country, and found that if it paid the market cost of money and taxes equivalent to those of investor-owned companies its rates would need to be raised 221 percent to cover its costs.

We studied the Tennessee Valley Authority, the largest Government-owned and financed power system in the country. TVA is often praised by advocates of Government power for its efficiency. But we found that if TVA and its distributors were required to pay the market cost of money, and had to pay taxes equivalent to those paid by investor-owned companies, rates would need to be raised 56 percent. When so raised, TVA's rates are no lower than the rates of taxpaying, investor-owned companies operating under similar conditions.

In short, there is nothing about Government that makes men who work there more efficient than men who work in business.

More important, we must remember that the cost of capital for providing electric power facilities is ultimately the same, whether the facilities are provided through the free market or by Government. With equality of taxes, there is nothing that makes Government power cheaper than power produced by investor-owned companies. It is simply a device for selling energy below cost to 20 percent of the American people at the expense of the other 80 percent.

Government power does not pay its way. At a time when the Federal budget is forecasting a deficit of $5 billion, the American people should understand that Government saves money when power is financed in the market and that Government gains income when it can tax power facilities financed in the free market.

Government power operations should be brought under the jurisdiction of independent regulatory bodies for the establishment of rates that will earn a fair return based on the market price of money and proper tax payments. Of course, where there are multiple functions at a Government project, only the power operations should come under regulation. When this is done, it should be possible to refinance the power projects in the free market and bring an end to discrimination among power supply systems and their customers.

This is the approach a free society should take, and it can be done any time the American people decide to do it.

Dean Manion. Thank you, Mr. Edwin Vennard, for this informative directive in the fight to save our private enterprise system.

Taxes of investor-owned electric utility companies, 1936–61

[In millions of dollars]

Year	Electric operating revenue	Total taxes	Federal taxes	State and local taxes
1961	10, 257	2, 441	1, 379	1, 062
1960	9, 697	2, 322	1, 332	990
1959	9, 144	2, 192	1, 271	921
1958	8, 478	1, 980	1, 149	831
1957	8, 054	1, 858	1, 108	750
1956	7, 521	1, 766	1, 081	685
1955	6, 934	1, 641	1, 015	626
1954	6, 317	1, 442	875	567
1953	5, 940	1, 339	824	515
1952	5, 426	1, 224	753	471
1951	5, 005	1, 150	719	431
1946	3, 127	644	378	266
1936	1, 911	281	(1)	(1)

[1] Not available.

Note.—These tax figures apply only to investor-owned companies, serving 79 percent of the country's consumers. Governmental power projects pay no Federal income taxes and in many cases no State or local taxes.

Mr. METCALF. Mr. President, in the tract which I have just inserted in the Record Mr. Vennard would have us believe that the electric companies were digging all that tax money. However, in his book, "The Electric Power Business," written in a more candid moment in 1962, Mr. Vennard said:

> It is the customer who pays these taxes. The company in effect merely acts as tax collector for the Government.

Vennard's charge about the Socialist planners against the IOU's is similar to the charge made 15 years ago by the late John T. Flynn in his book, "The Road Ahead," which was condensed by Reader's Digest and mailed out by the bushel by the Foundation for Economic Education and America's Future, both liberally financed by electric power companies. By using this Red scare tactic, then and now, the industry has kept public and congressional attention diverted from its exorbitant profits and its leaders' secret rakeoffs.

Mr. President, Texas IOU officials, just as their counterparts in many other States, serve on a variety of organizations with aims similar to those of the Southern States Industrial Council and Manion Forum. Director Clifford B. Jones, of Southwestern Public Service, appears as a director of For America. Director H. Frederick Hagemann, Jr., of Southwestern Public Service, serves as a trustee of the Foundation for Economic Education, publisher of the Freeman magazine and long a favorite charity of many IOU's. President W. W. Lynch of Texas Power & Light, Director Robert H. Stewart III, of Dallas Power & Light, and Director J. E. Jonsson, of Dallas Power & Light, serve on the advisory board of Dallas Freedom Forum, which sponsors rightwing speeches in that city. President Lynch of Texas Power & Light helped set up the original Freedom Forum, directed by Dr. Fred Schwarz, president of Christian Anti-Communism Crusade, by providing the forum with office space in the Fidelity Union Tower Building. Possibly Mr. Lynch's reports on his use of the restricted stock option, so long delayed, got mixed up with Dr. Schwarz' mail.

Texas Power & Light is one of the IOU's which shows the film, "Communism on the Map," produced at one of the Nation's largest manufacturers of Bircher visual aids, Harding College, Searcy, Ark. Many IOU's contribute regularly to Harding College—Houston Lighting & Power, for example, has sent it $1,000 annually since 1955. The Harding College line—in its visual aids and weekly free column to thousands of newspapers, written by Dr. George Benson, the college president, follows the usual pattern which attracts power company donations. The rich should be taxed less, and the poor more and—Benson wrote in a recent column:

> Any American who loves freedom and is willing to work, work, work to protect it can find intelligent direction and companionship in a John Birch Society group.

All three affiliates of Texas Utilities—Dallas Power & Light, Texas Electric Service, and Texas Power & Light—contributed $200 each during the 1961–62 year to the Intercollegiate Society of Individualists. This society was founded by Frank Chodorov, author of the book, "The Income Tax—Root of All Evil." His writings reveal a similar distaste for public education.

It is impossible to determine the extent to which the money of Texas electric consumers is diverted, by utility officials, into organizations such as those I have mentioned briefly. This is because key Texas utilities—as well as some in other States—disregard the reasonable, if insufficient, reporting requirements of the Federal Power Commission.

Instead of reporting to whom they donate, the companies simply report in the following manner, as taken from the companies' form 1 reports to the Federal Power Commission:

Company	1963	1962	1961
Dallas Power & Light: Account 930, "Donations"	$351, 743. 53	$270, 515. 59	$230, 839. 56
Texas Power & Light:			
Account 426, "Donations"	78, 907. 79	138, 747. 13	73, 861. 56
Account 930, "Other expenses"	474, 126. 00	432, 008. 00	292, 978. 00
Texas Electric Service:			
Account 426, "Donations"	248, 528. 09	183, 031. 19	94, 023. 52
Account 930, "General business and civic activities"	203, 172. 67	248, 356. 17	194, 455. 83
Southwestern Public Service:			
Account 426, "Donations"	15, 102. 95	36, 787. 09	41, 410. 15
Account 930, "Miscellaneous donations"	73, 959. 67	64, 883. 93	51, 102. 67

Items entered in account No. 930 are generally considered as a cost of business, chargeable to the consumer. Items entered in account No. 426 are generally not allowed as a business expense. But this might not hold true in Texas, where some utilities consider themselves beyond the pale of regulation by Federal authority, and there is no State authority.

The absurd, advertised statement of Texas Power & Light that it is a "regulated" company—reiterated by T.P. & L.

President Lynch when he was president of Edison Electric Institute—was completely answered by one of the company's former engineers, Lewis B. Walker. In a letter last year to the Austin American, Walker wrote:

> First, it is absolutely false that there is any regulation of any character of these Texas companies, at the national level. Rates charged in Texas are not subject to review by the Federal Power Commission or by any other agency of the Federal Government.
>
> Second, there is no State utility commission in Texas to regulate rates charged by the electric utilities.

Second, there is no State utility commission in Texas to regulate rates charge by the electric utilities.

Third—

Said Walker—

> there is an archaic State law which gives to municipalities the right to regulate all public utility rates charged to consumers within their corporate limits. (But) no city can feasibly attempt to regulate rates charged by a privately owned electric utility in Texas, and none has tried it for a long time. When they did try it some years ago, they were unsuccessful in making a case that would stand up in court.

"FAT CATS" WOULD CUT OFF MILK FOR THE HUNGRY

Mr. President, there is something wrong with an industry which provides its leaders with substantial, secret windfalls over and above the increasing profits which result from lax regulation, insufficient competition, technology, and a monopoly on a necessity for which demand is unparalleled.

There is something wrong with the largest industry in this country when its key officials—with salaries three times those of the Cabinet officers—plus access to restricted stock options—flock to the leadership of organizations which put the Red smear on humanitarian organizations and, in fact, virtually everyone but themselves.

Consider, for example, the relationship between the IOU's and the Southern States Industrial Council. Three high utility officials serve as vice presidents of the council. Four high utility officials serve as directors of the council. Four of the seven companies represented utilities which utilize the stock option gimmick. Utility executives give their names, time, and money to this organization which helps lead the hate campaign against UNICEF, accusing the country's Presidents, churches, Sunday school children, and entertainers of cooperating with "a powerful propaganda agency for the worldwide Communist conspiracy."

Millions of children the world over have received milk and other supplemental food from UNICEF. In its first 15 years more than 148 million children and young adults were vaccinated against tuberculosis in programs aided by UNICEF. More than 17 million mothers and children were cured of yaws, a disease of tropical sores. Almost 10 million victims of trachoma and acute conjunctivitis were saved from possible blindness. About 700,000 persons were treated for leprosy, 30 million protected from malaria.

UNICEF and its volunteer workers in this country and abroad have a proud record in relieving human misery. But the fat cats of the IOU's materially aid in the insidious campaign to cut off the milk, the vaccines, the nurses and doctors.

Perhaps some of the church leaders who wonder where the opposition to UNICEF comes from could use as their text the headlines and axioms which appear in some of the Texas power companies' institutional advertisements: "Human life—Gift of God or pawn of man?" "Are honor and integrity 'out of date'?" "Work for equal opportunity and justice for all men."

THE CLOUDS OF WAR

Mr. SMATHERS. Mr. President, in the Miami Herald of Sunday, May 31, appears an article by John S. Knight, publisher of one of our Nation's most outstanding newspapers.

Mr. Knight, in this provocative column, deals with the somber and perilous situation in southeast Asia. Published over the Memorial Day weekend—a time when we pay tribute to our war dead who gave their lives to preserve our Republic—Mr. Knight's remarks give added meaning and insight into the predicament we now find ourselves in 8,000 miles from our shores.

This article is deserving of the most thoughtful consideration of all Americans and I, therefore, ask that unanimous consent be given for its insertion in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AND NOW, A WAR FOR THE MUDDLEHEADS?—THE CLOUDS OF WAR

Even as we pay tribute to the memories of those who gave their lives on many battlefields to preserve this Republic, our Nation is once again perilously poised upon the brink of war.

In the past, our sons have fought to keep the Union intact, to save the world for democracy to repulse power-drunk Hitler.

The war in prospect will inspire few patriotic slogans and cause no bands to play. The conflict turns upon no precious principle nor code of ideals.

If it comes, our participation must be credited to muddleheaded diplomacy which has involved this country in the pursuit of unlimited and unattainable objectives.

"Within a matter of days," writes Edwin A. Lahey, chief of the Knight newspapers Washington Bureau, "President Johnson will be forced into a decision to send U.S. troops across South Vietnam into Laos, in a belated effort to preserve or restore a neutralist government set up by international agreement 2 years ago."

If Lahey is right, this could mean direct confrontation with Communist China and its countless millions. "Uncle Sam will be standing there," says Lahey, "with a chip on his shoulder."

In such an event, the question of whether our allies in the Southeast Asia Treaty Organization will be standing with us is left to your imagination.

HOW IT ALL BEGAN

Our involvement in southeast Asia began in 1946 when France reasserted her claim over her former colonies in Indochina.

The Vietminh, who had organized the peasants in fighting the Japanese, were at the same time seeking independence from the French.

Fruitless negotiations finally led to war and the United States sided with France, our long-time ally. Through 1953, our aid to France in Indochina averaged $500 million annually. In 1954, it was $885 million.

Despite this assistance from the United States, the French lost the war in 1954 to the Vietminh guerrillas who by that time were being supported by the Chinese Communists.

With the signing in the same year of a cease-fire accord at Geneva, the Communists took control of Northern Vietnam. The 39 provinces south of the 17th parallel comprise what is now South Vietnam.

Laos and Cambodia, once under French control, are independent states. In Laos, continuing pressures from the Communists led to its neutralization two years ago under a government headed by Prime Minister Souvanna Phouma.

It is this area's neutrality which is now being violated by the Communist forces.

It is in this politically unstable area where the United States is now considering unilateral military action in a major display of force to show the Communists we mean business.

If President Johnson makes the fateful decision to occupy Laos, we risk another Korean-type war with the Chinese Communists.

NO BACKING DOWN

According to Columnist William S. White, who once wrote: "I have intimately known Lyndon Johnson as I have never known any other public or private man," the President has committed the United States, with full awareness of all possible implications to do whatever may be necessary to help the southeast Asians resist Communist assault as long as they continue to ask our help.

Mr. White goes on to say that the President "did not undertake this pledge lightly. He will never withdraw it, election or no election, just as he will not withdraw the 15,000 American troops who now stand just back of the fighting line in South Vietnam. Of all this, those who have seen him of late have no doubt."

In stating that it is the Asian Communists who have repeatedly broken their promises for peace in both South Vietnam and Laos, Columnist White says they are totally wrong in believing that American administrations will never go all the way in an election year.

Mr. White explains that this assumption "wholly misreads the President's character, one facet of which is the conviction that the worst sin of any leader is to fail to lead in crisis."

He adds that the prospect of an American election this fall "will not in the smallest way deter this Government from doing whatever it may be necessary to do out there."

These are strong words. But William S. White, as one of Lyndon Johnson's closest friends, certainly must know what he is talking about.

The United States is headed for military intervention in Laos unless the Communists back down.

AND NO "FRIENDS"

The appalling fact of this crisis is that neither SEATO nor the United Nations is making any contributions to its resolution.

SEATO was formed in 1954 as a collective defense pact under the aegis of the late Secretary of State John Foster Dulles. Its members are the United States, Britain, France, Australia, New Zealand, the Philippines, Pakistan and Thailand. Yet the United States has carried the entire burden of helping South Vietnam hold off the Communists.

And when Ambassador Adlai E. Stevenson called upon the United Nations for a "border control force" to patrol the frontier between

South Vietnam and Cambodia, he was spurned by U.N. Secretary General U Thant.

In attempting to explain his position at a recent press conference, U Thant said the United Nations was like a growing child which could accept a 10-pound burden but not one of 200 pounds.

Mr. Stevenson replied that he confessed to some bewilderment. "A situation threatening peace and security is brought to the U.N. with an urgent plea for help," said Stevenson, "and then it is argued that the solution lies outside the United Nations."

So it appears that if President Johnson intends to do "whatever may be necessary to save southeast Asia," the United States will stand alone, unaided by friends or allies.

THE TRAGIC QUESTION

Our late President once told me that we were overcommitted in southeast Asia and he could envisage no easy solution.

This was John F. Kennedy's quiet way of saying—without blaming his predecessor—that he had inherited a frightfully difficult problem which was causing him deep distress.

The fact is, however, that the United States need not have been drawn into the southeast Asia power struggle. But when John Foster Dulles was the architect of our foreign policy, it was the popular though mistaken view that the United States was somewhat responsible for "defeating communism everywhere."

The late Mr. Dulles sought to shore up the free world with a series of collective defense pacts.

But our allies—particularly the French and the British—chickened out in South Vietnam and have actually aided the Communist cause in Cuba.

As we look with reverence upon the graves of our hero dead and contemplate their sacrifices, what an appalling thought it is that more of our youth may soon be joining them in eternal rest.

And—one may ask—why and for what?

JOHN S. KNIGHT.

THE 46TH ANNIVERSARY OF THE INDEPENDENCE OF ARMENIA

Mr. KENNEDY. Mr. President, May 28 marked the 46th anniversary of the independence of Armenia. It was with great hope and elation that, after five centuries of foreign rule, the independent Republic of Armenia was declared and an ancient Christian nation was reborn.

Although this long-awaited and richly deserved freedom was cut tragically short, the Armenian people courageously hail their 2 brief years of independence in this century and carry on in their hearts the will to be free again. It is in great tribute to these brave people and to their patriotic ancestors that we observe Armenian Independence Day here.

When the Armenian people won their independence, they wanted only to live in peace with their neighbors. They envisioned a nation of integrity, with respect for individual rights flourishing under democratic institutions. These expectations were as right in 1918 as they are today.

So, it is with great respect that we send our words of courage and hope to our Armenian friends. We assure our fellow Americans of Armenian descent, who are concerned about the fate of their ancestral home, that we shall never relax in our efforts to secure freedom for every man who strives toward this goal. As long as the desire for freedom and independence burns in the hearts of the Armenian people, it shall burn in the hearts of every American.

THE NEW HAVEN RAILROAD AND MERGER PLANS

Mr. RIBICOFF. Mr. President, the commuters using the New Haven Railroad received a rude rebuff yesterday from the New York Central and the Pennsylvania Railroads. These two giant companies, seeking ICC permission to merge into a still larger combine, gave the ICC three proposals for leaving the New Haven out of their proposed merger plans. Under each of the proposed merger plans, the New Haven is left out in the cold, and so are the New Haven's commuters.

If there is to be any merger at all, it is vital that the New Haven passenger service be included. The New York Central and the Pennsylvania show a callous disregard of the public interest by ignoring this basic fact. Naturally, the sole concern of these two major carriers is to seek inclusion only of profitable routes, regardless of the needs of passengers. Fortunately, the ICC applies a higher standard—that of making sure the public interest is served.

Any merger that failed to include the New Haven's passenger service would clearly not be in the public interest. I believe the ICC recognizes this; but should its decision on the merger application ignore this fact, I will initiate whatever legislative action may be necessary to block such a result.

The New York Central and the Pennsylvania must not be allowed to consolidate their position in the New York metropolitan area without making provision for the needs of one of the largest groups of rail users in that area. The alternatives which the major carriers suggested yesterday are thoroughly unrealistic. They seek the benefits of merger, without the responsibility of service to commuters. They must not be permitted "to have it both ways."

DAY-CARE SERVICES FOR CHILDREN OF WORKING MOTHERS

Mr. RIBICOFF. Mr. President, on May 19, I inserted in the CONGRESSIONAL RECORD a radio script about the urgent need for day-care services for the 5 million young children of working mothers—almost half a million of whom are left to drift on their own, each day. This was one of the programs, entitled "Dimension of a Woman's World," by the noted radio and television commentator, Betty Furness.

Miss Furness has now followed up this program with another on the services for these children—and what they should be. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the script was ordered to be printed in the RECORD, as follows:

DIMENSION OF A WOMAN'S WORLD

Day care for young children can be one of the most important services a community can offer. It can hold families together when a mother is ill—or troubled, or most often, has to work. (And today, millions of mothers with young children, do have to work.) Good day-care services can provide help for children with problems, emotional or physical. It can bring out into the world, young children who because they are blind or handicapped might otherwise be absolutely housebound.

Many communities have been reluctant to supply day-care services on the grounds that they are somehow a sweet but unnecessary charity—kind of like an organized babysitting club. But this is a very unrealistic point of view.

We talked to people at the National Committee for the Day Care of Children and they point out that year after year we spend money trying to rehabilitate children, who through neglect have gotten into trouble.

In corny, old-fashioned language, they've simply had bad starts in life.

Why, these experts demand, do we have to wait for a family to collapse before we move in to help them? How can we allow almost half a million children to wander around in neglect—for whatever reason?

That day-care service is desperately needed all over the country, is indisputable; that it comes in many forms, however, is often not known.

Most people are familiar with centers for preschool children, and we'll get back to these in a minute. But there are other kinds of day-care services. For instance, housekeepers are provided when parents are sick and simply can't take care of their children. Or sometimes when a mother has died and a father is left on his own with little children to cope with.

In these cases, a really good, trained person, can often hold a family together until the children grow older or the parents are able to take over for themselves.

Sometimes a family can afford to help pay for these services—sometimes they can't. But even if an agency has to assume the full cost of a housekeeper's salary for several years, it is still far cheaper than breaking up the family and sending the children to institutions or foster homes.

Cheaper in terms of money, and certainly cheaper in terms of people's lives.

A similar service is provided by some agencies for children under three. These babies are simply too young to join a day-care group. They do not do well thrown in with a lot of other children, so instead they are often cared for in private homes on a daily basis. Their mothers bring them in the morning, pick them up at night, and are with them over the weekend.

The day-care centers take care of the 3- to 6-year-olds.

And researching this subject we discovered that many people resist the idea of providing these facilities because they are against women with young children going out to work. This is also unrealistic; because whether it is ideal or not, many of these people have no choice. They work because they have to. And this is where the communities' help is necessary.

How do you build a day-care center? Well, in most towns the first step is convincing people that there is a need. And the National Committee for the Day Care of Children has all kinds of material designed to help you do just that. They'll provide you with sheafs of facts and figures, and the reasons why.

They also sent us a book of standards drawn up by the Child Welfare League describing precisely what good day-care service should include. It goes into everything: Food, staff, even lists necessary toys and play equipment.

It is only some 8 pages long, but it is a remarkable handbook that copes with the mechanics and philosophy of this business.

"Day-care service," it says, "is designed to protect children by providing part-time care and guidance, when their families are unable to meet their needs without some assistance from the community."

Then it goes on to say, "and to make it possible for children to have healthy and constructive experiences during the time they require such care."

It seems to me this is a very small investment, when you consider that in 15 or 20 years these children will be part of the new generation.

FOREIGN POLICY—TRADE WITH RUSSIA, CUBA, RUMANIA, AND HUNGARY

Mr. DOMINICK. Mr. President, I wish to discuss a subject which I believe to be of extreme importance both to the Senate, as a body, and to the entire country.

Last November, shortly after the tragic death of President Kennedy, we in the Senate had before us, for debate and vote, Senate bill 2310, initiated by the Senator from South Dakota [Mr. MUNDT] and which I had the privilege of cosponsoring. That bill was to prohibit any guarantee by the Export-Import Bank or any other agency of our Government of payment of obligations of Communist countries.

All Senators who were present on that occasion will recall the discussion on the floor and the agreement to have short hearings held before the Banking and Currency Committee, with a definite date set, by which the bill would be reported to the Senate. Not all Senators had a chance to attend the hearings; and because of the short time interval, practically no one had a chance to review the hearings record.

Shortly after the bill was reported to the Senate as the result of a divided vote in the committee, debate ensued; and with strong administration pressures, a motion to table Senator MUNDT's bill was agreed to by an extremely close vote.

Mr. President, the motion to table was agreed to more as a memorial to the objections of the late President Kennedy to Senator MUNDT's bill and as a reaffirmation of faith in President Johnson, rather than as a carefully considered and logical policy. The obvious dangers, I believe, were glossed over or were wholly ignored; but the results of those policies are now coming home to roost.

Let me give an example: Ever since our Government broke diplomatic relations with Cuba, our country has been engaged in a national effort to impose on Cuba an economic quarantine; and our Government has also been doing its best to persuade our allies and other countries to refrain from trade with Cuba, so that Cuba's Communist government might be more readily deposed by the Cuban people. The need for this has been stated on this floor again and again and again. I have made more than five speeches in which I outlined for the Senate the continuing dangers to this hemisphere originating from this Communist base; and only 10 days ago I pointed out, here on the floor of the Senate, that information publicly available states that the Cubans are in possession of underwater missiles with a 1,200-nautical-mile range—missiles designated as the Golan II. These missiles, if in existence, have a range sufficient to enable their use to decimate the entire eastern half of the United States; and they are not subject to inspection or discovery by aerial surveillance, for they operate from the floor of the ocean, and are movable by submarines or trawlers. We all know from news media of the operations of the Russian trawler fleet off Florida and the forays of the Russian submarines off of our coast. Keeping in mind our national policy of cutting off trade with Cuba—and we have added to that the thought that we should try to prevent Cuba from exporting subversion, which obviously we have not succeeded in doing—what happened when we rejected the bill introduced by the Senator from South Dakota [Mr. MUNDT] and agreed to sell wheat to Russia on a credit basis, supported by the credit of the Export-Import Bank, the capital of which is derived from the U.S. taxpayers?

The very first thing that happened was the diversion from Halifax of a ship loaded with Canadian wheat initially bound for the Soviet Union. Instead, it was sent to Cuba. This, in turn, was followed almost immediately by British agreements to sell buses to Cuba, thus increasing Cuban transportation capabilities; French agreements to sell trucks, bulldozers, and locomotives, thus increasing not only transportation facilities but general industrial strength; and Spain's agreement to sell fishing vessels to a host of other countries, including Portugal and Italy, negotiating to supply Communist Cuba with the necessary facets of a modern economy.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article from the Christian Science Monitor dated January 30, 1964, detailing some of the negotiations then going on between other countries and Cuba. Keep in mind that this was only some 60 days after we had originally denied the validity of the bill introduced by the Senator from South Dakota [Mr. MUNDT] and had embarked on the policy of trading with Russia.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CUBA ELUDES BOYCOTT

(Trade between Cuba and the non-Communist world is continuing—and in some cases even increasing—despite U.S. efforts to prevent it. This is the principal finding of correspondents of the Christian Science Monitor in various countries asked to report on trade between Cuba and their areas. As the following dispatches indicate, most countries observe the American ban on strategic exports to Cuba, but few discourage nonstrategic trade.)

BRITAIN

(By John Beaufort)

Britain's position on Cuban trade is that the United Kingdom maintains the same peaceful diplomatic and commercial relations with the Castro regime as with previous Cuban Governments.

Britain has, however, voluntarily applied to Cuba the North Atlantic Treaty Organization Cocom list. (This list enumerates strategic goods and materials which NATO countries agree not to export to the Communist bloc.)

These restrictions apart, Whitehall sees no military, political, economic, or ideological reason for curbing normal trade with Cuba. London does not feel compelled to modify its commercial policies to meet Washington's apprehension that any trade strengthens Premier Fidel Castro's ability (a) to remain in power and (b) to export Castroism to Latin America.

The British rather take the line expressed by Prime Minister Sir Alec Douglas-Home in his recent U.S. television interview that people become "less Communist when they are more comfortable." The Labor opposition agrees with the Conservative government on this line.

FRANCE

(By Harry B. Ellis)

Three facts dominate the French Government's attitude toward trade with Cuba:

1. France never has sold to Premier Castro's Cuba on credit, only for cash.
2. The Cuban Government recently opened in Paris a permanent trade mission and wants to buy French trucks, bulldozers, and other heavy equipment. Reportedly the Cubans are seeking $10 million worth of French credits to finance such deals.
3. Businessmen in the hard-hit, heavy-equipment sector of the French economy would like to boost their exports—and so would the French Government.

From this melange emerges the following: France, busy cultivating trade opportunities throughout the Communist world, has no moral objection to nonstrategic trade with Cuba. Deals will be consummated if Paris becomes convinced Cuba is a sound credit risk.

This is apart from sales for cash, which will continue. In the first 6 months of 1963 France sold Cuba $2,340,000 worth of goods and bought $1,500,000 worth in return.

CANADA

(By Bruce Hutchison)

Apart from strategic goods Canada will sell anything to Cuba but it is not selling much. Last year's sales amounted to about $4 million, the smallest figure in modern times.

All exports to Cuba are controlled by strict regulations that apply only to it and other Communist countries.

The government's first "control list" includes all forms of military armaments and their components. None of these things may be shipped to Cuba.

A second list specifies goods produced in the United States and shipped to Canada. None of them may be exported to Cuba.

These regulations implement Canada's view that trade with Communist countries is generally desirable provided it does not contribute to their strategic strength.

NORTH AFRICA

(By John K. Cooley)

Ideology yields to necessity in North Africa where about 27 million people use sugar coming largely from Cuba as a basic food and where governments are striving to escape from economic dependence on the former colonial power, France.

Morocco, Algeria, and Tunisia are all buying more raw Cuban sugar and selling to Cuba about half its value in phosphates, cement, pipe, canned sardines, grains, and cork products.

Of the North African countries only Socialist Algeria, which has the closest and friendliest relations with Havana, evokes ideology in what President Ben Bella has called "an economic policy conforming to our Socialist choice."

Anti-Communist Morocco has agreed to purchase 1 millions tons of raw Cuban sugar by the end of 1965. The prices Cuba offered Morocco have been as much as 30 percent below those ruling on the world market.

During the recent brief diplomatic rupture with Cuba, Moroccan officials expressed apprehension because no other major world sugar source is presently available to this country.

Cuba is second only to France as a customer for North African canned fish which is increasingly hard to sell in competitive European markets.

WEST GERMANY

(By Ernest S. Pisko)

Bonn's policy toward Fidel Castro's Cuba largely parallels that of the United States.

The West German Federal Republic has no diplomatic relations with Cuba; nor has it a trade treaty with it.

There is no ban on private trade with Communist countries—except for strategic goods—but according to available evidence, the total of West German exports to and imports from Cuba appears to be very small.

According to a voluntary agreement between the Bonn Government and the West German shipping lines, West German vessels will keep out of Cuban waters. The chartering of West German ships to sail under Cuban flags has been prohibited.

ITALY

(By Walter Lucas)

The Italian Government has adopted no special policy regarding Italians trading with Cuba. In practice, mutual trade between Italy and Cuba is carried on freely on ordinary commercial lines.

Permission for an export license from the government is only necessary on exports involving long-term credits in which normal banking finance is backed up by government insurance. In such cases an application for an export license would be approved on its merits.

The decision is generally made on commercial, not political grounds. Since, however, the financial position in Cuba does not favor long-term credit operation, few licenses are given.

In any case Italo-Cuban trade is small. In 1962 it amounted to only $1.7 million both ways. This increased to $36 million both ways in the first 9 months of 1963. Almost the whole of this great increase was due to large purchases of sugar after the failure of the Italian sugar beet crop.

A certain number of Italian ships on long-term charter contracts with the Soviet Union and Poland make regular trips to Cuba. Over these the Italian Government has no control.

BELGIUM

(By H. G. Franks)

The Belgian Government has officially announced it is opposed to any economic boycott of Cuba, will support full commercial freedom except for strategic goods, and still favors maximum possible trade relations with Cuba.

Belgium's annual imports from Cuba have fallen from 264 million Belgian francs ($5,280,000) before the U.S. action to only 23 million now, while exports have more than halved to under 200 million. But the Foreign Minister told the Belgian Parliament a short time ago that this decline was definitely not resulting from political pressure on firms by the government, as such pressure would be contrary to public freedom of action.

NETHERLANDS

(By H. G. Franks)

The United States has not approached Holland directly to join in the economic stranglehold on Cuba, except to give the general warning that ships engaging in Cuban trade risk being blacklisted.

Nevertheless, the comparatively small Dutch trade has been affected by the Cuban struggle. Imports, mainly tobacco, have dropped by two-thirds to 13 million guilders ($4,691,000), although exports, mainly margarine and fats, have remained the same at 29 million guilders. But the Dutch Government treats Cuban trade only as an academic problem not sufficiently important to justify any official pronouncement.

SPAIN

(By Richard Mowrer)

Spain's attitude toward trading with Cuba is that Premier Castro's regime is communistic and therefore reprehensible. But the real source of the Communist threat to the free world is Moscow, not Havana. Thus it is evading the issue to seek to impose an economic blockade on Cuba alone.

A stepping up of trade between Cuba and Spain is expected in the coming months. Negotiations toward an agreement on the exchange of Cuban sugar for Spanish fishing vessels is far advanced. Under the proposed arrangement, Spain would receive between 300,000 and 350,000 tons of Cuban sugar over the next 3 years and in exchange build $50 million worth of fishing vessels—perhaps as many as 100—for the Castro regime.

El Español, a weekly published by the Ministry of Information in Madrid, says, "To be effective a blockade must be complete, but the blockade of Cuba decreed by Washington is not complete because the Communist countries are left out of it, and it is they who help Castro the most."

It is also contended that the United States itself failed to set a blockade example by giving Premier Castro $65 million worth of medicines and food to ransom the Bay of Pigs prisoners and by hiring Cuban labor for the Guantanamo base, whose wages are converted into dollars for Cuba at the rate of $5 million annually. The feeling here is that neither Spanish trade nor the 40,000 Spanish nationals living in Cuba should be penalized for the Bay of Pigs fiasco and the failure of the Cuba policy of the United States.

Mr. DOMINICK. During the hearings before the Senate Committee on Banking and Currency there was a brief opportunity to hear from Prof. G. Warren Nutter, chairman of the James Wilson Department of Economics at the University of Virginia, and a recognized expert on the Soviet economy. In his statement Dr. Nutter made some very important points, which unfortunately were overlooked by many Senators in the emotional catharsis surrounding the bill when we took it up for debate. Because I believe it is so important, I should like to outline for the Senate as a whole and for the country some of the statements which Dr. Nutter made at the hearing. They appear on page 68 of the hearing record. He said:

> As I understand it, the basic issue before this committee has to do with the advisability of making the credit insurance program of the Export-Import Bank available for underwriting private loans advanced to Communist countries to finance their purchases of products in this country. To place this issue in a concrete setting, it seems reasonable to begin by examining the matter of our recent wheat sales to Communist countries and how such an underwriting of credit risk would affect them. As I understand it, the bill under consideration arose out of circumstances surrounding these transactions. I think it will be clear that the main line of argument would apply to any commodity other than wheat that might play a similar role in the future.

Dr. Nutter then continued on page 69 of the hearing record:

> The troubles being encountered by the Soviet leaders are of their own making, and they should find their own solutions. It is idle to believe that any assistance we offer will be rewarded with gratitude. Kindness on our part will be taken merely as a sign of weakness, the action of a degenerate adversary contributing to his own destruction.
>
> The form our response should take is clear. If we decide that a one-shot sale of wheat to the Soviet Union would bring us any important lasting benefit—which, incidentally, is not evident to me—then we should drive the hardest bargain possible in making the sale, preferably exacting political concessions.

Dr. Nutter then said:

> In dealing with such a system—

And he was talking about the Soviet system—

> we only harm ourselves in not charging the highest price possible. If we decide to sell wheat to the Russians, let us sell it on our own terms, on an all-or-none basis. They are then free to take it or leave it, as other countries normally are in dealing with the Russians.

Dr. Nutter continued:

> So much for the situation if it is simply a temporary emergency. Suppose, on the other hand, that Soviet imports of wheat are likely to be a regular event in the future.
>
> * * * * *
>
> We have no solid ground for believing that the nature and objectives of Soviet communism have changed in any significant degree in recent times. Only the problems facing that system have changed, and with them the tactics followed.
>
> One might well wonder whether this central fact has not been forgotten by the administration.

Continuing on page 70, in the same context, Dr. Nutter said:

> It is true that the public has been informed of two benefits to this country from this sale of grain.

And I think these are extremely important points, Mr. President:

> First, our surplus stocks of grain, accumulated as a result of the policy of subsidizing agricultural production through price supports would be reduced. Second, the deficit in our current international balance of payments would be reduced.

These are the two points that we give as arguments in favor of the sale of the wheat; these are Dr. Nutter's comments on those points:

> It is important to point out that these benefits would accrue to us whether our grain is sold by us directly to Communist countries or indirectly through other countries. That is to say, there is no substance to the argument that we should sell directly to the Communist countries because, if we don't they will simply buy the same commodities from some dealer, say, a German firm, who has bought them from us. If we sell the goods indirectly, so the argument goes, we merely let some other country, say, Germany, make a profit in acting as intermediary. Hence, the argument concludes, we should be willing to make some concessions to the Communist countries in order to make a direct sale.

The entire argument is, of course, fallacious.

Professor Nutter continued:

> Only if the sales are made on credit does the American balance of payments have no improvement for as long as the credit is outstanding.
>
> The moral is simple: If we decide to make wheat available directly or indirectly to Communist countries, we should sell it at the highest cash price we can get, regardless of who the immediate buyer is. Our best

> chance of driving a hard bargain is to deal directly with the Communist countries on an all-or-none basis, provided we can control the volume of indirect sales. In any event, there is no sense whatsoever in setting favorable terms just in order to make a direct sale.
>
> Granting special concessions to the Communist countries would indeed be sadly ironic.

I believe this is an extremely important point:

> We have given foreign aid to various countries in order to inhibit the spread of communism. This foreign aid has helped to bring about a deficit in our current international balance of payments. We would then propose to correct that deficit by giving aid to Communist countries.

I believe that is as clear an exposition of the fallacy of that argument as we have had. Dr. Nutter continues:

> We should also recognize that any financing of wheat sales by extension of credit in dollars, no matter who extends the credit, has no effect in easing our deficit in the current international balance of payments for as long as the credit is extended. This is another reason for doing nothing to encourage credit financing of sales to Communist countries.

He adds:

> Of course, everything I have said this morning would apply in greater or lesser degree to trade in any other commodities with Communist countries.

It seems to me that that is such a plain statement of fact that it must have been overlooked by many Senators in the process of trying to determine what position they would take in relation to the bill (S. 2310) introduced by the distinguished Senator. If we are to give credit, and we do not wish to help our position in respect to our deficit in the international balance of trade, it seems to me that is perfectly obvious. But there are other things which I think are equally important.

In order to make sure that no one thinks that I have quoted the good professor out of context, I believe it would be helpful to have the statement in the RECORD. Therefore, I ask, unanimous consent to have printed at this point in the RECORD the statement made by the professor, which is contained on pages 67 to 72 of the hearings before the Committee on Banking and Currency.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF G. WARREN NUTTER, CHAIRMAN, JAMES WILSON DEPARTMENT OF ECONOMICS, UNIVERSITY OF VIRGINIA

Dr. NUTTER. Thank you very much.

Mr. Chairman and members of the committee, it is an honor to appear before this committee to offer my opinions on the important matters now being deliberated. So that the committee will not be misled, let me make it clear that my claim to competence in discussing the issues before you is a limited one. I am not an expert on international trade and finance. And, although I have spent a number of years doing research on the Soviet economy, this work has been done in an academic environment, which means that I normally consider myself fortunate if I have managed to catch up with happenings of 5 years ago. I have tried in recent months to become better acquainted with the current economic situation in Communist countries, but I would not claim expert knowledge. What I have to say this morning derives, therefore, more from my broad views on the trend of events over the last decade than from detailed knowledge of present conditions.

As I understand it, the basic issue before this committee has to do with the advisability of making the credit insurance program of the Export-Import Bank available for underwriting private loans advanced to Communist countries to finance their purchases of products in this country. To place this issue in a concrete setting, it seems reasonable to begin by examining the matter of our recent wheat sales to Communist countries and how such an underwriting of credit risk would affect them. As I understand it, the bill under consideration arose out of circumstances surrounding these transactions. I think it will be clear that the main line of argument would apply to any commodity other than wheat that might play a similar role in the future.

The Soviet Union, as we all know, has historically been an exporter of wheat, not an importer. This has been the case despite the generally poor record of growth in agriculture, because Soviet authorities have preferred other products over food. Over the 4 years, 1958–61, Soviet exports of wheat amounted to more than a tenth of the harvested crop, but annual exports declined from about 7 million metric tons in 1958 and 6 million metric tons in 1959 to 4.8 million metric tons in 1961. Although I do not have the figures at hand, I should imagine that exports were even lower in 1962. Even exports of this level have hung precariously on successful production in substantial volume from the virgin lands in south-central Asia, plowed up and put to seed over the last decade.

This year there was a serious crop failure of a magnitude yet to be accurately determined, but apparently primarily in the virgin lands region. As a result, the Soviet Union has already agreed to purchase about 6.5 million metric tons from Canada and is negotiating with firms in this country for perhaps 4 million metric tons. European satellites are apparently negotiating for an additional 2.5 million metric tons. How much of this sum is destined for internal consumption in the Soviet Union and how much for fulfillment of export obligations, including those to its European satellites, is still in doubt. But the fact remains that the Soviet purchases alone amount to around a fifth of the Soviet crop of the last few years, and this suggests that the crop failure was quite substantial.

As we deliberate over how we should act in the situation that has developed, the first question we should face is whether Soviet imports of wheat are likely to be only temporary or whether they are likely to become a normal occurrence over the indefinite future.

If the situation is temporary—if the crop failure this year has been caused by extraordinary events not likely to recur—then we should view the wheat shortage as just another factor causing severe economic difficulties at the moment in the Soviet Union. These difficulties have resulted from the concurrence of several developments: a normal slowing down in the economic growth rate, the inefficiency of the organizational system in dealing with an increasingly complex economy, and the heavy burden of the military-space program.

If this is the situation, how should we respond to it? The troubles being encountered by the Soviet leaders are of their own making, and they should find their own solutions. It is idle to believe that any assistance we offer will be rewarded with gratitude. Kindness on our part will be taken merely as a sign of weakness, the action of a degenerate adversary contributing to his own destruction.

The form our response should take is clear. If we decide that a one-shot sale of wheat to the Soviet Union would bring us any important lasting benefit—which, incidentally, is not evident to me—then we should drive the hardest bargain possible in making the sale, preferably exacting political concessions. We should lay here the utter hyprocrisy in the indignant protests of Khrushchev against "discriminatory pricing." It is in the very nature of the Soviet system to exploit each trading partner as much as possible. Uniform, nondiscriminatory prices play no role in Soviet trade except for the relatively small purchases from the United States and a few other countries. The great bulk of trade is conducted on a bilateral, discriminatory basis. In dealing with such a system, we only harm ourselves in not charging the highest price possible. If we decide to sell wheat to the Russians, let us sell it on our own terms, on an all-or-none basis. They are then free to take it or leave it, as other countries normally are in dealing with the Russians.

So much for the situation if it is simply a temporary emergency. Suppose, on the other hand, that Soviet imports of wheat are likely to be a regular event in the future. This is by no means out of the question, for there is a real possibility that the virgin lands have been turned into an unproductive dust bowl for some time to come. How, then, should our attitude differ? In this case we might well be more lenient in the terms of sale that we exacted at the moment, only on the condition, however, that a definite commitment were made for continuing purchases over a reasonably long period of time. Before reaching a decision on what to do in this case, we should need to reexamine our entire trading policy toward the Soviet bloc, and let our decision on the sale of wheat derive from that general decision.

In neither case should we rush into agreements, and our actions should be guided solely by cold considerations of what is in our best interest. We have no solid ground for believing that the nature and objectives of Soviet communism have changed in any significant degree in recent times. Only the problems facing that system have changed, and with them the tactics followed.

One might well wonder whether this central fact has not been forgotten by the administration. The administration has rushed into an agreement on the sale of wheat. It has seemingly leaned over backward to make sure the terms were not too harsh. It has responded to every objection raised by the Soviet leaders against proposed terms by denying that we were imposing conditions in any way different from those imposed on others. It has essentially put on kid gloves to make sure that it treated Soviet negotiators with special tenderness, for fear that the sale otherwise might not go through. In brief, an outsider would be justified in concluding that, for some reason unknown to him, the primary beneficiary of this transaction is supposed to be the United States.

I speak, of course, as an outsider, unaware of the host of factors being weighed by the administration in negotiating this commercial transaction with Communist countries. Perhaps there are impelling reasons why the administration is anxious to conclude an agreement with the Soviet Union and its satellites on terms less favorable than could be achieved through tougher and more protracted bargaining. But those reasons remain unexplained and therefore beyond the realm of discussion.

It is true that the public has been informed of two benefits to this country from this sale of grain. First, our surplus stocks of grain, accumulated as a result of the policy of subsidizing agricultural production through price supports would be reduced. Second, the deficit in our current international balance of payments would be reduced.

It is important to point out that these benefits would accrue to us whether our grain is sold by us directly to Communist countries or indirectly through other countries. That is to say, there is no substance to the argument that we should sell directly to the Communist countries, because, if we don't, they will simply buy the same commodities from some dealer, say, a German firm, who has bought them from us. If we sell the goods indirectly, so the argument goes, we merely let some other country, say, Germany, make a profit in acting as intermediary. Hence, the argument concludes, we should be willing to make some concessions to the Communist countries in order to make a direct sale.

The entire argument is, of course, fallacious. The only matters of importance are whether we sell the wheat in the first place, and how much we get for it in the second place. It does not matter who buys the wheat so far as the central issue here is concerned, as long as no additional goods are imported into this country or no credit is extended by our citizens in connection with the sale.

If we can sell to a German firm at an acceptable price, it would be folly to sell directly to the Communist country of ultimate destination at a reduced price just to make a direct sale. On this score, it also makes no difference whether the payment is in gold or convertible currency. The effect on sales of surplus stocks and on the balance of payments is identical in both cases. Only if the sales are made on credit does the American balance of payments have no improvement for as long as the credit is outstanding.

The moral is simple: If we decide to make wheat available directly or indirectly to Communist countries, we should sell it at the highest cash price we can get, regardless of who the immediate buyer is. Our best chance of driving a hard bargain is to deal directly with the Communist countries on an all-or-none basis, provided we can control the volume of indirect sales. In any event, there is no sense whatsoever in setting favorable terms just in order to make a direct sale.

Granting special concessions to the Communist countries would indeed be sadly ironic. We have given foreign aid to various countries in order to inhibit the spread of communism. This foreign aid has helped to bring about a deficit in our current international balance of payments. We would then propose to correct that deficit by giving aid to Communist countries.

This brings me to the question before the committee this morning. The primary effect of governmental underwriting, through the Export-Import Bank, of credit risks incurred by private lenders to Communist countries is to reduce the cost of credit to those countries. There is no reason for us to reduce the cost of credit to Communist countries unless we wish, as a general and longrun policy, to encourage expansion of our trade with them. If we are to embark on this course, we should do so only after careful consideration of its full consequences. As far as I can see, nobody in authority has argued that the present negotiations of wheat sales is the first step in a general program of trade expansion with Communist countries.

The question of underwriting aside, we should also recognize that any financing of wheat sales by extension of credit in dollars, no matter who extends the credit, has no effect in easing our deficit in the current international balance of payments for as long as the credit is extended. This is another reason for doing nothing to encourage credit financing of sales to Communist countries.

Of course, everything I have said this morning would apply in greater or lesser degree to trade in any other commodities with Communist countries.

The issue of governmental underwriting of credit risks involving Communist countries is likely to arise from time to time in the future as transactions involving other commodities come under consideration. In the absence of a broad decision by Congress to encourage expansion of trade with Communist countries, it would therefore seem prudent to enact into law the bill now before this committee.

I thank you for the courtesy of your attention.

The Chairman. Dr. Nutter, you have given us an interesting statement. I want to ask one question.

When I was a boy I used to hear about black bread in czarist Russia; that was rye bread, wasn't it?

Dr. Nutter. Yes, sir.

The Chairman. And you can produce twice or three times as many bushels of rye out of the same ground as you can wheat, and rye is cheaper. They ate cheap bread and exported the wheat.

Let's check the figures. I understand we have in the Commodity Credit Corporation 1,200 million bushels of wheat. And the Russians say they would like to buy 140 million bushels. If so, they want to buy about 12 percent of our surplus. Are those figures in accordance with yours?

Dr. Nutter. I believe so, expressed in terms of tons.

The Chairman. They were given to me as substantially correct. It is your contention then, that if they should be suffering from a shortage due to drought, on a one-shot sale we will get rid of only 12 percent of our surplus, which won't solve that problem, and we will have violated our previous trade policy, and as Cicero might say, cui bono. Is that your position?

Dr. Nutter. That is essentially my position, any change we make in the conditions of sale at this point involves a decision on our longrun trade policy.

The Chairman. So your contention is, if it is going to be a one-shot sale, how about taking the troops out of Cuba as a condition, how about tearing down the wall in Berlin, how about easing up on competition in military respects? You think we are not negotiating hard enough if this is going to be a one-shot deal?

Dr. Nutter. That is my opinion, sir.

The Chairman. Any questions?

(No response.)

The Chairman. Thank you very much.

Now, I am going to ask the distinguished Senator from New York if he won't present and perhaps endorse the next witness from his home State.

Senator Javits. If the witness will come forward, Mr. Chairman, I will be happy to present him, though not endorse his statement. I don't think my position coincides with the witness.

The Chairman. I was just throwing that out as a possibility. Dr. Gerald Steibel. He is foreign policy director of the American Research Institute. I know you want to commend the research.

Senator Javits. That is a very distinguished organization in New York headed by Leo Cherne and Carl Hubbard.

The Chairman. All right, you may proceed.

Senator Javits. I know them both very well, Mr. Chairman, and I am very glad to introduce the witness to the committee.

Mr. Steibel. This is a challenge, Senator, to see whether I can convert you.

Mr. DOMINICK. Mr. President, every time we have protested to our friends and allies about trading with Cuba, we have been answered with the irrefutable logic, "Why should we cut off trade with a satellite of Russia—Cuba—when you are trading directly with Russia?"

As a side issue, I suggest that to trade with Russia has enabled it to shift its concentration from its own internal economic problems and has freed it even more to arm and supply its own satellites.

In December 1963, I received a report from Cuba which reads, as follows—and I think this may be of interest to the entire Senate:

> Elias Rivero Bello, a communications chief for Cuba's state-controlled merchant traffic, Lineas Mambises, states that Red Chinese commercial trade with Cuba is on the rise with Russian shipping diverted to military cargoes. Although Red China has only two ships in direct trade with Cuba, its products are reaching Havana in ships of British registry manned by crews from Hong Kong. The two Red Chinese ships are *Shien Foon* and *Ho Fun*. The British-chartered ships most often plying the China-Cuba route are identified by Rivero Bello as the *Macao, East Breeze, West Breeze,* and the *Suva Breeze.* Rivero Bello was in charge of the teleprinters which handled clearance messages for all ship traffic to and from Cuba. He fled Cuba the end of November of this year (1963).

It seems obvious to me, from reading these reports, and from the overall results we have had up to date in connection with trade with Cuba immediately after our wheat sales to Russia, that we have created a far more dangerous condition than previously existed by virtue of the fallacy in our foreign policy with respect to trade with Communist Cuba.

In that same article is a brief statement which reads:

> There is the suspicion that the Russians are again introducing strategic weapons into Cuba.

Again I point out that he was the one who was in charge of taking all messages for shipping in and out of Cuba—

> The "special cargoes," states Rivero Bello, "are unloaded in the greatest secrecy, and not even the Cuban Communists are permitted near them. All are unloaded, transported, and stored by Soviet personnel."

This is one more indicator, it seems to me, of the point I just made, with respect to the fact that there are reliable reports that there are 1,200-mile missiles now in Cuba which could decimate the entire eastern coast of this country.

Going further, in the April 13, 1964, issue of U.S. News & World Report there appears the viewpoint of Prof. G. Warren Nutter, who is the James Wilson professor of economics at the University of Virginia, and a recognized authority in connection with the Soviet economy. He was discussing, publicly and in the magazine, the Soviet economy and the advisability of our trading with her, much less guaranteeing credit for such sales. There are a couple of items in the article which I wish to emphasize.

The question asked was: Should we help the Soviets try to adjust?

His answer to the question was:

> It is a difficult problem. It's not easy to know exactly what we ought to do. I think it's a little easier to know what we ought not to do.
>
> I don't think we should help them out of their current economic difficulties without, at the same time, getting some change in either the political climate or their internal sys-

> tem. That much, I think, we ought to do. We have to take advantage of these periods of weakness if we're going to get any changes started.
>
> Question. Under those terms, was the wheat deal a mistake?
>
> Answer. The way in which it was done was a mistake. We should have bargained. I think that their internal problems are really quite serious, very serious. Their problems in relations with the East European satellites are serious and becoming more and more aggravated all the time. In addition, they've got the problem of China and the whole splitting of the Communist bloc.

Once again he says, in answer to the same question:

> Are you saying that as long as we bail them out nothing will happen?

The questioner is talking about bailing out the problems of the Soviet economy.

> Answer. That's right. If we bail them out, they will use the time at their disposal to retrench, to build up their power and to somehow manage the difficulties that they're involved in. They'll find some way.
>
> Question. If the Russians can drum up support from capitalism to make socialism work, do you think they're going to change socialism?
>
> Answer. They won't. That's quite unlikely. That would be their own business and nobody else's if it weren't for the aggressiveness, belligerence, and expansionism that go along with Russian communism.

The next few points are very important in the general context:

> I'm afraid that our foreign policy is sheer romanticism, without any real logic involved in it. Our Government shies away from anything which carries any immediate risk at all, no matter how small, and then rationalizes whatever course is left, even though the ultimate risk is much greater. In cold reality, this leads to nothing more than a policy of appeasement, and I mean this in the literal sense associated with Neville Chamberlain. We know from dreadful experience what appeasement leads to.
>
> The course being followed now is to be nice and to be friendly, because it seems least risky at the immediate moment. This is rationalized on the ground that fat Communists are less dangerous than skinny ones.
>
> This may be true, if one is looking at a very long sweep of history. Over a thousand years or so, perhaps people will become more liberal solely because they become more affluent.
>
> But if one's talking about what happens in the immediate context of a system such as Russia's, then exactly the reverse occurs: As soon as they become fat—or, rather, fatter—they get more belligerent and aggressive.
>
> What is the history of events in Russia? As soon as Khrushchev thought he was fat enough, he sent up a sputnik. He went all out on rocketry and introduced a massive armament program. That was his response—not relaxation.
>
> When did the relaxation come? It came when they got thinner. My feeling is that, at the moment, our best allies are the thin fellows, not the fat ones. Those are the ones we have the most to gain from.
>
> Question. Who are they?
>
> Answer. They're all the people in these Iron Curtain countries who have gotten thinner in the last few years.
>
> Who are they mad at? They're not mad at us. Who are they dissatisfied with? They're not dissatisfied with us. They're dissatisfied with their system, and they're mad at their governments.
>
> It seems to me this is the kind of situation we want to try to utilize the best we can. I think we ought to put it up to them to work out their own way to get fatter while leaving the outside world alone.
>
> There's a perfectly good solution to their problems, a perfectly simple solution—and that's to change the system.

It seems to me, as I have said, that this is a clear recognition of the problems that our policy is leading us into, not only the longrun troubles we are going to have with a Communist economy, but perhaps even some shorter term ones.

There have been reliable indications that a process has been developed by a Russian—I do not know how to pronounce the name of it, but it is spelled L-e-b-e-d-j-i-w—under which the Soviet Union can produce a ton of industrial ethyl alcohol from 8 tons of wheat. Under a 7-year plan, the Soviets plan to produce 800,000 tons of this alcohol from foodstuffs. This would require 6.4 million tons of cereal grains, which is more than accounted for in their deal with Canada alone, not counting the amount of wheat they entered into a contract to purchase from this country.

It certainly does not make any sense to me when this kind of a process is presently in existence in Russia for the United States to sell surplus wheat on credit—which is not going to help our international balance of payments—which will permit them to make ethyl alcohol, which in turn can be used for the production of armaments and explosives of all kinds. This is one of the immediate dangers, it seems to me, that can come from the program.

What are the things that have been happening in this trade field and the problems that have arisen from it? Let me talk about one that has recently come to light. The April 27, 1964, issue of the Washington Evening Star contained an article by Marguerite Higgins which reported an oil strike in Manchuria of a substantial nature.

This is a Red Chinese oil strike. Until this time, the Chinese had been almost completely and wholly dependent upon Russia for oil, for transportation, for heating, and for any other uses that they could find for it. I think this is important. The article reads as follows:

> The U.S. intelligence community is convinced it has discovered an important reason why Peiping has picked the last year and a half to let loose with increasing ferocity against the Russians: A Red Chinese oil strike in Manchuria.
>
> According to reports reaching here, the strike is of such size that it could make China self-sufficient in petroleum products.
>
> Oil has constituted the chain of black gold that for more than a decade made Peiping slavishly dependent on its relations with Moscow. Until recently, Moscow has furnished virtually all of China's oil. The peak was reached in 1961 when Peiping bought $2.8 billion worth of oil and aviation fuel from Russia.

It continues, and because I think it is important, I ask unanimous consent that the entire article by Marguerite Higgins be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. BREWSTER in the chair.) Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Apr. 27, 1964]

INTERPRETIVE REPORT: PEIPING COCKY AT OIL STRIKE

(My Marguerite Higgins)

The U.S. intelligence community is convinced it has discovered an important reason why Peiping has picked the last year and a half to let loose with increasing ferocity against the Russians: A Red Chinese oil strike in Manchuria.

According to reports reaching here, the strike is of such size that it could make China self-sufficient in petroleum products.

Oil has constituted the chain of black gold that for more than a decade made Peiping slavishly dependent on its relations with Moscow. Until recently, Moscow has furnished virtually all of China's oil. The peak was reached in 1961 when Peiping bought $2.8 billion worth of oil and aviation fuel from Russia.

It is of significance that in the days when the Sino-Soviet split was still a matter of conjecture, the experts who argued against the likelihood of a complete rupture invariably cited Peiping's dependence on Moscow for oil as a reason why Mao Tse-tung would hesitate to make a total break.

Quite apart from giving Peiping greater potential independence and therefore greater license to thumb its nose at Moscow, the oil strike will have an enormous impact on Red China's economic destiny.

The exact date of the Manchurian discovery is not known. But the first reports of it began to filter to the West about 18 months ago.

The most solid information has come in the last few weeks from Japanese engineers and businessmen engaged by the Chinese to help in the drilling and in building oil refineries. It is the Japanese who are the source of the estimate that the oil resources discovered in Manchuria may be large enough to make China self-sufficient.

There is an irony in this because the Japanese, in all the years that they occupied Manchuria, never were able to discover oil, even though they did extensive exploring.

The Manchurian find helps explain the increase in petroleum experts from France, Britain and West Germany who have been traveling to Red China via Hong Kong in recent months.

There is a good case to be made that Red Chinese stridency against Moscow has increased in almost direct proportion to Peiping's confidence in the fact that its dependence on Moscow for oil would end. Oil refineries are not of course built in a day.

But it apparently has been pretty heady for the Chinese leaders to possess the knowledge that it is only a matter of time until the Chinese Army will no longer be vulnerable to the threat of being immobilized by a Kremlin decision to cut off oil exports.

It is not just the Western intelligence community that sees a close connection between the oil discovery and Peiping challenging stand against Moscow.

A spot check of Eastern European embassies showed that Communist diplomats were aware of the developments in Manchuria and its impact on the Sino-Soviet split.

Said one Eastern European: "In private talks in Peiping with our officials, the Chinese make no attempt to hide their exhilaration over their economic liberation from Moscow that will come as the result of the development of their own oil.

"All of us have noted that the Red Chinese waited until they were quite sure of their oil potential before they took the risk of a complete break with the Russians by attacking them so violently. They have become increasingly cocky about their future.

"The Chinese seems to feel that no matter how many mistakes they make, destiny is on their side, and therefore the east wind will prevail over the west."

Mr. DOMINICK. Mr. President, it seems to me that there are two important points in this connection. The first is that if China actually has found the oil to the extent mentioned—and all the information leads us to believe that it has—it is then free, as far as oil is concerned, to continue its more aggressive campaigns throughout Asia in order to put the other Asian countries under communism. The second point, and it is equally important, is that if China is freed from purchasing oil from Russia, so, too, is Russia free from the obligation of sending oil to one of its chief Communist allies, thereby giving it far more ability to use its oil supplies to increase its own industrial capacity within its own country.

This leaves, then, only two major points. The first is that this is one of the remaining weaknesses in the Russian economy. The second is that the oil strike in China can be used by virtue of having the proper type of industrial equipment for refining.

The other day I was consulted by a very prominent person in one of the foreign embassies here in Washington. I was asked, with regard to the latter question I mentioned, to look at the Far East Trade and Development magazine for April 1964—at the same time the article on the oil strike was published. It reads as follows:

Industrial Equipment for China

> Snam-Projetti, of Milan, a member of the ENI group, has won a Chinese contract for a complete petroleum refinery, worth £3m. Work is to be completed by 1966. This is one of several large orders placed with Italian firms recently. Last December the Chinese signed three contracts for chemical equipment worth about £10m., and Montecatini is shipping £7m. worth of machinery for two fertilizer factories with a combined output of 300,000 tons. The plants will probably be built near Luchow in Szechuan Province, where natural gas is plentiful.

Once again we are faced with a situation in which a free world, which is doing its best to take the leadership in a fight to give self-determination rights to all countries, by virtue of trade with the Communist countries is increasing their economy and bolstering the economies wherever they are the weakest. The U.S. public is being told that this is necessary because of a deficit in international payments, when we are doing it on credit. It does not make sense.

Just yesterday, I understand, the Foreign Relations Committee was informed about the agreement with Rumania, the agreement apparently having been signed, as far as trade is concerned, without benefit of consultation with the House of Representatives or the Senate, and without the advance knowledge of the House of Representatives or the Senate, or the advance opportunity of the House of Representatives or the Senate to do anything about it.

In this morning's Wall Street Journal, there is a very small comment on this subject which reads as follows:

> Exports to Rumania of most goods will be allowed without individual licenses.
>
> The United States clung to its refusal to sell strategic materials to any Communist bloc nation, but extended to Rumania trade terms that are among the most liberal of those offered any Soviet satellite. The two countries also agreed to raise the level of diplomatic representation from legations to embassies and exchange of ambassadors "at an early date."
>
> It's understood the Johnson administration is prepared to make available to Rumania the facilities of the Government's Export-Import Bank to furnish credit guarantees of up to 5 years on some of the increased U.S. sales expected to result from the agreement.

So here we are, full circle, back again into the November situation. We say to our allies, "Please do not trade with Cuba." We say this because if we can give them an economic quarantine, we can so reduce their economic strength that the Cubans themselves will have an opportunity to upset their government. On the other hand, we proceed to do exactly the same thing, giving trade and credit to the head of the overall conspiracy, Russia, and then giving it to one of its most prominent satellites, Rumania, which is still governed by Mr. Kadar—Mr. Kadar having been one of the greatest Communist butchers that the Soviet satellites ever had.

There is an article dated today in the Wall Street Journal entitled: "United States, Rumania Sign Trade, Political Pact; Move May Loosen Satellite's Soviet Ties." It reads in part as follows:

> U.S. officials declined to elaborate, but the Rumanians have been known to be in the market for whole petrochemical plants, as well as oil refinery machinery. Talks between a Rumanian trade delegation and U.S. industrialists have been going on during the government-to-government conferences, and some transactions already are said to have been closed.
>
> Nothing official was said about U.S. Government credits to help finance such trade, but it is understood the Johnson administration is prepared to make available the facilities of the Government's Export-Import Bank to furnish credit guarantees of up to 5 years. President Johnson is required by law to make a determination that export-import credits to a Communist country are in the national interest; he hasn't yet done so, but the prospect is that he will act shortly.

I want to make it crystal clear for the Record that any guarantee by the Export-Import Bank is out of the taxpayers' funds for guaranteeing the credit of Communist countries. And if we are to have a certain policy with respect to one country, saying that we are going to cut off the economy of that country in order to overturn a Communist government, what is the purpose of not only trading with the head country and its other satellites in Western Europe, but also using our own taxpayers' credit in order to make sure that its sales go through, so that we can be absolutely positive that they are getting credit on the easiest possible terms?

It is a strange and peculiar type of foreign policy for this country to be pursuing. Moreover, all satellite countries will do exactly what Professor Nutter warned they would do, in his article in the U.S. News & World Report; namely, they will interpret this policy as nothing more than a sign of weakness in the free world and, over a period of time, nothing but appeasement of the Communist conspiracy, which is worldwide.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. ALLOTT. First of all, my distinguished colleague from Colorado has made a very important contribution to the subject, which we have been discussing for some 6 or 7 months, and which was lost sight of when it was originally discussed before the Senate.

Senators will recall that when the Russian wheat transaction was first proposed to the people of America, it was supposed to be a one-shot cash transaction. I am sure the Senator remembers that.

Mr. DOMINICK. I certainly do.

Mr. ALLOTT. Many of us, upon first blush, thought that upon those terms it might be a favorable deal. Then we found that we would start financing the deal on a long term—or what I would call long term, but which others thought was an ordinary term—of up to 4 or 5 years by way of credits.

The point the Senator has made, which is very important, is that we do not change the balance of trade when we finance such deals by providing credit. The balance of trade is changed only when the credit is finally paid off.

I should like to ask the Senator a question with reference particularly to his remarks about Rumania.

We are about to engage on such a deal with Rumania. According to the morning newspapers, we will make the deal on the "most favorable terms" to Rumania and any other country. This means, first of all, that we will not effect any change in the trade plan of our country. Does it not?

Mr. DOMINICK. That is correct.

Mr. ALLOTT. Second, does it not mean that when we offer them the "most favorable terms," we will ultimately build up dollar credits in Rumania; then, going by the very naive attitude of the State Department and in accordance with what Dr. Nutter calls the romantic concept of the State Department, we will be called upon, when it comes time for Rumania to repay those dollars, to grant them even more favorable trade terms? That means that we will place the workers and manufacturers—the producers—in this country in an even worse position with relation to the people of Rumania.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the article to which I have referred, published in the Wall Street Journal, be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, June 2, 1964]

United States, Rumania Sign Trade, Political Pact—Move May Loosen Satellites' Soviet Ties

Washington.—The United States signed new economic and political agreements with

> Communist Rumania that are expected to spur increased U.S. sales to that Soviet-bloc nation and perhaps encourage a general loosening of ties between Russia and her Eastern European satellites.
>
> The two countries also agreed to raise the level of diplomatic representation from legations to embassies and exchange ambassadors "at an early date." An agreement was reached on an expansion of cultural, educational, and scientific links. But the big developments had to do with trade, said U.S. officials in announcing a pact reached after more than a week of high-level discussions here.
>
> These are the key elements in the agreement:
>
> The United States, while clinging to its refusal to sell strategic materials to any Soviet-bloc nation, has agreed to relax export licensing requirements so as to eliminate the need for individual licenses on "most commodities" shipped to Rumania.
>
> Until this relaxation, generally each shipment to a Communist bloc country has to be licensed. With most other countries there exists the general authority to export broad categories of goods rather than seek licensing of each individual shipment.
>
> The United States agreed specifically to grant licenses for what the joint communique called a number of particular industrial facilities in which the Rumanian delegation expressed special interest. U.S. officials declined to elaborate, but the Rumanians have been known to be in the market for whole petrochemical plants, as well as oil refinery machinery. Talks between a Rumanian trade delegation and U.S. industrialists have been going on during the government-to-government conferences, and some transactions already are said to have been closed.
>
> Nothing official was said about U.S. Government credits to help finance such trade, but it is understood the Johnson administration is prepared to make available the facilities of the Government's Export-Import Bank to furnish credit guarantees of up to 5 years. President Johnson is required by law to make a determination that Export-Import credits to a Communist country are in the national interest; he hasn't yet done so, but the prospect is that he will act shortly.
>
> Without such credits, officials said, the prospects for any sizable boost in U.S. sales to Rumania are slim. Because the whole purpose of the agreement announced yesterday is to spur such sales, there would have been little point to all the fanfare surrounding the agreements if the United States weren't prepared to allow the bank to guarantee normal private credit.
>
> U.S. sales to Rumania have been averaging less than $2 million annually, and this country's purchases from the Eastern European nation have been even skimpier. Yesterday's agreement isn't expected to spur the U.S. imports, chiefly because the country has little that the United States wants to buy. Specifically, U.S. authorities firmly ruled out the possibility of Rumanian oil entering the U.S. market. Although Rumania is a major oil exporter to Western Europe, the thinking here is that it cannot ship oil economically to the United States.
>
> But there are high hopes for a significant increase in U.S. sales to Rumania, whose foreign exchange earnings from oil make it perhaps the most promising customer in all the Eastern European Communist bloc. Asked what the United States hoped to gain from the agreement, a top official said: "Business." The United States, he argued, has been unnecessarily inhibited from selling to Rumania on terms comparable to those enjoyed by Western European competitors.
>
> Politically, the United States has wider purposes. Rumania, experts have been noting, has been a prime example of greater independence among the satellites from Moscow's control. It has refused to allow its relatively rich economy to be tightly integrated within the Soviet bloc, defied Moscow's dictation on Communist Party doctrine, taken a neutral position in the Sino-Soviet dispute and turned increasingly toward Western Europe to trade.
>
> The United States wants to encourage all these trends, and not just in Rumania. Yugoslavia and Poland have long been rated the most independent minded of the Eastern Europeans and the United States has tried with aid and trade to encourage this loosening in bloc relations. The hope now is that with Rumania looming as a more important trading partner with the United States, others, such as Hungary and Czechoslovakia, may be increasingly encouraged to turn westward.
>
> U.S. diplomats, in fact, would like to add another enticement to Rumania by conferring upon her the most favored nation arrangement under which this country treats all its trading partners alike; trade concessions offered to any particular country are automatically extended to all others. Only Poland and Yugoslavia among Communist countries have been extended this arrangement and the issue remains a touchy one with Congress. So the administration is unlikely to press the matter on Capitol Hill this year, officials said yesterday, though it was discussed in the talks with the Rumanians.
>
> But yesterday's agreement almost certainly will bring an effort in Congress next year to confer most favored nation status upon Rumania.
>
> By way of promoting greater United States-Rumanian trade, the United States plans to open a trade promotion office in Bucharest, and the Rumanians have indicated an intent to expand their New York City trade office. Both countries will exchange tourist promotion offices, too.
>
> Officials said the U.S. arrangements with Rumania are the most liberal for any Eastern European nation, except for Yugoslavia, which is treated practically on a par with Western trading partners. Poland has a licensing arrangement which does away with some individual licenses on U.S. exports but experts said it isn't as far reaching as the agreement with Rumania.

Mr. DOMINICK. In part, the article reads as follows:

> U.S. diplomats, in fact, would like to add another enticement to Rumania by conferring on her the "most favored nation" arrangement under which this country treats all its trading partners alike.

That is exactly what the Senator was saying.

By doing this, we are granting a Communist-governed nation—and it is only about 3 percent Communist, with the rest of the people being "thin" Communists, the ones who would like to get out from under—the designation of a most favored nation.

The only thing I can see in all this is the idiocy of this kind of arrangement.

Mr. ALLOTT. If my colleague from Colorado will yield to me for one closing comment I should like to say that I am struck with the idiocy of the effect that popular slogans have on our State Department and on others. I cannot help recall two facts. First of all, it was after we started to make our wheat deal with Russia that Great Britain, Italy, France, and even Spain started to expand their trade with Cuba.

Second, this shows the extent to which slogans like "It is easier to deal with a fat Communist than a lean one" have influenced the thinking of our State Department.

It is about time for us to get down to a realistic way of thinking, and stop accepting the concept that we can capture and retain the leadership of the world with slogans which come out of Madison Avenue. That is what we have had for the past 4 years.

Mr. DOMINICK. Mr. President, I sincerely appreciate my colleague's addition to this colloquy. I know how strongly he has felt about this subject for a long time.

I also wish to express my appreciation to him for the leadership which he took in trying to interest Senators to talk about Cuba as long ago as last summer, when a group of us came to the floor with one idea after another on what we could do about Cuba. Certainly, trading with Russia was not one of the ways by which we thought we could liberate Cuba. Exactly the opposite was true. I express my appreciation to the Senator.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. MUNDT. First of all, I wish to convey to the Senator from Colorado, who has given us this very significant address, my congratulations for the very careful research and the great amount of study and background material he has brought before us and before the American public by his address this afternoon. I believe he has put his finger on what was before Congress last fall, and will be again sometime next month, as one of the real, basic decisions to be made by America in connection with the cold war policy.

It seems to me that history pretty well records now that America reached a crossroads in its policy during the debates alluded to by the Senator. That was last October, November, and December. They started in the last few days of October, as I remember. At that time, America sharply changed a foreign policy which had served it pretty well for nearly 17 years. At that point American prestige and world leadership began to slide. It has steadily fallen ever since.

Once we ceased to be constructive, once we ceased to be consistent, and once we began to ask others to do what we refused to do ourselves, we appeared to the world as hypocritical, mercenary, and inconsistent.

Second, lacking direction and leadership from the United States, the free alliance has been steadily falling apart. We see examples of it in NATO, as well as in Franco-American relations. We see indications of it in the failure of our allies to follow any suggestions we make in connection with Cuba. I believe that Professor Nutter very prophetically and properly related foreign trade, which the Senator from Colorado has been discussing so effectively this afternoon, with the problem of foreign aid, which will be before us shortly after we dispose of the civil rights bill.

It is now before the House of Representatives. More and more Americans are indicating by what they write and what they say, including editors and commentators by their expressions, that we are indeed engaged in a completely self-defeating program when, on the one hand, as Professor Nutter pointed out and as the Senator from Colorado [Mr. Dominick] has emphasized, we propose to trade increasingly with Communist countries and, on the other hand, propose to continue a multibillion-dollar aid program to non-Communist countries, justified exclusively on the concept that by so doing we help to protect them against aggression and potential aggression by communism.

Can the Senator from Colorado find any logic or any possibility of success in such an inconsistent, self-defeating trade-aid program as the one which this administration has placed before the country?

Mr. DOMINICK. I cannot think of any possibility of reconciling the two programs at all, provided that our foreign policy is to try to win. I am not a bit sure that our foreign policy at this point is designed for that purpose. If it is not designed for that purpose, if it is designed merely to frame a platform upon which we can hopefully exist for a little while longer, perhaps the administration is trying to keep everything quiet at the same time. But if we are trying to do something to support our former program of saying that people should have the right to determine their own form of government, then aiding both sides, including neutralists and the underdeveloped, with our foreign aid, to prevent the Communists from taking over, and then aiding Communists to strengthen their economy, it is the most hopeless futility I can think of.

Mr. MUNDT. There is no possibility of success in that kind of program, by seeking, on the one hand, to bail out the Communists from the economic problems which their nefarious system has imposed upon them, while using the money of American taxpayers, through the Export-Import Bank, to bail out Communists, and then coming back to the taxpayers and saying, "We want another $3 billion installment in 1964 in order to build up the non-Communist world because it is threatened with new aggressions from the Communists, whom we have recently built up with American dollars and American trade." That is, indeed, international idiocy. It does not make any sense to me.

While the Senator from South Dakota does not quite go along with the Senator from Oregon [Mr. Morse] in his discussion of McNamara's war and in his analysis of the situation in Vietnam, I believe this administration could serve America better today if, instead of having our high-powered administrative brains meeting in Honolulu, scheming up more military adventures and more potential losses of lives in Vietnam, they were brought back to Washington and associated with all the other available brains in the administration to hold a free world trade-aid conference, in which we would try to manifest the same leadership, once again, in having the free world devise some kind of trade-aid approach to the Communist world. We will not be able to defeat communism in Asia, with or without American troops, while at the same time we are in the process of strengthening communism all over the world with American supplies and products and guarantees by American taxpayers of Soviet credit.

So I deplore the fact that we have this myopic approach of relying on American muscle, money, and military power without sitting down and asking ourselves, "How can such an inconsistent, self-defeating policy ever do anything more than serve the cause of communism?"

Mr. DOMINICK. I have before me one more example, which the Senator from Kansas [Mr. Pearson] was kind enough to hand to me. It just appeared on the news ticker and is an example of the idiocy about which I was speaking. It is an Associated Press dispatch from London and reads as follows:

> London.—British authorities were irked today by a U.S. decision to consider selling a nuclear powerplant to Communist Rumania.
>
> One informant asked how the United States could sell a reactor to the Rumanians and then complain about the sale of British buses to Cuba.
>
> The reactors produce plutonium, which gives nuclear bombs their blast. As war-potential equipment they are banned by allied powers for export to Iron Curtain countries.
>
> In announcing that "special consideration" would be given to the Rumanian request, the Johnson administration stressed that any deal would need a waiver from the allied committee in Paris controlling trade with the Communists—

It is interesting to observe that the administration did not even mention the fact that it might come to Congress to learn how Congress feels. I continue to read from the dispatch:

> It was stressed also that a condition of sale—which the Rumanians have accepted—would make it imperative for the nuclear powerplant to be made subject to international supervision. The International Atomic Energy Agency, based in Vienna, Austria, applies safeguards to insure that civilian reactors are not transformed to serve military purposes.
>
> Officials in some key British ministries appeared to think that the Americans were approaching East-West trading rules from a standpoint of expediency.
>
> The board of trade said a Rumanian delegation discussed the possible purchase of a nuclear powerplant from Britain during a visit to London which began last February.
>
> The spokesman said the question of a sale did not arise. "We regarded nuclear powerplant as strategic material and therefore embargoed for export to Communist countries," he said.
>
> "We now consider the talks as dormant. They could be revived if the Rumanians come back to us."
>
> It was evident that there was a sense of disappointment if not of grievance among some officials here because the Americans look to be in a better position than the British to pull off a deal.

Mr. MUNDT. Mr. President, will the Senator from Colorado further yield?

Mr. DOMINICK. I yield.

Mr. MUNDT. This illustrates exactly what we were saying last November, when we were opposing the administration's position to give the Export-Import Bank power to grant credit to Communist countries so that they might purchase supplies in America. The particular product then being discussed was wheat, although other products were crowding all around it and were coming into the picture very fast. The Senator from South Dakota then said that we talk about strategic supplies, and then asked, "What in wartime is more strategic than food? What provides better food than wheat? If wheat is declassified and is called nonsecurity material, then we shall have nothing left with which we can restrict trade on the basis of its being something of a strategic nature."

Now we see the same tortuous reasoning, by which it was said that while wheat is the world's best food, and food is necessary in order to wage war, and is therefore a basic strategic materiel, nuclear reaction, plutonium, and atomic energy are not strategic. That is a strange departure from the high-sounding phrases to which we listened, from the advocates of the test ban treaty, who at that time were considering the production of atomic energy and plutonium and the possibility of building up a war structure based on atomic energy so serious that they believed a test ban treaty was essential. Ultimately, the Senator from South Dakota, agreeing with that viewpoint, voted for its support.

I ask the Senator from Colorado a question I was asked on the campus of State College, South Dakota's great agricultural college at Brookings, 2 weeks ago today, while delivering a lecture there. The question was, "What is America's foreign policy now?"

I replied, "That is a difficult question to answer. It was possible during the Truman administration, during the Eisenhower administration, and during the first year of the Kennedy administration to define it basically as a policy which relied upon two great thrusts, one being a really determined, sincere, and consistent effort to restrict trade with Communist countries, in order to keep the Communists from becoming too powerful and too aggressive; and the other, a foreign-aid and military-aid program to the non-Communist countries, to shore up their defenses and their economies and to give them greater resistance in case of Communist attack." Those things were fairly clear, and we had followed them for 16 years. They had worked fairly well; and during those 16 years, we had not lost any decisive economic battles with the Communists.

I said to them, "Do you want to know what our foreign policy is now? If you do, I will state it for you."

I should like to have the Senator from Colorado state now whether he would make any addition to or change in the statement I made to them, because now we are facing the most recent and current problems, in terms of our investments in our foreign policy.

I think our foreign policy has so badly and so seriously deteriorated that today we are engaged in a race with the other three countries in the world which have exporting capacity, in an attempt to see which of us can sell to the Communists the greatest amounts of supplies which they most badly need, and to deliver them to the Communists' doors at the cheapest possible oceanic freight rates, and to sell the materials to them at the lowest possible prices, so that we will get that business, instead of having the other nations get it, and also to extend to the Communists the easiest and longest possible credit terms. I think that is our foreign policy. If that is our foreign policy, certainly it is doomed to failure, because only Communist countries can profit by means of such a policy.

Mr. DOMINICK. I completely agree; and I could not state the matter more effectively, even if I tried 15 times to do so.

About 1 year ago, members of our State Department went to Western Europe, and tried to persuade the Western European countries not to grant long-term credit to the Russians, so as not to enable the Russians to obtain the needed materials with which to construct an oil pipeline through Western Europe; and we fought and fought against having those countries give Russia long-term credit in that connection, inasmuch as the extension of such long-term credit was the only basis on which Russia would deal for such pipe.

But here we go, reversing our policy and giving 5-year credit to Rumania—and 5-year credit is long-term credit in anyone's language—and doing the same thing for Hungary, but saying to all these countries, "You must stay out of Cuba."

It seems to me that we are seeing the very beginning of a Johnson policy to open the floodgates of trade with Communist countries, regardless of what the materials are, and regardless of whether there is to be long-term credit or short-term credit.

Mr. MUNDT. Let me add one word about the future possibilities in this connection. After all, the U.S. Senate still can, if it will, exercise a restraining hand, when it is confronted with such contradictory and self-defeating policies as those which now confront us. I believe that involved in the new consular agreements with Rumania there are changes which are so substantial that in all likelihood they will have to come before the U.S. Senate, for ratification as a treaty. So here is our chance to explore what is involved in this business.

Furthermore, I know that soon the Senate will be working its will on the legislative authorization bill for foreign aid. That bill has already been passed by the House of Representatives. So here, too, we have a chance, by means of amendments—under the happy way the Senate operates, by means of which no amendment need necessarily be germane—to do something constructive about this situation and to place a restraining hand on these "happiness boys" who think communism has now changed its purpose and its objective, and who believe we should now feed communism and should encourage it and should pat it on the back, instead of doing as we did for 16 years—curtail and check it.

Furthermore, Mr. President, before Congress adjourns, the Senate will have an opportunity to vote on appropriation bills dealing with foreign aid; and then Senators can raise the question of how inconsistent our foreign policy has become. If we really believe the cold war is over, and that now is the time to kiss and make up with the Communists and to give them the benefit of an aid program based on credit to them, then surely we cannot believe there is any reason for extending a single dollar of credit aid to the non-Communist world on the basis of the argument that that is the only way to keep them from going Communist. So we as the custodians of the public purse will face some rollcall votes on these issues in the next few weeks. To those who read the RECORD and to those who have concern, let me say I hope they will make their wishes and attitudes and desires crystal clear to all Members of the Senate before Senators face up to those very significant rollcall votes, as the amendments come before us.

Again, I salute the Senator from Colorado [Mr. DOMINICK] on his masterly presentation of a matter which is by far more significant and important than the question of what is happening in Laos or in Vietnam, because in this case we are dealing with the system which is being operated from Moscow and Peiping, with its tentacles spread all over the world; and if we are to deal with it effectively, we must deal with it at the center, rather than at the periphery. Otherwise, what we do will be love's labors lost.

Mr. DOMINICK. Mr. President, I thank the Senator from South Dakota, who from the very beginning, even as early as last fall, has tried to have us deal effectively with this problem.

Mr. ALLOTT. Mr. President, will my colleague yield briefly to me?

Mr. DOMINICK. I yield.

Mr. ALLOTT. My colleague has spoken of the proposed nuclear plant for Rumania which is being discussed.

There are perhaps three main sources of power, as my distinguished colleague knows; they are coal, other carboniferous materials, and oil. So can anyone suggest why we should be dealing with Rumania, which has one of the richest and largest and most extensive oil fields in the world, for the supplying of nuclear power? Some States in our own country have no method of providing fuel except by means of nuclear power; and that is understandable. But I am sure no reasonable man could understand why the Rumanians would want a nuclear plant, in view of their valuable oil resources, unless they could sell the oil somewhere else at a greater profit, and unless they are in hopes of duping the United States to build a nuclear plant for them, or unless the Rumanians hope to acquire from the nuclear plant strategic information or materials which would be of benefit to them—which again brings us through the cycle.

Today, Great Britain is greatly upset over this matter.

Just last week, I placed in the CONGRESSIONAL RECORD an article, from the London Daily Express, which shows how upset the British people were because we had developed the A-11, without giving them any of the information, whereas, on the other hand, we had taken from them all of the key details on the ultra-secret information they had developed from their new supersonic bomber and its electronic equipment.

Since 1960, we have managed to topple one government in Canada because we were trying to force nuclear warheads on the Canadians; and we have had our own difficulties with France, because we refused the same thing to De Gaulle.

How inconsistent we can be in connection with our foreign policy, I do not know. The word "naive" has been used, and the word "romanticism" has been used; but I say this is a childlike approach to the problems of the world and to foreign relations, because it does not deal with reality. Instead, it deals with matters entirely outside of reality.

Again I say to my distinguished colleague that I am very proud of the speech he has made this afternoon to the Senate.

It has been a real contribution, because unless we somehow are able to reverse the almost inevitable run to the sea that the State Department has followed for the past few years, we stand in grave danger in this world. The Senator has contributed greatly.

Mr. DOMINICK. I was about to say to my distinguished colleague that every now and then I hear representatives of the State Department say that our foreign policy must remain fluid. If it becomes any more fluid than it is now, we shall all be washed out to sea in the water they have created, without any real substance to anything they have been doing.

Again I appreciate my colleague's participation in this particular colloquy.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

THE CIVIL RIGHTS ISSUE MUST BE RESOLVED AT THE COMMUNITY LEVEL

Mr. CASE. Mr. President, final resolution of the civil rights issue will come in the community. I wish to call attention to one example of such community action in my own State of New Jersey.

In Newark, a group of young people associated with the Congregation B'nai Jeshurun have begun this year a remedial tutorial program aimed at helping about 20 Negro boys and girls in elementary and high school subjects. The members of the temple youth group are themselves high school students. They give of their free time on Saturdays in order to share the classrooms of their temple with Negro children from the neighborhood. The project has met with a deservedly wide response, both in and out of the State; and other such programs are now under way. For example, in New Jersey alone, congregations in Trenton, Teaneck, Bayonne, River Edge, East Orange, and Elberon have begun or plan similar tutorial programs.

I ask unanimous consent that two newspaper articles describing the Newark program be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 26, 1964]

JERSEY NEGROES TUTORED BY JEWS—YOUTHS SEEK A MEANINGFUL APPLICATION OF JUDAISM

NEWARK, April 25.—A group of Jewish youths here have been tutoring some 20 Negro boys and girls in elementary and high school subjects as part of a program for the "meaningful application of the teachings of Judaism."

The Jewish youths are members of the Congregation B'nai Jeshurun. In explaining the project, Rabbi Barry H. Greene, associate spiritual leader of the congregation, quoted Maimonides, the 12th century Jewish philosopher and doctor, who wrote:

"The advancement of learning is the highest commandment."

"We are dedicated to the preservation and the meaningful application of the teachings of Judaism," Rabbi Greene said. "We are translating our convictions into deeds."

Every Saturday morning from 9:45 to 12, about 20 Negro boys and girls from the 4th to the 12th grades share the classrooms of the 116-year-old temple. On hand to greet them and work with them are members of the youth group, 15 to 18 years of age.

While other junior members of the congregation are attending religious classes and Saturday morning services, the Negro children are tutored in simple arithmetic, spelling, physics, Latin, English, geography, history, algebra, and reading.

The tutorial project was started 2 months ago at the suggestion of Stuart Rosengarten of South Orange, a junior at Columbia High School. A member of the Mitzvah Corps, a youth group sponsored by reform congregations, Stuart lived and worked last summer among the needy in Puerto Rico.

The program was publicized in the area's schools and the boys' club at Stella Windsor Wright Home, a city housing project. The response, Rabbi Greene revealed, was "spontaneous and heartwarming."

"I think my teacher expects more work from me now and she will get more work from me," an 11-year-old child wrote to the Rabbi. "There are such nice people here to help that I think I better come here every Saturday."

Rabbi Greene said the success of the program here had prompted the New Jersey region of the National Federation of Temple Youth to start similar projects in other areas of the State.

[From the New York Post, Apr. 27, 1964]

THE SCHOOL CRISIS: VOLUNTEERS AND BUDGETS

Two after-school, volunteer-staffed tutorial projects, one in Harlem, the other in Newark, are producing results. The Negro youngsters taking part—some to get help with their homework, others with their reading and arithmetic—start hesitantly, come back for more, and finally turn into enthusiasts for the program.

Over in Newark, a youth group connected with Congregation B'nai Jeshurun has had such success with its tutorial program that other temples in New Jersey have launched similar projects.

Here in town, 20 volunteer tutors from Sigma Alpha at City College, along with regular teachers, are staffing the after-school study center at Harlem's P.S. 161. The establishment of such centers was urged by Dr. Calvin Gross in his first recommendation for improving the schools in the slum areas.

According to Assistant Principal Berman, a supervisor of the P.S. 161 center, "The pupils have found that it's a fine place to do their homework and they are now very anxious to go there."

The City College volunteers deserve the city's thanks. But why should such good works be limited to students? This is an enormous task. Professionals of all ages are needed and might be willing to join the volunteer corps. Here is an area where the United Federation of Teachers could make a notable contribution. It has spoken out forcefully on the need to make the schools more responsive to Negro and Puerto Rican requirements. Should it not give thought to organizing a volunteer teacher group to strengthen the after-school centers?

VOTING PROGRAM

Mr. RUSSELL. Mr. President, pursuant to a conference held this afternoon, I have notified the leadership that, at their pleasure, we would be prepared to withhold further speeches on the so-called jury-trial amendments, and would be ready to vote on the pending amendment.

There has been some feeling on the part of Senators who have been associated with us in this fight that they were being "put on the spot" by not having any votes. We are not unwilling to have votes taken. We have a number of amendments which we believe the Senate will approve when they are understood.

I do not know what would be the fate of the pending amendment, but there are other amendments, particiularly those relating to the question of double jeopardy. There is the question of whether that may arise under the pending bill, defendants could be placed twice in jeopardy as a result of trials under criminal contempt charges and likewise being prosecuted under criminal statutes for the same offense or for the same set of facts.

We are not trying to take the majority leader by surprise. He made a statement I believe on Monday of this week that he did not know of any votes at that time. But subsequently during the day the Senator from Louisiana [Mr. LONG] obtained the yeas and nays on the pending amendment. I do not know what statement the Senator from Louisiana made with respect to the motion for the yeas and nays because I was not present in the Chamber all of that time.

The majority leader has been as fair to the opponents of the bill, in keeping us notified and informed as to his plans, as we had any right to expect. I wish publicly to thank him for his kindness. He has considered that to be a part of his duty in the very thankless task that he has in undertaking to preside over, and coordinate, the divergent schools of thought of those who sit on this side of the aisle. I am very grateful to him for having at all times kept us advised as to the plans that he had in connection with the bill. We are not undertaking now to take him by surprise. I have told him that if he felt that there was any surprise involved, we would be very happy indeed to continue the debate until tomorrow or some later time on the pending amendment.

Before I suggest the absence of a quorum——

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield to the distinguished majority leader.

Mr. MANSFIELD. As always, I am indebted to the senior Senator from Georgia for the courtesy and the consideration which he shows toward the leadership. Insofar as it has been possible for him to do so, he has endeavored to give the leadership some forewarning, as in the present instance, as to what was being contemplated by those in opposition to the bill, generally speaking, but who are in favor of the amendment now pending.

It is true that yesterday the distinguished senior Senator from Arkansas [Mr. MCCLELLAN] raised the question as to whether or not there would be any votes this week. In response to his question, there was a brief colloquy, which reads in part as follows:

> Mr. MCCLELLAN. Do I correctly understand, from the distinguished Senator's announcement, that there will be no votes, so far as he knows, during this week?
>
> Mr. MANSFIELD. So far as I know, I know of no votes.
>
> Mr. MCCLELLAN. None is contemplated?
>
> Mr. MANSFIELD. Not so far as I know.
>
> Mr. MCCLELLAN. Therefore, those of us who have made engagements to make commencement addresses and to fill other speaking engagements in our respective States will be reasonably safe in doing so, and would not risk missing the cloture vote if they were absent?
>
> Mr. MANSFIELD. That would be my best judgment as of now. I know of no votes being contemplated as of the moment; nor do I know of any votes contemplated during the rest of this week.
>
> Mr. MCCLELLAN. Other Senators have the same interest that I do in knowing, so far as we can, ahead of time. I realize this is a legislative body, and that something could develop to bring about an unexpected vote; but so far as the leaders know, no vote is planned or contemplated this week?
>
> Mr. MANSFIELD. The Senator is correct.

So I am indebted, I say again, to the distinguished Senator from Georgia for informing the leadership of his plans relative to the pending amendment and other amendments. I point out to him that it was contemplated that beginning tomorrow morning the distinguished minority leader was to be the leadoff Senator in an exposition of the Dirksen substitute which was presented to the Senate last week. Because of illness that is not possible, but others who had been waiting for the distinguished minority leader to lead off are now prepared to make their speeches, and I believe it is about time that they be made.

Questions were raised on the floor of the Senate yesterday as to the amount of time there would be available for explaining the Dirksen substitute before an attempt at cloture was made. Some Senators thought that the time was not long enough; others thought it was too long. But I can assure the distinguished Senator from Georgia that beginning this afternoon there will be some speeches on the question of the pending jury trial amendment, and that beginning tomorrow a number of Senators, on both sides of the aisle, have indicated their intention to speak on the Dirksen substitute. So I would hope that the Senator from Georgia, who has been so frank in his remarks, would understand, with his usual courtesy, the need and the desire for the Dirksen substitute to be explained insofar as possible during the time remaining, and that he will understand also that, so far as the leadership is concerned, the leadership will recognize his right at any time to call up any of the pending amendments for a vote, providing it can be done under the rule.

Mr. RUSSELL. Mr. President, I had no intention of calling up any amendment. The amendment of the Senator from Louisiana [Mr. Long] is the pending business. The yeas and nays have been ordered. Unless some Senator desires to speak, of course, a vote would come in the ordinary course of events. There was no intention to call up any new amendment today.

Mr. MANSFIELD. I understand that.

Mr. RUSSELL. We had concluded that we would vote on the amendment today if it was consistent with the views of the majority leader.

Mr. President, in view of the——

Mr. SMATHERS. Mr. President, before the Senator leaves that subject, I should like to ask a question of him. In the light of the fact that the majority leader has announced that some speeches will be made to explain the Dirksen substitute or the second substitute, should that explanation go on into Saturday, when I understand a cloture motion will be filed, would it be possible for me to obtain some assurance that there would be an opportunity to have a vote on the jury trial amendment which is pending? I do not wish to be cut off in having a vote on the so-called trial by jury amendment by the filing of the cloture petition and then voting on the cloture petition on Monday or Tuesday.

Mr. RUSSELL. Mr. President, I am afraid that the chances of the Senator from Florida to secure recognition for that purpose are not very good. I notice that the substitute was offered by Messrs. Dirksen, Mansfield, Humphrey, and Kuchel. Those Senators embrace all of the leadership. If all of them speak on the substitute—and under the rules of comity that ordinarily obtain here they would be recognized before other Senators, due to the positions that they hold—the Senator from Florida might not have an opportunity to address himself to the substitute prior to the time of the vote on the gag rule on Tuesday.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MANSFIELD. I believe the Senator from Georgia has explained the situation with lucidity. But I would point out that if worse comes to worse, it would be possible for the amendment to be offered even if cloture was invoked.

Mr. SMATHERS. It would be, but——

Mr. MANSFIELD. The Senator has had 5 weeks now to discuss the amendment.

Mr. SMATHERS. What I am trying to get at is the following question: Would it be possible for us to have some understanding that we could have a vote on this particular amendment prior to the filing of the cloture petition on Saturday? Could we have a vote on this particular amendment?

Mr. MANSFIELD. The Senator knows that he is speaking to the winds. There is no possibility of such an agreement. However, if another kind of unanimous-consent agreement were to be arrived at as to when we could vote on the measure now before the Senate, I am sure that it would be given most serious consideration.

Mr. SMATHERS. Mr. President, will the Senator yield so that I might make this one statement?

Mr. RUSSELL. I yield.

Mr. SMATHERS. We have spent a number of days talking about an amendment on trial by jury——

Mr. MANSFIELD. A number of weeks.

Mr. SMATHERS. I stand corrected. A number of weeks of time. It is a matter of great importance. We have now worked up to some sort of point where we are about to vote on a right of trial by jury amendment. The Senators who offered the amendment are ready to vote. This is the——

Mr. MANSFIELD. Sixty-eighth day.

Mr. SMATHERS. This is the 68th day. Today is Tuesday. The remaining days will be Wednesday, Thursday, Friday, and Saturday, before the cloture motion is offered.

Did I correctly understand that the proponents of the so-called Dirksen-Mansfield-Kuchel-Humphrey substitute are going to take all the remainder of the time between this moment and the moment when the cloture motion is filed, so that we will not have an opportunity to vote on the pending jury trial amendment?

Mr. MANSFIELD. It will take some time.

Mr. SPARKMAN. Mr. President, will the Senator from Georgia yield to me for a question?

Mr. RUSSELL. I yield to the Senator from Alabama.

Mr. SPARKMAN. If the jury trial amendment is the pending business, how will the Senator from Illinois be allowed to speak on the Dirksen substitute under the rule of germaneness? Would he not be required to speak on the jury trial amendment?

Mr. MANSFIELD. A Senator can speak on the jury trial amendment. Some of us have had speeches that we have been holding back. At the end of 3 hours a Senator could speak on another measure or amendment, or he could proceed to do so under unanimous consent. The proponents of the jury trial amendment have been most generous in granting unanimous consent to speak out of order, so to speak, when the rule of germaneness was supposed to be in effect.

Mr. SPARKMAN. It seems to me to be a little irregular to dispose of an amendment that is proposed to be offered with practically no debate on it.

Mr. RUSSELL. Of course, I never believed that the rule of germaneness was very effective. It is always pleasant to say, "I told you so." I think it has been borne out by the facts, since its adoption, that the rule is not very effective. It is in effect for only 3 hours. The Senator from Minnesota, for example, could speak for 3 hours on the jury trial amendment, and then for another 3 hours on the substitute bill after the germaneness period had ended.

I suggest that we have been put on notice—and I trust the Senator from Montana will take no offense at these remarks, since I know there are some Senators who abhor being classified as filibusterers—that there is likely to be a counterfilibuster. I will defend to the very last ounce of my strength the right of any Senator or Senators to launch a counterfilibuster on the floor, and I will vote against any attempt to impose cloture if any Senator sees fit to launch a counterfilibuster.

Inasmuch as that is a strong possibility, if not a probability, I think I had better, before I lose the floor to the leadership on the substitute, discuss one of the many, many infirmities and injustices of the proposed substitute.

AMENDMENT NO. 766

I therefore send to the desk an amendment that I ask to have read, printed, and lie on the table, and I ask unanimous consent that it be considered as having been read for all purposes in which the rules require reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be received, printed, and lie on the table.

Mr. RUSSELL. Mr. President, I would like to have the amendment read, if the clerk will be kind enough to do so. I think there is a precedent that a Senator can read an amendment on the floor and have it considered as read under the cloture motion, but I think it would be better to have it read by the clerk, since he has a better reading voice, if for no other reason.

The PRESIDING OFFICER. The amendment submitted by the Senator from Georgia will be read.

The legislative clerk read the amendment to amendment No. 656, as follows:

Mr. Russell moves to amend amendment No. 656 in the nature of a substitute for H.R. 7152, intended to be proposed by Messrs. Dirksen, Mansfield, Humphrey, and Kuchel, by striking out all of the language on line 9, page 17 in subparagraph (b) following the word "origin" and substituting a period for the comma after the word "origin", the language to be stricken reading as follows: "but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance.", and by striking out the language beginning on page 21, line 18, after the word "section" down through and including "standards" on line 1, page 22, the language to be stricken from the substitute bill reading as follows: "*Provided,* That nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards."

A SECTIONAL PROPOSAL

Mr. RUSSELL. Mr. President, I have on other occasions pointed out that this substitute is in many of its aspects more sectional in its application than the original bill as it passed the House of Representatives.

The purpose of my amendment is to eliminate the triple line of defenses that the substitute throws out against integration of any schools in the country outside of the Southern States by way of the Federal court.

It will be noted that on page 17 of the substitute there is contained the language that was written into the House bill which provides that desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance. That amendment was adopted on the floor of the House.

Those who are apprehensive about "bussing" students from one area of a city to another in order to correct racial imbalance evidently thought that they had adequate protection under this provision of the bill.

However, when the bill came to us from the troika committee—the Attorney General, the Senator from Illinois [Mr. DIRKSEN], and the Senator from Minnesota [Mr. HUMPHREY]—we found they were not satisfied with that language contained in the House bill, but that they had gone much further.

Senators will find that on page 21 of the substitute they supplemented the existing provision with language that even denies jurisdiction of the Federal courts to deal with de facto segregation. This new provision states, and I read from the bill:

> Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards.

I am not sure just what that last phrase means, but it indicates that the Federal courts—as the U.S. courts are commonly called—are to be denied jurisdiction to even consider violations of the equal protection clause of the 14th amendment if it requires steps to correct the imbalance of the races in the schools.

Mr. President, the amendment I am proposing would eliminate this provision from the substitute.

OBJECTIVE OF AMENDMENT

This amendment has two primary objectives. The first is to eliminate the language that gives this title of the bill a purely sectional character, and to grant the Attorney General of the United States authority to integrate the races in the schools outside the South, as well as in the Southern States.

The offending language that I seek to strike from the bill is that language which is designed not only to deny the Attorney General the power to bring a complaint to eliminate de facto segregation created in large degree by the action of local governments, but also to withdraw from any of the courts of the United States jurisdiction over any complaint that might involve outright and rank segregation in defiance of the Supreme Court's construction of the equal protection clause of the 14th amendment.

The more we read and study this substitute, the more it becomes obvious that there should be more debate on the bill. It is all the more imperative that the Senate vote down this effort to gag the Senate so that we can continue to study the substitute and point out the infirmities in it, injustices in it, and the purely political provisions that are designed to protect all of the States, except the Southern States, from the application of the power of the Attorney General to integrate the schools.

Mr. President I point out also that the original bill as it came over from the House contained language which declared that it was a matter of public policy of the United States to achieve desegregation in public education. That appears on page 17 of the original bill, at lines 16, 17, and 18.

The original bill provides that the Attorney General may, under certain circumstances, "initiate and maintain appropriate legal proceedings for relief and that the institution of an action will materially further the public policy of the United States favoring the orderly achievement of desegregation in public education."

NO EFFECT ON IMBALANCE

When the troika committee rewrote the bill, they eliminated the language that declared that it was the public policy of the United States to achieve desegregation in public education. They did that as well as to deny jurisdiction to the Federal courts to deal with cases to correct de facto segregation that as a practical matter sprang from the action of local government. They did this despite the fact that the House of Representatives had already written a provision into the bill providing that the correction of racial imbalance would not come within the scope of the bill. They threw up three lines of fortification to make sure that no school outside the South would be desegregated by the Attorney General under the vast powers that would be granted to him in the bill.

Is it not strange that the House bill declared it to be a matter of public policy for the Federal Government to achieve desegregation in public education, but when the troika commenced to get votes from the border States for the bill—which is really 11 bills in 1—this language is missing from the substitute?

Instead of saying that it is a matter of public policy, they now propose to say that the Attorney General may bring an action to bring about orderly achievement of desegregation in public education, but only if such actions are directed toward the Southern States. That strong language, declaring school desegregation to be a matter of public policy, went by the boards when it was decided that they would even deny the Federal courts jurisdiction over any proceeding, and would prohibit the issuing of any order that seeks to achieve racial balance by transporting the students from one school to another, or from one school district to another.

TEST OF SINCERITY

This amendment will test the sincerity of those who from day to day, month to month, and year to year have arisen on this floor to proclaim their support of racial equality, of social equality, of "togetherness," if you please, between the races in every activity of life. If this provision remains in the bill, one-half of the Negroes living in the United States will be denied the social equality and the association that the Supreme Court said in the Brown case were essential to their welfare, and that they could attain only by attending school with white children. One-half of the Negroes in the United States, living outside the South, will receive no protection from the vast grant of power to the Attorney General which the bill would give to permit him to bring suits to achieve what, in the House bill, was declared to be a public policy of desegregation in education.

It is no secret that the primary aim and desire of the Negro citizen in such great metropolitan centers as New York, Chicago, Cleveland, Philadelphia, and Los Angeles is to eliminate the de facto segregation that occurs by virtue of the residential patterns in those areas. This de facto segregation in many cases is the result of an act of local government in defining school districts. Therefore it is, in effect, action by the State to impose segregation in the public schools. Under the language of the substitute bill as written by the troika committee, the Attorney General is not only prevented from bringing suit, but the parents of the children themselves cannot be heard in court. They are denied that right because of this added language which says that:

> Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another.

The fact that the demand of the Negro parents to end de facto segregation has not been met in these cities has prompted many of the largest demonstrations that we have seen in recent months.

I say that the Negroes outside the South are entitled to know whether their representatives in Congress are sincere in their protestations of interest and desire to see them achieve their goals, and whether they will vote to eliminate this provision, which will perpetuate segregation in the large cities of this land, or whether they are merely interested in securing the Negro vote by requiring in the Southern States a social order which they are not willing to apply to their own children.

I well remember some discussion on the floor after the Brown case decision, when some of us suggested that we deny jurisdiction to the Federal courts to invade States to prescribe the method of operation of their schools which were supported solely by State or local funds. We were soundly criticized at that time by some of those who are now supporting this triple line of fortification to prevent integration in the areas where they live. Those of us who made the suggestion at that time were attacked for implied criticism of the courts and the Attorney General by the very people who today would deny jurisdiction to the Federal courts to eliminate segregation in their own cities.

FEDERAL CONTROL OPPOSED

I wish to make it perfectly clear that I am wholly and unalterably opposed to the use of Federal power to interfere in any degree with self-government in this country. If there is one control which addresses itself directly to the local communities, it is the control of their schools, which are financed by funds from the taxes which they raise themselves and which do not come from the Federal Government.

I feel that the decision in the Brown case is not only a judicial perversion of the Constitution of the United States, but that it is also very poor public policy. It is poor public policy to make 10 percent of the people of our country feel that they are incapable of enjoying citizenship, that their children cannot learn unless they are sitting in a schoolroom with a white child.

I have noticed from time to time, with considerable admiration, that there are some members of the Negro race who have not been afraid to be called Uncle Toms, and who have asserted that they regard it as a reflection on them to say that their children cannot learn in a school unless they are sitting with a white child, or that there is a stigma of inferiority attached to being in a schoolroom with members of their own race.

DIRECTED AT SOUTH

It is now proposed that Congress go all out in demanding the application of the harshest and most punitive provisions to people who happen to live in the Southern States.

When racial problems arise outside the South, when they affect people in other areas of the country, there is a very strong disposition on the part of the court and of Congress to sweep them under the rug and to forget about them.

Mr. President, for that reason the Attorney General and his supporting echelons in the Department of Justice feel much more at home in enforcing social equality and race mixing in the South than in any other communities.

For that reason we find that other communities, the large cities of the land—Boston, Philadelphia, New York, Chicago, and others—are put beyond the reach of this proposed law.

Desegregation is not to be public policy there because the Federal courts would be forbidden to issue even a Federal order which would require desegregation, no matter what the circumstances, if it is the result of the pattern of population.

Mr. President, the vote on this amendment, in my opinion, will be about as fair a test as we can have of whether the advocates of total and complete integration and race mixing are sincere in their position. Nothing, in my opinion, more clearly demonstrates the sectional nature of the bill than the means to which the sponsors are compelled to resort in order to get the votes to gag the Senate by these changes that were made in title IV to confine desegregation of public education very largely to the Southern States, where the residential pattern is different from that in the large cities. This also demonstrates the extent to which the South is used as a political football by both parties and how it is to be the whipping boy in the national conventions and on the floors of Congress.

The troika was not satisfied with the language: "but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance."

They went further by including this language:

> *Provided*, That nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards.

SIGNIFICANCE OF NEW LANGUAGE

I ask Senators to note the significance of that language. The courts could not go one step beyond the decisions involving the desegregation of southern schools "or otherwise enlarge the existing power of the court to insure compliance with constitutional standards."

In other words, if the Constitution is being violated, and the Supreme Court has not overcome it in the segregation cases, the courts must hereafter stand eternally mute; they cannot enlarge the existing power of the court. That means the decisions that they have handed down up until this time.

So I say that nothing could more clearly illustrate the fact that the drafters of the substitute and many of the supporters of the bill are strongly in favor of desegregation everywhere except in the community in which they reside, everywhere except among the constituents to whom they must look for approval if they hope to return to the Senate. They do not intend to have their children subjected to the long arm of the Federal Government and the vast power of the Federal Government, supported by the Army and Navy and Air Force and Federal marshals. They do not intend to have the forces of the Federal Government come into their areas, to impose on themselves the compulsion that they seek to impose upon the white people of the Southern States.

As I see it, this is one of the most palpable efforts on the part of some Senators to protect their people from a condition which they intend to impose on others that has ever been witnessed in the Senate.

Mr. STENNIS. Mr. President, will the Senator yield before he leaves that point?

Mr. RUSSELL. I yield. I had almost concluded my remarks.

Mr. STENNIS. I thought the Senator had.

The Senator has referred to the new provision in the amendment in the nature of a substitute that proposes to limit, as I understand, the jurisdiction and power of the Federal courts. Does the Senator believe that that provision is based upon the Constitution, which gives Congress the power to limit the jurisdiction and powers of the Federal courts?

Mr. RUSSELL. What other purpose can it have?

Mr. STENNIS. The Senator has made a powerful statement. I think he is correct.

Mr. RUSSELL. As I said, when the Brown case decision was handed down, there was a discussion about undertaking to utilize the power of Congress to regulate the jurisdiction of the courts in that instance. Those who made the suggestion were berated; it was said that they did not trust the courts, because they were undertaking to limit the power of the Federal judiciary.

But now the very ones who made those statements are supporting a provision that would deny jurisdiction to the Federal courts to desegregate schools in their own areas, due to the residential patterns, ofttimes encouraged by local ordinances and ofttimes resulting from the definition of the lines of school districts, while applying such jurisdiction throughout the Southern States, where the population pattern is entirely different.

Mr. STENNIS. Does the Senator believe that the language in the proposed amendment would limit the courts and that they would no longer have any power to sign decrees that would change those districts?

Mr. RUSSELL. The language provides that nothing shall be done that would otherwise enlarge the existing power of the court in such areas. It is undoubtedly an attempt to do what the Senator suggests.

Under the Constitution, Congress has the power, but it is a sad commentary on the sense of fairness of our people that that power should be utilized so unfairly against one section of the country, largely for political purposes.

Mr. STENNIS. Is it not true that under this language, the Brown case, the desegregation cases, and the cases decided thereunder would be frozen as they stand now?

Mr. RUSSELL. That is undoubtedly the purpose of the language.

Mr. STENNIS. That is true.

Mr. RUSSELL. I do not believe there is any doubt about it.

Mr. JOHNSTON. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. JOHNSTON. Is it not true that when colored people move into New York, Chicago, Detroit, Philadelphia, and Baltimore, they congregate in certain sections? They segregate themselves, do they not?

Mr. RUSSELL. That is largely true. I do not think the segregation is altogether voluntary in all instances. As a practical matter, such sections are the only residential areas available to them.

Mr. JOHNSTON. But that is the situation in which they find themselves, is it not?

Mr. RUSSELL. That is true. We find them located in such areas in all the great cities—Philadelphia, St. Louis, Boston, New York, Los Angeles.

Mr. JOHNSTON. In the South, all over the countryside, the white people and the colored people live among one another. Therefore, the amendment crucifies us, so to speak, with respect to integration, but leaves out entirely those places where the people have already segregated themselves.

Mr. RUSSELL. The Senator is correct. That is the very point I have been endeavoring to make. I completely agree with the Senator from South Carolina.

Mr. SPARKMAN. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. SPARKMAN. The Senator has rendered a real service in emphasizing this situation. Does he recall the difficulties that occurred in Cleveland a month or so ago?

Mr. RUSSELL. I do.

Mr. SPARKMAN. Does the Senator recall that they arose because five new, modern schools were being built in an area which was heavily segregated, and the Negroes were protesting because they would be "frozen" in that condition?

Mr. RUSSELL. That is correct. They said they had been "frozen" in a ghetto, populationwise, and that the new schools would deny them the privilege of having their children attend school with white children. Due to the residential pattern the new schools would be available only to the Negroes.

Mr. SPARKMAN. Would not the language of the proposed amendment insure a perpetuation of that situation?

Mr. RUSSELL. That is true. That is the very point I am endeavoring to make. Does not the Senator from Alabama recall that this was one of the warmest issues in the great city of New York? Fifteen thousand mothers——

Mr. SPARKMAN. White mothers.

Mr. RUSSELL. Fifteen thousand white mothers walked in the snow to protest any action to correct the imbalance by the assignment of children to schools outside their residential areas.

The proposed amendment in the nature of a substitute would protect them in that. It would protect the situation in Cleveland, as it would in New York. It directs the whole power of the Federal Government at the South. The Senator from Alabama well knows that, particularly in the rural communities and the small towns, the two races——

Mr. SPARKMAN. Live in the same general neighborhood.

Mr. RUSSELL. In the same general neighborhood.

Mr. SPARKMAN. Does the Senator from Georgia recall the difficulties that Chicago has had during the last 2 or 3 years, arising from this very situation?

Mr. RUSSELL. Of course, they have had this trouble. The provision in this language forever bars the door to more than half the Negroes living in this country to any remedy whatever at the hands of the Federal courts from de facto segregation, segregation that, in many cases, is just as total and complete as it was when it was under the separate but equal doctrine of the laws of the Southern States.

Mr. SPARKMAN. Does the Senator recall the report of the Civil Rights Commission to the effect that Chicago was the most highly segregated city in the United States?

Mr. RUSSELL. Yes, I do. I have heard that from other sources, as well. I am not inclined always to accept everything the Civil Rights Commission says as fact.

Mr. SPARKMAN. Neither am I. But the people who are pushing this proposal credit the Civil Rights Commission with that statement.

Mr. RUSSELL. The language would make it impossible for the Attorney General—and he was a party to it—to bring a suit to seek to eliminate the de facto segregation that has been said by the Senator, and even by the Civil Rights Commission, to be in some cases as totally complete as it was in the South under the separate-but-equal doctrine.

Mr. SPARKMAN. Would not this provision, if enacted, insure a continuation of ghettos and highly segregated areas, such as Harlem, that have been mentioned?

Mr. RUSSELL. It would confine the activities of the Attorney General and all of his subordinates and minions to the Southern States.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. TALMADGE. My colleague has rendered outstanding service in putting his finger on the language that would preserve segregation and segregated schools outside the South. Substantially the same language is also contained in virtually every other title of the bill.

Is it not true that the language in virtually every title, leaves to the option and discretion of the Attorney General the designation of the cities, counties, and States in which he will bring a suit?

Mr. RUSSELL. It undoubtedly would give him wider authority and greater power than any one man has ever exercised in this country, including the President of the United States in time of war; but the language as I read it does not give him any option.

Mr. TALMADGE. It excludes the option.

Mr. RUSSELL. It excludes the option. This is the only case in which the Attorney General is not trusted. Apparently he did not trust himself or had some other reason for supporting this language. This language certainly will result in perpetuating segregation in Boston, where there is de facto segregation. But the other provisions of the bill give the Attorney General unlimited, unbridled power to determine of his own volition what the law is before he starts to enforce it.

Mr. TALMADGE. Could not the Attorney General state that the law would be enforced in State X but would not be enforced in State Y?

Mr. RUSSELL. I do not think he would make such a statement, but he could follow that policy.

Mr. TALMADGE. By making a determination in exercising his own judgment, as the bill provides for?

Mr. RUSSELL. There is no question about it.

Mr. TALMADGE. He could decide that he would bring a suit in one city or fail to bring a suit in another city, could he not?

Mr. RUSSELL. Of course, the Senator is absolutely correct. Not only that, but the original draft contained a provision that the Attorney General of the United States could write a letter to the attorney general of any State and absolve that State from the voting provisions of the bill, even though the State had a literacy test. That provision has been changed in the amendment in the nature of a substitute by providing that the Attorney General must make a contract or agreement with the State.

Mr. TALMADGE. In other words, the Attorney General is authorized to exclude the consideration of de facto segregation in areas outside the South.

Mr. RUSSELL. No free government has ever voted any such power to any official anywhere, to my knowledge.

Mr. TALMADGE. The remainder of the bill gives the Attorney General power to proceed in such cases or places as he sees fit. I ask the Senator to look at the language on page 12, in title II, section 206(a):

> SEC. 206. (a) Whenever the Attorney General has reasonable cause to believe—

In other words, the Attorney General would exercise the sole option—

> that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by this title—

So the Attorney General would make the determination as to whether to proceed or to fail to proceed, solely according to his own discretion; is that correct?

Mr. RUSSELL. Yes; and the Attorney General would also determine, solely for himself, whether discrimination existed.

Mr. TALMADGE. But "discrimination" is not defined in the bill; is it?

Mr. RUSSELL. No; and no attempt is made in the bill to define it.

Mr. TALMADGE. I thank my colleague for his able statement.

Mr. RUSSELL. I thank my colleague.

Mr. SYMINGTON. Mr. President, will the Senator from Georgia yield briefly to me?

The PRESIDING OFFICER (Mr. WALTERS in the chair). Does the Senator from Georgia yield to the Senator from Missouri?

Mr. RUSSELL. I yield to the able Senator from Missouri.

Mr. SYMINGTON. I did not hear all the discussion. Will the Senator from Georgia state again why he believes that the bill now contains a provision that no Federal official or Federal court in a State shall have the right to take action in the case of racial imbalance in the schools? Will the Senator from Georgia state why the bill now is written in that way?

Mr. RUSSELL. I think that provision appears in the bill in order to get it down to a matter of practical politics; in other words, I believe it is included in the bill in order to obtain sufficient votes to be able to impose cloture and thus to gag the Senate. That is the purpose of that provision; it is included in order to assure northern Senators that beyond peradventure, in their States de facto segregation cannot be touched by means of this bill. Those Senators were not satisfied with the provision which was included in the House-passed version of the bill; so the bill as it now stands goes further, and denies Federal officials and Federal courts jurisdiction of that question.

Perhaps the Senator from Minnesota [Mr. HUMPHREY] did not particularly relish the inclusion of that provision; but it was included in order to obtain sufficient votes to be able to gag the Senate.

Mr. SYMINGTON. Mr. President, will the Senator from Georgia yield further to me?

Mr. RUSSELL. I yield.

Mr. SYMINGTON. Some of us have felt that in parts of the country things were not proceeding in accordance with the Constitution. Regardless of whether we were correct or incorrect in holding that belief, at least that is the way we felt. So in the past we voted to increase the power of the proper officials and the Federal courts.

But—as I follow the Senator's statement—this amendment appears to reduce the power of the officials in question or the power of any Federal court. Therefore, this provision would be a reversal of the effort made in the past, would it not? Is that a correct analysis of the provision?

Mr. RUSSELL. Yes. It is a definite limitation, on the power of the Federal courts and even the power of the Attorney General to bring about desegregation in schools outside the South, whereas the remainder of the bill is for the purpose of increasing the power of the Federal courts and the power of the Attorney General over many facets of our daily lives and our free enterprise system.

Mr. SYMINGTON. I thank the Senator from Georgia.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 262 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bible
Boggs
Brewster
Burdick
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Douglas
Edmondson
Ellender
Gruening
Hart
Hartke
Hickenlooper
Holland
Hruska
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kennedy
Long, La.
Magnuson
Mansfield
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pearson
Proxmire
Ribicoff
Russell
Saltonstall
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Walters
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

ITALIAN REPUBLIC'S BIRTHDAY

Mr. BEALL. Mr. President, today is the 18th anniversary of the founding of Italy's Republic.

On this occasion I wish to extend my congratulations to the people of Italy and to the Americans of Italian descent.

One of these, a constituent and a good friend, Hon. Samuel A. Culotta, is today at the White House for a meeting with the President of the United States. Mr. Culotta is there in his capacity as grand venerable of the Order of the Sons of Italy, Maryland chapter, and national deputy of the order. The Order of the Sons of Italy is a distinguished Italian American organization which has proved to be one of our great patriotic organizations.

Mr. President, all peoples and nations suffered during the last war, but the people of Italy were suffering under the harsh and dictatorial Fascist regime long before the outbreak of that war. For nearly two decades these fine, spirited, and deeply religious people were forced to live under regimentation.

The Fascist regime proved its inability to act in the best interest of the Italian nation. When the people realized that such was the case, the Fascist regime was overthrown, and gradually a democratic government was instituted. That was done in an orderly manner on June 2, 1946. In a freely and fairly conducted election, the Italian people chose to live under a republican form of government, and thus established the Republic of Italy 18 years ago.

The road of democracy in Italy has been difficult. Many obstacles had to be overcome. Many hardships have been suffered by Italians who have fought for liberty against oppression.

Italians remember this day, and outstanding is their gratitude to the statesmen who successfully established a new democratic government without bloodshed.

We Americans viewed this vote of confidence in democracy by the Italian people with understanding and admiration. Further, our foreign policy was then geared to mutual assistance with Italy, which action gave support to the new Republic's rise to maturity.

Under the leadship of the statesman Alcide de Gasperi, the infant Republic strengthened its position and became an ally of the United States in the fight against communism.

The friendship between the United States and Italy has been evidenced in many ways during the past 18 years. Italy has been an indispensable partner in the European recovery program and in the North Atlantic Alliance.

Italy's identification with the aims of Western democracies has been reaffirmed by its leaders throughout this period.

Only a short time after the birth of the new Republic, Italy supplied its full quota of 12 divisions for the North Atlantic Treaty Organization. Italy was among the first to honor its commitments.

Our partnership with Italy has shown itself to be firmly rooted and capable of dealing harmoniously with international issues as they arise.

For a long time Italy was denied United Nations membership by the Soviet veto. However, with constant support from the United States, Italy finally achieved U.N. membership.

Today, Italy is bringing her full measure of strength to the solution of the free world's problems. That she is ready to do so is a tribute to the vitality of her people and the vision of her Government.

On the occasion of the visit of former Prime Minister Fanfani with President Eisenhower in July of 1958, a White House press release said:

> The President and the Italian Prime Minister reaffirmed the dedication of their countries to the North Atlantic Alliance and to the United Nations, established to defend the peace and protect the rights of people to live in freedom under the government of their own choosing. They reiterated their firm convictions that the combined strength and consistent action of the free and independent countries of the North Atlantic Alliance are vital to the peace and security, and will remain a cornerstone of their foreign policies.

Prime Minister Fanfani acknowledged before this body the appreciation of Italy for the support and assistance of the United States. He further assured us of Italy's firm desire to reciprocate. He said that Italy intends to give within the limits of her power, to the end that she will do her full part in averting from other areas of the world that danger of Communist subversion which has been averted in Italy.

The Republic of Italy has been, for the past 18 years, a battleground against the spread of communism.

I should like to discuss briefly some of Italy's gifts to our United States. Any schoolboy will tell us, of course, that Christopher Columbus discovered America, and that the very name "America" is derived from that of an Italian mapmaker and navigator, Amerigo Vespucci. In addition, there have been such men as Cabot, who laid the foundation for English settlements in this country; Verrazzono, discoverer of New York Bay; and Malespina, who explored the West. Nor can we forget that Paoli Busti founded Buffalo; Father Cataldo, Spokane; Henry DiTonti, Detroit. There are many others.

We in the United States are fortunate that many Italians have migrated to our shores. I am proud to say that many have chosen to settle in Maryland. People of Italian ancestry have made a significant contribution to the development of our State.

History has repeatedly evidenced the strength of purpose, the quality, and the genius of the Italians. Their contribution to the culture, the arts, the sciences, the industry, and the agriculture of nearly every country in the world—the Old World and the New World as well—is immeasurable.

As we celebrate this anniversary, we recognize these accomplishments, and we reaffirm the bonds of friendship, respect, loyalty, and purpose which Americans share with the men and women of Italy, and with their Republic which stands as a vital ally.

It is with pleasure that I publicly acknowledge the friendship, confidence, and mutual aims shared by the United States and Italy on the occasion of the 18th anniversary of the Republic of Italy. I am confident that this body joins with me in extending congratulations and best wishes to the Italian people and to their leaders.

At this time I would like to extend my congratulations and best wishes to Italy's Ambassador to the United States, His Excellency Sergio Fenoaltea.

It is consistent with the best interests of the United States and with our principles and philosophy of government to honor a Republic which since its birth 18 years ago, has been a stanch ally and friend.

HAITI: A CASE STUDY IN FREEDOM

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Haiti: A Case Study in Freedom," written by Robert D. Heinl, Jr., and published in the New Republic of May 16, 1964.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HAITI: A CASE STUDY IN FREEDOM

(By Robert Debs Heinl, Jr.)

("Travel and adventure" was the appeal on every recruiting poster when I entered the Marine Corps from Yale in 1937; and when I got orders in 1958 to head a U.S. military mission to Haiti, that was what the assignment promised. To participate in nation building, to serve in the eye of the Caribbean storm which was plainly blowing up, was a real challenge.

(I soon learned why the United States was sending a military mission to a country that needs a fighting army about as much as does Rhode Island. Haiti's armed forces are not only the fulcrum of the country's internal stability, but also an important agency for progress. Besides police work, they deal with communications, rural medical service, immigration, prisons, lighthouse service, the national airline, Coast Guard, commercial ship repair. My job was to help the Haitian military do these jobs better and at the same time get them back into trim as a force capable of holding off coups at home as well as adventures by Premier Fidel Castro.

(But President Duvalier wanted us only as a show of U.S. support for his regime. As soon as he found that I would not allow American military aid to be misused to enhance his personal power and that we were bent on rebuilding his army around a professionally trained corps of honest, patriotic young officers and NCO's, his interest cooled. After 4 years of ever-increasing obstruction and, at the last, of overt Duvalierist anti-Americanism, I felt like a doctor transfusing blood into one arm of a failing patient while another M.D.—Dr. Duvalier—had a suction pump on the other.

(By February 1963, it became clear that Duvalier was more than anxious to get rid of our mission, representing as it did the American presence (and, at that time, our well-founded disapproval of his regime). The Haitian Ambassador in Washington requested my recall. The only reason he could give our State Department was that I had been in Haiti more than 2 years (the normal tour of duty specified in the mission agreement). I left Haiti on March 1, 1963, with affection for a beautiful and tragic country for which I had done my best—and failed.

(I need hardly say (as I am required to by Navy regulations) that the opinions expressed in this article are my own and are not intended to represent those of the Navy Department, or the Service at large.

R.D.H., Jr.)

François Duvalier this month climaxes his 7th year of tyranny by assuming office as Haiti's President for life, with his ravaged country worse off than at any time since before U.S. intervention in 1915. The United States has sent him a fresh Ambassador (the fourth in 7 years), even though Duvalier has kicked out two of three predecessors. Last month, on receiving the Haitian Ambassador at the White House, President Johnson stated that the United States "looks forward to close cooperation and solidarity with the Government of Haiti"; and, to prove it, we have blessed a $2.6 million Inter-American Bank loan—a gift to Duvalier in all but name—which underwrites an evil regime that is in grave financial difficulties. With Duvalier unctuously inviting American tourism and retaining a high-powered Washington lobbyist for as yet undisclosed fees, our bruited new policy of living with dictatorial regimes in Latin America is being used to rationalize the "realism" of papering over, once again, our failure to cope with the Duvalier regime, let alone the fundamental difficulties of this overpopulated, superimpoverished country—with or without Duvalier.

We have given $100.8 million in aid to Haiti since 1945; Americans have advised, cajoled, pled, deplored, ineffectually threatened—and we are farther from attaining very modest objectives in and for Haiti than we were in 1958. Still worse, we have in François Duvalier a thoroughly undependable, implacably unfriendly, bitterly antiwhite neighbor who fosters internal communism as a means of blackmailing the United States.

The Windward Passage, which Haiti flanks, is the Gilbraltar Strait of the Caribbean. Almost two-thirds of the Caribbean's Atlantic traffic goes through it. In World War II, our Navy had to convoy more shipping through the passage—against limited German submarine operations—than through any sea area except the approaches to New York. Against today's Communist submarines, given Cuban bases, any position on the Windward Passage—such as Haiti—is a sensitive chokepoint.

Aside from its strategic geography, Haiti is an agricultural country with few resources but climate and scenery. Its 4 million people are crammed into half the space available to 2.5 million Dominicans next door. With the highest birth rate in the hemisphere, and one of the world's highest, Haiti's occupancy of arable land compares with India and China.

Haiti has the lowest individual gross national product—$67—in the Americas. It is the only country in the hemisphere whose gross national product has actually declined during the past decade. In 1788, as a French colony, Haiti's exports were $41 million; in 1961 they totaled $32 million. Coffee, sugar and sisal are the money crops, while rice, resulting from years of American effort in the Artibonite valley, feeds those who can afford it. Tourism, which could outpace all of Haiti's agricultural earnings is, despite Port-au-Prince's festering slums, and bizarre government mismanagement, normally a major dollar earner.

Haiti is black Africa with a French veneer. About a tenth of the population are mulattoes—mulatres, they are called—while the rest are black. When in power, the mulatres often exploited the blacks as irresponsibly as any colonial regime. The only general effort made to attack Haiti's illiteracy was that of the American occupation, which found the country 2 percent literate in 1915, and in 1934 left it 10 percent literate.

Ninety percent of the Haitians live in abject poverty, many in regions of endemic starvation. There is no conventional land-reform problem, that was taken care of in 1804. But having sliced up the French and their estates with the machete, the Haitians hopelessly oversubdivided into a crazy quilt of uneconomic peasant garden plots.

Slightly more than 10 percent of the people speak French, the official language; the rest speak only Creole, a pungent melange of west African dialects and 17th century French. Unfortunately, Creole is not a workable written tongue, so the country must be administered in a language spoken only by 1 person in 10.

Someone has said that Haiti is 90 percent Catholic and 100 percent voodoo. It would be more realistic to estimate that 10 to 15 percent attend church regularly, marry formally and have one wedded wife; the remainder practice voodoo and plaçage, a legally recognized union short of marriage.

ENDEMIC DICTATORSHIPS

Of more than 30 presidents since 1804 (Haiti is the second oldest "free" country in the hemisphere), only 3 have left office alive and/or voluntarily and/or constitutionally. Given its illiteracy and underdevelopment, Haiti cannot be anything but a dictatorship for years to come. Paradoxically, it came closest to representative government (including three orderly changes of regime) during 20 years of tranquillity and prosperity imposed by the bayonets of a U.S. Marine brigade.

Where we describe an administration as Democratic or Republican, Haitians classify regimes by color, as "noir" or "mulatre." Mulatre governments are extractive, diverting national revenues to the elite. Black governments, though amply extractive, too, as Duvalier has demonstrated, are usually retributive, and vent the blacks' resentment against mulatre exploitation. Racial division is Haiti's worst problem. But a Creole proverb defines Haiti's color barrier in a practical light—"a rich noir is a mulatre; a poor mulatre is a noir."

Besides the racial vindictiveness which poisons Haitian politics, other historical factors bear mention.

One is the image of Dessalines, the black primitive who imparted his fury to the 1804 revolt. It was Dessalines who created the national flag out of the French tricolor—by ripping out the white. As self-crowned emperor (like Duvalier today), he built the forts whose ruins still overlook the plains; these fortifications were not only to keep the whites from ever coming back, but to prevent Haitians in the interior from having intercourse with foreigners. The image of Dessalines, the crafty, cruel, treacherous, proud African isolationist who killed the whites, burnt their houses, and turned Haiti's face from the world, today still dominates the black—as distinct from mulatre—Haitian politicias, Duvalier included.

Although the military have been kingmakers throughout Latin America, they attained special dominance in Haiti because of lack of alternative leadership, fear of foreign recapture, and because of the original Code Rurale, which entrusted the governing of peasants in the back country to the military. Throughout Haiti's repeated transfers of power, the military have been both undertakers and accoucheurs of regimes. It must be said, however—at least since the American occupation and until Duvalier gutted the Army—that they have been among the more responsible and realistic of Haiti's leaders.

Another historically dominant element in Haitian politics is cacoism. The Cacos were rural black mercenaries at the service of any incumbent or aspiring politician. With caco aid, a Haitian president could assure his tenure so long as he paid his army and some opponent didn't buy off the cacos. Two nationalistic caco revolts were quelled by U.S. Marines early in the American occupation, and the phenomenon was considered dead until recently. It has been resurrected in Duvalier's Ton-Ton Macoute movement.

It is incontestable that 20 years of American occupation brought Haiti into the modern world. The foundations of a previously nonexistent middle class were laid. Sanitation, national highways, telegraph, and telephones (Port-au-Prince in 1922 got Latin America's first automatic telephone system), scheduled steamer service, national forests, agricultural schooling and development, a nonpolitical, disciplined, professional national gendarmerie—these were the peaceful achievements of the Marines.

By tight, honest control of exiguous revenues, American financial advisers created a sound currency, an independent national bank (even a surplus), while other advisers shaped a career civil service. For the first and last time in Haitian history, three presidents (Borno, Vincent, and Lescot) attained office by constitutional means rather than a coup.

The dominant American impress on Haiti was of power. Haitians may not always have liked us (though many did), but their respect was unquestioned. Directly related was an unshakable conviction, which survives to this day, that the United States having done what it pleased in Haiti for two decades, was ultimately responsible for whatever happened. It is a cardinal article among Haitians that when a regime stands, it stands by virtue of American support—and falls for lack of it. It is idle to reiterate that we have pursued a policy of nonintervention for the past 30 years; nobody in Haiti will believe that.

Nor has the United States kept hands off. We have simply been ineffective. Despite an abundance of economic and technical assistance, and outright budgetary support, our accompanying advice has gone unheeded; the Haitians, while eagerly absorbing gifts of money and material, have profited hardly at all from outside counsel and example. The Artibonite Valley project—a TVA which could feed and electrify all Haiti—into which $22 million were sunk, is moribund and crumbling. The 4,000 miles of good motor roads in occupation times have become 2,000 miles of mule tracks dotted by rusting hulks of U.S. engineer equipment given to Haiti. The Marine-installed telephones no longer ring: Port-au-Prince is probably the only world capital without telephones that work.

No sane foreign investor will put money into a country already picked bare by Duvalier's henchmen, especially when, in the words of one foreign diplomat, "Duvalier is at war with the commercial and productive classes of the country." Tourism, which offered brilliant prospects, is out of the question as long as Duvalier militiamen arrest and maltreat foreigners at will, and chauffeur-guides, licensed by the regime, hold up tourist passengers at pistol point. There cannot be much hope for Haiti's economy until the atmosphere is made hospitable to foreign investment and tourism, and until agriculture is organized efficiently—which means land reform (in the reverse sense) and training.

Of some 700,000 school-age children, 100,000 at most are in any kind of school, and only about 1,200 teachers are available. Seventy Haitian teacher-trainers, schooled in the United States, have been refused employment by Duvalier—ostensibly because the Government cannot afford to pay them $45 a month, really because the regime fears penetration by American ideas. When last heard from, 38 of those teachers had been shipped off to fight illiteracy in the Congo.

The organization and philosophy of Haitian education is that of France at its 19th Century worst. Every Haitian schoolboy wants his degree in classics or philosophy and a white-collar job with a briefcase. The crying needs for vocational training, for farm and home schooling, for nurses and artisans, go unanswered. A group of 50 public health nurses, trained in the United States in 1961, is already lost, mostly to Africa.

That Duvalier has his own ideas on education was made clear in his 1962 selection of medical students for the university: Of 88 admitted, 88 were black, and at least 68 were children of leading Duvalierists. Meanwhile the offspring of educated mulatre families are denied exit visas to obtain abroad the higher education the Government denies them at home.

CHIEF OF THE REVOLUTION

Francois Duvalier, who has conferred upon himself the title "chief of the revolution," is an M.D. by calling, an ethnologist by bent. He speaks bad French and bad Creole, almost inaudibly and in delphic phrases. He was once employed in the U.S.-aid program and received public health training at the University of Michigan. He is an ardent practitioner of voodoo, which he and his followers describe as "folklore" (he is reported to credit voodoo spells for the downfall of Juan Bosch and the death of John F. Kennedy, both of whom opposed him). Judged on externals, this quiet-spoken, scholarly, paternal-appearing family doctor—married, like Dessalines, to a charming mulatre—seemed the very man in 1957 to help Haiti, not only from the U.S. viewpoint, but from that of Gen. Antonio Kebreau, the Army Chief of Staff who had bossed a previous sequence of provisional governments and felt it was time for a responsive "constitutional" president.

But one important fact about Duvalier was still unknown, as belatedly disclosed by one of many early adherents on whom Duvalier later mercilessly turned, and finally butchered. Duvalier, while a political fugitive in the days of President Magliore, kept one book with him, rereading, quoting: Michiavelli's "The Prince." Duvalier is cruel, devious, xenophobic, hypersuspicious, today a virtual recluse, utterly ruthless and self-consecrated to power. He rules by playing (and paying) off ambitious and greedy subordinates and factions; by calculating extirpation of alternative leadership; by fear, espionage, and every totalitarian brutality; by suppressing civil liberties (especially freedom of the press). His Ton-Ton Macoute movement (the phrase is Creole for "bogeyman") pervades Haiti; in it "Papa Doc" has created a crude and sinister apparatus. As long as he controls the TTM's, Duvalier controls Haiti.

A Ton-Ton Macoute is a Duvalier activist. In 99 cases out of 100 he is black. The civilian TTM can be recognized by his sharp clothes, dark glasses, pearl-gray homburg, and bulge of a pistol on his hip. (In 1962, lesser TTM's, unable to afford the genuine article, were toting toy plastic reproductions.) This man is an informer, neighborhood boss, extortioner, bully and political pillar of the regime. Most Government employees, up to ministerial level, are TTM's (postal service sagged in 1958 when, in the wholesale turnover of office to Duvalierists, the TTM mail clerks could not read).

Instead of pursuing the usual authoritarian tactic of strengthening his army to uphold the regime, Duvalier, like Castro, set out to wreck the regular army (whose loyalty he doubted) and created instead a blue-denimed civil militia, a second army of TTM's. While building this militia, Duvalier jettisoned (and probably murdered) General Kebreau, and has since run through four more Army chiefs of staff. Today, the Milice Civile is 12,000 to 15,000 strong. The Presidential Guard—soldier-TTM's—are barracked on the National Palace ground floor. In the palace basement, Duvalier has sequestered the entire national arsenal, including all heavy weapons belonging to the army. This National Palace, built in 1918, is Haiti's fourth. All its predecessors were destroyed by basement munitions explosions. Today neither army nor Milice holds anything larger than rifles, and only token ammunition for those.

While the Milice enables Duvalier to neutralize his military, it also serves—like Hitler's brownshirts—as a highly effective instrument for repressing and terrifying the peasantry; and it is consciously dramatized by the regime as a resurgence of cacoism.

Here Duvalier is playing with fire. By rehabilitating the oldtime caco (complete even to the long machete and traditional red scarf), the regime terrifies the propertied elite. But for how much longer? Here are at least 12,000 illiterate peasants, armed for the first time, their simple natures inflamed by repeated injunctions of racial hate, and their imaginations roused by the temptation of power. Because Papa Doc gives them money, rum, and authority, the TTM's are his. But what happens when he runs out of money or when—as in caco times—another employer wins them over? Should Duvalier die or be assassinated, will these miliciens remember Dessalines' war cry against the whites—"Cut off their heads; burn their houses"?

As one of two proclaimed dictators remaining in the OAS, Duvalier plays a lonely role in the hemisphere, while courting distant African States with whom he incessantly proclaims the brotherhood of "negritude." Duvalier spends money to open embassies in Mali, Ivory Coast, Dahomey and Ethiopia, and toadies to Charles de Gaulle (whose ancestors Dessalines butchered) in an attempt to wheedle economic aid the United States has been forced to withhold. His thin diplomatic corps (only 20-odd countries still maintain missions in Port-au-Prince) bears the scars of expulsions or hasty departures. Since Duvalier's accession, chiefs of mission from Great Britain, Chile, Venezuela, Santo Domingo, the Netherlands, and the United States have been shown the door, together with numerous foreign officials of lesser degree.

The archbishop of Haiti, two bishops, and nearly 40 priests, including all Jesuits in the country, have been expelled under police guard. Duvalier is under excommunication (which doesn't bother him notably). The Papal Nuncio was recalled to Rome in 1962. Early this month, the Episcopal Church had its turn. After 21 years' devoted service as Bishop of Haiti, the Right Reverend C. A. Voegeli, whose contributions equal those of any American during the period, was arrested and expelled at gun point on a half-hour's notice.

Despite better world coffee prices, Haiti's public debt has increased from $4.6 million to $44 million in the last decade, with nothing to show for it. Business is at a standstill.

The justified cutoff of U.S. aid in 1962 diminished the flow of cash in Haiti—especially through Government hands—to a trickle. Whether better coffee prices and the recent Port-au-Prince waterworks loan will rescue Duvalier remains to be seen; Washington seems to be doing its best to turn the tide in his favor. Although legerdemain kept the 1963 budget ($28.8 million) in apparent balance, Government salaries are in arrears; wage earners get part of their pay in funny-money "Certificates for National Liberation," bonds redeemable 5 years from now (where will Duvalier be in 5 years?). Business enterprises are coerced to subscribe heavily for these certificates, while Government employees on some paydays receive blocks of lottery tickets instead of money.

The Banque Nationale de la Republique—one of the most solid and carefully wrought achievements of American occupation—is squarely under Duvalier's guns, fighting a holding action, with International Monetary Fund support, to stay independent and, incidentally, to maintain the Haitian gourde (US $0.20) at its present level. Having fired as many old-line American-trained banque people as he could, Duvalier has attempted to pressure the survivors into opening the tills to the TTM's, and would, if he dared, end the banque's independence by absorbing it outright into the Haitian Government (which would also absorb the banque's reserves into Duvalier's pockets). Only the Damoclean threat of withdrawal of IMF support for the gourde prevents such a step.

To sum up, Duvalier runs as tight a dictatorship as Haitian inefficiency permits; the regime's philosophy reflects Duvalier's opportunistic megalomania and racism, and little else; it is buttressed by an apparatus which infiltrates and divides all levels of Haitian society, and probably precludes, at least for now, any unsupported internal action to get rid of Duvalier.

Duvalier's apologists frequently assert that he alone stands between Haiti and communism. Because Haiti is only 90 miles from Cuba and is appallingly poor, the assertion is worth examining.

Haiti is a one-party state. There have been no overt Communist manifestations (only anti-American ones) since Duvalier attained power. The Communist Party (outlawed) is small, but growing steadily and is certainly unhindered by Duvalier. One of three major labor unions is Communist-controlled; there is increasingly effective penetration of student groups, whose long but finally unsuccessful strike in 1961 posed Duvalier with one of his most serious challenges. Some Communist professors teach at the university; the principal editorial writer of Le Matin, a leading daily, is an avowed Communist. Paul Blanchet, the Minister of Information, along with his brother, Jules, also an inner circle Duvalier official, and Herve Boyer, Minister of Finance, form a Communist or crypto-Communist inside team devoted to keeping the Duvalier regime at odds with the United States.

AMERICAN AID

Czech and Polish "trade missions" were welcomed by Haiti in 1962 and 1963—when, coincidentally, Duvalier was having a bad time with the United States. His cynical willingness in 1961 (until we paid through the nose) to sell to Castro Haiti's crucial Punta del Este vote—the OAS vote to oust Cuba from the Organization of American States—suggests Duvalier's real attitude: that Communism is a counter against the United States, and his U.N. and OAS votes are for sale.

In a 1960 speech, Duvalier bitterly proclaimed: "For 33 months, My Government [capitalization his] and people have lived on promises, smiles, encouragement, recommendations, hesitancy, long delays, and lack of understanding." In a year when U.S. aid totaled about a third of Haiti's budget, he taxed the United States with offering "only what is necessary to maintain a marginal standard of living." Finally, demanding "a massive injection of money," he warned: "Cooperation is not a synonym for subordination." In other words, Duvalier wants money, lots of it, with no strings and no American advisers looking over his shoulder.

According to the Clay report, Haiti tied with Panama for third place among the 10 Central American and West Indian countries receiving U.S. assistance since 1945. American aid has underwritten more than one-fourth of Haiti's budgets during Duvalier's rule.

Why then is Papa Doc so dissatisfied? Because American assistance has been shaped to help Haiti rather than Francois Duvalier.

As soon as Duvalier recognized that the United States had no intention of subsidizing his unplanned development schemes—all undertaken outside the budget and all designed without regard for Haiti's needs—the honeymoon was over. This dates from March 1960, when, in defiance of aid agreements, Duvalier fired top Haitian employees of U.S.-funded projects in the Artibonite Valley and replaced them with TTM's. Before the summer was over, Duvalier had also requested the recall of Ambassador Gerald Drew, whose long Haitian experience and independent, forceful personality the regime considered a liability. Ironically, Ambassador Drew had literally saved Duvalier's life by airlifting a U.S. Navy cardiac team to Port-au-Prince after the dictator's near-fatal seizure in May 1959.

The reasons for American dissatisfaction with Duvalier are also simply stated: The regime is unconstitutional, uncooperative, unreliable, unresponsive, unfriendly, inhumane, insincere and ineffective. American citizens have been maltreated, illegally arrested, held incommunicado and deported without explanation. American business interests have been shaken down for heavy contributions by the malodorous national renovation movement (one businessman had the shock of receiving his canceled check for this "worthy" enterprise returned with the endorsement of a mistress of Luckner Cambronne, cabinet minister and director of the MRN). American diplomatic and consular officials have been harried and insulted in the conduct of business. It is doubtful if, anywhere outside the Communistic bloc, the United States has had so many official representatives expelled without cause. Since 1958, two career ambassadors, one counselor of embassy, one AID mission chief, two deputy AID mission chiefs, one military attaché, one cultural attaché, two naval mission chiefs, one Air Force mission chief.

Washington's response to all such provocations has been limited and desultory. We did, it is true, terminate aid; the Port-au-Prince airport—bribe for Duvalier's anti-Castro OAS vote—has foundered. The military assistance program (mostly training and nonfighting equipment) was stopped in 1962, when it became clear that Duvalier was bent on dismembering his American-trained armed forces. Each May 22—anniversary of Duvalier's unconstitutional 1961 reinauguration—the U.S. Ambassador pointedly absents himself for "consultation" in Washington. Where, in 1963, there was a 70-man AID mission and a military mission almost as strong, both are now gone—the one at our instance, the other at Duvalier's. Cruise ships usually bypass Port-au-Prince; tourist hotels are empty or closed.

A year ago this month, as Duvalier's constitutional term expired, a Marine expeditionary brigade lay off Port-au-Prince in anticipation of bloody disorders; an OAS commission, frustrated at every turn, was trying unsuccessfully to probe Duvalier's troubles with Santo Domingo and his murderous violations of human rights; American dependents were evacuated. But nothing happened. Duvalier who, a month before, had been penning up mulatre hostages for slaughter, keyed down his terror, the Marines eventually sailed north, and the dependents were allowed to trickle back. Ambassador Thurston's May "consultation" in Washington proved permanent. Duvalier refused to let him come back, even to pick up his household effects. Haiti thereby became the only country in the world to have expelled an American ambassador during the Kennedy administration. We then shuffled through an "extensive reappraisal" of the Haitian problem, and asked Papa Doc if he would accept a new ambassador. Duvalier graciously assented, then let the new man cool his heels 5 weeks after arrival before deigning to receive him—and waited until 4 months later before bothering to send an ambassador to Washington.

WHERE DO WE GO FROM HERE?

It is easy to say that Duvalier must go, but how? The financial squeeze imposed by the cutoff in U.S. aid (and his own economic follies) had all but cornered Duvalier, until the recent Port-au-Prince water system loan by the Inter-American Bank (which amounts to about 10 percent of Haiti's national budget). We cannot assume that when things get bad enough, Duvalier will give up and move to Paris or Algeria. He has publicly said that if anyone tries to topple him, "Blood will flow as never before. The land will burn from the north to the south, from the east to the west. There will be no sunrise and no sunset, just one big flame licking the sky. It will be the greatest slaughter in history. There will be a Himalaya of corpses."

Can the United States and the OAS stand aside and let this man run his course? At first glance, the alternatives to Duvalier appear discouraging. The elite minority entertains an illusory hope that somehow the clock can be turned back to the golden days of Lescot, the last mulatre president. If the exiles, led by Paul Magloire—one of the few truly popular presidents Haiti ever had—could give effective support to internal elements in overthrowing Duvalier and bring in a middle-class provisional government composed of responsible black and mulatre elements, it might be possible, with U.S. support, to turn Haiti back on the path of progress. But is that possible?

Of course the United States—like De Gaulle in Gabon—could nerve itself to an act of gunboat diplomacy (an act, not the mere threat of an act). One such resolute puff would blow down Duvalier's house. But is military intervention compatible with America's broader international commitments? And in this election year, is any such initiative imaginable against the hemisphere's only colored country?

The irony of our impasse with Duvalier is that, in eschewing old-fashioned gunboat diplomacy, we have foreclosed surgery which could relieve Haiti of sore burdens and permit us to resume aid where so desperately needed. Yet our craving to be liked, rather than respected, deters us. Even so, short of outright intervention, certain measures could be taken.

We must first dismiss the micawberish notion that somehow we can live with Duvalier. Nobody can. Ask the Haitians. Ask our past three ambassadors. We must also give up the illusion that we can take Duvalier to the mountaintop and show him the vision of what American aid might bring to Haiti, and of himself enshrined in history as a modern King Henry Christophe. The only view from Papa Doc's mountain is unending power fueled by cruelty, betrayal, and exploitation.

We should reestablish unrelenting economic pressure on Duvalier. No foreign aid, no jet airport, no highways, no waterworks for Port-au-Prince. Hard though it may seem, there must for the present be no American help in recovering from the damage of hurricane Flora. It makes no sense for the International Monetary Fund to continue supporting the gourde. Withdrawal of IMF support would be a thunderbolt which alone might strike Duvalier down. We should discourage travel to Haiti. Visits by American warships (a considerable dollar source) should be only those required for protection of U.S. interests. Major American investors (such as the Haitian-American Sugar Co.) who have reached quiet accommodations with Duvalier, should be persuaded to harden their hearts. The international oil companies, for example, could paralyze Haiti, which has no refineries, in a fortnight.

Given the unsatisfactory history of past diplomatic relations with Duvalier, it seems incredible that we have sent in another ambassador. Why enable Duvalier to crow over still another capitulation? Sending an ambassador was playing Duvalier's game while serving no significant interest of the United States—unless, as President Johnson's pronouncement suggests, we really have made up our minds, once and for all, to live with a squalid dictatorship.

We should establish contact with, encourage, and support Duvalier's responsible opponents both inside and outside Haiti. We should do this firmly and without hesitancy. We should think ahead—aloud—about what the United States could do for Haiti were Duvalier replaced by a more responsible leader.

To date, no Haitian has emulated the East German or Hungarian patriots by attacking Duvalier's rickety tanks with stones or Molotov cocktails, and until Haitians themselves take the first steps, the hemisphere is powerless. But when enough Haitians have had enough of François Duvalier, then the world can help. The instant Haiti awakens, we must be on the qui vive to sustain and befriend a new government, by armed intervention if need be, and whether such action is universally applauded or not.

Is all this too much? Must the Haitian problem always be swept under the rug? Those who love Haiti, with all her faults and all her woes, can only hope.

BIRTHDAY ANNIVERSARY OF EDUARD BENES, GREAT LEADER OF FREE CZECHOSLOVAKIA

Mr. DOUGLAS. Mr. President, Eduard Benes, free Czechoslovakia's great leader, was born on May 28, 1884, in a village of Bohemia. He grew up during the waning years of the Hapsburg's dual monarchy, and his contribution to the cause of human liberty and national independence should be recalled by those of us who can bear witness to it. Therefore, I wish to recognize this 80th anniversary of his birth and to remark briefly on his life.

Despite a humble village origin, Benes managed to educate himself sufficiently to attend university in Prague. From there, he pursued studies with an eager intellect, moving to the Sorbonne and the Ecole des Sciences Politiques in Paris. His academic interest was based upon economics and sociology, both of which he ultimately taught in Prague. His major extracurricular interest was the young Czech nationalist movement. When World War I broke out, Benes, at age 30, was the close companion and assistant of the great Czechoslovak hero, Thomas Masaryk. Together they worked for, and ultimately won, Allied recognition for their movement. At the war's end, Benes attended the peace conference and was, in fact, a signer of the Versailles Treaty. In 1921, a government for the new Republic was formed and Benes became Foreign Minister. As such, he played a leading role in the complicated diplomacy of the postwar period. His conduct of foreign policy was realistic and competent.

No one was more qualified to succeed Masaryk to the presidency in 1935, and the people of Czechoslovakia elected Benes with tremendous enthusiasm. His new office was fraught with difficulty as he faced opposition from two fronts. The Communists used every means at hand to deflate his popularity and undermine his fine, progressive program. On the other hand, the Nazis expended their energy on stirring the Sudeten Germans as an excuse for annexation, and the resultant violation of the young Republic was a crime for which the world paid in blood.

After the Munich accord, Benes resigned and visited for a short time in the United States. During 1939 and 1940 he taught at the University of Chicago, as Masaryk had done before him. Students now at the university are reminded of Masaryk's years there by the statue of him which stands near the east end of the Midway.

During the war years, Benes spent a great deal of time in England where he was the leader of the Czech Government in exile.

There was not a victorious outcome for Eduard Benes. He lived to see the war won by the Allies and his beloved country overrun by the old enemy, communism. But it was a valiant and right-minded life. He worked tirelessly for his people, for their freedom and their welfare. And his courageous stand for Czechoslovakia's national integrity while under continuous fire from the right and the left will never be forgotten.

AGENCIES CAN SAVE MILLIONS OF DOLLARS BY IMPROVING POLICIES IN USE OF AUTOMATIC DATA PROCESSING EQUIPMENT

Mr. DOUGLAS. Mr. President, a very encouraging article by Mr. Robert Dietsch appeared recently in the Washington Daily News. He reports that the administration is pressing a campaign to secure better judgments in acquiring and using computers or automatic data processing equipment.

I am delighted to see this article. For months I have been urging Senate action on my bill, S. 1577, to authorize the Administrator of General Services to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies. This bill was drafted by the General Accounting Office at my request following hearings by the Joint Economic Committee last year. The proposed methods for tightening up administrative policies in this matter which Mr. Dietsch discusses are similar to the provisions of S. 1577. I hope that the new interest of the administration in these economies will lead to renewed interest by the Congress in S. 1577 and in the House-passed legislation developed in the subcommittee chaired by Representative BROOKS.

Mr. Dietsch points out that the Federal Government is the single largest user of ADP equipment and will have spent about $820 million on computers by the end of this fiscal year. As a result of the information developed by the Joint Economic Committee, I think we can save many millions of dollars in this field and I hope the Congress as well as the administration will act to do so.

I ask unanimous consent that Mr. Dietsch's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Administration Chases Savings—Computers Must Give a Better Account

(By Robert Dietsch)

A campaign—a belated one, according to some critics—is being pressed within the Johnson administration to make better judgments in acquiring and using computers. The effort could save taxpayers millions and help trim Federal employment.

But, say some computer experts in private industry and some congressional critics, full potential savings will not be realized until responsible executive branch workers learn to evaluate and keep up with the rapidly changing computers and other automatic data-processing (ADP) equipment.

LIKE TOPSY

Uncle Sam's use of computers has grown like Topsy in the last 14 years. Today, they're given a multitude of tasks—from planning war games and missile trajectories to helping the Internal Revenue Service keep account of income tax returns and the Census Bureau in its population counts.

Government use of ADP machines is still growing. For example, the Office of Emergency Planning recently asked a House subcommittee for $50,000 in computer funds to (as a skeptical Congressman put it) "figure out how many people are on the streets of Podunk as well as New York from 2 o'clock in the morning until 5."

The agency might not get this $50,000, but in the year ending June 30 the Government will have spent about $820 million on computers. The total will be a record, $115 million over the previous year.

LARGEST USER

Also, the Government is the single largest user of ADP equipment. It now has about 1,775 units and annually takes 10 to 15 percent of all machines turned out by U.S. producers.

Some criticism of the executive branch's computer policy must be evaluated in the light of the tremendous growth and diversification of ADP equipment.

Nonetheless, critics do seem to have a number of valid points:

Too much ADP equipment has been leased by the Government rather than bought outright.

In some cases, computers were leased instead of bought because annual outlays were smaller and fitted better into departmental budgets. A $50,000 lease item looked better to some congressional money watchers than $3 million for purchase.

But in the long run, a $3 million outlay could have saved many dollars.

There has been too little coordination of computer use within Government agencies and departments. Too often, one section of an agency has ordered a computer without realizing another section had a similar unit sitting idle.

The Government has been negligent in checking on computer use by U.S. contractors. A firm doing defense work, for example, might rightfully acquire ADP equipment with taxpayer funds under terms of his contract. But no one checked to insure equipment was used only on defense work and not to help the contractor with his private data processing problems.

ADDRESSES BY PRESIDENT LYNDON B. JOHNSON AT THE UNIVERSITY OF MICHIGAN AND VIRGINIA MILITARY INSTITUTE

Mr. HUMPHREY. Mr. President, President Lyndon B. Johnson recently delivered two outstanding addresses at two of this Nation's outstanding educational institutions, the University of Michigan and Virginia Military Institute.

At Ann Arbor the President set forth his concept of the great society for which we must labor in this country. He said:

> For half a century, we called upon unbounded invention and untiring industry to create an order of plenty for all of our people. The challenge of the next half century is whether we have the wisdom to use that wealth to enrich and elevate our national life, and to advance the quality of our American civilization.

This is surely the challenge which confronts America.

At VMI the President attended the dedication of the George C. Marshall Research Library. The President's remarks concerning this great American, great soldier, great diplomat, and great human being deserve the attention of every Member of the Senate.

I ask unanimous consent that the President's remarks at the University of Michigan and VMI be printed at this point in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT THE DEDICATION OF THE GEORGE C. MARSHALL RESEARCH LIBRARY, LEXINGTON, VA.

General Shell, Mrs. Marshall, General Eisenhower, General Bradley, Governor Harrison, Mr. Lovett, Senator Byrd, members of the Cabinet, Members of the Congress, ladies, and gentlemen, the dedication of a library in General Marshall's memory is an event of sufficient importance to require our full attention today. But just for a moment, I would like to turn to consideration of a pressing, immediate local problem. I understand that a number of young men at VMI are, as the rulebook says, undergoing punishments for transgressions against VMI rules and regulations. Although my position in the VMI chain of command may not be too clearly defined, I am asking Governor Harrison, of Virginia, to direct the superintendent, General Shell, to grant them general amnesty to include penalty tours, confinement, and, as an additional present, forgive them for their demerits for the past couple of months.

I am very pleased that so many cadets are here today. I find it quite difficult to choose from them the man who will be the next Stonewall Jackson or George Marshall.

You probably have the same difficulty. But I remember that it was once reported of General Marshall when he first entered VMI that he landed in the awkward squad, and he stayed there on and on. He could not drill. He could not march. All he could do was swear, look uncomfortable, and be embarrassed whenever he was spoken to.

So cheer up, gentlemen, and be courteous to each of your classmates, no matter how unpromising he might look today. Remember, he may be your Chief of Staff one day.

If George Marshall could see us here today, this gathering would please him greatly, I think. Here, in tribute, are men whom his farseeing vision marked for far-reaching victories.

President Eisenhower, you were his most beloved and respected protege. It is a measure of his stature that he selected you for that decisive command which as a soldier he must have deeply coveted. In that judgment he and his superiors were vindicated and the world was richly rewarded.

General Bradley, you were his cutting edge, the field commander of more American fighting troops than any commander in any era. On your skill rested much of his hope for victory for our cause.

Here the captains and the companions of George Marshall are in rendezvous, and I am so proud and so honored to be at their side. No word of mine can add to the eloquence of your presence.

The name which can command your tribute gains no luster from what I might say. It is we and our country that are ennobled by this ceremony. For the greatness of people can be measured by the qualities of the men that they honor. Great as he was, George Marshall does not stand in towering isolation. He is part of a long line of legendary captains who were more than instruments to be hurled against the enemy. To these men victory in war was important. But the fruits of that victory were even more important. They did not shrink from the blood of battle. But they knew that blood would be spent in vain unless the survivors labored for a country where liberty was safe in a nation of peace.

Listen to the roll of some of those great names, warriors in war and apostles in peace, names which ring across the centuries of our history with that single theme: George Washington, Andrew Jackson, Robert E. Lee, Douglas MacArthur, George Marshall, Omar Bradley, Dwight David Eisenhower.

Many men have, as these men had, the qualities of greatness. But it is fortune's hazard whether character can join with circumstance to produce great deeds. For George Marshall the tragedy of war gave scope for his soldier's art. The trials of a restless peace gave shape to his stateman's skill. He was picked for supreme command, over many of his seniors, by a man of great vision, Franklin D. Roosevelt. When he had helped guide us to victory, he knew that peace, like victory, would go not just to the righteous but to the skillful, not just to the free but to the brave. He followed Harry Truman's wise reminder that "peace is not a reward that comes automatically to those who cherish it. It must be pursued, unceasingly and unswervingly by every means at our command."

To this end, under President Truman's direction, he proposed the Marshall plan. We know how much our freedom, and the freedom of all Western Europe, owes to that single stroke. But that vision did not stop where Soviet conquest began. To General Marshall, permanent peace depended upon rebuilding all European civilization within its historic boundaries. The Iron Curtain rang down upon that hope. But the correctness of his conviction has not changed. Today we work to carry on the vision of the Marshall plan. First, to strengthen the ability of every European people to select and shape its own society. Second, to bring every European nation closer to its neighbors in the relationships of peace. This will not be achieved by sudden settlement or by dramatic deed. But the nations of Eastern Europe are beginning to reassert their own identity. There is no longer a single Iron Curtain. There are many. Each differs in strength and thickness—in the light that can pass through it, and the hopes that can prosper behind it.

We do not know when all European nations will become part of a single civilization. But as President Eisenhower said in 1953: "This we do know: A world that begins to witness the rebirth of trust among nations can find its way to peace that is neither partial nor punitive."

We will continue to build bridges across the gulf which has divided us from Eastern Europe. They will be bridges of increased trade, of ideas, of visitors, and of humanitarian aid. We do this for four reasons: First, to open new relationships to countries seeking increased independence yet unable to risk isolation. Second, to open the minds of a new generation to the values and the visions of the Western civilization from which they come and to which they belong. Third, to give freer play to the powerful forces of legitimate national pride—the strongest barrier to the ambition of any country to dominate another. Fourth, to demonstrate that identity of interest and the prospects of progress for Eastern Europe lie in a wider relationship with the West.

We go forward within the framework of our unalterable commitment to the defense of Europe and to the reunification of Germany. But under the leadership of President Truman and President Eisenhower, and our late beloved President Kennedy, America and Western Europe have achieved the strength and self-confidence to follow a course based on hope rather than hostility, based on opportunity rather than fear. And it is also our belief that wise and skillful development of relationships with the nations of Eastern Europe can speed the day when Germany will be reunited. We are pledged to use every peaceful means to work with friends and allies so that all of Europe may be joined in a shared society of freedom. In this way I predict the years to come will see us draw closer to General Marshall's bold design than at any time since he stood at Harvard and began to reshape the world.

It is a great man who can guide the course of a great nation long after he has left the scene. The men around me today on this platform are such men. General Marshall was another. We honor him not only for what he did but for what he was. Had he lived unknown and unsung, his character would have illuminated the lives of all who knew him. He was among the noblest Americans of them all. Not only a great soldier, not only a great statesman, he was first and foremost a great man.

This institution is here to produce such men. And so it is quite appropriate that the George C. Marshall Research Library is located here, among these cadets. Before the battle of Chancellorsville, Stonewall Jackson said, "The men of Virginia Military Institute will be heard from today." Throughout our history, our long, glorious history, when the day was in doubt and freedom seemed to falter, the voice of VMI has always helped lead our Nation to victory.

The qualities forged here and by your graduates of a hundred battlegrounds, are the hard fiber of this Nation's national strength. You and I are in the same service, the service of a nation for which we are prepared to die but for which we wish to live.

I welcome you to that service. I will go back to my tasks with a heart knowing, as did my predecessors, that the men of VMI are at my side in the service of our country.

REMARKS OF THE PRESIDENT AT THE UNIVERSITY OF MICHIGAN, ANN ARBOR, MICH.

President Hatcher, Governor Romney, Senators McNamara and Hart, Congressman Meader, and Congressman Staebler, other members of the fine Michigan delegation, members of the graduating class, my fellow Americans, it is a great pleasure to be here today. This university has been coeducational since 1870, but I do not believe it was on the basis of your accomplishments that a Detroit high school girl said, "In choosing a college, you first have to decide whether you want a coeducational school or an educational school."

Well, we can find both here at Michigan, although perhaps at different hours.

I came out here today very anxious to meet the Michigan student whose father told a friend of mine that his son's education had been a real value. It stopped his mother from bragging about him.

I have come today from the turmoil of your Capitol to the tranquillity of your campus to speak about the future of our country. The purpose of protecting the life of our Nation and preserving the liberty of our citizens is to pursue the happiness of our people. Our success in that pursuit is the test of our success as a nation. For a century we labored to settle and to subdue a continent. For half a century we called upon unbounded invention and untiring industry to create an order of plenty for all of our people. The challenge of the next half century is whether we have the wisdom to use that wealth to enrich and elevate our national life, and to advance the quality of our American civilization.

Your imagination, your initiative, and your indignation will determine whether we build a society where progress is the servant of our needs, or a society where old values and new visions are buried under unbridled growth. For in your time we have the opportunity to move not only toward the rich society and the powerful society, but upward to the great society. The great society rests on abundance and liberty for all. It demands an end to poverty and racial injustice, to which we are totally committed in our time. But that is just the beginning. The great society is a place where every child can find knowledge to enrich his mind and to enlarge his talents. It is a place where leisure is a welcome chance to build and reflect, not a feared cause of boredom and restlessness. It is a place where the city of man serves not only the needs of the body and the demands of commerce, but the desire for beauty and the hunger for community.

It is a place where man can renew contact with nature. It is a place which honors creation for its own sake and for what it adds to the understanding of the race. It is a place where men are more concerned with the quality of their goals than the quantity of their goods. But most of all, the great society is not a safe harbor, a resting place, a final objective, a finished work. It is a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor.

So I want to talk to you today about three places where we begin to build the great society—in our cities, in our countryside, and in our classrooms. Many of you will live to see the day, perhaps 50 years from now, when there will be 400 million Americans; four-fifths of them in urban areas. In the remainder of this century urban population will double, city land will double, and we will have to build homes, highways, and facilities equal to all those built since this country was first settled. So in the next 40 years we must rebuild the entire urban United States.

Aristotle said, "Men come together in cities in order to live, but they remain together in order to live the good life."

It is harder and harder to live the good life in American cities today. The catalog of ills is long: There is the decay of the centers and the despoiling of the suburbs. There is not enough housing for our people or transportation for our traffic. Open land is vanishing and old landmarks are violated. Worst of all, expansion is eroding the precious and time-honored values of community with neighbors and communion with nature. The loss of these values breeds loneliness and boredom and indifference. Our society will never be great until our cities are great. Today the frontier of imagination and innovation is inside those cities, and not beyond their borders. New experiments are already going on. It will be the task of your generation to make the American city a place where future generations will come, not only to live but to live the good life.

I understand that if I stay here tonight I would see that Michigan students are really doing their best to live the good life.

This is the place where the Peace Corps was started. It is inspiring to see how all of you, while you are in this country, are trying so hard to live at the level of the people.

A second place where we begin to build the great society is in our countryside. We have always prided ourselves on being not only America the strong and America the free, but America the beautiful. Today that beauty is in danger. The water we drink, the food we eat, the very air that we breathe, are threatened with pollution. Our parks are overcrowded. Our seashores overburdened. Green fields and dense forests are disappearing.

A few years ago we were greatly concerned about the "ugly American." Today we must act to prevent an "ugly America."

For once the battle is lost, once our natural splendor is destroyed, it can never be recaptured. And once man can no longer walk with beauty or wonder at nature, his spirit will wither and his sustenance be wasted.

A third place to build the great society is in the classrooms of America. There your children's lives will be shaped. Our society will not be great until every young mind is set free to scan the farthest reaches of thought and imagination. We are still far from that goal. Today, 8 million adult Americans, more than the entire population of Michigan, have not finished 5 years of school. Nearly 20 million have not finished 8 years of school. Nearly 54 million, more than one-quarter of all Americans, have not even finished high school.

Each year more than 100,000 high school graduates, with proved ability, do not enter college because they cannot afford it. And if we cannot educate today's youth, what will we do in 1970 when elementary school enrollment will be 5 million greater than 1960? And high school enrollment will rise by 5 million. College enrollment will increase by more than 3 million. In many places classrooms are overcrowded and curriculums are outdated. Most of our qualified teachers are underpaid, and many of our paid teachers are unqualified. So we must give every child a place to sit and a teacher to learn from. Poverty must not be a bar to learning, and learning must offer an escape from poverty.

But more classrooms and more teachers are not enough. We must seek an educational system which grows in excellence as it grows in size. This means better training for our teachers. It means preparing youth to enjoy their hours of leisure as well as their hours of labor. It means exploring new techniques of teaching, to find new ways to stimulate the love of learning and the capacity for creation.

These are three of the central issues of the great society. While our Government has many programs directed at those issues, I do not pretend that we have the full answer to those problems. But I do promise this: We are going to assemble the best thought and the broadest knowledge from all over the world to find those answers for America. I intend to establish working groups to prepare a series of White House conferences and meetings on the cities, on natural beauty, on the quality of education, and on other emerging challenges. And from these meetings and from this inspiration and from these studies we will begin to set our course toward the great society.

The solution to these problems does not rest on a massive program in Washington, nor can it rely solely on the strained resources of local authority. They require us to create new concepts of cooperation, a creative federalism, between the National Capitol and the leaders of local communities.

Woodrow Wilson once wrote: "Every man sent out from his university should be a man of his nation as well as a man of his time."

Within your lifetime powerful forces, already loosed, will take us toward a way of life beyond the realm of our experience, almost beyond the bounds of our imagination. For better or for worse, your generation has been appointed by history to deal with those problems and to lead America toward a new age. You have the chance never before afforded to any people in any age. You can help build a society where the demands of morality, and the needs of the spirit, can be realized in the life of the Nation.

So will you join in the battle to give every citizen the full equality which God enjoins and the law requires, whatever his belief, or race, or the color of his skin? Will you join in the battle to give every citizen an escape from the crushing weight of poverty? Will you join in the battle to make it possible for all nations to live in enduring peace as neighbors and not as mortal enemies? Will you join in the battle to build the great society, to prove that our material progress is only the foundation on which we will build a richer life of mind and spirit?

There are those timid souls who say this battle cannot be won, that we are condemned to a soulless wealth. I do not agree. We have the power to shape the civilization that we want. But we need your will, your labor, your hearts, if we are to build that kind of society.

Those who came to this land sought to build more than just a new country. They sought a free world.

So I have come here today to your campus to say that you can make their vision our reality. Let us from this moment begin our work so that in the future men will look back and say: It was then, after a long and weary way, that man turned the exploits of his genius to the full enrichment of his life.

Thank you. Goodby.

PETITION FROM THE UNIVERSITY OF VERMONT SUPPORTING CIVIL RIGHTS BILL

Mr. HUMPHREY. Mr. President, last week brought to my desk still another major expression of support for the civil rights bill. The Student Association of the University of Vermont took the initiative to circulate a petition on this subject among the members of the student body. The response was instant and overwhelming—nearly 1,000 persons signed their affirmation. For the benefit of my colleagues I would like to read the brief text of the petition.

> For nearly two centuries, America has sought in vain to give real meaning to Jefferson's famous contention that all men are created equal and enjoy certain unalienable rights. Now in the halls of the U.S. Senate, an attempt is being made to give legal expression to this basic concept of the American creed. We, the undersigned students of the University of Vermont, respectfully urge the earliest possible passage of the lively and effective civil rights bill of 1964.

I ask unanimous consent that a covering letter which accompanied the petition be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF VERMONT
STUDENT ASSOCIATION,
Burlington, Vt., May 20, 1964.

Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HUMPHREY: The Student Association of the University of Vermont circulated the enclosed civil rights petition on the campus. We are pleased with the results and are sending them to you, floor manager of the current civil rights bill. The States represented are: New York, New Jersey, New Hampshire, Connecticut, Vermont, and Massachusetts.

We hope that this will help you to prove to the Senators of these States that the current showings of Governor Wallace and views such as his are not the dominant views of the country.

We trust that the petitions will help to put into action the expressed sentiment that:

For nearly 2 centuries, America has sought in vain to give real meaning to Jefferson's famous contention that all men are created equal and enjoy certain unalienable rights. Now in the halls of the U.S. Senate, an attempt is being made to give legal expression to this basic concept of the American creed. We, the undersigned students of the University of Vermont, respectfully urge the earliest possible passage of the lively and effective civil rights bill of 1964.

Sincerely yours,
LAWRENCE W. SCHONBRUN,
Chairman of Civil Rights Petition Committee.

RECESS TO 9 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, pursuant to the order already entered, I move that the Senate stand in recess until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 32 minutes p.m.) the Senate took a recess, in accordance with the previous order, until tomorrow, Wednesday, June 3, 1964, at 9 o'clock a.m.

* * *

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 2, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Proverbs 29: 18: *Where there is no vision, the people cast off restraint.*

Almighty God, we thank Thee for these inspired and authentic words of the Scriptures, confirmed alike by our own personal experience and the testimony of history.

As we go forth in the hours of this new day, may we hear and feel Thee calling us to be partners with Thee in fulfilling Thy will and Thy righteous purposes.

Help us to realize how sacred and wonderful it is that we may yield ourselves in obedience to be taught and directed by a mind that is infinitely wiser than our own.

Grant that in the business of statecraft and public service, in which Thy servants are engaged, they may have understanding and discerning minds and calm and courageous hearts.

Give us a greater faith in the reality of moral and spiritual values and a capacity to respond to their appeal and compelling power, for when we are without that faith we have no standard and stability, but only confusion and chaos.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1727. An act for the relief of Richard G. Green, Jr.;

H.R. 5305. An act for the relief of Dr. Ernest P. Imle;

H.R. 5571. An act for the relief of Noble Frank Smith and his wife, Viola Smith;

H.R. 6876. An act for the relief of Capt. Wilfrid E. Gelinas, U.S. Air Force;

H.R. 7332. An act granting the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes;

H.R. 7757. An act for the relief of Jesse I. Ellington;

H.R. 8222. An act for the relief of Edward J. Maurus;

H.R. 8348. An act for the relief of Mrs. Faye E. Russell Lopez;

H.R. 8532. An act for the relief of Ivan D. Beran;

H.R. 8828. An act for the relief of John T. Cox;

H.R. 8936. An act for the relief of Leonard M. Dalton;

H.R. 9475. An act for the relief of Miss Grace Smith, and others;

H.R. 10078. An act for the relief of Philip N. Shepherdson; and

H.R. 10774. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of cadmium from the national stockpile and the supplemental stockpile.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 718. An act for the relief of W. H. Pickel;

S. 1004. An act to authorize appointment of the Director and Deputy Director of the Coast and Geodetic Survey from civilian life, and for other purposes;

S. 1875. An act for the relief of Thomas M. Talley; and

S. 2288. An act for the relief of John J. Feeney.

DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1964, AND FOR OTHER PURPOSES

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11201), an act making deficiency appropriations for the fiscal year ending June 30, 1964, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. MAHON, THOMAS, KIRWAN, WHITTEN, JENSEN, HORAN and FORD.

RESIGNATION FROM COMMITTEE

The SPEAKER. The Chair lays before the House the following communication.

The Clerk read as follows:

JUNE 2, 1964.

The Honorable JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I hereby respectfully submit my resignation from the Committee on Interstate and Foreign Commerce of the House of Representatives.

Sincerely,
W. R. HULL, Jr.,
Member of Congress.

The SPEAKER. Without objection, the resignation is agreed to.

There was no objection.

ELECTION TO COMMITTEE ON APPROPRIATIONS

Mr. MILLS. Mr. Speaker, I send to the Clerk's desk a priviliged resolution and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 741

Resolved, That W. R. HULL, JR., of Missouri, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Appropriations.

The resolution was agreed to.

A motion to reconsider was laid on the table.

JOHN GATZOPI OVERBECK AND MARY GATZOPOULOS OVERBECK

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H.R. 1382, an act for the relief of John Gatzopi Overbeck and Mary Gatzopoulos Overbeck, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 8, after "Act," insert: may be approved,

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

THE TRUTH ABOUT THE 1964 WHEAT SIGNUP

Mr. LATTA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, the USDA put out a press release dated May 27 bragging about the wheat signup under the new wheat bill. They neglected to tell the full story of this signup as it relates to allotment wheat farms and wheat farmers.

The full truth is as follows:

First. Only 35.36 percent of all allotment wheat farms were signed.

Second. This means that 64.64 percent of the total wheat allotment farms will not participate in the 1964 program.

Third. There were 40 States where the number of farms that participated was less than 50 percent.

Fourth. There were only seven States where the number of farms that participated was more than 50 percent.

Fifth. There were 29 States where participating farmers had less than 50 percent of the wheat allotment in the State.

Sixth. There were only 18 States participating where farmers had more than 50 percent of the wheat allotment in the State.

Seventh. There were several States with a large number of wheat allotments where the participating farmers were much below even the 35-percent national average. These were Ohio, Illinois, Indiana, Missouri, and Michigan.

Eighth. It is also interesting to note that, of the six wheat States with farm wheat allotments in excess of 100,000, only one, Kansas, participated more than the 35-percent national average.

Would you brag about the results of this signup?

Would you brag about a wheat program which will cause 106,184 of Ohio's 136,171 wheat farmers to sell their wheat for $1.30 per bushel? I would not.

SUBCOMMITTEE ON CENSUS AND GOVERNMENT STATISTICS

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent that the Subcommittee on Census and Government Statistics be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

FREEDOM FOR THE PEOPLE OF THE BALTIC STATES

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, it has been said that what humanizes a people is its historical memory. As the cold war continues its course, we must not forget the human background of this conflict. We take for granted that the East-West struggle began because of Soviet imperialism, but we sometimes forget the individual instances of this imperialism. For example, this meant that the freedom-loving Baltic peoples of Estonia, Latvia and Lithuania were forcibly deprived of certain fundamental rights.

From time to time, we should remind ourselves, and the people of the world, what the cold war means in terms of individual nations and particular peoples. For the people of these three Baltic nations the cold war has meant the inability to determine their own political systems and to pursue their own economic, social and cultural development. That is why at this time, Mr. Speaker, I am introducing the following resolution, a resolution designed to focus world opinion on the condition of a historically brave people now denied the right to develop their own identity and make their own history. I hope this resolution is given the serious consideration it deserves. I ask that it be referred to the appropriate committee.

ADDITIONAL PERSONNEL, CAPITOL POLICE FORCE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 648 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Sergeant at Arms of the House of Representatives is authorized to employ as they may be needed not to exceed one additional lieutenant, one additional sergeant, and fifty-two additional privates on the Capitol Police force. There is authorized to be paid out of the contingent fund of the House of Representatives, until otherwise provided by law, such sums as may be necessary to pay the salary of such lieutenant at a rate of basic compensation of $2,340 per annum, the sergeant at a rate of basic compensation of $2,280 per annum; and each private at a rate of basic compensation of $2,160 per annum.

With the following committee amendments:

Line 5, following the period after the word "force" insert the following:

"Of the fifty-two additional privates, not to exceed ten are authorized to be employed upon the date of passage of this resolution; the remainder, not to exceed forty-two privates, are authorized to be employed as may be justified in connection with the policing of the buildings and grounds of the House of Representatives, with prior approval of the Committee on House Administration."

Add "SEC. 2." as a new paragraph and insert the language commencing with the word "There" in line 5, through line 11, ending with the word "annum".

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman from Maryland knows that I discussed with the majority leader and the Speaker the resolution as originally drawn, which would have provided for all of these additional members of the force.

The amendment that has been drawn meets my objection in that regard. In other words, as I understand it, these additional people who are to be employed will be necessary in connection with the operation of the Rayburn Building and, of course, can be put on there as they are needed.

Mr. Speaker, one other thing that I have discussed and about which I feel very strongly, and I will say that many Members on our side of the aisle have spoken to me about it, as the gentleman from Maryland knows, is that of the some 80 or 90 members of the force, I think 80 members of the force now in existence, some 5 of them under an arrangement arrived at some years ago with Speaker Rayburn, can be designated by the minority. I would express the hope that with the adoption of this resolution today we can work out an arrangement with respect to these additional members. I have discussed the matter with the Speaker, who has been unable to contact some of the people on his side up to this time. But in view of the fact that there seems to be an urgency about the enactment of this measure, I am not going to object, but I just want to express the hope that we can work out some similar division in respect to these additional employees.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. BURLESON. Mr. Speaker, in view of what the minority leader has said, I hope that the recruitment of these new police employees for the Capitol area may be the beginning, or at the least the nucleus of a professional police force, and that they will not be under patronage at all. I think the time has come that, unless we do have professional people to protect lives and property around this Capitol, one of these days we are going to encounter a very serious situation. In fact there has already occurred incidents of crime requiring the highest proficiency of law enforcement. This is no reflection on present Capitol Police, many and most of whom are not professional, but it is a reflection on the system for which we are responsible. This is the time for change to a professional police force with proper pay incentive and promotion.

Mr. HALLECK. Mr. Speaker, will the gentleman from Maryland yield to me further to respond?

Mr. FRIEDEL. I yield to the gentleman.

Mr. HALLECK. As I remember, I have had something to do with the appointment of at least one member, and I think perhaps two members of the force under the five allocated to the minority. I will say to the gentleman from Texas, I agree with him. From time to time we have heard expressions of views here similar to those that the gentleman has expressed. Of course, the other side of the coin is that some people feel these jobs here are helpful to youngsters who are going to school. I can find myself in sympathy with that notion too, but I would just like to say to the gentleman that the men I have been instrumental in appointing are mature men with police experience. They are on the job and can do the sort of work that the gentleman from Texas is talking about.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. SCHENCK. Mr. Speaker, I want to share the views expressed by my distinguished chairman, the gentleman from Texas [Mr. Burleson] and the minority leader with respect to the various matters that they have pointed out.

Mr. Speaker, I would like to point out also that under this resolution which does provide for the appointment of not to exceed 42 men, 10 are to be appointed at this time with the balance being appointed subject to and with the approval of the Committee on House Administration at such time as they may be needed to complete the police force for the Rayburn Building. In other words, the resolution covers the total number required for the convenience of the appropriations subcommittee on legislative appropriations, but does limit the present appointment to not to exceed 10 and additional ones can be appointed only with the approval and consent of the Committee on House Administration.

Mr. FRIEDEL. The gentleman is correct.

Mr. SCHENCK. I thank the gentleman.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PROVIDE FUNDS FOR THE COMMITTEE ON THE JUDICIARY UNDER PUBLIC LAW 86-272

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 653) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the additional expenses of conducting the studies authorized by Public Law 272 of the Eighty-sixth Congress, as amended, incurred by the Committee on the Judiciary, acting as a whole or by subcommittee, not to exceed $150,000 including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized by such committee signed by the chairman of such committee and approved by the Committee on House Administration.

With the following committee amendment:

Following line 13, insert the following:

"Sec. 2. The chairman of the Committee on the Judiciary shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House."

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I am glad to yield to the gentleman from Ohio.

Mr. SCHENCK. Mr. Speaker, I understand that this entire amount is to be used by the special subcommittee for the matter of the study of income tax questions as they relate to interstate commerce and the income taxes of the various individual States.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from New York.

Mr. BECKER. Mr. Speaker, I wish to ask the gentleman from Maryland a question. Is this $150,000 to be used entirely by the Willis subcommittee to provide material or information to the taxpayers and business people of this Nation, to give them all the information acquired by a staff study?

Mr. FRIEDEL. This $150,000 is for the Special Subcommittee on Taxation in Interstate Commerce, which subcommittee is headed by the gentleman from Louisiana [Mr. Willis].

Mr. BECKER. I feel quite certain that the gentleman from Louisiana [Mr. Willis] will use the money wisely and well, as needed. I thank the gentleman.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PROVIDE FUNDS FOR THE FURTHER EXPENSES OF THE STUDIES, INVESTIGATIONS, AND INQUIRIES AUTHORIZED BY HOUSE RESOLUTION 143 OF THE 88TH CONGRESS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up the resolution (H. Res. 658) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of the studies, investigations, and inquiries authorized by H. Res. 143 of the Eighty-eighth Congress, incurred by the Committee on Science and Astronautics, acting as a whole or as a duly authorized subcommittee, not to exceed $175,000, including expenditures for employment, travel, and subsistence of attorneys, experts, and consultants (including personnel of the Library of Congress performing services on reimbursable detail), and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Science and Astronautics shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Ohio.

Mr. SCHENCK. Will the gentleman from Maryland tell the House the total amount of appropriations for the Committee on Science and Astronautics, for both last year and this year?

Mr. FRIEDEL. One hundred and fifty thousand dollars was authorized in the 1st session of the 88th Congress. This would be $175,000 more. The total amount would be $325,000. In the 87th Congress they got $300,000.

Mr. SCHENCK. If the gentleman will yield further, may I inquire as to whether there is any balance in the appropriations made for the 1st session of the 88th Congress?

Mr. FRIEDEL. As of May 26 there was a small amount of $8,000 still available. That did not take care of the expenses for the month of June, so the funds have probably all been used already.

Mr. SCHENCK. If the gentleman will yield further, I wish to point out that many Members of the House feel it would be a matter of good judgment to delay somewhat the so-called moonshot, and, therefore, that this money should be spent with a great deal of care and judicious use.

I am sure the chairman of the committee, the gentleman from California [Mr. Miller], will observe this desired prudence.

Mr. FRIEDEL. I am sure the Committee on Science and Astronautics will exercise good judgment in their use of the funds. The $175,000 is not too much money when you consider that they have a budget of over $5 billion to supervise. This is the amount NASA was granted.

Mr. SCHENCK. I thank the gentleman.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PROVIDE ADDITIONAL FUNDS FOR EXPENSES OF STUDIES, AND SO FORTH, AUTHORIZED BY HOUSE RESOLUTION 153

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 735 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of conducting the studies, investigations, and inquiries authorized by H. Res. 153, Eighty-eighth Congress, incurred by the Committee on Banking and Currency, acting as a whole or by subcommittee, not to exceed $125,000 in addition to the unexpended balance of any sums heretofore made available for conducting such studies, investigations, and inquiries, including expenditures for employment, travel, and subsistence of accountants, experts, investigators, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House, on vouchers authorized by such committee or subcommittee, signed by the chairman of such committee or subcommittee, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Banking and Currency shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF HEARINGS OF JOINT COMMITTEE ON ATOMIC ENERGY

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 73 and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Committee on Atomic Energy two thousand additional copies each of part 2 and part 3 of its hearings on the Atomic Energy Commission authorizing legislation, fiscal year 1965.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

DISPENSING WITH THE CALL OF THE PRIVATE CALENDAR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be dispensed with today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

KEITH HILLS

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill—H.R. 10407—for the relief of Keith Hills.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a) (4) of the Immigration and Nationality Act, Keith Hills may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act: *Provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHING WATER RESOURCES RESEARCH CENTERS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 711 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2) to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interior and Insular Affairs now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN]; and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 711 provides for consideration of S. 2, a bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research. The resolution provides an open rule with 2 hours of general debate, making it in order to consider the committee substitute.

The purpose of S. 2 is to strengthen the contribution that universities can make to water resources research and to graduate education in water resources. The expansion of water resources research that would be provided by the enactment of this legislation would be helpful in coping with the mounting water-use problems posed by the projected growth of our population and economy. The program would assist both in providing answers to our water problems at the local and State level and in meeting the critical need for additional hydroscientists. The Secretary of the Interior would be charged with the responsibility for proper administration of the program and for assuring that effective research work is conducted.

The legislation authorizes a water resources research grant program that provides for establishing research centers or institutes in a land-grant college or another institution in each State and in Puerto Rico. Sufficient funds are authorized to be appropriated so that each research center would receive a Federal grant of $75,000 in the first year of the program, $87,500 in the second and third years, and $100,000 thereafter for the life of the program. Two or more States could cooperate in the establishment of a single interstate or regional research center, in which event the sums assignable to all of the cooperating States would be available to that research center.

Additional funds would be available to the research centers on a dollar-for-dollar matching basis. These funds would be allocated by the Secretary of the Interior on the basis of specific research proposals by the research centers. The overall limitation on these matching funds would be $1 million in the first year of the program, increasing to $5 million in the fifth year and thereafter for the life of the program.

The life of the program is limited to 10 years in order to give the Congress an opportunity to review the program and determine the need for extension, modification, and so forth.

Mr. Speaker, I urge the adoption of House Resolution 711.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from California, my colleague on the Rules Committee [Mr. SISK] explained this rule. He has very well explained the purpose of this bill.

Mr. Speaker, as I understand this measure it will probably entail a total cost over the next 10-year period of something like $50 million to $55 million.

Mr. ASPINALL. Mr. Speaker, will my colleague yield to me?

Mr. BROWN of Ohio. Yes.

Mr. ASPINALL. I would like to have the RECORD thoroughly accurate in this particular matter. There could be a total cost over the 10-year period of $88,450,000; that is the authorization. That depends entirely upon the appropriations process.

Mr. BROWN of Ohio. Yes; if all the appropriations are made.

However, I understood that under one section of the bill the appropriations would be limited to $5 million a year; is that right?

Mr. ASPINALL. If the gentleman will yield further, that is right but there are two different programs. One program would have a total authorization of $48,450,000 and the other would have a total authorization of $40 million.

Mr. BROWN of Ohio. I understand. I was under the impression, however, that the total expenditure was limited to $50 million. Most of the States and most of the universities scheduled to receive benefits under this program of course are very much interested in it.

It is, the same old story—anyone who can get Federal funds is anxious to receive them.

There is no opposition about which I know—no organized opposition—to this particular bill. There is a great deal of support for it from the universities and the different organizations which are interested in the water problem in all of our various States.

Mr. Speaker, I presume this measure, like other measures of this type, will be enacted, be approved by the Congress, and, become law, and will again, of course, increase the general expenditures of the Federal Government.

I am hoping that some day—while I feel that this is a good cause and that this is a good activity here proposed—we may be able to have legislation before this House that will actually reduce public spending a little bit instead of increasing it. This bill represents a very slight increase in Federal spending, but it does embark the Federal Government upon a new program of Federal grants or Federal aid to the States and to State universities and land-grant colleges.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Mr. Speaker, I would like to say to my colleague, the gentleman from Ohio [Mr. BROWN], that while in the first instance the first section of this bill does authorize the expenditure of additional Federal moneys, if the gentleman will look at the second section of this bill, I believe that there he will find a method wherein money will be saved. For the first time we are going to try and correlate and determine what agencies of the Federal Government are doing research in water and try to make sure that any duplication that exists at the present time is eliminated.

I am sure that this will result in saving the Government money.

Mr. BROWN of Ohio. I agree with the gentleman but, of course, I recognize the fact, as I am sure the gentleman from Pennsylvania does, that we are already spending a great deal more than this amount—in fact, millions and millions and millions of dollars on water research—not only by the Federal Government but by some of our States and other political subdivisions, as well as through some of our universities.

This bill of course—this amount, speaking of water—is simply a drop in the bucket in comparison to some of the expenditures we have made.

Mr. Speaker, some day, perhaps, we will solve our water problems, and they are serious ones. One water problem on which the Government has been working for a long while is to take salt out of sea water. Whenever there is developed some practical, economical method worked out whereby the salinity of sea water can be eliminated and fresh water made from it at a cost which can be afforded, and can be met by the consuming public, it will remake the face of the world, of course; and will solve many of the problems that perhaps these very same institutions may be working on under this proposed program or programs.

Mr. Speaker, I have no particular objection to this legislation but I do think we should realize that again it is another step in having the Federal Government move a little but further toward making grants—let us put it that way—or furnishing funds, to the various States and to local institutions for this purpose.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Illinois.

Mr. SPRINGER. I have asked the gentleman from Ohio to yield to me for the purpose of asking the chairman of the Committee on Interior and Insular Affairs a question. Mr. Chairman, is there an overall correlated program of water research by the Federal Government at the present time?

Mr. ASPINALL. If my colleague will yield further, the answer is "No." This legislation sets up such a program. It is the thinking of the members of the committee that we more than likely can save the expense of the program by seeing to it that this coordinated program is adhered to.

Mr. BROWN of Ohio. May I answer the gentleman's question a little further?

I happen to be the ranking member of a House select committee which is making a study of Federal research activities. There is no correlated or coordinated program of any kind on the part of the Federal Government dealing with all sorts of research. Nobody seemingly knows what anyone else is doing. There is no practical method whereby someone passes judgment, before they start a research project, as to whether or not it makes sense to attempt to do it, or find out whether it will be worth while. Our committee is finding a great deal of money is being spent on research, some of it of great value, some of questionable value; but there is no great central authority over research, despite the fact we have the National Science Foundation under the gentleman's committee. None actually supervises, none knows for certain just what other agencies of the Government are doing. I find that is not only true, as far as water research is concerned, but as to many other research activities as well.

Mr. SPRINGER. May I ask the chairman of the committee this further question: As I understand from reading the report and bill, this research will only be done at already authorized land-grant colleges?

Mr. ASPINALL. The legislation pinpoints the first authority to land-grant colleges. Where there is more than one, two or more, then the Governor will have the authority to choose the particular land-grant college. If the State legislature and the Government decide to have it go to some other institution, rather than the land-grant college, then they can do so by statutory enactment on the part of the legislature.

Mr. SPRINGER. In order for the State to take it from a land-grant college, there would have to be the authority by enactment of the State legislature?

Mr. ASPINALL. That is true.

Mr. SPRINGER. If the land-grant college does not want to do the research, then the Governor may assign to any other college that wishes it?

Mr. ASPINALL. Any other land-grant college. If there is only one land-grant college then the legislature and Governor must act in order to take it to another institution.

Mr. SPRINGER. One further question:

Is the work assigned by a Federal agency to the land-grant college or does the land-grant college submit a plan to the Federal agent, and have it approved first?

Mr. ASPINALL. The land-grant college submits a plan to the Secretary of the Interior. The Secretary of the Interior then coordinates and correlates this with other activities in the same field throughout the United States to see that duplication is kept at a minimum.

Mr. BROWN of Ohio. It is the responsibility of the Secretary of the Interior to correlate, not the universities themselves.

Mr. SPRINGER. One further question:

Will the research being done by the land-grant college in that particular State have to do with the water problem in that particular area, that State and surrounding area?

Mr. ASPINALL. That is what we are hoping for.

Mr. BROWN of Ohio. Presumably so. There is no guarantee that will be so.

Mr. SPRINGER. I thank the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I know of no opposition to the rule or to the bill itself, and I have no further requests for time.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

IN THE COMMITTEE OF THE WHOLE

Mr. ROGERS of Colorado. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2—to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2, with Mr. SMITH of Iowa in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. ROGERS of Texas. Mr. Chairman, I yield 10 minutes to the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, the purpose of the legislation we bring to the floor today is to strengthen the contribution that universities can make to water resources research and to graduate education in water research. The legislation will establish a new non-Federal water resources research program which is designed particularly to cope with the mounting water problems at State level.

The dominant conservation issue for the next several decades will undoubtedly be the matter of providing an adequate water supply to meet the needs of our exploding population and expanding industry and agriculture. In a very few years we will have to supply water to meet the needs of 300 million people. If the Nation is to meet this challenge in the water field, water research must necessarily play an important role. I believe that no one questions the need for expanding water resources research activities. The question involved here is the extent of Federal financial assistance in order to encourage and assure the research which is necessary. In considering financial assistance from the Federal Government, however, we must be sure that the expenditures go toward worthwhile research and contribute to or overall national water research effort, and at the same time keep duplicatory programs and activities at a minimum. We have tried to make certain in this legislation that the limited expenditures authorized are fully justified. I believe we have provided the guidelines and the controls that are needed to assure extensive benefits and returns to the Nation for the dollars spent in this relatively small and much needed program.

The legislation that came over from the other body provided for a larger program than that approved by our committee and included in the legislation before us today. Dollarwise, we reduced the program 50 percent and limited the life of the program to 10 years in order that Congress might have another look at it at the end of that period to determine whether it should be continued and, if so, whether modifications or changes are needed. Since we are embarking on a new program, the committee felt that a modest approach should be taken initially, with an opportunity for review to see how it is working out.

The Secretary of the Interior would be charged with the responsibility for proper administration of the program and for assuring that effective research work is conducted. We believe that the Secretary of the Interior can meet this responsibility without any appreciable increase in supervisory personnel or without establishing any new office or agency.

Under the language we approved, sufficient funds would be authorized to provide for establishing a water resources research center in a land-grant college or some other institution in each State and in Puerto Rico. Additional funds would be available to the research centers on a dollar-for-dollar matching basis and on the basis of specific research proposals, approved by the Secretary. The overall cost, for both the State grants and the matching funds, would run from about $4.8 million in the first year to about $10 million in the fifth year and thereafter for the 10-year life of the program. The gentleman from Texas [Mr. ROGERS], the able chairman of the subcommittee which handled this legislation, will present a more detailed analysis of the legislation.

The committee spent 6 days in public hearings on this legislation, receiving testimony from the Federal departments involved in water resources research and development, and from numerous representatives of States, colleges, and universities, and organizations interested in water development. The committee is convinced that State or regional research centers connected with colleges or universities will contribute greatly to our national water research effort. Much of the research in the water field must be undertaken in the geographical areas concerned. Regional variations in water resources problems can be better attacked by State research centers rather than by a single consolidated research facility. The problems that exist among the States vary greatly. The differences involve not only great variations in the nature of the resource itself and the degree to which the resource has been developed, but also in the detail of the economic and social structure. Differences in climate, elevation, and soil have generated considerable differences in problems of agricultural use of water. The differences in economic detail as among the States may even be greater than the resource differences. The particular lines which future economic development may take are greatly influenced by the nature of natural resources other than water, by transportation, the degree of urbanization, educational activities, recreational needs, and so forth, and these differences lead to different policies and objectives.

Linking research and education in the water field will also provide a continued flow of competent trained scientific manpower in water resources research. At the present time there is a shortage of personnel qualified to undertake much of the needed research related to water. Additional hydrologists, hydroengineers, hydroscientists, and so forth, must be trained if we are to have an adequate national water research effort. The presence of a water research center within a college or university will provide the catalyst for increasing the number of scientists, engineers and other specialists that are needed.

The most important part of this legislation may turn out to be, not the new research program at State level, but the provisions in title II which call for establishing a center for cataloging scientific research in all fields of water resources, and give congressional direction to the President to clarify Federal agency responsibilities for water resources research and provide adequate and effective interagency coordination of all water research activities. This latter provision was not in the legislation that came over from the other body. Under this language it will be essential for the President to determine what measures must be taken in order to eliminate the duplication and waste that has occurred in the past in the overall Federal water research effort. I believe that Mr. SAYLOR is going to discuss this aspect of the legislation in more detail but suffice it to say that there are numerous Federal departments and agencies carrying on water resources research activities under their programs and authority without their programs being related to one another or without paying much attention to what the others are doing in this field. It is my hope that this direction to the President for providing effective interagency coordination will save the Federal Government more than sufficient funds to carry on the new research program we are establishing.

There is one provision in this bill which I am sure will be brought up in our consideration today. It is the language providing for not more than one research center in each State, with this center to be located at the land-grant college unless the State legislature designates some other institution. If there are two land-grant colleges in the State, which is the case in several States, the Governor would have authority to make the designation. I would like to point out that the designation of the college or institution in each State is left to the State if the State wants to assume this responsibility. The committee strongly believes that there should be no more than one research center in each State. Further dissipation of the funds, we believe, would result in very little worthwhile research being accomplished. This is the reason we deleted the provision included in the legislation that came over from the other body which provided no limitation on the number of colleges or institutions which could share in the grant. I might point out that there is nothing to prevent arrangements within a State whereby some of the research work can be done by institutions other than the one receiving the grant.

It should be made absolutely clear that this program is intended to contribute materially to our national effort in this field. Worthwhile research is expected on problems that exist and need to be resolved—problems of a local or regional nature. This is not to be a boondoggle or a program just to spread financial aid among universities and colleges throughout the Nation for them to build up their staffs.

Mr. Chairman, I believe the legislation which the Committee on Interior and Insular Affairs brings to the House today is needed and will contribute to this Nation's effort to provide adequate water supplies for our growing economy.

A question has been raised as to why we chose the land-grant colleges. I wish to advise my colleagues that the land-grant-college system came into existence in 1862, during the administration of President Lincoln, an administration filled with worthwhile projects for the people of the United States. There have been, throughout the decades of our national life, many suggestions that we have a University of the United States. The nearest we come to a University of the United States is the Federal Government's sponsorship of land-grant colleges. This, in effect, is the reason why we have chosen the land-grant colleges. Those colleges have a record of having served in such programs, which especially benefit the agricultural and social interests of the areas in which they are located.

I believe this is good legislation. I hope it will receive the unanimous support of the Committee.

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and members of the Committee, one of the most important elements, if not the most important element, with respect to sustaining life on this earth is water. Unfortunately, we in this country have used it with careless abandon. We have no planning. We have wasted; we have plundered; we have robbed our waters. We have allowed our waters in many places to become polluted.

This bill is an attempt by the House Committee on Interior and Insular Affairs to bring some order out of the chaos which exists with regard to the water problems of this country.

I commend the chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL], and the chairman of the subcommittee, the gentleman from Texas [Mr. ROGERS], for having seen to it that this legislation was heard before our committee and reported to the House.

The chairman of the full committee has discussed the phases of this bill which have to do with the study of water and water problems by the various land-grant colleges in this country. I am very much in favor of that study being conducted, because the problems of water are different in the various States in the Union. It is only as we have educated research by the various States on the problems which directly affect those States that we shall ever be able to solve the water problems of this country.

Mr. Chairman, I shall focus my remarks on the relationship between this legislation and our overall Federal Government effort in water resources research. It is my belief that the most important part of this legislation is the provisions which relate to interagency coordination of our research activities and are designed to eliminate duplication and waste. In all the days of testimony before our committee, the most often mentioned aspect of water research and most of the questions were related to the present lack of coordination among the numerous Federal departments and agencies already conducting water resources research and the resulting duplication and waste.

There are at the present time more than 2 dozen bureaus or equivalent units in eight major departments and independent agencies engaged in water resources research with overlapping responsibilities. It is not only the Committee on Interior and Insular Affairs that has been concerned with this situation. The distinguished chairman of the Interior Appropriations Subcommittee, the gentleman from Ohio [Mr. KIRWAN], and his ranking minority counterpart, the gentleman from Iowa [Mr. JENSEN], has been trying to do something about this for years, and, more recently, a subcommittee of the Committee on Government Operations, headed by BOB JONES of Alabama, has exposed this Federal agency duplication and overlapping. Each of the numerous agencies has seen in water an opportunity to expand its operations and develop in importance, and this impetus for self-development has promoted interagency competition and jealousies. The executive branch has failed to provide a coordinated program with the efforts of each agency delineated on the basis of competency and experience, and, until the executive does this, we will continue to have duplication and waste of manpower and money. It has been my observation that those who continue to harangue the Congress and the public about a national water crisis are the most vocal in promoting individual agency growth rather than interagency coordination.

The Congress, of course, must shoulder a part of the blame for this situation. The authorizations of Congress to the several departments are so broad that each could take over the entire responsibility for water if it could obtain the money to do so. An example of what I mean is the assertion of the Public Health Service that water pollution control by that agency means that it is concerned with the total problem of water quality management. For instance, it is studying the salinity problem in the Colorado River Basin which specifically has been assigned by the Congress to the Department of the Interior. It is of utmost importance that agency responsibilities in this field be clarified.

In our committee's consideration of this problem of duplication and overlapping, we concluded that there were two requirements which could be written into S. 2 that would be helpful. First, the committee adopted language calling for the establishment of a cataloging center for cataloging current and projected scientific research in all fields of water resources. The direction to the President in the legislation for establishing this center does not specify which agency or office should be given the responsibility. However, the committee understands that the responsibility probably would be given to the Office of Science and Technology and that the actual cataloging would be done by the Science Information Exchange which is already established for the collection of other scientific information. The committee believes this provision is important because the publication of research and the collection of scientific information in one location is a major means by which duplication can be prevented.

The second and still more important requirement for preventing duplication is interagency coordination. The committee adopted language which directs the President to clarify Federal agency responsibilities for Federal water resources research and to provide adequate interagency coordination of all water resources activities, including research which would be authorized by the legislation we are considering today. This direction by law should strengthen the hand of the President in resolving this problem. It should provide the authority needed to clarify and delineate agency responsibilities and to limit their operations, thereby providing full and effective coordination of all water resources research activities in the Federal establishment.

Mr. Chairman, I believe that the additional research which this legislation authorizes is needed and that the language which I have discussed providing for interagency coordination will result in saving both manpower and money. In all probability it will mean that the water research of the Federal Government would eliminate duplication, would eliminate waste and provide the greatest good for the entire country. I urge that this bill be adopted.

Mr. ROGERS of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think it would be well to have a short discussion of the separate titles in this bill and the separate sections of it. The bill, of course, has two titles, and there are several sections under each. Under title I, the research institutes, section 100(a), which is the first section of the bill, provides for a 10-year water research grant program by the Federal Government. These appropriations are to be made by the Secretary of the Interior and the payments by the Secretary of the Interior to the land-grant college or other college or university designated by the State legislature are, of course, to be determined by the applications filed with the Secretary of the Interior.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman.

Mr. WAGGONNER. Mr. Chairman, do I understand the gentleman correctly that this money is to be appropriated to the Secretary of the Interior; the Secretary of the Interior will allot to the respective States their proportionate allotments as set forth in the law and that this money, except by act of the State legislature must go to the already designated land-grant colleges?

Mr. ROGERS of Texas. With this exception: The application must be filed with the Secretary of the Interior and unless the application filed by the land-grant college or any other college, even that designated by the legislature, meets the requirements to carry out the purposes of this bill, then the Secretary of the Interior would not be, in my opinion, obligated to make the grant to that college simply because it was a land-grant college.

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman. Further, I want to commend the gentleman and the Committee on Interior and Insular Affairs, for bringing to the House this forward-thinking piece of legislation for action today. It is long past due. The time is close at hand when, unless we do take some affirmative steps to provide for water resources development we are going to face a crisis in water which far exceeds the crisis which we anticipate in such problems as food. Again, Mr. Chairman, I commend the gentleman and his committee on this forward-thinking legislation.

Mr. ROGERS or Texas. Mr. Chairman, I thank the gentleman from Louisiana for his words on this subject and also for the splendid contribution he has made to the solution of the water problems since he came to Congress.

Proceeding with the sectional discussion, I would point out, in the first year of this program, as the able chairman of the committee, the gentleman from Colorado [Mr. Aspinall] stated, the grant would be $75,000 to each State; in the second and third years $87,500 and $100,000 for each year thereafter during the life of the program. What the House committee did was to cut this program just about in half as it was presented in the original bill, S. 2, which was sent over from the other body. We did this for several reasons, but the primary reason was that we wanted to get a proper research program into focus, one that would be effective, one that would work. And we felt that we as the Congress ought to maintain control of this and see how it worked over a 10-year period. If it were not working right, we could make certain changes in it. If it were then working properly, we could extend the program.

Mr. Chairman, this goes to all of the States of the United States, the 50 States, and Puerto Rico.

Mr. Chairman, as the chairman of the Committee on Interior and Insular Affairs pointed out earlier, the money would go to the land-grant college in the State, if there is only one land-grant college. If there are two, then the Governor makes the designation. But in any event the legislatures of the several States will have the full power to control where this money goes, because we grant them in this proposed act the power to designate a college other than the land-grant college to receive these funds and to do this research work.

Mr. Chairman, it was thought that this was a move to preserve and protect the dignity and the power of the States or the rights of the State legislatures. Certainly, if they wanted to make a change, they should have the right to do so. Any of these institutions, however designated, must meet the capability requirements set up by the Secretary of the Department of the Interior to carry out an effective program.

Now, Mr. Chairman, a designated college or a university could make arrangements with other colleges or universities to participate in research work. However, I believe it would be well to point out that one reason we wanted this centered at one college was so that this overall program would not be fractionated or fragmented so that it would not be effective and we would have several colleges receiving a few thousand dollars each and nothing effective could be done.

Mr. Chairman, the question that has been asked of me most often is this: As to whether or not this research program would make it possible for some activities to be carried on by institutions other than universities or colleges; for instance, a nonprofit organization which is engaged in water research work. My answer to that is this: I think that would depend upon the application made to the Secretary of the Department of the Interior, specifying the type research that they wanted to perform. Certainly, it ought to be within the power of the university or the land-grant college to farm out some work in connection with their overall projects to a nonprofit corporation or a profitmaking corporation, as far as that is concerned, if this information is needed in the research problem with which they are working and could be obtained at a much cheaper cost, or even at a cheaper cost than if they had to set up new facilities at the university with which to perform this research. Certainly, I hope that will be the policy which will be followed.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to my distinguished colleague, the gentleman from North Carolina [Mr. Jonas].

Mr. JONAS. I am not opposed to this bill, but am seeking a little information. It seems a little unusual to allocate the some amount of funds to every single State in the Union for purposes of research.

Now, is it the opinion of the committee that such widely diffused and dispersed research in every State would come nearer accomplishing the desired purposes than to concentrate this effort in, perhaps, fewer than the 50 States?

Mr. ROGERS of Texas. That problem was discussed at length, permit me to say to my distinguished colleague, and touched upon from many angles.

There is a provision in this act that would prevent Federal control of education. It was put in the bill because there was in the mind of the members of the committee the thought that there might be an attempt to federalize this situation; whereas, what we wanted to accomplish was to make it possible for the Federal Government to participate in an overall program, yet to preserve State rights, if you want to refer to it as that. We realized there were many different problems in different States having to do with water. One of the primary things we were seeking to accomplish was to utilize these educational institutions in order to make it possible for young people to become interested in this particular problem and this particular research, because the hearings that we had indicated that there is a marked shortage in our people who are willing to go into this program and to become teachers. It was felt this could be done at a much cheaper cost in the overall by letting these different educational institutions pursue this research and accomplish a twofold program.

Mr. JONAS. Will funds be available to "X" State, for example, if it does not have a program in this field, or will the funds be supplementary funds used to help an orderly program that the States already have?

Mr. ROGERS of Texas. Well, the requirements set up by the Secretary of the Interior for effective research must be present in their application. It was anticipated there might be States that had perhaps a small operation in this research field that would want to join with another State or two or three other States, and put up one institution for regional development. Provision is made in this bill to take care of that situation so that these States can join together. But they not only must make a sound case when they present it to the Secretary of the Interior for the original grant, but they must report to him each year and the Secretary must report to the Congress of the United States on the development.

Mr. JONAS. The reason I ask that question is because I rather question how much research you can do for $75,000. If this allocation is going to a State that is not interested in putting up some money also and does not have a center engaged in this work, how much effective work can be done with $75,000?

Mr. ROGERS of Texas. The gentleman's point is very well taken. That is the reason we wanted the State to justify the research program it was going into. We realized the limited amount of money available here would make it necessary that they have some hardware, as the chairman of the full committee pointed out, and a program in operation in which they could move into other research fields by the coordinated use of other activities that they had.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Chairman, I, too, want to commend the chairman of my full committee and the distinguished gentleman from Texas, chairman of the subcommittee, for bringing this legislation to the Congress. It has long been needed.

May I ask this question: We have now various and sundry research programs in various departments of the Government, such as Agriculture, Commerce, Defense, Health, Education, and Welfare, Interior, TVA, and others. We now are spending approximately $75 million per year on these programs.

Will this legislation not have a tendency to pull together these various programs so there will be some central place where anyone interested in water resources would be able to go to find what other departments of Government are doing? In this way we all would know exactly what is being done. This would draw these programs together, providing a place where anyone interested in water development could obtain information.

Mr. ROGERS of Texas. I thank the gentleman from Florida for bringing out this very important point. I might say it is one that the distinguished Member from Pennsylvania [Mr. Saylor] the ranking member of the Interior Committee, brought out so fine before the Rules Committee.

There is in this bill a specific provision for the cataloging of these activities in water research. There is also the additional proviso for the President to clarify the coordination that ought to be brought about as between the different departments in water research. I think it would be a good thing for this country if laws dealing with research problems in other scientific fields could follow the predicate that has been laid down in this legislation to do just what the gentleman from Florida has pointed out. By this means we could find out what is going on in other departments, we may know what our needs are, and make much greater headway at much less cost, I think, than we have in the past.

Let me go on. We have acutally covered the most important sections. The second section of the act specifies the requirement that the research centers conduct competent research in proper relationship to training scientists, which was the point brought out by the gentleman from North Carolina.

In section 101(a) there is an additional proviso for additional funds for specific research proposals. These are available to State research centers, in the overall amount of $1 million in the first year, increasing to $5 million in the fifth year and thereafter during the 10-year period. These funds for these additional specific research proposals are available to the States only on a dollar-for-dollar matching basis. I think it would be well for everyone to be aware of that.

The next section of the bill, 101(b), provides for applications for grants under the first section of the bill.

Section 102 outlines the details for annual payments to the State institutions and requires an accounting by the State institution. It also requires an annual report on the research work accomplished. I think this is very important, and certainly a matter that should be included in the bill.

Section 103 authorizes the use of funds for printing and publishing the results of research and for administrative planning and direction, including cooperative research work. There was some objection to that in the committee, but after it was all studied out in this type of program, I think it is very important and very necessary.

Under section 104, the Secretary of the Interior is charged with the administrative responsibility for the program. Under this provision he is required to make an annual report to the Congress, which is, of course, most important and I am sure it will come to our committee.

Section 105 prohibits construction of this act as impairing or modifying the legal relation between colleges and the government of the State in which they are located. It also prohibits Federal control or direction of education, which is also important.

Under title II of the bill, section 200 provides for consultation between the Secretary of the Interior and other Federal agencies with research work problems, primarily to avoid duplication. This is the predicate being laid for what we were discussing a minute ago when the gentleman from Florida asked his question.

Section 201 provides that this act does not give the Secretary of the Interior authority in research programs over other Federal agencies, that this act does not impair existing programs, but it does provide that there should be proper coordination between these different agencies, as referred to in section 204, which we will come to in a minute.

Section 202 provides contract arrangements can be made without regard to section 3684 of the revised statutes when the Secretary concludes that advance payments are necessary.

Section 203 provides for all information gained under this act to be made generally available to the public as against patent rights.

Section 204 directs the President to establish a center for cataloging scientific research information in all fields of water research—which is the very point that the gentleman from Florida brought out.

Section 205 directs the President to spell out agency responsibilities for Federal water resources research and to require effective interagency coordination.

That is a summation of the different sections of the bill. I think it is an excellent bill. I think it is starting in the right direction. I think if other segments of research would adopt this type of program we could make much additional headway.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the distinguished chairman of the full Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. I think this would be an appropriate place to state to our colleagues that there will be an amendment offered to section 203 having to do with the patent provisions.

Mr. ROGERS of Texas. Yes, that amendment as I understand will be offered by the gentleman from Connecticut [Mr. DADDARIO].

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am glad to yield to the gentleman.

Mr. McCLORY. I think the gentleman has made a most significant statement particularly with reference to the emphasis on water research in the States and in State universities or State land-grant colleges. I want to ask this question, however. It occurs to me that some regional centers have already been established for research, that is, Federal regional research centers, at least, they are in the planning stage. I wonder if the gentleman envisions any duplication between a Federal regional research center on the subject of water research on the one hand, and on the other hand a State research center or an interstate center since the bill also authorizes such State or interstate research centers?

Mr. ROGERS of Texas. I think the gentleman has raised an excellent point and one that was discussed by the committee as to the possible conflict or duplications on research activities on both the State and local level. Of course, we cannot and would not undertake to interfere with the State research program. But it was anticipated that the Secretary of Interior in going into these applications for these grants to be used in a university or land-grant college could ask for information as to what practices and procedures were being pursued by the State on this particular problem and he could also then weigh that information against the information he had from these other agencies in the Federal Government to determine the justification for the particular research program that was being proposed. If there was a duplication or overlapping, we had hoped that the Secretary of Interior, and I am sure he would do so, make the suggestion to the applicant that certain changes be made so that there would be an effective research program in the field needed to be researched.

Mr. McCLORY. In other words, it is the intent of the Congress by the passage of this bill that there will be one research center in a particular region or area and that there will not be any duplication of regional research centers.

Mr. ROGERS of Texas. That is exactly right.

Let me add this thought. What we are hoping to do, as I said before, is to make it possible for some sort of incentive to be created so that young people will get into this work. We feel that by pursuing this method, although it does cost money and there is no question about that, and although it appears to be a lot of money, when you divide it between 50 States and Puerto Rico, then there is not much money for each one but we felt that if we could get this working and moving forward, we would get the effective research that we need and that the overall cost of the research programs could be cut down. We hope to get a lot of information and we hope that a lot of information will come from the select committee, which is headed by the gentleman from Alabama [Mr. ELLIOTT], involving these research development programs in all fields. But one of the primary things we want to do is to try to prevent duplication.

Mr. McCLORY. I feel that the bill is particularly significant and that the gentleman's statement is significant in that the water research is being centered on university or college campuses because in this way we are going to have the best opportunity to get new recruits, new talent and new skills for careers in these very important fields of hydrology and related science disciplines.

To encourage this concentration of research on the college campuses seems to me, at least, much more significant and much more important than having detached regional research centers not connected with college campuses.

I commend the committee for giving consideration to the university aspect, to the educational aspect, of water research and the further work which needs to be done in this field.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Missouri.

Mr. HALL. I rise for some additional information. Some of it relates to the questioning of my colleague from Illinois, who made inquiry, in his statement, of the subcommittee chairman, as well as the chairman of the full committee and the ranking minority member.

I should like to know the opinion of the subcommittee, after its deliberations and hearings and the research it has done on the problem of water and hydrology, for I am intensely interested in that subject, since I come from the great State of Missouri, surrounded, as it is, by other States interested in the same problems of the great riverways, such as the Missouri, the Illinois, and the Ohio, which all enter into the State of Missouri or into contiguous areas.

What are to be the relationships with the recently established Department of Health, Education, and Welfare regional research laboratories on hydrology? I have specifically in mind the one established last year, I believe at the University of Michigan at Lansing.

There are to be seven of those throughout the United Stteas. They are either in the process of being established or are indeed now functioning.

Of course, I would wish to be sure that this work is in addition to but not a duplication of the work in those particular areas.

Can the gentleman give me some reassurance about that? After that I have another question.

Mr. ROGERS of Texas. Yes. As was brought out in the hearings, we hope that there will be no difficulty in getting complete coordination among the institutions to which the gentleman refers, and the facilities being established, and the procedures and facilities to be set up under this act. If there is any difficulty in this regard, we expect and we will continue to expect that the Secretary of the Interior will report the difficulties to the Congress in annual reports.

I believe it was the unanimous feeling of the subcommittee and of the full committee that if any difficulty is experienced in getting complete coordination in this area, Congress will move in to take affirmative action to correct it.

Mr. HALL. The gentleman from Texas does not feel that there may be a jurisdictional question as to research on hydrology between the Department of Health, Education, and Welfare, which has set up these seven large regional research laboratories on water, and the Department of the Interior or indeed the other concurring departments of the Cabinet, which have all agreed, as do I, that this is a good bill calling for a just use of Federal funds on a matching basis to stimulate State research on this most important problem of water conservation?

Mr. ROGERS of Texas. I wish to be completely honest with the gentleman from Missouri. I do not want the gentleman to believe for 1 minute that I have gotten myself to believe that there will not be jurisdictional fights. I believe we must be realistic in facing the problem. The committee realizes that there are going to be some conflicts. There are going to be some jurisdictional conflicts; but we hope that the passage of this legislation will spell out to the departments involved that we want those conflicts reduced to a minimum and that if the conflicts are not reduced then we will expect to do something further about it.

That was the reason for title II in the bill, which says that the executive office should spell out the coordination which is expected in getting this job done. The Congress will have a report on this each year, as to how it is being done. There will be a cataloging facility so that the Congress can check at times, and, if Congress is not satisfied with what the Secretary has given to it, Congress can take action.

That is the reason why I think if other areas of research would use this same program, this country could be saved some real money.

Mr. HALL. I certainly hope what you say is true on both sides of the coin. I would hope that we can and we will maintain a sharp legislative oversight in this area to prevent duplication on the one hand. Yet, I would hope if there are to be regional research laboratories on this very vital problem, I think it is important that we make this legislative record, just as the gentleman who is in the well of the House now has, for the implementing regulations that would put this into effect. I hope that in those States which do now perchance have one of the seven regional centers or others that might be allocated or located in the future this will not preclude necessarily their participation at the State level because of variations in the water problem at the different State levels.

If I may continue now, I would like to ask a second question. Is it your thought, thinking of the health value of water in particular, which would be my forte, that this would apply not only to water tables and water levels and sources of water supply but maybe to research into the toxic problems that we are having with some of our water as well? I am particularly aware of the third annual great fish kill that has occurred on the Missouri River, which is a great source of industrial water and personal water use by individuals as well as for irrigation purposes and all of the other uses of water, which occurred probably as a result of pesticides used in areas far up the river. Of course, you know this happened way down in the big Mississippi River itself last year. I would hope that this research goes further than just establishing sources of water or replenishing and recycling water as a God-given resource for the use of the people and that we try to avoid the desecration and the pollution of this resource. Would the gentleman comment on that?

Mr. ROGERS of Texas. Yes. I think I would refer the gentleman to page 5 of the House report in which the statement is set forth there which came out of the Senate Select Committee on National Water Resources. I think that the particular items mentioned there on that page would include just about everything that you would think of with regard to water research and development, and certainly those having to do with health, as the gentleman points out.

Mr. HALL. I will say to the gentleman that I have read that, and that is one of the reasons why I asked the question. It deals with desalinization, which I think will eventually become an atomic energy problem insofar as the state of the art as it is now developing is concerned. However, I see nothing in there with regard to the toxins or the waste products of industry or pesticides and sprays in particular which must be used to produce foodstuffs and fibers and pest control. At the same time we must reserve usable potable waters for ourselves.

Mr. ROGERS of Texas. I refer the gentleman to subsection (e) on page 5 under "Justification and Need" where it says:

> (e) Reduction of dilution requirements for pollution abatement by development of improved methods for treatment or control of waste materials that are disposed of in water.

Mr. HALL. I thank the gentleman, and I think we should add there "insecticides."

Mr. ROGERS of Texas. It is my understanding that the Senate had in mind the same things that the gentleman is talking about. Certainly I would hope that the departments downtown would consider this. That is what our committee thinks.

Mr. HALL. I thank the gentleman.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me?

Mr. ROGERS of Texas. I yield to the chairman of the committee.

Mr. ASPINALL. I would like to clear up the record on this. This part of the report from the Senate select committee was not put in here as a matter of limitation of activities but rather in explanation, and all the matters having to do with water and keeping it in a potable condition will be considered.

Mr. ROGERS of Texas. I thank the gentleman, and I think it is well to point out it was the feeling of the subcommittee and the committee under the gentleman from Colorado that the points made by the gentleman from Missouri about research with respect to pollution and the use of insecticides and pesticides was certainly within the thought of the committee in offering this legislation for passage to the House.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman.

Mr. McCLORY. I want to add merely this. The Jones committee, to which the gentleman in the well made reference earlier, held hearings last week in Kansas City, Mo., with regard to the Missouri River Basin. I have the privilege of serving as a member of that subcommittee which is conducting a nationwide investigation of our water resources and of water pollution. I might say that in the course of the hearings there was a very strong case made for the establishment at the University of Kansas, or one of the universities in the Missouri River Basin, for the type of research center which would be possible under this legislation. I do not feel, especially with regard to the Missouri River Basin, that there would be any duplication so far as the projected regional research center of the Public Health Service at Ann Arbor is concerned. I do not know whether it is in operation or has even yet been constructed. At any rate, I do not envision any duplication there. This legislation would enable the establishment on a college campus of the type of water research center which I think Congress has in mind and which is envisioned by this bill and by the report of the committee.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from North Carolina.

Mr. JONAS. I notice that the program described in section 101(a) is a 10-year program.

Mr. ROGERS of Texas. Yes, sir.

Mr. JONAS. But I do not note any limitation on the authorization provided in section 100(a). Is it the idea of the committee that that would be a permanent authorization?

Mr. ROGERS of Texas. Does the gentleman mean 200(a)?

Mr. JONAS. 100(a).

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am pleased to yield to the distinguished chairman of the committee.

Mr. ASPINALL. Page 12 authorizes appropriations only for the beginning with a lesser amount and going up to the amount permitted in the 4th, 5th, 6th, 7th, 8th, 9th, and 10th year.

Mr. JONAS. That is on page 14?

Mr. ASPINALL. That is on page 12 of the bill.

Mr. JONAS. On what line is that?

Mr. ASPINALL. That is on line 11. In line 13 there is an authorization of appropriation to the Secretary of the Interior for the fiscal year 1965 and so on.

Mr. JONAS. Is this the same limitation that is contained in section 101(a)?

Mr. ASPINALL. The 10-year period, yes.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am pleased to yield to the distinguished gentleman from Florida.

Mr. MATTHEWS. Mr. Chairman, I rise in support of this important legislation which, if enacted into law, would establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research.

I want to thank the Committee on Interior and Insular Affairs for giving me a hearing on this legislation. I introduced in the House a companion bill to S. 2, but as I pointed out in my appearance before the committee, I was not insisting on the approval of S. 2 to the dotting of an "i" and the crossing of a "t." This great Committee on Interior and Insular Affairs of the House has worked its will, and you will note has reported S. 2 with amendments, and I concur in the action that they have taken.

Mr. Chairman, I represent an area in Florida in which is located the University of Florida, at Gainesville. The president of that great institution, Dr. J. Wayne Reitz, appeared before the Senate committee in favor of this type of legislation. He has talked with me in detail about the importance of this type of legislation for Florida. It is my understanding that the National Association of Land-Grant Colleges has approved this type of legislation, and I appreciate the information that they have given me concerning the importance of our water resources.

Some years ago as a member of the House Committee on Agriculture, I went to the far western part of this Nation into the home country of the chairman of this great Committee on Interior and Insular Affairs. For the first time, I realized how important the conservation of snow was. I found out there the problem was getting the water and holding it, whereas our problem in Florida is not so much to get the water, but to hold it once we get it, and to make arrangements for it to find its last resting place without irreparable damage to the topography of Florida.

In Florida, our problems are different from the problems in Colorado, Texas, or California, or any of the other great States in the Union. We have at Silver Springs, Fla., in the congressional district of my able colleague, the gentleman from Florida [Mr. HERLONG], magnificent springs that have a daily outflow which would just about take care of the water needs of the city of New York. And, over in the Suwannee River area in Florida, half of which is in my district and the other half in the district of my able colleague, the gentleman from Florida [Mr. FUQUA] we have an almost unbelievable water resource. This beautiful stream rises in the Okefenokee Swamp in Georgia, and meanders its way in a veritable fairyland of fauna down into the Gulf of Mexico. It is fed by myriad streams—beautiful, soothing, clear streams.

The interesting fact is that water in both Silver Springs, Fla., and the water in the Suwannee River, find their last resting place in the Gulf of Mexico and the Atlantic Ocean. So perhaps that water is wasted, and someday we might find a way to use this magnificent resource.

We have problems with the replenishment of the aquifers in Florida. Quite frequently, without much rainfall in Florida, our underground streams are replenished because of the peculiar system of replenishing these aquifers. I understand the replenishment comes from as far away as North Carolina.

Now, the first title of the bill, title I, authorizes State water resources research institutes at a college or university in the particular State, which college or university shall, unless otherwise provided by act of the legislature of the State concerned, be a land-grant college or university. I think this approach is a good approach. The University of Florida, my alma mater, and a great institution as I have said, located in my congressional district, is a land-grant college. For 10 summers of my life, I worked with the Extension Service at the University of Florida, so I am familiar with the research work that has been done by that university and other land-grant universities and colleges throughout the country in the area of water research. Title I makes possible the work of this research through a water resources research center at a land-grant college. Now, of course, it is not the purpose of this legislation to dictate to the State agency all of the particulars of the establishment of the research institute or center, but I think it is the purpose of this legislation to suggest that these centers should be established at places that have developed areas of competence. I feel that many of our people connected with the experiment stations of agriculture and engineering at the University of Florida have developed competence in the field of water research. I think if this legislation is passed, as I believe it will be, that the program should seek the institution and not the institution the program. I feel that we should give priority to areas where competence in water research—if not already a proven fact has demonstrated the possibility of gaining that competence in the very near future.

The program in title I is patterned after the Hatch Act of 1887. It is not a new type of approach for Federal aid to education. It is based on an approach that has proved to be successful. As a member of the House Committee on Agriculture, I have been impressed with the far-reaching beneficial results of the Hatch Act of 1887. Largely, I think, because of that legislation we have in America today a great agricultural abundance. One farmer in America can produce enough for 27 other people. Productivity on American farms of certain commodities could be increased 25 percent in 2 years if we wanted to make a tremendous effort toward that end. This is a result, let me repeat again, largely, I think, of the Hatch Act of 1887.

The bill provides for the printing and publishing results thereof; and for administrative planning and direction. In section 104, the Secretary of the Interior is charged with the responsibility for the proper administration of this act, and the Secretary is directed to make an annual report to Congress of the receipts and expenditures and work of the institutes in all States under the provisions of this act.

Title II of the bill provides for the cooperation and coordination of all agencies of the Federal Government concerned with water problems. Particular stress is given to the importance of supplementing, and not duplicating, established water research programs. I think this is a very important aspect of the legislation. It is my understanding this year there are presently 5 departments and 3 separate agencies, with a total of some 23 different agencies, conducting water resources research in connection with their authorized missions. Approximately $76 million has been appropriated this year for water research activities, and the amounts requested for water research are increasing every year. We must, then, avoid duplication and we must be sure that the water research provided for in this legislation is not a duplication of the important work that is already being done.

Another very important aspect of this legislation, Mr. Chairman, is outlined in section 204 of title II, as follows:

> There shall be established in such agency and location as the President determines to be desirable, a center for cataloging current and projected scientific research in all fields of water resources.

The cataloging center is absolutely essential. I believe that at the present time there is no adequate provision for compiling the vast amount of water research that is being done. Certainly it is basic, if we avoid a duplication, that we have this cataloging center.

Mr. Chairman, I realize that this legislation will cost money. In this particular bill, sufficient funds are authorized to be appropriated so that each research center would receive a Federal grant of $75,000 in the first year of the program, $87,500 in the second and third years, and $100,000 thereafter for the life of the program. Additional funds would be available to the research centers on a dollar-for-dollar matching basis. These funds would be allocated by the Secretary of the Interior on the basis of specific research proposals by the research centers. The overall limitation on these matching funds would be $1 million in the first year of the program, increasing to $5 million in the fifth year, and thereafter for the life of the program. The legislation limits the life of the program to 10 years, which I think is very desirable, in order to give the Congress an opportunity to review the program and determine the need for extension, modifications, and so forth. I believe we are justified in spending this money because of the necessity of conserving our water resources.

Let me emphasize, for example, the need for research on the use of Florida's water resources: Florida is richly endowed with water resources—resources that have enabled a rapidly growing population to expand its residential, commercial, industrial, and recreational facilities and at the same time raise its per capita income to an all-time high. With only a modest investment in research on water and facilities for making them more useful, these same resources are more than ample to sustain the State's current rate of economic growth for decades to come. On the other hand, if the investment is not made now, water shortages will begin to restrict economic activities at any early date, and the cost of developing new sources of water will rise very rapidly.

Before the State's water resources can be effectively managed, the whole problem of retaining as much rainfall as possible in the soil, in the aquifers, and in the lakes and then making it available at the time and place that people can use it must be thoroughly examined. Studies of how to recharge the Floridian acquifer as rapidly as water is being withdrawn from it are urgently needed. Some of this kind of research is now being done in Green Swamp area, but it must be expanded and extended to all other parts of the State as soon as possible. Likewise, there is an urgent need for research on how to store the optimum amount of water in the State's vast natural surface water storage system—its lakes and streams—and to determine what additional water storage and transportation facilities are needed. Some facilities designed to achieve this end are now being constructed by the central and southern Florida flood control district but much more must be done if the population of the State continues to grow. To date only a very small portion of the research that must be done before the surface and underground water supply of the State can be fully utilized has even been outlined, let alone started, primarily because research funds have not been available.

Along with research on how to make water available at the time and place people can use it, research must be initiated on how to control the destructive floods that so frequently accompany hurricanes during the rainy seasons. Floodwaters can be and in fact have been effectively removed by ditches and canals, but the longrun effects of doing this are often most disastrous. The same facilities that remove floodwaters rapidly also reduce the water table and intensify the effects of droughts just as rapidly. In other words, overdrainage can have a most detrimental effect on citrus, vegetable, and cattle production in many areas in which the amount of water returned to the atmosphere in the form of evaporation and transpiration exceeds the amount received in the form of rain for from 3 to 9 months per year. By developing a means of controlling floods that is complementary rather than conflicting with a sound water management program, the economic potential of the State can be greatly enhanced.

More research is also needed on how to best utilize the large volumes of water that flow through rivers that originate in other States, pass through Florida, and discharge into the ocean and gulf. The Southeastern River Basin Committee is hard at work on this problem, but the implications of its findings and recommendations have not yet been carefully examined and evaluated, largely because of the lack of research funds.

An investment in research in Florida's water resources at the present time is essentially an investment in the State's future economic development. The most desirable environment in which to make such an investment is in Florida's land-grant university, where all phases of engineering, agriculture, forestry, law, medicine, and business, as well as the basic sciences, are being studied at the graduate level, and hence, where the scholars best qualified to do the job are located.

So, Mr. Chairman, let me say again that I am in favor of this legislation. I want to thank the House Committee on Interior and Insular Affairs for submitting this important legislation to us, and I hope the House will overwhelmingly approve this legislation.

Mr. ROGERS of Texas. Mr. Chairman, I thank the gentleman from Florida and would like to say that his contribution in this field has been measurable and his testimony before the subcommittee was most helpful.

Mr. TAFT. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Ohio.

Mr. TAFT. Mr. Chairman, I note on page 17 of the bill that it is provided that the Secretary of the Interior is charged with the responsibility for administration of the act and that after full consultation with other interested Federal agencies is empowered to prescribe such rules and regulations as may be necessary to carry out its provisions. I would like to ask the gentleman what kind of rules and regulations we are talking about here? Can he tell us whether the Secretary could put conditions upon the administration of the State water laws or State programs of various other kinds, before granting the assistance which is provided for under this bill, to the State universities involved?

Mr. ROGERS of Texas. The question as to the extent of the power that the Secretary of the Department of the Interior would have was discussed in the subcommittee. It was the feeling of the subcommittee—and I certainly want it to be known that it was my feeling as chairman of that subcommittee—that the authorization to the Secretary of the Department of the Interior is for the purpose of enabling him to properly administer this law.

Provision is made for applications to be filed so that the Secretary of the Department of the Interior may look at them to determine whether or not effective research is anticipated by the particular organization.

It is not anticipated that the Secretary of the Department of the Interior could change the laws or resort to any subterfuge or circumvention of general reasonable policy in denying a State funds under this act.

I hope that if any university or any land-grant college or any school which is subsequently included in the program if this act is passed becomes even suspicious that this were going on, it would immediately report it to the Congress. This proposed act provides for the Secretary of the Department of the Interior to make an annual report to the Congress so that we may know from year to year what is going on, not only with respect to the expenditure of the funds but as to the research that has been accomplished.

Mr. TAFT. If the gentleman will yield further, would it be fair to say then that the rules and regulations that are referred to in this particular section that I have mentioned, section 104, relate not only to procedures, but they also go beyond procedures and relate to a control given to the Secretary of the Department of the Interior to control the field of research activity that would be carried on under the act.

Mr. ROGERS of Texas. I believe that he possibly could to some extent have indirect control over the type research that is carried out. But the Secretary of the Department of the Interior is under the obligation—because we have put in the cataloging provision and the coordination provision—to justify the manner in which he has administered this program to the Congress of the United States each year. The Congress itself can, of course, step in and put a stop to any abuses that might be indulged in by the Secretary of the Department of the Interior in carrying out the provisions of this act. I can appreciate the fact—and I am sure that the gentleman from Ohio can—that there is a possibility of abuse in any legislation. However, I believe we have here, through the requirement of the reports to be filed by the Secretary of the Department of the Interior, made it possible for the Congress to step in at any time during the year or immediately after the end of the year and make whatever changes are necessary.

Mr. TAFT. If the gentleman will yield further, that of course would be true of the administration of any Federal program under any grant or loan such as this. Congress always retains the power under the Constitution to step in. So we are talking about nothing more than the constitutional power of the Congress to control the laws of the United States.

Mr. ROGERS of Texas. Permit me to say this to the gentleman: I have some examples wherein I believe some of the Departments have gone far beyond the constitutional inhibition about which the gentleman from Ohio is talking. I have constantly fought against the invasion of the legislative prerogatives by Departments downtown. That is one of the things we were trying to point up in the hearings on this bill, that we did not want that to be done.

Mr. TAFT. If the gentleman will yield further, it is my own personal feeling that the proper place to put the limitation in it and to say what we mean as to what is to be done, is when the law is first passed and not after there have been some abuses.

Mr. Chairman, I thank the gentleman for yielding.

Mr. ROGERS of Texas. I thank the gentleman from Ohio for his contribution.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Chairman, bipartisanship in foreign policy is a fine thing, but if we are going to have any kind of true bipartisanship we must have common understanding and respect between the majority and minority parties in this country.

Today the President at his news conference, I believe, misled the American people. At that particular news conference the President was asked about a statement I made in answer to a question on a radio program which was broadcast on Sunday last. The answer to a quesion which was asked at that time was based on information supplied to me by the Secretary of State. Secretary of State Rusk informed me in connection with my work as chairman of the Republican platform committee for 1964 that the U.S. policy was to take whatever steps may be necessary to protect southeast Asia from a Communist takeover.

I was further informed that all contingency plans are being made to carry out this policy decision of the administration. The contingency planning includes the preparation of plans to go north into North Vietnam to hit at the heart of the problem as far as South Vietnam and Laos are concerned.

In my radio interview, in answer to a particular question, I made it perfectly clear that the decision had been made to prepare these plans but that no decision had been made to implement these plans in any way. The United Press and the Associated Press quoted this interview absolutely correctly. The Associated Press even carried the word "prepare" in italic.

The President was asked about the preparation of such plans as referred to by me in his press conference today. I was supporting the Johnson administration in my comments on Sunday. I did not use any of the classified testimony before our Defense Appropriations Committee in this connection at any time. The Secretary of Defense appeared before our committee and any member of our committee will give you, I am sure, complete substantiation of the basic nonclassified information which I used. We are making plans and preparing plans for this particular contingency. We should be and I commend the State Department and Department of Defense for this planning. But when the President was asked about this at his news conference, he said, and I quote the United Press story:

> Johnson at first dismissed this by saying LAIRD—who is chairman of the Republican platform committee this year—is not yet speaking for the administration.

But when a newsman pressed the question whether there were in preparation contingency plans for taking the war to North Vietnam, President Johnson said, "I know of no plans being made to that effect." That simply is not the case. We have contingency plans in this particular area, and we should not advise the potential enemy in advance that we have no such plans. This is very bad national strategy as far as the United States of America is concerned.

If I were at liberty to release the testimony by the Secretary of Defense before the Defense Appropriations Committee in the past 2 weeks, it would show this is certainly not his position. He supports the position and firm statements of Secretary Rusk. I regret that the President of the United States used his news conference in this way, because the American people deserve to be informed and have the right to know. Our potential enemy should not underestimate the will and determination of our country.

Mr. SAYLOR. Mr. Chairman, I yield 8 minutes to the gentleman from Connecticut [Mr. DADDARIO].

Mr. DADDARIO. Mr. Chairman, I support the bill which the Committee on Interior and Insular Affairs has before us, but I do believe that section 203 is subject to amendment.

I will offer an amendment to section 203 of the bill.

This section is a highly restrictive one. It deals in peremptory fashion with a very complex subject—patent ownership. It was not in the bill as requested by the administration. It is objected to by the Bureau of the Budget. It found its way into the bill by last-minute amendment on the Senate floor, with no significant discussion. I feel it should be amended.

Section 203 is the latest in a long series of efforts to force Federal administrators to impose patent restrictions on private organizations and individuals doing research and development for the Government—restrictions largely repugnant to those doing the work, on whom the Government must depend for progress. In essence it provides that all property rights developed through research sponsored under the bill shall fall in the public domain—regardless of the extent of the contribution made by the party doing the research.

Mr. Chairman, this section involves a controversy of long standing over Federal ownership of patents. For the most part the Senate, in recent years, has tended to favor Government title to patents arising in the course of research done with Federal funds. The House has taken the more liberal stand that title should be the result of a fair appraisal of all the equities involved—going, at times, to the Government and, at other times, remaining in the contractor subject in all cases to a license by the Government to use the invention developed royalty-free.

It has been the history of the House generally to reject language such as contained in section 203, the most recent example being the Clean Air Act, H.R. 6518, on which final action was taken December 10, 1963. At that time I commended the managers on the part of the House for their efforts and particularly for seeing that restrictive language, with respect to patents and other proprietary rights, was eliminated from the bill.

The issue is not a simple one. Years of study have gone into its attempted solution, and even yet there is no generally accepted one. To treat the matter as contemplated in section 203 is grossly unfair to both the Government and the private contractor or individual.

I would remind my colleagues that the patent right is a constitutional one. It was developed in the Constitution, not as a special franchise to the entrepreneur, but as a device to insure the promotion of the arts and sciences. It recognized human nature and the value of personal ownership—not alone to the individual, but to the public as well.

I would further point out that in recent years many of the nations of the world which have followed the route of socialization of industry and agriculture have discovered—belatedly—what our Founding Fathers knew all the time: that the man with a personal stake in his work does a better job for his contractor. Thus, one by one, these countries, including England, France, Germany, Italy, et cetera, and even the Soviet Union, have lately been casting about for means of giving greater rewards and incentive to individual inventors. Ironically, some of them now give their contractors a better break patentwise than does the United States. They have learned that to compete in today's consumer market, this kind of incentive is essential. Those of us who watch the balance-of-payments situation are only too painfully aware of how effective their competition has become.

Mr. Chairman, the Government versus private ownership of patents problem is not static. Much progress has been made in the past decade and real milestones passed.

The hearings which our own Subcommittee on Patents and Sciencific Inventions conducted over a 4-year period did much, I believe, to dispel many of the misconceptions surrounding this matter. The excellent studies conducted by the Patents Subcommittee of the Senate Judiciary Committee were also invaluable as a source of factual material. The extended debate in the House on the Government ownership problem relative to amendments of the Space Act, in 1960, crystallized the issues. Since then, new flexibility instituted by NASA and the AEC relative to their patent policies, together with a reassessment of defense policies, has brought about a trend away from extremes. The 2-year extensive study by executive agency heads, which culminated in a moderate position by the Federal Council for Science and Technology—and eventually the statement of patent policy enunciated by President Kennedy last October—now seems to have created a stabilized, commonsense rationale for the administration of Federal policy until such time as a better one may be developed.

The basic theme of the administration policy is contained in this comment from the memorandum promulgating the new policy, October 10, 1963:

> This statement of policy seeks to protect the public interest by encouraging the Government to acquire the principal rights to inventions in situations where the nature of the work to be undertaken or the Government's past investment in the field of work favors full public access to resulting inventions. On the other hand, the policy recognizes that the public interest might also be served by according exclusive commercial rights to the contractor in situations where the contractor has an estimated nongovernmental commercial position and where there is greater likelihood that the invention would be worked and put into civilian use than would be the case if the invention were made more freely available.

The statement then undertakes to spell out guidelines designed to assist Federal administrators in making their determination of where proprietary rights should properly vest.

Thus the present policy, which is controlling except where specific statutes provide otherwise, assures protection of the public from the antitrust point of view, while seeking to guarantee contractors that their efforts will be rewarded in proper ratio to their contribution to the research undertaken.

Mr. Chairman, when legislation contains a provision such as section 203 of this act, then the head of the Government agency involved cannot comply with the President's carefully formulated policy.

It is in this regard that I call your attention to the letter of February 20, 1964, to the chairman of the Interior Committee from the Assistant Director for Legislative Reference, Bureau of the Budget, Mr. Phillip S. Hughes, recommending the deletion of section 203. After reference to the Presidential statement on Government patent policy, Mr. Hughes states:

> As reported by your committee, the pertinent provisions of section 203 of S. 2 would not permit this flexibility but would instead have the effect of denying patent rights to those conducting research in all cases. In our judgment, the provisions of section 203 relating to patents would inhibit the desirable flexibility of the administration's policy with respect to patent rights and we, therefore, recommend the deletion of those provisions from S. 2.

Mr. Chairman, I do not wish to belabor the point.

I would only call your attention to the fact that the bill calls upon the great land-grant universities or such other colleges as the individual States may designate to perform the required research into solving our water problems. Yet many of these colleges and universities—according to a National Academy of Sciences study conducted by Dr. Archie M. Palmer in 1962—follow established patent policies which would have to be violated if section 203 remains in this bill. Surely, this is not the way to get the job done.

I think it is entirely possible that one day in the future we will end up legislating overall Government patent policy. But to do this by statute will require much more study by the appropriate congressional committees in collaboration with executive agencies, the patent bar and private contractors—and after we have had more experience with the existing policy statement. In the meantime we should not, in a piecemeal manner, undermine and corrupt that carefully designed policy as section 203 would do. We should give it a chance to work.

Please note that the administration policy sets up a procedure for its own review and revision as experience dictates the need. A patent advisory council is set up under the Federal Council for Science and Technology to develop further guidelines for the implementation of the policy. The panel was set up early this year by the Johnson administration and is now actively functioning. It is chaired by Dr. William Eaton, Deputy Assistant Secretary of Commerce, and has representatives from 21 agencies. Under the panel, subcommittees have been formed and are in active operation for planning university grants and contracts, reports, foreign patent management, domestic patent management, and data collection and analysis. More than 40 senior policy-level administrators are involved with the actions of the panel and the subcommittees.

Mr. ROGERS of Texas. Mr. Chairman, I yield to the gentleman from Hawaii [Mr. Gill].

Mr. GILL. Mr. Chairman, I rise in support of this measure. The House Committee on Interior and Insular Affairs has given long and careful consideration to the objectives of this bill, and modified it to provide maximum effectiveness to the immediate program.

The appropriation of $75,000 to each of the State institutions involved during fiscal 1965, $87,500 for the next 2 years, and $100,000 for each year thereafter up to the 10th year will allow the land-grant colleges or other designated institutions in the various States to establish teaching and research facilities. These facilities and the personnel attached to them can serve as the nucleus for training young scientists and techncians in the field of water resources.

In addition, the Secretary of Interior can make further money available, on a one to one matching basis, for specific water research projects at these institutions.

This can well be termed a "seed" program in an area which daily grows more vital to our people. Our rapidly rising population, falling water tables, increased pollution of existing supplies, and tremendous new uses for water all combine to make knowledge of this life source more critical each day. Strangely, we have long taken water for granted; our scientific effort and our fund of knowledge in this commonplace subject has been minimal, compared to advances in more spectacular areas.

It serves us little to spend billions to put a man on the barren reaches of the moon or to clutter space with satellites and rockets, if our farms and cities wither for the lack of adequate water. With this initial program we should be able to attract some of our abler young people into a field of endeavor and study which will always be basic to life itself.

In Hawaii we have been blessed with relatively abundant water for our large urban centers, and we have long been concerned with developing water for agriculture and our barren areas. But as our population grows in Honolulu our need to understand the precise function of our aquifiers, to control polution, and to allow multiple use and breathing space for our people in some watershed areas becomes ever more intense. This bill should allow the University of Hawaii to make a start at a long-range water research section, help coordinate current research, and supply new technicians this problem will require in the years ahead.

Mr. ROGERS of Texas. Mr. Chairman, I yield to the gentleman from Idaho [Mr. White].

Mr. WHITE. Mr. Chairman, as a member of the subcommittee which held hearings on S. 2 and reported it, I want to commend Chairman Rogers and chairman of the full committee Wayne Aspinall for the excellent legislation we are considering today. The Water Resources Research Centers Act of 1964 has been in the making for some time and its passage this year is imperative. The bill will provide the necessary funds and coordinating facilities for research which to this point has been minimal and quite unrelated. The research contemplated in S. 2 will find immediate application in the critical water resource problems facing the Nation today.

In my own State of Idaho there is a great deal of interest in water resources but the lack of funds for geological, physical, legal, and hydrological studies have kept activity at quite a low level. S. 2 would provide the tools for achieving goals in water research which we have desired for some time. For example, there is a great need for an inventory of our underground water resources because this source may be depleted without our actual knowledge if there is no accounting for the supply. Our university has devoted much time, money and energy to this and other water questions but the lack of adequate funds has limited the scope of this work. The need is critical and the legislation proposed in S. 2 reasonably and thoroughly meets this need.

Changes adopted by the House Interior Committee are, I believe, great improvements over the original language of S. 2. Allocation of the funds to State universities gives the direction toward local water problems. Language adopted by the committee which directs the President to establish a cataloging center lays the groundwork for proper coordination of the information and the research gained at the local levels. The 10-year limitation will make it incumbent on us to evaluate the returns on our funds within a relatively short period of time. It is quite likely that at the end of this period that new directions in water resource research activities will become necessary. I believe we are starting right with enactment of the House Interior Committee version of S. 2 and I believe the legislation provides that we will end right. I urge all Members to favorably consider this fine bill.

Mr. ROGERS of Texas. Mr. Chairman, I yield to the gentleman from Georgia [Mr. WELTNER].

Mr. WELTNER. Mr. Chairman, I am proud to support S. 2, a bill to establish water resources research centers. My region of the country, the great Southeast, has long been aware of the need for conservation and development of water resources. This is a necessity if we are to meet the growing needs of a dynamic economy and an expanding population.

Georgia has led the way in the Southeast in approaching the problems toward which this legislation is directed.

In July 1963, the board of regents of the University System of Georgia established the Water Resources Center at the Georgia Institute of Technology, in my congressional district. The purpose of this center is to stimulate a broadly based, comprehensive program in water resources education and research.

The director of that center is Prof. Carl E. Kindsvater, a nationally recognized leader in his field.

The center at Georgia Tech, with its outstanding research facilities and staff, places it in position to take immediate advantage of this legislation. While the amount of Federal funds available to each State under the act will be modest, I believe its ultimate effect will be the establishment of a national network of water research centers. Their potential will be, I am confident, equal to national needs. I urge the passage of this bill.

Mr. ROGERS of Texas. Mr. Chairman, I yield the remainder of my time to my colleague from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, I support this measure and wish to commend the committee and its able chairman for their effective work in bringing out this bill.

There is no more important problem facing this Nation—and the world—than the guarantee of enough water for the future. As a nation we probably can handle in future years matters affecting space, room, shelter, and oxygen, but problems in the field of water and water supply looms as the greatest threat to our survival than any other resource. We must prepare now for this supply of water. There is no better place than to start intensive research and study at our State universities and colleges, coordinated with our Federal Government.

However, each State ought to be given the greatest leeway in carrying out this research. Each State ought to know best where this research is to be accomplished, based on the present water study programs, the potential of research in each institution, and the water plans already formulated within a State. I am concerned that the language in the present bill is too restrictive in that grants might automatically go to a land-grant college rather than the appropriate university or college in the State which might be better or as equally equipped to handle the research.

I am sure all of us agree that the research grants should not be divided between more than one or two schools and that the research should go to the school best equipped to carry out the aims of the Congress. I am fearful that unless we change some of the language in this measure, some of the grants might go to schools which have a small or inadequate program underway—with little potential for development—rather than to a school which has already specialized in this field. I am hopeful that the committee will make the language general in nature—giving each State the free authority to designate—instead of the grants going to land-grant schools alone.

Now I realize the present language says that the grant would go to land-grant schools—unless otherwise directed by the legislature of a respective State—but that means that the only way any other school might get one of these grants is perhaps to have a knock-down, drag-out fight with the legislature.

I would think that the bill would be much more effective if the Governor, advised by the proper water resources authority of the State, or the State water resources authority itself, could determine what institution would receive the research funds. This would have the twofold purpose of, first, more quickly expediting the matter, rather than waiting for the State legislature to convene—and perhaps becoming bogged down in an intramural battle of college alumnae politics—and, second, of allowing the agency of the State which is most nearly associated with the water problems of the State to determine which institution is best prepared to carry on the best program. This is certainly an area in which the State can best determine the needs and problems which it faces.

Rather than leave the impression that the grant must go to a land-grant school—unless otherwise designated by the legislature—I hope the committee, either in the House or at a later point—simply will say that the grants go to a respective college or university within the State as "designated by the appropriate State agency having jurisdiction over water resource matters within that State." It may well be that many of these grants will go to land-grant colleges, and that is fine if that school is best equipped to handle the research. But other schools ought not to be preempted or cut off from the possibility of conducting the research. I do not think the Congress wants to set up a research project where it is least effective. It ought to be done where it can be the most effective.

There are a number of water resources centers established and working throughout the country at this very moment. One of these is at the University of Texas, under the very able direction of Dr. Ernest Gloya and many of the departments at the university—ranging from the department of engineering to the school of law. Heretofore, all of these departments carried on separate teaching and research operations. It was deemed a necessity that there must be a central mode of operation and coordination to insure that efforts of our various experts are channeled toward common solution of water research problems.

The University of Texas' Center for Research in Water Resources has been a going concern for nearly 2 years. It has incorporated the best of all departments at the university and has at its command some of the leading experts in the various areas of water problems. Its scope ranges from hydraulics and fluid mechanics in the department of engineering to water law at the school of law. Under the superstructure of the research center all of these various department's research would be coordinated to map out a completed picture of the water situation in the State of Texas. As far as the necessary facilities are concerned, the area surrounding Austin is ideal because it is the location of the University of Texas, and a series of lakes and dams on the Colorado River, and watersheds. These teams of researchers can, with easy accessibility, draw the necessary information to formulate a complete picture of our water problems. And this is not an educational institution scheme alone. Private business concerns are participating now—in time and money—and are being encouraged to participate in order that the whole economy and well-being of the State can be fully met. In fact, I have received letters from several civic minded groups, praising the work and foresightedness of Dr. Gloyna and the University of Texas in meeting the challenge of this vital problem.

Therefore, I think it is essential that this university and the others throughout the country be given a partnership in the development of this Federal program. Title I of the House version of the bill would tend to discriminate—even though perhaps unintentionally—against many well established universities which are leaders in water resources research. I think it would be a waste of manpower resources not to stimulate the use of existing facilities. Therefore, I favor this measure but hope its language be broadened.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding. I congratulate him for his fine presentation. As one of the cosponsors of this legislation, I join him in urging its adoption as a most needed part of the President's long-range approach to the water problems of the United States. The water research centers authorized by this bill will contribute substantially to the solution of those problems throughout the Nation.

Mr. PICKLE. I thank the gentleman from Oklahoma.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, I strongly urge the passage of this most worthwhile piece of legislation.

Mr. Chairman, the legislation before the House this afternoon is absolutely essential if this Nation is to have a coordinated national program of water research.

In the Commonwealth of Massachusetts, we have an outstanding land-grant college at Amherst, Mass.—the developing, progressive University of Massachusetts.

This outstanding school is well equipped physically and intellectually to continue a program of water research. This institution has managed to chart an enviable record in related research areas and the passage of this legislation will further insure their continued expansion in an area of vital concern to the citizens of this Nation.

This program—and I want to take this opportunity to congratulate the gentleman from Texas [Mr. ROGERS]—will go a long way toward strengthening the contribution that universities can make to water resources and related forms of research.

With the projected growth of our population, there is an increasing need for studies of this kind, and the University of Massachusetts will need the funds to cope with mounting water-use programs caused not only by the population boom but also by an increasing industrial society.

The program would assist both the water programs at the local and State level and in meeting the critical needs of furnishing additional hydroscientists.

The water research needs of this Nation to have a center located in each State were brought out very forcefully by the Senate Select Committee on Water Resources in the report of January 1961.

Here were some of the areas—reducing evaporation from the surface of reservoirs, elimination of water-loving vegetation along the edges of watercourses and reservoirs, reducing seepage losses in irrigation canals and other water distribution systems and other wasteful practices—as well as other projects too numerous to mention at this time.

Mr. Chairman, I agree with the committee when it states that a great contribution can be made at the State level because of the differences each State faces. This is an essential point.

The funds involved—$75,000 for the first year, $87,500 in the second and third years, and $100,000 each year thereafter until Congress reviews the program—would establish the finest network of centers across the land and meet face on the problems that will continue to arise.

I know that the University of Massachusetts—already on the verge of major breakthroughs in the area of research—will greatly benefit from the program.

All of Massachusetts would gain from this program, Mr. Chairman. It is also obvious that the entire Nation would receive untold advantages from the program during the next 10 years.

I urge the immediate enactment of this bill to establish these centers. As the first House sponsor during the 1st session of the 88th Congress to set up a northeastern water resources compact and similar legislation, I feel that the present bill is a must and one that should be enacted.

Mr. SAYLOR. Mr. Chairman, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLEVELAND. Mr. Chairman, I rise in support of this legislation establishing water resources research centers at land-grant colleges and State universities to promote thereby a more adequate national program of water research.

The University of New Hampshire, in my State, has already undertaken plans to utilize the grants provided by this legislation. The need is great in New Hampshire for localized research to cope with mounting water use problems caused by the increase in our population and the growth of our economy.

New Hampshire's economy typifies the need for localized research. We have of course an increasing industrial and population need for water. We also enjoy matchless recreational facilities that support an important segment of our economy on a year-round basis which depend on water. In addition, agriculture and forestry are large and important segments of New Hampshire's economy and they also depend on water. The University of New Hampshire will be cognizant of the conflicting demands and needs of the different segments of our diverse economy. Its water research efforts will thus be better motivated and more meaningful.

In establishing a water resource research center, the University of New Hampshire will be entitled to a Federal grant of $75,000 during the first year of the program, $87,500 during the second and third years, and $100,000 for each of the remaining years of the program. Additional funds wil be available to New Hampshire subject to approval by the Secretary of the Interior on a dollar-for-dollar matching basis for specific research proposals made by the State research center. The equal treatment afforded the several States is commendable. The matching funds can be used to reward the most promising research and serve as additional incentive.

Mr. SAYLOR. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ELLSWORTH. Mr. Chairman, the water resources research bill, S. 2, is excellent legislation. I am glad to be able to support it, and to commend and thank the great House Committee on Interior and Insular Affairs for their fine work in bringing the bill before us today.

At the same time, I regret two aspects of the present version of the bill and hope it can be modified, prior to enactment, to give more recognition to the responsibilities of the sovereign States of our Federal Republic.

I refer specifically, first, to the restrictions placed upon the ability of the States to designate non-land-grant schools as their water resources research centers or to divide this responsibility between more than one institution when such a designation or division may, in fact, be most appropriate. Secondly, I refer to the unfortunate deletion of title II of the original bill. This was the title which authorized research grants or contracts with individuals and institutions not associated with a land-grant college.

For example, we in Kansas have in full operation one of the best water resource statutes and programs in the Nation. In Kansas, the entire State-Federal cooperative ground-water investigative program is located on the campus of the University of Kansas, a non-land-grant school. Moreover, the only graduate educational program in Kansas in water engineering and water resources science is located at the university and so is all water-related research in environmental health engineering. Beyond that, the State geological survey and the State biological survey are located at the University of Kansas, and both have Federal counterpart agencies with significant water-related responsibilities which are located in the Department of the Interior.

Recently, in order to coordinate these and the many other water-related University of Kansas functions, the Kansas State Board of Regents approved the establishment of a water resources institute.

The point is, Mr. Chairman, under the present version of S. 2 neither the State of Kansas nor the U.S. Department of the Interior would have the freedom to use these resources effectively because the University of Kansas is not a land-grant school.

Under the constitution and laws of the State of Kansas, the Governor and the board of regents have developed a magnificent water resources program in our

State. We have taken great strides toward meeting our State responsibilities and we feel we have the right to ask the Federal Government to give us the freedom to continue our program in our own way, without congressional limitations and without having to go back again to our legislature.

It is my hope that S. 2 can be modified to correct these unnecessary limitations on States rights before it is signed into law.

Mr. **TEAGUE** of Texas. Mr. Chairman, I introduced one of the some five bills on this subject which have been pending in the House and the Senate. I do not believe that I need expound to the House the importance of this legislation. It will meet two national needs: the acceleration of research in water problems and the acceleration of the training of hydroscientists, who are desperately needed to deal with the regional and national water problems that are growing so swiftly.

It seems to me, and to almost every other reasonably well-informed person with whom I have spoken, that we cannot any longer depend upon independent, sporadic, and uncoordinated research programs if we are going to lick this problem. And lick it we must, or we shall be in dire trouble as a nation and a civilization.

The bill before us today is modeled on the Hatch Act which created the system of State agriculture experiment stations. We all know of the fine work and contributions to our way of living made by these dedicated people. The bill seeks to enlist the competence of our university faculties in needed water research work and at the same time to strengthen their work of developing and training additional new scientists and engineers. Careful attention has been given in the bill to avoiding Federal agency intrusion in or domination of the academic institutions.

As the demand for more and more water increases throughout our Nation, so do the problems of water management and pollution increase and become more complex. It is evident that education and research programs must evolve to that the scientific capability and research programs will exist to solve the future water management problems. It is the hope of the sponsors of this legislation including myself, that this bill will answer these problems by creating the research centers which will be so badly needed in the future, and which are needed now.

Mrs. **DWYER**. Mr. Chairman, the pending bill, to establish water resources research centers and otherwise to stimulate more adequate water research is a modest effort to meet an increasingly urgent national problem. The committee has written a reasonable and responsible bill. The moderate costs involved should be viewed as the beginning of a vitally important insurance program which we hope will provide effective protection against future water shortages and thus pay dividends in terms of assured supplies of the most precious raw material on earth. I hope the House will approve this legislation.

Mr. **SCHWENGEL**. Mr. Chairman, I rise today to call attention to what I consider a couple of problems involved in this legislation.

We are authorizing what I suppose is considered a relatively small sum of money.

But, one thing we should seriously consider when we discuss expending additional sums of Federal moneys for water resources research through the facilities of educational institutions is the overall picture of water research already being conducted by Federal and State agencies as authorized by existing legislation. Another thing we should take a close look at today is the highly important need for proper coordination of activities.

The proposed water resources research expenditures for fiscal year 1965 as released by the Office of Science and Technology of the Executive Offices of the White House are some $72½ million. Although this sum is unfortunately small in comparison to what we should be spending for water resources research if we are to meet the water problems facing this Nation, there is already duplication of research activities by the large number of Federal agencies already involved in water resources research. There are no less than 25 agencies engaged in water research, the list of which I will place in the RECORD. Their contributions range from the vastness of those made by the overall programs of the Departments of the Interior and Agriculture to those made by the research teams of the Bureau of Indian Affairs. Already deeply involved in water research are the Departments of Agriculture; Interior; Defense; Health, Education, and Welfare; the Atomic Energy Commission; the National Science Foundation; the Tennessee Valley Authority and some 25 subdivisions of those departments and agencies.

Although a close look at the possible duplication between existing and future activities of these Federal agencies may someday have to be taken by Congress, we should, as much as practically possible, insure ourselves today of not creating even more duplication of research by the passage of this act. A very large amount of money is already spent by the Federal Government through grants for research authorized by existing legislation in fields related to water resources. Almost all State universities handle water resources research work for the respective State.

The scope of current research in water resources includes nine basic types of research concerning: the nature of water, the water cycle, water and land management, water development and control, qualitative aspects, reuse and separation, economic and institutional aspects, engineering systems, and manpower and research facilities. There are some 55 detailed aspects of those 9 areas being dealt with by the Federal agencies today. State universities under funds received under State authorizations are also conducting research in these areas.

Some interesting figures concerning expenditures on water research are as follows:

Types of research	Estimates	
	1964	1965
Nature of water	$1,770,000	$2,055,000
Water cycle	13,979,000	15,144,000
Water and land management	9,600,000	10,320,000
Development and control	7,261,000	7,553,000
Qualitative aspects	10,731,000	13,329,000
Reuse and separation	9,031,000	10,048,000
Economic and institutional aspects	2,769,000	2,819,000
Engineering systems	4,980,000	5,573,000
Manpower and research facilities	9,352,000	3,423,000

Mr. Chairman, those figures amount to $71,473,000 in 1964 and $72,464,000 in 1965.

Since by 1969 at the maturity of this act we would today be authorizing some 8 percent of the total revenue to be expended on water resources research at that time, we should be extremely careful not to create or allow for the creation of any duplication of activities. The outstanding contributions of State agencies should not be impeded by any section of this act which would limit the determination of the fund's direction to the political whims of State legislatures as does section 100 by the determination of State legislative action.

Most States, especially Western ones, already have competent and qualified water research teams at their State universities. In some States private schools are conducting water research activities.

This act is important but money must not be spent by the Department of the Interior merely for the sake of expending it. Careful consideration must be given to prevent duplication of activities and to insure the proper coordination of research.

DEPARTMENTS AND AGENCIES CONDUCTING FEDERAL WATER RESOURCES RESEARCH

Department of Agriculture: Agricultural Research Service, Cooperative State Research Service, Economic Research Service, Forest Service, and Soil Conservation Service.

Department of Commerce: Bureau of Public Roads, Business and Defense Services Administration, Coast and Geodetic Survey, Maritime Administration, and Weather Bureau.

Department of Defense: Corps of Engineers.

Department of Health, Education, and Welfare: Public Health Service.

Department of the Interior: Bonneville Power Administration, Bureau of Commercial Fisheries, Bureau of Indian Affairs, Bureau of Land Management, Bureau of Mines, Bureau of Reclamation, Bureau of Sports Fisheries and Wildlife, Geological Survey, Office of Saline Water, and Park Service.

Atomic Energy Commission.

National Science Foundation.

Tennessee Valley Authority.

One other provision of this bill concerns me. The bill almost by default gives the money to the States to the land-grant colleges. I have no quarrel with land-grant schools. Many of them do excellent research in the area of water resources. However, there are many State schools which are not land-grant colleges that also do fine water resources research. These schools will not receive funds unless there is affirmative action on the part of the State legislatures. Any Member of this House who has served in a State legislature knows the problems involved in getting such action.

Let me name a few problems I envisage.

Having served in a State legislature for 10 years I know how fierce competition between State schools for funds can so easily become a political football. State legislatures have enough problems dividing up State funds without the responsibility of designating the recipient of Federal funds. Another problem concerned with the State legislature designation is that many State legislatures still meet biennially. What procedures are to be followed? Is the Department of Interior going to wait until State legislatures have met and had a chance to act or until they have completed action before giving out designations for grants?

If Interior waits, the research will be held up, if they go ahead before a State legislature has had time to act, it would be unfair to the other State schools within that State.

I would rather see the designation made by a State agency, preferably that one which has jurisdiction over water resources within a State.

This would mean State people, qualified and competent in the field of water resources would make the decision of who should do the research. Perhaps they would find that one school could best do one phase of the research and another school do another phase. I would like to see that leeway in the bill.

By placing the designation responsibility with a State agency, relatively free from political influence, one which could meet within a relatively short period of time to make a decision thereby not impeding the progress of the program, I believe we would have a superior bill.

I would hope that when this bill goes to conference, as I assume it will, the House conferees will keep these suggestions in mind.

Thank you, Mr. Chairman.

Mr. COOLEY. Mr. Chairman, the bill before us (S. 2) concerns itself with one of the most important resource problems which will face this Nation in the years ahead—the assurance of ample and usable water supplies to meet the manifold needs of people, of industry, and of agriculture.

Authorities on this subject tell us that we are now using substantially all of our readily available water supply and that by 1980 our need for water will be double what it is today.

We who are closely associated with agriculture and directly responsible for legislation relating to programs of the Department of Agriculture have long been aware of the mounting importance of adequate water supplies to our agriculture and our economy generally.

Years ago we changed the objectives of the Soil Conservation Service from the mere prevention of erosion and the stabilization of cropland to the much broader objective of soil and water conservation. And in recent years the conservation and wise use of water has assumed a constantly more important role in our objectives.

Water conservation and the making of water facility loans have become an important part of the program of the Farmers Home Administration. Loans are available both to individual farmers to develop water supply and utilization systems for their farms and to local groups and communities for the development of community water supply and distribution facilities in rural areas.

As far back as 1951, the Committee on Agriculture became sufficiently concerned with the twin problems of water conservation and flood prevention that I sent a subcommittee headed by the gentleman from Texas, Congressman POAGE out into the Midwest to hold a series of hearings on water management.

Out of these hearings and the bill drafted by the subcommittee grew the Watershed Protection and Flood Prevention Act of 1954. This is today the basic law providing for joint community-State-Federal action for the conservation and beneficial management of our precious water supply in the area where it falls.

So I am now, and have for a long time been, deeply interested and concerned with our basic resource of water. There are still many things we need to know about this subject and in spite of all the research which is today being carried on by the Department of Agriculture and other Federal, State, and private agencies, I believe that a cooperative Federal-State research program, such as will be provided by this bill, is needed and will serve a most useful purpose.

The water research program proposed in this bill bears a close resemblance to the agricultural research program which has been carried on for many years through the State agricultural experiment stations. Like the water resources research institutes which will be established by this bill, the agricultural experiment stations are operated in conjunction with the land-grant colleges and universities. Like the experiment stations the water research institutes will combine research, teaching, and learning. Like the experiment stations, the water research program in each State will concentrate on those problems which are of greatest importance to that State or area.

In North Carolina I hope that it will begin its studies with the problems of water pollution. Our water supplies must not only be ample, they must be free of contamination and pollution, and fit for any use that people want to make of them.

The research conducted by our State agricultural experiment stations has been a major factor in the fantastic development of American agriculture which has taken place in the past 30 years and in the tremendous increase in the productivity and efficiency of American farms.

If the research program we are establishing under this bill accomplishes half as much as has been accomplished by our Federal-State research program in agriculture we can all take satisfaction in the knowledge that we have helped to establish a very worthwhile program and one that will more than repay the expenditures made on it.

Mr. FRASER. Mr. Chairman, the University of Minnesota has a substantial education and research program in water use, as I reported to the Interior and Insular Affairs Committee when it was considering S. 2 last summer. I feel certain that the University of Minnesota could take full advantage of the provisions of S. 2 to advance the training of scientists and to conduct research.

In Minnesota water is plentiful, clean, cool. We proudly call our State the Land of 10,000 Lakes. But just as every other part of the country is finding problems with water supply, so too Minnesota must plan now to protect its water resources.

New methods must be found and new investment planned for purifying, conserving, reusing, storing, and expanding our water supply. Research cannot be handled by our State alone. We need a national system of water research centers to concentrate effort on this problem.

Minnesota's changing water needs are similar to the rest of the Nation. Use of water in the Minneapolis-St. Paul area leaped from 42 million gallons a day in 1936 to 88 million gallons a day in 1961. New industries demand more water.

Largest industrial ground water users in Minneapolis today are: First, milling; second, petroleum refining; third, malt beverages; fourth, electrical machinery; and, fifth, fabricated metal products.

Gas manufacturing, railroads, and dairy products industries were the heavy users of water 30 years ago.

Air conditioning is consuming ever greater quantities of water. Expanding population in the metropolitan area puts a strain on existing water sources.

In the next 40 years the water use in the Minneapolis-St. Paul metropolitan area will have to double to supply the needs of our growing economy.

A study by the State of Minnesota Department of Conservation spells out typical problems which need solving if we are to meet the demand for water:

> Proposals have been made for returning used air-conditioning water to the aquifer from which it is pumped or to another aquifer. The possibility of contamination, the gradual increase in temperature of the body of ground water, and certain operational difficulties encountered in recharge wells make this of doubtful value on a large scale.
>
> Probably the greatest opportunities for effecting economies in the use of water are in industrial plants, some of which require large quantities of water for cooling, processing, boiler feed water, air conditioning, and sanitation. Each industry or plan presents an individual problem because of wide variations in such water requirements as temperature, purity, and other qualities. In some cases water which has been used once

for cooling or condensing could be reused in the same plant for processing or washing; or warm water may be cooled by evaporation in cooling towers and used repeatedly for cooling. Recycling—the use of the same water repeatedly for one purpose—or its use successively for various purposes has been remarkably successful in reducing the water requirements in some industries.

A proposal is now being studied for conducting water after it has been used for air conditioning in downtown Minneapolis through storm sewers to a point from which it can be pumped directly into Minneapolis lakes to aid in maintaining lake levels or to ponding areas from which seepage will aid in recharging ground water.

S. 2 is intended to encourage expanded research in use of this vital natural resource. Coordination with existing Federal programs, use of college laboratory and teaching facilities, establishment of research centers at land-grant colleges—all these hold great promise for a water-hungry nation and new horizons of hope for regions and industries even now being limited for lack of adequate water supplies.

S. 2 can be one of the most important accomplishments of this Congress in preserving and developing our Nation's resources.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Water Resources Research Act of 1964."

(b) In order to assist in assuring the Nation at all times of a supply of water sufficient in quantity and quality to meet the requirements of its expanding population, it is the purpose of the Congress, by this Act, to stimulate, sponsor, provide for, and supplement present programs for the conduct of research, investigations, experiments, and the training of scientists in the fields of water and of resources which affect water.

TITLE I—STATE WATER RESOURCES RESEARCH INSTITUTES

Sec. 100. (a) There are authorized to be appropriated to the Secretary of the Interior for the fiscal year 1965 and for each of the nine fiscal years subsequent thereto sums adequate to provide $75,000 to each of the several States in the first year, $87,500 in each of the second and third years, and $100,000 each year thereafter to assist each participating State in establishing and carrying on the work of a competent and qualified water resources research institute, center, or equivalent agency (hereinafter referred to as "institute") at one college or university in that State, which college or university shall, unless otherwise provided by act of the legislature of the State concerned, be a college or university established in accordance with the Act approved July 2, 1862 (12 Stat. 503), entitled "An Act donating public lands to the several States and territories which may provide colleges for the benefit of agriculture and the mechanics arts": *Provided,* That (1) if there is more than one such college or university in a State, established in accordance with said Act of July 2, 1862, funds under this Act shall, in the absence of a designation to the contrary by act of the legislature of the State, be paid to the one such college or university designated by the Governor of the State to receive the same subject to the Secretary's determination that such college or university has, or may reasonably be expected to have, the capability of doing effective work under this Act; (2) two or more States may cooperate in the designation of a single interstate or regional institute, in which event the sums assignable to all of the cooperating States shall be paid to such institute; and (3) a designated college or university may, as authorized by appropriate State authority, arrange with other colleges and universities within the State to participate in the work of the institute.

(b) It shall be the duty of each such institute to plan and conduct and/or arrange for a component or components of the college or university with which it is affiliated to conduct competent research, investigations, and experiments of either a basic or practical nature, or both, in relation to water resources and to provide for the training of scientists through such research, investigations, and experiments. Such research, investigations, experiments, and training may include, without being limited to, aspects of the hydrologic cycle; supply and demand for water; conservation and best use of available supplies of water; methods of increasing such supplies; and economic, legal, social, engineering, recreational, biological, geographic, ecological, and other aspects of water problems, having due regard to the varying conditions and needs of the respective States, to water research projects being conducted by agencies of the Federal and State Governments, the agricultural experiment stations, and others, and to avoidance of any undue displacement of scientists and engineers elsewhere engaged in water resources research.

Sec. 101. (a) There is further authorized to be appropriated to the Secretary of the Interior for the fiscal year 1965 and for the nine fiscal years thereafter sums not in excess of the following: 1965, $1,000,000; 1966, $2,000,000; 1967, $3,000,000; 1968, $4,000,000; and 1969 and each of the five succeeding years, $5,000,000. Such moneys when appropriated, shall be available to match, on a dollar-for-dollar basis, funds made available to institutes by States or other non-Federal sources to meet the necessary expenses of specific water resources research projects which could not otherwise be undertaken, including the expenses of planning and coordinating regional water resources research projects by two or more institutes.

(b) Each application for a grant pursuant to subsection (a) of this section shall, among other things, state the nature of the project to be undertaken, the period during which it will be pursued, the qualifications of the personnel who will direct and conduct it, the importance of the project to the water economy of the Nation, the region, and the State concerned, its relation to other known research projects theretofore pursued or currently being pursued, and the extent to which it will provide opportunity for the training of water resources scientists. No grant shall be made under said subsection (a) except for a project approved by the Secretary, and all grants shall be made upon the basis of the merit of the project, the need for the knowledge which it is expected to produce when completed, and the opportunity it provides for the training of water resources scientists.

Sec. 102. Sums available to the States under the terms of sections 100 and 101 of this Act shall be paid to their designated institutes in equal quarterly payments beginning on the 1st day of July of each fiscal year upon vouchers approved by the Secretary. Each institute shall have an officer appointed by its governing authority who shall receive and account for all funds paid under the provisions of this Act and shall make an annual report to the Secretary on or before the 1st day of September of each year, on work accomplished and the status of projects underway, together with a detailed statement of the amounts received under any of the provisions of this Act during the preceding fiscal year, and of its disbursement, on schedules prescribed by the Secretary. If any of the moneys received by the authorized receiving officer of any institute under the provisions of this Act shall by any action or contingency be found by the Secretary to have been improperly diminished, lost, or misapplied, it shall be replaced by the State concerned and until so replaced no subsequent appropriation shall be allotted or paid to any institute of such State.

Sec. 103. Moneys appropriated pursuant to this Act, in addition to being available for expenses for research, investigations, experiments, and training conducted under authority of this Act, shall also be available for printing and publishing the results thereof and for administrative planning and direction. The institutes are hereby authorized and encouraged to plan and conduct programs financed under this Act in cooperation with each other and with such other agencies and individuals as may contribute to the solution of the water problems involved, and moneys appropriated pursuant to this Act shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research.

Sec. 104. The Secretary of the Interior is hereby charged with the responsibility for the proper administration of this Act and, after full consultation with other interested Federal agencies, shall prescribe such rules and regulations as may be necessary to carry out its provisions. He shall require a showing that institutes designated to receive funds have, or may reasonably be expected to have, the capability of doing effective work. He shall furnish such advice and assistance as will best promote the purposes of this Act, participate in coordinating research initiated under this Act by the institutes, indicate to them such lines of inquiry as to him seem most important, and encourage and assist in the establishment and maintenance of cooperation by and between the institutes and between them and other research organizations, the United States Department of the Interior, and other Federal establishments.

On or before the 1st day of July in each year after the passage of this Act, the Secretary shall ascertain whether the requirements of section 102 have been met as to each State, whether it is entitled to receive its share of the annual appropriations for water resources research under section 100 of this Act, and the amount which it is entitled to receive.

The Secretary shall make an annual report to the Congress of the receipts and expenditures and work of the institutes in all States under the provisions of this Act. His report shall indicate whether any portion of an appropriation available for allotment to any State has been withheld and, if so, the reasons therefor.

Sec. 105. Nothing in this Act shall be construed to impair or modify the legal relation existing between any of the colleges or universities under whose direction an institute is established and the government of the State in which it is located, and nothing in this Act shall in any way be construed to authorize Federal control or direction of education at any college or university.

TITLE II—MISCELLANEOUS PROVISIONS

Sec. 200. The Secretary of the Interior shall obtain the continuing advice and cooperation of all agencies of the Federal Government concerned with water problems, of State and local governments, and of private institutions and individuals, to assure that the programs authorized in this Act will supplement and not duplicate established water research programs, to stimulate research in otherwise neglected areas, and to contribute to a comprehensive, nationwide program of water and related resources research. He shall make generally available information and reports on projects completed, in progress, or planned under the provisions of this Act, in addition to any direct publication of information by the institutes themselves.

SEC. 201. Nothing in this Act is intended to give or shall be construed as giving the Secretary of the Interior any authority or surveillance over water resources research conducted by any other agency of the Federal Government, or as repealing, superseding, or diminishing existing authorities or responsibilities of any agency of the Federal Government to plan and conduct, contract for, or assist in research in its areas of responsibility and concern with water resources.

SEC. 202. Contracts or other arrangements for water resources work authorized under this Act with an institute may be undertaken without regard to the provisions of section 3684 of the Revised Statutes (31 U.S.C. 529) when, in the judgment of the Secretary of the Interior, advance payments of initial expense are necessary to facilitate such work.

SEC. 203. No part of any appropriated funds may be expended pursuant to authorization given by this Act for any scientific or technological research or development activity unless such expenditure is conditioned upon provisions determined by the Secretary of the Interior, with the approval of the Attorney General, to be effective to insure that all information, uses, products, processes, patents, and other developments resulting from that activity will (with such exceptions and limitations as the Secretary may determine, after consultation with the Secretary of Defense, to be necessary in the interest of the national defense) be made freely and fully available to the general public. Nothing contained in this subsection shall deprive the owner of any background patent relating to any such activity of any rights which that owner may have under that patent.

SEC. 204. There shall be established, in such agency and location as the President determines to be desirable, a center for cataloging current and projected scientific research in all fields of water resources. Each Federal agency doing water resources research shall cooperate by providing the cataloging center with information on work underway or scheduled by it. The cataloging center shall classify and maintain for general use a catalog of water resources research and investigation projects in progress or scheduled by all Federal agencies and by such non-Federal agencies of government, colleges, universities, private institutions, firms, and individuals as voluntarily may make such information available.

SEC. 205. The President shall, by such means as he deems appropriate, clarify agency responsibilities for Federal water resources research and provide for interagency coordination of such research, including the research authorized by this Act. Such coordination shall include (a) continuing review of the adequacy of the Government-wide program in water resources research, (b) identification and elimination of duplication and overlaps between two or more agency programs, (c) identification of technical needs in various water resources research categories, (d) recommendations with respect to allocation of technical effort among the Federal agencies, (e) review of technical manpower needs and findings concerning the technical manpower base of the program, (f) recommendations concerning management policies to improve the quality of the Government-wide research effort, and (g) actions to facilitate interagency communication at management levels.

SEC. 206. As used in this Act, the term "State" includes the Commonwealth of Puerto Rico.

Amend the title so as to read: "An Act to establish water resources research centers at land-grant colleges and State universities, to promote a more adequate national program of water research, and for other purposes."

Mr. ROGERS of Texas (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that it be printed in the RECORD in full and it shall be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: On page 15, line 18, after section 102, strike out the first sentence of section 102 and insert "Sums available to the States under the terms of sections 100 and 101 of this Act shall be paid to their designated institutes at such times and in such amounts during each fiscal year as determined by the Secretary, and upon vouchers approved by him."

Mr. ASPINALL. Mr. Chairman, this amendment was recommended by the Bureau of the Budget in its letter of March 5, 1964, subsequent to the committee's approval of the bill. We reported S. 2 to the House on February 10, 1964. The Bureau of the Budget states that this amendment is in line with its current effort to obtain greater flexibility in the timing of Federal payments under Government programs in order to insure that such payments are not made prematurely and before actually needed.

Mr. Chairman, I think the amendment is a good one and I would ask for its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DADDARIO

Mr. DADDARIO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DADDARIO: Strike out section 203 (beginning with page 19, line 14, and ending with page 20, line 3), and insert in lieu thereof the following:

"SEC. 203. In carrying out the provisions of this Act, the Secretary of the Interior shall adhere to the Statement of Government Patent Policy which was promulgated by the President in his Memorandum of October 10, 1963 (3 CFR, 1963 Supp., p. 238).".

The CHAIRMAN. The gentleman from Connecticut is recognized for 5 minutes.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me?

Mr. DADDARIO. Of course, I yield to the chairman of the committee, the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. DADDARIO, as I understand it, this is the latest policy on the question of patents that has been promulgated by the executive department. Is that not right?

Mr. DADDARIO. That is correct. Yes.

Mr. ASPINALL. I wish that the gentleman then would answer the following questions so that we can have the record straight, and may I assure the gentleman that I intend to accept the amendment and I hope that it will be accepted by the members of the committee.

In your judgment, will the President's statement of Government patent policy assure that any information developed under the Water Resources Act will be made freely and fully available to the general public?

Mr. DADDARIO. Mr. ASPINALL, you understand, of course, that under our patent system all such information is made freely and fully available. I think the important point here is that the President's memorandum does in fact spell out guidelines through which the agency head can act so that he might determine what will be in the best interests of the Government in each instance. For example, in the President's memorandum it says, and I quote:

> Another common ground of understanding is that the Government has a responsibility to foster the fullest exploitation of the inventions for the public benefit.

It then lists guidelines under which the agency head may take title and then it goes further, recognizing that there are certain exceptions where title should not be taken, allowing wider latitude so that technological progress can be advanced. It gives the agency head flexibility in the type of contract he can arrange for in the first instance and one which will be to the mutual benefit and advantage of the Government and the organizations or individuals with which it deals.

Mr. ASPINALL. Also, is it true that this is because of section 1(a) of that statement which covers cases in which, and I quote, "a principal purpose of the contract is to create, develop, or improve products, processes, or methods which are intended for commercial use by the general public or which will be required for such use by governmental regulations"?

It would naturally follow, then, your first answer to my first question is correct.

Mr. DADDARIO. I think it could follow, and the fact is that there is a history that has been established over the course of time. The Federal Aviation Agency, for example, does ask for certain research to be done for the purpose of providing better safety measures at airports, and then it creates a market for these particular goods. Under such circumstances the Government does take title. That is one of the circumstances under which it should.

Mr. ASPINALL. May I also suggest that section 1(b) of the statement, which covers cases in which "a principal purpose of the contract is for exploration into fields which directly concern the public health or public welfare" would also take care of the original answer to my first question? Is that correct?

Mr. DADDARIO. The gentleman referred to section 1(b); I think he means section 1(a)(2) of the memorandum. This, again, is one of the instances under which the agency head would normally take title and to which, later on in the President's memorandum, there are exceptions.

Mr. ASPINALL. Mr. Chairman, may I ask one more question?

Can the gentleman think of any exceptions to what he has just said under this bill; that is, cases in which public money might be spent under this bill without the public's having full and free access to the information and results which flow from the expenditure?

Mr. DADDARIO. It is difficult to determine just what is meant by the public's having full and free access. I think I can explain it in this way: The Government in every instance would get a free license under which it would not pay any royalties. The public would get information in the manner in which I have already outlined. But where it would be necessary to carry out the policy as stipulated in the memorandum—in order to further advance the development of a dynamic and efficient economy and to expand knowledge derived under such research—exception would be made, but in such event the public would be protected through the Government retaining a royalty-free license.

Mr. ASPINALL. The gentleman from Connecticut has made a great study, and has spent a great deal of time on this particular matter. He has said that the present policy as set by the President is a good policy to follow until there is a change made, perhaps, by the Congress.

Mr. DADDARIO. I think the President's policy is a step in the right direction. I am pleased by the fact that there will be constant review made of it. It is my hope that sometime in the future this will lead to full committee action by those committees which have jurisdiction so that we may have a Government-wide patent policy for all agencies.

Mr. ASPINALL. And at that time, would my friend from Connecticut be willing to see to it that whatever change was made, it was made applicable to this particular legislation?

Mr. DADDARIO. I certainly would follow it very closely.

Mr. ASPINALL. I thank the gentleman very much.

The CHAIRMAN. The time of the gentleman from Connecticut [Mr. Daddario] has expired.

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut [Mr. Daddario] may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield.

Mr. HOLIFIELD. Mr. Chairman, I have not studied the gentleman's amendment. I have just seen it. But I would like to say this, that I am not satisfied with the President's memorandum of October 10, 1963. I think it is a memorandum which for some unknown reason he agreed to put out, and, of course, we are going to have to abide by it as long as that memorandum is the rule of the day. But there have been millions of dollars of the Government's money spent in defense contracts and NASA contracts and other kinds of Government-funded contracts where the contractor has been allowed to obtain patents for his own benefit, out of money expended by the taxpayers. In the Joint Committee on the Atomic Energy Act there was an attempt made to bring some corrective measures into view in the handling of Government contracts. Under those provisions, in the Atomic Energy Act, the Government has claimed some 1,100 patents and made them available to all of industry. These are patents for which the Government has funded money.

The gentleman says that the Government is protected in being allowed to have the benefit of these patents which are given to industry under these contracts.

Well, I say that the Government gets very little good out of this particular protection, because the Government is not in the business of production.

While the Government has the right to utilize those patents royalty free, at the same time the Government is not in the position of production, as a rule. It is a very seldom that the Government avails itself of that type of protection.

Where the real protection should be would be to give to every segment of industry the right to use any kind of a device or any kind of a patent procedure which is paid for by Federal funds—and this particular right is not protected under the President's memorandum. Therefore, I just wanted the Record to show that some of us at least have grave doubts as to the protection which the taxpayer receives under the Government's memorandum.

Mr. DADDARIO. I might say to the gentleman from California that this is part of the argument, and we have discussed this question in the past. It is an argument, however, which does have various shades and meanings which we should understand. The Government is not in the business of production, and neither should it be.

Mr. HOLIFIELD. That is right.

Mr. DADDARIO. Under our form of government it has always been the case to look toward the free enterprise system so that we could develop a consumer product which would be to the benefit of all the people and which would be competitive in the market places of the world.

The CHAIRMAN. The time of the gentleman from Connecticut has again expired.

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut [Mr. Daddario] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DADDARIO. I believe we have done an outstanding job in doing this. There is no question that it has brought us to the forefront of world leadership in scientific research and development and in production. There does seem to me—and it is not with the intent of getting into an argument with the gentleman—that there is within the precepts of the President's memorandum the opportunity to develop over a period of time a patent policy which will in all cases protect the Government and the individuals with whom it deals.

I believe it does direct, in the interest of the public health and welfare, that the Government should take a strong position, for example. It is my belief that it is a strong policy and a good one, if we adhere to it and if we follow the suggestion made in the memorandum that, and I quote, "there shall be prepared at least annually reports concerning the effectiveness of this policy, including recommendations for revision and modification, if necessary, in light of practices and determinations of the agencies in the disposition of patent rights under their contracts," if this is done, and I expect it will be, there will be no danger at all.

Mr. HOLIFIELD. If the gentleman will yield further, I will say this: I know this is a very complicated subject and that we cannot discuss it in the limited time which we have at this particular time, but I just wanted the record to show that I have grave apprehensions about this, and many others have such apprehensions. If it is implemented properly and if the studies are made for some purpose and intent; that is, for the protection of the taxpayer, then I say it is possible that they can be protected. But if it goes along, as I surmise it will, the taxpayers of the United States will continue to be defrauded out of patent information and devices for which they have paid with tax money, and it will go into the coffers of the individual contractor who has no right to it, because he is paid for the job that he performs.

If we really followed the principle of American patent rights, that the person who pays for the research and development is entitled to the fruits thereof, then the Government will get the fruits thereof and make it available on a widespread basis to all industry and not to the particular patented contractor who happens to have that particular research and development contract.

The CHAIRMAN. The time of the gentleman from Connecticut has again expired.

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DADDARIO. I would like to say in answer to that statement that I have faith in our executive agency heads. I believe they will be doing their job properly. It is their responsibility and it is our responsibility to see to it that they do it. The fact is that this gives an agency head the ability to operate with the flexibility necessary to adjust proprietary interests in an equitable way and in consideration of what is in the best interest of the public.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KEITH

Mr. KEITH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEITH: On page 12, line 16, insert after the word "provided", the words "on a dollar-for-dollar matching basis."

Mr. KEITH. Mr. Chairman, I note as I read the bill that there is no matching basis in the initial phase of this program. It has been my experience, at the State level, that any Federal program offering financial assistance and not requiring matching funds would be most wholeheartedly supported by any State regardless of the extent and nature of the need.

I believe very strongly that we would have more development of water resources if it could be on a matching basis in its entirety. We would have more dollars in the program, we would have better cooperation at the local level, and we would have a better foundation upon which to build the participating program that follows the initial phases.

I hope my amendment will be agreed to.

Mr. ROGERS of Texas. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts.

Mr. Chairman, it would be bad to insert that at this time because it would be an additional imposition on the States. This program is intended more or less as a supplemental program in water research, and in scientific research development. The States already have the facilities available in many of these areas. The amount of money involved in this going to each State is not going to be sufficient to set up a separate and distinct program. It will be supplemental, and these funds will be used to get into research operations that they have not been able to get into. The States in effect are putting up more than half of the money that will produce beneficial results in the overall program.

The other portion of this act which provides for specific research projects does require matching funds from the States.

Mr. Chairman, I would urge that the amendment be defeated.

Mr. KEITH. Mr. Chairman, I do not feel it is any imposition on the States to ask them to accept $10 million, and I am surprised that my colleague would say that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. KEITH) there were—ayes 6, noes 18.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. TAFT

Mr. TAFT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAFT: Page 17, line 4, after the word "such" insert the word "procedural."

Page 17, line 5, before the period insert ", but no such rule or regulation or other action of the Secretary of Interior hereunder shall control or direct the conduct or the subject of the research, investigation, and experiments in relation to water resources authorized under this Act."

Mr. TAFT. Mr. Chairman, the purpose of the amendment was made clear to those who were on the floor a few minutes ago when I asked the question in regard to the rulemaking power itself. It seems to me that if this is to be a State-oriented program, and that is apparently the intent by referring to a State university or land-grant college, under the circumstances the university or college itself should make the choice of the area of research. The rules and regulations which the Secretary of the Interior might prescribe shall only relate to the procedures to be followed rather than be substantive and put conditions on the direction of research or the type of research the university or college chooses to engage in.

I would ask your support of the amendment.

Mr. ROGERS of Texas. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not think this type of amendment should be adopted in any legislation passed by the Congress, for the reason there has long been a contest with regard to the extent of the authority of the departments downtown to enact rules and regulations that get over into the legislative field. The Constitution of this Nation provides that the legislative powers are vested in the Congress of the United States. When you add an isolated amendment like this to a bill of this kind, you simply open the door for the departments and agencies downtown to say every time this is not spelled out in a bill and every i dotted and t crossed that the authority was implied to do anything they wanted to, to invade the legislative field.

I yield to no one in my desire to prevent encroachment upon the legislative processes. If you will look back over the record you will find we have had this same battle with regard to the independent agencies downtown. If you adopt an amendment of this kind you are opening the door to the very thing you are trying to avoid. If you want to say that you are going to give so much money to each State and that the Secretary of the Interior has no say as to what it is used for, there is no need to have reports made to the Congress each year, there is no need to have the States report to the Secretary of the Interior as to what the States did with the money.

This situation we have outlined in this bill and have gone over in subcommittee is to protect the money invested in this program to see that an effective program is worked out. I hope the amendment is not adopted.

Mr. TAFT. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Ohio.

Mr. TAFT. I would just like to comment to the gentleman that I think his argument refers to situations that do not exist in the rulemaking power, but I do not agree with his judgment that this is not desirable. It seems under the rulemaking power the courts have sustained extremely broad powers for the agencies to go ahead and make general rules and regulations such as this. It is wholly meaningless to say at the present time if you put this in you are going to open those gates. Those gates are already open and the floods are coming through.

Mr. ROGERS of Texas. I think if the gentleman will review the record that was made in the committee on H.R. 8316 in the Committee on Interstate and Foreign Commerce he will find much law spelled out on the subject I discussed, and I think he will find this assumption of authority by the departments downtown has been on their own authority and not on what the courts have held. There have been a lot of things in these decisions by the courts that have been taken out of context. Unless we preserve this rule intact and not be trying to tack these little exceptions on to it to try to spell it out, I think the legislative body itself is bound to be much safer. I would hope the amendment would not be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. SMITH of Iowa, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 2) to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research, pursuant to House Resolution 711, he reported the bill back to the House with an amendment adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "An Act to establish water resources research centers at land-grant colleges and State universities, to promote a more adequate national program of water research, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE 10TH ANNIVERSARY OF THE FLOOD PREVENTION PROGRAM ON JUNE 2, 1964

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, it was my privilege to introduce the first bill in the House providing for a national small watershed flood-prevention program. That was in 1952, and the legislation resulting from this effort was enacted as Public Law 566 in 1954 with the fine cooperation of Hon. Clifford Hope, then chairman of the House Committee on Agriculture.

This, then, is the 10th year of this great program. It is more than living up to the expectations of those among us who pioneered this program to protect the small watersheds of this Nation and to prevent the occurrence of floods and thereby make it possible to fully develop all their resources for the betterment of all the people.

We have amended the Flood Prevention Act several times to make it serve better the needs of the local people.

As you know, some of these projects are approved by the Agriculture Committees of the House and the Senate, some are approved by the Public Works Committees of the House and the Senate, and some are approved by the Secretary of Agriculture.

As an early and constant supporter and close observer of this program, as well as chairman of the Subcommittee on Conservation and Credit of the House Committee on Agriculture, I was greatly interested to note a most striking compendium of benefits from these watershed projects, which was compiled by Don Williams, Administrator of the Soil Conservation Service and was furnished to our committee. This compendium indicates clearly that the watershed projects bring benefits over and beyond those required to justify their authorization. I have felt that each Member of the House should have a copy of this compendium. I have, therefore, asked Mr. Williams to send a copy to each of you. You should be receiving it in a few days. It will give summary information on selected projects all over the United States, but if any of you desire more detailed information on any specific project, our committee will be happy to secure it for you if you will call the Agriculture Committee at extension 2171.

Hon. JOHN C. KLUCZYNSKI, chairman of the Subcommittee on Watershed Development of the Public Works Committee joins me in the belief that every Member of the House should have the opportunity to see this significant compendium, and his committee will be happy to cooperate if you prefer to ask them to secure information for you.

PRAYER AND BIBLE READING IN THE PUBLIC SCHOOLS

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include resolutions and extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, I am very happy to announce, and I shall insert in the RECORD today copy of resolution that the Long Island Protestant Episcopal Diocese, the area in which I live and represent a part of, on May 19, 1964, adopted at their annual convention of the diocese, supporting prayers and Bible reading in the public schools, particularly supporting the Becker amendment.

I would like also to call attention to the fact that I have a letter from the Reverend Greg Dixon of the Indianapolis Baptist Temple, Indianapolis, Ind., writing on behalf of himself and 35 Baptist ministers supporting prayers and Bible reading in the public schools. These I shall insert in the RECORD. Later on, I am going to insert in the RECORD the names and addresses and churches of some 400 clergymen of every denomination and every rank throughout the United States supporting prayers and Bible reading in the public schools.

This matter is not quieting down, as some people would try to lead us to believe. Nor has the "tide turned" to opposition, as some would have us believe.

The matter I have referred to above follows:

INDIANAPOLIS BAPTIST TEMPLE,
Indianapolis, Ind., May 28, 1964.

Congressman FRANK BECKER,
House Office Building,
Washington, D.C.

DEAR SIR: I am writing you on behalf of myself and 35 other Baptist pastors. We commend you for your stand on the school prayer issue and are praying most sincerely that "the Becker amendment" will pass.

We would like to invite you to Indianapolis for a rally in support of the amendment. If your schedule will permit can you give us preferable dates and time?

Sincerely,

GREG DIXON.

RESOLUTION IN FAVOR OF THE BECKER AMENDMENT TO PERMIT BIBLE READING AND PRAYERS IN PUBLIC SCHOOLS

The following resolution was properly moved, seconded and passed at the 97th annual convention of the diocese of Long Island, held on May 19, 1964.

Whereas from the days of its founding to the present our country has always been officially a theistic nation in the Judeo-Christian tradition, as witnessed in countless ways: the many prayers of thanksgiving offered to Almighty God by the first explorers who landed on American shores; the references to God in the swearing of the Mayflower compact, and in countless other documents dating from earliest colonial days; the appeal to "the laws of nature and of nature's God" in the Declaration of Independence as the basis and axiomatic assumptions underlying the Republic and its principles of public morality; the theistic beliefs of George Washington, Abraham Lincoln, and other national heroes; and

Whereas the existence of a Supreme Being is acknowledged officially by countless customs and practices throughout the Nation: the inauguration of every President and government official by invocation of Almighty God; the demand of our courts that citizens swear by Him; the proclamation "In God We Trust" upon our coinage; the use of chaplains in our Congress and other legislatures, as well as in our military establishments; the phrase "One Nation Under God" in our Pledge of Allegiance; and even the crier's declaration as the Supreme Court begins each day "God save the United States and this honorable Court"; and

Whereas a concentrated effort is being made by professed atheists and other secularists to desecrate and destroy America's spiritual heritage beginning with the public school system: Be it

Resolved, That the members of the 97th convention of the Protestant Episcopal Church in the diocese of Long Island declare their support of the amendment to the Constitution proposed by the Honorable FRANK J. BECKER with the intention of permitting Bible reading and prayers in the public schools; and be it further

Resolved, That a copy of this resolution be sent to the Honorable FRANK J. BECKER, the Honorable EMANUEL CELLER, and such other Government officials as the secretary of this convention may deem appropriate.

ALLEGED 15 PERCENT REPUBLICAN CROSSOVER IN THE WISCONSIN AND MARYLAND DEMOCRAT PRESIDENTIAL PRIMARIES

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, on May 14 I inserted in the CONGRESSIONAL RECORD an exchange of correspondence between myself and Mr. Fred Friendly, president of CBS News. The correspondence related to my criticism of the statement made by Mr. Lou Harris over CBS News and reported by much of the Nation's press about an alleged 15-percent Republican crossover in the Wisconsin and Maryland Democrat presidential primaries.

I pointed out Mr. Harris' previous affection for Democrat causes as evidenced by his employ by President Kennedy in the 1960 campaign, and his subsequent employment by the Democrat National Committee. I charged that this background, more than any objective reporting standards, influenced Mr. Harris' attempt to blame the heavy vote for Governor Wallace on Republican crossovers. I have heard nothing further from Mr. Friendly who apparently believed that discretion is the better part of valor. In the absence of any further comment from CBS News, I submitted copies of our previous correspondence to one of the Nation's most respected pollsters, Mr. Elmo Roper of New York, and invited his comments as to the validity of my charges. I believe Mr. Roper's answer speaks for itself, and in order to make the record complete I call the Nation's attention to my letter to Mr. Roper and his reply, which clearly confirms that the Harris' conclusion was a mere hypothesis with no basis in evidence.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 22, 1964.

Mr. ELMO ROPER,
Marketing consultant,
New York City, N.Y.

DEAR MR. ROPER: On May 20 I inserted in the CONGRESSIONAL RECORD two articles dealing with pollster Lou Harris, use of which was your letter to the editor of the Christian Science Monitor. This insert was part of a continuing dialog I have had with the Columbia Broadcasting System in which I have questioned their use of Lou Harris as an objective pollster. In my exchange with Mr. Fred Friendly, president of CBS News, I have pointed out the inconsistency of Mr. Harris' deductions with regard to the Indiana primary election. I have further suggested that the bias reflected in Mr. Harris' poll was not so much a lack of knowledge as an obvious effort to favor the political party with which he has long been affiliated. Obviously, I do not believe the American people can rely on the objectivity of the polls conducted by Lou Harris and disseminated by the Nation's press and CBS News.

The letter you wrote to the Christian Science Monitor indicates that you do question Mr. Harris' ethics if not his ability. Having high regard for your skills in the art of polling I hope you will take the time to read the enclosed exchange of correspondence beginning with my initial statement on the floor of the House on May 6, progressing to the exchange of correspondence with CBS News as indicated in the CONGRESSIONAL RECORD of May 14 and culminating in my most recent insert in the CONGRESSIONAL RECORD of May 20.

I would greatly appreciate any comment you might wish to make regarding the validity of my charges and any other information which you believe might help the public form a true evaluation of Lou Harris.

Though I'm a member of a particular political party, I think a study of the enclosed material will show that I do not seek political gain but rather assurances of fair reporting standards in the coming political campaign.

Sincerely,

DURWARD G. HALL,
Member of Congress.

ELMO ROPER & ASSOCIATES,
New York, N.Y., May 28, 1964.

Hon. DURWARD G. HALL,
House of Representatives,
Washington, D.C.

DEAR MR. HALL: I have read with interest your remarks in Congress about newscasters in general and Louis Harris in particular.

It is interesting that you should question the validity of the "crossover vote" hypothesis which has been so uncritically accepted by so much of the press.

That the Wallace vote in Wisconsin and Indiana was swelled by Republicans crossing over is an entirely permissible hypothesis. But your hypothesis—that the primary which is the most actively and publicly contested and attracts the most interest is bound to attract the most voters—is equally permissible (and to me, personally, the more plausible). On the basis of any evidence I know of, there is nothing to indicate that the large pro-Wallace vote in Wisconsin or Indiana was occasioned by the crossing over of Republicans for the purpose of embarrassing the Democratic Party.

I think you have done a distinct service to polling—and to the country—to point this out.

Your letter asked for my opinion of Louis Harris; I have no respect for him whatsoever.

Sincerely yours,

ELMO ROPER.

CURTAILMENT OF POSTAL SERVICE IN MANHATTAN

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I wonder if we have to put up with the increasingly bad postal service that our people are receiving?

Recently, service has been sharply and substantially curtailed. This is bad enough. But curtailment of services obviously hasn't resulted in any better or faster use of the facilities which remain. Each day I receive letters from constituents complaining about the increasing time it takes for letters to be delivered.

In Manhattan the following services have been curtailed as a result of recent post office adjustments:

WINDOW SERVICES

All "afterhours" window service (service after 6 p.m.) has been discontinued.

All "all night" window service has been discontinued.

All Sunday window service has been discontinued.

The issuance of money orders and the acceptance of postal savings deposits on Saturdays has been discontinued, except that rural carriers and some small post offices located in rural communities will continue to issue money orders and provide other normal service on Saturdays.

The acceptance of advance deposits, setting of meters, payment of box rents, and other miscellaneous less essential window services have been discontinued on Saturdays.

One consolidated service window for the sale of stamps, acceptance of parcel post, registered, and c.o.d. mailing is being provided in each post office and in each of its stations and branches. This service window will also serve as a "call window" for those patrons who wish to call for a parcel on which they have been notified of attempted delivery.

When the physical arrangement of the local post office does not lend itself to the provision of the services in item 6 above at one window, the postmaster may request an exception from the regional director.

PARCEL POST DELIVERIES

Deliveries on routes operated solely for the deliveries of parcel post have been reduced from six-deliveries-a-week to five.

The day of nondelivery will be on either Tuesday, Wednesday, Thursday, Friday or Saturday depending on local conditions. Postmasters have been instructed to select the lightest volume day as the day of nondelivery for each individual route. Generally the lighest volume day is Tuesday.

These parcel post routes deliver only those parcels of merchandise which are too large for foot carriers to deliver. Generally, a majority of them operate in the business district.

All postmasters have been specifically cautioned that all parcel post available on days when deliveries are made must be delivered without exception.

As Manhattan is the business and professional center of the world, this hurts not just Manhattan but the entire country.

I hope that Members of Congress will agree that it is time to take a look at where we stand on this question.

SURPRISE WITNESS FOR BRACEROS

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, we are learning from actual experience and demonstration what others and I tried to tell Members of Congress about the impact and consequences of terminating the bracero program.

William G. "Bud" Kenyon is a tough, dedicated union labor organizer and official. Although rough in contract negotiations, he has an enviable record of fairness and integrity. He knows the agricultural labor problem as well as any labor representative in the United States.

Although we do not agree on many matters, his views should be known to all Members of Congress who are interested in the food we eat. The following article is by Don Razee from the California Farmer of May 16, 1964.

SURPRISE WITNESS FOR BRACEROS

(By Don Razee)

On May 4, 1961, the Teamsters Union shook up agriculture by signing a contract with a lettuce grower in the Salinas area. That contract ran fcr 3 years and is now under discussion for renewal.

We went to Salinas to check with those involved, and came away with some quotes that may surprise you. We'll toss a few statements at you before we tell you who made them. You might find it interesting to try to guess the source.

"Thomas L. Pitts, secretary-treasurer of the California Labor Federation, AFL–CIO, in addressing the Governor's conference on farm labor March 13, demonstrated what appears to be a lack of understanding of the facts when he said, in essence, that all farm labor problems can be solved by doubling wages and tossing in a few fringe benefits. Pitts indicated there is a surplus of labor in California ready to do stoop labor for 8 or 10 hours a day. Even if wages were increased to $5 per hour it would not bring sufficient workers to the fields to fill the requirements.

"Pitts, as well as most State and Federal officials right up to the Secretary of Labor, gets the bulk of his farm labor information from two sources—AWOC (Agricultural Workers Organizing Committee, AFL–CIO) and the Packing House Workers No. 78.

"AWOC has demonstrated what appears to be more interest in collecting union dues than in advancing the cause of the workers they propose to organize.

"The Packing House Union tries to sell government officials and others on the illusion that once the bracero is gone, lettuce packing and other such operations will return to the packing shed and thus to the fold of the union. This is not realistic. It is cheaper and more efficient to pack in the field and no one is about to go back to the packing shed.

"What would happen to any labor union which signs a contract with, perhaps, a strawberry grower? The union agrees to pick for a set figure, say 50 cents per crate. Along comes an action committee from a group such as CORE and says strawberry picking is worth $1 per crate and a 'pick-in' starts, with the ensuing demonstrations. Under these circumstances how could any labor union control its members? How could a responsible union fulfill its obligation to the grower who signed his contract in good faith, with the understanding and guarantee there would be no labor troubles?

"The thought of the tremendous amount of unemployment the loss of the bracero will bring scares me to death.

"There remain only a few months to mount an offensive to reinstate the bracero program before chaos erupts. The apathy that exists among the growers and their organizations, the Teamsters who stand to lose their produce-hauling jobs and those employed in canning, freezing, and dehydration is appalling and frightening.

"The unions of this country are guilty of a devastating disservice to the teenage youth of this Nation. Nations view child labor with alarm, forgetting that the teenage years are the formative ones. The minds of teenagers are expanding but unions demand they build their bodies with an hour of physical education in school. Youth should be given an opportunity to work in the fields as is done in all other countries of the world, and as it was done here until unions made child labor a dirty word.

"It is time to direct the tremendous energies of our youth away from street gangs and into fields where they can help contribute to the support of the family. A working head of a family taking home $150 per week with several teenagers has a tough time figuring out how to keep them in school for 12 or more years. There are countless jobs waiting for these teenagers that will supplement the family income with $30 to $50 or more a week. It's time we let them help."

By now you've no doubt figured out who made these and many other interesting statements. It was William G. "Bud" Kenyon, secretary-treasurer, General Teamsters, Warehousemen and Helpers Union, Local No. 890. Kenyon is the union official who negotiated the only two grower contracts in existence with Bud Antle and Jim Mapes, Salinas Valley lettuce growers.

We asked Kenyon about his union's inability to supply all the workers needed on the two ranches having contracts. Together Antle and Mapes used 2,729 braceros during 1963.

"We can't supply the stoop labor requirements of these two growers, let alone any more," Kenyon answered. "We send domestics out and they won't say. That's why I told you earlier that Pitts doesn't appear to have the facts at hand. Domestics are not hungry enough to do stoop labor. Our records show that the average length of stay by domestics when referred to stoop labor jobs is 3 days."

Kenyon says the Teamsters could organize a lot more fieldworkers than they now have, but he says the first thing he must protect is his union's reputation for living up to a contract once signed. As indicated earlier, Kenyon worries about trying to control any potential work force made up of a mixture of Mexican-Americans, colored and whites. He says he worries when there are about 150 out in the waiting room. "What would I do if I had several thousand on my hands?"

This union official says his experience in trying to provide domestics for lettuce cutting has been a sad one. The other jobs are easy to fill, but stoop labor will not be tolerated by adult domestics.

"We have only one place to look for domestic workers and that is the same place any grower looks—the department of employment," Kenyon points out. "If we need 100 lettuce cutters we contact the farm labor placement office and here's what happens.

"We get 100 domestics, who, for the most part, come from the jails of metropolitan areas where they were told to get out of town. We assemble them at union headquarters and get them signed up in the union for $5 per month. They are picked up and delivered to the ranch at 2 or 3 in the afternoon where they are assigned to a bunkhouse, issued sterilized blankets, and are given supper.

"After eating, about 15 percent will get a wine crave and hike into town, never to return. After breakfast, another 20 percent will decide it is cold and take off. The remaining 'workers' get on the bus and head for the field. After one look at the situation a few more take off for town. About 25 will actually start work and by 9 or 10 a.m. there will be about 15 in the field. Their stay will average 3 days."

To try to improve this record, the Teamsters' office screens potential workers. They ask for the $5 union dues in advance when it appears obvious the person only wants a bottle of wine. This will run off a good number before they get to the ranch.

But the union makes it clear to those signing contracts that they do not—in fact, cannot—guarantee a stoop labor work force. The union does agree they will help recruit workers as best they can. The fact that 2,729 braceros were used by the 2 contract holders would indicate the amount of success they had.

Kenyon says California needs braceros for at least 5 years while we develop machinery to take some of the stoop out of the labor and while we reeducate youth and adults to the idea of working on the farm. This will include adjusting wages and working conditions on the part of the growers.

We asked Kenyon if his views were shared by Mr. Hoffa and we were told that Hoffa had been a little too busy with other matters over the past several months to be concerned with the bracero program. But we were assured it was the official Teamster position to favor an extension of the bracero program. At the Western Conference of Teamsters, officials went on record favoring a 4- or 5-year extension of the bracero program.

The reason is simple. In California alone over 100,000 Teamsters depend on agricultural crops for their existence. Teamsters have 80,000 under contract in canning, freezing, and dehydration plants. In addition, there are the union truckdrivers, who don't work if the growers can't harvest their crops.

"We have been told the bracero keeps domestics from working," Kenyon says. "The truth of the matter is that their departure will throw workers out of jobs by the thousands. The unemployment that will follow the loss of the bracero is almost impossible to comprehend. So, is it not about time agriculture woke up to this fact and got to work for a bracero extension?

"I feel agriculture has done a very poor job in informing the general public about the value of the bracero program. In fact, agriculture does a poor public relations job."

If a contract with the Teamsters does not provide a stoop labor work force, of what value is it to a grower? According to the union, it prevents any other union (AWOC or the International Longshoremen's Union, which by the way, Kenyon feels will soon make a strong move to organize workers in the valley) from causing trouble. A contract also assures a grower he will get his crops processed through a union plant and hauled in union trucks.

Kenyon points out that getting growers to sign contracts would not be difficult, if union processors and drivers refused to handle produce that was not union picked. The reasons the Teamsters have not made a big push in this direction have already been outlined.

Why should the workers be willing to pay $5 per month to belong to a union? They are guaranteed time and a half for work over 8 hours per day and on Sundays. They are guaranteed 3 hours' pay if they are called and start to work, and 2 hours' pay if they are called but for some reason can't start to work. But the most popular feature so far as the worker is concerned is that they are covered with unemployment insurance. Another thing workers appreciate is having someone go to bat for them in case of a misunderstanding. They also like the fact that the piece rate is backed by an hourly guarantee. That is, they are guaranteed $1.12 per hour, but under the piece rate they can make much more than this minimum hourly guarantee.

As for the contract under negotiation, Kenyon says he is not sure just what union demands will be made for their workers. We realize we can't expect people who sign with us to provide things others are not doing in California and, more important, in other parts of the Nation.

"We would like more money, and feel growers in California could afford to pay more if other areas of the country paid a higher wage, but it is not in the cards to expect our growers to pay higher wages and at the same time compete for a market which is far away."

But, a wage increase will be asked for, perhaps enough to guarantee 10 or 15 cents more per hour. A few other minor changes will be asked for by the union, but by far the most important thing is a health insurance program that will cost the employer about $5 per month for a single worker. At this writing the demand situation is fluid, according to Kenyon. "We find growers are far less concerned about a little added cost than they are about the increased bookkeeping involved. Growers don't like to keep books."

Kenyon also expressed concern because nothing has come from the Governor's farm labor conference. He feels it is incumbent upon the State and Federal Governments to analyze the manpower situation in all of the agricultural labor markets involved and to take steps well in advance to meet any manpower crisis. In this connection he recommends an Agricultural Manpower Commission, consisting of representatives of government, growers, canners, labor, and the public to develop a sound program of recruitment.

To drive home his point again, Kenyon goes back to the unemployment that is sure to follow if growers cannot harvest their crops due to loss of the bracero. He points out that at the peak of the season 80,000 Teamster members are employed in food processing. Another 25,000 are employed in ice, dehydration and vacuum cooling plants, fertilizer plants, and in hauling agricultural and related products.

In addition, teamsters represent workers in can plants, paper and polyethylene plants, all directly affected by the activity in the agricultural industry. Teamsters are also involved in the wood box and crating industry. Thus, it is of the utmost importance to the Teamsters that an ample and stable work force be found to mature and harvest the crop in order that processing and other functions can be carried out. It would be better if this work force could be domestic, but this is not the case, so at least for a few years we must depend on the workers from foreign countries.

Typically, when canning gets underway, employment rises in steelmills, tin can and jar manufacturing plants, as well as other industries that supply canners. In a normal year, canners and preservers consume 600,000 tons of steel for tinplate, 5 billion tin cans and 1.2 billion jars, 1 million miles of labels and 200 million fiberboard boxes. To transport a typical yearly pack requires the equivalent of 100,000 freight cars. In just one crop, lettuce, there were 66,345,780 cartons packed and shipped from California in 1963.

"It is time those who yell about getting rid of the bracero realized that this tremendous unionized industry will fold if the growers do not harvest their corps," Kenyon observes.

Kenyon feels growers must make some changes, and fast, to help avert a disaster. Fair wages and decent working conditions must be established to attract competent workers. Our State is far behind in anything approaching adequate housing. Social security, unemployment insurance, and health insurance available to the rest of the working population must be provided, not just in California but nationally.

Machinery must be developed which recognizes the rights of both management and labor in developing a sound labor relations program. Ways must be found to avoid turmoil in an industry so basic to the entire economy of the State. This means growers must recognize the right of agricultural employees to organize. It also means labor must act responsibly.

And to close this interesting interview, Kenyon said, "Farm labor will be organized regardless of what anybody does about it."

A TRIBUTE TO THE WILTWYCK SCHOOL FOR BOYS

Mr. **LINDSAY**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **LINDSAY**. Mr. Speaker, for more than 25 years the Wiltwyck School for Boys has been saving some of the most deprived and disturbed children of New York City. At a time when Wiltwyck is preparing to move to a new and improved site, it is appropriate to call this body's attention to the remarkable work being done by this institution.

Recently I had the opportunity to participate in ground breaking ceremonies at Wiltwyck's new site at Yorktown Heights, 40 miles from New York City. As building and development at the new site moves ahead national attention should be focused on the history and program of Wiltwyck.

Wiltwyck was instituted in 1936 as an experimental summer camp for delinquent and homeless Negro boys. In 1942, the school was reorganized under the leadership of concerned citizens, a number of judges and Mrs. Eleanor Roosevelt, who retained a lifelong interest in Wiltwyck. In fact, at the time of her death, Mrs. Roosevelt was campaign chairman of the building and development fund for a new Wiltwyck. Today Wiltwyck School is an interracial, nonsectarian, residential treatment center for about 100 deeply emotionally disturbed boys aged 8 to 12. All boys are referred by the courts, Youth House, the Department of Welfare of New York City, or psychiatric divisions of city hospitals.

In a city such as New York, plagued by profound social problems and lacking adequate facilities for juveniles, Wiltwyck School for Boys fills an important gap in the city's capacity to respond to disturbed children. In salvaging shattered young lives, Wiltwyck has pioneered in developing new techniques. The current Wiltwyck program has three stages. At the school's main facility at Esopus, a rehabilitation plan is developed for each child. The program is geared and the staff is trained to give the boys assurance of concern and understanding of their problems.

Boys usually remain at Wiltwyck for anywhere from 1 to 3 years. While there, they attend school, work with their hands in shop and gardens, paint, draw, listen to music, engage in sports, care for animals. Purpose of this program can be summed up simply: To help a child find out about himself and to help staff find out about the child in order to know how to help him.

When their adjustment at Esopus warrants it, the boys go to Wiltwyck's Floyd Patterson House, named after one of the school's most eminent alumni. Described as a "halfway" house in Manhattan, the residence accommodates 25 boys, ages 11 to 16. Here they are helped through the next step back home. They live in Floyd Patterson House for 6 months while they face the city as it actually is: home, school, community. For a final 6 months to a year, they go into their own homes or foster homes—for those who have no homes. Wiltwyck keeps active contact, supporting them in the last phase of their return, seeing them into a better life.

During this three-stage rehabilitation process, Wiltwyck's staff tries to establish a routine of life for these boys. It tries to establish order where there was chaos, continuity where there was fragmentation, achievement where there was failure.

In its approach to restoring disturbed young people to productive lives, Wiltwyck has placed special focus on the family. As a result, in 1962, the National Institute of Mental Health awarded Wiltwyck School a $160,000 grant to further its research into the causes of family disintegration and juvenile delinquency. This project grew out of Wiltwyck's recognition of the need for better understanding of the forces within families that contribute to the difficulties of children. Wiltwyck's focus on the family has caused James R. Dumpson, New York City's commissioner of welfare, to remark:

> Nowhere else, to my knowledge, does a treatment facility designed to meet the needs of children, work with such a fundamental investment in the family.

Working with families is considered preventive as well as reconstructive. This approach is proving that the so-called hard-to-reach or hard-core, multiproblem families can be reached. Mr. Dumpson says this approach is valuable because:

> It deals with root causes and when it succeeds it has not only treated but it has laid a firm foundation of prevention. There is no doubt in my mind that the agency may be on the threshold of a revolutionary change not only in establishing a new principle but in pointing the way in which it can be implemented in any agency that is determined to return a child, healthier and more adequate, to his parents.

Mr. Speaker, Wiltwyck School merits the support and encouragement of every individual who believes that socially and emotionally healthy children and families are the basis of our social system. Author James Baldwin has put it eloquently:

> The handful of extraordinary people who form the direction and staff of Wiltwyck have done something more remarkable, at least in my eyes, than they know. (They, in any case, are far too busy to have any time left over for self-congratulation.) They have taught some of those lost and frightened children really to laugh, to tell the truth, really to begin to assess themselves and the world. I think that this may be the most real of all achievements, and it is certainly among the most grueling of all endeavors.
>
> Now, in spite of whatever differences one may imagine to exist between oneself and these children, between these children and children who seem luckier, in fact, these are all our children and we are responsible for them all. Furthermore, we will all profit by, or pay for, whatever they become. I have no hesitation, therefore, in saying that it is not enough to salute the Wiltwyck School for Boys, but that one ought to be prepared to do all in one's power—and perhaps a little more—to aid them in what has so far been a lonely and heroic struggle.

DEDICATION OF AMERICAN EMBASSY, DUBLIN, IRELAND

Mr. **ADAIR**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. **ADAIR**. Mr. Speaker, I have just returned from a brief visit to Dublin, Ireland, where I had gone as one of a small delegation to attend the dedication of the newly completed American Embassy. This occasion will remain a pleasant memory for me and a memorable one, I am sure, in the minds of the Irish people, for the impressive building that we have constructed in the heart of Dublin clearly indicates the high regard the American people have for Ireland. It is a lasting symbol of the strength and permanence of our ties with that ancient land.

Congressman WAYNE L. HAYS, chairman of the Subcommittee on State Department Organization and Foreign Operations of the Committee on Foreign Affairs, was the principal speaker at the dedication. In his opening remarks to the President of Ireland and to the large assembly at the dedication ceremony, Congressman HAYS, with whom I traveled to Dublin for the occasion, praised Ireland for its accomplishments and its splendid record of human endeavor.

I would like to have inserted in its entirety in the RECORD the brief speech delivered by Congressman HAYS. At the same time, I would like to express my own appreciation to those who gave unstintingly of their skill, energy and technical ability in order to raise this structure from the ground in record time. I refer to G. & T. Crampton, Ltd., of Dublin, who were the prime contractors for the building, and to the engineers, the artisans and the experienced and capable workmen of Ireland who made possible the erection of this building that today houses the American Embassy in Dublin.

My thanks and appreciation are likewise extended to Ambassador Matthew H. McCloskey and to those other Americans and Irish members of the Embassy staff who were generous with their time and energy to make the dedication ceremony a resounding success. Similar mention should be made of the small number of others of the Washington delegation who accompanied Congressman HAYS and me to Ireland and with whom we shared a sense of pride and accomplishment at the official opening of the American Chancery. These include Deputy Under Secretary of State for Administration William J. Crockett; Deputy Assistant Secretary of State for Foreign Buildings James R. Johnstone; former Governor of Pennsylvania David L. Lawrence; Mrs. Scott McLeod and Mrs. Alice Boyd Stockdale, whose late husbands preceded Ambassador McCloskey as American representatives in Ireland; and Mr. Paul R. Serey, executive officer, Foreign Buildings Operations, Department of State.

REMARKS OF THE HONORABLE WAYNE L. HAYS AT THE DEDICATION OF THE AMERICAN EMBASSY, DUBLIN

It is my pleasure to be here today to dedicate America's new home in Ireland. The committee of which I am chairman was concerned that we might construct a building that went straight up, of stainless steel and flush glass, appropriate to New York City, perhaps, but not Dublin. No, the inspiration for this building comes from Ireland, herself.

The American architect, John MacLeod Johansen, who designed this Embassy, did as the Irish poets have done.

Recall the lines of Yeats: "Irish poets learn your trade/Sing whatever is well made." This building uniquely recalls the noble Celtic-Christian towers of ancient Ireland built by the Irish people to be places of strength for the preservation of the valued articles of Christian worship.

This reminds me of something that I hear over and over from Speaker MCCORMACK, and that is that there should never be any differences between the Scotch, the Irish, and the Welsh, because we are all Celts. I have heard him say this many times to former Speaker Sam Rayburn, who was of Scottish stock and was Speaker longer than anyone, all the while Speaker MCCORMACK was his right-hand man and floor leader.

Our Embassy building has been inspired by the Irish past, but it reflects also the ever youthful spirit of Irish mind and heart.

Graceful tradition and youthful vitality come together in this circular design which seems to harmonize the past and present.

Ireland has preserved the past, but is not bound to it. This is a vigorous country. In the years since independence, Ireland has undergone a new and peaceful revolution, an economic and industrial revolution. Economically, we hope and believe that Ireland is in the opening years of a new era that will bring her undreamed of opportunities. Exports to the United States have been multiplying and will continue to increase under your economic expansion program. Irish agriculture is being continually modernized, secondary industries based upon food processing are growing rapidly, and the Irish landscape and Ireland's ancient shrines and castles are the center of a fast growing tourist industry.

The increasing standard of living, the speeding up of your pace development, and the greater freedom of trade that will follow the fulfillment of your economic program will, in turn, offer increased opportunities for American trade with Ireland.

Ireland's greatest export product, as we in America well know, is her people. We owe much to the Irish. Need I recall the pages of American history on which Irish names hold a proud place. They are part of the fabric of American history. Indeed, Irish volunteers played so predominant a role in the American Revolutionary Army that Lord Mountjoy commented in the British Parliament, "We have lost America through the Irish." This fighting spirit helped America with its independence, but to secure that independence other qualities of character were needed—independence of mind, love of freedom and a democratic spirit. These too belong to the Irish.

No less renowned are Ireland's cultural achievements. This isle of saints and scholars had in the sixth century created a system of education that was superior to anything Europe knew or was to know for many generations. Ireland alone today among Western nations preserves the recorded tradition of native history, the continuity of mind and speech and song, that connect half of Europe with her ancestral past. Ireland knows her own past from the very dawn of civilization through the glory of a medieval age down to the present day.

Her unexcelled tradition of scholarship is significantly evident in her ties with the United States. In June of last year, for example, there was incorporated under the laws of the State of New York, the American-Irish Foundation, which has as its principal objective the promotion of cultural and educational relations between the two countries. One of its aims will be to sponsor the interchange of students, teachers, lecturers, professors, musicians, and writers. Although independently organized, the Foundation has the strong support of both the Irish and American Governments. The late President Kennedy and President de Valera agreed to become its patrons. President Johnson has taken a personal interest in this project, agreeing, too, to be its patron, and is deeply appreciative of the role which the Foundation can play in strengthening the cultural and educational ties between our two countries. Indeed only last week at the White House I mentioned to President Johnson that I would be in Ireland today for this dedication and he asked that I convey to you his deep and abiding friendship for Ireland and the Irish and to tell you he hopes one day to follow in the footsteps of his illustrious predecessor and to visit Ireland himself.

The Irish Scholarship Board, the official Irish-American organization which sponsors a binational program for exchanging students and lecturers has been granting scholarships for this purpose since 1954. This year, about 25 Irish and American scholars will take part in the program.

There are also about 700 Irish students presently studying in the United States on scholarships, and an increasing number of grants and scholarships is being given to Irish students and institutions through the Ford Foundation, the Kellogg Foundation, and the Friendly Sons of St. Patrick. Ireland's own universities have also been a world center for training tomorrow's leaders. Some 1,500 students from Africa and Asia have studied here, and an increasing number of them will, in future years, pore over the books and materials in Ireland's libraries and universities and study the dynamic growth of Ireland, herself.

Ireland is bringing education to others too. In Nigeria alone, Irish missionaries are responsible for thousands of elementary schools, 60 secondary school and 80 teacher training colleges. Plans are being made to extend such educational institutions into other developing areas as well.

The qualities of Irish mind and character that have preserved this scholarship and advanced the frontiers of knowledge have also made Ireland an influential member of the United Nations and a maker and shaper of world peace.

It is with great pride then that I dedicate this, America's home in Ireland—recognized as not only one of the outstanding buildings in Dublin, but in all of Europe.

This joy I feel being here today is, however, mixed with sorrow in the thought that less than a year ago, while the construction of this building was busily going on, President Kennedy, on his memorable stay in Ireland, came to visit this site. You knew him first hand then, his wit, his humor, his courage and strong purpose. You knew these to be genuine.

He was one of you, and he brought honor on the race from which he sprang. Your pride in him equaled our own. No less was his pride in Ireland. Recall some of the words he spoke to the Dail last June:

"Ireland has already set an example and a standard for other small nations to follow," he said. "This has never been a rich or powerful country, and, yet, since the earliest times, its influence on the world has been rich and powerful. No larger nation did more to keep Christianity and Western cultures alive in their darkest centuries. No larger nation did more to spark the cause of independence in America; indeed, around the world. And no larger nation has ever provided the world with more literary and artistic genius."

He told you, "The major forum for your nation's greater role in world affairs is that of protector of the weak and voice of the small, the United Nations. From Cork to the Congo, from Galway to the Gaza Strip, from this legislative assembly to the United Nations, Ireland is sending its most talented men to do the world's most important work—the work of peace."

John Kennedy was one of those talented men—a son of Ireland. He helped to make the world a better place for men of all races to live out their lives. To us it remains to complete his tragically unfinished ambitions for humanity. It is the struggle for which he fought and finally gave his life. Let us then, here today, dedicate ourselves to continue the tasks he set for himself and for all mankind. As the round towers of old, let this Embassy be a place of strength for the valued articles of faith between us, a faith in a better world, achieved through peace and freedom.

As I said earlier America owes much to the Irish. Perhaps our greatest inheritance from Ireland could be summed up in one sentence from George Bernard Shaw when he said, "Other peoples see things and say: 'Why?'—but I dream things that never were and I say: 'Why not?' "

BREENE M. KERR

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, it is interesting to note that Mr. Breene M. Kerr, 35, son of the late Senator Robert Kerr, has been named as Deputy Assistant Administrator of NASA for technology utilization. Mr. Kerr is the former manager of land development for Kerr-McGee Industries, Inc., and he was graduated from Massachusetts Institute of Technology in 1951 with a bachelors degree in geology. In his new post he will be directly below Dr. George Simpson, Assistant Administrator of NASA for Technology Utilization. He is two steps under NASA Administrator Webb, a former official of Kerr-McGee Industries and a former administrative assistant to Senator Kerr. Mr. Kerr will receive $19,000 a year in his new job.

This is an interesting assignment for this young man, but it will require some serious thinking on his part if he is to avoid actions that may tend to confuse the Kerr financial interests with the interests of the Government. We can hope that he will be careful to avoid any actions that might present problems of conflicts of interest, for it is easy to see how such problems might arise. This is particularly true in the light of the Bobby Baker investigation that indicates that the financial future of Bobby Baker and some of his associates are so closely tied to the future of certain firms in the aerospace and defense industries.

Here are some of the facts that should be kept in mind by the public and the Congress:

First. The Kerr financial institution, Fidelity National Bank & Trust Co., of Oklahoma City, has a large financial stake in the financial future of Robert G. (Bobby) Baker and his friends—Fred B. Black, Jr., lobbyist and convicted tax evader, and two gambling figures, Edward Levinson and Benjamin Sigelbaum. Remember that Black has testified that it was through the Kerr-controlled Fidelity National that he, Baker, Levinson and Sigelbaum borrowed $100,000 to launch the Serv-U Vending Corp.

It was also the Fidelity National Bank that loaned $175,000 to Baker and Black for purchase of the stock in the Farmers & Merchants State Bank in Tulsa, Okla. The loans were made on the personal recommendations of the late Senator Robert Kerr.

Second. The financial future of Bobby Baker is tied to Serv-U Vending Corp. Records indicate that Baker and Black owned 57 percent of the stock of this multimillion-dollar corporation. It is a firm that boomed suddenly on the basis of decisions by aerospace industry officials that switched business from older established firms to the new Baker-Black brainchild.

Third. The future of Serv-U is tied to its highly lucrative contracts with various aerospace and defense industries, including North American Aviation and Northrop Aviation. The North American food vending contract alone grosses more than $2,500,000, according to the testimony.

If these aerospace firms would abandon Serv-U as quickly as they decided to use its services, it could result in a near collapse of the value of Serv-U.

Fourth. The future of North American Aviation and other aerospace industries is tied to the decisions of the multibillion-dollar National Aeronautical and Space Agency—NASA.

The whole arrangement makes an interesting little round robin of dependency with the potential for many favors and many conflicts of interest. We can hope that there would be every effort made to avoid all of the possible pitfalls.

North American has reported that it has ended its contract with Fred Black. It was a contract that was paying him $160,000 a year for some of his special "consultant" operations in Washington. Apparently Fred Black was too hot for North American.

It is appropriate to ask why North American continues to do business with Bobby Baker's Serv-U? It would be interesting to speculate as to whether Baker, who has taken the fifth amendment, would remain so silent if Government decisions or aerospace industry decisions jeopardized his little gold mine—Serv-U.

BREENE M. KERR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I do not know what has prompted my good friend, the gentleman from Iowa, to make these charges with reference to one of the sons of the late Senator Robert S. Kerr. Breene Kerr is a graduate of the Massachusetts Institute of Technology. I think he graduated very near the head of his class. For several years he has occupied a responsible position in a major oil company in the State of Oklahoma. He certainly has no need financially for a Government job.

He is one of the most gifted young men in Oklahoma. He is modest. He is intelligent. He has had broad experience both in scientific work and in administration.

I personally believe it was a credit to the space agency that the Administrator of NASA was able to procure the services of this fine and outstanding Oklahoman. Oklahoma probably has fewer men in high executive offices than most States.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. Certainly. I yield to the gentleman from Iowa.

Mr. GROSS. I have made no charges against Mr. Breene Kerr. The gentleman is wrong in saying I did.

Mr. ALBERT. The gentleman has talked about his background.

Mr. GROSS. What is wrong with talking about his background?

Mr. ALBERT. The implication of the gentleman's remarks, as I understood them—and I came in in the middle of the gentleman's 1-minute speech—was that there was something wrong about the appointment of Breene Kerr to the job in NASA. If I misunderstood the gentleman I certainly will retract my statement.

I will say to the gentleman that there is no young man within my knowledge, in Oklahoma or in the United States, who is better equipped to take a job of this kind than Breene Kerr.

PRESIDENT JOHNSON HAS NOT MISINFORMED THE AMERICAN PEOPLE

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, it was alleged on the floor just a short time ago that the United States had war plans for the invasion of North Vietnam. It was further indicated that these plans had been made known to the Defense Subcommittee of the Committee on Appropriations. This must be clarified.

It should be understood by the Members of this House that it is the duty and responsibility of our military people to have contingency plans prepared to cope with any foreseeable emergency. The committees of the House, and the Members generally, I believe, are aware that this is a military necessity.

This is not to say that any particular plan is up to the minute with respect to any particular point on the globe, but basic plans are, and will continue to be made, for any and all trouble spots as they show signs of emergence.

To state that the United States plans to move the war in Vietnam to the north implies that such contingency plans as may exist are, in fact, being implemented. The President has plainly indicated that this is not the fact.

To say that the President has deliberately misled the American people is, I believe, inexcusable and improper. It certainly does not show the national unity that is needed in coping with the trying problems of southeast Asia.

FARM INCOME NOW LOWEST IN 7 YEARS

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. LATTA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. LATTA. Mr. Speaker, according to a UPI release appearing in the Bowling Green (Ohio) Daily Sentinel-Tribune of May 29, 1964, farm income hit a 7-year low on May 15, 1964. I suggest that Members of the House and Senate and administration officials read this article. It follows:

FARM INCOME NOW LOWEST IN 7 YEARS

WASHINGTON.—Prices farmers received for crops and livestock fell two-fifths of 1 percent during the month ending May 15, the Agriculture Department reported Thursday.

This decline left farm prices 2 percent below a year ago, and the lowest at mid-May since 1957.

Cattle prices, which have become a major economic headache, declined again during the month and were at the lowest level since October 1957.

The Department's monthly farm price report also showed that the cost of production and living supplies purchased by farmers fell one-third of 1 percent from April's record high, primarily because of lower prices for feeder livestock and livestock feed. Farm costs were one-third of 1 percent above the level a year ago.

A comparison of farm commodity prices and farmers' costs that showed prices in the month ending May 15 averaged 75 percent of parity. This was unchanged from the mid-April figure, the lowest in many years, and compared with 77 percent in mid-May a year ago.

Parity is the price needed to put the value of products sold by farmers on a theoretically fair level in comparison with the cost of things they buy. The parity figures do not, however, measure such farm income supplements as direct Federal payments to farmers or the cashable marketing certificates which some wheat producers will get later this year.

The Department said lower prices for cattle, wholesale milk, and eggs were mainly responsible for the decrease in the index of prices received by farmers during the month. These declines were partially offset by higher prices for potatoes, apples, and hogs.

ADMINISTRATION POLICY IN SOUTHEAST ASIA

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, I was absent for a few minutes from the floor attending a meeting of the House Republican policy committee. I have been advised by my friend and colleague from Florida [Mr. Sikes] that he made certain remarks on the floor in connection with certain testimony before the House Subcommittee on Defense Appropriations. First I would like to state—and I made this very clear in my remarks earlier—that the contingency plans to which I referred were based on information given to me by the State Department, and the State Department set forth that its policy was that it would take whatever steps may be necessary to protect southeast Asia from the Communist takeover. The policy position of the State Department went beyond this and stated that contingency plans were being prepared. This was an unclassified document, completely unclassified, and to say that I misused any information which was given to the Subcommittee on Defense Appropriations is not in accordance with the facts, because this was unclassified material supplied by the Department of State and was not information supplied to the Defense Committee by Secretary McNamara or any other individual. Now, the gentleman from Florida referred to certain invasion war plans. I have never referred to any invasion war plans for North Vietnam. My statement as carried by the Associated Press in answer to a question is absolutely correct when I said, and I used the word, that plans were being prepared for all contingencies in this particular area. I think it is only fair to state that a play on words has been used here in answer to a question directed to the President of the United States. I would hope that we would not give the world, our allies, our friends, and, yes, our potential enemies, any idea that the national strategy of this country is not to have contingency plans so that we can defeat communism in the various areas of the world. My particular statement of Sunday was in support of the administration's preparations. It was not in opposition to those preparations. I am glad to support the administration in this regard.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Florida.

Mr. SIKES. I am very glad indeed to hear my distinguished colleague, for whom I have the highest regard and with whom I have worked very closely for many years on defense matters, say that this is in essence a play on words. I am sure that that is about the size of it. I think it most unfortunate that certain inferences appear to have been read into his statements. I quote from a statement that just came over the ticker:

> Washington.—Representative Melvin R. Laird, Republican, of Wisconsin, today charged that President Johnson "deliberately misled the American people in stating that there were no plans to take the war in Vietnam to the Communist north."

That is the sort of thing that does create the sense of schism in our country and indicates a lack of unity in what we are trying to do to solve that unhappy situation in Vietnam. I do not think that my good friend would want the record to stand that the President of the United States has deliberately misled the American people, and of course he has not.

Mr. LAIRD. Mr. Speaker, I would like to comment on that remark. I think the gentleman from Florida [Mr. Sikes] was on the floor of the House when I made it absolutely clear that there had been no decision reached by the administration, at any level, to implement any contingency plans as far as North Vietnam was concerned. I made this very clear in every statement that I have made. This is in essence the material relayed to me. I think Members on both sides of the aisle have to show some confidence in these position statements disseminated by the State Department of our country. President Johnson, I repeat, made the statement, as quoted in a UPI story that "I know of no plans being made to that effect."

The SPEAKER. The time of the gentleman from Wisconsin [Mr. Laird] has expired.

U.S. PLANS IN VIETNAM

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. Sikes], is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, there still seems to be a point of difference between my understanding of what has been said and what has been quoted by the press from my good friend, the gentleman from Wisconsin [Mr. Laird]. It is not clear, from what the distinguished gentleman has said, just what he meant. He indicated there had been a play on words, and I believe he said an unfortunate play on words. But the gentleman has not stated that he did or did not say that President Johnson deliberately misled the American people in stating that there are no plans to take the war into North Vietnam.

Mr. LAIRD. Mr. Speaker, will the gentleman yield to me?

Mr. SIKES. I am delighted to yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I would like to clear this up once and for all. I repeat that it is not a correct statement for the President of the United States to say, in response to my statement which was quoted to him, what he did say in his press conference, that, "I know of no plans being made to that effect."

Mr. SIKES. That is a far cry from saying that the President deliberately misled the American people. This is the statement we are discussing.

Mr. LAIRD. I believe there are plans being developed in this area. I think the gentleman from Florida knows full well that there are. The point is that there has been no decision as to whether to implement those plans or not. But the gentleman knows full well that plans have been made.

Mr. SIKES. I said in my own statement, which the gentleman has in his hand—I made it available to him—exactly what the situation is on war planes. My point is: Does the gentleman really feel that the President deliberately misled the American people? I do not think he does.

Mr. LAIRD. Certainly any casual reading of the President's statement would lead one to believe that he thought I was wrong in the statement that I made on Sunday. I am glad the gentleman from Florida in his own statement agrees precisely with what I said on Sunday in a radio interview.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Speaker, I want to say that I was on the floor when the gentleman from Wisconsin made his remarks. I was also shocked to hear them made in the context in which they were made. As I understand it, he made a statement over the weekend, which I read in the press, that he was a member of the Subcommittee on Appropriations that handles defense matters; and he stated in some radio interview, for what purpose I do not know, that we had plans to go into North Vietnam.

First of all, I do not know about the propriety of telling where we have plans; but I will not get into that. But I do think it is somewhat of an expansion of the gentleman's prerogative to say that the President has misled the American people. I think that he was trying to assure the American people—it may be out of context somewhat the way it was interpreted by the press—that we, at this moment, do not have any positive plans to take the war into North Vietnam. That is what I understood was said.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Texas, and then I shall yield further to the gentleman from Wisconsin [Mr. Laird].

Mr. MAHON. I would like to say that I think it most unfortunate that this discussion has taken the turn that it has. I am afraid that some of the statements made here today will tend to mislead the American people.

As I understand it, the President said that we have no plans for the invasion of North Vietnam. Well, taken in proper context, I would agree that this is undoubtedly correct. I certainly do not think that the President has misled the American public. Everyone who has any knowledge at all of our Military Establishment knows that our military people have not dozens of plans, not hundreds of plans, but really thousands of plans that relate to possible contingencies in all areas of the world. These are contingencies and papers that relate to many very different matters. Our military people would be very derelict if they had not made all possible types of studies and tentative conclusions in regard to trouble spots throughout the world and spots that are not now trouble spots. But the American people are not, I think, fully conversant with details of this sort. To say that we have plans to invade a country, whether it be North Vietnam or any other country, could very well be misleading, and in this context I believe it has been misleading. It is not correct to say that we are planning to invade North Vietnam.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Wisconsin.

Mr. LAIRD. First I want to make it extremely clear that I have no quarrel with the press in any way as far as my being misquoted, because the Associated Press and the United Press went out of their way to even carry the words "prepared" and "preparation for contingencies" in italics. So, I do not think there can be any quarrel with me as far as the planning is concerned. I believed the Secretary of State when he stated that preparations would be made for these particular contingencies. In my interview I made it extremely clear that no decision had been made as to whether these plans and preparations would be implemented. But it does not seem to me that when my statement is quoted in a news conference and the answer is, "I know of no plans being made to that effect," that that is being completely forthright in giving the American people full information.

It would seem to me that "no comment" would have been much wiser.

THE NATIONAL RIFLE ASSOCIATION AND THE NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE

Mr. SIKES. Now, Mr. Speaker, as a member of the Appropriations Committee of the House, called upon annually to review and pass upon the appropriation for the Board for the Promotion for Rifle Practice, I have been disturbed by statements which would indicate that the National Rifle Association, a great patriotic organization, and the National Board for the Promotion of Rifle Practice, an agency of the U.S. Government, have been used by certain organizations of questionable intent and motives for the procurement of weapons and ammunition. This is not in any sense correct. There is nothing to indicate a connection. These agencies have carried on for years a very fine program which makes available to responsible groups and organizations throughout the country—which must be bonded—weapons and ammunition for carrying on rifle practice. This is something which we in the United States have always considered extremely important for the proper training of our youth and the carrying on of our military defenses.

Mr. Speaker, I, too, have read news stories of various sorts of small arms ordnance allegedly purchased as scrap, later reconditioned and circulated in illicit arms channels. We have Federal laws rigorously controlling traffic in automatic weapons. If such items are being improperly scrapped and made available to unscrupulous dealers in munitions of war, the matter should certainly be investigated and appropriate action taken by competent authorities.

I am aware also of the sale of certain surplus small arms and ammunition to civilians by the Department of the Army, under the provisions of the National Defense Act, as amended, as a means of encouraging marksmanship among those persons who would be called upon for military service in the event of war. This is a desirable thing and important to our future security.

However, to imply or suggest that the highly worthwhile program of the National Board for the Promotion of Rifle Practice has been subverted to the ends of extremist organizations is both unfair and improper, since no evidence has been produced to indicate that this is the case. It is equally unfair to suggest that a patriotic, public service organization, such as the National Rifle Association of America, of which I am proud to be a member, has in some manner been hoodwinked into alining itself with various vague extremist organizations, again with complete lack of evidence that this is true.

The National Rifle Association consists of 650,000 individual members and 11,000 affiliated shooting organizations of which approximately half are junior rifle clubs. Under Federal law, when these clubs have been accepted for affiliation by the National Rifle Association, through a screening process which is quite thorough, they are entitled to receive certain assistance from the Government in support of their rifle marksmanship programs. All rifles issued on loan through the national board program are on memorandum receipt, and, before they can be delivered, the club must be fully bonded to the extent of the value of the rifles. They remain at all times the property of the U.S. Government and must be returned or accounted for. Free ammunition is issued for the purpose of permitting the club to fire marksmanship qualification courses prescribed by the Army. This qualification course must be fired and the results reported to the national board in order for the club to maintain its eligibility to receive free issues.

The program of the National Board for the Promotion of Rifle Practice, by helping to keep alive the most important basic skill of the soldier, the ability to use his own personal weapon, is performing a good and an important service to the country. I support it fully.

I understand the organization which calls itself the Minutemen is under Justice Department surveillance. The Paul Revere Associated Yeomen, Inc., has been the subject of independent investigation, and I understand the evidence indicates that it consists of the expressions of one individual possessed of sufficient private means to permit him to print and distribute his own particular philosophy.

There simply is no connection between these organizations and the patriotic, highly respected National Rifle Association and the National Board for the Promotion of Rifle Practice and it is most unfortunate that any association is indicated, even by inference.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Speaker, I am delighted that the gentleman from Florida has made crystal clear the position of the National Rifle Association in this situation and the charge that has been made against them.

Over the years I have seen the operations of the National Rifle Association. They do a magnificent job. They do a great job with the youth of the country in the handling and use of firearms. Their contribution to the national defense has been outstanding. The encouragement they have given to the people of this Nation has been a real contribution.

I congratulate the gentleman from Florida for bringing this to the attention of the Members of Congress.

Mr. SIKES. I appreciate the statement of the gentleman from Ohio. He knows full well of the important work done by these two great organizations, and I am very appreciative of his comments.

NEEDED: A STANDBY U.N. FORCE

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, Richard N. Gardner's view of a standby United Nations force is that of the realist, not of a pie-in-the-sky idealist. In the following article which appeared several weeks ago in the New York Times magazine he admits that the standby force he envisions would for the moment be very modest. His plan would provide for the earmarking of national units for U.N. use, a flexible callup system, and advance training for U.N. service. This is not so very far from the present system of requesting members to furnish troops for specific peacekeeping operations, but it is just far enough to be a step in the right direction. He maintains that the creation of a standing U.N. force is neither practical nor necessary at this time.

Mr. Gardner brings to bear on his subject the legal insight of a lawyer and former professor of law at Harvard and

Columbia. The case for strengthening the United Nations peacekeeping capacity, he writes, rests on the fact that in our unstable nuclear age nations will never be willing to lay down their weapons until international law machinery to protect their interests has been created. The standby U.N. force Mr. Gardner suggests would represent one more essential addition to the international law enforcement machinery which is a prerequisite to the kind of world envisioned by the framers of the United Nations Charter.

The subject of Mr. Gardner's article is a topic very familiar to him. Since he became Deputy Assistant Secretary of State for International Organization Affairs in April 1961, Mr. Gardner has been one of the State Department's most lucid and forceful spokesmen on the subject of strengthening peacekeeping operations. His analyses of the problems of financing and conducting peacekeeping operations are both convincing and thought-provoking.

Mr. Gardner has an impressive academic and Government background. He holds an A.B. from Harvard, an LL.B. from Yale and a Ph. D. from Oxford, where he was a Rhodes scholar. This year he was one of the 10 winners of the annual Arthur S. Flemming Awards for outstanding Government career service. The awards are given to young men under 40 years of age in recognition of exceptionally meritorious work.

The article follows:

NEEDED: A STANDBY U.N. FORCE

(By Richard N. Gardner)

(NOTE.—In Cyprus, the U.N. has been called upon for the fourth time on a large scale to keep peace by military means. Here is the case for institutionalizing that capacity.)

In the pale light of dawn in Nicosia one day last month a ceremony took place which had few precedents but which seems destined to be often repeated. British and Canadian troops—shortly to be joined by Finnish, Swedish, and Irish soldiers—donned blue berets, blue scarves, and blue United Nations emblems, and acknowledged the command of an Indian lieutenant general. UNFICYP—the United Nations Forces in Cyprus—was formally inaugurated.

It was the 11th time the United Nations had been called on to establish military forces or military observers in a world trouble spot—and the 4th time on a substantial scale. On this occasion the U.N. force was sent in to help prevent a war between Greece and Turkey which could tear apart the eastern flank of NATO and gravely endanger world peace. It was a dramatic illustration of the capacity of the United Nations to perform the primary role laid down in its charter—"to maintain international peace and security."

Yet those concerned with U.N. peacekeeping could not view the Cyprus operation with unmixed satisfaction. The Security Council had decided to establish the Cyprus force on March 4. But it took 2 weeks to get the first Canadian troops to the island and more than 3 weeks to inaugurate the United Nations force—a delay which could have been fatal had British troops not already been on the spot. What is more, only a hastily improvised scheme of voluntary contributions prevented the operation from dying at the outset from financial anemia.

U.S. Ambassador to the U.N. Adlai Stevenson put the matter bluntly in a speech at Princeton. "Cyprus," he said, "has vividly exposed the frailties of the existing machinery." His prescription: not a world standing army of overwhelming strength but a standby United Nations peace force composed of national military units.

What would be the purpose of such a standby force? How would it operate? What would be its strengths—and limitations?

The case for strengthening the U.N.'s peacekeeping capacity grows inexorably out of the facts of life in the nuclear age. It has long-term and short-term aspects which should be clearly distinguished.

The long-term aspect was summed up by President Kennedy when he presented the U.S. plan for general and complete disarmament to the U.N. General Assembly in September 1961: "To destroy arms * * * is not enough. We must create even as we destroy—creating worldwide law and law enforcement even as we outlaw worldwide war and weapons."

Many times since then U.S. representatives have hammered at the point that nations will never be willing to eliminate or even radically reduce their arms until they have some substitute means of protecting their territorial integrity and vital interests. The U.S. draft outline of a disarmament treaty envisages the buildup, by the end of the disarmament process, of a U.N. peace force with "sufficient armed forces and armaments so that no state could challenge it."

But in the short term the nature of U.N. peacekeeping operations will obviously be more modest than that envisaged for the full-blown force in the final stages of disarmament. The peacekeeping machinery for the present period will not substitute for national armaments and will not be capable of dealing with aggression by any of the great powers. Threats to the peace of this magnitude will have to be deterred or resisted by the power of the United States and its treaty allies. But in other situations the U.N. peacekeeping machinery will help the great powers—and others as well—to contain their conflicts and stabilize their relationships.

Our experience in the Middle East, the Congo, and now Cyprus has demonstrated that in disputes between small states, or in areas where the withdrawal of a colonial regime has left a power vacuum, the establishment of a U.N. peacekeeping "presence" can help to insulate a potentially dangerous situation from great power confrontation and the cold war. Indeed, the interposition of U.N. forces may be the only alternative to large-scale violence that is acceptable to the parties and to the community of nations as a whole.

In the 19 years of its existence the United Nations has made important progress in developing this peacekeeping capacity—but in ways not fully anticipated at the San Francisco conference. The framers of the charter placed primary emphasis on article 43 under which all members were supposed to make agreements with the Security Council to make available to the council on its call specified types of forces and facilities. But article 43 became a dead letter when it proved impossible to reach agreement with the Soviet Union on how to apply it. Instead, the U.N. has called on members to supply forces as needed, with much of the responsibility for directing them resting on the Secretary General.

The framers of the charter also placed primary reliance for the initiation of peacekeeping operations on the Security Council. Contrary to a widely held view, the Council has by no means proved wholly impotent for this purpose. It launched the U.N. peace forces in both Cyprus and the Congo with the concurrence of the Soviet Union and the other permanent members.

The dissolution of the wartime alliance in the early postwar years, however, did point up the need for a way to facilitate U.N. peacekeeping action when the Security Council was paralyzed by a great-power veto. The Uniting for Peace Resolution, passed in 1950, therefore provided for the calling of an emergency special session of the General Assembly at 24-hour notice upon the vote of any seven members of the Security Council or at the request of a majority of the members of the General Assembly, in the event that the Council was unable to act owing to a lack of unanimity of the permanent members.

Under this resolution the General Assembly can make recommendations to members for collective measures, including, if necessary, the use of armed forces. This was the instrument for the establishment of the United Nations Emergency Force in the Middle East in the midst of the Suez crisis of 1956.

In addition to the Middle East, Congo, and Cyprus operations, the United Nations conducted a military action in Korea in which the United States, aided by other members, assumed the principal responsibility for resisting Communist aggression. And there have been lesser operations in which U.N. observers or truce supervisors have attempted to bring peace to troubled areas.

All in all, some 54 countries have voluntarily supplied personnel for these operations at the request of the Secretary General pursuant to resolutions of the Security Council or General Assembly. At the height of the Congo operation there were 20,000 U.N. troops from 21 different members.

Despite this impressive record, there is a growing concensus that new measures are now required to give the U.N. a peacekeeping capacity equal to current needs. Some have proposed the creation of a standing United Nations force. Such a force may eventually be required. But its creation at this time is neither practical nor necessary.

The members of the United Nations are not now prepared to give the United Nations a blank check to use their armed forces in unspecified future operations. Nor are they prepared to give the U.N. the funds to maintain such forces in continued readiness pending their use. Moreover—and this is frequently overlooked—a standing United Nations force would have to be extremely large and expensive to provide the flexibility needed to meet the different kinds of peacekeeping emergencies which might arise.

Past experience illustrates these differences. In Korea a nation had to be defended against outside Communist aggression. In the Congo a police force was needed to preserve the unity of a country and protect it against the dangers of foreign intervention. In the Middle East and Kashmir the need was for soldiers and observers to patrol borders and armistice lines. In Cyprus a force was required to prevent a civil war between two hostile communities. These different kinds of operations on different continents required soldiers with different weaponry, different political sponsorship, different racial composition, different language training, and other different specifications tailored to the necessities of each case.

For all these reasons, there is a growing consensus that the next step for the United Nations should not be a standing army but a flexible callup system. For such a system to work successfully requires action in four main areas:

ADVANCE PREPARATION OF MILITARY FORCES

U.N. members, as Secretary General U Thant suggested last year in a speech to Harvard alumni, should earmark military units which they might be prepared to make available on request by the United Nations. Earmarking would be voluntary and, unlike a standing army, the earmarked units would be financed and controlled by their own governments and made available to the U.N.

Denmark, Norway, Sweden, Finland, Canada, and the Netherlands have already offered to earmark units for U.N. use under such arrangements.

The earmarked units should be given the advance training necessary to prepare them for United Nations service. This would include not only training in languages but also political indoctrination in the special problems which military units have to face in the service of the U.N. Those who put on the blue helmets of the United Nations are soldiers without enemies frequently under a mandate which calls more for the skills of the policeman or diplomat than for the skills of the traditional military officer.

The United Nations itself requires a permanent military staff to organize the earmarking and training of national military units, to distill the lessons of peacekeeping experience, to provide military advice to the Secretary General and to prepare contingency plans and standard procedures for a variety of future military operations. Maj. Gen. Indar Jit Rikhye of India, military adviser to the Secretary General, heads a small military staff unit which can be developed to perform these important functions.

FINANCE

In some peacekeeping operations—as in West New Guinea and Yemen—the parties to the dispute will share the costs themselves. In others—as in Cyprus—the costs will be met by countries supplying troops and by voluntary contributions. But for other operations—particularly large ones like the Congo, which cost at its peak over $100 million a year—there may be no alternative to compulsory assessments by the General Assembly.

The question of financing future peacekeeping operations will soon be up for discussion at the U.N. before a working group of 21 countries. In the weeks ahead the group will try to agree on a special scale of assessments under which the developed countries would undertake to pay a somewhat greater share than they pay toward the regular budget, with proportionate reductions for the less developed countries. Obviously agreement on a special scale would require agreement also on an acceptable decisionmaking process for peacekeeping operations. Application of such a scale to a particular operation would require, in the case of the United States, specific action by the Congress.

The principal obstacle to financing future peacekeeping operations is not the working out of a special scale of assessments but the refusal of the Communist bloc and France to pay peacekeeping assessments duly levied by the General Assembly. The peacekeeping capacity of the U.N. cannot be developed successfully if members can disregard with impunity their peacekeeping assessments and exercise a financial veto in the face of peacekeeping decisions by the political organs. Hopefully, defaulting members can still be induced to pay up. If they do not, the law of the charter must be applied—it deprives defaulters of their vote in the General Assembly—not only to preserve the peacekeeping capacity of the organization but also to maintain its constitutional integrity.

DECISIONMAKING PROCEDURES

Secretary of State Dean Rusk said in his Hammarskjold lecture at Columbia University early this year that there are two extreme views of how decisions on peacekeeping should be taken in the United Nations.

At one extreme is the Soviet view that nothing should be done without the consent at every step of all the permanent members of the Security Council. At the other extreme is the view of some countries that nothing should matter except the votes that can be mustered in the General Assembly—and that what a majority wants done must be done, regardless of which states make up the majority.

Almost everyone agrees that acceptance of the first view would condemn the United Nations to frustration and paralysis. There is also a growing consensus that the second view also violates commonsense in a United Nations which has grown from 51 to 113 members and which may grow to 125 or 130 in the next decade before it levels off. The United States and other U.N. members have begun discussions to find some middle ground which maintains the U.N. peacekeeping capacity while assuring that decisions on peacekeeping operations are supported by a sufficient number of the large and middle powers who bear the principal burden of implementing them.

PACIFIC SETTLEMENT OF DISPUTES

Improved arrangements for the peaceful settlement of disputes and for the implementation of peaceful change are indispensable if peacekeeping by the United Nations is to be fully effective. The burden on the U.N. fire department will be intolerable unless the organization develops a system of fire prevention to stop some of the conflagrations from breaking out at all. And United Nations peace forces will never be able to extricate themselves from areas beset by political controversy unless some acceptable form of political settlement is eventually worked out.

In the United Nations today there is growing agreement on this point. It was no accident that the same Security Council resolution which established the United Nations Cyprus force also called for the appointment of a mediator to try to work out a political settlement.

The problem of peaceful settlement and peaceful change is not wholly one of procedure. It is basically a question of the will of U.N. members to live up to their Charter obligations to refrain from the threat or use of force and to settle their disputes by peaceful means. But that will can be strengthened by improving the resources of the U.N. for aiding peaceful settlement.

This can be done in a number of ways: increasing use by the Secretary General of senior aides or distinguished persons outside the U.N. in trouble-shooting missions; more frequent deployment of U.N. observers to find facts and monitor troubled situations; greater resort to the International Court of Justice in advisory as well as adversary proceedings; enlarged and better organized U.N. programs to deal with the economic and social causes of instability and conflict; and establishment of the United Nations Institute voted at the last General Assembly to train nationals of member states for U.N. service and to conduct research for the improvement of U.N. peacekeeping and nation-building operations.

This program for the development of an effective United Nations peacekeeping system is hardly utopian. It is no more than is necessary—perhaps not as much as will prove necessary—to reduce the risk of international violence in the nuclear age to tolerable proportions. Yet its implementation is by no means free from difficulty.

The central problem is the response of the Soviet Union. The record here is far from encouraging. In recent years, the Soviet Union has rejected in both principle and practice the independent character of the international Secretariat which is essential to effective peacekeeping; it has attacked as illegal the U.N. peacekeeping actions in the Congo and the Middle East; and it has refused so far to pay its assessed share of these operations.

Moreover, in the Geneva disarmament negotiations, Soviet spokesmen have attacked the emphasis placed by Western delegations on the inseparable relationship between peacekeeping and disarmament. In their disarmament plan the Soviets paid lip-service to peacekeeping but proposed a U.N. peace force operating under the Security Council (where they have a veto) and controlled by a military troika (where they would have another veto).

This record of Soviet opposition is discouraging—but is no excuse for hopelessness or despair. We must not get ourselves in the habit of thinking that nothing can be done to strengthen the U.N. as a peacekeeping agency without the cooperation of the Soviet Union. The whole history of the United Nations—in Korea, the Congo, the Middle East, and elsewhere—proves that the contrary is the case.

Moreover, even the position of the Soviet Union may not be frozen for all time. The past year has seen some hopeful developments in Soviet foreign policy. For various reasons the Soviet Union has come to acknowledge, and in certain cases to act upon, the fact that despite national and ideological conflicts nations may share common interests in survival and welfare. Soviet foreign policy ultimately reflects Soviet national interest—and the real long-term interest of the Soviet Union as well as of other countries would be served by a stronger United Nations which can help the great powers disengage from dangerous confrontations and prevent brushfire conflicts between small states from triggering a nuclear war.

President Johnson put the matter simply last month in his statement to American labor leaders: "The world has changed and so has the methods of dealing with disruptions of the peace * * * general war is impossible and some alternatives are essential."

One of these alternatives is the speedy development of an effective United Nations peacekeeping system. The building of such a system is a high priority task for the United States and other United Nations members in the months ahead.

JAMES C. INGRAM, JR., HONOR CADET AT AIR FORCE ACADEMY

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WILLIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WILLIS. Mr. Speaker, I share with my colleagues in Congress the great satisfaction it gives us to make it possible for our young men to enter the service academies. And I know it brings to all of us a particular feeling of gratification and pride when these young men establish outstanding records as they often do.

At this time I am greatly pleased to pay tribute to one of my appointees, James C. Ingram, Jr., honor member of the graduating class at the Air Force Academy where tomorrow, June 3, he will receive the coveted George C. Marshall Award as the outstanding cadet in military excellence. This will be presented during an award ceremony prior to the graduation exercises.

Cadet Ingram, son of Mr. and Mrs. James C. Ingram, Sr., of Lafayette, La., served as wing commander during the fall term of the 1963–64 school year and is graduating as a lieutenant colonel and group commander in the Cadet Corps.

I am indeed happy to pay this recognition to Cadet Ingram and to extend my congratulations to this fine young man who I am confident will always merit the high honor he is receiving and will live up to the finest traditions of the Air Force and our military services in general.

U.S. NAVAL ACADEMY: MIDSHIPMAN EDWARD A. CHLADEK'S PAPER ON ALBERT A. MICHELSON

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FLOOD. Mr. Speaker, as a member of the Defense Subcommittee, House Committee on Appropriations, and of the Board of Visitors of the U.S. Naval Academy over a period of years, I have been privileged to observe the tremendous impact of modern science on the Navy, especially in the adjustment of curriculums and in the form of additional educational facilities at the Academy.

Among the evidences of scholastic improvements in the naval institution has been an increasing number of worthwhile research papers by midshipmen. Moreover, plans for adequate instructional facilities include a modern science building to be known as Michelson Hall in honor of Albert A. Michelson, the celebrated physicist in the field of light, who started upon his career as a midshipman in the class of 1873.

While the main features of Michelson's scientific career are extensively covered in lay and scientific literature, comparatively little has been available in convenient form of his early life, his years at the Naval Academy and his time as a young officer.

Recognizing this blank as offering an unusual opportunity in the history of science, Midshipman Edward A. Chladek of the class of 1964 determined to meet the challenge. Gleaning facts from many sources, he succeeded admirably in telling the story of the young Michelson.

In order to make Midshipman Chladek's paper more widely known and to stimulate other midshipmen to make comparable studies of other great figures of American history, I include the full text of Midshipman Chladek's paper, bibliographical essay, footnotes, and appendixes as part of my remarks.

U.S. NAVAL ACADEMY—"FROM MIDSHIPMAN TO PHYSICIST," A RESEARCH PAPER SUBMITTED TO THE HEAD OF THE DEPARTMENT OF ENGLISH, HISTORY, AND GOVERNMENT

(By Edward A. Chladek, midshipman, first class, section C14, Annapolis, Md., February 1964)

FROM MIDSHIPMAN TO PHYSICIST

Within a few years, a large, modern academic building will be dedicated on the grounds of the U.S. Naval Academy, not to a man who distinguished himself as a naval officer, but to a man who served his country as a scientist. Albert Abraham Michelson, class of 1873, world renowned physicist and first American to receive the Nobel Prize in physics, will be honored.

The purpose of this paper is to explore the personal life of this famous graduate while he was stationed at the Naval Academy, both as a midshipman and as an instructor. It is also the intent of this research to present more information than has been previously issued and to verify that which has already been published in order to give a more accurate picture of Michelson, the man.

Albert A. Michelson was born on December 19, 1852, amid the uprisings and political turmoil of mid-19th century Europe. His parents were Rosalie Przylubska, a young Polish girl and the daughter of a "well-known physician," and Samuel Michelson, a dry goods merchant.[1] They lived in Strelno, a small town on the Polish-German border which was actually in German territory and under German control at the time, although most of its inhabitants were Polish.[2] In later years, Michelson stated that he was born in Poland but officially listed his place of birth as Strelno, Germany.[3]

In an effort to escape the religious and political persecution which was prevalent and with the hope for greater opportunities for his family, Samuel elected to join the flood of persons who were seeking their fortunes in the newly discovered gold and silver deposits of California. When Albert was only 2 years old, the family made the long passage to California by way of Panama, stopping first in New York. Eventually they settled in Murphy's Camp, Calaveras County, where Samuel established a small dry goods store among the growing mining camps.[4] Albert spent his boyhood in this thriving, rough and tumble town which, curiously enough, was described in the novels of Mark Twain and Bret Harte.

The Michelsons were not wealthy, but they were intelligent, ambitious, and had an air of respectability about them. They encouraged their children to acquire a good education and to cultivate their natural talents. Albert enjoyed playing the violin, and, under the direction of a miner who was an excellent violinist, mastered the instrument and continued playing throughout his life.[5] Miriam, the oldest daughter, later became a successful novelist, her sister, Pauline became a schoolteacher, and a brother, Charles, became an influential newspaperman.[6]

Although both parents were Jewish, the religion was not practiced, and the children grew up without any definite religious convictions or prejudices.[7] Years later, an intimate associate said, "Neither in aspect nor characteristic did Michelson ever reveal any racial penchants or prejudices." [8]

After attending elementary school, Michelson was sent to high school in San Francisco, where he lived in the home of the principal, Theodore Bradley. These first years away from the family were probably lonely ones, for Albert said that he developed "few companionships." [9] Bradley was exceedingly strict and drilled him thoroughly, especially in mathematics. Later Michelson commented, "He was too strict for his own popularity and success. For instance, out of a class of about 90, he allowed only 4 to graduate." [10] Albert was also given the job of maintaining the physical instruments, for which he was paid $3 a month.[11] Before graduating in 1869, he indicated his interest in optics by writing a paper on the subject.[12] As soon as he had completed high school, his father requested him to return to Virginia City, Nev., where the Michelsons were now living, to take the entrance examination for Annapolis. Albert was not very enthused and wrote back arguing that he would rather stay in San Francisco. His father replied by telegraph, "Come home at once." [13] Albert returned without further protest.

At that time, the Naval Academy had undergone drastic changes and acquired the reputation of being one of the top engineering schools in the country.[14] Appointments were advertised publicly, offering successful candidates $500 per year as well as expenses paid to Annapolis. Upon graduation, their pay would increase to $800 a year, and they would be eligible for the grade of lieutenant as soon as a vacancy existed.[15]

The dry goods store was not doing very well, and since this was a convenient way to obtain a sound education at practically no expense, the idea must have found favor with young Michelson.[16] He took the examination with nine others in the Virginia City courthouse on January 10, 1869. Although he did well on the test, the appointment was given to James W. Blakely, whose father had lost an arm in the Civil War.[17] Congressman Thomas Fitch, recognizing Albert's capabilities and knowing that his father was very influential politically, wrote a letter to President Grant and suggested that Michelson take this letter to Washington in an attempt to procure one of the 10 appointments at large.[18] This was a difficult decision for a boy of 16 to make. He knew that his chances were slim, and that if he did not receive the appointment and pass the entrance examination he would not be reimbursed for his travel expenses.[19] But, with his father's encouragement, he decided to make the difficult and uncomfortable journey.

After arriving in Washington, he gained an interview with Grant, presented letters of recommendation from his principal and

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[1] Robert A. Millikan, "Biographical Memmoir of Albert Abraham Michelson," National Academy of Sciences, Biographical Memoirs (Fourth Memoir, 1938); vol. XIX, p. 128. Hereafter cited as "Memoir."

[2] Bernard J. Jaffe, Michelson and the Speed of Light (New York: Doubleday & Co., 1960), p. 35.

[3] U.S. Naval Academy Roll Book, 1869 (microfilm). Hereafter cited as "Roll Book."

[4] See Millikan, Memoir, p. 128, and Jaffe, p. 37.

[5] Quoted in Millikan, Memoir, p. 128. See Jaffe, p. 38.

[6] John H. Wilson, Jr., Albert A. Michelson, America's First Nobel Prize Physicist (New York: Messner, Inc., 1958), p. 150. Also Jaffe, p. 40.

[7] Quoted in Millikan, Memoir, pp. 128–129.

[8] Ibid., p. 129.

[9] Quoted in Millikan, Memoir, p. 129. See Jaffe, p. 38.

[10] Interview with Albert A. Michelson in Neil M. Clark, "Michelson Holds the Stop-Watch on a Ray of Light," American magazine (January 1926), p. 25. Hereafter cited as "Clark, 'Int.'."

[11] Millikan, Memoir, p. 129.

[12] Dorothy Michelson Stevens, letter dated Jan. 30, 1964. See appendix B. Hereafter cited as "Stevens, 'letter'."

[13] Clark, "Int."

[14] See A. B. Anderson (ed.) et al., "The Departments," U.S. Naval Institute Proceedings (October 1935), pp. 1415–1439.

[15] Park Benjamin, The U.S. Naval Academy (New York: G. P. Putnam's Sons, 1900), p. 28.

[16] Candidates were required, however, to purchase uniforms and personal effects as well as make a one hundred dollar deposit for textbooks, etc. They became obligated, upon acceptance as a midshipman, to serve 8 years in the Navy, including time spent at the Academy. See Regulations Governing the Admission of Candidates to the U.S. Naval Academy in U.S. Naval Academy Register, 1869–70 (Washington: Government Printing Office, 1871), p. 32. Hereafter cited as "Regulations."

[17] Jaffe, p. 141. Blakely successfully passed the Academy entrance examinations but was dropped in Nov. 1871.

[18] Jaffe, p. 41, p. 43, and Millikan, Memoir, p. 129.

[19] Regulations, p. 33.

Mr. Blakely, the Civil War veteran, and vowed to be a credit to the President. Grant explained that all 10 of his appointments had been promised, but told Albert to see the Secretary of the Navy. The Secretary advised him to go to Annapolis, for 1 of the 10 appointees had not yet taken the examination, and there was a possibility that he might fail. Albert went to Annapolis and found that the candidate did fail but had been given a reappointment. He waited for 3 days, only to find that the candidate successfully passed his second examination. Very much discouraged, he planned to start back to Washington and had actually placed his trunk on the train, when a messenger arrived announcing that President Grant had reconsidered the case and made an exception by creating an additional appointment. Apparently this was brought about by the letter from his Congressman, which stated, "His appointment at your hand would do more to fasten these people (Israelites) to the Republican cause, than anything else that could be done." [20] Michelson later commented that his success could be attributed to an "illegal act." [21]

The entrance examination, consisting of separate examinations in arithmetic, geography, reading, writing and spelling, was both written and oral.[22] Albert must have been thankful for the years of rigorous drilling he had endured while living with Mr. Bradley in San Francisco, for he found himself much better prepared than most of the other candidates, some of whom had had only 3 or 4 years of formal schooling.[23] The examiners found him duly qualified and noted on the record of the oral examination, "A Pole—well up in arithmetic." [24] After passing the physical examination he was formally admitted as midshipman No. 45 on June 28, 1869, at the age of 16 years, 6 months.[25]

Almost immediately he was placed on board the sloop *Dale* for a practice cruise.[26] When he returned to Annapolis in September, he was subjected to the burden of a heavy academic load and the wrath of the newly promoted third classmen, who were then, as now, called youngsters. Plebe indoctrination was extremely harsh at that time, and Michelson's slight accent and handsome appearance must have attracted considerable attention.[27] However, there is no evidence that he was mistreated or hazed any more than his classmates. The concern at the time did not involve nationality or religion, but was centered around a possible Negro admission to the Academy.[28]

Albert found his high school preparation very helpful, especially in mathematics. He said, "it undoubtedly made the course, which was pretty stiff, rather easy for me." [29] He did remarkably well, achieving a 4.44 on the second term algebra final examination (midshipmen were graded on a 4.0 scale) and standing second in mathematics out of a class of 87.[30] In drawing, he stood 1st, and in history, 43d. His overall standing for the year was seventh, with a total of 130 demerits—about average for a plebe—again indicating that he was not treated more severely than his classmates.[31]

On June 16, 1870, Michelson departed from Annapolis aboard the sloop *Savannah* on a 3-month practice cruise to Plymouth, England, and Funchal, Madiera.[32] Charles Dickens had died suddenly on June 9, and when the cadets received this news upon their arrival at Plymouth, some of them may have joined the hundreds of persons visiting the garlanded tomb in Westminister Abbey.[33] It was probably here that Michelson met the girl who was later to become his first wife.

The next year gave Albert, or "Mike," as he was known by his classmates, a chance to relax and become acquainted with the liberal changes that had taken place at the Academy. These revisions, which had been initiated by Adm. David Dixon Porter, Superintendent from 1865 to 1869, more closely adapted the methods of teaching and courses of study to the needs of the Navy. Two courses of study were adopted, one for line officers, like Michelson, and one for engineers. The honor system had been instituted and social life had developed. Now the Academy was sometimes referred to as "Porters' Dancing Academy." [34] Sports were encouraged, and Porter himself is said to have jumped into the boxing ring with the midshipmen.[35] Noteworthy of his administration, which ended a few months before Michelsons' admission, is the comment, "never had the students been more diligent or imbued with a higher sense of personal honor and duty, and never before had the Academy graduated larger or more intelligent classes." [36]

Michelson, now living in the recently completed new cadet quarters, took up fencing and improved his standing in the class from 20th to 2d by the end of the year.[37] He continued to practice the violin and often passed his time sketching and painting water colors.[38] He also took lessons in boxing.[39] The emphasis on academics that year had begun to shift toward the professional subjects, but youngster Michelson continued his good record, standing 8th in seamanship and 10th in gunnery. His outstanding grades in the technical subjects raised him to a sixth overall standing, even though the rigor of the courses had reduced the class to 45 by the end of the year.[40]

On June 17, 1871, Cadet Michelson, now a second-classman, embarked on the sloop *Saratoga* for an Atlantic cruise. He docked at Nantucket Sound, New London and other New England towns and also visited Halifax, Nova Scotia.[41] Returning to Annapolis in September, he began a year marked by some major changes in his progress at the Academy. He maintained his overall class standing, but apparently began to violate the regulations frequently, incurring 192 demerits and standing third from the bottom in conduct. He improved his standing in gunnery, but slipped from 8th to 26th in seamanship, the largest drop of his midshipman career.[42]

A possible explanation for this is found in a Navy Department directive of 1870, which changed the status of the cadets from "midshipmen" to "cadet midshipmen." [43] The Navy was entering a period of decay, and it was necessary to reduce the number of full midshipmen and increase the time of service required for promotion. In addition, officers who had served 3 years at sea were beginning to return to Annapolis for promotion examinations. Advancements were no longer determined by order of merit at the Naval Academy, but by the results of these new tests.[44] Now, instead of becoming eligible for the grade of lieutenant upon achieving a midshipman's warrant, graduates were required to pass through the ranks of ensign, master and then lieutenant.[45] Perhaps Michelson, faced with these changes in policy, began to lose interest in the Navy as a career—a probable cause for his poorer grades in seamanship.

Michelson's last year at the Academy was his worst, at least academically. He dropped three places to a ninth overall standing. A glance at his record will reveal that, with the exception of navigation and surveying, he dropped in his professional courses, which were rather heavily weighted, while specializing in the scientific subjects. He stood 1st in optics and accoustics, 2d in heat and climatology, but was 17th in gunnery and 25th in seamanship.[46]

He achieved the rank of cadet petty officer or "double diamond" and was first captain of 1 of the 24 gun crews, which then made up the battalion of midshipmen.[47] This was not a particularly high rank, since at least 14 of his classmates ranked higher, but cadet officers were chosen according to their "fitness for the position," and Michelson's grades in seamanship and gunnery were only average.[48] Although he thrived on discipline, he was never pompous and probably was not interested in this type of achievement. However, as a first guns' captain he had a considerable amount of responsibility, for he was in command of his 16-man crew during gunnery and infantry drills. He sat at the head of his table in the messhall, and was "responsible for the preservation of order and discipline" within his command.[49]

One evening, while carrying out his duties as a petty officer, an interesting incident occurred. The story is told by Midshipman Bradley Fiske, who later became Rear Admiral Fiske, Assistant Chief of Naval Operations in World War I, and is the only recorded incident of Michelson's midshipman career. That night, due to the absence of the first company petty officer at meal formation, Michelson assumed command and gave the order "right dress." While the men were easing into line, he called out, "Dress back, Mr. Fiske." Fiske, who was second in his class, and, although only a second classman, had the same rank as Michelson. He apparently resented being reprimanded by someone whom he considered his equal and challenged Michelson to a fight. The ensuing bout lasted only a few minutes, for the referees ended the fight when Fiske could no longer see out of either eye. Fiske later claimed that Michelson had received more instruction in boxing, but admitted that he had been given such a beating he spent 8 days on the sick list for "contusions."[50]

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[20] Jaffe, p. 34.

[21] Compare Jaffe, pp. 41–43; Millikan, Memoir, pp. 129–130; Wilson, pp. 26–34; Clark, "Int.," p. 25; and Harvey B. Lemon, "Albert Abraham Michelson: The man and the man of science" (a paper read before the Chicago Literary Club, Nov. 30, 1931; on file in the U.S. Naval Academy Museum), pp. 5–6. Slightly different versions of his appointment appear in each source. This version is taken largely from the Clark interview, since most of this account was quoted from Michelson himself and was published in 1926 while Michelson was still alive.

[22] James R. Soley Historical Sketch of the United States Naval Academy (Washington: Government Printing Office 1876) pp. 151–154.

[23] Ibid., pp. 155–161. Also see "remarks" section in records of "Oral Preliminary Examinations" (U.S. Naval Academy Library).

[24] "Oral Preliminary Examinations, 1869" (U.S. Naval Academy Library), p. 41.

[25] Roll Book, 1869.

[26] United States Naval Academy Register (Washington: Government Printing Office), 1869–70, p. 37. Hereafter cited as "Register."

[27] Benjamin, p. 288.

[28] Ibid., pp. 291–293.

[29] Clark, "Int.," p. 25.

[30] See "Monthly Summary, 1870" (Mathematics Department, U.S.N.A.). Hereafter cited as "Summary."

[31] Register, 1870–71, p. 16.

[32] Ibid., 1870–71, p. 34.

[33] J. B. Priestley, Charles Dickens, a pictorial biography (New York: Viking Press, 1961), p. 126.

[34] John C. Cirne, United States Naval Academy, The First Hundred Years (New York: McGraw Hill Book Co., 1945), p. 42.

[35] Benjamin, p. 267.

[36] Ibid., p. 28.

[37] Register, 1871–1872, p. 13.

[38] Stevens, "letter," p. 1.

[39] Bradley A. Fiske, From Midshipman to Rear Admiral (New York: Century Co., 1919), p. 15.

[40] Register, 1871–1872, p. 13. See appendix A.

[41] Ibid., 1871–1872, p. 36.

[42] Idem, 1871–1872, p. 12.

[43] Benjamin, p. 284.

[44] Ibid., pp. 285–286.

[45] Idem, p. 285.

[46] Register, 1872–1873, p. 9.

[47] Fiske, p. 15. Also see Benjamin, p. 265.

[48] Soley, p. 142.

[49] Ibid., p. 143.

In addition to his boxing, fencing, and musical abilities, young Michelson was a talented artist.[51] In a rare photograph, he is shown as a first classman doing a self-portrait in the new cadet quarters.[52] Not only does it display his artistic abilities as well as his handsome, dashing appearance, but illustrates his knowledge of optics and a flair for originality. Notice in the prefatory picture that the mirror was arranged so that his image was presented to the camera rather than to himself, as it normally would have been while doing a self-portrait. Also, the room had been sufficiently draped to prevent reflections from the objects behind him, presenting a light background in the mirror. It is not difficult to understand why this man stood first in drawing and optics.

However, the Superintendent, Commodore Worden, evidently did not approve of Michelson's outside interests and, being from the "old school," was very much concerned about his regression in gunnery and seamanship. He called Michelson to his office and, after a severe scolding, warned, "If you'd give less attention to those scientific things and more to your naval gunnery, there might come a time when you would know enough to be of some use to your country."[53] Fortunately, Michelson did not take Commodore Worden too seriously.

His senior year passed quickly, and on May 31, 1873, he took his place with the rest of the battalion to receive his diploma. His record had not been exceptional; he stood ninth overall, had a more than average number of demerits and had not achieved a very high cadet rank. He was not even among the "star" members of the class who were placed in front of the battalion at graduation.[54] His first wife later said, "His record at the Academy was not brilliant."[55]

After graduation he was given a 3-month leave and then assigned to the *Monongahela* and *Roanoke*. In July 1874, he was promoted to ensign and transferred to the North Atlantic squadron, where he served on the *Colorado* and the *Worcester*. In October 1874, he returned to the Naval Academy to take his promotion examinations. He apparently did well in the scientific areas, for in December 1875, he was ordered back to Annapolis as an instructor of physics and chemistry.[56]

His immediate superior was Comdr. W. T. Sampson, who later, as an admiral, gained fame at the Battle of Santiago. Sampson knew that Michelson had done well in his studies while he was a midshipman and was primarily responsible for calling him back to Annapolis.[57] He was not an easy man to work for, but often provided enough inspiration to move his subordinates to great accomplishment.[58]

The Superintendent must have liked the young ensign, for one evening he invited him to his home to meet his niece, Margaret Heminway. She was the daughter of a prominent New York stockbroker and had just returned from a fashionable finishing school in Paris.[59] Margaret believed Michelson to be the midshipman she had met at Dickens' tomb in Westminster Abbey in 1870 while he was on a practice cruise. Seeing him again, she stated that she at once recognized the "brilliant eyes" which had so profoundly impressed her 6 years before.[60] She fell in love with the handsome Michelson—he had jet black hair, deep-set eyes, a trim 5 feet 8 physique and a neat, dignified appearance.[61] They were married in New Rochelle, N.Y., on April 18, 1877.[62]

That summer Michelson served as a watch officer aboard the practice ship *Constellation* for a 3-month midshipman cruise. The only other ensign on board was T. B. Howard, a classmate who had edged him out of first place in mathematics during their first year at the Academy.[63] Howard was now assigned to the Naval Academy as a mathematics instructor. Michelson also became acquainted with Lieutenant Nazro and Master Clason, both instructors in the foreign language department and fellow watch officers on the *Constellation*. In September 1877, he returned to his duties at the Naval Academy.[64]

Life had been easy for him as an instructor, for the class recitation method was being used, which required the instructor to act more as a grader than a teacher.[65] Michelson said, "It was an easy post. Any officer in the Navy could have filled it."[66] He also stated, "We followed a textbook very closely, and I managed to keep my ignorance hidden by reading up in the textbook about 10 pages in advance of the class."[67]

However, in November of that year the method was modified, with recitations being augmented by lectures and demonstrations. At Sampson's direction, Michelson began to prepare a few lectures, one of which dealt with the measuring of the velocity of light. As he was studying the methods of Foucault, Fizeau, and Cornu, a new method "suggested itself" to the young ensign.[68] He placed his light source in the principal focus of the lens, such that parallel rays of light were produced which were reflected by a plane mirror back to the source. This would enable him to obtain an image "no matter what the distance may be."[69] By increasing the distance, deflection would increase, giving increased accuracy.

With the crude pieces of apparatus that could be found in the physical laboratory, Michelson set up his equipment, using a distance of several hundred feet.[70] He expected only to obtain rough values somewhat close to those that had already been published. He later said, "I merely meant to demonstrate the method. Very much to my surprise, I discovered that with our homemade apparatus we were measuring the velocity of light with considerably greater accuracy than anybody had measured it before."[71]

Michelson became entranced with the project, for he knew that this was only a start. With better equipment and a larger distance, he could obtain highly accurate values. He purchased a rotating mirror for $10 of his own money and began to obtain larger and larger deflections.[72] A description of his method was published in May 1878, but included no data.[73] Then newspapers started to print information on his experiments, and his fame as a physicist began to spread. One account even found its way back to Virginia City.[74]

His father-in-law, A. G. Heminway, became interested in the experiments and provided Michelson with $2,000 to purchase better equipment.[75] Now he was able to increase the light path to 500 feet and obtain a value of 186,508 miles per second. He presented his data to a meeting of the American Association for the Advancement of Science that summer, explaining that it was made "under difficulties and with apparatus adapted from material found in the laboratory of the naval school."[76]

The now much talked about ensign continued to improve his apparatus, expanding his light path to 1,985 feet and trying to eliminate inaccuracies in every possible way.[77] He even checked on possible observer bias by calling on his friends Lieutenant Nazro and Master Clason to take some of the readings.[78] He obtained the help of Professor Mayer of the Stevens Institute in clocking the exact speed of his rotating mirror.[79]

Michelson built a 45- by 14-foot frame building to house his rotating mirror, which rested on a brick pier. The stationary mirror was placed in a heavy brass frame which "was mounted on a brick pier, the whole surrounded by a wooden case, to protect it from the sun." The "line of light" was located on "a clear, nearly level stretch along the North seawall of the Naval Academy."[80] It was 11 feet above the ground and passed between the old boat shed and the physics building.[81] The line is now covered by buildings, but is approximately marked on the western end by the old Oregon gun and on the eastern end by the southwest corner of the Natatorium.[82] One of the original rotational mirrors is on display in the Michelson Museum in China Lake, Calif.[83]

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[50] Fiske, pp. 15–16.

[51] Stevens, "letter," p. 1.

[52] See picture inside title page. This is a copy of a picture recently sent to Capt. P. V. Weems, U.S. Navy, retired, by a member of the Michelson family. It has not, as yet, been published.

[53] The New York Times, May 10, 1931, p. 1, and W. H. Crew "The Researches of Professor Albert A. Michelson," U.S. Naval Institute Proceedings (January, 1930), p. 38.

[54] Benjamin, p. 295.

[55] Quoted in Millikan, Memoir, p. 130.

[56] J. R. Smithson, "Michelson at Annapolis," American Journal of Physics (Oct., 1950), p. 426, and Millikan, Memoir, p. 130.

[57] Clark, "Int.," p. 25.

[58] Fiske, p. 199.

[59] Stevens, "letter," p. 2.

[60] Compare Millikan, Memoir, p. 130, and Stevens, "letter," p. 2.

[61] See Millikan Memoir, p. 124; Stevens, "letter," p. 1; and R. A. Millikan, "Albert A. Michelson," Scientific Monthly (Jan., 1939), p. 19. Hereafter cited as "Millikan, 'article.' "

[62] Millikan, Memoir, p. 131.

[63] "Summary," 1870.

[64] Register, 1877–1878, p. 31.

[65] Midshipmen were graded almost every day based on their replies to oral questions and the work done at the blackboard. For an example see any "Weekly Summary" for that period.

[66] Times, p. 1.

[67] Clark, "Int." p. 25.

[68] A. A. Michelson, "On a Method of Measuring the Velocity of Light," American Journal of Science (1878), p. 394. Hereafter cited as "On a method."

[69] A. A. Michelson, "Experimental Determination of the Velocity of Light," a private reproduction of the original manuscript in Smithsonian Institution, p. 3. Hereafter cited as "manuscript."

[70] A. A. Michelson, "Experimental Determination of the Velocity of Light," Proceedings of the American Association for the Advancement of Science (Aug., 1878), p. 77. Hereafter cited as "article."

[71] Clark, "Int.," p. 152.

[72] Ibid., p. 25, and Michelson, "On a method," p. 76.

[73] Michelson, "On a method," p. 77.

[74] See quote in Millikan, Memoir, p. 133.

[75] Michelson, "On a method," p. 77.

[76] Ibid., p. 77.

[77] Army-Navy Register, May 3, 1879, p. 625. Also New York Daily Tribune, May 14, 1879.

[78] Michelson, manuscript, p. 104.

[79] Ibid., p. 39.

[80] Idem, p. 5.

[81] Idem, p. 5.

[82] The light path was approximated by superimposition of an old map of the Academy grounds and a recent map in 1942 by Captain Baldridge, of the museum; Mr. Bolander, librarian; Mr. Poole, from public works; and Prof. E. W. Thompson as a line between Isherwood Hall and the natatorium. See E. W. Thompson letter dated Feb. 10, 1942 (vertical file, U.S.N.A. Library), "U.S.N.A. Map No. 701," and maps of the Naval Academy in U.S. Naval Institute Proceedings (Oct. 1935), p. 1442 and (May 1932), pp. 676–677. The path was later revised by Professor Thompson to just in front

On February 5, 1879, Michelson was promoted to master and in June and July of that year made the last of his measurements at the Naval Academy.[84] Readings were taken at sunrise and sunset, the mirror being readjusted before each run. The painstaking procedure was vividly described by Michelson in a clearly written 20 pages of explanation. The original handwritten manuscript of these experiments has been recently discovered and is now in the Smithsonian Institution.[85] On glancing through the manuscript, one cannot help but feel the tireless persistence, the unrelenting perseverance of a man who had thrown himself completely into the experiment.

In the fall of 1879, Master Michelson was transferred to the Nautical Almanac Office in Washington, D.C., in order to collaborate with Simon Newcomb in a Government-sponsored determination of the velocity of light.[86] In 1880, he took a leave of absence from the Navy and went to Europe for 2 years of graduate study in France and Germany.[87] The big question at the time concerned the existence of an "ether drift." Michelson thought he could measure it by using an interference method, and having already ascertained a professorship at the newly formed Case Institute, resigned his commission on September 30, 1881.[88] His transfer to Case Institute was reluctantly announced in the Army-Navy Register, in an article probably authored by Commander Sampson. It quoted, "Mr. Michelson is well known here personally, and made some stir several years ago by inventing a new system by which the velocity of light was determined."[89]

The rest of Michelson's story has been recorded in numerous sources and will not be repeated here. However, it would be well to consider the many comments that were made about his character and personality after he left the Academy.[90]

Admiral Fiske, in 1919, said, "Michelson was a real genius. He was said to study less time than any other man in the class. His name will be remembered long after the names of many men who are eminent now have passed into oblivion." Fiske thought of him as a man of "brilliancy and originality" rather than "in the intellectual class."[91]

Moulton, a former student of Michelson's, said that he was "unhurried and unfretful," and "he never feared that science, the university, or mankind was at a critical turning point. Michelson was moved only by the esthetic enjoyment his work gave him."[92] Lovering, another student, made special note of Michelson's "unflagging perseverance."[93] Still another student told of his "magnificent exhibition of singleness of purpose."[94]

Millikan, an intimate associate of Michelson at the University of Chicago and a Nobel Prize winner, said:

"His most outstanding characteristic was his extraordinary honesty, his abhorrence alike of careless, inexact, ambiguous statements. The writer played tennis with him for 25 years and watched him call balls. In doing so he was always just and correct, but never generous either to himself or his opponent. During his earlier years Michelson acquired the reputation of being somewhat unapproachable, difficult, dictatorial, even inconsiderate. He was an intense individualist, he knew what he wanted to do, he had confidence in his ability to do it, and he refused to let anything divert him from it, no matter what other interest had to be sacrificed or who stood in the way."[95]

Michelson was divorced from his first wife in 1897 after 20 years of marriage. Exact reasons for the divorce are unknown, but there is a strong possibility that she aggravated him by reminding him of her father's earlier financial backing, and that he became so involved in his scientific work that he neglected her.[96] He was remarried in 1900 to Edna Stanton of Lake Forest, Ill., who was 18 years his junior. They had three daughters, and their marriage was "an altogether happy one."[97]

Michelson became one of the most honored scientists in the United States. In addition to being the first American to receive the Nobel Prize, he received 11 honorary degrees as well as the Rumford Medal, the Copley Medal, the Franklin Medal, and others.[98] Einstein referred to him as "the master who had awakened in him the concept of the theory of relativity."[99] The Optical Society of America held a special meeting in his honor at which his old colleague from Annapolis, Dr. C. E. Munroe, told a few stories of his midshipman days.[100]

In 1924, Professor Michelson returned to his alma mater to address the first class. Admiral Wilson, the Superintendent, introduced him and added, "Who knows, but that if Albert Michelson had stayed in the Navy, he might have become an admiral." Michelson began by saying, "Who knows, but that in my own field of endeavor, I am an admiral."[101]

The facts presented give only a faint image of this remarkable man. The real Michelson lies buried beneath withering memories and his own desire to be known only by his work. It is possible, however, to obtain a general feeling for his character and to detect in Michelson, the accomplished physicist, a manifestation of some of the trends developed during his years at Annapolis.

He entered the Academy better prepared than most, both academically and psychologically. His family background was creditable; he had undergone rigorous schooling and had gained self-confidence and maturity.

As a midshipman, he was introduced to a life of discipline and order while receiving a well-rounded, high quality education. He grew accustomed to high standards of personal integrity, though not in a religious environment, and learned to get along with others in close confinement. He developed his skills as an artist and a musician, and learned to fence, box, and play tennis. He continued to specialize, ignoring the subjects that bored him and putting more effort into those he liked. This was especially true his last year. He did not seem to care about standing high in the class or receiving honors.

As an officer, Michelson began to show those traits which made him great. He refused to let himself become diverted from his goal with a stubborness which sometimes even entered in his personal life. He was devoted to the Navy, but was plagued by strong scientific aspirations. He demonstrated an unusual degree of tenacity, a firmness of purpose, a calling to perfection that made his scant training in the subject immaterial. But most important, he proved conclusively that, whether the problem be in optics or naval gunnery, a solution can best be attained by a complete, unrestrained, and unrelenting devotion to the problem.

BIBLIOGRAPHIC ESSAY

This subject was initially brought to my attention by conversation circulating through the Brigade about the new science building and the search that was underway for Michelson's original instruments. After reading Professor Smithson's article, "Michelson at Annapolis," American Journal of Physics (October 1950), pages 425–427, it was realized that the amount of information known is alarmingly minute. Professor Smithson has consolidated and verified much of the information to date and has corrected the erroneous story of Newcomb's association with the Academy. Another article, written by Dr. William H. Crew, "The Researches of Professor Albert A. Michelson," U.S. Naval Institute Proceedings (January 1930), pages 38–41, gives a good résumé of his work after he left the Academy, but contains only a few paragraphs about his life at Annapolis. Prof. E. W. Thompson, "The Velocity of Light," U.S. Naval Institute Proceedings (January 1930), pages 42–48, explains the determinations made previous to Michelson's and contains a scientific explanation of Michelson's innovation. This article concludes with an excellent bibliography.

The main source for data on Michelson's pre-Annapolis days came from lengthy articles by Robert A. Millikan, a good friend of Michelson at the University of Chicago and a former student. "Biographical Memoir of Albert Abraham Michelson," National Academy of Sciences. Biographical Memoirs (Fourth Memoir, 1938), volume XIX, pages 121–146, was the most complete and reliable source found. Information obtained other than first hand is noted as such, and there is no attempt to give Michelson unwarranted praise. "Albert A. Michelson," Scientific Monthly (January 1939), written a few years later, presents Millikan's personal evaluation of his character and personality.

Detailed information pertaining to Michelson's appointment, as well as facts about his midshipman days was found in N. M. Clark's, "Michelson Holds the Stop-Watch on a Ray of Light," American magazine (January 1926, pp. 24–25, p. 154). This was an interview with Michelson in 1926, the only personal account by Michelson himself that was found. Although Clark makes many statements which give away his lack of background in the subject and a desire to produce a "scoop"

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of McDonough Hall. See appendix C. After discussing the accuracy of these determinations with Prof. Thompson, who is now retired and living in Annapolis, he offered to verify the work done 20 years ago in order that an accurate path be published. His results are included in appendix D. This determination takes into account information from the Michelson manuscript, but unfortunately, must remain a "most probable" path. It is unlikely that additional information which will fix the path precisely will ever be found.

[83] William B. Plum, "The Michelson Museum," American Journal of Physics (April 1954), p. 180.

[84] U.S. Navy records, copy contained in Professor Bolander letter dated Nov. 10, 1947 (vertical file, U.S.N.A. Library). Hereafter cited as "Navy records."

[85] This manuscript was found in the Nautical Almanac Office, Washington, D.C., by Capt. P. V. Weems, U.S.N. (ret.).

[86] Smithson, p. 427.

[87] Navy records and Millikan, Memoir, p. 135.

[88] Stevens, "letter," p. 4. See R. S. Shankland, "Albert A. Michelson at Case," American Journal of Physics (November 1949), p. 488, and Henry G. Gale, "Michelson," Astrophysical Journal (July 1931), p. 3. Also see Navy records.

[89] Quoted in Army-Navy Register, May 27, 1882, p. 989. (Microfilm.)

[90] Millikan, Memoir, Jaffe and others.

[91] Fiske, p. 535.

[92] Forest R. Moulton, "Albert Abraham Michelson," Smithsonian Institute Annual Report, 1931 (1932), p. 580.

[93] J. Lovering, "Michelson's recent researches on light," Smithsonian Institute Annual Report, 1889 (1890), p. 499.

[94] Harvey B. Lemon, "Albert A. Michelson," The American Physics Teacher (February 1936), p. 2.

[95] Millikan, article, p. 18.

[96] Stevens, "letter," pp. 3–4.

[97] Millikan, article, p. 20.

[98] Smithson, p. 425.

[99] Times, p. 1.

[100] H. G. Bontell, "The Michelson Meeting of the Optical Society of America," Scientific Monthly (December 1928), p. 569.

[101] Quoted in E. W. Thompson letter dated March 23, 1961. See copy in app. E.

story, the quotations appear quite accurate and were used freely in this paper.

Two biographies have recently been published, but only that written by Bernard Jaffe, "Michelson and the Speed of Light" (New York: Doubleday & Co., 1960), was considered worthy of citation. Jaffe has done a considerable amount of research, especially on Michelson while he was living in Virginia City and on the story of his appointment. His information on Michelson as a midshipman, however, is practically nil. A good deal of stress is placed on the scientific aspect of his life.

The other biography, John H. Wilson, "Albert A. Michelson, America's First Nobel Prize Physicist" (New York: Messner, Inc., 1958), is a series of fabrications and half-truths and cannot rightly be classified as a biography. Its bibliography does not even come close to substantiating the facts presented, and such a large number of falsehoods have been noted that it would be impractical to list them all here. His stress on anti-Semitism is not well founded, the names of the midshipmen who helped Michelson set up his original experiment are fictitious, and his implication that Fiske was not very bright is incorrect. These are just a few of the reasons why librarians would be justified in reclassifying this book as fiction.

Information on Michelson's midshipman career is quite rare, and there is ample room for additional research in this area. "The U.S. Naval Academy Register, 1869–77" (Washington: Government Printing Office, 1877), provided data on Michelson's grades, cruises, and faculty membership. The record of his entrance examination, "Oral Preliminary Examination, 1869," and his weekly grades in mathematics, "Monthly Summary of Math Grades," were found among old records in the mathematics department. The only formal record kept by the Superintendent's office is the "U.S. Naval Academy Roll Book, 1869" (microfilm), which contains a single line entry of his admission. A detailed account of Michelson's appointment was found in the files of the Naval Academy Museum in Harvey B. Lemon, "Albert Abraham Michelson: The man and the man of science" (a paper read before the Chicago Literary Club, November 30, 1931). The story of his fight with Fiske was found in Bradley A. Fiske, "From Midshipman to Rear Admiral" (New York: Century Co., 1919). Michelson apparently never spoke about this incident, for it was not mentioned by either Millikan or Clark, and all other accounts use Fiske as a source.

A good insight into Michelson's life at the Academy was gained from a study of the Naval Academy in that period. Sources used were:

Park Benjamin, "The United States Naval Academy" (New York: G. P. Putnam's Sons, 1900).

John C. Cirne, "United States Naval Academy, the First Hundred Years" (New York: McGraw-Hill Book Co., 1945).

James R. Soley, "Historical Sketch of the United States Naval Academy" (Washington: Government Printing Office, 1876).

Information on Michelson's years as an instructor of physics and chemistry was found with less difficulty. The data of his duty stations and of his promotions were taken from a copy of U.S. Navy records, contained in Prof. Louis Bolander's letter dated November 10, 1947 (vertical file, USNA library). Additional information was obtained from Michelson's daughter, Dorothy Michelson Stevens, letter dated January 30, 1964 (app. B). Details of his experiments were obtained from Michelson himself in the following papers:

A. A. Michelson, "On a Method of Measuring the Velocity of Light," American Journal of Science (1878), pp. 394–395.

A. A. Michelson, "Experimental Determination of the Velocity of Light" (1879 work), a private reproduction of the original manuscript in the Smithsonian Institution.

A. A. Michelson, "Experimental Determination of the Velocity of Light" (1878 work), Proceedings of the American Association for the Advancement of Science (August 1878), pp. 71–77.

Michelson's transfer to Case was described in R. S. Shankland, "Albert A. Michelson at Case," American Journal of Physics (November 1949), pp. 487–489, and noted in Army-Navy Register, May 27 1882, p. 989. The location of the light path was found in E. W. Thompson, letter dated February 10, 1942 (USNA library, vertical file), and the later revisions in E. W. Thompson, letter dated February 7, 1964 (appendix D). Maps of the Naval Academy and information about the location of buildings, seawall, etc., were found in "USNA Map No. 701" (USNA library); P. H. Magruder, "The Naval Academy in Bygone Days and Today," U.S. Naval Institution Proceedings (May 1932), pp. 673–684; and in Charles Lee Lewis, "Description of the United States Naval Academy," U.S. Naval Institute Proceedings (October 1935), p. 1442. A list of equipment used by Michelson and on display in the Michelson Museum was found in William B. Plum, "The Michelson Museum," American Journal of Physics (April 1954), pp. 177–181.

The following list of articles was used primarily as sources of comments on Michelson's personality and character:

F. E. Beach, "Albert A. Michelson," American Journal of Science (August 1931), p. 97.

H. G. Bontell, "The Michelson Meeting of the Optical Society of America," Scientific Monthly (December, 1928), pp. 567–574.

Henry G. Gale, "Michelson," Astrophysical Journal (July 1931), pp. 1–9.

Harvey B. Lemon, "Albert A. Michelson," The American Physics Teacher (February 1936), pp. 1–11.

J. Lovering, "Michelson's Recent Researches on Light," Smithsonian Institution Annual Report, 1889 (1889), pp. 449–468.

Forest R. Moulton, "Albert Abraham Michelson," Smithsonian Institution Annual Report, 1931 (1932), pp. 579–582.

APPENDIX A

Subject	Standing at end of year			
	4th class	3d class	2d class	1st class
1. Optics and acoustics				1
2. Drawing	1	4	1	
3. Heat and climatology				2
4. Dynamics			2	
5. Statics			3	
6. Naval tactics			4	
7. Steam engineering				4
8. Mathematics	2	4		
9. Chemistry		3		
10. Fencing	20	2	3	4
11. French	3	6	4	
12. Spanish		15		5
13. Grammar	6			
14. Navigation and surveying				5
15. Astronomy			8	
16. Electricity			8	
17. Infantry tactics			10	
18. Gunnery		10	9	17
19. Rhetoric		15		
20. Shipbuilding			17	
21. Geography	20			
22. Seamanship		8	26	25
23. Practical experiences in seamanship			20	25
24. International law				21
25. History and composition		34		
26. History	43			
Number of demerits	130	210	192	129
Standing in conduct	39	33	28	21
Number of midshipmen in class	87	45	29	29
Overall class standing	7	6	6	9

APPENDIX E

MARCH 23, 1961.

Mrs. WILLIAM DIXON STEVENS,
New York, N.Y.

MY DEAR MRS. STEVENS: The file on your father, A. A. Michelson, at the Naval Academy is far from complete, but I did develop the following:

Comdr. Wilbur R. Van Auken, head of the department of ordnance and gunnery wrote in February 1924 asking your father to speak to the midshipmen of the first class (1924). This letter may have been for the Superintendent's signature. The lecture was given in Sampson Hall, the physics-electrical engineering lecture hall, some time in March 1924. The Superintendent was Rear Adm. Henry B. Wilson (don't quote me but he was somewhat pompous). Also present was the head of department of electrical engineering and physics, Capt. George F. (Greasy) Neal (who was my boss). I also remember several ladies (one of whom was probably you at 17) who had evidently come from a dinner party. Admiral Wilson, in introducing your father, ended by saying: "Who knows but that, if Albert Michelson had stayed in the Navy, he might have been an admiral." Your father, after the applause when he arose, started by saying: "Who knows, but that in my own field of endeavor, I am an admiral." I was in the front row, and remember that I laughed, but was probably the only one in the whole place who did laugh. I'm sure that the Navy has developed a better sense of humor in the last 37 years. There is also a record of your father's expense account, and a letter from him thanking the Superintendent for sending a check for $200. There is another version of the above on page 48 of the Naval Institute Proceedings, January 1930, at the end of my article on the velocity of light.

It was certainly a pleasure showing you around the Naval Academy. May I wish for you a most interesting biography of your father, who truly was a remarkable man, even though he didn't get to be an admiral.

Sincerely,

EARL W. THOMSON.

EIGHTEENTH ANNIVERSARY OF THE ITALIAN REPUBLIC

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RODINO. Mr. Speaker, surely one of the greatest sources of the strength of this country is to be found in the diversity of the groups which make up the American Nation. America is a nation of immigrants, immigrants from many lands who have come to these shores seeking freedom, opportunity, and a new life. Each group has brought to this country its traditions, its culture, its own particular genius, and these in turn have become part of the American heritage. Diversity marks the various contributions to this heritage; unity has been the outgrowth of a shared experience, of shared values. The American Nation today stands as eloquent proof that there is no inherent contradiction between unity and diversity. A new arrival in this country need not wipe out memories of his country or origin when he assumes the privileges and obligations of American citizenship. For he knows on the basis of the experience of millions who have preceded him that an attachment to and interest in his country of origin are not incompatible with a fierce loyalty to the country to whose destiny his is now indissolubly joined. Indeed, a consciousness of national origins on the part of American citizens furthers the friendly relations and confirms the mutual interests existing between the United States and countries or peoples spread throughout the world.

Today, therefore, I feel no hesitation in referring with pride to my heritage as an Italian-American, and to my activities on behalf of friendly ties between the United States and Italy. I am sure that I speak for all Americans when I express my great admiration for the accomplishments of the Italian people since World War II, when I express my appreciation for their steadfast loyalty to the cause of Western nations, and when I salute them on this, the 18th anniversary of the Italian Republic, June 2, 1964. June 2, 1946, is the day on which the Italians held their first elections following World War II; it is the day on which they chose to become a republic; it is the day on which they took their first formal step following an unhappy interlude toward becoming the strong, progressive, and democratic nation we know today.

I am proud to be able to mention at least two occasions on which I have taken part in the postwar history of the Republic of Italy. Only 3 short years ago in 1961, I had the honor of being a member of the President's delegation to the celebration of the 100th anniversary of Italian unification. It is in 1861 that the history of modern Italy began. Following long years of struggle and the unrelenting efforts of Cavour, Mazzini, and Garibaldi, the Italian people found unity under the House of Savoy. Stability, economic development, and democracy were slower in coming, however. The Fascist dictatorship of Mussolini interrupted progress toward these goals and opened an era of shame and suffering for the Italian people. The overthrow of Mussolini and liberation by the Allies brought an end to this era in 1943. Italians could look to the future with hope; they could once more set their sights on goals that they had long cherished. There were clouds on the horizon, however. The Communists hoped to profit by the widespread misery and economic dislocation proceeding from the war in order to establish a Communist dictatorship in the heart of Western Europe.

The Communists did not succeed in this endeavor; they cannot succeed today. It gives me great satisfaction to be able to say that when the Communist danger was at its height, during the elections of 1948, I was able to play a small, yet I believe significant role in stemming the Communist tide. During that year I traveled about this country urging fellow Italian-Americans to write letters to their friends and relatives in Italy pointing to the menace that hung over their land and to a future that would be determined by their vote. Thousands of letters were sent; the Communists were defeated in the elections; Italians could turn their attention to rebuilding their country and to consolidating their democracy.

Today Italy is transformed, and the progress achieved by this country is widely referred to as the Italian miracle. But Italians dislike this phrase and it is easy to understand why. They, better than anyone else, are in a position to know that their achievements are not the result of miracles but rather the product of hard work, determination, and sacrifice. They also know that they cannot rest today, that much remains to be done. Just as they were not content merely to reestablish prewar levels of industrial production and the prewar standard of living today, their recent accomplishments goad them on to further progress.

Italy is a country where unemployment has been traditionally high. Today, unemployment levels are far below those prevailing in the United States. It has always been thought that Italy would have the greatest difficulty in developing a modern, competitive industrial establishment because she lacked essential basic resources. But with the maximum exploitation of hydroelectric power, the discovery of large natural gas deposits and sustained efforts to import raw materials at the cheapest rates possible, Italy has succeeded in building a modern industry which matches any in Western Europe. Italian knits and textiles are famed all over the world; Italian cars and refrigerators flood the markets of Western Europe. The Italian rate of growth has been second only to that of West Germany in postwar Europe; until only very recently, Italy was able to boast of a surplus in foreign exchange and a favorable balance of trade.

It is in northern Italy that the signs of progress are most striking. But the south—the Mezzogiorno—has not been neglected. The Italian Government is making determined efforts to spur the development of this region. Both Italian and foreign industry have been encouraged through various devices to establish new plants in the south. Roads and technical schools have been built; the system of land tenure has been reformed; agricultural methods are being improved. Many of these projects have been financed by a special fund set aside for the development of the south. For Italians are determined to make the south share the prosperity of the north and thus to bring about the true unification of Italy. At the same time, they believe that they can show the underdeveloped nations of the world that reform and economic progress can be initiated by democratic regimes and carried out by democratic methods.

For Italians, material progress without a flowering of the arts would be inconceivable. Distinction in design has been a hallmark of Italian products. Italian fashion designers now rival their long-established Parisian competitors. The creations of Italian architects have graced urban expansion. Italian films are renowned throughout the world.

In foreign affairs, the Italian Republic has also pursued a successful course. The Italians have been among the foremost proponents of European unity. Alcide de Gasperi, along with Robert Schumann and Konrad Adenauer, is regarded as one of the founding fathers of the Europe of the six. Even before Italy joined the European Coal and Steel Community in 1950, she had participated in the work of the Organization for European Economic Cooperation, and in 1949 had become a member of NATO. Today, Italy is also a member of Euratom and the European Economic Community. Her members of Parliament sit beside those from other Western nations in the Council of Europe, and in the meetings of the Western European Union and NATO parliamentarians. Despite the economic pressures of these past years, Italians have made a substantial contribution to the defense forces of NATO. Seven divisions and several brigades are assigned to NATO, and Italian air squadrons participate in the 5th Allied Tactical Air Force. In contrast to the attitude adopted by General de Gaulle, the Italians have shown themselves to be firm partisans of an integration of forces within the Atlantic Community and of political integration for the Europe of the six. In short, Italy in the postwar years, has proved to be a steadfast ally and a stanch friend of this country and of others who have joined their efforts to preserve a civilization with many roots in Italian history.

It is with pleasure and pride that on this, the 18th anniversary of the Italian Republic, I remind my fellow Americans of the contributions made by Italy and Italians to our common heritage and salute the vigor and accomplishments of Italy today.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KYL (at the request of Mr. HALLECK), for June 2, 3, and 4, on account of official business as representative of House Committee on Interior and Insular Affairs, Subcommittee on Territories and Insular Affairs, at the United Nations session of the Trusteeship Council.

Mr. KING of New York (at the request of Mr. HALLECK), for today and tomorrow, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SIKES, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. FEIGHAN, for 15 minutes, today; and to revise and extend his remarks.

Mr. FRELINGHUYSEN, for 1 hour, on Wednesday, June 3, 1964.

Mr. TAFT, for 1 hour, on Wednesday, June 3, 1964.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. LINDSAY and to include extraneous matter.

(The following Members (at the request of Mr. BEERMANN) and to include extraneous matter:)

Mr. YOUNGER.

Mr. BATES.

(The following Members (at the request of Mr. FUQUA) and to include extraneous matter:)

Mr. COOLEY.

Mr. EVINS.

Mr. ROGERS of Florida.

Mr. BOLAND.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1004. An act to authorize appointment of the Director and Deputy Director of the Coast and Geodetic Survey from civilian life, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 1875. An act for the relief of Thomas M. Talley; to the Committee on the Judiciary.

S. 2288. An act for the relief of John J. Feeney; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1727. An act for the relief of Richard G. Green, Jr.;

H.R. 5305. An act for the relief of Dr. Ernest P. Imle;

H.R. 5571. An act for the relief of Noble Frank Smith and his wife, Viola Smith;

H.R. 6876. An act for the relief of Capt. Wilfrid E. Gelinas, U.S. Air Force;

H.R. 7757. An act for the relief of Jesse I. Ellington;

H.R. 8222. An act for the relief of Edward J. Maurus;

H.R. 8348. An act for the relief of Mrs. Faye E. Russell Lopez;

H.R. 8532. An act for the relief of Ivan D. Beran;

H.R. 8828. An act for the relief of John T. Cox;

H.R. 8936. An act for the relief of Leonard M. Dalton;

H.R. 9475. An act for the relief of Miss Grace Smith, and others;

H.R. 10078. An act for the relief of Philip N. Sheperdson; and

H.R. 10774. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of cadmium from the national stockpile and the supplemental stockpile.

ADJOURNMENT

Mr. FUQUA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 2 minutes p.m.) the House adjourned until tomorrow, Wednesday, June 3, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2136. A letter from the Comptroller General of the United States; transmitting a report on a review of uneconomical practices relating to brand name procurements, Federal Supply Services, General Services Administration; to the Committee on Government Operations.

2137. A letter from the Comptroller General of the United States, transmitting a report relating to an illegal award of an advertised construction contract and excessive costs for contract modifications, Departments of the Army and Air Force; to the Committee on Government Operations.

2138. A letter from the Comptroller General of the United States, transmitting a report on a review of delinquent accounts receivable due the Panama Canal Company and the Canal Zone Government by the Republic of Panama at November 30, 1963; to the Committee on Government Operations.

2139. A letter from the Comptroller General of the United States, transmitting a report relating to unnecessary costs to the Government for unreasonable delay by Collins Radio Co., Cedar Rapids, Iowa, in releasing special tooling, Department of the Army; to the Committee on Government Operations.

2140. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act, 1964 (77 Stat. 141, 143); to the Committee on Science and Astronautics.

2141. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act, 1964 (77 Stat. 141, 143); to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRIEDEL: Committee on House Administration. House Resolution 648. Resolution authorizing the employment of additional personnel on the Capitol Police force by the Sergeant at Arms; with amendment (Rept. No. 1444). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 653. Resolution to provide funds for the Committee on the Judiciary under Public Law 86–272; with amendment (Rept. No. 1445). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 658. Resolution to provide funds for the further expenses of the studies, investigations, and inquiries authorized by House Resolution 143 of the 88th Congress; without amendment (Rept. No. 1446). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 735. Resolution to provide additional funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 153; without amendment (Rept. No. 1447). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 73. Concurrent resolution authorizing the printing of additional copies of part 2 and part 3 of the 1964 hearings of the Joint Committee on Atomic Energy on Atomic Energy Commission authorizing legislation, fiscal year 1965; without amendment (Rept. No. 1448). Ordered to be printed.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1449. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LIBONATI: Committee on the Judiciary. H.R. 4967. A bill for the relief of Mrs. Marie Rose Colandro; with amendment (Rept. No. 1450). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. H.R. 5407. A bill for the relief of Mary Horalek, Blue Rapids, Kans.; with amendment (Rept. No. 1451). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 6882. A bill for the relief of the Maloney Bros. Nursery Co., Inc.; with amendment (Rept. No. 1452). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 8286. A bill for the relief of Capt. Leslie B. Shanoff; without amendment (Rept. No. 1453). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 9372. A bill to remove a cloud on the title of certain property owned by Wilmer Allers and Jane B. Allers, both of Malin, Oreg; with amendment (Rept. No. 1454). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 11457. A bill to amend the act relating to the multiple use of the surface of the same tracts of the public lands in order to provide that certain varieties of sand and gravel shall be considered as valuable mineral deposits under the mining laws of the United States; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 11458. A bill to amend title XI of the Federal Aviation Act of 1958 so as to prohibit the sale by coin-operated machines of insurance policies covering loss of life or personal injury suffered in aircraft accidents by airline passengers; to the Committee on Interstate and Foreign Commerce.

By Mrs. DWYER:

H.R. 11459. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. JENSEN:

H.R. 11460. A bill to prohibit the sale by the Postmaster General of stamped envelopes containing lithographing, engraving, printing, or advertising; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas:

H.R. 11461. A bill to provide for the designation of certain Veterans' Administration facilities; to the Committee on Veterans' Affairs.

By Mr. HARSHA:

H.R. 11462. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 11463. A bill to amend title II of the Social Security Act to provide a 10-percent across-the-board increase in benefits thereunder; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 11464. A bill to amend the Agricultural Marketing Agreement Act of 1937 to permit marketing orders applicable to Tokay grapes to provide for paid advertising; to the Committee on Agriculture.

By Mr. RIVERS of Alaska:

H.R. 11465. A bill to authorize the Secretary of the Interior to convey certain land to the city of Anchorage, Alaska; to the Committee on Interior and Insular Affairs.

By Mr. WILLIS:

H.R. 11466. A bill to enact subtitle II, "Other Commercial Transactions," of title 28, "Commercial Instruments and Transactions," of the District of Columbia Code, and for other purposes; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.J. Res. 1040. Joint resolution authorizing and directing the National Institutes of Health to undertake a fair, impartial, and controlled test of Krebiozen; and directing the Food and Drug Administration to withhold action on any new drug application before it on Krebiozen until the completion of such test; and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000; to the Committee on Interstate and Foreign Commerce.

By Mr. RAINS:

H.J. Res. 1041. Joint resolution temporarily extending the program of insured rental housing loans for the elderly in rural areas under title V of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. LINDSAY:

H. Con. Res. 310. Concurrent resolution urging the President of the United States to call attention to the denial of the rights of self-determination for the peoples of the Baltic States and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples; to the Committee on Foreign Affairs.

By Mr. ASHBROOK:

H. Con. Res. 311. Concurrent resolution authorizing and requesting the President to take such steps as may be necessary to have placed on the agenda of the General Assembly of the United Nations at the next regular session, the issue of self-determination for all nations enslaved by Communist imperialism; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 11467. A bill for the relief of Mrs. Norma Y. Teixeira, her husband, and their minor unmarried children, and Mrs. Greta Teixeira, her husband, and their minor unmarried children; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 11468. A bill for the relief of Col. William W. Thomas and Lt. Col. Norman R. Snyder, U.S. Air Force; to the Committee on the Judiciary.

H.R. 11469. A bill for the relief of Chief M. Sgt. Robert J. Becker, U.S. Air Force; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 11470. A bill for the relief of Sesinando S. Calalang; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 11471. A bill for the relief of Rocco Messina; to the Committee on the Judiciary.

H.R. 11472. A bill for the relief of Rudolf Kalin; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 11473. A bill for the relief of Manmohan B. Samant; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 11474. A bill for the relief of Judith Harari-Raful; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 11475. A bill for the relief of Mrs. Varsha H. Patel; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 11476. A bill for the relief of Edward Martella; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

913. The SPEAKER presented a petition of Henry Stoner, Avon Park, Fla., relative to properly applying the Constitution of the United States expeditiously with an enforcement law relating to calling for a special election within 3 months after the death of an incumbent within the 50 States for the filling of a vacancy in the Congress, which was referred to the Committee on House Administration.

EXTENSIONS OF REMARKS

Food Marketing Study Essential to Consumer, Farmer, Food Industry

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 1964

Mr. COOLEY. Mr. Speaker, the consumers of America enjoy the benefits of the most efficient food distribution system in the world, but this distribution system still is too costly and there is an urgent need for study and appraisal of the dramatic changes taking place in the marketing structure of the food industry.

Our farmers have blessed America with the greatest abundance of food at the lowest cost in terms of individual income ever enjoyed by any people in any nation in all history; yet our farm people are woefully underpaid in relation to those in other occupations who contribute to the extraordinary achievements of our free enterprise economy.

Mr. Speaker, these facts are of immediate concern to the American people as a whole, and they deserve the special attention and consideration of the Congress.

This is the purpose of House Joint Resolution 977, which comes tomorrow into the House for debate and action.

House Joint Resolution 977 proposes to establish a bipartisan 15-member National Commission on Food Marketing to study the food industry from the farm to the consumer.

The other body has approved a similar resolution unanimously.

Mr. Speaker, the pressing need for this inquiry is established by a special study conducted, at my direction, by the staff of the House Committee on Agriculture. From this study the staff report concluded:

First. There is an ever-widening spread between the price the farmer receives and what the consumer pays, for food.

Second. Due to the efficiency of our farmers, and notwithstanding the increased costs of processing and marketing, food now is cheaper in relation to the wages received by Americans than in any prior period of our history or in any other country in the world.

Third. The farmer is the least benefited of all our people by the wealth of abundance he has created.

Farmers delivered 40 percent more food into markets last year than they did annually in the 1947–49 period. Americans paid at retail $67 billion for the farm-produced food they consumed in 1963—$26.2 billion or 64 percent more than their average food bill in 1947–49. Of this $26.2 billion increase in the retail costs, $23.2 billion, or 88.5 percent, went to processors and marketing agencies—the middlemen—while only $3 billion trickled back to farmers in payment for their 40 percent greater volume of marketings.

Only 37 cents of each $1 a consumer spends for food goes to the farmer. As late as 1948 the farmer received 51 cents of each food dollar.

Nevertheless, Mr. Speaker, the food industry—labor, management, and investors—can claim very substantial increases in efficiency in recent years. Certainly, great changes have taken place in the food industry generally.

And, certainly, the overall cost of food to consumers in relation to their earnings continues to decline. In 1963 food costs represented only 18.8 percent of the average family's income, after taxes, while as recently as 1950 food costs represented 22.8 percent of consumer income. In contrast, consumers in the United Kingdom spend 30 percent of their income for food; in Russia, 53 percent; France, 30.6 percent; Japan, about 45 percent; and in lesser developed nations the percentage is considerably higher.

Of course the consumer food bargains in the United States are related primarily to the exploding efficiency in agriculture and the decline in prices farmers receive. One American farmworker feeds thirty-one persons, while in Europe one worker produces enough for ten persons and in Russia, under a collectivist system, for only four to five persons.

Before a hungry world, our agriculture is America's greatest success story. But our farmers, who wrote this success story, have not done so well themselves, where their own incomes are concerned. In the 10 years 1953 to 1962 inclusive, while all other major segments of the economy boomed, the net income of agriculture was $25 billion less than in the previous 10 years, 1943 to 1952 inclusive.

Mr. Speaker, these facts and more, were presented by the staff study of the Committee on Agriculture, and are embraced in the staff report "Food Costs-Farm Prices." The interest of the public in this study has been demonstrated by the flood of requests we have had for copies of this report. We printed 7,000 copies. The supply now is almost exhausted, but we plan a new printing.

The committee's staff study did not attempt to explore all the facets, changes and new trends of the food marketing system, and the probable effects upon consumers and upon farmers. It did, however, develop information pointing directly to the need for a depth study of these facets, changes, and trends.

House Joint Resolution 977 establishes a national commission to undertake this important work. The Commission, bipartisan in nature, would be composed of five members of the House appointed by the Speaker, five members of the Senate appointed by the President of the Senate, and five members named by the President of the United States. The resolution directs the Commission to study and appraise the marketing structure of the food industry, including the following:

First. The actual changes, principally in the past two decades, in the various segments of the food industry.

Second. The changes likely to materialize if present trends continue.

Third. The kind of food industry that would assure efficiency of production, assembly, processing, and distribution, provide appropriate services to consumers, and yet maintain acceptable competitive alternatives of procurement and sale in all segments of the industry from producer to consumer.

Fourth. The changes in statutes or public policy, the organization of farming and of food assembly, processing, and distribution, and the interrelationships between segments of the food industry which would be appropriate to achieve a desired distribution of power as well as desired levels of efficiency.

Fifth. The effectiveness of the services and regulatory activities of the Federal Government in terms of present and probable developments in the industry.

As you will note from the committee report, our committee amended the resolution to speed the work of the Commission by requiring that its study be completed and its report filed by July 1, 1965, instead of July 1, 1966. The committee reduced the authorized expenditures of the Commission from $2,500,000 to $1,500,000 to conform with the new time schedule for the Commission's work.

The committee also adopted amendments requiring that at least three members of the Commission be present to conduct hearings and that subpenas could be issued only by a majority vote of the Commission.

Mr. Speaker, the National Commission on Food Marketing, which has been proposed by President Johnson to study and appraise changes in the marketing structure of the food industry, is of vital concern to every citizen of the United States. President Johnson has said:

> The growth and stability of our entire economy depends, to a large extent, upon the food industry. * * * We do not know enough about the new character of the industry. * * * The Commission would gather the necessary information and report to the Congress, the President, and the public.

The food industry of the United States accounts for annual retail sales of about $70 billion and provides employment for about 11 million wage earners. It is our most basic industry which directly touches the life of every American every day.

Changes in the food industry in the past two decades have been dramatic and far reaching. Business relationships among producers, assemblers, processors, wholesalers, jobbers, retailers, and other traditional types of marketing firms have been altered, and in many cases these traditional functionaries have lost their separate identities. Through a process of growth, specialization, merger, horizontal and vertical integration and various forms of contractual arrangements, food marketing has evolved into a system of interrelated and highly coordinated business operations.

The changes of the past two decades have brought great advances in physical efficiency and service to consumers. They also have resulted in significant concentrations of market power and have altered the relationships among various groups in the food industry. Some have gained; others have lost during this period of rapid change.

We urgently need an assessment of the benefits and the costs of the changes which have been taking place. We need an evaluation of the road we have been traveling and the direction we believe the food industry of the United States should take for the future. This will require the best talents we can muster.

Mr. Speaker, I am confident that House Joint Resolution 977 and the work of this Commission will have the overwhelming support of the Members of this House.

Joseph McCaffrey's 20 Years of Washington Reporting

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 1964

Mr. ROGERS of Florida. Mr. Speaker, next Saturday marks the 20th anniversary of Washington reporting and news analysis by Joseph McCaffrey. This distinguished newsman and commentator got his first such assignment on June 6, 1944, the day of the Normandy invasion.

Since that time Joseph McCaffrey has distinguished himself and the news media he has served by reporting government-related events and developments with clarity and accuracy. His reputation has earned him a valuable position in the Nation's Capital, and many Members of Congress as well as other government officials and interested private citizens rely upon his reporting.

Joseph McCaffrey is to be commended for his high sense of ethics and impartial presentation of the news. His efforts are appreciated by not only those whose actions he reports, but those dependent upon honest appraisal of the Nation's affairs.

President Johnson Honors Small Businessman of the Year

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 1964

Mr. EVINS. Mr. Speaker, on May 26, 1964, I was privileged to attend a meeting at the White House, at which time President Johnson presented the award to the small businessman of the year, Mr. Berkley W. Bedell, of Spirit Lake, Iowa.

In making the presentation the President paid tribute to all small businessmen of the Nation and pointed out the strong role which they play in our national economy. He also announced the beginning of a liberalized nationwide lending program by the Small Business Administration geared to the needs of very small businesses.

It is felt that my colleagues will be interested in the President's statement in this regard.

Mr. Speaker, the President's remarks at the presentation of the award to the small businessman of the year, follow:

THE WHITE HOUSE REMARKS OF THE PRESIDENT ON THE OCCASION OF THE PRESENTATION OF THE AWARD TO THE SMALL BUSINESSMAN OF THE YEAR, BERKELEY W. BEDELL, OF SPIRIT LAKE, IOWA, IN FLOWER GARDEN, THE WHITE HOUSE

Mr. Foley, Miss McKee, and ladies and gentlemen, there is a proverb which says, "Seest thou a man diligent in his business; he shall stand before kings. He shall not stand before mean men."

We don't have a king handy, but I hope that you men who have been so diligent in your business will appreciate a president instead and allow that kind of a substitute.

I appreciate your coming here to the White House this morning. I especially appreciate the service you render as members of the National Advisory Council for Small Business. The Greek philosopher who said that giving advice is the easiest thing in the world, lived a long time before businessmen had to fill out so many forms and reports. He might not say that if he were living today.

We are trying to do something about all of these reports and all of these forms and also about the excessive publications and pamphlets that businessmen get in the mail. I became interested in this when a small businessman told a member of my staff that he was being flooded by pamphlets advising him how to step up egg production in the Rio Grande Valley. He manufactures plumbing fixtures in the Midwest.

My campaign is already paying off. We have eliminated 141 publications at savings in excess of $1 million a year. We have reduced by 98 the number of questionnaires and other reports which private citizens had been expected to fill out and return to their Government.

We may have come a long way since Samuel Adams said, "This is a nation of shopkeepers," but small businesses still provide one-third of the Nation's goods and services. This administration has those small businessmen very much in mind every day. Since 1960, we have increased the number of individual business loans by 4,000—from 13,000 to 17,000. The dollar amount of those loans has increased from $636 to $942 million.

Our efforts to insure that small firms receive a fair share of the Government purchasing dollar have almost doubled the amount from $2.5 billion to more than $4.7 billion in 3 years. We have more than tripled loans to State and local development companies which are set up by public spirited citizens to bring new economic life to their community.

Today I am pleased to announce that we are beginning a liberalized nationwide lending program geared to the needs of very small businesses. This program will be known as SBA's small loan program, and will make it easier for businessmen to obtain loans of up to $15,000 for a maximum of 6 years.

I am also extremely happy to welcome here this morning the winner of the First Small Businessman of the Year Award, Mr. Berkley W. Bedell—one of those rare men whose pleasure is their business, and whose business is their pleasure.

Mr. Bedell represents millions of American businessmen who are in the words of the scripture, "not slothful in business but fervent in spirit." Your imagination and your industry are typical of the qualities that built America, and will keep it growing stronger.

I know the people back home in Spirit Lake, Iowa, and your Senators and your Congressmen, are proud of you, Mr. Bedell. I take a great deal of pleasure on behalf of the people of the Nation to present this award to you formally today.

Address by Hon. F. Bradford Morse at Dedication of New Suburban Campus at Northeastern University

EXTENSION OF REMARKS

OF

HON. WILLIAM H. BATES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 1964

Mr. BATES. Mr. Speaker, on May 23, Northeastern University dedicated a new suburban campus in Burlington, Mass. The speaker at the dedication exercises was my colleague from the Fifth Massachusetts District, F. BRADFORD MORSE. Congressman MORSE outlined the need for increased efforts by government, private industry, and the academic world to prepare for the economic transitions occasioned by current and projected decreases in Federal defense spending.

I would like to make Congressman MORSE's address available to all Members of the House. Under unanimous consent I am inserting his text in the CONGRESSIONAL RECORD following my remarks:

The years since World War II have witnessed a tremendous development of our scientific and technological capacity. Constant world tension and persistent threats to freedom all over the globe have required the United States to devote a significant proportion of our national resources to the production of arms and supporting equipment.

An increasingly large part of our national economy has become involved in the defense effort. Ten percent of our gross national product is attributable to defense and defense-related spending; 9 percent of our labor force works, directly or indirectly, for the Defense Establishment; 3 of every 5 scientists and engineers currently work on a defense-related project. Although 47 percent of our total research and development effort was carried out with private funds in 1954, that percentage had fallen to 35 percent by 1962.

This economic concentration has brought about important gains for scientists and engineers. It has raised the status of the profession and provided tremendous new opportunities for personal advancement. To some extent, however, the gains have produced some unfortunate trends which signal trouble in the years to come.

For example, the typical defense industry has been hiring four or five times the number of scientists and engineers employed by civilian industry to support the same level of production and sales.

Without wishing to sound a note of gloom on this happy occasion, I would like to discuss with you briefly some of the implications of the facts I have outlined in light of predictable changes in our military posture.

All the signs point to a leveling off—indeed to a reduction in the level of our military spending. Secretary of Defense McNamara outlined a 5-year cost reduction program to the House Armed Services Committee in January. Committee Chairman CARL VINSON has stated that we are reaching the level of saturation in our stockpile of certain forms of armament. In the April issue of Foreign Affairs, former Deputy Secretary of Defense Roswell Gilpatric predicted that our military spending, currently in excess of $50 billion annually, might be as low as $38.5 billion by 1970.

In the judgment of our top defense officials, these reductions will be achieved without impairing our national security or our ability to defend freedom and liberty by whatever means prove necessary.

We can measure the dimensions of these cuts by the number of military installations which are scheduled to be closed or curtailed, by the size of Government contracts, and by the multiplier effect contract reductions will have on our economy as a whole.

How many communities have blossomed forth with new schools, recreation centers, hospitals, and homes bcause defense dollars brought lots of jobs and good salaries to the area? What will happen to the investment in these facilities should the contracts be terminated, cut back, or cancelled?

So far, we have tended to ignore the problem. Certainly it is far easier not to worry about it. But we cannot continue to take this attitude. The facts are clear and we must face them realistically and intelligently. The problem won't go away while we hide our heads in the sand. I am convinced that we have got to begin to prepare for the inevitable consequences of reduced Government spending in this area. It is a factor which poses real problems for our economy; by the same token it provides us with the opportunity to make technological gains we could not have dreamed of even 10 or 15 years ago.

Conversion from military to civilian or commercial production is far different from what it was after World War II. General Motors went back to building cars; General Electric to building refrigerators. Shortages during the war coupled with relatively high defense salaries had created a tremendous demand for consumer goods. What many economists had menacingly described as a severe depression turned out to be a tremendous boom.

At the present time, we have no such backlog of consumer wants—the demand for appliances and automobiles is relatively constant. In addition, the firms which have thrived on defense contracts often have never produced anything else. It is not a matter of reconversion to an earlier method of production, but of conversion to new lines of production.

This process will involve coming to grips with problems of plants, products, promotion and people.

Industry will have to shift from producing a few items with a high unit cost for the military to producing a larger number of items with a lower unit cost for commercial marketing. We will have to face the problem of product differentiation. Whoever heard of color coordinated space capsules or a Hercules missile with tail fins?

New products must be developed. Thus far, the efforts of a few defense contractors to develop commercial lines of production have not been dramatically successful. Marginal profits forced many firms to abandon even these limited efforts. In part this may be due to an absence of promotional and marketing skills. When your customer is assured in advance, there is no need to compete for sales. Besides, there wouldn't be much advertising mileage in asserting that you produced the second best guided missile.

I am hopeful that all of these problems can be faced by Government, industry, and university working together. I am hopeful because we have a vast reserve of imagination and inventiveness among our skilled professional people. The same people who put John Glenn in orbit and built the Nike-Zeus missile can turn their innovative minds toward the solution of other pressing needs.

The possibilities for civilian production are limitless: Modernization of plant and equipment in a number of existing industries; expanded research efforts in health and medical technology; improved transportation systems and facilities; meaningful control of air and water pollution; the development of new sources of power; greater exploration of civilian applications of our space technology; to name just a few.

We have only begun to realize the tremendous market potential of the emerging nations of the world. Computer technology can be applied to the development of economic projects for developing nations. This approach is being used today to draw up a model for economic growth in Venezuela.

These are exciting challenges which call for the most creative response which we, as a nation, can bring to them.

This ceremony here today represents just such a creative response. Northeastern University's suburban campus here in Burlington is one of the most exciting developments we have seen in this whole field. It is a perfect example of Government-industry-university cooperation to which I referred earlier. Those who teach and study here will make tremendous contributions to our defense industries and will pave the way for the inevitable transitions to civilian production.

It is my understanding that industrial firms in the area have made it possible for their personnel to attend courses—and that the university is working with local school systems to make it possible for teachers to keep their skills updated. From what I can tell, everything has been done to make this campus a vital center for the continued prosperity and dynamism of the area.

Here is a laboratory where we can confound the skeptics who question our ability to make the transition from a military to a civilian orientation. It is a privilege for me to be here today and I want to congratulate all those who have given their time and energy to the development of this exciting new facility. I am happy to welcome Northeastern to the Fifth District and I feel sure that we will thrive and prosper together in the years ahead.

Speech by Congressman Silvio O. Conte at the First Church of Christ Congregational

EXTENSION OF REMARKS
OF

HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 1964

Mr. LINDSAY. Mr. Speaker, I commend this body's attention to what I think was a highly important speech on the relationship between civil rights and the church in American life. The speech was delivered on April 26 at the First Church of Christ Congregational in Pittsfield, Mass., by our colleague, Representative SILVIO O. CONTE, one of the most effective Members of the House of Representatives. In the speech, Representative CONTE makes the point that while government can do much to safeguard individual rights in the areas of education, employment, voting, and public accommodation, only parishioners can deal with discrimination when it occurs in the church. He calls for Christian leadership in this area where government cannot enter. At the same time, he commends this Pittsfield church's Christian action group for its efforts in this area.

Under unanimous consent agreement, I insert Congressman CONTE's excellent speech in the RECORD:

SPEECH GIVEN BY CONGRESSMAN SILVIO O. CONTE AT THE FIRST CHURCH OF CHRIST CONGREGATIONAL, SUNDAY, APRIL 26, 1964

I can think of no more effective way of getting into the subject matter of this dialog than by noting first of all the fact that I am even appearing here as a part of your regular Sunday morning worship.

I don't mean to imply, of course, that I am honoring you here with my presence. On the contrary, I deem it an honor to have been invited here to contribute my part in this series of dialogs which are designed to make this congregation more aware of the public problems which beset society.

By suggesting new developments in the outlook of Christian leaders, I hope I am not intimating that differences between the sects no longer exist. They most certainly do, and none of us can foresee the day when these differences will be eliminated. But these new demonstrations of trust and friendliness do point up an extremely important aspect of human relations. And that is, that there are many, many areas in which there is real and sincere agreement whatever our dogma, our separate religious beliefs, or our different ways of asking God's forgiveness for our sins.

One such area is the belief that all human beings were born in God's image—whether their color was red, white, yellow, or black. And while people of all Christian faiths pay homage to that common belief, we find many among us who pay only lipservice.

Now, I appreciate better than anyone, probably, the attention being focused on Congress which is presently considering a proposed law which would enforce the concept of being born in God's image, on many unthinking people. And I pray that some good to that end will come out of the pending discussions in the Senate. But I submit that Congress alone cannot do the job. Neither can your State legislature, or your city council. For the fact remains that when the wife of an Episcopal bishop from Massachusetts cannot be administered the rights of holy communion in a church of her faith in Florida, simply because she is accompanied by a colored woman, who also happens to be the wife of an Episcopal bishop in Massachusetts, then we have a problem that falls outside the pale of Government. I am referring, of course, to the humiliating treatment accorded Mrs. Peabody and Mrs. Burgess, when the doors of their church were closed to them by the presiding clergyman in St. Augustine. S-a-i-n-t Augustine, indeed.

This is not, of course, a condemnation of the Episcopal Church, for the same treatment is accorded Negroes in many Christian churches of the South. I cite it only because it was a recent occurrence, and it comes most readily to mind.

But the point I make is this, as far as a Negro's rights—or those of any minority people—are concerned in the field of education, equal opportunity to work, and a right to maintain human dignity, you have every right to expect us in Government to do our utmost. But in the equally important right to worship God, as any human being wishes, whatever your concept of Christianity, you are the ones who have to deliver. We in Congress, for instance, can decree that a bus, train, a hotel, or a restaurant, that is licensed to do business with the public, must accord the same treatment to all peoples, regardless of race, creed, color, or religious faith. But when an ordained minister closes his doors on members of his own church who seek communion with God, then it is time that all Christians search their souls for an answer.

For this is an area in which we in Government cannot enter. If we did, we would in effect, be violating our traditional concept of freedom of worship and separation of church and state. No one should appreciate that point better than you people in this very meetinghouse. And I say meetinghouse advisedly—because at one time in Massachusetts the Congregational Church and the town meetinghouse were as one. This was, in fact, the seat of government.

As a matter of fact, article 3 of the bill of rights of the original Massachusetts constitution provided that the legislature require that all towns, at their own expense, provide for the support and maintenance of public protestant teachers of "piety, religion, and morality" in all cases where such provision shall not be made voluntarily.

And to the great credit of the Congregational Church of that day, even though their parishioners dominated the electorate, that portion of the constitution was stricken in 1832, and in its place they inserted, in part, the following—"and no subordination of any one sect or denomination to another shall ever be established by law."

And I say, the same soul searching that brought about that change in the Massachusetts' constitution 130 years ago, by leaders of the church, is what is needed today in really extending civil rights to all peoples."

I disagree with those who say, it is not the place of church leaders to get themselves mixed up in the civil rights problem. I applaud the efforts of Reverend Burchell, of Alan McLean, of Father Eckel, and all others who have displayed more than passing interest. And, I am proud of my old law schoolteachers, Father Robert Drinan, and Father Keneally for placing themselves and their church into the thick of the fight.

Also along these lines, I hail the National Interreligious Convocation that will meet in Washington next week.

Having touched on the moral or Christian aspects of civil rights, let us proceed to the area where we in the political field can do something about the problems, and why.

First of all, there is the legal aspect. From all this hullaballoo in Congress, you may have the impression that we are giving the Negro something. What we are doing, actually, is fulfilling our legal obligations under the Constitution, as interpreted by our Supreme Court, and under laws passed by Congress. We are rendering unto Negroes, and all other persons subjected to humiliating and degrading discrimination, the things that are theirs by right, not by gift.

They are entitled to an education equal to that accorded all others by government. Not "separate but equal" education, but equal too.

They are entitled to the right to vote, subject to the same qualifications and standards set up for all voters. Not special tests, but the same tests administered to all.

They are entitled to decent shelter. Not just to a certain area, but wherever they can afford to best live their lives and best bring up their children.

They are entitled to equal opportunity for work. Not just to menial, housekeeping chores, but to work which will best serve themselves and their fellow man.

And above all, they are entitled to live a life with dignity, and not relegated to ghettos in places of public accommodation.

Secondly, there is a practical political aspect. We must never forget, as we dwell here in these prosperous and comparatively healthy United States, that there are more nonwhites in this world than whites. And as we continue to spout hate, as we continue to look down upon colored peoples, as we bury one complaining picketer after another—yes, and as we close the doors of God to them—there are millions and millions all over the world who bear witness. And with a Godless, communistic force in the wings, ready to exploit and exaggerate our weaknesses, a real and sincere application of civil rights becomes a must—not just a beneficence.

Third, there is an economic aspect. By depressing the living standard of Negroes, we depress the standards of everyone. Furthermore, we do this at a time when we are in dire need of scientific and technological talent in a world that is moving so fast, that it is beyond the comprehension of most of us. By subjecting minorities to a menial and oftimes degrading work, we are depriving them of the opportunity to serve in a more helpful and strategic capacity.

And finally, permit me for a moment to inject a personal or, if you will, a selfish aspect. My parents, as did millions of others, came to this country as "strangers in a strange land." They did not know the language, and they were laughed at. They did not know the customs and traditions, and they were either scorned or considered odd. But they were white, and they were strong. They were offered work commensurate to their abilities. And gradually, because they were at least offered the opportunities, they were able to overcome the slings and arrows of ignorant discrimination, and build a life for themselves and their children.

Colored people who lived here for generations before my people arrived here, still have not been accorded the opportunities that this great country made available for my family. I think it is high time they did.

These are the reasons why I voted and fought for the civil rights bill which has passed the House and is now being debated at such lengths, sometimes shamefully, in the Senate.

This is why, as a freshman Congressman, I voted to extend the scope of the Civil Rights Commission studies on voting rights, housing, education, and employment opportunity.

This is why I filed in January 1963, a civil rights bill which went beyond the scope of the legisltaion pending in Congress; and this is why I will continue to fight and in that connection I should advise you, that if the Senate goes along with amendments which leave the bill ineffectual, meaningless, or too crippled, I will not be a party to it. This will be construed by many, as was a procedural vote I cast last December, as a vote against civil rights. Such a construction would be false.

And so I say, while our civil rights path may be rugged, embarrassing, and distasteful for many of us, it is clear. No one can afford the luxury of the sidelines in the struggle for equality.

During the debate on civil rights, I spent a great deal of time on recalling the activities of our former great Senator from this State, Charles Sumner, who acted, at all times, clearly within the dictates of his conscience.

We need this kind of spirit in every phase of life, a spirit that appeals to the heart, a spirit that appeals to the mind, a spirit instilled by our Creator for the purposes at hand.

It has been 189 years since the signing of the Declaration of Independence. I cannot recall a period of time when we have been faced with a more important issue.

I say this because the bells of independence must toll this year for millions of people who have been denied the freedom which Jefferson's rhetoric so explicitly states was their God-given inheritance.

The bells that toll this year, to borrow a phrase from a John Donne devotion, are tolling for each and every one of us. No man can afford to live on this remote island during the struggle for equality that rings out on every corner of the globe.

This Christian action group is not asking for whom the bell tolls, for you know well that they are tolling for each and every individual who has the courage to hear.

The fact that you have heard is deserving of the highest praise, and with all of the support that I have, I commend you. You have my continued best wishes for success, for I feel that what you are doing will be, ultimately, the most vital form of intervention that the Republic, if it is to survive, requires.

Thank you.

The 18th Anniversary of the Italian Republic

EXTENSION OF REMARKS
OF

HON. EDWARD P. BOLAND

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 1964

Mr. BOLAND. Mr. Speaker, today is the 18th anniversary of the founding of the Italian Republic. On June 2, 1946, the Italians held their first elections following World War II and decisively rejected the past to set their sights on becoming a modern democratic republic. The tasks at hand were immense. Fascism and war had wrought untold destruction; hunger and misery afflicted large portions of the population; a large Communist Party posed an immediate threat to new democratic institutions. It is a measure of the vitality and determination of the Italian people that these conditions did not reduce them to despair and resignation. They set out not only to rebuild their shattered industry, but also to exceed prewar levels of industrial production. They sought not only to found solid democratic institutions at home, but also to participate in the movement toward a strong, democratic, and United Europe. They not only rejected the blandishments and threats of the Communists; they set out to show that social reform may be initiated and successfully carried out by a democratic regime.

Italy today stands as proof of how successful Italian efforts have been. Enterprising individuals have built the north into one of the leading industrial centers of Europe. Industries have been modernized and made fully competitive. Unemployment, in the past a severe problem in Italy, has been reduced to a low level. New sources of energy have reduced Italian dependence on imported raw materials; old sources of energy have been fully exploited. Postwar Italy has provided the world with striking examples of modern architecture and of innovation in industrial design. Italians are among the leaders in the world of fashion; Italian movies have commanded admiration and respect throughout the world.

The underdeveloped south has long been one of the most intractable problems with which Italians have had to deal. But here, too, sustained efforts and progress have marked the postwar period. A special fund set up by the Italian Government has financed agricultural reform, improved methods of agriculture, the building of roads, the provision of incentives to industries willing to build plants in the area, and the establishment of technical, vocational schools. True, much remains to be done in the south. But there is every sign that Italians will continue and even increase their efforts on behalf of this region and its inhabitants in coming years.

Americans have watched the progress of postwar Italy with sympathy and satisfaction. Indeed, they take pride in having contributed to Italian achievements. From 1946 through 1963 Americans provided more than $6 billion of economic and military assistance to Italy. Aid alone, however, is never enough. Without the industry and sacrifices of the Italians, American assistance could not have played a part in the Italian miracle.

There are other ties linking Americans and Italians. Italy has steadfastly supported the Western cause in postwar years, and through her membership in NATO and the divisions she has made available to the NATO Command, has made an important contribution to Western defense forces.

Only recently, the talented Italian Ambassador to France, Manlio Brosio, was chosen to become the next Secretary-General of NATO.

Americans of Italian descent have taken special pride in the achievements of the country of their forebears. I am sure that all Americans will join with me in extending their best wishes to their Italian friends on this memorable occasion.

A Memorial Day Letter by Senator Norris Cotton

EXTENSION OF REMARKS
OF

HON. J. ARTHUR YOUNGER

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 1964

Mr. YOUNGER. Mr. Speaker, Senator NORRIS COTTON, a Member of the other body and former Member and colleague of ours in the House, wrote what I think is one of the finest Memorial Day letters to his constituents I have had the pleasure to read and in order that it may have wider circulation, under unanimous consent I insert his letter of May 28, 1964, in the RECORD:

NORRIS COTTON REPORTS TO YOU FROM THE U.S. SENATE

This Memorial Day marks the centennial of the Civil War's bloodiest year. As the Senate pauses to observe it, I invite you to go with me from the clamor of Congress, across the historic Potomac, to that city of silence—Arlington National Cemetery. There, engraved in granite, is the history of our country.

For Arlington, too, this month is a centennial. On May 13, 1864, as Grant was launching the wilderness campaign, the first soldier was buried there—Pvt. William Christman, 67th Pennsylvania Infantry. From that day to the burial of our martyred President, John F. Kennedy, 125,000 have there been laid to rest.

Despite the grandeur of the Tomb of the Unknown Soldier or the presence of Pershing and Marshall and Wainwright, and the honored dead of all our wars, Arlington, like Memorial Day, will always speak to us of the Civil War. And so it should. More Americans died in the 4 years of that conflict than in all our other wars from colonial times through Korea. Almost in sight of the tomb of the three unknowns, rarely noticed by the passerby, is a massive monument darkened by the years. Beneath it in three huge vaults are 2,111 bodies gathered from the shallow graves at Bull Run and along the Rappahannock. These are but a fraction of the unknown dead of the Civil War.

There is much to stir the imagination of the thoughtful visitor. The common grave of 14 unknowns of the War of 1812, found in the cellars of Fort Washington, killed when the British burned the city and fort. The obelisk of Gen. Joe Wheeler, Confederate cavalry commander, later Congressman, and finally, a general in the Spanish-American War. The grave of John Clem, legendary "Johnny Shiloh," 14-year-old drummer boy who lived to be a major general. Abner Doubleday, gunner at Fort Sumter, corps commander at Gettysburg, inventor of American baseball. The mast from the battleship *Maine*, the base of which is a receiving vault where are held the remains of Jan Paderewski, Polish pianist and statesman, to be taken home when Poland is free. The pointed-topped markers over the Confederate dead, thus designed, it was said, "so no damyankee could ever sit on their graves."

Passion and hate played their part in the founding of Arlington. General Meigs, bitter at his old comrade Robert E. Lee, seized the Lee Mansion for a cemetery and quickly buried 26 bodies in Mrs. Lee's rose garden so the family would never return. As always, hate defeated its own purpose, for the stately mansion remains as the crown of our national shrine, and Robert E. Lee could have no finer memorial.

Indeed, the most eloquent inscription in the cemetery is found on the monument to the Confederate dead, written by a southern chaplain:

"Not for fame or reward, not for place or for rank, not lured by ambition or goaded by necessity, but in simple obedience to duty as they understood it, these men suffered all, sacrificed all, dared all, and died."

The storm of the years has softened the sorrow for most who sleep at Arlington. Sad to the visitor, however, are the marching escorts, the muted bands, the farewell taps of the constant funerals, many of them for young Americans who have perished in the air or on land and sea in our worldwide Military Establishment—or under fire in far-off Vietnam.

Sad, too, is the knowledge that combat pay is already being drawn by over 3,000 in Vietnam and that the total of our killed and missing has reached 239, with 877 wounded.

I cannot here debate the justification. I will say that if a long-drawn-out war must be fought in the rice fields of Asia, it should be by the combined power of the United Nations or the SEATO Alliance. Why should our country alone man the bastions of freedom in every corner of the world?

The tragedy is that on this Memorial Day, as we honor our soldier dead, we are sadly conscious that war is not only still with us but looming larger each passing day.

Yours sincerely,

NORRIS COTTON,
U.S. Senator.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 3, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Corinthians 4: 11: *That the life of Jesus might be manifest in our mortal flesh.*

Eternal God, our Father, grant that during this day we may be united with Thee and with one another in faith, in purpose, and in an obedience that is responsive to the great spiritual influences and ethical demands.

May Thy truth be in our minds and Thy love within our hearts and Thy compassion in our souls for all who are following vain hopes and false values.

We pray that Thy pardoning grace may be given to all who have been caught in the coil of passion and driven by diabolical desires.

May the inevitable goal of our human life be that of establishing Thy kingdom and inspire us to give ourselves with utter abandon to its coming and consummation, which we may help to achieve by means so simple as the personal touch, the contagion of goodness and the leaven of love working from heart to heart.

Hear us in His name who went about doing good and in whose service there is joy. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

CONFERENCE REPORT, DEFICIENCY APPROPRIATIONS BILL, 1964

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on H.R. 11201, the deficiency appropriations bill for 1964.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

A NATIONAL LOTTERY

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, I want to take this occasion to congratulate the New York Daily News for giving the American public an opportunity to express its opinion on several vital issues.

Last month, the News installed at the New York World's Fair several voting machines proposing five interesting and important questions. Included among these questions was one query: Are you in favor of a national lottery as a means of reducing the tax burden?

Through this media, Mr. Speaker, the people visiting the fair from every section of this country will have a chance to indicate their feelings on the advisability of a national lottery in the United States.

After 1 month of continuous daily operation, the opinion poll shows that 37,760 persons favor a national lottery while only 17,186 persons are opposed.

The vote so far, which is better than 2 to 1, is a clear indication of public sentiment in favor of a Federal lottery to ease the heavy tax burden on the American taxpayers.

Is not this sufficient reason for us to conduct a national referendum on this issue? Why should not the American people who pay the high taxes be permitted to speak on this question? How else can we have a current expression of public opinion? Are we afraid that the voters will overwhelmingly support this proposal?

A national referendum on the question of a national lottery will make democracy really come to life—it will give the Congress a real, active, and current expression of a free people. What are we waiting for?

PRAYER AND BIBLE READING IN PUBLIC SCHOOLS

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, I am taking this occasion to insert in the RECORD a copy of a resolution in support of House Joint Resolution 693, to permit prayer and Bible reading in the public schools, adopted by the State Council of the Knights of Columbus of the State of Connecticut. A copy of this resolution has been filed with the Committee on the Judiciary today. It might be noted that this resolution was adopted on May 18, 1964.

This is another answer in recent days to the statement that the "tide is turning." This resolution is evidence that the tide is running strongly in favor of a constitutional amendment, and the people are not being fooled by the turns and twists of the opposition:

Whereas article I of the amendments to the Constitution of the United States provides that Congress shall make no law respecting the establishment of religion nor prohibiting the free exercise thereof; and

Whereas some local boards of education in Connecticut have been interpreting the Supreme Court ruling on school prayer as a ban on any spiritual exercise in public schools; and

Whereas we believe that this interpretation constitutes the prohibition of expression of trust in the Almighty and is an infringement on the rights of the majority of our schoolchildren; and

Whereas because our Nation was founded on religious faith and is dedicated to preserving our religious heritage, the Knights of Columbus do hereby

Resolve, That the Connecticut State Council petition Connecticut's congressional representatives to fully support House Joint Resolution 693 which would amend the Constitution by removing any doubt of our citizens' right to allow prayers and Bible reading in schools on a nonsectarian voluntary basis, and which also would assure keeping God in our pledge of allegiance and on our coins; and be it further

Resolved, That this resolution as it would apply on a national basis, be presented to the supreme council for approval.

FEDERAL-AID HIGHWAY ACT OF 1964

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 740, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10503) to authorize appropriations for the fiscal years 1966 and 1967 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. BECKER. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER.** The gentleman from New York makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 140]

Andrews, Ala.
Ashley
Ashmore
Avery
Barrett
Barry
Bass
Battin
Blatnik
Bolling
Bonner
Bray
Bromwell
Brown, Calif.
Broyhill, Va.
Bruce
Buckley
Burke
Burkhalter
Burton, Calif.
Burton, Utah
Byrnes, Wis.
Cahill
Cameron
Casey
Celler
Clawson, Del
Colmer
Cooley
Corman
Daddario
Daniels
Dawson
Derounian
Diggs
Dorn
Dulski
Dwyer
Elliott
Everett
Evins
Farbstein
Fisher
Flynt
Fogarty
Foreman
Forrester
Fraser
Fulton, Pa.
Gallagher
Garmatz
Gary
Giaimo
Goodling
Grabowski
Grant
Gray
Griffiths
Gubser
Hagen, Calif.
Hanna
Hardy
Healey
Hébert
Herlong
Huddleston
Hull
Hutchinson
Ichord
Jarman
Johnson, Wis.
Jones, Ala.
Kee
Kilburn
King, N.Y.
Kyl
Landrum
Lankford
Lesinski
Libonati
Lindsay
Long, La.
Long, Md.
McMillan
Martin, Mass.
Matsunaga
Meader
Michel
Miller, Calif.
Miller, N.Y.
Minish
Monagan
Montoya
Morrison
Multer
Perkins
Pilcher
Pirnie
Pool
Powell
Price
Rains
Reifel
Riehlman
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rodino
Roosevelt
Roybal
St Germain
St. Onge
Schadeberg
Schwengel
Scott
Selden
Sheppard
Short
Sibal
Stinson
Toll
Tupper
Utt
Van Pelt
Vinson
Weaver
Westland
Wharton
Wickersham
Williams
Wilson, Bob
Wilson, Charles H.
Wilson, Ind.
Winstead
Wright

The **SPEAKER.** On this rollcall 299 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FEDERAL-AID HIGHWAY ACT OF 1964

Mr. DELANEY. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Ohio [Mr. Brown], and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 740 provides for consideration of H.R. 10503, a bill to authorize appropriations for the fiscal years 1966 and 1967 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes. The resolution provides an open rule with 2 hours of general debate.

Section 2 of H.R. 10503 provides for the usual biennial authorizations for fiscal years 1966 and 1967 for the A-B-C Federal-aid highway program, as well as authorizations for these fiscal years for the several classes of Federal domain roads. It is considered essential that funds be authorized for these fiscal years for the Federal-aid primary and secondary highway systems and their extensions within urban areas in order that the States may have sufficient time for planning their individual road construction programs, including any financing procedures necessary to provide the required State matching funds under the Federal-aid highway program. Authorization of these funds is necessary in the very near future in order that timely apportionment may be made of funds authorized for fiscal year 1966.

The Federal-Aid Highway Act of 1962 authorized the amount of $950 million for the A-B-C program for the fiscal year 1964 and the amount of $975 million for the fiscal year 1965. After careful consideration of highway legislation it appears that there should be a progressive increase of $25 million each year in funds authorized for the A-B-C program until an annual authorization of $1 billion is reached.

Mr. Speaker, I urge that House Resolution 740 be adopted.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from New York [Mr. Delaney], a member of the Committee on Rules, has very ably explained this rule. I shall not discuss the rule but instead will call the attention of the House to the fact that this bill is the usual authorization bill, that is enacted each 2 years, to provide for appropriations from the highway trust fund for the construction of Federal-aid highways throughout the Nation. It is a very important piece of legislation. It is a noncontroversial piece of legislation.

The program that was enacted a number of years ago for the construction of an interstate highway system and the establishment of this trust fund has been moving along well. I would suggest to the Members of the House that they will find the report of the Subcommittee on Public Works contains some very interesting information, and it may be of benefit for all Members to have it in discussing this great highway program and the progress that has been made as they meet with their own constituents to go over highway problems with them. I have found this report to be an extremely able and extremely valuable document. I recommend to every Member of the House that it be retained for future reference and future use. I want to congratulate, if I may, the gentleman from Maryland [Mr. Fallon] and his subcommittee for the work they have done on this report.

Mr. Speaker, I have no further requests for time.

Mr. DELANEY. Mr. Speaker, I yield 5 minutes to the distinguished majority leader, the gentleman from Oklahoma [Mr. Albert].

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, hard and vigorous campaigning, when fair and factual, is in line with the highest traditions of American politics and is essential to the implementation of the democratic process. But when campaign tactics are based on insinuations, innuendoes, untruths, and half truths, they corrupt the standards of true representative government.

One of the most vicious attacks that has come to my attention in recent years is a so-called news release which I hold in my hand and which was purportedly sent out by the Republican congressional campaign committee into the district of my distinguished, fine, patriotic colleague, the gentleman from Pennsylvania [Mr. Rhodes].

This is a mimeographed sheet in which the name of "George M. Rhodes" was inserted into one paragraph and the name "Rhodes" was inserted into another paragraph.

I quote from some of the pertinent paragraphs of this news release:

> The Republican congressional committee charged Representative George M. Rhodes voted to "subsidize" communism when he cast the deciding vote against legislation which would have halted U.S. wheat sales to the Soviet Union.
>
> Calling the Democratic Congressman a rubberstamp for the White House, the GOP congressional group said he "reflected the inconsistencies and indecision of the Johnson administration in the field of foreign policy."
>
> "By his vote, Congressman Rhodes provided the margin the administration needed to continue selling U.S. taxpayer-subsidized wheat to the Soviet Union. He voted, in effect, to help subsidize communism."

Mr. Speaker, this is a vicious and an uncalled for attack upon a distinguished Member of this House. It is dishonest and it is capricious. It is a smear not only on every Democrat who voted against the motion to recommit the agricultural appropriation bill, but it is a smear on every Republican who cast a similar vote.

It is also a smear on all of the 311 Republicans and Democrats who voted for the passage of the agricultural appropriation bill after the motion to recommit had been defeated.

Does this committee intend to send this document into the districts of Republicans who voted against the motion to recommit? Does it intend to send this document into the district of every Democrat and every Republican who voted for the agricultural appropriation bill?

This release in calling a democratic Congressman, in this instance my friend, the gentleman from Pennsylvania [Mr. Rhodes], a rubberstamp for the White House is as grossly unfair as it is patently false.

The gentleman from Pennsylvania is a Democrat who is proud, as I am, of his party affiliation; who is proud to support President Johnson as I am. But an examination of the Congressional Record will show that the gentleman from Pennsylvania has never been a rubberstamp for any administration. For instance, when the wheat-cotton bill was up just a few weeks ago that bill was strongly opposed by the Republican leadership. It was strongly supported by the Democratic leadership. It was strongly supported by the White House. The gentleman from Pennsylvania [Mr. RHODES] voted against it. Does that indicate that he, who has been singled out here for this treatment, has been a rubberstamp for any administration, including the present administration?

This attack on the foreign policy of President Johnson, which is a policy which was followed by President Eisenhower in South Vietnam for years, is not only irresponsible but reckless. The thing that is wrong with those who wrote this release is—and mark my words, this is what is wrong with them—the thing that is wrong with them is the undeniable political strength of Lyndon B. Johnson in every section of the United States.

I am really surprised, Mr. Speaker, that a responsible organization, one of the congressional campaign committees of this House would allow under its byline a document of this kind so malicious, so vicious, so untrue, and so un-American to be sent into any congressional district in the United States.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. STRATTON. I would like to commend the distinguished majority leader for his remarks and I join him in his statement, particularly with reference to the gentleman from Pennsylvania [Mr. RHODES]. I was interested in the gentleman's remarks since the release that he has read also reads word for word, with the sole exception of the name of the Member involved, with one that appeared in my congressional district, apparently released by the same source to which the gentleman refers. Obviously, this is not only a spurious kind of campaigning but a very ineffective kind, at least in my district. I laughed the thing off when I first saw it because the people of my district know perfectly well that I have vigorously opposed communism in all of its aspects since I have been a Member of the Congress, and that has been my position throughout my tenure in Congress.

I might comment to the gentleman from Oklahoma, Mr. Speaker, that what he says about the position of Republican Members of the Congress is particularly appropriate since both Republican U.S. Senators from the State of New York voted to support President Johnson and President Kennedy with regard to the sale of wheat to the Soviet Union when this issue came to a record vote in the Senate of the United States, not once but on two separate occasions. If the Republican National Committee is suggesting that both of the Republican Senators from the State of New York, one of whom is running for reelection this year, are supporting and aiding and abetting communism when they supported the sale of wheat to the Soviet Union, as the committee's release has tried to suggest that I have done in supporting the President of the United States on this issue, then I think we ought to find out now when they are prepared to make that charge during the coming campaign. Mr. Speaker, this kind of attack is going to backfire, I am sure, just as a number of other smears that took place in yesterday's campaigns also backfired when the people had a chance to be heard at the polls.

Mr. ALBERT. Mr. Speaker, I thank my friend. I say to my friend, I am sure that no responsible Member of this House has the slightest doubt about the patriotism of either the gentleman from New York or of the gentleman from Pennsylvania. They are both not only enemies of communism but loyal, patriotic Americans.

Mr. RHODES of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Pennsylvania.

Mr. RHODES of Pennsylvania. Mr. Speaker, I thank the distinguished majority leader.

I yield to no one in this House, Mr. Speaker, in my opposition to Communist and totalitarian tyranny. I resent the charge made in a release by the Republican Congressional Campaign Committee that I voted to subsidize communism when I voted with the majority on the Russian wheat issue.

I was not the only Democratic Member who was a target for this Republican smear. The release was mimeographed with blank lines to permit the name of a Democratic Member to be filled in before mailing. The release was sent into marginal congressional districts although many publications did not use the material.

I have experienced such attacks before but what concerns me is that this recent one comes from the Republican Congressional Campaign Committee, made up of Members of this body. It is an attack, not only on me, but on every one of the 187 House Members who voted as I did on giving President Johnson the authority he requires to act on the wheat issue and on questions of this kind. President Eisenhower requested and received this same type of discretionary authority during his term of office.

If there is any logic to the Republican charge, then the U.S. Chamber of Commerce must also be a bunch of Communists for they, too, took the same position on the wheat issue.

The Republican release reflects John Birch Society tactics, designed to deceive, frighten, and confuse the American people. It is unfortunate if Members of this House are associated with efforts to label and smear as Communists all with whom they disagree.

The release is in conflict with the minimum standards of fairness and decency set up under the code of the fair campaign practices committee.

It is interesting to note, Mr. Speaker, that among the 187 House Members who voted as I did on the wheat issue were Republican House Members from California, Maryland, New Jersey, New York, and North Dakota.

The list also includes such distinguished anti-Communists as Mr. WHITTEN, of Mississippi, chairman of the Agriculture Appropriation Subcommittee, and the distinguished chairman of the House Un-American Activities Committee, Mr. WILLIS, of Louisiana.

It seems to me, Mr. Speaker, that we should know who is responsible for the release of such material. Is it the work of the additional committee staff members given to the minority?

Perhaps the House Administration Committee should look into this matter to see if minority staffing is being used to provide such distorted and deceptive material for the Republican congressional campaign committee.

Mr. ALBERT. Mr. Speaker, I yield back the remainder of my time.

Mr. DELANEY. Mr. Speaker, I have no further requests for time.

I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Mr. DELANEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 742, Rept. No. 1455), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AUTHORIZING THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA TO LOCATE A PORTION OF A VEHICULAR TUNNEL UNDER PARTS OF THE U.S. CAPITOL GROUNDS AND THE U.S. BOTANIC GARDEN GROUNDS

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 739 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10392) authorizing the Commissioners of the District of Columbia to locate a portion of a vehicular tunnel under parts of the United States Capitol Grounds and the United States Botanic Garden Grounds, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the

Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from New York is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH]. I now yield myself such time as I may consume.

Mr. Speaker, House Resolution 739 provides for consideration of H.R. 10392, a bill authorizing the Commissioners of the District of Columbia to locate a portion of a vehicular tunnel under parts of the U.S. Capitol Grounds and the U.S. Botanic Garden grounds, and for other purposes. The resolution provides an open rule with 2 hours of general debate.

Section 1 of H.R. 10392 authorizes and directs the Commissioners of the District of Columbia, in constructing, maintaining, and operating a vehicular tunnel, extending from the vicinity of Second and C Streets SW., to the vicinity of Third Street and Constitution Avenue NW., in the District of Columbia, as a part of the innerloop freeway system in the District, to locate a portion of the tunnel under square W-576, property of the U.S. Botanic Garden, and a portion of the tunnel under reservation 12, property of the U.S. Capitol Grounds.

Section 2 authorizes the Commissioners to do preliminary work and store construction materials subject to the approval of the Architect of the Capitol.

Section 3 provides that title to square W-576 and reservation 12 shall remain vested in the United States.

Section 4 provides that all areas of Botanic Garden and Capitol Grounds property disturbed by construction of the tunnel shall be restored to their original condition to the satisfaction of the Architect of the Capitol.

Section 5 provides that the United States shall not incur any expense of liability, or be liable under any claim which may arise from the construction, operation, or maintenance of the portions of the tunnel located under Botanic Garden or Capitol Grounds property.

Section 6 authorizes the Architect of the Capitol to convey certain Botanic Garden property to the Commissioners for purposes of constructing the freeway.

Section 7 provides that the Commissioners may construct part of the freeway tunnel under property under the jurisdiction of the National Gallery of Art.

Mr. Speaker, I urge the adoption of House Resolution 739.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may desire.

In the interests of saving time, Mr. Speaker, I will state that I completely agree with the explanation of the rule and the bill as set forth by the gentleman from New York [Mr. DELANEY] and I associate myself with those remarks. I would simply add that the cost of this tunnel is estimated at between $18 and $20 million on a 90-to-10 basis; that is, 90 percent to be paid by the Federal Government and 10 percent by the District of Columbia. I suppose we will end up paying all of it, but at any rate that is the estimated cost. For those of you who live in the Northwest and take this new freeway down to Second and C Streets, as you come under the overpass there, it is my understanding if I read the map correctly, that this tunnel will start at that corner, at about Second and C Streets, and run to Constitution Avenue. It is a real good idea, just as the tunnel is on 12th Street. When we get this done, it will save you a little time in traffic getting home.

This bill came out of the committee unanimously, and I know of no objection to it.

Mr. Speaker, I urge the adoption of the bill, and I have no further requests for time.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FEDERAL-AID HIGHWAY ACT OF 1964

Mr. FALLON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10503) to authorize appropriations for the fiscal years 1966 and 1967 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10503, with Mr. ULLMAN in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. FALLON. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the Federal-Aid Highway Act of 1964 (H.R. 10503) provides for the usual biennial authorizations for fiscal years 1966 and 1967 for what is usually referred to as the A-B-C highway program. The bill does not call for any basic change in the present program and merely provides for the continuation of the regular program for the improvement of the primary and secondary highways on the Federal-aid systems, and the urban extensions thereto. It does not include authorizations for the National System of Interstate and Defense Highways, since that program was fully authorized in the Federal-Aid Highway Act of 1956, as amended in 1961.

In addition to the authorizations for the A-B-C program, the bill contains, as is customary, biennial authorizations for the several categories of roads in the Federal domain.

The Federal share of the A-B-C program is provided entirely from the Highway Trust Fund. Therefore, no appropriation from the general fund of the Treasury will be required to support this program and the expenditures generated by the program will have no effect on the Federal budget. These funds are made available to the States on a 50-50 matching basis.

As provided by existing law, the appropriations for the so-called Federal domain roads authorized by this bill will be made from the general funds of the Treasury. These authorizations total $175 million per year, for fiscal year 1966 and 1967 or $15 million less than was authorized for the same Federal domain road program for fiscal year 1965.

The essentiality of the A-B-C highway program has been well demonstrated over a period of many years. These Federal-aid highways extend into every county and serve every sizable community in the United States. They have played, and are playing a vital role in the economic development of our country.

The safety aspects of the A-B-C highway program have been given renewed emphasis during the past few months. Traffic accidents killed 43,400 Americans in 1963, and there are indications that the toll will be even higher this year. "Death traps" on our highways contribute to many accidents. Our highway engineers know how to remove these sources of human anguish and economic waste, and it is essential that funds be made available which will eradicate the worst of these highway hazards.

It is important, too, that we continue to take advantage of the effectiveness of adequate highway transportation in stimulating industrial and commercial development.

H.R. 10503 would authorize the apportionment of $1 billion to the States for the A-B-C highway program for each of the 2 fiscal years, 1966 and 1967. The apportionment for fiscal year 1965 was $975 million.

The proposed $1 billion annual apportionment is in keeping with the policy adopted by the House Public Works Committee when the accelerated national highway program was begun in 1956. As was then stated, we felt that the authorizations for the A-B-C program should be increased in increments of $25 million per year until the $1 billion level is reached.

This authorization level is needed to keep the A-B-C program in balance with the interstate program, recognizing that the interstate highways can fully perform their intended mission only when they are supported by an adequate system of feeder, connector, and distributor roads.

The total mileage of the highways covered by the A-B-C program is about 845,000 miles, and these highways carry almost one-half of the total of all highway traffic in the Nation.

I turn now to the authorizations for the roads in the Federal domain.

Forest highways are general purpose public highways in and adjacent to the national forests, providing access to the forests by lumbermen and large numbers of recreational visitors. The proposed authorization of $33 million for each of 2 fiscal years is identical to that provided in the Federal-Aid Highway Act of 1962.

Forest development roads and trails are roads and trails within the national forests, necessary to provide for the protection, development, and management of the forests. The proposed authorization of $85 million for each of 2 fiscal years is identical to that provided in the Federal-Aid Highway Act of 1962.

Public lands development roads and trails provide access to areas within the public domain areas administered by the Bureau of Land Management of the Department of the Interior. The proposed authorization of $2 million for each of 2 fiscal years compares with $4 million authorized for fiscal year 1965.

National parks roads and trails provide access to areas within the national parks. The proposed authorization of $23 million for each of 2 fiscal years compares with $25 million authorized for fiscal year 1965.

"Parkways" are certain designated scenic highways administered by the National Park Service. The proposed authorization of $11 million for each of 2 fiscal years compares with $16 million authorized for fiscal year 1965.

"Indian reservation roads and bridges" serve areas within the Indian reservations. The proposed authorization of $18 million for each of 2 fiscal years continues the program at the same level authorized for fiscal year 1965.

"Public lands highways" serve various categories of public lands and, because of the predominate Federal interest, are constructed and maintained by the Secretary of Commerce in cooperation with the State highway departments and the Secretary of the Cabinet Department having jurisdiction over the particular lands. The proposed authorization of $3 million for each of 2 fiscal years compares with $9 million authorized for 1965.

Mr. Chairman, the bill under consideration was strongly supported by the State highway officials and industry representatives in appearance before the Subcommittee on Roads. There was no objection whatsoever voiced. The bill was reported unanimously.

Mr. Chairman, I include as a part of my remarks the following tables of apportionments:

Approximate apportionments of Federal-aid highway funds

FISCAL YEAR 1966

[In thousands of dollars]

State	A-B-C, pursuant to H.R. 10503				Interstate	Total
	Primary	Secondary	Urban	Subtotal		
Total	450,000	300,000	250,000	1,000,000	2,800,000	3,800,000
Alabama	8,536	6,522	3,361	18,419	57,615	76,034
Alaska	24,019	16,119	164	40,302	----------	40,302
Arizona	6,509	4,220	1,869	12,598	39,108	51,706
Arkansas	6,404	5,098	1,362	12,864	29,152	42,016
California	22,693	10,486	27,062	60,241	266,312	326,553
Colorado	7,405	4,802	2,545	14,752	36,930	51,682
Connecticut	3,338	1,833	3,937	9,108	39,329	48,437
Delaware	2,216	1,478	574	4,268	10,370	14,638
Florida	8,217	5,089	7,030	20,336	57,780	78,116
Georgia	11,439	8,598	4,051	24,088	51,326	75,414
Hawaii	2,216	1,478	928	4,622	21,871	26,493
Idaho	4,948	3,551	528	9,027	13,073	22,100
Illinois	16,805	9,213	16,053	42,071	145,291	187,362
Indiana	10,043	7,267	5,610	22,920	68,978	91,898
Iowa	10,058	7,493	2,672	20,223	35,247	55,470
Kansas	9,937	6,942	2,453	19,332	21,595	40,927
Kentucky	7,250	6,155	2,496	15,901	56,815	72,716
Louisiana	6,671	4,799	3,913	15,383	80,451	95,834
Maine	3,307	2,511	848	6,666	13,156	19,822
Maryland	4,459	2,798	4,521	11,778	51,023	62,801
Massachusetts	5,682	2,520	8,627	16,829	59,683	76,512
Michigan	13,836	8,689	11,337	33,862	108,527	142,389
Minnesota	11,217	7,908	4,098	23,223	72,039	95,262
Mississippi	7,056	5,911	1,468	14,435	33,841	48,276
Missouri	11,865	8,122	5,555	25,542	71,239	96,781
Montana	8,144	5,651	572	14,367	26,063	40,430
Nebraska	8,031	5,724	1,442	15,197	16,272	31,469
Nevada	5,113	3,400	377	8,890	14,038	22,928
New Hampshire	2,216	1,478	661	4,355	12,494	16,849
New Jersey	6,341	2,201	10,742	19,284	72,618	91,902
New Mexico	6,824	4,605	1,209	12,638	27,801	40,439
New York	20,217	8,806	28,794	57,817	131,970	189,787
North Carolina	10,412	9,320	3,279	23,011	22,781	45,792
North Dakota	5,633	4,130	439	10,202	12,301	22,503
Ohio	15,653	9,768	14,128	39,549	190,081	229,630
Oklahoma	8,893	6,191	2,758	17,842	33,510	51,352
Oregon	6,797	4,753	2,089	13,639	48,375	62,014
Pennsylvania	16,278	10,434	15,911	42,623	124,579	167,202
Rhode Island	2,216	1,478	1,503	5,197	10,260	15,457
South Carolina	5,691	4,970	1,790	12,451	24.050	36,501
South Dakota	6,165	4,465	455	11,085	18,286	29,371
Tennessee	8,847	6,966	3,561	19,374	70,191	89,565
Texas	26,909	16,998	13,894	57,801	126,013	183,814
Utah	4,846	3,143	1,304	9,293	40,322	49,615
Vermont	2.216	1,478	268	3,962	19,223	23,185
Virginia	8,829	6,846	4,334	20,009	84,643	104,652
Washington	7,072	4,780	3,740	15,592	58,056	73,648
West Virginia	4,446	3,979	1,316	9,741	41,922	51,663
Wisconsin	9,863	6,962	4,837	21,662	24,629	46,291
Wyoming	5,040	3,429	295	8,764	26,725	35,489
District of Columbia	2,216	1,478	1,569	5,263	40,046	45,309
Puerto Rico	2,216	2,465	1,921	6,602	----------	6,602

FISCAL YEAR 1967

[In thousands of dollars]

State	A-B-C, pursuant to H.R. 10503				Interstate [1]	Total
	Primary	Secondary	Urban	Subtotal		
Total	450,000	300,000	250,000	1,000,000	2,900,000	3,900,000
Alabama	8,536	6,522	3,361	18,419	59,673	78,092
Alaska	24,019	16,119	164	40,302	----------	40,302
Arizona	6,509	4,220	1,869	12,598	40,505	53,103
Arkansas	6,404	5,098	1,362	12,864	30,193	43,057
California	22,693	10,486	27,062	60,241	275,823	336,064
Colorado	7,405	4,802	2,545	14,752	38,249	53,001
Connecticut	3,338	1,833	3,937	9,108	40,734	49,842
Delaware	2,216	1,478	574	4,268	10,740	15,008
Florida	8,217	5,089	7,030	20,336	59,844	80,180
Georgia	11,439	8,598	4,051	24,088	53,159	77,247
Hawaii	2,216	1,478	928	4,622	22,652	27,274
Idaho	4,948	3,551	528	9,027	13,540	22,567
Illinois	16,805	9,213	16,053	42,071	150,480	192,551
Indiana	10,043	7,267	5,610	22,920	71,441	94,361
Iowa	10,058	7,493	2,672	20,223	36,506	56,729
Kansas	9,937	6,942	2,453	19,332	22,366	41,698
Kentucky	7,250	6,155	2,496	15,901	58,844	74,745
Louisiana	6,671	4,799	3,913	15,383	83,324	98,707
Maine	3,307	2,511	848	6,666	13,626	20,292
Maryland	4,459	2,798	4,521	11,778	52,845	64,623
Massachusetts	5,682	2,520	8,627	16,829	61,815	78,644
Michigan	13,836	8,689	11,337	33,862	112,403	146,265
Minnesota	11,217	7,908	4,098	23,223	74,612	97,835
Mississippi	7,056	5,911	1,468	14,435	35,050	49,485
Missouri	11,865	8,122	5,555	25,542	73,782	99,324
Montana	8,144	5,651	572	14,367	26,994	41,361
Nebraska	8,031	5,724	1,442	15,197	16,853	32,050
Nevada	5,113	3,400	377	8,890	14,539	23,439
New Hampshire	2,216	1,478	661	4,355	12,940	17,295
New Jersey	6,341	2,201	10,742	19,284	75,211	94,495
New Mexico	6,824	4,605	1,209	12,638	28,794	41,432
New York	20,217	8,806	28,794	57,817	136,683	194,500
North Carolina	10,412	9,320	3,279	23,011	23,594	46,605
North Dakota	5,633	4,130	439	10,202	12,740	22,942
Ohio	15,653	9,768	14,128	39,549	196,870	236,419
Oklahoma	8,893	6,191	2,758	17,842	34,707	52,549
Oregon	6,797	4,753	2,089	13,639	50,103	63,742
Pennsylvania	16,278	10,434	15,911	42,623	129,028	171,651
Rhode Island	2,216	1,478	1,503	5,197	10,626	15,823
South Carolina	5,691	4,970	1,790	12,451	24,909	37,360
South Dakota	6,165	4,465	455	11,085	18,939	30,024
Tennessee	8,847	6,966	3,561	19,374	72,698	92,072
Texas	26,909	16,998	13,894	57,801	130,513	188,314
Utah	4,846	3,143	1,304	9,293	41,762	51,055
Vermont	2,216	1,478	268	3,962	19,909	23,871
Virginia	8,829	6,846	4,334	20,009	87,666	107,675
Washington	7,072	4,780	3,740	15,592	60,129	75,721
West Virginia	4,446	3,979	1,316	9,741	43,419	53,160
Wisconsin	9,863	6,962	4,837	21,662	25,509	47,171
Wyoming	5,040	3,429	295	8,764	27,679	36,443
District of Columbia	2,216	1,478	1,569	5,263	41,476	46,739
Puerto Rico	2,216	2,465	1,921	6,602	----------	6,602

[1] Based upon the 1961 cost estimate. These will be revised by the 1965 cost estimate now being prepared for submission to the Congress in January 1965.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am delighted to join with the distinguished gentleman from Maryland, the chairman of the Subcommittee on Roads of the Committee on Public Works, in support of this legislation. I was privileged to cointroduce with the gentleman from Maryland [Mr. FALLON] the bill which was the basis for consideration of this legislation, H.R. 9905, having introduced H.R. 9906.

Mr. Chairman, I congratulate the gentleman from Maryland and the subcommittee.

This is the usual biennial authorization for the A-B-C highway program which comes out of the highway trust fund, and other classifications of highways for which the authorizations come out of the general funds of the Treasury.

Mr. Chairman, there are just two or three points which I want to make in an effort to supplement the remarks of the distinguished gentleman from Maryland, who is a true authority on this subject.

No. 1, there are no authorizations for any new classification of highways or roads contained in this legislation.

There are no new programs authorized. This is the usual biennial authorization for the Federal-aid highway primary and secondary highway programs presently in existence. This authorization is for the years 1966 and 1967, it obviously being necessary to foresee and plan in advance for these programs to be successful.

The other point I want to make is the effect of the proposal before us as compared to the administration's authorization requests for those highways, roads, and trails other than the A-B-C highway program; that is, those that are paid for out of the general fund.

The subcommittee actually cut $10 million from the administration's request; that is, we reduced from $95 million to $85 million the forest development roads and trails request for the year 1967. Other than that, except for the A-B-C authorization, which I will discuss in a moment, the recommendations of the subcommittee are consistent with those of the administration. There was a $10 million reduction in the forest development roads and trails authorization for the fiscal year 1967.

Secondly, this authorization, as it relates to everything but the A-B-C program pertaining to funds coming out of the general fund, is a $15 million reduction below the 1965 authorizations. So I think it can be truly said, as it relates to general fund expenditures, the subcommittee exercised fiscal responsibility and cut $15 million off of last year's authorizations.

As it relates to the highway trust fund and the A-B-C highway program, it was planned back in 1956, when the current accelerated highway construction program and the highway trust fund was established, that these A-B-C highway authorizations would be increased to the extent of $25 million per year until the maximum of $1 billion per year was reached. The committee felt that now is the time, and that the trust fund could properly afford the increase of $25 million to the maximum of $1 billion for the A-B-C program for fiscal year 1966 and fiscal year 1967. The amount was held to $975 million for the fiscal year 1965, but it is believed it should be increased to $1 billion for 1966 and 1967 to be consistent with the intention of the House in 1956.

Therefore, this proposed authorization does add $25 million for the years 1966 and 1967, not out of the general fund, but out of the trust fund. The testimony indicates, and I shall ask that it be placed in the RECORD, that the trust fund can afford this traditional expenditure of funds, as appears on pages 27 and 28 of the committee hearings, that fund having been reviewed by Mr. Whitten, the Federal Highway Administrator.

Mr. HARVEY of Indiana. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. Can the gentleman inform me as to the status of the Interstate Highway System? In other words, will this projected 1966 and 1967 authorization see the completion of our Interstate Highway System?

Mr. CRAMER. I may say to the gentleman that this authorization, as the gentleman will see on page 6 of the committee report, has nothing to do with the Interstate System as such. A review of the present status of the Interstate System is discussed on page 6 of the report.

That system is to be completed by 1972. There are authorizations now in the law for 1966 and 1967, in the amount of $2.8 billion for 1966 and $2.9 billion for 1967. The Interstate System does not need further authorizations by the Congress based upon the current estimated cost of completion. Construction of the Interstate System is on schedule, and it is contemplated it will be completed by the end of 1971. Second, there are adequate funds contemplated coming into the trust to finance the entire Federal-aid highway program, including the 25-percent increase in the A-B-C funds for 1966, 1967, and thereafter until 1971.

Mr. HARVEY of Indiana. I thank the gentleman.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. First, I should like to commend the committee for bringing this bill to the House floor. I have read the report. I think this is an excellent piece of legislation.

However, I am concerned with the language that appears in section 4 of the bill, subparagraph (b):

> Section 209 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection:
>
> "(d) Funds available for public lands highways shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities."

I want to commend the committee for allowing the highway funds to be used for these purposes, but I should like to know why it is limited to only public lands highways.

Mr. CRAMER. If the gentleman will consult the committee report on page 2, he will see that this amendment merely conforms the authorization relating to public lands highways to other authorizations which presently carry such authority. This amendment conforms with the authority now existing in law to use funds available for forest highways, forest development roads and trails, and public lands development roads and trails for such purposes.

It brings this under the category of public lands highways into the same authority. It gives that category the same authority. So what the gentleman is asking about has been accomplished and is intended to be accomplished by this amendment.

Mr. SAYLOR. Am I to understand from the colloquy we are now having that States east of the Mississippi River will be permitted to use portions of their A-B-C funds for adjacent vehicular parking areas, sanitary, water, and fire control facilities?

Mr. CRAMER. No, that is not correct, not as a result of this bill. This amendment relates not to A-B-C funds, but authority does presently exist for the category of highways which I have just read, forest highways, forest development roads and trails, and public lands development roads and trails. This now includes public lands highways.

Mr. SAYLOR. I should like to know what reason the committee has for not allowing the expenditure of funds for A-B-C highways to be expended in those States east of the Mississippi River for parking areas, sanitary facilities, water and fire control facilities. Many Members of the Congress and many people in the country are familiar with the money most of the Western States get out of this fund, that it is not a 50-50 matching basis, that it is in direct proportion to the amount of public land that is in all these Western States. In some of these States the Federal Government picks up the tab for as much as 96 percent of the cost of construction.

Mr. CRAMER. The gentleman is correct, except that the Federal share of the cost of projects does not exceed 95 percent in any State. The committee is cognizant of that. If the gentleman will refer to the colloquy which took place between Mr. Whitton and me on page 27 of the hearings he will see that the question of how much money should be made available for public lands highways was discussed, and the gentleman will note this authorization in the bill reduced that amount from $9 to $3 million for fiscal years 1966 and 1967, specifically, for the reason the gentleman is pointing out. That colloquy points out—

> In other words, instead of a 50-50 matching basis in some of the Western States, their basis is 75-25—or as high as 80 or up to 88 percent of the A-B-C money.

And it was for that very reason that the public lands highway authorization was reduced to $3 million to take cognizance of precisely the point the gentleman is correctly raising.

Mr. SAYLOR. I commend the committee for having taken that action. But I would like to see in the next authorization bill that comes forward, that the States east of the Mississippi River will be permitted to use a portion of their A-B-C funds for the purposes set forth in section 4 of this bill.

Mr. CRAMER. Of course, as I stated to the gentleman, such authority does exist with regard to other categories of highways throughout the United States.

Mr. SAYLOR. The gentleman will agree that most of these highways of the categories here referred to are also in Western States.

Mr. CRAMER. Wherever they exist, they qualify for this authorization.

There is one other point that I wanted to make and that is with regard to the hearings on page 28. There has been considerable concern, and I feel rightly so, expressed by the subcommittee and by the full Committee on Public Works with regard to possible raids on the trust fund through reduction in taxes that presently go into the trust fund. The administration recommended this year that reductions in aviation taxes and motorboat gasoline taxes be put into effect. The result of that proposal would mean the loss of $117 million per year to the trust fund in aviation fuel taxes and the loss of $282 million in motorboat gasoline taxes.

Now no bills have been reported on the first item from the Committee on Ways and Means on aviation gas. There has been a bill reported by the Committee on Interior and Insular Affairs, and a 4-hour rule granted, I understand, on the motorboat gasoline taxes. These two measures would mean a loss to the trust fund of $399 million per year. I cite these as examples of where raids upon the trust fund are being contemplated or are being recommended by the administration. Of course, the Congress intended that the trust fund remain adequate to take care of all possible contingencies relating to the construction of the Interstate System and the program through 1971 at least.

There is a further bill, H.R. 5050, to provide for a rebate of one-half of the 4-cent gas tax on gasoline used by taxicabs. I call the attention of the House to this principally because of the fact that the committee and the subcommittee has shown considerable concern about proposals for reducing the different income revenue items in the trust fund. There is placed in the hearings at my request a table of those losses that would result, and that is to be found on page 28 of these hearings, and I call the attention of the Members of the House to that aspect.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the gentleman from Iowa.

Mr. GROSS. May any of the funds made available under this authorization be used for the purchase of toll roads; that is, of existing toll roads?

Mr. CRAMER. I say to the gentleman—No. Of course, the gentleman is fully familiar with the fact that that has been a very heatedly discussed and debated question before the Committee on Public Works. But no authorization has been passed permitting the purchase of toll roads by the Federal Government. There have been toll roads integrated into the system which were in existence or under construction in 1956. The cost of construction of those was not paid to the States either, so there has never been an authorization for the Federal Government to pay the cost of toll roads.

Mr. GROSS. This will require authorizing legislation in order to assimilate such roads into the highway program?

Mr. CRAMER. That is correct. There is no authority presently in existence to authorize the purchase of toll roads. There has been a study report made to the Committee on Public Works on the question as to cost and so forth, but no action has been taken by the committee authorizing such purchase.

Mr. GROSS. I thank the gentleman.

Mr. CRAMER. I can understand the gentleman's concern about such a proposal, which is similar to my own concern.

The other point I wished to make was with regard to the reduction in the item of "public lands development roads and trails," below the 1965 authorization, from $4 million to $2 million for 1966 and 1967.

A colloquy took place between me and Mr. Zumwalt, of the Department of the Interior, with regard to this item, as shown on pages 71 and 72 of the hearings. The point to which I particularly refer is shown on page 72.

The impression was given that a lot of money might be saved by some of these reductions, but, as shown on page 72, it was admitted that it is probable, in future years, that the decreases for 1966 and 1967, will have to be made up by increased authorizations to be asked for in 1968. Second, if accelerated public works money is made available, that will take up some of the slack as between the $2 million authorized and the amount actually desired. Therefore, it appears that by the back door there may be some effort to try to "beef up" these decreased authorizations. I wanted to call that to the attention of the House.

I believe this is a good bill. It certainly deserves the support of the House. It was reported unanimously by the subcommittee and by the full committee. It is the usual biennial authorization. I trust it will pass the House with substantial support.

Mr. DON H. CLAUSEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. I compliment the gentleman from Florida [Mr. CRAMER] for a fine statement, and I take this time also to compliment the committee for its fine work on this particular piece of legislation.

With respect to the matter pertaining to Forest Highways and Forest Development Roads and Trails, in our area of the State of California, where so many lands are taken off the tax rolls, I cannot state too emphatically the importance of continuing to gradually increase the amount of funds authorized for these particular roads and trails. The roads in those areas are dependent upon the in-lieu payment.

I wish to state for the record, for the future, I believe it will be appropriate for the Committee to consider gradual increases.

The appropriations for the fiscal year starting next July were increased to $70 million in previous legislation. Increasing this again to $85 million in each of the fiscal years 1966 and 1967 as this bill does, will provide a stepped up program that will open up thousands of square miles of back country for sportsmen and other recreationists and for sustained yield forest practices benefiting the small lumber operators.

I am informed that continued rapid development of access roads could double employment in forest products industries in the next 10 years and double school district and county government income from timber sales receipts by 1972.

Three of the counties in my congressional district—Mendocino, Humboldt, and Del Norte—are among those whose local tax bases are limited by heavy public ownership of lands. These counties are among the depressed areas of the Nation.

These counties are highly dependent upon the 25 percent of Forest Service timber receipts which is returned to the counties for schools and roads.

It is vitally important that the continued development of access roads be supported to sustain and expand this concept. Without it, the smaller lumber operators and the economy of these communities would be in jeopardy and recreation opportunities would remain limited.

Unlike other authorizations and appropriations, any expenditure of funds for these access roads is paid back to the Treasury out of receipts of timber sales. So it is purely an investment with an immediate return of dollars plus the employment, recreation, and other associated benefits.

Mr. CLEVELAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Chairman, I rise in wholehearted support of H.R. 10503, the Federal-Aid Highway Act of 1964. Enactment of the bill will continue, on an even and orderly basis, our Federal-aid highway program which is so essential to the well-being and economy of our Nation. The Subcommittee on Roads of the Committee on Public Works under the able chairmanship of the gentleman from Maryland has held hearings and devoted a great deal of care to the drafting of the bill and I am pleased to support it.

However, I do want to bring to the attention of my colleagues a basic unfairness in the Federal-aid highway laws, as they now exist. This unfairness which has persisted for many years lies in the fund matching requirements of the law.

Mr. Chairman, as you and my colleagues know, Federal funds are made available to the States on a matching basis to assist in highway construction. The States generally are required to match the Federal funds on a 50–50 basis on projects on the Federal-aid primary and secondary systems—commonly referred to as the A-B-C system—and 90 to 10 on the projects on the Interstate System. However, the law provides that in any State containing more than 5 percent of nontaxable Indian lands and public domain lands, the Federal share of the cost of a given road project will be increased, and the State matching decreased, based on the percentage that these lands bear to the total area of the State. In other words, the public lands States are given credit, so to speak, for Federal lands which lie beyond the reach of the taxing powers of the States.

FAIR AND EQUITABLE

Mr. Chairman, in my opinion, this so-called sliding scale provision of the law, which dates from 1921, is fair and equitable. However, under the present law, the area of national forests and national parks and monuments is not included in determining the matching requirements of the individual States. Under the existing law, only 13 States receive the benefit of the lowered matching requirements. But there are national forests located in nearly all of the States and these areas comprise millions of acres not subject to the taxing powers of the States. With growing interest in outdoor recreation and wilderness areas, this acreage may well increase substantially. It seems to me that in all fairness, States having large areas of national forests should be granted the same benefits with respect to Federal-aid highway matching requirements as have been extended to those States with large areas of public domain and Indian lands.

I have introduced a bill, H.R. 6222, which would provide for this. I considered offering the provisions of H.R. 6222 as an amendment to the Federal-Aid Highway Act of 1964. In view of the importance of the Highway Act, however, and in view of the substantial unanimity of the Committee concerning the provisions of the bill, I decided not to offer an amendment at this time. It is my deep hope that the Committee and the Congress will give favorable consideration to H.R. 6222 at an early date.

NO ADDITIONAL COST ON A-B-C SYSTEMS

The inequity of the treatment afforded those States which do not have large areas of public lands but do have large areas of national forests is emphasized by the fact that insofar as the Federal-aid primary and secondary systems are concerned, the so-called sliding scale provisions could be applied without increasing or decreasing the amount of Federal-aid allotted to any State and without requiring the expenditure of any additional Federal funds. The proposal would simply reduce the amount of funds which a particular State would have to provide in order to receive the full benefit of Federal-aid and would give the State greater flexibility in expenditure of available State highway funds.

SOME ADDITIONAL COST FOR INTERSTATE SYSTEM

The situation is somewhat different in the case of projects on the Interstate System where apportionments to the States are based on the estimated cost of completing the Interstate System and the Federal Government bears 90 percent of the cost of Interstate projects except in those 13 States where the Federal share is greater because of substantial areas of public lands. If the Federal share of the cost of completing the Interstate System is increased in States having large areas of national forests, parks, and monuments, there would be necessarily a greater outlay of Federal funds. The additional costs, based on Interstate work remaining to be financed as of December 31, 1963, as developed from the 1961 Interstate cost estimate, would be approximately $100,576,000. This sum is roughly the amount of the receipts of the Highway Trust Fund over a 2-week period.

NEW HAMPSHIRE—EXAMPLE

Let me illustrate the effect of this bill, using my own State of New Hampshire as an example. Under existing law the State of New Hampshire is required to match Federal funds made available for projects on the Federal-aid primary and secondary systems on a 50 to 50 basis—the State must match each dollar of Federal funds with $1 of State funds. The State of New Hampshire has federally-owned national forest lands totaling 678,104 acres—this means that more than 11 percent of our land area has been placed beyond the reach of our taxing power. Most of this land is in the matchless White Mountain National Forest, enjoyed by people from all over our great Nation for its scenic splendor and spiritually refreshing wilderness areas.

FOR A-B-C—$890,000 PER YEAR

If my bill is enacted, the Federal share of the cost of Federal-aid primary and secondary projects in New Hampshire would be 55.69 percent and the State's share 44.31 percent, instead of the present ratio of 50 to 50. Under H.R. 10500, the amount to be apportioned to the State of New Hampshire for the Federal-aid primary and secondary systems will be approximately $4,355,000. In order to receive this sum under existing law, the State will be required to match it with an equivalent amount of $4,355,000. If my bill is enacted, the State of New Hampshire would receive no additional Federal funds for the Federal-aid system but would be required to provide only $3,465,000 in order to obtain the full Federal apportionment. The difference of $890,000 could be used to great advantage by the State, particularly in our rural areas, and to improve our recreational access roads which are used by people from all over the country.

FOR INTERSTATE HIGHWAYS—$720,000

Under the existing law, the Federal share of interstate projects in New Hampshire is 90 percent. If my bill is enacted the Federal share in New Hampshire will be 91.4 percent. Based on interstate work remaining to be financed as of December 31, 1963, the State of New Hampshire would receive an additional $720,000 in Federal funds toward completion of the Interstate System.

For the information of my colleagues, I am attaching two tabulations showing how the other States would fare if my bill is enacted.

Mr. Chairman, as I mentioned earlier, I feel that the sliding scale provision which benefits those States having large areas of nontaxable Indian lands and public domain lands is fair and equitable and I believe that the same benefit should be extended to those States having large areas of national forests, national parks, and monuments. My bill would so provide, and I sincerely hope the Congress will take early and favorable action.

Comparison of estimated State funds required to match Federal A-B-C funds based on sliding scale rates determined under present legislation and under H.R. 6222

[Dollars in thousands]

State	Estimated annual A-B-C apportionment ($1,000,000)	Federal participation A-B-C matching ratio (percent)		State matching under present legislation		State matching under H.R. 6222		Decrease in State matching funds on account of H.R. 6222
		Present	H.R. 6222	Percent	Amount	Percent	Amount	
Alabama	$18,419	50.00	51.02	50.00	$18,419	48.98	$17,683	$736
Alaska	40,302	94.97	[1] 95.00	5.03	2,135	5.00	2,121	14
Arizona	12,598	76.88	85.66	23.12	3,788	14.34	2,109	1,679
Arkansas	12,864	50.00	53.61	50.00	12,864	46.39	11,132	1,732
California	60,241	59.68	71.49	40.32	40,699	28.51	24,024	16,675
Colorado	14,752	57.14	67.79	42.86	11,066	32.21	7,009	4,057
Connecticut	9,108	50.00	50.00	50.00	9,108	50.00	9,108	------------
Delaware	4,268	50.00	50.00	50.00	4,268	50.00	4,268	------------
Florida	20,336	50.00	53.55	50.00	20,336	46.45	17,640	2,696
Georgia	24,088	50.00	51.05	50.00	24,088	48.95	23,097	991
Hawaii	4,622	50.00	52.39	50.00	4,622	47.61	4,200	422
Idaho	9,027	63.32	82.37	36.68	5,229	17.63	1,932	3,297
Illinois	42,071	50.00	50.29	50.00	42,071	49.71	41,586	485

[1] Maximum rate of 95 percent provided by H.R. 6222.

Comparison of estimated State funds required to match Federal A-B-C funds based on sliding scale rates determined under present legislation and under H.R. 6222—Continued

[Dollars in thousands]

State	Estimated annual A-B-C apportionment ($1,000,000)	Federal participation A-B-C matching ratio (percent)		State matching under present legislation		State matching under H.R. 6222		Decrease in State matching funds on account of H.R. 6222
		Present	H.R. 6222	Percent	Amount	Percent	Amount	
Indiana	$22,920	50.00	50.26	50.00	$22,920	49.74	$22,683	$237
Iowa	20,223	50.00	50.01	50.00	20,223	49.99	20,215	8
Kansas	19,332	50.00	50.05	50.00	19,332	49.95	19,293	39
Kentucky	15,901	50.00	51.01	50.00	15,901	48.99	15,271	630
Louisiana	15,383	50.00	50.99	50.00	15,383	49.01	14,786	597
Maine	6,666	50.00	50.19	50.00	6,666	49.81	6,616	50
Maryland	11,778	50.00	50.12	50.00	11,778	49.88	11,722	56
Massachusetts	16,829	50.00	50.03	50.00	16,829	49.97	16,809	20
Michigan	33,862	50.00	54.19	50.00	33,862	45.81	28,626	5,236
Minnesota	23,223	50.00	53.53	50.00	23,223	46.47	20,160	3,063
Mississippi	14,435	50.00	51.93	50.00	14,435	48.07	13,362	1,073
Missouri	25,542	50.00	51.53	50.00	25,542	48.47	24,025	1,517
Montana	14,367	56.77	66.21	43.23	10,941	33.79	7,332	3,609
Nebraska	15,197	50.00	50.37	50.00	15,197	49.63	14,974	223
Nevada	8,890	89.46	93.11	10.54	1,047	6.89	658	389
New Hampshire	4,355	50.00	55.69	50.00	4,355	44.31	3,465	890
New Jersey	19,284	50.00	50.01	50.00	19,284	49.99	19,276	8
New Mexico	12,638	65.24	70.92	34.76	6,733	29.08	5,183	1,551
New York	57,817	50.00	50.00	50.00	57,817	50.00	57,817	-----
North Carolina	23,011	50.00	52.24	50.00	23,011	47.76	21,038	1,973
North Dakota	10,202	50.00	51.14	50.00	10,202	48.86	9,747	455
Ohio	39,549	50.00	50.21	50.00	39,549	49.79	39,218	331
Oklahoma	17,842	50.00	52.28	50.00	17,842	47.72	16,286	1,556
Oregon	13,639	63.36	75.86	36.64	7,887	24.14	4,340	3,547
Pennsylvania	42,623	50.00	50.82	50.00	42,623	49.18	41,248	1,375
Rhode Island	5,197	50.00	50.00	50.00	5,197	50.00	5,197	-----
South Carolina	12,451	50.00	51.49	50.00	12,451	48.51	11,730	721
South Dakota	11,085	55.21	56.48	44.79	8,992	43.52	8,541	451
Tennessee	19,374	50.00	51.56	50.00	19,374	48.44	18,202	1,172
Texas	57,801	50.00	50.40	50.00	57,801	49.60	56,884	917
Utah	9,293	77.34	84.89	22.66	2,723	15.11	1,654	1,069
Vermont	3,962	50.00	51.89	50.00	3,962	48.11	3,673	289
Virginia	20,009	50.00	53.28	50.00	20,009	46.72	17,545	2,464
Washington	15,592	53.57	65.97	46.43	13,514	34.03	8,043	5,471
West Virginia	9,741	50.00	52.93	50.00	9,741	47.07	8,663	1,078
Wisconsin	21,662	50.00	52.26	50.00	21,662	47.74	19,788	1,874
Wyoming	8,764	66.23	74.90	33.77	4,469	25.10	2,937	1,532
District of Columbia	5,263	50.00	58.70	50.00	5,263	41.30	3,703	1,560
Puerto Rico	6,602	50.00	50.64	50.00	6,602	49.36	6,435	167
Total	985,000	-----	-----	-----	873,035	-----	793,053	79,982

Sliding scale rates of Federal participation in public-lands States determined under present legislation and under provisions of H.R. 6222 and amount of additional interstate funds required by H.R. 6222

[Dollars in thousands]

State	A-B-C matching ratio (percent)		Interstate matching ratio (percent)		Amount of additional interstate funds required by H.R. 6222 [1]
	Present	Under H.R. 6222	Present	Under H.R. 6222	
Alabama	50.00	51.02	90.00	90.20	$658
Alaska	94.97	[2] 95.00	-----	-----	-----
Arizona	76.88	85.66	94.40	[2] 95.00	1,368
Arkansas	50.00	53.61	90.00	90.72	1,285
California	59.68	71.49	91.59	94.30	37,575
Colorado	57.14	67.79	91.32	93.56	5,090
Connecticut	50.00	50.00	90.00	90.00	-----
Delaware	50.00	50.00	90.00	90.00	-----
Florida	50.00	53.55	90.00	90.71	2,164
Georgia	50.00	51.05	90.00	90.21	500
Hawaii	50.00	52.39	90.00	90.48	887
Idaho	63.32	82.37	92.33	[2] 95.00	1,131
Illinois	50.00	50.29	90.00	90.06	431
Indiana	50.00	50.26	90.00	90.05	187
Iowa	50.00	50.01	90.00	90.00	-----
Kansas	50.00	50.05	90.00	90.01	8
Kentucky	50.00	51.01	90.00	90.20	630
Louisiana	50.00	50.99	90.00	90.20	835
Maine	50.00	50.19	90.00	90.04	26
Maryland	50.00	50.12	90.00	90.02	51
Massachusetts	50.00	50.03	90.00	90.01	31
Michigan	50.00	54.19	90.00	90.84	5,036
Minnesota	50.00	53.53	90.00	90.71	2,890
Mississippi	50.00	51.93	90.00	90.39	787
Missouri	50.00	51.53	90.00	90.31	1,094
Montana	56.77	66.21	91.23	93.24	2,466
Nebraska	50.00	50.37	90.00	90.07	40
Nevada	89.46	93.11	[2] 95.00	[2] 95.00	-----
New Hampshire	50.00	55.69	90.00	91.14	$720
New Jersey	50.00	50.01	90.00	90.00	-----
New Mexico	65.24	70.92	92.53	94.18	2,623
New York	50.00	50.00	90.00	90.00	-----
North Carolina	50.00	52.24	90.00	90.45	517
North Dakota	50.00	51.14	90.00	90.23	130
Ohio	50.00	50.21	90.00	90.04	409
Oklahoma	50.00	52.28	90.00	90.46	897
Oregon	63.36	75.86	92.24	[2] 95.00	6,220
Pennsylvania	50.00	50.82	90.00	90.16	1,079
Rhode Island	50.00	50.00	90.00	90.00	-----
South Carolina	50.00	51.49	90.00	90.30	410
South Dakota	55.21	56.48	91.03	91.30	185
Tennessee	50.00	51.56	90.00	90.31	956
Texas	50.00	50.40	90.00	90.08	487
Utah	77.34	84.89	94.62	[2] 95.00	913
Vermont	50.00	51.89	90.00	90.38	390
Virginia	50.00	53.28	90.00	90.66	2,083
Washington	53.57	65.97	90.64	93.19	8,117
West Virginia	50.00	52.93	90.00	90.59	1,504
Wisconsin	50.00	52.26	90.00	90.45	333
Wyoming	66.23	74.90	92.92	94.98	2,746
District of Columbia	50.00	58.70	90.00	91.74	4,687
Puerto Rico	50.00	50.64	-----	-----	-----
Total	-----	-----	-----	-----	100,576

[1] Maximum amount.

[2] Based on interstate work remaining to be financed as of Dec. 31, 1963, as developed from the 1961 interstate cost estimate.

Mr. FALLON. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. RYAN].

Mr. RYAN of Michigan. Mr. Chairman, I should like to ask a few questions on this matter because some time ago, when this matter was under consideration, we entered into discussions concerning the matter of safety on our public highways.

The bill does request the sum of exactly $1 billion for the building of roads; consisting of asphalt and concrete and so forth. On the other hand, when we look at what is happening on some of these roads we realize that there are more than 43,000 deaths per year plus hundreds of thousands of injured persons from accidents and also billions of dollars of economic loss.

I should like to inquire as to what action is being taken toward doing something to provide a greater safety on the highways, in order to reduce the tragedies, the accidents, and to reduce fatalities. What are we doing so as to make our roads more safe?

It is my understanding that there are some programs and some plans under consideration, in respect to the building of roads, as to safety programs and to provide more safety in all respects on the highways. Something must be done. We must direct our attention toward reducing the fatalities which occur on the highways.

Mr. Chairman, I would like to ask what is to be done under the terms of the bill in order to work out some program of that sort?

Mr. FALLON. Mr. Chairman, I might say to the gentleman, in answer to his question, that he partly answered it himself when he referred to the fact that we are trying to build into the highways as much safety as we possibly can, considering the knowledge available.

Second, a certain percentage of the money goes into research and development, and a certain percentage of that money is used to carry out a very extensive safety program not only with the Bureau of Public Roads but also with the States.

I would say that a large proportion of the development fund is being used for the study of and for the promotion of safety on our highway system.

Mr. RYAN of Michigan. I thank the gentleman from Maryland. I intend to pursue the matter of developing more safety on our national highways. While we continue to build roads, we should also develop and demand more safety on the highways.

Mr. CRAMER. Mr. Chairman, I yield myself 1 minute to clarify a point in the RECORD which occurred in a previous colloquy with the gentleman from Pennsylvania.

With regard to authority of the States to use A–B–C and Interstate money for the purpose of landscape development roadside development, sanitary, and other facilities, that authority is already contained in the A–B–C authorization and in the Interstate System authorization under section 319 of title 23 of the United States Code relating to highways. I want the RECORD to be clear on that point. However, the present bill before us, as I stated in the colloquy, does not authorize A–B–C money to be used for that purpose, and it is not necessary to do so. It does specifically authorize such use of funds relating to one category which does not have that authority at the present time. I state that merely to clarify the RECORD.

Mr. Chairman, I now yield 5 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of the bill H.R. 10503. This bill came out of the Committee on Public Works by a unanimous vote. I would like to point out, as the chairman of our subcommittee did, that the committee determined that the authorization for the A–B–C roads, that is, the State primary and secondary roads, should be increased over the amount requested by the administration by $25 million per year. This brings this authorization up to the sum of $1 billion for each year and follows the past policy of this committee of increasing the sum for Federal aid to State primary and secondary roads by $25 million yearly up to this maximum figure of $1 billion. Because of this increase made by the committee, which meant we were $50 million over the budget figures for these 2 years, the committee looked over the rest of the bill quite carefully to see where it might be possible to make at least a partially offsetting reduction. Therefore, the committee did make a reduction of $10 million in the second year under this bill for forest development, roads and trails. The reduction actually was simply a reduction of a $10 million increase requested in the budget for forest development roads and trails. The budget figure was $85 million for the first year, $95 million for the second year, and the cut of $10 million in the second year simply meant this sum was kept at $85 million for both years. Therefore, this is a reduction of $10 million below the budget figures, a partial offset to the increase of $50 million for the A–B–C roads.

I should point out that the A–B–C roads come out of the highway trust fund and, therefore, are not charged to the budget. The sum for forest development roads and trails is chargeable to the budget. This is primarily the reason why the committee made these two partially offsetting changes in this bill.

Mr. FALLON. Mr. Chairman, I have no further requests for time.

Mr. CRAMER. Mr. Chairman, I have no further requests for time.

The **CHAIRMAN.** The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1964".

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the highway trust fund, $1,000,000,000 for the fiscal year ending June 30, 1966, and $1,000,000,000 for the fiscal year ending June 30, 1967. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For forest highways, $33,000,000 for the fiscal year ending June 30, 1966, and $33,000,000 for the fiscal year ending June 30, 1967.

(3) For forest development roads and trails, $85,000,000 for the fiscal year ending June 30, 1966, and $85,000,000 for the fiscal year ending June 30, 1967.

(4) For public lands development roads and trails, $2,000,000 for the fiscal year ending June 30, 1966, and $2,000,000 for the fiscal year ending June 30, 1967.

(5) For park roads and trails, $23,000,000 for the fiscal year ending June 30, 1966, and $23,000,000 for the fiscal year ending June 30, 1967.

(6) For parkways, $11,000,000 for the fiscal year ending June 30, 1966, and $11,000,000 for the fiscal year ending June 30, 1967.

(7) For Indian reservation roads and bridges, $18,000,000 for the fiscal year ending June 30, 1966, and $18,000,000 for the fiscal year ending June 30, 1967.

(8) For public lands highways, $3,000,000 for the fiscal year ending June 30, 1966, and $3,000,000 for the fiscal year ending June 30, 1967.

SEC. 3. The second paragraph of subsection (b) of section 101 of title 23, United States Code, is amended by striking out "thirteen years" and inserting in lieu thereof "fifteen years" and by striking out "June 30, 1969", and inserting in lieu thereof "June 30, 1971".

AMENDMENT OFFERED BY MR. RYAN OF NEW YORK

Mr. RYAN of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN of New York: Page 3, line 9, insert "(a)" immediately after "SEC. 3.".

Page 3, after line 13, insert the following:

"(b) Section 128 of title 23 of the United States Code is amended to read as follows:

"'§ 128. Public hearings

"'(a) Any State highway department which submits plans for a Federal-aid highway project involving the bypassing of, or going through, any city, town, or village, either incorporated or unincorporated, shall certify to the Secretary that—

"'(1) it gave notice of a public hearing on the location of such project published at least thirty days prior to the date set for such hearing in a newspaper of general circulation in each affected political subdivision;

"'(2) it mailed at least thirty days prior to the date set for such public hearing to each official elected to represent each affected political subdivision in the local, State, and Federal governments, notice of such hearings;

"'(3) it held such public hearing or afforded the opportunity for such hearing, at the nearest feasible point to the proposed location, within one year of the date such plans are submitted to the Secretary for the purpose of enabling all interested persons to express any objections they may have to the proposed location of such project; and

"'(4) it has considered the economic effects of such a location.

"'(b) Any State highway department which submits plans for an Interstate System project shall certify to the Secretary that—

"'(1) it gave notice of a public hearing on the location of such project published at least thirty days prior to the date set for such hearing in a newspaper of general circulation in each affected rural area;

"'(2) it mailed at least thirty days prior to the date set for such public hearing to each official elected to represent each affected political subdivision in the local, State, and Federal governments, notice of such hearings;

"'(3) it held such public hearing or afforded the opportunity for such hearing, at the nearest feasible point to the proposed location within one year of the date such plans are submitted to the Secretary, for the purpose of enabling all interested persons in rural areas to express any objections they may have to the proposed location of such highway; and

"'(4) it has considered the economic effects of such a location.

"'(c) When hearings have been held under subsection (a) or (b), the State highway department shall submit a copy of the transcript of such hearings to the Secretary, together with the certification.

"'(d) The State highway department shall submit to the Secretary in the case of every Federal-aid highway project and every Interstate System project a report on the economic effects of the proposed highway location, including, but not limited to, the effects of such location on the tenants and owners of all property proposed to be acquired or which will otherwise be affected by such project.'"

Mr. RYAN of New York. Mr. Chairman, the purpose of the amendment which I have offered is to provide a full public hearing on highway projects with adequate notice not only to the community affected, but also to the elected public officials in the political subdivision affected by the acquisition of land for a Federal-aid highway project or an interstate highway project.

Mr. Chairman, I believe it is very important that community sentiment be taken into account in planning highway projects, especially those which displace people or businesses. In New York City, for example, the Lower Manhattan Expressway was scheduled to uproot large numbers of residential tenants and small businesses. That proposal is still being kept alive. My amendment would greatly strengthen the hearing provision of the present law.

I also have included in this amendment a provision that elected public officials be notified of the proposed land acquisition so that they can represent their constituents at the hearing.

When land is acquired or proposed to be acquired, a thorough study should be made of the effects of the taking on the property owners and on the commercial and residential tenants as well as the economic consequences for the surrounding community. If such a study is made and if the full economic effects of the proposed project are reported to the Secretary, the Secretary will be in a better position to judge whether or not to approve the project.

Mr. Chairman, all this amendment requires is that the State highway department certify to the Secretary that it has had a public hearing, that it has considered the economic effects of the location, that it gave 30 days' notice of the hearing published in a newspaper of general circulation, that it mailed at least 30 days before the public hearing to each elected public official a notice of such hearing, and that it held such hearings at the most feasible point near the proposed project, and that the hearings were held within 1 year of the submission of plans. Mr. Chairman, this last provision is designed so hearings will be held written a year before the approval of a project. Otherwise conditions may change substantially.

Beyond that, the amendment would require that the State highway department submit to the Secretary a full report on the economic effects of the proposed location.

I hope very much, Mr. Chairman, that this amendment can be agreed to in the Committee of the Whole House on the State of the Union. I think it is essential that those who are affected in a local community by a proposed highway project be given the opportunity to appear at a public hearing, that their elected public officials be given the opportunity to appear, and that all the ramifications and implications of the proposal be laid before the Secretary so he will have then a complete record upon which a judgment can be made.

Mr. Chairman, the purpose of this proposed amendment is to strengthen and to fortify the hearing provision which already exists by these additional requirements.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. RYAN of New York. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Chairman, I would like to inquire of the sponsor of this amendment as to whether or not his amendment is only limited to urban areas and would not cover rural areas?

Mr. RYAN of New York. No; this amendment would cover both urban and rural areas.

Mr. PELLY. If the gentleman will yield further, I have in mind that in California there is great concern over the redwoods and the possibility of highways going through this area which might destroy a scenic area. I would be interested to know whether this would affect that situation or not.

Mr. RYAN of New York. In my opinion the proposed amendment would cover that situation. I believe the gentleman has raised a very important point.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. RYAN of New York. I yield to the gentleman from Florida.

Mr. CRAMER. The gentleman's amendment is four pages long, and as I understand it, the gentleman from New York [Mr. Ryan] introduced a bill similar to the amendment which he now proposes, but as late as May 28, meaning Thursday of last week.

As I understand it there has been assurance given to others who are interested in this proposal that hearings will be held before the committee, if requests are made.

Has the gentleman from New York made such a request, and why did he wait so late to introduce it?

Mr. RYAN of New York. The bill which I introduced is similar to the amendment. The amendment is offered today because the Federal Highway Act amendments are being considered on the floor of the House today. I think it is very important that my amendment be considered as a part of this bill, so that the requirements will be clearly spelled out in legislation this year.

Mr. FALLON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. Ryan].

Mr. Chairman, as the gentleman from Florida has just stated, this bill was introduced on May 28, just last week. This is a three- or four-page amendment, and goes further than the bill we are considering today. It also goes into some regulations on the interstate system. Certainly it is a complicated, far-reaching amendment. The sponsors should be heard before our committee, together with the departments charged with this responsibility, and let it be appraised by everybody who has a responsibility of discharging the application of the legislation.

Mr. Chairman, I ask that the amendment be defeated.

Mr. CRAMER. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, this is a very complicated amendment. I concede it is a matter that should possibly be given consideration by the committee, although there is legislation on the books in section 125, title 23, United States Code, providing specifically for public hearings. I read:

(a) Any State highway department which submits plans for a Federal-aid highway project involving the bypassing of, or going through any city, town, or village, either incorporated or unincorporated, shall certify to the Secretary that it has had public hearings, or has afforded the opportunity for such hearings, and has considered the economic effects of such a location.

That statement of legislative intent is further implemented by a policy and procedure memorandum issued by the Bureau of Public Roads for guidance of the States, which sets out at length the procedures that should be followed.

It may be that some of the points raised by the gentleman are deserving of consideration by the committee and by the Congress. I would suggest the proper procedure would be to take the bill which he has introduced on May 28, Thursday of last week, and ask the committee to consider the legislation under the usual procedure of asking for departmental reports, getting the results of those reports, and then determining whether it justifies hearings. That would be the proper procedure, rather than offering this lengthy proposition, a complicated proposal, on the floor of the House. Incidentally, this amendment was not submitted to the members of the subcommittee or the committee prior to introduction.

I would respectfully suggest to the gentleman from New York that that procedure be followed, rather than the amendatory procedure, at this stage. Therefore, I oppose the amendment for these reasons.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Ryan].

The amendment was rejected.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, after line 13, insert the following:

"Sec. 4. (a) Section 104(b)(5) of title 23 of the United States Code is amended by striking out 'January 2, 1962.' and inserting in lieu thereof 'January 2, 1961.'

"(b) Section 209 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection:

"'(d) Funds available for public lands highways shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.'

"(c) The first sentence of subsection (b) of section 320 of title 23 of the United States Code is amended by striking out 'the State' and all that follows down to and including 'the Secretary' and inserting in lieu thereof: 'the State in which such bridge is to be located, or the appropriate subdivision of such State, shall enter into an agreement with such agency and with the Secretary'."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 4. For the purposes of section 2 of this Act each of the following terms shall have the same meaning as is given it in section 101 of title 23 of the United States Code:

(1) Forest development roads and trails;
(2) Forest highways;
(3) Indian reservation roads and bridges;
(4) Park roads and trails;
(5) Parkway;
(6) Public lands highways;
(7) Federal-aid primary system;
(8) Federal-aid secondary system;
(9) Urban area;
(10) Public lands development roads and trails.

With the following committee amendment: Page 4, line 6, strike out "4" and insert "5".

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ULLMAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10503) to authorize appropriations for the fiscal years 1966 and 1967 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, pursuant to House Resolution 740, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 296, nays 0, not voting 136, as follows:

[Roll No. 141]

YEAS—296

Abbitt
Abele
Abernethy
Adair
Addabbo
Albert
Alger
Anderson
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Auchincloss
Ayres
Baker
Baldwin
Baring
Barrett
Bates
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Berry
Betts
Boggs
Bolton, Frances P.
Bolton, Oliver P.
Bow
Brademas
Brock
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Burleson
Byrne, Pa.
Carey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Derwinski
Devine
Dingell
Dole
Donohue
Dowdy
Downing
Duncan
Edmondson
Edwards
Ellsworth
Fallon
Fascell
Feighan
Findley
Finnegan
Fino
Flood
Ford
Fountain
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Gathings
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffin
Gross
Grover
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Halpern
Hansen
Harding
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Hechler
Henderson
Hoeven
Hoffman
Holifield
Holland
Horan
Horton
Hosmer
Jennings
Jensen
Joelson
Johansen
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Knox
Kornegay
Kunkel
Laird
Langen
Latta
Leggett
Lennon
Libonati
Lipscomb
Lloyd
Long, Md.
McClory
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
McMillan
Macdonald
Madden
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
Matthews
Milliken
Mills
Minshall
Moore
Moorhead
Morgan
Morris
Morrison
Morton
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Pepper
Philbin
Pickle
Pike
Pillion
Poage
Poff
Price
Pucinski
Purcell
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Rivers, Alaska
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Rumsfeld
Ryan, Mich.
Ryan, N.Y.
St. George
Saylor
Schenck
Schneebeli
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Sikes
Siler
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Va.
Snyder
Springer
Staebler
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Tollefson
Trimble
Tuck
Tuten
Udall
Ullman
Van Deerlin
Waggonner
Watson
Watts
Weaver
Whalley
White
Whitener
Willis
Wilson, Bob
Wydler
Wyman
Young
Younger
Zablocki

NAYS—0

NOT VOTING—136

Andrews, Ala.
Ashmore
Aspinall
Avery
Barry
Bass
Battin
Bennett, Mich.
Blatnik
Boland
Bolling
Bonner
Bray
Bromwell
Brown, Calif.
Broyhill, Va.
Bruce
Buckley
Burke
Burkhalter
Burton, Calif.
Burton, Utah
Byrnes, Wis.
Cahill
Cameron
Casey
Clawson, Del
Colmer
Cooley
Corman
Daddario
Derounian
Diggs
Dorn
Dulski
Dwyer
Elliott
Everett
Evins
Farbstein
Fisher
Flynt
Fogarty
Foreman
Forrester
Fraser
Fulton, Pa.
Gallagher
Garmatz
Gary
Giaimo
Goodling
Grabowski
Grant
Griffiths
Gubser
Hagen, Calif.
Hanna
Hardy
Healey
Hébert
Herlong
Huddleston
Hull
Hutchinson
Ichord
Jarman
Johnson, Wis.
Jones, Ala.
Kee
Kilburn
King, N.Y.
Kyl
Landrum
Lankford
Lesinski
Lindsay
Long, La.
MacGregor
Martin, Mass.
Matsunaga
May
Meader
Michel
Miller, Calif.
Miller, N.Y.
Minish
Monagan
Montoya
Morse
Mosher
Multer
Perkins
Pilcher
Pirnie
Pool
Powell
Rains
Reifel
Riehlman
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rodino
Roosevelt
Roybal
St Germain
St. Onge
Schadeberg
Schwengel
Scott
Selden
Sheppard
Short
Sibal
Smith, Calif.
Stinson
Toll
Tupper
Utt
Vanik
Van Pelt
Vinson
Wallhauser
Weltner
Westland
Wharton
Whitten
Wickersham
Widnall
Williams
Wilson, Charles H.
Wilson, Ind.
Winstead
Wright

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Avery.
Mr. St Germain with Mr. Bruce.
Mr. Garmatz with Mrs. May.
Mr. Healey with Mr. Barry.
Mr. Roybal with Mr. Del Clawson.
Mr. Evins with Mr. Foreman.
Mr. Brown of California with Mr. Smith of California.
Mr. Monagan with Mr. Sibal.
Mr. Hanna with Mr. Pirnie.
Mr. Bonner with Mr. Bray.
Mr. Aspinall with Mr. Morse.
Mr. Charles H. Wilson with Mr. Utt.
Mr. Daddario with Mr. Byrnes of Wisconsin.
Mr. Lesinski with Mrs. Dwyer.
Mr. Giaimo with Mr. Wilson of Indiana.
Mr. Wright with Mr. Bennett of Michigan.
Mr. Cooley with Mr. Reifel.
Mr. St. Onge with Mr. Michel.
Mr. Blatnik with Mr. Lindsay.
Mr. Grabowski with Mr. Hutchinson.
Mr. Roberts of Alabama with Mr. Battin.
Mr. Burke with Mr. Derounian.
Mr. Hull with Mr. Tupper.
Mr. Matsunaga with Mr. Cahill.
Mr. Ichord with Mr. Fulton of Pennsylvania.
Mr. Colmer with Mr. Stinson.
Mr. Fogarty with Mr. Widnall.
Mr. Toll with Mr. Goodling.

Mr. Williams with Mr. Van Pelt.
Mr. Gallagher with Mr. MacGregor.
Mr. Whitten with Mr. Westland.
Mr. Farbstein with Mr. Wallhauser.
Mr. Dorn with Mr. Bromwell.
Mr. Multer with Mr. King of New York.
Mr. Corman with Mr. Gubser.
Mr. Harding with Mr. Broyhill of Virginia.
Mr. Ashmore with Mr. Burton of Utah.
Mr. Cameron with Mr. Wharton.
Mr. Casey with Mr. Short.
Mr. Boland with Mr. Martin of Massachusetts.
Mr. Gary with Mr. Kilburn.
Mr. Andrews of Alabama with Mr. Miller of New York.
Mr. Johnson of Wisconsin with Mr. Schadeberg.
Mr. Herlong with Mr. Mosher.
Mr. Jarman with Mr. Kyl.
Mr. Flynt with Mr. Meader.
Mr. Powell with Mr. Schwengel.
Mr. Rains with Mrs. Kee.
Mr. Roberts of Texas with Mr. Sheppard.
Mr. Roosevelt with Mr. Huddleston.
Mr. Minish with Mr. Vinson.
Mr. Rodino with Mr. Wickersham.
Mr. Dulski with Mr. Diggs.
Mr. Everett with Mr. Elliott.
Mr. Hagen of California with Mr. Vanik.
Mr. Long of Louisiana with Mr. Bass.
Mr. Fraser with Mr. Grant.
Mr. Pilcher with Mr. Montoya.
Mr. Weltner with Mr. Lankford.
Mr. Perkins with Mrs. Griffiths.
Mr. Burton of California with Mr. Selden.
Mr. Scott with Mr. Jones of Alabama.
Mr. Forrester with Mr. Fisher.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

VEHICULAR TUNNEL UNDER U.S. CAPITOL GROUNDS

Mr. FALLON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10392) authorizing the Commissioners of the District of Columbia to locate a portion of a vehicular tunnel under parts of the U.S. Capitol Grounds and the U.S. Botanic Garden grounds, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10392, with Mr. Ullman in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Maryland [Mr. Fallon] will be recognized for 1 hour and the gentleman from Michigan [Mr. Harvey] will be recognized for 1 hour.

The Chair recognizes the gentleman from Maryland [Mr. Fallon].

Mr. FALLON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first, I would like to compliment and comment on the splendid support of the gentlemen who have helped us so diligently in getting this necessary highway legislation to the floor of the House for consideration, the ranking member of the subcommittee, the gentleman from Florida [Mr. Cramer], the gentleman from California [Mr. Baldwin] and the other members of our committee. Certainly they have been most cooperative and have made contributions which have made it possible to continue the successful operation of all highway programs.

Mr. Chairman the bill before the House, H.R. 10392, would authorize the District of Columbia to locate a portion of a vehicular tunnel under parts of the U.S. Capitol Grounds and U.S. Botanic Garden Grounds. It would also permit tunneling under the eastern edge of the grounds of the National Gallery of Art.

The tunnel would be a part of the center leg of the inner loop freeway which, in turn, is a part of the District of Columbia freeway system and the National System of Interstate and Defense Highways.

The inner loop is the core of the planned freeway system for the Metropolitan Washington area. Instead of having the radial routes which will feed into Washington converge at some gigantic interchange, it is planned to have them feed into this beltway around the downtown district. In this way, vehicles with a downtown destination will be able to move by freeway to the exit closest to their destination and proceed thereto with a minimum of travel on city streets. Equally important, those vehicles which do not have a destination downtown but which are moving from one part of the metropolitan area to a destination in another part will be able to bypass the downtown area. Thus, downtown streets will be reserved for traffic with downtown destinations or origins.

Downtown traffic congestion will be greatly reduced, and the downtown area will be better able to serve its purposes.

The downtown area of Washington is very large. This is due in part to the fact that we have imposed a limitation on the height of buildings; therefore, the central business district has grown horizontally instead of vertically. A considerable area of this downtown district is used by public buildings with landscaped grounds, such as the Capitol. This type of development adds to the space requirement.

Because the central business district of Washington is large, the innerloop freeway surrounding it must also be larger than would be necessary in a typical city. By adding a center leg to the loop, the highway planners have provided a convenient connection between the north and south legs of the loop which is necessary to provide for the efficient utilization of the loop as well as the movement of north-south traffic in this central zone.

The completion of the innerloop, including the center leg, will make it much easier for the motorist to shop downtown by car. The center leg is especially important in preserving and revitalizing the central shopping district of Washington.

The proposed location of the center leg, at the foot of Capitol Hill, has caused understandable concern on the part of people with an interest in preserving the beauty of the Mall and the integrity of the Capitol Grounds. By building this section of the proposed freeway as a tunnel, we will not only keep the new road out of sight but also we will reduce the amount of surface traffic in this area well below the present level.

Motorists who do not want to visit Capitol Hill will not be forced to go through the Capitol Grounds.

Another north-south tunnel underneath the Mall is already in existence at 12th Street. It should convince any doubters that such a tunnel can be constructed without detracting from the scenic beauty of the Mall and without creating a nuisance in any manner whatever.

The bill does not pertain to the financing of the center leg. The 90-percent Federal share of the project is included in the funds already authorized for the National System of Interstate and Defense Highways. The remaining 10 percent will come from the highway funds of the District of Columbia, authorized by separate legislation.

The bill pertains only to the location of the proposed highway, and legislation is required because the tunnel would traverse property under the jurisdiction of the Architect of the Capitol.

H.R. 10392 was approved unanimously by the House Committee on Public Works. The National Capital Planning Commission, the National Capital Transportation Agency, the House Office Building Commission, the Architect of the Capitol, the National Park Service, and the Board of Trustees of the National Gallery of Art, all have concurred in their approval of the project.

Mr. HARVEY of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Maryland has very well described the purposes of this particular bill which authorizes the location of a tunnel under parts of the U.S. Capitol Grounds. This, of course, is a portion of the center leg of the inner loop freeway and, as such, it seems to me it is important we recognize that this is absolutely essential if the present portions of our freeway systems are to mean anything whatsoever.

Our committee held quite extensive hearings on this particular matter. We heard from the architect, Mr. Stewart; also from General Duke. We have made every effort to eliminate all the questions that were involved with regard to what obviously will be questions of relocation during the time of construction, the question as to whether or not the buildings on the Capitol Grounds would be affected. Of course, they will not be.

The gentleman from Maryland has made the point that there is no new money involved in this which, it seems to me, is very important. In view of all these circumstances, Mr. Chairman, I certainly want to support this bill wholeheartedly, and hope it will be passed.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Michigan. I yield to the gentleman from Illinois.

Mr. SPRINGER. I would like to ask the question: I have noted the tunnel on the map which is on the minority table here. Is my understanding correct that this tunnel will be bored underground and will not be taken from the surface?

Mr. HARVEY of Michigan. I do not believe that is correct. My recollection of the testimony of General Duke is that it would not be bored underground but it would have to go down from the surface through a trench section.

Mr. SPRINGER. There would have to be a trench section in front of the Capitol. The question is how long is it estimated this will have to be torn up?

Mr. HARVEY of Michigan. The best estimate of General Duke was between 2 and 2½ years.

Mr. SPRINGER. To complete that section?

Mr. HARVEY of Michigan. Yes. I would emphasize that this tunnel would be covered.

Mr. SPRINGER. The gentleman means it will be covered at the intersection, or will the whole of it be covered?

Mr. HARVEY of Michigan. The whole tunnel after it is finished will be covered.

Mr. SPRINGER. But you are going to have an open trench to begin with?

Mr. HARVEY of Michigan. That is correct.

Mr. SPRINGER. At the point where the so-called tunnel ends at Constitution Avenue, will those three highways coming out of the tunnel be open and below the surface?

Mr. HARVEY of Michigan. The approach, which is not shown on the map, is between Constitution and C Street, so by the time it reaches C Street it will be at grade.

Mr. SPRINGER. The only part of the closed or open trench is to C Street; is that correct?

Mr. HARVEY of Michigan. That is correct.

Mr. Chairman, I have no further requests for time. I urge the adoption of the bill.

Mr. FALLON. Mr. Chairman, I have no requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized and directed, in constructing, maintaining, and operating a vehicular tunnel in the city of Washington, District of Columbia, extending from the vicinity of Second and C Streets Southwest, to the vicinity of Third and Constitution Avenue Northwest, as a part of the Innerloop Freeway System, to locate a portion of such tunnel under square W–576, which is a part of the United States Botanic Garden Grounds and reservation 12, which is a part of the United States Capitol Grounds.

SEC. 2. Subject to the approval of the Architect of the Capitol and to such conditions as he may prescribe, the Commissioners of the District of Columbia are authorized to make such use of square W–576 and reservations 12 and 6B as may be necessary for the construction of the tunnel, including borings and other preliminary work and storing of materials, and the reconstruction of that section of the Tiber Creek sewer located under square W–576 and reservation 6B.

SEC. 3. Except as provided in section 6, nothing in this Act shall be construed to grant to the Commissioners of the District of Columbia any right, title, or interest in or to any real property of the United States, and reservation 12 shall in its entirety continue to be a part of the United States Capitol Grounds, and square W–576 shall in its entirety continue to be a part of the United States Botanic Garden Grounds. The Commissioners shall have jurisdiction and control of, and sole responsibility for the operation and maintenance of, those portions of the tunnel beneath square W–576 and reservation 12.

SEC. 4. All areas of square W–576 and reservations 12 and 6B disturbed by reason of operations under this Act shall, except as otherwise provided in this Act, be restored to their original condition to the satisfaction of the Architect of the Capitol.

SEC. 5. Except as provided in section 6, the United States shall not incur any expense or liability whatsoever under or by reason of this Act, or be liable under any claim of any nature or kind that may arise from the construction, or the operation or maintenance, of that portion of the tunnel authorized by this Act.

SEC. 6. The Architect of the Capitol is authorized to convey to the Commissioners of the District of Columbia, for purposes of constructing the Innerloop Freeway System, all, or so much as he determines necessary, of the right, title, and interest of the United States in and to reservations 6B, 6C, 6D, 6E, 6F, and 286 in the District of Columbia. Any real property conveyed under this section shall thereafter be under the sole jurisdiction and control of the Commissioners of the District of Columbia.

SEC. 7. Notwithstanding the joint resolution entitled "Joint resolution providing for the construction and maintenance of a National Gallery of Art", approved March 24, 1937 (50 Stat. 51; 20 U.S.C. 71), the Commissioners of the District of Columbia are authorized to use the east sixty-five feet of the area bounded by Fourth Street, Pennsylvania Avenue, Third Street, and North Mall Drive Northwest, in the District of Columbia for the construction and maintenance of a vehicular tunnel, on condition that after such construction is completed (1) the surface thereof is maintained at its original grade, (2) no portion of the tunnel, including ventilating equipment and utilities, is nearer the surface than eight feet, and (3) the surface ingress and egress to such property is not limited.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ULLMAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10392) authorizing the Commissioners of the District of Columbia to locate a portion of a vehicular tunnel under parts of the U.S. Capitol Grounds and the U.S. Botanic Garden Grounds, and for other purposes, pursuant to House Resolution 739, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

POLITICAL POLLSTERS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, for some days I have reported on the vagaries and vicissitudes of political "pollsters." Certainly, if the pollsters are fraught with the penchant to deliver phony political propaganda and not to use the investigative and scientific approaches that are available, in order to influence and cast a sphere of delight toward their candidates, they must have been uncommonly concerned with the vagaries of the California primary yesterday. Those remaining who were not so timorous as to make any prediction at all, were confused and obfuscated during the evening. I hope that they will take to heart at least some of the suggestions that we have recommended before they continue their onerous but apparently well-paid duties.

I cannot help but reflect, Mr. Speaker, that Mr. Lou Harris, only a few days ago was predicting a Rockefeller victory by some 9 percentage points over Senator BARRY GOLDWATER. But by election eve, Mr. Harris, by some mysterious alchemy, discovered that throngs of California Republicans were shifting their views in support of the Arizona Senator, though he could never quite bring himself to state publicly that Senator GOLDWATER would win. I suggest, Mr. Speaker, that the views of the California Republicans did not shift nearly so much as Mr. Harris implies they did. I suggest, in fact, that their views remained fairly constant and that it was Mr. Harris, a former employee of the Democrats' National Committee who did the shifting. It is a paradoxical dilemma to be tossed between the horns of veracity on the one hand, and employment by the purveyors of preference.

First, we had the spectacle of Mr. Harris finding overwhelming support for Mr. Rockefeller in California almost minutes after the results of the Oregon primary became known toward the obvious end of eliminating the liberal democrat's greatest fear, Senator BARRY M. GOLDWATER. I find it very odd that Mr. Harris' "findings" almost always conform with the editorial preferences of the liberal establishment by whom he is paid; namely, the Washington Post, Newsweek magazine, and CBS News. Lest anyone wonder why I include CBS News in this "troika" I can only refer them to the so-called interpretive reporting by Harris, Eric Severeid, Theodore White, and Meade Alcorn during CBS coverage of the primary last night. One would have thought that the nomination of a conservative was a catastrophe for the Republican Party and the Nation. According to these commentators, all liberals themselves, there are only the rightwingers and the moderates, leaving one to wonder just who is the leftwing? It stands to reason that if BARRY

GOLDWATER is to be referred to as the rightwing of the Republican Party, then those who believe the opposite of GOLDWATER, such as the Governor from New York, must be the leftwing. But today all leftwingers are referred to as "moderates" by the liberal press. Perceptive people realize that all degrees of "leftism" is relative, and no Republican votes leftism related to the radicalism of the ADA or northern machine Democrats.

In any event, having done his best to launch a liberal bandwagon by his prediction a week ago of a devastating GOLDWATER defeat, Mr. Harris found he had to come back to reality and he apparently squirmingly reversed his findings somewhat to show that the Senator, while still lagging, was at least in the ball game. And so now, with the end of the primary season, we find Mr. Harris, "pollster extraordinary," with a rather dismal record of no wins and three defeats in the three major Republican primaries. I must confess some wonderment, Mr. Speaker, at how a man with a batting average of zero can remain in the good graces of his employers. So long as he does, I can only conclude that his willingness to smear conservatives and conservative cause meets with their approval to the point where they are willing to overlook his ineptness. Where goeth our vaunted freedom of the press, and its alleged objectivity?

Mr. Speaker, all of us can recall how often the press calls upon us, the Congress, for protection when those freedoms are threatened.

CHARLES ADLER, OF MARYLAND, HAS DEVOTED HIS LIFE TO SAFETY

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, I would like to call to the attention of all the Members of the House the latest safety device invented by Maryland's most safety-minded citizen, Mr. Charles Adler.

Mr. Adler has devoted his life to saving the lives of others. When he was only 14 years old, he filed his first invention, an electric brake for automobiles. That was in 1914. Since then he has invented a double filament signal lamp for running lights; in 1941 flashing position lights which are still in worldwide use and which invention he presented as a gift to the U.S. Government.

Other inventions for the safety of aircraft include aircraft fluid drive, aircraft landing indicators, retractable mirrors, anticollision lighting system, wide angle sealed beam lamp, aircraft horn, studded reflector taillights, aircraft proximity indicator, anticollision lights, and synchronized flashing anticollision and position lights. Six of these inventions which save lives were presented by Mr. Adler as a gift to the Government.

But Mr. Adler has not confined his talents to the safety of aircraft. He has also invented the rotating railroad-highway crossing signal, the Adler flashing relay for operation of railroad-highway crossing flashing light signals, used on more than 30 railroads, and the double filament signal lamp.

And this safety-minded citizen has not forgotten the need for safety on the Nation's highways. He invented the electric brake for automobiles, designed and built as well as installed the world's first traffic-actuated traffic signal in daily public use, the traffic-actuated sound detector, double filament-signal lamp, color-design traffic signal lenses for colorblind motorists, a traffic actuated speed control signal system, and the Adler diverter light. This is certainly an impressive record of devotion to the cause of safety for the traveling public.

Last fall, Mr. Adler testified before the Subcommittee on Public Health and Safety to explain his invention called a spaceometer. This is a device which permits a driver to see at a glance both his speed and the number of car lengths he should be behind the car in front of him for safety. Representatives of the three largest auto manufacturers were present at the demonstration and we are hopeful that they will some day install the spaceometer on all cars to help prevent tailgating and rear end collisions.

Now Mr. Adler has invented another device in his war on traffic deaths. This is known as the beaconbulb and is designed for use as a daytime light on automobiles. The director of the Maryland Traffic Safety Commission, Mr. Paul Burke, has endorsed the beaconbulb as has the American Legion in Maryland. The Baltimore Evening Sun explained this device to its readers on May 27 and I ask unanimous consent to have that article inserted at this point in the RECORD.

Mr. Speaker, we in Maryland are proud of Mr. Adler and the contributions he has made to the safety of all our citizens. But we are fully aware that only if these devices he has invented are made available to the traveling public can they save lives. It is impossible to estimate the number of lives which may have already been saved by Mr. Adler's inventions for the railroads, the aircraft and the automobile. Now it is time for all our citizens to familiarize themselves with the beaconbulb and have it installed on their cars. Mr. Adler has donated the royalties for this invention to the Maryland Traffic Safety Commission to be used in promoting traffic safety. We realize that we all owe him a debt of gratitude, which can only be repaid by reducing the slaughter on our Nation's streets and highways.

THE WAR ON TRAFFIC DEATHS: LEGION BACKS ADLER PLAN FOR DAYTIME LIGHT ON CARS

(By Robert Blake)

A warning light now used on the majority of the Nation's airplanes to avoid collisions in the air will soon begin appearing on the front grillwork of automobiles in Maryland and throughout the Nation, if the Maryland Department of the American Legion has its way.

Royalties from the sale of the light—to be used as a daylight running light on motor vehicles—will go to the Maryland Traffic Safety Commission.

For the inventor of the airplane anticollision light and its adaption for use as a daylight running light on land vehicles is Charles Adler, Jr.—one of the Baltimore Metropolitan area's best known engineers and inventors.

FIVE THOUSAND CANDLES

The new bulb for motor vehicles will produce a beam of light equivalent to about 5,000 candles, Mr. Adler explained. And it will be produced by the Grimes Manufacturing Co., of Urbana, Ohio.

The new device, called the beaconbulb, evolved from experiments that Mr. Adler has been conducting for more than 12 years—experiments that have now been confirmed by traffic researchers and safety experts in midwestern States.

In 1953, Mr. Adler, a railroad buff, noted that locomotives burn headlights day and night to reduce accidents.

He attached a light to his car and became the center of attraction as he drove around the city during the day with the light on.

Mr. Adler was experimenting. It was his theory that pedestrians and drivers of other cars could see his car better if a light, not his headlights, were on during the day.

Since then other researchers have confirmed what Mr. Adler had long suspected: The principles of camouflage come into play on highways and city streets and sooner or later an automobile even during daylight hours may be in a position that reduces visibility to zero or changes its appearance so as to make it unrecognizable as a car.

ENDORSED BY BURKE

Paul Burke, director of the Maryland Traffic Safety Commission, has endorsed the beaconbulb for use on motor vehicles. So has the executive committee of the Department of Maryland, American Legion.

"We request Maryland citizens," the Legionnaires said in a resolution, "to install such a light which meets the specifications established by the Maryland Traffic Safety Commission.

"It is further resolved that we will ask all 35,000 Legionnaires to use such a lamp during daylight hours."

Mr. Adler, personally paying for the engineering of the beaconbulb, noted that Maryland wil not have to invest one dime in the project which he confidently believes will return money to the State to be used for safety purposes.

EXTRA LONG STAPLE COTTON

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

Mr. SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MORRIS. Mr. Speaker, American producers of extra long staple cotton have long been admired for their efforts to increase the demand for their cotton. American-Egyptian—the great bulk of American-grown extra-long staple cotton—is grown primarily in my own State of New Mexico, and in west Texas and Arizona.

For years, U.S. production of extra long staple cotton was characterized by sharp fluctuations. To stabilize the industry and create a growing demand for their product, U.S. producers organized the SuPima Association of America in the early 1950's. They committed themselves to financing a hard-hitting promotion program by contributing to Su-Pima an amount equaling more than 1 percent of the gross value of their production. To help meet competition, they have twice asked Congress to reduce their price support. Because of their efforts, consumption of American-grown extra-long staple cotton more than doubled from 1958 to 1961.

Extra-long staple cotton is also grown by the United Arab Republic, Sudan, and Peru. These countries account for virtually all of the world trade in this cotton. They even supply the United States with about 85,000 bales annually—the amount of the import quota—as they are able to undercut the American price in its own market. American farmers, therefore, bear the full burden of adjustment to meet changes in domestic demand.

This past year prices of extra-long staple cotton outside the United States have risen rather sharply. The Egyptian Government, for example, raised export prices 12 times after April 1963. Certain qualities of Peruvian and Sudanese cotton rose 25 and 46 percent, respectively, in price. Commenting on these price increases, an article in the Department of Agriculture's May 25, 1964, issue of "Foreign Agriculture" says, "What lies behind these abrupt price rises is a record import demand, plus smaller 1963-64 crops and the unavailability of the U.S. crop for export." That same article points out that this country "with domestic price supports that are ordinarily above the world level, has exported very little of its ELS—American-Egyptian—in the past years."

As evidence of the right supply situation, sales for export of foreign-grown extra-long staple cotton formerly in the U.S. strategic stockpile have been at a brisk rate. The May sales quota of 10,000 bales—500-pound equivalents—was snapped up on May 6. Three to four times as much cotton could have been sold had not somewhere along the line a limit of 10,000 bales been placed on these sales.

In contrast to the scarcity of extra-long staple cotton outside the United States, this country has a surplus for the first time in years. Several factors have combined to produce this surplus situation, some of which are beyond the control of farmers.

To remedy this situation, U.S. farmers asked the Department of Agriculture to institute an export program under which at least 125,000 bales of their cotton could be exported at competitive world prices before August 1, 1965. The cost of such a program would equal just about what it would cost the Government to store the cotton for 3 years. But at the same time, it would yield the United States about $25 million or more in foreign exchange, so vital to our international balance-of-payments position.

Even with this program, however, farmers recognize that they may have to take some reduction in acreage. The Department of Agriculture has already announced a 7.5-percent reduction in the price support for the 1964 crop.

Thus far no announcement of an export program has been made. The growers' request is reasonable. It is the first time that they have asked their Government for any kind of aid.

According to the Department of Agriculture, prospects next year are for continued tight supplies outside the United States. Certainly this is a most appropriate time to export part of the American surplus. Not only would it benefit the American long staple cotton industry, it would enable our Government to take advantage of the high prices in the export market.

I understand the reason for the delay in resolving this question is State Department opposition. This would be consistent with past practices of the State Department in its willingness to sacrifice American interests for the sake of foreign countries. But, in this instance, its opposition would be somewhat hard to justify.

The major producing foreign countries, particularly the United Arab Republic, are certainly not counted among the United States best friends. Obviously, these countries want us to stay out of the export market so that prices will remain at high levels.

But why should this country subordinate its policy to the self-serving interest of these countries? Why should American farmers not be permitted to supply a demand outside this country which is not being met from other sources? What possible reason can be advanced for refusing to permit importing countries to buy surplus American stocks for dollars when supplies from elsewhere are unavailable?

This matter needs to be settled immediately. I urge that American-grown extra-long staple cotton in an amount recommended by the growers be made available for export at competitive world prices.

PRIVATE ENTERPRISE REBUILDING DOWNTOWN DALLAS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Alger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALGER. Mr. Speaker, one of the most spectacular urban renewal programs to date has been announced by a group of business leaders for Dallas. The huge project planned for downtown Dallas to stop urban blight will cost $120 million. All of the money will be invested by private individuals and companies. No Federal aid has been asked nor did the Dallas business leaders wait for Federal planning, Federal prodding, or Federal direction. In the true spirit which has always been a part of Dallas, forward-looking Dallas leaders anticipated the need and after 9 years of planning announced this week a project to be known as Main Place.

Main Place, as it is called, is a central 10-acre area in the heart of downtown Dallas. When completed it will be a showplace of outdoor sunken plazas, office buildings, retail stores, an overhead hotel and 3,500 underground parking spaces.

The project was planned and will be carried out by the Dallas Texas Corp., headed by W. T. Overton. Mr. Overton, Senior, and Mr. Overton, Junior, and other city leaders studied the problem of downtown Dallas and came to the conclusion that redevelopment must be on a massive scale and entirely on a private enterprise basis.

What Dallas can do, every city in America can do. We talk about reducing big government, but the only way it can be done is by public spirited citizens taking the initiative as we have done in Dallas. If other communities will join Dallas in cleaning up their own blighted areas, we can begin to reduce this monster of Federal spending which is devouring the resources of our people.

I take this opportunity to pay public tribute to W. T. Overton, W. W. Overton, Jr., Clint W. Murchison, Jr., and John D. Murchison who head up the corporation undertaking this great project.

As part of these remarks I include the news stories from the Dallas Morning News concerning Main Place, Dallas' answer on how to rebuild your city in the American way. I also include an editorial from the Dallas Morning News on the same subject:

[From the Dallas (Tex.) Morning News]

Dream To Prevent Downtown Blight Now Coming True

(By Rudy Rochelle)

W. W. Overton, Jr., has determined that the downtown area of Dallas would not follow the path to blight and decay as so many other major U.S. cities have.

This determination took the form of a fabulous dream more than a decade ago.

Today, after years of dedicated work, this dream has come to fruition in the form of Main Place, a $120 million futuristic project which will reshape the face of downtown Dallas and give it a new lease on life.

Overton recalls that a friend told him "only a dumb man doesn't know that the Trinity River's dry and everybody has moved uptown."

But Overton has spent most of his 67 years meeting challenges head on, setting goals, and tnen working to fulfill them.

These characteristics have made him one of the city's business and civic leaders and president and board chairman of the largest State bank in Texas, the Texas Bank & Trust Co.

Merely a listing of his contributions in time and talent to committees and boards devoted to the economic and civic betterment of Dallas runs to six pages of single-spaced typewritten paper.

Overton has had an excellent vantage point to observe the changes taking place in the western section of the downtown business district, for his bank is in the heart of this area.

And although the area is not seriously blighted, he could see from the windows of the Texas Bank that such a condition was not far off.

"I have seen many of our leading businesses and industries start in this end of town and then move to new areas," he commented in an interview.

As this happened, blight began to occur and the city's tax take for downtown began to decline.

Overton and other city leaders studied the problem, and there emerged the thinking that when redevelopment did take place it must be on a massive scale, entirely on a private enterprise basis and along lines that would eventually stimulate the revitalization of the whole downtown area.

"At first I had no investment interest," he said.

However, it quickly became apparent that unless someone bought the property in the area and developed it with one master plan success would be impossible.

Overton really came to grips with the problem as chairman of the city's municipal blight committee and chairman of the Central Business District Association's research committee.

"I went to Papa Murchison (Clint Murchison, Sr.) and proposed that we merge our properties and acquire the rest," explained Overton.

"I told him he might begin to get his money back in the second generation (John and Clint Murchison, Jr.)."

The vehicle the Overton-Murchison interests created to buy the property and develop it as Main Place is the Dallas, Texas Corp., put together in June 1956 and activated in June 1959.

"It took us 9 years to get all the property," said Overton.

The last piece of the 74 parcels of land needed for Main Place was signed only 2 months ago.

In the fall of 1960, Overton, representing a group of Dallas businessmen and acting as both a private entrepreneur and property owner, went to the dean of Columbia University School of Architecture with the proposal that the school study the Dallas situation and formulate a master plan.

This resulted in the Columbia Plan announced 2 years ago.

"We wanted a plan that would excite and stimulate the entire city and restore the growth of downtown.

"It had to make new uses of land, which in turn would result in the increased use of people."

Overton said the arresting of traffic congestion through the city's current and planned system of freeways was a major factor in his decision to go ahead with Main Place.

"Our original idea took in 60 acres, and it's still in our minds, but we're making a 10-acre start.

"There's sure to be some other startling announcements soon concerning this end of town," he added.

Main Place can be conservatively called the first step toward making a reality out of the dream of revitalizing through private enterprise the downtown Dallas business district.

Plain-spoken Bill Overton simply sees it as "a job which needed to be done, so we did it."

[From the Dallas (Tex.) Morning News, May 31, 1964]

Huge Project Planned in Downtown Dallas: $120 Million Center

(By Lewis Harris)

The veil was lifted Saturday on a grand $120 million private enterprise redevelopment project for the west end of the downtown Dallas business district.

Details came in a long-awaited announcement from the Dallas, Tex., Corp., owned by the Overton-Murchison financial interests of Dallas.

A central 10-acre area just west of Akard Street will be transformed into a dazzling showplace of outdoor sunken plazas, gleaming office buildings, retail stores, an overhead hotel and 3,500 underground parking spaces.

Construction will be on property bounded by Elm, Field, Murphy, Commerce, and Lamar Streets.

The development, largest of its kind in the city's downtown history, will be known as Main Place.

Dallas Corp. president W. T. Overton said work will begin immediately. Completion on the entire plan is set for 1969.

"We believe Main Place will serve as a model and example of what can be accomplished to encourage the rehabilitation of this area," Overton declared.

"It is our hope that this will have a catalytic effect to stimulate further private enterprise redevelopment of the original section of the central business district."

Overton is president of the Texas State Bank & Trust Co., which will move its quarters to the new site in 1967.

One of the more significant planning breakthroughs on Main Place is the creation of the 10 acres, covering 6 city blocks, into a superblock on a level 15 feet below the sidewalks.

This will permit development of large open spaces, and establishes access to all areas by pedestrians without the need to cross streets.

One of the office buildings will straddle Main Street—a plan already approved by the city council.

The 400-room hotel will be on top of a department store.

Dallas Corp. has spent the last 9 years acquiring 74 individual parcels of land needed for Main Place.

The slim, pipe-puffing Overton noted that Main Place represents "our faith in the ability of Dallas to grow. We have a lot of confidence in the Dallas market after spending a lot of time in recent months analyzing a lot of facts."

While financing arrangements will be disclosed later, the young executive said that "a big hunk of Dallas capital has been committed to this project."

The balance has been negotiated with a major mortgage investment firm, the Prudential Life Insurance Co.

Negotiations also have been underway for months with prospective tenants of the commercial areas of Main Place, Overton said. These also will be announced later as progress is made.

However, indications are that possible new entries into the Dallas market will occupy the major department store and operate the hotel projected for the development.

The new project is generally surrounded by other major construction. It lies in the shadow of the new 51-story First National Bank Building on Elm; the new Sanger-Harris Department Store is just north on Pacific and the Dallas County Courthouse complex is going up two blocks west of the site.

First phase of construction on Main Place will be a 34-story office building, which will house the Texas Bank & Trust Co. when it moves its banking headquarters to this building from its present location at Main and Lamar Streets.

Designated as One Main Place, the building will have 1 million gross square feet of office space, 25,000 square feet of outdoor plaza surrounded by 60,000 square feet of retailing outlets and an 800-car parking garage.

Completion of One Main Place is scheduled for the summer of 1967. It will cost about $41 million.

The second and third phases of the project will be a second office building of 1,400,000 square feet and the 300,000-square-foot department store with hotel.

An additional 165,000 square feet of retailing, recreational, and cultural facilities, plus a 2,700-car parking garage, will be included.

This second office building, which will span Main Street, actually will be two buildings in one. A mechanical floor will separate the structure at approximately the middle, giving two major tenants the opportunity for identity both in structure and at the ground floor levels.

For one, entrances would be at Commerce and Main. For the other, at Elm and Main.

While the height of the second office building has not been finally determined, it is projected at more than 50 stories in the scale model for the project.

For comparison with prior downtown developments, officials said the 3 acres to be used for One Main Place alone is about 30 percent greater than the largest other single existing improvement.

Main Place will be for its area of the business district what Southland Center was for the east end.

Concepts for Main Place were inspired by the Columbia plan, an architectural survey on approaches to revitalizing the older portion of the downtown west end.

Pedestrian traffic and various forms of vehicular traffic will be separated to provide maximum concentration without congestion. Tunnels will bring service trucks into the area.

Oblique, rather than sharp-angle turn, entrances will allow vehicles to glide into the massive parking garages so that a traffic lane will not be obstructed.

Griffin Street, which bisects the Dallas Place site, is due to be completed in 1967 and will connect with the Thornton Freeway on the south and the Woodall Rodgers Freeway on the north. This will give the area unique accessibility.

The Dallas Corp. is staffed by a youthful team widely experienced in real estate development and downtown city planning.

Overton, 35, the son of W. W. Overton, Jr., president and board chairman of Texas Bank & Trust, has been in the real estate and investment field since 1950. He is also president of W. W. Overton Co. and a director of Texas Bank.

Davis S. Owen, 34, executive vice president, came to the organization from the position of vice president with Webb & Knapp (Canada), Ltd. He was in charge of diversified redevelopment projects, including the $88 million Place Ville Marine development in downtown Montreal.

Vincent A. Carrozza, 39, vice president, has been associated with downtown Dallas planning since 1958. He was executive director of the Downtown Dallas Property Owners Improvement Association, and assistant director of the Central Business District Association.

Jack Locy, 37, vice president and secretary, was formerly controller and planning coordinator for Texas Instruments.

Directors of the corporation are the two Overtons, John D. Muchison, Clint Murchison, Jr., and Owen.

[From the Dallas (Tex.) Morning News, June 1, 1964]

Main Place

Main Place, the 10-acre, $120 million redevelopment program in downtown Dallas announced by the Overton-Murchison interests, is challenging in concept and epochal for the future of the business heart of the city.

Each of its three new high-rise buildings would be notable by itself, but their grouping in a magnificent overall design to revitalize an entire section of the central business district promises to make history.

A dominating feature is organization of its 10 acres as a single superblock on a level 15 feet below the sidewalks, thus providing a network of spacious open plazas around which the buildings and their commercial, recreational, and cultural uses will be brought to life.

With its separation of conflicting types of traffic on various levels, the unified 10-block project brings fresh solution of a problem faced by large modern cities—the concentration and movement of large numbers of people and vehicles without paralyzing traffic congestion.

Start on the first phase of construction, a 34-story office building to be known as One Main Place, is scheduled for this summer, with estimated completion by the middle of 1967. Occupying 3 acres bounded by Elm, Field, Main, and Griffin, this initial structure will cost $41 million. Texas Bank & Trust Co. is the first tenant announced for the structure.

Succeeding phases of the whole project are expected to be finished in 1969.

Assembly of the 74 separate parcels of land needed to site Main Place represents a 9-year effort entirely by private enterprise and commands wide interest.

Equally notable are the study and planning behind Main Place. Incorporating basic concepts worked out by the Columbia University School of Architecture 2 years ago of how to make 3-dimensional use of real estate, the project comes off the drawing board with outstanding architectural design. The internationally famed firm of Skidmore, Owings & Merrill of New York and Harwood K. Smith & Partners of Dallas are its architects.

Importance of Main Place to the whole central business district embraced within the downtown loop of expressways is obvious. It fits into and accelerates the vast transformation underway there during the last decade and a half, which is fast giving Dallas a new and nobler skyline.

Main Place promises to exert its most direct influence in the revitalizing of the western half of the business district, particularly along Elm, Main, and Commerce between Field and the courthouse. This means a rebirth for the area in which Dallas as a business and financial center was born in the last century.

Only half a century ago this same pioneer area contained most of the leading stores, hotels, theaters, office buildings, and banks, including the first home of the Dallas Federal Reserve Bank, the majority on sites where they had come into being. Restoration of this area to its former place is greatly in the interest of all Dallas.

Individuals and business groups behind this major new project are acting wholly as private investors and developers. They deserve the commendation of the Greater Dallas community for their moving vision and enterprise. This is free enterprise in its highest concept.

THE PERILS OF SOCIALIZED MEDICINE

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALGER. Mr. Speaker, the Ways and Means Committee still has under consideration the administration proposals for hospital and medical care. It is too early to predict what final action may be taken, although there seems to be a willingness on the part of the administration to forget its original plan for medicare for an easier approach in order to get a foot in the door for Federal medicine.

Whatever compromise is approved, we can be sure that if we pass any legislation to give the Federal Government greater participation in furnishing medical or hospital services to the people, it will be only a beginning. The ultimate goal of the Federal planners is complete medical and hospital care for all the people through the Federal Government. This was spelled out by Walter Reuther, one of the architects of the various deals fashioned by the Democrats. In addressing the UAW convention Reuther made it clear that any medicare legislation passed now is only the beginning and that the liberals will not cease their efforts until every individual is guaranteed complete medical care under a Federal program. While the word is not used now, the goal is socialized medicine.

When that day comes, the American people will be the losers. They will get poorer, not better medical care. The record of socialized medicine in other countries is proof that all the people are better served in a free society.

What socialized medicine will mean to the people of the United States is discussed in a speech by Adm. Ben Moreell, before the Association of American Physicians and Surgeons, Inc. The admiral's speech was delivered in Chicago on April 3, 1964, and I would like to include it as a part of these remarks. I urge all my colleagues to carefully consider Admiral Moreell's warning voting on legislation we may long regret:

THE PHYSICIAN AND NOBLESSE OBLIGE

(An address by Adm. Ben Moreell, Civil Engineer Corps, U.S. Navy, retired, to the Association of American Physicians and Surgeons, Inc., Chicago, Ill., April 3, 1964)

It is with some concern that I accepted your President's invitation to address this assembly of eminent practitioners of medicine. For I can add little of value to the vast store of scientific knowledge which serves your profession. My concern vanished as I recalled many rewarding associations with the medical officers assigned to the forces operating under my direction during the Second World War, some 1,200 doctors of medicine and dental surgeons.

Later, during 12 years in private industry, I had numerous profitable meetings with the physicians engaged in our industrial medical work.

From these varied experiences, I gained a sympathetic understanding of some of the problems which beset your profession.

But, more important to this meeting: for 30 years, I have been an ardent student of political economy and of the philosophy of individual freedom which, until recently, has been the solid foundation of our American way of life. In this area, so vital to all who wish to live as free men in a free Republic, and to bequeath their freedoms to their posterity, I may contribute something of value.

The crucial conflict of our times is between self-disciplined, morally responsible individualism and coercive collectivism, functioning under disciplines imposed by the State. Important economic, political, cultural and social issues are involved, but essentially, the struggle is between two opposing sets of moral values; or, more precisely, between a set of moral values based on religious principle, on the one hand and, on the other, a set of materialistic policies and practices whose aim is to establish a "heaven on earth," which make no claim to moral content, which change whenever it becomes politically expedient, and which always end in despotic control of all human action by a small group of ruthless men.

INDIVIDUAL RIGHTS AND MARXISM

The proponents of morally responsible individualism are called libertarians or constitutional conservatives. Those who profess coercive collectivism, in varying degrees, are called Communists, democratic Socialists, welfare statists, middle-of-the-roaders, or modern liberals. No matter what the name, all of these "cults of coercion" are, in some degree, disciples of Karl Marx's "scientific socialism."

The key ideas of constitutional conservatism are found in our Declaration of Independence, which asserts that men have inherent and inalienable rights which accord with the "laws of nature and of nature's God." Governments are established to secure men in these antecedent rights. Constitutions and political structures merely formalize the condition of outer and social freedom which men's inner and spiritual liberty demands. If government fails in its primary task of defending men's birthright of freedom, they are dutybound to alter or abolish it, so the Declaration reads, and to "provide new guards for their future security."

The natural rights idea, so prominent in the thinking of our founders, is but the immediate application to political philosophy of the Judeo-Christian idea of man as a creature of God, accountable to Him for the proper ordering of the soul for which each of us is responsible.

On the other hand, Marxism, denying God, logically denies the idea of individual rights, and thus reduces individuals from persons in their own right to mere wards of the State. The scientific socialism of Marx is an idea, a belief that responsible individual freedom as a way of life cannot work. It is a conviction that certain ordinary mortals like you and me who, largely by chance, occupy the seats of power in government, are more capable of running our lives than we are. It is a fear that if we are left free to manage our own affairs we will be wanting in food, clothing, and shelter. It repudiates the free market, where buyers and sellers voluntarily reach figures acceptable to both. It advances the false thesis that employers and employees belong to different classes and are natural enemies. It is a coercive process whereby some people use government to force others to conform to their views and desires. It debases the intelligence, the integrity, and the dignity of the individual, who must bow to the dictates of political overlords.

Marx founded his socialism on the false premise that man can and should be refashioned, not in the image of God, but in the image of the men who wield the political power. Human beings are looked upon as natural products of the natural world, mere fragments of the landscape, which should be molded, shaped, and leveled off to fit the blueprint of the master planners, with as little compunction as one shapes and levels the ground with a bulldozer.

In mid-19th century, when Marx was in his heyday, religion was only of historical interest to many people. They believed it to be part of the childhood of the race and that it had no place in a scientific world. Where remnants of religion did linger, they were used, said Marx, by capitalists to numb the senses of the people and make them subservient.

THE EFFECTS OF SOCIALIZATION

What have been the effects of those theories in terms of current world practices? The socialist fantasy of fabricating a perfect society has resulted, instead, in the tyrannical societies of the Communist "people's democracies." The Judeo-Christian dream of the Kingdom of God was reduced to a materialistic utopia on earth, and the drive to realize it wound up as ruthless despotism.

It is tragic that socialism has now become the faith of most men. Some 50 years ago, an eminent British statesman, Sir William Harcourt, remarked: "We are all socialists now." This may have been premature, but the observation has become more pertinent with each passing decade. It is true that the people of America have not accepted socialism, as such; the label has always met with sales resistance. But, when presented under other labels, the principles and practices of socialism have been widely adopted.

Norman Thomas, dean of American socialists, recently lamented that: "Here in America more measures once praised or denounced as socialistic have been adopted than once I would have thought possible, short of socialist victory at the polls."

Socialism as an autonomous movement has become weaker because the Republican and Democratic Parties have stolen its platform, plank by plank.

Several years ago John T. Flynn wrote: "Both of our parties are now committed to the same philosophy * * * that the Federal Government asserts the right to plan the economic system to whatever extent it feels wise, to operate as much of it directly as its politicians wish, and to subject the national income, as it has been doing, to a process of socialization, in which the Government asserts the authority to take and spend as much as it wishes * * * at the bottom is the aim of American politicians to use the incomes, the labor, the passions and the troubles of the American people to keep this socialist experiment afloat."

Most of us can support these statements from our own experiences. We are floundering in a morass of Government laws, rules, regulations, prohibitions, permits, licenses, inspections, controls, and oppressive taxation. We are loaded down with socialism, which would be called by that name if we were more realistic. But we refer to disguise the unpalatable fact, even from ourselves. We like the sound of euphemisms like "the welfare state," "the mixed economy," or "the middle of the road." No one likes to think of himself as an "extremist." The extremes in this instance are free, competitive, private enterprise, that is capitalism, on the one hand, and political ownership or control of the means of production, that is socialism, on the other. We prefer a middle course, thinking to show breadth of mind by taking, so we say, the "best of both systems" and blending them into one. But this is merely embracing socialism after having changed its name-tag. We have become so addicted to conformity that we are afraid of being called rightwing extremists—even when we know we are extremely right.

This self-deception goes back many years. In 1910 Theodore Roosevelt said: "The adoption of a logical and extreme socialistic system would spell sheer destruction * * * but this does not mean that we may not with great advantage adopt certain principles proposed by some given set of men who call themselves Socialists."

No matter what we call it, the current trend toward increased socialization will have profound effects upon our economy, our culture, and our Government, as well as on our religion and morals.

Socialists speak glibly of controlling production only; but this can be done only by controlling people. When man is controlled he is denied his inherent right to be free. And should he resist this denial, the Socialist planners, who are committed to making their plans work, resort to force to obtain compliance. The individual then has but two choices: he can be liquidated—or he can become an automaton, without initiative, spirits, hopes, or aspirations.

History shows that whenever a group of idealistic Socialists, who are reluctant to use force, come into power, they are soon displaced by those to whom the use of force is not repugnant. For examples we need only point to prewar Russia, Germany, and Italy. Professor Hayek, lately of the University of Chicago, stated: "Just as the democratic statesman who sets out to plan economic life will soon be confronted with the alternatives of assuming dictatorial power or abandoning his plans, so the totalitarian dictator would soon have to choose between disregard of ordinary morals or failure. It is for this reason that the unscrupulous and uninhibited are likely to be more successful in a society tending toward totalitarianism."

A CLIMATE CONDUCIVE TO SOCIAL PROGRESS

This end result of socialism has become so common in recent years that a new word has been coined to describe it. It is called "kakistocracy," which means a government directed by the most venal and ruthless men of the community.

Because socialism purports to limit its restrictions on freedom to the unspectacular economic level, we do not get very excited about it. We have forgotten the old adage: "Who so controls our subsistence controls us." Professor Hayek wrote: "Economic control is not merely control of a sector of human life which can be separated from the rest. It is control of the means for all our ends."

And Prof. Wilhelm Roepke, noted scholar and architect of the economic renaissance, of West Germany, wrote: "It is hardly forgiveable naivete to believe that a state can be all powerful in the economic sphere without also being autocratic in the political and intellectual domains."

Here is the crucial problem: How shall we go about applying limited human energies to scarce goods in order to achieve the greatest satisfaction of the most urgent human wants? It can be attempted either by political planning of economic production—or by consumer choices freely expressed in the marketplace.

The free market has never been 100 percent operative. There have always been men who are not willing to abide by the decisions of the market, the consensus of voluntary choices of their fellows. So they attempt to get goods and services without giving commensurate values in return. From such experiences has come the need for government, society's agent armed with a monopoly of coercive force, and commissioned to protect society's peaceful pursuits against peacebreakers. But once government got well underway, it tended to go off on a career of its own, like a cancer, and to become, itself, the chief threat to the very rights it was set up to defend. Woodrow Wilson said: "The history of liberty is the history of limitation of government power, not the increase of it."

The economic consequences of socialism are fairly obvious. They have been dealt with by many economists. Government gets into business in a big way, as a producer itself and as the major customer of industries tied in with government spending. The ultimate effect is to annul the decisions of the free market by replacing free personal choice with politically motivated directives, allocations and government planning.

But collectivism has long-range consequences of even deeper significance. Political control and direction of economic life, even under the noblest of auspices, carries with it demands and imperatives which cannot be reconciled with the principles undergirding our culture and our institutions.

While the term "social ownership" or "ownership in common," with its connotation that each of us is a proprietor, may flatter the ego, it is a gross deception. For society, which is all of us, cannot act as a whole to own and administer property. It must act through the agency of government. The men who comprise that agency are a very small group. In practice, therefore, a Socialist society is one in which the vast majority of men are controlled by the tiny minority which has the power to direct their economic activities.

By contrast, our founders established here a society which was designed to permit each individual to develop and utilize his God-given talents with maximum freedom of choice and a collateral personal responsibility for the results of his choices, the risk of making wrong choices being the price paid for freedom. Freedom to choose, wisely or unwisely, was to be restricted only to the extent that it could not be used to trespass on the right of some other person to choose freely.

In such a society there is a climate conducive to maximum social progress and individual development. Here the individual can achieve his greatest advance in those positive factors which contribute to a good society—moral courage, integrity, understanding, reasonableness, tolerance and individuality. These, in turn, provide a launching platform for attainment of the higher ends of life—scholarship, art, music, charity and worship.

SOCIALISM—A DIVISIVE FORCE

But the Socialists have corrupted that concept of freedom. Current government policies operate to place all citizens under the yoke of oppressive taxation. This puts enormous financial power at the disposal of the political apparatus. The funds are then dispensed mostly as subsidies to favored groups, with the result that society is split into three blocks.

First, there is the block on the receiving end, the people who get more in subsidies and public services than they pay in taxes. They get something for nothing. Second, there are those who pay more in taxes than they get in subsidies and services. They get nothing for something. Third, there are the people who comprise the political agency, who produce no wealth, but who have the power to transfer wealth forcibly from one set of pockets to another.

This three-part division of the Nation causes an enormous loss of wealth and potential wealth. The producer block plays host to the parasitic action of the other two. Robbed by this venal arrangement, this block refuses to produce up to capacity because the more it produces the more it will be penalized by progressively higher taxation.

The subsidized block is paid for not producing at all or for producing less than it would if its income depended entirely on its own efforts.

Thus, for different reasons, the potential productive capacity of each of these blocks is not realized, and the goods and services available to the Nation are far less than they might have been.

But this is not all. The lowered production of these two blocks must be shared with the third block (government) which does not produce at all. Except for its policing, legislative, judicial, and recordkeeping functions, this block renders no services for which consumers would pay voluntarily. But government has the power to siphon off whatever share it wants of the goods and services produced by the Nation. This soon becomes the lion's share, and the other two blocks are compelled to divide the remaining scarcity. "Robin Hood government," which purports to rob the rich to pay the poor, always takes care of itself first, using tribute exacted from rich and poor alike.

Should the producer block refuse to play host to the other two, the power of government to compel, by violence if necessary, comes into play.

The uneconomic nature of this arrangement is obvious. No less obvious is its immorality. It is legalized theft, utilized on behalf of allegedly desirable ends which were once planks in the platforms of Socialist parties. These programs for social reform took shape in an intellectual climate which was disposed to deny the reality of religion and a moral order. It is tragic that they are being fastened on us today even as the intellectual climate is changing to one more congenial to the ideas of religion and a moral order.

A social order designed to function only as government intervenes with its power of coercive force violates the moral order whose precepts stress education and conversion. There is a proper place for government action. It is to maintain the peace of society by restraining those who break the peace. But there is no rightful place in a moral order for government to force peaceable citizens to comply with economic, political, and social directives which they would not accept willingly.

SOCIALIST STRATEGY

Let us look briefly at some actions of the collectivists in their campaign to concentrate all political, economic, and social power in Washington.

The first target of the socializers in America was control of the generation and distribution of electric power. They reasoned correctly, that such control would give Government a stranglehold on most of industry. Starting from scratch in 1906, the Federal Government has pursued an aggressive expansionist policy in this field, especially during the past 30 years. In 1933 it owned only 1 percent of the Nation's electric capacity. Today that has grown to 13.1 percent. If, to this, we add the capacity of plants owned by State and local governments and by nontaxpaying cooperatives, the total figure is 24.8 percent of the national capacity of 210 million kilowatts. Practically 25 percent of our Nation's electric power has already been socialized.

The Socialists have been busy on other fronts, too. The Federal Government now engages in more than 3,000 different kinds of businesses in competition with its own citizens, while it oppresses private industry by hostile suspicions, vilification, espionage, punitive taxation, wage and price controls imposed by intimidation, harassment by Government inspectors and by real or threatened antitrust suits. The end purpose is to convince the public that private operation of industry is venal, unproductive, and unreliable.

Agriculture has not escaped attention. The progressive seduction of this vital industry by means of huge subsidies has served to fasten it in the grip of an economic straitjacket.

Education has recently come into range as a major target. Each year new and bigger plans for subsidizing education at all levels are brought forth. It appears that Government is acting on the dictum of the Supreme Court in 1942, that "It is hardly lack of due process for the Government to regulate that which it subsidizes." First come the subsidies, soon followed by Government controls and regulation.

The courts and the church have not been overlooked. Most of us are familiar with the tortured reasoning of the Supreme Court to justify its bizarre interpretations of the Constitution, its relentless campaign to destroy religion in the public schools, its ceaseless attacks on the right of private property, and its persistent promotion of an all-powerful unitary state, headquartered in Washington, to be accompanied by destruction of the constitutional rights of the sovereign States and of the people.

Our situation is more precarious because we have been abandoned by those to whom we look for moral strength and guidance. Our people are propagandized by massive back to church movements, but when they respond they find, with a few notable exceptions, that the very forces which have subverted our traditional beliefs have also infected the source of those beliefs, the church itself.

The contemporary religious scene is one of confusion. Many prominent and articulate churchmen, and most of our influential church bodies, vigorously support the socialization of our national life. Others have sought to make the church over into a political force to pressure legislators for passage of social action laws. It appears that those to whom we appeal to lead us out of the wilderness of materialism and state-imposed humanism have made a deal for a partnership between God and Caesar, with God playing the role of silent partner.

HEALTH AND MEDICAL CARE

Let us look at health and medical care. There are clear indications that the socializers are currently concentrating a major portion of their firepower on this target. There are logical reasons for this. First, since health and medical care touch the lives of practically all our people, it follows that control of those services would mean a large measure of control of the people themselves. Second, the humanitarian aspect of these activities enables demagogs to resort to effective appeals to emotion rather than to reason and logic. Third, many of those who have a sincere and profound interest in health problems naively welcome the intrusion of government into the practice of medicine and care of the sick. And, fourth, it is very difficult to convince any profession, industry, activity, or occupation that socialism knows no boundaries, that in this struggle all of us must stand or fall together.

For more than a generation collectivism has been edging over our landscape like a gigantic icecap, advancing first on one front, then on another. Its progress has been spasmodic and uneven, so some of us have been deluded into thinking that we can escape its evil effects. But we see now that none will save his skin unless there is a rebirth of liberty for all.

I wish I had the eloquence and command of logic to convince my fellow Americans that all of us have a duty to oppose socialism wherever it appears, because it is an ancient tyranny under a modern disguise. If we concern ourselves only with that aspect of socialism which confronts our own profession, our own business, our own occupation, or our own community, we contribute to its advance on other fronts by our neglect, and thus unwittingly confer power on the common enemy. There can be no safe sanctuary for anyone under total State socialism. There can be no isolated islands of freedom in a vast sea of slavery.

Nevertheless, while we cannot isolate health and medical care from the total Socialist pattern, a review of what has been happening in that area should be instructive because of its importance to our social structure and its prominence in the public eye.

Recent government statistics reveal the rapid intrusion of socialism into this field. In the 12-year period from 1954 to 1965, inclusive, it is estimated that Federal Government expenditures per annum for medical and health-related programs will have increased from $1.78 to $5.41 billion, or more than threefold, while the total national expenditures, private and public, for the same purposes will have increased only 2½ times, and the population increase will be only 19 percent.

The data presented in the Government's Social Security Bulletin for November 1963, indicate that Federal, State, and local governments are picking up an ever-increasing percentage of the Nation's total health bill and, also, that the Federal Government's portion of the expenditures by the public sector has increased over the past 30 years from 20 to 50 percent, or 2½ times. This follows the conventional pattern—more power for the Government in Washington at the expense of local governments and private citizens.

A recent Government report states: "It is estimated that in 1961 approximately 56 million persons, or 30 percent of the total population, were eligible for some direct medical benefits or partial Government subsidies of the cost of medical care without a means test. During the same year, 21 million persons, or 37 percent of those eligible, actually received direct medical care benefits or partial payments toward the cost of health insurance under public programs."

A more recent article in the New Republic of November 9, 1963, states that 30 million persons, or about one-sixth of our population, are now entitled to complete public health care. After discussing the alleged abuses of the system by hypochondriacs, malingerers, and "deadbeats" among the patients, and by doctors who "overcharge," the author concludes: "The moral, applicable to any future expansion of Government medical service, appears to recommend inclusion in any national health plan of an effective watchdog system, watching doctors as well as patients."

It is pertinent here to propound that age-old political riddle: "Who, then, will watch the watchers?" It appears that the only rational solution of this dilemma is that suggested by the nursery rhyme:

"Big fleas have little fleas
Upon their backs to bite 'em.
And these, in turn, have smaller fleas
And so on, ad infinitum!"

Thus, we achieve the perpetual motion "gestapo" of the police state.

Parenthetically, this increased prying into the people's private affairs is beginning to arouse public concern. Two books on the subject, recently published, are "The Naked Society," by Vance Packard, author of "The Hidden Persuaders" and other bestsellers, and the "Privacy Invaders" by Myron Brenton. Both deal angrily with the huge army of "spies" now working for banks, employers, stores, schools, and, particularly, the various bureaus of all levels of Government. It appears that the right to privacy is going the way of all other precious rights under the benevolent ministrations of the welfare state.

That there is no intention on the part of Government to slacken its socialistic drive is indicated by the President's "message on health," sent to Congress on February 10, 1964, wherein, after noting that Federal expenditures for health and health-related programs now total $5.4 billion per year, he urged a huge expansion of Federal aid for building hospitals and medical schools, for mental health, for other related services, and for hospital insurance for the aged to be financed by increased social security payroll taxes.

Based on these and similar data, there can be no doubt that the United States is already well advanced along the road to a complete system of socialized medicine similar to those now functioning in Britain and other socialized countries. A brief review of what has happened under those systems is, therefore, pertinent.

SOCIALIZED MEDICINE IN OTHER COUNTRIES

The National Health Service Act of Great Britain became operative in July 1948. In his book, "The British Socialist Ill-Fare State," published in 1952, the late Cecil Palmer, eminent publisher, lecturer and author devoted a chapter to "Nationalized Medicine." Here are some excerpts: "The degradation of British medicine under socialism is becoming more obvious every day, even to those who initially and sentimentally gave the National Health Service Act their enthusiastic support. This progressive disillusionment reflects the financial, structural, administrative and social limitations of socialistic legislation in a hurry. The act is an example of impetuous, vote-catching legislation. All political parties at one time or another have competed with each other in bidding for electoral support for a nationwide comprehensive medical service under state auspices. It was the trump card of all politicians who envisaged the welfare state as a lucrative hunting ground for the acquisition of authority and power over the lives and livelihoods of the majority of their fellow citizens.

"Nationalized medicine has produced a new version of the doctor's dilemma: If the doctor abides by his Hippocratic Oath, he must disobey the state upon whom he is now so largely dependent for his salary. On the other hand, if he disregards his oath and places his patients and confidences at the disposal of the Ministry of Health, he is clearly guilty of unprofessional conduct. I am not surprised that the medical profession in the main is sick and sorry, and ominously subdued. When it had the ball at its feet in the early months of 1948, it stupidly miskicked it into the Minister's goal. It was, perhaps, inevitable that the socialist government promptly confiscated the ball."

He concludes as follows: "If this examination of nationalized medicine in action possesses the objectivity and comprehensive thoroughness that I have conscientiously attempted to attain, I do not doubt that intellectually honest men and women will feel disposed to endorse a verdict which admittedly condemns the political method as it has been applied to the problems and procedures of medical diagnosis and treatment of ailing humanity."

Is there any wonder that Britain, who so blithely embarked on their adventure in socialism in spite of the many warnings of history, is now suffering a "brain drain," that is, an exodus of their best minds to other lands where there is more freedom and greater opportunity for individual growth? The scientists, the doctors, and the engineers are now being joined by the skilled and semiskilled office workers, artisans, and laborers. Many have stated that they are leaving to escape the boredom of living in a land where people are regimented like the ants and the bees.

Parenthetically, this morning's press reports that hundreds of striking Belgian doctors have fled to neighboring countries with their families to escape reprisals by trade unionists who have condemned the strike by 10,000 physicians and surgeons, supported by 2,000 dentists and opticians. The doctors struck in protest against a new national health insurance law which they regard as a step toward fully socialized medicine. One wonders how many of these unfortunate doctors protested the growth of politically inspired trade union power while it was building up.

Last year, 11 years after Cecil Palmer's book appeared, the experiences of Britain were brought up to date in a voluminous study entitled, "Medicine and the State," by two Canadian physicians, Matthew J. Lynch and Stanley S. Raphael. They analyzed in detail the state-directed health and medical care systems of Germany, Austria, Russia, Britain, New Zealand, Australia, and Sweden.

In the preface, the author states: "Several years ago we became aware of the need for a book of this type. In discussing the relationship of medicine to the State, we recognized the desirability of an objective study and of a concise source of reference as distinct from a work based on emotion, idealism, or political theories. * * * While the finished work in such a field must by its very nature be political (in the sense of a study of Government) it has not been the intention of the authors to produce a political text (in the sense of political partisanship). It is more than likely that the medical profession of North America will, in the not too distant future, find themselves in the front line of the ideological battle between the planned and the free societies. We would consider our purpose well served if we could feel that our efforts had strengthened the conviction, the resolve, and the dedication of the free."

Here are excerpts from their conclusions: "We opened this study by outlining criticisms leveled at private medical practice and the major advantages claimed for the socialized systems. The study suggests that these sanguine claims cannot be justified by the experience and achievements of any fully socialized scheme.

"All compulsory schemes, but especially those relieving patients of all financial responsibility, impair and may become in essence a sickness certification procedure. This debasement of medical practice is tolerated by all compulsory and Government-controlled schemes, and is actually promoted as an essential part of the control of costs, of overutilization, and of malingering. Office consultations degenerate to a routine 4- to 10-minute cursory examination and destroy the doctor-patient relationship.

"There appears to be no statistical evidence that any socialized medical scheme has resulted in an improvement of health beyond that enjoyed by those peoples still served by private systems of medical care. Indeed, there is more than a suggestion that the State systems result in inferior medical care and inferior health statistics.

"From the point of view of the medical profession, all evidence seems to point to the erosive influence of socialized medicine on professional standards—ethical, moral, social and economic. Under such systems, even those professions with outstanding traditions are gradually but inevitably transformed into disspirited, overworked, underpaid, and socially debased branches of the civil service or, as in Russia, to a proletarian technocracy."

Under the heading "Why Socialized Medicine Fails," they state: "In the field of health care, it does appear that, once personal responsibility is removed, collective selfishness replaces the restraint of the individual conscience. Experience suggests that individual morality declines as public responsibility increases. The authorities are forced to look to the physician to replace patient responsibility. The doctor is appointed unwillingly as guardian of the treasury to ration the scheme's benefits. This poses an insoluble conflict for the physician who, on the one hand, must trust all his patients if he is to act his true role as professional confidant and adviser, but on the other hand, and at the same time, must mistrust and suspect every patient if he is to protect the solvency of the scheme. In a word, the basic doctor-patient relationship, which is a sine qua non of good medical care, is destroyed by all schemes that remove responsibility from the patient."

The authors view with disfavor the restrictions of socialized medicine on free choice of doctors by patients and of patients by doctors, as well as the freedom of doctors to allocate their time and energies and to choose the locale of their activities. All are important factors in determining the ultimate efficiency of a nation's health services.

They conclude as follows: "Is there then, any place for socialized medicine? Since all experience shows and history attests to mankind's unquenchable thirst for freedom with justice, it follows that any system which limits freedom and justice, which imposes coercion and restricts voluntary effort toward self-betterment, has no place in the advanced and just society."

Here one should note the similarity of this conclusion with those of eminent political economists with respect to the general economy. They are illustrated by this statement of Professor Roepke, to whom I have referred previously: "We should stand for a free economic order even if it implied material sacrifice and even if socialism gave the certain prospect of material increase. It is our undeserved luck that the opposite is true. More important, the free economic order is indispensable as the prerequisite of liberty, human dignity, free choice and justice. That is why we want it, and no price would be too high for it, even if the Communists would make bigger and better washing machines."

Socialization of any creative or productive human activity, with its inevitable checks, controls and restrictions is tantamount to executive administration by a board or committee. Boards and committees can perform a useful function in advising on policy matters. But when they attempt to discharge administrative or executive functions they become ponderous, time-consuming and ineffectual. Every decision is a compromise, usually with less merit than any one of several which might have been presented by individual board members. Someone has said that a camel is a horse—designed by a committee. I trust that I will not be thought irreverent if I paraphrase a notable biblical statement by saying: "And God so loved the world that He did not send a committee." And I believe it is pertinent to recount the story of the young officer who, in an examination on the subject of naval courts and boards, was asked, "How would you define a board?" To which he replied, quite correctly, "A board is long, narrow and wooden."

Adding to our concerns, the President recently asked Congress to exercise its constitutional powers by "declaring war on poverty." He outlined the strategic plan of that war as follows: "We are going to try to take all of the money that we think is unnecessarily being spent and take it from the 'haves' and give it to the 'have nots' that need it so much."

Obviously, the plan provides that the determination of what expenditures are unnecessary, as well as who gets what—and who will pick up the tab—will be made by the politicians in power in the light of vote-getting probalities.

To date, public criticism of this war plan has emanated principally from a group of 32 self-anointed oracles, consisting largely of well-known liberal-leftists, Socialists, pacifists and fuzzy-minded appeasers of Soviet Russia. They call themselves the "Ad Hoc Committee on the Triple Revolution." They are the latest entry in the "Giveaway Sweepstakes," by Karl Marx, out of the fund for the Republic.

They have informed the President that his entry, "Poverty Package," while a good money-burner, cannot possibly win because he started late, is too slow, and does not have the stamina to go the full distance.

They propose to go all out by providing: "Every individual and every family with an adequate income as a matter of right, whether they work or not."

Thus, they have invented a new Socialist right—the right to a living without having to work for it, at the expense of one's neighbor who wants to work.

NOBLESSE OBLIGE

The title of this address is "The Physician and Noblesse Oblige." My dictionary defines this term as "nobility obligates; used to denote the obligation of honorable and generous behavior associated with high rank or birth." Let us start with the premise that in every field of human action every right or privilege is inseparably associated with a corollary duty or responsibility. There is no profession in which "the obligation of honorable and generous behavior" is more essential and has been more generally recognized and practiced in the spirit of true charity than the medical profession. This has been so throughout recorded history. In general, the physician and surgeon have accepted willingly and discharged honorably their obligations to their profession, to their fellow man, and to the social order.

However, to discharge these obligations effectively it is essential that you be aware of the dangers which now beset that social order and the nature of the values which make possible all human progress, the values of the free society.

These can be summarized as follows:

First. Every person has certain God-given or natural rights; these are the rights to life, to liberty, and to sustain his life by the free use and disposition of his honestly acquired property;

Second. To make those rights secure, there is instituted a government whose powers are narrowly limited and clearly defined by a written constitution;

Third. The security of all other freedoms requires an economic order and market for goods and ideas which are free from government intrusion except as required to prevent violation of someone's natural rights; and

Fourth. To inhibit the growth of government power which is always fraught with grave dangers man must be governed by the inner restraints of moral responsibility to God and to his neighbor, as required by our religious faith.

From observations over many years and in many countries I have concluded that the stability of any society depends upon the stability of its public opinion, for good or for evil. This is clearly apparent in a free society, where no attempt is made by government to impose opinions on the people. It is nonetheless true in a coerced society, where government attempts to rule public opinion by force.

President Lincoln stated: "Public sentiment is everything. With public sentiment nothing can fail; without it nothing can succeed. Consequently, he who molds public sentiment goes deeper than he who enacts statutes or pronounces decisions. He makes statutes and decisions possible or impossible to be executed."

And in 1894, Count Tolstoy, in his essay on "Patriotism And Christianity" wrote: "The power of the government is maintained by public opinion. No feats of heroism are needed to achieve the greatest and most important change in the existence of humanity, and to accomplish these changes no exertions of the mind are needed, nor the refutation of anything in existence, nor the invention of any extraordinary novelty; it is only needful that we should not succumb to the erroneous, already defunct public opinion of the past which governments have induced artifically; it is only needful that each individual should say what he really feels or thinks, or, at least, that he should not say what he does not think."

None is in a more strategic position than the medical profession to contribute to the formation of public opinion. In spite of efforts to erode it, the doctor-patient relationship still stands as a solid structure of mutual respect and confidence. It is through this medium that your profession can discharge its obligation to the social order, an obligation which many of us should share with you but which, unfortunately, we have neglected in recent years.

AM I MY BROTHER'S KEEPER?

Several years ago I received a statement from a clergyman friend in which he commented on an article published in "Reader's Digest" not long before. It was entitled, "The Scandal of Unemployment Compensation." He quoted from that article as follows: "The solid planks on which[unemployment compensation] was built * * * have been so warped by the pressures of our growing welfare bureaucracy that hundreds of millions of dollars are being wasted on loafers, quitters, honeymooners, schemers, parasites, and a host of others for whom it was never intended."

Then my friend continued: "Read that article, then weep at the further exploitation of natural sympathy in the proposed Federal program of health benefits. No decent mortal can help feeling sorry for a man out of work or a senior citizen whose savings are being swallowed by sickness. But the moment we say 'let government take care of them' we have turned sympathy over to those who can buy votes with it. The chiselers follow as inevitably as vultures follow carrion. The welfare state and the chiselers thrive on each other.

"Is that sympathy? There is only one kind of sympathy that is real—the kind that believes a man's personal dignity consists in standing on his own two feet, and, for the times of trial and desperation, acts person-to-person in brotherly love. To make government our brother's keeper is to make it eventually everybody's jailer."

Unfortunately, many of us have lost awareness of the great moral principles on which our forebears erected the structure of a nation which became a haven for the oppressed of the earth and a beacon of hope for those who could not escape to our shores. There was always compassion and ample material aid here for the needy of our own and other lands. But the emphasis was on opportunity for self-improvement, not on relief.

In this climate of freedom, our Nation became the world's cornucopia of spiritual and material bessings. Over the years our people have voluntarily poured out their bounties for those in need, everywhere.

We must regain our awareness of individual moral responsibility to God and to our neighbor. For, therein lies the key to freedom with honor—and to peace at home and abroad.

Every one of us must face up to the soul-searching question, so frequently encountered in our journey through life: "Am I my brother's keeper?" Let us pray that each of us will be able to make the freeman's reply, humbly, in sincerity and in thruth: "No—but I am my brother's brother." For only then will the immoral welfare state, with its self-serving and venal political charity wither away, and yield place to the free society of freemen, with its biblical charity, motivated by brotherly love.

In this march toward freedom, your profession can lead the way. It is my earnest plea that this be your mission, freely assumed, your covenant with "noblesse oblige."

SOCIALISTS AND COMMUNISTS ENDORSE POVERTY BILL

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, there are many conscientious Americans who support an intelligent program which would combat poverty in our Nation. At the same time, it is entirely possible that in the approach to this serious problem, the Congress might embark on a course which would further erode local responsibility and autonomy and set up a program which would be socialistic to the core.

Norman Thomas, the man who has been put out of business by a variety of Socialists masquerading as liberals, hit the nail on the head when referring to President Johnson's poverty program. He said:

> His war on poverty is a socialistic approach and may be the No. 1 issue in the 1964 campaign.

Arnold Johnson, public relations director for the Communist Party, U.S.A., also wholeheartedly endorses the approach involved in the poverty bill, largely because it calls for a massive Federal involvement in local problems.

While the principle may be good and many earnest Americans would honestly support the broad outline of the poverty program, it is at least noteworthy when the Socialists and the Communists find this package to their liking. Maybe we ought to take a second look or even a third look.

The statement of the Communist Party and the Thomas remarks which appeared in a Chicago Tribune article are included at this point in the Record:

[From the Chicago (Ill.) Tribune,
May 30, 1964]

THOMAS HAILS JOHNSON, RAPS GOLDWATER

(By William Kling)

Dr. Norman Thomas, six-time Socialist Party candidate for President, said yesterday that President Johnson's administration "is so much better than I feared," and called Senator Barry M. Goldwater, Republican, of Arizona, "the greatest evil."

Thomas, who will be 80 this year, said that his choice for President would be Senator Hubert Humphrey, Democrat, of Minnesota, whom he called "the type of Democrat I like and one who would be a Socialist if he got to England."

In a "last will and testament" to the Socialist Party, Thomas spoke at a rally on the University of Chicago campus, urging integration and racial harmony, disarmament and peace, governmental action to end poverty, and renewed dedication to Democratic socialism.

WORD ABOUT JOHNSON

At an earlier press conference, Thomas made these remarks:

Of President Johnson, Thomas said: "We all have reason to be grateful for him, in the way he is handling civil rights and poverty. I ought to rejoice, and I do. I rub my eyes in amazement and surprise. His war on poverty is a socialistic approach and may be the No. 1 issue in the 1964 campaign."

Of Goldwater, Thomas said: "He is a personable man and has some good stands on domestic issues, but I am scared of his stands on foreign affairs. He shoots from the hip. He would blunder us into war."

Of the showing made in Democratic Presidential primaries by Gov. George C. Wallace of Alabama, Thomas said: "He is a disgrace to a great many Americans. Neither he nor the people who vote for him are concerned about States rights. Their only issue is racism."

HAS NO PLANS

Thomas said he had no plans to seek the Presidency again.

"Six times are enough," he quipped. "It gets to be a joke after that many times. Maybe it got to be a joke before that.

"I decided that 1948 was the last time I would run. I haven't changed my mind since then like a lot of politicians."

Asked if he thought his support aided a candidate, he replied: "My support of myself never seemed to do me much good."

HOPES TO GO FISHING

Would he take an interest in the Republican nominating convention July 13 in San Francisco?

"I would hope that the weather would permit me to go fishing," he said.

The Socialist convention is being held through tomorrow in the Hotel Maryland, 900 Rush Street.

COMMUNIST PARTY, U.S.A.,
New York, N.Y., April 30,1964.

To the Members of the House Committee on Education and Labor, House Office Building, Washington, D.C.

DEAR CONGRESSMEN: We are sending the enclosed program of the Communist Party on the war against poverty for your consideration in proposing legislation for enactment by this session of Congress.

In a letter of April 22 we requested an opportunity for a Communist spokesman to appear before the committee in support of this program. We trust that this can be arranged.

Very truly yours,
ARNOLD JOHNSON,
Public Relations Director.

AN AMERICAN PEOPLE'S PROGRAM TO END POVERTY AND UNEMPLOYMENT IN THE UNITED STATES—ECONOMIC PROGRAM OF THE COMMUNIST PARTY, U.S.A.—THE WAR ON POVERTY: "UNCONDITIONAL WAR"

In his state of the Union message, President Lyndon B. Johnson said: "And this administration, here and now, declares unconditional war on poverty in America, and I urge this Congress and all Americans to join with me in that effort."

We are prepared to join wholly and without reservation in such a war.

But if it is to be truly unconditional war, we need to go far beyond the very limited program which President Johnson proposes. Such a war cannot be half-hearted or limited to band-aid remedies. It must be determined and unrelenting, and must go to the heart of the problem. It must be a total war.

Its goal must be nothing less than guaranteeing to every American able and willing to work, peacetime employment at a decent wage or salary, and to all unable to work, adequate provision against want.

We reject the view that technological advance—the ability to produce in ever greater abundance—must lead to unemployment and poverty. We repudiate any idea that automation is making workers socially unnecessary. So long as there is human need, there is need for human labor. In our land, while one-fifth or more of the people live in dire poverty, there is a mounting lack of low-rent housing, of schools and hospitals, of facilities for medical training and research, of civic centers and recreational facilities. To put America to work to meet these needs alone could provide jobs for all for years to come.

We reject, too, the slanderous view that people are poor because they are shiftless, unintelligent, or abnormal, or because they are victims of personal misfortune, to be regarded as nothing more than objects of charity. Nor is it correct to look upon the poor as some sort of "subclass," as a group set apart from the main body of the American people. And no less wrong are those who attribute poverty merely to lack of education.

If coal miners are poor, the basic cause is the greed of the big coal operators. If Negroes are poor, it is in the first place because they are victims of the shameful Jim Crow system in our country. If old people are poor, it is because of the inadequacy of our social security setup. And so it is for others as well. The poor are part and parcel of the American working people, and poverty is an affliction from which no worker is immune. All are its potential victims.

The basic cause of unemployment and poverty, therefore, is not automation, nor is it personal shortcomings or misfortunes. On the contrary, the cause is an economic system in which production is for maximum private profit instead of for maximum public good. It is an economic system in which prices are jacked up while wages are held down, in which tens of billions of dollars a year are wasted on armaments and other unproductive expenditures while the people are deprived of vital social needs, in which human needs go unfulfilled while millions go hungry and jobless, in which abundance itself leads to poverty and privation.

In short, the cause of poverty today is monopoly-dominated capitalism, and the war against poverty is a war against monopoly greed.

THIS IS YOUR WAR

The war against poverty is a war of all the people—of all victims, actual and potential, of monopoly oppression. In the ranks of its army are not only the poor and the unemployed themselves but first and foremost all of organized labor. In the forefront today are the Negro people, whose all-out struggle to end their Jim Crow status is vital to the interest of all Americans. Side by side with them stand the Puerto Rican and Mexican-American people, the youth and the senior citizens, small farmers and small business.

All these must join hands, all must lend their voices and organized strength to the struggle if real gains are to be won. For winning this war will not be easy. The people's army will meet with the most ferocious opposition from corporate wealth and its political stooges, who will do everything possible to preserve the enormous profits and power of big business. Already the Goldwaters, the National Association of Manufacturers, the Dixiecrats, and others of their ilk are raising the battle-cry of reaction. Already the big business publication Barron's Weekly has headlined: "The Wrong War: In 1964 Communism, Not Poverty, Is the Enemy."

The war on poverty is closely interlinked with all the struggles and aspirations of the American people. All are parts of one war—a war against corporate greed—and none can win their own struggles except in alliance with the others.

The fight against poverty is inseparable from the fight for peace and disarmament, for the billions now squandered on arms are obtained at the expense of the public welfare and social needs of the people. The war chest for the war on poverty must be swelled by sharply reducing that of the cold war. What is called for is a cut of no less than $20 billion in military spending within the next 2 years, and the allocation of that $20 billion to combat poverty.

A central battlefront of this war is the fight for civil rights, which has become the focus of all struggles for democracy and economic welfare in our country today.

If, as President Johnson, declares, one-fifth of America is poor, among the Negro people poverty afflicts nearly one-half. To fight poverty, therefore, is in the first place to fight poverty among the Negro people—to fight to end segregation and discrimination. To wipe out poverty is to wipe out the shameful slum ghettos which are its breeding place.

The Negro people are heroically waging this battle today. Indeed, it is their militant struggles which have served more than anything else to dramatize the fact of poverty and to bring it forward as the central issue of the day.

The fight of the Negro people for freedom now is thus in the direct interest of all who would fight poverty. The myth of white superiority which today prevents the masses of white working people from recognizing this tie must be fought. The crusade against the evil of poverty must be dovetailed with the crusade against the evil of Jim Crow. Without this it cannot succeed.

WHAT DOES IT TAKE TO WIPE OUT POVERTY?

The war against poverty will be long and far reaching. The needs of the American people go far beyond the measures proposed by the Johnson administration. And if the need is so great now in a period of economic upswing, how much greater will it be when the inevitable downturn thrusts millions more into joblessness and want.

What is required first of all is an immediate program involving large-scale Federal economic action, with Government spending on a level sufficient to raise substantially the purchasing power of all low-income groups.

But the war does not end there. A longer-range fight must be waged for changes of a more basic character, changes which will invade the sacred territory of big business, curb its powers and subject its operations to a growing measure of democratic control for the benefit of the people.

Final victory requires even more. The abolition of poverty can be achieved only by abolishing capitalism itself—by putting an end to an economic system of exploitation and oppression which generates fantastic wealth at one end and poverty at the other.

Mankind does not exist for the sake of profit. Men work and produce not to enrich a few but in order that all may live better. To wipe out poverty means to wipe out the profit system, which stands in the way of this aspiration. It means that the factories, mines and mills of our country must be owned by the people themselves and operated for their benefit—for use, not for profit. In such an America—a socialist America—abundance will cease to be a "problem." No one will be unemployed and no one will be poor. Our tremendous productive capacity will provide for the well-being and security of all.

Toward this noble goal of ending poverty, of securing the right of every person to the prosperous and happy life which the ability to produce abundance makes possible, we here offer our proposals for the great battles ahead.

A PROGRAM FOR TODAY

The call for "unconditional war" has already been taken up by leading organizations and spokesmen of labor, the farmers, the Negro people. These have come forward with bold programs of action— programs which merit the most vigorous support of every American who seeks the elimination of this monstrous social evil.

We fully endorse all such programs. We particularly applaud the call of the recent UAW convention to "mobilize America for a total war against poverty" and for a program of "bold and affirmative action at every level of our governmental structure." We greet the convention's placing as a top priority in the struggle the passage of civil rights legislation "as an essential step in the crusade against segregation, discrimination, and the denial of basic rights of citizenship to the Negroes and other minorities with resulting poverty and injustice." We likewise greet the call at the recent convention of the Farmers' Union for a 20-percent cut in arms spending to finance the war on poverty.

Incorporating all the positive points of these programs and approaches, we offer the following program for the fight to curb the growth of poverty and unemployment in our country:

1. Provide jobs for all able and willing to work

Launch a crash public works program at union wages, starting with a minimum outlay of $10 billion the first year and rising to $20 billion a year thereafter, the funds to come from a progressive reduction of military expenditures. Such a program should concentrate especially on building housing, schools, hospitals, etc., in Negro ghetto and other depressed areas, and on providing suitable employment in areas affected by reconversion to peacetime production.

Reduce the standard workweek to 30 hours with no cut in earnings.

Increase trade with all nations, with removal of all bars to extending trade and credit to the Socialist countries, including the People's Republic of China and Cuba.

Prohibit American firms from exporting jobs of American workers by shifting their operations abroad, and from utilizing lower wage scales in other countries to compete with American-produced goods, thus increasing unemployment.

Establish double-time pay as a minimum for all overtime, to discourage its use while workers remain unemployed.

2. End segregation and discrimination—wipe out the ghetto

Designate all Negro, Puerto Rican, and Mexican-American ghettoes as depressed areas, with special crash programs to provide jobs and aid, and with special consideration given to employment of Negro, Puerto Rican, and Mexican-American workers on public works projects.

Launch a massive program of construction of housing, school, hospital, and recreational facilities to convert the ghettos from slums into high-grade residential areas attractive to all citizens and within their means.

Enact all pending civil rights legislation, with strengthened provisions against all discrimination in hiring, apprenticeships, upgrading and pay.

Establish compensatory benefits for Negro workers and other victims of discrimination in the form of preferential hiring, subsidized training, and other measures to wipe out differentials in employment and earnings.

Eradicate all housing and school segregation through appropriate legislative and executive action.

3. Provide adequate relief to the country's poor and jobless

Improve and expand the food stamp plan, while guarding against the use of surplus food allotments to subsidize below-union wage scales or as a weapon against the struggles of the workers or the Negro people.

Enact the medicare bill as a first step toward adequate hospitalization and medical care for the elderly.

Institute a Federal free school hot lunch program for all students.

Provide special assistance to schoolchildren and youth in needy families to enable them to continue their education.

Establish a Federal system of public assistance sufficient to permit those unable to work to live in decency.

Provide free child care centers to enable women who must support their families to go to work.

Modernize unemployment compensation through a uniform Federal system providing payments of not less than two-thirds of former earnings, including all wage workers without exception, and continuing for the duration of the period of unemployment.

Institute a moratorium on foreclosures and repossessions in the case of unemployed workers.

4. Increase the purchasing power and living standards of the working people

Raise the minimum wage to $2 an hour and extend coverage to all wageworkers.

Enact basic tax reforms which will plug all loopholes and shift the tax burden from the working people to the giant corporations and wealthy individuals. Raise personal exemptions to $1,200 and abolish the withholding tax. Eliminate excise and sales taxes on necessities, which bear most heavily on the lowest income groups.

Establish a Federal price control commission empowered to establish the strictest safeguards against all monopoly price gouging.

Initiate a system of rent controls, with stiff penalties for failure to upkeep and with rent subsidies where needed to enable low-income families to secure decent housing.

Raise social security pensions to a minimum of $200 a month for a single individual with $100 additional for spouse.

Permit retirement at 60 years of age with full benefits.

Launch a 10-year program to construct 5 million low-cost public housing units toward a goal of ending slums in America.

5. Secure the future of America's youth

Enact a National Youth Act designed to meet all job, training, educational, recreational and health needs of American youth, with effective representation of youth, labor, and civil rights organizations in its administration.

As part of such a measure, enact the administration's job corps, work-training and work-study proposals for unemployed youth and students, on a greatly expanded scale and with strict guarantees against undercutting union wages, against all forms of discrimination, and against military control or influence over the proposed conservation camps.

Provide Federal aid to education sufficient to end all teacher and classroom shortages and to make possible extension of compulsory education through 14 years of school by payment of living stipends to students.

Make college education available to all through a national system of tuition-free colleges, with special aid to facilitate the attendance of Negro youth and complete enforcement of the Supreme Court's desegregation decision.

Make all young people entering the labor force and unable to find work eligible to receive unemployment compensation.

Expand apprenticeship training programs to twice their present size, with guarantees against displacement of older workers and with preferential enrollment of Negro and other minority youth.

6. Aid the farmers and farmworkers

Make low-interest Government credit and other forms of Government aid, now confined to the big capitalist farms, available to small farmers to enable them to remain on their farms and to secure a decent livelihood from them.

Provide price supports to small farmers in the form of direct payments to farmers of the difference between market prices and 100 percent of parity.

Extend unemployment compensation, minimum wage, social security, and other benefits to all farm laborers.

Give special assistance to Negro and white sharecroppers to enable them to secure and maintain their own farms.

7. Rehabilitate the depressed areas

Provide an emergency appropriation for immediate direct assistance to all victims of improverishment in these areas.

Establish an Appalachian Authority along the lines of the Tennessee Valley Authority, and corresponding authorities in other major depressed regions, to harness their natural resources through large-scale projects for conservation and production of cheap electric power and for other Federal construction and industrial projects that will spur economic renewal and expansion.

Launch public works projects for roadbuilding, scenic restoration, creation of recreational areas and similar purposes in the Appalachians and other regions.

Amend the Areas Redevelopment Act to provide for adequate retraining and relocation of unemployed workers.

8. Establish public control over the uses of automation

Create a public commission on automation with effective labor, Negro, and other people's representation, empowered to exercise control over mass layoffs, closing of plants, shifting of operations to new areas, and other decisions affecting the lives of entire communities.

Establish a public planning board, with labor, Negro, and other groups adequately represented, to coordinate economic development in the public interest against monopoly, in accordance with population distribution, manpower, and training needs and related factors.

9. Protect the rights of organized labor

Repeal all existing antilabor legislation and return to the principles embodied in the Wagner Labor Relations Act, to secure the ability of labor to safeguard and raise the living standards of workers in all States and regions.

Enact new legislation to abolish regional wage differentials, end the runaway shop evil, and guarantee equal pay for equal work regardless of age, sex, race, or religion.

CURB THE POWER OF BIG BUSINESS

The above program is necessary to combat poverty and joblessness. But it is not enough. The growing impact of automation, which wipes out an estimated 40,000 jobs each week, combined with economic stagnation and other factors such as discrimination and segregation, points up the need for economic and social measures of a more advanced character if the rise of poverty and unemployment is to be more than slowed down.

These are measures designed to place more effective curbs on the power of the trusts in American life. They involve the establishment of a growing degree of Government regulation—and where necessary of Government ownership—of the big industrial enterprises, with democratic controls effected by assuring a substantial voice to the working people through their organizations in all controlling bodies. They involve the utilization of the power and resources of the Federal Government for the welfare of the common people, and not in order to fatten the profits of the big monopolies. The fight for such basic reforms requires a more advanced level of political activity on the part of labor and the common people, aiming at a basic political regrouping powerful enough to impose limitations on big business.

We believe that such reforms, which will lay the basis for moving toward an ultimate reorganization of our society along Socialist lines, must go in the following direction:

1. Growing invasion of "management prerogatives" with the establishment of controls over hiring policy, work standards, scheduling of operations, moving of plants to new locations, institution of automation, and other new techniques, price setting, etc.

2. A drastic revision of the tax structure, with (a) a steeply graduated corporate tax aimed at taxing the biggest corporations most heavily (instead of the present uniform 48 percent tax for all corporations making $25,000 a year or more), and (b) closing of all loopholes and taxing of all personal income above a certain level at a rate of 100 percent. These measures would go in the direction of placing a ceiling on corporate and personal income.

3. Designation of any corporation with gross assets of $250 million or more, or accounting for more than 10 percent of the market of any industry, as a firm affecting the public interest and thereby subject to special regulation and supervision with regard to its operations, price structure, etc. Also, Federal chartering and regulation of all corporations with $50 million or more in gross assets.

4. Nationalization of industries directly related to public service, such as transportation, public utilities, atomic energy and power production, and their operation under democratic control on a nonprofit basis. Nationalization of other industries such as coal mining or oil production or of plants closing down, where necessary to protect natural resources and to guarantee jobs and living standards. Conversion of arms plants to civilian production under government ownership. Nationalization of all natural resources.

5. Halting of the immense handouts given to private industry through Government subsidies and through Government financing of industrial research, and utilization of these funds for research and other purposes of direct public benefit. An end to giveaways of natural resources and a Federal program of conservation with strict penalties—against corporate interests which waste or destroy these resources.

6. Special measures to protect small business against encroachments of the monopolies, including lower taxes and control of monopoly prices. Establishment of a Federal Department of Small Business making funds available for loans and credits and giving other assistance. Aid to small businesses uprooted by urban redevelopment programs in relocating elsewhere.

7. A vast expansion of social welfare and social security expenditures, with establishment of a federally financed and administered comprehensive cradle-to-grave security program, embracing unemployment, industrial and disability compensation, full medical and dental care, old age pensions and other benefits.

THE KEY TO VICTORY: UNITED ACTION

The fight against poverty and unemployment is a fight against the giant monopolies. It is a fight of all sections of the American people ground down by these monopolies—the working class, the Negro people, the small farmers, small business. All have a common stake in this war.

The key to success lies, therefore, in uniting all these forces in common battle against the trusts. And for this, the primary responsibility lies with organized labor, which must mobilize all workers in the struggle, organized and unorganized, employed and unemployed, Negro and white, young and old. The combined action of labor with other sections of the people is equally vital, above all its unity with the Negro people.

Without such united action, not even the most meager program can be won. With it, the foundation can be laid for the building of a political coalition against the trusts headed by organized labor and powerful enough to wrest basic concessions from them—a coalition which can go far toward the elimination of poverty in our country.

ANNOUNCEMENT

Mr. WELTNER. Mr. Speaker, on rollcall No. 141 I was unavoidably absent, and did not vote. If present, I would have voted "yea."

THE "POVERTY PACKAGE"

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. FRELINGHUYSEN] is recognized for 60 minutes.

Mr. FRELINGHUYSEN. Mr. Speaker, on May 6 a number of the members of the House Committee on Education and Labor took the floor to discuss the status of the President's antipoverty bill, H.R. 10440. In the 4 weeks which have elapsed since that discussion little has been done to improve that so-called poverty package. Finally, however, a bill has been approved by a vote of 19 to 12.

True, the Democrats on the committee offered so many amendments to the President's bill that it was necessary for them to introduce a new bill, H.R. 11377. I may not have the exact number of amendments correct, Mr. Speaker, but there were something on the order of 100 amendments, some very major in nature, to the original recommendations of President Johnson. That was one of the reasons why a new bill was introduced.

Unfortunately also, it must be stated that virtually all amendments offered by the Republicans were turned down. Every one of the major amendments offered by Republicans was rejected, and with many of them time was not given for us to explain what we had in mind in the amendments.

As a result, unfortunately, we in committee were faced with accepting or rejecting a bill with many obvious flaws. It was in order to discuss the bill as approved by our committee that I asked for this time today.

I announced in the committee last week that I would hope for a meaningful discussion of this new poverty package between Democrats and Republicans. I say "between Democrats and Republicans," not because I believe they should differ on a matter of how we should alleviate poverty but because we Republicans feel very strongly that there are serious flaws in this bill.

Supplementing my invitation to the members of the full committee last week, I sent out a written notice to all the members of the majority of our committee as well as, of course, the members of the minority, urging them to participate in a discussion of this bill. I regret that no single member of the majority of our committee has decided to discuss the proposal which he has supported. It makes more difficult the reasonable evaluation of what is in it—and, I might say, it is a bill of considerable complexity.

What does this bill contain, Mr. Speaker?

First of all, it is a bill which would establish a major new Federal agency, though existing agencies could well handle the money to be provided and new responsibilities to be authorized. It is a bill which authorizes the expenditure of close to a billion dollars in the first year, to establish programs which will obviously continue beyond that time, but without even authorizing the continuation of any of the various programs beyond the first year.

Apparently it is believed—I say "apparently" Mr. Speaker, because I am not certain what motivated the desire to reduce the authorization to a single year—that in some way Congress will have a better control over a program which it has not delineated with any specificity if it is set up for only 1 year. It is a fact, however, that the program is in part to set up a job corps where young men, and now also young women, would be usefully employed—kept occupied is perhaps a better expression—for a period of 2 years. This would mean, if we are to have a continuation of a program to continue for more than 1 year, that our committee would have to abandon all other business early next year and consider authorizing a continuation of what would be established under this bill. It strikes me as a very unrealistic way of setting up a program.

This bill unquestionably establishes Federal responsibility of an almost limitless kind. Putting a 1-year limit on it does not mean, if we once approve this bill that we will not have demands upon us that may be hard to resist even in a postelection year.

In any event, this is a bill which will inevitably create great expectations but without the substance to satisfy such hopes.

What do I mean by that, Mr. Speaker? As I said, just under a billion dollars is to be made available for all the various titles of this bill. This amount is roughly the same amount as the city of New York spends in a 12-month period to alleviate the poverty of its citizens. The State of California alone spends more than $800 million annually to alleviate poverty in various forms.

The State of California alone receives over $400 million from the Department of Health, Education, and Welfare in a single year. So you can see, with the variety of ways in which Federal assistance could presumably be made available, how many demands might be made on Washington if this bill were to be enacted. Obviously, with $1 billion divided more or less equitably—and I might say the proposed division of the funds is questionable, in my opinion—nothing much would be accomplished except to create the expectation that where some money has been made available, more will be forthcoming in the years to come if only the community or the State that would like some would be patient.

This bill is one which also fails to define with my specificity just what problems connected with poverty are to be attacked or how this is to be done. It is a bill which almost surely will lead to increased overlapping of Federal responsibility and duplication of Federal effort.

Mr. Speaker, perhaps a few examples will illustrate the reason for my deep concern. Just what is the new Director planning to do with the $1 billion this bill would hand over to him? About one-third of the total is to go for so-called community action programs. No one knows what these programs will be. If we are seeking to widen opportunities for the poor, money presumably will be spent for training programs, for vocational education, for the teaching of various skills, and perhaps for programs which seek to improve the motivation of the beneficiaries.

But, Mr. Speaker, existing Federal programs already aim specifically at these areas. For example, the National Defense Education Act passed by Congress in 1958 provides assistance for needy students. If more needs to be done for students, why not amend or expand the National Defense Education Act? Why fragmentize assistance to students by giving a poverty czar responsibility for work study and work training programs?

So, too, with the passage last year of the Vocational Education Act, Congress recognized the importance of modernization and revitalization of important programs in this area. The Manpower Development and Training Act and amendments thereto further buttress the Federal responsibility in training those who lack employable skills. These programs should be encouraged, in my opinion, and given adequate financing. Their effectiveness should not be cast into doubt by new poverty programs, set up ostensibly to achieve the same objectives. Such competition and duplication of effort cannot be condoned.

Proponents of this unsound legislation have made no effort—and that includes, unfortunately, today—to discuss or to defend this bill. For example, we have expressed honest concern at the likelihood of increasing duplication between various Federal programs. They have simply ignored what we have been saying.

Many of you have seen just in the past few days that a new Federal aid program is to be established in Cambridge, Md., to help, according to the newspaper reports, some 200 unskilled Negroes. It will be a joint effort by the Justice Department and the Labor Department. The Attorney General, Mr. Robert Kennedy, describes the program as an attempt to "instill a hope for the future" in the hard-core unemployed. Nearly $95,000 will be spent on this program from funds available through the Manpower Development and Training Act.

This development, we all hope, will be helpful in easing the tension in Cambridge. Whatever the results may be, the announcement by two Federal departments that they will push such a project and finance it shows that we are not lacking the tools to provide help to so-called poverty areas. If the arguments of those who favor the Landrum-Powell-Johnson bill mean anything, they have in mind help to just such individuals as are to be provided with training in Cambridge. To give still another agency the right to act in such a situation might well inhibit what existing agencies are now doing, or help keep them from developing programs which are within their power and their capacity to initiate.

A few days ago you may have seen in both the Washington and New York newspapers a discussion about the difficulty of training the hard-core unemployed. This was a report issued by members of the Norfolk State College who recently concluded a federally sponsored project on retraining some 100 Negro men between 21 and 60 years of age, several of them functionally illiterate.

The findings of this survey team are of considerable interest. The newspaper report points out that—and here again this is an existing Federal program which financed this project; this project was financed largely by Federal funds provided under the Manpower Development and Training Act—although the training phase, which lasted a year, is over, project staff personnel are still trying to place some of the men in jobs and are following the experience of all of them to find out the results.

A deliberate effort was made to seek out the hardest of the hard-core unemployed—men who were for the most part uneducated, poverty stricken, and who had irregular work histories.

"The desperate plight of these Negroes," the report says, "many of them illiterate and many drained of hope, is well known." The report further says:

> The older males are steadily displaced from muscle jobs by automated and rationalized ways of doing work. They can find no new jobs. The young men find it increasingly harder to enter the labor market at all. They cannot get the crucial first job.

I point these two specific projects out, Mr. Speaker, because they indicate the fact that the Federal Government is presently able under existing programs, and within the financial resources available to them, to make meaningful contributions toward doing something about the unemployed and the poverty stricken in this country.

On the other hand, Mr. Speaker, a detailed examination over a period of some 2 months of the Landrum-Powell-Johnson poverty package, the legislative appellation of President Johnson's self-proclaimed war on poverty, has clearly revealed its inadequacy, and its undesirable features. The bill incorporates a hastily contrived bundle of old retreads and recent rejects, capped off with an administrative structure and philosophy which bids fair to undermine and stifle the effective administration of many existing programs and to create chaos in established relationships between the States and the Federal Government.

At present there are more than 40 major antipoverty programs for which the Federal Government is responsible. These programs—aside from social security and unemployment compensation—consume about $10 billion annually in Federal funds. At the moment, administration of these varied efforts is being handled by some nine departments and agencies of the Federal Government.

The current programs are reasonably well defined. The administrative relationship between the States and the Federal Government, which these programs properly entail, is firmly established. The objectives, procedures, and responsibilities of the various agencies involved are known and respected by all concerned. Simple logic would dictate, therefore, that if any of these existing programs need to be modified or extended, the administration of such amended programs should remain under the jurisdiction of established agencies. However, such simple logic is lost on the administration.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I am delighted to yield to the gentleman from Illinois. I am pleased to see that at least one member of the majority on the Committee on Education and Labor is willing to participate in this discussion.

Mr. PUCINSKI. Mr. Speaker, I was very happy to hear the gentleman make a statement about the existing programs. Is not the very purpose of the President's antipoverty bill to try to tie these programs together to make them at least once more effective? Is not the weakness of the present program the fact that we have, as the gentleman quite properly stated, more than 40 programs scattered through various Federal agencies, each going very often in its own direction? I would not attempt to estimate the number of programs being conducted by local, county, and State governments in the welfare field.

It has been estimated that local, State, and the Federal Government expend a monumental $44 billion annually for various forms of assistance to the needy in this country; many of these programs would be effected by this legislation.

I am under the impression that the President's antipoverty program is designed to try to bring a more effective coordination of these activities in order to get these people off relief as quickly as possible. Mind you, the basic purpose of Mr. Johnson's bill is to get people off relief; off the public dole.

Is not that the purpose of the bill?

Mr. FRELINGHUYSEN. Well, the gentleman from Illinois may have a clearer idea of the purpose of the bill than I. But I would say its basic purpose is political in nature, and that it seeks to try to win attention of the ones who may vote next fall. I regret to say this, but I see no possible justification for suggesting that this poverty package will tie anything together more effectively. Instead, it would establish a poverty czar who could in essence dictate whether or not the Department of Health, Education, and Welfare should or should not engage in the financing of programs where it has present authority. However, it does not eliminate any of the 40-odd programs.

If this were a revision and a reorganization of the existing Federal efforts, if it were an elimination or the incorporation into one place of widely scattered or possibly duplicating efforts in the field of poverty, I might well be for it. But the gentleman from Illinois knows as well as I—and I hope he is not trying to create the impression that this bill attempts to do that—this proposed legislation does not tie anything together, except in the sense that there will be someone looking over the shoulder of nine different governmental agencies who are operating under laws of their own, which have not been repealed as far as I know, and which would not be repealed through the passage of this legislation.

So, Mr. Speaker, if there is weakness present in the existing expenditure of $10 billion of the taxpayers' money under the present Federal programs, that weakness is not going to be corrected by the establishment of still a 43d agency, there will be no effect on the multiple agencies which already have the responsibilities and will continue to carry them out.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield further?

Mr. FRELINGHUYSEN. I shall be glad to yield to the gentleman if he can only throw some light on the motivation behind this bill. I hope the gentleman will have some comment along that line.

Mr. PUCINSKI. As the gentleman knows, I have the highest regard for him. He is the ranking minority member of the Committee on Education and Labor. I am very happy that the gentleman has taken this time today for a discussion of this matter.

I believe it is important for us to discuss this bill; your side to present your views, and our side to present our views.

Would the gentleman agree that the very preamble of this proposal by President Johnson calls for a mobilization of our present efforts and activities in this entire field of public welfare? Wher the gentleman uses the word "czar," that is his word. We use the word "mobilizer."

The President of the United States has selected a man whom we consider to be one with outstanding and exceptional ability, Sargent Shriver, who has a good record, an outstanding administrative record, to take the existing programs today which are so costly to the American taxpayer at all levels of government—local, county, State and Federal—and try to coordinate and mobilize these programs into more effective action in order to get people off relief.

Would my colleague the gentleman from New Jersey [Mr. FRELINGHUYSEN] agree, and would it not be proper for me to ask the gentleman that whoever opposes President Johnson's antipoverty program designed to take people off relief is in effect saying he is for the continuation of the welfare state? Does not that follow?

Mr. FRELINGHUYSEN. No. Of course, the gentleman himself is advocating the development of a welfare state by advocating a new Federal agency which presumably is going to be more effective.

Mr. PUCINSKI. On the contrary. We want to reduce and eventually eliminate the welfare state by training people to get jobs so they will not have to be on welfare and the need for welfare agencies can be reduced substantially. We hope to ultimately phase out many of these welfare agencies as people are trained and put to work; obviously when they become trained for work, we take them off relief.

Mr. FRELINGHUYSEN. No; you are advocating a welfare state. However, we say we are opposed to a new agency of unspecified authority, but we know that its power is going to be considerable.

If I could agree with the gentleman—and I am not sure whether one should—the new commander in chief, the mobilizer—I do not know what we call him—I call him a czar——

Mr. PUCINSKI. We call him a mobilizer.

Mr. FRELINGHUYSEN. As long as we keep a military connotation, apparently that is what the President himself calls him, commander in chief. If we set up a commander in chief, presumably he has authority to knock heads together of those who have been operating these programs. Presumably, there has been something ineffective about Secretary Celebrezze of the Department of Health, Education, and Welfare who is in charge of some 14 of these programs to alleviate poverty. I do not see why the Secretary should be made a doormat and told by Mr. Shriver how he should run his business. That strikes me as a nonsensical approach. I do not believe through this bill we will develop a more effective way to go about this problem. What we are saying is that if we want to improve these programs, we should improve the ones we have already, instead of setting up a man with a hunting license to go out and decide for himself which programs he thinks are being well run and which are not.

Regarding the need to coordinate what is being done at the local level or State level, this will work in quite the opposite direction. Consider title II of this bill. Community action programs can be financed by the Federal Government without the participation in any way of any local government at all. There will be no participation by any State government if this bill should go through. The Governor may give his comments, but he may not veto a Federal program.

Mayor Wagner might not veto a federally financed program in his own city. I might remind the gentleman, as he well knows, Mayor Wagner said there should be such a veto power on the part of the local authorities. We have not provided that. This bill is not going to increase the possibilities of coordination between local people. We have already seen the head of the New York Board of Education, for example, appeal directly to Mr. Shriver for help in what he would like to do about integration in schools. This will lead to a complete collapse of what a community, such as New York City, is trying to do in coordination of its own programs. It will allow the Federal Government to decide whether or not to respond to a request from a local agency—it can be a private agency, a single private agency, not coordinated with any public or private agency, for financing a project, the local group can do so despite the lack of relationship of that program to any other effort the community is making. This is not a step in the right direction; it is going to be a step toward chaos.

Mr. PUCINSKI. The gentleman discusses the New York situation, and he made various allegations regarding this legislation. It is not inconceivable that the superintendent of the New York schools might interpret this act in one way and try to get some assistance. The gentleman participated in many of the sessions that were held in committee marking up this bill. I am sure the gentleman is aware of the fact, and if he is not, I suggest he read the bill, that every effort will be made to work through the Governor and other local public authorities where there is a facility in existence to meet the problem at the local level.

It is true that the Federal Government can enter into an agreement with a not-for-profit private organization in community action programs, not necessarily related to a Government agency if a Government agency does not participate or does not set up a program. But the bill stresses that priority shall be given to public agencies and that the Governor of a State shall be informed of all programs.

The gentleman knows there are many areas in this country where there are very serious problems involving poverty. These problems are frequently transplanted to the gentleman's community and other urban areas because of large-scale migration of impoverished families seeking economic opportunities. What happens in the impoverished areas of rural America should be of concern to all of us from large cities because sooner or later these problems are visited upon our urban areas as people move.

Mr. FRELINGHUYSEN. May I comment on what the gentleman has just said? In answer to his question, if this is a question of the abdication of the local community in doing its own job, or an abdication of a State in doing its job, and the Federal Government is asked to step into a vacuum, surely we should step in only under certain conditions. One of the conditions should be that they have a sound reason, and that the community or State make an appropriate effort on its own part.

There is no meaningful matching requirement on the part of the State or the local government in this bill. There is no requirement that the community must try to solve its poverty problems or is coordinating in order to get this Federal handout. This can be given to a single private agency; it does not have to have a public flavor at all.

The so-called community action program can now be handled by one agency which may not have a responsibility at all—the gentleman suggested I read the bill, and I have read it—with respect to local and State agencies. That, in my opinion, indicates ignorance of the bill. There is no requirement that any effort be made by anybody, least of all the poverty czar, mobilizer, or coordinator, call him what you will, through local and State agencies. In fact, Mr. Shriver suggested before our committee that referring problems to the States would be a wooden method. One of the reasons he wants a free hand is because he would not have to work with the local or State governments. I am sure the gentleman, if he were there that day, will remember this colloquy.

Mr. PUCINSKI. Would the gentleman be prepared to have in the RECORD at this point title II of the bill? The record can then speak for itself.

Mr. FRELINGHUYSEN. If the gentleman wants an appropriate quote from title II which he thinks would be appropriate——

Mr. PUCINSKI. I would like to put in the entire title II.

Mr. FRELINGHUYSEN. No, I decline to have the whole of title II put in. We might just as well read the whole bill to demonstrate its weakness, not only in title II but in other titles.

This proposal begins by creating a whole new layer of Federal bureaucracy, the so-called Office of Economic Opportunity. It is to be headed by Sargent Shriver, if President Johnson has his way, whom we may call a commander in chief, mobilizer, or whatever you will. He will be in control, but with no guidelines as to how to spend the money, up to a billion dollars in the first year of the program. He will have very considerable responsibility for the tens of billions of dollars which other Federal agencies now are spending in the same area, whatever that responsibility is. The way he thinks that money should be spent remains to be seen, but the bill specifically directs the listed agencies to knuckle under to the poverty czar in a very real way.

The powers given to the Director under the pending bill are without limit or restraint. A myriad of functions are conferred directly upon him by this bill. Since many of these functions are already being carried forward by existing departments, this bill, by its unlimited grant of power to the poverty Director, reduces existing agencies to the position of handmaidens to the new poverty czar. It would seem that the President has lost confidence in his Cabinet, that he needs a new superczar to ride herd on the members of his own official family.

What other conclusion can be derived from the language of the bill? Section 12 provides that existing departments shall cooperate—and this is "shall"—shall cooperate in carrying out his duties and responsibilities. They shall carry out their own programs and perform their own functions in such a manner as will to the maximum extent possible assist the Director in carrying out his responsibilities. They shall, at the order of the President, divert—whatever that may mean—their present programs, functions, and funds to the benefit of the Director. I assume this diversion is not his personal benefit; it must mean to the benefit of the programs which the Director decides are to be carried on.

Mr. PUCINSKI. In the gentleman's very learned opinion, what is wrong with that language?

Mr. FRELINGHUYSEN. I think it would be an impossible intrusion on the legislative authority given to the existing heads of the departments to require that they divert their functions and money to the Director insofar as the President may suggest.

What we are doing is saying that we do not like what we have established over a period of decades—we do not think it is effective—and we are going to reorganize the whole thing without any legislative approval of just what the reorganization might be. This approach strikes me as an invitation to chaos of the worst kind. I do not see how the gentleman can ask such a question. Surely, he does not feel there is any merit in such a suggestion.

Mr. PUCINSKI. Would the gentleman then say it is wrong for the left hand to know what the right hand of this big Government is doing? That is all the program calls for.

Mr. FRELINGHUYSEN. What a question. Of course, it is not wrong for the left hand to know what the right hand is doing. Admittedly, in many cases this administration gives the impression that one part does not know what another part is doing. We are not going to correct that problem by establishing still another agency to watchdog all the various efforts that are going on. If we need to improve the Federal establishment, let us improve it. Let us not kid ourselves by saying that this kind of approach is going to improve anything.

Mr. PUCINSKI. Will the gentleman yield for another question?

Mr. FRELINGHUYSEN. I hesitate to keep yielding to the gentleman. I know how much he is trying to contribute to a meaningful discussion.

Mr. PUCINSKI. The gentleman notified me and invited me to be here and to participate in this discussion.

Mr. FRELINGHUYSEN. I have not failed to yield to the gentleman, but my patience is wearing a bit.

Mr. PUCINSKI. I am very grateful to the gentleman, but would the gentleman show me in this bill where there are all these new agencies that the gentleman is talking about being created?

Mr. FRELINGHUYSEN. I am not talking about new agencies. If the gentleman listened at all, he would know that I am talking about the Office of Economic Opportunity, a very considerable agency which if not at the Cabinet level may be somewhat higher than Cabinet level. They will be able to direct Cabinet members as to how they shall organize and handle their own programs. Now have I satisfied the gentleman? I am talking about an agency that supposedly is going to have only between 300 and 400 people. This agency is going in some magical way, by computer or otherwise, process applications from communities and parts of communities all over the country which feel like spending some Federal money. This agency is going to do this without the cooperation of either the communities or the States from which those applications are coming.

I would suggest that the single agency which is to be established is going to have very real authority and very real problems. It will contribute to the nightmare that some people think Washington already is.

Mr. PUCINSKI. That is precisely what this bill provides for. It provides an agency that will attempt to bring a greater degree of coordination between the various fields; reduce duplication and eliminate as much as possible any waste in existing programs in this entire welfare field.

Mr. FRELINGHUYSEN. Mr. Speaker, if there is chaos today in the whole field, the way to get at the problem is by looking at what we are doing and trying to improve what we are doing. We are not going to do that if, as I say, innumerable well established and well administered programs in the Federal Government, as well as all agencies and departments and countless employees responsible to those agencies, are to be reshaped and reshuffled and redirected—all in the interest of lending an aura of stature and stability to the poverty czar. It is as simple as that. It is quite obvious from the discussion that has been had that we are not going to end the chaos in Washington by adding still another layer of confusion to what we already have.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Ohio.

Mr. BOW. The gentleman is making an excellent presentation of this problem here today. I am amazed that since he has invited members of the committee and others to be present that only one member of the majority side of the committee has seen fit to be here. I understand also that during the consideration of this bill many times the majority met without the assistance of the minority. Because of the importance of the gentleman's speech, may I ask him this: Does the gentleman feel perhaps it would be well to have a quorum here to understand this problem? It seems the majority is not interested in this and I also understand that if I should make a point of order of no quorum, an effort will be made to adjourn. I can assure you if they do that, there would then be an effort made to have a vote on a motion to adjourn. But does the gentleman feel that he would like to have a quorum here to understand the Republican point of view?

Mr. FRELINGHUYSEN. Mr. Speaker, in response to the suggestion made by the gentleman from Ohio, I should like to urge him to resist the temptation to make the point of order that a quorum is not present. I, myself, think it is going to be difficult for reasonable men and women—and I hesitate to think that they are all on the Republican side of the aisle—reasonable men and women to get a majority here to make them aware of our honest concern.

There are none so blind as those who do not want to see, and none so deaf as those who do not want to hear.

Mr. BOW. It seems that there are those today who do not want to see or to hear the minority views on this matter. We are just as anxious as anyone to clear up this situation, but a boycott of this kind against an excellent presentation, which the gentleman is making, it seems to me is a shame.

Mr. FRELINGHUYSEN. I thank the gentleman for his comments. I appreciate his suggestion, but I believe we can state our side of the case with or without interruptions from members of the majority party.

In any event, Mr. Speaker, this brash and unprecedented bypassing of established State and local governments is both dangerous and unsound. In commenting on this aspect of the pending proposal, the U.S. Conference of Mayors stated in part:

> Any Federal legislation that is to involve local citizen action in a war on poverty must clearly place the responsibility for program development and execution with responsible local government * * * if the Federal Government's entry into this foray is to be most effective, its assistance must be channeled to local communities in a manner consistent with local government responsibility and obligation * * * to launch a program of new aids to local private groups without governmental coordination at the local level would be a step backward.

I would say "Amen" to that, Mr. Speaker. This is exactly what is not being authorized under this program. It seems to me it would be disastrous to attempt to improve the situation among the less fortunate in our country if we did not, of necessity, rely on our local communities. Is it not also true that, if it is important for us to involve local communities, we should involve also our States? Why is there such a reluctance, Mr. Speaker, to involve State and local governments in this process of alleviating poverty?

Mr. Shriver, in testifying before our committee, when asked what he thought of utilizing the States to determine where money from the Federal Government should be spent, stated that it would be a "wooden arrangement" and "unduly restrictive." He likewise made light of the argument that cities should have some control over Federal projects in their areas.

Mayor Wagner of New York City testified strongly that his city should have some kind of veto over Federal projects in his city.

There seems to be a feeling that State and local governments are not to be trusted, that they are too often controlled by vested interests, and that they will unduly delay needed programs with unnecessary redtape. We have heard some of that discussed by the gentleman from Illinois.

This point of view was vividly expressed by Harry M. Caudill in an article entitled "The Permanent Poor," appearing in the June 1964 issue of the Atlantic magazine. Mr. Caudill argues persuasively that in eastern Kentucky government at all levels has proved inadequate to cope with the problems which arose out of the declining demand for coal. In such a situation, Mr. Caudill feels a system of federally administered public works is needed. Perhaps his reasons for bypassing State government should be quoted directly:

> In eastern Kentucky, and in many other depressed areas, the State government will not act effectively to combat poverty and economic decline because it is allied to or controlled by the interests that produced the problems. Thus, State officials talk piously about reform but strenuously oppose any real effort to attack the status quo. They respond to the political machines nurtured by welfare grants and founded on impoverished and dependent citizens. It is not too much to expect that, as matters now stand, Federal funds trickling through State treasuries will finance the rebuilding of new political machines in practically every State—machines more odious than those once bossed by Crump, Pendergast, and Hague.

Perhaps there may be occasions, Mr. Speaker, where State governments cannot or ought not to be trusted. Certainly, I cannot vouch for the accuracy of Mr. Caudill's statements about eastern Kentucky. If this situation is as he describes it, perhaps a case could be made for vigorous Federal action. However, I feel strongly that weaknesses in a few States, or a few communities, should not lead us to bypass and undercut all States and all communities.

Mr. MARTIN of California. Mr. Speaker——

Mr. FRELINGHUYSEN. I yield to the gentleman from California.

Mr. MARTIN of California. I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. Libonati). Evidently a quorum is not present.

Mr. STRATTON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 142]

Andrews, Ala.
Ashley
Ashmore
Aspinall
Auchincloss
Avery
Barrett
Bass
Battin
Berry
Blatnik
Bolling
Bolton, Frances P.
Bonner
Bray
Brock
Bromwell
Brown, Calif.
Broyhill, Va.
Buckley
Burke
Burkhalter
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cahill
Cameron
Casey
Celler
Clark
Clawson, Del
Colmer
Cooley
Corbett
Corman
Daddario
Davis, Ga.
Davis, Tenn.
Dawson
Dent
Derounian
Diggs
Dingell
Dorn
Dulski
Dwyer
Elliott
Everett
Evins
Farbstein
Flynt
Forrester
Fraser
Fulton, Pa.
Gallagher
Garmatz
Gary
Giaimo
Gonzalez
Goodling
Grabowski
Grant
Griffiths
Gubser
Hagen, Calif.
Hanna
Harsha
Healey
Hébert
Herlong
Hoffman
Holland
Huddleston
Hull
Hutchinson
Ichord
Jarman
Joelson
Johnson, Wis.
Jones, Ala.
Karth
Kee
Kilburn
King, N.Y.
Kirwan
Kyl
Lankford
Lesinski
Long, La.
Macdonald
Martin, Mass.
Matsunaga
May
Meader
Michel
Miller, Calif.
Miller, N.Y.
Minish
Monagan
Morrison
Morse
Multer
Nix
Pepper
Perkins
Pilcher
Pool
Powell
Purcell
Rains
Reifel
Riehlman
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rodino
Rooney, Pa.
Roosevelt
Roybal
St Germain
St. Onge
Schadeberg
Scott
Secrest
Selden
Sheppard
Short
Sibal
Smith, Calif.
Steed
Stinson
Toll
Tupper
Utt
Van Pelt
Vinson
Wallhauser
Watts
Westland
Wharton
Wickersham
Williams
Wilson, Charles H.
Wilson, Ind.
Winstead
Wright

The SPEAKER pro tempore (Mr. Albert). On this rollcall, 283 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey [Mr. Frelinghuysen].

LEGISLATIVE PROGRAM

Mr. BOGGS. Mr. Speaker, will the gentleman yield for the purpose of making an announcement to the House on the legislative program?

Mr. FRELINGHUYSEN. I am glad to yield to the gentleman.

Mr. BOGGS. I take this time to announce to the House that the conference report on the deficiency appropriation bill will be called up tomorrow.

I thank the gentleman from New Jersey for yielding.

Mr. FRELINGHUYSEN. Mr. Speaker, before the interruption I was pointing out that there may be occasions where State governments and local governments cannot or ought not to be trusted. However, I do feel strongly that weakness in a few States or a few communities should not lead us to bypass——

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The chair will count. [After counting.] One hundred and seventy-nine Members are present, not a quorum.

Mr. SISK. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

Mr. BOW. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 10, nays 290, not voting 131, as follows:

[Roll No. 143]

YEAS—10

Addabbo
Denton
Downing
Edwards
Hardy
Hays
Jones, Mo.
McDowell
Rivers, Alaska
Smith, Va.

NAYS—290

Abbitt
Abele
Abernethy
Adair
Albert
Alger
Anderson
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Aspinall
Ayres
Baker
Baldwin
Baring
Barry
Bates
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Boggs
Boland
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Brooks
Brotzman
Brown, Ohio
Broyhill, N.C.
Burkhalter
Burleson
Byrnes, Wis.
Carey
Cederberg
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Delaney
Derwinski
Devine
Dingell
Dole
Donohue
Dowdy
Duncan
Edmondson
Ellsworth
Feighan
Findley
Finnegan
Fino
Fisher
Flood
Fogarty
Foreman
Fountain
Fraser
Frelinghuysen
Fulton, Tenn.
Fuqua
Garmatz
Gary
Gathings
Gibbons
Gilbert
Gill
Glenn
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffin
Gross
Grover
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Halpern
Hansen
Harding
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Hechler
Henderson
Hoeven
Holifield
Horan
Horton
Hosmer
Jennings
Jensen
Johansen
Johnson, Calif.
Johnson, Pa.
Jonas
Karsten
Kastenmeier
Keith
Keogh
Kilgore
King, Calif.
Kluczynski
Knox
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Leggett
Lennon
Libonati
Lindsay
Lipscomb
Lloyd
Long, Md.
McClory
McCulloch
McDade
McFall
McIntire
McLoskey
Macdonald
MacGregor
Madden
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
Matthews
Milliken
Mills
Minshall
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich
O'Konski
Olsen, Mont
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Philbin
Pickle
Pike
Pillion
Pirnie
Poage
Poff
Price
Pucinski
Purcell
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Rivers, S.C.
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rosenthal
Rostenkowski
Roudebush
Roush
Rumsfeld
Ryan, Mich
Ryan, N.Y.
St. George
St. Onge
Saylor
Schenck
Schneebeli
Schweiker
Schwengel
Senner
Shipley
Shriver
Sibal
Sickles
Sikes
Siler
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Snyder
Springer
Staebler
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Tollefson
Trimble
Tuck

Tuten
Udall
Ullman
Van Deerlin
Vanik
Waggonner
Watson
Watts
Weaver
Weltner
Whalley
White
Whitener
Whitten
Widnall
Willis
Wilson, Bob
Wydler
Young
Younger
Zablocki

NOT VOTING—131

Andrews, Ala.
Ashmore
Auchincloss
Avery
Barrett
Bass
Battin
Blatnik
Bolling
Bray
Brock
Bromwell
Broomfield
Brown, Calif.
Broyhill, Va.
Bruce
Buckley
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cahill
Cameron
Casey
Celler
Clawson, Del
Colmer
Cooley
Corman
Davis, Ga.
Davis, Tenn.
Dawson
Dent
Derounian
Diggs
Dorn
Dulski
Dwyer
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Flynt
Ford
Forrester
Friedel
Fulton, Pa.
Gallagher
Giaimo
Gonzalez
Goodling
Grabowski
Grant
Griffiths
Gubser
Hagen, Calif.
Hanna
Healey
Hébert
Herlong
Hoffman
Holland
Huddleston
Hull
Hutchinson
Ichord
Jarman
Joelson
Johnson, Wis.
Jones, Ala.
Karth
Kee
Kelly
Kilburn
King, N.Y.
Kirwan
Kyl
Lankford
Lesinski
Long, La.
McMillan
Martin, Mass.
Matsunaga
May
Meader
Michel
Miller, Calif.
Miller, N.Y.
Minish
Multer
Nix
Pepper
Perkins
Pilcher
Pool
Powell
Rains
Reifel
Riehlman
Roberts, Ala.
Roberts, Tex.
Rodino
Rooney, Pa.
Roosevelt
Roybal
St Germain
Schadeberg
Scott
Secrest
Selden
Sheppard
Short
Stinson
Thompson, N.J.
Toll
Tupper
Utt
Van Pelt
Vinson
Wallhauser
Westland
Wharton
Wickersham
Williams
Wilson, Charles H
Wilson, Ind.
Winstead
Wright
Wyman

So the motion was rejected.

Mr. BROOKS and Mr. BURLESON changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

THE "POVERTY PACKAGE"

The SPEAKER pro tempore (Mr. ALBERT). The Chair recognizes the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at the conclusion of my remarks today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, my train of thought has been somewhat interrupted, but I was trying to conclude some comment about the weaknesses in the President's poverty package.

As I was saying, if we should decide there are weaknesses in a few States or communities, this should not lead us to undercut and bypass all the States of our community.

If States cannot be trusted to devise and police their own programs to alleviate poverty, as they do in so many other fields, I doubt strongly whether some benevolent bureaucrat sitting in Washington can do better. So, too, we must trust those who are in charge of our cities. If politicians may motivate decisions at the local and State level, can we expect decisions made in Washington to be any less susceptible?

Mr. Speaker, the pending Landrum-Powell-Johnson proposal is at best an ill-advised and ill-conceived undertaking. At worst, it is a naked grab for unprecedented, unwarranted, Federal power, fraught with mischief. Not only does this bill lay the groundwork for a reshuffling of the Federal Government and the relegation of the Cabinet-level departments to a secondary role, it also carries a blueprint to reduce established State and local governments to tenuous dependencies, functioning at the sufferance of Federal bureaucracy, with no purpose, no function, and no responsibility in behalf of their fellow citizens.

Mr. Speaker, it is time for every Member of Congress to take a long, hard look at this so-called poverty proposal.

It is my understanding, Mr. Speaker, that the committee report is being filed today, together with minority views with respect to this proposal. It is essential that we identify this proposal for what it is. Let it not be said that we sacrificed the future of America for a slogan.

Mr. Speaker, I yield to the gentleman from California [Mr. BELL], a member of the committee.

Mr. BELL. Mr. Speaker, it is with great regret that I rise to speak against H.R. 11377.

Nothing would bring me greater pleasure than to be able to honestly say that the solution to the elimination of poverty in our land lies in this bill.

The answer, unfortunately, is not in H.R. 11377 and I would not be acting responsibly if I attempted to have you believe otherwise.

It cannot be doubted that a war should be waged against poverty.

The ends are not questioned, but I am here to say that the methods are, and should be questioned.

This is the issue we are presenting today. Does H.R. 11377 present an effective method to fight poverty in 1964?

I feel it is not and I will attempt to indicate the weaknesses of the "package" approach proposed in the Landrum bill.

Specifically, it is my task to point to the lack of sound reasoning in title I which includes the controversial job corps.

It should first of all be pointed out that the job corps of title I is not a novel plan.

Basically, it is a slightly modified version of H.R. 5131, the youth conservation corps proposal introduced in March of 1963.

That bill has remained for over a year in the House Rules Committee without action.

That committee has not seen wisdom in the plan as a separate piece of legislation and I fail to see greater wisdom in it as a part of this package.

The principal difference between H.R. 5131 and the current proposal is that the former placed the program under the jurisdiction of the Secretary of Labor, whereas the latter places it under the jurisdiction of a new Federal office—the Office of Economic Opportunity.

The provision has been compared to the Civilian Conservation Corps of the 1930's. I hold, however, that there are vast differences between the times and the conditions.

The Civilian Conservation Corps camps came into existence in a time of great depression when, not only the youth of the Nation were unemployed, but approximately 11 million of our citizens.

Today, however, we are riding one of the longest sustained economic booms in history.

Employment is the highest in history. Therefore the times are not the same and the problems are not the same.

Nineteen hundred and sixty-four problems must be solved with 1964 techniques.

The focus is upon school dropouts and selective service rejectees.

These are young people who for physical, mental, or social reasons have not been able to cope effectively with their environment and who have not moved ahead with the majority of their generation.

The primary need of this group is retraining, rehabilitation, and most importantly, economic opportunity.

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] There are 159 Members present; not a quorum.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

Mr. JONES of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. ALBERT). No parliamentary inquiry can be made.

Mr. JONES of Missouri. I can make a parliamentary inquiry; certainly.

The SPEAKER pro tempore. A quorum is not present. A call of the House has been ordered. The gentleman cannot make his parliamentary inquiry in the absence of a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 144]

Andrews, Ala.
Ashmore
Auchincloss
Avery
Barrett
Bass
Battin
Blatnik
Bolling
Bray
Brock
Bromwell
Brown, Calif.
Broyhill, Va.
Bruce
Buckley
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cahill
Cameron
Casey
Celler
Chamberlain
Clawson, Del.
Colmer
Cooley
Corman
Davis, Ga.
Davis, Tenn.
Dawson
Dent
Derounian
Diggs
Dorn
Dulski
Duncan
Dwyer
Edmondson
Elliott
Everett
Evins
Fallon
Farbstein
Fisher
Flynt
Ford
Forrester
Fraser
Fulton, Pa.
Gallagher
Giaimo
Gonzalez
Goodling
Grabowski
Grant
Griffiths
Gubser
Hagen, Calif.
Hanna
Harsha
Healey
Hébert
Herlong
Hoffman
Holland
Huddleston
Hull
Hutchinson
Ichord
Jarman
Joelson
Johnson, Wis.
Jones, Ala.
Karth
Kee
Kelly
Kilburn
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kyl
Landrum
Lankford
Lesinski
Long, La.
McClory
Martin, Mass.
Matsunaga
May
Meader
Michel
Miller, Calif.
Miller, N.Y.
Minish
Multer
Nix
Pepper
Perkins
Pilcher
Pool
Powell
Rains
Reifel
Riehlman
Roberts, Ala.

Roberts, Tex.
Rodino
Rooney, Pa.
Roosevelt
Roybal
St Germain
Schadeberg
Schwengel
Scott
Secrest
Selden
Sheppard
Short
Smith, Calif.
Staebler
Stinson
Toll
Tupper
Tuten
Utt
Van Pelt
Vinson
Wallhauser
Westland
Wharton
Wickersham
Williams
Wilson, Charles H.
Wilson, Ind.
Winstead
Wright
Wyman

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 292 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. BELL. Mr. Speaker, it is my feeling that the Job Corps proposal does not provide the specialized instruction to meet this need.

Such retraining must be carried out where the facilities, the equipment, and the trained personnel are available.

Mr. JONES of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman yield for a parliamentary inquiry?

Mr. BELL. Mr. Speaker, I yield.

Mr. JONES of Missouri. Mr. Speaker, is a motion to adjourn now in order?

The SPEAKER pro tempore. If the gentleman yields for that purpose.

Mr. JONES of Missouri. This is a parliamentary inquiry. I tried to propound a parliamentary inquiry a minute ago, but I could not get any response.

Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman's motion is out of order.

Mr. JONES of Missouri. It is out of order?

The SPEAKER pro tempore. Unless the gentleman yields for that purpose.

Mr. BELL. Mr. Speaker, I do not yield.

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred twenty-six Members are present, a quorum.

Mr. BELL. Mr. Speaker, we know that the teacher shortage in the conventional educational system is acute.

Where, then, can we hope to find adequately trained staffs for these isolated camps.

In this connection I would point out that just last year this Congress, through the Education and Labor Committee, approved a greatly expanded Manpower Development and Training Act and the Vocational Education Act.

These carefully drafted acts are aimed directly at the problems of the 16- to 22-year-old age group.

The danger of duplication is obvious.

Furthermore, I strongly believe that far more gratifying results could be expected through a concentrated implementation of these programs than a gamble on an untried program such as the Job Corps.

Second. The Job Corps involves expenditures far in excess of anticipated accomplishments.

According to administration testimony the cost per enrollee in this program will come to at least $4,700 per year.

This is almost twice the monetary standard of need on which the poverty bill is predicated.

It is more than enough to send a young person to any one of the top colleges in the country.

If effective results could be expected from this program it would be one thing.

But when one considers that participation in the plan is purely voluntary and the enrollee may stay or go as he pleases, it must be conceded it is at best, a financial longshot.

In that connection, I would point to an experiment in my own State of California that verifies this contention.

There, a $300,000 program aimed to retrain school dropouts itself became a victim of the dropout problem.

During the first 6 months of the program, 101 of the 194 youths enrolled dropped out.

Of the remaining 93, 11 completed the course.

There is no reason to think that the Job Corps of H.R. 11377 will have greater success.

In summary then, the Job Corps simply does not fit the needs of the times.

It will not equip the enrollee to make his way in the modern world.

I firmly believe that the funds can be spent more effectively by concentrating on the educational programs authorized and envisioned by the Manpower Development and Training and the Vocational Education Acts.

The need is to put these young people in tune with their actual needs, not to put them in tune with nature.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Michigan.

Mr. GRIFFIN. Mr. Speaker, I wish to command the distinguished ranking minority member of our Committee on Education and Labor for providing the House with a very thoughtful analysis and commentary on the so-called antipoverty package now being promoted by the administration.

The gentleman from California [Mr. BELL] has referred to the so-called Job Corps which would be established under H.R. 11377. I should like to focus attention briefly upon that portion of title I of the bill which would set up a work-training program.

The estimated first-year cost of the proposed work-training program is $150 million. It would vest in the Director of the proposed new Office of Economic Opportunity broad, almost limitless authority to assign as many as 200,000 young people to work for any unit of government or for any private nonprofit organization.

The Federal Government would pay 90 percent of the salary of each such worker during the first year, and 50 percent thereafter, except that if the Director determines that assistance in excess of such percentages is required, then the Federal Government can pay up to 100 percent of such salaries.

Although there are no provisions in the bill which so indicate, apparently it is understood among administration officials that the Poverty Director's authority under this program will be delegated to the Secretary of Labor.

When Secretary Wirtz appeared before the House subcommittee in support of this part of the bill, I questioned him concerning the meaning and scope of the term "nonprofit organizations" as it is used in the bill.

Set forth below are some excerpts which appear, beginning at page 210, in printed hearings on this legislation held by the House subcommittee:

> Mr. GRIFFIN. The Republican Party is a nonprofit organization. I would assume that training with the Republican Party in a few areas might be useful in terms of getting a job. Would it be possible for the Director to assign an employee to the local Republican headquarters, could this be done under the bill?
>
> Secretary WIRTZ. A short answer, and then just a little amplification. The short answer is "Yes." Any organization which brought forward a plan for removing poverty from an individual or a family in this country, by giving a youngster something to do which constituted a job and had training qualities to it, would be received affirmatively, favorably, and sympathetically. This would include, as a matter of logic, the possibility that that would be a political organization of one group or another. I think we would both agree that it would be unlikely that it would come from that area, but the answer to your question is that there is a wide open invitation to any kind of private group, and I assume administrative rules of responsibility; any kind of group that wants to do something about poverty.
>
> Mr. GRIFFIN. I want to express my gratitude for the Secretary's very candid and honest answer which he always provides because he is a very fine lawyer. The answer, of course, would be the same if it were the local chamber of commerce or a local labor organization; is that not correct?
>
> Secretary WIRTZ. Yes, sir.
>
> Mr. GRIFFIN. I would suspect that every nonprofit organization in every community, and all the local governmental units, which could get additional hands [employees] by putting up 10 percent of the salary, will be flooding your office with applications; and you are going to have to pick and choose.
>
> Secretary WIRTZ. I think that is right.
>
> Mr. GRIFFIN. How the decision is made can have an important—and sometimes a frightening—influence upon the direction that our communities can take.
>
> Secretary WIRTZ. That is one problem I love to look forward to.

The implications and possibilities for abuse in this program must be obvious. Unsound legislation, which undermines our successful system, should not be supported merely because it has been presented in the name of a war on poverty.

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include excerpts from the hearings.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and eighty-two Members are present, not a quorum.

Mr. JONES of Missouri. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

Mr. **CLANCY**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 16, nays 272, not voting 142, as follows:

[Roll No. 145]

YEAS—16

Abernethy
Denton
Dingell
Harding
Harvey, Ind.
Hays
Jones, Mo.
McCulloch
Olson, Minn.
Rivers, Alaska
Rivers, S.C.
Roudebush
Sisk
Teague, Tex.
Tuten
Udall

YEAS—272

Abbitt
Abele
Adair
Addabbo
Albert
Alger
Anderson
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Aspinall
Ayres
Baker
Baldwin
Baring
Barry
Bates
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Boggs
Boland
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Burkhalter
Burleson
Byrnes, Wis.
Carey
Cederberg
Chelf
Chenoweth
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Delaney
Derwinski
Devine
Dole
Donohue
Dowdy
Downing
Ellsworth
Fascell
Feighan
Finnegan
Fino
Fisher
Flood
Foreman
Fountain
Fraser
Frelinghuysen
Fulton, Tenn.
Fuqua
Gary
Gathings
Gibbons
Gilbert
Gill
Glenn
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Gross
Grover
Gurney
Hagan, Ga.
Haley
Hall
Halpern
Hansen
Hardy
Harris
Harsha
Harvey, Mich.
Hawkins
Hechler
Henderson
Hoeven
Holifield
Horan
Horton
Hosmer
Jennings
Jensen
Johansen
Johnson, Calif.
Johnson, Pa.
Jonas
Karsten
Kastenmeier
Keith
Keogh
Kilgore
King, Calif.
Kirwan
Knox
Kornegay
Kunkel
Laird
Langen
Latta
Leggett
Lennon
Libonati
Lindsay
Lipscomb
Lloyd
Long, Md.
McClory
McDade
McDowell
McFall
McIntire
McLoskey
Macdonald
MacGregor
Madden
Mahon
Mailliard
Marsh
Martin, Calif.
Mathias
Matthews
Milliken
Mills
Minshall
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Price
Pucinski
Purcell
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Rumsfeld
Ryan, Mich.
Ryan, N.Y.
St. George
St. Onge
Saylor
Schenck
Schneebeli
Schweiker
Schwengel
Senner
Shipley
Shriver
Sibal
Sickles
Sikes
Siler
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Snyder
Springer
Staebler
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Tollefson
Trimble
Tuck
Ullman
Van Deerlin
Vanik
Waggonner
Watson
Watts
Weaver
Weltner
Whalley
White
Whitener
Whitten
Widnall
Willis
Wydler
Young
Younger
Zablocki

NOT VOTING—142

Andrews, Ala.
Ashmore
Auchincloss
Avery
Barrett
Bass
Battin
Blatnik
Bolling
Bray
Brock
Bromwell
Brown, Calif.
Broyhill, Va.
Bruce
Buckley
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cahill
Cameron
Casey
Celler
Chamberlain
Clawson, Del
Colmer
Cooley
Corman
Davis, Tenn.
Dawson
Dent
Derounian
Diggs
Dorn
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Findley
Flynt
Fogarty
Ford
Forrester
Friedel
Fulton, Pa.
Gallagher
Garmatz
Giaimo
Gonzalez
Grabowski
Grant
Griffiths
Gubser
Hagen, Calif.
Halleck
Hanna
Harrison
Healey
Hébert
Herlong
Hoffman
Holland
Huddleston
Hull
Hutchinson
Ichord
Jarman
Joelson
Johnson, Wis.
Jones, Ala.
Karth
Kee
Kelly
Kilburn
King, N.Y.
Kluczynski
Kyl
Landrum
Lankford
Lesinski
Long, La
McMillan
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Meader
Michel
Miller, Calif.
Miller, N.Y.
Minish
Morrison
Multer
Nix
Pepper
Perkins
Pilcher
Pillion
Pool
Powell
Rains
Reifel
Riehlman
Roberts, Ala.
Roberts, Tex.
Rodino
Rooney, Pa.
Roosevelt
Roybal
St Germain
Schadeberg
Scott
Secrest
Selden
Sheppard
Short
Smith, Va.
Stinson
Thomas
Toll
Tupper
Utt
Van Pelt
Vinson
Wallhauser
Westland
Wharton
Wickersham
Williams
Wilson, Bob
Wilson, Charles H.
Wilson, Ind.
Winstead
Wright
Wyman

So the motion to adjourn was rejected.

Mr. **HARDY** changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The **SPEAKER** pro tempore. The gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. **FRELINGHUYSEN**. Mr. Speaker, I think the RECORD should show it was nearly 3 hours ago that I stood up to have a 1-hour special order on the weaknesses and the deficiencies of the administration's poverty bill. For a variety of reasons, some of which I fail to understand, it has been impossible to conduct any reasonable discussion. There has been no discussion except with one member of the majority party on that bill, and we are still not being given time to finish the 4 minutes that remains in my hour.

Mr. **HAYS**. Mr. Speaker, will the gentleman yield?

Mr. **FRELINGHUYSEN**. I am reluctant to yield to the gentleman, but I shall.

Mr. **HAYS**. It seems to me that the RECORD should show that those of us who have something more important to do, even though the gentleman's speech is very interesting, will not be called back here, and if we can agree we may eliminate that.

Mr. **FRELINGHUYSEN**. I have no desire for the pot to call the kettle black. I have stated two paragraphs since an hour and a half ago. I have not delayed the game. It is not because I have something of substance I have not already said. The fact that a point of order was made was not of my doing, and I certainly would not have done it. But it does not help anything to have a series of pointless points of order about quorums and motions to adjourn after the initial effort was made.

I see no point in arguing with the gentleman. He has himself contributed to the delay, which I regret. I regret it has been necessary to impose on the Members this time which might well have been devoted to a reasonable discussion of the merits and demerits of this particular bill.

I would like to keep my eye on the ball. If the gentleman has any comments to make about the bill, I will yield to him again. If not, I will yield to another member of the committee.

Mr. **HAYS**. I would like to say to the gentleman that all I am trying to do is to get an agreement so the gentleman may proceed.

Mr. **FRELINGHUYSEN**. I had not understood what the gentleman's position was, and I am glad to have that clarification.

Mr. **HAYS**. The gentleman's position was, there were a half-dozen Members on the floor, and a Member on the gentleman's side took it upon himself to make a point of no quorum.

Mr. **FRELINGHUYSEN**. There was a boycott by the majority members of the Committee on Education and Labor. The initial request was made of me as to whether I would like to have a quorum present in order to get more members of that committee here to discuss this matter, or to hear our point of view on that bill. I did not urge that that be done. I do not know whether the gentleman from Ohio was here at that time or not, but I did discuss it with another gentleman from Ohio, and I did not anticipate it would be normal to have a quorum physically present.

I for one regret very much that the House should have made such a spectacle of itself during a time when we Republicans were attempting to express our honest reservations about what could be a major bill, a bill that could be damaging to the existing program, a bill that will cost a lot of money and establish a Federal agency which we do not need. All of this has been an obstacle put in the way of what was originally intended to be a 1-hour debate.

THE "WAR ON POVERTY" LEGISLATION

The **SPEAKER** pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Ohio [Mr. TAFT] is recognized for 1 hour.

Mr. **GOODELL**. Mr. Speaker, will the gentleman yield?

Mr. **TAFT**. I yield to the gentleman from New York.

Mr. **GOODELL**. Mr. Speaker, I should like to take just a few minutes—I will not take the time of the Members long—to talk about what I think is one of the most serious problems in connection with this so-called poverty bill that is coming before the House.

You are all familiar with the issue of separation between church and state. The issue of separation between church and state was brought out in our hearings. At that time it was pointed out by me and others that the language of the bill was defective in its handling of this issue. As a result the Democrats on the committee, the majority, revised the legislation.

The original bill provided that under the community action program, title II, any aid to elementary and secondary schools would have to be administered by public school officials. Then we added a clause that private school students would be eligible to be benefited by these programs. This device was obviously designed to permit the aid to education which was involved in this bill to go directly to the local school system.

During the deliberation all of that language was stricken and a clause was added to the bill, "Any general aid to education."

What do we have at the moment in this bill that has been reported out of our committee, H.R. 11377? Let me say that in title II, the community action section, which is the most important section with reference to this issue, there is no language whatsoever with reference to sectarian or religious use of the funds.

In effect, what can happen under title II? There is no language in title II or anywhere else to prevent it. So the Federal Government through the poverty czar, can make a direct grant to a private religious organization. He may do so not only for the purposes of education—and the language of the bill is "special remedial and other noncurricular education," the language is clear for that purpose—but he also, as far as the language of this bill is concerned, may make this kind of grant for sectarian use or religious training. There is no language in this bill to prevent it.

This is a very serious breach of the wall of separation between church and state. Obviously this bill is designed by its sponsors, avowedly so, to try to help the poor, to help particularly the children of the poor. They plan to try to help them with special remedial courses, all sorts of programs of an educational nature, noncurricular by the language of the bill, but an aid to education nonetheless. They cannot point to a single provision in this bill that will prevent aid from going directly from the Federal Government to a religious organization.

I can give you a number of examples of the types of groups that could qualify. The language of the bill is clear. It can be done.

The only other place in the bill where this issue was raised was in the work-training section which is dealt with on page 10 of the bill with reference to the sectarian issue and the college student work-study provision.

What did the committee do with respect to this issue? Let me read you the language that was put in the bill with reference to the religious issue on page 10 of the bill:

> The Director is authorized to enter into agreements providing for the payment by him of part or all of the cost of a State or local program submitted hereunder if he determines, in accordance with such regulations, as he may prescribe, that
>
> 1. Enrollees in the program will be employed either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations.

And here is the key language:

> Other than projects involving the construction, operation, or maintenance of any facility used or to be used solely for sectarian instruction or as a place for religious worship.

I emphasize to you that the only place the Director cannot make a grant is in the instance where the structure to be built or operated is to be used solely for sectarian instruction or a place for religious worship. This means a director can make the grant directly to a church to build a Sunday school, if the Sunday school will be used part-time for remedial reading courses of some kind.

It means a direct grant can be made to the Salvation Army provided some aspect of their program is designed to fight poverty.

This is not only a breach in the wall—the proper wall of separation between church and state—the wall has fallen down completely. There is no wall left as far as that language is concerned.

The only thing barred by that language is a grant to a church organization, if it is going to use the money solely for sectarian instruction.

I defy any member of the committee on the majority side or any other Member of the House to tell me that this is not true. This is the plain meaning of the language. The language was devised to try to shove this issue under the rug. We have dealt with this issue in this House of Representatives before. We dealt with it in the higher education bill. There is language that can be devised to meet this issue but it was not devised. The majority of the committee, meeting in private session later on and locking out the rest of the minority, decided the only way to deal with this issue was to pull all language out of the bill with reference to religion. In the key places where they left some restriction on sectarian instruction or religious worship, the work-training program and the work-study program, the language they left is meaningless—it is useless.

The other section where this is done, and I will quote for the RECORD, is to be found on pages 16 and 17 of the bill. I quote:

> *Provided, however,* That no such work shall involve the construction, operation, or maintenance of any facility used or to be used solely for sectarian instruction or as a place for religious worship.

Now I say to you people, those are the only two sections in this bill that limit sectarian instruction and religious worship as far as the utilization of Federal funds is concerned. The only limitation is that if the Federal funds are going to be used solely for sectarian instruction or religious worship, the funds may not be provided.

This is not a partisan matter. I believe the entire House should be deeply concerned about the handling of this issue. Changes should be made.

I tried, in a constructive and nonpartisan way, to raise this question and to cooperate in writing the proper kind of language to cope with this issue.

We were repudiated at every turn. They would not listen. Now what they have done is to knock down the entire wall of separation between church and state.

This is a serious issue. I believe we ought to do something about it before we pass this kind of legislation.

I thank the gentleman for yielding.

Mr. TAFT. I thank the gentleman for his contribution.

Mr. Speaker, I ask unanimous consent that all Members may have 24 hours in which to revise and extend their remarks on this subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TAFT. Mr. Speaker, I have taken this time today because I believe it is important that this issue be fully discussed and debated and that the American people understand what is in the bill and have an opportunity to express to the Members of the House their opinions on the subjects which are covered in the bill before the House is called upon to vote on it.

I believe that what has happened here on the floor today and what happened previously in the committee is indicative of the fact that there must be—indeed, I can say that there is—some reluctance on the part of the party in control of the committee and in control of this House to have a full discussion of these issues, as there was when we made attempts throughout the committee sessions to point out what were the defects in the bill and how they might be corrected.

When I took this special order I believed it would be really a nice quiet little matter of putting something in the RECORD. I do not believe that any of us anticipated we would meet the reaction we have seen today. I wonder if the reaction which has occurred has perhaps come about because of a sensitivity in regard to a discussion of what is in this bill and what changes might be desirable and necessary.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentleman from Ohio.

Mr. HAYS. I made one point of order that a quorum was not present. I will tell the gentleman exactly what my reason was for that.

I was in my office trying to get some work done. I was told that there were five people on the floor, four Republicans and one Democrat, and that someone made the point that he thought there ought to be more present to listen to the debate, so he brought us back.

I have no objection to the gentleman talking all afternoon or all night, but if his party is going to subject us to these points of order, which are rather unusual during special orders, we just felt that a little more of what his party felt was in order might be a little better; that is all.

Mr. TAFT. I do not care to get into a further colloquy on this subject, which seems to me to have been fully discussed previously.

I should like to proceed to discuss some matters in the bill which I believe should be discussed.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from New York.

Mr. GOODELL. The RECORD should be clear that there was never a point when only four or five Members were on the floor. On this side of the aisle there was a sizable number present listening, ready to discuss the bill. There were several times when there were no Members of the majority on the floor, and other times when there were one or two. I believe at most there were two.

There was a desire on the part of people on this side to have the issues heard.

Mr. TAFT. I believe the gentleman's correction is in order. There were several members of the committee and a good many other Members present on our side.

Mr. HAYS. Mr. Speaker will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentleman from Ohio.

Mr. HAYS. I believe the RECORD should show that now, if I can count correctly, there are more Democrats on the floor than there are Republicans.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman from Ohio yield to me?

Mr. TAFT. I am glad to yield to the gentleman from California.

Mr. HOLIFIELD. I merely wish to say that I feel that the explanation the gentleman is putting in the RECORD is good for the House to know. I appreciate the remarks of the gentleman from New York [Mr. GOODELL], on the bill.

I know that many of us have work in our offices, and many of us resort to reading the RECORD. I believe there was some cause for resentment on the point of order which was made, which brought us back from our offices.

I certainly believe that if, in the future, we are going to have these series of orders, if there is resort to points of order by either side, the other side naturally will do something. This prolongs the getting on the record of the material that it is desired to put on the record.

I would like to see this put on the record, and I have voted twice now against adjournment because of my feeling that the courtesy should be extended to the gentleman and his friends to put it on the record, but it does not lessen my resentment at a point of order being made during a special order which is taken during the session.

Mr. TAFT. I thank the gentleman for his comments. Of course, there have been a good many other procedural tactics employed since the original point of order was made.

I would like to proceed at this time to discuss some of the provisions with regard to title II, in which I think the House should be interested. These provisions relate to the so-called community action programs. The powers granted to the poverty czar, the director of the program, are almost unlimited. I would like to read to the House starting on page 20 of the bill some of the provisions involved here. The term "community action program," which the Director may himself trigger, is defined as meaning a program which comprises and utilizes resources, public or private, of any urban or rural area, which includes but is not limited to a State, metropolitan area, county, city, multicity or multicounty unit in what he decides is an attack on poverty. In other words, a unit of any size may be chosen by the Director. Moreover, it goes ahead and says that this may happen in any case in which the program is of sufficient scope so as in the opinion of the Director possibly to result in progress toward the elimination of poverty or its causes. There is no mechanism set up to judge the judgment of the Director in this connection.

This section also calls for a maximum "feasible" participation of residents of the area. What the meaning of "feasible" is entirely up to the Director, and there is no definition anywhere provided. It goes on to say that these programs can take place with any unit of Government but does not limit itself to activities of units of Government at any level, whether the State level or school boards or any other instrumentality of Government. It goes on also to include private nonprofit agencies. What this language means in section 202 of the bill is that the poverty Director under any of these programs can choose almost any type of activity he cares to engage in. It could be educational training, as the gentleman from New York pointed out a moment ago, and not subject to the limitations with regard to participation by religious institutions outlined in title I of the bill, but education training by any organization that the Director himself chooses and selects. It could be an association of any sort. It could be a political party or it could be a political party or political group not recognized formally as a political party, such as the Communist Party or any other extremist group of that sort. It could be a labor union or special community action group of any sort that is set up without any checks or requirements of approval of any kind by other governmental units.

The Governor has no right to veto under these circumstances and the mayor of the town or city or its council has no right to veto or participate in the selection of this particular agency. There is some question as to whether there would be any requirement of approval of the particular type of school program by the head of the school board or even the board itself.

Also, we should point out, I think, that under this program not only public agencies but private agencies are involved. I happen to have had some experience over some years as a member of a board of trustees of a community health and welfare and planning council. Community health and welfare planning councils are set up under one name or another in almost all of the major metropolitan areas of this country and many of the other cities. They are doing a fine job of coordinating planning in the health and welfare fields of the various governmental and also private units, so as to eliminate duplication and to attempt to do just what this bill says it attempts to do by providing some center or headquarters for the direction of the attack on the very problems of poverty and of welfare and need and health that are attempted to be approached by this bill. But, does this bill turn to these councils and require any approval by them? There is not a thing is this bill which would require any such approval. In the committee I attempted to introduce such an amendment, and on the floor I hope again to propose another amendment to require approval, where there is such a council, on a program of this sort. But apparently the majority is taking the position that such approval will not be and must not be given. The power demanded by the administration in this bill for the poverty czar is almost unlimited.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentleman from Illinois.

Mr. SPRINGER. Mr. Speaker, we have many of these programs that come before the Committee on Interstate and Foreign Commerce. I cannot remember a single program that we have had in which we have not had State and local participation—mostly State. In all of these the State agency is adopted by either the State legislature or designated by the Governor as a local agency to administer the program and in those programs we have contributed a certain amount of money. This has made local and State participation really paramount, and due to the fact that you had this State administration and local participation we have had a tremendous amount of responsibility at the local level in the administration of the program.

This responsibility that I think has been put upon the State has made it almost mandatory that those States go in and investigate the facts—I am talking about this now from the State level—so that they are able more or less to adjust the program to the State situation as it exists rather than to have a Federal bureaucracy move into the local community and administer these so-called standards that are set up in Washington.

I think in all of these programs that we have had—for instance, the Hill-Burton Act that we passed just last week—we have done a tremendous job at the State level. This does not mean that you have to have 48 or 49 or 50 separate administrations. It means, really, one program. And although we have had these locally I cannot remember a single scandal that we have had connected with the Hill-Burton Act because it has been admirably administered at the State level.

After all of this comment of mine, the question I want to ask the gentleman is simply, What were the reasons why there was not State participation offered in this program?

Mr. TAFT. Mr. Speaker, the members of the committee on our side of the aisle offered numerous amendments to require such approval, which were proposed and considered and turned down almost, I think almost entirely, on party lines within the committee. The feeling seems to have been that yes, we want to give the Director this broad authority to go in—and although they assure us orally that he will do this, they refuse to assure us of it in writing—and consult with the local agencies to adapt the particular program to their situation. I think the gentleman's point is well made, because particular problems of the particular community must be considered by the local people best able to make a judgment as to what programs are necessary to attack the problem of poverty in a particular area.

To leave out of the picture the people who are locally concerned is going to result, I am sure from my past experience, in innumerable applications being made, none of which will be screened at the local level. They will be made by agencies, many of which may be jealous of their jurisdiction in various fields of social welfare. Those who have dealt with this problem know that this can and will result in this field, as it may in any other.

Mr. SPRINGER. Mr. Speaker, if the gentleman will yield further, it seems to me, I can think of people in my own area who would like to apply for Federal programs who in my opinon are not particularly qualified to handle that kind of program. It seems to me that the State agency does a good job in sifting these through to determine who is qualified at the local level to make an application and to receive that application. I can think of all kinds of consternation that will be caused because of someone in almost every conceivable case having to run to Washington to try to solve this problem. You are going to have a lot of overlapping.

This is one of the things we have gotten away from by establishing a State agency which accepts this responsibility, and which in turn works it out with the local agency to go ahead.

Mr. Speaker, there is one further question which I would like to ask the gentleman from Ohio, because I have picked this up in discussing this matter with others. Has there been any research done by either any Government agency or any other agency to find out how many other Federal programs there are that might possibly overlap with this kind of proposed program?

Mr. TAFT. To answer the gentleman's question, there has been sufficient research done by the minority counsel of the committee, but I am not in a position to answer the gentleman's question categorically. However, I can tell the gentleman that there are eight different Government departments involved, and in the 1965 fiscal budget submitted by the administration the total expenditure called for for those programs which are poverty-directed and poverty-oriented and which would not, incidentally, be under the poverty czar unless he used his broad prerogative powers decided perhaps to take them over, would come to a total bill of $8.7 billion.

Mr. SPRINGER. If the gentleman will yield further, these are areas already in which approximately $8 billion is being devoted at the present time?

Mr. TAFT. The gentleman is correct.

Mr. SPRINGER. Can the gentleman give me any idea as to how many programs are involved? I have heard from some sources that there are as many as 8 and from other sources that there are as many as 40.

Mr. TAFT. I think we are talking about in the neighborhood of between 30 and 40 programs.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. In clarification of the point brought up by the gentleman from Illinois I should like to point out that the minority views which will be available within the next day or two will contain a detailed analysis of the scope of the Federal programs, the amount of money which is being expended by the various Federal agencies. My recollection is that there are eight or nine major Federal agencies involved in this program, a major one being the Department of Health, Education, and Welfare.

Secretary Celebrezze, to the best of my recollection, testified that his Department was totally responsible for 14 programs directly aimed at poverty. Of course, in effect, all of the programs under his Department are indirectly concerned with this program. So it is a very multifarious program.

Mr. Speaker, I wish we could get some of the proponents of this legislation to talk on it. I think, also, we should point out with respect to this problem of getting the communities to participate, one of the reasons why some of us were wary about the lack of any kind of role for State or local governments was because traditionally the Federal Government has adopted some kind of incentive approach. In order to qualify for Federal aid there must be matching funds on the part of the community or State, there must be the submission of a State plan, and in one way or the other there must be some kind of assistance from State or local communities in order to qualify.

We were disturbed that this should be absent, in effect, from this bill.

Mr. TAFT. Under section 204 of the bill it is provided that all financial support for a community-action program may come from the Federal program.

Mr. FRELINGHUYSEN. If the gentleman will yield further, this again will lead to the diminution of the feeling of responsibility toward the necessity for the program, the advisability of it, how it is going to be administered, and generally the local responsibilities that would normally occur if there were some financial responsibility involved.

Mr. Speaker, I believe we do have a very real problem in this regard.

When an alternative suggestion was made that at least we might have some necessity for a State program and let each State decide how the poverty money within its borders would be spent, that was ridiculed as establishing 50 poverty czars instead of 1.

Mr. Speaker, I would hope that the majority side would provide ways in which to meet the problem of determining how this money is to be spent in an easier fashion and not more complicated. If it is hard for them to decide, how is it any easier for a single relatively small Federal agency to do this without assistance from the State?

I ask that question because I am honestly in doubt as to how it is going to be done. I do not believe that the testimony of anyone appearing before our committee clarified that point at all.

Mr. TAFT. I share the doubt of the gentleman from New Jersey, and I am unable to answer his question. I hope that perhaps we may have the answer to his question before this legislation is acted upon.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from New York.

Mr. GOODELL. One of the problems on which I am sure the gentleman would agree in considering this legislation is that they have given us a package that they call war on poverty. Apparently we are not supposed to examine its contents.

Anything that is put in it is automatically good because it is put within a package called the war on poverty. I think this is a very dangerous thing from the viewpoint of the House. We must examine all of these programs and compare them to existing programs.

The gentleman from New Jersey referred to testimony of the Secretary of Health, Education, and Welfare, Mr. Celebrezze, who in his statement indicated there were 42 existing programs aimed at poverty. These are already existing Federal programs. Fourteen of these are under his jurisdiction in HEW. I requested, and others requested, that he submit a list of those 42 existing programs directed at poverty. He submitted that list for the record. The Bureau of the Budget advised me that in the fiscal year 1964 for those 42 programs named by Secretary Celebrezze the Federal Government is expending $32 billion for the 42 programs that Secretary Celebrezze named in his testimony were directed toward the fight on poverty.

Mr. TAFT. I thank the gentleman for his contribution.

Mr. MORTON. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Maryland.

Mr. MORTON. As I have listened to the gentleman's outline of title II in this bill, the question comes to my mind: Does the Director of this program have authority to work with school boards and other local agencies to the extent that racial balance could be changed in our schools?

Mr. TAFT. As I understand it, there is nothing in title II that would prevent the Director from proceeding with a program in the field of education, should he desire to do so, if it is decided by him that the establishment of a racial balance in schools would result in progress toward the elimination of poverty and because of poverty. I might mention to the gentleman that the original Supreme Court decision in the Brown case was largely based upon such a premise. Under these circumstances, it seems to me clear that the Director could go ahead and implement with Federal funds a program of the sort the gentleman referred to.

Mr. MORTON. Does this mean that the local school board and the local authority in the community would have no power of veto on such programs?

Mr. TAFT. As the bill presently stands, it would be my understanding that the Director of the program could make his agreement with any group he wished to make an agreement with. He could come into a particular area with an agreement with a particular agency involved. For instance, if he was to go to a local school board, he would not have to go to the board of regents of the State involved; he could go through a local school board, or perhaps even the principal of the local school. Those questions are not answered.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Again I think the gentleman has answered the question correctly. The bill is sufficiently vague so that almost anything could be financed through title II of the bill.

I referred in my discussion some time ago to a statement made by James B. Donovan, head of the New York City Board of Education. According to the newspaper account from the New York Daily News of Thursday, May 14, there is the following:

> Donovan said he already had met with Sargent Shriver.

The newspaper article goes on to say:

> Donovan said it was proper for the Federal Government to contribute substantially to the New York City schools. He said the city should no more be expected to carry the burden than Miami should have been expected to pay the cost of 200,000 Cuban refugees who had settled there.

He points out that the city should expend $200 million more toward the integrating of these schools in the New York City school system, and in his opinion the Federal Government should bear a large proportion of this additional expense.

Here we have already in motion applications or informal feelings out on the part of those who would like to get this kind of assistance and this kind of service. There is nothing to prevent this from being accepted.

Mr. TAFT. I thank the gentleman.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Illinois.

Mr. COLLIER. In the light of the discussion here today I should like to cite a situation I know would exist in many areas of the country, and then pose a question as to how the administration of this program would apply.

In a given community where there is a township-established general assistance department with the responsibility to deal with poverty per se, and the requirements are established by law, State and local law, and if in the same community there is also a private agency organized by a group of private citizens operating on voluntary and solicited contributions, does this program provide that the administrator of the program may deal with this private group without even consulting the local authorities who have the legal responsibility of dealing with these problems?

Mr. TAFT. If he desires to do so he certainly may. The answer would be "Yes" to the gentleman's question.

Mr. COLLIER. Certainly there might be differences, as there frequently are, in the modus operandi of the two groups. They may pay no attention to local laws or local ordinances and merely go to their private group and use Federal funds at the behest of the private organization.

Mr. TAFT. As long as the organization was a nonprofit organization, the gentleman's assumption is correct.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Illinois.

Mr. PUCINSKI. May I elaborate for a moment on the question which my colleague from Illinois has raised. I do not think the answer was quite complete, and I apologize to my colleague for adding to it. The gentleman from Ohio knows that the bill clearly provides the definition of a community action program, and it clearly establishes the intent of the Congress that all agencies shall be brought into the community action program, public and private. So it is in my judgment incorrect to say a public agency might be bypassed. Conceivably the Director would deal with the private agency only where there was no public agency available to do a given job. At least this is the intention of the committee, it is the intention of the authors of the bill, and I think the commitee report will clearly establish this principle.

Mr. TAFT. Commenting on the gentleman's statement, may I read to him the provision of section 202(a)(4), which states that a community action program is a program "which is conducted, administered, or coordinated by a public or private nonprofit agency, or a combination thereof." I think this perfectly clearly bears out in exact language the point I have just made.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Illinois.

Mr. COLLIER. In further inquiry directed to my friend from Illinois, may I ask this: Does the language of the bill foreclose the administrator from dealing with a private agency if in fact the public agency does not desire to engage in this so-called community action program but chooses to pursue its own operations in accordance with the established law in that township?

Mr. PUCINSKI. The answer is "No," it does not preclude him from entering into an agreement with a private agency, although if the gentleman reads the law and the definition of a community action program, it would be inconceivable to me unless there were a tremendously compelling reason for such action.

Mr. COLLIER. Is there any reason, then, why there should not be written into the letter of the law a requirement that such community action program be operated in such manner that the established legal agency in that area would necessarily have to participate and provide some reasonable guidelines for that expenditure of Federal funds to this program?

Mr. TAFT. I would be glad to yield to the gentleman from Illinois to reply, if he cares to.

Mr. PUCINSKI. Certainly I would state here that, as far as I know, the bill is going to come to the floor under an open rule, and if the gentleman feels this particular suggestion bears merit and will strengthen the bill, I think we on this side will be more than willing to consider any suggestion.

Mr. COLLIER. The same willingness that existed in the committee?

Mr. PUCINSKI. There has been a great deal of talk here about this committee action.

We on the majority side met for several days in long sessions in caucus to study this very lengthy and complicated bill. As far as I know the Republicans met in caucus on their side. When we had resolved our differences within our own sides—and on our side there were many questions—and as I said here before on the floor, I had some reservations about some of the sections of this bill—these reservations were thoroughly discussed among ourselves. When we reached a reasonable agreement, we then met as a committee of the whole. My good colleague, the gentleman from Illinois, should know this, that once we met as a committee of the whole, no member of the minority was foreclosed from offering any amendments or discussing any aspects of the bill. As a matter of fact, I might go a step further and say that during the public hearings on this legislation, at the request of the ranking minority member, the gentleman from New Jersey [Mr. FRELINGHUYSEN], 3 days were devoted to witnesses whose names were submitted by the minority, and I might add and tell the gentleman for his edification, during those 3 days there were just a handful and at times there were no minority members of the committee to hear their own witnesses who were adverse witnesses to the bill.

Now in reply to the gentleman, I will say there was ample opportunity in committee when it met as a full committee to offer amendments and vote on amendments. This committee accepted, and I do not recall at this moment how many amendments were accepted during the deliberations of the full committee, but there were any number of Republican amendments that were accepted by the full committee, some on a rollcall vote and some on a voice vote.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. First of all, Mr. Speaker, I think it is absurd to claim that the fact that Republicans were given 3 days to produce what the gentleman from Illinois describes as "our own witnesses" was an adequate opportunity for us to present the weaknesses in the bill. We were given this opportunity a few days before the days to hear these witnesses became available which meant that we had to try to get hold of Governors of States and say, "Can you come in 3 or 4 days time to testify?"—on a bill that they had not had any warning that they might be given a chance to testify on. The 3 days came after 6 weeks during which we heard a series of witnesses called by the administration who, in effect, said that poverty was a bad thing—as if anyone was arguing about that. So we certainly did not have any opportunity to present the case at that time.

I might say also, the very many constructive and major amendments that were offered by Republicans in committee were all rejected. The gentleman from Illinois may recall one or two that were adopted, but I would like to suggest that none of them were of any significance. Certainly, none of them were of the significance such as the gentleman from Illinois [Mr. COLLIER] has suggested that were accepted by the majority—even though amendments along those lines were proposed. So, the fact that we are going to have further opportunity because this bill will come up under an open rule is not of much satisfaction so far as I am concerned.

I would like to point out one other thing, if I may, Mr. Speaker. The gentleman from Ohio has mentioned section 202(a)(4) which describes a community action program as a program which is conducted, administered, or coordinated by a public or private nonprofit agency, or a combination thereof.

I should like to call attention to the fact that significant language was dropped from this particular definition. It makes it quite easy for a very partial segment of the community to receive significant Federal financing for a program. The language that was dropped, and I quote:

> The agency, public or private, must be broadly representative of the community.

The dropping of that language makes it possible for the Federal Government to come into a community and give money as a result admittedly of an application for this money to any private or public agency whether or not it is broadly representative of the community. In other words, the administration at the outset appeared to recognize the necessity for what the gentleman from Ohio has been pointing out, of a representative community application or agency to make an application. Yet that restriction, that qualification, that description, has been dropped from the bill. I consider this a very major change, and a severe handicap if we are to avoid the kind of chaos which the gentleman from Ohio has been pointing out, which may result in communities which have good and well coordinated programs, or which might have with a little Federal encouragement.

Mr. TAFT. The gentleman's point is well taken. The language dealing with the broadly representative community organization refers exactly to the type of organization to which I referred earlier, the community health and welfare planning councils of one sort or another, which combine the efforts of local and private agencies, and State agencies in some cases, to provide a community-wide attack on this kind of problem without interference and without dictation and without the kind of activities which I fear we may see occur if the programs are turned over to a bureaucratic base, such as this seems to be, as presently drafted in the bill.

Mr. SECREST. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentleman from Ohio.

Mr. SECREST. For the past 2 hours I have been downtown presiding as chairman of the projects committee for the National Rivers and Harbors Congress. As a result, I have missed five quorum calls, but I wish to report that all three of the projects reported to the projects committee, for Ohio, have been given the highest classification which the committee can give, No. 1, so Ohio has done well this afternoon downtown.

Mr. TAFT. I thank the gentleman for his comments. If I happen to be campaigning in his district I shall be glad to so testify.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentleman from Minnesota.

Mr. QUIE. I should like to bring to the attention of the House title III, since we have covered extensively title I and title II.

Title III, to me, is the most objectionable title of the whole bill. This is the one for special programs to combat poverty in the rural areas. I believe this title goes about it in the wrong way, and is very similar to what was attempted in the late 1930's and early 1940's under the Farm Security Administration.

The bill provides that grants up to $1,500 may be made to low-income farmers.

The Farmers Home Administration now is in the business of helping low-income farmers, farmers who do not have a sufficient credit rating, to secure credit from private sources. This, in a way, could be a duplication, yet it jumps over a number of needy farmers.

There is a greater demand for loans under the Farmers Home Administration today than there is money available. There are men who could qualify if the money were available. However, they would not be benefited, as the testimony indicates, by the $1,500 grant.

This will be a jumping over to other people who are more unsuccessful, as was indicated at one point in the hearings, than a person who can secure a loan today from the Farmers Home Administration, who is not unsuccessful enough.

The farmers who receive loans under the FHA do receive supervision. We can imagine, when grants and loans will be given to individuals who presently cannot qualify for an FHA loan, what will happen. They do not have management ability. They do not have sufficient know-how and experience. Even more supervision would be given to them.

As Mr. Berstch of the Farmers Home Administration indicated in his testimony before the Committee on Agriculture, capital grants of up to $1,500 would be made to farm families to finance fundamental improvements in farms and farm operations. The grants would be used for the purchase of livestock, feed, seed, fertilizer, farm equipment, and simple machinery, or additional farmland; for payment of day-to-day operating expenses, and, where practicable, for purchase of capital items needed in a nonagricultural enterprise.

The grant, carefully supervised by the Farmers Home Administration local supervisor, would be made individually or in connection with a loan. Loans of up to $2,500 would be made available for nonagricultural enterprises to supplement meager earnings from farming.

This kind of supervision was given to the farmers back in the old Farm Security Administration days. In 1944 the Select Committee of the Committee on Agriculture of the House, under the chairmanship of the same gentleman who is the present chairman of the Committee on Agriculture, the gentleman from North Carolina [Mr. COOLEY], made a study.

They came up with some reports of the operation of a very similar organization, the Farm Security Administration. In the report we find on page 6 it states as follows:

> ### FAMILIES COLONIZED AND REGIMENTED
>
> Families have been colonized, regimented, and supervised to an extent which cannot possibly be justified. It has been insisted arbitrarily that they keep records which many of them have found impossible to keep and maintain. They have been told what crops to plant and how they must be cultivated. They have been told from whom they must purchase and to whom they must sell. Their bank accounts have been completely controlled and kept under joint ownership by the Government, and they have not even been permitted to select their own work stock and other equipment. Supervisors of the Farm Security Administration have insisted upon discussing with members of the family the most intimate relationships. Especially on resettlement and rural-rehabilitation projects, members of the family have been subjected to physical examinations which should not be required. The heads of the families have been given gratuitous advice as to the number of children they should have. On many of the projects, tenants, or clients, as they have been called by officials of the Farm Security Administration, have not been advised fully as to the rights and privileges which they should be free to exercise under contracts and agreements which they have made with the Government. They have been required to pay money without being informed of the purposes for which it was being paid. Their contracts and agreements have been frequently changed in accordance with the ever-changing wishes and desires of the officials in charge of the affairs of the agency. These factors have caused great uncertainty and confusion in the minds of these unfortunate farm families.
>
> The kind and extent of supervision given, as indicated above, was another instance of the Administrators of Resettlement Administration and Farm Security Administration going to extremes. The Federal agency making loans to low-income farmers should

be authorized, where necessary, to give sensible supervision to the farmers and their families. But this supervision, if that is the proper designation of the services in question, does not necessarily have to be furnished to every borrower, and the nature of it should be limited by the needs of the particular farmer. It should never be carried to the extreme of dictating the plans for the entire social, community, and family life of the borrower. It should be limited to reasonable and practical suggestions and advice in farm and home planning and management. Obviously, supervision of the character discussed in this paragraph is vastly different from requiring the borrower arbitrarily to keep voluminous records, demanding that he buy from or sell to certain designated persons, and keeping all of the income from the farming operations under strict supervision and control of a Government official. Moreover, in all the transactions between borrowers and the agents of the Government furnishing the service, the borrowers should be dealt with fairly, should be fully informed of their rights and privileges, and their ideas and preferences for doing things should be given full weight by the Government agents.

Pursuant to the Executive orders hereinbefore referred to, the Administrators of the Resettlement Administration and the Farm Security Administration, having colonized and regimented destitute farm families as above stated, exercised the authority conferred upon them with great liberality as well as with extreme prodigality.

They established, maintained, and operated communities and villages in rural and suburban areas, built and maintained streets, roads, and highways; shops, stores, and warehouses, hotels and inns, recreational halls and community houses and playgrounds, and other places of amusement. They built power plants and water systems. They built hospitals and rest homes, sewage-disposal plants and irrigation systems, creameries and canneries, packing plants, and factories for the manufacturing of numerous articles, including pants for men and full-fashioned hosiery for women. They built and financed dairies and grain elevators, cotton gins, potato houses, and other storage facilities. They provided modernly equipped homes, with all conveniences and facilities. They made loans and grants of Federal funds according to their own wishes and desires and for just about everything from marriage licenses to burial expenses. They provided funds for the payment of lodge dues and poll taxes, for work stock, tractors and plows, and for farm implements of every kind and description. They furnished money with which to buy cows and sows, and bulls and boars, and with which to pay for family subsistence and for feed, seed, and fertilizer, and for the harvesting and marketing of crops. They provided funds for the purchase of stock in corporations and for the payment of dues in cooperatives.

Rural slum clearance is, of course, "a consummation devoutly to be wished," but in the prosecution of an undertaking of such great magnitude, proper consideration should be given to the human elements involved. We cannot lose sight of the fact that Americans of today were born in a land of freedom and though they may be poor, they are still devoted to the communities of their nativity and to the township or county in which their fathers and mothers have resided and in which they were born. The efforts of the Farm Security Administration to colonize unfortunate American families, most of whom were poor, but all of whom had a pride of ancestry and a love of their native communities, encountered many unsurmountable obstacles and in most instances, in its efforts to colonize such families, the agency met with dismal failure.

Americans still love the friends, the schools, the churches, and the other institutions which they knew and cherished in their childhood. In its efforts to transplant American families in places located at remote distances from the scenes of their early life, the Farm Security Administration apparently attached slight importance to the natural instincts of the individuals it sought to aid and assist. The families were inspired by the hope that they would soon be on the road to home ownership and financial security. They were reminded of their low standard of living and of the hardships which they were constantly encountering. They were tortured by stories of intolerant and mercenary landlords, who were exploiting them and depriving them of the better things of life. They were intrigued by stories of electric lights and bathtubs, refrigeration, pressure cookers, modern equipment and the arts of good farming on fertile soil, and they were assured of a better environment and the comforts of a better home.

With great confidence and mental comfort and satisfaction, and relying upon the faith they had in their government, they moved to government projects in search of "the promised land," in many instances only to find desolation and disappointment which they had not theretofore known. After moving on the Government projects, many of these families waited for long months for their homes to be built and for water with which to irrigate the parched lands upon which they were supposed to earn a livelihood. They waited in vain, while inexperienced engineers tried to build irrigation systems which, even now, are not functioning properly. Many families were induced and persuaded to move upon lands which the officials of the Farm Security Administration knew, or in the exercise of ordinary good judgment should have known, could not possibly be profitably cultivated. On many of these projects, there was not even a house that was fit for human habitation, and many of the families were forced by the necessities of their situation to live in hog houses while waiting for the Farm Security Administration to provide better dwelling places. With lands unfit for farming and houses unfit for human habitation, these families waited and continued to wait in vain for water and for homes. During all of this time, the Farm Security Administration provided the families with loans, which both the borrowers and the lender knew could not be paid at maturity.

As a consequence of this short-sightedness and utter lack of good business judgment, the officials of the Farm Security Administration have been responsible for many worthy farm families being hopelessly burdened with debts which they cannot now possibly pay, debts which never should have been incurred, but which now should be adjusted, so that these worthy and unfortunate families might be relieved of financial burdens which they should no longer bear and which they may never hope to repay. Families living on resettlement farm units have had no way of knowing when or whether they would be eligible for home ownership, and consequently they have gone on from year to year hoping that they would be given a deed to the tract or parcel of land in their possession, and be permitted to execute notes for deferred payments, to be secured by a deed of trust or mortgage. In the opinion of the committee, many of these families have even in great adversity demonstrated their competency, are worthy of home ownership and, upon a proper adjustment of their financial obligations, would be eligible for deeds to the property they are now occupying.

On the other hand, many of the families now occupying units on resettlement projects are not now and probably never will be eligible for homeownership, because of physical incapacity or mental incompetency to engage profitably in farming. Many of them were physically and mentally handicapped at the time they moved on resettlement projects and from the very start had little or no chance to succeed as farmers. Instead of aiding such families in finding more remunerative employment, the Farm Security Administration has continued to make loans upon loans knowing that in all likelihood such loans would never be repaid. By keeping such families on resettlement projects, the agency has prevented the occupancy of such units by persons who might have succeeded as farmers and might have attained economic and social stability within a reasonable time if they could have received the funds which Farm Security Administration continued to give to those whom it apparently considered as permanent beneficiaries of the funds appropriated for loans and grants.

There is another part that I think we ought to point out which is really, I think, a subterfuge in the legislation. It provides loans for cooperatives and officials of rural cooperatives to secure loans from bank cooperatives. However, there is a subsection (c) of section 302 (a)(1) which indicates that $1,500 grants can be made to the farmer in order that he might participate in a cooperative association. This is a means whereby grants will be made to the cooperative association. Now, in the past, the Federal Government has been of assistance to cooperatives, feeling it is a good means by which farmers can market their products or buy supplies. We feel this is a very good method that the farmers can use. However, in the past, assistance has been given to them only in the form of loans and not grants. This is, I think, hidden in such a way that it would not receive the objection that it would if it were shown clearly that it was grants to cooperative organizations. I do not know what is in mind in the section dealing with migratory labor. The report I refer to of the select committee in 1944 also has a section on labor camps, which I ask unanimous consent to place in the RECORD at this point so that we can see the results of the study of the select committee.

Mr. Speaker, I ask unanimous consent that this may be placed in the RECORD at this point.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered.

There was no objection.

LABOR CAMPS

The committee visited several labor camps and discussed the operations of such camps with agents of the Farm Security Administration and with occupants of the camps.

In some of the camps migratory laborers are housed in very comfortable homes and have the benefit of all modern conveniences and facilities, including hospitalization and medical and dental care, all of which are furnished at a very nominal cost. Many such laborers who are thus housed and provided for at the expense of the Government are earning high wages and should no longer be cared for and maintained at the expense of the Government. In other labor camps the houses, shelters, or tents provided are neither fit nor suitable for human habitation and constitute a menace to the health and social welfare of the families residing therein. Entire families occupy one room, shelter, or tent which is used as a combination kitchen,

> dining room, and living quarters. The space provided does not permit desired privacy and must, of necessity, result in many embarrassing situations. Some of the shelters or camp houses are built of wood, others entirely of galvanized tin, and others of cloth or canvas.
>
> In some of the labor camps the occupants are not even required to clean the premises immediately adjacent to the structures which they occupy as homes. When it is necessary to clean the premises upon which such labor camps are located, laborers other than those occupying the property are employed for that purpose. If services of any kind are rendered by the occupants or laborers living upon such premises, such laborers are paid prevailing wages in the community in which the camp is located.
>
> In addition to caring for migratory farm laborers in the several States and localities, laborers and their families are transported great distances at Government expense. For instance, laborers and their families were transported from the State of Mississippi to the city of Portland, Oreg., and the Farm Security Administration provided all traveling expenses to and from the city of Portland, and in addition thereto provided such medical care and attention as might be necessary. Other laborers were transported to the city of Portland from a distance as far as 800 miles south of Mexico City, all of which was at the expense of the Government. If, after reaching their destination laborers become dissatisfied or are unwilling to work and to carry out their part of the contract, the Government defrays the expenses and immediately arranges for their return home.
>
> The committee does not believe that in normal times the migration of labor should be either encouraged or sponsored by the Federal Government, nor does it believe that the Government should defray the expenses incident to the maintenance of such camps or shelters, or traveling expenses to and from the same.
>
> All labor camps which were formerly administered by the Farm Security Administration have been transferred to the Office of Labor under the War Food Administrator. The committee recommends in the basic legislation, which is submitted as a part of this report, that all such labor camps as are now being administered by the Office of War Food Administrator shall, upon the termination of the present emergency, be transferred to the Farmers Home Corporation for the purpose of liquidation, as provided in H.R. 4384.

Mr. QUIE. The conclusions of this committee, I think, also should be brought to the attention of the House. On page 23, is the summary of conclusions of the select committee.

> ### Summary of Conclusions of the Select Committee
>
> As a result of those factors previously discussed in this report, the committee is of the opinion that, up to the time of the recent changes in those in authority over Farm Security Administration, that agency has not been wisely administered and has been used as an experiment station of un-American ideas and economic and social theories of little or questionable value.
>
> The committee sees no need for the present duplication of Federal agencies furnishing analogous types of services to low-income farmers. Such duplication undoubtedly causes loss of Government manpower, increases Government expenses, and creates confusion in the minds of farmers who must necessarily utilize that type of credit. The committee, therefore, feels that the Farm Security Administration, the regional agricultural credit corporations and the emergency crop and feed loan offices should be discontinued and that the Farmers' Home Corporation, which Congress established in 1937, to render assistance to low-income farmers, should be utilized as Congress intended, with such additional limitations and restrictions as appear advisable in the light of the experience gained in extending Federal credit to low-income farmers since 1937.
>
> The committee believes that the tenant purchase program should be expanded. It believes that the credit agency should be in position to give the worthy low-income farmers who qualify for loans from it, practical guidance in farming and farm home plans and operations of the same type and character now being rendered by the Extension Service. The committee believes that such Federal credit agency should not be permitted to finance farmers who are able to obtain the credit they need from commercial banks, cooperative and private lending agencies, and other responsible private lenders, at reasonable rates and upon reasonable terms.
>
> The committee has found it imperative to provide a clear and definite authority for liquidation of the resettlement and rural rehabilitation projects of Farm Security Administration. The existing authority, being derived from brief language in current appropriation acts and the statutes relating to sales of surplus property of the United States, is not adaptable to expeditious accomplishment of the liquidation of such projects in a manner most advantageous to the United States and the farmers who may wish to purchase portions of the land.
>
> The committee stresses the importance of having the powers of the Federal lending agency clearly outlined. There should be no latitude for experiments, favoritism, and reckless handling of Federal funds with respect to Federal programs such as those indulged in by former Administrators of the Resettlement Administration and the Farm Security Administration.
>
> In reaching its conclusions, the committee has held to the basic purposes which motivated it during the course of the entire investigation of Farm Security Administration; namely, to make it certain that the credit agency finally utilized to render the services in question should be held to traditional American policies and methods and that credit services to low-income farmers and the provisions for farm ownership should be simplified and improved without sacrificing the essential functions of any existing Federal credit program.

I think we ought to consider seriously what was tried in the 1930's. This is not a new program. It was found wanting at that time. The sections which were questionable were repealed and the result was the Farmers Home Administration which now operates quite adequately if sufficient funds are made available to it and in a form that can be understood by the farmers. It helps the low-income farmers achieve a more viable unit. But this bill would be a change from an effort to make farmers able to live on a commercial basis, able to sell enough products adequately to take care of themselves and their family. This would just permit them to live on a subsistence level, because there is some hope somewhere that if farmers can live on a subsistence level they will not move to the cities.

Mr. Speaker, I think we ought to look at this very seriously, and when we do, I doubt very much that title III will be accepted in this package.

In conclusion, Mr. Speaker, I would like to share with my colleagues the following excerpt of a newspaper article by Jenkin Lloyd Jones, which has appeared in many newspapers, among them the Minneapolis Tribune. This is the excerpt:

> If you like shotguns filled with fine birdshot you might enjoy section 602 (k) and (l) as follows:
>
> The Director is authorized to, notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real or personal property by the United States, deal with, complete, rent, renovate, modernize or sell for cash or credit at his discretion any properties acquired by him in connection with loans, participations, and guarantees made by him pursuant to titles III (programs to combat poverty in rural areas) and IV (employment in investment incentives) of this act:
>
> To collect or compromise all obligations to or held by him and all legal or equitable rights accruing to him in connection with the payment of obligations until such obligations may be referred to the Attorney General for suit or collection.

If this is the English language these passages exempt the Director from all existing laws governing the handling of U.S. property plus granting him the privilege of "compromising," that is, forgiving part or all of loans advanced in good faith by the U.S. Government until such time as these loans "may be" not "must be" referred to the Attorney General for collection. What is this but carte blanche for a new Federal giveaway?

Mr. TAFT. Mr. Speaker, I thank the gentleman for his remarks. Mr. Speaker, as time is drawing to a close on this special order I would like to say that we have made a beginning in discussing in some detail the provisions in this bill that we think are important to bring to the attention of the people of this country and of the Members of this Congress.

I would say further, however, that the provisions of title IV relating to employment and investment incentives have many of the same types of broad powers and also duplicates of presently existing programs. We have such programs as the Small Business Administration, the Area Redevelopment Administration and other Federal programs of that type.

Under title V, "Work experience programs," that, again, injects the Federal Government directly into the whole matter of public assistance and poor relief programs, which by and large have been run up to now on a local and State level. This puts it on the Federal level and brings the Federal Government directly into the whole area of welfare administration.

Mr. Speaker, these are a few comments that I think are appropriate to bring to the attention of the Congress. There are one or two other items that I am certain will come up by way of discussion and amendment on the floor of the House. In the committee I, myself, offered an amendment to substitute for the Volunteers in Service to America provision the Domestic Peace Corps proposal because I believe the latter covers in some 20 pages of a detailed bill which has been heard in full relating to a Domestic Peace Corps provision and should be substituted, with proper limitations in areas of Federal activity, in lieu of the less than two pages which have been used for the Volunteers in Service to America.

The Domestic Peace Corps program, by the admission of Mr. Shriver before the committee, and I believe also by the admission of the Attorney General, has now been put on the shelf in preference to this capsule version, without any real definition of the purpose, enabling the assignment by the Director of the Volunteers in Service to America to any one of the other programs and particularly to community action programs in title II of the bill.

I think this is another illustration of the blanket and unlimited delegation of authority given under the guise of a so-called war-on-poverty program.

I think we have pointed out here today the very real limitations that this bill has in the sense of being a direct attack. It is nothing more than a package of outworn proposals many of which have been considered before and which will not be integrated into presently existing poverty-related programs.

The sum total of the authorizations asked for would only be something like an additional 11 or 12 percent, by the most optimistic estimate, of the present funds being directed to the areas of the programs other than the new ones set up under this proposed bill.

I believe this proposal is one that has had poor consideration before the committee. I believe it is one that unfortunately has political inspiration and political aspects which outweigh any service aspects to which it should be directed in an effort to solve these problems.

LEGISLATION TO REVISE IMMIGRATION AND NATURALIZATION LAWS

The SPEAKER pro tempore (Mr. Albert). Under previous order of the House, the gentleman from Massachusetts [Mr. Conte] is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker, it is a pleasure for me to join a number of my distinguished colleagues who, under the leadership of my good friend and outstanding public servant from New York [Mr. Lindsay] have introduced legislation to revise our immigration and naturalization laws.

Ever since coming to Congress, I have sought to sponsor and fight for legislation which would revamp existing statutes in the most sensible way.

Never before, however, have I been more pleased with legislation than I am with the present comprehensive bill, which will overhaul the quota system, abolish the national origins basis, and set in motion a number of reforms that are worthy of this great Nation. As the son of parents born on a foreign soil, I feel that the implicit improvements contained in this legislation will right the number of inequities that have plagued our Nation.

I have called attention to these inequities on occasions too numerous in the past to mention. Needless to say, this legislation should be considered a "high priority" matter, and one that should be examined in depth during this session of Congress.

It seems to me to be the best bill ever introduced on the subject of revamping the McCarran-Walter Act.

Let us look at certain basic facts regarding our present policies. The most obvious one is that as long as the quota system is based on national origins, it is bound to have disastrous consequences.

Because it is based on national origins, the resultant discrimination against southern and eastern Europeans is most discouraging.

In this bill I am introducing today, the United States would establish an annual total quota according to the 1960 census. This would result in an annual quota of 300,000.

While this will be interpreted by enemies of this legislation as an opening of the floodgates, it will—in actuality—increase the number of immigrants to this country by about 50,000. This is due to the fact that the present allotment of 154,000 is exceeded by an additional 100,000 through special legislation.

The changes enumerated on the floor by my colleagues on Monday will, I am certain, reduce the number of hardships created by the program through a distribution system among the several quota areas in proportion to the actual immigration into the United States chargeable to each area between July 1, 1920, and the date of this act's enactment. While there are many features that could be stressed on the quota system outlined in the legislation, I would also like to stress two other major features of the bill, namely, the preference for parents of U.S. citizens and the provision for the relief of world refugee and Communist escapee problems.

This bill would include in the nonquota category parents of U.S. citizens, the same nonquota system that is now accorded to a child and spouse of a citizen. We need not stress here the importance of the family unit for it seems obvious that parents of citizens should be included in the high priority list.

And finally, I would like to make certain comments regarding the refugee provisions of this legislation. The bill defines "refugee" as an alien who—because of persecution or fear of persecution on account of race, religion, or political opinion—has fled from any Communist territory or from a country of the Middle East. The definition also includes persons who are victims of war, political upheaval and natural calamity and who are unable to return to their former homes.

The bill would empower the President to parole into the United States 10,000 refugees during serious emergency situations such as the 1956 Hungarian revolt. They would then become eligible to apply for permanent residence after a period of time. Apart from these emergency situations, 20,000 special refugee visas would be authorized over a 2-year period in order to relieve pressure on various refugee concentration areas.

And there are many other features of the legislation that I would like to stress. However, in the interests of preserving space, I call attention to the remarks of the gentleman from New York [Mr. Lindsay] and the section by section analysis of the bill in the Record of Monday, June 1.

Suffice it to say at this point, the legislation is vitally needed and a matter of utmost urgency. We have tolerated a system that has not met the serious problems in a manner befitting the lofty goals of this Nation, a Nation, I might add, of immigrants.

Both party platforms in 1960 called for liberalization of our immigration laws. I had the great privilege of authoring this platform plank in 1960. We have the opportunity at this time to demonstrate our responsibility by adopting this legislation. The archaic stipulations contained in the present act have longed damaged the reputation of this Nation. Let us begin to create the necessary machinery. I urge an immediate response to this legislation.

IMPORTANCE OF KEEPING MEMBERS OF CONGRESS INFORMED OF EXECUTIVE DEPARTMENT ACTIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. Flood] is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, a recent incident affecting Luzerne County in Pennsylvania, which I have long represented in the Congress, is indicative of a problem of serious proportions with implications far beyond this county, indeed beyond the congressional district of any Member or single State represented by Members of the other House.

On November 22, 1962, the Housing and Home Finance Agency issued an announcement that the Urban Renewal Administration had approved a grant of $75,000 to Luzerne County under the urban planning assistance program to help finance comprehensive urban planning. As the Representative of the 11th District of Pennsylvania, I was informed of this grant in advance of its being known generally to the public. This is a courtesy that Members of the House expect from agencies of the executive branch and it enables us to follow with intelligence and proper concern the effects on our own constitutents of the programs of the executive branch authorized by legislation of the Congress of which we are Members. To my astonishment, however, about the first of this month, I learned through newspaper publicity that an additional grant under this same program amounting to $60,000 had been made to Luzerne County to help develop a comprehensive mass transportation plan comparable to that currently being developed in adjoining Lackawanna County. No notice of any kind was given to me in advance of this action nor indeed after the action had occurred except in response to my inquiry addressed to the Housing and Home Finance Agency. The explanation then given to me was that this additional grant of $60,000 was not a new action, but rather an amendment of the action of November 1962, and normally would not be made the subject of public announcement or of notification to a Member of Congress. Such amendatory actions, even though they may involve substantial amounts of additional assistance given by the executive branch of the Government to our communities, are apparently considered as routine in nature to be handled by an interchange between executives of the Federal agency granting the assistance and the local agency receiving the assistance. This attitude appears to me all the more remarkable in this instance because the additional $60,000 granted was for an entirely different kind of planning from that contemplated in the original grant made in 1962, being intended to enable Luzerne County to collect detailed land use data, make a street conditions inventory, a traffic facility survey, a public transportation study, including an airport facilities study and evaluation. Moreover, I, as the Congressman representing this district, had known of discussions of such proposed studies, which would require Federal assistance, had inquired about their progress on more than one occasion, and had asked to be informed of actions taken regarding them. My request for this notification was ignored.

This incident occurred in a program administered by the Housing and Home Finance Agency. This is an Agency which I have reason to believe endeavors to cooperate fully with the Members of Congress on matters affecting their constituents, and if its procedures have been at fault in the incidents I have cited, I believe it will be that Agency's purpose to correct those procedures as may be needed. The failure to keep Members of Congress properly informed of executive department actions affecting their constituents is a problem that pervades the executive branch of the Government and one which requires corrective measures of a general nature.

How these conditions have come about is understandable. They have been developing slowly but surely over a number of years, paralleling the growing sense of responsibility on the part of the Congress of the United States to deal effectively with the increasingly numerous, serious, and complex problems of the urban areas of our Nation. The Advisory Commission on Intergovernmental Relations reports that Federal annual expenditures for aid to State and local governments at the beginning of the 1930's aggregated only about $200 million a year. In the budget of the U.S. Government for the fiscal year 1965 such Federal-aid expenditures are estimated at $10.6 billion. These funds, implementing programs of vital importance to the communities of America, are dispensed through some 80 programs, administered by about 16 major Federal executive departments and agencies. One of the most significant actions by the Congress in this field was passage of the Housing Act of 1949 which combined many earlier programs with new measures of slum clearance and urban renewal. Later there were authorized programs of urban planning assistance and special programs designed to meet the housing needs of elderly persons. In the Housing Act of 1961, after reviewing the effects of all earlier measures, the Congress enacted the most far-reaching piece of urban and housing legislation ever approved. This act enlarged, modified, and extended existing programs and added additional programs such as those designed to deal with the problems of urban mass transportation, the preservation of open space in rapidly urbanizing areas, and housing for moderate income families, whose needs had heretofore largely been neglected. Meanwhile, other kinds of programs were authorized and responsibility for them lodged in other departments and agencies to enable the Federal Government to do its part in solving problems in such fields as transportation, water and air pollution, sewage treatment and disposal, health, educational and recreation facilities, and many others.

To execute these various programs, there has been required an increasing number of professionals of various specialities, in the employ of local public agencies and in the employ of agencies of the Federal Government. These are the designers—the planners—the consultants—the technicians of various skills—the administrators and a vast assortment of sub-executives and professional staff people. These highly talented people have constituted themselves into various groups and bodies organized more or less professionally along the lines of their several skills, all bound together into the fraternity of those who deal in one way or another in the problems of urban communities. These are the "pro's" who have come to think of these widely diversified programs and activities as being their own proper field of activity, which they jealously guard and within which they seem to preempt the functions of policymaking, the setting of standards, and the development of procedures.

It was perhaps inevitable that this should have occurred. And these people are performing a valuable service for their country. But they are now standing in great danger, and the praiseworthy efforts to which they give their talents are now standing in great danger, from a kind of arrogance that has led them to believe that they hold dominance in what they consider to be their exclusive areas of competency. They are tending more and more to lose sight of the fact that every authority they have and every dollar of money they use to finance their projects proceeds out of the initiative of those charged with political responsibility in our American communities, in our States, and—at the Federal level—in the Congress of the United States. In those programs which are dependent upon Federal assistance, nothing can be done that is not authorized by the Congress. A Member of the House of Representatives who votes on a bill enlarging, or possibly restricting, the authority of a Federal agency to extend assistance to the communities of his own district and to other communities of the United States cannot escape the responsibility of the consequences of his actions. He must know, both in general and in particular, how the authorities so granted are being used by the Federal agencies. This is mandatory if he is to have a sound basis for judgment when he is called upon to cast his vote on the renewal, extension, or possibly the termination of such authorities. This is a fact that many technicians in the field of urban affairs seem to have forgotten in what may be termed their professional pride and their sense of exclusive jurisdiction in the fields of their specialities. They all too frequently seem to feel that a Federal agency is responsible primarily to them rather than to the Congress of the United States. This can be a fatal misunderstanding.

Strengthening the trend which I have described and which I deplore is the tendency of the professional career service employee of the Federal Government, feeling secure under the protection of our civil service system, to make his primary affiliations and to give his first loyalty to that body of specialists, technicians, and professionals which he seems to regard as a kind of private constituency of his own, distinct and apart from the more general constituency of the whole people to whom the Member of Congress holds himself responsible and to whom he must give his own loyalty. Between the careerists in Government, who consider themselves immune to political considerations, who have survived changes of administration in the National Government, and who have persisted through various reorganizations of their own agencies, there is an alliance with those who are building their careers outside the Federal Government by virtue of the financial benefits which flow from Federal agencies into local programs of housing, planning, urban renewal, and public works of all kinds and descriptions. A part of this alliance also is many a consultant who operates, not on the Federal payroll nor on the payroll of any government or local public agency, but as an independent professional and as such has built a renumerative occupation as an intermediary between the donor Federal agency and the beneficiary local body.

Perhaps the most striking result of these developments over a period of years is the fact that many of these worthy programs, supported in their initial stages by Members of Congress dedicated to the solution of urban problems, are now lacking any assurance that the Congress of the United States will support their further expansion and development. Frequently the first knowledge that a Member of Congress has of a program which has been initiated in a community within his own constituency with the aid of the Federal Government is the occasion when it runs into difficulties that threaten its very continuance. These programs necessarily deal with human and property rights, with the accustomed ways of living and doing business in local communities. They affect most drastically those of our people who are most impoverished and most in need of help. Yet all too often the specialists of these programs show least understanding for and consideration of those most directly and sometimes tragically affected by their efforts. It is the Member of Congress to whom such people appeal for assistance. Is it any wonder that, at this time in history, the Members of Congress who are called upon to vote again for the enlargement of these already sweeping authorities pause and consider whether or not they are serving the people's interests as they were originally conceived. I believe they are in general serving the public good, but I believe that there is a growing misunderstanding and distrust of their purposes.

Unless those responsible at the Federal level and at the local level for the execution of these programs are able to demonstrate a greater confidence in the Congress and a greater willingness to provide to its Members current information on their policies and their operations, I serve upon them a warning now that they are defeating their own best efforts and are putting in jeopardy not only their own careers but all the efforts that have been made by the Congress and a body of devoted public servants to rescue the communities of America from the consequences of past neglect and save them from the evils of unplanned growth hereafter.

I am not asking for anything which should be difficult to accomplish, but I do ask that the problem be recognized in its full dimensions and that steps be taken without delay to assure that the true and proper relation between the agencies of the executive branch and the Members of Congress be restored even though that requires a change in modes of thinking and patterns of behavior that have become all too well established in recent years.

NEWS RELEASE FROM HOUSING AND HOME FINANCE AGENCY

Luzerne County, Pa., will receive a $75,000 Federal grant under the urban planning assistance program to aid its program of comprehensive planning, it was announced today by Commissioner William L. Slayton of the Urban Renewal Administration.

Luzerne County (population 346,972) is in the east-central section of the State. Wilkes-Barre is the seat of the county which is in an officially designated redevelopment area.

The Federal grant, supplemented by $25,000 in local funds, will finance planning activities for 2 years, such as:

Recommendations for locating new schools and for developing an overall economic development program;

Analysis and plan for recreation and tourism, urban renewal needs, and railroad facilities and needs;

Preparation of a plan for commercial areas; and

Formation of a comprehensive plan report and educational program.

The results of the work will be presented in the form of reports, maps, plans, charts, and other graphic material.

For more information: Jarrett W. Jennings, chairman, County Courthouse, North River Street, Wilkes-Barre, Pa.

PUERTO RICAN WEEK

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Speaker, the Puerto Rican community of New York will again take over New York's Fifth Avenue on Sunday, June 7, at 1 p.m., when 50,000 Puerto Rican participants will march down the avenue, culminating Puerto Rican Week, proclaimed by Mayor Robert F. Wagner.

The committee for the Puerto Rican parade is the organization which annually is responsible for effectuating this mammoth activity. Gilberto Gerena-Valentin, the parade president, stated, "this year will be the largest parade ever, with one-half million expected observers, and 50,000 marchers. This parade symbolizes the unity of the Puerto Rican community and its growing political, numerical, and economical strength; but most important of all, it symbolizes the collective aspirations of a community seeking its place in the sun in the mainstream of American life."

This year's parade will be dedicated to the motto of "Advancement Through Education" in a community effort to instill in our young and old alike the value of education in the attainment of goals in our society.

The grand marshal this year will be Jose R. Erazo, an attorney and Democratic district leader from the East Harlem area, who will be accompanied down Fifth Avenue by New York City's Mayor Robert F. Wagner.

As the Congressman from this area I salute them.

WAR ON POVERTY

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHENCK. Mr. Speaker, the President's war on poverty has been the subject of many comments by writers and columnists all over the country. Lady Bird Johnson herself brought the war closer to home in her statement about the tenants on her Alabama farm.

Some second thoughts on Mrs. Johnson's remarks became the subject of Dayton Journal Herald publisher, Dwight Young, in his column "Talking It Over."

I would like to include Mr. Young's column at this point in the RECORD so that all Members may read it at their leisure.

Mr. Young's column follows:

TALKING IT OVER

(By Dwight Young)

After reading Lady Bird's answer in the papers the other morning to those two nosy Republican Congressmen who reported they found several tenants living in abject poverty on her 2,000-acre plantation in Alabama, this corner felt an almost irresistible urge to dash off a postcard to 1600 Pennsylvania Avenue, Washington, D.C., warmly congratulating the new mistress of the White House on her clever repartee.

"Talking it Over" confesses to having an insatiate predilection for witty comebacks, particularly in the political arena. And this rejoinder by Lady Bird appeared to ring down the curtain permanently on those nasty GOP sleuth hounds in their desperation to "get something" on our "first family."

Surely everybody remembers the story. It was the one with the accompanying picture showing Lady Bird daintily washing her hands underneath the perforated bottom of a suspended water bucket at the Lick Branch rural school near Jackson in the eastern Kentucky mountains.

Incidentally, none of the small army of high-heeled female reporters who trailed Lady Bird over the gravel roads in those Kentucky hills took the trouble to tell us how the bucket acquired those sieve-like holes. Were they hand punctured, or did rust make them? When we get down to such details of rural hill country living as that of the wife of the President of the United States washing her hands from such a contraption as a leaky water bucket, I want to know everything!

But let's get back to Lady Bird's nifty repartee. This is what she said:

"Some people are suddenly very worried about the tenant families who live on my farm in Alabama. I'm glad they are concerned. I've been worried about these families a long time. And if there had been a poverty bill 30 years ago these former cotton farmers would have been trained to a new skill rather than remaining on in an economy that time has passed by."

As I re-read that last sentence a couple of times to get its full import I could feel my eagerness to get that congratulatory postcard on its way to Washington slowly oozing away. I faltered over the "30 years ago" part of it. Why did Lady Bird specifically say 30? Why not 20 or 40 or 50? Could it be that the figure "30" exerts some sort of talismanic influence in her life?

As I continued to ponder this puzzling choice of words still another question obtruded.

Who was President 30 years ago? Inasmuch as husband L.B.J. is the chief cook and bottle washer of the current national and international "war on poverty," what would be more natural than for a loyal wife, such as Lady Bird indubitably is, to blame the poverty-stricken plight of her Alabama tenants on some hard-hearted former President—and that of course would have to be a Republican. Coming from a politically minded source, that would be an obvious logical deduction.

But something went askew somewhere along the line. Either Lady Bird erred slightly in her spur-of-the-moment calculation, or she isn't quite as partisan as some of us suspected, or she merely reached up into thin air and grabbed hold of the first figure that came to mind.

For 30 years ago would have been the year 1934. That was after Franklin D. Roosevelt's first full year in the White House—a time when highfalutin New Deal projects were bubbling up all over the place. That was the era of NRA, WPA, TVA and a host of other federally financed alphabetical agencies, including leaf-raking on a national scale.

Surely Lady Bird couldn't have had FDR in mind, for he was L.B.J.'s patron saint at whose knee he, then a fledgling Texas congressman, learned the ABC's of practical, vote-winning politics. That would have been too close to lese majesty for anybody's comfort.

However, if she had reached back 2 more years—even one would have sufficed—and said 32 or 31 years ago, she would have been on traditional Democratic terra firma.

That would have been the Hoover administration which until recently has been blamed by the New Deal, the Fair Deal, and the New Frontier for just about everything that has gone awry in the American economy since Herbert Hoover moved into the White House, March 4, 1929.

Sorry, Lady Bird, but it now seems that instead of sending you felicitations this corner shall have to substitute commiserations. What a heaven-sent opportunity you muffed, and how.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Flynt (at the request of Mr. Stephens), for June 3, on account of official business.

Mr. Tollefson, for June 3, and 4, on account of official business.

Mr. Matsunaga (at the request of Mr. Albert), for today and tomorrow, on account of official business.

Mr. Aspinall, for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Conte (at the request of Mr. Arends), for 15 minutes, today.

Mr. Flood (at the request of Mr. Friedel), for 30 minutes, today; and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Fallon asked and was given permission to insert tables after his remarks to be made in Committee of the Whole on H.R. 10503.

Mr. Cleveland (at the request of Mr. Cramer) and to include extraneous matter in his remarks on the bill H.R. 10503.

(The following Members (at the request of Mr. Arends) and to include extraneous matter:)

Mr. Pelly in two instances.

Mr. Barry.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee has examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1382. An act for the relief of John Gatzopi Overbeck and Mary Gatzopoulos Overbeck; and

H.R. 7332. An act granting the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Commitee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1382. An act for the relief of John Gatzopi Overbeck and Mary Gatzopoulos Overbeck;

H.R. 1727. An act for the relief of Richard G. Green, Jr.;

H.R. 5305. An act for the relief of Dr. Ernest P. Imle;

H.R. 5571. An act for the relief of Noble Frank Smith and his wife, Viola Smith;

H.R. 6876. An act for the relief of Capt. Wilfrid E. Gelinas, U.S. Air Force;

H.R. 7223. An act granting the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes;

H.R. 7757. An act for the relief of Jesse I. Ellington;

H.R. 8222. An act for the relief of Edward J. Maurus;

H.R. 8348. An act for the relief of Mrs. Faye E. Russell Lopez;

H.R. 8532. An act for the relief of Ivan D. Beran;

H.R. 8828. An act for the relief of John T. Cox;

H.R. 8936. An act for the relief of Leonard M. Dalton;

H.R. 9475. An act for the relief of Miss Grace Smith, and others;

H.R. 10078. An act for the relief of Philip N. Shepherdson; and

H.R. 10774. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of cadmium from the national stockpile and the supplemental stockpile.

ADJOURNMENT

Mr. STRATTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 16 minutes p.m.) the House adjourned until tomorrow, Thursday, June 4, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2142. A letter from the Assistant Secretary of the Interior, relative to reporting that an adequate soil survey and land classification of the lands to be served by Agate Dam and Reservoir facilities has been completed, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

2143. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "A bill to amend title 10, United States Code, to permit members of the Armed Forces to accept fellowships, scholarships, or grants offered by a foreign government"; to the Committee on Armed Services.

2144. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952, as amended by Public Law 87–885; to the Committee on the Judiciary.

2145. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952, as amended by Public Law 87–885; to the Committee on the Judiciary.

2146. A letter from the Comptroller General of the United States, transmitting a report relating to overstatements of the number of jobs created under the accelerated public works program, Area Redevelopment Administration, Department of Commerce; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOLLING: Committee on Rules. House Resolution 742. Resolution for consideration of H.R. 11380, a bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; without amendment (Rept. No. 1455). Referred to the House Calendar.

Mr. PATMAN: Committee on Banking and Currency. H.R. 10000. A bill to extend the Defense Production Act of 1950, and for other purposes; without amendment (Rept. No. 1456). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee of conference. H.R. 11201. A bill making deficiency appropriations for the fiscal year ending June 30, 1964, and for other purposes (Rept. No. 1457). Ordered to be printed.

Mr. POWELL: Committee on Education and Labor. H.R. 11377. A bill to mobilize the human and financial resources of the Nation to combat poverty in the United States; without amendment (Rept. No. 1458). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 11477. A bill to provide that the Secretary of the Navy shall convert the facilities of the Philadelphia Naval Shipyard to facilities adequate for a nuclear shipyard; to the Committee on Armed Services.

By Mr. PRICE:

H.R. 11478. A bill to provide for the establishment of a mint of the United States in the State of Illinois; to the Committee on Public Works.

By Mr. SENNER:

H.R. 11479. A bill to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Yavapai Reservation in Arizona; to the Committee on Interior and Insular Affairs.

By Mr. BELL:

H.R. 11480. A bill to authorize the coordinated development of the water resources of the Pacific Southwest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CONTE:

H.R. 11481. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 11482. A bill to provide for the coverage of physicians by the insurance system established by title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 11483. A bill to establish a uniform system of time standards and measurements for the United States and to promote the observance of such time standards for all purposes; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 11484. A bill for the relief of Col. Thomas O. Lawton, Jr., U.S. Air Force; to the Committee on the Judiciary.

H.R. 11485. A bill for the relief of Lt. Col. Claude E. Tabor, Jr., U.S. Air Force; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11486. A bill for the relief of Corrado Fronte and Sebastiana Fronte; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 11487. A bill for the relief of Capt. Norris L. Green; to the Committee on the Judiciary.

By Mr. FOREMAN:

H.R. 11488. A bill for the relief of Ralph Tigno Edquid; to the Committee on the Judiciary.

H.R. 11489. A bill for the relief of Hans Peter Bellamy; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 11490. A bill for the relief of Dr. Jorge Ignacio Miquel Franca; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 11491. A bill for the relief of Cecil E. and Linnette Dunkley; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 11492. A bill for the relief of Constantine Tsiakopoulosi; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 11493. A bill for the relief of Evangelos Skentzos; to the Committee on the Judiciary.

By Mr. SENNER:

H.R. 11494. A bill for the relief of Mrs. Luz R. Guzman; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 11495. A bill for the relief of Giovanni Francesco Fausto Cosenza; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 11496. A bill for the relief of Mrs. Loneta Hackney; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JUNE 3, 1964

(Legislative day of Monday, March 30, 1964)

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

Dr. K. K. Haddaway, minister, Wesley Methodist Church, Washington, D.C., offered the following prayer:

Almighty God, we praise Thee for this wonderful world and for life which is resplendent with Thy glory.

We thank Thee for faith which enables us to march breast forward, for love which bears all things, for purity and goodness which are the strength of character, and for justice and truth which provide the foundation of all human relations.

We pray for divine guidance in all things. Grant unto us clear minds and moral reasoning, an assuring faith and a resolute will. May we be true to exact knowledge and to verified facts. But may we see that beyond the material things of life, our souls may be conscious of Thy presence and the fuller revelation.

We thank Thee for our beloved land, for our endeared Republic, and for this governing body. Grant, we pray Thee, unto every Member of this assembly and every citizen of our great country an unshaken belief in Thee, an unswerving devotion to all righteous and just causes, and a determination to build a better and more peaceful world. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 2, 1964, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 2) to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 10407) for the relief of Keith Hills, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 10407) for the relief of Keith Hills was read twice by its title and referred to the Committee on the Judiciary.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after a quorum call has been had, there be a morning hour, under the usual conditions, and with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS TO 9 A.M., THURSDAY—PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of today's business, the Senate stand in recess until Thursday, June 4, at 9 a.m.

The ACTING PRESIDENT pro tempore. Without objection——

Mr. CURTIS. Mr. President, reserving the right to object, let me inquire of the distinguished majority leader whether he knows what the anticipated program for today is.

Mr. MANSFIELD. Yes—speeches.

Mr. CURTIS. Is it anticipated that any vote in connection with the civil rights bill will be reached?

Mr. MANSFIELD. No.

Mr. CURTIS. I do not wish to embarrass anyone in any way; but, for the RECORD, let me ask whether the distinguished majority leader is prepared at this time to state anything about the future program, beyond today; or would he prefer to do so later?

Mr. MANSFIELD. I anticipate that the Senate will be meeting Thursday, Friday, and Saturday; that during the rest of this week, there will be speeches on various subjects; that on Saturday, a cloture motion will be made; and that on Tuesday, a vote on that motion will be had.

Mr. CURTIS. What will be the situation if a Member of the Senate has an amendment to offer, if he offers it this week, and if no great numbers of Senators wish to speak at length on the amendment? Will that Senator be prevented from having a vote taken on his amendment this week?

Mr. MANSFIELD. That will not be foreclosed; but, of course, the rules of the Senate will be followed scrupulously; and, as the Senator from Nebraska knows, all amendments are debatable.

Mr. CURTIS. So Senators can debate, or the Senate can take a recess?

Mr. MANSFIELD. That is about the situation.

Mr. CURTIS. Very well. Mr. President, I withdraw my objection.

The ACTING PRESIDENT pro tempore. The Senator from Montana has asked unanimous consent that at the conclusion of today's business, the Senate stand in recess until Thursday, June 4, at 9 a.m. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, until the Senator from Louisiana entered the Chamber, I thought there might be a chance of getting action now on the bill.

Mr. CURTIS. Only a moment ago I understood the Senator from Montana to say that no votes would be taken on the civil rights bill either today or during the remainder of this week. I am eager to have the Senate proceed to vote.

Mr. MANSFIELD. I understand. Although I appreciate the generous impulses which motivate the Senator's interest, I believe there is a desire on the part of a number of Senators for further education.

Mr. ELLENDER. Mr. President, let me say that we from the South and others were ready to vote last week on the pending amendment.

Mr. MANSFIELD. Certainly that is good news, after 69 days of debate.

Mr. CURTIS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. CURTIS. I do not wish to argue with the distinguished majority leader; neither do I wish the record to stand as it now is.

I have not yet spoken on the civil rights bill. I do not accept any responsibility for the time that has been taken on it. I am desirous of voting for a just and fair civil rights bill; and I have voted for the previous civil rights bills. So my desire to have the Senate move forward with its business is not of recent origin; I have had that abiding opinion.

Mr. MANSFIELD. I understand; and I appreciate the Senator's position. In view of the statement he has just made, I look forward to seeing him vote for cloture.

Mr. CURTIS. I believe the Senate must exercise its responsibilities in connection with every amendment and every line of the bill; and I am prepared to do so now. But I believe our responsibility is not necessarily to pass a bill that the Attorney General or someone else approves. I believe the thing for Senators to do is to follow the best lights they have.

Mr. MANSFIELD. I agree with the Senator from Nebraska.

Mr. CURTIS. I believe the roll should be called on the important issues before the Senate; and we should try to do justice to all the American people.

Mr. MANSFIELD. I agree with the Senator from Nebraska; but I would not call the Dirksen substitute the bill of the Attorney General. The Republicans have had a very large, important, and significant part in creating the substitute, which tightens up the bill and places more responsibility at the local and State level, which, I think, improves the bill considerably.

Mr. ELLENDER. Mr. President, will the Senator from Montana state who is the author of the substitute and who is really behind it?

Mr. MANSFIELD. The distinguished minority leader [Mr. DIRKSEN] should be given full credit for the substitute and for the statesmanship he has shown.

Mr. ELLENDER. But in view of the fact that Illinois, New York, and other Northern States would not be appreciably affected by the substitute, if some consider that statesmanship, I should like to take a different view. The substitute is embalmed in politics, and was presented for no other purpose than an attempt to obtain a sufficient number of votes to gag southern Senators.

Mr. MANSFIELD. I think the distinguished minority leader [Mr. DIRKSEN] has viewed the matter from a national level, not a sectional level.

Mr. ELLENDER. The Senator from Montana knows there is doubtless a majority of Senators who are now ready and willing to vote for almost any civil rights bill, irrespective of its implications and whether or not it tramples on and does violence to our Constitution.

Mr. MANSFIELD. That is open to question. But I think the substitute is a good rearrangement of the bill as it came from the House; and, as I have indicated, I believe it is a distinct improvement, because it places more emphasis at the local and State level, where it should be.

Mr. ELLENDER. We from the South have been arguing for States rights for years; and I am surprised that the Senator from Montana is now apparently willing to promote that view. We from the South have always argued for States rights; and I am glad to note that the Senator from Montana has finally come to that point of view, too.

Mr. MANSFIELD. I am delighted that, seemingly, so much support is being generated for the Dirksen substitute.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

U.S. COAST GUARD

The Chief Clerk read the nomination of James Milford Sharpe, Jr., to be a permanent commissioned officer in the Regular Coast Guard, with the rank of ensign.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion by Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 263 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Ellender
Gruening
Hart
Hartke
Holland
Humphrey
Jackson
Johnston
Jordan, Idaho
Keating
Kennedy
Lausche
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Proxmire
Robertson
Saltonstall
Simpson
Smith
Sparkman
Stennis
Talmadge
Walters
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], and the Senator from South Carolina [Mr. THURMOND] are absent on official business.

I also announce that the Senator from West Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from Michigan [Mr. MCNAMARA], the Senator from West Virginia [Mr. RANDOLPH], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from North Carolina [Mr. ERVIN] are necessarily absent.

I further announce that the Senator from California [Mr. ENGLE] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from Hawaii [Mr. FONG], the Senator from Arizona [Mr. GOLDWATER], the Senator from California [Mr. KUCHEL], the Senator from New Mexico [Mr. MECHEM], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Iowa [Mr. HICKENLOOPER], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. JAVITS], the Senator from Vermont [Mr. PROUTY], and the Senator from Pennsylvania [Mr. SCOTT] are detained on official business.

The ACTING PRESIDENT pro tempore. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON OVERSTATEMENT OF NUMBER OF JOBS CREATED UNDER ACCELERATED PUBLIC WORKS PROGRAM

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the overstatement of number of jobs created under the accelerated public works program, Area Redevelopment Administration, Department of Commerce, dated May 1964 (with an accompanying report); to the Committee on Government Operations.

CERTIFICATION OF ADEQUATE SOIL SURVEY AND LAND CLASSIFICATION, AGATE DAM AND RESERVOIR FACILITIES

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, the certification of an adequate soil survey and land classification of the lands to be served by Agate Dam and Reservoir facilities, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation; to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a complete and detailed statement of the facts and pertinent provisions of law as to each alien, together with the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate the petition of Henry Stoner, of Avon Park, Fla., praying for the enactment of Senate bill 2843, to honor Roger Williams; which was referred to the Committee on Rules and Administration.

PERIODIC CONGRESSIONAL REVIEW OF FEDERAL GRANTS-IN-AID TO STATES AND LOCAL UNITS OF GOVERNMENT—REPORT OF A COMMITTEE (S. REPT. NO. 1056)

Mr. MUSKIE. Mr. President, I submit the favorable report, with amendments, of the Committee on Government Operations on S. 2114, a bill to provide for periodic congressional review of Federal grants-in-aid to States and to local units of government. This proposed legislation, introduced last September 4, and sponsored by me and 37 Senators was recommended by the Advisory Commission on Intergovernmental Relations. It represents an effort to improve the grants-in-aid device as a means of meeting national needs on the State and local level. If enacted, it will contribute to the sound development of our Federal system and will enable the Congress to insure the effective and economic utilization of Federal funds through grants-in-aid.

As reported by the Committee on Government Operations, S. 2114 would establish a uniform policy and procedure for periodic congressional review of grants-in-aid programs. Future grants-in-aid programs, enacted in the 89th or subsequent Congresses, would automatically expire at the end of 5 years unless first, an earlier date was specifically provided for, or second, application of this termination provision had been specifically waived. Between 12 and 24 months before program termination both House and Senate committees having jurisdiction over the proposed legislation would, separately or jointly, undertake a comprehensive review of the program.

To assist the committees in their review, the General Accounting Office and, upon request, the Advisory Commission on Intergovernmental Relations, would undertake independent studies of the grants-in-aid programs. They would report their findings to the respective committees and to the Congress coincidental with congressional reassessment of the programs.

The committees would undertake their review to ascertain, among other matters of concern first, the extent to which the purposes of the grants-in-aid program has been met; second, the extent to which such a program can be carried on without Federal financial assistance; and third, whether any changes in the original program should be made in the light of reports and recommendations from the General Accounting Office or the Advisory Commission on Intergovernmental Relations.

Each committee would be required to submit the results of its review to its respective House not later than 120 days prior to the expiration of the program authority.

Existing grants-in-aid programs would not be subject to the automatic expiration provision, but they would be subject to continuing review by the General Accounting Office. The committee believes this bill offers useful guidelines to House and Senate committees in reviewing existing grants-in-aid programs which do have expiration dates.

Mr. President, we believe that the congressional reassessment system provided by S. 2114 is necessary to insure that the effectiveness of Federal grants-in-aid as instruments of intergovernmental cooperation is improved. We believe such programs should be revised and redirected to meet changing conditions and challenging new national problems. We believe that grants-in-aid programs should be terminated when they have substantially achieved their purpose. This proposed legislation is intended neither to encourage nor to discourage the use of the grants-in-aid device, but to improve it when Congress deems it desirable.

I submit, Mr. President, that S. 2114 represents a sound contribution to economy in Government, strengthened State and local government and the achievement of national purposes. I hope that the Congress will enact the proposed legislation, this year.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The report will be received, and the bill will be placed on the calendar.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the name of the Senator from Ohio [Mr. YOUNG] may be added as a cosponsor of Senate bill 2114.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE subsequently said: Mr. President, I ask unanimous consent that the name of the senior Senator from New York [Mr. JAVITS] be added as a cosponsor of Senate bill 2114.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "CATALOG OF FEDERAL AIDS TO STATE AND LOCAL GOVERNMENTS"—REPORT OF A COMMITTEE

Mr. MUSKIE, from the Committee on Government Operations, reported an original concurrent resolution (S. Con. Res. 87) to print additional copies of a committee print of the Committee on Government Operations entitled "Catalog of Federal Aids to State and Local Governments"; which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations thirty-five thousand additional copies of its committee print of the Eighty-eighth Congress, second session, entitled "Catalog of Federal Aids to State and Local Governments", a study prepared by the Legislative Reference Service of the Library of Congress for the Subcommittee on Intergovernmental Relations.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal stockpile inventories as of March 1964.

I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL STOCKPILE INVENTORIES, MARCH 1964

INTRODUCTION

This is the 52d in a series of monthly reports on Federal stockpile inventories. It is for the month of March 1964.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Departments of Agriculture, Defense, Health, Education, and Welfare, and Interior, and the General Services Administration.

The cost value of materials in inventories covered in this report, as of March 1, 1964, totaled $13,664,227,228, and as of March 31, 1964, they totaled $13,494,096,517, a net decrease of $170,130,711 during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, 4, and 5, but the cost value figures are summarized by major category, as follows:

Summary of cost value of stockpile inventories by major category

Major category	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month
Strategic and critical materials:			
National stockpile [1]	$5, 737, 864, 200	$5, 724, 123, 500	−$13, 740, 700
Defense Production Act	1, 479, 097, 500	1, 475, 224, 100	−3, 873, 400
Supplemental—barter	1, 359, 304, 909	1, 360, 882, 521	+1, 577, 612
Total, strategic and critical materials [1]	8, 576, 266, 609	8, 560, 230, 121	−16, 036, 488
Agricultural commodities:			
Price support inventory	4, 651, 250, 647	4, 509, 158. 950	−142, 091, 697
Inventory transferred from national stockpile [1]	110, 319, 277	95, 491, 192	−14, 828, 085
Total, agricultural commodities [1]	4, 761, 569, 924	4, 604, 650. 142	−156, 919, 782
Civil defense supplies and equipment:			
Civil defense stockpile, Department of Defense	11, 874, 512	11, 883, 233	+8, 721
Civil defense medical stockpile, Department of Health, Education, and Welfare	195, 182, 396	194, 979, 248	−203, 148
Total, civil defense supplies and equipment	207, 056. 908	206, 862, 481	−194, 427
Machine tools:			
Defense Production Act	2, 187, 200	2, 189, 400	+2, 200
National Industrial Reserve Act	89. 981, 200	89, 960, 300	−20, 900
Total, machine tools	92, 168, 400	92. 149, 700	−18, 700
Helium	27, 165. 387	30. 204, 073	+3, 038, 686
Total, all inventories	13, 664, 227, 228	13, 494, 096, 517	−170, 130. 711

[1] Cotton inventory valued at $128,409,100 withdrawn from the national stockpile and transferred to Commodity Credit Corporation for disposal, pursuant to Public Law 87–548, during August 1962.

Detailed tables in this report show each commodity, by the major categories summarized above, in terms of quantity and cost value as of the beginning and end of the month. Net change figures reflect acquisitions, disposals, and accounting and other adjustments during the month.

The cost value figures represent generally the original acquisition cost of the commodities delivered to permanent storage locations, together with certain packaging, processing, upgrading, et cetera, costs as carried in agency inventory accounts. Quantities are stated in the designated stockpile unit of measure.

Appendix A to this report, beginning on page 19, includes program descriptions and statutory citations pertinent to each stockpile inventory within the major categories.

The stockpile inventories covered by the report are tabulated in detail as follows:

Table 1: Strategic and critical materials inventories (all grades), March 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month).

Table 2: Agricultural commodities inventories, March 1964 (showing by commodity net changes during the month in terms of cost value and quantity).

Table 3: Civil defense supplies and equipment inventories, March 1964 (showing by item net changes during the month in terms of cost value and quantity).

Table 4: Machine tools inventories, March 1964 (showing by item net changes during the month in terms of cost value and quantity).

Table 5: Helium inventories, March 1964 (showing by item net changes during the month in terms of cost value and quantity).

New stockpile objectives

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives for 52 materials.

Appendix B, beginning on page 21, contains excerpts from the Office of Emergency Planning statement setting forth the new policy with respect to objectives for strategic and critical materials.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Maximum objective [1]	Excess over maximum objective
Aluminum, metal:									
National stockpile	$487,680,600	$487,680,600		Short ton	1,128,989	1,128,989			
Defense Production Act	428,160,300	424,985,500	−$3,174,800	do	849,082	842,809	−6,273		
Total	915,840,900	912,666,100	−3,174,800	do	1,978,071	1,971,798	−6,273	[2] 450,000	1,521,798
Aluminum oxide, abrasive grain:									
Supplemental—barter	15,669,229	15,822,944	+153,715	Short dry ton	50,397	50,764	+367	(3)	50,764
Aluminum oxide, fused, crude:									
National stockpile	21,735,100	21,735,100		do	200,093	200,093			
Supplemental—barter	22,747,400	22,747,400		do	178,266	178,266			
Total	44,482,500	44,482,500		do	378,359	378,359		200,000	178,359
Antimony:									
National stockpile	20,488,000	20,487,900	−100	Short ton	30,276	30,275	−1		
Supplemental—barter	13,026,670	13,137,401	+110,731	do	22,078	22,226	+148		
Total	33,514,670	33,625,301	+110,631	do	52,354	52,501	+147	[2] 25,500	27,001
Asbestos, amosite:									
National stockpile	2,637,600	2,637,600		do	11,705	11,705			
Supplemental—barter	8,104,443	8,317,519	+213,076	do	32,184	32,984	+800		
Total	10,742,043	10,955,119	+213,076	do	43,889	44,689	+800	[2] 40,000	4,689
Asbestos, chrysotile:									
National stockpile	3,356,200	3,356,200		do	6,224	6,224			
Defense Production Act	2,102,600	2,102,600		do	2,348	2,348			
Supplemental—barter	4,727,329	4,822,809	+95,480	do	7,049	7,251	+202		
Total	10,186,129	10,281,609	+95,480	do	15,621	15,823	+202	[2] 13,700	2,123
Asbestos, crocidolite:									
National stockpile	702,100	702,100		do	1,567	1,567			
Supplemental—barter	8,832,386	8,832,386		do	33,606	33,605	−1		
Total	9,534,486	9,534,486		do	35,173	35,172	−1	(3)	35,172
Bauxite, metal grade, Jamaica type:									
National stockpile	13,925,000	13,925,000		Long dry ton	879,740	879,740			
Defense Production Act	18,168,000	18,168,000		do	1,370,077	1,370,077			
Supplemental—barter	89,402,800	89,402,800		do	5,780,590	5,780,590			
Total	121,495,800	121,495,800		do	8,030,407	8,030,407		2,600,000	5,430,407
Bauxite, metal grade, Surinam type:									
National stockpile	78,552,500	78,554,000	+1,500	do	4,962,706	4,962,742	+36		
Supplemental—barter	45,280,400	45,280,400		do	2,927,260	2,927,260			
Total	123,832,900	123,834,400	+1,500	do	7,889,966	7,890,002	+36	6,400,000	1,490,002
Bauxite, refractory grade:									
National stockpile	11,347,800	11,347,800		Long calcined ton.	299,279	299,279		137,000	162,279
Beryl:									
National stockpile	9,768,400	9,768,400		Short ton	23,230	23,230			
Defense Production Act	1,425,800	1,425,800		do	2,543	2,543			
Supplemental—barter	22,847,715	22,844,277	−3,438	do	11,652	11,652			
Total	34,041,915	34,038,477	−3,438	do	37,425	37,425		[2] 28,000	9,425
Beryllium metal:									
Supplemental—barter	18,480,200	18,498,600	+18,400	do	153	153		(3)	153
Bismuth:									
National stockpile	2,674,300	2,674,300		Pound	1,342,402	1,342,402			
Defense Production Act	52,400	52,400		do	22,901	22,901			
Supplemental—barter	5,540,200	5,540,200		do	2,506,493	2,506,493			
Total	8,266,900	8,266,900		do	3,871,796	3,871,796		3,000,000	871,796

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Con.

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Maximum objective [1]	Excess over maximum objective
Cadmium:									
National stockpile	$15,748,600	$15,534,500	−$214,100	Pound	8,012,934	7,903,870	−109,064		
Supplemental—barter	12,327,600	12,327,600		do	7,448,989	7,448,989			
Total	28,076,200	27,862,100	−214,000	do	15,461,923	15,352,859	−109,064	[2] 5,100,000	10,252,859
Castor oil:									
National stockpile	49,655,000	48,939,800	−715,200	do	194,708,114	191,849,094	−2,859,020	[2] 22,000,000	169,849,094
Celestite:									
National stockpile	1,412,300	1,412,300		Short ton	28,816	28,816			
Supplemental—barter	386,932	501,777	+114,845	do	9,012	11,810	+2,798		
Total	1,799,232	1,914,077	+114,845	do	37,828	40,626	+2,798	[2] 10,300	30,326
Chromite, chemical grade:									
National stockpile	12,288,000	12,288,000		Short dry ton	559,452	559,452			
Supplemental—barter	21,896,300	21,899,500	+3,200	do	699,644	699,644			
Total	34,184,300	34,187,500	+3,200	do	1,259,096	1,259,096		[2] 600,000	659,096
Chromite, metallurgical grade:									
National stockpile	264,565,500	264,565,500		do	3,795,292	3,795,292			
Defense Production Act	35,879,900	35,879,900		do	985,646	985,646			
Supplemental—barter	224,197,600	224,198,300	+700	do	1,543,110	1,543,110			
Total	524,643,000	524,643,700	+700	do	6,324,048	6,324,048		[2] 2,970,000	3,354,048
Chromite, refractory grade:									
National stockpile	25,149,300	25,149,300		do	1,047,159	1,047,159			
Supplemental—barter	5,034,000	5,039,000		do	179,775	179,775			
Total	30,188,300	30,188,300		do	1,226,934	1,226,934		1,300,000	(4)
Cobalt:									
National stockpile	169,205,200	169,205,200		Pound	76,067,613	76,067,613			
Defense Production Act	52,075,300	52,075,300		do	25,066,651	25,066,651			
Supplemental—barter	2,169,000	2,169,000		do	1,065,398	1,065,398			
Total	223,449,500	223,449,500		do	102,199,662	102,199,662		19,000,000	83,199,662
Coconut oil: National stockpile	6,899,300	5,990,100	−909,200	do	45,520,236	39,509,878	−6,010,358	(3)	39,509,878
Colemanite:									
Supplemental—barter	2,636,400	2,636,400		Long dry ton	67,636	67,636		(3)	67,636
Columbium:									
National stockpile	23,644,100	23,637,600	−6,500	Pound	7,278,288	7,277,729	−559		
Defense Production Act	50,238,900	50,238,900		do	7,966,341	7,966,341			
Supplemental—barter	799,100	799,100		do	371,426	371,426			
Total	74,682,100	74,675,600	−6,500	do	15,616,055	15,615,496	−559	[2] 1,176,000	14,439,496
Copper:									
National stockpile	523,447,800	523,535,700	+87,900	Short ton	1,008,091	1,008,037	−54		
Defense Production Act	56,025,900	55,663,200	−362,700	do	100,350	99,755	−595		
Supplemental—barter	8,252,100	8,252,100		do	12,382	12,382			
Total	587,725,800	587,451,000	−274,800	do	1,120,823	1,120,174	−649	[2] 775,000	345,174
Cordage fibers, abaca:									
National stockpile	37,034,500	37,034,500		Pound	146,934,136	146,934,136		[2] 100,000,000	46,934,136
Cordage fibers, sisal:									
National stockpile	41,867,000	41,867,000		do	309,561,908	309,561,908		[2] 300,000,000	9,561,908
Corundum:									
National stockpile	393,100	393,100		Short ton	2,008	2,008		2,000	8
Cryolite:									
Defense Production Act	6,199,400	6,127,100	−72,300	do	22,450	22,189	−261	(3)	22,189
Diamond dies:									
National stockpile	523,000	528,100	+5,100	Piece	17,330	17,522	+192	[2] 25,000	(4)
Diamond, industrial, crushing bort:									
National stockpile	61,609,500	61,609,500		Carat	31,113,411	31,113,411			
Supplemental—barter	15,800,500	15,800,500		do	5,550,579	5,550,579			
Total	77,410,000	77,410,000		do	36,663,990	36,663,990		30,000,000	6,663,990
Diamond, industrial, stones:									
National stockpile	100,501,500	100,501,500		do	9,315,183	9,315,183			
Supplemental—barter	186,341,500	186,341,500		do	15,425,827	15,425,827			
Total	286,843,000	286,843,000		do	24,741,010	24,741,010		18,000,000	6,741,010
Diamond tools:									
National stockpile	1,015,400	1,015,400		Piece	64,178	64,178		(3)	64,178
Feathers and down:									
National stockpile	36,369,900	36,356,400	−13,500	Pound	8,779,301	8,776,051	−3,250	[2] 3,000,000	5,776,051
Fluorspar, acid grade:									
National stockpile	26,167,500	26,167,500		Short dry ton	463,049	463,049			
Defense Production Act	1,394,400	1,394,400		do	19,700	19,700			
Supplemental—barter	33,530,700	33,531,000	+300	do	673,232	673,232			
Total	61,092,600	61,092,900	+300	do	1,155,981	1,155,981		[2] 540,000	615,981

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Con.

Commodity	Cost value			Quantity					
	Beginning of month, Mar 1, 1964	End of month, Mar. 31, 1964	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Maximum objective [1]	Excess over maximum objective
Fluorspar, metallurgical grade:									
National stockpile	$17,332,400	$17,332,400		Short dry ton	369,443	369,443			
Supplemental—barter	1,508,100	1,508,100		do	42,800	42,800			
Total	18,840,500	18,840,500		do	412,243	412,243		[2] 850,000	(4)
Graphite, natural, Ceylon, amorphous lump:									
National stockpile	937,900	937,900		do	4,455	4,455			
Supplemental—barter	341,200	341,200		do	1,428	1,428			
Total	1,279,100	1,279,100		do	5,883	5,883		[2] 5,500	383
Graphite, natural, Malagasy, crystalline:									
National stockpile	6,946,200	6,912,200	−$34,000	do	33,698	33,534	−164		
Supplemental—barter	236,300	236,200	−100	do	1,908	1,908			
Total	7,182,500	7,148,400	−34,100	do	35,606	35,442	−164	[2] 18,000	17,44
Graphite, natural, other, crystalline:									
National stockpile	1,896,300	1,896,300		do	5,487	5,487		[2] 2,800	2,687
Hyoscine:									
National stockpile	30,600	30,600		Ounce	2,100	2,100		(2 3)	2,100
Iodine:									
National stockpile	4,082,000	4,082,000		Pound	2,970,811	2,970,811			
Supplemental—barter	1,066,000	1,066,000		do	983,470	983,470			
Total	5,148,000	5,148,000		do	3,954,281	3,954,281		[2] 8,000,000	(4)
Iridium:									
National stockpile	2,525,800	2,525,800		Troy ounce	13,937	13,937		4,000	9,937
Jewel bearings:									
National stockpile	4,154,900	4,164,400	+9,500	Piece	51,845,565	51,960.765	+115,200	[2] 57,500,000	(4)
Kyanite-mullite:									
National stockpile	773,200	764,600	−8,600	Short dry ton	8,943	8,844	−99	[2] 4,800	4,044
Lead:									
National stockpile	319,298,100	319,298,100		Short ton	1,050,370	1,050,370			
Defense Production Act	224,800	32,600	−192,200	do	588	85	−503		
Supplemental—barter	78,398,600	78,398,600		do	327,998	327,998			
Total	397,921,500	397,729,300	−192,200	do	1,378,956	1,378,453	−503	[2] 0	1,378,453
Magnesium:									
National stockpile	127,944,500	127,646,700	−297,800	do	176,239	175,829	−410	[2] 145,000	30,829
Manganese, battery grade, natural ore:									
National stockpile	21,025,500	21,025,500		Short dry ton	144,485	144,485			
Supplemental—barter	13,621,900	13,621,900		do	137,671	137.671			
Total	34,647,400	34,647,400		do	282,156	282,156		[2] 80,000	202,156
Manganese, battery grade, synthetic dioxide:									
National stockpile	3,095,500	3,095,500		do	21,272	21,272			
Defense Production Act	2,524,700	2,524,700		do	3,779	3,779			
Total	5,620,200	5,620,200		do	25,051	25,051		[2] 6,700	18,351
Manganese, chemical grade, type A:									
National stockpile	2,133,300	2,133,300		do	29,307	29,307			
Supplemental—barter	7,922,100	7,922,100		do	117,607	117,607			
Total	10,055,400	10,055,400		do	146,914	146,914		30,000	116,914
Manganese, chemical grade, type B:									
National stockpile	132,600	132,600		do	1,822	1,822			
Supplemental—barter	6,669,800	6,669,800		do	99,016	99,016			
Total	6,802,400	6.802,400		do	100,838	100,838		53.000	47,838
Manganese, metallurgical grade:									
National stockpile	248,240,300	248,240,900	+600	do	5,851,264	5,851,663	+399		
Defense Production Act	176,474,800	176,474,800		do	3,056,691	3,056,691			
Supplemental—barter	242,353,367	243,019,251	+665,884	do	3,673,846	3,677,846	+4,000		
Total	667,068,467	667,734,951	+666,484	do	12,581,801	12,586,200	+4,399	[2] 7,900,000	4,686,200
Mercury:									
National stockpile	22,051,700	30,177,200	[5] +8,125,500	Flask	139,525	184,884	[5] +45,359		
Supplemental—barter	3,446,200	3,446,200		do	16,000	16,000			
Total	25,497,900	33,623,400	+8,125,500	do	155,525	200,884	+45,359	[2] 200,000	884
Mica, muscovite block:									
National stockpile	27,602,200	27,602,200		Pound	11,621,325	11,621,325			
Defense Production Act	40,746,400	40,746,400		do	6,446,722	6,446,722			
Supplemental—barter	5,762,174	5,848,109	+85,935	do	1,718,476	1,747,550	+29,074		
Total	74,110,774	74,196,709	+85,935	do	19,786,523	19,815,597	+29,074	[2] 6,000,000	13,815,597
Mica, muscovite film:									
National stockpile	9,058,100	9,058,100		do	1,720,758	1,720,758			
Defense Production Act	633,300	633,300		do	102.681	102.681			
Supplemental—barter	1,122,402	1,133,648	+11,246	do	114,825	116.077	+1,252		
Total	10,813.802	10,825.048	+11,246	do	1,938,264	1,939,516	+1,252	[2] 2,000,000	(4)

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Con.

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Maximum objective [1]	Excess over maximum objective
Mica, muscovite splittings:									
National stockpile	$40,598,300	$40,598,300		Pound	40,159,938	40,159,938			
Supplemental—barter	6,225,800	6,225,800		do	4,826,257	4,826,257			
Total	46,824,100	46,824,100		do	44,986,195	44,986,195		[2] 22,200,000	22,786,195
Mica, phlogopite block:									
National stockpile	303,600	303,600		do	223,239	223,239		17,000	206,239
Mica, phlogopite splittings:									
National stockpile	2,580,500	2,580,500		do	3,079,062	3,079,062			
Supplemental—barter	2,418,600	2,419,000	+$400	do	1,986,902	1,986,902			
Total	4,999,100	4,999,500	+400	do	5,065,964	5,065,964		[2] 1,300,000	3,765,964
Molybdenum:									
National stockpile	83,679,000	83,679,000		do	79,043,336	79,043,336		[2] 68,000,000	11,043,336
Nickel:									
National stockpile	181,919,200	181,910,600	−8,600	Short ton	167,045	167,031	−14		
Defense Production Act	100,344,300	100,272,900	−71,400	do	52,489	52,448	−41		
Total	282,263,500	282,183,500	−80,000	do	219,534	219,479	−55	[2] 50,000	169,479
Opium:									
National stockpile	13,661,700	13,661,700		Pound	195,757	195,757		[2] 141,280	54,477
Palladium:									
National stockpile	2,079,000	2,079,000		Troy ounce	89,811	89,811			
Supplemental—barter	12,170,200	12,170,200		do	648,124	648,124			
Total	14,249,200	14,249,200		do	737,935	737,935		340,000	397,935
Palm oil:									
National stockpile	3,560,200	3,473,200	−87,000	Pound	19,781,167	19,297,361	−483,806	(3)	19,297,361
Platinum:									
National stockpile	56,879,900	56,879,900		Troy ounce	716,343	716,343			
Supplemental—barter	4,024,500	4,024,500		do	49,999	49,999			
Total	60,904,400	60,904,400		do	766,342	766,342		165,000	601,342
Pyrethrum:									
National stockpile	415,100	415,100		Pound	67,065	67,065		[2] 25,000	42,065
Quartz crystals:									
National stockpile	68,013,700	68,013,700		do	5,513,775	5,513,775			
Supplemental—barter	3,519,200	3,519,200		do	232,352	232,352			
Total	71,532,900	71,532,900		do	5,746,127	5,746,127		[2] 650,000	5,096,127
Quinidine:									
National stockpile	1,889,900	1,858,700	−31,200	Ounce	1,638,428	1,611,428	−27,000	1,600,000	11,428
Quinine:									
National stockpile	3,402,500	2,775,100	−627,400	do	5,379,732	4,387,733	−991,999	(3)	4,387,733
Rare earths:									
National stockpile	7,134,900	7,134,900		Short dry ton	10,042	10,042			
Supplemental—barter	5,826,900	5,829,600	+2,700	do	5,874	5,810	−64		
Total	12,961,800	12,964,500	+2,700	do	15,916	15,852	−64	[2] 3,000	12,852
Rare earths residue:									
Defense Production Act	657,800	657,800		Pound	6,085,311	6,085,311		(3)	6,085,311
Rhodium:									
National stockpile	78,200	78,200		Troy ounce	618	618		(3)	618
Rubber:									
National stockpile	728,231,500	720,444,800	−7,786,700	Long ton	941,915	931,842	−10,073	[2] 130,000	801,802
Ruthenium:									
Supplemental—barter	559,500	559,500		Troy ounce	15,001	15,001		(3)	15,001
Rutile:									
National stockpile	2,070,100	2,070,100		Short dry ton	18,599	18,599			
Defense Production Act	2,725,100	2,725,100		do	17,410	17,410			
Supplemental—barter	1,061,300	1,061,300		do	11,632	11,632			
Total	5,856,500	5,856,500		do	47,641	47,641		65,000	(4)
Sapphire and ruby:									
National stockpile	190,000	190,000		Carat	16,187,500	16,187,500		[2] 18,000,000	(4)
Selenium:									
National stockpile	757,100	757,100		Pound	97,100	97,100			
Supplemental—barter	1,515,794	1,586,610	+70,816	do	272,502	290,861	+18,359		
Total	2,272,894	2,343,710	+70,816	do	369,602	387,961	+18,359	400,000	(4)
Shellac:									
National stockpile	8,413,700	8,393,100	−20,600	do	16,782,495	16,741,495	−41,000	[2] 8,300,000	8,441,495
Silicon carbide, crude:									
National stockpile	11,394,500	11,394,500		Short ton	64,697	64,697			
Supplemental—barter	26,803,600	26,803,600		do	131,805	131,805			
Total	38,198,100	38,198,100		do	196,502	196,502		100,000	96,502
Silk noils and waste:									
National stockpile	1,272,100	1,272,200	+100	Pound	1,005,344	1,005,383	+39	(2 3)	1,005,383

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1964 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Con.

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Maximum objective [1]	Excess over maximum objective
Silk, raw:									
National stockpile	$486,600	$486,600		Pound	113,515	113,515		(3 5)	113,515
Sperm oil:									
National stockpile	4,775,400	4,775,400		do	23,442,158	23,442,158		[2] 23,400,000	42,158
Talc, steatite block and lump:									
National stockpile	496,800	496,800		Short ton	1,274	1,274		[2] 200	1,074
Talc, steatite ground:									
National stockpile	231,200	231,200		do	3,901	3,901		(3)	3,901
Tantalum:									
National stockpile	11,267,800	11,274,200	+$6,400	Pound	3,446,919	3,450,263	+3,344		
Defense Production Act	9,734,400	9,734,400		do	1,536,023	1,536,023			
Supplemental—barter	21,100	21,100		do	8,036	8,036			
Total	21,023,300	21,029,700	+6,400	do	4,990,978	4,994,322	+3,344	[2] 3,400,000	1,594,322
Thorium: [6]									
Supplemental—barter	17,933,268	17,966,990	+33,722	do	8,602,375	[7] 3,965,430	[7] −4,636,945	[2] 500,000	3,465,430
Thorium residue: [6]									
Defense Production Act	42,000	42,000		do	848,354	848,354		(3)	848,354
Tin:									
National stockpile	795,932,800	784,973,700	−10,959,100	Long ton	327,355	322,848	−4,507		
Supplemental—barter	16,404,000	16,404,000		do	7,505	7,505			
Total	812,336,800	801,377,700	−10,959,100	do	334,860	330,353	−4,507	[2] 200,000	130,353
Titanium:									
Defense Production Act	176,062,600	176,062,600		Short ton	22,366	22,366			
Supplemental—barter	32,097,700	32,097,700		do	9,021	9,021			
Total	208,160,300	208,160,300		do	31,387	31,387		(3)	31,387
Tungsten:									
National stockpile	369,128,200	369,128,200		Pound	120,071,094	120,070,791	−303		
Defense Production Act	317,204,400	317,204,400		do	77,787,101	77,786,752	−349		
Supplemental—barter	18,651,400	18,651,400		do	5,774,827	5,774,827			
Total	704,984,000	704,984,000		do	203,633,022	203,632,370	−652	50,000,000	153,632,370
Vanadium:									
National stockpile	31,567,900	31,567,900		do	15,730,893	15,730,893		2,000,000	13,730,893
Vegetable tannin extract, chestnut:									
National stockpile	11,835,100	11,660,700	−174,400	Long ton	42,420	41,795	−625	30,000	11,795
Vegetable tannin extract, quebracho:									
National stockpile	49,008,700	48,941,100	−67,600	do	198,076	197,802	−274	180,000	17,802
Vegetable tannin extract, wattle:									
National stockpile	9,826,900	9,826,900		do	38,962	38,962		39,000	(4)
Zinc:									
National stockpile	364,319,300	364,308,400	−10,900	Short ton	1,256,776	1,256,747	−29		
Supplemental—barter	79,588,400	79,588,400		do	323,896	323,896			
Total	443,907,700	443,896,800	−10,900	do	1,580,672	1,580,643	−29	[2] 0	1,580,643
Zirconium ore, baddeleyite:									
National stockpile	710,600	710,600		Short dry ton	16,533	16,533		(3)	16,533
Zirconium ore, zircon:									
National stockpile	127,000	122,200	−4,800	do	2,152	2,070	−82	(3)	2,070
Total:									
National stockpile	5,737,864,200	5,724,123,500	−13,740,700						
Defense Production Act	1,479,097,500	1,475,224,100	−3,873,400						
Supplemental—barter	1,359,304,909	1,360,882,521	+1,577,612						
Total, strategic and critical materials	8,576,266,609	8,560,230,121	−16,036,488						

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[1] Maximum objectives for strategic and critical materials are determined pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). The Office of Emergency Planning is currently in the process of revising stockpile objectives. (See app. B, p. 21.)

[2] New objective. (See app. B, p. 21.)

[3] No present objective.

[4] Not in excess of maximum objective.

[5] Represents transfer of surplus material from the Atomic Energy Commission, pursuant to the provisions of 50 U.S.C. 98 (e) (a).

[6] Thorium residue previously reported as part of thorium inventory.

[7] The net decrease in this report reflects a downward adjustment to credit the objective and inventory with quantity stated in pounds of thorium oxide content. It does not represent a disposition or decrease in the inventory.

Source: Compiled from reports submitted by the General Services Administration and the Department of Agriculture.

TABLE 2.—*Agricultural commodities inventories, March 1964 (showing by commodity net changes during the month in terms of cost value and quantity)*

Commodity	Cost value			Quantity			
	Beginning of month, Mar. 1, 1964	End of month, Mar. 39, 1964	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1964	End of month, Mar. 39, 1964	Net change during month
Price-support inventory:							
Basic commodities:							
Corn	$983, 429, 239	$959, 973, 933	−$23, 455, 306	Bushel	798, 137, 165	779, 089, 459	−19, 047, 706
Cotton, extra-long staple	9, 810, 740	9, 810, 740		Bale	37, 068	37, 068	
Cotton, upland	888, 762, 150	828, 045, 218	−60, 716, 932	do	5, 374, 922	5, 004, 084	−370, 838
Peanuts, farmers' stock	11, 662	6, 455	−5, 207	Pound	101, 904	56, 398	−45, 506
Peanuts, shelled	11, 353, 708	11, 546, 871	+193, 163	do	67, 928, 733	69, 294, 553	+1, 365, 820
Rice, milled	137, 448	2, 911	−134, 537	Hundredweight	14, 805	251	−14, 554
Rice, rough	7, 441, 728	5, 829, 058	−1, 612, 670	do	1, 400, 577	1, 097, 037	−303, 540
Wheat	1, 840, 918, 476	1, 811, 948, 852	−28, 969, 624	Bushel	915, 950, 871	898, 122, 006	−17, 828, 865
Wheat flour		84, 700	+84, 700	Pound		1, 540, 800	+1, 540, 800
Bulgur	172, 909	172, 866	−43	do	3, 147, 600	3, 147, 600	
Total, basic commodities	3, 742, 038, 060	3, 627, 421, 604	−114, 616, 456				
Designated nonbasic commodities:							
Barley	31, 103, 423	27, 560, 007	−3, 543, 416	Bushel	34, 214, 476	29, 511, 989	−4, 702, 487
Grain sorghum	618, 668, 008	608, 870, 582	−9, 797, 426	do	553, 337, 409	542, 990, 727	−10, 346, 682
Milk and butterfat:							
Butter	101, 066, 100	100, 243, 836	−822, 264	Pound	174, 029, 187	172, 699, 783	−1, 329, 404
Butter oil	52, 073, 709	48, 371, 772	−3, 701, 937	do	67, 256, 889	62, 479, 797	−4, 777, 092
Cheese	11, 835, 345	10, 556, 446	−1, 278, 899	do	30, 832, 331	27, 342, 270	−3, 490, 061
Ghee	3, 330, 075	4, 560, 353	+1, 230, 278	do	4, 292, 093	5, 885, 752	+1, 593, 659
Milk, dried	69, 584, 421	60, 829, 151	−8, 755, 270	do	473, 238, 343	409, 650, 163	−63, 588, 180
Oats	11, 217, 472	11, 172, 175	−45, 297	Bushel	18, 667, 334	18, 589, 097	−78, 237
Rye	841, 441	520, 281	−321, 160	do	820, 719	507, 901	−312, 818
Total, designated nonbasic commodities	899, 719, 994	872, 684, 603	−27, 035, 391				
Other nonbasic commodities:							
Beans, dry, edible	320, 515	190, 280	−130, 235	Hundredweight	44, 074	27, 026	−17, 048
Cottonseed oil, refined, other	55, 696	224, 276	+168, 580	Pound	578, 660	2, 233, 980	+1, 655, 320
Cottonseed oil, refined, salad oil [1]	195, 775	193, 366	−2, 409	do	1, 141, 443	1, 127, 396	−14, 047
Flaxseed	8, 133, 688	7, 794, 661	−339, 027	Bushel	2, 766, 938	2, 650, 138	−116, 800
Soybeans	239, 360	95, 756	−143, 604	do	108, 780	43, 966	−64, 814
Vegetable oil products	547, 559	554, 404	+6, 845	Pound	3, 459, 378	3, 472, 761	+13, 383
Total, other nonbasic commodities	9, 492, 593	9, 052, 743	−439, 850				
Total, price support inventory	4, 651, 250, 647	4, 509, 158, 950	−142, 091, 697				
Inventory transferred from national stockpile: [2]							
Cotton, Egyptian	86, 741, 049	71, 938, 113	−14, 802, 936	Bale	102, 674	85, 152	−17, 522
Cotton, American-Egyptian	23, 578, 228	23, 553, 079	−25, 149	do	46, 878	46, 828	−50
Total inventory transferred from national stockpile	110, 319, 277	95, 491, 192	−14, 828, 085	do	149, 552	131, 980	−17, 572
Total, agricultural commodities	4, 761, 569, 924	4, 604, 650, 142	−156, 919, 782				

[1] Reported as "cottonseed oil, refined," prior to February 1964.

[2] Transferred from General Services Administration pursuant to Public Law 85-96 and Public Law 87-548. (See app. A, p. 20.)

Source: Compiled from reports submitted by the Department of Agriculture.

TABLE 3.—*Civil defense supplies and equipment inventories, March 1964 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month
Civil defense stockpile, Department of Defense:							
Engineering equipment (engine generators, pumps, chlorinators, purifiers, pipe, and fittings).	$10, 072, 456	$10, 083, 912	+$11, 456	10 mile units	45	45	
Chemical and biological equipment	1, 802, 056	1, 799, 321	−2, 735	(1)			
Total	11, 874, 512	11, 883, 233	+8, 721				
Civil defense medical stockpile, Department of Health, Education, and Welfare:							
Medical bulk stocks, and associated items at civil defense mobilization warehouses.	141, 576, 248	141, 375, 768	−200, 480	(1)			
Medical bulk stock at manufacturer locations	5, 324, 343	5, 320, 524	−3, 819	(1)			
Civil defense emergency hospitals	37, 345, 255	37, 346, 406	+1, 151	Each	1, 930	1, 930	
Replenishment units (functional assemblies other than hospitals).	12, 136	12, 136		(1)			
Supply additions (for civil defense emergency hospitals).	10, 924, 414	10, 924, 414		(1)			
Total	195, 182, 396	194, 979, 248	−203, 148				
Total, civil defense supplies and equipment	207, 056, 908	206, 862, 481	−194, 427				

[1] Composite group of many different items.

Source: Compiled from reports submitted by the Department of Defense and the Department of Health, Education, and Welfare.

TABLE 4.—*Machine tools inventories, March 1964 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month
Defense Production Act:							
On lease	$2,144,300	$2,144,300		Tool	103	103	
On loan	42,900	45,100	+$2,200	do	7	7	
Total	2,187,200	2,189,400	+2,200	do	110	110	
National Industrial Reserve Act:							
In storage	77,643,900	76,656,200	−987,700	do	6,909	6,693	−216
On lease	27,500	27,500		do	1	1	
On loan to other agencies	2,914,800	3,214,200	+299,400	do	338	401	+63
On loan to school programs	9,395,000	10,062,400	+667,400	do	2,218	2,395	+177
Total	89,981,200	89,960,300	−20,900	do	9,466	9,490	+24
Total, machine tools	92,168,400	92,149,700	−18,700	do	9,576	9,600	+24

Source: Compiled from reports submitted by the General Services Administration.

TABLE 5.—*Helium inventories, March 1964 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1964	End of month, Mar. 31, 1964	Net change during month
Helium:							
Stored aboveground	$216,266	$256,112	+$39,846	Cubic foot	19,300,000	23,100,000	+3,800,000
Stored underground	26,949,121	29,947,961	+2,998,840	do	2,673,000,000	2,944,000,000	+271,000,000
Total, helium	27,165,387	30,204,073	+3,038,686	do	2,692,300,000	2,967,100,000	+274,800,000

Source: Compiled from reports submitted by the Department of the Interior.

APPENDIX A—PROGRAM DESCRIPTIONS AND STATUTORY CITATIONS

STRATEGIC AND CRITICAL MATERIALS

National stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. The General Services Administration is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning. The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OEP. In addition, the General Services Administration is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V–7, issued by the Director of the Office of Emergency Planning and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning.

Supplemental—barter

As a result of a delegation of authority from OEP (32A C.F.R., ch. I, DMO V–4) the General Services Administration is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191–2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

AGRICULTURAL COMMODITIES

The price-support program

Price-support operations are carried out under the charter powers (15 U.S.C. 714) of the Commodity Credit Corporation, Department of Agriculture, in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958 and with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1966. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations, and, in the case of wool and mohair, through incentive payments based on marketings. The producers' commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse and the Corporation looks only to the pledged or mortgage collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loan, rather than at the time of acquiring the commodities.

Dispositions of commodities acquired by the Corporation in its price-support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691) title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of cornmeal and wheat flour, and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

Inventory transferred from national stockpile

This inventory, all cotton, was transferred to Commodity Credit Corporation at no cost from the national stockpile pursuant to Public Law 85-96 and Public Law 87-548. The proceeds from sales, less costs incurred by CCC, are covered into the Treasury as miscellaneous receipts; therefore, such proceeds and costs are not recorded in the operating accounts. The cost value as shown for this cotton has been computed on the basis of average per bale cost of each type of cotton when purchased by CCC for the national stockpile.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Civil defense stockpile

The Department of Defense conducts this stockpiling program pursuant to section 201 (h) of Public Law 920, 81st Congress, as amended. The program is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

Civil defense medical stockpile

The Department of Health, Education, and Welfare conducts the stockpiling program for medical supplies and equipment pursuant to section 201(h) of Public Law 920, 81st Congress, as delegated by the President following the intent of Reorganization Plan No. 1 of 1958. The Department of Health, Education, and Welfare plans and directs the procurement, storage, maintenance, inspection, survey, distribution, and utilization of essential supplies and equipment for emergency health services. The medical stockpile includes a program designed to pre-position assembled emergency hospitals and other medical supplies and equipment into communities throughout the Nation.

MACHINE TOOLS

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration has acquired machine tools in furtherance of expansion of productive capacity, in accordance with programs certified by the Director of the Office of Emergency Planning.

National industrial equipment reserve

Under general policies established and directives issued by the Secretary of Defense, the General Services Administration is responsible for care, maintenance, utilization, transfer, leasing, lending to nonprofit schools, disposal, transportation, repair, restoration, and renovation of national industrial reserve equipment transferred to GSA under the National Industrial Reserve Act of 1948 (50 U.S.C. 451-462).

HELIUM

The helium conservation program is conducted by the Department of the Interior pursuant to the Helium Act, approved September 13, 1960 (Public Law 86-777; 74 Stat. 918; 50 U.S.C. 167) and subsequent appropriations acts which have established fiscal limitations and provided borrowing authority for the program. Among other things, the Helium Act authorizes the Secretary of the Interior to produce helium in Government plants, to acquire helium from private plants, to sell helium to meet current demands, and to store for future use helium that is so produced or acquired in excess of that required to meet current demands. Sales of helium by the Secretary of the Interior shall be at prices established by him which shall be adequate to liquidate the costs of the program within 25 years, except that this period may be extended by the Secretary for not more than 10 years for funds borrowed for purposes other than the acquisition and construction of helium plants and facilities.

This report covers helium that is produced in Government plants and acquired from private plants. Helium in excess of current demands is stored in the Cliffside gasfield near Amarillo, Tex. The unit of measure is cubic foot at 14.7 pounds per square inch absolute pressure and 70° F.

APPENDIX B—NEW STOCKPILE OBJECTIVES

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives for 52 materials:

Prior to March 1964: Aluminum, beryl, cadmium, caster oil, chromite (metallurgical grade), copper, feathers and down, fluorspar (acid grade), fluorspar (metallurgical grade), lead, magnesium, mercury, molybdenum, nickel, opium, shellac, sperm oil, tin, zinc.

As of March 1964: Antimony, asbestos (amosite), asbestos (chrysotile), celestite chromite (chemical grade), columbium, cordage fibers (abaca), cordage fibers (sisal), diamond dies, graphite (natural Ceylon, amorphous lump), graphite (natural, Malagasy, crystalline), graphite (natural, other crystalline), hyoscine (objective removed), iodine, jewel bearings, kyanite-mullite, manganese (battery grade, natural ore), manganese (battery grade, synthetic dioxide), manganese (metallurgical grade), mica (muscovite block), mica (muscovite film), mica (muscovite splittings), mica (phlogopite splittings), pyrethrum, quartz crystals, rare earths, rubber, sapphire and ruby, silk noils (objective removed), silk, raw (objective removed), talc (steatite, block and lump), tantalum, thorium.

(The following excerpts from OEP statements dated July 11 and 19, 1963, February 28, 1964, and March 6, 13, 20, and 27, 1964, set forth the new policy with respect to objectives for strategic and critical materials:)

The Office of Emergency Planning is now conducting supply-requirements studies for all stockpile materials which will reflect current military, industrial, and other essential needs in the event of a conventional war emergency. On the basis of recently completed supply-requirements studies for the foregoing materials, the new stockpile objectives were established with the advice and assistance of the Interdepartmental Materials Advisory Committee, a group chaired by the Office of Emergency Planning and composed of representatives of the Departments of State, Defense, the Interior, Agriculture, Commerce, and Labor, and the General Services Administration, the Agency for International Development, and the National Aeronautics and Space Administration. Representatives of the Bureau of the Budget, the Atomic Energy Commission, and the Small Business Administration participate as observers.

These new objectives reflect a new policy to establish a single objective for each stockpile material. They have been determined on the basis of criteria heretofore used in establishing maximum objectives, and reflect the approximate calculated emergency deficits for the materials for conventional war and do not have any arbitrary adjustments for possible increased requirements for other types of emergency.

Heretofore, there was a "basic objective" and a "maximum objective" for each material. The basic objectives assumed some continued reliance on foreign sources of supply in an emergency. The former maximum objectives completely discounted foreign sources of supply beyond North America and comparable accessible areas.

Previously, maximum objectives could not be less than 6 months' normal usage of the material by industry in the United States in periods of active demand. The 6-month rule has been eliminated in establishing the new calculated conventional wear objectives.

The Office of Emergency Planning also announced that the present Defense Mobilization Order V-7, dealing with general policies for strategic and critical materials stockpiling, was now being revised to reflect these new policies. When finally prepared and approved, the new order will be published in the Federal Register.

New conventional war objectives for the remaining stockpile materials are being developed as rapidly as new supply-requirements data become available. They will be released as they are approved.

The Office of Emergency Planning is also making studies to determine stockpile needs to meet the requirements of general nuclear war and reconstruction. Stockpile objectives for nuclear war have not previously been developed. Some commodity objectives may be higher and others may be lower than the objectives established for conventional war.

After the nuclear war supply-requirements studies are completed, stockpile objectives will be based upon calculated deficits for either conventional war or nuclear war, whichever need is larger.

The Office of Emergency Planning stressed that any long-range disposal programs undertaken prior to the development of objectives based on nuclear war assumptions would provide against disposing of quantities which might be needed to meet essential requirements in the event of nuclear attack. While the disposal of surplus materials can produce many problems which have not heretofore arisen, every effort will be made to see that the interests of producers, processors, and consumers, and the international interests of the United States are carefully considered, both in the development and carrying out of disposal programs. Before decisions are made regarding the adoption of a long-range disposal program for a particular item in the stockpile, there will be appropriate consultations with industry in order to obtain the advice of interested parties.

STATEMENT BY SENATOR HARRY F. BYRD, OF VIRGINIA

The cost value of Federal stockpile inventories as of March 31, 1964, totaled $13,494,096,517. This was a net decrease of $170,130,711, as compared with the March 1 total of $13,664,227,228.

Net changes during the month are summarized by major categories as follows:

Major category	Cost value, March 1964	
	Net change during month	Total, end of month
Strategic and critical materials	−$16,036,488	$8,560,230,121
Agricultural commodities	−156,919,782	4,604,650,142
Civil defense supplies and equipment	−194,427	206,862,481
Machine tools	−18,700	92,149,700
Helium	+3,038,686	30,204,073
Total	−170,130,711	13,494,096,517

These figures are from the March 1964 report on Federal stockpile inventories compiled from official agency data by the Joint Committee on Reduction of Nonessential Federal Expenditures, showing detail with respect to quantity and cost value of each commodity in the inventories covered.

STRATEGIC AND CRITICAL MATERIALS

So-called strategic and critical materials are stored by the Government in (1) the national stockpile, (2) the Defense Production Act inventory, and (3) the supplemental barter stockpile.

Overall, there are now 94 materials stockpiled in the strategic and critical inventories. Maximum objectives—in terms of volume—are presently fixed for 74 of these 94 materials. Of the 74 materials having maximum objectives, 64 were stockpiled in excess of their objectives as of March 31, 1964.

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. This report contains pertinent agency explanation and reflects the new objectives for 52 materials—33 of which appear in the March report for the first time.

Increases in cost value were reported in 22 of the materials stockpiled in all strategic and critical inventories, decreases were reported in 24 materials, and 48 materials remained unchanged during March.

National stockpile

The cost value of materials in the national stockpile as of March 31, 1964, totaled $5,724,123,500. This was a net decrease of $13,740,700 during the month. The largest decreases were $10,959,100 in tin and $7,786,000 in rubber.

Defense Production Act inventory

The cost value of materials in the Defense Production Act inventory as of March 31, 1964, totaled $1,475,224,100. This was a net decrease of $3,873,400. The largest decreases were in aluminum and copper.

Supplemental barter

The cost value of materials in the supplemental barter stockpile as of March 31, 1964, totaled $1,360,882,521. This was a net increase of $1,577,612. The largest increases were in manganese and asbestos.

OTHER STOCKPILE INVENTORIES

Among the other categories of stockpiled materials covered by the report, the largest is $4.6 billion in agricultural commodities. Major decreases in agricultural commodities during March were reported for cotton, wheat, and corn.

Inventories of civil defense supplies and equipment showed decreases in medical stocks; the machine tools inventories showed a net decrease; and the helium inventories showed a net increase during March.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MILLER:

S. 2886. A bill for the relief of Georgia Manoles (formerly known as Georgia Demetrakopoulou); to the Committee on the Judiciary.

By Mr. HARTKE:

S. 2887. A bill for the relief of Julius Gyula Ferenczy and his wife, Shara Ferenczy; and

S. 2888. A bill for the relief of Anna Gerodimos; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "CATALOG OF FEDERAL AIDS TO STATE AND LOCAL GOVERNMENTS

Mr. MUSKIE, from the Committee on Government Operations, reported an original concurrent resolution (S. Con. Res. 87) to print additional copies of a committee print entitled "Catalog of Federal Aids to State and Local Governments" which was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when reported by Mr. MUSKIE, which appears under the headings "Reports of Committees.")

CIVIL RIGHTS—AMENDMENTS

AMENDMENT NO. 767

Mr. SPARKMAN. Mr. President, I submit an amendment to the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes, and ask that it be printed and lie on the table and be considered as read for all purposes under the bill.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table, and the amendment will be considered as read.

The amendment (No. 767) is as follows:

AMENDMENT NO. 767

On page 18, after line 23, insert the following new section:

"SEC. 410. (a) The Congress recognizes that—

"(1) a democratic society can survive and succeed only through the development of the highest capacities of its members;

"(2) the expansion of human knowledge and the rapid advance of technology impose a constantly increasing requirement for the development of our human resources to the maximum;

"(3) the youth of the nation constitute its principal resource, and arbitrary restraints placed upon the educational opportunities accorded to the youth of the nation through the denial to able and talented students of adequate opportunity to realize their full potential will redound to the severe and lasting disadvantage of the nation; and

"(4) no permanent advantage to the nation or to any part of its citizenry can be achieved by the suppression of individuals who are able, competent, and energetic through the adoption of low or mediocre educational standards devised to fit the requirements of individuals who lack the capacity, motivation, self-discipline, and energy required for educational achievement.

"(b) Nothing contained in this Act shall be construed to authorize or require any officer, agency, or instrumentality of the United States, any State, or any political subdivision of any State to deprive any child of full opportunity to develop his maximum potential for educational development by requiring that child to attend a public school or to be placed in a class the students of which are predominantly or in large part of appreciably—

"(1) lower intelligence;

"(2) lower achievement in academic pursuits;

"(3) lower motivation for educational development;

"(4) subnormal cultural level or development; or

"(5) lower capacity or willingness to adjust to the requirements of deportment and self-discipline necessary for effective educational achievement.

"(c) Nothing contained in this Act shall be construed to authorize or require any officer, agency, or instrumentality of the United States, any State, or any political subdivision of any State to deprive any teacher in any public school of full opportunity to develop the maximum potential of the students entrusted to him by requiring that teacher to accept classes of students composed of individuals who vary markedly in intelligence, academic achievement, motivation for educational development, cultural level or development, or capacity or willingness to conform to the requirements of academic discipline.

"(d) Nothing contained in this Act shall be constructed to authorize or require any officer, agency, or instrumentality of the United States, any State, or any political subdivision of any State to obligate any school board to impose any requirement for the co-mingling, within any class conducted or supervised by or within any public school, of students who vary markedly in intelligence, academic achievement, motivation for educational development, or capacity or willingness to conform to the requirements of academic discipline.

"(e) Whenever any officer, agency, or instrumentality of the United States, any State, or any political subdivision of any State imposes or attempts to impose with respect to any public school, any public school system, or any subdivision of any public school system any restraint or requirement inconsistent with the provisions of this section—

"(1) any parent or group of parents whose minor children are being or would be deprived of full opportunity for educational development through the imposition of any restraint or requirement of a kind described in subsection (b);

"(2) any teacher or group of teachers in any public school or public school system who are being or would be deprived of full opportunity to develop the maximum potential of the students entrusted to them through the imposition of any restraint or requirement of a kind described in subsection (c); and

"(3) the school board charged with the administration of the public school, public school system, or subdivision of any public school system which is or would be affected by any restraint or requirement of a kind described in subsection (d),

may institute in any court of competent jurisdiction of the State or of the United States as a civil action for the prevention or removal of such restraint or requirement. Such court shall have jurisdiction to hear and determine such action, and to grant by appropriate judgment, decree, or order such relief as may be required to prevent and to remove effectively such restraint or requirement.

"(f) Process of the district court of the United States for any judicial district in any action instituted under subsection (e) may be served in any other judicial district of the United States by the United States Marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

"(g) It shall be a conclusive defense to any action instituted, under section 407 of this Act or otherwise, for the assertion of any claim of denial of equal protection of the laws by reason of the failure of a school board to achieve desegregation to show that the granting of the relief sought in such action would result in or produce any consequence which is or would be inconsistent with the provisions of this section. No judgment, decree, or order may be entered, and no relief may be granted, in any such action if such judgment, decree, order, or relief would result in or produce any such consequence.

"(h) As used in this section—

"(1) the term 'parent' has the meaning given thereto by section 407(c) of this Act; and

"(2) the term 'school board' includes the chief administrative officer of a school district and any officer or body of individuals charged with the administration or supervision of a public school, a public school system, or a subdivision of a public school system."

AMENDMENTS NOS. 768, 769, 770, AND 771

Mr. MILLER submitted four amendments, intended to be proposed by him to the amendment (No. 656) in the nature of a substitute, submitted by Mr. DIRKSEN (for himself and other Senators) to House bill 7152, supra, which were received, ordered to be printed, to lie on the table, and which were considered as having been read, as follows:

AMENDMENT No. 768

On page 14, line 16, strike "hereby created" and insert in lieu thereof the following: "based on this title".

On page 14, line 18, strike "created by" and insert in lieu thereof the following: "based on".

AMENDMENT No. 769

On page 10, line 8, insert the following after the word "action": "if he certifies that the case is of general public importance".

On page 53, line 23, insert the following after the word "action": "if he certifies that the case is of general public importance".

On page 70, line 15, insert after the word "may" the following: ", upon timely application,".

On page 70, line 21, insert after the word "in" the following: "and as a part of".

AMENDMENT No. 770

On page 50, after line 2, insert the following:

"(j) All officers, agents, attorneys, and employees of the Commission, including the members of the Commission, shall be subject to the provisions of section 9 of the Act of August 2, 1939, as amended (the Hatch Act), notwithstanding any exemption contained in such section."

AMENDMENT No. 771

On page 69, line 4, insert "only" before "include".

On page 69, line 17, before the word "political" insert "or questioned about his".

AMENDMENTS NOS. 772 THROUGH 797

Mr. ERVIN submitted 26 amendments, intended to be proposed by him to amendment No. 656, in the nature of a substitute, submitted by Mr. DIRKSEN (for himself and other Senators) to House bill 7152, which were considered as having been read, and were ordered to lie on the table and to be printed, as follows:

AMENDMENT No. 772

On pages 73 and 74 strike out everything beginning with the designation (a) on line 2, on page 73, through the word "cases" on line 2, on page 74, and insert the following in lieu thereof:

"No accused shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Attorney General or any other person in any court of the United States under the provisions of this Act, or under the provisions of Part IV of the Civil Rights Act of 1957 (71 Stat. 637) or under the provisions of Title VI of the Civil Rights Act of 1960 (74 Stat. 90), unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States. Upon conviction, the accused in any such proceeding for criminal contempt shall be fined no more than $1,000 or imprisoned not more than 6 months."

Section 151 of the Civil Rights Act of 1957 (71 Stat. 638) is hereby repealed.

AMENDMENT No. 773

On pages 73 and 74, strike out everything beginning with the designation (a) on line 2, on page 73 through the word "cases" on line 2, on page 74, and insert in lieu thereof the following:

"No accused shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Attorney General, or any other person in any court of the United States under the provisions of titles II, III, IV, V, VI, and VII of this Act, unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States. Upon conviction, the accused in any such criminal contempt proceeding shall be fined not more than $1,000 or imprisoned not more than 6 months."

AMENDMENT No. 774

On page 70 strike out lines 1 through 18 in their entirety (title IX). Renumber title X as title IX, and sections 1001, 1002, 1003, and 1004, respectively as sections 901, 902, 903, and 904.

Renumber title XI as title X, and renumber sections 1101, 1102, 1103, 1104, and 1105, respectively, as sections 1001, 1002, 1003, 1004, and 1005.

AMENDMENT No. 775

On page 70, strike out lines 3 through 9 in their entirety (section 901).

Renumber section 902 as section 901.

AMENDMENT No. 776

On page 70, strike out lines 10 through 18 both inclusive (section 902).

AMENDMENT No. 777

On pages 70, 71, and 72, strike out everything from the beginning of line 21 on page 70 through line 24 on page 72 (title X).

Renumber title XI as title X, and renumber sections 1101, 1102, 1103, 1104, and 1105, respectively, as sections 1001, 1002, 1003, 1004, and 1005.

AMENDMENT No. 778

On pages 2, 3, 4, 5, and 6, strike out title I in its entirety.

Renumber all succeeding titles and sections appropriately.

AMENDMENT No. 779

On pages 2 and 3 beginning with line 7 on page 2, strike out everything through line 24 on page 3.

On page 3, line 19, change the designation (b) to the designation (a).

AMENDMENT No. 780

On page 3, beginning with the colon on line 9, strike out everything through the word "therewith" on line 18.

AMENDMENT No. 781

On pages 3 and 4, beginning with the designation (b) on line 25 on page 3, strike out everything through the word "election" on line 10 on page 4.

Change the designation (c) on page 4 to the designation (b).

AMENDMENT No. 782

On pages 4, 5, and 6, beginning with the designation (d) on line 19 on page 4, strike out everything through the word "expedited" on line 11 on page 6.

AMENDMENT No. 783

On pages 6, 7, 8, 9, 10, 11, 12, 13, and 14, strike out title II in its entirety.

Renumber the succeeding titles and sections of the bill appropriately.

AMENDMENT No. 784

On page 7, beginning with line 16, strike out everything through the word "establishment" on line 21.

On page 8, line 4, insert the word "and" between the semicolon and the designation (3).

On page 8, line 7, change the semicolon to a period, and beginning with the word "and" on line 7 strike out everything through the word "subsection" on line 12.

On page 9, line 5, change the comma to a period, and beginning with the word "except" strike out everything through the period on line 7.

AMENDMENT No. 785

On page 32, line 24, insert the word "religion" between the word "color" and the word "or."

AMENDMENT No. 786

On page 73, between title X and present title XI, insert the following new title:

"TITLE XI—JUDICIAL REVIEW OF CONSTITUTIONALITY OF CERTAIN LOANS AND GRANTS

"SEC. 1101. The Congress hereby declares that one of our basic rights is to be free of taxation to support a transgression of the constitutional command that the authorities 'shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof'.

"SEC. 1102. The approval or disapproval of an application of any public or other nonprofit agency or institution for a loan or grant under—

"(1) the Higher Education Facilities Act of 1963,

"(2) title VII of the Public Health Service Act,

"(3) the National Defense Education Act of 1958, or

"(4) the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963,

shall be effected by an order of the Federal officer making such grant or loan which shall be conclusive except as otherwise provided in this Act. Notice of such order shall be published in the Federal Register and shall contain such information as the Federal officer issuing the order deems necessary to effectuate the purposes of this title.

"SEC. 1103. Any public or other nonprofit institution or agency which is or may be prejudiced by the order of the Federal officer making such a loan or grant in a particular year to another such agency or institution, by virtue of the fact that the making of such loan or grant serves to reduce the amount of funds available for loans or grants in such year to the agency or institution which is or may be prejudiced, may bring a civil action for declaratory relief to determine whether the order of the Federal officer extending the loan or grant to such other agency or institution is consistent with the first amendment to the Constitution of the United States. Defendants in such action shall be the Federal officer and the agency or institution whose application has been approved. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register.

"SEC. 1104. Any citizen of the United States upon whose taxable income there was imposed an income tax under section 1 of the Internal Revenue Code of 1954 for the last preceding calendar or taxable year and who has paid any part of such income tax may bring a civil action against the Federal officer making such a loan or grant to restrain or enjoin him from taking any action under any of the Acts enumerated in section 1102 of this title which the plaintiff challenges as invalid under the first amendment to the Constitution. No additional showing of direct or indirect financial or other injury, actual or prospective, on the part of the plaintiff shall be required for the maintenance of any such action.

"SEC. 1105. Any public or other nonprofit institution or agency whose application for a loan or grant under any of the Acts enumerated in section 1102 of this title has been denied by the Federal officer having appropriate authority on the ground that such loan or grant would be prohibited by the first amendment to the Constitution may bring a civil action to obtain a review of the final decision of such Federal officer.

"SEC. 1106. (a) Any civil action under the preceding section shall be brought in the District Court of the United States for the District of Columbia, and such court shall have jurisdiction without regard to the amount in controversy. Any such action pending before the district court or court of appeals for hearing, determination, or review shall be heard, determined, or reviewed at the earliest practicable time and shall be expedited in every practicable manner. All process, including subpenas, issued by the district court of the United States for any such district may be served in any other district. No costs shall be assessed against the United States in any proceeding under this title. In all litigation under this Act, the Federal officer shall be represented by the Attorney General.

"(b) The judgment of the district court shall be subject to review as provided in sections 1291 and 1254 of title 28 of the United States Code.

"SEC. 1107. (a) After receipt of notice of the agency or institution of an action under this title, the Federal officer shall, pending final determination of such action, make no payment on a grant or loan pursuant to the order which is claimed to be invalid in such action.

"(b) When and if any judgment becomes final that declares invalid an order of the Federal officer under this title, the agency or institution receiving the grant made by the Federal officer pursuant to such order shall refund the same, and if a loan has been made pursuant to such order it shall be refunded with accrued interest at the rate fixed therefor, for credit to the appropriation from which it was paid. The Federal officer may in his discretion permit deferment for a reasonable time of repayment of the grant or loan, including interest thereon.

"(c) If the Federal officer's order in favor of a defendant agency or institution is finally set aside pursuant to a judgment under this title and the Federal officer has determined that, but for such order, the plaintiff agency's or institution's application would have been approved for a grant or loan chargeable to the same grant or loan allotment or appropriation, such allotment or appropriation shall be available for making such grant or loan to the plaintiff except to the extent that payments therefrom have been made to the defendant agency or institution and are not recovered under this title.

"SEC. 1108. If any provision of any Act referred to in section 1102, or the application of such provision to any person or circumstance, shall be held invalid under this title, the remainder of such title, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

On page 73, line 1, strike out "TITLE XI", and insert in lieu thereof "TITLE XII."

On page 73, line 2, strike out "SEC. 1101", and insert in lieu thereof "SEC. 1201".

On page 74, line 3, strike out "SEC. 1102", and insert in lieu thereof "SEC. 1202".

On page 74, line 8, strike out "SEC. 1103", and insert in lieu thereof "SEC. 1203".

On page 74, line 16, strike out "SEC. 1104", and insert in lieu thereof "SEC. 1204".

On page 74, line 19, strike out "SEC. 1105", and insert in lieu thereof "SEC. 1205".

AMENDMENT No. 787

Beginning with line 3, page 33, strike out all to and including line 3, page 35, and insert the following in lieu thereof:

"SEC. 602. (a) Whenever any Federal department or agency which is empowered to extend Federal financial assistance to any program or activity by way of grant, loan, or contract (other than a contract of insurance or guaranty) receives from any interested individual a complaint, duly subscribed and executed under oath, alleging that violation of section 601 is occurring in the administration of that program or activity, such department or agency shall transmit such complaint to the Attorney General for such action as he may deem appropriate pursuant to the provisions of this section.

"(b) Upon receipt of any such complaint, the Attorney General may conduct an investigation to determine whether there is probable cause for belief that the allegations contained therein are supported by substantial evidence. If the Attorney General, upon the basis of such investigation, determines that such allegations are so supported, he may institute, in the district court of the United States for the district in which such violation is alleged to be occurring, a civil action to restrain or enjoin the continuance of such alleged violation. Upon application made by any defendant in such action, determination of the question whether the alleged violation in fact is occurring shall be made by an impartial jury of the State and district in which such violation is alleged to be occurring. Section 1291 and section 1254 of title 28, United States Code, shall be applicable for the review of judgments, decrees, and orders entered in actions instituted under this subsection.

"(c) No Federal department or agency may withhold any financial assistance from any program or activity because of any alleged violation of section 601 until it has been determined, by final judgment, decree, or order entered in an action instituted under subsection (b), that such violation is occurring."

AMENDMENT No. 788

Beginning with line 3, page 33, strike out all to and including line 3, page 35, and insert the following in lieu thereof:

"SEC. 602. (a) Whenever any Federal department or agency which is empowered to extend Federal financial assistance to any program or activity by way of grant, loan, or contract (other than a contract of insurance or guaranty) receives from any interested individual a complaint, duly subscribed and executed under oath, alleging that violation of section 601 is occurring in the administration of that program or activity, such department or agency shall transmit such complaint to the Attorney General for such action as he may deem appropriate pursuant to the provisions of this section.

"(b) Upon receipt of any such complaint, the Attorney General may conduct an investigation to determine whether there is probable cause for belief that the allegations contained therein are supported by substantial evidence. If the Attorney General, upon the basis of such investigation, determines that such allegations are so supported, he may institute, in the district court of the United States for the district in which such violation is alleged to be occurring, a civil action to restrain or enjoin the continuance of such alleged violation. In the event it finds by the greater weight of the evidence that the alleged violation of section 601 is occurring or is about to occur, the district court of the United States may enter such judgment as may be appropriate to prevent the same. Section 1291 and section 1254 of title 28, United States Code, shall be applicable for the review of judgments, decrees, and orders entered in actions instituted under this subsection.

"(c) No Federal department or agency may withhold any financial assistance from any program or activity because of any alleged violation of section 601 until it has been determined, by final judgment, decree, or order entered in an action instituted under subsection (b), that such violation is occurring."

AMENDMENT No. 789

On page 7, line 24, insert the following between the designation (b) and the semicolon: "and bears such a close and substantial relation to commerce that the provisions of this act are necessary or appropriate to the regulation of commerce."

AMENDMENT No. 790

On page 8, line 1, strike out the words "or offers to serve".

AMENDMENT No. 791

On page 35, between lines 9 and 10, insert a new section reading as follows:

"SEC. 605. Any taxpayer of the United States, suing in behalf of himself and all other taxpayers, may bring a civil action in the nature of an action for a declaratory judgment against the head of any Federal department or agency embraced within the provisions of the preceding section in the U.S. District Court for the District of Columbia alleging that any Federal financial assistance which such department or agency is extending or proposing to extend to any program or activity by way of grant, loan, or contract is inconsistent with the First Amendment, the Fifth Amendment, or any other provision of the Constitution of the United States. Notwithstanding any decision, statute, or rule to the contrary, the U.S. District Court for the District of Columbia shall have jurisdiction to entertain, try, and determine such civil action and to enjoin the continuance or proposed extension of such Federal financial aid to such program or activity in case it adjudges that the continuance or extension of such Federal financial assistance is inconsistent with the First Amendment, the Fifth Amendment, or any other provision of the Constitution of the United States. In the event two or more civil actions are brought under the provisions of this section challenging the constitutional validity of the continuance or proposed extension of the same Federal financial assistance, the United States District Court for the District of Columbia may consolidate such civil actions for the purpose of trial and judgment."

AMENDMENT No. 792

On page 15, line 12, strike out "certifies" and insert in lieu thereof: "satisfies the court by competent evidence after notice and an opportunity to be heard are given to the proposed adverse parties".

On page 15, lines 13 and 14, strike out "in his judgment,".

On page 15, line 22, insert the following between the period and "The": "After notice and an opportunity to be heard are given to them, the district court of the United States may authorize".

On page 15, line 22, change the capital "T" in "The" to a little "t".

On page 15, line 22, strike out "may" and insert in lieu thereof "to".

On page 16, line 3, strike out "The Attorney General may deem" and capitalize the "a" in the article "A".

On page 16, line 4, insert "are" between "persons" and "unable".

On page 16, line 9, strike out "he is satisfied that".

AMENDMENT No. 793

On page 21, line 4, strike out "certifies" and insert in lieu thereof "satisfies the court by competent evidence after notice and an opportunity to be heard are given to the proposed adverse parties".

On page 21, line 5, strike out the two commas and the words "in his judgment".

On page 22, line 1, insert between the period and the word "The", "After notice and an opportunity to be heard are given to them, the District Court of the United States may authorize", and change the capital "T" in "The" to a little "t".

On page 22, line 4, strike out "The Attorney General may deem" and capitalize the article "A".

On page 22, line 5, insert "are" between "persons" and "unable".

On page 22, line 10, strike out "he is satisfied that."

AMENDMENT No. 794

On page 8, line 4, insert the words "and has not come to rest within a State" between the word "commerce" and the semicolon.

AMENDMENT No. 795

On page 8, line 7, insert the words "and have not come to rest within a State" between the word "commerce" and the semicolon.

AMENDMENT No. 796

On page 10, beginning with "the" on line 13, strike out everything through "and" on line 16.

AMENDMENT No. 797

On pages 14 and 15, add a new section between line 23 on page 14, and line 1 on page 15, reading as follows:

"SEC. 208. The Congress recognizes that the Thirteenth Amendment to the Constitution provides that involuntary servitude shall not exist within the United States. For this reason, nothing contained in title II of this Act shall be construed to require any operator of a place of public accommodation, or any employee of such an operator, to render any personal service to another person against his will."

AMENDMENT NO. 798

Mr. ERVIN also submitted an amendment (No. 798), intended to be proposed by him to the amendment (No. 513) submitted by Mr. TALMADGE to House bill 7152, supra, which was considered as having been read, and was ordered to lie on the table and to be printed, as follows:

AMENDMENT No. 798

On page 4, insert a new section between line 7 and line 8 reading as follows:

"SEC. 1104. No person should be put twice in jeopardy for the same act or omission. For this reason, an acquittal or conviction in a prosecution for a specific crime shall bar a proceeding for criminal contempt, which is based upon the same act or omission and which arises under the provisions of this Act; and an acquittal or conviction in a proceeding for criminal contempt, which arises under the provisions of this Act, shall bar a prosecution for a specific crime based upon the same act or omission."

AMENDMENT NO. 799

Mr. SIMPSON submitted an amendment, intended to be proposed by him to the amendment (No. 656) in the nature of a substitute submitted by Mr. DIRKSEN (for himself and other Senators) to House bill 7152, supra, which was considered as having been read, and was ordered to lie on the table and to be printed, as follows:

AMENDMENT No. 799

On page 19 of amendment No. 656 strike out lines 3 through 15.

AMENDMENT NO. 800

Mr. MORTON submitted an amendment, intended to be proposed by him, to the amendment (No. 656) in the nature of a substitute, submitted by Mr. DIRKSEN (for himself and other Senators) to House bill 7152, supra, which was considered as having been read, and was ordered to lie on the table and to be printed, as follows:

AMENDMENT No. 800

On page 74, after line 23, insert the following new section:

"SEC. 1106. Notwithstanding any provision of title VII of this Act or of any other law of the United States relating to employment practices or relations, it shall not be considered to be a violation of any such provision for any employer to terminate permanently, in whole or in part, any business operation, for any reason."

AMENDMENT NO. 805

Mr. JAVITS (for himself, Mr. KUCHEL, Mr. CASE, Mr. FONG, and Mr. KEATING) submitted amendments, intended to be proposed by them, jointly, to the amendment (No. 656) in the nature of a substitute, submitted by Mr. DIRKSEN (for himself and other Senators) to House bill 7152, supra, which were considered as having been read, ordered to be printed, to lie on the table, as follows:

AMENDMENT No. 805

On page 70, line 2, after "Cases" insert "; Protection Against Conduct of State and Local Officials".

On page 70, between lines 18 and 19, insert the following new sections:

"SEC. 903. (a) Section 242 of title 18, United States Code, is amended by inserting "(a)" immediately before "Whoever", and by adding at the end thereof the following:

" '(b) Whoever, under color of any law, statute, ordinance, or regulation or custom knowingly performs any of the following acts depriving another person of any of the rights, privileges, or immunities secured by the Constitution and laws of the United States shall be fined not more than $1,000 or imprisoned not more than one year, or both:

" '(1) Subjecting any person to physical injury for an unlawful purpose;

" '(2) Subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody;

" '(3) Subjecting any person to violence or maliciously subjecting such person to unlawful restraint in the course of eliciting a confession to a crime or any other information;

" '(4) Subjecting any person to violence or unlawful restraint for the purpose of obtaining anything of value;

" '(5) Refusing to provide protection to any person from unlawful violence at the hands of private persons, knowing that such violence was planned or was then taking place; or

" '(6) Aiding or assisting private persons in any way to carry out acts of unlawful violence.'

"(b) The enactment of this section shall not be construed as indicating an intent on the part of the Congress to prevent any State, any possession or Commonwealth of the United States, or the District of Columbia, from exercising jurisdiction over any offense over which they would have jurisdiction in the absence of the enactment of this section.

"SEC. 904. Section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) is amended by inserting '(a)' immediately after 'SEC. 1979.', and by adding at the end thereof the following:

" '(b) Every city, county, or political subdivision of a State or territory which has in its employ a person who, under color of any statute, ordinance, regulation, custom, or usage of such State, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress to the same extent as the person employed is liable to the party injured.' "

FACILITATION OF MANAGEMENT, USE, AND PUBLIC BENEFITS FROM THE APPALACHIAN TRAIL—ADDITIONAL COSPONSOR OF BILL

Mr. NELSON. Mr. President, at the next printing of the bill (S. 2862) to facilitate the management, use, and public benefits from the Appalachian Trail, a scenic trail designed primarily for foot travel through natural or primitive areas, and extending generally from Maine to Georgia; to facilitate and promote Federal, State, local, and private cooperation and assistance for the promotion of the trail, and for other purposes, I ask unanimous consent that the name of the Senator from Maine [Mr. MUSKIE] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. SYMINGTON:

Address by the Honorable RICHARD BOLLING of Missouri, at dedication of Federal Office Building in Kansas City, Mo., May 29, 1964.

GI'S ASK FOR GI EDUCATIONAL OPPORTUNITY

Mr. YARBOROUGH. Mr. President, this month marks the end of another academic year in which millions of our citizens have taken another step forward in their educational progress. This gives cause for celebration as our young people embark on their chosen careers; however, it is also a time for reflective reappraisal as we see another year fleeting past in which many other young people are unable to enjoy educational advantages. In this light, I again invite the attention of the Senate to the cold war GI bill, S. 5, which would provide an opportunity for millions of Americans to advance themselves through educational preparedness. Five million veterans of the cold war, however, are losing their educational opportunities in life while S. 5 languishes on the calendar, where it has remained since it was reported by the Committee on Labor and Public Welfare and placed on the calendar on the 2d day of July 1963.

Recently, I received a letter from Mr. John W. Stahmer, who is about to terminate his duty in the Armed Forces. He expressed my sentiments exactly when he stated:

> Many servicemen often express their desire to attend college, but due to limited funds feel that it would be impossible to do so. Many men serve on active duty for their country, while a number of their contemporaries stay home with no loss in income or development as a member of a community. Should not the man who has served his country receive some ostensible appreciation from his fellow countrymen?

Mr. President, in answering Mr. Stahmer's question, I suggest that we celebrate the commencement exercises of this year by ourselves commencing to give adequate consideration to the cold war GI bill.

So that all Senators may reflect on Mr. Stahmer's provocative question, I ask unanimous consent to have his letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LEOMINSTER, MASS., *Feb. 25, 1964.*

Senator R. W. YARBOROUGH,
U.S. Senate, Washington, D.C.

DEAR SIR: There is a bill, S. 5, before the Senate entitled "Cold War Veterans Readjustment Assistance Act." Since I understand letters from constituents are used by Senators as evidence for their case, I wish to be listed as one in favor of the passage of this bill. As a member of the armed service, I would like to express my fervent desire and wish that this bill be passed this session.

Many servicemen often express their desire to attend college, but due to limited funds feel that it would be impossible to do so. Many men serve on active duty for their country, while a number of their contemporaries stay home with no loss in income or development as a member of a community. Should not the man who has served his country receive some ostensible appreciation from his fellow countrymen? And what better way is there to aid the ex-serviceman than by helping him financially, to receive a college education? This would not only be a benefit to him, but to society as well.

Since so many millions of dollars are given away each year in various forms of welfare, why not put some of these dollars to better use: to assist the individual in helping himself and the Nation through financial aid for education.

Certainly the veterans bill a few years back put many ex-servicemen through college who could not have gone otherwise. I feel the veterans of this cold war period are deserving of a similar program as embodied in bill S. 5. I would be interested in hearing your position on this matter. Also, when do you think this bill will be acted upon? My active duty will terminate in December, and I would like very much to go back to college in Texas because that is where I am from originally. Thank you very much for your concern in this matter and I wish you continued success in the Senate.

Sincerely,

JOHN W. STAHMER.

THE ROSS APPOINTMENT: THE CRUCIAL DECISION

Mr. PROXMIRE. Mr. President, one of the most important battles in the entire history of Federal regulation of the gas industry is already underway. This battle is of importance not merely to a few people in the industry and a few people in Government, but it is also a matter which concerns all of us, both as consumers of gas products and even more fundamentally, as citizens concerned with equitable treatment among businesses.

Within the past few days, Mr. Laurence Stern, a staff reporter for the Washington Post, has written two articles on the operations of the gas industry in its fight against the controls which the Federal Power Commission is required by law to impose on them.

In addition, the Washington Post has also published an editorial on this subject.

I ask unanimous consent to have printed in the RECORD the article written by Laurence Stern which was published in the Washington Post for May 31 entitled, "Gas Industry Uses Pretty Brunette to Warm Up Battle Against Controls," the article written by Mr. Stern and published in the Washington Post for June 1 entitled "Gas Producers Versus the FPC: How the Battle Is Going," and the Washington Post editorial for June 2 entitled "The Second Gas Crusade."

There being no objection, the articles and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 31, 1964]

FPC NOSINESS ATTACKED: GAS INDUSTRY USES PRETTY BRUNETTE TO WARM UP BATTLE AGAINST CONTROLS

(By Laurence Stern)

On the business pages of newspapers across the country last May 17, a winsome brunette smiled from under a 10-pound canopy of questionnaire forms sent to natural gas producers by the Federal Power Commission.

The picture was distributed by United Press International as a regular news photograph to its newspaper clients.

"Power industry spokesmen," noted the accompanying caption, "say the questionnaire is a burden to business and that it will cost each company from $85,000 to $250,000 to fill in the answers."

UPI neglected, however, to inform its clients that the picture was originally supplied by the high-powered national public relations firm of Carl Byoir & Associates, Inc.—or that one of Byoir's major accounts is the Panhandle Eastern Pipeline Co., one of the giants of the pipeline industry.

Nor had the news service pointed out that the questionnaire was designed to help the FPC figure costs, which the law requires it to do, on gas sales of $1 billion a year to some 34 million consumers throughout the country.

Behind the smile of the pretty model in the Byoir-produced and UPI-distributed picture looms the gas industry's most intense crusade since 1956 to free producers from Federal price regulation on gas sold to the Nation's great urban markets.

The bulky FPC cost questionnaire has become a battle standard under which gas producers and oil State Congressmen are now attacking FPC Chairman Joseph C. Swidler for such regulatory sins as "empire building" and "ghastly experimentation."

When a newspaper executive queried UPI general news manager, Earl J. Johnson, about the photograph, Johnson acknowledged that it had been put on the wire by a "naive picture editor." Several days later UPI picture managers were admonished, in an internal memo, to "name the source of our information."

Nevertheless within days after the photograph appeared, Iowa Republican H. R. GROSS arose in the House to ask why a rider had not been tacked onto the FPC appropriation to bar the agency from sending out cost questionnaires.

Embattled FPC officials have answered that they have to get the facts in order to carry out their job of regulating gas prices. "We would really be subject to criticism if we were to try to suck these figures out of our thumbs," commented one FPC attorney.

ONLY MINOR SKIRMISH

The incident was only a minor skirmish in the gas industry's new campaign for decontrol. At issue in the renewed battle are hundreds of millions of dollars in gas rates charged to consumers.

One measure of the financial stakes is the $600 million that the FPC has ordered pipeline companies and gas producers to refund since the Kennedy-appointed Commission took over in 1961. ("We regard it as a sort of silent war on poverty," observed one FPC aid.)

Eight years ago the drive for removal of Federal price control on natural gas was stopped dead in its tracks by a payoff scandal that grew out of an overzealous gas lobbyist's proferred $2,500 campaign contribution.

The industry campaign encompasses three major goals:

1. Replacement of Commissioner Charles R. Ross, regarded by gasmen as too consumer oriented for their comfort, with a member more sympathetic to industry. Such a move would tip the balance of power on the agency to industry. At present the lineup is 3 to 2 for vigorous regulation. Ross is an independent-minded Vermont Republican whose term expires next month.
2. Discrediting the stepped-up regulatory efforts of FPC Chairman Swidler, especially the agency's current program to set area price ceilings for natural gas. The controversial questionnaire was sent to big producers to help guide the FPC in its pricing program.
3. Enactment of legislation to exempt natural gas producers from Federal price regulation, thus overturning the Supreme Court's 1954 decision in the landmark Phillips case conferring on the FPC the power to regulate the wellhead price of gas sold in interstate commerce.

FLOOR FIGHT OPENS

The Ross appointment question spilled out into the open on Wednesday when five Senators took the floor in an appeal to the President to reappoint the incumbent Commissioner.

"I certainly hope," implored Ross' fellow Vermont Republican, Senator GEORGE D. AIKEN, "that no consideration is being given by the President to dumping Charlie Ross or appointing another representative of the gas industry to the Federal Power Commission."

"They already have two," he continued, "and if they get one more—a clear majority of the Commission—then, Heaven help the public."

Four Democratic liberals also spoke up for Ross—Senators WILLIAM PROXMIRE, of Wisconsin; Majority Whip HUBERT HUMPHREY, of Minnesota; JOSEPH S. CLARK, of Pennsylvania, and PHILIP A. HART, of Michigan.

During Wednesday's Senate colloquy on Ross, CLARK noted that "suggestion has been made to me that I should sponsor" the appointment of either of two Pennsylvanians to succeed Ross. One of them, it was learned, was a former State utilities commissioner who had been dropped by former Pennsylvania Gov. David Lawrence. CLARK did not say who asked him to sponsor the candidates.

ALL FIVE NAMED BY KENNEDY

All five present members of the FPC are Kennedy appointees. The three Commissioners considered hostile by industry are Swidler, Ross, and David S. Black. Gas producers take a more friendly view of Commissioners Lawrence J. O'Connor, a former oil industry executive, and Harold C. Woodward, an Illinois Republican and close friend of Senate Minority Leader EVERETT M. DIRKSEN, of Illinois.

During the Eisenhower era, the FPC itself sided with gas interests in promoting legislation to overturn the 1954 Supreme Court decision. Efforts to carry out the Court mandate and regulate prices at the prime source—the wellhead—were at best desultory.

But the payoff scandal in 1956 grounded the natural gas bill under a Presidential veto for the duration of the Eisenhower administration. Since 1961, with the appointment of a strongly proregulation Commission and the changed climate in the executive branch, the industry saw no encouragement for revival of the measure.

[From the Washington Post, June 1, 1964]

New Bill Submitted—Gas Producers Versus FPC: How the Battle Is Going

(By Laurence Stern)

In Tulsa last March a battery of duplicating machines spewed out, by the thousands, copies of a pamphlet attacking Federal control of natural gas prices.

In Washington last April a phalanx of oil State Congressmen—36 in all—took the House floor to denounce the Federal Power Commission's efforts to regulate natural gas.

In New Orleans early in May a petroleum lobbyist urged his colleagues to campaign for repeal of Federal controls on natural gas in terms that "even the dumbest Congressman can understand."

And behind the closed doors of a House appropriation hearing last February, crusty Texas Democrat ALBERT THOMAS exploded at FPC Chairman Joseph C. Swidler.

CALLED EMPIRE BUILDER

"We've seen a lot of empire builders," railed THOMAS, "but we give you about the No. 1 spot. You are the greatest gasman in the world. * * * You are hard to carry come November; you know that."

These are the various signposts of the newly invigorated campaign by natural gas producers to abolish Federal controls on the gas they sell to a national consumer market of 34 million persons.

The great gas crusade of 1964 comes on the 10th anniversary of the landmark Supreme Court decision which gave the FPC authority to regulate the price of natural gas at its prime source—the wellhead.

Legislation that would, in effect, nullify this decision has already been introduced in the House, and producers are hopeful of passage by 1965. The bill has been introduced with a bipartisan flourish by Representatives BRUCE ALGER, Republican, of Texas, and JOHN BELL WILLIAMS, Democrat, of Mississippi.

FPC VACANCY OCCURRING

The gas crusade also comes at a time when the pivotal vote on the five-member FPC will be up for grabs. The term of Charles R. Ross, who is identified with a generally proconsumer majority on the Commission, expires this month.

Industry's campaign is being led by the vocal and politically potent Independent Petroleum Association of America (IPAA), which speaks for large numbers of southwestern producers.

At a Washington meeting last March called by IPAA, gas producers adopted a three-point manifesto. It called for action to:

(1) "Expose absurd methods" employed by the FPC; (2) encourage congressional investigations into FPC procedures and (3) invite "all industry organizations into the campaign against present regulation of natural gas."

Shortly after the Washington session, duplicating machines at IPAA's Tulsa headquarters were cranking out copies of the antiregulation pamphlet to be directed at consumers. Its title: "Regulating the Gas Producer—10 Years of Trial and Error."

IPAA's public information advisory committee, meanwhile, was busy advising the gas industry to wage the battle against "burdensome and unworkable FPC regulation" by carrying the message to employees, shareholders, Congressmen, oil royalty owners, and local newspaper editors.

FPC Chairman Swidler has sought to strike back in the forum of appropriation hearings and occasional public speeches.

He has argued that the FPC control program has resulted in refunds from producers and pipeline companies of $600 million since the Kennedy-appointed Commission took over in 1961.

Swidler also credits the Commission's interm price controls with having reversed the upward spiral in natural gas prices during the late 1950's.

In March, the Labor Department attributed the first cost-of-living drop in more than 2 years to reductions in natural gas prices that resulted from FPC action.

Liberal and consumer groups have remained aloof from the growing controversy. Many liberals may have become alienated from Swidler and the agency when flamboyant former Commissioner Howard V. Morgan retired last year, charging that his colleagues were afraid of industry.

"The industry has the benefit of the best public relations brains that money can buy," commented one congressional observer. "It is also helped by a seniority system that keeps Congressmen from the oil and gas areas in key committee positions."

One key Congressman who will be on the side of the producers in the forthcoming scrap is Representative OREN HARRIS, Democrat, of Arkansas, chairman of the House Commerce Committee and a sponsor of the ill-fated 1956 natural gas bill.

HARRIS was among the 36 Congressmen who spoke up for legislation to trim the FPC's regulatory powers during the extraordinary outpouring of oil- and gas-State oratory in the House last April 15. It took up 78 pages in the CONGRESSIONAL RECORD.

[From the Washington Post, June 2, 1964]

The Second Gas Crusade

In 1956 a massive effort by the natural gas producers to destroy the basis of Federal price regulation foundered after the late Senator Francis P. Case, of South Dakota, revealed that an indiscreet attempt was made to buy his vote with a campaign contribution. Undaunted, the wellhead warriors are regrouped for a second crusade organized around a subtle strategy and devious tactics.

The first crusade sought by direct legislative action to overturn a 1954 Supreme Court decision ordering the Federal Power Commission to regulate natural gas prices at the wellheads. The second seeks to gain the prize through an assault on the FPC. While an effort is being made to discredit the Commission with charges that it is incapable of regulating gas prices, a simultaneous campaign is being conducted to overturn its consumer-oriented majority with an appointee from the industry's camp.

Since 1961 the FPC, under the able chairmanship of Joseph C. Swidler, has ordered pipeline companies and gas producers to refund some $600 million in excessive charges. Rate increases affecting more than 37 million consumers of natural gas would far exceed that sum. And where the financial stakes are so high, so is the pressure of the political tactics.

Last month the United Press International supplied its newspaper clients with a photograph of a petite young lady peering out from under a 10-pound questionnaire sent by the FPC to the gas producers. The accompanying caption explained what a burden the huge questionnaire imposed upon the industry. What was not added was the fact that the picture was supplied by a public relations firm representing one of the giants in the natural gas industry. And while the industry seeks by stealth to influence an unsuspecting public, its friends in Congress harass the FPC with malicious personal attacks.

This arrogant crusade deserves the fate suffered by its predecessor.

GAS INDUSTRY STILL TRYING TO GET SPECIAL CONSIDERATION FOR ITSELF

Mr. PROXMIRE. Mr. President, an article entitled "Johnson and Power Commission," written by Doris Fleeson, was published last evening in the Washington Evening Star. She calls this a key test for President Johnson, and points out that the same interests which had worked so hard on President Truman and others to get special consideration for the gas industry are still trying "to get out from under" Federal regulation.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, June 2, 1964]

Johnson and Power Commission—Reappointment of Consumers' Man Viewed as Key Test for President

(By Doris Fleeson)

President Johnson is faced with a litmus test of his intentions toward the Federal regulatory agencies. These agencies determine in large measure what the consumer must pay for his essential expenses and they are regarded here as the fourth branch of Government.

Who shall command them and what their policies shall be are less political issues than they are geographic. They do not divide so much the parties as the States. In general, they find the large consumer areas ranged against the producing interests.

No President, when he makes agency appointments, can escape judgment on what his real views on regulation are and President Johnson less than most. As Senator and Senate majority leader he was all Texas and Texas is a producing State.

Now he is President and will shortly be running for the first time in the big consumer States which rejected his presidential bid in 1960 and complained when John F. Kennedy gave him second place on the ticket. His appointment of a consumer adviser, Esther Peterson, amounts to recognition of that fact but viewed realistically is only a statement of intentions still to be implemented.

The immediate problem is whether Charles Ross, of Vermont, the only declared consumer's commissioner, shall be reappointed to the Federal Power Commission. Mr. Ross is a Republican and he has the ardent support of the senior Republican Senator, GEORGE AIKEN. But he is also strongly backed by Vermont's Democratic Gov. Phillip Hoff. Governor Hoff has been here, strongly fighting for Mr. Ross as a person and as the part of political wisdom.

As fate will have it, the FPC was the scene of a memorable battle waged by the then Senator Johnson and the late Senator Kerr, of Oklahoma, in behalf of their oil- and gas-producing States. They had managed to get on President Truman's desk a bill partially exempting gas producers from FPC regulation but Mr. Truman refused to sign it. They then sought to outflank him by fighting his FPC appointees.

The same interests are still trying to get out from under Federal regulation. They have the help of an old friend of the President, Thomas Corcoran, an old New Dealer who used to bear down on Congress for President Roosevelt and employs his talents now for his law clients.

It is to be expected that the Texans who found their Senator of such help will hope for more of the same. The FPC appointment is indeed the first cloud to loom upon his honeymoon with business.

That remarkable state of content with a Democratic President has already had its effect upon the Republicans who are striving to find a winning compromise for their 1964 presidential nomination. It has even adversely affected Senator GOLDWATER.

As Republican Senate campaign chairman, Senator GOLDWATER could always find money for party candidates among friends in Texas, Georgia, and other industrial areas of the South. He is now complaining that they won't answer the telephone when he calls about his own bid for the presidency because they are for Mr. Johnson.

The President is wooing all sides ardently and no doubt wishes the agency matters would not arise so soon. Another—a new Chairman for the Securities and Exchange Commission—is due and it will be vexing also, as the late President Kennedy had chosen a reform type.

A SIGNIFICANT RELATIONSHIP BETWEEN ORGANIZED LABOR AND THE FARMERS

Mr. PROXMIRE. Mr. President, on May 11, Mr. James B. Carey, vice president of the AFL–CIO and president of the International Union of Electrical, Radio and Machine Workers of the AFL–CIO, made an excellent address before the annual meeting of the National Farm Newspaper Editors Association at the National Press Club in Washington.

In this speech entitled "A Struggle Without Hope," Mr. Carey drew the parallel between organized labor in the United States and American farmers. This is an important and significant relationship and should be stressed, in my judgment, much more than it has been.

Mr. Carey refers to the "inseparable destinies that workers and farmers share." I believe that this phrase does not overstate the relationship between the two groups.

A copy of Mr. Carey's speech was sent to President Johnson and the President wrote back a short but highly complimentary letter.

I ask unanimous consent that both the President's letter and the speech by Mr. Carey may be printed in the RECORD.

There being no objection, the letter and address were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, May 19, 1964.

Mr. JAMES B. CAREY,
President, International Union of Electrical, Radio and Machine Workers, Washington, D.C.

DEAR JIM: Thank you, my old friend, for a copy of your speech to the National Association of Farm Newspaper Editors. It was a lucid and eloquent speech and I am very grateful for your delivering it and sending it to me.

Sincerely,
LYNDON B. JOHNSON.

A STRUGGLE WITHOUT HOPE

(Address by James B. Carey, vice president, AFL–CIO; and president, International Union of Electrical, Radio and Machine Workers AFL–CIO, at the annual meeting of the National Farm Newspaper Editors Association, National Press Club, Washington, D.C., May 11, 1964)

Three weeks ago President Lyndon Johnson reminded us of a fact that is too often forgotten or overlooked. Depressions, the President pointed out, always start on the Nation's farms.

If organized labor in the United States felt no other kinship with American farmers this fact alone would instill in the labor movement a deep and abiding concern with the health of our agricultural economy.

But American unionism, in fact, need only think back to the great depression to realize the inseparable destinies that workers and farmers share. The millions of jobless men standing in big city breadlines, shuffling toward soup kitchens, selling apples on street corners, and living in Hoovervilles, these millions were brothers under the skin—brothers in hunger and desperation—with the Okies, the gaunt exiles from the dust bowls, the tragically dispossessed who saw their farms taken away from them by mortgage foreclosures, and the dairy farmers who helplessly and hopelessly poured out their milk along country roads.

In the darkness of the 1930's that spread alike over prairies and plains, cities and towns, American farmers and American workers both were victims of a world they never made. We realized then that our fates were linked, and we still realize today that they are linked, for better or for worse and forever.

Yet it is strange how the myth has persisted that in the course of American history there has been, if not an actual antagonism between city labor and farmers, at least an alienation. History flatly disproves it. The labor movement's involvement with the condition of farmers and agriculture can be traced back to the very origins of modern trade unionism. Eighty-three years ago, in 1881, the founding convention of the Federation of Trades and Labor Unions was held in Pittsburgh. This was the beginning of our modern labor movement and 5 years later that organization was to become the American Federation of Labor.

That was a hectic founding convention in 1881, believe me. The delegates were excitedly preoccupied with the issues pressing heavily on workingmen of the time—the crying need for the 8-hour day, a Federal minimum wage, eradication of the conspiracy laws enacted to cripple organized labor, immigration, child labor in homes, banking and railroad monopolies, and so on.

But despite its preoccupation with these issues, that first convention of the federation took time to demonstrate, in pungent workingman's language, that labor was sharply aware of the problems of farmers and equally aware of the intimate economic relationship between farm and city. The convention loudly assailed legislation then pending in Congress that would have turned over "to western cattle kings and other capitalists nearly all of our public land that is of any value for other than mining, land which would be sold in vast tracts as pasturage and irrigable lands at the nominal price of $1.25 per acre."

This land, the convention declared indignantly "will within a few years be found highly valuable for farming purposes, but those who then want to cultivate it will either have to rent it from the great landlords which this bill would create, or else serve these landlords as hirelings."

The resolution concluded with a ringing denunciation of the kind of monopoly landlordism the legislation would produce and warned that "a vote in its favor by any Member of Congress will be an act of treason to the interests of labor and will be resented as such by the workingmen of the United States."

It would be difficult to state the community of interest of farmers and union workers more vigorously—that the swallowing up of huge areas of farmland by monopoly landlordism would be "an act of treason" to the interests of labor.

Since that founding convention 83 years ago the attitude of the American labor movement toward the Nation's farmers has been consistently the same. Labor has insisted on the basic identity of economic interests between the two groups of producers, one producing from the soil, the other from machines.

That tradition has continued unbroken to the present day. The resolution on "farmers and farm laborers" passed by the AFL–CIO's Fifth Constitutional Convention last November was one of the strongest ever approved by the labor movement. It began: "Organized labor has long supported the effort to achieve an American standard of living for all who work in agriculture—farm proprietors and farm laborers alike."

The resolution pointed out the diminishing number of family farms and the fact that "constantly an increasing share of total production is shifting to a few large commercial enterprises now known as 'agro-businesses' which are run by managers and are worked by hired farm laborers." And the resolution emphasized that "the plight of the men, women, and children, who work for wages in American agriculture, is a national scandal."

The labor movement is concerned with farmers and farm laborers both for humanitarian reasons and for economic reasons.

In the past few months—since last November when President Kennedy told our AFL–CIO convention that poverty had become the Nation's "No. 1 problem"—the American people have become aware, as never before in our history, of mass deprivation and hardship.

But mass unemployment and the suffering it breeds are nothing new, of course. We have fumbled and blundered through four postwar recessions; for more than 15 years we have been living with an unemployment rate that has ranged upward of 5½ percent. Today there are still more than 6 million American workers who are either unemployed or severely underemployed.

And just as there is nothing new about urban poverty, so there is nothing new about rural poverty. It may be, in fact, that rural poverty has been more tragic in the depth of its severity and in its persistence. Nowhere is the heartbreaking contrast of poverty in the midst of plenty more overwhelmingly present than in the farming countryside. That is why we cannot forget John Steinbeck's picture in "The Grapes of Wrath":

"The fields were fruitful, and starving men moved on the roads. The granaries were full and the children of the poor grew up malnutritioned, and the pustules of pellagra swelled on their sides. The great companies did not know that the line between hunger and anger is a thin line."

I thought of that John Steinbeck phrase—"the line between hunger and anger is a thin line"—while listening to President Lyndon Johnson's special "message on poverty" to the Congress of the United States on March 16.

Turning to the problem of poverty on our farms, President Johnson said: "Through funds to purchase needed land, organize cooperatives, and create new and adequate family farms, we can help those whose life on the land has been a struggle without hope."

"A struggle without hope." What a graphic picture that phrase draws of the fate of hundreds of thousands of men and women who till the Nation's farm. It took courage for President Johnson to state the tragedy that baldly, to say that it has been and still is today for too many American farmers and farm laborers "a struggle without hope."

But President Johnson is determined, and we of the American labor movement are determined, that it will no longer be "a struggle without hope" either on the farm or in the cities.

I said that the labor movement is concerned with the plight of farmers and farm laborers for humanitarian and economic reasons. One of the most basic economic reasons is the clearcut fact that when any large section of our population suffers from depressed income levels and living standards other sections of the population must also suffer as a result. Despite what may appear to some as a remote connection, substandard wages for farm labor have a depressing effect on the wages of industrial workers. Particularly is this true of towns or small cities located in predominantly agricultural areas.

President Johnson's reference to the "struggle without hope" was to both aspects of the farm problem—the plight of the family farmer and the plight of the farm laborer.

The basic economic facts, with which you as farm editors are fully familiar, are their own explanation of why the labor movement is deeply concerned.

First, the family farms. More than 1,500,000 farm families, the U.S. Government has ascertained, live on less than $3,000 a year, the cutoff point for impoverishment. Nearly 3 million more rural families have incomes that hover just around that $3,000 level. But more than 1 million farm families must somehow survive on the appallingly inadequate income of $80 a month. This is difficult to understand even for an unemployed or underemployed industrial worker. The children are the most pitiful victims. As the Government report tells us:

"For the children of these families—with incomes of $960 a year—without shoes or clothes for school, without money for school supplies or lunches, even primary education becomes a luxury. Nearly half a million of these rural youths between the ages of 14 and 24 have completed no more than sixth grade. Their horizons thus stop at the edge of a few acres of exhausted land."

Another analysis, the President's manpower report to Congress (in March) enlarges our picture. Congress was informed: "One of every 7 farm families had so little income in 1962 that its head could have qualified as totally unemployed. * * * Average income, even for farm families whose head worked year-round at a full-time job, was only half that of comparable nonfarm families."

For these and other reasons American farms have been disappearing; in fact, between 1940 and 1959 nearly 2,500,000 farms disappeared. All of these were farms smaller than 260 acres; three-fourths of them were farms smaller than 100 acres. About 1,600,000 of the disappearances were tenant farms; and 1,100,000 of these—including 370,000 operated by Negro tenants—were in the South.

Thus we see that farm family incomes have been so desperately low that in millions of cases the families could not survive on the farms and the farms themselves could not survive. The farms have either gone out of production or else have been absorbed into what has become known as agro-business. "Factories in the fields" is still an accurate term.

What has happened to farm labor is an even greater indictment of our failure to resolve the problem of poverty and deprivation in our society.

Since World War II output per man-hour in agriculture has soared 148 percent but the wages of farm workers climbed only 28 percent. The dramatic increase in output can be more vividly described, perhaps, by saying that in 1940 1 farmworker was able to provide for the agricultural needs of 11 Americans; in 1962, 1 farmworker provided for the needs of 29 Americans.

But while productivity of the agricultural worker has risen twice as fast as for the manufacturing worker, the farmworker nevertheless receives the lowest wage of any worker in our entire labor force.

Last year it averaged less than 90 cents an hour.

But 90 cents an hour becomes even more incredible when we learn from the President's manpower report that: "Hired farmworkers averaged only 134 days of farm employment during 1962, and nearly one-tenth of them reported that their 'chief activity' during the year was unemployment."

The most recent figures available report that there were 5,304,000 family and hired workers on the Nation's farms in March of this year. Of these, 4,227,000 were family workers; and 1,077,000 were hired workers.

On April 1 the U.S. average for workers hired by the hour without board or room reached $1.14. Workers on a per-month basis with house furnished averaged $206. Summing up, the Government report tells us: "The composite average wage rate reached 82½ cents per hour." I repeat: 82½ cents an hour.

Despite city unemployment, farmworkers have been migrating to urban areas because, for one reason, farmworkers' wages have been going down in comparison with factory worker wages. For example, between 1910 and 1914 the farmworker's hourly pay amounted to 67 percent of the factory worker's wage. By 1918 it had tumbled to 47 percent. Last year, 1963, it had plunged to 36 percent.

What do we of the labor movement think can be done about the plight of the farmworker?

To answer that it's necessary to take a broader look at his plight. The farmworker's deprived status results not alone from the fact that he is not organized, not unionized. His situation is undermined because he is not covered by legislation that would benefit and protect him.

The farmworker is not covered by the Labor-Management Relations Act. He is not covered by the Fair Labor Standards Act with its minimum wage provisions. He is not covered—mind you, this man who averages only 134 days employment in 1962—he is not covered by unemployment compensation except in Hawaii. He is not covered by State minimum wage laws. Correction: a couple of weeks ago Michigan broke through the solid wall of excluding farmworkers from minimum wage protection and enacted legislation providing for a $1-an-hour minimum to go into effect next year.

Our answer is, of course, that the farmworker should be elevated from his status of second- or third-class citizenship. He should, by law, be guaranteed the right to organize and bargain collectively. He should have the protection of the Fair Labor Standards Act, unemployment compensation, and State minimum wage laws.

What else do we want? Needless to say we want the full, comprehensive "war on poverty" program proposed to Congress by President Johnson. We don't want it piecemeal; we don't want it fragmented; we don't want it adulterated. We have been trying too long to deal with poverty and protracted mass unemployment by piecemeal legislation. It never has worked; it never will work.

For the first time in our history, as President Johnson has stressed, we have the opportunity of making a successful assault on poverty and mass unemployment and the vast human suffering they incur. For the first time in history we have the capabilities and resources to provide economic dignity for all our people, to provide employment for all who want employment, to provide adequate care for the needy ill, and for the aged.

So we want President Johnson's program not only for the Nation's industrial workers and for union members; we want the program for everything it will do for farmers and farmworkers.

Is there anything else we want? Yes, there is; something vitally important and unprecedented. We want big business and industry, for the first time in history, to give this magnificently humanitarian social welfare legislation a chance. We want big business and industry, for once, not to sabotage a program designed to benefit all the American people, intended to eradicate a plague as old as mankind, as old as the plagues of the Bible.

We want agricultural big business to put aside self-interest and greed and support the President's program to plow under, for once and for all, the curse of poverty on the Nation's farms.

I devoutly hope this is not asking too much. Never in American history have big business and industry supported progressive social welfare legislation. Never once have big business and industry failed to fight tooth and nail against the economic reforms of Franklin D. Roosevelt, Harry Truman, and John F. Kennedy.

It is a platitude of history that every piece of social and economic welfare legislation now on the books was violently attacked by big business and industry and their conservative allies among the agricultural organizations. I refer to such legislation as the Social Security Act and the Fair Labor Standards Act, both of them pillars of the American political economy today.

It may be too much to ask and already it may be too late to plead with big business and industry for at least silence if not acquiescence in the war to end poverty.

It may be too much to expect the National Association of Manufacturers and the U.S. Chamber of Commerce to repudiate the conservative Republican philosophy of Senator BARRY GOLDWATER who holds that America's unemployed workers are unemployed because they are lazy.

Despite corporate profits, net profits, 44 percent higher than their previous record-breaking highs, business and industry, I am afraid, are already launching their attack on the war-on-poverty program. The NAM, in fact, has offered a counterprogram.

What the NAM offers is the same old dreary idea that goes back to the beginning of time:

(1) "Economy in Government spending" (what does that mean?).

(2) "Maintenance of the value of the dollar" (what does that mean?).

(3) "Reduction of the special powers and exemptions granted to labor unions by the Government."

Big business and industry, the NAM and U.S. Chamber of Commerce, all tell us only one thing: Government should release all business and industry controls. And Federal benefits for agriculture.

Almost as simple as that. They had it in 1929.

Do you as farm editors want to see it happen again?

DISPARITY BETWEEN THE RATES CHARGED BY SHIPPING LINES FOR IMPORTS AND EXPORTS

Mr. PROXMIRE. Mr. President, the Joint Economic Committee has conducted studies of the peculiar disparity between the rates charged by shipping lines for the export of American goods abroad and the rates charged for the importation of the same goods, to the great disadvantage of American exporters—a serious and appalling disadvantage.

The distinguished chairman of the Joint Economic Committee, the Senator from Illinois [Mr. DOUGLAS] has written a very fine article for the Journal of Commerce, which was published in its May 22, 1964, issue which sets forth the issues very well.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Journal of Commerce, May 22, 1964]

DOUGLAS PLEA FOR FAIR BREAK FOR AMERICAN EXPORT

(Approximately a year ago, one of the most bitter and complicated international shipping controversies in recent years erupted from criticism by Senator PAUL H. DOUGLAS and others over the rates charged by ocean steamship lines. The gist of the complaint by Senator DOUGLAS was that the ship lines deliberately charged higher rates for American exports than for the same items brought here from foreign ports. The issue and subsequent efforts by the Federal Maritime Commission to study the question has riled some 11 foreign governments and dozens of steamship lines and brought on legal tests of the U.S. powers to control ocean freight rates. Senator DOUGLAS here gives his own views in the controversy.)

(By Senator PAUL H. DOUGLAS, chairman, the Joint Economic Committee of the Congress)

The American economy is based on the belief that the marketplace can best allocate resources, both human and natural, and can best divide a nation's wealth. Laws have been adopted to protect free competition in the marketplace and to severely restrict infringements.

American antitrust laws make monopolies and monopolistic practices illegal. Rarely has the Congress deviated from this concept and sanctioned monopolistic agreements or practices.

The Shipping Act of 1916 resulted from a congressional investigation which turned up evidence of carrier abuses in many directions. The most prominent feature of ocean shipping was the combination of carriers in international cartels or conferences whose business was to fix ocean rates, divide territories, control sailings, and pool cargoes for revenues. To the Congress it seemed clear that the possible choices lay between regulated monopolies with the benefits of regular service and stable prices, and free competition with the benefits of fluctuating prices tending to be lower than monopolistic prices; but unregulated monopolies could not be allowed to continue in international commerce.

Congress, during an era of excess shipping capacity, elected to apply to ocean shipping the theory of regulated monopoly. As a consequence, American maritime policy rests on the assumption that the prosperity of our foreign commerce and the maintenance of a strong merchant marine can best be secured through administrative surveillance of shipping conferences, agreements and operation, and by prevention of practices designed to eliminate all independent carriers.

To date American maritime policy has largely been a failure: shippers pay excessively high export rates, so high in fact that on certain routes the exporter pays the entire cost of the round trip voyage; carriers must contend with malpractices by waterfront racketeers; the U.S. Government pays excessively high construction and operating subsidies; the percentage of our foreign-borne commerce utilizing American ships is steadily declining; and, according to American steamship representatives, the profits of subsidized lines are inadequate.

I contend that this failure has primarily resulted because the regulatory agencies have refused to accept the congressional mandate to control monopolistic practices; because the American steamship lines, indoctrinated and largely controlled by their "foreign competitors," fight the concept of regulated monopoly and vehemently protest Government supervision; and because the promotional agencies have discouraged the subsidized lines from competing with other lines, thus removing the threat of competition which, at times, is the only means to enforcement. In short, maritime policy has failed because the congressional mandate to effectuate an adequate system of regulated monopoly has never been carried out.

CONTROL LACKING

U.S. regulatory agencies concerned with shipping have in fact failed to build up a system of positive regulatory principle. Shippers and carriers, for instance, must obviously have practical knowledge of what is permitted and what is not permitted. The object of regulation is to provide the public with clear guides to action.

If there are no general standards of judgment based on national policy the tendency becomes irresistible to permit, on the one hand, what is adroitly advocated by special interests and, on the other hand, what is not condemned under articulated guidelines. As a result of the Federal Maritime Commission's failure to build up a system of positive regulatory principle, a quite unintended negative principle has emerged.

It is argued by steamship operators that Congress approves conferences, pooling agreements, etc. As a matter of fact, however, Congress has never approved such monopolistic practices. It has granted a regulatory agency the right to permit departures from our national antitrust policy only if special circumstances so warrant. The Shipping Act has never approved conferences, pools, etc. It is the failure of the regulatory agency to disapprove anticompetitive agreements which has given steamship operators the prescriptive right to say that Congress approves conferences, etc.

When foreign commerce was less important to the overall policy of the United States, abuses in shipping, when not checked by the regulatory agency, were permitted. American manufacturers were not interested enough in exports to wage long and expensive legal battles with steamship conferences over freight rates. Neither adjustments in rates nor the exports themselves were worth the time and expense involved in a battle with a steamship conference or with the U.S. regulatory agency.

TRADE HAMPERED

When the American merchant fleet was vital to the defense of this country, commercial abuses were more easily tolerated. Today, the fleet is still important for national defense, but it is far more important as an instrument of U.S. commercial policy.

Today, foreign trade is important to the Nation both from economic and political vantage points. Exports are essential if we are going to continue foreign economic and military aid. Shipping practices which hamper exports must be changed.

Foreign trade is now part of the lifeblood of the United States. In the past, when abuses by carriers, seamen, or stevedores were uncovered, severe public scolding followed but the abuses continued. In the past, when the regulatory agency refused to carry out its statutory functions, a new chairman was selected, or the agency was renamed and reorganized, but nonregulation continued. Today, foreign trade has become important to the success of the United States in its efforts to keep the world free.

Past failures by Government agencies must be corrected and not just temporarily checked. False threats by steamship operators which are raised when Government agencies attempt to carry out the Shipping Act and the Merchant Marine Act must be replaced with reasonable solutions of compromise.

The Federal Maritime Commission, prodded by the House Antitrust Subcommittee, the Bonner bill, and, hopefully, the Joint Economic Committee, has begun to realize the significance of the Trade Expansion Act. It has begun to realize that practices it once condoned as profitable to the carriers must be reexamined in the national interest.

The staff of the Commission has at long last stated what the Congress envisioned; namely, that pools and other anticompetitive agreements are detrimental to the foreign commerce of the United States, unless proven otherwise by their proponents. The negative policy of approval without question has been abandoned—it is now time for a case-by-case analysis and for the formulation of positive guidelines. I intend to be vigilant in reviewing progress in this direction.

U.S. shipping policy has failed because U.S. regulatory and promotional agencies and American shipping lines have refused to accept the responsibilities attendant upon the privileges of the regulated monopolistic system prescribed by the Shipping Act. Uncontrolled, half-regulated steamship conferences have failed to foster the American shipper and the American merchant fleet. It is time to try the system of controlled monopoly as envisioned by the Shipping Act.

On Maritime Day, 1964, steamship operators, labor unions, and Government officials should resolve to carry out the mandate of the Shipping Act. Innovation in ship construction and operation is significant. But innovation in maritime thinking and in maritime policy is also required.

MASS TRANSPORTATION PROBLEMS

Mr. YOUNG of Ohio. Mr. President, this era of urban sprawl has removed whatever justification there may have been for attempting to solve urban mass transportation problems by local or county action alone. Years ago, 75 percent of Americans lived in rural areas. It is estimated that in 20 years, 140 million people will live in 40 large urban communities.

Today, urban areas cross city, county, and even State lines. Bus, subway, and rail lines do not recognize political boundaries. Coordinated, areawide transportation systems are required. These systems require and merit Federal assistance so that urban areas can carry the burden of a growing, mobile American public.

More than 2 years have passed since the late, great President Kennedy urged the prompt enactment of a program of Federal financial aid for the initiation and improvement of urban mass transportation systems. A year later, the program was approved by the Senate and then was reported favorably by the Committee on Banking and Currency of the House of Representatives. At President Johnson's urging, the House Committee on Rules recently reported the bill for debate and now the prospect appears favorable that this Nation will have a long needed urban mass transit bill during this session of the Congress.

Seven out of ten Americans now live in metropolitan areas. This proportion is increasing—at the rate 3 million of our fellow citizens yearly—while our rural population is declining.

Citizens living in rural areas can no more ignore the problems of our cities than citizens living in our great cities can ignore the needs of this Nation's rural communities. Economically, politically, and socially, they thrive on mutual wellbeing.

Inadequate public transportation has forced city dwellers to use their private automobiles. This in turn has meant a gradual strangulation of our city streets, highways, parkways, and freeways. In most communities, the construction of freeways cannot keep up with the ever-increasing volume of traffic.

There were 7 million new automobiles sold in the United States in 1963. A yearly sale of 10 million automobiles is expected within a decade. The implication is clear: Foresight, planning, and action are needed now. The urban mass transit bill is a good beginning. It is that always important first step.

The bill if enacted into law would provide $375 million in loans and grants over a 3-year period for commuter railroad projects aimed at moving people more quickly and efficiently. Federal funds will come into play only if initial anticipated revenues from a particular project are not sufficient to encourage private investment. The Federal Government's responsibility and interest terminates when a grant is made. Once this is done, all responsibility remains at the local level where it belongs.

Since the bill seeks to promote private investment, and since urban areas are free to develop transit systems best suited to their particular needs, the bill is a good example of a legislative proposal that, if enacted into law, will encourage local action. It in no way intrudes on the judgment, initiative, or responsibility of local government.

People want and will use public transportation if up-to-date, convenient service is available. This is being proved in those communities cooperating in experiments financed by combined local and Federal aid, under the pilot program authorized by Congress in 1961.

Mr. President, I fervently hope that this proposed legislation will be enacted into law before Congress adjourns. It is high time that the many Americans living in metropolitan areas receive a break. More important, this bill is necessary for the continued well-being and growth of the economy.

CIVIL RIGHTS LEGISLATION—TITLE VII

Mr. STENNIS. Mr. President, it has been commonly assumed that those who oppose the enactment of civil rights legislation, particularly that title dealing with equal employment opportunity, are victims of prejudice and bias. Both on and off the Senate floor, it has been more than inferred; it has been stated without qualification that no fairminded individual could oppose equal employment opportunity for all persons. This has been described as a bill to prohibit discrimination and all discrimination has been condemned as intolerable. This contention is made despite the constitutional guarantee that freedom to choose one's associates is one of the most essential freedoms of the citizen. The enactment of this bill will extinguish the right of the citizen to use personal preference, confidence, or individual judgment, whether others think it rational or irrational, in determining with whom he will associate. If this is the objective of equal employment opportunity, it is detestable as an evil within itself. It is based neither upon law nor upon logic.

The blessings of eternal and universal brotherhood are a beautiful ideal and a worthy objective but if they cannot be obtained in the natural process of human behavior they cannot be obtained by the forces of law.

It cannot be justifiably assumed by any reasonable individual that all prejudice, intolerance, or discrimination is evil. There is indeed a difference in that which is reasonable and just and that which is unreasonable and unjust.

There is nothing inherently wrong in having a preference to work with persons of a particular race, religion, or national origin. There is nothing inherently evil in a preference to work apart from persons of a particular race, religion, or national origin. Racial and national congeniality is not sinful; uncongeniality is not a sin: it is a natural preference.

But, Mr. President, even if we were to agree that all racial prejudice and intolerance is an ugly thing which fosters unjustifiable hatreds and leads to wasteful conflicts, never in a dozen centuries could we legislate such evils out of the human mind.

Moreover, if all discrimination is to be condemned as unacceptable in our society—and so contrary to proper conduct that it should be banished with all the legal force at the disposal of Congress, we will have created an impossible situation incompatible with constitutional government. For under this assumption, a manufacturer of religious articles or books, desirous of maintaining a harmonious organization and satisfied customers, would be compelled to employ "qualified" but cynical and disagreeable associates to make and sell his products. We would then have destroyed the right of a religious person to prefer not to associate with individuals he considers evil. Is it wrong for a deeply religious person to refuse to associate with those who would destroy his religion and its devotees? Certainly not.

Mr. President, the high-sounding objective of removing discrimination in employment will not be accomplished by enacting this so-called equal employment opportunity legislation. On the contrary, it will fall far short of doing that.

If, as asserted, the true purpose is to remove discrimination because all discrimination is evil then to actually serve that purpose this bill should make no reference to race, color, religion, sex, or national origin.

It should simply provide that every person who employs any other person must, in all instances, disregard all factors of every type that tend to discriminate.

The evil of discrimination, if it is an evil, is barely touched if the bill is to be limited to discrimination involving color, religion, sex, or national origin.

There are notorious discriminations in employment because of "age," and persons are frequently not hired because "too old" or "short" or "fat" or "thin" or "sickly" or "partially disabled," or because they have other characteristics displeasing to an employer.

Thousands upon thousands of persons are always being denied employment for such discriminatory reasons. A Government bureau would certify most of them as "qualified"; but, "by accident of birth" or otherwise without personal fault, they do not appeal to the employer as desirable employees. If the employer is to be regarded as a mere instrument of state policy who can be required to employ anyone whom a Government bureaucrat finds to be "qualified" for a particular job, why should not all employments be made through a Government agency? This would save a great deal of time and energy which will otherwise be wasted in litigations between Government and employers. Then the employer would have nothing to do except to try to run his business with "civil service" employees furnished by the Government and made secure in their jobs and in advancement, as provided by this bill. The plain fact is that the function of the employer in private enterprise, and the system of private enterprise itself, would soon disappear as the high-sounding objectives of antidiscrimination laws, such as that now proposed, are enforced on our business society.

Mr. President, it should be clear to any person with a practical knowledge of people and of the law that no law can control that which by the nature of the human being is uncontrollable.

There is no legislative body endowed with the ability to write such a law and no executive official who could enforce it if, by some miracle, it was written.

The equal employment opportunity title is such a drastic infringement upon our concept of democratic government and the free enterprise system of our economy that it should literally shock the conscience of constitutionally minded Americans. It is a drastic departure from logic, reason, equity, and basic constitutional principles.

I repeat, Mr. President, that the enactment of this title into law would result in a flagrant, dangerous, unauthorized and unwise destruction of principles and liberties that no government should diminish under any circumstance. It is my most fervent hope, for the sake of America, law, logic and reason will prevail and this legislation will not be unmercifully inflicted and imposed upon our people.

HONORARY DOCTOR OF LAWS DEGREE CONFERRED ON SENATOR JOHNSTON

Mr. MANSFIELD. Mr. President, on May 31, our distinguished colleague the senior Senator from South Carolina [Mr. Johnston], was awarded the degree of doctor of laws by his alma mater, Wofford College, at Spartanburg, S.C. It was a recognition well deserved.

As Senators know, Senator Johnston has served long, steadily, valiantly, and courageously in the Senate.

In view of the fact that his alma mater has seen fit to award this coveted and well-earned degree upon one of its sons, I ask unanimous consent that the citation by Wofford College at the time of the awarding of the degree be inserted at this point in the Record.

There being no objection, the citation was ordered to be printed in the Record, as follows:

Olin Dewitt Johnston

Olin Dewitt Johnston was born November 18, 1896 in Anderson County, S.C. After studying at the Spartanburg Textile Institute (now the Spartanburg Junior College), he entered Wofford College and received the bachelor of arts degree in 1921. In 1923 he received the master of arts degree from the University of South Carolina, and in 1924 the bachelor of laws degree. During the First World War, he served 18 months overseas in the U.S. Army.

Admitted to the Spartanburg bar in 1924, he practiced law in both State and Federal courts. He early entered politics and public life, and the people of South Carolina have bestowed on him a long series of public offices. He has been a member of the State house of representatives from Anderson County, 1923–24, and from Spartanburg County, 1927–30; Governor of South Carolina, 1935–39, and 1943–45, and U.S. Senator from South Carolina, elected in 1944, 1950, 1956, and 1962. He is presently also chairman of the Senate Committee on Post Office and Civil Service Affairs.

In honoring him, Wofford is honoring not only the high offices to which the people of a democracy have elected him but also the occupant of those offices, a man who has been dedicated to public service, who has shown generosity to those less fortunate than many of us, and who has demonstrated a devotion to the ideals and political beliefs of his constituents. Certainly not least does his alma mater recognize his unwavering loyalty to Wofford College, a willingness on many occasions to render assistance to it in many ways, and his role as a prime mover in the organization of the Wofford Alumni Club in Washington, one of the most active and worthwhile groups of Wofford graduates.

I now present him that you may confer upon him the degree of doctor of laws.

"MR. PITTSBURG" AN AFFECTIONATE TITLE—FRED BRINKERHOFF

Mr. PEARSON. Mr. President, Kansas has been fortunate to be able to count as one of its own Fred Brinkerhoff, editor and manager of the Pittsburg Headlight and the Pittsburg Sun, of Pittsburg, Kans.

I have always been a great admirer of Fred Brinkerhoff and am fortunate to be able to count him as a friend.

Recently Mr. Brinkerhoff suffered a heart attack. Fortunately, he is now on the mend. The event prompted O. S. Stauffer, president of Stauffer Publications, which has owned the Pittsburg papers for 38 years, to write an editorial, "'Mr. Pittsburg' an Affectionate Title," acknowledging for all of Kansas and newspapermen everywhere the great contribution Fred Brinkerhoff has made to his community, his State, and his profession.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Topeka Capital-Journal, May 24, 1964]

"Mr. Pittsburg" an Affectionate Title

Winona Smith, one of the older members of the Pittsburg Headlight and Sun staff phoned us and said: "We are having trouble down here. Mr. Brinkerhoff suffered a heart attack and they have taken him to the hospital."

"How severe is it?"

"The doctor says he is not to have any visitors."

That's the way the news came to us a week ago of the illness of Fred W. Brinkerhoff, editor and manager of the Pittsburg Headlight and the Pittsburg Sun, newspapers with which he has been connected since 1911 and which Stauffer Publications has owned the past 38 years.

In that time Mr. Brinkerhoff has been the pilot of those newspapers. He has seen ups and downs come to the area of the "Balkans" (a term by which southeast Kansas has been known for many years). The day before Mr. Brinkerhoff took ill he had helped conduct the dedication of a new science building on the State college grounds at which he had been most largely responsible in arranging the program. Two top men of the Associated Press were there, one from New York and another from Dallas. More than 30 editors from Kansas and Missouri were at the meeting.

As one of the college men presented Mr. Brinkerhoff he called him "Mr. Pittsburg." The reference is one that is often accorded Fred Brinkerhoff by his fellow townsmen and others of the area who know how he has given of his life for Pittsburg. We believe it is one of the biggest compliments that could be paid him.

Fred Brinkerhoff has been instrumental more than any other one man in the upbuilding of Pittsburg—in helping to develop the State college, in only a few years ago getting the Federal old-age research with its several hundred employees to move from Washington, D.C., to Pittsburg. Hardly a worthwhile acquisition to Pittsburg in the last 40 years but in some manner bears his imprint.

Over the years he has been preeminent in Kansas with his widely read editorial column. He has served as an officer in many State and National associations and only a few years ago was honored by being made a 33-degree Mason.

Through the years our association has been most happy. Mr. Brinkerhoff has been a vice president and director of Stauffer Publications, always providing prudent counsel at company deliberations.

Latest word from Pittsburg is that Mr. Brinkerhoff is bouncing back fast and is regaining his health, but he has been told to be careful and not again overdo.

Lee Porter, for the past 8½ years news editor of the Daily Capital and the State Journal will go to Pittsburg to manage the Pittsburg newspapers while Mr. Brinkerhoff assumes editorial writing and takes it easy. For one who has been unusually active all his life, the role of a slower tempo for Fred Brinkerhoff will be a new one but nevertheless a wise one.

SENATOR HUMPHREY'S CONTRIBUTION TO THE WORK OF THE UNITED NATIONS

Mr. NELSON. Mr. President, on Sunday, May 17, George Hamilton Combs and Gerda Pugell, of the Mutual Broadcasting System, paid tribute to the majority whip, Senator Hubert Humphrey. The tribute is summarized by a statement by Mr. Combs:

> I don't know of anyone who has been more successful than Senator Humphrey in interpreting the U.N. to the Congress and Congress to the U.N.

This is a well-deserved tribute to the Senator from Minnesota, and I ask unanimous consent that excerpts from the broadcast be printed in the Record at this point of my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Excerpts From a Broadcast by George Hamilton Combs, and Gerda Pugell, Mutual Broadcasting System, May 17, 1964

Mr. Combs. Of course, the conduct of foreign policy is the ultimate responsibility of the President of the United States—and he has the final say through his own ambassador to the U.N. But not very often do the U.S. congressional delegates squabble with the State Department—or the State Department squabble with the Congressmen and Senators.

This arrangement not only utilizes the fine skills of outstanding Congressmen in the U.N., but acts as a bridge between the U.N. and the Congress: the legislators who have served in the U.N. know how to interpret the world agency to their colleagues in the Congress. They understand its sensitive problems more perceptively and can intelligently defend our own U.S. diplomatic positions maintained there.

I could reel off the names of a dozen Republicans as well as Democrats who have done outstanding work—and later, I'll list some of these. Meanwhile, my colleague, Gerda Pugell, has been talking to one U.S. Senator who made a substantial contribution to U.N. work during his tenure as a U.N. delegate.

Mr. Pugell. I have just returned from Washington and the annual radio and television correspondents dinner for the President and Congress and which included Justices of the Supreme Court and members of the Cabinet.

It was good to see some of my old friends again and to make a number of new acquaintances but I consider myself most fortunate to have had an opportunity to talk with one particular Senator. The majority whip of the U.S. Senate, Hubert Humphrey. Senator Humphrey is, among other things, an alternate delegate to the United Nations and since I am a U.N. correspondent for Mutual, I have, of course, followed his career with great interest.

And now, because Senator HUMPHREY is mentioned most often, in and outside of the U.N., as the possible vice-presidential candidate of the Democratic Party, I was even more interested to get to know him a little better.

Well, I found him to be a very solid citizen, with his two feet squarely on the ground and a profound understanding of the complexities of government and deep devotion to constitutional principles.

And I was curious about Senator HUMPHREY for another reason: He had, in the past, whenever I heard him on radio or saw him on television, impressed me by his ready grasp of situations and issues. And now that I have talked with him, the answer was apparent within a matter of minutes.

Senator HUMPHREY has a quick mind and is blessed in that he is able to articulate his thoughts with comparative ease. But more important, he is never unprepared. I understand that throughout his long years in government service, first as one of the youngest mayors of Minneapolis, and then to Washington, and also as delegate to the U.N., he has never fretted about spending hours and hours, learning the background of the issues which he discusses.

And so, for the reason that I had an opportunity to meet Senator HUMPHREY, I count this past week in Washington as having been a most successful one.

Mr. COMBS. Yes, Gerda. I don't know of anyone who has been more successful than Senator HUMPHREY in interpreting the U.N. to the Congress and Congress to the U.N.

THE NATIONAL STATES RIGHTS PARTY

Mr. NELSON. Mr. President, in a recent edition of the Progressive magazine, published in Madison, Wis., there appeared an article on the National States Rights Party. This is a significant analysis of this party, and I believe the Progressive magazine has made a great contribution in publishing it.

I ask unanimous consent that it be inserted in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Progressive, June 1964]

HUCKSTERS OF HATE—NAZI STYLE

(By Joseph Wilson and Edward Harris)

(The National States Rights Party (NSRP) with its anti-Semitic, anti-Negro, and anti-foreign doctrines, is unknown to most Americans. It has been flourishing in spite of the lack of national or even regional attention. With the struggle for civil rights approaching the crisis stage, it is more important than ever that the public become aware of the dangerous potential of the NSRP. As far as we know, this documented, full-length report on the party is the first to appear in any magazine. The authors, Edward Harris and Joseph Wilson, are Alabama free-lance writers who have studied the NSRP at close range.—THE EDITORS.)

"Eight, six, four, two
Albert Boutwell is a Jew."

Throughout 1 week last September, hundreds of teenagers raced through the streets of Birmingham, Ala., screaming this rhyme about Methodist Mayor Albert Boutwell as if it were a football cheer. Their words were shrieked in contempt in a city seething with racial turmoil. To understand the chilling cry that accompanied the opening of schools it is necessary to understand the organization that taught these Alabama teenagers to emulate the Hitler youth: the National States Rights Party, which has adopted the lightning bolt insignia originally symbolizing the Hitler Jugend.

The National States Rights Party, which emerged from a coalition of the States Rights Party and the United White Party, was organized at Knoxville, Tenn., in 1958. Both of the organizations from which the National States Rights Party (NSRP) derived were splinter-action groups, short of membership and cash, but with great reserves of redneck anti-Semitism, anti-Negroism, and a strong undercurrent of Klan-type anti-Catholicism. The States Rights group that bolted the Democratic Party in 1948 to support South Carolina's Gov. STROM THURMOND (now Senator) for President, was not involved in the birth of the new party.

The founder of NSRP 6 years ago was a retired Knoxville salesman, Ned Dupes. The first party headquarters was set up in Jefferson, Ind., and the party began merging other small third-party movements into its membership. The party first received national attention when the chairman of its Atlanta branch and four other members were arrested and charged with the bombing of an Atlanta synagogue on October 12, 1958, with damage estimated at $200,000. The defendants were acquitted for lack of evidence. The party newspaper commented that "the Atlanta case was a triumph of concerted effort by the NSRP with allied patriotic groups."

National headquarters was moved to Louisville, Ky., and later to Atlanta, Ga. Both moves backfired when each city successively met its school desegregation crises with skillful planning that prevented riots or racial chaos. The party now has learned that strong hostility to civil rights gains is the soil in which membership grows; any show of interracial unity in a community is enough to send the NSRP packing. Thus it was that headquarters of the NSRP finally were established in Birmingham in 1961, after party leaders decided this community would be more receptive to its ideas. Within 2 years, conditions in Birmingham had developed in a direction that proved the party leaders had made a correct estimate.

In the days following the 1963 Federal court order to desegregate Birmingham schools, its new mayor-council government, which succeeded nearly 20 years of rampant racism in city hall, was determined to maintain peace in the tense, fear-wracked city. There was a resolve on the part of most segments of the population to do nothing that would put Birmingham on the front pages of the world press. However, weeks of Negro demonstrations in May and the concessions that followed had enraged many whites who were determined that Birmingham should close its schools rather than submit to desegregation.

Into this tense situation stepped the National States Rights Party. It circulated petitions calling for the closing of schools, organized motorcades, mass meetings, protest demonstrations, and trips to Montgomery to call on Alabama's fiercely segregationist Gov. George C. Wallace. The NSRP petition campaign garnered 30,000 names which party leaders presented to representatives of Governor Wallace 3 days before the scheduled opening of schools on September 3, 1963. The party's leaders met with the Governor's chief aids for more than 2 hours.

Although Wallace closed some Alabama schools facing desegregation he did not close Birmingham schools. NSRP members, in uniforms reminiscent of the attire of German storm troopers, charged police lines at two of the city's three affected schools. These uniformed members were part of an elite "security guard," supposedly responsible for keeping order at NSRP meetings. Their attire includes wide leather belts with shoulder straps, thunderbolt armbands, and collars with insignia. State and local school board officials used these incidents as an excuse to suspend schools. The local leader of the NSRP, Dr. Edward R. Fields, who is also its national information director, organized protest rallies encouraging boycotts of the schools. Riotous motorcades and demonstrations lasted nearly 8 days.

On September 15, 1963, at 9:22 in the morning, a Negro house of worship, the 16th Street Baptist Church was bombed. Four little girls attending Sunday school classes were killed and a dozen other children and adults were injured. That afternoon and night, two Negroes were shot to death, one boy by two passing white youths—one an Eagle Scout, the other an honor student—about 30 minutes after they had left an NSRP rally. Birmingham had begun to reap the harvest of racial hatred sown over the years.

The day after that bloody Sunday, a Federal grand jury indicted eight NSRP members for their part in interfering with the federally ordered desegregation of schools. Months later the case was dismissed.

According to the party's official publication, the Thunderbolt, the "indicted States righters" were defended by Governor Wallace. The publication quotes from the text of a statement attributed to him which says, in part "the Justice Department and the district attorney call upon the grand jury to indict people who expressed indignation at forced integration by waving a Confederate flag, booing, or catcalling."

On the basis of the grand jury's original indictment, some 26 overt acts of "indignation" were committed by one or more of the various defendants. This included rock throwing, urging crowds to cross police lines, assaulting police, and hitting a detective with a brick.

That mass meetings at which NSRP leaders spoke to thousands of white Birmingham teenagers were effective in teaching hate to the young was proven again on the afternoon of November 22, 1963, when some students in classes at West End, Woodlawn, and Ramsay High Schools rose and cheered at the news of the assassination of President Kennedy. One Negro girl, newly integrated into a Birmingham High School, tells of a white boy punching her in the back on that tragic day and taunting, over and over: "Your daddy's dead. Whatcha gonna do now?"

Clancy Lake, news director of Birmingham's radio station WAPI, editorially placed the blame for these events on "our city's most noted hate peddlers, men who preach that Adolf Hitler, the Nazi butcher, was one of the world's great men," and added, "the hatemongers are still at work, peddling their filth on the fringe of recognized groups."

It cannot be said that the National States Rights Party was solely responsible for the outrageous events in Birmingham, but it did exploit the situation until it exploded into violence. A city that had kept racial bigots at the head of its government for 20 years was uniquely ready for Dr. Fields and the National States Rights Party.

But what is the National States Rights Party? Essentially, it represents a homegrown version of Nazi racism. Its patron saint is the Nazi editor of Der Sturmer, Julius Streicher. He has been eulogized in the NSRP monthly, the Thunderbolt.

The party's platform demands that "white Christian boys never again be sent to fight and die to appease the interests of an alien minority." Streicher, 1 of the 11 Nazis hanged by the Nuremberg tribunal for his part in the murder of 6 million Jews, is called "the patron saint of world anti-Jewism" in party literature. This is the Streicher who called the Jew "a parasite, an enemy, an evildoer, a disseminator of diseases who must be destroyed in the interest of mankind." It was Streicher who indoctrinated German youth so effectively that when addressing 2,000 young people on Christmas 1936, he asked, "Do you know who the Devil is?" his breathlessly listening audience answered in a roar, "The Jew, the Jew."

The NSRP claims to advance the white man's viewpoint; the hero featured in many of its publications is a godlike mythological creature called "Whiteman." The party's basic technique, borrowed from Hitler, is the big lie. It publishes and distributes some of the most infamous anti-Semitic literature of all time, promoting its sale in the Thunderbolt. Among publications offered for sale by the NSRP, Box 783, Birmingham, and described as anti-Communist classics are: "The Protocols of the Elders of Zion"; "Jewish Ritual Murder," by Arnold Leese; "The World Hoax," by Elmer F. Elmhurst; and "The International Jew" by Henry Ford. There are at least a dozen other publications available, including a number of original efforts by party members.

The platform of the party calls for complete separation of all nonwhites and certain other racial minorities from the white folk community. Their white folk community is never quite spelled out, but it is apparently intended to be a paradise free of Negro, Jew, and alien, with everyone working as a team placing the greater good of our white folk community above any individual or group interest. The party's foreign policy calls for strengthening ties with white nations, ending foreign aid, opposing international agreements, and demanding that white Christian boys never again be sent to fight and die on foreign soil to appease the Jews.

The NSRP opposes the Ku Klux Klan as a fainthearted group; Robert Welch of the John Birch Society because he tolerates Jews; Lincoln Rockwell, of the American Nazi Party because he is a tool of the Jews and represents competition to their group; and rightist groups of all kinds that do not support its anti-Semitism.

While most rightwing and conservative groups idolize BARRY GOLDWATER and dream of his moving into the White House, the NSRP opposes him. The Thunderbolt warns all members not to be misled into supporting "Goldwasser," the party's name for the Arizona Senator, whom they label a "kosher conservative," and the "Judas goat" Senator. GOLDWATER's part-Jewish ancestry is cited as being reason enough to oppose him. David Lawrence, editor of U.S. News & World Report, has also been attacked by the NSRP for giving GOLDWATER a big buildup. The NSRP argues that Lawrence is Jewish and is thus not to be believed. Party leader Fields is suing Lawrence (and the Birmingham News, which carries his conservative column) for suggesting that the House Un-American Activities Committee investigate to determine if the NSRP is getting funds from foreign governments.

The National States Rights Party claims to be the largest third party in America, but this claim is unproven because of its leaders' refusal to divulge statistics. Both party membership and the circulation of the Thunderbolt are closely guarded secrets, known only to top echelon leaders. It is known, however, that the Thunderbolt press runs have reached 50,000, and that party membership of $5 per year includes a subscription. All 50 States and several foreign countries are represented on the mailing list.

Party literature claims units in 38 States and active units in many large cities. Besides Birmingham, there is some activity in Chicago, New York, Los Angeles, Atlanta, Jacksonville, Fla., and Washington, D.C. As far back as 1960, when the NSRP was in its infancy, it was able to muster 500 demonstrators for its cause in Los Angeles alone.

The Thunderbolt is a 12-page monthly tabloid that has been published regularly for the last 5 years. Ten to fifteen thousand copies of the paper are distributed in Birmingham and elsewhere in Alabama, and probably another 30,000 in the other States. These figures do not include the circulation of the party's State newspapers in New York, Arkansas, Florida, Ohio, California, Louisiana, and Missouri. It is impossible to determine the circulation of these newspapers but the party seems to find the funds to keep them going.

NSRP's financial support comes from memberships, contributions, and sales of books and pamphlets. Its total income figure, like other concrete statistics, is kept secret from both reporters and party members outside the ruling circle.

The NSRP has limited its political activity to national elections with the exception of an almost unnoticed attempt to capture an Alabama congressional seat in 1962. Since its organization in 1958, the NSRP has twice held national nominating conventions. In 1960, it met at Dayton, Ohio, and nominated Arkansas Gov. Orval Faubus for the Presidency, and retired Adm. John G. Crommelin for the Vice Presidency. The party managed to get the Faubus-Crommelin ticket on the ballot in Arkansas, Louisiana, Kentucky, Delaware, Tennessee, and Florida—without the help of Governor Faubus, who would neither campaign for the ticket nor repudiate it, a tactic that disgusted NSRP leaders.

In March 1964, the party met in convention at Louisville, Ky.—while CORE pickets walked outside the hotel—and picked two candidates closer to the NSRP cause for the forthcoming presidential election. For the Presidency it offers John Kasper, of Nashville, Tenn., organizer of the Seaboard White Citizens Councils, who has served three prison sentences for racist activity (two Federal terms for interfering with Federal court orders, and a term in Nashville for inciting a riot). The party's Vice Presidential nominee is Jesse B. Stoner, former imperial wizard of the Christian Knights of the Ku Klux Klan, and presently the NSRP's legal counselor.

The NSRP candidates are already on the ballot in Kentucky and Arkansas and the party is attempting to get on the ballot in other States—with the notable exception of Alabama. The exception of Alabama results from the NSRP's great admiration for Gov. George C. Wallace, their favorite among southern politicians. The party worked for the slate of unpledged electors scheme which Wallace succeeded in winning in Alabama. Party Information Director Fields says the NSRP is indebted to Wallace for speeches he made protesting the arrest of its members in Birmingham last September.

In June 1963, the NSRP outdid all its previous anti-Semitic outbursts by reprinting the May 1934, issue of Julius Streicher's Der Sturmer. This was Streicher's ghastly "Ritual Murder" issue. The reprint, in German except for a few explanatory captions and an advertisement, shows drawings of Jewish elders sucking blood through straws from the body of a dead gentile child; and rabbis catching blood flowing from wounds inflicted upon gentile women. Most of this material comes from medieval writings reflecting the insane superstition of the dark ages, and was widely circulated by Streicher. Arnold Leese's book, "Jewish Ritual Murder," published and distributed by the NSRP, contains all of this material in English.

The reprint of this Der Sturmer issue was a bonus to go with the June Thunderbolt and was offered, the editor said, "In memory of Julius Streicher who was murdered to appease the Jews." An English caption under Streicher's Nazi-uniformed portrait said in part: "Let this new edition of his most famous issue be a living monument to his courage and fortitude in exposing the Jew menace even though it cost him his life."

The author of this warm salute to a Nazi war criminal is Dr. Edward R. Fields, who is a chiropractor who has been active in anti-Semitic groups since he was 14 years old. He was associated with the Columbians, an avowedly neo-Nazi group in Atlanta, where he grew up. Fields says he is "dedicated to the task of saving America and the white race and the preservation of the pure blood of our forefathers." As information director of the party, he is responsible for the day-to-day direction of most party activities and edits the monthly paper. Reprints from other anti-Semitic publications such as Conde McGinley's Common Sense and Gerald L. K. Smith's the Cross and the Flag fill many pages of the Thunderbolt. The party organ also reprints stories of murder and rape and other crimes if the accused are Negroes, or persons thought to be Jewish. It has inaugurated a new series recently, featuring "The Jew of the Month," usually a thief, racketeer, or murderer.

One article dreamed up by Fields himself and published in October 1963, charges that the Federal Bureau of Investigation is part of the "Communist-Jewish conspiracy." Unlike other rightwing groups which lavish praise on FBI Director J. Edgar Hoover, even to the extent of suggesting he run for President, the NSRP finds nothing to admire about him. After FBI agents questioned party members about the bombing of the Sixteenth Street Baptist Church in Birmingham, Fields retaliated by issuing a special bulletin calling the FBI "a secret police" and gave "14 instances of FBI intimidation." Hoover was called a violent race-mixer, and the bulletin asked: "With all of J. Edgar Hoover's mixed and mongrel friends, we would like to ask Hoover this question—'J. Edgar Hoover, with all your kinky hair, flat nose, bulgy eyes, etc., just what is your race?'" Hoover was warned that "his days in office were numbered."

While the John Birch Society campaigns to force the impeachment of Chief Justice Earl Warren, the NSRP finds this approach too mild. Fields and the NSRP demand that the Chief Justice and the eight Associate Justices be put to death. The Thunderbolt said: "The No. 1 plan of Communist subversion is to destroy the white man through mongrelization with the black man. Federal law provides for the death penalty for all who give 'aid and comfort to America's enemies.' It is our position that the present members of the Supreme Court are guilty of treason and should be thusly tried and given the ultimate penalty."

Throughout the trial of Adolph Eichmann in Israel, the Thunderbolt attempted to raise money for something called the Eichmann Trial Facts Committee. The NSRP insisted that stories of Nazi atrocities and the deaths of millions of Jews were "a giant propaganda hoax," but the Thunderbolt said: "If spies, traitors, and Communists were executed in Germany during the war, and they turned out for the most part to be Jews—so what? Are we going to crawl in the dirt in the name of Jewry, and beg the Jews to forgive the white race because a white man once meted out justice to the Jews? I say, 'No, a thousand times no.' We are going to fight these greedy scheming Jews, who seek to destroy our race, nation, and faith and everything we hold dear. Whatever the final solution to the Jewish problem turns out to be, it will be the Jew who brings it on himself."

The party's solution is to deport the Jews to Madagascar when it takes power and "to confiscate the wealth of Jews for the benefit of the American people." A point system would be established for NSRP patriots who have labored to rid America of all Jewish influence. The United Nations, communism, and race mixing are all cited as being Jewish inspired. A patriot can gain points by fighting these forces. All of this is set out in the April 1963 issue of the Thunderbolt, which declares: "Money, gold, businesses, and property that the Jews unrighteously possess will legally be taken away by the U.S. Government and given to us. The Jews have too much money but someday it will be ours."

While the NSRP's main themes are anti-Jewish, the party is also anti-Negro, anti-oriental, anti-Mexican, and opposed to immigration from any place but northern or "Nordic" Europe. The Negro is usually described in NSRP literature as a stupid, docile, apelike creature that becomes a wild animal when excited by the Jews, who are the force behind civil rights demands. A recent issue of the Thunderbolt carries a chart giving the characteristics of Negroes and apes and the conclusion is that Negroes and apes are the same. "The Negro is still in the ape stage," the writer says, "and is actually a higher form of gorilla. God did not wish for the white race to mix with these animals." Various "scientific" studies are cited to "support" these and similar assertions. One study cited which is financed by the State of Alabama and recently released by Governor Wallace, claims the Negro race is 200,000 years behind the white race in the process of evolution.

One of the significant factors in the growth of the NSRP has been its ability to get rightwing and other anti-Semitic groups to join with it in forming a larger party, and "to get on the NSRP bandwagon and ride to victory in 1968." It has absorbed the United White Party, the Conservative Party of America, another States Rights Party, the Constitution Party of Iowa, and several other small groups while attracting individuals away from various White Citizens Council and Klan groups.

The NSRP longs to become a true mass movement, directed by its present "true believers." Although critical of the Klan as fainthearted, its doctrines resemble those that led to the Klan's growth in the 1920's. It officially denies the militant anti-Catholicism of the Klan, but statements printed in the Thunderbolt about the late Pope John would infuriate most Catholics. The Thunderbolt said that "conservative Catholics were shocked by Pope John's appeasement of Communists" and called the deleting of the term "perfidious Jews" from Catholic prayers a "disturbing trend." It linked the late Pontiff's name with that of Khrushchev and Communist Gus Hall and added, "The best we can say for the man is that he does not know what he is doing."

The NSRP is following trails blazed by the Klan, which at its peak in the twenties had 4 million members. It boasted 500,000 Klansmen in Indiana, 450,000 in Ohio, 200,000 in New York, another 200,000 in California, and controlled politics in several Midwestern States including Indiana and Kansas. The NSRP has adopted the tactics of the Klan in suiting its appeal to the region—it is anti-oriental on the West Coast, anti-Mexican in the Southwest, wants the Indians kept on reservations, is anti-Negro in the South, and anti-migrant in areas where immigration is made to seem like a threat to the job security of residents.

The NSRP membership falls into three main groups:

1. The controlling circle of leaders, made up of anti-Semites, former Ku Klux Klansmen, and the leaders of groups absorbed by the NSRP.

2. Militant segregationists who have been attracted to the party because of the partial failure of white resistance efforts to stem desegregation.

3. Youthful adherents who are attracted by uniforms, the conspiratorial nature of the party, and its militant activist approach. Fields' chief lieutenants in Birmingham are in their teens or early twenties. The California leaders of the NSRP are of college age.

That the Jew is responsible for every misfortune and event that has afflicted mankind is repeated endlessly by party publications and speeches. President Kennedy was attacked in 1963 issues of the Thunderbolt as a race mixer and tool of the Communist-Jewish conspiracy. The January 1964 issue headlined a story: "Jews Involved in Assassination." This issue featured an "exclusive" interview with Adm. John G. Crommelin, the NSRP's one time vice presidential nominee who is not actually a member of the party but who acts as a kind of father-confessor and den mother to the Birmingham group. According to the Thunderbolt, Crommelin believes that Kennedy was assassinated by the Communist-Jewish conspiracy. Why? Crommelin is reported as explaining that Kennedy had become a political liability to the Jews because of a tremendous wave of unpopularity.

The NSRP came into Birmingham heralding itself as advancing "the white man's viewpoint." Much of the Birmingham community, so long acclimated to the doctrines of white supremacy, accepted these particular outsiders who were fighting the desegregation of Birmingham schools ordered by the Federal courts. Birmingham leaders have, of course, bewailed and bemoaned the presence of other outsiders, saying they were in the city to foment trouble and discord among Negroes. Outsiders for white Birmingham always means persons like Atlanta resident Dr. Martin Luther King, Jr., and his aids.

Only 1 of the 12 to 15 active leaders in the NSRP in Birmingham is a bona fide resident of the city. Those Birmingham leaders who recognized the NSRP movement as anti-Semitic were afraid to raise a voice against the group for fear of being labeled "Nigger lover," still a potent epithet in Alabama. A "Nigger lover" in Birmingham is the recipient of harassing telephone calls, threats of all kinds, and faces possible job loss and other economic reprisals. If it had not been for the NSRP and kindred forces, and the resistance leadership headed by Governor Wallace, school desegregation in the city could have been accomplished in relative peace.

The immediate danger of the party lies in its proven ability to infiltrate other groups and use to its advantage the fears of a community in racial crisis. When some parents with children at high schools, affected by Birmingham desegregation called meetings to encourage boycotts of the schools and the formation of private schools, the NSRP infiltrated the gatherings and called additional meetings of parents and students to be regaled by party speakers. One group of parents with children in West End High School felt forced to buy radio time to advertise that a meeting called by the NSRP was not a legitimate meeting of the West End parents group.

It should be noted that the party has no abiding interest in the issues of any crisis. The future of the party is its primary concern, and exploiting racial problems is only one of its chosen roads to mass growth. With the advance of desegregation and increased civil rights activity of all kinds, dozens of segregationist groups have emerged in opposition. People who hate or fear Negroes have joined these groups. Of all the groups formed, the NSRP is the most virulent in the fostering of hate. Some of the top leaders of the party remain in the national headquarters at Birmingham, while other State and local leaders from various parts of the country come there to visit Fields and his aids. They return home, inspired by the success of the NSRP in Birmingham, to spread their racist gospel among the ignorant and the fear-ridden, wherever they may be.

What happened and is happening in Birmingham is not so singular that it cannot happen elsewhere, for Birmingham is merely an exaggeration of every city with a real, or even an imagined, racial problem. Whether the 6-year-old National States Rights Party grows, or declines to the point where even a Wallace disavows it, will be decided by the manner in which communities throughout the Nation face advancing desegregation.

Right now, the Negro "problem" is the key to party expansion. "We get a lot of help from the Niggers," says David Stanley, a Canadian youth at Birmingham headquarters. "They help us bring attention to the damned Jews who are behind it all."

There it is. In spite of the party's exploitation of the civil rights problem, the Jews rank first in its priority of hatreds; then the Negroes, second; other minorities, third; the FBI; the United Nations; even the Birch Society. Crackpots, maybe, but not harmless crackpots as long as they can help escalate hate into violence.

POLLSTERS WRONG AGAIN AND AGAIN AND AGAIN

Mr. PROXMIRE. Mr. President, once again the pollsters have been proved wrong. They were wrong in New Hampshire, wrong again in Oregon, and just about as wrong as they could be in California. They predicted a clear, positive victory for Governor Rockefeller. Obviously they struck out.

This is probably more than wrongheadedness on the part of the pollsters. There is at least a good chance that the American people resent the predictions of pollsters, telling them how they will vote. To some extent, for one reason or another, the American people may be inclined to vote for the underdog, the man the polls show will lose.

As a Democrat, I do not like to say this, but if the pollsters perform as consistently in error the rest of this year as they have in the most recent primary elections, the Republicans will win the greatest victory in the history of this country, because the pollsters predict exactly the opposite.

Frankly, I do not believe this will happen. I hope and pray it will not happen. However, overconfidence built into our coming election on the part of the pollsters may be the greatest enemy and the greatest force working against a smashing and well-deserved victory for Lyndon B. Johnson and the Democratic Party this year.

Any Democrat who thinks we have it made this year, because the pollsters told us so, better take a long, hard look at what happened in New Hampshire, Oregon, and California, and then forget about the polls and go out and work his heart out.

READER'S DIGEST UNFAIRLY ATTACKS AREA REDEVELOPMENT ADMINISTRATION

Mr. HARTKE. Mr. President, the Reader's Digest, in its May issue, launched an attack on the Area Redevelopment Administration.

One of the examples used by Reader's Digest in this unfair attack was an ARA project to help finance the erection of a new factory building, for lease to the Bata Shoe Co. in Salem, one of the economically depressed areas in the southern part of my State of Indiana.

The Salem ARA project has already generated close to 250 jobs for unemployed workers, manufacturing canvas and rubber shoes and other specialized footwear, a branch of manufacturing which until now has been dominated by Japanese imports. More jobs will be created as the plant gets into full production.

My constituents in Salem are deeply concerned over this unwarranted attack on an agency which has been of so much help to them in solving their unemployment problems.

The first of these letters which I wish to have printed in the CONGRESSIONAL RECORD is from Mr. Clyde Goen, executive secretary of the Salem Chamber of Commerce. Mr. Goen, a Salem businessman, has given unstintingly of his time to help in his community's development work. He writes:

DEAR MR. BATT: After reading the articles in the May issue of the Reader's Digest and also the May 27 issue of the Indianapolis Star regarding the location of the Bata Shoe Co. plant at Salem, Ind., we believe these articles did not bring out the true facts.

As to whether the availability of money through the Area Redevelopment Administration was a factor in the Bata Shoe Co. locating here, we don't know. However, by being able to participate in this fund, it speeded up production facilities by allowing the company to invest more into equipment. They have actually invested $1,250,000 in equipment alone. Our records also show that the Bata Shoe Co.'s share of the building project amounted to $75,387.

In regard to the training program, the cost of this was not completely borne by the Area Redevelopment Administration. The company paid a share of this expense consisting of rent on the building, installation of machinery, power, and upkeep, as well as supervisory expenses.

By operating under this program we were granted $130,000. This not only supplied water and sewage for Bata but also made it possible for other individuals to hook onto this line.

The $442,000 was for the construction of the building only, as the citizens of Salem bought the land by local contributions. This loan is being repaid at the rate of $2,736 per month.

The business people and the banks are very happy with this factory because of the economic boost that it has given our community. Bata's yearly payroll amounts to three-quarters of a million dollars. There are currently 235 employed and an additional 20 are expected to be hired in the near future.

We were happy to have had a part in helping this company to locate in our city and do not feel that the criticisms contained in these articles were fair or justified. The location of this plant has attracted other businesses to this community and we expect it to continue to grow.

Yours very truly,
SALEM REDEVELOPMENT CORP.,
CLYDE GOEN, *Executive Secretary.*

A second unsolicited letter comes from Mr. D. Jack Mahuron, vice president of the Farmers-Citizens Bank of Salem. He writes:

DEAR MR. BATT: I am sorry to be reading criticism on the loan to Bata Shoe Co. for their plant in Salem.

We here at Farmers-Citizens were one of the participants in making Salem Redevelopment Corp. the loan to help purchase the land and buildings and find it is working out very well. Their payments are coming in as agreed, and we are very pleased with the arrangements.

I have talked to several merchants prior to the criticism, concerning the added benefit to our local economy. We have noted in our own business that the level of the economy has increased and we hope it will go higher as more employees are added.

All in all, we are well pleased that the Bata plant is in Salem and we wish them much success.

Sincerely yours,
D. JACK MAHURON,
Vice President.

Mr. Herman Dye of Dye's Shoes, a local merchant, writes:

DEAR MR. BATT: After reading the article in the May issue of the Reader's Digest, which was very critical of the Bata Shoe Co.'s Salem plant, I think every Salem businessman should write to you expressing his opinion of this article and of the value of this plant to our city.

At the present time Bata is working over 200 people. People who, for the most part, were unemployed before the Bata plant opened. This not only reduces our number of unemployed but also pours several thousand dollars per month into our economy that just was not here before the plant opened. Bata is one of the giants in the footwear industry and the potential for growth of the Salem plant is tremendous over a period of the next few years.

The article stated, in so many words, that over half of the $235,000 for water and sewage facilities was an outright gift to Bata. The article failed to mention that homes on both sides of the street for at least a quarter of a mile received sewage facilities that were not available before and could not have been furnished by the city of Salem for at least another 10 years. The article also stated that money was advanced by ARA to the Salem Redevelopment Corp. to purchase land for this plant. This is completely false. The land where the Bata plant is located was purchased by the citizens of Salem.

It is probably true that Bata had planned to locate in Salem before they knew anything about ARA but they required a "lease rental" arrangement and the only way we, a small community, could finance a plant of this size was through ARA.

Yours very truly,
HERMAN DYE,
Dye's Shoes.

A letter from Mr. Ray A. Barrett, president of the State Bank of Salem:

DEAR MR. BATT: In light of some unfavorable newspaper publicity regarding the recently constructed factory in our community for Bata Shoe Co., Inc.; I would like to go on record as saying that this installation has improved the local business climate, and of course, has relieved our unemployment problem to a great extent.

It has always been my understanding that the ARA is vitally interested in just such a project as our local factory.

As you know, business concerns and individuals made donations in the total amount of $30,000 to help make this project a reality.

There are some people I am sure who would not agree with the manner of financing, but this appeared to be the only avenue for the Salem Redevelopment Corp.

Sincerely,
RAY A. BARRETT,
President.

James R. Bennett, who operates a clothing, shoe, and furniture store in Salem, writes:

Writing, in reference to the article appearing in the Indianapolis Star of April 27, 1964, concerning the article in the current issue of Reader's Digest by Charles Stevenson.

The Salem Redevelopment Corp. raised, by solicitation, $30,000 and purchased the land where the Bata factory stands. The ARA money was not intended for this use.

The ARA assistance in financing for distress areas has been a real boost to the economy of this southeastern Indiana area and will be felt in the future with greater benefits as they get going at full capacity on a profitable basis. The other factories have cooperated to the fullest in helping Bata secure a successful operation here, knowing the need of more jobs. The merchants are now feeling the flow of the extra paychecks into the economy of the area, which certainly needed the boost.

Sincerely,
JAMES R. BENNETT.

Edgar P. Alberding, proprietor of a local Salem store, writes:

DEAR MR. BATT: As you no doubt know, Washington County is considered one of the poorest counties in the State of Indiana. The Bata shoe factory, which your department helped in locating here, has taken a step toward relieving this situation.

Sincerely yours,
EDGAR P. ALBERDING.

And from Mr. Augustine Dolezal, president of the Bata Shoe Co., who says he is "amazed" at the "distortion of facts" published in the Reader's Digest article. Mr. Dolezal says he was misquoted:

DEAR MR. BATT: I have been amazed, while reading the recent issue of Reader's Digest, at the distortion of facts that appeared in the article.

First of all, I want to assure you, that I have never spoken to any correspondent and told him that we would establish a plant in Salem without ARA help. Contrary, it was the first condition that we have stipulated to the communities that asked us to consider the possible location of a plant; that they must procure the assistance of ARA. I feel rather disappointed that certain political faction could sink so deep as to harm the good intentions of your agency.

I need not stress that the company is repaying, in installments, the aid obtained by Salem Redevelopment Corp. and that we have actually invested $1,250,000 in equipment alone. Besides this our own share in the building project amounts to $75,387. I would also like to state that our yearly payroll in Salem amounts to $750,000. I am sure that this is a great contribution to the community and they are thankful to the ARA who made this project in their community possible.

Yours sincerely,
A. DOLEZAL.

SENATOR ROBERT BYRD OF WEST VIRGINIA POLLS LARGEST MAJORITY OF VOTES BY ANY CANDIDATE IN WEST VIRGINIA DEMOCRATIC PRIMARY

Mr. JOHNSTON. Mr. President, the popularity of our colleague, Senator ROBERT C. BYRD, in polling the largest majority of votes by any candidate in the West Virginia Democratic primary, has been called phenomenal.

What is more outstanding, however, is the way he scored the victory. He met the civil rights issue face to face and stated his beliefs clearly on the record.

As an editorial published in the Wheeling, W. Va., News-Register stated:

> He has had the courage to state his convictions openly and made the fight for what he believes to be in the best interests of all Americans regardless of race, creed, or color.

As a result of this forthright stand, the most heavily Negro populated county in

West Virginia gave Senator BYRD a victory margin of better than 8 to 1.

I ask unanimous consent that the full editorial published in the News-Register may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wheeling News-Register, May 29, 1964]

PRIMARY VOTING AND SENATOR BYRD

The West Virginia Human Rights Commission last week took a swing at U.S. Senator ROBERT C. BYRD for his stand on the civil rights bill now being debated in Congress.

The resolution adopted by the commission stated that Senator BYRD's position did not reflect the sentiment of a majority of West Virginians. We are not so sure that the commission can back up this claim especially in light of the more than a quarter of a million votes polled by Senator BYRD in the recent Democratic primary election.

Some very interesting and revealing statistics have come to light as a result of Senator BYRD's primary showing, according to a review of the voting made by the West Virginia News Digest, weekly magazine, just released. The forthright Senator from West Virginia polled the largest majority of votes of any candidate in the Democratic primary. His precinct-by-precinct popularity was phenomenal.

A check has shown that Senator BYRD carried almost every precinct in the State, most by wide margins, including precincts which are predominantly Negro voting places.

In McDowell, West Virginia's most heavily Negro-populated county, Senator BYRD's margin was better than 8 to 1. In addition McDowell Democrats defeated Elizabeth Drewery, the only Negro member of the State legislature, for nomination to an eighth term.

The Senator's majority in Mercer County—home of Bluefield State College and site of frequent demonstrations and sit-ins—gave Senator BYRD more than a 10 to 1 edge.

In Greenbrier County, his majority was better than 5 to 1 and in three precincts—two predominant and one solid Negro—Senator BYRD polled an overwhelming majority.

On the occasion of a recent visit to Charleston by Mr. James Foreman, executive secretary of the Student Nonviolent Coordinating Committee, freedom marchers paraded from downtown to the statehouse in a protest against Senator BYRD. On May 12 the Democrats of Kanawha County gave Senator BYRD a 34,643 to 5,625 majority over his opponent from nearby Culloden.

What is even more remarkable about the way Senator BYRD pulled in the votes is the fact that he did no campaigning. He stayed on in Washington taking care of pressing business. He bought no advertising, used no cars and no bumper stickers.

Apparently West Virginia Democrats, both Negro and white, admire Senator BYRD for his unwillingness to play politics on an issue so important to the whole Nation. He has had the courage to state his convictions openly and make the fight for what he believes to be in the best interests of all Americans regardless of race, creed, or color. His articles appearing in this newspaper analyzing the proposed civil rights bill have been presented in a rational, nonprejudiced manner.

The State's human rights commission would do well to ponder the recent primary election returns before issuing any further statements implying that Senator BYRD is out of step with the vast majority of West Virginians. In the very community where the commission held its meeting and adopted the resolution mentioned above—Lewisburg—the Senator's majority in the four city precincts was 664 to 151.

SATURDAY REVIEW WARNS OF DANGER OF AIR POLLUTION

Mr. YARBOROUGH. Mr. President, the current issue—June 6—of the Saturday Review contains an eloquent warning against the hazard our civilization is creating for us through air pollution. The editorial, entitled "Garbage in the Air," points out that city after city is becoming identifiable by the thick gray cloud hanging above it.

Of course, concerned people are anxious that something be done about this pollution of the air. We are fortunate that our colleague, the junior Senator from Connecticut [Mr. RIBICOFF], is one who has been a leader in approaching the problem of control of air pollution. This editorial gives the Senator the recognition he deserves for his work against this blight.

I ask unanimous consent to have the editorial entitled "Garbage in the Air" printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GARBAGE IN THE AIR

Fifteen years ago or so, if you did a lot of flying either in commercial or private planes, you began to notice the change in the atmosphere over the world's large cities. A grayish murk was settling over the metropolitan centers, marking them off from the surrounding countryside. Year by year, since then, the murk has been intensifying. It is now more black than gray. And it is reaching out from the large cities like a brackish fog over large areas of countryside.

Hundreds of millions of people throughout the world have to consult their memories for a notion of what clear light really is—or clean air, for that matter. The sun comes through, but it is filtered light and not the real thing. Only rarely, after sustained rains and strong winds, is it possible for most city dwellers to know how blue a blue sky can be, or to experience the sensation of fresh air.

A decade ago, the existence of an atmospheric pall over Los Angeles first pressed itself upon the national consciousness. There, a combination of wind currents, natural overcast or haze, industrial smoke, and the gases of combustion engines produced a hazardous and ugly concentration, causing eyes to smart and lungs to protest. "Smog" it was called, and it was supposed to be a geographical phenomenon. Since that time, however, city after city in the world has come under heavy atmospheric pollution. Wherever you fly in the world today—Madrid, London, Frankfurt, Bangkok, Tokyo, Manila—you can identify large cities from the air not by their towers but by a thick black veil. Not until you are fairly close can you begin to penetrate the curtain and discern a specific configuration. Your inevitable reaction is one of disbelief that human beings could exist in the center of such atmospheric contamination. And from the perspective afforded you by the cockpit of your plane, you find it even more incomprehensible that people don't even seem aware of the steadily increasing assault on their environment.

Of all the cities, none seems to be under more of a filthy fog than New York. Some of the sources of the pollution are clearly visible. Industrial plants between Newark and Jersey City throw up huge plumes of smoke that fan out and descend on New York. Even worse are the tall smokestacks of the power companies and New York City's own garbage incinerator inside Manhattan itself. Seen from the air, these chimneys in action look as though they were designed to protect the city against air attack by laying down a massive smokescreen. Meanwhile, heavy smoke from thousands of smaller chimneys—from hotels, apartment houses, and office buildings—pump hundreds of tons of soot into the Manhattan air. All this, of course, is in addition to the choking gaseous emanations from buses, cabs, and cars. The same city trucks that spray and clean the streets give off heavy emanations of foul exhaust. Gutters are clean but lungs are filling up. Statues from Egypt or Greece, transplanted to New York parks, show more effects of erosion in a few years than took place over centuries in their original homes. The stone sides of new buildings, after only a year or two of exposure to New York's soot and gases, become heavily streaked. This is the same grisly grime that now coats over the once-pink tissue of the human respiratory tract.

New York City has ordinances against chimney smoke, but enforcement has become a joke. Indeed, the city itself is among the worse offenders. It operates a large incinerator on the East River Drive, pumping garbage smoke over a large part of the metropolitan area. What makes the situation in New York paradoxical and ludicrous is that city officials wage a widespread educational campaign to persuade people not to litter the street with candy wrappers or cigarette boxes. The city itself adds to the poisonous garbage that litters the air.

The Nation is alarmed, and properly so, about the steep rise in the incidence of cancer. A report issued by the U.S. Surgeon General has linked cigarette smoking to this increase. Is there no connection between malignancy and air contamination, much of it from smoke and fumes? Is it unreasonable to expect that the U.S. Surgeon General should also undertake a report on air pollution?

The problem of impure air is not an isolated one. It is related to the larger problem of environmental poisoning now so characteristic of contemporary living. Brooks and streams are being contaminated by the widespread use of detergents, the chemical composition of which does not permit water to become purified through nature's replenishing chain. Our rivers are infected by poisons from insecticides, killing millions of fish. Even greater numbers of birds have been affected. Meanwhile, the Nation itself is being despoiled at a fearsome rate. A million acres are taken out of cultivation each year for new superhighways. Another million acres are being claimed by expanding cities. Asphalt, cement, and black hydrocarbons now become the main features of the human environment.

Any verdict on man—modern man—is bound to show him as incredibly inventive but just as disdainful of the connection between cause and effect. He has devised ways of turning wheels faster and doing things more efficiently than they have ever been done before, but he has given only the most superficial attention to the cheapening of human life that sometimes results from the process. Most astounding of all is the importance he attaches to individual cleanliness even as he creates a total environment of poison and filth. Parents teach their children to clean their fingernails but are apparently unworried about the dangerous layers of dirt that get into their bodies. Vast enterprises are developed to kill off body odors and make the human being a sweet-smelling delight. But what about the horrendous odors and poisonous gases that emanate from the backs of buses, trucks, and cars? How is it that the passion for daily baths and deodorants has not been extended to the environment itself?

Even if environmental fouling were not a health hazard and were solely a matter of natural disfiguration, it would warrant a torrential outpouring of human anger. No man need apologize because his sense of beauty and wonder is assailed. A considerable portion of beauty is disappearing from the world. If the process is to be stopped, indignation in appropriate depth and quantity will have to be registered.

One man in the U.S. Congress, Senator ABRAHAM RIBICOFF, of Connecticut, has taken leadership in the fight against stenches, poisons, and pollution. If enough people make known to him their concern and support, he may get somewhere. Without public backing, his cause may wither.

It is perhaps significant that the expedition to the moon, now in preparation, will sterilize and sanitize every object, however small, carried by our space ships. The purpose is to avoid contaminating the moon. This is a commendable purpose. Perhaps a bit of the same intensity of effort and expenditure might be directed to getting rid of some of the colossal contamination now burdening the earth.

ADDRESS BY HON. ADLAI E. STEVENSON BEFORE WOMAN'S NATIONAL DEMOCRATIC CLUB

Mr. CHURCH. Mr. President, on Tuesday evening, June 2, 1964, it was my pleasure to present Adlai E. Stevenson to the dinner-meeting of the Woman's National Democratic Club, held at the Sheraton-Park Hotel. The Ambassador's address was timely and illuminating, and ought to receive the full attention of Congress.

To this end, I ask unanimous consent that the text of the address, together with my brief introductory remarks, be printed in the RECORD.

There being no objection, the introductory remarks and the address were ordered to be printed in the RECORD, as follows:

INTRODUCTORY REMARKS OF SENATOR FRANK CHURCH

He who introduces the principal speaker customarily accords to him the same generous treatment your gracious president, Florence Hoff, has accorded to me. It is altogether appropriate to recount the speaker's accomplishments, to flatter him with an embellished portrayal of his prominence, and to attribute him with qualities which will assist him to loom large before his audience.

But when the speaker is Adlai Stevenson, a recital of his accomplishments becomes a presumption; an attempt to add luster to his talents finds words beggars; and it is clearly impossible to assist him in looming large before this audience, as we have long since recognized that he is a man who looms large before his country, and, indeed, before the whole world. Nor is it possible to flatter him, for it is he who flatters us by consenting to be our speaker this evening.

So, I shall adhere to that old rule which holds: the more eminent the speaker, the briefer the introduction, and content myself with saying that, in this city, where nearly every public square commemorates, in enduring bronze, some vaunted warrior, and during these times, when so much of our national treasure is directed toward further fortifying our house for war, I am deeply privileged to present an American statesman who strives each day to strengthen the world's one, still-fragile, house of peace, our gifted Ambassador to the United Nations, the Honorable Adlai Stevenson.

ADDRESS BY THE HONORABLE ADLAI E. STEVENSON, U.S. REPRESENTATIVE TO THE UNITED NATIONS

As you know, at the President's request I recently cut short a mission to Europe in order to participate in the current Security Council session on Cambodia and Vietnam. During my stay abroad, however, I was attending meetings and speaking in a number of European capitals. I would like to report some impressions that may interest you—first as Americans and, second, as Democrats.

This trip abroad was my first since the dark days of last November when the shock of President Kennedy's death was felt virtually everywhere in the world almost as keenly as it was here in America.

Rarely in history did so many diverse peoples experience a sense of personal loss. Anxiety and uncertainty about the future was universal. There is no better place to sense such attitudes than under that great tent, the United Nations, in New York, where the whole world meets and talks, and whispers.

Though the shock has not altogether worn off, the key impression I brought home with me is that, even as here in the United States, the early fear and confusion has given way to sober confidence that under Lyndon Johnson there will be no slackening in the effort to explore every path to peace and justice.

The lurking anxiety about jingoism and impatience in the United States is being dissipated more rapidly than many people thought possible. The impression of President Johnson as a firm, incisive, surefooted, and energetic man has grown with astonishing rapidity. But—even more important—that he too is a man of peace.

In my judgment this is the most important international political development to take place in the first half of 1964. And I assure you, I speak here not of the politics of partisanship, but of the politics of humanity.

Confidence in the leadership of America is an indispensable ingredient for the achievement of realistic and workable solutions to the critical problems now confronting us in so many sectors of the world.

Actually, though, the impression Mr. Johnson has made abroad should come as no surprise to us who know that his dedication to the principles of international cooperation is consistent with the philosophy he voiced in the Senate and during the period he served as Vice President.

I believe I can say with confidence, after talks with many people abroad, that President Johnson is looked upon as a successor who will carry on Mr. Kennedy's work for peace and security with resolution and imagination, while charting his own road to the good society all of us seek.

I happily confess that I had not realized how quickly Mr. Johnson had convinced the world that America had another great internationalist and man of peace as Chief Executive. And in Europe at least he is rapidly and miraculously becoming just about as popular as he is here in America.

Precisely 2 weeks before he assumed the Presidency, he delivered a speech in Brussels that summed up his position on the Atlantic Alliance and American commitments abroad. This statement by the then Vice President was not reported widely but it was significant reading and worth recalling now.

"Aggressors," he said, "have learned that they must reckon with the Atlantic partnership as a single unit. Before an aggressor could reach Brussels, he would have to strike at Boston—at Philadelphia before Paris, at Los Angeles before London, at Chicago before Cologne. Our peril is indivisible. So, also, is our prosperity."

I don't see how any President could make a clearer commitment than that.

As you know, there are those who have suspected that America might not be depended upon in a pinch to fulfill its European obligations.

But at the NATO Council meeting at The Hague last month it seemed clear that this anxiety was diminishing. And for that we can thank not only Mr. Johnson's firm words about the Atlantic Alliance, but the way he has recently backed up our international commitments with deeds.

For instance, when he recently presented his foreign aid budget to Congress he said his estimate was a rock bottom figure. Now our friends abroad know he meant every word of this.

It would be difficult to overstate the impact, therefore, of the action taken just the other day by the House Foreign Affairs Committee in approving the President's request just as he made it.

I was in Europe when the committee acted, and I would like to tell its chairman, Dr. TOM MORGAN, that he would have felt well rewarded for his able efforts had he also been present to see the favorable reaction among our allies. If only all our Congressmen realized as he does how such responsible action fortifies our position.

I was abroad too when Congress recently reversed itself and restored the appropriation for the International Development Fund that it had earlier killed. And the IDF, as you know, is the key to a number of our foreign undertakings, particularly our policy with many of the newer and less developed nations.

The European reaction was very positive, indeed. I myself felt like giving a cheer.

You recall when Congress originally made the cut, the President said he would fight to have it restored. That is just what he did, and you can be sure this was noticed abroad.

And while we're on the subject of foreign aid, I think it is about time we stop thinking of ourselves as Uncle Sap. The fact is that poorer nations than the United States donate a larger percentage of their total resources to foreign aid than we do.

The French, British, Italian, German, Belgian, and Israel aid to Africa, for example, totals about twice the U.S. aid to Africa, considerable as it is.

The Russians have already poured one and a half billion dollars into the United Arab Republic, and now Mr. Khrushchev has just pledged another $227 million to Nasser. And so it goes. Peiping is making an immediate grant of $3 million to Kenya to help that young nation balance its budget.

Small potatoes, perhaps, but it's indicative of the fact that for all their belligerent sounds, even the Red Chinese know the long range importance of economic aid.

The real question about foreign aid, it seems to me, is not whether we can afford it, but whether we can afford not to give it.

As for those who argue that it's too expensive, let me point out that the President's foreign aid budget for the next fiscal year is about one-sixteenth of our military budget, less than 4 percent of the Federal budget, less than three-fifths of 1 percent of our gross national product. All in all, if passed in full, its cost to each American will be $17.80.

II

Our postwar world has gradually turned into one of diversity, with multiple centers of power and influence. And this is true for the East even as it is for the West. As a consequence we tend to become overly fearful that the alliance is breaking up. My recent journey, especially to the NATO Council meeting in The Hague was in that respect very reassuring.

The difficulties and divisions are many to be sure. The conflict between Greece and Turkey over Cyprus endangers the eastern flank of the alliance. General de Gaulle's policies, while quite understandable, do not advance the integration of Europe and the Atlantic Community. One could go on pointing to dilemmas both East and West.

There is no need to underline the fluid state of contemporary politics. Russia's fear of nuclear war and growing standards of living in the Soviet Union have led to the split with China, whose leaders accuse Mr. Khrushchev of revisionism and retreat. Behind this split there is not only a bid for ideological leadership in a world whose poverty is much nearer to the Chinese level than to growing Russian affluence. There could also be very profound divisions of national interest since China might claim that a large part of Asian Russia has been filched from the old Chinese Empire.

This division in the Communist world, like the division in medieval Europe between pope and emperor, is giving subordinate centers of power new opportunities. This is the "polycentrism" which is certainly evident in the great variety of different domestic policies and international attitudes now being pursued by the European satellites.

All this fluidity does give the Western World, in theory at least, new opportunities. However, these opportunities are limited by a number of difficulties and divergences:

The chief cement of the old alliance was fear of a united Communist bloc. The lessening of Russian pressure in Europe has also lessened a sense of cohesion in the alliance.

It may be that Russia, fearful of the extension of Chinese influence, will seek to modify radical policies and to play down the cold war. There are some signs that this is indeed the case in parts of Latin America where Communists seem recently to have been less belligerent than the Castroites. Equally, however, Russia may feel that it cannot let the Chinese outbid it for the support of the developing peoples. They are poor, their frustrations are increasing, their means of coping with them are now growing in a way that meets the steady increase in population. In this condition, radicalism is endemic and the Russians may feel that they cannot be less strident than the Chinese in their attacks on "imperialism." It is, therefore, very likely that the problem of how to deal with communism outside Europe will continue to trouble the alliance, and certainly it is an issue upon which there is no sign of any unanimity of opinion.

III

With the twilight of empire, the emergence of Communist China, the tidal wave of independence all on the heels of European economic and military recovery, the rapidly changing world has spawned a multitude of other problems and external dangers involving our allies and the United States with its worldwide commitments. Britain is concerned with Aden and Malaysia. We have Cuba and Vietnam. France has its former African colonies. And, of course, we do not all have the same priorities of importance.

These all add to the diversity of our interests and the hazard for the alliance is not the diversity of interests but that the diversities become divisions.

Also, today, when the external dangers that prompted the formation of NATO 15 years ago appear to have receded, the problems of Germany and European security remain and many more in distant places have been added.

More, not less, consultation and coordination becomes necessary if we are all to avoid the danger of falling back on purely national solutions. But the Atlantic world dares not follow that course if it wishes to retain its influence and authority. Its highest interest lies in enhanced interdependence to deal with the threats to peace, not just in Europe, but everywhere. Moreover, it can lead in the nonviolent era of competition with Communist regimes that we seem to have entered, only to closer cooperation. I have no doubt as to the outcome of such a contest—if we can strengthen the bonds of common interest linking North America and free Europe. We are well embarked on ways of doing so. Now it is up to all of us to develop the opportunities we have created.

IV

The accomplishments of NATO have been along lines sanctioned by the United Nations Charter. As the President recently said, the charter and the North Atlantic Treaty are indispensable to one another, for neither can keep the peace alone.

And it is the fact that both are indispensable that makes the best argument for the continuity of NATO and, I hope, rapid development of the UN's capacity to cope with the peacekeeping problems of the postwar world that are dumped in its lap when there is no other way to handle them.

If I were asked to sum up for you what the UN has come to mean to the people of the world, I could do no better than to recall some words spoken by Beardsley Ruml shortly after the charter was signed. It was one of the better prophecies of our age and it goes like this:

"At the end of 5 years you will think the U.N. is the greatest vision ever realized by man.

"At the end of 10 years you will find doubts within yourself and all through the world.

"At the end of 15 years you will believe the U.N. cannot succeed. You will be certain that all the odds are against its ultimate life and success.

"It will only be when the U.N. is 20 years old that we will know that the U.N. is the only alternative to the demolition of the world."

What a prescient bit of crystal ball gazing that turned out to be.

By now, I think, most of us have arrived at the fourth stage in Ruml's 20-year prophecy—that stage where we know that international institutions for peace are "the only alternative to the demolition of the world."

Peacekeeping is only one task of the United Nations. But it is the one that gets most of the headlines, and its record has long since made this international machinery indispensable. It will get more so as the frictions and conflicts multiply. The danger is that it will get smothered by too many. As of tonight, it is in the Congo, in Cyprus, in Yemen, in Gaza, in Kashmir.

Scores of what used to be called incidents have occurred around the world during the past decade and a half, but they have occurred without widespread hostilities or even ultimatums.

On at least 20 occasions formal fighting has broken out between opposing armed forces. But nearly every one of them, nearly every war, partial war, incipient war, or threat of war, has been averted or halted by a ceasefire, by adjourning to the conference table, or by referring the dispute to an international institution for nonviolent solution.

This is one of the outstanding facts of contemporary international political life—the fact that in most of these crises—these outbreaks of violence—the restraining influence, the peacemaker and peacekeeper, has been the United Nations.

But there are things the United Nations can't do either now or, I fear, for a long time to come. Where the vital interests of the great powers are engaged directly, only the great powers can extricate themselves. That's why we have to maintain our defense establishments and the shield provided by our alliance. Yet, even in big power confrontations, the U.N. can help by internationalizing conflicts by providing means of extracting rather than escalating; by saving face instead of risking war.

Until now the United Nations has been better at peacekeeping than at peacemaking—naturally enough. But it will become increasingly essential for the United Nations to reinforce its firefighting equipment with machinery designed for enduring settlement. A cease-fire only restores the status quo ante—which is to say the condition which gave rise to the dispute in the first place.

This, of course, is great and hopeful progress. The United Nations has developed the capacity to maintain some semblance of order to fill the vacuum left when the order imposed by the European empire system was voluntarily and suddenly dismantled after the war.

But if we now are to progress beyond a system capable of invoking cease-fires and preventing the outbreak of wars—if we are to build a reliable system of order with the capacity to induce peaceful change where change is needed—if we are someday to begin to dismantle the gargantuan defense establishments which consume the wealth of nations without producing anything usable—then we shall need more and better machinery to do it. Indeed, there is no other road to significant disarmament.

For successful as the machinery has been up to now, it has very definite weaknesses, grave weaknesses that threaten to undo all the good. The major weakness, I hasten to point out, is more the implementation of the machinery of peace than the machinery itself.

We see it most clearly today in Laos in the operations of the International Control Commission, which of course is not an organ of the U.N., but which illustrates my point.

The Commission devised by the agreement of 1962 is a troika affair which operates on the basis of unanimity. When fighting occurs, as it has recently on the Plains des Jarres, the Commission must meet and agree before it can even go out and look. Its effectiveness has been persistently sabotaged by the Communist member by misuse of the so-called "veto" power, thereby undermining support to the Souvanna government. Today, however, that government, which was created under the Geneva agreements, remains in full exercise of its authority as the legitimate government of a neutralized Laos.

The other Geneva signatories must live up to their solemn commitments and support Prime Minister Souvanna in his efforts to preserve the independence and neutrality which the world thought had been won at Geneva. As I have told the Security Council, these solemn obligations must not be betrayed.

The problem in southeast Asia is that Hanoi and Peiping won't leave their neighbors alone, regardless of the Geneva agreements of 1955 and 1962. But the United States won't, as we have made clear, sit idly by while Vietnam and Laos are overrun in criminal violation of the Geneva agreements to neutralize these countries. As President Johnson said today: "America keeps her word."

Laos, as I say, points up the deficiency of the peacekeeping machinery contrived at Geneva. But other developments in the same geographical area show how the United Nations might provide machinery that will be effective.

In response to the complaint of Cambodia that its borders were being violated the United States has proposed to send United Nations observers or even a United Nations force to the scene. For the United Nations—as I have pointed out—has repeatedly demonstrated its capacity in such cases.

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In the light of all this we must understand that the state of the world makes it more imperative than ever before that all of us, together, continue our painstaking search for those interests which unite the nations—for those international instruments of law and security—for those institutions of a stable, working world society.

In short, we must together strengthen the machinery we have already built inside and outside the United Nations.

If we do, we will have reason to hope that between the thermonuclear powers additional areas of common ground can be identified and further agreements reached—until the cold war truly fades into history. And if the cold war does not fade into history, it will not be because of any lack of effort or good will on the part of the United States.

Consider if you will the peace-building record of the 6 months since President Johnson assumed the Presidency:

This has ranged from direct correspondence with Chairman Khrushchev to specific proposals both at the Geneva Disarmament Conference and in the forums of the United Nations on how we propose to attain and keep the peace; from an offer to work with the Soviet Union on a manned lunar landing to an agreed cutback in the production of fissionable materials; from a policy of encouraging the evolution now in progress in Communist Europe by the actual working out of significant new agreements with Rumania, Poland, and Yugoslavia on such matters as trade and agriculture.

And, of course, there is the achievement of important new agreements with Russia itself on cultural exchange and the opening of new consulates.

There have been other steps, too, all geared to the greatest possible flexibility in dealing with the shifting trends of today.

What we have done in the past 6 months has convinced both our friends—and those who are not our friends—that this administration will act with restraint, that it wants peace, that it is unafraid to negotiate where negotiation is appropriate, and equally unafraid to stand firm where firmness is required. "Brinksmanship" is outdated. Perhaps the word for today is "Thinksmanship."

As I have point out before, the steps taken by the President in the past 6 months may not in themselves end the cold war, they may not assure us of the peace we seek, but they bring peace that much closer. And they are convincing the world that the United States will neglect no work of peace that is within our reach.

In doing so we reaffirm that peace is not merely the absence of war, but a virtue, a state of mind, a disposition for benevolence, confidence, justice.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

CIVIL RIGHTS ACT OF 1963

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments (No. 577) proposed by the Senator from Louisiana [Mr. Long] to the amendments (No. 513) proposed by the Senator from Georgia [Mr. Talmadge] for himself and other Senators, relating to jury trials in criminal contempt cases.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 264 Leg.]

Aiken
Allott
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Ellender
Hart
Hartke
Hickenlooper
Holland
Hruska
Humphrey
Jackson
Johnston
Jordan, Idaho
Keating
Kennedy
Lausche
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Proxmire
Saltonstall
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Walters
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. HUMPHREY. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may yield to the Senator from Montana [Mr. Mansfield], and that the rule of germaneness be waived for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

MONTANA PUBLISHER HONORED

Mr. MANSFIELD. Mr. President, during my recent visit to Montana I learned with great pleasure that Montana State College will confer an honorary doctor of letters degree on Alexander Warden, publisher of the Great Falls Tribune and Leader.

Alex Warden is a long-time personal friend who has built an enviable career as a successful businessman and civic leader. He has done much for the economic development of the Treasure State through his wise leadership and counsel. The Montana State College commencement exercises will be held in Bozeman, Mont., on June 8. The State college is one of the two largest units of the university system in the State.

In 1961 President Kennedy appointed Alex Warden to the NATO Citizen's Committee. He is a director of several corporations and organizations including the C. M. Russell Gallery, the College of Great Falls and the Tri-State Council for Yellowstone Park.

Mr. President, I wish to take this opportunity to congratulate Mr. Warden on this occasion and to compliment and salute Montana State College for its wisdom in selecting one of Montana's outstanding citizens for this honorary degree. It is a well-deserved recognition to a man who has contributed mightily to the welfare of his city, his State, and the Nation.

SILVER DOLLARS

Mr. MANSFIELD. Mr. President, I am in receipt of a communication from Mrs. Thomas M. Lane, of Billings, Mont. She starts with the title "With Apologies to the Man on the Flying Trapeze." It goes as follows:

WITH APOLOGIES TO THE MAN ON THE FLYING TRAPEZE

Once we were happy but now we're forlorn,
All of our dollars are tattered and torn;
One hundred years from the day we were born
They snatched all our cartwheels away.

Now these cartwheels of ours they were handsome,
And out west everyone they did please;
Folks back east who like nickels and quarters as such
Gave our cartwheels to hoarders to squeeze.

Montana's the Treasure State, land of delight,
It means "shining mountains"; its big sky is bright.
Yes, our snow may last long, but at least it stays white!
Please bring back our cartwheels today.

We have inside plumbing, electricity,
And only seen wagon trains on our TV.
Had lunch with an Indian, he said to me,
"Don't take all our cartwheels away."

We've studied our hist'ry, let's guard our past well,
We feel cartwheels rank with the Liberty Bell;
Don't turn them to pasture, they've served the west well
Please mint silver dollars today.

Mr. President, the subject may seem to be one of some humor in the Senate, but I assure Senators that it is serious so far as the State of Montana is concerned. My latest count indicates a little in excess of 53,000 signatures from the State of Montana asking for the return of the silver dollar. On the basis of the hearings held before the Subcommittee on Appropriations for the Department of the Treasury, I am delighted to learn that the distinguished chairman of that subcommittee, the Senator from Virginia [Mr. Robertson], has indicated his support of the administration's request for the minting of more silver dollars. Also the distinguished chairman of the Committee on Appropriations, the Senator from Arizona [Mr. Hayden], has indicated his full support. So I am hopeful that before too long the request for a small amount of money to mint an additional number of silver dollars will be allowed, and that the request from the State of Montana will be given the serious consideration it deserves.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. The Senator from Minnesota would like to join with the distinguished majority leader in pleading with the Treasury Department to mint silver dollars. After hearing the poetic plea that the Senator has read into the Record, which must have touched the heart of every Senator, and even the hardest heart of any officer of the Government, I cannot imagine that there will be anything but prompt action. I am sure Senators will agree with me that the proposal is long overdue.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield, but only if the Senator intends to speak in support of the minting of silver dollars.

Mr. MILLER. I wonder if the Senator from Minnesota is suggesting that we would be more effective if we presented our pleas for the passage of bills and the adoption of amendments in poetic language.

Mr. HUMPHREY. I believe it would be at least a change of pace.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CARLSON. The Kansas Bankers Association, in their State convention in the month of May, adopted a resolution urging the additional coinage of silver. The resolution also urged maximum use of private commercial facilities to augment Government mint facilities for such time as the coin shortage persists.

Mr. President, the distinguished Senator from Montana, the majority leader, is entitled to much credit for his persistent efforts in behalf of additional coinage of silver.

Mr. MANSFIELD. I thank the Senator. I am delighted. I have always had a high regard for the Kansas Bankers Association, and that regard has been considerably enhanced this morning.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. AIKEN. The Congress and the present administration would be very negligent if they do not heed the plea of the Senator from Montana and provide for many more silver dollars without delay. I thoroughly support the plea of the Senator. I shall go a little further than the Senator from Minnesota did when he referred to the question as poetical. It was not only a poetic plea but also it is an extremely practical plea.

Mr. MANSFIELD. I thank the Senator.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Wyoming.

Mr. SIMPSON. I suggest to the Senator from Montana, who has done a remarkable job with respect to the subject of silver dollars, that his plea is in keeping with the song which was formerly repeated on the floor of the Senate with respect to silver dollars going from hand to hand. I believe the Senator will recall it.

Mr. MANSFIELD. Will the Senator give us the benefit of that recitation once again?

Mr. SIMPSON. Does the Senator wish me to sing it?

Mr. PASTORE. We would be delighted to hear the Senator.

Mr. SIMPSON. There is another old song whose theme is, "If you wish a song, you may sing it yourself." But the song to which I referred, as Senators will recall, stemmed from the great Treasure State of Montana.

The song went something like this:

The silver dollar rolls along the ground
Because it is round, round, round.
A woman goes from man to man,
But a silver dollar goes from hand to hand.

I wish to associate myself with the remarks of the Senator from Montana. I also wish to observe that if the Government would give one dollar to each of the 53,000 signers of the petition, there would be more silver dollars in circulation than we have at the present time. And we need them in the great State of Wyoming, too.

Mr. MANSFIELD. Yes. Because of the close connection of the two States, the use of the silver dollar is recognized especially between Cody and Billings. Of course, it is recognized elsewhere, too.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MUNDT. As a Senator from a sister State, I shall support the Senator's resolution. I hope that the proposal may also finally result in the better use of gold as a very precious metal.

The Senator's proposal started me to thinking about whether we could not save a little money while we use as much silver, since we have new dies now for the Kennedy half dollar. Since the dollar is now worth only about 50 cents, why do we not mint the Kennedy 50-cent piece, and say, "This is a Democratic dollar, because it buys only 50 cents' worth of goods"?

Mr. MANSFIELD. I appreciate the Senator's support for an appropriation for more silver dollars.

Mr. MUNDT. Or half dollars, if the Senator prefers.

Mr. MANSFIELD. But talking about the half dollar, I would point out that in Bozeman, Mont., a businessman developed the idea of replacing the cartwheel, which has disappeared, with two half dollars pasted together. The bank had a little difficulty running them through their machines. So they reached the point at which they would pay only 60 cents for the two half dollars glued together.

Finally the Secret Service went into Bozeman and forbade the businessman to glue the half dollars together anymore under some sort of penalty. The rumor is that we are now out of half dollars as well. But we will settle for the cartwheel, because that is a symbol of the West. It is something that we like. It may wear out our pockets, but when it is tossed on the counter, we know what we are doing. If we pulled out a couple of paper bills, we might have a little more in our hands than we might anticipate. Sometimes it is hard to differentiate between two $1 bills and a $1 bill. Sometimes two one's are stuck together. Sometimes, though rarely, people have mistaken a "ten spot" for a $1 bill.

Mr. MUNDT. The constituents of the Senator from Montana are like my constituents. They like that jingling money when they carry it in their pockets.

Mr. MANSFIELD. Yes; and in Belle Fourche and the Black Hills many silver dollars are used, as the Senator well knows.

Mr. MUNDT. Yes. The only thing I am distressed about is that it does not have as sound a purchasing power as it once had when we laid it, with its scintillating sound, on the counter and said, "Give me a dollar's worth."

Mr. HUMPHREY. It still has a satisfactory ring.

Mr. MUNDT. It has a good ring, but its ring is better than its purchasing power.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MILLER. I wonder if the added feature of the jingle means that one can obtain more goods if he offers silver dollars in Montana than if he offers merely green backs. Is there a difference in the purchasing power?

Mr. MANSFIELD. No; a dollar is a dollar. But how many times has the Senator pulled out two new $1 bills thinking that he had pulled out one, and when he got home he found that he had paid out two? With silver dollars, that mistake cannot be made.

Mr. MILLER. In other words, they do not stick together.

Mr. MANSFIELD. There is the new dollar worth 60 cents which consists of two half dollars stuck together.

Mr. MUNDT. I suggest to my friend from Montana, in view of the poetic swing that the discussion has taken, and in view of what my good friend from South Dakota [Mr. HUMPHREY], who has probably put himself on all the television screens of America now proving that he is from South Dakota, has said, I am very glad when he says that the dollar has a good ring. The difficulty about it is that its value is not as good as its ring.

Mr. MANSFIELD. Wait awhile.

I yield now to the Senator from New Hampshire [Mr. COTTON].

Mr. COTTON. I say to the distinguished majority leader that I am sure his arguments are all cogent, and I hope he will get his silver dollars. But when he talks about making a mistake and spending a $10 bill in place of a $1 bill, or even pulling out two $1 bills that are stuck together I must say—and this is no reflection on the fine people in his State—that that never happened to a New Hampshire Yankee. Never in the history of New England have we paid one extra dollar, whether it was paper or silver or anything else. That is a mistake we careful and frugal Yankees do not make.

Mr. MANSFIELD. We try not to, but sometimes we have to use glasses, and getting used to paper money is difficult to do.

Mr. YARBOROUGH. Mr. President, I commend the distinguished majority leader for his support of hard currency, including the silver dollar. In the western and southwestern country the silver dollar has always been used as a part of the medium of exchange. We in Texas have a long common border with Mexico of more than a thousand miles. Silver has always been the medium of exchange there; the 5-peso Mexican coin, the size of a silver dollar, is a common medium of exchange in Mexico. We would regret to have a weaker medium in our own country.

As a member of the delegation from this body to the 51st Interparliamentary Union at Brasilia in 1962, I found that in Mexico—peso—and Peru—sol—the silver dollar size coin was in common usage, but when we visited richer countries like Argentina and Brazil, the only metal coins in circulation were made of aluminum, due to the instability of their governments and lack of faith in their money. There were no silver or copper or nickel or brass coins in circulation in Argentina or Brazil. People had so little faith in their currency that when they obtained coins made of metal of greater value than aluminum, they took those coins out of circulation for the value of the metal in them.

Silver creates confidence. I would dislike to see silver dollars taken out of circulation in this country, though they are not used so much in urban areas. They have been historically used in our part of the country for a long time. Their history goes back to the use of pieces of eight of the Spanish colonial era. That coin was the size of a silver dollar and was used as a medium of circulation in the English colonies and in the United States until the American Civil War. This coin, the Spanish dollar, the "pieces of eight," was really an 8-real coin. They were circulated in Latin America, Asia, Mexico, and in rural areas in the United States until at least the Civil War. That is where we got the term "bit" from. If a coin of 8 reals was cut in two pieces, a half became four bits. If an 8-real coin was cut in four pieces, each piece became two bits, and became "a quarter" and was worth a quarter or 25 cents of our dollar. We still use the terms "two bits," "four bits," "a quarter" in the South and West.

So there are many good reasons for having the silver dollar as a circulating unit in our medium of exchange, instead of paper dollars only.

I commend the Senator from Montana for his efforts. His statement for the silver dollar as a part of our circulating medium of exchange strengthens the faith of the people of the country in our currency and money. Keeping the silver dollar in circulation would help create strength in our money, the people's faith in that money, and in the Government itself.

Mr. MANSFIELD. I appreciate those kind words. I think Mrs. Thomas Lane, of Billings, Mont., along with Jim and Judy O'Haire of Great Falls, Mont., have done more to advance the cause of the silver dollar on the floor of the Senate than any other persons, and I would like to read a few more lines from the poem which Mrs. Lane wrote, with the permission of the Senator from Minnesota:

Greenbacks fly through the air with the greatest of ease,
They fly through the air every time that we sneeze,
We think they're disgraceful, they never will please
Out West where the antelope play.

Back East where it counts, we don't have too much voice,
But you must remember we're out here by choice;
Montanans are few, but you'd hear us rejoice,
If you'd mint silver dollars today.

Said someone in Washington, Give them the ax.
We'll easternize westerners, search the vault's racks,
Just like old potatoes, we'll sell them in sacks.
Get rid of those cartwheels today.

We've got all their buffalo locked in our zoo,
We might as well put silver dollars there too;
Then maybe their boots and their jeans will go too,
Let's pack all their cartwheels away.

I've heard they've no sales tax to keep them in style;
They're so far behind that they take time to smile,

Easterners, that is—

And only four people to every square mile.
Let's improve Montana today.

If they'll take our greenbacks without hue and cry,
We'll send them more wonders—smog for their big sky;
They'll all be so pleased—there'll be tears in each eye.
We'll send them some progress today.

Oh, we'll share our way of life generously—
Like 5 o'clock traffic and humidity.
Of land they have lots and in lots it will be;
Improve and divide her today.

And so forth.

I ask unanimous consent to have printed in full at this point the poem to which I have referred.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

WITH APOLOGIES TO THE MAN ON THE FLYING TRAPEZE

Once we were happy but now we're forlorn,
All of our dollars are tattered and torn;
One hundred years from the day we were born
They snatched all our cartwheels away.

Now these cartwheels of ours they were handsome,
And out West everyone they did please;
Folks back East who like nickels and quarters as much
Gave our cartwheels to hoarders to squeeze.

Green backs fly through the air with the greatest of ease,
They fly through the air every time that we sneeze,
We think they're disgraceful, they never will please
Out West where the antelope play.

Back East where it counts, we don't have too much voice
But you must remember we're out here by choice;
Montanans are few, but you'd hear us rejoice
If you'd mint silver dollars today.

Said someone in Washington, Give them the ax!
We'll easternize westerners, search the vault's racks
Just like old potatoes, we'll sell them in sacks.
Get rid of those cartwheels today!

We've got all their buffalo locked in our zoo
We might as well put silver dollars there too;
Then maybe their boots and their jeans will go too
Let's pack all their cartwheels away.

I've heard they've no sales tax to keep them in style;
They're so far behind that they take time to smile,
And only four people to every square mile!
Let's improve Montana today.

If they'll take our greenbacks without hue and cry
We'll send them more wonders—smog for their Big Sky;
They'll all be so pleased—there'll be tears in each eye!
We'll send them some progress today.

Oh we'll share our way of life generously—
Like 5 o'clock traffic and humidity.
Of land they have lots and in lots it will be;
Improve and divide her today.

Montana's the treasure state, land of delight,
It means "shining mountains"; its Big Sky is bright.
Yes, our snow may last long, but at least it stays white!
Please bring back our cartwheels today.

We have inside plumbing, electricity,
And only seen wagon trains on our TV.
Had lunch with an Indian, he said to me,
"Don't take all our cartwheels away"!

We've studied our hist'ry, let's guard our past well,
We feel cartwheels rank with the Liberty Bell;
Don't turn them to pasture, they've served the West well—
Please mint silver dollars today.

MRS. THOMAS M. LANE.

BILLINGS, MONT., *May 28, 1964.*

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

SIR: Every day in every way we miss silver dollars more. Please keep on trying.

Yours very truly,

MRS. THOMAS LANE.

SUSPENSION OF EQUAL OPPORTUNITY REQUIREMENTS FOR THE 1964 CAMPAIGN FOR PRESIDENT AND VICE PRESIDENT—CONFERENCE REPORT

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may yield to the Senator from Rhode Island [Mr. PASTORE], without losing my rights to the floor, and ask unanimous consent to waive the rule of germaneness.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 247) to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the candidates for the offices of President and Vice President.

(For conference report, see House proceedings of May 19, 1964, p. 11328, CONGRESSIONAL RECORD.)

I also submit for the RECORD at this time the statement on the part of the conferees which was prepared jointly by the House and Senate and sets forth in detail the areas of agreement, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 247) to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for legally qualified candidates for the offices of President and Vice President, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment would limit the suspension of the equal opportunities provisions of section 315(a) of the Communications Act of 1934 to the 60-day period preceding November 3, 1964, rather than the 75-day period preceding such date as provided in the House passed resolution. When the House considered this legislation, the date of the Democratic National Convention had not been determined. Since then, the period of such convention has been announced as August 24–28, 1964. The Republican National Convention is scheduled to meet on July 13, 1964. Thus, by the end of August 1964, the nominating conventions of the two major parties will have been held. The 60-day period of suspension will run from September 4, 1964, through November 2, 1964. The conferees believe that this 60-day period will be adequate to achieve the purposes of this legislation. The House recedes.

Amendment No. 2: The Senate amendment would have stricken language from the House passed resolution requiring information concerning rates charged by broadcast stations and networks in the 1964 presidential and vice presidential campaigns be included in the report made to the Congress under this legislation by the Federal Communications Commission. The House recedes with an amendment requiring that such report include information as to the overall schedule of rates used to determine charges during such campaigns by such stations and networks. Such information will determine the differences, if any, between the rate schedules for political broadcasts and for other broadcasts made over any station.

The conferees agreed that similar information should be included in the report for other political campaigns carried on during 1964. Such information will be useful in evaluating the efficacy of section 315(b) of the Communications Act of 1934 which provides that the charges made for the use of any broadcasting station by any legally qualified candidate for public office shall not exceed the charges made for comparable use of such station for other purposes.

The conference report was ordered to lie on the table.

ARMS AND THE WESTERN CONSCIENCE—ADDRESS BY DR. JAMES E. DOUGHERTY

Mr. MILLER. Mr. President, last evening I was privileged to hear a thoughtful, penetrating, and fine address by Dr. James E. Dougherty at a testimonial dinner of the Catholic Association for International Peace in honor of Father Edward A. Conway, S.J., at the Sheraton-Park Hotel, Washington, D.C.

I believe it merits the attention of readers of the Congressional Record, and I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Arms and the Western Conscience

(Address by Dr. James E. Dougherty at a testimonial dinner of the Catholic Association for International Peace in honor of Father Edward A. Conway, S.J., at the Sheraton-Park Hotel, Washington, D.C., June 2, 1964)

We are all in agreement that the arms problem which weighs so heavily upon modern man is a profoundly spiritual one. In every age, the specter of war has prompted poets to ponder what man has made of man. All the great religious teachers have warned against the lust for power. Philosophers have cautioned rulers to be slow to resort to force, lest man become indistinguishable from the savage beast. Countless writers have condemned certain modes of warfare as being immoral, illegal, or uncivilized. Prophets have held forth visions of a day when swords would be beaten into ploughshares and men would no longer be given to war.

To delve into the issues of war and peace, we can perhaps select no better point of departure than that of the Western conscience. This conscience has been a mighty force in history. It is still a uniquely sensitive instrument for analyzing the affairs of governments. This does not mean that Western civilization alone has produced a sense of public morality regarding the use of force by states. In other great civilizations, the leading ethical teachers have counseled against an excessive reliance upon arms, and some of them have preached a doctrine of nonviolence and harmlessness toward all living things. In fact, India's Gandhian tradition has had some impact upon the development of pacifist thought in the West. Nevertheless, I would suggest that the disarmament and peace movements of our day draw their inspiration mainly from a form of idealism which is distinctive to Western culture.

The nuclear pacifist is quite right to insist that the issues of defense policy involve moral questions of the utmost gravity. In this respect, he serves the society better than the technocrat who cannot be bothered with morality. But the pacifist is wrong if he assigns to himself a monopoly of virtue—if he thinks that his own approach to the problems of nuclear weapons constitutes the only authentic moral response. Some of our policymakers seem ill at ease when moral questions are raised. They suspect vaguely that any attempt to examine the arms problem from a moral point of view might strengthen the case for or the cause of unilateral disarmament, or else push our country toward complete disarmament too fast and at almost any cost in concessions to the Soviets. But sound moral analysis need not put the United States at any military, strategic, or political disadvantage. Morality is the application of the highest reason, and reason does not play tragic tricks upon its practitioners. If some people fear that moral analysis does entail disadvantages, this unfortunate impression must perhaps be attributed to the fact that extremists in the peace movement have often equated the so-called moral approach with all sorts of irresponsible proposals.

There are many good but naive people in the peace movement who believe that the last best hope of earth is the willingness of men to picket the White House or to march to Aldermaston. They proclaim in effect that all advocates of rapid disarmament stand among the elect, in contrast to the misguided or malicious proponents of defense policies. Only the propagandist wishes that the lines between good and evil could be drawn so simply. For pacifists to look upon all supporters of a nuclear defense policy as potential Dr. Strangeloves is no more justified than for the advocates of deterrence to brand all demonstrators for total disarmament as Communist sympathizers.

Not all the marchers for total disarmament are necessarily moral in their motivations. The peace movement derives at least some of its strength not from any altruistic ideals but from the sheer desire for biological survival. No one can deny that the preservation of the human species is a fundamental moral imperative. All other moral efforts presuppose this. But moral values themselves must arise from something spiritually deeper than the brooding fear of self-extinction. Fear should be the beginning, not the end, of wisdom. Any man who is more anxious to prolong his own existence than to uphold the quality of human life itself will hardly make a sacrifice for any cause, however noble. The crass epicurean will purchase his physical safety and comfort at the expense of all those values which fall below the threshold of his own survival.

It would be grossly unfair to suggest that most pacifists belong to this school. The true pacifist is opposed to the use of force precisely because he is interested in values and in the quality of human life. He detests the notion of nuclear violence, and this does not mean that he is indifferent to freedom and justice. He believes firmly that the moral order cannot, in the final analysis, be safeguarded by physical force. The genuine pacifist fears that a nation which rests its security upon the massive deterrent of nuclear power unconsciously undermines the moral quality of its own life. At his finest, the pacifist is not preoccupied with self-existence. He is moved by a concern over the preservation of civilized life on this planet (as every intelligent man must be). Beyond this, he testifies to a spiritual concept of man which transcends the notion that right needs might. When he meets a Christian who supports the policy of nuclear deterrence, the pacifist chides him for being caught in a basic self-deception—for threatening to do something in retaliation which cannot morally be done, while hoping that he shall never have to carry out his threat.

For many years, the barbs of the pacifists have been piercing my thick spiritual hide. Nevertheless, after much soul-searching, I cannot accept the pacifist position. In my reading of the relationship between the Old Testament and the New, between the person and the State, between the natural and the supernatural, and between the orders of justice and charity, it does not seem that the maintenance of a nuclear deterrent is intrinsically immoral, or that the law of force has been historically abrogated by the law of love. Not he alone is Christian who despises all instruments of power as evil, who shuns modern weapons technology and washes his hands of it and flees from it as though it were the work of the devil. Some Christians recognize that massive power exists and must be managed. The mere existence of these modern weapons is tragic but not immoral; we often confuse the two. Morality is determined by purpose and intention. How and to what ends shall we use this power in our hands? These are moral questions. The pacifist says that they will surely come to no good and hence must be renounced. My answer is that we hope they will be productive of good and that the worst thing to do in the present historical context is to downgrade the deterrent by embracing a lopsided, unilateral pacifism. So long as nuclear force can be used as an instrument of terror and injustice, the same kind of force must be retained as a deterrent tool of justice.

I realize that States always appeal to the justice of their policies as the figleaf of their moral respectability. But this fact fails to prove that there is no such thing as justice in the world. Some Christian pacifists argue that when all the corrupt and immortal tendencies in modern Western culture have been taken into account, our civilization turns out to be no better than any other, not even a totalitarian one. The Christian must always remember the beam in his own eye. He cannot deny that, East and West, we have all gone astray together. All men in all social systems stand equally in need of redemption. Yet when he has made his mea culpa, he must still strive for an objective view of the international situation. When I do this, I am convinced that the political principles, the social values, the spiritual ideals and even most of the institutions of the Western liberal civilization are superior to those of the Communist system, and are worth defending with force.

Western culture has given to the world modern science, the modern democratic state, and the idea of a refined humanity. Indeed, what is best in Marxist socialism is the fruit of Western culture, with its Jewish and Christian, its Greek and Roman, and its European, content. The idea of independence which has burned in the breasts of Asians and Africans, spurring them on in the postwar period to throw off the yoke of Western imperialism, can be traced to no other source than Western education. Never in history has there been such a smooth transition from colonialism to independence. The process succeeded largely because Western elites were basically sympathetic with the movement. The Western nations have done by far the most to promote the economic and social development of the emerging countries, and will continue to do so. On the whole, the record of the West in the recent past is one that the West can be proud of, instead of indulging in unprofitable self-recrimination over the sins of the more remote past. Finally, the vision of an international family of free states united in a pluralist community, living and letting live, working out their problems peacefully and decently, is a distinctive product of Western liberal thought. If the United Nations is someday to be what its architects dreamed of, then the ideals of the West must remain a dynamic, creative force in world history; whatever synthesis of social systems may ultimately emerge, it must embody more respect for the free person than adulation of total social control. The West still has a great deal to offer the world, and a great deal to do for the world. It is by no means a perfect society, but it renews itself by engaging in constant moral self-evaluation. Its peoples measure the policies of their governments against ethical standards more so than in any other region of the world. If the West should ever go under, mankind would be incomparably poorer; the loss would be incalculable.

This is why I reject the contention that pacifism is the acid test of Christianity in the 1960's. The Western nations are entitled to maintain a nuclear deterrent against an adversary who is likely to be impressed by that power. We would do well to remember, as Max Lerner has pointed out, that we really face two great dangers, not one: "There is the danger that the world will become a mound of radiated ashes, and there is also the danger that it will become an ant colony, under a commanding elite that * * * does not hesitate to use the conscience of atomic man for its own power purposes." Both of these represent high moral challenges to our ingenuity. We shall fail if we worry about only one of them. America must wield its vast power responsibly and shrewdly to influence the course of events in two directions—toward a more stable peace and toward the greater freedom of the human spirit.

Most pacifists are offended by the suggestion that the policy of responsible deterrence has succeeded in discouraging at least overt aggression. Deterrence alone, of course, does not solve all our problems. We need much more in the nonmilitary sector. We most certainly should increase our efforts—doubling or tripling them in the next 10 years—to help the peoples of the developing countries create the conditions for the production of social wealth. We are not afraid of engaging the Soviets on the field of peaceful competition. In fact, we are happy to do so. But if the international strategic contest is being lifted to a higher, more constructive plane, this is not because the Communists disdain military power; it is because they respect it. The superiority of the American deterrent is the indispensable condition of peaceful competition, until effective solutions to the arms problem can be reached.

We should not fail to explore any opportunities which may open up for meaningful arms agreements with the Soviets—agreements which will enhance the safety of the international environment. At the same time, we should remain on our guard against unwarranted optimism. The world is changing rapidly in many respects. But not everything changes. Certain features of the cold war are more persistent than some of us like to think. A system which for four decades has institutionalized the techniques of conflict and expansion can hardly be expected to shift course suddenly. Catholics are sometimes accused of adhering rigidly to the thesis that communism cannot change. This is a most inaccurate interpretation of the Catholic attitude (if one can speak of such a thing). In history, everything changes except the inner essence of Christianity and of the church. No one can rule out the possibility that Soviet communism may evolve in a more benign direction. But after only 1 year or so of ambiguous detente, it is premature to declare that the Soviets are permanently mellowing in their foreign policy. More than once in the past we have learned to our regret that one swallow does not make a spring. Although the Soviets are encountering economic difficulties at home and political squabbles within their state system, there is no evidence that their foreign policy is suffering setbacks in southeast Asia, in Egypt, in India, in Cyprus, and in other areas of the globe. When we assess the current phase of Soviet-American relations, we should not let the wish be father to the thought.

To secure the peace, it is not enough to describe the horrors of war. Since the clear pronouncements of Pope Pius XII, Catholic theologians will not defend a strategy which intends the wholesale obliteration of cities. But neither will the church condemn nuclear weapons and nuclear deterrence as intrinsically immoral. Pope John XXIII refused to do this in Pacem in Terris. He warned that nations cannot always depend for peace upon a mechanistic balancing of forces, and that nations must seek to base their relations on mutual trust. He added, however, that no nation can be expected to subscribe to an arms reduction plan which involves placing itself at an unfair disadvantage. The late Holy Father said that arms reduction must be reciprocal and subject to effective control. This is what the long years of negotiations have been all about.

On the disarmament front, the prospects for general and complete disarmament are now being looked at more soberly than was the case a few years ago—on both sides—and practical partial measures are under discussion again. The Soviets are still sensitive on the subject of international inspection; their position has not changed noticeably in recent years. There are still some fudamental technical and political problems which have not been solved: I am thinking of the question of hidden stockpiles out of previous production; Soviet reluctance to strengthen the peacekeeping machinery of the United Nations; and the problems posed by France and China. If the Soviets are as worried about China as they sometimes appear to be, they might be unable to contemplate seriously any actual destruction of weapons. The Soviets would probably be content to live in a bipolar nuclear world for a while if they could be reasonably sure that it would not become intolerably multipolar. In my estimation, they are not terrified by us. Cuba taught them many lessons. One was that the United States is capable of carefully defining its irreducible national interest—tardily but carefully. The other is that the United States is capable of acting with consummate restraint; it does not pursue strategic advantages ruthlessly.

The arms problem, as you all know, is almost a bottomless pit in its complexity. The most lurid description of the effects of an H-bomb blast, the most caustic critique of the size of our stockpiles, will not serve to lead us out of our impasse. It does us no good to wring our hands and lament that there is so little time. If we have only a little time, then we are in bad shape, because we are going to need a long time. We have been moving into our present predicament for a long time, for several decades; we cannot untangle ourselves as easily as some pacifists believe, through a sudden moral conversion of governments. We are trying to grapple, all at once, with the nature of modern technology, with the structure of the Nation-State system, with very real philosophical differences, and with the orneriness of men. The task confronting us demands a penetrating intelligence uncommon in history—such an intelligence as cannot be hurried by the manipulations of propagandists. In this era of nuclear-tipped missiles, it can be most dangerous to think in terms of readily perceived panaceas to the enduring dilemmas of world politics.

Man has divined the secrets of the atomic universe. He cannot erase from his mind this awful knowledge by any form of political or scientific exorcism, but must live with it for the rest of time. The best he can hope to do is manage this power with wisdom until it can be organized under the world public authority for which Pope John XXIII called. This will require a much greater consensus of values with respect to the nature of the social and moral universe which is man's habitat. It may well be that the two superpowers both wish to avert nuclear war. This is more of a coincident negative interest than a common positive purpose. We have a long way to go to work out, in a spirit of genuine mutuality, a common vision of the kind of international order to which we wish to belong. The effort to do this has been missing through many years of debate. Instead of focusing almost exclusively upon the technical aspects of the arms problem, the United States should challenge the Soviets to enter upon a broader, nonpolemic discussion with us about man; a true political, philosophical, and theological dialog about the relation of past and future, of person and collective, of heaven and earth, of justice and injustice, and the many other questions which divide us to the depths of our souls.

In closing, I would urge that the partisans of peace and the fighters for freedom reopen their lines of communication. The peace movement still has a lot of homework to do on political, technological, and strategic matters. The strategists for defense can stand to turn away occasionally from the cold calculus of deterrence and meditate upon the grave moral and human issues confronting man. Both groups can help each other to arrive at a deeper understanding of reality. Both groups should recognize the dangers of the intellectual schism which has appeared in our country in recent years between the advocates of peace and the advocates of freedom. If we remain divided, the cause of neither peace nor freedom will be served well. The will to peace is not the will to surrender; the will to freedom is not the will to holocaust. This, I take it, is the message which the man whom we honor tonight has been striving these many years to get through to us.

MEMORIAL DAY, 1964

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may yield to the Senator from North Carolina [Mr. ERVIN] under the conditions previously stated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial from the Jefferson Standard Broadcasting Co., of Charlotte, N.C., on Memorial Day, 1964.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MEMORIAL DAY, 1964

On this anniversary, when we pay tribute to those who died in the wars of this Nation, it is commonplace to say that these honored dead gave their lives for American freedom.

Yet among the millions who will stand uncovered while the band plays the national anthem, one wonders how many could give an intelligent answer to the question, "What Is American Freedom?"

In our time it has become almost unfashionable to love one's country. Paying tribute to the great men and women who made this a land of freedom has been relegated to the same back shelf as ancestor worship. Any quotation of the deathless words from the great documents of our history is dismissed as corny. Anyone who is not ashamed to express a patriotic sentiment is classified as a square.

These cynics would probably respond to our question by mentioning the four freedoms, yet only the first two of them are freedoms—freedom of speech and expression, freedom of worship. The others are merely conditions. Freedom from want and freedom from fear mean nothing but their absence, and including them among the basic American freedoms illustrates the confused thinking of our time.

Absence of want and fear imply that the government is to protect the citizen by dispensing largess to him. Once he accepts that largess, he sacrifices his freedom by becoming a dependent of government.

The people who lived in the oldtime mill village and obligated all their wages in advance for a company house and for credit at the company store did not enjoy absence of fear and want, and they were not free, because they were dependent on the company. No humanitarian person would care to go back to that.

But those who advocate a welfare state would reduce the whole population to the same kind of dependence, but on the government store instead of on the company store. The Socialist-minded who promote this kind of life are the new capitalists, urging a government monopoly beyond the wildest dreams of free enterprise and a power over the employee that no labor union would tolerate for a moment.

With that kind of subservience the free soul has simply nothing to occupy itself.

Another example of today's confused thinking is the so-called universal declaration of human rights under which any rights enjoyed by the citizen would be granted by and therefore held at the sufferance of the government. But our system proclaims that the government gets its rights from the people, and the people get theirs from God.

And so, as the silvery notes of "Taps" float over the serried ranks of plain white slabs and we pray that this Nation under God may have a new birth of freedom, let us be sure it is the same kind of freedom that Lincoln was talking about.

NORTH CAROLINA'S OUTER BANKS—A NATIONAL SEASHORE

Mr. ERVIN. Mr. President, as the vacation season approaches, I hope every American will consider North Carolina. North Carolina, with its beautiful Blue Ridge Mountains, the highest peaks east of the Mississippi, and its outer banks, the longest strand of unspoiled beaches on the east coast, is certainly the Nation's variety vacationland. Jenkins Lloyd Jones has written an article on our national seashore which has captured the unique quality of North Carolina's outer banks.

I ask unanimous consent that Mr. Jones' article "A Dwindling Resource: Solitude," appearing in the May 28, 1964, edition of the Washington Star, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A DWINDLING RESOURCE: SOLITUDE—NORTH CAROLINA'S NATIONAL SEASHORE IS A VITAL U.S. CONSERVATION PROJECT

HATTERAS, N.C.—America meets the sea in many ways.

In the crash of the surf against California's Big Sur. At the dangerous tide races of Maine's Passamaquoddy. On the sparkling sands of Miami Beach and the rush-covered flats of Texas.

But nowhere does America meet the sea more dramatically than on the outer banks of North Carolina, stretching for 120 wild miles from Currituck to Cape Fear along a series of islands rarely more than a mile wide.

Below the great new bridge across Oregon Inlet, Uncle Sam has exercised the best kind of socialism. He has set aside in a "national seashore" a playground that will become increasingly precious as America fills with people.

For here on the bare white dunes is our most rapidly diminishing national resource—solitude. Here the warm Gulf Stream clashes with the cold continental waters in boiling turmoil. Here treacherous currents have built Lookout Shoals and Diamond Shoals, stretching clawlike far to sea.

Here is the hurricanes' port of call. Nearly every great storm closes one inlet to Pamlico or Albemarle Sound—and opens up another. You drive your car on an asphalt road where darkened blockade runners dared the Union picket ships 100 years ago. Old bridges now cross dry land, and daggers and trawlers sail through yesterday's solid beach.

The tragedians of Hatteras, the battered wrecks that couldn't claw away from a lee shore, are constantly engaged in a fantastic danse macabre, even in death appearing, disappearing, and reappearing. For every blow that washes sands over the bones of one seems to strip the sands from the bones of another.

It is said that 600 vessels of more than 50 tons have died in these shallows. Before radio beacons, loran, and fathometers, so rich were the spoils that villages sprang up at Kitty Hawk, Kill Devil, Rodanthe, and Salvo, their houses made of ship timbers, their inhabitants keen for salvage. Once, it is claimed, Okrakokers would drop a corpse on the way to the cemetery at the cry of "Ship ashore."

Nearly all the tales of Hatteras are sad ones, for every foot of beach has heard the despairing cry of men clinging to the rigging. But there is one happy yarn with a Hollywood ending. David Stick tells about it in his book, "Graveyard of the Atlantic."

The 206-foot sidewheeler *Pulaski* sailed from Charleston for New York on June 14, 1838, with 90 passengers. One was young Mr. Ridge, of New Orleans, who looked wistfully at a lovely young lady who was one of the Charleston boarders. But in those days well brought up young men waited for an introduction, and well brought up young ladies didn't make introductions easy.

For 2 days they looked warily, if eagerly, at each other, but all Ridge learned was that her last name was Onslow.

And then off Hatteras at midnight the starboard boiler blew. Through the scalding steam Ridge searched for and found Miss Onslow. He was just handing her into a lifeboat when a second explosion split the vessel. Struggling alone in the dark water, Ridge found a barrel, a settee, and a piece of sail. He made a raft, big enough to hold one. Then he heard a faint cry for help and what hair should he grab but the scented, if soggy, tresses of Miss Onslow.

The chronicler states that Miss Onslow, noting the inadequateness of the raft, attempted to cast herself back into the sea so that Mr. Ridge could profit from his invention. And there ensued a stilted Victorian argument. "Alas, my dear sir," "Ah, but my dear lady." Eventually, the resourceful Ridge made the dispute moot by finding enough flotsam to support them both.

For 4 terrifying days they drifted without food or water. Once the raft approached the beach, but a vagrant current bore it seaward again. Once a boatload of survivors which had room for one more came up and a seat was offered to the lady. She wept but refused.

Because in the meantime, of course, they had plighted their troth and she was resolved to die with him. So off they drifted again with swelling hearts, parched tongues, and grumbling stomachs. And—well, let's be quick about it—they were rescued.

Whereupon, young Mr. Ridge proclaimed that all his worldly goods had gone down with the *Pulaski* and he released her from her pledge. But she threw herself at his feet and said she would starve happily. So they were married.

Only after that did Mr. Ridge discover that Miss Onslow was the "sole heir to $200,000." And the chronicler passes on to other shipwrecks.

But $200,000 then was worth a million now, and it was at a time when the Old South was at its gayest and the twin demons of bourbon whiskey and fast horses lay in wait for young men suddenly excused the necessity of making a living.

It doesn't do to be cynical, but the next time I meet a southerner named Ridge I'm going to try to find out what happened next.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

JURY TRIALS AND CIVIL RIGHTS: A FACTUAL ANALYSIS

Mr. HUMPHREY. Mr. President, I should like to speak today in some detail in support of the jury trial provisions which are incorporated in title XI of the amendment in the nature of a substitute to H.R. 7152, proposed by the distinguished minority leader for himself and the distinguished majority leader, the distinguished majority whip, the Senator from California [Mr. KUCHEL] and myself. These provisions are similar to the so-called Mansfield-Dirksen jury trial substitute to the Talmadge amendment, the substitute having been presented to the Senate more than 5 weeks ago.

Title XI of the Mansfield-Dirksen jury trial proposal, contains what amounts to a limitation on the sentence that a judge can impose in a criminal contempt trial under the bill without having the case heard by a jury. It provides that in any criminal contempt trial under H.R. 7152, or under the 1957 Civil Rights Act, the accused individual may be tried with or without a jury at the discretion of the judge, provided that in any such trial without a jury the fine shall not exceed $300 and the imprisonment shall not exceed 30 days. This is similar to the 1957 act except that the maximum jail sentence has been reduced from 45 to 30 days.

This decision of the Mansfield-Dirksen amendment recognizes the most recent formulations of constitutional law concerning criminal contempt—namely, the Supreme Court decision in the Barnett case. The majority decision in that case suggested the following legal doctrine:

> Our cases have indicated that irrespective of the severity of the offense, the severity of the penalty imposed, a matter not raised in this certification, might entitle a defendant to the benefit of a jury trial. * * * Some of the members of the Court are of the view that, without regard to the seriousness of the offense, punishment by summary trial without a jury would be constitutionally limited to that penalty provided for petty offenses.

The dissenting opinion in the Barnett case expressed by Mr. Justice Goldberg included the following point:

> If a criminal contempt (or any other violation of law) is punishable only by a trivial penalty, then the Constitution does not require trial by jury. If a violation of law is punishable by a nontrivial penalty, then the Constitution does require trial by jury whether the violation is labeled criminal contempt or anything else.

Title XI recognizes those dicta of the Supreme Court that may forebode a future decision limiting the contempt power, while at the same time it supports the traditional rights of the courts to enforce their lawful orders. The entire history of Anglo-Saxon law, from the days of Blackstone to the present, supports the position that courts should be able to preserve their authority and dignity by possessing the power directly to punish breaches of that authority and dignity.

In the past 6 weeks, opponents of the civil rights bill have been taking the opposite position. In fact, for the past 6 weeks opposition to the civil rights bill has been expressed chiefly by arguing the revolutionary position that any defendant in any Federal court proceeding, regardless of whether it is a civil, criminal, or contempt proceeding, is entitled to a jury trial. Some of the advocates of this position, which contradicts 300 years of Anglo-Saxon law, have gone so far as to say that this categorical and sweeping right to a jury trial is the most important of all civil rights, indeed that it is the most sacred of all protections against tyranny. If Senators really believe this claim, they must be terribly dissatisfied with the American Constitution and with the administration of justice in the United States, for it is a matter of historical fact, as I will soon show, that there is no—I repeat no—constitutional guarantee of the right of trial by jury in cases involving contempt of court. Indeed, this very admission has been made on the floor of the Senate by the distinguished senior Senator from North Carolina [Mr. ERVIN].

The administration of justice in the United States, in Federal courts or in State courts, has always recognized that courts may enforce their own decrees and that, therefore, they have power to try individuals for contempt of court without reference to a jury. This has always been the case in the United States and in every State in the United States; namely, that the courts have the right to enforce their own decrees and have the power to try an individual for contempt of court without reference to a jury.

The opponents of the civil rights bill, who are such enthusiastic—and I say respectfully—belated converts to the position that everything should be tried by jury, do not seem to be bothered by this problem except when civil rights bills are being considered in the Senate. In fact, while they claim that the absence of absolute right of trial by jury is the gravest flaw in American life, they insist this is true only with respect to Federal courts. When one is sentenced to jail, it does not make much difference whether it is done by a Federal judge, a State judge, or a municipal judge; a jail is a jail.

Several Senators have expressly stated that there is no reason to be concerned about the power of State courts to try individuals for contempt without a jury. This is a peculiar doctrine. It does not seem to have a great deal of respect for what one might call continuity in the law, or of regularity in the law.

The attacks on the jury trial provisions of title XI—or of the Mansfield-Dirksen substitute—are all the more inappropriate because, in fact, the title confers a greater right to trial by jury than is presently contained in Federal law.

Mr. President, when I refer to title XI of the substitute, I refer at all times to the Dirksen-Mansfield jury trial substitute to the Talmadge proposal.

It is hedged about with even more safeguards than is the Civil Rights Act of 1957, and it creates as great a right to jury trial as can be granted without seriously jeopardizing the enforcement of H.R. 7152 and the Civil Rights Acts of 1957 and 1960.

FEDERAL PRACTICE IN CONTEMPT CASES

The historic practice in Federal courts has been to try criminal contempt cases involving disobedience of court orders without a jury. As the Supreme Court noted in *Green* v. *United States* (356 U.S. 165, 186, n. 18), which is a very relevant case, the English courts, at least by the early 18th century, punished disobedience of their orders summarily; in other words, without a jury. In his "Commentaries," volume 4, page 184, Blackstone—one of the recognized authorities—explicitly recognized the use of this summary power, the right of the court to punish those who are in contempt of the orders of the court, without benefit of jury trial.

The Supreme Court, in an unbroken line of decisions, has held that criminal contempts, including contempts consisting of disobedience of court orders, "are not subject to jury trial as a matter of constitutional rights" (*Green* v. *United States*, 365 U.S. 165, 183). The decisions of the Supreme Court establish that criminal contempts of court are not required to be tried by a jury under article III, the sixth amendment, or the due process clause of the fifth amendment. More than 50 cases in the Supreme Court, to say nothing of the great mass of decisions in the lower Federal courts, support the summary disposition of contempts. In the Green case, Mr. Justice Frankfurter, in a concurring opinion, called the roll of 53 Justices of the Supreme Court who had sustained the exercise of the power to punish for contempt without a jury, including such eminent Americans in the history of this great Republic as Chief Justices Marshall, White, Hughes, and Stone, and Justices Storey, Holmes, Brandeis, and Cardozo.

Those men bear the most eminent names in the Federal judicial system. Some of them are considered to be the most profound lawyers. Surely men like Justices Holmes, Brandeis, and Cardozo are men whom for lack of better terminology, we refer to as being of the liberal persuasion.

In April of this year, the Supreme Court refused to depart from this history, stating in its Barnett decision:

> It is urged that those charged with criminal contempt have a constitutional right to a jury trial. This claim has been made and rejected here again and again. * * * It has always been the law of the land, both State and Federal, that courts—except where specifically precluded by statute—have the power to proceed summarily in contempt matters.

I emphasize this point because, judging by what we have heard in the past 6 weeks, it would appear to the public that somehow or other H.R. 7152, even as it came to us from the House, violated the tradition of the courts in the matter of jury trial or the right of the court to enforce its orders without jury trial.

The truth is that in the 1957 Civil Rights Act, we reversed a long-established tradition of the right of the court to enforce its orders, without jury trial, when there was disobedience of those orders or a violation of those orders. We reversed a long tradition; and that tradition is documented in the history of this country as clearly as any part of the Constitution or any act of Congress or any act of the executive department.

In the Barnett case the court stated:

> It is urged that those charged with criminal contempt have a constitutional right to a jury trial. This claim has been made and rejected here again and again.

As I have said, Justice Frankfurter called the roll of 53 Justices of the Supreme Court who had sustained the exercise of the power to punish for contempt without a jury; in other words, the court was held to have the summary right to protect itself and to enforce its orders. Then the Supreme Court said, in the Barnett case:

> It has always been the law of the land, both State and Federal, that the courts—except where specifically precluded by statute—have the power to proceed summarily in contempt matters.

Although Congress on occasion has provided for jury trial in certain contempt cases, these exceptions to the general practice have been of a limited nature. Until 1914, Congress made no provision whatsoever for jury trial in contempt proceedings. In that year, however, following the agitation created by the decision of the Supreme Court in the Debs case, Congress enacted as part of the Clayton Act a provision—now carried forward in sections 402 and 3691 of title 18 of the United States Code—for trial by jury in criminal contempt cases involving alleged willful disobedience of orders or decrees of U.S. district courts obtained by private litigants where the act constituting the disobedience also constitutes a criminal offense under any act of Congress, or under the laws of any State in which it was committed. But, in deference to the principle that the U.S. Government must retain the means required for its own operation and survival, and for the enforcement of the laws of the land, Congress exempted from the jury trial requirement contempts committed "in disobedience of any lawful writ, process, order, rule, decree or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States." Congress distinguished between private litigation and cases in which the United States was proceeding to enforce a public right. This was a sound distinction.

That distinction still holds. I do not claim to be a lawyer, but I have read constitutional law. I do not believe one must be a lawyer to know what the facts are and to read what the decisions say. The truth is that following the Debs case, in the enactment of the Clayton Act, in which a jury trial was provided in connection with criminal offenses, it must be remembered that this involved private litigation, and not litigation in which the Government of the United States was involved.

Congress specifically exempted from the jury trial requirement contempts committed "in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States."

In the pending civil rights bill we are talking about public rights. We are talking about contempt proceedings which relate to the U.S. Government, when there is a writ or an order of the Federal court enforcing a Federal statute, and enforcing it in the name of the Government of the United States. I do not believe a sound case can be made against that procedure.

Apart from the jury trial provision in the Civil Rights Act of 1957, which I shall discuss today, there are only two other instances in which Congress has granted a right to jury trial in criminal contempt cases. Both instances have been in the labor field. The Labor-Management Reporting and Disclosure Act of 1959, the so-called Landrum-Griffin Act, contains a provision, 29 U.S.C. 528, requiring jury trial in proceedings for criminal contempt of an injunction obtained under the act. And in the Norris-La Guardia Act of 1932—now 18 U.S.C. 3692—Congress provided that in criminal contempt proceedings arising out of labor disputes involving the disobedience of court orders, the accused was entitled to trial by jury.

Mr. LAUSCHE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the Senator from Ohio.

Mr. LAUSCHE. Is it not true that in the Norris-La Guardia Act Congress provided for jury trials for violators of orders of the court both in criminal and civil contempt cases?

Mr. HUMPHREY. The Senator is correct.

Mr. LAUSCHE. Also, in the Landrum-Griffin Act, Congress provided jury trials for labor leaders who disobeyed court orders and were in criminal contempt.

Mr. HUMPHREY. That is correct. I just mentioned that. The official title of the act is the Labor-Management Reporting and Disclosure Act of 1959.

Mr. LAUSCHE. Is it not true that under the Clayton Act jury trials were provided in criminal contempt cases, whenever the offense was also a violation of the criminal laws separate and apart from a disobedience of the court order?

Mr. HUMPHREY. In private litigation, separate and apart from the disobedience of the order. I have made some reference to that. I appreciate having the Senator cite that for the record, because what I am about to say is relevant to the observation made by the Senator from Ohio; namely, that by statute Congress can provide jury trials in criminal contempt cases. That is a matter of judgment. Men of good will and sincere purpose have honest differences concerning the whole question of jury trials as a means of enforcing court orders or as a right granted to a citizen who may be under the impact of a court order.

All I am attempting to say at this point is that there is no constitutional right to a jury trial in a criminal contempt case. The Senator from Minnesota only repeats what the law of the land has been since the day of the founding of this Republic and what Blackstone's commentaries point out has been the practice under Anglo-Saxon law. There is nothing novel about this proposal.

The Senate could adopt the Talmadge amendment, and if the House accepted it, it would become the law of the land. The Senate could adopt the Smathers amendment to the Talmadge amendment, and if that amendment were adopted, it would not be unconstitutional. Congress can refine the question of jury trials by statute.

Mr. LAUSCHE. Mr. President, this morning I read in the Christian Science Monitor an editorial relating to the principle of equal justice under law. The editorial held that in practice that principle has not proved to be true. It stated that the poor man, in his efforts to escape criminal prosecution, is in a far more disadvantageous position compared with the rich man, and that therefore equal justice to all, under the law, is a fiction.

According to the editorial, the Attorney General of the United States made a speech on that subject. I was impressed by the editorial, because if labor leaders can be granted jury trials in criminal contempt cases, I wonder on what theory jury trials can be denied to ordinary citizens who might violate a court order under the Civil Rights Act. I cannot answer that question without being truthful to myself. To deny such a right to ordinary citizens would not be affording equal justice to all. If jury trials can be granted to labor leaders in criminal contempt cases, it follows that jury trials should be provided in other criminal contempt cases. I have not changed the position that I expressed in the Senate about a month ago.

I agree with the Senator from Minnesota that there is no constitutional right of jury trial.

Mr. HUMPHREY. Before I become further involved in the debate, I should say that I have much sympathy for those who argue the case for jury trials. What I am attemping to do today is to place in the RECORD, through this discussion, what I believe is the historical record on the subject of contempt cases and the enforcement of Federal and State court orders. By the time I have finished today, I shall have reviewed the laws of many States of the Union. It may very well be that in the case we refer to, we went too far.

But I believe the Senator has a good point when he asks, Since Congress has provided jury trials in some instances, why not extend the right of trial by jury? I will deal with that question. I seek to be somewhat informative and educational today, and not to be in any way doctrinaire or dogmatic. I recognize that I am in the presense of two of the most eminent lawyers in the Senate—I say this with all due respect—the Senator from Ohio [Mr. LAUSCHE] and the Senator from North Carolina [Mr. ERVIN]. I hope that my contribution today may be worthy of their attention.

Mr. LAUSCHE. I might add to what I have already said that everything that is sought to be achieved as against offenders can be accomplished in civil contempt proceedings. When a person has disobeyed or violated a court's order, the court can send that person to jail and require him to remain there until he obeys the court's order.

Mr. HUMPHREY. The offender has the key. But I will also deal with this question of civil contempt in some detail.

Mr. LAUSCHE. He has the key. That is why I cannot understand why it is insisted that there shall not be jury trials in criminal contempt cases as distinguished from civil contempt cases, when it is admitted that what is sought to be achieved can be achieved by prosecutions for civil contempt. That is one of my dilemmas.

Mr. HUMPHREY. I will address myself to that point. I am not at all sure that I shall be persuasive; but at least I shall attempt to be helpful and informative.

There is one difference in a civil contempt case. It is a violation which a violator can, by his compliance with the court's order, remedy the injustice or violation. He has the keys to the jail in his own pocket.

In a criminal contempt case, the action is imposed as punishment for past misconduct in defiance of the order of the court. A criminal contempt order is accompanied by a fixed sentence, either imprisonment or a money fine or both.

Mr. LAUSCHE. I thank the Senator from Minnesota.

Mr. ERVIN. Mr. President, will the Senator from Minnesota yield to permit me to correct an inadvertent statement on his part?

Mr. HUMPHREY. I yield.

Mr. ERVIN. The Senator said a moment ago that the opponents of civil rights bills become concerned about the right of trial by jury in criminal contempt cases only when civil rights bills are under consideration. The inadvertence I wish to correct is this: This Senator from North Carolina wrote the amendment to the Landrum-Griffin Act which provided for the right of trial by jury in criminal contempt cases arising under that act. I offered it on the floor of the Senate, and every Member of the Senate, including the able and distinguished Senator from Minnesota, voted for the jury trial amendment in that case. I was concerned with the preservation of the right of trial by jury in criminal contempt proceedings in the labor field. I was also concerned for the preservation of the right of jury trials in all proceedings for criminal contempt when I supported the O'Mahoney amendment. Although it was offered as an amendment to the civil rights bill of 1957 it would have given the right of trial by jury in all criminal contempt cases clear across the board, regardless of whether they arose in cases brought by the United States or in cases brought by private individuals.

I am a great believer in, and a strong advocate of, the right of trial by jury, because I believe the right of trial by jury is, in the ultimate analysis, the only protection the people have against tyranny.

Mr. HUMPHREY. I thank the Senator from North Carolina; and I agree that my statement may well have been too broad in the instance referred to by him.

I have said that opponents of the civil rights bill who are enthusiastic advocates of the right of trial by jury do not seem to be very greatly concerned about the right of trial by jury except in civil rights cases; but I amend that statement by saying that the Senator from North Carolina [Mr. ERVIN] has always been a strong advocate of the right of trial by jury.

Mr. ERVIN. I thank the Senator from Minnesota.

Mr. HUMPHREY. And so was the late Senator O'Mahoney.

In my discussion of this matter I shall attempt to keep within the bounds of fair play; and I am happy to do so in the presence of the Member of the Senate whom I consider the most able lawyer in this field I have met in many a year.

Mr. ERVIN. I thank the Senator from Minnesota.

From the standpoint of law, I think the Senator's statements have basically been correct; but I am frank to state that I believe that the Senator's argument in opposition to the adoption of the Smathers jury-trial amendment in this case is equally valid against the bill as a whole, because nothing in the Constitution requires Congress to pass a bill of this sort.

Mr. HUMPHREY. Except for the 14th amendment.

Mr. ERVIN. I disagree because the 14th amendment does not. The truth is that every decision ever handed down by the Supreme Court or any other Federal court anywhere in the United States, at any time between the time of the ratification of the 14th amendment and the time of the submission of the amendment now before us, has been to the effect that Congress has no power under the 14th amendment to pass a public-accommodations law, but that, on the contrary, that power belongs to the States.

Mr. HUMPHREY. I shall come to that point, and this will be another interesting part of our deliberations and discussions.

Mr. President, I wish to comment in some detail on the matter of the right of trial by jury as it relates to the instances in which it is now provided by statute. We have already discussed them; they are, for example, the Labor-Management Reporting and Disclosure Act of 1959; the Norris-La Guardia Act; and the amendment to the Clayton Act.

At this time let us consider the labor field, to which reference has been made by the Senator from Ohio [Mr. LAUSCHE] and the Senator from North Carolina [Mr. ERVIN].

The labor field, however, has a special history of abuse by the judiciary, which the jury-trial requirement is designed to avoid. Before 1932, when the Norris-La Guardia Act was passed, many antilabor injunctions were issued by Federal judges who were unwilling to recognize the developing national policy of promoting, rather than stifling, the growth of a strong and independent labor movement. Far from using their injunctive and contempt powers to prevent violations of the law, the courts were issuing injunctions indiscriminately, to prevent labor organization and free collective bargaining. Decades of demonstrated hostility to labor by the courts prompted Congress to implement national policy in the labor field by curtailing Federal injunctive power in this area and by providing that juries, rather than judges, determine whether contempts had been committed.

In contrast, in the civil rights field there is no history of Federal judges abusing their contempt powers. Unlike the field of labor relations prior to 1932, there is no systematic use of the injunction power to take one side in a private dispute.

If, in the instance of civil rights actions, the Federal courts were to become as abusive of their contempt powers as the courts were prior to 1932 in connection with labor-management problems, I would promptly join the ranks of those who have sought to do something about that imbalance and that abuse of authority and power. But I must speak now for the record, and I must arrive at my judgment on the basis of experience and on the basis of our history.

The history of our country shows that for years both State judges and Federal judges, particularly after the 1890's, usually took the side of employers, and did so many times without relationship to either justice or law, but merely on the basis of the personal attitude of the judge.

That history of approximately 60 years of abuse finally resulted in enactment of the Norris-La Guardia Act; and that is also the history of the jury trial procedure under the Clayton Act. So the statutes which provide for jury trials in the Federal courts are the result of experience and actual findings, by congressional committees, of abuse of the power of the courts.

But in connection with civil rights cases, there is no such finding of abuse by the courts or of promiscuous use of injunctions.

Mr. ERVIN. Mr. President, will the Senator from Minnesota permit me to state why that is so?

The PRESIDING OFFICER (Mr. WALTERS in the chair). Does the Senator from Minnesota yield to the Senator from North Carolina?

Mr. HUMPHREY. I am happy to do so, in order to obtain any information or edification I can obtain from the Senator from North Carolina.

Mr. ERVIN. That is so because the laws in force for the protection of civil rights have been laws such as section 241, section 242, and section 371 of title 18 of the United States Code. All of these statutes require trial by jury in cases in which any person is alleged to have been wrongfully deprived of any rights secured to him by the Constitution or laws of the United States.

So the reason why there has been no abuse is that we have had fair and reasonable laws which require the use of ordinary criminal procedures in civil rights cases; and, in the case of civil suits for damages, the defendants have had the right of trial by jury, on the merits according to the Constitution. Since the existing laws on this subject do not permit the courts to engage in abuse, there is no possibility of abuse.

But under the bill now proposed, which would provide more authority than the courts ever attempted to assert in equity proceedings in connection with the labor field, there would be many opportunities for abuse. But opportunities of that sort do not exist under present laws, except in connection with criminal contempts arising under the Civil Rights Acts of 1957 and 1960.

Mr. HUMPHREY. I thank the Senator from North Carolina for his observation. In that connection, I only observe that in the instance of school desegregation cases in which the Federal courts have had to take action, the courts have acted responsively and with restraint and due diligence and care. There has been no precipitate action, or what I would call tyrannical action or abuse of power by the courts.

Mr. President, with further reference to the civil rights field and my statement that in the civil rights field there is no history of Federal judges abusing their contempt powers, and also in reference to my statement that, unlike the field of labor relations prior to 1932, there is no systematic use of the injunctive power to take one side in a private dispute, I point out that surely it cannot be said that the national policy of protecting the rights established by this bill and by the Civil Rights Act of 1957 will be effectuated by stripping Federal judges of their contempt powers. To strip them of their contempt powers would be to make a mockery of the judicial system, which, under this proposed statute, must in large measure be used in order to enforce the proposed law.

STATE PRACTICE IN CONTEMPT CASES

Mr. President, at this point let me refer to the State practice in contempt cases, because, largely, those who are in opposition to the pending bill and to the proposed substitute are vigorous advocates of what we call States rights. What is the practice of the State courts and what is the practice under the State constitutions?

In the Barnett case, the Supreme Court noted that it has always been the law, in the State courts as well as in the Federal courts, that the judiciary, except where specifically precluded by statute—and today we have made reference to that—has the power to proceed summarily in contempt matters. It is ironic that in the States whose Senators most strenuously insist upon granting a broad right to jury trial—as in the large majority of the States—the power of the courts to punish without the intervention of a jury has not been abrogated, except in rare and limited instances.

Indeed, one of the authorities principally relied upon by the Supreme Court of the United States in the Barnett case was *Watson* v. *Williams* (36 Miss. 331), a leading decision handed down in 1858 by the High Court of Errors and Appeals of Mississippi and previously cited with approval by the Supreme Court in *Ex parte Terry* (128 U.S. 289, 303 (1888)) and *In re Debs* (158 U.S. 564, 595 (1895)). The opinion in Watson warned against creating, by a requirement of jury trial in contempt cases, a situation in which the judiciary would be rendered powerless—this is a Mississippi court speaking—and in which courts and laws would operate "as a restraint upon the upright, who need no restraint, and a license to the offender, whom they are made to subdue." The decision in Watson frequently has been cited favorably in opinions of other State courts.

I think it is fair to say that the case that I have referred to, Watson against Williams, decided in the high Court of Errors and Appeals of Mississippi, is what might be called a guideline case. It is a standard to which other courts, both at the State and the Federal levels, have referred. What did that court in Mississippi say? It said that if the right of trial by jury were granted in contempt-of-court cases, those who are upright and law abiding would be offended, and literally the court would be denied the right to enforce its orders, and thereby the right to subdue those that the court is supposed to subdue.

Although Watson against Williams was a civil contempt case, its rationale and language, as the Supreme Court pointed out in Barnett, are broadly applicable to contempt cases in general. It has been referred to time after time in both civil and criminal contempt cases.

The Watson case recently was cited with approval in a Mississippi criminal contempt case, *Young* v. *State* (230 Miss. 525, 528 (1957)), where the Mississippi Supreme Court reaffirmed that there is no right to jury trial in cases of criminal contempt. I refer the Senate also to *O'Flynn* v. *State* (89 Miss. 850, 866 (1907)) and *Melvin* v. *State* (210 Miss. 132, 136 (1950)).

All these cases are cases in the State of Mississippi, where the court has held that there is no right of trial by jury in criminal contempt cases; and, furthermore, where the court has held that the court must have the right to punish those who disobey court orders.

The Mississippi rule finds its counterparts in decisions in other Southern States. I do not wish to make it appear that it is only in Southern States. I wish to demonstrate today that criminal contempt proceedings without the right of jury trial are the general pattern throughout the United States.

The North Carolina Supreme Court, for example, in *Safie Manufacturing Co.* v. *Arnold* (288 N.C. 375, 389 (1947)) held that persons charged in criminal contempt proceedings "are not entitled to a jury trial." The distinguished senior Senator from North Carolina [Mr. ERVIN], who is present in the Chamber today, who served for several years on the North Carolina Supreme Court with distinction, and who enjoys the respect and esteem not only of his fellow citizens in the State of North Carolina and all of his colleagues in the Senate but also of the people of the Nation, participated in several decisions, such as *Cotton Mills* v. *Abrams* (231 N.C. 431 (1950)) and *Cotton Mills Co.* v. *Textile Union* (234 N.C. 545 (1951)), which affirmed contempt convictions imposed by judges without juries.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I am glad to yield to the Senator from North Carolina, since I referred to him.

Mr. ERVIN. If the Senator from Minnesota would join me in inserting in the bill a provision which would give the same right in the civil actions to be brought under the bill that citizens in North Carolina now have in similar cases, I would not insist on a Federal statute requiring jury trials in all criminal contempt cases arising under the bill. North Carolina's law provides that in every one of such cases there is the right of trial by jury on the merits of the case. Under the bill not only would there be a denial of the right of trial by jury in criminal contempt proceedings, but there would also be a denial of the right of trial by jury on the merits of actions which would be brought under the bill. So I believe the North Carolina law is the law that ought to be made applicable to every equitable proceeding in the Federal courts, because we have the right of trial by jury on the merits in all cases.

Mr. HUMPHREY. I wish to discuss that point with the distinguished Senator from North Carolina at a relevant part of the remarks that I have prepared. But I am talking now about whether there ought to be the right of trial by jury in a proceeding by a court to enforce its orders when there has been disobedience of a court order, writ, or proceeding. When there is criminal violation of substantive law, there is entitlement of jury trial. I do not think there is any doubt about it under the sixth amendment. I am not familiar with all of the substantive law of the State of North Carolina, to be sure. I know very little about it. I shall listen to the Senator from North Carolina with sincere and thoughtful attention when he elucidates the North Carolina statutes relating to the difference between the right of trial by jury on the merits of a case and the right of trial by jury in reference to the enforcement of court orders.

But we are now discussing basically the Talmadge amendment and the Mansfield-Dirksen substitute, which embody the question of whether or not there ought to be the right of trial by jury in criminal contempt cases where there has been open defiance and disobedience of a court order; and the judge, in order to enforce such order, must impose severe penalties.

The Senator from Minnesota feels that that is a unique situation. It is separate and distinct from the right of trial by jury in a case involving the merits of the law itself.

We are now talking about whether the Federal or the State courts can maintain their respect, dignity, and authority to enforce their orders. It is my view that we are dealing with one of the most sensitive problems of Government.

We ought to take a good, hard look at it before we proceed to alter the basic structure of 200 years of American history.

Mr. ERVIN. I suggest that the Senate should follow the good example set by North Carolina in granting the right of trial by jury on the merits in all civil actions rather than follow the bad example set by North Carolina in denying trial by jury in criminal contempt cases.

Mr. HUMPHREY. The Senator is a very wise man. He would like us to follow the proceedings in North Carolina in the instance of trial by jury on the merits of a case. I believe that is a very worthy position. But the Senator now has some doubts as to whether the lack of the right of trial by jury in criminal contempt proceedings in his own State is a desirable example.

Mr. ERVIN. I think it is wrong for any State or National Government to deny any person the right of trial by jury in a criminal contempt case. A criminal contempt case is essentially a criminal case because it is prosecuted to punish the accused exactly as he would be punished in a criminal case.

I believe it is unjust for any State to deny the accused trial by jury in any proceeding for criminal contempt, regardless of whether it is North Carolina or any other State of the Union. I believe the denial of such a right is particularly bad on the Federal level because such act sets a bad example for the rest of the country.

Mr. HUMPHREY. Did the Senator participate in the decision in the case of Cotton Mills against Textile Union in 1951?

Mr. ERVIN. Yes; I was a member of the court at that time.

Mr. HUMPHREY. Did the Senator dissent in that case?

Mr. ERVIN. I did not dissent because I have always recognized that there is not a constitutional right of trial by jury in criminal contempt cases. I followed the law when I was a member of the North Carolina Supreme Court. I did not attempt to act as a judicial iconoclast. I did not attempt to substitute my personal notions as to what the law ought to be for what the law actually was. I left the changing of the law to those who had the constitutional right to change it.

I followed the precedents.

Mr. HUMPHREY. So the law of the State that the distinguished Senator from North Carolina is so ably representing does not provide for jury trial in criminal contempt cases; is that correct?

Mr. ERVIN. That is correct. However, as a Federal legislator I have an entirely different role than I had as a judge. As a Federal legislator I want to see the very best possible laws enacted by the Congress. One of the most crying needs of this country is a Federal law that gives to all persons charged with criminal contempt the right of trial by jury.

Mr. HUMPHREY. I appreciate the sincerity of the Senator. I know that the Senator has given many years of study to this subject. All the furor made over the Mansfield-Dirksen substitute, which is a very modest proposal, as I shall indicate, seems to subside, and seems to lose some of its sting and vitality when we examine what is the law in States represented by Senators from the South, and when we realize that Senators from those States have in their own States a record of laws that are much more severe in terms of denial of jury trial than is being proposed in the civil rights bill.

I thank the Senator. Any time I refer to his State, I want him to know that I do so with great respect.

The State of North Carolina is one of the most progressive States in the Union. I want that statement in the RECORD. I assure the Senator that his State has established patterns of social, political, and economic conduct that provide great incentive to others. The Senator from North Carolina is always a constructive Senator. I salute him for his great contributions to our deliberations and discussion of this vital national issue.

Mr. ERVIN. I thank the Senator from Minnesota for his references to North Carolina and me. I go beyond what he has said in respect to North Carolina. The State of North Carolina is the best place this side of heaven; and if I had my choice between going to heaven and remaining in the State of North Carolina, I would remain in North Carolina if I were permitted to do so.

Mr. HUMPHREY. I never heard my State referred to as heaven, but when the Senator refers to heaven, he must be referring to Minnesota.

Mr. ERVIN. I did not have Minnesota in mind, although I think Minnesota is a very fine State.

Mr. HUMPHREY. Mr. President, I would like to go back now to reference to State cases and State laws.

If the Senator from North Carolina will bear with me for a moment, possibly he can give me his opinion on this question: Does the Senator from North Carolina say that in all equitable proceedings as well as all proceedings at law there is a right to a trial by jury?

Mr. ERVIN. There is under North Carolina law.

Mr. HUMPHREY. There is under North Carolina law. Would the Senator say that is rather unusual procedure?

Mr. ERVIN. I may miss the exact number, but my recollection is that something like 18 States have such laws. I also point out that Thomas Jefferson, the founder of the party to which the Senator from Minnesota and I give our allegiance, stated there ought to be trial by jury in all chancery cases, which is another word for equity cases.

Mr. HUMPHREY. Does the Senator indicate to me, for example, that if a court issues a temporary restraining order, there is a jury trial before it is issued?

Mr. ERVIN. No; there is no jury trial before the issuance of a temporary restraining order. The only purpose of a temporary restraining order is to maintain the status quo until the court can determine whether an interlocutory injunction should issue for a like purpose until the case can be reached on its merits.

Mr. HUMPHREY. But temporary restraining orders sometimes run for a much longer time than "temporary"; is that not a fact?

Mr. ERVIN. Under North Carolina law they can continue only about 20 days. Then they cease to operate, unless there is a hearing before the court and an interlocutory injunction is issued. A temporary restraining order is issued merely to preserve the status quo until a hearing can be had on the question whether an interlocutory injunction should issue.

Mr. HUMPHREY. That is correct.

Mr. ERVIN. Under North Carolina law, a temporary retraining order remains in effect for a limited time only. At any time within 5 days a party may move to set it aside if he was not given notice of the application for it. Then there is a hearing to determine whether the order shall continue in effect until the case can be tried on its merits; and the case is then tried on its merits before a jury.

Mr. HUMPHREY. Does not the Senator consider a temporary restraining order an equity proceeding?

Mr. ERVIN. Of course; that involves the power of a court of equity.

Mr. HUMPHREY. So a temporary restraining order can be issued in all the States. Is that correct?

Mr. ERVIN. Yes.

Mr. HUMPHREY. Without a jury trial.

Mr. ERVIN. But the object of a temporary restraining order is merely to preserve the status quo—that is, to preserve the existing condition—until the court can determine whether an interlocutory injunction should issue until the case can be tried on its merits. The difference is that trial on the merits in approximately 18 States is before a jury, whereas in the Federal courts, all parties are denied a jury trial in all such cases. So there is a denial of jury trial in all instances in the Federal courts.

Mr. HUMPHREY. But a temporary restraining order has a time limit, and the time limit varies in the different States. I have known of temporary restraining orders that have been anything but temporary. The Senator's State may have a day certain when a temporary restraining order runs out, but frequently the time for a temporary restraining order is at the discretion of a judge. We are talking about jury trial. Some of the opponents of the substitute have said that if a person is put in jail for 30 days, that is a very severe sentence. Yet a temporary restraining order may continue in effect for a period of time so that a person may lose all his rights. This has been true in many trade union cases; and it has been true in many other areas.

Mr. ERVIN. I do not want to become involved in a question of semantics, but a temporary restraining order is issued to preserve the status quo until there can be a hearing to determine whether the temporary restraining order should be continued in effect until trial can be had on the merits.

If a judge decides it should be, he issues an interlocutory injunction which, in effect, continues the restraining order until trial can be had on the merits.

Mr. HUMPHREY. And that is done without a jury trial; is it not?

Mr. ERVIN. Yes. In North Carolina an interlocutory order or injunction preserves the status quo until there is a trial on the merits, which is held before a jury. If the party seeking the injunction prevails, a permanent injunction is issued.

Mr. HUMPHREY. If the temporary restraining order is violated and the person or persons against whom the temporary restraining order lies refuse to abide by the order, do they go to jail?

Mr. ERVIN. It depends on what decision the court makes. A court may sentence a person to jail, or it may prescribe some other form of punishment. In most States there are very few criminal contempt cases. I practiced law very actively and spent the major portion of about 40 weeks out of each year in the courthouse for approximately 19 years. I presided for 7 years as a judge in a court of general jurisdiction. I do not recall having ever participated in a criminal contempt proceeding as a lawyer or as a trial judge.

Mr. HUMPHREY. I think it is fair to say that the use of criminal contempt cases is limited, not only in the States, but in the Federal courts; but the procedure is necessary when the time comes for its use. It is like the defense structure of our country. We hope we never have to use it, but we must have it to maintain national sovereignty and protect our territorial integrity.

In the case of North Carolina or any other State, if a temporary restraining order were issued and there were a violation of it, it would be a criminal contempt matter without benefit of jury trial; is that not correct?

Mr. ERVIN. Normally it would not be a criminal contempt matter, because the court would be more interested in preserving the status quo, and would probably proceed on a civil contempt basis.

Mr. HUMPHREY. But it could be criminal contempt?

Mr. ERVIN. Yes.

Mr. HUMPHREY. Generally it would be civil contempt, so the defendant would have the key to the jail, as we say, and all he would have to do would be to respond to the order and he would be out of jail.

Mr. ERVIN. There is perhaps a reason why those who represent Southern States in the U.S. Senate are anxious to have jury trial for criminal contempt proceedings under Federal laws. People who have suffered at the hands of history remember history a little more acutely than those who have not.

We have historical recollections of the days of Reconstruction, when Congress passed laws which it would not allow the Supreme Court to pass upon. Under these laws, the people of the South could be tried before military tribunals, without a jury, at the option of Federal military commanders.

We are like the Irish, who suffered great injustices at the hands of the British. Particularly we fear tyranny on the part of the Federal Government, because we have suffered tyranny at its hands.

Father Ryan, the poet laureate of the Confederacy, made an eloquent statement which applies to the South, and to Ireland:

> A land without ruins is a land without history. A land without history is a land without memories.

Unfortunately, the South has many memories of tyrannies suffered by it at the hands of the Federal Government during Reconstruction. It recalls that southern civilians were denied the right of trial by jury and were subjected to trials by military courts while the South was occupied by Union troops long after the last Confederate soldier had laid down his arms and returned to peaceful pursuits. So, perhaps memories are a little more acute in the South than in other areas of the country on this point.

Mr. HUMPHREY. I can well understand the Senator's concern and point of view. I believe his comments today are another rich contribution to the discussion of this vital subject of the rights of American citizens, and the claim to the right to a trial by jury.

The South suffered unjustly and unduly at the hands of the victorious North. I do not wish to go into that sad chapter of our history of the War Between the States. But I believe that in the year 1964 we are one people—we are one United States of America.

I would be the last Member of the Senate ever to try to force upon the people of the South any act or any policy which would deny those good people all the rights of every citizen of the United States and all rights under the Constitution of the United States.

We need to continue to bind up the Nation's wounds. We need to think in terms of a new America, of an America of the 20th century, not of the 19th century.

I know of no part of America which is more loved today than the South, with its great romantic and dramatic history. In the Nation's Capital, Robert E. Lee is considered to be a national hero, not as one who led the forces of rebellion. We think of him as a national hero because of his fine character, his devotion to what he conceived to be his duty, and because of the great man that he was. Robert E. Lee is one of the immortals of American history.

I recognize that memories have a way of putting people on guard, lest those memories become realities once again. I am of the opinion that there is no possibility of that occurring to the South again. I am also of the opinion that just as I must be respectful of the rights of the States, I must also be respectful of the rights of citizens of the United States.

I would not be for the civil rights bill for one moment if I did not really believe that such a bill is needed to protect the rights of people not only in the South, but also in the East, the North, the West, and the Middle West, who have been denied their constitutional rights and protections.

I do not concede that the civil rights bill is sectional in character. I do not consider that the stain on our countenance of discrimination, intolerance, or bigotry, or whatever we wish to call it, is something that is assignable to one section of America.

I repudiate that kind of thinking. I am as much opposed to sectionalism as a form of bigotry as I am to bigotry over religion, race, ethnic group, or national origin.

We are discussing today the most vital issue to come before the Congress since the inception of the Republic. That is one of the reasons I have tried to discuss it in good nature, and with sincerity—as have Senators from the South and other parts of the United States.

I recognize the fact that opposition to the civil rights bill comes not only from the South. I should like to have the RECORD made clear on that point. It would have been a great mistake on the part of Senators to become acrimonious in debate, or to engage in trivia. The speeches which have been made on the civil rights bill have been thoughtful. They have been well documented. They will become a part of the great history of this country. If nothing else has happened thus far, at least Senators can say to one another that they have maintained a degree of respect for the subject, as well as for Senators who represent the great States of this Union.

It is important for the Senate to set the standard on this issue, because if Senators become intolerant, acrimonious, bitter, angry, and emotional, they will only stir up passions outside the Chamber.

I do not wish to see any disorder or violence in the streets. I have stated repeatedly that civil wrongs do not add up to civil rights, whether the wrongs are committed by a white man against a Negro, or by a Negro against a white man. I have pleaded for restraint, and at the same time have pleaded with the Senate to conduct its business.

Mr. ERVIN. I share the view of the Senator from Minnesota that debate on the bill has been kept on an exceedingly high plane. The provisions of the bill have been discussed from an intellectual rather than an emotional standpoint. I should like to testify to the fact that the Senator from Minnesota, as the Senator in charge of the bill, has made a most significant contribution personally and officially to keep the debate on the bill on such a high plane.

Mr. HUMPHREY. I thank the Senator from North Carolina for his comment.

Mr. GRUENING. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, I join the Senator from North Carolina in his comments on a superlative achievement on the part of the Senator from Minnesota [Mr. HUMPHREY], as the Senator in charge of the bill, in keeping the debate on the highest plane of free exchange of ideas, without passion, without violence, and without acrimony.

This is a subject which could easily lend itself to loss of temper, and to extravagance of statement. The Senate and the people of the United States owe a great debt to the majority whip for his fine restraint and superb leadership on an issue in which he believes, in which belief I share. He has kept the debate in line with the highest and best traditions of the Senate. I believe that is being recognized throughout this body and elsewhere in the country. It deserves to be recognized and highly commended.

I am also grateful to the Senator from North Carolina [Mr. ERVIN] for expressing the same view.

Mr. HUMPHREY. I thank the Senator from Alaska. These comments, of course, apply to the total membership of the Senate, and not merely to an individual Senator.

I feel that as we approach the point where we shall be making some decision one way or the other, it would be well for all Senators to take a good look at one another before they make statements they may later regret.

As the Senator from North Carolina has today reminded me, I made one statement which was not pertinent and not fully factual, and I believe the record should be corrected as we go along.

Mr. President, to continue with my review, the rule is no different in South Carolina. The supreme court of that State, in *State* v. *Goff* (88 S.E. 2d 788 (1955)), held that the power to punish contempt summarily is an "implied and necessary power without which contumacious conduct could well destroy the authority of any court."

Alabama agrees. It was held in the case of *Ex parte Evett* (264 Ala. 675, 89 So. 2d 88, 91 (1955)), that no jury trial is required in contempt proceedings because such proceedings were "not criminal cases within the meaning of the constitution or statutes of Alabama."

Nor does Arkansas grant a jury trial in criminal contempt cases. The Supreme Court of Arkansas, in *Freeman* v. *State* (188 Ark. 1058, 1063 (1934)), said that the power to punish for contempt was "independent of statutory authority" and "an immemorial incident of judicial power," "its conclusions to be reached and judgments found without the intervention of a jury."

Louisiana follows the same rule. Under title 15, section 11 of the Louisiana Revised Statutes, "every court has authority to punish, as being a contempt, every interference with or disobedience of its process or orders, as well as every act interrupting or tending to interrupt its proceedings, or impairing the respect due to its authority." Although no one may be punished for a contempt committed outside the presence or hearing of the court, except after hearing upon a rule to show cause, there is no provision for jury trial.

The rule that there is no right to jury trial in criminal contempt cases also prevails in Tennessee and Texas. I refer Senators to the Tennessee case of *Pass* v. *State* (181 Tenn. 613), and the Texas decisions in *Crow* v. *The State* (24 Tex. 12, 13 (1859)), and *Ex parte Winfree* (153 Tex. 12, 13–14, (1953)).

Senators will note the span of these cases. They go back into the middle of the 19th century and reach into the middle of the 20th century.

Similarly, although section 38.22 of the Florida Statutes Annotated—1961—substantially limits the punishment which may be imposed in contempt cases, it provides that in such cases "the court shall proceed to hear and determine all questions of law and fact." The power of the court to determine the facts was confirmed in *State* v. *Lewis* (80 So. 2d 685 (1955)).

With limited exceptions, Georgia also does not grant the right to trial by jury in criminal contempt cases. Among many Georgia decisions on this point are *Hortman* v. *Georgia Board of Dental Examiners* (215 Ga. 560 (1958)), *Gaston* v. *Shunk Plow Co.* (130 S.E. 580, 586 (Supreme Court of Georgia, 1901)), *Tindall* v. *Westcott* (39 S.E. 450 (Supreme Court of Georgia, 1901)), *Bradley* v. *State* (36 S.E. 630 (Supreme Court of Georgia, 1900)), and *In re Fite* (76 S.E. 397 (Court of Appeals of Georgia, 1912)). The Supreme Court of Georgia indicated in *Bennett* v. *Bagwell & Stewart, Inc.* (216 Ga. 290, 116 S.E. 2d 288, 292 (1960)), that jury trial may be had at the court's discretion—a rule similar to the provisions of the substitute amendment.

I invite the attention of Senators to this point because it is a very relevant factor in the debate. In the Georgia Supreme Court decision in Bennett against Bagwell, decided in 1960, a recent decision, the court held that a jury trial may be held at the court's discretion. This rule is similar to the provision in the substitute amendment.

Jury trials are apparently prescribed in Georgia only in cases of contempt for failure to pay over money where there is a denial of control over the funds—a provision contained in title 24, section 105 of the Georgia Code.

In 1897, the General Assembly of Virginia passed a statute granting trial by jury in contempt cases, but 2 years later, in *Carter* v. *Commonwealth* (32 S.E. 780, 783 (1899)), the Virginia Supreme Court declared the act unconstitutional. At present, the Virginia statutes apparently grant a right to a jury trial in only one circumstance: Where the act of contempt is committed in the presence or immediate vicinity of the court and the judge wishes to impose a sentence of more than 10 days' imprisonment or a fine of more than $50—Virginia Code, section 18.1–292; 295.

In Virginia, if the act of disobedience is committed in the presence of the court, and if the imprisonment is to be more than 10 days or the fine more than $50, a jury trial is granted.

In *Yoder* v. *Commonwealth* (57 S.E. 581, 583) the legislation granting this limited right to jury trial was upheld, but the Virginia Supreme Court of Appeals reaffirmed the general common law rule that a contemnor could be "punished without the intervention of a jury" and interpreted the new legislation as not conferring a right to jury trial in contempt cases except in the specific instance previously noted. This is a very narrowly defined statute. Under section 18.1–292 of the Virginia Code, the judge may punish a defendant summarily in all contempt cases arising from "disobedience or resistance of an officer of the court, juror, witness, or other persons to any lawful process, judgment, decree, or order of the court."

I summarize by pointing out that in all these States, the power of the court to enforce its orders has been upheld by the State supreme courts; that that power has seldom been interfered with by statute and, if so, only in the most limited and specific instances. The power of the court to enforce its decrees in criminal contempt proceedings without a jury trial has been sustained and maintained by statute and by court decision.

I wish now to discuss the jury trial provision in the substitute submitted by the minority leader, the majority leader, the minority whip, and the majority whip, and the Mansfield-Dirksen jury trial amendment, which I shall identify by number later.

Mr. ERVIN. The so-called Mansfield-Dirksen substitute amendment is No. 656.

Mr. HUMPHREY. That is the overall substitute for H.R. 7152. The amendment which is incorporated in the overall substitute, submitted by the minority leader and the majority leader, is amendment No. 516. They are similar proposals. Amendment No. 516 is incorporated in the overall amendment in the nature of a substitute, No. 656, submitted by the minority and majority leadership.

JURY TRIAL PROVISION IN SUBSTITUTE AMENDMENT

The jury trial provision of the substitute amendment not only would grant a more extensive right to jury trial than is granted to defendants in criminal contempt cases arising in Southern States, but also a more extensive right than was granted to defendants in criminal contempt cases arising under the Civil Rights Act of 1957. Beyond that, it would amend the jury trial provision of the 1957 act so as to conform it to the more liberal provisions of the substitute amendment.

The 1957 act itself created a very liberal right to jury trial which departed from the basic congressional policy reflected in the Clayton Act that where the United States obtains a judicial decree in vindication of a public right, the court may try alleged contempts of that order without a jury. The act provides that in all cases of criminal contempt arising under the provisions of the 1957 act, the accused, upon conviction, shall be punished by fine or imprisonment or both. In case the accused is a natural person the fine may not exceed $1,000 and imprisonment may not exceed 6 months. Moreover, in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury. These provisions are incorporated into title XI of the substitute amendment, and they would be retained in criminal contempt proceedings arising under the 1957 act.

In the 1957 act, however, it was provided that in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300 or imprisonment in excess of 45 days, the accused, upon demand therefor, shall be entitled to a trial de novo before a jury, such trial to conform as near as may be to the practice in other criminal cases. The jury trial provisions in title XI of the substitute amendment, on the other hand, would provide that if such criminal contempt proceeding be tried before a judge without a jury the aggregate fine could not exceed $300 nor could any cumulative imprisonment exceed 30 days.

I emphasize "aggregate" because there might be instances in which a fine could be imposed two or three times, and it could be the maximum fine in each instance. Under the amendment in the nature of a substitute, the total aggregate amount shall not exceed $300.

This provision, which would apply also to cases arising under the 1957 act, liberalizes the jury trial provision of that act in several respects. First, it imposes an absolute limit upon the sentence which can be imposed by a judge sitting without a jury. In other words, it circumscribes the power of the court. Under the 1957 act as it now stands, if the judge's sentence exceeds the specified limit the defendant is faced with the choice of accepting that sentence or demanding a trial de novo before a jury. Second, the period of imprisonment which may be imposed by a judge without a jury, under the 1957 act, is reduced from 45 to 30 days. It is reduced from 45 to 30 days, in the substitute amendment now before the Senate. Third, unlike the 1957 act, the jury trial provision of the substitute amendment makes it clear that the maximum limit applies to the aggregate fine and to the cumulative imprisonment.

This is a fine line of difference, but it is an important one, because it is possible, in contempt proceedings, in which there is no trial by jury, for a judge to impose the maximum fine several times and the maximum sentence one or more times.

The proposal that has been advanced by the minority leader and the majority leader as the so-called Dirksen-Mansfield jury trial substitute provides cumulative imprisonment of not to exceed 30 days and an aggregate fine of not to exceed $300.

Mr. ERVIN. Mr. President, will the Senator yield for a question at that point?

Mr. HUMPHREY. I yield.

Mr. ERVIN. Under the Dirksen-Mansfield jury trial amendment, a judge would necessarily have to decide before he tried the case whether he would grant a trial by jury or whether he would try the case himself without a jury.

Mr. HUMPHREY. Let me read what the amendment provides:

> SEC. 1101. CRIMINAL CONTEMPT PROCEEDINGS; PENALTIES; TRIAL BY JURY.—In all cases of criminal contempt arising under the provisions of this Act, the accused, upon conviction, shall be punished by fine or imprisonment or both: *Provided, however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of six months: *Provided further,* That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however,* That in the event such proceeding for criminal contempt be tried before a judge without a jury the aggregate fine shall not exceed the sum of $300 nor any cumulative imprisonment exceed thirty days. If the trial is by a jury, the procedure shall conform as near as may be to that in other criminal cases.

So the language of the proposed law answers the question.

Mr. ERVIN. I would rather have the language explain it. A judge would have to decide before he started to try the case whether he would try it with or without a jury.

Mr. HUMPHREY. That is, in a case of criminal contempt.

Mr. ERVIN. Yes. So the judge would have to decide before he tried the case that he would not sentence the person to more than 30 days' imprisonment or more than a $300 fine.

Mr. HUMPHREY. That is correct.

Mr. ERVIN. In other words, the judge would have to decide what punishment the person deserved before he decided on how the trial would be conducted.

Mr. HUMPHREY. No. He could decide, after listening to the evidence, that the person deserved no punishment, or only a fine, or no fine, or a sentence of 5 days, 10 days, or 20 days.

There have been many objections. What we have done is to provide, in the wording of some of our colleagues, that a judge may not exercise abusive or undue power.

Mr. ERVIN. A judge would have to decide before he started to try the case whether the punishment he would impose would exceed 30 days' imprisonment or a $300 fine.

Mr. HUMPHREY. The Senator is correct. In other words, he would have to decide whether there would be a jury trial.

Mr. ERVIN. The judge would have to form an opinion about the case before he started to try it.

Mr. HUMPHREY. This would be a criminal contempt case, in which there had been obvious disobedience of a court order.

Mr. ERVIN. If it is obvious that the person is guilty before he is tried, why try him?

Mr. HUMPHREY. It is not a question of whether he is guilty or not. If he is guilty, the question is whether sentence will be imposed under the limitations of the amendment, whether there will be any sentence at all, or whether there will be any variation of the sentence.

Mr. ERVIN. Under this provision, the judge necessarily would have to decide what the punishment was to be—whether it was to be more or less than 30 days in prison or more or less than a $300 fine—before he could know whether he would grant the accused the right of trial by jury.

Mr. HUMPHREY. A Federal judge may say, as the Senator from North Carolina would, "I am a judge who believes in jury trials. I am not going to have a criminal contempt proceeding unless there is a jury trial."

Empaneling a jury would not mean that he intended to impose the maximum penalty or any penalty, because the jury would first have to decide whether or not the man was guilty.

But discretion is provided in the substitute amendment. In the Clayton Act some discretion was provided for the judge. The courts have always ruled that judges have discretion.

Mr. ERVIN. The point I am making is very simple and obvious. Under this amendment, the judge would have to make up his mind what the punishment was to be before he could determine whether he would grant a jury trial or try the case himself without a jury.

Mr. HUMPHREY. No. The judge would decide whether the case was serious enough to warrant the judge ordering a jury trial or was one of relatively minor importance, and would therefore fall with the purview of a limited penalty that could be imposed without a jury trial.

Mr. ERVIN. How would the judge make that determination before he tried the case?

Mr. HUMPHREY. I can only say that a judge is supposed to know how to make judgments. That is what judges are for. It does not mean that no penalty at all would be assessed. It merely means that a judge, when he saw that, in his view, there had been disobedience of a court order, would have to make up his mind as to what kind of procedure should be followed. The Senator from North Carolina has been a judge. He knows very well that there has been disobedience of court orders; he has been a part of a court that has upheld the power of the courts to enforce orders without jury trials.

Mr. ERVIN. I had to hear the case before I decided what the punishment would be. I never decided how much punishment an accused should have before I tried his case. Under the amendment, offered by the majority and minority leaders, the judge would either have to know all about the case and therefore really be disqualified to try it in order to determine before trial what the punishment should be, or he would have to decide what the punishment should be while he was in a state of total ignorance concerning the case. It would be absurd to adopt an amendment which would require a judge, before he heard the case, to determine what the punishment should be. It would mean either that the judge already knew about the case and therefore could not give the defendant a fair trial, or that he had made up his mind what the punishment was to be while he was in a state of total ignorance about the case.

Mr. HUMPHREY. I thank the Senator for his observation. While he makes an interesting and penetrating appeal, he is really talking about something that is as old as the law courts themselves. Judges have been making decisions for hundreds of years.

CIVIL CONTEMPT NOT AN ADEQUATE REMEDY

Mr. President, it is said by some, however, that civil contempt would be an adequate remedy for a violation of a court order issued under the act. The subject of civil contempt was raised earlier by the distinguished Senator from Ohio [Mr. LAUSCHE].

Civil contempt is a remedial device for the purpose of coercing the defendant into obeying the court's order. The civil contempt power is limited to assessing a fine or imposing a jail term when the defendant has the power to exculpate himself by doing a specific act.

The defendant in such a proceeding is said to "carry the keys to the jail in his pocket"; that is, he remains in confinement until such time as he decides to obey the court's decree. Criminal contempt, on the other hand, is imposed as punishment for past misconduct in defiance of the order of the court. A criminal contempt order is accompanied by a fixed sentence, either imprisonment or a money fine or both.

Depending on the circumstances, there are instances in which civil contempt is appropriate, and there are other instances in which it is not. If a person refuses to do an act which he has affirmatively been commanded to do—for example, if a registrar of voters refuses to register Negroes who are clearly qualified to vote, in violation of a specific court order—civil contempt is an appropriate remedy to coerce the offending registrar into obeying the court's decree, although, in such a case, a criminal-contempt finding could also be made concurrently. In other words, under civil-contempt proceedings, a court order could imprison the registrar; and each day the judge could, so to speak, ask the registrar, "Do you want to obey the court's order, and permit the Negroes to register; or do you wish to stay in jail longer? You can leave the jail the minute you obey the law."

But there are many situations in which civil contempt would be utterly inappropriate and ineffective to vindicate the court's decree. I hope Senators will note these examples well. For example, if a sheriff were enjoined by the court from intimidating Negroes for the purpose of interfering with their right to vote, the threat of civil contempt would not deter the sheriff from striking, injuring, or killing a Negro who is attempting to register to vote, since the court could not, in a civil contempt proceeding, punish him for that misdeed. At most, it could exact a promise to comply with the court's decree in the future, as the price for escaping fine or imprisonment—a promise which—coming from one who has willfully disobeyed the court's decree—would be worthless since, if the promise were broken, the defendant could not be punished.

Consider the famous case of *United States* v. *Shipp* (203 U.S. 563). There, after a stay of execution had been issued by the Supreme Court, a sheriff was charged with delivering the prisoner—a Negro accused of raping a white woman—into the hands of a local mob which lynched him. The Supreme Court instituted criminal contempt proceedings, and took testimony through a specially appointed commissioner. On the basis of the written record of this testimony, the Court, after argument, adjudged the defendants guilty, and sentenced several of them to imprisonment. If the only remedy available to the Court had been civil contempt, the Court would have been powerless to vindicate its authority, for it could not have punished the offender, and the issue of future compliance had been mooted by the lynching.

Similar problems would exist in many areas covered by the substitute amendment. If a restaurant proprietor, employer, or union violated a court order enjoining segregation in his restaurant or discrimination in employment or union membership, civil contempt might well be inappropriate. In many circumstances a court would not order the defendant incarcerated until he complied with the order, simply because it might be some time until the defendant had another opportunity to comply—that is, until another Negro appeared and asked to be served, employed, or admitted to the union. To be sure, by means of a civil-contempt proceeding a court might exact from a proprietor, employer, or union a promise to comply or to direct his agents to comply. But if that promise subsequently were broken, no effective remedy would be available. In fact, unless effective criminal contempt processes are available, at the discretion of the court, the defendant could continue to make promises of that kind without ever running a serious risk of contempt sanctions.

Suppose there were issued an injunction which requires a voting registrar to register by the next election Negroes found to have been discriminated against in the registration process. This order might well be ineffective if it could not be enforced by criminal contempt, because the election would then be over. If the registrar chose to ignore the order and the election were held, it would be too late to proceed to vindicate the court's order by means of civil contempt. And promises of future compliance, even if they were honored, could not restore the right of the Negroes to vote in the election which had already been concluded. Similarly, if a school board were ordered not to enter into a fictitious transaction to transfer school property to a private entity so as to evade a desegregation decree, and the board went ahead and consummated the transaction in defiance of the order, it would be too late for civil contempt. Such examples could be multiplied. The point is that many types of court order must be enforced by criminal contempt or they will not be enforced at all.

Of course, it is also true that the judge has the power to decide whether the proceedings will be for civil contempt or for criminal contempt. That will be part of the decision process engaged in by the judge.

CONCLUSION AND SUMMARY

The Supreme Court emphasized long ago, in the Debs case, that "a court enforcing obedience to its orders by proceedings for contempt is not executing the criminal laws of the land" (158 U.S. at 564, 596). Rather, as that Court stated in *Eilenbecker* v. *Plymouth County* (134 U.S. 31, 36), it is protecting the integrity of its own processes and orders. In the Shipp case, which upheld the power of the Supreme Court to punish disobedience of its orders without a jury, Mr. Justice Holmes—one of the truly great legal minds in the history of our country, a profound scholar and philosopher, and one of the greatest lawyers and judges our country has ever known—speaking for the Court, emphasized the impartiality of the judges in trying a defendant for contempt by disobedience of a court order. In a statement reaffirmed in the Barnett decision, he pointed out, at page 54 of the Shipp opinion, that "the court is not a party. There is nothing that affects the judges in their own persons. Their concern is only that the law should be obeyed and enforced, and their interest is no other than that they represent in every case."

It should be remembered, moreover, that a defendant in a criminal contempt case receives the full protection of due process. He is presumed to be innocent; his guilt must be proved beyond a reasonable doubt; and he cannot be compelled to testify against himself.

In other words, pursuant to the fifth amendment, he receives notice of and has a reasonable opportunity to meet the charges against him, and he has the right to counsel and the right to present his own witness and to cross-examine others; which, by the way, have not been referred to in all of the debate—these procedural protections in contempt-of-court proceedings that are provided under the law and under the precedents of the court.

For decisions of the Supreme Court establishing these proposition, I refer the Senate to *Gompers* v. *Bucks Stove & Range Co.* (221 U.S. 418, 444); *Michaelson* v. *United States* (266 U.S. 42, 66); and *Cooke* v. *United States* (267 U.S. 517, 537).

So there is no doubt about the procedural rights of an individual charged with criminal contempt. Therefore, a judge does not merely summarily throw a person in the pokey or put him in the jailhouse. The individual must be notified of the charges. He is entitled to the right of counsel and the right to examine and cross-examine witnesses. He has all of the procedural rights available under the rules of evidence which are provided in the Constitution and in the precedents and practices of the American judicial system.

In the overall substitute presented by the Senator from Illinois [Mr. DIRKSEN], the Senator from Montana [Mr. MANSFIELD], the Senator from California [Mr. KUCHEL], and myself, the new title XI would add to these procedural safeguards by vesting the judge with discretion to impanel a jury and by imposing a strict limitation on the amount of punishment which may be imposed by a judge sitting without a jury. But the power to impose some criminal punishment for infractions of court decrees without calling on a jury is vital to the dignity and the effective functioning of the judiciary. History will judge us not by the civil rights which we purport to establish, but by the practical effect of the legislation we enact. We will be judged harshly if the rights which we place in the statute books cannot be enforced because of our failure to recognize the obvious danger of requiring, in all criminal contempt cases arising under the civil rights bill, a verdict of guilty by a jury.

I wish the record to be clear. I have great faith in juries. I believe juries make very few mistakes over the long run. I do not base my opposition to the right of trial by jury in all criminal contempt cases upon the feeling that juries in some States would be prejudiced to a point at which justice could not be given. I do not believe that we should make such a charge here. I think we can say that, as human beings, we are all somewhat influenced by the passions of the day. We are all somewhat influenced by our environment. But I think jurors, once they take the oath of jury duty, extend themselves to the best of their ability to be fair. The human quality is there. The human frailty is there. Human limitations are there. So the Senator from Minnesota is not basing his case in support of the Dirksen-Mansfield substitute or his opposition to the Talmadge amendment on what he considers to be the unsound ground that justice cannot be obtained from juries. I do feel that the precedents and the history of the courts of the United States have shown that the law in terms of criminal contempt proceedings without the right to trial by jury has stood us well.

I do feel that in instances in which courts have abused their power the Congress has seen it and taken remedial action, as it did in relation to the La Guardia Act and the Clayton Act.

I wish now to make it perfectly clear that when we pass the civil rights bill and we impose upon the courts much of the enforcement power, if the courts or the judges of such courts should become arbitrary, unreasonable, and reckless in their issuance of orders of injunction and other court orders, the Senator from Minnesota will join with other Senators in seeking a statutory remedy to limit their power. But I repeat that there is no record of such abuse in the areas of civil rights cases. Since there is no such record—and, to the contrary, there is a record of sparing use of criminal contempt proceedings and limited use of criminal contempt proceedings without the right of trial by jury—I see no reason why we should fundamentally alter the traditional manner of trying cases of criminal contempt. But in light of the problems that we face in this body, we have proposed a substitute which would limit the punishment that a judge may mete out when there is enforcement of court decrees in criminal contempt proceedings without the right of trial by jury. This is merely a question of going the extra mile, of taking all reasonable precautions to avoid a miscarriage of justice.

Let me conclude by summarizing the case for the jury trial provisions of the substitute amendment. These provisions are based on the traditional doctrine that courts shall have the power to enforce their orders and maintain their own dignity by sentencing violators for contempt without benefit of jury trial. This has been the procedure in every State in the Union and in the Federal courts since the institution of this country and the Republic. The constitutional guarantees of trial by jury do not extend to contempt cases, nor is there any such case law or any judicial decision that so indicates, and indeed this point is acknowledged by such experts on the Constitution as my good friend, the distinguished senior Senator from North Carolina [Mr. ERVIN]. This point is crucial, Mr. President. Let me repeat it: There is no constitutional right to jury trial in contempt cases.

The right of jury trial in contempt cases has been granted in instances in which the Congress itself has decided that such trials shall be granted.

Since this is so, I fail to understand why my friends who oppose the civil rights bill have extended their opposition to this jury trial provision. Like the rest of the civil rights bill, this provision is in accordance with the Constitution. Like the rest of the civil rights bill, it is moderate and enlightened legislation. And like the rest of the civil rights bill, it should be passed, for the good of the Senate and for the good of the Nation, and it should be passed for the good and the protection of the rights of the American people.

I often feel that as we debate these issues of civil rights we forget that many people have been denied those rights. We forget, or we tend to let it slip by us without proper notice, that there still is in America open defiance of a unanimous Supreme Court requiring school desegregation. The Constitution of the United States is the supreme law of the land. It is no local ordinance.

The Supreme Court of the United States is the highest judicial tribunal in the land, and it has stood our Republic well since the days of John Jay and John Marshall.

I might add that every court of any consequence in a critical period of American history has always been condemned, accused, assailed, and abused. Some of the great Justices of the U.S. Supreme Court have frequently been the subject of considerable adverse comment and abuse. John Marshall was not always respected. We know that men like Justices White, Harlan, Storey, Holmes, Brandeis, and Frankfurter, to mention only a few, were the victims of emotional attack and passionate abuse.

This is regrettably a part of American history. It is a free country. People have differences of opinion. They express themselves strongly at times.

Even a great President like George Washington was a victim of abuse. At the time of the signing of the Jay Treaty, concluding the war between the United States and Great Britain, stones were hurled at the President's house. Mobs were in the street.

So it is not unusual for such events to take place. But the courts of this land, in the main, over the long pull of American history, have been the protectors of American liberty. Since the first Supreme Court held its first session, the right of that Court, or of any Federal court, to enforce its orders and decrees in criminal contempt proceedings without trial by jury has been a living fact of American history.

Those of us who support the amendment or the substitute are not radicals. We are not revolutionaries. We are not trying to break the traditions of American life. We have looked back over the history of this Republic, since the appointment of the first Justice of the Supreme Court, since the Congress established the courts, and we have reviewed its long history—glorious it is—and we have come to one conclusion that cannot be denied by the facts of history; namely, that the use of criminal contempt proceedings to enforce the orders of the court is basic to respect for the court.

We have also come to another conclusion—that when and where the court has abused any of its powers, the Congress of the United States has stood as guardian of the rights of the people and has curbed judicial powers.

There were times in the history of this Republic when it was important that the Federal judiciary exercise great influence. There was a time when it was important that the State courts exercise great influence. There was a time in the history of this Republic—and if we had time to discuss it we could engage in one of the most interesting discussions for the benefit of any student of political science—when the legislative branch of our Government was the controlling force, dominating the news, public attention, and public discussion. These periods of history come and go.

As the majority leader has said so brilliantly, time after time on the floor, we have witnessed the fact that the Supreme Court has been doing its duty in the area of constitutional and civil rights. We have witnessed the executive branch doing its duty. Now the time has arrived for the legislative branch to do its duty. But the legislative branch will not do its duty if it does not give to the courts the power to enforce their decrees—decrees that are based upon the application of the law which we intend to write into the Civil Rights Act.

I know of nothing that would tear down the structure of law and of government by law more than denying the courts of this country the right to protect themselves and to enforce their orders and decrees.

We seek many basic rights in this legislation. Among others, we seek to protect the right of a citizen to vote. The evidence is replete that hundreds of thousands of our citizens have been denied the right to vote through capricious action, through open disobedience of the law, through violations of statutes, Federal, local, and State, and through defiance of the Constitution.

Any nation that parades throughout the world as the leader of free nations and freeman should put its own house in order.

There is no doubt that the Constitution states unequivocally in the 14th amendment that no State may deny a citizen of the United States life, liberty, or property without due process of law, and that no State may deny the equal protection of the laws, or deny to such citizens the privileges and immunities of the law.

Yet the same young man who is in Vietnam this afternoon—and there are hundreds of Negro young men there, coming from States all through this Republic—who wears the uniform of the U.S. Army, who has the insignia of his rank on his shoulders, who sleeps in the same barracks with his white brother, who eats in the same messhall with his white brother, who can go to the same recreation facilities with his white brother, when he returns home and takes off his uniform, may very well walk into a hotel and be told, "This hotel is for whites only. No bed for you. No room in this inn."

That is a violation of his constitutional right. That is not a violation of some little county commissioner's order. It is a violation of the supreme law of the land, and we are going to do something about it.

We seek to do something about it in title II of the bill. We provide in title II for the use of local and State enforcement machinery. We provide that that shall be the primary means of enforcement. If the local and State governments refuse to fulfill their obligations under the Constitution of the United States, the Federal Government will have something to do about it.

Mr. President, as proud as I am to be a citizen of Minnesota, I am prouder to be a citizen of the United States of America. The citizenship that really makes one a citizen, the citizenship that spells out the significance of the word "citizen," is to be a citizen of the Republic of the United States of America.

That is exactly what the Constitution provided for. Titles I, II, III, IV, and VII of the bill provide for court orders to protect citizenship rights. If the court finds that these rights have been violated and by appropriate court order directs that those rights be sustained, and if a citizen or a public official refuses to obey that order, and if the court should be denied the right to enforce the order, there will be no law in the United States. We will have committed a fraud on the American people and upon the whole constitutional structure. If the court should be unable to enforce its orders, then I predict that there will be blood in the streets and violence in the country.

If ever there was a time for this Nation to have respect for law and order, that time is now. Too many people throughout America are taking things into their own hands. Some of them are doing it in the name of civil rights. Some of them are doing it to deny civil rights. They are both wrong. When mobs roam the streets, when people are afraid to go to the aid of a helpless person who has been attacked and beaten, there is something wrong in America.

Congress should examine what it is doing about these great problems. Whether it can do all that needs to be done, I do not know; but I know that we cannot justify doing nothing.

The truth is that there was a time in history when people could be forgiven, for they knew not what they were doing. The Scriptures state it much more succintly:

> Forgive them; for they know not what they do.

But we do know what we are doing, and we do know what we are not doing. We cannot, like Pilate, wash our hands of the problem. We have a job to do in the Senate. We know what the record of the court is. We know what the precedent of the court is. We know what the tradition of the court is. We know what it takes to enforce a court order. We know what happens in every country when the courts are openly defied. Then there is nothing left but the rule of the dictator, or the rule of the mob. God spare America from either of those plagues.

Title III relates to public facilities. It is incredible that anyone in America would ever assert that a person, because of his race, could not go into a public park, a park which was paid for by the public and therefore owned by the public. What would Senators think if there was a sign outside the main entrance to the Capitol—which is a public building—which said, "Whites only enter here. Negroes use the basement door." We would be ashamed of ourselves.

Yet it is a fact that many people in America have been denied access to public facilities—owned by the public, paid for by the public, and maintained in the name of the public—because of their race, their religion, their ethnic origin, their national origin, or their color.

We are going to strike that down just as we would any cancer in our midst. This is a cancer that we can cure. But we cannot deny the doctor—who is the court—the tools to do the job. The tool to do the job is the court decree. To deny the use of that tool to perform the task would make a mockery out of the court.

Title IV concerns desegregated schools. Ten years ago, the Court ordered desegregation with due and deliberate speed. We have had patience. We need more patience. I believe in patience. The older I become, the more I realize the importance of patience. But, I believe in persevering patience. I believe that patience should not be a substitute for paralysis. Patience does not mean indifference. Patience does not mean inaction. It means progress. It does not mean revolutionary progress, necessarily, but it does mean evolutionary progress.

Title IV provides help for those who wish to move a little more speedily in the field of desegregation. We offer assistance to those who seek to be good Americans and to abide by the Constitution.

Title V, of course, concerns the Civil Rights Commission. This is essentially a renewal of the Commission for 4 additional years.

Title VI relates to the use of public funds. We have written into it every precaution and safeguard that I could think of, or that anyone else could think of. The only other thing left would be to declare that Federal funds should be used in a discriminatory way.

That I do not advocate. That is unconstitutional. That is illegal. That is un-American. It is unjustified.

Thus, we say about title VI that funds shall be collected from the American taxpayer without regard to race, and that those funds shall be used for the American citizen, without regard to race. It is that simple. We use every possible means to seek observance of the law rather than enforcement of the law. That is the whole emphasis in the substitute measure. I shall discuss the substitute measure tomorrow or Friday, because I am very proud of it.

We have protected not only States rights in the substitute measure, but we have also enlisted States powers, States responsibilities, and States authority to take care of the constitutional rights of the citizens of the States. We have tried to recognize that civil rights must ultimately be protected at the community level.

However, in title IV, all Senators know that when the Federal income tax form goes out from the Internal Revenue Service, the short form or the long form, there is nothing in it which says, "This form is for Negroes—you pay less. This form is for whites—you pay more. This form is for a Catholic. This form is for a Protestant. This form is for a Jew."

Oh, no, Mr. President, the American people are sent but one form and it directs, "Pay, pay, pay." Not only that, but the Internal Revenue Service may assign investigators to make sure we pay the correct amount.

When a Negro is taken to court, the judge does not say, "Well, you know, we have been discriminating against you for 200 years, so we are not going to give you a really hard penalty here. You have been denied equal justice for so long that we are going to make up for it now and let you get off free." We expect them to face up to their responsibilities.

Title VII is the fair employment practices title, which is drastically modified. The Senator from Pennsylvania [Mr. CLARK] will speak on that today. This title may ultimately require some court order.

If it does, court orders must be enforceable.

I must say, in all candor, that we have taken title VII and rewritten it, believing that the prime responsibility for action and enforcement is at the State and local level, recognizing that this is not the fast approach, recognizing that this is a concession—and I would be the last to say that it was not—and recognizing that in a sense we have weakened the bill. However, if the court is to be brought into this matter, we should make sure that the court can enforce its orders. I wish to make sure that the judge is not a tyrant. I wish to make sure that he uses just penalties. I also wish to make sure that he protects the dignity of his court.

There are 11 titles in the bill which relate to various powers. The first seven titles are most significant. Every one of the principal titles is predicated upon the rule of law, not on the rule of bureaucracy. Inasmuch as we speak so often in this Chamber of the rule of law, I would suggest that we also provide the courts with the power to maintain their dignity and authority.

If we do otherwise, we shall not only weaken the basic structure of law in America, but we shall also destroy one branch of our Government, the judicial branch.

I hope that that will not be the case.

Mr. GRUENING. Mr. President, before speaking on another subject, I congratulate the distinguished Senator from Minnesota on a magnificent speech.

It goes to the heart of the problem and deserves the close attention of all those who are concerned with justice and fair treatment of all our citizens regardless of race, creed or color. He has made a great contribution to this cause. I commend him highly and join him in the expression of his sentiments.

A UNITED NATIONS SPONSORED CEASE-FIRE IN SOUTH VIETNAM IS NEEDED NOW

Mr. GRUENING. Mr. President, a United Nations sponsored cease-fire in South Vietnam is needed now. In fact it is long past due.

It is becoming increasingly evident to more and more people in the United States—as well as to our allies around the globe—that the undeclared war in South Vietnam into which the United States has needlessly injected itself, can and will ultimately be settled only at the conference table. It cannot and will not be settled by military might.

If that is the case—and the cold assessment of the facts can only lead to that conclusion—then the sooner the United States takes the initiative in the United Nations to obtain a cease-fire in South Vietnam the better our international posture will be. We should take every step possible to stop the bloody, senseless killing in Vietnam not only of U.S. fighting men but of Vietnamese as well.

On Monday, June 1, 1964, the Washington Post and Times Herald editorialized that the United States should take a "middle course." It stated:

> The notion of negotiated withdrawal ignores the vital fact that the United States and its allies would be forced to negotiate from weakness. What cannot be taken on the battlefield can hardly be claimed at the conference table. If American military entrance into the region was a mistake a decade ago, it is a reality now. Commitments have been given to allies and friends on the basis of that mistake and those commitments must be upheld. * * * Washington must show enough resolve and force to convince its friends and dependents that it will not abandon them when the going gets rough, and to convince its adversaries that persistence in aggression is fruitless and possibly deadly.

I ask unanimous consent that this editorial from the Washington Post and Times Herald of June 1, 1964, be printed in full in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, the editorial expresses an attitude of unwillingness to face up to the hard facts of reality. Admitting that the issues in South Vietnam will ultimately have to be settled at the conference table, the editorial would, nevertheless, advocate the needless sacrifice of thousands of American lives on the battlefield to strengthen our hand at the conference table.

A river of blood from the bodies of American fighting men is not needed to convince our "adversaries that persistence in aggression is fruitless and possibly deadly." The military might of the United States does not need to prove itself by the needless loss of the lives of thousands of its fighting men nor by the incineration of villages by napalm bombings and the killing of their helpless inhabitants. Our might is well known. We need not use it to prove that we have it. That is the basic reason for building our deterrent strength.

The New York Times adopts a similar position editorially, saying in its May 29 issue:

> As we have stated here before, the prelude to a peaceful settlement through negotiation of the Communist aggression in southeast Asia may have to be a temporary increase instead of diminution of American military participation. The ultimate goal must be to get our troops out of the area; to achieve conditions that will make this possible, it may be necessary first to put more in.

In other words, we have got to kill a lot more American boys as well as Vietnamese and spend more millions of dollars before we do what we know we will have to do ultimately.

What utter folly.

I ask unanimous consent that this editorial from the New York Times appearing in its May 29, 1964, issue, entitled "Our Credibility in Laos," be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. GRUENING. Mr. President, a more realistic view of the situation in South Vietnam was taken last week by the noted columnist, Walter Lippmann.

I ask unanimous consent that Mr. Lippmann's column in the Washington Post and Times Herald for May 28, 1964, be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. GRUENING. Mr. Lippmann stated:

> The military commitment in southeast Asia has been a mistake.

On March 10, 1964, in a speech on the Senate floor, I stated:

> This is a fight which is not our fight into which we should not have gotten in the first place. The time to get out is now before the further loss of American lives.

I went on to say in that speech:

> President Johnson, let me repeat, inherited this mess. It was not of his making. As he approaches the difficult task of making the necessarily hard decisions with respect to the problems in South Vietnam, problems created long before he was President, he should feel no compunction to act in such a way as to justify past actions, past decisions, and past mistakes. He should feel entirely free to act in such a manner and to make such decisions as are calculated best to serve the interests of the United States and the free world—a world changed greatly from the time President Eisenhower and Secretary Dulles initiated our southeast Asia policies.

Mr. Lippmann in his realistic column states:

> The U.S. Government helped to pick Diem as chief of South Vietnam and, until the coup of last autumn, Diem and his family were supported by us as the rulers of South Vietnam and they became the clients of the United States.

In my speech in the Senate on March 10, I stated:

> In October 1955, the Eisenhower administration picked Ngo Dinh Diem to rule South Vietnam.
>
> There may be some room for disagreement as to whether Diem was a poor choice for the job to begin with or whether, after having come to power, the thirst for more and more power on his part and on the part of his many relatives, whom he placed in high governmental posts, became insatiable.
>
> In a nationwide broadcast on March 8, 1955, Secretary Dulles said:
>
> "I was much impressed by Prime Minister Diem. He is a true patriot, dedicated to independence and to the enjoyment by his people of political and religious freedoms. He now has a program for agricultural reform. If it is effectively executed, it will both assist in the resettlement of the refugees and provide his country with a sounder agricultural system. I am convinced that his Government deserves the support which the United States is giving to help to create an efficient, loyal military force and sounder economic conditions."

Mr. Lippmann went on to say:

> I think, moreover, that if an international structure can be created, one which is guaranteed by the Soviet Union, the United States, France, Great Britain, and China, that North Vietnam will tend to go Titoist, that is to say, to remain Communist but not Chinese * * * to create a visible guarantee which makes it safe for Hanoi not to be, as it has always striven not to be, a Chinese satellite.

Mr. Lippmann's point cannot be too strongly reiterated. The fact too often overlooked is that when the Vietnamese speak of colonialism they mean Chinese as well as French colonialism. Having been ruled over 2,000 years by the Chinese, the people of North and South Vietnam are not about to put their necks into the noose of Communist China. Neither are the Vietnamese—North or South—about to agree to white domination of their country.

Since my remarks on the floor of the Senate on March 10, 1964, I have repeatedly stated that the United States must stop this senseless killing in South Vietnam and take the matter to the conference table.

I commend Mr. Lippmann for his stand in now supporting that position.

Today I am proposing that the United States take the initiative in bringing about, through the United Nations, an immediate cease fire in South Vietnam. This is the only logical and realistic action for the United States to take.

The issues in South Vietnam will have to be resolved at the conference table. Until such conference can be arranged, does it make any sense to continue to lose American lives in South Vietnam?

On March 10, 1964, I urged:

> The President should take steps to disengage the United States immediately from this engagement.
>
> All our military should immediately be relieved of combat assignments. All military dependents should be returned home at once. A return of the troops to our own shores should begin.

I repeat today that suggestion.

Since my remarks on March 10, 1964, my mail has been 100 to 1 in favor of the stand I have taken. It continues to flow in support thereof. I ask unanimous consent that a few of these letters, representative of American public opinion, be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Exhibit 1

[From the Washington (D.C.) Post, June 1, 1964]

Middle Course

The situation in southeast Asia appears so dismal and unpromising that the temptation is strong to seek a final solution to it. Indeed, there is widely evident a feeling that we are approaching a watershed, perhaps a Waterloo, and that the United States will no longer be permitted by events or enemies to muddle as it has in the past. Previously the discussion of American policy in that fragile Asian corner has been conducted in terms of hard but small choices, none of them irrevocable, but now the discussion is in terms of extreme and final decisions.

In this atmosphere of either-or, two polar positions have been staked out; they glare at each other across the daily clutter of communiques and battle reports, forcing themselves upon us all. One position is that American military intervention in southeast Asia was a mistake that should be recognized and liquidated by means of an international conference. The other position is that the United States should stick to its guns and carry the war to Communist lands, in risky but reasonable expectation of success.

The decisiveness of both of these solutions is extremely appealing but both, in our opinion, are illusory and misleading. The notion of negotiated withdrawal ignores the vital fact that the United States and its allies would be forced to negotiate from weakness. What cannot be taken on the battlefield can hardly be claimed at the conference table. If American military entrance into the region was a mistake a decade ago, it is a reality now. Commitments have been given to allies and friends on the basis of that mistake and those commitments must be upheld.

It is also wrong, we think, to threaten blockading or bombing of North Vietnam in order to compel Hanoi to call off its forces in South Vietnam and Laos. This course might bring instead a longer, deeper, dirtier and more uncertain war. Doubtless American planes could interdict or decimate North Vietnam between breakfast and lunch. Doubtless, too, the insurgents in South Vietnam would continue their fight with greater bitterness. It could also happen that Communist China would enter the war, broadening it to a scope that would make today's troubles look like small beer.

If the United States is neither to negotiate an exit from southeast Asia nor to scare off the aggressors by raiding their homeland, what is it to do? The answer, obviously, is in between. Washington must show enough resolve and force to convince its friends and dependents that it will not abandon them when the going gets rough, and to convince its adversaries that persistence in aggression is fruitless and possibly deadly. At the same time the United States must show a willingness to give relief and perhaps reward to those Communists who demonstrate their interest in living at peace with their countrymen and neighbors.

Such a policy of unconditional reliability to friends and conditional relief to enemies does not, of course, guarantee that American interests in Asia will be satisfied. It is not even a policy in the sense that a specific path of action is thereby prescribed. Many paths will have to be tried, political and diplomatic, economic and military. All will be uphill; many will be dead end. In Thailand, requests for aid must be answered unequivocally. In Laos, and Cambodia, efforts must be made to apply poultices of international guarantees, however poorly stuck. In South Vietnam, the critical arena, the overwhelming emphasis must be on measures that will give the people confidence in non-Communist rule.

There is nothing to cheer about in this course of limited means and pragmatic maneuver. But it is more consonant with American responsibilities and interests in southeast Asia than the extremes of expanding or negotiating an end to the war.

Exhibit 2

[From the New York Times, May 29, 1964]

Our Credibility in Laos

The deteriorating situation in southeast Asia in general and in Laos in particular is forcing a stronger response from the United States.

Assistant Secretary of State William Bundy has said without exaggeration that there is a "real danger" of a Communist takeover in the area. At the same time it was announced in Washington yesterday that Secretary Rusk and other top officials are to meet in Hawaii next week to discuss the possibilities. It seems clear that to do no more now than is being done means, at the least, the loss of Laos to the Communist Pathet Lao.

The credibility of the United States determination to act tough as well as talk tough is being eroded. None of the independent nations of southeast Asia will stay with what they believe to be a losing side. They are not going to choose between West and East, democracy and communism; they are going to join whichever side they are convinced is winning.

While nobody is going to win, Washington's problem at the moment is to demonstrate that we are, at least, not going to lose, or leave our allies in the lurch. This does not mean that the talking and exchange of notes should stop. A 14-nation meeting, preferably in Geneva, possibly in Vientiane but certainly not in Cambodia as the Chinese propose, is still the best method for negotiation.

The Johnson administration has wisely rejected an open-ended, all-out military involvement in Laos that could suck the United States into another always-increasing burden like that in Vietnam. There are other less drastic but still effective ways by which the United States can show its determination forcibly to prevent the Pathet Lao from getting control of the rest of Laos. The important thing is to make this determination clear.

As we have stated here before, the prelude to a peaceful settlement through negotiation of the Communist aggression in southeast Asia may have to be a temporary increase instead of diminution of American military participation. The ultimate goal must be to get our troops out of the area; to achieve conditions that will make this possible, it may be necessary first to put more in.

Exhibit 3

[From the Washington (D.C.) Post, May 28, 1964]

Our Commitment in Vietnam

(By Walter Lippmann)

It is fair enough to say, as Senator Dirksen did this week, that our policy in southeast Asia has been indecisive. Indeed it has been. The reason for this indecision, which has existed under three Presidents, Eisenhower, Kennedy, and Johnson, is not that all three Presidents have been weak and wavering men. It is that since we allowed ourselves to become entangled in southeast Asia, there has been no good solution available which any of the three Presidents felt he could be decisive about.

After the French were defeated in 1954, our cardinal mistake in southeast Asia was the decision of Secretary Dulles to treat South Vietnam, which is an artificial creation and not really a national state at all, as an American protectorate and as an outpost of the West. The Eisenhower administration, directed in this matter by Secretary Dulles, did not oppose, but it refused to support, the settlement of Vietnam which was worked out at the first Geneva Conference in 1954. The U.S. Government helped to pick Diem as chief of South Vietnam and, until the coup of last autumn, Diem and his family were supported by us as the rulers of South Vietnam and they became the clients of the United States.

This put us in an inherently untenable position. It committed the United States to a struggle on the land and in the jungles near the frontiers of the largest nation in Asia. In spite of the endless official assurances of how the struggle was being won, there has never been a time when a military victory, or anything like a military victory, has been possible. Even if one of the Presidents had been willing to intervene with an American army on the scale of Korea, even if he had unleashed the Air Force, no acceptable or tolerable outcome was visible. For, once the American troops were engaged, there would be no way of withdrawing. The territory they had occupied would be reoccupied by the Asian multitude who would be more fiercely determined than ever to do away with the presence of the Western white man.

There has never been any other way out of the dead-end street in southeast Asia except to make a political agreement to construct international machinery, and to exert what influence we can by underwriting them. President Kennedy made a fragmentary attempt to do this. He tried it in Laos, but he allowed himself to remain entangled in South Vietnam, and he was drawn into an ever enlarging, continually unsuccessful, military struggle which has no visible end.

To those who think, as I do, that the military commitment in southeast Asia has been a mistake, the question now is how to discharge the commitment honorably and to disengage safely. The basic principle is, I think, quite clear. We must look for a solution, not by expanding the war but, by taking it to the conference table, whether to a reconvened Geneva conference or to the United Nations or both. The proposal to expand the war by bombing North Vietnam and China requires, if we stop pretending that the South Vietnamese pilots are capable of carrying out such an attack, a declaration of war against North Vietnam and China by the Congress of the United States. We cannot make war on North Vietnam by Executive order.

No man living can possibly know what such a war would precipitate, or what the Soviet Union would do since it is still the ally of China. But what we can be sure of is that to go to war with China about South Vietnam would be so reckless an act as to damage deeply our influence throughout the world. It would be no less unpopular in the United States.

It is not easy for any country to repair its mistakes, especially those in which it has invested lives, money, and moral judgments. But the original mistake in southeast Asia has to be repaired. The way to do this is to go to a conference. The chances of its being successful are not brilliant. But at least we shall not be alone and, even if the prospects of a conference are not brilliant, the military outlook in South Vietnam is dismal beyond words.

I have been asked whether a negotiated settlement for southeast Asia means that as soon as our troops are withdrawn from Saigon, the North Vietnamese and the Chinese will move in. The honest answer to this question is, I believe, that if this can be prevented for a few years, then there will be a chance that it will not happen at all.

Although I realize that in the long run southeast Asia is bound to lie within the Chinese sphere of influence—as Chiang Kai-shek has always insisted—I think it may be possible to prevent any sudden and overt occupation of southeast Asia. It may be feasible to make it too dangerous, and not worthwhile in comparison with the prospects of access to the economic resources of southeast Asia and beyond.

I think, moreover, that if an international structure can be created, one which is guaranteed by the Soviet Union, the United States, France, Great Britain, and China, that North Vietnam will tend to go Titoist; that is to say, to remain Communist but not Chinese. What will do most for our real interests in southeast Asia is not to bomb Hanoi but to create a visible guarantee which makes it safe for Hanoi not to be, as it has always striven not to be, a Chinese satellite.

EXHIBIT 4

A FEW OF THE LETTERS RECEIVED BY SENATOR GRUENING ON HIS STAND ON VIETNAM

From Dr. Carmine Chamberlin, M.D., in Gresham, Oreg.: "I greatly appreciate and agree with your policy that our troops should be withdrawn from Vietnam. As with individuals it is a great nation that will admit a mistake, which this cruel and long war in this tiny nation certainly is."

From Mr. Bob Factor, of Madison, Wis.: "The admission of Alaska as a sister State into the Union will prove beneficial if only for the infusion of courage and clear-sightedness that has been added, in the person of yourself, to our Senate. Your position on the war in Vietnam has turned a dull and dreary monolog—on how many of our citizens are to be casualties and how many of our dollars are to be wasted—into a genuine dialog on the issue of U.S. participation at any level, economic or military, in a war that appears to be an effort on the part of the Vietnamese people to rid themselves of oppression. Whether that oppression be in the person of French generals, a tyrannical family, or native generals let us hope that it will never be in the person of Americans."

From Mr. Stanley E. Weisberger, of Oneonta, N.Y.:

"I salute you on your statement concerning our policy in South Vietnam. Quite apart from any consideration as to the potential benefit to U.S. short- or long-run interests that might result from a withdrawal of our military support and direction of General Khanh's war against the Vietcong, is the categorical imperative of insisting on morality and reason in Government conduct. Of course, the greater the immorality and unreason, the more urgent the imperative.

"To put it another way, Senator, I believe our country is characterized by two attitudes: One is a callous unconcern for virtually anything that doesn't touch immediate interests; the other is a "we're doing God's work here" kind of sanctimonious arrogance. One runs up against both in trying to appeal, as you have, to the very opposite of these postures. So it's hardly surprising when your remarks and those of Senator MORSE, on a subject of the first importance, get the silent treatment from most of the news media.

"All the same, there seems to be a growing uneasiness over the running of foreign policy. It may just be (one may as well be optimistic) that we're on the edge of an awakening. However, it is, you spoke well and courageously, Mr. GRUENING. I fully share your view that we should never have intervened as we did in South Vietnam, and we should pull out forthwith. There can be no "strategic" justification for using napalm bombs on Vietnamese villages and propping up "governments" that practice murder and torture as a matter of course. It's a grand feeling to be proud of one's country and one's government. I'm proud that voices counseling decency are still heard in the Senate, even if by only a few. Please persist in this worthwhile cause, Senator. There is no alternative."

From Mr. and Mrs. Joseph N. Kahklen, of Tonalea, Ariz.:

"We wholeheartedly support you and we know many of our fellow Americans share your convictions, that the fight in South Vietnam can be won only by Vietnamese themselves. They need to make greater sacrifices and assume broader responsibility in a struggle that is legitimately theirs. We further agree that this is a fight that is not our fight and we need to get our young men out of South Vietnam before more young American lives are lost.

"We do hope that President Johnson will give the crucial situation in South Vietnam his immediate attention. Many parents are looking to him to take the necessary action that will bring our boys back to this country.

"We share with other parents much anxiety and concern over the safety of their sons who are assigned to military duty in South Vietnam. Our youngest son Archie is serving in a helicopter unit. He was hit by a shrapnel in the face last December and, thank God, it was not too serious. He did not want us to know that he came close to getting killed; we learned about it from a letter he wrote recently to his brother. We worry about him constantly."

From Mrs. Eleanor Belser, of Los Angeles, Calif.: "Although I do not reside in your State, I would like to express my support for your position on South Vietnam. It is essential that we stop this shameful, wasteful war and negotiate for peace there."

From Mr. Homer D. Smith, of Homer, Alaska:

"In your newsletter (1964 No. 10) I read Mr. Sundborg's report of your and Senator MORSE's remarks on our fiasco in South Vietnam. That takes moral courage—in the face of certain castigation by the radicals—but I, and most of the people I know, are with you; although without your leadership our timidity thus far has restrained us from saying so.

"The treasure we are pouring into South Vietnam could be used for the development of our last frontier—our State of Alaska—and to wage the war on poverty. Nothing is so hard for those who abound in wealth as to conceive how others can be in want. There can be no democratic rationalization of the conditions that produce a family income in one State equal to three times that of another. Poverty is not so much the lack of ability as it is the bounty of opportunity, e.g., when one happens to live in an area favored by a disproportional share of defense spending; or to be a member of a restrictive union which is several rungs higher on an inflation ladder than other workers.

"When I contemplate our people in Alaskan agriculture, many waging an unequal battle, lacking in research, devoid of rural access roads, competing for survival with wasteful and prodigal public spending, it seems to me that it is no wonder that only the most dedicated continue the effort.

"And last but not least, I want to assure you that most of us support the administration's moves to halt this disgraceful inflation—which if not brought under control will lead to ultimate disaster."

From Miss Virginia Colter, of Dunbarton, N.H.:

"I have just now learned of your magnificent speech of March 10 on the Vietnamese situation and I agree with you heartily. I have been writing and discussing this issue for over a year and it's tough to fight ignorance. I just wrote a scorching letter to the State Department suggesting they ought to consult with you and inform themselves and the President better. I had received some material from them that I considered completely inane.

"We need men of courage and decent conviction if we are ever to get out of our present mess. I am convinced the people will follow decent leadership, but the news must reach them."

From Mr. George Pappas, of Sea Cliff, N.Y.: "Your efforts on behalf of a sane foreign policy in southeast Asia are greatly appreciated. What a great misfortune would befall the American people in the event of an escalation of the war in Vietnam. We do not realize the risks involved in our policies. Do we really have the support of the South Vietnamese people?"

From Prof. John Somerville, of Hunter College, New York: "I have taken the liberty of bringing to the personal attention of Homer A. Jack, executive director, National Committee for a Sane Nuclear Policy, the urgency of giving the widest distribution to your excellent speech of March 10. I have read the text in full, and congratulate you anew upon your forthrightness, courage, and high statesmanship. I feel especially encouraged by your expression of determination 'to keep up the fight to get us out of this untenable position.' Your stand should be known to all Americans; it will put heart in them. I have communicated the same strong recommendation to officials of the Women's League for Peace, whom I know personally."

From a private, first class, in the Army:

"I am glad to see that at least one Senator is aware of the wasteful situation in South Vietnam. I hope that you and your colleagues will also take note of other areas in the world that are in the very same situation.

"You have pointed out the case in South Vietnam and Cambodia, among other Asiatic countries; now what is to be done about it? Will it take many more wasteful years before our aid is reduced or better administered? How long does it take these obvious facts to sink into the heads of our leaders? We seem to be afraid of what these tiny countries will think or say about us, not the immediate damage being done, such as the 100 plus dead American men in South Vietnam.

"Prompt and firm action is needed. Please do your best."

From Mr. and Mrs. Victor Povirk, of Mattapan, Mass.:

"We are taking this occasion to congratulate you for the valiant fight you are waging to have our troops withdrawn from South Vietnam.

"The millions of dollars foolishly wasted in bolstering a decadent ruling class in that bleeding country could be put to much better use in rebuilding your own State.

"The disturbing thing of our continued involvement in South Vietnam is the danger of extending the conflict to the north and eventually China.

"Our Armed Forces must be withdrawn to insure peace. We have also written our Senators about our attitude. We support you and Senator MORSE for your fight in the U.S. Senate on this issue."

From Mr. F. W. Stover, president and editor, U.S. Farm News, of Des Moines, Iowa:

"It is most heartening to find a U.S. Senator, from a State supported by many war contracts, putting up your kind of battle for getting out of Vietnam.

"This is most assuredly the time in history, when, if the majority do not have the will to avert war then the intelligent minority must take the 'bull by the horns.' It has now reached a point in the U.S.A. where the people cannot get the war they want, if indeed the popularity hounds are willing to settle for such an expediency.

"The sheer madness of men in high places must try the courage of men like yourself. But your cause is so righteous and so important that somehow I think you will get through to the people of the United States. Surely the people do not want their children's lives given up on the ruins of an atomic war. The flirtation with nuclear war by adventurous millionaires such as McNamara must be stopped. More than another Korea is at stake."

From Mrs. Magdalena E. Gale, legislative chairman of the Women's International League for Peace and Freedom in West Palm Beach, Fla.: "I am writing to commend you on your stand in favor of negotiation and reevaluation of U.S. policy in Vietnam. I am thoroughly of the opinion we should never have sent our troops there and now should withdraw them as soon as possible as it would seem impossible for us to win such a war. Every thinking person should realize it is a civil war and none of our business."

From Mrs. Mildred Miller, of the Bronx, N.Y.:

"At this time, when the war in South Vietnam is being escalated by U.S. military and financial aid, your stand favoring withdrawal of troops and military advisers, reevaluation of Asian policy and informing the public on policy, clarifies the situation and points up what needs to be done.

"Our continued participation, which has never been admitted as actual military aid, is making us accessory to unspeakable brutality toward the civilian population. It cannot make friends for us in southeast Asia, and can only result in dragging us into further military adventures. The French had to inflict and suffer catastrophic losses before they pulled out, and we should learn from their experience."

From Mrs. Ida G. Klingsberg, of Philadelphia, Pa.:

"Following is a copy of a letter sent to President Johnson:

"'There have been reports recently in the news of plans to carry the war into North Vietnam. These reports are most disturbing to people who are seriously concerned for the survival of our civilization, and possibly of our entire planet.

"'At best such a move can result only in a war of attrition like the one experienced by France at an immeasurable cost in lives and money. At worst it can escalate into a full-scale nuclear conflagration—and the end of everything.

"'I urge upon you, Mr. President, to take the necessary steps leading to international agreement on the neutralization of southeast Asia.'"

THE ACTION PROPOSED AND NEEDED FOR ALASKA'S EARTHQUAKE VICTIMS

Mr. GRUENING. Mr. President, Alaska's able attorney general, Mr. George Hayes, appeared before the Senate Interior and Insular Affairs Committee this morning to present testimony on S. 2881 which amends the Alaska Omnibus Act to provide assistance to help the State recover from the effects of the March 27 earthquake and subsequent seismic waves.

Attorney General Hayes appeared on behalf of Gov. William A. Egan and the Alaska congressional delegation to comment on the 1964 amendments to the Alaska Omnibus Act. He correctly called the bill a "good bill" and he correctly pointed out ways in which it could be made better.

The attorney general called to the committee's attention the important fact that "due to sound financial management, we—Alaska—have always ended each fiscal year with a surplus." Alaska has done this and has provided the essential services needed to sustain a population of 250,000 people spread over a land area one-fifth the size of the contiguous 48 States. As George Hayes said:

> We proved we could afford statehood—but we cannot afford an earthquake of the magnitude of the one that occurred on March 27, 1964.

The amendments proposed by the attorney general are simple and sound.

The first amendment would permit the Housing and Home Finance Administration to contribute up to 90 percent for disaster-connected urban renewal projects where necessary. This authority would substantially implement the State's recovery program where as the attorney general pointed out "State and local contributive funds simply cannot be raised on a 75–25 basis."

The second amendment would reduce the rate of interest on any loans made by the U.S. Government to Alaska to a rate lower than 3⅝ percent. This amendment would enable Alaska to meet and best a decline in gross tax collections caused by the earthquake damage. As Attorney General Hayes illustrated, differences in interest rates mean millions of dollars.

Alaska, for example, if charged 3.625 per annum for $25 million for 40 years to meet disaster losses only would pay $18,578,095 plus principal. An interest rate of 2 percent on the same amount under the same terms with no deferment of principal payment would cost the State $10,250,000 plus principal. The difference, better than $8 million, is considerable.

A rate such as the United Sates gave Chile after its earthquake would be even better and wholly logical. In that case, after a grant of $20 million, the United States made a loan of $100 million with merely a service charge of three-fourths of 1 percent and deferment of payment of the principal for 10 years. Why not provide the same treatment for our fellow citizens?

Attorney General Hayes has provided the committee with tables illustrating the startling differences in costs on loans where interest rates differ.

The amendments proposed by the attorney general are constructive. They will strengthen the bill as will others which will be offered in committee.

Because his statement is important as the Senate and the other body consider legislation to enable Alaska to rebuild and because such rebuilding is, we believe, "a wise and prudent investment on the part of the United States," I ask unanimous consent that the full text of the attorney general's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF GEORGE N. HAYES, ATTORNEY GENERAL OF ALASKA, BEFORE THE SENATE INTERIOR AND INSULAR AFFAIRS COMMITTEE

My name is George Hayes. I am attorney general for the State of Alaska. I am appearing here in behalf of Gov. William A. Egan, of Alaska, and also in behalf of Senator GRUENING, Senator BARTLETT, and Representative RIVERS of Alaska.

Mr. Chairman, Governor Egan desires that I present to you his gratitude and appreciation for the efforts of the Congress and the President in behalf of the State of Alaska and its citizens. The financial, physical, and moral assistance already given our State is considerable. The assistance that is being proposed in this bill you are considering will enable us to recover from the effects of the earthquake sooner than most of us believed possible just 2 months ago.

This omnibus bill represents only a part of the time-consuming and productive efforts of Senator ANDERSON and the Federal Commission for the Reconstruction and Development of Alaska. For this the State government, our citizens, and our congressional delegation are grateful. We are grateful, too, for the immediate attention given to our problems by the President of the United States. We also recognize and are indebted to the array of capable talent in the person of Mr. Dwight Ink, Executive Director of the Commission, and his fine staff. I've personally observed their hard work, their extra long hours and their devotion to the task assigned to them by Senator ANDERSON. The cooperation extended to us by all of the Federal departments and agencies could not have been better.

If the aid already given together with that proposed here were to be the sum total, we could have no complaint.

The omnibus bill as drafted and presented is a good bill. It goes a long way.

The fact that we have suggestions to offer by way of amendments does not alter our respect for the great measure of aid incorporated in the present form of the bill. We all hope that the two changes I am suggesting to you will not be mistaken by you as a sign of insufficient recognition of the good already accomplished.

We would not make these requests of you if we did not firmly believe them to be essential to the rate of our recovery. If the Congress were to agree with us in these two areas, it would cost the Federal Government somewhat more than would be the case if the bill passes in its present form. While the State of Alaska is participating in the cost of reconstruction, the unhappy fact is that the State government and its citizens are not presently in a position financially to assist in our own recovery to the extent we would like. If we were in a better position, we would not make this request.

Prior to outlining our suggestions may I give you a brief history of the State's financial position?

When we became a State in 1959 our State enjoyed a gross State product in the neighborhood of some $600 million a year. Our first State appropriation bill, excluding Federal matching funds for items such as Federal aid to highways, was in the amount of approximately $41,600,000. In 1960 the legislature appropriated approximately $47,200,000. In 1961, $60,300,000. In 1962, $67,600,000. In 1963, $85,300,000. In 1964, $81,200,000.

Due to sound financial management, we have always ended each fiscal year with a surplus. The State of Alaska has, in its brief history, operated in the black. In addition to these expenditures, our State legislature and our citizens have authorized a capital improvement program costing $50,825,000—all in general obligation bonds. We've already issued $39,201,000 of these bonds for schools, roads, ferry system, University of Alaska, and airfields. We must yet issue $11,624,000 to complete these programs.

Mr. Chairman, members of the committee, while we take great pride in these services, these programs have never been luxury items. They provide bare essential services needed to sustain a population of 250,000 people spread over an area of nearly 600,000 square miles. We have drawn upon and continue to draw upon the resources of approximately 50,000 State taxpayers. We proved we could afford statehood—but we cannot afford an earthquake of the magnitude of the one that occurred on March 27, 1964.

We have no alternative but to commit our financial resources to the continuation of these minimum services if we are to maintain our population—let alone grow. It is for this reason alone that I ask you to consider amendments to two areas of this bill.

Section 53 of S. 2881 authorizes the HHFA Administrator to enter into contracts with our political subdivisions and the Alaska State Housing Authority for urban renewal projects. The U.S. share of the net costs of such projects, under present law, is 75 percent of such costs. The cities ordinarily contribute the other 25 percent. Some weeks ago it had been proposed to the Commission by HHFA that the ratio for disaster-connected urban renewal projects be changed to 90/10 percent. The various members of the Commission recognized that the cost of the urban renewal projects was an entirely new expenditure thrust upon our taxpayers as a result of the earthquake. They recognized, also, that we could not afford such a program if the cost to us amounted to 25 percent of the net costs. The present form of the bill reduces the total amount of moneys authorized for the URA programs over what had been originally proposed. Moreover, it does not authorize a 90/10 percent contributive ratio as had been proposed earlier. It is estimated by the Alaska State Housing Authority that disaster-connected URA programs could have a net project cost of approximately $40 million. If the present 75–25 ratio is not changed, the State of Alaska and its cities would have to contribute $10 million of that cost. The U.S. portion would be $30 million. At a 90–10 ratio, our cost would be $4 million and the Federal cost would be $36 million. The present form of the omnibus bill authorizes a Federal contributive share not to exceed $25 million. Under this limitation, of course, the actual dollar cost to both the United States and the State and local governments is less. We believe, as does the Commission, that URA projects are an important part of our recovery. We earnestly request that for disaster-connected Urban Renewal Administration projects the Federal administrator be permitted to contribute up to 90 percent of the net project costs, if, in his discretion, such a share is necessary to carry out a particular program at all. We don't request that a 90–10 ratio be made mandatory, but permissive only so as to enable the urban renewal authority to implement the recovery program where State and local contributive funds simply cannot be raised on a 75–25 basis.

Under present urban renewal authority, payment for property taken for urban renewal projects is made on the basis of the value at the time of the taking. In many cases a disaster-connected urban renewal project will be based upon greatly depressed prices due to subsidence of the land taken for the project, or the ruination of the home on the land, or both. We would like to point out to the committee that if the URA administrator had the legal authority to pay prices for land condemned or purchased at a price related to the value prior to the disaster, such a measure would assist considerably in the restoration work envisioned in the urban renewal projects.

The other request we would urge the committee to consider is an amendment to section 56 of the proposed omnibus bill. According to this section, as presently written, the State of Alaska may borrow from the U.S. Government an amount not to exceed $25 million at a present rate of interest of 3⅝ percent. Our legislature has recently authorized issuance of bonds or borrowing authority in the amount of $12,300,000 to be used for disaster recovery purposes. This authorization by the legislature consists of three separate programs. One is to provide the State's share of matching funds for the reconstruction of our highways. A second is to provide for a State's share not to exceed 10 percent of the net project costs of disaster-connected urban renewal projects in the State. The third authorizes the expenditure of up to $2 million for rebuilding of public buildings that OEP and other funds may not be available to us for one reason or another.

Our State commissioner of revenue has compiled a table showing the amount of interest the State would be required to pay over 40 years at a rate of 3⅝ percent, assuming a loan of $25 million. The commissioner has also compiled a table assuming a loan at 3⅝ percent of only $12,300,000. The table shows a total amount of interest Alaska would have to pay over 40 years on a $25 million loan.

That amount is over $18½ million. On a $12,300,000 loan from the Federal Government the amount of interest over 40 years is over $9,140,000. The Commissioner of Revenue has also compiled tables showing what our interest rates would be at 3¾ percent (which is the rate which will be in force on July 1 according to our understanding). For the purposes of comparison, he has drafted tables of the total cost in dollars to the State if the State were to borrow moneys from the United States in the amount of $25 million at 3 percent and 2 percent. He has also drafted similar tables for a loan of $12,300,000. Although the total price in dollars over 40 years would not be high to a State more fully developed financially than we, it is high to us. We have obligated ourselves already as a State for more than $39 million in general obligation bonds. We shall soon be paying an average of $2½ million a year principal and interest on these general obligation bonds. We do not know to what extent our growth rate has been slowed by the earthquake. We do know, for instance, that our gross tax collections for the month of May were $1,344,000 less than May of 1963. We ordinarily would have expected an increase of gross tax collections over May of 1963 of some $350,000. This would have been our normal growth rate. Thus, when the gross tax collection shortfall is coupled with the gross tax collection we did not get due to our failure to grow it amounts to $1,694,244. This does not include State tax refunds which will be made due to losses caused by the earthquake. Thus our ability to pay for our own recovery is not as strong as we wish it were. We would urge the committee to amend the omnibus bill and reduce the rate of interest on any loans made by the U.S. Government to Alaska to a rate lower than 3⅝ percent. As can be seen from the tables compiled by our Commissioner of Revenue, a difference of 1 percent over 40 years on a loan of $12,300,000 amounts to $2½ million. This is a considerable amount of money.

As to our regular general obligation bonds, our financial advisers tell us that we can expect to pay a high interest rate on the open market. Their view is that we may have to pay as high as 4¼ or 4½ percent.

Members of the U.S. Treasury agree that our current credit standing has been impaired and that a sale of the remainder of our general obligation bonds now or in the near future would require us to pay an abnormally high interest rate. Our present program calls for a sale of general obligation bonds in the amount of $7,200,000 during the next fiscal year, probably next spring. We are hoping that our credit position will improve considerably by next spring. We believe it will. Federal aid surely will not be lost on bond buyers. Your assistance already provided and to be provided will probably bring the interest rate, we will be required to pay, down to levels we can live with. But no one can be sure. In order to make certain we can carry out our necessary, normal capital improvement program, we would like to have the assistance applied to our regular bond issue that is being presently proposed in this omnibus bill for disaster loans. This assistance may not be necessary. Hopefully we can obtain a favorable rate of interest by next spring. But, if we cannot—and if the Federal Government will submit a bid for our bonds at a rate of interest of 3⅝ or 3¾ percent, or whatever rate money costs the United States—we can be assured that our regular capital improvement program will continue. Such assistance should not cost the Federal Government any money, since we would pay the prevailing price of money to the United States. And, again, it may not be necessary for the United States to have to purchase any of our regular bonds. We hope we can get a lower rate of interest on the open market than the United States will ask from us. But we do need that assurance if we are to be able to continue with our planning and our building.

We are all aware that our requests to you contain an element of risk. We are concerned, for example, that some may think us to be thankless people. Such is not the case. We are concerned, too, that our requests may delay passage of an omnibus bill. We certainly do not want that to occur. We weighed our needs against these risks for some time before coming to a decision. If we did not believe that we needed this additional assistance, we would not have come before you.

We are not unmindful that we are not the only area the Congress and the President must consider. We are not unmindful, either, that the U.S. Treasury does have its limits, and that U.S. taxpayers have a right to demand that their dollars be spent wisely and prudently.

We believe that restoration of Alaska is a wise and prudent investment on the part of the United States. And we know full well that you, too, are agreed upon that.

$25,000,000 State of Alaska general obligation bond issue—Disaster issues only (based on 40-year maturity, level-payment basis, no deferment of principal payment)

INTEREST RATE AT 3.625 PERCENT PER ANNUM

Year	Principal outstanding	Interest at 3.625 percent	Principal payment	Total cash requirements
1965	$25, 000, 000	$906, 250. 00	$625, 000	$1, 541, 250. 00
1966	24, 375, 000	883, 593. 75	625, 000	1, 508, 593. 75
1967	23, 750, 000	860. 937. 50	625, 000	1, 485, 937. 50
1968	23, 125, 000	838, 281. 25	625, 000	1, 463, 281. 25
1969	22, 500, 000	815, 625. 00	625, 000	1, 440. 625, 00
1970	21, 875, 000	792, 968. 75	625, 000	1, 417, 968. 75
1971	21, 250, 000	770, 312. 50	625, 000	1, 395, 312. 50
1972	20, 625, 000	747, 656. 25	625, 000	1, 372, 656. 25
1973	20, 000, 000	725, 000. 00	625, 000	1, 350, 000. 00
1974	19, 375, 000	702, 343. 75	625, 000	1, 327, 343. 75
1975	18, 750, 000	679, 687. 50	625, 000	1, 304, 687. 50
1976	18, 125, 000	657, 031. 25	625, 000	1, 282, 031. 25
1977	17, 500, 000	634, 375. 00	625, 000	1, 259, 375. 00
1978	16, 875, 000	611, 718. 75	625, 000	1, 236, 718. 75
1979	16, 250, 000	589, 062. 50	625, 000	1, 214, 062. 50
1980	15, 625, 000	566, 406. 25	625, 000	1, 191, 406. 25
1981	15, 000, 000	543, 750. 00	625, 000	1, 168, 750. 00
1982	14, 375, 000	521, 093. 75	625, 000	1, 146, 093. 75
1983	13, 750, 000	498, 437. 50	625, 000	1, 123, 437. 50
1984	13, 125, 000	475, 781. 25	625, 000	1, 100, 781. 25
1985	12, 500, 000	453, 125. 00	625, 000	1, 078, 125. 00
1986	$11, 875, 000	$430, 468. 75	$625, 000	$1, 055, 468. 75
1987	11, 250, 000	407, 812. 50	625, 000	1, 032, 812. 50
1988	10, 625, 000	385, 156. 25	625, 000	1, 010, 156. 25
1989	10, 000, 000	362, 500. 00	625, 000	987, 500. 00
1990	9, 375, 000	339. 843. 75	625, 000	964, 843. 75
1991	8, 750, 000	317, 187. 50	625, 000	942, 187. 50
1992	8, 125, 000	294, 531. 25	625, 000	919, 531. 25
1993	7, 500, 000	271, 875. 00	625, 000	896, 875. 00
1994	6, 875, 000	249, 218. 75	625, 000	874, 218. 75
1995	6, 250, 000	226, 562. 50	625, 000	851, 562. 50
1996	5, 625, 000	203, 906. 25	625, 000	828, 906. 25
1997	5, 000, 000	181, 250. 00	625, 000	806, 250. 00
1998	4, 375, 000	158, 593. 75	625, 000	783, 593. 75
1999	3, 750, 000	135, 937. 50	625, 000	160, 937. 50
2000	3, 125, 000	113, 281. 25	625, 000	738, 281. 25
2001	2, 500, 000	90, 625. 00	625, 000	715, 625. 00
2002	1, 875, 000	67, 968. 75	625. 000	692, 968. 75
2003	1, 250, 000	45, 312. 50	625, 000	670, 312. 50
2004	625, 000	22, 656. 25	625, 000	647, 656. 25
Total	0	18, 578, 095. 00	25, 000, 000	43, 578, 095. 00

INTEREST RATE AT 3.75 PERCENT PER ANNUM

Year	Principal outstanding	Interest at 3.75 percent	Principal payment	Total cash requirements
1965	$25, 000, 000	$937, 500. 00	$625, 000	$1, 562, 500. 00
1966	24, 375, 000	914, 062. 50	625, 000	1, 539, 062. 50
1967	23, 750, 000	890, 625. 00	625, 000	1, 515, 625. 00
1968	23, 125, 000	867, 187. 50	625, 000	1, 492, 187. 50
1969	22, 500, 000	843, 750. 00	625, 000	1, 468, 750. 00
1970	21, 875, 000	820, 312. 50	625, 000	1, 445, 312. 50
1971	21, 250, 000	796, 875. 00	625, 000	1, 421, 875. 00
1972	20, 625. 000	773, 437. 50	625, 000	1, 398, 437. 50
1973	20, 000, 000	750, 000. 00	625, 000	1, 375, 000. 00
1974	19, 375, 000	726, 562. 50	625, 000	1, 351, 562. 50
1975	18, 750, 000	703, 125. 00	625, 000	1, 328, 125. 00
1976	18, 125, 000	679, 687. 50	625, 000	1, 304, 687. 50
1977	17, 500, 000	656, 250. 00	625, 000	1, 281, 250. 00
1978	16, 875, 000	632, 812. 50	625, 000	1, 257, 812. 50
1979	16, 250, 000	609, 375. 00	625, 000	1, 234, 375. 00
1980	15, 625, 000	585, 937. 50	625. 000	1, 210, 937. 50
1981	15, 000, 000	562, 500. 00	625, 000	1, 187, 500. 00
1982	14, 375, 000	539, 062. 50	625, 000	1, 164, 062. 50
1983	13, 750, 000	515, 625. 00	625, 000	1, 140, 625. 00
1984	13, 125, 000	492, 187. 50	625, 000	1, 117, 187. 50
1985	12, 500, 000	468, 750. 00	625, 000	1, 093, 750. 00
1986	$11, 875, 000	$445, 312. 50	$625, 000	$1, 070, 312. 50
1987	11, 250, 000	421, 875. 00	625, 000	1, 046, 875. 00
1988	10, 625, 000	398, 437. 50	625, 000	1, 023, 437. 50
1989	10, 000, 000	375, 000. 00	625, 000	1, 000, 000. 00
1990	9, 375. 000	351, 562. 50	625, 000	976, 562. 50
1991	8, 750, 000	328, 125. 00	625, 000	953, 125. 00
1992	8, 125, 000	304, 687. 50	625, 000	929, 687. 50
1993	7, 500, 000	281, 250. 00	625, 000	906, 250. 00
1994	6, 875, 000	257, 812. 50	625, 000	882, 812. 50
1995	6, 250, 000	234, 375. 00	625, 000	859, 375. 00
1996	5, 625, 000	210, 937. 50	625, 000	835, 937. 50
1997	5, 000, 000	187, 500. 00	625, 000	812, 500. 00
1998	4, 375, 000	164, 062. 50	625, 000	789, 062. 50
1999	3, 750, 000	140, 625. 00	625, 000	765, 625. 00
2000	3, 125, 000	117, 187. 50	625, 000	742, 187. 50
2001	2, 500, 000	93, 750. 00	625, 000	718, 750. 00
2002	1, 875, 000	70, 312. 50	625, 000	695, 312. 50
2003	1, 250, 000	46, 875. 00	625, 000	671, 875. 00
2004	625, 000	23, 437. 50	625, 000	648, 437. 50
Total	0	19, 218, 750. 00	25, 000, 000	44, 218, 750. 00

INTEREST RATE AT 3 PERCENT PER ANNUM

Year	Principal outstanding	Interest at 3 percent	Principal payment	Total cash requirements
1965	$25, 000, 000	$750, 000. 00	$625, 000	$1, 375, 000. 00
1966	24, 375, 000	731, 250. 00	625, 000	1, 356, 250. 00
1967	23, 750, 000	712, 500. 00	625, 000	1, 337, 500. 00
1968	23, 125, 000	693, 750. 00	625, 000	1, 318, 750. 00
1969	22, 500, 000	675, 000. 00	625, 000	1, 300, 000. 00
1970	21, 875, 000	656, 250. 00	625, 000	1, 281, 250. 00
1971	21, 250, 000	637, 500. 00	625, 000	1, 262, 500. 00
1972	20, 625, 000	618, 750. 00	625, 000	1, 243, 750. 00
1973	20, 000, 000	600, 000. 00	625, 000	1, 225, 000. 00
1974	19, 375, 000	581, 250. 00	625, 000	1, 206, 250. 00
1975	18, 750, 000	562, 500. 00	625, 000	1, 187, 500. 00
1976	18, 125, 000	543, 750. 00	625, 000	1, 168, 750. 00
1977	17, 500, 000	525, 000. 00	625, 000	1, 150, 000. 00
1978	16, 875, 000	506, 250. 00	625, 000	1, 131, 250. 00
1979	16, 250, 000	487, 500. 00	625, 000	1, 112, 500. 00
1980	15, 625, 000	468, 750. 00	625, 000	1, 093, 750. 00
1981	15. 000, 000	450, 000. 00	625, 000	1, 075, 000. 00
1982	14, 375, 000	431, 250. 00	625, 000	1, 056, 250. 00
1983	13, 750, 000	412, 500. 00	625, 000	1, 037, 500. 00
1984	13, 125, 000	393, 750. 00	625, 000	1, 018, 750. 00
1985	12, 500, 000	375, 000. 00	625, 000	1, 000, 000. 00
1986	$11, 875, 000	$356, 250. 00	$625, 000	$981, 250. 00
1987	11, 250, 000	337, 500. 00	625, 000	962, 500. 00
1988	10, 625, 000	318, 750. 00	625, 000	943, 750. 00
1989	10, 000, 000	300, 000. 00	625, 000	925, 000. 00
1990	9, 375, 000	281, 250. 00	625, 000	906, 250. 00
1991	8, 750, 000	262, 500. 00	625, 000	887, 500. 00
1992	8, 125, 000	243, 750. 00	625, 000	868, 750. 00
1993	7, 500, 000	225, 000. 00	625, 000	850, 000. 00
1994	6, 875, 000	206, 250. 00	625, 000	831, 250. 00
1995	6, 250, 000	187, 500. 00	625, 000	812, 500. 00
1996	5, 625, 000	168, 750. 00	625, 000	793, 750. 00
1997	5, 000, 000	150, 000. 00	625, 000	775, 000. 00
1998	4, 375, 000	131, 250. 00	625, 000	756, 250. 00
1999	3, 750, 000	112, 500. 00	625, 000	737, 500. 00
2000	3, 125. 000	93, 750. 00	625, 000	718, 750. 00
2001	2, 500, 000	75, 000. 00	625, 000	700, 000. 00
2002	1, 875, 000	56, 250. 00	625, 000	681, 250. 00
2003	1, 250, 000	37, 500. 00	625, 900	662, 500. 90
2004	625, 000	18, 750. 00	625, 000	643, 750. 00
Total	0	15, 375, 000. 00	25, 000, 000	40, 375, 000. 00

INTEREST RATE AT 2 PERCENT PER ANNUM

Year	Principal outstanding	Interest at 3.625 percent	Principal payment	Total cash requirements
1965	$25, 000, 000	$500, 000. 00	$625, 000	$1, 125, 000. 00
1966	24, 375, 000	487, 500. 00	625, 000	1, 112, 500. 00
1967	23, 750, 000	475. 000. 00	625, 000	1, 100, 000. 00
1968	23, 125, 000	462, 500. 00	625, 000	1, 087, 500. 00
1969	22, 500, 000	450, 000. 00	625, 000	1, 075, 000. 00
1970	21, 875, 000	437, 500. 00	625, 000	1, 062, 500. 00
1971	21, 250, 000	425, 000. 00	625, 000	1, 050, 000. 00
1972	20, 625, 000	412, 500. 00	625, 000	1, 037, 500. 00
1973	20, 000, 000	400, 000. 00	625, 000	1, 025, 000. 00
1974	19, 375, 000	387, 500. 00	625, 000	1, 012, 500. 00
1975	18, 750, 000	375, 000. 00	625, 000	1, 000, 000. 00
1976	18, 125. 000	362, 500. 00	625, 000	987, 500. 00
1977	17, 500, 000	350, 000. 00	625, 000	975, 000. 00
1978	16, 875, 000	337, 500. 00	625, 000	962, 500. 00
1979	$16, 250, 000	$325, 000. 00	$625, 000	$950, 000. 00
1980	15, 625. 000	312, 500. 00	625, 000	937, 500. 00
1981	15, 000, 000	300, 000. 00	625, 000	925, 000. 00
1982	14, 375, 000	287, 500. 00	625, 000	912, 500. 00
1983	13, 750, 000	275, 000. 00	625, 000	900, 000. 00
1984	13, 125, 000	262, 500. 00	625, 000	887, 500. 00
1985	12, 500, 000	250, 000. 00	625, 000	875, 000. 00
1986	11, 875. 000	237, 500. 00	625, 000	862, 500. 00
1987	11, 250, 000	225, 000. 00	625, 000	850, 000. 00
1988	10, 625, 000	212, 500. 00	625, 000	837, 500. 00
1989	10, 000, 000	200. 000. 00	625, 000	825, 000. 00
1990	9, 375, 000	187, 500. 00	625, 000	812, 500. 00
1991	8, 750, 000	175, 000. 00	625, 000	800, 000. 00
1992	8, 125, 000	162, 500. 00	625, 000	787, 500. 00

$25,000,000 State of Alaska general obligation bond issue—Disaster issues only (based on 40-year maturity, level-payment basis, no deferment of principal payment)—Continued

INTEREST RATE AT 2 PERCENT PER ANNUM

Year	Principal outstanding	Interest at 2 percent	Principal payment	Total cash requirements
1993	$7, 500, 000	$150, 000. 00	$625, 000	$775, 000. 00
1994	6, 875, 000	137, 500. 00	625, 000	762, 500. 00
1995	6, 250, 000	125, 000. 00	625, 000	750, 000. 00
1996	5, 625, 000	112, 500. 00	625, 000	737, 500. 00
1997	5, 000, 000	100, 000. 00	625, 000	725, 000. 00
1998	4, 375, 000	87, 500. 00	625, 000	712, 500. 00
1999	3, 750, 000	75, 000. 00	625, 000	700, 000. 00
2000	$3, 125, 000	$62, 500. 00	$625, 000	$687, 500. 00
2001	2, 500, 000	50, 000. 00	625, 000	675, 000. 00
2002	1, 875, 000	37, 500. 00	625, 000	662, 500. 00
2003	1, 250, 000	25, 000. 00	625, 000	650, 000. 00
2004	625, 000	12, 500. 00	625, 000	637, 500. 00
Total	0	10, 250, 000. 00	25, 000, 000	35, 250, 000. 00

$12,300,000 State of Alaska general obligation bond issue—Disaster issues only (based on 40-year maturity, level-payment basis, no deferment of principal payment)

INTEREST RATE AT 3.625 PERCENT PER ANNUM

Year	Principal outstanding	Interest at 3.625 percent	Principal payment	Total cash requirements
1965	$12, 300, 000	$445, 875. 00	$307, 500	$753, 375. 00
1966	11, 992, 500	434, 728. 13	307. 500	742, 228. 13
1967	11, 685, 000	423, 581. 26	307, 500	731, 081. 26
1968	11, 377, 500	412, 434. 39	307. 500	719, 934. 39
1969	11, 070, 000	401, 287. 52	307, 500	708, 787. 52
1970	10, 762, 500	390, 140. 65	307 500	697, 640. 65
1971	10, 455, 000	378, 993. 78	307, 500	686, 493. 78
1972	10, 147, 500	367, 846. 91	307, 500	675, 346. 91
1973	9, 840, 000	356, 700. 04	307, 500	664, 200. 04
1974	9, 532, 500	345, 553. 17	307, 500	653, 053. 17
1975	9, 225, 000	334, 406. 30	307, 500	641, 906, 30
1976	8, 917, 500	323 259. 43	307, 500	630, 759. 43
1977	8, 610. 000	312, 112, 56	307, 500	619, 612. 56
1978	8, 302, 500	300, 965. 69	307, 500	608, 465. 69
1979	7, 995, 000	289, 818. 82	307, 500	597, 318. 82
1980	7, 687, 500	278, 671. 95	307, 500	586, 171. 95
1981	7, 380, 000	267, 525. 08	307, 500	575, 025. 08
1982	7, 072, 500	256, 378. 21	307, 500	563, 878. 21
1983	6, 765, 000	245, 231. 34	307, 500	552, 731. 34
1984	6, 457, 500	234, 084. 47	307, 500	541, 584. 47
1985	6, 150, 000	222, 937. 60	307, 500	530, 437. 60
1986	$5, 842, 500	$211, 790. 73	$307, 500	$519, 290. 73
1987	5, 535, 000	200, 643. 86	307, 500	508, 143. 86
1988	5, 227, 500	189, 496. 99	307, 500	496, 996. 99
1989	4, 920, 000	178, 350. 12	307, 500	485, 850. 12
1990	4, 612, 500	167, 203. 25	307, 500	474, 703. 25
1991	4, 305, 000	156, 056. 38	307, 500	463, 556. 38
1992	3, 997, 500	144, 909. 51	307, 500	452, 409. 51
1993	3, 690, 000	133, 762. 64	307, 500	441, 262. 64
1994	3, 382, 500	122, 615. 77	307, 500	430, 115. 77
1995	3, 075, 000	111, 468. 90	307, 500	418, 968. 90
1996	2, 767, 500	100, 322. 03	307, 500	407, 822. 03
1997	2, 460. 000	89, 175. 16	307, 500	396, 675. 16
1998	2, 152, 500	78, 028. 29	307, 500	385, 528. 29
1999	1, 845, 000	66, 881. 42	307, 500	374, 381. 42
2000	1, 537, 500	55, 734. 55	307, 500	363, 234. 55
2001	1, 230, 000	44, 587. 68	307, 500	352, 087. 68
2002	922, 500	33, 440. 81	307, 500	340, 940. 81
2003	615. 000	22, 293. 94	307, 500	329, 793. 94
2004	307, 500	11, 147. 07	307, 500	318, 647. 07
Total	0	9, 140, 451. 40	12, 300, 000	21, 440, 451. 40

INTEREST RATE AT 3.75 PERCENT PER ANNUM

Year	Principal outstanding	Interest at 3.75 percent	Principal payment	Total cash requirements
1965	$12, 300, 000	$461, 250. 00	$307, 500	$768, 750. 00
1966	11, 992, 500	449, 718. 75	307, 500	757, 218. 75
1967	11, 685, 000	438, 187. 50	307, 500	745, 687. 50
1968	11, 377, 500	426, 656. 25	307, 500	734, 156. 25
1969	11, 070, 000	415, 125. 00	307, 500	722, 625. 00
1970	10, 762, 500	403, 593. 75	307, 500	711, 093. 75
1971	10, 455, 000	392, 062. 50	307, 500	699, 562. 50
1972	10, 147, 500	380, 531. 25	307, 500	688, 031. 25
1973	9, 840, 000	369, 000. 00	307, 500	676, 500. 00
1974	9, 532, 500	357, 468. 75	307, 500	664, 968. 75
1975	9, 225, 000	345, 937. 50	307, 500	653, 437. 50
1976	8, 917, 500	334, 406. 25	307, 500	641, 906. 25
1977	8, 610, 000	322, 875. 00	307, 500	630, 375. 00
1978	8, 302, 500	311, 343. 75	307, 500	618, 843. 75
1979	7, 995, 000	299, 812. 50	307, 500	607, 312. 50
1980	7, 687, 500	288, 281. 25	307, 500	595, 781. 25
1981	7, 380, 000	276, 750. 00	307, 500	584, 250. 00
1982	7, 072. 500	265, 218. 75	307, 500	572, 718. 75
1983	6, 765, 000	253, 687. 50	307, 500	561, 187. 50
1984	6, 457, 500	242, 156. 25	307, 500	549, 656. 25
1985	6, 150, 000	230, 625. 00	307, 500	538, 125. 00
1986	$5, 842, 500	$219, 093. 75	$307, 500	$526, 593. 75
1987	5, 535, 000	207, 562. 50	307, 500	515, 062. 50
1988	5, 227, 500	196, 031. 25	307, 500	503, 531. 25
1989	4, 920, 000	184, 500. 00	307, 500	492, 000. 00
1990	4, 612, 500	172, 967. 75	307, 500	480, 468. 75
1991	4, 305, 000	161, 437. 50	307, 500	468, 937. 50
1992	3, 997, 500	149, 906. 25	307, 500	457, 406. 25
1993	3, 690, 000	138, 375. 00	307, 500	445, 875. 00
1994	3, 382, 500	126, 843. 75	307, 500	434, 343. 75
1995	3, 075, 000	115, 312. 50	307, 500	422, 812. 50
1996	2, 767, 500	103, 781. 25	307, 500	411, 281. 25
1997	2, 460, 000	92, 250. 00	307, 500	399, 750. 00
1998	2, 152, 500	80, 718. 75	307, 500	388, 218. 75
1999	1, 845, 000	69, 187. 50	307, 500	376, 687. 50
2000	1, 537, 500	57, 656. 25	307, 500	365, 156. 25
2001	1, 230, 000	46, 125. 00	307, 500	353, 625. 00
2002	922, 500	34, 593. 75	307, 500	342, 093. 75
2003	615, 000	23, 062. 50	307, 500	330, 562. 50
2004	307, 500	11, 531. 25	307, 500	319, 031. 25
Total	0	9, 455, 625. 00	12, 300, 000	21, 755, 625. 00

INTEREST RATE AT 3 PERCENT PER ANNUM

Year	Principal outstanding	Interest at 3 percent	Principal payment	Total cash requirements
1965	$12, 300, 000	$369, 000. 00	$307, 500	$676, 500. 00
1966	11, 992, 500	359, 775. 00	307, 500	667, 275. 00
1967	11, 685, 000	350, 550. 00	307. 500	658, 050. 00
1968	11, 377, 500	341, 325. 00	307, 500	648, 825. 00
1969	11, 070, 000	332, 100. 00	307, 500	639, 600. 00
1970	10, 762, 500	322, 875. 00	307, 500	630, 375. 00
1971	10, 455, 000	313, 650. 00	307, 500	621, 150. 00
1972	10, 147, 500	304, 425. 00	307, 500	611, 925. 00
1973	9, 840, 000	295, 200. 00	307, 500	602, 700. 00
1974	9, 532, 500	285, 975. 00	307, 500	593, 475. 00
1975	9, 225, 000	276, 750. 00	307, 500	584, 250. 00
1976	8, 917, 500	267, 525. 00	307, 500	575, 025. 00
1977	8, 610, 000	258, 300. 00	307, 500	565, 800. 00
1978	8, 302, 500	249, 075. 00	307, 500	556, 575. 00
1979	7, 995, 000	239, 850. 00	307, 500	547, 350. 00
1980	7, 687, 500	230, 625. 00	307, 500	538, 125. 00
1981	7, 380, 000	221, 400. 00	307, 500	528, 900. 00
1982	7, 072, 500	212, 175. 00	307, 500	519, 675. 00
1983	6, 765, 000	202, 950. 00	307, 500	510, 450. 00
1984	6, 457, 500	193, 725. 00	307, 500	501, 225. 00
1985	6, 150, 000	184, 500. 00	307, 500	492, 000. 00
1986	$5, 842, 500	$175, 275. 00	$307, 500	$482, 775. 00
1987	5, 535, 000	166, 050. 00	307, 500	473, 550. 00
1988	5, 227, 500	156, 825. 00	307, 500	464, 325. 00
1989	4, 920, 000	147, 600. 00	307, 500	455, 100. 00
1990	4, 612, 500	138, 375. 00	307, 500	445, 875. 00
1991	4, 305, 000	129, 150. 00	307, 500	436, 650. 00
1992	3, 997, 500	119, 925. 00	307, 500	427, 425. 00
1993	3, 690, 000	110, 700. 00	307, 500	418, 200. 00
1994	3, 382, 500	101, 475. 00	307, 500	408, 975. 00
1995	3, 075, 000	92, 250. 00	307, 500	399, 750. 00
1996	2, 767, 500	83, 025. 00	307, 500	390, 525. 00
1997	2, 460, 000	73, 800. 00	307, 500	381, 300. 00
1998	2, 152, 500	64, 575. 00	307, 500	372, 075. 00
1999	1, 845, 000	55, 350. 00	307, 500	362, 850. 00
2000	1, 537, 500	46, 125. 00	307, 500	353, 625. 00
2001	1, 230, 000	36, 900. 00	307, 500	344, 400. 00
2002	922, 500	27, 675. 00	307, 500	335, 175. 00
2003	615, 000	18, 480. 00	307, 500	325, 950. 00
2004	307, 500	9, 225. 00	307, 500	316, 725. 00
Total	0	7, 564, 500. 00	12, 300, 000	19, 864, 500. 00

$12,300,000 State of Alaska general obligation bond issue—Disaster issues only (based on 40-year maturity, level-payment basis, no deferment of principal payment)—Continued

INTEREST RATE AT 2 PERCENT PER ANNUM

Year	Principal outstanding	Interest at 2 percent	Principal payment	Total cash requirements
1965	$12,300,000	$246,000.00	$307,500	$533,500.00
1966	11,992,500	239,850.00	307,500	547,350.00
1967	11,685,000	233,700.00	307,500	541,200.00
1968	11,377,500	227,550.00	307,500	535,050.00
1969	11,070,000	221,400.00	307,500	528,900.00
1970	10,762,500	215,250.00	307,500	522,750.00
1971	10,455,000	209,100.00	307,500	516,600.00
1972	10,147,500	202,950.00	307,500	510,450.00
1973	9,840.000	196,800.00	307,500	504,300.00
1974	9,532,500	190,650.00	307,500	498,150.00
1975	9,225,000	184,500.00	307,500	492,000.00
1976	8,917,500	178.350.00	307,500	485,850.00
1977	8,610,000	172,200.00	307,500	479,700.00
1978	8,302,500	166,050.00	307,500	473,550.00
1979	7,995,000	159,900.00	307,500	467,400.00
1980	7,687,500	153,750.00	307,500	461,250.00
1981	7,380,000	147,600.00	307,500	455,100.00
1982	7,072,500	141,450.00	307,500	448,950.00
1983	6,765,000	135,300.00	307,500	442,800.00
1984	6,457,500	129,150.00	307,500	436,650.00
1985	6,150,000	123,000.00	307,500	430,500.00
1986	$5,842,500	$116,850.00	$307,500	$424,350.00
1987	5.535,000	110,700.00	307,500	418,200.00
1988	5,227,500	104,550.00	307,500	412,050.00
1989	4,920,000	98,400.00	307,500	405,900.00
1990	4,612,500	92,250.00	307,500	399,750.00
1991	4,305,000	86,100.00	307,500	393,600.00
1992	3,997,500	79,950.00	307,500	387,450.00
1993	3,690,000	73,800.00	307,500	381,300.00
1994	3,382,500	67,650.00	307,500	375,150.00
1995	3,075,000	61,500.00	307,500	369,000.00
1996	2,767,500	55,350.00	307,500	362,850.00
1997	2,460,000	49,200.00	307,500	356,700.00
1998	2,152,500	43,050.00	307,500	350,550.00
1999	1,845,000	36,900.00	307,500	344,400.00
2000	1,537,500	30,750.00	307,500	338,250.00
2001	1,230,000	24,600.00	307,500	332,100.00
2002	922,500	18,450.00	307,500	325,950.00
2003	615,000	12,300.00	307,500	319,800.00
2004	307,500	6,150.00	307,500	313,650.00
Total	0	5,043,000.00	12,300,000	17,343,000.00

AMENDMENTS NOS. 801, 802, 803, AND 804

Mr. GRUENING. Mr. President, on behalf of my colleague, the senior Senator from Alaska [Mr. BARTLETT] and myself, I submit four amendments, intended to be proposed by us, jointly, to Senate bill 2881, the Alaska omnibus bill, and ask that they be printed and appropriately referred.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred.

The amendments were referred to the Committee on Interior and Insular Affairs.

COMMENDATION OF PRESIDENT AND STATE DEPARTMENT ON HANDLING ARAB NATION'S UNPRECEDENTED PROTEST AGAINST VISIT OF ISRAEL'S PRIME MINISTER

Mr. GRUENING. Mr. President, in times past I have been highly critical of the Department of State's policies in the Middle East. It has been my opinion that a continued policy of firmness toward President Nasser—a policy of firmness coupled with mutual respect for the independence and dignity of each and every nation in that area—would have brought stability rather than the present uneasiness.

Today, however, I wish to commend the President and the Department of State for the manner in which they handled the unparalleled public protest by the press secretaries of the Arab nations in Washington against the official visit to the United States of the Prime Minister of Israel.

Acting Secretary of State George W. Ball acted correctly and firmly in reprimanding the Arab envoys for their unheard of interference in U.S. domestic affairs. To me this exhibits complete arrogance on the part of these Arab embassies in trying to dictate to the United States whom the President may invite to visit this country officially.

The President is to be commended also for arranging for the visit of the Prime Minister of Israel and for the joint statement issued with respect to the defense of Israel as well as the other nations in the Middle East.

Israel and its defense should be a matter of concern to the United States not alone because it represents a haven for the oppressed and persecuted in other areas of the world who seek refuge, but also because it is a shining beacon of a true democracy in an area where democratic governments are otherwise nonexistent.

Israel represents a model of the type of government which we hope the other underdeveloped nations we are assisting in the Middle East will take as their example.

I ask unanimous consent that the article in the New York Times today on the Arab protest against the visit to the United States of the Prime Minister of Israel be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 3, 1964]

UNITED STATES REPRIMANDS ARAB ENVOYS FOR CRITICISM OF ESHKOL'S VISIT

WASHINGTON, June 2.—The United States reprimanded 13 Arab Ambassadors today for a statement critizing the visit of Premier Levi Eshkol of Israel.

Mr. Eshkol completed 2 days of discussions with President Johnson with the announcement that the United States and Israel had agreed to undertake joint studies on the problems of desalting sea water.

American and Israel officials said the Johnson-Eshkol discussions had gone extremely well. The cordiality, however, was overshadowed by the administration's efforts to keep the Arab-Israel feud from developing further here.

The State Department made elaborate arrangements to permit Acting Secretary of State George W. Ball to carry on his scheduled discussions with Premier Eshkol at noon and also to meet with the representatives of 13 Arab countries—without having the two parties meet.

Mr. Ball summoned the Arab diplomats to rebuke them for a statement issued by Arab press attachés yesterday saying the Eshkol visit could impair Arab-American relations. The statement also charged that the Israel leader was seeking arms and a defense pact with the United States. Both charges were denied yesterday.

The State Department said Secretary Ball had called the Ambassadors to "pursue with them the statement issued yesterday by their information officers."

But qualified sources said Mr. Ball had complained that the statement was an unwarranted intrusion into U.S. affairs and that its timing had offended the Government.

In a joint communique issued at the end of the talks, President Johnson, reaffirmed the U.S. "support for the territorial integrity and political independence of all countries in the Near East and reaffirmed the firm opposition of the United States to aggression and the use of force or the threat of force against any country."

The statement was similar to one made a year ago by President Kennedy at a news conference. But the fact that it was made in a joint communique with the Israel Premier was viewed as an underscoring of Washington's support for Israel.

The Israel delegation met with Mr. Ball and other State Department officials for nearly 2 hours. They discussed a wide range of issues, especially tensions in the Middle East.

Premier Eshkol has indicated in remarks here that he considers Israel's armed forces a sufficient deterrent to Arab nations for now. But he is reported to have expressed concern that the arms buildup in the Middle East is continuing and that there are no signs that tensions are easing.

Officials insisted that no specific requests for economic or military aid had been made.

The decision to study the use of nuclear power in desalting sea water was the only agreement reached. The joint communique noted that progress in this field would be made "available to all countries with water deficiencies."

The issue of diverting Jordan River water for irrigation purposes in Israel has recently heightened Arab-Israel tensions.

ESHKOLS TO VISIT CITY

Mr. and Mrs. Eshkol will be guests of Mayor Wagner and New York when they arrive today for a 4-day visit.

Their party is scheduled to arrive at the marine air terminal, La Guardia Airport, at 6:20 p.m. It will be greeted by Richard C. Patterson, Jr., commissioner of public events, who will escort the Premier and his wife to the Waldorf-Astoria Hotel.

The United Jewish Appeal will give a dinner in their honor at the Waldorf-Astoria at 7 o'clock tonight. Tomorrow, Governor Rockefeller will call on the Premier in his suite.

Mr. and Mrs. Eshkol will be welcomed by Mayor Wagner at city hall at noon.

The city hall visit will be followed by a luncheon at the United Nations given by the Secretary General, U Thant.

At 1:15 p.m. tomorrow, Mrs. Michael S. Comay, the wife of Israel's permanent representative at the United Nations, will give a luncheon at the United Nations in honor of Mrs. Eshkol.

WAGNER TO GIVE RECEPTION

Mayor Wagner will have a reception in honor of Mr. and Mrs. Eshkol tomorrow at 6 p.m. at the Grand Ballroom of the Waldorf-Astoria.

The Premier and his wife will meet with the American Zionist Council Friday morning in the Astor Gallery of the Waldorf-Astoria. At 1 p.m. the Overseas Press Club will give a luncheon for the Premier at the club, 54 West 40th Street.

Also at 1 p.m., Mrs. Eshkol will be honored at a luncheon at the Metropolitan Museum of Art. At 8 p.m. Adlai E. Stevenson, the U.S. representative at the United Nations, will hold a dinner in honor of Premier and Mrs. Eshkol at the Waldorf Towers.

The Eshkols are scheduled to depart for Cape Kennedy in Florida from Kennedy International Airport, Sunday, at 11:20 a.m., aboard an Air Force plane.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure to the Senator from Minnesota.

Mr. HUMPHREY. I am glad the Senator from Alaska has taken the floor today to comment on the visit by the Prime Minister of Israel to the United States. As the Senator knows, the Prime Minister was the guest of the Committee on Foreign Relations, and other Members of the Senate were present, as well.

I felt that the Prime Minister answered frankly and in detail questions that were put to him. He answered them, of course, from his own point of view, but with great candor.

I have the feeling that his visit to the United States has resulted in a much closer relationship between our two countries. The United States is big, powerful, and strong; while today, Israel, small in size, but growing, and having an ever-increasing standard of living and per capita income, and an ever-increasing flow of exports, and a good dollar balance in terms of its reserves, has really given inspiration to many countries that seek to develop and grow from rather humble beginnings into fullfledged, modern nation-states.

The fact is, as we discovered in our discussion in the Committee on Foreign Relations, and as many of us have known, that Israel today is extending technical assistance to many countries in Asia, Africa, and Latin America. Even now, some of Israel's best agricultural teams, speaking in terms of new crops, especially citrus, and in terms of land use, both reclamation and irrigation, are rendering valuable assistance.

Israel is making her contribution to a more viable society and economy in many nations.

I was much pleased with the attitude of the President and the State Department when they reminded the representatives of other countries that we are at liberty to have as our guests whom we would like, and that we treat our guests with respect and courtesy and attempt to promote friendly relationships among the countries of the world.

In the interviews and conferences with the Prime Minister of Israel and with others, President Johnson has tried to promote peace—not armaments—in the Middle East. When he talked to the King of Jordan, President Johnson spoke for the same purpose—to promote peace and understanding in the Middle East. In both cases he spoke of ways and means to improve the land, to obtain sweet water from the salt water of the sea, and to use nuclear energy for peaceful purposes.

So I feel that the visit by the Prime Minister of Israel is once again giving the world a view of American policy, and is showing the world that American policy is dedicated, not to the promotion of tensions, but the promotion of peace and understanding.

It will be a happy day for the world when the nations of the Middle East literally beat their swords into plowshares and make war no more, because the Arab nations are in desperate need of economic development and social improvement. The Arab people are a fine people. They have a great civilization and a great history; but today we find country after country among the Arab nations impoverished, and yet building up armaments, only for the purpose of fighting among themselves or maintaining a kind of continuing war against the State of Israel. That is madness and economic folly.

So I was pleased to note that the President of the United States once again saw fit, to remind the world that the United States will fulfill its commitments under the declaration of 1950, which was reiterated only a year or so ago by the late President Kennedy—in other words, that the United States will fulfill its commitments to prevent aggression or to prevent a change of boundaries by force in the Middle East. I believe this is a forward and constructive step toward peace.

Mr. GRUENING. I thank the Senator from Minnesota. Of course he realizes that little Israel—which is only a sliver of land, perhaps not larger in area than that of the State of Massachusetts—is surrounded by nations with populations 50 times as great and with areas 100 times as large, nations which have never ceased to declare war on Israel. They declared years ago that they were at war with Israel and have never abrogated that declaration. It is a tragic fact that they have united to boycott Israel and to try in every way to throttle Israel's growth. Through Nasser, Egypt's dictator, they have prevented the passage through the Suez Canal not only of ships flying Israel's flag, but also of the ships of any other nation, bound either to or from Israel or carrying cargoes either to or from Israel. Nasser has never ceased to declare his intention to destroy Israel and to drive her people into the sea. His Cairo radio continues to preach hate. It has advocated assassination. Yet the small nation of Israel has made full use of its resources which though slight, Israel has steadily developed, and has spared no effort to educate its people, to improve the nation's sanitation, to improve the health of its people, and to irrigate the land so as to make it more productive, whereas the nations which surround Israel and hostile to it are not using for the purposes intended the generous financial aid they receive from the United States, under our foreign assistance program.

For example, according to the estimates of our military experts, it was quite clear that the war in Yemen which in September of 1962 Nasser launched by means of Russian air transportation and arms was at that time costing not less than one-half a million dollars a day; and since then Nasser has increased the number of his troops there from 28,000 to 40,000; and we know that meanwhile Egypt not only is building up its arms, with Russian aid, but also is employing former Nazis—criminals—who would be put on trial for their crimes if they were caught by the German authorities—to help Egypt build tanks, submarines, and missiles, all of which can be intended only for aggressive purposes.

The only reason why the threatened disaster has not descended upon little Israel is that they have proved themselves brave and efficient fighters. But let it be noted that beyond that in all that area, Israel is an oasis of democracy and freedom, in the midst of a desert inhabited by Arab peoples which are subjected to dictatorship and oppression and suffer poverty, ill health, lack of education, and decadence.

How much better it would be if, in dealing with the Arab nations and appeasing their self-seeking leadership, the United States were to say to them, "Instead of using our aid for the purpose of aggression or the development of arms to be used for aggression, why do not you emulate Israel, and proceed to educate your people, raise their living standards, seek to rid them of ill health, and build up your economy?"

When I made a study for the subcommittee of the Senate Committee on Government Operations—I refer to the subcommittee of which the distinguished Senator from Minnesota [Mr. HUMPHREY] is chairman—I found it very striking to observe that not one of the 10 countries studied, had used our aid as well, as honestly, as wisely or as effectively as had Israel. In addition, it was extremely gratifying to note that Israel made no secret of the great aid the United States had given throughout its early difficult years when it was struggling for its very existence. It was gratifying—although we found this in no other country—to observe in Israel, at almost every principal crossroad, a large sign which indicated that that highway had been made possible by U.S. aid. In addition, Israel at its own expense has produced a color film giving the entire history of U.S. aid which is shown widely as an expression of appreciation for U.S. help. The people of Israel were grateful for it. But in other countries, the aid given by the United States is concealed by the dictators, who want to claim credit for the improvements it has brought.

Three years ago John Kenneth Galbraith, the distinguished economist, professor of economics at Harvard, and author of classics in the field of economics, including his recent "The Affluent Society," and who, even more recently, has been our Ambassador to India, wrote an article on foreign aid. It was published in that distinguished quarterly "Foreign Affairs." He favored our foreign aid, although he pointed out that it had certain weaknesses. He wrote that if a country were to use our foreign aid effectively, it should fulfill four basic requirements:

First there must be at the top a group in government—an elite, so to speak—who know how to use foreign aid.

Second, this group of elite must be honest, and must not steal the money given by our country or waste it or give it to their own favorites.

Third, this elite group must have a sense of social justice, so that the aid funds are not used only for the benefit of those at the top of the social structure for the benefit of the local oligarchy, but are used for the benefit of those at all levels of society.

Fourth, the Nation must have in mind a sense of direction, a purpose, a destiny. Galbraith wrote that all of the nations which to date had been the recipients of U.S. foreign aid, only one has fulfilled those four basic requirements, and he said that country was Israel.

That is one of the reasons why Israel—which, I repeat, is an oasis of democracy and freedom, a land in which the people are guaranteed freedom of the press, freedom of speech, and freedom of assembly—freedoms not available to the people of the surrounding nations most of which live under dictatorships, where there is no freedom of speech or freedom of the press or guarantee against unwarranted search and seizure—this is why Israel should be encouraged and strengthened and why it is the duty of the United States to make sure that the threatened destruction of Israel by its hostile neighbors does not occur.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H.R. 1382. An act for the relief of John Gatzopi Overbeck and Mary Gatzopoulos Overbeck; and

H.R. 7332. An act granting the consent of Congress to a further supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McINTYRE in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 265 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dominick
Douglas
Edmondson
Ellender
Ervin
Gruening
Hartke
Hickenlooper
Holland
Humphrey
Jackson
Johnston
Jordan, Idaho
Kennedy
Mansfield
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Moss
Mundt
Muskie
Neuberger
Pastore
Pearson
Proxmire
Randolph
Saltonstall
Simpson
Smith
Symington
Talmadge
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

CONGRESSIONAL EXPENSES

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Is the rule of germaneness now in effect?

The PRESIDING OFFICER. The rule of germaneness is not in effect. The 3-hour period has expired.

Mr. CLARK. I thank the Chair.

Mr. President, let me say for the information of the other two Senators in the Chamber, and perhaps for the always assiduous members of the Press Gallery, which I am not particularly surprised to see is not very full, that I am engaged in what is now being called the antifilibuster filibuster. A decision has been made by the leadership that they prefer not to have any votes for the remainder of this week. Our friends from the South, as charming and as inconsistent as they occasionally are, now desire a vote on the pending amendment. I suppose because of this wonderful world of Congress to which we all belong, since they wish to vote, we perversely—if only temporarily—do not wish to vote.

I am under instructions from my leadership—which I shall follow—to talk with all deliberate speed until 3 o'clock, at which time I shall suggest the absence of a quorum.

Turning to a matter which is not germane to the pending business, the Philadelphia Inquirer this morning published a somewhat frightening headline which reads, "Aids of CLARK, SCOTT Paid $80,000 in 3 Months." Then follows a brief Associated Press dispatch, which I find both incomplete and inaccurate.

There still seem to be people in this country who believe that it is sinful for Senators or Representatives to spend any of the taxpayers' money to maintain their offices, to keep them properly informed, to do the research necessary for their speeches and their committee work, and to answer their mail.

The AP account starts off in horrendous tones with the following sentence:

> More than $80,000 in Government funds—

That seems like a great deal of money—

> was paid to 68 persons in the first 3 months of this year by Senators JOSEPH S. CLARK, Democrat, of Pennsylvania, and HUGH SCOTT, Republican, of Pennsylvania, to handle their office affairs.

The article states that even though we spent this huge amount of money, some of the employees worked only part time. The writer seems to take great glee in listing the top salary which I pay to my Pennsylvania administrative assistant, Michael J. Byrne who, I add parenthetically, is worth his weight in gold. No amount of money could ever compensate him for the skillful, devoted, and loyal service he has rendered to the United States of America, and to me, ever since I came to the Senate.

The article lists the top salary paid by the Senator from Pennsylvania [Mr. SCOTT] to his able administrative assistant, Robert L. Kunzig. Then it declares that the money allowed to each Senator for his office payroll is based on a formula never made public by Senate officials.

To my knowledge, that is not true. Any reporter who wishes to dig out the facts can find out very easily what the formula is whereby office payrolls are determined. I solicit the cooperation of the UPI to see if they cannot score a "beat" on the AP by looking into the situation and finding out what the formula is by which Senate payrolls are computed.

I will keep the mystery a little longer in order to give the reporter a real scoop, when he digs it out. It will be discovered that the amounts allowed to Senators vary somewhat, depending upon how many people there are in the various States. The bigger the State, the greater the amount of money allowed. But, unfortunately, the amount is not in proportion.

My recollection—and it may be incorrect—is that the able minority leader, the Senator from Illinois [Mr. DIRKSEN], said the other day, in a letter of protest about the present situation, that he received about 1 cent for each inhabitant in his State for office expenditures; whereas Senators from the smaller States received 48 cents for each inhabitant.

Perhaps the answer is that there are more bear in the smaller States than there are in the larger States. Perhaps they should be counted. In any event, I invite the careful research of the press to find out exactly what the situation is in this regard.

Mr. President, I ask unanimous consent that the article published in the Philadelphia Inquirer of today may be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Philadelphia (Pa.) Inquirer, June 3, 1964]

AIDS OF CLARK, SCOTT PAID $80,000 IN 3 MONTHS

WASHINGTON, June 2.—More than $80,000 in Government funds was paid to 68 persons in the first 3 months of this year by Senators

Joseph S. Clark, Democrat, of Pennsylvania, and Hugh Scott, Republican, of Pennsylvania, to handle their office affairs.

Clark and Scott employed 34 persons each and paid their staffs more than $40,000 in the 3-month period, the Secretary of the Senate reported Tuesday. Some employees worked part time or for only part of the 3-month period.

Michael J. Byrne, Clark's executive assistant in Philadelphia, received the highest pay in both offices—$4,719—for the 3-month period. Scott's highest paid employee was Robert L. Kunzig, his administrative assistant, at $4,382.

The money allowed each Senator for his office payroll is based on a formula never made public by Senate officials.

Salaries listed in the latest report included only Government money and not private funds a Senator might use to hire additional employees or to pay his aids more money.

Mr. CLARK. Mr. President, as may have become apparent from what I have already said, that kind of story irritates me. It puts me in the position where I am under an accusation of spending huge sums of money for part-time assistants.

In order that there may be no doubt about how much money I receive for staff operations, and where it goes, I ask unanimous consent to have printed in the Record at this point in my remarks a schedule I had prepared this morning, showing the name of each of my employees, with a brief description of his or her duties, the amount paid quarterly, and the amount paid annually.

There being no objection, the list was ordered to be printed in the Record, as follows:

Office of Senator Joseph S. Clark, June 3, 1964

WASHINGTON OFFICE

Name	Position	Amount paid	
		Quarterly	Annually
Norwitch, Bernard E	Administrative assistant	$4,326.30	$17,305.31
Widner, Ralph R	Legislative assistant	3,621.12	14,484.59
Schwartz, Harry K	Legislative assistant	3,141.60	12,566.49
Littman, Marie C	Office manager	2,139.00	8,556.11
Volta, Emma M	Caseworker, government liaison.	1,813.95	7,255.90
Cochran, M. Frances	Secretary to Mr. Norwitch	1,748.94	6,995.86
Wood, Mary E	Administrative aid	1,748.94	6,995.86
Conlow, Marie E.[1]	Personal secretary to the Senator.	1,586.43	6,345.74
Barrett, Mary L	Receptionist	1,586.43	6,345.74
Hartwell, Harriette E	Secretary to Mr. Schwartz	1,456.41	5,825.64
Wise, Sidney	Legislative aid	770.46	3,081.86
Storm, Geraldine A	Secretary to Mr. Widner	1,315.54	5,305.58
Spencer, Ermelinda A	Clerk-typist	1,228.86	4,915.45
Zelenski, Patricia A	do	1,121.33	4,525.43
Wilson, Norma W	do	1,071.42	4,285.68
MacLeod, Helen T	do	1,013.16	4,052.75
Lofting, Cintra W	do	1,071.42	4,285.68
Leviton, Daniel	Clerk, part-time	798.72	3,194.98
Finkler, Etta B	do	502.59	2,010.44
Lupica, Mary A	File clerk, part-time	467.25	1,869.06
Mills, Martha L	Typist, part-time	$255.18	$1,020.72
Mungello, David E	Clerk, part-time	255.18	1,020.72
Pettit, Helen F	Typist, part-time	255.18	1,020.72
O'Connor, John E	Clerk, part-time	255.18	1,020.72
Jones, Jennifer H	Typist, part-time	255.18	1,020.72
Merrill, Frederick T., Jr	Clerk, part-time	643.98	2,576.01
Flannery, Patrick	do	255.18	1,020.72
PHILADELPHIA OFFICE			
Byrne, Michael J	Executive assistant	$4,719.99	$18,880.00
Stone, Audrey F	Administrative aid to Mr. Byrne.	1,813.95	7,255.90
Gallagher, Evelyn	Secretary to Mr. Byrne	1,456.41	5,825.64
Bailey, Juanita E	Clerk, part-time	770.46	3,081.86
Kessler, Anne	do	502.59	2,010.44

Note.—As of this date $2,968.75 annually and $742.19 quarterly is returned to the Treasury.

[1] Paid an additional several thousand dollars by the Senator for personal services rendered Senator Clark.

Mr. CLARK. I note, somewhat sardonically, that as of today I have returned to the Treasury $2,968.75, on an annual basis, or $742.19 on a quarterly basis, because under the fantastic, ridiculous, and obsolete redtape procedures under which we operate, I could find no legal way to spend it.

Senators may rest assured that if I had been able to find a legal way, I would have spent it, because I find it necessary, in order to perform my duties properly—at least, as I see it—to spend a great many thousands of dollars out of my own pocket to make up for the inadequacies of the allowances which I am given by the Senate to maintain my office.

As an example, which is much more critical with Senators who live on the Pacific coast than it is with me—and it is very critical, indeed, for the large number of honorable and very able Senators, in many ways the most able of the lot, who have, unlike me, no outside income—who are allowed only the cost of two trips home during the year.

A round trip fare to Philadelphia costs me approximately $13.69 on the coach via Pennsylvania Railroad—I am too cheap to ride the parlor car.

Now and then I must fly, because of the time factor, in order to reach the Senate early enough on Monday morning. Then I have to pay a little more, particularly if the flight is filled and I must fly first class, which I do not like to do, because I would rather fly coach. However, the situation is different for the two Senators from California, Oregon, or Washington. They owe just as much of an obligation to their constituents, to go home and visit with them and talk with them and learn their problems, as I do. Every time they fly to the coast, I bet that they—I will strike "bet," because a Senator must not be known as a betting man—I suggest that it costs them several hundred dollars. That out of their own pockets. If they go home more than twice during a congressional session, particularly Senators who are up for renomination or reelection, it is a heavy burden on them. It is particularly heavy if they are raising a family and educating their children and maintaining, as is often the case, two homes, one where their constituents are in their home States, and the other in Washington.

It is high time, therefore, as a part of the general congressional reorganization, which I have long advocated, for Congress to pass the pay bill, which is now in the House. I wish we would do something which, to my way of thinking, is even more important than raising the salaries of Representatives and Senators. I hope we shall take a hard look at expenses, because the amounts we get for them now are inadequate.

One of the most ridiculous things in this wonderful world of Congress is the allowance for telephone expenses. It is entirely inadequate in the modern world. It is regulated by the Committee on Rules and Administration. A wholly inadequate differential exists between the small States and the big States. Every quarter of the year I run over my telephone bill, and I have to pay the difference out of my own pocket.

On the other hand, because of the invention of the telegraph by Samuel F. B. Morse a little more than a hundred years ago, and the fact that Congress does sooner or later catch up—although the lag is substantial—with modern inventions, the telegraph allowance, in my case is bigger than I need. However, the telegraph allowance is not under the jurisdiction of the Rules Committee, as is the telephone allowance, but is under the jurisdiction of the Committee on Appropriations; and never the twain shall meet.

For some time I have been trying to make some arrangement for better coordination between the committees so that we may obtain the money we need. At least we should be able to get the money that is needed and put it to its best use.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Ohio, who is gallantly fighting for reelection this year, and who has a duty to go home to confer with his constituents, and whose expenses are extremely heavy in this connection.

Mr. YOUNG of Ohio. I express my admiration to the distinguished Senator for the statements he has made with respect to this problem. I am one of two

Senators from my State of Ohio, representing 10 million constituents. As the Senator has said, a dedicated public servant who is trying to the utmost of his ability and energy to serve his State and his Nation feels it necessary and desirable to return to his State on at least two weekends a month and, preferably, three weekends a month.

Whenever I go to Cleveland, Columbus, or Cincinnati or to any area of Ohio, I customarily travel by airplane; and always, when a plane has a coach compartment, I travel by coach. It is an expense which we incur personally. We must do it. It helps a Senator to keep in touch with his constituents, to have the benefit of their views.

In connection with what the Senator said about the expense for telegrams and long-distance telephone calls, the Senator's observation is absolutely correct. Since last December 28—and this situation will continue to the end of this month—I have personally been paying for my telephone calls—and practically all of them are on public business—because Cleveland and all the other areas of Ohio are so close to Washington that I am in constant telephonic communication with my constituents. I wish to be.

Mr. CLARK. My guess is that a number of the Senator's constituents call him collect.

Mr. YOUNG of Ohio. That is true. It is highly inadvisable to refuse to accept a collect call, as all of us know. We are entering the last month of the present fiscal year. I now have to my credit—and I wish I could have it transferred to my telephone account—more than $7,800 in the telegram account. I wish I could apply it to my telephone bill. I cannot use 1 cent of it for that purpose. I have a superabundance of funds in my Western Union allowance for telegrams.

Inasmuch as the Senator from Pennsylvania has adverted to the fact that I was a candidate for reelection, I should like to say that it is my intention to remain on the job in Washington and attend to the people's business, as a public servant. However, whenever it is possible to go back to Ohio, to look after my fences throughout Ohio—and they probably need some mending there this year—I do so. In view of the fact that I am running against a Representative at Large who bears a famous name, while I bear only an ordinary name, I know that I shall be campaigning in all sections of Ohio.

All of us like to see our constituents; and we are making no complaint whatever. I do not expect to be defeated. I expect to be in Washington during the next 6 years as the junior Senator from Ohio.

The senior Senator from Pennsylvania [Mr. CLARK] has made a strong point, when we consider the salaries paid some appointive officials. Some of them receive as much as $38,000 per annum. They bear the title of Deputy Under Secretary of something or other. The Senator from Pennsylvania is making an excellent case for better remuneration of Members of Congress. The situation today is not as it was when I was first elected as Representative at Large from Ohio. The Senator from Pennsylvania made a strong case, and I thank him for doing so.

Mr. CLARK. I thank my friend from Ohio for his very helpful intervention. I shall ask him another question in a moment.

First, I hazard the guess that if Alexander Graham Bell had been born before Samuel Morse and had invented the telephone before the telegraph was invented, we would now have an adequate allowance for long-distance telephone calls and perhaps would be complaining because of an inadequate allowance for telegrams.

It requires about 150 years for the powers that be, in connection with allowances granted to Senators, to catch up with the vagaries of modern science. It is too bad that Morse was born and made his invention before Bell invented the telephone.

The Senator from Ohio comes from a large State, which is a neighbor of my own. Does he not have the same problem with respect to his stationery allowance? The Senator issues an interesting newsletter and distributes many copies of if. No doubt he is gradually building up the number of constituents to whom his newsletter is sent.

I find myself in a situation in which almost every quarter I have to pay out of my own pocket the money necessary to provide an adequate stationery allowance for my voluminous mail and for my newsletter, which is now sent to almost 100,000 people out of the 12 million in the Commonwealth of Pennsylvania. Has the Senator from Ohio had that difficulty?

Mr. YOUNG of Ohio. I have experienced some difficulty, if it can be called that, but I have accepted it as a situation that I must make the best of. It is a fact that the stationery allowance is utterly inadequate to meet the needs of a public servant who represents, in part, a State having a population of 10 or 12 million. I do not grieve over that. I do not grieve over the expense of traveling back and forth between Washington and Ohio. If at any time I begin to feel sorry for myself and look at my bank balance and discover it is getting low, I think of some of my colleagues, such as Senator Moss of Utah, Senator CANNON of Nevada, and others who come from great distances and must incur huge travel expenses.

I personally write my newsletter. I should be thankful that my circulation, in addition to what appears in newspapers and is broadcast by radio and television stations in Ohio, is a mere 42,000 as compared with the circulation of the newsletter of the distinguished Senator from Pennsylvania.

But, while we have these problems, we are glad to meet them. The Senator from Pennsylvania is not complaining, nor am I complaining. We are stating the facts, because sometimes misrepresentations are made regarding our expense allowances and travel allowances, in addition to the two round trips a year for which we receive an allowance.

The Senator from Pennsylvania is rendering a real public service by placing this problem in proper perspective.

Mr. CLARK. I thank the Senator from Ohio. As I recall, he was the first U.S. Senator in recent years to make public disclosure of his assets, holdings, and liabilities. I thought that was a fine public service, and I undertook to follow his leadership later.

The fact that the Senator from Ohio has some property in addition to his senatorial salary inevitably results in his being in a higher income tax bracket than he would otherwise be. The expenditures we make out of our own pockets are usually allowed by the Internal Revenue Service as business expenses, which means they are deductions from gross income. Therefore, the richer one is, the less he has to pay because of the expenditure of his own money, because it comes off the top income bracket. On the other hand, many Senators who are not so fortunate as we might happen to be are endeavoring to live on their salaries and educate their children; and when they have to pay the expense money out of their own pockets and claim it as a business expense, the deduction comes in a far lower income tax bracket. So there could not possibly be a more unfair way of doing business than the Senate, in its infinite wisdom, for many a long year has decided to operate.

As a Senator who comes from quite a large State, I receive about $170,000 from the Government each year for the salaries of my staff and for the operating expenses of my office. That would seem to many to be an extraordinarily large sum. I have placed in the RECORD the details concerning where the money goes for staff purposes. I have indicated some of the other major items of expense which I necessarily incur.

In my opinion, that investment by the taxpayer for office expense and for salaries of staff and Members of Congress is wholly justified. If there is any criticism, it is, first, that the amount is not enough, because every Member of Congress has to contribute something himself to do his duty properly.

Second, the small States still get an unfair advantage in terms of the amount they receive compared with what we, representing States having a much larger population, and having much heavier mail, more demands for telephone calls, and more newsletters to send, and even more telegrams to send, are required, as a matter of our public duty, to pay out.

The system under which this allowance is made is so complicated as to be largely unintelligible. But the facts are there for anyone who wants to dig them out.

There is an equally complicated system fixing the staff salaries according to arbitrary categories that must be adhered to. It was originally a device to conceal from the public the actual amounts paid to employees. There is what is called a basic salary, and anybody looking at it casually, on a quarterly basis, would assume that we are paying employees at an annual rate of $7,000. That is not the fact, because various bureaucratic rules and procedures, and perhaps some legislation, have converted by a mathematical formula, difficult indeed to understand, the basic salary into a far larger salary. So what appears to be a $7,000 salary for one's top administrative assistant, converts, in many cases, to $18,000.

A few years ago, as a result of some assiduous inquiry by newspapermen, the Senate instructed the Secretary of the Senate to make available to any inquiring member of the public or the press the actual amount paid by a Senator to each member of his staff, as opposed to the basic amount, which is far less.

If ever there was an excuse for such a bookkeeping gimmick—on the theory that that was nobody's business, neither that of the public, the press, or even that of junior Members of Congress—that excuse has now been removed, as a result of the exposure by the diligent reporter to whom I have referred, the weird practices, and the public pressure on Congress to make the facts available.

However, the press and the public must still go to considerable trouble to obtain information on congressional salaries and positions. Nevertheless, those who are sufficiently interested to dig it out and sufficiently diligent to take it home and study it, can get the necessary information.

All this might be quaint, and even amusing, if it were unique—a sort of harmless example of a quill-pen tradition, to remind us of the preautomated world; but, unfortunately, it is not unique. The way Congress goes about its housekeeping chores is symptomatic of the deadly grip that traditions, customs, and styles of the past have over the operation of the Nation's highest legislative body.

For the new Member of Congress, these details are his first glimpse of the special mystique and the peculiar malaise which have kept Congress in thrall.

I have been impelled to engage in this comment—which some may consider a diatribe—by the fact that when, this morning, I saw the article in the Philadelphia Inquirer, I was annoyed by it, as I have said; and I thought it desirable, at least on my own account, to make abundantly clear how much money I am allowed for my staff, those who receive it, and what sort of services they render, in addition to pointing out some of the heavy expenses to which a Member of the House of Representatives or a Member of the Senate is subjected.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. CLARK. Mr. President, I turn from my nongermane harangue to the pending civil rights bill, which I hope soon will become the Civil Rights Act of 1964.

I wish to speak primarily concerning the substitute submitted by the Senator from Illinois [Mr. DIRKSEN], for himself and the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from California [Mr. KUCHEL]. If cloture is voted next Tuesday—and I hope it will be, the substitute will be called up and voted on shortly thereafter.

I shall speak principally about title VII, the fair employment practices title of the bill, because it is the title with respect to which I have been designated one of the floor managers. The changes made in that title are perhaps more extensive than any in the rest of the bill.

At the outset, let me say I am not happy about the changes which have been made in title VII. I think either the credit or the blame—whichever it may be—should go primarily to the Senator from Illinois [Mr. DIRKSEN], for it was he who took the initiative, summoned the meetings, and presided over the arduous sessions at which a number of suggested changes—initiated by him and by members of his staff—eventually were hammered out on the anvil of long discussions, and were incorporated into the substitute.

It is true that the substitute is a bipartisan one. The name of the majority leader, the Senator from Montana [Mr. MANSFIELD], is also on it; and a number of us on this side of the aisle participated in the discussions. The Senator from Minnesota [Mr. HUMPHREY] took a leading part; so did the Attorney General and the Deputy Attorney General, Mr. Katzenbach, and the Chief of the Civil Rights Division of the Office of the Attorney General, Burke Marshall. But the imprint of the thinking of the Senator from Illinois [Mr. DIRKSEN], is on the substitute; and if the substitute is wise and good, he should receive the credit; if the substitute substantially and significantly weakens the bill to the point where it is more or less meaningless, the blame should fall on him.

I participated in a number of discussions which led to the final hammering out of the substitute; but as those discussions progressed, I became more and more dissatisfied with what was being done to title VII. In order not to be morally bound to accept the substitute, I therefore withdrew from the discussions some time before the decisions were reached.

In a moment, I shall speak of the reasons why I wish the changes in title VII had not been made.

However, first I wish to state my own candid political judgment, which is that if we want any bill at all enacted, we must take the Dirksen amendment. I reached this conclusion reluctantly. It had always seemed to me that we would not enact any bill unless we obtained cloture. The able, articulate, and indefatigable Members of the Senate who are opposed to any civil rights bill, and who have been filibustering the civil rights bill ever since March 9, are indeed tireless. They can speak in relays, for 2 hours or 3 hours at a time, and then can go home and have dinner, can enjoy the company of their wives, and can go to the theater or play golf; and when, 2 or 3 days later, they return to the Senate, they are refreshed in both body and spirit, and are able to continue indefinitely the round of what they so amusingly call educational debate.

On the other hand, those of us who are on the other side have no such privileges. We are constantly under the whip of our whips. We must respond to quorum calls at any time, day or night. We dare not stray far from the floor of the Senate.

I wish to pay a compliment to my southern friends, for they have been unusually kind as regards quorum calls. I recall that in 1960, when we were going through the filibuster in connection with the civil rights bill of that year, I had to sleep on a cot in my office. When I could get a cot in the Senate baths, I would sleep over there. But in those days, I had even less seniority than I have now; and I found it was rather difficult to get a cot on a seniority basis. For a while I took a room in the Carroll Arms. But after I had missed three quorum calls—because I could not get out of bed and put on my pants and come to the floor of the Senate in time to answer the quorum call—I gave that up. In addition, it was rather expensive; and I was told by the Internal Revenue Service agent that I could not write off that expense as a deduction in connection with my income tax return.

But this time the opponents have been very courteous. They have permitted us to go to dinner. They have been very considerate, kind, and polite. I thank them for doing so. Whatever may be the eventual fate of this bill, I trust that we shall come out of this really distressing and harrowing experience with the same general sense of courtesy toward each other which presently exists, and which I must say is one of the things about the U.S. Senate that makes it such a privilege to serve as a Member of this body.

I suppose one could go back to Voltaire and say, as he is reputed to have said:

> I disagree with everything you say—

And I do—

> but I shall defend to the death your right to say it.

That is, I believe, in the best tradition of fair play in America. I bitterly resent the fact that a filibuster is possible in this body. I have done, and I shall in the future do everything in my power to have reinstated the motion for the previous question which was in Jefferson's Manual when the Senate first met, and which remained an acceptable procedure in the Senate until the year 1809. The filibuster did not begin until 1840. I think it was never justified. It is not justified now. In my opinion, if the Senate is going to perform its constitutional function as the upper body—and I use the phrase "upper body" advisedly and hope my friends in the other body will not resent it—we shall have to get rid of the filibuster and all other measures which hinder, delay, and defeat the expeditious bringing of proposed legislation to a vote.

Nevertheless, we have it. We must live with it. In my opinion, since there is no way of breaking a filibuster by exhaustion, the only way we can reach a vote on the merits of the bill is by imposing cloture. The only way we can obtain cloture is by a careful nose count taken in advance—hopefully—to determine that two-thirds of these Senators present and voting wish to limit further debate under rule XXII.

I had originally thought that we could in due course obtain cloture on the House bill. I had thought that on the basis of my own nose count we could persuade 42 Democrats and 25 Republicans—the necessary 67, or more than two-thirds out of 100—to vote to terminate debate on the House bill. But I was mistaken. There must be taken from the number of 67 Democratic Members of the Senate 17 or 18 Senators from the States of the old Confederacy who, under no circumstances, would vote for cloture. That gets us down to somewhere in the neighborhood of 50 and, unhappily, as things have turned out, there are, I am afraid, more than 8 Senators on our side of the aisle, in addition to our southern friends, who would not vote to impose cloture on the House bill.

My conversations with my friends on the other side of the aisle convinced me that they had no chance whatever of getting 25 Republican votes for cloture on the House bill. About a month ago one of the most knowledgeable of my Republican friends told me that as of that time they were 7 or 8 short of 25. So it became apparent that we were not going to get cloture on the House bill. That, to my way of thinking, is another indication of how Senators legislate in the shadow of the filibuster. That is true not only of proposed civil rights legislation, but many other proposals concerning which an actual filibuster never takes place because those who strongly support the proposed legislation, fearing the threat of filibuster, will water down the measure, compromise, and give away titles and sections that they think desirable, in order to prevent resort to the talkathon which, particularly in the closing days of the session, can prevent action on any measure.

Just as Senators legislate in the shadow of the filibuster, so we legislate in the shadow of the House Rules Committee. I should like to say a word on that subject. Those of us who desire a civil rights bill know that we dare not pass a bill in the Senate which the House will not accept. The House Rules Committee can prevent a bill from ever going to conference. We all know the position taken by the adamant and able chairman of the House Committee on Rules, Judge SMITH, of Virginia, when he does not wish to see proposed legislation adopted. So we do not dare to pass a bill on which the House would resist going to conference; first, because perhaps we would never get a conference, although perhaps with "all deliberate speed" a majority of the House Rules Committee would eventually let us go to conference, but not until after both national elections had come and gone.

So also we do not dare to pass a bill which the House would not accept, whether or not it would go to conference, because if there should be a conference which resulted in a compromise, when the conference report came back to the Senate, there would be another filibuster. So, as I have said, we are in a position of having to take a bill which two-thirds of the Senate is prepared to accept.

I have reluctantly concluded that that bill is the substitute bill sponsored by the Senator from Illinois [Mr. DIRKSEN] and the Senator from Montana [Mr. MANSFIELD]. Since I wish a bill, and want the bill desperately, I have concluded to swallow my doubts and disappointments and to support the compromise.

Mr. CASE. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to my friend from New Jersey, who is the Republican Senator in charge of title VII of the bill, which I intend to begin to discuss within the next few minutes. I am happy to yield to him.

Mr. CASE. I thank the Senator. Mr. President, I ask unanimous consent that my remarks will not be taken as a speech, that any additional remarks I might make will not be counted as a second speech, and all the other reservations that are customarily taken care of in such a unanimous-consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. The Senator from New Jersey is becoming adept in the uses of the filibuster.

Mr. CASE. First, I should like to comment on what the Senator from Pennsylvania has already said. I should like to ask the Senator the name of the book which he has recently written.

Mr. CLARK. The Senator is very kind. He invites a commercial.

Mr. CASE. That is correct.

Mr. CLARK. By mere coincidence, I happen to hold in my hand my book, which is entitled "Congress: The Sapless Branch."

Mr. CASE. It was written by the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. And it is published by the well-known publishing firm of Harper & Row. It costs $4.95 in the hardback edition. Those who desire to wait 6 months or a year can get a cheaper version in paperback.

Mr. CASE. I am usually never without it. However, at the moment I happen to be without my copy.

Mr. CLARK. The Senator is indeed kind.

Mr. CASE. I have dipped deeply into the book. I recommend it to all who are interested in the great subject in which the Senator has immersed himself so deeply, in which he is so well versed, and on which he is such an authority. For that reason, I have enjoyed greatly my association with the Senator from Pennsylvania in our common effort to assist the Senate and the Congress as a whole to improve its procedures and practices and to shake from it some of the hoary traditions that now have become not so much a help as a hindrance to its active functioning.

Mr. CLARK. If the Senator will permit a brief interruption, I encourage him to say a word at this point about the fate of our mutually sponsored Senate Concurrent Resolution 1, which, in the early days of the present Congress, was hopefully intended to enable the Congress to make some progress in the general area of congressional reform.

Mr. CASE. I shall be happy to do so. The fact is that Senate Concurrent Resolution 1, of which I am a cosponsor and the Senator from Pennsylvania [Mr. CLARK] is the chief sponsor, and which, at one time or another, was supported by over a majority of Senators, a very respectable number of whom were actually cosponsors, was reported favorably with some unfortunate but apparently necessary amendments by the Committee on Rules and Administration.

Mr. CLARK. I think they were more unfortunate than necessary.

Mr. CASE. The Senator is an authority on that, because he is a member of the Committee on Rules and Administration, in which, in almost every matter, his actions have recommended themselves to me——

Mr. CLARK. I think I understand the implicit exception the Senator from New Jersey has in mind.

Mr. CASE. The Senator is very astute in every matter, particularly the one to which he has referred. But the point is that the resolution under discussion, which would establish a committee of the Congress, the Members of the House to be appointed by the Speaker and the Members of the Senate to be appointed by the President pro tempore, rests—and I hope does not repose in the sense to which that word sometimes is put—on the Calendar of the Senate.

It was reported by the committee some months ago. The majority leader, with his customary courtesy and his general astuteness and wisdom, agreed to attempt to bring it up; and he did so on one afternoon—I think on a Friday—some months ago.

One of the Senators from what the Senator from Pennsylvania has delicately called the States of the Old Confederacy said two words—"I object"—which gave notice that, no matter what happened, there would be no vote on the resolution unless Senators who favored it would agree that any study made by the committee should not produce any change, or even a recommendation for change, in rule XXII, the antifilibuster rule.

Mr. CLARK. Or any other rule.

Mr. CASE. Or any other rule of the Senate. The restriction imposed on the proposed committee by the Senate Rules Committee was that it should not deal with either the precedents or rules of the Senate. A more ridiculous restriction could hardly be imagined.

Oddly enough, a similar restriction, almost in those words, was placed on the La Follette-Monroney Reorganization Committee of 1946. Despite that fact, that committee accomplished a substantial amount of good, though far less than it should have and would have accomplished, considering all the circumstances, except for this restriction.

The fate of that particular resolution is still in doubt. I wish the doubt were greater, because, unless something happens in the way of an aroused public sentiment, we shall not get that resolution off the calendar again in this session.

As I started to say, it was discussed for the remainder of the afternoon I mentioned. Then the majority leader, recognizing the force behind the gently worded statement of the Senator from Georgia, let it go back to the calendar, as it did at the expiration of business on that day. Something else took its place as the active business before the Senate, and it has rested on the calendar ever since.

That is where the particular vehicle for the machinery which we hoped to start in motion to improve the practices and creaking procedures and cumbersome inactivity of the Senate, and the House, too, rests at the moment.

Before we enter into the discussion of the matter with respect to which the Senator from Pennsylvania and I happen at the moment to be collaborting; namely, title VII of the pending civil rights bill, let me say that the Senate and the country are very fortunate to have the Senator from Pennsylvania interesting himself in the matter of procedures in Congress and in Congress as an institution. I hope, under his leadership, and with the collaboration of other Senators, that we shall eventually get to it.

Mr. CLARK. I thank the Senator for his very kind words. I hope they will not cause him embarrassment among his Republican voters in New Jersey any more than my reciprocated views about his abilities will cause me difficulty with my Democratic voters in Pennsylvania. I think there is a law of "anathemism" in partisan views both in New Jersey and Pennsylvania that one is considered rather a traitor to one's party if a Democrat says anything kind about a Republican, and vice versa.

Mr. CASE. The only persons who rather like that kind of collaboration seem to be the voters of our respective States.

Mr. CLARK. This has been the Senator's experience and mine. May our success continue.

Mr. CASE. Amen.

Mr. CLARK. I would now like to make some comments about title VII, as it is proposed to be changed from the House bill by the Dirksen substitute. The compromise set forth in the substitute bill constitutes a further softening of the enforcement provisions of title VII, although the new powers given to the Attorney General do compensate to some extent for its weakening.

After a good deal of careful thought, I have concluded that the weakening changes are not so great as to make it impossible to achieve the objectives of the title, although they certainly make it more difficult.

The changes I most deplore are, first, the subordination of Federal power to the localities and the States in connection with the enforcement of equal job opportunity. The amendment deprives the Federal Fair Employment Practices Commission of any legal authority to enforce orders through the Federal courts. Instead, the individual who complains that he has been denied equal job opportunity is relegated either to a proceeding in the first instance under a State statute, if a State has a fair employment practices statute, or, in the alternative, to a local ordinance, when, as is the case in many cities—Philadelphia and Pittsburgh among them—the local fair employment practices ordinance tends to be stronger than the State act.

The difficulty is that while there are perhaps 30 States and about 50 cities which have either State legislation or municipal ordinances covering the subject of fair employment practices, they are of a wide variety of effectiveness. Some of them, such as the one in New York and the ones in Philadelphia, Pittsburgh, and Pennsylvania, are quite effective. Others are no more than token laws or ordinances, containing nothing adequate in the way of enforcement powers. So even in States and cities having fair employment practices legislation or ordinances, the individual who complains that he has been denied equal employment opportunity can have a pretty rough time of it.

It is true that eventually, after he has applied for relief under the State law or local ordinance, he can then turn to proceedings before the Federal Fair Employment Practices Commission. But this might take a considerable period of time, if local proceedings are strung out as they could be by an unsympathetic administration. In many a case I fear that the end result will be that justice delayed is justice denied, and the unfortunate individual would never get the job to which he was entitled because the whole employment situation could well have changed in the meantime.

There is another serious defect in these amendments in my view, and that is that the door is wide open for the adoption by other States and other cities of brand-new fair employment practices legislation or ordinances for which no standards are required by the Dirksen substitute.

To take a case, which in all likelihood will not occur, although it might, the city of Jackson, Miss., could pass a fair employment ordinance a month after the bill becomes law, and then no one in Jackson, Miss., could invoke Federal authority as an individual to enforce his right to equal job opportunity, which the Federal statute as well as the 14th amendment and the commerce clause guarantee—until he had first applied for relief under the Jackson, Miss., ordinance.

Nor is there anything in the amendment to say what needs to go into the Jackson, Miss., ordinance. It could be a shadow ordinance with no adequate enforcement procedures. One would be reasonably certain that the administration of the ordinance would not be put into the hands of individuals friendly to the cause of fair and equal employment. Under the Dirksen substitute, 120 days must elapse during the first year in this situation before any proceedings can be initiated under the Federal law to assure equal job opportunity.

So there is implicit in the compromise an invitation to those areas, localities, and States where we know from the evidence which has been assembled by the Civil Rights Commission, by the Attorney General, and by numerous other agencies, that there is no such thing as equal job opportunity. Those areas would be encouraged to adopt new ordinances or statutes which would in effect usurp jurisdiction with respect to their own citizens, and as a practical matter prevent those citizens from obtaining the equal employment opportunity which is guaranteed them by the amendments to the Constitution and which is explicitly set forth in the bill which we hope to pass, including the explicit declarations in the Dirksen amendments.

So that what might be called the greater deference to the States and localities, and the consequent impediments to the Federal jurisdiction is, to my mind, one of the serious defects in the compromise bill.

Another major defect, in my judgment, is that the Dirksen amendments deprive the Federal Equal Employment Opportunity Commission of the power to initiate suits in the Federal district courts. This power was expressly granted by the House bill. It is taken away by the Dirksen amendments, so that, in effect, the Federal Fair Employment Practices Commission has had its teeth pulled. It can, once the leadtime for proceedings under the State law or local ordinances has expired, hear a complaint. It can determine that the complaint is justified. It can engage in investigations. It can attempt conciliation. But, there its power stops, and all it can do is to report its findings and conclusions to the Attorney General who, in his infinite wisdom, may or may not, in due course, bring proceedings to enforce the equal job opportunity denied the complainant.

This, to my way of thinking, is a serious defect in the changes made in the authority of the Fair Employment Practices Commission.

There is, however, another side to the coin, because the compromise does provide the power for the Attorney General to enforce in the Federal courts, by action instituted by him, fair employment practices in an area or with respect to an individual establishment where, in his judgment, a pattern of discrimination has developed.

This is the same power given in slightly different verbiage to the Attorney General under title II of the compromise agreement, the title dealing with public accommodations.

This is a real net gain. My difficulty in accepting this as an appropriate substitute for the powers taken away by the compromise which I have just recited, is not due to any criticism on my part of the present Attorney General of the United States or any of his able assistants. Quite the contrary. They have been zealous and assiduous in exercising the full powers of the Federal Government with respect to all phases of civil rights and the equal protection of the law.

But one would indeed be blind in the reading of history if he did not appreciate that the office of the Attorney General of the United States through the entire history of the Republic has tended to be a political one, and that the extent to which any particular laws or set of laws are enforced depends largely if not entirely on the political philosophy of the particular individual nominated by the President and confirmed by the Senate who holds the office of Attorney General of the United States.

I say again that I do not mean to imply the slightest criticism of the present incumbent of that office, that I honor him for the unpopularity which he has achieved in certain areas of this country as a result of his zealous efforts to bring the full scope of Federal power to bear in support of the civil rights of all Americans regardless of their race, creed, or color, and now, if this bill should be enacted into law, regardless also of their sex.

But the fact remains that the power has been taken away from the Federal Commission which would be created by the bill—a commission expert in dealing with the employment aspects of the civil rights problem—and has been given to a political officer, who has a host of other duties and other heavy responsibilities to perform, requiring him to find in each instance a pattern of discrimination before he can invoke Federal power.

Therefore, while I am delighted that under the compromise, this authority has been vested in the Attorney General, I am nonetheless skeptical about how effective it will be in the long run. Nevertheless, I say again that this compromise, unsatisfactory to me though it is, nonetheless does not cripple the bill. Perhaps it does not even significantly weaken it. In my judgment, in view of the practical political situation in which we find ourselves, we shall be well advised to support the Dirksen amendment; and I intend to do so.

Mr. CASE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. CASE. I ask the Senator from Pennsylvania to yield only for the purpose of commenting on the point he has discussed. After much consideration I have concluded that although the bill would not be strengthened by the Dirksen amendment with regard to the enforcement provision changes, I believe that the reduction in effectiveness was not made between the House bill and the Dirksen substitute, but, really, between the bill of the Senator from Pennsylvania, as reported by the Committee on Labor and Public Welfare——

Mr. CLARK. By a vote of 12 to 3.

Mr. CASE. Yes. Between that bill and the House bill. In the Senator's bill, the full panoply of the enforcement power would rest in the Commission. The Commission would have dealt with this matter, most notably in that the Commission would have had the power, after having concluded that its efforts to negotiate and persuade had failed in a particular case, to issue orders.

Mr. CLARK. The Senator is quite correct.

Mr. CASE. Which could be molded to the facts in a particular situation, as it had discovered them in the course of long dealing with the situation. Enforcement would have been left to the court; but in the court proceeding seeking the enforcement order, the finding of the Commission would have had at least prima facie and perhaps presumptive value.

Mr. CLARK. The Senator is correct. Also, under the Senate bill, which is S. 1937, and which is still on the calendar, there would be created an Equal Employment Opportunity Administration in the Department of Labor. The administration would bring cases before an Equal Employment Opportunity Board, a quasi-judicial administrative body, not unlike a number of other commissions which are presently operating in various fields of the Federal domain. The commission proposed to be created under the Senate bill would not only have had authority to issue an order, which would be enforcible, but also would have the services of a full-time executive or administrator, whose job it would be to investigate complaints, initiate inquiries, and appear before the Commission in support of the cause of an individual complainant; or, in those instances where he thought intimidation had prevented the bringing of a charge by an individual, to bring the charge himself, and obtain an order from the court, which would be enforcible, not in the district court, but in the courts of appeals across the country.

How much more effective this procedure would have been than the one in the House bill will be recognized by every lawyer in the Senate and by all students of the problem who wish to see established a really effective administrative organization to assure that equal job opportunities are not denied.

Mr. CASE. The Senator is absolutely correct. I interrupted him only for the purpose of emphasizing that the big stepdown in effectiveness, so far as enforcement goes, was made in the House bill, rather than in the Dirksen amendment to the House bill. We are both unhappy about it, but we are both conscious of the fact that the difference which this involves in the feeling of those who do not want the Federal Government active in this area at all is the reason for the effort to get at the problem in a way in which the leadership amendment deals with it.

Mr. CLARK. I thank the Senator. I point out, with respect to the Senate bill, that once the board had issued the order directing compliance with fair employment practices, which order would be based on a petition by the administrator, who would be in the Department of Labor, the court of appeals called upon to enforce that order, if voluntary compliance could not be achieved, would act on the basis of the facts found by the board. It would not conduct a new trial. The procedure would be governed by the Administrative Procedure Act, familiar to all lawyers who practice in the administrative field, and the court of appeals could act without further litigation, unless objection were appropriately filed by the respondent.

Therefore, in the ordinary case, the action of the board would be conclusive, and its decision would be enforced.

Mr. President, in order not to detain the Senate unduly, I ask unanimous consent that a memorandum prepared by the very able staff assistant of the Subcommittee on Employment and Manpower, which held the hearings on the Senate bill and which brought it before the full committee, and which later reported it to the Senate, where it was placed on the calendar, be printed in the RECORD at this point. It is entitled "Comparative Analysis of Title VII of H.R. 7152, as Passed by the House, with S. 1937, as Reported." The able staff assistant to whom I have referred is Mr. Edward D. Friedman, who has rendered valiant service and has done long and arduous and outstanding work in perfecting the Senate bill and in advising the members of the Committee on Labor and Public Welfare on the relationship between the Senate bill and the House bill.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

COMPARATIVE ANALYSIS OF TITLE VII OF H.R. 7152 AS PASSED BY THE HOUSE WITH S. 1937, AS REPORTED

The major differences between the House passed title VII of H.R. 7152 (hereinafter referred to as H.R. 7152) with S. 1937, as reported, can be broken down into seven parts: (1) coverage, (2) exemptions, (3) prohibitions, (4) administration and enforcement, (5) Federal employees, (6) Federal-State relationships, and (7) effective date. These differences are highlighted below.

I. COVERAGE

H.R. 7152

A. Number of Covered Employees and Employers

1. First year after effective date: 21 million employees, 56,000 employers.

2. Second year: 23 million employees, 96,000 employers.

3. Third year: 25 million employees, 116,000 employers.

4. Fourth year and thereafter: 29 million employees, 259,000 employers.

B. Persons Subject to the Act

1. Employers in an industry affecting commerce according to the following schedule:

(a) First year after effective date: Employers with 100 or more employees.

(b) Second year: Employers with 75 or more employees.

(c) Third year: Employers with 50 or more employees.

(d) Fourth year and thereafter: Employers with 25 or more employees.

2. Labor organizations representing or seeking to represent covered employees according to the following schedule based on number of members:

(a) First year after effective date: 100 or more members.

(b) Second year: 75 or more members.

(c) Third year: 50 or more members.

(d) Fourth year and thereafter: 25 or more members.

3. Employment agencies dealing with covered employers including the U.S. Employment Service and the system of State and local employment services receiving Federal assistance.

S. 1937

A. Number of Covered Employees and Employers

Forty million employees, 700,000 employers.

B. Persons Subject to the Act

1. Employers with eight or more employees in an industry affecting commerce.

2. Government contractors and subcontractors as well as contractors and subcontractors under federally assisted programs.

3. The Federal executive branch as well as Federal independent agencies and instrumentalities.

4. Labor organizations dealing with covered employers.

5. Employment agencies dealing with covered employers including the U.S. Employment Service and any State employment service.

Comment

It should be emphasized that unlike S. 1937, title VII of H.R. 7152 does not touch (1) the Federal executive branch and the Federal independent agencies and (2) Government contractors and subcontractors or contractors and subcontractors under Federally assisted programs as such. The executive branch and the independent agencies would remain subject to the President's Executive Order on Equal Employment Opportunity. The Government contractors would be covered by the act as employers rather than as contractors and would be subject to the general sanctions applicable to the employer group. They would not, however, be subject to the sanction of blacklisting contained in the Senate version.

It should also be noted that labor organization coverage under title VII is narrower than the broad coverage specified in S. 1937. Under the House bill coverage in these cases depends upon extent of membership in four steps leveling off at 25 or more members in the 4th year.

Also noted is the fact that under the House bill only those State and local employment services receiving Federal assistance are covered, whereas the Senate bill covers all State employment services.

II. EXEMPTIONS

H.R. 7152

1. The Federal Government.

2. States and political subdivisions thereof.

3. Nonprofit private membership groups exempt from Federal taxation (other than labor organizations).

4. U.S. employers employing citizens of foreign countries in foreign lands.

5. Religious corporations, associations, or societies.

S. 1937

1. Federal legislative and judicial branches.

2. State and political subdivisions thereof (same as H.R. 7152).

3. U.S. employers employing citizens of foreign countries in foreign lands (same as H.R. 7152).

4. Religious organizations with respect to employment practices based upon religion.

III. PROHIBITIONS

H.R. 7152

1. Discrimination because of race, color, religion, sex, or national origin by any of the following:

(a) Employers with respect to employment.

(b) Employment agencies with respect to referrals for employment.

(c) Labor organizations with respect to union membership or to any other union privilege or activity affecting employment opportunities.

(d) Any of the above including joint labor-management committees with respect to all forms of apprentice or other job training programs.

(e) Any of the above with respect to recruitment through discriminatory advertising.

2. Discrimination by employers, employment agencies, or labor organizations against any employee, union member, or applicant for employment or for union membership because he has taken part in an investigation or proceeding under the act or because he has otherwise supported the policies of the act.

3. The following are specifically excepted from the provisions dealing with unlawful employment practices:

(a) Discrimination based upon religion, sex, or national origin in cases in which religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the operation of the particular enterprise.

(b) Discrimination by an educational institution or an institution of learning based upon religion if such institution is, in whole or in substantial part, owned, supported, or managed by a particular religious corporation or if the curriculum of such institution is directed toward the propagation of a particular religion.

(c) Refusal to hire or employ any person because of his atheistic practices or beliefs.

4. The phrase "unlawful employment practice" does not include any action taken by any person subject to the act with respect to a member of the Communist Party or of any other organization required to register by order of the Subversive Activities Control Board.

S. 1937

1. Denial of equal employment opportunity (broadly defined) by any person because of race, color, religion, or national origin.

2. Discrimination by any person against any other person because he has taken part in an investigation or proceeding under the act or because he has otherwise supported the policies of the act.

Comment

The most significant difference between the two bills is the prohibition of discrimination based upon sex in the House bill.

Also noted is the specific exclusion of atheism from the protection accorded to religion.

It should also be noted that section 4 of S. 1937 sounds in the affirmative obligation of equal employment opportunity, is more explicity drawn than the corresponding provision in H.R. 7152 and is generally broader in scope.

IV. ADMINISTRATION AND ENFORCEMENT

H.R. 7152

A. Administration

1. An independent bipartisan administrative agency known as the Equal Employment Opportunity Commission consisting of five members appointed by the President and confirmed by the Senate for staggered 5-year terms directs the administration of the statute.

2. The Commission has authority to furnish conciliation services and technical assistance to aid in effectuating the policies of the statute.

3. The Commission is responsible for the investigation and prosecution of violations of the statute.

(a) The Commission investigates upon the basis of a charge by an aggrieved party or by a Commissioner who has reasonable cause to believe that a violation has taken place.

(b) If upon completion of the investigation, two or more commissioners decide that there is reasonable cause to believe that the charge is well founded, the Commission attempts to obtain voluntary compliance with the statute through the informal means of conciliation, etc.

B. Adjudication of Formal Complaints

1. If efforts to obtain voluntary compliance fail and the Commission decides that there is reasonable cause to believe a violation of the statute has taken place, the Commission initiates an action in the U.S. district court to enjoin the unlawful conduct.

2. The Commission may, however, by affirmative vote decide not to prosecute if it is satisfied that the action will not serve the public interest. In this event the charging party may bring a private action in the U.S. district court provided he obtains the written consent of one member of the Commission.

3. If in any such action the district court finds that the respondent violated the statute, it may issue an appropriate injunction including the requirement to take such affirmative action including reinstatement or employment with or without back pay as may be appropriate.

S. 1937

A. Administration

1. An administrator with the rank of assistant secretary, appointed by the President and confirmed by the Senate, directs the administration of the statute. The Administrator is located within the Department of Labor and serves under the general supervision of the Secretary of Labor.

2. The Administrator has authority to make periodic inspections regarding the practices of any persons subject to the act and has responsibility for the investigation and prosecution of all violations of the statute.

3. The Senate bill directs the Administrator to conduct full field investigations in any cases in which he has reasonable cause to believe that a violation of the act has taken place. These investigations are self-starting and need not be preceded by the filing of charges.

4. If after investigation the Administrator decides that a violation has taken place, he must first attempt to obtain voluntary compliance with the statute through conciliation.

5. If conciliation and persuasion fail, the Administrator has authority to initiate formal complaint proceedings before the Equal Employment Opportunity Board based upon the alleged violation.

B. Adjudication of Formal Complaints

1. The Equal Employment Opportunity Board, before whom trial litigation under the statute is conducted, is an independent administrative tribunal consisting of five commissioners appointed by the President and confirmed by the Senate for staggered 5-year terms.

2. The Board hears and decides all complaint cases presented to it by the Administrator with authority to issue broad remedial orders to remedy violations which it finds.

3. The Board also has the responsibility to review all regulations issued by the Administrator and upon application by an aggrieved party, may review actions of the Administrator in failing or refusing to investigate a charge or to issue a complaint on a charge whenever it is alleged that the Administrator acted arbitrarily or capriciously.

C. Judicial Review

The decisions of the Equal Employment Opportunity Board are reviewed by the U.S. courts of appeals on application of an aggrieved party or of the Administrator or are enforced upon application of the Board.

V. FEDERAL EMPLOYEES

H.R. 7152

Title VII does not cover the Federal establishment and does not in any way refer to the President's Committee on Equal Employment Opportunity. It contemplates that equal employment opportunity in the Federal Government shall continue to be secured in the manner prescribed by the President under his executive powers.

S. 1937

The President is specifically authorized to take such action as may be necessary to conform fair employment practice within Federal agencies with the policies of the act and to provide that Federal employees must exhaust remedies available to them under an appropriate Executive order prior to seeking relief under the act.

Orders of the Board in proceedings involving Federal employees are not judicially enforceable. Instead the Board may request the President to take action to obtain compliance with its orders.

VI. FEDERAL-STATE RELATIONSHIPS

H.R. 7152

1. State fair employment practice laws will operate concurrently with the Federal law.
2. The Administrator, however, is directed to enter into agreements with State or local agencies having effective fair employment practice programs under which the Administrator agrees to suspend enforcement of the Federal act in the categories covered by the agreement.

S. 1937

Same as above except that S. 1937 provides for the payment of matching funds to the State or local agency subscribing to such an agreement to cover 50 percent of the costs of performing the functions which would have been performed by the Administrator in the absence of such agreement.

VII. EFFECTIVE DATE

H.R. 7152

The House bill provides that its substantive provisions shall become effective 1 year after the date of enactment.

S. 1937

The Senate bill provides that its substantive provisions shall become effective 6 months after the date of enactment.

Mr. CLARK. It is relevant to point out that four separate enforcement schemes for a Federal Fair Employment Practices Commission have been considered by Congress during this session, and that the weakest of the four is the one set forth in the Dirksen substitute. The strongest is in the Senate FEPC bill, S. 1937, which has just been discussed by the Senator from New Jersey and myself, the general terms of which are set forth in the comparative analysis which has been placed in the RECORD. The next strongest bill is not in the House bill, which the Senate is now considering, but in H.R. 405, as it was reported by the House Committee on Education and Labor toward the end of last year.

This bill, on which voluminous hearings were conducted in the House, was given careful consideration in executive session. Although, in my opinion, it is not as strong or as good as the Senate bill, nevertheless it would have given the Fair Employment Board the power to make orders and have them enforced on its own record in the court of appeals, thus bypassing the need for a long and costly trial in the district court.

The bill to which I have reference was introduced by Representative JAMES ROOSEVELT, of California. It was reported with amendments on July 22, 1963, and ordered to be printed. Thereafter, on that same date, a committee report was issued under the name of the chairman of the committee, Representative ADAM CLAYTON POWELL, to accompany the bill, H.R. 405.

It is perhaps interesting to note that the report stated that the basic purpose of H.R. 405 was to seek to eliminate arbitrary employment discrimination because of race, religion, color, national origin, or ancestry through the utilization of formal and informal remedial procedures.

The bill would authorize the establishment of a Federal Equal Employment Opportunity Commission, and would delegate to it the primary responsibility for preventing and eliminating unlawful employment practices as defined in the bill.

I point out again that H.R. 405 would vest authority in the first instance in the Federal Equal Employment Opportunity Commission. Only appellate jurisdiction would be given to the various Federal courts of appeals.

The House report contained an interesting recital of some of the basic facts, which, in view of the many speeches made in this body since March 9, suggesting that there is no need for fair employment practices legislation, is well worth referring to. The report states:

> The conclusion inescapably to be drawn from 28 witnesses in 10 days of hearings, and from statements filed without oral testimony, is that discrimination in employment because of race, religion, color, national origin, or ancestry is a pervasive practice. The evidence before the committee makes it abundantly clear that job opportunity discrimination permeates the national social fabric—North, South, East, and West. The act is directed at correcting such abuses wherever found and is not focused upon any single section of the country. An unequivocal declaration and implementation of a national policy on equal employment opportunity, predicated upon individual merit, competence, and capability, is of paramount importance at this stage of U.S. history.

The report mentions that it is a hard fact that among male family breadwinners the unemployment rate today among nonwhites is 3 times what it is among whites; that among the younger workers, from age 14 to age 19, the unemployment rate today for whites is 12 percent, and for nonwhites it is 24 percent; that the total number of nonwhites in the civilian work force is 8 million, which represents 11 percent of the total work force; and that there are in that work force today 600,000 men and women who are looking for work which they cannot find, and who have been out of work for more than 26 weeks. It shows that while the total nonwhite population of the country is about 10 percent, 25 percent of the long-term unemployed are nonwhite.

The report points out that the Negro has steadily and consistently fallen behind in terms of unemployment; that in 1947, the nonwhite unemployment rate was 64 percent higher than the rate of white employment; whereas by 1952 that percentage had grown to 92 percent; by 1957 it was 105 percent higher; and in 1962 it was 124 percent higher.

I cite these figures not because they are new or unusual but because we have listened for so long, since March 9, to the denials of our friends from certain sections of the country that there is any serious problem with respect to fair employment practices or job opportunity.

As we come to the closing days of this debate, shortly before we attempt to invoke cloture, I think it is well to set forth the record in this regard.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from Louisiana.

Mr. ELLENDER. I am wondering if the Senator could give us an idea, from the report from which he has been reading, as to where in the country is the greatest percentage of nonwhite unemployment.

Mr. CLARK. I do not know that the report contains that information, but I am perfectly willing to admit that there is no finding anywhere that nonwhite unemployment is heavier in the South than elsewhere. I know that in my own State the figures are quite shocking to me, because the nonwhite unemployment rate in Pennsylvania is very much higher than it is in any of the other States.

Mr. ELLENDER. Particularly the Southern States?

Mr. CLARK. It may well be. The Senator from Louisiana and I had a colloquy on this subject perhaps a month or two ago.

Mr. ELLENDER. That is correct.

Mr. CLARK. The Senator may recall that at that time I called his attention to the equal employment opportunity hearings held before the Subcommittee on Unemployment and Manpower, of which I have the honor to be the chairman. My able staff assistant has called my attention to a table which appears on page 109, and which I think is a photostat of the one which the Senator from Louisiana holds in his hand, because my recollection is that I furnished him this table some time ago.

Mr. ELLENDER. That is correct. In Pennsylvania, the total percentage of unemployed was 6.2 percent; the number of unemployed white persons was 5.8 percent, whereas the unemployment of nonwhites was 11.3 percent.

Mr. CLARK. These figures give the appearance of being more striking than they are. I make this statement merely empirically, because I am unable to prove it. However, my own small experience with conditions in the South, due to the fact that I am a property owner in the Senator's own State of Louisiana, leads me to the conclusion that, generally speaking, the unemployed Negro has stopped looking for work, and therefore is not included among the unemployed; whereas, in Pennsylvania, the unemployed Negro is still looking for work and therefore is included in the unemployed statistics. That reflects itself in these figures.

Mr. ELLENDER. As I recall, when we had our colloquy, I pointed out to the Senator that in various States in the North the percentage of nonwhite employment was greater than the percentage of nonwhite unemployment in the South.

Mr. CLARK. The unemployed nonwhites.

Mr. ELLENDER. Yes; that is what I am talking about. As I recall, the Senator from Pennsylvania admitted that the situation was worse today.

Mr. CLARK. The Senator is quite correct. I have always said that civil rights is not a sectional or a regional problem; it is a national problem. Things are happening in Pennsylvania today which I deeply deplore, as I do conditions in housing, which I regret. Racial disturbances have occurred which are frightening. We need the bill in Pennsylvania just as much as the citizens of Louisiana need it, even though the Senator from Louisiana thinks they do not.

Mr. ELLENDER. I do not think we need it as much as the Senator from Pennsylvania thinks we do. What annoys me is that the proponents are agreed upon the passage of a bill which will almost eliminate Federal Government from enforcing the civil rights bill in Northern States. This is due to the fact that State jurisdiction is recognized where the State has a comparable civil rights law. We well know that the large industrial States have such laws even though they are not enforced.

Jurisdiction will remain in the hands of the State government, where there have been such laws for about 15 or 20 years, as in the State of Pennsylvania.

Mr. CLARK. The Senator from Louisiana is correct.

Mr. ELLENDER. So I cannot understand how the Senator from Pennsylvania can argue to his constituency that he wants a State law that has not operated as it should to continue to operate and to be in effect.

Mr. CLARK. If the Senator from Louisiana will come to Pennsylvania this fall, I think I shall be able to show him how I can argue that to the citizens of Pennsylvania.

Mr. ELLENDER. Perhaps the Senator from Pennsylvania can do that now, for he has said that, to all intents and purposes, this bill will not be applicable to the Northern States.

Mr. CLARK. No, I did not say that.

Mr. ELLENDER. The Senator from Pennsylvania should read his own remarks.

Mr. CLARK. I remember what I said. I said that since in both Pennsylvania and a number of other Northern States there are both local ordinances and State laws in this field, the need for Federal legislation is not as great there as it is in States, such as Louisiana, which never have granted such rights, either by means of business practices or legislation, to members of minority groups.

Mr. ELLENDER. I wish the Senator from Pennsylvania would make an investigation in that connection. I have been living in the South all my life. In all the industries—for example, the sugar industry, which has large holdings in my area—no distinction is made, if the applicant is qualified.

Mr. CLARK. But there is the rub. Is the decision as to whether an applicant is qualified made without regard to race, creed, or color? I suggest that it is not.

I agree that in the sugar industry, and also in the salt-mining industry—I have some familiarity with the latter—Negroes and whites will be found working side by side in the rather menial jobs. But few Negroes will be found employed as executives or superintendents. I do not say that is not also true throughout the rest of the country. In the rest of the country, not as many Negroes as whites are employed in supervisory positions; and that is an unfortunate situation. But when a similar situation is found all across the board in a State, clearly the situation there is wrong.

Mr. ELLENDER. But the substitute prepared by the Senator from Illinois would make the bill a purely sectional one.

Mr. CLARK. I cannot quite agree with that statement.

Mr. ELLENDER. The substitute is directed at the South—at all States which do not have FEPC laws. It is generally known that the Southern States do not have such laws, for they have never needed them.

I would just like to point to a few provisions of the Dirksen substitute which literally eliminates the Northern States from the operation of this proposed law.

In section 101(c) it is provided:

> That the Attorney General may enter into agreements with appropriate State or local authorities that preparation, conduct, and maintenance of such test [literacy] in accordance with the provisions of applicable State or local law including such special provisions as are necessary * * * [to] meet the purposes of this subparagraph and constitute compliance therewith.

Again in title II, section 204(c):

> In the case of an alleged act or practice prohibited by this title which occurs in a State, or political subdivision of a State, which has a State or local law prohibiting such act or practice * * * no civil action may be brought under subsection (a) before the expiration of 30 days * * *.

Under section 206(a) the Attorney General may bring suit in areas where he finds a pattern or practice of resistance to the granting of full use of public accommodations to certain persons. I have no doubt that the Attorney General will find such "patterns" to exist in the South, but will be blind to actual discrimination in the North.

Under the provisions of section 407(2) the Federal courts are prohibited from ordering racial balance by the busing of schoolchildren from one district to another. Everyone knows that this has been one of the chief demands of northern Negroes. De facto school segregation will be preserved in the North by this section.

In section 706(b) States with FEPC laws are given exclusive jurisdiction for 60 days and this can be extended to 120 days. All this time the Federal law will be inoperative. Here again, only the South would be affected.

Section 709(d) exempts employers in Northern States from keeping Federal employment records simply because there States have FEPC laws which we know are not enforced.

If an honest and careful examination were made, I believe it would be found that there is less discrimination among the Negroes in the South, insofar as employment is concerned, than there is in Pennsylvania or in any of the other Northern States.

Mr. CLARK. Of course the Senator from Louisiana is entitled to his opinion—with which I emphatically disagree.

Earlier, I said that it would only be necessary to have an ordinance passed in Shreveport or New Orleans or Houma, or to have such a law passed for the entire State of Louisiana, purporting to give fair employment opportunities enforcement protection; and then Louisiana would be out of the application of the Federal law, too. I do not encourage the Senator from Louisiana to have that done; but that would be the case.

This is why I favor these amendments. I do not agree as to all of them; but they are better than no legislation in this field; and I fear that without these amendments, it would not be possible for us to have such a bill enacted into law.

Mr. ELLENDER. Well, I do not think Houma or New Orleans——

Mr. CLARK. Or in New Iberia Parish, if you will——

Mr. ELLENDER. Yes—I do not think they will pass such ordinances, because in our State the Negroes are treated better than the Negroes in the North are treated.

Mr. CLARK. I think it at least fair to say that in holding that opinion, the Senator from Louisiana is definitely in the minority in this body.

Mr. President, I said that a little after 3 p.m. I would suggest the absence of a quorum; and it is now after 3 p.m.

In conclusion, I point out the following beneficial changes in the Dirksen substitute:

First, the atheist amendment has been stricken out.

Second, new language has been added in section 701(b), as follows:

> That it shall be the policy of the United States to insure equal employment opportunities for Federal employees without discrimination because of race, color, religion, sex, or national origin; and the President shall utilize his existing authority to effectuate this policy.

I point out that U.S. Government employees were specifically covered by the Senate bill, S. 1937.

Third, in section 705(g)(5) of the Dirksen amendment, there is a provision which would require the Commission to make its technical studies available to the public, not just to various agencies, as was the case under the House version of the bill.

Fourth, in section 707, the Attorney General is given authority to request a three-judge court in suits brought by him under this title. That is a definite improvement over the House version of the bill, which might well force the action to be brought before the district judge of the area in which it was asserted the alleged discrimination had occurred. We know from experience that that would be a rather clumsy way to enforce civil rights.

Fifth, some of the changes in the recordkeeping provisions seem beneficial: The provision for making notations on existing records, which is borrowed from the Senate bill; and the provision aimed at relieving persons required to file reports with the President's Committee on Equal Opportunity from having to file the same information twice with the Federal Government—in other words, once with the President's Commission, and thereafter with the Commission to be created by means of this bill.

Therefore, Mr. President, I conclude as I began: The inadequate rules, procedures, traditions, and customs under which the Senate operates in dealing with proposed legislation, but primarily the possibility of filibusters and the fact that we are under the constant threat that anything we might do would not be acceptable to the House of Representatives, and that, therefore, no bill at all could be enacted, require most of us who want the strongest possible civil rights bill enacted to moderate our bill, in the interest of having any civil rights bill at all enacted.

I hope that before very long we can get the type of comprehensive congressional reorganization which will restore sap to Congress, now the sapless branch of our governmental tree, so as to make Congress again a healthy branch, able to perform with expeditious efficiency its constitutional duties. However, that day has not yet arrived; and the civil rights bill will not wait. Therefore, we must make the best deal we can. Accordingly, I shall support the Dirksen substitute.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. CLARK. I yield to my friend the Senator from South Dakota.

THE CATTLE PRICE PROBLEM

Mr. McGOVERN. Mr. President, Bill Brantley, farm management editor of Successful Farming magazine, has written a brief article for the June issue of that publication under the title: "What Cattlemen Should Do Now."

His summary emphasizes the conclusion reached by three Iowa State University economists, Lee Kormer, J. William Uhrig, and David Hammond, who said:

> We must increase cow slaughter if we are to get our cattle numbers back in line with the population—reduction in imports alone won't do it.

The three economists were impressed with the fact that since 1958 the number of cows in the beef herd has increased 30 percent while population increased only 9 percent and that as a consequence of high cow numbers we will have 1.6 million more beef calves available for feeding next year than in this year of high production and distress prices.

I ask unanimous consent to have printed in the Record the Successful Farming article.

There being no objection, the article was ordered to be printed in the Record, as follows:

What Cattlemen Should Do Now

(By Bill Brantley)

If you're a cattleman, you may be feeling low. And no wonder. Many feeders have suffered their largest losses in history in the past year. Returns to cow-calf men are expected to fall this year and next, due to delayed impact of low fed-cattle prices.

It's a bitter pill—but things may get worse before they get better. Although we may see a price rise on fed cattle by the time you read this it's not expected to last long.

WHAT TO DO

Here's a roundup, based on the analysis of economists and others, of what you and other cattlemen can do to hasten the adjustment needed:

1. Sell at lighter weights—as soon as cattle are finished for their grade. Iowa State economists say reducing market weights an average of 50 pounds per steer could add about $1.30 per hundred to the annual average price of Choice steers.

The cost of gain over 1,100 pounds increases rapidly. And although you may have homegrown feed, you're taking less for it.

(As one Iowa feeder told us: "I didn't lose money on my cattle—but I only got 23 cents a bushel for my corn.")

2. Plan your feeding program to meet demand. Choice carcasses weighing 600–700 pounds are in greatest demand. This means marketing 1,000–1,100-pound cattle. They must be put on feed at a younger age to be finished for grade at these lighter weights.

3. Buy cattle right. Carefully analyze the current and prospective situation on feed supplies, costs of grain, and market prices; then bid on replacement cattle in line with your profit prospects.

This requires careful budgeting of your costs and expected returns. Use cost figures from your own records, or if you don't have them, your extension service can provide typical cost figures. They also may have budget forms to simplify the job.

4. Lower your sights on prices to make them realistic with the outlook. This means heeding advice such as this from William B. Sayre, former Iowa farm manager who now manages farms for a Chicago bank:

"Feeders who plan to stay in business must get set to produce beef on an expected selling price of $21 to $23 (Choice, Chicago) in the next year or so. To do this, you must not only buy feeders cheaper, but watch other costs and management closer."

Another guide on target price: J. William Uhrig of Iowa State says try to buy replacements cheap enough to make money at last fall's fed-cattle prices.

5. We repeat—now's the time for cow herd owners to rigorously cull old and barren cows. With replacement heifers costing less, use this period to develop a younger and more efficient cow herd to meet the increased demand for beef in later years.

ADJUST OR PAY CONSEQUENCES

There are some risks involved in making these adjustments, but as Uhrig says, "The facts of potential beef production and price consequences if adjustments are not made overwhelm the risks." Here's a recap of the worrisome potentials he refers to:

Zooming beef cow herd: Since 1958, beef cow numbers have increased 30 percent while population increased only 9 percent. From January 1, 1963, to January 1, 1964, beef cows increased 1,809,000 head or 6 percent; heifers were up 5 percent.

This larger cow herd, coupled with improved breeding, feeding, and disease control point to even larger increases in beef production in future years.

Increased fed-beef output: It rose 1,015 million pounds from 1962 to 1963—almost 5 times as much as imports increased. Iowa economists say we have potentially 1,875,000 additional cattle available for feeding this year over 1963. This could boost total beef supplies another 1 billion pounds this year.

TROUBLES IN 1965

Some of these additional cattle will be held over for slaughter in 1965. And, we'll have at least 1.6 million more beef calves available for feeding next year from the larger cow herd. Plus more dairy calves will probably be fed.

SUMMARY

These figures paint a dismal picture—we're in the critical phase of the cattle cycle.

Economists Lee Kolmer, Uhrig, and David Hammond, of Iowa State, say if low prices or weather force a liquidation in 1965 or later, slaughter could increase 12 to 15 percent. Our potential beef supplies could drive prices still lower than the levels of recent months.

They add: "We must increase cow slaughter if we are to get our cattle numbers back in line with population—reduction in imports alone won't do it."

Their analysis shows that the increase in imports from 1962 to 1963 accounted for only 45 to 50 cents of the $3.74 decline in average price of Choice steers at Chicago—from $27.70 in 1962 to $23.96 in 1963.

Their explanation of the rest of the decline:

The amount of $2.30 of the $3.74 due to increased domestic production—it was up over 1 billion pounds (6.4 percent).

Twenty cents due to increased poultry and pork supplies.

Forty to fifty cents due to reduced values of beef byproducts.

Remainder was caused by larger supplies of Prime and Choice cattle, and miscellaneous factors.

Mr. McGOVERN. On May 7 I placed in the Record a letter I had written to the Secretary of Agriculture suggesting that we speed the reduction of cow numbers by buying and slaughtering cows to send as canned meat to developing countries in need of high-protein foods, and by buying and shipping live to those developing nations, which could use them, some of our surplus cows and heifers.

The Secretary of Agriculture is looking into this suggestion. It is reported unofficially that some USDA technicians feel it involves serious questions of costs, adequacy of authority under existing laws, and so forth.

On the hopeful side, I have just learned that an official from Okinawa is en route, or may have arrived by now, who is interested in buying up to 100,000 open-grade heifers, 1 to 2 years old, at U.S. meat prices for shipment to his homeland.

Before World War II Okinawa had 100,000 head of horses and cattle. She now has about 25,000 head of cattle. There is interest in the country in rebuilding cattle production, building a slaughtering plant, and using up available feed on the island for production of high-protein food which is needed there. Because of limitations on feed, Okinawa would not become an exporter to the United States or a competitor for the U.S. market with our own cattlemen.

I hope and trust, Mr. President, that a real effort will be made to help Okinawa work out this purchase, which would be beneficial to both the American cattle industry and the people of Okinawa who have been under our trusteeship.

The sale of 100,000 heifers will not make the whole adjustment in cow numbers needed to get our herd in line with population, but it will contribute to that adjustment and the arrangement of this transaction with Okinawa might well set a pattern which would lead to a substantial program.

In order that Members of the Congress will better understand the underlying cattle cycle problem, I ask unanimous consent to place in the Record table 2 from the March 1964 issue of the Department of Agriculture publication, the Livestock and Meat Situation. The table shows numbers of cattle and calves on farms and ranches January 1 each year from 1955 through 1964.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Number of cattle and calves on farms and ranches Jan. 1, by classes, United States, 1955 to date* [1]

[In thousand head]

Year	For milk				Not for milk					
	Cows and heifers, 2 years and over	Heifers, 1 to 2 years old	Heifer calves	Total	Cows and heifers, 2 years and over	Heifers, 1 to 2 years old	Calves	Steers, 1 year old and over	Bulls, 1 year old and over	Total
1955	23,462	5,786	6,094	35,342	25,659	6,514	18,804	8,444	1,829	61,250
1956	22,912	5,407	5,890	34,209	25,371	6,206	18,869	9,483	1,762	61,691
1957	22,325	5,267	5,699	33,291	24,534	5,926	18,405	8,991	1,713	59,569
1958	21,265	5,126	5,571	31,962	24,165	5,903	18,275	9,252	1,619	59,214
1959	20,132	5,050	5,526	30,708	25,112	6,557	19,407	9,931	1,607	62,614
1960	19,527	5,079	5,575	30,181	26,344	7,036	20,425	10,574	1,676	66,055
1961	19,342	5,060	5,546	29,948	27,028	7,047	20,652	10,942	1,702	67,371
1962	19,148	4,960	5,414	29,522	28,231	7,309	21,995	11,026	1,699	70,260
1963	18,660	4,818	5,146	28,624	29,893	7,884	23,275	12,094	1,742	74,888
1964 [2]	18,055	4,555	5,018	27,628	31,697	8,287	24,362	12,480	1,806	78,632

[1] Data for 48 States. [2] Preliminary.

Mr. McGOVERN. I direct attention especially to the numbers of cows and heifers 2 years and over, and heifers 1 to 2 years old, in the "not for milk," or beef herd, tabulation. The total of these 2 columns shows an increase from about 30 million head to nearly 40 million head between 1958 and 1964. It indicates the large increase in the cattle industry's potential output of calves for feeding in the years just ahead.

This is an index of the long-term problem of adjusting beef supplies. In my opinion, it is a point of adjustment, which deserves fully as much attention as current oversupplies of beef. We will continue to have oversupplies for a good many years if the calves keep coming on to be fed and marketed in excessive numbers.

There appear to be two causes for the rapid increase in beef cow numbers which deserve attention.

The Senator from New Mexico [Mr. ANDERSON], in hearings on beef imports, indicated that a very significant contributing cause was capital gains treatment of beef cattle breeding stock taxwise, resulting in wealthy, urban nonfarmers going into the cattle business for tax reasons.

It has also been contended that cheap feed has contributed to rise in beef production, and I agree with that observation. I would like to point out, however, that the big reduction in feed prices came in 1958, when the price support for corn was reduced from $1.36 per bushel to $1.12—the very year in which accumulation of cows in the beef herd began.

Feed prices continued down through 1960. In the past 3 years we have started the corn price back up, the advance averaging about 4 cents per bushel per year.

To make the record complete, Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table of corn price support levels and actual average prices at which corn sold from 1955 through 1963.

There being no objection, the table was ordered to be printed in the RECORD, as follows.

Corn

	Season average price per bushel	Support rate per bushel
1953	$1.48	$1.60
1954	1.43	1.62
1955	1.35	1.58
1956	1.29	1.50
1957	1.11	1.40
1958	1.12	1.36
1959	1.04	1.12
1960	.997	1.06
1961	1.08	1.20
1962	1.08	1.20
1963	[1] 1.13	[2] 1.25

[1] Estimated.
[2] Includes 18 cents per bushel payment and $1.07 loan.

Mr. CLARK. Mr. President, I suggest the absence of a quorum, and I yield the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

[No. 266 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dominick
Douglas
Edmondson
Ellender
Gore
Gruening
Hart
Hartke
Hickenlooper
Holland
Hruska
Humphrey
Jackson
Johnston
Kennedy
Mansfield
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Proxmire
Randolph
Saltonstall
Scott
Smith
Sparkman
Symington
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER (Mr. BREWSTER in the chair). A quorum is present.

REDUCTION IN NONESSENTIAL FEDERAL EXPENDITURES

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an exchange of correspondence between the President and me with respect to a reduction in expenditures.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

LETTER TO THE PRESIDENT AND STATEMENT BY SENATOR HARRY F. BYRD, DEMOCRAT, OF VIRGINIA, IN RE FEDERAL FISCAL CONDITION

I have sent the following letter to the President of the United States:

MAY 21, 1964.

The Honorable LYNDON B. JOHNSON,
President of the United States,
Washington, D.C.

DEAR MR. PRESIDENT: Thank you for your May 6 letter to the Joint Committee on Reduction of Nonessential Federal Expenditures relative to committee reports, and reduction in the number of Federal employees which you have achieved and contemplate.

All committee members have a copy of your letter. I am sure they appreciate your interest. The last paragraph of the letter says you hope the "Committee will continue to give close attention to our efforts on this front, and that you will put in a good word for us when our performance justifies it."

I cannot speak for the committee on this matter at this time. But personally, I am pleased to see that between March 31, 1963, and March 31, 1964, Federal employment was reduced by 14,848 in the temporary public works programs and by 845 elsewhere.

I have noted the White House statements relative to reduced employment "ceilings." But the facts are: The Federal payroll is running at the rate of $16 billion a year, and going up; Federal employment is still approximately 2.5 million; and the figures cited in your letter, including the temporaries, show an actual reduction over the 12-month period of about one-half of 1 percent.

As in the case of Federal expenditures also, generally civilian employment in the Defense Establishment is down, but it is rising in domestic-civilian programs.

For example, you may recall that in 1962 the Secretary of Commerce told a congressional committee his Department could save tremendous sums by "doing away with jobs that ought not to be there." But since then Commerce Department employment actually has been increased by more than 1,200.

Nevertheless, I commend you for the reduction that has been made, just as I did in January when the original spending estimate for the coming fiscal year was $500 million, or about one-half of 1 percent, less than the estimate for the current year.

From this beginning I would be pleased to see your tremendous energies directed toward restoring the Federal Government of the United States to a sound and satisfactory fiscal condition. No national need today is more urgent.

With the $500 million reduction, the Government would spend $5 billion more of taxpayers' money than it did last year.

With the reduction, the budget for the coming year still contemplates the fifth consecutive deficit, and the sixth is in sight.

Speaking for myself, I invite your attention to these facts. They are signs of weakness, not strength.

For the first 9 months this year, through March 31, Treasury reports show Federal expenditures exceeded those of last year in every month except August and November.

There have been four consecutive deficits in fiscal years 1961–64 inclusive. The cumulative total is more than $25 billion.

The fifth consecutive deficit will occur in the coming fiscal year, beginning July 1, bringing the cumulative total to more than $30 billion.

The Secretary of the Treasury, on January 26, told the Senate Finance Committee there would be another deficit in fiscal year 1966. That would be seven straight.

The deficit last year was $6.3 billion. The budget estimates the deficit this year, ending the 30th of next month, at $10 billion, and it predicts a deficit next year of $4.9 billion.

The Secretary of the Treasury told me May 12 that the deficit this year may come down to $8.8 billion, but the deficit estimate for next year should be revised up to $5.8 billion.

The budget estimate combined with the $6.3 billion deficit last year would produce the greatest 2-year peacetime deficit in history; the 1958–59 record would be equaled with the lower estimate for this year.

And either set of figures for this year and next will produce another combined deficit of $14 to $15 billion.

The present $315 billion statutory debt limit expires June 29. The Secretary of the Treasury, in our conversation last week, told me he was advising you it would be necessary to raise the limit to $324 billion at some point during the coming fiscal year.

If this is done, the debt limit will have been raised $49 billion since the end of the Korean war, and $24 billion since March 1962.

The Secretary of the Treasury has told the Finance Committee there was no reason to expect the Federal budget to be balanced before fiscal year 1967, and by that time he said the debt would be approaching $335 billion.

I cannot take this foreseeable future lightly. Unless effective action is taken now, I see no prospect for a balanced budget.

Hoping that something might be done for restoration of fiscal soundness in the Federal Government, I personally have examined every one of the some 800 spending accounts in the budget document submitted in January.

On the basis of my own analysis and study I have concluded that Federal spending in the coming fiscal year, beginning July 1, could and should be reduced at least $6.5 billion under the $97.9 billion budget estimate.

Such a reduction would leave a spending level in the coming year of $91.4 billion. That would nearly equal the level of the last full year of President Kennedy's administration, which at that time was a peacetime record.

Assuming the budget's revenue estimate, the suggested reductions would balance the budget with $1.6 billion surplus for debt reduction.

I enclose a copy of the statement in which I outline the reductions I suggest. They are my own proposals, but I would be pleased if you would look with favor upon them.

With support of the Chief Executive, reductions such as I suggest could be accomplished without impairment of any essential function of the Federal Government.

So long as we continue to run the Government in the red year after year when the Nation is prosperous and without emergency, the fiscal condition will become more and more dangerously unsatisfactory.

Sincerely yours,

HARRY F. BYRD.

LETTER FROM THE PRESIDENT

The foregoing letter to the President was in response to the following letter from him:

MAY 6, 1964.

Hon. HARRY F. BYRD,
Chairman, Committee on Reduction of Nonessential Federal Expenditures, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As you know, I am determined that Federal employment must be held to the minimum required to conduct the public business effectively. The employment summaries published monthly by the Joint Committee on Nonessential Federal Expenditures strengthen this effort by keeping the Congress and the public currently informed of the size and the distribution of the Federal work force.

I am sure that you agree that these summaries have shown a favorable trend in recent months.

Your latest report shows that total civilian employment in the executive branch has declined by more than 23,000 since I took office. Since there is a seasonal element in Government employment, however, I think it is more significant to compare the monthly employment figures with the same month last year:

Change, 1963–1964

	Total	Total, excluding accelerated public works employment
January	−4,394	+580
February	−15,081	−2,925
March	−15,693	−845

These results have been achieved despite insistent upward pressures on employment arising from rising workloads.

Though spring inevitably brings seasonal increases, particularly in the Agriculture and Interior Departments, I have directed that the strictest controls be established to assure that these rises will be held to the absolute minimum necessary to perform the outdoor work and other seasonal activities for which the Federal Government is responsible. I am hopeful that these and other measures now underway will allow us to end the fiscal year below even the reduced personnel ceilings imposed in connection with the budget amendments transmitted to the Congress in March.

I hope that your committee will continue to give close attention to our efforts on this front, and that you will put in a good word for us when our performance justifies it.

Sincerely,

LYNDON B. JOHNSON.

BUDGET REDUCTIONS

The outline of suggested reductions in the budget for fiscal year 1965, beginning July 1, forwarded as an enclosure with the letter to the President follows:

REDUCTION OF $6.5 BILLION IN FEDERAL SPENDING

I have outlined the dangerously unsatisfactory fiscal record and prospects of the U.S. Government in a letter to the President. The need to reduce Federal expenditures is clear.

Based on my own analysis and evaluation of budget proposals, I suggest that Federal expenditures in fiscal year 1965, beginning July 1, could and should be reduced by $6.5 billion.

Assuming the January budget's revenue estimates, expenditure reductions of $6.5 billion would provide a $1.6 billion surplus in the coming year for Federal debt reduction.

In arriving at these expenditure reductions for next year, I would reduce the requested appropriations and other spending authority—which are for fiscal year 1965 and subsequent years—by $10.2 billion.

The suggested reductions in both expenditures and appropriations, etc., as compared with the January budget estimates and requests, are summarized in the following table:

Summary of suggested reductions, fiscal year 1965

[In billions of dollars]

	January budget estimates	Suggested reductions	Total, after suggested reductions
Expenditures	97.9	6.5	91.4
Appropriations and other new obligational authority	103.8	10.2	93.6

The suggested expenditure reduction would convert the budget's estimate of $4.9 billion deficit to a surplus of $1.6 billion, as shown in the following table:

Deficit-surplus, fiscal year 1965

[In billions of dollars]

	January budget estimates	Suggested reductions	Total, after suggested reductions
Expenditures	97.9	6.5	91.4
Revenue	93.0		93.0
Deficit or surplus	−4.9	6.5	+1.6

STOCKPILE EXCESSES

More than 2 years ago, on January 31, 1962, President Kennedy expressed astonishment at the fact that the Government had overstockpiled strategic and critical materials to the extent of $3.4 billion.

Since that time a special Senate subcommittee and a special commission named by the President have completed investigations of the stockpile situation, but the excesses still remain.

The cost value of strategic and critical materials stockpiled in January 1962 totaled $8.7 billion. The cost value of the materials stockpiled in February 1964 totaled $8.6 billion.[1]

The excesses should be disposed of in a manner not to disrupt markets, but a start should be made. Proceeds from the sales are needed to help the Treasury's condition.

NONMILITARY SPENDING

There are some 800 budget accounts from which expenditures would be made in the coming fiscal year. They show balances carried over from appropriations, etc., enacted in prior years as well as requested new funds.

I have examined and evaluated each of these accounts. The reductions I suggest are based on this itemized study. In the analysis I am disturbed by increases in nonmilitary programs, particularly the strictly domestic-civilian activities.

Advocates of ever-increasing Federal expenditures invariably deemphasize increases in domestic-civilian activities by playing up the percentage of the total budget charged to defense.

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[1] Cotton inventory valued at $128 million transferred from national stockpile to Commodity Credit Corporation, pursuant to Public Law 87–548, during August 1962.

Spending in items which I regard as nonmilitary has increased 77 percent since the Korean war. It has been increased nearly $13 billion since 1960. Under the 1965 budget it would be up nearly $3.5 billion over last year. In the coming year it is estimated at $48.1 billion.

The nonmilitary spending increases since 1954 show clearly in table 3.

The President in his budget message (budget document, pp. 8, 19, 71) emphasized appropriation and expenditure reduction with increased efficiency in military function items, which he said was contemplated, and in some measure achieved.

Waste and extravagance in military expenditures should be eliminated. There should be more efficiency in military functions. But under existing circumstances, with four exceptions, I have omitted budgeted military accounts from consideration in the reductions I suggest at this time.

The budget includes civil defense, new pay raises and standardized rations for military personnel, and military assistance, in the military accounts.

I do not regard civil defense in its present concept as a bona fide military function. I count it as a domestic-civilian item and suggest phasing it out quickly.

I regard military assistance as foreign aid, count it as such, and suggest reductions in it as I do economic foreign aid.

Pay rates for uniformed military personnel were increased only last October. Another increase is not justified at this time, and neither are the proposed pay raises for civilian personnel on Federal payrolls.

The "uniform ration" item is simply proposed new legislation to standardize food rations among the services. This cannot be regarded as urgent.

I suggest reductions in foreign aid—economic and military—totaling $1.3 billion in expenditures, and $2.3 billion in appropriations, etc. In all other nonmilitary items—including strictly domestic-civilian items—I suggest reductions in expenditures totaling $5.1 billion and $7.8 billion in appropriations, etc.

Suggested reductions in expenditures, and appropriations and other spending authority, compared with budget estimates and requests, are summarized categorically in table 1.

BUDGET REDUCTIONS BY DEDUCTS

In arriving at the administration's estimates, which total $48.1 billion in what I regard as nonmilitary functions (domestic-civilian and other), the Budget, as usual, took advantage of certain deducts in expenditures which should be noted.

A set of horrible examples follow:

The domestic-civilian spending estimates for Federal National Mortgage Association, and Veterans' Administration, and the foreign aid expenditures for the Export-Import Bank are reduced by a total of $1 billion, under an arrangement which will not reduce their actual spending at all.

The Budget proposes to pool Government-held housing mortgages, and foreign loans, sell to the public "certificates of paritcipation" in the pools to be redeemed in the future, and to pay interest meanwhile on the certificates.

The expected $1 billion in proceeds from these loans by the public to Government agencies—which would not be counted in the Federal debt—show in the budget as a reduction in the expenditures by these agencies.

I suggest outright sale to the public of these mortgages and loans. Proceeds from sales would go into the agency revolving funds, just as proceeds from the debt arrangements proposed in the budget, with no first year effect on budget figures. But bona fide sales would eliminate need for ultimate redemption of the certificates and payment of interest meanwhile.

UNEXPENDED BALANCES

The Budget uses the term "new obligational authority" (NOA) to cover new appropriations, new authority to spend from public debt receipts, new contract authority, and all other types of new spending authority.

New obligational authority is requested each year in terms of authorizations to obligate and spend both in the coming fiscal year, and in subsequent years. Balances in unused spending authority carried over from prior years are called "unexpended balances."

Unexpended balances in spending authority enacted in prior years to be carried over into fiscal year 1965, beginning July 1, are estimated to total $90.4 billion. New spending authority requested in the budget for fiscal year 1965 totals $103.8 billion.

If the new requests were granted in full, Federal agencies in the coming fiscal year would be authorized to obligate and spend to a total of $194.2 billion from new and old spending authority.

This authority to obligate and spend $194.2 billion in public money, as provided in the President's budget now pending in Congress, is shown by principal agencies and departments in table 2.

TABLE 1.—*Suggested reductions, fiscal year 1965*

[In millions of dollars]

	January budget estimates	Suggested reductions	Total, after suggested reductions
EXPENDITURES			
Military functions: Proposed uniformed personnel pay raise and rations legislation	161	161	
Nonmilitary functions:			
Foreign aid, military and economic	2,905	1,263	1,643
Other, including civil defense	45,745	5,089	40,656
Subtotal, nonmilitary functions	48,650	6,352	42,299
Deduct interfund transactions	−600		−600
Total, nonmilitary functions	48,050	6,352	41,699
Total	48,211	6,513	41,699
APPROPRIATIONS AND AUTHORIZATIONS			
Military functions: Proposed uniformed personnel pay raise and rations legislation	172	172	
Nonmilitary functions:			
Foreign aid, military and economic	4,051	2,257	1,793
Other, including civil defense	50,216	7,797	42,419
Subtotal, nonmilitary functions	54,267	10,054	44,212
Total	54,439	10,226	44,212

TABLE 2.—*Authority to obligate and spend, fiscal year 1965, as proposed in President's January budget*

[In millions of dollars]

Departments and agencies	Unexpended balance start of year	New obligational authority requested	Total availability
Executive Office of the President	3	29	32
Funds appropriated to the President (except for foreign aid)	551	26	577
Foreign aid:			
Military assistance	1,989	1,000	2,989
Economic and other assistance	17,609	3,051	20,660
Department of Agriculture	4,753	5,692	10,445
Department of Commerce	1,135	919	2,054
Department of Defense:			
Military functions	29,395	49,880	79,275
Civil functions	329	1,214	1,543
Department of Health, Education, and Welfare	2,759	7,649	10,408
Department of the Interior	604	1,213	1,817
Department of Justice	44	368	412
Department of Labor	377	831	1,208
Post Office Department	519	551	1,070
Department of State	187	368	555
Department of the Treasury	421	12,394	12,815
Atomic Energy Commission	1,524	2,693	4,217
Federal Aviation Agency	627	751	1,378
General Services Administration	738	632	1,370
Housing and Home Finance Agency	14,768	749	15,517
National Aeronautics and Space Administration	3,118	5,304	8,422
Veterans' Administration	1,201	5,444	6,645
National Science Foundation	428	488	916
Small Business Administration	350	7	357
Tennessee Valley Authority	519	51	570
Other executive branch	6,410	2,212	8,622
Legislative and judicial branches	67	272	339
Total	90,424	103,789	194,213

APPROPRIATIONS

A hard look at unexpended balances already available for expenditure by virtually every major agency and department of the Government is the first requirement in consideration of every request for new spending authority.

Some of these balances could and should be rescinded. The firmness of obligations shown against many of them cannot be taken for granted. This is particularly true in accounts like those for foreign aid.

In determining that appropriations and other spending authority could and should be reduced by a total of $10.2 billion, the following considerations were applied to each item:

(1) Unexpended balance situation.

(2) Relative need for the program or objective involved.

(3) Could and should the program objective be eliminated or reduced in view of the Federal deficit and debt position.

(4) Specific policy laid down by Congress.

The $10.2 billion in suggested reductions in appropriations and other spending authority are shown by principal agencies and departments in table 2.

Generally the suggested reductions in appropriations, etc., may be accounted for as follows:

[In billions]

Foreign aid (including payroll costs)	$2.1
Federal civilian payroll costs (excluding foreign aid)	0.9
Proposed new programs and projects	4.5
Waste, extravagance, and inefficiency, nonessential and postponable programs and projects	2.7
Total, appropriation reductions	10.2

FOREIGN AID

The balances being carried over in foreign aid accounts total $19.6 billion. New spending authority requested in the January Budget Document for foreign aid totals $4.1 billion. If the new requests were enacted, $23.6 billion would be available for spending through programs involved in foreign aid.

This $23.6 billion total of old and new spending authority, under budget recommendations for fiscal year 1965, would be available for foreign aid in four areas, as follows:

[In billions]

Funds appropriated for military and economic assistance, grants and loans, and Peace Corps	$10.0
Funds authorized for international financial institutions	8.2
Funds authorized for Export-Import Bank activities	5.1
Funds authorized for regular departments	.3
Total, foreign aid	23.6

This $23.6 billion in foreign aid funds, in terms of unexpended balances and new budget requests, is shown by programs in the following table:

Foreign aid spending authority, fiscal year 1965

[In millions of dollars]

Programs	Unexpended balance, start of year			New obligational authority	Total availability
	Obligated	Unobligated	Total		
Military assistance: Department of Defense	1,964	25	1,989	1,000	2,989
Economic and other assistance:					
Appropriations to President:					
Grants and loans	3,731	758	4,489	2,392	6,881
Peace Corps	52		52	115	167
Inter-American Development Bank		200	200	206	406
International Development Association				62	62
International Monetary Fund		2,000	2,000		2,000
International Bank for Reconstruction and Development		5,715	5,715		5,715
Export-Import Bank	2,551	2,577	5,128		5,128
Department of Agriculture				264	264
Department of Commerce	18	4	22	4	26
Department of State	3		3	8	11
Total, economic assistance	6,355	11,253	17,609	3,051	20,660
Total, foreign aid	8,319	11,278	19,598	4,051	23,649

Of the $23.6 billion available for foreign aid, $11 billion is in the nature of back-door spending authority (authority to spend from public debt receipts) for the International Bank, Export-Import Bank, and the foreign investment guarantee program.

There is a 1965 budget request for $264 million for the Agriculture Department, but it is to reimburse Commodity Credit Corporation for expenditures already made. And there is $12 million in requests for expenditures by Commerce and State Departments, but contract authority and treaties are involved.

FOREIGN AID CUT

The latest Commerce Department "foreign grants and credits" report shows that from 1945 through June 1963, the United States spent a gross total of $106 billion in foreign aid. With current year expenditures, the total will approach $114 billion.

This $114 billion has gone out through grants, so-called loans, and other means to more than 100 nations and foreign areas reaching to the four corners of the earth. This Nation has played Santa Claus, banker, and policeman for the free world for 19 years.

There is no doubt about the fact that this foreign aid has contributed to our continuing deficits, the great increase in our debt, the high cost of our interest, and the need for high taxes. How long will it continue? There will always be those who will take the money.

We have experienced the ingratitude of some nations which have not hesitated to accept the largess of our assistance and, as time goes on, the situation will grow worse, unless we sharpen our attitude. The time to start curtailing overall foreign aid is past due.

I suggest that the 1965 budget requests for $4.1 billion in new foreign aid funds be reduced by at least $2.3 billion. This would be a 56-percent reduction in new funds. It would leave $21.4 billion—$1.8 billion in new authorizations, and $19.6 billion in balances.

This foreign aid reduction would be in new funds to be appropriated for military and economic assistance, the Peace Corps, and the Inter-American Development Bank (including payroll costs).

PAYROLL CUTS

The administration has submitted revisions in appropriation requests for personnel and other purposes since the January 21 budget message, and more may be expected. The revisions may increase the budget requests, as well as reduce them. For purposes of this statement, reference is made to the requests published in the budget document.

The $1-plus billion Federal Pay Raise Act, signed October 11, 1962, said: "The departments and agencies, establishments and corporations in the executive branch shall absorb the costs of the increase in basic compensation provided by this act to the fullest extent possible without seriously affecting the immediate execution of essential functions."

Instead of absorbing the pay raise, the budget shows the Federal civilian payroll cost $14.4 billion in fiscal year 1962; $15.2 billion in 1963; that it is costing $16.1 billion in the current year 1964; and that it is estimated at $16.5 billion in the coming fiscal year, exclusive of the proposed new pay raise which is budgeted for $544 million in the first year.

With respect to civilian employees on the Federal payroll, the budget shows net decreases in military functions of the Defense Department, and net increases in nonmilitary departments and agencies as follows:

Federal civilian employment

End of fiscal year, June 30—	Military functions, Defense Department (except foreign aid)	Nonmilitary functions, including civil defense	Total
1962	1,034,186	1,450,468	2,484,654
1963	1,012,106	1,478,182	2,490,288
1964 (estimated)	1,002,520	1,509,880	2,512,400
1965 (estimated)	985,514	1,525,686	2,511,200

Attrition among Federal employees through retirement, death, and voluntary resignation is running at a rate of more than 300,000 a year, and Federal civil service employee pay is averaging about $6,800 a year. Absorbing the payraise should be possible without impairment of essential functions.

The proposed new civilian pay raise is eliminated elsewhere in my suggestions as a new program and is not included here. Otherwise the suggested reductions in civilian payroll costs are based on account-by-account examination of nonmilitary items as I consider them. Conforming to the policy fixed by Congress, I would suggest—

Reduction in payroll costs for nonmilitary functions (excluding $60 million in recommended foreign aid payroll reductions) totaling $859 million.

NEW PROGRAM CUTS

For purposes of this statement, the term "new programs" is applied to items under legislation to be proposed, and some items under programs authorized in legislation enacted so recently that no funds had been appropriated or no substantial start had been made in their inauguration.

As a rule new programs are started with relatively low appropriations and expenditures, but most of them have the effect of laying the foundation for higher costs in the future.

In view of the Federal fiscal situation—past, present, and prospects for the future, it is suggested that all of these new programs should be slowed down by reduction, or eliminated.

Those suggested for elimination, either as postponements or otherwise, are budgeted for 1965 at $4.5 billion in appropriations, and $1.9 billion in expenditures.

Examples of major new items, of the nature described, suggested for elimination include:

In defense: Expansion of the civil defense programs, and the proposed new pay raise and uniform ration for military personnel.

Military pay was increased substantially last year, and the uniform ration proposal cannot be regarded as urgent. Civil defense, with proposed expansion, is budgeted for $265.6 million in appropriations and $68 million in expenditures. If this program is vital, these proposals are not enough. If it is not vital the program should be eliminated. It is suggested that the program be closed out with the use of existing balances only.

In foreign aid: Expansion of soft foreign loans under the Inter-American Development Bank.

The United States has already spent too much for foreign aid. It is suggested generally that the foreign aid outlays be cut in half or more. No justification is found for increasing the U.S. subscription to the Inter-American Development Bank by $206 million to underwrite more soft loans.

In domestic civilian: Proposed additional pay raise for Federal civilian employees, including civilian employees in the Defense Establishment, a new program to provide Federal subsidies to elementary and secondary public schools (including teachers pay and training), and proposals to attack poverty.

A general pay raise act for Federal civilian employees costing more than $1 billion was enacted 19 months ago. An additional pay increase estimated at $544 million a year—and that is conservative—is difficult to justify at this time.

Subsidization, with inherent control, of public schools by the Central Government can never be justified in my estimation. This proposal, involving $718 million in appropriations and $118 million in expenditures for fiscal year 1965 should be eliminated.

We have just had another billion dollar emergency public works program. We have had an area redevelopment program. We have been retraining workers. We have provided for increased unemployment insurance in some instances. We had a multiprogram recession attack in fiscal years 1958–59 when the combined deficit for those 2 years went to $15.2 billion. That was the 2-year peacetime deficit record prior to the new 2-year record we are working on now.

And through all of this we have had the so-called Full Employment Act. Probably no Federal legislation in the domestic civilian area has been less effective and more expensive in terms of Federal programs promoted in its name. When the Full Employment Act became effective, U.S. unemployment was running at 3.9 percent of the labor force. Now after 18 years of experience under the policies of the act, unemployment is running at 5.9 percent of the labor force, and a so-called poverty program is being proposed.

My desire to help people in need is as great as that of any one. What are the definitions of the poverty which the Government now proposes to attack? What will the programs as proposed accomplish? How long will it take? How much will it cost? We do not have the answers to these questions.

The Budget Director advises me that the budget proposes $962 million for these programs in fiscal year 1965 but "estimates for post-1965 requirements are not yet available, since we believe it would be desirable to have some experience with the program before determining funding requirements for fiscal year 1966 and later years."

I suggest elimination of these programs until they and their objectives are clarified, and until a better estimate can be made of what will be accomplished, how long it will take, and what the cost will be.

Elimination and reduction of requested appropriations and estimated expenditures for new and expanded Federal programs are suggested as follows:

Fiscal year 1965 appropriation and expenditure requests for new programs being started or expanded under recent and proposed legislation

[In thousands]

	Appropriation requests	Expenditure estimates
Military functions:		
Increased military personnel compensation	$143,000	$136,000
Uniform rations	29,000	25,000
Foreign aid, economic: Investment in Inter-American Development Bank	205,880	----------
Other nonmilitary items:		
Rural housing insurance	100,000	40,000
Expansion of area redevelopment programs	148,000	6,000
Extension and expansion of civil defense shelter construction	265,600	33,000
Expansion and improvement of vocational education	148.000	70,000
Higher education facilities construction	464,000	38,100
Proposed education legislation	718,400	118.000
Health professions educational assistance	85,782	19,100
Construction of community mental health centers	35,000	3,000
Air pollution	9,000	8,000
Community work training	50,000	35,000
Extension and expansion of manpower training programs	200,000	150,000
Youth employment opportunities	160,000	96,000
Urban transportation assistance	75,000	10,000
Allowance for attack on poverty	500,000	250,000
Allowance for civilian pay comparability	544,000	544,000
Allowance for contingencies	500,000	300,000
Other	94,600	44,900
Total	4,475,262	1,926,100

WASTE CUTS

Waste and extravagance can be found in virtually every Federal program and activity. There are increasing signs and complaints of waste, extravagance and inefficiency in research grant programs under the Department of Health, Education, and Welfare, National Science Foundation and elsewhere throughout the Government. These programs appear to be in real need of efficient administration.

Based on my own examinations to date, I suggest that new funds for research grants, fellowships, etc., throughout the Government should be reduced. For example, medical research programs under HEW for fiscal year 1965 are proposed at $906 million—an increase of $219 million or 32 percent over fiscal year 1963.

Reasons for such suggestions as these with respect to reductions for economy and efficiency, and elimination of waste and extravagance can be documented in scores of the 800 budget accounts, exclusive of payroll, construction, foreign aid, etc.

In addition many projects can be postponed until the Government's fiscal condition is improved. For instance, perhaps some of the proposed public works may be desirable under better fiscal conditions, but it is suggested that starting any new construction projects under any program financed through the general fund of the Treasury, not absolutely essential at this time, be delayed until the Federal Government is in better financial position.

Federal highway projects are financed out of the highway trust fund, and are not involved in the difficulties being experienced by the general fund of the Treasury. Therefore they are excluded from this discussion.

Exclusive of highways and projects related to military functions, new direct Federal civil public works alone proposed in the 1965 budget would cost $2 billion to complete (budget document, p. 386). Funds for these projects in 1965 are in numerous accounts throughout the budget.

The budget proposals for new appropriations and other spending authority totaling $103.8 billion could and should be reduced by upward of a billion dollars through postponing starts on new public works projects which are not urgent.

In addition, for economy and efficiency, and elimination of waste and extravagance, the $10.2 billion reduction in appropriations and other spending authority generally includes a 10 percent cut in new money for Federal civilian construction projects already underway.

There is no doubt about the fact that the $103.8 billion in requests for new appropriations and other obligational authority could and should be reduced by at least $2.7 billion in the interest of efficiency, and economy, and the elimination of waste and extravagance (along with nonessential and postponable programs, projects, construction, etc.).

EXPENDITURES

The basic reason for Federal taxes is to meet Federal expenditures. And Federal expenditures, under the Constitution, are made pursuant to appropriations enacted by law. Federal taxes are too high, but Federal appropriations and expenditures are higher.

Federal expenditures have exceeded the revenue in 28 of the last 34 years. Over this period the Federal debt has been increased from $16.2 billion to $310 billion; and interest on the debt has risen from $659 million to $11 billion a year.

The danger of inflation always lurks in Federal deficit financing. It is there now. The purchasing power of the dollar has dropped in every year since 1955. There will be another deficit next year unless expenditures are held to the level of revenue.

Since deficits are determined by the excess of expenditures over revenue, and expenditures are made pursuant to appropriations, obviously the first thing to do is reduce new appropriations and other spending authority. But with $90.4 billion of balances in prior appropriations and other spending authority already available before the first dollar of new spending authority is enacted, something more than cutting new appropriations and other spending authority needs to be done. Recission of some of the balances is a place to start.

Cutting appropriations will directly reduce annual expenditures in accounts where there are no balances, and where annual appropriations do not exceed annual expenditures. But cutting appropriations does not necessarily reduce annual expenditures from accounts where any other situation exists.

But effective reduction of annual expenditures from accounts where balances exist, and in instances where appropriations exceed expenditures is largely a matter of administrative control in the executive branch.

The urgent need for the administration and the Congress to join in a concerted and effective effort to reduce Federal expenditures to meet revenue estimates for the coming year is clear.

My own examination and evaluation of the spending objectives represented in the some 800 budget accounts leads to the conclusion that Federal expenditures in fiscal year 1965, beginning July 1, could and should be reduced by at least $6.5 billion, from $97.9 billion estimated in the January budget to $91.4 billion.

With combined and sympathetic effort by both the legislative and executive branches, I have no doubt that reductions in this amount could and should be made without impairment of any essential Federal function.

I suggest minimum reductions in expenditures which may be categorically summarized as follows:

[In billions]

Foreign aid (including payroll costs)	$1.3
Federal civilian payroll costs (excluding foreign aid)	.9
Proposed new programs and projects	1.9
Waste, extravagance and inefficiency (along with nonessential and postponable programs, projects, construction, etc.)	2.4
Total expenditure reduction	6.5

Reasons and justifications for these suggested expenditure reductions follow generally the same pattern already described with respect to suggested reductions in the new appropriations and other authority to obligate public money.

The fact is that—exclusive of 70-odd accounts in military functions—the budget shows some 400 nonmilitary expenditure items increased in the coming year as compared with the current year level, against some 275 reduced. About 50 items are in approximately the same amounts.

Some of the so-called reductions, such as those anticipating the sale of certificates of participation in pools of loans and mortgages held by Export-Import Bank, Federal National Mortgage Associations, and Veterans' Administration, are questionable. They represent no actual expenditure reduction or restraint. And these are not the only questionable so-called reductions.

As a matter of fact, 1965 budget expenditure estimates show categorical increases over 1964, as follows:

[In millions]

Space research and technology up	$590
Natural resources up	105
Health, labor, and welfare up	299
Education up	343
Interest up	400
Allowances for "attack on poverty," civilian pay raise and contingencies up	844
Total	2,581

The suggested expenditure reductions, as applied to Federal departments and principal agencies, are shown in table 1 as follows:

TABLE 1.—*Suggested expenditure reductions, by departments and agencies*

[In thousands of dollars]

Departments and agencies	Fiscal year 1963 actual	Fiscal year 1964 estimate	Fiscal year 1965, January estimate	Suggested reduction	Fiscal year 1965, after reduction
Executive Office of the President	23,113	24,677	27,581	9,215	18,366
Funds appropriated to President (except foreign aid)	40,482	532,530	231,443	24,707	206,736
Foreign aid:					
Military assistance, Department of Defense	1,720,755	1,400,000	1,200,000	360,000	840,000
Economic assistance:					
Funds appropriated to the President:					
Grants and loans	2,043,100	2,100,000	2,150,000	862,620	1,287,380
International financial institutions	121,656	111,656	61,656		61,656
Peace Corps	42,259	73,000	90,000	37,959	52,041
Export-Import Bank	−391,550	−650,231	−855,914	632	−856,546
Other programs: Agriculture, Commerce, and State	225,834	262,260	259,547	1,500	258,047
Department of Agriculture	7,519,667	6,731,691	5,571,018	126,949	5,444,969
Department of Commerce	672,689	780,650	826,450	150,442	676,008
Department of Defense—military functions	48,252,421	50,900,000	50,000,000	[1] 240,100	49,759,900
Department of Defense—civil functions	1,128,066	1,141,295	1,192,339	108,447	1,083,892
Department of Health, Education, and Welfare	4,909,340	5,530,278	5,853,482	908,982	4,944,500
Department of Interior	1,028,800	1,113,900	1,148,150	107,496	1,040,654
Department of Justice	317,035	329,990	343,100	28,085	315,015
Department of Labor	257,279	415,374	666,812	366,593	300,219
Post Office Department	770,335	546,015	474,700	474,700	
Department of State	401,213	374,000	373,000	56,129	316,871
Department of the Treasury	11,027,931	11,873,984	12,335,187	59,816	12,275,371
Atomic Energy Commission	2,757,876	2,800,000	2,735,000	277,200	2,457,800
Federal Aviation Agency	726,311	790,000	829,000	38,954	790,046
General Services Administration	464,382	554,975	577,706	79,609	498,097
Housing and Home Finance Agency	410,330	212,339	149,050	219,157	−70,107
National Aeronautics and Space Administration	2,552,347	4,400,000	4,990,000	585,000	4,405,000
Veterans' Administration	5,172,823	5,348,818	5,066,340	83,557	4,982,783
Other, executive branch	750,437	1,159,090	1,953,640	1,305,773	647,867
Legislative and judicial branches	210,265	233,093	250,497		250,497
Total	93,155,196	99,089,384	98,499,784	6,512,722	91,987,062
Deduct interfund transactions	−513,397	−684,565	−599,519		−599,519
Grand total	92,641,799	98,404,819	97,900,265	6,512,722	91,387,543

[1] Reductions suggested only for civil defense, and proposed legislation for military personnel pay raise and uniform rations.

TABLE 2.—*Suggested appropriation reductions, by departments and agencies*

[In thousands of dollars]

Departments and agencies	Fiscal year 1963 actual	Fiscal year 1964 estimated	Fiscal year 1965 January request	Suggested reduction	Fiscal year 1965 after reduction
Executive Office of the President	23,601	24,996	28,872	10,986	17,886
Funds appropriated to President (except foreign aid)	879,200	54,100	26,300	5,240	21,060
Foreign aid:					
Military assistance, Department of Defense	1,325,000	1,000,000	1,000,000	500,000	500,000
Economic assistance: Funds appropriated to Presdent:					
Grants and loans	2,603,900	1,999,880	2,392,100	1,435,260	956,840
International financial institutions	2,121,656	111,656	267,536	205,880	61,656
Peace Corps	58,556	95,964	115,000	115,000	
Other programs: Departments of Agriculture, Commerce, and State	279,297	235,001	276,200	1,220	274,980
Department of Agriculture	7,781,720	7,049,449	5,691,952	30,133	5,661,819
Department of Commerce	800,580	791,410	919,219	298,913	620,306
Department of Defense, military functions	49,795,250	50,000,000	49,880,000	[1] 525,000	49,355,000
Department of Defense, civil functions	1,092,274	1,150,074	1,213,620	127,915	1,085,705
Department of Health, Education, and Welfare	5,333,019	6,102,389	7,649,096	2,265,610	5,383,486
Department of Interior	1,133,862	1,184,319	1,213,244	139,477	1,073,767
Department of Justice	318,521	344,562	368,138	35,948	332,190
Department of Labor	361,911	470,458	830,510	516,913	313,597
Post Office Department	840,241	654,399	550,700	550,700	
Department of State	405,912	424,510	368,401	70,910	297,491
Department of the Treasury	11,046,296	11,874,357	12,394,042	92,588	12,301,454
Atomic Energy Commission	3,134,776	2,742,669	2,693,000	273,000	2,420,000
Federal Aviation Agency	755,139	813,206	751,250	31,309	719,941
General Services Administration	621,812	634,549	632,298	93,472	538,826
Housing and Home Finance Agency	785,259	2,203,238	749,054	207,469	541,585
National Aeronautics and Space Administration	3,673,041	5,240,966	5,304,000	639,000	4,665,000
Veterans' Administration	5,533,700	5,552,607	5,443,771	103,868	5,339,903
Other executive branch	1,354,711	1,575,970	2,758,691	1,950,527	808,164
Legislative and judicial branches	224,122	222,879	271,591		271,591
Grand total	102,283,356	102,553,608	103,788,585	10,226,338	93,562,247

[1] Reductions suggested only for civil defense and proposed legislation for military personnel pay raises and uniform rations.

TABLE 3.—*Federal expenditures, fiscal years 1954–65, showing military functions; and nonmilitary functions broken categorically*

[In millions of dollars]

	Actual									Estimate		
	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965
Military functions	40,326	35,531	35,792	38,436	39,070	41,223	41,215	43,227	46,725	48,049	50,750	49,850
Nonmilitary functions:												
National security related	3,031	2,872	2,321	2,572	2,977	2,928	2,867	2,817	2,988	2,985	3,147	2,929
Foreign aid:												
Military assistance	3,629	2,292	2,611	2,352	2,187	2,340	1,609	1,449	1,390	1,721	1,400	1,200
Economic and other	1,511	1,960	1,613	1,683	1,910	3,403	1,477	2,126	2,372	2,041	1,897	1,705
Subtotal, foreign aid	5,140	4,252	4,224	4,035	4,097	5,743	3,086	3,575	3,762	3,762	3,297	2,905
International affairs	221	221	240	290	322	376	354	374	446	547	550	542
Domestic-civilian:												
Space research and technology	90	74	71	76	89	145	401	744	1,257	2,552	4,400	4,990
Agriculture—agricultural resources	2,573	4,388	4,868	4,546	4,419	6,590	4,882	5,172	5,881	6,954	6,070	4,907
Natural resources	1,317	1,203	1,105	1,298	1,544	1,670	1,714	2,006	2,147	2,352	2,483	2,588
Commerce and transportation	1,219	1,225	1,892	1,313	1,631	2,017	1,963	2,573	2,774	2,843	3,151	3,069
Housing and community development	−628	136	−10	−118	30	970	122	320	349	−67	−191	−317
Health, labor, and welfare	2,122	2,165	2,462	2,632	3,059	3,877	3,690	4,244	4,538	4,789	5,533	5,832
Education	326	377	343	437	541	732	866	943	1,076	1,244	1,348	1,691
Veterans' benefits and services	4,341	4,522	4,810	4,870	5,184	5,287	5,266	5,414	5,403	5,186	5,362	5,081
Interest	6,470	6,438	6,846	7,307	7,689	7,671	9,266	9,050	9,198	9,980	10,701	11,101
General government	1,226	1,166	1,576	1,738	1,284	1,466	1,542	1,709	1,875	1,979	2,238	2,238
Allowances for—												
"Attack on poverty"												250
Civilian pay raise												544
Contingencies											250	300
Subtotal, domestic-civilian	19,054	21,694	23,963	24,100	25,470	30,426	29,711	32,176	34,499	37,812	41,346	42,274
Total, nonmilitary functions	27,446	29,039	30,747	30,997	32,866	39,474	36,018	38,942	41,695	45,106	48,340	48,650
Deduct interfund transactions	−235	−181	−315	−467	−567	−355	−694	−654	−633	−513	−685	−600
Total	27,211	28,858	30,432	30,530	32,299	39,119	35,324	38,288	41,062	44,593	47,655	48,050
Total, including military functions	67,537	64,389	66,224	68,966	71,369	80,342	76,539	81,515	87,787	92,642	98,405	97,900

McNAMARA'S WAR IN SOUTH VIETNAM

Mr. MORSE. Mr. President, on May 23, the Portland Oregonian published another one of its many editorials paying its disrespects to me. This mouthpiece of yellow journalism, owned by the Newhouse eastern chain, which continues to represent itself as an Oregon news-newspaper but is one only in location, is one of the greatest supporters, in reverse, that I have in the State of Oregon.

Ever since 1952, when I resigned from the Republican Party, this yellow sheet has periodically and with consistency and persistency stooped to the type of editorial which it wrote on May 23, 1964. The editorial is entitled "Oregon's Demagog." I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Oregonian, May 23, 1964]

OREGON'S DEMAGOG

Senator WAYNE L. MORSE, of Oregon, is sounding the depths of demagoguery in his daily diatribes demanding U.S. withdrawal from South Vietnam.

In seeking election as an Oregon delegate to the Democratic National Convention, Senator MORSE used the ballot slogan: "All the Way With President Johnson."

Now, he says on the Senate floor that President Johnson's budget request for an additional $125 million to pay for U.S. military and economic aid to the South Vietnamese in their fight against Communist conquest is "a proposal by the President of the United States to kill more American boys."

In the isolationist view of WAYNE MORSE, "McNamara's war" now has become "Johnson's war"; the President is ordering American boys "to their death"; pursuit of Communists back across the borders to their sanctuaries in North Vietnam, Laos, and Cambodia, says MORSE, "will be outright [U.S.] aggression."

The virulence of Senator MORSE's attack on the President, the Secretary of Defense, and the State Department for carrying out what is essentially a bipartisan policy in southeast Asia is almost beyond belief. One hopes the Nation understands that Senator MORSE does not speak for the people of Oregon in this poisonous campaign to undercut U.S. foreign policy.

Mr. MORSE. Mr. President, some of my friends in the Senate "josh" me, now and then, because I am the only Senator who puts in the CONGRESSIONAL RECORD editorials and articles against himself. They raise the query as to why I do it, because they wonder if I do not know that the newspapers always have the last word. My reply always is that if they do, that is the fault of the politician, because I am perfectly willing to get this kind of support, in reverse, from this yellow sheet, but I always set the record straight.

Yesterday, I sent the following telegram to the editor of the Oregonian, because the editorial reached my attention only yesterday.

I stated:

Your editorial Saturday, May 23, entitled "Oregon's Demagog" has just reached my attention. It is in keeping with your yellow journalism. I stand on my ballot slogan "All the Way With President Johnson" in seeking election as Oregon delegate to Democratic National Convention. I shall support President Johnson's nomination enthusiastically and work hard for his election. However, every voter knows that my ballot slogan was not synonymous with pledging to be "a rubber stamp for President Johnson." Frequently the best service a Senator can render in supporting the President of his party is to disagree with him when he thinks some Presidential policy is wrong. U.S. foreign policy in South Vietnam is wrong and it cannot be reconciled with our obligations under international law. If you think it can, start writing editorials trying to justify McNamara's war in South Vietnam. If you think that the Oregonian speaks for the people of Oregon on U.S. policy in South Vietnam, you couldn't be more wrong.

WAYNE MORSE.

Mr. President, that is a fitting introduction for my speech today dealing with McNamara's war in South Vietnam, although the name of the war should be enlarged a bit to include all the members of the war council that met in Honolulu a few days ago.

Today, however, I wish to make comments upon the position taken by the President of the United States yesterday in respect to McNamara's war in South Vietnam.

The President's news conference statements yesterday about our policy in Asia were in reality a sad admission that the 10-year-old policy of unilateral American intervention in Indochina has been a failure.

President Johnson's reliance upon a 10-year-old letter from President Eisenhower to Premier Diem bespeaks nothing but the bankruptcy of the policy which that letter sets forth. That letter was not a treaty. That letter did not legally bind the American people or the American Congress. It was only the statement of one President's intentions toward another President. The conditions which existed then do not exist today.

The commitment President Johnson spoke about yesterday was the alleged commitment in the Eisenhower letter of 1954. However, I say most respectfully to my President that that was no commitment of the United States to South Vietnam.

It was the expression of the then President of the United States as to what he proposed to do. However, a President of the United States cannot commit this Republic in respect to conducting a war. Let us never forget that.

I repeat today what I have said many times on the floor of the Senate, in speaking against the U.S. unconstitutional war in South Vietnam, that that unconstitutional war cannot be reconciled with a single principle of international law; that the United States is at war in South Vietnam illegally; and that any reference by the President of the United States to a so-called commitment contained in the Eisenhower letter of 1954 never was and is not now binding upon the people of the United States.

I repeat that the foreign policy of the United States does not belong to the President of the United States, but to the American people. I also say most respectfully that in my judgment the President of the United States ought to bring the foreign policy, as far as his administration is concerned, in line with the views of the people of the United States. If the President of the United States thinks that the illegal war of the United States in South Vietnam has the support of the American people, let him take it to the country.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JOHNSTON. I believe the Senator's position is that at the present time, since there has not been a declaration of war, we are not properly in a state of war.

Mr. MORSE. My position is that no President of the United States has the constitutional authority or power or right to send American boys to a battlefield in the absence of a treaty obligation or a declaration of war.

Article I, section 8, of the Constitution vests the power to declare war in Congress, not in the President. This President as any President before him, before he sends any more boys to the battleline in South Vietnam to be killed—and they will be killed in increasing numbers—ought to ask for a declaration of war. He should not attempt, as this President is attempting, indirectly to get an appropriation of $125 million to support an illegal U.S. intervention in South Vietnam, an intervention which has violated the Geneva accords ever since 1954. The aid which President Eisenhower subsequently sent to South Vietnam violated the Geneva accords of 1954. A so-called neutral council found South Vietnam guilty of violating the Geneva accords. It also found North Vietnam guilty. It based a part of its charge establishing the guilt of South Vietnam on the fact that the United States, contrary to the Geneva accords, was sending kinds and amounts of military aid to South Vietnam, in violation of the Geneva accords. When President Eisenhower sent that aid and put the United States in the position of violating the Geneva accords, charges ought to have been filed before the United Nations to have this matter thrashed out within the United Nations.

That is where it ought to be now, instead of having Adlai Stevenson read a speech, which obviously had been prepared for him, setting forth the unsound position of the U.S. State Department before the Security Council a few days ago. He ought to have resigned as Ambassador to the United Nations rather than to lend his lips to reading such a shocking speech. That speech cannot be reconciled with the international law obligations of this Republic.

Having Adlai Stevenson, in effect, beat his breast before the world and say that we were going to do what we thought was necessary to be done in South Vietnam, was a serious blow against the United Nations Charter itself, of which, as our Ambassador, he is supposed to be one of the trustees.

I do not yield to Adlai Stevenson or anyone else in this country in my dedicated support of the United Nations. I represented this Government in 1960 as one of its delegates to the United Nations. I am convinced as much today as I have always been that the United Nations offers mankind's only hope of establishing permanent peace in this world.

The sad thing is that today, the United States, probably more than any other nation in the world, is undercutting the United Nations Charter. The great danger is that if we do not stop the program of the United States vis-a-vis the United Nations we may well see the liquidation of the United Nations as mankind's best hope to preserve peace in the world.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. Let it be understood at the beginning of my speech today, as I have said time and time again, I am not only criticizing the foreign policy of the United States; I am also offering a substitute. In my 20 years in the Senate I have never criticized American foreign policy without at the same time offering what I considered to be an affirmative, constructive substitute for the policy that I was criticizing.

I say to my President again today, as I said yesterday, on the floor of the Senate: "When are you going to lay the whole southeast Asia crisis before the United Nations under the procedures and in keeping with the procedures of the United Nations Charter for the settlement or attempted settlement of that threat to the peace not only of Asia but also the peace of the world?"

When we signed the United Nations Charter, we pledged ourselves to seek to substitute the rule of law for the rule of military might. The United States of America, in South Vietnam today, is seeking to substitute the rule of American military might for right.

In all the history of the world any country that has attempted to do that has finally fallen. If the United States follows the rule of the jungle, the United States, in due course of time, will fall.

The world will not long tolerate a nation that takes the position which Adlai Stevenson took before the Security Council of the United Nations, when, in effect, he announced to the world that we intended to do exactly what we choose to do in South Vietnam, and that the rest of the world could like it or not. Not even the United States, in the course of history, can get away with that threat to the peace of the world.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JOHNSTON. I commend the Senator from Oregon on his position. It is entirely right from a constitutional standpoint for us to stay out and to have this matter left in the hands of the United Nations. If we go in there, without submitting the matter to the United Nations, we are really, in a way, tearing down the United Nations, and we say to the nations of the rest of the world, "You have the right to do likewise." That being so, there is no need for the United Nations to be in the field.

Mr. MORSE. We have already greatly damaged the United Nations. I pray that we have not irreparably damaged it, because the opportunity is still available to the President to take this case to the United Nations, to ask the United Nations to take jurisdiction of it, just as we support the United Nations in three other trouble spots of the world where the peace is threatened: The Middle East, where there is a United Nations peacekeeping corps that we support; in Cyprus, where there is a United Nations peacekeeping corps that we support; and in the Congo, where there is a United Nations peacekeeping corps that we support. Why not in South Vietnam? Could it be for the ugly reason that we think we are too powerful to be challenged?

I yield to the Senator from Alaska.

Mr. GRUENING. Again I wish to express my complete accord with the magnificent stand that the senior Senator from Oregon has taken for many weeks on the subject of our illegal involvement in the civil war in southeast Asia. I commend him for his constructive proposal to take the problem to the United Nations. I invite attention to the fact that only this morning, when I spoke on this subject, I urged that the United Nations ask for an immediate cease-fire. I assure the Senator from Oregon—and I feel certain he will agree with me—that such a request by the President of the United States would meet with the loudest cheer from the American people that he could possibly hear.

My mail continues to run at the rate of 100 to 1 in favor of the withdrawal of American troops from Vietnam alone. There is no excuse whatever for the continued killing of our own boys and the killing of Vietnamese on the sole pretense or pretext or argument, which has been advanced by the Washington Post and the New York Times, that in order to negotiate, we must be much stronger; consequently, we must sacrifice more American lives and more Vietnamese lives in order to arrive at the conclusion which we ought to know by now is inevitable, namely, peace by negotiation.

Mr. MORSE. I completely endorse the proposal of the Senator from Alaska that the President call upon the United Nations to ask for a cease-fire in Asia—in Laos, in South Vietnam, or wherever the fighting is going on.

The Senator from Alaska is very kind to make reference to the position I have taken these many weeks on the floor of the Senate in opposition to what I consider to be the illegal, unconstitutional U.S. war in South Vietnam. But no Member of the Senate has been more courageous, more farseeing, more statesmanlike in opposition to American policy in South Vietnam than the Senator from Alaska [Mr. GRUENING]. It has been an honor that I shall always appreciate, an honor that I shall be proud to have my descendants read about, that I stood shoulder to shoulder with the Senator from Alaska during this period of time when so many Members of Congress were noncommittal, when so many apparently hoped that the trouble would blow away; that in some way, somehow, it would vanish. But it will not vanish. Affirmative action will be necessary on the part of this country.

During that period of time we have listened to brilliant speeches by the distinguished Senator from Alaska, and they have been supported by the distinguished Senator from Louisiana [Mr. ELLENDER] and the distinguished Senator from South Carolina [Mr. JOHNSTON], who commented on the subject on the floor of the Senate a few moments ago.

During these weeks the American people have not had an accounting from the kept press of the country in regard to the position that has been taken on the floor of the Senate in opposition to U.S. policy in South Vietnam. The gentlemen who sit in the gallery above the clock, and who represent the major newspapers of the country, are not to be blamed, for frequently they submit such articles. Some of them have shown me copies of their articles. However, there is a deliberate design on the part of the kept press of America to conceal from the American people the facts about South Vietnam and America's unconscionable, inexcusable, illegal course of action in South Vietnam.

It is quite interesting to observe that the American people are beginning to realize that only through radio and television newscasts can they begin to get at least some conception of the other side of the South Vietnam issue, a side that disagrees with the policy of the U.S. Government.

Yesterday I placed in the RECORD at the close of my speech some of the hundreds of letters that I have received on this subject. I would have preferred not to put them in the RECORD, for I am really more modest than those letters might seem to indicate as a result of my insertion of them. But I placed them in the RECORD, just as the Senator from Alaska also placed a similar number of letters in the RECORD some days ago, because it is important, from the standpoint of history, that we record at the time of this historic debate on South Vietnam that there is a large body of American public opinion that is against the policy of our Government. That body of opinion will become larger and larger as more and more people begin to understand the facts about U.S. policy in South Vietnam. I am proud of the letters I placed in the RECORD yesterday.

The Senator from Alaska said that his mail, for many weeks, has been running at the rate of about 100 to 1 against U.S. policy. I have said that mine is running at least 9 to 1 against it. I know it is much larger, so 9 to 1 is a gross understatement. However, I have placed in the RECORD letters from such great historians as Professor Commager, one of the greatest living historians in this country. All those letters constitute a cross section of American public opinion.

I say to my President that latent at the grassroots of America is aghastness at the policy of the United States in making war and killing American boys in South Vietnam. I have heard the Senator from Alaska say on the floor of the Senate, time and time again, that South Vietnam is not worth the life of a single American boy. And it is not. We cannot justify the killing of a single American boy in South Vietnam.

In one of my earlier speeches I said—and I repeat it today—that I am waiting for the long list of honorary pallbearers that I assume my administration will appoint, consisting of the top echelon of officials of the United States, to be ready to meet the ships laden with flag-draped coffins of fallen American boys returning from South Vietnam, if we do not stop the killing. There can be no possible end result but an increasing slaughter of American boys. Not only are American boys being killed. Our course of action is resulting in the killing of thousands of other human beings. That is why I spoke a few days ago about the spiritual values and the moral obligations involved in this situation, for all those people are the children of God.

When I think of all the pratings of my Government, when I think of the speeches of Adlai Stevenson from 1952 until his unfortunate speech of the other day, and the hope that is to be found in the symbolism and procedures of the United Nations, I, too, am aghast at what has happened to my country. Instead of making peace, we are making war. Instead of stopping bloodshed, we are spilling blood. Reconcile that with the church pews we occupy on Sunday; for as a religious person I would have my fellow Americans remember that basic in this foreign policy crisis are great questions of morality.

Of course I do not accept the attempted rationalization, "We are in it, and there is no way for us to get out. So we have got to go through with it, to save face."

Mr. President, whose face? Until we got into this situation, I never knew that face saving—which some call "prestige"—was ever more important than to do right, for there is no substitute for following what we know is the honest and the right thing to do.

So those who talk about "face saving" impliedly admit that they do not attempt to sustain the program on its merits.

I repeat the suggestion I made the other day to the "face-savers": I have heard of "throwing out the baby with the bath water," but never before have I heard it suggested that we should blow off heads to save face. Yet we are blowing off heads in South Vietnam, and some attempt to justify it on the ground of "saving face."

I respectfully submit, Mr. President, that the statesmanlike course of action is to lay the problem before the United Nations, and thus put Russia on the spot, for I believe that in the Security Council, Russia would veto it; but under the United Nations Charter there is another course, which is to have an extraordinary session of the General Assembly of the United Nations called, and there lay the problem before all the members of the United Nations. Let them take up the problem of this crisis, which in my judgment is fast threatening the peace of the world and is rapidly destroying the effectiveness and the hopefulness of the United Nations itself.

I return to my discussion of the Eisenhower letter of 1954, because, as I have said, the statements made yesterday by the President of the United States, at his news conference, have given me the impression that he must be laboring under the delusion that the Eisenhower letter of 1954 in some way, somehow, creates a binding commitment on the part of the Government of the United States; but there is no basis in fact for such a conclusion.

In 1954, President Eisenhower wrote of the Geneva Conference; in the 10 subsequent years the United States and South Vietnam have violated with increasing impunity the Geneva accords.

Ten years ago, President Eisenhower spoke of the long, exhausting war through which the people of South Vietnam had lived; in the next 10 years, the United States helped as much as any party to step up that war, and today we are promising the same people the same war conditions "forever," to use the word of our Secretary of Defense.

In 1954, President Eisenhower spoke of the need of South Vietnam for aid; in the 10 years to follow, the United States would spend around $5 billion to aid South Vietnam, and in 1964 would find itself committed to an ever-rising level of such aid.

When our Government began pouring its military aid into South Vietnam, it violated the Geneva accords of 1954, for that is prohibited under the Geneva accords. The neutral council, composed of representatives of India, Canada, and Poland, found South Vietnam to be in violation of the Geneva accords, and cited, as one of the violations, the acceptance from the United States of large supplies of military aid. The council also found North Vietnam to be in violation of the Geneva accords. Furthermore, I believe that both Laos and Red China have been violating the Geneva accords; and very possibly Cambodia has been violating them, too. I believe that situation should also be examined.

The proper procedure for the United States to follow is to file a complaint with the United Nations. The United States had no business setting up itself as a unilateral enforcer of the Geneva accords. After all, the United States did not even sign them.

In 1954, President Eisenhower wrote of the need to stabilize the Government of South Vietnam. That is the letter from which President Johnson quoted yesterday.

Ten years later, despite the huge amount of money we have put into the stabilization effort and despite the large American military force on the scene, the Government of South Vietnam is a tottering instrument, held up only by the United States itself. It is less capable of resisting "the attempted subversion or aggression through military means" of which President Eisenhower spoke than ever before.

I cannot understand how any American, not to mention the President of the United States, can read that letter today and not appreciate that it sets forth a futile, dead end course for the United States. To quote it again, President Eisenhower wrote to Diem:

> The Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms. It hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government. Such a government would, I hope, be so responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected both at home and abroad and discourage any who might wish to impose a foreign ideology on your free people.

The government to which that Eisenhower letter was addressed collapsed in an aura, not of reform and respectability, but of terror and corruption. It delivered nothing that was expected of it by President Eisenhower 10 years ago. It is dead and gone, and unmourned, both at home and abroad. Its successors have been no more "enlightened in purpose and effective in performance" than was the Diem government.

The successive governments of South Vietnam have failed to hold up their end of the bargain President Eisenhower entered into 10 years ago. Today the United States is upholding both ends—our own and that of South Vietnam.

As I have said before of the Eisenhower letter, unless the policy it began is quickly changed, American Presidents will be reading it 30 and 50 years from now to explain why we are spending billions of dollars and thousands of American military personnel to maintain what is nothing but an American puppet in South Vietnam.

One of the inexcusable arguments advanced by some is that we are there because we were asked to go there by Diem; but the fact is that we set up the puppet Diem, and also two other puppet dictators there. We have no more right to argue that our forces belong there because our own puppet asked us to send them there than Khrushchev has a right to argue that his forces are in East Germany because his puppet dictator in East Germany invited him to send them there.

Mr. President, we ought to wash our hands of puppetism in South Vietnam. We ought to ask the United Nations to come in and maintain peace and order. We ought to get out. I have said before, and I repeat now, that I am not an overnighter. Our SEATO allies ought to come in and help to try to maintain the peace until the United Nations can move in. The United States should stay there with a peacekeeping mission for a period of time until the issue could be debated and passed upon in the United Nations. But our SEATO allies—Australia, New Zealand, Pakistan, Thailand, the Philippines, Great Britain, and France—ought to be in there with us. If they come in, it might help us to stop the killing. But obviously they have an allergy against involving themselves in a situation that might kill any of their boys.

Great Britain is perfectly willing to urge us to continue our operations in Asia. Great Britain applauds publicly the flying of American planes over Laos, which is obviously in violation of the Geneva accords. But we do not see any British planes there. The British are very clever in persuading others to do their dirty work for them.

Mr. President, I am not interested in sacrificing the lives of American boys in South Vietnam because that might strengthen the colonialism of Great Britain in Malaysia. I say to the American people, "Do not forget that that is back of this picture, too." What is behind the scenes is very ugly; and so far as I am concerned, not only should the problem of South Vietnam be made a question of United Nations jurisdiction, but if Malaysia becomes a threat to the peace of the world, I am for taking that issue to the United Nations as well—unless we wish to tear up the charter—for we cannot read the charter, as I shall show before I finish my speech, without realizing that that was the commitment of the signatories thereto.

Mr. President, the President's statement of American objectives in Asia is not borne out by the facts. President Johnson said, "First, America keeps her word."

What word? Does he mean that the letter of President Eisenhower, which was never sanctioned by the Congress of the United States, becomes America's word, binding upon succeeding Presidents? He could not be more wrong. The question is not what President Eisenhower said 10 years ago in a letter that he sent to Premier Diem, the American puppet in South Vietnam. The question is, How sound is the policy that was negotiated in that letter? If the policy is not in our national self-interest, that policy should be repudiated and no longer followed.

So when the President said, "America keeps her word," I ask, "What about South Vietnam's word?"

The Government of South Vietnam has not fulfilled the 1954 conditions for aid laid down by President Eisenhower. The United States has kept her word to South Vietnam far beyond any reasonable expectation, even to the extent of violating the Geneva agreement. What we are doing now is furnishing South Vietnam with a type and amount of military aid that was barred by the Geneva accord. To throw billions of dollars and the lives of American soldiers into the unilateral fulfillment of an Executive agreement under these conditions is not a mark of honor but of folly.

President Johnson continued:

> Second, the issue is the future of southeast Asia as a whole.

I respectfully ask: "Since when is the future of southeast Asia something for an American President to decide all by himself? Mr. President, the future of southeast Asia is not the exclusive property of the Presidency and not even the exclusive property of the United States. The people most concerned with the future of southeast Asia are the people who live there, and that excludes the United States altogether."

If the President thinks the future of southeast Asia is at stake, then he has no alternative but to confer with the governments of southeast Asia, not only with South Vietnam, but with North Vietnam, Cambodia, Burma, Laos, Thailand, and the neighbors who also have a more direct interest than does the United States—India and China.

For President Johnson to create the impression that the United States intends to determine the future for millions of people 7,000 miles away is not even a thinly disguised kind of imperialism. It is stark, ugly imperialism.

> Third—

Said the President—

> our purpose is peace.

But Mr. President, why do we help make war when you say our purpose is peace? The one agency of mankind designed and created to maintain peace in the world is the United Nations. If we sincerely wish to bring peace to southeast Asia, why has the American Government shunned United Nations jurisdiction of the whole conflict in southeast Asia? Why, too, do American military planners discuss the use of nuclear weapons to defoliate trees, the selection of targets for air and sea bombardment of North Vietnam and Laos, and possibly China? What kind of doubletalk is it to say that we seek peace when our Secretaries of State and Defense openly threaten other nations with hints of these contingent war plans to expand the war?

Mr. President, our purpose in southeast Asia will not truly be peaceful until we bring the United Nations in. Until the American Government does that, words of our peaceful purpose are a shameful hypocrisy.

> Fourth—

Said President Johnson yesterday—

> this is not just a jungle war, but a struggle for freedom on every front of human activity.

Freedom for whom? The people of South Vietnam? I have not heard anyone make the case in private conversation that the United States is bringing any kind of freedom to the people of South Vietnam. We are not bringing communism, as is the Vietcong, but we are not bringing freedom, either.

We are supporting a military dictatorship. We are supporting a police state. We are supporting a tyrant under whom there is no freedom for the people of South Vietnam. That is one reason why that country is in great turmoil.

Mr. President, I wish to see freedom in South Vietnam. I desire to see freedom everywhere where police state regimes rule. That is why I have always been counted on the side of those who wish to take to the troubled spots of the world economic freedom, because without it, political freedom for the people cannot take root and grow. But bring it into the United Nations, and then the senior Senator from Oregon will be among those who will urge that we do everything possible to bring economic freedom to the rank and file of the people of South Vietnam which, when once established, will make it possible for political freedom to develop.

The fallaciousness and unsoundness of the 1954 Eisenhower letter were spelled out clearly in today's New York Times by C. L. Sulzberger, writing from Paris. He states:

> When Foster Dulles fathered SEATO a decade ago he admitted its principal purpose was to provide our President legal authority to intervene in Indochina.

That was also the reason why Foster Dulles put the backing of the American Government behind Diem, and prevailed on Diem not to put South Vietnam's signature to the Geneva accords.

Dulles wanted to keep South Vietnam as an American protectorate. He wanted an American "handle" in Asia, and Diem was it. But he at least recognized at the beginning the limitations the Geneva accords put upon the American protectorate. He told Sulzberger on February 22, 1955:

> The French have a substantial military force in South Vietnam. That is France's principal role. The Geneva (1954 partition) accord bars the importation into Indochina of new military aid. The United States can't increases the number of its military advisers. That places a strong dependence on France.

In my speech of a few weeks ago, in which I discussed at length the international law principles that are involved in this case—all of which are against the position of the United States—I recounted for the Senate that sad chapter in American history when John Foster Dulles, the American Secretary of State, went to London and to Paris, and in London tried to persuade Anthony Eden and Winston Churchill to pledge themselves to join the United States and France in maintaining in Indochina, British, and American troops, along with French troops, in order to carry on the war in Indochina. His proposal was that if we could get that agreement between the British Government and the French Government, he, speaking for the United States, then would announce it to the Congress.

Who protected the United States at that sad international diplomatic conference? Winston Churchill. For Winston Churchill, said, in effect, that that would be a deception of the Congress of the United States, and he turned Dulles down. Dulles was not successful in keeping the French involved, for they had already lost 240,000 of the flower of French youth in the Indochina war. They had had enough.

If this country follows the course of action it is now following in South Vietnam, if the mess does not lead to a third world war conflagration, it will not be many years before history will record the tens upon tens upon tens of thousands of American boys that will be sacrificed in the same area of the world in which the French sacrificed 240,000 in total casualties.

When France declined to play the role Dulles had laid out for her, we began to violate the Geneva accords by sending in the very military aid and advisers that Dulles admitted were prohibited under the Geneva accords.

That is the kind of deceitful program that President Johnson seems to think he is required to carry out 10 years later. The Diem government has dissolved. Yet the American President is embarked on an open-ended task of propping up his tyranical successors. That is not a matter of keeping an ex-president's word; it is a national stupidity.

As Sulzberger makes clear, we are not acting today in Asia in our capacity of a SEATO member. SEATO is defunct. SEATO has specifically declined to act or to intervene in South Vietnam. SEATO as an organization wants no part of the South Vietnamese war.

The United States is going it alone. And we are going alone down the path to war.

Next time President Johnson reads the Eisenhower letter aloud, I would hope he will also read aloud certain articles of the United Nations Charter, to wit:

> Article 2, section 3: All members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
>
> Section 4: All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any manner inconsistent with the purposes of the United Nations.
>
> Article 33, section 1: The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies, or arrangements, or other peaceful means of their own choice.
>
> Article 37, section 1: Should the parties to a dispute of the nature referred to in article 33 fail to settle it by the means indicated in that article, they shall refer it to the Security Council.

If the Cambodian border problem is a fit subject for United Nations action, then the whole conflict that gave rise to the Cambodian border problem is even more appropriate for United Nations jurisdiction. It is time for President Johnson to lay the whole Vietnamese problem before the United Nations, lest he engulf the United States in a worse disaster than the one we are already in in southeast Asia.

Finally, although most American newspapers have studiously avoided any real presentation of the criticisms and alternatives many of us have been offering to present policy in Asia, the St. Louis Post-Dispatch is not one of them.

I ask unanimous consent that three of its recent editorials on this subject be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks, and that they be followed by today's column by C. L. Sulzberger from the New York Times. I do not share what seems to be Mr. Sulzberger's conclusion that having embarked on a fatal foreign policy, we have to follow it to the bitter end. But just how fatal a policy it is, is clear from Mr. Sulzberger's excellent account. On June 1, Mr. Sulzberger also wrote a perceptive column, and I ask that it, too, be printed at the conclusion of these remarks. I call attention to his conclusion:

> One of the U.N.'s purposes is to be a dumping ground for insoluble questions and a facesaver for lost causes. Now would be the best time to involve U.N.—before Peiping and its satellites are members.

The PRESIDING OFFICER (Mr. MCGOVERN in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, I am also impressed with the editorials being written by John Knight of the Knight newspapers. One of them was placed in the CONGRESSIONAL RECORD yesterday by the Senator from Florida [Mr. SMATHERS]. As Mr. Knight put it:

> As we look with reverence upon the graves of our hero dead and contemplate their sacrifices, what an appalling thought it is that more of our youth may soon be joining them in eternal rest.
>
> And—one may ask—why and for what?

Mr. President, I close my speech with that question on my lips to the President of the United States: "Why and for what? Mr. President, why do you persist in following a course of action that was set out in the Eisenhower letter of 10 years ago, which has proven to be so wrong and so much against the national interest of this Republic? Why do you persist in following a course of action that constitutes a failure on the part of this Republic to live up to its solemn obligations under the charter of the United Nations?"

Mr. President, I shall continue to pray that my country will change its course of action from warmaking to asking the United Nations to take over jurisdiction of the threat to the peace of the world in southeast Asia, and seek to use the rule of law as the best instrumentality which has been devised by man to maintain peace and to prevent war.

Mr. President, I yield the floor.

EXHIBIT 1

[From the St. Louis (Mo.) Post-Dispatch, May 18, 1964]

HOPE AMID CYNICISM

There is something cynical and at the same time faintly hopeful in the statement of American policy on southeast Asia presented to the U.N. Security Council by Ambassador Stevenson. He indicated that all the United States wants is to restore the Geneva agreement of 1954. He said our Government has "faithfully supported" that political solution, and the reason for our military intervention will be removed once the Communist forces stop violating it. The fighting can be ended overnight and American military "advisers" can go home, he suggested, if the peoples of the Indochina Peninsula are just left to themselves; the United States "has no, repeat no, national military objective anywhere in southeast Asia."

We say this is a cynical statement because, as Ambassador Stevenson well knows, the United States participated in negotiation of the Geneva agreement of 1954 but refused to sign it (as did our client Government of South Vietnam) and has violated it repeatedly. The agreement has also been violated by China, North Vietnam, and the Vietcong. And it has been violated by South Vietnam, acting on American advice.

Ambassador Stevenson neglected to mention that the Geneva agreement called for elections to be held in 1956 for a unified government that would bring together North and South Vietnam. The elections were never held because South Vietnam, acting on American advice, declined to permit them.

Mr. Stevenson omitted mentioning that the 1954 accord contemplated the military neutralization of the whole peninsula, including both Vietnams, Cambodia, and Laos. Both the North and the South, by that agreement, were barred from receiving any arms reinforcements, from establishing any new military bases under foreign control, from adhering to any military alliance. This part of the agreement has been thoroughly violated on both sides. Certainly the enormous American aid program has violated it; only hypocrisy can pretend otherwise.

The simple truth is that after the Communist Vietminh drove the French out of Indochina, the United States undertook to keep a military foothold there by building up a military satellite in South Vietnam, and China undertook to capture that satellite by civil war. The truth is that after 10 years we have been unable to establish a firm government with solid roots among the people of South Vietnam. Our policy of military intervention is at dead end. We need a new policy.

One new policy would be to support the objectives of the Geneva agreement of 1954; namely, military neutralization of the whole peninsula, with the peoples of Vietnam, Laos, and Cambodia left free to determine their own political future. The slightly hopeful element in Mr. Stevenson's speech is that if our Government means what it says about restoring the Geneva agreement, then a way may be open for an ultimate solution. Our officials still, however, talk against the idea of neutralization, and against a new Geneva conference, as suggested by France, to explore that possibility. Just what do they mean?

The Laos crisis has reinforced the need for a new American policy. We accept neutralization for Laos and Cambodia; why not for Indochina as a whole? We accept a reconvened Geneva conference for Laos; why not for Indochina as a whole? We accept a U.N. presence for the Cambodian border; why not for Indochina as a whole? We accept the aims of the 1954 Geneva accord, says Ambassador Stevenson; why not then support them, as we have not done up to now?

[From the St. Louis (Mo.) Post-Dispatch, May 18–24, 1964]

NEEDED: A REAL VIETNAM POLICY

No recent event has underlined quite so firmly the lack of a viable U.S. policy in South Vietnam as has President Johnson's request for an additional $125 million in economic and military aid for the Saigon government. It is difficult to escape the conclusion that this is mainly a gesture intended to assure potential election-year critics of the administration that everything possible is being done to hold back communism in southeast Asia.

Mr. Johnson told Congress the Communist Vietcong guerrillas "have intensified terrorist actions" against the South, and that "this increased terrorism requires increased response." But is more money the answer? Within a limited framework, the answer is increased confidence of the South Vietnamese people in their Government and an increased will to fight. That has not been evident, and we do not see how more money will bring it into being.

U.S. aid has been running at the rate of $500 million a year. About 2 months ago it was announced this would be increased by 10 percent to enable Premier Nguyen Khanh to enlarge and strengthen his armed forces. Mr. Johnson's request—$55 million for military uses and $70 million for economic aid—represents an increase of 25 percent. Yet General Khanh said several weeks ago he was satisfied with the aid he was getting.

The administration is undoubtedly sensitive to criticism stemming from the American casualty lists in Vietnam, where some 16,000 U.S. troops are acting as advisers. Mr. Johnson acknowledged as much when he observed that, "Duty requires, and the American people demand, that we give them the fullest measure of support." This is fair enough, and yet it conveys the notion our troops are regarded as something more than advisers. This is a guerrilla war, and only the Vietnamese can, or should, fight it.

Even if the increased aid increased the efficiency of the South Vietnamese effort, what could be accomplished? The news from Laos is an obvious warning that success in South Vietnam would mean increased Communist pressure in Laos, where there is a shaky neutral coalition, or in Cambodia, where the neutral Sihanouk government has been edging toward Red China. Which suggests that a solution must be found collectively for the three states of the old Indochina, as French President De Gaulle has noted with his proposal for neutralizing the whole area.

It is increasingly clear that no solution can be developed in the absence of some sort of United States-Red China accommodation. This idea is implicit in the U.S. request to several friendly governments to use their influence with Red China to save the Laotian coalition. It is quite likely that Red China is in a more commanding position now than it was 2 years ago, when the Laos coalition was established. It will be recalled that the coalition was possible because President Kennedy and Premier Khrushchev agreed in Vienna on a neutral and independent Laos. Since then Russian influence in Asia has diminished.

If Red China is calling the tune it is Red China with which we must deal. If our policy, and our increased aid, were somehow directed toward that end, it would be understandable. But our policy amounts to just more of the same, with no attainable goal proclaimed except a nebulous "successful campaign against the Communists."

No doubt the administration believes that any move toward neutralization, or any suggestion of agreement with mainland China, would be dangerous in an election year. If this is a motive, it is unworthy. It may not even be good politics. We believe a majority of the American people would welcome a way to withdraw honorably from Vietnam.

The 14-nation Geneva Conference that opened just 3 years ago to discuss the Laotian coalition included both the United States and Communist China. Why would it not be possible to convene another such conference on the whole of Indochina? Why cannot the United Nations, perhaps at the Geneva Conference's request, be brought into the picture? Why should the United States think it necessary to direct and finance virtually alone a Western operation in Vietnam? The feeling of our allies may be discovered in the profound silence that so far has greeted Secretary Rusk's proposal to bring 25 other nations in at our side.

It is time that a positive, rational program, leading toward a permanent political solution, be established for Indochina. The United States need not take overt moves in this direction, if it fears to destroy the vestiges of Vietnamese morale. The proposals can be made by others. But we should work actively to see that they are made, discussed, and acted upon.

[From the St. Louis (Mo.) Post-Dispatch, June 1, 1964]

GOAL FOR HONOLULU

The important meeting of U.S. military men and diplomats at Honolulu is an effective way of impressing the world with this country's concern over the deteriorating Western position in Indochina. But it should be something more than that. It should set a course leading to a political solution in Vietnam, Cambodia, and Laos.

As Walter Lippmann pointed out the other day, "there never has been a time when a military victory, or anything like a military victory, has been possible." It is not possible now. The best that increased military activity can accomplish is to hold the line and thus prevent a decrease in the Western bargaining position at some future conference table. Even this risky course may not be possible.

What is possible, and necessary, is that the United States recognize the mistake it made when it tried after 1954 to replace French power and create a Western bastion on the borders of Communist China, and that it formulate a policy that contains the hope of honorable withdrawal. The time is late and this will not be easy, but it were better done now than later.

Would the withdrawal of the United States from Indochina bring about the communization of that area? Eventually perhaps it would, but that does not mean that the strategic interests of the United States (which keeps the 7th Fleet in Asian waters and maintains a huge air base at Okinawa) would be seriously affected.

It might be affected if communism were a monolithic world movement, but it is not. The Chinese-Russian quarrel, the independence of Yugoslavia, the slowly growing independence of the Eastern European satellites, demonstrate that national interests always in the end take precedence over ideological similarities.

Too many Americans equate communism, which they quite naturally abhor, with the national interests of countries with which the United States must deal. Though both China and Russia are Communist countries their national interests are not identical. In time the United States and Communist Russia may be allied against Communist China, for example; indeed, Chinese propaganda criticizes the Russians for that very tendency.

What this means is that while Indochina might eventually go Communist it would not necessarily go Chinese Communist. The Vietnamese, the Cambodians, and the Laotians have differences among themselves, but all dislike the Chinese. There are responsible experts who hold that had the United States backed the North Vietnamese leader, Ho Chi Minh a decade ago, rather than the late President Diem, Indochina would now have a stable independent Communist government, like Tito's Yugoslavia.

It should not be forgotten that during the war the United States did back Ho Chi Minh as the most effective guerrilla leader against the occupying Japanese. Communist or not, he is still universally admired throughout Indochina as the man who broke French power there. Although Ho originally sided with Moscow, it is believed that the pressure of Red China on his border has forced him to compromise.

But there is a strong surge for independence in North Vietnam, more so, perhaps, than in the south, and the United States should aim at creating conditions which will enable that spirit to prevail. An Indochina neutrality guaranteed by the United States, Russia, Red China, Britain, and France, with provisions for the free elections that were promised for 1956 but blocked by the United States, might bring stability to the area.

Perhaps that is not the best of all possible ends to the U.S. investment of men and money in Indochina, but there does not appear to be any other answer. So the Americans meeting in Honolulu should agree to confer, perhaps at a lower level at first, and eventually at a major conference to effect a permanent settlement.

[From the New York (N.Y.) Times, June 3, 1964]

ALONE WITH OUR ASIAN CRISIS

(By C. L. Sulzberger)

PARIS.—Whatever the U.S. Government decides to do about Indochina need not be too carefully strained through the fabric of our SEATO alliance. For, if SEATO ever truly existed as a coherent pact, it certainly doesn't exist today.

When Foster Dulles fathered SEATO a decade ago he admitted its principal purpose was to provide our President legal authority to intervene in Indochina. But Dulles had strange visions concerning the pact's other implications.

He thought it would assure us active allies in a vital area. He fancied SEATO was one of three connected Oriental bastions, directly linked to South Korean and Formosan strongpoints. Our allies never accepted this tidy assumption.

Dulles also had misconceptions concerning French and United States commitments in Indochina, over which SEATO unilaterally extended its protection. On February 22, 1955, the late Secretary of State told me in Bangkok, on the eve of a SEATO conference:

"The French have a substantial military force in South Vietnam. That is France's principal role. The Geneva [1954 partition] accord bars the importation into Indochina of new military aid. The U.S.A. can't increase the number of its military advisers. That places a strong dependence on France."

On February 25, when SEATO's meeting had ended, Dulles added: "We are operating on a basis where more and more we treat atomic weapons as conventional. It doesn't make sense to use 100 shots or bombs to do exactly the same job as one atomic weapon and it is much more expensive. Throughout history there has been a steady development of more powerful explosives."

WHERE DULLES ERRED

Dulles was wrong in all his SEATO observations save the congressional blank check given the President. He was wrong in linking SEATO with South Korea and Formosa, which the other allies wouldn't accept. He was wrong about the position of France. He was wrong about the freeze on U.S. "military advisers" and nuclear deterrence.

SEATO never checked Communist subversion and it never produced an alliance community or forces structure. France is militarily out of the area; France and Pakistan are diplomatically disengaged. Laos has been removed from SEATO protection and neutralized in theory; in fact it is being devoured by Communist forces. Cambodia professes to consider SEATO a greater danger than China. And a U.S. military mission moved into South Vietnam 3 years ago and has been growing ever since.

If we are going to try to save southeast Asia from Communist control we are going to have to do so virtually alone. France won't help; Britain will only go along to the degree that we back its Malaysian experiment against Indonesia. Pakistan considers India, which we arm, more menacing than China.

SEATO was a classic example of closing the barn door on a missing horse. In this case the horse was the Anglo-French empire. SEATO was written on the assumption of British and French armed strength that didn't exist.

France and Britain, increasingly excluded from Asia as military powers, feel diminishing interest in the area. They admit Asia is strategically important, but less vital to the West than the Atlantic world. The SEATO allies have no passion for the kind of holy war the United States wishes to carry on against China.

These are the uncomfortable facts concerning our southeast Asian crisis. We got into South Vietnam to save that rump state despite both the spirit and the letter of the 1954 Geneva accord that created it. And we based our commitment on the assumption of continued French and British military strength that was then already disappearing.

During the pactomania phase of American policymaking, we allowed ourselves to be deceived by shadowy illusions. We believed such organizations as SEATO and CENTO were realities, but they weren't.

We must therefore face the problem of salvaging our Indochina crisis on the basis of what we consider right. There is no point allowing ourselves to be bound, for example, by Paris' insistence that while France will fight for Berlin, it won't fight for Saigon. In southeast Asia we must honor our commitments and respect our interests. Confusion cannot be coordinated.

[From the New York (N.Y.) Times, June 1, 1964]

NO EASY EXIT FROM THE JUNGLE

(By C. L. Sulzberger)

PARIS.—In Indochina we have persistently violated the four cardinal maxims of foreign policy which are: (1) always keep the initiative; (2) always exploit the inevitable; (3) always stay in with the outs, and (4) never stand between a dog and a lamppost. Above all we have lost the initiative and the inevitable is exploiting us.

Our present function seems to be that of popular whipping boy and guerrilla pincushion in South Vietnam. To escape this embarrassment, two alternative formulas have been proposed: (A) that we cease playing the war game according to Communist rules and attack guerrilla arsenals, communications, and safe havens abroad; or (B) that we negotiate the neutralization of South Vietnam and then abandon it. Washington seems to oppose formula A as unacceptable to the Saigon regime and the American people.

Formula B, generally associated with De Gaulle, assumes the United States cannot impose a military solution in Vietnam and therefore must seek the least bad terms for political surrender. This is, of course, an unpalatable suggestion to an American administration facing reelection.

The French proposal is often inaccurately described. It is said France proposes neutralization of all Indochina and that it is clearly impossible at this juncture to negotiate neutralization of North Vietnam. Furthermore, Washington claims a political solution cannot be attempted by negotiation until military stalemate has first been achieved.

In fact, the French approach deals only with South—not North—Vietnam and eschews all thought of a battlefield standoff. The French wish to save what is left of their own Indochina investment, extensive economic interests in South Vietnam and Cambodia. And they are convinced that if we pursue present policy, the entire area will inevitably be communized. They also think if we attempt formula A, we will merely accelerate the process by insuring Chinese occupation of North Vietnam.

THE FRENCH APPROACH

Paris doesn't pretend that neutralizing South Vietnam is agreeable or that it would automatically facilitate neutralization of North Vietnam. It does claim, however, that its formula accords with the 1954 Geneva agreement to partition Vietnam and that it is preferable either to enlarging the Indochina war or continuing the present dead end policy.

France sees no reason why military stalemate must precede negotiation. France began secret parleys with the Algerian rebels while it dominated the battlefield. Although militarily it seemed to be winning the war, France saw it was doomed to lose the peace. And in Indochina we aren't even winning the war.

On the basis of its own grim experience Paris believes we should now encourage our South Vietnam clients to seek contacts with their enemies and start to parley while fighting. The French feel this would offer the least terrible way out of a hopeless morass and maybe save something in the wreckage.

Obviously, this is not a happy solution for Washington or Saigon. But it should at least be considered and, if neutralization of South Vietnam is inevitable, we had better face the fact now while we have a measure of control and might influence its form.

In 1954 Washington feared Vietnamese partition was but a first step to its communization. What was true then is still probably true. And, in merely delaying this trend, we have committed immense power and prestige. Our entire world posture would suffer if we now abandoned an area into which we probably never should have intruded.

This space reluctantly concludes that we have foolishly forced ourselves into a position where we must attempt formula A. But if we are unready to do so, and are unwilling to accept formula B, we must still replace our present unsuccessful policy. Not even the most moonstruck Pentagon spokesmen pretend any longer that it is succeeding.

There is only one other possibility and that is to try and dump the problem on U.N. This would be extremely difficult to arrange and the Organization is already short on manpower and money. Nevertheless, one of U.N.'s purposes is to be a dumping ground for insoluble questions and a face saver for lost causes. Now would be the best time to involve U.N.—before Peiping and its satellites are members.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. MUSKIE. Mr. President, on January 20, 1961, in the course of one of the most stirring inaugural addresses ever made by an American President, the late John F. Kennedy accepted for all Americans the responsibilities of leadership in a time of troubles. He said:

> In the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger. I do not shrink from the responsibility—I welcome it. I do not believe that any of us would exchange places with any other people or any other generation.

Although he could not at that time have foreseen the precise nature of this current civil rights controversy, John Kennedy's words are fully applicable today. To the Members of the U.S. Senate has come the responsibility and the rare opportunity to act decisively for the common good in a time of crisis. Let there be no mistake about it, Mr. President, this bill can be, and will be, a major outpost in our defense of freedom in this, a time of maximum danger.

There is—in every corner of America, on every continent in the world—a seething restlessness. It is the impatience of those who for years—even centuries—have suffered unfairly under the crushing yoke of poverty, discrimination, and exclusion. That restlessness, that impatience will not be dissipated by words of promise and counsels of yet more patience. It will disappear only when firm action is taken; action which will tear up and cast aside forever the roots from which have sprung this blight on the face and conscience of America.

Mr. President, I find it hard to believe that there is a single American who really believes, deep down in his heart and soul, that another American citizen should not have the right to vote just because he is a Negro; or that he should not have the right to eat in a public place just because he is a Negro; or that he should not have the right to equal job opportunities just because he is a Negro. All the torrent of words, all the legalistic arguments, all the appeals to the Constitution cannot obscure this basic, simple truth: Every American citizen has the right to equal treatment—not favored treatment, not complete individual equality—just equal treatment.

This bill has been described by some of its opponents as a mad grab for dictatorial power by the Executive. I have heard it called "Fabian socialism, a hand reached out to grasp the hand of communism." Some have protested that it would "give the President and the Attorney General almost unlimited personal power over the details of our everyday lives," or that it will "take away the personal and property rights of nearly every individual in the United States."

Dictatorship, socialism, total Federal control—the slogans are catchy, but they do not describe this bill.

The thrust of the opposition to this bill is grounded upon the belief that this bill wantonly extends the power of the Federal Government into every aspect of our lives in an effort to give favored treatment to a small minority.

A careful examination of this bill demonstrates clearly that this is simply not true. No favoritism is asked for the Negro. No Federal police will pry into every American's privacy. No massive Federal force will coerce and regiment every American's life. This bill seeks, in a responsible and moderate way, to assure to all Americans the rights which most of us simply take for granted.

Title I of the bill seeks only to insure to each American, regardless of the color of his skin, that most precious of rights—the right to vote. We all know that countless thousands of qualified American citizens are denied that right because they happen to be Negroes. The evidence is clear, substantial and persuasive beyond doubt that in many States qualified Negroes are not permitted to vote. This fact has not been seriously disputed even by the opponents of this bill. In fact, it cannot be disputed. For we know that in the State of Mississippi, only 7 percent of the eligible Negroes are registered to vote. We know that in 100 counties across the South, a little over 8 percent of the eligible Negroes are registered. And so the statistics go, in county after county, State after State.

The pertinent question which we face as we consider the merits of title I is this: Should a qualified American citizen be denied the right to vote just because he is a Negro?

Title II would prohibit discrimination in certain places of public accommodation.

As President Kennedy pointed out in his original message to the Congress proposing this legislation:

> Negro citizens are being arbitrarily denied equal access to those facilities and accommodations which are otherwise open to the general public. This is a daily insult which has no place in a country proud of its heritage—the heritage of the melting pot, of equal rights, of one nation and one people.

Mr. President, I suggest to each Member of the Senate to try to place himself in the position of the Negro, daily facing incident after incident of humiliation and insult: Uncertain as to whether or not he should try to get a room in this or that motel or hotel; wondering which restaurant will admit him and which will not. Again we must ask ourselves: Should an American citizen be denied access to an establishment which holds itself out as dealing with the public, simply because he is a Negro?

Title III would hasten the elimination of segregation in certain truly public facilities—hospitals, libraries, museums, parks, playgrounds—owned or operated by a State, city or other governmental unit. Surely no form of segregation is less defensible than that which excludes Negroes from public facilities built, operated and maintained in part with their tax dollars. Should an American citizen be refused admittance to a public hospital, be unable to take a walk in a public park, not be able to go swimming at a public beach, just because he happens to be a Negro?

Title IV of this bill provides for technical and financial assistance to public school officials in preparing and carrying out desegregation plans, and also authorizes the Attorney General to bring desegregation suits in certain cases.

Once again, statistics tell the story: In 11 Southern States, less than 1 percent of all Negro children attend integrated schools. Below college level, in Mississippi, not a single Negro child attends school with white children; in South Carolina, 10; in Alabama, 11. This, 10 years after the U.S. Supreme Court held segregated schools to be unconstitutional.

Should a child be barred from a public school simply because he or she is a Negro?

Title VI would prohibit discrimination in any program or activity receiving Federal financial assistance. Billions of Federal dollars, collected without regard to the color of the taxpayers skin, are each year channeled into each of the 50 States in the form of Federal grants-in-aid. In many States, much of this money is diverted into segregated activities. For example, between 1946 and 1962, over $36 million in Federal grants were made to 89 racially segregated medical facilities under the Hill-Burton program. Should the U.S. Government aid and abet racial discrimination by permitting the use of Federal funds to perpetuate discriminatory practices already outlawed by Congress and the courts?

Title VII would prohibit employers, labor unions, and employment agencies whose activities affect interstate commerce from discriminating in employment policies and practices. The foundation upon which other necessary freedoms for the Negro must be built is economic freedom. The chance to hope; the chance to dream of a fair chance at a good job, to have the things so many Americans now take for granted.

Again, the facts are shocking. Here are but a few:

First. The unemployment rate among nonwhites is double the rate among whites.

Second. 47 percent of all white workers hold white-collar jobs; for nonwhites the figure is 17 percent.

Third. 20 percent of all Negro women who graduate from high school can find only domestic work. For whites the figure is 2 percent;

Fourth. Finally, the average Negro with 4 years of college will earn less in his lifetime than a white man who quit school after the eighth grade.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MUSKIE. I am happy to yield.

Mr. ERVIN. Did I correctly understand my friend from Maine to say that the unemployment rate among Negroes is twice that among white people?

Mr. MUSKIE. The unemployment rate among nonwhites is double the rate among whites.

Mr. ERVIN. I ask the Senator upon what information he bases that statement?

Mr. MUSKIE. It is based on information which has been supplied to me by the Department of Justice.

Mr. ERVIN. I say to the Senator that it is contrary to the information which was supplied to me by the Department of Labor. The Department of Labor informed me a few weeks ago that, on the basis of the figures for February of this year, the number of unemployed Negroes was 895,000, and that the number of unemployed whites was 3,629,000. Instead of being 2 to 1, that is a little more than 4 to 1, I should say.

Mr. MUSKIE. I am talking about the unemployment rate among Negroes related to the Negro population, as compared with the rate of unemployment of whites compared with the white population.

Mr. ERVIN. The figures I cited show that slightly more than four white people are out of jobs for every Negro who is out of a job.

Mr. MUSKIE. The Senator gives me the figure of 895,000 unemployed Negroes and 3,629,000 unemployed whites. I submit to the Senator that, related to the population figures of whites and nonwhites, my figures, supplied me by the Department of Justice, are not erroneous.

Mr. ERVIN. I should say, so far as numbers are concerned, that slightly more than four white persons are out of employment, as of February, for every nonwhite person.

Mr. MUSKIE. As I understand—and the Senator will correct me if I am in error—there are approximately 20 million Negroes in this country. The Senator has said that 895,000 Negroes are unemployed. He gives me a figure of 3,629,000 as the number of white unemployed. The white population is 160-odd million. I arrive at that figure by subtracting the 20 million Negroes. The figures which the Senator has supplied me give an even more startling result than the ones I have suggested.

Mr. ERVIN. My point is that there are more than four white people out of employment for every Negro that is out of employment. That is according to the figures given me by the Department of Labor. Will not the Senator from Maine concede that there is no basis for the claim that the 3,629,000 white people who were out of employment in February were out of employment because of discrimination?

Mr. MUSKIE. The point I undertook to make was that the unemployment rate among Negroes was related to the total number of Negroes in the country, and the unemployment rate among the whites was related to the total number of whites in the country. I said that the unemployment rate among nonwhites is double the rate among whites.

That suggests two things. First, it suggests that the Negroes are unemployed in many cases because of discriminatory practices; second, perhaps because of lesser opportunities from an educational and training standpoint, they are less qualified for some job opportunities that may be available.

Mr. ERVIN. Does the Senator from Maine contend that any of the 3,629,000 whites who were out of employment in February were out of employment because of discrimination?

Mr. MUSKIE. I have made no such contention.

Mr. ERVIN. Would not the Senator from Maine concede that a great many of the whites who were out of employment in February were out of employment because of automation?

Mr. MUSKIE. That might be true.

Mr. ERVIN. Would not the Senator also concede that many of the whites who were out of employment were out of employment because of economic conditions in the localities in which they live?

Mr. MUSKIE. That may be true.

Mr. ERVIN. Would not the Senator from Maine also concede that a great many of the whites, of the 3,629,000 that were unemployed, were out of employment because they lacked necessary skills and necessary training?

Mr. MUSKIE. That is undoubtedly so.

Mr. ERVIN. Would not the Senator also concede that a great many of those observations apply to a substantial number of the 895,000 Negroes who were out of employment at the same time?

Mr. MUSKIE. No doubt.

Mr. ERVIN. Does not the Senator from Maine concede that in all probability, on the average, whites possess skills superior to those possessed by Negroes, because of their previous training?

Mr. MUSKIE. That may or may not be true in particular cases. I agree that Negroes have had lesser opportunity, educationally and vocationally and trainingwise, to equip themselves for better jobs.

Mr. ERVIN. Is not the Senator led to conclude that many of the Negroes who were out of employment in February were out of employment for the same reason that white people were out of employment?

Mr. MUSKIE. I agree with the Senator that Negroes and whites are subject to the same economic factors that dictate the unemployment picture in any section of the country; but I also emphasize and invite the Senator's attention to a point which he conveniently disregards: that in the face of these economic factors which bear upon unemployment, the rate among Negroes is still double that among whites, indicating that, in addition to the economic factors which may produce unemployment, the Negro must face the factor of discrimination, which reduces his possibility for getting unemployment opportunities.

Mr. ERVIN. Has the Senator studied the figures which show that there is less unemployment among nonwhites in States which have no FEPC laws than in States which have such laws?

Mr. MUSKIE. I had the pleasure and the privilege, not too long ago, of listening to the Senator from North Carolina discuss those figures. All they proved to me was that discrimination of this kind exists in almost every State of the Union.

Mr. ERVIN. Did they not also prove to the Senator from Maine that the lack of employment was greater, percentagewise, in the Northern States which had FEPC laws?

Mr. MUSKIE. No; I did not draw that conclusion.

Mr. ERVIN. Did not those figures show, for example, that in North Carolina the unemployment among Negroes was 7.4 percent, and that among Negroes in New Jersey it was 9.5 percent?

Mr. MUSKIE. I would not dispute those figures, if the Senator from North Carolina says they are correct.

Mr. ERVIN. That is what the figures showed; and they further showed, in every case, that the unemployment percentage among Negroes was lower in States having no FEPC laws than in States that have them.

I thank the Senator for yielding.

Mr. MUSKIE. I thank the Senator from North Carolina. I make only the further comment that the Senator from North Carolina, himself, in our colloquy has pointed out that there are other factors which bear upon unemployment among nonwhites in any State, which tend to qualify the statistics to which he has just referred.

Mr. President, again, as we consider the merits of the bill, we must ask ourselves whether a person, otherwise qualified, should be refused a job simply because he happens to be a Negro.

There can be but one answer, to this and to the similar questions I have raised concerning each of the substantive titles of this bill. That answer must be "No."

No, a qualified American citizen should not be denied the right to vote, just because he is a Negro.

No, an American citizen should not be denied access to an establishment which holds itself out as dealing with the public, just because he is a Negro.

No, an American citizen should not be denied admittance to a public hospital, a public park, a public beach, just because he is a Negro.

No, a child should not be barred from a public school, just because he is a Negro.

No, Federal funds should not be used to discriminate against some citizens, just because they happen to be Negroes.

Can reasonable, responsible men disagree with this conclusion? Can any Member of the Senate seriously argue that 10 percent of all Americans would be permanently classified as second-class citizens? I think not.

If not, if we can at least agree that all men are truly entitled to equal treatment, then this controversy is over methods, not goals. It is over how best to guarantee to each American his birthright, not whether he is entitled to it.

If that is the true meaning of this debate—and I believe that it is—then we should address ourselves to the real question: How can this society best provide a framework within which each and every American is free to engage in the pursuit of happiness to the fullest extent that his talents make possible? And is this civil rights bill the very best method for achieving that objective? Obviously, it is not.

The very best method would be for each of us voluntarily to accept our fellow citizens for their worth—without regard for their race, creed, or national origin. The very best method would make unnecessary this bill, or any other legislation which seeks to compensate for man's innate failings. The very best method would mean the universal application of the Golden Rule, in every aspect of our daily lives.

But, Mr. President, we do not yet live in a perfect country, or a perfect world. As long as this Nation is made up of human beings, human failings will be with us. We know that in the harsh realities of the here and now—America in the spring of 1964—the very best method is not practical, because it is not possible.

Discrimination will not just disappear in time. It must be actively erased. How best to do so?

The opponents of this bill contend that it will not solve the problem; that it will greatly increase the power of the Central Government without any meaningful benefit to anyone; that it will infringe upon the personal liberty of every American. "So," they say, "Strike this bill down." As an alternative, they argue for States rights.

Surely this argument, as a solution to this problem, is meaningless. For it is painfully evident that the actions of too many States have been directed toward preventing Negroes from enjoying their constitutional rights. Not only has there been a lack of official action to affirmatively meet this problem, there has been a deliberate effort to prevent a meaningful approach to the problem. Thousands of dollars, thousands of man-hours have been poured into the everwidening breach by those who refuse to face the truth, who refuse to face the future. And the result has been thousands of heartbreaks, thousands of children poorly trained, thousands of Americans unable to vote.

We must act, here and now, for those who should be acting elsewhere are simply not doing so. Too many of those who proclaim States rights are unwilling to insist upon the responsibility of the States to deal with the problem. The Constitution is not and should not become a warped shield behind which any State may acquiesce in any indignity upon its citizens, safely sheltered from the Central Government.

Mr. President, the surest way to defeat the bill would have been for its opponents to have rendered it unnecessary by meaningful, effective action on the local level and the State level to eradicate discrimination. But that has not happened. And we all know that it will not happen. So we must act.

If we must act, is the bill a reasonable, responsible way to do so—not a perfect way, not the very best way, but a reasonable way, designed to provide effective legal guidelines without sacrificing any citizen's personal liberty?

I submit that it is. The bill is constitutional. This bill is responsible. The bill is reasonable.

Title I finds its constitutional basis in the 15th amendment to the Constitution. The 15th amendment comprises but 46 words. It seems to me to be as plain as the English language can be. It reads:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> The Congress shall have power to enforce this article by appropriate legislation.

This amendment, which is just as much a part of the Constitution as the first word of the first article, provides that no American citizen shall be prohibited from voting because of his race or color, and authorizes Congress to enact enforcing legislation. We have documented, unchallengeable proof that many Americans are in fact prohibited from voting because of their race or color, and the bill is an appropriate legislative remedy. It is as simple as that.

If more support is sought, we can look to article 1 section 4 of the Constitution which provides:

> The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of chusing Senators.

I repeat:

> The Congress may at any time by law make or alter such regulations—

Finally, the 14th amendment provides that:

> No State shall * * * deny to any person within its jurisdiction the equal protection of the laws.

Certainly, official acquiescence in the denial of the right to vote is denial of equal protection of the law.

In addition to being constitutional, this title is reasonable.

It prohibits the application of different standards or tests for different voters; it prohibits the denial of the right to vote for immaterial errors in application; it requires all literacy tests to be in writing or transcribed, except where an oral test is requested by the applicant; it creates a rebuttable presumption of literacy for those who have completed the sixth grade; and it prescribes a procedure for expediting voting suits.

It does not set Federal standards for voting.

It does not give the Attorney General any vast new powers.

It does not take any States rights, except the dubious right to prohibit qualified colored citizens from voting.

Title II would establish the right of all persons to equal access to certain places of public accommodation without racial discrimination, and would provide a remedy by suit for injunction against such discrimination. These provisions are applicable to the designated establishments if, first, their operations affect commerce within the meaning of the commerce clause, or, second, discrimination or segregation therein is supported by State action within the meaning of the 14th amendment. In addition, title II is applicable to any place of public accommodation at which segregation or discrimination, contrary to the 14th amendment, is or purports to be required by State or local law.

The power of Congress over interstate commerce and activities affecting it is broad. Business in or affecting interstate commerce is already legitimately subject to a wide range of Federal regulation, from the Fair Labor Standards Act to the antitrust laws; from the Food, Drug, and Cosmetic Act to the Water Pollution Control Act. The argument that there is no constitutional basis for Federal legislation in this area is, to me, clearly erroneous, and is based in part upon the spurious theory that property rights are somehow more important and more deserving than personal liberties. For myself, I reject this theory. It is defensible neither morally nor from a purely logical standpoint. Personal and economic freedoms are, of course, interwoven; but our primary concern must ever be for personal liberty and human dignity. In general, the authority of the Federal Government over interstate commerce does not differ in extent or character from that retained by the States over intrastate commerce (*United States* v. *Rock Royal Cooperative*, 307 U.S. 533, 569).

Among other things, the commerce clause gives Congress authority to deal with conditions adversely affecting the allocation of resources. Experience shows that discrimination and segregation, when widely practiced in a particular section of the country, have an adverse effect on the amount of capital and the numbers of skilled persons coming into that area.

There is a parallel legislative power to eliminate the causes of disputes that may curtail the flow of interstate commerce. The exercise of that power, recognized and sustained in the courts in decisions under the National Labor Relations Act, is appropriate with respect to racial discrimination in places of public accommodation, since it frequently gives rise to demonstrations and other activities interfering with interstate travel and the sale of goods and services moving in commerce.

The 14th amendment is directed toward State action. Thus, to the extent that title II relies on the 14th amendment, it is limited to situations in which there is the requisite State action. There can be no question but that this is a valid exercise of existing authority to prevent the States from violating the constitutional rights of some of their citizens.

But the 14th amendment does not reach actions by individuals; and the constitutionality of this vital area of title II is supported by the commerce clause.

Businesses affected by title II are engaged in dealing with and serving the public. This is their purpose and their livelihood. As a result, they already are subjected to a variety of Federal, State, and local regulations designed to protect the health, safety, welfare, and rights of the public—not part of the public, but all of the public. Included among these are public accommodations laws, similar to title II, which are in force in 30 States.

My own State of Maine is 1 of those 30 States. Its law is broader and more stringent than that proposed in title II.

Title II is also carefully drawn to include only establishments truly public in nature. Its moderate tone is also reflected in its reliance upon injunctive relief. It will, in reality, provide a legal framework within which those who wish to desegregate may do so without fear of economic loss to more rigid competitors.

The 14th amendment also serves as an ample constitutional basis for title III. Nothing could fall further short of equal treatment than for a taxpaying citizen to be prohibited from using a publicly supported facility. By permitting the Attorney General to institute desegregation suits concerning public facilities, we would merely hasten the day when such facilities would be truly public; and we would, in certain cases, remove the immense burden of litigation from private citizens unable to bear such a burden. There is nothing startling, earth shaking, or particularly new about title III. It is sound in theory, and will, I am confident, bring about long overdue reforms in public facilities.

The same can be said about title IV. Technical and financial assistance by the Commissioner of Education in the preparation and implementation of school desegregation plans is authorized; but it will be available only if desired by local authorities. Nobody will be forced to accept any Federal plan. In addition, this title would authorize the Attorney General to institute desegregation cases where the parties injured by segregation are unable to do so, and where the Attorney General determines that such an action would further the orderly achievement of desegregation in public education. Again, this title is not open to serious challenge with respect to its constitutionality. Again, it creates no new rights, grants no vast new powers. It is a reasonable method of implementing the established public policy of this Government.

There can also be little challenge to title VI on constitutional grounds. The U.S. Government has the clear right to condition its assistance to the States upon a nondiscriminatory use of that assistance by the States.

Indeed, title VI would merely confirm an existing right and would prescribe a uniform policy and procedure to be followed by all Federal agencies.

The reasonableness of title VI is reflected in its limited application and in the cautious procedure which must be followed in its implementation. In the first place, it is limited to programs which involve Federal financial assistance by way of grant, loan, or contract; insurance and guarantee programs are specifically excluded. Second, the procedural safeguards will insure against hasty or indiscriminate use of this title:

First. Each agency will have to issue general rules or regulations, each of which will have to be specifically approved by the President before becoming effective.

Second. If a violation occurs, the agency must notify the recipient of assistance and seek to obtain voluntary compliance.

Third. If formal compliance action is necessary, it can be taken only after a hearing is held, and the agency must make an express finding that the particular person from whom funds are to be withheld has not complied with the policy of nondiscrimination.

Fourth. A full written report must be filed by the Federal agency involved with the appropriate congressional committees, and 30 days must elapse after the filing of that report before the cutoff can become effective.

Fifth. The recipient from whom funds are to be withheld may obtain judicial review, and may even apply for a stay of the cutoff pending that review.

Sixth. Finally, the cutoff is to be made only in the specific Federal program within the particular political entity involved. Discrimination in one Federal program cannot be used as a basis for wholesale cutoff of all Federal assistance to a given State.

In reality, Mr. President, this is effective legislation, because it is the minimal legislation needed to effect the basic purpose of this title, and its careful procedural safeguards reflect the hope of this bill's supporters that no cutoff ever actually need occur.

Mr. President, I would like to turn now to what I consider to be one of the most important sections of this bill. Certainly, it is one of the most controversial.

As I said earlier, if the Negro is really to achieve equal treatment as a member of American society, economic advancement is the foundation upon which all other forms of progress will have to be based. For without it, all other forms of progress are intangible; and, although important in and of themselves, they become really meaningful only when combined with adequate economic development.

Earlier in my remarks, and repeatedly over the many weeks of this debate, we have heard the depressing statistics which delineate the Negro's station at the bottom of the economic ladder. I will not repeat those statistics, for it is not necessary to do so.

Title VII seeks to afford to all Americans equal opportunity in employment without discrimination. Not equal pay. Not "racial balance." Only equal opportunity.

It is beyond doubt that this title represents a legitimate use of Congress' authority to regulate interstate commerce, and is, therefore, constitutional. In order to protect the free flow of commerce, Congress has previously legislated with respect to the practices of employers and labor unions in industries affecting such commerce. The power of Congress to legislate in this area is no longer subject to question and the amount of commerce affected in any particular case is not a material consideration in determining Congress' constitutional power.

The term "affecting commerce" has a long history of judicial application under the National Labor Relations Act, and thus there should be little difficulty as to its meaning. As the Supreme Court said in the *Polish National Alliance, etc.* v. *National Labor Relations Board*, 322 U.S. 643, 648 (1944):

> Whether or not practices may be deemed by Congress to affect interstate commerce is not to be determined by confining judgment to the quantitative effect of the activities immediately before the board. Appropriate for judgment is the fact that the immediate situation is representative of many others throughout the country, the total incidence of which if left unchecked may well become far reaching in its harm to commerce.

Title VII would make it an unlawful employment practice, in industries affecting interstate commerce, for employers, employment agencies, or labor organizations covered by the act to discriminate on account of race, color, religion, sex, or national origin in connection with employment, referral for employment, membership in labor organizations, or participation in apprenticeship or other training programs.

The Equal Opportunity Employment Commission created by the bill would be empowered to receive and investigate charges of discrimination, and to attempt through conciliation and persuasion to resolve disputes involving such charges. The Commission will have no power to issue enforcement orders. Enforcement will be left to the courts. The experience of the State and local commissions indicates that much may be accomplished in achieving fair employment opportunities through the wise and imaginative exercise of persuasion, mediation and conciliation.

If efforts to secure voluntary compliance fail, the person complaining of discrimination may seek relief in a Federal district court. The Commission itself is not authorized to bring suit, although where a pattern of discrimination exists, the Attorney General is authorized to bring suit in behalf of the United States.

Ample provision has been made in title VII for the utilization of existing State fair employment laws and procedures to the maximum extent possible. Present State laws would remain in effect except to the extent that they conflict directly with Federal law. The bill creates the framework for broad Federal-State cooperation, and its intention is to permit maximum State jurisdiction in those States that are seriously attempting to solve this problem.

In order to enable employers, employment agencies, and labor organizations to bring their policies and procedures into line with the requirements of the title, and to avoid a multitude of claims arising while such adjustments are being made, the provisions prohibiting unlawful employment practices and providing relief therefrom are not to take effect until 1 year after the date of enactment of the title, and then will apply initially only to employers of 100 or more employees and labor organizations of 100 or more members. With respect to employers of 75 to 99 employees and labor organizations of 75 to 99 members, title VII would become applicable 2 years after enactment. With respect to employers of 50 to 74 employees and labor organizations of 50 to 74 members, 3 years after enactment, and with respect to employers of 25 to 49 employees and labor organizations of 25 to 49 members, 4 years after enactment.

Mr. President, some of the opposition to this title has been based upon its alleged vagueness, its failure to define just what is meant by discrimination and its lack of guidelines for those who will be called upon to administer its provisions and those who will be subject to them. I submit that, on either count, the opposition is not well taken. Discrimination in this bill means just what it means anywhere: a distinction in treatment given to different individuals because of their race, religion, or national origin. The term is used in a number of Federal statutes without definition—that is, Interstate Commerce Act—210 U.S.C. 316d—Federal Aviation Act—49 U.S.C. 1375b. And, as a practical matter, we all know what constitutes racial discrimination.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. MUSKIE. I am happy to yield.

Mr. ELLENDER. I wonder if the Senator could tell us why it is that, according to a table which I had printed in the RECORD some time ago, the total unemployment rate in the State of Maine was 6.5 percent, and the components of that percentage consisted of 6.4 percent of whites and 17.18 percent of Negroes or nonwhite? Why is that?

Mr. MUSKIE. I submit that there may be a number of reasons which obviously must occur to the Senator from Louisiana. In the first place, I wish to make clear that of a total population in Maine of one million people, less than 3,500 are Negroes. It is possible that such a small enclave of Negroes may be located in an area of the State that is particularly sensitive to unfortunate economic conditions. That I cannot say.

I know that there are Negroes in areas of the State that are particularly sensitive to economic conditions. So I suggest to the Senator that that is a partial answer to the question.

Without reviewing all of the economic possibilities, I suggest that it is also possible that the difference in the rates of employment to which the Senator referred result in part from discrimination in my own State, too.

Mr. ELLENDER. In other words, the Senator is telling us that Maine needs a law such as the one proposed.

Mr. MUSKIE. I think the entire country needs such a law.

Mr. ELLENDER. I cannot understand why the Southern States have a smaller percentage of nonwhite unemployment than the Northern States where FEPC laws are now in force. Apparently FEPC laws do not help the Negro get employment or they are not enforced.

Mr. MUSKIE. I suggest to the Senator that other factors must be examined if one really wishes a full answer to the question.

Mr. ELLENDER. The total rate of unemployment in Mississippi was 5.4 percent, 4½ percent of whom were whites and 7.1 percent nonwhites, which, as I see it, indicates that the South is probably doing a better job in that direction than is the North.

Mr. MUSKIE. If that is so—and I shall not concede that it is so on the basis of those statistics—the South is to be congratulated. Nevertheless, I refer again to statistics to which I referred earlier in my speech before the Senator arrived in the Chamber, which indicate that the national unemployment rate among Negroes is double that among whites. They clearly indicate, it seems to me, the existence of discrimination in employment practices.

Mr. ELLENDER. The unemployment rate among Negroes in Michigan is 16 percent, compared with 6 percent for whites. In Minnesota the unemployment rate for Negroes is 12.8 percent. I presume the statistics to which the Senator referred largely result from the unemployment of nonwhites in the North and not in the South.

Mr. MUSKIE. I am not happy about discrimination, whether it exists in Michigan, Maine, or Louisiana. I should like to see it eliminated everywhere.

Before we leave the subject of comparison between unemployment rates in the South and North, I want to make one observation. Poor, unskilled southern Negroes come out of a basically rural area where the possession of skills is not critical. They bring few skills with them to the more highly urban, industrialized, technical North. Naturally their rate of unemployment will skyrocket—there simply are less nontechnical jobs in the North.

This suggests that a first step toward lessening Negro unemployment is the expansion of educational opportunities. This bill—H.R. 7152—seeks to do just that. I have already pointed out that one of its most important titles—title IV—would guarantee the right of all students to enjoy the same level of education in public schools.

I agree with the Senator from Louisiana that no State or region can point the finger of self-righteousness at any other area. Rather we should seek to eradicate discrimination wherever it exists. We can help achieve this objective by supporting wholeheartedly the pending bill—a bill which attacks the problem on several fronts.

Returning again to the question of guidelines that are used in the fair employment title, this title provides a series of guidelines which give clear indication of the type of practice that will be considered unlawful. For example, section 703(a) says that:

> It shall be an unlawful employment practice for an employer:
>
> 1. To fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of: such individual's race, color, religion, sex, or national origin; or
>
> 2. To limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

I repeat.

> 1. To fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment. * * *

What more could be asked for in the way of guidelines, short of a complete itemization of every practice which could conceivably be a violation?

Section 703(c) declares that:

> It shall be an unlawful employment practice for a labor organization:
>
> 1. To exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin;
>
> 2. To limit, segregate, or classify its membership in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's race, color, religion, sex, or national origin; or
>
> 3. To cause or attempt to cause an employer to discriminate against an individual in violation of this section.

Section 703(d) says that:

> It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs to discriminate against any individual because of his race, color, religion, sex, or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.

In addition sections 703 (g) through (j) limit the term "unlawful employment practice" by spelling out a number of situations that could not be considered unlawful.

I submit that, read in their entirety, these provisions provide a clear and definitive indication of the type of practice which this title seeks to eliminate. Any serious doubts concerning its application would, it seems to me, stem at least partially from the predisposition of the person expressing such doubt. For my part, I believe this title to be reasonable in objective and method, and clearly and carefully drawn. It has my full support.

In the course of this debate I have heard this bill attacked on the ground that it violates the 10th amendment to the Constitution. In this view the powers conferred upon the Federal Government by this measure would infringe the powers "reserved to the States respectively." That interpretation is held by constitutional lawyers far more imposing than I. It is an interpretation, however, with which other constitutional lawyers do not agree, and with which I cannot agree.

First, it should be remembered that the 10th amendment covers more than the question of Federal and State powers. It should be read in its entirety. I quote:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The first 10 amendments to the Constitution form an arch of protection over individual citizens, to preserve for them their essential rights. The 10th amendment is the capstone of that arch, protecting the people against central tyranny. It was not intended to establish privileged enclaves in the several States behind which the rights of citizens could be violated with impunity.

The Bill of Rights was added to the Constitution because of the fear that the new Central Government, established to replace the less effective confederation, would be in a position to deprive individual citizens of rights considered to be theirs under natural law. The Articles of Confederation had contained no "bill of rights" because each State was to retain its "sovereignty, freedom, and independence." The States would be the repository of the protection of the rights of individuals.

At the time of the adoption of the new Federal Constitution, 8 of the 13 States had bills of rights. The drafters of the Constitution saw no need to specify protection to individuals under the Federal Constitution because, in the words of Rufus King, "The fundamental rights of individuals are secured by express provisions in the State constitutions."

Those rights were very precious to the Founders of the Nation, however. After their experience with the British Empire, they were not about to leave to chance or custom the protection of individual liberties. They wanted their guarantees writ large.

In the Northwest Ordinance of 1787, enacted under the Articles of Confederation, the first Federal "Bill of Rights" was adopted. The ordinance provided a compact between the States and the new territory; it established an orderly procedure for the States to be formed from the territory and to be admitted to the Union on a par with the original States. Under the Northwest Ordinance the "Bill of Rights" was treated as fundamental law, not subject to ordinary change as in the course of normal legislation.

Thus, in the first set of States created by the Confederation—later the United

States—there was a clear recognition that the whole Nation, including the separate States, had an obligation to protect the rights of the citizens.

Those who fought for the Bill of Rights made no distinction between the rights of the citizen at the State level and the Federal level. They wanted the individual protected from all tyranny. Jefferson wrote to Madison:

> A Bill of Rights is what the people are entitled to against every power on earth, general or particular.

Madison analyzed the arguments of those who opposed the Constitution without the Bill of Rights. He said:

> The people who opposed it disliked it because it did not contain effectual provisions against the encroachment on particular rights and those safeguards which they have long been accustomed to have interposed between them and the magistrate who exercises the sovereign power.

George Mason of Virginia, one of the leaders in the fight against ratification, was quite clear in wanting the same rights guaranteed under State and Federal constitutions. He said:

> There is no declaration of rights (in the proposed Constitution), and the laws of the general government being paramount to the laws and Constitution of the several States, the Declaration of Rights in the separate States are no security.

All of these efforts sprang from a deep sense of man's capacity to wrong his fellow man. As Rev. Mr. Allen of Pittsfield, Mass., wrote at the time:

> Every man by nature has the seeds of tyranny deeply implanted within him. Let it not be said by future posterity that in this great, this noble, this glorious Constitution we made no provision against tyranny among ourselves.

Tyranny and governmental wrong are not the exclusive province of the Central Government. They are not even found primarily at that level. The sins of commission and omission will be found in every level of government from the smallest hamlet to the mightiest cities and States, as well as in the great bulk of the Federal Government.

On those basic rights which we all hold as citizens of the United States there cannot be shades of difference according to our State of residence or the color of our skin or the country of our ancestors' origin. When, in the years following the Civil War, the Nation found that added protection was needed at the State level, it adopted the 14th and 15th amendments. I realize that for many years the Supreme Court narrowed the interpretation of those amendments, but I urge that my colleagues reread them, and reconsider them in the light of the original Bill of Rights and the determination of the Founding Fathers to insure the blessings of liberty to themselves and their posterity.

What does the 1st section of the 14th amendment say? It says that:

> 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. ELLENDER. Is the Senator aware of the reason why it was necessary to adopt the first part of the 14th amendment?

Mr. MUSKIE. I am interested in the Senator's reason.

Mr. ELLENDER. I stated it two or three times. I think it was in 1857 that the Dred Scott decision, with which I am sure the Senator is familiar, declared Negroes to be chattels and not citizens, that they could be sold the same as any other article that a farmer owned—land and other real property. Since the Negroes had no citizenship, it was necessary to adopt the first part of the 14th amendment.

Mr. MUSKIE. I agree with the Senator.

Mr. ELLENDER. The Senator knows that before the adoption of that amendment some legislation was submitted which really gave to the Negro what the Senator and I would term civil rights—this included civil or legal capacity to sue and be sued, to conclude contracts and do all things that any sui juris person could. This is the real meaning of civil rights. The pending bill does not concern civil rights, but social relations.

That is the right to own property, the right to inherit it, the right to sell it, the right to lease it, the right to do anything one desires to do with it, provided it is not against the local laws. But lately we have added to the civil rights structure all the various titles which are contained in the bill; and we dub them civil rights, when they are not.

I am sure that the State of Maine will not be affected by this bill if it becomes law because, as I pointed out earlier in my colloquy with the Senator from Pennsylvania [Mr. CLARK], the drafters have seen fit to exempt the Northern States from its operation.

Mr. MUSKIE. Does the Senator from Louisiana agree with the objectives of the 14th and 15th amendments?

Mr. ELLENDER. I do, most certainly.

Mr. MUSKIE. Then what we are talking about is means, not goals?

Mr. ELLENDER. No; we have a different interpretation. The latter part of the 14th amendment applies to whatever a State might do to deny a right, not what the individual would do. That has been the interpretation by the courts on many occasions.

Mr. MUSKIE. The language of the 14th amendment is quite clear on that subject.

Mr. ELLENDER. The Senator is correct. As to State action, yes; but not as to individual action.

Mr. MUSKIE. Mr. President, what does the 15th amendment provide? It reads:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Congress is given the power to enforce both articles by appropriate legislation.

I believe in the importance of strong State Government. I believe in diffusing the base of power as broadly as possible in a democracy. I believe that the States should assume maximum responsibility in the protection of the rights of their citizens.

But I do not believe that the Constitution of the United States was designed or intended to protect those who would block the doors of public educational institutions against the admission of qualified students because of race or color.

I do not believe the Constitution of the United States was designed or intended to protect those who would set different standards of qualifications for voters according to their race or color.

I do not believe that the Constitution of the United States was designed or intended to protect those who would deny equal protection of the laws to individual citizens because of race or color.

I do not believe that the Constitution of the United States was designed or intended to protect those who would discriminate against individuals in places of public accommodation because of race or color.

In words that will live as long as man cherishes freedom, the preamble to the Constitution declares that—

> We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution for the United States of America.

With these words our Founding Fathers formulated for us a standard by which our actions must be judged for all time. These men dreamed of creating a society which would provide its members with the basis for living their lives to the fullest. We now face a major challenge to this society to determine whether it is at long last ready to give to a significant segment the rights they were told were theirs 100 years ago.

If we are to make our Union more perfect, we must eliminate all obstacles to equal opportunity. If we are to establish justice, we must eradicate all injustices that deny men their dignity and human worth. If we are to insure domestic tranquillity, we must put an end to those practices which drive men into the streets in search of their rights. If we are to provide for the common defense, we must make all Americans proud to serve their country. If we are to promote the general welfare, we must make it possible for all Americans to gain the education and training necessary for them to find and obtain jobs utilizing their full potential.

And, finally, if we are to secure the blessings of liberty to ourselves and our posterity, we must take steps to guarantee the equality of all Americans, regardless of race, creed, or color.

Mr. JAVITS. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I am glad to yield to the Senator from New York.

Mr. JAVITS. I have heard parts of the magnificent address just delivered by the distinguished Senator from Maine. I wish to state to him that he echoes the thoughts and feelings of millions of American citizens in the way he has elucidated this vast subject with such deep, constitutional as well as moral concern. The Senator has emphasized constitutional guarantees and has underlined the fact that enactment of the pending civil rights bill would not, by any means, automatically assure maximum guarantees under the Constitution or the morality of the American people, but would represent only the minimum which the vast crisis which faces the country today calls for.

Other Senators will make counterparts of this speech shortly. We shall all be enlightened by and vastly assisted by the thoroughly informed, well-documented, and eloquent views which have just been expressed by the Senator from Maine.

Mr. MUSKIE. I thank my good friend the Senator from New York for his comments.

Mr. JAVITS. Mr. President, as the crucial showdown cloture vote approaches, it should be made clear that the package of amendments, which is now the basic Senate version of the bill, is already a compromise of a compromise and therefore must—at the very least—be passed as is. The bill which the House of Representatives passed on February 10, 1964 by more than a two-thirds majority was itself the result of compromise. The bill for which the Senate must now produce a two-thirds majority is a further compromise.

In a number of respects the bill as passed by the House could have been considerably stronger, matched against the 1960 platforms of both parties as well as against the package of bills introduced by Republican Senators in March 1963. It could have authorized the Attorney General to initiate suits to enforce the equal protection clause of the 14th amendment—as did the House-passed version of the 1957 Civil Rights Act—instead of only permitting him to intervene in already-commenced, privately brought suits. It could have extended the provisions of title I, relating to the right to vote, to State as well as Federal elections, which would have been consistent with the 1957 and 1960 Civil Rights Acts being amended by title I.

Similarly, even the new package of amendments submitted by the Senator from Illinois [Mr. DIRKSEN], could have been considerably stronger. Principally it cuts back on the Attorney General's enforcement powers in titles II—public accommodations—and VII—equal employment opportunity—by delaying Federal jurisdiction in each case until the States have been afforded a relatively full time for enforcement and even more importantly, by depriving the Equal Employment Opportunity Commission of power to bring suits to enforce title VII. It also limits the Attorney General, when he finally is authorized to bring enforcement suits, to obtaining relief only when he can prove a "pattern or practice" of resistance to desegregation. In one instance, title II, the courts may stay Federal enforcement indefinitely if they believe voluntary compliance may be achieved under State law.

But as legislators we must be realistic and pragmatic. The hurdle of a two-thirds cloture vote is too high for any other attitude. And in fairness it must be said that the House-passed bill, as proposed to be amended by the package substitute, is still an effective civil rights measure suited to the national needs. In some few respects the package would even strengthen the bill. In this category I would list the extension of the three-judge court provisions from title I to titles II and VII as well, and the elimination of the "atheist" provision from title VII.

In one respect, however, I believe the bill could be strengthened without raising any new and controversial issues. As one of the captains of the bill on the Republican side, I should not seek to raise any new or controversial issues. This is in the area of the administration of justice, in which two statutes are presently on the books but are largely ineffective. I am now submitting two amendments which would carry out the recommendations of the U.S. Commission on Civil Rights on making effective these now virtually crippled remedies, one criminal and the other civil.

JAVITS AMENDMENT NO. 1 TO TITLE IX

This amendment would add a new section 903 to title IX designed to make meaningful the now virtually useless, existing criminal civil rights statute. Section 242 of title 18, United States Code, makes it a Federal crime for a governmental officer willfully to deprive any person of any right secured by the Constitution and laws of the United States because of race or color.

In *Screws* v. *United States,* 325 U.S. 91 (1945), the Supreme Court interpreted "willfully" as requiring proof of specific intent to deprive the victim of a constitutional right. The U.S. Commission on Civil Rights has recommended that this onerous requirement be alleviated by amending section 242 to make the penalties of the statute applicable to those who maliciously perform, under color of law, certain described acts. The proposed amendment would add a new subsection to section 242 specifying the six described acts in accordance with the Commission's recommendation. These include:

First, subjecting any person to physical injury for an unlawful purpose;

Second, subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody;

Third, subjecting any person to violence or maliciously subjecting such person to unlawful restraint in the course of eliciting a confession to a crime or any other information;

Fourth, subjecting any person to violence or unlawful restraint for the purpose of obtaining anything of value;

Fifth, refusing to provide protection to any person from unlawful violence at the hands of private persons, knowing that such violence was planned or was then taking place; or

Sixth, aiding or assisting private persons in any way to carry out acts of unlawful violence.

JAVITS AMENDMENT NO. 2 TO TITLE IX

The second amendment would add a new section 904 to title IX designed to make meaningful the now little-used existing civil remedy for unlawful official violence. Section 1983 of title 42, United States Code, allows suits by the victims of police brutality against officers for monetary damages. The U.S. Commission on Civil Rights has found that few suits are filed and that successful suits are rare. One reason for this, the Commission found, is that, even if such a suit is successful, few police officers are able to satisfy a substantial money judgment. The amendment would add a new subsection to section 1983 which would, in accordance with the Commission's recommendation, render counties, cities, and other local governmental entities liable for the misconduct of their policemen.

The need for such strengthened law was all too vividly demonstrated by the news of the arrest last Friday of 2 men representing the National Council of Churches and 50 Negroes during a voter registration demonstration in Canton, Miss. Two other ministers said that they had been pushed roughly with rifle butts by officers and arrested along with the demonstrators although they were only standing on the street as observers. The latter 2 were released 2 hours later without charges, but the remaining 52 have been held since then without being allowed legal counsel.

Under the amendments I am now submitting, as I stated I would when I first addressed myself at some length on the bill, the existing Federal criminal statute would be made clearly enforcible against local law enforcement officers who flagrantly deny the basic elements of due process of law under the Constitution, and the municipality would be made liable in damages, just like any employer, for the illegal act of its officers.

I shall speak at considerable length on the bill tomorrow. Therefore, I shall save my remarks on the bill, and its purport, and on what is going on in the country related to it, until then.

THE CONTRIBUTION BEING MADE BY THE PRIVATE SECTOR TO THE ALLIANCE FOR PROGRESS

Mr. JAVITS. Mr. President, the May 11 issue of the Alliance for Progress Weekly Newsletter devoted considerable attention to the contributions being made by private U.S. foundations to the Alliance for Progress, particularly in the fields of health, education, and agriculture.

I believe this brief summary of their work merits the attention of the Senate and I therefore ask unanimous consent that the first two pages of the newsletter which deals with this subject be printed in the RECORD at the conclusion of my remarks.

There being no objection, the newsletter was ordered to be printed in the RECORD, as follows:

Under the Alliance's $100 billion, 10-year development program, about $8 billion is to come from international agencies such as the

World Bank, the Inter-American Development Bank, the U.N. Special Fund, and private, philanthropic foundations.

Today, in dozens of projects throughout the hemisphere, private U.S. foundations are making a marked contribution to the Alliance, particularly in health, education, and agriculture.

In 1963, for example, Latin American institutions, scholars, and scientists received more than 40 percent of the $37.1 million allocated to projects outside the United States by the Rockefeller Foundation. Since 1959, the Ford Foundation has committed more than $35 million to South America and the Caribbean area.

Agriculture is an area of major interest to the foundations. Last year, for example, Rockefeller granted almost $600,000 for agricultural programs in Mexico, Colombia, and Chile. More than 30 senior foundation scientists are now based in these three nations, cooperating with local governments in research, training of personnel, and the improvement of extension services.

Ford Foundation is supporting agricultural development in Argentina, Brazil, the Dominican Republic, Mexico, and Peru. Typical is a recent Ford grant of $510,000 to the State of Minas Gerais, Brazil, to help establish a new agricultural economics and statistics unit.

A Kellogg Foundation grant helped the Inter-American Institute of Agricultural Sciences, an OAS agency, to prepare Spanish and Portuguese textbooks for Latin American schools of agriculture. Kellogg also provided purebred stock for teaching animal husbandry at the University of Colombia.

In the agricultural field, Rockefeller Foundation works to encourage international collaboration among scientists. The foundation in 1962 granted $33,000 over a 4-year period to help establish the Latin American Association of Plant Science at Costa Rica. A new $25,000 grant will help underwrite the association's 1964 meeting this month in Lima. A $75,000 Rockefeller grant, available over 5 years, is helping to establish the Pan American Federation of Associations of Medical Schools.

Health is the area of prime concern to the Kellogg Foundation. Of the $8.7 million the foundation has spent on Latin American development since 1941, all but $1.3 million was used for medical programs. The largest single grant ever made by the foundation, $5 million, is being used to construct the new Pan American Health Organization headquarters building in Washington, D.C. In effect, the grant is a loan. It is to be matched over 20 years by member-government contributions to a special PAHO fund to improve the health of Latin Americans.

University development is another field receiving major support from the foundations. Ford, for example, recently made grants of $240,000 for the organization of a private science university in Argentina and $388,500 to develop library and printing facilities at the University of Brasilia.

New Rockefeller grants to Universidad del Valle of Colombia are being used toward salaries of teachers; visiting appointments in the Department of Biology; equipment, books and films for a proposed physics-mathematics course; and teaching materials for the faculty of architecture. Ford also recently made sizable grants to Universidad del Valle—$486,400 to help reorganize the Faculty of Engineering and $112,000 for the Faculty of Education. Kellogg has helped finance nutritional research and education at the Colombian university with Harvard and the Rockefeller Foundation participating.

These projects illustrate how the foundations cooperate, particularly in university development. Together, Rockefeller and Ford will contribute about $4 million to a major agricultural sciences complex planned by the Mexican Government, near Mexico City at Chapingo. Rockefeller is granting $1 million to help establish an International Maize and Wheat Improvement Center. A second Rockefeller grant, for $1.3 million, will further develop the National Institute of Agricultural Research and the Postgraduate College of the National School of Agriculture. Ford will provide $1,659,000 to help plan and build a new campus at Chapingo, and for fellowships, equipment and services of agricultural consultants. Another school where Ford and Rockefeller have joined forces is Lima's Universidad Agraria.

This kind of teamwork, says a Kellogg report, illustrates the Foundation's belief that "synergism" works in many fields. Synergism, a law in chemistry, implies that the whole is more than the sum of its parts. Says Kellogg President Emory W. Morris: "This is particularly true in the field of social action where group activity generally yields results greater than could be accomplished autonomously. * * * Certainly this has been true in Latin America, for from the collaboration of philanthropic and governmental efforts have come real gains * * *."

The foundations also provide considerable funds for fellowships and scholarships, mostly for study in the United States. Rockefeller is particularly active in this area. In the fourth quarter of last year, for example, Rockefeller made four grants in Peru alone to permit professors and university officials to attend meetings and visit facilities in the United States and Brazil. Kellogg each year provides fellowships for physicians, dentists, hospital administrators and nurses. The fellowships, for 1 or 2 years, are for advanced study at U.S. institutions.

The aim of all fellowship programs is the so-called multiplier effect. Kellogg cites the example of a young professor of physiology who sparked the reorganization of the medical school of the University of El Salvador after returning from advanced training in the United States on a foundation fellowship.

Many foundations—including Rockefeller, Ford, and Carnegie—use the services of the Institute of International Education in arranging and administering travel grants and fellowships for Latin Americans in the United States. A nonprofit foundation, the Institute also administers grants and scholarships for U.S. companies, like Creole Petroleum, which sponsor such programs in Latin America. With the help of the Danforth Foundation, the Institute has established a field office in Lima and advisory services in eight other Latin American nations. These offices provide information for Latin American teachers and students seeking grants to study in the United States.

GATT AND NONTARIFF BARRIERS TO TRADE

Mr. JAVITS. Mr. President, I want to call the attention of the Senate to an article which appeared in the Wall Street Journal of June 2 on the subject of nontariff barriers to trade. The article carries the rather disturbing report that negotiations on this most crucial aspect of trade liberalization will receive little emphasis at this phase of the GATT trade negotiations for fear that the negotiations will be sidetracked from bargaining over tariffs.

It would be an error of the first magnitude if the removal of nontariff barriers would be relegated to secondary importance. As the article points out quite clearly such barriers could very well undercut whatever is accomplished in the field of the reduction of tariffs. That such obstacles to trade hurt our exports is without doubt.

The article from this morning's Wall Street Journal offers a great deal of evidence to that effect. Such methods as import licenses and quotas, Government procurement practices, protection of the markets of Government monopolies, various administrative regulations, certain valuation methods, marking and packaging requirements, national taxes—that is, the French system of taxing automobiles according to their horsepower rating which make the sale of U.S. cars in France practically impossible—restrictions on advertising and health regulations are major impediments to trade expansion. They are practiced by us as well as many industrialized countries of GATT. They ought to be removed during the current round of trade negotiations. Should we fail to do so the Kennedy round of trade negotiations will serve the cause of expanding U.S. exports little or not at all.

There is broad agreement among major U.S. national organizations concerned with the growth of international trade that there should be concerted efforts made at the GATT negotiations to eliminate those nontariff barriers which inhibit the freer flow of trade. Such was the position taken by the 50th National Foreign Trade Convention in November 1963. In a statement issued by the highly respected Committee for Economic Development today the Committee declared:

> We cannot expect to receive the full benefits of the trade expansion potential of tariff reduction unless we are able also to eliminate, or at least greatly reduce, actual or potential nontariff trade barriers.

The committee recommended:

> In the forthcoming trade negotiations the elimination of trade suppressing devices in violation of GATT rules should be regarded as a necessary part of any agreement upon general trade liberalization. This should be possible quickly, upon identification of the practices as illegal.
>
> There should be agreement to restrict generally accepted restraints upon trade to their rightful uses. We have in mind such restraints as quotas imposed to bring balance-of-payments difficulties under control, antidumping penalties and escape clauses.
>
> It seems to us that most nontariff barrier problems could be solved by the time participants in the negotiations are ready to sign agreements upon tariff reduction. A few exceptionally complex and difficult cases of nontariff protectionism would remain, and it should be agreed that work would continue until these problems are solved.

To ferret out information regarding nontariff barriers and their effects on trade the Committee for Economic Development suggests the formation of task force committees of businessmen of the countries concerned. It calls for the development of general standards and codification of regulations governing labeling, classification of goods, health and safety to eliminate most of the trade distorting effects of these regulations. It also calls for an international agreement on a code for the technical regulation of trade and for a common definition of dumping and the working out of a method of applying that definition. The committee recommends that the convention thus arrived at should then be the basis for an international agreement imposing obligations on exporting nations to halt dumping when an impartial international body has determined that dumping is taking place.

The constructive and imaginative approach taken by the committee is in clear contrast to the alleged attitude of the negotiators concerned with nontariff barriers in Geneva. I am in substantial agreement with the approach suggested by the committee. My own position stated on repeated occasions in the past is that much of the difficulty in dealing with the complications involved in negotiating on a wide variety of nontariff barriers involving many countries could be overcome by approaching them through international agreements negotiated either country by country or according to type. I strongly urge those in our own Government concerned with trade negotiations to give this approach their most careful consideration.

I ask unanimous consent to have printed in the RECORD an article from the Wall Street Journal of June 2, entitled "Free Trade Hurdles," a summary of the committee's recommendations and excerpts dealing with the nontariff barriers problem from the newly published statement of the Committee for Economic Development, entitled "Trade Negotiations for a Better Free World Economy."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FREE TRADE HURDLES—MULTITUDE OF NONTARIFF OBSTACLES TO IMPORTS TROUBLES GATT TALKS—FRANCE REJECTS UNSANITARY U.S. PORK; EUROPE FUMES AT BUY AMERICAN POLICIES—UNDERCUTTING GENEVA GAINS?

(By Dan Cordtz)

GENEVA.—Bargainers from 40 nations, meeting here in the biggest world trade talks ever, have high hopes of agreeing eventually to cut tariffs on many goods up to 50 percent. But they're uncomfortably aware that any such move will give greater prominence than ever to such trade problems as these:

France last year kept large quantities of American pork out of the country without raising tariffs. It rejected the meat as unsanitary because it had not been inspected for trichina worms—even though these parasites are easily killed by proper cooking.

American customs inspectors dutifully assess tariffs on many foreign chemicals, knitted gloves and rubber footwear as a percentage of their value. But they calculate that value as the price of an equivalent U.S.-made article—which often is much higher than the actual price of the import. The result, Europeans complain bitterly, is to make nonsense of the posted tariff rates.

THIRTY DAYS TO PAY

Italy last month decreed that importers of durable goods must pay for these goods 30 days after they arrive. But auto dealers, who have been importing cars in large numbers, demand they be given 90 days to pay—as the Italian Government well knew when it issued the decree. So exporters fear their sales of cars to Italy will plummet, whatever happens to the tariff on those cars.

These cases are not at all unique. They're important, but typical, examples of the myriad nontariff barriers to international commerce that exporters face all over the world. And as long as such obstacles exist, they will offer great opportunities and temptations for protectionists to undercut whatever we accomplish here in the way of tariff cuts, warns one European negotiator at Geneva. His American colleagues mostly agree.

But "we don't dare let ourselves get sidetracked from the tariff bargaining to try to do too much about nontariff problems now," says one Geneva bargainer. So the negotiators, who are meeting under the auspices of the General Agreement on Tariffs and Trade, plan to begin taking up nontariff barriers in midmonth—but only gingerly. They'll concentrate on a handful of nontariff barriers that seem especially offensive to one country or another, or that seem susceptible to relatively quick leveling.

HARD TO HANDLE

Unfortunately for the negotiators, there are many practices qualifying for consideration under the first heading, very few under the second. And the very multiplicity of these barriers, plus the way they vary sharply from country to country, makes them hard to handle in the roundtable fashion of the GATT talks anyway.

"You almost have to handle them on a bilateral basis," says one American here. "It takes an awful lot of haggling and horse trading, and is sure to take an awful lot of time. Still, we know the job (of freeing world trade) won't really be done until we do something about them."

Others agree. For these barriers are so numerous that their impact on world trade, while difficult to measure, clearly is great.

Trade experts say no country is without such barriers, and many erect them against a great number of products. Japan, for example, requires import licenses for 154 separate manufactured products, and even free-trading West Germany requires them for 64 items.

To view the problem from a different angle, imports of cotton textiles are currently subject to some form of nontariff barrier in at least 13 countries—Austria, Belgium, Denmark, Finland, France, Germany, Italy, Luxembourg, the Netherlands, New Zealand, Norway, the United Kingdom, and the United States.

FARM-GOODS BARRIERS

And a study by the United Nations Food and Agricultural Organization concluded that nearly all agricultural products and raw materials, which account for half the world's $150 billion annual international trade, are hampered by some type of nontariff barrier. Removal of only a few of these, it suggested, could affect 80 percent of the exports of underdeveloped nations, and possibly boost their annual aggregate trade earnings by $1 billion.

Even worse, as free traders see it, some barriers, such as import quotas, cut trade more effectively than the highest tariff. Nontariff barriers in developed countries, in fact, tend to be a more serious impediment to exports of manufactures from developing countries than do tariff barriers, says a report submitted to the U.N. Conference on Trade and Development here. While a moderate tariff wall can be scaled by an increase in efficiency, many of the nontariff barriers cannot be surmounted at all.

Hard as the problem is, however, it's being tackled from several directions. In addition to the GATT talks, the Organization for Economic Cooperation and Development is beginning talks this week in Paris on one of the more important barriers, the antidumping laws in effect in several countries, prominently including the United States.

OECD, GATT, and U.N. agencies also have taken an important preliminary step in compiling and classifying the most important types of nontariff barriers. Their studies have yielded a generally accepted definition of such barriers as any law, regulation, policy, or practice of public authorities, other than import duties, which has a restrictive effect on imports.

While that covers a lot of ground, the studies have broken the nontariff barriers down into four main categories: foreign trade policies, administrative practices, internal economic policies, and internal health and safety regulations.

The most obvious foreign trade policy barriers are import licenses and quotas, which usually are designed originally to conserve a country's foreign exchange. Their use as a protectionist device has been declining, but Italy's action in granting auto import licenses only to dealers who will pay within 30 days shows they still have teeth. Some British officials have commented approvingly on Italy's move, though it's far from certain they'll follow it.

A foreign trade policy that irritates Europeans far more is the buy American policy of the United States. Under this, the U.S. Government purchases foreign civilian goods only when the price of a competing American product is more than 6 percent higher. If the American product happens to be made in a depressed area, it can be 12 percent more expensive. And defense items can be as much as 50 percent more costly.

BUY EUROPEAN POLICIES

"OK, it's discriminatory," replies an American here. "But we get tired of any implication we're alone in this; most of the European countries accomplish even more discrimination but keep it hidden. Either they don't use open bids at all, or they allow local manufacturers to meet a foreign price—but not vice versa. The proof is that few American companies even bother to try to sell to European governments."

U.S. "antidumping" rules are another pet target of Europeans in the policy area. They apply to products which an American accuses a foreign competitor of selling below "fair value"—usually meaning he's selling it at a lower price in the United States than in his home country. If the American can prove his case to the Treasury Department, and prove to the Tariff Commission, that he's being hurt, the Commission can levy an extra tariff against the goods.

Recent U.S. dumping decisions have gone in favor of importers; American steel mills have lost a whole series of dumping complaints against foreign competitors. But Europeans aren't mollified. "The legal procedures involved in (fighting) antidumping charges are more of a deterrent to trade than actual action against imports in the few cases where the charges have been substantiated," says one.

COMPETING WITH GOVERNMENT

Another policy barrier—the protection of imports that might compete with manufacturers of a government agency—is a major obstacle to Western trade with the Communist world. But it's also not unknown within the West. Tobacco manufacture and sale are state monopolies in Austria, France, Italy, and Japan; a foreign cigarette maker has to get the state agency to sell his brand in competition with its own, and this isn't easy.

In the administrative practices category, classification and valuation of goods for customs purposes cause the most trouble. European countries in the past decade have formed the Customs Cooperation Council, which has worked out a standard classification procedure known as the Brussels nomenclature. But they complain the United States and Canada, alone in the Western World, don't follow it. They add that the American classification system often is arbitrary, if not discriminatory, in reaching decisions as to which tariff should apply to a given product.

As for a valuation, Europeans have two complaints against the United States. First, while European tariffs mostly are levied as a simple percentage of a product's price, the United States maintains many specific duties applied to a product's volume or weight. Europeans complain these hit hardest at lower priced goods, and discourage a would-be seller to the United States, who has managed to lower his price by increased efficiency or a technological breakthrough. The price cut doesn't reduce the specific tariff; in fact the specific duty becomes a higher percentage of the product's price.

WHAT'S THE VALUE?

Also, Europeans say, even when American duties are figured as a percentage of a product's wholesale value, determining that value is often left to the judgment of the customs appraiser. Frequently, they charge, the value the appraiser assigns bears little relation to the true value, even when there is not a deliberate discriminatory policy, as they say there is on chemicals, knitted gloves, and rubber footwear.

Americans have some countercomplaints on this subject. They note that, while American "ad valorem" tariffs are figured as a percentage of a product's price, European tariffs are figured as a percentage of the "c.i.f." value—which includes insurance, transportation, and other costs added on to the price as such. This, they say, makes many European tariffs that look to be equal to U.S. duties about 10 percent to 15 percent higher in practice, and sometimes as much as 40 percent higher. Some American negotiators imply that, if and when tariffs are reduced in the GATT bargaining, they'll ask for extra cuts in the European tariffs involved in these cases to compensate for the difference.

Less important, but still troublesome, administrative practices hindering trade include marking and packaging requirements—which are by no means restricted to the United States. "These are the nuisances that often prompt a potential exporter to pass up a market he could develop," according to a U.N. expert.

SALES TAX TROUBLES

In the field of "internal economic policies," trade officials worry most about such things as local or national taxes, collected separately from import duties and designed principally to raise revenue, but hitting hardest at imported products. The most glaring example is the almost universal European practice of levying heavy sales taxes on tropical beverages—coffee, tea, and cocoa.

West Germany charges import duties of only 4 percent on tea, for instance, but adds a whopping sales tax of 21 percent of the retail price. Norway collects 40 percent of the retail price of cocoa, and the average sales tax on coffee for all six members of the European Common Market is 27 percent.

Equally well known is the French system of taxing automobiles according to their horsepower rating—which effectively excludes American cars with their high-powered engines; this is generally regarded as an outright protectionist device. Also in this category are taxes applied to imports to compensate for indirect taxes borne by comparable domestic goods. These are common in Europe, but amount to less than 5 percent ordinarily. In France, however, they average as much as 20 percent.

Other internal economic barriers include national price policies and controls, and restrictions on advertising. Both West Germany and France, for example, forbid the sort of ad comparisons with competing products which American firms frequently employ.

HEALTH RULES

Last, but often highly important, are the regulations originally aimed at preserving health—such as American restrictions on the importation of cattle from areas which have had hoof and mouth disease trouble. Foreigners assert that such prohibition often are kept on years after all danger has disappeared, and go to ridiculous lengths. American cars that have been driven in Europe, for example, must be completely steam-cleaned underneath to wash away or kill any insects or weed seeds which might be lodged on the chassis.

Here, too, however, the United States is not the only offender—as the French prohibition of unsanitary American pork suggests. And, while health and safety rules apply mostly to food products, France and Italy subject machinery and other mechanical equipment to detailed safety regulations which many exporters regard as unnecessary.

"Many of these rules and policies started out with no aim whatever of cutting down imports," remarks a negotiator here. "In many cases, that's still not the point. But the effect is the same, and the fact many domestic producers benefit from them make it all the harder to get rid of them. If they ever become the last protectionist bastion, it will be a formidable one."

A SUMMARY OF OUR RECOMMENDATIONS

Our principal recommendation is that the United States should seek in free world trade negotiations to obtain tariff reductions from its trade partners, in return for reciprocal U.S. concessions, coming as close as possible to cutting free world tariffs by 50 percent, across the board.

Exceptions from this rule should be as few and as small as possible, and should be limited to: cases of severe hardship to particular industries expected to result from tariff reduction, disparities in tariff rates that are a source of serious trade distortion, and threats to production essential to national defense.

Nontariff, as well as tariff, barriers to trade should be eliminated, or very greatly reduced, as a necessary part of any agreement upon the general liberalization of trade.

The United States and other exporters of agricultural goods should use every possible inducement in the trade negotiations to secure competitive access to the share of the European Economic Community's market for farm goods that they have enjoyed.

Tariff reduction should be reciprocal among nations. A reasonable definition of reciprocity is that all major trading countries should make the same percentage reduction of their average tariffs.

Tariff reduction should be staged over at least five equal annual installments, or longer where more time is needed to avoid undue hardship to an industry.

The committee renews its earlier recommendation that the United States should reduce its support prices on wheat, cotton, rice, feed grains, and related products to world market price levels.[1] This would permit liberalization of U.S. quotas on the importation of farm goods. Agricultural tariffs, like other tariffs, should be cut 50 percent, across the board.

If it should develop that any major trading unit of the free world should be unable or unwilling to undertake trade liberalization that is substantially equal to what is generally desired, the other free world nations should consider how they could nevertheless obtain the benefits of liberalized and expanded trade.

The United States, the European Economic Community (EEC) and other industrial nations should extend to the underdeveloped countries of the free world, on a most-favored-nation basis, the tariff reductions they make among themselves without requiring, at this time, full reciprocity. This exception from the rule of reciprocity should be regarded as temporary, and should be under continual review in the General Agreement on Tariffs and Trade (GATT). The underdeveloped countries should agree to reduce their average tariffs as soon as their balance-of-payments position permits.

The economically better developed countries should reduce their tariffs on tropical products to zero. United States quotas on lead, zinc, and petroleum, and the U.S. tariff on copper, should be gradually eliminated.

RECOMMENDATIONS FOR DEALING WITH THE PROTECTIVE EFFECTS OF NONTARIFF BARRIERS TO TRADE

Beyond tariffs lies a second field of restraints upon trade, generally lumped together as "nontariff barriers to trade."

Two features have made this type of impediment to the international exchange of goods and services particularly hard to deal with, and account for the fact that up to now there has been too little progress toward eliminating them:

1. The nontariff barriers to trade derive from a large number of national laws, procedures, regulations, and the like, of almost unlimited variety and of expandable scope.

2. Many of the laws or other provisions from which the nontariff restraints upon trade result are, in themselves, necessary and desirable.

No one knows to what extent nontariff regulations affecting trade impede trade. Estimates of their protective effects range from very large to quite small. The total effect, however, does not measure their importance in trade. Even where the total effect is small, the effect upon particular industries may be large. Further, the effect of nontariff protectionism runs beyond the actual protection afforded, because the existence of such impediments tends to create uncertainty that inhibits trade expansion.

A producer considering whether to try to expand his sales in a foreign market can calculate the effects of tariffs, which change infrequently and with forewarning. Such calculations, however, may be upset by the workings of a tax favoring domestic over foreign goods, the use of customs evaluation in ways that increase duties, or slowness or uncertainty in customs classification. Such secondary protectionism can be put in place rapidly and without the international agreement required for tariff changes. Once in place, many devices of an administrative character can be varied as much and as often as needed to obtain any desired degree of domestic preference. Even where there is no deliberate intent to use nontariff regulations affecting trade to protect domestic production, mere complexity, or such matters as classification difficulties arising from language differences, or poor administration, can result in obstacles to trade.

We cannot expect to receive the full benefits of the trade expansion potential of tariff reduction unless we are able also to eliminate, or at least greatly reduce, actual or potential nontariff trade barriers. Also, to the extent that tariffs are lowered, the effects of nontariff protection become more important. If we are now to reduce the role of tariffs from a major to a minor influence upon free world trade, it becomes urgent to bring under control the secondary protection afforded by nontariff barriers.

The principal nontariff barriers to trade include:

1. Protective devices generally accepted for use in accomplishing ends other than protection, but which may be misused for protectionist purposes:

Import restraints imposed to correct balance-of-payments deficits.

Measures intended to shelter production essential to national security.

Escape clauses intended to avoid undue hardships to particular industries in the course of trade liberalization.

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[1] See An Adaptive Program for Agriculture, a statement on National Policy by the Research and Policy Committee of CED—Committee for Economic Development—New York, 1962.

Laws or other means giving preference to national sources of supply for official purchases or purchases officially financed.

Antidumping measures, intended to protect markets against the dumping of foreign goods at less than fair prices.

Voluntary quota arrangements, by which foreign producers agree to limit their exports to less than they could export under competitive conditions.

2. Measures not directly intended to be protective, but which, in use, come to be protectionist:

Labeling regulations.

Scientific and sanitary, and other health and safety regulations.

Regulations for the administration of tariffs, including classification procedures.

3. Directly protective devices that are in violation of GATT rules, or do not have general acceptance in the international legal framework, such as:

Quotas and other quantitative restraints imposed for other than balance-of-payments or defense reasons.

Taxes discriminating among domestic and foreign goods.

Discriminatory freight rates.

Customs valuations not reflecting actual costs.

The misuse of the first two categories above accounts for a very large part, perhaps the large majority, of the problem of nontariff restraints upon trade. Measures falling in these categories cannot be eliminated, but their illegitimate use can be prevented, or at least reduced. The third category consists of survivals that have no place in a free world economy accepting competition as a necessity of economic health.

We recommend that in the forthcoming trade negotiations the elimination of trade suppressing devices in violation of GATT rules should be regarded as a necessary part of any agreement upon general trade liberalization. This should be possible quickly, upon identification of the practices as illegal.

There should be agreement to restrict generally accepted restraints upon trade to their rightful uses. We have in mind such restraints as quotas imposed to bring balance-of-payments difficulties under control, antidumping penalties, and escape clauses.

It seems to us that most nontariff trade barrier problems could be solved by the time participants in the negotiations are ready to sign agreements upon tariff reduction. A few exceptionally complex and difficult cases of nontariff protectionism would remain, and it should be agreed that work would continue until these problems are solved.

There is a general lack of precise information about the number, location, size, and effects upon trade of nontariff impediments. There is such an actual, or potential, diversity of nontariff barriers, and their workings are so closely bound up with the day-to-day operations of commerce, that businessmen engaged in the affected trade are the principal source of expert knowledge. We suggest, therefore, that the search for ways to eliminate the trade distorting effects of nontariff barriers be made by task force committees with members from the business communities of the countries concerned.

These committees should correspond to the various types of problems involved:

1. Committees dealing with nontariff trade distortion as it arises in particular industries, or in a particular commodity trade.

2. Committees dealing with nontariff trade problems that cut across industry and commodity lines, such as antidumping laws, escape clauses, buy-national and buy-local regulations, customs valuation procedures, and the like.

The objective of these committees should be to seek ways to eliminate secondary protectionism, while preserving necessary safeguards to national defense, monetary reserves, orderly trade, health, safety, and other essential matters.

We believe that solutions to the problems of nontariff protectionism are to be found in the development beyond their present usage of the following three main types of policies, all of which would substitute adaptation to trade expansion for obstruction of trade expansion.

1. Dealing with protectionism arising from labeling, classification, and other technical regulations.

There is a vast and unorganized mass of regulations at national frontiers concerning labeling, contents description, classification of goods, scientific and technical description, veterinary inspection, and like provisions aimed at imposing health, safety, and other safeguards upon international commerce.

The secondary protectionism which these regulations create—intended and unintended—arises chiefly from a lack of internationally accepted codification and internationally accepted standards as to what such regulations should seek to do, and how they should seek to do it.

Codification and development of general standards, including development of generally accepted language in the many cases where language uncertainty is an obstacle, we think, eliminate most of the trade distorting effects of these regulations.

International agreement upon a code for the technical regulation of trade, and standards for such regulations, would also serve to make the regulations more effective in achieving their own ends.

2. Dealing with hardships arising from the expansion of international trade due to reduction of tariffs.[1]

What is chiefly necessary here is an alternative to the obstruction of trade expansion in the form of escape clauses and like devices.

In the Trade Expansion Act and in the Rome Treaty that created the European Economic Community, there is an important departure from the idea that if tariff reductions cause hardship to a firm, the response should be to renege upon the tariff cut.

Both the Common Market treaty and the U.S. Trade Expansion Act reserve the right to raise tariffs that have been lowered, if it can be shown that foreign competition resulting from reduced protectionism is inflicting serious injury upon producers. However, both laws attempt to avoid re-elevation of protection by seeking, instead, to eliminate complaints against increased imports by programs of adjustment assistance for injured capital and labor. The U.S. law also provides that (a) before tariffs are raised by escape-clause action the President is authorized to seek a more desirable solution through consultation with the country whose exports are inflicting the damage, (b) that if tariffs are re-elevated it should be for a limited time only, and (c) that the action should be subject to annual review.

We think these leads should be followed up and expanded vigorously, as the right approach not only to hardship cases, but also to the elimination of other types of obstructive response to trade liberalization. Ways should be sought in general to defer, limit, and if at all possible make unnecessary the use of nontariff increases in protection as the response to tariff reduction or other trade liberalization. This would include the elimination of buy-national or buy-local regulations, and of such devices as discriminatory taxation.

3. Dealing with problems arising from trade abuses, such as dumping, and antidumping laws.

We suggest that there should be vigorous use of the arts of consultation, confrontation, factfinding, discussion, and negotiation where there are complaints of trade abuses. We have in mind here specifically an alternative to the use of compensatory tariffs in cases where there is a finding of trade dumping.

Antidumping policy should seek to halt dumping, in place of trying to punish parties to dumping, subject to rules established in the GATT. A commonly accepted definition of what constitutes dumping, and a method of applying the definition, should be worked out. This convention should be the basis for an international agreement imposing obligations on exporting nations to halt dumping when an impartial international body has determined that dumping is taking place. The agreement should provide for halting dumping in third markets as well as in the home markets of competing producers.

General use of the methods we have suggested above to replace obstructive approaches to trade expansion with policies encouraging adaptation, should yield a double reward. We would gain—and make further expansion of trade easier—by an increase in our skills in free world economic cooperation, and in the general willingness to cooperate. There would be a second major gain: an increase of confidence in our ability to solve difficult problems of trade expansion by cooperative methods.

As the protection afforded free world trade declines generally and substantially over the coming years, we will increasingly need greater cooperative skills, growing willingness to use them, and growing confidence that we can without undue risk entrust ourselves to the process of cooperation in overcoming the problems raised by the expansion of trade competition.

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[1] We are concerned here with hardship claims made on the basis of tariff reductions already in force. Our recommendations in Part A concerned the handling of requests that tariff cuts should not be made because of expectations that they would cause hardship.

INDUSTRY IN WYOMING

Mr. McGEE. Mr. President, the State of Wyoming, which I am privileged in part to represent, is blessed by nature, not only with some of America's most magnificent scenery, but with opportunity. I speak of opportunity for people and for industry.

I have prepared a brochure which tells of the benefits Wyoming has to offer to business and to individuals. The State's endowments include an abundance of natural resources, plentiful energy, a healthful climate, and atmosphere, and an alert, schooled citizenry. These points all are covered in the brochure, "Industry in Wyoming—Today and Tomorrow."

Wyoming's scenery and its "Old West" flavor are like topping on the cake. We do not wish to underemphasize them. But they are not all we have to offer. Wyoming, a State in transition, has a future well founded on a wealth of resources. Petroleum and natural gas, for instance, are produced in all but 2 of the 23 counties. More than 40,000 square miles are underlaid with coal. Many other mineral deposits, such as vital supplies of uranium, abound, along with timber and the grasses which support cattle and sheep raising industries of importance to all Americans.

Manufacturing is on the upswing in our State, where goods ranging from cement to airplanes and jewelry to motor fuel are turned out.

Wyoming offers a very favorable climate for business. It has no personal income tax, no corporate income tax, no gross receipts tax, no excise tax, no severance tax, no tax on intangibles, and low State property taxes. There is no State general bonded debt. There are 2 percent sales and use taxes, along with favorable corporation and inheritance taxes.

These facts are well stated by Pacific Power and Light Co., which has set them forth on a sticker to be applied to business mail. Other corporations, like Pacific Power and Light, are finding Wyoming a good place to do business. Most recently, FMC Corp. began work on a major expansion of its chemical plant near Green River, where extensive beds of natural soda ash are estimated sufficient to fill American needs for more than 30 years.

Wyoming has something else to offer, too. It is free from the pressures of large urban areas, with minimal traffic congestion, with plentiful pure air, and virtually unlimited access to recreational opportunities. Its schools are highly regarded.

The brochure I have prepared sets forth the benefits of Wyoming more fully. I am sending a copy to the office of each Senator, and placing many more in the hands of corporation officers across the country, inviting their attention to our State.

TRIBUTE TO PHILIP HOCHSTEIN, EDITOR OF THE ADVANCE NEWS SERVICE OF THE NEWHOUSE NEWSPAPERS

Mr. CASE. Mr. President, Philip Hochstein, a distinguished New Jersey newspaperman, is now serving here in Washington as editor of the Advance News Service of the Newhouse Newspapers.

For nearly 40 years, Philip Hochstein has been an editorial executive, serving as editor of the Newark Star Ledger among many important newspaper positions in a number of cities. But he has never lost his interest in covering important stories personally. One problem to which he has devoted his reportorial and analytical skills is the still unresolved problem of the Palestinian Arab refugees who left their homes during the Arab attack on Israel shortly after the founding of Israel 16 years ago. I believe his analysis sheds light on many aspects of the unbelievably complex refugee problem which have thus far escaped widespread attention.

I ask unanimous consent to have inserted in the RECORD an article by Philip Hochstein about the Arab refugee problem, published in the Today's World section of the Philadelphia Inquirer on Sunday, May 24, 1964.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer, May 24, 1964]

PRIDE AND PREJUDICE IN MIDEAST: REFUGEES COST UNITED STATES $350 MILLION

(By Philip Hochstein)

A computer suffers a nervous breakdown and performs like an insane genius. This has been the theme of many a science fiction story and movie comedy.

What happens when a high-strung, very capable world social service organization, functioning under United Nations auspices and with a multimillion dollar budget, is fed the wrong basic assumptions and applies them to a million or more human beings?

That is not entertaining fiction, but brutal fact.

For 15 years, the subjects of this true story have been living in refugee camps—57 camps now in existence and more in the planning, and many thousands of squatter shacks.

They are the most senselessly segregated people in the world today. The basis of their segregation is neither color nor race nor religion, nor even class; it is an oriental prejudice, part superstition, part unkindliness, part political, against people singled out by misfortune. They live in double-boilered bitterness, the seething hatred around them intensifying the heat of their inner resentments.

The United Nations Relief and Works Agency (UNRWA) provides these people—a few hundred thousand infants and babies incredibly excluded—with calories, literacy and health supervision, the United States paying 70 percent of the bill.

THREE HUNDRED AND FIFTY MILLION DOLLARS COST

The State of Israel, whose territory these refugees left in loyalty to the Arab States in the war of 1848, urges final settlement of the problem. The Arab nations, with the single exception of Jordan, deny them the right of resettlement, the right to work and other civil rights.

UNRWA underwrites this segregation in the name of all humanity and proceeds with its relief mission on the apparent assumption that the segregation will go on forever.

The people of the world, preoccupied with tenser problems, do not wish to be annoyed with something that has been referred to an appropriate agency of the U.N. So Uncle Sam has paid out about $350 million over 15 years to finance the rotting away of human beings who want to work and whose work is urgently needed by the underdeveloped countries in which they reside.

The Arab refugee problem, of course, stems from the land long known as Palestine. This is the Biblical country and consisted of all the land west of the Jordan River plus a great swatch of land east of the river. Modern Israel, by comparison, has no land east of the river and lacks considerable areas west of the river, which are held by the Arab kingdom of Jordan.

HISTORY OF LAND

There is controversy as to the history of the land held by Israel. The Israelis point to the fact that there has never been a single day in all the thousands of years of the land's identity that Jews have not lived there and regarded it as their sacred home.

The Arab nationalists claim, on the other hand, that Arabs have occupied this land ever since the Romans broke the Jewish power early in the Christian era, and that they have been driven out by sheer terror and force.

It is undeniably true that both Jews and Arabs have lived in the Holy Land through the centuries. There were about 85,000 Jews in Palestine before the Balfour Declaration favoring a Jewish homeland was issued by Britain in 1917.

There were no doubt many more Arabs residing then in Palestine, but the Jewish population was concentrated almost entirely in what is now Israel, whereas the numerically superior Arabs were dispersed over all of Palestine, an area 3 or 4 times as large.

The refugees fled from the Israel areas of Palestine in 1948 during the fighting when the British abandoned their mandate and the Jews proclaimed the State of Israel.

Arab armies from Jordan, Syria, Iraq, Saudi Arabia, and Egypt invaded Israel in concert. The Arab high command issued repeated appeals and orders to the Arab population to cross beyond the lines of the advancing Arab armies, so that they would not be in the way and so that the Arab armies could kill and destroy more freely.

Arab spokesmen now contend that the refugees left because of acts of terror committed by Israelis against them.

But, the flight of the Arab population, as a strategic maneuver, was Arab military policy. Moreover, there is record of appeals by Israeli authorities to Arabs to remain, and the fact is that nearly 200,000 Arabs remained and remain unmolested to this day, while more than twice that number chose to obey the Arab high command.

Since 1948, more than a half million Jews have had to flee Arab countries and abandon all their properties. The Israelis contend that this should be accepted as an exchange of population, with property settlements to be negotiated. However, that may be, some of the Arab countries, notably Iraq, Lebanon, and Syria greatly need the labor power of the refugees, who are fellow Arabs.

BASIS OF U.N. ACTION

The U.N., far from encouraging resettlement, has acted on the assumption that this could not be and has in consequence erected what may turn out to be the first permanent refugee relief setup in history.

Since the end of the Second World War there have been at least three vastly larger problems of displaced persons that have been resolved with little or no help through the U.N.

West Germany has absorbed millions of Germans displaced from areas of Czechoslovakia and East Germany; Israel, on a base population of only 300,000 in 1948, has absorbed more than a million destitute and often handicapped immigrants; and the Nationalist Chinese on Formosa have absorbed at least a few million of mainland Chinese.

Yet, with respect to the Arab refugees, only the very poorest of the Arab nations has made a substantial effort—Jordan. Saudi Arabia and the Persian Gulf principalities, among the world's richest states, thanks to oil, have freely exploited refugee talents while contributing only pittances, yet have rigidly withheld civil rights and economic opportunities.

Iraq, with the world's largest reserve of rich soil needing cultivation, has preferred underdevelopment to admission of any sizable number of refugees.

LABOR SHORTAGE

Syria, deriving enormous revenue from oil transit, continues to deny its 126,000 refugees civil rights and discourages their employment by refusing work permits.

Lebanon, the most advanced of all the Arab States educationally and economically, suffers from a severe labor shortage and imports scores of thousands of workmen, but refuses work permits to the breadwinners among its reported 150,000 refugees.

Some observers who have studied these horrible paradoxes have suggested the oversimplified conclusion that the Arab countries are balking the integration and resettlement of the refugees in order to exploit them against Israel.

That can be only a partial and not a major part of the explanation. Certainly, Jordan's free grant of equality to its huge refugee population is not consistent with that theory. Lebanon is far less preoccupied with hostility to Israel than any of the other nations and actually sorely deprives itself of scarce labor, yet its antirefugee discrimination runs to extreme rigidity.

In reality, the refugees are far less of a threat to the security of Israel than to the security of Jordan, Lebanon, and Syria. In Jordan, they constitute a Nasserite underground at no cost to United Arab Republic President Gamal Abdel Nasser, and the same may be said, in lesser degrees, of the refugees of Lebanon and Syria.

While Jordan lacks the resources with which to prosper and thereby win over the refugees speedily, Lebanon and Syria have no such problem. Lebanon could give a job to every physically fit refugee in its country simply by cutting down by less than a third the number of work permits issued to laborers coming in from Syria.

Lebanon's self-spiting rejection of its refugee population is sometimes laid to the delicate balancing of Christian and Arab in that tensely divided country, it being reasoned that since most of the refugees are known to be Moslems, their absorption would give the Moslems of the country a clear majority over the Christians.

This seems only a partial explanation in view of the fact that the country is committed against taking a census and in view of the further fact that the Moslem of Lebanon seem just as adament against enfranchising the refugees as the Christians. Not until 1963 did Lebanon even promise employment rights to the refugees, but the promise has remained a dead letter.

PREJUDICE EVIDENT

More to the point is the very evident prejudice against the refugees in all quarters of the population. It is to be found among Moslems, as well as among Christians, and it is to be found most emphatically of all among ex-Palestinians who have managed to make their way financially and express an actual loathing for their fellows.

To the Arab world, the refugee question seems to be merely a subject for bitter and violent political oratory, and its vast resources for charity and helpfulness remain wholly untapped for this cause.

It is difficult to describe the misery of life in a refugee camp for those who have neither work nor the prospect of work and must live on the meager minimum rations, costing only pennies a day, provided them by UNRWA.

It should be understood, however, that the great majority of refugees supplement their rations with some earnings from work.

MANY HOLD JOBS

At least 35,000 of them are known to be earning high wages in Kuwait, sending remittances to their families in the camps and the villages of the so-called host countries. At least as many again have found employment in Saudi Arabia, in other Gulf oil states and in other countries, including small numbers in West Germany, Switzerland, Scandinavia, and the United States. More than 11,000 refugees receive salaries from the UNRWA administration.

While, theoretically, the refugees receiving remittances or, for that matter, earning money regularly from work are ineligible for rations, UNRWA has had to admit in its annual reports that it has no means of checking on the incomes of its charges.

Rations provide about 1,500 calories per day in the summer and 1,600 calories in the winter and consist mainly of flour, pulses, sugar, rice, oils, and fats.

While less than 40 percent of those listed as refugees live in camps, it would be an incorrect generalization to say that all those living outside of camp are more fortunate. While a majority of the 60 percent who live in normal Arab villages may have better quarters; a small percentage of them live as squatters because there is no room for them in camps.

Some of the camps are easily up to the standards of nearby nonrefugee villages and even better, but I have seen camps that would probably be the most miserable mudholes in the rainy season.

FALSE ASSUMPTIONS

UNRWA has no means of conducting spot checks of its relief clients, nor is it allowed by the "host" governments to conduct a census to determine how many of the names of its list are of dead persons whose decease has never been reported.

UNRWA is dependent almost entirely for its verification of relief statistics on the sentiments of the refugees, and the prevailing sentiment among them is that it is treason to the Arab cause to admit that one is able to make a go of it without returning to the place from which he had fled in the 1948 war.

United Nations policy with respect to the refugees rests on the false assumption that they all ardently wish to return to the areas they abandoned and that it is feasible for all of them to do so.

In 1948, there were about 1,200,000 Arabs in all of Palestine and about 600,000 Jews, but the present area of Israel is considerably less than the area of Palestine in 1948.

Into this smaller area have come, since 1948, Jewish immigrants greatly in excess of 1 million. More than half a million of them came from Arab countries that persecuted them in the wake of the war. The present population of Israel, is, roughly, 2 million Jews and a quarter million Arabs.

POLITICAL HAZARD

If Israel could not reabsorb a large population of returning Arab farmers, economically, the problem of political and civic absorption is almost beyond contemplation.

Could Israel possibly coexist with a returning Arab population of, say, a half million?

I sought an answer to this question by speaking with many Arabs now living in Israel. The Arab minority has complete religious and civic rights in Israel, with but one exception: the Arab is not subject to the military draft. While I found some Arabs who pointed to this as a grievance, I found none willing to say that he would, if inducted, fight loyally on the Israel side if Israel were attacked by Arab armies.

The fact is, of course, that all of Israel's neighbors and potential enemies are Arab states.

At the U.N. administrative level, UNRWA is a tragedy within a tragedy.

One of the instinctive reactions to great human suffering is to look for the villain who causes it. The double tragedy here is that UNRWA bears much of the blame for the prolongation of the refugee problem but there is no trace of villainy in the personnel of UNRWA.

It has been charged by some critics that UNRWA is motivated primarily by bureaucratic self-perpetuation and aggrandizement. This is a plausible explanation but not one with substantial validity.

It is difficult to believe that the top personnel of UNRWA, with whom I became acquainted, are not wholeheartedly concerned, above all else, with the welfare of their charges.

The villainy lies in circumstances. The most distorting is the action of the General Assembly over the last 3 years in taking the much-quoted paragraph 11 out of the context of the whole resolution and seeking to apply it, while ignoring the earlier paragraphs that are prerequisites.

REACTION OF U.N.

The paragraph provides that "refugees wishing to return to their homes and live in peace with their neighbors should be permitted to do so." Preceding paragraphs of the resolution, first adopted by the U.N. General Assemby in December 1948, called upon the Arab states and Israel to meet in peace conference and to negotiate a settlement of the refugee problem.

The Arab states have not only refused to meet in peace conference, but have even refused to discuss the refugee problem with Israel and have vowed again and again to bring about "a second round" of war. Nevertheless, the United States has taken the leadership in the General Assembly in condoning Arab intransigence while urging that paragraph 11, twisted out of its context, be implemented.

How people who responded to the war call of the pan-Arab leaders, who still vow eternal war against Israel, can return to Israel and there "live in peace with their neighbors" is not explained.

As a result of this appeasement policy, the Arab "host" states (with the exception of Jordan) have looked upon UNRWA as a miscreant who must be tolerated because of the gifts he brings.

CENSUS REFUSED

Thus, although UNRWA has provided a budget of nearly $38 million, with comparable sums for earlier years, for the support of Arab refugees, it has not been permitted by the "host" government to conduct a single census, thereby being rendered incapable of stopping wholesale fraud in refugee claims.

While UNRWA has felt obligated to appease the militantly anti-Israel sentiment of the Arab leaders, it has had no need to consider the position of Israel on this question, since it has had no dealings whatever with Israel since 1953. After 1948, Israel had about 40,000 refugees with claims on UNRWA, but by 1953 Israel had resettled all of these, thus relieving UNRWA of a burden and leaving that agency with an exclusively Arab clientele.

Since it is plain that the Arab "host" states will not permit resettlement of the refugees in Arab countries and will not negotiate with Israel for a solution, it is understandable that UNRWA should look upon the refugee problem as a permanent one and a growing one, given the prolific Arab birth rate.

WRONG PREMISES

The wrong basic assumptions on which the U.N. operates are, mainly, these:

1. That Israel, a struggling new nation of little more than 2 million people, should take back over a million hostile people who left to assist the enemy war effort, although the enemy after 15 years still refuses to hold a peace conference, or even a refugee conference.

2. That the Arab nations who instigated and mobilized these refugees are all have-not nations who must therefore be excused from obligation to the fellow Arabs they seduced. (Jordan alone is a have-not nation; Lebanon is spectacularly affluent, Syria rich in oil transit revenue, Saudi Arabia, much richer; Iraq, underpopulated and the possessor of the largest area of undeveloped but

rich farmland in the world; Egypt has spent far more on an aggressive military venture in Yemen than the cost of the whole refugee program; and Kuwait is richer on a per-capita basis than the United States, thanks to oil.)

3. That it is acceptable to operate with false statistics because the Arab Governments do not want a census and because the refugees themselves do not wish to be checked on.

OVERLOOKED FACTS

The largely overlooked, essential facts in the refugee situation are that:

1. Kuwait, Saudi Arabia, and other oil-rich Arab States are employing about 80,000 refugees at relatively high wages to man their technical, civil service, and teaching jobs, the refugees having a higher standard of education than the native populations.

2. Remittances from refugees so employed are one of the main sources of income in Jordan, next to farming and tourism, while many recipients of remittances continue to draw rations.

3. Iraq admits in official publications that its fabulously fertile, well-watered lands need more manpower for development, yet refuses to invite experienced and idle farmers among the refugees to resettle or work on these lands.

4. Lebanon is so starved for labor power, its own people in Beirut and the other cities preferring business and the professions, that it permits the importation of 120,000 Syrian laborers, yet refuses to facilitate the employment of refugees.

5. Although Egypt has granted few civilian rights to its several hundred thousand refugees in the Gaza strip, governing them by strict military rule, Nasser has made himself the hero of the refugees in all the Arab countries by inciting them with subversive propaganda against all existing governments but his own.

6. Despite the aggressive objection of most of the Arab Governments to resettlement and absorption of the refugees, that process is making rapid headway on an illegal, under-the-table basis, with most of the younger refugees in Lebanon and Syria finding work by accepting lower than the prevailing wage.

7. Despite the remittances and the fact that most refugees earn money, the refugee relief rolls do not decline but threaten to grow. This, because the dead and the employed are unreported, while the parents of new children press for their inclusion in the rolls.

8. Jordan, the poorest of the Arab States, is alone in having granted them equality with all its citizens and is making a vigorous effort to solve the problem by building the entire economy, and with an encouraging measure of success.

SOLUTION POSSIBLE

Is the Arab refugee problem too massive or too complex to permit a solution? The answer has two parts:

One. The problem has already half resolved itself through employment and infiltration of refugees into the economies of Arab States.

Two. What remains of the problem would almost vanish if the Arab States and Israel would sit down at a conference, if not to discuss peace, then at least to settle the refugee question. Even in the absence of a conference, what still remains of the problem would be still further diminished if UNRWA, the U.N. relief agency, would begin to liquidate itself and turn over some of its responsibility to the "host" Arab Governments.

The refugee problem has been liquidating itself and will continue to do so as long as the truce between the Arabs and Israel can be continued.

The United States, supplying 70 percent of the cost of the refugee program, has both the need and the duty to insist upon easing and liquidating the problem. The leverage of our contribution should be exerted to bring a solution nearer.

PARLEY NEEDED

The most obvious step toward an easing of the problem would be a conference between the Arab States and Israel. If it could be brought about, even if the conference were limited to the refugee problem, Israel would make compensation to the owners of property abandoned by them in 1948. This would give capital to many thousands of refugees with which to build homes in their new countries or launch self-employing businesses. If this were done, the dimensions of the problem would be still further enormously reduced.

Would Israel assume responsibility for a substantial percentage of the refugee population? At present, most assuredly not. Israelis feel that their enemies wish to force the refugee population on them to constitute a huge fifth column.

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. CASE. Mr. President, the Bobby Baker case has undermined the people's confidence in the Senate. Now the people are urging that we do something to restore that confidence. In addition to the many editorials and other press comments urging action which I have placed in the Record over the past 3 weeks, I would also like to call attention to a serious discussion of the problem in this week's issue of The Nation in an article by Prof. Louis Koenig of New York University. This article points up the need for a public disclosure bill, such as the one now before the Senate Rules Committee. I also ask unanimous consent for the insertion in the Record at this point of further evidence of the wide attention this matter has been receiving in the Nation's press.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the St. Petersburg (Fla.) Times, May 14, 1964]

The Senate and the People

It's too bad that efforts to bring the Bobby Baker investigation to a meaningful climax have been tainted by partisanship. How much better for the Nation if members of the Senate Rules Committee saw their duty as individual Senators and not as members of political parties.

Nevertheless, the partisan motives attributed to the Republican attempt to reopen the case, with emphasis finally in the right place, should not obscure its value.

Senator Clifford Case, Republican, of New Jersey, has asked the Rules Committee to do what it has avoided: question Senators who may have had financial dealings with Baker.

Chairman Everett Jordan of the Rules Committee has said more than once that the committee "is not investigating Senators."

Senator John J. Williams of Delaware, also a Republican and the prime mover in starting the Baker investigation, responds to Senator Jordan with these words:

"What is lacking in the Rules Committee is the will, not the authority."

But this lack is not confined to the committee. The will is absent from much of the Senate, which apparently does not understand how much damage this attitude can do in undermining public confidence.

Senator Case proposed that the committee ask each Senator these questions:

"Did you ever have any business or financial dealings with Bobby Baker, directly or indirectly? If so, what were they?

"Did Bobby Baker ever give you, get for you, offer you, or offer to get for you, any campaign contributions; any help in making up campaign deficits by gifts, purchase of tickets, or otherwise; any retainer or employment; any preferment in committee assignments or otherwise; anything of value?"

The Rules Committee might, in its wisdom, want to alter these questions in part. But there is no good reason why any Senator with a clear record and conscience should not respond.

There is a reason why Senators should answer. American voters need to have their confidence restored in the U.S. Senate, which suffers badly from the Baker coverup and the sorry spectacle of the civil rights bill filibuster.

[From the Adrian (Mich.) Telegram, May 19, 1964]

Senate Under a Cloud

A straight party lineup of 42 Democrats has defeated a Republican attempt to get at the truth, of falsity, of some ugly rumors in the Bobby Baker case that reflect on the integrity of the U.S. Senate. Nine Democratic Senators joined 24 Republicans in the effort to reopen the Senate Rules Committee hearing with the committee given clear authority to call Senators to testify. The motion's defeat leaves the cloud hanging over the Senate.

Senator Clifford Case, Republican, of New Jersey, wanted Members of the Senate called to testify as to whether they had any business or financial dealings with Bobby Baker or whether he had ever helped them with campaign contributions. Senator John J. Williams, Republican, of Delaware, whose resolution brought on the investigation of the former secretary of the Senate's Democratic majority, wanted the inquiry continued. He asked that the committee look into any illegal, immoral activities, as well as the giving and receiving of campaign funds under questionable circumstances. Baker is reported to have said he held at least 10 Senators in the palm of his hand.

Because Baker, when called before the investigating committee, took the fifth amendment with respect to questions on these matters, Case and Williams felt the Senators should clear up ugly rumors by their own testimony.

The majority leader, Senator Mike Mansfield was able to steamroller the 9 Democrats and 24 Republicans who supported the resolution. Seldom has the Senate Chamber heard such shouted exchanges of bad faith and seen such trampling of minority rights as came in debate of the resolution. Senator Case and Senator Mansfield argued heatedly over the Chair rulings of Senator Edward Kennedy who was presiding.

Senator Magunson, Washington Democrat, declared the Senators' records were pure. If so, why did Senator Everett Jordan, North Carolina Democrat, accuse Senator Case of "scaling the heights of demogoguery?" When Senator Mansfield demanded that Case name the Senators he wanted the committee to question, Senator Kennedy refused to let Senator Case answer.

The very virulence of the Democratic Senators in refusing to let the Baker investigation go on, raises new suspicions that there are matters the public should know about.

[From the Verona-Cedar Grove (N.J.) Times, May 21, 1964]

FIGHTING FOR THE FACTS

Senator CLIFFORD P. CASE has waged a valiant but so far losing fight to get his fellow Senators to disclose their dealings with Bobby Baker.

The fact that very many highly placed individuals at the top levels of Government appear to be involved with the former secretary to the Senate majority makes it all the more imperative that an investigation find out how much fire there was behind all that smoke.

New Jersey can be proud of its senior Senator's efforts to get at the facts. If few of his fellow Senators are willing to disclose their dealings with Mr. Baker, at least we in New Jersey can be assured that we are represented by a man who had nothing to hide. It is certainly to be hoped that a goodly number of his colleagues will follow his example. The voters can remember the others at the appropriate time.

[From the La Crosse (Wis.) Tribune, May 27, 1964]

SENATOR CASE HAD WARNED OF BAKER-TYPE AFFAIR

(By Kenneth Scheibel)

WASHINGTON.—The last man in Washington today who is saying "I told you so" is mild-mannered, easygoing Senator CLIFFORD CASE, Republican, of New Jersey.

But had the U.S. Senate in 1958 heeded the liberal Republican's advice, the Bobby Baker case, with its nightmarish aspects for Democrats, probably never would have happened.

CASE had a celebrated row with another easygoing Senator—Montana's MIKE MANSFIELD, Senate majority leader. It will go down as one of the most bitter in Senate debate. It will be a long time before feelings are soothed.

This bitter episode and the many others preceding it, could have been avoided.

For 5 years, starting in 1958, CASE has been hammering at Senators to virtually turn their pockets inside out and make full disclosure of their interests.

It is only now—because of the Bobby Baker case—that a Senate committee has finally been advised such a code should be adopted. Rules Committee Counsel L. P. McClendon himself is the author of the recommendation.

There are 435 Representatives and 100 Senators, a total of 535 elected officials in Congress. So far, only 31 have made public disclosure of their private wealth. It's not likely many of them will list assets unless required to do so.

If the ties Baker had with Senators were a matter of public record, or had everyone known full disclosure was required by a law, the issue of campaign contributions, or other financial involvement, would have been academic.

But it didn't work that way. So, today many Americans take a jaundiced view of the whole messy affair, which obviously can't be swept under the rug.

As CASE says, in his usual scholarly, thoughtful style, "there is no looking away from published reports that Bobby Baker dealt in campaign funds for Senators, dealt in committee assignments for Senators, and bragged that he had 10 Members of this body in the palm of his hand.

Here in the east, editorial opinion is bitter. "Mr. CASE is right," says one powerful New Jersey paper. "The Bobby Baker coverup," says the Richmond Times-Dispatch. "Demagoguery," said the Baltimore Sun of the closed-off investigation. "The Baker affair—still," sighed the New York Times, sadly. And of the Senate as a body, the Washington Star opined resignedly, "The Untouchables." The liberal Washington Post editorialized, "The Senate Takes the Fifth."

CASE plainly has become an admirable figure to Americans aroused over the Senate's handling of the Baker case. He is no doubt less than admirable to some of his colleagues.

It is true that Baker himself is no longer important. He has been discredited and exposed. But what remains is the fact that Baker could never have done what he did without power—power given by the Senate and used for personal gain. How did he do it? Who were the Senators involved? And why are Senators afraid to talk?

That is why CASE keeps knocking on the door—both at the Senate Rules Committee and at the conscience of the Senate itself. For 5 years he's said: "Come clean." For 5 years he's been ignored. The result is that the good name of the Senate itself has been sullied.

CASE was accused of making a blanket indictment of all Senators. Not so. The blanket indictment of all Senators came when the Senate Rules Committee failed to clear the Senators, or to clear those who deserved to be cleared. The committee outsmarted itself, and as public opinion seems to suggest, it was a shoddy thing to do. A lot of innocent men are sullied. The guilty ones go scot free.

The Senate Rules Committee staff has made some surprisingly tough recommendations. If put into effect, they would do a lot to insure against future Bobby Bakers.

But the recommendations are at the mercy of the Rules Committee itself—then the Senate itself.

A snowball in July has a better chance of survival, said one newspaper editorially.

It is the hope of many here in the Capital that the Baker issue can be kept alive. CASE and others are trying to do that.

Maybe some day the truth will come out and the blame assessed. Republicans hope to make a campaign issue. But so far they haven't seemed effective at all.

[From the Miami (Fla.) Herald, May 29, 1964]

SENATORS FREE TO CHEAT—BAKER PROBE EYES PROBLEM

(By James McCartney)

WASHINGTON.—Your Congressman or Senator could openly be on the take and you'd have no way of knowing it.

He could sell his votes.

He could jack up his speaking fees so wealthy lobbyists could pay him off by giving him $1,000 fees for two-bit speeches.

He could, in fact—to the astonishment of Special Counsel Lennox McLendon, who is handling the Bobby Baker probe—let private corporations pick up the tab for part of his office expenses.

He could use these devices, or any one of a number of others, to fatten his purse, and John Q. Public—the voter—would be none the wiser. That's what the final phase of the Bobby Baker probe is all about. And it's probably the most important phase of all, for its close to the core of the problems of modern, bigtime politics.

The point is that as matters stand the voter has almost no way of knowing who is buying whom, and for how much, in American politics.

Yet there is probably no kind of information that would be more useful to the voter in understanding what his Congressmen or Senators are up to.

Congress has long held the whip hand over the executive branch and over the judiciary in demanding that appointments be clean and aboveboard—that conflicts of interest be forbidden.

Cabinet members have been forced to divest themselves of stock and appointments have been rejected because of private business interests.

But a Federal legislator can have any kind of conflict of interests he wants and must report to no one.

As Senator MAURINE NEUBERGER, Democrat, of Oregon, put it in testimony before Bobby Baker probers: "How is a voter to know that the member of, say the Agriculture Committee, is making a killing in cotton futures?"

This has all been true for years, but the Bobby Baker case, in which the former secretary to the Senate's Democratic majority amassed a fortune on the side, has thrown a new spotlight on the problem.

And the Senate's traditional core of reformers are now arguing for what they call "disclosure" legislation.

By that they mean legislation that would require Congressmen to tell how much money they have and where they got it.

Senator PHIL HART, Democrat, of Michigan, listed some of the common sources of political money in his testimony before the Senate Rules Committee, which is winding up the Baker probe.

He mentioned income from investments, salaries, or fees from businesses or professions; honorariums for speeches, and money from those "who contribute to overhead office expenses and travel costs."

He also mentioned funds from those who contribute to "radio and television communication"; fees from publication of articles, and money from testimonial dinners.

These are all common sources of income for politicians, but each could be a temptation to those running for office or handling important legislation.

The question as Senator HUGH SCOTT, Republican, of Pennsylvania, put it is whether a gift or favor is designed to "move the mind of a recipient."

Some Senators are arguing for a "code of ethics" for Congress, but this is considered the weaker of the approaches. Senator CLIFFORD CASE, Republican, of New Jersey, reminded the committee that all Government workers have operated under a "code of ethics" since 1958, when one was adopted by Congress.

"The code," he said "did not deter Bobby Baker."

[From the Newark (N.J.) Sunday News, May 31, 1964]

WHEN SENATORS ANSWERED QUESTIONS—RETIRED REPORTER'S TIP LEADS CASE TO INVESTIGATION PRECEDENT

(By William May)

WASHINGTON.—Thanks to a tip from a retired newspaper reporter, Senator CLIFFORD CASE, when he testified before the rules committee last week, was able to cite a precedent for his suggestion that individual senators be questioned about their relationship with Bobby Baker, former secretary to the Senate majority.

The New Jersey Republican told the committee about an 1894 hearing before a special Senate committee which he said was a "direct precedent for the suggestion I made to the committee some time ago and pressed again during my testimony 2 weeks ago."

FIND RECORD

"Though I did not know it at the time, my suggestion was not novel," Mr. CASE told the committee. "The method had been employed before and, so far as the record shows, no Senator raised any objection to being interrogated by the committee of inquiry."

The record was dug up after Webster Ballinger of Washington, a retired newspaperman, called Mr. CASE's office. Mr. Ballinger had read about Mr. CASE's clash on the Senate floor with Majority Leader MIKE MANSFIELD over a resolution broadening the Baker inquiry.

"Mr. Ballinger, who told us he is 90 years old, said he had covered a story in which a special Senate committee investigated allegations made in the press at which individual Senators had testified," a member of Mr. Case's staff said. "So we asked the Library of Congress to try to find the record of the hearings for us."

The researchers at the Library found the record in the files of the 2d session of the 53d Congress.

"To us the interesting things were that the committee was appointed to investigate reports carried in two newspapers and that 78 Senators and a member of the executive branch, Treasury Secretary John Carlisle, testified under oath," a member of the Case staff said.

BRIBERY CHARGE

The five-man committee, which included Senator Henry Cabot Lodge, was authorized in a resolution of May 17, 1894, to "investigate, among other things, that bribes have been offered to certain Senators to induce them to vote against the pending tariff bill."

The record noted that it had been "stated in the New York Sun and the Philadelphia Press that the sugar schedule has been made up as it now stands in consideration of large sums of money paid for campaign purposes of the Democratic Party."

Both New Jersey's Senators at the time, John R. McPherson and James Smith, Jr., were among those questioned by the committee, as was the reporter who wrote the stories in the Philadelphia paper.

"The investigation was apparently thorough and the questions were certainly inclusive," said the Case staff member, citing this question put to a number of witnesses:

"Has any member of your family or any person in your employ or any clerk employed under the laws of the United States in your service been, to your knowledge, interested in any of the ways indicated in any of the preceding questions, in any transaction of sugar stocks or certificates during the period mentioned?"

NO CENSURE

When the committee finished its hearings no Senators were censured. The committee reported back to the Senate:

"There has been no testimony presented before your committee and your committee has been unable to discover any tending to show that the sugar schedule made up as it then stood in the proposed amendment to the tariff bill was in consideration of any sums of money paid for campaign purposes of the Democratic Party."

The interesting thing, in the light of the present investigation of the Baker case, Mr. Case told the Rules Committee, was that Senators in 1894 "under oath, responded to uniform questions as to their financial interest in the tariff bill."

[From the Newark (N.J.) Sunday News, May 31, 1964]

No Knights on White Chargers

(By George Kentera)

In the Congress of the United States, every Member of the House is a gentleman (or gentlewoman) and every Member of the Senate is distinguished. All the Members say so, publicly.

This being so, at least to the Members, there is always considerable question among many of them as to the need for any personal accounting to each other or to the public. After all, who would suspect impropriety of a gentleman or a man of distinction?

The answer is quite a few people, at least if the public reaction to the Bobby Baker case is what it seems to be.

Several Senators from both sides of the aisle—including Republican Clifford P. Case, of New Jersey, Democrat Maurine Neuberger, of Oregon, Republican Jacob K. Javits, of New York, and Democrat Joseph S. Clark, of Pennsylvania—have put forward proposals to deal with these public suspicions. In general, they suggest a congressional code of ethics that would include public reports by Members on some or all of their financial interests.

FEEL IT'S PRIVATE

The average private citizen would object if such a requirement were proposed for him. It is not surprising, then, that several distinguished Members of Senate and House feel likewise.

These Members feel particularly that the bill by Case, Clark, Mrs. Neuberger, and Senator Philip Hart, Democrat of Michigan, goes too far in that it would require public disclosure, on a regular basis, of all sources of income, assets and gifts. Hundreds of questions are involved.

Case thinks disclosure might well include names of the law clients of Representatives and Senators who are members of the bar; Clark and others are inclined to think that clients may well have prior rights to confidential relations with their lawyers.

Beyond questions like these lies the question of the effectiveness of such proposals. Will they work? Will they, in practice, stimulate such candor from all gentlemen of the House and all distinguished Members of the Senate that all public suspicion of hanky-panky will be allayed, and perhaps even all hanky-panky, too?

MOST COMPLEX

This is probably doubtful. The subject is one of enormous complexity. Case himself says that one reason behind his disclosure bill is the practical impossibility of Congress' being able to frame laws that would guard adequately against congressional conflicts of interest in all the fields in which Members must of necessity work.

Case would have the Members declare their financial interests as more than a dozen Senators (including himself and Senator Harrison A. Williams, Jr., Democrat, of New Jersey, have already done, and leave the rest to the public—or at least to the voter.

In fact, Clark and Javits agreed, during a Senate Rules Committee hearing on the subject, that incumbent Senators who made such declarations would have "political as well as ethical advantage" over a challenger who had not similarly taken steps to acquaint the public with all his financial ledgers.

That may or may not be. And while it may not be entirely relevant, it does seem to be true that the principle of disclosure has not accomplished as much as it should have in the field of campaign financing.

LAWS OUTDATED

Herbert E. Alexander, director of the Citizens Research Foundation in Princeton and an authority on the subject, has pointed out that one reason is that most Federal and State laws on the reporting of campaign receipts and expenditures were written from 25 to 50 years ago, and are outmoded today, to say the least.

One law, for example, limits to $5,000 the contribution of an individual to any one political committee. In 1960, Alexander notes, there were some 70 different national-level committees—Republican, Democratic, labor, miscellaneous—that disbursed the $25 million reported spent by the major parties' national committees.

He estimates that all campaign spending at all political levels in 1960 totaled about $175 million. And while it is true that all but six States—Alaska, Delaware, Illinois, Louisiana, Nevada, and Rhode Island—require some accounting of where campaign contributions come from and where they go, it is equally true, in the view of experts, that a great chunk of that $175 million never wound up on any public tally sheet.

LIMITS ARE JOKE

Moreover, quite a few States have laws setting limits on the amount of spending a candidate may do. Virtually everywhere such laws exist, the competing candidates themselves can be heard to complain that the laws are—so far as the opponents are concerned—a joke.

The report of a Senate Rules Subcommittee in 1957 about the financing of the 1956 election bears out the point. One of its conclusions read:

"Even those provisions of existing law which require the filing of reports and accounts are hopelessly inadequate. One of the worst features of campaign practices is the lack of adequate public disclosure. As stated above, this is attributable in part to the fact that the law is studded with loopholes."

Case's view is that the disclosure bill on personal finances is necessary because Congress will not police itself. On the latter point, at least, history bears him out. As an example, Mrs. Neuberger observed last week that Senate Rule 12—which excuses a Senator from voting if he makes, and the Senate accepts, a statement of a personal conflict of interest—was last invoked in 1959. Case added that another senatorial police power, the power of censure and/or expulsion, has been used by the Senate just twice in the last century.

NO CHANCE

The Senate, nevertheless, does seem to be generally concerned about public reaction to the Baker matter. Yet, Clark remarked the other day that there was "no chance. I repeat, no chance" of a disclosure bill's being passed by Congress this year—first, because of the Senate's civil rights fight and second, because there are "no knights on white chargers in the House pressing for the bill."

At one point, while Rules Committee members were deep in discussion of the manifold complexities of such a bill, Senator B. Everett Jordan, Democrat, of North Carolina, the committee chairman, remarked, "I think a good solid case of plain honesty would help, too." And that is, of course, what all the talk was—and is—about.

RECESS

Mr. MUSKIE. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 49 minutes p.m.) the Senate took a recess, under the previous order, until tomorrow, Thursday, June 4, 1964, at 9 o'clock a.m.

CONFIRMATION

Executive nomination confirmed by the Senate June 3 (legislative day of March 30), 1964:

U.S. Coast Guard

To be ensign

James Milford Sharpe, Jr., to be a permanent commissioned officer in the Regular Coast Guard in the grade indicated.

EXTENSIONS OF REMARKS

Sweden's Steady Democratic Progress

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 1964

Mr. PELLY. Mr. Speaker, June 6, a date close to our own Flag Day of June 14, is the Flag Day or Constitution Day of another progressive Western democracy: Sweden. This June 6 commemorates the 155th anniversary of the adoption of the Swedish Constitution of 1809. It is an anniversary of special significance in the history of Western constitutional development because the Swedish Constitution is the oldest written constitution still in force in Europe. It has been amended many times, but the basic instrument is the document formulated and adopted in 1809.

When our own Founding Fathers drafted the U.S. Constitution they attempted to create an instrument which would embody unchanging principles such as the separation of powers and basic human rights but which would at the same time incorporate flexible enough amendment processes to allow for adaptation to meet the needs of the changing times. The Swedish Constitution makers of 1809 were moved by the same considerations. The instrument they created defined the division of authority between executive and legislature and set forth basic personal liberties.

Swedish democracy has evolved far since 1809, but the essentials have not changed. Although the power of the King has progressively declined and been transferred to the cabinet, the division of authority between executive and legislature still finds its basis in the 1809 constitution. Individual liberties have been elaborated upon—the franchise has been extended from a very small landed minority to universal suffrage—but the basic liberties are those set forth in the 1809 constitution. The Swedish Constitution has evolved with the evolution of parliamentary democracy in Sweden. Like our own Constitution, it has stood the test of time.

Actually, the Swedish constitutional provisions are contained in four acts, or fundamental laws, the first and most basic being the act of 1809. While 1809 thus marks the formal beginning of constitutional government in Sweden, the roots of Sweden's constitutional government reach deep into the Middle Ages. Popular representation, although on a very limited basis, dates to the 1430's. The legislature provided for by the 1809 constitution was founded on the four medieval estates—the nobility, the clergy, the burghers, and the peasants. The 1809 declaration of human rights embodied the medieval rules governing the protection of citizens. The balance between executive and legislative authority arrived at in the constitution was a projection of the constitutional struggles of earlier years. The years 1680–1809 were marked by sharp swings from absolute monarchy to strong parliamentary rule, and in its division of executive and legislative authority the 1809 constitution deliberately sought a compromise between these extremes.

The four basic Swedish constitutional acts have been aptly described as "the history of Sweden written in legal clauses." The act of 1809 was in part the formalization of centuries of Swedish political custom and practice. In more immediate terms it was a response to the absolutism of King Gustavus IV, his role in the coalition against France during the Napoleonic Wars, and the Swedish defeat in Russia which resulted in the loss of Finland. In March 1809 the King was dethroned; the Riksdag was assembled to draft a new constitution and elect a new king.

Two further basic acts were adopted in the years 1810–12. The Act of Succession of 1810 established the provisions for accession to the Swedish throne. More important were the freedom of the press laws of 1810–12. Based on Sweden's first freedom of the press law of 1766, they spelled out in greater detail the right to freedom of the press delineated in the 1809 constitution. In 1949 a new freedom of the press law was adopted, but in all significant aspects it was based on the principles of the laws of 1766 and 1810–12. Probably the most important and progressive aspect of Sweden's press laws are the regulations governing the public character of official documents. The laws state that every citizen is entitled to gain access to government documents, with certain exceptions; the exceptions are explicitly enumerated. This principle of publicity is considered an essential prerequisite for enlightened, objective public debate.

The fourth constitution act is the Riksdag Act of 1866 which replaced the unicameral legislature based on the four medieval estates with a bicameral legislature elected by restricted suffrage. By the middle of the 19th century the democratizing influence of European liberalism had led to increasing demands for making political life more representative. In 1921 universal adult suffrage was established.

Thus, Mr. Speaker, over the last 155 years Sweden has seen steady democratic progress which has made possible the creation of a stable political society and the achievement of one of the highest standards of living in the world. On the anniversary of the adoption of the Swedish Constitution we in America extend our best wishes to the Swedish Government and people.

A Success in the Foreign Aid Program: Highway Bridge Replacement in Thailand

EXTENSION OF REMARKS

OF

HON. ROBERT R. BARRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 1964

Mr. BARRY. Mr. Speaker, U.S. economic assistance to Thailand is devoted to helping the country meet the internal security threat as well as maintain a satisfactory rate of economic growth. The assistance program emphasizes projects which promote economic and social progress in the more backward rural areas.

Thailand's 198,455 square miles are lush and fertile; its population of 27,181,000 is comparatively poor, having an average income of only $105. The major factor for this low figure is that the Thai economy is based predominantly on agriculture and agricultural produce, and, therefore, subject to fluctuating prices of the international market. To reduce the dependency on rice, rubber, and teak, the three most important export commodities, the Thai Government has attempted to industrialize the country.

A combination of U.S. foreign aid and Thai self-help measures has produced important economic gains. For example, since 1956 the gross national product has increased at an average annual rate of 5½ percent while per capita gross national product has risen 2½ percent per year. Nevertheless, Thailand's principal task has been to extend its central economic growth to the more remote areas chiefly through improvement in its transportation network.

With the help of U.S. aid the Thai Government inaugurated a program whereby 400 kilometers of all-weather roads will be opened each year. Because of the terrain, however, which is bisected by numerous streams and rivers, bridges are an integral part of the road network. The existing bridges were constructed of timber and bamboo, many of which were in constant need of repair or replacement. Thai and American technicians who inspected the situation in 1955, recommended that 1,011 bridges be replaced with permanent structures in order to open up over 4,000 kilometers of adequate existing highways to commercial traffic.

Construction was begun that same year, each structure made of reinforced concrete, 8 meters wide and capable of carrying 20-ton loads. The projects were financed by local currency from U.S. counterpart funds of surplus food sales from years gone by, and by deposits from the Thai Government. All necessary engineering was provided by the

Royal Thai Highway Department, with design and supervision furnished by Sverdrup & Parcel Engineering Co., an American firm. An integral part of this program has been the instruction given to Thai contractors by the engineering company's personnel. When first initiated, there were only seven contractors in Thailand capable of undertaking bridge construction. The number has now risen to 78 competent firms who are providing service for the development of their country.

As of December 30, 1963, all 1,011 bridges were completed. The total cost of the program amounted to $13,840,860 and the results have been well worth the expenditures. The trend of Thai per capita income is upward, while the gross national income increases annually by approximately 5 percent. Moreover, the hinterland has been opened to such an extent that where it used to take teak logs up to 5 or 6 years to reach the mills in Bangkok, the journey has been reduced to several weeks. These are only a few indications that acclaim the highway bridge replacement program as a "success" of our foreign aid assistance.

Anniversary of D-Day

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 1964

Mr. PELLY. Mr. Speaker, today, June 6, marks the 20th anniversary of D-day when the combined might of the Western Allies under the brilliant direction of General Eisenhower, stormed Hitler's so-called Atlantic wall. During the first 24 hours of the landing 150,000 men went ashore on the Normandy beaches of France. Many of these brave men gave their lives there before that historic day was over. Hitler's grip on the Continent of Europe had to be broken by brute force, and a beginning had to be made. As General Eisenhower said on his return visit to the Normandy coast, once all the plans and preparations had been made, the issue was in the hands of the individual men on the ground. They had no way to go but forward, against a stubborn resourceful and well-entrenched enemy.

D-day was one of the crucial turning points in the crusade against one of the worst tyrannies in the history of mankind. And although we did not realize it at the time, the month of June 1944 saw forces set in motion that influenced not only the war, but the peace. For in that month the Russians began their offensive from the east that was to sweep the Germans out of their eastern positions and result in a permanent Russian military occupation of Eastern Europe.

Today we are preoccupied with a new tyranny but let us not forget that great day of unity and courage 20 years ago.

Dedication of the Federal Office Building, Kansas City, Mo.—Address by Hon. Richard Bolling, May 29, 1964

EXTENSION OF REMARKS

OF

HON. STUART SYMINGTON

OF MISSOURI

IN THE SENATE OF THE UNITED STATES

Wednesday, June 3, 1964

Mr. SYMINGTON. Mr. President, I ask unanimous consent to place in the CONGRESSIONAL RECORD an outstanding address delivered by the Honorable RICHARD BOLLING, of the Fifth District of Missouri, made at the dedication of the Federal office building in Kansas City on May 29.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE RICHARD BOLLING, KANSAS CITY, MO.

It gives me special pleasure to stand here today to help in the dedication of this building. One of the great rewards of serving in the Congress is that the results of our work for legislation is almost always visible in some way. What Member of Congress does not feel proud when one of his appointees stands straight in the graduating class at West Point, Annapolis, or the Air Force Academy? Or when a child enters a school whose doors have been opened to her by law? Or when a country across the sea is able to resist a totalitarian philosophy, armed with aid provided by the United States? Or when new laws give opportunity to the young and hope to the aged?

The most satisfying moment comes, however, when a legislator can come home and see material manifestation of his labors. This is such a moment.

Soon this red steel skeleton will be fleshed out by rivers of concrete, miles of wire, acres of glass: with marble and bricks and mortar and lime. And sometime next year it will become the daytime home of 5,000 Federal employees. It will be as modern and functional as design and engineering can make it. It will be the biggest office building in Missouri—bigger, it has been noted—than the Federal buildings in Austin and Boston. It will stand here for generations, lending its functional beauty to the heart of Kansas City.

But more than that, it will stand here as a symbol of the continuing progress of Kansas City. Only a few short years ago this site was covered by decaying buildings, a reminder of the past that has made way for the future.

This building will also stand as a constant reminder of the strong ties between the people of this area and the Federal Government in Washington. It will stand as a reminder that the energy, the talent, and the dedication of the people of our city are recognized and appreciated by that Government. Just how well these things have been recognized may surprise you.

The part the Federal Government plays in the economic life of Kansas City will be readily visible to the people in this neighborhood next year when this building is occupied. Every day the thousands of Government employees who will work here will arrive in the morning and depart in the evening and their numbers will be an impressive reminder of the multimillion-dollar payroll they will take into the market places.

But how about when they disperse to their own neighborhoods? What is there to remind the baker from whom they buy their bread and the bank where they save their money, that their wage is material evidence of the role of the Government in the local economy?

The impressive total of Government investment in Kansas City, I am afraid, just isn't visible to the people who daily benefit from it.

I would like to take a few minutes here to outline for you just what this investment means to the people, the economy, and the community of Kansas City.

Perhaps this can best be expressed by a look at what I found to be a rather amazing statistic: Since 1949, the year I first went to Congress, Federal investments in and for Kansas City have amounted to nearly $3 billion. This is quite a sum of money. As a matter of fact it is more than the entire revenues from all sources collected by the U.S. Government in the entire first 75 years of its existence.

Put another way it is more than the cost of the War of 1812, the Civil War, and the Spanish-American War together. It is nearly twice the cost of the first year of World War I.

It is significant, I think, that in the last 16 years the Federal Government has spent more in Kansas City for the cause of peace than it spent in three major wars over the period of a century.

Where does this money go?

Ultimately, and importantly, it goes into the mainstreams of commerce here at home. It goes to the butcher, the baker, and the clothing merchant; it goes for power to light our homes and fuel to heat them; it goes into local banks as savings and into the local government as taxes and it goes for transportation, medical expenses, education, and amusement.

It would be very difficult to find a citizen of this city whose life is not touched in some way for the good by Federal spending here.

A few moments ago I mentioned that 5,000 Federal employees would be housed in this building. This figure by no means represents all the Federal workers in this district. There are in fact, nearly 18,000. This is a raise of 57 percent since 1949. To this number can be added a $19 million annual payroll for military personnel in the area.

When these people receive their paychecks it says on them very clearly: "Treasurer of the United States." When they cash those checks the banker or the merchant knows where they came from. But how about the men who are working on this building? This building will cost more than $32 million and a great deal of it will go into wages for the men who are building it. Their paychecks do not bear the stamp of the U.S. Treasury but the money they spend is indeed legal tender and it is computed at 100 cents to the dollar when it is spent in our local markets and it comes as a result of a Federal decision to build this building here in Kansas City.

The same is true for the men and women who work at the Bendix plant. In the last 16 years the Federal Government has awarded the local Bendix plant atomic energy contracts valued at more than $1¼ billion. Again, a great proportion of this money went and continues to go into the economy of Kansas City in the form of wages.

Some of the aid the Government furnishes to the economy of Kansas City is not so direct as those few examples I have outlined. Even so they are of significant importance.

If I could take you to the top of this building you could see the Missouri River winding through the city. The Missouri River is not very clear water but a glance across its surface will tell you how deep it is. You can tell from the barges plowing up and down that it is 7 feet deep in the channel. Since that channel was opened in 1953, after it was deepened with Federal funds, commercial barge traffic on the river has increased twentyfold, and three new grain elevators have been built on its banks.

This channel has provided the shippers of this area with a gate to the sea. This year legislative obstacles to a 9-foot channel have been removed. When it is completed it will allow the barges to take additional weight and could reduce rates as much as 35 percent. When this takes place more shippers will come to take advantage of the facilities here and the whole economy will profit.

If we were on the roof of this building we might take another look at the river and then try to remember what it looked like on that black Friday, July 13, 1951. Joined by the Kaw, it churned and boiled and breeched its banks to devastate whole sections of the city. Since then key dams have been built to better control the flow of the powerful Kaw. Dams like the one at Tuttle Creek and the Perry and Milford Dams. Again, Kansas City has benefited through this added protection for its waterfront.

I would venture to say that most of you here, if, indeed, not all of you benefited to some degree by Federal expenditures in the area on your way here this morning. I refer to your ride to this dedication site. Was it a little smoother, a little shorter, a little faster? In the last decade and a half the Federal Bureau of Public Roads has contributed $106 million toward the construction of more than 90 miles of roads right here in Jackson County.

Did you know that there are nearly 50,000 people in Kansas City who are 65 or older? Suppose for a moment there was no social security for most of our aging. Suppose they had to depend entirely on their sons and daughters or on the public dole. It is not a pretty picture and, fortunately not one that is likely to materialize. Last year social security payments in this district totaled nearly $34 million. Incidentally, that compares with $1¼ million in 1949.

These statistics could go on and on. I could demonstrate for you that there is hardly a department or an agency of the U.S. Government that does not have an investment in Kansas City.

Why, you might ask, has Kansas City been singled out for all this munificence? The facts are that Kansas City has not been singled out. The Federal investments here have come as the result of the hard work and combined effort of the business community, the labor community, the local government and the legislators in Washington.

This building we are dedicating today is a good example of what coordinated effort can produce. Long ago, when this building was first discussed, it was quickly apparent that in the order of first things first, a building site must be agreed upon. It was done quickly and with a minimum of disagreement.

The result was that when the plan for the building was submitted the site was ready and waiting. This was more than a little helpful in getting the legislation passed to authorize its construction.

I now say to you that in my opinion this building, above all stands for the will of all the people of this community to push ahead, to work, to progress. Let us so dedicate it.